INDEX TO THE TRANSCRIPTS OF THE SENATE DEBATES OF THE 84TH GENERAL ASSEMBLY, STATE OF ILLINOIS JANUARY 9, 1985-JANUARY 13, 1987

JIM EDGAR
SECRETARY OF STATE AND STATE LIBRARIAN

ILLINOIS STATE LIBRARY
ILLINOIS DOCUMENTS SECTION

INDEX TO THE TRANSCRIPTS OF THE SENATE DEBATES OF THE EIGHTY-FOURTH GENERAL ASSEMBLY

STATE OF ILLINOIS

(JANUARY 9, 1985-JANUARY 13, 1987)

JIM EDGAR
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Illinois State Library
Springfield, Illinois
May, 1988

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FORWARD

The fall 1971 session of the 77th General Assembly is a landmark in the legislative history of the state. It was in October of 1971 that the legislature began recording and transcribing its deliberations under terms of the 1970 Constitution. This meant that floor proceedings of the General Assembly would be accessible in a permanent written form.

Unfortunately, although the debates have been recorded since the fall of 1971, these proceedings have not been published. They have, of course, been available to the public as the 1970 Constitution requires, but this has been through the legislative offices and the Index Department of the Office of Secretary of State on an individual request basis rather than through a formal and complete publication.

In an effort to make the proceedings of the legislature known to the citizens of the State of Illinois, the floor debates from the 84th General Assembly for the Senate were microfiched and sent to Illinois documents depository libraries and library systems through out the state.

The publication of this index to the Senate debates marks the final stage in the completion of this project. Similar indexes to House and Senate floor debates of other sessions are also available or are in preparation.

HOW TO USE THIS INDEX

In order to get maximum usage from this index, the researcher should keep the following guidelines in mind:

1. Coverage is limited to the 84th General Assembly Senate floor debates (January 9, 1985-January 13, 1987)

2. Reference is by bill number only. Citations to Public Acts, which are given in the Illinois Revised Statutes and in other sources, can be converted to bill numbers by consulting the appropriate Public Act as it appears in the session laws. Those who need access to debate by subject or sponsor should check the indexes in the Legislative Synopsis and Digest for reference to pertinent bill numbers.

3. The purpose of this index is to lead the user to discussion of legislative intent or reasons for particular activity, and not to serve as a record of all action. This means that there are no references to stages in the bills' progress which did not involve debate. Many bills, for example, are not amended on second reading. The Clerk indicates that there are no committee amendments, the presiding officer asks if there are floor amendments, is informed that there are none, and the bill is moved to third reading. There will be no citation to second reading debate on such bills since the floor proceedings contain no more information than the House journal or the Legislative Synopsis and Digest. Some bills were put on a consent calendar and passed in a single roll call without separate discussion; these will not have citations to debate on third reading (final passage stage). Nonconcurrences are often adopted without debate and will therefore not be indexed.

4. Within the limitations of the preceding guidelines, debate was index for all House and Senate bills where it existed. Coverage for resolutions was more selective, since most of them are ceremonial and perfunctory in nature. Debate was indexed for all House and Senate constitutional amendment resolutions and for resolutions which involved controversy (usually investigations of problems or expression of sentiments which were not universally accepted).

TO LOCATE DEBATE FOR A BILL

1. Consult the bill number index. If there are entries under the bill, they will refer to date and pages.

2. Turn to the "Conversion Table: Legislative Day to Date" in order to convert the date to legislative day number

Please note the microfiche are numbered sequentially in the upper right hand corner of the heading. The heading shows the number of the legislative day and date of the first legislative day on that particular fiche. There is no correlation between sequential fich numbers and the legislative day contained on the fiche.

On the days for which there are both regular and special sessions, debates for the special sessions appear after the regular session for that day.

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BILL NUMBER	DATE	PAGE	ACTION
HB-0016	05/14/85	3	FIRST READING
HB-0017	05/30/85	17	FIRST READING
	06/19/85	49	SECOND READING
	06/24/85	115	THIRD READING
HB-0018	05/23/85	2	FIRST READING
	06/19/85	49	SECOND READING
	06/24/85	122	THIRD READING
HB-0023	03/27/85	12	FIRST READING
	06/19/85	50	SECOND READING
	06/24/85	131	THIRD READING
HB-0024	06/04/85	3	FIRST READING
	06/24/85	241	SECOND READING
	06/26/85	82	SECOND READING
	06/26/85	301	THIRD READING
HB-0025	05/14/85	3	FIRST READING
	06/10/85	2	SECOND READING
	06/24/85	2	THIRD READING
HB-0026	03/27/85	12	FIRST READING
	06/18/85	7	SECOND READING
	06/24/85	2	THIRD READING
	10/30/85	3	VETO MESSAGE
HB-0027	05/09/85	3	FIRST READING
	06/19/85	50	SECOND READING
	06/24/85	132	THIRD READING
HB-0034	05/30/85	17	FIRST READING
	06/12/85	3	SECOND READING
	06/24/85	136	THIRD READING
HB-0035	05/07/85	4	FIRST READING
HB-0036	05/09/85	3	FIRST READING
	06/03/85	10	SECOND READING
	06/05/85	9	THIRD READING
HB-0037	05/16/85	2	FIRST READING
	06/11/85	5	SECOND READING
	06/24/85	2	THIRD READING
HB-0038	03/27/85	12	FIRST READING
	06/18/85	7	SECOND READING
	06/24/85	2	THIRD READING
HB-0039	03/27/85	12	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0039 (cont'd)	06/10/85	2	SECOND READING
	06/24/85	2	THIRD READING
HB-0040	04/16/85	2	FIRST READING
	06/10/85	3	SECOND READING
	06/24/85	2	THIRD READING
HB-0043	04/16/85	2	FIRST READING
	06/18/85	3	SECOND READING
	06/24/85	137	THIRD READING
HB-0045	05/28/86	11	FIRST READING
HB-0047	05/09/85	3	FIRST READING
	06/10/85	3	SECOND READING
	06/24/85	3	THIRD READING
	10/30/85	3	VETO MESSAGE
HB-0048	05/17/85	2	FIRST READING
	06/21/85	48	SECOND READING
	06/24/85	137	THIRD READING
	06/28/85	138	REFUSE TO RECEDE
	06/30/85	54	CONFERENCE
HB-0049	05/30/85	18	FIRST READING
	06/18/85	4	SECOND READING
	06/21/85	4	RECALLED
	06/24/85	138	THIRD READING
HB-0050	05/07/85	4	FIRST READING
	06/03/85	11	SECOND READING
	06/05/85	10	THIRD READING
HB-0051	05/07/85	4	FIRST READING
	06/03/85	12	SECOND READING
	06/05/85	11	THIRD READING
HB-0052	05/07/85	4	FIRST READING
	06/20/85	59	SECOND READING
	06/21/85	4	RECALLED
	06/24/85	139	THIRD READING
HB-0053	05/07/85	4	FIRST READING
	06/20/85	59	SECOND READING
	06/24/85	141	THIRD READING
	10/31/85	46	VETO MESSAGE
HB-0054	06/04/85	3	FIRST READING
	06/12/85	3	SECOND READING
	06/21/85	7	RECALLED
	06/26/85	344	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0054 (cont'd)	06/28/85	138	REFUSE TO RECEDE
HB-0060	06/03/85	2	FIRST READING
	06/18/85	5	SECOND READING
	06/24/85	143	THIRD READING
	10/30/85	4	VETO MESSAGE
HB-0062	05/23/85	2	FIRST READING
	06/18/85	8	SECOND READING
	06/24/85	144	THIRD READING
	06/30/85	42	REFUSE TO RECEDE
	07/02/85	6	CONFERENCE
HB-0066	05/30/85	17	FIRST READING
	06/18/85	12	SECOND READING
	06/24/85	29	RECALLED
	06/26/85	345	THIRD READING
	06/28/85	139	REFUSE TO RECEDE
	06/30/85	56	CONFERENCE
HB-0068	06/03/85	2	FIRST READING
HB-0069	03/27/85	12	FIRST READING
	06/10/85	4	SECOND READING
	06/24/85	3	THIRD READING
HB-0071	03/27/85	12	FIRST READING
	06/10/85	4	SECOND READING
	06/24/85	145	THIRD READING
HB-0072	05/07/85	4	FIRST READING
	06/11/85	5	SECOND READING
	06/21/85	8	RECALLED
	06/24/85	149	THIRD READING
	10/30/85	5	VETO MESSAGE
HB-0075	05/09/85	3	FIRST READING
	06/18/85	9	SECOND READING
	06/24/85	3	THIRD READING
HB-0081	05/07/85	4	FIRST READING
	06/05/85	8	SECOND READING
	06/24/85	3	THIRD READING
HB-0082	05/22/85	2	FIRST READING
	06/11/85	5	SECOND READING
	06/24/85	3	THIRD READING
	10/30/85	65	VETO MESSAGE
HB-0083	05/30/85	19	FIRST READING
	06/18/85	9	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0083 (cont'd)	06/24/85	3	THIRD READING
	06/29/85	45	RECEDE
HB-0088	04/16/85	2	FIRST READING
	06/10/85	5	SECOND READING
	06/24/85	3	THIRD READING
HB-0089	05/14/85	3	FIRST READING
	06/18/85	11	SECOND READING
	06/24/85	3	THIRD READING
HB-0090	05/23/85	2	FIRST READING
	06/18/85	12	SECOND READING
	06/24/85	155	THIRD READING
	06/28/85	159	RECEDE
HB-0094	05/30/85	19	FIRST READING
HB-0099	04/16/85	2	FIRST READING
	06/10/85	6	SECOND READING
	06/24/85	3	THIRD READING
	10/30/85	78	VETO MESSAGE
	10/31/85	102	VETO MESSAGE
HB-0100	06/03/85	2	FIRST READING
	06/19/85	50	SECOND READING
	06/24/85	3	THIRD READING
HB-0112	05/14/85	3	FIRST READING
	06/11/85	6	SECOND READING
	06/24/85	3	THIRD READING
HB-0116	03/27/85	12	FIRST READING
	05/17/85	144	MOTION
	05/20/85	159	SECOND READING
	05/21/85	214	THIRD READING
HB-0120	05/07/85	4	FIRST READING
	06/10/85	6	SECOND READING
	06/24/85	167	THIRD READING
HB-0121	05/15/85	2	FIRST READING
HB-0123	05/23/85	2	FIRST READING
	06/19/85	52	SECOND READING
	06/24/85	167	THIRD READING
	06/28/85	131	REFUSE TO RECEDE
	07/02/85	7	CONFERENCE
	07/02/85	53	MOTION
	07/02/85	57	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-0124	06/04/85	3	FIRST READING
	06/12/85	4	SECOND READING
	06/24/85	168	THIRD READING
HB-0129	05/07/85	4	FIRST READING
HB-0131	04/16/85	2	FIRST READING
	06/18/85	13	SECOND READING
	06/24/85	174	THIRD READING
HB-0132	05/30/85	19	FIRST READING
	11/19/86	85	MOTION
	11/19/86	87	SECOND READING
	12/02/86	39	OUT OF RECORD
	12/03/86	58	RECALLED
	12/03/86	71	THIRD READING
HB-0137	03/27/85	12	FIRST READING
	06/11/85	7	SECOND READING
	06/24/85	3	THIRD READING
	06/29/85	46	REFUSE TO RECEDE
HB-0142	05/29/85	61	FIRST READING
	06/21/85	53	SECOND READING
	06/24/85	179	THIRD READING
	10/30/85	6	VETO MESSAGE
HB-0143	06/03/85	2	FIRST READING
	06/24/85	241	SECOND READING
	06/26/85	304	THIRD READING
HB-0146	03/27/85	12	FIRST READING
	06/19/85	53	SECOND READING
	06/25/85	9	RECALLED
	06/26/85	346	THIRD READING
HB-0150	05/15/85	2	FIRST READING
	06/10/85	6	SECOND READING
	06/24/85	3	THIRD READING
	06/28/85	114	REFUSE TO RECEDE
HB-0152	05/29/85	61	FIRST READING
	06/18/85	14	SECOND READING
	06/24/85	3	THIRD READING
HB-0153	05/23/85	3	FIRST READING
	06/10/85	7	SECOND READING
	06/24/85	3	THIRD READING
HB-0156	03/27/85	12	FIRST READING
	06/10/85	8	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0156(cont'd)	06/24/85	180	THIRD READING
HB-0157	06/04/85	22	FIRST READING
	06/21/85	53	SECOND READING
	06/24/85	180	THIRD READING
HB-0164	05/30/85	19	FIRST READING
	06/18/85	15	SECOND READING
	06/24/85	182	THIRD READING
HB-0167	03/27/85	13	FIRST READING
	06/10/85	8	SECOND READING
	06/24/85	3	THIRD READING
HB-0170	05/21/85	2	FIRST READING
HB-0171	05/07/85	4	FIRST READING
	06/03/85	13	SECOND READING
	06/05/85	12	THIRD READING
HB-0178	05/15/85	2	FIRST READING
	06/10/85	9	SECOND READING
	06/24/85	4	THIRD READING
HB-0181	05/15/85	2	FIRST READING
	06/19/85	55	SECOND READING
	06/24/85	183	THIRD READING
HB-0182	05/07/85	4	FIRST READING
	06/10/85	9	SECOND READING
	06/19/85	2	RECALLED
	06/24/85	4	THIRD READING
HB-0188	05/14/85	3	FIRST READING
	06/18/85	16	SECOND READING
	06/24/85	4	THIRD READING
	10/30/85	31	VETO MESSAGE
HB-0190	05/08/85	2	FIRST READING
	06/12/85	4	SECOND READING
	06/24/85	4	THIRD READING
HB-0195	05/16/85	2	FIRST READING
HB-0196	05/08/85	3	FIRST READING
HB-0197	05/16/85	2	FIRST READING
	06/10/85	10	SECOND READING
	06/24/85	4	THIRD READING
HB-0198	05/23/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0198 (cont'd)	06/10/85	10	SECOND READING
	06/24/85	185	THIRD READING
HB-0200	05/30/85	19	FIRST READING
HB-0202	06/18/85	16	SECOND READING
	06/24/85	187	THIRD READING
HB-0204	05/16/85	2	FIRST READING
	06/12/85	4	SECOND READING
	06/24/85	4	THIRD READING
	06/28/85	139	REFUSE TO RECEDE
	06/30/85	57	CONFERENCE
HB-0207	05/24/85	2	FIRST READING
HB-0208	05/07/85	4	FIRST READING
	06/11/85	8	SECOND READING
	06/24/85	4	THIRD READING
HB-0210	05/16/85	2	FIRST READING
	06/12/85	5	SECOND READING
	06/24/85	4	THIRD READING
HB-0212	03/27/85	13	FIRST READING
HB-0217	05/24/85	2	FIRST READING
	06/19/85	61	SECOND READING
	06/24/85	4	THIRD READING
HB-0220	03/27/85	13	FIRST READING
	06/18/85	18	SECOND READING
	06/24/85	188	THIRD READING
HB-0222	05/08/85	3	FIRST READING
	06/11/85	8	SECOND READING
	06/24/85	4	THIRD READING
HB-0223	03/27/85	13	FIRST READING
	06/10/85	10	SECOND READING
	06/24/85	4	THIRD READING
HB-0228	05/07/85	4	FIRST READING
	06/11/85	9	SECOND READING
	06/24/85	4	THIRD READING
HB-0231	06/04/85	3	FIRST READING
	06/12/85	5	SECOND READING
	06/20/85	27	RECALLED
	06/21/85	44	RECALLED
	06/24/85	200	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0231 (cont'd)	06/28/85	115	REFUSE TO RECEDE
	07/02/85	46	CONFERENCE
	10/30/85	7	VETO MESSAGE
HB-0241	05/16/85	2	FIRST READING
	06/11/85	10	SECOND READING
	06/26/85	346	THIRD READING
HB-0242	04/16/85	2	FIRST READING
	06/10/85	11	SECOND READING
	06/20/85	27	RECALLED
	06/24/85	201	THIRD READING
HB-0243	06/05/85	32	FIRST READING
	06/18/85	18	SECOND READING
	06/21/85	10	RECALLED
	06/24/85	205	THIRD READING
HB-0244	05/08/85	3	FIRST READING
	06/10/85	11	SECOND READING
	06/24/85	4	THIRD READING
HB-0247	05/30/85	19	FIRST READING
	06/18/85	19	SECOND READING
	06/24/85	206	THIRD READING
HB-0251	06/06/85	6	FIRST READING
	06/18/85	20	SECOND READING
	06/24/85	207	THIRD READING
HB-0252	03/27/85	13	FIRST READING
	06/18/85	20	SECOND READING
	06/24/85	4	THIRD READING
HB-0253	03/27/85	13	FIRST READING
	06/18/85	20	SECOND READING
	06/24/85	4	THIRD READING
HB-0255	06/04/85	3	FIRST READING
	06/12/85	6	SECOND READING
	06/24/85	4	THIRD READING
HB-0257	05/15/85	3	FIRST READING
	06/18/85	22	SECOND READING
	06/19/85	6	RECALLED
	06/24/85	208	THIRD READING
	10/31/85	115	VETO MESSAGE
HB-0258	05/07/85	4	FIRST READING
	06/10/85	12	SECOND READING
	06/24/85	5	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0259	05/07/85	5	FIRST READING
	06/10/85	12	SECOND READING
	06/24/85	5	THIRD READING
HB-0260	05/07/85	5	FIRST READING
	06/10/85	13	SECOND READING
	06/24/85	5	THIRD READING
HB-0261	05/07/85	5	FIRST READING
	06/10/85	13	SECOND READING
	06/24/85	5	THIRD READING
HB-0262	05/07/85	5	FIRST READING
	06/10/85	14	SECOND READING
	06/24/85	209	THIRD READING
HB-0263	05/07/85	5	FIRST READING
	06/10/85	14	SECOND READING
	06/24/85	5	THIRD READING
HB-0264	05/07/85	5	FIRST READING
	06/10/85	14	SECOND READING
	06/20/85	28	RECALLED
	06/24/85	209	THIRD READING
	10/30/85	7	VETO MESSAGE
HB-0265	05/07/85	5	FIRST READING
	06/10/85	15	SECOND READING
	06/24/85	210	THIRD READING
HB-0266	05/07/85	5	FIRST READING
	06/10/85	16	SECOND READING
	06/24/85	5	THIRD READING
HB-0267	05/07/85	5	FIRST READING
HB-0268	05/07/85	5	FIRST READING
	06/10/85	16	SECOND READING
	06/24/85	5	THIRD READING
HB-0269	05/07/85	5	FIRST READING
	06/10/85	16	SECOND READING
	06/24/85	5	THIRD READING
	06/28/85	132	REFUSE TO RECEDE
	07/01/85	50	CONFERENCE
HB-0270	05/07/85	5	FIRST READING
	06/10/85	17	SECOND READING
	06/24/85	5	THIRD READING
HB-0272	05/07/85	5	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0272(cont'd)	06/19/85	62	SECOND READING
	06/20/85	29	RECALLED
	06/24/85	211	THIRD READING
HB-0273	03/27/85	13	FIRST READING
	06/10/85	18	SECOND READING
	06/24/85	5	THIRD READING
HB-0275	05/07/85	5	FIRST READING
	06/10/85	18	SECOND READING
	06/24/85	30	RECALLED
	06/26/85	348	THIRD READING
	06/28/85	139	REFUSE TO RECEDE
	07/01/85	8	CONFERENCE
HB-0276	05/07/85	5	FIRST READING
	06/10/85	18	SECOND READING
	06/24/85	5	THIRD READING
HB-0277	05/07/85	5	FIRST READING
	06/18/85	23	SECOND READING
	06/24/85	5	THIRD READING
HB-0278	05/07/85	5	FIRST READING
	06/10/85	19	SECOND READING
	06/24/85	5	THIRD READING
HB-0279	05/07/85	6	FIRST READING
	06/10/85	19	SECOND READING
	06/24/85	5	THIRD READING
HB-0280	05/07/85	6	FIRST READING
	06/10/85	19	SECOND READING
	06/24/85	5	THIRD READING
HB-0281	05/07/85	6	FIRST READING
HB-0282	05/07/85	6	FIRST READING
	06/10/85	20	SECOND READING
	06/24/85	5	THIRD READING
HB-0283	05/07/85	6	FIRST READING
	06/10/85	20	SECOND READING
	06/24/85	5	THIRD READING
HB-0284	03/27/85	13	FIRST READING
	06/10/85	20	SECOND READING
	06/24/85	6	THIRD READING
HB-0290	06/04/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0291	05/23/85	3	FIRST READING
	06/03/85	13	SECOND READING
	06/05/85	15	THIRD READING
HB-0293	05/07/85	6	FIRST READING
	06/04/85	6	SECOND READING
	06/05/85	15	THIRD READING
HB-0294	05/09/85	4	FIRST READING
	06/10/85	21	SECOND READING
	06/24/85	6	THIRD READING
HB-0296	04/16/85	2	FIRST READING
	06/24/85	52	SECOND READING
HB-0298	06/03/85	3	FIRST READING
	06/18/85	23	SECOND READING
	06/24/85	6	THIRD READING
HB-0300	05/24/85	2	FIRST READING
	06/20/85	60	SECOND READING
	06/24/85	219	THIRD READING
HB-0301	05/17/85	2	FIRST READING
	06/18/85	24	SECOND READING
	06/24/85	6	THIRD READING
HB-0302	05/17/85	2	FIRST READING
	06/05/85	6	FIRST READING
	06/18/85	25	SECOND READING
	06/24/85	6	THIRD READING
HB-0303	05/17/85	2	FIRST READING
	06/18/85	25	SECOND READING
	06/24/85	6	THIRD READING
HB-0304	05/17/85	2	FIRST READING
	06/18/85	26	SECOND READING
	06/24/85	226	THIRD READING
HB-0305	05/17/85	2	FIRST READING
	06/18/85	26	SECOND READING
	06/24/85	6	THIRD READING
HB-0306	05/17/85	2	FIRST READING
	06/18/85	26	SECOND READING
	06/24/85	6	THIRD READING
HB-0307	05/17/85	2	FIRST READING
	06/18/85	27	SECOND READING
	06/24/85	6	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0308	05/30/85	19	FIRST READING
	06/12/85	7	SECOND READING
	06/24/85	6	THIRD READING
HB-0312	05/22/85	2	FIRST READING
	06/18/85	27	SECOND READING
	06/19/85	3	RECALLED
	06/25/85	18	THIRD READING
	06/28/85	140	REFUSE TO RECEDE
	07/02/85	9	DISCUSSED AND POSTPONED
HB-0313	05/15/85	3	FIRST READING
	06/10/85	21	SECOND READING
	11/19/86	87	MOTION
	11/19/86	88	SECOND READING
	12/02/86	40	RECALLED
	12/03/86	60	THIRD READING
HB-0314	05/07/85	6	FIRST READING
	06/19/85	63	SECOND READING
	06/21/85	11	RECALLED
	06/25/85	21	THIRD READING
HB-0316	05/30/85	19	FIRST READING
	06/19/85	65	SECOND READING
	06/25/85	22	THIRD READING
	10/30/85	63	REFUSE TO RECEDE
HB-0319	05/22/85	2	FIRST READING
HB-0320	05/23/85	3	FIRST READING
	06/18/85	28	SECOND READING
	06/19/85	4	RECALLED
	06/26/85	349	THIRD READING
HB-0323	05/14/85	4	FIRST READING
	06/18/85	29	SECOND READING
	06/24/85	6	THIRD READING
HB-0324	05/22/85	2	FIRST READING
	06/19/85	8	RECALLED
HB-0332	03/27/85	13	FIRST READING
	06/03/85	13	SECOND READING
	06/05/85	17	THIRD READING
HB-0334	05/30/85	19	FIRST READING
	06/12/85	7	SECOND READING
	06/25/85	25	THIRD READING
HB-0335	05/08/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0335 (cont'd)	06/10/85	22	SECOND READING
	06/19/85	41	RECALLED
	06/25/85	25	THIRD READING
	10/30/85	9	VETO MESSAGE
HB-0336	04/16/85	3	FIRST READING
	06/10/85	22	SECOND READING
	06/24/85	6	THIRD READING
HB-0337	05/08/85	3	FIRST READING
	06/04/85	7	SECOND READING
	06/05/85	18	THIRD READING
HB-0338	05/16/85	2	FIRST READING
	06/11/85	11	SECOND READING
	06/24/85	6	THIRD READING
HB-0340	03/27/85	13	FIRST READING
	06/10/85	23	SECOND READING
	06/19/85	8	RECALLED
	06/24/85	6	THIRD READING
HB-0341	05/30/85	19	FIRST READING
	06/18/85	29	SECOND READING
	06/24/85	6	THIRD READING
	10/30/85	42	VETO MESSAGE
	10/31/85	23	VETO MESSAGE
HB-0342	06/03/85	3	FIRST READING
	06/24/85	241	SECOND READING
	06/26/85	3	SECOND READING
	06/26/85	304	THIRD READING
HB-0343	05/21/85	2	FIRST READING
	06/10/85	23	SECOND READING
	06/24/85	6	THIRD READING
HB-0344	05/20/85	2	FIRST READING
	06/10/85	23	SECOND READING
	06/20/85	29	RECALLED
	06/25/85	27	THIRD READING
	06/28/85	115	REFUSE TO RECEDE
	06/30/85	58	CONFERENCE
	10/30/85	9	VETO MESSAGE
HB-0347	06/03/86	7	FIRST READING
HB-0348	05/23/85	3	FIRST READING
	06/19/85	66	SECOND READING
	06/24/85	6	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0354	05/21/85	2	FIRST READING
	06/19/85	66	SECOND READING
	06/25/85	29	THIRD READING
HB-0357	05/30/85	19	FIRST READING
	06/18/85	30	SECOND READING
	06/25/85	30	THIRD READING
	10/30/85	32	VETO MESSAGE
HB-0360	05/22/85	2	FIRST READING
	06/04/85	8	SECOND READING
	06/20/85	30	RECALLED
	06/25/85	31	THIRD READING
	06/28/85	116	REFUSE TO RECEDE
	07/02/85	58	CONFERENCE
	07/02/85	92	DISCUSSED
	07/03/85	13	CONFERENCE
HB-0362	06/04/85	3	FIRST READING
	06/24/85	241	SECOND READING
HB-0366	05/07/85	6	FIRST READING
	06/12/85	7	SECOND READING
	06/24/85	7	THIRD READING
HB-0368	05/07/85	7	FIRST READING
	06/10/85	24	SECOND READING
	06/24/85	7	THIRD READING
HB-0369	03/27/85	13	FIRST READING
	06/12/85	8	SECOND READING
	06/24/85	7	THIRD READING
HB-0370	05/14/85	4	FIRST READING
	05/15/85	242	MOTION
	05/16/85	219	SECOND READING
	05/17/85	140	RECALLED
	05/17/85	143	THIRD READING
HB-0374	05/30/85	19	FIRST READING
	06/18/85	30	SECOND READING
	06/24/85	11	THIRD READING
	06/25/85	17	RECALLED
	06/26/85	350	THIRD READING
	10/30/85	63	REFUSE TO RECEDE
	02/10/86	40	CONFERENCE
HB-0375	06/03/85	3	FIRST READING
HB-0377	06/05/85	32	FIRST READING
	06/18/85	32	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0377 (cont'd)	06/21/85	12	RECALLED
	06/25/85	32	THIRD READING
HB-0381	05/22/85	3	FIRST READING
	06/19/85	68	SECOND READING
	06/25/85	41	THIRD READING
HB-0385	06/03/85	3	FIRST READING
	06/18/85	32	SECOND READING
	06/24/85	7	THIRD READING
HB-0387	06/04/85	23	FIRST READING
	06/18/85	32	SECOND READING
	06/25/85	42	DISCUSSED AND POSTPONED
HB-0391	03/27/85	13	FIRST READING
	05/07/85	7	FIRST READING
HB-0392	05/07/85	7	FIRST READING
	06/21/85	54	SECOND READING
	06/25/85	47	THIRD READING
HB-0393	05/21/85	2	FIRST READING
	06/10/85	24	SECOND READING
	06/24/85	7	THIRD READING
HB-0394	05/15/85	3	FIRST READING
	06/19/85	68	SECOND READING
	06/24/85	7	THIRD READING
HB-0398	05/30/85	19	FIRST READING
	06/18/85	33	SECOND READING
	06/20/85	31	RECALLED
	06/25/85	3	RECALLED
	06/26/85	351	THIRD READING
HB-0401	05/29/85	61	FIRST READING
	06/18/85	34	SECOND READING
	06/25/85	48	DISCUSSED AND POSTPONED
	12/02/86	36	RECALLED
	12/02/86	36	MOTION
	12/03/86	76	POSTPONED CONSIDERATION
HB-0408	05/30/85	19	FIRST READING
	06/18/85	34	SECOND READING
	06/18/85	35	RECALLED
	06/24/85	7	THIRD READING
HB-0409	05/23/85	3	FIRST READING
	06/18/85	35	SECOND READING
	06/25/85	52	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0418	06/03/85	3	FIRST READING
	06/24/85	241	SECOND READING
	06/26/85	4	SECOND READING
	06/26/85	308	THIRD READING
HB-0419	05/29/85	61	FIRST READING
	06/18/85	36	SECOND READING
	06/24/85	7	THIRD READING
	06/29/85	46	REFUSE TO RECEDE
HB-0421	05/16/85	2	FIRST READING
	06/12/85	8	SECOND READING
	06/24/85	7	THIRD READING
HB-0422	05/16/85	2	FIRST READING
	06/12/85	8	SECOND READING
	06/24/85	7	THIRD READING
HB-0428	03/27/85	13	FIRST READING
HB-0430	05/15/85	3	FIRST READING
	06/11/85	11	SECOND READING
	06/19/85	10	RECALLED
	06/24/85	7	THIRD READING
HB-0431	06/05/85	32	FIRST READING
	06/18/85	38	SECOND READING
	06/21/85	15	RECALLED
	06/25/85	53	THIRD READING
	06/28/85	133	REFUSE TO RECEDE
	07/01/85	9	CONFERENCE
	10/30/85	11	VETO MESSAGE
HB-0434	06/05/85	6	FIRST READING
	06/18/85	38	SECOND READING
	06/24/85	7	THIRD READING
HB-0437	05/24/85	2	FIRST READING
	06/10/85	25	SECOND READING
	06/24/85	7	THIRD READING
HB-0447	05/30/85	19	FIRST READING
	06/12/85	9	SECOND READING
	06/24/85	7	THIRD READING
HB-0450	05/30/85	20	FIRST READING
	06/12/85	9	SECOND READING
	06/20/85	32	DISCUSSED
HB-0451	06/03/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0456	05/07/85	7	FIRST READING
	06/05/85	9	SECOND READING
	06/24/85	7	THIRD READING
HB-0459	05/23/85	3	FIRST READING
	06/10/85	25	SECOND READING
	06/24/85	7	THIRD READING
HB-0463	06/03/85	3	FIRST READING
HB-0467	05/30/85	20	FIRST READING
	06/18/85	38	SECOND READING
	06/24/85	7	THIRD READING
HB-0468	05/07/85	7	FIRST READING
	06/03/85	14	SECOND READING
	06/05/85	19	THIRD READING
HB-0470	05/30/85	20	FIRST READING
HB-0474	05/30/85	20	FIRST READING
	06/18/85	40	SECOND READING
	06/20/85	34	RECALLED
	06/21/85	16	RECALLED
	06/25/85	58	THIRD READING
	06/29/85	47	REFUSE TO RECEDE
HB-0479	05/22/85	3	FIRST READING
	06/11/85	11	SECOND READING
	06/24/85	8	THIRD READING
HB-0480	06/05/85	32	FIRST READING
	06/18/85	40	SECOND READING
	06/24/85	8	THIRD READING
HB-0481	06/05/85	8	FIRST READING
	06/20/85	69	SECOND READING
	06/25/85	58	THIRD READING
HB-0483	06/05/85	6	FIRST READING
	06/20/85	71	SECOND READING
	06/25/85	61	THIRD READING
HB-0484	06/04/85	3	FIRST READING
	06/12/85	10	SECOND READING
	06/24/85	8	THIRD READING
HB-0485	03/27/85	14	FIRST READING
	04/10/85	45	SECOND READING
HB-0486	05/30/85	20	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0486 (cont'd)	06/18/85	41	SECOND READING
	06/24/85	8	THIRD READING
HB-0489	05/15/85	3	FIRST READING
	06/12/85	10	SECOND READING
	06/24/85	8	THIRD READING
	10/30/85	12	VETO MESSAGE
HB-0493	06/05/85	6	FIRST READING
	06/18/85	41	SECOND READING
	06/24/85	8	THIRD READING
	10/30/85	13	VETO MESSAGE
HB-0496	05/20/85	2	FIRST READING
	06/11/85	12	SECOND READING
	06/24/85	8	THIRD READING
HB-0497	05/20/85	2	FIRST READING
	06/18/85	41	SECOND READING
	06/21/85	18	RECALLED
	06/24/85	31	RECALLED
	06/25/85	61	THIRD READING
	06/28/85	116	REFUSE TO RECEDE
	06/30/85	72	CONFERENCE
HB-0500	06/04/86	6	FIRST READING
	06/17/86	2	SECOND READING
	06/18/86	65	THIRD READING
HB-0508	05/21/85	2	FIRST READING
	06/18/85	42	SECOND READING
	06/24/85	8	THIRD READING
HB-0510	06/03/85	3	FIRST READING
	06/20/85	72	SECOND READING
	06/25/85	66	THIRD READING
	10/30/85	64	REFUSE TO RECEDE
	10/31/85	21	CONFERENCE
HB-0513	05/29/85	61	FIRST READING
	06/19/85	69	SECOND READING
	06/25/85	67	THIRD READING
	10/30/85	76	VETO MESSAGE
HB-0514	05/23/85	3	FIRST READING
	06/20/85	74	SECOND READING
	06/25/85	10	RECALLED
	06/26/85	352	THIRD READING
	07/03/85	53	REFUSE TO RECEDE
HB-0521	05/22/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0521 (cont'd)	06/19/85	70	SECOND READING
	06/20/85	34	RECALLED
	06/25/85	72	THIRD READING
	10/30/85	14	VETO MESSAGE
HB-0522	05/30/85	20	FIRST READING
	06/12/85	11	SECOND READING
	06/24/85	8	THIRD READING
HB-0523	05/28/86	16	FIRST READING
	06/17/86	3	SECOND READING
	06/19/86	73	RECALLED
	06/23/86	2	THIRD READING
	06/23/86	2	OUT OF RECORD
	06/23/86	123	RECALLED
	06/23/86	189	THIRD READING
	06/26/86	67	NON-CONCURRENCE
HB-0526	06/04/85	22	FIRST READING
	06/24/85	241	SECOND READING
	06/26/85	5	SECOND READING
	11/12/85	49	RECALLED
	11/12/85	66	THIRD READING
	02/10/86	21	REFUSE TO RECEDE
	02/10/86	45	CONFERENCE
HB-0528	05/07/85	7	FIRST READING
	06/12/85	11	SECOND READING
	06/24/85	8	THIRD READING
HB-0529	06/04/85	3	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	85	SECOND READING
	06/26/85	308	THIRD READING
	07/03/85	53	RECEDE
HB-0530	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	85	SECOND READING
	06/26/85	309	THIRD READING
HB-0538	05/16/85	2	FIRST READING
	06/11/85	12	SECOND READING
	06/24/85	8	THIRD READING
HB-0547	05/20/86	3	FIRST READING
HB-0548	06/03/85	3	FIRST READING
	06/20/85	74	SECOND READING
	06/25/85	73	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0555	05/07/85	7	FIRST READING
	06/04/85	8	SECOND READING
	06/25/85	74	THIRD READING
HB-0556	05/15/85	3	FIRST READING
	06/20/85	75	SECOND READING
	06/25/85	79	THIRD READING
HB-0558	06/05/85	6	FIRST READING
	06/19/85	70	SECOND READING
	06/24/85	8	THIRD READING
HB-0561	05/30/85	20	FIRST READING
	06/18/85	42	SECOND READING
	06/21/85	21	RECALLED
	06/25/85	81	THIRD READING
HB-0562	05/23/86	2	FIRST READING
HB-0563	05/22/85	3	FIRST READING
	06/10/85	25	SECOND READING
	06/20/85	35	RECALLED
	06/25/85	84	THIRD READING
	06/28/85	117	REFUSE TO RECEDE
HB-0564	05/15/86	3	FIRST READING
	06/17/86	4	SECOND READING
	06/18/86	69	THIRD READING
HB-0567	05/30/85	20	FIRST READING
	06/21/85	55	SECOND READING
	06/25/85	85	THIRD READING
	06/28/85	117	REFUSE TO RECEDE
	07/03/85	7	CONFERENCE
HB-0568	05/30/85	20	FIRST READING
	10/17/85	60	MOTION
	10/29/85	8	SECOND READING
	11/05/85	3	RECALLED
	11/07/85	2	RECALLED
	11/07/85	123	RECALLED
	11/12/85	2	RECALLED
	11/12/85	46	RECALLED
	11/12/85	65	THIRD READING
	11/14/85	42	RECEDE
HB-0569	05/30/85	20	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	86	SECOND READING
	06/26/85	310	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0570	05/30/85	20	FIRST READING
	06/24/85	55	SECOND READING
	06/25/85	86	THIRD READING
	06/28/85	118	REFUSE TO RECEDE
	07/02/85	168	CONFERENCE
HB-0571	05/22/85	3	FIRST READING
	06/18/85	45	OUT OF RECORD
	06/19/85	70	SECOND READING
	06/25/85	88	THIRD READING
	06/28/85	118	REFUSE TO RECEDE
	06/30/85	75	CONFERENCE
HB-0573	05/09/85	3	FIRST READING
	06/10/85	26	SECOND READING
	06/24/85	8	THIRD READING
HB-0574	05/30/85	20	FIRST READING
	06/20/85	75	SECOND READING
	06/25/85	89	THIRD READING
HB-0575	06/03/85	3	FIRST READING
	06/18/85	48	SECOND READING
	06/24/85	8	THIRD READING
HB-0576	05/07/85	7	FIRST READING
	06/10/85	26	SECOND READING
	06/24/85	8	THIRD READING
	10/30/85	15	VETO MESSAGE
HB-0577	05/07/85	7	FIRST READING
	06/10/85	26	SECOND READING
	06/24/85	8	THIRD READING
HB-0578	05/24/85	3	FIRST READING
	06/18/85	48	SECOND READING
	06/19/85	9	RECALLED
	06/24/85	8	THIRD READING
	06/30/85	53	REFUSE TO RECEDE
	07/02/85	166	CONFERENCE
HB-0580	05/24/85	3	FIRST READING
	06/18/85	49	SECOND READING
	06/25/85	96	THIRD READING
HB-0582	05/23/85	3	FIRST READING
	06/04/85	9	SECOND READING
	06/05/85	19	THIRD READING
	10/30/85	16	VETO MESSAGE
HB-0583	06/03/85	8	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0583(cont'd)	06/24/85	242	SECOND READING
	06/26/85	93	SECOND READING
	06/26/85	310	RECALLED
	06/26/85	313	THIRD READING
HB-0590	05/07/85	7	FIRST READING
	06/12/85	12	SECOND READING
	06/24/85	9	THIRD READING
HB-0591	05/29/85	61	FIRST READING
	06/12/85	12	SECOND READING
	06/24/85	9	THIRD READING
HB-0592	06/03/85	3	FIRST READING
	06/18/85	49	SECOND READING
	06/24/85	9	THIRD READING
HB-0593	05/23/85	3	FIRST READING
	06/18/85	50	SECOND READING
	06/24/85	9	THIRD READING
HB-0598	05/23/85	3	FIRST READING
	06/12/85	13	SECOND READING
	06/21/85	23	RECALLED
	06/25/85	107	THIRD READING
HB-0601	05/17/85	2	FIRST READING
	06/10/85	27	SECOND READING
	06/24/85	9	THIRD READING
HB-0603	06/21/85	23	RECALLED
HB-0605	05/22/85	3	FIRST READING
	06/05/85	9	SECOND READING
	06/19/85	13	RECALLED
	06/25/85	99	THIRD READING
	06/28/85	146	REFUSE TO RECEDE
	06/30/85	59	CONFERENCE
HB-0608	05/21/85	2	FIRST READING
	06/12/85	13	SECOND READING
	06/25/85	101	THIRD READING
HB-0611	05/09/85	3	FIRST READING
	06/18/85	50	SECOND READING
	06/24/85	9	THIRD READING
HB-0615	05/30/85	20	FIRST READING
	06/19/85	74	SECOND READING
	06/25/85	103	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0618	05/30/85	20	FIRST READING
	06/18/85	50	SECOND READING
	06/25/85	104	THIRD READING
HB-0621	05/24/85	3	FIRST READING
	06/18/85	51	SECOND READING
	06/24/85	9	THIRD READING
HB-0622	05/07/85	7	FIRST READING
	06/18/85	52	SECOND READING
	06/24/85	9	THIRD READING
HB-0623	05/30/85	20	FIRST READING
	06/11/85	12	SECOND READING
	06/25/85	104	THIRD READING
HB-0626	05/09/85	3	FIRST READING
	06/18/85	52	SECOND READING
HB-0627	06/04/85	3	FIRST READING
	06/12/85	13	SECOND READING
	06/24/85	32	RECALLED
	06/25/85	105	THIRD READING
	06/29/85	47	REFUSE TO RECEDE
	07/01/85	10	CONFERENCE
HB-0631	06/03/85	3	FIRST READING
	06/18/85	53	SECOND READING
	06/25/85	106	THIRD READING
HB-0636	05/24/85	3	FIRST READING
	06/18/85	53	SECOND READING
	06/25/85	108	THIRD READING
HB-0639	05/07/85	7	FIRST READING
	06/10/85	27	SECOND READING
	06/24/85	9	THIRD READING
HB-0641	06/03/85	3	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	6	SECOND READING
	06/26/85	311	THIRD READING
HB-0650	05/30/85	20	FIRST READING
	06/18/85	53	SECOND READING
	06/21/85	24	RECALLED
	06/25/85	116	THIRD READING
HB-0651	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	95	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0651 (cont'd)	06/26/85	314	THIRD READING
HB-0652	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	95	SECOND READING
	06/26/85	315	THIRD READING
	07/01/85	3	REFUSE TO RECEDE
	07/03/85	22	CONFERENCE
HB-0653	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	98	SECOND READING
	06/26/85	315	THIRD READING
	07/01/85	4	REFUSE TO RECEDE
	07/03/85	23	CONFERENCE
HB-0654	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	99	SECOND READING
	06/26/85	316	THIRD READING
	07/01/85	7	RECEDE
HB-0655	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	104	SECOND READING
	07/03/85	50	MOTION
	07/03/85	75	SECOND READING
	07/03/85	83	THIRD READING
HB-0656	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	104	SECOND READING
	06/26/85	317	THIRD READING
HB-0657	06/03/85	8	FIRST READING
	06/24/85	242	SECOND READING
	06/26/85	6	SECOND READING
	06/26/85	317	THIRD READING
	07/01/85	4	REFUSE TO RECEDE
	07/03/85	24	CONFERENCE
HB-0658	06/03/85	8	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	8	SECOND READING
HB-0659	06/03/85	8	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	9	SECOND READING
	06/26/85	318	THIRD READING
	07/01/85	4	REFUSE TO RECEDE
	07/03/85	24	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-0660	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	10	SECOND READING
	06/26/85	320	THIRD READING
	07/01/85	5	REFUSE TO RECEDE
	07/03/85	25	CONFERENCE
HB-0661	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	11	SECOND READING
	06/26/85	320	THIRD READING
	07/01/85	5	REFUSE TO RECEDE
	07/03/85	26	CONFERENCE
HB-0663	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	13	SECOND READING
	06/26/85	321	THIRD READING
	07/01/85	5	REFUSE TO RECEDE
	07/03/85	27	CONFERENCE
HB-0664	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	15	SECOND READING
	06/26/85	322	THIRD READING
	07/01/85	6	REFUSE TO RECEDE
	07/03/85	27	CONFERENCE
HB-0665	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	18	SECOND READING
	06/26/85	322	THIRD READING
HB-0666	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	19	SECOND READING
	06/26/85	323	THIRD READING
	07/01/85	6	REFUSE TO RECEDE
	07/03/85	28	CONFERENCE
HB-0667	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	19	SECOND READING
	06/26/85	323	THIRD READING
HB-0668	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	20	SECOND READING
	06/26/85	324	THIRD READING
	07/01/85	6	REFUSE TO RECEDE
	07/03/85	30	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-0669	06/03/85	9	FIRST READING
	06/24/85	243	SECOND READING
	06/26/85	22	SECOND READING
	06/26/85	326	THIRD READING
	07/01/85	6	REFUSE TO RECEDE
	07/03/85	31	CONFERENCE
HB-0670	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	24	SECOND READING
	06/26/85	326	THIRD READING
	07/01/85	6	REFUSE TO RECEDE
	07/03/85	31	CONFERENCE
HB-0671	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	24	SECOND READING
	06/26/85	327	THIRD READING
HB-0672	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	25	SECOND READING
	06/26/85	327	THIRD READING
	07/01/85	7	REFUSE TO RECEDE
	07/03/85	32	CONFERENCE
HB-0673	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	30	SECOND READING
	06/26/85	328	THIRD READING
HB-0674	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	31	SECOND READING
	06/26/85	329	THIRD READING
	07/01/85	7	REFUSE TO RECEDE
	07/03/85	33	CONFERENCE
HB-0676	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	46	SECOND READING
	06/26/85	329	THIRD READING
	06/26/85	347	THIRD READING
HB-0677	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	47	SECOND READING
HB-0678	06/03/85	9	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	48	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0678 (cont'd)	06/26/85	330	THIRD READING
HB-0679	06/03/85	10	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	50	SECOND READING
	06/26/85	330	THIRD READING
	07/01/85	7	REFUSE TO RECEDE
	07/03/85	33	CONFERENCE
	10/30/85	70	VETO MESSAGE
	10/31/85	36	VETO MESSAGE
HB-0681	05/13/86	127	FIRST READING
HB-0682	05/23/85	3	FIRST READING
	06/11/85	13	SECOND READING
	06/25/85	116	THIRD READING
HB-0683	06/03/85	10	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	59	SECOND READING
	06/26/85	331	THIRD READING
	07/01/85	7	REFUSE TO RECEDE
	07/03/85	34	CONFERENCE
HB-0685	05/30/85	22	FIRST READING
HB-0691	06/03/85	3	FIRST READING
	06/18/85	54	SECOND READING
	06/25/85	122	THIRD READING
HB-0692	05/30/85	21	FIRST READING
	06/18/85	54	SECOND READING
	06/25/85	129	THIRD READING
	06/29/85	41	REFUSE TO RECEDE
HB-0693	06/04/85	22	FIRST READING
	06/24/85	244	SECOND READING
	06/26/85	64	SECOND READING
	06/26/85	332	THIRD READING
HB-0694	05/30/85	21	FIRST READING
	06/19/85	75	SECOND READING
	06/24/85	33	RECALLED
	06/25/85	130	THIRD READING
	06/28/85	146	REFUSE TO RECEDE
	06/30/85	74	CONFERENCE
HB-0701	05/07/85	7	FIRST READING
	06/12/85	14	SECOND READING
	06/24/85	9	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0703	05/24/85	3	FIRST READING
	06/18/85	55	SECOND READING
	06/25/85	131	THIRD READING
HB-0704	05/07/85	7	FIRST READING
	06/10/85	27	SECOND READING
	06/24/85	47	RECALLED
	06/25/85	132	THIRD READING
	06/28/85	151	REFUSE TO RECEDE
	07/01/85	51	CONFERENCE
HB-0705	05/08/85	3	FIRST READING
	06/18/85	56	SECOND READING
	06/24/85	9	THIRD READING
HB-0706	05/09/85	3	FIRST READING
	06/10/85	28	SECOND READING
	06/19/85	77	SECOND READING
	06/24/85	9	THIRD READING
HB-0707	05/29/85	61	FIRST READING
HB-0710	05/15/85	3	FIRST READING
	06/10/85	28	SECOND READING
	06/24/85	9	THIRD READING
HB-0714	05/16/85	2	FIRST READING
	06/12/85	14	SECOND READING
	06/24/85	9	THIRD READING
HB-0715	05/30/85	21	FIRST READING
	06/12/85	15	SECOND READING
	06/25/85	144	THIRD READING
HB-0717	06/03/85	3	FIRST READING
HB-0720	05/30/85	21	FIRST READING
	06/12/85	15	SECOND READING
	06/19/85	47	RECALLED
	06/25/85	146	RECALLED
	06/26/85	354	THIRD READING
HB-0721	06/03/85	10	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	65	SECOND READING
	06/26/85	333	THIRD READING
HB-0724	05/23/85	3	FIRST READING
	06/10/85	28	SECOND READING
	06/25/85	147	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0725	06/04/85	3	FIRST READING
	06/18/85	56	SECOND READING
	06/24/85	9	THIRD READING
HB-0733	05/16/85	2	FIRST READING
	06/11/85	13	SECOND READING
	06/24/85	10	THIRD READING
HB-0734	05/09/85	3	FIRST READING
	06/10/85	29	SECOND READING
	06/24/85	10	THIRD READING
HB-0737	05/29/85	61	FIRST READING
	06/18/85	56	SECOND READING
	06/26/85	354	THIRD READING
HB-0739	05/22/85	3	FIRST READING
	06/10/85	29	SECOND READING
	06/24/85	10	THIRD READING
HB-0740	05/29/85	61	FIRST READING
	10/15/85	5	MOTION
	10/16/85	146	SECOND READING
	10/29/85	10	THIRD READING
HB-0743	05/09/85	3	FIRST READING
	06/10/85	29	SECOND READING
	06/19/85	14	RECALLED
	06/24/85	10	THIRD READING
	10/30/85	17	VETO MESSAGE
HB-0751	05/30/85	21	FIRST READING
	06/18/85	57	SECOND READING
	06/24/85	10	THIRD READING
HB-0753	05/29/85	61	FIRST READING
	06/18/85	57	SECOND READING
	06/25/85	148	DISCUSSED AND POSTPONED
HB-0755	05/29/85	61	FIRST READING
	06/18/85	58	SECOND READING
	06/25/85	159	THIRD READING
HB-0760	05/24/85	3	FIRST READING
HB-0761	05/29/85	61	FIRST READING
	06/12/85	15	SECOND READING
	06/25/85	161	THIRD READING
	10/30/85	46	VETO MESSAGE
HB-0772	05/07/85	7	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0772 (cont'd)	06/04/85	9	SECOND READING
	06/05/85	20	THIRD READING
HB-0775	05/17/85	2	FIRST READING
	06/10/85	30	SECOND READING
	06/24/85	10	THIRD READING
HB-0777	05/30/85	21	FIRST READING
	06/20/85	81	SECOND READING
	06/25/85	162	THIRD READING
HB-0778	05/16/85	2	FIRST READING
	06/03/85	14	SECOND READING
	06/05/85	21	THIRD READING
HB-0781	06/03/85	3	FIRST READING
	06/12/85	16	SECOND READING
	06/25/85	165	THIRD READING
	10/30/85	49	VETO MESSAGE
HB-0782	05/30/85	21	FIRST READING
	06/18/85	58	SECOND READING
	06/25/85	168	THIRD READING
HB-0787	05/24/85	3	FIRST READING
	06/10/85	31	SECOND READING
	06/17/86	70	MOTION
	06/18/86	4	SECOND READING
	06/19/86	91	THIRD READING
	12/03/86	11	VETO ACTION
HB-0791	05/24/85	3	FIRST READING
HB-0792	05/15/85	3	FIRST READING
	06/10/85	31	SECOND READING
	06/21/85	25	RECALLED
	06/25/85	169	THIRD READING
HB-0793	06/05/85	6	FIRST READING
	06/20/85	78	SECOND READING
	06/20/85	107	SECOND READING
HB-0799	05/30/85	21	FIRST READING
	06/18/85	58	SECOND READING
	06/24/85	10	THIRD READING
HB-0800	05/24/85	3	FIRST READING
HB-0802	05/08/85	3	FIRST READING
	06/10/85	31	SECOND READING
	06/24/85	10	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0805	05/24/85	3	FIRST READING
	06/20/85	81	SECOND READING
	06/24/85	48	RECALLED
	06/25/85	170	THIRD READING
HB-0807	06/03/85	3	FIRST READING
	06/12/85	16	SECOND READING
	06/19/85	15	RECALLED
	06/24/85	10	THIRD READING
	06/29/85	42	REFUSE TO RECEDE
	07/02/85	138	CONFERENCE
HB-0809	05/14/85	4	FIRST READING
	06/12/85	16	SECOND READING
	06/19/85	16	RECALLED
	06/24/85	10	THIRD READING
	06/28/85	119	REFUSE TO RECEDE
	06/30/85	60	CONFERENCE
	07/02/85	15	CONFERENCE
HB-0810	06/05/85	6	FIRST READING
	06/12/85	17	SECOND READING
	06/24/85	10	THIRD READING
HB-0811	05/23/85	3	FIRST READING
	06/10/85	32	SECOND READING
	06/25/85	170	THIRD READING
HB-0815	05/23/85	3	FIRST READING
	06/03/85	15	SECOND READING
	06/05/85	22	THIRD READING
HB-0816	05/24/85	3	FIRST READING
	06/18/85	59	SECOND READING
	06/24/85	10	THIRD READING
HB-0831	06/03/85	4	FIRST READING
	06/12/85	17	SECOND READING
	06/20/85	36	RECALLED
	06/24/85	34	RECALLED
	06/25/85	171	THIRD READING
	06/28/85	151	RECEDE
HB-0832	05/07/85	7	FIRST READING
	06/03/85	15	SECOND READING
	06/24/85	10	THIRD READING
HB-0833	05/22/85	3	FIRST READING
	06/18/85	60	SECOND READING
	06/24/85	10	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0838	06/03/85	4	FIRST READING
	06/12/85	17	SECOND READING
	06/25/85	172	DISCUSSED AND POSTPONED
HB-0839	06/24/85	35	RECALLED
HB-0851	05/21/85	2	FIRST READING
	06/12/85	18	SECOND READING
	06/24/85	10	THIRD READING
	06/28/85	140	REFUSE TO RECEDE
	07/02/85	16	CONFERENCE
HB-0852	05/24/85	3	FIRST READING
	06/18/85	61	SECOND READING
	06/19/85	16	RECALLED
	06/24/85	10	THIRD READING
HB-0853	05/09/85	4	FIRST READING
	06/10/85	32	SECOND READING
	06/24/85	11	THIRD READING
HB-0856	05/21/85	2	FIRST READING
	06/12/85	19	SECOND READING
	06/24/85	11	THIRD READING
HB-0857	05/21/85	2	FIRST READING
	06/10/85	32	SECOND READING
	06/24/85	11	THIRD READING
HB-0861	05/23/85	3	FIRST READING
	06/12/85	19	SECOND READING
	06/25/85	181	THIRD READING
HB-0864	05/17/85	3	FIRST READING
	06/18/85	61	SECOND READING
	06/24/85	11	THIRD READING
HB-0867	05/29/85	61	FIRST READING
	06/18/85	62	SECOND READING
	06/24/85	11	THIRD READING
HB-0873	05/20/85	2	FIRST READING
HB-0874	06/05/85	32	FIRST READING
	06/12/85	20	SECOND READING
HB-0879	05/30/85	21	FIRST READING
	06/18/85	62	SECOND READING
	06/24/85	11	THIRD READING
	06/28/85	121	REFUSE TO RECEDE

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BILL NUMBER	DATE	PAGE	ACTION
HB-0880	05/20/85	2	FIRST READING
	06/11/85	13	SECOND READING
	06/20/85	37	RECALLED
	06/25/85	191	THIRD READING
	10/30/85	34	VETO MESSAGE
HB-0881	05/22/85	3	FIRST READING
	06/18/85	63	SECOND READING
	06/20/85	133	THIRD READING
HB-0882	06/05/85	6	FIRST READING
	06/19/85	111	SECOND READING
	06/24/85	11	THIRD READING
	10/30/85	50	VETO MESSAGE
HB-0883	05/07/85	7	FIRST READING
	06/10/85	33	SECOND READING
	06/19/85	17	RECALLED
	06/25/85	194	THIRD READING
	06/28/85	154	REFUSE TO RECEDE
	07/01/85	11	CONFERENCE
HB-0888	05/30/85	21	FIRST READING
	06/18/85	64	SECOND READING
	06/25/85	4	RECALLED
	06/26/85	355	THIRD READING
	06/28/85	154	REFUSE TO RECEDE
	06/30/85	62	CONFERENCE
HB-0889	05/30/85	21	FIRST READING
	06/18/85	65	SECOND READING
	06/24/85	11	THIRD READING
HB-0890	05/30/85	21	FIRST READING
	06/18/85	66	SECOND READING
	06/24/85	11	THIRD READING
HB-0891	05/30/85	21	FIRST READING
	06/18/85	66	SECOND READING
	06/24/85	11	THIRD READING
	10/30/85	18	VETO MESSAGE
HB-0892	05/30/85	21	FIRST READING
	06/18/85	68	SECOND READING
	06/24/85	11	THIRD READING
HB-0893	05/30/85	21	FIRST READING
	06/18/85	68	SECOND READING
	06/24/85	11	THIRD READING
HB-0894	05/30/85	21	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0894 (cont'd)	06/18/85	68	SECOND READING
	06/24/85	11	THIRD READING
	06/29/85	42	REFUSE TO RECEDE
	06/30/85	63	CONFERENCE
HB-0895	05/22/85	3	FIRST READING
	06/18/85	69	SECOND READING
	06/24/85	11	THIRD READING
HB-0896	05/30/85	21	FIRST READING
	06/18/85	70	SECOND READING
	06/24/85	11	THIRD READING
HB-0897	05/30/85	22	FIRST READING
	06/18/85	70	SECOND READING
	06/24/85	11	THIRD READING
HB-0898	05/30/85	22	FIRST READING
	06/18/85	70	SECOND READING
HB-0899	05/20/85	2	FIRST READING
	06/18/85	71	SECOND READING
	06/24/85	12	THIRD READING
HB-0900	05/21/85	2	FIRST READING
	06/24/85	53	SECOND READING
	06/26/85	359	THIRD READING
HB-0903	05/29/85	61	FIRST READING
	06/12/85	20	SECOND READING
	06/25/85	195	THIRD READING
HB-0907	05/30/85	22	FIRST READING
	06/18/85	71	SECOND READING
	06/24/85	12	THIRD READING
HB-0909	05/22/85	3	FIRST READING
	06/12/85	23	SECOND READING
	06/25/85	196	THIRD READING
HB-0910	06/05/85	6	FIRST READING
	06/18/85	71	SECOND READING
	06/25/85	197	THIRD READING
HB-0913	05/23/86	2	FIRST READING
	06/19/86	1	SECOND READING
	06/20/86	20	RECALLED
	06/20/86	23	OUT OF RECORD
	06/20/86	47	RECALLED
	06/23/86	3	THIRD READING
	06/30/86	141	NON-CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-0913 (cont'd)	07/01/86	86	CONFERENCE
	12/03/86	3	VETO ACTION
HB-0921	05/21/85	2	FIRST READING
	06/18/85	72	SECOND READING
	06/24/85	12	THIRD READING
HB-0922	05/30/85	22	FIRST READING
	06/18/85	72	SECOND READING
	06/25/85	11	RECALLED
	06/26/85	359	THIRD READING
HB-0929	05/14/85	4	FIRST READING
	06/10/85	33	SECOND READING
	06/24/85	12	THIRD READING
HB-0932	05/23/85	3	FIRST READING
	06/11/85	14	SECOND READING
	06/25/85	198	THIRD READING
	10/30/85	51	VETO MESSAGE
HB-0935	05/23/85	4	FIRST READING
	06/20/85	82	SECOND READING
	06/25/85	199	DISCUSSED AND POSTPONED
HB-0938	05/23/86	2	FIRST READING
HB-0940	06/03/85	4	FIRST READING
HB-0943	05/22/85	3	FIRST READING
	06/18/85	72	SECOND READING
	06/24/85	12	THIRD READING
HB-0944	05/07/85	8	FIRST READING
	06/18/85	73	SECOND READING
	06/24/85	12	THIRD READING
HB-0946	06/04/85	22	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	66	SECOND READING
	06/26/85	334	THIRD READING
HB-0947	06/04/85	3	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	66	SECOND READING
	06/26/85	334	THIRD READING
HB-0949	05/29/85	62	FIRST READING
	06/12/85	24	SECOND READING
	06/25/85	224	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0950	06/03/85	4	FIRST READING
	06/12/85	23	SECOND READING
	06/19/85	18	RECALLED
	06/24/85	12	THIRD READING
HB-0951	05/20/85	3	FIRST READING
	06/18/85	73	SECOND READING
	06/24/85	12	THIRD READING
HB-0952	05/24/85	4	FIRST READING
	06/18/85	73	SECOND READING
HB-0957	05/17/85	3	FIRST READING
	06/19/85	112	SECOND READING
	06/25/85	217	THIRD READING
HB-0963	05/21/85	3	FIRST READING
	06/10/85	33	SECOND READING
	06/24/85	12	THIRD READING
HB-0964	06/10/85	45	FIRST READING
	06/18/85	74	SECOND READING
	06/20/85	38	RECALLED
	06/25/85	218	THIRD READING
HB-0968	05/30/85	22	FIRST READING
	06/18/85	74	SECOND READING
	06/24/85	12	THIRD READING
HB-0971	06/18/85	75	SECOND READING
	06/20/85	39	RECALLED
	06/21/85	26	RECALLED
	06/25/85	219	THIRD READING
	06/28/85	121	REFUSE TO RECEDE
	07/02/85	17	CONFERENCE
HB-0975	05/23/85	4	FIRST READING
	06/03/85	4	FIRST READING
	06/03/85	15	SECOND READING
	06/19/85	18	RECALLED
	06/25/85	223	THIRD READING
	10/31/85	41	VETO MESSAGE
HB-0982	05/29/85	62	FIRST READING
	06/18/85	75	SECOND READING
	06/25/85	227	THIRD READING
	10/31/85	42	OUT OF RECORD
	10/31/85	110	VETO MESSAGE
HB-0986	05/07/85	8	FIRST READING
	06/18/85	75	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-0986 (cont'd)	06/24/85	12	THIRD READING
HB-0988	05/15/86	3	FIRST READING
	06/17/86	4	SECOND READING
	06/18/86	70	THIRD READING
HB-0990	05/21/85	3	FIRST READING
	06/03/85	16	SECOND READING
	06/05/85	22	THIRD READING
HB-0992	05/21/85	3	FIRST READING
	06/18/85	76	SECOND READING
	06/24/85	12	THIRD READING
HB-0993	06/05/85	7	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	67	SECOND READING
	06/26/85	335	THIRD READING
	06/30/85	43	REFUSE TO RECEDE
	07/02/85	176	CONFERENCE
	07/03/85	1	CONFERENCE
HB-0997	06/03/85	4	FIRST READING
	06/18/85	77	SECOND READING
	06/24/85	12	THIRD READING
HB-1000	05/30/85	22	FIRST READING
	06/24/85	227	SECOND READING
	06/25/85	229	THIRD READING
	10/30/85	19	VETO MESSAGE
HB-1006	06/03/85	4	FIRST READING
HB-1008	05/21/85	3	FIRST READING
	06/10/85	34	SECOND READING
	06/24/85	12	THIRD READING
HB-1010	05/29/85	62	FIRST READING
	06/18/85	78	SECOND READING
	06/25/85	230	THIRD READING
HB-1011	06/04/85	22	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	68	SECOND READING
	06/26/85	336	THIRD READING
HB-1012	05/29/85	62	FIRST READING
	06/18/85	79	SECOND READING
	06/25/85	231	THIRD READING
HB-1013	05/21/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1016	05/21/85	3	FIRST READING
	06/10/85	34	SECOND READING
	06/24/85	12	THIRD READING
HB-1018	05/22/85	3	FIRST READING
	06/11/85	15	SECOND READING
	06/25/85	232	THIRD READING
HB-1020	06/04/85	6	FIRST READING
	06/20/85	97	SECOND READING
	06/25/85	233	THIRD READING
HB-1023	05/24/85	4	FIRST READING
	06/18/85	79	SECOND READING
	06/24/85	13	THIRD READING
HB-1026	06/05/85	32	FIRST READING
	06/18/85	80	SECOND READING
	06/24/85	13	THIRD READING
	10/30/85	79	VETO MESSAGE
HB-1027	05/24/85	4	FIRST READING
	06/20/85	94	SECOND READING
	06/24/85	48	RECALLED
	06/25/85	236	THIRD READING
	06/28/85	122	REFUSE TO RECEDE
	07/02/85	22	CONFERENCE
HB-1033	05/29/85	62	FIRST READING
	06/18/85	80	SECOND READING
	06/25/85	235	THIRD READING
HB-1034	05/24/85	4	FIRST READING
	06/12/85	24	SECOND READING
	06/21/85	28	RECALLED
	06/25/85	238	THIRD READING
HB-1035	05/21/85	3	FIRST READING
	06/12/85	29	SECOND READING
	06/18/85	80	SECOND READING
	06/24/85	13	THIRD READING
HB-1037	05/23/85	4	FIRST READING
	06/18/85	81	SECOND READING
	06/25/85	239	THIRD READING
	06/28/85	122	REFUSE TO RECEDE
	07/01/85	15	CONFERENCE
	07/02/85	157	CONFERENCE
HB-1038	05/24/85	4	FIRST READING
	06/18/85	100	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1038 (cont'd)	06/25/85	240	THIRD READING
	06/28/85	123	REFUSE TO RECEDE
HB-1039	05/24/85	4	FIRST READING
	06/18/85	101	SECOND READING
	06/24/85	13	THIRD READING
	06/29/85	48	REFUSE TO RECEDE
	07/01/85	12	CONFERENCE
HB-1040	06/04/85	23	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	68	SECOND READING
HB-1042	05/22/85	3	FIRST READING
	06/19/85	112	SECOND READING
	06/24/85	13	THIRD READING
HB-1043	05/23/86	2	FIRST READING
HB-1044	05/29/85	62	FIRST READING
	06/12/85	29	SECOND READING
	06/24/85	13	THIRD READING
HB-1045	05/30/85	22	FIRST READING
	06/12/85	29	SECOND READING
	06/25/85	240	THIRD READING
HB-1047	05/30/85	22	FIRST READING
HB-1050	05/24/85	4	FIRST READING
	06/11/85	15	SECOND READING
	06/24/85	13	THIRD READING
HB-1051	05/24/85	4	FIRST READING
	06/11/85	15	SECOND READING
	06/24/85	13	THIRD READING
HB-1053	05/24/85	4	FIRST READING
	06/11/85	16	SECOND READING
	06/24/85	13	THIRD READING
HB-1058	05/30/85	22	FIRST READING
	06/12/85	30	SECOND READING
	06/24/85	13	THIRD READING
HB-1059	05/23/85	4	FIRST READING
	06/18/85	103	SECOND READING
	06/24/85	13	THIRD READING
HB-1064	05/21/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1067	06/18/85	102	SECOND READING
	06/21/85	29	RECALLED
	06/24/85	37	RECALLED
	06/25/85	242	THIRD READING
HB-1070	06/03/85	10	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	71	SECOND READING
	06/26/85	338	THIRD READING
	06/30/85	44	REFUSE TO RECEDE
	07/03/85	35	CONFERENCE
HB-1072	05/24/85	4	FIRST READING
	06/18/85	105	SECOND READING
	06/25/85	250	THIRD READING
	06/29/85	48	REFUSE TO RECEDE
	06/30/85	80	CONFERENCE
	07/02/85	60	CONFERENCE
HB-1075	05/29/85	62	FIRST READING
	06/18/85	107	SECOND READING
	06/24/85	13	THIRD READING
HB-1079	05/17/85	3	FIRST READING
	06/11/85	16	SECOND READING
	06/24/85	13	THIRD READING
HB-1083	05/30/85	22	FIRST READING
	06/18/85	107	SECOND READING
	06/25/85	256	THIRD READING
HB-1086	05/29/85	62	FIRST READING
	06/18/85	108	SECOND READING
	06/25/85	257	THIRD READING
	10/30/85	68	VETO MESSAGE
	10/31/85	88	VETO MESSAGE
HB-1090	05/29/85	62	FIRST READING
	06/18/85	109	SECOND READING
	10/17/85	61	MOTION
	10/17/85	62	SECOND READING
	10/29/85	13	RECALLED
	10/29/85	15	OUT OF RECORD
	10/30/85	100	RECALLED
	10/30/85	108	THIRD READING
HB-1097	06/03/85	10	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	75	SECOND READING
	06/26/85	340	THIRD READING
	06/30/85	47	REFUSE TO RECEDE

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BILL NUMBER	DATE	PAGE	ACTION
HB-1097 (cont'd)	07/03/85	36	CONFERENCE
HB-1102	05/30/85	22	FIRST READING
	06/20/85	93	SECOND READING
	06/25/85	260	THIRD READING
HB-1103	05/07/85	8	FIRST READING
	06/18/85	109	SECOND READING
	06/24/85	38	RECALLED
	06/25/85	267	THIRD READING
	06/28/85	123	REFUSE TO RECEDE
	11/20/86	2	CONFERENCE
	12/04/86	5	CONFERENCE
HB-1104	06/04/85	3	FIRST READING
	06/19/85	113	SECOND READING
	06/24/85	13	THIRD READING
HB-1106	06/03/85	4	FIRST READING
	06/18/85	110	SECOND READING
	06/25/85	272	THIRD READING
HB-1109	05/30/85	22	FIRST READING
	06/19/85	114	SECOND READING
	06/25/85	274	THIRD READING
	06/28/85	133	REFUSE TO RECEDE
	11/12/85	69	CONFERENCE
HB-1110	06/04/85	3	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	80	SECOND READING
	06/26/85	341	THIRD READING
HB-1111	06/05/85	8	FIRST READING
	06/18/85	110	SECOND READING
	06/20/85	40	RECALLED
	06/25/85	275	THIRD READING
HB-1112	05/30/85	22	FIRST READING
	06/18/85	111	SECOND READING
	06/24/85	13	THIRD READING
HB-1115	05/30/85	22	FIRST READING
	06/12/85	30	SECOND READING
	06/24/85	13	THIRD READING
HB-1117	05/29/85	62	FIRST READING
	06/18/85	111	SECOND READING
	06/25/85	275	THIRD READING
	10/30/85	20	VETO MESSAGE

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BILL NUMBER	DATE	PAGE	ACTION
HB-1125	06/04/85	3	FIRST READING
HB-1126	05/30/85	22	FIRST READING
	06/18/85	112	SECOND READING
	06/24/85	14	THIRD READING
HB-1127	05/29/85	62	FIRST READING
HB-1129	06/05/85	32	FIRST READING
	06/19/85	117	SECOND READING
	06/24/85	14	THIRD READING
HB-1130	05/20/86	3	FIRST READING
	06/18/86	6	SECOND READING
	06/19/86	92	THIRD READING
	12/03/86	4	VETO ACTION
HB-1131	06/05/85	7	FIRST READING
	06/19/85	118	SECOND READING
	06/24/85	14	THIRD READING
HB-1132	06/05/85	7	FIRST READING
	06/19/85	119	SECOND READING
	06/24/85	14	THIRD READING
HB-1137	05/07/85	8	FIRST READING
	06/10/85	35	SECOND READING
	06/24/85	14	THIRD READING
HB-1142	06/03/85	4	FIRST READING
	06/18/85	113	SECOND READING
	06/24/85	14	THIRD READING
HB-1147	05/30/85	22	FIRST READING
	06/18/85	113	SECOND READING
	06/24/85	14	THIRD READING
HB-1148	05/24/85	4	FIRST READING
HB-1154	06/06/85	6	FIRST READING
	06/19/85	118	SECOND READING
HB-1155	05/20/86	3	FIRST READING
HB-1159	05/23/85	4	FIRST READING
	06/20/85	98	SECOND READING
	06/20/85	104	SECOND READING
	06/25/85	5	RECALLED
	06/26/85	361	THIRD READING
HB-1160	06/04/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1163	05/14/85	4	FIRST READING
	06/18/85	114	SECOND READING
	06/24/85	14	THIRD READING
	10/31/85	45	VETO MESSAGE
HB-1165	05/30/85	23	FIRST READING
	06/18/85	115	SECOND READING
	06/24/85	14	THIRD READING
HB-1166	05/30/85	23	FIRST READING
	06/18/85	115	SECOND READING
	06/24/85	14	THIRD READING
HB-1175	05/08/85	3	FIRST READING
	06/04/85	10	SECOND READING
	06/24/85	14	THIRD READING
HB-1177	05/30/85	23	FIRST READING
	06/18/85	115	SECOND READING
	06/24/85	14	THIRD READING
HB-1178	05/30/85	23	FIRST READING
	06/18/85	116	SECOND READING
	06/24/85	14	THIRD READING
HB-1179	06/05/85	7	FIRST READING
	06/19/85	117	SECOND READING
	06/25/85	276	THIRD READING
HB-1182	06/04/85	3	FIRST READING
	06/12/85	30	SECOND READING
	06/21/85	33	RECALLED
	06/25/85	280	THIRD READING
	06/28/85	124	REFUSE TO RECEDE
	06/30/85	61	CONFERENCE
HB-1184	06/03/85	4	FIRST READING
	06/18/85	117	SECOND READING
	06/24/85	14	THIRD READING
HB-1187	06/05/85	7	FIRST READING
	06/19/85	118	SECOND READING
	06/24/85	14	THIRD READING
HB-1188	05/30/85	23	FIRST READING
	06/18/85	117	SECOND READING
	06/24/85	38	RECALLED
	06/25/85	281	THIRD READING
	06/28/85	124	REFUSE TO RECEDE
	07/02/85	146	DISCUSSED

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BILL NUMBER	DATE	PAGE	ACTION
HB-1192	05/30/85	23	FIRST READING
	06/18/85	117	SECOND READING
	06/24/85	14	THIRD READING
HB-1193	06/03/85	4	FIRST READING
	06/19/85	119	SECOND READING
	06/24/85	14	THIRD READING
HB-1197	06/05/85	7	FIRST READING
	06/20/85	99	SECOND READING
	06/25/85	293	THIRD READING
HB-1198	05/30/85	23	FIRST READING
HB-1202	06/03/85	4	FIRST READING
	06/19/85	119	SECOND READING
	06/25/85	294	THIRD READING
HB-1204	05/09/85	4	FIRST READING
	06/18/85	118	SECOND READING
	06/24/85	15	THIRD READING
HB-1206	05/24/85	4	FIRST READING
	06/12/85	31	SECOND READING
	06/25/85	294	THIRD READING
HB-1207	06/05/85	32	FIRST READING
	06/12/85	32	SECOND READING
	06/24/85	15	THIRD READING
HB-1208	05/30/85	23	FIRST READING
	06/18/85	119	SECOND READING
	06/24/85	15	THIRD READING
HB-1212	05/15/85	3	FIRST READING
	06/12/85	32	SECOND READING
	06/24/85	15	THIRD READING
	10/30/85	20	VETO MESSAGE
HB-1213	05/30/85	23	FIRST READING
	06/18/85	119	SECOND READING
	06/24/85	15	THIRD READING
HB-1216	05/23/85	4	FIRST READING
	06/11/85	17	SECOND READING
	06/24/85	15	THIRD READING
HB-1217	05/23/85	4	FIRST READING
	06/19/85	120	SECOND READING
	06/25/85	296	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1218	05/23/85	4	FIRST READING
	06/11/85	17	SECOND READING
	06/24/85	15	THIRD READING
HB-1224	06/03/85	4	FIRST READING
	06/12/85	34	SECOND READING
	06/24/85	15	THIRD READING
HB-1229	05/13/86	127	FIRST READING
HB-1232	05/24/85	4	FIRST READING
	06/10/85	35	SECOND READING
	06/25/85	298	THIRD READING
HB-1236	05/21/86	2	FIRST READING
HB-1245	05/20/86	3	FIRST READING
HB-1246	06/03/85	4	FIRST READING
	06/12/85	34	SECOND READING
	06/25/85	299	THIRD READING
HB-1247	06/04/85	22	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	80	SECOND READING
	06/26/85	342	THIRD READING
HB-1249	06/05/85	7	FIRST READING
	06/19/85	121	SECOND READING
	06/24/85	15	THIRD READING
	06/28/85	124	REFUSE TO RECEDE
	06/30/85	69	CONFERENCE
HB-1251	06/03/85	4	FIRST READING
	06/19/85	122	SECOND READING
	06/25/85	302	THIRD READING
HB-1252	06/05/85	8	FIRST READING
	10/15/85	9	MOTION
	10/16/85	147	SECOND READING
	10/29/85	11	RECALLED
	10/29/85	14	THIRD READING
HB-1258	06/05/85	32	FIRST READING
	06/18/85	120	SECOND READING
	06/24/85	39	RECALLED
	06/25/85	303	THIRD READING
	06/29/85	48	REFUSE TO RECEDE
	06/30/85	68	CONFERENCE
HB-1260	06/04/85	23	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1262	05/30/85	23	FIRST READING
	06/18/85	120	SECOND READING
	06/26/85	365	THIRD READING
HB-1263	05/30/85	23	FIRST READING
	10/17/85	66	MOTION
	10/17/85	68	SECOND READING
	10/30/85	60	RECALLED
	10/30/85	103	THIRD READING
HB-1265	05/30/85	23	FIRST READING
	06/18/85	120	SECOND READING
	06/19/85	22	RECALLED
	06/24/85	15	THIRD READING
HB-1267	05/21/85	3	FIRST READING
	06/10/85	36	SECOND READING
	06/19/85	23	RECALLED
	06/24/85	15	THIRD READING
HB-1269	05/21/85	3	FIRST READING
	06/18/85	121	SECOND READING
	06/24/85	15	THIRD READING
HB-1270	05/30/85	23	FIRST READING
	06/18/85	121	SECOND READING
	06/24/85	15	THIRD READING
HB-1277	06/03/85	4	FIRST READING
	06/18/85	122	SECOND READING
	06/25/85	304	DISCUSSED AND POSTPONED
HB-1279	06/04/85	4	FIRST READING
	06/18/85	122	SECOND READING
	06/25/85	310	THIRD READING
	06/28/85	125	REFUSE TO RECEDE
	07/01/85	22	CONFERENCE
HB-1284	06/03/85	4	FIRST READING
	06/19/85	122	SECOND READING
	06/25/85	311	THIRD READING
HB-1285	05/30/85	23	FIRST READING
	06/12/85	34	SECOND READING
	06/25/85	312	THIRD READING
	06/28/85	125	REFUSE TO RECEDE
	07/03/85	13	CONFERENCE
HB-1289	05/30/85	23	FIRST READING
	06/18/85	123	SECOND READING
	06/24/85	15	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1292	05/09/85	4	FIRST READING
	06/20/85	99	SECOND READING
	06/25/85	312	THIRD READING
	06/28/85	126	REFUSE TO RECEDE
	07/02/85	48	CONFERENCE
HB-1298	05/09/85	4	FIRST READING
	06/11/85	17	SECOND READING
	06/24/85	15	THIRD READING
HB-1299	05/17/85	3	FIRST READING
	06/11/85	18	SECOND READING
	06/24/85	15	THIRD READING
HB-1301	05/30/85	23	FIRST READING
	06/18/85	123	SECOND READING
	06/24/85	16	THIRD READING
HB-1302	05/23/86	2	FIRST READING
HB-1303	05/09/85	4	FIRST READING
	06/12/85	35	SECOND READING
	06/24/85	16	THIRD READING
HB-1306	05/30/85	23	FIRST READING
	06/18/85	125	SECOND READING
	06/21/85	33	RECALLED
	06/25/85	313	THIRD READING
HB-1313	05/29/85	62	FIRST READING
	06/12/85	35	SECOND READING
	06/24/85	16	THIRD READING
HB-1314	05/22/85	3	FIRST READING
	06/10/85	36	SECOND READING
	06/24/85	16	THIRD READING
HB-1317	05/29/85	62	FIRST READING
	06/18/85	125	SECOND READING
	06/18/85	128	SECOND READING
	06/25/85	314	THIRD READING
HB-1318	06/04/85	23	FIRST READING
	06/19/85	122	SECOND READING
	06/26/85	371	THIRD READING
HB-1321	05/20/86	3	FIRST READING
	06/19/86	15	SECOND READING
	06/23/86	4	THIRD READING
	06/26/86	69	NON-CONCURRENCE
	06/30/86	22	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-1321 (cont'd)	12/03/86	6	VETO ACTION
HB-1324	05/30/85	24	FIRST READING
	06/18/85	126	SECOND READING
	06/24/85	16	THIRD READING
HB-1330	06/05/85	7	FIRST READING
	06/18/85	126	SECOND READING
	06/24/85	16	THIRD READING
HB-1332	06/03/86	7	FIRST READING
HB-1335	05/07/85	8	FIRST READING
	06/18/85	126	SECOND READING
	06/25/85	322	THIRD READING
HB-1338	05/30/85	24	FIRST READING
	06/18/85	127	SECOND READING
	06/25/85	330	THIRD READING
HB-1340	05/30/85	24	FIRST READING
	06/18/85	129	SECOND READING
	06/24/85	16	THIRD READING
	10/30/85	21	VETO MESSAGE
HB-1341	05/30/85	24	FIRST READING
	06/18/85	129	SECOND READING
	06/25/85	331	THIRD READING
	10/30/85	22	VETO MESSAGE
HB-1346	06/05/85	7	FIRST READING
	06/18/85	129	SECOND READING
	06/24/85	16	THIRD READING
HB-1353	05/29/85	62	FIRST READING
	06/18/85	130	SECOND READING
	06/25/85	333	THIRD READING
HB-1355	05/22/85	3	FIRST READING
HB-1356	05/14/85	4	FIRST READING
	06/10/85	36	SECOND READING
	06/10/85	37	RECALLED
	06/24/85	16	THIRD READING
HB-1358	05/09/85	4	FIRST READING
	06/10/85	37	SECOND READING
	06/24/85	16	THIRD READING
HB-1360	06/05/85	7	FIRST READING
	06/12/85	36	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1360 (cont'd)	06/24/85	16	THIRD READING
HB-1362	05/30/85	24	FIRST READING
	06/12/85	36	SECOND READING
	06/24/85	16	THIRD READING
HB-1363	05/20/85	3	FIRST READING
	06/11/85	18	SECOND READING
	06/24/85	16	THIRD READING
HB-1364	05/20/85	3	FIRST READING
	06/11/85	18	SECOND READING
	06/24/85	16	THIRD READING
HB-1365	05/20/85	3	FIRST READING
	06/11/85	19	SECOND READING
	06/24/85	16	THIRD READING
HB-1366	05/20/85	3	FIRST READING
	06/11/85	19	SECOND READING
	06/24/85	16	THIRD READING
HB-1370	06/04/85	23	FIRST READING
	06/18/85	131	SECOND READING
	06/24/85	16	THIRD READING
HB-1371	06/03/85	5	FIRST READING
	06/18/85	131	SECOND READING
	06/24/85	17	THIRD READING
HB-1373	05/29/85	62	FIRST READING
HB-1378	05/30/85	24	FIRST READING
	06/19/85	123	SECOND READING
	06/24/85	17	THIRD READING
HB-1382	05/29/85	62	FIRST READING
	06/19/85	123	SECOND READING
	06/24/85	17	THIRD READING
HB-1385	05/15/85	3	FIRST READING
HB-1389	06/04/85	4	FIRST READING
	06/19/85	124	SECOND READING
	06/25/85	337	THIRD READING
HB-1392	05/21/85	3	FIRST READING
	06/19/85	125	SECOND READING
	06/24/85	17	THIRD READING
	06/30/85	35	REFUSE TO RECEDE
	07/02/85	40	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-1393	05/20/85	3	FIRST READING
	06/10/85	38	SECOND READING
	06/25/85	337	THIRD READING
HB-1394	05/09/85	4	FIRST READING
	06/10/85	38	SECOND READING
	06/24/85	17	THIRD READING
HB-1395	05/30/85	24	FIRST READING
	06/20/85	100	SECOND READING
	06/25/85	343	THIRD READING
HB-1410	05/07/85	8	FIRST READING
	06/18/85	131	SECOND READING
	06/25/85	345	THIRD READING
HB-1411	05/30/85	24	FIRST READING
	06/18/85	133	SECOND READING
	06/24/85	17	THIRD READING
HB-1412	05/30/85	24	FIRST READING
	06/11/85	19	SECOND READING
	06/24/85	17	THIRD READING
	06/28/85	126	REFUSE TO RECEDE
	07/01/85	23	CONFERENCE
	07/02/85	72	CONFERENCE
HB-1413	06/04/85	4	FIRST READING
	06/18/85	134	SECOND READING
	06/20/85	43	RECALLED
	06/24/85	40	RECALLED
	06/25/85	353	THIRD READING
HB-1414	06/24/85	17	THIRD READING
HB-1417	06/04/85	4	FIRST READING
	06/18/85	134	SECOND READING
	06/25/85	354	THIRD READING
HB-1424	05/05/85	7	FIRST READING
HB-1436	05/30/85	24	FIRST READING
	06/24/85	54	SECOND READING
	06/25/85	355	THIRD READING
HB-1438	05/20/85	3	FIRST READING
	06/19/85	127	SECOND READING
	06/24/85	17	THIRD READING
HB-1440	05/29/85	63	FIRST READING
	06/12/85	37	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1445	06/03/85	5	FIRST READING
	06/19/85	127	SECOND READING
	06/21/85	34	RECALLED
	06/25/85	356	THIRD READING
	06/30/85	53	REFUSE TO RECEDE
	07/01/85	24	CONFERENCE
HB-1446	05/13/86	127	FIRST READING
	06/19/86	16	SECOND READING
	06/23/86	6	THIRD READING
	06/28/86	7	NON-CONCURRENCE
HB-1453	06/05/85	7	FIRST READING
	06/19/85	129	SECOND READING
HB-1455	05/29/85	63	FIRST READING
	06/18/85	135	SECOND READING
	06/24/85	17	THIRD READING
HB-1458	05/24/85	4	FIRST READING
	06/18/85	136	SECOND READING
	06/24/85	17	THIRD READING
HB-1459	05/28/86	11	FIRST READING
HB-1464	05/30/85	24	FIRST READING
	06/18/85	136	SECOND READING
	06/24/85	17	THIRD READING
HB-1466	06/03/85	5	FIRST READING
HB-1467	05/24/85	4	FIRST READING
	06/17/86	4	SECOND READING
	06/18/86	71	THIRD READING
HB-1473	05/22/86	2	FIRST READING
	06/17/86	6	SECOND READING
	06/19/86	76	RECALLED
	06/23/86	7	THIRD READING
HB-1474	05/30/85	24	FIRST READING
	06/19/85	129	SECOND READING
	06/20/85	44	RECALLED
	06/25/85	358	THIRD READING
HB-1476	05/30/85	24	FIRST READING
	06/18/85	137	SECOND READING
	06/25/85	359	THIRD READING
HB-1477	05/28/86	11	FIRST READING
	06/18/86	64	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1477 (cont'd)	06/19/86	74	RECALLED
	06/20/86	24	RECALLED
	06/23/86	8	DISCUSSED AND POSTPONED
HB-1478	06/04/85	4	FIRST READING
	06/18/85	137	SECOND READING
	06/21/85	35	RECALLED
	06/25/85	360	DISCUSSED
HB-1479	06/03/85	5	FIRST READING
	06/18/85	138	SECOND READING
	06/19/85	29	RECALLED
	06/25/85	363	THIRD READING
HB-1488	05/16/85	2	FIRST READING
	06/12/85	38	SECOND READING
	06/24/85	17	THIRD READING
HB-1491	05/24/85	5	FIRST READING
	06/18/85	141	SECOND READING
	06/24/85	17	THIRD READING
HB-1493	05/30/85	24	FIRST READING
	06/18/85	142	SECOND READING
	06/24/85	17	THIRD READING
HB-1496	05/29/85	63	FIRST READING
	06/12/85	38	SECOND READING
	06/24/85	18	THIRD READING
HB-1500	05/24/85	5	FIRST READING
	06/19/85	130	SECOND READING
	06/24/85	18	THIRD READING
	10/30/85	80	VETO MESSAGE
HB-1502	06/03/85	5	FIRST READING
	06/12/85	39	SECOND READING
	06/24/85	18	THIRD READING
HB-1510	06/04/85	4	FIRST READING
	06/18/85	143	SECOND READING
	06/21/85	37	RECALLED
	06/25/85	370	THIRD READING
HB-1517	05/30/85	24	FIRST READING
	06/20/85	106	SECOND READING
	06/20/85	106	HELD ON SECOND
	06/26/85	374	THIRD READING
	06/28/85	141	REFUSE TO RECEDE
	07/01/85	32	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-1518	05/30/85	24	FIRST READING
	06/12/85	39	SECOND READING
	06/24/85	18	THIRD READING
HB-1520	05/30/85	24	FIRST READING
	06/18/85	143	SECOND READING
	06/24/85	18	THIRD READING
HB-1523	05/24/85	5	FIRST READING
	06/18/85	143	SECOND READING
	06/26/85	105	SECOND READING
HB-1528	05/23/85	4	FIRST READING
	06/18/85	144	SECOND READING
	06/26/85	106	THIRD READING
HB-1529	05/29/85	63	FIRST READING
	06/24/85	231	SECOND READING
	06/26/85	113	RECALLED
	06/26/85	390	THIRD READING
	10/30/85	64	REFUSE TO RECEDE
	10/30/85	125	CONFERENCE
HB-1531	05/29/85	63	FIRST READING
	06/18/85	145	SECOND READING
	06/26/85	123	THIRD READING
HB-1535	05/24/85	5	FIRST READING
	06/18/85	144	SECOND READING
	06/24/85	18	THIRD READING
HB-1539	05/29/85	63	FIRST READING
	06/18/85	145	SECOND READING
	06/24/85	18	THIRD READING
	10/30/85	58	VETO MESSAGE
HB-1540	06/05/85	32	FIRST READING
	06/21/85	76	SECOND READING
	12/03/86	66	RECALLED
	12/03/86	72	THIRD READING
HB-1544	06/04/85	4	FIRST READING
	06/18/85	145	SECOND READING
	06/24/85	18	THIRD READING
	06/28/85	127	REFUSE TO RECEDE
	07/01/85	64	CONFERENCE
HB-1545	05/29/85	63	FIRST READING
HB-1547	05/30/85	25	FIRST READING
	06/19/85	131	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1547 (cont'd)	06/26/85	124	THIRD READING
HB-1548	06/05/85	7	FIRST READING
	06/18/85	146	SECOND READING
	06/24/85	18	THIRD READING
HB-1552	05/30/85	25	FIRST READING
	06/19/85	133	SECOND READING
	06/26/85	126	THIRD READING
	06/28/85	127	REFUSE TO RECEDE
	06/30/85	85	CONFERENCE
HB-1555	05/24/85	5	FIRST READING
	06/18/85	147	SECOND READING
	06/24/85	18	THIRD READING
HB-1556	05/29/85	63	FIRST READING
	06/21/85	77	SECOND READING
	06/26/85	134	THIRD READING
	06/17/86	70	MOTION
	06/18/86	7	SECOND READING
	06/19/86	94	THIRD READING
HB-1558	05/30/85	25	FIRST READING
HB-1565	06/03/85	5	FIRST READING
	06/18/85	148	SECOND READING
	06/24/85	18	THIRD READING
HB-1566	05/21/85	3	FIRST READING
	06/18/85	148	SECOND READING
	06/24/85	18	THIRD READING
HB-1567	06/03/85	5	FIRST READING
	06/18/85	148	SECOND READING
	06/20/85	46	RECALLED
	06/26/85	140	THIRD READING
	06/29/85	49	REFUSE TO RECEDE
	07/02/85	18	CONFERENCE
HB-1568	06/04/85	4	FIRST READING
	06/18/85	149	SECOND READING
	06/24/85	18	THIRD READING
	10/31/85	24	VETO MESSAGE
HB-1571	06/03/85	5	FIRST READING
	06/18/85	149	SECOND READING
	06/24/85	18	THIRD READING
HB-1575	06/03/85	5	FIRST READING
	06/18/85	149	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1575 (cont'd)	06/24/85	18	THIRD READING
HB-1576	05/14/85	4	FIRST READING
	06/18/85	149	SECOND READING
	06/24/85	18	THIRD READING
HB-1577	06/03/85	5	FIRST READING
	06/18/85	150	SECOND READING
	06/24/85	18	THIRD READING
HB-1578	05/30/85	25	FIRST READING
	06/19/85	161	SECOND READING
	06/24/85	19	THIRD READING
HB-1582	05/30/85	25	FIRST READING
HB-1585	05/16/85	2	FIRST READING
	06/10/85	38	SECOND READING
	06/24/85	19	THIRD READING
	10/30/85	35	VETO MESSAGE
	10/31/85	60	VETO MESSAGE
HB-1587	05/21/85	3	FIRST READING
	06/10/85	39	SECOND READING
	06/24/85	19	THIRD READING
HB-1589	06/04/85	23	FIRST READING
	06/18/85	150	SECOND READING
	06/26/85	142	THIRD READING
HB-1596	06/03/85	5	FIRST READING
	06/18/85	150	SECOND READING
	06/26/85	143	DISCUSSED AND POSTPONED
HB-1598	06/03/85	5	FIRST READING
	06/19/85	161	SECOND READING
	06/26/85	147	DISCUSSED AND POSTPONED
HB-1601	04/01/86	7	FIRST READING
HB-1604	06/03/85	5	FIRST READING
	06/12/85	39	SECOND READING
	06/13/85	29	THIRD READING
HB-1624	05/30/85	25	FIRST READING
	06/18/85	155	SECOND READING
	06/24/85	19	THIRD READING
HB-1638	05/17/85	3	FIRST READING
HB-1641	05/30/85	25	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1641 (cont'd)	06/12/85	40	SECOND READING
	06/20/85	47	RECALLED
	06/26/85	154	THIRD READING
	06/28/85	128	REFUSE TO RECEDE
	07/01/85	53	CONFERENCE
HB-1642	06/03/85	5	FIRST READING
HB-1643	06/03/85	5	FIRST READING
HB-1645	06/04/85	4	FIRST READING
	06/18/85	155	SECOND READING
	06/24/85	19	THIRD READING
HB-1648	05/29/85	63	FIRST READING
HB-1654	05/16/85	3	FIRST READING
	06/18/85	155	SECOND READING
	06/24/85	19	THIRD READING
HB-1655	05/16/85	3	FIRST READING
	06/18/85	156	SECOND READING
	06/24/85	19	THIRD READING
HB-1656	05/30/85	25	FIRST READING
	06/13/85	4	SECOND READING
	06/26/85	156	THIRD READING
HB-1667	06/03/85	5	FIRST READING
	06/18/85	157	SECOND READING
	06/26/85	156	THIRD READING
HB-1670	05/17/85	3	FIRST READING
	06/10/85	39	SECOND READING
	06/24/85	19	THIRD READING
HB-1671	05/30/85	25	FIRST READING
HB-1675	05/28/86	14	FIRST READING
	06/18/86	9	SECOND READING
	06/19/86	97	THIRD READING
HB-1676	05/28/86	14	FIRST READING
HB-1677	06/03/85	6	FIRST READING
	06/18/85	157	SECOND READING
	06/19/85	30	RECALLED
	06/26/85	157	THIRD READING
HB-1680	05/30/85	25	FIRST READING
	06/18/85	166	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1680(cont'd)	06/24/85	19	THIRD READING
	10/30/85	30	VETO MESSAGE
HB-1683	05/30/85	25	FIRST READING
	06/13/85	5	SECOND READING
	06/24/85	19	THIRD READING
HB-1685	05/30/85	25	FIRST READING
	06/18/85	167	SECOND READING
	06/24/85	19	THIRD READING
HB-1687	05/30/85	25	FIRST READING
HB-1688	06/04/85	4	FIRST READING
	06/20/85	122	SECOND READING
	06/26/85	165	THIRD READING
HB-1699	05/23/86	2	FIRST READING
HB-1703	05/21/85	3	FIRST READING
	06/18/85	167	SECOND READING
	06/24/85	19	THIRD READING
HB-1714	05/24/85	5	FIRST READING
	06/18/85	167	SECOND READING
	06/24/85	19	THIRD READING
HB-1717	06/03/85	6	FIRST READING
	06/18/85	168	SECOND READING
	06/24/85	19	THIRD READING
HB-1755	05/30/85	25	FIRST READING
	06/18/85	169	SECOND READING
	06/24/85	19	THIRD READING
	10/30/85	23	VETO MESSAGE
HB-1756	06/05/85	32	FIRST READING
	06/18/85	169	SECOND READING
	06/24/85	19	THIRD READING
HB-1763	06/04/85	4	FIRST READING
	06/18/85	169	SECOND READING
	06/20/85	50	RECALLED
	06/26/85	166	THIRD READING
	07/02/85	49	CONFERENCE
HB-1765	05/30/85	25	FIRST READING
	06/13/85	5	SECOND READING
	06/26/85	167	RECALLED
	06/26/85	376	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1767	05/30/85	26	FIRST READING
	06/18/85	170	SECOND READING
	06/24/85	20	THIRD READING
HB-1768	06/04/85	23	FIRST READING
	06/19/85	162	SECOND READING
	06/24/85	20	THIRD READING
HB-1769	05/30/85	26	FIRST READING
	06/19/85	163	SECOND READING
	06/24/85	20	THIRD READING
	06/28/85	128	REFUSE TO RECEDE
	07/01/85	52	CONFERENCE
HB-1774	05/30/85	26	FIRST READING
	06/18/85	170	SECOND READING
	06/24/85	20	THIRD READING
HB-1775	06/03/85	6	FIRST READING
	06/18/85	171	SECOND READING
	06/24/85	20	THIRD READING
HB-1776	06/03/85	6	FIRST READING
	06/18/85	171	SECOND READING
	06/24/85	20	THIRD READING
HB-1780	05/30/85	26	FIRST READING
	06/13/85	6	SECOND READING
	06/26/85	168	THIRD READING
HB-1785	06/03/85	6	FIRST READING
	06/18/85	171	SECOND READING
	06/24/85	20	THIRD READING
HB-1800	05/30/85	26	FIRST READING
	06/19/85	164	SECOND READING
	06/24/85	41	RECALLED
	06/26/85	169	THIRD READING
HB-1801	06/03/85	6	FIRST READING
	06/18/85	172	SECOND READING
	06/21/85	37	RECALLED
	06/26/85	178	THIRD READING
	06/29/85	50	REFUSE TO RECEDE
	07/02/85	70	CONFERENCE
HB-1806	05/30/85	26	FIRST READING
	06/19/85	166	SECOND READING
	06/24/85	20	THIRD READING
HB-1813	05/30/85	26	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1813 (cont'd)	06/19/85	167	SECOND READING
	06/24/85	20	THIRD READING
HB-1814	05/30/85	26	FIRST READING
	06/24/85	234	SECOND READING
	06/26/85	179	THIRD READING
	10/30/85	87	VETO MESSAGE
HB-1828	06/03/85	6	FIRST READING
HB-1833	05/30/85	26	FIRST READING
	06/11/85	20	SECOND READING
	06/24/85	20	THIRD READING
HB-1841	05/30/85	26	FIRST READING
	06/18/85	173	SECOND READING
	06/26/85	182	THIRD READING
HB-1845	05/30/85	26	FIRST READING
	06/13/85	7	SECOND READING
	06/24/85	20	THIRD READING
HB-1847	05/23/85	4	FIRST READING
	06/10/85	39	SECOND READING
	06/26/85	190	THIRD READING
HB-1849	05/30/85	26	FIRST READING
	06/18/85	173	SECOND READING
	06/24/85	20	THIRD READING
HB-1850	06/04/85	6	FIRST READING
	06/18/85	174	SECOND READING
	06/20/85	48	RECALLED
	06/26/85	191	THIRD READING
	06/28/85	141	REFUSE TO RECEDE
	07/02/85	19	CONFERENCE
HB-1855	06/03/85	6	FIRST READING
	06/13/85	7	SECOND READING
	06/24/85	20	THIRD READING
HB-1857	06/03/85	6	FIRST READING
	06/19/85	168	SECOND READING
	06/24/85	43	RECALLED
	06/26/85	192	THIRD READING
HB-1860	05/15/85	3	FIRST READING
	06/10/85	41	SECOND READING
	06/24/85	20	THIRD READING
HB-1865	05/21/86	2	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1865 (cont'd)	06/18/86	10	SECOND READING
	06/19/86	98	THIRD READING
HB-1867	06/03/85	6	FIRST READING
	06/18/85	174	SECOND READING
	06/24/85	20	THIRD READING
HB-1871	05/30/85	26	FIRST READING
	06/11/85	21	SECOND READING
	06/26/85	203	THIRD READING
HB-1880	06/04/85	4	FIRST READING
	06/13/85	7	SECOND READING
	06/24/85	20	THIRD READING
HB-1889	05/30/85	26	FIRST READING
	06/19/85	174	SECOND READING
	06/24/85	20	THIRD READING
HB-1900	05/30/85	26	FIRST READING
	06/18/85	174	SECOND READING
	06/24/85	21	THIRD READING
HB-1901	05/30/85	26	FIRST READING
	06/13/85	8	SECOND READING
	06/24/85	21	THIRD READING
HB-1902	05/30/85	26	FIRST READING
	06/18/85	175	SECOND READING
	06/20/85	49	RECALLED
	06/26/85	204	THIRD READING
HB-1912	05/30/85	27	FIRST READING
	06/13/85	8	SECOND READING
	06/24/85	21	THIRD READING
HB-1914	06/03/85	6	FIRST READING
	06/19/85	170	SECOND READING
	06/24/85	44	RECALLED
	06/26/85	205	THIRD READING
HB-1915	06/04/85	4	FIRST READING
	06/19/85	172	SECOND READING
	06/24/85	21	THIRD READING
HB-1918	06/04/85	23	FIRST READING
	06/18/85	176	SECOND READING
	06/18/85	177	RECALLED
	06/24/85	21	THIRD READING
HB-1919	06/04/85	4	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1919 (cont'd)	06/19/85	172	SECOND READING
	06/26/85	205	THIRD READING
HB-1922	06/04/85	4	FIRST READING
	06/18/85	177	SECOND READING
	06/26/85	206	THIRD READING
HB-1924	06/04/85	4	FIRST READING
	06/18/85	178	SECOND READING
	06/20/85	50	RECALLED
	06/26/85	207	THIRD READING
	06/30/85	45	REFUSE TO RECEDE
	07/02/85	73	CONFERENCE
	10/30/85	24	VETO MESSAGE
HB-1925	05/30/85	27	FIRST READING
	06/18/85	179	SECOND READING
	06/24/85	21	THIRD READING
HB-1926	05/30/85	27	FIRST READING
	06/18/85	179	SECOND READING
	06/24/85	21	THIRD READING
HB-1928	06/04/85	6	FIRST READING
	06/13/85	9	SECOND READING
	06/20/85	53	RECALLED
	06/26/85	208	THIRD READING
HB-1929	05/30/85	27	FIRST READING
	06/18/85	180	SECOND READING
	06/24/85	21	THIRD READING
HB-1930	05/20/85	3	FIRST READING
	06/18/85	180	SECOND READING
	06/24/85	21	THIRD READING
HB-1933	06/03/85	6	FIRST READING
	06/20/85	123	SECOND READING
	06/26/85	209	THIRD READING
HB-1934	06/04/85	6	FIRST READING
	06/20/85	124	SECOND READING
	06/26/85	210	THIRD READING
	06/30/85	45	REFUSE TO RECEDE
HB-1935	05/30/85	27	FIRST READING
	06/18/85	180	SECOND READING
	06/24/85	21	THIRD READING
HB-1937	05/30/85	27	FIRST READING
	06/18/85	181	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1937 (cont'd)	06/24/85	21	THIRD READING
HB-1938	05/22/85	3	FIRST READING
	06/10/85	42	SECOND READING
	06/24/85	21	THIRD READING
HB-1939	06/04/85	4	FIRST READING
	06/18/85	181	SECOND READING
	06/24/85	21	THIRD READING
HB-1943	05/30/85	27	FIRST READING
	06/18/85	181	SECOND READING
	06/24/85	21	THIRD READING
HB-1944	05/30/85	27	FIRST READING
	06/13/85	9	SECOND READING
	06/24/85	21	THIRD READING
HB-1945	06/03/86	4	FIRST READING
	06/18/86	26	SECOND READING
	06/23/86	15	THIRD READING
	06/29/86	21	NON-CONCURRENCE
	07/01/86	91	CONFERENCE
	07/01/86	110	CONFERENCE
HB-1947	05/17/85	3	FIRST READING
	06/18/85	182	SECOND READING
	06/26/85	211	THIRD READING
	06/28/85	129	REFUSE TO RECEDE
	07/02/85	75	CONFERENCE
	10/30/85	25	VETO MESSAGE
HB-1948	05/30/85	27	FIRST READING
	06/18/85	184	SECOND READING
	06/19/85	32	RECALLED
	06/24/85	21	THIRD READING
HB-1949	06/04/85	5	FIRST READING
	06/18/85	185	SECOND READING
	06/21/85	39	RECALLED
	06/26/85	213	THIRD READING
HB-1951	05/24/85	5	FIRST READING
	06/18/85	187	SECOND READING
	06/24/85	21	THIRD READING
HB-1952	05/24/85	5	FIRST READING
	06/19/85	172	SECOND READING
	06/26/85	214	THIRD READING
HB-1953	06/04/85	5	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1953(cont'd)	06/13/85	10	SECOND READING
	06/19/85	34	RECALLED
	06/26/85	214	THIRD READING
HB-1954	05/13/86	127	FIRST READING
	12/02/86	48	MOTION
HB-1955	06/03/85	6	FIRST READING
	06/13/85	10	SECOND READING
	06/19/85	35	RECALLED
	06/24/85	22	THIRD READING
HB-1956	05/30/85	27	FIRST READING
	06/18/85	187	SECOND READING
	06/24/85	22	THIRD READING
HB-1957	05/30/85	27	FIRST READING
	06/18/85	188	SECOND READING
	06/24/85	22	THIRD READING
HB-1958	05/30/85	27	FIRST READING
	06/13/85	12	SECOND READING
	06/20/85	54	RECALLED
	06/26/85	215	THIRD READING
HB-1959	06/03/85	6	FIRST READING
	06/13/85	13	SECOND READING
	06/24/85	22	THIRD READING
HB-1961	06/04/85	23	FIRST READING
	06/18/85	188	SECOND READING
	06/24/85	45	RECALLED
	06/26/85	216	THIRD READING
	06/29/85	43	REFUSE TO RECEDE
	07/02/85	139	CONFERENCE
HB-1962	05/30/85	27	FIRST READING
	06/18/85	188	SECOND READING
	06/19/85	36	RECALLED
	06/24/85	22	THIRD READING
	06/30/85	46	REFUSE TO RECEDE
	11/12/85	67	CONFERENCE
HB-1963	05/30/85	27	FIRST READING
	06/19/85	174	SECOND READING
	06/24/85	22	THIRD READING
HB-1966	05/16/85	3	FIRST READING
	06/10/85	42	SECOND READING
	06/26/85	217	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-1967	06/04/85	6	FIRST READING
HB-1969	06/04/85	5	FIRST READING
	06/18/85	189	SECOND READING
	06/24/85	22	THIRD READING
	10/30/85	26	VETO MESSAGE
HB-1970	05/30/85	27	FIRST READING
	06/13/85	14	SECOND READING
	06/24/85	46	RECALLED
	06/26/85	217	THIRD READING
	06/28/85	129	REFUSE TO RECEDE
	07/02/85	155	CONFERENCE
HB-1971	05/20/85	3	FIRST READING
	06/18/85	190	SECOND READING
	06/24/85	22	THIRD READING
HB-1974	06/18/85	191	SECOND READING
	06/26/85	218	THIRD READING
	06/30/85	46	RECEDE
HB-1975	05/30/85	27	FIRST READING
	06/18/85	191	SECOND READING
	06/24/85	22	THIRD READING
HB-1977	05/24/85	5	FIRST READING
	06/18/85	192	SECOND READING
	06/26/85	220	THIRD READING
	06/28/85	142	REFUSE TO RECEDE
	07/01/85	37	CONFERENCE
HB-1979	06/04/85	5	FIRST READING
HB-1980	06/03/85	6	FIRST READING
HB-2002	05/24/85	5	FIRST READING
	06/13/85	14	SECOND READING
	06/24/85	22	THIRD READING
HB-2003	05/24/85	5	FIRST READING
	06/13/85	14	SECOND READING
	06/24/85	22	THIRD READING
HB-2004	06/03/85	6	FIRST READING
HB-2011	05/30/85	27	FIRST READING
	06/13/85	15	SECOND READING
	06/24/85	22	THIRD READING
HB-2020	05/30/85	28	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2020 (cont'd)	06/18/85	193	SECOND READING
	06/24/85	22	THIRD READING
HB-2022	05/30/85	28	FIRST READING
	06/18/85	193	SECOND READING
	06/26/85	221	THIRD READING
HB-2023	06/10/85	45	FIRST READING
	06/18/85	196	SECOND READING
	06/26/85	222	THIRD READING
HB-2024	06/10/85	45	FIRST READING
HB-2032	06/04/85	23	FIRST READING
	06/18/85	197	SECOND READING
	06/24/85	22	THIRD READING
HB-2035	06/04/85	23	FIRST READING
HB-2036	05/24/85	5	FIRST READING
HB-2044	05/28/86	11	FIRST READING
HB-2054	06/05/85	7	FIRST READING
	06/18/85	198	SECOND READING
	06/24/85	23	THIRD READING
	10/30/85	27	VETO MESSAGE
HB-2060	05/20/86	3	FIRST READING
	06/17/86	6	SECOND READING
	06/18/86	71	THIRD READING
HB-2061	05/30/85	28	FIRST READING
	06/18/85	198	SECOND READING
	06/26/85	223	THIRD READING
HB-2062	05/24/85	5	FIRST READING
	06/19/85	175	SECOND READING
	06/24/85	23	THIRD READING
HB-2066	05/30/85	28	FIRST READING
	06/18/85	201	SECOND READING
	06/24/85	23	THIRD READING
HB-2067	06/04/85	23	FIRST READING
	06/18/85	201	SECOND READING
	06/24/85	23	THIRD READING
HB-2073	05/22/86	2	FIRST READING
	06/17/86	7	SECOND READING
	06/18/86	75	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2079	06/03/85	6	FIRST READING
HB-2080	06/04/85	23	FIRST READING
HB-2084	06/04/85	23	FIRST READING
	06/18/85	201	SECOND READING
	06/24/85	23	THIRD READING
HB-2088	05/24/85	5	FIRST READING
	06/11/85	22	SECOND READING
	06/24/85	23	THIRD READING
HB-2089	05/30/85	28	FIRST READING
	06/18/85	202	SECOND READING
	06/26/85	223	THIRD READING
HB-2093	05/21/86	2	FIRST READING
HB-2096	06/03/85	7	FIRST READING
	06/19/85	175	SECOND READING
	06/24/85	23	THIRD READING
HB-2097	06/03/85	7	FIRST READING
	06/19/85	175	SECOND READING
	06/24/85	23	THIRD READING
HB-2103	06/04/85	5	FIRST READING
	06/13/85	15	SECOND READING
	06/21/85	39	RECALLED
	06/26/85	224	THIRD READING
	06/28/85	129	REFUSE TO RECEDE
HB-2104	06/03/85	7	FIRST READING
	06/18/85	202	SECOND READING
	06/24/85	23	THIRD READING
HB-2106	06/04/85	5	FIRST READING
	06/13/85	15	SECOND READING
	06/24/85	23	THIRD READING
HB-2108	06/05/85	7	FIRST READING
	06/13/85	23	SECOND READING
	06/26/85	225	THIRD READING
	10/30/85	89	VETO MESSAGE
HB-2113	05/16/85	3	FIRST READING
	06/18/85	203	SECOND READING
	06/24/85	23	THIRD READING
	06/28/85	130	REFUSE TO RECEDE
	07/02/85	20	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-2115	06/04/85	23	FIRST READING
	06/19/85	176	SECOND READING
	06/26/85	226	THIRD READING
HB-2125	06/03/85	7	FIRST READING
	06/04/85	16	TABLED
HB-2129	05/16/85	3	FIRST READING
	06/13/85	16	SECOND READING
	06/24/85	23	THIRD READING
HB-2132	06/03/85	7	FIRST READING
	06/18/85	203	SECOND READING
	06/24/85	23	THIRD READING
	10/30/85	28	VETO MESSAGE
HB-2154	05/30/85	28	FIRST READING
	06/18/85	204	SECOND READING
	06/24/85	23	THIRD READING
HB-2158	05/24/85	5	FIRST READING
	06/10/85	43	SECOND READING
	06/24/85	23	THIRD READING
HB-2160	05/24/85	5	FIRST READING
HB-2162	06/04/85	5	FIRST READING
	06/13/85	17	SECOND READING
	06/24/85	23	THIRD READING
HB-2165	05/24/85	5	FIRST READING
	06/13/85	17	SECOND READING
	06/26/85	227	THIRD READING
HB-2167	05/24/85	6	FIRST READING
	06/11/85	23	SECOND READING
	06/24/85	24	THIRD READING
HB-2179	06/03/85	7	FIRST READING
	06/18/85	205	SECOND READING
	06/18/85	207	HELD ON SECOND
	06/21/85	82	SECOND READING
	06/26/85	228	THIRD READING
HB-2180	06/03/85	7	FIRST READING
	06/18/85	205	SECOND READING
	06/24/85	24	THIRD READING
HB-2181	05/30/85	28	FIRST READING
	06/18/85	205	SECOND READING
	06/24/85	24	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2182	05/24/85	6	FIRST READING
	06/18/85	208	SECOND READING
	06/26/85	234	THIRD READING
HB-2184	06/03/85	7	FIRST READING
	06/20/85	3	SECOND READING
	06/26/85	238	RECALLED
	06/26/85	377	THIRD READING
HB-2188	05/24/85	6	FIRST READING
	06/18/85	208	SECOND READING
	06/20/85	54	RECALLED
	06/25/85	11	RECALLED
	06/26/85	239	THIRD READING
HB-2189	05/16/85	3	FIRST READING
	06/20/85	3	SECOND READING
	06/26/85	240	THIRD READING
HB-2199	06/03/85	7	FIRST READING
	06/18/85	208	SECOND READING
	06/26/85	241	THIRD READING
HB-2202	05/30/85	28	FIRST READING
	06/20/85	5	SECOND READING
	06/26/85	242	THIRD READING
HB-2205	06/06/85	6	FIRST READING
	06/20/85	12	SECOND READING
	06/26/85	245	THIRD READING
HB-2213	05/30/85	28	FIRST READING
HB-2217	05/30/85	28	FIRST READING
	06/18/85	209	SECOND READING
	06/24/85	24	THIRD READING
HB-2219	05/29/85	63	FIRST READING
	06/13/85	18	SECOND READING
	06/24/85	24	THIRD READING
HB-2220	06/03/85	7	FIRST READING
	06/18/85	211	SECOND READING
	06/26/85	246	THIRD READING
HB-2226	05/24/85	6	FIRST READING
	06/13/85	19	SECOND READING
	06/26/85	250	THIRD READING
	10/30/85	28	VETO MESSAGE
HB-2232	05/24/85	6	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2232 (cont'd)	06/11/85	23	SECOND READING
	06/19/85	36	RECALLED
	06/26/85	252	THIRD READING
HB-2237	05/20/86	3	FIRST READING
HB-2239	06/04/85	5	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	81	SECOND READING
	06/26/85	343	THIRD READING
HB-2240	06/04/85	5	FIRST READING
	06/24/85	245	SECOND READING
	06/26/85	81	SECOND READING
	06/26/85	343	THIRD READING
HB-2247	06/10/85	45	FIRST READING
HB-2249	06/03/85	7	FIRST READING
	06/20/85	12	SECOND READING
	06/26/85	253	THIRD READING
HB-2250	06/03/85	7	FIRST READING
	06/18/85	213	SECOND READING
	06/24/85	24	THIRD READING
HB-2251	05/30/85	28	FIRST READING
	06/18/85	214	SECOND READING
	06/24/85	24	THIRD READING
HB-2254	05/23/86	2	FIRST READING
	06/20/86	2	SECOND READING
	06/23/86	16	THIRD READING
HB-2259	05/30/85	28	FIRST READING
	06/18/85	213	SECOND READING
	06/26/85	254	THIRD READING
HB-2261	06/03/85	7	FIRST READING
	06/18/85	214	SECOND READING
	06/24/85	24	THIRD READING
HB-2263	05/30/85	28	FIRST READING
	06/18/85	215	SECOND READING
	06/26/85	255	THIRD READING
	06/30/85	36	REFUSE TO RECEDE
HB-2266	06/05/85	32	FIRST READING
	06/18/85	215	SECOND READING
	06/26/85	261	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2273	05/30/85	28	FIRST READING
	06/18/85	216	SECOND READING
	06/24/85	24	THIRD READING
HB-2275	05/29/85	64	FIRST READING
	06/13/85	20	SECOND READING
	06/19/85	37	RECALLED
	06/24/85	24	THIRD READING
HB-2276	06/05/85	7	FIRST READING
	06/18/85	217	SECOND READING
	06/24/85	24	THIRD READING
	06/28/85	142	REFUSE TO RECEDE
	07/01/85	38	CONFERENCE
HB-2278	05/30/85	28	FIRST READING
	06/13/85	20	SECOND READING
	06/21/85	40	RECALLED
	06/25/85	13	RECALLED
	06/26/85	262	RECALLED
	06/26/85	378	THIRD READING
	10/30/85	77	VETO MESSAGE
HB-2279	06/04/86	6	FIRST READING
HB-2283	05/29/85	64	FIRST READING
	06/18/85	218	SECOND READING
	06/26/85	263	THIRD READING
HB-2286	06/18/85	220	SECOND READING
	06/26/85	264	THIRD READING
HB-2290	06/05/85	7	FIRST READING
	06/13/85	20	SECOND READING
	06/24/85	24	THIRD READING
HB-2303	06/04/85	5	FIRST READING
HB-2308	06/04/85	5	FIRST READING
	06/18/85	219	SECOND READING
	06/26/85	264	TABLED
HB-2310	05/20/85	3	FIRST READING
	06/18/85	219	SECOND READING
	06/20/85	12	SECOND READING
	06/26/85	265	THIRD READING
HB-2311	05/29/85	64	FIRST READING
	06/13/85	21	SECOND READING
	06/24/85	24	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2313	05/23/86	2	FIRST READING
HB-2328	05/30/85	29	FIRST READING
	06/18/85	220	SECOND READING
	06/24/85	24	THIRD READING
HB-2336	06/04/85	23	FIRST READING
	06/18/85	220	SECOND READING
	06/24/85	24	THIRD READING
HB-2349	06/03/85	7	FIRST READING
	06/18/85	221	SECOND READING
	06/24/85	25	THIRD READING
HB-2351	05/30/85	29	FIRST READING
	06/18/85	222	SECOND READING
	06/26/85	265	THIRD READING
HB-2352	05/29/85	64	FIRST READING
	06/13/85	21	SECOND READING
	06/24/85	25	THIRD READING
HB-2358	06/05/85	32	FIRST READING
HB-2362	06/05/85	32	FIRST READING
	06/20/85	13	SECOND READING
	06/26/85	268	THIRD READING
HB-2364	05/23/85	4	FIRST READING
	06/13/85	21	SECOND READING
	06/26/85	270	THIRD READING
HB-2368	06/04/85	5	FIRST READING
	06/18/85	222	SECOND READING
	06/24/85	25	THIRD READING
	10/30/85	36	VETO MESSAGE
	10/31/85	107	VETO MESSAGE
HB-2378	06/03/85	7	FIRST READING
	06/20/85	14	SECOND READING
	06/26/85	271	THIRD READING
HB-2384	05/30/85	29	FIRST READING
	06/18/85	228	SECOND READING
	06/26/85	272	THIRD READING
	10/31/85	26	VETO MESSAGE
HB-2387	05/23/85	4	FIRST READING
	06/18/85	228	SECOND READING
	06/26/85	275	RECALLED
	06/26/85	379	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2391	06/05/85	8	FIRST READING
	06/18/85	229	SECOND READING
	06/26/85	277	THIRD READING
	06/26/85	401	MOTION
HB-2399	06/04/85	5	FIRST READING
	06/18/85	230	SECOND READING
	06/26/85	278	THIRD READING
HB-2400	05/30/85	29	FIRST READING
	06/18/85	230	SECOND READING
	06/25/85	6	RECALLED
	06/26/85	279	THIRD READING
HB-2407	06/03/85	7	FIRST READING
	06/18/85	230	SECOND READING
	06/24/85	25	THIRD READING
HB-2408	05/30/85	29	FIRST READING
	06/20/85	14	SECOND READING
	06/26/85	279	THIRD READING
HB-2409	05/28/86	11	FIRST READING
	06/19/86	17	SECOND READING
	06/20/86	25	RECALLED
	06/23/86	27	THIRD READING
HB-2414	05/30/85	29	FIRST READING
	06/11/85	24	SECOND READING
	06/24/85	25	THIRD READING
HB-2416	06/03/85	7	FIRST READING
	06/20/85	15	SECOND READING
	06/26/85	280	THIRD READING
HB-2418	06/03/85	8	FIRST READING
	06/20/85	15	SECOND READING
	06/26/85	281	THIRD READING
	06/28/85	143	REFUSE TO RECEDE
	07/03/85	8	CONFERENCE
	10/30/85	29	VETO MESSAGE
HB-2421	05/30/85	30	FIRST READING
	06/18/85	231	SECOND READING
	06/26/85	282	THIRD READING
	06/29/85	44	REFUSE TO RECEDE
	07/03/85	11	CONFERENCE
HB-2422	05/30/85	29	FIRST READING
	06/11/85	25	SECOND READING
	06/24/85	25	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2426	06/03/85	8	FIRST READING
	06/18/85	234	SECOND READING
	06/24/85	25	THIRD READING
	06/28/85	130	REFUSE TO RECEDE
	06/30/85	96	CONFERENCE
HB-2428	06/03/85	8	FIRST READING
	06/18/85	235	SECOND READING
	06/24/85	25	THIRD READING
HB-2429	06/03/85	8	FIRST READING
	06/18/85	236	SECOND READING
	06/24/85	25	THIRD READING
HB-2431	05/22/85	4	FIRST READING
	06/18/85	236	SECOND READING
	06/24/85	25	THIRD READING
HB-2434	05/30/85	29	FIRST READING
	06/18/85	237	SECOND READING
	06/20/85	55	RECALLED
	06/25/85	7	RECALLED
	06/26/85	282	RECALLED
	06/26/85	380	THIRD READING
	06/30/85	47	REFUSE TO RECEDE
	07/01/85	55	CONFERENCE
HB-2436	06/04/85	5	FIRST READING
	06/18/85	238	SECOND READING
	06/24/85	25	THIRD READING
HB-2437	05/29/85	64	FIRST READING
	06/18/85	239	SECOND READING
	06/26/85	283	THIRD READING
	06/28/85	143	REFUSE TO RECEDE
HB-2439	06/05/85	8	FIRST READING
HB-2440	05/30/85	29	FIRST READING
	06/13/85	22	SECOND READING
	06/19/85	38	RECALLED
	06/26/85	284	THIRD READING
	06/28/85	144	REFUSE TO RECEDE
	06/30/85	63	CONFERENCE
HB-2441	06/04/85	5	FIRST READING
	06/13/85	22	SECOND READING
	06/24/85	25	THIRD READING
HB-2442	06/04/85	5	FIRST READING
	06/18/85	240	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2442(cont'd)	06/24/85	25	THIRD READING
HB-2443	05/30/85	29	FIRST READING
	06/13/85	22	SECOND READING
	06/24/85	25	THIRD READING
HB-2444	05/30/85	30	FIRST READING
	06/11/85	25	SECOND READING
	06/21/85	41	RECALLED
	06/26/85	285	THIRD READING
	06/28/85	144	RECEDE
HB-2445	05/30/85	30	FIRST READING
	06/11/85	26	SECOND READING
	06/26/85	286	THIRD READING
	06/29/85	50	REFUSE TO RECEDE
	07/02/85	77	CONFERENCE
HB-2446	05/30/85	30	FIRST READING
	06/18/85	241	SECOND READING
	06/26/85	287	THIRD READING
HB-2447	06/04/85	6	FIRST READING
	06/18/85	241	SECOND READING
	06/26/85	288	THIRD READING
HB-2449	06/04/85	6	FIRST READING
	06/18/85	241	SECOND READING
	06/24/85	25	THIRD READING
HB-2450	05/30/85	30	FIRST READING
	06/18/85	242	SECOND READING
	06/24/85	25	THIRD READING
HB-2451	06/04/85	6	FIRST READING
	06/18/85	243	SECOND READING
	06/24/85	26	THIRD READING
HB-2452	05/30/85	30	FIRST READING
	06/18/85	243	SECOND READING
	06/24/85	26	THIRD READING
HB-2454	06/04/85	23	FIRST READING
	06/18/85	243	SECOND READING
	06/24/85	26	THIRD READING
HB-2472	05/30/85	30	FIRST READING
	06/20/85	16	SECOND READING
	06/26/85	297	THIRD READING
HB-2473	05/29/85	64	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2473(cont'd)	06/18/85	244	SECOND READING
	06/24/85	26	THIRD READING
HB-2475	05/30/85	30	FIRST READING
	06/20/85	17	SECOND READING
	06/26/85	289	THIRD READING
HB-2486	05/13/86	128	FIRST READING
	06/20/86	5	SECOND READING
	06/23/86	124	RECALLED
	06/23/86	192	THIRD READING
	07/01/86	117	NON-CONCURRENCE
	07/01/86	152	DISCUSSED
	12/05/86	8	CONFERENCE
HB-2487	05/30/85	30	FIRST READING
	06/18/85	244	SECOND READING
	06/26/85	293	THIRD READING
HB-2492	06/05/85	8	FIRST READING
	06/13/85	23	SECOND READING
	06/24/85	26	THIRD READING
HB-2499	06/04/85	6	FIRST READING
	06/18/85	244	SECOND READING
	06/20/85	56	RECALLED
	06/26/85	294	THIRD READING
HB-2512	05/30/85	30	FIRST READING
	06/20/85	22	SECOND READING
	06/26/85	295	THIRD READING
HB-2515	06/03/85	8	FIRST READING
	06/18/85	245	OUT OF RECORD
	06/20/85	22	SECOND READING
	06/26/85	298	THIRD READING
HB-2517	05/30/85	30	FIRST READING
	06/18/85	247	SECOND READING
	06/24/85	26	THIRD READING
HB-2518	12/02/86	23	RECALLED
HB-2521	06/04/85	6	FIRST READING
	06/18/85	247	SECOND READING
	06/24/85	26	THIRD READING
HB-2523	05/20/85	3	FIRST READING
	06/10/85	43	SECOND READING
	06/26/85	299	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2525	06/03/85	8	FIRST READING
	06/13/85	23	SECOND READING
	06/21/85	43	RECALLED
	06/30/85	49	THIRD READING
HB-2528	05/13/86	128	FIRST READING
HB-2529	05/23/86	2	FIRST READING
HB-2535	05/28/86	15	FIRST READING
HB-2537	06/18/86	34	SECOND READING
	06/19/86	103	DISCUSSED AND POSTPONED
	06/23/86	215	POSTPONED CONSIDERATION
HB-2544	05/15/86	4	FIRST READING
	06/17/86	7	SECOND READING
	06/19/86	75	RECALLED
	06/23/86	28	THIRD READING
HB-2546	05/21/86	2	FIRST READING
	06/18/86	60	SECOND READING
	06/19/86	105	THIRD READING
	06/27/86	9	NON-CONCURRENCE
	06/30/86	26	CONFERENCE
HB-2549	05/23/86	2	FIRST READING
	06/18/86	34	SECOND READING
	06/23/86	29	THIRD READING
	12/02/86	17	VETO ACTION
HB-2552	05/22/86	2	FIRST READING
	06/18/86	62	SECOND READING
	06/19/86	107	THIRD READING
HB-2562	05/15/86	4	FIRST READING
	06/17/86	8	SECOND READING
	06/19/86	75	RECALLED
	06/23/86	30	THIRD READING
HB-2564	06/03/86	6	FIRST READING
	06/19/86	19	SECOND READING
	06/20/86	53	RECALLED
	06/23/86	31	DISCUSSED AND POSTPONED
HB-2573	05/20/86	3	FIRST READING
	06/17/86	8	SECOND READING
	06/19/86	108	THIRD READING
	06/27/86	10	NON-CONCURRENCE
	06/30/86	42	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-2574	05/23/86	2	FIRST READING
	06/17/86	9	SECOND READING
	06/20/86	26	RECALLED
	06/23/86	32	THIRD READING
HB-2576	05/20/86	3	FIRST READING
HB-2577	05/20/86	4	FIRST READING
HB-2578	05/23/86	2	FIRST READING
HB-2579	05/28/86	16	FIRST READING
	06/17/86	9	SECOND READING
	06/18/86	76	THIRD READING
HB-2580	05/23/86	2	FIRST READING
HB-2581	05/28/86	16	FIRST READING
	06/17/86	10	SECOND READING
	06/18/86	77	THIRD READING
HB-2582	05/23/86	5	FIRST READING
	06/19/86	19	SECOND READING
	06/23/86	33	THIRD READING
HB-2583	05/28/86	17	FIRST READING
HB-2587	05/23/86	2	FIRST READING
HB-2590	06/03/86	4	FIRST READING
	06/17/86	11	SECOND READING
HB-2596	05/28/86	11	FIRST READING
HB-2599	05/28/86	11	FIRST READING
HB-2612	06/04/86	6	FIRST READING
	06/17/86	11	SECOND READING
	06/18/86	80	THIRD READING
HB-2613	06/03/86	4	FIRST READING
HB-2621	05/23/86	4	FIRST READING
	06/17/86	12	SECOND READING
	06/18/86	81	THIRD READING
	12/02/86	18	VETO ACTION
HB-2622	05/20/86	4	FIRST READING
HB-2625	05/28/86	11	FIRST READING
	06/24/86	9	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2625(cont'd)	06/25/86	2	THIRD READING
HB-2630	05/21/86	2	FIRST READING
	06/20/86	6	SECOND READING
	06/20/86	14	OUT OF RECORD
	06/20/86	46	SECOND READING
	06/23/86	125	RECALLED
	06/23/86	193	THIRD READING
	06/30/86	3	NON-CONCURRENCE
	12/05/86	39	CONFERENCE
	7/3/87		2ND CLR
HB-2635	06/03/86	6	FIRST READING
HB-2637	05/15/86	4	FIRST READING
HB-2642	05/21/86	2	FIRST READING
	06/18/86	36	SECOND READING
	06/19/86	109	THIRD READING
	06/27/86	11	NON-CONCURRENCE
	12/04/86	6	CONFERENCE
HB-2644	05/15/86	4	FIRST READING
	06/19/86	20	SECOND READING
	06/20/86	27	RECALLED
	06/23/86	34	THIRD READING
HB-2648	05/23/86	2	FIRST READING
	06/19/86	22	SECOND READING
	06/23/86	37	THIRD READING
	12/03/86	7	VETO ACTION
HB-2685	06/10/86	10	FIRST READING
HB-2687	05/22/86	2	FIRST READING
HB-2688	05/28/86	12	FIRST READING
	06/24/86	6	SECOND READING
	06/25/86	3	THIRD READING
	06/28/86	2	NON-CONCURRENCE
	06/29/86	3	CONFERENCE
HB-2693	06/03/86	4	FIRST READING
HB-2700	05/28/86	17	FIRST READING
HB-2708	05/20/86	4	FIRST READING
HB-2709	05/28/86	12	FIRST READING
HB-2712	06/03/86	7	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2714	06/03/86	7	FIRST READING
	06/18/86	63	SECOND READING
	06/19/86	110	DISCUSSED AND POSTPONED
	06/23/86	216	POSTPONED CONSIDERATION
HB-2720	05/20/86	4	FIRST READING
HB-2724	06/03/86	4	FIRST READING
	06/17/86	12	SECOND READING
	06/17/86	12	RECALLED
	06/18/86	81	THIRD READING
HB-2725	05/15/86	4	FIRST READING
	06/17/86	16	SECOND READING
	06/18/86	85	THIRD READING
HB-2726	05/20/86	4	FIRST READING
	06/17/86	17	SECOND READING
	06/18/86	89	THIRD READING
HB-2733	05/21/86	2	FIRST READING
HB-2734	05/28/86	12	FIRST READING
HB-2735	05/20/86	4	FIRST READING
	06/17/86	17	SECOND READING
	06/18/86	90	THIRD READING
HB-2737	05/28/86	12	FIRST READING
HB-2738	05/21/86	2	FIRST READING
	06/20/86	15	SECOND READING
	06/23/86	162	RECALLED
	06/23/86	195	THIRD READING
HB-2741	05/21/86	2	FIRST READING
	06/18/86	37	SECOND READING
	06/19/86	78	RECALLED
	06/20/86	57	RECALLED
	06/23/86	38	THIRD READING
HB-2757	05/28/86	17	FIRST READING
	06/17/86	17	SECOND READING
	06/23/86	39	THIRD READING
	12/03/86	8	VETO ACTION
HB-2760	05/21/86	2	FIRST READING
	12/02/86	24	SECOND READING
	12/02/86	24	MOTION
	12/03/86	68	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2765	05/21/86	2	FIRST READING
HB-2770	05/21/86	2	FIRST READING
	06/17/86	18	SECOND READING
	06/18/86	93	THIRD READING
HB-2774	05/23/86	2	FIRST READING
HB-2775	05/15/86	4	FIRST READING
	06/17/86	20	SECOND READING
	06/18/86	94	THIRD READING
HB-2777	05/15/86	4	FIRST READING
	06/17/86	20	SECOND READING
	06/19/86	115	THIRD READING
HB-2778	05/15/86	4	FIRST READING
	06/17/86	21	SECOND READING
	06/18/86	94	THIRD READING
HB-2781	06/03/86	9	FIRST READING
HB-2782	05/21/86	2	FIRST READING
	06/17/86	21	SECOND READING
	06/18/86	96	THIRD READING
HB-2784	05/28/86	12	FIRST READING
HB-2785	06/03/86	9	FIRST READING
	06/20/86	18	SECOND READING
	06/23/86	45	THIRD READING
	06/27/86	11	NON-CONCURRENCE
	06/30/86	142	CONFERENCE
	12/02/86	19	VETO ACTION
HB-2798	06/03/86	9	FIRST READING
	06/04/86	6	FIRST READING
	06/17/86	22	SECOND READING
HB-2815	05/28/86	17	FIRST READING
	11/19/86	88	MOTION
	11/19/86	89	SECOND READING
	12/03/86	70	THIRD READING
HB-2816	06/03/86	4	FIRST READING
	06/17/86	22	SECOND READING
	06/18/86	99	THIRD READING
HB-2819	06/03/86	4	FIRST READING
	06/17/86	22	SECOND READING
	06/18/86	100	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2820	06/03/86	4	FIRST READING
	06/17/86	23	SECOND READING
	06/18/86	107	THIRD READING
	06/18/86	114	OUT OF RECORD
	06/23/86	46	THIRD READING
HB-2821	05/28/86	12	FIRST READING
	06/19/86	23	SECOND READING
HB-2828	05/28/86	12	FIRST READING
	06/17/86	24	SECOND READING
	06/18/86	114	THIRD READING
HB-2838	05/20/86	4	FIRST READING
HB-2839	06/18/86	37	SECOND READING
	06/19/86	116	THIRD READING
	06/28/86	8	NON-CONCURRENCE
	07/01/86	99	CONFERENCE
HB-2850	05/28/86	17	FIRST READING
HB-2864	05/28/86	12	FIRST READING
HB-2871	06/03/86	4	FIRST READING
	06/17/86	25	SECOND READING
	06/18/86	115	THIRD READING
HB-2873	05/15/86	4	FIRST READING
	06/17/86	26	SECOND READING
	06/18/86	116	THIRD READING
HB-2876	05/20/86	4	FIRST READING
HB-2878	05/23/86	2	FIRST READING
	06/24/86	7	SECOND READING
	06/25/86	3	THIRD READING
HB-2879	05/23/86	3	FIRST READING
	06/17/86	26	SECOND READING
	06/18/86	117	THIRD READING
HB-2882	06/03/86	6	FIRST READING
HB-2885	05/28/86	12	FIRST READING
HB-2889	05/15/86	4	FIRST READING
HB-2891	05/20/86	4	FIRST READING
HB-2893	05/20/86	4	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2898	06/03/86	7	FIRST READING
HB-2917	05/28/86	17	FIRST READING
	06/17/86	27	SECOND READING
	06/19/86	142	RECALLED
	06/20/86	29	RECALLED
	06/23/86	56	THIRD READING
	12/03/86	9	VETO ACTION
HB-2927	05/22/86	2	FIRST READING
HB-2937	05/28/86	12	FIRST READING
	06/18/86	39	SECOND READING
	06/19/86	143	RECALLED
	06/23/86	59	THIRD READING
HB-2946	06/04/86	6	FIRST READING
HB-2958	05/28/86	12	FIRST READING
	06/18/86	40	SECOND READING
	06/20/86	57	RECALLED
	06/23/86	60	THIRD READING
HB-2966	06/03/86	7	FIRST READING
HB-2969	06/03/86	4	FIRST READING
HB-2971	05/28/86	12	FIRST READING
HB-2974	05/23/86	5	FIRST READING
	06/24/86	10	SECOND READING
	06/25/86	4	THIRD READING
HB-2975	05/28/86	12	FIRST READING
	06/24/86	8	SECOND READING
	06/25/86	5	THIRD READING
HB-2976	05/28/86	12	FIRST READING
	06/24/86	11	SECOND READING
	06/25/86	40	RECALLED
	06/25/86	55	THIRD READING
HB-2977	05/28/86	12	FIRST READING
	06/24/86	12	SECOND READING
HB-2978	05/28/86	12	FIRST READING
	06/24/86	13	SECOND READING
	06/25/86	5	THIRD READING
HB-2979	05/28/86	12	FIRST READING
	06/24/86	14	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-2979 (cont'd)	06/25/86	6	THIRD READING
HB-2980	05/28/86	13	FIRST READING
	06/24/86	15	SECOND READING
	06/25/86	56	THIRD READING
HB-2981	05/28/86	13	FIRST READING
	06/24/86	16	SECOND READING
	06/25/86	7	THIRD READING
HB-2982	05/28/86	13	FIRST READING
	06/24/86	17	SECOND READING
	06/25/86	7	THIRD READING
HB-2983	05/28/86	13	FIRST READING
	06/24/86	17	SECOND READING
	06/25/86	9	THIRD READING
HB-2984	05/28/86	13	FIRST READING
	06/24/86	18	SECOND READING
	06/25/86	8	THIRD READING
HB-2985	05/28/86	13	FIRST READING
	06/24/86	19	SECOND READING
	06/25/86	9	THIRD READING
HB-2986	05/28/86	13	FIRST READING
	06/24/86	20	SECOND READING
	06/25/86	219	RECALLED
	06/25/86	222	THIRD READING
	06/28/86	3	NON-CONCURRENCE
	06/29/86	3	CONFERENCE
	06/29/86	3	OUT OF RECORD
	06/29/86	4	CONFERENCE
HB-2987	05/23/86	4	FIRST READING
	06/24/86	21	SECOND READING
	06/25/86	41	THIRD READING
HB-2988	05/23/86	5	FIRST READING
	06/24/86	22	SECOND READING
	06/25/86	10	THIRD READING
	06/28/86	3	NON-CONCURRENCE
	06/29/86	4	CONFERENCE
HB-2989	06/03/86	5	FIRST READING
	06/24/86	84	SECOND READING
	06/25/86	43	RECALLED
	06/25/86	57	THIRD READING
	06/28/86	4	NON-CONCURRENCE
	07/01/86	131	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-2989 (cont'd)	12/02/86	12	VETO ACTION
	12/03/86	22	VETO ACTION
	12/03/86	54	VETO ACTION
	12/03/86	89	VETO ACTION
	12/04/86	11	VETO ACTION
	12/04/86	14	VETO ACTION
HB-2990	05/28/86	13	FIRST READING
	06/24/86	36	SECOND READING
	06/25/86	11	THIRD READING
HB-2991	05/28/86	13	FIRST READING
	06/24/86	37	SECOND READING
	06/25/86	11	THIRD READING
	06/28/86	5	NON-CONCURRENCE
	06/29/86	10	CONFERENCE
HB-2992	05/28/86	13	FIRST READING
	06/24/86	42	SECOND READING
	06/25/86	12	THIRD READING
HB-2993	05/28/86	13	FIRST READING
	06/24/86	42	SECOND READING
HB-2994	05/28/86	13	FIRST READING
	06/24/86	43	SECOND READING
	06/25/86	13	THIRD READING
HB-2995	05/23/86	4	FIRST READING
	06/24/86	44	SECOND READING
	06/25/86	13	THIRD READING
	12/02/86	22	VETO ACTION
	12/02/86	22	OUT OF RECORD
	12/03/86	23	VETO ACTION
	12/03/86	40	VETO ACTION
	12/03/86	42	OUT OF RECORD
	12/03/86	55	VETO ACTION
	12/03/86	56	VETO ACTION
HB-2996	05/28/86	13	FIRST READING
	06/24/86	56	SECOND READING
	06/25/86	14	THIRD READING
	12/03/86	33	VETO ACTION
HB-2997	05/28/86	13	FIRST READING
	06/24/86	108	SECOND READING
	06/25/86	15	THIRD READING
HB-2998	05/23/86	3	FIRST READING
	06/24/86	113	SECOND READING
	06/25/86	48	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
HB-2998 (cont'd)	06/25/86	58	THIRD READING
	06/28/86	5	NON-CONCURRENCE
	06/30/86	3	CONFERENCE
HB-2999	05/23/86	3	FIRST READING
	06/24/86	133	SECOND READING
	06/25/86	16	THIRD READING
HB-3000	05/23/86	5	FIRST READING
	06/24/86	60	SECOND READING
	06/25/86	50	RECALLED
	06/25/86	59	THIRD READING
HB-3001	05/23/86	5	FIRST READING
	06/24/86	62	SECOND READING
	06/25/86	17	THIRD READING
HB-3002	05/23/86	5	FIRST READING
	05/28/86	14	FIRST READING
	06/24/86	68	SECOND READING
	06/25/86	51	RECALLED
	06/25/86	60	THIRD READING
HB-3003	05/28/86	13	FIRST READING
	06/24/86	69	SECOND READING
	06/25/86	17	THIRD READING
HB-3004	05/28/86	13	FIRST READING
	06/24/86	70	SECOND READING
	06/25/86	18	THIRD READING
HB-3005	05/28/86	13	FIRST READING
	06/24/86	71	SECOND READING
	06/25/86	19	THIRD READING
HB-3006	05/23/86	5	FIRST READING
	06/24/86	72	SECOND READING
	06/25/86	20	THIRD READING
HB-3015	05/28/86	14	FIRST READING
HB-3017	05/28/86	14	FIRST READING
	06/17/86	29	SECOND READING
	06/18/86	117	THIRD READING
HB-3018	05/28/86	14	FIRST READING
HB-3019	05/23/86	6	FIRST READING
	06/18/86	41	SECOND READING
	06/23/86	62	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3025	06/04/86	6	FIRST READING
	06/17/86	29	SECOND READING
	06/18/86	119	THIRD READING
	12/03/86	53	VETO ACTION
HB-3033	06/04/86	6	FIRST READING
HB-3035	05/23/86	3	FIRST READING
	06/24/86	74	SECOND READING
	06/25/86	20	THIRD READING
HB-3036	05/23/86	3	FIRST READING
	06/19/86	23	SECOND READING
	06/23/86	156	RECALLED
	06/23/86	196	THIRD READING
	06/30/86	65	NON-CONCURRENCE
HB-3040	05/23/86	3	FIRST READING
	06/17/86	30	SECOND READING
	06/18/86	121	THIRD READING
HB-3042	06/03/86	5	FIRST READING
HB-3043	05/28/86	14	FIRST READING
	06/19/86	41	SECOND READING
	06/23/86	63	DISCUSSED AND POSTPONED
	06/27/86	12	NON-CONCURRENCE
	06/30/86	111	CONFERENCE
HB-3044	05/22/86	2	FIRST READING
	06/17/86	30	SECOND READING
	06/19/86	79	RECALLED
	06/23/86	67	THIRD READING
	12/02/86	6	VETO ACTION
HB-3046	06/03/86	5	FIRST READING
HB-3048	06/03/86	5	FIRST READING
HB-3050	05/23/86	3	FIRST READING
	06/24/86	76	SECOND READING
	06/25/86	21	THIRD READING
HB-3058	05/15/86	4	FIRST READING
	06/19/86	43	SECOND READING
	06/23/86	164	RECALLED
	06/23/86	198	THIRD READING
	06/27/86	15	NON-CONCURRENCE
	07/01/86	21	CONFERENCE
	12/03/86	75	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
HB-3059	05/28/86	14	FIRST READING
HB-3061	05/28/86	14	FIRST READING
HB-3062	05/21/86	2	FIRST READING
	06/19/86	44	SECOND READING
	06/20/86	60	RECALLED
	06/23/86	68	THIRD READING
HB-3065	06/03/86	5	FIRST READING
	06/17/86	31	SECOND READING
	06/18/86	122	THIRD READING
HB-3072	05/23/86	3	FIRST READING
	06/17/86	31	SECOND READING
	06/18/86	124	THIRD READING
HB-3074	05/28/86	14	FIRST READING
HB-3075	05/28/86	14	FIRST READING
	06/17/86	31	SECOND READING
	06/19/86	118	THIRD READING
HB-3078	05/28/86	14	FIRST READING
HB-3079	05/20/86	4	FIRST READING
	06/17/86	32	SECOND READING
	06/18/86	125	THIRD READING
HB-3080	06/03/86	6	FIRST READING
	06/19/86	48	SECOND READING
	06/23/86	73	THIRD READING
HB-3081	06/03/86	5	FIRST READING
HB-3089	05/23/86	3	FIRST READING
	06/18/86	41	SECOND READING
	06/23/86	77	THIRD READING
HB-3090	05/23/86	5	FIRST READING
	06/24/86	135	SECOND READING
	06/25/86	21	THIRD READING
	12/02/86	13	VETO ACTION
	12/02/86	17	OUT OF RECORD
	12/03/86	35	VETO ACTION
	12/03/86	43	VETO ACTION
	12/03/86	49	VETO ACTION
	12/03/86	86	VETO ACTION
	12/03/86	90	VETO ACTION
HB-3091	05/23/86	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3091 (cont'd)	06/24/86	177	SECOND READING
	06/25/86	22	THIRD READING
HB-3092	05/23/86	3	FIRST READING
	06/24/86	77	SECOND READING
	06/25/86	33	THIRD READING
HB-3093	05/28/86	14	FIRST READING
	06/24/86	78	SECOND READING
	06/25/86	34	THIRD READING
HB-3096	05/28/86	17	FIRST READING
	06/17/86	32	SECOND READING
	06/18/86	126	THIRD READING
HB-3097	05/20/86	4	FIRST READING
HB-3101	06/03/86	5	FIRST READING
	06/24/86	78	SECOND READING
	12/05/86	3	RECALLED
	12/05/86	60	THIRD READING
HB-3114	05/28/86	14	FIRST READING
HB-3115	05/23/86	3	FIRST READING
	06/18/86	42	SECOND READING
	06/19/86	119	THIRD READING
HB-3128	05/15/86	4	FIRST READING
	06/17/86	32	SECOND READING
	06/19/86	120	THIRD READING
HB-3133	06/03/86	5	FIRST READING
	06/24/86	79	SECOND READING
HB-3135	05/28/86	14	FIRST READING
HB-3141	05/28/86	14	FIRST READING
HB-3144	05/23/86	3	FIRST READING
HB-3145	05/28/86	14	FIRST READING
HB-3152	06/03/86	5	FIRST READING
HB-3156	05/21/86	3	FIRST READING
	06/17/86	33	SECOND READING
	06/18/86	127	THIRD READING
HB-3157	06/03/86	5	FIRST READING
	06/19/86	54	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3157 (cont'd)	06/23/86	77	THIRD READING
	12/02/86	8	VETO ACTION
HB-3158	06/04/86	6	FIRST READING
HB-3162	06/03/86	5	FIRST READING
	06/17/86	33	SECOND READING
	06/18/86	128	THIRD READING
	06/27/86	16	NON-CONCURRENCE
	06/29/86	24	NON-CONCURRENCE
	12/05/86	14	CONFERENCE
HB-3165	05/28/86	15	FIRST READING
	06/17/86	34	SECOND READING
	06/18/86	130	THIRD READING
	06/28/86	6	NON-CONCURRENCE
	06/29/86	11	CONFERENCE
HB-3166	06/03/86	5	FIRST READING
HB-3175	06/03/86	5	FIRST READING
	06/17/86	43	SECOND READING
	06/23/86	78	THIRD READING
HB-3178	05/20/86	4	FIRST READING
	06/17/86	44	SECOND READING
	06/18/86	132	THIRD READING
HB-3181	05/20/86	4	FIRST READING
	06/17/86	45	SECOND READING
	06/18/86	131	THIRD READING
HB-3182	05/23/86	3	FIRST READING
	06/18/86	42	SECOND READING
	06/19/86	121	THIRD READING
HB-3187	05/28/86	15	FIRST READING
	06/18/86	42	SECOND READING
	06/19/86	81	RECALLED
	06/23/86	83	THIRD READING
HB-3191	06/03/86	5	FIRST READING
	06/24/86	80	SECOND READING
	06/25/86	51	RECALLED
	06/25/86	61	THIRD READING
	06/28/86	6	NON-CONCURRENCE
	07/01/86	140	CONFERENCE
	07/01/86	147	CONFERENCE
	12/03/86	27	VETO ACTION
	12/03/86	29	VETO ACTION

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BILL NUMBER	DATE	PAGE	ACTION
HB-3192	05/28/86	15	FIRST READING
	06/17/86	46	SECOND READING
	06/18/86	135	THIRD READING
HB-3200	05/28/86	15	FIRST READING
	06/20/86	53	SECOND READING
	11/19/86	64	RECALLED
	11/19/86	80	THIRD READING
HB-3205	06/03/86	5	FIRST READING
HB-3206	06/03/86	5	FIRST READING
HB-3207	05/28/86	17	FIRST READING
	06/18/86	43	SECOND READING
	06/19/86	122	THIRD READING
	12/02/86	4	VETO ACTION
HB-3213	06/04/86	6	FIRST READING
	06/18/86	44	SECOND READING
	06/23/86	83	THIRD READING
HB-3214	06/03/86	9	FIRST READING
HB-3217	06/03/86	5	FIRST READING
	06/17/86	46	SECOND READING
	06/19/86	136	THIRD READING
HB-3222	05/28/86	15	FIRST READING
	06/18/86	44	SECOND READING
	06/19/86	126	THIRD READING
HB-3224	06/03/86	6	FIRST READING
HB-3227	05/28/86	15	FIRST READING
HB-3228	05/28/86	15	FIRST READING
HB-3230	05/15/86	4	FIRST READING
	06/17/86	47	SECOND READING
	06/18/86	136	THIRD READING
HB-3251	05/28/86	15	FIRST READING
HB-3253	05/28/86	15	FIRST READING
	06/24/86	81	SECOND READING
	07/01/86	119	RECALLED
	07/01/86	124	THIRD READING
HB-3255	05/23/86	3	FIRST READING
	06/24/86	82	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3255 (cont'd)	06/25/86	34	THIRD READING
HB-3257	05/23/86	3	FIRST READING
	06/24/86	82	SECOND READING
	06/25/86	35	THIRD READING
	06/28/86	7	NON-CONCURRENCE
	06/29/86	14	CONFERENCE
HB-3261	05/23/86	5	FIRST READING.
HB-3262	06/03/86	6	FIRST READING
HB-3266	05/20/86	4	FIRST READING
	06/18/86	63	SECOND READING
	06/18/86	63	OUT OF RECORD
	06/19/86	54	SECOND READING
	06/23/86	84	THIRD READING
	06/28/86	9	NON-CONCURRENCE
	07/01/86	150	CONFERENCE
HB-3267	05/20/86	4	FIRST READING
	06/18/86	45	SECOND READING
	06/19/86	90	RECALLED
	06/23/86	85	THIRD READING
HB-3268	05/28/86	15	FIRST READING
HB-3269	05/28/86	15	FIRST READING
HB-3271	05/28/86	15	FIRST READING
	06/18/86	45	SECOND READING
	06/23/86	86	THIRD READING
HB-3276	05/21/86	3	FIRST READING
	06/18/86	46	SECOND READING
	06/19/86	128	THIRD READING
HB-3290	05/23/86	3	FIRST READING
HB-3298	06/03/86	6	FIRST READING
	06/19/86	55	SECOND READING
	06/23/86	166	RECALLED
	06/23/86	199	THIRD READING
HB-3300	05/23/86	5	FIRST READING
	06/18/86	47	SECOND READING
	11/19/86	79	RECALLED
	11/19/86	81	THIRD READING
HB-3302	05/28/86	17	FIRST READING
	06/19/86	56	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3302 (cont'd)	06/23/86	170	RECALLED
	06/23/86	200	THIRD READING
HB-3309	05/28/86	16	FIRST READING
	06/18/86	48	SECOND READING
	06/19/86	82	RECALLED
	06/23/86	87	THIRD READING
HB-3328	05/28/86	17	FIRST READING
	06/19/86	57	SECOND READING
	06/23/86	93	THIRD READING
HB-3340	05/23/86	5	FIRST READING
	06/19/86	59	SECOND READING
	06/23/86	170	RECALLED
	06/23/86	206	THIRD READING
	06/27/86	16	NON-CONCURRENCE
	06/30/86	28	CONFERENCE
	12/02/86	9	VETO ACTION
HB-3343	05/23/86	4	FIRST READING
	06/24/86	84	SECOND READING
	06/25/86	39	THIRD READING
HB-3346	05/28/86	16	FIRST READING
	06/18/86	49	SECOND READING
	06/18/86	49	OUT OF RECORD
	06/19/86	65	SECOND READING
	06/19/86	65	OUT OF RECORD
	06/19/86	68	SECOND READING
	06/23/86	94	THIRD READING
	12/02/86	9	VETO ACTION
HB-3347	05/28/86	17	FIRST READING
HB-3348	06/03/86	6	FIRST READING
HB-3349	05/28/86	16	FIRST READING
HB-3351	05/28/86	16	FIRST READING
	06/18/86	64	SECOND READING
	06/23/86	95	THIRD READING
	11/20/86	4	NON-CONCURRENCE
	12/05/86	66	CONFERENCE
HB-3371	05/22/86	2	FIRST READING
	06/18/86	49	SECOND READING
	06/19/86	129	THIRD READING
HB-3378	05/15/86	4	FIRST READING
	06/17/86	47	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3378(cont'd)	06/19/86	83	RECALLED
	06/23/86	96	THIRD READING
HB-3394	05/28/86	15	FIRST READING
	06/18/86	50	SECOND READING
	06/18/86	51	OUT OF RECORD
	06/19/86	65	SECOND READING
	06/23/86	96	THIRD READING
	12/02/86	20	VETO ACTION
HB-3396	06/03/86	6	FIRST READING
	06/17/86	48	SECOND READING
	06/23/86	182	RECALLED
	06/23/86	207	THIRD READING
	07/01/86	126	RECALLED
	07/01/86	133	THIRD READING
HB-3412	06/03/86	7	FIRST READING
HB-3422	05/23/86	4	FIRST READING
	06/18/86	51	SECOND READING
	06/19/86	131	THIRD READING
	06/19/86	131	OUT OF RECORD
	06/20/86	30	RECALLED
	06/20/86	41	OUT OF RECORD
	06/23/86	183	RECALLED
	06/23/86	211	THIRD READING
	06/27/86	17	NON-CONCURRENCE
	06/30/86	32	CONFERENCE
HB-3423	06/03/86	6	FIRST READING
	06/17/86	53	SECOND READING
	06/18/86	137	THIRD READING
HB-3424	05/20/86	4	FIRST READING
HB-3425	05/20/86	5	FIRST READING
HB-3428	05/15/86	4	FIRST READING
	06/17/86	53	SECOND READING
	06/18/86	137	THIRD READING
HB-3431	05/23/86	4	FIRST READING
	06/18/86	52	SECOND READING
	06/18/86	52	OUT OF RECORD
	06/19/86	67	SECOND READING
	06/23/86	97	THIRD READING
	12/03/86	20	VETO ACTION
HB-3449	05/28/86	17	FIRST READING
	06/18/86	52	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3449(cont'd)	06/19/86	131	THIRD READING
HB-3468	06/03/86	6	FIRST READING
	06/18/86	54	SECOND READING
	06/19/86	132	THIRD READING
HB-3473	05/23/86	4	FIRST READING
	06/18/86	55	SECOND READING
	06/19/86	139	RECALLED
	06/23/86	188	RECALLED
	06/23/86	214	THIRD READING
	06/30/86	142	NON-CONCURRENCE
	12/05/86	69	CONFERENCE
HB-3474	05/15/86	4	FIRST READING
	06/18/86	56	SECOND READING
	06/19/86	84	RECALLED
	06/19/86	89	OUT OF RECORD
	06/19/86	133	THIRD READING
HB-3475	05/23/86	4	FIRST READING
	06/17/86	54	SECOND READING
	06/18/86	141	THIRD READING
	06/28/86	9	NON-CONCURRENCE
	06/30/86	50	CONFERENCE
	06/30/86	145	MOTION
	06/30/86	147	CONFERENCE
HB-3476	05/28/86	16	FIRST READING
	06/18/86	58	SECOND READING
	06/19/86	134	THIRD READING
HB-3477	05/20/86	5	FIRST READING
	06/17/86	54	SECOND READING
	06/18/86	141	THIRD READING
HB-3479	05/21/86	3	FIRST READING
	06/17/86	56	SECOND READING
	06/18/86	142	THIRD READING
	12/02/86	21	VETO ACTION
HB-3480	05/23/86	4	FIRST READING
	06/17/86	57	SECOND READING
	06/18/86	143	THIRD READING
HB-3482	06/03/86	7	FIRST READING
HB-3484	05/28/86	16	FIRST READING
HB-3498	06/03/86	9	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3503	05/28/86	16	FIRST READING
	06/17/86	58	SECOND READING
	06/20/86	41	RECALLED
	06/23/86	103	THIRD READING
HB-3506	05/21/86	3	FIRST READING
	06/17/86	58	SECOND READING
	06/18/86	143	THIRD READING
HB-3512	05/23/86	4	FIRST READING
	06/17/86	58	SECOND READING
	06/18/86	144	THIRD READING
HB-3513	05/28/86	15	FIRST READING
HB-3518	05/23/86	4	FIRST READING
HB-3520	05/21/86	3	FIRST READING
	06/17/86	59	SECOND READING
	06/18/86	146	THIRD READING
HB-3521	06/03/86	6	FIRST READING
	06/17/86	60	SECOND READING
	06/18/86	148	THIRD READING
HB-3522	06/10/86	10	FIRST READING
	11/19/86	91	MOTION
HB-3525	05/28/86	16	FIRST READING
	06/17/86	61	SECOND READING
	06/18/86	149	THIRD READING
	06/26/86	68	NON-CONCURRENCE
	06/30/86	113	CONFERENCE
	06/30/86	113	OUT OF RECORD
	06/30/86	136	CONFERENCE
HB-3527	06/03/86	6	FIRST READING
	06/17/86	62	SECOND READING
	06/19/86	135	THIRD READING
HB-3528	05/23/86	6	FIRST READING
	06/17/86	63	SECOND READING
	06/18/86	150	THIRD READING
HB-3529	05/20/86	5	FIRST READING
HB-3530	06/03/86	9	FIRST READING
HB-3531	06/03/86	9	FIRST READING
HB-3532	05/20/86	5	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3533	05/20/86	5	FIRST READING
HB-3536	06/04/86	6	FIRST READING
HB-3543	05/28/86	16	FIRST READING
	06/17/86	63	SECOND READING
	06/18/86	151	THIRD READING
HB-3548	06/19/86	69	SECOND READING
	06/23/86	185	RECALLED
	06/23/86	212	THIRD READING
HB-3549	05/20/86	5	FIRST READING
	06/17/86	64	SECOND READING
	06/18/86	151	THIRD READING
	06/18/86	152	OUT OF RECORD
	06/19/86	140	RECALLED
	06/23/86	117	THIRD READING
	06/26/86	68	NON-CONCURRENCE
HB-3550	05/28/86	16	FIRST READING
	06/17/86	64	SECOND READING
	06/20/86	45	RECALLED
	06/23/86	118	THIRD READING
HB-3551	05/23/86	4	FIRST READING
	06/17/86	65	SECOND READING
	06/18/86	152	THIRD READING
HB-3552	05/23/86	4	FIRST READING
	06/17/86	65	SECOND READING
	06/18/86	152	THIRD READING
HB-3553	06/17/86	65	SECOND READING
	06/18/86	153	THIRD READING
HB-3554	05/15/86	5	FIRST READING
	06/17/86	66	SECOND READING
	06/18/86	154	THIRD READING
HB-3555	05/23/86	5	FIRST READING
	06/18/86	58	SECOND READING
	06/19/86	141	RECALLED
	06/23/86	120	THIRD READING
HB-3567	06/03/86	7	FIRST READING
	06/17/86	66	SECOND READING
	06/18/86	154	THIRD READING
HB-3573	05/15/86	4	FIRST READING
	05/23/86	5	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
HB-3573(cont'd)	06/18/86	59	SECOND READING
	06/23/86	121	THIRD READING
	12/02/86	10	VETO ACTION
HB-3574	06/03/86	6	FIRST READING
HB-3584	06/03/86	7	FIRST READING
	06/17/86	66	SECOND READING
	06/18/86	155	THIRD READING
HB-3585	05/23/86	4	FIRST READING
HB-3587	05/28/86	16	FIRST READING
HB-3588	05/28/86	16	FIRST READING
HB-3591	06/03/86	6	FIRST READING
	06/17/86	67	SECOND READING
	06/18/86	156	THIRD READING
HB-3596	05/28/86	15	FIRST READING
	06/17/86	67	SECOND READING
	06/18/86	156	THIRD READING
HB-3598	06/03/86	6	FIRST READING
	06/17/86	68	SECOND READING
	06/18/86	157	THIRD READING
HB-3599	05/20/86	5	FIRST READING
	06/17/86	68	SECOND READING
	06/19/86	136	THIRD READING
HB-3605	06/03/86	6	FIRST READING
	06/17/86	69	SECOND READING
	06/18/86	158	THIRD READING
HB-3632	05/15/86	5	FIRST READING
SB-0001	01/09/85	21	FIRST READING
	03/19/85	58	SECOND READING
	03/26/85	36	THIRD READING
	06/29/85	13	CONCURRENCE
	10/16/85	87	VETO MESSAGE
SB-0002	01/09/85	21	FIRST READING
SB-0003	01/09/85	21	FIRST READING
	05/14/85	5	SECOND READING
	05/24/85	183	THIRD READING
	10/16/85	8	VETO MESSAGE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0004	01/09/85	21	FIRST READING
SB-0005	01/09/85	21	FIRST READING
SB-0006	01/09/85	21	FIRST READING
SB-0007	01/09/85	21	FIRST READING
	04/11/85	34	SECOND READING
	04/16/85	26	THIRD READING
	06/27/85	30	CONCURRENCE
SB-0008	01/09/85	21	FIRST READING
SB-0009	01/09/85	21	FIRST READING
	04/11/85	34	SECOND READING
	04/16/85	28	THIRD READING
	10/16/85	11	VETO MESSAGE
SB-0010	01/09/85	21	FIRST READING
	04/16/85	3	SECOND READING
	05/16/85	66	TABLED
SB-0011	01/09/85	21	FIRST READING
	05/09/85	5	SECOND READING
	05/24/85	185	THIRD READING
SB-0012	01/09/85	22	FIRST READING
	05/09/85	6	SECOND READING
	05/15/85	16	RECALLED
	05/24/85	193	THIRD READING
SB-0013	01/09/85	22	FIRST READING
SB-0014	01/09/85	22	FIRST READING
	05/17/85	25	SECOND READING
	05/23/85	9	RECALLED
	05/24/85	204	THIRD READING
	06/27/85	32	NON-CONCURRENCE
	07/02/85	42	CONFERENCE
SB-0015	01/09/85	22	FIRST READING
SB-0016	01/09/85	22	FIRST READING
	05/09/85	6	SECOND READING
	05/16/85	67	THIRD READING
	06/27/85	32	CONCURRENCE
SB-0017	01/09/85	22	FIRST READING
	05/09/85	7	SECOND READING
	05/15/85	3	RECALLED
	05/24/85	205	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0017 (cont'd)	06/28/85	40	NON-CONCURRENCE
	07/02/85	42	CONFERENCE
SB-0018	01/09/85	22	FIRST READING
	03/26/85	32	SECOND READING
	05/14/85	118	THIRD READING
SB-0019	01/09/85	22	FIRST READING
	04/18/85	12	SECOND READING
	05/14/85	122	THIRD READING
SB-0020	01/09/85	22	FIRST READING
	04/30/85	4	SECOND READING
	05/14/85	124	THIRD READING
SB-0021	01/09/85	22	FIRST READING
SB-0022	01/09/85	22	FIRST READING
SB-0023	01/09/85	22	FIRST READING
SB-0024	01/09/85	22	FIRST READING
	05/09/85	8	SECOND READING
	05/16/85	67	THIRD READING
	06/30/85	5	CONCURRENCE
SB-0025	01/09/85	23	FIRST READING
SB-0026	01/09/85	23	FIRST READING
SB-0027	01/09/85	23	FIRST READING
SB-0028	01/09/85	23	FIRST READING
SB-0029	01/09/85	23	FIRST READING
	04/18/85	13	SECOND READING
	05/16/85	67	THIRD READING
SB-0030	01/09/85	23	FIRST READING
SB-0031	01/09/85	23	FIRST READING
	04/18/85	13	SECOND READING
	05/16/85	67	THIRD READING
SB-0032	01/09/85	23	FIRST READING
	04/30/85	5	SECOND READING
	05/24/85	208	THIRD READING
SB-0033	01/09/85	23	FIRST READING
SB-0034	01/09/85	23	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0035	01/09/85	23	FIRST READING
	04/30/85	5	SECOND READING
	05/16/85	67	THIRD READING
SB-0036	01/09/85	23	FIRST READING
	05/09/85	9	SECOND READING
	05/24/85	209	THIRD READING
SB-0037	01/09/85	23	FIRST READING
SB-0038	01/09/85	23	FIRST READING
	04/30/85	7	SECOND READING
	05/16/85	67	THIRD READING
	06/28/85	41	CONCURRENCE
SB-0039	01/09/85	23	FIRST READING
	03/20/85	12	SECOND READING
	05/17/85	3	RECALLED
	05/24/85	210	THIRD READING
	06/27/85	33	CONCURRENCE
SB-0040	01/09/85	23	FIRST READING
	03/19/85	56	SECOND READING
	03/20/85	6	RECALLED
	03/26/85	48	RECALLED
	03/27/85	18	RECALLED
	03/27/85	22	THIRD READING
SB-0041	01/09/85	23	FIRST READING
	04/24/85	10	TABLED
SB-0042	01/09/85	24	FIRST READING
	04/30/85	7	OUT OF RECORD
	05/17/85	25	SECOND READING
	05/24/85	211	THIRD READING
SB-0043	01/09/85	24	FIRST READING
SB-0044	01/09/85	24	FIRST READING
SB-0045	01/09/85	24	FIRST READING
SB-0046	01/09/85	24	FIRST READING
SB-0047	01/09/85	24	FIRST READING
SB-0048	01/09/85	24	FIRST READING
	05/14/85	6	SECOND READING
	05/24/85	218	THIRD READING
SB-0049	01/09/85	24	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0049 (cont'd)	05/09/85	9	SECOND READING
	05/14/85	128	THIRD READING
SB-0050	01/09/85	24	FIRST READING
	04/16/85	4	SECOND READING
	05/16/85	67	THIRD READING
SB-0051	02/05/85	11	FIRST READING
SB-0052	02/05/85	11	FIRST READING
SB-0053	02/05/85	11	FIRST READING
	04/30/85	9	SECOND READING
	05/14/85	135	THIRD READING
SB-0054	02/05/85	11	FIRST READING
	04/30/85	9	SECOND READING
	05/16/85	5	RECALLED
	05/24/85	219	THIRD READING
SB-0055	02/05/85	11	FIRST READING
	04/30/85	10	SECOND READING
	05/24/85	220	THIRD READING
SB-0056	02/05/85	11	FIRST READING
SB-0057	02/05/85	11	FIRST READING
	05/17/85	26	SECOND READING
	05/22/85	257	RECALLED
	05/24/85	223	THIRD READING
SB-0058	02/05/85	11	FIRST READING
	04/11/85	35	SECOND READING
	04/16/85	29	THIRD READING
SB-0059	02/05/85	12	FIRST READING
SB-0060	02/05/85	12	FIRST READING
	05/14/85	7	SECOND READING
	05/24/85	223	THIRD READING
SB-0061	02/05/85	12	FIRST READING
	05/20/85	5	SECOND READING
	05/24/85	224	THIRD READING
SB-0062	02/05/85	12	FIRST READING
	05/17/85	36	SECOND READING
	05/24/85	225	THIRD READING
SB-0063	02/05/85	12	FIRST READING
	04/24/85	10	TABLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0064	02/05/85	12	FIRST READING
SB-0065	02/05/85	12	FIRST READING
SB-0066	02/05/85	12	FIRST READING
SB-0067	02/05/85	12	FIRST READING
SB-0068	02/05/85	12	FIRST READING
	04/24/85	10	TABLED
SB-0069	02/05/85	12	FIRST READING
	04/23/85	3	TABLED
SB-0070	02/05/85	12	FIRST READING
SB-0071	02/05/85	12	FIRST READING
SB-0072	02/05/85	12	FIRST READING
SB-0074	02/05/85	12	FIRST READING
	04/30/85	12	SECOND READING
	05/16/85	68	THIRD READING
SB-0075	02/05/85	12	FIRST READING
	04/30/85	12	SECOND READING
	05/14/85	143	THIRD READING
	06/30/85	5	CONCURRENCE
SB-0076	02/05/85	12	FIRST READING
SB-0077	02/05/85	13	FIRST READING
	05/14/85	8	SECOND READING
	05/24/85	226	THIRD READING
SB-0078	04/30/85	12	SECOND READING
	05/14/85	144	THIRD READING
SB-0079	02/05/85	13	FIRST READING
	04/16/85	5	SECOND READING
SB-0080	04/18/85	14	SECOND READING
	05/16/85	68	THIRD READING
SB-0081	02/05/85	13	FIRST READING
	05/09/85	44	SECOND READING
	05/20/85	171	THIRD READING
SB-0082	02/05/85	13	FIRST READING
	05/09/85	11	SECOND READING
	05/16/85	68	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0082 (cont'd)	06/27/85	35	CONCURRENCE
SB-0083	02/05/85	13	FIRST READING
	05/09/85	12	SECOND READING
	05/16/85	68	THIRD READING
SB-0084	02/05/85	13	FIRST READING
	04/30/85	13	SECOND READING
	05/14/85	145	DISCUSSED AND POSTPONED
SB-0085	02/05/85	13	FIRST READING
	05/09/85	13	SECOND READING
	05/14/85	153	THIRD READING
SB-0086	02/05/85	13	FIRST READING
	04/10/85	42	OTHER
	04/30/85	15	SECOND READING
	05/16/85	68	THIRD READING
SB-0087	04/16/85	6	SECOND READING
	05/16/85	68	THIRD READING
SB-0088	02/05/85	13	FIRST READING
SB-0089	02/05/85	13	FIRST READING
	04/16/85	7	SECOND READING
	05/16/85	68	THIRD READING
	06/28/85	41	CONCURRENCE
SB-0090	02/05/85	13	FIRST READING
SB-0091	02/05/85	13	FIRST READING
	05/17/85	36	SECOND READING
	05/21/85	6	RECALLED
	05/24/85	227	THIRD READING
	06/28/85	43	NON-CONCURRENCE
	07/01/85	55	CONFERENCE
SB-0092	02/05/85	13	FIRST READING
	05/09/85	15	SECOND READING
	05/20/85	175	THIRD READING
	06/28/85	43	NON-CONCURRENCE
SB-0093	02/05/85	13	FIRST READING
SB-0094	02/05/85	13	FIRST READING
SB-0095	02/05/85	13	FIRST READING
	04/16/85	7	SECOND READING
	05/14/85	154	THIRD READING
	06/28/85	44	NON-CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0096	02/05/85	14	FIRST READING
	02/20/85	8	OTHER
	05/14/85	8	SECOND READING
	05/20/85	181	THIRD READING
SB-0097	02/05/85	14	FIRST READING
	04/11/85	36	SECOND READING
	04/16/85	30	THIRD READING
	06/28/85	44	NON-CONCURRENCE
SB-0098	02/05/85	14	FIRST READING
	04/18/85	15	SECOND READING
	05/16/85	68	THIRD READING
	06/28/85	46	NON-CONCURRENCE
	07/02/85	21	CONFERENCE
SB-0099	02/05/85	14	FIRST READING
	04/16/85	9	SECOND READING
	05/24/85	229	THIRD READING
SB-0100	02/05/85	14	FIRST READING
SB-0101	02/05/85	14	FIRST READING
	05/17/85	37	SECOND READING
SB-0102	02/05/85	14	FIRST READING
	05/09/85	15	SECOND READING
	05/20/85	184	THIRD READING
SB-0103	02/05/85	14	FIRST READING
	05/17/85	40	SECOND READING
	05/21/85	10	RECALLED
	05/24/85	235	THIRD READING
SB-0104	02/05/85	14	FIRST READING
SB-0105	02/05/85	14	FIRST READING
	04/16/85	10	SECOND READING
	05/16/85	68	THIRD READING
SB-0106	02/05/85	14	FIRST READING
	04/11/85	36	SECOND READING
	04/16/85	30	THIRD READING
SB-0107	02/05/85	14	FIRST READING
SB-0108	02/05/85	14	FIRST READING
	04/16/85	9	SECOND READING
	05/16/85	68	THIRD READING
SB-0109	02/05/85	15	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0109 (cont'd)	05/09/85	16	SECOND READING
	05/24/85	236	THIRD READING
SB-0110	02/05/85	15	FIRST READING
	05/17/85	40	SECOND READING
	05/20/85	185	THIRD READING
	06/28/85	46	CONCURRENCE
SB-0111	02/05/85	15	FIRST READING
	04/11/85	41	SECOND READING
	04/16/85	32	THIRD READING
SB-0112	02/05/85	15	FIRST READING
	05/17/85	38	SECOND READING
	05/20/85	186	THIRD READING
SB-0113	02/05/85	15	FIRST READING
	02/21/85	15	OTHER
	04/16/85	11	SECOND READING
	05/16/85	68	THIRD READING
	10/16/85	63	VETO MESSAGE
SB-0114	02/05/85	15	FIRST READING
	05/17/85	39	SECOND READING
	05/20/85	188	THIRD READING
	06/27/85	36	CONCURRENCE
	06/27/85	38	NON-CONCURRENCE
	07/01/85	61	CONFERENCE
	10/17/85	35	VETO MESSAGE
SB-0115	02/20/85	2	FIRST READING
SB-0116	02/20/85	2	FIRST READING
SB-0117	02/20/85	2	FIRST READING
SB-0118	02/20/85	2	FIRST READING
	04/11/85	37	SECOND READING
	04/16/85	33	THIRD READING
SB-0119	02/20/85	2	FIRST READING
	05/17/85	42	SECOND READING
	05/21/85	107	THIRD READING
SB-0120	02/20/85	3	FIRST READING
	03/05/85	64	SECOND READING
	05/21/85	108	THIRD READING
SB-0121	02/20/85	3	FIRST READING
SB-0122	02/20/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0122 (cont'd)	04/11/85	38	SECOND READING
	04/16/85	11	SECOND READING
	05/14/85	161	THIRD READING
SB-0123	02/20/85	3	FIRST READING
	03/20/85	10	SECOND READING
	03/26/85	44	THIRD READING
SB-0124	02/20/85	3	FIRST READING
SB-0125	02/20/85	3	FIRST READING
SB-0126	02/20/85	3	FIRST READING
	05/09/85	17	OUT OF RECORD
	05/17/85	42	SECOND READING
	05/21/85	113	THIRD READING
SB-0127	02/20/85	3	FIRST READING
	04/24/85	10	TABLED
SB-0128	02/20/85	3	FIRST READING
	05/09/85	23	SECOND READING
	05/21/85	114	THIRD READING
SB-0129	02/20/85	3	FIRST READING
SB-0130	02/20/85	3	FIRST READING
	05/09/85	24	SECOND READING
	05/15/85	5	RECALLED
	05/21/85	118	DISCUSSED AND POSTPONED
SB-0131	02/20/85	3	FIRST READING
	05/14/85	11	SECOND READING
	05/21/85	122	THIRD READING
SB-0132	02/20/85	3	FIRST READING
	03/19/85	56	SECOND READING
	05/14/85	162	THIRD READING
SB-0133	02/20/85	3	FIRST READING
	04/11/85	38	SECOND READING
	04/16/85	34	THIRD READING
SB-0134	02/20/85	3	FIRST READING
	05/20/85	6	SECOND READING
	05/24/85	239	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	10/29/85	12	CONFERENCE
	11/14/85	14	CONFERENCE
	01/08/86	9	VETO ACTION
	01/08/86	11	OUT OF RECORD

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BILL NUMBER	DATE	PAGE	ACTION
SB-0134 (cont'd)	01/08/86	15	VETO ACTION
SB-0135	02/20/85	3	FIRST READING
SB-0136	02/20/85	4	FIRST READING
	04/16/85	12	SECOND READING
	05/14/85	163	THIRD READING
SB-0137	02/20/85	4	FIRST READING
	04/18/85	16	SECOND READING
	05/16/85	68	THIRD READING
SB-0138	02/20/85	4	FIRST READING
	05/17/85	45	SECOND READING
	05/21/85	124	THIRD READING
SB-0139	02/20/85	4	FIRST READING
	03/05/85	65	SECOND READING
	03/06/85	6	THIRD READING
SB-0140	02/20/85	4	FIRST READING
	05/09/85	24	SECOND READING
	05/21/85	134	THIRD READING
SB-0141	02/20/85	4	FIRST READING
	04/11/85	38	SECOND READING
	04/16/85	35	THIRD READING
SB-0142	02/20/85	4	FIRST READING
SB-0143	02/20/85	4	FIRST READING
	04/30/85	16	SECOND READING
	05/14/85	164	THIRD READING
SB-0144	02/20/85	4	FIRST READING
	05/09/85	25	SECOND READING
	05/16/85	68	THIRD READING
SB-0145	02/20/85	4	FIRST READING
	05/20/85	6	SECOND READING
	05/24/85	240	THIRD READING
	06/28/85	159	NON-CONCURRENCE
SB-0146	02/20/85	4	FIRST READING
	02/21/85	14	TABLED
SB-0147	02/20/85	4	FIRST READING
	04/11/85	40	SECOND READING
	04/16/85	36	THIRD READING
	02/10/86	12	CONCURRENCE
	02/10/86	20	OTHER

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BILL NUMBER	DATE	PAGE	ACTION
SB-0147 (cont'd)	02/10/86	38	CONFERENCE
SB-0148	02/20/85	4	FIRST READING
	04/16/85	13	SECOND READING
	05/16/85	68	THIRD READING
	06/28/85	48	CONCURRENCE
SB-0149	02/20/85	4	FIRST READING
	04/30/85	17	SECOND READING
	05/14/85	165	THIRD READING
SB-0150	02/20/85	8	FIRST READING
SB-0151	02/20/85	8	FIRST READING
	04/30/85	17	SECOND READING
	05/14/85	167	THIRD READING
SB-0152	02/20/85	8	FIRST READING
	04/30/85	18	OUT OF RECORD
	05/09/85	26	SECOND READING
	05/16/85	68	THIRD READING
SB-0153	02/20/85	8	FIRST READING
SB-0154	02/20/85	8	FIRST READING
	03/20/85	7	TABLED
SB-0155	02/20/85	8	FIRST READING
	04/16/85	13	SECOND READING
	05/16/85	68	THIRD READING
SB-0156	02/21/85	2	FIRST READING
	04/11/85	41	SECOND READING
	05/16/85	68	THIRD READING
SB-0157	02/21/85	2	FIRST READING
	05/09/85	27	SECOND READING
	05/16/85	69	THIRD READING
SB-0158	02/21/85	2	FIRST READING
	04/30/85	19	SECOND READING
	05/21/85	135	THIRD READING
	06/27/85	42	NON-CONCURRENCE
	07/01/85	65	CONFERENCE
	10/16/85	64	VETO MESSAGE
SB-0159	02/21/85	2	FIRST READING
	05/09/85	28	SECOND READING
	05/16/85	69	THIRD READING
	06/27/85	43	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0160	02/21/85	2	FIRST READING
	03/05/85	70	SECOND READING
	03/26/85	47	THIRD READING
SB-0161	02/21/85	2	FIRST READING
	05/09/85	28	SECOND READING
	05/16/85	69	THIRD READING
	10/17/85	11	VETO MESSAGE
SB-0162	02/21/85	2	FIRST READING
SB-0163	02/21/85	2	FIRST READING
SB-0164	02/21/85	2	FIRST READING
	04/18/85	16	SECOND READING
	05/16/85	69	THIRD READING
SB-0165	02/21/85	2	FIRST READING
	03/20/85	8	TABLED
	04/30/85	20	SECOND READING
	05/16/85	69	THIRD READING
	06/27/85	44	CONCURRENCE
	06/27/85	44	NON-CONCURRENCE
SB-0166	02/21/85	2	FIRST READING
	02/21/85	2	FIRST READING
SB-0167	02/21/85	2	FIRST READING
	05/20/85	7	SECOND READING
	05/24/85	241	THIRD READING
	06/28/85	159	NON-CONCURRENCE
SB-0168	02/21/85	2	FIRST READING
	03/20/85	10	SECOND READING
	03/26/85	49	THIRD READING
SB-0169	02/21/85	3	FIRST READING
	05/09/85	29	SECOND READING
	05/17/85	4	RECALLED
	05/24/85	241	THIRD READING
SB-0170	02/21/85	3	FIRST READING
	03/26/85	33	SECOND READING
	04/16/85	37	THIRD READING
SB-0171	02/21/85	3	FIRST READING
	05/17/85	45	SECOND READING
	05/22/85	4	RECALLED
	05/22/85	41	RECALLED
	05/24/85	242	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0172	02/21/85	3	FIRST READING
	05/09/85	29	SECOND READING
	05/16/85	69	THIRD READING
	06/27/85	45	CONCURRENCE
	10/16/85	88	VETO MESSAGE
SB-0173	02/21/85	3	FIRST READING
	05/20/85	7	SECOND READING
	05/22/85	183	RECALLED
	05/23/85	380	RECALLED
	05/24/85	248	THIRD READING
	06/30/85	112	CONCURRENCE
SB-0174	02/21/85	3	FIRST READING
	03/26/85	33	SECOND READING
	05/24/85	249	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	05/28/86	22	CONFERENCE
SB-0175	02/21/85	3	FIRST READING
	05/20/85	8	SECOND READING
	05/24/85	250	THIRD READING
	06/28/85	159	NON-CONCURRENCE
SB-0176	02/21/85	3	FIRST READING
	03/20/85	8	OTHER
	05/09/85	32	SECOND READING
	05/16/85	69	THIRD READING
SB-0177	02/21/85	3	FIRST READING
	04/11/85	42	SECOND READING
	04/16/85	38	THIRD READING
SB-0178	02/21/85	3	FIRST READING
	04/30/85	21	SECOND READING
	05/14/85	170	THIRD READING
SB-0179	02/21/85	3	FIRST READING
	05/17/85	46	SECOND READING
	05/21/85	136	THIRD READING
SB-0180	02/21/85	3	FIRST READING
	04/30/85	22	SECOND READING
	05/16/85	69	THIRD READING
	06/27/85	46	CONCURRENCE
SB-0181	02/21/85	3	FIRST READING
SB-0182	02/21/85	3	FIRST READING
SB-0183	02/21/85	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0184	02/21/85	3	FIRST READING
SB-0185	02/21/85	4	FIRST READING
SB-0186	02/21/85	4	FIRST READING
SB-0187	02/21/85	4	FIRST READING
	04/11/85	42	SECOND READING
	05/21/85	139	DISCUSSED AND POSTPONED
SB-0188	02/21/85	4	FIRST READING
SB-0189	02/21/85	4	FIRST READING
SB-0190	02/21/85	4	FIRST READING
	04/18/85	17	SECOND READING
	05/16/85	69	THIRD READING
	06/28/85	49	CONCURRENCE
	10/16/85	65	VETO MESSAGE
SB-0191	02/21/85	4	FIRST READING
	05/09/85	33	SECOND READING
	05/23/85	4	RECALLED
	05/24/85	250	THIRD READING
SB-0192	02/21/85	4	FIRST READING
	05/09/85	33	SECOND READING
	05/21/85	143	THIRD READING
SB-0193	02/21/85	4	FIRST READING
	04/30/85	23	SECOND READING
	05/21/85	146	OUT OF RECORD
	05/22/85	6	RECALLED
	05/24/85	261	THIRD READING
SB-0194	02/21/85	4	FIRST READING
SB-0195	02/21/85	4	FIRST READING
	05/09/85	34	SECOND READING
	05/17/85	5	RECALLED
	05/21/85	152	THIRD READING
SB-0196	02/21/85	4	FIRST READING
SB-0197	02/21/85	15	FIRST READING
SB-0198	02/21/85	15	FIRST READING
SB-0199	02/21/85	15	FIRST READING
	05/09/85	40	SECOND READING
	05/16/85	3	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0199 (cont'd)	05/23/85	392	RECALLED
	05/24/85	262	THIRD READING
SB-0200	02/21/85	15	FIRST READING
	05/09/85	41	SECOND READING
	05/16/85	4	RECALLED
	05/23/85	393	RECALLED
	05/24/85	263	THIRD READING
	06/28/85	49	NON-CONCURRENCE
SB-0201	02/21/85	16	FIRST READING
	05/09/85	41	SECOND READING
	05/16/85	13	RECALLED
	05/21/85	159	THIRD READING
SB-0202	02/21/85	16	FIRST READING
	03/27/85	15	OTHER
	05/17/85	48	SECOND READING
	05/21/85	161	THIRD READING
	06/27/85	47	CONCURRENCE
SB-0203	02/21/85	16	FIRST READING
SB-0204	02/21/85	16	FIRST READING
	05/17/85	49	SECOND READING
	05/21/85	164	THIRD READING
SB-0205	02/21/85	16	FIRST READING
	05/09/85	42	SECOND READING
	05/16/85	69	THIRD READING
SB-0206	02/21/85	16	FIRST READING
	05/09/85	43	SECOND READING
	05/16/85	69	THIRD READING
	07/01/85	66	CONCURRENCE
	10/17/85	20	VETO MESSAGE
SB-0207	02/21/85	16	FIRST READING
	05/17/85	50	SECOND READING
	05/21/85	165	THIRD READING
	06/28/85	52	NON-CONCURRENCE
	07/01/85	39	CONFERENCE
	10/16/85	121	VETO MESSAGE
SB-0208	02/21/85	16	FIRST READING
	05/17/85	51	SECOND READING
	05/21/85	166	THIRD READING
SB-0209	02/21/85	16	FIRST READING
	03/27/85	15	OTHER
	05/17/85	52	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0209 (cont'd)	05/21/85	167	THIRD READING
	06/28/85	52	CONCURRENCE
	10/16/85	12	VETO MESSAGE
SB-0210	02/21/85	16	FIRST READING
	04/30/85	24	SECOND READING
	05/16/85	69	THIRD READING
SB-0211	02/21/85	16	FIRST READING
	04/30/85	25	SECOND READING
	05/16/85	69	THIRD READING
	06/28/85	53	CONCURRENCE
SB-0212	02/21/85	16	FIRST READING
	04/11/85	44	SECOND READING
	05/16/85	69	THIRD READING
	06/27/85	103	NON-CONCURRENCE
	11/12/85	68	CONFERENCE
SB-0213	02/21/85	16	FIRST READING
SB-0214	02/21/85	16	FIRST READING
	04/30/85	26	SECOND READING
	05/16/85	69	THIRD READING
	06/28/85	54	CONCURRENCE
SB-0215	02/21/85	16	FIRST READING
	04/30/85	26	SECOND READING
	05/16/85	69	THIRD READING
SB-0216	02/21/85	16	FIRST READING
	05/09/85	44	SECOND READING
	05/21/85	168	THIRD READING
SB-0217	02/21/85	17	FIRST READING
	04/30/85	26	SECOND READING
	05/16/85	69	THIRD READING
SB-0218	02/21/85	17	FIRST READING
	04/30/85	27	SECOND READING
	05/16/85	70	THIRD READING
SB-0219	02/21/85	17	FIRST READING
	04/30/85	28	SECOND READING
	05/14/85	171	THIRD READING
SB-0220	02/21/85	17	FIRST READING
	05/20/85	122	SECOND READING
	05/21/85	11	RECALLED
	05/24/85	269	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0221	02/27/85	3	FIRST READING
SB-0222	02/27/85	3	FIRST READING
SB-0223	02/27/85	3	FIRST READING
	05/09/85	46	SECOND READING
	05/14/85	178	THIRD READING
SB-0224	02/27/85	3	FIRST READING
	05/09/85	47	SECOND READING
	05/16/85	70	THIRD READING
	06/28/85	54	CONCURRENCE
SB-0225	02/27/85	3	FIRST READING
	04/30/85	28	SECOND READING
	05/16/85	70	THIRD READING
SB-0226	02/27/85	3	FIRST READING
	05/20/85	8	SECOND READING
	05/29/85	5	THIRD READING
	05/29/85	47	THIRD READING
	03/05/86	36	CONCURRENCE
	04/16/86	9	VETO ACTION
SB-0227	02/27/85	3	FIRST READING
	05/09/85	48	SECOND READING
	05/24/85	278	THIRD READING
SB-0228	02/27/85	3	FIRST READING
SB-0229	02/27/85	3	FIRST READING
	04/18/85	18	SECOND READING
	05/16/85	70	THIRD READING
SB-0230	02/27/85	3	FIRST READING
	04/18/85	18	SECOND READING
	05/16/85	70	THIRD READING
	06/27/85	71	CONCURRENCE
SB-0231	02/27/85	3	FIRST READING
SB-0232	02/27/85	3	FIRST READING
	05/09/85	49	SECOND READING
	05/24/85	279	THIRD READING
SB-0233	02/27/85	4	FIRST READING
	05/14/86	3	SECOND READING
	05/15/86	54	THIRD READING
	06/25/86	70	CONCURRENCE
SB-0234	02/27/85	4	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0234 (cont'd)	05/09/85	50	SECOND READING
	05/16/85	70	THIRD READING
SB-0235	02/27/85	4	FIRST READING
	04/30/85	29	SECOND READING
	05/21/85	169	THIRD READING
	06/27/85	50	CONCURRENCE
SB-0236	02/27/85	4	FIRST READING
	05/09/85	51	SECOND READING
	05/24/85	285	THIRD READING
SB-0237	02/27/85	4	FIRST READING
	04/16/85	14	SECOND READING
	05/21/85	173	THIRD READING
SB-0238	02/27/85	4	FIRST READING
	04/18/85	19	SECOND READING
	05/16/85	70	THIRD READING
	04/11/86	8	FIRST READING
SB-0239	02/28/85	3	FIRST READING
	04/30/85	30	SECOND READING
	05/16/85	70	THIRD READING
	10/16/85	16	VETO MESSAGE
SB-0240	02/28/85	4	FIRST READING
	03/05/85	55	TABLED
SB-0241	02/28/85	4	FIRST READING
	05/09/85	52	SECOND READING
	05/16/85	70	THIRD READING
SB-0242	02/28/85	4	FIRST READING
	05/17/85	55	SECOND READING
	05/21/85	173	THIRD READING
	02/10/86	26	CONCURRENCE
	03/05/86	7	CONCURRENCE
	03/05/86	15	CONFERENCE
SB-0243	02/28/85	4	FIRST READING
	04/18/85	20	SECOND READING
	05/14/85	179	THIRD READING
SB-0244	02/28/85	4	FIRST READING
	04/18/85	20	SECOND READING
	05/16/85	70	THIRD READING
	10/16/85	122	CONFERENCE
SB-0245	02/28/85	4	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0246	02/28/85	4	FIRST READING
	04/11/85	45	SECOND READING
	04/16/85	39	THIRD READING
SB-0247	02/28/85	4	FIRST READING
	04/11/85	46	SECOND READING
	04/16/85	40	THIRD READING
SB-0248	02/28/85	4	FIRST READING
	03/26/85	34	SECOND READING
	03/27/85	20	RECALLED
	04/16/85	44	THIRD READING
SB-0249	02/28/85	4	FIRST READING
	04/11/85	46	OUT OF RECORD
	04/16/85	14	OUT OF RECORD
	04/18/85	21	SECOND READING
	05/21/85	174	THIRD READING
	10/16/85	17	VETO MESSAGE
SB-0250	02/28/85	4	FIRST READING
SB-0251	02/28/85	4	FIRST READING
	04/16/85	18	SECOND READING
	05/16/85	70	THIRD READING
SB-0252	02/28/85	4	FIRST READING
	04/11/85	46	SECOND READING
	04/16/85	52	DISCUSSED AND POSTPONED
SB-0253	02/28/85	4	FIRST READING
	05/17/85	55	OUT OF RECORD
	05/20/85	100	SECOND READING
	05/21/85	180	THIRD READING
SB-0254	02/28/85	4	FIRST READING
	04/11/85	47	SECOND READING
	05/16/85	70	THIRD READING
	06/28/85	55	NON-CONCURRENCE
	07/02/85	77	CONFERENCE
SB-0255	02/28/85	4	FIRST READING
	04/23/85	3	TABLED
SB-0256	02/28/85	4	FIRST READING
	04/23/85	3	TABLED
SB-0257	02/28/85	6	FIRST READING
	04/16/85	19	SECOND READING
	05/16/85	70	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0258	02/28/85	6	FIRST READING
	05/17/85	58	SECOND READING
	05/21/85	180	THIRD READING
SB-0259	02/28/85	6	FIRST READING
	05/09/85	52	SECOND READING
	05/16/85	70	THIRD READING
	06/30/85	9	CONCURRENCE
SB-0260	03/05/85	1	FIRST READING
	05/09/85	53	SECOND READING
	05/21/85	182	THIRD READING
SB-0261	03/05/85	2	FIRST READING
	04/24/85	13	TABLED
SB-0262	03/05/85	2	FIRST READING
	03/26/85	35	SECOND READING
	03/27/85	21	THIRD READING
	04/18/85	33	NON-CONCURRENCE
	04/18/85	36	CONCURRENCE
SB-0263	03/05/85	2	FIRST READING
	03/05/85	72	MOTION
	03/19/85	57	SECOND READING
	03/26/85	50	THIRD READING
	06/28/85	55	NON-CONCURRENCE
	05/23/86	181	CONFERENCE
SB-0264	03/05/85	2	FIRST READING
SB-0265	03/05/85	2	FIRST READING
	04/18/85	21	SECOND READING
	05/16/85	70	THIRD READING
SB-0266	03/05/85	2	FIRST READING
	04/30/85	30	SECOND READING
	05/16/85	70	THIRD READING
SB-0267	03/05/85	2	FIRST READING
	04/30/85	31	SECOND READING
	05/16/85	70	THIRD READING
SB-0268	03/05/85	2	FIRST READING
SB-0269	03/05/85	2	FIRST READING
	04/11/85	49	SECOND READING
	05/15/85	6	RECALLED
	05/21/85	183	THIRD READING
SB-0270	03/05/85	2	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0270 (cont'd)	05/09/85	54	SECOND READING
	05/09/85	55	RECALLED
	05/17/85	63	SECOND READING
	05/21/85	188	THIRD READING
SB-0271	03/05/85	2	FIRST READING
SB-0272	03/05/85	2	FIRST READING
SB-0273	03/05/85	2	FIRST READING
SB-0274	03/05/85	71	FIRST READING
	05/09/85	61	SECOND READING
	05/24/85	292	THIRD READING
SB-0275	03/05/85	71	FIRST READING
	05/09/85	71	OUT OF RECORD
	05/17/85	63	SECOND READING
	05/21/85	191	THIRD READING
SB-0276	03/05/85	71	FIRST READING
SB-0277	03/05/85	71	FIRST READING
SB-0278	03/05/85	71	FIRST READING
SB-0279	03/05/85	71	FIRST READING
SB-0280	03/05/85	71	FIRST READING
	04/30/85	31	SECOND READING
	05/16/85	71	THIRD READING
SB-0281	03/05/85	71	FIRST READING
	04/11/85	47	SECOND READING
	04/16/85	59	THIRD READING
SB-0282	03/05/85	71	FIRST READING
	04/30/85	31	SECOND READING
	05/24/85	294	THIRD READING
SB-0283	03/05/85	71	FIRST READING
	05/09/85	74	SECOND READING
	05/16/85	71	THIRD READING
SB-0284	03/05/85	71	FIRST READING
SB-0285	03/05/85	71	FIRST READING
SB-0286	03/05/85	71	FIRST READING
	04/11/85	48	SECOND READING
	04/16/85	61	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0287	03/05/85	71	FIRST READING
SB-0288	03/05/85	71	FIRST READING
	05/09/85	75	SECOND READING
	05/21/85	202	THIRD READING
SB-0289	03/05/85	71	FIRST READING
SB-0290	03/06/85	4	FIRST READING
	04/30/85	33	SECOND READING
	05/16/85	71	THIRD READING
	06/28/85	56	CONCURRENCE
SB-0291	03/06/85	4	FIRST READING
	04/16/85	19	SECOND READING
	05/16/85	71	THIRD READING
	10/16/85	92	VETO MESSAGE
SB-0292	03/06/85	4	FIRST READING
	04/18/85	23	SECOND READING
	05/16/85	71	THIRD READING
SB-0293	03/06/85	4	FIRST READING
	05/22/85	61	SECOND READING
	05/24/85	295	THIRD READING
SB-0294	03/06/85	4	FIRST READING
	04/30/85	33	SECOND READING
	05/16/85	71	THIRD READING
SB-0295	03/06/85	4	FIRST READING
	04/30/85	34	SECOND READING
	05/16/85	71	THIRD READING
	06/28/85	59	CONCURRENCE
SB-0296	03/06/85	4	FIRST READING
	04/11/85	49	SECOND READING
	05/16/85	71	THIRD READING
	06/29/85	14	CONCURRENCE
SB-0297	03/06/85	4	FIRST READING
	05/09/85	76	SECOND READING
	05/14/85	179	THIRD READING
	06/29/85	14	CONCURRENCE
SB-0298	03/06/85	8	FIRST READING
	05/09/85	84	SECOND READING
	05/21/85	203	THIRD READING
	06/27/85	51	CONCURRENCE
SB-0299	03/06/85	8	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0299 (cont'd)	04/30/85	35	SECOND READING
	04/30/85	36	RECALLED
	05/16/85	71	THIRD READING
	06/28/85	60	CONCURRENCE
SB-0300	03/06/85	8	FIRST READING
	05/07/85	10	SECOND READING
	05/21/85	204	THIRD READING
	06/27/85	53	CONCURRENCE
SB-0301	03/06/85	8	FIRST READING
	04/18/85	23	SECOND READING
	05/16/85	71	THIRD READING
SB-0302	03/19/85	7	FIRST READING
	05/07/85	12	SECOND READING
	05/16/85	71	THIRD READING
SB-0303	03/19/85	7	FIRST READING
	05/07/85	13	SECOND READING
	05/16/85	71	THIRD READING
SB-0304	03/19/85	7	FIRST READING
SB-0305	03/19/85	7	FIRST READING
	04/16/85	20	SECOND READING
	05/16/85	71	THIRD READING
SB-0306	03/19/85	7	FIRST READING
	05/20/85	9	SECOND READING
	05/29/85	6	THIRD READING
SB-0307	03/19/85	7	FIRST READING
SB-0308	03/19/85	7	FIRST READING
	05/20/85	11	SECOND READING
	05/29/85	7	THIRD READING
	05/29/85	51	THIRD READING
SB-0309	03/19/85	7	FIRST READING
	04/18/85	24	SECOND READING
	05/14/85	184	THIRD READING
	06/27/85	54	NON-CONCURRENCE
SB-0310	03/19/85	7	FIRST READING
	04/16/85	20	SECOND READING
	05/16/85	71	THIRD READING
SB-0311	03/19/85	7	FIRST READING
	05/07/85	13	SECOND READING
	05/22/85	95	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0312	03/19/85	8	FIRST READING
	05/07/85	14	SECOND READING
	05/21/85	14	RECALLED
	05/22/85	98	THIRD READING
	07/03/85	21	CONFERENCE
SB-0313	03/19/85	8	FIRST READING
SB-0314	03/19/85	8	FIRST READING
	04/11/85	49	SECOND READING
	05/22/85	101	THIRD READING
SB-0315	03/19/85	8	FIRST READING
	05/09/85	86	SECOND READING
	05/16/85	71	THIRD READING
	06/27/85	55	CONCURRENCE
SB-0316	03/19/85	8	FIRST READING
SB-0317	03/19/85	8	FIRST READING
	04/24/85	12	TABLED
SB-0318	03/19/85	8	FIRST READING
	04/16/85	20	SECOND READING
	05/16/85	71	THIRD READING
SB-0319	03/19/85	8	FIRST READING
	05/09/85	87	OUT OF RECORD
	05/09/85	90	SECOND READING
	05/16/85	71	THIRD READING
	06/27/85	55	CONCURRENCE
SB-0320	03/19/85	8	FIRST READING
	05/07/85	14	SECOND READING
	05/22/85	106	THIRD READING
	06/27/85	56	CONCURRENCE
	06/27/85	57	NON-CONCURRENCE
	06/30/85	97	CONFERENCE
SB-0321	03/19/85	8	FIRST READING
	05/07/85	14	SECOND READING
	05/16/85	72	THIRD READING
	06/27/85	57	CONCURRENCE
SB-0322	03/19/85	8	FIRST READING
	05/07/85	15	SECOND READING
	05/16/85	72	THIRD READING
SB-0323	03/19/85	8	FIRST READING
SB-0324	03/19/85	8	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0325	03/19/85	8	FIRST READING
	05/22/85	72	SECOND READING
	05/24/85	298	THIRD READING
SB-0326	03/19/85	8	FIRST READING
	05/03/85	5	TABLED
SB-0327	03/19/85	8	FIRST READING
SB-0328	03/19/85	9	FIRST READING
	05/07/85	16	SECOND READING
	05/16/85	72	THIRD READING
	06/27/85	59	NON-CONCURRENCE
	07/02/85	160	CONFERENCE
SB-0329	03/19/85	9	FIRST READING
	05/07/85	17	SECOND READING
	05/22/85	113	THIRD READING
	10/16/85	23	VETO MESSAGE
SB-0330	03/19/85	9	FIRST READING
	04/16/85	21	SECOND READING
	05/15/85	16	THIRD READING
SB-0331	03/19/85	9	FIRST READING
SB-0332	03/19/85	9	FIRST READING
	05/09/85	89	SECOND READING
	05/22/85	120	THIRD READING
SB-0333	03/19/85	9	FIRST READING
SB-0334	03/19/85	9	FIRST READING
	05/17/85	64	SECOND READING
	05/22/85	123	THIRD READING
SB-0335	03/19/85	9	FIRST READING
	05/07/85	18	SECOND READING
	05/16/85	72	THIRD READING
SB-0336	03/19/85	9	FIRST READING
	04/16/85	21	SECOND READING
	05/15/85	7	RECALLED
	05/22/85	126	THIRD READING
SB-0337	03/19/85	9	FIRST READING
	05/07/85	19	SECOND READING
	05/16/85	72	THIRD READING
SB-0338	03/19/85	9	FIRST READING
	04/11/85	50	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0338 (cont'd)	04/16/85	67	THIRD READING
SB-0339	03/19/85	9	FIRST READING
	04/30/85	37	SECOND READING
	05/01/85	13	THIRD READING
SB-0340	03/19/85	9	FIRST READING
	05/17/85	65	SECOND READING
	05/22/85	128	THIRD READING
SB-0341	03/19/85	9	FIRST READING
	04/18/85	25	SECOND READING
	05/16/85	72	THIRD READING
	06/28/85	61	CONCURRENCE
SB-0342	03/19/85	9	FIRST READING
	05/20/85	12	SECOND READING
	05/29/85	9	THIRD READING
	06/29/85	17	CONCURRENCE
SB-0343	03/19/85	9	FIRST READING
	05/07/85	19	SECOND READING
	05/16/85	72	THIRD READING
	06/28/85	61	CONCURRENCE
	10/16/85	93	VETO MESSAGE
SB-0344	03/19/85	10	FIRST READING
	04/11/85	51	SECOND READING
	05/16/85	72	THIRD READING
SB-0345	03/19/85	10	FIRST READING
	05/07/85	20	SECOND READING
	05/16/85	72	THIRD READING
SB-0346	03/19/85	10	FIRST READING
	05/07/85	21	SECOND READING
	05/15/85	18	DISCUSSED AND POSTPONED
SB-0347	03/19/85	55	FIRST READING
SB-0348	03/19/85	56	FIRST READING
	05/07/85	21	SECOND READING
	05/16/85	72	THIRD READING
SB-0349	03/20/85	3	FIRST READING
	05/07/85	21	SECOND READING
	05/16/85	72	THIRD READING
SB-0350	03/20/85	3	FIRST READING
	05/20/85	116	SECOND READING
	05/21/85	15	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0350 (cont'd)	05/22/85	129	THIRD READING
SB-0351	03/20/85	3	FIRST READING
	05/20/85	118	SECOND READING
	05/21/85	30	RECALLED
	05/22/85	137	THIRD READING
SB-0352	03/20/85	3	FIRST READING
	05/07/85	22	SECOND READING
	05/16/85	72	THIRD READING
SB-0353	03/20/85	3	FIRST READING
	04/16/85	22	SECOND READING
	05/15/85	26	THIRD READING
SB-0354	03/20/85	3	FIRST READING
	04/16/85	23	SECOND READING
	05/16/85	72	THIRD READING
SB-0355	03/20/85	3	FIRST READING
	05/07/85	22	SECOND READING
	05/22/85	141	THIRD READING
SB-0356	03/20/85	3	FIRST READING
	05/20/85	13	SECOND READING
	05/22/85	192	RECALLED
	05/29/85	9	THIRD READING
	10/16/85	101	VETO MESSAGE
SB-0357	03/20/85	3	FIRST READING
	05/20/85	23	SECOND READING
	05/29/85	10	THIRD READING
SB-0358	03/20/85	4	FIRST READING
	05/20/85	25	SECOND READING
	05/29/85	11	THIRD READING
SB-0359	03/20/85	4	FIRST READING
	05/20/85	26	SECOND READING
	05/29/85	11	THIRD READING
SB-0360	03/20/85	4	FIRST READING
	05/20/85	27	SECOND READING
	05/29/85	12	THIRD READING
SB-0361	03/20/85	4	FIRST READING
	05/20/85	29	SECOND READING
	05/29/85	13	THIRD READING
SB-0362	03/20/85	4	FIRST READING
	05/20/85	30	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0362 (cont'd)	05/29/85	13	THIRD READING
SB-0363	03/20/85	4	FIRST READING
	05/20/85	32	SECOND READING
	05/22/85	194	RECALLED
	05/29/85	14	THIRD READING
	06/29/85	20	CONCURRENCE
SB-0364	03/20/85	4	FIRST READING
	05/20/85	33	SECOND READING
	05/22/85	195	RECALLED
	05/29/85	14	THIRD READING
SB-0365	03/20/85	4	FIRST READING
	05/09/85	92	SECOND READING
	05/15/85	33	THIRD READING
SB-0366	03/20/85	4	FIRST READING
	05/09/85	93	SECOND READING
	05/15/85	34	THIRD READING
SB-0367	03/20/85	4	FIRST READING
SB-0368	03/20/85	4	FIRST READING
	05/23/85	375	SECOND READING
SB-0369	03/20/85	4	FIRST READING
	05/09/85	93	SECOND READING
	05/22/85	146	THIRD READING
SB-0370	03/20/85	4	FIRST READING
	04/10/85	42	OTHER
	04/18/85	4	TABLED
SB-0371	03/20/85	5	FIRST READING
	05/07/85	24	SECOND READING
	05/15/85	8	RECALLED
	05/17/85	6	RECALLED
	05/22/85	155	THIRD READING
	06/28/85	72	CONCURRENCE
	10/16/85	24	OUT OF RECORD
SB-0372	03/20/85	5	FIRST READING
	05/07/85	25	SECOND READING
	05/16/85	72	THIRD READING
SB-0373	03/20/85	5	FIRST READING
	05/07/85	25	SECOND READING
	05/15/85	35	THIRD READING
SB-0374	03/20/85	5	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0374 (cont'd)	05/09/85	94	SECOND READING
	05/22/85	156	THIRD READING
SB-0375	03/20/85	5	FIRST READING
	05/14/85	11	SECOND READING
	05/15/85	36	THIRD READING
SB-0376	03/20/85	5	FIRST READING
	05/07/85	26	SECOND READING
	05/24/85	299	THIRD READING
SB-0377	03/20/85	5	FIRST READING
SB-0378	03/20/85	5	FIRST READING
	05/09/85	96	SECOND READING
	05/16/85	72	THIRD READING
SB-0379	03/20/85	5	FIRST READING
	04/16/85	23	SECOND READING
	05/16/85	72	THIRD READING
	06/27/85	59	CONCURRENCE
SB-0380	03/20/85	8	FIRST READING
SB-0381	03/20/85	8	FIRST READING
SB-0382	03/20/85	8	FIRST READING
	05/22/85	74	SECOND READING
SB-0383	03/20/85	8	FIRST READING
	05/20/85	36	SECOND READING
	05/23/85	381	RECALLED
	05/29/85	15	THIRD READING
SB-0384	03/20/85	8	FIRST READING
	05/07/85	26	SECOND READING
	05/16/85	72	THIRD READING
	06/27/85	60	CONCURRENCE
SB-0385	03/20/85	8	FIRST READING
	05/09/85	97	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	60	CONCURRENCE
SB-0386	03/20/85	8	FIRST READING
	05/07/85	27	SECOND READING
	05/16/85	73	THIRD READING
SB-0387	03/20/85	8	FIRST READING
	05/20/85	36	SECOND READING
	05/29/85	17	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0387 (cont'd)	06/28/85	159	NON-CONCURRENCE
SB-0388	03/20/85	8	FIRST READING
	05/14/85	12	SECOND READING
	05/15/85	36	THIRD READING
	06/29/85	21	CONCURRENCE
SB-0389	03/20/85	8	FIRST READING
	04/10/85	42	OTHER
SB-0390	03/20/85	9	FIRST READING
	05/14/85	13	SECOND READING
	05/15/85	37	THIRD READING
SB-0391	03/20/85	9	FIRST READING
	05/14/85	13	SECOND READING
	05/15/85	40	THIRD READING
SB-0392	03/20/85	9	FIRST READING
	05/07/85	28	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	61	CONCURRENCE
SB-0393	03/20/85	9	FIRST READING
SB-0394	03/20/85	9	FIRST READING
	04/18/85	25	SECOND READING
	05/16/85	73	THIRD READING
SB-0395	03/20/85	9	FIRST READING
	05/07/85	28	SECOND READING
	05/16/85	73	THIRD READING
SB-0396	03/20/85	9	FIRST READING
SB-0397	03/20/85	16	FIRST READING
	05/07/85	28	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	70	CONCURRENCE
SB-0398	03/20/85	16	FIRST READING
	05/07/85	29	SECOND READING
	05/15/85	40	THIRD READING
SB-0399	03/26/85	28	FIRST READING
SB-0400	03/26/85	28	FIRST READING
SB-0401	03/26/85	28	FIRST READING
	05/07/85	29	SECOND READING
	05/15/85	43	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0401 (cont'd)	06/27/85	72	CONCURRENCE
SB-0402	03/26/85	28	FIRST READING
SB-0403	03/26/85	28	FIRST READING
	05/20/85	37	SECOND READING
	05/22/85	197	RECALLED
	05/29/85	16	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	36	CONFERENCE
SB-0404	03/26/85	29	FIRST READING
	04/16/85	23	SECOND READING
	05/15/85	49	THIRD READING
SB-0405	03/26/85	29	FIRST READING
	05/07/85	30	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	73	CONCURRENCE
SB-0406	03/26/85	29	FIRST READING
	05/07/85	31	SECOND READING
	05/16/85	73	THIRD READING
	06/28/85	72	CONCURRENCE
SB-0407	03/26/85	29	FIRST READING
SB-0409	03/26/85	29	FIRST READING
SB-0410	03/26/85	29	FIRST READING
SB-0411	03/26/85	29	FIRST READING
	04/16/85	24	SECOND READING
	05/16/85	73	THIRD READING
SB-0412	03/26/85	29	FIRST READING
SB-0413	03/26/85	29	FIRST READING
	05/07/85	34	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	73	CONCURRENCE
	10/16/85	65	VETO MESSAGE
SB-0414	03/26/85	29	FIRST READING
	05/07/85	34	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	76	CONCURRENCE
SB-0415	03/26/85	29	FIRST READING
	05/14/85	15	SECOND READING
	05/15/85	51	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0415(cont'd)	06/25/86	64	CONCURRENCE
	06/30/86	53	CONFERENCE
SB-0416	03/26/85	29	FIRST READING
	05/07/85	35	SECOND READING
	05/16/85	73	THIRD READING
	06/27/85	81	CONCURRENCE
	06/27/85	81	NON-CONCURRENCE
	07/01/85	41	CONFERENCE
	12/05/86	50	CONFERENCE
SB-0417	03/26/85	29	FIRST READING
	05/07/85	35	SECOND READING
	05/22/85	163	DISCUSSED AND POSTPONED
SB-0418	03/26/85	29	FIRST READING
	05/17/85	66	SECOND READING
	05/22/85	174	THIRD READING
SB-0419	03/26/85	29	FIRST READING
	05/07/85	36	SECOND READING
	05/16/85	73	THIRD READING
SB-0420	03/26/85	29	FIRST READING
SB-0421	03/26/85	29	FIRST READING
SB-0422	03/26/85	30	FIRST READING
	05/14/85	15	SECOND READING
	05/15/85	51	THIRD READING
SB-0423	03/26/85	30	FIRST READING
SB-0424	03/26/85	30	FIRST READING
SB-0425	03/26/85	30	FIRST READING
	05/07/85	36	SECOND READING
	05/16/85	73	THIRD READING
	06/28/85	79	CONCURRENCE
SB-0426	03/26/85	30	FIRST READING
SB-0427	03/26/85	30	FIRST READING
	05/07/85	36	SECOND READING
	05/15/85	9	RECALLED
	05/22/85	177	THIRD READING
SB-0428	03/26/85	30	FIRST READING
	05/20/85	37	SECOND READING
	05/22/85	198	RECALLED
	05/29/85	18	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0428(cont'd)	06/29/85	22	CONCURRENCE
SB-0429	03/26/85	30	FIRST READING
	04/16/85	25	SECOND READING
	05/15/85	52	THIRD READING
SB-0430	03/26/85	30	FIRST READING
	04/16/85	25	SECOND READING
	05/15/85	56	DISCUSSED AND POSTPONED
SB-0431	03/26/85	30	FIRST READING
	05/07/85	38	SECOND READING
	05/16/85	73	THIRD READING
SB-0432	03/26/85	30	FIRST READING
	05/07/85	38	SECOND READING
	05/16/85	73	THIRD READING
SB-0433	03/26/85	30	FIRST READING
	05/07/85	39	SECOND READING
	05/16/85	73	THIRD READING
SB-0434	03/26/85	30	FIRST READING
	05/07/85	39	SECOND READING
	05/16/85	74	THIRD READING
SB-0435	03/26/85	30	FIRST READING
	05/07/85	40	SECOND READING
	05/16/85	74	THIRD READING
SB-0436	03/26/85	30	FIRST READING
	05/14/85	16	SECOND READING
	05/15/85	64	THIRD READING
SB-0437	03/26/85	30	FIRST READING
	04/10/85	42	OTHER
SB-0438	03/26/85	31	FIRST READING
SB-0439	03/26/85	69	FIRST READING
SB-0440	03/26/85	69	FIRST READING
	05/07/85	40	SECOND READING
	05/16/85	74	THIRD READING
SB-0441	03/26/85	69	FIRST READING
SB-0442	03/27/85	5	FIRST READING
SB-0443	03/27/85	5	FIRST READING
	05/07/85	41	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0443(cont'd)	05/16/85	74	THIRD READING
SB-0444	03/27/85	5	FIRST READING
	05/07/85	41	SECOND READING
	05/15/85	65	DISCUSSED AND POSTPONED
SB-0445	03/27/85	5	FIRST READING
	05/07/85	43	SECOND READING
	05/16/85	5	RECALLED
	05/22/85	178	THIRD READING
	06/27/85	79	CONCURRENCE
SB-0446	03/27/85	5	FIRST READING
SB-0447	03/27/85	5	FIRST READING
	05/14/85	17	SECOND READING
	05/22/85	179	THIRD READING
	06/27/85	82	NON-CONCURRENCE
	07/02/85	44	CONFERENCE
SB-0448	03/27/85	5	FIRST READING
	05/14/85	17	SECOND READING
	05/15/85	70	THIRD READING
	06/27/85	82	NON-CONCURRENCE
	07/03/85	74	CONFERENCE
SB-0449	03/27/85	5	FIRST READING
	05/20/85	39	SECOND READING
	05/29/85	18	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	63	CONFERENCE
SB-0450	03/27/85	5	FIRST READING
	05/20/85	39	SECOND READING
	05/29/85	19	THIRD READING
SB-0451	03/27/85	5	FIRST READING
	05/20/85	39	SECOND READING
	05/22/85	200	RECALLED
	05/29/85	20	THIRD READING
	06/30/85	116	CONCURRENCE
SB-0452	03/27/85	5	FIRST READING
	05/20/85	41	SECOND READING
	05/29/85	20	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	37	CONFERENCE
SB-0453	03/27/85	5	FIRST READING
	05/20/85	42	SECOND READING
	05/29/85	21	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0453(cont'd)	06/28/85	159	NON-CONCURRENCE
	07/03/85	56	CONFERENCE
	10/16/85	56	VETO MESSAGE
	10/16/85	102	VETO MESSAGE
SB-0454	03/27/85	6	FIRST READING
	05/20/85	43	SECOND READING
	05/29/85	22	THIRD READING
	06/29/85	23	NON-CONCURRENCE
	07/03/85	38	CONFERENCE
SB-0455	03/27/85	6	FIRST READING
	05/20/85	44	SECOND READING
	05/29/85	22	THIRD READING
SB-0456	03/27/85	6	FIRST READING
	05/20/85	45	SECOND READING
	05/29/85	23	THIRD READING
	06/29/85	24	CONCURRENCE
SB-0457	03/27/85	6	FIRST READING
	05/20/85	46	SECOND READING
	05/29/85	23	THIRD READING
SB-0458	03/27/85	6	FIRST READING
	05/20/85	47	SECOND READING
	05/22/85	201	RECALLED
	05/29/85	24	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	57	CONFERENCE
SB-0459	03/27/85	6	FIRST READING
	05/20/85	48	SECOND READING
	05/29/85	25	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	58	CONFERENCE
	10/16/85	123	VETO MESSAGE
SB-0460	03/27/85	6	FIRST READING
	05/20/85	49	SECOND READING
	05/29/85	25	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	38	CONFERENCE
SB-0461	03/27/85	6	FIRST READING
	05/20/85	49	SECOND READING
	05/29/85	26	THIRD READING
	06/30/85	117	NON-CONCURRENCE
	07/03/85	39	CONFERENCE
SB-0462	03/27/85	6	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0462 (cont'd)	05/20/85	50	SECOND READING
	05/29/85	27	THIRD READING
SB-0463	03/27/85	6	FIRST READING
	05/20/85	51	SECOND READING
	05/23/85	381	RECALLED
	05/29/85	28	THIRD READING
	06/29/85	24	CONCURRENCE
SB-0464	03/27/85	6	FIRST READING
	05/20/85	52	SECOND READING
	05/22/85	202	RECALLED
	05/23/85	388	RECALLED
	05/29/85	29	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	39	CONFERENCE
SB-0465	03/27/85	6	FIRST READING
	05/20/85	53	SECOND READING
	05/29/85	29	THIRD READING
SB-0466	03/27/85	6	FIRST READING
	05/20/85	54	SECOND READING
	05/29/85	30	THIRD READING
	06/29/85	26	CONCURRENCE
SB-0467	03/27/85	6	FIRST READING
	05/20/85	55	SECOND READING
	05/22/85	203	RECALLED
	05/23/85	382	RECALLED
	05/29/85	31	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	58	CONFERENCE
	10/16/85	57	VETO MESSAGE
	10/16/85	62	VETO MESSAGE
	10/16/85	103	VETO MESSAGE
	10/17/85	36	VETO MESSAGE
SB-0468	03/27/85	6	FIRST READING
	05/20/85	58	SECOND READING
	05/22/85	204	RECALLED
	05/29/85	31	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	40	CONFERENCE
	10/16/85	104	VETO MESSAGE
SB-0469	03/27/85	7	FIRST READING
	05/20/85	60	SECOND READING
	05/29/85	32	THIRD READING
SB-0470	03/27/85	7	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0470 (cont'd)	05/20/85	61	SECOND READING
	05/23/85	383	RECALLED
	05/29/85	33	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	41	CONFERENCE
SB-0471	03/27/85	7	FIRST READING
	05/20/85	62	SECOND READING
	05/29/85	33	THIRD READING
	06/29/85	40	CONCURRENCE
SB-0472	03/27/85	7	FIRST READING
	05/20/85	63	SECOND READING
	05/23/85	384	RECALLED
	05/29/85	34	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	59	CONFERENCE
	10/16/85	61	VETO MESSAGE
	10/16/85	118	VETO MESSAGE
	10/17/85	13	VETO MESSAGE
	10/17/85	31	VETO MESSAGE
SB-0473	03/27/85	7	FIRST READING
	05/20/85	64	SECOND READING
	05/22/85	209	RECALLED
	05/29/85	35	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	42	CONFERENCE
SB-0474	03/27/85	7	FIRST READING
	05/20/85	65	SECOND READING
	05/29/85	35	THIRD READING
	06/29/85	40	CONCURRENCE
SB-0475	03/27/85	7	FIRST READING
	05/20/85	66	SECOND READING
	05/29/85	36	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	42	CONFERENCE
SB-0476	03/27/85	7	FIRST READING
	05/20/85	67	SECOND READING
	05/22/85	211	RECALLED
	05/29/85	36	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	43	CONFERENCE
	10/17/85	15	VETO MESSAGE
SB-0477	03/27/85	7	FIRST READING
	05/20/85	70	SECOND READING
	05/29/85	37	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0477 (cont'd)	06/30/85	117	CONCURRENCE
SB-0478	03/27/85	7	FIRST READING
	05/20/85	71	SECOND READING
	05/22/85	218	RECALLED
	05/29/85	38	THIRD READING
	06/30/85	118	CONCURRENCE
SB-0479	03/27/85	7	FIRST READING
	05/20/85	72	SECOND READING
SB-0480	03/27/85	7	FIRST READING
	05/20/85	73	SECOND READING
	05/29/85	39	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	46	CONFERENCE
	10/16/85	110	VETO MESSAGE
SB-0481	03/27/85	7	FIRST READING
	05/20/85	78	SECOND READING
	05/22/85	224	RECALLED
	05/29/85	40	THIRD READING
	06/30/85	119	NON-CONCURRENCE
	07/03/85	44	CONFERENCE
	10/16/85	120	VETO MESSAGE
SB-0482	03/27/85	8	FIRST READING
	05/20/85	87	SECOND READING
	05/22/85	225	RECALLED
	05/29/85	40	THIRD READING
	06/29/85	26	CONCURRENCE
SB-0483	03/27/85	8	FIRST READING
	05/20/85	89	SECOND READING
	05/29/85	41	THIRD READING
	06/28/85	159	NON-CONCURRENCE
	07/03/85	45	CONFERENCE
	10/16/85	116	VETO MESSAGE
SB-0484	03/27/85	8	FIRST READING
SB-0485	03/27/85	8	FIRST READING
	04/11/85	51	RECALLED
	04/16/85	71	THIRD READING
SB-0486	03/27/85	8	FIRST READING
	05/07/85	43	SECOND READING
	05/23/85	10	THIRD READING
	10/16/85	67	VETO MESSAGE
SB-0487	03/27/85	8	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0487 (cont'd)	05/07/85	44	SECOND READING
	05/15/85	71	THIRD READING
SB-0488	03/27/85	8	FIRST READING
SB-0489	03/27/85	8	FIRST READING
	05/17/85	67	SECOND READING
	05/23/85	25	THIRD READING
SB-0490	03/27/85	8	FIRST READING
SB-0491	03/27/85	8	FIRST READING
SB-0492	03/27/85	8	FIRST READING
	05/07/85	45	SECOND READING
	05/15/85	76	THIRD READING
SB-0493	03/27/85	8	FIRST READING
SB-0494	03/27/85	8	FIRST READING
	05/17/85	68	SECOND READING
SB-0495	03/27/85	8	FIRST READING
	05/07/85	45	SECOND READING
	05/16/85	74	THIRD READING
SB-0496	03/27/85	8	FIRST READING
	05/20/85	90	SECOND READING
	05/29/85	42	THIRD READING
SB-0497	03/27/85	8	FIRST READING
	05/07/85	46	SECOND READING
	05/16/85	74	THIRD READING
	06/28/85	81	NON-CONCURRENCE
	07/02/85	68	CONFERENCE
SB-0498	03/27/85	9	FIRST READING
	05/07/85	46	SECOND READING
	05/15/85	77	THIRD READING
SB-0499	03/27/85	9	FIRST READING
	05/07/85	47	SECOND READING
	05/15/85	78	THIRD READING
	06/28/85	82	DISCUSSED
	06/29/85	28	CONCURRENCE
SB-0500	03/27/85	9	FIRST READING
	05/14/85	18	SECOND READING
	05/23/85	26	THIRD READING
	05/23/85	71	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0501	03/27/85	9	FIRST READING
	05/14/85	19	SECOND READING
	05/15/85	84	THIRD READING
SB-0502	03/27/85	9	FIRST READING
	05/17/85	68	SECOND READING
	05/24/85	301	THIRD READING
SB-0503	03/27/85	9	FIRST READING
SB-0504	03/27/85	9	FIRST READING
	05/07/85	49	SECOND READING
	05/16/85	74	THIRD READING
SB-0505	03/27/85	9	FIRST READING
	05/07/85	49	SECOND READING
	05/16/85	74	THIRD READING
	06/27/85	82	NON-CONCURRENCE
SB-0506	03/27/85	9	FIRST READING
	05/07/85	49	SECOND READING
	05/15/85	85	THIRD READING
SB-0507	03/27/85	9	FIRST READING
	05/20/85	91	SECOND READING
	05/23/85	390	RECALLED
	05/29/85	42	THIRD READING
SB-0508	03/27/85	9	FIRST READING
	05/14/85	19	SECOND READING
SB-0509	03/27/85	9	FIRST READING
	05/14/85	20	SECOND READING
SB-0510	03/27/85	9	FIRST READING
	05/07/85	50	SECOND READING
	05/15/85	86	OUT OF RECORD
	05/21/85	41	RECALLED
	05/23/85	32	THIRD READING
SB-0511	03/27/85	9	FIRST READING
SB-0512	03/27/85	9	FIRST READING
	05/07/85	50	SECOND READING
	05/23/85	34	THIRD READING
SB-0513	03/27/85	9	FIRST READING
	05/14/85	20	SECOND READING
	05/23/85	36	THIRD READING
	06/27/85	83	NON-CONCURRENCE
	07/03/85	18	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0514	03/27/85	9	FIRST READING
SB-0515	03/27/85	10	FIRST READING
SB-0516	03/27/85	10	FIRST READING
SB-0517	03/27/85	10	FIRST READING
	05/07/85	52	SECOND READING
	05/16/85	74	THIRD READING
SB-0518	03/27/85	10	FIRST READING
	05/07/85	52	SECOND READING
	05/16/85	74	THIRD READING
	06/27/85	83	CONCURRENCE
SB-0519	03/27/85	17	FIRST READING
SB-0520	03/27/85	17	FIRST READING
SB-0521	03/27/85	17	FIRST READING
	05/14/85	22	SECOND READING
	05/15/85	90	THIRD READING
	06/28/85	86	NON-CONCURRENCE
SB-0522	03/27/85	17	FIRST READING
	05/14/85	23	SECOND READING
	05/23/85	37	THIRD READING
	11/19/86	71	VETO ACTION
SB-0523	03/27/85	30	FIRST READING
SB-0524	03/27/85	30	FIRST READING
SB-0525	03/27/85	30	FIRST READING
	05/22/85	76	SECOND READING
	05/23/85	39	THIRD READING
	05/24/85	126	DISCUSSED
	11/14/85	4	CONCURRENCE
SB-0526	04/10/85	48	FIRST READING
SB-0527	04/10/85	48	FIRST READING
	05/07/85	53	SECOND READING
	05/15/85	90	THIRD READING
	10/16/85	85	VETO MESSAGE
SB-0528	04/10/85	48	FIRST READING
	05/20/85	91	SECOND READING
	05/29/85	43	THIRD READING
	06/29/85	29	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0529	04/10/85	48	FIRST READING
	05/14/85	24	SECOND READING
	05/15/85	92	TABLED
SB-0530	04/10/85	48	FIRST READING
	05/14/85	24	SECOND READING
	05/15/85	92	THIRD READING
SB-0531	04/10/85	48	FIRST READING
	05/07/85	54	SECOND READING
	05/15/85	94	THIRD READING
SB-0532	04/10/85	48	FIRST READING
	05/07/85	54	SECOND READING
	05/16/85	74	THIRD READING
SB-0533	04/10/85	48	FIRST READING
	05/07/85	54	SECOND READING
	05/15/85	95	THIRD READING
SB-0534	04/10/85	49	FIRST READING
	05/07/85	55	SECOND READING
	05/16/85	74	THIRD READING
SB-0535	04/10/85	49	FIRST READING
	05/07/85	55	SECOND READING
	05/15/85	96	THIRD READING
SB-0536	04/10/85	49	FIRST READING
	05/07/85	55	SECOND READING
	05/16/85	74	THIRD READING
SB-0537	04/10/85	49	FIRST READING
	05/07/85	56	SECOND READING
	05/16/85	74	THIRD READING
	06/28/85	84	NON-CONCURRENCE
	07/02/85	140	CONFERENCE
	11/14/85	27	CONFERENCE
SB-0538	04/10/85	49	FIRST READING
	05/14/85	25	SECOND READING
	05/15/85	97	THIRD READING
SB-0539	04/10/85	49	FIRST READING
	05/07/85	56	SECOND READING
	05/16/85	74	THIRD READING
SB-0540	04/10/85	49	FIRST READING
	05/07/85	56	SECOND READING
	05/16/85	74	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0541	04/10/85	49	FIRST READING
	05/07/85	57	SECOND READING
	05/16/85	74	THIRD READING
SB-0542	04/10/85	49	FIRST READING
SB-0543	04/10/85	49	FIRST READING
SB-0544	04/10/85	49	FIRST READING
	05/14/85	25	SECOND READING
	05/15/85	97	THIRD READING
SB-0545	04/10/85	49	FIRST READING
SB-0546	04/10/85	49	FIRST READING
	05/07/85	57	SECOND READING
	05/16/85	75	THIRD READING
SB-0547	04/10/85	49	FIRST READING
	05/07/85	57	SECOND READING
	05/16/85	75	THIRD READING
SB-0548	04/10/85	49	FIRST READING
	05/07/85	58	SECOND READING
	05/23/85	58	THIRD READING
SB-0549	04/10/85	49	FIRST READING
	05/07/85	58	SECOND READING
	05/16/85	75	THIRD READING
SB-0550	04/10/85	49	FIRST READING
	05/07/85	58	SECOND READING
	05/16/85	75	THIRD READING
SB-0551	04/10/85	50	FIRST READING
	05/07/85	58	SECOND READING
	05/16/85	75	THIRD READING
	07/01/85	66	NON-CONCURRENCE
SB-0552	04/10/85	50	FIRST READING
	05/20/85	92	SECOND READING
	05/22/85	226	RECALLED
	05/29/85	44	THIRD READING
	06/29/85	51	NON-CONCURRENCE
	07/03/85	60	CONFERENCE
SB-0553	04/10/85	50	FIRST READING
	05/07/85	59	SECOND READING
	05/16/85	75	THIRD READING
	12/04/86	15	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0554	04/10/85	50	FIRST READING
	05/07/85	60	SECOND READING
	05/16/85	75	THIRD READING
SB-0555	04/10/85	50	FIRST READING
SB-0556	04/10/85	50	FIRST READING
SB-0557	04/10/85	50	FIRST READING
	05/07/85	60	SECOND READING
	05/16/85	75	THIRD READING
SB-0558	04/10/85	50	FIRST READING
	05/07/85	61	SECOND READING
	05/16/85	75	THIRD READING
SB-0559	04/10/85	50	FIRST READING
	05/07/85	61	SECOND READING
	05/16/85	6	RECALLED
	05/23/85	59	THIRD READING
SB-0560	04/10/85	50	FIRST READING
	05/07/85	62	SECOND READING
	05/16/85	75	THIRD READING
	06/28/85	87	NON-CONCURRENCE
	06/30/85	102	CONFERENCE
SB-0561	04/10/85	50	FIRST READING
	05/07/85	63	SECOND READING
	05/16/85	75	THIRD READING
	06/27/85	84	CONCURRENCE
SB-0562	04/10/85	50	FIRST READING
	05/07/85	63	SECOND READING
	05/16/85	75	THIRD READING
	06/27/85	85	CONCURRENCE
SB-0563	04/10/85	50	FIRST READING
	05/07/85	64	OUT OF RECORD
	05/07/85	69	SECOND READING
	05/16/85	75	THIRD READING
SB-0564	04/10/85	50	FIRST READING
	05/07/85	65	SECOND READING
	05/15/85	98	THIRD READING
SB-0565	04/10/85	50	FIRST READING
	05/07/85	66	OUT OF RECORD
	05/07/85	70	SECOND READING
	05/15/85	100	DISCUSSED AND POSTPONED
	05/15/85	243	TABLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0566	04/10/85	50	FIRST READING
	05/14/85	27	SECOND READING
	05/15/85	103	THIRD READING
SB-0567	04/10/85	50	FIRST READING
	05/14/85	28	SECOND READING
	05/23/85	60	THIRD READING
SB-0568	04/10/85	51	FIRST READING
	05/07/85	66	SECOND READING
	05/16/85	75	THIRD READING
SB-0569	04/10/85	51	FIRST READING
	05/07/85	68	SECOND READING
	05/16/85	75	THIRD READING
SB-0570	04/10/85	51	FIRST READING
	05/07/85	68	SECOND READING
	05/16/85	75	THIRD READING
	06/28/85	87	CONCURRENCE
SB-0571	04/10/85	51	FIRST READING
	05/07/85	68	SECOND READING
	05/16/85	75	THIRD READING
	06/28/85	88	CONCURRENCE
SB-0572	04/10/85	51	FIRST READING
	05/03/85	4	TABLED
SB-0573	04/10/85	51	FIRST READING
	05/14/85	28	SECOND READING
	05/23/85	61	THIRD READING
SB-0574	04/10/85	51	FIRST READING
SB-0575	04/10/85	51	FIRST READING
SB-0576	04/10/85	51	FIRST READING
	05/14/85	28	SECOND READING
	05/15/85	104	OUT OF RECORD
	05/22/85	7	RECALLED
	05/23/85	62	THIRD READING
	10/16/85	25	VETO MESSAGE
SB-0577	04/10/85	51	FIRST READING
	05/07/85	70	SECOND READING
	05/15/85	106	THIRD READING
SB-0578	04/10/85	51	FIRST READING
	05/14/85	29	SECOND READING
	05/15/85	108	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0579	04/10/85	51	FIRST READING
	05/17/85	69	SECOND READING
	05/23/85	63	THIRD READING
SB-0580	04/10/85	51	FIRST READING
SB-0581	04/10/85	51	FIRST READING
SB-0582	04/10/85	51	FIRST READING
SB-0583	04/10/85	51	FIRST READING
	05/07/85	71	SECOND READING
	05/16/85	76	THIRD READING
	10/17/85	22	VETO MESSAGE
SB-0584	04/10/85	52	FIRST READING
SB-0585	04/10/85	52	FIRST READING
SB-0586	04/10/85	52	FIRST READING
	05/07/85	71	SECOND READING
	05/16/85	76	THIRD READING
SB-0587	04/10/85	52	FIRST READING
SB-0588	04/10/85	52	FIRST READING
	05/07/85	71	SECOND READING
	05/16/85	76	THIRD READING
	06/27/85	86	CONCURRENCE
SB-0589	04/10/85	52	FIRST READING
	05/07/85	72	SECOND READING
	05/16/85	76	THIRD READING
	06/28/85	88	CONCURRENCE
SB-0590	04/10/85	52	FIRST READING
SB-0591	04/10/85	52	FIRST READING
SB-0592	04/10/85	52	FIRST READING
SB-0593	04/10/85	52	FIRST READING
SB-0594	04/10/85	52	FIRST READING
SB-0595	04/10/85	52	FIRST READING
	05/14/85	31	SECOND READING
	05/23/85	64	THIRD READING
SB-0596	04/10/85	52	FIRST READING
	05/07/85	72	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0596 (cont'd)	05/15/85	111	DISCUSSED AND POSTPONED
SB-0597	04/10/85	52	FIRST READING
	05/14/85	31	SECOND READING
	05/15/85	114	THIRD READING
	06/27/85	88	CONCURRENCE
SB-0598	04/10/85	52	FIRST READING
	05/07/85	74	SECOND READING
	05/16/85	76	THIRD READING
SB-0599	04/10/85	52	FIRST READING
SB-0600	04/10/85	53	FIRST READING
SB-0601	04/10/85	53	FIRST READING
	05/14/85	33	SECOND READING
	05/15/85	117	THIRD READING
	06/27/85	90	CONCURRENCE
SB-0602	04/10/85	53	FIRST READING
	05/14/85	34	SECOND READING
	05/15/85	113	THIRD READING
	06/25/86	65	CONCURRENCE
SB-0603	04/10/85	53	FIRST READING
	05/07/85	74	SECOND READING
	05/15/85	10	RECALLED
	05/23/85	67	THIRD READING
SB-0604	04/10/85	53	FIRST READING
	05/07/85	74	SECOND READING
	05/16/85	76	THIRD READING
SB-0605	04/10/85	53	FIRST READING
	05/07/85	75	SECOND READING
	05/16/85	76	THIRD READING
SB-0606	04/10/85	53	FIRST READING
SB-0607	04/10/85	53	FIRST READING
	05/14/85	35	SECOND READING
	05/15/85	121	DISCUSSED AND POSTPONED
	05/21/85	77	RECALLED
SB-0608	04/10/85	53	FIRST READING
SB-0609	04/10/85	53	FIRST READING
	05/14/85	35	SECOND READING
	05/15/85	131	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0610	04/10/85	53	FIRST READING
	05/07/85	76	SECOND READING
	05/15/85	132	THIRD READING
SB-0611	04/10/85	53	FIRST READING
	05/14/85	36	SECOND READING
	05/15/85	136	THIRD READING
SB-0612	04/10/85	53	FIRST READING
	05/14/85	36	SECOND READING
	05/23/85	70	THIRD READING
	06/27/85	94	CONCURRENCE
SB-0613	04/10/85	53	FIRST READING
	05/17/85	71	SECOND READING
	05/23/85	71	THIRD READING
SB-0614	04/10/85	53	FIRST READING
	05/14/85	38	SECOND READING
	05/15/85	137	THIRD READING
SB-0615	04/10/85	54	FIRST READING
	05/07/85	76	SECOND READING
	05/16/85	77	THIRD READING
SB-0616	04/10/85	54	FIRST READING
	05/07/85	86	SECOND READING
	05/16/85	77	THIRD READING
	06/27/85	90	CONCURRENCE
SB-0617	04/10/85	54	FIRST READING
	05/14/85	38	SECOND READING
	05/23/85	78	THIRD READING
SB-0618	04/10/85	54	FIRST READING
SB-0619	04/10/85	54	FIRST READING
	05/07/85	77	SECOND READING
	05/15/85	139	THIRD READING
SB-0620	04/10/85	54	FIRST READING
SB-0621	04/10/85	54	FIRST READING
	05/07/85	77	SECOND READING
	05/23/85	87	THIRD READING
SB-0622	04/10/85	54	FIRST READING
SB-0623	04/10/85	54	FIRST READING
	05/07/85	78	SECOND READING
	05/16/85	77	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0623(cont'd)	06/28/85	89	NON-CONCURRENCE
	07/01/85	44	CONFERENCE
SB-0624	04/10/85	54	FIRST READING
	05/07/85	78	HELD ON SECOND
	05/22/85	44	TABLED
SB-0625	04/10/85	54	FIRST READING
	05/07/85	86	SECOND READING
	05/16/85	77	THIRD READING
	11/14/85	53	CONCURRENCE
SB-0626	04/10/85	54	FIRST READING
	05/20/85	119	SECOND READING
	05/23/85	88	THIRD READING
SB-0627	04/10/85	54	FIRST READING
	05/14/85	40	SECOND READING
	05/23/85	89	THIRD READING
SB-0628	04/10/85	54	FIRST READING
	05/07/85	86	SECOND READING
SB-0629	04/10/85	54	FIRST READING
	05/07/85	87	SECOND READING
	05/23/85	90	THIRD READING
	06/28/85	89	CONCURRENCE
SB-0630	04/10/85	54	FIRST READING
SB-0631	04/10/85	54	FIRST READING
SB-0632	04/10/85	55	FIRST READING
	05/14/85	41	SECOND READING
	05/23/85	91	THIRD READING
SB-0633	04/10/85	55	FIRST READING
SB-0634	04/10/85	55	FIRST READING
SB-0635	04/10/85	55	FIRST READING
SB-0636	04/10/85	55	FIRST READING
SB-0637	04/10/85	55	FIRST READING
	05/14/85	42	SECOND READING
	05/23/85	100	THIRD READING
SB-0638	04/10/85	55	FIRST READING
	05/14/85	42	SECOND READING
	05/23/85	102	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0639	04/10/85	55	FIRST READING
	05/07/85	88	SECOND READING
	05/23/85	102	THIRD READING
SB-0640	04/10/85	55	FIRST READING
	05/17/85	71	SECOND READING
	05/23/85	111	THIRD READING
	10/16/85	32	VETO MESSAGE
SB-0641	04/10/85	55	FIRST READING
SB-0642	04/10/85	55	FIRST READING
SB-0643	04/10/85	55	FIRST READING
	05/07/85	87	SECOND READING
	05/16/85	77	THIRD READING
SB-0644	04/10/85	55	FIRST READING
	05/17/85	73	SECOND READING
	05/23/85	112	THIRD READING
SB-0645	04/10/85	55	FIRST READING
	05/07/85	88	SECOND READING
	05/22/85	9	RECALLED
	05/23/85	120	THIRD READING
SB-0646	04/10/85	55	FIRST READING
	05/07/85	88	SECOND READING
	05/21/85	42	RECALLED
	05/22/85	11	RECALLED
	05/23/85	124	THIRD READING
SB-0647	04/10/85	55	FIRST READING
	05/14/85	43	SECOND READING
	05/15/85	140	THIRD READING
SB-0648	04/10/85	56	FIRST READING
	05/17/85	75	SECOND READING
	05/23/85	125	THIRD READING
	06/27/85	94	CONCURRENCE
SB-0649	04/10/85	56	FIRST READING
SB-0650	04/10/85	56	FIRST READING
SB-0651	04/10/85	56	FIRST READING
	05/14/85	43	SECOND READING
	05/16/85	8	RECALLED
	05/23/85	132	THIRD READING
	06/27/85	96	NON-CONCURRENCE
	06/27/85	99	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0652	04/10/85	56	FIRST READING
	05/07/85	89	SECOND READING
	05/16/85	77	THIRD READING
SB-0653	04/10/85	56	FIRST READING
	05/07/85	89	SECOND READING
	05/15/85	11	RECALLED
	05/23/85	133	THIRD READING
	06/27/85	97	NON-CONCURRENCE
	07/02/85	28	CONFERENCE
	10/16/85	77	VETO MESSAGE
SB-0654	04/10/85	56	FIRST READING
SB-0655	04/10/85	56	FIRST READING
	05/07/85	89	SECOND READING
	05/16/85	77	THIRD READING
SB-0656	04/10/85	56	FIRST READING
SB-0657	04/10/85	56	FIRST READING
SB-0658	04/10/85	56	FIRST READING
	05/07/85	90	SECOND READING
	05/16/85	8	RECALLED
	05/23/85	134	THIRD READING
	07/01/85	69	NON-CONCURRENCE
SB-0659	04/10/85	56	FIRST READING
	05/14/85	44	SECOND READING
	05/23/85	135	THIRD READING
SB-0660	04/10/85	56	FIRST READING
	05/17/85	79	SECOND READING
	05/23/85	136	THIRD READING
	06/28/85	90	CONCURRENCE
SB-0661	04/10/85	56	FIRST READING
SB-0662	04/10/85	56	FIRST READING
	05/17/85	75	SECOND READING
	05/23/85	140	THIRD READING
SB-0663	04/10/85	56	FIRST READING
SB-0664	04/10/85	56	FIRST READING
SB-0665	04/10/85	57	FIRST READING
	05/07/85	91	SECOND READING
	05/21/85	43	RECALLED
	05/22/85	12	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0665(cont'd)	05/23/85	142	THIRD READING
	06/28/85	91	CONCURRENCE
SB-0666	04/10/85	57	FIRST READING
SB-0667	04/10/85	57	FIRST READING
	05/08/85	3	SECOND READING
	05/16/85	77	THIRD READING
SB-0668	04/10/85	57	FIRST READING
	05/08/85	4	SECOND READING
	05/16/85	77	THIRD READING
	06/28/85	92	CONCURRENCE
SB-0669	04/10/85	57	FIRST READING
	05/08/85	5	SECOND READING
	05/16/85	77	THIRD READING
SB-0670	04/10/85	57	FIRST READING
	05/14/85	45	SECOND READING
	05/23/85	144	THIRD READING
	06/29/85	29	CONCURRENCE
SB-0671	04/10/85	57	FIRST READING
	05/14/85	45	SECOND READING
	05/23/85	146	DISCUSSED AND POSTPONED
SB-0672	04/10/85	57	FIRST READING
	05/14/85	46	SECOND READING
	05/15/85	141	THIRD READING
SB-0673	04/11/85	2	FIRST READING
	05/08/85	6	SECOND READING
	05/16/85	77	THIRD READING
SB-0674	04/11/85	2	FIRST READING
	05/08/85	7	SECOND READING
	05/16/85	77	THIRD READING
SB-0675	04/11/85	3	FIRST READING
	05/08/85	7	SECOND READING
	05/16/85	77	THIRD READING
SB-0676	04/11/85	3	FIRST READING
	05/08/85	8	SECOND READING
	05/16/85	78	THIRD READING
SB-0677	04/11/85	3	FIRST READING
	05/08/85	9	SECOND READING
	05/16/85	78	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0678	04/11/85	3	FIRST READING
	05/08/85	8	SECOND READING
	05/16/85	78	THIRD READING
SB-0679	04/11/85	3	FIRST READING
	05/08/85	8	SECOND READING
	05/16/85	78	THIRD READING
SB-0680	04/11/85	3	FIRST READING
	05/14/85	46	SECOND READING
	05/16/85	9	RECALLED
	05/23/85	153	THIRD READING
SB-0681	04/11/85	3	FIRST READING
	05/17/85	76	SECOND READING
	05/23/85	154	THIRD READING
SB-0682	04/11/85	3	FIRST READING
	05/08/85	10	SECOND READING
	05/16/85	78	THIRD READING
	06/27/85	98	CONCURRENCE
SB-0683	04/11/85	3	FIRST READING
	05/14/85	46	SECOND READING
	05/15/85	142	THIRD READING
SB-0684	04/11/85	3	FIRST READING
	05/17/85	79	SECOND READING
	05/21/85	45	RECALLED
	05/23/85	155	THIRD READING
SB-0685	04/11/85	3	FIRST READING
	05/08/85	10	SECOND READING
	05/15/85	142	THIRD READING
SB-0686	04/11/85	3	FIRST READING
	05/08/85	10	SECOND READING
	05/16/85	78	THIRD READING
SB-0687	04/11/85	3	FIRST READING
SB-0688	04/11/85	3	FIRST READING
	05/08/85	11	SECOND READING
	05/16/85	78	THIRD READING
	06/27/85	100	CONCURRENCE
SB-0689	04/11/85	3	FIRST READING
SB-0690	04/11/85	4	FIRST READING
	05/08/85	14	SECOND READING
	05/16/85	10	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0690 (cont'd)	05/23/85	157	THIRD READING
	06/28/85	92	CONCURRENCE
	10/16/85	128	VETO MESSAGE
SB-0691	04/11/85	4	FIRST READING
SB-0692	04/11/85	4	FIRST READING
SB-0693	04/11/85	4	FIRST READING
	05/08/85	12	SECOND READING
	05/16/85	10	RECALLED
	05/23/85	158	THIRD READING
	06/27/85	99	CONCURRENCE
SB-0694	04/11/85	4	FIRST READING
	05/08/85	12	SECOND READING
	05/22/85	12	RECALLED
	05/23/85	159	THIRD READING
SB-0695	04/11/85	4	FIRST READING
	05/20/85	93	SECOND READING
	05/29/85	45	THIRD READING
SB-0696	04/11/85	4	FIRST READING
	05/14/85	47	SECOND READING
	05/15/85	159	THIRD READING
SB-0697	04/11/85	4	FIRST READING
SB-0698	04/11/85	4	FIRST READING
SB-0699	04/11/85	4	FIRST READING
	05/08/85	13	SECOND READING
	05/16/85	78	THIRD READING
SB-0700	04/11/85	4	FIRST READING
SB-0701	04/11/85	4	FIRST READING
SB-0702	04/11/85	4	FIRST READING
SB-0703	04/11/85	7	FIRST READING
SB-0704	04/11/85	4	FIRST READING
SB-0705	04/11/85	4	FIRST READING
	05/08/85	15	SECOND READING
	05/16/85	78	THIRD READING
SB-0706	04/11/85	4	FIRST READING
	05/08/85	15	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0706 (cont'd)	05/15/85	159	THIRD READING
SB-0707	04/11/85	5	FIRST READING
	05/08/85	16	SECOND READING
	05/23/85	161	THIRD READING
SB-0708	04/11/85	5	FIRST READING
	05/08/85	16	SECOND READING
	05/23/85	180	THIRD READING
SB-0709	04/11/85	5	FIRST READING
	05/17/85	80	SECOND READING
SB-0710	04/11/85	5	FIRST READING
SB-0711	04/11/85	5	FIRST READING
SB-0712	04/11/85	5	FIRST READING
	05/20/85	122	SECOND READING
SB-0713	04/11/85	5	FIRST READING
	05/20/85	122	SECOND READING
SB-0714	04/11/85	5	FIRST READING
	05/14/85	47	SECOND READING
	05/16/85	11	RECALLED
	05/23/85	183	THIRD READING
SB-0715	04/11/85	5	FIRST READING
	05/14/85	47	SECOND READING
	05/15/85	160	THIRD READING
SB-0716	04/11/85	5	FIRST READING
	05/14/85	48	SECOND READING
	05/15/85	161	THIRD READING
SB-0717	04/11/85	5	FIRST READING
	05/14/85	48	SECOND READING
	05/15/85	164	THIRD READING
SB-0718	04/11/85	5	FIRST READING
	05/14/85	48	SECOND READING
	05/15/85	164	THIRD READING
SB-0719	04/11/85	5	FIRST READING
SB-0720	04/11/85	5	FIRST READING
	05/17/85	81	SECOND READING
SB-0721	04/11/85	5	FIRST READING
	05/17/85	81	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0721 (cont'd)	05/23/85	183	THIRD READING
	06/27/85	101	CONCURRENCE
SB-0722	04/11/85	5	FIRST READING
SB-0723	04/11/85	6	FIRST READING
	05/17/85	82	SECOND READING
	05/23/85	192	THIRD READING
SB-0724	04/11/85	6	FIRST READING
	05/17/85	84	SECOND READING
	05/23/85	194	THIRD READING
SB-0725	04/11/85	6	FIRST READING
	05/17/85	84	SECOND READING
	05/21/85	46	RECALLED
	05/23/85	198	THIRD READING
SB-0726	04/11/85	6	FIRST READING
	05/17/85	85	SECOND READING
	05/23/85	205	THIRD READING
SB-0727	04/11/85	6	FIRST READING
SB-0728	04/11/85	6	FIRST READING
	05/17/85	86	SECOND READING
	05/23/85	206	THIRD READING
	06/28/85	93	CONCURRENCE
SB-0729	04/11/85	6	FIRST READING
	05/17/85	88	SECOND READING
	05/23/85	207	THIRD READING
SB-0730	04/11/85	6	FIRST READING
	05/17/85	89	SECOND READING
	05/23/85	208	THIRD READING
	06/27/85	104	NON-CONCURRENCE
	07/02/85	95	CONFERENCE
SB-0731	04/11/85	6	FIRST READING
SB-0732	04/11/85	6	FIRST READING
	05/08/85	18	SECOND READING
	05/16/85	78	THIRD READING
SB-0733	04/11/85	6	FIRST READING
	05/14/85	49	SECOND READING
	05/15/85	166	THIRD READING
SB-0734	04/11/85	6	FIRST READING
	05/08/85	18	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0734 (cont'd)	05/16/85	78	THIRD READING
	06/28/85	94	CONCURRENCE
SB-0735	04/11/85	6	FIRST READING
SB-0736	04/11/85	6	FIRST READING
	05/14/85	49	SECOND READING
	05/23/85	208	THIRD READING
SB-0737	04/11/85	6	FIRST READING
SB-0738	04/11/85	6	FIRST READING
	05/14/85	49	SECOND READING
	05/23/85	211	THIRD READING
SB-0739	04/11/85	6	FIRST READING
	05/14/85	50	SECOND READING
	05/23/85	212	THIRD READING
SB-0740	04/11/85	7	FIRST READING
	05/08/85	18	SECOND READING
	05/16/85	78	THIRD READING
SB-0741	04/11/85	7	FIRST READING
	05/08/85	19	SECOND READING
	05/15/85	167	THIRD READING
SB-0742	04/11/85	7	FIRST READING
	05/08/85	19	SECOND READING
	05/21/85	47	RECALLED
	05/23/85	216	THIRD READING
SB-0743	04/11/85	7	FIRST READING
	05/14/85	50	SECOND READING
	05/15/85	172	THIRD READING
SB-0744	04/11/85	7	FIRST READING
	05/14/85	52	SECOND READING
	05/15/85	176	OUT OF RECORD
SB-0745	04/11/85	7	FIRST READING
	05/14/85	52	SECOND READING
	05/23/85	217	THIRD READING
	06/28/85	94	CONCURRENCE
SB-0746	04/11/85	7	FIRST READING
SB-0747	04/11/85	7	FIRST READING
SB-0748	04/11/85	7	FIRST READING
	05/08/85	20	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0748 (cont'd)	05/23/85	218	THIRD READING
SB-0749	04/11/85	7	FIRST READING
	05/14/85	53	SECOND READING
	05/17/85	14	RECALLED
	05/22/85	14	RECALLED
	05/23/85	219	THIRD READING
	06/27/85	104	CONCURRENCE
SB-0750	04/11/85	7	FIRST READING
	05/22/85	84	SECOND READING
	05/23/85	223	THIRD READING
SB-0751	04/11/85	7	FIRST READING
SB-0752	04/11/85	8	FIRST READING
SB-0753	04/11/85	8	FIRST READING
	05/08/85	21	SECOND READING
	05/15/85	187	THIRD READING
SB-0754	04/11/85	8	FIRST READING
	05/14/85	54	SECOND READING
	05/15/85	197	THIRD READING
SB-0755	04/11/85	8	FIRST READING
	05/14/85	54	SECOND READING
	05/15/85	198	THIRD READING
	06/27/85	105	CONCURRENCE
SB-0756	04/11/85	8	FIRST READING
	05/20/85	123	SECOND READING
	05/23/85	224	THIRD READING
	06/27/85	106	CONCURRENCE
SB-0757	04/11/85	8	FIRST READING
	05/14/85	55	TABLED
SB-0758	04/11/85	8	FIRST READING
	05/08/85	21	SECOND READING
	05/15/85	199	THIRD READING
	06/27/85	107	CONCURRENCE
	10/16/85	129	VETO MESSAGE
SB-0759	04/11/85	8	FIRST READING
SB-0760	04/11/85	8	FIRST READING
	05/14/85	56	SECOND READING
	05/16/85	12	RECALLED
	05/22/85	15	RECALLED
	05/22/85	272	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-0760 (cont'd)	05/23/85	225	THIRD READING
SB-0761	04/11/85	8	FIRST READING
	05/08/85	23	SECOND READING
	05/17/85	15	RECALLED
	05/23/85	234	THIRD READING
SB-0762	04/11/85	8	FIRST READING
	05/08/85	23	SECOND READING
	05/16/85	78	THIRD READING
SB-0763	04/11/85	8	FIRST READING
SB-0764	04/11/85	8	FIRST READING
SB-0765	04/11/85	8	FIRST READING
	05/08/85	24	SECOND READING
	05/16/85	78	THIRD READING
SB-0766	04/11/85	9	FIRST READING
	05/14/85	56	SECOND READING
	05/23/85	238	OUT OF RECORD
	05/24/85	303	THIRD READING
SB-0767	04/11/85	9	FIRST READING
	05/08/85	25	SECOND READING
	05/16/85	78	THIRD READING
SB-0768	04/11/85	9	FIRST READING
	05/08/85	25	SECOND READING
	05/15/85	201	DISCUSSED AND POSTPONED
SB-0769	04/11/85	9	FIRST READING
SB-0770	04/11/85	9	FIRST READING
	05/08/85	26	SECOND READING
	05/16/85	78	THIRD READING
SB-0771	04/11/85	9	FIRST READING
	05/08/85	27	SECOND READING
	05/15/85	212	THIRD READING
	06/27/85	107	CONCURRENCE
SB-0772	04/11/85	9	FIRST READING
	05/08/85	27	SECOND READING
	05/15/85	214	OTHER
SB-0773	04/11/85	9	FIRST READING
SB-0774	04/11/85	9	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0775	04/11/85	9	FIRST READING
	05/08/85	27	SECOND READING
	05/16/85	78	THIRD READING
	06/27/85	109	CONCURRENCE
SB-0776	04/11/85	9	FIRST READING
SB-0777	04/11/85	9	FIRST READING
SB-0778	04/11/85	9	FIRST READING
SB-0779	04/11/85	9	FIRST READING
	05/08/85	28	SECOND READING
	05/23/85	244	THIRD READING
SB-0780	04/11/85	9	FIRST READING
	05/17/85	90	SECOND READING
	05/21/85	48	RECALLED
	05/23/85	247	THIRD READING
SB-0781	04/11/85	9	FIRST READING
SB-0782	04/11/85	10	FIRST READING
	05/08/85	37	SECOND READING
	05/15/85	215	THIRD READING
SB-0783	04/11/85	10	FIRST READING
	05/08/85	29	SECOND READING
	05/16/85	79	THIRD READING
SB-0784	04/11/85	10	FIRST READING
SB-0785	04/11/85	10	FIRST READING
	05/08/85	29	SECOND READING
	05/16/85	15	RECALLED
	05/23/85	258	THIRD READING
	06/27/85	110	CONCURRENCE
	10/16/85	130	VETO MESSAGE
SB-0786	04/11/85	10	FIRST READING
	05/08/85	30	SECOND READING
	05/23/85	259	THIRD READING
	06/27/85	110	CONCURRENCE
SB-0787	04/11/85	10	FIRST READING
SB-0788	04/11/85	10	FIRST READING
	05/08/85	30	SECOND READING
	05/16/85	79	THIRD READING
SB-0789	04/11/85	10	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0789 (cont'd)	05/08/85	30	SECOND READING
	05/16/85	79	THIRD READING
SB-0790	04/11/85	10	FIRST READING
	05/08/85	31	SECOND READING
	05/15/85	216	THIRD READING
SB-0791	04/11/85	10	FIRST READING
	05/08/85	32	SECOND READING
	05/16/85	79	THIRD READING
	06/27/85	111	CONCURRENCE
SB-0792	04/11/85	10	FIRST READING
	05/08/85	33	SECOND READING
	05/16/85	79	THIRD READING
SB-0793	04/11/85	10	FIRST READING
	05/08/85	33	SECOND READING
	05/16/85	79	THIRD READING
SB-0794	04/11/85	10	FIRST READING
SB-0795	04/11/85	10	FIRST READING
	05/08/85	34	SECOND READING
	05/16/85	79	THIRD READING
SB-0796	04/11/85	10	FIRST READING
	05/08/85	34	SECOND READING
	05/16/85	79	THIRD READING
	06/27/85	114	NON-CONCURRENCE
	07/02/85	28	CONFERENCE
	07/02/85	91	CONFERENCE
SB-0797	04/11/85	10	FIRST READING
	04/24/85	7	TABLED
SB-0798	04/11/85	11	FIRST READING
	05/14/85	56	SECOND READING
	05/15/85	217	THIRD READING
	06/28/85	95	CONCURRENCE
SB-0799	04/11/85	11	FIRST READING
	05/14/85	57	SECOND READING
	05/15/85	218	THIRD READING
SB-0800	04/11/85	11	FIRST READING
	05/08/85	35	SECOND READING
	05/16/85	79	THIRD READING
	06/28/85	96	CONCURRENCE
SB-0801	04/11/85	11	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0801 (cont'd)	05/08/85	35	SECOND READING
	05/16/85	79	THIRD READING
SB-0802	04/11/85	11	FIRST READING
	05/08/85	35	SECOND READING
	05/15/85	219	DISCUSSED AND POSTPONED
SB-0803	04/11/85	11	FIRST READING
	05/23/85	262	THIRD READING
SB-0804	04/11/85	11	FIRST READING
	05/08/85	36	SECOND READING
	05/15/85	11	RECALLED
	05/23/85	263	THIRD READING
SB-0805	04/11/85	11	FIRST READING
SB-0806	04/11/85	11	FIRST READING
	05/08/85	36	SECOND READING
	05/16/85	79	THIRD READING
SB-0807	04/11/85	11	FIRST READING
	05/08/85	42	SECOND READING
	05/16/85	79	THIRD READING
SB-0808	04/11/85	11	FIRST READING
	05/08/85	38	SECOND READING
	05/16/85	79	THIRD READING
SB-0809	04/11/85	11	FIRST READING
	05/08/85	38	SECOND READING
	05/16/85	79	THIRD READING
SB-0810	04/11/85	11	FIRST READING
	05/08/85	38	SECOND READING
	05/16/85	79	THIRD READING
SB-0811	04/11/85	11	FIRST READING
	05/08/85	39	SECOND READING
	05/16/85	79	THIRD READING
SB-0812	04/11/85	11	FIRST READING
	05/08/85	39	SECOND READING
	05/16/85	79	THIRD READING
SB-0813	04/11/85	12	FIRST READING
	05/08/85	40	SECOND READING
	05/15/85	13	RECALLED
	05/23/85	264	THIRD READING
	06/30/85	66	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-0814	04/11/85	12	FIRST READING
	05/14/85	57	SECOND READING
	05/23/85	264	THIRD READING
	06/27/85	114	CONCURRENCE
SB-0815	04/11/85	12	FIRST READING
	05/08/85	72	SECOND READING
	05/16/85	80	THIRD READING
SB-0816	04/11/85	12	FIRST READING
	05/08/85	41	SECOND READING
	05/16/85	80	THIRD READING
SB-0817	04/11/85	12	FIRST READING
	05/08/85	42	SECOND READING
	05/16/85	80	THIRD READING
SB-0818	04/11/85	12	FIRST READING
	05/08/85	42	SECOND READING
	05/16/85	80	THIRD READING
SB-0819	04/11/85	12	FIRST READING
SB-0820	04/11/85	12	FIRST READING
SB-0821	04/11/85	12	FIRST READING
SB-0822	04/11/85	12	FIRST READING
	05/08/85	43	SECOND READING
	05/16/85	80	THIRD READING
	06/27/85	115	CONCURRENCE
SB-0823	04/11/85	12	FIRST READING
	05/08/85	43	SECOND READING
	05/16/85	80	THIRD READING
SB-0824	04/11/85	12	FIRST READING
	05/14/85	58	SECOND READING
	05/15/85	222	THIRD READING
SB-0825	04/11/85	12	FIRST READING
	05/14/85	58	SECOND READING
	05/15/85	223	THIRD READING
	06/28/85	97	CONCURRENCE
SB-0826	04/11/85	12	FIRST READING
	05/08/85	43	SECOND READING
	05/16/85	80	THIRD READING
SB-0827	04/11/85	12	FIRST READING
	05/08/85	45	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0827(cont'd)	05/16/85	80	THIRD READING
SB-0828	04/11/85	12	FIRST READING
	05/08/85	45	SECOND READING
	05/16/85	80	THIRD READING
	06/28/85	97	CONCURRENCE
SB-0829	04/11/85	12	FIRST READING
	05/08/85	46	SECOND READING
	05/16/85	80	THIRD READING
	06/27/85	120	CONCURRENCE
	10/16/85	131	VETO MESSAGE
SB-0830	04/11/85	13	FIRST READING
	05/08/85	47	SECOND READING
	05/16/85	80	THIRD READING
	05/17/85	107	SECOND READING
	06/27/85	121	NON-CONCURRENCE
	07/02/85	159	CONFERENCE
SB-0831	04/11/85	13	FIRST READING
	05/08/85	47	SECOND READING
	05/16/85	80	THIRD READING
	06/27/85	122	CONCURRENCE
SB-0832	04/11/85	13	FIRST READING
	05/01/85	16	TABLED
SB-0833	04/11/85	13	FIRST READING
	05/08/85	48	SECOND READING
	05/21/85	49	RECALLED
	05/23/85	265	THIRD READING
SB-0834	04/11/85	13	FIRST READING
	05/08/85	48	SECOND READING
	05/16/85	80	THIRD READING
	06/28/85	98	NON-CONCURRENCE
	07/01/85	46	CONFERENCE
	10/16/85	132	VETO MESSAGE
SB-0835	04/11/85	13	FIRST READING
	05/08/85	49	SECOND READING
	05/15/85	12	RECALLED
	05/22/85	16	RECALLED
	05/23/85	266	THIRD READING
	06/28/85	99	CONCURRENCE
SB-0836	04/11/85	13	FIRST READING
	05/08/85	50	SECOND READING
	05/23/85	267	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0837	04/11/85	13	FIRST READING
SB-0838	04/11/85	13	FIRST READING
	05/08/85	52	SECOND READING
	05/16/85	80	THIRD READING
SB-0839	04/11/85	13	FIRST READING
	05/08/85	52	SECOND READING
	05/16/85	80	THIRD READING
SB-0840	04/11/85	13	FIRST READING
	05/08/85	53	SECOND READING
	05/16/85	80	THIRD READING
	06/27/85	123	CONCURRENCE
SB-0841	04/11/85	13	FIRST READING
	05/08/85	53	SECOND READING
	05/16/85	80	THIRD READING
SB-0842	04/11/85	13	FIRST READING
SB-0843	04/11/85	13	FIRST READING
	05/08/85	53	OUT OF RECORD
	05/08/85	64	SECOND READING
	05/16/85	81	THIRD READING
SB-0844	04/11/85	13	FIRST READING
	05/08/85	54	SECOND READING
	05/16/85	81	THIRD READING
	06/28/85	100	CONCURRENCE
	10/16/85	78	VETO MESSAGE
SB-0845	04/11/85	13	FIRST READING
	05/16/85	81	THIRD READING
SB-0846	04/11/85	14	FIRST READING
	05/08/85	55	SECOND READING
SB-0847	04/11/85	14	FIRST READING
	05/08/85	55	SECOND READING
	05/16/85	81	THIRD READING
	06/29/85	30	NON-CONCURRENCE
	07/02/85	29	CONFERENCE
	10/31/85	22	CONFERENCE
SB-0848	04/11/85	14	FIRST READING
	05/23/85	373	SECOND READING
	05/24/85	308	THIRD READING
SB-0849	04/11/85	14	FIRST READING
	05/08/85	55	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0849(cont'd)	05/21/85	50	RECALLED
	05/23/85	268	THIRD READING
SB-0850	04/11/85	14	FIRST READING
	05/08/85	56	SECOND READING
	05/16/85	81	THIRD READING
SB-0851	04/11/85	14	FIRST READING
	05/08/85	56	SECOND READING
	05/16/85	81	THIRD READING
SB-0852	04/11/85	14	FIRST READING
SB-0853	04/11/85	14	FIRST READING
	05/08/85	57	SECOND READING
	05/16/85	81	THIRD READING
	06/27/85	123	CONCURRENCE
SB-0854	04/11/85	14	FIRST READING
	05/14/85	60	SECOND READING
	05/15/85	227	THIRD READING
SB-0855	04/11/85	14	FIRST READING
	05/08/85	57	SECOND READING
	05/16/85	81	THIRD READING
SB-0856	04/11/85	14	FIRST READING
	05/08/85	57	SECOND READING
	05/16/85	81	THIRD READING
	06/27/85	124	NON-CONCURRENCE
	06/30/85	102	CONFERENCE
	10/16/85	79	VETO MESSAGE
SB-0857	04/11/85	14	FIRST READING
	05/08/85	59	SECOND READING
	05/16/85	81	THIRD READING
SB-0858	04/11/85	14	FIRST READING
	05/08/85	59	SECOND READING
	05/16/85	81	THIRD READING
SB-0859	04/11/85	14	FIRST READING
	05/08/85	60	SECOND READING
	05/15/85	228	THIRD READING
	06/27/85	127	NON-CONCURRENCE
	06/30/85	107	CONFERENCE
SB-0860	04/11/85	14	FIRST READING
	05/08/85	60	SECOND READING
	05/15/85	229	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0861	04/11/85	14	FIRST READING
	05/08/85	60	SECOND READING
	05/15/85	230	THIRD READING
	06/27/85	127	CONCURRENCE
SB-0862	04/11/85	14	FIRST READING
	05/08/85	61	SECOND READING
	05/16/85	81	THIRD READING
	06/27/85	128	CONCURRENCE
SB-0863	04/11/85	15	FIRST READING
	05/20/85	93	SECOND READING
	05/29/85	45	THIRD READING
SB-0864	04/11/85	15	FIRST READING
	05/08/85	61	SECOND READING
	05/16/85	81	THIRD READING
	06/27/85	129	CONCURRENCE
	10/16/85	80	VETO MESSAGE
SB-0865	04/11/85	15	FIRST READING
	05/08/85	62	SECOND READING
	05/16/85	81	THIRD READING
	06/28/85	101	CONCURRENCE
SB-0866	04/11/85	15	FIRST READING
	05/08/85	65	SECOND READING
	05/16/85	81	THIRD READING
	10/16/85	133	VETO MESSAGE
SB-0867	04/11/85	15	FIRST READING
SB-0868	04/11/85	15	FIRST READING
	05/17/85	108	SECOND READING
SB-0869	04/11/85	15	FIRST READING
	05/08/85	63	SECOND READING
	05/16/85	81	THIRD READING
SB-0870	04/11/85	15	FIRST READING
	05/17/85	109	SECOND READING
	05/23/85	269	THIRD READING
SB-0871	04/11/85	15	FIRST READING
	05/08/85	68	SECOND READING
	05/16/85	81	THIRD READING
SB-0872	04/11/85	15	FIRST READING
	05/08/85	63	SECOND READING
	05/16/85	82	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0873	04/11/85	15	FIRST READING
	05/08/85	67	SECOND READING
	05/16/85	15	RECALLED
	05/23/85	270	THIRD READING
SB-0874	04/11/85	15	FIRST READING
	05/08/85	66	SECOND READING
	05/16/85	82	THIRD READING
SB-0875	04/11/85	15	FIRST READING
	05/17/85	109	SECOND READING
	05/23/85	270	THIRD READING
	06/27/85	132	CONCURRENCE
SB-0876	04/11/85	15	FIRST READING
	05/08/85	64	SECOND READING
	05/16/85	82	THIRD READING
SB-0877	04/11/85	15	FIRST READING
	05/08/85	66	SECOND READING
	05/16/85	82	THIRD READING
SB-0878	04/11/85	16	FIRST READING
	05/08/85	67	SECOND READING
	05/16/85	82	THIRD READING
SB-0879	04/11/85	16	FIRST READING
	05/08/85	68	SECOND READING
	05/16/85	82	THIRD READING
	06/27/85	135	NON-CONCURRENCE
	03/05/86	8	CONFERENCE
	03/05/86	29	CONFERENCE
SB-0880	04/11/85	16	FIRST READING
	05/08/85	69	SECOND READING
	05/16/85	82	THIRD READING
SB-0881	04/11/85	16	FIRST READING
SB-0882	04/11/85	16	FIRST READING
	05/08/85	69	SECOND READING
	05/16/85	21	THIRD READING
	06/28/85	102	NON-CONCURRENCE
	06/30/85	109	CONFERENCE
	10/31/85	65	CONFERENCE
SB-0883	04/11/85	16	FIRST READING
	05/08/85	70	SECOND READING
	05/16/85	22	THIRD READING
SB-0884	04/11/85	16	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0884(cont'd)	05/08/85	70	SECOND READING
	05/16/85	82	THIRD READING
	06/28/85	102	CONCURRENCE
SB-0885	04/11/85	16	FIRST READING
SB-0886	04/11/85	16	FIRST READING
	05/02/85	6	TABLED
SB-0887	04/11/85	16	FIRST READING
	05/08/85	71	SECOND READING
	05/16/85	23	THIRD READING
	06/27/85	135	CONCURRENCE
	10/16/85	28	VETO MESSAGE
SB-0888	04/11/85	16	FIRST READING
SB-0889	04/11/85	16	FIRST READING
	05/08/85	71	SECOND READING
	05/16/85	26	THIRD READING
SB-0890	04/11/85	16	FIRST READING
	05/08/85	72	SECOND READING
	05/16/85	28	THIRD READING
	10/16/85	36	VETO MESSAGE
SB-0891	04/11/85	16	FIRST READING
	05/08/85	73	SECOND READING
	05/16/85	82	THIRD READING
	06/27/85	144	CONCURRENCE
SB-0892	04/11/85	16	FIRST READING
	05/08/85	74	SECOND READING
	05/16/85	82	THIRD READING
	06/27/85	145	NON-CONCURRENCE
SB-0893	04/11/85	16	FIRST READING
	05/14/85	60	SECOND READING
	05/16/85	29	THIRD READING
	07/01/85	74	NON-CONCURRENCE
	07/02/85	135	CONFERENCE
SB-0894	04/11/85	17	FIRST READING
	05/14/85	62	SECOND READING
	05/16/85	30	THIRD READING
SB-0895	04/11/85	17	FIRST READING
	05/08/85	75	SECOND READING
	05/16/85	82	THIRD READING
SB-0896	04/11/85	17	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0896 (cont'd)	05/08/85	75	SECOND READING
	05/16/85	82	THIRD READING
	06/28/85	103	CONCURRENCE
SB-0897	04/11/85	17	FIRST READING
	05/08/85	76	SECOND READING
	05/16/85	82	THIRD READING
	10/16/85	134	VETO MESSAGE
SB-0898	04/11/85	17	FIRST READING
	05/08/85	77	SECOND READING
	05/15/85	241	TABLED
SB-0899	04/11/85	17	FIRST READING
	05/14/85	64	SECOND READING
	05/16/85	31	THIRD READING
SB-0900	04/11/85	17	FIRST READING
	05/08/85	78	SECOND READING
	05/16/85	82	THIRD READING
SB-0901	04/11/85	17	FIRST READING
	05/08/85	78	SECOND READING
	05/16/85	82	THIRD READING
SB-0902	04/11/85	17	FIRST READING
	05/08/85	78	SECOND READING
	05/16/85	82	THIRD READING
SB-0903	04/11/85	17	FIRST READING
	05/08/85	79	SECOND READING
	05/16/85	82	THIRD READING
	06/27/85	145	CONCURRENCE
SB-0904	04/11/85	17	FIRST READING
SB-0905	04/11/85	18	FIRST READING
	05/14/85	64	SECOND READING
	05/16/85	31	DISCUSSED AND POSTPONED
SB-0906	04/11/85	18	FIRST READING
	05/08/85	79	SECOND READING
	05/16/85	83	THIRD READING
SB-0907	04/11/85	18	FIRST READING
	05/14/85	68	SECOND READING
	05/16/85	41	THIRD READING
	10/31/85	98	CONCURRENCE
SB-0908	04/11/85	18	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0909	04/11/85	18	FIRST READING
	05/08/85	79	SECOND READING
	05/16/85	83	THIRD READING
SB-0910	04/11/85	18	FIRST READING
	05/08/85	80	SECOND READING
	05/17/85	17	RECALLED
	05/24/85	309	OTHER
SB-0911	04/11/85	18	FIRST READING
	05/17/85	110	SECOND READING
	05/21/85	51	RECALLED
	05/23/85	271	THIRD READING
SB-0912	04/11/85	18	FIRST READING
	05/14/85	69	SECOND READING
	05/16/85	42	THIRD READING
SB-0913	04/11/85	18	FIRST READING
	05/17/85	111	SECOND READING
	05/23/85	273	THIRD READING
	10/31/85	113	CONCURRENCE
SB-0914	04/11/85	18	FIRST READING
	05/17/85	111	SECOND READING
	05/23/85	273	THIRD READING
SB-0915	04/11/85	18	FIRST READING
	05/17/85	112	SECOND READING
	05/22/85	230	RECALLED
	05/23/85	276	THIRD READING
	10/16/85	38	VETO MESSAGE
SB-0916	04/11/85	18	FIRST READING
	05/14/86	8	SECOND READING
	05/22/86	302	RECALLED
	05/23/86	142	THIRD READING
SB-0917	04/11/85	18	FIRST READING
	04/24/85	8	TABLED
SB-0918	04/11/85	18	FIRST READING
SB-0919	04/11/85	18	FIRST READING
SB-0920	04/11/85	19	FIRST READING
	05/08/85	81	SECOND READING
	05/16/85	83	THIRD READING
SB-0921	04/11/85	19	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0922	04/11/85	19	FIRST READING
SB-0923	04/11/85	19	FIRST READING
SB-0924	04/11/85	19	FIRST READING
	05/08/85	81	SECOND READING
	05/16/85	43	THIRD READING
SB-0925	04/11/85	19	FIRST READING
	05/14/85	70	SECOND READING
	05/16/85	49	THIRD READING
	06/28/85	105	NON-CONCURRENCE
	07/03/85	20	CONFERENCE
SB-0926	04/11/85	19	FIRST READING
SB-0927	04/11/85	19	FIRST READING
SB-0928	04/11/85	19	FIRST READING
SB-0929	04/11/85	19	FIRST READING
SB-0930	04/11/85	19	FIRST READING
SB-0931	04/11/85	19	FIRST READING
	05/17/85	112	SECOND READING
SB-0932	04/11/85	19	FIRST READING
SB-0933	04/11/85	19	FIRST READING
	05/08/85	82	SECOND READING
	05/16/85	83	THIRD READING
SB-0934	04/11/85	19	FIRST READING
SB-0935	04/11/85	19	FIRST READING
	05/08/85	82	SECOND READING
	05/16/85	83	THIRD READING
SB-0936	04/11/85	20	FIRST READING
	05/08/85	82	SECOND READING
	05/16/85	83	THIRD READING
SB-0937	04/11/85	20	FIRST READING
	05/08/85	83	SECOND READING
	05/16/85	51	THIRD READING
	06/25/86	72	CONCURRENCE
SB-0938	04/11/85	20	FIRST READING
	05/08/85	84	SECOND READING
	05/24/85	309	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0939	04/11/85	20	FIRST READING
	05/08/85	84	SECOND READING
	05/16/85	83	THIRD READING
SB-0940	04/11/85	20	FIRST READING
	05/08/85	85	SECOND READING
	05/16/85	52	THIRD READING
SB-0941	04/11/85	20	FIRST READING
	05/08/85	85	SECOND READING
	05/08/85	86	RECALLED
	05/16/85	83	THIRD READING
SB-0942	04/11/85	20	FIRST READING
	05/08/85	87	SECOND READING
	05/16/85	83	THIRD READING
SB-0943	04/11/85	20	FIRST READING
	05/14/85	71	SECOND READING
	05/16/85	55	THIRD READING
	06/25/86	76	CONCURRENCE
SB-0944	04/11/85	20	FIRST READING
	05/08/85	87	SECOND READING
	05/16/85	83	THIRD READING
	06/27/85	146	DISCUSSED AND POSTPONED
	06/30/85	37	NON-CONCURRENCE
	07/02/85	167	CONFERENCE
SB-0945	04/11/85	20	FIRST READING
SB-0946	04/11/85	20	FIRST READING
SB-0947	04/11/85	20	FIRST READING
	05/08/85	87	SECOND READING
	05/16/85	83	THIRD READING
SB-0948	04/11/85	20	FIRST READING
SB-0949	04/11/85	20	FIRST READING
	05/17/85	113	SECOND READING
	05/22/85	17	RECALLED
	05/23/85	277	THIRD READING
SB-0950	04/11/85	20	FIRST READING
SB-0951	04/11/85	20	FIRST READING
	05/08/85	88	SECOND READING
	05/16/85	56	THIRD READING
SB-0952	04/11/85	20	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0953	04/11/85	21	FIRST READING
SB-0954	04/11/85	21	FIRST READING
	05/08/85	88	SECOND READING
	05/16/85	83	THIRD READING
	06/27/85	148	DISCUSSED AND POSTPONED
	06/30/85	39	CONCURRENCE
SB-0955	04/11/85	21	FIRST READING
SB-0956	04/11/85	21	FIRST READING
	05/08/85	88	SECOND READING
	05/16/85	83	THIRD READING
	06/28/85	105	CONCURRENCE
SB-0957	04/11/85	21	FIRST READING
	05/08/85	89	SECOND READING
	05/23/85	282	THIRD READING
	06/28/85	106	CONCURRENCE
	10/16/85	100	VETO MESSAGE
SB-0958	04/11/85	21	FIRST READING
SB-0959	04/11/85	21	FIRST READING
SB-0960	04/11/85	21	FIRST READING
SB-0961	04/11/85	21	FIRST READING
SB-0962	04/11/85	21	FIRST READING
SB-0963	04/11/85	21	FIRST READING
SB-0964	04/11/85	21	FIRST READING
SB-0965	04/11/85	21	FIRST READING
SB-0966	04/11/85	21	FIRST READING
SB-0967	04/11/85	21	FIRST READING
SB-0968	04/11/85	21	FIRST READING
SB-0969	04/11/85	21	FIRST READING
SB-0970	04/11/85	22	FIRST READING
	05/14/85	71	SECOND READING
	05/16/85	91	THIRD READING
	06/30/85	10	CONCURRENCE
SB-0971	04/11/85	22	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0971 (cont'd)	05/08/85	90	SECOND READING
	05/16/85	95	DISCUSSED AND POSTPONED
	05/21/85	78	RECALLED
SB-0972	04/11/85	22	FIRST READING
	05/08/85	90	SECOND READING
	05/16/85	83	THIRD READING
SB-0973	04/11/85	22	FIRST READING
SB-0974	04/11/85	22	FIRST READING
	05/08/85	91	SECOND READING
	05/16/85	16	RECALLED
	05/23/85	287	THIRD READING
SB-0975	04/11/85	22	FIRST READING
SB-0976	04/11/85	22	FIRST READING
	05/08/85	90	SECOND READING
	05/16/85	83	THIRD READING
SB-0977	04/11/85	22	FIRST READING
	05/08/85	91	SECOND READING
	05/16/85	84	THIRD READING
SB-0978	04/11/85	22	FIRST READING
	05/17/85	113	SECOND READING
SB-0979	04/11/85	22	FIRST READING
SB-0980	04/11/85	22	FIRST READING
SB-0981	04/11/85	22	FIRST READING
	05/03/85	6	TABLED
SB-0982	04/11/85	22	FIRST READING
	05/08/85	91	SECOND READING
	05/16/85	84	THIRD READING
	06/27/85	152	CONCURRENCE
SB-0983	04/11/85	22	FIRST READING
	05/08/85	92	SECOND READING
	05/16/85	84	THIRD READING
SB-0984	04/11/85	22	FIRST READING
	05/08/85	92	SECOND READING
	05/16/85	84	THIRD READING
	06/27/85	153	NON-CONCURRENCE
	07/02/85	82	CONFERENCE
SB-0985	04/11/85	22	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0985 (cont'd)	05/03/85	6	TABLED
SB-0986	04/11/85	22	FIRST READING
	05/17/85	113	SECOND READING
	05/23/85	288	THIRD READING
SB-0987	04/11/85	23	FIRST READING
SB-0988	04/11/85	23	FIRST READING
	05/08/85	93	SECOND READING
	05/23/85	289	THIRD READING
SB-0989	04/11/85	23	FIRST READING
	05/17/85	114	SECOND READING
SB-0990	04/11/85	23	FIRST READING
SB-0991	04/11/85	23	FIRST READING
SB-0992	04/11/85	23	FIRST READING
	05/08/85	93	SECOND READING
	05/16/85	84	THIRD READING
	06/27/85	158	CONCURRENCE
SB-0993	04/11/85	23	FIRST READING
	05/08/85	94	SECOND READING
	05/16/85	84	THIRD READING
	06/28/85	107	CONCURRENCE
SB-0994	04/11/85	23	FIRST READING
	10/15/85	7	MOTION
	10/16/85	143	SECOND READING
	10/17/85	37	RECALLED
	10/17/85	41	THIRD READING
	01/08/86	7	CONCURRENCE
	02/10/86	10	CONCURRENCE
	03/05/86	31	CONFERENCE
SB-0995	04/11/85	23	FIRST READING
	05/08/85	94	SECOND READING
	05/16/85	84	THIRD READING
SB-0996	04/11/85	23	FIRST READING
SB-0997	04/11/85	23	FIRST READING
	05/17/85	119	SECOND READING
	05/21/85	57	RECALLED
	05/23/85	291	THIRD READING
	06/27/85	158	CONCURRENCE
SB-0998	04/11/85	23	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-0998 (cont'd)	05/14/85	72	SECOND READING
	05/23/85	292	THIRD READING
SB-0999	04/11/85	23	FIRST READING
SB-1000	04/11/85	23	FIRST READING
	05/14/85	73	SECOND READING
SB-1001	04/11/85	23	FIRST READING
SB-1002	04/11/85	23	FIRST READING
	05/08/85	95	SECOND READING
	05/16/85	84	THIRD READING
SB-1003	04/11/85	23	FIRST READING
	05/08/85	95	SECOND READING
	05/16/85	84	THIRD READING
SB-1004	04/11/85	24	FIRST READING
	05/17/85	121	SECOND READING
	05/23/85	293	THIRD READING
	06/28/85	108	NON-CONCURRENCE
	12/05/86	55	CONFERENCE
SB-1005	04/11/85	24	FIRST READING
	05/17/85	122	SECOND READING
	05/23/85	294	THIRD READING
SB-1006	04/11/85	24	FIRST READING
SB-1007	04/11/85	24	FIRST READING
	05/08/85	95	SECOND READING
	05/16/85	84	THIRD READING
SB-1008	04/11/85	24	FIRST READING
	05/17/85	123	SECOND READING
	05/23/85	295	THIRD READING
SB-1009	04/11/85	54	FIRST READING
	05/17/85	123	SECOND READING
	05/23/85	296	THIRD READING
SB-1010	04/11/85	54	FIRST READING
	05/14/85	75	SECOND READING
	05/16/85	19	RECALLED
	05/23/85	297	THIRD READING
	06/29/85	32	NON-CONCURRENCE
	03/05/86	9	CONCURRENCE
	12/05/86	56	CONFERENCE
SB-1011	04/11/85	54	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1012	04/11/85	54	FIRST READING
SB-1013	04/11/85	54	FIRST READING
	05/17/85	124	SECOND READING
SB-1014	04/11/85	54	FIRST READING
	05/08/85	96	SECOND READING
	05/16/85	103	THIRD READING
	06/27/85	159	CONCURRENCE
SB-1015	04/11/85	55	FIRST READING
SB-1016	04/11/85	55	FIRST READING
SB-1017	04/11/85	55	FIRST READING
SB-1018	04/11/85	55	FIRST READING
	05/08/85	97	SECOND READING
	05/16/85	84	THIRD READING
SB-1019	04/11/85	55	FIRST READING
	05/17/85	124	SECOND READING
	05/23/85	315	THIRD READING
SB-1020	04/11/85	55	FIRST READING
SB-1021	04/11/85	55	FIRST READING
	05/14/85	75	SECOND READING
	05/21/85	83	RECALLED
	05/23/85	317	THIRD READING
	06/30/85	11	CONCURRENCE
SB-1022	04/11/85	55	FIRST READING
SB-1023	04/11/85	55	FIRST READING
SB-1024	04/11/85	55	FIRST READING
SB-1025	04/11/85	55	FIRST READING
SB-1026	04/11/85	55	FIRST READING
SB-1027	04/11/85	55	FIRST READING
SB-1028	04/11/85	55	FIRST READING
SB-1029	04/11/85	55	FIRST READING
	05/08/85	97	SECOND READING
	05/22/85	228	RECALLED
	05/23/85	348	THIRD READING
	06/27/85	160	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1029(cont'd)	10/16/85	135	VETO MESSAGE
SB-1030	04/11/85	55	FIRST READING
	05/14/85	82	SECOND READING
	05/16/85	104	THIRD READING
SB-1031	04/11/85	55	FIRST READING
	05/17/85	125	SECOND READING
	05/23/85	376	SECOND READING
	05/24/85	310	THIRD READING
SB-1032	04/11/85	56	FIRST READING
	05/14/85	86	SECOND READING
	05/23/85	349	THIRD READING
	10/16/85	39	VETO MESSAGE
SB-1033	04/11/85	56	FIRST READING
	05/20/85	94	SECOND READING
	05/29/85	46	THIRD READING
SB-1034	04/11/85	56	FIRST READING
SB-1035	04/11/85	56	FIRST READING
	05/14/85	87	SECOND READING
	05/23/85	352	THIRD READING
SB-1036	04/11/85	56	FIRST READING
	05/14/85	87	SECOND READING
	05/23/85	353	THIRD READING
	11/14/85	33	CONCURRENCE
SB-1037	04/11/85	56	FIRST READING
	05/22/85	229	RECALLED
	05/23/85	354	THIRD READING
	06/28/85	108	NON-CONCURRENCE
	10/30/85	120	CONFERENCE
	01/08/86	12	CONFERENCE
SB-1038	04/11/85	56	FIRST READING
SB-1039	04/11/85	56	FIRST READING
	05/17/85	126	SECOND READING
	05/23/85	357	THIRD READING
SB-1040	04/11/85	56	FIRST READING
SB-1041	04/11/85	56	FIRST READING
	05/08/85	98	SECOND READING
	05/16/85	84	THIRD READING
	06/27/85	161	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1042	04/11/85	56	FIRST READING
SB-1043	04/11/85	57	FIRST READING
	05/17/85	126	SECOND READING
	05/23/85	358	TABLED
SB-1044	04/12/85	2	FIRST READING
	05/08/85	98	SECOND READING
	05/16/85	84	THIRD READING
SB-1045	04/12/85	2	FIRST READING
SB-1046	04/12/85	2	FIRST READING
	05/08/85	99	SECOND READING
	05/16/85	84	THIRD READING
SB-1047	04/12/85	2	FIRST READING
	05/08/85	100	SECOND READING
	05/16/85	106	THIRD READING
	06/27/85	161	CONCURRENCE
SB-1048	04/12/85	2	FIRST READING
	05/08/85	100	SECOND READING
	05/15/85	13	RECALLED
	05/16/85	107	THIRD READING
SB-1049	04/12/85	2	FIRST READING
SB-1050	04/12/85	2	FIRST READING
	05/08/85	101	SECOND READING
	05/16/85	108	THIRD READING
SB-1051	04/12/85	2	FIRST READING
	05/08/85	102	SECOND READING
	05/16/85	84	THIRD READING
	06/27/85	165	CONCURRENCE
SB-1052	04/12/85	2	FIRST READING
	05/08/85	102	SECOND READING
	05/16/85	84	THIRD READING
	06/28/85	109	CONCURRENCE
	10/16/85	81	VETO MESSAGE
SB-1053	04/12/85	2	FIRST READING
	05/14/85	88	SECOND READING
	05/16/85	109	THIRD READING
	06/27/85	166	CONCURRENCE
SB-1054	04/12/85	2	FIRST READING
	04/24/85	12	TABLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-1055	04/12/85	2	FIRST READING
	05/14/85	88	SECOND READING
	05/23/85	358	THIRD READING
	06/28/85	110	CONCURRENCE
SB-1056	04/12/85	2	FIRST READING
	05/14/85	88	SECOND READING
	05/23/85	359	THIRD READING
	06/28/85	110	CONCURRENCE
SB-1057	04/12/85	2	FIRST READING
SB-1058	04/12/85	2	FIRST READING
	04/24/85	12	TABLED
SB-1059	04/12/85	3	FIRST READING
	04/25/85	4	TABLED
SB-1060	04/12/85	3	FIRST READING
	05/08/85	104	SECOND READING
	05/16/85	84	THIRD READING
SB-1061	04/12/85	3	FIRST READING
SB-1062	04/12/85	3	FIRST READING
	05/14/85	89	SECOND READING
SB-1063	04/12/85	3	FIRST READING
	05/14/85	89	SECOND READING
	05/21/85	58	RECALLED
	05/23/85	359	THIRD READING
	06/25/86	76	CONCURRENCE
SB-1064	04/12/85	3	FIRST READING
	05/08/85	103	SECOND READING
	05/16/85	85	THIRD READING
	06/27/85	167	NON-CONCURRENCE
	04/03/86	6	CONFERENCE
SB-1065	04/12/85	3	FIRST READING
	05/08/85	103	SECOND READING
	05/16/85	85	THIRD READING
SB-1066	04/12/85	3	FIRST READING
SB-1067	04/12/85	3	FIRST READING
SB-1068	04/12/85	3	FIRST READING
	05/08/85	103	SECOND READING
	05/17/85	7	RECALLED
	05/23/85	364	DISCUSSED AND POSTPONED

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BILL NUMBER	DATE	PAGE	ACTION
SB-1069	04/12/85	3	FIRST READING
SB-1070	04/12/85	3	FIRST READING
	05/08/85	104	SECOND READING
	05/23/85	372	TABLED
SB-1071	04/12/85	3	FIRST READING
SB-1072	04/12/85	3	FIRST READING
	05/08/85	107	SECOND READING
	05/23/85	372	TABLED
SB-1073	04/12/85	3	FIRST READING
	05/20/85	124	SECOND READING
	05/24/85	7	THIRD READING
SB-1074	04/12/85	3	FIRST READING
	05/14/85	90	SECOND READING
	05/21/85	67	RECALLED
	05/24/85	7	THIRD READING
SB-1075	04/12/85	3	FIRST READING
SB-1076	04/12/85	4	FIRST READING
SB-1077	04/12/85	4	FIRST READING
	05/08/85	107	SECOND READING
	05/16/85	85	THIRD READING
	06/28/85	111	NON-CONCURRENCE
SB-1078	04/12/85	4	FIRST READING
SB-1079	04/12/85	4	FIRST READING
	05/08/85	107	SECOND READING
	05/16/85	111	THIRD READING
SB-1080	04/12/85	4	FIRST READING
	05/08/85	108	SECOND READING
	05/16/85	111	THIRD READING
SB-1081	04/12/85	4	FIRST READING
	06/19/86	159	RESOLUTION OFFERED
SB-1082	04/12/85	4	FIRST READING
	05/08/85	108	SECOND READING
	05/16/85	85	THIRD READING
	06/19/86	160	RESOLUTION OFFERED
SB-1083	04/12/85	4	FIRST READING
	05/17/85	126	SECOND READING
	05/24/85	9	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1083(cont'd)	06/19/86	160	RESOLUTION OFFERED
SB-1084	04/12/85	4	FIRST READING
	05/08/85	104	SECOND READING
	05/16/85	85	THIRD READING
	06/27/85	170	CONCURRENCE
	06/19/86	160	RESOLUTION OFFERED
SB-1085	04/12/85	4	FIRST READING
	05/08/85	105	SECOND READING
	05/16/85	85	THIRD READING
	06/19/86	160	RESOLUTION OFFERED
SB-1086	04/12/85	5	FIRST READING
	05/08/85	105	SECOND READING
	05/22/85	274	RECALLED
	06/19/86	160	RESOLUTION OFFERED
SB-1087	04/12/85	5	FIRST READING
	06/19/86	160	RESOLUTION OFFERED
SB-1088	04/12/85	5	FIRST READING
	06/19/86	160	RESOLUTION OFFERED
SB-1089	04/12/85	5	FIRST READING
	06/19/86	160	RESOLUTION OFFERED
SB-1090	04/12/85	5	FIRST READING
	05/08/85	105	SECOND READING
	05/16/85	85	THIRD READING
	06/27/85	171	CONCURRENCE
	06/19/86	160	RESOLUTION OFFERED
SB-1091	04/12/85	5	FIRST READING
	05/08/85	106	SECOND READING
	05/16/85	85	THIRD READING
	06/27/85	171	NON-CONCURRENCE
SB-1092	04/12/85	5	FIRST READING
SB-1093	04/12/85	5	FIRST READING
	05/08/85	111	SECOND READING
	05/16/85	85	THIRD READING
SB-1094	04/12/85	5	FIRST READING
SB-1095	04/12/85	5	FIRST READING
	05/08/85	112	SECOND READING
	05/16/85	85	THIRD READING
	06/28/85	6	NON-CONCURRENCE
	07/03/85	61	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1095(cont'd)	07/03/85	82	CONFERENCE
SB-1096	04/12/85	5	FIRST READING
	05/08/85	112	SECOND READING
	05/16/85	85	THIRD READING
SB-1097	04/12/85	5	FIRST READING
SB-1098	04/12/85	5	FIRST READING
	05/08/85	113	SECOND READING
	05/16/85	112	THIRD READING
SB-1099	04/12/85	5	FIRST READING
	05/17/85	127	OUT OF RECORD
	05/20/85	125	SECOND READING
	05/24/85	10	THIRD READING
SB-1100	04/12/85	5	FIRST READING
SB-1101	04/12/85	5	FIRST READING
	05/08/85	114	SECOND READING
	05/24/85	14	THIRD READING
SB-1102	04/12/85	5	FIRST READING
	05/08/85	114	SECOND READING
	05/16/85	85	THIRD READING
	06/29/85	31	CONCURRENCE
SB-1103	04/12/85	6	FIRST READING
	05/08/85	130	SECOND READING
	05/16/85	85	THIRD READING
	06/28/85	6	NON-CONCURRENCE
	06/29/85	31	CONCURRENCE
SB-1104	04/12/85	6	FIRST READING
	05/08/85	116	SECOND READING
	05/16/85	85	THIRD READING
SB-1105	04/12/85	6	FIRST READING
	05/17/85	128	SECOND READING
	05/24/85	19	THIRD READING
SB-1106	04/12/85	6	FIRST READING
	05/08/85	116	SECOND READING
	05/16/85	85	THIRD READING
SB-1107	04/12/85	6	FIRST READING
SB-1108	04/12/85	6	FIRST READING
SB-1109	04/12/85	6	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1110	04/12/85	6	FIRST READING
	05/08/85	117	SECOND READING
	05/16/85	85	THIRD READING
SB-1111	04/12/85	6	FIRST READING
	05/14/85	93	SECOND READING
	05/16/85	122	THIRD READING
	06/28/85	13	NON-CONCURRENCE
	07/02/85	69	CONFERENCE
SB-1112	04/12/85	6	FIRST READING
	05/20/85	95	SECOND READING
	05/24/85	21	THIRD READING
SB-1113	04/12/85	6	FIRST READING
SB-1114	04/12/85	6	FIRST READING
SB-1115	04/12/85	6	FIRST READING
	05/08/85	117	SECOND READING
	05/16/85	85	THIRD READING
SB-1116	04/12/85	6	FIRST READING
SB-1117	04/12/85	6	FIRST READING
SB-1118	04/12/85	6	FIRST READING
SB-1119	04/12/85	7	FIRST READING
	05/08/85	118	SECOND READING
	05/16/85	126	THIRD READING
SB-1120	04/12/85	7	FIRST READING
SB-1121	04/12/85	7	FIRST READING
	05/08/85	118	SECOND READING
	05/16/85	86	THIRD READING
	06/28/85	14	CONCURRENCE
SB-1122	04/12/85	7	FIRST READING
SB-1123	04/12/85	7	FIRST READING
	05/08/85	119	SECOND READING
	05/16/85	86	THIRD READING
SB-1124	04/12/85	7	FIRST READING
	05/08/85	119	SECOND READING
	05/16/85	86	THIRD READING
SB-1125	04/12/85	7	FIRST READING
	05/08/85	119	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1125 (cont'd)	05/16/85	86	THIRD READING
	06/28/85	15	CONCURRENCE
SB-1126	04/12/85	7	FIRST READING
SB-1127	04/12/85	7	FIRST READING
	05/08/85	121	SECOND READING
	05/16/85	86	THIRD READING
SB-1128	04/12/85	7	FIRST READING
SB-1129	04/12/85	7	FIRST READING
	05/08/85	122	SECOND READING
	05/16/85	17	RECALLED
	05/24/85	24	THIRD READING
	06/28/85	16	NON-CONCURRENCE
	10/16/85	44	VETO MESSAGE
	10/17/85	21	VETO MESSAGE
	10/17/85	35	VETO MESSAGE
SB-1130	04/12/85	7	FIRST READING
SB-1131	04/12/85	7	FIRST READING
	05/08/85	124	SECOND READING
	05/24/85	22	THIRD READING
SB-1132	04/12/85	7	FIRST READING
	05/08/85	124	SECOND READING
	05/16/85	86	THIRD READING
	06/28/85	16	NON-CONCURRENCE
	07/01/85	46	CONFERENCE
	10/16/85	82	VETO MESSAGE
SB-1133	04/12/85	8	FIRST READING
	05/08/85	124	SECOND READING
	05/16/85	86	THIRD READING
SB-1134	04/12/85	8	FIRST READING
SB-1135	04/12/85	8	FIRST READING
SB-1136	04/12/85	8	FIRST READING
	05/02/85	10	TABLED
	05/03/85	2	MOTION
	05/17/85	129	SECOND READING
	05/22/85	231	RECALLED
	05/24/85	33	THIRD READING
	10/30/85	61	CONCURRENCE
SB-1137	04/12/85	8	FIRST READING
	05/08/85	125	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1137 (cont'd)	05/16/85	86	THIRD READING
SB-1138	04/12/85	8	FIRST READING
SB-1139	04/12/85	8	FIRST READING
SB-1140	04/12/85	8	FIRST READING
SB-1141	04/12/85	8	FIRST READING
SB-1142	04/12/85	8	FIRST READING
	05/08/85	126	SECOND READING
	05/16/85	86	THIRD READING
	06/28/85	17	CONCURRENCE
SB-1143	04/12/85	8	FIRST READING
	05/08/85	127	SECOND READING
	05/16/85	86	THIRD READING
	06/28/85	17	CONCURRENCE
SB-1144	04/12/85	8	FIRST READING
	05/08/85	127	SECOND READING
	05/17/85	18	RECALLED
	05/24/85	36	THIRD READING
SB-1145	04/12/85	8	FIRST READING
SB-1146	04/12/85	8	FIRST READING
SB-1147	04/12/85	9	FIRST READING
SB-1148	04/12/85	9	FIRST READING
SB-1149	04/12/85	9	FIRST READING
SB-1150	04/12/85	9	FIRST READING
	05/08/85	128	SECOND READING
	05/16/85	86	THIRD READING
SB-1151	04/12/85	9	FIRST READING
	05/08/85	128	SECOND READING
	05/16/85	86	THIRD READING
SB-1152	04/12/85	9	FIRST READING
	05/17/85	130	SECOND READING
	05/22/85	233	RECALLED
	05/24/85	37	THIRD READING
	06/28/85	18	NON-CONCURRENCE
	07/03/85	17	CONFERENCE
	07/03/85	61	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1153	04/12/85	9	FIRST READING
	05/08/85	129	SECOND READING
	05/17/85	19	RECALLED
	05/22/85	30	RECALLED
	05/24/85	38	THIRD READING
SB-1154	04/12/85	9	FIRST READING
SB-1155	04/12/85	9	FIRST READING
SB-1156	04/12/85	9	FIRST READING
	05/08/85	131	SECOND READING
	05/24/85	39	THIRD READING
	06/28/85	19	CONCURRENCE
	10/16/85	83	VETO MESSAGE
SB-1157	04/12/85	9	FIRST READING
SB-1158	04/12/85	9	FIRST READING
SB-1159	04/12/85	9	FIRST READING
	05/08/85	132	SECOND READING
	05/16/85	86	THIRD READING
	10/16/85	138	VETO MESSAGE
SB-1160	04/12/85	9	FIRST READING
	05/17/85	130	SECOND READING
	05/22/85	31	RECALLED
	05/23/85	6	RECALLED
	05/24/85	40	THIRD READING
SB-1161	04/12/85	9	FIRST READING
SB-1162	04/12/85	9	FIRST READING
SB-1163	04/12/85	9	FIRST READING
	05/17/85	130	SECOND READING
	05/24/85	48	THIRD READING
SB-1164	04/12/85	10	FIRST READING
	05/17/85	131	SECOND READING
	05/24/85	49	THIRD READING
	11/18/86	4	CONCURRENCE
	12/05/86	62	CONFERENCE
SB-1165	04/12/85	10	FIRST READING
	05/17/85	132	SECOND READING
	05/24/85	49	THIRD READING
	05/24/85	84	THIRD READING
	06/28/85	19	NON-CONCURRENCE
	07/01/85	48	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1165 (cont'd)	07/02/85	63	CONFERENCE
SB-1166	04/12/85	10	FIRST READING
	05/08/85	132	SECOND READING
	05/16/85	86	THIRD READING
	06/28/85	20	CONCURRENCE
SB-1167	04/12/85	10	FIRST READING
SB-1168	04/12/85	10	FIRST READING
SB-1169	04/12/85	10	FIRST READING
SB-1170	04/12/85	10	FIRST READING
SB-1171	04/12/85	10	FIRST READING
	05/08/85	132	SECOND READING
	05/14/85	94	SECOND READING
	05/16/85	127	THIRD READING
SB-1172	04/12/85	10	FIRST READING
SB-1173	04/12/85	10	FIRST READING
SB-1174	04/12/85	10	FIRST READING
	05/08/85	133	SECOND READING
	05/16/85	86	THIRD READING
SB-1175	04/12/85	10	FIRST READING
SB-1176	04/12/85	10	FIRST READING
SB-1177	04/12/85	10	FIRST READING
SB-1178	04/12/85	10	FIRST READING
SB-1179	04/12/85	11	FIRST READING
SB-1180	04/12/85	11	FIRST READING
	05/08/85	133	SECOND READING
	05/16/85	86	THIRD READING
	06/28/85	21	CONCURRENCE
SB-1181	04/12/85	11	FIRST READING
SB-1182	04/12/85	11	FIRST READING
	05/08/85	133	SECOND READING
	05/16/85	86	THIRD READING
SB-1183	04/12/85	11	FIRST READING
	05/08/85	135	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1183(cont'd)	05/16/85	87	THIRD READING
	06/28/85	22	CONCURRENCE
	10/16/85	84	VETO MESSAGE
SB-1184	04/12/85	11	FIRST READING
	05/08/85	135	SECOND READING
	05/16/85	87	THIRD READING
SB-1185	04/12/85	11	FIRST READING
	05/08/85	136	SECOND READING
	05/16/85	87	THIRD READING
	06/29/85	32	CONCURRENCE
SB-1186	04/12/85	11	FIRST READING
	05/08/85	137	SECOND READING
SB-1187	04/12/85	11	FIRST READING
SB-1188	04/12/85	11	FIRST READING
	05/08/85	138	SECOND READING
	05/16/85	87	THIRD READING
SB-1189	04/12/85	11	FIRST READING
	05/08/85	139	SECOND READING
	05/16/85	87	THIRD READING
	06/28/85	24	NON-CONCURRENCE
	07/02/85	160	CONFERENCE
SB-1190	04/12/85	11	FIRST READING
	05/14/85	96	SECOND READING
	05/16/85	128	THIRD READING
SB-1191	04/12/85	11	FIRST READING
	05/17/85	133	SECOND READING
	05/24/85	50	THIRD READING
SB-1192	04/12/85	11	FIRST READING
	05/17/85	133	SECOND READING
	05/24/85	56	THIRD READING
SB-1193	04/12/85	11	FIRST READING
	05/08/85	139	SECOND READING
	05/16/85	87	THIRD READING
SB-1194	04/12/85	12	FIRST READING
SB-1195	04/12/85	12	FIRST READING
SB-1196	04/12/85	12	FIRST READING
SB-1197	04/12/85	12	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1198	04/12/85	12	FIRST READING
	05/03/85	3	TABLED
SB-1199	04/12/85	12	FIRST READING
SB-1200	04/12/85	12	FIRST READING
	05/23/85	376	SECOND READING
	05/23/85	394	RECALLED
	05/24/85	58	THIRD READING
	06/11/86	5	CONCURRENCE
	06/30/86	76	CONFERENCE
SB-1201	04/12/85	12	FIRST READING
SB-1202	04/12/85	12	FIRST READING
	05/08/85	140	SECOND READING
	05/16/85	87	THIRD READING
	06/28/85	24	CONCURRENCE
SB-1203	04/12/85	12	FIRST READING
SB-1204	04/12/85	12	FIRST READING
	05/08/85	140	SECOND READING
	05/16/85	87	THIRD READING
SB-1205	04/12/85	13	FIRST READING
SB-1206	04/12/85	13	FIRST READING
	05/08/85	141	SECOND READING
	05/16/85	129	THIRD READING
SB-1207	04/12/85	13	FIRST READING
SB-1208	04/12/85	13	FIRST READING
	05/08/85	141	SECOND READING
	05/16/85	130	THIRD READING
SB-1209	04/12/85	13	FIRST READING
SB-1210	04/12/85	13	FIRST READING
	05/08/85	143	SECOND READING
	05/16/85	87	THIRD READING
SB-1211	04/12/85	13	FIRST READING
	05/08/85	143	SECOND READING
	05/08/85	145	RECALLED
	05/24/85	71	THIRD READING
SB-1212	04/12/85	13	FIRST READING
	05/08/85	144	SECOND READING
	05/16/85	87	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1212 (cont'd)	06/29/85	33	CONCURRENCE
SB-1213	04/12/85	13	FIRST READING
	05/08/85	148	SECOND READING
	05/16/85	132	THIRD READING
SB-1214	04/12/85	13	FIRST READING
	05/08/85	148	SECOND READING
	05/16/85	136	THIRD READING
SB-1215	04/12/85	13	FIRST READING
	05/08/85	149	SECOND READING
	05/24/85	76	THIRD READING
SB-1216	04/12/85	13	FIRST READING
	04/25/85	3	TABLED
SB-1217	04/12/85	13	FIRST READING
	05/08/85	149	SECOND READING
	05/16/85	138	THIRD READING
SB-1218	04/12/85	13	FIRST READING
	05/08/85	155	SECOND READING
	05/16/85	139	THIRD READING
	06/29/85	35	CONCURRENCE
SB-1219	04/12/85	13	FIRST READING
SB-1220	04/12/85	13	FIRST READING
	05/08/85	160	SECOND READING
	05/24/85	76	THIRD READING
SB-1221	04/12/85	13	FIRST READING
	05/08/85	161	SECOND READING
	05/24/85	77	THIRD READING
SB-1222	04/12/85	14	FIRST READING
SB-1223	04/12/85	14	FIRST READING
	05/08/85	161	SECOND READING
	05/24/85	78	DISCUSSED AND POSTPONED
SB-1224	04/12/85	14	FIRST READING
	05/08/85	161	SECOND READING
	05/16/85	87	THIRD READING
	06/29/85	36	CONCURRENCE
SB-1225	04/12/85	14	FIRST READING
SB-1226	04/12/85	14	FIRST READING
	05/08/85	162	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1226 (cont'd)	05/16/85	87	THIRD READING
SB-1227	04/12/85	14	FIRST READING
	05/08/85	162	SECOND READING
	05/16/85	141	OUT OF RECORD
	05/24/85	84	THIRD READING
SB-1228	04/12/85	14	FIRST READING
SB-1229	04/12/85	14	FIRST READING
	05/08/85	162	SECOND READING
	05/16/85	87	THIRD READING
SB-1230	04/12/85	14	FIRST READING
SB-1231	04/12/85	14	FIRST READING
	05/08/85	163	SECOND READING
	05/24/85	88	DISCUSSED AND POSTPONED
SB-1232	04/12/85	14	FIRST READING
	05/08/85	163	SECOND READING
	05/16/85	87	THIRD READING
SB-1233	04/12/85	14	FIRST READING
SB-1234	04/12/85	14	FIRST READING
	05/08/85	163	SECOND READING
	05/16/85	87	THIRD READING
SB-1235	04/12/85	14	FIRST READING
SB-1236	04/12/85	14	FIRST READING
	05/08/85	164	SECOND READING
	05/16/85	87	THIRD READING
	06/28/85	25	CONCURRENCE
SB-1237	04/12/85	14	FIRST READING
	05/08/85	164	SECOND READING
	05/16/85	144	THIRD READING
SB-1238	04/12/85	14	FIRST READING
	05/08/85	165	SECOND READING
	05/16/85	87	THIRD READING
SB-1239	04/12/85	15	FIRST READING
	05/17/85	134	SECOND READING
	05/21/85	69	RECALLED
	05/24/85	94	THIRD READING
SB-1240	04/12/85	15	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1241	04/12/85	15	FIRST READING
SB-1242	04/12/85	15	FIRST READING
SB-1243	04/12/85	15	FIRST READING
	05/08/85	166	SECOND READING
	05/16/85	144	THIRD READING
SB-1244	04/12/85	15	FIRST READING
	05/08/85	170	SECOND READING
	05/17/85	134	SECOND READING
	05/24/85	96	THIRD READING
	05/07/86	50	CONCURRENCE
	05/07/86	54	OUT OF RECORD
SB-1245	04/12/85	15	FIRST READING
	05/08/85	171	SECOND READING
	05/16/85	88	THIRD READING
SB-1246	04/12/85	15	FIRST READING
SB-1247	04/12/85	15	FIRST READING
SB-1248	04/12/85	15	FIRST READING
	05/08/85	171	SECOND READING
	05/16/85	88	THIRD READING
SB-1249	04/12/85	15	FIRST READING
	05/08/85	171	SECOND READING
	05/16/85	146	THIRD READING
	01/09/86	2	DISCUSSED AND POSTPONED
	02/10/86	22	POSTPONED CONSIDERATION
SB-1250	04/12/85	15	FIRST READING
	05/17/85	137	SECOND READING
	05/21/85	70	RECALLED
	05/22/85	228	TABLED
SB-1251	04/12/85	15	FIRST READING
SB-1252	04/12/85	15	FIRST READING
SB-1253	04/12/85	15	FIRST READING
SB-1254	04/12/85	15	FIRST READING
SB-1255	04/12/85	15	FIRST READING
SB-1256	04/12/85	16	FIRST READING
	05/08/85	172	SECOND READING
	05/24/85	97	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1257	04/12/85	16	FIRST READING
SB-1258	04/12/85	16	FIRST READING
	05/01/85	18	TABLED
SB-1259	04/12/85	16	FIRST READING
SB-1260	04/12/85	16	FIRST READING
	05/14/85	97	SECOND READING
	05/24/85	97	THIRD READING
	06/28/85	28	CONCURRENCE
SB-1261	04/12/85	16	FIRST READING
SB-1262	04/12/85	16	FIRST READING
	05/08/85	173	SECOND READING
	05/16/85	148	OUT OF RECORD
	05/17/85	22	RECALLED
	05/24/85	98	THIRD READING
SB-1263	04/12/85	16	FIRST READING
	05/20/85	96	SECOND READING
	05/24/85	99	THIRD READING
SB-1264	04/12/85	16	FIRST READING
	05/14/85	99	SECOND READING
	05/16/85	149	THIRD READING
SB-1265	04/12/85	16	FIRST READING
	05/08/85	173	SECOND READING
	05/16/85	88	THIRD READING
SB-1266	04/12/85	16	FIRST READING
	05/08/85	173	SECOND READING
	05/16/85	153	THIRD READING
	06/28/85	29	CONCURRENCE
SB-1267	04/12/85	16	FIRST READING
	05/17/85	137	SECOND READING
	05/24/85	100	THIRD READING
	06/28/85	30	NON-CONCURRENCE
	07/02/85	137	CONFERENCE
SB-1268	04/12/85	16	FIRST READING
SB-1269	04/12/85	16	FIRST READING
SB-1270	04/12/85	16	FIRST READING
SB-1271	04/12/85	17	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1272	04/12/85	17	FIRST READING
	05/14/85	101	SECOND READING
	05/24/85	101	THIRD READING
SB-1273	04/12/85	17	FIRST READING
	05/17/85	138	SECOND READING
	05/17/85	142	RECALLED
	05/24/85	102	THIRD READING
SB-1274	04/12/85	17	FIRST READING
SB-1275	04/12/85	17	FIRST READING
	05/14/85	102	SECOND READING
SB-1276	04/12/85	17	FIRST READING
	05/14/85	102	SECOND READING
SB-1277	04/12/85	17	FIRST READING
SB-1278	04/12/85	17	FIRST READING
	05/14/85	102	SECOND READING
	05/24/85	104	THIRD READING
SB-1279	04/12/85	17	FIRST READING
	05/14/85	103	SECOND READING
	05/17/85	20	RECALLED
	05/24/85	105	THIRD READING
SB-1280	04/12/85	17	FIRST READING
SB-1281	04/12/85	17	FIRST READING
	05/20/85	127	SECOND READING
	05/24/85	106	THIRD READING
SB-1282	04/12/85	17	FIRST READING
SB-1283	04/12/85	17	FIRST READING
	05/08/85	174	SECOND READING
	05/16/85	88	THIRD READING
SB-1284	04/12/85	17	FIRST READING
	05/08/85	174	SECOND READING
	05/16/85	88	THIRD READING
SB-1285	04/12/85	17	FIRST READING
	05/14/85	104	SECOND READING
	05/16/85	155	THIRD READING
SB-1286	04/12/85	17	FIRST READING
	05/08/85	174	SECOND READING
	05/17/85	21	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-1286 (cont'd)	05/24/85	107	THIRD READING
SB-1287	04/12/85	17	FIRST READING
	05/08/85	175	SECOND READING
	05/16/85	88	THIRD READING
	06/28/85	30	NON-CONCURRENCE
	07/02/85	38	CONFERENCE
SB-1288	04/12/85	18	FIRST READING
	05/08/85	175	SECOND READING
	05/16/85	88	THIRD READING
SB-1289	04/12/85	18	FIRST READING
	05/08/85	175	SECOND READING
	05/16/85	88	THIRD READING
	06/28/85	30	NON-CONCURRENCE
	07/02/85	141	CONFERENCE
	10/16/85	135	VETO MESSAGE
SB-1290	04/12/85	18	FIRST READING
	05/08/85	176	SECOND READING
	05/16/85	88	THIRD READING
SB-1291	04/12/85	18	FIRST READING
	05/08/85	176	SECOND READING
	05/16/85	88	THIRD READING
SB-1292	04/12/85	18	FIRST READING
	05/08/85	177	SECOND READING
	05/21/85	68	RECALLED
	05/24/85	107	THIRD READING
	06/28/85	31	CONCURRENCE
SB-1293	04/12/85	18	FIRST READING
	05/08/85	178	SECOND READING
	05/16/85	88	THIRD READING
SB-1294	04/12/85	18	FIRST READING
	05/08/85	179	SECOND READING
	05/16/85	88	THIRD READING
	06/28/85	32	NON-CONCURRENCE
	07/02/85	45	CONFERENCE
SB-1295	04/12/85	18	FIRST READING
	05/08/85	180	SECOND READING
	05/16/85	88	THIRD READING
	06/28/85	32	CONCURRENCE
	10/16/85	136	VETO MESSAGE
SB-1296	04/12/85	18	FIRST READING
	05/08/85	180	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1296 (cont'd)	05/16/85	156	THIRD READING
SB-1297	04/12/85	18	FIRST READING
SB-1298	04/12/85	18	FIRST READING
	05/08/85	181	SECOND READING
	05/16/85	157	THIRD READING
SB-1299	04/12/85	18	FIRST READING
SB-1300	04/12/85	18	FIRST READING
	05/08/85	182	SECOND READING
	05/16/85	158	THIRD READING
SB-1301	04/12/85	19	FIRST READING
SB-1302	04/12/85	19	FIRST READING
	05/08/85	182	SECOND READING
	05/16/85	88	THIRD READING
SB-1303	04/12/85	19	FIRST READING
	05/08/85	183	SECOND READING
	05/16/85	88	THIRD READING
	06/28/85	33	NON-CONCURRENCE
SB-1304	04/12/85	19	FIRST READING
SB-1305	04/12/85	19	FIRST READING
SB-1306	04/12/85	19	FIRST READING
	05/08/85	183	SECOND READING
	05/16/85	167	DISCUSSED AND POSTPONED
SB-1307	04/12/85	19	FIRST READING
	05/08/85	183	SECOND READING
	05/16/85	88	THIRD READING
	10/31/85	96	CONCURRENCE
SB-1308	04/12/85	19	FIRST READING
	05/22/85	45	SECOND READING
	05/24/85	108	THIRD READING
SB-1309	04/12/85	19	FIRST READING
	05/08/85	184	SECOND READING
	05/16/85	88	THIRD READING
SB-1310	04/12/85	19	FIRST READING
SB-1311	04/12/85	19	FIRST READING
	05/20/85	127	SECOND READING
	05/24/85	109	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1311 (cont'd)	06/28/85	33	CONCURRENCE
SB-1312	04/12/85	19	FIRST READING
	05/09/85	101	SECOND READING
	05/16/85	89	THIRD READING
SB-1313	04/12/85	19	FIRST READING
SB-1314	04/12/85	19	FIRST READING
SB-1315	04/12/85	20	FIRST READING
SB-1316	04/12/85	20	FIRST READING
SB-1317	04/12/85	20	FIRST READING
	05/08/85	185	SECOND READING
	05/21/85	71	RECALLED
	05/24/85	111	THIRD READING
SB-1318	04/12/85	20	FIRST READING
	05/08/85	186	SECOND READING
	05/16/85	89	THIRD READING
SB-1319	04/12/85	20	FIRST READING
SB-1320	04/12/85	20	FIRST READING
	05/14/86	10	SECOND READING
	05/15/86	56	THIRD READING
	06/25/86	79	CONCURRENCE
	06/30/86	4	CONFERENCE
SB-1321	04/12/85	20	FIRST READING
	05/20/85	128	SECOND READING
	05/22/85	37	RECALLED
	05/24/85	112	THIRD READING
	06/28/85	34	CONCURRENCE
SB-1322	04/12/85	20	FIRST READING
	05/08/85	187	SECOND READING
	05/16/85	89	THIRD READING
	10/16/85	50	VETO MESSAGE
SB-1323	04/12/85	20	FIRST READING
	05/08/85	187	SECOND READING
	05/16/85	89	THIRD READING
SB-1324	04/12/85	20	FIRST READING
SB-1325	04/12/85	20	FIRST READING
	05/08/85	188	SECOND READING
	05/16/85	89	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1326	04/12/85	20	FIRST READING
SB-1327	04/12/85	20	FIRST READING
SB-1328	04/12/85	20	FIRST READING
SB-1329	04/12/85	20	FIRST READING
SB-1330	04/12/85	20	FIRST READING
SB-1331	04/12/85	20	FIRST READING
SB-1332	04/12/85	21	FIRST READING
SB-1333	04/12/85	21	FIRST READING
SB-1334	04/12/85	21	FIRST READING
SB-1335	04/12/85	21	FIRST READING
	05/08/85	188	SECOND READING
	05/16/85	89	THIRD READING
SB-1336	04/12/85	21	FIRST READING
SB-1337	04/12/85	21	FIRST READING
	05/08/85	189	SECOND READING
	05/16/85	89	THIRD READING
SB-1338	04/12/85	21	FIRST READING
	05/20/85	128	SECOND READING
	05/24/85	113	THIRD READING
SB-1339	04/12/85	21	FIRST READING
	05/20/85	128	SECOND READING
	05/24/85	114	THIRD READING
SB-1340	04/12/85	21	FIRST READING
SB-1341	04/12/85	21	FIRST READING
SB-1342	04/12/85	22	FIRST READING
	05/14/85	106	SECOND READING
	05/16/85	172	DISCUSSED AND POSTPONED
SB-1343	04/12/85	22	FIRST READING
SB-1344	04/12/85	22	FIRST READING
SB-1345	04/12/85	22	FIRST READING
	05/08/85	189	SECOND READING
	05/16/85	89	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1345 (cont'd)	06/28/85	34	NON-CONCURRENCE
	07/02/85	63	CONFERENCE
	01/08/86	31	CONFERENCE
SB-1346	04/12/85	22	FIRST READING
	05/08/85	189	SECOND READING
	05/22/85	234	OUT OF RECORD
	05/22/85	278	RECALLED
SB-1347	04/12/85	22	FIRST READING
SB-1348	04/12/85	22	FIRST READING
	05/08/85	190	SECOND READING
	05/16/85	89	THIRD READING
SB-1349	04/12/85	22	FIRST READING
SB-1350	04/12/85	22	FIRST READING
	05/08/85	190	SECOND READING
	05/16/85	17	RECALLED
	05/24/85	116	THIRD READING
	06/29/85	36	NON-CONCURRENCE
	07/01/85	48	CONFERENCE
SB-1351	04/12/85	22	FIRST READING
	05/14/85	106	SECOND READING
	05/16/85	178	THIRD READING
SB-1352	04/12/85	22	FIRST READING
	05/08/85	190	SECOND READING
	05/22/85	38	RECALLED
	05/24/85	117	THIRD READING
	06/29/85	37	CONCURRENCE
SB-1353	04/12/85	22	FIRST READING
SB-1354	04/12/85	22	FIRST READING
SB-1355	04/12/85	22	FIRST READING
SB-1356	04/12/85	22	FIRST READING
	05/08/85	191	SECOND READING
	05/16/85	89	THIRD READING
SB-1357	04/12/85	22	FIRST READING
	05/08/85	191	SECOND READING
	05/16/85	180	THIRD READING
SB-1358	04/12/85	23	FIRST READING
	05/22/85	85	OUT OF RECORD
	05/23/85	378	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1358 (cont'd)	05/24/85	120	THIRD READING
SB-1359	04/12/85	23	FIRST READING
	05/08/85	191	SECOND READING
	05/16/85	182	THIRD READING
SB-1360	04/12/85	23	FIRST READING
	05/23/85	378	SECOND READING
	05/24/85	123	THIRD READING
	11/14/85	35	CONCURRENCE
SB-1361	04/12/85	23	FIRST READING
SB-1362	04/12/85	23	FIRST READING
SB-1363	04/12/85	23	FIRST READING
	05/14/85	107	SECOND READING
	05/16/85	183	THIRD READING
SB-1364	04/12/85	23	FIRST READING
	05/08/85	192	SECOND READING
	05/16/85	89	THIRD READING
SB-1365	04/12/85	23	FIRST READING
SB-1366	04/12/85	23	FIRST READING
	05/20/85	131	SECOND READING
	05/22/85	238	RECALLED
	05/24/85	123	THIRD READING
SB-1367	04/12/85	23	FIRST READING
	05/20/85	132	SECOND READING
	05/22/85	239	RECALLED
	05/24/85	125	THIRD READING
SB-1368	04/12/85	23	FIRST READING
	05/20/85	97	SECOND READING
	05/22/85	226	RECALLED
	05/24/85	125	THIRD READING
	06/29/85	38	CONCURRENCE
	10/17/85	18	VETO MESSAGE
SB-1369	04/12/85	23	FIRST READING
	05/14/85	109	SECOND READING
SB-1370	04/12/85	23	FIRST READING
	05/08/85	192	SECOND READING
	05/16/85	89	THIRD READING
	10/16/85	52	VETO MESSAGE
SB-1371	04/12/85	23	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1371 (cont'd)	05/20/85	133	SECOND READING
SB-1372	04/12/85	23	FIRST READING
	05/08/85	193	SECOND READING
	05/16/85	89	THIRD READING
SB-1373	04/12/85	24	FIRST READING
SB-1374	04/12/85	24	FIRST READING
SB-1375	04/12/85	24	FIRST READING
	05/08/85	193	SECOND READING
	05/15/85	15	RECALLED
	05/16/85	184	THIRD READING
SB-1376	04/12/85	24	FIRST READING
SB-1377	04/12/85	24	FIRST READING
SB-1378	04/12/85	24	FIRST READING
	05/08/85	194	SECOND READING
	05/24/85	130	THIRD READING
SB-1379	04/12/85	24	FIRST READING
	05/08/85	194	SECOND READING
	05/16/85	89	THIRD READING
	06/29/85	39	NON-CONCURRENCE
	07/03/85	21	CONFERENCE
SB-1380	04/12/85	24	FIRST READING
	05/08/85	195	SECOND READING
	05/16/85	89	THIRD READING
	06/28/85	35	CONCURRENCE
SB-1381	04/12/85	24	FIRST READING
SB-1382	04/12/85	24	FIRST READING
	05/14/85	110	SECOND READING
	05/16/85	216	OUT OF RECORD
	05/22/85	240	RECALLED
	05/24/85	133	THIRD READING
SB-1383	04/12/85	24	FIRST READING
SB-1384	04/12/85	24	FIRST READING
SB-1385	04/12/85	24	FIRST READING
	05/08/85	196	SECOND READING
	05/16/85	89	THIRD READING
SB-1386	04/12/85	24	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1387	04/12/85	25	FIRST READING
	05/08/85	197	SECOND READING
	05/22/85	242	RECALLED
	05/24/85	134	THIRD READING
SB-1388	04/12/85	25	FIRST READING
	05/14/85	111	SECOND READING
	05/20/85	159	THIRD READING
	06/28/85	36	NON-CONCURRENCE
	07/02/85	142	CONFERENCE
SB-1389	04/12/85	25	FIRST READING
	05/22/85	47	SECOND READING
	05/22/85	246	RECALLED
	05/24/85	137	THIRD READING
SB-1390	04/12/85	25	FIRST READING
SB-1391	04/12/85	25	FIRST READING
	05/20/85	134	SECOND READING
	05/24/85	146	THIRD READING
SB-1392	04/12/85	25	FIRST READING
	05/22/85	94	TABLED
SB-1393	04/12/85	25	FIRST READING
SB-1394	04/12/85	25	FIRST READING
	05/08/85	198	SECOND READING
	05/16/85	89	THIRD READING
SB-1395	04/12/85	25	FIRST READING
SB-1396	04/12/85	25	FIRST READING
	05/08/85	198	SECOND READING
	05/16/85	90	THIRD READING
	06/28/85	36	CONCURRENCE
SB-1397	04/12/85	25	FIRST READING
	05/14/85	112	SECOND READING
	05/20/85	160	THIRD READING
SB-1398	04/12/85	25	FIRST READING
	05/08/85	198	SECOND READING
	05/16/85	90	THIRD READING
	12/04/86	24	CONCURRENCE
SB-1399	04/12/85	25	FIRST READING
	05/23/85	379	SECOND READING
SB-1400	04/12/85	25	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1401	04/12/85	25	FIRST READING
SB-1402	04/12/85	25	FIRST READING
	05/20/85	135	SECOND READING
	05/21/85	73	RECALLED
	05/22/85	55	SECOND READING
	05/24/85	147	THIRD READING
SB-1403	04/12/85	25	FIRST READING
SB-1404	04/12/85	26	FIRST READING
	05/20/85	136	SECOND READING
	05/22/85	39	RECALLED
	05/24/85	154	THIRD READING
	10/16/85	96	VETO MESSAGE
SB-1405	04/12/85	26	FIRST READING
	05/20/85	138	SECOND READING
	05/24/85	155	THIRD READING
	06/28/85	37	CONCURRENCE
SB-1406	04/12/85	26	FIRST READING
	05/20/85	141	SECOND READING
	05/24/85	155	THIRD READING
SB-1407	04/12/85	26	FIRST READING
SB-1408	04/12/85	26	FIRST READING
	05/20/85	142	SECOND READING
	05/22/85	40	RECALLED
	05/22/85	256	RECALLED
	05/24/85	158	THIRD READING
SB-1409	04/12/85	26	FIRST READING
SB-1410	04/12/85	26	FIRST READING
	05/20/85	98	SECOND READING
	05/22/85	227	RECALLED
	05/24/85	158	THIRD READING
SB-1411	04/12/85	26	FIRST READING
	05/20/85	98	SECOND READING
	05/24/85	159	THIRD READING
SB-1412	04/12/85	26	FIRST READING
	05/08/85	199	SECOND READING
	05/16/85	90	THIRD READING
	03/05/86	9	CONCURRENCE
	03/05/86	35	CONFERENCE
SB-1413	04/12/85	26	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1413 (cont'd)	05/08/85	199	SECOND READING
	05/16/85	90	THIRD READING
SB-1414	04/12/85	26	FIRST READING
	05/22/85	56	SECOND READING
	05/23/85	7	RECALLED
	05/24/85	159	THIRD READING
SB-1415	04/12/85	26	FIRST READING
	05/20/85	146	SECOND READING
	05/24/85	161	THIRD READING
SB-1416	04/12/85	26	FIRST READING
	05/08/85	202	SECOND READING
	05/16/85	90	THIRD READING
SB-1417	04/12/85	26	FIRST READING
	05/20/85	145	SECOND READING
	05/24/85	161	THIRD READING
	06/28/85	38	CONCURRENCE
SB-1418	04/12/85	26	FIRST READING
SB-1419	04/12/85	26	FIRST READING
	05/14/85	112	SECOND READING
	05/20/85	161	THIRD READING
SB-1420	04/12/85	27	FIRST READING
SB-1421	04/12/85	27	FIRST READING
	05/08/85	203	SECOND READING
	05/23/85	394	RECALLED
	05/24/85	162	THIRD READING
SB-1422	04/12/85	27	FIRST READING
	05/20/85	147	SECOND READING
	05/23/85	8	RECALLED
	05/24/85	163	THIRD READING
SB-1423	04/12/85	27	FIRST READING
SB-1424	04/12/85	27	FIRST READING
SB-1425	04/12/85	27	FIRST READING
	05/14/85	113	SECOND READING
	05/24/85	164	THIRD READING
SB-1426	04/12/85	27	FIRST READING
	05/23/85	379	SECOND READING
SB-1427	04/12/85	27	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1428	04/12/85	27	FIRST READING
	05/22/85	59	SECOND READING
	05/24/85	167	THIRD READING
SB-1429	04/12/85	27	FIRST READING
	05/20/85	147	SECOND READING
	05/24/85	168	THIRD READING
SB-1430	04/12/85	27	FIRST READING
	05/08/85	202	SECOND READING
	05/20/85	162	THIRD READING
	06/28/85	38	CONCURRENCE
	10/16/85	137	VETO MESSAGE
SB-1431	04/12/85	27	FIRST READING
	05/08/85	200	SECOND READING
	05/16/85	90	THIRD READING
SB-1432	04/12/85	27	FIRST READING
	05/14/85	113	SECOND READING
	05/20/85	162	THIRD READING
SB-1433	04/12/85	27	FIRST READING
	05/08/85	202	SECOND READING
	05/20/85	163	THIRD READING
SB-1434	04/12/85	27	FIRST READING
	05/08/85	200	SECOND READING
	05/24/85	169	THIRD READING
SB-1435	04/12/85	27	FIRST READING
	05/08/85	200	SECOND READING
	05/24/85	170	THIRD READING
SB-1436	04/12/85	28	FIRST READING
	05/20/85	148	SECOND READING
	05/24/85	171	THIRD READING
	06/30/85	33	CONCURRENCE
SB-1437	04/12/85	28	FIRST READING
	05/08/85	201	SECOND READING
	05/16/85	90	THIRD READING
	06/28/85	39	NON-CONCURRENCE
	07/01/85	63	CONFERENCE
SB-1438	04/12/85	28	FIRST READING
SB-1439	04/12/85	28	FIRST READING
SB-1440	04/12/85	28	FIRST READING
	05/08/85	201	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1440 (cont'd)	05/16/85	90	THIRD READING
SB-1441	04/12/85	28	FIRST READING
	05/08/85	201	SECOND READING
	05/16/85	90	THIRD READING
SB-1442	04/12/85	28	FIRST READING
	05/14/85	114	SECOND READING
	05/24/85	172	THIRD READING
	12/05/86	6	CONCURRENCE
SB-1443	04/12/85	28	FIRST READING
	05/20/85	148	SECOND READING
SB-1444	04/12/85	28	FIRST READING
	05/22/85	60	SECOND READING
SB-1445	04/12/85	28	FIRST READING
	05/08/85	203	SECOND READING
	05/16/85	90	THIRD READING
SB-1446	04/12/85	28	FIRST READING
	05/08/85	203	SECOND READING
	05/16/85	90	THIRD READING
SB-1447	04/12/85	28	FIRST READING
	05/08/85	204	SECOND READING
	05/16/85	90	THIRD READING
SB-1448	04/12/85	28	FIRST READING
	05/08/85	204	SECOND READING
	05/16/85	90	THIRD READING
SB-1449	04/12/85	28	FIRST READING
	05/08/85	205	SECOND READING
	05/16/85	90	THIRD READING
	11/14/85	13	CONCURRENCE
SB-1450	04/12/85	28	FIRST READING
	05/08/85	205	SECOND READING
	05/16/85	90	THIRD READING
SB-1451	04/12/85	28	FIRST READING
	05/08/85	205	SECOND READING
	05/20/85	168	THIRD READING
SB-1452	04/12/85	28	FIRST READING
	05/20/85	148	SECOND READING
	05/24/85	176	THIRD READING
	06/30/85	34	NON-CONCURRENCE
	07/02/85	142	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1452 (cont'd)	11/12/85	71	CONFERENCE
SB-1453	04/12/85	29	FIRST READING
SB-1454	04/12/85	29	FIRST READING
	05/20/85	149	SECOND READING
	05/24/85	177	THIRD READING
	07/03/85	52	TABLED
SB-1455	04/12/85	29	FIRST READING
SB-1456	04/12/85	29	FIRST READING
	05/08/85	206	SECOND READING
	05/20/85	169	THIRD READING
SB-1457	04/12/85	29	FIRST READING
SB-1458	04/12/85	29	FIRST READING
	05/20/85	149	SECOND READING
	05/21/85	76	RECALLED
	05/24/85	177	THIRD READING
SB-1459	04/12/85	29	FIRST READING
SB-1460	04/12/85	29	FIRST READING
	05/20/85	99	SECOND READING
	05/23/85	391	RECALLED
	05/24/85	182	DISCUSSED AND POSTPONED
SB-1461	04/12/85	29	FIRST READING
SB-1462	04/12/85	29	FIRST READING
	05/08/85	207	SECOND READING
	05/16/85	90	THIRD READING
SB-1463	10/02/85	3	FIRST READING
SB-1464	10/02/85	3	FIRST READING
SB-1465	10/02/85	3	FIRST READING
SB-1466	10/02/85	4	FIRST READING
SB-1467	10/02/85	4	FIRST READING
	10/15/85	5	MOTION
	10/16/85	142	SECOND READING
	10/17/85	38	THIRD READING
SB-1468	10/02/85	7	FIRST READING
	10/15/85	6	MOTION
	10/16/85	151	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1468 (cont'd)	10/17/85	40	RECALLED
	10/17/85	43	THIRD READING
	06/26/86	58	CONCURRENCE
SB-1469	10/15/85	3	FIRST READING
	10/15/85	5	MOTION
	10/16/85	145	SECOND READING
	10/17/85	46	THIRD READING
SB-1470	10/15/85	8	FIRST READING
SB-1471	10/16/85	2	FIRST READING
SB-1473	10/16/85	153	FIRST READING
SB-1474	10/17/85	5	FIRST READING
	04/10/86	4	TABLED
SB-1475	10/17/85	5	FIRST READING
	05/14/86	16	SECOND READING
	05/15/86	57	THIRD READING
SB-1476	10/17/85	75	FIRST READING
SB-1477	10/29/85	5	FIRST READING
SB-1478	10/29/85	5	FIRST READING
SB-1479	10/29/85	5	FIRST READING
SB-1480	10/29/85	5	FIRST READING
SB-1481	10/29/85	5	FIRST READING
SB-1482	10/29/85	5	FIRST READING
SB-1483	10/29/85	5	FIRST READING
SB-1484	10/29/85	5	FIRST READING
SB-1485	10/29/85	6	FIRST READING
SB-1486	10/29/85	6	FIRST READING
SB-1487	10/30/85	2	FIRST READING
SB-1488	10/31/85	110	FIRST READING
	05/14/86	17	SECOND READING
	05/14/86	17	OUT OF RECORD
	05/21/86	34	SECOND READING
	05/23/86	155	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1489	11/04/85	1	FIRST READING
SB-1490	01/08/86	4	FIRST READING
SB-1491	01/08/86	4	FIRST READING
	04/15/86	11	SECOND READING
	04/15/86	13	HELD ON SECOND
	05/20/86	142	SECOND READING
	05/23/86	157	THIRD READING
	06/25/86	81	CONCURRENCE
SB-1492	01/08/86	4	FIRST READING
	05/06/86	4	SECOND READING
	05/13/86	25	THIRD READING
SB-1493	01/08/86	4	FIRST READING
SB-1494	01/08/86	4	FIRST READING
SB-1495	01/08/86	4	FIRST READING
SB-1496	01/08/86	4	FIRST READING
SB-1497	01/08/86	4	FIRST READING
SB-1498	01/08/86	4	FIRST READING
SB-1499	01/08/86	4	FIRST READING
SB-1500	01/08/86	4	FIRST READING
SB-1501	01/08/86	5	FIRST READING
	01/08/86	6	FIRST READING
SB-1502	05/06/86	5	SECOND READING
	05/13/86	26	THIRD READING
SB-1503	01/08/86	6	FIRST READING
SB-1504	01/08/86	6	FIRST READING
SB-1505	01/08/86	6	FIRST READING
SB-1506	01/08/86	6	FIRST READING
SB-1507	01/08/86	49	FIRST READING
SB-1508	01/08/86	49	FIRST READING
SB-1509	01/08/86	49	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1510	01/08/86	49	FIRST READING
SB-1511	01/08/86	49	FIRST READING
SB-1512	01/08/86	49	FIRST READING
SB-1513	01/09/86	1	FIRST READING
SB-1514	01/09/86	2	FIRST READING
	05/06/86	6	SECOND READING
	05/13/86	27	THIRD READING
SB-1515	01/09/86	2	FIRST READING
SB-1516	01/09/86	2	FIRST READING
	05/14/86	19	SECOND READING
	05/15/86	60	THIRD READING
	11/19/86	5	VETO ACTION
SB-1517	02/10/86	7	FIRST READING
	05/06/86	6	SECOND READING
	05/13/86	28	THIRD READING
	06/25/86	81	CONCURRENCE
	07/01/86	22	CONFERENCE
	07/01/86	97	CONFERENCE
SB-1518	02/10/86	7	FIRST READING
SB-1519	02/10/86	7	FIRST READING
	05/20/86	7	SECOND READING
	05/21/86	223	THIRD READING
	06/26/86	10	CONCURRENCE
SB-1520	02/10/86	7	FIRST READING
	05/06/86	7	SECOND READING
	05/20/86	119	RECALLED
	05/21/86	223	THIRD READING
SB-1521	02/10/86	7	FIRST READING
	05/06/86	7	SECOND READING
	05/13/86	29	THIRD READING
SB-1522	02/10/86	7	FIRST READING
	05/15/86	7	SECOND READING
	05/21/86	225	THIRD READING
SB-1523	02/10/86	7	FIRST READING
SB-1524	02/10/86	7	FIRST READING
SB-1525	02/10/86	7	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1526	02/10/86	7	FIRST READING
SB-1527	02/10/86	7	FIRST READING
SB-1528	02/10/86	7	FIRST READING
SB-1529	02/10/86	7	FIRST READING
	05/15/86	10	SECOND READING
	05/22/86	44	RECALLED
	05/23/86	158	THIRD READING
SB-1530	02/10/86	8	FIRST READING
SB-1531	02/10/86	8	FIRST READING
SB-1532	02/10/86	8	FIRST READING
SB-1533	02/10/86	8	FIRST READING
SB-1534	02/10/86	8	FIRST READING
SB-1535	02/10/86	8	FIRST READING
SB-1536	02/10/86	8	FIRST READING
SB-1537	02/10/86	8	FIRST READING
SB-1538	02/10/86	8	FIRST READING
SB-1539	02/10/86	8	FIRST READING
SB-1540	02/10/86	8	FIRST READING
SB-1541	02/10/86	8	FIRST READING
SB-1542	02/10/86	8	FIRST READING
SB-1543	02/10/86	8	FIRST READING
SB-1544	02/10/86	8	FIRST READING
SB-1545	02/10/86	8	FIRST READING
SB-1546	02/10/86	9	FIRST READING
SB-1547	02/10/86	9	FIRST READING
SB-1548	02/10/86	9	FIRST READING
	05/14/86	17	SECOND READING
	05/15/86	71	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1549	02/10/86	9	FIRST READING
SB-1550	02/10/86	9	FIRST READING
SB-1551	02/10/86	9	FIRST READING
SB-1552	02/10/86	9	FIRST READING
	05/15/86	44	SECOND READING
	05/21/86	238	THIRD READING
	06/25/86	83	CONCURRENCE
	06/30/86	33	CONFERENCE
SB-1553	02/10/86	9	FIRST READING
SB-1554	02/10/86	19	FIRST READING
SB-1555	02/10/86	19	FIRST READING
SB-1556	02/10/86	19	FIRST READING
SB-1557	02/10/86	19	FIRST READING
SB-1558	02/10/86	22	FIRST READING
	05/06/86	7	SECOND READING
	05/13/86	30	THIRD READING
	06/25/86	84	CONCURRENCE
SB-1559	03/05/86	11	FIRST READING
	05/14/86	25	SECOND READING
	05/15/86	73	THIRD READING
SB-1560	03/05/86	11	FIRST READING
SB-1561	03/05/86	12	FIRST READING
	04/22/86	8	TABLED
SB-1562	03/05/86	12	FIRST READING
	05/20/86	11	SECOND READING
	05/22/86	3	THIRD READING
	06/29/86	22	CONCURRENCE
SB-1563	03/05/86	12	FIRST READING
	05/06/86	9	SECOND READING
	05/14/86	115	THIRD READING
SB-1564	03/05/86	12	FIRST READING
	05/06/86	9	SECOND READING
	05/14/86	116	THIRD READING
	06/25/86	86	CONCURRENCE
SB-1565	03/05/86	12	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1565 (cont'd)	05/06/86	9	SECOND READING
	05/13/86	32	THIRD READING
	05/13/86	33	OUT OF RECORD
	05/21/86	4	RECALLED
	05/22/86	4	THIRD READING
	06/25/86	87	CONCURRENCE
	06/30/86	143	CONFERENCE
	12/05/86	59	CONFERENCE
SB-1566	03/05/86	12	FIRST READING
SB-1567	03/05/86	12	FIRST READING
SB-1568	03/05/86	12	FIRST READING
SB-1569	03/05/86	12	FIRST READING
SB-1570	03/05/86	12	FIRST READING
	05/06/86	10	SECOND READING
	05/13/86	33	THIRD READING
	06/25/86	88	CONCURRENCE
SB-1571	03/05/86	12	FIRST READING
SB-1572	03/05/86	12	FIRST READING
SB-1573	03/05/86	12	FIRST READING
SB-1574	03/05/86	12	FIRST READING
	05/06/86	10	SECOND READING
	05/13/86	34	THIRD READING
SB-1575	03/05/86	12	FIRST READING
	05/14/86	20	SECOND READING
	05/15/86	75	THIRD READING
SB-1576	03/05/86	12	FIRST READING
	05/14/86	20	SECOND READING
	05/23/86	162	THIRD READING
	06/25/86	88	CONCURRENCE
SB-1577	03/05/86	12	FIRST READING
	05/14/86	22	SECOND READING
	05/23/86	164	THIRD READING
	06/25/86	89	CONCURRENCE
SB-1579	03/05/86	13	FIRST READING
SB-1580	03/05/86	13	FIRST READING
	05/06/86	10	SECOND READING
	05/13/86	35	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1581	03/05/86	13	FIRST READING
	05/06/86	11	SECOND READING
	05/22/86	5	THIRD READING
SB-1582	03/05/86	13	FIRST READING
SB-1583	03/05/86	13	FIRST READING
SB-1584	03/05/86	13	FIRST READING
SB-1585	03/05/86	13	FIRST READING
SB-1586	03/05/86	13	FIRST READING
SB-1587	03/05/86	13	FIRST READING
SB-1588	03/05/86	13	FIRST READING
	05/14/86	22	SECOND READING
	05/15/86	75	THIRD READING
SB-1589	03/05/86	13	FIRST READING
	05/05/86	13	SECOND READING
	05/06/86	13	SECOND READING
	05/20/86	104	RECALLED
	05/22/86	18	THIRD READING
SB-1590	03/05/86	13	FIRST READING
SB-1591	03/05/86	13	FIRST READING
SB-1592	03/05/86	13	FIRST READING
SB-1593	03/05/86	14	FIRST READING
SB-1594	03/05/86	14	FIRST READING
SB-1595	03/05/86	14	FIRST READING
SB-1596	03/05/86	14	FIRST READING
SB-1597	03/05/86	15	FIRST READING
	05/05/86	13	SECOND READING
	05/06/86	13	SECOND READING
	05/13/86	36	THIRD READING
SB-1598	03/05/86	15	FIRST READING
SB-1599	03/05/86	15	FIRST READING
SB-1600	04/01/86	7	FIRST READING
	04/15/86	13	TABLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-1601	04/01/86	7	FIRST READING
	05/05/86	14	SECOND READING
	05/06/86	14	SECOND READING
	05/13/86	38	THIRD READING
SB-1602	04/01/86	7	FIRST READING
	05/20/86	11	SECOND READING
	05/22/86	22	RECALLED
	05/23/86	165	THIRD READING
	06/26/86	11	CONCURRENCE
SB-1603	05/20/86	12	SECOND READING
	05/22/86	51	THIRD READING
SB-1604	04/01/86	7	FIRST READING
	05/20/86	13	SECOND READING
	05/22/86	51	THIRD READING
SB-1605	04/01/86	7	FIRST READING
	05/20/86	14	SECOND READING
	05/22/86	52	THIRD READING
SB-1606	04/01/86	7	FIRST READING
	05/20/86	15	SECOND READING
	05/22/86	53	THIRD READING
SB-1607	04/01/86	7	FIRST READING
	05/20/86	17	SECOND READING
	05/22/86	54	THIRD READING
	06/26/86	3	CONCURRENCE
SB-1608	04/01/86	7	FIRST READING
	05/15/86	10	SECOND READING
	05/20/86	121	RECALLED
	05/21/86	26	RECALLED
	05/22/86	54	THIRD READING
SB-1609	04/01/86	7	FIRST READING
	05/20/86	18	SECOND READING
	05/22/86	55	THIRD READING
SB-1610	04/01/86	7	FIRST READING
	05/21/86	39	SECOND READING
	05/22/86	55	THIRD READING
	06/26/86	11	CONCURRENCE
SB-1611	04/01/86	7	FIRST READING
	05/20/86	20	SECOND READING
	05/22/86	56	THIRD READING
	06/26/86	12	CONCURRENCE
	06/26/86	12	OUT OF RECORD

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BILL NUMBER	DATE	PAGE	ACTION
SB-1611 (cont'd)	06/26/86	57	CONCURRENCE
	06/26/86	58	OUT OF RECORD
	06/30/86	66	CONCURRENCE
SB-1612	04/01/86	7	FIRST READING
	05/15/86	11	SECOND READING
	05/15/86	12	OUT OF RECORD
	05/15/86	36	SECOND READING
	05/22/86	57	THIRD READING
	06/25/86	92	CONCURRENCE
SB-1613	04/01/86	7	FIRST READING
SB-1614	04/01/86	7	FIRST READING
	05/05/86	14	SECOND READING
	05/06/86	14	SECOND READING
	05/13/86	40	THIRD READING
SB-1615	04/01/86	8	FIRST READING
	05/14/86	27	SECOND READING
	05/22/86	58	THIRD READING
SB-1616	04/01/86	8	FIRST READING
SB-1617	04/01/86	8	FIRST READING
SB-1618	04/01/86	8	FIRST READING
SB-1619	04/01/86	8	FIRST READING
SB-1620	04/01/86	8	FIRST READING
SB-1621	04/01/86	8	FIRST READING
SB-1622	04/01/86	8	FIRST READING
SB-1623	04/01/86	8	FIRST READING
SB-1624	04/01/86	8	FIRST READING
	05/20/86	141	SECOND READING
	05/22/86	58	THIRD READING
	06/30/86	64	CONCURRENCE
SB-1625	04/01/86	8	FIRST READING
SB-1626	04/01/86	8	FIRST READING
	05/20/86	102	SECOND READING
	05/22/86	59	THIRD READING
SB-1627	04/01/86	8	FIRST READING
	04/02/86	5	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1627 (cont'd)	05/20/86	21	SECOND READING
	05/22/86	60	THIRD READING
SB-1628	04/01/86	8	FIRST READING
	05/20/86	22	SECOND READING
	05/22/86	61	THIRD READING
	06/26/86	13	CONCURRENCE
SB-1629	04/01/86	8	FIRST READING
	05/14/86	27	SECOND READING
	05/21/86	5	RECALLED
SB-1630	04/01/86	8	FIRST READING
SB-1631	04/01/86	8	FIRST READING
SB-1632	04/01/86	9	FIRST READING
	05/05/86	15	SECOND READING
	05/06/86	15	SECOND READING
	05/13/86	43	THIRD READING
SB-1633	04/01/86	9	FIRST READING
SB-1634	04/01/86	9	FIRST READING
	05/14/86	37	SECOND READING
	05/21/86	5	RECALLED
	05/22/86	62	THIRD READING
	06/25/86	107	CONCURRENCE
SB-1635	04/01/86	9	FIRST READING
SB-1636	04/01/86	9	FIRST READING
SB-1637	04/01/86	9	FIRST READING
SB-1638	04/01/86	9	FIRST READING
SB-1639	04/01/86	9	FIRST READING
	05/20/86	23	SECOND READING
	05/22/86	63	THIRD READING
	06/26/86	13	CONCURRENCE
SB-1640	04/01/86	9	FIRST READING
SB-1641	04/01/86	9	FIRST READING
SB-1642	04/01/86	9	FIRST READING
SB-1643	04/01/86	9	FIRST READING
SB-1644	04/01/86	9	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1645	04/01/86	9	FIRST READING
SB-1646	04/01/86	9	FIRST READING
SB-1647	04/01/86	9	FIRST READING
SB-1648	04/01/86	10	FIRST READING
SB-1649	04/01/86	10	FIRST READING
SB-1650	04/01/86	10	FIRST READING
SB-1651	04/01/86	10	FIRST READING
SB-1652	04/01/86	10	FIRST READING
SB-1653	04/01/86	10	FIRST READING
SB-1654	04/01/86	10	FIRST READING
SB-1655	04/01/86	10	FIRST READING
SB-1656	04/01/86	10	FIRST READING
SB-1657	04/01/86	10	FIRST READING
SB-1658	04/01/86	10	FIRST READING
SB-1659	04/01/86	10	FIRST READING
	05/05/86	16	SECOND READING
	05/06/86	16	SECOND READING
	05/22/86	64	THIRD READING
SB-1660	04/01/86	10	FIRST READING
SB-1661	04/01/86	10	FIRST READING
	05/14/86	38	SECOND READING
	05/22/86	65	THIRD READING
SB-1662	04/01/86	10	FIRST READING
	05/05/86	16	SECOND READING
	05/06/86	16	SECOND READING
	05/13/86	43	THIRD READING
SB-1663	04/01/86	10	FIRST READING
SB-1664	04/01/86	11	FIRST READING
SB-1665	04/01/86	11	FIRST READING
SB-1666	04/01/86	11	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1666 (cont'd)	05/14/86	38	SECOND READING
	05/22/86	67	THIRD READING
	06/26/86	59	CONCURRENCE
	06/30/86	39	CONFERENCE
SB-1667	04/01/86	11	FIRST READING
SB-1668	04/01/86	11	FIRST READING
SB-1669	04/01/86	11	FIRST READING
SB-1670	04/01/86	11	FIRST READING
SB-1671	04/01/86	11	FIRST READING
SB-1672	04/02/86	2	FIRST READING
SB-1673	04/02/86	2	FIRST READING
	05/05/86	17	SECOND READING
	05/06/86	17	SECOND READING
	05/13/86	47	THIRD READING
	06/25/86	108	CONCURRENCE
	06/25/86	114	OUT OF RECORD
	06/26/86	5	CONCURRENCE
SB-1674	04/02/86	2	FIRST READING
SB-1675	04/02/86	2	FIRST READING
SB-1676	04/02/86	2	FIRST READING
SB-1677	04/02/86	2	FIRST READING
SB-1678	04/02/86	2	FIRST READING
SB-1679	04/02/86	2	FIRST READING
SB-1680	04/02/86	2	FIRST READING
SB-1681	04/02/86	2	FIRST READING
SB-1682	04/02/86	3	FIRST READING
SB-1684	04/02/86	3	FIRST READING
SB-1685	04/02/86	3	FIRST READING
SB-1686	04/02/86	3	FIRST READING
SB-1687	04/02/86	3	FIRST READING
	04/15/86	3	TABLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-1688	04/02/86	3	FIRST READING
SB-1689	04/02/86	3	FIRST READING
SB-1690	04/02/86	3	FIRST READING
SB-1691	04/02/86	3	FIRST READING
SB-1692	04/02/86	3	FIRST READING
SB-1693	04/02/86	3	FIRST READING
SB-1694	04/02/86	3	FIRST READING
SB-1695	04/02/86	3	FIRST READING
SB-1696	04/02/86	3	FIRST READING
SB-1697	04/02/86	3	FIRST READING
SB-1698	04/02/86	3	FIRST READING
	05/20/86	24	SECOND READING
	05/22/86	23	RECALLED
	05/23/86	166	THIRD READING
	06/26/86	14	CONCURRENCE
	06/26/86	14	OUT OF RECORD
	06/26/86	60	CONCURRENCE
SB-1699	04/02/86	4	FIRST READING
	11/18/86	3	SECOND READING
	11/19/86	37	RECALLED
	11/19/86	74	THIRD READING
SB-1700	04/02/86	4	FIRST READING
	05/20/86	145	SECOND READING
	05/22/86	67	THIRD READING
	06/25/86	114	CONCURRENCE
SB-1701	04/02/86	4	FIRST READING
SB-1702	04/02/86	4	FIRST READING
SB-1703	04/02/86	4	FIRST READING
SB-1704	04/02/86	4	FIRST READING
	05/07/86	3	SECOND READING
	05/13/86	49	THIRD READING
SB-1705	04/02/86	4	FIRST READING
	05/07/86	3	SECOND READING
	05/13/86	50	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1706	04/02/86	4	FIRST READING
	05/07/86	4	SECOND READING
	05/13/86	53	THIRD READING
	06/25/86	115	CONCURRENCE
	11/19/86	72	VETO ACTION
SB-1707	04/02/86	4	FIRST READING
SB-1708	04/02/86	4	FIRST READING
SB-1709	04/02/86	4	FIRST READING
	05/14/86	40	SECOND READING
	05/20/86	127	RECALLED
	05/22/86	70	THIRD READING
	06/26/86	14	CONCURRENCE
SB-1710	04/02/86	4	FIRST READING
SB-1711	04/02/86	4	FIRST READING
	05/14/86	43	SECOND READING
	05/15/86	78	THIRD READING
	06/25/86	116	CONCURRENCE
SB-1712	04/02/86	4	FIRST READING
SB-1713	04/02/86	4	FIRST READING
SB-1714	04/02/86	5	FIRST READING
SB-1715	04/02/86	5	FIRST READING
SB-1716	04/02/86	5	FIRST READING
	05/20/86	150	SECOND READING
SB-1717	04/02/86	5	FIRST READING
SB-1720	04/02/86	5	FIRST READING
SB-1721	04/02/86	5	FIRST READING
SB-1722	04/02/86	5	FIRST READING
SB-1723	04/02/86	5	FIRST READING
SB-1725	04/02/86	5	FIRST READING
	04/02/86	6	FIRST READING
SB-1726	04/02/86	5	FIRST READING
SB-1728	04/02/86	5	FIRST READING
	05/15/86	12	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1728 (cont'd)	05/22/86	72	THIRD READING
	07/01/86	136	CONCURRENCE
SB-1729	04/02/86	5	FIRST READING
SB-1730	04/02/86	5	FIRST READING
SB-1731	04/02/86	5	FIRST READING
SB-1732	04/02/86	5	FIRST READING
	05/14/86	45	SECOND READING
	05/15/86	79	THIRD READING
SB-1733	04/02/86	5	FIRST READING
	05/14/86	45	SECOND READING
	05/22/86	72	THIRD READING
SB-1734	04/02/86	6	FIRST READING
	05/20/86	25	SECOND READING
	05/22/86	73	THIRD READING
	06/30/86	75	CONCURRENCE
	07/01/86	120	CONFERENCE
SB-1735	04/02/86	6	FIRST READING
	05/07/86	4	SECOND READING
	05/22/86	73	THIRD READING
SB-1736	04/02/86	6	FIRST READING
	05/20/86	26	SECOND READING
	05/22/86	75	THIRD READING
SB-1737	04/02/86	6	FIRST READING
	05/20/86	27	SECOND READING
	05/22/86	76	THIRD READING
	06/26/86	15	CONCURRENCE
	06/30/86	5	CONFERENCE
SB-1738	04/02/86	6	FIRST READING
	05/20/86	28	SECOND READING
	05/22/86	76	THIRD READING
	06/26/86	15	CONCURRENCE
	11/19/86	14	VETO ACTION
	11/19/86	21	VETO ACTION
SB-1739	04/02/86	6	FIRST READING
	05/20/86	31	SECOND READING
	05/22/86	77	THIRD READING
	06/26/86	24	CONCURRENCE
SB-1740	04/02/86	6	FIRST READING
	05/20/86	32	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1740 (cont'd)	05/22/86	78	THIRD READING
	06/29/86	23	CONCURRENCE
SB-1741	04/02/86	6	FIRST READING
	05/20/86	35	SECOND READING
	05/22/86	24	RECALLED
	05/22/86	304	RECALLED
	05/23/86	167	THIRD READING
SB-1742	04/02/86	6	FIRST READING
	05/20/86	40	SECOND READING
	05/22/86	79	THIRD READING
SB-1743	04/02/86	6	FIRST READING
	05/20/86	44	SECOND READING
	05/22/86	31	RECALLED
	05/22/86	45	RECALLED
	05/23/86	168	THIRD READING
SB-1744	04/02/86	6	FIRST READING
	05/20/86	46	SECOND READING
	05/22/86	79	THIRD READING
SB-1745	04/02/86	6	FIRST READING
	05/20/86	47	SECOND READING
	05/22/86	80	THIRD READING
SB-1746	04/02/86	6	FIRST READING
	05/20/86	47	SECOND READING
	05/22/86	81	THIRD READING
SB-1747	04/02/86	6	FIRST READING
	05/20/86	48	SECOND READING
	05/22/86	81	THIRD READING
	06/26/86	17	CONCURRENCE
	06/26/86	24	OUT OF RECORD
	06/30/86	70	CONCURRENCE
	06/30/86	72	OUT OF RECORD
	07/01/86	50	CONCURRENCE
	07/01/86	51	OUT OF RECORD
	07/01/86	125	CONCURRENCE
SB-1748	04/02/86	6	FIRST READING
	05/20/86	49	SECOND READING
	05/22/86	31	RECALLED
	05/23/86	168	THIRD READING
	06/26/86	25	CONCURRENCE
	06/29/86	15	CONFERENCE
SB-1749	04/02/86	7	FIRST READING
	05/20/86	50	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1749 (cont'd)	05/22/86	88	THIRD READING
	06/26/86	61	CONCURRENCE
	11/19/86	25	VETO ACTION
SB-1750	04/02/86	7	FIRST READING
	05/20/86	52	SECOND READING
	05/22/86	88	THIRD READING
	06/26/86	61	CONCURRENCE
SB-1751	04/02/86	7	FIRST READING
	05/20/86	53	SECOND READING
	05/22/86	89	THIRD READING
	06/26/86	26	CONCURRENCE
SB-1752	04/02/86	7	FIRST READING
	05/20/86	57	SECOND READING
	05/22/86	90	THIRD READING
	06/26/86	27	CONCURRENCE
	06/29/86	16	CONFERENCE
	11/19/86	17	VETO ACTION
	11/20/86	8	VETO ACTION
SB-1753	04/02/86	7	FIRST READING
	05/20/86	64	SECOND READING
	05/22/86	32	RECALLED
	05/23/86	169	THIRD READING
	06/26/86	27	CONCURRENCE
	06/29/86	16	CONFERENCE
	11/19/86	19	VETO ACTION
	11/19/86	65	VETO ACTION
SB-1754	04/02/86	7	FIRST READING
	05/20/86	66	SECOND READING
	05/22/86	90	THIRD READING
	06/26/86	29	CONCURRENCE
SB-1755	04/02/86	7	FIRST READING
	05/20/86	68	SECOND READING
	05/22/86	91	THIRD READING
	06/26/86	62	CONCURRENCE
SB-1756	04/02/86	7	FIRST READING
	05/20/86	69	SECOND READING
	05/22/86	91	THIRD READING
	06/26/86	30	CONCURRENCE
SB-1757	04/02/86	7	FIRST READING
	05/20/86	70	SECOND READING
	05/22/86	92	THIRD READING
	06/26/86	37	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1758	04/02/86	7	FIRST READING
	05/20/86	72	SECOND READING
	05/22/86	93	THIRD READING
	06/26/86	46	CONCURRENCE
SB-1759	04/02/86	7	FIRST READING
	05/20/86	77	SECOND READING
	05/22/86	93	THIRD READING
	06/26/86	38	CONCURRENCE
	11/19/86	67	VETO ACTION
SB-1760	04/02/86	7	FIRST READING
	05/20/86	79	SECOND READING
	05/22/86	94	THIRD READING
	06/26/86	42	CONCURRENCE
SB-1761	04/02/86	7	FIRST READING
	05/20/86	80	SECOND READING
	05/22/86	95	THIRD READING
	06/26/86	42	CONCURRENCE
SB-1762	04/02/86	7	FIRST READING
	05/20/86	81	SECOND READING
	05/22/86	95	THIRD READING
	06/26/86	43	CONCURRENCE
SB-1763	04/02/86	7	FIRST READING
	05/20/86	82	SECOND READING
	05/22/86	33	RECALLED
	05/23/86	169	THIRD READING
	06/26/86	44	CONCURRENCE
	07/01/86	132	CONFERENCE
SB-1764	04/02/86	7	FIRST READING
	05/20/86	86	SECOND READING
	05/22/86	96	THIRD READING
	06/26/86	44	CONCURRENCE
SB-1765	04/02/86	8	FIRST READING
	05/20/86	87	SECOND READING
	05/22/86	97	THIRD READING
	06/26/86	45	CONCURRENCE
SB-1766	04/02/86	8	FIRST READING
	05/20/86	87	SECOND READING
	05/22/86	98	THIRD READING
	06/26/86	64	CONCURRENCE
SB-1767	04/02/86	8	FIRST READING
	05/20/86	88	SECOND READING
	05/22/86	98	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1768	04/02/86	8	FIRST READING
SB-1769	04/02/86	8	FIRST READING
	05/20/86	89	SECOND READING
	05/22/86	99	THIRD READING
SB-1770	04/02/86	8	FIRST READING
	05/20/86	89	SECOND READING
	05/22/86	100	THIRD READING
	06/26/86	46	CONCURRENCE
SB-1771	04/02/86	8	FIRST READING
	05/20/86	90	SECOND READING
	05/22/86	100	THIRD READING
	06/26/86	47	CONCURRENCE
SB-1772	04/02/86	8	FIRST READING
	05/20/86	91	SECOND READING
	05/22/86	101	THIRD READING
	06/26/86	65	CONCURRENCE
SB-1773	04/02/86	8	FIRST READING
	05/20/86	92	SECOND READING
	05/22/86	102	THIRD READING
	06/26/86	47	CONCURRENCE
SB-1774	04/02/86	8	FIRST READING
	05/20/86	93	SECOND READING
	05/22/86	102	THIRD READING
	06/26/86	48	CONCURRENCE
	06/29/86	18	CONFERENCE
SB-1775	04/02/86	8	FIRST READING
	05/20/86	93	SECOND READING
	05/22/86	103	THIRD READING
	06/26/86	49	CONCURRENCE
SB-1776	04/02/86	8	FIRST READING
	05/20/86	94	SECOND READING
	05/22/86	103	THIRD READING
SB-1777	04/02/86	8	FIRST READING
	05/20/86	94	SECOND READING
	05/22/86	105	THIRD READING
SB-1778	04/02/86	8	FIRST READING
	05/20/86	94	SECOND READING
	05/22/86	105	THIRD READING
	06/26/86	49	CONCURRENCE
	06/29/86	18	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1779	04/02/86	8	FIRST READING
	05/20/86	95	SECOND READING
	05/22/86	106	THIRD READING
SB-1780	04/02/86	8	FIRST READING
SB-1781	04/02/86	9	FIRST READING
SB-1782	04/02/86	9	FIRST READING
SB-1783	04/02/86	9	FIRST READING
	05/14/86	46	SECOND READING
	05/15/86	81	THIRD READING
	06/25/86	118	CONCURRENCE
SB-1785	04/02/86	9	FIRST READING
SB-1786	04/02/86	9	FIRST READING
SB-1787	04/02/86	9	FIRST READING
SB-1788	04/02/86	9	FIRST READING
SB-1789	04/02/86	9	FIRST READING
SB-1790	04/02/86	9	FIRST READING
SB-1791	04/02/86	9	FIRST READING
SB-1792	04/02/86	9	FIRST READING
SB-1793	04/02/86	9	FIRST READING
SB-1794	04/02/86	9	FIRST READING
SB-1795	04/02/86	12	FIRST READING
SB-1796	04/02/86	12	FIRST READING
SB-1797	04/03/86	4	FIRST READING
SB-1798	04/03/86	4	FIRST READING
	05/14/86	49	SECOND READING
	05/20/86	127	RECALLED
	05/22/86	107	THIRD READING
SB-1799	04/03/86	4	FIRST READING
	05/07/86	4	SECOND READING
	05/13/86	54	THIRD READING
	06/25/86	118	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1800	04/03/86	4	FIRST READING
SB-1801	04/03/86	5	FIRST READING
SB-1802	04/03/86	5	FIRST READING
SB-1803	04/03/86	5	FIRST READING
SB-1804	04/03/86	5	FIRST READING
	05/07/86	5	SECOND READING
	05/20/86	104	RECALLED
	05/22/86	109	THIRD READING
SB-1805	04/03/86	5	FIRST READING
	05/14/86	49	SECOND READING
	05/15/86	81	THIRD READING
SB-1806	04/03/86	5	FIRST READING
SB-1807	04/03/86	5	FIRST READING
SB-1808	04/03/86	5	FIRST READING
	05/20/86	96	SECOND READING
	05/22/86	110	THIRD READING
	06/26/86	50	CONCURRENCE
	06/29/86	19	CONFERENCE
	06/29/86	19	OUT OF RECORD
	06/30/86	2	CONFERENCE
	06/30/86	62	CONFERENCE
	11/19/86	66	VETO ACTION
SB-1809	04/03/86	5	FIRST READING
	05/07/86	5	SECOND READING
	05/22/86	111	THIRD READING
	06/25/86	119	CONCURRENCE
	06/30/86	114	CONFERENCE
SB-1810	04/03/86	5	FIRST READING
SB-1811	04/03/86	5	FIRST READING
SB-1812	04/03/86	5	FIRST READING
SB-1813	04/03/86	5	FIRST READING
SB-1814	04/03/86	6	FIRST READING
	05/20/86	97	SECOND READING
	05/20/86	97	OUT OF RECORD
	05/20/86	151	SECOND READING
	05/22/86	112	THIRD READING
	06/26/86	51	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1815	04/03/86	10	FIRST READING
	05/07/86	6	SECOND READING
	05/20/86	105	RECALLED
	05/22/86	116	THIRD READING
	06/25/86	120	CONCURRENCE
SB-1816	04/03/86	10	FIRST READING
	05/14/86	50	SECOND READING
	05/20/86	128	RECALLED
	05/22/86	117	THIRD READING
SB-1817	04/03/86	12	FIRST READING
SB-1818	04/08/86	2	FIRST READING
SB-1819	04/08/86	2	FIRST READING
SB-1820	04/08/86	2	FIRST READING
SB-1821	04/08/86	2	FIRST READING
SB-1822	04/08/86	2	FIRST READING
	05/20/86	97	SECOND READING
	05/22/86	118	THIRD READING
	06/26/86	51	CONCURRENCE
SB-1824	04/08/86	2	FIRST READING
SB-1825	04/08/86	3	FIRST READING
	05/20/86	97	SECOND READING
	05/22/86	119	THIRD READING
SB-1826	04/08/86	3	FIRST READING
	05/20/86	98	SECOND READING
	05/22/86	120	THIRD READING
SB-1827	04/08/86	3	FIRST READING
SB-1828	04/08/86	3	FIRST READING
SB-1829	04/08/86	3	FIRST READING
SB-1830	04/08/86	3	FIRST READING
SB-1831	04/08/86	3	FIRST READING
SB-1832	04/08/86	3	FIRST READING
	05/20/86	160	SECOND READING
SB-1833	04/08/86	2	FIRST READING
	04/08/86	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1834	04/08/86	3	FIRST READING
	05/21/86	41	SECOND READING
	05/22/86	38	RECALLED
	05/22/86	48	RECALLED
	05/23/86	170	THIRD READING
SB-1835	04/08/86	3	FIRST READING
SB-1836	04/08/86	3	FIRST READING
SB-1837	04/08/86	3	FIRST READING
	05/07/86	6	SECOND READING
	05/13/86	55	THIRD READING
	06/25/86	120	CONCURRENCE
SB-1838	04/08/86	3	FIRST READING
	05/20/86	161	SECOND READING
	05/21/86	28	RECALLED
	05/22/86	121	THIRD READING
	06/25/86	122	CONCURRENCE
SB-1839	04/08/86	3	FIRST READING
SB-1840	04/08/86	3	FIRST READING
SB-1841	04/08/86	3	FIRST READING
	05/20/86	98	SECOND READING
	05/22/86	122	THIRD READING
	06/26/86	52	CONCURRENCE
	06/29/86	19	CONFERENCE
SB-1842	04/08/86	4	FIRST READING
SB-1843	04/08/86	4	FIRST READING
SB-1844	04/08/86	4	FIRST READING
SB-1845	04/08/86	4	FIRST READING
	05/07/86	7	SECOND READING
	05/13/86	55	THIRD READING
	06/25/86	124	CONCURRENCE
SB-1846	04/08/86	4	FIRST READING
	05/20/86	100	SECOND READING
	05/22/86	122	THIRD READING
SB-1847	04/08/86	4	FIRST READING
SB-1848	04/08/86	5	FIRST READING
	05/15/86	38	SECOND READING
	05/20/86	129	RECALLED

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BILL NUMBER	DATE	PAGE	ACTION
SB-1848 (cont'd)	05/22/86	123	THIRD READING
SB-1849	04/08/86	5	FIRST READING
SB-1850	04/08/86	5	FIRST READING
SB-1851	04/08/86	7	FIRST READING
SB-1852	04/08/86	7	FIRST READING
	05/07/86	8	SECOND READING
	05/13/86	59	THIRD READING
SB-1853	04/09/86	2	FIRST READING
SB-1854	04/09/86	2	FIRST READING
	05/07/86	12	SECOND READING
	05/13/86	60	THIRD READING
SB-1855	04/09/86	3	FIRST READING
	05/07/86	13	SECOND READING
	05/13/86	61	THIRD READING
	06/25/86	125	CONCURRENCE
SB-1856	05/07/86	14	SECOND READING
	05/13/86	62	THIRD READING
	06/25/86	126	CONCURRENCE
SB-1857	04/09/86	3	FIRST READING
SB-1858	04/09/86	3	FIRST READING
	05/07/86	15	SECOND READING
	05/13/86	63	THIRD READING
	06/25/86	127	CONCURRENCE
SB-1859	04/09/86	3	FIRST READING
SB-1860	04/09/86	3	FIRST READING
SB-1861	04/09/86	3	FIRST READING
	05/07/86	9	SECOND READING
	05/20/86	106	RECALLED
	05/22/86	127	THIRD READING
SB-1862	04/09/86	3	FIRST READING
	04/09/86	3	FIRST READING
	05/07/86	9	SECOND READING
	05/13/86	64	THIRD READING
SB-1863	04/09/86	3	FIRST READING
SB-1864	04/09/86	3	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1865	04/09/86	3	FIRST READING
SB-1866	04/09/86	3	FIRST READING
SB-1867	04/09/86	3	FIRST READING
SB-1868	04/09/86	3	FIRST READING
SB-1869	04/09/86	3	FIRST READING
SB-1870	04/09/86	3	FIRST READING
SB-1871	04/09/86	3	FIRST READING
	05/14/86	50	SECOND READING
	05/22/86	129	THIRD READING
SB-1872	04/09/86	4	FIRST READING
SB-1873	04/09/86	4	FIRST READING
	05/14/86	51	SECOND READING
	05/22/86	129	THIRD READING
SB-1874	04/09/86	4	FIRST READING
SB-1875	04/09/86	4	FIRST READING
	05/07/86	10	SECOND READING
	05/20/86	134	RECALLED
	05/22/86	141	THIRD READING
SB-1876	04/09/86	4	FIRST READING
SB-1877	04/09/86	4	FIRST READING
SB-1878	04/09/86	4	FIRST READING
SB-1879	04/09/86	4	FIRST READING
SB-1880	04/09/86	4	FIRST READING
SB-1881	04/09/86	4	FIRST READING
SB-1882	04/09/86	4	FIRST READING
SB-1883	04/09/86	4	FIRST READING
SB-1884	04/09/86	4	FIRST READING
SB-1885	04/09/86	4	FIRST READING
SB-1886	04/09/86	4	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1887	04/09/86	5	FIRST READING
SB-1888	04/09/86	5	FIRST READING
SB-1889	04/09/86	5	FIRST READING
SB-1890	04/09/86	5	FIRST READING
SB-1891	04/09/86	5	FIRST READING
SB-1892	04/09/86	5	FIRST READING
SB-1893	04/09/86	5	FIRST READING
SB-1894	04/09/86	5	FIRST READING
SB-1895	04/09/86	5	FIRST READING
SB-1896	04/09/86	5	FIRST READING
SB-1897	04/09/86	5	FIRST READING
SB-1898	04/09/86	5	FIRST READING
	04/09/86	7	FIRST READING
SB-1899	04/09/86	5	FIRST READING
SB-1900	04/09/86	5	FIRST READING
SB-1901	04/09/86	5	FIRST READING
SB-1902	04/09/86	5	FIRST READING
SB-1903	04/09/86	5	FIRST READING
SB-1904	04/09/86	6	FIRST READING
SB-1905	04/09/86	6	FIRST READING
SB-1906	04/09/86	6	FIRST READING
SB-1907	04/09/86	6	FIRST READING
SB-1908	04/09/86	6	FIRST READING
SB-1909	04/09/86	6	FIRST READING
SB-1910	04/09/86	6	FIRST READING
	05/07/86	10	SECOND READING
	05/07/86	11	OUT OF RECORD
	05/20/86	163	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1910 (cont'd)	05/22/86	143	THIRD READING
SB-1911	04/09/86	6	FIRST READING
SB-1912	04/09/86	6	FIRST READING
	05/15/86	38	SECOND READING
	05/20/86	134	RECALLED
	05/22/86	144	THIRD READING
SB-1913	04/09/86	6	FIRST READING
	05/15/86	13	SECOND READING
	05/22/86	152	THIRD READING
SB-1914	04/09/86	6	FIRST READING
SB-1915	04/09/86	6	FIRST READING
	05/21/86	43	SECOND READING
	05/22/86	155	THIRD READING
SB-1916	04/09/86	6	FIRST READING
SB-1917	04/09/86	6	FIRST READING
	05/15/86	15	SECOND READING
	05/22/86	156	THIRD READING
	06/30/86	20	CONCURRENCE
	07/01/86	53	CONFERENCE
SB-1918	04/09/86	6	FIRST READING
SB-1919	04/09/86	6	FIRST READING
SB-1920	04/09/86	6	FIRST READING
SB-1921	04/09/86	7	FIRST READING
	05/07/86	15	SECOND READING
	05/20/86	108	RECALLED
	05/22/86	157	THIRD READING
SB-1922	04/09/86	7	FIRST READING
SB-1923	04/09/86	7	FIRST READING
SB-1924	04/09/86	7	FIRST READING
SB-1925	04/09/86	7	FIRST READING
	05/20/86	163	SECOND READING
	05/22/86	158	DISCUSSED AND POSTPONED
	05/23/86	182	POSTPONED CONSIDERATION
SB-1926	04/09/86	7	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1927	04/09/86	7	FIRST READING
SB-1929	04/09/86	7	FIRST READING
	05/07/86	17	SECOND READING
	05/22/86	170	THIRD READING
SB-1930	04/10/86	7	FIRST READING
	05/07/86	18	SECOND READING
	05/22/86	171	THIRD READING
SB-1931	04/10/86	7	FIRST READING
	05/20/86	177	SECOND READING
	05/22/86	172	THIRD READING
	06/25/86	128	CONCURRENCE
	06/30/86	16	CONFERENCE
SB-1932	04/10/86	7	FIRST READING
SB-1933	04/10/86	7	FIRST READING
SB-1934	04/10/86	7	FIRST READING
	05/14/86	64	SECOND READING
	05/20/86	140	RECALLED
	05/22/86	173	THIRD READING
	06/25/86	141	CONCURRENCE
SB-1935	04/10/86	7	FIRST READING
	05/14/86	71	SECOND READING
SB-1936	04/10/86	7	FIRST READING
SB-1937	04/10/86	7	FIRST READING
	05/07/86	19	SECOND READING
	05/13/86	65	THIRD READING
SB-1938	04/10/86	7	FIRST READING
SB-1939	04/10/86	7	FIRST READING
SB-1940	04/10/86	8	FIRST READING
SB-1941	04/10/86	8	FIRST READING
SB-1942	04/10/86	8	FIRST READING
	05/07/86	19	SECOND READING
	05/13/86	66	THIRD READING
	06/25/86	143	CONCURRENCE
SB-1943	04/10/86	8	FIRST READING
SB-1944	04/10/86	8	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1944 (cont'd)	04/10/86	8	FIRST READING
	05/07/86	21	SECOND READING
	05/15/86	82	THIRD READING
SB-1945	05/20/86	177	SECOND READING
	05/21/86	29	RECALLED
	05/22/86	185	THIRD READING
SB-1946	04/10/86	8	FIRST READING
	05/20/86	186	SECOND READING
	05/21/86	30	RECALLED
	05/22/86	189	THIRD READING
	06/25/86	144	CONCURRENCE
SB-1947	04/10/86	8	FIRST READING
SB-1948	04/10/86	8	FIRST READING
SB-1949	04/10/86	8	FIRST READING
SB-1950	04/10/86	8	FIRST READING
SB-1951	04/10/86	8	FIRST READING
	05/07/86	21	SECOND READING
	05/13/86	79	THIRD READING
	11/19/86	34	VETO ACTION
SB-1952	04/10/86	8	FIRST READING
SB-1953	04/10/86	8	FIRST READING
SB-1954	04/10/86	8	FIRST READING
	05/07/86	22	SECOND READING
	05/07/86	23	OUT OF RECORD
	05/14/86	72	SECOND READING
SB-1955	04/10/86	8	FIRST READING
	05/14/86	73	SECOND READING
	05/20/86	137	RECALLED
	05/22/86	195	THIRD READING
SB-1956	04/10/86	8	FIRST READING
SB-1957	04/10/86	9	FIRST READING
	05/07/86	23	SECOND READING
	05/07/86	24	OUT OF RECORD
	05/20/86	189	SECOND READING
	05/22/86	196	THIRD READING
	06/25/86	146	CONCURRENCE
	06/30/86	113	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-1958	04/10/86	9	FIRST READING
	05/07/86	24	SECOND READING
	05/13/86	80	THIRD READING
SB-1959	04/10/86	9	FIRST READING
SB-1960	04/10/86	9	FIRST READING
SB-1961	04/10/86	9	FIRST READING
	05/20/86	191	SECOND READING
	05/22/86	197	THIRD READING
SB-1962	04/10/86	9	FIRST READING
SB-1963	04/10/86	9	FIRST READING
	05/07/86	25	SECOND READING
	05/13/86	81	THIRD READING
SB-1964	04/10/86	9	FIRST READING
SB-1965	04/10/86	9	FIRST READING
SB-1966	04/10/86	9	FIRST READING
SB-1967	04/10/86	9	FIRST READING
SB-1968	04/10/86	9	FIRST READING
SB-1969	04/10/86	9	FIRST READING
SB-1970	04/10/86	9	FIRST READING
SB-1971	04/10/86	9	FIRST READING
SB-1972	04/10/86	9	FIRST READING
	05/07/86	25	SECOND READING
	05/22/86	200	THIRD READING
SB-1973	04/10/86	10	FIRST READING
SB-1974	04/10/86	10	FIRST READING
	05/14/86	74	SECOND READING
	05/22/86	200	DISCUSSED AND POSTPONED
SB-1975	04/10/86	10	FIRST READING
SB-1976	04/10/86	10	FIRST READING
SB-1977	04/10/86	10	FIRST READING
SB-1978	04/10/86	10	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1979	04/10/86	10	FIRST READING
SB-1980	04/10/86	10	FIRST READING
SB-1981	04/10/86	10	FIRST READING
SB-1982	04/10/86	10	FIRST READING
SB-1983	04/02/86	3	FIRST READING
	04/10/86	10	FIRST READING
	05/07/86	26	SECOND READING
	05/13/86	82	THIRD READING
SB-1984	04/02/86	9	FIRST READING
	04/10/86	10	FIRST READING
	05/07/86	27	SECOND READING
	05/13/86	83	THIRD READING
SB-1985	04/10/86	10	FIRST READING
	05/20/86	193	SECOND READING
	05/22/86	209	THIRD READING
SB-1986	04/10/86	10	FIRST READING
SB-1987	04/10/86	10	FIRST READING
SB-1988	04/10/86	10	FIRST READING
	05/07/86	28	SECOND READING
	05/13/86	89	THIRD READING
	06/25/86	149	CONCURRENCE
SB-1989	04/10/86	10	FIRST READING
SB-1990	04/10/86	11	FIRST READING
SB-1991	04/10/86	11	FIRST READING
	05/14/86	75	SECOND READING
	05/22/86	215	THIRD READING
	06/25/86	150	CONCURRENCE
SB-1992	04/10/86	11	FIRST READING
	05/07/86	28	SECOND READING
	05/22/86	221	THIRD READING
SB-1993	04/10/86	11	FIRST READING
	05/07/86	29	SECOND READING
	05/13/86	91	THIRD READING
	06/25/86	158	CONCURRENCE
SB-1994	04/10/86	11	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-1995	04/10/86	11	FIRST READING
SB-1996	04/10/86	11	FIRST READING
SB-1997	04/10/86	11	FIRST READING
SB-1998	04/10/86	11	FIRST READING
	05/07/86	29	SECOND READING
	05/13/86	92	THIRD READING
SB-1999	04/10/86	11	FIRST READING
SB-2000	04/10/86	11	FIRST READING
	05/15/86	15	SECOND READING
	05/22/86	221	THIRD READING
SB-2001	04/10/86	11	FIRST READING
SB-2002	04/10/86	11	FIRST READING
	05/15/86	16	SECOND READING
	05/22/86	239	THIRD READING
SB-2003	04/10/86	11	FIRST READING
	05/14/86	76	SECOND READING
	05/22/86	241	THIRD READING
	06/25/86	159	CONCURRENCE
	07/01/86	43	CONFERENCE
SB-2004	04/10/86	11	FIRST READING
SB-2005	04/10/86	12	FIRST READING
SB-2006	04/10/86	12	FIRST READING
	05/07/86	31	SECOND READING
	05/20/86	109	RECALLED
	05/21/86	19	RECALLED
	05/22/86	242	THIRD READING
SB-2007	04/10/86	12	FIRST READING
SB-2008	04/10/86	12	FIRST READING
	05/20/86	193	SECOND READING
	05/22/86	244	THIRD READING
SB-2009	04/10/86	12	FIRST READING
SB-2010	04/10/86	12	FIRST READING
SB-2011	04/10/86	12	FIRST READING
SB-2012	04/10/86	12	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2013	04/10/86	12	FIRST READING
SB-2014	04/10/86	12	FIRST READING
SB-2015	04/10/86	12	FIRST READING
SB-2016	04/10/86	12	FIRST READING
SB-2017	04/10/86	12	FIRST READING
	04/11/86	4	FIRST READING
	05/07/86	30	SECOND READING
	05/13/86	96	THIRD READING
	06/25/86	160	CONCURRENCE
SB-2018	04/10/86	12	FIRST READING
	05/07/86	32	SECOND READING
	05/07/86	32	OUT OF RECORD
	05/14/86	77	SECOND READING
	05/22/86	245	THIRD READING
	06/26/86	53	CONCURRENCE
	07/01/86	54	CONFERENCE
SB-2019	04/10/86	12	FIRST READING
	05/07/86	33	SECOND READING
	05/07/86	33	OUT OF RECORD
	05/14/86	77	SECOND READING
	05/14/86	80	OUT OF RECORD
	05/15/86	17	SECOND READING
	05/22/86	247	THIRD READING
SB-2020	04/10/86	12	FIRST READING
	05/07/86	34	SECOND READING
	05/07/86	34	OUT OF RECORD
	05/14/86	80	SECOND READING
	05/21/86	7	RECALLED
	05/22/86	248	THIRD READING
	06/25/86	161	CONCURRENCE
	06/25/86	164	OUT OF RECORD
	06/26/86	54	CONCURRENCE
	06/30/86	41	CONFERENCE
SB-2021	04/10/86	13	FIRST READING
SB-2022	04/10/86	13	FIRST READING
	05/15/86	18	SECOND READING
	05/22/86	249	THIRD READING
SB-2023	04/10/86	13	FIRST READING
SB-2024	04/10/86	13	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2025	04/10/86	13	FIRST READING
	05/14/86	82	SECOND READING
	05/20/86	138	RECALLED
	05/22/86	254	THIRD READING
SB-2026	04/10/86	13	FIRST READING
SB-2027	04/11/86	1	FIRST READING
SB-2028	04/11/86	1	FIRST READING
SB-2029	04/11/86	1	FIRST READING
SB-2030	04/11/86	1	FIRST READING
SB-2031	04/11/86	1	FIRST READING
SB-2032	04/11/86	1	FIRST READING
SB-2033	04/11/86	1	FIRST READING
SB-2034	04/11/86	1	FIRST READING
SB-2035	04/11/86	1	FIRST READING
	05/07/86	34	SECOND READING
	05/13/86	97	THIRD READING
	06/25/86	164	CONCURRENCE
SB-2036	04/11/86	1	FIRST READING
SB-2037	04/11/86	2	FIRST READING
	05/15/86	19	SECOND READING
	05/21/86	8	RECALLED
	05/22/86	255	THIRD READING
SB-2038	04/11/86	2	FIRST READING
	05/14/86	82	SECOND READING
	05/22/86	261	THIRD READING
SB-2039	04/11/86	2	FIRST READING
SB-2040	04/11/86	2	FIRST READING
SB-2041	04/11/86	2	FIRST READING
SB-2042	04/11/86	2	FIRST READING
	05/07/86	35	SECOND READING
	05/22/86	262	THIRD READING
	06/25/86	165	CONCURRENCE
	06/30/86	41	CONFERENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-2043	04/11/86	2	FIRST READING
	04/11/86	2	FIRST READING
SB-2044	04/11/86	2	FIRST READING
	05/14/86	113	SECOND READING
	05/14/86	115	OUT OF RECORD
	05/15/86	22	SECOND READING
	05/22/86	266	THIRD READING
SB-2045	04/11/86	2	FIRST READING
SB-2046	04/11/86	2	FIRST READING
SB-2047	04/11/86	2	FIRST READING
SB-2048	04/11/86	2	FIRST READING
SB-2049	04/11/86	2	FIRST READING
SB-2050	04/11/86	2	FIRST READING
SB-2051	04/11/86	2	FIRST READING
	05/21/86	45	SECOND READING
	05/21/86	45	OUT OF RECORD
	05/21/86	194	SECOND READING
	05/22/86	270	THIRD READING
SB-2052	04/11/86	2	FIRST READING
	05/15/86	42	SECOND READING
	05/22/86	275	THIRD READING
SB-2053	04/11/86	3	FIRST READING
	05/15/86	22	SECOND READING
	05/22/86	279	THIRD READING
SB-2054	04/11/86	3	FIRST READING
	05/15/86	22	SECOND READING
	05/22/86	285	THIRD READING
SB-2055	04/11/86	3	FIRST READING
SB-2056	04/11/86	3	FIRST READING
SB-2057	04/11/86	3	FIRST READING
	05/07/86	35	SECOND READING
SB-2058	04/11/86	3	FIRST READING
SB-2059	04/11/86	4	FIRST READING
SB-2060	04/11/86	4	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2061	04/11/86	4	FIRST READING
	05/07/86	36	SECOND READING
	05/13/86	98	THIRD READING
	06/27/86	17	CONCURRENCE
SB-2062	04/11/86	4	FIRST READING
SB-2063	04/11/86	4	FIRST READING
SB-2064	04/11/86	4	FIRST READING
SB-2065	04/11/86	4	FIRST READING
SB-2066	04/11/86	4	FIRST READING
SB-2067	04/11/86	4	FIRST READING
SB-2068	04/11/86	4	FIRST READING
SB-2069	04/11/86	4	FIRST READING
SB-2070	05/07/86	37	SECOND READING
	05/07/86	38	TABLED
SB-2071	04/11/86	4	FIRST READING
SB-2072	04/11/86	4	FIRST READING
SB-2073	04/11/86	4	FIRST READING
SB-2074	04/11/86	4	FIRST READING
	05/21/86	44	SECOND READING
	05/22/86	289	THIRD READING
SB-2075	04/11/86	5	FIRST READING
SB-2076	04/11/86	5	FIRST READING
	05/14/86	83	SECOND READING
	05/22/86	290	THIRD READING
	06/25/86	166	CONCURRENCE
	07/01/86	51	CONFERENCE
SB-2077	04/11/86	5	FIRST READING
	05/14/86	83	SECOND READING
	05/22/86	291	THIRD READING
	06/25/86	175	CONCURRENCE
SB-2078	04/11/86	5	FIRST READING
	05/07/86	38	SECOND READING
	05/13/86	99	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2079	04/11/86	5	FIRST READING
SB-2080	04/11/86	5	FIRST READING
SB-2081	04/11/86	5	FIRST READING
	05/15/86	43	SECOND READING
	05/22/86	293	THIRD READING
SB-2082	04/11/86	5	FIRST READING
	05/14/86	86	SECOND READING
	05/22/86	294	THIRD READING
SB-2083	04/11/86	5	FIRST READING
SB-2084	04/11/86	5	FIRST READING
	05/07/86	38	SECOND READING
	05/21/86	17	RECALLED
	05/22/86	295	THIRD READING
SB-2085	04/11/86	5	FIRST READING
SB-2086	04/11/86	5	FIRST READING
	05/15/86	23	SECOND READING
SB-2087	04/11/86	5	FIRST READING
	05/07/86	40	SECOND READING
	05/13/86	102	THIRD READING
SB-2088	04/11/86	5	FIRST READING
	05/14/86	87	SECOND READING
	05/22/86	296	THIRD READING
	05/22/86	299	OUT OF RECORD
SB-2089	04/11/86	5	FIRST READING
SB-2090	04/11/86	5	FIRST READING
	05/14/86	90	SECOND READING
	05/20/86	116	RECALLED
	05/23/86	6	THIRD READING
SB-2091	04/11/86	5	FIRST READING
	05/14/86	91	SECOND READING
	05/23/86	7	THIRD READING
	06/25/86	182	CONCURRENCE
SB-2092	04/11/86	6	FIRST READING
	05/14/86	91	SECOND READING
	05/23/86	8	THIRD READING
SB-2093	04/11/86	6	FIRST READING
	05/14/86	92	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2093(cont'd)	05/23/86	9	THIRD READING
SB-2094	04/11/86	6	FIRST READING
SB-2095	04/11/86	6	FIRST READING
SB-2096	04/11/86	6	FIRST READING
SB-2097	04/11/86	6	FIRST READING
SB-2098	04/11/86	6	FIRST READING
SB-2099	04/11/86	6	FIRST READING
SB-2100	04/11/86	6	FIRST READING
	05/07/86	40	SECOND READING
	05/13/86	102	THIRD READING
	06/25/86	183	CONCURRENCE
	06/30/86	27	CONFERENCE
SB-2101	04/11/86	6	FIRST READING
SB-2102	04/11/86	6	FIRST READING
SB-2103	04/11/86	6	FIRST READING
SB-2104	04/11/86	6	FIRST READING
	05/15/86	29	SECOND READING
	05/23/86	10	THIRD READING
SB-2105	04/11/86	6	FIRST READING
	05/07/86	40	SECOND READING
	05/13/86	104	THIRD READING
	06/26/86	54	CONCURRENCE
SB-2106	04/11/86	6	FIRST READING
SB-2107	04/11/86	6	FIRST READING
SB-2108	04/11/86	6	FIRST READING
	05/14/86	92	SECOND READING
	05/23/86	10	THIRD READING
	06/26/86	55	CONCURRENCE
	07/01/86	41	CONFERENCE
SB-2109	04/11/86	7	FIRST READING
	04/11/86	8	FIRST READING
SB-2110	04/11/86	7	FIRST READING
SB-2111	04/11/86	7	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2112	04/11/86	7	FIRST READING
SB-2113	04/11/86	7	FIRST READING
SB-2114	04/11/86	7	FIRST READING
SB-2115	04/11/86	7	FIRST READING
SB-2116	04/11/86	7	FIRST READING
	05/07/86	41	SECOND READING
	05/13/86	105	THIRD READING
	12/05/86	7	CONCURRENCE
SB-2117	04/11/86	7	FIRST READING
	05/14/86	94	SECOND READING
	05/20/86	138	RECALLED
	05/20/86	139	OUT OF RECORD
	05/21/86	9	RECALLED
	05/22/86	40	RECALLED
	05/23/86	14	THIRD READING
	07/01/86	68	CONCURRENCE
	07/01/86	111	CONFERENCE
SB-2118	04/11/86	7	FIRST READING
SB-2119	04/11/86	7	FIRST READING
SB-2120	04/11/86	7	FIRST READING
SB-2121	04/11/86	7	FIRST READING
SB-2122	04/11/86	7	FIRST READING
SB-2123	04/11/86	7	FIRST READING
	05/14/86	94	SECOND READING
	05/21/86	17	RECALLED
	05/23/86	15	THIRD READING
	12/03/86	74	NON-CONCURRENCE
SB-2124	04/11/86	7	FIRST READING
SB-2125	04/11/86	8	FIRST READING
SB-2126	04/11/86	8	FIRST READING
SB-2127	04/11/86	8	FIRST READING
SB-2128	04/11/86	8	FIRST READING
SB-2129	05/07/86	42	SECOND READING
	05/13/86	106	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2129 (cont'd)	06/25/86	183	CONCURRENCE
	06/30/86	128	CONFERENCE
	07/01/86	100	CONFERENCE
SB-2130	04/11/86	8	FIRST READING
SB-2131	04/11/86	8	FIRST READING
SB-2132	04/11/86	8	FIRST READING
SB-2133	04/11/86	8	FIRST READING
SB-2134	04/11/86	8	FIRST READING
SB-2135	04/11/86	8	FIRST READING
	05/15/86	31	SECOND READING
	05/23/86	21	THIRD READING
SB-2136	04/11/86	8	FIRST READING
	05/07/86	42	SECOND READING
	05/13/86	106	THIRD READING
SB-2137	04/11/86	8	FIRST READING
SB-2139	04/11/86	8	FIRST READING
SB-2140	04/11/86	8	FIRST READING
SB-2141	04/11/86	8	FIRST READING
SB-2142	04/11/86	9	FIRST READING
	05/07/86	43	SECOND READING
	05/13/86	108	THIRD READING
SB-2143	04/11/86	9	FIRST READING
	05/07/86	43	SECOND READING
	05/13/86	113	THIRD READING
SB-2144	04/11/86	9	FIRST READING
SB-2145	04/11/86	9	FIRST READING
	05/20/86	101	SECOND READING
	05/23/86	22	THIRD READING
SB-2146	04/11/86	9	FIRST READING
SB-2147	04/11/86	9	FIRST READING
SB-2148	04/11/86	9	FIRST READING
SB-2149	04/11/86	9	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2150	04/11/86	9	FIRST READING
SB-2151	04/11/86	9	FIRST READING
	05/20/86	194	SECOND READING
SB-2152	04/11/86	9	FIRST READING
SB-2153	04/11/86	9	FIRST READING
SB-2154	04/11/86	9	FIRST READING
	05/07/86	43	SECOND READING
	05/07/86	45	RECALLED
	05/20/86	112	RECALLED
	05/23/86	22	THIRD READING
SB-2155	04/11/86	9	FIRST READING
	05/07/86	46	SECOND READING
	05/13/86	114	THIRD READING
SB-2156	04/11/86	9	FIRST READING
	05/20/86	101	SECOND READING
	05/23/86	24	THIRD READING
	05/23/86	24	OUT OF RECORD
SB-2157	04/11/86	9	FIRST READING
	05/07/86	48	SECOND READING
	05/20/86	112	RECALLED
	05/23/86	24	THIRD READING
SB-2158	04/11/86	9	FIRST READING
	05/15/86	31	SECOND READING
	05/23/86	25	THIRD READING
SB-2159	04/11/86	10	FIRST READING
SB-2160	04/11/86	10	FIRST READING
SB-2161	04/11/86	10	FIRST READING
SB-2162	04/11/86	10	FIRST READING
	05/14/86	94	SECOND READING
	05/20/86	139	RECALLED
	05/23/86	26	THIRD READING
SB-2163	04/11/86	10	FIRST READING
	05/14/86	95	SECOND READING
	05/23/86	29	THIRD READING
	05/23/86	45	POSTPONED CONSIDERATION
SB-2164	04/11/86	10	FIRST READING
	05/14/86	99	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2164 (cont'd)	05/23/86	45	THIRD READING
SB-2165	04/11/86	10	FIRST READING
	05/14/86	99	SECOND READING
	05/23/86	47	THIRD READING
	06/25/86	186	CONCURRENCE
	07/01/86	52	CONFERENCE
SB-2166	04/11/86	10	FIRST READING
	05/14/86	100	SECOND READING
	05/23/86	58	THIRD READING
SB-2167	04/11/86	10	FIRST READING
SB-2168	04/11/86	10	FIRST READING
	05/14/86	102	SECOND READING
	05/23/86	62	THIRD READING
SB-2169	04/11/86	10	FIRST READING
	05/21/86	46	SECOND READING
SB-2170	04/11/86	10	FIRST READING
SB-2171	04/11/86	10	FIRST READING
SB-2172	04/11/86	10	FIRST READING
SB-2173	04/11/86	10	FIRST READING
	05/07/86	48	SECOND READING
	05/13/86	124	THIRD READING
	06/25/86	184	CONCURRENCE
	06/30/86	144	CONFERENCE
SB-2174	04/11/86	11	FIRST READING
SB-2175	04/11/86	11	FIRST READING
SB-2176	04/11/86	11	FIRST READING
SB-2177	04/11/86	11	FIRST READING
	05/07/86	48	SECOND READING
	05/13/86	124	THIRD READING
	06/25/86	185	CONCURRENCE
	11/19/86	73	VETO ACTION
SB-2178	04/11/86	11	FIRST READING
SB-2179	04/11/86	11	FIRST READING
SB-2180	04/11/86	11	FIRST READING
	05/15/86	32	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2180 (cont'd)	05/23/86	62	THIRD READING
	05/23/86	67	POSTPONED CONSIDERATION
SB-2181	04/11/86	11	FIRST READING
SB-2182	04/11/86	11	FIRST READING
SB-2183	04/11/86	11	FIRST READING
SB-2184	04/11/86	11	FIRST READING
SB-2185	04/11/86	11	FIRST READING
	05/14/86	102	SECOND READING
	05/21/86	15	RECALLED
	05/23/86	67	THIRD READING
	06/25/86	188	CONCURRENCE
SB-2186	04/11/86	12	FIRST READING
SB-2187	04/11/86	12	FIRST READING
SB-2188	04/11/86	12	FIRST READING
SB-2189	04/11/86	12	FIRST READING
SB-2190	04/11/86	12	FIRST READING
	05/20/86	195	SECOND READING
	05/23/86	68	THIRD READING
SB-2191	04/11/86	12	FIRST READING
	05/13/86	2	SECOND READING
	05/22/86	43	RECALLED
	05/23/86	69	THIRD READING
	06/25/86	188	CONCURRENCE
SB-2192	04/11/86	12	FIRST READING
	04/11/86	12	FIRST READING
	05/14/86	103	SECOND READING
	05/23/86	71	THIRD READING
	06/25/86	190	CONCURRENCE
SB-2193	04/11/86	12	FIRST READING
	05/14/86	104	SECOND READING
	05/23/86	72	THIRD READING
	06/25/86	191	CONCURRENCE
SB-2194	04/11/86	12	FIRST READING
	05/20/86	196	SECOND READING
	05/23/86	74	THIRD READING
	06/25/86	192	CONCURRENCE

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BILL NUMBER	DATE	PAGE	ACTION
SB-2195	04/11/86	12	FIRST READING
SB-2196	04/11/86	12	FIRST READING
	05/13/86	3	SECOND READING
	05/14/86	117	THIRD READING
	06/25/86	193	CONCURRENCE
SB-2197	04/11/86	12	FIRST READING
	05/13/86	3	SECOND READING
	05/14/86	118	THIRD READING
	06/25/86	193	CONCURRENCE
SB-2198	04/11/86	12	FIRST READING
	05/13/86	4	SECOND READING
	05/14/86	129	THIRD READING
SB-2199	04/11/86	12	FIRST READING
	05/13/86	4	SECOND READING
	05/23/86	75	THIRD READING
SB-2200	04/11/86	13	FIRST READING
	05/13/86	5	SECOND READING
	05/20/86	140	RECALLED
	06/27/86	19	TABLED
SB-2201	04/11/86	13	FIRST READING
SB-2202	04/11/86	13	FIRST READING
	05/21/86	47	SECOND READING
	05/21/86	47	OUT OF RECORD
	05/21/86	209	SECOND READING
	05/23/86	76	THIRD READING
	05/23/86	76	DISCUSSED
SB-2203	04/11/86	13	FIRST READING
SB-2204	04/11/86	13	FIRST READING
	05/13/86	6	SECOND READING
	05/14/86	131	THIRD READING
	05/14/86	139	OUT OF RECORD
	05/22/86	305	RECALLED
	05/23/86	98	THIRD READING
SB-2205	04/11/86	13	FIRST READING
	05/13/86	7	SECOND READING
	05/14/86	139	THIRD READING
SB-2206	04/11/86	13	FIRST READING
SB-2207	04/11/86	13	FIRST READING
	05/13/86	7	SECOND READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2207(cont'd)	05/20/86	113	RECALLED
	05/23/86	107	THIRD READING
SB-2208	04/11/86	13	FIRST READING
SB-2209	04/11/86	13	FIRST READING
SB-2210	04/11/86	13	FIRST READING
	05/20/86	197	SECOND READING
	05/23/86	108	THIRD READING
	07/01/86	16	CONCURRENCE
SB-2211	04/11/86	13	FIRST READING
	05/13/86	9	SECOND READING
	05/23/86	109	THIRD READING
SB-2212	04/11/86	13	FIRST READING
	05/13/86	11	SECOND READING
	05/14/86	140	THIRD READING
	06/25/86	195	CONCURRENCE
SB-2213	04/11/86	13	FIRST READING
SB-2214	04/11/86	13	FIRST READING
SB-2215	04/11/86	13	FIRST READING
SB-2216	04/11/86	13	FIRST READING
SB-2217	04/11/86	14	FIRST READING
SB-2218	04/11/86	14	FIRST READING
SB-2219	04/11/86	14	FIRST READING
SB-2220	04/11/86	14	FIRST READING
SB-2221	04/11/86	14	FIRST READING
SB-2222	04/11/86	14	FIRST READING
SB-2223	04/11/86	14	FIRST READING
SB-2224	04/11/86	14	FIRST READING
SB-2225	04/11/86	14	FIRST READING
SB-2226	04/11/86	14	FIRST READING
SB-2227	04/11/86	14	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2228	04/11/86	14	FIRST READING
SB-2229	04/11/86	14	FIRST READING
SB-2230	04/11/86	14	FIRST READING
SB-2231	04/11/86	14	FIRST READING
	05/15/86	33	SECOND READING
	05/23/86	110	THIRD READING
SB-2232	04/11/86	14	FIRST READING
	05/15/86	33	SECOND READING
	05/23/86	113	THIRD READING
SB-2233	04/11/86	14	FIRST READING
	05/15/86	33	SECOND READING
	05/23/86	114	THIRD READING
SB-2234	04/11/86	15	FIRST READING
SB-2235	04/11/86	15	FIRST READING
SB-2236	04/11/86	15	FIRST READING
SB-2237	04/11/86	15	FIRST READING
SB-2238	04/11/86	15	FIRST READING
SB-2239	04/11/86	15	FIRST READING
SB-2240	04/11/86	15	FIRST READING
SB-2241	04/11/86	15	FIRST READING
SB-2242	04/11/86	15	FIRST READING
SB-2243	04/11/86	15	FIRST READING
SB-2244	04/11/86	15	FIRST READING
SB-2245	04/11/86	15	FIRST READING
SB-2246	04/11/86	15	FIRST READING
SB-2247	04/11/86	15	FIRST READING
SB-2248	04/11/86	15	FIRST READING
SB-2249	04/11/86	15	FIRST READING
SB-2250	04/11/86	15	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2251	04/11/86	16	FIRST READING
SB-2252	04/11/86	16	FIRST READING
SB-2253	04/11/86	16	FIRST READING
SB-2254	04/11/86	16	FIRST READING
SB-2255	04/11/86	16	FIRST READING
	05/21/86	60	SECOND READING
	05/23/86	115	THIRD READING
	06/25/86	196	CONCURRENCE
	11/19/86	33	VETO ACTION
SB-2256	04/11/86	16	FIRST READING
SB-2257	04/11/86	16	FIRST READING
SB-2258	04/11/86	16	FIRST READING
SB-2259	04/11/86	16	FIRST READING
SB-2260	04/11/86	16	FIRST READING
SB-2261	04/11/86	16	FIRST READING
SB-2262	04/11/86	16	FIRST READING
SB-2263	04/11/86	16	FIRST READING
	05/21/86	80	SECOND READING
	05/23/86	118	THIRD READING
SB-2264	04/11/86	16	FIRST READING
SB-2265	04/11/86	16	FIRST READING
	05/21/86	193	SECOND READING
	05/23/86	126	THIRD READING
SB-2266	04/11/86	16	FIRST READING
SB-2267	04/11/86	16	FIRST READING
SB-2268	04/11/86	17	FIRST READING
SB-2269	04/11/86	17	FIRST READING
SB-2270	04/11/86	17	FIRST READING
SB-2271	04/11/86	17	FIRST READING
	05/14/86	104	SECOND READING
	05/23/86	127	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2271 (cont'd)	06/26/86	55	CONCURRENCE
SB-2272	04/11/86	17	FIRST READING
SB-2273	04/11/86	17	FIRST READING
	05/15/86	34	SECOND READING
	05/23/86	128	THIRD READING
SB-2274	04/11/86	17	FIRST READING
	05/13/86	12	SECOND READING
	05/14/86	141	THIRD READING
SB-2275	04/11/86	17	FIRST READING
	05/13/86	12	SECOND READING
	05/23/86	129	THIRD READING
SB-2276	04/11/86	17	FIRST READING
	05/14/86	105	SECOND READING
	05/23/86	130	THIRD READING
SB-2277	04/11/86	17	FIRST READING
	05/13/86	12	SECOND READING
	05/23/86	130	THIRD READING
SB-2278	04/11/86	17	FIRST READING
	05/13/86	13	SECOND READING
	05/23/86	131	THIRD READING
SB-2279	04/11/86	17	FIRST READING
	05/14/86	105	SECOND READING
	05/23/86	132	THIRD READING
SB-2280	04/11/86	17	FIRST READING
	05/13/86	13	SECOND READING
	05/20/86	114	RECALLED
	05/23/86	133	THIRD READING
SB-2281	04/11/86	17	FIRST READING
	05/15/86	34	SECOND READING
SB-2282	04/11/86	17	FIRST READING
	05/13/86	14	SECOND READING
	05/23/86	134	THIRD READING
SB-2283	04/11/86	17	FIRST READING
	05/13/86	15	SECOND READING
	05/14/86	142	THIRD READING
	06/25/86	199	CONCURRENCE
SB-2284	04/11/86	17	FIRST READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2285	04/11/86	18	FIRST READING
	05/13/86	16	SECOND READING
	05/14/86	144	THIRD READING
	06/25/86	200	CONCURRENCE
SB-2286	04/11/86	18	FIRST READING
	05/13/86	16	SECOND READING
	05/14/86	158	THIRD READING
SB-2287	04/11/86	18	FIRST READING
SB-2288	05/13/86	17	SECOND READING
	05/14/86	167	THIRD READING
	06/25/86	208	CONCURRENCE
SB-2289	04/11/86	18	FIRST READING
	05/14/86	106	SECOND READING
	05/23/86	134	THIRD READING
SB-2290	04/11/86	18	FIRST READING
SB-2291	04/11/86	18	FIRST READING
SB-2292	04/11/86	18	FIRST READING
	05/13/86	18	SECOND READING
	05/20/86	115	RECALLED
	05/23/86	136	THIRD READING
	06/25/86	209	CONCURRENCE
SB-2293	04/11/86	18	FIRST READING
	05/13/86	19	SECOND READING
	05/20/86	115	RECALLED
	05/23/86	137	THIRD READING
	06/25/86	210	CONCURRENCE
SB-2294	04/11/86	18	FIRST READING
	05/13/86	21	SECOND READING
	05/13/86	21	OUT OF RECORD
	05/14/86	107	SECOND READING
	05/21/86	20	RECALLED
	05/22/86	49	RECALLED
	05/23/86	138	THIRD READING
SB-2295	04/11/86	18	FIRST READING
	05/13/86	21	SECOND READING
	05/14/86	167	THIRD READING
SB-2296	04/11/86	18	FIRST READING
	05/13/86	22	SECOND READING
	05/14/86	168	THIRD READING

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BILL NUMBER	DATE	PAGE	ACTION
SB-2297	04/11/86	18	FIRST READING
SB-2298	04/11/86	18	FIRST READING
SB-2299	04/11/86	18	FIRST READING
SB-2300	04/11/86	18	FIRST READING
	05/13/86	23	SECOND READING
	05/23/86	140	THIRD READING
	06/30/86	140	CONCURRENCE
SB-2301	04/11/86	18	FIRST READING
	05/14/86	108	SECOND READING
	05/23/86	141	THIRD READING
SB-2302	04/11/86	18	FIRST READING
	05/13/86	24	SECOND READING
	05/14/86	169	THIRD READING
SB-2303	04/11/86	19	FIRST READING
SB-2304	04/22/86	12	FIRST READING
SB-2305	11/06/86	4	FIRST READING
SB-2306	11/19/86	2	FIRST READING
SB-2307	11/19/86	2	FIRST READING
SB-2308	11/19/86	2	FIRST READING
SB-2309	11/19/86	2	FIRST READING
SB-2310	11/19/86	2	FIRST READING
SB-2311	11/19/86	2	FIRST READING
SB-2312	11/19/86	2	FIRST READING
SB-2313	11/19/86	2	FIRST READING
SB-2314	11/19/86	2	FIRST READING
SB-2315	11/19/86	96	FIRST READING
SB-2316	11/19/86	97	FIRST READING
SB-2317	11/19/86	97	FIRST READING
SR-0001	01/09/85	16	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0002	01/09/85	17	ADOPTED
SR-0003	01/09/85	17	ADOPTED
SR-0004	01/09/85	18	ADOPTED
SR-0005	01/09/85	18	ADOPTED
SR-0006	01/09/85	18	ADOPTED
SR-0007	01/09/85	20	ADOPTED
	02/05/85	8	RESOLUTION OFFERED
SR-0009	02/05/85	7	RESOLUTION OFFERED
SR-0010	02/05/85	7	RESOLUTION OFFERED
SR-0011	02/05/85	7	RESOLUTION OFFERED
SR-0012	02/05/85	7	RESOLUTION OFFERED
SR-0013	02/05/85	7	RESOLUTION OFFERED
SR-0014	02/05/85	7	RESOLUTION OFFERED
SR-0015	02/05/85	7	RESOLUTION OFFERED
SR-0016	02/05/85	7	RESOLUTION OFFERED
SR-0017	02/05/85	7	RESOLUTION OFFERED
SR-0018	02/05/85	7	RESOLUTION OFFERED
SR-0019	02/05/85	7	RESOLUTION OFFERED
SR-0020	02/05/85	7	RESOLUTION OFFERED
	03/06/85	5	ADOPTED
SR-0021	02/05/85	7	RESOLUTION OFFERED
SR-0022	02/05/85	7	RESOLUTION OFFERED
SR-0023	02/05/85	7	RESOLUTION OFFERED
SR-0024	02/05/85	7	RESOLUTION OFFERED
SR-0025	02/05/85	8	RESOLUTION OFFERED
SR-0026	02/05/85	8	RESOLUTION OFFERED
SR-0027	02/05/85	8	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0028	02/05/85	8	RESOLUTION OFFERED
SR-0029	02/05/85	8	RESOLUTION OFFERED
SR-0030	02/05/85	8	ADOPTED
	02/20/85	2	RESOLUTION OFFERED
SR-0031	02/20/85	2	RESOLUTION OFFERED
SR-0032	02/20/85	2	RESOLUTION OFFERED
SR-0033	02/20/85	2	RESOLUTION OFFERED
SR-0034	02/20/85	2	RESOLUTION OFFERED
	02/20/85	6	RESOLUTION OFFERED
	03/05/85	58	ADOPTED
SR-0035	02/20/85	6	RESOLUTION OFFERED
SR-0036	02/20/85	6	RESOLUTION OFFERED
SR-0037	02/20/85	6	RESOLUTION OFFERED
SR-0038	02/20/85	6	RESOLUTION OFFERED
SR-0039	02/20/85	6	RESOLUTION OFFERED
	03/05/85	58	ADOPTED
SR-0040	03/05/85	59	OUT OF RECORD
	06/27/85	23	OUT OF RECORD
	06/29/85	3	ADOPTED
SR-0041	02/21/85	6	ADOPTED
SR-0042	02/21/85	6	RESOLUTION OFFERED
SR-0043	02/21/85	7	RESOLUTION OFFERED
SR-0044	02/21/85	7	RESOLUTION OFFERED
SR-0045	02/21/85	7	RESOLUTION OFFERED
	03/20/85	1	RESOLUTION OFFERED
	05/29/85	54	ADOPTED
SR-0046	02/21/85	13	RESOLUTION OFFERED
SR-0047	02/21/85	14	RESOLUTION OFFERED
	04/11/85	30	ADOPTED
SR-0048	02/21/85	17	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0049	02/27/85	2	RESOLUTION OFFERED
SR-0050	02/27/85	2	RESOLUTION OFFERED
SR-0051	02/27/85	2	RESOLUTION OFFERED
SR-0052	02/27/85	2	RESOLUTION OFFERED
SR-0053	02/27/85	2	RESOLUTION OFFERED
SR-0054	02/27/85	2	RESOLUTION OFFERED
	06/27/85	5	ADOPTED
SR-0055	02/28/85	3	RESOLUTION OFFERED
SR-0056	03/05/85	1	RESOLUTION OFFERED
SR-0057	03/05/85	2	RESOLUTION OFFERED
SR-0058	03/05/85	39	RESOLUTION OFFERED
SR-0059	03/05/85	70	RESOLUTION OFFERED
SR-0060	03/05/85	74	ADOPTED
SR-0061	03/06/85	4	RESOLUTION OFFERED
SR-0062	03/19/85	2	RESOLUTION OFFERED
SR-0063	03/19/85	2	RESOLUTION OFFERED
SR-0064	03/19/85	2	RESOLUTION OFFERED
SR-0065	03/19/85	2	RESOLUTION OFFERED
SR-0066	03/19/85	2	RESOLUTION OFFERED
SR-0067	03/19/85	2	RESOLUTION OFFERED
SR-0068	03/19/85	2	RESOLUTION OFFERED
SR-0069	03/19/85	2	RESOLUTION OFFERED
SR-0070	03/19/85	2	RESOLUTION OFFERED
SR-0071	03/19/85	2	RESOLUTION OFFERED
SR-0072	03/19/85	2	RESOLUTION OFFERED
SR-0073	03/19/85	10	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0074	03/19/85	10	RESOLUTION OFFERED
SR-0075	03/19/85	10	RESOLUTION OFFERED
SR-0076	03/19/85	55	RESOLUTION OFFERED
SR-0077	03/19/85	55	RESOLUTION OFFERED
SR-0078	03/19/85	60	ADOPTED
SR-0079	03/20/85	2	RESOLUTION OFFERED
SR-0080	03/20/85	2	RESOLUTION OFFERED
SR-0081	03/20/85	2	RESOLUTION OFFERED
SR-0082	03/20/85	2	RESOLUTION OFFERED
SR-0083	03/20/85	13	ADOPTED
SR-0084	03/20/85	14	RESOLUTION OFFERED
SR-0085	03/20/85	14	RESOLUTION OFFERED
SR-0086	03/26/85	28	RESOLUTION OFFERED
SR-0087	03/26/85	28	RESOLUTION OFFERED
SR-0088	03/26/85	28	RESOLUTION OFFERED
SR-0089	03/26/85	28	RESOLUTION OFFERED
SR-0090	03/26/85	28	RESOLUTION OFFERED
SR-0091	03/26/85	28	RESOLUTION OFFERED
SR-0092	03/26/85	28	RESOLUTION OFFERED
SR-0093	03/26/85	28	RESOLUTION OFFERED
SR-0094	03/26/85	28	RESOLUTION OFFERED
SR-0095	03/26/85	28	RESOLUTION OFFERED
SR-0096	03/26/85	31	RESOLUTION OFFERED
SR-0097	03/26/85	31	RESOLUTION OFFERED
	03/27/85	10	ADOPTED
SR-0098	03/27/85	16	RESOLUTION OFFERED
	05/21/85	215	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0099	03/27/85	4	RESOLUTION OFFERED
SR-0100	03/27/85	4	RESOLUTION OFFERED
SR-0101	03/27/85	4	RESOLUTION OFFERED
SR-0102	03/27/85	4	RESOLUTION OFFERED
SR-0103	03/27/85	4	RESOLUTION OFFERED
	06/27/85	26	ADOPTED
SR-0104	03/27/85	4	RESOLUTION OFFERED
	05/29/85	54	ADOPTED
SR-0105	03/27/85	16	RESOLUTION OFFERED
SR-0106	03/27/85	28	ADOPTED
SR-0107	04/10/85	2	ADOPTED
SR-0108	04/10/85	4	RESOLUTION OFFERED
SR-0109	04/10/85	4	RESOLUTION OFFERED
SR-0110	04/10/85	4	RESOLUTION OFFERED
SR-0111	04/10/85	4	RESOLUTION OFFERED
SR-0112	04/10/85	4	RESOLUTION OFFERED
SR-0113	04/10/85	4	RESOLUTION OFFERED
SR-0114	04/10/85	4	RESOLUTION OFFERED
SR-0115	04/10/85	40	RESOLUTION OFFERED
SR-0116	04/10/85	40	RESOLUTION OFFERED
SR-0117	04/10/85	40	RESOLUTION OFFERED
SR-0118	04/10/85	40	RESOLUTION OFFERED
SR-0119	04/10/85	40	RESOLUTION OFFERED
SR-0120	04/10/85	40	RESOLUTION OFFERED
SR-0121	04/10/85	40	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	6	ADOPTED
SR-0122	04/10/85	40	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0122 (cont'd)	05/30/85	2	OTHER
	06/27/85	6	ADOPTED
SR-0124	04/11/85	2	RESOLUTION OFFERED
SR-0125	04/11/85	2	RESOLUTION OFFERED
SR-0126	04/11/85	2	RESOLUTION OFFERED
SR-0127	04/11/85	24	ADOPTED
SR-0128	04/11/85	29	RESOLUTION OFFERED
SR-0129	04/11/85	29	RESOLUTION OFFERED
SR-0130	04/11/85	29	RESOLUTION OFFERED
SR-0131	04/11/85	29	RESOLUTION OFFERED
SR-0132	04/11/85	29	RESOLUTION OFFERED
SR-0133	04/11/85	30	RESOLUTION OFFERED
	05/30/85	2	OTHER
SR-0134	04/16/85	2	RESOLUTION OFFERED
SR-0135	04/17/85	4	RESOLUTION OFFERED
SR-0136	04/17/85	4	RESOLUTION OFFERED
SR-0137	04/17/85	4	RESOLUTION OFFERED
SR-0138	04/17/85	4	RESOLUTION OFFERED
SR-0139	04/17/85	4	RESOLUTION OFFERED
SR-0140	04/17/85	4	RESOLUTION OFFERED
SR-0141	04/17/85	4	RESOLUTION OFFERED
SR-0142	04/17/85	7	RESOLUTION OFFERED
SR-0143	04/17/85	7	RESOLUTION OFFERED
SR-0144	04/17/85	7	RESOLUTION OFFERED
SR-0145	04/17/85	8	ADOPTED
SR-0146	04/18/85	9	RESOLUTION OFFERED
SR-0147	04/18/85	10	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0148	04/18/85	10	ADOPTED
SR-0149	04/18/85	29	RESOLUTION OFFERED
SR-0150	04/23/85	2	RESOLUTION OFFERED
SR-0151	04/23/85	2	RESOLUTION OFFERED
SR-0152	04/23/85	2	RESOLUTION OFFERED
SR-0153	04/23/85	2	RESOLUTION OFFERED
SR-0154	04/23/85	2	RESOLUTION OFFERED
SR-0155	04/23/85	2	RESOLUTION OFFERED
SR-0156	04/23/85	3	RESOLUTION OFFERED
	04/24/85	13	ADOPTED
	05/15/86	87	ADOPTED
SR-0157	04/23/85	5	RESOLUTION OFFERED
SR-0158	04/23/85	5	RESOLUTION OFFERED
SR-0159	04/23/85	7	RESOLUTION OFFERED
	04/25/85	4	TABLED
SR-0160	04/24/85	3	ADOPTED
SR-0161	04/24/85	16	RESOLUTION OFFERED
SR-0162	04/24/85	16	RESOLUTION OFFERED
SR-0163	04/24/85	16	RESOLUTION OFFERED
SR-0164	04/24/85	16	RESOLUTION OFFERED
SR-0165	04/24/85	16	RESOLUTION OFFERED
SR-0166	04/24/85	16	RESOLUTION OFFERED
SR-0167	04/24/85	16	RESOLUTION OFFERED
SR-0168	04/24/85	16	RESOLUTION OFFERED
SR-0169	04/24/85	17	RESOLUTION OFFERED
SR-0170	04/25/85	6	RESOLUTION OFFERED
SR-0171	04/25/85	6	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0172	04/25/85	6	RESOLUTION OFFERED
SR-0173	04/25/85	6	RESOLUTION OFFERED
SR-0174	04/25/85	6	RESOLUTION OFFERED
SR-0175	04/25/85	6	RESOLUTION OFFERED
SR-0176	04/25/85	6	RESOLUTION OFFERED
SR-0177	04/25/85	14	RESOLUTION OFFERED
SR-0178	04/30/85	2	RESOLUTION OFFERED
SR-0179	05/01/85	3	RESOLUTION OFFERED
SR-0180	05/01/85	3	ADOPTED
SR-0181	05/01/85	6	RESOLUTION OFFERED
SR-0182	05/01/85	11	RESOLUTION OFFERED
	05/01/85	19	ADOPTED
SR-0183	05/01/85	25	RESOLUTION OFFERED
SR-0184	05/01/85	25	RESOLUTION OFFERED
SR-0185	05/01/85	26	RESOLUTION OFFERED
SR-0186	05/02/85	3	ADOPTED
SR-0187	05/02/85	3	RESOLUTION OFFERED
SR-0188	05/02/85	3	RESOLUTION OFFERED
SR-0189	05/02/85	5	RESOLUTION OFFERED
SR-0190	05/02/85	5	RESOLUTION OFFERED
SR-0191	05/02/85	5	RESOLUTION OFFERED
SR-0192	05/03/85	7	RESOLUTION OFFERED
SR-0193	05/03/85	7	RESOLUTION OFFERED
SR-0194	05/03/85	7	RESOLUTION OFFERED
SR-0195	05/03/85	7	RESOLUTION OFFERED
SR-0196	05/07/85	3	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0197	05/07/85	3	RESOLUTION OFFERED
SR-0198	05/08/85	2	RESOLUTION OFFERED
SR-0199	05/08/85	2	RESOLUTION OFFERED
SR-0200	05/08/85	2	RESOLUTION OFFERED
SR-0201	05/08/85	2	RESOLUTION OFFERED
	05/08/85	203	ADOPTED
SR-0202	05/08/85	2	RESOLUTION OFFERED
	05/16/85	222	ADOPTED
SR-0203	05/08/85	2	RESOLUTION OFFERED
SR-0204	05/08/85	2	RESOLUTION OFFERED
SR-0205	05/09/85	2	RESOLUTION OFFERED
SR-0206	05/09/85	2	RESOLUTION OFFERED
SR-0207	05/09/85	4	RESOLUTION OFFERED
SR-0208	05/09/85	100	RESOLUTION OFFERED
SR-0209	05/09/85	100	RESOLUTION OFFERED
SR-0210	05/09/85	100	RESOLUTION OFFERED
SR-0211	05/09/85	100	RESOLUTION OFFERED
SR-0212	05/14/85	3	RESOLUTION OFFERED
SR-0213	05/14/85	3	RESOLUTION OFFERED
SR-0214	05/14/85	3	RESOLUTION OFFERED
SR-0215	05/14/85	3	RESOLUTION OFFERED
SR-0216	05/14/85	3	RESOLUTION OFFERED
SR-0217	05/14/85	3	RESOLUTION OFFERED
SR-0218	05/14/85	186	RESOLUTION OFFERED
SR-0219	05/14/85	186	RESOLUTION OFFERED
SR-0220	05/14/85	186	RESOLUTION OFFERED
SR-0221	05/14/85	186	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0222	05/14/85	186	RESOLUTION OFFERED
SR-0223	05/14/85	186	RESOLUTION OFFERED
SR-0224	05/14/85	186	RESOLUTION OFFERED
SR-0225	05/14/85	186	RESOLUTION OFFERED
SR-0226	05/15/85	244	RESOLUTION OFFERED
SR-0227	05/15/85	244	RESOLUTION OFFERED
SR-0228	05/15/85	244	RESOLUTION OFFERED
SR-0229	05/15/85	244	ADOPTED
SR-0230	05/16/85	1	RESOLUTION OFFERED
SR-0231	05/16/85	1	RESOLUTION OFFERED
SR-0232	05/16/85	220	RESOLUTION OFFERED
SR-0233	05/16/85	220	RESOLUTION OFFERED
SR-0234	05/16/85	220	RESOLUTION OFFERED
SR-0235	05/16/85	220	RESOLUTION OFFERED
SR-0236	05/16/85	220	RESOLUTION OFFERED
SR-0237	05/16/85	220	ADOPTED
SR-0238	05/17/85	2	RESOLUTION OFFERED
SR-0239	05/17/85	144	RESOLUTION OFFERED
SR-0240	05/17/85	144	RESOLUTION OFFERED
SR-0241	05/17/85	144	RESOLUTION OFFERED
SR-0242	05/17/85	144	RESOLUTION OFFERED
SR-0243	05/17/85	144	RESOLUTION OFFERED
SR-0244	05/17/85	144	RESOLUTION OFFERED
	06/27/85	7	ADOPTED
SR-0245	05/20/85	2	RESOLUTION OFFERED
SR-0246	05/20/85	193	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0247	05/20/85	193	RESOLUTION OFFERED
SR-0248	05/20/85	193	RESOLUTION OFFERED
SR-0249	05/20/85	193	RESOLUTION OFFERED
SR-0250	05/20/85	193	RESOLUTION OFFERED
SR-0251	05/20/85	193	RESOLUTION OFFERED
SR-0252	05/20/85	193	RESOLUTION OFFERED
SR-0253	05/20/85	193	RESOLUTION OFFERED
SR-0254	05/20/85	193	RESOLUTION OFFERED
SR-0255	05/21/85	215	RESOLUTION OFFERED
SR-0256	05/21/85	215	RESOLUTION OFFERED
SR-0257	05/21/85	215	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	12	ADOPTED
SR-0258	05/21/85	216	ADOPTED
SR-0259	05/22/85	4	RESOLUTION OFFERED
SR-0260	05/23/85	395	RESOLUTION OFFERED
SR-0261	05/23/85	395	RESOLUTION OFFERED
SR-0262	05/23/85	395	RESOLUTION OFFERED
SR-0263	05/23/85	395	RESOLUTION OFFERED
	06/27/85	13	ADOPTED
SR-0264	05/23/85	396	RESOLUTION OFFERED
	05/24/85	312	RESOLUTION OFFERED
SR-0265	05/24/85	312	RESOLUTION OFFERED
SR-0266	05/24/85	312	RESOLUTION OFFERED
SR-0267	05/24/85	312	RESOLUTION OFFERED
SR-0268	05/24/85	313	RESOLUTION OFFERED
	06/27/85	14	ADOPTED
SR-0269	05/29/85	53	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0270	05/29/85	53	RESOLUTION OFFERED
SR-0271	05/29/85	54	RESOLUTION OFFERED
SR-0272	05/29/85	65	RESOLUTION OFFERED
SR-0273	05/29/85	65	RESOLUTION OFFERED
SR-0274	05/29/85	65	RESOLUTION OFFERED
SR-0275	05/29/85	65	RESOLUTION OFFERED
SR-0276	05/29/85	65	RESOLUTION OFFERED
SR-0277	05/29/85	65	RESOLUTION OFFERED
SR-0278	05/29/85	65	RESOLUTION OFFERED
SR-0279	05/29/85	65	RESOLUTION OFFERED
SR-0280	05/30/85	5	RESOLUTION OFFERED
SR-0281	05/30/85	5	RESOLUTION OFFERED
SR-0282	05/30/85	5	RESOLUTION OFFERED
SR-0283	05/30/85	5	RESOLUTION OFFERED
SR-0284	05/30/85	5	RESOLUTION OFFERED
SR-0285	05/30/85	5	RESOLUTION OFFERED
SR-0286	05/30/85	5	RESOLUTION OFFERED
SR-0287	05/30/85	5	RESOLUTION OFFERED
SR-0288	05/30/85	5	RESOLUTION OFFERED
SR-0289	05/30/85	5	RESOLUTION OFFERED
SR-0290	05/30/85	5	RESOLUTION OFFERED
SR-0291	05/30/85	5	RESOLUTION OFFERED
SR-0292	05/30/85	5	RESOLUTION OFFERED
SR-0293	05/30/85	5	RESOLUTION OFFERED
SR-0294	05/30/85	5	RESOLUTION OFFERED
SR-0295	05/30/85	5	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0295 (cont'd)	06/27/85	15	ADOPTED
SR-0296	05/30/85	8	RESOLUTION OFFERED
SR-0297	05/30/85	8	RESOLUTION OFFERED
SR-0298	05/30/85	8	RESOLUTION OFFERED
SR-0299	06/03/85	2	RESOLUTION OFFERED
SR-0300	06/03/85	2	RESOLUTION OFFERED
SR-0301	06/03/85	20	RESOLUTION OFFERED
SR-0302	06/03/85	20	RESOLUTION OFFERED
SR-0303	06/03/85	20	RESOLUTION OFFERED
SR-0304	06/03/85	20	RESOLUTION OFFERED
SR-0305	06/03/85	20	RESOLUTION OFFERED
SR-0306	06/03/85	20	RESOLUTION OFFERED
SR-0307	06/03/85	20	RESOLUTION OFFERED
SR-0308	06/03/85	20	RESOLUTION OFFERED
SR-0309	06/03/85	20	RESOLUTION OFFERED
SR-0310	06/03/85	20	RESOLUTION OFFERED
SR-0311	06/03/85	20	RESOLUTION OFFERED
SR-0312	06/03/85	20	RESOLUTION OFFERED
SR-0313	06/03/85	20	RESOLUTION OFFERED
SR-0314	06/04/85	2	RESOLUTION OFFERED
SR-0315	06/04/85	2	RESOLUTION OFFERED
SR-0316	06/04/85	2	RESOLUTION OFFERED
SR-0317	06/04/85	2	RESOLUTION OFFERED
SR-0318	06/04/85	2	RESOLUTION OFFERED
SR-0319	06/04/85	2	RESOLUTION OFFERED
SR-0320	06/04/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0321	06/04/85	2	RESOLUTION OFFERED
SR-0322	06/04/85	2	RESOLUTION OFFERED
SR-0323	06/04/85	2	RESOLUTION OFFERED
SR-0324	06/04/85	2	RESOLUTION OFFERED
SR-0325	06/04/85	2	RESOLUTION OFFERED
SR-0326	06/04/85	2	RESOLUTION OFFERED
SR-0327	06/04/85	2	RESOLUTION OFFERED
SR-0328	06/04/85	2	RESOLUTION OFFERED
SR-0329	06/04/85	2	RESOLUTION OFFERED
SR-0330	06/04/85	2	RESOLUTION OFFERED
SR-0331	06/04/85	11	RESOLUTION OFFERED
SR-0332	06/04/85	24	RESOLUTION OFFERED
SR-0333	06/05/85	4	ADOPTED
SR-0334	06/05/85	5	RESOLUTION OFFERED
SR-0335	06/05/85	23	RESOLUTION OFFERED
SR-0336	06/05/85	23	RESOLUTION OFFERED
SR-0337	06/05/85	24	RESOLUTION OFFERED
SR-0338	06/06/85	2	RESOLUTION OFFERED
SR-0339	06/06/85	2	RESOLUTION OFFERED
SR-0340	06/06/85	3	RESOLUTION OFFERED
SR-0341	06/06/85	3	RESOLUTION OFFERED
SR-0342	06/06/85	5	RESOLUTION OFFERED
SR-0343	06/06/85	5	RESOLUTION OFFERED
SR-0344	06/06/85	5	RESOLUTION OFFERED
SR-0345	06/06/85	5	RESOLUTION OFFERED
SR-0346	06/06/85	5	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0347	06/06/85	5	RESOLUTION OFFERED
SR-0348	06/06/85	5	RESOLUTION OFFERED
SR-0349	06/06/85	5	RESOLUTION OFFERED
SR-0351	06/10/85	44	RESOLUTION OFFERED
SR-0352	06/10/85	44	RESOLUTION OFFERED
SR-0353	06/11/85	3	RESOLUTION OFFERED
SR-0354	06/11/85	3	RESOLUTION OFFERED
	06/11/85	31	RESOLUTION OFFERED
SR-0355	06/12/85	2	RESOLUTION OFFERED
SR-0356	06/12/85	2	RESOLUTION OFFERED
SR-0357	06/12/85	43	RESOLUTION OFFERED
SR-0358	06/13/85	4	RESOLUTION OFFERED
SR-0359	06/13/85	4	RESOLUTION OFFERED
SR-0360	06/13/85	37	RESOLUTION OFFERED
SR-0361	06/13/85	37	RESOLUTION OFFERED
SR-0362	06/13/85	37	RESOLUTION OFFERED
SR-0363	06/13/85	37	RESOLUTION OFFERED
SR-0364	06/13/85	37	RESOLUTION OFFERED
SR-0365	06/13/85	37	RESOLUTION OFFERED
SR-0366	06/13/85	37	RESOLUTION OFFERED
SR-0367	06/14/85	5	RESOLUTION OFFERED
SR-0368	06/14/85	5	RESOLUTION OFFERED
	06/27/85	20	ADOPTED
SR-0369	06/18/85	2	RESOLUTION OFFERED
SR-0370	06/18/85	2	RESOLUTION OFFERED
SR-0371	06/18/85	2	RESOLUTION OFFERED
SR-0372	06/19/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0373	06/19/85	2	RESOLUTION OFFERED
SR-0374	06/19/85	2	RESOLUTION OFFERED
SR-0375	06/19/85	2	RESOLUTION OFFERED
SR-0376	06/19/85	2	RESOLUTION OFFERED
SR-0377	06/19/85	2	RESOLUTION OFFERED
SR-0378	06/19/85	2	RESOLUTION OFFERED
SR-0379	06/19/85	2	RESOLUTION OFFERED
SR-0380	06/19/85	76	RESOLUTION OFFERED
SR-0381	06/19/85	76	RESOLUTION OFFERED
SR-0382	06/19/85	76	RESOLUTION OFFERED
	06/27/85	19	ADOPTED
SR-0383	06/20/85	135	RESOLUTION OFFERED
SR-0384	06/20/85	135	RESOLUTION OFFERED
SR-0385	06/20/85	135	RESOLUTION OFFERED
SR-0386	06/20/85	135	ADOPTED
	06/20/85	135	RESOLUTION OFFERED
SR-0387	06/21/85	3	RESOLUTION OFFERED
SR-0388	06/21/85	3	RESOLUTION OFFERED
SR-0389	06/21/85	3	RESOLUTION OFFERED
SR-0390	06/21/85	3	RESOLUTION OFFERED
SR-0391	06/21/85	83	RESOLUTION OFFERED
SR-0392	06/21/85	83	RESOLUTION OFFERED
SR-0393	06/21/85	83	RESOLUTION OFFERED
SR-0394	06/21/85	83	RESOLUTION OFFERED
SR-0395	06/24/85	28	RESOLUTION OFFERED
SR-0396	06/25/85	2	RESOLUTION OFFERED
	06/26/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0397	06/25/85	2	RESOLUTION OFFERED
	06/26/85	2	RESOLUTION OFFERED
SR-0398	06/25/85	2	RESOLUTION OFFERED
	06/26/85	2	RESOLUTION OFFERED
SR-0399	06/25/85	2	RESOLUTION OFFERED
	06/26/85	2	RESOLUTION OFFERED
SR-0400	06/26/85	2	RESOLUTION OFFERED
SR-0401	06/26/85	2	RESOLUTION OFFERED
SR-0402	06/26/85	2	RESOLUTION OFFERED
SR-0407	06/27/85	4	RESOLUTION OFFERED
	06/28/85	155	ADOPTED
SR-0408	06/27/85	4	RESOLUTION OFFERED
SR-0409	06/27/85	4	RESOLUTION OFFERED
SR-0410	06/27/85	4	RESOLUTION OFFERED
SR-0411	06/27/85	4	RESOLUTION OFFERED
SR-0412	06/27/85	4	RESOLUTION OFFERED
	06/27/85	28	ADOPTED
SR-0413	06/28/85	4	RESOLUTION OFFERED
SR-0414	06/28/85	4	RESOLUTION OFFERED
SR-0415	06/28/85	113	RESOLUTION OFFERED
SR-0416	06/28/85	113	RESOLUTION OFFERED
SR-0417	06/28/85	136	ADOPTED
SR-0418	06/28/85	155	ADOPTED
SR-0419	06/29/85	2	RESOLUTION OFFERED
SR-0420	06/29/85	2	RESOLUTION OFFERED
SR-0421	06/29/85	2	RESOLUTION OFFERED
SR-0422	06/29/85	2	RESOLUTION OFFERED
SR-0423	06/29/85	3	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0424	06/30/85	48	ADOPTED
SR-0425	07/02/85	2	RESOLUTION OFFERED
SR-0426	07/02/85	2	RESOLUTION OFFERED
SR-0427	07/02/85	2	RESOLUTION OFFERED
SR-0428	07/02/85	2	RESOLUTION OFFERED
SR-0429	07/02/85	2	RESOLUTION OFFERED
SR-0430	07/02/85	2	RESOLUTION OFFERED
SR-0431	07/02/85	2	RESOLUTION OFFERED
SR-0432	07/02/85	3	RESOLUTION OFFERED
SR-0433	07/02/85	3	RESOLUTION OFFERED
SR-0434	07/02/85	3	RESOLUTION OFFERED
SR-0435	07/02/85	4	RESOLUTION OFFERED
	04/15/86	8	ADOPTED
SR-0436	07/03/85	55	RESOLUTION OFFERED
	07/03/85	73	ADOPTED
SR-0437	07/03/85	55	RESOLUTION OFFERED
	07/03/85	73	ADOPTED
SR-0438	07/03/85	56	RESOLUTION OFFERED
SR-0439	07/03/85	73	ADOPTED
	07/03/85	73	RESOLUTION OFFERED
SR-0440	10/02/85	2	RESOLUTION OFFERED
SR-0441	10/02/85	2	RESOLUTION OFFERED
SR-0443	10/02/85	2	RESOLUTION OFFERED
SR-0444	10/02/85	2	RESOLUTION OFFERED
SR-0445	10/02/85	2	RESOLUTION OFFERED
SR-0446	10/02/85	2	RESOLUTION OFFERED
SR-0448	10/02/85	2	RESOLUTION OFFERED
SR-0449	10/02/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0450	10/02/85	2	RESOLUTION OFFERED
SR-0451	10/02/85	3	RESOLUTION OFFERED
SR-0452	10/02/85	3	RESOLUTION OFFERED
SR-0453	10/02/85	3	RESOLUTION OFFERED
SR-0454	10/02/85	3	RESOLUTION OFFERED
SR-0455	10/02/85	3	RESOLUTION OFFERED
SR-0456	10/02/85	3	RESOLUTION OFFERED
SR-0457	10/02/85	3	RESOLUTION OFFERED
SR-0458	10/02/85	3	RESOLUTION OFFERED
SR-0459	10/02/85	3	RESOLUTION OFFERED
SR-0460	10/02/85	3	RESOLUTION OFFERED
SR-0461	10/02/85	3	RESOLUTION OFFERED
SR-0462	10/02/85	3	RESOLUTION OFFERED
SR-0463	10/02/85	3	RESOLUTION OFFERED
SR-0464	10/02/85	3	RESOLUTION OFFERED
SR-0465	10/02/85	3	RESOLUTION OFFERED
SR-0466	10/02/85	3	RESOLUTION OFFERED
SR-0467	10/02/85	3	RESOLUTION OFFERED
SR-0468	10/02/85	3	RESOLUTION OFFERED
SR-0469	10/02/85	3	RESOLUTION OFFERED
SR-0470	10/02/85	3	RESOLUTION OFFERED
SR-0471	10/02/85	3	RESOLUTION OFFERED
SR-0472	10/02/85	5	RESOLUTION OFFERED
SR-0473	10/02/85	5	RESOLUTION OFFERED
SR-0474	10/02/85	5	RESOLUTION OFFERED
SR-0475	10/02/85	5	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0476	10/02/85	5	RESOLUTION OFFERED
SR-0477	10/02/85	6	RESOLUTION OFFERED
SR-0478	10/02/85	6	RESOLUTION OFFERED
SR-0479	10/02/85	7	RESOLUTION OFFERED
SR-0480	10/02/85	7	RESOLUTION OFFERED
SR-0481	10/02/85	7	RESOLUTION OFFERED
SR-0482	10/02/85	7	RESOLUTION OFFERED
SR-0483	10/02/85	8	RESOLUTION OFFERED
SR-0484	10/02/85	8	RESOLUTION OFFERED
SR-0485	10/02/85	8	RESOLUTION OFFERED
	10/17/85	2	RESOLUTION OFFERED
	10/17/85	59	ADOPTED
SR-0486	10/15/85	1	RESOLUTION OFFERED
SR-0487	10/15/85	2	RESOLUTION OFFERED
	10/15/85	7	ADOPTED
SR-0488	10/15/85	2	RESOLUTION OFFERED
SR-0489	10/15/85	2	RESOLUTION OFFERED
SR-0490	10/15/85	2	RESOLUTION OFFERED
SR-0491	10/15/85	2	RESOLUTION OFFERED
SR-0492	10/15/85	2	RESOLUTION OFFERED
SR-0493	10/15/85	2	RESOLUTION OFFERED
SR-0494	10/15/85	2	RESOLUTION OFFERED
SR-0495	10/15/85	2	RESOLUTION OFFERED
SR-0496	10/15/85	2	RESOLUTION OFFERED
SR-0497	10/15/85	2	RESOLUTION OFFERED
SR-0498	10/15/85	2	RESOLUTION OFFERED
SR-0499	10/15/85	2	RESOLUTION OFFERED
	10/17/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0499 (cont'd)	10/17/85	72	ADOPTED
SR-0500	10/15/85	4	RESOLUTION OFFERED
SR-0501	10/15/85	4	RESOLUTION OFFERED
SR-0502	10/15/85	4	RESOLUTION OFFERED
SR-0503	10/16/85	1	RESOLUTION OFFERED
SR-0504	10/16/85	1	RESOLUTION OFFERED
SR-0505	10/16/85	1	RESOLUTION OFFERED
SR-0506	10/16/85	2	RESOLUTION OFFERED
SR-0507	10/16/85	7	RESOLUTION OFFERED
SR-0508	10/16/85	7	RESOLUTION OFFERED
SR-0509	10/16/85	7	RESOLUTION OFFERED
SR-0510	10/16/85	153	RESOLUTION OFFERED
SR-0511	10/16/85	153	RESOLUTION OFFERED
SR-0512	10/16/85	153	RESOLUTION OFFERED
SR-0513	10/17/85	2	RESOLUTION OFFERED
SR-0514	10/17/85	2	RESOLUTION OFFERED
	05/13/86	128	OUT OF RECORD
	06/27/86	22	ADOPTED
SR-0515	10/17/85	5	RESOLUTION OFFERED
SR-0516	10/17/85	5	RESOLUTION OFFERED
SR-0517	10/17/85	74	ADOPTED
SR-0518	10/17/85	75	RESOLUTION OFFERED
SR-0519	10/17/85	75	RESOLUTION OFFERED
SR-0520	10/29/85	2	RESOLUTION OFFERED
SR-0521	10/29/85	2	RESOLUTION OFFERED
SR-0522	10/29/85	2	RESOLUTION OFFERED
SR-0523	10/29/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0524	10/29/85	2	RESOLUTION OFFERED
SR-0525	10/29/85	2	RESOLUTION OFFERED
SR-0526	10/29/85	2	RESOLUTION OFFERED
SR-0527	10/29/85	2	RESOLUTION OFFERED
SR-0528	10/29/85	2	RESOLUTION OFFERED
SR-0529	10/29/85	2	RESOLUTION OFFERED
SR-0530	10/29/85	2	RESOLUTION OFFERED
SR-0531	10/29/85	2	RESOLUTION OFFERED
SR-0532	10/29/85	3	RESOLUTION OFFERED
SR-0533	10/29/85	3	RESOLUTION OFFERED
	10/30/85	95	MOTION
	10/31/85	14	ADOPTED
SR-0534	10/29/85	3	RESOLUTION OFFERED
SR-0535	10/29/85	3	RESOLUTION OFFERED
SR-0536	10/29/85	3	RESOLUTION OFFERED
SR-0537	10/29/85	4	RESOLUTION OFFERED
SR-0538	10/29/85	4	RESOLUTION OFFERED
SR-0539	10/30/85	1	RESOLUTION OFFERED
SR-0540	10/30/85	2	RESOLUTION OFFERED
SR-0541	10/30/85	2	RESOLUTION OFFERED
SR-0542	10/30/85	2	RESOLUTION OFFERED
SR-0543	10/30/85	2	RESOLUTION OFFERED
SR-0544	10/30/85	2	RESOLUTION OFFERED
SR-0545	10/30/85	2	RESOLUTION OFFERED
SR-0546	10/30/85	2	RESOLUTION OFFERED
SR-0547	10/30/85	81	RESOLUTION OFFERED
SR-0548	10/30/85	82	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0549	10/30/85	82	RESOLUTION OFFERED
SR-0550	10/30/85	82	RESOLUTION OFFERED
SR-0551	10/30/85	82	RESOLUTION OFFERED
	10/30/85	94	MOTION
	05/13/86	134	TABLED
SR-0552	10/30/85	90	ADOPTED
	10/30/85	90	RESOLUTION OFFERED
SR-0553	10/30/85	95	RESOLUTION OFFERED
	10/31/85	18	ADOPTED
SR-0554	10/30/85	97	MOTION
	10/31/85	18	ADOPTED
SR-0555	10/30/85	99	RESOLUTION OFFERED
SR-0556	10/30/85	136	RESOLUTION OFFERED
SR-0557	10/30/85	136	RESOLUTION OFFERED
SR-0558	10/30/85	136	RESOLUTION OFFERED
SR-0559	10/31/85	2	RESOLUTION OFFERED
SR-0560	10/31/85	2	RESOLUTION OFFERED
SR-0561	10/31/85	2	RESOLUTION OFFERED
SR-0562	10/31/85	64	RESOLUTION OFFERED
SR-0563	10/31/85	64	RESOLUTION OFFERED
SR-0564	10/31/85	64	RESOLUTION OFFERED
SR-0565	10/31/85	74	ADOPTED
	10/31/85	74	RESOLUTION OFFERED
SR-0566	10/31/85	109	RESOLUTION OFFERED
SR-0567	10/31/85	109	RESOLUTION OFFERED
SR-0568	10/31/85	109	RESOLUTION OFFERED
SR-0569	10/31/85	109	RESOLUTION OFFERED
SR-0570	10/31/85	116	RESOLUTION OFFERED
SR-0571	10/31/85	117	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0571(cont'd)	10/31/85	118	ADOPTED
SR-0572	11/04/85	1	RESOLUTION OFFERED
SR-0573	11/04/85	1	RESOLUTION OFFERED
SR-0574	11/04/85	1	RESOLUTION OFFERED
SR-0575	11/04/85	2	RESOLUTION OFFERED
SR-0576	11/04/85	2	RESOLUTION OFFERED
	01/08/86	46	MOTION
	01/08/86	47	ADOPTED
SR-0577	11/04/85	2	RESOLUTION OFFERED
	11/05/85	2	RESOLUTION OFFERED
SR-0578	11/05/85	2	RESOLUTION OFFERED
SR-0579	11/05/85	3	RESOLUTION OFFERED
SR-0580	11/06/85	1	RESOLUTION OFFERED
SR-0581	11/07/85	120	RESOLUTION OFFERED
SR-0582	11/07/85	120	RESOLUTION OFFERED
SR-0583	11/07/85	120	RESOLUTION OFFERED
SR-0584	11/07/85	120	RESOLUTION OFFERED
SR-0585	11/07/85	120	RESOLUTION OFFERED
SR-0586	11/07/85	120	RESOLUTION OFFERED
	11/12/85	73	ADOPTED
SR-0587	11/07/85	121	RESOLUTION OFFERED
SR-0588	11/12/85	43	RESOLUTION OFFERED
SR-0589	11/12/85	43	RESOLUTION OFFERED
	11/14/85	63	TABLED
SR-0590	11/12/85	43	RESOLUTION OFFERED
SR-0591	11/12/85	43	RESOLUTION OFFERED
SR-0592	11/13/85	3	ADOPTED
	11/13/85	3	RESOLUTION OFFERED
SR-0593	11/13/85	4	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0594	11/13/85	4	RESOLUTION OFFERED
SR-0595	11/13/85	4	RESOLUTION OFFERED
SR-0596	11/13/85	4	ADOPTED
	11/13/85	4	RESOLUTION OFFERED
SR-0597	11/14/85	1	RESOLUTION OFFERED
SR-0598	11/14/85	3	RESOLUTION OFFERED
SR-0599	11/14/85	3	RESOLUTION OFFERED
SR-0600	01/09/86	24	RESOLUTION FAILED
SR-0601	11/14/85	32	RESOLUTION OFFERED
SR-0602	01/08/86	3	RESOLUTION OFFERED
SR-0603	01/08/86	3	RESOLUTION OFFERED
SR-0604	01/08/86	3	RESOLUTION OFFERED
SR-0605	01/08/86	3	RESOLUTION OFFERED
SR-0606	01/08/86	3	RESOLUTION OFFERED
SR-0607	01/08/86	3	RESOLUTION OFFERED
SR-0608	01/08/86	3	RESOLUTION OFFERED
SR-0609	01/08/86	3	RESOLUTION OFFERED
SR-0610	01/08/86	3	RESOLUTION OFFERED
SR-0611	01/08/86	3	RESOLUTION OFFERED
SR-0612	01/08/86	3	RESOLUTION OFFERED
SR-0613	01/08/86	3	RESOLUTION OFFERED
SR-0614	01/08/86	3	RESOLUTION OFFERED
SR-0615	01/08/86	3	RESOLUTION OFFERED
SR-0616	01/08/86	3	RESOLUTION OFFERED
SR-0617	01/08/86	3	RESOLUTION OFFERED
SR-0618	01/08/86	3	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0619	01/08/86	3	RESOLUTION OFFERED
SR-0620	01/08/86	3	RESOLUTION OFFERED
SR-0621	01/08/86	3	RESOLUTION OFFERED
SR-0622	01/08/86	3	RESOLUTION OFFERED
SR-0623	01/08/86	3	RESOLUTION OFFERED
	01/08/86	47	MOTION
	01/08/86	48	ADOPTED
SR-0624	01/08/86	3	RESOLUTION OFFERED
SR-0625	01/08/86	3	RESOLUTION OFFERED
	01/08/86	6	RESOLUTION OFFERED
SR-0626	01/08/86	6	RESOLUTION OFFERED
SR-0627	01/08/86	6	RESOLUTION OFFERED
SR-0628	01/08/86	6	RESOLUTION OFFERED
SR-0629	01/08/86	6	RESOLUTION OFFERED
SR-0630	01/08/86	6	RESOLUTION OFFERED
SR-0631	01/08/86	6	RESOLUTION OFFERED
SR-0632	01/08/86	6	RESOLUTION OFFERED
SR-0633	01/08/86	6	RESOLUTION OFFERED
SR-0634	01/08/86	6	RESOLUTION OFFERED
SR-0635	01/08/86	6	RESOLUTION OFFERED
SR-0636	01/08/86	6	RESOLUTION OFFERED
SR-0637	01/08/86	6	RESOLUTION OFFERED
SR-0638	01/08/86	6	RESOLUTION OFFERED
SR-0639	01/08/86	49	RESOLUTION OFFERED
SR-0640	01/09/86	1	RESOLUTION OFFERED
SR-0641	01/09/86	1	RESOLUTION OFFERED
SR-0642	01/09/86	1	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0643	01/09/86	1	RESOLUTION OFFERED
SR-0644	01/09/86	1	RESOLUTION OFFERED
SR-0645	01/09/86	1	RESOLUTION OFFERED
SR-0646	01/09/86	1	RESOLUTION OFFERED
SR-0647	01/09/86	21	RESOLUTION OFFERED
SR-0648	02/10/86	1	RESOLUTION OFFERED
SR-0649	02/10/86	1	RESOLUTION OFFERED
SR-0650	02/10/86	1	RESOLUTION OFFERED
SR-0651	02/10/86	1	RESOLUTION OFFERED
SR-0652	02/10/86	1	RESOLUTION OFFERED
SR-0653	02/10/86	1	RESOLUTION OFFERED
SR-0654	02/10/86	2	RESOLUTION OFFERED
SR-0655	02/10/86	2	RESOLUTION OFFERED
SR-0656	02/10/86	2	RESOLUTION OFFERED
SR-0657	02/10/86	2	RESOLUTION OFFERED
SR-0658	02/10/86	2	RESOLUTION OFFERED
SR-0659	02/10/86	2	RESOLUTION OFFERED
SR-0660	02/10/86	2	RESOLUTION OFFERED
SR-0661	02/10/86	2	RESOLUTION OFFERED
SR-0662	02/10/86	2	RESOLUTION OFFERED
SR-0663	02/10/86	2	RESOLUTION OFFERED
SR-0664	02/10/86	2	RESOLUTION OFFERED
SR-0665	02/10/86	2	RESOLUTION OFFERED
SR-0666	02/10/86	2	RESOLUTION OFFERED
SR-0667	02/10/86	2	RESOLUTION OFFERED
SR-0668	02/10/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0669	02/10/86	5	RESOLUTION OFFERED
SR-0670	02/10/86	5	RESOLUTION OFFERED
SR-0671	02/10/86	5	RESOLUTION OFFERED
SR-0672	02/10/86	5	RESOLUTION OFFERED
SR-0673	02/10/86	5	RESOLUTION OFFERED
SR-0674	02/10/86	5	RESOLUTION OFFERED
SR-0675	02/10/86	5	RESOLUTION OFFERED
SR-0676	02/10/86	5	RESOLUTION OFFERED
SR-0677	02/10/86	5	RESOLUTION OFFERED
SR-0678	02/10/86	5	RESOLUTION OFFERED
SR-0679	02/10/86	5	RESOLUTION OFFERED
SR-0680	02/10/86	5	RESOLUTION OFFERED
SR-0681	02/10/86	6	RESOLUTION OFFERED
SR-0682	02/10/86	6	RESOLUTION OFFERED
SR-0683	02/10/86	6	RESOLUTION OFFERED
SR-0684	02/10/86	6	RESOLUTION OFFERED
SR-0685	02/10/86	6	RESOLUTION OFFERED
SR-0686	02/10/86	6	RESOLUTION OFFERED
SR-0687	02/10/86	6	RESOLUTION OFFERED
SR-0688	02/10/86	6	RESOLUTION OFFERED
SR-0689	02/10/86	18	ADOPTED
SR-0690	02/10/86	6	RESOLUTION OFFERED
SR-0691	02/10/86 04/15/86	6 9	RESOLUTION OFFERED ADOPTED
SR-0693	02/10/86	17	RESOLUTION OFFERED
SR-0694	02/10/86	17	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0695	02/10/86	17	RESOLUTION OFFERED
SR-0696	02/10/86	17	RESOLUTION OFFERED
SR-0697	02/10/86	18	ADOPTED
	03/05/86	1	RESOLUTION OFFERED
SR-0698	03/05/86	1	RESOLUTION OFFERED
SR-0699	03/05/86	1	RESOLUTION OFFERED
SR-0700	03/05/86	1	RESOLUTION OFFERED
SR-0701	03/05/86	1	RESOLUTION OFFERED
SR-0702	03/05/86	1	RESOLUTION OFFERED
SR-0703	03/05/86	1	RESOLUTION OFFERED
SR-0704	03/05/86	1	RESOLUTION OFFERED
SR-0705	03/05/86	2	RESOLUTION OFFERED
SR-0706	03/05/86	2	RESOLUTION OFFERED
SR-0707	03/05/86	2	RESOLUTION OFFERED
SR-0708	03/05/86	2	RESOLUTION OFFERED
SR-0709	03/05/86	2	RESOLUTION OFFERED
SR-0710	03/05/86	2	RESOLUTION OFFERED
SR-0711	03/05/86	2	RESOLUTION OFFERED
SR-0712	03/05/86	2	RESOLUTION OFFERED
SR-0713	03/05/86	2	RESOLUTION OFFERED
SR-0714	03/05/86	2	RESOLUTION OFFERED
SR-0715	03/05/86	2	RESOLUTION OFFERED
SR-0716	03/05/86	2	RESOLUTION OFFERED
SR-0717	03/05/86	2	RESOLUTION OFFERED
SR-0718	03/05/86	2	RESOLUTION OFFERED
SR-0719	03/05/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0720	03/05/86	2	RESOLUTION OFFERED
SR-0721	03/05/86	3	RESOLUTION OFFERED
SR-0722	03/05/86	10	RESOLUTION OFFERED
SR-0723	03/05/86	10	RESOLUTION OFFERED
SR-0724	03/05/86	10	RESOLUTION OFFERED
SR-0725	03/05/86	10	RESOLUTION OFFERED
SR-0726	03/05/86	10	RESOLUTION OFFERED
SR-0727	03/05/86	10	RESOLUTION OFFERED
SR-0728	03/05/86	10	RESOLUTION OFFERED
SR-0729	03/05/86	10	RESOLUTION OFFERED
SR-0730	03/05/86	10	RESOLUTION OFFERED
SR-0731	03/05/86	10	RESOLUTION OFFERED
SR-0732	03/05/86	10	RESOLUTION OFFERED
SR-0733	03/05/86	10	RESOLUTION OFFERED
SR-0734	03/05/86	10	RESOLUTION OFFERED
SR-0735	03/05/86	10	RESOLUTION OFFERED
SR-0736	03/05/86	10	RESOLUTION OFFERED
	05/13/86	139	ADOPTED
SR-0737	04/01/86	4	RESOLUTION OFFERED
SR-0738	04/01/86	4	RESOLUTION OFFERED
SR-0739	04/01/86	4	RESOLUTION OFFERED
SR-0740	04/01/86	4	RESOLUTION OFFERED
SR-0741	04/01/86	4	RESOLUTION OFFERED
SR-0742	04/01/86	4	RESOLUTION OFFERED
SR-0743	04/01/86	4	RESOLUTION OFFERED
SR-0744	04/01/86	4	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0745	04/01/86	4	RESOLUTION OFFERED
SR-0746	04/01/86	4	RESOLUTION OFFERED
SR-0747	04/01/86	4	RESOLUTION OFFERED
SR-0748	04/01/86	4	RESOLUTION OFFERED
SR-0749	04/01/86	4	RESOLUTION OFFERED
SR-0750	04/01/86	4	RESOLUTION OFFERED
SR-0751	04/01/86	4	RESOLUTION OFFERED
SR-0752	04/01/86	4	RESOLUTION OFFERED
SR-0753	04/01/86	4	RESOLUTION OFFERED
SR-0754	04/01/86	4	RESOLUTION OFFERED
SR-0755	04/01/86	4	RESOLUTION OFFERED
SR-0756	04/01/86	4	RESOLUTION OFFERED
SR-0757	04/01/86	4	RESOLUTION OFFERED
SR-0758	04/01/86	4	RESOLUTION OFFERED
SR-0759	04/01/86	4	RESOLUTION OFFERED
SR-0760	04/01/86	4	RESOLUTION OFFERED
SR-0761	04/01/86	5	RESOLUTION OFFERED
SR-0762	04/01/86	5	RESOLUTION OFFERED
SR-0763	04/01/86	5	RESOLUTION OFFERED
SR-0764	04/01/86	5	RESOLUTION OFFERED
SR-0765	04/01/86	5	RESOLUTION OFFERED
	05/13/86	137	ADOPTED
SR-0766	04/01/86	5	RESOLUTION OFFERED
SR-0767	04/01/86	5	RESOLUTION OFFERED
	04/02/86	10	RESOLUTION OFFERED
SR-0768	04/01/86	12	ADOPTED
	04/02/86	10	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0769	04/02/86	10	RESOLUTION OFFERED
SR-0770	04/02/86	10	RESOLUTION OFFERED
SR-0771	04/02/86	10	RESOLUTION OFFERED
SR-0772	04/02/86	10	RESOLUTION OFFERED
SR-0773	04/02/86	10	RESOLUTION OFFERED
SR-0774	04/02/86	10	RESOLUTION OFFERED
SR-0775	04/02/86	10	RESOLUTION OFFERED
SR-0776	04/02/86	10	RESOLUTION OFFERED
SR-0777	04/02/86	10	RESOLUTION OFFERED
SR-0778	04/02/86	10	RESOLUTION OFFERED
SR-0779	04/02/86	10	RESOLUTION OFFERED
SR-0780	04/02/86	10	RESOLUTION OFFERED
SR-0781	04/03/86	2	RESOLUTION OFFERED
	05/13/86	129	ADOPTED
SR-0782	04/03/86	10	RESOLUTION OFFERED
	05/13/86	134	ADOPTED
SR-0783	04/08/86	2	RESOLUTION OFFERED
SR-0784	04/08/86	2	RESOLUTION OFFERED
SR-0785	04/08/86	5	RESOLUTION OFFERED
SR-0786	04/08/86	5	RESOLUTION OFFERED
SR-0787	04/08/86	5	RESOLUTION OFFERED
	05/13/86	136	ADOPTED
SR-0788	04/08/86	5	RESOLUTION OFFERED
	04/09/86	2	RESOLUTION OFFERED
SR-0789	04/09/86	2	RESOLUTION OFFERED
SR-0790	04/09/86	2	RESOLUTION OFFERED
SR-0791	04/09/86	2	RESOLUTION OFFERED
SR-0792	04/09/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0793	04/09/86	2	RESOLUTION OFFERED
SR-0794	04/09/86	2	RESOLUTION OFFERED
SR-0795	04/09/86	2	RESOLUTION OFFERED
SR-0796	04/09/86	2	RESOLUTION OFFERED
SR-0797	04/09/86	2	RESOLUTION OFFERED
SR-0798	04/10/86	7	RESOLUTION OFFERED
SR-0799	04/10/86	6	RESOLUTION OFFERED
	04/10/86	7	RESOLUTION OFFERED
SR-0800	04/10/86	7	RESOLUTION OFFERED
SR-0801	04/10/86	7	RESOLUTION OFFERED
SR-0802	04/10/86	7	RESOLUTION OFFERED
SR-0803	04/10/86	7	RESOLUTION OFFERED
SR-0804	04/10/86	7	RESOLUTION OFFERED
SR-0805	04/10/86	16	RESOLUTION OFFERED
SR-0806	04/10/86	16	RESOLUTION OFFERED
SR-0807	04/10/86	16	RESOLUTION OFFERED
SR-0808	04/15/86	2	RESOLUTION OFFERED
SR-0809	04/15/86	2	RESOLUTION OFFERED
SR-0810	04/15/86	2	RESOLUTION OFFERED
SR-0811	04/15/86	2	RESOLUTION OFFERED
SR-0812	04/15/86	2	RESOLUTION OFFERED
SR-0813	04/15/86	2	RESOLUTION OFFERED
	05/23/86	45	ADOPTED
SR-0814	04/15/86	2	RESOLUTION OFFERED
	05/28/86	19	ADOPTED
SR-0815	04/15/86	3	RESOLUTION OFFERED
SR-0816	04/15/86	3	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0817	04/15/86	20	RESOLUTION OFFERED
SR-0818	04/16/86	3	RESOLUTION OFFERED
	04/16/86	12	ADOPTED
SR-0819	04/16/86	3	RESOLUTION OFFERED
SR-0820	04/16/86	3	RESOLUTION OFFERED
SR-0821	04/16/86	3	RESOLUTION OFFERED
SR-0822	04/16/86	3	RESOLUTION OFFERED
SR-0823	04/16/86	5	RESOLUTION OFFERED
SR-0824	04/16/86	6	RESOLUTION OFFERED
SR-0825	04/16/86	6	RESOLUTION OFFERED
SR-0826	04/16/86	7	RESOLUTION OFFERED
SR-0827	04/16/86	13	RESOLUTION OFFERED
SR-0828	04/22/86	2	RESOLUTION OFFERED
SR-0829	04/22/86	2	RESOLUTION OFFERED
SR-0830	04/22/86	2	RESOLUTION OFFERED
SR-0831	04/22/86	2	RESOLUTION OFFERED
SR-0832	04/22/86	3	ADOPTED
SR-0833	04/22/86	6	RESOLUTION OFFERED
	04/22/86	12	RESOLUTION OFFERED
SR-0834	04/23/86	3	RESOLUTION OFFERED
SR-0835	04/23/86	3	RESOLUTION OFFERED
SR-0836	04/29/86	1	RESOLUTION OFFERED
SR-0837	04/29/86	1	RESOLUTION OFFERED
SR-0838	04/29/86	1	RESOLUTION OFFERED
SR-0839	04/29/86	1	RESOLUTION OFFERED
SR-0840	04/29/86	1	RESOLUTION OFFERED
SR-0841	04/29/86	1	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0842	04/29/86	1	RESOLUTION OFFERED
SR-0843	04/29/86	2	RESOLUTION OFFERED
SR-0844	04/29/86	2	RESOLUTION OFFERED
SR-0845	04/29/86	2	RESOLUTION OFFERED
SR-0846	04/29/86	3	RESOLUTION OFFERED
SR-0847	04/29/86	3	RESOLUTION OFFERED
SR-0848	04/29/86	14	RESOLUTION OFFERED
SR-0849	04/29/86	14	RESOLUTION OFFERED
SR-0850	04/29/86	14	RESOLUTION OFFERED
SR-0851	04/29/86	14	RESOLUTION OFFERED
	04/29/86	15	ADOPTED
SR-0852	04/30/86	2	RESOLUTION OFFERED
SR-0853	04/30/86	2	RESOLUTION OFFERED
SR-0854	05/01/86	3	RESOLUTION OFFERED
SR-0855	05/01/86	3	RESOLUTION OFFERED
SR-0856	05/01/86	3	RESOLUTION OFFERED
SR-0857	05/01/86	3	RESOLUTION OFFERED
SR-0858	05/01/86	3	RESOLUTION OFFERED
SR-0859	05/02/86	3	ADOPTED
	05/02/86	3	RESOLUTION OFFERED
SR-0860	05/02/86	3	ADOPTED
	05/02/86	3	RESOLUTION OFFERED
SR-0861	05/06/86	2	RESOLUTION OFFERED
SR-0862	05/06/86	2	RESOLUTION OFFERED
SR-0863	05/06/86	2	RESOLUTION OFFERED
SR-0864	05/06/86	2	RESOLUTION OFFERED
SR-0865	05/06/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0866	05/06/86	2	RESOLUTION OFFERED
SR-0867	05/06/86	2	RESOLUTION OFFERED
SR-0868	05/06/86	2	RESOLUTION OFFERED
SR-0869	05/05/86	19	RESOLUTION OFFERED
	05/05/86	20	ADOPTED
	05/06/86	19	ADOPTED
SR-0870	05/05/86	20	RESOLUTION OFFERED
	05/06/86	20	RESOLUTION OFFERED
SR-0871	05/07/86	2	RESOLUTION OFFERED
SR-0872	05/07/86	2	RESOLUTION OFFERED
SR-0873	05/07/86	2	RESOLUTION OFFERED
SR-0874	05/07/86	2	RESOLUTION OFFERED
SR-0875	05/07/86	2	RESOLUTION OFFERED
SR-0876	05/07/86	55	RESOLUTION OFFERED
SR-0877	05/07/86	55	RESOLUTION OFFERED
SR-0878	05/07/86	55	RESOLUTION OFFERED
SR-0879	05/07/86	55	RESOLUTION OFFERED
	06/27/86	23	ADOPTED
SR-0880	05/08/86	2	RESOLUTION OFFERED
SR-0881	05/08/86	2	RESOLUTION OFFERED
	06/27/86	23	ADOPTED
SR-0882	05/08/86	4	RESOLUTION OFFERED
SR-0883	05/08/86	4	RESOLUTION OFFERED
SR-0884	05/13/86	1	RESOLUTION OFFERED
SR-0885	05/13/86	2	RESOLUTION OFFERED
SR-0886	05/13/86	2	RESOLUTION OFFERED
SR-0887	05/13/86	143	RESOLUTION OFFERED
SR-0888	05/13/86	143	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0889	05/13/86	143	RESOLUTION OFFERED
SR-0890	05/13/86	143	RESOLUTION OFFERED
SR-0891	05/13/86	143	RESOLUTION OFFERED
SR-0892	05/13/86	143	RESOLUTION OFFERED
SR-0893	05/13/86	143	RESOLUTION OFFERED
SR-0894	05/13/86	143	RESOLUTION OFFERED
	06/04/86	9	ADOPTED
SR-0895	05/14/86	2	RESOLUTION OFFERED
SR-0896	05/14/86	2	RESOLUTION OFFERED
SR-0897	05/14/86	172	RESOLUTION OFFERED
SR-0898	05/14/86	172	RESOLUTION OFFERED
SR-0899	05/14/86	172	RESOLUTION OFFERED
SR-0900	05/14/86	172	RESOLUTION OFFERED
	05/15/86	88	RESOLUTION OFFERED
	06/27/86	28	ADOPTED
SR-0901	05/15/86	88	RESOLUTION OFFERED
SR-0902	06/27/86	26	ADOPTED
SR-0903	05/20/86	2	RESOLUTION OFFERED
SR-0904	05/20/86	2	RESOLUTION OFFERED
SR-0905	05/20/86	2	RESOLUTION OFFERED
SR-0906	05/20/86	2	RESOLUTION OFFERED
SR-0907	05/20/86	2	RESOLUTION OFFERED
	06/04/86	8	ADOPTED
SR-0908	05/20/86	197	RESOLUTION OFFERED
SR-0909	05/20/86	197	RESOLUTION OFFERED
SR-0910	05/20/86	197	RESOLUTION OFFERED
SR-0911	05/20/86	197	RESOLUTION OFFERED
SR-0912	05/20/86	198	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0913	05/20/86	198	RESOLUTION OFFERED
SR-0914	05/20/86	198	RESOLUTION OFFERED
SR-0915	05/20/86	198	RESOLUTION OFFERED
SR-0916	05/20/86	198	RESOLUTION OFFERED
SR-0917	05/20/86	198	RESOLUTION OFFERED
SR-0918	05/20/86	198	RESOLUTION OFFERED
SR-0919	05/20/86	198	RESOLUTION OFFERED
SR-0920	05/20/86	198	RESOLUTION OFFERED
	05/20/86	198	RESOLUTION OFFERED
SR-0921	05/20/86	198	RESOLUTION OFFERED
	06/27/86	27	ADOPTED
SR-0922	05/20/86	198	RESOLUTION OFFERED
SR-0923	05/22/86	2	RESOLUTION OFFERED
SR-0924	05/22/86	2	RESOLUTION OFFERED
SR-0925	05/22/86	2	RESOLUTION OFFERED
SR-0926	05/22/86	2	RESOLUTION OFFERED
SR-0927	05/22/86	2	RESOLUTION OFFERED
SR-0928	05/22/86	2	RESOLUTION OFFERED
SR-0929	05/22/86	2	RESOLUTION OFFERED
	06/27/86	38	ADOPTED
SR-0930	05/22/86	3	RESOLUTION OFFERED
SR-0931	05/22/86	3	RESOLUTION OFFERED
SR-0932	05/22/86	307	RESOLUTION OFFERED
SR-0933	05/22/86	308	ADOPTED
	05/22/86	308	RESOLUTION OFFERED
SR-0934	05/22/86	308	RESOLUTION OFFERED
SR-0935	05/22/86	308	RESOLUTION OFFERED
SR-0936	05/22/86	308	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0937	05/22/86	308	RESOLUTION OFFERED
SR-0938	05/22/86 05/22/86	308 309	RESOLUTION OFFERED ADOPTED
SR-0939	05/22/86	308	RESOLUTION OFFERED
SR-0940	05/23/86	192	RESOLUTION OFFERED
SR-0941	05/23/86	192	RESOLUTION OFFERED
SR-0942	05/23/86	192	RESOLUTION OFFERED
SR-0943	05/23/86	192	RESOLUTION OFFERED
SR-0944	05/23/86	192	RESOLUTION OFFERED
SR-0945	05/23/86	192	RESOLUTION OFFERED
SR-0946	05/23/86	192	RESOLUTION OFFERED
SR-0947	05/23/86	192	RESOLUTION OFFERED
SR-0948	05/23/86	192	RESOLUTION OFFERED
SR-0949	05/23/86	192	RESOLUTION OFFERED
SR-0950	05/23/86	192	RESOLUTION OFFERED
SR-0951	05/23/86	192	RESOLUTION OFFERED
SR-0952	05/23/86	192	RESOLUTION OFFERED
SR-0953	05/23/86	192	RESOLUTION OFFERED
SR-0954	05/23/86	192	RESOLUTION OFFERED
SR-0955	05/23/86	192	RESOLUTION OFFERED
SR-0956	05/23/86	192	RESOLUTION OFFERED
SR-0957	05/23/86	192	RESOLUTION OFFERED
SR-0958	05/23/86	192	RESOLUTION OFFERED
SR-0959	05/23/86	192	RESOLUTION OFFERED
SR-0960	05/23/86	192	RESOLUTION OFFERED
SR-0961	05/23/86	192	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0962	05/28/86	3	RESOLUTION OFFERED
SR-0963	05/28/86	3	RESOLUTION OFFERED
SR-0964	05/28/86	3	RESOLUTION OFFERED
SR-0965	05/28/86	3	RESOLUTION OFFERED
SR-0966	05/28/86	3	RESOLUTION OFFERED
SR-0967	05/28/86	3	RESOLUTION OFFERED
SR-0970	05/28/86	4	RESOLUTION OFFERED
SR-0971	05/28/86	4	RESOLUTION OFFERED
SR-0972	05/28/86	4	RESOLUTION OFFERED
SR-0973	05/28/86	4	RESOLUTION OFFERED
SR-0974	05/28/86 06/27/86	4 29	RESOLUTION OFFERED ADOPTED
SR-0975	05/28/86	27	RESOLUTION OFFERED
SR-0976	05/28/86	27	RESOLUTION OFFERED
SR-0977	05/28/86	27	RESOLUTION OFFERED
SR-0978	05/28/86 06/27/86	27 39	RESOLUTION OFFERED ADOPTED
SR-0979	06/03/86	2	RESOLUTION OFFERED
SR-0980	06/03/86	2	RESOLUTION OFFERED
SR-0981	06/03/86	2	RESOLUTION OFFERED
SR-0982	06/03/86	2	RESOLUTION OFFERED
SR-0983	06/03/86	2	RESOLUTION OFFERED
SR-0984	06/03/86	3	RESOLUTION OFFERED
SR-0985	06/03/86	3	RESOLUTION OFFERED
SR-0986	06/03/86	3	RESOLUTION OFFERED
SR-0987	06/03/86	3	RESOLUTION OFFERED
SR-0988	06/03/86	3	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-0989	06/03/86	3	RESOLUTION OFFERED
SR-0990	06/03/86	3	RESOLUTION OFFERED
SR-0991	06/03/86	3	RESOLUTION OFFERED
SR-0992	06/03/86	3	RESOLUTION OFFERED
SR-0993	06/03/86	3	RESOLUTION OFFERED
SR-0994	06/03/86	3	RESOLUTION OFFERED
SR-0995	06/03/86	7	RESOLUTION OFFERED
SR-0996	06/03/86	7	RESOLUTION OFFERED
SR-0997	06/03/86	7	RESOLUTION OFFERED
SR-0998	06/03/86	8	RESOLUTION OFFERED
SR-0999	06/03/86	8	RESOLUTION OFFERED
SR-1000	06/03/86	8	RESOLUTION OFFERED
SR-1001	06/03/86	8	RESOLUTION OFFERED
SR-1002	06/03/86	8	RESOLUTION OFFERED
SR-1003	06/04/86	7	RESOLUTION OFFERED
SR-1004	06/04/86	7	RESOLUTION OFFERED
SR-1005	06/04/86	7	RESOLUTION OFFERED
SR-1006	06/04/86	7	RESOLUTION OFFERED
SR-1007	06/04/86	7	RESOLUTION OFFERED
SR-1008	06/04/86	7	RESOLUTION OFFERED
SR-1009	06/04/86	7	RESOLUTION OFFERED
	06/27/86	43	ADOPTED
SR-1010	06/04/86	7	RESOLUTION OFFERED
SR-1011	06/04/86	9	RESOLUTION OFFERED
	06/10/86	8	RESOLUTION OFFERED
SR-1012	06/10/86	8	RESOLUTION OFFERED
SR-1013	06/10/86	8	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1014	06/10/86	8	RESOLUTION OFFERED
SR-1015	06/10/86	8	RESOLUTION OFFERED
SR-1016	06/10/86	8	RESOLUTION OFFERED
SR-1017	06/10/86	8	RESOLUTION OFFERED
SR-1018	06/10/86	8	RESOLUTION OFFERED
SR-1019	06/10/86	8	RESOLUTION OFFERED
SR-1020	06/10/86	8	RESOLUTION OFFERED
SR-1021	06/10/86	8	RESOLUTION OFFERED
SR-1022	06/10/86	8	RESOLUTION OFFERED
SR-1023	06/10/86	8	RESOLUTION OFFERED
SR-1024	06/10/86	8	RESOLUTION OFFERED
SR-1025	06/10/86	8	RESOLUTION OFFERED
SR-1026	06/10/86	8	RESOLUTION OFFERED
SR-1027	06/10/86	8	RESOLUTION OFFERED
SR-1028	06/10/86	8	RESOLUTION OFFERED
SR-1029	06/10/86	8	RESOLUTION OFFERED
SR-1030	06/10/86	8	RESOLUTION OFFERED
SR-1031	06/10/86	8	RESOLUTION OFFERED
SR-1032	06/10/86	8	RESOLUTION OFFERED
SR-1033	06/10/86	8	RESOLUTION OFFERED
SR-1034	06/10/86	8	RESOLUTION OFFERED
SR-1035	06/10/86	8	RESOLUTION OFFERED
	06/10/86	8	RESOLUTION OFFERED
SR-1036	06/10/86	8	RESOLUTION OFFERED
SR-1037	06/10/86	9	RESOLUTION OFFERED
SR-1038	06/11/86	4	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1039	06/11/86	4	RESOLUTION OFFERED
SR-1040	06/11/86	4	RESOLUTION OFFERED
SR-1041	06/11/86	4	RESOLUTION OFFERED
SR-1042	06/11/86	4	RESOLUTION OFFERED
SR-1043	06/11/86	4	RESOLUTION OFFERED
SR-1044	06/11/86	4	RESOLUTION OFFERED
SR-1045	06/11/86	4	RESOLUTION OFFERED
SR-1046	06/11/86 06/27/86	10 41	RESOLUTION OFFERED ADOPTED
SR-1047	06/11/86 06/27/86	10 45	RESOLUTION OFFERED ADOPTED
SR-1048	06/11/86	10	RESOLUTION OFFERED
SR-1049	06/12/86	2	RESOLUTION OFFERED
SR-1050	06/12/86	2	RESOLUTION OFFERED
SR-1051	06/12/86	2	RESOLUTION OFFERED
SR-1052	06/12/86	2	RESOLUTION OFFERED
SR-1053	06/12/86	4	RESOLUTION OFFERED
SR-1054	06/12/86	4	RESOLUTION OFFERED
SR-1055	06/12/86	4	ADOPTED
SR-1056	06/17/86	1	RESOLUTION OFFERED
SR-1057	06/17/86	2	RESOLUTION OFFERED
SR-1058	06/17/86	2	RESOLUTION OFFERED
SR-1059	06/17/86	2	RESOLUTION OFFERED
SR-1060	06/17/86	2	RESOLUTION OFFERED
SR-1061	06/17/86	2	RESOLUTION OFFERED
SR-1062	06/17/86	2	RESOLUTION OFFERED
SR-1063	06/17/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1064	06/17/86	69	RESOLUTION OFFERED
SR-1065	06/17/86	69	RESOLUTION OFFERED
SR-1066	06/17/86	69	RESOLUTION OFFERED
SR-1067	06/17/86	69	RESOLUTION OFFERED
SR-1068	06/17/86	69	RESOLUTION OFFERED
SR-1069	06/17/86	70	RESOLUTION OFFERED
SR-1070	06/18/86	2	RESOLUTION OFFERED
SR-1071	06/18/86	2	RESOLUTION OFFERED
SR-1072	06/18/86	2	RESOLUTION OFFERED
SR-1073	06/18/86	2	RESOLUTION OFFERED
SR-1074	06/18/86	162	RESOLUTION OFFERED
SR-1075	06/18/86	162	RESOLUTION OFFERED
SR-1076	06/18/86	162	RESOLUTION OFFERED
SR-1077	06/18/86	162	RESOLUTION OFFERED
SR-1078	06/18/86	162	RESOLUTION OFFERED
SR-1079	06/18/86	163	RESOLUTION OFFERED
SR-1080	06/18/86	163	RESOLUTION OFFERED
SR-1091	06/20/86	62	RESOLUTION OFFERED
SR-1092	06/20/86	62	RESOLUTION OFFERED
SR-1093	06/20/86	62	RESOLUTION OFFERED
SR-1094	06/23/86 06/24/86	2 185	RESOLUTION OFFERED ADOPTED
SR-1095	06/23/86 06/24/86	2 4	RESOLUTION OFFERED ADOPTED
SR-1096	06/24/86	4	RESOLUTION OFFERED
SR-1097	06/24/86	4	RESOLUTION OFFERED
SR-1098	06/24/86	4	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1099	06/24/86	4	RESOLUTION OFFERED
SR-1100	06/24/86	4	RESOLUTION OFFERED
	06/27/86	55	ADOPTED
SR-1101	06/24/86	4	RESOLUTION OFFERED
SR-1102	06/24/86	187	RESOLUTION OFFERED
SR-1103	06/24/86	187	RESOLUTION OFFERED
SR-1104	06/24/86	187	RESOLUTION OFFERED
SR-1105	06/24/86	187	RESOLUTION OFFERED
SR-1106	06/25/86	2	RESOLUTION OFFERED
SR-1107	06/25/86	2	RESOLUTION OFFERED
SR-1108	06/25/86	2	RESOLUTION OFFERED
SR-1109	06/25/86	216	RESOLUTION OFFERED
SR-1110	06/25/86	216	RESOLUTION OFFERED
	06/26/86	71	ADOPTED
SR-1111	06/25/86	216	RESOLUTION OFFERED
SR-1112	06/25/86	216	RESOLUTION OFFERED
SR-1113	06/25/86	216	RESOLUTION OFFERED
SR-1114	06/25/86	216	RESOLUTION OFFERED
SR-1115	06/25/86	216	RESOLUTION OFFERED
SR-1116	06/25/86	216	RESOLUTION OFFERED
SR-1117	06/25/86	216	RESOLUTION OFFERED
SR-1118	06/25/86	216	RESOLUTION OFFERED
SR-1119	06/25/86	216	ADOPTED
SR-1120	06/25/86	217	ADOPTED
SR-1121	06/25/86	218	RESOLUTION OFFERED
	07/01/86	11	ADOPTED
SR-1122	06/25/86	222	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1123	06/26/86	3	ADOPTED
SR-1124	06/26/86	72	RESOLUTION OFFERED
SR-1125	06/26/86	72	RESOLUTION OFFERED
SR-1126	06/26/86	72	RESOLUTION OFFERED
	07/01/86	5	ADOPTED
SR-1127	06/27/86	2	RESOLUTION OFFERED
SR-1128	06/27/86	2	RESOLUTION OFFERED
SR-1129	06/27/86	2	RESOLUTION OFFERED
SR-1130	06/27/86	3	RESOLUTION OFFERED
SR-1131	06/27/86	3	RESOLUTION OFFERED
SR-1132	06/27/86	3	RESOLUTION OFFERED
SR-1133	06/27/86	3	RESOLUTION OFFERED
SR-1134	06/27/86	3	RESOLUTION OFFERED
SR-1135	06/27/86	52	RESOLUTION OFFERED
SR-1136	06/27/86	52	RESOLUTION OFFERED
SR-1137	06/27/86	52	RESOLUTION OFFERED
SR-1138	06/27/86	52	RESOLUTION OFFERED
SR-1139	06/28/86	10	ADOPTED
SR-1140	06/29/86	2	RESOLUTION OFFERED
SR-1141	06/29/86	2	RESOLUTION OFFERED
SR-1142	06/29/86	2	RESOLUTION OFFERED
SR-1143	06/29/86	2	RESOLUTION OFFERED
SR-1144	06/29/86	2	RESOLUTION OFFERED
SR-1145	06/29/86	2	RESOLUTION OFFERED
SR-1146	06/29/86	2	RESOLUTION OFFERED
	06/29/86	20	RESOLUTION OFFERED
	07/01/86	5	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1147	06/29/86	20	RESOLUTION OFFERED
SR-1148	06/29/86	20	RESOLUTION OFFERED
SR-1149	06/29/86	20	RESOLUTION OFFERED
SR-1150	06/29/86	20	RESOLUTION OFFERED
SR-1151	06/29/86	20	RESOLUTION OFFERED
SR-1152	06/29/86	21	RESOLUTION OFFERED
SR-1153	06/29/86	21	RESOLUTION OFFERED
SR-1154	06/29/86	21	RESOLUTION OFFERED
SR-1155	06/29/86	21	RESOLUTION OFFERED
SR-1156	06/29/86	21	RESOLUTION OFFERED
SR-1157	06/29/86 07/01/86	21 10	RESOLUTION OFFERED ADOPTED
SR-1158	06/30/86	2	RESOLUTION OFFERED
SR-1159	06/30/86	19	RESOLUTION OFFERED
SR-1160	06/30/86	19	RESOLUTION OFFERED
SR-1161	06/30/86	32	RESOLUTION OFFERED
SR-1162	06/30/86	32	RESOLUTION OFFERED
SR-1163	06/30/86	32	RESOLUTION OFFERED
SR-1164	06/30/86	32	RESOLUTION OFFERED
SR-1165	06/30/86	32	RESOLUTION OFFERED
SR-1166	06/30/86	73	RESOLUTION OFFERED
SR-1167	06/30/86	148	RESOLUTION OFFERED
SR-1168	06/30/86	148	RESOLUTION OFFERED
SR-1169	06/30/86	148	RESOLUTION OFFERED
SR-1170	06/30/86	148	RESOLUTION OFFERED
SR-1171	06/30/86	148	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1172	06/30/86	148	RESOLUTION OFFERED
SR-1173	06/30/86 07/01/86	148 80	RESOLUTION OFFERED ADOPTED
SR-1174	06/30/86 07/01/86	148 7	RESOLUTION OFFERED DISCUSSED
SR-1175	07/01/86	1	RESOLUTION OFFERED
SR-1176	07/01/86	48	RESOLUTION OFFERED
SR-1177	07/01/86	80	RESOLUTION OFFERED
SR-1178	07/01/86	80	RESOLUTION OFFERED
SR-1179	07/01/86	80	RESOLUTION OFFERED
SR-1180	07/01/86	138	ADOPTED
SR-1181	11/06/86	2	RESOLUTION OFFERED
SR-1182	11/06/86	2	RESOLUTION OFFERED
SR-1183	11/06/86	2	RESOLUTION OFFERED
SR-1184	11/06/86	2	RESOLUTION OFFERED
SR-1185	11/06/86	2	RESOLUTION OFFERED
SR-1186	11/06/86	2	RESOLUTION OFFERED
SR-1187	11/06/86	2	RESOLUTION OFFERED
SR-1188	11/06/86	2	RESOLUTION OFFERED
SR-1189	11/06/86	2	RESOLUTION OFFERED
SR-1190	11/06/86	2	RESOLUTION OFFERED
SR-1191	11/06/86	2	RESOLUTION OFFERED
SR-1192	11/06/86	2	RESOLUTION OFFERED
SR-1193	11/06/86	2	RESOLUTION OFFERED
SR-1194	11/06/86	2	RESOLUTION OFFERED
SR-1195	11/06/86	2	RESOLUTION OFFERED
SR-1196	11/06/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1197	11/06/86	2	RESOLUTION OFFERED
SR-1198	11/06/86	2	RESOLUTION OFFERED
SR-1199	11/06/86	2	RESOLUTION OFFERED
SR-1200	11/06/86	2	RESOLUTION OFFERED
SR-1201	11/06/86	2	RESOLUTION OFFERED
SR-1202	11/06/86	2	RESOLUTION OFFERED
SR-1203	11/06/86	2	RESOLUTION OFFERED
SR-1204	11/06/86	2	RESOLUTION OFFERED
SR-1205	11/06/86	2	RESOLUTION OFFERED
SR-1206	11/06/86	2	RESOLUTION OFFERED
SR-1207	11/06/86	2	RESOLUTION OFFERED
SR-1208	11/06/86	2	RESOLUTION OFFERED
SR-1209	11/06/86	2	RESOLUTION OFFERED
SR-1210	11/06/86	2	RESOLUTION OFFERED
SR-1211	11/06/86	2	RESOLUTION OFFERED
SR-1212	11/06/86	2	RESOLUTION OFFERED
SR-1213	11/06/86	3	RESOLUTION OFFERED
SR-1214	11/06/86	3	RESOLUTION OFFERED
SR-1215	11/06/86	3	RESOLUTION OFFERED
SR-1216	11/06/86	3	RESOLUTION OFFERED
	11/06/86	3	RESOLUTION OFFERED
SR-1217	11/06/86	3	RESOLUTION OFFERED
	11/19/86	92	MOTION
	11/19/86	92	ADOPTED
SR-1219	11/06/86	3	RESOLUTION OFFERED
SR-1220	11/06/86	3	RESOLUTION OFFERED
SR-1221	11/06/86	3	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1222	11/06/86	3	RESOLUTION OFFERED
SR-1223	11/06/86	3	RESOLUTION OFFERED
SR-1224	11/06/86	3	RESOLUTION OFFERED
SR-1225	11/06/86	3	RESOLUTION OFFERED
SR-1226	11/06/86	3	RESOLUTION OFFERED
SR-1227	11/06/86	3	RESOLUTION OFFERED
SR-1228	11/06/86	3	RESOLUTION OFFERED
SR-1229	11/06/86	4	RESOLUTION OFFERED
SR-1230	11/06/86	5	RESOLUTION OFFERED
SR-1231	11/06/86	5	RESOLUTION OFFERED
SR-1232	11/06/86	5	RESOLUTION OFFERED
	11/18/86	2	RESOLUTION OFFERED
SR-1233	11/18/86	2	RESOLUTION OFFERED
SR-1234	11/18/86	2	RESOLUTION OFFERED
SR-1235	11/18/86	2	RESOLUTION OFFERED
SR-1236	11/18/86	2	RESOLUTION OFFERED
SR-1237	11/18/86	2	RESOLUTION OFFERED
SR-1238	11/18/86	2	RESOLUTION OFFERED
SR-1239	11/18/86	2	RESOLUTION OFFERED
SR-1240	11/18/86	2	RESOLUTION OFFERED
SR-1241	11/18/86	2	RESOLUTION OFFERED
SR-1242	11/18/86	2	RESOLUTION OFFERED
SR-1243	11/18/86	2	RESOLUTION OFFERED
SR-1244	11/18/86	2	RESOLUTION OFFERED
SR-1245	11/18/86	2	RESOLUTION OFFERED
SR-1246	11/18/86	6	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1247	11/18/86	7	RESOLUTION OFFERED
SR-1248	11/18/86	7	RESOLUTION OFFERED
SR-1249	11/18/86	7	RESOLUTION OFFERED
SR-1250	11/19/86	2	RESOLUTION OFFERED
SR-1251	11/19/86	2	RESOLUTION OFFERED
SR-1252	11/19/86	2	RESOLUTION OFFERED
SR-1253	11/19/86	2	RESOLUTION OFFERED
SR-1254	11/19/86	2	RESOLUTION OFFERED
SR-1255	11/19/86	3	RESOLUTION OFFERED
SR-1256	11/19/86	3	RESOLUTION OFFERED
SR-1257	11/19/86	3	RESOLUTION OFFERED
SR-1258	11/19/86	3	RESOLUTION OFFERED
SR-1259	11/19/86	3	ADOPTED
SR-1260	11/19/86	4	RESOLUTION OFFERED
SR-1261	11/19/86	96	RESOLUTION OFFERED
SR-1262	11/19/86	96	RESOLUTION OFFERED
SR-1263	11/19/86	96	RESOLUTION OFFERED
SR-1264	11/19/86	96	RESOLUTION OFFERED
SR-1265	11/20/86	2	RESOLUTION OFFERED
SR-1266	11/20/86	7	RESOLUTION OFFERED
SR-1267	11/20/86	7	RESOLUTION OFFERED
SR-1268	11/20/86	7	RESOLUTION OFFERED
SR-1269	11/20/86	7	RESOLUTION OFFERED
SR-1270	12/02/86	2	RESOLUTION OFFERED
SR-1271	12/02/86	2	RESOLUTION OFFERED
SR-1272	12/02/86	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1273	12/02/86	2	RESOLUTION OFFERED
SR-1274	12/02/86	2	RESOLUTION OFFERED
SR-1275	12/02/86	2	RESOLUTION OFFERED
SR-1276	12/02/86	2	RESOLUTION OFFERED
SR-1277	12/02/86	3	RESOLUTION OFFERED
SR-1278	12/02/86	3	RESOLUTION OFFERED
SR-1279	12/02/86	11	RESOLUTION OFFERED
SR-1280	12/02/86	11	RESOLUTION OFFERED
SR-1281	12/02/86	11	RESOLUTION OFFERED
SR-1282	12/02/86	11	RESOLUTION OFFERED
SR-1283	12/02/86	21	RESOLUTION OFFERED
SR-1284	12/02/86	21	RESOLUTION OFFERED
SR-1285	12/02/86	21	RESOLUTION OFFERED
SR-1286	12/02/86	39	RESOLUTION OFFERED
SR-1287	12/02/86	39	RESOLUTION OFFERED
SR-1288	12/03/86	2	RESOLUTION OFFERED
SR-1289	12/03/86	2	RESOLUTION OFFERED
	12/05/86	72	RESOLUTION OFFERED
SR-1290	12/03/86	2	RESOLUTION OFFERED
SR-1291	12/03/86	2	RESOLUTION OFFERED
SR-1292	12/03/86	2	RESOLUTION OFFERED
SR-1293	12/03/86	2	RESOLUTION OFFERED
SR-1294	12/03/86	2	RESOLUTION OFFERED
SR-1295	12/03/86	2	RESOLUTION OFFERED
SR-1296	12/03/86	76	RESOLUTION OFFERED
SR-1297	12/03/86	76	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SR-1298	12/03/86	78	ADOPTED
SR-1299	12/03/86	92	RESOLUTION OFFERED
SR-1300	12/03/86	94	RESOLUTION OFFERED
SR-1301	12/03/86	94	RESOLUTION OFFERED
SR-1302	12/03/86	94	RESOLUTION OFFERED
SR-1303	12/03/86	94	RESOLUTION OFFERED
SR-1304	12/03/86	94	RESOLUTION OFFERED
SR-1305	12/04/86	2	RESOLUTION OFFERED
SR-1306	12/04/86	2	RESOLUTION OFFERED
SR-1307	12/04/86	2	RESOLUTION OFFERED
SR-1308	12/04/86	2	RESOLUTION OFFERED
SR-1309	12/04/86	2	RESOLUTION OFFERED
SR-1310	12/04/86	8	RESOLUTION OFFERED
	12/04/86	9	ADOPTED
SR-1311	12/04/86	9	RESOLUTION OFFERED
	12/04/86	10	ADOPTED
SR-1312	12/04/86	9	RESOLUTION OFFERED
	12/04/86	10	ADOPTED
SR-1313	12/04/86	9	RESOLUTION OFFERED
	12/04/86	10	ADOPTED
SR-1314	12/04/86	9	RESOLUTION OFFERED
	12/04/86	10	ADOPTED
SR-1315	12/04/86	25	RESOLUTION OFFERED
SR-1316	12/04/86	25	RESOLUTION OFFERED
SR-1317	12/05/86	2	RESOLUTION OFFERED
HJR-0001	02/05/85	4	RESOLUTION OFFERED
	05/29/85	55	ADOPTED
HJR-0002	03/06/85	4	RESOLUTION OFFERED
HJR-0004	02/20/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
HJR-0004(cont'd)	05/29/85	56	ADOPTED
HJR-0005	02/20/85	2	RESOLUTION OFFERED
HJR-0006	02/05/85	1	ADOPTED
HJR-0007	02/20/85	1	RESOLUTION OFFERED
HJR-0008	02/20/85	1	RESOLUTION OFFERED
HJR-0009	02/05/85	17	ADOPTED
HJR-0010	02/28/85	3	RESOLUTION OFFERED
HJR-0012	02/28/85	3	RESOLUTION OFFERED
	04/29/86	9	DISCUSSED
HJR-0013	04/23/85	2	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	15	ADOPTED
HJR-0014	03/05/85	39	ADOPTED
HJR-0015	03/19/85	2	RESOLUTION OFFERED
HJR-0016	03/19/85	2	RESOLUTION OFFERED
HJR-0017	03/19/85	2	RESOLUTION OFFERED
HJR-0018	03/19/85	2	RESOLUTION OFFERED
HJR-0019	03/19/85	2	RESOLUTION OFFERED
HJR-0020	05/14/85	3	RESOLUTION OFFERED
	05/30/85	2	OTHER
HJR-0021	03/20/85	2	RESOLUTION OFFERED
HJR-0023	03/26/85	4	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	17	ADOPTED
HJR-0024	03/26/85	4	RESOLUTION OFFERED
HJR-0025	03/26/85	4	RESOLUTION OFFERED
HJR-0026	05/20/85	1	RESOLUTION OFFERED
HJR-0027	05/20/85	2	RESOLUTION OFFERED
HJR-0028	05/20/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
HJR-0030	04/11/85	2	RESOLUTION OFFERED
HJR-0031	04/11/85	32	ADOPTED
HJR-0033	04/18/85	3	RESOLUTION OFFERED
HJR-0035	04/24/85	12	RESOLUTION OFFERED
HJR-0036	04/30/85	2	RESOLUTION OFFERED
HJR-0037	04/30/85	2	RESOLUTION OFFERED
HJR-0038	04/25/85	8	ADOPTED
HJR-0039	05/01/85	3	RESOLUTION OFFERED
HJR-0040	06/29/85	2	RESOLUTION OFFERED
	04/15/86	5	ADOPTED
HJR-0041	05/03/85	2	RESOLUTION OFFERED
HJR-0042	05/03/85	2	RESOLUTION OFFERED
HJR-0043	05/08/85	2	RESOLUTION OFFERED
HJR-0044	05/08/85	2	RESOLUTION OFFERED
HJR-0045	05/08/85	2	RESOLUTION OFFERED
HJR-0046	05/08/85	2	RESOLUTION OFFERED
HJR-0047	05/14/85	3	RESOLUTION OFFERED
HJR-0048	05/17/85	1	RESOLUTION OFFERED
HJR-0049	05/17/85	1	RESOLUTION OFFERED
HJR-0051	05/22/85	2	RESOLUTION OFFERED
HJR-0052	05/22/85	2	RESOLUTION OFFERED
HJR-0053	06/29/85	2	RESOLUTION OFFERED
HJR-0054	05/23/85	2	RESOLUTION OFFERED
HJR-0055	05/29/85	4	RESOLUTION OFFERED
HJR-0056	05/29/85	4	RESOLUTION OFFERED
HJR-0057	05/29/85	4	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
HJR-0058	06/03/85	2	RESOLUTION OFFERED
HJR-0059	06/03/85	2	RESOLUTION OFFERED
HJR-0060	06/03/85	2	RESOLUTION OFFERED
	06/05/85	3	ADOPTED
HJR-0064	06/03/85	2	RESOLUTION OFFERED
HJR-0065	06/14/85	2	RESOLUTION OFFERED
	05/13/86	141	ADOPTED
HJR-0067	06/11/85	2	RESOLUTION OFFERED
HJR-0068	06/12/85	44	RESOLUTION OFFERED
HJR-0069	06/12/85	44	RESOLUTION OFFERED
HJR-0070	06/14/85	3	ADOPTED
HJR-0071	06/14/85	2	RESOLUTION OFFERED
HJR-0072	06/14/85	2	RESOLUTION OFFERED
HJR-0073	06/14/85	2	RESOLUTION OFFERED
HJR-0074	06/14/85	2	RESOLUTION OFFERED
HJR-0075	06/19/85	77	RESOLUTION OFFERED
HJR-0076	06/19/85	77	RESOLUTION OFFERED
HJR-0077	06/24/85	27	RESOLUTION OFFERED
HJR-0078	06/24/85	27	RESOLUTION OFFERED
HJR-0079	06/24/85	27	RESOLUTION OFFERED
	04/15/86	6	ADOPTED
HJR-0080	06/24/85	27	RESOLUTION OFFERED
	04/15/86	7	ADOPTED
HJR-0081	06/26/85	1	RESOLUTION OFFERED
HJR-0082	06/26/85	1	RESOLUTION OFFERED
HJR-0083	06/29/85	2	RESOLUTION OFFERED
HJR-0084	06/29/85	2	RESOLUTION OFFERED
HJR-0085	06/29/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
HJR-0086	06/29/85	2	RESOLUTION OFFERED
HJR-0087	06/29/85	2	RESOLUTION OFFERED
HJR-0089	10/02/85	1	RESOLUTION OFFERED
HJR-0093	10/15/85	1	RESOLUTION OFFERED
HJR-0094	10/15/85	1	RESOLUTION OFFERED
HJR-0095	10/15/85	1	RESOLUTION OFFERED
HJR-0096	10/02/85	7	RESOLUTION OFFERED
HJR-0097	10/02/85	0	ADOPTED
HJR-0098	10/16/85	1	RESOLUTION OFFERED
HJR-0099	10/16/85	1	RESOLUTION OFFERED
HJR-0100	10/16/85	1	RESOLUTION OFFERED
HJR-0101	10/16/85	1	RESOLUTION OFFERED
HJR-0102	10/16/85	1	RESOLUTION OFFERED
HJR-0103	10/16/85	1	RESOLUTION OFFERED
HJR-0104	10/29/85	2	RESOLUTION OFFERED
HJR-0105	10/17/85	2	RESOLUTION OFFERED
HJR-0106	10/29/85	2	RESOLUTION OFFERED
HJR-0107	10/30/85	1	RESOLUTION OFFERED
HJR-0108	10/30/85	1	RESOLUTION OFFERED
HJR-0109	10/30/85	1	RESOLUTION OFFERED
HJR-0110	10/30/85	136	RESOLUTION OFFERED
HJR-0111	10/30/85	136	RESOLUTION OFFERED
HJR-0112	10/30/85	136	RESOLUTION OFFERED
HJR-0113	10/30/85	136	RESOLUTION OFFERED
HJR-0114	10/31/85	64	RESOLUTION OFFERED
HJR-0116	10/31/85	64	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
HJR-0121	11/13/85	1	RESOLUTION OFFERED
HJR-0123	11/08/85	2	ADOPTED
HJR-0125	11/14/85	64	ADOPTED
HJR-0128	04/15/86	7	ADOPTED
HJR-0129	01/09/86	19	ADOPTED
HJR-0130	01/09/86	20	ADOPTED
HJR-0134	02/10/86	49	ADOPTED
HJR-0138	03/05/86	3	ADOPTED
HJR-0145	03/05/86	32	ADOPTED
HJR-0152	04/03/86	3	ADOPTED
HJR-0159	04/03/86	11	ADOPTED
HJR-0172	07/01/86	83	ADOPTED
HJR-0175	05/28/86	20	ADOPTED
HJR-0180	06/27/86	5	RESOLUTION FAILED
HJR-0181	06/27/86	5	RESOLUTION FAILED
HJR-0183	06/27/86	48	ADOPTED
HJR-0189	06/27/86	46	ADOPTED
HJR-0192	05/05/86	18	ADOPTED
	05/06/86	18	ADOPTED
HJR-0197	06/27/86	47	ADOPTED
HJR-0198	06/26/86	70	DISCUSSED
	06/26/86	71	OUT OF RECORD
	07/01/86	2	ADOPTED
HJR-0203	05/22/86	310	ADOPTED
HJR-0218	07/01/86	14	ADOPTED
HJR-0223	06/25/86	218	ADOPTED
HJR-0224	07/01/86	13	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
HJR-0227	06/27/86	19	ADOPTED
HJR-0232	07/01/86	3	ADOPTED
HJR-0233	12/03/86	80	MOTION
	12/05/86	5	ADOPTED
*HJR-0008	05/13/86	128	FIRST READING
	05/15/86	88	SECOND READING
SJR-0001	01/09/85	19	ADOPTED
SJR-0002	01/09/85	20	RESOLUTION OFFERED
SJR-0003	01/09/85	20	RESOLUTION OFFERED
	03/05/85	57	ADOPTED
SJR-0004	01/09/85	20	RESOLUTION OFFERED
	10/17/85	2	RESOLUTION OFFERED
	10/29/85	6	FIRST READING
	10/30/85	2	SECOND READING
	10/31/85	4	THIRD READING
SJR-0005	01/09/85	21	RESOLUTION OFFERED
SJR-0006	02/05/85	8	RESOLUTION OFFERED
SJR-0008	02/20/85	2	RESOLUTION OFFERED
SJR-0009	02/20/85	2	RESOLUTION OFFERED
SJR-0010	02/20/85	7	ADOPTED
SJR-0011	02/20/85	6	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/05/85	28	FIRST READING
	06/20/85	2	SECOND READING
	06/27/85	116	THIRD READING
	04/29/86	8	FIRST READING
	04/30/86	5	SECOND READING
	05/01/86	7	THIRD READING
SJR-0012	02/21/85	7	RESOLUTION OFFERED
SJR-0013	02/21/85	7	RESOLUTION OFFERED
SJR-0014	02/27/85	2	RESOLUTION OFFERED
SJR-0015	02/27/85	2	RESOLUTION OFFERED
SJR-0016	02/27/85	2	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0016 (cont'd)	05/29/85	57	ADOPTED
SJR-0017	02/28/85	3	RESOLUTION OFFERED
SJR-0018	02/28/85	5	ADOPTED
SJR-0019	03/06/85	4	RESOLUTION OFFERED
	03/27/85	16	ADOPTED
SJR-0021	03/19/85	2	RESOLUTION OFFERED
SJR-0022	03/19/85	2	RESOLUTION OFFERED
	10/17/85	2	RESOLUTION OFFERED
	10/29/85	6	FIRST READING
	10/29/85	7	SECOND READING
	10/30/85	2	SECOND READING
	10/31/85	5	THIRD READING
	04/23/86	4	FIRST READING
	04/29/86	9	SECOND READING
	04/30/86	5	THIRD READING
SJR-0023	03/19/85	2	RESOLUTION OFFERED
	05/29/85	57	ADOPTED
SJR-0024	03/19/85	10	RESOLUTION OFFERED
	03/27/85	17	TABLED
SJR-0025	03/20/85	3	RESOLUTION OFFERED
	05/29/85	57	ADOPTED
SJR-0026	03/20/85	3	RESOLUTION OFFERED
	05/29/85	58	ADOPTED
SJR-0027	03/20/85	3	RESOLUTION OFFERED
	05/29/85	59	ADOPTED
SJR-0028	03/20/85	9	ADOPTED
SJR-0029	03/27/85	4	RESOLUTION OFFERED
SJR-0030	03/27/85	4	RESOLUTION OFFERED
SJR-0031	03/27/85	4	RESOLUTION OFFERED
	05/29/85	60	ADOPTED
SJR-0032	03/27/85	16	RESOLUTION OFFERED
SJR-0033	04/10/85	40	RESOLUTION OFFERED
SJR-0034	04/10/85	40	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0035	04/10/85	40	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	27	ADOPTED
SJR-0036	04/10/85	40	RESOLUTION OFFERED
SJR-0037	04/11/85	30	RESOLUTION OFFERED
SJR-0038	04/11/85	30	RESOLUTION OFFERED
SJR-0039	04/16/85	2	RESOLUTION OFFERED
SJR-0040	04/17/85	4	RESOLUTION OFFERED
SJR-0041	04/17/85	4	RESOLUTION OFFERED
SJR-0042	04/17/85	4	RESOLUTION OFFERED
SJR-0043	04/17/85	7	RESOLUTION OFFERED
SJR-0044	04/18/85	34	ADOPTED
SJR-0045	04/24/85	11	ADOPTED
SJR-0046	04/30/85	3	RESOLUTION OFFERED
SJR-0047	04/30/85	3	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	17	ADOPTED
SJR-0048	05/02/85	4	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	21	ADOPTED
SJR-0049	05/03/85	7	ADOPTED
SJR-0050	05/08/85	2	RESOLUTION OFFERED
SJR-0051	05/08/85	2	RESOLUTION OFFERED
SJR-0054	05/08/85	211	ADOPTED
SJR-0055	05/09/85	99	ADOPTED
SJR-0056	05/09/85	104	ADOPTED
SJR-0057	05/14/85	4	RESOLUTION OFFERED
SJR-0058	05/15/85	244	RESOLUTION OFFERED
SJR-0059	05/15/85	244	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0060	05/17/85	144	RESOLUTION OFFERED
SJR-0061	05/20/85	193	RESOLUTION OFFERED
	05/30/85	2	OTHER
	06/27/85	22	ADOPTED
SJR-0062	05/23/85	396	RESOLUTION OFFERED
SJR-0064	05/24/85	311	ADOPTED
SJR-0065	05/29/85	65	RESOLUTION OFFERED
SJR-0066	05/30/85	5	ADOPTED
SJR-0067	05/30/85	32	ADOPTED
SJR-0068	06/03/85	2	RESOLUTION OFFERED
	06/05/85	24	ADOPTED
SJR-0069	06/03/85	2	RESOLUTION OFFERED
	06/19/85	40	RECALLED
	06/27/85	18	ADOPTED
SJR-0070	06/04/85	11	RESOLUTION OFFERED
	06/29/85	10	ADOPTED
SJR-0071	06/06/85	3	ADOPTED
SJR-0072	06/06/85	5	RESOLUTION OFFERED
SJR-0073	06/11/85	3	RESOLUTION OFFERED
SJR-0074	06/12/85	43	RESOLUTION OFFERED
	04/15/86	8	ADOPTED
SJR-0075	06/18/85	2	RESOLUTION OFFERED
SJR-0076	06/18/85	248	ADOPTED
SJR-0077	06/21/85	46	ADOPTED
	06/24/85	50	ADOPTED
SJR-0078	06/21/85	83	ADOPTED
SJR-0080	06/27/85	4	RESOLUTION OFFERED
SJR-0081	06/28/85	4	RESOLUTION OFFERED
SJR-0082	06/28/85	113	RESOLUTION OFFERED
SJR-0083	06/28/85	113	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0084	06/29/85	2	RESOLUTION OFFERED
SJR-0085	07/02/85	3	RESOLUTION OFFERED
SJR-0086	07/02/85	4	RESOLUTION OFFERED
SJR-0087	07/03/85	56	RESOLUTION OFFERED
	07/03/85	74	ADOPTED
SJR-0088	10/02/85	3	RESOLUTION OFFERED
SJR-0089	10/02/85	3	RESOLUTION OFFERED
SJR-0090	10/02/85	3	RESOLUTION OFFERED
SJR-0091	10/02/85	4	RESOLUTION OFFERED
SJR-0092	10/15/85	2	ADOPTED
SJR-0093	10/16/85	7	RESOLUTION OFFERED
SJR-0094	10/16/85	153	RESOLUTION OFFERED
	10/30/85	91	MOTION
	10/31/85	19	ADOPTED
SJR-0095	10/17/85	75	RESOLUTION OFFERED
SJR-0096	10/17/85	75	RESOLUTION OFFERED
SJR-0097	10/17/85	77	RESOLUTION OFFERED
	10/30/85	94	MOTION
	10/31/85	19	ADOPTED
SJR-0098	10/17/85	77	ADOPTED
SJR-0099	10/29/85	3	RESOLUTION OFFERED
SJR-0100	10/30/85	97	RESOLUTION OFFERED
	10/31/85	20	ADOPTED
SJR-0101	10/30/85	99	RESOLUTION OFFERED
	06/11/86	6	ADOPTED
	06/30/86	21	CONCURRENCE
SJR-0102	10/30/85	99	RESOLUTION OFFERED
SJR-0103	10/30/85	99	RESOLUTION OFFERED
	04/15/86	8	ADOPTED
SJR-0104	11/07/85	121	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0106	01/08/86	6	RESOLUTION OFFERED
SJR-0107	01/08/86	49	RESOLUTION OFFERED
SJR-0108	01/08/86	49	RESOLUTION OFFERED
SJR-0109	01/09/86	21	RESOLUTION OFFERED
SJR-0110	02/10/86	50	ADOPTED
SJR-0111	02/10/86	5	RESOLUTION OFFERED
SJR-0112	02/10/86	5	RESOLUTION OFFERED
SJR-0113	02/10/86	5	RESOLUTION OFFERED
SJR-0114	03/05/86	2	RESOLUTION OFFERED
SJR-0115	03/05/86	2	RESOLUTION OFFERED
SJR-0116	03/05/86	2	RESOLUTION OFFERED
SJR-0117	03/05/86	3	RESOLUTION OFFERED
	06/11/86	7	ADOPTED
SJR-0118	03/05/86	11	RESOLUTION OFFERED
SJR-0119	03/05/86	11	RESOLUTION OFFERED
SJR-0120	03/05/86	15	RESOLUTION OFFERED
SJR-0121	04/01/86	4	RESOLUTION OFFERED
SJR-0122	04/01/86	4	RESOLUTION OFFERED
SJR-0123	04/01/86	5	RESOLUTION OFFERED
SJR-0124	04/01/86	5	RESOLUTION OFFERED
	05/13/86	136	ADOPTED
SJR-0125	04/01/86	5	RESOLUTION OFFERED
SJR-0126	04/01/86	11	RESOLUTION OFFERED
	04/01/86	12	ADOPTED
SJR-0127	04/01/86	13	RESOLUTION OFFERED
SJR-0128	04/01/86	13	RESOLUTION OFFERED
SJR-0130	04/02/86	10	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0131	04/02/86	10	RESOLUTION OFFERED
SJR-0132	04/03/86	5	RESOLUTION OFFERED
SJR-0133	04/08/86	5	RESOLUTION OFFERED
SJR-0134	04/09/86	2	RESOLUTION OFFERED
SJR-0135	04/10/86	16	RESOLUTION OFFERED
	05/13/86	137	ADOPTED
SJR-0136	04/10/86	16	ADOPTED
SJR-0137	04/16/86	3	RESOLUTION OFFERED
SJR-0138	04/16/86	3	RESOLUTION OFFERED
SJR-0139	04/17/86	5	ADOPTED
SJR-0140	04/22/86	2	RESOLUTION OFFERED
SJR-0141	04/22/86	6	RESOLUTION OFFERED
SJR-0142	04/22/86	12	RESOLUTION OFFERED
SJR-0144	04/23/86	3	ADOPTED
SJR-0145	04/29/86	2	RESOLUTION OFFERED
	05/01/86	6	ADOPTED
SJR-0146	05/05/86	20	RESOLUTION OFFERED
	05/06/86	20	RESOLUTION OFFERED
SJR-0147	05/07/86	2	RESOLUTION OFFERED
SJR-0148	05/08/86	2	RESOLUTION OFFERED
SJR-0149	05/08/86	5	ADOPTED
SJR-0150	05/13/86	143	RESOLUTION OFFERED
	06/27/86	49	ADOPTED
SJR-0151	05/13/86	144	RESOLUTION OFFERED
SJR-0152	05/13/86	144	ADOPTED
SJR-0153	05/14/86	2	RESOLUTION OFFERED
SJR-0154	05/14/86	172	RESOLUTION OFFERED
	05/22/86	300	ADOPTED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0155	05/14/86	172	RESOLUTION OFFERED
	06/27/86	51	ADOPTED
SJR-0157	05/20/86	2	RESOLUTION OFFERED
SJR-0158	05/20/86	198	RESOLUTION OFFERED
SJR-0159	05/20/86	198	RESOLUTION OFFERED
	06/11/86	8	ADOPTED
SJR-0160	05/21/86	3	ADOPTED
SJR-0161	05/23/86	191	ADOPTED
SJR-0162	05/23/86	192	ADOPTED
SJR-0163	06/03/86	3	RESOLUTION OFFERED
SJR-0164	06/03/86	3	RESOLUTION OFFERED
SJR-0165	06/03/86	4	RESOLUTION OFFERED
SJR-0166	06/03/86	4	RESOLUTION OFFERED
	06/27/86	50	MOTION
	06/27/86	51	ADOPTED
SJR-0167	06/04/86	12	ADOPTED
SJR-0168	06/10/86	9	CONCURRENCE
SJR-0169	06/10/86	7	ADOPTED
SJR-0170	06/12/86	3	ADOPTED
SJR-0171	06/17/86	69	RESOLUTION OFFERED
SJR-0172	06/18/86	163	RESOLUTION OFFERED
SJR-0173	06/25/86	214	ADOPTED
SJR-0174	06/25/86	215	ADOPTED
SJR-0175	06/26/86	72	RESOLUTION OFFERED
SJR-0176	06/27/86	3	RESOLUTION OFFERED
SJR-0177	06/27/86	53	RESOLUTION OFFERED
SJR-0178	06/27/86	53	RESOLUTION OFFERED
SJR-0179	06/30/86	73	RESOLUTION OFFERED

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BILL NUMBER	DATE	PAGE	ACTION
SJR-0179(cont'd)	06/30/86	74	ADOPTED
SJR-0180	06/30/86	73	RESOLUTION OFFERED
	06/30/86	74	ADOPTED
SJR-0181	07/01/86	139	ADOPTED
SJR-0182	11/06/86	6	ADOPTED
SJR-0183	11/06/86	3	RESOLUTION OFFERED
SJR-0185	11/20/86	2	RESOLUTION OFFERED
SJR-0186	11/20/86	9	ADOPTED
SJR-0187	12/02/86	2	RESOLUTION OFFERED
	12/04/86	2	ADOPTED
SJR-0188	12/03/86	77	ADOPTED
SJR-0189	12/03/86	94	RESOLUTION OFFERED
	12/04/86	8	ADOPTED
SJR-0190	12/05/86	75	ADOPTED
EO-8503	04/10/85	41	RESOLUTION OFFERED
EO-8504	04/10/85	41	RESOLUTION OFFERED

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SPECIAL SESSION I

BILL NUMBER	DATE	PAGE	ACTION
HB-0993	07/08/85	12	CONFERENCE
SR-0001	07/08/85	2	ADOPTED
SR-0002	07/08/85	2	ADOPTED
SR-0003	07/08/85	3	ADOPTED
SR-0004	07/08/85	3	ADOPTED
SR-0005	07/08/85	4	ADOPTED
SR-0006	07/08/85	29	ADOPTED
SJR-0001	07/08/85	5	ADOPTED
SJR-0002	07/08/85	29	ADOPTED

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SPECIAL SESSION 2

BILL NUMBER	DATE	PAGE	ACTION
HB-2472	10/02/85	5	MOTION
SB-1454	10/15/85	1	NON-CONCURRENCE
	10/15/85	1	MOTION
SR-0001	10/02/85	1	ADOPTED
SR-0002	10/02/85	2	ADOPTED
SR-0003	10/02/85	2	ADOPTED
SR-0004	10/02/85	3	ADOPTED
SR-0005	10/02/85	3	ADOPTED
SR-0006	10/02/85	4	ADOPTED
HJR-0001	10/02/85	6	ADOPTED
HJR-0003	11/08/85	2	ADOPTED
HJR-0004	11/14/85	1	ADOPTED
SJR-0001	10/17/85	1	ADOPTED

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SPECIAL SESSION 3

BILL NUMBER	DATE	PAGE	ACTION
SB-0001	11/20/86	1	FIRST READING
SB-0002	11/20/86	1	FIRST READING
SB-0003	11/20/86	1	FIRST READING
SB-0004	11/20/86	1	FIRST READING
SB-0005	11/20/86	1	FIRST READING
SB-0006	11/20/86	1	FIRST READING
SB-0007	11/20/86	1	FIRST READING
SB-0008	11/20/86	1	FIRST READING
SB-0009	11/20/86	1	FIRST READING
SR-0001	11/17/86	1	ADOPTED
	11/17/86	1	RESOLUTION OFFERED
	11/18/86	1	ADOPTED
SR-0002	11/17/86	1	ADOPTED
	11/17/86	1	RESOLUTION OFFERED
	11/18/86	1	ADOPTED
SR-0003	11/17/86	2	ADOPTED
	11/17/86	2	RESOLUTION OFFERED
	11/18/86	2	ADOPTED
SR-0004	11/17/86	2	ADOPTED
	11/17/86	2	RESOLUTION OFFERED
	11/18/86	2	ADOPTED
SR-0005	11/17/86	3	ADOPTED
	11/17/86	3	RESOLUTION OFFERED
	11/18/86	3	ADOPTED
SR-0006	11/17/86	3	ADOPTED
	11/17/86	3	RESOLUTION OFFERED
	11/18/86	3	ADOPTED
SJR-0001	11/20/86	2	ADOPTED
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	3	SB 1533 - REASSIGNED TO COMMITTEE
	16	ADJOURNMENT
04/30/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND SCOTT HATFIELD
	1	JOURNAL - POSTPONED
	1	COMMITTEE REPORTS
	3	INTRO. OF GUEST - PRESIDENT ROCK
	4	MESSAGE FROM THE HOUSE
	26	ADJOURNMENT
05/01/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND ANTHONY TZORTZIS
	1	JOURNALS - POSTPONED
	1	COMMITTEE REPORTS

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DATE	PAGE	SUBJECT
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	4	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	11	ADJOURNMENT
05/02/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - SENATOR HALL
	1	JOURNALS - POSTPONED
	1	COMMITTEE REPORTS
	3	ADJOURNMENT
05/05/86	19	INTRODUCTION OF GUEST - SENATOR DEMUZIO
	22	ADJOURNMENT
05/06/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND CHARLES MULCRONE
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	19	INTRODUCTION OF GUEST - SENATOR DEMUZIO
	22	ADJOURNMENT
05/07/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. VICTOR KALTENBACH
	1	JOURNALS - APPROVED
	1	JOURNALS - POSTPONED
	2	MESSAGES FROM THE HOUSE
	57	ADJOURNMENT
05/08/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REV. EUGENE WEITZEL
	1	JOURNALS - APPROVED
	1	JOURNALS - POSTPONED
	1	MESSAGE FROM THE HOUSE
	2	COMMITTEE REPORTS
	4	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	6	COMMITTEE REPORTS
	6	ADJOURNMENT
05/13/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. SCOTT A. HATFIELD
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	142	MESSAGES FROM THE GOVERNOR
	145	ADJOURNMENT
05/14/86	1	SENATE TO ORDER- SEN. DEMUZIO
	1	PRAYER - REVEREND OLIVER ZIVNEY
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	2	MESSAGE FROM HOUSE
	48	MUSIC PROGRAM - ZION CHRISTIAN CHURCH
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	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	1	MESSAGE FROM THE HOUSE
	2	MESSAGE FROM THE HOUSE
	20	INTRODUCTION OF GUEST - SENATOR BERMAN
	67	INTRODUCTION OF GUEST - SENATOR DEMUZIO
	88	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	89	ADJOURNMENT
05/20/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND JACK GLEN
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	6	INTRO. OF GUEST - SEN. LUFT
	200	ADJOURNMENT
05/21/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND DALE CATLIN
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	94	INTRODUCTION OF GUESTS - SEN. JEROME JOYCE
	242	ADJOURNMENT
05/22/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND JACK GLEN
	1	JOURNALS - POSTPONED
	1	MESSAGE FROM THE HOUSE
	3	MESSAGE FROM THE HOUSE
	56	INTRODUCTION OF GUEST - SENATOR DEMUZIO
	238	INTRODUCTION OF GUEST - SENATOR DAVIDSON
	306	MESSAGES FROM THE HOUSE
	310	MESSAGE FROM THE HOUSE
	310	ADJOURNMENT
05/23/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - RABBI BARRY MARKS
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	6	COMMITTEE REPORTS
	187	COMMITTEE REPORTS
	190	MESSAGES FROM THE HOUSE
	192	RESOLUTIONS CONSENT CALENDAR - ADOPTED
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	1	PRAYER - REVEREND FRANK GRADY

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	1	JOURNALS - POSTPONED
	2	COMMITTEE REPORTS
	2	HB2630 - REASSIGNED TO COMMITTEE
	3	MESSAGES FROM THE HOUSE
	4	MEMORIAL DAY PROGRAM
	9	COMMITTEE REPORTS
	10	INTRO OF GUEST - SEN. WOODYARD
	23	HB2988 - REASSIGNED TO COMMITTEE
	23	HB3001 - REASSIGNED TO COMMITTEE
	23	HB3002 - REASSIGNED TO COMMITTEE
	27	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	28	ADJOURNMENT
06/03/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND W. P. WITKOP
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	1	COMMITTEE REPORTS
	8	COMMITTEE REPORTS
	11	ADJOURNMENT
06/04/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND KEVIN VANN
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	4	INTRO OF GUESTS - SEN. DAVIDSON
	7	COMMITTEE REPORTS
	13	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	13	HB3032 - REASSIGNED TO COMMITTEE
	14	ADJOURNMENT
06/10/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. JAMES S. BARGE
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	2	MESSAGES FROM THE HOUSE
	2	COMMITTEE REPORTS
	9	MESSAGE FROM THE HOUSE
	11	COMMITTEE REPORTS
	11	ADJOURNMENT
06/11/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. RUDOLPH SHOULTZ
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	2	HB3075 - REASSIGNED TO COMMITTEE
	2	HB3473 - REASSIGNED TO COMMITTEE
	2	COMMITTEE REPORTS
	3	HB3133 - REASSIGNED TO COMMITTEE
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06/12/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. EUGENE WEITZEL
	1	JOURNALS - POSTPONED
	1	COMMITTEE REPORTS
	3	INTRODUCTION OF GUEST - SEN. O'DANIEL
	5	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	6	COMMITTEE REPORTS
	7	ADJOURNMENT
06/17/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. ROBERT WISE
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	74	ADJOURNMENT
06/18/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND MARY CATHERINE PIERCE
	1	JOURNALS - APPROVED
	1	JOURNALS - POSTPONED
	1	COMMITTEE REPORTS
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	161	COMMITTEE REPORTS
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06/19/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND JOHN FEARON
	1	JOURNALS - POSTPONED
	39	INTRODUCTION OF GUEST - SENATOR DEGNAN
	146	COMMITTEE REPORTS
	146	EXECUTIVE APPOINTMENTS
	160	ADJOURNMENT
06/20/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND W. P. WITKOP
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	63	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	63	MESSAGES FROM THE HOUSE
	65	ADJOURNMENT
06/23/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND FRANK O'HARA
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM HOUSE
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06/24/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. VICTOR KALTENBACH

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DATE	PAGE	SUBJECT
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	56	INTRO OF GUESTS - SEN. VADALABENE
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	190	INTRO OF GUEST - SENATOR ROCK
	190	ADJOURNMENT
06/25/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. GAY CREDE
	1	JOURNALS - POSTPONED
	1	MESSAGE FROM THE HOUSE
	32	INTRO OF GUESTS - SEN. VADALABENE
	146	INTRO OF GUEST - SEN. VADALABENE
	218	MESSAGE FROM THE HOUSE
	223	ADJOURNMENT
06/26/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND ROGER ROMINGER
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	40	INTRO. OF GUEST - SENATOR KUSTRA
	69	MESSAGES FROM THE HOUSE
	70	MESSAGES FROM THE HOUSE
	73	ADJOURNMENT
06/27/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND RUDOLPH SHOULTZ
	1	JOURNALS - APPROVED
	1	JOURNALS - POSTPONED
	2	MESSAGES FROM THE HOUSE
	2	MESSAGE FROM THE HOUSE
	20	SR 514 - AMENDED
	24	SR 900 - AMENDED
	29	SR 929 - AMENDED
	40	SR 1009 - AMENDED
	46	INTRO. OF GUEST - SENATOR ROCK
	50	SJR 166 - AMENDED
	54	MESSAGES FROM THE HOUSE
	55	MESSAGES FROM THE HOUSE
	56	ADJOURNMENT
06/28/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND GERALD NICHOLS
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	11	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	12	ADJOURNMENT
06/29/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND MARTIN SERBER
	1	JOURNALS - POSTPONED

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06/30/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND JAMES EBBERS
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	30	MESSAGE FROM THE HOUSE
	75	MESSAGES FROM THE HOUSE
	140	MESSAGES FROM THE HOUSE
	149	ADJOURNMENT
07/01/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - SEN. KENNETH HALL
	1	JOURNALS - POSTPONED
	48	MESSAGES FROM THE HOUSE
	49	SB1734 - ACCEDE
	49	SB1624 - ACCEDE
	49	SB1917 - ACCEDE
	109	MESSAGE FROM THE HOUSE
	109	SB2117 - ACCEDE
	136	MESSAGE FROM THE HOUSE
	151	MESSAGES FROM THE HOUSE
	151	HB3058 - ACCEDE
	152	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	158	ADJOURNMENT
11/06/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. HUGH CASSIDY
	1	JOURNALS - APPROVED
	1	COMMUNICATION FROM SEC. OF STATE
	4	MESSAGES FROM THE SEC. OF STATE
	5	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	7	ADJOURNMENT
11/16/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	JOURNAL - POSTPONED
	1	ADJOURNMENT
11/17/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	MESSAGE FROM SEC. OF STATE
	1	SENATE TO ORDER - PRESIDENT ROCK
	1	MESSAGE FROM SEC. OF STATE
	4	ADJOURNMENT
	4	ADJOURNMENT
11/18/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REVEREND W. P. WITKOP
	1	JOURNAL - POSTPONED
	1	SENATE TO ORDER - PRESIDENT ROCK
	1	MESSAGE FROM SEC. OF STATE

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	7	ADJOURNMENT
11/19/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REV. JOHN SPREEN
	1	JOURNALS - POSTPONED
	1	MESSAGE FROM THE HOUSE
	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	JOURNAL - POSTPONED
	1	ADJOURNMENT
	85	HB132 - DISCHARGED FROM COMMITTEE
	96	MESSAGE FROM THE HOUSE
	97	ADJOURNMENT
11/20/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. EUGENE WEITZEL
	1	JOURNALS - POSTPONED
	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	JOURNALS - POSTPONED
	2	ADJOURNMENT
	9	MESSAGE FROM THE HOUSE
	10	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	10	MESSAGE FROM THE HOUSE
	11	MESSAGES FROM THE HOUSE
	12	ADJOURNMENT
12/02/86	1	SENATE TO ORDER - PRESIDENT ROCK
	1	PRAYER - REV. VICTOR KALTENBACH
	1	JOURNALS - APPROVED
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	1	SENATE TO ORDER - PRESIDENT ROCK
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	1	ADJOURNMENT
	22	MESSAGE FROM THE HOUSE
	50	ADJOURNMENT
12/03/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REVEREND FRANK O'HARA
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	JOURNALS- APPROVED
	1	JOURNAL - POSTPONED
	1	ADJOURNMENT
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	82	SR 1278 - DISCHARGED FROM COMMITTEE
	85	MESSAGES FROM THE HOUSE
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	1	PRAYER - REVEREND ROGER ROMINGER
	1	JOURNALS - POSTPONED
	1	MESSAGES FROM THE HOUSE
	1	SENATOR TO ORDER - SENATOR DEMUZIO
	1	JOURNALS - POSTPONED
	1	ADJOURNMENT
	3	INTRO. OF GUEST - SENATOR DAVIDSON
	25	MESSAGE FROM THE HOUSE
	26	ADJOURNMENT
12/05/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	PRAYER - REV. ANTHONY TZORTZIS
	1	JOURNAL - APPROVED
	1	JOURNALS - POSTPONED
	1	SENATE TO ORDER - PRESIDENT ROCK
	1	JOURNALS - POSTPONED
	1	ADJOURNMENT
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	68	RESOLUTIONS CONSENT CALENDAR - ADOPTED
	76	ADJOURNMENT
12/06/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	JOURNALS - APPROVED
	1	JOURNAL - POSTPONED
	1	ADJOURNMENT
12/07/86	1	SENATE TO ORDER - SENATOR DEMUZIO
	1	JOURNALS - POSTPONED
	1	ADJOURNMENT

CONVERSION TABLE: LEGISLATIVE DAY TO DATE

Legislative Day	Calendar Day	Legislative Day	Calendar Day
1	January 9, 1985	27	May 8, 1985
2	February 5, 1985	28	May 9, 1985
3	February 20, 1985	29	May 14, 1985
4	February 21, 1985	30	May 15, 1985
5	February 27, 1985	31	May 16, 1985
6	February 28, 1985	32	May 17, 1985
7	March 5, 1985	33	May 20, 1985
8	March 6, 1985	34	May 21, 1985
9	March 19, 1985	35	May 22, 1985
10	March 20, 1985	36	May 23, 1985
11	March 26, 1985	37	May 24, 1985
12	March 27, 1985	38	May 29, 1985
13	April 10, 1985	39	May 30, 1985
14	April 11, 1985	40	June 3, 1985
15	April 12, 1985	41	June 4, 1985
16	April 16, 1985	42	June 5, 1985
17	April 17, 1985	43	June 6, 1985
18	April 18, 1985	44	June 10, 1985
19	April 23, 1985	45	June 11, 1985
20	April 24, 1985	46	June 12, 1985
21	April 25, 1985	47	June 13, 1985
22	April 30, 1985	48	June 14, 1985
23	May 1, 1985	49	June 18, 1985
24	May 2, 1985	50	June 19, 1985
25	May 3, 1985	51	June 20, 1985
26	May 7, 1985	52	June 21, 1985

CONVERSION TABLE: LEGISLATIVE DAY TO DATE

Legislative Day	Calendar Day	Legislative Day	Calendar Day
53	June 24, 1985	79	January 8, 1986
54	June 25, 1985	80	January 9, 1986
55	June 26, 1985	81	February 10, 1986
56	June 27, 1985	82	March 5, 1986
57	June 28, 1985	83	April 1, 1986
58	June 29, 1985	84	April 2, 1986
59	June 30, 1985	85	April 3, 1986
60	July 1, 1985	86	April 8, 1986
61	July 2, 1985	87	April 9, 1986
62	July 3, 1985	88	April 10, 1986
63	October 2, 1985	89	April 11, 1986
64	October 15, 1985	90	April 15, 1986
65	October 16, 1985	91	April 16, 1986
66	October 17, 1985	92	April 17, 1986
67	October 29, 1985	93	April 22, 1986
68	October 30, 1985	94	April 23, 1986
69	October 31, 1985	95	April 29, 1986
70	November 1, 1985	96	April 30, 1986
71	November 4, 1985	97	May 1, 1986
72	November 5, 1985	98	May 2, 1986
73	November 6, 1985	99	May 6, 1986
74	November 7, 1985	100	May 7, 1986
75	November 8, 1985	101	May 8, 1986
76	November 12, 1985	102	May 13, 1986
77	November 13, 1985	103	May 14, 1986
78	November 14, 1985	104	May 15, 1986

CONVERSION TABLE: LEGISLATIVE DAY TO DATE

Legislative Day	Calendar Day	Legislative Day	Calendar Day
105	May 20, 1986	122	June 26, 1986
106	May 21, 1986	123	June 27, 1986
107	May 22, 1986	124	June 28, 1986
108	May 23, 1986	125	June 29, 1986
109	May 28, 1986	126	June 30, 1986
110	June 3, 1986	127	July 1, 1986
111	June 4, 1986	128	July 2, 1986
112	June 10, 1986	129	November 6, 1986
113	June 11, 1986	130	November 18, 1986
114	June 12, 1986	131	November 19, 1986
115	June 17, 1986	132	November 20, 1986
116	June 18, 1986	133	December 2, 1986
117	June 19, 1986	134	December 3, 1986
118	June 20, 1986	135	December 4, 1986
119	June 23, 1986	136	December 5, 1986
120	June 24, 1986	137	January 13, 1987
121	June 25, 1986		

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Government Documents Dept.
Northwestern University
Law Library
357 East Chicago Avenue
Chicago, Illinois 60611

DuPage Library System
127 S. First Street
P.O. Box 268
Geneva, Illinois 60134

Government Information Center
Mt. Prospect Public Library
10 South Emerson
Mt. Prospect, Illinois 60056

Kaskaskia Library System
306 N. Main Street
Smithton, Illinois 62285

Legislative Reference Bureau
Library
112 State House
Springfield, IL 62706

Lewis and Clark Library System
P.O. Box 368
Edwardsville, Illinois 62025

Jack O'Brien
Clerk of the House
115 Capitol
Springfield, Illinois 62706

Jane Strable, Documents Lib.
University of Chicago Law Library
1121 East 60th Street
Chicago, Illinois 60647

John Marshall Law School-Library
315 Plymouth Court
Chicago, Illinois 60604

Joint Committee on Administrative Rules
509 South Sixth Street
Room 500
Springfield, Illinois 62701

Northern Illinois University
Law Library
DeKalb, Illinois 60115

Rolling Prairie Library System
345 Eldorado Street
Decatur, Illinois 62522

Starved Rock Library System
Hitt and Swanson Street
Ottawa, Illinois 61350

Virginia T. Carr
Chicago Kent College of Law Library
77 South Wacker Drive
Chicago, Illinois 60606

Bernie Emory
Legislative Information System
705 Stratton Building
Springfield, Illinois 62706
(LIS generated fiche only)

A. J. Moen
Will County Law Library
14 W. Jefferson Street
Joliet, Illinois 60431

Library
Attorney General's Office
500 South Second
Springfield, IL 62706

Lincoln Trail Libraries System
1704 W. Interstate Drive
Champaign, Illinois 61821

Loyola University
School of Law Library
41 East Pearson Street
Chicago, Illinois 60611

North Suburban Library System
200 West Dundee Road
Wheeling, Illinois 60090

Northern Illinois Library System
4034 East State
Rockford, Illinois 61108

River Bend Library System
P.O. Box 125
Coal Valley, Illinois 61240

Shawnee Library System
R.R. 2
Box 136A
Carterville, Illinois 61918

Suburban Library System
944 S. Cook Avenue (Bills Only)
Oak Lawn, Illinois 60453

Western Illinois Library System
1518 S. Henderson
Galesburg, Illinois 61401

Mrs. Joanne T. Baker
Lake County Law Library
18 North County Street
Waukegan, Illinois 60085

Nancy Zander
Documents Librarian
Oak Park Public Library
834 Lake Street
Oak Park, IL 60301

Librarian
Winnebago County Law Library
Courthouse Building
Rockford, IL 61101

ADDITIONAL LIBRARIES RECEIVING LEGISLATIVE MATERIALS ON MICROFICHE

Charlean Eggert
DuPage County Law Library
201 Reber
Wheaton, IL 60182

Bernadine Gretzer
Legislative Research Unit
222 South College
3rd Floor, Suite A
Springfield, IL 62704

Swearing in of new members and election of Senate President

84TH GENERAL ASSEMBLY

REGULAR SESSION

JANUARY 9, 1985

GOVERNOR THOMPSON:

Will the Senate be at order and the members and the guests kindly take their seats. Article IV, Section 6, of the Constitution of the State of Illinois reads in part as follows:

"On the first day of the January Session of the General Assembly in odd numbered years, the Governor shall convene the Senate to elect from the membership a President of the Senate as Presiding Officer."

The Senate will please come to order. The opening prayer will be delivered by the Senate Chaplain Reverend John Smith, the Superintendent of Maryville Academy in Chicago. Father Smith.

REVEREND SMITH:

(Prayer given by Reverend Smith)

GOVERNOR THOMPSON:

Thank you, Father Smith. The Chair hereby appoints Mr. Edward Fernandes as the temporary Secretary of the Senate of the 84th General Assembly. Mr. Tracy Sidles as temporary Sergeant-at-Arms of the Senate of the 84th General Assembly. Will the Secretary please read to the members the letter of certification from the State Board of Elections.

ACTING SECRETARY: (MR. FERNANDES)

State Board of Elections State of Illinois, December 4, 1984, Mr. Kenneth Wright, Secretary of the Senate.

Dear Mr. Wright, the following named individuals have been duly elected to serve as members of the Illinois State Senate and they have been duly certified by the State Board of Elections to serve in the 84th General Assembly: the 1st District, Howard W. Carroll, Chicago, four-year term; 16th District, Charles Chew, Chicago, four-year term; 10th District, John A. D'Arco, Jr., Chicago, four-year term; 49th District, Vince Demuzio, Carlinville, four-year term; 7th District, Walter Dudycz, Chicago, four-year term; 58th Dis-

trict, Ralph Dunn, DuQuoin, four-year term; 40th District, Aldo A. DeAngelis, Olympia Fields, four-year term; 31st District, Adeline J. Geo-Karis, Zion, four-year term; 34th District, Joyce Holmberg, Rockford, four-year term; Jerome J. Joyce, 43rd District, Reddick, four-year term; 25th District, Doris...C. Karpiel,...Roselle, four-year term; 28th District, Bob Kustra, Glenview, four-year term; 46th District, Richard N. Luft, Pekin, four-year term; 19th District, William F. Mahar, Jr., Homewood, four-year term; 4th District, Dawn Clark Netsch, Chicago, four-year term; 13th District, Richard H. Newhouse, Jr., Chicago, four-year term; for 53th District, Glenn Poshard, Carterville, two-year term; 37th District, Calvin W. Schuneman, Prophetstown, four-year term; 22nd District, Judith Barr Topinka, Riverside, four-year term; 55th District, Frank Watson, Greenville, four-year term; 57th District, Stanley B. Weaver, Urbana, four-year term. Sincerely, Ronald D...Michaelson, Executive Director, State Board of Elections.

GOVERNOR THOMPSON:

Mr. Secretary, call the roll.

ACTING SECRETARY: (MR. FERNANDES)

Barkhausen...Barkhausen, Berman, Bloom, Carroll, Chew, Coffey, Collins, D'Arco, Darrow, Davidson, Dawson, DeAngelis, Degnan, Demuzio, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hall, Holmberg, Hudson, Jones, Jeremiah Joyce, Jerome Joyce, Karpiel, Keats, Kelly, Kustra, Lechowicz, Lemke, Luft, Macdonald...Macdonald, Mahar, Maitland, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Philip, Poshard, Rigney, Rock, Rupp, Sangmeister, Savickas, Schaffer, Schuneman, Smith, Sommer, Topinka...Topinka, Vadalabene, Watson, Weaver, Welch, Zito.

GOVERNOR THOMPSON:

A quorum is present. The following Senators are appointed to the committee to meet Appellate Court Justice Thomas A.

McGloon and escort him to the Rostrum for the purpose of swearing in the Senators-elect. Senators Berman, Newhouse, Sangmeister, Geo-Karis, Bloom and Dudycz. Will the Escort Committee please go to the rear of the Chambers and escort Justice McGloon to the President's Rostrum. The Chair is privileged to welcome to the Rostrum for the purpose of swearing in the Senators-elect the Honorable Thomas A. McGloon, Justice of the Appellate Court of Illinois. Art McGloon and I have been colleagues, law enforcement, criminal justice and State Government for over a quarter of a century, and he gets younger every two years that we invite him to this Body for the purpose that he is about to complete today. He is and always has been throughout the course of his long and distinguished service to the people of the State of Illinois an extraordinary public servant. Mr. Justice, it's my pleasure to tell you if you haven't heard that our belief in your worth has recently been affirmed by this Body, and you may...congratulate your colleagues as well. Mr. Justice McGloon.

JUSTICE McGLOON:

Thank you, for the warm hand and thank you for the kind remarks, Governor. I'm reminded of the story of the cow that turned to the farmer on a cold day when the farmer was milking her and she said, thanks for the warm hand. To you new members, my congratulations, and to you old members, I'm delighted to see you all here. This is a great Body. I served in it for twelve years. I used to sit over where Phil Rock now sits. It was a hot seat then, I don't know whether it's cooled off now. Well, we'll come to the swearing in and if you would all rise and raise your right hand. Repeat after me your name, I, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the Office of Illinois State Senator to the

best of my ability. My congratulations to you new members. I'm sure that your boxing gloves have been awarded to everybody, so put them on and come out swinging.

GOVERNOR THOMPSON:

...next order of business is the election of the President of the Senate of the 84th General Assembly. In the opinion of the Chair, thirty affirmative votes will be required to elect a President. Nominations are now open. Chair recognizes Senator Chew.

SENATOR CHEW:

His Excellency, it is nice that we have reduced you in rank and brought you in as the Presiding Officer of the Senate. I'm happy to see you again, and I'm equally as happy to see Justice McGloon and to be privileged to be sworn in by His Honor. As you recall, when I first took this seat here more than eighteen years ago, it was Art McGloon who was the leader on this side. He has comported himself with assiduity for the remaining of those years, and Art, those of us that have weathered the storm, we're proud that you are carrying on a tradition in which you taught us. Mr. President, the name I want to place in nomination as President of this august Body is a gentleman that I've had the distinct pleasure of working with through good times and bad. I recall one day he said to me, Senator, time is not an accident, it's a purpose, and if you stay with your programs long enough you'll win providing they're right. I have adhered to that advice and I have weathered the storm. I believe with Senator Newhouse that we are the oldest members in point of servers in the Illinois Senate. For...to me, that is a distinction which I'm truly proud that I've been able to serve the people of the State of Illinois for this period of time. And if God guides my health, my wish, I will be here to serve the remaining of these four years in which I've had the honor to be sworn in. My mother and father would be proud of this.

My family is proud of it. But I am proud that I have the privilege of placing in nomination a man that I truly believe has the ability and has shown the ability as a leader, who has warm compassion, who has time, who listens and who helps. I'm going to place in nomination one that I have disagreed with many times but I've agreed with more, and if we deal with the fifty percent rule, you have won, Phil. So to me, Mr. President, or Governor or Your Excellency, it is an absolute pleasure, an absolute pleasure and a privilege at this time to nominate for the Presidency of the Illinois State Senate the name of Philip Rock, the incumbent President.

GOVERNOR THOMPSON:

Thank you, Senator Chew. The Chair recognizes Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Governor Thompson, Justice McGloon, Father Smith, Ladies and Gentlemen of the Senate. Ladies and Gentlemen, we are here today probably on a very important and a happy occassion. We're happy that the new members who have joined this Body are here and who are sworn in to a very responsible office, and I know that the campaign promises that were giving...given throughout the respective districts will be adhered to. But this Body does also have the privilege and pleasure of electing its leadership as long as it's been in existence, and I've been here a few years as well, maybe on the other side of the aisle, but as you know there's always been an interaction between one side and the other. And I was here when Russ Arrington was the President of this Body and it was the Democrats were led by at that time Senator McGloon. Whether you're in a majority or a minority the important part is the type of leadership that both parties represent, and anyone who has viewed the Senate and looked at the leadership starting with or before Arrington to the present day and looks at the Statute Books of Illinois and

looks at the type of legislation that has been passed by this Body, originated in this Chamber and with the support or non-support of the Executive Branch, no one can pinpoint a finger on Phil Rock of not doing a day's work every day whether it's in Session or out of Session. Phil Rock is a leader not only for the Democratic party, he is the President of this fine Body and a leader for all of us. Looking at his child abuse legislation that he introduced before...before it was a national problem, he recognized it as a problem in Illinois and was a leader in that aspect. When he looked about the importance of the economy of school districts in this State and he looked at a program in Massachusetts that worked somewhat to the benefit of Massachusetts, he had the vision and the fortitude of putting that program together and, yes, the absolute fortitude of promoting the passage of that bill. And many of us remember that the projections were...ten million, twenty million, fifty million, possibly. The final result a hundred and fifty million dollars which saved every school district in this State. That's leadership. That's leadership we can all be proud of. The important thing is fairness as well, and I don't believe there's a member in this Body or that's not even a member of the Body, a member of the public, a very important segment to all of us, that does not have the ear and the compassion than Phil Rock. I think it stems back to his attitude and his training whether it was at the seminary or Loyola University and his strong relationship he has with Sheila and his family and to each and every one of us. It's a credit not only for the Democratic party, it's a credit for this Senate that we have people that are capable and willing to serve in the capacity of Phil Rock. I strongly endorse his nomination and gladly second Senator Chew's nomination. Thank you.

GOVERNOR THOMPSON:

Thank you, Senator Lechowicz. The Chair recognizes Sena-

tor Jerome Joyce.

SENATOR JEROME JOYCE:

Governor Thompson, Father Smith, Judge McGloon, Ladies and Gentlemen. In Phil Rock's three terms as Senate President we have produced great results for the people of the State of Illinois. Senator Lechowicz mentioned the education, I might tell you about the environment. Phil Rock's foresight and leadership have helped Illinois lead the fight for safe disposal of nuclear and hazardous waste. In agriculture, though Phil Rock is an unabashed city kid, he is never...the less committed to improve Illinois'...agricultural climate. In the economy, it was Phil Rock who carved an initiative...an initial program for the economic redevelopment of Illinois when we were in the throes of a resession, that was Prairie State Two Thousand. It was a comprehensive program to help industry and provide jobs for the people of Illinois. I have had the pleasure of serving under the leadership of three Senate Presidents, all of whom were excellent leaders, but Phil Rock has shown clearly that he even though he represents and comes from a...suburban...that city interest has a legitimate concern for all of Illinois. I think the most important thing that Phil Rock brings as President of this Senate is his spirit of cooperation. He rises above partisan politics. Sometimes he's criticized for cooperating too much with you, Governor, but let me tell you, these are difficult times for Illinois and he has made this General Assembly work, and he has helped guide this State through difficult times; and for that reason, I am very proud to second the nomination of Philip J. Rock as President of this Senate. Thank you.

GOVERNOR THOMPSON:

Thank you, Senator. The Chair will recognize Senator Weaver for the purpose of placing a nomination and name.

SENATOR WEAVER:

Thank you, Your Excellency. Two years ago when I rose to nominate Pate Philip for the President of the Senate, I commented that his leadership during the previous two years had been second to none in all the years that I've served in this Chamber. Well the last two years were better than the first two. Pate Philip has been a true leader in every sense of the word. One of the tests of leadership is courage and I can recall back sixteen years ago when Governor Ogilvie called his party's leadership to the Executive Mansion to outline his plan for dealing with a bankrupt State Government. One of the...one of the propositions was the income tax, and the Republican leader of the Senate, the late Russ Arrington, turned to Governor Ogilvie and said, I'll have to tone down his comments a little, "Who is the dumb son-of-a-gun who's going to sponsor this?" And Governor Ogilvie looked him straight in the eye and he said, "You are." Well, the exchange between Senator Philip two years ago wasn't quite that blunt but the end result was the same. It was Senator Philip who had the courage to do that what had to be done then and he's been going through the same process in many other areas, but we have the opportunity to present for President of the Senate to represent all the people of Illinois effective leadership in the Senate in the next two years with the election of James "Pate" Philip as President of the Senate and I would so move.

GOVERNOR THOMPSON:

Thank you, Senator Weaver. The Chair will observe that the exchange between Senator Philip and myself two years ago was just about as blunt as the exchange between Governor Ogilvie and Senator Arrington. The Chair will recognize Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Governor, Father Smith, Judge McGloon, colleagues, friends of colleagues and my wife. I am

pleased...she's also a friend. I am pleased to second the nomination of James "Pate" Philip for President of the Senate, and realizing that my comments might in fact reflect a partisan attitude, I would like to add some additional comments beyond what Senator Weaver has said about Pate Philip. As a business person myself, I greatly admire the ability of Senator Philip to plunge into the legislative world while firmly implanting the other foot in the real world giving a balanced outlook in viewpoint on the legislative process. Many politicans talk about an open-door policy. If anybody has had to deal with Pate Philip they know that his door is truly open and it stays open, but not only is his door open, his mind is open because no one could ever accuse Pate Philip of not knowing where he is at. He tells it as it is and hangs with it. I represent a district which is quite different than Senator Philip's, and in spite of the fact that our districts are dissimilar, Pate Philip is not only willing to listen but eager to help. And I know that he is referred to quite frequently as the Duke of Dupage, but I also think he is a prince of a guy. I am pleased to second the nomination of James "Pate" Philip as President of the Senate.

GOVERNOR THOMPSON:

Thank you, Senator DeAngelis. The Chair will recognize Senator Macdonald.

SENATOR MACDONALD:

Governor Thompson, Justice McGloon, Father Smith. It is with great pleasure that I rise to second the nomination of Senator Philip for the Office of Senate President. Having served with Pate for a number of years and having been a longtime personal friend and the fact that we represent neighboring districts, I know from experience that he possesses all of the leadership qualities that will be demanded of the Presiding Officer in this Body during the next two years. Pate Philip has led our party here in the Senate for

the last four years, and if you'll stop to think about it for a minute, his leadership has been outstanding. He has stressed unity. He has brought people together. He is firm in his convictions and fair in his approach. In essence, he has the ability to lead. We might have our disagreements on this side of the aisle from time to time, but in the end, there is a cohesiveness that is testimony to Senator Philip's leadership. It is both with pleasure and enduring pride that I second the nomination of Senator James "Pate" Philip for President of this Senate.

GOVERNOR THOMPSON:

Thank you, Senator Macdonald. Any other nominations? The Chair will recognize Senator Nedza for the purpose of moving that nominations be closed.

SENATOR NEDZA:

Thank you, Your Excellency. Caught me unaware as I was star-gazing at our wonderful people up in the audience. I, at this time, would move that the nominations be closed.

GOVERNOR THOMPSON:

Heard the motion. Is there a second? Motion is seconded and all in favor say Aye. Opposed Nay. The motion carries. Nominations are closed. The Secretary will call the roll of the Senators. Each Senator should answer the roll by stating one of the names nominated or by voting Present. Mr. Secretary, call the roll.

ACTING SECRETARY: (MR. FERNANDES)

Barkhausen. Barkhausen votes Philip. Berman. Berman votes Rock. Bloom. Bloom votes Philip. Carroll. Carroll votes Rock. Chew. Chew votes Rock. Coffey. Coffey votes Philip. Collins. Collins votes Rock. D'Arco. D'Arco votes Rock. Darrow. Darrow votes Rock. Davidson. Davidson votes Philip. Dawson. Dawson votes Rock. DeAngelis. DeAngelis votes Philip. Degnan. Degnan votes Rock. Demuzio. Demuzio votes Rock. Donahue. Donahue votes Philip. Dudycz. Dudycz

votes Philip. Dunn. Dunn votes Philip. Etheredge. Etheredge votes Philip. Fawell. Fawell votes Philip. Friedland. Friedland votes Philip. Geo-Karis. Geo-Karis votes Philip. Hall. Hall votes Rock. Holmberg. Holmberg votes Rock. Hudson. Hudson votes Philip. Jones. Jones votes Rock. Jeremiah Joyce. Jeremiah Joyce votes Rock. Jerome Joyce. Jerome Joyce votes Rock. Karpiel. Karpiel votes Philip. Keats. Keats votes Philip. Kelly. Kelly votes Rock. Kustra. Kustra votes Philip. Lechowicz. Lechowicz votes Rock. Lemke. Lemke votes Rock. Luft. Luft votes Rock. Macdonald. Macdonald votes Philip. Mahar. Mahar votes Philip. Maitland. Maitland votes Philip. Marovitz. Marovitz votes Rock. Nedza. Nedza votes Rock. Netsch. Netsch votes Rock. Newhouse...O'Daniel. O'Daniel votes Rock. Philip. Philip votes Philip. Poshard. Poshard votes Rock. Rigney. Rigney votes Philip. Rock. Rock votes Rock. Rupp. Rupp votes Philip. Sangmeister. Sangmeister votes Rock. Savickas...Savickas votes Rock. Schaffer. Schaffer votes Philip. Schuneman. Schuneman votes Philip. Smith. Smith votes Rock. Sommer. Sommer votes Philip. Topinka. Topinka votes Philip. Vadalabene. Vadalabene votes Rock. Watson. Watson votes Philip. Weaver. Weaver votes Philip. Welch. Welch votes Rock. Zito. Zito votes Rock.

GOVERNOR THOMPSON:

The results of the roll call are as follows: Senator Rock, 30 votes; Senator Philip, 28 votes, 1 voting...Senate...1 voting Present. Senator Rock having received the necessary votes is hereby declared elected as President of the Senate of the 84th General Assembly. Members of the Senate, I'd like to take just a moment to express my congratulations and thanks to the members of the 83rd General Assembly and particularly to the members of the Senate whom I'm privileged to serve for a brief moment every two

Sen. Rock's Acceptance Speech

years. In my view, the 83rd General Assembly of the State of Illinois will go down in the history books of this State as one of the most...distinguished and productive General Assemblies that the State has ever had in any time in this State. By your actions you substantially moved this State forward in every area important to the people of Illinois; transportation, in revenue, education, agriculture, for seniors, for children, for the mentally ill, for the disabled. In every area in which you have been called upon to serve, you served and served well, and one of the reasons for that is the quality of your distinguished leadership. To President Rock and to Senator Philip, I offer my personal thanks for the quality in character of their leadership during the 83rd General Assembly, and it is my view that the only thing that could surpass the actions of the 83rd General Assembly are the quality and character of the leadership and members of the 84th, which is now in Session. Thank You.

(Justice McGloon administers Oath of Office to President Rock)

PRESIDENT:

Thank you. To Father John Smith and to Governor Jim Thompson, to my friend and mentor Art McGloon, to my wife and my mother who have joined me at the Podium, I say, thank you to all. I am truly grateful for the support again received from the members of this most worthy Body, and even more importantly, I wish to particularly thank those who were kind enough to...again place my name in nomination. But I'm at the same time truly humbled by the enormity of the task which lies before each of us. At this midpoint in the 1980's, frankly, new and difficult challenges face each of us as elected represenatives of the eleven and half million people of Illinois. Our performance, our effectiveness in addressing these challenges will chart the course that our State will take in the new decade and, indeed, in a new century.

We are challenged to make Illinois more competitive in a fast changing world economy and we are challenged to improve our State's business climate to attract new and expanding industries so that, and much more importantly, jobs will be created for the hundreds and thousands of our fellow citizens who today are ravaged by unemployment. And if Illinois is to get that very important and necessary competitive edge, our children and the youth of our State must have every educational advantage we can offer and every advantages that our resources will allow. I, too, Governor, am proud of the work of the 83rd General Assembly, proud that in the face of the most difficult of all fiscal conditions, we in the Illinois Senate acted responsibly and with compassion in the best interest of the people that we serve; and while the State's fiscal health is much improved, thanks, I might add, in large measure to the efforts of the people in this Chamber, we will continue to face the challenges of a changing economy in this great State. Our individual and collective effectiveness in the coming Session will help to determine the course for our State and for its people. And so it's a heavy responsibility, one wrought with many obstacles; and yet, we can and we must overcome the obstacles. In overcoming those obstacles with the knowledge that the people of our districts have provided each of us with a mission, a mission to succeed, to help them realize their hopes and their dreams for their families and their children. While this Chamber, I am proud to say, has shown fiscal restraint in approving balanced budgets for the past six years, we have at the same time continued to renew our commitment to those among us in Illinois who are the most vulnerable; the sick, the poor, the abused, the...neglected and the forgotten. And in the coming months we must review the conditions of those who look again to us for the necessities of life and for protection from oppression. We must never be content to rest on past accomplish-

ments, particularly when it affects the abused, the exploited and the neglected. As new menaces surface, as the human condition is affected by forces of society, we and we alone have the responsibility to respond, respond with compassion and understanding; and I suggest to you as we have done in the past, respond we will. I look forward to again facing those challenges...with each of you, Democrats and Republicans, and you won't find two better partisans than Senator Philip and myself. But we can work together to find honest and effective solutions, and with your continued support, your continued assistance and, yes, your continued prayers, we will, I suggest, live up to the faith and the responsibility entrusted to us. May God give us each the strength to respond in the best interest of those who we are today charged to represent, and I pledge to all of you my best effort. Thank you. I would ask a committee of six to escort the Governor from the Senate Chamber. He has again done his work well and we congratulate him for that. Senators Vadalabene, Netsch and D'Arco and Senators Davidson, Donahue and Friedland, if they would meet the Governor in front of the Podium and escort him from the Chamber. Governor Thompson, we thank you. The next order of business is the election of the Minority Leader. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would ask for unanimous consent to declare Senator James "Pate" Philip Senate Minority Leader of the 84th General Assembly.

PRESIDENT:

You've heard the request. Senator Weaver has requested unanimous consent on behalf of the Republican members of the Senate to declare Senator Pate Philip Minority Leader of the Senate for the 84th General Assembly. Is leave granted? Leave is granted. Congratulations, again, my friend, Senator Philip. Ladies and Gentlemen, please welcome one of our con-

stitutional officers, the Honorable Comptroller of the State of Illinois, Roland Burris. My pleasure now to give you the Minority Leader for the 84th General Assembly, the Honorable James " Pate" Philip. Pate.

SENATOR PHILIP:

Thank you, Senator Rock. My good friend Art McGloon who it's always happy to see every two years at least is a dear, dear good old friend, Reverend Smith, President Rock. You know, it's no great surprise to me that Senator Rock was elected President of the Senate, although around last November I was hoping that maybe we would have a twenty-nine, thirty or thirty-one, and quite frankly, we ended up with twenty-eight, but we have an increase of two. Senator Rock, I want to compliment you on your leadership. We have worked well in the past. I think we've cooperated well with the second floor. We've worked on a lot of problems for the State of Illinois, and I once again pledge my cooperation. I also want to welcome my new members. As you know, we have...brand new...we have two memebers who are completely brand new, have never been elected before. It's a great thrill for them. You know, if you've never run for the Senate or the House, you really don't know what it is going through a Primary and a November election. So I compliment my new members. I'm very glad to have them here and I want to thank my twenty-seven members for electing me once again as their leader. I take that as a great privilege to be your leader to represent you. I appreciate that and I assure you, I won't let you down. Thank you, very much.

PRESIDENT:

We have a...just for everybody, I...I know everybody has a number of places they would wish to be now that the business has been concluded. There are a number of receptions and we will try to handle this as expeditiously as possible. We have five or six organizing resolutions that are necessary

to organize the 84th General Assembly, all of which are without controversy. Then we will have an adjournment resolution calling for us to return on February...Tuesday, February the 5th, for the purpose of the Governor's State of the State Address and other business that we...we wish to transact. Senator Philip has informed me that again our procedure will be that immediately upon adjournment, which will be very shortly, we would request our respective members to join us in our respective offices. That means all the Republicans go to Pate's and all the Democrats come to mine for the purpose of allocating or choosing a desk and allocating offices. As you know, and I'm sure the press is aware, it will take ten or twelve working days to rewire the scoreboard and to hook up the proper telephone lines and move people as they wish to be moved. So we will do that I...apparently immediately thereafter. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...just remind my members that we have a cocktail party at the mansion, so I hope that you would all come over directly; and secondly, that if you're worrying about office space and seats on the Senate, please contact Roger Sweet. Don't come to my office.

PRESIDENT:

Okay. That's fair enough. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution No. 1 offered by Senator Savickas.

(Secretary reads SR No. 1)

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I move the adoption of Senate Resolution No. 1.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Senate Resolution No. 1. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 2.

(Secretary reads SR No. 2)

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS)

I move the adoption of Senate Resolution No. 2.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Senate Resolution No. 2. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution No. 3.

(Secretary reads SR No. 3.)

PRESIDENT:

All right. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, these members are elected members of the leadership team, so the names haven't been put in yet.

PRESIDENT:

That's correct.

SENATOR SAVICKAS:

I would move its adoption.

PRESIDENT:

All right. Senator Savickas moves for the adoption of...Senate Resolution No. 3. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 4...offered by Senator Savickas.

(Secretary reads SR No. 4)

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I move the adoption of Senate Resolution No. 4.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Senate Resolution No. 4 . Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 5 offered by Senator Savickas.

(Secretary reads SR No. 5)

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I move the adoption of Senate Resolution No. 5.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Senate Resolution No. 5. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 6 offered by Senator Savickas.

PRESIDENT:

Senator...

SECRETARY:

(Secretary reads SR No. 6)

PRESIDENT:

...Senator Savickas.

SENATOR SAVICKAS:

Mr. President, I move adoption of Senate Resolution No. 6.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Senate Resolution No. 6. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Joint Resolution No. 1...offered by Senator Savickas.

(Secretary reads SJR No. 1)

PRESIDENT:

All right. This is Senate Joint Resolution No. 1. It calls for us when we conclude business today to return to Springfield on Tuesday, February the 5th, at the hour of eleven-thirty for the purpose of the State of the State Message. Now, we'll...we'll adopt the resolution so that we can send it over to the House. We do have some other business. We have introduction of bills and we have some resolutions that some members are interested, and I'd ask everybody just to stay loose. We'll conclude as quickly as possible. Senate Joint Resolution No. 1. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I move the adoption of Senate Joint Resolution No. 1.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Senate Joint Resolution No. 1, the adjournment resolution...any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions. If we can have your attention for a moment. Senator Sangmeister has a resolution and he wishes the Body to address.

SECRETARY:

Senate Resolution...No. 7 offered by Senator Sangmeister and Jerome Joyce.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. We had a bit of a tragedy happen back in my district and that is the reason for this resolution. As you probably read in the paper, Father Lawrence Martin Jenco of Joliet, Illinois was kidnapped in Lebanon and I would like to pass a resolution to instruct the State Department at the Federal level to do everything possible, of course, to find out the perpetrators of the incident and, of course, to have his safe return. Therefore, Mr. President, at this time, I would move that we suspend the rules for the immediate consideration of Senate Resolution No. 7.

PRESIDENT:

All right. Senator Sangmeister has asked to suspend the rules for the immediate consideration and adoption of Senate Resolution No. 7. Is there any discussion? If not, all in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Sangmeister now moves the adoption of Senate Resolution No. 7. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions.

SECRETARY:

Senate Joint Resolution No. 2 offered by Senators Watson, Keats and Kustra.

Senate Joint Resolution No. 3 offered by Senators Netsch and Kustra.

And Senate Joint Resolution No. 4 Constitutional Amendment offered by Senators Friedland, Etheredge, Watson and

others.

And Senate Joint Resolution No. 5 offered by Senator Coffey.

PRESIDENT:

Executive Committee. All right. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1 offered by Senator Welch, Newhouse, Rock, Carroll and others.

(Secretary reads title of bill)

Senate Bill 2 offered by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 3, by Senators Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 4 offered by Senator Jones.

(Secretary reads title of bill)

No. 5, by Senator Jones and Zito.

(Secretary reads title of bill)

Senate Bill 6, by Senator Sommer.

(Secretary reads title of bill)

Senate Bill No. 7, by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 8, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 9, by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill No. 10, by Senator Sangmeister, Weaver and others.

(Secretary reads title of bill)

Senate Bill 11, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill...

PRESIDENT:

Mr. Secretary, excuse me. If I can have your attention, in order to try to expedite things, I'd ask the Democratic

members...the only order of business remaining is introduction and then we will adjourn until February 5th at eleven-thirty. I'd ask the Democratic members to join Senators Savickas and Demuzio up in Room 400 for the purpose of seat selection and office allocation or reallocation. If you'd do that, it would help. Thank you. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

...Senate Bill 12, by Senator Keats.

(Secretary reads title of bill)

Senate Bill 13, by Senator Keats.

(Secretary reads title of bill)

Senate Bill 14, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 15, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 16, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 17, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 18, Senator Welch.

(Secretary reads title of bill)

Senate Bill 19, Senator Welch.

(Secretary reads title of bill)

Senate Bill 20, by Senator Welch.

(Secretary reads title of bill)

Senate Bill 21, by Senator Welch.

(Secretary reads title of bill)

The foregoing bills were all prefiled. First reading of those bills.

Senate Bill 22, by...Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 23, the same sponsor.

(Secretary reads title of bill)

Senate Bill 24, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 25, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 26, by the...the same sponsor.

(Secretary reads title of bill)

...Bill 27, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 28, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 29, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 30, by...same sponsor.

(Secretary reads title of bill)

Senate Bill 31, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 32, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 33, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 34, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 35, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 36, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 37, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 38, by Senator Welch.

(Secretary reads title of bill)

Senate Bill 38, by Senator Hall.

(Secretary reads title of bill)

Senate Bill 40, by...by Senator Hall.

(Secretary reads title of bill)

Senate Bill 41, by Senators Collins, Jones, Chew and

Smith.

(Secretary reads title of bill)

Senate Bill 42, by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 43, by Senators Topinka, Schaffer and Geo-Karis.

(Secretary reads title of bill)

Senate Bill 44, by Senator Coffey.

(Secretary reads title of bill)

Senate Bill 45, by Senator Jones and Chew.

(Secretary reads title of bill)

Senate Bill 46, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 47, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 48, by Senator Sangmeister.

(Secretary reads title of bill)

Senate Bill 49, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 50, by Senator Sangmeister and J. J. Joyce.

(Secretary reads title of bill)

1st reading of the foregoing bills.

PRESIDENT:

Any further business to come before the Senate? If not, Senator Vadalabene, pursuant to the adjournment resolution, moves that the Senate stand adjourned until Tuesday, February the 5th, at the hour of eleven-thirty. February 5. Thank you all.

84TH GENERAL ASSEMBLY

REGULAR SESSION

FEBRUARY 5, 1985

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

REVEREND VICTOR KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday...Wednesday, January the 9th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution No. 8.

(Secretary reads HJR 8)

Senator Savickas is handling this resolution.

PRESIDENT:

Senator Savickas. Senator Savickas has moved to suspend the rules for the immediate consideration and adoption of

House Joint Resolution No. 6. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Savickas now moves the adoption of House Joint Resolution No. 6. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. If I can have the attention of the membership, the State of the State Message will be delivered in approximately six minutes. We have been requested by the Governor and by the House to make a timely appearance across the Rotunda. It will be...the State of the State Message is to be carried live on television and radio. So, I would suggest that we will stand in Recess...immediately stand in Recess for the purpose of going in a Body over to the House for the State of the State Message. I would ask the following members, Senators Smith, Poshard, O'Daniel, Geo-Karis and Mahar to be available at the front door of the House Chamber to be a Committee of Escort for the Governor and the rest of us will walk in. I would also...like to announce that at the hour of one o'clock in Room 212 there will be a Democratic Caucus. Democratic Caucus, one o'clock, Room 212, after which we will reconvene in Session. All right, the Senate will stand in Recess. Let's immediately go over to the House. I beg your pardon, Senator Davidson. I was looking for you and you were otherwise occupied. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, the Caucus Chairman is Senator Schaffer, but I would request all...I would request that all Republican Senators please talk to Roger Sweet here on the Floor after the speech so we can get your seat assignments, 'cause, as you know, it takes ten to twelve days to wire the board. So, please see Roger Sweet on the Floor of the Senate here and get your seat assignments picked out. Thank you.

PRESIDENT:

All right. Democratic Caucus at one o'clock in Room 212.

Committee of Escort will be Senators Smith, Poshard, O'Daniel, Geo-Karis and Mahar. The Senate will now stand in Recess for the purpose of the State of the State Message.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Message from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Message from the Comptroller.

SECRETARY:

A Message from the Comptroller by David Manning, Special Assistant to the Comptroller.

Mr. President - The Comptroller directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and reappointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Committee reports.

SECRETARY:

Report from the Committee on Committees.

The Committee on Committees has met and recommend the establishment of the following Senate standing committees: Agriculture; Conservation and Energy; Appropriations I; Appropriations II; Committee on Assignment of Bills; Committee on Committees; Elections and Reapportionment; Education, Elementary and Secondary; Education, Higher; Executive; Executive Appointments, Veterans Affairs and Administration; Finance and Credit Regulations; Insurance, Pensions and Licensed Activities; Judiciary I; Judiciary II; Labor and Commerce; Local Government; Public Health, Welfare and Corrections; Revenue; Rules and Transportation.

The Committee further recommends that Democrat members on the attached sheet be appointed to the respective committees. Signed, Senator Vadalabene, Chairman of Committee on Committees.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 1.

PRESIDENT:

Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

...at...at the appropriate time, I would like to move that Senator Etheredge and Senator Macdonald be placed as cosponsors on Senate Bill 8...hyphenated cosponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, you've heard the request, is leave granted? Leave is granted. It's so ordered. Senator Rock. Senator Rock.

SENATOR ROCK

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A week or so ago I had the opportunity to meet with Senator Philip and we discussed...in conjunction with the House Leadership, the tentative Senate deadline and the Senate schedule. I think every member has received a copy of the schedule. I would direct their attention to it if they have not already looked at it. We have attempted to schedule, at least on a tentative basis, through the end of June so that the members can have a chance to make some long-range plans. In addition, we have imposed on the days that we are in Session a committee schedule, and it is our hope that prior to the May 3rd deadline, which is the deadline for...if...assuming this rule is adopted, which would be the deadline for substantive bills to be reported from the Senate Committee, that each of the standing committees will because of the schedule in place be afforded the opportunity to meet at least four times. Now, obviously, additional meetings for those committees that require them can be scheduled, but at least every committee will have the opportunity to meet four times and deal with Senate bills. I have filed with the Secretary a motion in writing where I move to amend temporary Senate Rule 5 by deleting Rule 5C and substituting in lieu thereof the following, and if you'll take a look at the schedule, it is the front page of the schedule. It establishes the following schedule and timetable which shall be applicable to all bills, and it's April 12th for the last day to introduce Senate bills; May 3rd for the standing committees to report Senate bills out of committee; May 10th is the deadline for Senate appropriation bills; May 24th is the final day for 3rd reading and passage of Senate bills; June 14th...pull this from the record a minute, will you? It

doesn't look...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. All right, Senator Rock.

SENATOR ROCK:

Yeah, I'm sorry, I...there's...there's a typographical error. We put this together, frankly, in kind of a hurry today to accommodate everyone. If you start right after May 24th, the next four Mays should be June. So it's June 14, June 21, June 25 and June 26. So the motion is correct, the June 14th will be the final day for Senate committees to report House bills; 21st of June is for the House appropriation bills and the 25th and 26th are the final days for 3rd reading and, hopefully, in the remaining four days, we can clear up the difficulty, if any, between the two Houses in Conference Committees and be prepared to adjourn on June the 30th. The motion further recites that in even numbered years all bills introduced shall be read a first time and referred to the Rules Committee. Mr. President and Ladies and Gentlemen, I am asking, by motion in writing, to amend temporary Senate Rule 5 to conform to this timetable and I would request a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Rock has moved to suspend the rules for the immediate consideration of this motion of...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves to amend the adoption of the temporary rule...Senate Rule 5 by deleting Rule 5C and substituting the schedule that he's...that he has so mentioned. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Well, we have to do it...we have to do an oral roll call. An oral roll call. Mr. Secretary, call the roll.

SECRETARY:

Barkhausen. Berman. Bloom. Carroll. Chew. Coffey. Collins. D'Arco...Darrow. Davidson. Dawson. DeAngelis. Degnan. Demuzio. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hall. Holmberg. Hudson. Jones. Jeremiah Joyce. Jerome Joyce. Karpiel. Keats. Kelly. Kustra. Lechowicz. Lemke. Luft. Macdonald. Mahar. Maitland. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Philip. Poshard. Rigney. Rupp. Sangmeister. Savickas. Schaffer. Schuneman. Smith. Sommer. Topinka. Vadalabene. Watson. Weaver. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On Senator Rock's motion, the Yeas are 47, the Nays are none, none voting Present. The motion is adopted. With leave of the Body, we'll go to resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 9 offered by Topinka.

Senate Resolution 10, by Senator Luft.

Senate Resolution 11, by Senator Lemke.

Senate Resolution 12, by Senator Lemke.

Senate Resolution 13, by Senator Dawson.

Senate Resolution 14, Senator DeAngelis and Kelly.

Senate Resolution 15, Senator Savickas.

Senate Resolution 16, Senator Savickas.

Senate Resolution 17, 18 and 19, Senators Vadalabene and Hudson.

Senate Resolution 20, by Senator Vadalabene.

Senate Resolution 21, by Senators Dunn and Watson.

Senate Resolution 22, by Senator Kelly.

Senate Resolution 23, by Senator Etheredge.

Senate Resolution...24, by Senator Fawell and all Senators.

Senate Resolution 25, by Senator Newhouse.

Senate Resolution 26, by Senators Hall, Rock and all Senators.

Senate Resolution 27, by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate...Senate Resolution 28, by Senator Lemke is a death resolution.

Senate Resolution 29, by Senators...Senator Nedza and all Senators, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution No. 6 offered by Senator Topinka and it is a congratulatory resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution No. 7 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Resolution No. 30 offered by Senators Jerome Joyce and...and O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Jerome Joyce is recognized.

SENATOR JEROME JOYCE:

Thank you, Mr...Mr. President. I would like leave to hear this resolution at the present time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce seeks leave to hear the...resolution...Senate Resolution No. 30. Is leave granted? Leave is granted. On the Order of Resolutions,

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Senator. This resolution deals with the problem that is addressing the farm community at the present time and that is the farm credit crisis. We are asking in this resolution that...it being authorized that the Commodity Credit Corporation should advance part of a nonrecourse loan that farmers receive for ceiling grain to pay for the spring planting expense. This advance could be handled by local ASCS offices which are already in place and requiring no extra funding would be paid back at the rate of nine and an eighth interest which the Commodity Credit Corporation receives its money from the U. S. Treasury. The problem we are facing is one that needs immediate attention. Fifteen to twenty percent of the farmers in this State, as well as the midwest, may not be able to put in a spring crop this year because they are not able to get financing. We are seeing many, many forced sales around the country...farmland and machinery values are declining at a rate, some people say, is five percent a week. This would put a stop to that and save farmers probably about four percent interest, as currently they are borrowing money at thirteen to fourteen percent. This would be...be no cost to the...to anyone, the Federal Government or the State of Illinois, and it would provide some immediate relief for farmers. I would ask for immediate consideration of the proposed amendment...proposed resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has move the immediate consideration and adoption of Senate Resolution 30. Is there any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senator Rock.

SENATOR ROCK:

All right, some...some of the members have inquired...it turns out it really won't be necessary for there to be a perfunctory Session of any kind tomorrow. The adjournment resolution is on its way from the House. We have only remaining before us today the introduction of bills and the adoption of the adjournment resolution and adjournment until February the 20th. So those who wish to get back to their district are certainly able to do so. I would only ask that the Democratic members please go to Room 400 for the purpose of office and seat selection finalization. I have announced and...that Senators Savickas, Chew and Demuzio will be the assistant leaders...Assistant Majority Leaders; Senators Luft and D'Arco will be the Majority Whips and Senator Sam Vadalabene will be the Caucus Chairman for the 84th General Assembly. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

Mr. President, Senator Philip would like for me to announce that Senators Weaver, Davidson and DeAngelis as Assistant Minority Leaders and Senator Schaffer as Caucus Chairman.

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, did I understand you correctly earlier to say that we will not be here tomorrow?

PRESIDENT:

That is correct.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I would also like to announce Senator Geo-Karis as Caucus

Secretary. And I would also like the record to...to reflect that Senate Macdonald is not here because of the illness of her spouse and that Senator Dunn is not here because of illness, and for those of you who would like to know he was operated on this morning and he's doing real fine.

PRESIDENT:

Introduction of bills.

SECRETARY:

Senate Bill 51 introduced by Senator Dawson.

(Secretary reads title of bill)

PRESIDENT:

Excuse me, Mr. Secretary. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Mr. President, some of us who had planned to introduce bills tomorrow, can we still get that done?

PRESIDENT:

Sure. We can just file them with the Secretary and they'll be read right in. Yes, sir. No legislative day tomorrow. Mr. Secretary.

SECRETARY:

Senate Bill 52 introduced by Senator Dawson.

(Secretary reads title of bill)

Senate Bill 53, by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 54, by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 55, Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 56, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 57, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 58, by Senator Weaver.

(Secretary reads title of bill)

Senate Bill 59, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 60, by the same sponsor.

(Secretary reads title of bill)

Senate...Senate Bill 61, by Senators Dawson and Jones.

(Secretary reads title of bill)

Senate Bill 62, by Senators Dawson, Bloom and Rock.

(Secretary reads title of bill)

Senate Bill 63, Senator Collins.

(Secretary reads title of bill)

64, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 65, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 66, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 67, Senator Collins.

(Secretary reads title of bill)

Senate Bill 68, Senator Collins.

(Secretary reads title of bill)

Senate Bill 69, Senator Topinka.

(Secretary reads title of bill)

Senate Bill 70, by Senator Dawson.

(Secretary reads title of bill)

Senate Bill 71, by Senator Dawson.

(Secretary reads title of bill)

Senate Bill 72, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 74, by Senator Smith.

(Secretary reads title of bill)

Senate Bill 75, Senator Smith.

(Secretary reads title of bill)

Senate Bill 76, by Senators Bloom and Luft.

(Secretary reads title of bill)

Senate Bill 77, Senator Maitland.

(Secretary reads title of bill)

Senate Bill 79, Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 81, by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 82, Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 83, by Senator Watson.

(Secretary reads title of bill)

Senate Bill 84, by Senator Welch.

(Secretary reads title of bill)

Senate Bill 85, by Senator Welch.

(Secretary reads title of bill)

Senate Bill 86, by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 88, by Senator...Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 89, Senator Schaffer.

(Secretary reads title of bill)

Senate Bill 90, by Senators Marovitz, Zito and Luft.

(Secretary reads title of bill)

Senate Bill 91, by Senators Marovitz and Berman.

(Secretary reads title of bill)

Senate Bill 92, by Senators Etheredge, Fawell and Karpiel.

(Secretary reads title of bill)

Senate Bill 93, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 94, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 95, by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 96, by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 97, by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 98, Senator Fawell.

(Secretary reads title of bill)

Senate Bill 99, by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 100, by Senator Topinka.

(Secretary reads title of bill)

101, by Senator Hall.

(Secretary reads title of bill)

Senate Bill 102, Senators Etheredge and Kelly.

(Secretary reads title of bill)

Senate Bill 103, by Senators Bloom, Dawson, Carroll, Smith, Donahue and Schaffer.

(Secretary reads title of bill)

Senate Bill 104 introduced by Senators Bloom, Dawson, Carroll, Smith, Donahue and Schaffer.

(Secretary reads title of bill)

Senate Bill 105 introduced by Senators Bloom, Geo-Karis and Lemke.

(Secretary reads title of bill)

We have a duplicate introduction here on Senate Bill 103 and 104. LRB numbers are the same, so we will read in Senate Bill 104 introduced by Senators Jones, Chew and Dawson.

(Secretary reads title of bill)

Senate Bill 107 introduced by Senators Fawell and Macdonald.

(Secretary reads title of bill)

Senate Bill 106, by Senators Rock and Philip.

(Secretary reads title of bill)

Senate Bill 108 introduced by Senator Hudson.

(Secretary reads title of bill)

Senate Bill 109, by Senator Sangmeister and Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 110 introduced by Senators Bloom, Luft, Sommer, Sangmeister and others.

(Secretary reads title of bill)

Senate Bill 111, Senator Netsch.

(Secretary reads title of bill)

Senate Bill 112, Senator Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 113, Senator Jeremiah Joyce...or Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 114, by Senator Jerome Joyce.

(Secretary reads title of bill)

3rd reading of the foregone bills...or 1st reading of the...foregone bills.

PRESIDENT:

All right, if I...if I can have your attention, we have only three items of business remaining. There will be a report from the Committee on Assignment of Bills so that the committees can in fact get to their work earlier enough, there is the adjournment resolution and there is the Resolutions Consent Calendar. We are awaiting, obviously, the Committee on Assignment of Bills, so the Senate will stand at ease. Yes, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, before we stand at ease, I wonder if I can have leave...I have...have the permission of Senator Fawell to join her as an immediate cosponsor with her other two cosponsors on Senate Bill 8.

PRESIDENT:

Senate Bill 8. The Senator seeks leave to be shown as a cosponsor. Is leave granted? Leave is granted. All right,

effectively that will conclude our business. Only those three items remain and it'll take, I'm told, approximately an hour or an hour and a half to get the hundred or so bills properly assigned. So, the Senate will stand in Recess until the hour of four o'clock; but in the meantime, feel free to head out.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the hour of five o'clock having arrived, the Senate will be back in Session. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills to committee: Agriculture - Senate Bill 3, 5, 20, 22, 23, 34, 51, 85, 110, 114 and 112; Appropriations I - Senate Bills 25 and 61; Appropriations II - Senate Bill 1 and 15; Elections and Reapportionment - Senate Bill 12 and 40; Elementary and Secondary Education - Senate Bills 30, 33, 42, 48, 52, 76, 77, 78 and 92; Executive - Senate Bills 4, 6, 10, 39, 50, 59, 63, 66, 82, 90, 104 and 106; Finance - Senate Bill 64, 89, 95 and 96; Higher Education - Senate Bills 7 and 21; Insurance, Pensions and Licensed Activities - Senate Bill 18, 19, 32, 41, 45, 46, 53, 54, 55, 56, 57, 60, 72, 75, 79, 81, 86, 98, 110, 109; Judiciary I - Senate Bills 8, 16, 65, 68 and 91; Judiciary II - Senate Bills 9, 17, 24, 28, 29, 31, 36, 37, 49, 93, 94, 97, 99, 105; Labor and Commerce - Senate Bills 2, 38, 102 and 107; Local Government - Senate Bills 14, 58, 71, 80, 87, 88, 100, 108 and 113; Public Health, Welfare and Corrections - Senate Bills 26, 62, 84 and 103; Revenue - Senate Bills 13, 27, 64, 47, 67, 70, 73 and 111; Transportation - Senate Bills 11, 35, 43, 69, 74 and 83.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...with leave of the Body, we'll go to...Resolutions Con-

sent Calendar. Mr. Secretary, has...have any objections been filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate Resolutions 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and Senate Joint Resolution 6. And no objections have been filed, Senator Savickas moves for the adoption of the...Resolutions Consent Calendar. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution No. 9, it's offered by...I mean it's...Senator Savickas will handle that.

(Secretary reads HJR 9)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas, I understand you're handling this.

SENATOR SAVICKAS:

I'm always happy to handle the House-Senate Joint Resolution. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of the House Resolution. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, that's probably the longest resolution I've ever heard in my life as to when we come and when we go, and I'm not so sure...when are we coming next?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas will make that announcement presently. All right, Senator Savickas has moved the adoption of House Joint Resolution 9. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 9 is adopted. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, Senator Geo-Karis, we will adjourn today until noon, February 20th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any further business to come before the Senate? The Senate stands adjourned until the hour of noon on January 20th...February 20th...February 20th.

84TH GENERAL ASSEMBLY

REGULAR SESSION

FEBRUARY 20, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend William Oaks, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND WILLIAM OAKS:

(Prayer given by Reverend Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

SECRETARY:

Tuesday, February the 5th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution No. 7 and House Joint Resolution No. 8 are congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And House Joint Resolution No. 5 and House Joint Resolution No. 4 are substantive.

PRESIDENT:

Executive. Resolutions.

SECRETARY:

Senate Resolution No. 30 offered by Senator Lemke. It's congratulatory.

Senate Resolution No. 31 offered by Senator DeAngelis. It's congratulatory.

Senate Resolution No. 32 offered by Senators Geo-Karis, Rock and Philip and it's congratulatory.

Senate Resolution No. 33 offered by Senator Geo-Karis. It's congratulatory.

Senate Joint Resolution No. 8 offered by Senator Mahar and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 34 and Senate...offered by Senator Topinka.

And Senate Joint Resolution Constitutional Amendment No. 9 offered by Senators Demuzio, Darrow, Holmberg and others.

PRESIDENT:

Executive. Introduction of bills.

SECRETARY:

Senate Bill 115 introduced by Senator Barkhausen.

(Secretary reads title of bill)

Senate Bill 116, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 117, by Senators Lemke and Smith.

(Secretary reads title of bill)

Senate Bill 118, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 119, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 120 introduced by Senators Lemke, Lechowicz and Nedza.

(Secretary reads title of bill)

Senate Bill 121, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 122, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 123, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 124, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 125, by Senator Dawson.

(Secretary reads title of bill)

Senate Bill 126, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 127, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 128, by Senator Collins.

(Secretary reads title of bill)

Senate Bill 129, by Senator Keats.

(Secretary reads title of bill)

Senate Bill 130, Senator Collins.

(Secretary reads title of bill)

Senate Bill 131, Senators Bloom, Geo-Karis and Lemke.

(Secretary reads title of bill)

Senate Bill 132, Senators Luft and Poshard.

(Secretary reads title of bill)

Senate Bill 133, Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 134 introduced by Senators Carroll and Hall.

(Secretary reads title of bill)

Senate Bill 135, by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 136, Senator Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 137, by Senators Topinka, Dudycz and...and Smith.

(Secretary reads title of bill)

Senate Bill 138, by Senators Netsch and Darrow.

(Secretary reads title of bill)

Senate Bill 139, by Senators Rock and Carroll.

(Secretary reads title of bill)

Senate Bill 140, Senator Luft.

(Secretary reads title of bill)

Senate Bill 141, Senator Rock.

(Secretary reads title of bill)

Senate Bill 142, by Senator Watson.

(Secretary reads title of bill)

Senate Bill 143, Senators Davidson and Topinka.

(Secretary reads title of bill)

Senate Bill 144, by Senators Kelly and Lechowicz.

(Secretary reads title of bill)

Senate Bill 145, Senators Carroll and Hall.

(Secretary reads title of bill)

Senate Bill 146, Senator Netsch.

(Secretary reads title of bill)

Senate Bill 147, by Senators Berman, Carroll and Jones.

(Secretary reads title of bill)

1st reading of the bills.

Senate Bill 148 introduced by Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 149, by the same sponsor.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. With the leave of the Body, I would like to add Senator Philip as a hyphenated cosponsor to Senate Bill 108.

PRESIDENT:

The gentleman has asked leave to show Senator Philip as the hyphenated cosponsor of Senate Bill 108. Is leave granted? Leave is granted. It's so ordered. 108. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I want to be shown as a hyphenated sponsor on Senate Bill 101.

PRESIDENT:

The gentleman asks leave to be shown as a hyphenated cosponsor of Senate Bill 101. Is leave granted? Leave is granted. It's so ordered. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. Mr. President, I have been requested to ask leave of the Senate for permission for the Joint Committee on Public Utilities Regulation to hold its long-scheduled hearings both today and tomorrow in Chicago. These hearings involve lots of witnesses and it would be extremely disruptive if they were undone. Technically they ought not to be holding hearings and meeting while the Senate is in Session, but I think if the Senate will agree, we should permit them to go ahead even though obviously those of us who are Senate members of the joint committee will not be present. So, in any event, my request is for leave of the Senate to permit the Joint Committee on Public Utilities Regulation to hold its already scheduled hearings today and tomorrow in Chicago.

PRESIDENT:

All right. The lady has asked leave to allow the Joint Committee on Public Utility Regulation to hold their long-scheduled meeting, and I can tell you that the schedule

conflicts only because the House and Senate was as yet undetermined as to when they were going to meet. I think the request is reasonable and she asks leave that they go ahead. Leave is granted without objection. Resolutions.

SECRETARY:

Senate Resolution 34 offered by Senator Geo-Karis, Macdonald and Fawell. It's congratulatory.

Senate Resolution 35, by Senate...the same Senators. It's congratulatory.

And Senate Resolution 36, by the same Senators. It's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 37 offered by Senators O'Daniel and...and Jerome Joyce.

Senate Resolution 38 offered by Senators Kelly, Lechowicz and Vadalabene.

Senate Resolution 39 offered by Senator Kelly.

And Senate Joint Resolution Constitutional Amendment No. 11 offered by Senator Vadalabene.

PRESIDENT:

Executive. Senator Watson, for what purpose do you seek recognition?

SENATOR WATSON:

Thank you, Mr. President. I'd like to be added as a hyphenated cosponsor...have leave to be...added as a hyphenated cosponsor to Senate Bill 87. I have checked with the sponsor Jerome Joyce on this.

PRESIDENT:

All right. Senator Watson seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 87. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I'd like to also have leave of the Body on Senate Bill 144 to have Senator Sangmeister added as a hyphenated sponsor.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Sangmeister as a hyphenated cosponsor of Senate Bill...what's the number, Senator Kelly? 144. Is leave granted? Leave is granted. It's so ordered. 144. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution No. 10 offered by Senator Savickas.

(Secretary reads SJR No.10)

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, we're putting this joint resolution in now because the Senate...House is not in Session, and I would move its adoption.

PRESIDENT:

All right. Senate Joint Resolution No. 10 is that resolution asking that we convene in joint session next week for the purpose of hearing the Governor. It was at the Governor's request. Senator Savickas has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 10. All in favor of the motion to suspend the rules indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Savickas now moves the adoption of Senate Joint Resolution No. 10...Senator Savickas now moves the adoption of Senate Joint Resolution No. 10. Any discussion? If not, all in favor...indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Philip, for what

purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to indicate that Senator Bloom is not here because of illness in his family.

PRESIDENT:

The record will so indicate. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr. President, I rise for the purpose of referring...rereferring Senate Bill 96 from Finance, Credit Regulations to Insurance. It was a typographical error and it was put in the wrong committee.

PRESIDENT:

All right. The Senator has moved to rerefer Senate Bill 96 from the Committee on Finance to the Committee on Insurance. Is leave granted? Leave is granted. So ordered. Introduction of bills.

SECRETARY:

Senate Bill 150 introduced by Senator Karpiel.

(Secretary reads title of bill)

Senate Bill 151, Senators Luft and Poshard.

(Secretary reads title of bill)

Senate...have a Senate Bill 152. It's to amend the Chicago Teachers' article of the Pension Code. I don't have a member's name on the bill.

Senate Bill 152 introduced by Senator Smith.

(Secretary reads title of bill)

Senate Bill 153, by Senators Keats, Hudson, Karpiel and others.

(Secretary reads title of bill)

Senate Bill 154, by Senator Sangmeister and Barkhausen.

(Secretary reads title of bill)

Senate Bill 155, by Senator Sangmeister, Marovitz,

DeAngelis and Bloom.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Further business to come before the Senate? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Dunn is convalescing from a minor operation.

PRESIDENT:

All right. The record will so indicate. Further business to come before the Senate? Any announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, February 21, at the hour of noon. Noon tomorrow, Ladies and Gentlemen. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

February 21, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. (Machine cutoff)...prayer this afternoon by the Reverend James Michaletz, Victorian Griffith High School, Springfield, Illinois. Father.

REVEREND MICHALETZ:

(Prayer given by Reverend Michaletz)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, I move that the reading and approval of the Journal on Wednesday, February 20th, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of bills, assigns the following bills to committee:

Agriculture, Conservation and Energy - Senate Bill 125 and 135; Appropriations I - Senate Bill 132...132, 139 and 145; Appropriations II - Senate Bill 116 and 134; Elementary and Secondary Education - Senate Bills 115, 119, 146 and 151; Elections and Reapportionment - Senate Bills 123, 138 and 150; Executive - Senate Bills 120, 141 and 142; Executive Appointment Veterans' Affairs and Administration- Senate Bills 118 and 133; Finance and Credit Regulations - Senate Bills...Senate Bill 148; Insurance, Pensions and Licensed Activities - Senate Bills 121, 126, 128, 136, 137, 140, 143, 147, 149 and 152; Judiciary I - Senate Bills 122, 124, 129

and 131; Judiciary II - Senate Bills 130, 144, 154 and 155; Labor and Commerce - Senate Bills 127 and 153; Revenue - Senate Bill 117; Transportation - Senate Bills 11, 35, 43, 69, 74 and 83.

PRESIDENT:

Introduction of bills.

SECRETARY:

Senate Bill 156 introduced by Senator Maitland.

(Secretary reads title of bill)

157, by Senators Poshard and O'Daniel.

(Secretary reads title of bill)

...Senate Bill 158, Senator Schaffer.

(Secretary reads title of bill)

Senate Bill 159, Senator Kustra.

(Secretary reads title of bill)

Senate Bill 160, Senators Welch and Holmberg.

(Secretary reads title of bill)

Senate Bill 161, Senator...DeAngelis.

(Secretary reads title of bill)

Senate Bill 162, Senator Lemke.

(Secretary reads title of bill)

Senate Bill 163, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 164, Senators Lemke,...Geo-Karis, Kelly, Savickas and Lechowicz.

(Secretary reads title of bill)

Senate Bill 165, Senators Lemke and Lechowicz.

(Secretary reads title of bill)

Senate Bill 166, Senator Lemke.

(Secretary reads title of bill)

Senate Bill 167, Senators Carroll and Hall.

(Secretary reads title of bill)

Senate Bill 168, Senator Carroll and Hall.

(Secretary reads title of bill)

Senate Bill 169, Senator Savickas.

(Secretary reads title of bill)

Senate Bill 170, Senators Weaver and Friedland.

(Secretary reads title of bill)

Senate Bill 171, Senators Netsch and Berman.

(Secretary reads title of bill)

Senate Bill 172, Senator Zito.

(Secretary reads title of bill)

Senate Bill 173, by Senator Schaffer, Philip, DeAngelis, Weaver and Davidson.

(Secretary reads title of bill)

Senate Bill 174, by Senators Hall and Carroll.

(Secretary reads title of bill)

Senate Bill 175, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 176, Senator Watson.

(Secretary reads title of bill)

Senate Bill 177, Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 178, Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 179, Senator Karpiel.

(Secretary reads title of bill)

Senate...Senate Bill 180, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 181, by Senators Holmberg, Smith, Lemke and others.

(Secretary reads title of bill)

Senate Bill 182, Senators Lemke, Smith, Lechowicz and others.

(Secretary reads title of bill)

Senate Bill 183, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 184,...same sponsors.

(Secretary reads title of bill)

Senate Bill 185, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 186, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 187, by the...Senators Lemke, Holmberg, Lechowicz and others.

(Secretary reads title of bill)

Senate Bill 188, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 189, Senator Lechowicz.

(Secretary reads title of bill)

Senate Bill 190, by Senators Dudycz and Mahar, Topinka, Geo-Karis and others.

(Secretary reads title of bill)

Senate Bill 191, Senator Netsch.

(Secretary reads title of bill)

Senate Bill 192, by Senator Sangmeister.

(Secretary reads title of bill)

Senate Bill 193, Senator Smith.

(Secretary reads title of bill)

Senate Bill 194, by Senators Kustra, Karpiel, Mahar and others.

(Secretary reads title of bill)

Senate Bill 195, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 196, Senator Maitland.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

Senator Rupp, for what purpose do you arise? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might have a leave of the House to be a joint

sponsor on Senate Bill 59, please.

PRESIDENT:

I cannot...

SENATOR TOPINKA:

I do have leave of the sponsor.

PRESIDENT:

...I cannot give you leave of the House.

SENATOR TOPINKA:

No? Can I be a sponsor...a joint sponsor?

PRESIDENT:

Leave...leave of the Senate, I can give you.

SENATOR TOPINKA:

Leave of the Senate.

PRESIDENT:

Okay.

SENATOR TOPINKA:

I knew and I don't have my own microphone. So, I mean, all of those things taken in consideration, may I be a joint sponsor on Senate Bill 59?

PRESIDENT:

All right. The lady has asked to be joint sponsor on Senate Bill 59. Is leave granted? Leave is granted. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I would like to have Senator Smith put on as a cosponsor for Senate Bill...8.

PRESIDENT:

All right. Senator Fawell seeks leave to show Senator Smith as a cosponsor to Senate Bill 8. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Resolution 41 offered by Senators O'Daniel, Jerome Joyce and...Senator Rigney.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move to suspend the rules for the immediate consideration of Senate Resolution No. 41.

PRESIDENT:

All right. Read the resolution, Mr. Secretary.

SECRETARY:

(Secretary reads SR 41)

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the...of the Senate, I would appreciate your favorable consideration of this resolution. It is very important that the Secretary of Agriculture extend the sign-up period for the Federal farm programs. Reasoning, because all benefits are...tied directly to the participation in the program. The sign-up period ends March 1. There's emergency legislation being debated at this time in Washington, and the Secretary of Agriculture has indicated on the national news that he opposes any extension of the sign-up period. I think it's very important that we extend this. I would appreciate your favorable consideration.

PRESIDENT:

All right. Senator O'Daniel has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 41. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator O'Daniel now moves the adoption of Senate Resolution 41. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution 42 offered by Senator Jerome Joyce,

Rock and all Senators, it's congratulatory.

Senate Resolution 43 offered by Senators Geo-Karis, Macdonald and Fawell, it's congratulatory.

Senate Resolution 44, by the same sponsors, it's congratulatory.

Senate...Senate Joint Resolution 45...Senate Joint Resolution No. 12 offered by Senator Vadalabene and all Senators, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 45 offered by Senators DeAngelis and Sangmeister.

And Senate Joint Resolution Constitutional Amendment No. 13 offered by Senators Kustra and Netsch.

PRESIDENT:

Executive. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments and Veterans' Affairs and Administration to which was referred the Governor's Message of February the 5th, 1985 reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointment as set forth in his Message of February 5th, 1985.

PRESIDENT:

All right. You've heard the motion as placed by Senator Lechowicz. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The

Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of February 5th, 1985, I'll read the salaried appointment to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be Director of the Department of Alcoholism and Substance Abuse for a term expiring January 19th, 1987, Mr. Edward T. Duffy of Arlington Heights.

To...to be Director of the Department of Commerce and Community Affairs for term expiring on January 19th, 1987, Michael T. Woelffer of Bull Valley.

To be Assistant Director of the Department of Commerce and Community Affairs for a term expiring January 19th, 1987, Stephen F. Selcke of Springfield.

To be Director of Emergency...Services and Disaster Agency for a term expiring October 1, 1985, Charles D. Jones of Springfield.

To be Director of the Department of Energy and Natural Resources for a term expiring January 19th, 1987, Don Etchison of New Berlin.

To be State Fire Marshal of Illinois for a term expiring January 19th, 1987, Mr. Harold Schmeilski of Peoria.

To be Director of the Department of Human Rights for a term expiring January 19th, 1987, Joyce E. Tucker of Chicago.

To be Director of the Department of Insurance for a term expiring January 19th, 1987, John Washburn of Chatham.

To be Assistant Director of the Department of Insurance for a term expiring January 19th, 1987, Richard Carlson of Springfield.

To be Superintendent of the Illinois State Lottery for a term expiring January 19th, 1987, Michael Jones of Chicago.

To be the Director of the Department of Mental Health and

Developmental Disabilities for a term expiring January 19th, 1987, Michael Belletire of Springfield.

To be Director of the Department of Mines and Minerals for a term expiring January 19th, 1987, Bradley Evilsizer of Christopher.

To be Assistant Director of the Department...Mines and Minerals for a term expiring January 19th, 1987, Huck Huckaby of Springfield.

To be Director of the Department of Nuclear...Safety for a term expiring January 19th, 1987, Terry Lash of Springfield.

To be Director of the Department of Public Aid for a term expiring January 19th, 1987, Mr. Gregory Coler of Springfield.

To be the Director of the Department of Public Health for a term expiring January 19th, 1987, Thomas B. Kirkpatrick of Chicago.

To be the Director of the Department of Registration and Education for...for a term expiring January 19th, 1987, Gary Clayton of Springfield.

To be the Secretary of Transportation for a term expiring January 19th, 1987, Mr. Gregory Baise of Springfield.

To be Assistant Secretary of the Department of Transportation for a term expiring January 19th, 1987, Mr. Hugh Murphy of Villa Park.

To...be the Director of the Department of Veterans' Affairs for a term expiring January 19th, 1987, David Hardwick of Rochester.

To be the Assistant Director of the Department of Veterans' Affairs for a term expiring January 19th, 1987, Thomas Jones of Springfield.

To...to be the Commissioner of Banks and Trust Companies for a term expiring February 1st, 1989, William Harris of Pontiac.

To be the Deputy Commissioner of Banks and Trust Companies for a term expiring February 1st, 1989, William Boys of Springfield.

First Deputy Commissioner of Banks and Trust Companies for a term expiring February 1st, 1985, John Treston of Springfield.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objection to a specific appointment. Mr. President, will you please put the question as required by our rules.

PRESIDENT:

All right. The gentleman has asked leave to consider the nominees on one roll call. Is leave granted? Leave is granted. Question is, does the Senate advise and consent to the nominations just made. Those in favor will indicate by voting Aye. Those opposed will vote Nay. The roll call is an oral one. The board is not yet hooked up. Mr. Secretary, call the roll.

SECRETARY:

Barkhausen. Berman. Bloom. Carroll. Chew. Coffey. Collins. D'Arco. Darrow. Davidson. Dawson. DeAngelis. Degnan. Demuzio. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hall. Holmberg. Hudson. Jones. Jeremiah Joyce. Jerome Joyce. Karpiel. Keats. Kelly. Kustra. Lechowicz. Lemke. Luft. Macdonald. Mahar. Maitland. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Philip. Poshard. Rigney. Rupp. Sangmeister. Savickas. Schaffer. Schuneman. Smith. Sommer. Topinka. Vadalabene. Watson. Weaver. Welch. Zito. Mr. President.

PRESIDENT:

Senator Berman, Aye...Senator Barkhausen, Aye. Senator Savickas, Aye. Senator Jerome Joyce, Aye. Senator Demuzio, Aye. Senator Collins, Aye. On that question, the Ayes are

46, the Nays are none, none voting Present. The majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of February 5th, 1985, I'll read the unsalaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Board of Agricultural Advisors for a term expiring January 19th, 1987, Mr. Wayne Heberer of Belleville, Marvin Perzee of Ashkum, Russell Stauffer of Springfield.

To be a member of the Agricultural Export Advisory Committee for a term expiring January 19th, 1987, John Felver of DeKalb.

To be a member of the Board of Banks and Trust Companies for a term expiring January 1st, 1987, Mr. Terrence O'Brien of Northfield.

To be a member of the Carnival-Amusement Safety Board for a term expiring January 17th, 1988, Mr. Lee Sullivan of Jacksonville.

To be a member of the Carnival-Amusement Safety Board for a term expiring January 17th, 1989, Mr. Nicholas Dispensa of Downers Grove.

To be a member of the Employee Owned Enterprise Advisory Council for a term expiring January 7th, 1986, Willis Barrett of Elgin.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1989, Mr. Louis Alexander of Chicago.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1988, Ray Geller of Belle-

ville.

To be a member of the Health Facilities Planning Board for a term expiring June 30th, 1985, Mr. Harry Kurshenbaum of Chicago.

To be a members of the Health Facilities Planning Board for a term expiring June 30th, 1986,...Alexander Goldstein of Harrisburg, Donovan Gardner of Pontiac.

To be members of the Health Facilities Planning Board for a term expiring June 30th, 1987, Mr. Thomas Hestand of Marion, James E. Mann of Chicago.

To be a member of the Health Facilities Planning Board for a term expiring June 30th, 1987, Pam Taylor of Danville.

To be a member of the Health Facilities Planning Board for a term expiring June 30th, 1988, Joseph C. Mudd of Cantrall.

To be a member of the Lottery Control Board for a term expiring July 1, 1987, Richard Gromer of Elgin.

To be a member of the Medical Determinations Board for a term expiring June 27th, 1988, Mr. Henry Russe of Chicago.

To be a member of the Illinois State Medical Disciplinary Board for a term expiring June 10th, 1988, Irene Caruso of Galesburg.

To be members of the Board of Natural Resources and Conservation for a term expiring January 19th, 1987, Robert Metcalf of Urbana, L.L. Sloss of Northbrook, H.S. Gutowsky of Urbana, Lorin Nevling of Chicago.

To be a member of the Advisory Board on Necropsy Services to Coroners for a term expiring January 19th, 1987, John Tolbert of Hinsdale.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objection to a specific appointment.

PRESIDENT:

All right. You've heard the gentleman's request for leave to consider the nominees on one roll call. Is leave granted? Leave is granted. Question is, does the Senate advise and consent to the nominations just made. Any discussion? Those in favor will vote Aye. Those opposed will vote Nay. Mr. Secretary, call the roll, please.

SECRETARY:

Barkhausen. Berman. Bloom. Carroll. Chew. Coffey. Collins. D'Arco. Darrow. Davidson. Dawson. DeAngelis. Degnan. Demuzio. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hall. Holmberg. Hudson. Jones. Jeremiah Joyce. Jerome Joyce. Karpiel. Keats. Kelly. Kustra...Lechowicz. Lemke. Luft. Macdonald. Mahar. Maitland. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Philip. Poshard. Rigney. Rupp. Sangmeister. Savickas. Schaffer. Schuneman. Smith. Sommer. Topinka. Vadalabene. Watson. Weaver. Welch. Zito. Mr. President.

PRESIDENT:

On that question, the Ayes are 45, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I...move that the Senate now arise from Executive Session.

PRESIDENT:

You've heard the gentleman's motion, he moves that the Senate do now arise from Executive Session. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate does now arise. Resolutions.

SECRETARY:

Senate Resolution 46 offered by Senator Newhouse, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 47 offered by Senators Berman, Carroll, Chew, Collins, D'Arco, Darrow and others.

PRESIDENT:

Executive. Introduction of bills. I beg your pardon. Senator Netsch has been seeking recognition. For what purpose do you arise, Senator?

SENATOR NETSCH:

Thank you. I wanted to Table a bill that was introduced in wrong form yesterday, because the correct one is being introduced and we might as well clean that up. I did not hear whether it was on the list of those already assigned. But let me make...it was Senate Bill 146. I will move to discharge the appropriate committee, be it Assignment of Bills or a substantive committee, from further consideration of Senate Bill 146, and that it be placed...or that it be what...placed on the Calendar for purposes of Tabling...and then I will move to Table Senate Bill 146.

PRESIDENT:

All right. Senator Netsch...all right. Senator Netsch has moved to discharge the Committee on Elementary and Secondary Education from further consideration of Senate Bill 146 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 146 is now discharged and before the Body. Senator Netsch now moves to Table Senate Bill 146. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 146 is Tabled. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes...yes, Mr. President, thank you. I would like leave to discharge the Committee on Local Government of Senate Bill 113 and have it removed...replaced in Senate Ag-Committee.

PRESIDENT:

All right. Senator Joyce has moved to discharge the Committee on Local Government from further consideration of Senate Bill 113 and asked that the bill be rereferred to the Committee on Agriculture. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 113 now assigned to the Committee on Agriculture. Senator Marovitz.

SENATOR MAROVITZ:

Mr. President, would this be the...the time for an announcement?

PRESIDENT:

Well, we still have some business but certainly, go ahead.

SENATOR MAROVITZ:

The Committee on Judiciary II, Criminal Judiciary Committee, will hold its meeting next Thursday at eight-thirty in the morning in Room 400. There are at least fifteen bills to be heard, probably some more that were filed today, so I would repeat that meeting that was to be held this morning will be held a week from today, Room 400, Judiciary II at eight-thirty in the morning.

PRESIDENT:

Introduction of bills.

SECRETARY:

Senate Bill 197, introduced by Senators Marovitz and Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 198, Senator Newhouse.

(Secretary reads title of bill)

Bill 199, Senators Newhouse and Collins.

(Secretary reads title of bill)

Senate Bill 200, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 201, by Senator Sangmeister, Marovitz, Smith, Luft and others.

(Secretary reads title of bill)

Senate Bill 202, by Senators Marovitz, Sangmeister, Smith, Luft and others.

(Secretary reads title of bill)

Senate Bill 203, by same sponsors.

(Secretary reads title of bill)

Senate Bill 204, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 205, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 206, by the same sponsors.

(Secretary read title of bill)

Senate Bill 207, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 208, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 209, same sponsors.

(Secretary reads title of bill)

Senate Bill 210, by Senators Marovitz and Smith.

(Secretary reads title of bill)

Senate Bill 211, by Senators Demuzio and Rigney.

(Secretary reads title of bill)

Senate Bill 212, by Senators Demuzio, Poshard and Luft.

(Secretary reads title of bill)

Senate Bill 213, by Senators Darrow, Luft, Welch, Poshard and others.

(Secretary reads title of bill)

Senate Bill 214, by Senators Lemke, Luft and others.

(Secretary reads title of bill)

Senate Bill 215, by Senator Zito, Luft, Welch, Poshard.

(Secretary reads title of bill)

Senate Bill 216, by Senators Lechowicz, Luft, Welch,

Poshard, Demuzio and Lemke.

(Secretary reads title of bill)

Senate Bill 217, by Senator Smith, Lechowicz, Lemke, Dawson and others.

(Secretary read title of bill)

Senate Bill 218, by Senator Smith, Dawson, Luft, Lemke and others.

(Secretary reads title of bill)

Senate Bill 219, by Senator Zito, Lechowicz, Welch and others.

(Secretary reads title of bill)

Senate Bill 220, by Senators Marovitz, Dawson, Degnan and DeAngelis.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll...we'll go to resolutions. Leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 48 offered by Senators Berman, Maitland, Rock, Philip and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 48, let me read it to you, it's a couple of short paragraphs.

(Senator Berman reads SR 48)

Mr. President, Ladies and Gentlemen of the Senate, the purpose of this resolution is to allow us to set an agenda so that we will have presented not just in the Education Committee but to the Senate as a whole some of the testimony and comments regarding the reports and positions of interested

persons throughout the State on this subject of education reform and education funding. And it is the intent of Senator Maitland, Senator Philip, Senator Rock and myself through this resolution that we set aside the...March 5th at noon for approximately an hour, an hour and a half, and at the beginning of the Sessions thereafter, depending upon the requests for testimony, an opportunity for us all to hear comments regarding these reports and recommendations and allow us all to have the time to ask questions and get answers so that when substantive bills do emerge from the substantive committees that we will all have some familiarity with this subject and that we all can respond to our constituents with greater knowledge and expertise in this critical area. So at the appropriate time, Mr. President, I would ask that the appropriate rules be suspended for immediate consideration and adoption of Senate Resolution 48.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman moves that the rules be suspended for the immediate and adoption and consideration of Senate Resolution 48. Is there any discussion? Senator Maitland. Leave granted? Leave is granted. Further...now, any discussion? Senator...well, Senator Marovitz.

SENATOR MAROVITZ:

We all look alike, Vince.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the board hasn't been changed. Senator Marovitz.

SENATOR MAROVITZ:

Senator Berman,...is the...the purpose of the hearing for the...the general discussion of school reform or...specific bills that have...that have been introduced? The entire school reform concept? Okay. So any...anybody who wants to have some input...on suggestions on school reform would be coming in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senate Resolution 48. There are several very good initiatives around this spring. A lot of effort has been put forth by several groups to attempt to improve the quality of education in Illinois, and indeed this...this Session has been billed as the educational reform year. There's no way that everyone can know everything that's in all of the reports and we understand that, but this provides an excellent forum for everyone to get at least a superficial overview of all the reports and then the more detailed debate obviously will take place in the committee hearing; but I think it's an excellent idea, and I would urge all those on this side of the aisle to support Senate Resolution 48.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think the calling for a Committee of the Whole is an excellent idea; as you well know, next Tuesday at the Governor's request we will convene in joint Session for the purpose of hearing the Governor's recommendations. But given the amount of work that has been done by members in this Chamber, particularly on the Berman Commission, I think it's well in order that the Senate, again, as we have in the past years literally set the agenda for what's going to ultimatley happen. Senator Philip and I have discussed this at length, and we feel, frankly, that we ought to be in a position in the Senate to arrive at a consensus and to put a price tag on those consensus reforms and then send them to the House with the hope at least that they will reach the Governor's Desk. So I, too, rise in support of Senate Resolution 48 and look

forward to the hearing on March...March 5th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved for the suspension of the rules and immediate adoption of Senate Joint Resolution 48. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Berman now moves for the adoption of Senate Joint...Senate Resolution 48. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. All right. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves to...the adoption of the Senate Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed...all right. I am told on the Senate Resolutions Consent Calendar there has been some additions, Senate Resolution 42, 43, 44, 46, 45 and Senate Joint Resolution 12. Strike 45. It's 42, 43, 44, 46, Senate Joint Resolution 12. Are there any objections to those additions to the Resolutions Consent Calendar? Senator Rock has moved the...the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. If there's no further business, I would move pursuant to the adjournment resolution passed last week that the Senate stand adjourned until Wednesday, February 27th, at the hour of noon. Remember if you will please, that we will be convening in joint Session at twelve-thirty at the request of the Governor. So we will convene here on the 27th day of February at the the hour of noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate, I'd like the record to indicate that Senator Ralph Dunn is convalescing from an operation and have the record indicate that, and also Senator Bloom is not here because of illness in his family.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Rock has moved that the Senate stand adjourned till Wednesday, February 27th, at the hour of...of noon. Those in favor signify by...Senator Dawson. Senator Dawson, what purpose do you arise?

SENATOR DAWSON:

That Senate Bill 62 has Senator Emil Jones and Prescott Bloom as hyphenated cosponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted? Leave is granted. Senator Rock has moved that the Senate stand adjourned till Wednesday, February 27th, the hour of noon.

84TH GENERAL ASSEMBLY

REGULAR SESSION

FEBRUARY 27, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend William Oaks, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND WILLIAM OAKS:

(Prayer given by Reverend Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the reading and approval of the Journals of Wednesday, February 20th and Thursday, February 21st, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right, you've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, assigns the following Senate bills to committee:

Appropriations I - 160, 167, 168 and 173; Appropriations II - 174 and 175; Elementary and Secondary Education - 156, 189, 191, 210; Elections and Reapportionment - 171 and 180; Executive - 176, 202, 209; Finance and Credit Regulations - 211; Insurance, Pensions and Licensed Activities - 157, 170, 178; Judiciary I - 164 and 195; Judiciary II - 159, 179, 190, 197, 201, 203, 204, 205, 206, 207 and 208; Labor and Commerce - 198, 199, 200, 213, 214, 215, 216, 217, 218 and 219; Local Government - 158, 161, 165, 169, 172, 177 and 194; Public Health, Welfare and Corrections - 193 and 220; Revenue - 162,

163, 166, 181, 182, 183, 184, 185, 186, 187, 188, 192, 196 and 212.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 49, Senator Kelly. It's congratulatory.

Senate Resolution No. 50, Senator Kelly. It's congratulatory.

Senate Resolution No. 51, by Senator Lemke. It's congratulatory.

Senate Resolution No. 52, by Senator Karpiel. It's congratulatory.

Senate Resolution No. 53, by Senator Lemke and it's a death resolution.

Senate Joint Resolution No. 14, by Senator Dawson. It's congratulatory.

And Senate Joint Resolution No. 15, by Senators Jeremiah Joyce, Vadalabene, Rock and all members.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 54, by Senator Jerome Joyce.

And Senate Joint Resolution No. 16, by Senator Vadalabene and all Senators.

PRESIDENT:

Executive. Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

I rise to take leave of the Body to be...added as a co-sponsor to Senate Bill 24. I have permission of Senator Joyce.

PRESIDENT:

All right, the Senator seeks leave to be add as a cospon-

sor of Senate Bill 24. Without objection, leave is granted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I would like leave of the Senate to add Senator Dudczy as a hyphenated cosponsor to Senate Bill 179 and I'm the primary sponsor.

PRESIDENT:

All right, the Senator seeks leave to add Senator Dudczy to...as cosponsor of Senate Bill 179. Any discussion? Without objection, leave is granted. Introduction of bills.

SECRETARY:

Senate Bill 221, by Senator Lemke.

(Secretary reads title of bill)

222, by the same sponsor.

(Secretary reads title of bill)

223, the same sponsor.

(Secretary reads title of bill)

224, by the same sponsor.

(Secretary reads title of bill)

225, by Senator Savickas.

(Secretary reads title of bill)

Senate Bill 226, by the same sponsor.

(Secretary reads title of bill)

227, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 228, Senator Sommer.

(Secretary reads title of bill)

Senate Bill 229, Senator Vadalabene.

(Secretary reads title of bill)

230, by the same sponsor.

(Secretary reads title of bill)

231, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

232, by the same sponsor.

(Secretary reads title of bill)

233, by Senators Topinka and Vadalabene.

(Secretary reads title of bill)

234, Senator Kelly.

(Secretary reads title of bill)

235, by Senator Welch.

(Secretary reads title of bill)

236, by Senators Newhouse and...and Kustra.

(Secretary reads title of bill)

1st reading of the bills.

Senate Bill 237, Senator Kustra and Macdonald.

(Secretary reads title of bill)

Senate Bill 238, by Senators Marovitz and Netsch.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

If I can have your attention, as you recall, we are due to go over to the House for the purpose of a Joint Session to hear the Governor...the Governor's address on education. In that regard, let me say that the honor guard to escort the Governor will consist of Senators Berman, Maitland, Collins, Rigney, and Kelly. Berman, Collins, Kelly, Maitland and Rigney will meet the Governor at the front door of the House Chamber and escort him into the Chamber. Senator Schaffer, for what purpose do you see recognition?

SENATOR SCHAFFER:

Mr. President, would like to request a Republican Caucus in Senator Philip's Office immediately before we go over. Very brief.

PRESIDENT:

That request is in order if you'll just hold off for a minute. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I'd like the record to show that Senator Geo-Karis is in the hospital with pneumonia and I'd like the...the record to indicate that please.

PRESIDENT:

The record will so indicate. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. By way of announcement, the Committee on Local Government will not meet today but will meet as regularly scheduled, two weeks from now. Thank you.

PRESIDENT:

All right. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. The Judiciary II Committee will meet tomorrow morning at eight-thirty in Room 400. We have fifteen bills.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Just so that...just an announcement that the Executive Committee will meet this afternoon at two o'clock, and it's been presented to me, and I understand it's been cleared on both sides, that Senate Resolution No. 47 was not presented in time to be posted and we'd like to waive the appropriate rule for posting so that it may be heard in the Executive Committee this afternoon.

PRESIDENT:

All right, Senator Sangmeister seeks leave of the Body to hear Senate Resolution 47 this afternoon in committee. Without objection, leave is granted. It's so ordered. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Senate Executive Appointments Committee will meet tomorrow morning at eight-thirty in Room 212. Thank

you.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. There will be a meeting of the Appropriations I Committee here on the Senate Floor at three o'clock. We have a supplemental appropriation and some other bills to at least listen to and maybe, hopefully, deal with.

PRESIDENT:

All right, any other business to come before the Senate? Further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, February 28th, tomorrow, at noon. In the meantime, we are to go across the rotunda and meet with the House in Joint Session, almost immediately, and the Republicans, at Senator Schaffer's request, will have a caucus immediately in Senator Philip's Office. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

FEBRUARY 28, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND HUGH CASSIDY:

(Prayer given by Reverend Cassidy)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, February the 20th, 1985.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

All right. You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Thursday, February 21st and Wednesday, February 27th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Poschard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I seek leave to have Senator Hudson shown as a hyphenated cosponsor with me on Senate Bill 102.

PRESIDENT:

Senate Bill 102. The Senator seeks leave to show Senator Hudson as the hyphenated cosponsor. Is leave granted? Without objection, leave is granted. So ordered. Senator Chew, for what purpose do you arise, sir?

SENATOR CHEW:

Yes. Mr. President, would you let the record indicate that Senator Savickas has returned to Chicago because of illness in the family.

PRESIDENT:

The record will so indicate. Committee reports.

SECRETARY:

Senator Carroll, chairman of Appropriations I Committee, reports out the following Senate bills:

132, 145, 160, 167 and 168 with the recommendation Do Pass. 139 with the recommendation Do Pass as Amended.

Senator Sangmeister, chairman of Executive Committee, reports out the following Senate bills and resolutions:

39 and 120 with the recommendation Do Pass.

50 and 141 with the recommendation Do Pass as Amended.

Senate Resolutions 34, 39 and 40, recommend adoption.

Senate Joint Resolution 3, recommend adoption.

Senate Resolution No. 47, recommend adoption as amended.

Senate Joint Resolution No. 1, recommend adoption as amended.

Senator Marovitz, chairman of...of Judiciary II, reports out the following Senate bills:

29 and...31 with the recommendation Do Pass.

105 with the recommendation Do Pass as Amended.

PRESIDENT:

Senator Bloom, for what purpose do you arise, sir?

SENATOR BLOOM:

Thank you, Mr. President. I seek leave of the Body to join Senator Sangmeister in sponsorship of Senate Bill 192.

PRESIDENT:

All right. The gentleman has sought leave to be added as a cosponsor of Senate Bill 192. Is leave granted? Leave is granted. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. Would the record kindly indicate Senator Lemke being excused because of personal problems at home.

PRESIDENT:

The record will so indicate. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am...ask the concurrence of the Senate, to-wit:

House Joint Resolutions 10 and 12.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 55 offered by Senator Zito. It's congratulatory.

Senate...Joint Resolution No. 17 offered by Senators Kustra, Rock and Philip and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 239 offered by Senator O'Daniel.

(Secretary reads title of bill)

Senate Bill 240, by Senator Poshard.

(Secretary reads title of bill)

Senate Bill 241, by Senator Sangmeister.

(Secretary reads title of bill)

242, by Senator Maitland.

(Secretary reads title of bill)

243, by Senator Coffey.

(Secretary reads title of bill)

244, by Senator Coffey.

(Secretary reads title of bill)

245, by Senator Berman.

(Secretary reads title of bill)

246, Senator Vadalabene.

(Secretary reads title of bill)

247, Senator Vadalabene.

(Secretary reads title of bill)

248, Senator Holmberg.

(Secretary reads title of bill)

249, Senator Holmberg.

(Secretary reads title of bill)

250, Senator Keats.

(Secretary reads title of bill)

251, Senator Lechowicz.

(Secretary reads title of bill)

252, Senator Rigney.

(Secretary reads title of bill)

253, Senator Maitland.

(Secretary reads title of bill)

254, Senator Luft.

(Secretary reads title of bill)

255, Senator Topinka.

(Secretary reads title of bill)

256, by the same sponsor.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

All right. Mr. Secretary, have any objections been filed or are there any objections to the adoption of the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. With leave of the Body, we'll move to the Order of Resolutions Consent Calendar on which you'll find Senate Resolution 49, 50, 51, 52, 53, Senate Joint Resolution 14, House Joint Resolution 10 and 12, Senate Resolution 55, and Senate Joint Resolution 17. Hearing no objection, Senator Demuzio moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Resolutions. Senator Demuzio, on the...Senator Demuzio. Adjournment resolution. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 18 offered by Senator Demuzio.

(Secretary reads SJR 18)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, this is the adjournment resolution and I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 18 which calls for us to return to Springfield next Tuesday, March 5th, at the hour of noon. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Sena-

tor Demuzio now moves the adoption of Senate Joint Resolution 18. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any further business to come before the Senate? Announcements? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Geo-Karis is convalescing in the hospital; hopefully, she will be back next week.

PRESIDENT:

The record will so indicate. Further announcements? Further business to come before the Senate? Introduction of bills.

SECRETARY:

Senate Bill 257 introduced by Senator Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 258, Senator Netsch.

(Secretary reads title of bill)

Senate Bill 259, by Senators Bloom and Vadalabene.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Any further business to come before the Senate? If not, Senator Demuzio has moved that the Senate stand adjourned until Tuesday, March 5th, next Tuesday, at the hour of noon. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

March 5, 1985

PRESIDENT:

Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that reading and approval of the Journals of Thursday, February 21st; Wednesday, February 27th, and Thursday, February 28th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Purpose of announcement. Senator Smith will be absent today due to illness.

PRESIDENT:

The record will so reflect. Resolutions.

SECRETARY:

Senate Resolution 56 offered by Senator Jeremiah Joyce, it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 260 introduced by Senator Holmberg.

(Secretary reads title of bill)

261, the same sponsor.

(Secretary reads title of bill)

262, by Senators Demuzio, O'Daniel, Poshard, Welch and others.

(Secretary reads title of bill)

263, the same sponsors.

(Secretary reads title of bill)

264, Senator Savickas.

(Secretary reads title of bill)

265, Senator Geo-Karis.

(Secretary reads title of bill)

266, Senator Lemke.

(Secretary reads title of bill)

267, the same sponsor.

(Secretary reads title of bill)

268, the same sponsor.

(Secretary reads title of bill)

269, the same sponsor.

(Secretary reads title of bill)

270, same sponsor.

(Secretary reads title of bill)

271, the same sponsor.

(Secretary reads title of bill)

272, the same sponsor.

(Secretary reads title of bill)

273, Senator Degnan.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 57 offered by Senator Davidson and all Senators, and it's congratulatory.

Committee of the Whole S.R. 48

PRESIDENT:

Consent Calendar. If I can have your attention, WCIA - TV and WICS - TV have requested permission to film the proceedings. Is leave granted? Leave is granted. (Machine cut-off)...Lemke, for what purpose do you arise, sir?

SENATOR LEMKE:

Just to let the record show that last Thursday I was absent because of personal reasons involving my grandchild who is going in a special education program, and I ask to be excused.

PRESIDENT:

The record will so reflect. If I can have the attention of the membership, as I'm sure you're aware, we will shortly convene as a Committee of the Whole for the purpose of discussing education reform and funding, and immediately after that Committee of the Whole we will then reconvene in regular Session. Senator Berman has indicated that there will be ample time for everyone to ask whatever questions and discuss whatever they wish. So that...Senator Berman, if you are prepared...Senator Berman.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr. President. I move the Senate do now resolve itself into a Committee of the Whole to consider the issues of education reform and education funding.

PRESIDENT:

All right. You've heard the motion as placed by Senator Berman that we resolve ourselves into a Committee of the Whole. If there's no discussion, that's pursuant to Senate Resolution 48, all in favor of Senator Berman's motion indicate by saying Aye. All opposed. The Ayes have it. The Senate is now convened as a Committee of the Whole and the Chair will yield to Senator Arthur Berman, the chairman of the Elementary and Secondary Education Committee.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Mr...thank you, Mr. President. The Committee of the Whole will come to order, please. Now, Ladies and Gentlemen of the Senate, today is the first of a series of meetings of the Senate as a Committee of the Whole pursuant to Senate Resolution 48 that was sponsored by Senate President Rock, Senate Minority Leader Philip, Education Committee Spokesman Maitland and myself. Today we are honored to have with us the new Superintendent of the Illinois State Board of Education, who I will introduce in a moment. Following Mr. Sanders' presentation, we will have time for questions and answers from the members of the Senate. Following today's Committee of the Whole, we will have another Committee of the Whole scheduled for March 19th, at which time we will hear from Miss Gail Lieberman, who was the coordinator of the Commission on the Improvement of Elementary and Secondary Education and from Dr. Michael Bakalis, Executive Director of the Illinois Project for School Reform. We anticipate having other Committees of the Whole on March 26th and April 10th. The witnesses on those respective dates to be announced as soon as they are confirmed. The purpose of today and the following Committee of the Whole Sessions is to allow all of the members of the Senate to hear from representatives of groups that have made studies and issued reports dealing with education reform and education funding. Because of the importance of these subjects, we have decided pursuant to the resolution that was adopted that it's important for all of the members of the Illinois Senate to have an opportunity for hearing and questioning on these critical issues, in addition to the normal procedures which we will follow as to the deliberations of the Committee on Elementary and Secondary Education, the Appropriations Committees and the Revenue Committees. This morning...morning to...we have with us, in addition to the new superintendent, I would like to acknowl-

edge the present...presence of Walter W. Naumer, Jr., who is the chairman of the Illinois State Board of Education. Walt, thank you for joining us. Ted Sanders was appointed Illinois State Superintendent of Education in January of this year. Previously, Mr. Sanders had served as superintendent of public instruction in Nevada since January of 1979. For eight years prior to that he had held several administrative positions, including the second ranking position in the New Mexico Department of Education. He has been a leader of the Council of Chief State School Officers, having recently completed a three-year term on their Board of Directors. Mr. Sanders chaired the council's committee on teacher education, preparation and accreditation, which committee recently issued the report staffing the nation's schools...a national emergency. Mr. Sanders began his career as a mathematics-physical education teacher and acting principal in Mountain Home, Idaho. Before joining the New Mexico Department he was also a teacher and a chair over the mathematics and science department for a Navaho Secondary School in Crownpoint, New Mexico, graduate teaching assistant in the West Texas State University mathematics department and teacher in mathematics department chair at Cleveland Jr. High School in Albuquerque, New Mexico. Mr. Sanders earned a Bachelor of Science degree in mathematics and education at Wayland University in Texas and a Master of Arts in teaching from Washington State University. He is nearing the completion of requirements for a doctoral degree in educational administration at the University of Nevada in Reno. We, in Illinois...ladies and gentlemen, we, in Illinois, are very fortunate to have a man of Ted Sanders' caliber here in our State; and on behalf of the Illinois Senate, Mr. Sanders, I welcome you to Illinois. Ladies and gentlemen, Ted Sanders.

SUPERINTENDENT SANDERS:

(Machine cutoff)...Rock, Chairman Berman, distinguished

members of the Senate, I am indeed pleased to be before you today on this important occasion. Although you regularly deal with the weighty matters which have great effect upon the daily lives of Illinois citizens, I submit that the topic with which we are concerned today is of supreme importance to the youth of today and to the future generations of Illinois adults. Your action today to meet as a Committee of the Whole signals to our State your intent to address the important concerns dealing with the improvement of our schools this year. This is indeed an exciting time for Illinois education. A strong and a...prosperous state is dependent upon having strong and effective schools. Having education first on the public agenda helps to generate the excitement and the motivation necessary to achieve significant educational reform. And the essence of that reform is the revitalization of the thousands of classrooms which make up the Illinois school system. I have with me today materials which will supplement our presentation to you. First of all, a summary of the State Board of Education studies and recommendations to address these important issues of reform; and secondly, a matrix which will compare for you the recommendations that have emanated not only from the board's studies but from those other studies that you will be hearing about as you address this important issue. I ask that you give them your careful attention. I won't spend a lot of time today with you on the board's detailed proposals; instead, I'd like to use the brief time that we have together to give you an impression of where we're coming from and why. There are five major educational improvement problems that we must address, at least as we see them. First of all, declining student achievement. Second, the quality of teaching and administration...third, the neglected one-fourth of our students who are at risk of failure in school and account for the major part of our decline in achievement. Fourth, the

gap between the needs of employers and the training we provide for students going directly into the work force from high school; and fifth, the inadequacy and lack of equity in the financial support of our schools. In addressing these problems we should first and foremost show a degree of humility in determining exactly what the State can do about them. We must resist the temptation to believe and therefore act upon the assumption that the State can be so detailed in its requirements and that in effect runs...that it in effect runs the day-by-day operation of our schools. The facts tell us that we should restrict our efforts to setting general conditions which require certain improvements at the school level without hampering local problem-solving ingenuity. We must remember that real improvements in education have in the past bubbled up from creative teachers, principals, superintendents and school boards who were spurred on by nothing more than the desire to do a good job. That doesn't mean, however, that such people do not look to the State for guidance and for the very necessary messages on what is important in education. You and others who serve here speak with the voice of the people. It is you who gives the impetus and the direction to education by telling us what, in your collective wisdom, represents that will of the people. Legislatures before you and down through history have done a good job of meeting their responsibility to lead our schools. Evidence abounds that Illinois schools have always been more than good, they've been top-notch. Now we face another challenge today, a challenge to be even better, and it calls for us to take a new look at what we as a State tell our local districts is important in the educational enterprise. Given that backdrop, let me first address the problem of student achievement and what, in our opinion, appears to be appropriate for State action in addressing that problem. Your predecessors and mine long ago decided that a convenient and

effective way to see that the right things were learned was to specify the right things to be taught. As time went on, these statements in the Statutes became more and more detailed. As a consequence, Illinois Statutes are filled with requirements that schools offer certain courses and that students be required to take them. Many such laws were written when fewer than half of our children went through high school and when many jobs required less than a high school diploma. They appear to have worked well under the conditions and seemed to satisfy a public need for understandable standards for our schools. As time went on, however, the convenience of the school system setting attracted a number of programs which were designed to solve pressing problems in the general society which, although they were real and intense, were remote from what most of us then and now regard as the essence of education. Since they were adopted as school responsibilities in an era when prescribing courses was the avenue used by the State, each got such a requirement in law, adding incrementally to the task of the schools, and through doing so further narrowed available choices for both schools and students. As a consequence, we now find the State in an awkward position of being an unwitting contributor to the conditions which allow for declining student achievement. Our leadership has helped to lead local boards and teachers to believe that the State's interest stops at the level of schools providing courses and students taking them. We have little or no interest expressed in our laws about what students have learned or what they're able to do as a consequence of their schooling. The time is upon us to change all that. As your commission under the leadership of Senator Berman has concluded, the State must begin to express clearly what it thinks is important for students...for schools to give their attention to, and it must also find out whether students are learning at least what the State expects

them to know. Such a step sounds simple, perhaps too simple, to yield important results; but both I and the State Board of Education, supported by major national studies, believe strongly that a move to define the State's interest in terms of knowledge rather than courses, skills, rather than hours behind the wheel, holds the greatest promise for unleashing the local creative energy necessary to solve the problem of student achievement in the foreseeable future. I might mention here that we also believe, and other major studies also agree, that such a move must be coupled with rigorous testing and public reporting of results to insure that the healthy stimulus of informed public opinion is always prodding our local schools to do their utmost for our children. The second problem mentioned earlier has to do with the quality of our teachers and administrators. Any efforts at reform that do not address the quality of our work force will simply miss the mark. How does the State set conditions to improve what is generally acknowledged to be an area of great concern? It goes without saying that if our teachers are not the best and their leaders are not outstanding educators, all other efforts at reform may well be in vain. The State Board of Education believes, as does every other group, nationally and in this State, that it is nothing short of absurd that our average teacher, with years of experience, earns no more than a twenty-one year old engineer. We are literally entrusting our children and our future to a group of people paid at a level comparable to unskilled labor. As a consequence, we draw too many of our teachers and future administrators from the lower ranks of high school and college graduates, and those who are truly exceptional often choose to leave the profession for more lucrative employment. We must change the status of teachers in our society. We must begin by making their salaries more competitive, their training more rigorous and their licensing more demanding. We must

continue in the future by assuring that they are supported by strong local evaluation systems and inservice training in keeping their skills up-to-date. It's indeed sobering to realize that just this year two hundred seventy-five teaching jobs in Illinois were not filled, first, because one-third of them had no applicants whatsoever and the remainder had no qualified applicants. This year, for the first time in recent history, two dozen of these jobs were in the important field of mathematics. Who is to lead teachers in providing superior service to our students? We've allowed the important instructional leadership role of the school principal to be eroded by paper work and housekeeping duties. We must today reassert our conviction that principals are primarily instructional leaders, and we must provide them with the training and support necessary to assure that they perform in this role. The State Board of Education has suggested and you have supported the creation of a principal's academy to help in accomplishing this task. We must continue and expand our efforts in this important area. Next, I would like to bring to your attention to what I call the "neglected" one-fourth of our students. Nearly one-half...near half a million Illinois students come from poor families. Nearly twenty-one percent of our students who enter ninth grade do not continue through four years of high school and graduate. That rate is even higher today for minority students. Nearly half of our black and Hispanic students do not complete high school. An unacceptably large group of our poor and minority students are chronic school failures, and in the last ten years the proportion of such students in our schools has increased by nearly one-third. This waste of human potential is reflected in every set of school achievement statistics reported in the general...to the general public. What isn't reported is the human tragedy and the squandering of financial resources that are embodied in their condition. These

and other children from all levels of society who fail in school can be helped to succeed. Research tells us that these "at risk" youngsters can be identified early in their lives, at...as early as three or four years of age, and special help for them can pay off in two ways; first of all, in success in school and...and...then in success in life. These studies show that early identification and intervention yields seven dollars saved for every one dollar invested in such programs. The State Board is sufficiently interested in these programs to be studying their viability for Illinois right now and right now is when we should act to provide the support so necessary for these children. To briefly recapitulate, before moving on to another matter, I believe the following steps should be taken immediately, and these are drawn from those studies in which the State Board of Education has been engaged over the last three years. First of all, the State should concentrate its requirements on what we want our children to learn rather than specifying course and time allocations. Each local school district should be required to establish learning objectives for its students which are consistent with learning statements prescribed in State law and develop appropriate testing and other assessment systems for determining the degree to which such objectives are being achieved. The State should require public reporting of test results in a manner which will satisfy the public that students are achieving what the State expects; and if they're not, that appropriate local school action has been taken to see that they do. Next, once the system we have just mentioned is in place, the State should repeal all references to its laws relative to course and time requirements. Next, the State should act immediately to repeal the requirement that schools provide, and that students take, behind-the-wheel driver education. This program should not be competing with school time in the areas of mathematics,

sciences and foreign language. Next, the State should, an interim measure, change the requirement in physical education so that the program is elective in grades eleven and twelve. Next, the State should alter the requirement in bilingual education so that such services are provided for all of our students in need, not those who just happen to appear in groups of twenty or more. Special education services should be provided for certain handicapped children from youth...from birth. The State should require students to remain in school, even part-time, until age eighteen or the completion of a high school program. The State should...redefine truancy, and chronic truancy relating both the definition and school attendance to academic performance. The emphasis should be on supportive services. The State should improve salaries of teachers in order to attract and to retain capable individuals in the profession. The State should provide scholarships emphasizing the need for retraining of our teachers. Institutions of higher education should improve the rigor of teacher preparation programs. The State should require personnel evaluation plans for each school districts, and the State should provide programs to assist principals and other supervisory personnel in developing effective evaluation skills. Education for employment of our youngsters who graduate from high school and go on to work is a continuing concern for the State Board of Education and all of us who recognize that one-third of our students make this choice to enter the...work force directly from high school. The State's vocational education delivery system is in need of an overhaul today. Many of our teachers have not worked on state-of-the-art industrial equipment for twenty years; students are learning on manual typewriters today in a word-processing age and some programs are being provided whether they address a labor market need or not. The board has called for drastic change in the manner in which programs

are planned and which will require more careful attention to labor market needs on...a regional basis; a systematic effort to enlist industry and business in the traning of teachers in modern industrial environments and a move toward insuring the modernization of equipment and facilities to bring them in line with the real world. Surely, such an effort will be worth it if it contributes not only to the healthy development of our young people but also to the economic well-being of our State. I urge you to give us your support as we implement these new measures. Last, we come to the question of funding. In all discussions of school reform, questions about funding are paramount. How much is needed, why is it needed, and who should pay for it? Education is a responsibility of the State. The State creates local boards and districts. The State provides for local taxing authority and mechanisms, and the State monitors and regulates the conduct of education. The Illinois Constitution stipulates that the State has primary responsibility for financing. But that's not the direction that Illinois has been headed for at least the last decade. The decline in the State's share from forty-eight percent in 1976 to the current thirty-nine percent means that more than two billion dollars has shifted from State revenue sources to those of local school districts. During the past several years we've been developing a procedure that is beginning to provide a basis for determining how much money should be made available for the education of our elementary and secondary education students. Indications are at this point that we are substantially below a spending level that would provide an adequate set of programs and services for all our students. Hundreds of school districts, by their own testimony, have had to respond to a shortage of funds by public...by program cutbacks, laying off teachers, and making decisions not to offer courses even though they know they are needed and would be beneficial to

their students. Many of our students do not have sufficient funds behind their education. Education per pupil in Illinois schools range from a low of sixteen hundred dollars this year to over nine thousand dollars at the high end. While some of this disparity is due to differences in district size, there is nonetheless a strong indicator here that for too many of our students there are simply not enough resources available. Should we do more? Other states do. Although Illinois is part of the national picture of shared state and local responsibility for education, it's far below the national average of about a fifty-one percent state share; in fact, given our size, Illinois' current share of less than forty percent undoubtedly pulls down the national average. Of all the funding formulas now being used for state aid, which include special education, transportation, vocational education and others, only the general State Aid Formula addresses in any real sense the question of equity. That is, are the districts with the greatest fiscal need getting the greatest fiscal help from the State? And even that formula has eroded in its equity capacity over the past several years because of shifts and reversals in formula conditions such as attendance, assessments, tax exemptions and tax revenue access. The range of equalized assessed valuations per pupil today is even greater than the range of operating expenditures. They start at a low of eighteen thousand dollars per pupil and range upwards to over 1.6 million dollars per pupil. While the State general aid formula takes much of this into account, the same is not true for categorical reimbursements in special education, vocational, gifted, bilingual and other areas. These circumstances suggest that the funding for education in Illinois is not generally adequate or equitable. I have made my Fiscal Year '86 recommendations to the State Board of Education and they will consider them for adoption as a part of their budget on March

14th. The question of "how much" is treated by first recommending that the State provide for a four percent inflationary increase over this year's combined estimated State and local expenditures, recognizing that the no-growth situation in local assessments creates a real barrier to increases in local operating revenues. This four percents...four percent yields approximately two hundred twenty-five million dollars to be applied as follows: two hundred million in the area of general aid and twenty-six million to mandated formula reimbursement programs to fully fund them as they're currently structured under law. Added to this, a request for fifty-three million dollars increase for other categoricals and special programs to provide full State support for full student participation in gifted, bilingual, vocational, adult, textbook and other programs. And finally, then, reform costs. Based on the board's comprehensive set of mandate and policy studies, our request calls for ninety-two million dollars in Fiscal Year '86 as the beginning of an investment in the State's commitment to reform in instructional programs, teacher salaries and staff development, pilot efforts in special education early childhood programs, and alternative programs for dropout-prone high school students. This total increase, which amounts to over three hundred seventy-two million dollars, meets the basic Statewide fiscal needs, provides support for growth in programs of long standing and begins the State's commitment to responsible, effective educational reform. The two hundred million dollars to be distributed through general State aid will be used in part to begin to restore a greater...degree of equity in State support among the differing types of districts, elementary, secondary and unit. We will be bringing to you recommendations for changes in the formula dealing with tax rates, weightings or other formula factors that will be directed at the equity problem. While the resource cost

model and formula developed through the board's finance study are not yet ready for implementation and will continue to be subjects of our study, they have served to document the depth of financial reform both in equity and adequacy, that this State must continue to address in the years to come. The State Board of Education is heartened by the other major education reports, including that from your own commission, which accomplished an enormous task in a short period of time. Taking...taken as a group, they are more noteworthy for their broad areas of agreement than for their differences. They give us and, I am sure, the people of Illinois confidence that agreement can be reached on what is needed in Illinois education and that change of a positive nature will indeed occur. Reasonable people, proceeding independently of one another, have arrived at markedly similar conclusions and now the political process will act, as it always has, in the best interest of all of our people. I know that you'll do the right thing. The State Board of Education and I stand ready to help you in the debate and the decisions that will follow. Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Mr. Sanders. Now, we will open up for questions to Mr. Sanders from the members of the Senate. Let me lead off so that we try to put some of this into prospective...you had said about a recommended increase of three hundred and seventy-two million dollars. Would you address how that figure compares to the three hundred and thirty million dollars that the Governor recommended last week?

SUPERINTENDENT SANDERS:

Yes, Mr. Chairman, our three hundred seventy-two million dollar request excludes the...the treatment of the sixty percent payout in teacher retirement; if you fund that at the level that the Governor is proposing, our total request would come to four hundred four million dollars to contrast

directly against the three hundred thirty million dollars. If you'd like, I can go into some specific differences in the general aid and the specific reform proposals also if you'd like.

MR. CHAIRMAN: (SENATOR BERMAN)

If...if you would for a moment.

SUPERINTENDENT SANDERS:

Yes. In...in general aid, the Governor is recommending a hundred twenty-five million new dollars; we're proposing two hundred million dollars, as I mentioned there. Secondly, we're proposing that the categorical programs that are mandated by the State be fully funded. As they currently exist in Statute, that would require an additional 14.8 million dollars in special education funds, 10.2 million dollars in transportation funds and eight hundred forty-seven thousand dollars in lunch and breakfast programs. The other categoricals which include programs and vocational education, textbooks, gifted, the truants alternative program and others, we're requesting an additional forty-seven and one-half million dollars; fourteen million of that would be added to our vocational programs, twelve million in textbooks, bringing the total to twenty-three million dollars. Those are the major items. Other special programs we're recommending be increased by 4.9 million dollars, and the reform costs that we discussed funded at roughly ninety-two million dollars; eighty million dollars of which would be to improve salaries. Here, we are consistent, Mr. Chairman, with your own commission report in recommending eighty million dollars this year as the beginning of a three-year commitment to raise salaries in the State to twenty thousand dollars. The Governor's proposal calls for ten million dollars to be used to raise salaries to fifteen thousand dollars this coming year, and with additional funds made available to develop and then implement performance pay plans and career ladders.

We're requesting two million dollars in staff development funds as the beginning of an effort to fully fund staff development programs aimed at up-grading the skills and knowledges of our teaching force. Three hundred fifty-nine thousand dollars in our request for scholarship funds; seventy percent of that would be used in our proposal to support teachers who are willing to cross-train in areas where we're experiencing shortages, and thirty percent to go to prospective teachers who are currently in teacher training programs. 5.4 million dollars of our request would go to funding the planning and implementation of our learning outcomes proposal that would be the beginning of a three-year investment that way, with an additional four hundred thousand dollars intended and targeted for the development of a State-wide assessment or testing program to develop those anchor items that would be embedded into the expected testing programs to be implemented locally so that we might have a fix not only on pupil performance in district reporting systems but at a State level...consistent with the State's expectations for learning; two million dollars to address a compulsory attendance initiative, the beginnings of a several year effort to address the problems of loss in our schools between grades nine and twelve that we referenced earlier, and a million dollars that would be spent in pilot special education programs for zero to three, and just over one million dollars, Mr. Chairman, that would be allocated to those districts that have already exercised the statutory incentives for reorganization and have now consolidated and are therefore now entitled to those funds.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. Chairman. Superintendent Sanders, I noticed that one of the ways in which your report differs

from the Governor is the level at which you are establishing the minimum salaries for teachers.

SUPERINTENDENT SANDERS:

Yes.

SENATOR HOLMBERG:

How do you view the Governor's proposal of fifteen thousand dollars and would this be acceptable?

SUPERINTENDENT SANDERS:

Well, I think the Governor's proposal is a step in the right direction. I believe that we should make the commitment to move though across the three-year period as your own commission and we are recommending to fully funding twenty thousand dollar minimum starting salary. When you look at statistics about our teaching force today and you find that a forty-one year old person in our classrooms making just over twenty-four thousand dollars is the average teacher, that salary is roughly what a beginning engineer makes. We're not competitive. Fifteen thousand dollars will move us in that direction; twenty thousand dollars will do much more.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman, and let me first say, welcome, Director.

SUPERINTENDENT SANDERS:

Thank you.

SENATOR NEWHOUSE:

One comment and one question. The comment is that among the five major subject matters that you chose, although you mentioned dropout in context of your speech, there wasn't very much emphasis placed upon that and I'm...I'm concerned about that. The second...the question I'd like to ask is this and it relates to priorities. You just discussed the...the fact, with which I agree, that teachers' salaries

do need to be raised. I wonder if you have some concerns about the priorities with which the dollars that are presently available are expended; for example, in some schools, it is my understanding, that the janitor makes more than the teacher, which seems to say to the children that...it sends a message out which I think is absolutely devastating to the youngsters in those schools. I understand also that most of the tradesmen make more than the teachers. Now, in the lawyers' union we say, you spent x-number of dollars for your college education and you have to recoup it, and you lost wages for that period and you have to recoup it, and you spent x-number of dollars for tuition in...in law school, you have to recoup that. You spent...you lost x-number of wages at that...for that seven-year period, you have to recoup that. That seems to me to be logical. So, if you're saying...if we say that we want teachers with masters degrees, for example, in competition with people who may have the equivalent of a high school education, and I'm not knocking that, they're honorable...it's honorable employment, it seems to me that a question ought to be raised as to how we set our priorities with regard to what happens in our educational system. If the emphasis seems to be placed on the maintenance of structures rather than instruction of children, it seems to me that's...that's absolutely...a...a...a diversion of priorities that we ought to address all at once. Do you agree with that position and are you willing to take some steps in that direction?

SUPERINTENDENT SANDERS:

I...I basically agree with the position as I understand it, Senator. I believe that we...our task must not be to just maintain for maintenance sake, that we must...but we must maintain quality programs that currently exist, but we must foster from the State level the kinds of conditions that allow each school to become an inquiring institution, con-

tinuously improving itself and the services, educational and otherwise, that it delivers to its students. That means that there are some things that we can do, as we've talked about, instructionally that deal with some of the...that fosters the answer to some of the problems that face our schools. It means, likewise, that specifically it's time for us to make the commitment at a State level to improve the compensation levels of our teachers. While we may not be able to tamper greatly with the priorities that may be established or have been established in the past relative to the compensation levels within classes of employees in school districts; certainly, by this proposal, our proposal, our committed effort to address the salary question at a State level, we not only signal that we value teaching as a society, that we're willing to better compensate teachers, we also begin to deal with the long-term problems that we're going to face in the nineties and beyond with the quality of work force that will be in our schools then.

SENATOR NEWHOUSE:

Thank you, very much. I wonder if you would have some of your staff people prepare for my office some kind of table that will give me some idea concretely of what those salary differentials are...

SUPERINTENDENT SANDERS:

Yes.

SENATOR NEWHOUSE:

...between those who maintain and those who teach and that kind of thing.

SUPERINTENDENT SANDERS:

Yes. I'd be happy to, Senator.

SENATOR NEWHOUSE:

Thank you, very much. Thank you, Mr. Chairman.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. Chairman. I just wanted to be sure that I am clear about the State Board and your proposals with respect to the way in which the State's funding is going to be distributed, at least, as they stand at the current time. Now, as I understand it, you will be making some recommendations with respect to some shifting within the basic formula; that is, the...the weighting or perhaps the tax rates or whatever, and that will be forthcoming at some point soon, I gather. Is that correct, first?

SUPERINTENDENT SANDERS:

That is correct, Senator. Yes.

SENATOR NETSCH:

But then, and, a proposal...a specific proposal with respect to the resource cost model will not be forthcoming this year, as I understand it; at least, not from...from you as a source. Is that correct?

SUPERINTENDENT SANDERS:

That is correct, Mr. Chairman, Senator.

SENATOR NETSCH:

Then, as far as the State Board and you, as superintendent, are concerned, the...the funds that will be the State's share this year will be distributed in approximately the same manner that they have been in the past; that is, the largest hunk through the general State aid formula and, then, some through categorical and perhaps some additional funds through the...the special reform projects that are incorporated within your...your board's recommendations. But there will be no major restructuring of the way in which school funds are to be distributed. Is...is that a fair statement of your position?

SUPERINTENDENT SANDERS:

That...that is correct. There will be some restructuring, but it will be in the context of the current

school finance plan and formula. Yes.

SENATOR NETSCH:

Does that mean that an idea such as the resource cost model has been for all effective purposes or for all practical purposes abandoned?

SUPERINTENDENT SANDERS:

No, it does not, Mr. Chairman, Senator. In my...in making my recommendations to the State Board of Education last week, it was my recommendation that we continue over the next year or two the study of school finance issues, that we address the...the technical questions that have still not been answered relative to the resource cost model, and that we begin addressing some of the other kinds of issues that ought to be looked at in conjunction with it, such as a definition of what constitutes an adequate program as well as adequate funding.

SENATOR NETSCH:

I...I guess, and perhaps this is more of a comment or rhetorical question, but one thing that...that does strike me is that if this is to be the year of educational reform, it is also the year in which any major restructuring of the distribution system should also take place, and the...the momentum may be gone after this year. Does that concern you? I'll make that my question. Does that concern you?

SUPERINTENDENT SANDERS:

Certainly that concerns me, and I hope, as I stand before you today, that this isn't the last year of intense focus on our schools. Yes, it concerns me. This...the climate of today though is more closely focused on reforms than...that have a relationship to instruction, to teachers and to those kinds of issues much more than the focus that we had in the seventies on financial reform. Yes, we've got to sensibly address those concerns about our current finance plan; but to...to do so in a fashion that's not carefully thought out

may yield greater folly than not taking the opportunities that the time may present.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. Chairman. Mr. Sanders, I am one of those who is very much concerned about the...the equity or the lack of equity that exists in the present formula for distributing State aid. Now, I'd like to pursue the...the...some of the same thoughts that were just raised by...by Senator...Senator Netsch. You indicated in your response to her question and also in your initial remarks that you're going to take a longer time to look at the resource cost model. My own feeling is that there is much, while there are some problems with that particular proposal and the way in which it...it would work, that nevertheless that basically it is a...represents a far more equitable method for distributing State aid than the formula we now have. You did say that what you proposed to do, at least as I understood your earlier remarks, you said that you would initiate some revisions in the existing State Aid Formula for implementation in this next year. I...I have two questions. First of all, could you elaborate further on what...what kinds of changes that you are now examining for possible implementation? And then, number two, if you could share with us what your time schedule is going to be. When might we know what these changes are going to look like?

SUPERINTENDENT SANDERS:

Yes. First, in response to the...the first question, there are several issue areas that are very, very evident out of the...the study that brought forward the RCM. First of all, we know very clearly that we've got to improve the relationship between the funding of elementary and high school districts. We know that we must do something further to respond to the needs of...of children in poverty. We know

that we've got to do something in terms of more equitable access to the tax rates between the...the various kinds of districts, specifically the unit districts in relationship to the dual districts. And we've got to do all of this at...at the same time that we do not cause some of our districts to sacrifice the levels of quality that currently exist in their schools, so that we may assist those who have the...the greatest amount of need. No small challenge. Timewise, it is our full intent to have recommendations to you in a fashion timely to...your decision-making processes. I wish I could guarantee you this morning, as I stand here before you, that we would have a firm set of recommendations back in two weeks or a month; but I learned early in the...in coming to Illinois and trying to grapple with the questions surrounding the RCM and what general recommendations we might bring forward that the time schedule doesn't necessarily move as quickly as one would...would like, but we have a firm commitment to have those recommendations to you so that you can use them in a sensible fashion in your decision making.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. Superintendent, I can't help but tell you that as I sit here as a representative of the suburban collar county areas that I can't help but think, based on your comments, that there are very dark days ahead for the school children in my area. It...it appears to me that based on what's I'm hearing from you and other sources that we may very well implement "reforms" that will drive education costs, but we will then distribute whatever new money by a formula that is totally unfair to my area, and that I have the very distinct possibility in July and August of seeing headlines that education reforms actually cost my districts more than they get at a time when referendum after referendum has gone down; and

while you and the Governor and the rest of us are out putting out press releases and beating our chest about how noble we've been in education and all the new money, our school districts will be putting out in my area press releases announcing that band and gym and extra curriculum activities and the computer program and everything that we fought for twenty years to build is going down the chute because of a formula that you and that bunch of wonders we call the State Board of Education choose not to take a look at this year, because of a formula that's based on a very unfair assessment of wealth, that being assessed valuation, not ability to pay. I've got districts, I've got a district that has a lower percapita income than the City of Chicago that is getting one dollar in four compared to the City of Chicago. That isn't fair. We've got to do something with that formula, and to talk about reform and not talk about formula reform, and not talk about a formula that each of us can go back in our district and say, we got x-number of dollars because the...wealth in our area is this and such, is to avoid the issue completely. We've got to address that formula or everything else we do is just window dressing and posture taking. I am bitterly disappointed that the board has chosen to cop out. I can't blame you. You haven't been here long enough to take the blame. I'll give you about another week and half. But please, please think about what you're doing. Just raising the minimum salaries, our districts, frankly, pay above that, but when you compress that salary schedule and you come up with a program to make up the differences to the schools that weren't at that minimum level, don't forget, you've pushed up the other top of that salary level for all of us without a program to compensate the districts. You'll drive up our costs, but you won't compensate districts that I represent without some looking at that formula. Please don't cop out. I can't blame you, you're a new kid on the street,

and you're going to be able to get away with murder for a couple of months because of that, but I can blame the State Board of Elections...Board of Education and I will. We need reform of that formula and we need a formula that each of us can go back into our districts and defend. I can't defend that formula, and I haven't heard anybody around here try in a long, long time.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. Chairman. Mr. Superintendent, nice to see you again this afternoon. First part of my question was going to deal with the issue that Senator Schaffer just addressed, and I would have addressed it perhaps somewhat the same way. I have the same kind of district structure in my legislative district and it's very difficult as I've been doing in recent weeks to go out and preach reform with those people fully understanding that they're not going to get much of the money that's going to go with paying for that...that reform, but nonetheless, the reform is very necessary and will come forward. But let me address another issue, the issue of school district reorganization, and I'm a little bit concerned with the point that you make about addressing the equity factor with the different types of districts, and I understand...that's an issue, it's an ongoing issue every year here. Do we not need, perhaps, to move forward with...with a statement, a strong statement in position suggesting only one type of...of school structure in Illinois? With over a thousand districts here and having...the three different structures, that in itself is a problem for all of us to deal with. So, I would submit to you, and this is in the form of a statement, that perhaps we need to move toward a one type school district in Illinois. Secondly, then, this is my question specifically, those school dis-

tricts, a thousand in number, it is a disadvantage to the...many times to...to consolidate because of the formula and all...all of these things, because zero plus zero still equals zero, there's no advantage except to the advantage of the kids and sometimes we don't think about that. Do we need to move forward with more legislation that encourages consolidation? It's a very emotional issue in some of these rural districts to attempt to consolidate, and it sometimes takes the carrot to encourage that consolidation, and we've done some of that in Illinois. But does the State Board and do you in particular, are you recommending any other encouraging factors to encourage consolidation?

SUPERINTENDENT SANDERS:

Mr. Chairman, Senator, yes, we've just started a...a study that, again, we hope to have complete in short order that...that at least will begin to shape our thinking and our proposals to you in the area of school district organization or reorganization. Certainly, we need to be gravely concerned about the quality of education that we're able to offer simply based upon the whole issue of scale. A lot of economies scale from a financial standpoint, but economies have scaled from an...an educational standpoint. Today we have sixty-one high school districts in the State that enroll fewer than one hundred pupils. And so it...it certainly speaks to the fact that this is an area which we must give policy attention and at least remove the impediments from the...further from those districts who choose and believe that reorganization is appropriate and to look at the very real possibility that we ought to provide other incentives for them to make that kind of movement.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. I want to ask you a question concerning the

upgrading of our teachers, and it seems that the State Board...their recommendations fall short of a Statewide test for certification of teachers. It would seem to me, I'm not...I'm not sure and that's why I'm asking you, but it would seem to me that a Statewide test would be the most objective standard to use to determine if teachers are qualified to be teachers or to renew certificates as teachers. And I was reading in the manual, your recommendations seem to fall short of that. Can you comment on that?

SUPERINTENDENT SANDERS:

Yes. I'd be happy to, Mr. Chairman, Senator. First of all, the State Board of Education is proposing tests that would be used to determine whether initial certification would indeed be granted. First of all, the board believes that every prospective teacher should be tested to assure that they're literate, first of all and, secondly, have competence in their subject matter or subject matters that they will be teaching. They also call for additional attention to the improvement of teacher training programs. That...those are the kinds of initiatives that they're talking about for improving the quality along with the salaries for those people who would be entering in the future in the profession. The board as a part of its quality of personnel study wrestled very much with the question of what we do with the current teaching force, and determined that the most appropriate course of action would be to require that each and every school district have a policy and a procedure to evaluate in-classroom performance of our teaching force. Paper and pencil tests generally tell us what a person knows about their subject matter or something about their literacy; we've all known teachers who are extremely competent in their subject matter but who are dismal failures in the classroom. And so, the approach of the examining and prescribing evalution policies that are carried out by trained principals

and other supervisors is, we believe, the desired, appropriate course of action. We're also proposing, as I mentioned in my remarks, funds to support inservice training staff development so that we might continuously engage in the improvement of the skills and knowledge of our teaching force.

SENATOR D'ARCO:

...one issue is...it...it seems to me that maybe...you already have the personnel within the school system to do many of these tasks at the present time. I mean, we can...personnel can evaluate and reevaluate and...and do the necessary things in order to determine a teacher's competency at the present time. Why do you need added money, additional money to do that, if you already have the people in the system today that can do that?

END OF REEL

REEL #2

SUPERINTENDENT SANDERS:

...we're not talking about adding people into the system to do that. We're talking about redefining the responsibilities of persons who are already in the system to do that and further requiring that every local board have a policy that meets Statewide criteria for conducting evaluations of teachers in the classroom. The truth of the matter is, if you look at the results of...set of studies over a forty year period by Robert Bush at Stanford University on the role of the principal and the teacher, you find some rather dramatic evidence that we neither train, screen or hire or reward principals for the kinds of things that we're talking about. We generally,...we first of all, train them, hire them and reward them for harmonizing their school with their community; that is,...I guess can be translated as keeping the superintendent and the board out of trouble rather than providing the kind of leadership to instruction that we expect of them. And so the staff development through the Principals' Academy becomes an essential to...to the implementation of the policy reforms on teacher evaluation that we're proposing.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I appreciate the opportunity as someone who does not serve on the educational community to ventilate a few of my frustrations. I think everybody in this General Assembly who spends any time in their district at all knows that the most talked about subject, even prior to this year, has been education; and we are constantly badgered by questions like, why isn't the State paying fifty

percent? why isn't the State doing its job? how come property taxes are going up? and all the other questions that we don't seem capable of answering, and I have some local newspapers and...every time a board has a meeting, budget time, they constantly put in there that the reason that their budget isn't balanced or they don't have enough money is that the State's not...is not doing its job. And I have to tell you, based on what I have seen so far regarding the so-called reform, none of that criticism is going to stop because we really haven't addressed the issue, the fundamental issues of what I think is truly educational reform. Senator Etheredge and Senator Schaffer have talked about the formula. It's been a constant frustration of mine, too. Let me point out to you, being new to Illinois, that that formula, and you indicated it does produce some degree of equity, and I can point out to you, sir, that in the last six years it has, in fact, increased the inequity because the formula was based on the premise of increasing enrollment and stable real estate values and, in fact, we have had in the last six years exactly the opposite. It's not only nonfunctional, it's dichotomous to the very basis upon which it was created. The other part that has not been talked about though, and the part that we hear...there's two times a year when my phone rings off the wall; one is about the first or second week in January when all the parents in my district who think their kids are real smart get the rejection slips from the U of I; the other one is in August, when the second installment of the real estate taxes comes out in Cook County. We have put education into the position in which the major source of funding is the property tax. And if I might take a minute, I might point out to the members of the Body...and I think, Doctor Sanders, you know this better than I do, the property tax was created even before our Constitution but was...created even before public education, and the property

tax was never designed at its inception to carry the burden of education and it is, in fact, the major source of funding today. So, what we have is a system of over-dependence on the property tax; but more significantly, the ability to provide a quality education in Illinois is based on geographical accident. For instance, I attended a meeting down with Senator Rupp and Senator Maitland in Cerro Gordo, Illinois, and very quietly, in one of the corners, and I think there were about sixty school districts, was a school district which happens to have a nuclear facility in its district which was spending about four times more money than the adjoining district with a homogenous population. Okay? Now, we're asking everybody across the State to produce a quality product; and I would submit to you, sir, if you were in the real world and somebody asked you to design a car and they were going to give you the same kind of car and they would give you one-fourth as much as the next person to come up with the same car, and you would agree to that, then you would have to, in fact, question yourself, when, more importantly, the only way possible that you could come up with a car that resembled the other car is to make it look the same on the outside...'cause I can assure you, underneath that car would not be the same, and that's what we have in Illinois as well. You said that you would want to defer the RCM. Well, let me tell you what's happening when you get to the reform of the formula and you start putting in the kind of dollars we're putting into today. You only create the problem of making it impossible to reform that formula, because what is happening...and this is...really bothersome to me, the opposition to the reform is coming from somewhat of a...I won't call it, Senator Berman chastised me for using the word unholy alliance once before, but...what you have here is those districts that are the poorer districts, that are more dependent on State aid are one end of the opposition, but, unfortunately, the

other end of the opposition is those school districts who've become very property tax dependent; and if you defer that reform, what you're going to do is make that even worse next year, because you're going to solidify the opposition from those two groups, and we're getting to the point right now, as somebody put, that we can't afford the price of reform today because if I were to calculate our fifty percent without any redistribution, it'd cost us about eight hundred million dollars. By next year the price tag is going to probably be a billion, and the longer we put it off, the worse off we're going to be. So, I don't want to put down what's being done because I think some of the suggestions are...are great, but if we do not go about reforming the fundamental tools for quality education, and that is a different system of distribution and a different system of collections, I think it's...we're going to do exactly what Senator Schaffer...just run up the cost and continue the problems. Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

The last questioner that I have recorded here, Senator Poshard.

SENATOR POSHARD:

Mr. Chairman, Mr. Superintendent, just a couple of questions. For a number of years now, we've debated this issue of teacher evaluation, and reading the commission reports and the committee reports on educational reform the past year or so, I've noted that in the public mind, at least in my district now, we're somehow equating reform and teacher evaluation with merit pay, and I'd be interested to know if the State Board of Education has a position on merit pay or if this is one more issue that we're going to leave up to local control? A second question that I'd like to ask you along that same line is the idea of minimum competency skill testing for students. We've discussed that issue for years also,

and we seem to always say, well, the local school district knows their children best, so we're going to leave that up to the local school district and we end up with some kind of mishmash of testing opportunities for kids that really, in the end, tell us nothing about the real skills of those students. Is that one more issue that we're going to leave up to local control or are we going to standardize those tests across the State so that we can really see whether or not the students are learning what they're supposed to be learning? The Governor has mentioned a couple of things in his statements on education and I'd be interested in your views on those. He has requested, as I understand it, the collapsing of several of the categorical service delivery agencies into one umbrella-type agency throughout the State in different regions; the gifted education centers, the voc. tech. centers, the teacher education centers, the computer consortium centers. I'd like to know the State Board's position on that. I think the Governor is right. I think there's a lot of cost ineffectiveness in this sense and those probably do need to be collapsed, and I'd be interested in your opinion on how best to do that to save the State some money. And I...I'd also like your opinion on the math-science academy that the Governor has proposed and how the State Board views that academy and...the funding that the Governor has proposed for it. Thank you.

SUPERINTENDENT SANDERS:

Okay. A lot of questions and help me if I miss some of them, Senator, Mr. Chairman. First of all, relative to the board's position on evaluation linked to performance pay. The board's recommendation on teacher...evaluation is not, in their recommendation, directly related to performance pay. They're suggesting that whether performance pay does or does not come to be that a...that a required policy and practice for teacher evaluation should be in place and we must move to

initiate it. Minimum compentency testing per students. The board is proposing as a part of its initiatives that in this redefinition process of what the State expects in terms of what students ought to know and be able to do as a result of their schooling that we implement...require assessment programs in each and every district to measure against local district expectations, that included in those assessments, the State develop anchor test items; that is, a test imbeded in a test that would assess student performance against those expectations that we as a State believe ought to be in place. The last question that you had related to the...more sensible construction of those regional efforts that take place in the State. The board does not have a proposal on...in that particular area; however, personally, in looking at what's happened around the State, I support some more sensible definition of what those regions are so that we bring together in some kind of coherent form the provision of those services. Some very unusual kinds of things, some inefficient kinds of things are happening out there right now because boundaries are not contiguous with each of the efforts and...and I personally support that.

MR. CHAIRMAN: (SENATOR BERMAN)

All right...

SUPERINTENDENT SANDERS:

Oh, the math-science academy. I believe, personally, that we must do something more than what we've done in the past to meet the needs of our more talented students in the area of mathematics and science as well as in other...fields. I have not come to a personal opinion as to whether or not in the resources we have to...available, the math-science academy is the appropriate way to go. I am encouraged by the Governor's remarks that that would be the flagship of a larger State effort that would reach out to all kids who would benefit from services, and I'm...very much encouraged

by that latter commitment.

MR. CHAIRMAN: (SENATOR BERMAN)

In order to stay within our time frame, I will call on two of the last questioners if they can make their questions concise, Senator Marovitz and then Senator Schaffer. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Mr. Superintendent, just one brief question, so...in the interest of time, we've...we've heard a lot recently about the increased proliferation of substance abuse and alcohol abuse among students in the...in the system. Does the State Board have, presently, any programs...support any programs, create incentives and encourage any programs locally in the districts which would deal with substance abuse or alcohol abusers among school age children?

SUPERINTENDENT SANDERS:

Yes, Mr. Chairman, Senator, we do have and I'd be happy to give you greater information...about those efforts at a later point.

SENATOR MAROVITZ:

Fine.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Schaffer.

SENATOR SCHAFFER:

They're...I'm not notably a huge fan of...what I call the golden palace over there. I think you guys spend money with the best of them, but there is one thing you do over there that is valuable and you do fairly well and it's make computer runs, and...you'll learn that those us who've been here a while get a little cynical about formulas. I think Senator Berman understands them and I think Representative Hoffman understands them and then I think the rest of us...now Senator Maitland is approaching understanding them. The rest...to the rest of us, it's all mirrors and blue smoke and

after while, we stop saying, don't tell us about the formula, give us the computer run, and I guess that's my request on your proposal and on the other proposals. We will very much look to your agency for some implications, district by district, so each of us knows what we are doing for or to the people we represent, and I hope that those computer runs will be forthcoming in a timely fashion to allow us to make intelligent decisions based on the impact of not only our own constituents but the equity of the programs on a Statewide basis, and I hope we can count on you for that.

SUPERINTENDENT SANDERS:

Fair enough.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you. Thank you, Mr. Sanders, for your presentation and on behalf of the Senate, we appreciate the time and educational process that you've given us today. Senator Maitland, for the purpose of a motion.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. First of all, Mr. Superintendent, from the Minority side, too, we appreciate very much your candor this afternoon. It gives us an opportunity to vent our frustrations and we do so much appreciate your attendance here this afternoon and, Mr. Chairman, at this point, I would move that the Senate arise from the Committee of the Whole.

MR. CHAIRMAN: (SENATOR BERMAN)

All those in favor of the motion signify by saying Aye. The motion carries. The Committee of the Whole does arise.

PRESIDENT:

Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills,...assigns the following Senate bills to committee:

Agriculture, Conservation and Energy - 255; Appropria-

tions I - 226, 256, 262; Elections and Reapportionment - 237; Elementary and Secondary Education - 231, 242, 253 and 264; Executive Appointments, Veterans' Affairs and Administration - 229 and 230; Executive - 248, 263; Finance and Credit Regulations - 251; Insurance, Pensions and Licensed Activities - ...221, 222, 223, 238, 240, 252, 260 and 261; Judiciary I - 225, 233, 235, 259, 266, 267, 268, 269, 270, 271 and 272; Judiciary II - 234 and 241; Labor and Commerce - 228, 232 and 250; Local Government - 224, 227, 236, 246, 248, 265 and 273; Public Health, Welfare and Corrections - 245; Revenue - 249, 254, 257 and 258; Transportation - 239, 243 and 244.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 58 offered by Senator Rupp. It's congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Mr...Senator Demuzio...Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 14.

(Secretary reads HJR 14)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, this is...House Joint Resolution 14 which calls us to be in Joint Session to hear the Budget Message of the Governor tomorrow and I would move the suspension of the rules for the immediate consideration and adoption of the

resolution.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration of House Joint Resolution 14. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of House Joint Resolution 14. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration, to which was referred the...the Comptroller's Message of January the 17th, 1985, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration, to which was referred the Governor's Message of February the 5th, 1985, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of February 5th, 1985 and the Comptroller's Message of January 17th, 1985.

PRESIDENT:

All right, you've heard the motion as placed by Senator Lechowicz. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate is

now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with the respect to the Governor's Message of February 5th, 1985, I'll read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be the director of the Department of Aging for the term expiring January 19th, 1987, Janet S. Otwell of Evanston.

To be the director of Department of Central Management Services for a term expiring January 19th, 1987, Richard H. McClure of Springfield.

To be assistant director of the Department of Central Management Services for a term expiring January 19th, 1987, Rose Mary Bombela of Chicago.

To be assistant director of the Department of Central Management Services for a term expiring January 19th, 1987, Gertrude W. Jordan of Chicago.

To be director of the Department of Chilren and Family Services for the term expiring January 19th, 1987, Gordon Johnson of Springfield.

To be director of Department of Conservation for a term expiring January 19th, 1987, Michael E. Witte of Springfield.

To be assistant director of Department of Conservation for a term expiring January 19th, 1987, James C. Helfrich of Hammand.

Department of Corrections...to be director of Department of...of Corrections, Michael P. Lane of Springfield.

To be the director of Environmental Protection Agency for a term expiring January 19th, 1987, Richard J. Carlson of Springfield.

To be director of Department of Financial Institutions for a term expiring January 19th, 1987, Michael E. Fryzel of

South Holland.

To be assistant director of Department of Financial Institutions for a term expiring January 19th, 1987, Joanne Mitchell of Chicago.

To be the director of the Department of Labor for a term expiring January 19th, 1987, E. Allen Bernardi of Springfield.

To be the director of the Department of Revenue for a term expiring January 19th, 1987, J. Thomas Johnson of Chicago.

To be assistant director of Department of Revenue for a term expiring January 19th, 1987, Glen L. Bower of Effingham.

To be a member of the Illinois Commerce Commission for a term expiring January 15, 1990, Andrew C. Barrett of Chicago.

To be members of the Illinois Commerce Commission for a term expiring January...January 20th, 1986, Calvin Manshio of Chicago, Stanford Levin of...Edwardsville.

For the State Mining Board. To members of the State Mining Board for a term expiring January 19th, 1987, Charles F. Greer of Eldorado, G. B. Wiley of Harrisburg, John Bowen of West Frankfort, Richard Mottershaw of Virden, William S. Smith of Collinsville.

To be the chairman and member of the Prisoner Review Board for a term...expiring January 20th, 1991, Paul Klincar of Belleville.

To be a member of the Prisoner Review Board for a term expiring January 20th, 1991, Rafael Nieves of Chicago, Salvatore Pisano of Peoria.

To be the chairman of the...Regional Transportation Authority for a term expiring July 1, 1989, Samuel Skinner of Lake Forest.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appoint-

ment.

PRESIDENT:

All right...

SENATOR LECHOWICZ:

Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right, the gentleman has sought leave to consider the salaried appointments on one roll call. Objection? Senator Welch.

SENATOR WELCH:

Yes, Mr. President, I would object to Mr. Stanford Levin being included in this entire roll call and I ask that we consider him separately.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That's fine with me.

PRESIDENT:

All right. All right, the gentleman has...has sought to...leave to consider all the salaried appointments on one roll call which we will do with the sole exception of Mr. Levin, an appointment to the Illinois Commerce Commission. Any further discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, now, Mr. President, I'd like to put Mr...Mr.

Levin's name before the Body. As you know, I...he was recommended for the Illinois Commerce Commission. I believe that there was some discussion in his nominations and it was...approved almost unanimously by the...by the committee and I now would move for his advise and consent.

PRESIDENT:

All right, the question is, will the Senate advise and consent to the nomination of Mr. Stanford Levin to the Illinois Commerce Commission. Discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I...I wasn't on the committee. I was wondering if I could ask a question about Mr. Levin's background?

PRESIDENT:

Senator indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Lechowicz, how long has Mr. Levin lived in the State of Illinois? Do you know?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That question was raised in committee. In fact, according to the testimony we received in committee, he moved to Illinois approximately November of last year. The question was raised quite vividly by a member of the committee as far as his tenure in Illinois, and it was pointed out and there was quite a bit of discussion between the committee members in reference to what is tenure in Illinois and what is the capabilities of that individual serving on this committee, and it was after a...a heated discussion on tenure in...in Illinois, it was proven that this gentleman would serve quite capably as far as...with his background on this...on this Illinois Commerce Commission, and for that reason it was raised by Senator Hall, it was defended by Senator Chew and a

number of other committee members about his qualifications and his ability to serve and it was...after a heated discussion, it was approved.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Is there any requirement of living in Illinois...a residency requirement for the Illinois Commerce Commission?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

There is none.

PRESIDENT:

Senator Welch. All right. Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes, thank you, Mr. President. You know, I don't think the question is whether or not this gentleman is qualified. I think the question is, as Senator Welch is trying to put before this Body, where does he live and where did he live at the time that he was appointed. Seems to me that within our boundaries and given our situation with respect to unemployment in this State that we could find someone within our own boundaries who would be qualified to serve on this board. A question of Senator Lechowicz. At what point in time was this gentleman appointed to this commission?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

We have a message stating that he was recommended by the Governor in February. He moved in November. He lived in St. Louis, Missouri and as...as it was pointed out by the...in committee, there's a lot of people that live in Illinois and go to Missouri and vice versa for working, it's

an...adjoining border town...the State of Illinois. He was also a graduate of Southern Illinois University. He went to school here in this State and like a lot of SIU students, find employment maybe in adjoining areas. Based upon his credentials, the Governor saw fit to nominate a consumer advocate to...to this body, and this is what this person is supposed to be, a consumer...a consumer advocate.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator Lechowicz, can you tell me if there are any members of the Missouri Commerce Commission who reside in Illinois?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That's not the question. The question is where the gentleman lives now. He lives in Illinois. The question is where he lived when he was appointed. He lived in Illinois. He may have moved to Illinois a short period of time ago, but there is no...there are no requirements as far as the length of residency in Illinois and if there was and he didn't comply with them, the committee would not recommend him.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, do you know where the gentleman voted in the November election or whether or not he, in fact, did vote? I assume he voted.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That was not a requirement for review of the committee and it wasn't checked.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator Lechowicz, you can go back to your district and you can tell the people in your district that you voted for someone because the Governor has sought to skip over all of the otherwise qualified people in the State of Illinois who could serve on this board and went to Missouri, but I'm not going to do that.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

...yes, I'm sorry I...I missed the discussion; however, I would like to point out this Stanford Levin is a resident of Edwardsville. He's registered as a Democrat to vote in Edwardsville in Madison County. This is a Democratic appointment, incidentally. He was screened by the...the selection committee of several candidates and the Governor and the chairman, Phil O'Connor, selected this gentleman. He's been at the university...at Southern Illinois University as an economist, as a professor for over thirteen years. Now let me remind some of my colleagues on this side of the aisle, when Dan Walker was Governor of this State; Allphin, the director of Revenue; John Kramer, Langhorne Bond and I could go on and on and on where these people came from out-of-state and served on the cabinet level in the State of Illinois, and those of you on my side of the aisle who supported Dan Walker should remember the appointments that came from the former Governor. I don't know why geography should be a case. You heard here this morning, Mr. Sanders, the State Board of Education, just got selected and he came from Nevada. We're only a...a river away from this appointment. He...he's registered in Illinois. His drivers license is in Illinois. His license plates are in Illinois. I don't know

what more you could do, and for those of you in the northern part of the State, let me tell you this, that if East St. Louis and Madison County...in the early morning, the cars that go to St. Louis and St. Louis County to go to work, if Missouri would say, no, you're not a resident of Illinois...or Missouri, we're going to close the bridges, I'm wondering...how Senator Hall and all those people who go to...to St. Louis and St. Louis County to work would like for them to be shut off because they don't live in Missouri. This man went through the screening process. He's a good man. He's an economist and...and Phil O'Connor thinks that he can fill the job. Don't let geography...now this happens to be a personal vendetta with another man from the university. This is not geography. There's a person at the university that doesn't like Levin and he came to me, and I wouldn't listen to him, I don't go for personal grudges on appointments of the Governor, but he...he went to Senator Hall; and that's the reason why this appointment is being held up, it's a personal grudge against another individual at the college and not the qualities of the man. He's a good man and he should be confirmed.

PRESIDENT:

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. As minority spokesman of the committee, I'd just like to report to my colleagues that this gentleman is a resident of Illinois and he did pass 10 to 1 on the committee. Thank you.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I'm interested not so much in his geography as his credentials. I believe I heard you say, Senator Lechowicz, that he does, in fact, reflect a consumer

point of view on the...or will on the Commerce Commission and I wondered if you would just briefly review what his consumer credentials are.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Based upon...thank you, Mr. President. In response to the lady's inquiry, based upon some of the papers he has written on this subject matter as an economist at Southern Illinois University, he has been designated as a consumer advocate in this field. Well, because you were being in conversation with Senator Joyce...that's quite all right, but in answer to your question, ma'am, it was based upon as...number of writings he has written on this subject matter as a professor at Southern Illinois University where he has been associated...with quite...quite a bit of interest in the...in the Commerce Commission that he has written a number of papers in this...in this field and he's been labeled as a consumer advocate.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wasn't going to say anything about this, but since my name has been mentioned I feel that I should say there was one lone vote cast against the gentleman and it was mine. I questioned him at lengths before and in answer to you question, Senator Jeremiah, the gentleman moved over here in December. He's on sabbatical leave from the university right now. I questioned that. I said, you are going...the Governor is appointing you to a thirty-nine thousand dollar a year job, are you going to quit your university job? And he said, we'll, just wait and see what happens. Then, in questions that...with some of the other members there and I was the

lone person who voted against him. Now, the gentleman has been teaching over here for a number of years and he never once moved into this State, but once he got this appointment, then he moves over. He was not eligible to vote in this State in November because he never moved in here until December.

PRESIDENT:

Further dicussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd just like to respond, too, to Senator Vadalabene. I'm apparently the one who held up the appointment and I don't know anything about the political situation at Southern Illinois University and Senator Hall and everything. I...I didn't ask that he be separated from the pack because of that, Senator...Vadalabene, I know nothing about it; but I think that it...what is important here is not just Mr. Levin's qualifications but his familiarity with the problems we have in Illinois with utility rates. Here in Illinois we have a very highly nuclearized utility industry. I don't know that that's true in Missouri. I certainly know one thing about Illinois that is not true of Missouri and that is that we are the storage area for all of the spent fuel rods for the entire United States of Illinois, and I doubt that Mr. Levin has had much experience in Missouri with that particular problem. I think that being a resident of Illinois for this particular job is...is not the only question that has to be raised, it's the familiarity with our utility industry in Illinois that you would gather by living in our State. That's the important part. If this were another department, it would be different. In most other departments you could transfer knowledge. For instance, Ted Sanders, that's knowledge that's transferable from the State of Nevada to the State of Illinois more readily than knowledge about our utility industry; and our utility industry, I

think, is somewhat unique. Because of the nuclear power questions, because of the many power plants that are having trouble getting completed, because of the year after year history of cost overruns of nearly every nuclear facility in the State of Illinois. I think that a person should be a resident of Illinois, I think that they should have suffered through those continuing rate increases due to mismanagement of these plants in underestimating the cost of building nuclear power plants, and I think that that personal experience of paying those ever rising utility bills is an experience that you can't get in Missouri, that it's one that is probably unique to Illinois and it's one that any member of the Commerce Commission should have lived through and should have in his background to serve on the Commerce Commission when they have these new rate increases coming month after month as they will continue to come; and for that reason, I intend to vote No on Mr. Levin for this appointment.

PRESIDENT:

All right, further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Very briefly. Senator Vadalabene, I, too, am unaware of this dispute which goes on between these two people down at the university. I do wonder how we know this guy is a Democrat? Did he vote in the Missouri Democratic Primary or did he give you his word? I don't know about that, but I...what I...what I am opposing and what I object to and it's something that Governor Walker did and it's something that this Governor continues to do and that is to go outside of our boundaries to find people to fill these important State positions. You tell me in the State of Illinois we can't find people who are qualified for these positions, I just can't accept that.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I want to make this observation. In the Executive Committee on Appointments, there were three that were being appointed. Stanford Levin seems to be the controversial appointment. Now this process with the Governor, I think he told me about four or five months ago that there was a Democratic vacancy on the Illinois Commerce Commission they'd like to fill this post, and you recall we did him get out of committee last year but...on the maneuvering...on the Floor it felt that he could not pass the Senate and through a new Congress now here in the...in the 84th General Assembly had to be referred back. We don't regard St. Louis and...and...and St. Louis County as being out-of-state per se. I don't know what the reason is but some of us who thought that Dan Walker was the greatest guy on earth even had Fogel for the Director of Corrections who had a prison term, and, if you recall, we rejected that one. I don't believe you should hold up a man. He went through the process. He went through the screening. He was selected. You just don't get anybody to serve on the Illinois Commerce Commission that doesn't have any...any economic interest. Don't hold up this man because of a Mississippi River. There's people that have businesses in Illinois that live in Missouri, who have outstanding businesses in St. Clair and Madison County. They don't even live in Illinois but they operate their businesses. Here's a man who went through the process, went through the screening and, incidentally, he wasn't the man that I would have liked to had. I gave the Governor another appointment to make and he didn't make it, he made this one and I believe the Governor should have the people that he wants on board and let them do a good job. Support the appointment of Stanford Levin, the Governor and Phil O'Connor. Thank you.

PRESIDENT:

All right. Further discussion? Further discussion? Senator Joyce, for the third time.

SENATOR JEREMIAH JOYCE:

Just one question, Senator Vadalabene, did...did your other appointment live in Illinois...the...the first one that you wanted?

PRESIDENT:

All right, Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President, I'm sorry to see that this debate has taken this vein. The question is whether the gentleman is qualified and able to serve. He's only been teaching at Southern Illinois University since 1972. '72 he's been a professor at Southern Illinois University. I'm not asking whether he is qualified to teach at that institution because I would imagine that the institution itself has its own academic standards in excellence that they review the respective people that work at that university. The question is whether Mr. Levin is willing to serve in the Commerce Commission capacity. The Governor has asked that a Democrat be appointed to that spot to serve in that capacity, and he has asked Senator Vadalabene whether this person from Edwardsville meets those requirements; and according to the Senator from that district, this gentleman meets those requirements. According to the review of the committee, he has met every...requirement by law that is required in that position, whether it's academically, whether it's his expertise in the field where he has written a number of letters and theses on the subject matter that is reviewed by the Commerce Commission, he has passed every criteria, and he should pass this Senate today as well. The criteria of whether he is a resident of Edwardsville or St. Louis, Missouri has been tested and he is living in Illinois, and I would strongly recommend your consideration for his appointment for the

Senate advise and consent of Mr. Levin to the Commerce Commission.

PRESIDENT:

The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 9 Nays, 4 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Comptroller's Message of January 17th, 1985, I will read the salaried appointment to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be director of personnel for the Office of Comptroller for a term expiring on January 19th, 1987, M. Alice Kirby of Springfield.

Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDENT:

Question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDENT:

You've heard the motion. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Can...thank you, Mr. President and members of the Senate. Having checked with the chief sponsor, I would ask that...that my name be added as a hyphenated cosponsor to Senate Bill 24 and 29 sponsored by Senator Jeremiah Joyce.

PRESIDENT:

Senate Bills 24 and 29, the gentleman seeks leave to be added as a hyphenated cosponsor. Is leave granted? Without objection, it's so ordered. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President. I have had...I have checked with the sponsor and I ask leave at this time of the Senate to be added as a joint sponsor to Senate Bill 245.

PRESIDENT:

Senate Bill 245, the lady seeks leave to be shown as a cosponsor. Is leave granted? Leave is granted. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I move to Table Senate Bill 240 for technical reasons that occurred in the drafting of the bill. The LRB has redrafted the bill and I'll be introducing...reintroducing legislation today.

PRESIDENT:

All right, Senator Poshard has moved to discharge the Committee on Assignment of Bills from further consideration of Senate Bill 240 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 240 is now dis-

charged. Senator Poshard moves to Table Senate Bill 240. All in favor of the motion to Table indicate by...by saying Aye. All opposed. The Ayes have it. Senate Bill 240 is Tabled. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Geo-Karis is home from the hospital. She is convalescing from pneumonia. Thank you.

PRESIDENT:

The record will so indicate. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I would like to...I am the chief sponsor of Senate Bill 8. I would like to put Senator Donahue and Senator Karpiel as hyphenated cosponsors and Senator Macdonald as a hypenated cosponsor on Senate Bill 95.

PRESIDENT:

All right, Senate Bills 8 and 95, the Senator seeks leave to show Senators Donahue and Karpiel as hyphenated cosponsors and Senator Karpiel on 95. Is leave granted? Leave is granted. It's so ordered. Senator Macdonald.

SENATOR MACDONALD:

With...with the approval of the sponsors, I've asked to be a hyphenated cosponsor of Senate Bill 179, that's Senator Karpiel's bill with Senator Dudczy and Macdonald. Senate Bill 78 with Topinka, Macdonald. Senate Bill 210, Marovitz, Smith, Macdonald. Senate Bill 101, Senator Hall. Senate Bill 83 with Senator Watson. Senate Bill 53 with Senator Topinka.

PRESIDENT:

All right, the...the Senator seeks leave to be shown as a cosponsor on Senate Bills 179, 78, 210, 101, 83 and 53. Is leave granted? Leave is granted. The brochure has been

written. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Yes, Mr. President, I would ask leave to add Senator Poshard as a hyphenated cosponsor on Senate Bill 92.

PRESIDENT:

Senate Bill 92, the gentleman seeks leave to show Senator Poshard as a cosponsor. Is leave granted? Leave is granted. It's so ordered. All right, with leave of the Body, we'll move to page 3 on the Calendar. I direct your attention to page 3 on today's Calendar, on the Order of Secretary's Desk Resolutions, Senator Netsch has requested that we address Senate Joint Resolution No. 3. On the Order of Secretary's Desk Resolutions, page 3 on the Calendar, Senate Joint Resolution No. 3, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Joint Resolution No. 3 recreates the Joint Committee on Public Utility Regulation which, as most of you know by now, is the substitute for the Sunset Commission. It is charged with the duty of reviewing the status of the Illinois Commerce Commission and its regulatory authority and reporting back to the General Assembly before the end of this Session. In the absence of the work of this joint committee, the Commerce Commission and all that goes with it will self-destruct at the end of this year. We have done this before but the resolution extended the commission only to the beginning of this year. This will now extend it to June 30th, 1985. It is a twelve-member commission, as you know, and it...it has only this one limited but extremely vital function. I would now move that the Senate do adopt Senate Joint Resolution No. 3, and I suspect that it requires a roll call because it does involve an expenditure of...a possible expenditure of funds.

PRESIDENT:

All right, question is the adoption of Senate Joint Reso-

lution No. 3. Is there any discussion? If not, the question is the adoption of Senate Joint Resolution No. 3. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Joint Resolution No. 3 is adopted. On the same order, Secretary's Desk Resolutions, is Senate Resolution No. 34. Senate Resolution 34, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I would ask at this time that we adopt Senate Resolution 34 commemorating Lithuanian Independence Day to which Senator Savickas has been added on as a joint sponsor.

PRESIDENT:

All right, Senator Topinka has moved the adoption of Senate Resolution 34. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Anything else on that order of business? Senator Kelly, do you wish to proceed? Senate Resolution 39, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Resolution 39 and 40, for that matter,...I believe should have been on the agreed list. What this refers to is that we have five hundred and sixty-six servicemen who are missing in action and are actually known to be incarcerated in Southeast Asia, and what this does is it calls on the President and Congress to renew their efforts to bring back and to...recover our missing in action troops and to bring them back to our country, and I would ask for your support of this resolution which...which does that.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Senate Resolution 39. Is there any discussion? If not, all in

favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Resolution No. 40, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members. Senate Resolution 40...this relates to the subject of starvation and doing something about the problem on...not only in our country but worldwide, and what this does is it calls on the President and Congress to enact legislation which would address this issue. It talks about having our farm land dormant and this is something that's bothered me for some time. When I see on television the starvation that's taking place in Ethiopia and I know even in our own country in many of the large metropolitan areas, to have farmers who enjoy using their energies and their...their equipment to...to farm and then to pay them not to,...this...that's...this is just one part and parcel of this resolution asking that Congress take a look again at doing something about this and to come up...what this is it's...it's a...a small way...in a small pebble, I might add, that I would like to...to do in trying to do something about this problem. It's very frustrating. It's certainly a problem that's probably beyond this Body, but I would ask for your support in at least advising the President and Congress that we do have a bad situation here.

PRESIDENT:

All right, Senator...Senator Kelly has moved the adoption of Senate Resolution 40. Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Senator, I think this is a good idea and...and I missed some of what you said. Would you kind of give us a brief thing of what's going on?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Yes, Senator, I just briefly said that what this does is it relates to the starvation that's taking place in the world and in...in the United States and different areas, and what this does is it...it asks Congress to come up with innovative new ways to address this issue and to implement the...the farming community that...which has being paid to keep their crops dormant and I...this...this would ask them to take a look at that subject plus any others which would help to...to improve the situation and...and try to provide a mechanism so we can develop...the greatest farm land in the...in the world is right in the United States and I want to use that to help to feed the hungry people that are starving, whether they be in the United States or in Ethiopia or anywhere else in the world.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Senate Resolution 40. Any further discussion on 40? Senator Karpiel.

SENATOR KARPIEL:

I wonder...thank you, Mr. President. I wonder if...since we do not have a copy of the resolution in front of us, I wonder if Senator Kelly would mind reading it; because as I remember this resolution from committee, it has some pretty high-powered or supercharged words in the whereases.

PRESIDENT:

Sponsor indicates he'll yield. Senator Kelly.

SENATOR KELLY:

Okay, I don't...I don't know how supercharged they are or what, but I...I don't think it's anything...I think it should have been agreed. Okay, I'll read it. Try to go through it quickly.

(Senator Kelly reads SR 40)

And that's it and I'd ask for your favorable support.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Well, on hearing that again, I just wanted to ask...Senator Kelly, are you advocating military force to be provided to all these countries that have a starvation problem? Are you advocating we send military troops to Ethiopia for instance?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, I don't say that we should start any kind of a...a war or have any placement of our military personnel for that purpose, but what I do say is that...that there should be...even if they have to take and fly in food supplies and drop them, whether the government in Ethiopia or anywhere else in this world, if they want to sit around and...and not feed their people, I don't think that's their privilege to starve people. They're human just like we are and that means that...that we should lend our...our conscious support to try and to prevent that.

PRESIDENT:

Further...

SENATOR KELLY:

I...I would have to say this, there...there is an indication in this resolution about supplying...as supplying military force and food supplies to those heroic individuals. That word "supplying military force" may present a problem. If it does, then vote against the resolution and it'll die. I happen to think that it's worthy enough to at least receive consideration, but if you don't think it is because it has that word "supplying military force," then vote against it.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yeah, thank you, Mr. President. I...I rise in support of this resolution and I would like the permission of the...the sponsor to be added as a joint cosponsor of the bill...hyphenated cosponsor, and while it may have some strong language but so what, people are starving across this country and we've called upon this country and we pay taxes for this country to send military into other countries for the purpose of protecting them from..."communist aggression." Well, we're talking about saving lives. That's all. Feeding hungry people, stopping the masses of hungry people across the country...the globe to...from starving to death and if it's necessary to do that, I say, why not and I...I...I rise in very strong support of this resolution. We're merely...asking Congress to take some measures to study and...and to come up with some ways of...of responding to that situation and we should do so. We're not passing the law, so they can do it in any means that they feel...and I'm sure that I have the confident of the delegation from the State of Illinois and around the country to vote on and enact some measures that will take some serious action of this...this country being a leader in the world and speaking out in...and denounce the deplorable conditions that exist in countries like...places like Ethiopia and South Africa.

PRESIDENT:

All right, the lady has sought leave to be added as a cosponsor of Senate Resolution 40. Is leave granted? Leave is granted. Further discussion? Senator Fawell.

SENATOR FAWELL:

Yes, thank you, Mr. President. You know, I...I do feel some of that...that language is objectionable, Senator Kelly. I didn't quite understand what you were talking about us being alienated. Could you...could you read that...that phrase again? Something about being alienated or...or causing the people to be alienated or...

PRESIDENT:

Sponsor indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Okay. Under the fourth whereas, it says, "The American people have become alienated as the result of the lack of concern shown to our citizen as well as to the hungry people of countries such as Ethiopia where starvation has become the accepted way of life for many."

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Senator Kelly, I don't know about your side of the aisle, but it seems to me that our side of the aisle has always been very concerned about the hungry and...and I really object to that language. I mean, I don't know what people you're talking about don't give a darn, but...but it seems to me that that language is rather inflammatory and...and, you know, I personally would like to see a copy of the...of the resolution, and I would hope four of my colleagues would join with me and let's get a copy and take a look at this thing.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I was just about to turn my light off. I'm...I'm concerned only about the...the language of the military and I...I don't quite understand why that's in there.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'm...I'm going to take this out of the record and I also intend to eliminate some of these whereases and hopefully...hopefully get everybody in this Body to support this resolution. Thank you.

SB 120 2nd Reading

PRESIDENT:

All right. Take it out of the record, Mr. Secretary. We are now...now having been...been on record in favor of starvation and against the military, we'll move on. On the Order of...page 2 of the Calendar, on the Order of Senate Bills 2nd Reading, we'll go down the list. 29, Senator Joyce. 39, Senator Hall. 50, Senator Sangmeister. 105, Senator Bloom. 120, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 120. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 120.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 132, Senator Luft. 139, Senator Rock. Read the bill, Mr. Secretary, please. Senator Carroll, with leave of the Body, will handle that...for me.

SECRETARY:

Senate Bill 139.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

Committee Amendment No. 1. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a...is to correct a technical error in the title of the bill to reference the correct Public Act and I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 139. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is an amendment to the State Board of Education's budget. This is based on its revised estimate of claims from local districts in the regular and special education funds. This would, therefore, because of the change, allow a freeing up of some eleven million four hundred thirty-two thousand which may now be allocated elsewhere in the budget. It is our proposal through Amendment No. 2 to therefore take all those special categoricals which we could not fund at the end of June of last year at a hundred percent level but had to, because of a lack of dollars, fund at less than a hundred percent and move those categories up to one hundred percent so that Special Ed., Extraordinary Orphanage Personnel, Private Tuition, Transportation would be funded at a hundred percent along with Voc. Ed. and downstate and Chicago Bilingual Gifted and Textbook reimbursement. I would move adoption of Amendment No. 2 which would reallocate the eleven million four hundred thirty-two thousand freed up in the State Board of Education's budget.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 139. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

Yes, there is a Floor amendment.

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of the Office of the Governor there are three items that need funding as quickly as possible. One is to increase the appropriation on some fifty million dollars for the Lottery Fund for payment of prizes. That fund which we appropriate has run out of appropriation authority, so that if there is a major win in the lottery there would not be the money available to pay them by appropriation though the cash would be there. The second would be...be nine hundred twenty-five thousand for Federal Energy Grants for the poor who are in need of energy assistance. That amount was down to some four thousand dollars in the fund. There is nine hundred and twenty-five thousand of Federal money available that we need to get into the mainstream as quickly as possible. And the third is for Energy and Natural Resources to allow for a study for the super conducting super collider at Fermi Laboratory in Batavia. They need to get that underway by April 1st and this would be the funding mechanism for that. I would move adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 139. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor of the amend-

ment yield to a question?

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

The last portion that he just mentioned as for as making appropriation to the Department of Energy and Natural Resources to hire a consultant, is that five hundred thousand dollars for a consultant?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Lechowicz, that is. That was the request that was made in the Governor's supplemental for five hundred thousand for the consultant for the consideration of siting the super conducting super collider. Now, I cannot answer what the super conducting super...collider is, but the institute that gets the contract is Illinois Institute of Technology, IIT, is writing the proposal.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I totally concur with the concept and the necessity of trying to get that site into Illinois, I just wanted to point out that we're talking about five hundred thousand dollars in General Revenue Funds for a consultant. Now, I thought that was...IIT was working with the Governor's Office and also the group of businessmen that he has assembled to lobby Washington in reference to trying to get this site approved here in Illinois. And is this...have any...is any portion of the five hundred thousand dollars going to be used for that purpose?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes. It is my understanding...and, again, this the request of the Governor not of us, but it is my understanding that the funds will be used for IIT to do the study necessary to make the proposal to the U. S. Department of Energy to consider Fermi for this seventy-mile circumferenced super collider that allows the neutrons and protons to get together.

PRESIDENT:

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, these are obviously items I think that were stripped out of Senate Bill 173 and they obviously are items of importance. But I would just remind the Body and those interested in the question that 173 has a number of items left in it that I think are of...of some time...tight time frame. I think immediately of the money involved for the Southworks in Chicago, the steel plant there that's been shut down, trying to get something moving there. I believe there's some unitary tax money in there owed to taxpayers of this State who will not receive their money because we're not moving at a...a fearfully fast rate, and that bill has any number of things in it that it was a...a...I agree that some of it is not of an emergency nature but we should not allow that bill to languish an undue time. We're going to be gone next week, I think we are making a little bit of a mistake that may come back to haunt us.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I rise in support of this motion. That five hundred thousand dollars is a drop in the bucket to what the other states are...are spending as far as trying to get that super conductor. If we can manage to get it, we will be talking somewhere in the...in the area

of three to four billion dollars worth of jobs brought to our State. There are some bourns that have to be made, there are some...some calculations that have to be done so we can present a...a picture that is a...a whole and pristines to our...to our governors and to our...to our President, and I certainly would hope that everyone would...would see the wisdom of voting for this amendment.

PRESIDENT:

All right. Any further discussion on Amendment No. 3? If not, Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 139. No further discussion? All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 145, Senator Carroll. 160, Senator Welch. On the Order of Senate Bills 2nd Reading, bottom of page 2, is Senate Bill 160. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 160.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 167, Senator Carroll. 168, Senator Carroll. Resolutions.

SECRETARY:

Senate Resolution 59 offered by Senator Macdonald and its congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 274 introduced by Senator DeAngelis.

(Secretary reads title of bill)

275, by the same sponsor.

(Secretary reads title of bill)

276, by Senators Donahue and Demuzio.

(Secretary reads title of bill)

277, by Senators Marovitz, Barkhausen and Netsch.

(Secretary reads title of bill)

278, Senator Marovitz.

(Secretary reads title of bill)

279, by Senator Coffey.

(Secretary reads title of bill)

Senate Bill 280, by Senators O'Daniel and Poshard.

(Secretary reads title of bill)

281, by the same sponsors.

(Secretary reads title of bill)

282, Senator Poshard.

(Secretary reads title of bill)

283, Senator Macdonald.

(Secretary reads title of bill)

284, the same sponsor.

(Secretary reads title of bill)

285, Senator DeAngelis.

(Secretary reads title of bill)

286, Senator Barkhausen.

(Secretary reads title of bill)

287, Senators Demuzio and Poshard.

(Secretary reads title of bill)

288, Senator DeAngelis.

(Secretary reads title of bill)

289, by Senators Kustra, DeAngelis, Dudycz and others.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I would...thank you, Mr. President. I would like to add...Senator Lechowicz and Senator Vadalabene as cosponsored to Senate Bill 8. I...I'm sorry, Senate Bill 7. And I would like to rerefer Senate Bill 7 from...Higher Ed. to the Senate Executive and Veterans' Affairs Committee. This is with the agreement of Senator Newhouse who is the chairman of Higher Ed. and Senator Lechowicz who is the chairman of...of Senate Executive Appointments.

PRESIDENT:

Well, that...that motion is out of order until the chairman of Assignment of Bills Committee takes a look at that. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, to request leave of the Body, which I have already obtained from Senator Jeremiah Joyce, to be added as a cosponsor on Senate Bill 36, please.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor on Senate Bill 36. Without objection, it's so ordered. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, thank you, Mr. President. I have spoken with Senator Savickas who is the chairman of the Committee on Assignment, and Senate Bill 263 that was introduced this morning, the emergency farm credit bill, was assigned to the Senate Executive Committee and he has agreed that that bill should go to the Senate Ag. Committee. So my motion would be to discharge the Committee on the...Senate Executive Committee of further consideration of Senate Bill 263 and ask that that bill be rereferred to the Senate Ag., Conservation and Energy

Committee.

PRESIDENT:

All right. Senator Demuzio has moved that the Senate Executive Committee be discharged from further consideration of Senate Bill 263, that the bill be rereferred to the Senate Committee on Agriculture. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and its so ordered. Senator Demuzio.

SENATOR DEMUZIO:

Yes, because of the emergency nature of Senate Bill 263 and the emergency farm credit, I have asked Senator Joyce, who is the chairman of the Senate Ag. Committee, if it might be possible to have a emergency hearing on this bill tomorrow, and he has indicated that he intended to do that. And, therefore, I would ask that the appropriate rules be waived that Senate Bill 263 could, in fact, be heard...tomorrow at eleven o'clock on the Senate Floor in the Committee on Agriculture, Conservation and Energy.

PRESIDENT:

All right. The motion is to waive the appropriate posting notice and the other rules and call for an immediate hearing tomorrow morning in the Senate Agriculture Committee on Senate Bill 263. Any discussion on that motion? All right. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The...the rules are suspended and Senate Bill 263 will be heard in the Senate Agriculture Committee tomorrow morning at eleven o'clock here on the Senate Floor. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to be added as a hyphenated cosponsor of Senate Bill, was it 263? Could I have leave of the Body to do that?

PRESIDENT:

The...the farm bill.

SENATOR WATSON:

Yes.

PRESIDENT:

263. The gentleman seeks leave to be added as a cosponsor. Is leave granted? Leave is granted. Senator Netsch, for what purpose do you seek recognition?

SENATOR NETSCH:

At the appropriate time, I have an...an announcement about the Revenue Committee.

PRESIDENT:

All right. We're just about finished here. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution No. 60 offered by Senators Jerome Joyce and O'Daniel.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would move to suspend the rules for the immediate consideration of...Senate Resolution No. 60.

PRESIDENT:

The gentleman has sought leave to suspend the rules for the immediate consideration of Senate Resolution 60. Any discussion on the motion to suspend? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Before the Body now is Senate Resolution 60, Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. It's a short resolution and I'll read it. It...it also is dealing with the farm credit problem and this says,

(Senator Jerome Joyce reads SR 60)

PRESIDENT:

All right. Senator Joyce has moved the adoption of Senate Resolution 60. Any discussion? Senator Netsch.

SENATOR NETSCH:

One question, the...that bill, as I understand it, Senator Joyce, is on the...is on the President's Desk right now. Is that correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct. It passed...well, as a matter of fact, it's supposed to be going to the President's Desk today. It is going through the House.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, I realize I do not represent the largest agricultural Senate district in the State of Illinois, although we do have a lot of window boxes in some of our apartment buildings. But, it seems to me that anyone who is an Illinoisan is totally aware of how dependent this State is on agriculture. The farm credit bill that was passed is critical not just to our farm community in the State but to all of us in the State. And it seems to me that not only should this resolution pass but that it ought to be...the resolution ought to be marched right down to the Governor's Office on the second floor and he ought to be asked to get on the telephone, like this afternoon, and talk to the President. He was, after all, as the resolution indicates, the...the President's Campaign Manager in Illinois and he often tells us how he is able to talk to the President about very sensitive issues. I cannot think of an issue more sensitive, and it seems to me all of us as representatives of the entire population of the State ought to encourage, indeed urge,

beseech the Governor to get on the telephone today and talk to the President about this bill. I would strongly support the resolution and would ask that it be carried downstairs.

PRESIDENT:

Further discussion? Senator Joyce has moved the adoption of Senate Resolution 60. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate? Senator Hall.

SENATOR HALL:

I'd like to announce that the Appropriation II will meet immediately. It's going to be very short.

PRESIDENT:

Appropriations II immediately in Room 212. Senator Netsch.

SENATOR NETSCH:

Thank you. The Revenue Committee was scheduled for 10:00 a. m. tomorrow morning. There are several briefings on the Governor's Budget that are scheduled at...one at nine-thirty and one at ten and covering all the members of the Revenue Committee, and it occurred to me that the members would like an opportunity to participate in those briefings. What we have done, and this is with Senator Etheredge's concurrence, is as follows. The Revenue Committee will meet at eleven o'clock tomorrow. Director Johnson will be before us for several of the items that we have asked him to report on, including an update of the amnesty program. We will not hear any of the bills tomorrow, we will not have time in that hour's period, and we will reschedule that meeting for Tuesday the 19th when we return at four o'clock in the afternoon. We will meet again at eleven for the purpose of hearing Director Johnson and those matters that we have asked him to report to us on. Thank you.

PRESIDENT:

Further announcements? Senator Collins.

SENATOR COLLINS:

Yes, I...I would like to announce that the Labor Committee will meet immediately following the Session, and we should be about five minutes. If you hurry to the Stratton Building, A-1, you should be out of there in five minutes. But, please, all of the members, I would like very much for you to be there.

PRESIDENT:

All right. Labor and Commerce immediately upon adjournment in Room A-1. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. The Elections and Reapportionment Committee will have a meeting tomorrow morning at 10:00 a. m. in Room A-1. Appreciate very much the members attending that and the sponsors, of course, of their legislation. Thank you.

PRESIDENT:

All right. That's four...three committee meetings tomorrow morning plus the briefing. Do not forget the Joint Session at noon. Senator Luft moves that the Senate stand adjourned now till Wednesday, March 6th, at the hour of eleven forty-five. We'll come in at quarter to twelve and go over to the House at noon for the Joint Session. The Senate stands adjourned until eleven forty-five tomorrow morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

March 6, 1985

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Charles Kyle, St. Francis Xavier Church, Chicago, Illinois. Father.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Thursday, February the 21st, 1985.

PRESIDENT:

Senator Poshard. Wait a minute. Wait a minute. Hold it. Hold it.

SENATOR POSHARD:

(Machine cutoff)...additions or corrections to offer.

PRESIDENT:

All right. You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the reading and approval of the Journals of Wednesday, February 27th; Thursday, February 28th and Tuesday, March 5th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right. You've heard the motion as placed by Senator Poshard. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. (Machine cutoff)...Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Purpose of an announcement. Would the record show that

Senator Smith is absent due to illness. She was in a car accident and she won't be in this week.

PRESIDENT:

All right. The record will so indicate. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Mr. President, I would like to add Senator Hudson on as a hyphenated cosponsor of Senate Bill 107. I'm the principal sponsor.

PRESIDENT:

All right. The lady seeks leave to have Senator Hudson added as a cosponsor of Senate Bill 107. Without objection, leave is granted. All right. The hour has arrived for the Joint Session for the purpose of the budget recommendations. We will stand formally in Recess until immediately after the Budget Message, and I'd ask the members to please return immediately to the Chamber after the message. We have some business to conduct and we can, I hope, handle it with some dispatch to get out of here early. Senator Philip, I'm sure you're aware, is up at Mayor Usher's funeral, and he will be returning about one o'clock. So we will go immediately over to the front door of the House and seek admittance. The Committee on Escort for...to escort the Governor will be Senators Carroll, Hall, Welch, Senators Donahue and Davidson. Donahue, Davidson, Welch, Hall and Carroll. If you'll meet the Governor at the front door and escort him in and out. We'll stand in Recess...for the purpose of the message. I'd ask the members to go immediately over to the House.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Message from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard,...Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named person to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee assigns the following Senate bills to committee:

Appropriations I - 276; Elementary and Secondary Education - 279 and 287; Executive - 278; Insurance, Pensions and Licensed Activities - 280 and 282; Judiciary I - 286; Judiciary II - 277; Local Government - 274, 275, 281, 283, 284, 285 and 289; Revenue - 288.

Senator Kelly, chairman of Elections and Reapportionment, reports outs the following Senate bills:

40, 123 and 180 with the recommendation Do Pass.

Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy Committee, reports out the following Senate bill:

263 with the recommendation Do Pass as Amended.

Senator Hall, chairman of Appropriations II Committee, reports out the following Senate bills:

1, 134, 174 and 175 with the recommendation Do Pass.

PRESIDENT:

Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption...of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 2.

PRESIDENT:

Executive Committee. Resolutions.

SECRETARY:

Senate Resolution 61 offered by Senator Davidson and all Senators, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution No. 19 offered by Senator Chew...(Machine cutoff)...Joint Resolution 19 offered by Senators Chew and Rock.

PRESIDENT:

Executive. Introduction of bills.

SECRETARY:

Senate Bill 290 introduced by Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 291, by Senator Welch.

(Secretary reads title of bill)

292, Senator Jerome Joyce.

(Secretary reads title of bill)

293, Senator D'Arco.

(Secretary reads title of bill)

294, by Senator Mahar.

(Secretary reads title of bill)

295, by Senator Marovitz.

(Secretary reads title of bill)

296, by Senators Mahar, Dudycz and others.

(Secretary reads title of bill)

Senate Bill 297, Senators Watson and Barkhausen.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator DeAngelis as a hyphenated sponsor to Senate Bill 132.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request to add Senator DeAngelis to...as a principal cosponsor of Senate Bill 132. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Resolution No. 20 offered by Senator Rock.

(Secretary reads SR No. 20)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Joint Resolution 20 is the adjournment resolution. When we conclude our business today, and I hope very shortly, it calls for us to return to Springfield on Tuesday, March the 19th, at the hour of noon. We will not be here next week at all. The 19th of March. So I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 20.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 20. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution No. 20. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Mr. Secretary, with leave of the Body, we'll go to the Resolu-

tions Consent Calendar. Leave granted? Leave is granted. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, have there been any additions to the Resolutions Consent Calendar that's been printed?

SECRETARY:

Senate Resolution 61 was added.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is that congratulatory?

SECRETARY:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll add Senate Resolution 61 to the Resolutions Consent Calendar. Is leave granted? Leave is granted. Senator Poshard now moves the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is...is adopted. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank...thank you, Mr. President, Ladies and Gentlemen of the Senate. With leave of the Body, I'd ask that we go to the Order of Senate Bills 3rd Reading. Senate Bill 139 contains a number of appropriations of an emergency nature, and I am told also that they are without objection. And I think in order to move the process along, the State Treasurer has indicated that the amount appropriated for him is of an emergency nature as is the lottery money which was added by amendment by Senator Carroll yesterday. So with leave of the Body, I'd like to go to that order and get that bill out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to Senate bills on...on 3rd reading. Is leave granted? Leave is granted. Mr...Secretary, on page 2 is Senate Bill 139. Read the bill.

SECRETARY:

Senate Bill 139.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 139 is a supplemental appropriation and as amended it would appropriate fifty-one million four hundred and forty thousand dollars; fifty million of which is for lottery prizes, which the superintendent tells us he needs in hurry. There's a five hundred thousand dollar appropriation to begin the commitment to the super conductor, super collider. There's a nine hundred thousand dollar appropriation to the Department of Energy and Natural Resources for homeowner loans, and the bill as it started out, the main provision, obviously, is the fifteen thousand dollar appropriation to pay the interest on the coal development bonds which the Treasurer says he needs by the middle of April. And additionally, we have taken an eleven million dollar amount that the State Board of Education suggested could be reallocated and we have reallocated that...along the lines for the categorical grants so that they are in fact each will be funded at a hundred percent. I know of no objection and I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall Senate Bill 139 pass. Those in favor will

vote Aye. Those opposed vote Nay. The voting is open. Senator Rock. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are none, none voting Present. Senate Bill 139 having received the required constitutional majority is declared passed. All right. With...all right. With leave of the Body, we'll return to introduction of bills. Is...leave granted? Leave is granted. Introduction of bills, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 298 introduced by Senators Karpiel, Philip, Mahar and others.

(Secretary reads title of bill)

299, by Senators Berman, Darrow and Marovitz.

(Secretary reads title of bill)

300, by Senators Marovitz, Geo-Karis, Lemke, Topinka and others.

(Secretary reads title of bill)

301, by Senators Berman and Darrow.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask...excuse me. To ask for excuse for Senator Geo-Karis who is convalescing at home from the aftermath of pneumonia and expects to be here when we come back in the middle of March.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so indicate. Further business to come before the Senate? Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Geo-Karis is home from the hospital and convalescing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so show twice. Any further business to come before the Senate? All right. Senator Rock moves that the Senate stand adjourned till the hour of twelve noon, March 19th. Whoops...Senator Rock. Senator Rock...

84TH GENERAL ASSEMBLY

REGULAR SESSION

MARCH 19, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend Samuel Pusateri, St. Bede's Abby, Peru, Illinois.

REVEREND SAMUEL PUSATERI:

(Prayer given by Reverend Pusateri)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, February the 27th; Thursday, February the 28th; Tuesday, March the 5th and Wednesday, March the 6th, in the year 1985.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate...excuse me...the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 38, 39, 69, 71, 88, 116, 137, 167, 212, 223, 252, 253 and 284.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate

the House of Represenatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 15, 16, 17, 18 and 19, all congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate...the following resolutions are all congratulatory or commendatory.

Senate Resolution 62, by Senators Nedza...Senator Nedza and all Senators.

Senate Resolution 63, by Senator Davidson and all Senators.

Senate Resolution 64, by Senator Lemke.

Senate Resolution 65, by Senator Lemke.

Senate Resolution 66, by Senator Lemke.

Senate Resolution 67, by Senator Lechowicz.

Senate Resolution 68, by Senator Lechowicz.

Senate Resolution 69, by Senator Luft.

Senate Resolution 70, by Senators Davidson and all...Senator Davidson and all Senators.

Senate Resolution 71...by Senator Dawson.

Senate Resolution 72, by Senator Vadalabene.

Senate Joint Resolution 21, by Senator...Topinka.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution Constitutional Amendment No. 22 and Senate Joint Resolution 23.

PRESIDENT:

Executive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Netsch rise?

SENATOR NETSCH:

Thank you...thank you, Mr. President. Just while we are in limbo, if I might take care of a housekeeping matter, with the permission of the sponsor, I would like to be shown as a hyphenated cosponsor of Senate Bill 249.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Any discussion? If not, those in favor indicate by saying Aye. Those opposed. The motion carries. What purpose Senator Vadalabene rise?

SENATOR VADALABENE:

Yes, since there's a little pause in the action here, I would like to have my name removed from Senate Bill 233 and Senate Bill 101, and I would like to be put as the sponsor on Senate Bill 263. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carried. Senator Vadalabene, on 263, was that cosponsor or are you asking to be the chief sponsor?

SENATOR VADALABENE:

No, hyphenated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the membership for just a moment...thank you. There are a number of bills that have been filed for introduction and I think, next, we will go to that order to allow the members an opportunity to recognize the fact that it is St. Joseph's Day and in that spirit, Senators Nedza and Lechowicz and Lemke and others have provided...what should I say, St. Joseph Fair. A St. Joseph table for...to which they invite everybody to partake. They are cooking...for those of you haven't been in the back

of the Chamber, they are cooking in my office and you can't miss the...aroma. So, that I'd suggest during the course of the introduction...and please don't leave yet, during the course of introduction, you may want to go back and avail yourself of their hearty fair and grab a sandwich. Then, we will go to the Committee of the Whole. Senator Berman and Senator Maitland have a number...I guess two, at least, witnesses who are prepared to discuss educational reform and respond to your questions. Allow me, if I can get their...their attention, Mr. President, allow me to say I apologize for starting late. I just returned from Detroit where I was privileged to be a member of a delegation meeting with the chairman of the board of General Motors and the new president of the Saturn Corporation; and as one of sixteen individuals representing business and labor and government and politics in this State, we left for Detroit at seven-thirty this morning and just returned, and I...had the opportunity to represent all of you and I will share with you, obviously, this afternoon the written materials which were presented, but I think it's fair to say that we were extremely well received. The group was called together by Dan Rostenkowski...Congressman Rostenkowski who is the chairman of the Ways and Means Committee and we had the presidents of banks and utility companies and Representative Daniels and I...from the House represented the General Assembly and Director Woelffer flew back from China to represent the Governor; and I think, in general, we visited with the GM people for in excess of an hour and toured their newly automated and newly built plant in Detroit, and I think we made a presentation, the likes of which, at least in Chairman Smith's words, he had not received from anyone, and I think the array of people that were assembled and each of us had something to say truly impressed them. Our information is that they will be prepared to make an announcement...final

selection, if you will, in mid-June or certainly by the first of July. So, I think I can represent without fear of contradiction to all of you that our State has been very ably represented. We have presented the hard data to them in terms of tax advantage and tax incentive and programs we are prepared to move forward with, obviously, stressing the centrist nature of our State in terms of transportation and energy resources. All in all, it was well received and I hope you will be hearing a lot more about it. They are most welcome, obviously. So, if we can, Mr. President, I think the proper moment is now for introduction; and on behalf of those who will be providing the food, I wish you all a very happy St. Joseph's Day and then we'll get on with the Committee of the Whole.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go to that, Mr. President, we do have Ann Fink and WICS, they request permission to tape the Senate Session today. Is leave granted? Leave is granted. We have Senator Newhouse that sought recognition. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I have asked permission of the sponsor of Senate Bill 191, Senator Netsch, and been granted permission to be a hyphenated cosponsor on that bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've...you've heard the motion. Is leave granted? Leave is granted. Senator Fawell.

SENATOR FAWELL:

Thank you. I would like to see Senator...Judy Barr-Topinka as cosponsor of Senate Bill 109...hyphenated with me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Topinka. She's not sure, Senator. Senator Demuzio. Senator Zito. Senator Zito, oh...

SENATOR ZITO:

Thank you, Mr. President. At the proper time, I'd ask leave of the Body to add Senators Kustra, Nedza, Vadalabene and Poshard as cosponsors of Senate Bill 172.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is leave granted? Leave is granted. Senator Smith.

SENATOR SMITH:

Yes, Mr. Chairman, I beg leave to ask that the name of Senator Emil Jones be placed as hyphenated sponsor on Senate Bill 75.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Senator Demuzio.

SENATOR DEMUZIO:

Yes, with leave of the Senate, I'd like to have Senator Dunn added as a hyphenated cosponsor of Senate Joint Resolution 9...hyphenated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've...you've heard the motion. Is leave granted? Leave is granted. Senator Fawell.

SENATOR FAWELL:

I'm sorry, would you...correct that to Senate Bill 107? Judy Barr-Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You...you've heard the motion. Senator Fawell seeks leave to have Senator Topinka placed on as a hyphenated cosponsor of Senate Bill 107. Is leave granted? Leave is granted. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to point out to the members of the Senate, on this St. Joseph's Day,... (Italian phrase)...and I just want to say that it's an extremely important Italian holiday, and I would like to add my name to this...this little circular that's being circulated around.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Your name will be added, Senator DeAngelis. Senator Newhouse.

SENATOR NEWHOUSE:

I just want to tell the Senator, I understood him a little better the first time around.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

...(foreign word)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 302, by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 303, by Senator DeAngelis and Nedza.

(Secretary reads title of bill)

Senate Bill 304, Senator Collins.

(Secretary reads title of bill)

305, by Senator Schuneman, Jones, Philip, DeAngelis, Weaver, Davidson and Schaffer.

(Secretary reads title of bill)

Senate Bill 306, by Senator Demuzio.

(Secretary reads title of bill)

307, by Senator Dudycz.

(Secretary reads title of bill)

308, Senator Schaffer.

(Secretary reads title of bill)

309, Senator Sangmeister and Barkhausen.

(Secretary reads title of bill)

310, by the same sponsors.

(Secretary reads title of bill)

311, by Senator Davidson.

(Secretary reads title of bill)

...313, by Senator Luft.

(Secretary reads title of bill)

Senate Bill 312, by Senators Demuzio, DeAngelis, Rock, Savickas, Chew, D'Arco, Luft and Vadalabene.

(Secretary reads title of bill)

Disregard that last 312.

Senate Bill 314, by Senators Mahar, Schaffer, DeAngelis, Karpiel, Schuneman, Coffey, Kelly, Maitland and Friedland.

(Secretary reads title of bill)

315, by Senators Mahar and Topinka.

(Secretary reads title of bill)

316, Senator Maitland.

(Secretary reads title of bill)

317, Senator Maitland.

(Secretary reads title of bill)

318, Senator Luft.

(Secretary reads title of bill)

319, Senator Luft.

(Secretary reads title of bill)

330, by Senator Luft.

(Secretary reads title of bill)

321, by Senator Vadalabene.

(Secretary reads title of bill)

322, by Senators Vadalabene and Holmberg.

(Secretary reads title of bill)

323, by Senator Vadalabene.

(Secretary reads title of bill)

324, by Senator D'Arco.

(Secretary reads title of bill)

325, by Senator D'Arco.

(Secretary reads title of bill)

326, by Senator D'Arco.

(Secretary reads title of bill)

327, by Senator Vadalabene.

(Secretary reads title of bill)

328, by Senator Vadalabene.

(Secretary reads title of bill)

329, by Senators Welch, Rock, Newhouse, Darrow and Holmberg.

(Secretary reads title of bill)

330, by Senators Rock and DeAngelis.

(Secretary reads title of bill)

331, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

332, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

333, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

334, by Senator Etheredge.

(Secretary reads title of bill)

325, by Senator Mahar.

(Secretary reads title of bill)

336, by Senator Coffey.

(Secretary reads title of bill)

337, Barkhausen.

(Secretary reads title of bill)

338, Holmberg.

(Secretary reads title of bill)

339, by Senator Holmberg.

(Secretary reads title of bill)

340, by Senators Berman and Rock.

(Secretary reads title of bill)

341, by Senators Geo-Karis, Lemke and Barkhausen.

(Secretary reads title of bill)

342, by Senators Demuzio, Rock, Savickas, Chew, D'Arco, Luft and Vadalabene.

(Secretary reads title of bill)

343, by Senators Netsch, Lechowicz and Degnan.

Committee of the Whole

(Secretary reads title of bill)

344, by Senators Netsch, Degnan and Lechowicz.

(Secretary reads title of bill)

345, by the same sponsors.

(Secretary reads title of bill)

346, by Senators Barkhausen and Carroll.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 73 offered by Senator Geo-Karis, congratulatory.

Senate Resolution 74, by Senator Kelly, congratulatory.

Senate Resolution 75, by Senator Macdonald and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 24 offered by Senators Kelly and Smith.

PRESIDENT:

Executive. Senator Coffey, for what purpose do you arise?

SENATOR COFFEY:

Thank you, Mr. President. I'd like to have leave to be added as a hyphenated sponsor on Senate Bill 262.

PRESIDENT:

262, the gentleman seeks leave to be added as a hyphenated cosponsor. Without objection, is leave granted? Leave is granted. All right, can we take the caucuses off the Floor and I'd ask the members to please take their seats. Senator Maitland, for what purpose do you arise, sir?

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate...of the Senate. I would...would move at this time that the Senate resolve itself into a Committee of the Whole.

PRESIDENT:

All right, Senator Maitland has moved that the Senate resolve itself into a Committee of the Whole for a special order of business, again, to consider the issues of education reform and education funding. Any discussion? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. I'd ask the members to please be in their seats...the members will please be in their seats. The Chair has requested of Senator Berman and Maitland that we attempt, at least, to hold this discussion at this time, there will be other opportunities...about an hour so that those of you who have committees and witnesses awaiting to appear figure on the committees starting around two-thirty. All right, the motion is carried. The Chair will now yield to the chairman of the Elementary and Education...Elementary and Secondary Education Committee of the Senate, Senator Arthur Berman. Senator.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the Committee of the Whole is now in order. Today we will be hearing reports on two...commission reports that have addressed the issue of education reform in Illinois, the Commission on the Improvement of Elementary and Secondary Education and the Illinois Project for School Reform. Following today's Committee of the Whole, we have two more Committee...of the Whole Sessions scheduled; one on March 26th where we will hear testimony from Reg Weaver, president of the Illinois Education Association; Bob Healy, president of the Illinois Federation of Teachers; Doctor Paul Young, president of...of the Illinois Association of School Adminis-

trators and Joan Leavy, president of the Illinois Association of School Boards and we will have a concluding Committee of the Whole meeting on April 10th. It is my pleasure at this time to introduce Senator John Maitland of the 44th District who was elected to the Illinois Senate in 1978. He is the Minority Spokesman on the Senate Committee on Elementary and Secondary Education and was a member of the Illinois Commission on the Improvement of Elementary and Secondary Education. He is vice-chair of the Agriculture Food Policy and Nutrition Committee of the National Conference of State Legislators. He is active in the...central Illinois as the president of the Illinois Wesleyan University Board of Directors and numerous other community and civic organizations. In 1984, Senator Maitland was presented with the Friend of Eduation Award and he did yeoman service on the Commission on the Improvement of Elementary and Secondary Education. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Senator Berman, my colleagues in the Senate. If "A Nation at Risk" did anything at all for this nation, it once again put education back on the front burner. For all too long the enthusiasm for education across this nation was dwindling and, indeed, the quality of education was dwindling also. That report called..."The Nation at Risk" report called for some far-reaching changes in education. As a consequence of that, the Legislature, the General Assembly of the State of Illinois, created Senate Joint Resolution 61, in 1983, to react to those charges, to build on what Illinois had that was very good in education and do away with what we had that was not very good. The commission set about the task of holding a number of hearings across the State and the report has been presented to the General Assembly. I'm proud to have served on that commission. I see the young people in the galleries today and I think about what

we...truly need to be committed to in...in Illinois. This year can be the year for educational reform. I am convinced of that. Senator Rock referred to the GM plant, the Saturn plant, the possibility of getting it in the State of Illinois. Just this morning, driving down here, the president of GM said on the radio that tax incentives weren't the only determining factor for coming into a state. The quality of their educational program was a part of this decision making process also. Yes, 1985 can be the year for educational reform. We're proud and pleased to present this report to you this afternoon, allow you to view it and listen carefully to it and, hopefully, this will be the year for reform in Illinois. Thank you, very much.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Senator Maitland. At this point, I wish to introduce our colleague, Senator Joyce Holmberg of the 34th District who was elected in November of 1982. She is the vice-chair of the...Senate Committee on Elementary and Secondary Education and serves on the Committees of Higher Education, Local Government and both Appropriations Committees. For the 1985 Session, she will also serve as vice-chair of the State Infrastructure Committee. She is also a member of the Legislative Study Group of Children and Family, the Committee on the Status of Women and Council of Women Legislators. She has worked ardently on behalf of the report of the commission and I'm pleased to present at this time for remarks, Senator Joyce Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. Chairman, colleagues. As a member with Senator Maitland on the Commission on the Improvement of Elementary and Secondary Education, I had the privilege of serving with other colleagues here in the Senate; Senator Davidson, Senator Etheredge, Senator Newhouse and, of course, Chairman Berman who co-chaired, with Representative Dick

Mulcahey, the commission which so ably brought its report to all of you. I think one of the significant things about the commission is the makeup of the commission as it was voted in the Senate resolution. The twenty members, I think, represent some of the most significant thinking in education in the State. Senator Rock, as President of the Senate, and Speaker Madigan chose the educational leadership of the Senate and the House. Representative Gene Hoffman, head of the School Problems Commission, chose five members of the School Problems Commission and Governor Thompson had the foresight to pick some very creative members with his choices; such as, Sarina Bellmann, the issues analyst of Illinois Bell; Doctor Bob Goodall, who is head of in-service training at Illinois State University; Doctor Orley Herron, the president of the National College of Education; Bud Thompson, from the State Board of Education and Reg Weaver, head of the IEA. Those members worked very diligently. Beginning September 1st, 1983, they decided to hold thirteen commission hearings around the State in Springfield, Grayslake, Carbondale, Glen Ellyn, Moline, Champaign, Flossmoor, Rockford and several in Chicago. This was a key decision because I have long felt, as did the members of the commission, that the schools belong to the people. So, when you're talking about improvement and you're talking about reform, it's time to go to the people. What we did is we went in a body and it was not uncommon to see fifteen to eighteen of the twenty members at any given hearing, and when we...were in a school auditorium, the auditoriums would be packed and the commission members were curtain to curtain on the stage. We then met to write the document together, and Serina Bellmann gave us a great deal of help, and word for word, we approved the wording based on what we had heard from the public. What had happened over those one and a half years is that we had been able to absorb and then finally

articulate what the public had told us; and, basically, in this document, we have made them an offer they can't refuse, because we have given to them what they told us, and I think we should be able to win the public and all of your constituents' support in the funding of what is needed in the way of improvement of education. It's a consensus document, it's a strong foundation upon which the Senate can build its work in education this year and I, like Senator Maitland, support the commission report.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Senator Holmberg. There has been distributed to all of the members of the Senate the report of the Illinois Commission on the Improvement of Elementary and Secondary Education. The resolution which created the commission called on the State Board of Education to provide the necessary staff support for the commission's deliberations. Mrs. Gail Lieberman served as the contact person for the Illinois Commission along with other persons on the staff of the State Board of Education, but Gail did a yeoman job in organizing and carrying out all of the staff duties, ninety percent of it, for the commission. She has been with the Illinois State Board of Education since 1971, was a teacher prior to joining the State agency. All of us on the commission have saluted Gail for her dedication and talent, and I'm very pleased to introduce her to the Senate today to present the report of the Illinois Commission on the Improvement of Elementary and Secondary Education. Gail Lieberman.

GAIL LIEBERMAN:

Mr. Chairman and members of the Senate, thank you for the opportunity to present information today about the Illinois Commission. As a member of the State Board of Education, I was assigned to assist the commission with the implementation of Senate Joint Resolution 61. Senator Maitland has already noted the need for and the background of the commission.

Many of the conditions deplored in the national reports have already begun to improve. The real issue, therefore, is not the rising tide of mediocrity, since that tide has already begun to recede, but rather, what we must do to build on the schools' recent start toward self-improvement. Senator Holmberg noted the public hearings. The public was asked to address select theme questions and those questions were key. They were: How adequate are the State's expectations for instructional standards and pupil performance across all ages? How should time in school be specified to assure effective instruction and meet our expections? How can we recruit, educate, retain and reward more good teachers and educational administrators? and finally, How can we assure that our schools are adequately preparing youth for higher education and/or the public/private employment sector? The State's responsibility to adequately fund public education was of concern to all of the members. Discussion of school finance, however, was deferred in order to have the recommendations for improvement drive the need for school finance. Upon completion of the hearings, the commission reviewed the testimony received from the public. The testimony, as you've heard from Senator Holmberg, reflected the care and concern of Illinois citizens about the quality of education in our State and their desire to be involved in the process of improving education for all school children. The commission recognized there would be a price tag to the recommendations and discussed the fact that future support for public education, both financial and political, would depend, in large part, on public education's willingness to assume a greater level of accountability. The hearings were open, yet certain points of view were specifically solicited, hoping to hear from the business and education and instructional community, the university sector, parents and a number of others. The commission heard from more than three hundred and fifty

groups and individuals which represented many Illinois citizens. Those who participated, as you heard described, in these open dialogues realized soon that they were give-and-take and not just a usual hearing and the opportunity for questions by all the commission members was present. You as members of the Illinois Senate also heard from the commission periodically. There were individual letters to all of you last March regarding the mid-point status and progress and then again later on regarding the preliminary and final report. After the initial round of hearings, members deliberated on the theme questions I mentioned earlier and then the public recommendations. The result last July was a document called, "Excellence in the Making: A Preliminary Report" and the document was circulated widely. Following that document's distribution, two more public hearings were held in Springfield and Chicago in order to obtain citizen comment on those preliminary recommendations and, finally, to hear suggestions on school finance. The mission, as mentioned by Senator Maitland, was to report findings and suggest necessary legislation to improve education in Illinois. After fourteen public hearings, a preliminary report and much deliberation, you now have that final report, "Excellence in the Making." The suggestions for necessary legislation are embodied within that report. Let me share with you some of the specific findings and recommendations. In traveling throughout Illinois the commission heard that the quality of our State's public school system must be significantly improved, and that we must renew our commitment to excellence in education. Towards that end, it has fashioned recommendations in three areas: instructional programs, personnel and organization of the schools. The recommendations will require action, as specified in the report, by the State and/or by local school district. The major recommendations are: students will

demonstrate academic proficiency at grades three, six, eight and ten, according to State criteria; the school district will regularly and thoroughly evaluate and assist teachers in their teaching role; teacher salaries will be raised in order to both retain current competent staff and attract new and capable beginning staff; and that administrators must meet standards for...recertification every five years. The commission feels that the ability of the State to establish reasonable goals for schooling is perhaps the most important contribution it can make to the improvement of student learning. There is dissatisfaction with Illinois' present system of setting educational priorities only through course requirements or mandates for schools. The present system fails to clearly outline the State's compelling interest in education. Commission members believe that schools must be held accountable for the academic progress of students. The commission recommends: identifying the primary purposes of schooling and the use of resources consistent with this purposes; requiring local assessment systems and public reporting; encouraging full day kindergarten programs; having programs to prevent at-risk youth from dropping out and expanding options for high school pupils who don't adjust to the regular school program; and having a process to commend those top-achieving school districts in Illinois. With regard to specific personnel recommendations, the commission feels that you improve the quality of education by starting with those who provide the service. It recommends: requiring staff development programs and continuing individual professional education for all teachers and administrators; requiring administrative recertification every five years; supporting scholarships and internships for women and minorities in administration; raising the statutory minimum salary for beginning teachers to twenty thousand dollars by 1987-88 and also improving the salaries to retain current competent

teachers; developing a recognition process for outstanding staff performance; meeting performance requirements in basic skill areas prior to entering teacher training; passing an examination prior to receiving initial certification; establishing criteria for regular evaluation of all personnel; training administrators regarding effective personnel evaluation and remediation processes; and awarding scholarships in the areas of teacher shortages. One of the many national reports viewed by commission members was called, "Beyond the Commission Reports: The Coming Crisis in Teaching." That document opened with the following want ad. "Wanted: College graduate with academic major, masters degree preferred. Excellent communication and leadership skills required. Challenging opportunity to serve a hundred and fifty clients daily, developing up to five different products each day to meet their needs. This diversified job also allows the employee to excercise typing, clerical, law enforcement and social work skills between assignments and after hours. Adaptability helful, since suppliers cannot always deliver goods and support services on time. Typical work week forty-seven hours. Special nature of work precludes fringe benefits such as lunch hour or coffee breaks, but the work has many intrinsic rewards. Starting salary twelve thousand seven hundred dollars, with a guarantee of twenty-four thousand dollars after only fourteen years." The conditions described in this want ad depict many of our current teaching assignment and the commission echoes those who say that a society that generally fails to adequately pay members of the teaching profession is implying that that occupational class which educates our children is of less importance than other professions. The report also stresses a need for Illinois school districts to provide a more efficient operation of local schools. This was a familiar theme to many of the members. The allocation of responsibilities among the various

levels of the educational system is unnecessarily confusing and contributes to inefficiency in the planning and delivery of education. Consolidation and streamlining of regional structures would be in the interest of local school district. The report recommends reviewing and proposing a more productive service delivery system; local review of local school size and district organization; recognizing effective schools; and a local review of the school day and year to maximize time available and emphasize academic learning. In summary, the commission concludes that the State Board of Education should prepare an annual report to the General Assembly and Governor on the status of education in Illinois, specifically identifying problems and recommending solutions; and that the commission should reassemble in three years to assess the outcome of these recommendations and comment to the General Assembly, Governor and the public. These recommendations and much more are contained in "Excellence in the Making," and I'd ask, if the Pages haven't done so already, to make sure that the copies of the report are distributed. The report was issued in January of 1985 to each of you, individually, and to Governor Thompson, and then released to the general public. To date, more than fifteen thousand copies of the report have gone out, plus over a hundred copies of the half-hour videotape on the commission. Let's talk about money. The commission asked staff to cost out the recommendations. Staff of the State Board of Education presented a lengthy paper and reviewed with the commission the items and assumptions behind Appendix E which is the cost chart located near the end of the commission report. The commission also heard from the Bureau of the Budget and the Economic and Fiscal Commission, and staff of the General Assembly Revenue Committees were also asked to prepare information on potential revenue options. The commission, with that background information, now has estimates of the

necessary costs. Without reprioritizing local and State activities or funds, it will take an additional two hundred and twenty-five million in Year One at the State level for these reforms. It was acknowledged by all that the State will need to raise additional revenue. The commission recommends increasing the income tax to a level required for the support of these educational reforms. It recommended no specific amount of increase. The media has covered well the various reform reports, beginning with "A Nation at Risk" and accelerating the pace of information to the public. Coverage at the local and national level on the rising tide of reports is making the public aware of issues in instructional reforms, personnel and school finance. One of the latest educational pieces was a series of editorials by the Chicago Tribune. The first editorial opened with: "If Illinois' public schools are ever going to improve, this is the year to set changes in motion." The final editorial in the series of four concluded with: "The danger is that in its eagerness to avoid increasing income taxes, the General Assembly will settle for raising teachers' pay in exchange for only token reforms. The extra money will sink into salary scales and nothing will change. That would be a dismaying waste of the efforts of thousands of committed people who have worked on the reform reports, of public sentiment for education change and of the irreplaceable years in the lives of children who depend on the public schools for their future." The commission's report was entitled "Excellence in the Making." That title was also the result, like the recommendations, of much discussion and reflects the perception that Illinois education is good and could be better. The report began with a quotation from John Gardner. Let me end with one now. He noted that, "Those who achieve excellence will be few at best," but added that, "many more can achieve it than do now," and that society benefits not only from those who

achieve excellence but also from those who strive for it. It was the commission members' hope that the General Assembly could work towards a single major package on educational improvement between January and June. Members have pledged their effort towards that goal, towards excellence in education in Illinois. The commission urges you to seek meaningful educational improvement in Illinois. It's time to stop talking. It's the season of decision. Thank you for the opportunity...to present today.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Gail. What...because of our time restrictions, I'm going to ask Gail to stand by and have the report from Doctor Bakalis and then we'll open it for questions for either or both of the presentors. Doctor Michael Bakalis has had a distinguished career in education and government affairs. He served as Superintendent of Public Instruction from 1970 to 1974, State Comptroller from 1976 to '78 and was a candidate for Governor in 1978. In...in addition to a distinguished career in teaching at Northwestern University, Doctor Bakalis also served as undersecretary for intergovernmental affairs in the Department of Education during the Carter Administration. His most recent undertaking has been as executive director of the Illinois Project for School Reform. It is a pleasure to have him here today before the Illinois Senate to speak...to the issues contained in his report, "Education for a New Illinois." Doctor Michael Bakalis.

DOCTOR MICHAEL BAKALIS:

Thank you, Mr. Chairman, President Rock, Ladies and Gentlemen of the Senate. First of all, I appreciate the opportunity to be before you and share with you our ideas on school reform from the Illinois Project for School Reform. I think it is a fine idea to give this kind of a forum to all of the individuals who are involved in this impor-

tant...important endeavor this year. And secondly, to congratulate the...the Senate and the House for their Legislative Commission report. It is a fine report and I hope as we go through these next few months in this State that we are not holding one against another but recognizing that so many people in this State have worked together on a common interest that I think all of them have something worthwhile to say, so I do congratulate the Legislative Commission on...on what they have...what they have done. President Reagan, about two years ago, initiated what may in retrospect be perhaps the most significant educational reform effort in this century. I think that is significant because if you think about that report entitled, "A Nation at Risk," what strikes me about that report is that it stimulated a flurry of activity for school reform across this country. In fact, over three hundred commissions and boards across this country to improve our schools, it stimulated that activity without one penny being offered by the Federal Government and without any kind of sticks being offered over the heads of school people. In other words, the President stimulated activity in thinking about schools by recognizing that the time had come and by providing the kind of moral leadership that a President ought to provide. I think that's an important lesson in 1985, because in our project, which is the result of the sponsorship of the private sector of this State, our project recognizes that so much of education can be improved without money as well...as the substantial needs of money for the public schools. So, we want to make that clear in the beginning. We believe the schools need money, but we believe the schools need much, much more than money; they need the opportunity for creativity, they need the opportunity to stretch people's minds to really identify talent and to allow men and women to really reach their potential. What we are saying is that the twenty year history of our country, from 1965 to

today, has seen the gradual escalation of decision making power in education to higher and higher and higher levels. We think in many ways that's been good. It's unlikely, for example, that schools would have been desegregated had things been left only to local people. It's unlikely that bilingual education would have been provided to young men and women if things had only been left to local people. It's unlikely that we would have been provided opportunities for special education if it had not been for bodies such as this and State agencies, but we think we have to really balance that and recognize that when it come to the academic learning side of things, the record of taking decision making power away from local people has not been quite as good; and so the major recommendation of our report is that we need, in whatever way we can, to restore local control to people, to recognize that men and women at the local level have the ability and have the talent working in conjunction with teachers and students and community people to deal with these problems. So, what I am suggesting to you, ladies and gentlemen, is that you have a very important role to play as a Legislative Body, but it may be a role different than what we have played in the past and that the role today, in 1985 and beyond, may be really for you to act as stimulators and encouragers of people at the local level to be empowered to do things on their own. I think in the long-run that may well be the most significant role that government can play in the future of education. We have, I think, ironically, the most educated or at least the most schooled nation in the history of the world and, yet, we have systematically taken away from that school population the capacity and the ability to involve themselves in decision making. That, I think, is ironic and that, I think, is tragic, and that we have a historic chance now in this State to really reverse that tide and empower people to do things on their own. This is what

we seek to do. Our report does not believe that education is going to change over night and, consequently, we make recommendations for many pilot programs that I'll touch on. We believe that education is not going to be changed by any one group, and so, consequently, we believe that school boards and administrators in partnership with teachers have to change the schools. We believe that this can only be done by people being activated and given the opportunity at the local level. Two recent scholars have viewed the reform movements of this country over the past two years and have come up with some interesting kind of conclusions. A gentleman named Michael Kerst from Stanford and a professor named Patricia Cross from Harvard have viewed the whole educational ferment of this country. Professor Cross, I think,...offers some very interesting kind of observations. What she finds as she looks across this country is that in many ways we're getting the same old things; more mandates, more requirements, more kinds of things coming from on top down to local people, and what she suggests is that maybe we ought to look at the private sector a little bit today, because in the private sector they are coming to the conclusion finally that in order to...increase productivity, in order to really make us competitive again that they have to understand how...human resources are developed, how you nurture human resources, how you tap them, how you identify that kind of talent and those are being done in a variety of ways which create environments whereby that kind of talent can find fruition. She suggests that educators have forgotten that kind of thing and that simply we believe that more laws, more mandates, more requirements are going to do the job. I happen to think Professor Cross is right and that we need to approach school reform in a different kind of way; and that is, first of all, by trusting people; by trusting people at the local level to really follow some broad general guidelines that you in the

State Office of Education will provide but by and large empowering people to do the job. Let me give you a couple...specific kind of suggestions that we have put forward that will give you a flavor of what we're talking about in our report. Clearly, I can't go over everything in the time period today. We believe...the title of our report, by the way, is "Education for a New Illinois: The Public Schools in a Changing Economy," and we believe, as Governor Thompson said to this Body a few weeks ago, that the future of Illinois is tied to its schools, that the economic future of this State will be directly tied to the quality of schools and the quality of men and women who come out of those schools. We believe that we can really foster that kind of quality by recognizing that in the twenty-first century, I don't have a very clear vision nor do I think do you, probably, of what those requirements are going to be. We do know this though, that these young...men and women are going to have to change jobs and change them again, that they're going to have to be trained and retrained and retrained, that jobs will be created that aren't even around today, that the best legacy that we can give those young men and women is the capacity and the ability to learn and to relearn and to relearn. In other words, they have to have those basic kind of skills and anything short of that really won't do the job. In many ways the irony is that it calls for, in some ways, a very old-fashioned kind of education for a very modern kind of era. We are suggesting in our report that the State Board of Education establish some broad general guidelines about what those curriculum goals ought to but that we allow local districts to provide individual curriculum plans on their own, that each district in this State in conjunction with community people and teachers working together and administrators and boards would submit a plan to the State determining what that curriculum is that they want. We believe

also that school districts ought to be freed up and liberated in terms of other kinds of restraints, that we think they ought to have control over the time and place where education takes place. There's nothing magic about Monday through Friday, nine to three, September through June. There's nothing magic about a school year that is...simply the one that you and I understood, but that is a carry-over from the nineteenth century...rural economy and probably has no bearing to the twenty-first century. We need to free local districts up, give them the opportunity to create that school year or school calendar; in other words, utilize time and place any way they want to as long as...it is educationally sound, as long as it receives the approval of the State of Illinois. We don't think the State ought to fold its tent up and go home; the State, after all, has a constitutional responsibility for education, but we think the State has to play a new role of stimulating that kind of creativity at the local level. We believe then that curriculum has to be created at an individualized basis. We believe that we need to improve the quality of teachers in at least three ways...that the quality of teaching has to be attacked three ways; on the...on the requirements to get into teaching, on the compensentation which is only partially monetary; and, thirdly, on the whole issue of status of teaching. We believe we have to raise requirements to get into teaching. It's just simply too easy to become a teacher in the State of Illinois. That's not only bad for the kids of Illinois; frankly, it's bad for the profession, because I don't respect a profession, and I'm part of it, that is easy to get into, and I don't think most people do, and we make recommendations for that. We make recommendations for a gradual escalation of teachers' salaries to a starting salary of twenty thousand dollars a year after three years, but our recommendation is a little different. We believe that twenty thousand dollars a

year ought to be for a twelve-month job, a twelve-month contract. We think there's work to be done in this State educationally, not only for kids who need special help, not only for curricular revision, not only for professional development but for the status of teachers. Teachers shouldn't have to go out and moonlight to make a buck. They shouldn't have to do that unless they want to, perhaps, but they shouldn't have to do that and we think that twelve-month contract is important and, frankly, our...our involvement of citizens, and we involved over three thousand citizens in this past year, indicates to us that the citizens of Illinois are a little skeptical about paying people twenty thousand dollars a year for what they perceive as a part-time job. So, for political, educational and all kinds of reasons, we think that has to occur. We also believe that teaching can only be improved if we understand what we all...so clearly understand in the private sector, and that is that people are motivated not only for money; when I talk to teachers across this State, they're telling me they're leaving teaching not because of the money, they are leaving teaching because it is to them boring, there's no place to go, it is not challenging any longer, they are not finding the kind of excitement that they believe they ought to have in a career, and we have to understand that those things that are true in the private sector in terms of motivating people almost totally don't exsist in teaching, almost none of the things that we know as motivators of people; and until we address that problem, ladies and gentlemen, we will not address the best and the brightest coming into teaching. We believe we need to have career ladders and that we ought to try those on a pilot...pilot basis and we make recommendations for those kinds of career ladders. We make a recommendation for an Educational Leadership Academy in this State. It goes beyond just a Principals' Academy, involves teachers and school

board members and the private sector in a joint effort to continue the impetus for school renewal. We're worried about what's going to happen a year from now when all this school stuff is suddenly forgotten. We're worried about how the impetus for school reform is going to continue, and we think we need to have people involved on an ongoing basis to continue this effort over and over and over. We believe there are too many school districts in this State and we think we need to reduce the number of school districts and need at least to go to unit districts, perhaps even more than that. We do not say that every small district is bad or every big district is good. In fact, we make a recommendation that Chicago is probably too big. We think the key is what kind of quality can a district provide. If that district can provide high quality, we say keep it; if it can't provide high quality, we say change it. The key ought to be quality, not necessarily size. We believe the State Board of Education is too big and we think the State Board of Education ought to be reduced in size. We have a new State Superintendent. I think he's a fine man. I want him to succeed. I want that board to succeed. Our recommendation is that the State Board of Education be reduced from seventeen to nine members. We think it needs to be more manageable in a variety of ways. There are many more recommendations, and my time is coming to a close here, but I just want to mention a couple of things. We've worked very diligently on recognizing that we have special conditions in this State as we do in the nation. Almost eighty percent of the taxpayers of this State have no children in the public schools. We think that is a very significant statistic that this Body needs to address and think about in many, many ways. It's not that those people aren't interested in education, it just simply...it's not on their minds every day, it's not the kind of thing they wake up with and go to bed with at night and yet they are the taxpaying

public, they support the schools. We believe you need to reconnect those people to public education and we make recommendations to do that. We think school districts in this State have not paid the attention that they need to pay to those people. When people tell me as I go around the State that I'm a taxpayer but I...I want to use the school gym to...to jog and the school district tells me, I'm sorry you can't use that, and that individual tells me, well, I pay for those schools, don't I? Well,...I don't have a very good answer to that, very frankly, and yet we go back to those people and ask them to dip into their pockets to pay for the schools, but we don't really go out of our way to provide them with a connection to public education. We think there are many things that need to be done in this year of school reform; only some are legislative, and you will have before you those recommendations, but I would encourage you, in conclusion, to at least think carefully about that role I suggested in the beginning, that role of providing some seed money, providing some incentive money to local districts to do the things themselves. We need to trust people. I believe we can trust people and I think we will find that if we do that, we will really...we will really stimulate a flurry of activity across this State that will result in some of the most creative things we have seen in a very, very long time. We have a chance to do something important. We have a chance to do something different. We have a chance to do something very, very significant that no other State, frankly, in the union has done. I hope that in the months ahead you'll call on me in any way that you would like, both sides of the aisle, to help in this endeavor. It's a very important one and I think we have a chance now to do it as we never have before. Thank you, Mr. Chairman.

END OF REEL

REEL #2

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Dr. Bakalis. Mike, would you stay up here, and Gail would you come back up here. And...if any Senator has a question of either of the presentors, to address your question to either or both of them, we'll try to respond and we've got approximately ten to twenty minutes under the guidelines set by the President. Senator Netsch.

SENATOR NETSCH:

One question. Gail, I'm not sure I heard you address this one way or the other, and Michael Bakalis, I think it was not on your list of three things that had to be addressed about the teaching profession. It is obviously one of the more controversial things. Did you have any recommendations that deal with incompetency in teachers who are in the business as opposed to obviously higher standards for those who are going to be entering...and hopefully higher incentives in the way of higher pay for them to stay in and be excited about it? What about those who are not doing the job?

GAIL LIEBERMAN:

The commission recommendations talk about a regular evaluation of all school district personnel and further training of administrators on how to do that and do that better. So that's their...their answer tied with staff development efforts in terms of the current personnel.

SENATOR NETSCH:

Just to be clear, you say training for those who are in the system, including the teachers, is that what...is that the...

GAIL LIEBERMAN:

Staff development for all personnel as well as training of administrators in evaluation and assisting teachers in

improving their skills.

SENATOR NETSCH:

What about those who don't improve their skills, have you...did you address that problem?

GAIL LIEBERMAN:

They did not deal with dismissal procedures, if that's where you're heading, except to modify that process. And there's one recommendation creating a three-person teacher hearing dismissal panel dealing with that issue.

MICHAEL BAKALIS:

Senator Netsch, our...our commission did address that issue. We addressed it in this way, in our...in...in light of our philosophy that people at the local level ought to be involved in this, we suggested every district in the State submit to the State Board of Education a personnel evaluation plan. In other words, this plan would, in effect, spell out the rules of the game in terms of how teachers and administrators would be evaluated. So what we're saying is that every district in the State would submit to the State Board of Education this plan which would say how poor teachers would be remediated, how good teachers would be rewarded and how bad teachers would be terminated. And so the State Board would make a judgment on that plan. There may be, literally, a hundred different plans across the State. We don't think that's a problem, we think it's an important first step to get local people to put in that kind of a recommendation.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. Chairman, a question of Dr. Bakalis. You made special reference to the idea that schools should perhaps be...a teaching job should perhaps be a twelve-month job. And I...I find that suggestion particularly appealing and I think it would be very, very popular in most local

school districts, because I...I agree with...with your premise that much of the opposition comes from the belief on the part of people that...that teachers are working only part-time and therefore ought to be compensated on a part-time basis. But I can see all kinds of problems in...in what you suggest also. Could you elaborate a little bit on some of the details of what would have to be done if we would go to a twelve-month school system and exactly how you perceive it might work.

MICHAEL BAKALIS:

Okay. I want to make it clear, I am not talking about having kids be in school twelve months a year, first of all. I am talking about having teachers be on contract for twelve months a year, and our proposal, as I suggested earlier, Senator, that we are suggesting that local districts, for example, be very active in submitting their own curriculum plans. We think teachers have a very major role to play in that whole effort and that so the summer months, the summer month or month and a half, whatever it's going to be, they would be spending doing a number of things. Gail said professional development, we think that's the time for really serious professional development of an individual. We think that's the time they would be working on these curriculum plans. We think that's the time they could be working on these plans for how they're going to be evaluated. We also think there's much to be done in terms of using teachers in ways we haven't used them before. One of the great complaints of teachers is a sense of isolation, and as much as they love kids, frankly, dealing with just kids all the time is not something they always want. And we think, for example, that...the private sector offers enormous opportunities for men and women to work out in the education there. The private sector is spending over sixty billion dollars a year in education these days. We...we have so many thousands

of adult illiterates in this State, adult illiterates, we think the teaching force can be used for that. In other words, we're saying we've got to redefine the role of a teacher and in...in the same way we define the role of a physican or a lawyer and obviously we do not say a lawyer is only a lawyer when he's in court, we...we make a broader definition of that, we think the same has to be true of teaching. I don't know what the problems would be that you're referring to specifically.

SENATOR SCHUNEMAN:

Well, okay, I...I guess perhaps the problem came about in my perception of what you were saying, and apparently we had a misunderstanding because I thought that your response to my question was going to be, we have kids who are falling behind all the time, we need teachers to teach those kids and the time to do it would be in the summertime.

MICHAEL BAKALIS:

Yes, I did make reference...

SENATOR SCHUNEMAN:

But you didn't say that. The other problem would be that if we're going to keep the schools open all the time, there are probably all kinds of playground activities, recreational programs that teachers could...could supervise, but I didn't hear you say that. What I heard you say was something that frankly disturbs me a little and that is, if we're going to pay teachers to take a sabbatical in the summertime to go off and study, you know independent study, then I don't think the public is going to buy that.

MICHAEL BAKALIS:

I agree with you, Senator.

SENATOR SCHUNEMAN:

But if you're going to do something for kids in the summertime, I think the public will buy that and will support increased funding for it. So I was curious to know...

MICHAEL BAKALIS:

I agree with you, Senator, they're not going to buy...

SENATOR SCHUNEMAN:

...what...what you were saying.

MICHAEL BAKALIS:

...they're not going to buy that kind of a...what looks like a pain for you to go to school or something like that, I agree with that. And I wasn't suggesting that. I...I don't think it's courses...I'm talking about work activity in the district. Certainly, I alluded to that in my more formal remarks that there are young people who need that kind of help very seriously in the State and those summer months could be ample opportunity to give that help.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. Chairman. Dr. Bakalis, I'd like to ask you a question. I know we're dealing with some very complex issues here that demand some complex answers but I'd like to simplify something, if I may. Trusting people at the local level to do what's right in education for our children, I agree with that. But it seems to me that just offering some broad, general guidelines for education to our people at the local level, what's different in doing that than what we've been doing for years in education? I remember your A-1 '60 program that you initiated some twelve or thirteen years ago, that's what you did, and you required the local districts to comply with some specificity toward that. But it was broad, generalized suggestions for local districts. Now it seems to me that if...if we don't standardize some things, maybe reading quality and math appreciation and the ability of children to read at certain grade levels at certain times chronologically throughout their educational experience, it seems to me that we can never be sure, whether it's a kid in

Cairo or a kid in Chicago, whether they're getting exactly what they need in terms of the level of performance of every other student. What's wrong with a minimum competency test to be given to children at the third and fifth and seventh and eleventh grade levels to say, I know how my child is doing in comparison to children in LaSalle or Peru or wherever? What's wrong with that in terms of requiring the local districts to do that? And...and before you answer that, I'd like to ask Miss Lieberman to please follow up the comment that you made to Senator Netsch in regard to the three-person ...hearing panel. How does that differ from the process that we already have legally in the school districts of providing the school board with a list of five hearing officers for those teachers that are supposedly being called up on the carpet for not doing their job well? Is that threemember board...who appoints that board? I'd be interested to know that and how is it going to be more partial than...than the system that we already have? And...I'd like to know, you know, the cost of such a measure, are...is that intended to save money or is it going to cost more money or whatever? Doctor Bakalis.

MICHAEL BAKALIS:

That's a good question, Senator. The...there's nothing wrong with what you said, what's...when you said what's wrong with having people be able to make comparisons and make sure that their children are reaching certain steps, absolutely nothing wrong with that at all. We do make recommendations that local districts will do testing at periodic times so that the community will know exactly where they are. We think the State Board of Education would establish these guide...these...these general guidelines. That would really be general only in the sense that they would say to a district...for example, obviously in our view a child coming to maturity in the twenty-first century is going to have to

have some basic kind of skills to be able to learn, relearn and relearn. Certainly, I would be very surprised and dismayed if the State Board of Education would approve a...a program coming from a local district where there was no math, for example, or there was no English. I mean, obviously, that is not a minimum kind of...of program. All we're saying is that the State Board of Education can establish those kind of requirements, but how you get there, the road you take to get there, can be individualized. We make three specific recommendations in our report. We say, number one, maybe you want to go to a core curriculum. So a district can go to a core curriculum, a tough kind of traditional curriculum. Maybe they want what's called, learning outcomes, as the State Board has suggested. We say, fine, you submit a proposal for that. Maybe it's interdisciplinary, we say, that's fine. All we're saying is that there is not necessarily any one road to get to those...to those goals and that we ought to allow people the freedom at the local level to choose that road. But you're absolutely right, if the State sat back and said, you guys do whatever you want, I don't think anybody would support that kind of program.

GAIL LIEBERMAN:

The commission's recommendation is to create a three-person hearing panel which is different than the current system of a...a single hearing officer hearing at the local level. Last year we had thirty-three cases of hearing officers being requested and hearing a case all the way through the process. What this would have is instead of using twenty, thirty, forty different hearing officers for cases, would establish a three-member panel. The commission did not deal with the selection process. That would have to be addressed in a...in a revised Statute. In terms of the cost, last year...or FY '84, the State spent about a hundred thousand dollars in terms of teacher hearing panel. And the

recommendation is the cost would increase, we figure the number of cases would also increase as it has every year, and approximately two hundred and fifty thousand dollars was the estimate for the first year for this recommendation.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. Chairman, I just had a couple of questions of Ms. Lieberman. Could you tell me what the term "nonprejudicial error" means according to your report?

GAIL LIEBERMAN:

The term "nonprejudicial error" was dealing with items that are not meant to be substantive in nature but more procedural in nature.

SENATOR WELCH:

Could you give me an example of...what you...

GAIL LIEBERMAN:

In terms of a...a specific time line as an example.

SENATOR WELCH:

What revisions in the tenure law would be necessary to make nonprejudicial error not a basis for reinstating dismissed personnel?

GAIL LIEBERMAN:

The commission did not deal with the specific wording in the law within their recommendations. They said this is the concept of the recommendation and you'll be seeing in bills over the next few weeks the specific wording, so I'm unable to address the wording of the Statute.

SENATOR WELCH:

Well, wouldn't the determination of a prejudicial or a nonprejudicial error...mainly be a court function as opposed to a hearing board function?

GAIL LIEBERMAN:

The recommendation of the commission was to not make it

part of the hearing officer's process.

SENATOR WELCH:

One final question. Has there been any attempt between your commission and Doctor Bakalis' commission to come to some mutual agreement as to legislation you're going to introduce?

GAIL LIEBERMAN:

The commission is in the position of having ceased its operation in January when the report was issued to you. And so, since January, and that report having been filed, there has not been a formal discussion between the commission per se and the Illinois Project for School Reform. I know members of both have discussed the issue.

SENATOR WELCH:

Well, my understanding is, there's going to be something like three bills out of your commission. So, we're going to be given a choice of either the commission or Doctor Bakalis, we have to decide one or the other, there's not going to be any attempt to work together on the two, is that correct?

GAIL LIBERMAN:

I can't address that, it's beyond the scope of what the commission did and finished its report.

SENATOR WELCH:

Perhaps the chairman has an idea.

MR. CHAIRMAN: (SENATOR BERMAN)

The chairman does have an idea, if I might. The purpose of the introduction of bills which will be done tomorrow regarding the improvement commission...is the introduction of the embodiment of the fifty-two recommendations of the commission that require legislative action. Once those bills are introduced and the public has an opportunity to digest them, I expect them to go through the process that we are all involved in and proud of, and that is...of evaluation, critique, negotiation and hopefully involvement of everyone,

the Senate and House members in particular and people outside of the halls of the General Assembly including Doctor Bakalis, Governor Thompson, the State Board of Education, et cetera, et cetera, et cetera. So there is nothing that I'm aware of, and I think Mike will agree with me, that is chiseled in granite yet. Senator Geo-Karis. Before Senator Geo-Karis, let me indicate the following people have indicated their request for questions; Senator Geo-Karis, Senators Kelly, Vadalabene, Schaffer, DeAngelis, Smith and Kustra.

SENATOR GEO-KARIS:

Thank you. I'd like to address my querries to both Doctor Bakalis and Ms. Lieberman. Three of the things that I've...that bother me, and I don't know whether they've been taken up in your...course of your investigation and...and summary. Many of my teachers complain that we're top-heavy in administrators who don't have the guts to survey a teacher who's in for the first year and... because they're...they don't want to make enemies, they don't botherdoing anything about anything and the teacher gets tenure and whether she's...she or he is well qualified. Number one, I will ask you if you address that. The second thing that I'm...I'm concerned about is the fact that teachers have the right to strike. I think that is wrong 'cause I am a great believer in collective bargaining, mandatory arbitration and right of appeal to the courts if the standards aren't followed, but has anything been done by your committee on that point? And the third thing, I...since I understand you said seventy-eight percent of the people don't have children? Well, I'm one of those who has been paying taxes for many years to help other people's children and I don't resent it at all. But in view of the fact that we are in the majority of the pairs, in the minority of having any children, what is being done...what you're suggesting about a greater emphasis

of cooperation between those of us, for example, who don't have children and the...the use of the schools and what have you, I think is a good point, 'cause I think you're absolutely right. We pay taxes to support the schools. And the forth point is, I'm not opposed to private education and I'm wondering if your committee took that into consideration considering the fact that people who support private education are also paying taxes for public education. Four points; one is, did your committee address the fact that we're top-heavy with administrators? Two, what about the right of strike instead of binding arbitration, no strike and right of appeal the courts, when tailored to the...if it's not tailored to the guidelines? Three, how about private education? And four, as I said, a better community spirit, as you suggested, between your teachers and the local community and the fact that they were...they get paid for twelve months of the year even though the children aren't there for twelve months of the year, I happen to agree with you there. How does that strike...have you gone into it, how will it affect...you...the possibility of...education with... what kind of cooperation...are you going to get from the teachers' unions, that's what I'm driving at?

GAIL LIEBERMAN:

The commission heard from a number of folks, a number of teachers, who said they had never been evaluated in the classroom, particularly in the critical beginning years, and that's why the recommendation of administrators having a plan for personnel evaluation, being trained to do it and doing it effectively was so critical. The commission did not address administrative personnel within a school district or numbers in any case, too many or too few, teachers or administrators within a school district, nor did they hear from or address the issue of striking. They did talk a little bit in terms of an extended school year and public use of facilities.

Like Doctor Bakalis mentioned, the commission did want local school districts to consider an extended school year for remedial services or staff development or any number of issues. They also talked a little bit in terms of private education but wanted to put the focus on improving public education because they felt that was the area where the majority of families did not have a choice and the State had a compelling interest to assure a quality education. We did hear, as a commission, from members of the nonpublic sector though.

MICHAEL BAKALIS:

Senator Geo-Karis, the four points you....you mentioned, our commission did not look at the issue of the legitimacy or changing the law in terms of teachers' strikes. We did certainly address the issue of the poor process that is being used and has been used for years in terms of evaluating teachers. We don't think teachers are evaluated very well in this State and consequently we did not support a merit pay kind of a recommendation because the evaluation procedure we don't think is...is adequate. What I addressed to Senator Netsch before I think deals with that issue and that is that the local recommendation for personnel evaluation plans would evaluate administrators and teachers, but we did not address the issue of are there too many administrators or too few administrators. On the issue of the seventy-eight percent of the people who have no children in the public schools, we're suggesting every local district...do a conscious effort to submit a community outreach plan to the State Board of Education. We don't think...we think that's kind of done helter-skelter now; if you have time, you get around to thinking of these people, but, in fact, we ought to be thinking about them really right up-front because as you suggested, the overwhelming majority of citizens in this State now are not directly connected and...and...and yet

supportive. We think we need to involve them in...in a lot of ways, that has to be done systematically. We also make a...a unique recommendation which I didn't want to get into here 'cause I think I'd be here all day long, frankly, it's called the...an educational bank. And in a nutshell, the educational bank proposal in effect says that a certain percentage of local property taxes would be put into a new entity called an educational bank. From that bank, individuals whether they had children in public schools or not could withdraw funds for their own further education or for their children's post-secondary education. We think you've got to give some people some incentives to support public schools and the way to do that is in a very concrete kind of way, and I'd be happy to provide you with some of the details of that, Senator.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. Chairman. I'd like to ask either of our witnesses or the chairman or Senator Maitland, but...in reviewing all of these reports, I really don't see where there's been a...much attention given to the differences in the funding, the wealthy versus the poor school districts, and I'd like to get a rating if, in fact, that issue is being overlooked. I think it's important whether we are able to do anything or not about it, that it's an issue that ought to be on the table. And I'd like to get some response if, in fact...do you think enough attention has been given in these reports to the differences in the funding of the poor and the wealthier school districts in Illinois?

MICHAEL BAKALIS:

I can do that quickly, Senator. Our...our commission did not address the issue of the formula at all and so that just wasn't a part of our consideration.

GAIL LIEBERMAN:

The commission had a...a similar discussion. We discussed briefly the general State Aid Formula and some of the proposals like the resource cost model and others but did not want to come to closure on formulas, instead said, these are the dollars that should be used behind these specific reform efforts and stop there.

SENATOR KELLY:

And...I suppose on that same vein you'd have difficulty in determining whether or not children attending the wealthier districts would have a...more of a likelihood of having a higher rate of competency in passing a test. Is that...that, you never got into that issue? Okay, thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you...Mr. Chairman, Doctor Bakalis. Just recently I attended a...a seven-county meeting of the unit superintendents and the school board members in the Tri-City area and the meeting was held at Edwardsville. And one of the...one of the questions posed to me by the moderator was the...in regard to the...the dismissal procedures of the teachers. Now, it's been bantered around here on several of the people who have asked the questions but no one has come directly into mentioning the two powerful lobby groups, the IEA and the IFT in regard to the dismissal of teachers. Has your commission or will the commissions be in contact with these two big organizations in regards to what procedures they would accept in the dismissal of their tenure teachers? Whether they're competent or not, I believe they are going to have a strong position in regard to their membership. And I'm wondering if you are going to pursue or the commissions are going to pursue some type of a meeting with these two powerful teacher organizations.

MICHAEL BAKALIS:

Senator Vadalabene, in the construction of our report, we had a statewide advisory committee which had on there Mr. Weaver from the IEA and representatives of the Chicago Teachers' Union and the Illinois Federation of Teachers, they were part and parcel of our process. That doesn't mean they agree with everything we...we've said. Our recommendation, as I indicated earlier, is for local districts to submit that kind of personnel evaluation plan. My...my...if I'm correct, I believe the Chicago Teachers' Union has submitted a very similar kind of proposal in their own package, so I...I can't...obviously, I can't speak for either of those groups. But I think you might find that really what teachers are looking for is some fair, equitable procedure evaluation which recognizes that...that the evaluation of teachers probably ought to be done best in conjunction of teachers and administrators. I think that's what they're looking for and I...my feeling is the time might be right to get something like that.

SENATOR VADALABENE:

Yes, to follow up that question then, in the event that either teacher organization does not support the claims that the teacher is incompetent, like Senator Geo-Karis said, do you think that would promote a strike so that those teachers would be maintained?

MICHAEL BAKALIS:

Well...over the years I suppose I've had as many disagreements with the teachers' organizations as anybody. I must say on this issue I have to be with the teachers in terms of how they view their own profession. The evaluation of teachers, Senator, has simply not gone on very well in this State or around the country. And I think Senator Maitland, I recall, at a...at a hearing, a couple of times I've heard him speak, indicate how surprised he was at the

number of...at really the poor state of teacher evaluation, the few times that administrators go into the actual classroom. So, until we get the ground rules set and administrators have the time, the capability to be managers in the true sense of the word, I think teachers are going to justifiably, frankly, be upset about the way evaluation goes on right now. So...so...they...we've got to address that issue of fair, equitable evaluation. To answer your question, yes, they probably would go on strike if the...if the process was in...in their view not fair.

SENATOR VADALABENE:

So, what...so what I'm really saying is, once you get all these recommendations into place, there still is going to be some type of a problem with these two major organizations in regard to their teachers.

MICHAEL BAKALIS:

Well, I can't...obviously, I can't speak for them, I don't know what those problems will be. I'm just suggesting, I think that both of those very important organizations have made some steps and said...made some sounds that indicate to me they are seriously looking at the issue of teacher evaluation.

SENATOR VADALABENE:

Okay. This is just a statement, though. I don't know what problems there's going to be either, but when some teachers are going to get laid off, I think there are going to be some problems.

MR. CHAIRMAN: (SENATOR BERMAN)

All right. We have four more questioners. Let's try to bring these to a reasonable closure. Senator Schaffer.

SENATOR SCHAFFER:

Apparently both you are planning on...on the...both of the committees will be introducing legislation in the next few weeks, obviously, before the thirteenth of April. I have

kind of a reoccurring nightmare, and the nightmare is that we sit down here in our all-seeing wisdom and pass a whole series of bills to reform education, and I get back to my district to find out that we didn't fund any of those reforms for my districts and that because of the unfunded reforms, class size for grade school is going to be fifty-six kids and we're going to not be able to teach English in the high school class to the third year 'cause there's no money left 'cause everything went into the reforms. I sincerely urge you and...and hope that your legislative proposals, and I'll ask the question, include the...the fact that we're going to fund them. If we don't fund them, they ought not to be inflicted in the form of mandates. The second thing which Senator...Kelly addressed somewhat, I come from a part of the State that has pretty darned good school districts that turn out pretty good educational programs and do a pretty good job with the kids, and our papers right now are filled with cutbacks and layoffs and eliminations because of one thing, not because our people aren't highly taxed; oh, they're highly taxed, let me assure you of that, they are brutally taxed because the formula is not fair. And to many of us from the suburban and collar county and I think some downstate areas, to talk about reform and not talk about the formula is the biggest piece of hypocrisy going. I gave Superintendent Sanders a hard time for copping out, I guess I have to give you the same kind of thing. How can we talk about reform when the whole structure is based on a formula which is on its very face unfair? How can we not talk about coming up with a formula that each of us can go back...I can go back to my people and say, we get thirty percent less than City x because we're thirty percent wealthier? I can't go into a district and say, well, you're actually...poorer than City x, but they get four times as much 'cause they got more clout in the Legislature. How can you not talk about formula

reform? It makes the whole rest of your report really a bit of hypocrisy.

MR. CHAIRMAN: (SENATOR BERMAN)

Is...is that a question?

SENATOR SCHAFFER:

Yeah. At least I ought to give them a chance to defend themselves.

MR. CHAIRMAN: (SENATOR BERMAN)

All right. Defend yourself, Mrs. Lieberman, and then Doctor Bakalis.

GAIL LIEBERMAN:

I think the commission members would both share the fear that you mentioned with increased class size and layoffs and share the hope that there's the dollars behind the reforms. The commission members did not address a specific formula, not that they weren't interested. And I think that the ongoing legislative members will address those issues, but they decided to look at what were the needs for school improvement and then focus on the finances for those and raising the revenue for the finances for those reforms; not that the formula doesn't need addressing, they all said it did.

MICHAEL BAKALIS:

Senator, our group, as I indicated, was a private group having no real governmental status of any kind, of course. And it was our view that we could only do...certain things with the time we had and the money we had and consequently that...we did not deal with the issue of reforming the formula. What we did say is that the funds that will be needed for this...our package will...should be raised in a number of ways. Our major recommendation is...is what we think is the fairest one in the long-run. We think we need to raise the income tax in this State and simultaneously give property tax relief over the next four years, so that by 1990 the State

would have a responsibility for about fifty-one percent of education. But we saw a number of groups, the State Board of Education and others, looking at the formula so we just...given as I said, the scope and the money we had, just didn't do it.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator DeAngelis.

SENATOR DE ANGELIS:

Yeah, thank you, Mr. President and Mr. Chairman. I'm not going to talk about the...the formula once again. I...I do want to commend Doctor Bakalis though, because when I first received his letter I was wondering if it was the third launch of Superintendent Bakalis' political career, and I almost studiously avoided participating. However, after reading a little bit more, I went ahead and did as directed and did, in fact, appoint by formula, if...if you may, the people that he suggested, and I would like to share with you just two small experiences from those meetings, quickly. He indicated that I should...that the proper makeup should be twenty people composed of all the various groups including business people. Well, I dug into my file and took out a particularly harsh letter from a businessman who wanted to know why enrollment had declined by twenty percent at this one particular school and costs had gone up sixty percent and appointed him to that. I appointed also a member...a local president of one of the school districts that had a particularly serious problem between the teachers and the administration. At the end of the meetings, over the two-or three-month period, the businessman was backing a tax increase for education and the local union president had submitted a lengthy paper on how teachers and administrators could get along better. And so I want to commend you if for nothing else creating a dialogue within districts. And I might tell you that some of these people had never sat down

to talk to each other before, had merely talked to people of their own belief or their own particular interest. And I have to tell you, it generated a considerable amount of interest and we have gone forth and carried forward from our report to meet regularly with the same group on the continuing problems of education. So, first, I want to apologize for questioning your motives; secondly, I want to commend you for the end results.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and to the people who are present here at this meeting. I'd like to address my question to Doctor Bakalis, please. First, I want to commend you for your presentation here this afternoon, and I'm very much encouraged about the updating of our teachers' system, you've talkedabout the money, but I'm very concerned about the recipient whom we are all talking about but it just seemed like its a passing. I would...and I heard you use the word "basic," getting back to the basics. What provisions are being made after you've upgraded the teacher and...and the school and the system, et cetera of giving the student the basic needs of knowing how to read, how to write, how to spell? That's our whole dilemma among our young people today in our society. And you go across the country and you go around the world, in Japan you study eleven months out of the year and they know how to read, they know how to write, they know how to spell. This is the dilemma of our children in our...in our society. What efforts are being made as you are upgrading our school system, our taxes, our money, et cetera to help the child to be a productive citizen here in the State of Illinois?

MICHAEL BAKALIS:

Well, Senator, I would hope that all the recommendations

coming out of the Legislative Commission, ours, and everybody else, they're all...in that respect, all after the same goal. We want young people to be able to survive productively in the twenty-first century. So none of the things that any of us have done, I...I think side-skirt that issue. We do think, though, that what you have to do is create incentives for people at the local level to really get on people if...if they are not doing the case. One of the groups, for example...we make a recommendation which another group has made in this State called Designs for Change, which is that local school buildings have councils and those councils really oversee to make sure that the kind of curriculum is going on in that building that ought to be going on, that kids are reading, kids do have the kind of ability to compute mathematically, so forth. The State clearly has a responsibility here, don't...I want to repeat that again, and the State cannot turn its back on that responsibility. We're just saying again, let districts and people at the most local level determine how that's best done. But no one should misinterpret my words in saying that the State should let everybody do anything they want or...or we should abandon those kind of things. We can't abandon those things.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Kustra, with the closing question.

SENATOR KUSTRA:

Thank you, Mr. Chairman. My question is of Doctor Bakalis. Doctor Bakalis, as you know, I formed one of those local groups that was put together and we met out in my district and I hoped in some small way, anyway, contributed to the final product. The one question that I do not remember my local group talking about and you mentioned here today is the...the question of the role and the size of the State Board of Education, and this may be a slighty difficult question for you since, as I remember it, you served as the last

elected State...Superintendent of Schools. You asked us today to consider your recommendation reducing its size from seventeen to nine, isn't that correct?

MICHAEL BAKALIS:

Yes, sir.

SENATOR KUSTRA:

I guess I...I have always had great difficulty since 1970 and since the end of your tenure trying to figure out just what the State Board of Education is and what it does and what positive and significant role it plays in education. And I wonder if your group or you considered as an...as...as alternatives too to the proposal that you gave us today; number one, going back, as some have suggested, to electing the State Superintendent and that may be sensitive given the fact that you were the last one to do that or having the Governor appoint that State Superintendent the way we appoint the head of Transportation, Mental Health, Public Aid, whatever major issue and...and direction we must deal with here in the General Assembly and in State Government. I find the State Board to be neither fish nor fowl. You can't compare it to the local board because it doesn't have taxing authority, it can't...it isn't elected. In a sense at the State level we're the...we're the State Board of Education. The School Code is passed by the Illinois General Assembly. Perhaps you can enlighten us on...if you consider those alternatives and if either one of those alternatives make as much sense as just reducing the size of a board that has yet to be able to define what it does for public education in the State of Illinois.

MICHAEL BAKALIS:

The recommendations that came from a variety of people in the State, there were obviously some that talked about returning the State Board to an elected position. I did not honestly see any kind of groundswell for that around the

State at all. I think you're absolutely right, Senator...I've said this many times in speeches and to the State Board that you are the State Board, you are the ultimate State Board of Education, this legislative Body. I think one of the interesting things is that as you think back to 1969, '68, what we were trying to do is...is we hope to depoliticize education by moving from an elected to an appointed superintendent. What, of course, none of us could have seen at that time is that education was becoming more and more politicized every day. I aways tell the story, if the Chair will permit me one second, when I ran for State Superintendent I went to the IEA in 1970 and I asked for their support, and their response to me was, well you seem like a nice guy, we never heard of you, but we don't endorse candidates, we don't give any money to candidates and we don't put anybody in precincts to elect candidates, that's not our role. I said, okay, thanks a lot. Two years later they were the largest contributor to Governor Walker's campaign. So in that short period of time we went...we really politicized education, but as I said, we couldn't have known that. I've honestly told...now, as I said, I wouldn't say anything that I haven't told them directly, I told Superintendent Sanders my opinion was that...that he was the last chance for the appointed superintendent to remain and that I thought...and I honestly am very pleased by his appointment, I think he is a very able educator. And so I'm...I'm optimistic about the future, Senator.

MR. CHAIRMAN: (SENATOR BERMAN)

On behalf of the Senate we want to thank Doctor Bakalis and Mrs. Lieberman for their presentation. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. Chairman. I would move that the Senate rise from the Committee of the Whole.

MR. CHAIRMAN: (SENATOR BERMAN)

You've heard the motion. All those in favor signify by saying Aye. Opposed. The motion carries and the Committee of the Whole does now arise.

PRESIDENT:

The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 76 offered by Senators Fawell, Philip, Karpiel, Hudson and Etheredge and it's congratulatory.

Senate Resolution 77 offered by Senator Lemke and Savickas and it's congratulatory.

PRESIDENT:

Consent Calendar. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following Senate bills to committee:

Agriculture, Conservation and Energy - 292; Appropriations I - 306, 308, 339 and 342; Elementary and Secondary Education - 317 and 340; Executive - 290, 296, 311, 312, 314, 316, 327, 345 and 346; Finance and Credit Regulations - 318, 326 and 329; Higher Education - 338; Insurance, Pensions and Licensed Activities - 293, 294, 301, 309, 324, 331 and 337; Judiciary I - 297, 300, 310 and 344; Judiciary II - 333 and 341; Labor and Commerce - 313 and 320; Local Government - 298, 307, 315, 321, 322, 323, 335 and 343; Public Health, Welfare and Corrections - 295, 299 and 325; Revenue - 319, 330, 332, 334 and 336; Transportation - 291 and 328.

PRESIDENT:

Introduction of bills.

SECRETARY:

Senate Bill 347 offered by Senator...introduced by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 348 introduced by Senator Schuneman.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

All right. With leave of the Body, we'll move to page 2 on the Calendar. The hour is growing late, so we'll move through Senate bills 2nd reading. If any members have any bills they wish to move, now is the appropriate time. Senate Bill 1, Senate Bill 29, 31, 39 or 40, Senate Bill 50, Senate Bill 105, 123, 132. You wish that bill moved? On the Order of Senate Bills 2nd Reading, Senate Bill 132. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 132.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 134, Senator Carroll, 141, 145, Senator Carroll. 67, 68, 174, Senator Hall. Senator Hall, for what purpose do you arise? We're on the order of Senate Bills 2nd Reading.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen. Would you...I...I wonder if you'd get back to Senate Bill 40, it's an emergency. If...I'd like to have it read.

PRESIDENT:

All right. With leave of the Body, we'll move back to Senate bills 2nd reading, top of page 2, Senate Bill 40. 4-0, read the bill, Mr. Secretary.

SECRETARY:

SB 263 2nd Reading

Senate Bill 40.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 180, Senator Karpiel. 263, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 263.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

Senator Demuzio, on Committee Amendment No. 1.

SENATOR DEMUZIO:

Committee Amendment No. 1, Mr. President and Ladies and Gentlemen of the Senate, took out the State Loan Guarantee Program at the request of the lenders. It expanded the definition of operating loan and clarified that the program was not to be established to refinance any of the preexisting operating loan. It put an immediate effective date into the proposal and I would ask for its adoption.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Committee Amendment No. 1 to Senate Bill 263. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

This makes some technical...changes also, but more importantly it reduces the cap for the loan from a hundred thousand dollars to fifty thousand dollars and I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 2 to Senate Bill 263. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. Any other member have a bill on 2nd reading? Senator Welch. Senate Bill 1. Top of page 2, on the Order of Senate Bills 2nd Reading, Senate Bill 1. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right. Prior to proceeding to committee, which we will do momentarily, and prior to the adjourn-

ment, we will be adjourning until Wednesday, tomorrow, at the hour of noon. In the meantime, we have a death resolution. I'd ask the members to please be in their desks...at their desks, in their seats. I'd ask the doorkeepers to please keep the doors closed. Yes. Any announcements prior to that order of business? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The scheduled meeting of Appropriations I will convene immediately following adjournment in Room 212. We would ask the members to try and get there as quickly as possible as there are other meetings scheduled for that room later this afternoon. I do not anticipate it being a long meeting, but if we could meet immediately after adjournment in Room 212.

PRESIDENT:

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, one of the meetings that Senator Carroll was referring to is the Executive Committee is supposed to meet at four o'clock and we will be meeting, hopefully, right at that time or, if not, as soon as the Appropriations Committee adjourns.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Purpose of an announcement, the Senate Executive Appointments and Veterans' Affairs Administration Committee will meet tomorrow morning at 10:00 a. m. in...in Room 212.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

...thank you, Mr. President. The Senate Committee on

DR 78

Elementary and Secondary Education will meet in Room 400 tomorrow morning at 9:00 a. m. sharp.

PRESIDENT:

And Senator Holmberg.

SENATOR HOLMBERG:

Not an announcement, but I wonder if I might be listed as hyphenated cosponsor with...I have permission of the major sponsor on Senate Bill 330.

PRESIDENT:

The lady seeks leave to be listed as the hyphenated co-sponsor on Senate Bill 330. Is leave granted? Leave is granted. All right, let's get to the resolution. All right. Will the members be in their seats and will our guests and the doorkeepers please keep the doors closed. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 78 offered by Senators DeAngelis, Philip and all members of the Senate.

(Secretary reads SR 78)

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I think for all of us who had the opportunity to share our lives with Joe we know that he was a sincere person, a sympathetic person, a warm person and probably the best thing is a great sense of humor. I remember on the closing days of each Session when we tend to get a little irritated and the tensions are great, I would walk to the back of the room and Joe always had a smile and we'd crack a little joke and it would cut a lot of the tension that was out of the air. I would like to on behalf of the Senate, Mammie and Judy, extend our sympathy and condolences for somebody we're going to miss.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I've never stood on a death resolution before and maybe I wouldn't be this time if I had known about Joe's death in time and I would have been there at the Cathederal to pay my respects. You know, you get these little yellow telephone messages, we all know they come throughout the Session and they start multiplying toward the end of the Session, and about half of them you can do without. And when they land on that desk by that person who is delivering them, you sometimes confuse who it is whose name you see on the telephone message with who it is that's delivering the message. And every now and then I see a member, perhaps, kind of rebuff at the thought of getting that message. In my case, most of my messages were delivered by Joe Maher and I have to say that in all of those days I can remember when some of those messages were tough and you'd just as not soon take them and you were ready for debate. It was a...a real pleasure and a special opportunity to make a friendship with a gentleman who was really, as Senator DeAngelis said, so full of vitality and an Irish sense of humor and an Irish wit that I don't think this Body will see very often. It was infectious. I know that in the last two years I've served here he made my life infinitely more easy and I will miss him very much. I can just imagine how his family will miss him and I just wanted to stand, I know we get caught up in our legislative duties, for a moment to reflect on Joe's passing how much we'll all miss him and also perhaps we ought to reflect at this moment on the importance of those human relationships, not only in Joe's case but those who served with him and who still serve us. May he rest in peace.

PRESIDENT:

Senator DeAngelis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 78.

All in favor of the motion and the adoption please rise. Senate Resolution 78 is adopted. The Senate stands adjourned until noon tomorrow.

84TH GENERAL ASSEMBLY

REGULAR SESSION

March 20, 1985

PRESIDENT:

The hour of noon having arrived, the Senate will come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend William Oaks, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND OAKS:

(Prayer given by Reverend Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Luft.

SENATOR LUFT:

Mr. President, I move that reading and approval of the Journal of Tuesday, March 19th, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Luft. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

Senator Carroll, chairman of Appropriations I Committee, reports out the following Senate bill:

262 with the recommendation Do Pass as Amended.

Senator Sangmeister, chairman of Executive Committee, reports out the following Senate bills and resolutions:

Senate Bill 10 and 248 with the recommendation Do Pass as Amended.

Senate Resolution 45 with...recommend adoption.

Senate Joint Resolutions No'd. 16 and 19 recommend adoption.

Senator Jones, chairman of Insurance and Licensed Activities Committee, reports out the following Senate bills:

1879...1879 and 170 with the recommendation Do Pass.

Senate Bill 238 with the recommendation Do Pass as Amended.

Senator Lechowicz, chairman of Executive Appointments, Veterans' Affairs and Administration, reports out the following Senate Bills:

118 and 133 with the recommendation Do Pass.

Senator Netsch, chairman of Revenue Committee, reports out the following Senate bills:

111, 187, 212, 249 and 254 with the recommendation Do Pass.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 146, 217 and 332.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 21 and it is congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 79 offered by...Senator Lemke.

Senate Resolution 80, by Senator Demuzio.

Senate Resolution 81, by Senators Philip...Senators Rock, Philip, Topinka, Geo-Karis and all Senators.

Senate Resolution 82, by Senator Lechowicz.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 25 offered by Senators Davidson, Berman, Etheredge and others.

Senate Joint Resolution 26 offered by Senators Etheredge, Berman, Davidson and others.

Senate Joint Resolution 27 offered by Senator Newhouse, Berman, Davidson, Etheredge and others.

PRESIDENT:

Executive. Introduction of bills.

SECRETARY:

Senate Bill 349 introduced by Senator Nedza.

(Secretary reads title of bill)

Senate Bill 350, by Senators Berman, Davidson, Etheredge and others.

(Secretary reads title of bill)

354, by Senators Maitland, Berman, Davidson and others.

(Secretary reads title of bill)

That was Senate Bill 351.

Senate Bill 352, by Senators Holmberg, Berman, Davidson, Etheredge and others.

(Secretary reads title of bill)

353, by Senator Kelly.

(Secretary reads title of bill)

354, by Senator Mahar.

(Secretary reads title of bill)

...Senate Bill 355, by Senators Rock and Etheredge.

(Secretary reads title of bill)

356, by Senators Rock, Weaver, Vadalabene, Dunn and others.

(Secretary reads title of bill)

357, by Senators Poshard, Etheredge, Rock, Weaver and others.

(Secretary reads title of bill)

358, by Senators Carroll, Rock, Weaver, Vadalabene and others.

(Secretary reads title of bill)

359, by Senator Weaver.

(Secretary reads title of bill)

360, by Senators Davidson, Maitland, Welch, Rock and others.

(Secretary reads title of bill)

361, by Senators Etheredge, Hall, DeAngelis, Rock, Weaver and others.

(Secretary reads title of bill)

362, by Senators Weaver, D'Arco, Rock, Vadalabene and others.

(Secretary reads title of bill)

363, by Senators Weaver and Dunn.

(Secretary reads title of bill)

354, by Senators Vadalabene, Dunn, Rock, Weaver and others.

(Secretary reads title of bill)

365, by Senators Etheredge, Poshard, Rock, Weaver, Vadalabene and others.

(Secretary reads title of bill)

366, by Senators Etheredge, Hall, DeAngelis, Rock, Weaver and others.

(Secretary reads title of bill)

367, by Senator Luft.

(Secretary reads title of bill)

368, by Senator Jerome Joyce.

(Secretary reads title of bill)

369, Senator Poshard.

(Secretary reads title of bill)

370, by Senators Vadalabene and Topinka.

(Secretary reads title of bill)

371, by Senator Lemke.

(Secretary reads title of bill)

372, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 373, by Senator Lemke.

(Secretary reads title of bill)

374, by Senator Lemke.

(Secretary reads title of bill)

375, by Senator Jerome Joyce.

(Secretary reads title of bill)

375, by Senator Jerome Joyce.

(Secretary reads title of bill)

376, Senators Netsch, Newhouse and Kustra.

(Secretary reads title of bill)

377, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1st reading of the bills.

Senate Bill 378 introduced by Senators Bloom and Nedza.

(Secretary reads title of bill)

379, by Senators Nedza and Bloom.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like leave that we go to the Order of Recalls for the purpose of placing a a...move a bill back from 3rd to 2nd for the purpose of putting an effective amendment date on.

PRESIDENT:

All right. Senator Hall has requested leave to go to the Order of Senate Bills 3rd Reading for recall...for the purpose of recalling a bill to put an amendment on. With leave

of the Body, top of page 3 on the Calendar, on the Order of Senate Bills 3rd Reading is Senate Bill 40. Senator Hall seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 40, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Hall.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This as...just puts an immediate effective date on Senate Bill 40, and I would like your most favorable support of this amendment.

PRESIDENT:

Senator Hall has moved the adoption of Amendment No. 1 to Senate Bill 40. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I've obtained leave of the sponsors of Senate Bill 24 and Senate Bill 248, and I would like to be added as a cosponsor, if I...

PRESIDENT:

The lady seeks leave to be added as cosponsor of Senate Bill 24 and 248. Without objection, leave is granted. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President, for the purpose of an announcement. The Veterans of Foreign Wars...thank you, Mr. President. The Veterans of Foreign Wars are having their biannual legislative dinner this evening honoring all the members of the General Assembly. Cocktails are at 6:00 p.m. and dinner is at 7:00 p.m. at the Sheraton Hotel. That's this evening. Everyone is invited. Thank you.

PRESIDENT:

Senator Sangmeister, for what purpose do you seek recognition?

SENATOR SANGMEISTER:

For the purpose of Tabling a bill. Senate Bill 154 is residing in Judiciary II. I would like to discharge that committee and bring the bill back to the Floor for the purpose of Tabling.

PRESIDENT:

Senator Sangmeister seeks leave of the Body to move to discharge Senate Bill 154 from Judiciary II for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 154 is discharged. Senator Sangmeister now moves to Table Senate Bill 154. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The bill is Tabled. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I rise for the purpose of reassigning two bills. I've talked to Senator Weaver. Senate Bill 176 from Executive to Local Government and reassign Senate Bill 165 from Local Government to...Jud. I...also, I seek leave of the Body to be added as a cosponsor to Senate Bill 187.

PRESIDENT:

All right. The Senator seeks leave to be added as a co-

sponsor of Senate Bill 187. Without objection, leave is granted. There's been a motion to discharge the Committee on Executive from further consideration of Senate Bill 176 and that bill be rereferred to the Committee on Local Government. All in favor to that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Similar motion with respect to 165. Discharge Local Government Committee and reassign the bill to Judiciary I. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 380, by Senators Kustra and Macdonald.

(Secretary reads title of bill)

381, by the same sponsors.

(Secretary reads title of bill)

382, by the same sponsors.

(Secretary reads title of bill)

383, by Senator Poshard.

(Secretary reads title of bill)

384, by Senators Poshard, Dawson, Welch, O'Daniel and Kelly.

(Secretary reads title of bill)

385, by Senators Welch, Dawson, Poshard, Rock, Zito and O'Daniel.

(Secretary reads title of bill)

386, by the same sponsors.

(Secretary reads title of bill)

387, by the same sponsors.

(Secretary reads title of bill)

388, by the same sponsors.

(Secretary reads title of bill)

389, by the same sponsors.

(Secretary reads title of bill)

390, Senators Dawson, Smith, Welch, O'Daniel, Poshard and Zito.

(Secretary reads title of bill)

391, by Senator Poshard, Dawson, O'Daniel, Kelly and Welch.

(Secretary reads title of bill)

392, by Senator Smith, Dawson, Kelly and Zito.

(Secretary reads title of bill)

393, by Senator Holmberg.

(Secretary reads title of bill)

394, by Senator Darrow.

(Secretary reads title of bill)

395, by Senator Demuzio.

(Secretary reads title of bill)

396, by Senators Rigney, Welch, Watson, Demuzio, Schuneman and others.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution...Senate Joint Resolution 28 offered by Senator Savickas.

(Secretary reads SJR 28)

PRESIDENT:

Senator Savickas, the adjournment resolution.

SENATOR SAVICKAS:

Yes, I move its adoption.

PRESIDENT:

All right. Senate Joint Resolution 28 calls for us to return to Springfield next Tuesday at the hour of noon. Senator Savickas moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 28. All in favor indicate by saying Aye. All opposed. The Ayes

have it. The rules are suspended. Senator Savickas now moves the adoption of Senate Joint Resolution 28. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will go to...with leave of the Body, we'll go to...to the Order of 2nd Reading. Is leave granted? Leave is granted. On the Order of 2nd Reading, the top of page 2, Senate Bill 29. Senator Jeremiah Joyce. 2nd reading, top of page 2. Senate Bill 31, Jeremiah Joyce. Senate Bill 39, Senator Hall. Senator Hall on the Floor? Read the bill, Mr. Secretary, please...take it out of the record. Senate Bill 50, Senator Sangmeister. On the Order of 2nd Reading, Senate Bill 50. Top of page 2. Licensed Operations Act. Senate Bill 105, Senator Bloom. Senator Bloom on the Floor? 123, Senator Lemke. 134, Senator Carroll. Oh, Senator Lemke, you wish to have your bill moved? Yes, sir. All right. On the Order of 2nd Reading is Senate Bill 123. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 123.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Order of 2nd Reading is House Bill 134. Senator Carroll...Senate Bill 134. Senate Bill 141, Senator Rock. 145, Senator Carroll. Senate Bill 167, Senator Carroll. 168, Senator Carroll. On the Order of...of 2nd Reading is Senate Bill 168. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 168.

(Secretary read title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, will...will Senator Carroll handle the amendment? Is leave granted? Leave is granted. On...Amendment No. 1. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would be to transfer out of Ag. Premium Funds approximatley two hundred and forty-four thousand nine hundred of what had been...State matching funds for county extension service programs and, in lieu thereof, make it available for the Extension Service Phone-In Program. As we all know, the farmers of our State are having unique and severe problems. This will allow that phone-in program which has had a significant amount of calls beyond their ability to maintain the program, they were running out of funds. This surplus is available because the counties could not match the State's services for the extension program. This would therefore allow a phone-in service to continue so that farmers with problems will at least have a place to call. The answer may be, ain't nothing we can do for you, but at least they'll have a place to call and see what services might, and I repeat, might be available. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Carroll moves the adoption of Amendment No. 1 to Senate Bill 168. Any discussion? Sena-

tor...Senator Fawell. All right. Any discussion? All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 174, Senator Hall. 175...bottom of page 2, Senate Bill 180. Senator Karpiel. All right. Top of page 3,...that's it...that's all the 2nd readings.

SECRETARY:

Yeah, that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will return to Senate Bill 39. Senator Hall wished to...wishes to move that bill. Is leave granted? Leave is granted. On the Order of 2nd Reading is Senate Bill 39. Mr. Secretary.

SECRETARY:

Senate Bill 39.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall on Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment does two things. It deletes the condemnation powers of the authority and it makes technical changes. The deletion of the condemnation power of the authority was requested by the Executive Committee, and I agreed to do that which I'm doing. The second, it's all com-

bined in this one. It makes the various technical changes which were suggested by the Reference Bureau. I would ask that this amendment be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hall has moved the adoption of Amendment No. 1 to Senate Bill 39. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll move to the Order of Resolutions. Is leave granted? Leave is granted. Mr. Secretary, on the Order of Resolutions.

SECRETARY:

Senate Resolution 83 offered by Senators Maitland, Rigney, Coffey, Donahue, Jerome Joyce and Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I'd like to ask leave of the Body to suspend the rules and ask for the immediate consideration of Senate Resolution No. 83.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland has moved to suspend the rules the...consideration and adoption of Senate Resolution 83. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Rules are suspended. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Resolution 83 calls on the 84th General Assembly of the State of Illinois that this Body urges Congress to...extend the sunset on issuance of agricultural industrial...development bonds to

December 31, 1988, and I think in line with the...the problems facing agriculture, this is a prudent move and there are, as you know, a number of us going out there tomorrow and we'd like to carry this with us. Senator Joyce joins us on this effort and we'd appreciate the Body's support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland has moved the adoption of Senate...of Resolution 83. Is there any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 83 is adopted. All right. The Resolutions Consent Calendar on your...all right. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 84 offered by Senators Watson and Dunn, and it's congratulatory.

And Senate Resolution 85, by Senator Berman, commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions Consent Calendar. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have obtained the consent of...Senator Fawell sponsors Senate Bill 97 and I would like to be added as an immediate cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, we're on the Order of Resolutions, we'll get right back to you. Senator Mahar, what purpose you arise?

SENATOR MAHAR:

I'd like leave of the Body to have my name removed as cosponsor of Senate Bill 396.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we'll get right back to you, we're on the Order of Resolutions. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's my understanding that Senate Resolutions 62, 63, 64, 65, 66, 67, 68, 69, 70, 71 and 72 are on your printed copy that has been circulated to the membership. With leave of the Body...I beg your pardon, also Senate Resolution 73, 74, 75, 76, 77, Senate Joint Resolution 21, House Joint Resolution 15, House Joint Resolution 16, House Joint Resolution 17, 18 and 19 are those resolutions that have been printed and distributed to the membership. Additionally, we have Senate Resolutions 79, 80, 81, 82, 84, 85 and House Joint Resolution 21. With leave of the Body, we will add those to the Resolutions Consent Calendar. Are there any objections? Hearing no objections, so ordered. All right. Senator Carroll moves the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. All right, now, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have obtained the consent of Senator Fawell of Senate Bill 97...and I wish to be added as an immediate cosponsor together with Senator Virginia Macdonald, both of us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. It's so ordered. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

I'd like to request leave of the Body to have my name...removed as cosponsor of Senate Bill 396.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar...requests to remove his name

from Senate Bill...as cosponsor of 396. Is leave granted? Leave is granted. It's so ordered. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I would like to place Senator Macdonald...as a hyphenated cosponsor on Senate Bill 99 also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. It's so ordered. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I'd like to have leave to be added as a cosponsor to Senate Bill 315. I talked to the sponsor and it's amenable to the them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. It's so ordered. Senator Joyce. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would like leave to move Senate Bill 88 from Local Government to the Agriculture Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves to discharge the Committee on Local Government from further consideration of Senate Bill 88 and that the bill assigned to the Agriculture Committee. Is leave granted? Leave is granted. It's so ordered. All right, with leave of the Body, we'll go to introduction of bills. Is leave granted? Leave is granted. On the Order of Introduction of Bills, Mr. Secretary.

SECRETARY:

Senate Bill 397 introduced by Senator Watson.

(Secretary reads title of bill)

398, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Demuzio arise?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DEMUZIO:

Well, Mr. President, there's a great deal of interest and I've been asked many questions today relevant to where the Emergency Farm Allocation Act...is currently. Senate Bill 263, the substantive bill, is on 3rd reading in the Senate, and Senate Bill 262, the appropriation bill of twenty-five million dollars, was read in to the record today. It will show up on the Order of 2nd Reading when we...when we return next week. It is our intention, again, to stimulate the Congress into some affirmative action relevant to a farm program for Illinois farmers for this year. And it's my understanding that the task force will be returning to Washington tomorrow and that...to intensify their lobbying efforts...in order to effectuate some kind of farm...loan program for this year. I will tell the Senate that when we come back next week that the Senate will be poised and have the bills positioned in order to take affirmative action, and they will not be called...Senate Bill 263 will not be called today. And with that, I will yield to the chairman of the Senate Agriculture Committee, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I think that, as we all know, the farm credit crisis is...we're running out of time and there is a delegation going to Washington tomorrow to

talk with the Secretary of Agriculture and our congressional delegation. I was just informed at eleven o'clock this morning Secretary Block had a press conference and loosened up supposedly the...some more Farmers Home Administration qualifications, but as we have seen in the past, that has not worked very well at all, and I think that we have one opportunity left in Washington. If that doesn't come to fruition, then, we will have to see what we can do in the State of Illinois, and I would urge all of us to contact our congressmen and...and tell them that, you know, we need help desperately here. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further announcements or further business to come before the Senate? Senator Geo-Karis.

SENATOR GEO-KARIS:

On a point of personal privilege, Mr. President, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR GEO-KARIS:

I have three constituents in the audience. Cindy May from Zion, Illinois and Reverend and Mrs. Norman Schneller from Zion, Illinois. I would like to have you welcome.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. Senator Dunn.

SENATOR DUNN:

Thank you. Mr. President, I'd like permission to be added as a hyphenated cosponsor to Senate Bill 292. I have permission of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the request. Is leave granted? Leave is granted. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave to be added

as a hyphenated cosponsor to Senate Bill 238, and I have gotten the consent of the sponsors and to be added as a hyphenated cosponsor on Senate Bill 257. I've also got...the permission on that one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the request. Is leave granted? Leave is granted. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. It's my pleasure to introduce a constituent of mine who is here today, who has been nominated by the Governor to be his advisor...to the Sanitary District, the Honorable Connie Peters who is up here in the visitors' gallery. Mrs. Peters.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would she stand and be recognized. Senator Poshard.

SENATOR POSHARD:

A point of personal privilege...privilege, please. I'd like to recognize a group of honor students from my district that are here today. A group of A students from Hardin County. They're up in the gallery today. Thank you, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would also ask leave to be added as a hyphenated cosponsor to Senate Bill 2-5-7...2-5-7, I've checked with the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Is there further business to come before the Senate? Further announcements? Senator Macdonald.

SENATOR MACDONALD:

Yes. We also have a number of students from my district and from all over Illinois that are in the gallery and they represent the...Political Practicum Convention that's going

on in Springfield this week. I'd like for all of them to be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. If there's no further business to come before the Senate, the Senate will stand adjourned until March 26th, at twelve noon.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MARCH 26, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Victor Kaltenbach, St. Patrick's Church, Springfield, Illinois. Father.

REVEREND KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, March 19th and Wednesday, March 20th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. With leave of the Body, a gentleman from UPI has requested permission to shoot pictures. Is leave granted? Leave is granted. All right, if I can have the attention of the membership, we have some special guests visiting the State of Illinois in the Senate Chamber today, and I would ask Senator Chew to make the appropriate introductions.

SENATOR CHEW:

Thank you, Mr. President and Ladies and Gentlemen. Doctor Davidson had informed me sometime ago that we would have some visiting dignitaries here from the Ivory Coast. They are currently here and in the President's Office and I'd be happy to turn the mike over to Doctor...Senator Davidson for the introductions.

SENATOR DAVIDSON:

Thank you, Charlie. Mr. President and members of the Senate, it's my pleasure to present to you four gentlemen who are National Assemblymen from the Republic of Ivory Coast from Africa, their national assemblymen is the same as our U. S. Congressmen and U. S. Senators 'cause they have a unicameral Federal legislation. At this time, my pleasure to present to you, Deputy National Assemblyman...Assemblyman...Voli, National Assemblyman Kabran, Nationally Assemblyman Kone and Nationally Assemblyman...you lawyers eat your heart out, another one of your fellow lawyers, National Assemblyman Sombo and their interpreter, and we'd like for you gentlemen to say a few words to the members of the Senate and our guests in the gallery and you, interpreter, take it from there. I know. The interpreter will preside for...

INTERPRETER:

(Remarks made by National Assemblymen)

SENATOR CHEW:

Thank you, Ladies and Gentlemen. They will be in the United States for thirty days and this is one of the major stops that they had. We were fortunate to introduce them to the President of the Senate prior and some of his staff and also to the Governor, Governor James Thompson came down and met them this morning. So, now I'll turn this back over to the President of the Senate. Hold tight just a minute.

SENATOR DAVIDSON:

Would you four gentlemen step up here so we can get that picture you want to send back to the Ivory Coast. Mr. President, thank you.

PRESIDENT:

Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Commit-

tee,...assigns the following Senate bills to committee:

Agriculture, Conservation and Energy - 367, 368 and...and 375; Appropriations I - 383; Appropriations II - 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366 and 387; Elementary and Secondary Education - 302, 347, 350, 351, 352, 380, 381, 382 and 398; Higher Education - 355; Elections and Reapportionment - 353; Executive - 349; Finance and Credit Regulations - 354; Insurance, Pensions and Licensed Activities - 369 and 370; Judiciary I - 304, 371 and 372; Judiciary II - 393; Local Government - 348, 373, 374, 376 and 395; Public Health, Welfare and Corrections - 384, 385, 386, 388, 389, 390, 391, 392; Revenue - 305,...377 and 394; Transportation - 303, 378, 379, 396 and 397.

Senator Berman, chairman of Elementary and Secondary Education, reports out Senate Bill 156 with the recommendation Do Pass.

Senator Marovitz, chairman of the...Judiciary II, reports out Senate Bills 9, 97, 99 and 155 with the recommendation Do Pass.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 23, 26, 35, 40, 43, 99, 129, 156, 157, 182, 210, 220, 222, 242, 247, 273, 338, 340, 369, 391, 428 and 485.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask

the concurrence of the Senate, to-wit:

House Joint Resolution 24. It's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And House Joint Resolution 23 and 25.

PRESIDENT:

Executive...are ready. Senator Maitland, for what purpose do you arise, sir? Later.

SENATOR MAITLAND:

Thank you, Mr. President. I move that the Senate resolve itself into a Committee of the Whole.

PRESIDENT:

All right, you've heard the motion as placed by Senator Maitland. On the Calendar, on page 6, we have called for a Committee of the Whole to consider the...issues of education reform and education funding. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate will now convene as a Committee of the Whole. We will at the conclusion of the Committee of the Whole be in Regular Session. We have a number of things that we have to deal with. In the meantime, the Chair will yield to the chairman of the Senate Education Committee, Senator Berman.

CHAIRMAN BERMAN:

The Senate, as a Committee of the Whole, will please be in order. This is the third session of the Senate Committee on the Whole to address the questions of education reform. The next meeting of the Senate Committee on the Whole will be on April 10th at twelve o'clock, at which time we will hear from Bob Beckwith, Director of Government Affairs for the Illinois State Chamber of Commerce and from Dr. Manford Byrd, Superintendent, Chicago School District. This afternoon...Ladies and Gentlemen, could we please have your atten-

tion. This afternoon we are fortunate to have four presentors who represent very important constituencies in the education community of Illinois. We have Reg Weaver, who is the President of the Illinois Education Association; we have Bob Healy, who is President of the Illinois Federation of Teachers; Paul Jung, President of the Illinois Association of School Administrators and Joan Levy, President of the Illinois Association of School Boards. We have requested each of the presentors to limit their initial remarks to ten minutes. After all four presenters have completed their presentations, we will open the Floor to questions from Senators directed to any or all of the four presenters. Our first presenter is Reg...Weaver. Mr. Weaver was first elected President of the Illinois Education Association in 1981. In addition to his service on many boards and committees, Reg has represented the IEA on the State Teachers' Certification Board for nine years. A classroom teacher for over twenty-one years, Mr. Weaver earned his Bachelor of Science degree from Illinois State University in the area of special education for the physically handicapped. He also holds a Masters Degree in Educational Administration from Roosevelt University. Ladies and Gentlemen, if I can't have a little bit of your attention, I'm going to ask you by name including some names that I think would not want me to interrupt the introduction of Reg Weaver. Please, could I have your attention. Reg has also worked with educational issues on the national level and has represented the National Education Association at the World...Confederation of the Teaching Profession Conferences in Africa, Brazil and Luxemburg. He is the recipient of many awards and has been honored with Ebony Magazine's Influential Black Educators Award and is listed in Who's Who in Black America. Reg has demonstrated his commitment to the issues of educational reform through his excellent service on the Commission for the Improvement of...Elementary and Secondary

Education and other groups. We are happy to have with him...have him with us today. Ladies and Gentlemen, Reg Weaver.

REG WEAVER:

Thank you, Senator Berman. To the distinguished Body, it is indeed a pleasure for me to have the opportunity to appear before you to make a few short remarks.

CHAIRMAN BERMAN:

Excuse me, Reg. Please extend a little courtesy to our guest, Ladies and Gentlemen. Thank you, Reg.

REG WEAVER:

Thank you, very much, Senator. I feel that the single most important reform before the General Assembly this year is a proposed amendment to the Illinois Constitution that will require the State to provide at least one-half of the financing of the State's public schools. If no other reform were mandated this year, public education would still benefit significantly from the amendment, and this is what I call real reform. It is imparative that the State of Illinois fulfill its obligation to its citizens. For the past ten years, the burden of financing our schools has increasingly fallen on the local school districts with the State paying proportionately less and less. The districts have in turn,...they've had to ask their voters for help and the local...local taxpayers have grown increasingly resistant. In many districts, voters are simply refusing to accept property tax hikes to save our schools and many...many feel that they are taxed to death; and when they have a chance to say, no, many of them do so regardless of how noble the cause may be. It is time for the State to do its part and enact a real reform. Governor Thompson and State School Superintendent Ted Sanders have both proposed that the State increase its funding significantly from the current declining percentage, and we applaud them, and we certainly hope they feel as we do

that at least fifty-one percent of the State's contribution to public education should be put on the books permanently so that every year is at least a fifty-one percent year. Our future generations deserve at least that much. Many of the school...or many of the reforms in the "Excellence in the Making" package are good ones. The members of the Illinois Education Association support a Statewide test prior to certification as well as regular evaluation of teachers. The IEA has and still does support expanded, meaningful in-service staff development programs as well as other kinds of training for teachers and administrators. The IEA supports pay increases for teachers, full-day kindergarten and early learning programs. Additionally, we support encouraging private industry to get involved with public education and all of these things are part of our legislative program. However, there are some things that the IEA...some of the proposals that the IEA will not be able to support this spring; and despite the good intentions of the commission, we feel that some of the ideas could actually hurt public education in Illinois. I think most will agree that one of the biggest problems facing public schools today is the feeling of low status and low self-esteem among teachers, and the question has to be asked, what kinds of things will improve the climate in which teaching and learning can take place? Where your treasury is, there will be your heart also. If we are to renew...if we are to renew America's dream to begin a renaissance of American industry, of American cities and of American society, we must begin by renewing our commitment to excellence and equity in education for all of America's children. Surely one thing must be clear, we cannot expect to be first in defense or first in business among the nations if, in fact, we settle for second best in education. The most sophisticated machines and computers will avail us little without educating the human resources to design and maintain

and operate those sophisticated devices. Education is not just our birthright, it is the foundation of our freedom and the support of our progress. Some people seem to think that the only thing that is necessary is to grant tuition tax credits for private schools and to...and to lecture local school boards about how they should pay their teachers. In this, as in every other function of our society, rhetoric is a poor substitute for support. It is fine to suggest that we ought to pay a bonus to our most gifted teachers but of little help if a school district can't pay any of its teachers a satisfactory wage. Some of the schemes that are receiving the most publicity right now are calculated to drive away more of the outstanding teachers that we have left rather than attracting the ones that we need. So, we say to you,...we say to you, show us your good works and we shall respond favorably to you. Reveal to us your records of support and we shall work to uphold you and...and lead us responsibly and we shall follow. We say that the future, the strength, the dream of free quality universal public education is at stake. Not only is the hope of free quality universal public education at stake, but so too is the future of Illinois' children; children, many of whom come from homes where circumstances demand that they be older than their years; children who come from homes where...where both parents have to work in order to eke out a meager existence, and...and children who have been deprived of love and affection and caring, and many who come from...from...from home to school who are very, very hungry, and children whose...whose...whose lives are a steady school of hard knocks, and children whose greatest expectation...whose greatest expectation is just to survive one day at a time. These children are among our next generation of leaders. Public education is their hope. Public education is our hope. Public education is their future and our future, and

we say that we want to join hands with colleagues, we want to join hands with the parents of the students and with business and labor and all others who are interested in...in Illinois public schools, with all who cherish the integrity of the American dream; and with them, we want to resolve...resolve that through Illinois public schools we shall reaffirm the major priorities of this nation; "to form a more perfect union to establish justice, to insure domestic tranquility, to provide for the common defense, promote the general welfare and to secure the blessings of liberity to ourselves and our prosperity." Thank you, very much.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Reg. We will have questions after the four presenters have completed their remarks. Our next presenter is Bob Healy. Bob Healy has been president of the Illinois Federation of Teachers since 1971. He is also currently serving as vice-president of the American Federation of Teachers and secretary-treasurer of the Chicago Federation of Labor. Bob has been a delegate to many educational conventions and has been a member of numerous advisory committees. Bob is a graduate of Hyde Park...Hyde Park High School in Chicago and the University of Chicago. He has also worked as an English teacher and department chairman at four Chicago public schools, including Gage Park, Harrison, Kelly and Farrogate High Schools. A native of Chicago. Until last year, Bob served thirteen years as president of the Chicago Teachers' Union. We are happy to have him with us today. Please welcome Bob Healy.

BOB HEALY:

Thank you, Senator Berman, Mr. President and Mr. Chairman, distinguished members of the Senate of Illinois. Representing the Illinois Federation of Teachers, I am very pleased and welcome the opportunity to participate in this hearing. We in the IFT believe that the current discussion

about educational reform and change in Illinois will be beneficial to public education and to the State of Illinois economically and in all other ways. We have expressed our desire for a free and open discussion of the problems in education, the causes of those problems, as well as the proposed solution to those problems. School boards, teachers and administrators have struggled, and sometimes failed, we admit, to maintain school programs and raise the quality of instruction in the face of rising costs and other changes in our society. At the same time, unfortunately, the State of Illinois has decreased its financial support of schools. While hundreds of millions of dollars in school support have been shifted from the State to local property taxpayers, teachers have endured mounting criticism because student achievement on test scores have been disappointing in some instances. The IFT believes, therefore, that the education community and other supporters of schools must respond to the call for reform with proposals to raise standards, number one, and strengthen dramatically the State's financial commitment to education, number two. On school finance, the IFT supports the State Board of Education's recommended increase in State aid to schools of four hundred and four million dollars. We also recognize and have praised Governor Thompson's leadership in recommending in the budget the largest increase for schools that has been ever recommended. We do think it falls just slightly short of the State Board of Education's recommendation. Such an increase or increases is needed to begin the work of raising standards and improving educational opportunities for the young people of Illinois. We believe, also, that the goals of adequate State support for the schools and equity in the distribution of available resources will be far more likely to be attained through efforts to reform the existing structure of school support, rather...by...than by moving to a radically new and untested

model such as the resource equalizer model. Under the area of teacher training and certification, we believe that it's necessary to make some dramatic changes. First, we would require that all teachers seeking certification for the first time in the State of Illinois pass a rigorous examination. Number two, we think that we should require competent performance in basic skill areas for students admitted to teacher education programs in the universities and...so that all teacher candidates perform at levels higher than the average for college students. Third, require that all college and university graduates in teacher education have a major in an academic subject field other than education and that secondary school teacher candidates have an academic major in the subject area which they will be teaching. Fourth, require that students preparing for elementary school teaching have intensive preservice training in the traditional liberal arts. Fifth, require much closer supervision of student teaching and other field experiences of teacher education students by university faculty from the appropriate diciplines; and also where appropriate, that internships should be set up for beginning teachers. As well as passing a rigorous examination and academic standards, we feel there ought to be a period of time when they are supported and counseled by veteran teachers. In respect to evaluation of teachers, we recommend a comprehensive Statewide program to train evaluators; that is, the administrators. The IFT also supports a Statewide mandate that requires all school districts to evaluate its employers under fair procedures. The IFT believes evaluation procedures that are negotiated by school management and the teachers bargaining agents will improve education, and that unilaterally developed and imposed teacher evaluation methods are not as likely to be successful. In respect to the area of in-service training or staff development, the State should also require staff

development programs so that teachers can update skills and knowledge. Such in-service training programs should be developed jointly by school administrators and bargaining agents for the teachers. The one area that we have spent the most time in and we have a detailed report on it, though I must just summarize it, is in the area of discipline and a safe learning environment in the schools. We believe that this is an area where many administrators, many boards of education, many political figures and many union teacher leaders have been rather gutless. We have spent too much time being concerned about the one or two children and their rights who disrupt the classes of the school children and not enough time about the ninety-eight percent of the students whose learning is interrupted in the classroom and because of those interruptions not only takes away learning but demoralizes teachers. We believe that teachers must be given State authority to remove disruptive students from their classrooms. Students whose behavior in regular classroom settings has a continuing negative effect on other students must be placed in alternative programs developed and guided by the State of Illinois. School districts should be required also to develop and enforce fair and effective student discipline codes through joint efforts of teachers, administrators and parents. The IFT urges the development of alternative programs for students with chronic behavior problems and that such programs be funded by the State. In respect to class size and other teaching conditions, the IFT urges the General Assembly to mandate class size standards because class size has a direct bearing upon the quality of instruction and the quality of the relationship between students and teachers generally. Maximum class size should generally not exceed twenty students, with changes, of course, for special education and so on. We also believe a standard should be established Statewide to provide a minimum

sixty minutes of planning and preparation time during the regular school day for all teachers. Teachers also could be relieved of noninstructional duties through the use of paraprofessional staff. We further urge the State to give special attention to the problem of dropouts and also the early...intervention to prevent drop outs. We urge that this State establish and enforce standards to guarantee that all schools should have adequate counseling services, psychologists, social workers and school nurses in respect to this drop-out problem. You know that fifty percent of the female students who drop out of school do so because of pregnancy and in...it's in this area where school nurses and so on could be especially helpful and try to retain those students in some manner to get an education. On the question of student testing, the IFT continues to support the use of testing as a tool in the context of the total evaluation system in our schools. Tests serve a valuable function in education. We support Statewide mandated examinations of regular education students at appropriate stages during their years in school. All across the State we feel that students should be evaluated so that the schools can be evaluated so that you know whether we're doing the job you're asking us to do. We believe that early childhood education would be a...would be money well spent by the General Assembly. Special attention should be given to the establishment of early childhood programs and full-day kindergarten programs. Research has proven conclusively, and I refer you to the Ypsilanti Study in Michigan that took place over a nineteen-year period, that early childhood education programs contribute...significantly to children's success throughout their education and that such programs are also economically beneficial to society as a whole. The children who go through them earn more money in their lifetimes, they are less liable to be involved with the law...on the bad side of

the law rather, and it's proven that it would really pay to spend some money on early childhood education. We would feel that the General Assembly should mandate that a full-day of kindergarten be funded by the State. In respect to teachers' pay, which comes last in my speech but not necessarily in my heart, the teachers' pay and improving teachers' salaries and other economic benefits is crucial to the success of education reform. Current statutory minimum salaries should be raised from ten thousand dollars to twenty thousand dollars in increments by 1987-'88 and proportionally increases on salary schedules for the veteran teachers. We do know that a teacher shortage is imminent and we would like to see Illinois be the beacon light where we have decent salaries at the beginning level with a short period to maximum so that we do not start school in September with a thousand classrooms with no teachers as could happen if something isn't done now. The...school districts also should try to develop schedules of no more than ten year's length with maximum salaries to be no less than forty thousand dollars. We're asking over a three-year period to get to a base salary of twenty to forty thousand dollars for teachers, many of whom have students who graduate, as you know, from colleges and go into accounting, law, engineering and start at much more than the minimum we're suggesting.

MR. CHAIRMAN: (SENATOR BERMAN)

Excuse me, Bob.

BOB LEAVY:

...I...

MR. CHAIRMAN: (SENATOR BERMAN)

We have some people in the audience that are not Senators and we would ask them to please be courteous in extending a little bit of courtesy to our guests. I'm sorry, Mr. Healy, please proceed.

BOB HEALY:

Thank you, Mr. Chairman. The IFT would oppose any attempt by the State to impose merit pay, career ladder or differentiated staffing plans on a Statewide basis. Development and implementation of any such plans should be subject to collective...bargaining at the local level to meet local needs. Such negotiated incentive salaries should be funded by the State, that would be above the base, and we feel they should be developed locally. In conclusion,...on behalf of the tens of thousands of members of the Illinois Federation of Teachers in two hundred and eighty school districts across this State, I wanted to thank Senator Berman, President Phil Rock, my own Senator, Senator Aldo DeAngelis, who's always very strong on educational needs and whose children also go to the school that came in third in the State tournament, Homewood-Flossmoor, and Governor James Thompson for focusing attention upon the vital work of reforming and renewing public education in Illinois. We in the IFT are prepared to give full support to your efforts for change to make sure that public education remains one of the strengths of our State in the future. We want especially to thank the members of the Berman-Mulcahey Commission and all the other educational and citizens' organizations who have been and will continue to be involved in this important work. Thank you, very much, and I would be glad to respond to questions at the end of the...whole presentation.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Bob. Paul Jung is president of the Illinois Association of School Administrators. He has previously served as both treasurer and director of this organization. Paul is currently serving as superintendent of schools for Des Plaines District 62 and has previously held administrative positions with the LaGrange-Highlands District 106 and Palatine Community District 15. Paul holds a...Doctorate in Educational Administration from Northern Illinois University.

In addition to his school activities, Doctor Jung also has been very active in community activities including chairing local...committees for services to young people. As president of the IASA, Paul has served with distinction and we are honored to have Paul Jung with us today. Paul.

PAUL JUNG:

President Rock, Minority Leader Philip, Senator Berman and members of the Senate Committee of the Whole on Education Reform. It is a privilege to have this opportunity to present the position of the Illinois Association of School Administrators on the educational reform issues before the Illinois General Assembly this Spring. Our testimony is based on a careful review of the recommendations in the reports of the Illinois Commission of the...on the Improvement of Elementary and Secondary Education and the Illinois Project for School Reform and in the proposals released by Governor Thompson and the State Board of Education, as well as our association's legislative principles. Given the limitations of time, allow me to review some of the major reform issues. The first issue is student learning expectations. We support the recommendations of the commission and the State Board that local school districts should develop learning expectational...expectations or instructional outcomes which meet or exceed the State requirements. While the commission is silent on the issue, we can only assume its intent is the same as the State Board's proposal, that the change to learning objectives would be accompanied by a repeal of existing curriculum mandates. The commission and the State Board both have recommendations on changing the requirements for mandatory daily physical education and driver education. We prefer the State Board's proposal to make physical education elective for students in grades eleven and twelve, rather than only under certain circumstances as...permitted in the commission's proposal. And we

suggest that the State Board's proposal be expanded to allow students to be excused from physical education, with credit, if they are participating in a sports program and that kindergarten student not be permitted...not be required to take physical education and that health education classes be allowed for physical education credit. The State Board's proposal making driver education permissive should be enacted, and we support the commission's proposals to allow private providers for behind-the-wheel instruction and to charge a reasonable fee to participants, allowing for waivers for students unable to pay. Two, student assessment schedule. The commission, the Illinois Project and Governor Thompson all offer similar recommendations for assessment schedules. We support requiring regular education pupils to demonstrate academic proficiency levels at the third, sixth, eighth and tenth grades, in accordance with established criteria developed by the State Board of Education; in reading, 1987-'88; reading and mathematics, 1988-'89; reading, mathematics and language arts, 1989-'90. All grade level retention decisions should be made by the local school district. The State Board must make prudent use of test results and district by district and building by building comparisons must be avoided. We further support the Governor's report card proposal. Item three, job descriptions and certification of school administrators. As we did when the commission's draft report was issued, we must oppose its final recommendations on requiring the law to be amended to "specify the vital role of the principalship" in order to assess the current educational climate and "reestablish their teaching skills," and on requiring the law to establish the criteria for certification. We must caution against writing school personnel job descriptions in Illinois law. These recommendations fail to recognize the wide variance in school district size, organization and finances which defies spe-

cific statutory definition. In response to the commission's recommendations on certification on administrators, we proposed language that requires the State...Teachers' Certification Board to set standards rather than establishing the criteria in law. Item four, the recertification of school administrators. The commission proposes that administrators be recertified every five years. As we responded when this recommendation was issued in the commission's draft report, we will support it if it is expanded to include all certificated personnel. We found it curious that the reason the commission's draft report gave for the need for recertification of administrators was an Illinois citizen's concern that "provision must be made for periodic upgrading of competencies for both teachers and administrators." For some reason, the commission was unable to recommend that recertification should be required of all certificated personnel in Illinois school districts. Item five, racial minorities and women in school administration. The commission recommends that scholarships, fellowships and internships should be established by the State Board for racial minorities and women interested in becoming school administrators. IASA strongly supports these recommendations. As an association of school administrators, we are working to enhance recognition of the needs of racial minorities and women who would like to move up through the ranks of school administration. At our annual conference next month, we are offering special panels for these candidates on advancement as school administrators. Item six, teachers' salaries. All four proposals recommend an increase in the minimum salary for teachers. We support increased salaries for teachers, but we are cautious about the specific proposals because of the uncertainties of the costs involved. If the State is mandating increased salary costs of local school districts, we can only assume that they will cover all the additional

costs. Before legislation on increased salaries receives serious consideration, we suggest all interested parties reach an understanding of how the salaries would be increased, given effects on salaries above the minimum, and how much those increases cost...will cost in Fiscal Year '86 and in future years. We strongly urge that increases to the minimum salaries should include provisions for an extended employment year, as determined locally. Item seven, teacher evaluation schedules. The commission, Illinois Project and Governor all offer proposals regarding evaluation of teachers. We support the establishment of district evaluation procedures developed according to general State Board criteria, but we are opposed to statutory guidelines for specific procedures. For example, the number of evaluations per teacher per year should not be set in law but rather developed locally. Item eight, the probationary period for teachers. None of the education reform proposals address the issue of probationary period for teacher tenure. We support an extended probationary period to more adequately provide for careful and deliberative decisions on tenure. State Superintendent of Education Ted Sanders has said that we face the dilemma of over-choice with regard to the education reform proposals this Spring in Illinois. The burden of choice now rests with you as you consider legislation which addresses the numerous reform recommendations. Hopefully, we, legislators, educators, parents, business leaders and other citizens can work together during the coming three months to send a responsible package of education reform legislation to Governor Thompson for his approval. Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Paul. Joan Levy is the president of the Illinois Association of School Boards. She has previously served on several association committees including six years as chairperson of the Legislative Committee. Joan is currently

serving as a board member with New Trier Township High School District 203 where she was first elected in 1977. Joan holds a Bachelors Degree from the University of Michigan and a Masters Degree from Columbia University. She is married and has five children. Since local boards of education will play an instrumental role in any legislation that we enact to enhance the quality of education received by our young people, the Senate felt it was only appropriate that Joan Levy, president of the...IASB be invited to address us today. Please welcome Joan Levy.

JOAN LEVY:

Thank you, Senator Berman. Members of the Senate, I do thank you for the time and attention you are giving to strengthening education for the children of Illinois. You have heard more reform proposals than I'm sure you ever wanted to hear about today and I will try to condense my remarks, but I know you are looking for school districts to become more accountable and I...we have no quarrel with that. We do believe that districts ought to be accountable for the effective use of tax dollars. They ought to be accountable for student performance and accountable for employing and retaining well-qualified teachers and administrators. The IASB recognizes that 1985 is the year for action and we will support changes designed to improve our schools. Instructional standards are at the forefront of most reports and that is refreshing, for we have not talked enough in the past about the essence of education. The IASB supports the Commission on Improvement and the State Board of Education's recommendations on learning outcomes. We believe this approach acknowledges the proper role of the State while providing local school districts a reasonable degree of latitude in developing programs to meet the needs of individual students. At the same time, the General Assembly must deal with the issue of existing instructional mandates. Current

requirements are a hodge-podge of good intentions. The individual mandates have never been considered within the total framework of instructional priorities. We support the Commission on Improvement's recommendations to allow flexibility of the physical education mandate in grades eleven and twelve and the driver education behind-the-wheel mandate. We also agree with the recommendations to allow the use of proficiency tests in order to provide able students with more time to take advanced courses. Pupil testing is one of the key accountability proposals. We have doubts about the wisdom of imposing a Statewide test of academic proficiency. We much prefer that testing programs be developed and administered at the local level. Testing programs should be used to measure the needs of individual students and chart their growth, improve school curriculum and strengthen teacher performance. The recommendation that regular education pupils periodically demonstrate academic proficiency in reading, mathematics and language arts has our support with the qualification that student retention decisions remain at the local district level. Further, the State Board of Education must be prudent in the use of test results. District by district, building by building comparisons of raw scores serve no useful purpose without recognition of the varying composition of student groups. The needs of the kindergarten and preschool child have been dealt with in many reform reports. The statistics are startling, fifty-five percent of the children under twelve have working parents; forty percent of the three to five year olds have working mothers. In the coming months, we ought to carefully consider what the role of the public schools should be in this area. The care and education of these children...is a societal necessity, and public schools may well be the institutions to provide for this clientele; but there is a cost for these services and we cannot cut existing programs to meet the need, new funds are

required. We are in full agreement with proposals to improve the preservice and in-service training of school personnel. We believe that applicants for teaching, administrative and school personnel certificates should pass a proficiency examination on basic communication and mathematic skills and a proficiency examination in the major field of the desired teaching or administrative assignment. Teacher salaries are a significant consideration in the budgets proposed by both Governor Thompson and the State Board of Education and every report has called for increased salaries. The IASB's Delegate Assembly has adopted resolutions based on the national commission's report "A Nation at Risk." These resolutions call for increased teacher salaries and for the development of career ladders that distinguish among the beginning instructor, the experienced teacher and the master teacher. We support a deliberative approach to the question of performance pay. We believe that teachers, administrators and school boards can work with the State Board of Education to develop various models that districts could use as a framework for negotiating performance pay plans through the bargaining process. Let me quickly share with you some thoughts on the performance pay issue. Public school administrators must improve their evaluation techniques and the appraisal systems within the districts. For pay to be related in any way to achievement, somebody has to be equipped to evaluate the effectiveness of performance. Effective evaluation and differentiated pay are not going to make any difference in the quality of teacher performance unless the perception that bad teachers are invulnerable is changed. Statutory provisions of tenure, the hearing officer procedure and the defeatist attitudes of some administrators have convinced mediocre teachers that they are, for all practical purpose, untouchable. Many teachers cannot understand why they should work hard when there is no difference between

their...compensation and job security and that of their uncommitted colleagues who barely maintain minimum standards. Conversely, why should inadequate teachers struggle to improve when there is no reward if they do and no penalty if they don't. The most drastic punishment imposed upon an incompetent teacher is often involuntary transfer to another school or a less visible assignment. It's not enough to reward good teachers, we must identify the inadequate teachers, make a good faith effort to help them improve and fire or relocate them in a new career if they are unable and unwilling to improve. The fact that public school districts are required by law to bargain wages, hours and other conditions of employment must be carefully considered by the General Assembly as it debates the various reform proposals. State mandated teacher salaries and working conditions negate the very premise of collective bargaining and totally undermine the balance in the bargaining process. What is left for management to negotiate other than who will control the school system? We believe the existence of the collective bargaining law is itself a powerful argument against legislating minimum salaries. However, if the General Assembly determines that it is important public policy to raise minimum salaries, we think there are some significant points which should be included as we make that change. First, increases in the State mandated minimum salary must be funded by the State of Illinois and funding should also be required to cover the so-called ripple effect. Given the pattern of teacher salary schedules in this State, please remember that the ripple effect of State mandated beginning salaries of twenty thousand dollars produces forty to fifty thousand dollar salaries for the more experienced teachers. Second, the probationary period for teachers should be extended to...more adequately provide for careful and deliberative decisions on tenure. For the teacher who is just beginning a

teaching career, we would suggest an initial one-year internship program followed by a four-year probationary period. Experienced teachers who move from district to district should have a three-year probationary period rather than the existing two-year period. This is not intended to be punitive but, rather, to make the evaluation system more reasoned and effective. A system of renewable tenure should be examined, a system that would allow, with necessary safeguards, relocation or removal of the mediocre. This is particularly relevant since about only twenty-five hundred new, inexperienced teachers are hired by Illinois school districts each year out of a teaching force of one hundred thousand. Local school districts must be given some leverage in requiring improved performance by teachers already in the system. Third, we need to move toward a system that will allow at least a portion of our teaching staff to be employed on eleven or twelve-month contracts. Until we overcome the perception that teaching is a part-time occupation, the profession will never achieve the status it deserves. Not every teacher would want to take advantage of the full-year contract, but the longer contract would provide opportunities for increases in compensation, more effective use of teacher talents and generally raise the status of teachers. One short word about funding. I will not belabor the statistics, but I must assure you that the IASB has as its highest priority the State assumption of a greater share of the costs of public education. These reforms all have a price tag and substantial amounts of new dollars are required. At the same time we have to keep our existing programs operating at least at their current levels. I urge you to continually be aware of the necessary balance between dollars for reform and dollars for maintaining current services. The eighty million dollars estimated by the commission is the State cost of increasing beginning teacher salaries next year, plus the

ripple effect is based on the assumption that all school districts will pay a five percent across the board salary increase to all teachers. The local district cost is estimated at a hundred and twenty-five million new dollars for next year and does not include the cost of the longevity step in all teacher salary schedules. The cost of that automatic salary increase for teachers who've not reached the top of the salary schedule is usually two to two and a half percent of the total salary cost. All of these costs are supposed to be assumed by the local district next year. Since there is expected to be virtually no increase in local property assessments throughout the State next year, this mandated five percent increase in teacher salaries will have to be funded by new State dollars or must come from increased class size or reduction in school programs. I bring this to your attention because there are so many reform proposals before you, many of them imposing new requirements on local school districts. I have frequently heard our membership express the fear that on June 30th, we will end up with many new mandates, as well as all of the old mandates still in place, and once again, insufficient funding to carry on our existing programs, much less implement new reforms. Such a self-defeating response to the needs of Illinois students can only...be compared to the compromise which a not-so-funny comedian proudly described after he and his wife failed to agree on how to spend their limited resources. He wanted a car. She wanted a fur coat. So, they compromised. She got the fur coat and they keep it in the garage. Please, don't saddle school districts with the trappings or wrappings of reform instead of investing in less glamorous vehicles with long-term capability to achieve meaningful improvement. We look forward to working with you in this effort. Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Joan. Now if we could have the four

presenters come to the Rostrum; Reg, Bob, Paul and Joan. Questions from the members of the Senate. Looks like you've answered everybody's questions, I see no lights lit up. Very good. Thank you, very much, all four of you, for your fine presentations. The Chair recognizes Senator Maitland.

END OF REEL

REEL #2

SENATOR MAITLAND:

Thank you, Mr. Chairman. I would move that the Senate arise from a Committee of the Whole.

MR. CHAIRMAN: (SENATOR BERMAN)

You've heard the motion. All those in favor signify by saying Aye. Opposed. The motion carries and the Senate does here arise. Thank you. Senator Rock.

PRESIDENT:

All right. Senator Berman has moved that the Committee of the Whole do arise. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. We are back in Regular Session. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. With leave of the Senate, I would like to add Senator Poshard as a hyphenated cosponsor to Senate Bill 398.

PRESIDENT:

Senate Bill 398, the gentleman seeks leave to add Senator Poshard as a cosponsor. Is leave granted? Without objection, leave is granted. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. With leave of this Body, I would request to be added as a hyphenated cosponsor to Senate Bill 305.

PRESIDENT:

305, the gentleman seeks leave to be added as a cosponsor. Is leave granted? Leave is granted. So ordered. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to have leave of the Body to move Senate Bills 274 and 275 from the Committee on Local Government to the Committee on Revenue.

PRESIDENT:

There has been objection. That motion will be taken up later. Resolutions.

SECRETARY:

The following resolutions are all congratulatory or commendatory.

Senate Resolution 86 offered by Senator Lemke.

Senate Resolution 87 offered by Senator Carroll.

Senate Resolution 88 offered by Senator Rock and all Democrat Senators.

Senate Resolution 89, Senator Welch.

Senate Resolution 90, Senator Mahar.

Senate Resolution 91, Senator Geo-Karis.

Senate Resolution 92, Senators Sangmeister and Jerome Joyce.

Senate Resolution 93, Senator Kelly.

Senate Resolution 94, Senator Davidson and all Senators.

Senate Resolution 95, Senator Lechowicz and all Senators.

PRESIDENT:

Consent Calendar. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 399, by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 400, by Senator Rock.

(Secretary reads title of bill)

401, by Senator D'Arco.

(Secretary reads title of bill)

402, by Senator D'Arco.

(Secretary reads title of bill)

403, by Senator Carroll.

(Secretary reads title of bill)

404, Senator Luft and DeAngelis.

(Secretary reads title of bill)

406, by...405, by Senator Schaffer and Geo-Karis.

(Secretary reads title of bill)

406, by Senator Welch.

(Secretary reads title of bill)

407, Senator Welch.

(Secretary reads title of bill)

409, by Senator Sangmeister.

(Secretary reads title of bill)

410, by Senator Sangmeister and Coffey.

(Secretary reads title of bill)

411, by Senator Rigney.

(Secretary reads title of bill)

412, by Senator Rigney.

(Secretary reads title of bill)

413, by Senator Sangmeister.

(Secretary reads title of bill)

414, by Senator Degnan.

(Secretary reads title of bill)

415, by the same sponsor.

(Secretary reads title of bill)

416, by Senator Holmberg.

(Secretary reads title of bill)

417, by Senator Hall.

(Secretary reads title of bill)

418, by Senator O'Daniel, Jerome Joyce, Luft, Coffey, Poshard, Demuzio, Schuneman and Rigney.

(Secretary reads title of bill)

419, by Senator Savickas.

(Secretary reads title of bill)

420, by Senator Demuzio.

(Secretary reads title of bill)

421, Senator Luft.

(Secretary reads title of bill)

422, by Senator Dunn.

(Secretary reads title of bill)

423, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

424, by the same sponsor.

(Secretary reads title of bill)

425, by Senator Keats.

(Secretary reads title of bill)

426, by Senator Demuzio.

(Secretary reads title of bill)

431, by Senator Holmberg.

(Secretary begins reading S.B.431)

427, by Senators Donahue and Demuzio.

(Secretary reads title of bill)

428, by Senators Kustra, Rock and Keats.

(Secretary reads title of bill)

429, by Senators O'Daniel, Poshard and Welch.

(Secretary reads title of bill)

430, by Senators O'Daniel and Poshard.

(Secretary reads title of bill)

431, by Senator Holmberg.

(Secretary reads title of bill)

432, by Senators Maitland and Jerome Joyce.

(Secretary reads title of bill)

433, by Senator Marovitz.

(Secretary reads title of bill)

434, by Senator Marovitz.

(Secretary reads title of bill)

435, by Senator Marovitz.

(Secretary reads title of bill)

436, by the same sponsor.

(Secretary reads title of bill)

437, by Senator Karpiel.

(Secretary reads title of bill)

24-38, Senator Berman.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 96 offered...Senator Hudson and Mahar. It's...commendatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 97 offered by Senators Donahue, Demuzio, Bloom and others.

PRESIDENT:

Executive. Before I recognize Senator Vadalabene, WAND-TV from Decatur wishes to film the proceedings. Get your right profile, Sam. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you for the introduction. I would like to be shown as a hyphenated cosponsor of Senate Bill 262.

PRESIDENT:

262, the gentleman seeks leave to be added as a hyphenated cosponsor. Is leave granted? Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President. At the request of Senator Lechowicz, as chief sponsor of Senate Bill 300, I would ask leave that Senator Lechowicz be added as a hyphenated cosponsor of Senate Bill 300.

PRESIDENT:

All right. Gentleman seeks leave to show Senator

Lechowicz as hyphenated cosponsor of Senate Bill 300. Without objection, leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I just wanted to now when you might get to 3rd reading, I had a bill...

PRESIDENT:

We're going...

SENATOR HALL:

...it's of an emergency nature.

PRESIDENT:

...I understand. We are going immediately to page 2 on the Calendar to the Order of Senate Bills 2nd Reading. Senator Schuneman, for what purpose do you arise, sir?

SENATOR SCHUNEMAN:

To ask leave to be added as a hyphenated cosponsor on Senate Bill 316.

PRESIDENT:

316. The gentleman seeks leave to be added as a hyphenated cosponsor of Senate Bill 316. Without objection, leave is granted. All right. If you'll turn to page 2 on the Calendar. On the Order of Senate Bills 2nd Reading, Senate Bill 10. Senate Bill 18. Read the bill, Mr. Secretary. On the Order of Senate Bills 2nd Reading, top of page 2, is Senate Bill 18. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 18.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 29. 31. Senate Bill 50. Senate Bill 79. Senate Bill 105. Senate Bill 111. Middle of page 2. Senate Bill 118. 133. 134. 141. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 141.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

All right. Take it out of the record, I...that's mine. 145, Senator Carroll. 167. 170, Senator Weaver. On the Order of Senate Bills 2nd Reading, the top of page 3, is Senate Bill 170. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 170.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 174, Senator Hall. On the Order of Senate Bills 2nd Reading, Senate Bill 174. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 174.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 175, Senator Hall. 180, Senator Karpiel. 187, Senator Lemke...212, Senator Demuzio. 238, Senator Marovitz. 248, Senator Holmberg. 249. 248. On the Order of Senate Bills 2nd Reading, the middle of page 3, is Senate Bill 248. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 248.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

Senator Holmberg on Committee Amendment No. 1.

SENATOR HOLMBERG:

Committee Amendment No. 1 deletes everything after the enacting clause and requires that the State's portion of the proceeds of the lottery shall be paid into the Common School Fund. As we know, the Governor recently announced his support for total transfer of lottery proceeds to be transferred into the Common School Fund rather than the General Revenue Fund and this amendment will accomplish that transfer.

PRESIDENT:

All right. Senator Holmberg has moved the adoption of Committee Amendment No. 1 to Senate Bill 248. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

I have not seen the amendment, President Rock, but...don't you have a bill that...that would, in fact, be in conflict with what she's trying to do at this time?

PRESIDENT:

No. Senator DeAngelis.

SENATOR DeANGELIS:

Well, would this preclude the municipal reapportionment of the monies? This is not amnesty? Okay, I'm sorry.

PRESIDENT:

All right. Senator Holmberg has moved the adoption of Committee Amendment No. 1 to Senate Bill 248. Any further discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 249, Senator Holmberg. 254, Senator Luft. 262, Senator Demuzio. On the bottom of page 3, on the Order of Senate Bills 2nd Reading, Senate Bill 262. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 262.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Demuzio, Committee Amendment No. 1.

SENATOR DEMUZIO:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 reduces the total appropriation from fifty million dollars in GRF to twenty-five million dollars. And I would move the adoption of Committee Amendment No. 1.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 1...Committee Amendment No. 1 to Senate Bill 262. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment

is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 4. We'll move immediately, with leave of the Body, to the Order of Senate Bills 3rd Reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This Senate Bill No. 1 will appropriate one million fifty-seven thousand six hundred dollars to the Board of Regents to enable Northern Illinois University to create an engineering school. The purpose for this bill is to insure that there are sufficient number of spaces for individuals in Illinois where students who want to become engineers to fulfill their goal. The State Board of Higher Education has already passed a resolution enabling Northern Illinois University to create an engineering school at Northern Illinois. In fact, what we are now awaiting is the funding from the State in order to proceed. At the present time, there are many Illinois citizens who want to become engineers but are unable to attend school due to the lack of space in those schools or to the high tuition requirements at other private schools. In fact, twelve hun-

dred Illinoisans have had to go to the State of Iowa in order to receive an engineering degree in the last year. The number of students who are dissuaded from becoming engineers cannot be measured. For those who go to see their counselors, when they are counseled on their future careers, must be told that to get into engineering school you either have to be in the top one percent of your class or be rich or be both. The idea of an engineering school is not merely for academic purposes, it is for purposes of improving the economy of the State of Illinois. One of the main requirements of General Motors to bring the Saturn Plant to Illinois is that they be within fifty miles of an engineering school and engineering goes hand in hand with high technology. For too long we have not played up the high technology aspects and the availability of our schools of higher learning to business and now we must play catch-up. It's not for no reason at all that Massachusetts has become such a center of high technology; with MIT and Harvard and their other fine schools, they're a natural magnet for this type of high tech. industry, and that's what we want to do here in the State of Illinois. This bill has received a great deal of support, I believe we have thirty-one sponsors at this time. The number of jobs that it will create is unknown, but we think that in northern Illinois with the availability of the Argonne Lab, with our attempts to bring in the super colliding super conductor to the area, with other attempts at making it a high tech. area, we're trying to bring in Chrysler into Belvidere with more automobile building. Each of these requires engineering training and both takes from engineering schools the courses that they teach and supplies teachers to those schools. For this reason, those of us in northern Illinois and throughout the entire State, in order to improve our economy and make life careers for our students here in Illinois, are supporting this bill. I'd be glad to answer

any questions, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill No. 1 pass...Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Got a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BLOOM:

In the presentation of this bill, the Board of Higher Education, it was stated, endorsed the creation of another engineering school in the State of Illinois. Was not the staff of the Board of Higher Education...did not their study end up recommending against creating another engineering school in the State at this time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom, would you repeat that. Senator Welch missed your question.

SENATOR BLOOM:

I'm...oh all right, Mr. President. My...question is, although it has been stated both in committee and now on the Floor that the Board of Higher Education has endorsed the creation of an additional engineering school in the State of Illinois, is it not correct that the staff of the board, the study that they conducted, concluded that it would not be necessary to create another engineering school in the State of Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator Bloom, my understanding is that the initial staff report in December, before the bill was introduced, did indicate that based on projections then available that not enough

students were applying to become engineers. But that's a self-fulfilling prophecy. If there are not enough spaces for people to become engineers, you're going to have fewer students applying; plus, you're going to have your school counselors discouraging students from becoming engineers. So, in effect, what you had was an attempt by the...the staff of the Board of Higher Education, who I am not sure are wholly neutral on this issue, making a recommendation early on which was not followed by the Board of Higher Ed., just the staff recommendation is what you're referring to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, I...I don't want to unduly prolong the proceedings here. With thirty-one cosponsors, perhaps the outcome is foreordained, but I think a record must be made. The response about kids discouraged and so on and so forth, I have been informed by...schools that are among the Federation of Independent Colleges and Universities that indeed there is not, outside of the University of Illinois, such a demand as to warrant an additional engineering school. I would...respectfully disagree with the characterization of the staff recommendation, not that any agency should blindly follow the recommendations of staff. However, it is with a great deal of reluctance that I do rise against this particular measure because I...it could be misinterpreted in the sense that somehow I want to...it has nothing to do with the sponsor, I understand why the sponsors...the thirty-one sponsors are doing what they're doing, but I would suggest that it probably would be a wiser allocation of the 1.7 million dollars if we got the institutions of higher education that offer such programs, especially the independents and Southern and some of the others, to do rather aggressive outreach program, I know that Bradley University which has such a program

in my own home town would be willing to participate to do an outreach to encourage high school students to enroll and pursue a career in engineering. Thank you for your time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. It is tough to go against thirty-one...thirty-one cosponsors on a bill. But, Senator Welch, I would...I would submit to you that the argument that we use from time to time in Illinois that the students go elsewhere to get their degree and that ultimately go someplace else to...to get a job would still take place even if we educated those students in Illinois. I'm not sure we have a deficiency in...in...in engineers in Illinois. Certainly, we may...we may want to...the young...the young people who want to pursue an...an engineering degree may want to go to school here, but I'm not sure that after graduation they really want to...to seek employment here. That concerns me just a little bit. But I think of a bigger...bigger magnitude is...is the fact that every senior university in this State wants to be all things to all people, and I...I don't fault university presidents for that, I don't...I don't fault the people involved in those universities for wanting to do that. But we are never going to fund higher education in this State until we address the fact that these universities, each and every one of them, can't be all things to all people. They have to build on the programs they have that are very good and do away with those that are not doing what they should do. The same argument applies with creating new courses at those universities and that troubles me a great deal. It would seem to me, that as Senator Bloom mentioned, that privates and...and in particular University of Illinois should expand their program and do a more efficient and...and better job of...of engineering of...of educating engineers in

the State. And again, I don't think we're going to fund...higher education at an adequate level until we address those problems. My final point would be this, could you tell the Body what the ultimate cost of...of the engineering program at Northern will be? Now the 1.7 million dollars I understand is for the first year of operation. What then would be the ongoing annual cost?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, the...the...this bill is one million fifty-seven thousand six hundred dollars, not 1.7 million. The three year...1.9 million is going to be the total cost of the program over the next two fiscal years. Right now, even though there is some problems getting engineering faculty, here at Northern Illinois University we already have ten or eleven engineers on the staff that will move within the school to the engineering school upon its designation. So the initial cost is going to be 1.9 million dollars..for two years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Can you...can you reach out a...a bit farther on that though?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR MAITLAND:

Or not...if not, that's okay, I just was curious.

SENATOR WELCH:

Senator, the...the projections for this school are that we continue to use existing facilities and hire some twenty engineering teachers. So the...the cost, unless there's a radical change, will continue to remain within that million dollar proposal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think we've all had a lot of discussion on whether we need any more law schools or any more medical schools, and our friends in those two professions will at least privately tell us there's plenty of lawyers and plenty of doctors; but if you talk to an engineer, most of them will tell you there aren't enough engineers. And if we are serious about all the programs, Build Illinois, education reform, one of the things...all of those things are aimed at is creating the kind of a...an economy where engineers are going to be absolutely vital. The students for this proposed...Northern Illinois Engineering School come primarily from northern Illinois, from Cook County, the collar counties and the northern twenty counties. Northern has a very enviable...record compared to some of the other universities in that the kids that are educated at Northern tend to go back to those northern twenty counties and...and have careers and become solid...contributing citizens to the State...Senator Bloom points out, I didn't make that mark quite yet. One of the saddest things for me is every year talking to the parents of kids who have straight A averages that can't get into an engineering school here, that end up in Iowa or Nebraska and all around the country. We cannot afford to export our brightest and best. And I'm led to believe that the private engineering schools in this State have no shortage of candidates, and for them to be in here and hiring lobbyists to shoot this bill down is...well, at the best, terribly tacky. Thank you for the word. This is something that should happen, this is something that's needed; and frankly, if the other institutions, State institutions or private institutions, need additional help, I think this General Assembly is prepared to do that simply

because we recognize to build the kind of economy we need, we're going to need to keep the brightest and best in this State and this is one way to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. One of the things that we find in northern Illinois is when we talk to businesses that are interested in coming into the area or businesses that are thinking of leaving our area, the number one reason that they give is the lack of immediate studies in engineering. They cannot have ongoing, up-to-date programs for the men that they wish to employ. If we want to go to an engineering school, it's that same four-hour drive down Highway 51, and I think Senator Maitland and a few other people have experienced it coming the other way, and it certainly has been something that has hindered the progress of the economy from the northern edge of the State. I think as we're trying to rebuild Illinois, I can think of no better way than to bring northern Illinois back into the State with an engineering school.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. I'd like to point out for the Body that fifty percent of all the scientists, technologists and engineers employed in Illinois are within a fifty-mile radius of Northern Illinois University and that eighty percent are within a seventy-mile radius. And it was for that reason that only two months ago Governor Thompson came to DeKalb and announced his support for the engineering school, and as he did, he said that we need the engineering school to help bring in jobs and that was the bottom line. I know schools try to be all things to all people, Senator, but I

think that they should be something to the people who want to attend a school. And the people who want to attend a school in my area want to become engineers and that's what we're trying to do with this bill. Even though this may cost a million dollars this year and a million dollars next year, I think that we should look at this in the broad perspective. I think that we should look at this not as an expenditure of funds but an investment; an investment in the future of Illinois, an investment in our students here in the State of Illinois, an investment in bringing in jobs and not just high tech. jobs because those jobs bring in your low tech. jobs. I think that this is a bill that can help not just the school but help the entire State of Illinois, and for that reason, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 11, none voting Present. Senate Bill 1 having received the constitutional majority is declared passed. Senate Bill 39, Senator Hall. Senate Bill 40, Senator Hall. Senator Hall. Read the bill, Mr. Secretary.

SENATOR HALL:

Hold it, just a second.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen. I'd like to pass at this time, I'm waiting on an amendment. If we can come back to it, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 120, Senator Lemke. Read...Senate Bill 123, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this...bill does, it revised the manner in which vacancies in the office of...of...of...township trustees of schools are filled. What this does is when there's a...an even split, it allows the local regional superintendent of public instructions to choose the...the other trustees so they can choose the treasurer to administer the trustees...the township funds. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch. Is there any discussion? If not, the question is, shall the Senate...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

This has to do with, for example, in our case, the County Board of School Trustees?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This...this deals with what we call the...township trustees. In other words, if the...they...what...their pure function is to choose a treasurer to invest and take in the school funds of the schools in the township. That's the mere function what we're doing here, and what we have is that we

have a board of...of five and we have a split of two and they can't choose who the treasurer is. This allows the...the fifth guy to be chose after a period of time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, what...what committee did this go through, if I may ask? I...I'm not sure that I'm opposed to the bill, but I'm just curious as to whether or not you're affecting school government in my area, and...and in our case, we have county boards of school trustees or regional trustees as opposed to the...the method that you're talking about. And it seems to me that what your bill is going to do is take selection of those people out of the hands of the public or the...other trustees and put it in the hands of some other elected official. So...I guess my first question is, where did the bill...through what committee did the bill go, education or elections?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, what this does...I'm sorry, this applies to boards of school trustees, the same method as...is for filling on school boards. It's...it's...it just includes the board of trustees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Our staff tells me that the bill only applies to Cook County, so that takes care of my objection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, just briefly in support, this bill was given a full

hearing at the Elections Committee and it does apply to one isolated case that just...when you have two persons and they won't compromise and that's why. So there's a...the number of days that are given would...would more or less place them in a position to make a decision...to make...to make this decision during the period. So, it's a...we didn't have any opposition in committee and I think it's a good concept and it only applies to Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator Macdonald.

SENATOR MACDONALD:

Yes. I was going to say also that there was no testimony against this bill, and I think that I...I have read of and I have heard of situations that this tie breaker would affect in Cook County. And, as I say, there was no opposition against it and I see no problem with the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 123 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. Senate Bill 123 having received the required constitutional majority is declared passed. Senate Bill 132, Senator Luft. Senate Bill 160, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 160.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill will create bonding

of two hundred million dollars to finish off Route 51. As many of you know, Route 51 is the corridor going from Rockford to Bloomington that we're trying to build and also down to Decatur, trying to make it a four-lane road. The Governor recommended in his address on Build Illinois that Route 51 was utmost importance. The Governor recommended that we not waste any time in completing this road and he recommended that...that we do it with bond funds. The purpose of this bill is to insure that the bond money is available early on to complete Route 51. And for that reason, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill 160 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. Senate Bill 160 having received the constitutional majority is declared passed. With leave of the Body, we'd like to go back to Senate Bill 40. Senator Hall has received the amendment. Leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 40. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. That...my...I...I have an amendment on here that I want...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Hall...seeks leave of the Body to bring Senate Bill 40 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This just simply takes out the City of Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, those in favor...of adopting Amendment No. 2 indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We have Senate Bill 168. Senator Carroll. Senate Bill 263, Senator Demuzio. On the Order of Senate Bills 3rd Reading, Senate Bill 168. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 168.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The impact of Senate Bill 168 is now to transfer the monies that were available out of Ag. Premium Funds that had once been allocated for county matching of extension services for farming. Since that...the counties were unable to adequately use up the full match that we had given to the university, this would transfer that to create a hotline so that those in our Rural Route Program who need help in agricultural problems which we know that the farming communities of our State are now being faced with, can have the expertise

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available to at least give them that advice that is available. We know that there are no good programs yet in place to save the Illinois farmer but at least that which may be available should be advisable to them. So this would, therefore, transfer those monies that would otherwise have been unused and extend the hotline program so that they will have a place to call even if they can only find out that the news is bad. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 168 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 168 having received the constitutional majority is declared passed. Senate Bill 263, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentleman of the Senate. Senate Bill 263 creates the Emergency Farm Credit Allocation Act. When we originally started in this proposal we had envisioned at least a fifty million dollar interest proposal; however, we have amended that by virtue of an amendment that we placed on the appropriation bill today, the twenty-five million dollars. Also, when this bill originated it started out with a ninety percent guaranteed provision by the State of Illinois which was amended out on...by virtue of Amendment No. 1. And Amendment No. 2...placed a fifty thou-

sand dollar cap on the amount of the loan rather than the one hundred thousand dollars. What, in fact, we are doing here is we are embarking upon a...a loan program for Illinois agriculture for those individuals who are in need of planting or seed money for crops for this year. It is certainly not an unprecedented...position for the State of Illinois to be involved in loan programs since we have already been involved with a twenty million dollar allocation to Chrysler a few years back. This is not a bailout also for the agriculture community in Illinois but it is certainly a loan program that provides that lenders working with the borrowers may have the opportunity to negotiate the loan. At the end of twelve months the borrower would then pay back the full amount of the loan up to the maximum of fifty thousand dollars plus one-half of the interest. The remaining one-half of the interest would be paid back to the State of Illinois over a five-year period of time. It is a proposal that, frankly, the State of Illinois...it's questionable as to whether or not we should, in fact, be embarking upon this position in the first place. But it is something that we are responding to as a result of the inaction of the President and inaction of the...quite frankly, the Secretary of Agriculture who is a resident or was a resident of the State of Illinois has refused to go along with helping out agricultural interests in this...in the...in the United States. Therefore, there's still some room, I am told, for possible negotiations between the Congress as well as the President in an attempt to extract a compromise that might lead to a Federal solution to this very severe problem. As such the...the House and the Senate here in Illinois are certainly not going to turn our back on our responsibility to Illinois agriculture. And as a result, we are proceeding and poising ourselves to be in position to act affirmatively to help the farmers in...in Illinois in case the Federal Government does not, in fact,

come through with any kind of a...a compromise. It is a...as I said, it is a proposal that is a loan proposal. It is one that will be only for Illinois residents and who are principal operators of the farm for which the...the loan is intended. The person must demonstrate that he has a positive cash flow where the depreciation and the net income do not exceed twenty-five percent of their gross income. He must demonstrate that he is creditworthy according to the standards that have been prescribed by the lender and the Illinois Farm Development Authority who will be the administer of the program, and it seems to me that they will have an immediate effective date. This twenty-five million dollars and interest would assure us that we would have about three hundred and eighty-four million dollars in principal for operating loans in Illinois. It would serve at the maximum about seven thousand six hundred and ninety-two providing that all of the individuals that applied for the fifty thousand dollars would be eligible and that the awards were made...or the...the loans were made at the fifty...fifty thousand dollar level. I would ask for your positive support relevant to Senate Bill 263 and would respond, if necessary, to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I think it is indeed a shame that we have to be debating this measure here in the State of Illinois. I agree with what the sponsor is trying to do and I support him and I applaud him. But for us to have to do this, to take twenty-five million or fifty million or whatever it is, out of our treasury when our schools could use it and it could be used many, many other places, for us to have to bail out the Federal Government when they are letting the farmers in this nation go by the wayside is indeed a shame.

We have an administration that is totally unreceptive to the farmers. We have a Secretary of Agriculture who is...who is a native son of Illinois and will not promote a program that originated here in this Senate, that would not cost the Federal Government anything but would bring a billion eight hundred million dollars into this State to help out farmers. We are, today, trying to...to help these farmers and we're not going to get to the ones that really need the help, the bottom fifteen percent, they're going to go down the drain if help doesn't come from Washington and then next year the next fifteen percent will go down the drain. We are not in as serious a trouble in Illinois as they are in Iowa and some of the other states, South Dakota, North Dakota, but it won't be long until we are. Farmland values in Iowa are on a downward spiral, they're going down five, ten percent a week. The equity is gone from all of those farms in...in Iowa and it's fast happening to us in the State of Illinois. Another native son of this State, the President of the United States, was quoted the other night, saying the...that we should export the farmers and keep the grain. We were in Washington, a bunch of us last week, with the Governor's Task Force and one of the Secretary of Agriculture's spokesmen told us that if we had a farm program next year like the one we had this year with target prices for farmers, it would be horrendous the amount of people that would go along with the farm program. I've never known an administration that would set up a farm program and then hope that no one went along with it. We are not the cause of low grain prices and failing farmers in this State, we balance our budget, we had a tax increase a couple of years ago; but the high dollar is the real culprit and that's caused by the Federal deficit not the State. So, for us to have to come here today and...and attempt to keep our farmers solvent is not the right thing to do but it's something we have to do. Another native son of

this State many years ago in 1896 said, "Burn down your cities and leave our farms and your cities will spring up again as if by magic, but destroy our farms and the grass will grow in the streets of every city in this country." And that was William Jennings Bryan. So, today, we should try and help farmers and we should pass this bill but, indeed, it is not our responsibility. And I think the responsibility will be borne heavily by those folks in Washington, D. C. whose responsibility it is. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't know whether to debate Senator Joyce or ask Senator Demuzio a question, but I'll ask Senator Demuzio a question first.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

If I might. Senator Demuzio, how much money does Treasurer Donnewald have available at this time for farm loans?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Over the last...three allocations, I think he probably has around two hundred and twelve million dollars that had been made available to three hundred and eighty banks out of twelve hundred in Illinois, I'm told.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you mean three hundred and eighty-one banks have applied.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I believe so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

A little different than the way you phrased it. Two hundred and twelve million is correct. Does his bill cap the interest the bank can charge?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I am told that the...the treasurer puts out money, I think, each week and I think...on a bid basis, and I think that the...the...the recent figures I...I believe on the bid was nine percent and the banks are allowed a two and a half percent...addition to the...the nine percent, that's what I am told.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

That's correct, he has a two and a half percent cap. Does this bill have a cap?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

No, but it's anticipated that the Illinois Farm Development Authority will by rule or regulation cap and suggest that no loan would be more than thirteen percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, the State is going to get stuck for half of the interest cost. I think the State ought to at least know what the interest cost is going to be. And there's a

tendency, and my good friends in the banking community might disagree, but when there's such an attractive opportunity where the State's going to pay half the interest, I think there might be something there. Why...why did you not include a cap in your bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

The bill provides that it would be...that the prevailing interest rates...and I'm trying to find the certain section for you, but that is what the bill says, at the current interest rates which are...which is not an unusual statement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, who is eligible under this bill that will not be eligible under Treasurer Donnewald's program which is three times larger than this and currently is not even totally subscribed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I didn't totally hear the last part of your question, but on page 3 of the bill, Section 7, it indicates that...the interest rate not exceeding the prevailing rate...not exceeding the prevailing farm operating loan rate and the final approval, in fact, will be made by the Illinois Farm Development Authority to allow us an opportunity to keep a...an...eye on that. Who can qualify for the program is an individual who is...stipulated to and by definition on page 1 of the bill, "applicant meaning an Illinois farmer," Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

That wasn't my question. My question was, who would be qualified for your loan that wouldn't be qualified for Treasurer Donnewald's program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I think about twenty percent of those who apply for this particular program...I'm sorry, twenty...twenty percent of those that are in Illinois won't be helped at all; about thirty percent of those will, in fact, probably not apply and this would apply to about fifty percent of those that are currently in financial problem. It's not the availability of the money, it is the cost of the money that makes it more attractive to the lendor to...to make the loan because the balance of the one-half of the interest is deferred. So, I think that if you're talking about cash flow that those individuals are...are the persons who would be more...more apt to be included in this program rather than the treasurer's program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Demuzio, without making a big issue on this, what you are doing essentially is...is giving credit to those who least need the credit; because under the stipulation of your bill, it's the creditworthy that are going to receive the credit. Now I'm not opposed to that, but not...let's not paint it as a program that's going to help the distressed farmer that's teetering on bankruptcy that may not make it through this year, 'cause that person under your bill is not going to get a loan. So what's going to happen, it's going to benefit those people who normally could go and get a loan but they're going to get it at a lower rate of

interest. Now, we are already funding Treasurer Donnewald's program by subsidizing the interest differential on his loss of interest at a normal rate to allow them to put the two hundred and twelve million dollars. And I...I just don't want the false impression that this is going to solve the farmer who is about ready to go under in my district's problem because this bill is not going to do anything for him or her.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I...am disappointed I guess that we got into a...a partisan debate on...on this issue with regard to the present administration. I am...we've work shoulder to shoulder and...and head to head on this issue for...for some weeks together and...and have disagreed with the...with the Secretary. I've talked with him on several occasions and tried to urge him to change his position, and I can recall never getting up on this Floor when...when an embargo was presented some years ago by another administration and yet I think that's why we are in part here today grappling with this problem, and I would hope that we not get involved in a partisan debate on this matter any further. I voted against this bill in committee, as Senator Demuzio very well knows, and I think it's quite a...an inappropriate position for a state to have, and I agree, Senator, with your position on that; and...and yet, it seems to me that given the inability of all of us to convince the Secretary that a change has to be made, I believe we need to advance a number of tools to help us get out of the dilemma that we're in. My problem, Senator, with the bill, and it continues to be a problem, is...is two or threefold. I guess, number one, I'm concerned that it almost becomes a bank bailout bill to the...to the extent that I...I'm afraid

they're going to...to charge a higher interest rate, and prevailing interest rate bothers me a little bit and they could up that by a percent or a percent and a half, and it seems to me that should be tied to something. We've not been able to do that yet. Secondly, I would like to see it with a one-year provision. I think we discussed that this morning and I think that's...that's your plan. I think that should be...that should be a...a part of the bill. And the third factor goes back to the bankers. If, as you suggest, that the farmer has to show a positive cash flow, as we discussed in committee some weeks ago, they can still alter that cash flow projection to allow a farmer to show a positive cash flow and then qualify for the loan. And I...I'm not sure we want to do that, it...it would seem to me as though there should be an oversight on that cash flow projection, because you can make...I can even make my farming operation show a cash flow, a positive cash flow, I'd love to do that, it doesn't look that way right now. But that's a...that's a prominent concern that I have. I'm going to vote for the bill this time. I'm going to vote to get it out of here. I'm not convinced it's the proper tool, but I...I think we need to advance those different mechanisms to try to resolve the problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise also in favor of this bill and would like to make a couple of comments. First of all, just a few short weeks ago when the Governor come out with his Build Illinois program I felt that agriculture should be part of that. I think it's a sad day that when we talk in this Body that another twenty-five million dollars to...to help out the agriculture industry of this State, that if we think that's too much money, I

think we need to take a look at the taxes that agriculture pays in to...to our schools, for instance. In one county in my district the total taxes collected is...around nine million dollars and of that nine million dollars, six million, a little...a few dollars less than six million is actually paid by agriculture by the farmer theirselves. If we allow the agriculture in our districts, if we allow them to fail and if allow them not to go to the fields as...has presented several numbers to us; for instance, the Illinois bankers are saying maybe as many as five out of every banks might not be able to go to the field, I don't know what that percentage is going to be, I've heard as high as thirty percent of farm loans might be turned down. I'm not sure this is going to address all the problems but if it addresses only a small percent of those problems, it's going to be helpful. If we lose, if these farmers fail and do not go to the field and that if they take a Chapter 7 or a Chapter 11 and don't pay their real estate taxes, that money we're thinking about putting into education on the top end is going to be nothing to what they lose in those school districts. So I think this a...a bill that we ought to move on, it maybe needs a little work, I think we can still got a few days to do that, but I'd ask our...our colleagues to support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I have since I've come in this Senate represented a district that has a farm in it, so I can rise with some standing on this question. I would like to address my comments to Senator Maitland, for whom I have a great deal of respect. But I would like to explain to you, Senator Maitland, why this has now become somewhat of a partisan issue, even though I know that you know why. Senator Joyce has referred to our native sons, we have the President

of the United States from Illinois, and we have the Secretary of Agriculture from Illinois and the present Governor of the State of Illinois was the campaign manager in Illinois of the President of the United States and was, in part, responsible for the Secretary of Agriculture being appointed to his position; and yet through all of this, he has remained relatively silent on the question. The farmers of Illinois have gone to him and have sought to involve him in their problem and he has played politics with...with this. He has chosen to stay on the side of the administration and not offend those people in Washington at the cost of sacrificing the farmers of Illinois, and that's why it has become a partisan issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

I want to explain, I'm a real expert on this subject myself, I think I got three or four farms. No, I got two in Glenview and one in Buffalo Grove that I'm aware of. There's one in...unincorporated Northfield too. I wanted to throw in one thing for Senator Joyce, the other Senator Joyce. I've been sitting here listening and I'm sympathetic to what you're saying, but almost everyone who's bothered to study this problem realizes there are two or three very root causes. I can't remember who was President when we had a grain embargo, I don't remember, but it wasn't Ronald Regan, that much I do remember. And when you look at all the programs that started this deficit which is part of what's caused the dollar problem overseas, awful lot of those programs passed in the sixties and seventies. Now I can't remember who controlled Congress but it wasn't my party. So when you're blaming it on everyone, don't lose your historical perspective on where this came from. I've been sitting here so I'm going to vote for the bill, we're sympathetic on the issue, but while you guys make it a partisan issue...you

pretend like this problem started yesterday. Maybe I'm a little older than you guys are and maybe I have a longer memory, but some of us know this problem didn't start yesterday, that budget deficits started in the sixties under the great society and that grain embargo came under another president. So, when you're being partisan, keep in mind that the root cause goes back a little farther than the memories of some of our members.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I won't attempt to get into all of the things that have gone back and forth. I want a program that works, I want a program that helps my community of Carlinville, I want a program that will help Carbondale and all the rest of the downstate communities and those areas that have farming interests. And my office has been loaded with people that can't get credit and can't get their...funding sources from the respective lending institutions that have traditionally...received their loans. It seems to me that there is still some room for negotiation as these bills cross the respective Chambers as we wait for additional congressional action, and it seems to me that, Senator Keats, the only thing I have to say is that the deficit under the current President is...far exceeds all of the deficits of George Washington up to his administration. So I would ask for your affirmative support on this bill...on Senate Bill 263.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 263 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays

are none, 1 voting Present. Senate Bill 263 having received the constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

...before we move to the Executive Committee report, I'd just like to point out a real true partisan issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With leave of the Body, we will now go to committee reports.

END OF REEL

REEL #3

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Message of February the 5th, 1985, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Message of March the 6th, 1985, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke...I mean, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Senator Brady. Mr. President, I move that the Senate resolve itself into Executive Session for the purpose of acting on Governor's appointments set forth in the Message of February 5th, 1985, and Message of March 6th, 1985. Mr. President, with respect to the Governor's Message of February 5th, 1985, I will read the salaried appointments to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent.

To be the Director of Department of Agriculture for the term expiring January 19th, 1987, Larry Werries of Springfield.

To be Assistant Director of the Department of Agriculture for a term expiring January 19th, 1987, Michael C. Williams of Pawnee.

To be Director of the Department of Law Enforcement for a term expiring January 19th, 1987, James B. Zagel of Chicago.

To be Assistant Director of the Department of Law Enforcement for a term expiring January 19th, 1987, Christian R. Maerz of Darien.

To be Director of the Department of Rehabilitation Services for a term expiring January 19th, 1987, Susan S. Suter of Springfield.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the two motions by Senator Lechowicz; the first that we go into Executive Session, and the second to consider these appointments on one roll call. Is leave granted? Leave was granted. All those now in favor of supporting Senator Lechowicz's motion on the appointments indicate by saying Aye. Those opposed. We need a recorded roll call. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? (Machine cutoff)...the record. On that question, the Yeas are 57, the Nays are none, none voting Present. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with the respect to the Governor's Message of March 6th, 1985, I'll read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Civil Service Commission for a term expiring March 1st, 1991, John L. Gilbert of Godfrey.

To be a member of the Court of Claims for a term expiring

on January 21st, 1991, Randy Patchett of Marion.

To be Assistant Director of the Department of Public Health for a term expiring January 19th, 1987, Barbara Franzin-Weiner of Chicago.

To be a member of of the State Mining Board of...for a term expiring on January 19th, 1987, Robert Weatherford of Pinckneyville.

To be the State's...Sanitary District Observer for a term expiring January 19th, 1987, Connie Peters of Arlington Heights.

To be a member of the Illinois State Toll Highway Authority for a term expiring May 1st, 1987, Nancy...Lundstrom of Rockford.

To be a member of the Illinois State Toll Highway Authority for a term expiring May 1st, 1989, Arthur Philip of Oak Brook.

Mr. President, having read the salaried appointments, I now seek to consider these appointments on one roll call, unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You...you've heard the motion. Leave is granted? Leave is granted. Then the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 57, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With the respect to the Governor's Message of March 6th, 1985, I'll read the

unsalaried appointments to which the Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Board of Aeronautic Advisors for a term expiring January 1st, 1987, Joseph Lyon of Wayne.

To be members of the Board of Agriculture Advisors for a term expiring January 19th, 1987, Kenneth Bush of Milan, Duane M. Smith of Allendale, Enid Schlipf of Gridley.

To be members of the Agriculture Export Advisory Committee for a term expiring January 19th, 1987, A. Bard Boand of Barrington, John Hughes of Palos Heights, Leslie Shearer of Barrington.

To be members of the Advisory Board to...Department of Conservation for a term expiring January 21st, 1991, Paul Andricopoulas of Chicago, Mark Frech of Jacksonville.

To be a member of the Illinois Development Finance Authority for a term expiring January 16th, 1989, Ping Tom of Niles.

To be members of the Board of Higher Education for a term expiring January 31st, 1991, Warren Bacon of Chicago, Jane Bader of Cobden.

To be members of the State Board of Education for a term expiring January 21st, 1991, Peggy Pilas-Wood of Chicago, Walter Naumer of DuQuoin, Carroll Ebert of Naperville, Jacqueline Atkins of Chicago, Michael Bruton of Chicago, Denene Wilmeth of Decatur.

To be members of the Export Development Authority for a term expiring on January 20th, 1988, David J. Paulus of Winnetka, Sheldon Gray of Chicago.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1989, Katherine S. Janega of Chicago.

To be members of the Health Facilities Planning Board for a term expiring June 30th, 1986, Bernard Weiner of Kankakee,

Harold Maysent of Rockford.

To be members of the Health Facilities Planning Board for a term expiring June 30th, 1985, Jonathan Shattuck of Evanston, Mary Barb Johnson of Lake Forest, Marjorie Albrecht of Princeton.

To be a member of the Illinois...Illinois State Historical Library Board of Trustees for a term expiring January 19th, 1987, Frank Mason of Springfield.

To be members of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Mr. A.D. VanMeter of Springfield, Arthur F. Quern of Evanston, Dr. Rudolph Shoultz of Springfield.

To be members of the Board of Livestock Commissioners for a term expiring January 19th, 1987, Joseph Cochonour of Casey, Art Barnard of Wayne City.

To be members of the Medical Determinations Board for a term expiring June 27, 1988, Philip M. Foreman of River Forest.

To be a member of the Board of Natural Resources and Conservation for a term expiring January 19th, 1987, Walter Hanson of Springfield.

To be a Public Administrator, Guardian and Conservator of Grundy County for a term expiring December 2, 1988, Diane Yohnka of Morris.

To be a member of the Southern Illinois University, Board of Trustees for a term expiring January 21st, 1991, Ivan A. Elliott,...Jr. of Carmi.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. You've heard the request of the gentleman.

Is leave granted? Leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move the Senate arise from Executive Session.

PRESIDENT:

You've heard the gentleman's motion. All in favor of the motion to arise indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Introduction of bills.

SECRETARY:

Senate Bill 439, introduced by Senators Lemke, Darrow, Vadalabene and Geo-Karis.

(Secretary read title of bill)

440, by Senators Bloom and Luft.

(Secretary reads title of bill)

441, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Any further business to come before the Senate? Announcements? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes,...Executive...the Executive Committee will meet immediately after adjournment in Room 212.

PRESIDENT:

Senator Zito...Senator Welch, at Senator Zito's mike.

SENATOR WELCH:

Mr. President, I would ask that Senator Zito be added as hyphenated cosponsor to Senate Bill No. 160 and a hyphenated cosponsor to House Bill 223.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Zito for Senate Bill 160 and House Bill 223. Leave granted? Leave is granted. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like leave to add Senator Zito as a hyphenated sponsor to Senate Bill 254.

PRESIDENT:

The gentleman seeks leave to add Senator Zito as a cosponsor of 254...Senate Bill 254. Without objection, is leave granted? Leave is granted. Senator Fawell.

SENATOR FAWELL:

Thank you. I'd like to have permission to add Senator Hudson to...as a cosponsor to Senate Bill 7.

PRESIDENT:

Senate Bill 7? The lady seeks leave to have Senator Hudson as a cosponsor of Senate Bill 7. Is leave granted? Leave is granted. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. To announce that the Insurance Committee will meet here on the Senate Floor at 4:00 p.m. and also to seek leave to suspend the posting requirements for Senate Bill 147 so it can be heard today in the Insurance Committee. It was inadvertently left off the posting and I ask leave that that...so that that bill can be heard.

PRESIDENT:

All right. The gentleman asks leave to suspend the rules...prerequisite the posting for Senate Bill 147. Is leave granted? Leave is granted. Senator Dawson.

SENATOR DAWSON:

Mr. President, I'd like to announce that the Public Health Committee will meet in Room 400 right after adjournment.

PRESIDENT:

All right. Public Health immediately after adjournment in Room 400. Any further business to come before the Senate? Further announcements? If not, Senator Hall moves that the Senate stand adjourned until Wednesday, the 27th day of March, tomorrow, at noon. Wednesday, at noon. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

March 27, 1985

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Anthony Tzortzis, St. Anthony's Helenic Orthodox Church, Springfield. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Tuesday, March the 19th, 1985. and Wednesday, March 20th, 1985.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Smith.

SENATOR SMITH:

Mr. President, again, I move that the reading and approval of the Journal of Tuesday, March 26th, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee,

reports out the following Senate bills and resolutions.

Senate Bill 296, 314, 345 with the recommendation Do Pass.

Senate Bill 106 and 327 with the recommendation Do Pass as Amended.

Senate Resolution 54 recommend adoption.

Senate Joint Resolution 23 recommend adoption.

Senator Jones, chairman of Insurance, Pension and Licensed Activities, reports out the following Senate bills.

75, 136, 252 with the recommendation Do Pass.

147 with the recommendation Do Pass as Amended.

Senator Degnan, chairman of Local Government Committee, reports out the following Senate bills.

80, 108, 177, 246, 247, 265 and 281 with the recommendation Do Pass.

58 and 87 with the recommendation Do Pass as Amended.

Senator Jones, vice...vice-chairman of Higher Education, reports out the following Senate bills.

7 and 338 with the recommendation Do Pass.

Senator...Jerome Joyce, chairman of Agriculture Conservation and Energy...Committee, reports out the following Senate bills.

113 and 292 with the recommendation Do Pass.

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills.

122, 164, 269, 286, 297, 310 and 344 with the recommendation Do Pass.

Senator Savickas, chairman of Assignment of Bills Committee, reports...assigns the following bills to committee....Senate Bills. 407, 406, 418, 432...the Committee on Agriculture, Conservation and Energy; to Appropriations I - 403 and 428; to Elections and Reapportionment - 400 and 413; Elementary and Secondary Education - 399, 427 and 436; Executive - 422 and 426; Insurance, Pensions and Licensed Activi-

ties - 424; Judiciary I - 401, 402, 416, 421, 423, 433, 434 and 435; Judiciary II - 412; Labor and Commerce - 417, 420, 437 and 440; Local Government - 405, 425 and 431; Revenue - 404, 408, 409, 410, 414, 415, 419, 429, 430, 438, 439 and 441; Transportation - 411.

PRESIDENT:

(Machine cutoff)...the attention of the membership, the Illinois Environmental Protection Agency has requested permission to take some photographs, with leave of the Body. Is leave granted? Leave is granted. Senator Dawson, for what purpose do you arise, sir?

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, in the rear of the gallery, we have the...Sophie Mick Senior Citizen Group which is comprised of all the different senior citizen groups and all their leaders are in the rear of the gallery. Like to welcome them to Springfield.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Thank you, Mr. President. With leave of the Body, I would request...I have a list of bills I'd like to cosponsor and with the leave of the Body, I'd request leave for that, and if I can just turn the list into the Secretary would probably make it more advantageous.

PRESIDENT:

All right. The gentleman has requested leave to be added as a cosponsor to a series of bills, and with leave of the Body, we'll afford him the opportunity to have it Journalized with the Secretary. Leave is granted. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 99 offered by Senator Berman.

Senate Resolution 100 offered by Senator Dudycz.

101, by Senator Dudycz.

102, by Senator Dudycz.

And Senate Joint Resolution 29 offered by Senator Davidson and all Senators.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 104 offered by Senator Collins.

Senate Resolution 103, rather, by Senator Collins.

Senate Resolution 104, by Senator Vadalabene.

Senate Joint Resolution 30 Constitutional Amendment, by Senator Netsch and Kustra.

And Senate Joint Resolution 31, by Senator Darrow.

PRESIDENT:

Executive. (Machine cutoff)...Hudson, for what purpose do you arise, sir?

SENATOR HUDSON:

Thank you, Mr. President. Members of the Senate, I'm just requesting leave from the Body, I've checked with the sponsor, to be added as a hyphenated cosponsor to Senate Bill 250.

PRESIDENT:

The gentleman seeks leave of the Body to be added as a cosponsor to Senate Bill 250. 2-5-0. Is leave granted? Leave is granted. (Machine cutoff)...Berman, for what purpose do you arise, sir?

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave to be added as a cosponsor on Senate Bill 355 of which you are the principal sponsor.

PRESIDENT:

Must be a good one.

SENATOR BERMAN:

Great bill. 355.

PRESIDENT:

The gentleman seeks leave of the Body to be added as a cosponsor of Senate Bill 355. Is leave granted? Leave is granted. It's so ordered. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 442, Senator Dawson.

(Secretary reads title of bill)

443, by Senators Marovitz and DeAngelis.

(Secretary reads title of bill)

444, Senator Davidson.

(Secretary reads title of bill)

445, Senator Davidson.

(Secretary reads title of bill)

446, Senator Davidson.

(Secretary reads title of bill)

447, Senator DeAngelis.

(Secretary reads title of bill)

448, by Senator Weaver.

(Secretary reads title of bill)

449, by Senators Rock, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

450, by Senators Dudycz, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

...451, by Senator Sommer, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

452, by the same sponsors.

(Secretary reads title of bill)

453, by the same sponsors.

(Secretary reads title of bill)

454, the same sponsors.

(Secretary reads title of bill)

455, by the same sponsors.

(Secretary reads title of bill)

456, by Senator Karpiel, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

457, by the same sponsors.

(Secretary reads title of bill)

458, by the same sponsors.

(Secretary reads title of bill)

459, by the same sponsors.

(Secretary reads title of bill)

460, by Senators Bloom, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

461, by the same sponsors.

(Secretary reads title of bill)

462, by the same sponsors.

(Secretary reads title of bill)

463, by Senators Weaver, Philip, DeAngelis and Davidson.

(Secretary reads title of bill)

464, by Senators Watson, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

465, by the same sponsors.

(Secretary reads title of bill)

466, Senator Donahue, Philip, Weaver,...DeAngelis and Davidson.

(Secretary reads title of bill)

467, by the same sponsors.

(Secretary reads title of bill)

468, by the same sponsors.

(Secretary reads title of bill)

469, by Senator Dudycz, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

470, by the same sponsors.

(Secretary reads title of bill)

471, by Senator Coffey, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

472, by the same sponsors.

(Secretary reads title of bill)

473, by Senator Mahar, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

474, by the same sponsors.

(Secretary reads title of bill)

475, the same sponsors.

(Secretary reads title of bill)

476, by Senators Bloom, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

477, by the same sponsors.

(Secretary reads title of bill)

478, by Senator Kustra, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

479, by the same sponsors.

(Secretary reads title of bill)

480, by Senator Watson, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

481, by Senator Dudycz, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

482, by the same sponsors.

(Secretary reads title of bill)

483, by Senator Maitland, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

484, by Senator Joyce.

(Secretary reads title of bill)

485, by the same sponsor.

(Secretary reads title of bill)

486, by Senator D'Arco.

(Secretary reads title of bill)

487, by Senators Netsch and Rock.

(Secretary reads title of bill)

488, by Senator Netsch.

(Secretary reads title of bill)

489, by Senators Netsch and Etheredge.

(Secretary reads title of bill)

490, by Senators Netsch and Etheredge.

(Secretary reads title of bill)

491, by the same sponsors.

(Secretary reads title of bill)

492, by Senator Chew.

(Secretary reads title of bill)

493, by Senator Collins.

(Secretary reads title of bill)

494, by the same sponsor.

(Secretary reads title of bill)

495, by Senator Nedza.

(Secretary reads title of bill)

496, by Senators Rock, Savickas, Demuzio, Chew, D'Arco, Luft, Vadalabene and Jeremiah...Jerome Joyce.

(Secretary reads title of bill)

497, by Senator Demuzio.

(Secretary reads title of bill)

498, by Senator Vadalabene.

(Secretary reads title of bill)

499, Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 500, by Senator Lemke.

(Secretary reads title of bill)

501, by Senator Rupp.

(Secretary reads title of bill)

502, by Senator Sangmeister.

(Secretary reads title of bill)

503, by Senator Schuneman...503, by Senator Welch and Hall.

(Secretary reads title of bill)

504, Senator Holmberg.

(Secretary reads title of bill)

505, by Senator Watson.

(Secretary reads title of bill)

506, Senator Lemke.

(Secretary reads title of bill)

507, Senator Lemke.

(Secretary reads title of bill)

508, Senator Luft.

(Secretary reads title of bill)

509, by the same sponsor.

(Secretary reads title of bill)

510, Senator Smith.

(Secretary reads title of bill)

511, Senator Netsch.

(Secretary reads title of bill)

512, by Senators Luft and Kustra.

(Secretary reads title of bill)

513, by Senator Netsch.

(Secretary reads title of bill)

514, Senator Fawell.

(Secretary reads title of bill)

515, by Senator Macdonald.

(Secretary reads title of bill)

516, by Senator Jones.

(Secretary reads title of bill)

517, by Senator Lechowicz.

(Secretary reads title of bill)

518, by Senators Watson, Etheredge, Philip, Weaver, DeAngelis, Davidson and Schaffer.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of...Senator Donahue, for what purpose do you arise? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would like to make a motion to discharge the Executive Committee of Senate Resolution 97 and have it placed on the Calendar for immediate consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am told that it's an agreement on both sides. Senator...you've heard the motion. Senator Donahue moves to discharge the Committee on Executive from further consideration of Senate Resolution 97...all in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Committee on Executive...is discharged. Senator Kent on Senate Resolution...

SENATOR DONAHUE:

Keep me straight, Senator. No. Thank you, again, Mr...President. This Senate Resolution 97 simply requests...simply requests the President of the United States to take the necessary measures to declare the eighteen counties in Illinois for disaster aid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? The question is, shall the...is on the adoption of Senate Resolution 97. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DeANGELIS:

In the gallery right behind us, we have a distinguished visitor from West Germany, Armen Paul Hampl, who is with the Defense Ministry, a journalist. I would like for him to stand and be recognized by the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, would our guest please rise. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Thank you, Mr. President. I seek leave of the Body to be added as a hyphenated cosponsor on Senate Bill 234. I have the permission of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. Hyphenated sponsor on Senate Bill 234. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. In the President's Gallery we have some distinguished visitors from Senator Joyce's district. I'd like them to stand and be recognized. Clarence and Rose Piper and Don and Norman Patrick O'Brien. Would they stand and be recognized by the Senate. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests please rise.

PRESIDENT:

With leave of the Body, we'll move to page 4 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 23, Senators Welch and Holmberg.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 26, Senator Berman.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 39, Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 38, Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 69, Senator Poshard.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 71, Senator Poshard.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 116, Senator Davidson.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 137, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 146, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 156, Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 167, Senator Welch.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 212, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 220, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 223, Senators Welch and Zito.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 252, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 253, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 284, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 273, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

House Bill 332, Senator Smith.

(Secretary reads title of bill)

House Bill 340, Senators Davidson and Degnan.

(Secretary reads title of bill)

House Bill 369, Senator Lemke.

(Secretary reads title of bill)

House Bill 391, Senator Vadalabene.

(Secretary reads title of bill)

House Bill...428, Senator Vadalabene.

(Secretary reads title of bill)

And House Bill 485, Senators Demuzio and O'Daniel.

(Secretary reads title of bill)

1st reading...of the foregone bills.

PRESIDENT:

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, Mr. President, on House bills...1st reading is House Bill 485. I have spoken with Senator Savickas as the chairman of Assignment of Bills, I've also spoken with Jerome Joyce who is the chairman of the Senate Ag. Committee, and also Harlan Rigney who...Senator Rigney who's the...the minority spokesman on Agriculture. Senate...House Bill 485 is identical to the emergency farm credit bill that we put out of here yesterday. It...I would like to discharge the Committee on Assignment of Bills from further consideration of 485 and ask that the bill be put on the Order of 2nd Reading.

PRESIDENT:

All right. Senator Demuzio has moved to discharge the Committee on Assignment from further consideration of House Bill 485 and asked that the bill be placed on the Calendar on the Order of 2nd Reading. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered.

SECRETARY:

I read in House Bill 391 as Senator Vadalabene as Senate sponsor and that bill was read in error, so it will remain on 1st reading.

PRESIDENT:

(Machine cutoff)...Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Well, for making motions in Executive Committee yesterday, leave was given by the committee to move Senate

Bills 202 and 209 from the Executive Committee to Judiciary II. And at this time, I...the motion would be to have leave of the Body to move those bills from Executive to Judiciary II. Senate Bills 202 and 209.

PRESIDENT:

All right. Senator Sangmeister seeks leave of the Body to rerefer Senate Bills 202 and 209 from the Committee on Executive to Committee on Judiciary II. Leave of the Body? Without objection, leave is granted. So ordered. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a Resolution Consent Calendar today, is House Joint Resolution No. 24. I would like to have the name on...on that resolution to read Welch and Vadalabene on House Joint Resolution No...24.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Welch and Senator Vadalabene as the sponsors of House Joint Resolution 24. Is leave granted? Leave is granted. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Mr. President, I'd like leave of the Body to be included as a hyphenated cosponsor on Senate Bill 355. I have permission of the sponsor to be so included.

PRESIDENT:

All right. The gentleman seeks leave to be shown as a cosponsor of...Senate Bill 355. Is leave granted? Leave is granted. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Yes, Mr. President, I seek leave of the Body to have Senator Poshard shown as a hyphenated cosponsor on Senate Bill 92. He is now shown as a sponsor but I would like to...for him to be shown as hyphenated cosponsor.

PRESIDENT:

...the gentleman seeks leave to show Senator Poshard as a hyphenated cosponsor on Senate Bill 92. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 98 offered by Senator Lemke.

PRESIDENT:

Executive.

SECRETARY:

And Senate Resolution 105 offered by Senators O'Daniel and Jerome Joyce, and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 32 offered by Senator Schuneman, and it's a Constitutional Amendment.

PRESIDENT:

Executive. All right. With leave of the Body, we've been requested to go to the Order of Secretary's Desk Resolutions, page 8 on the Calendar. Senator Chew has requested that we take up Senate Joint Resolution 19. Mr. Secretary.

SECRETARY:

Yes, Senate Joint Resolution 19, committee recommends adoption.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 19 is dealing with the Amtrack and Memorial Congress to continue to fund them. I would ask for its passage.

PRESIDENT:

All right. Senator Chew has moved the adoption of Senate Joint Resolution 19. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The

resolution is adopted. Senator Schuneman, for what purpose do you arise, sir?

SENATOR SCHUNEMAN:

Point of personal privilege, Mr. President.

PRESIDENT:

Yes, sir.

SENATOR SCHUNEMAN:

Visiting Springfield, in the gallery today, behind me are some students from foreign countries who are students in my legislative district. We have representatives from Sweden, Denmark, Germany, Austria, Mexico and other countries. They're touring Springfield today and their tour guide happens to be my wife, Dorothy, and I'd like to have them introduced, please.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 519, by Senators Friedland and Zito.

(Secretary reads title of bill)

520, by Senator Darrow.

(Secretary reads title of bill)

521, by Senators Luft and Etheredge.

(Secretary reads title of bill)

522, by Senator Sangmeister.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

All right. WCAI...CIA-TV has requested permission to shoot some film. Is leave granted? Leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I'd like to make a motion to Table my Senate Joint Resolution 24. This concerns Amtrack...and

it...reinstalling the eight-thirty train ride from Chicago to Springfield and I've been advised as...as of October, it's going to be reinstituted; so, therefore, I'd like to make the proper motion to Table Senate Joint Resolution No. 24. Yes, the bill...the resolution is now in the Executive Committee and maybe I can't do it here.

PRESIDENT:

Well, we...we could do it. Why don't we...any way you want. But you will have to discharge...we'll have to discharge the committee and then Table it.

SENATOR KELLY:

Okay. I'd like to do that.

PRESIDENT:

All right. Senator Kelly...has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 24 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Joint Resolution 24 is now discharged. Senator Kelly now moves to Table Senate Joint Resolution 24. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The resolution is Tabled. If you turn to page 3 on the Calendar, we will move quickly through the Order of Senate Bills 3rd Reading. Bottom of page 3, on the Order of Senate Bills 3rd Reading. Senator Welch on 18. Senator Hall on Senate Bill 39. Top of page 4. Senator Hall on Senate Bill 40. Senator Hall, you wish that bill called?

SENATOR HALL:

Yes...Mr...Mr. President...

PRESIDENT:

Yes?

SENATOR HALL:

I put amendment...I'd like for it...the bill to be ruled back to 2nd reading because the amendment we put on yesterday

was defective. If we may do that and then get back to it, please.

PRESIDENT:

All right...Senator Hall seeks leave of the Body to return Senate Bill 40 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 40, Mr. Secretary.

SECRETARY:

Senator Hall has offered Amendment No. 3 but I think he has a motion.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Yes. On Amendment No. 3, I want it for clarification, if we're going to delete...Amendment No. 2 which was defective, would this still be 3 or 2?

SECRETARY:

3.

SENATOR HALL:

It would still be 3. Okay. I would like to...for the Body that the Amendment No. 2 was defective and I put an amendment in there that corrects it. And, so that would be Amendment No. 3 and I'd like to...permission of the Body to...for the correction of the amendment.

PRESIDENT:

All right. Senator Hall has moved to reconsider the vote by which Amendment No. 2 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Hall now moves to Table Amendment No. 2 to Senate Bill 40. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Hall.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Yes, this simply corrects...makes the proper correction because No...Amendment No. 2 which was Tabled was defective and I'd ask for the adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Hall has moved the adoption of Amendment No. 3 to Senate Bill 40. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 120, Senator Lemke. 132, Senator Luft. 170, Senator Weaver. 174, Senator Hall. 248, Senator Holmberg. All right. On the Order of Senate Bills 3rd Reading is Senate Bill 248. Read the bill, Mr. Secretary. Senator Holmberg.

SENATOR HOLMBERG:

Yes, I...I wish this bill returned to 2nd for a technical amendment.

PRESIDENT:

All right. Senator Holmberg has moved to have Senate Bill 248 placed on the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 248. Mr. Secretary.

SECRETARY:

Amendment No. 1 was adopted and Senator Holmberg has offered Amendment No. 2, but I think she has a motion.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes. I would move to...adopt...Senate Amendment No. 2 which is just a technical amendment and it's due to a computer error and we...we need to...correct that particular language.

PRESIDENT:

All right. Senator Holmberg has moved the adoption of Amendment No. 2 to Senate Bill 248. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 262, Senator Demuzio. On the Order of Senate Bills 3rd Reading is Senate Bill 262. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen. Senate Bill 262 is in fact a...an appropriation of twenty-five million dollars out of the General Revenue Fund to fund the substantive emergency farm bill that we passed out of here yesterday. The original bill was for fifty million dollars and that's been reduced by action of the Senate Appropriations I Committee. It now calls for...appropriation of twenty-five million dollars, and I would ask for your affirmative support.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 262 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, none voting Present. Senate Bill 262 having received the required constitutional majority is declared passed. Senator Hall on Senate Bill 40. On the Order of Senate Bills 3rd Reading is Senate Bill 40. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 40.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The reason this is an emergency, if...those of you who were around here some years ago, you remember when Senator Graham and Senator Dougherty worked so long and so hard to have consolidations of elections. It worked fine in some places, but a city like East St. Louis, where the assessed evaluation dropped from over three hundred million to the day it's thirty-eight million, it's caused a great havoc. In other words, that each time the cities must have an election, they come up with less than fifteen...twenty-five thousand dollars to pay for the cost of all elections. Now, what we trying to do now is simply bring...there are two places, Kankakee County and East St. Louis. Now, Kankakee County is a county and therefore their law is that they must vote over eight hundred people. East St. Louis is Board of Elections so their's is six hundred. We're simply trying to bring it in line with the rest of the State. The...the chief judge

and others in our district say they can no longer afford to add additional precincts which means you put on extra precincts, more judges and because you have voted six hundred. So we simply want to bring it in line with everything else, and I'd ask your most favorable support, and this is supported by the...all of the areas here and also it's...I have a resolution here of the Election Commission...officials of Illinois. I know of no opposition and I'd ask your most favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, thank you. I would just like for the record to say that this bill doesn't affect Kankakee County, because we want the...the precincts split in Kankakee County like the rest of the State, but...under another provision of the law...it affects Kankakee County, but just in case someone up there gets the wrong message, I would like for the record just to reiterate that this does not affect Kankakee County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you...thank you, Mr. President and members of the Senate. I just rise to support Senator Hall's bill. It...it allows for a...an increase from six hundred to eight hundred persons...voters in a precinct and it's a cost saving factor. It's needed in East St. Louis and very proud to support Senator Hall's bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Why is Cook County taken out of this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...Cook County asked to be out of it. It doesn't really...affect them. They just don't want...they just...do not want to be in. There are only two places that have lever machines. We have levers...we don't have electronic devices. The only electricity on that machine adjusts the lights. The lever is by hand and so everything is controlled...but they asked to be out, so I took them out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Hall, to paraphrase one of your...or to just change one of your commonly asked questions, who in Cook County doesn't want this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

No...Senator Lechowicz asked that they be taken out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not going to quarrel with you, but I would ask for the same privilege someday, 'cause I reside in Cook County, that if one Senator requests, will you also oblige my request?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I hope when the bill gets over to the House, Senator, that...when they find out it doesn't really affect them that they may...may change their mind. I just did this because I'm in the eleventh hour and I'm pressed against time, because our chief judge...and there has to be a decision made. So time was in essence. I just found out that they wanted to be out at the eleventh hour yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall, you wish to close?

SENATOR HALL:

I ask for your most favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is,...question is, shall Senate Bill 40 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, 3 voting Present. Senate Bill 40 having received the required constitutional majority is declared passed. With leave of the Body, we'll go to...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to...on Senate Bill 267, I'd like to add Senator Nedza as a hyphenated sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate Bill 267...

SENATOR LEMKE:

...read Lemke-Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Read Lemke...Nedza. Any objection? So ordered. All right. With leave of the Body, we'll go to the Resolutions Consent Calendar. Is leave granted? Leave is granted. Mr. Secretary, on the Order of Resolutions the Consent Calen-

dar...have any objections been filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am told that the Resolutions Consent Calendar that's been passed out, there has been some additions to; namely, Senate Resolutions 99, 100, 101, 102, 105 and Senate...Senate Joint Resolution 29. With leave of the Body, we will add those. Is leave granted? Leave is granted. Senator Rock now moves for the adoption of the Senate Resolutions...Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Mr. President, I would like to add a cosponsor to Senate Resolution No. 89 at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted to add Senator...

SENATOR WELCH:

I would ask to add Senator Rupp and Senator Zito as cosponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch, I am told that we in fact can do it but the resolutions are already typed. We'll digest it, but we may not very well show up on the resolution, all right. Senator Rock has moved the adoption of the Senate Resolutions Consent Calendar. Those in...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, with the sponsor's permission, I would like to be added as a hyphenated sponsor of a House bill. House Bill 252.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator, let's work on the adoption of the Reso-

lutions Consent Calendar first.

SENATOR NETSCH:

I'm sorry, I thought you had taken the vote. I beg your pardon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I generously acknowledged you 'cause I thought you had a question relevant to this matter. Senator Rock has moved for the third time...the adoption of the...Senate Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. Senator Netsch, for what purpose do you arise now?

SENATOR NETSCH:

The same purpose I just...rised for a few minutes ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You want to restate your purpose?

SENATOR NETSCH:

Yes. With the sponsor's permission, I would like to be added as a hyphenated cosponsor of House Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, your time is running.

SENATOR NETSCH:

...252.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

For a point of personal privilege, Mr...Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. State your point.

SENATOR HALL:

Mr. President, I would like to say I was in error a minute ago, that this amendment only excludes the City of

Chicago, not Cook County. I used the wrong term and I hope that I'm forgiven for that. It...the amendment excludes Chicago and that was the purpose of the amendment, not Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of Resolutions, Mr...Senator Maitland, for what purpose do you arise? Senator Maitland. Mr. Secretary, read the resolution.

SECRETARY:

Senate Resolution 106 offered by Senators Maitland, Jerome Joyce, Rigney and O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

...Mr. President. First of all, I'd like to ask leave of the Body to suspend the appropriate rules and ask for the immediate...consideration of Senate Resolution 106, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Maitland has moved for the suspension of the rules for the immediate consideration and adoption of Senate Resolution 106. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Maitland, on the adoption of the amendment.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. As most of you know, there have been several of us that have discussed last couple of weeks with the Secretary of Agriculture, John Block, the possibility of advancing the part of the commodity credit corporation loan that normally is available in September of the year following the harvest of the crop. We have asked for the Secretary to consider the advancement of one-third of this loan to apply toward the...the financing of the crop

for...for this particular crop year. Senator Joyce has worked long and hard on this, has...had long discussions with Senators Dixon and...and Simon. Others of...others of us have talked with the Secretary on a number of occasions and simply have not been able to prevail upon him to change his mind. The credit...crunch for American farmers is indeed a very real thing right now, and with those thoughts in mind and with the thought in mind that the Governor has also encouraged the Secretary to advance this loan, we offer this resolution with the support of the Senate urging the Secretary to act favorably upon advancing this loan. We think the issue is in his hands. He has been made aware of the...of the urgency of this and we think that by passing this resolution and this Body behind it might provide a bit more encouragement for the Secretary to...to advance that loan. And I would ask for your favorable consideration of Senate Resolution 106.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland has moved the adoption of Senate Resolution 106. Any discussion? Senator Joyce. Can I have your attention, please. Senator Joyce.

SENATOR JEROME JOYCE:

Yes...yes, thank you, Mr. President. I totally agree with Senator Maitland. I think that we should exhaust every effort to implore the Secretary of Agriculture to do what he can do whether by legislation or by administrative act. It is becoming very frustrating for all of us who have worked on this measure for these past few months, and I don't know whether John Block is being made a scapegoat by the administration or just what's happening there, but I think it behooves us to pass this resolution and...and at least make one more attempt to try and bring some aid to our farmers. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland has moved the adoption of Senate Resolution 106. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution is adopted. All right. With leave of the Body, we'll go to introduction of bills. Is leave granted? Leave granted. Mr. Secretary, introduction of bills.

SECRETARY:

Senate Bill 523 introduced by Senator Smith.

(Secretary reads title of bill)

524. I...I have Senate Bill 524 here that doesn't have a sponsor and it's, "The Regional Transportation Authority's Act provides that the requirement system generated revenue recover ratio and Chicago Transit Authority shall not exceed fifty percent." Senator Smith.

524 introduced by Senator Smith.

(Secretary reads title of bill)

Senate Bill 525, by Senators Rock and Keats.

(Secretary read title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have already passed the adjournment resolution and at the close of business today, which will be right now, we will be called upon to return to Springfield on April the 10th...Wednesday, April the 10th, at the hour of noon. I hope everyone has a very happy Easter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Rock moves that the...the Senate stand adjourned till April the 10th, the hour of noon.

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 10, 1985

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be in their desks...at their desks and will our guests in the gallery please rise. Prayer this afternoon by Rabbi Israil Zoberman, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal.

SECRETARY:

Tuesday, March 26th, 1985; Wednesday, March 27th, 1985.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following Senate bills to committee:

Agriculture, Conservation and Energy - 444; Appropriations I - 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 496 and 507; Appropriations II - 476, 477, 478, 479, 480, 481, 482 and 483; Elections and Reapportionment - 488, 500 and 506; Elementary and Secondary Education - 503, 504; Executive - 486, 510; Finance and Credit Regulations - 512, 525; Higher Education - 508; Insur-

ance, Pensions and Licensed Activities - 442, 445, 447, 497, 501 and 514; Judiciary I - 493, 517; Judiciary II - 494, 499 and 522; Labor and Commerce - 509, 516, 520 and 523; Local Government - 498, 502, 505, 515 and 518; Public Health, Welfare and Corrections - 443; Revenue - 446, 485, 487, 489, 490, 491, 511, 513, 519 and 521; Transportation - 584...or rather 484, 492, 495 and 524.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives passed the following bills, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit;

House Bills 336 and 456.

PRESIDENT:

All right, with leave of the Body, we'll move to the Order of Resolutions. At the request of one of our members, Senator Coffey has asked that we immediately consider a Senate resolution. Mr. Secretary.

SECRETARY:

Senate Resolution 107, it's congratulatory and it's offered by Senator Coffey.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the...of the Senate. I would like to ask permission of this Body to suspend the rules for immediate adoption of this resolution.

PRESIDENT:

All right, Senator Coffey has asked for the suspension of the rules for the immediate consideration and adoption of Senate Resolution 107, it's a congratulatory resolution in

favor of the Chrisman High School basketball team who are in Springfield visiting with us and you will be introduced to them momentarily. Senator Coffey has moved to suspend the rules for the immediate consideration of Senate Resolution 107. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Coffey now moves the adoption of Senate Resolution 107. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. If I can have your attention...if I can have your attention, we have some special guests with us and the Chair would yield to Senator Max Coffey. Senator.

SENATOR COFFEY:

Thank you, Mr. President. It's indeed an honor today to be able to introduce a person to you which will introduce some people that we think is very important in this State. We were fortunate...we were not as fortunate as we'd like to have been but we were fortunate in our district with our Chrisman Basketball Team which did receive second place in the 1985 Illinois Class A Boy's Basketball Team, and I'd like to introduce to you Roger Beals, the head coach of this team, which will introduce the players at this time. Roger.

ROGER BEALS:

(Remarks given by Mr. Beals)

SENATOR COFFEY:

Thank you, Roger. Again, I want to remind you, not only did we get second place in the State but a team from our area also got third place in the State. Now, we didn't get first but we did get third and forth. Next year we'll be up for first and second. So thank you, very much, to allow us to be here and thanks to Representative Woodyard for being here also.

PRESIDENT:

Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 108, by Senator Lemke.

109, by Senators Dunn and Hall.

110, by Senators Mahar and Kelly.

111, by Senator Holmberg.

112, by Senator Hall.

113, by Senator Jeremiah Joyce.

And 114, by Senator Jeremiah Joyce.

PRESIDENT:

Consent...Consent Calendar.

SECRETARY:

We have two resolutions that are congratulatory that were left up here without a name, Morton Scholarship League...

PRESIDENT:

If I can have your attention, UPI has requested permission to take some still photographs. Senator Sam, are you ready? UPI wants to take your photograph, you know, get the...leave granted? Leave is granted. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. I would move that the Senate resolve itself into a Committee of the Whole.

PRESIDENT:

All right, Senator Maitland has moved that the Senate resolve itself into a Committee of the Whole to consider again the issues of education reform and education funding. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries, the Senate is now convened as a Committee of the Whole and the committee will be chaired by Senator Arthur Berman, the chairman of the Elementary and Secondary Education Committee. Senator Berman.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Senator Rock. The Senate Committee on...the Senate Committee of the Whole on Education Reform will please come to order. Ladies and gentlemen, this is the final Committee of the Whole meeting that has been scheduled pursuant to the resolution that was previously adopted. We have several witnesses today who will address issues relating to the question of education reform. Our first witness is Bob Beckwith. Bob Beckwith manages the Small Business and Education Departments of the Illinois State Chamber of Commerce. Could we please have some attention and ask that the conferences be removed from the Floor so that we can extend some courtesy to our guests who are here to testify on the question of education reform. In the field of education,...in the field of education, Bob Beckwith's responsibilities include representing the viewpoint of industry in maintaining and strengthening the State's educational system with a particular emphasis on manpower training. He is the senior staff leader for the Task Force on the Future of Education in Illinois composed of a variety of groups in the private sector. Mr. Beckwith is a member of the State Council on Vocational Education, the Illinois Literacy Council and represents the Chamber on the Illinois Job Training Coordinating Council which oversees the Federal Job Training Partnership Act. Bob earned his Bachelor of Science Degree in Elementary and...Education and a Masters Degree in Educational Administration, both from the University of Illinois. Before joining...the Chamber staff in 1967, Bob served as a classroom teacher in Wheeling and Decatur, Illinois and was a field representative from the Illinois Education Association for five years. It is a pleasure to have Bob Beckwith with us today. Mr. Beckwith. Before you start, Bob, ladies and gentlemen, could we please have your attention. If there are conferences, please take them off the Floor so that we can give our undivided attention to our witnesses today. Thank

you. Mr. Beckwith.

MR. BECKWITH:

Thank you, Mr. Chairman, honorable members of the Illinois Senate. The Illinois State Chamber of Commerce appreciates this opportunity to share with you a business perspective regarding the need for education reform and the work of the Task Force on Education in Illinois. For more than thirty-five years the State Chamber has worked to better education in Illinois. In the early fifties we addressed the need to build more schools and improve teacher salaries, in the sixties we supported the creation of the Board of Higher Education and the Community College System, in the seventies we advocated an appointed State Board of Education and supported passage of the Resource Equalizer Formula whose implementation resulted in the additional eight hundred million dollar State investment in our public schools. We commend the Illinois General Assembly, Governor Thompson, the State Board of Education and the State's leading education organizations for taking forthright steps to identify and offer solutions to many of the major impediments which are seriously undermining the ability of public education to efficiently do its job of educating the children of Illinois. We are impressed with the breadth of the recommendations, many of which call for change and innovation. Business knows only too well that without the desire for responsible change, the willingness to assume some risk, true progress will be difficult, if not impossible, to achieve. It is incumbent upon the business community as part of society to lend its support and influence in the development and maintenance of an efficient system of high quality education institutions and services. It has an equal obligation to direct attention to education programs and services which it believes are failing to achieve their purpose and suggest their modification or elimination so that precious tax dollars can be reallocated

for educational improvement. A strong education delivery system is vital to the economic security of Illinois. If we are to retain and encourage the expansion of commerce and industry and attract new jobs into this State, education must be ready to provide from our high schools, colleges and universities a well trained and educated work force. The...interdependency of education, commerce and industry is undeniable. To help being the business community into support of true education reform, the State Chamber's Board of Directors established a task force on the Future of Education in Illinois. The task force functions under the auspices of the Illinois Alliance for Economic Initiatives, which is a Statewide coalition of employers, concerned government leaders, other Statewide business associations including the Taxpayers' Federation of Illinois, the Illinois Farm Bureau, the Chicago Association of Commerce and Industry, the Civic Federation of Chicago and over seventy local chambers of commerce. The purpose of the alliance is to encourage everyone in Illinois to work together for stronger economic growth, more investments and more jobs. Rather than developing its own reform program, the task force has focused on the...on the major reform programs now before this General Assembly; namely, the recommendations of the Illinois Commission for the Improvement of Elementary and Secondary Education, the State Board of Education, the Illinois Project for School Reform and the Illinois Better Schools Program proposed by Governor Thompson. The task force will identify from a business perspective which combination of...

MR. CHAIRMAN: (SENATOR BERMAN)

...excuse me, Bob.

MR. BECKWITH:

...recommendations...

MR. CHAIRMAN: (SENATOR BERMAN)

Bob, just one minute. Would those people in the audience

who are guests of the Senate please extend a little courtesy to our witness. Thank you, Bob. Please continue.

MR. BECKWITH:

Thank you. The task force will identify from a business perspective which combination of recommendations it believes will best strengthen student learning, improve instruction, upgrade supervisory standards, stimulate cost efficient school management, provide incentives for school district reorganization, assure accountability to the public and assure an adequate source of financing and distribution of those finances to the elementary and secondary schools and to higher education. The need to maintain and strengthen this State's outstanding system of public and private higher education institutions will be addressed later on this year. The task force's first step was to establish criteria against which the various reform proposals could be evaluated. For example, does a proposal to restructure the academic/occupational program provide a method of measuring individual student performance and progress, does it identify and eliminate or modify ineffective courses and introduce new courses if they more efficiently address present and future needs. The task force believes the single, most important component in the education process is the teacher. Competent teachers value the need to grow professionally, update their knowledge and teaching skills and be compensated for what their students have learned under their tutelage. Equally, the need for well prepared supervisory administrators is essential. The various recommendations dealing with supervisor/teacher relationships reform are receiving very careful review. For those few professionals who have fallen short of expectation is there a mechanism which will be...which will enable the employing school district to more expeditiously identify and retrain, reassign or replace them? The task force is concerned with a need to strengthen teacher

training programs and encourage talented students to enter teaching particularly in high demand subject areas. Major reform is also necessary at the general administration level. To achieve improved efficiency of operations, the proposed reforms must encourage reallocation of funds to reduce or eliminate duplication of effort, lead toward increased worker productivity and incorporate other cost and time efficient procedures. There is a need to reorganize the education systems so as to reduce costly and duplicative administrative overhead and reallocate the dollars saved toward improved curriculum and instruction. There is a need to give the local school districts adequate authorities to set education standards and goals, monitor their progress and be held accountable. In the important area of school finance and distribution of funds, the task force is cognizant that there is keen competition for the education tax dollars from elementary, high school and unit districts, public community colleges and universities, private colleges and universities. Reform proposals are being reviewed as they may encourage reallocation of existing resources from lower to higher priority programs. A dependable program for generating revenues to provide public services and adequately sustained government is considered essential. The task force believes that any change in the current State tax program must be considered only after exhausting all avenues of identifying and applying tax saving measures to existing programs; determining that the present tax program has no further growth potential under the existing rate structure and that the express desire of the taxpayers is to increase taxes if the failure to do so would jeopardize essential services such as public education. The complete text of the task force education criteria should be at your...at your desks. The task force has also developed some preliminary opinions and prioritized some twenty-nine broadly stated reform concepts.

While this is not the finalization of the task force's position, there are several reform concepts which seem noteworthy. There is a strong belief in the preservation and enhancement of local control of the education enterprise. There is a strong belief in the need to measure student achievement using Statewide education achievement standards and appropriately reporting the results to the student, parent and the public. This is essential for maintenance of accountability. In conjunction with testing is a strong belief that local school districts must establish learning objectives and report to the public how well they are being met. There is a strong belief that the present methods of compensating teachers are inadequate, fail to attract the ablest of our college graduates, provide no incentive for the teacher to excel and have no bearing on student achievement. Few businesses could survive if they similarly compensated their valued professional staff. There is a strong belief by the task force that schools need to adopt innovative methods which will enable the general public and business to assist the schools. Too frequently the desire by business to be of assistance is seen as unwarranted intrusion into the classroom. Business has no business telling a teacher how to teach, but business like all other responsible segments of society has a right, an obligation, to inform the school system of what it believes should be taught, and the schools should reach out for the voluntary services of business people to advise on how to help acquire better, more current education equipment and lists of helps the local business community could provide are endless and many could result in a more educationally productive use of our tax dollars. Next Monday the task force meets again. It is expected to identify the specific reform recommendations it believes can best strengthen public education. In some instances it may suggest modifications to be in more acceptance or accordance

with the criteria. The conclusions of the task force will then be presented for adoption by...to the Executive Committee of the State Chamber a week from this Friday. As soon as possible we will share with you this phase of the task force's work. With the prospect of real education reform, the opportunity to help build Illinois will be significantly enhanced. But the question most raised of the business community is, "How do you, business, propose to pay for this and will you support a tax increase?" Many of the reforms will require little if any additional expenditure. They will require a new way of doing the job because the old way has not been good enough. Reallocation of existing dollars is a first step. Some reforms can be carried out by eliminating duplication or consolidation of administrative units so as to free up dollars to better use in the classroom rather than unnecessary overhead. Existing State tax programs should be reviewed as to the effectiveness of collections, uniformity of application, simplicity of administration and the extent they minimize negative impacts on economic growth and job creation. Incentives should be created, or at least disincentives removed which inhibit the expansion of the tax base. These are but several examples of what can be done to help pay for needed improvements in public education. Will business support a tax increase? A simple yes or no answer is not possible. The wrong tax increase at the wrong time can be counterproductive to economic growth, job creation and to the self-interest of public education. Several other steps for generating revenue need to be taken first. Further, unless there is clear indication that significant reforms we can sell to the general business community will be enacted and enforced with assurances of public accountability, the State Chamber would be hard pressed to convince the general business community of the need to support more funding for education much less for additional taxes. In 1969 it

was clear the State could not continue to fulfill its responsibilities without a major source of new revenue. For the first time in fifty years the State Chamber removed its opposition and supported a State Income Tax. As mentioned earlier, the State Chamber supported the Resource Equalizer Formula which added eight hundred million dollars to fund elementary and secondary education. The Illinois business community wants the finest education system this State can afford. We know most school teachers, administrators and school board members are working toward the same end. We know the great responsibility of the General Assembly and the Governor to chart the legislative course which will provide for an efficient system of high quality public education institutions and services so as to provide for the educational development of all persons to the limits of their capacities. We are thoroughly impressed by the magnitude of the job at hand and the importance facing this Senate. The Illinois State Chamber of Commerce offers its assistance, advice and counsel and enthusiastically looks forward to an active role in helping clarify the issues and find equitable solutions. We thank Senator Berman for inviting us and appreciate your thoughtful consideration of our views. Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Bob. We'll ask that the questions of the witnesses be held until all of the witnesses have completed their testimony. Our next witness is Doctor Manford...Byrd. Manford Byrd was appointed general superintendent for the Chicago Public School System on March 25th, 1985, just two weeks ago. Prior to his appointment as general superintendent, Doctor Byrd has served as a classroom teacher for eighteen years and as deputy...superintendent of the system responsible for a variety of educational programs since 1967. Doctor Byrd received his Bachelor of Arts Degree from Central

College in...Pella, Iowa, his Masters Degree in Educational Psychology from Atlanta University and his Doctoral in Educational Administration from Northwestern University in Evanston. Doctor Byrd is the recipient of over fifty different awards and honors in addition to being listed in Who's Who in America, Who's Who in Education and Volume I of the Ebony Success Library. He is the author of three books. Doctor Byrd is also a member of numerous educational and civic organizations. Manford Byrd assumes his responsibility as general superintendent at a time when a serious rethinking of the mission and purpose of our educational system is being considered. I personally wish him well as he begins his tenure in one of the most difficult yet challenging positions in American public education. On behalf of the Illinois Senate, we're very pleased to welcome Superintendent Manford Byrd.

MR. BYRD:

Mr. Chairman, President Rock, Minority Spokesman Maitland and distinguished Senators, I welcome the opportunity to address you, and I wish to thank you for affording me the chance to do so. I'm here today as the new general superintendent of Chicago Public Schools. It is equally significant, however, that you note that I am here today as Manford Byrd, Jr., a man who has committed his entire career to the growth and development of our State's children through education. Beginning as a teacher in Quincy, Illinois in 1949, I have labored for thirty-six years to provide our state with the intelligent, trained and productive citizenry it requires to hold its place as a leader among states. Educational reform is being widely discussed throughout Illinois this year. I welcome this public debate on a most important topic, public education. This nation made an early commitment to free, universal, public education in the belief that only an educated citizenry could ensure continued liberty.

Since that time, the vast majority of Americans have been products of the public schools. I would guess that most of you today are products of the public schools. Public education has fulfilled society's charge to prepare America's children to be productive adults and competent citizens. We can and must continue to perform this service for the young generations of today and tomorrow. As I am enthusiastic about public education, I am also a believer in the Chicago Public Schools. We have in our classrooms, our offices and throughout the school system many men and women of dedication, talent, experience and integrity. We also have a community of parents and citizens who want quality schools for their children and are willing to invest their time and energies to ensure that we have quality schools. I recognize and...and acknowledge, however, that we have some distance to travel before we reach our goal of a quality education for every child. Too many of our youngsters drop out of school before they graduate; too many students are failing their courses; too many pupils are not mastering reading and math skills; too many children are being caught in the web of gang activity. In accepting the responsibility to lead the Chicago Public Schools, I have committed myself to re-forming them into a model for the nation. All children can learn, and every school can give its students a quality education. To make certain this happens, I am making it my priority to reduce the number of students who drop out of school. There are many reasons why...youngsters quit, but perhaps the most important is that their sense of continuing failure and frustration in school. Failure starts in the elementary schools. We are examining our systemwide reading and mathematics programs, Mastery Learning, to determine if they work as intended. We also need to strengthen our elementary teachers' grasp of subject content, we need to emphasize science and math in the early grades, and we need to expand our kin-

dergarten and preschool efforts. Experience and research have demonstrated that earlier education can significantly contribute to children's success in school. Among our successes in Chicago are the magnet schools and programs which have helped in our desegregation efforts. However, some critics have charged that the local elementary and general high schools have been shortchanged in the process. We must make certain that every school has the resources, the staff and the leadership to meet the needs of every student. Many voices have been heard recently, both nationally and in Illinois, calling for more demanding high school programs. I support the concept of a more challenging education for our students. At the same time, however, we have to make certain that they are able to meet the challenge. We need to re-examine and strengthen high school requirements, but we must simultaneously initiate strategies to make certain our students can succeed in high school. To reduce the number of failures and to help keep students in school, we need to restore free summer school for youngsters who are falling behind. A full summer school program will give students a chance to keep pace with their peers. We also need to institute other strategies to help youngsters stay in school. This year, our legislative program seeks your help with some of these: an extended day high school program; a pilot project in dropout reduction; high school preparation centers for elementary students; a career training and job academy; and intermediate schools for students who are likely dropouts. In many of our programs, we desperately need to upgrade equipment. But because of the financial difficulties of recent years, we have been unable to modernize our scientific, vocational and other equipment. If we are to give students quality programs, we must give them proper equipment to use. To do so, we need your help. In addition, we need your help to reinstitute the Lighted Schoolhouse Program, to

open our doors after the regular school day. This program will help to reduce the number of dropouts, will give young people an alternative to gangs and will serve as a recreational and educational resource to all the citizens of the community. The Lighted Schoolhouse will be one step in our efforts to forge a new alliance with the parents and the community. They are the cornerstone upon which a successful school is built, and I intend to work closely with them on matters affecting their schools and their children. I also intend to strengthen the role of the school principal. Soon, I will be presenting a reorganization plan to give principals and other field administrators more control of the decisions that affect their schools. They will be given more authority and will be held accountable. While I'm on the subject of school personnel, let me note that it is a myth that the central office of our school system is top heavy with administrators. Of some forty thousand employees, administrators make up slightly more than two percent, or nine hundred twelve positions. And of this number, six hundred seventy-three are principals, their assistants and district superintendents who are serving in the field. Over ninety-four percent of our staff is in the classroom and school buildings, providing direct service to the students. In reorganizing, I propose to make sure that the remaining six percent are providing more efficient and effective support to the schools. I also promise to provide to the public accurate, reliable, clear data about the schools. We must recognize the size and scope of the problems if we hope to solve them. Therefore, I am now moving to restore credibility and integrity to our citywide testing program. At the same time, I want to remove the burden of unnecessary paper work from the local schools. Principals and teachers spend too much time responding to administrative requests for information, time that is taken away from their students. We

will be simplifying the information collection process, cutting back on the paper bureaucracy. I'm also going to ask the Chicago business community to help us in several ways: by turning work sites into classrooms; by donating state-of-the-art equipment that we cannot afford; and by inviting teachers into their firms during summers to learn up-to-date practices that they in turn will teach their students. An important point I want to mention is that the Chicago Board of Education improved its financial position during the fiscal year that ended on August 31, 1984. For Fiscal 1984, the Board operated within its resources. When Fiscal 1985 ends on August 31, it will mark the fourth consecutive year that the Chicago Public Schools have completed...has completed its fiscal year with a balanced budget. I can assure you that these improvements are no aberration. The goal of financial management has been and continues to be to make constant improvements in this area and to ameliorate past problems and improve financial and accounting controls. An improved financial position does not belie the need for additional revenue, and we are asking you for that this year by eliminating utility taxes we pay; allowing us to levy a transportation tax just as all other districts do; and increasing the playground tax rate for the first time in fifteen years. We're also seeking to correct a technical error in previous legislation and asking for the elimination of the investment tax credit for replacement taxes. Most of all, we're asking you to commit yourselves to educational reform by fulfilling the State's constitutional responsibility to assume the primary responsibility for funding public education. Educational reform is essential today. But reform measures without the money to support them will be empty promises. It is time to give the citizens and children of Chicago, and of Illinois, not promises, but hope. We must renew public education and the dream upon which this country

was built, that every person is entitled to an opportunity for a full and decent life. Without a good education, a good public education, many of our children will be denied this dream. As educators and legislators, we must encourage young people's dreams and hopes and ambitions. We must help them to expand their minds and develop their talents. We must stimulate them to challenge the world and discover its secrets, even in Chicago. Who will make the city joyful? Who will wipe away its tears? Who will tell the children stories? Who will make their clear eyes gleam? Maybe lawyers nursing tender flowers, businessmen exploring stars. Maybe those who listen to the children are beyond the other maybes, maybe you and maybe me. We must help the children become the future of which we ourselves dream. Thank you, very much.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Doctor Byrd. We'll...we'll entertain questions. There are two more witnesses and then we will open it up for questions of any of the witnesses. This being the concluding session of the Committee of the Whole, fourth session, we've heard from a number of people that have had important titles. The two last witnesses hold what, in my opinion, are probably the most important titles, the title of parents of children in our schools, and we're very pleased to have them with us today. They are constituents of Senator Savickas. The first witness of this duet will be Marge Sullivan who is a president of a parents' organization on the southwest side of Chicago. She has five children that have gone through the public schools and has been a close observer of the Board of Education for over thirteen years. Mrs. Sullivan.

MRS. SULLIVAN:

Thank you, Senator Berman. Senators, I have two and a half minutes, so please listen. My credentials are that I am

a wife and a...a mother and a taxpayer living on the southwest side of Chicago. As Senator Berman said, five of my children have gone through the public schools, but I still have one left in the Chicago Public Schools in elementary school. Time and time again the Chicago Board of Education has come down to Springfield asking for more money, more money, more money. A few years back...you set up the Chicago Finance Authority to oversee their budgets and keep them in line, and the more money that is given, I have seen...not only have I not seen any improvement in education, but I have seen a decline in education. My children are in the schools. My children have been in the schools and I have seen the decline since my oldest one graduated until my youngest one now is in seventh grade. What we...we don't need reform, we have to go back and restore. Ask any ten year old or twelve year old what is the capital of Illinois...a child that lives in the State of Illinois. You'll be lucky if they can tell you Springfield. Ask them where east, west, north and south is. Ask them what is a city and what is a state. Geography hasn't been taught in the schools for many, many years. That's what we have to do. We have to put back into the schools what we had before. You can come up with all the innovative programs you want to, all the consultants can be hired, all the money that can be given to them and our children's education has declined, and it concerns me. And if you wouldn't have to give millions...millions you give to the colleges today for remedial programs. Why? Think about that. Why are you giving millions to colleges for remedial programs? They shouldn't even be in college if they're in remedial classes and it has to start in first grade and has to start in the elementary schools. I...I would like to see one thing in...public schools in the City of Chicago and that is the Mastery Learning Program be disbanded. It is nothing except teachers are teaching to test and that is the problem,

that's all they're doing. Week after week they're teaching the students to test. There's no recall, there's no more enjoyment of reading, children are not getting anything out of it, they're moving from classroom to classroom and it has gotten so that our children who are in the above average reading groups are now not passing their high school exams from our own local school and it is true that the magnet schools have hurt the neighborhood schools. Everything is being put into the...magnet schools, the high schools have left...has...have lost languages...I haven't kept time part of the time, so...let me know when my two and a half minutes are up. But they take the languages out of the local high schools and put everything in these magnet schools to attract. The principals in the magnet schools can pick their teachers; the principals in the neighborhood schools do not have that privilege, they have to take what's sent to them, and we do need some overseeing of the teachers. All they have to do is send in their five dollars every year and renew their teacher's certificate. If they're not teaching, we have to have a way of getting them out of these schools and they're...and getting them off this gravy train, but the answer is not always more funding. Please believe me. I am sick and tired of paying more money to see my children...they're not getting the education they did five years ago. Thank you. And I'll...and I'll be available for questions too.

MR. CHAIRMAN: (SENATOR BERMAN)

Our final witness is Francine Fatima.

MRS. FATIMA:

Yes, good afternoon. I am a mother, a parent of four children, I have a husband who supports us as well as he can living in the City of Chicago which is draining our budget drastically, and I am really very frightened coming before you...certainly not to speak before you, that doesn't

frighten me. I do want to have faith that you will do the best you can in your votes regarding Chicago funding, not to fund it any more than it is presently being funded. Did you hear me? Not to fund it. I know there are proposals for an increase in the transportation tax, playground fund and various things. Please do not believe these are going to benefit the children. My children have been in the schools since 1971. There has been a steady deterioration as there has been an escalation in our taxes...increases in our taxes. It's very difficult for me in some ways to speak before you because we are a minority opinion here. This Committee of the Whole has heard other testimony, the Illinois Education Association, the Illinois Federation of Teachers and it would seem that this was a very one-sided type of testimony, vested interest in jobs. Well, I have no vested interest but a child who presently is in the Chicago Public Schools, and all I want is for her to be educated and it very upsetting to me to find that people will sit here...here in the Senate or in the House and be very willing to just vote Aye and not expect real reform from those educators at the Chicago Board of Education. You see, they're using the word reform and it...all it means is more monies for them to play with. Now we do have a new superintendent of schools and there is always hope that some good will come of it, but don't believe in promises because I don't. I don't believe in politicians' promises. I believe in action and believe me, we haven't seen much in the way of action since 1980 when it was all restructured. So, all I'm trying to bring before you is some balance and I would hope, Senators, yourself, I realize you have very heavy schedules but you are parents yourselves, it would be an eye-opener for you to walk into a public school. I welcome you to mine, John F. Eberhardt on the southwest side. Walk into a classroom, sit there and see the learning process that's going on. You may find a good teacher or two, but

believe me, even in that fine school, it's my neighborhood school, the good teachers are at a minimum because the principal cannot choose...because of union...restraints he cannot choose fine teachers for that school and that's why the children are suffering, and money is not the solution. They're very finely paid in Chicago. So, I guess what I'm just trying to get the point across to you is, a lot of money is going to the magnet schools and a lot of money is not going where it really is needed, but they don't need any more money. Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Thank you, Mrs. Fatima.

MRS. FATIMA:

And I am also available for questioning.

MR. CHAIRMAN: (SENATOR BERMAN)

All right. If you'd stay right there and, Mrs. Sullivan, if you'll come back and Doctor Byrd and Bob Beckwith and now we'll open it up for questions from the Senators. Senator Geo-Karis.

SENATOR GEO-KARIS:

I would like to address my query to Doctor Manford Byrd, please. And, Doctor Byrd...

MR. BYRD:

Yes...yes, Senator.

SENATOR GEO-KARIS:

...I'm Adeline Geo-Karis. I would like to ask you, what is about the...the minimum salary of assistant principals?

MR. BYRD:

I would think it's...I would think the...the minimum salary of assistant principal? Somewhere between twenty-five and thirty thousand dollars.

SENATOR GEO-KARIS:

You said in your remarks, sir, that don't believe that we are top heavy with administrators. Well, I have figured it

out, if you have forty thousand employees and you have nine hundred and twelve positions as...as administrators, there's one administrator to...forty-three persons. Don't you think that's quite a...a big amount of administrators?

MR. BYRD:

No, Senator. I think if you were to really to take a look at the personnel that we have to administer our schools and compare those with schools all over the State that you would find that we are...administering them with fewer resources. Let me...let me tell you this. When I served as principal of Englewood High School, twenty years ago in the city, there were more human resources for administering a community of three thousand youngsters than there are today. We've reduced and we've cut because of financial restraints and difficulties so that we are thin. Let me give you another example. We do not have freed assistant principals in our elementary schools. Those are teaching assistants. We give them an...a stipend for serving as an assistant principal so that we have someone responsible in that building at all times, but they are full-time teachers...they're full-time teachers. We have eliminated freed assistant principals at the elementary level, even in the very large elementary schools.

SENATOR GEO-KARIS:

Yeah, but, Doctor Byrd, I'm not trying to be facetious...when I went to grammar school, which was a few years ago, we had eight hundred students in the school and one principal.

MR. BYRD:

And an assistant principal.

SENATOR GEO-KARIS:

No, one principal.

MR. BYRD:

In Chicago?

SENATOR GEO-KARIS:

Yes, sir. I happen to be from Chicago. One principal and it seems to me that you are top heavy in administrators because that's the problem we're having all over. Number two, what have you done to stop the unions from having the right to strike instead of having collective bargaining with mandatory arbitration and right of appeal to the courts if it's not...if they're...if they don't follow the standards? Isn't that an expense...a great expense that your school district has to face with the present laws that have been passed here which I opposed? What have you done to encourge collective bargaining with mandatory arbitration so that our children aren't out of schools and the parents aren't worried where they are and the teachers have to make the...finance companies...wealthy? What have you personally done about it?

MR. BYRD:

Well, I have had about three weeks, personally, to address this...this problem, since March 25th. I plan to take a look at our collective bargaining procedures, the laws that we have for that process, and I indeed...would want to not have that as a wasteful process but to save it and to stop interruptions of schooling and I'm hopeful that we will stop the strikes there. I want to go back to one thing though about...I don't want to belabor it on the matter of the assistant principals. I came into the system in 1954, came into a school that had two freed assistant principals at that time. That same school today does not have one freed assistant principal and that's the comparison in...between 1954 and 1985 in Chicago.

SENATOR GEO-KARIS:

One more point, sir. It would seem to me that it isn't just money, I think dedication and discipline where your teachers feel safe to teach. More money should be spent on discipline and more encouragement for...dedication on the

part of the teachers when they feel safe enough to teach in areas instead of just slopping their work, some of them. You heard these two ladies, Mrs...

MR. BYRD:

Mrs. Fatima and Mrs. Sullivan. I...

SENATOR GEO-KARIS:

...Mrs. Fatima and Mrs. Sullivan. I think they're very...

MR. BYRD:

I...I know them.

SENATOR GEO-KARIS:

...well, I haven't met them before, so I've never had any concert with them, but I can tell you, I think that they're right. Money doesn't make for good education. It's the dedication and the discipline that goes with it like Marva Collins has. So, I cannot believe that this money is going to do it. You've got to protect your teachers in some of these areas where they're teaching with good discipline around the areas, and I say to you, Doctor Byrd, I hope that you will consider what I'm saying at this time that perhaps some of the money that's going for so many principals and assistants and assistant superintendents probably should go for some discipline personnel so that the teachers can feel comfortable teaching and the...and the children can feel safe.

MR. BYRD:

Let me...let me say this...let me hasten to add, never once would I say that monies will...solve all of our problems. I agree that we've got to have high morale in the staff, we've got to have dedication and we have that. You hear a lot of negatives, but you've got to know that out of our forty thousand employees we have people who give of their evenings, who give of their weekends. We had a science fair at the Museum of Science and Industry last week and we had

teachers there who had been giving their time since January. So in that school population we do have people who give of themselves beyond what we would require to earn their salaries. Now we do want to make each of our schools safe and we'll work for that and we'll work hard for that. We're going to reorganize. We're going to try to give more responsibility to principals and field administrators, and we're going to supervise them closely because I agree with you that we must have a...a safe environment in order for learning to take place.

SENATOR GEO-KARIS:

I happen to know a lot of your...well, I would say at least a hundred teachers in the Chicago area are teaching there, and I can tell you one of their biggest gripes is as follows and they teach in areas where it's rather unsafe at times, many times.

MR. BYRD:

Yes.

SENATOR GEO-KARIS:

They say if we had better discipline...better discipline...personnel keeping an eye out for us and for the children, we would feel that we could do a better job teaching, and they say that you are top heavy with personnel that is not...that necessary. So, I hope that you take that back.

MR. BYRD:

I....

SENATOR GEO-KARIS:

Plus, I feel...that teachers and public employees should never have the right to strike, they're entitled to collective bargaining with mandatory arbitration with the right of appeal to the courts if the guidelines aren't followed, because we don't have the right to stop paying taxes when all those strikes take place.

MR. BYRD:

Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. Chairman. I'd like to ask one of the witnesses a question. Anyone would...would be fine. I see now that there are those who have...might have a little different outlook as far as the educational community withstanding our distinguished witness...right here, but what I'm concerned about or interested in is the final product and I'd like to know...we keep looking at earlier intervention into the educational process. Let me ask you a question to Mr. Byrd or one of the other witnesses. What would the possibilities be of improving the final product if we held off the...the student to a later age rather than something like seven or eight for entrance as opposed to five or at a younger age? Do you think there is any merit to that or do you think that by entering a student in at an earlier age that the final product would be better? I've been told and had some visits recently from some proponents of...of raising the age rather than lowering it, and I'd like to get some professional...some testimony on thoughts on that.

MR. BYRD:

Well, my experience, personally and what I've gained from the research, if we were to raise the age for entry, it would be disastrous for us. There is the preponderance of evidence in our city if we can get youngsters in the child/parent centers even before kindergarten and work with them and follow programs once they have entered kindergarten, we do a much better job of making them successful in the upper grades of elementary school and if they're successful there, they're going to be more successful at high school. So, I...I think it would be disastrous for us in Chicago.

SENATOR KELLY:

Thank you, Mr. Byrd. I...I would say that in certain areas that that would be a...a fact, particularly in areas where there is disadvantaged or low process where you need more early teaching and intervention, but I'd like to know how this would apply Statewide? Suppose I should just make a statement that when we look...

MR. CHAIRMAN: (SENATOR BERMAN)

...excuse me, Senator, Mrs...Mrs. Sullivan would like to respond, Senator Kelly.

SENATOR KELLY:

Oh, thank you.

MRS. SULLIVAN:

Senator, I...I can tell you from my own experience because I have two children that had late birthdays and entered kindergarten at the age of four and consequently college at the age of seventeen, and in both their cases I would say that they did well, but if I had to do it over again, I would...have held both of them back. They did well academically and they got through, but I would have held them back. If...if I was told when I...was registering the children that I had a choice, and parents are not told that, that the children do not have to enter kindergarten at five, that they can go when they're six, and if I was told at that time that I had a choice that both these children, I would have held them back for a year and I think that's what has to be is that the school districts have to tell the parents that these children do not have to be in school when they are five.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Kelly.

SENATOR KELLY:

Thank you, very much, for those comments and I...I had visits from...from teachers in public schools who had discussed this subject with me, believe it or not,

and...and...and advised me, at least, in their opinion that a student who graduated from high school may, in fact, even though they entered...at an age of eight might be, in fact, equal to if not more so advanced than a student going...graduating from high school or going into college, and that sort of intrigued me not being an educator and that's why that had brought...and also they even mentioned the development. For instance, we have a lot kids now that have eyeglasses. If...we didn't have those in years past and there was some thoughts along the line that maybe physically the eyes aren't even ready at...at age five and that they have to develop to a certain point and that's why maybe we have some problems. What I'm doing is giving you a little different perspective on some of these issues, and I thank you for the courtesy, Mr. Chairman.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Schaffer.

SENATOR SCHAFFER:

Doctor Byrd, I was wondering, in your comments you didn't get too specific, how many new dollars are you looking for from the State for the Chicago School System next year over this year?

MR. BYRD:

Mr. Senator, there are some things that we'd like to do that I think are harmonious with the concept of reform. We talk about trying to catch some kids at middle grades with some...prevocational programs. We'd like to come with some flexible scheduling from high schools. We've got a package of what we call drop-out prevention and staying in school programs that amount to something like nineteen million dollars, those would be new dollars. But I have to say to you that although I mentioned that we're going to balance our budget by the end of this year in August, we will balance our budget this year with a lot of one-time only revenues that we

received last session of the Legislature, and if we were to try to carry forward the programs we have in place right now, this very moment, we have inadequate dollars in prospect to do so to the tune of something in the neighborhood of seventy million dollars, just to be made whole.

SENATOR SCHAFFER:

The seventy million plus the nineteen?

MR. BYRD:

Yes.

SENATOR SCHAFFER:

So we're ...we're quickly...

MR. BYRD:

If we're going to do those...if we're going to do those reform things.

SENATOR SCHAFFER:

And does that...does that fund any increases in salary or is that just...

MR. BYRD:

No...no, it does not.

SENATOR SCHAFFER:

So that just...that gets you...that opens the door September 1 with what you have in place plus...

MR. BYRD:

Plus the new...plus some new programs and I would not be opposed if those monies were categorical for those programs.

SENATOR SCHAFFER:

So...but that would not leave any new dollars for labor contracts or anything else?

MR. BYRD:

That's right.

SENATOR SCHAFFER:

Well, let me ask you a question, and I...I've listened to your suggestions for your new programs and I guess the...the buzz word is reform and...and I...I can't argue with what

you're talking about, they all sound good to me. But many times we have seen people, not only from Chicago but Chicago has certainly been there, come down with, if you will, highfalutin new plans and wanting new...new dollars and then lo and behold there was a labor negotiation or an increase in the prevailing wage, and when we looked back we found that none of those programs had really gotten off the ground because all the money had been taken up by a new labor contract or a...some of the prevailing wage employees got rather sizable gains and that sort of thing; and I'm not arguing against good salaries, I...I think you got to pay good salaries if you want good teachers, but I can recall for instance the Title I money which was supposedly for poor kids in Chicago went ten or fifteen years before it ever got any relationship to helping poor kids, and to this day I'm not really sure that there's a real relationship, I hope there is, I'll take your word that there is. I guess what I'm saying is, if you want a hundred million plus new dollars over...new State dollars over last year, what assurances do we have that these reforms will really happen, that in fact the new dollars won't be sucked up by your labor negotiations which I assume are ongoing or an increase in the prevailing wage? I don't question your credibility or your good intentions, I just know that about the fifteenth day of that labor strike next fall, some of those good programs, and maybe the lights will go out at nights in the schools again. What kind of assurances can you give us and what kind of things can we do to see that these monies which are for these noble causes end up being spent on those noble causes and not bargained away in the wee hours some Sunday morning? And, again, I'm not hacking salary increases; if their reasonable, fine, we...I can go along with it, but all too often the reforms go by the wayside in those late hour sessions.

END OF REEL

REEL #2

DOCTOR BYRD:

Mr. Senator, I appreciate very much your remarks and it was for that reason that I responded the way that I did. First of all, I do not want to have to try to talk about dismantling any other programs that we have in order to balance a budget for us to open the doors. That's the reason I said we need desperately to be made whole for once. And then to prevent the...the kind of thing that you talk about to insure that those dollars that we talk about over and beyond what we need to be made whole, I have no problem. If in staff development, if in developing incentives for increasing the expertise of teachers, if in retraining administrators and indeed if salaries, if that's a categorical item, I have no problem if the monies that come with the reforms are categorical to that...to that extent because I, too, want to see programs get down to youngsters. And I have been concerned about some of the things that you've talked about over the years, the State Title I monies and the rest of them, and I think we're doing better in...in that area. But I have the same concerns as you, I want to be made whole and then I am not bothered if the funding for specific programs are indeed categorical.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator Schaffer.

SENATOR SCHAFFER:

I think...I think I just heard a...a rather eloquent plea for some very careful appropriations process and I think perhaps that's something we ought to bear in mind and it's my hope, quite frankly, not only for Chicago but for all schools that whatever reforms that we implement that they are funded in each and every school district at a hundred percent or we

don't force the school districts to implement the reforms. However...noble and wonderful sounding they are, if we don't pay for them we ought not to force the school districts...Chicago or Deerfield or Carbondale ought not to be forced to implement them.

DOCTOR BYRD:

Thank you.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator DeAngelis.

SENATOR DeANGELIS:

I...thank you, Mr. President. I have a question of Dr. Byrd. Dr. Byrd, I believe that the Chicago Board of Education is the second largest school district in the United States and the largest one from a contiguous municipal boundary in the United States. My question is, do you feel that the Chicago Board of Education as currently constructed is manageable in the form it's in? If not, what type of restructuring would you like to see done?

DOCTOR BYRD:

I think the...the district, geographically, ought to remain intact as District 299. I think the district is manageable because I think you can get some smallness within that largeness and I...I think we ought to do it administratively. Financially we've been...been forced to do the reverse of what I think we ought to be doing. Twenty...twenty years ago, twenty-five years ago there were twenty-seven subdistricts within the system. Because of financial reasons four or five years ago we were forced to...to cut those districts to...to twenty. And so, in essence, we have a single district superintendent trying to administer thirty-one schools, probably making that subdistrict larger than any other district in the State of Illinois. And if you take a look at the resources we've...we've put at the disposal of that administrator, we have really

given him an awesome task. Over the long-haul, our...our improved results will come from not new strategies but will come from improved output from persons so that we pick the best people we can get, supervise them closely. I think we've got to...to redesign our districts in a way that we can supervise closely that way and not charge a district superintendent for administering and knowing what's going on in thirty-one schools. I think we can do it administratively and I'd like to see us move in that direction.

MR. CHAIRMAN: (SENATOR BERMAN)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, what you're talking about is maintaining 299 but regionalizing it.

DR. BYRD:

That's right...or increase the subdistricts. We've got twenty-nine and we've got to stay with that because we don't have the funding. I would like to see more districts. Especially in some areas where the youngsters are having great difficulty, we need the district superintendents and staff to get into those schools often to know what's going on. I'd like to go in that direction.

MR. CHAIRMAN: (SENATOR BERMAN)

Because of time constraints our last questioner will be Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. Chairman...members of the Senate. I think my question would be addressed to one or both of the two ladies that testified and if I understood them correctly, either one or both made the point that in their opinion it was not necessary to infuse massive...that is, infuse money in massive new amounts into the educational program in the City of Chicago but that seems to be at variance with Dr. Byrd's requests or assessments, if I may. Now, my question

boils down to this, Dr. Byrd outlined certain reforms that he indicated in response to questions asked him would cost a considerable amount of money. My question to you ladies, one or both of you, do you see in those reforms that are mentioned the remedies, the solutions to the problems that you seem to be most concerned about? And you might...you might tell us again how you see the educational system going ahead without the new money that Dr. Byrd seems to feel is necessary?

MR. CHAIRMAN: (SENATOR BERMAN)

Mrs. Sullivan.

MRS. SULLIVAN:

Well, as far as the dropout program is concerned, I'll tell you what is going on right now in the public schools, in some of the schools. I received a call...because I am a board watcher, people throughout the area do call me. I received a call from a mother who has a child in a local high school and this boy was cutting classes. This mother was not aware of the fact that this boy was cutting classes because she was never notified there. Now the system is set up now that that mother should have been notified but somebody wasn't doing their job. And then when she found out the...went...when she did go to the school, she found out her boy was cutting classes, she also found out that...and this school is open from 8:00 a. m. to 4:00 p. m. and the child attended classes...he should have been attending classes from 8:00 a. m. to 1:00 p. m. Instead of going to his classes, he was supposed to sit in a room because he cut classes; so, consequently, not only...he was...he was punished for cutting classes but he still kept on missing his classes because he was supposed to sit in this room. And her objection was, since he went to school from 8:00 a. m. to 1:00 p. m., why couldn't he sit in this room for the three hours after and make up for his punishment. So he continued missing classes,

missing classes, and this is not an isolated case and that's why you have drop-outs. Because if the kid cuts first to start with, they're prevented from going to class because they're sitting in some classroom reading comic books and they're prevented from attending their regular classes. If there's punishment going to be given, it should be given before school or after school and not during school hours. Now this should...this is set up right now that this should be done and it isn't being done. So how it's going to be changed...is another hundred thousand dollars going to make some counselor call a parent? Is...is...is that going to change it? I don't see that change.

MR. CHAIRMAN: (SENATOR BERMAN)

Mrs. Fatima.

MRS. FATIMA:

Yes. Senator, my response would be this. Granted, Dr. Byrd has come with proposals in preventing dropouts, et cetera, and of course there's money attached in the tune of eighteen million dollars at least. I would watch those funding, it always seems to escaluate. But I think my main...the main thrust would be this. In the School Code the City of Chicago's city council does not have the ability of a line item veto in the school system's budget. In other words, the budget comes forward to the city council and under this home rule provision or whatever, they just blanketly approve it...by law they do, without any type of scrutiny in actuality. Now if there are proposals for reform, I think first what must have to come is that that budget is looked at line by line to exactly see what is in place right now and how it is being implemented before these proposals are enacted. That is our feeling as taxpayers in the City of Chicago that that is not being done now, and it is a 1.5 billion dollar budget and our councilmen in Chicago have no real authority over it. And if they had that, and you are the ones that can

give that to them by changing the School Code, then that would be real reform because that would allow for the ridding of all the fat that's in that budget, and maybe then implementing some good reform.

MR. CHAIRMAN: (SENATOR BERMAN)

Dr. Byrd.

DOCTOR BYRD:

Mr. Senator, I wanted a whack at your question because I want you to know that a few years back this Body in collaboration with the House installed the Chicago School Finance Authority that does, in...in fact, oversee our budget operation. The chairman of that Finance Authority, Mr. Van Gorkom, when he approved the board's amended budget in January indicated that we did face the shortfall that I just talked about and further indicated that the Board of Educated...Education needed an...an infusion of new monies. He had his accountants take a look at the funding for the schools and found that when we compare what we're receiving this year with what we received in 1977 that there has been a reduction of ten percent for funding behind each of the students in the Chicago schools. So we do need some additional funding to do some things. I...I would say this, that we are a big school district with some four hundred and thirty thousand youngsters. You ought to know that Mrs.Sullivan and Mrs. Fatima come from a school where the youngsters are achieving at grade level, that feed into a high school that has a very low dropout rate when we compare it to the full city. And we applaud that, we've got other schools that way, but we've got some other schools that are not functioning well and it is our responsibility to try to salvage all of the youngsters in that school system. And I think if you heard the testimony of some parents from many of those other schools they would describe some needs that indeed would be impressive to you.

MR. CHAIRMAN: (SENATOR BERMAN)

Ladies and Gentlemen, that...concludes the questions and the testimony. We have had four Commissions of the Whole...Committees of the Whole of the Senate. I personally want to thank Senate President Rock and Senate Minority Leader Philip for allowing the Senate and the witnesses to show our concern to the people of the State of Illinois as to the importance that we place on the question of education reform and education funding. Of course the specific legislation will be introduced by Friday and they will be carefully analyzed in the respective committees. I want to thank the members of the Senate as well as the witnesses for their attention and tell the people of the State of Illinois that we look forward to working with all of them for the improvement of our educational system. Senator Maitland, for the purpose of a motion.

SENATOR MAITLAND:

Thank you, very much, Mr. President, I want to personally thank you for holding these hearings. I think the speakers that we had at all hearings were quite good. I want to personally thank the speakers today for...for their involvement in our endeavor. And at this point, Mr. Chairman, I would move that the Senate arise from Committee of the Whole.

MR. CHAIRMAN: (SENATOR BERMAN)

You've heard the motion. All those in favor signify by saying Aye. Nay. The motion carries and the Committee of the Whole does arise.

PRESIDENT:

All right. Senators Berman and Maitland have moved that the Committee of the Whole do now arise. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate is now back in Regular Session. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 115, by Senator Macdonald.

Senate Resolution 116, by Senator Davidson and all Senators.

Senate Resolution 117, by Senator Poshard.

Senate Resolution 118, by Senator Demuzio.

Senate Resolution 119, by Senators Fawell, Philip, Etheredge, Topinka and others.

Senate Resolution 120, by Senator Topinka.

And Senate Joint Resolution 33, by Senator Topinka.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 120 offered by Senators Newhouse, Jones, Etheredge and Hudson.

Senate Resolution 121 offered by the same sponsors.

Senate Joint Resolution 34 offered by Senator Topinka.

Senate Joint Resolution 35 offered by Senators Newhouse, Jones, Etheredge and Hudson.

And Senate...Joint Resolution 36 Constitutional Amendment.

PRESIDENT:

Executive Committee. Message from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard, Director, Legislative Affairs.

Dear Mr...Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have appointed...nominated and appointed the following named persons to the offices enumerated below, respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Resolutions.

SECRETARY:

Senate Resolution 120 offered by Senator Netsch and it's congratulatory.

PRESIDENT:

Consent Calendar. Message from the Executive.

SECRETARY:

Executive Order No. 3.

(Secretary reads E.O. No. 3)

Executive Order No. 4.

(Secretary reads E.O. No. 4)

PRESIDENT:

Executive Committee. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, for two motions, Mr. President. One is, we have an influx of Senate bills and we have postponed assigning House bills. I would ask then for the permission of the Senate and I would move for the immediate suspension of Senate Rule 5 to allow for the assignment of all House bills following the deadline for introductions and assignment of Senate bills, because we do have...instead of assigning some House bills now, we'd like to finish the assignment of all the Senate bills and then move on to the House bills.

PRESIDENT:

All right. You've heard the motion to delay the assignment of House bills in the Senate until the Senate bills have been assigned. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The motion carries and it's so ordered. Senator Savickas.

SENATOR SAVICKAS:

And we do have...a few reassignments. We have found that in Public Health we had Senate Bill 339 that deals with Alzheimer's insurance. We had that in Public Health, we want to...reassign that to Insurance. In Insurance we had two

bills that deal with humane care for animals and these are dog...humane care for treatment of dogs. We thought they were...dog racing bills and we found out they are not, Senate Bill 86 and 370. So we'd like to reassign that from Insurance to Agriculture. And we had a bill that we...Senate Bill 437 that we assigned to Labor but it dealt with...consideration of tenure in teachers, and we...reassigned that to Elementary Ed.

PRESIDENT:

All right. Senator Savickas has moved that the Committee on Public Health be discharged from further consideration of Senate Bill 339 and that the bill be reassigned to the Committee on Insurance. All in favor of that motion indicate by saying Aye. All opposed. What...what, I beg your pardon, what number is it? You read 339.

SENATOR SAVICKAS:

Oh, I'm sorry, 389. Senate Bill 389.

PRESIDENT:

3-8-9. The motion is to discharge the Committee on Public Health from further consideration of Senate Bill 389 and...and reassign the bill to the Committee on Insurance. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. The next one is Senate Bills 86 and 370. The motion is to discharge the Committee on Insurance from further consideration of those bills and move that they be reassigned to the Committee on Agriculture. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and that's so ordered. The final bill is Senate Bill 437. The motion is to discharge the Committee on Labor from further consideration of Senate Bill 437 and request that the bill be reassigned to the Committee on Elementary and Secondary Education. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so

ordered. Senator Vadalabene, for what purpose do your arise?

SENATOR VADALABENE:

Yes, I would like the...the record to...show that...that Senator Zito be the hyphenated sponsor of Senate Bill 22 and 23, and also I would like to remove myself as the lead sponsor of Senate Bill...or of House Bill 428 and show Senator Dawn Netsch as the lead sponsor and I will be the hyphenated sponsor.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Zito as a cosponsor of Senate Bills 22 and 23 and further show Senator Netsch as the chief Senate sponsor of House Bill 428. Without objection, leave granted? Leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to add as an immediate cosponsor to my Senate Bill 341 Senator Jack Schaffer and also Senator William Mahar.

PRESIDENT:

All right. The lady seeks leave to show Senator Schaffer and Mahar on Senate Bill 341. Is leave granted? Without objection, leave is granted. Senator Karpiel, for what purpose do you arise? Senator Karpiel.

SENATOR KARPIEL:

Thank you...thank you, Mr. President. I would like leave of the Senate to put Senators Marovitz and Senator Zito on as hyphenated cosponsors on Senate Bill 179.

PRESIDENT:

All right. The lady seeks leave to show Senators Marovitz and Zito as cosponsors of Senate Bill 179? 179. Without objection, leave is granted. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, I'd like leave of the Senate, please,

to be added on with the...okay of the sponsor as a hyphenated joint sponsor of Senate Bill 610 and 611.

PRESIDENT:

The lady seeks leave to be shown as a hyphenated cosponsor of Senate Bills 610 and 611. Without objection, leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I think there's been some oversight, but I would like to add Senator Virginia Macdonald as a hyphenated cosponsor to my Senate Bill 341.

PRESIDENT:

All right. The lady seeks leave to show Senator Macdonald as the hyphenated cosponsor of Senate Bill 341. Is leave granted? Leave is granted. Senator Macdonald, you wish to get off 341? Senator Macdonald.

SENATOR MACDONALD:

No...no, Mr. President, I...with the approval of the sponsor, I would like to go on as the hyphenated sponsor of Senate Bill 12, Senate Bill 129 and Senate Bill 153 as cosponsor.

PRESIDENT:

All right. The lady seeks leave to be shown as the cosponsor of Senate Bills 12, 129 and 153, 1-5-3. Without objection, leave is granted. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

With leave of the sponsor, I would like to be added to Senate Bill 336 as the hyphenated joint sponsor.

PRESIDENT:

All right...the lady seeks leave to be shown as the hyphenated sponsor on Senate Bill 336. Is leave granted? Leave is granted. Senator Demuzio, for what purpose do you arise?

HB 485 2nd Reading

SENATOR DEMUZIO:

At great personal risk, I'd like to add my name as hyphenated cosponsor of Senate Bill 562 with Senator Vadalabene.

PRESIDENT:

The gentleman seeks leave to be shown as the hyphenated sponsor on Senate Bill 562. Is leave granted? Without objection, leave is granted. All right. With leave of the Body, there's been a request to move to the Order of House Bills 2nd Reading, the bottom of page 6. Bottom of page 6, on the Order of House Bills 2nd Reading, Mr. Secretary. House Bill 485. On the Order of House Bills 2nd Reading, House Bill 485. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 485.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have your attention. We have, it appears, a couple of hundred bills for introduction. The last day for introduction, obviously, is Friday. When we...adjourn today, we will come back at noon tomorrow and we will go through the Calendar on Senate bills 2nd reading, Senate bills 3rd reading, House bills 3rd reading. We will...we will be in Session on Friday for the purpose of introduction of bills. We will start at nine o'clock in the morning and the Senate will remain open or at the call of the Chair until five o'clock, until the close of business. The Reference Bureau has indicated that they think they can accommodate...will have accommodated everybody's request so

that bills will be introduced up to and including Friday at five o'clock. It will not be necessary for all of us to be here on Friday. So, at the close of business tomorrow, those who have pressing constituent business back in the district can feel free and...to get back. But tomorrow we will go on the Order of Senate Bills 2nd Reading and the Order of Senate Bills 3rd Reading and the Order of House Bills 3rd Reading. In the meantime, since committees are scheduled to meet at this moment, Transportation is scheduled in Room 400, Labor and Commerce in Room A-1 and Appropriations II in Room 212, might I suggest that...the only other business that will transpire is the introduction of bills and that members can feel free to go to their committee, and the Secretary and the Assistant Secretary and myself and the Parliamentarian will sit here and make sure that everything is properly introduced, at which point we will adjourn until ten o'clock tomorrow morning. Senator Netsch, for what purpose...noon tomorrow morning. Tomorrow...Thursday at noon. Announcements or further business to come...

SENATOR NETSCH:

Yes. Thank...

PRESIDENT:

...before the Session. Yes, Senator Davidson, I'm aware. Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. I wanted to announce to all of the members of the Illinois Economic and Fiscal Commission that we will meet at 8:00 a. m. in Room 212 tomorrow morning, and those who are members of the Pension Subcommittee of Economic and Fiscal, we will meet at 7:00 a. m. in Room 212. So that's 7:00 a. m. for the Pension Subcommittee, 8:00 a. m. for Economic and Fiscal Commission, and then the regular Revenue Committee meeting will be a 10:00 a. m. also in Room 212.

PRESIDENT:

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President, I'd like to remind yourself and the other members of the Senate that tomorrow morning starting at 8:00 a. m. in Room 400 will be the annual fitness examination testing for members of the Legislature as we did last year, put on by the I-A...for the Illinois Association of Health and Physical Fitness instructors and people throughout the State. Many of you participated last year and found out how good or how bad you were as far as fitness. Now, if you want to participate in the blood testing, you must have a twelve-hour fast. So please do not eat any breakfast before you go if you're going to want that blood sampling testing done; otherwise, you can go up and take it anytime, it'll be going on from 8:00 a. m. till noon or till two o'clock tomorrow afternoon. I hope you enjoy the apple.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to make an announcement that the Elections and Reapportionment Committee will be meeting tomorrow at ten o'clock in A-1 in the Stratton Building. Appreciate the members being there and thank you, very much.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes...like to announce that the...that the Labor Committee will meet immediately after the Session. We have only two bills, so that if you would please go directly to A-1, we can complete our business in about fifteen minutes. So, I'm asking all of you to be there and be there on time because I do have another committee meeting.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. In order to accommodate the fitness program which will be in Room 400, the Senate Committee on Finance will be held at 10:00 a. m. tomorrow morning on the Senate Floor. Finance, on the Senate Floor, 10:00 a. m.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I'd just like all the members of Appropriations II to gather in Room 212 immediately.

PRESIDENT:

All right. Any further announcements or further business? Otherwise, we will begin with the introduction of bills. Upon the conclusion of the introduction, we will adjourn until Thursday at the hour of noon. Tomorrow at noon. Mr. Secretary, introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 526, by Senator Keats.

(Secretary reads title of bill)

627, Senator Carroll.

(Secretary reads title of bill)

528, by Senators Philip and Rock.

(Secretary reads title of bill)

529, by Senator Donahue.

(Secretary reads title of bill)

530, by Senator Coffey.

(Secretary reads title of bill)

531, by Senator Lemke.

(Secretary reads title of bill)

532, the same sponsor.

(Secretary reads title of bill)

523, the same sponsor.

(Secretary reads title of bill)

534, by the same sponsor.

(Secretary reads title of bill)

535, by the same sponsors.

(Secretary reads title of bill)

536, by the same sponsor.

(Secretary reads title of bill)

537, by the same sponsor.

(Secretary reads title of bill)

538, by the same sponsor.

(Secretary reads title of bill)

539, the same sponsor.

(Secretary reads title of bill)

540, by the same sponsor.

(Secretary reads title of bill)

541, by Senator Lemke.

(Secretary reads title of bill)

542, by Senator Lemke.

(Secretary reads title of bill)

543, by the same sponsor.

(Secretary reads title of bill)

544, by the same sponsor.

(Secretary reads title of bill)

545, by the same sponsor.

(Secretary reads title of bill)

546, by the same sponsor.

(Secretary reads title of bill)

547, by the same sponsor.

(Secretary reads title of bill)

548, by the same sponsor.

(Secretary reads title of bill)

549, by the same sponsor.

(Secretary reads title of bill)

550, by the same sponsor.

(Secretary reads title of bill)

551, by the same sponsor.

(Secretary reads title of bill)

552, by Senators Rock and Philip.

(Secretary reads title of bill)

553, by Senator Vadalabene.

(Secretary reads title of bill)

554, the same sponsor.

(Secretary reads title of bill)

555, by the same sponsor.

(Secretary reads title of bill)

556, by the same sponsor.

(Secretary reads title of bill)

557, by Senator Holmberg.

(Secretary reads title of bill)

558, by Senator Weaver.

(Secretary reads title of bill)

559, by Senator Weaver.

(Secretary reads title of bill)

560, by Senator Vadalabene.

(Secretary reads title of bill)

561, by the same sponsor.

(Secretary reads title of bill)

562, by Senators Vadalabene and Demuzio.

(Secretary reads title of bill)

563, by Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

564, by the same sponsors.

(Secretary reads title of bill)

565, by the same sponsors.

(Secretary reads title of bill)

566, by the same sponsors.

(Secretary reads title of bill)

567, by Senators Jeremiah...Jerome Joyce and Rigney and

Maitland.

(Secretary reads title of bill)

568, by Senators D'Arco, Schaffer, Savickas and Vadalabene.

(Secretary reads title of bill)

569, by Senators D'Arco and Bloom.

(Secretary reads title of bill)

570, by Senators D'Arco and Bloom.

(Secretary reads title of bill)

571, by the same sponsors.

(Secretary reads title of bill)

572, by Senator D'Arco.

(Secretary reads title of bill)

573, by Senator Maitland.

(Secretary reads title of bill)

574, by Senator Topinka.

(Secretary reads title of bill)

575, by the same sponsors.

(Secretary reads title of bill)

567, by the same sponsor.

(Secretary reads title of bill)

577, by Senator Degnan.

(Secretary reads title of bill)

578, by Senator Rigney.

(Secretary reads title of bill)

579, by Senators Jeremiah Joyce.

(Secretary reads title of bill)

580, by the same sponsors.

(Secretary reads title of bill)

581, by the same sponsor.

(Secretary reads title of bill)

582, by...Jeremiah Joyce.

(Secretary reads title of bill)

583, Senator Luft.

(Secretary reads title of bill)

584, by Senator Luft.

(Secretary reads title of bill)

585, by Senator Barkhausen.

(Secretary reads title of bill)

586, by Senator Karpiel.

(Secretary reads title of bill)

587, by the same sponsor.

(Secretary reads title of bill)

588, by the same sponsor.

(Secretary reads title of bill)

589,...by Senators Davidson, Schaffer, Demuzio and Lechowicz.

(Secretary reads title of bill)

590, by Senators...Senator Welch.

(Secretary reads title of bill)

591, by the same sponsor.

(Secretary reads title of bill)

592, by Senators Bloom and Sangmeister.

(Secretary reads title of bill)

593, by the same sponsors.

(Secretary reads title of bill)

594, the same sponsors.

(Secretary reads title of bill)

595, by Senators Bloom, Sangmeister and Barkhausen.

(Secretary reads title of bill)

596, by Senator Dudycz.

(Secretary reads title of bill)

597, by Senator Darrow.

(Secretary reads title of bill)

598, by Senator Darrow.

(Secretary reads title of bill)

599, by Senators Etheredge and Davidson.

(Secretary reads title of bill)

...600, by the same sponsors.

(Secretary reads title of bill)

601, Senator Etheredge.

(Secretary reads title of bill)

602, by Senators Etheredge and Luft.

(Secretary reads title of bill)

603, by Senator Maitland.

(Secretary reads title of bill)

604, by Senator Fawell.

(Secretary reads title of bill)

605, by Senators O'Daniel and Poshard.

(Secretary reads title of bill)

606, by Senator Welch.

(Secretary reads title of bill)

607, by Senator Maitland.

(Secretary reads title of bill)

608, by Senator Maitland.

(Secretary reads title of bill)

609, by the same sponsor.

(Secretary reads title of bill)

610, by Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bills.

SECRETARY:

Senate Bill 611...Senate Bill 611 introduced by Senator Schaffer.

(Secretary reads title of bill)

Senate Bill 612, by Senators Bloom, Berman, Donahue, Jones and others.

(Secretary reads title of bill)

Senate Bill 613, Senator Etheredge.

(Secretary reads title of bill)

614, Senator Degnan.

(Secretary reads title of bill)

615, by Senators Welch and Netsch.

(Secretary reads title of bill)

616, Senator Welch.

(Secretary reads title of bill)

617, Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

618, by Senator Dunn.

(Secretary reads title of bill)

619, Senators Lemke and Geo-Karis.

(Secretary reads title of bill)

620, Senator Davidson.

(Secretary reads title of bill)

621, Senator Demuzio.

(Secretary reads title of bill)

622, Senator Demuzio.

(Secretary reads title of bill)

623, Senator Coffey.

(Secretary reads title of bill)

624, Senators DeAngelis and Zito.

(Secretary reads title of bill)

625, Senator Welch.

(Secretary reads title of bill)

627, Senators Newhouse, Jones, Etheredge and Hudson...or 626 rather.

(Secretary reads title of bill)

627, by the same sponsors.

(Secretary reads title of bill)

628, Senator Savickas.

(Secretary reads title of bill)

629, by Senator Savickas.

(Secretary reads title of bill)

630, Senator Savickas.

(Secretary reads title of bill)

631, Senator Poshard.

(Secretary reads title of bill)

632, Senators Barkhausen and...and Dudycz.

(Secretary reads title of bill)

633, Senator Barkhausen...Senate Bill 633, Senator Jerome Joyce.

(Secretary reads title of bill)

634...634, Senator Barkhausen.

(Secretary reads title of bill)

635, by the same sponsor.

(Secretary reads title of bill)

636, by the same sponsor.

(Secretary reads title of bill)

637, by Senator Fawell.

(Secretary reads title of bill)

638, by the same sponsor.

(Secretary reads title of bill)

639, Senators Dawson and Newhouse.

(Secretary reads title of bill)

640, by Senators Jerome Joyce and Maitland.

(Secretary reads title of bill)

641, Senator Zito.

(Secretary reads title of bill)

642, Senators Hudson and Dawson.

(Secretary reads title of bill)

643, Senator Coffey.

(Secretary reads title of bill)

644, Senators Barkhausen and Dudycz.

(Secretary reads title of bill)

645, by the same sponsors.

(Secretary reads title of bill)

646, by the same sponsors.

(Secretary reads title of bill)

647, by the same sponsors.

(Secretary reads title of bill)

648, by Senators Barkhausen, Geo-Karis and Dudycz.

(Secretary reads title of bill)

649, by the same sponsors.

(Secretary reads title of bill)

650, by the same sponsors.

(Secretary reads title of bill)

651, by Senators Barkhausen and Dudycz.

(Secretary reads title of bill)

652, by Senators Lemke and Dawson.

(Secretary reads title of bill)

653, by Senators Smith and Poshard.

(Secretary reads title of bill)

654, by Senator Karpiel.

(Secretary reads title of bill)

655, by Senators Schuneman, Lemke and Geo-Karis.

(Secretary reads title of bill)

656, Senator Netsch.

(Secretary reads title of bill)

657, by the same sponsor.

(Secretary reads title of bill)

658, by the same sponsor.

(Secretary reads title of bill)

659, Senator Jones.

(Secretary reads title of bill)

660, Senators Lechowicz, Lemke, Poshard and Savickas.

(Secretary reads title of bill)

661, by the same sponsors.

(Secretary reads title of bill)

662, by Senator Jerome Joyce.

(Secretary reads title of bill)

663, Senator Luft.

(Secretary reads title of bill)

664, Senator Hudson.

(Secretary reads title of bill)

665, by Senators Lechowicz, Poshard, Smith and others.

(Secretary reads title of bill)

666, Senator Lemke.

(Secretary reads title of bill)

667, Senators Rock, Savickas, Demuzio and others.

(Secretary reads title of bill)

668, Senator Demuzio.

(Secretary reads title of bill)

And 669, same sponsor.

(Secretary reads title of bill)

670, Senator Dawson.

(Secretary reads title of bill)

671, by the same sponsor.

(Secretary reads title of bill)

672, Senator Holmberg.

(Secretary reads title of bill)

PRESIDENT:

All right. If there's no further business to come before the Senate, the Senate will stand adjourned until noon on Thursday. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

April 11, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. The prayer this afternoon by the Reverend John Spreen, Church of the Little Flower, Springfield, Illinois. Father.

REVEREND SPREEN:

(Prayer given by Reverend Spreen)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Darrow.

SENATOR DARROW:

Mr. President, I move that the reading and approval of the Journal of Wednesday, April 10th, in the year 1985, be postponed pending the arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Darrow. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

Senator Kelly, chairman of Elections and Reapportionment Committee, reports out the following Senate bills.

237 and 353 with the recommendation Do Pass.

Senator Berman, vice-chairman of Finance and Credit Regulations, reports out the following Senate bills.

89, 148, 251 and 354 with the recommendation Do Pass.

95, 211, 318 and 326 with the recommendation Do Pass as Amended.

Senator Nedza, chairman of the Committee on Transportation, reports out the following Senate bills.

74, 243, 244, 291, 378 and 379 with the recommendation Do Pass.

Senate Bill 411 with the recommendation Do Pass as Amended.

Senate Bills 1st Reading

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 131, 296 and 314.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 30.

PRESIDENT:

All right. Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 124, congratulatory, offered by Senator Carroll.

Senate Resolution 125, it's congratulatory, offered by Senator Berman.

And Senate Resolution 126 offered by Senator Newhouse, and it's death resolution.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 673 introduced by Senators Demuzio, DeAngelis, Vadalabene and others.

(Secretary reads title of bill)

...687, Senator Demuzio.

(Secretary reads title of bill)

688, the same sponsor.

Senate Bill 674 introduced by Senators Demuzio,

DeAngelis, Vadalabene and others.

(Secretary reads title of bill)

675, by the same sponsors.

(Secretary reads title of bill)

676, by the same sponsors.

(Secretary reads title of bill)

677, by the same sponsors.

(Secretary reads title of bill)

678, by Senators Vadalabene, DeAngelis, Demuzio and others.

(Secretary reads title of bill)

679, by the same sponsors.

(Secretary reads title of bill)

680, by Senators Netsch, Schuneman, Demuzio, DeAngelis and others.

(Secretary reads title of bill)

681, by Senators Kelly and Macdonald.

(Secretary reads title of bill)

682, by the same sponsor.

(Secretary reads title of bill)

683, by Senators D'Arco, Schaffer, Savickas and Vadalabene.

(Secretary reads title of bill)

684, Senator DeAngelis.

(Secretary reads title of bill)

685, Senator Maitland.

(Secretary reads title of bill)

686, Senator Kelly.

(Secretary reads title of bill)

687 has been read into the record.

688, Senator Demuzio.

(Secretary reads title of bill)

689, Senator Mahar.

(Secretary reads title of bill)

690, Senator Macdonald.

(Secretary reads title of bill)

691, by the same sponsor.

(Secretary reads title of bill)

692, Senator Kustra.

(Secretary reads title of bill)

693, Senator Geo-Karis.

(Secretary reads title of bill)

694, by Senators Topinka, D'Arco and Dudycz.

(Secretary reads title of bill)

695, Senator Jerome Joyce.

(Secretary reads title of bill)

696, Senator Jerome Joyce.

(Secretary reads title of bill)

697, Senator Coffey.

(Secretary reads title of bill)

699, Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 698, Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 700, Senator Keats.

(Secretary reads title of bill)

701, Senator Geo-Karis.

(Secretary reads title of bill)

702, Senator Lemke.

(Secretary reads title of bill)

704, Senator Lemke.

(Secretary reads title of bill)

I skipped over Senate Bill 703 introduced by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 705, Senator Lemke.

(Secretary reads title of bill)

Senate Bill 706, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 707, Senators Rock, Jeremiah Joyce, Berman and others.

(Secretary reads title of bill)

708, by the same sponsors.

(Secretary reads title of bill)

709, Senator Lechowicz.

(Secretary reads title of bill)

710, Senator Savickas.

(Secretary reads title of bill)

Senate Bill 711, Senator Kelly.

(Secretary reads title of bill)

712, Senator Zito.

(Secretary reads title of bill)

713, Senator Zito and Topinka.

(Secretary reads title of bill)

714, Senator D'Arco.

(Secretary reads title of bill)

715, by the same sponsor.

(Secretary reads title of bill)

716, by the same sponsor.

(Secretary reads title of bill)

717, by the same sponsor.

(Secretary reads title of bill)

718, Senator D'Arco.

(Secretary reads title of bill)

719, Senator Watson.

(Secretary reads title of bill)

Senate Bill 720, Senator Darrow.

(Secretary reads title of bill)

721, by the same sponsor.

(Secretary reads title of bill)

722, Senator Berman.

(Secretary reads title of bill)

723, Senator Berman.

(Secretary reads title of bill)

724, Senator Berman.

(Secretary reads title of bill)

725, Senator Berman.

(Secretary reads title of bill)

726, same sponsor.

(Secretary reads title of bill)

727, the same sponsor.

(Secretary reads title of bill)

728, Senators Berman and Bloom.

(Secretary reads title of bill)

729, by the same sponsors.

(Secretary reads title of bill)

730, Senator Berman.

(Secretary reads title of bill)

731, Senator Berman.

(Secretary reads title of bill)

732, Senator Nedza.

(Secretary reads title of bill)

733, Senator Carroll.

(Secretary reads title of bill)

734, Senator Weaver.

(Secretary reads title of bill)

735, Senator Kustra.

(Secretary reads title of bill)

736, Senators Kustra and Poshard.

(Secretary reads title of bill)

737, Senator Rigney.

(Secretary reads title of bill)

738, Senator Degnan.

(Secretary reads title of bill)

739, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 740, Senator Vadalabene.

(Secretary reads title of bill)

741, by the same sponsor.

(Secretary reads title of bill)

742, by the same sponsor.

(Secretary reads title of bill)

743, Senator Vadalabene.

(Secretary reads title of bill)

743, Senator Jones.

(Secretary reads title of bill)

744, same sponsor.

(Machine cutoff)...Bill 702 and Senate Bill 703 were identical bills. We will now read in Senate Bill 703.

Senate Bill 703 introduced by Senator Jones.

(Secretary reads title of bill)

Senate Bill 744, Senator Jones.

(Secretary reads title of bill)

Senate Bill 745, same sponsor.

(Secretary reads title of bill)

746, by the same sponsor.

(Secretary reads title of bill)

...747, Senator Schaffer.

(Secretary reads title of bill)

748, Senator Donahue.

(Secretary reads title of bill)

749...I have Senate Bill 749 which amends the Downstate Teachers' Article of the Pension Code and it doesn't have a name on it.

Senate Bill 749, by Senators Kustra and...and Topinka.

(Secretary reads title of bill)

Senate Bill 750, Senator Kustra.

(Secretary reads title of bill)

751, Senator Kustra.

(Secretary reads title of bill)

SB 756 1st Reading

752, by the same sponsor.

(Secretary reads title of bill)

753, Senators Rock and...Jerome Joyce.

(Secretary reads title of bill)

754, Senator Kelly.

(Secretary reads title of bill)

755, Senators Degnan, Lechowicz and Lemke.

(Secretary reads title of bill)

756, Senators Chew and Davidson.

(Secretary reads title of bill)

757, Senator O'Daniel.

(Secretary reads title of bill)

758, Senators Davidson, Etheredge, Macdonald and others.

(Secretary reads title of bill)

759, Senator Marovitz.

(Secretary reads title of bill)

760, Senators Marovitz and Nedza.

(Secretary reads title of bill)

761, Senator Marovitz.

(Secretary reads title of bill)

762, Senator Marovitz.

(Secretary reads title of bill)

...Senate Bill 763, Senator Marovitz.

(Secretary reads title of bill)

765, Senators Marovitz and DeAngelis.

(Secretary reads title of bill)

...go back and pick up 764. Senate Bill 764.

(Secretary reads title of bill)

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we've...we had a couple of requests for the media to film the proceedings; one is a still...for still photographs, Shawn Kusten and the other is Channel 25 WEEK-TV. Is leave granted? Leave is granted.

Mr. Secretary, introduction of bills.

SECRETARY:

Senate Bill 766, Senator Vadalabene.

(Secretary reads title of bill)

767, Senator Rock.

(Secretary reads title of bill)

768, Senator Marovitz.

(Secretary reads title of bill)

769, Senator Schuneman.

(Secretary reads title of bill)

770, Senator Marovitz.

(Secretary reads title of bill)

771, Senator Schuneman.

(Secretary reads title of bill)

772, Senator Marovitz.

(Secretary reads title of bill)

773, Senator Marovitz.

(Secretary reads title of bill)

774, by the same sponsor.

(Secretary reads title of bill)

775, by Senators Marovitz, Dawson and Topinka.

(Secretary reads title of bill)

776, Senator Philip.

(Secretary reads title of bill)

777, Senator Watson.

(Secretary reads title of bill)

778, Senator Washington.

(Secretary reads title of bill)

Watson.

...779, Senator Dawson and Friedland.

(Secretary reads title of bill)

780, Senator Etheredge.

(Secretary reads title of bill)

781, Senator Philip.

(Secretary reads title of bill)

782, by the same sponsor.

(Secretary reads title of bill)

783, by the same sponsor.

(Secretary reads title of bill)

Senate Bill 784, Senator Mahar.

(Secretary reads title of bill)

785, Senator Fawell.

(Secretary reads title of bill)

...786, Senator Topinka.

(Secretary reads title of bill)

787, Senator DeAngelis.

(Secretary reads title of bill)

788, Senators DeAngelis, Philip, Weaver and others.

(Secretary reads title of bill)

789, Senators DeAngelis, Philip, Weaver and others.

(Secretary reads title of bill)

790, Senators Davidson, Philip, Weaver, DeAngelis and Schaffer.

(Secretary reads title of bill)

791, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 792, Senators Fawell, Philip, Weaver and others.

(Secretary reads title of bill)

793, Senators Coffey, Philip, Weaver and others.

(Secretary reads title of bill)

794, by the same sponsors.

(Secretary reads title of bill)

795, by Senators Rupp, Philip, Weaver and others.

(Secretary reads title of bill)

...796, by Senators Fawell, Philip, Weaver and others.

(Secretary reads title of bill)

797, Senators Etheredge, Philip, Weaver and others.

(Secretary reads title of bill)

798, Senators Bloom, Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

799, Senator Donahue...Senators Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

Senate Bill 800, Senator Rock.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

801, by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

802, Senators Macdonald, Philip and others.

(Secretary reads title of bill)

803, by Senator Schaffer, Philip and others.

(Secretary reads title of bill)

804, by Senator Schaffer, Philip and others.

(Secretary reads title of bill)

805, by Senators Bloom, Watson and others.

(Secretary reads title of bill)

806, by Senators Rigney, Philip, Weaver and others.

(Secretary reads title of bill)

...807, by Senators Coffey, Philip, Weaver and others.

(Secretary reads title of bill)

808, by Senators Maitland, Philip, Weaver and others.

(Secretary reads title of bill)

809, by Senators Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

810, by Senators Rigney, Philip, Weaver and others.

(Secretary reads title of bill)

811, by Senators Friedland, Philip, Weaver and others.

(Secretary reads title of bill)

812, by Senators Philip,...Weaver and others.

(Secretary reads title of bill)

813, by Senators Davidson, Dunn, Philip, Weaver and others.

(Secretary reads title of bill)

814, by Senators Mahar, Philip, Weaver and others.

(Secretary reads title of bill)

815, by Senators Mahar, Weaver, DeAngelis and others.

(Secretary reads title of bill)

816, by Senators Macdonald, Philip, Weaver and others.

(Secretary reads title of bill)

817, by Senators Weaver, Philip and others.

(Secretary reads title of bill)

818, by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

819, by...the same sponsors.

(Secretary reads title of bill)

820, by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

821, by the same sponsors.

(Secretary reads title of bill)

822, by Senators Friedland, Philip, Weaver and others.

(Secretary reads title of bill)

823, by Senator Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

824, by Senator Luft.

(Secretary reads title of bill)

825, by Senator Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

826, by Senators Hudson, Philip, Weaver and others.

(Secretary reads title of bill)

827, by Senators Fawell, Philip and others.

(Secretary reads title of bill)

828, by Senators Bloom, Philip, Weaver and others.

(Secretary reads title of bill)

829, by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

830, by Senators Rupp, Philip, Weaver and others.

(Secretary reads title of bill)

831, by Senator Geo-Karis, Schaffer, Philip and others.

(Secretary reads title of bill)

632, by the same sponsors.

(Secretary reads title of bill)

833, by Senators Macdonald, DeAngelis, Philip, Weaver and others.

(Secretary reads title of bill)

834, by Senator Keats, Philip, Weaver and others.

(Secretary reads title of bill)

835, by Senators Hudson, Philip, Weaver and others.

(Secretary reads title of bill)

836, by Senator DeAngelis, Friedland, Philip and others.

(Secretary reads title of bill)

837, by Senators Davidson, Philip, Weaver and others.

(Secretary reads title of bill)

838, by Senator Karpiel, Philip, Weaver and others.

(Secretary reads title of bill)

839, by Senators Geo-Karis, Weaver and others.

(Secretary reads title of bill)

840, by Senator Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

841, by Senator Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

842, by Senators Coffey, Philip, Weaver and others.

(Secretary reads title of bill)

843, by Senator Geo-Karis, Karpiel and others.

(Secretary reads title of bill)

844, by Senator Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

845, by Senator Keats, Hudson, Philip and others.

(Secretary reads title of bill)

846, by Senators Weaver, Philip, DeAngelis and others.

(Secretary reads title of bill)

847, by Senators Weaver, Philip, DeAngelis and others.

(Secretary reads title of bill)

848, by Senators Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

849, by Senators Macdonald, Rigney and others.

(Secretary reads title of bill)

850, Senators Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

851, by Senator DeAngelis, Dudycz, Philip and others.

(Secretary reads title of bill)

852, by Senator Kustra, Philip, Weaver and others.

(Secretary reads title of bill)

853, by Senator Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

854, by Senators Etheredge, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

855, by Senators Macdonald, Geo-Karis, Philip and others.

(Secretary reads title of bill)

856, by Senator Geo-Karis, Macdonald, Philip and others.

(Secretary reads title of bill)

857, by Senators Fawell, Philip, Weaver and others.

(Secretary reads title of bill)

858, by Senator Karpiel, Philip, Weaver and others.

(Secretary reads title of bill)

859, by Senator Geo-Karis, Davidson, Philip and others.

(Secretary reads title of bill)

860, by Senator Geo-Karis, Davidson, Philip and others.

(Secretary reads title of bill)

861, by Senator Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

862, by Senator Schaffer, DeAngelis and others.

(Secretary reads title of bill)

863, by Senator Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

864, by Senator Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

865, by Senator Rigney, Philip, Weaver and others.

(Secretary reads title of bill)

866, by Senator Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

867, by Senator Keats, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

868, by Senator DeAngelis, Schaffer, Philip and others.

(Secretary reads title of bill)

869, by Senators Donahue, Dunn, Rupp and others.

(Secretary reads title of bill)

870, by Senators Bloom, Philip, Weaver, DeAngelis, Davidson, Schaffer.

(Secretary reads title of bill)

871, by Barkhausen, Philip, Weaver and others.

(Secretary reads title of bill)

872, by Senators Dunn, Donahue, Davidson and others.

(Secretary reads title of bill)

873, by Senator Schaffer, Philip, Weaver and others.

(Secretary reads title of bill)

874, by Senator Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

875, by Senators Maitland, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

876, by Senators Macdonald, Philip, Weaver and others.

(Secretary reads title of bill)

877, by Senator Topinka...Philip, Weaver and others.

(Secretary reads title of bill)

888, by Senators Rupp, Philip and Weaver and others.

(Secretary reads title of bill)

878.

(Secretary reads title of bill)

879...by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

880, by Senators Schuneman, Philip, Weaver and others.

(Secretary reads title of bill)

881, by Senator Demuzio...881, by Senator Demuzio.

(Secretary reads title of bill)

...882, by Senator Degnan.

(Secretary reads title of bill)

...883, by Senator Holmberg.

(Secretary reads title of bill)

884, by Senator Davidson.

(Secretary reads title of bill)

885, by Senator Bloom.

(Secretary reads title of bill)

886, by Senator Dunn.

(Secretary reads title of bill)

887, by Senators Lemke, Kelly and others.

(Secretary reads title of bill)

888, Senators Lemke, Kelly and others.

(Secretary reads title of bill)

889, by the same sponsors.

(Secretary reads title of bill)

890, by...same sponsors.

(Secretary reads title of bill)

891, by Senators Watson, Philip, Weaver and others.

(Secretary reads title of bill)

892, by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

893, by Senators Etheredge, Philip, Weaver and others.

(Secretary reads title of bill)

894, by Senators Etheredge, Philip, Weaver and others.

(Secretary reads title of bill)

895, by Senators Coffey, Philip, DeAngelis and others.

(Secretary reads title of bill)

896, by Senators Bloom, Philip, Weaver and others.

(Secretary reads title of bill)

897, Senators Davidson, Philip and others.

(Secretary reads title of bill)

898, by...898, by Senators Topinka, Philip, Weaver and others.

(Secretary reads title of bill)

899, by Senator Schuneman, Philip, Weaver and others.

(Secretary reads title of bill)

900, by Senator Schaffer.

(Secretary reads title of bill)

901, by Senator Schaffer and Lechowicz.

(Secretary reads title of bill)

902, by Senator...the same sponsors.

(Secretary reads title of bill)

903, by Senators Fawell and Zito.

(Secretary reads title of bill)

904, by Senator Fawell.

(Secretary reads title of bill)

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

906, by Senator Fawell...905, by Senator Fawell.

(Secretary reads title of bill)

906, by the same sponsor.

(Secretary reads title of bill)

907, by Senator Chew.

(Secretary reads title of bill)

908, by Senators Kustra, Philip, DeAngelis and others.

(Secretary reads title of bill)

909, by Senators Kustra and...Etheredge.

(Secretary reads title of bill)

910, by Senator Demuzio.

(Secretary reads title of bill)

911, by the same sponsor.

(Secretary reads title of bill)

912, by the same sponsor.

(Secretary reads title of bill)

913, by the same sponsor.

(Secretary reads title of bill)

914, by the same sponsor.

(Secretary reads title of bill)

915, by the same sponsor.

(Secretary reads title of bill)

916, by Senator Lemke and Bloom.

(Secretary reads title of bill)

917, by Senator Netsch.

(Secretary reads title of bill)

918, by Senator Newhouse.

(Secretary reads title of bill)

919, by Senators Bloom, Luft, Sommer, Dawson.

(Secretary reads title of bill)

920, by Senator Holmberg.

(Secretary reads title of bill)

921, by Senator Poshard, Dunn and O'Daniel.

(Secretary reads title of bill)

922, by Senator DeAngelis.

(Secretary reads title of bill)

923, by Senator DeAngelis.

(Secretary reads title of bill)

924, by Senator Schuneman.

(Secretary reads title of bill)

925, by Senators Carroll, Hall, Welch, Demuzio and others.

(Secretary reads title of bill)

926, by Senator Rigney.

(Secretary reads title of bill)

927, by Senator Rigney.

(Secretary reads title of bill)

928, by Senator Rigney.

(Secretary reads title of bill)

929, by Senators Watson and DeAngelis.

(Secretary reads title of bill)

930, by Senator Kelly.

(Secretary reads title of bill)

923...931, by Senator Demuzio.

(Secretary reads title of bill)

932, by...by Senator Welch.

(Secretary reads title of bill)

933, by Senators Topinka and...Kustra.

(Secretary reads title of bill)

934, by Senator Welch.

(Secretary reads title of bill)

935, by Senator Dawson...935, by Senator Dawson.

(Secretary reads title of bill)

936, by Senator Dawson.

(Secretary reads title of bill)

SECRETARY:

Senate Bill 937 introduced by Senator Dawson.

(Secretary reads title of bill)

938, by the same sponsor.

(Secretary reads title of bill)

939, same sponsor.

(Secretary reads title of bill)

...940, same sponsor.

(Secretary reads title of bill)

941, same sponsor.

(Secretary reads title of bill)

942, by the same sponsor.

(Secretary reads title of bill)

943, by the same sponsor.

(Secretary reads title of bill)

944, by the same sponsor.

(Secretary reads title of bill)

945, Senator Welch.

(Secretary reads title of bill)

946, by the same sponsor.

(Secretary reads title of bill)

947, Senator Jeremiah Joyce.

(Secretary reads title of bill)

948, Senator Maitland.

(Secretary reads title of bill)

949, Senator Karpiel.

(Secretary reads title of bill)

950, Senator Smith.

(Secretary reads title of bill)

951, Senator Smith.

(Secretary reads title of bill)

952, by the same sponsor.

(Secretary reads title of bill)

953, by the same sponsor.

(Secretary reads title of bill)

954, by the same sponsor.

(Secretary reads title of bill)

955, by the same sponsor.

(Secretary reads title of bill)

956, by the same sponsor.

(Secretary reads title of bill)

957, Senator Jeremiah Joyce.

(Secretary reads title of bill)

958, Senator Welch.

(Secretary reads title of bill)

959, Senators DeAngelis and O'Daniel.

(Secretary reads title of bill)

960, Senators DeAngelis, Bloom and O'Daniel.

(Secretary reads title of bill)

961, by the same sponsors.

(Secretary reads title of bill)

962, by Senators DeAngelis, Jeremiah Joyce and O'Daniel.

(Secretary reads title of bill)

963, by the same sponsors.

(Secretary reads title of bill)

964, by the same sponsors.

(Secretary reads title of bill)

965, by the same sponsors.

(Secretary reads title of bill)

966, by Senators DeAngelis and O'Daniel.

(Secretary reads title of bill)

967, by the same sponsors.

(Secretary reads title of bill)

968, Senators DeAngelis, Darrow and others.

(Secretary reads title of bill)

969, Senator Kelly.

(Secretary reads title of bill)

970, by Senator Lemke.

(Secretary reads title of bill)

971, by the same sponsor.

(Secretary reads title of bill)

972, by the same sponsor.

(Secretary reads title of bill)

973, by Senators Lemke and Jeremiah Joyce.

(Secretary reads title of bill)

974, Senator Lemke.

(Secretary reads title of bill)

975, Senators Lemke and Geo-Karis.

(Secretary reads title of bill)

976, Senator Davidson.

(Secretary reads title of bill)

977, Senator Nedza.

(Secretary reads title of bill)

978, Senator Jerome Joyce.

(Secretary reads title of bill)

979, Senator Macdonald.

(Secretary reads title of bill)

980, by the same sponsor.

(Secretary reads title of bill)

981, Senators Poshard and O'Daniel.

(Secretary reads title of bill)

982, by Senators Poshard, Welch and Zito.

(Secretary reads title of bill)

931, by Senators Newhouse, Smith, Jones and Dawson.

(Secretary reads title of bill)

984, Senators Smith, Poshard and Newhouse.

(Secretary reads title of bill)

985, Senators Poshard and O'Daniel.

(Secretary reads title of bill)

986, Senator Marovitz.

(Secretary reads title of bill)

987, Senator Jerome Joyce.

(Secretary reads title of bill)

988, by Senator Watson.

(Secretary reads title of bill)

989, Senator Kelly.

(Secretary reads title of bill)

990, Senator Barkhausen.

(Secretary reads title of bill)

991, Senators Barkhausen and Keats.

(Secretary reads title of bill)

992, same sponsor.

(Secretary reads title of bill)

993, the same sponsor.

(Secretary reads title of bill)

994, Senators Bloom, D'Arco, Netsch and Maitland.

(Secretary reads title of bill)

995, Senator Collins.

(Secretary reads title of bill)

996, by the same sponsor.

(Secretary reads title of bill)

997, the same sponsor.

(Secretary reads title of bill)

998, by the same sponsor.

(Secretary reads title of bill)

999, by the same sponsor.

(Secretary reads title of bill)

1000, and no sponsor...Senator Collins.

(Secretary reads title of bill)

1001, Senator Collins.

(Secretary reads title of bill)

1002, Senator Lemke.

(Secretary reads title of bill)

1003, Senators Sangmeister and Rock.

(Secretary reads title of bill)

1004, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1005, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1006, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1007, Senator Degnan.

(Secretary reads title of bill)

And 1008, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

UPI has requested permission to take still photos. Is leave granted? Leave is granted. With leave of the Body, we'll go to resolutions. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 127 offered by Senators Lemke, Zito, Kelly, Vadalabene and others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I'd like to make the appropriate motion to have this resolution heard immediately today and passed as I must have it for tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard...Senator Lemke has moved for the suspension of the rules for the immediate consideration and adoption of Senate Resolution 127. Is leave granted? Leave is granted. Senator Lemke.

SENATOR LEMKE:

Okay, what this resolution does is simply...is sent to the College of DuPage, a two-year tax supported community

college, that we're not happy with their religious defamatory actions. It's similar to what we did for the University of Illinois expressing our views before they get into an activity of having a play which is anti-religious to a particular large segment of the population in this State. This resolution is supported by the Catholic...Chicago Chapter of the Catholic League of Religious...and Civil Rights and also by the B'Nai B'rith Association and other antidefamation activities. It's the...it's the play "Saint Mary Ignatius" which is a national play. It's been national and has been attacked nationally by the particular defamation leagues and I think it's fitting in this State not to have a...to us, as a Senate, to pass a resolution telling a tax supported body that you are not to allow to have religion in the school but we also don't want you to have anti-religious activities in the school also 'cause it could happen to any religion and in this case it happens to be the Catholic religion, in other cases it could be some other religion. I think it's something we should do and send to that president of that particular college expressing our disagree because the play is starting tomorrow night, and I want to take this resolution and present it to them before they have the play.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I...I know of the college that you are speaking of because it happens to be within blocks of my neighborhood. I think perhaps the Assembly should know; number one, the president had nothing to do with picking out that play, there was a committee that picked out that play and I think if we're going to direct this resolution at anybody we should direct it at that committee, not at the president. I'm sure he would love to...some way or another to sink that...that committee, that he has been told

off by any number of people. I think if we're going to be fair, let's at least make sure that the ones that we are expressing our anger at are the ones that are guilty of the sin. Number two, I...I also think that...that this play was originally supposed to be scheduled in a very small auditorium which would hold approximately fifty people. It was a...a play that was really supposed to be for a...a small group. They have put on four plays a year. I am not...I by no means mean to say that I think this was a good choice. I don't think it was. I think that...that...I know the college professor...college president regrets, indeed, the...the choice, but that is not his right to sit there and tell a faculty member what...what they can put on as far as a play is concerned, that's...that's not...not within his realm of responsibility. It's within that department's realm and I...I think, you know, let's...let's put the blame where it belongs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kelly.

SENATOR KELLY:

Yes, thank you, Mr. President and members of the Senate. I rise to support this resolution. While I have had a conversation with the president and is a very excellent gentleman, a fine gentleman, and it...pointed out that the committee had actually made this determination. I think the fact remains that the president is still the president of his institution and, in fact, you have responsibilities if you are the...the head of that institution. And I think that brings us to the important point in this item, this play has been shown privately where you can go out to a show or a theater and...and partake in it, but this is a public institution and public funds, and people who are providing these funds are resisting the...the play. And I think it's taxpayers' money and it's a very good point that we should bring

the attention...not only of...of the College of DuPage but certainly for other institutions. We had the some thing, if you recall, at the University of Illinois with an art display about a year ago along the same line and...and if we don't do something when these things occur, they're going to come in more often and it won't be just the certain religion, it'll...it'll be all of them that will be effected. So, I strongly urge your support for Senate Resolution 127.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Question to the Senator that has DuPage...College of DuPage in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates...Senator...Senator Fawell...indicates she will yield. Senator Davidson.

SENATOR DAVIDSON:

I've had some of this controversy with an institution that's located in my district. Sometimes the things that are put on are sponsored by the student affairs which is paid out of their fees, there's no taxpayers' money...whatsoever involved and the administration of the college has no veto power over that activity. Is this the case in this play that was put on or do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I'm not sure...I'm not sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Does...does Senator...the sponsor of the resolution have an answer to that question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

My understanding that the president of the university...the...of the...of this particular community college granted permission for this group to...use a bigger auditorium and he's quite aware. I understand the people I talked to who are involved in this have talked to him many times and he has been...very indignant to him, but this resolution does not defame the president of the university, it just says that we don't want this going on and he should exercise his authority. It's all we're saying. We're not running him down or anything else, we're just saying that since it is tax supported we think that he's the president, he should stop it and come up with the necessary things to stop it, just like the University of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well,...a question to the maker of the motion. You stated it was public money. Is it or is it not public money or do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, I...I understand that the auditorium has employees that are paid with public funds and who will get paid overtime with public funds for running this auditorium; therefore, it is public funds and I think indirectly if the play makes money, then it isn't public funds, but if the play looses money, it is public funds and I will assure you this play is not going to make money, it's going to loose public funds, like most plays do. So, I think indirectly it's going to be public funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Fawell, for a second time.

SENATOR FAWELL:

Thank you, very much and I apologize for...for speaking for a second time, but let me tell you, I live about four blocks away from this college. They constantly have these kinds of plays on. I have never in my life even gone to see one of these much less know whether the plays are on or not. They do not normally broadcast this, this was going to be held in an auditorium where a classroom was going to see the...the play, period, until...until all this publicity came about. Once all this publicity came about and all these letters started arriving and everybody wants to see the play. You know, I...my personal feeling is if...if they had just let the class see it, shut up about it, they would have been much better off. Now, everybody knows the play is on. I didn't even know that they even put these productions on and this is my college, within four blocks of my...my...my home. You know, I...I...I just think they've...they've created a monster that...that was supposed to be a classroom exercise, basically.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke has moved the adoption of Senate Resolution 127. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution 128 offered by Senators Kustra and Dudycz. It's congratulatory.

Senate Resolution 129, by Senator Marovitz. It's congratulatory.

Senate Resolution 130, 131 and 132, by Senator Watson and they are congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 133, by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Joint Resolution 37, by Senator Welch.

And Senate Joint Resolution Constitutional Amendment No. 38, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, with leave of the Body, we'll go to the...page 8 on the Calendar, Secretary's Desk Resolutions. A request has been made by Senator Lemke on Senate Resolution 47. Is leave granted? Leave is granted. On the Order of Secretary's Desk Resolutions is Senate Resolution 47, Mr. Secretary.

SECRETARY:

We have an amendment filed to the resolution by Senator Lemke, Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SECRETARY:

...oh, I'm sorry, we have an amendment in committee from Executive which is Amendment No. 1, Senator Lemke.

SENATOR LEMKE:

I believe that's a...could you read that amendment?

SECRETARY:

(Secretary reads amendment)

SENATOR LEMKE:

Yeah, I think what happened was when the resolution initially was they forgot the Governor's Office and this adds the Governor's Office to the rest of the people to be notified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke move the adoption of Amendment No. 1 to Senate Resolution 47. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I...is this the date change? Could you read that...what the exact date would be?

SECRETARY:

This does include the change of the date and then it also changes...inserts "church, law enforcement and health...

SENATOR LEMKE:

This is the resolution that was suggested after talking to various schools and so forth to delete...the date May 6th of '85 to May 11th and change that to June 2nd of '85 to June 8th of '85. A suggestion by the educators in line 25, deleting "school" and inserting "churches and school," which was suggested and also deleting "local law enforcement officers" and inserting "law enforcement and health officers." I think these are words of technical changes. I ask for their adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved the adoption of Amendment No. 2 to Senate Resolution 47. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke, is it your desire to take up this resolution? All right, on the Order of Resolutions is Senate Resolution 47. Senator Lemke.

SENATOR LEMKE:

What this resolution does is sets forth child awareness...week in the State of Illinois, adds the date June 2nd of '85 to June 8th of '85. This is in conjunction with the national campaign on ISEARC and missing children and making people aware of child abuse. I think it's a good resolution and set up this week. I think it's a...a necessary matter. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Senate Resolution 47. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 31.

(Secretary reads HJR 31)

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the adjournment resolution. Calls for us at the close of business tomorrow...tomorrow will be...the Senate will be in Session only for the purpose of introduc-

tion of bills. I am reliably informed by the Reference Bureau that they are making a valiant effort to accommodate every member's wish and that, in fact, we will be in a position to file all the bills tomorrow. It calls for us to return to Springfield on next Tuesday, I believe, at the hour of noon. Effectively, we will be finished this afternoon. My suggestion is that any member who has a bill on 2nd reading, rather than go through the whole Calendar, if anyone wishes to advance his bill, let your wishes be known to the Presiding Officer. I'm told the Governor has an amendment to the...Senator Demuzio's House bill which he would wish to have adopted today and then we can conclude our business, but I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 31.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you heard the motion. Senator Rock moves the suspension of the rules for the immediate consideration and adoption of...of House Joint Resolution 31. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves...moves the adoption of House Joint Resolution 31. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment is adopted. All right, with leave of the Body, we will...continuing on resolutions, the Resolutions Consent Calendar which has been printed and distributed, House Joint Resolution 10 was added. Senate Resolutions 124 through 132 were also added with the exception of...of 127, so it's 124, 125, 26, 28, 29, 130, 131 and 132. Are there...Mr. Secretary, have there been any objections filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene moves the adoption of the Resolutions Consent Calendar. Those in favor signify by

saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. All right, committee reports.

SECRETARY:

Senator Netsch, chairman of the Committee on Revenue, reports out the following Senate bills:

Senate Bill 73 and 404 with the recommendation Do Pass as Amended.

And Senate Bills 257, 305, 330, 336, 394, 419, 429...and 430 with the recommendation Do Pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will go to the Order of Senate Bills 2nd Reading, page 2 on your Calendar. Is leave granted? Leave is granted. On the Order of 2nd...Senate Bills 2nd Reading, page 2, Senate Bill 7, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 7.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 9, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 9.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No...Floor Amendment No. 1 to Senate Bill 9 was agreed to in...Judiciary II and it would...the language of the section is amended to clarify that counties are to be reimbursed for extradition expenses in all felony cases, and I move for...immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 9. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further...any...any other...amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 10, Senator Sangmeister. 29, Senator Jeremiah Joyce. 31, Senator Jeremiah Joyce. 50, Sangmeister. 58, Senator Weaver. All right, on...middle of page 2 is Senate Bill 58. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 58.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, we...handle the committee amendments? Senator Weaver.

SECRETARY:

Effective date...effective date, Senator Weaver.

SENATOR WEAVER:

It's just the immediate effective date.

SB 97 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Weaver moves the adoption of Committee Amendment No. 1 to Senate Bill 58. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 75, Senator Smith. 79, Senator Vadalabene. 80, Senator Vadalabene. Senator...Senate Bill 87, Senator Jerome Joyce. 97, Senator Fawell. All right, at the bottom of page 2 is Senate Bill 97. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 97.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 99, Senator Fawell. Senate Bill 105, Senator Bloom. Senator Bloom on the Floor? Top of page 3 is Senate Bill 106, Senator Rock. Mr. Secretary, on top...top of page 3 is Senate Bill 106. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 106.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 106 is that bill which affords the Senate an additional leadership spot on each side. The amendment is technical in nature and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved the adoption of Committee Amendment No. 1 to Senate Bill 106. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 108, Senator Hudson. 111, Senator Netsch. 113, Senator Jerome Joyce. 118, Senator Lemke...all right, on...middle of page 3 is Senate Bill 118. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 118.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 122, Senator Lemke. Pardon. We're past it. Senator Bill 122, Senator Lemke. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 122.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I am...I am told we have a...an amendment that was promised in committee, the language of the Department of Conservation.

SENATOR LEMKE:

Oh, I'm sorry. Let's hold it then. I thought...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senate Bill 133, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 133.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 134, Senator Carroll. 136, Senator Jerome Joyce. Senate Bill 141, Senator Rock. Mr. Secretary, Senate Bill 141, read the bill.

SECRETARY:

Senate Bill 141.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a piece of legislation suggested by the Governor's Office to afford those boards under the Executive Agency who are in mid-term the opportunity to be restructured so that they can take advantage of the compensation increase. Amendment No. 1 calls for the expiration of the terms of the Prisoner Review Board to happen at the end of May to afford the Governor an opportunity to reappoint and to allow the Senate to advise and consent, and I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved the adoption of Committee Amendment No. 1 to Senate Bill 141. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This amendment...Floor Amendment No. 2 puts in the other agencies that were inadvertently omitted; the Racing Board, the Civil Service Commission, the Liquor Control Board, the Pollution Control Board, the Human Rights Commission, the Commerce Commission, the Board of Elections and one member of the Industrial Commission. You'll recall that prior to the approval of the Compensation Review Board report, we had, in fact, changed the terms for the...some members of the Industrial Commission and for the banking commissioner and the deputy banking commissioners. This simply affords some equity toward all the other appointed members. This amendment comes also from the Office of the Governor and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved the adoption of Amendment No. 2. Those in favor...any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 145, Senator Carroll. 147, Senator Berman. On the Order of Senate Bills...2nd Reading is Senate Bill 147.

SECRETARY:

Senate Bill 147.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Pensions and Licensed Activities offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. Committee Amendment No. 1 deletes the distillers from the provisions of this bill. It affords a

similar...privilege under the Act to both importing distributors, distributors and wine manufacturers to acquire an ownership interest or license after petitioning the State Liquor Control Commission for permission to do so. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman moves the adoption of Amendment No. 1...Committee Amendment No. 1. Is there any discussion? If not, those in favor...signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 155, Senator Sangmeister. Senator Netsch has sought leave to return to the Order of Senate Bills 2nd Reading, 111 before we leave page 3. Is leave granted? Leave is granted. On the Order, Mr. Secretary, of 2nd Reading is Senate Bill 111. Read the bill.

SECRETARY:

Senate Bill 111.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 4, Senate bills 2nd reading, 156, Senator Maitland. Read the bill, Mr. Secretary, please,

Senate Bill 156.

SECRETARY:

Senate Bill 156.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 164, Senator Lemke. Senator Lemke, we don't have the Floor...amendment. It has not been filed. All right, take it out of the record. Senate Bill 167, Senator Carroll. 175, Senator Hall. 177, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading is Senate Bill 177. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 177.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 180, Senator Karpiel. 187, Senator Lemke. Senate Bill 187, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 187.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, this is the amendment that changes it and turns it into a refund which makes it...the...the way it is now it's an exemption, this returns it to a refund. Makes it easier for the administration of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 187. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, sir, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I just want to understand the thrust of this amendment. Does the...it simply eliminates the exemption and provides for a...only a refund? It does not provide for a tax credit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

According to my staff it provides only for a refund. This is a method that the utility companies thought was best for the administration of the...of the bill. It creates an...exemption, but it...it...you actually get a refund. It makes the administration better for the utilities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

It provides for a refund and...and not a credit then, as

SB 212 3rd reading

I understand it...as...as I understand your answer. I have a second question. Does the amendment change the...the...the list of those institutions that can participate in this program or let...let me...let me ask the question this way. Would you give me a listing of the types of institutions that would be eligible to participate in this tax refund program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

According to the staff, it's still...is for schools, school districts, non-public, elementary and secondary schools and community colleges. Doesn't do...that's the list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

All right, so that the non-public schools as well as the public schools and the community colleges are...are still in the program. So, as I understand this amendment then, it does not change the...the force or the thrust of this...of the original bill then. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 187. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. What was...Senate Bill 212, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 212.

(Secretary reads title of bill)

SB246 2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 238, Senator Marovitz. 246, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 246.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...

SECRETARY:

Oh, I'm sorry, Mr. President. There is Amendment No. 1 filed by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on the Order of 2nd Reading is Amendment No. 1 to Senate Bill 246. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 246 amends the original bill so that the language conforms with the blanket assignment of mortgages and this amendment clarifies the original bill, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 246. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 247, Senator Vadalabene. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 247.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 249, Senator Holmberg. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 249.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg, Senator Sangmeister is not on the Floor. Let's take it out of the record, Mr. Secretary. Page 5 is Senate Bill 252, Senator Rigney. Mr. Secretary, read the bill. Top of page 5, Senate Bill 252.

SECRETARY:

Senate Bill 252.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 254 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 254, Senator Luft. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 254.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 254 allows an exemption for ethanol derived only from cereal grain. We added another exemption and that is for food processed byproducts essentially derived from cereal grain.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 254. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 265, Senator Geo-Karis. 269, Senator Lemke. 281, Senator O'Daniel. Middle of page 5, 281...read the bill, Mr. Secretary, please. 2-8-1.

SECRETARY:

Senate Bill 281.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 286, Senator Barkhausen. Mr. Secretary, read the bill, Senate Bill 286.

SECRETARY:

Senate Bill 286.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Barkhausen, my Calendar indicates there's to be a Floor amendment to this bill. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I'm not familiar with any Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr...thank you, Mr. President. The committee report indicates that a technical amendment was thought to be necessary to cover the two separate Acts with respect to the recorder of deeds and the...registrar of titles. That's the report we have...why don't we just move it on and I'm sure Senator Barkhausen, if he feels it necessary, will bring it back to amend it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen. All right. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 292, Senator Jerome Joyce. 296, Senator Mahar. Mr. Secretary, the middle of page 5 is Senate Bill 296. Read the bill.

SECRETARY:

Senate Bill 296.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Lemke, you had a request to return to 269? All right, with leave of the Body, we'll return to...to Senate Bill 269 which is the...on page 5. Is leave granted? Leave is granted. Mr. Secretary, Senate Bill 269.

SECRETARY:

Senate Bill 269.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 297, Senator Watson. Senate Bill 310, Senator Sangmeister. 314, Senator Mahar. Bottom of page 5 is Senate Bill 314. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 314.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 327, Senator Vadalabene. Top of page 6, Senate Bill 338, Senator Holmberg. Mr. Secretary, on the top of page 6 is Senate Bill 338. Read the bill.

SECRETARY:

Senate Bill 338.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This is an amendment to a clean-up bill for the tuition free courses we offer senior citizens...came out of the committee and is a compromise between the Board of Higher Education and the community colleges. It basically...it leaves the rules and regulations up to the individual community colleges.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of Amendment No. 1 to Senate Bill 338. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

HB 485 Recalled

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3-4-4, Senator Netsch. On the Order of Senate Bills 2nd Reading, top of page 6, is Senate Bill 344. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 344.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3-4-5, Senator Netsch. Hold it. All right, bottom of page 6, with leave of the Body, we'll move to the Order of House Bills 3rd Reading, House Bill 485. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 485. Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Ladies and Gentlemen of the Senate, House Bill 485, of course, is the...the Emergency Farm Credit Allocation Act. This morning, myself and Representative Richmond had a conversation with Jim Reilly who is the Governor's Chief of Staff, and the Governor has indicated that he is amenable to four substantive changes in House Bill 485 as well as the Senate bill, and that with the adoption of this amendment that this bill would have his approval on Tuesday of next week when we manage to get it to his desk for...for his signature. The substantive changes are that all payments, adjustment and commitments on farm loans should be made by June 15th of 1985. Therefore, if the loan is not made by June 15th of 1985, obviously, it's not going to do anyone any good anyway, so June 15th is certainly a date that is a matter of compromise that we've accepted. The other parts of the...of the substantive parts of the...of amendment indicate that we were...cleaning up the language in terms of the definition of an operating loan to assure ourselves that it would be, in fact, for our spring planting money and that the operating loans would not be utilized for preexisting debt. The third provision indicates that we would assure ourselves that the interest rate would be no more than thirteen percent. We, in debate here, argued one day that the Illinois Farm Development Authority by rule or regulation could, in fact, establish the ceiling on the particular interest rate. They feel more comfortable with it being in

this matter of Statute, we have no objections to it and therefore seek to...to have that put into the statutory language. And the fourth provision that I think...or the substantive provision is to assure ourselves that it is a...a program that is not perpetual, that it is, in fact, a one-time program and that it, in fact, will expire...or shall expire sometime in 1985 and the date escapes me, I don't see it here. But for matter of compromise for...it seems to me that...that we do have a reasonable proposal, and I would move the adoption of Amendment No. 1 to House Bill 485.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 485. Is there any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. The only business remaining is further introduction of bills. The Senate will then adjourn until nine o'clock tomorrow morning and will be open until five tomorrow afternoon for the purpose of introductions. So between nine and five tomorrow. And the Chair will come in from time to time. All you have to do is check with the Secretary, those of you who are in town, get on the roll call. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To announce that Senator Macdonald was unable to be in attendance in Session today due to the...being called home on emergency of her hospital...I mean, excuse me, her husband being hospitalized.

PRESIDENT:

The record will so reflect. All right. Introduction of

bills, Mr. Secretary. Oh...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...

PRESIDENT:

...I beg your pardon, Senator Holmberg, did you seek recognition? For what purpose do you arise?

SENATOR HOLMBERG:

Mr. President, with the permission of the sponsor, I would like to be listed as the hyphenated joint sponsor on Senate Bill 330.

PRESIDENT:

All right. The lady seeks leave to be listed as the hyphenated cosponsor on Senate Bill 330, 3-3-0. Is leave granted? Without objection, leave is granted. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would also like to add Senator Schuneman as a hyphenated cosponsor of...Senate Bill 748.

PRESIDENT:

748. The lady seeks leave to show Senator Schuneman as the hyphenated cosponsor on Senate Bill 748. Without objection, leave is granted. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1009, by Senator Donahue.

(Secretary reads title of bill)

Senate Bill 1010, by Senators Carroll and Marovitz.

(Secretary reads title of bill)

Senate Bill 1011, by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1012, by Senator Welch.

(Secretary reads title of bill)

1013, by Senators Welch and Zito.

(Secretary reads title of bill)

1014, by Senators D'Arco, Dawson, Jones and Netsch.

(Secretary reads title of bill)

Senate Bill 1015, by...the same sponsors.

(Secretary reads title of bill)

1016, by the same sponsors.

(Secretary reads title of bill)

1017, by the same sponsors.

(Secretary reads title of bill)

1018, by...Senator Jones, Dawson, D'Arco and Netsch.

(Secretary reads title of bill)

1019, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 1020, by Senator Netsch.

(Secretary reads title of bill)

1021, by Senators Netsch, Maitland, Bloom and D'Arco.

(Secretary reads title of bill)

1022, by Senator Lemke.

(Secretary reads title of bill)

1023, by the same sponsor.

(Secretary reads title of bill)

1024, by Senator Lemke.

(Secretary reads title of bill)

1025, by Senators Poshard and Demuzio.

(Secretary reads title of bill)

1026, by Senators Poshard and Demuzio.

(Secretary reads title of bill)

1027, by Senators Welch and Smith.

(Secretary reads title of bill)

1028, by Senators Bloom and Jerome Joyce.

(Secretary reads title of bill)

1029, by Senator Lemke.

(Secretary reads title of bill)

1030, by Senators Berman and DeAngelis.

(Secretary reads title of bill)

1031, by Senators Friedland and Barkhausen.

(Secretary reads title of bill)

1032, by Senator Jerome Joyce.

(Secretary reads title of bill)

1033, by the same sponsors.

(Secretary reads title of bill)

1034, by Senators Macdonald and Philip.

(Secretary reads title of bill)

1035, by Senator Chew.

(Secretary reads title of bill)

1037, by Senators Netsch and Etheredge.

(Secretary reads title of bill)

1036, by Senator Chew.

(Secretary reads title of bill)

1038, by Senators Bloom and Luft.

(Secretary reads title of bill)

1039, by Senator Jerome Joyce.

(Secretary reads title of bill)

1040, by Senator Dunn.

(Secretary reads title of bill)

1041, by Senator Karpiel.

(Secretary reads title of bill)

1042, by Senator Barkhausen.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Thank you, Mr. President. With...the sponsor's permission, I'd like to be registered as hyphenated sponsor to Senate Bill 332, please.

PRESIDENT:

332. The lady seeks leave to be listed as the hyphenated cosponsor of Senate Bill 332. Without objection, leave is granted. Senator Dunn, for what purpose do you arise, sir?

SENATOR DUNN:

Thank you, Mr. President. With the leave of the sponsor, I'd like to be added as a hyphenated sponsor of Senate Bill 383.

PRESIDENT:

383. The gentleman seeks leave to be added as a hyphenated cosponsor of Senate Bill 383. Without objection, leave is granted. Further business to come before the Senate? Any announcements? One more introduction. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill 1043 introduced by Senator Barkhausen.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Any further business to come before the Senate? If not, the Senate stands adjourned until nine o'clock tomorrow morning. Nine o'clock tomorrow morning for the purpose of introduction. We'll be open until five. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

April 12, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. The members will be in their seats. Prayer this morning will be by Senator Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that reading and approval of the Journals of Wednesday, April 10 and Thursday, April 11, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...you've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Ladies and Gentlemen, let me try to give you some guidance as to what we're going to do here this morning. It is the intention of the...of the Chair, and of course by our...our previously arranged agreement, today is simply for the introduction of bills, no other business will be transacted. It is suggested that...perhaps we will go to introduction of bills promptly this morning, read the few bills that we have into the record. We'll probably stay open for about another half an hour for...allowing for the rest of our members to...to be in attendance and then perhaps Recess till eleven o'clock. And then eleven o'clock...come back in for the purpose of introduction of bills and transact whatever business is necessary at that time and then perhaps Recess till two o'clock this afternoon allowing for the membership to...to have lunch, and then, we would urge everyone to get their bills in promptly. This is, in fact, the last day for introduction of bills and we will play this afternoon by ear depending on how we proceed with the Refer-

ence Bureau. With that announcement, Mr. Secretary, introduction of bills.

SECRETARY:

Senate Bill 1044 introduced by Senators Geo-Karis, Barkhausen and Lemke.

(Secretary reads title of bill)

...1045, Senator Darrow.

(Secretary reads title of bill)

1046, Senator Smith.

(Secretary reads title of bill)

1047, Senator Smith.

(Secretary reads title of bill)

1048, Senator Smith.

(Secretary reads title of bill)

1049, Senator Smith.

(Secretary reads title of bill)

1050, Senator Schuneman.

(Secretary reads title of bill)

1051, Senator Watson.

(Secretary reads title of bill)

1052, Senator Davidson.

(Secretary reads title of bill)

1053, Senator Maitland.

(Secretary reads title of bill)

1054, Senator Maitland.

(Secretary reads title of bill)

1055, Senator Maitland.

(Secretary reads title of bill)

1056, Senator Maitland.

(Secretary reads title of bill)

1057, Senator Maitland.

(Secretary reads title of bill)

1058, Senator Maitland.

(Secretary reads title of bill)

1059, Senator Davidson.

(Secretary reads title of bill)

1060, Senator Carroll.

(Secretary reads title of bill)

1061, Senator Keats.

(Secretary reads title of bill)

1062, Senator Rupp.

(Secretary reads title of bill)

...Senate Bill 1063, Senator Luft.

(Secretary reads title of bill)

1064, Senator Luft.

(Secretary reads title of bill)

1065, Senator Luft.

(Secretary reads title of bill)

1066, Senator Holmberg.

(Secretary reads title of bill)

1067, Senator Kelly.

(Secretary reads title of bill)

1068, Senator Lechowicz.

(Secretary reads title of bill)

1069, Senator Jerome Joyce.

(Secretary reads title of bill)

1070, Senators Barkhausen, Chew and Mahar.

(Secretary reads title of bill)

1071, by the same sponsors.

(Secretary reads title of bill)

1072, by the same sponsors.

(Secretary reads title of bill)

1073, by the same sponsors.

(Secretary reads title of bill)

1074, Senator Luft.

(Secretary reads title of bill)

1075, Senator Barkhausen.

(Secretary reads title of bill)

1076, Senator Zito.

(Secretary reads title of bill)

1077, Senator Carroll.

(Secretary reads title of bill)

1078, Senator DeAngelis.

(Secretary reads title of bill)

1079, Senator Dunn.

(Secretary reads title of bill)

1080, Senator Demuzio.

(Secretary reads title of bill)

1081, Senator Jerome Joyce.

(Secretary reads title of bill)

1082, Senators Dudycz, Chew and Davidson.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. While...if it is appropriate at this moment, I would like to make one sponsorship change. On Senate Bill 658, Senator Jerome Joyce should be shown as a hyphenated cosponsor with me. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request to add Senator Jerome Joyce to Senate Bill 658, so it would...the bill would read Netsch-Jerome Joyce. Is leave granted? Leave is granted. It's so ordered.

SECRETARY:

(Machine cutoff)...further introductions:

Senate Bill 1083, by Senators Rupp, Geo-Karis and Philip.

(Secretary reads title of bill)

1084, Senator Dawson.

(Secretary reads title of bill)

1085, Senator Topinka.

(Secretary reads title of bill)

1086, Senator Vadalabene.

(Secretary reads title of bill)

1087, Senator Vadalabene.

(Secretary reads title of bill)

1088, Senators Kustra and Macdonald.

(Secretary reads title of bill)

1089, Senators...same...by the same sponsors.

(Secretary reads title of bill)

1090, Senator Macdonald.

(Secretary reads title of bill)

1091, Senator Dawson.

(Secretary reads title of bill)

1092, Senator Vadalabene.

(Secretary reads title of bill)

1093, Senators Kustra and Macdonald.

(Secretary reads title of bill)

1094, by the same sponsors.

(Secretary reads title of bill)

1095, Senator Bloom.

(Secretary reads title of bill)

1096, Senators Kustra and Macdonald.

(Secretary reads title of bill)

1097, Senator Macdonald.

(Secretary reads title of bill)

1098, Senator Philip.

(Secretary reads title of bill)

1099, Senators Macdonald and Dudycz.

(Secretary reads title of bill)

1100, Senator Vadalabene.

(Secretary reads title of bill)

1101, Senators Kustra and Macdonald.

(Secretary reads title of bill)

1102, Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1103, by Senators Bloom and Philip.

(Secretary reads title of bill)

1104, by Senator Sangmeister.

(Secretary reads title of bill)

1105, by Senator Sangmeister.

(Secretary reads title of bill)

1106, by Senator Philip.

(Secretary reads title of bill)

1107, Senator Barkhausen.

(Secretary reads title of bill)

1108, by Senator Sangmeister.

(Secretary reads title of bill)

1109, by Senator Vadalabene.

(Secretary reads title of bill)

1110, by Senator Sangmeister.

(Secretary reads title of bill)

1111.

(Secretary reads title of bill)

1112, by Senator Sangmeister and O'Daniel.

(Secretary reads title of bill)

1113, by Senator J.J. Joyce.

(Secretary reads title of bill)

1114, by Senators Kelly and Hudson.

(Secretary reads title of bill)

...1115, by Senator Barkhausen.

(Secretary reads title of bill)

1116, by Senator Coffey.

(Secretary reads title of bill)

1117, by Senator Lemke.

(Secretary reads title of bill)

1118, by Senator Lemke.

(Secretary reads title of bill)

1119, by Senator Lemke.

(Secretary reads title of bill)

1120, by Senator Lemke.

(Secretary reads title of bill)

1121, by Senator Mahar.

(Secretary reads title of bill)

1122, by Senator Carroll.

(Secretary reads title of bill)

1123, by Senator Carroll.

(Secretary reads title of bill)

1124, by Senator Barkhausen.

(Secretary reads title of bill)

1125, by Senators Newhouse and Jones.

(Secretary reads title of bill)

1126, the same sponsors.

(Secretary reads title of bill)

1127, by the same sponsors.

(Secretary reads title of bill)

1128, by Senator Newhouse.

(Secretary reads title of bill)

1129, by Senator Newhouse.

(Secretary reads title of bill)

1130, by Senator Newhouse.

(Secretary reads title of bill)

1131, by Senator Mahar.

(Secretary reads title of bill)

1132, by Senator Holmberg.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...the Senate will stand in Recess till the hour of eleven o'clock. Recess till the hour of eleven o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The clock having arrived, the Senate will...will come to order. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 1133, by Senator Rupp.

(Secretary reads title of bill)

1134, by Senator Rupp.

(Secretary reads title of bill)

1135, by Senator Rupp.

(Secretary reads title of bill)

1136, by Senator DeAngelis.

(Secretary reads title of bill)

1137, by Senator Barkhausen and Dudycz.

(Secretary reads title of bill)

1138, by Senator DeAngelis, Demuzio and...Kustra.

(Secretary reads title of bill)

1139, by Senator Rock.

(Secretary reads title of bill)

1140, by Senator Savickas.

(Secretary reads title of bill)

1141, by Senator Welch.

(Secretary reads title of bill)

1142, by Senator Demuzio.

(Secretary reads title of bill)

1143, by Senator Demuzio.

(Secretary reads title of bill)

1144, Senator Marovitz.

(Secretary reads title of bill)

1145, by the same sponsor.

(Secretary reads title of bill)

1146, by the same sponsor.

(Secretary reads title of bill)

1147, by Senator Poshard.

(Secretary reads title of bill)

1148, by Senator Poshard.

(Secretary reads title of bill)

1149, by Senator Poshard.

(Secretary reads title of bill)

1150, by Senator Marovitz.

(Secretary reads title of bill)

1151, by Senator Karpiel.

(Secretary reads title of bill)

1152, by Senator Kustra.

(Secretary reads title of bill)

1153, by Senator Geo-Karis and Barkhausen.

(Secretary reads title of bill)

1154, by Senator Lechowicz, Poshard and Lemke.

(Secretary reads title of bill)

1155, by Senator Lechowicz.

(Secretary reads title of bill)

1156, by Senator Rock.

(Secretary reads title of bill)

1157, by Senator Welch.

(Secretary reads title of bill)

1158, by Senator Welch.

(Secretary reads title of bill)

1159, by Senator Welch.

(Secretary reads title of bill)

1160, by Senator Welch.

(Secretary reads title of bill)

1161, by the same sponsor.

(Secretary reads title of bill)

1162, by the same sponsor.

(Secretary reads title of bill)

1163, by Senator J.J. Joyce, O'Daniel and Demuzio.

(Secretary reads title of bill)

1164, by the same sponsors.

(Secretary reads title of bill)

1165, by the same sponsors.

(Secretary reads title of bill)

1166, by Senator Poshard.

(Secretary reads title of bill)

1166, by Senator Welch.

(Secretary reads title of bill)

That bill was 1167.

1168, by Senator Welch.

(Secretary reads title of bill)

1169, by Senator Welch.

(Secretary reads title of bill)

1170, by the same sponsor.

(Secretary reads title of bill)

1171, by Senator Donahue, Philip, Weaver, DeAngelis, Davidson and Schaffer.

(Secretary reads title of bill)

1171, by Senator Kelly.

(Secretary reads title of bill)

That was 1172.

1173, by Senator Kelly.

(Secretary reads title of bill)

1174, by the same sponsor.

(Secretary reads title of bill)

1175, by Senator Kelly.

(Secretary reads title of bill)

1st reading of the bills.

1176, by Senator Newhouse.

(Secretary reads title of bill)

1st reading...1st reading of the bill.

1177, Senator Welch.

(Secretary reads title of bill)

1178, by Senator Rock.

(Secretary reads title of bill)

1179, Senator Rock.

(Secretary reads title of bill)

1980...1180, by Senator Lechowicz.

(Secretary reads title of bill)

1st reading of the bills.

SECRETARY:

Further introductions.

Senate Bill 1181, Senator Welch.

(Secretary reads title of bill)

1182, Senators Poshard and Demuzio.

(Secretary reads title of bill)

1183, Senator Smith and Dawson.

(Secretary reads title of bill)

1184, same sponsors.

(Secretary reads title of bill)

1185, same sponsors.

(Secretary reads title of bill)

1186, same sponsors.

(Secretary reads title of bill)

1185...1187, Senator Dunn.

(Secretary reads title of bill)

1188, Senator Geo-Karis and Lemke.

(Secretary reads title of bill)

1189, Senator Topinka.

(Secretary reads title of bill)

1190, Senator Keats.

(Secretary reads title of bill)

1191, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1192, by the same sponsor.

(Secretary reads title of bill)

1193, Senator Rupp.

(Secretary reads title of bill)

1194, Senator Mahar.

(Secretary reads title of bill)

1195, Senator Kelly.

(Secretary reads title of bill)

1196, Senator Barkhausen.

(Secretary reads title of bill)

1197, Senator Topinka.

(Secretary reads title of bill)

1198, Senator DeAngelis.

(Secretary reads title of bill)

1199, Senator Philip.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will stand in Recess till the hour of two o'clock, two o'clock. We urge you to get your bills down here and introduced at that time. The Senate will stand in Recess to the hour of two o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of two o'clock having arrived, the Senate will come to order. Introduction of bills.

SECRETARY:

...Senate Bill 1200 introduced by Senators Rock and Bloom.

(Secretary reads title of bill)

1201, Senator Welch.

(Secretary reads title of bill)

1202, Senator Darrow.

(Secretary reads title of bill)

1203, Senator Donahue.

(Secretary reads title of bill)

1204, Senator Coffey.

(Secretary reads title of bill)

1205, Senator Kustra.

(Secretary reads title of bill)

1206, Senator Kustra.

(Secretary reads title of bill)

1207, Senator Davidson.

(Secretary reads title of bill)

1208, Senator Netsch.

(Secretary reads title of bill)

1209, Senator Netsch.

(Secretary reads title of bill)

1210, Senators Nedza, Rock, Berman and others.

(Secretary reads title of bill)

1211, Senators Degnan, Rock, Nedza and others.

(Secretary reads title of bill)

1212, Senators Marovitz, Rock and Nedza and others.

(Secretary reads title of bill)

1213, Senators Nedza, Rock, DeAngelis and others.

(Secretary reads title of bill)

1214, Senators D'Arco, Nedza, Rock and others.

(Secretary reads title of bill)

1215, Senators Degnan, Nedza, Rock and others.

(Secretary reads title of bill)

1216, Senators Lechowicz, Nedza, Rock and others.

(Secretary reads title of bill)

1217, Senators Berman, Rock, Nedza and others.

(Secretary reads title of bill)

1218, Senators Rock, D'Arco, Nedza and others.

(Secretary reads title of bill)

1219, Senator Barkhausen.

(Secretary reads title of bill)

1220, Senator Jones.

(Secretary reads title of bill)

1221, same sponsor.

(Secretary reads title of bill)

1222, same sponsor.

(Secretary reads title of bill)

1223, same sponsor.

(Secretary reads title of bill)

1224, Senators Carroll and Keats.

(Secretary reads title of bill)

1225, Senator Dawson.

(Secretary reads title of bill)

Senate Bill 1226, Senators Carroll and Bloom.

(Secretary reads title of bill)

1227, Senator Hall.

(Secretary read title of bill)

1228, Senator Collins.

(Secretary reads title of bill)

1229, Senators Chew and Jones.

(Secretary reads title of bill)

1230, Senator Jones.

(Secretary reads title of bill)

1231, Senator Jones.

(Secretary reads title of bill)

1232, Senators...Chew and Jones.

(Secretary reads title of bill)

1233, Senator Chew.

(Secretary reads title of bill)

1234, Senator Jones.

(Secretary reads title of bill)

1235, Senator Jones.

(Secretary reads title of bill)

1236, Senator Jones.

(Secretary reads title of bill)

1237, Senator Davidson.

(Secretary reads title of bill)

1238, Senators Geo-Karis and Demuzio.

(Secretary reads title of bill)

1239, Senator Watson.

(Secretary reads title of bill)

1240, Senator Topinka.

(Secretary reads title of bill)

1241, Senator Donahue.

(Secretary reads title of bill)

1242, Senator Maitland.

(Secretary reads title of bill)

1243, Senator Smith and Dawson.

(Secretary reads title of bill)

1244, Senator Marovitz.

(Secretary reads title of bill)

1245, Senator Macdonald.

(Secretary reads title of bill)

1246, Senator Jones.

(Secretary reads title of bill)

1247, Senator Jones.

(Secretary reads title of bill)

1248, Senator Fawell.

(Secretary reads title of bill)

1249, Senator Philip.

(Secretary reads title of bill)

1250, Senator Watson.

(Secretary reads title of bill)

1251, Senator Hudson.

(Secretary reads title of bill)

1252, Senator Schuneman.

(Secretary reads title of bill)

1253, Senator Hudson.

(Secretary reads title of bill)

1254, Senator Barkhausen.

(Secretary reads title of bill)

1255, Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1256, Senator Schaffer.

(Secretary reads title of bill)

1257, by Senator Dunn.

(Secretary reads title of bill)

1258, by Senator Schuneman.

(Secretary reads title of bill)

1259, by Senators Barkhausen and Karpiel.

(Secretary reads title of bill)

1260, by Senator Donahue.

(Secretary reads title of bill)

1261, by Senator Friedland.

(Secretary reads title of bill)

1262, by Senators Rock and Keats.

(Secretary reads title of bill)

1263, by the same sponsors.

(Secretary reads title of bill)

1264, by Senator Schaffer, Philip, Weaver, DeAngelis,...and Davidson.

(Secretary reads title of bill)

1265, by the same sponsors.

(Secretary reads title of bill)

1266, by Senators Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

1267, by Senator Kustra.

(Secretary reads title of bill)

1268, by the same sponsor.

(Secretary reads title of bill)

1269, by the same sponsor.

(Secretary reads title of bill)

1270, by Senator Kustra.

(Secretary reads title of bill)

1271, by Senator Kustra.

(Secretary reads title of bill)

1272, the same sponsor.

(Secretary reads title of bill)

1273, by the same sponsor.

(Secretary reads title of bill)

1274, by the same sponsor.

(Secretary reads title of bill)

1275, by the same sponsor.

(Secretary reads title of bill)

1276, by the same sponsor.

(Secretary reads title of bill)

1277, the same sponsor.

(Secretary reads title of bill)

1278, by the same sponsor.

(Secretary reads title of bill)

1279, the...the same sponsor.

(Secretary reads title of bill)

1280, the same sponsor.

(Secretary reads title of bill)

1281, by the same sponsor.

(Secretary reads title of bill)

1282, the same sponsor.

(Secretary reads title of bill)

1283, by Senators Rock, Geo-Karis, Marovitz and others.

(Secretary reads title of bill)

1284, by the same sponsors.

(Secretary reads title of bill)

1285, by Senators Topinka, Rock, Marovitz and others.

(Secretary reads title of bill)

1286, by Senators Barkhausen, Rock, Marovitz and others.

(Secretary reads title of bill)

1287, by Senators Dudycz, Rock, Marovitz and others.

(Secretary reads title of bill)

1288, by Senators Donahue, Rock, Marovitz and others.

(Secretary reads title of bill)

1289, by Senators Barkhausen, Rock, Marovitz, Philip and others.

(Secretary reads title of bill)

1290, by Senator Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

1291, by Senators Schuneman, Philip, Weaver and others.

(Secretary reads title of bill)

1292, by Senator Schuneman, Philip, Weaver and others.

(Secretary reads title of bill)

1293, by Senators Rupp, Lechowicz, Dudycz and others.

(Secretary reads title of bill)

1294, by Senators Schuneman, Philip, Weaver, DeAngelis, Davidson and others.

(Secretary reads title of bill)

1295, by Senators Topinka, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1296, by Senators Rupp, Philip, Weaver and others.

(Secretary reads title of bill)

1297, by Senator Hudson, Weaver, Philip and others.

(Secretary reads title of bill)

1298, by Senator Dawson.

(Secretary reads title of bill)

1299, by Senator Jones.

(Secretary reads title of bill)

1300, by Senator Carroll.

(Secretary reads title of bill)

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

1301, Senator Schuneman.

(Secretary reads title of bill)

1302, Senator Welch.

(Secretary reads title of bill)

1303, by Senator Donahue.

(Secretary reads title of bill)

1304, by Senators Philip and Schuneman.

(Secretary reads title of bill)

1305, by Senator Philip...(machine cutoff)...Bill 1305, by Senator Demuzio.

(Secretary reads title of bill)

1306, Senator Philip.

(Secretary reads title of bill)

1307, Senator Philip and all Republican Senators.

(Secretary reads title of bill)

1308, by Senators Philip and Lechowicz.

(Secretary reads title of bill)

1309, Senator Davidson.

(Secretary reads title of bill)

1310, Senator Barkhausen.

(Secretary reads title of bill)

1311, Senators Bloom, Dawson, Carroll, Donahue and Smith.

(Secretary reads title of bill)

1312, Senator Philip.

(Secretary reads title of bill)

1313, Senator Marovitz.

(Secretary reads title of bill)

1314, by the same sponsor.

(Secretary reads title of bill)

1315, by Senator Marovitz.

(Secretary reads title of bill)

1316, Senator Marovitz.

(Secretary reads title of bill)

1317, the same sponsor.

(Secretary reads title of bill)

1318, Senator Netsch.

(Secretary reads title of bill)

1319, Senator Netsch.

(Secretary reads title of bill)

1320, Senator Barkhausen.

(Secretary reads title of bill)

1321, by Senator Marovitz.

(Secretary reads title of bill)

1322, by Senator Berman.

(Secretary reads title of bill)

1323, Senator Berman.

(Secretary reads title of bill)

1324, by Senator Berman.

(Secretary reads title of bill)

1325, by the same sponsor.

(Secretary reads title of bill)

1326, by Senator Demuzio.

(Secretary reads title of bill)

1327, by Senator Demuzio.

(Secretary reads title of bill)

1328, by Senator Demuzio.

(Secretary reads title of bill)

(Machine cutoff)...Bill 1329, Senator Demuzio.

(Secretary reads title of bill)

Senate Bill 1330, by Senator Demuzio.

(Secretary reads title of bill)

1331, by Senator Demuzio.

(Secretary reads title of bill)

1332, by Senator Demuzio.

(Secretary reads title of bill)

1333, Senator Demuzio.

(Secretary reads title of bill)

1334, by Senator Demuzio.

(Secretary reads title of bill)

1335, by Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Ladies and Gentlemen, for those of you who are in the sound of my voice, we will now Recess the Senate until the hour of four o'clock, four o'clock this afternoon. It is our hope that we can close business today by no later than four-thirty. I would urge all of you that have bills that are currently in the drafting stage or those of you who have specific problems that you might want to address to the Secretary of the Senate or to the Chair, to do so now. The...the Senate will Recess until the hour of four o'clock.

RECESS

AFTER RECESS

SECRETARY:

Further introduction of bills:

1336, Senator Welch.

(Secretary reads title of bill)

1337, Senator Vadalabene.

(Secretary reads title of bill)

1338, Senator Jerome Joyce.

(Secretary reads title of bill)

1339, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1340, Senator Jones.

(Secretary reads title of bill)

1341, Senator Marovitz.

(Secretary reads title of bill)

1342, Senator Savickas.

(Secretary reads title of bill)

1343, Senator Bloom.

(Secretary reads title of bill)

1344, Senator Luft.

(Secretary reads title of bill)

1345, Senator Luft.

(Secretary reads title of bill)

1346, Senators Welch and Barkhausen.

(Secretary reads title of bill)

1347, Senator Bloom.

(Secretary reads title of bill)

1348, Senator Lechowicz.

(Secretary reads title of bill)

1349, Senator Marovitz.

(Secretary reads title of bill)

1350, Senators Carroll and Rock.

(Secretary reads title of bill)

1351, Senator Schuneman.

(Secretary reads title of bill)

1352, Senator Dawson.

(Secretary reads title of bill)

1353, Senator Sangmeister.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1354, Senator Sangmeister.

(Secretary reads title of bill)

1355, by Senators Sangmeister and Schuneman.

(Secretary reads title of bill)

1356, Senator D'Arco.

(Secretary reads title of bill)

...1357, Senator D'Arco.

(Secretary reads title of bill)

1358, by Senator D'Arco.

(Secretary reads title of bill)

1359, by Senator D'Arco.

(Secretary reads title of bill)

1360, by Senator D'Arco.

(Secretary reads title of bill)

1361, Senator...Savickas.

(Secretary reads title of bill)

1362, by Senators Nedza and Rock.

(Secretary reads title of bill)

1363, Bloom.

(Secretary reads title of bill)

1364, Senator Weaver.

(Secretary reads title of bill)

1365, Senators Bloom, Sangmeister and Barkhausen.

(Secretary reads title of bill)

1366, by Senators Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1367, Senators Sommer, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1368, by Senators Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1369, by Senator Coffey.

(Secretary reads title of bill)

1370, by Senator Poshard.

(Secretary reads title of bill)

1371, Senator Netsch.

(Secretary reads title of bill)

1372, Senator Philip.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will stand in Recess till the hour of eight...till the hour of eight o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of eight o'clock having arrived, the Senate will come to order. Mr. Secretary, introduction of bills.

SECRETARY:

Senate Bill 1373 introduced by Senator Demuzio.

(Secretary reads title of bill)

1374, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1376, Senator Philip.

(Secretary reads title of bill)

1377, Senator Demuzio.

(Secretary reads title of bill)

1378, Senator Jones.

(Secretary reads title of bill)

1379, Senator Bloom.

(Secretary reads title of bill)

...1380, Senator Smith.

(Secretary reads title of bill)

1381, same sponsor.

(Secretary reads title of bill)

1382, Senator Smith.

(Secretary reads title of bill)

1383, Senator Smith and Dawson.

(Secretary reads title of bill)

1384, Senators Newhouse, Jones and Welch.

(Secretary reads title of bill)

1385, Senator Newhouse.

(Secretary reads title of bill)

1386, Senator Newhouse.

(Secretary reads title of bill)

1387, Senator Savickas.

(Secretary reads title of bill)

1388, Senator Coffey.

(Secretary reads title of bill)

1389, Senators Sangmeister and Jeremiah Joyce.

(Secretary reads title of bill)

1390, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1391, Senator D'Arco.

(Secretary reads title of bill)

1392, Senators D'Arco and Bloom.

(Secretary reads title of bill)

1393, Senator D'Arco.

(Secretary reads title of bill)

1394, D'Arco.

(Secretary reads title of bill)

1395, Senators Lemke and DeAngelis.

(Secretary reads title of bill)

1396, Senator Savickas.

(Secretary reads title of bill)

1397, Senator Dawson.

(Secretary reads title of bill)

1398, Senators Lemke, Barkhausen, Hall and others.

(Secretary reads title of bill)

1399, Senator D'Arco.

(Secretary reads title of bill)

1400, Senator Collins.

(Secretary reads title of bill)

1401, Senator Collins.

(Secretary reads title of bill)

1402, Senator Collins.

(Secretary reads title of bill)

1403, Senator Collins.

(Secretary reads title of bill)

1404, Senator Collins.

(Secretary reads title of bill)

1405, Senator Collins.

(Secretary reads title of bill)

1406, Senator Collins.

(Secretary reads title of bill)

1407, Senator Collins.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

1408, by Senator Collins.

(Secretary reads title of bill)

1409, the same sponsor.

(Secretary reads title of bill)

1410, the same sponsor.

(Secretary reads title of bill)

1411, the same sponsor.

(Secretary reads title of bill)

1412, by Senator Lemke.

(Secretary reads title of bill)

1413, Senator Geo-Karis, Philip, Weaver and others.

(Secretary reads title of bill)

1414, by Senators Kustra, Philip, Weaver and others.

(Secretary reads title of bill)

1415, Senator Kustra.

(Secretary reads title of bill)

1416, Senator Macdonald.

(Secretary reads title of bill)

1417, Senator Barkhausen.

(Secretary reads title of bill)

1418, by Senator Savickas.

(Secretary reads title of bill)

1419, Senator Darrow.

(Secretary reads title of bill)

1420, Senator Macdonald.

(Secretary reads title of bill)

1421, Senator Newhouse.

(Secretary reads title of bill)

1422, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bills.

Further introduction of bills:

Senate Bill 1423, Senator Dawson.

(Secretary reads title of bill)

...1424, Senator Poshard.

(Secretary reads title of bill)

1425, by Senators Luft and Zito.

(Secretary reads title of bill)

1426, by Senators Zito and Luft.

(Secretary reads title of bill)

1427, by Senator Carroll.

(Secretary reads title of bill)

1428, by Senator Sangmeister.

(Secretary reads title of bill)

1429, by Senator J. E. Joyce.

(Secretary reads title of bill)

1430, by Senator Darrow.

(Secretary reads title of bill)

1431, by Senator Marovitz.

(Secretary reads title of bill)

1432, by Senator Carroll.

(Secretary reads title of bill)

1433, Senator Darrow.

(Secretary reads title of bill)

Senate Bill 1434, by Senator Savickas.

(Secretary reads title of bill)

1435, by the same sponsor.

(Secretary reads title of bill)

1436, by Senator J. E. Joyce.

(Secretary reads title of bill)

1437, by Senator Lemke.

(Secretary reads title of bill)

1438, by Senator Darrow.

(Secretary reads title of bill)

1439, by Senator Marovitz.

(Secretary reads title of bill)

1440, by Senator Marovitz.

(Secretary reads title of bill)

1441, by Senator Marovitz.

(Secretary reads title of bill)

1442, by Senator Sangmeister.

(Secretary reads title of bill)

1443, by Senator J. E. Joyce.

(Secretary reads title of bill)

1444, by Senator J. J. Joyce.

(Secretary reads title of bill)

1445, by Senator Marovitz.

(Secretary reads title of bill)

1446, by Senator Welch.

(Secretary reads title of bill)

1447, Senator Marovitz.

(Secretary reads title of bill)

1448, by Senator Welch.

(Secretary reads title of bill)

1449, by Senator Welch.

(Secretary reads title of bill)

1450, Senator Welch.

(Secretary reads title of bill)

1451, Senator Welch.

(Secretary reads title of bill)

1452, by Senator J. E. Joyce.

(Secretary reads title of bill)

1st reading of the bills.

SECRETARY:

Further introduction of Senate bills:

Senate Bill 1453 introduced by Senator Lemke.

(Secretary reads title of bill)

...1454, Senators Kustra, Philip, Weaver and others.

(Secretary reads title of bill)

1455, Senator Kustra, Philip, Weaver and others.

(Secretary reads title of bill)

1456, Senator Nedza.

(Secretary reads title of bill)

1457, Senator Hall.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

Further introduction of Senate bills:

Senate Bill 1458, by Senator Collins.

(Secretary reads title of bill)

1459, by Senator Collins.

(Secretary reads title of bill)

1460, by Senator Collins.

(Secretary reads title of bill)

1461, by Senator Collins.

(Secretary reads title of bill)

1st reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1462, by Senator Watson.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further business to come before the Senate? Senator Demuzio moves that the Senate stand adjourned until the hour of noon on April the 16th.

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 16, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of twelve o'clock having arrived, the Senate will come to order. Members will be at their desks. Our prayer today will be by Father Anthony Tzortzis of St. Anthony's Hellenic Orthodox...Church here in Springfield. Father.

FATHER TZORTZIS:

(Prayer given by Father Tzortzis)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Father. Reading of the Journal, Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the reading and approval of the Journals of Wednesday, April 10th; Thursday, April 11th and Friday April 12th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. So ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, reports the following Senate bills...reports the assignment of the following Senate bills;

Agriculture, Conservation and Energy - 567, 581, 589, 606; Appropriations I - 528, 552; Elementary and Secondary Education - 586, 597, 607, 608, 609, 611; Higher Education - 575, 626, 627; Elections and Reapportionment - 590, 616; Executive - 527, 547, 555, 556, 558, 559, 561, 573, 585, 612 and 620; Finance and Credit Regulations - 569, 570 and 571; Insurance, Pensions and Licensed Activities - 553, 554, 566, 568, 576, 577, 578, 580, 591, 614, 617 and 622; Judiciary I - 526, 533, 536, 541, 545, 546, 548, 549, 550, 551, 564, 565, 584, 587, 593, 594, 599, 600, 603, 604, 615, 618 and 619;

Judiciary II - 531, 532, 534, 535, 537, 538, 539, 540, 542, 543, 544, 563, 592, 595, 598 and 621; Labor and Commerce - 588; Local Government - 557, 560, 579, 596, 601, 613, 623, 625 and 628; Public Health, Welfare and Corrections - 529, 572 and 624; Revenue - 582 and 602; Transportation - 630, 674, 683...or...530, 574, 583, 605 and 610.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 134 offered by Senator Jerome Joyce and it's commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 39 offered by...Constitutional Amendment 39 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. With leave of the Body, we'll go to House bills on 1st reading, page 9. Is leave granted? Leave is granted. House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 40, Senator Watson is the Senate sponsor.

(Secretary reads title of bill)

House Bill 43, Senator Davidson.

(Secretary reads title of bill)

House Bill 88, Senator Maitland.

(Secretary reads title of bill)

House Bill 99, Senator Nedza.

(Secretary reads title of bill)

House Bill 131, Senator Darrow.

(Secretary reads title of bill)

House Bill 242, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 296, Senators Bloom and Luft.

(Secretary reads title of bill)

House Bill 336, Senator Maitland.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to Senate bills 2nd reading...the Order of Senate Bills 2nd Reading. Is leave granted? Leave is granted. On the Order of 2nd...2nd Reading are Senate bills at top of page 2 is...is Senate Bill 10. Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

...Bill 10...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 10.

(Secretary reads title of bill)

SECRETARY:

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, this is a committee amendment that gives alternate power to the Attorney General in the event that the officials at the University of Illinois would not act under this proposed legislation. I would move for the adoption of the committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? Senator Sangmeister moves the adoption of Committee Amendment No. 1 to Senate Bill 10. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 29, Senator Jeremiah Joyce. Senator Jeremiah Joyce on the Floor? 31, Senator Jeremiah Joyce. Senate Bill 50, Senator Sangmeister. Mr. Secretary, read the bill. Senate Bill 50.

SECRETARY:

Senate Bill 50.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, the committee amendment on this bill was agreed upon with the aggregate industries and it's what the input that they wanted into the bill. And I move for the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You heard the motion. Any discussion? Senator Sangmeister has moved the adoption of Committee Amendment No. 1, Senate Bill 50. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Amendment No. 2 has come from the Bureau of Mines and Minerals as to what they thought ought to be put into this Act because they will have the...be the regulatory authority under this legislation and it's their input into it. And I move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion on...on the adoption of Amendment No. 2? If not, Senator Sangmeister moves the adoption of Amendment No. 2 to Senate Bill 50. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 74, Senator Smith. Senate Bill 75, Senator Smith. Senate Bill 79, Senator Vadalabene. Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, in regard to Senate Bill 79. I've been waiting for about two and a half weeks after the bill got out of committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Vadalabene. Can we have your attention, please. Can we have some order, please. Senator Vadalabene.

SENATOR VADALABENE:

I've been waiting about two and a half weeks and...and I said in committee that I would hold this bill on 2nd until I hear from the cosmetology people and its executive director. I would like to move it to 3rd and I won't move it off of 3rd until I hear from those people. But I think I've waited long

enough and I...I will move it on 3rd...keep it on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of 2nd Reading is Senate Bill 79, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 79.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 80, Senator Vadalabene. 8-0. Senate Bill 87, Senator Jerome Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 87, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 87.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. The amendment essentially restores this...to the way that the...it was originally before we passed a bill last year. This is the bill that...that said that county boards shall adopt a plan for altering township boundaries. This is the one if you were under ten million dollars you had to combine the townships. So this restores...the amendment restores it the way it was before that bill was passed last year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves the adoption of Committee Amendment No. 1 to Senate Bill 87. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We have...had a request from WCIA-TV requesting permission to videotape the proceedings. Is leave granted? Leave is granted. Senate bills 2nd reading is Senate Bill 89, Senator Schaffer. Read the bill, Mr. Secretary, please. Senate Bill 89.

SECRETARY:

Senate Bill 89.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 95, Senator Fawell. Mr. Secretary, Senate Bill 95. Read the bill.

SECRETARY:

Senate Bill 95.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, do you wish to handle the committee amendment? Senator...Senator Fawell.

SENATOR FAWELL:

Thank you, very much, yes. The committee amendment...changed the bill so that when there's a payment on the mortgage in real estate that's occupied by the owners or homestead residents is forty-five days in arrears the notice will be sent out to both parties that there is an arrearage. There is also a...a section that says that any person who extends a loan of monies that is secured either by a second mortgage on real estate in a...which is occupied by the owners as a resident or homestead shall require all signatures on the...by the owners or mortgages.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell moves the adoption of Committee Amendment No. 1 to Senate Bill 95. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is a committee...this is an amendment that I agreed to in the committee and it merely removes..."return receipt requested."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell moves the adoption of Amend-

ment No. 2. Those in...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 99, Senator Fawell. Mr. Secretary, Senate Bill 99. Read the bill.

SECRETARY:

Senate Bill 99.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is also a...an amendment that I agreed to in committee and it merely says, "No compensation shall be paid to any prisoner for attending vocational training or educational classes described in paragraph four."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill 99. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 105, Senator Bloom. Senator Bloom on the Floor? Senate Bill 108. Top of page 3 is Senate Bill 108, Senator Hudson. Read the bill, Mr. Secre-

tary, please.

SECRETARY:

Senate Bill 108.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, Senator Bloom wishes to have his bill called, at the bottom of page 2, 105. I inadvertently did not see him. If leave is granted we'll go back and pick it up. Is leave granted? Leave is granted. On the bottom of page 2 is Senate Bill 105, Mr. Secretary.

SECRETARY:

Senate Bill 105.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, this is a clarifying amendment. If there are any questions, I'd be happy to answer them; otherwise, I'd go along with the Committee on Judiciary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves the adoption of Committee Amendment No. 1. Is there any...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 to Senate Bill 105 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SECRETARY:

Seems to be identical, Senator Bloom, to the other one.

SENATOR BLOOM:

Yeah, I think that was inadvertently filed by staff. I would ask that it be withdrawn, and if it's needed then we can do recalls at a later date. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom...requests Amendment...No. 2 to be withdrawn. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is withdrawn. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 3 is Senate Bill 113, Senator Jerome Joyce. Read...read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 113...Senate Bill 113.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 122, Senator Lemke. Senate Bill 122, Mr. Secretary.

SECRETARY:

Senate Bill 122.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...is a amendment we worked out with the Department of Conservation in regards to a...of bills. It's their suggested amendment to the bill. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 122. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 134, Senator Carroll. 136, Senator Jerome Joyce. 136, Mr. Secretary, read the bill. Senate Bill 136.

SECRETARY:

Senate Bill 136.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 145, Senator Carroll. Senate Bill 148, Mr. Secretary, read the bill. Senate Bill 148.

SECRETARY:

Senate Bill 148.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 155, Senator Sangmeister. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 155.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

All this amendment does...it was brought to our attention by staff in committee that the word "or" ought to be placed in there so that it is clear that all of those provisions in the bill are alternative and not treated as a whole. So the word "or" has to be put in there and move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 155. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 164, Senator Lemke. Senate Bill 167, Senator Carroll. 175, Senator Hall. Senate Bill 180 is Senator...Karpiel. Is Senator Karpiel on the Floor? Senate Bill 211. Is there leave to return this...to this bill in a few minutes? Leave is granted. On top of page 4 is Senate Bill 237, Senator Kustra. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 237.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 238, Senator Marovitz. Senate Bill 243, Senator Coffey. Senate Bill 244, Senator Coffey. 249, Senator Holmberg. Senator Holmberg, 249. Mr. Secretary, Senate Bill 249 in...in the middle of page 4. Read the bill.

SECRETARY:

Senate Bill 249 had a request for a fiscal note. The fiscal note request has been answered.

Senate Bill 249.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister. Have some order, please.

SENATOR SANGMEISTER:

Mr. President and members of the Senate, this bill obviously comes out of the Revenue Committee. And the purpose of the bill was to take the investment credit for...placing in service qualified manufacturing mining and retail property was originally all being charged against the...the Replacement Fund, and the original intent of this bill was to move it from the Replacement Fund and take it out of the State Income Tax Fund. I felt that there was some merit in the bill but that we ought to maybe share the responsibility between both the funds and therefore this amendment would split it fifty-fifty; fifty of it would be credited toward the State Income Tax Fund and the other fifty percent would go against the Replacement Fund and give each fund a...a fair shake rather than moving it out of one and into another. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister has moved the adoption of Amendment No. 1. Is there any discussion? Any discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I would like to speak against this particular amendment. I think with the school districts needing all of the personal property replacement tax during very, very trying times, I think most of us in our campaigns found out that that was the number one priority issue, additional funding for education, this is certainly one way to keep that tax from being robbed of additional funds. I think...it's not a great amount of money, but I think we need to figure it against the State Income Tax rather than against the Corporate Personal Property Replacement Tax so that edu-

cation will continue to get the full amount of that replacement tax as was promised years ago. I...do not support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I also rise in opposition to the amendment, and would point out to the members of the Senate that we are dealing with the Corporate Personal Property Replacement Tax Fund which is still an extremely significant source of revenue for low...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Netsch, just a moment, can I get some order? Could we have some order, please. Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. The Corporate Personal Property Replacement Tax Fund which is an extremely significant source of funding for all of our units of local government and of course particularly for school districts which get a major part of the share of it. I believe, probably, most members of the Senate are now aware, and if not, I will refresh their recollection that the Corporate Personal Property Replacement Tax Fund has been on the skids for several years and although it's looking a little bit better right now than it did for several years, it is still calculated at a level that probably is no more than and very likely less than the amount that the corporate personal property replacement...I'm sorry, the Corporate Personal Property Tax itself was bringing in at the time it was abolished. And this as you know was intended to be a dollar for dollar replacement, at least. In addition, we have not even built in a computation for the amount by which that Corporate Personal Property Tax would have increased had it remained in effect since 1979, the year it was abolished. In other words, our units

of local government are taking something of a beating at our hands and it is simply not fair, it makes no sense at all. The corporate income tax itself is a little bit volatile these days, it's been a little hard to predict for the last few months, in fact, really the last eighteen months. But, I...I don't think, despite the way that it's coming in right at the moment, that it is likely to get much better looking over the next eighteen months or two years. In the meantime, when we passed tax relief for business, which is exactly what the investment tax credit bill was, we did not have the courage to absorb it in our own State Corporate Income Tax, instead we put it off on to the locals. I think that really does not make any sense and it seems to me we ought to have the courage of our convictions and say that if we believe that an investment tax credit is a good idea, which....which parenthetically I think is of some doubt in terms of its effectiveness, but if we do believe that it is a good idea that at least we ought to have the courage to say that the cost will come out of our own State-level Corporate Income Tax and not the local governments' share. So, on that basis, I would strongly support the bill as it came out of committee and oppose Senator Sangmeister's amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President,...I...question of the Chair. I filed a request for a fiscal note. I have not seen that fiscal note and I would like to request that the fiscal note be distributed so that we can get a better idea as to what the impact of the passage of this legislation might be on local governments and on State Government both.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, the...certainly your request is in order. The fiscal note responsibility, according to the Secretary,

has been met. There is nothing in our...our rules that require us to have the fiscal note to be distributed to the members. It, in fact, can be distributed, but on the order of business that we are now, it just seems to me that it...it may be inappropriate. Senator Etheredge.

SENATOR ETHEREDGE:

Then I would request that the amendment be distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator, are you joined by four additional members on the...

SENATOR ETHEREDGE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge has requested that the amendment be distributed. There is the requisite number of members that have made the request. Senator Sangmeister, we ought to take this out of the record and come back to it. Senator Holmberg. Mr. Secretary, take it out of the record. Senate Bill...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank you, Mr. President, strictly for a technical clean-up. Senate Bill 1061 is presently under my sponsorship. I would appreciate...and we've cleared this, I would appreciate it if my name would be removed as sponsor and the sponsorship would read, Bloom, Carroll, Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request.

SENATOR KEATS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. So ordered. On the Order of...of Senate Bills 2nd Reading is Senate Bill 251. Senator Lechowicz. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 251.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 257, Senator Jerome Joyce. Senator Joyce on the Floor? Read the bill, Mr. Secretary, please. Senate Bill 257.

SECRETARY:

Senate Bill 257.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 265, Senator Geo-Karis. Senator Geo-Karis, 265. Senate Bill 291, Senator Welch. Read the bill, Mr. Secretary, please. Senate Bill 291.

SECRETARY:

Senate Bill 291.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 292, Senator Jerome Joyce. 292, Senator Joyce. Senate Bill 297, Senator Watson.

Senate Bill 305, Senator Schuneman. The bottom of page 4 is Senate Bill 305. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 305.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 310, Senator Sangmeister. 310, bottom of page 4. Read the bill, Mr. Secretary, please. Senate Bill 310, bottom of page 4.

SECRETARY:

Senate Bill 310.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 318 on the...top of page 5. Senator Luft...read the bill, Mr. Secretary, please. 318.

SECRETARY:

Senate Bill 318.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment offered in

committee was of a technical nature and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft moves the adoption of Committee Amendment No. 1 to Senate Bill 318. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 326, Senator D'Arco. Senator D'Arco on the Floor? 327, Senator Vadalabene. 327, top of page 5. 330, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 330.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 336, Senator Coffey. Read the bill, Mr. Secretary, please. 336.

SECRETARY:

Senate Bill 336.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This Amendment No. 1 to Senate Bill 336 takes care of the problem that was questioned in the committee. There was some question of school districts that...that had transportation systems...would...to get the thirteen percent Motor Fuel Tax discount. If they picked up parochial schools or others in that system, they would not be able to take advantage of that. We did correct that by striking "set school districts" which would make that benefit available to them also. And I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the discussion. Senator Coffey has moved the adoption of Amendment No. 1 to Senate Bill 336. Those...is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 345, Senator Netsch. 345. Senate Bill 353, Senator Kelly. The middle of page 5 is Senate Bill 353, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 353.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 354, Senator Mahar. Read the bill, Mr. Secretary, please. 354.

SECRETARY:

Senate Bill 354.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 378, Senator Bloom. Senator Bloom on the Floor? 379, Senator Nedza. Middle of page 5 is Senate Bill 379, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 379.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 394, Senator Darrow. Senate Bill 404, Senator Luft. Read the bill, Mr. Secretary, please. Senate Bill 404.

SECRETARY:

Senate Bill 404.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one

amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SECRETARY:

Effective...effective date.

SENATOR LUFT:

Thank you, Mr. President. The amendment just adds an effective date. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Luft moves the adoption of Committee Amendment No. 1 to Senate Bill 404. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 411, Senator Rigney. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 411.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, the amendment on that bill is purely a technical amendment, made no substantive changes whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has moved the adoption of Committee Amendment No. 1 to Senate Bill 411. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 419, Senator Savickas. Top of page 6 is Senate Bill 429, Senator O'Daniel. Mr. Secretary, Senate Bill 429. Read the bill.

SECRETARY:

Senate Bill 429.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any committee amendments?

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 430, Senator O'Daniel. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 430.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask leave to become a hyphenated cosponsor of Senate Bill 426 with yourself, with your permission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard...you've heard the request. Is leave granted? Leave is granted. So ordered. With leave of the Body, we will proceed with Senate bills on 3rd reading, middle of page...top of page 6. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. With leave of the Senate, I would like to add Senator Geo-Karis as a hyphenated cosponsor to Senate Bill 749.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. So ordered. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd also ask leave to add Senator...Demuzio and Senator Coffey as hyphenated sponsors to Senate Bill 583.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 583. You've heard the request. Is leave granted? Leave is granted. So ordered. All right. On the Order of Senate Bills 3rd Reading is Senate Bill 7, Senator Fawell. Are you ready to proceed, Senator Fawell? Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 7.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is a bill that was brought to me by one of our former colleagues, Jack Bowers. He had a neighbor who was a prisoner of war during World War II that has a blind retarded child. This man has suffered a massive heart attack and is no longer able to work. All the bill does is allow the same amount of monies that we would normally have allowed this man to spend on the POW scholarship which allows a...a child of a POW-MIA to attend any university in our State for four years...it gives them the same amount of money to be able to take care of this child at a similar institution so that she can too receive the proper training and...allow...be able to live some kind of a...of a half-way decent life. There are two thousand one hundred and twelve prisoners and MIAs in the State. I have talked to the State Board of Education, they feel that there would be...there are approximately two hundred special ed. children per two thousand people...two...two thousand families and that includes anything from a speech impediment down. The feeling is that this would not be an expensive bill and I think this man has suffered enough for his country. He...was...weighed eighty-five pounds when he was found in the camp in Germany. I think we owe this to him and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? The question is, shall Senate Bill 7 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have

all voted who wish? Have all voted who wish? Senator Hall. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 7 having received the required constitutional majority is declared passed. Senate Bill 9, Senator Vadalabene. On the Order of House...Senate Bills 3rd Reading is Senate Bill 9. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 9.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. Senate Bill 9 provides for the clarification that counties are to be...reimbursed for extradition expenses in all felony cases. The bill was amended to the satisfaction of the committee. We're having problems with the Department of Law Enforcement where they authorize the counties to pick up or extradite prisoners back to Illinois, and when they submit their vouchers to law enforcement they do not pay these travel expenses. And what we've done, we've amended the bill to pay for extradition expenses in all felony cases. And I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill...did come before the Judiciary Committee, it does address a legitimate problem, particularly in downstate counties. And the bill was amended to take care of some problems that were discussed in committee. I would support this legislation and urge your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall Senate Bill 9 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Hall. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 9 having received the required constitutional majority is declared passed. Senate Bill 18, Senator Welch. Senate Bill 39, Senator Hall. Senate Bill 58, Senator Weaver. On the Order of Senate Bills 3rd Reading, Senate Bill 58, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 58.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 58 would provide the opportunity for multitownship boards of trustees to vote compensation to themselves up to twenty-five dollars per diem. At present, they may budget on an annual basis...pay on an annual basis. This is to try to encourage the formation of multitownship boards of trustees and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall Senate Bill 58 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Rock. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. Senate Bill 58 having received the required constitutional majority is declared

SB 97 3rd Reading

passed. Senate Bill 97, Senator Fawell. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 97.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This...this bill does exactly what it says in the...in the Calendar. It extends the Statute of Limitations for incestuous offenses...offenses to one year after the victim...attains majority. This was brought to me by our State's Attorney's Office. They have run into several cases where a...a victim is no longer able to prosecute the offender because there is a three year Statute of Limitations at present. This bill passed out of committee...no one voted against it. I don't know of any objection to it. I would be perfectly willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall Senate Bill 97 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 1 voting Present. Senate Bill 97 having received the required constitutional majority is declared passed. Senate Bill 106, Senator Rock. Mr. Secretary, 106, read the bill.

SECRETARY:

Senate...Senate Bill 106.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 106, sponsored by myself and Senator Philip, effectively restructures the leadership of the Senate by the addition and creation of the post of Whip; one Whip for the Republican side and two Whips for the Democratic side. Given the new structure of the leadership, I think this fairly reflects the concerns, at least on my side of the aisle, with respect to upstate, downstate, Chicago, non-Chicago, et cetera. I think the...the amendment has been discussed at some length. The only other change, that it raises the compensation of the Caucus Chair to be the equivalent that...that is...of that that's enjoyed by the assistant leaders and the Whips and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 106 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 18, 2 voting Present. Senate Bill 106 having received the required constitutional majority is declared passed. Senate Bill 111, Senator Netsch. Senate Bill 118, Senator Lemke. On the Order of...of Senate Bills 3rd Reading is Senate Bill 118. Mr. Secretary, read the...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

...I...first of all, I was going to ask for a verification on the other one, which you conveniently got off the board in time...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, I have no...

SENATOR NETSCH:

...but at the very...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I have...I have no power over the board, I don't have any switches.

SENATOR NETSCH:

...at the very least, I would like my bill called which happened to be next on the list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, we...called out your name and we didn't receive any...

SENATOR NETSCH:

No, you did not...you did not recognize me at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, we in fact called Senate Bill 118 and received no response. So, with leave of the Body, we'll take Senate Bill 120 out of the record and we'll simply go back to Senate Bill 118. Is leave granted? Leave is...all right, we'll go back for...we'll take 118 out of the record and we will go back to Senate Bill 111. Is leave granted? Leave is granted. And now on the Order of Senate Bills 3rd Reading, Senator Netsch wishes to have Senate Bill 111 called. Mr. Secretary, read the bill slowly.

SECRETARY:

Senate Bill...Senate Bill 111.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. Last Session we passed a bill which dealt with pharmaceutical assistance for senior citizens. The Governor, as is usual, used his amendatory veto and, as is all too common, he messed up the bill in the process and made

it applicable only to those who would have reached age sixty-five by 1984 which was...the exact opposite, of course, of what the bill was intended to do. It is totally, by everyone, conceded to have been a technical error of major proportions but nevertheless a technical error. This bill corrects that error and makes the existing program available to those for whom it was originally designed. I would be happy to answer any questions; otherwise I would solicit your support for Senate Bill 111.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? Any discussion? Any discussion? If not, the question is, shall Senate Bill 111 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 111 having received the required constitutional majority is declared passed. Now, Senate Bill 118, Senator Lemke. We...the Chair apologizes to...to you for having...having taken your bill out of the record. On the Order of Senate Bills 3rd Reading is Senate Bill 118. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 118.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the...the Illinois Veterans' Home provisions, decreases from ninety days to thirty days the number of war time days necessary for admission to the Illinois Veterans' Home. This bill will take effect, my understanding, on January 1st of '86 and at time time we'll

have an additional three...three hundred bed...capacity. I think it's a good provision because most states on the subject matter go from one to ninety days, most being in thirty days. And I think if anybody serves in wartime, if they serve one day or one hour, they're just as important if you serve four years because you can get shot in an hour or in a...in a year depending how long you serve. I think it's a good bill and we should open our doors up to these veterans. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall Senate Bill 118 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 118 having received the required constitutional majority is declared passed. Senate Bill 120, Senator Lemke. Top of page 7 is Senate Bill 132, Senator Luft. 133, Senator Vadalabene. 133, the burial. Top of page 7, Senate bills 3rd reading is Senate Bill 133. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 133.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Senate Bill 133 increases the limit for veterans and their family members from three hundred dollars to six hundred dollars per burial. The counties are required to pay for the burial cost of deceased, honorably discharged veterans or their...or their families. Increases the maximum cost of

counties for burial expenses of the...indigent, honorably discharged veterans or members of their families. And I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 133 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none...1 voting Present. Senate Bill 133 having received the required constitutional majority is declared passed. Senate Bill 141, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 141.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This proposal addresses one, two, three, four, five, six, seven, eight commissions and boards that the Compensation...Review Board felt were entitled to additional compensation. And what happened, in fact, you'll recall last year, we did change the terms of office for the banking commissioner, for the Industrial Commission and for the assistant banking commissioners. There were eight other agencies whose membership at the moment are unable to receive the proper compensation. What this legislation would do is terminate their terms at the end of May, afford the Governor an opportunity to reappoint, if he so desires, the current membership and afford the opportunity then for those members

who are serving to receive the additional compensation. Amendment No. 1 included all the other agencies at the request of the Office of the Governor. And I would urge your favorable consideration of Senate Bill 141.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, I stand in full support of Senate Bill 141. As the President pointed out to you, this matter was addressed by this General Assembly in the last Session. These boards and commissions were missed by an oversight. This is a corrective piece of legislation and it merits your support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Further discussion? Senator...the question is, shall Senate Bill 141 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 2, 1 voting Present. Senate Bill 141 having received the required constitutional majority is declared passed. 147, Senator Berman. Senate Bill 147. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 147.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 147 as amended allows an importing distributor to petition the Liquor Con-

trol Commission for permission to own or acquire an interest in a distiller or wine manufacturer, and it calls for the hearings and review and decision by the Liquor Control Commission based upon that petition. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 147 pass. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 147 having received the required constitutional majority is declared passed. Senate Bill 156, Senator Maitland. Senator Maitland on the Floor? Senate Bill 170, Senator Weaver. In the middle of page 7, Senate bills 3rd reading, is Senate Bill 170. Mr. Secretary, read the bill. 170.

SECRETARY:

Senate Bill 170.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank...Mr. President, members of the Senate. This merely delays for another year any appropriation of funds to the R and E for the administration of this fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any...any discussion? Senator Weaver, were you...were you concluded? Any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I was just wondering why we're delaying the...are we delaying the implementation of this program by a year by doing this? And if we are, why are we

doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, basically, there's such a little amount of money in the fund right now, about ninety thousand dollars. They're waiting...for another year to build that up to at least a hundred and eighty thousand before they make any appropriation...thinking that there wasn't enough money to support any real activity in the disciplinary fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, do we have podiatrists that are in need of having their license reviewed or some other type of activity that is not being done and we're delaying that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, this is a recommendation from the Illinois Podiatry Association. The money comes from their license fees, a portion of their fees. We raised their fees to...last year to establish this fund and it just doesn't bring in enough money to do the job properly, and so they want to delay it for one year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 170 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 170 having received the required constitutional majority is declared passed. 177, Senator Geo-Karis. Senate Bill 177, Mr. Secretary.

SB 246 3rd Reading

Read the bill.

SECRETARY:

Senate Bill 177.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill really applies to one county, my county, which is under five hundred thousand, about four hundred and twenty-two thousand. At the present time, the law excludes...five acre parcels or less from agricultural purpose exemption in counties over five hundred thousand population. I'm asking that it exclude it...pass four hundred thousand in population. I...ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 177 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 177 having received the required constitutional majority is declared passed. UPI would like to take still photographs. Is leave granted? Leave is granted. Senate Bill 187, Senator Lemke. Senate Bill 212. Is there leave to come back to that one in a minute? Leave is granted. Senate...Senate Bill 246, Senator Vadalabene. On the Order of Senate Bills 3rd Reading, bottom of page 7, is Senate Bill 246. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 246.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Senate Bill 246 provides that the purpose is to compensate the recorders for additional time involved in researching multiple assignments. In 1983 the Illinois County Clerks and Recorders Association, the Illinois Savings and Loan Association and the realtors comprised to increase the fee for multiple assignments of mortgages to seven dollars. This adds a multiple assignment of leases, interest in trusts, trust deed, deed of trust, contract for awards, deeds and liens. The bill was requested by the Illinois Association of County Clerks and Recorders, and I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 246 pass. Those in favor will vote Aye. Those opposed will vote Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 246 having...Senate Bill 246 having received the required constitutional majority is declared passed. Senate Bill 247, Senator Vadalabene. Bottom of page 7, Senate bills 3rd reading is Senate Bill 247. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 247.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Senate Bill 247 provides and authorizes the county coroner to maintain a special fund from which the county board shall authorize payments by voucher between board meetings to pay necessary travel, dues and other expenses incurred in attending workshops, educational seminars and organizational meetings for the purpose of providing in-service training. The bill was also requested by the Illinois Association of Coroners and I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Luft.

SENATOR LUFT:

Question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Luft.

SENATOR LUFT:

Why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Why not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Well, having been a county auditor for eight years and have dealt with budgets on the county level for eight years, the last thing you want to do is to start eliminating and creating new funds. And I think you'll find in the counties over the last few years what they've tried to do is to control funds. And this seems to me, when every officer has a line item in his budget for travel and whatever, why do...that comes out of the corporate general fund of a county, why we have to set up a special sinking fund for cor-

oners, and are in fact are we going to have to set up a fund for every county official in the future concerning travel expenses. That's why I want to know why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Vadalabene.

SENATOR VADALABENE:

Already the county clerks have this option and also this would speed up the process and have no delay in getting...their reimbursement for their travel. And I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I just rise to oppose this because I don't think in the experience that I've had there is any real delay in payment of travel expenses. I don't think there's any situation that exists that we can't go with the ordinary budgetary and payment of voucher process in the county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in...in favor of this bill because this bill is still under the supervision of the county board about this special fund and it does...require, it...it has...it does provide it to pay expenses incurred for in-service training. And I think that since the county clerks already have the identical provision allowing payments by vouchers between county board meetings out of their special funds for expenses incurred for the purposes of in-service training, I think we should accord this same courtesy to the coroners. I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Does this apply to home rule counties as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No, it does not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would just rise in opposition. It seems to me that the main reason for doing this is to make sure the county coroner gets money quicker so that he doesn't have to wait till a board meeting to get his travel dues. It seems to me that if those of us here in the Senate can wait a couple of weeks to get our travel vouchers paid, the county coroner is no better than us, and I think that they can wait until a board meeting which are usually at least once or twice a month. So I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, there's no problem being effected by this legislation. The county clerks have used this system for a long time and I don't...know why the county coroners cannot use it. And I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 247 pass. Those in favor will vote Aye. Those opposed will vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39...the Ayes are 40, the Nays are 8, 3 voting Present. Senate...Senate Bill 347 having received the required constitutional majority is declared passed. Page 8, top of page 8, Senate Bill 248, Senator Holmberg. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senate Bill 248.

SECRETARY:

Senate Bill 248.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This bill as amended does something very simple but I think very significant for all your constituents in the State of Illinois. It requires that the State's portions of the proceeds of the lottery shall be paid into the Common School Fund. As we all know, when we go out to speak, this is one of the main questions that we get asked time and time again, why doesn't the amount of money that we give to the lottery go into the Common School Fund. It's exactly what we thought we were doing when you passed it originally, that's where we want the money to go. The Governor has said that he is willing to sign such a bill this year, although I know we passed one like this before. I think this is the time and this is the year. I...I think a further problem as people look at their lottery tickets and they see that it's State set, part of the money goes to education, they are thoroughly confused. I think we could simplify all of our meetings. We can get back to our constituents and say that we have finally accomplished what they wanted us to do. I recommend a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator...a lot of

flashing lights. Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the...the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Fawell.

SENATOR FAWELL:

We're not actually adding any more monies to the...to the budget of the schools with this, we're just sort of transferring money. Is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Holmberg.

SENATOR HOLMBERG:

Yes. Thank you, Senator Fawell, that's a very important point, that we will not be adding one penny more necessarily, but it just is the intent of what we...all thought originally might be done, that we will put all of the money into the Common School Fund. As the bill began its progress through the Legislature years ago, that's what the public was told and we will do that, but it will not increase the amount per se.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is actually a carbon copy of Senate Bill 319 which I introduced in 1983 and which was vetoed by the Governor at that time. Senator Holmberg has chosen to take this issue, apparently, after having introduced Senate Bill 248 in a different form but, then, having learned that the Governor...had asked Senator Emil Jones and I to introduce this bill, introduced...amended her bill into the form that the Governor would approve. Senator Jones' bill and mine is Senate Bill 305 and is on 3rd reading. I support that bill

and I support this bill, but I would ask that you be aware of how this particular bill got where it is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Well, here we go again. I...I joked with the Governor the day that he made his pronouncement that he now in fact was going to support the lottery money for education that I had always been with him on this issue and many times was the only No vote here, and now he had left me high and dry and perhaps I'm the only one opposed to the bill. But he jokingly said that, just think, John, this is going to cut down every meeting that you speak at by ten minutes because you always have to explain to people what happens with the lottery money. Well, let me tell you something, I don't mind making that explanation, I can make it. I can tell them what happens to the money. But after you pass this bill and you come back here in a couple of years and you begin to get comments from those same constituents at the meeting who say to you, hey, you promised us the lottery money, you passed it and we still didn't get it. Senator Fawell, you were right on target, it means no more money. It's a charade, and the bill should be opposed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The AP has requested leave to take still photos. Is leave granted? Leave is granted. Further discussion? Senator Kelly.

SENATOR KELLY;

Thank you, Mr. President and members of the Senate. I somewhat concur with Senator Maitland. The only difference is I'm not sure if he's going to support it. I am going to support this proposition because I think if nothing else the public will feel better that they know that these funds are

supposedly going for education, but we in the Legislature know better that in fact, there's going to be more...bureaucracy, there's going to be more accounting practices and it's going to cost the State more than it's taking in. But I think it's worth it to the public to just have that feeling that my money is going for education when I buy that lottery ticket. Maybe they'll buy more lottery tickets.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? With all of the requests that we've had now for still photos by the media, the...the board is lit up like a Christmas tree. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I don't know how appropriate this is but I have a question of the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your question.

SENATOR DeANGELIS:

Can the Chair advise me if under our appropriation rules and systems that exist under our Constitution is it possible for the lottery monies to be deposited directly into the Common School Fund and then spent out of that fund without going through the appropriation process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, state your question again.

SENATOR DeANGELIS:

If I can. What I would like to know, can we legally under our Constitution and our rules of appropriation actually...I know we can deposit money into a fund, but can we in fact allow that money to be spent without going through the appropriation process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if...if you're asking for...for a personal opinion, the...the...the question that I would...the answer that I

would give you is that, no, I don't know of any...any...anything in our rules that would prohibit that. Senator DeAngelis.

SENATOR DeANGELIS:

If that be so then, what would preclude if the lottery monies were to decline? A loss in funding for education. Since you're channeling that money directly and you're counting that as part of the total...Senator Holmberg indicated there would not be another extra nickel in education. Assuming that the lottery sales were to drop, what would happen to the monies then? Would the appropriation or the amount of monies available to education decline?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR DeANGELIS:

Since they're not going through the appropriation process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...if you...if you have a...a net loss in the proceeds of the lottery, the balance of the funding for elementary and secondary education is still subject to the appropriations process and still within the jurisdiction of the...of the Legislature. Senator DeAngelis.

SENATOR DeANGELIS:

Well, the appropriations are made a year in advance. If you're indicating the...the first answer you gave was that this would not go through the same process, that it would go directly to the Common School Fund and be spent from there. Now how do you make up the loss without coming back and making it up through either a...a supplemental approp.?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz, on a point of order.

SENATOR LECHOWICZ:

My point of order, sir, you have made your ruling. I

believe the gentleman is...the question...

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, the Chair...the Chair...

SENATOR LECHOWICZ:

...if he has any further questions, he can address it to either economic or fiscal appropriations. Let's get on with the business before us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

First of all...first of all, the...the Chair didn't make any ruling...it was simply asking...it was a response to a question that was posed by Senator DeAngelis. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. If I might try to respond, at least in part, to Senator DeAngelis' concern. This was one that he raised in committee, I might say, several times and it was addressed several times by members of the committee. I believe the...the simplest and straightest answer to his concern is there is already a provision in the Illinois Revised Statutes that in effect...not in effect, it does require one-twelfth of the annual appropriation for school aid, at least the general school aid, to be transferred every month into...from general revenue into the Common School Fund, and...so that there should not be any possibility at all that the...the cash flow process would not meet the appropriation process. And it's got nothing to do with where the lottery money goes, it's something that has been there for a long period of time to began with. I would like to be able to give you chapter and verse, and I'm sorry our staff person is not immediately on the Floor who was going to get that section out for us. Someone is trying to find it still now. But I think that is the answer to your question, Senator DeAngelis, and I thought it was at the time that we discussed this in committee as well. There is an automatic transfer that takes place into

the Common School Fund to cover the appropriation that the General Assembly has made with respect to general school aid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. I just want to simply say that what this does, it clarifies...if any of you were around and many of you are still here when this lottery bill was passed, there were several bills, and some of them did indicate that the money was going into the...this Common School Fund. It just so happened the one that the Governor signed was not that bill and that's why we have that right now. That's why so many people are of the impression...that this money would go for schools entirely. So this just simplifies the matter and brings it to the attention of many, many people voted for that with that understanding. And that's why you...have asked so many questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Any further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President, Ladies and Gentlemen of the Senate. This is really a truth in lending bill. It's being truthful with the taxpayers of this State when both bingo and lottery were presented, not only to the General Assembly for consideration, but throughout the...gathering support throughout this State. What the lady has presented to you is the conception that has been adopted by the public generally throughout this State that the proceeds of lottery and bingo are supposed to go into this Common...Common School Fund. Unfortunately, we all know what happened in the Conference Committee and that the Governor requested that the money be placed in the General Revenue Fund. I'm not saying that this

will alleviate the problem...the monitory problem of the Common School Funds, but it will correct a perception of the general public which is long overdue. And for that reason alone, this bill should...receive unanimous support, because this is the way it was told to the people of Illinois and this is the way it should be accepted. Thank you.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I think the previous speaker failed to mention which Governor cut that particular deal and I think the record ought to be clear. The original proponents of the...lottery did want the money in the Common School Fund. The lottery was passed, I believe, in this Chamber thirty minutes after the creation of the RTA, and then Governor Dan Walker wanted in the General Fund to make up the subsidy for the mass transit. So if you wonder where all your money went all these years, those of you in education, think about it.

PRESIDENT:

Further discussion? Any further discussion? Senator Holmberg, you wish to close?

SENATOR HOLMBERG:

I just ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 248 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 3 Nays, none voting Present. Senate Bill 248 having received the required constitutional majority is declared passed. 252, Senator Rigney. On the Order of Senate Bills 3rd Reading, top of page 8, is Senate Bill 252. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 252.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this legislation will make it possible for credit card key or coin operated fuel pumps. Many of our sister states are into this already and have operated them for many years without any serious consequences whatsoever; in fact, the insurance rates have not gone up under that type of an operation. This bill is of great interest to our many small, rural towns throughout Illinois, where there's probably only one set of gas pumps in the whole town and when you lock the door at six o'clock in the evening, there's no fuel available until the next morning. For instance, in my district, I have about fifty small communities. There are only three in which you can buy fuel during the evening hours. I might point out that this legislation is supported by the Chamber of Commerce, Farm Bureau and most recently by the petroleum marketers. I ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't know how current you are in receiving and reading your mail, and I know how...how pressed especially at this time of the year as far as trying to catch up with your correspondence. But I was fortunate enough to go through the mail both last night and this morning here, and I received a letter from the Firefighters' Union of the State of Illinois in reference to Senate Bill 252 and why there was some concern with the passage of this bill; and I know it was sent to every member here, but I don't know if you had an opportunity

to catch up with your mail. But I'd like just to bring to your attention some of the comments that were in the correspondence and also with my questioning of the Fire Marshal of the State of Illinois in reference to this legislation, and both of those groups are...violently opposed to Senate Bill 252, because of the safety factor that is contained under their current jurisdiction with the regulation of self-service gasoline station. And I share the gentleman's concern in reference to providing this type of a needed service to every community in this State, not only the rural community but the metropolitan areas as well and the economic advantage of having this type of service for the consuming public. But our primary concern as far as government is...is concerned is to make sure that the general public of this State is protected not only from the consumer aspect but from the safety aspect. And I beg to disagree with you on Senate Bill 252 that you're removing a very important safety aspect in the control of the self-service gasoline stations, and I believe that's an overwhelming factor that should be considered on this bill; and for that reason, I have to rise in...in opposition to Senate Bill 252. I have to respect the guidance and judgment of the State Fire Marshal of this State and also the people that are protected...protecting the public in this vein. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Rigney, there is...I want to get this straight. What would keep a person...you're supposed to put gas into a container that's...you're not supposed to walk up there with

a glass jar or something that...anything like that. Now, what's to keep a person from coming up there and using a...a container that was illegal and to get gas if there's no attendant?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, first of all, I'd have to be candid enough to concede your point, Senator Hall, that would be possible. I would point out to you, however...for instance, where I service my own car, fill my own tank, of one of these self-service station with eight islands out there and one girl on duty taking the money that really isn't monitoring what's going on out on the drive, it would be possible now, in fact, I have seen from time to time when fuel has been put into a container that perhaps would not be approved by the Fire Marshal. That is something that of course it's impossible to deal with if we're going to allow this kind of activity. I think the best thing we can do, however, and I did point it out in my opening remarks, is look what has happened in the fourteen states that already allow this. They have done so without any consequences, and I don't anticipate any problem here in the State of Illinois.

PRESIDENT:

Senator Hall.

SENATOR HALL:

But, Senator, you have to admit, it's...it's there and that's the problem if we're going to be safe with these things. I mean, it...it's there and that's the thing that I'm concerned about. I would hate to walk into someplace and somebody have some gas sitting in a jug or in a glass container or something and...having a big explosion. That's the...the key thing. Now, if your bill dealt with that, I could support it; otherwise, I cannot.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

I'd like to ask the Senator a question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Yes. Senator Rigney, the self-service stations, are these unattended? In other words, I'd like to have the procedure. A self-service station is one usually where there's an attendee who takes in your cash and allows you to make your purchase. This station is one that operates twenty-four hours a day without an attendant?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Yes, and that would be under the control of the station owner. For the...for the most part, I...I think you can be assured that he would not give a key or a credit card to someone that he did not know or did not trust. For that reason, I think we have nothing to fear about, you know, the type of people that would be using that equipment, but it is true that there would be no one on duty during those...those evening hours. Keep in mind, again, I say in a lot of our small towns there's about fourteen hours a day when you can't buy fuel.

PRESIDENT:

Further...I beg your pardon. Senator Kelly.

SENATOR KELLY:

Well, along that line I can see where there would not be in many cases an attendee...you could actually have a gasoline store owner who actually does not have a person there except it's all computerized and they can...I...I just think that it's going in the wrong direction. I do think that

there is a danger involved which Senator Lechowicz had pointed out. I also think that if you get a owner of a gas station who has that system, they can change the prices very easily, and...there could be abuses in many ways when you don't have a person who's running that operation. I...I think it's a bad concept and I'm going to oppose you, Senator.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just want to ask the sponsor a quick question. It says...

PRESIDENT:

Sponsor indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

...indicates in the synopsis that there are only three such unattended stations that operate in the State of Illinois, and I was wondering to which does this...where are those three and is this bill only for those three or are there more?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

First of all, I'm not aware of those...of any operating in the State of Illinois. They are prohibited now by resolution of the Fire Marshal, and if they are operating, I assume that they must be operating illegally.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Okay, then, assuming that we pass this particular piece of legislation, how do you...what...what do you propose that will happen? I mean, how many...how many unattended filling stations do you think we have, or do you think these are just

for...from the...petroleum dealers themselves or individual dealers or how...how many unattended service stations are we going to have that's going to be pumping gas?

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

I would think that over a ten-year period of time, particularly in...in the small towns of this State, you would find a lot moving in that direction. There's no...there would be no big reason to do it say in a community the size of Freeport, because you have two all night service stations in that community. There wouldn't be much reason to put in that kind of a pump in that kind of a community. But for the small towns where there is no fuel available, I would anticipate that they would probably go to some type of a credit card pump.

PRESIDENT:

Any further discussion? Further discussion? Senator Rigney may close.

SENATOR RIGNEY:

Well, Mr. President, in reply to the objection that Senator Lechowicz raised, I might just point out, I'm old enough and been around here long enough to remember the arguments that were advanced against the self-service stations. Basically the arguments were the same. We were saying that, well, if we allowed self-service stations in the State of Illinois that people would be spilling gas on the drive, they would be starting fires, they would be hurting themselves or their neighbors by inexperienced people who are running all of these pumps. So, what we're asking for here is merely a...a slight extension of...of the principle of the self-service station, and that is to say, we can take it one step further and to have that station unattended in the evening hours.

PRESIDENT:

Question is, shall Senate Bill 252 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 21 Nays, 1 voting Present. Senator Rigney wishes to have further consideration of Senate Bill 252 postponed. So ordered. 254, Senator Luft. 269, Senator Lemke. 281, Senator O'Daniel. On the Order of Senate Bills 3rd Reading, the middle of page 8, is Senate Bill 281. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 281.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, Senate Bill 281 merely provides for fees for sheriffs attempting to serve documents in the county. Many times, especially in downstate counties, sheriffs have to make several trips out to...to locate the people and find them at home in order to save...to serve the document, and this would provide fees for his services when he goes out to attempt to serve these documents, and I would appreciate a favorable consideration.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I...I understand, Senator, that there are approximately six documents served by the county sheriff which would be

affected by this legislation. Would you tell me what kind...what are those documents?

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

It would be summons and deeds...just any kind of a document that needed to be served in the county. And this doesn't affect Cook County. Cook County has already be taken care of in this. It just affects downstate counties.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

According to our analysis, it affects my county and I'm Lake County. My county is under...under five hundred thousand and according to our analysis, it says counties with a population of less than twenty-five thousand and counties with a population greater than twenty-five thousand but less than a million...people. It affects my county and I can tell you what...is happening now. When we want someone served, we have to send the money in advance to the sheriff of our county for the service fees, and I haven't had any of it returned yet when they didn't serve them. So, I'm just wondering whether we should go ahead with this bill considering the fact that we can't prove whether they...even have tried to serve the people.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Nedza.

SENATOR NEDZA:

Senator, is there some provision in the bill that there

is some verification or some...of the attempted service? Is there anything in the bill that the sheriff in his attempts to serve whatever summons he is, that there is some notification...some verification of his attempted service?

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Well, the...any time the sheriff is...is directed to serve a...serve a...a summons, it's made of record, I'm sure.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

No further questions.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, Senator O'Daniel, you wish to close?

SENATOR O'DANIEL:

No, I'd just ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 281 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 5 Nays, none voting Present. Senate Bill 281 having received the required constitutional majority is declared passed. 286, Senator Barkhausen. The Order of Senate Bills 3rd Reading, Senate Bill 286. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Senate Bill 286 is simple in concept. It would simply require that any memorandum of judgment recorded with the recorder of deeds or in Cook County with the registrar of land titles specify the judgment debtor's last known mailing address. This bill was requested by a particular title company but is supported generally by title companies and by recorders and, I imagine, by the registrar of land titles in the Torrens Office in Cook County. Right now when a employee of a title company is trying to determine the identity of a judgment debtor, it may in some cases be difficult because the address is not specified and it would simply add the requirement that the address if available be added to the...included in the memorandum of judgment.

PRESIDENT:

Any discussion? Senator Welch.

SENATOR WELCH:

Yes. Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Barkhausen, you indicated this only applies to Cook County?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

No. It apply...it would apply throughout the State. I tried to indicate because the question arose both in committee and to some extent on 2nd reading that it would also apply to...to memorandum of judgments...registered with the Torrens Office as well as those that are registered with recorders.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator, a memorandum of judgment is a very specific document. If you have the wrong address on the memorandum of judgment, that may affect the total validity of the judgment. Now, I'm sure it would be nice for the title companies to have an address on there, but I'm not so sure it is good for the people obtaining judgments. Is it your intention that if the last known address is either incorrectly entered or the wrong address is entered that the memorandum of judgment is then ineffective?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

That's not...specified in the bill. What is specified is the last known address would have to be provided, or if the person against whom the judgment was entered if the address is not known, then the memorandum...a copy of the judgment would have to specifically state that the address is not known.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator, what would happen if the address which should be listed in the summons...when you serve the debtor with a summons, you have to have an address for the sheriff to serve him. What happens if the court record indicates there is an address in the court file but your memorandum of judgment which is not filed with the court does not indicate that address? According...it would seem to me that there is a case to be made that your memorandum of judgment is ineffective and if your memorandum is ineffective, your judgment does not apply as a lien against the real estate. Now, is that your intention to make that...the change in the law?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Welch, I think you're trying to read a little bit more into this proposed legislation than...than what is attempted. This simply amends the section of the Code of Civil Procedure dealing with lien of judgments, and...you know, if in fact there is a correct address, certainly it would be within anyone's power to...to make that fact known. This is simply an attempt to...to simplify for all concern judgment debtors and creditors and whoever else may be affected by judgment to make it...to make it easier to identify who...who is in fact liable on these judgments.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator, I...I understand your intent, but I'm a member of the Attorney Title Guarantee Fund, I write title policies for this. And what you're asking here is that when we write a title policy that we write on the memorandum whether the address is correct...if you have a similar name but a different address, then you're going to raise the question as to whether that should be included as an exception to the clear title on that property. By...what you're doing here in an attempt to clarify the law, I think is...is muddying up the water. You're going to make it so that there are going to be more exceptions to title policies. You're going to...it's going to result in more litigation under the guise of trying to help out a couple of title companies which I don't think is really necessary. If there is confusion as to the address of a judgment debtor, it's very simple...when the title policy comes through and you're trying to clear up the title to the land, the attorney for the...for the judgment plaintiff is listed on the memorandum of judgment. It's very

simple to call that attorney to find out who the judgment debtor is and to get a release. What this is doing, this is...you know, this is trying to make it easier for the title companies, but it's going to make it more difficult for people, for corporations or anybody else who is a plaintiff in this State to collect on judgments, as well as it's going to muddy up the recorders office and going to make it more complicated than it already is. I don't think this is a good idea. I think that the existing law is sufficient. If you have the address, you can put the address on a memorandum of judgment now, if you want to; you don't have to. So...I...I think this is an addition that really isn't necessary.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I've had the experience as I do a lot of real estate law work that where there's a John H. Smith, for example, in a memorandum of judgment and there's no address for him, and John H. Smith may be an innocent person in that real estate transaction because there's some other John H. Smith who is a...a debtor, and I think what Senator Barkhausen is trying to do with this bill is to clear it up a little bit. I submit that if there is an address placed on a memorandum of judgment, it will be better for the title company and...and...and it will avoid unnecessary objections for the most part; and the fact that you could always...talk to the lawyer, well, people can file these memorandum of judgments without a lawyer. So who do you talk to then?

PRESIDENT:

Any further discussion? Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I think in line with what

Senator Geo-Karis has just said, what in...to protect judgment creditors, I would again ask the sponsor to state on the record that...that an inadequate...inaccurate address does not jeopardize the validity of the judgment. Isn't...is that your intent? Otherwise, what you're going to do is make the...make the address more important than the judgment. I don't think you want to do that. So, would you state for the record what...if there is an inaccurate address, does it jeopardize the validity of the judgment?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

It...no, it doesn't, Senator Berman.

SENATOR BERMAN:

Thank you.

PRESIDENT:

All right. Any further discussion? Further discussion? Senator Barkhausen, you wish to close?

SENATOR BARKHAUSEN:

Just to...like to add, Mr. President and members, in...just to add to the point made by Senator Geo-Karis, that this legislation is...not solely for the benefit of title companies, it's meant to protect the innocent persons or those who are not liable; for example, that...the John H. Smith who is not in fact the judgment debtor by...by specifying what is thought to be the correct address for the John H. Smith who is in fact the judgment debtor. So, it will help all of those, I believe, currently involved in the...in the process of checking title to land or recording memorandum of judgments whether they be creditors or debtors or whether they be innocent third persons, and I would ask for your support of this bill.

PRESIDENT:

Question is, shall Senate Bill 286 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. Senate Bill 286 having received the required constitutional majority is declared passed. 296, Senator Mahar. 314. 338, Senator Holmberg. On the Order of Senate Bills 3rd Reading, Senate Bill 338. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 338.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. As you remember, last Session we passed a free senior citizen tuition bill which has proven to be very, very popular. A total of twenty-eight thousand eight hundred and forty-eight senior citizens in Illinois took advantage of this law last year. One of the things we did in that bill was allow a great deal of flexibility for guidelines for the community colleges and senior colleges, and they have come back to us and asked us to present them with a uniform set of guidelines that they have approved. And so what this bill basically does is cleanup that particular law, make it easier for the public institutions of higher education to administer and to make the program uniform for all public institutions of higher education, and I would ask for a favorable roll call.

PRESIDENT:

Is there any discussion? Any discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Kustra.

SENATOR KUSTRA:

Senator Holmberg, I...I'm just curious, I'm reading the language of the bill. You're applying it to credit courses and exempting courses designed specifically...could you clarify exactly what language you're adding and what impact that's going to have on the administration of this program?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Currently, under the Act, which was not our intentions, senior citizens are permitted to matriculate in a course for either credit or non-credit and receive free tuition. What we wanted to do and what this legislation does is require that the individual take the course for credit in order to qualify for the free tuition, because the way the bill was written is...the students taking the course by the tuition they pay actually pay the instructor and then the empty spaces in the classroom can be filled by senior citizens. By changing the language, we're doing what the bill first intended, which is to allow them to fit in the empty spaces and...in...in those credit courses in both the junior colleges and the senior colleges.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Just, then, for further clarity, is this only where space is available then?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

That's...that's it...the number of people taking the course must have paid for the course so that the college will

not lose money; in other words, there's enough money to pay that instructor, then the empty spaces may be filled by senior citizens.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, okay. So the senior citizen is not competing with a college-bound student for the enrollment?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

No, he is not.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

PRESIDENT:

Sponsor indicates she'll yield, yes.

SENATOR HUDSON:

Senator Holmberg, I remember vaguely the discussion, or maybe more than vaguely, in committee on this bill, but I have forgotten one point; and that is that if we have a number of senior citizens, let's say we have ten vacancies and there are thirty senior citizens that would like to avail themselves of this opportunity, how are they selected?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Just according to who first applied for the course until the spaces are filled up.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

In other words, first come, first served, and it is your

contention that there is not one extra dollar then added to the cost of the institution providing the education. Is that correct?

PRESIDENT:

...Senator Holmberg.

SENATOR HOLMBERG:

That was our intent.

PRESIDENT:

Further discussion? Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDENT:

Sponsor indicates she'll yield.

SENATOR WATSON:

Are there any restrictions on senior citizens or does everybody qualify or how do they determine who's going to be eligible?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

It's...those who are eligible for circuit breaker, this is the way the bill passed before, and are sixty-five years of age.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Those only.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

That's right.

PRESIDENT:

Further discussion? Any further discussion? Senator

HB 485
3rd Reading

Holmberg, you wish to close?

SENATOR HOLMBERG:

I just ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 338 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. Senate Bill 338 having received the required constitutional majority is declared passed. 344, Senator Netsch. On the Order of House Bills 3rd Reading, House Bill 485, Senator Demuzio. Bottom of page 8, with leave of the Body, we'll move right down the Calendar. House bills 3rd reading, House Bill 485. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 485.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This House Bill 485 has been around here a while. It creates the Emergency Farm Credit Allocation Act. We amended it with four specific provisions at the request of the Governor just the past week. One provision was to assure that the operating money would be utilized only for planting for this year and that pre-existing debt would not qualify in the note. It also provided that we strengthen the...the interest provision to assure that the interest rates would remain either at prevailing wages...prevailing interest rates of the day or not to exceed thirteen percent. We also made a provision in the proposal to assure that the...if you haven't got your loan by

June the 15th and the proposal is not going to consummated and no loans will be made after that date, and that it is not a perpetual program and that it would, in effect, end in a twelve-month period. With those specific provisions the Governor has indicated his support, and I would ask for favorable support of the Senate.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 485 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. House Bill 485 having received the required constitutional majority is declared passed. All right. The hour of two has arrived, we have a pretty heavy committee schedule. Is there further business to come before the Senate, Mr. Secretary? All right. We'll do...we'll do the paper work; in the meantime, we will then entertain a motion to adjourn until noon tomorrow right after the paper work. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Macdonald is here...she has sickness in her personal family.

PRESIDENT:

All right. The record will so reflect, Senator Philip. Senator Smith.

SENATOR SMITH:

...Mr. President, I'd like leave to request that Senator Geo-Karis, please forgive me, will be hyphenated sponsor to House...Senate Bill 152, please.

PRESIDENT:

152, the lady requests leave to show Senator Geo-Karis as the hyphenated cosponsor. Is leave granted? Senator Jones,

for what purpose do you arise?

SENATOR JONES:

Yes, thank you, Mr. President. Leave to waive the posting requirement for Senate Bill 53 so it can be heard in committee today.

PRESIDENT:

All right. The gentleman seeks leave to waive the posting requirement for Senate Bill 53. Is leave granted? Without objection, leave is granted. Senator Carroll.

SENATOR CARROLL:

Point of an announcement, Mr. President and Ladies and Gentlemen of the Senate. Appropriations I will be meeting immediately following adjournment in Room 212. I assume the movie that you sent out the announcement for went ahead at one-thirty.

PRESIDENT:

I...I don't know that. I suggested to them that we would not have left by...it probably did...

SENATOR CARROLL:

All right. Or immediately after the movie, whichever comes first.

PRESIDENT:

Right. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, the Legislature has declared today as the Illinois Association of Rehabilitation Facilities Day and they are hosting the Tenth Annual Legislative Reception at the Illini Country Club tonight from six to nine. They've provided limousine service every fifteen minutes from the north drive both to and from the Country Club so those that wish to participate may do so very easily.

PRESIDENT:

All right. Senator Nedza. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I'd like leave to be added as a hyphenated sponsor of House Joint Resolution No. 4 and also Senate Bill 383 and Senate Bill 363.

PRESIDENT:

383, 363 and Senate...and House Joint Resolution 4, gentleman seeks leave to be added as a cosponsor. Is leave granted? Leave is granted. Senator Lechowicz, at Senator Nedza's desk.

SENATOR LECHOWICZ:

Thank you, Mr. President. Purpose of announcement. The Executive Appointments Committee will meet tomorrow morning at ten o'clock in Room 212. Thank you.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Two purposes; one for announcement, the Committee on Judiciary II will meet tomorrow morning at ten o'clock in Room A-1 in the Office Building; and also, having checked with the sponsor, I would ask leave to be added as a hyphenated sponsor to Senate Bill 248.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of Senate Bill 248. Without objection, leave is granted. Senator Topinka.

SENATOR TOPINKA:

Mr. President, may I have leave to Table Senate Joint Resolution 34 and to be added as a cosponsor to Senate Bill 92 and Senate Bill 316.

PRESIDENT:

Where...where is Senate Joint Resolution 34?

SENATOR TOPINKA:

It's in the Executive Committee and I did speak to Senator Sangmeister's Office regarding that and this was his suggestion.

PRESIDENT:

All right. Senator Topinka has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 34 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Joint Resolution 34 is now before us and Senator Topinka moves that that resolution be Tabled. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. She also seeks leave of the Body to be shown as a cosponsor of Senate Bill 92 and Senate Bill 316. Without objection, leave is granted. Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I would like to add as a hyphenated...cosponsor Senator Hudson to Senate Bill 7.

PRESIDENT:

Senate Bill 7. The lady seeks leave to add...show Senator Hudson as a hyphenated cosponsor of Senate Bill 7. Without objection, leave is granted. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I'd like to be added as a hyphenated sponsor on 485.

PRESIDENT:

...485.

SENATOR COFFEY:

House Bill 485.

PRESIDENT:

House Bill 485. The gentleman seeks leave to be shown as a cosponsor on House Bill 485. That request is order. Leave is granted. So ordered. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave to be added as a hyphenated cosponsor on Senate Bill 588, and I wish to

announce that the Committee on Elementary and Secondary Education will meet tomorrow morning in Room 400 at 9:00 a.m...9:00 a.m.

PRESIDENT:

All right. Senator Berman seeks leave to be shown as a cosponsor to Senate Bill 588. Without objection, leave is granted. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, would ask leave to be added as a hyphenated cosponsor on Senate Bill 412 with the concurrence of the sponsor, Senator Rigney.

PRESIDENT:

The gentleman seeks leave to be shown as a hyphenated cosponsor of Senate Bill 412. Without objection, leave is granted. All right. Mr. Secretary. Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, assigns the following bills to committee. Now, I'll read this in three separate reports.

...Agriculture, Conservation and Energy - 658, 693, 696, 697 and 698; Appropriations I - 695; Elections and Reapportionment - 655, 681, 682, 686, 704, 705, 706 and 740; Elementary and Secondary Education - 631, 659, 664, 668, 691, 707, 708, 723 725,...731, 745 and 746; Executive - 641, 656, 670, 673, 674, 675, 676, 677, 678, 679, 680, 701, 702, 703, 719, 728, 729 and 733; Finance and Credit Regulations - 633, 667, 699, 709 and 737; Insurance, Pensions and Licensed Activities - 630, 637, 638, 669, 672, 683, 688, 710, 712, 715, 716, 717, 718, 726, 742 and 743; Judiciary I - 635, 636, 652, 684, 694, 713, 714, 724 and 749; Judiciary II - 632, 634, 644, 645, 646, 647, 648, 649, 650, 651 and 735; Labor and Commerce - ...562, 642, 663, 671, 711, 720 and 721; Local Government - 621, 722, 727, 732, 734, 738 and 739; Public Health, Welfare and Corrections - 639, 640, 653, 657, 685 and 689; Revenue -

654, 660, 661, 662, 665, 666, 690, 700, 736, 741, 747 and 748; Transportation - 643.

Agriculture, Conservation and Energy - 753, 757, 764, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 830, 833, 842 and 849; Elections and Reapportionment - 754; Executive Appointments - 823; Executive - 776, 783, 794, 796, 798, 803, 831, 832, 836, 837, 839, 840, 841, 847 and 848; Finance and Credit Regulations - 759, 761, 767, 768, 786, 793, 795, 834 and 835; Insurance, Pensions and Licensed Activities - 752, 756, 758, 770, 787, 790, 800, 817 and 818; Judiciary I - 762, 763, 819, 820, 821, 824; Judiciary II - 825, 844; Labor and Commerce - 751, 773, 774, 777, 778, 779, 788, 789, 791, 845 and 846; Local Government - 780, 781, 782, 784, 785 and...843; Public Health, Welfare and Corrections - 750, 765, 766, 772, 775, 792, 799, 801, 802, 804, 822, 826, 827, 828, 829 and 838; Transportation - 755, 760, 769, 771 and 797.

Agriculture - ...855, 870, 872, 885, 886, 892, 906, 917, 922, 923, 926, 927, 928, 931, 932, 934, 945, 946, 978, 987 and 988; Appropriations I - 921; Appropriations II - 863; Elections and Reapportionment - 989 and 997; Elementary and Secondary Education - 687, 883, 903, 913, 958 and 969; Executive - ...992...851...that was 692, 851, 852, 861, 864, 865, 868, 878, 879, 881, 887, 888, 889, 890, 896, 897, 901, 905, 908, 925, 994; Finance and Credit Regulations - 882, 900, 902, 910, 912, 914, 915, 916, 947, 957, 991, 992, 1000; Higher Education - 869, 909 and 973; Insurance, Pensions and Licensed Activities - 859, 860, 866, 873, 876, 891, 898, 899, 904, 907, 933, 940, 942, 952, 955 and 974; Judiciary I - 856, 871, 884, 859, 860, 861, 862,...961, 962, 963, 964, 965, 966, 967, 968, 972, 975, 986, 990 and 999; Judiciary II - 810, 853 and 970; Labor and Commerce - 857, 858, 868, 930, 949, 951, 953, 954 and 995; Local Government - 744, 920, 937, 971, 976, 979 and 980; Public Health, Welfare and Corrections - 862,

874, 875,...877, 880, 918, 924, 935, 936, 938, 939, 941, 943, 944, 950, 956, 982, 983, 984,...996, 993, 1001; Revenue - 893, 894 and 919; Transportation - 854, 895, 911, 924, 948, 977, 981, 985 and 993.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the...I am directed to inform the Senate the House of Representatives has passed the following bills and instructed to ask the concurrence of the Senate, to-wit.

House Bills 72 and 590.

PRESIDENT:

Further business to come before the Senate? If not, Senator Chew moves that the Senate stand adjourned until tomorrow at the hour of noon. The Senate stands adjourned until Wednesday at the hour of noon.

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 17, 1985

PRESIDENT:

The Senate Committee on Judiciary, I am informed, has concluded its business, so the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. The prayer this afternoon by Rabbi Israil Zoberman, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the reading and the approval of the Journals of Wednesday, April 10th; Thursday, April the 11th; Friday, April 12th and Tuesday, April 16th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

...heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Thank you, Senator. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of Executive Appointments, Veterans' Affairs and Administration, reports out the following Senate bills:

229 and 230 with the recommendation Do Pass.

Senator Jones, chairman of Insurance, Pensions and Licensed Activities, reports out the following Senate bills:

137 and 309 with the recommendation Do Pass.

19, 98 and 301 with the recommendation Do Pass as Amended.

Senator Savickas, chairman of the Committee on Assignment

of Bills, reports that the following Senate bills have been assigned to committees:

Agriculture, Conservation and Energy - 1009, 1025, 1026, 1032, 1039, 1045, 1081, 1086, 1087, 1119, 1133, 1146, 1147, 1148, 1149, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1173, 1177, 1181, 1182, 1201, 1237, 1257, 1261, 1313, 1314, 1315, 1316, 1327, 1331, 1332, 1346, 1347, 1351, 1373, 1423, 1444, 1448, 1450, 1451, 1452 and 1461; Appropriations I - 1033,...1092, 1112, 1368 and 1411; Appropriations II - 1175, 1194, 1263, 1410 and 1460; Elementary and Secondary Education - 1050, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1105, 1113, 1140, 1174, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1239, 1240, 1241, 1267, 1268, 1269, 1270, 1271, 1272, 1276, 1277, 1278, 1280, 1281, 1282, 1302, 1317, 1321, 1324, 1335, 1339, 1342, 1344, 1345, 1378 and 1382; Higher Education - 1023, 1108, 1127, 1128, 1162, 1322, 1358, 1384, 1385, 1387 and 1418; Elections and Reapportionment - 1088, 1089, 1090, 1093, 1094, 1096, 1097, 1098, 1099, 1101, 1103, 1104, 1139, 1180, 1195, 1334, 1420 and 1456; Executive - 1003, 1005, 1011, 1012, 1019, 1020, 1021, 1022, 1028, 1035, 1036, 1038, 1042, 1100, 1106, 1107, 1109, 1110, 1116, 1134, 1135, 1136, 1137, 1158, 1176, 1189, 1193, 1219, 1251, 1264, 1275, 1279, 1305, 1306, 1326, 1328, 1329, 1330, 1333, 1336, 1361, 1364, 1366, 1367, 1379, 1389, 1392, 1424, 1457, 1458 and 1459; Finance and Credit Regulations - 1077, 1142, 1143, 1144, 1145, 1179, 1191, 1192, 1204, 1260, 1297, 1325, 1343, 1350, 1377, 1393, 1413, 1419 and 1434; Insurance, Pensions and Licensed Activities - 1006, 1007, 1030, 1047, 1048, 1049, 1062, 1061, 1066, 1068, 1069, 1074, 1080, 1120, 1122, 1131, 1132, 1138, 1172, 1187, 1199, 1203, 1205, 1206, 1220, 1221, 1222, 1223, 1224, 1234, 1246, 1247, 1257, 1258, 1266, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1298, 1299, 1301, 1304, 1309, 1311, 1323, 1353, 1354, 1355, 1357, 1359, 1362, 1375, 1381, 1390, 1394, 1407, 1453 and 1462; Judiciary I - 1002, 1031,

1075, 1102, 1115, 1118, 1123, 1150, 1190, 1200, 1208, 1224, 1227, 1307, 1310, 1320, 1337, 1356, 1374, 1380, 1391, 1398, 1417, 1422, 1431, 1437, 1438, 1440, 1441, 1442 and 1449; Judiciary II - 1008, 1060, 1083, 1121, 1188, 1196, 1197, 1202, 1226, 1262, 1274, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1300, 1303, 1341, 1349, 1365, 1416, 1427, 1428, 1429, 1430, 1432, 1433, 1436, 1439, 1443, 1445, 1446 and 1447; Labor and Commerce - 1040, 1064, 1067, 1126, 1129, 1130, 1156, 1225, 1228, 1252, 1253, 1255, 1400, 1401, 1402, 1403, 1404 and 1421; Local Government - 1010, 1034, 1041, 1043, 1044, 1059, 1065, 1076, 1124, 1153, 1159, 1230, 1236, 1245, 1248, 1249, 1250, 1254, 1308, 1312, 1348, 1360, 1372, 1399, 1408, 1412, 1425, 1426 and 1435; Public Health, Welfare and Corrections - 1004, 1013, 1014, 1015, 1016, 1017, 1018, 1046, 1051, 1084, 1114, 1125, 1151, 1152, 1160, 1161, 1171, 1183, 1184, 1185, 1186, 1238, 1370, 1371, 1383, 1386, 1388 and 1396; Revenue - 1024, 1029, 1037, 1063, 1078, 1079, 1154, 1155, 1178, 1198, 1209, 1231, 1235, 1242, 1243, 1256, 1273, 1318, 1319, 1338, 1340, 1363, 1376, 1395, 1405, 1506, 1409,...and that must be 1406, and 1415; Transportation - Senate Bills 1027, 1070, 1071, 1072, 1073, 1082, 1085, 1091, 1095, 1111, 1117, 1141, 1157, 1207, 1229, 1232, 1233, 1244, 1265, 1352, 1369 and 1397.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed a bill with the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 37.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 135 offered by Senator Rock and all Senators.

Senate Resolution 136, by Senator Davidson, and it's congratulatory.

Senator Rock's resolution was commendatory.

Senate Resolution 137, by Senator Keats. It's congratulatory.

Senate Resolution 138, by Senator Macdonald. It's congratulatory.

Senate Resolution 139, by Senators Bloom, Sommer and Dawson, and it's commendatory.

Senate Resolution 150, by Senator Sangmeister and all...Senator Sangmeister, Kelly, Mahar and all Senators, and it's congratulatory.

Senate Resolution 141, by Senator Vadalabene. It's congratulatory.

Senate Joint Resolution 40 offered by Senator Davidson and all Senators, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 40 offered by Senator Schaffer, it's a Constitutional Amendment.

And Senate...Senate Joint Resolution...this is 41, okay...Senate Joint...Resolution 41 Constitutional Amendment, by Senator Schaffer.

And Senate Joint Resolution 42, by Senator Jeremiah Joyce.

PRESIDENT:

Executive. Senator Lemke, for what purpose do you arise, sir?

SENATOR LEMKE:

As chairman of Judiciary I Committee, I would like to

make a motion and request that our meeting be moved up to eight-thirty in the morning to accommodate the Holocaust service at eleven o'clock. I think it would be fitting to have a meeting at eight-thirty in the morning and I'd to have permission...to have leave.

PRESIDENT:

All right, the gentleman has requested leave to move the Judiciary I Committee meeting tomorrow morning, Thursday, April 18th, from the hour of ten back to the hour of 8:30 a.m. to accommodate the Holocaust ceremony which will take place at eleven. Is leave granted? Leave is granted. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For purpose of announcement. Mr. President and members of the Senate, we have just assigned over nine hundred bills. There may be a few that have been put into the wrong committees and those of you that are concerned, if you'll just contact my office today, tomorrow morning we will make the motion to reassign those bills that have be misassigned. Give us...but I would need a reason why we misassigned it. Tomorrow we will make the motion all in one for reassignment.

PRESIDENT:

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, first of all, I would like to have some attention. Thank you, Mr. President. There'll be a...a Democratic Caucus in Room 212, immediately. If we work smoothly, the caucus should not last any longer than thirty minutes. Democratic Caucus in Room 212, immediately.

PRESIDENT:

All right, that request is in order. A Democratic Caucus, immediately, in Room 212, hopefully, not more than thirty minutes. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, there will be a Republican Caucus in Senator Philip's Office, immediately and I hope we can adhere to the thirty minute rule also, I hope.

PRESIDENT:

We...we both hope. All right, the Senate will stand in Recess for the purpose of a Republican Caucus in Senator Philip's Office, immediately; a Democratic Caucus in Room 212, immediately. The Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Committee reports.

SECRETARY:

Report from the Committee on Committees.

There is hereby created the Committee on State Government Reorganization. The members of the Committee are as follows:

Senator Darrow, chairman; Poshard...Senator Poshard, vice-chairman; Senators Lechowicz, Carroll, Hall, O'Daniel and D'Arco. Senator Kustra is the Minority Spokesman, Weaver, Dudycz, Bloom and Sommer. Senator Vadalabene, chairman...of Committee on Committees.

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills to Reorganization of State Government Committee:

Senate Bills 1414, 1454 and 1455.

Senator Berman, chairman of Elementary and Secondary Education, reports out the following Senate bills:

191 with the recommendation Do Pass.

42, 78, 151, 210, 302 with the recommendation Do Pass as Amended.

Senator Marovitz, chairman of Judiciary II Committee, reports out Senate Bills 130 and 341 with the recommendation

Do Pass.

And Senate Bill 190 with the recommendation Do Pass as Amended.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 263, together with House Amendment No. 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 142 offered by Senators Kustra and Carroll. It's congratulatory.

143, by Senator Savickas, congratulatory.

144, by Senator Savickas, congratulatory.

And Senate Joint Resolution 43, by Senator Dawson and it's congratulatory.

PRESIDENT:

Consent Calendar. All right, any further business to come before the Senate? Any announcements? Further business to come before the Senate or any announcements? The final order of business will be the...Senator Newhouse has a death resolution, that will be the final order of business. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 145. It's a death resolution offered by Senator Newhouse and all Senators.

PRESIDENT:

Senator Newhouse on Senate Resolution 145.

SENATOR NEWHOUSE:

Mr. President, I move that we suspend the rules for the immediate adoption and consideration...consideration and adoption of this death resolution.

PRESIDENT:

All right, Senator Newhouse has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 145. It is a death resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. All in favor of the adoption of the resolution indicate please by rising. The resolution is adopted. The Senate stands adjourned until noon tomorrow.

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 18, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of twelve-thirty having arrived, the Senate will come to order. Members will be at their desks. All...unauthorized persons will please vacate the Floor. Our prayer today is by Rabbi Barry Marks, Temple Israel of Springfield. Rabbi.

RABBI MARKS:

(Prayer given by Rabbi Marks)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journal.

SECRETARY:

Wednesday, April the 10th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Senator Hall.

SENATOR HALL:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, April the 11th; Friday, April the 12th; Tuesday, April the 16th and Wednesday, April the 17th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee,

reports out the following Senate bills and resolutions:

Senate Bill 311, 312, 349 and 422 with the recommendation Do Pass.

Senate Bill 82 and 230 with the recommendation Do Pass as Amended.

Senate Bill 316 with the recommendation Do Not Pass.

Senate Resolution 98 and 104 recommend adoption.

Senate Resolution 103 recommend adoption...as amended.

Senate Joint Resolution 27 and 31 recommend adoption.

Senate Joint Resolution 25 and 26 recommend adoption as amended.

House Joint Resolution 4 recommend adoption.

Senator Degnan, chairman of Local Government Committee, reports out the following Senate bills:

14, 321, 322, 343, 348, 373, 376, 425, and 431 with the recommendation Do Pass.

Senate Bill 158, 172, 176, 236, 283, 335 and 405 with the recommendation Do Pass as Amended.

Senator Dawson, chairman of Public Health, Welfare and Corrections Committee, reports out the following Senate bills:

84, 103 and 193 with the...recommend...Do Pass as Amended.

Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy Committee, reports out the following Senate bills:

418 and 432, recommend Do Pass.

20, 86, 406, recommend Do Pass as Amended.

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills:

131, 235, 259, 267, 270, 372, 416, 433, 435 and 517 with the recommendation Do Pass.

225, 266, 300 and 434 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 33, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. WICS-TV has requested permission to tape. Is permission granted. Is leave granted? Leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

...I'd like to ask leave to have...Mr. President and Ladies and Gentlemen of the Senate, I request leave to have my name removed from Senate Bill 1227 and the...Senator Carroll will be the sponsor of that bill. I would also...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well,...you've...you've heard the request. Senator Hall has asked leave of the Body to be removed as a sponsor of Senate Bill 1227 and that Senator Carroll be added. Is leave granted? Leave is granted. Senator Hall.

SENATOR HALL:

Thank you. And I also would like for Senate Bill 1457, I'd like leave...that bill will show Hall-Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has requested that Senate Bill 1457 to be...to read Hall...

SENATOR HALL:

Hyphen...Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...hyphen, Poshard. Is leave granted? Leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 370 is ...is presently in the Agriculture Committee and I would like to...to move that back so that I can Table Senate Bill 370.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, that motion is in order, you may do that right now. Senator Vadalabene has moved to Table...Senator Vadalabene moves to discharge the Committee on Agriculture, Conservation and...and Agriculture...and Energy from further consideration of Senate Bill 370 for the purpose of Tabling the bill. Is leave granted? Leave is granted. Senator Vadalabene now moves to Table Senate Bill 370. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr. President and members of the Senate, for the purpose of announcements. Yesterday, we announced that there were some bills that were inadvertently assigned to wrong committees and that we would try to resolve that today. I do have a initial list and I've talked to both the sponsors and to the committees. So, I would at this time move to discharge the following committees from further consideration of the following bills and ask that they be reassigned to the following committees: Senate Bill 109 from the Committee on Insurance to the Committee on Agriculture, Senate Bill 694 from Judiciary II to Judiciary I, Senate Bill 771 from the Committee on Transportation to the Committee on Executive, Senate Bill 823 from the Committee on Executive Appointments to the Committee on Executive, Senate Bill 899 from the Committee on Insurance to Executive, Senate Bill 916 from the

Committee on Finance to Judiciary I, Senate Bill 1021 from the Committee on Executive to Agriculture and Senate Bill 1158 from the Committee on Executive to Transportation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the...you've heard the motion put by Senator Savickas. Is there any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Savickas, would you give the Secretary a list of those reassignments. Senator Savickas.

SENATOR SAVICKAS:

Yes. And I would also at this time move to suspend Senate Rule 7, that's with respect to the Six-day Posting Requirement, for the purpose of allowing committees to post bills up to 5:00 p. m. Friday, April 19th for committee hearings that are scheduled for the week commencing April 21st.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved to suspend...Rule 7...all right, with regard to the Six-day Posting Notice. Is there any discussion? If not, those in...Senator...if...if not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rule is suspended. Senator Savickas. Senator Lemke, for what purpose do you arise? Senator Lemke.

SENATOR LEMKE:

I would like to have the...on...on Senate Bill 372, the Senate sponsorship should read Lemke-Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke seeks leave of the Body to add Senator Geo-Karis as a hyphenated cosponsor of Senate Bill 372. Is leave granted? Leave is granted. So ordered. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate, for the purpose of an introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Senator Hudson.

SENATOR HUDSON:

In the gallery, behind the Chair...above the Chair, we have a group of students from the Thompson Junior High School in Oswego. Now, these are students...eighth grade students, and my understanding is that they are all honor students in U. S. History. And they're down here...they're down here with their teacher, Tom Fletcher, and his father is also with him. And I would ask that they rise and be recognized...at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I would like leave of the Body, and I have permission of the sponsors, to be shown as a hyphenated sponsor on Senate Bill 109.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 109. Is leave granted? Leave is granted. It's so ordered. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Thank you, President...Mr. President. I'd like to ask leave of the Body to add as hyphenated cosponsors on Senate Bills 199, 200 and 1421, Senators Collins, Chew, Jones and Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Collins, Chew, Jones and Hall. All right. Senator Newhouse has asked leave of the Body to add Senator Collins, Chew, Jones and Hall to Senate Bill 199, Senate Bill 200 and Senate Bill 1421. Is leave granted? Leave is granted. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you...thank you, Mr. President. I would like to be considered a hyphenated cosponsor on Senate Bill 233 and Senate Bill 694.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 233 and Senate Bill 694. Is leave granted? Leave is granted. Senator D'Arco.

SENATOR D'ARCO:

...also, Mr. President, I would like to rerefer Senate Bill 326 to the Committee on Financial Institutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco...

SENATOR D'ARCO:

It was originally heard in that committee and at that time the chairman was not present, and there is more testimony involved and I would like to rerefer it in order that the chairman would hear the testimony on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have you spoken with the chairman of the...Assignment of Bills...?

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The bill is on 2nd reading in the Senate. It is on page 4 of your Calendar, Senate Bill 326. Senator D'Arco has...has moved that the bill be rereferred to the Committee on Financial Institutions. Is...is there any discussion? All right. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The bill is rereferred to the Committee on Financial...Finance and Credit Regulations. All right. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, my Senate Bill...823 was assigned to Executive Appointments and Veterans' Affairs. Senator Lechowicz' Office called me and suggested I make a motion to discharge 'cause it was then referred to Executive Committee. I checked with the chairman of the Executive Committee and the minority spokesman and also the minority spokesman of the...Executive Appointments and they...do not object for me to ask to suspend the rules and put this bill on 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, what is...what...what...what was the number of the bill again?

SENATOR GEO-KARIS:

823, Senate Bill 823.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And it currently reposes in the Committee on Executive Appointments?

SENATOR GEO-KARIS:

They just moved it to Executive and I cleared it with the chairman of Executive to...suspend the rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis...Senator Geo-Karis moves to...

SENATOR GEO-KARIS:

...the rules...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...to discharge the Committee...

SENATOR GEO-KARIS:

...and place on 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...on Executive from further consideration of Senate Bill 823 and that the bill be advanced to the Order of 2nd Reading. All right. Those in favor of that motion...is

there any discussion...relevent to that point? All right. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The bill is discharged and will be on the Order of 2nd Reading. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Thank you, Mr. President. I ask leave of the Body to be added as a hyphenated cosponsor, with permission of the chief sponsor, to Senate Bills 27, 333 and 377.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz has requested to be added as a cosponsor of Senate Bills...I assume it's a hyphenated co-sponsor, is that correct?

SENATOR DUDYCZ:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...of Senate Bills 27, 333 and 377. Those...you've heard...is leave granted? Leave is granted. So ordered. Senator Newhouse, for what purpose do you rise? Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Yes, Mr. President, I'd like to be added as a hyphenated chief sponsor of Senate Bill 374. I have the sponsor's permission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito seeks leave of the Body to be named as the hyphenated ...cosponsor of Senate Bill 374. Is leave granted? Leave is granted. So ordered. What have you got, Kenny? All right. All right. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 149 offered by Senator Topinka. It's congratulatory.

Senate Resolution...146, rather.

And Senate Resolution 147 offered by Senator Philip and all members and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 148 offered by Senators Berman, Carroll, Marovitz and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen...if we can have some order, please. If we can have some order, please, and break up the caucuses. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen, if I could have your attention for a moment. A short time ago...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, if we can have some order, please. The members would be in their seats. Senator Berman.

SENATOR BERMAN:

...we are in the middle of a week that has been commemorated by resolution of the Governor of this State, by the President of the United States and by this Senate Resolution 148 to commemorate the Holocaust. And I would ask at the appropriate time to waive the appropriate rules for immediate consideration, Mr. President, of this resolution and to be allowed to read the resolution for this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Berman has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 148. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senate Resolution 148, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President.

(Senator Berman reads SR 148)

Mr. President and members of the Senate, I stand here and I wear a yellow armband with the Jewish Star of David. These were worn by the participants this morning at eleven o'clock at the Old State Capitol at a memorial service attended by the Governor of this State who spoke eloquently and by other participants including a number of our colleagues from the Illinois Senate that joined us. The atrocities cannot be adequately enumerated, they can never be remembered adequately. We try on this day in this week to recall a terrible chapter of our history of man's inhumanity to man, and it is not only for the Jews that died but for all persons that perished in the Nazi Holocaust and even more so for the indifference shown by all peoples in the world to that terrible tragedy. Accordingly, Mr. President, I would move for the immediate adoption of Senate Resolution 148 and I appreciate your courtesies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Senate Resolution 148. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 148 is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to have as an immediate cosponsor the addition of Senator James Rupp on Senate Bill 617 and also Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis seeks leave of the Body to add Senators Rupp and Watson to Senate Bill 617. Is leave granted? Leave is granted. So ordered. All right. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

SB. 19 2nd Reading

...Mr.. President, with leave of the Body and permission of the sponsor, I move that Senate Bill 1025 be indicated Demuzio-Poshard, not Poshard-Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is leave granted? Leave is granted. So ordered. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

With the permission of...of the sponsor, I would like to be added as hyphenated sponsor on Senate Bill 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Holmberg requests leave of the Body to be added as a hyphenated co-sponsor of Senate Bills 24. Senate Bill 24. Is leave granted? Leave is granted. So ordered. All right. With leave of the Body, we will go to Senate bills on 2nd reading. Is leave granted? Leave is granted. On page 2 of your Calendar today, Senate bills on 2nd reading, Senate Bill 19, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

(Machine cutoff)...Bill 19.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Committee amendment.

SENATOR WELCH:

Could the Secretary read the amendment?

SECRETARY:

(Secretary reads the amendment)

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's a committee amendment, Senator.

SENATOR WELCH:

The amendment was basically to clarify which type of

water heaters were applied and what kind of standards were to be used. There was some question as to whether there would be support from the Department of Energy and Natural Resources, and it was their amendment that was added.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Committee Amendment No. 1 to Senate Bill 19. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bills 29, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please. Senate Bill 29.

SECRETARY:

Senate Bill 29.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 31, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please. Senate Bill 31.

SECRETARY:

Senate Bill 31.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

...no Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...there is a list of bills that we have not yet received back from the committee clerk; therefore, they are not before us. Senator Topinka, Senate Bill 42 is one of those bills. If we get...if we...if we get the bills we'll get back to you shortly. Okay? Senate Bill 74, Senator Smith. Senator Smith on the Floor? 75. Senate Bill 80, Senator Vadalabene. Read the bill, Mr. Secretary, please. Senate Bill 80.

SECRETARY:

Senate Bill 80.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator...Rupp and Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Vadalabene, are you going to handle the amendment? Senator Vadalabene.

SENATOR VADALABENE:

All right. Thank you, Mr. President and members of the Senate. This amendment was agreed in the...in the committee and it was offered on the Floor today by Senator Rupp and myself which explains that the State of Illinois may not expend any funds for any purpose connected with the project authorized pursuant to this Amendatory Act of 1985. This is the bistate amendment bill...or bill, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 80. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 98, Senator Fawell. On the Order of Senate Bills 2nd Reading is Senate Bill 98. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 98.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell to explain the committee amendment.

SENATOR FAWELL:

Thank you, very much. This is indeed the committee amendment and it becomes the Act. All this Act does is say who can use the Doctor of Medicine. I will explain this later on 3rd reading, but it is...it is a definition that has been agreed to by the medical society. I'll be more than happy to answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the adoption of Committee Amendment No. 1. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB137 2nd Reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 130, Senator Collins. Senator Collins on the Floor? Senate Bill 137, Senator Topinka. On the Order of Senate Bills 2nd Reading, the bottom of page 2, is Senate Bill 137, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 137.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 3, Senate Bill 164, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 164.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there is...my Calendar indicates there is a Floor amendment. Senator Lemke, we do not have it. Do you want to bring it down? All right. The Secretary has it.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...is what we talked about in committee. This bill gives the parents the right to recover civil damages against drug pushers who sell drugs to minor children. The amendment expends...expands the bill's scope to cover the drug supplier which gets into the chain. Usually it's the drug supplier that has the money and not the person selling it, he's usually a user himself. I think it's a good amendment, I ask for its...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 164. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 180, Senator Karpiel. 190, Senator Dudycz. On the Order of Senate Bills 2nd Reading, top of page 3, is Senate Bill 190. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 190.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, committee amendment. All right. Senator Dudycz, this is a committee amendment. You wish to have the Clerk to read it?...Mr. Secretary, would you please read the amendment.

SECRETARY:

(Secretary reads the amendment)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz. Senator Dudycz moves the adoption of Committee Amendment No. 1 to Senate Bill 190. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 229, Senator Vadalabene. All right. Senator Netsch, a few minutes ago I read that the Secretary had handed me a list indicating that these bills were physically not up here because they had not received them from the...from the committee clerk; they being, 42, 78, 151, 191, 210 and 302. We will not lose it. WCIA-TV requests permission to videotape. Is leave granted? Leave is granted. All right. Senate Bill 229, Senator Vadalabene wishes to have that bill called, Mr. Secretary. Senate bills 2nd reading is 229.

SECRETARY:

Senate Bill 229.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 230, Senator Vadalabene wishes

to have that one called. Senate Bill 230, Mr. Secretary.

SECRETARY:

Senate Bill 230.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 238, Senator Marovitz. On the Order of Senate Bills 2nd Reading is 238. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 238.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would ask that the Senate do adopt Committee Amendment No. 1 to Senate Bill 238. The amendment deletes provisions requiring the first five hundred dollars of the proceeds from the art sale to go to the artist and allows contracts to be entered into up to seven days after delivery of the art. The seven-day period was not in the original bill. These changes were suggested by art gallery owners and dealers to make the provisions of the Act less burdensome to them and are agreed amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 238. Is there any

discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 243, Senator Coffey. On the Order of Senate Bills 2nd Reading, the bottom of page 3, is Senate Bill 243. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 243.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 244, Senator Coffey. Read the bill, Mr. Secretary, please. Senate Bill 244.

SECRETARY:

Senate Bill 244.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 249, Senator Holmberg. Bottom of page 3 is Senate Bill 249. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 249 had a request for a fiscal note, has been answered by the Director of the Illinois Department of Revenue.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister, before we get to that, Ross Cabot of WAND-TV, Decatur, requests permissions to shoot in the Senate gallery today, I assume he means pictures. Is leave granted? Leave is granted. Senator Sangmeister is recognized on Amendment No. 1 to Senate Bill 249. Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. I'll withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister seeks leave of the Body to withdraw Amendment No. 1. Is leave granted? Leave is granted. The...amendment is withdrawn. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 4 is Senate Bill 265, Senator Geo-Karis. Top of page 4 is Senate Bill 265. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 265.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Geo-Karis and Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would...is Amendment No. 1 an amendment consisting of just three lines? Mr. Secretary, is Amendment No. 1 an...an amendment consisting of just three lines?

SECRETARY:

Yes, that's right.

SENATOR GEO-KARIS:

I'd like to withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis seeks leave to withdraw Amendment No. 1. Is leave granted? Leave is granted. The amendment is withdrawn. Any further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 1...it's said that recommendation to the Civic Federation of Chicago through Michael Thom, which...to which I agreed to...with the committee and with Mr. Thom that I would put on here. And I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 265. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes

have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 292, Senator Jerome Joyce. 292. All right. The top of page 4, Mr. Secretary, is Senate Bill 292. Would you read the bill.

SECRETARY:

Senate Bill 292.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 297, Senator Watson. Senate Bill 301, Senator Berman. On the Order of Senate Bills 2nd Reading is Senate Bill 301. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 301.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 is an amendment adopted in committee that delineates the areas of operation for the fire adjusters and the prohibition regarding the unauthorized practice of law. I move for the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 301. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 309, Senator Sangmeister. On the Order of 2nd Reading, Senate Bills 309. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 309.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 326 was recommitted earlier today. Senate Bill 327, Senator Vadalabene. Could we break up the caucus...in front of Senator Vadalabene. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, Senate Bill 327, I would like to rerefer back...or have leave to rerefer that back to the Committee on Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

What committee, Senator? I'm sorry, I didn't hear.

SENATOR VADALABENE:

Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene moves to recommit Senate Bill 327 back to the Committee on Executive. Is leave granted? Leave is granted. The bill is recommited. Senate Bill 341, Senator Geo-Karis. 341. Mr. Secretary, read the bill. Senate Bill 341.

SECRETARY:

Senate Bill 341.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 345, Senator Netsch. Senator Netsch. Senate Bill 378, Senator Bloom. Senator Bloom on the Floor? Senate Bill 394, Senator Darrow. Read the bill, Mr. Secretary, please. 394.

SECRETARY:

Senate Bill 394.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Darrow...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SECRETARY:

...and Dawson.

SENATOR DARROW:

Thank you, Mr. President. Senate Amendment No. 1 merely exempts Chicago from the effect of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 394. Is there any discussion? Senator Etheredge. Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Question of the sponsor...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will...

SENATOR ETHEREDGE:

...Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator Darrow, I just want to make sure that I understand the impact of...of this amendment. This...the bill itself eliminates a tax on a tax. If I understand the thrust of your amendment correctly, what this means is that the...the citizens of Chicago would have to continue to pay this tax on tax, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

That's up to the citizens of Chicago and my...indications from their representatives down here is that they would appreciate it if we would not have this legislation apply to them. I'm concerned about my district and so...if that's their feeling up there, I'm willing to exempt them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just to...just to clarify...seems to be kind of a weird situation here. You mean to say that if we don't exempt

Chicago, then if the bill passes we can remove the tax on tax in Chicago? And the City of Chicago wants to exempt themselves?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Darrow.

SENATOR DARROW:

No, you have it backwards. With the adoption of the amendment, we exempt Chicago out so there will be no revenue loss to the City.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Dudycz.

SENATOR DUDYCZ:

I have a question for the...sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator, which representatives from Chicago indicated that they wish to be excluded?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well,...Senator Dawson seemed to indicate so by sponsoring this amendment with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz.

SENATOR DUDYCZ:

Senator Dawson is representing the entire City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Darrow.

SENATOR DARROW:

No, but on occasion I think his ward committeeman does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. On that, Senator Darrow

moves the adoption of Amendment No. 1 to Senate Bill 394. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No.1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow on Amendment No. 2. Can we break up the caucus in front of Senator Darrow.

SENATOR DARROW:

Amendment No. 2 came up in committee, Senator Rigney was concerned about this and so this is the amendment to answer his concern. It...it exempts the bill from the State Mandates Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow has moved the adoption of Amendment No. 2 to Senate Bill 394. Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well,...I do not believe that if you check the State Mandate's Act...I don't believe under the State's Mandate's Act that you can exempt by reference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator DeAngelis, is that a question, a statement, or...

SENATOR DeANGELIS:

Well, just...just to clarify what Senator Darrow said, I don't think that takes care of Senator Rigney's problem because you cannot exempt by reference. You can exempt by consent but you can't exempt by reference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Further discussion? Senator Darrow may close.

SENATOR DARROW:

Well, there's a question whether...first of all, whether the State Mandate's Act applies or not. In order to make sure that it does not, we've used this method. It's the same method we've used over the years. The staffs have drafted this amendment and it would appear appropriate. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow moves the adoption of Amendment No. 2 to Senate Bill 394. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments? Any further amendments? Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 419. Is Senator Savickas on the Floor? Seth Pearlman of the AP has requested leave to take still photos. Is leave granted? Leave is granted. The...with leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. Mr. Secretary, on the Order of Resolutions.

SECRETARY:

Senate Resolution 149 offered by Senator Newhouse, commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions Consent Calendar. Resolutions Consent Calendar, Mr. Secretary.

SECRETARY:

No objections have been filed, Mr. President, but we have added Senate Resolution 146, 147, 149 and House Joint Resolution 33.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Resolutions Consent Calendar consists of those resolutions that have been printed and have been dis-

tributed to the membership, and with leave of the Body, we will add House Joint Resolution 33, Senate Resolution 146, Senate Resolution 147 and Senate Resolution 149. Is leave granted to add those to the Resolutions Consent Calendar? Leave is granted. It's so ordered. Mr. Secretary, have there been any objections filed to...to the...to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoptions of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask leave of the Senate on House Bill 72 to show the sponsorship...excuse me...Poshard...Poshard-Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson wishes to have Senator...the Senate...House Bill 72 to read Poshard-Davidson. With leave of the Body...is leave granted? Leave is granted. So ordered.

PRESIDENT:

Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. I would like to ask leave to be removed as a cosponsor of Senate Bill 262.

PRESIDENT:

The gentleman seeks leave to be removed as a cosponsor of Senate Bill 262. Without objection, leave is granted. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President, I ask leave to have my name removed from

Senate Bill 262.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The gentleman seeks leave to have his name removed from 262. Is leave granted? Leave is granted. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Mr. Chairman, I ask leave to have my name removed from Senate Bill 262.

PRESIDENT:

The gentleman seeks leave to have his name removed from Senate Bill 262. Without objection, leave is granted. Senator Darrow, for what purpose do you arise?

SENATOR DARROW:

A similar request.

PRESIDENT:

Senator Darrow seeks leave to have his name removed from Senate Bill 262. Is leave granted? Leave is granted. Senator Joyce. The sink is ship...sinking here, yes. Senator Joyce seeks leave to remove his name from Senate Bill 262. Is leave granted? Leave is granted. Senator Coffey, for what purpose do you arise, sir?

SENATOR COFFEY:

Thank you, Mr. President, for the same reason on...262.

PRESIDENT:

All right. Senator Coffey seeks leave to have his name removed as a cosponsor of 262. Without objection, leave is granted. Senator Donahue, similar request. Leave is granted. Senator Chew asks to remain as a cosponsor. Senator Luft seeks leave to have his name removed as a cosponsor. Is leave granted? Leave is granted. Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. Chairman. In my case, two brilliant minds came up with but one thought. Senator Jeremiah Joyce and I both put in the same bill, Senate Bill

8. So, I would like to place him as a hyphenated cosponsor on Senate Bill 8. And I think he's planing on removing his, so that we end up with one bill that we're talking about.

PRESIDENT:

All right. The lady seeks leave to have Senator Jeremiah Joyce shown as a cosponsor of Senate Bill 8. Is leave granted? Leave is granted. Senator Poshard.

SENATOR POSHARD:

Mr. Chairman, I'd like to have my name removed as cosponsor of Senate Bill 1-4-5-7, 1457.

PRESIDENT:

All right. Gentleman seeks leave to have his name...himself removed as cosponsor of Senate Bill 1457. Without objection, leave is granted. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Two, Mr. President. First of all, with leave of the Body, I would like to be added as the principal cosponsor of Senate Bill 326. I...I assume I'm on 262 already, but 326. And also, if I may, have two bills...rereferred. They have been assigned to Appropriations II and should have been assigned to Appropriations I. I would therefore ask, Mr. President, that Senate Bill 863 and Senate Bill 1410 be taken from the Committee on Appropriations II and reassigned to the Committee on Appropriations I.

PRESIDENT:

All right. The gentleman seeks...has moved to discharge the Committee on Appropriations II from further consideration of Senate Bills 863 and 1410 for the purpose of rereferral to the Committee on Appropriations I. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. The gentleman is also seeking leave to be added as a cosponsor of Senate Bill 326. Without objection, leave is granted. Mes-

sages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 262 together with House Amendment No. 3.

PRESIDENT:

All right. In order to expedite the schedule, I know everybody is in a hurry, with leave of the Body, we'll move to the Senate Calendar, Supplemental Calendar No. 1, Senate Bill 262 on the Order of Secretary's Desk Concurrence. On the Order of Secretary's Desk Concurrence on Senate Calendar Supplemental No. 1 is Senate Bill 262. Mr. Secretary.

SECRETARY:

With House Amendment...Senate Bill 262 with House Amendment No. 3.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. On Senate Bill 262, the Amendment No. 3 that was added by the House, I doubt very seriously if there's anybody in this Chamber that is not aware of the provisions that are in this supplemental request. We sent a twenty-five million dollar appropriation bill for the emergency farm relief to the...to the House and...and it is back. It has some of the controversial...perhaps the most controversial, I guess, provision is the money for the pay raises of approximately seventy-seven million dollars. It has seventy-five million dollars of revenue, lottery prizes; fifty-five million dollars worth of income tax refunds, debt service on the Coal Bond Development Act, Inheritance Tax distribution of eight hundred and seventy-five thousand, reapportionment fees...in-home services operations,

Southworks study, debt service on the civic centers in Rockford and Danville, the Federal Solar Bank, energy conservation, the Fermi Lab study, the general and refugee assistance, which I am told is a...or at least it's shown as a transfer. It would seem to me that this has been debated on numerous occasions, everyone knows what's in it. I would move for the concurrence of Amendment No. 3 to Senate Bill 262.

PRESIDENT:

The gentleman has moved that the Senate concur in House Amendment No. 3...Mr. Secretary, is that the amendment number?

SECRETARY:

Number 3, yes.

PRESIDENT:

All right. House Amendment No. 3 to Senate Bill 262. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 262. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 25, none voting Present. Senator Demuzio.

SENATOR DEMUZIO:

Perhaps we might have a postponed consideration.

PRESIDENT:

All right. The gentleman seeks leave to have further consideration postponed. Resolutions, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Joint Resolution 44.

(Secretary reads SJR 44)

PRESIDENT:

Senator Demuzio, the adjournment resolution.

SENATOR DEMUZIO:

Yes, Mr. President. I...would move for the...adoption of the Senate Joint Resolution 44 which is, in fact, the resolution that calls for us to return to Springfield...

PRESIDENT:

Tuesday at noon.

SENATOR DEMUZIO:

...Tuesday at noon. Would...move the adoption.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 44. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 44. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Geo-Karis seek recognition?

SENATOR GEO-KARIS:

Yes, I do...Mr. President, Ladies and Gentlemen of the Senate, I would like to add as an immediate cosponsor to Senate Bill 617, Senator Emil Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

And I would like to be added as an immediate cosponsor to Senate Bill 372 of Senator Lemke's and with his okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the second motion by Senator Geo-Karis. Is leave granted? Leave is granted. For what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

Yes, Mr. President, I would...with leave of the Body, I

would request that we go to the Order of Consideration Postponed, House Concurrence for the purpose of reconsidering...Senate Bill 262.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Demuzio. Is leave granted? Leave is granted. Mr. Secretary, on the Order of Bills Consideration Postponed...read House Bill...Senate Bill 262...concurrence. Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, apparently there was some confusion during the last debate relevant to what was in this proposal. I would, in fact, request that the Senate concur with House Amendment No. 3 to Senate Bill 262. It seems to me that we need to do this today, it is immediate. Most of these items that are in this appropriation are going to pass anyway, sometime during this Session. And I would ask that we now give thirty affirmative votes to the concurrence of Senate Bill 262.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of House Amendment No. 3 to Senate Bill 262. This bill was just obviously within the hour reported to us having received sixty-two affirmative votes in the House. And for those who are playing some games, let me just point out that we have had a great deal of debate on the Floor of this Senate with respect to the plight of the farmers. And there is twenty-five million dollars that the Governor is waiting for to...to sign into law today to alleviate that problem. In addition, there are fifty-five million dollars in income tax refunds, and I dare to say that there is not a single member of this Chamber or the other who has not in their district office heard from people who are

awaiting their income tax refunds. Well, it's right here and it can be signed into law today. And the fact of the matter is, we have been subject to unfortunately some sheer demagoguery with respect to the seven hundred thousand dollars that's necessary to fulfill the will of this Body with respect to the compensation of State officials. The fact of the matter is that is the law and we ought to be responsible enough to fund our action. It's not going to go away and we ought to do it and we ought to own up to our responsibility. We approved by the will of this Body, increased compensation long overdue for Cabinet officials, yes, for legislators, some of you enjoy, some of us do not, because we are in midterm; but the fact is that that's a decision that has already been made, and now as we are required by our oath of office to do we are fulfilling our statutory and constitutional responsibility by funding the programs that we have approved. I urge an Aye vote on the motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 262. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. Senator Luft.

SENATOR LUFT:

Mr. President, having voted on the prevailing side, I'd like to move to reconsider the vote by which Senate Bill 262 failed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, as soon as I announce the vote, you can make that motion. On that question, the Ayes are 27, the Nays are 25, none voting Present...the Ayes are 29, the Nays are 25, none voting Present. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like...having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 262 failed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves to reconsider the vote by which the Senate failed to concur in House Amendment No. 3 to Senate Bill 262. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Mr. Secretary.

SECRETARY:

Senate Bill 262 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Apparently there was still some confusion relevant to the last explanation and therefore I would...I think the confusion has now been cleared up, and I would ask for the Senate's concurrence of House Amendment 3 to Senate Bill 262.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 262. Those in favor will vote Aye. Those opposed vote...Senator Joyce.

SENATOR JEREMIAH JOYCE:

I would just like to explain my vote...and I don't think I've...I've done that in all the time I've been here. I'm going to vote Yes on this bill because I think that's the right vote, but I was very disappointed in the members of the House who stood in this Chamber waiting to reap the benefits of legislation that I thought was proper the last time and then ran and scurried across to the other side and cast a vote to, I assume, insulate themselves from their constituencies. So I am voting Yes on this bill, but I would like that message to be in the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 262. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On...on that question, the Ayes are 30, the Nays are 25, none voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 262 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

I would move that the Senate stand adjourned until next Tuesday at the hour of noon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate does stand adjourned until Tuesday...at the hour of noon.

84TH GENERAL ASSEMBLY

REGULAR SESSION

April 23, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, April 11th; Friday, April 12th; Tuesday, April 16th; Wednesday, April 17th and Thursday, April 18th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 81, 171, 293 and 366.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am asked concurrence of the Senate, to-wit:

House Joint Resolution 34.

PRESIDENT:

Consent Calendar.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 13.

PRESIDENT:

Executive. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a...on a point of personal privilege. I'm delighted to introduce to this Honorable Assembly of the Senate, my constituents, the former township supervisor of Zion, Illinois, Mrs. Marion Lush and her husband, John Lush, who happens to be one of my very devoted precinct committeemen from Zion, and they're in the President's Gallery. I'd like you to welcome them.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Resolutions.

SECRETARY:

Senate...Senate Resolution 150 offered by Senator Lechowicz, congratulatory.

151, by Senator Kelly...congratulatory.

152, by Senators Kelly and Jeremiah Joyce, congratulatory.

153, by Senator Degnan, it's congratulatory.

154, by Senator Degnan and it's congratulatory.

And 155, by Senator...Jerome Joyce and it's a death reso-

lution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 156, by Senator Jerome Joyce, O'Daniel and Luft.

PRESIDENT:

Executive. Senator Rupp, for what...purpose do you arise, sir?

SENATOR RUPP:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR RUPP:

I would like to introduce in the gallery to the left the best eighth grade students from St. Patrick's School in Decatur, Illinois.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, I'd move at this time to discharge the following committees from further consideration of the following bills for the purpose of Tabling them on...on the Floor: Agriculture, Senate Bill 255; Appropriations, Senate Bill 256 and Transportation, Senate Bill 69.

PRESIDENT:

All right. The lady seeks leave of the Body to discharge the Committee on Agriculture from further consideration of Senate Bill 255 for the purpose of Tabling, Appropriations from 256 for the purpose of Tabling and Transportation from 69, is that correct? For the purpose of Tabling. All in

favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Topinka now moves to Table Senate Bills 255, 256 and Senate Bill 69. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

For the purpose of asking leave to be added as hyphenated cosponsor to Senate Bills 1353 and 1354.

PRESIDENT:

I'm sorry, Senator, I missed those.

SENATOR SCHUNEMAN:

Asking leave to be added as a hyphenated cosponsor on two bills, Mr. President.

PRESIDENT:

All right. The gentleman seeks leave to be added as a hyphenated cosponsor on Senate Bills...

SENATOR SCHUNEMAN:

I read the bills, Mr. President.

PRESIDENT:

...1353 and 4?

SENATOR SCHUNEMAN:

Right.

PRESIDENT:

All right. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I'd like to request leave to be a hyphenated sponsor on Senate BIll 789. I had discussed it with the sponsor and he agreed to it.

PRESIDENT:

The gentleman seeks leave to be added as the hyphenated cosponsor on Senate Bill 789. Without objection, leave is

granted. Resolutions.

SECRETARY:

Senate Resolution 157, by Senator D'Arco, it's congratulatory.

Senate Resolution 158, by Senators Marovitz, Newhouse and Fawell, and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. I would like to request leave of the Senate to have the amendment to Senate Bill 1021 printed although the bill has not yet been set for hearing in committee and I should just briefly explain. This is...Senate Bill 1021 is the bill that will carry the amendment of the Joint Utility Committee dealing with the Commerce Commission changes and the Energy Commission changes. It is an extraordinarily long amendment. No one will have an opportunity, really, to look at it ahead of time unless we find the device for getting it printed; and at the President's suggestion, this is probably the most expeditious way to do it. So, I would request leave to authorize the Senate...the Secretary of the Senate to print the amendment, which I will furnish a copy of, to Senate Bill 1021.

PRESIDENT:

All right. The...the lady seeks leave to have the amendment to Senate Bill 1021 which will be the utility rewrite given to the Secretary for the purpose of immediately printing and distributing to all members in advance of the committee meeting. Without objection...it seems reasonable. Is leave granted? Leave is granted. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

For a...for a parallel purpose of...Mr. President. The

other part of the joint committee recommendations involves telecommunications, and Senator Netsch and I discussed this and she conveyed to me the suggestion that these...that the amendments be printed up, and I would seek leave to have the amendment to 994, which has been rereferred to the proper committee, printed up so that the membership could also read the telecommunications component of the joint committee's recommendations.

PRESIDENT:

All right. The gentleman seeks leave to have the amendment for Senate Bill 994, which has been rereferred to the Committee on Agriculture, also given to the Secretary for the purpose of printing and distribution to all members in advance of that committee meeting. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Having checked with the principal sponsor, I would ask that my name be added as a hyphenated sponsor to Senate Bill 882 and Senate Bill 1377.

PRESIDENT:

The gentleman seeks leave for him to be added as hyphenated cosponsor on 1377 and Senate Bill 882. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. I would ask leave to add Senator Jones as a hyphenated cosponsor of House Bill 23.

PRESIDENT:

House Bill 23. The gentleman seeks leave to add Senator Jones as the hyphenated cosponsor. Without objection, leave is granted. (Machine cutoff)...Jones, for what purpose do you arise?

SENATOR JONES:

Thank you, Mr. President. Seek leave to add the names Dawson, D'Arco and Netsch as hyphenated cosponsors on Senate Bill 1018 instead of cosponsors.

PRESIDENT:

All right. Senate Bill 1018, Dawson, D'Arco and Netsch to be shown as hyphenated cosponsors, is that the request? Without objection, leave is granted. So ordered. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

I would be asked for leave to be added as a hyphenated cosponsor on House Bill 252.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of House Bill 252. House Bill 252. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 159 offered by Senator Maitland, and it's congratulatory.

PRESIDENT:

Consent Calendar. Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointment, Veterans' Affairs and Administration, to which was referred the Governor's Message of February the 5th, 1985; March the 6th, 1985 and April the 10th, 1985, report the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of February the 5th, 1985;

March 6th, 1985; April 10th, 1985.

PRESIDENT:

All right. You've heard the motion to resolve into Executive Session. Any discussion? If not, all in favor of the gentleman's motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. The Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of February 5th, 1985, I will read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be the Director of the Department of Employment Securities for a term expiring January 19th, 1987, Sally A. Ward of Oak Park.

I may just point out that this Senate thoroughly reviewed the qualifications of Ms. Ward and some of the allegations that were presented to the committee, and over six weeks of thorough investigation have found that the allegations that were confronted by this woman were not true. And basically what the element of employment was exposed to is a cutback in Federal funds of approximately 14.2 million dollars and, for that reason, the adjustments that had to made. I'd like to commend her and her...entire staff in conjunction with our staff for thoroughly investigating some very serious charges. Mr. President, having read the salaried appointments, would you put the question as required by our rules.

PRESIDENT:

All right. Is there any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Have

all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. The...Senate does advise and...the majority of the Senators elected concurring by...record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of February 5th, 1985, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Illinois Industrial Commission for a term expiring January 19th, 1987, Calvin Tansor of Harwood Heights, Adolphus Green of Chicago.

To be members of the Illinois Industrial Commission for a term expiring January 16th, 1989, Ted Black of Chicago, Ralph Miller of Chicago, Dennis Douglas of Edwardsville.

To be chairman and member of the Illinois Industrial Commission for a term expiring January 19th, 1987, Mervin Bachman of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDENT:

All right. The gentleman seeks leave to have the aforementioned on one roll call. Is leave granted? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I have no objection but I thought it important for the record, these nominees were...their consideration was...were...was held up for a number of weeks. Essentially, the reason was because of the

terrible delay that has occurred in the decision-making process at the Industrial Commission. One of the commissioners in particular was the object of much criticism because of the large number of cases to which he was assigned and which there was an undue delay. Without going into the merits of that particular situation, I wanted to inform my colleagues in the Senate that the chairman, Chairman Bachman, has undertaken and has gotten the consent of all of these nominees...all of the commissioners to a procedure that hopefully within thirty days the backlog of cases will be substantially reduced; and those cases that are not disposed of within thirty days will, within the power of the chairman, be reassigned. I have alerted, as has the chairman of the...Executive Appointments Committee, that the Senate intends to watch very carefully that these cases that have long sat dormant will be expeditiously handled and justice done on behalf of both sides in the controversy. I wanted to share this information with the members of the Senate. Thank you, Mr. President.

PRESIDENT:

All right. The gentleman is seeking leave to have those names on one roll call. Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I want to speak on the previous bill. So, perhaps, my remarks are not appropriate now, but would you recognize me once this goes out, please?

PRESIDENT:

Indeed. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Well, I would like to put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye.

Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, for the record, I inadvertently punched the wrong button on the previous appointments; and had I been more alert, I would have objected to a roll call on that list. There are still some unresolved questions regarding the appointment of Sally Ward, and I would have asked for a separate roll call on that basis. I simply want to get this into the record. Thank you, Mr. President.

PRESIDENT:

All right. The Chair should point out, as I'm sure Senator Lechowicz will as chairman, there was, in fact, a separate roll call for that reason. Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct, Mr. President, there was a separate roll call for that reason. But I now, Mr. President, with respect to the Governor's Message of February 5th, 1985, I'll read the unsalaried appointment to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be member of the Department of Conservation Advisory Board for a term expiring January 16th, 1989, Mr. Dick Kehn of Bolingbrook.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye.

Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

...Mr. President, with respect to the Governor's Message of March 6th, 1985, I'll read the unsalaried appointment to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends the Senate do advise and consent.

To be a member of the Capital Development Board for a term expiring January 18th, 1988, Miki Cooper of Harrisburg.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 10th, 1985, I'll read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be members of the Board of Elections for a term expiring on June 30th, 1989, Carolyn R. Eyer of Springfield, David Murray of Sterling, Richard A. Cowen of Chicago, Langdon

Neal of Chicago.

Mr. President, having read the salaried appointments, I now seek to consider these appointments on one roll call, unless some Senator has objection to a specific appointment. Pursuant to Chapter 46, paragraph 1A-4 of the Illinois Revised Statutes nominees to the State Board of Elections shall require the advise and consent of a three-fifths vote of the members elected to the Senate. Mr. President, will you put the question as required by our rules.

PRESIDENT:

The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made; and in accordance with the Statute as pointed out in the Constitution, as pointed out by Senator Lechowicz, with three-fifths of the members elected having concurred by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 10th, 1985, I'll read the salaried appointments to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends the Senate do advise and consent.

To be a member of the Chicago Regional Port District Board for a term expiring June 1st, 1990, Mr. Raymond O'Keefe of Winnetka. Can we have a little order, please. Thank you.

To be executive secretary for the Statewide Health Coordinating Council for a term expiring January 19th, 1987,

Dr. B. Smith Hopkins of Urbana.

To be a member of the Pollution Control Board for a term expiring July 1, 1987, Ronald Flemal of DeKalb.

To be a member of the Property Tax Appeal Board for a term expiring January 16th, 1991, Jacob J. Ringger of Gridley.

To be members of the Board of Review for a term expiring January 19th, 1987, Edward McBroom of Kankakee, Bruce Barnes of Palos Park, Peter J. Miller of Addison.

To be directors of the Illinois State Toll Highway Authority for a term expiring May 1st, 1989, Thea Flaum of Chicago, Daniel R. Fusco of Wilmette, Timothy Bresnahan of Glenview.

To be chairman and director of the Illinois State Toll Highway Authority for a term expiring May 1st, 1989, Myron F. Weil of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to have the aforementioned on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of April 10th, 1985, I'll read the unsalaried appointments to which the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Board of Banks and Trust Companies for a term expiring January 1, 1988, John Seaton of Seaton.

To be a member of the Illinois Farm Development Authority for a term expiring January 16th, 1989, Carolyn Stone of Springfield.

To be a member of the Health Facilities Planning Authority for a term expiring June 30th, 1991, Joseph S. Wright of Chicago.

To be a member of the Health Facilities Planning Board for a term expiring June 30th, 1987, Ernest R. Jenkins of Chicago.

To be a member of the Board of Higher Education for a term expiring January 31st, 1991, Carolyn Lohman of Springfield.

To be members of the Illinois State...Historical Library Board of Trustees for terms expiring January 19th, 1987, Julie Cellini of Springfield, Sally B. Schanbacher of Springfield.

To be a member of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Fred Lutz of Belleville.

To be members of the Board of Investment for a term expiring January 16th, 1989, Michael S. Bozich of Chicago, Bart Van Eck of Chicago.

To be members of the Medical Determinations Board for a term expiring June 27th, 1987, Dr. Samuel L. Andelman of Niles, Dr. Richard Suhs of Springfield.

To be members of the Medical Determinations Board for a term expiring June 27th, 1989...1988, James Paulissen of West

Chicago.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to have the aforementioned considered on one roll call. Without objection, leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that we now arise from Executive Session.

PRESIDENT:

Heard the motion. All in favor of the motion to arise indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise. In view of the lateness of the hour and the fact that we have a pretty heavy committee schedule at two o'clock, Senator Philip and I thought it best not to start on the Calendar unless some member has some pressing business. Is there further business or further announcements? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I just simply want to clarify something that I attempted clarify before and I was absolutely wrong. Senator, I certainly appreciate your cooperation in this effort, but I want the record to show

that I would have voted in opposition to the confirmation of Sally Ward. I want the record to show that clearly. Thank you, Mr. President.

PRESIDENT:

All right. The record will so reflect. Any announcements? Any further business to come before the Senate? This afternoon, Labor and Commerce, Transportation, Judiciary I and we have a full load and tomorrow morning and even fuller, if that's possible. The Senate will stand adjourned until Wednesday, tomorrow, at the hour of one o'clock. One o'clock, tomorrow. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I rise to seek permission from the Body to have Senator Etheredge and myself removed as hyphenated cosponsors on Senate Bill 627.

PRESIDENT:

627, the gentleman seeks leave to remove himself and Senator Etheredge as cosponsors. Is leave granted? Without objection, leave is granted. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Similar motion. I'd like to be removed as a cosponsor of Senate Bill 396.

PRESIDENT:

396, Senator Demuzio seeks leave of the Body to remove himself as a cosponsor. Is leave granted? Leave is granted. Any further business, further announcements? Otherwise, Senator Nedza moves that the Senate stand adjourned until Wednesday, the 24th, tomorrow, at the hour of one o'clock. One o'clock, tomorrow. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 24, 1985

PRESIDING OFFICER: (SENATOR CHEW)

The Senate will come to order. Prayer will be by Doctor A. R. Leek, Pastor of St. Andrew's Temple, Faith, Truth and Love, 1743 West Marquette Road, Chicago, Illinois. Doctor Leek. Will members in the gallery please stand.

DOCTOR LEEK:

(Prayer given by Doctor Leek)

PRESIDING OFFICER: (SENATOR CHEW)

Reading of the Journal. The Chair...recognizes Senator Margaret Smith.

SECRETARY:

Thursday, April 11th, 1985; Friday, April the 12th, 1985.

PRESIDING OFFICER: (SENATOR CHEW)

Senator Vadalabene. Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to be offered.

PRESIDING OFFICER: (SENATOR CHEW)

You've heard the motion. All in favor say Aye. The motion stands. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, April 16th; Wednesday, April 17th; Thursday, April 18th and Tuesday, April 23th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR CHEW)

You've heard the motion. All in favor say Aye. No Nays. The motion shall so be. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

Elections and Reapportionment - 71 and 146; Elementary

and Secondary Education - 242, 294 and 296; Executive - 38, 116, 131,...and 369; Higher Education - 23 and 284; Insurance, Pensions and Licensed Activities - 156; Judiciary I - 220 and 336; Judiciary II - 332 and 428; Labor and Commerce - 212; Local Government - 39, 40, 88, 137, 167, 223 and 253; Public Health, Welfare and Corrections - 26, 43, 252 and 273; Transportation - 69, 99 and 340.

Senator Sangmeister, chairman of Executive Committee, reports out the following Senate bills:

527, 547, 558, 573, 675, 676, 678, 679, 733, 783, 796, 839, 840, 878, 879, 905, 1005, 1035 and 1106 with the recommendation Do Pass.

673, 674, 677, 865, 925 and 1279 with the recommendation Do Pass as Amended.

852 with the recommendation Do Not Pass.

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills:

533, 541, 546, 548, 549, 550, 551, 564, 603, 972, 1224, 1307, 1398, 1437 and 1442 with the recommendation Do Pass.

165 and 884 with the recommendation Do Pass as Amended.

Senator Dawson, chairman of Public Health, Welfare and Corrections Committee, reports out the following Senate bills:

325, 443, 529, 572, 639, 640, 653, 685, 766, 772, 792, 799, 801, 802, 804, 822, 826, 827, 829, 838, 862, 874, 875, 877, 924, 935, 936, 938, 982, 983, 984 and 1084 with the recommendation Do Pass.

295, 299, 624 and 775 with the recommendation Do Pass as Amended.

Senator Nedza, chairman of Transportation Committee, reports out the following Senate bills:

239, 303, 397, 492, 495, 530, 583, 610, 643, 911 and 977 with the recommendation Do Pass.

35, 83 and 328 with the recommendation Do Pass as

Amended.

396 with the recommendation Do Not Pass.

Senator Collins, chairman of Labor and Commerce Committee, reports out the following Senate bills:

214, 215, 218, 219, 562, 588, 671, 721, 779, 788, 857, 858, 949, 951, 954, 995 and 1156 with the recommendation Do Pass.

38, 102, 217, 440 and 789 with the recommendation Do Pass as Amended.

250 with the recommendation Do Not Pass.

PRESIDENT:

If I can have your attention, the Senate has some special guests with us today. I would like to introduce for the purpose of a introduction Senators Dick Newhouse and Jeremiah Joyce.

SENATOR NEWHOUSE:

Thank you, Mr. President and thank you, Senators. On behalf of Senator Joyce and myself, I'd like to...thank you for your attention. On behalf of Senator Joyce and myself, I should like to introduce to you the State Championship Basketball Team from Mt. Carmel High School in Chicago, which is in my district, and I'd like to read the resolution honoring them today. Fellows, would you all assemble here please. I am going to read the resolution and as I...as I recite the names of the members of the team, if they would hold up their hand so that we might recognize them individually, I would appreciate it. I am now reading Senate Resolution No. 160 which reads as follows:

(Senator Newhouse reads SR 160)

Coach McQuillan, let me then present you with a formal copy of the resolution. Congratulations.

COACH MCQUILLAN:

(Remarks made by Coach McQuillan)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce moves to suspend the rules for the immediate...adoption...consideration and adoption of Senate Joint Resolution 160. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Joyce now moves the adoption of Senate Resolution 160. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution...Senate Resolution 160 is adopted. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I rise to reassign the following bills...with leave of the Body, to reassign Senate Bill 694 from Judiciary I to Judiciary II; Senate Bill 994 from Executive to Agriculture, Senate Bill 1328, 1329, 1330 and 1333 from Executive to Agriculture.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Savickas, would you furnish the Secretary with a...with a copy? You've heard the request. Is leave granted? Leave it granted. It is so ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I...I would like to add as immediate cosponsors to Senate Bill 617, which I'm sponsoring, Senator Emil Jones, Senator Margaret Smith and Senator Ray Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Geo-Karis reference of 617 to add Senators Jones, Smith and Hudson. Is leave granted? Leave is granted. It is so ordered. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. With the permission of the sponsor, I would like to be added as a cosponsor to Senate

Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock requests to be added as a hyphenated cosponsor of Senate Bill 171. Is leave granted? Leave is granted. Senator D'Arco. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

All right. I would like to rerefer Senate Bill 572 to the Public Health Committee. When this bill was presented in the committee, the opponents apparently were taken off guard and they were not prepared to testify. So we do want the opponents to be able to testify on the bill and therefore I would move to rerefer the bill back to Public Health.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, would you give us the number and the location of the bill again, please?

SENATOR D'ARCO:

It's 572 and it's on 2nd reading in the Senate and we want to rerefer it to Public Health.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco seeks leave of the Body to recommit Senate Bill 572 to the Public Health, Welfare and Corrections Committee. All right, Senator D'Arco, is that where the bill came from?

SENATOR D'ARCO:

...I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is leave granted?...leave is granted. 572 is recommitted. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, for the purpose of Tabling the following bills: Senate Bill 41, 63, 68 and 127.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, can you tell us where the bills cur-

rently repose?

SENATOR COLLINS:

Sorry, I can't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, your motion is out of order until...included in your motion has to be the location for where the bills are. So, if you would, we can come back to you. Okay? Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Just the purpose of an announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, what's your announcement?

SENATOR LEMKE:

The Secretary of State and I would like to announce that...being deeply interested in ethnic heritage of the...our great country, I thought it would be proper to invite you all and to let you know that on Monroe Street side of the Capital, the exhibit..."The Move to Freedom" exhibit is there. This exhibit is a traveling display...housing a forty-eight foot highway wedge van designed to recreate the images and impressions arrived by immigrants shared...of Ellis Island and the Statue of Liberty. My grandparents and my forefathers came and were part of that, as many of us; and the creative display is of history and patriotism, including a multimedial production, historical photography and film footage of the 1976 bicentennial celebration in a three and a half minute audio-visual presentation. It concludes with the direct request for visitors to the exhibit to support the Statue of Liberty restoration project financially, and the exhibit will be there from 9:45 a.m. today to 6:00 p.m. And I think it's appropriate that we all should go there and advise as many of our staff and everybody else to go there because this is a symbol of patriotism in this country. This is the first symbol that my forefathers or most forefathers

saw when they came to this country was the Statue of Liberty,and I ask you all to take time out today to look at this exhibit. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President, I would like leave to be added...with permission of the sponsor to be added as a cosponsor of Senate Bill 665. No, just...no, just a cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, you can simply do that by giving the notice to the Secretary. Senator O'Daniel seeks leave of the Body to be added as a cosponsor of Senate Bill 665. Is leave granted? Leave is granted. It's so ordered. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Two...two items, Mr. President. First, I would be...like...I would like to be identified as hyphenated cosponsor on Senate Bill 492, and then I would also like to move to Table Senate Bill 797 which is presently in the Transportation Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Etheredge seeks leave of the Body to be added as the hyphenated cosponsor of Senate Bill 492. Is leave granted? Leave is granted. It's so ordered. Senator Etheredge...Senator Etheredge now moves to discharge the Committee on Transportation from further consideration of Senate Bill 797 with the purpose of Tabling. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The committee is discharged. Senator Etheredge now moves to Table Senate Bill 797. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The bill is Tabled. Senator...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. For two purposes; one, I want to Table a bill of my own that was a duplicate of an earlier one. So, I would then move to discharge the...the Committee on Agriculture from further consideration of Senate Bill 917 for the purpose of Tabling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved to discharge the Committee on Agriculture, Conservation and Energy from further consideration of Senate Bill 917 with the purpose of Tabling. Is leave...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Committee on Agriculture is discharged from further consideration of Senate Bill 917. Senator Netsch now moves to Table Senate Bill...917. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The bill is so Tabled. Senator Netsch.

SENATOR NETSCH:

Thank you. I would then seek leave, with your permission as principal sponsor, to be added as a hyphenated cosponsor on...two bills, Senate Bills 673 and 674, both of which were Legislative Audit Commission bills that I would have been involved with had I still been on the Legislative Audit Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch seeks leave of the Body to be added as the hyphenated cosponsor of Senate Bill 693...673...6-7-3 and 674. Is leave granted? Leave is granted. It's so ordered. Senator Joyce. Wait a minute. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President, I'd like to have Senator Jones added on bills from 384 through 392, and on Senate Bill 390 for it to read Jones-Dawson. Senator Jones be the chief sponsor of 390.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you want to add Senator Jones as a hyphenated cosponsor on bills 384 through 392. Is...is leave granted? Leave is granted. And you want to add Senator Jones as a hyphenated cosponsor? All right, you want to add Senator Jones as the principal...sponsor of Senate Bill 390 and have Senator Dawson shown as a hyphenated cosponsor. Is that correct? Is leave granted? Leave is granted. It's so ordered. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to be added as a hyphenated cosponsor of Senate Bill 665.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 665. Is leave granted? Leave is granted. It's so ordered. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave to be added as a hyphenated cosponsor on Senate Bill 1075.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 1075. Is leave granted? Leave is granted. It's so ordered. Senator Kelly.

SENATOR KELLY:

I'd like to get leave, Mr. President, to be added as a cosponsor on Senate Bill 341 and 617. The sponsor agreed too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, is that a hyphenated cosponsor or just cosponsor?

SENATOR KELLY:

Hyphenated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bills 341 and Senate Bill 617. Is leave granted? Leave is granted. It's so ordered. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

I would like to add Senator DeAngelis and Senator Vadalabene as hyphenated cosponsors to Senate Bill 748.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue has requested to add Senators DeAngelis and Vadalabene as hyphenated cosponsors of Senate Bill 748. You've heard the request. Is leave granted? Leave granted. It's so ordered. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, for the purpose of...first, Mr. President, you...we took out of...the record the motion? Okay. Then, for the purpose of Tabling Senate Bill 41 which is now in the Insurance Committee, Senate Bill 63 in Executive Committee, Senate Bill 68 in...Judiciary I and Senate Bill 127 in the Labor Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins...Senator Collins wishes to discharge the Committee on Insurance from further...Senator Collins, we're going to discharge the bills from committee and then we will Table them here. All right, Senator Collins seeks leave of the Body to discharge the Committee on Insurance from further consideration of Senate Bill 41, the Committee on Executive from further consideration of Senate Bill 63, to discharge the Committee on Judiciary I from further consideration of...Senate Bill 68 and further consideration from the Labor and Commerce Committee of Senate Bill 127 with the purpose of Tabling these respective bills. Is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Those bills are currently discharged. Senator

Collins now moves to Table Senate Bill 41, Senate Bill 63, Senate Bill 68 and Senate Bill 127. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Those bills are Tabled. All right, Senator Joyce, for what purpose do you arise? Can we have some order, please. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Move for temporary suspension of...of the rules for the immediate consideration of Senate Joint Resolution...

SECRETARY:

Senate...Senate Joint Resolution 45 introduced by Senators Rock and Jerome...I mean, Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the resolution...all right, Senator Joyce is recognized on the...on the motion.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. On Friday, April 26th, St. Xavier College will dedicate the...its School of Business to the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, just a moment, please. Can we have some order, please. We'd like to conclude our business so we can proceed with the committees at two o'clock. Can we have some order, please. Senator Joyce.

SENATOR JEREMIAH JOYCE:

...and this resolution pays recognition to Edna Graham for whom the school will be named. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 45. Those in favor signify by saying Aye. Opposed Nay. The rules are suspended. Senator Joyce now moves the adoption of Senate Joint Resolution 45. Is there any discussion? Those in favor will signify by saying Aye.

Opposed Nay. The Ayes have it. Senate Joint Resolution 45 is adopted. Senator...Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 120, 228,...337, 480, 528 and 555.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 35.

It is a congratulatory resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, Senator Maitland...Senator Maitland, for what purpose do your arise?

SENATOR MAITLAND:

Thank you, Mr. President. For the purpose of Tabling...a bill. I would ask leave of the Body that the Committee on Education be discharged from further consideration of Senate Bills 317, 1054 and 1058.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland moves to discharge the Committee on Elementary and Secondary Education from further consideration of Senate Bills 317, 1054 and 1058 with the purpose of Tabling. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The Committee on Elementary and Secondary Education is discharged. Senator Maitland now moves to Table Senate Bills 317, 1054 and 1058. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Those bills are Tabled. Senator Holmberg, for what purpose

do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. For the purpose of Tabling a bill. I wish to move that the Insurance Committee be discharged from further consideration of Senate Bill 261 and that bill be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Holmberg seeks leave of the Body to discharge the Committee on Labor and Commerce...Committee on Insurance from further consideration of Senate Bill 261 with the purpose of Tabling. Is leave granted? Leave is granted. It's so ordered. Senator Holmberg now moves to Table Senate Bill 261. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 261 is Tabled. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Thank you, Mr. President. To seek leave of the Senate to be added as a hyphenated cosponsor to Senate Bill 149.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 149. Is leave granted? Leave granted. It's so ordered. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would like leave to move Senate Resolution 156...discharge the Committee on...Executive and have it heard on the Floor today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce moves to discharge the Committee on Executive from further consideration of Senate Joint Resolution 156 in order for it to be heard today. Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

...what is it? I...I don't know anything about it. Isn't it proper procedure, Mr. President, to clear these

motions with both sides of the aisle? Wouldn't we have a better...I beg your pardon? I don't understand the sign language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, do you wish to ask the gentleman a question? Senator Joyce may respond.

SENATOR SCHUNEMAN:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr...I just...I thought I cleared it with Senator Maitland, a member of the Ag. Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. Excuse me, I thought we were...I thought we were clearing...Executive. Are we not? I have no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce moves to discharge the Committee on Executive from further consideration of Senate Resolution 156. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee on Executive is discharged. Senator Joyce now moves the immediate consideration of Senate Joint...Senate Resolution 156. Senator Joyce.

SENATOR JEROME JOYCE:

...thank you, Mr. President. This...this resolution is asking the Chicago Mercantile Exchange to consider trying to keep open as a point of delivery on the cattle futures market. They're trying...we're trying to keep over Joliet and Peoria stockyards and maintain them as points of delivery. What would happen if these two are closed, which is being considered right now by the Mercantile Exchange; if these are closed, then it would cost the...the...cattle

feeders in this State the transportation costs when they would deliver these cattle to the Mercantile Exchange...if...if they bought on the futures and the price went down, they would have to deliver them to Omaha or Kansas City and that would...the cost of doing that is like a dollar and eighty cents a mile. So, it would...it would cost about six hundred dollars a truckload...or nine hundred dollars a truckload more than it currently costs to deliver in Joliet or Peoria. So, I'd ask for immediate consideration of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion on the...on Senate Resolution 156? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 156 is adopted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I'd like...beg leave of the...of the Body that...to add Senator Dawson as hyphenated sponsor on Senate Bill 1183 and also hyphenated sponsor on...Senate Bill 1383.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith, you want to give us the bill numbers again?

SENATOR SMITH:

Yes, Senate Bill 1183...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1183.

SENATOR SMITH:

...and Senate Bill 1383.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1383 you wanted...

SENATOR SMITH:

Senator Dawson...Glenn Dawson as hyphenated sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Is leave granted...is leave granted? Leave is granted. Senator Dawson will be so added. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

161 offered by Senator Zito.

162, Senator Lemke.

163, Senators Sommer, Davidson and all Senators.

164, Senator Rock and all Senators.

165, Senator Davidson and all Senators.

166, Senator Donahue and all Senators.

167, Senator Keats and all Senators.

And 168, Senator Rock and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Consent Calendar. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I ask leave of the Body to be included as a hyphenated cosponsor on Senate Bill 1079 and as a cosponsor on Senate Bill 112.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you...you wish the...Senator Poshard wishes to be added as a hyphenated cosponsor of Senate Bill 1079 and as a...and as a...and as a cosponsor of Senate Bill 112. Is leave granted? Leave is granted. Senator Marovitz, what purpose you arise?

SENATOR MAROVITZ:

...thank you, Mr. President and members of the Senate. I would ask leave, having checked with the principal sponsor, to be added as a principal, hyphenated cosponsor to House Bill 252. House Bill 252.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Marovitz

seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 252. Is leave granted? Leave is granted. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Thank you, Mr. President. Merely to be added as a cosponsor to Senate Resolution 156.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister seeks leave of the Body to be added as cosponsor...hyphenated cosponsor of Senate Resolution 156. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate...Senate Resolution 169 offered by Senators Watson...Hall, Watson, Dunn and Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, further business to come before the Senate? Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If there is no further business or any announcements, I would move that the Senate stand...given the heavy committee schedule this afternoon and tomorrow morning, that we stand adjourned until Thursday at the hour of twelve-thirty. Twelve-thirty, tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock moves that the Senate stand...adjourned until...till twelve-thirty tomorrow. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Thank you, Mr. President. I want to remind those members on the Insurance Committee that we will begin promptly at two o'clock. We have many bills in committee; we are going to discharge the subcommittee and deal with the pension bills...so,...first. So, those persons who are sponsoring

pension bills, I urge you to be there because that would be...on the first call. So,...yeah. Now all bills are printed but we're going to deal primarily with the pension bills and it...it will be a full committee hearing at two o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock have moved that the Senate stand adjourned until the hour of twelve-thirty on Thursday. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 25, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend Charles Kyle, St. Francis Xavier Church, Chicago. Father.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Tuesday, April the 16th, 1985.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Etheredge, for what purpose do you arise, sir?

SENATOR ETHEREDGE:

The point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR ETHEREDGE:

Leaving the gallery now are a group of teachers and students from Simmons Junior High School in Aurora, and I would like to have them...their presence acknowledged, please.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the reading and approval of the Journals of Wednesday, April 17th; Thursday, April 18th; Tuesday, April 23rd and Wednesday April 24th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Committee reports.

SECRETARY:

Senator Jones, chairman of Insurance, Pensions and Licensed Activities, reports out the following Senate bills:

57, 128, 149, 152, 280, 282, 294, 337, 389, 445, 497, 501, 577, 669, 672, 683, 688, 712, 743, 756, 770, 800, 818, 859, 860, 876, 891, 933, 940, 942, 1047, 1266, 1294, 1295, 1357, 1359, 1394 and 1462 with the recommendation Do Pass.

32, 53, 54, 55, 127, 143, 157, 178, 553, 554, 568, 758, 1290, 1291, 1292, 1293 and 1296 with the recommendation Do Pass as Amended.

121 and 442 with the recommendation Do Not Pass.

Senator Carroll, chairman of Appropriation I Committee, reports out the following Senate bills:

403 with the recommendation Do Pass.

339 with the recommendation Do Pass as Amended.

Senator Kelly, chairman of Elections and Reapportionment, reports out the following Senate bills:

138, 506, 616, 655, 705, 706, 1099, 1101, 1104 and 1456 with the recommendation Do Pass.

171, 413, 740, 1093 and 1096 with the recommendation Do Pass as Amended.

Senator Jeremiah Joyce, chairman of Finance and Credit Regulations, reports out the following Senate bills:

569, 570, 571, 786, 795 and 912 with the recommendation Do Pass.

699 with the recommendation Do Pass as Amended.

Senator Netsch, chairman of Revenue Committee, reports out the following Senate bills:

414, 602, 741, 748 and 1029 with the recommendation Do Pass.

415, 487, 489, 521, 665 and 1256 with the recommendation Do Pass as Amended.

PRESIDENT:

Senator Lechowicz, for what purpose do you seek recognition?

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd like to move to Table Senate Bill 1216, I am the principal...sponsor. I'm going to just, for the record, point out that that bill was placed and...the other people's names who are on it, it was not discussed with them, for that I apologize. And for the record, that bill was placed...filed with the clerk without my knowledge. I want to Table 1216.

PRESIDENT:

All right. The gentleman has moved to discharge the Committee on Elementary and Secondary Education from further consideration of Senate Bill 1216 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 1216 is now discharged. Senator Lechowicz moves to Table Senate Bill 1216. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Yesterday I introduced Senate Reso-

lution 159...Senate Resolution 159. That resolution now resides on the Consent Calendar. Unfortunately, last night Mr. Jack Burcham from LeRoy, Illinois, who had received the bionic heart in Louisville passed away. The resolution obviously is inappropriate and, Mr. Chairman, I would like at this time to move to Table that resolution with the thought in mind that there will be a subsequent resolution next week.

PRESIDENT:

All right. The gentleman has moved to Table Senate Resolution 159, asked that it be removed from the Consent Calendar for the purpose of Tabling. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Senate Resolution 159 is Tabled. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, I'd like to have leave of the Body to be added as a hyphenated cosponsor of Senate Bill 624. I have spoken with the sponsor.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of Senate Bill 624. Without objection, leave is granted. Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

Mr. President, I would ask that Senator Philip be replaced with...with my name as the sponsor of Senate Bill 1372. Senator Philip has consented to that.

PRESIDENT:

All right. Senate Bill 1372, the gentleman seeks leave to substitute himself as chief sponsor in lieu of Senator Philip. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President, I need to move Senate Bill 1059...dis-

charge from Local Government for the purpose of Tabling it.

PRESIDENT:

All right. Senator Davidson has moved to discharge Senate Bill 1059 from the Committee on Local Government for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 1059 is now discharged. Senator Davidson moves to Table Senate Bill 1059. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. 1059 is Tabled. Senator Darrow, for what purpose do you arise, sir?

SENATOR DARROW:

Thank you, Mr. President. I would ask leave to add Senator Dawson and Geo-Karis to Senate Bill 499 of which I am the chief sponsor...hyphenated chief sponsors.

PRESIDENT:

The gentleman seeks...the gentleman seeks leave to add Senators Dawson and Geo-Karis to Senate Bill 499. Without objection, leave is granted. So ordered. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. First of all, in the form of an announcement, somewhere yesterday I lost a pair of glasses in one of the meeting rooms. So if anybody has found a pair of glasses, if you'll bring them over to me I'll test them out and they may be mine. And the other thing...I'm up on the Floor for, that I would like to be a hyphenated sponsor, I've talked to Senator Demuzio, on Senate Bill 149.

PRESIDENT:

All right. The gentleman seeks leave to be added as a hyphenated cosponsor of Senate Bill 149. Without objection, leave is granted. Senator Kelly, for what purpose do you arise, sir?

SENATOR KELLY:

Mr. President, I'd like to request leave to have Senator Lemke and myself added as hyphenated sponsors on Senate Bill 1066. Senator Holmberg has consented to that request.

PRESIDENT:

All right. The gentleman seeks leave to add himself, Senator Kelly, and Senator Lemke as cosponsors of Senate Bill 1066. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President...having checked with the principal sponsor, I would ask that my name be added as a principal hyphenated cosponsor to Senate Bill 1060. 1-0-6-0.

PRESIDENT:

The gentleman seeks leave to be added as a hyphenated cosponsor of Senate Bill 1060. Without objection, leave is granted. Resolutions.

SECRETARY:

...the following resolutions are either congratulatory and we have one death resolution.

Senate Resolution 170, by Senator Sangmeister.

171, by Senator Rock.

172, Senator Keats, Rock and all Senators.

173, Senator Mahar and DeAngelis.

174, Senator Philip.

175, Senator Lemke.

And 176, Senator Kelly.

PRESIDENT:

Consent Calendar. Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Thank you, Mr. President. I beg leave of the Body that...to add Senator Geo-Karis as hyphenated sponsor to Senate Bill 950 and Senator Degnan as a cosponsor. And I

would like very much to request that Senate Bill 523 and Senate Bill 524 go into interim study, please.

PRESIDENT:

Where...where is 520 and...where are those two bills?

SENATOR SMITH:

524...just...that bill...those two bills I'd like to go to interim study.

PRESIDENT:

Well, that's...that's committee action.

SENATOR SMITH:

Yes.

PRESIDENT:

That's...that's not Floor...you can just request that of the chairman.

SENATOR SMITH:

Okay. All right. Thank...thank you. Thank you.

PRESIDENT:

All right. Senator Smith has...has sought leave to add Senators Geo-Karis and Degnan as cosponsors of Senate Bill 950. Without objection, leave is granted. Senator Bloom, for what purpose do you arise, sir?

SENATOR BLOOM:

Yes, thank you, Mr. President. I would like to add as hyphenated sponsors Senator Geo-Karis and Senator Lemke to Senate Bill 595.

PRESIDENT:

595, the gentleman seeks leave to add Senators Geo-Karis and Lemke as cosponsors. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I'm sorry to rise again, thank you, Mr. President. With permission of the Senate President, I'd like to be added as a principal hyphenated sponsor to Senate Bill 1263 which passed out today of Judiciary, that's the Gabby Cohen bill.

PRESIDENT:

The gentleman seeks leave to be added as a hyphenated co-sponsor of Senate Bill 1263. Without objection, leave is granted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 38.

PRESIDENT:

Senator Demuzio on House Joint Resolution 38, the adjournment resolution. Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. The adjournment resolution calls for us to return April the 30th at noon. I would move the...the adoption of House Joint Resolution 38.

PRESIDENT:

All right. The Senator has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 38, the adjournment resolution. At the close of business today, which will be very shortly, we will return to Springfield next Tuesday at twelve o'clock noon. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended and Senator Demuzio now moves the adoption of Senate...House Joint Resolution 38. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The resolution is adopted. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. The Judiciary II Committee will reconvene immediately after adjournment in Room 212. We can...we can finish our business within an hour and

everybody can be on their way home if we can get there as soon as possible after adjournment. Room 212 in the Captiol.

PRESIDENT:

Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I'd like to seek leave to waive the posting...rules so that the Senate Ag. Committee can hear the following Senate bills which were rereferred to that committee yesterday. It's Senate Bill 994, 1328, 1329, 1330 and 1333.

PRESIDENT:

All right. You've heard the motion to waive the posting requirement for those bills to be heard in Agriculture; as a matter of fact, there's a motion in writing to cover all of them, but all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Leave is granted. Motions in writing, Mr. Secretary.

SECRETARY

I move to suspend Rule 7 with respect to the Six-Day Posting Requirement for the purpose of allowing committees to post bills up to 5:00 p.m. Friday, April the 26th, for the committee hearing scheduled for the week commencing April the 29th. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President. This is a move to suspend the Rule 7 to allow the clerks to post bills up till five o'clock tomorrow for any...to waive the rules to...to allow them to post up to five o'clock tomorrow for the committee hearings that are scheduled commencing...the week of April 29th, and I would move to suspend the rules.

PRESIDENT:

All right. The gentleman has moved to suspend the appli-

cable rule with respect to posting requirements so that all bills can be posted for next week. All in favor of the motion indicate by saying Aye. All oppposed. The Ayes have it. The motion carries. It's so ordered. Senator Berman, for what purpose do you seek recognition?

SENATOR BERMAN:

It...it appears that we may be adjourning shortly, and I would ask that the Senate Committee on Elementary and Secondary Education, let's try to convene at twenty minutes to two, try to pick up twenty minutes and start with Senator Kelly and Senator Kustra's bills. Reconvene in Room 400 immediately after adjournment.

PRESIDENT:

All right. Senator Kustra, for what purpose do you seek recognition?

SENATOR KUSTRA:

Thank you, Mr. President. As the principal sponsor of Senate Bill 195, I would ask leave of the Senate to add Senator Geo-Karis as the lead sponsor of that bill, and I will join her in cosponsorship. And I would also ask leave of the Senate to be added as a hyphenated sponsor of Senate Bill 11 with the permission of Senator Joyce, the sponsor.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of Senate Bill 11 and to show Senator Geo-Karis as the chief sponsor of 195 along with Senator Kustra. Without objection, leave is granted. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Announcement. Mr. President and members of the Senate, I want to remind all of you. Yesterday laid on your desk was about the Governor's Prayer Breakfast of which the legislators are invited to attend. The tickets are seven dollars, a very rare thing this day. We reduced the price by fifty

cents from last year. President Rock is the one who will give the invocation that morning. You had also an order blank included with that. Would you please fill it out and get it to me between now and May the 9th so we'll have an opportunity to place the members of the Legislature at reserved seats in the more advantageous seats. Thank you.

PRESIDENT:

Senator Schaffer, for what purpose do you seek recognition?

SENATOR SCHAFFER:

Actually two; one, I wondered if the drop in the price of tickets has anything to do with your giving the invocation?

PRESIDENT:

...a great deal to do with that, yes.

SENATOR SCHAFFER:

I just wondered. Second, to request a Republican Caucus immediately upon adjournment, it will be short. We ask the indulgence of the two committees that are going to convene upon adjournment. We will have what we think will be a very brief caucus. And when you call a caucus after adjournment, you know it's likely to be brief, that's the only time I would bet on brevity in a caucus.

PRESIDENT:

Republican Caucus immediately upon adjournment in Senator Philip's Office. Senator Jeremiah Joyce can join the Republican Caucus if he really wants to attend one. Senator Donahue, for what purpose do you seek recognition?

SENATOR DONAHUE:

I would like...thank you, Mr. President. I would like to make a motion to discharge Committee on Credit and Finances of Senate Bill 1260 and put it...and recommit it to the Committee on Agriculture.

PRESIDENT:

All right. The lady seeks leave to discharge the Commit-

tee on Finance from further consideration of Senate Bill 1260 and asked that it be rereferred to the Committee on Agriculture, Energy and Conservation. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Just by way of announcement to the members...Senator Marovitz has returned. On his behalf, of Judiciary II at two o'clock, we have asked on Senate Bill 1060, Channel 5, Carol Murine will be narrating her presentation on "Dragon of the Gods" as part of the testimony on Senate Bill 1060. So if the members could please be there by two so that we can begin.

PRESIDENT:

What room is that, Senator Carroll?

SENATOR CARROLL:

That's in 212, Judiciary II.

PRESIDENT:

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. I would like to explain something to the membership about the...the legislative proposals of the Joint Utility Committee. I had indicated the other day that we would try to get a copy of the text of the proposals printed so that members could have it to look at it even though it won't be offered in committee until next week. For a variety of reasons that was not possible. However, there is in draft bill form a seventy...a two hundred and five page text of what will, in fact, be the substance of the Utility Act as proposed by the Joint Committee, including both the energy and telecommunications sections and the changes in the Commerce Commission. It will not be offered until next week, but we know that some members, very badly,

want to take this two hundred and five page document home and read it over the weekend. There are some copies available in xeroxed form and they will be available...where...in the President's Office...Mr. President? Right...

PRESIDENT:

Yes.

PRESIDENT:

...in the President's Office for anyone who would like to pick a copy up and take it home with them to read. It is almost identical, we believe, to what will actually be offered as an amendment, it just simply is not in the right form. Again, it is the text of what will be essentially the proposed new Commerce Commission Act, both energy and telecommunications sections. And it will be offered primarily as an amendment to Senate Bill 1021. Thank you.

PRESIDENT:

Senator Netsch, will you make sure Senator Sangmeister has one for the weekend? I know he's...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, thank you, Mr. President. For the purpose of discharging a list of bills from their respective committee to be referred to the Labor Committee. These bills represent a comprehensive economic and job training...project and I would like leave to have all of these bills heard together in one committee. And the bills are Senate Bill 64, currently now in Finance and Credit Reform; Senate Bill 1405, in Revenue; Senate Bill 1406, in Revenue; Senate Bill 1407, in Insurance; Senate Bill 1408, in Local Government; Senate Bill 1409, in Revenue; Senate Bill 1458, in Executive; Senate Bill 1459, Executive and Senate Bill 1461 in Ag...Agriculture and Conservation and Energy Committee.

PRESIDENT:

All right. Senator Collins has sought leave to have the

following bills discharged from their current committee and rereferred to the Committee on Labor and Commerce so that they can all be heard together; Senate Bill 64 from Finance, 1405 and 1406 from Revenue, 1407 from Insurance, 1408 from Local Government, 1409 from Revenue...1458 and 59 from Executive and 1461 from Agriculture. The motion is to discharge the respective committees and rerefer those bills to the Committee on Labor and Commerce. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I want to thank both sides of the aisle for searching for my glasses. They've been located and so they can stop searching. Thank you.

PRESIDENT:

Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, Mr. President. I would move that the Committee on Transportation...that...that Senate Bill 1244 be discharged from the Committee on Transportation for the purpose of transmit to...to the Judiciary II Committee. I had spoken to the chairman of the committee, I believe I spoke to you about it last night, that's a DUI bill.

PRESIDENT:

All right. The gentleman has sought to discharge the Committee on Transportation from further consideration of Senate Bill 1244 for the purpose of rereferral to the Committee on Judiciary II. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Resolutions.

SECRETARY:

Senate Resolution 177 offered by Senators Hall, Smith,

Collins and others and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thanks, Mr. President. It's another bill that I'm going to seek leave to waive the posting rules so that the Senate Ag. Committee can hear this bill. It's Senate Bill 1260 that was just transferred into our committee.

PRESIDENT:

All right. The gentleman seeks leave to have Senate Bill 1260 heard in the Committee on Agriculture next week. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Resolutions, Mr. Secretary. Resolutions Consent Calendar. Mr. Secretary, any objections been filed?

SECRETARY:

No objection has been filed, one sponsoring member removed Senate Resolution 159 from the Consent Calendar.

PRESIDENT:

All right. Without objection, Senator Hall moves the adoption of the Resolutions Consent Calendar, resolution...Senate Resolution 150, 151, 152, 153, 154, 155, 157, 158, 161, 162, 163, Senate Resolution 170, 171, 172, 173, 174, 175, 176, Senate Resolution 164, 165, 166...pardon me, 167, 168, House Joint Resolution 34 and House Joint Resolution 35 and Senate Resolution 177. All in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it, the Consent Calendar is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, just a point of information. Have you already called the adjournment resolution?

PRESIDENT:

We have indeed. Calls for us to return on Tuesday at the hour of noon.

SENATOR GEO-KARIS:

After we adjourn today?

PRESIDENT:

After we quit today, we will quit momentarily.

SENATOR GEO-KARIS:

Okay.

PRESIDENT:

Come back on Tuesday at noon.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT:

Further business to come before the Senate? Any announcements or any further business to come before the Senate? If not, Senator Hall moves that the Senate stand adjourned until Tuesday, April 30, at the hour of noon. Next Tuesday at noon. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

April 30, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend John Long, Sacred Heart Church, Columbia, Missouri. Father.

REVEREND LONG:

(Prayer given by Reverend Long)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the reading and approval of the Journals of...Wednesday, April 17th; Thursday, April 18th; Tuesday, April 23rd; Wednesday, April 24th and Thursday, April 25th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right. You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

Senator Berman, chairman of Elementary and Secondary Education, reports out the following Senate bills:

48, 92, 242, 253, 350, 352, 398, 427, 504, 586, 607, 730, 883, 1052, 1053, 1174, 1210, 1211, 1212, 1214, 1215, 1217, 1218, 1267, 1272, 1276, 1278, 1281 and 1335 with the recommendation Do Pass.

351, 668 and 1213 with the recommendation Do Pass as Amended.

Senator Marovitz, chairman of Judiciary II Committee, reports out the following Senate bills:

36, 159, 241, 499, 522, 531, 532, 534, 535, 537, 539, 540, 563, 595, 598, 621, 645, 646, 844, 850, 853, 1060,

1121, 1226, 1262, 1283 and 1284 with the recommendation Do Pass.

17 and 24 with the recommendation Do Pass as Amended.

And 28 with the recommendation Do Not Pass.

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills:

536, 565, 615, 652, 713, 714, 724, 762, 824, 856, 871, 1102, 1115, 1123, 1337, 1356, 1391, 1422, 1431, 1440, 1441 and 1449 with the recommendation Do Pass.

604, 684 and 1031 with the recommendation Do Pass as Amended.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 66, 244, 258, 259, 283, 323, 392, 468, 622, 701, 704, 734, 772, 802, 832 and 883.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 36 and 37, both congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 178 offered by Senator Lemke...or Senator Lechowicz, I'm sorry, and it is a death resolution.

And Senate Joint Resolution 46 offered by Senator Topinka and all members, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate Joint Resolution 47 offered by Senators DeAngelis, Donahue, Schuneman and Rigney.

PRESIDENT:

Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If I could have your attention, the committee schedule obviously is burdensome this week. We will begin again tomorrow at the hour of one o'clock to afford those committees that are meeting tomorrow morning an extra hour. In the meantime, while we are here, and we do have approximately forty-five minutes before the next committee begins, my suggestion is, and I've spoken with Senator Philip, that we start on Senate bills 2nd reading. As you know, as bills are amended particularly with committee amendments they...of necessity go upstairs to Enrolling and Engrossing so that copies can and will be made available, and the paper work is almost insurmountable. What I would ask is if the members would each knowing obviously their own legislative proposal, if we can attempt to move those that are not so very controversial, and attempt...there are bills that came out of committee without any controversy, there are amendments that are to go on virtually without any controversy, and if we could kind of discipline ourselves to handle the noncontroversial ones, we'll have plenty of time within which to fight, but let's see if we can move the paper along. So in that regard, Mr. President, I'd suggest that we start on

Senate bills 2nd reading, asking the members to skip only those where there might be some controversy and try to move as many as we can in the next forty minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will go to Senate bills 2nd reading, top of page 2. I am told there are two hundred sixty-eight bills on 2nd reading and a hundred more coming tomorrow. So, if we...top of page 2, Senate bills 2nd reading, Senate Bill 14, Senator D'Arco. 20, Senator Welch. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill No. 20.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Welch, with a great deal of discipline.

SENATOR WELCH:

Well, do you have the amendment there?

SECRETARY:

All it does, deletes 1984 and inserts 1985.

SENATOR WELCH:

Okay. That was just a technical amendment that changed the year 1984 to 1985 as the effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Committee Amendment No. 1 to Senate Bill 20. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 32, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 32.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, Jeremiah.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to...Senate Bill 32 is that it merely changes the date from 1960 to 1940 encompassing an additional four or five widows.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce moves the adoption of Committee Amendment No. 1 to Senate Bill 32. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 35, Senator Jeremiah Joyce. Read the bill, Mr. Secretary, please. Senate Bill 35.

SECRETARY:

Senate Bill 35.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, thank you, Mr. President and members of the Senate. As I recall, Amendment No. 1 to Senate Bill 35 gives discretion to the Secretary of State to...as to when these particular tests will be ordered during that three-year period. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jeremiah Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 35. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Maitland, for what purpose do you arise? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. On a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the gallery on the left side of the Chamber are forty ladies from McLean County, members of the McLean County

Homemakers Extension Group, and I'd like them to rise and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise. Welcome to Springfield. On the Order of Senate Bills 2nd Reading is Senate Bill 38, Senator Welch. Mr. Secretary, read the bill. Senate Bill 38.

SECRETARY:

Senate Bill 38.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment offered in committee was one to exempt the City of Chicago...or the County of Cook, rather, from the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Committee Amendment No. 1 to Senate Bill 38. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 42, Senator Topinka. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 42.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, all this amendment does is basically bring the coaches, the athletes' parents and the student athlete himself into the decision-making promise...process on the teams that they might be entering into.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 42. Any discussion? Senator Rock.

SENATOR ROCK:

Well, I...I just point out, again, if...if this is noncontroversial, then I've got the wrong definition of controversial.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Topinka, there seems to be some dispute as to the adoption of the amendment. Do you want to take it out of the record as prior agreed?

SENATOR TOPINKA:

The amendment was adopted in committee and it came out 9-7, I believe, and you know, I...obviously, there are some people who may or may not agree with it or not, but I think that would be with any bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I...I think we started this process today indicating that we will want to move those...those bills and amendments that are noncontroversial and there seems to be some objection. All right. Senator Topinka wishes to have

the bill taken out of the record. Thank you, very...take the bill out of the record. Senate Bill 53, Senator Topinka. Might have better luck with this one. Senate Bill 53. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 53.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka.

SENATOR TOPINKA:

Yeah, Mr. President, Ladies and Gentlemen of the Senate, basically, this amendment defines...basically neighborhood athletic clubs for their own purposes so that they are not affected by this bill and it removes the criminal penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 53. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 54, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 54.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This amendment increases the minimum supplemental payment on increased formula from forty-five hundred to fifty-five hundred and increases supplementary payments from a hundred to a hundred and eighty dollars. This is the Chicago Teacher Article of the Pension Code. I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 54. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 55, Senator Marovitz. You wish that called?

SENATOR MAROVITZ:

65, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, read the bill. Senate Bill 55.

SECRETARY:

Senate Bill 55.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 to Senate Bill 55 clarifies that the amendment apply...the amendment which deals with the increase applies to all survivors after 1-1-86, and I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Marovitz moves the adoption of Committee Amendment...No. 1 to Senate Bill 55. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Committee No. 2 is just a State mandate's exemption. I would ask for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 55. Any discussion? If not, those in favor will signify by saying Aye. Those opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SB 75 2nd Reading

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 57, Senator Marovitz. Senate Bill 74, Senator Smith. All right. Senate Bill 2nd Reading is Senate Bill 74. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 74.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 75, Senator Smith. Senate Bill 75, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 75.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 78, Senator Topinka. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 78.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB8H 2nd Reading

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, the amendment basically gives a very detailed list of the type of educational records which will be given out to parents upon request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka moves the adoption of Committee Amendment No. 1 to Senate Bill 78. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 83, Senator Watson. Top of page 3, Senate Bill 84, Senator Welch. Top of page 3, Senate Bill 84, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 84.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment in the committee was one that was a...a technical one in nature, intended to clear up some language. I believe that's an LRB amendment that was proposed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Committee Amendment No. 1 to Senate Bill 84. Is there any discussion? If not, those in...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, Mr. Secretary, is that the long amendment? This amendment was put in at the suggestion of members of the committee. The purpose of the amendment is to give enforcement powers in order to enforce violations of the Toxic Art Supply Act of 1985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch moves adoption of Floor Amendment No. 2. Is there any discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This is also a technical amendment from the Legislative Reference Bureau which corrects a spelling and a reference section. It's a short amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Welch moves the adoption of Amendment No. 3 to Senate Bill 84. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 86, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 86.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Committee Amendment No. 1 to Senate Bill 86 specifies that that section prohibiting using live animal devices to train dogs, applies only when the dogs are to be used in dog fighting. Deletes references to other animals in provisions regarding seizure and it requires veterinarians to report suspected violations and grants veterinarians immunity when they report, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 86. Those in favor will vote Aye...signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 102, Senator Etheredge. Senate Bill 103, Senator Bloom. Senate Bill 126, Senator Collins. Senate Bill 128, Senator Collins. Senate Bill 130, Senator Collins. Senate Bill 131, Senator Bloom. Senate Bill...138, Senator Netsch. Senate Bill 143, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 143.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

...Mr. President and members of the Senate, I'd move the adoption of both Amendments 1 and 2. They were technical amendments. One corrected typo error on the date and the other was the technical definition of what school year was in relation to pension time. Move the adoption of the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we'll take those one at a time. On Senate Amendment No. 1...or Committee Amendment No. 1 to Senate Bill 143, those...is there any discussion? If not, those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. On Committee Amendment No. 2, is there any discussion? If not, Senator Davidson moves adoption of Amendment No. 2 to Senate Bill 143. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 149, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 149.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 151, Senator Luft. Senate Bill 152, Senator Smith. Senator Luft on 151. What...read the bill, Mr. Secretary. 151.

SECRETARY:

Senate Bill 151.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

I believe you'll find that the amendment is an effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 151. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 152, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 152.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 1 on 152 is merely a technical amendment in this section. In the original writing of the bill this was omitted, and in order to make it consistent with the bill, chapters 108 1/2 and paragraph 1738 is included. Now, we got to do that. Let me get that one through first.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion on Amendment No. 1 to Senate Bill 152? If not, Senator Smith moves its adoption...Senator Rupp.

SENATOR RUPP:

I...Mr. President, thank you. I would like to ask that the bill be held on 2nd, because there is a...another amendment. We were talking about this and it was her agreement in committee that it would be held on 2nd. I had a communication, a phone call, but I did not get a chance to call the representative from the Chicago Teachers' Association back. So it's still in limbo. I ask that it be held.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

This...at this time, Mr....President, I'd like to just take it out of the record for the time being.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 157, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 157.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard. Who offered the amendments?

SECRETARY:

Offered by Senator Poshard in...in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 158, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 158.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This is a cleanup amendment from the committee, probably the major part of it is lowering the permissible tax rate by referendum from .04 to....05 to .004.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 158. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 165, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 165.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is simplifies the registration of title in regards to supplemental certificates and original certificates. I think it's a good amendment. It speeds up the process of getting certificates of title out of the registrar's office in Chicago and Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the

adoption of Amendment No. 1 to Senate Bill 165. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is deletes the dollar fee which...I understand that sometime ago we passed a bill giving home rule authorities power to grant fees to the recorder of deeds. This is a...a duplication...already been done as regards of registered title. The opinion from the Attorney General...or state's attorney has said that there is no need for this, so we're taking this out of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 2 to Senate Bill 165. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adoptd. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 171, Senator Netsch. Senate Bill 172, Senator Zito. Senate Bill 176, Senator Watson. Senate Bill 178, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 178.

(Secretary reads title of bill)

2nd reading of the bill...Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Amendment No. 1 to Senate Bill 178, committee amendment, clarifies the language; and what it does, it changes the word "certified" to "certificated," and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 178. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 180, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Amendment No. 1 was suggested by the committee...by the Democratic staff in the committee. They felt that the wording in the bill was a little too cumbersome. They changed it to make it much smoother. It does not change the intent or the content of the bill in any way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpiel moves the adoption of Amendment No. 1 to Senate Bill 180. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 191, Senator Netsch. Read the bill, Mr. Secretary. Senate...take it out of the record. Senate Bill 193, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 193.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 1 to the Senate Bill 193 merely...verify and...on lines 2 for inserting, and then, line 3, line 7, line 4 and codifies this which maintains the confidentiality of the person seeking to adopt the child and which this child shall be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the adoption of Amendment No. 1 to Senate Bill 193. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 210, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 210.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 supported by the State Board of Education and...and other groups who would support the bill, specifies that children covered by the bill are K through eight students rather than all students. Provisions of the bill effective only in the case in which the child's absence has not been authorized by the parent. Specifies that a reasonable effort to promptly telephone the parent must be made by the school, not actual contact but a reasonable effort. It requires the school to notify parents of their responsibility to authorize any absence or notify the school

of such absence. I would ask for adoption of Amendment No. 1 to Senate Bill 210.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 210. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 211, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 211.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...the committee amendment limits the net worth requirement to purchases of new, depreciable agricultural machinery and equipment. The effect of this amendment is to remove the net worth restriction for real estate purchases which are already controlled by Federal law. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 211. Those in

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favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 214, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 214.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 215, Senator Zito. Move it. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 215.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 217, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 217.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Excuse me, please. Where is the amendment? The amendment was...No. 1 mostly duplicates the language in the original bill while making some specific modifications, Mr. President, I'm sorry, specifying that tax incentive is a refund rather than a credit or a refund and removing the administrative requirements imposed on the utility companies with respect to each eligible taxpayer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 217. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 218, Senator Smith. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 218.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 219, Senator Zito. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 219.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 225, Senator Savickas. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 225.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the amendment was introduced for clarification language from the Illinois Criminal Justice Information Authority, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 225. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes

have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 235. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 235.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is make it clear that electronic media are not included in the requirement that the fair market value be shown when a gift is given.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 235. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 236, Senator Newhouse. Senator Newhouse, on the Floor? Senate Bill 239, Senator O'Daniel. Read the bill, Mr. Secretary, please. Senate Bill 239.

SECRETARY:

Senate Bill 239.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...page 6 is Senate Bill 259, Senator Bloom. Top of page 6, Senate Bill 259. Senate Bill 266, Senator Lemke. Read the bill, Mr. Secretary, please. House...Senate Bill 266.

SECRETARY:

Senate Bill 266.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Can we break up the conference. Senator Lemke.

SENATOR LEMKE:

I believe this is a technical amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to Senate Bill 266. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 267, Senator Lemke. Read the bill, Mr. Secretary, please. 267.

SECRETARY:

Senate Bill 267.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 270, Senator Lemke. Senate Bill 280, Senator O'Daniel. Read the bill, Mr. Secretary, please. 280.

SECRETARY:

Senate Bill 280.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 282, Senator Poshard. Mr. Secretary, read the bill. Senate Bill 282.

SECRETARY:

Senate Bill 282.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, essentially what this amendment does is it...it clarifies that it's completely voluntary on the part of the school board to pick up the health insurance premiums for the retired teachers, that they might be on their plan. That's all the amendment does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Poshard has moved the adoption of Amendment No. 1 to Senate Bill 282. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 283, Senator Macdonald. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 283.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald, committee amendment.

SENATOR MACDONALD:

Mr. President, I'm sorry, I did not realize that that bill had been amended in a committee, and I'll pass it over

at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Senate Bill 290. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 290.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment is deletes reference to phychological trauma inflicted by reason of a crime.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to Bill...Senate Bill 290. Those...any discussion? If not, those in favor will signify by saying Aye. Those opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 294, Senator Mahar. Read the bill, Mr. Secretary, please. 294.

SECRETARY:

Senate Bill 294.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 295, Senator Marovitz...Mr. Secretary, read the bill. Senate Bill 295.

SECRETARY:

Senate Bill 295.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, members of the Senate. This an agreed amendment and it provides that clinical social workers shall be regulated by the Department of Registration and Education and changes the word "diagnosis" to "evaluation," and...when referring to those services that are provided by clinical social workers, and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 295. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 299 2nd reading

3rd reading. Senate Bill 297, Senator Watson. Senate Bill 299, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 299.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 deleted the exemption regarding minors' claims. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman moves the adoption of Committee Amendment No. 1 to Senate Bill 299. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 300...

SENATOR BERMAN:

Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. Senator Berman.

SENATOR BERMAN:

There are two amendments, Number 2 and 3, that were...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will return Senate Bill 299 to the Order of 2nd Reading for the purposes of two Floor amendments. Is leave granted? Leave is granted. Senate Bill 299, Mr. Secretary.

SECRETARY:

Floor Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This is a six line amendment or five?

SECRETARY:

4...in the other type of...

SENATOR BERMAN:

All right. Thank you. Amendment No. 2 is a request from the Christian Science Church to add the inclusion of any other type of remedial care within the coverage of this provision. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman moves the adoption of Committee...Amendment No. 2 to Senate Bill 299. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This is a technical amendment requested by the Department of Public Aid dealing with cash assistance and food stamps. I move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment No. 3 to

Senate Bill 299. Any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. The hour of two is rapidly approaching. I think this is a logical break point with one exception, Senator Holmberg has a bill that I understand is of an emergency nature, and that is Senate Bill 339, which is to be amended. If we could go to that order of 339, then Senator Netsch has a motion in writing and that will conclude our business until one o'clock tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will go to Senate Bill 339, middle of page 7. Is leave granted? Leave is granted. Mr. Secretary, Senate Bill 339.

SECRETARY:

Senate Bill 339.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. The amendment reduces the amount asked for by the choir from fifteen thousand to twelve thousand five hundred. We're moving it today because the tour begins June 1st and it's necessary to get these funds from the Tourism Fund to them very quickly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg has moved the adoption of Committee Amendment No. 1 to Senate Bill 339. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This amendment is for the sum of six thousand dollars that would be appropriated from the Department of Commerce and Community Affairs...Tourism Fund for the Ashland High School band to go to the Independence Day Parade July 4th in Washington, D.C. We have...are amending Senator Holmberg's bill simply because it must...the payment of these funds need to be by July 4th when these kids go to Washington.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Donahue moves the adoption of Amendment No. 2 to Senate Bill 339. Any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. On...Senator...Senator Jones, for what purpose do you arise? Senator Jones. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I have a motion to suspend the...the posting rule...Six-day Posting Rule so that Senate Bill 56, 60, 96, 101, 140, 293, 369, 424, 566, 591, 614, 622, 630, 637, 638, 710, 715, 716, 717, 718, 726, 752, 817, 873, 907, 974, 1030, 1048, 1062, 1066, 1068, 1069, 1080, 1131, 1132, 1138, 1220, 1221, 1222, 1223, 1224, 1226, 1247, 1258, 1299, 1309, 1353, 1354, 1355, 1362 and 1375, that these bills be posted for a hearing tomorrow in the Insurance Committee at 5:00 p.m. Due to a mix-up, the bills were inadvertently not posted, and that I...I'd like to suspend the posting rule that...so that these bills can be posted in hearing tomorrow in the Insurance Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've...heard the motion. Senator Jones wishes to suspend rule 7C for the purpose of waiving the posting requirement so that the bills, in fact, can be heard this week. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. All right. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I move to discharge the Committee on Local Government from further consideration of Senate Bill 780, and further move that that bill, 780 be referred to the Senate Revenue Committee. I have discussed this with the two chairmen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Etheredge has moved to discharge the Committee on Local Government from further consideration of Senate Bill 780 and that the bill be rereferred to the Committee on...on Revenue. Senator...Senator Netsch.

SENATOR NETSCH:

I would think then, Senator Etheredge, you might want to, just to cover us, to make sure to waive the Six-day Rule and

it will be posted for Thursday, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Let's...let's take one at a time, all right? All right...Senator Etheredge has moved to discharge the Committee on Local Government from further consideration of 780, that the bill be rereferred to the...Committee on Executive. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. It's so...Committee on Revenue...I think I said Executive, Committee on Revenue. I...all right, now, Senator Etheredge wishes to move to suspend Rule 7C for the purpose of allowing this bill to be heard...suspending the rules on the Order of Posting. Is leave granted? Leave is granted. It's so ordered. On the Order of Motions, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Netsch, for...we'll have the motion read. Mr. Secretary, read the motion.

SECRETARY:

I move to suspend Senate Rule 5C for the purpose of allowing Senate Committee on Agriculture, Conservation and Energy to conduct a hearing and to make a recommendation on Senate Bill 1021 on or before May the 10th, 1985. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, I...I think it is important for all the members to listen to this. This with the concurrence...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold on...hold on...just a moment, Senator Netsch. If we can have order for a moment, please. We're getting ready to adjourn. This is an important announcement and certainly we

want to afford Senator Netsch every courtesy. Senator Netsch.

SENATOR NETSCH:

...this relates to the bill of the...that represents the findings of the Joint Committee on Utility Regulation. What we are requesting is that the bill be heard and acted on after the deadline of this week. This is with the concurrence of the chairman and minority spokesman of the Committee on Agriculture, and the President of the Senate and the minority leader. It obviously is a very complicated bill and, in fact, it is about two hundred and four pages. It is not fully available to the members as yet and it seemed only reasonable that it be given an ample opportunity to be fully heard. So what...we will do is, the bill is posted for tomorrow. If the amendment is available, and we hope it will be, it will be put on the bill tomorrow so that people can see the text of the bill. It is only a shell bill at the moment. I understand from Senator Joyce there will some witnesses heard, but the bill will not be finally heard and acted on until next week when there is more time for it. That is the purpose of the motion and I would now move adoption of the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've...you've...you've heard the motion...is there any discussion on this motion? All right. Senator...Senator Netsch has moved to...to suspend Rule 5C to extend the deadline in reference to Senate Bill 1210 to May 10th. All right. Senator Netsch has moved to suspend Rule 5C for the purpose of allowing the Senate Committee on Agriculture, Conservation and Energy to...conduct a hearing and to make a recommendation on Senate Bill...1021 on or before May 10th, 1985. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. All right. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to remove myself as chief sponsor of Senate Bill 1153 and substitute Senator David Barkhausen as chief sponsor on Senate Bills 1153 since this topic takes mostly...takes place mostly in his district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Is leave granted? Leave is granted. So ordered. Senator Barkhausen will be substituted in place of Senator Geo-Karis on Senate Bill 1153. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I'd ask leave of the Body, please, to offer the name of Senator Keats as hyphenated sponsor to Senate Bill 74.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith...requests Senator Keats be added as a hyphenated cosponsor to Senate Bill 74. Is leave granted? Leave is granted. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, in the President's Gallery we are privileged to have visiting today, Mayor Paul Neal and his wife, Mary, from the Village of Libertyville, in my district. I'd ask the Senate to make them welcome.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If the Mayor and the First Lady would please rise and be welcomed to the Senate. All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The committee schedule is a full one, so I suggest we now adjourn until one o'clock tomorrow, one o'clock on Wednesday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...Senator...Senator Smith.

SENATOR SMITH:

Thank you. I merely want to ask the Body, we have in our presence today, students from Kennedy-King College, they're a nursing program, they're here lobbying today. Where are you? Will you please stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests please stand and be recognized by the Senate. Are they here? All right. Senator Rock has moved that the Senate stand adjourned till Wednesday, April...or May 1st, at the hour of one o'clock.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 1, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Charles Kyle, St. Francis Xavier Church, Chicago, Illinois. Father.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, April the 17th; Thursday, April the 18th and Tuesday, April the 23rd, in the year 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer. Mr. President, I move that the reading and approval of the Journals of Wednesday, April 24th; Thursday, April 25th and Tuesday, April 30th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right, you've heard the motions as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motions carry and it's so ordered. Committee reports.

SECRETARY:

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills:

371, 1002 with the recommendation Do Pass.

195 and 1208 with the recommendation Do Pass as Amended.

Senator Newhouse, chairman of Higher Education Committee,

reports out the following Senate bills:

508, 869, 909, 1322, 1358 and 1387 with the recommendation Do Pass.

355, 626, 627, 1127 and 1385 with the recommendation Do Pass as Amended.

1108 with the recommendation Do Not Pass.

Senator Degnan, chairman of Local Government Committee, reports out the following Senate bills:

169, 275, 298, 395, 498, 502, 505, 518, 557, 560, 579, 613, 623, 625, 628, 629, 722, 732, 734, 739, 782, 785, 843, 920, 971, 976, 1010, 1043, 1044, 1065, 1124, 1153, 1159, 1236, 1245, 1248, 1249, 1250, 1348, 1360, 1372, 1399, 1412, 1425, 1426 and 1435 with the recommendation Do Pass.

161, 224, 227, 274, 315, 374, 596, 601, 738, 744, 937, 1041, 1308 and 1312 with the recommendation Do Pass as Amended.

727 with the recommendation Do Not Pass.

Senator Dawson, chairman of Public Health, Welfare and Correction Committee, reports out the following Senate bills:

62, 390, 392, 750, 880, 939, 941, 943, 944, 998, 1013, 1018, 1051, 1125, 1151, 1152, 1160, 1161, 1183, 1185, 1370, 1371, 1388 and 1396 with the recommendation Do Pass.

220, 384, 385, 386, 388, 391, 765, 828, 956, 1004, 1014, 1046, 1171, 1184, 1186 and 1238 with the recommendation Do Pass as Amended.

1001 with the recommendation Do Not Pass.

PRESIDENT:

The Chair is happy to recognize the presence of the State Treasurer of the State of Illinois, the Honorable Jim Donnewald. Welcome back, Jim. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives passed bills with the following

titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 294, 335, 573, 576, 577 and 611.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 39. It's a death resolution.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 179 offered by Senator Carroll and it's congratulatory.

PRESIDENT:

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 180 offered by Senator Rock and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some attention, please. Can we have some order, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the membership...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and Gentlemen, can we break up the caucuses. Will our guests from the House please retire to the rear. Senator Rock.

SENATOR ROCK:

...I will...I will be moving, Mr. President and Ladies

and Gentlemen, for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 180 and ask leave that all members be added as cosponsors. The resolution is in favor of Doctor Percy Julian,...imminent scientist who happily happened to...live in the Village of Oak Park, and the Oak Park School District, District 97, has seen fit through board action to rename a school in Oak Park in memory of Doctor Julian. The resolution reads as follows:

(Senator Rock reads Senate Resolution 180)

Mr. President, I would move to suspend the rules for the immediate consideration and adoption of Senate Resolution 180.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Senator Rock has moved the...to suspend the rules for the immediate consideration and adoption of Senate Resolution 180. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution 180. Is there any discussion? Senator Geo-Karis. Can we break up the caucus behind Senator Geo-Karis?

SENATOR GEO-KARIS:

Am I in order for the next line of business?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your light was on for this.

SENATOR GEO-KARIS:

Oh, sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Senate Resolution 180. Any discussion? If not, those in...Senator Collins. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Resolution 180 and I would...too, would

like to commend District 97 for having the...the foresight to congratulate and set aside this day in a special honor and tribute to Doctor Julian and to his family for the outstanding contribution that they...he made, not only to the Village of Oak Park and to the residents of Oak Park but to the country as a whole, and I ask to...for favorable consideration of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I simply want to add...sort of a personal note. I knew Doctor Julian well. Some of you may know that Doctor Julian was for a number of years a trustee of Northern Illinois University. So, in addition to the fact that we had a personal relationship, I worked with him closely as the chairman of Higher Education in some movements for Northern Illinois University, and I thought that ought to get into the record. Thank you, very much, Mr. Chairman, for the opportunity to share in a tribute to a very fine person.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved the adoption of Senate Resolution 180. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR ROCK:

In the...in the gallery behind the Senate Chamber, we are honored today to have some special guests from Oak Park District 97. Doctor Ernest Muehler, the superintendent of schools; three board members, Doctor Myrtle Mason, Mary Pat

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Seek, Chris Rono, Elsie Harley, the associate superintendent and Barbara Rennen, who is the director of public relations for District 97 and Stuart Mitchell, the principal. I would ask that our guests in the gallery please rise and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen. In addition to that, we have three students from the Hawthorne School who are here with us on the Senate Floor, and they will be bringing back to Hawthorne School a report to the student assembly, having been part of the Senate of the 84th General Assembly at least for part of today. They are Sharon Grainer, who's an eighth grade student; Ian Barnard, an eighth grade student and Ann Lee, an eighth grade student, and they will be all over the Floor and I'd like to welcome them also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our...would our three guests please rise...in the back of the Chamber. Resolutions.

SECRETARY:

Senate Resolution 181 offered by Senators Berman, Carroll and Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. Can we have your attention, please...have order in the Senate. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move the...that the appropriate rules be waived for immediate consideration of Senate Resolution 181. The subject matter of this resolution deals with the visit of the President of the United States...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Berman. Can we have some order, please. Can we have some order, please. Would the...extend Senator Berman this courtesy. Senator Berman.

SENATOR BERMAN:

...this deals with the visit of the President of the United States to the cemetery in Germany where there are SS troops buried and the language of this resolution, I would add, is exactly the language of the resolution that was adapted...adopted by voice vote by the Senate of the United States, and I move the immediate consideration of Senate Resolution 181.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the...to suspend the rules for the immediate consideration and adoption of Senate Resolution 181. Is there discussion? Senator Philip.

SENATOR PHILIP:

Yes, Mr. President, I object and I object on two basises. The first basis, there probably isn't a cemetery in Germany that doesn't have SS troops buried. Number two, obviously, it is...it is politically motivated...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...

SENATOR PHILIP:

...third...thirdly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Philip, we're talking about the motion to suspend the rules and not the merits of the resolution. Senator Philip. Senator Philip.

SENATOR PHILIP:

Yeah, I...I would suggest, like any other resolution, this go to the Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...further discussion? Senator Berman.

SENATOR BERMAN:

The planned visit that this resolution addresses was...is supposed to take place on Sunday. If the resolution goes to the committee, it will be moot. I urge that we waive the rules for immediate consideration of this nonpartisan, humanitarian resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I...I think this has been in the media for over a month. I don't know why we wait till the last minute. There was plenty of opportunity in the last thirty days for this resolution. Obviously, it's politically motivated. Let it go to committee where it belongs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman, under our rules unless there is unanimous consent there must be a roll call. Do you wish to have a roll call on the suspension of the rules? Senator Berman.

SENATOR BERMAN:

Yes, I would request a roll call if there's not unanimous consent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has...Senator...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to suspend and in contrary distinction of what Senator Philip said, I don't think it's politically motivated at all. I think the fact of the matter is, we have seen the United States Senate, and I truly don't...don't know what happened in the United States House, but both bodies, on a bipartisan basis have considered this and have suggested as a policy statement that our Chief

Executive really ought not do this; and that really is the sense of the body that this trip was ill-advised or that visit is ill-advised, irrespective of political considerations. We are talking about...some...some very deep feelings that go back forty years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Well, are...are we debating the...the motion or...or the resolution? I mean, if it's good for the goose, it's good for the gander.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are, in fact,...debating the...the motion to suspend the rules. Senator Rock.

SENATOR ROCK:

Well, I...I don't think there need to be a lengthy debate. Obviously, with an objection having been raised, we need a roll call to suspend the rules. It will require thirty votes and I suggest we get on with it and then we can debate the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The motion is, shall the rules be suspended for the immediate consideration and adoption of Senate Resolution 181. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 18, 5 voting Present. The rules are...rules are suspended. Senator Berman now moves for the...Senator Berman.

SENATOR BERMAN:

If you announced that roll...that vote, I will then move to suspend the rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the vote on the...on the suspension of the rules is 29 affirmative, 18 voting No and 5 voting Present. The motion to suspend fails. Senator Berman.

SENATOR BERMAN:

I now move, Mr. President, to suspend the rules for immediate consideration of Senate Resolution 181.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

As the maker of the motion which just failed, is it not...parliamentary incorrect for the same motion to be put by the same person on something which has just defeated by Robert's Rules of Order?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The effect of our rules is that...that it, in fact, cannot be reconsidered at this meeting. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I would move that...that the...for immediate...appropriate rules be suspended for immediate consideration of Senate Resolution 181.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Well, we've already had that motion. You've ruled on the last one. The same thing pertains. Let's let go to Executive Committee, didn't...receive 30 votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. The ruling of the Chair is that, in fact, under our rules, the resolution...of Senator Berman cannot be considered at this meeting. Therefore, the resolution will...will go to the Executive Committee. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 182 offered by Senators Marovitz, Berman and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the appropriate rule be suspended for the immediate consideration of Senate Resolution 182.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate Resolution 182. Senator Marovitz has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 182. Senator Philip.

SENATOR PHILIP:

Well, it...it's the same motion with a different sponsor. It's dilatory. We've already done it and we all know that. Let's abide by the rules, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, it's...it's a different resolution. We have always afforded the members an opportunity to...to put forth identical bills, identical resolutions. Senator Marovitz...

SENATOR PHILIP:

Well, let me...may I say this, Mr. President. The resolution is not on my desk. In fact, either resolution are not on my desk. Is the motion in writing? Where are the resolutions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Philip, under our rules, it is required that if...upon a request of five members, that a bill is not

on your desk, or an amendment, that, in fact, our rules do...does provide that upon the request of five members, that it would, in fact, would be distributed. Our rules are...are silent on the...on the issue of...of resolutions. Senator Philip.

SENATOR PHILIP:

I...I'd just like to know how we can vote on a controversial resolution if we don't have the resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Yeah, I...I think we can do one of two things. Either the clerk can read the resolution or we can make sure that copies are distributed. I think that request is certainly in order. We can go on to a...for a few minutes or...what's...what's your pleasure, Senator Philip?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Mr. President, I'd like to have copies of both resolutions. You say the resolutions are different, I'd like to see copies of both resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Yeah, I...I think that request is in order...we'll ask the Secretary to have copies provided to all members and we'll certainly get back to this order of business. In the meantime, I might suggest, Mr. President,...two members have...emergency appropriation bill which we dealt with yesterday which was amended yesterday. It might be an appropriate time to go to that order. That's on page 32 of the Calendar. With leave of the Body, if we could go to page 32 on the Order of Senate Bills 3rd Reading for the purpose of

Senate Bill 339.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Senate, we will go to page 32, Senate bills 3rd reading is Senate Bill 339. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 339.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this appropriation...thank you, Mr. President,...is of...rather...an emergency nature in that it appropriates the sum of twelve thousand five hundred dollars as amended to the Department of Commerce from the Tourism Promotion Fund for the Kentorei Boy's Choir of Rockford to tour Japan. They are leaving on June 1st. It will be necessary to move this along very quickly. We also, as you remember, amended into the bill Senator Donahue's request for six thousand dollars for the Ashland High School Band to participate in the Freedom Day Parade in Philadelphia and the National Independence Day Parade in Washington D.C. I would ask that we support this bill and move it quickly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, traditionally we have supported the financing of...of local groups to attend national functions, we pay a quarter of it. This is something we...we do each year and we're happy to support it over here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The question is, shall Senate Bill 339 pass. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays...53, the Nays are none, 1 voting Present. Senate Bill...339 having received the required constitutional majority is declared passed. Senator...Senator...Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR KARPIEL:

I've been asked by the Library Association to mention that they will be having buses run to their reception this evening which is at the Prairie Convention Center and the buses will pick you up at the south door of the Stratton Building or the north door of the Capitol and take you to the convention center and then back again, if you wish, from five-thirty to eight-thirty. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. Mr. President, if I might just call the attention of members to the fact that there has been distributed on your desk a copy of the text of what is now Senate Bill 1021, the report of the Joint Committee on Utility Regulation. Many of you had asked for copies of that text. They are now available and we know that you want an opportunity to read all two hundred...or a hundred and ninety-two pages and so we have distributed them. If you will look on your desks, you will find copies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DONAHUE:

...thank you, Mr. President. I just wanted to draw attention to one of our former colleagues that's been on the Floor, served in the Illinois Legislature for twenty years, the...Clarence...Representative Clarence Neff.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Clarence Neff. Welcome to the Floor. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

The purpose of reminding the members of the Senate who want to participate in the Governor's Prayer Breakfast, please get your reservations and the fee for however many tickets you want turned into my office so we can get your tickets for you at a reserved spot table down in the front part of the auditorium on May the 16th. Senator Rock is part of the participants in this program. The speaker is a...Brigadier General in the Air Force who's made religion part of his life as a career military man and an outstanding individual. We're looking forward to seeking you there. Please get your reservations to us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to have leave to be shown as a...a sponsor of Senate Bill...one of the sponsors of 626 and Senate Bill 627. I've talked to Senator Newhouse and Senator Jones and I have their permission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Is leave granted on 626 and 627? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise to Table Senate Bill 832 as...since there's been already a bill by Senator Netsch on the same subject. So, I rise to Table Senate Bill 832.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator,...where...where does...where's the bill now?

SENATOR GEO-KARIS:

Senate Bill 832 was in Executive Committee and I had also spoken to the Executive Committee last night about it, so there's no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis moves to discharge the Committee on Executive from further consideration of Senate Bill 832 with the express purpose of Tabling the bill. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Executive is discharged of further consideration of Senate Bill 832. Senator Geo-Karis now moves to Table Senate Bill 832. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it...Senate Bill 832 is Tabled. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank...thank you, Mr. President. I...I need to be added as a joint cosponsor on a couple of bills and removed from another. I've checked with the Senate President. So I won't waste the whole time, I'm just going to hand this list in writing to the...to the Secretary. The President is nodding that it's okay. I...we've taken care of this and I'll hand you this list to clean things up. Thank you.

PRESIDENT:

All right, the gentleman seeks leave to be shown as a co-sponsor of the list of bills he's about to present to the Secretary. Is leave granted? Leave is granted. Senator Luft, for what purpose do you arise, sir?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator Holmberg as a hyphenated sponsor of Senate Bill 824.

PRESIDENT:

The gentleman seeks leave to add Senator Holmberg as the hyphenated sponsor of Senate Bill 824. Without objection, leave is granted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

On the same order of business. With the permission of the principal sponsor, I would like to be shown as a hyphenated cosponsor on Senate Bill 486.

PRESIDENT:

The lady seeks leave to be shown as the hyphenated cosponsor of 486. Without objection, leave is granted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I'd like to beg leave of the Body to get on Senate Bill 626 and 627. I have asked permission of the sponsor.

PRESIDENT:

All right, the lady seeks leave to be added as a cosponsor of Senate Bill 626 and 627. Without objection, leave is granted. Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCZ:

Mr. President, I ask leave of the Body, with permission of the chief sponsor, to be added...to be added as a hyphenated cosponsor to Senate Bills 24, 29, 32 and 37.

PRESIDENT:

All right, the gentleman seeks leave to be added as a cosponsor of Senate Bills 24, 29, 32 and 37. Without objection, leave is granted. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

For the purpose of seeking leave to discharge a bill from Executive Committee for the purpose of Tabling the bill, Senate Bill 1258.

PRESIDENT:

All right. The gentleman seeks leave to discharge the Committee on Executive from further consideration of Senate Bill 1258 for the purpose of Tabling. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The bill is discharged. Senator Schuneman now moves to Table Senate Bill 1258. All in...favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The bill is Tabled. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to add as...as an immediate cosponsor, Senator Clarence Darrow, to my Senate Bill 564.

PRESIDENT:

The lady seeks leave to add Senator Darrow as a cosponsor of 564. Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, I would like to add as an immediate cosponsor to my Senate Bill 195, Senator Leroy Lemke.

PRESIDENT:

The lady seeks leave of the Body to add Senator Lemke as a cosponsor of Senate Bill 195. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I'd like to request leave to be added as a cosponsor of Senate Bill 665.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of

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Senate Bill 665. Without objection, leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I request leave to be added as a hyphenated sponsor of...Senate Bill 626 and Senate Bill 627.

PRESIDENT:

All right, the gentleman seeks leave to be added as the cosponsor of Senate Bill 626 and 627. Without objection, leave is granted. The Senate will come to order, please. Will the staff take their meetings off the Floor. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 182 introduced by Senators Marovitz, Berman and Carroll.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...thank you, very much, Mr. President and members of the Senate. I would move that the appropriate rules be suspended for the immediate consideration of Senate Resolution 182.

PRESIDENT:

Question is the suspension of the rules for the immediate consideration of Senate Resolution 182. The motion is nondebatable. Those in favor of the motion to suspend will vote Aye. Those opposed will vote Nay. I beg your pardon, Senator Philip.

SENATOR PHILIP:

The motion is nondebatable?

PRESIDENT:

That's...

SENATOR PHILIP:

Well, Mr. President, let me suggest this...

PRESIDENT:

...I'll...I'll ask the gentleman to withhold that motion

until we have a chance to talk on it. The fact is, that Robert's Rules says it's not debatable. We've debated it in the past.

SENATOR PHILIP:

...point...point of information, Mr. President. I...I have received both resolutions now. As stated on this Floor, the resolutions are supposed to be different. They are not. They're exactly the same resolution. The only two differences are the number and the sponsorship. So, we're considering exactly, precisely the same resolution.

PRESIDENT:

All right, the...the Chair is prepared to rule that the motion as placed by Senator Marovitz is, in fact, in order. The substance of the two resolutions, you are correct, the substance is identical. The fact is the motion before us is not on the substance, it's on a motion to suspend. Senator Philip.

SENATOR PHILIP:

Just so the...record so states as on the Floor of this Senate it was stated they were not the same resolutions which was absolutely incorrect.

PRESIDENT:

Well, not...

SENATOR PHILIP:

And we ought to know that.

PRESIDENT:

...not...not the same in terms of numbers. There's 181 and 182. All right, the question before the Body is the motion to suspend for the immediate consideration of Senate Resolution 182. Those in favor of the motion to suspend will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 13 Nays and 11 voting Present. The motion pre-

vails. Senator Philip.

SENATOR PHILIP:

I know it's that time of day, funny things happen around here. I'd like to have the verification of the affirmative votes.

PRESIDENT:

All right, Senator Philip has requested a verification. Will the members please be in their seats. Mr. Secretary, read the affirmative roll, please.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Kustra, Lechowicz, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Senator Philip, do you question the presence of any member?

SENATOR PHILIP:

Senator Hall.

PRESIDENT:

Senator Hall is in his seat. Senator Philip.

SENATOR PHILIP:

Senator Kelly.

PRESIDENT:

Senator Kelly is in his seat. All right, the roll has been verified. The Ayes are 30, the Nays are 13, 11 voting Present. The motion carries. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Everybody has the resolution in front of them. This is the identical resolution to that which was introduced and passed unanimously, without objection in the United State's

Senate and the United State's House of Representative. In the last week we have heard from the President's own leaders who have spoken out and asked the President to reassess his decision to visit Bitburg, and I would just say to my colleagues, that is all that this resolution does. It asks that the President reassess his decision and his itinerary in his visit to the Federal Republic of Germany, and it stress our friendship with the...Federal Republic of Germany. And I might add in reading into the record, just regarding that...that friendship with our friends in...in the Federal Republic of Germany. It says:

(Senator Marovitz reads part of Senate Resolution 182)

And I think that is why, in terms of symbols and symbolic...this symbolic visit, that we should, and it is fitting, that we call upon the present...President to reassess his itinerary upon his visit to Germany. This is not a criticism of anyone, but it certainly is a...there are many other places that the President could visit...many other burial places that the President could visit which would not recall the heinous memories that...that a visit to the Bitburg Cemetery will recall. This resolution and passage of this resolution evidences the concern of the Illinois Senate and that is all it does, and I would ask for unanimous support of this request of the President of the United States to reassess his itinerary. Many in your own party and my colleagues on the other side of the aisle have spoken out. What is wrong with all of us saying to the President, reasonable men can differ...reasonable men can differ regardless of party? This is not a political partisan issue. This is an issue of decency and I think we should all be green on this resolution.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. First, I'd like to have leave to be a cosponsor on Senate Resolution 182.

PRESIDENT:

All right, the gentleman seeks leave to be added as a cosponsor. Without objection, leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. This issue is not an issue only in the State of Illinois. It was addressed nationally in the U. S. Senate, and Senator Dole, the majority leader, very forcefully and...eloquently portrayed his disapproval of the mistake that the President of United States has made in agreeing to pay a visit to this cemetery. Senator Philip is absolutely correct when he mentions the fact that there are probably SS troops in every cemetery in Germany. It's a fact of life, but it's unfortunate that the SS and what it symbolizes and means...and meant to millions of people in...in the world and the atrocities that they really put not only to the Jewish people, to the Pols, to the Slavs, to every European group that they were exposed to, the atrocities at Auschwitz and the other Dachau are something that this world should never forget nor never let...be it portrayed in any way that we accept at any time, and it is for that reason that the SS were in charge and were responsible in carrying out Hitler's orders that this is where the mistake was made. Senator Dole was correct when he says, yes, the President made a mistake. It's human to make mistakes. The President is human and he should address the fact that a mistake has been made and he should change his direction and pick a different way of showning is respect to the German people and the new German Government, but this will never be tolerated in my community nor in many other communities throughout the world; and I strongly support this reso-

lution and its concept and its purpose and would hope that you would also, in your wisdom, support 182. Thank you.

PRESIDENT:

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would just like to reiterate what Senator Lechowicz had mentioned that the SS not only committed serious and horrendous crimes against the Jewish people but also the Pols and the Eastern Europeans and that no right thinking individual would pay tribute to the SS. One thing that does disturb me is in this introduction where we say we're...it...the United States Government should pay honor to the memories of millions of innocent citizens and hundreds of thousands of Americans and allied soldiers. I'd point out to this Chamber that the Russians, at that time, were our Allies and perhaps they committed as many atrocities against the Lithuanians and Latvians, Estonians and Pols and other Eastern Europeans as the SS. I just take somewhat exception to the fact that we are...feel that it's proper to show honor to those butchers on the Russian side. I feel this is a very fine resolution, a moral stand that this Chamber should take and I support its adoption.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I do not object to this resolution. I object to this resolution because it adds to the confusion, and what I mean by confusion is, on more than two different separate cases I have seen the media and heard the media call it an SS cemetery. It is not an SS cemetery. It never was an SS cemetery. Probably every cemetery in Germany probably has some of the SS buried there, but all this does is add to the confusion, and there is confusion out there, and I just want

to set the record straight.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I want to assure my colleagues on the other side of the aisle, there was draft language that was prepared for a resolution that was, in fact, submitted to the clerk yesterday. At the suggestion of Senator Rock, I withdrew that resolution so that the exact language of the resolution that was adopted by the United State's Senate as well as the House with very vocal support by persons who are not partisan against the President, namely, people like Senator Dole and Representative Jack Kemp who supported this language. I...the last thing I want to do is to try to make an issue like this a partisan issue. It is not partisan. I think it is highly moral, has nothing to do with politics; and as previous speakers have said, I think the President has been put in a untenable position and we are asking him to reassess his position. That's what it's about. It certainly has nothing to do with politics and that was why I was rather shocked by the debate over the consideration of this. I hope that now that that is put aside that we can unanimously adopt this resolution with the nonpartisan language that it embodies. Thank you.

PRESIDENT:

Further discussion? Any further discussion? Senator Marovitz, you wish to close? Question is the adoption of Senate Resolution 182. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution 183 offered by Senator Rigney. It's congratulatory.

Senate Resolution 184, by the same sponsor. It's

congratulatory.

And Senate Resolution 185 offered by Senator Maitland. It's a death resolution.

PRESIDENT:

Consent Calendar. Further business to come before the Senate? Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President. Been asked to add my name as a cosponsor to Senate Bills 385 through 390, the Alzheimer's package. And I'd also like to add as a joint sponsor to Senate Bill 1311, Senator Jones.

PRESIDENT:

All right, gentleman seeks leave to add Senator Jones to Senate Bill 1311. Without objection, leave is granted. He seeks leave to be added as a cosponsor on the series of bills Senate Bills 385 through and including 390. Without objection, leave is granted. Further business? Further announcements? Any announcements? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. For the purpose of an announcement. I would like to announce that the Labor...Committee will meet in A-1 immediately following this Session. We do have a lot of bills to consider this afternoon, and if you leave immediately, we can get there on time and everyone can get out on time. We have some very important bills, some controversial bills, in the committee. We will also...I will also have my economic development package of bills is in that committee this afternoon, and so I'm asking everyone to please be there and be on time so that we can adjourn before midnight tonight.

PRESIDENT:

Further announcements? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I'd just like to call atten-

tion to all the members of Appropriation II, we will meet in Room 212 immediately so that we can go through this list.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. The Senate Transportation Committee will meet in Room 400 at 3:00 p.m. That'll give you a half an hour to get a sandwich and what have you so that we can convene and conclude all our business.

PRESIDENT:

All right, Senate Transportation at three o'clock, one-half hour from now. Senator Carroll.

SENATOR CARROLL:

Merely, Mr. President, I would ask leave to be added as a cosponsor of the...package of bills 385 through 390...Senate Bills 385 through 390. I checked with the sponsor before.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of Senate Bills 385 to and through 390. Without objection, leave is granted. Any further business to come before the Senate? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, May 2nd, tomorrow, at one o'clock. One o'clock tomorrow. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 2, 1985

PRESIDING OFFICER: (SENATOR SAVICKAS)

The hour of one having arrived, the Senate will come to order. Will our guests in the gallery please rise. Our prayer will be offered by the Reverend Charles Kyle of the St. Francis Xavier Church of Chicago.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDING OFFICER: (SENATOR SAVICKAS)

If Senator Carroll will lead the ushers down the aisle, we'll hold our collection. Reading of the Journal. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I move that...I move that the reading of the Journal and...the reading and approval of the Journal of Wednesday, April the 24th; Thursday, April the 25th; Tuesday, April the 30th and Wednesday, May 1st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any objection? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Committee reports.

SECRETARY:

Senator Hall, chairman of Appropriations II Committee, reports out the following...Senate bills:

365, 366 and 1263 with the recommendation Do Pass as Amended.

Senator Sangmeister, chairman of Executive Committee, reports out the following Senate bills:

346, 510, 661, 612, 670, 680, 728, 729, 771, 794, 798, 803, 831, 841, 847, 851, 861, 864, 868, 887, 889, 899, 901, 1003, 1019, 1036, 1110, 1136, 1137, 1189, 1275, 1306, 1364, 1366, 1367, 1379, 1389 and 1392 with the recommendation Do Pass.

486, 559, 836, 848, 890, 896, 897, 1193 and 1264 with the recommendation Do Pass as Amended.

1107 with the recommendation Do Not Pass as Amended.

Senator Darrow, chairman of Reorganization of State Government, reports out the following Senate bills:

1454 with the recommendation Do Pass.

1414 with the recommendation Do Pass as Amended.

Senator Collins, chairman of Labor and Commerce, reports out the following Senate bills:

199, 200, 216, 320, 417, 509, 720, 846, 1064, 1129, 1406 and 1421 with the recommendation Do Pass.

232, 791, 1402, 1404, 1405, 1408 and 1458 with the recommendation Do Pass as Amended.

Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy Committee, reports out the following Senate bills:

109, 112, 114, 375, 567, 589, 693, 696, 753, 807, 808, 809, 810, 811, 812, 813, 814, 815, 830, 833, 849, 855, 870, 872, 892, 906, 931, 978, 987, 988, 1009, 1032, 1039, 1086, 1119, 1133, 1163, 1164, 1165, 1166, 1182, 1237, 1346, 1351, 1444, 1448, 1450, 1451 and 1452 with the recommendation Do Pass.

3, 85, 110, 368, 444, 658, 757, 806, 816 and 1260 with the recommendation Do Pass as Amended.

Senator Nedza, chairman of Transportation Committee, reports out the following Senate bills:

11, 760, 854, 895, 893, 1070, 1072, 1073, 1082, 1085, 1091, 1095, 1232, 1265, 1352, 1369 and 1397 with the recommendation Do Pass.

605, 755, 1111 and 1229 with the recommendation Do Pass as Amended.

574 and 948 with the recommendation Do Not Pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Resolutions.

SECRETARY:

Senate...Senate Resolution 186 offered by Senator Savickas and it is congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll. On Resolution...

SENATOR CARROLL:

You want...I would move that that be sent to Executive. No,...I move to suspend the rules for immediate consideration and adoption of Joint Resolution 186. I'm acting for and on behalf of Senator Savickas in this request.

PRESIDING OFFICER: (SENATOR SAVICKAS)

This is a congratulatory resolution?

SENATOR CARROLL:

Congratulatory resolution for...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...fifty years for Father...

SENATOR CARROLL:

...Reverend Jordan. Not the River Jordan, Reverend Jordan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll moves for the suspension of rules for the immediate consideration of Senate Resolution 186. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now for the adoption of Senate...Resolution 186. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The resolution is adopted. Further resolutions.

SECRETARY:

Senate Resolution 187 offered by Senator Lemke and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Resolution 188 offered by Senator Luft.

And Senate Joint Resolution 48 offered by Senators Maitland, Jerome Joyce and Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Messages from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard, Director, Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive Appointments. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Mr. President, I rise to ask permission for the Senate. We had a bill on the Agreed Bill List in Executive...and there was some objection. The objections as you know now have been removed and I ask permission to have that filed with the other bills from Executive Committee. It was Senate Bill 1036, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Chew. Any...Senator Keats.

SENATOR KEATS:

Just a minute...Senator Savickas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Is this cleared with anybody? I mean, this doesn't look like a nothing. I mean does the Republican leadership, does

the Democrat leadership, anybody aware of this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sure they are. Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, that was my committee. I...it...just too many bills to remember what happened at the end of that session. I...I...it is my recollection that we...we moved this bill out. I'm not positive...I know, Senator, it was on the Agreed List and then I believe someone knocked it off. And then I think later...we decided to move that bill out, I could be wrong. I'll check it right now. Can't we hold this motion...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew, why don't you hold the motion, the bill may be out on the Floor. Senator...Senator Chew withdraws his motion. Senator Chew, I'm informed by the Secretary that that bill was reported out on a Do Pass motion this morning. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 189, by Senator Maitland.

190 and 191, by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

While we're at a lull, could I ask leave to add Senator Rock as a cosponsor...hyphenated cosponsor of Senate Bill 1074.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Luft. Is there any discussion? If not, those in favor indicate by saying Aye. Those opposed. The...the Ayes have it. The motion is carried. Senator Hudson.

SENATOR HUDSON:

Similar purpose, Mr. President. Wondered if I could have leave from this Body to be added as a...hyphenated cosponsor to Senate Bill 846.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Hudson to be added as a...hyphenated cosponsor to 846. Is there any objection? Leave granted? Hearing no objection, leave is granted. (Machine cutoff)...purpose does Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, I would like to show Senator Darrow and Senator Luft and Senator DeAngelis as sponsors of Senate Bill 743.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Vadalabene. Is there any objection? If not, is leave granted? Leave is granted. Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I'd like leave to discharge the Committee on Agriculture, Conservation and Energy from further consideration of Senate Bill 886 for the purpose of Tabling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Dunn. He moves to discharge...Senator Dunn.

SENATOR DUNN:

886, isn't it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there move to discharge the Committee on Agriculture from further consideration of Senate Bill 886 for the purposes of Tabling? Is leave granted? Leave is granted on Senate Bill 886 is now Tabled. Senate...Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I ask leave of the Body to add Senator Sangmeister as cosponsor to Senate Bills 190 and 469.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Dudycz. Is there any objection? If not, is leave granted? Leave is granted. Senator DeAngelis.

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

In the President's Gallery I would like to introduce Mr. Harry Pestine and his family who are down here visiting us from Springfield. Harry has done a lot for economic development in our area. I'd like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentleman of the Senate. With leave of the various sponsors, I would like to be added as a principal cosponsor on Senate Bills 768, 882 and 1000.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Carroll's. Is there any objection? If not, is leave granted? Hearing no objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, with leave of the chief sponsor, Senator Barkhausen, I would like to be added as an immediate cosponsor to Senate Bill 346.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis asks to be added as immediate hyphenated cosponsor of...Senate Bill 346. Is there any

objection? Is leave granted? Hearing no objection, leave is granted. Senator...Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I checked with the sponsor and I'd like to be shown as a hyphenated sponsor on Senate Bill 1210, 11, 12, 13, 14, 15, 17 and 18.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Jones. Is there any discussion? Any objection? If not, leave is granted. Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President, two things if I may. I want to move now, possibly to...to Table Senate Bill 886. We...we discharged the committee and then I didn't ask for leave to Table it. Would...would you entertain that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn, it was done but...it...just to straighten it out...

SENATOR DUNN:

Fine...fine, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Dunn seeks leave to Table Senate Bill 886. Leave is granted.

SENATOR DUNN:

Thank you, now one other thing, sir. I'd like to add...could Senator O'Daniel as a...as a cosponsor along with myself and Senator Poshard to Senate Bill 1079.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Dunn. Is there any objection? Hearing no objection, leave is granted. For what purpose does Senator Marovitz arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Having checked with the principal sponsor, I would

ask leave to be added as a hyphenated cosponsor to Senate Bill 1377.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz. Is there any objection? Hearing no objection, leave is granted. Senator Marovitz.

SENATOR MAROVITZ:

Also, having checked with Senator Demuzio, the sponsorship of...request of...sponsorship of Senate Bill 910 to be changed and...and the sponsorship should read, Marovitz-Demuzio, Senate Bill 910.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz. Is there any objection? Hearing no objection, leave is granted. Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Asking leave of the Body, I'd like to be added as a hyphenated cosponsor of Senate Bill 1350. We've cleared it with the sponsors, it should read Carroll-Rock-Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Keats. Is there any objection? Hearing no objection, leave is granted. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. To ask leave of the Body, if I might be added as a hyphenated cosponsor to Senate Bill 791. I have talked this over with the principal sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Hudson. Is there any objection? Hearing no objection, leave is granted. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, Mr. President, permission of the sponsor and leave

of the Body, I'd like to be added as a hyphenated cosponsor to Senate Bill 1309.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Poshard. Is there any objection? Hearing no objection, leave is granted. Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President. I've conferred with the sponsor and I would like to be added as a joint sponsor to 319 and have it read Luft-Bloom-Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Bloom. Is there any objection? Hearing no objection, leave is granted. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to ask leave of the Body to discharge the Tax Relief Committee...I'm sorry, the Revenue Committee from further consideration of Senate Bill 1136 for the purpose of Tabling it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis moves to discharge the Committee on Revenue from further consideration of Senate Bill 1136 for the purpose of Tabling. Is leave granted? Hearing no objection, leave is granted on discharging the committee. Now, Senator DeAngelis moves to Table Senate Bill 1136. Is there any discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The bill is Tabled. Committee reports.

SECRETARY:

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills:

16, 401, 619, 749, 1150, 1190, 1200, 1227 and 1417 with the recommendation Do Pass.

91, 986 and 1380 with the recommendation Do Pass as

Amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Anything else? Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, I...I just had a parliamentary inquiry of the Chair. You mentioned of the bills that were recommended Do Pass, you mentioned Senate Bill 1227. And our records indicate that on that particular bill the Judiciary I Committee had a vote of 4 to 4. And I just wanted to inquire that in the case of a tie vote is there any precedence for voting a bill out of committee...or reporting a bill Do Pass out of committee on a tie vote?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator,...I'm not sure what your particular record shows, but evidently the committee clerk's record must show that it has passed otherwise it would not be reported. And I would suggest you check with the committee clerk...on that vote.

SENATOR BARKHAUSEN:

Does the clerk have a roll call?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, the clerk keeps a roll call. If there's no further business to come before the...if there's no further business to come before the Senate, the Senate will stand adjourned until 9:00 a. m., May 3rd. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 3, 1985

PRESIDING OFFICER: (SENATOR SAVICKAS)

The hour of nine having arrived, the Senate will come to order. Will our guests in the gallery please rise. Our prayer will be...by Rabbi Israil Zoberman of the Temple B'rith Sholom in Springfield.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Reading of the Journal. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, April the 24th; Thursday, April the 25th; Tuesday, April the 30th; Wednesday, May 1st and Thursday, May 2nd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Nedza's. Is there any objection? Hearing no objection, leave is granted. Committee reports.

SECRETARY:

Senator Jeremiah Joyce, chairman of Finance and Credit Regulations, reports out the following Senate bills:

512, 525, 667, 709, 768, 793, 834, 900, 902, 914, 915, 947, 957, 992, 1077, 1143, 1191, 1192, 1204, 1325, 1350, 1413, 1419 and 1434 with the recommendation Do Pass.

329, 761, 767, 835, 882, 910, 1000, 1142 and 1144 with the recommendation Do Pass as Amended.

1297 with the recommendation Do Not Pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the

following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 36, 47, 50, 51, 52, 53, 190, 196, 208, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 272, 275, 276, 277, 278, 279, 280, 281, 282, 368, 626, 639, 705, 706, 809, 944, 986, 1103, 1137, 1175, 1292, 1335, 1356, 1358, 1393, 1394 and 1410.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of...Representatives has adopted the following joint resolutions, in the adoption of which I am asked the concurrence of the Senate, to-wit:

Senate...or House Joint Resolution 41 and 42, and they're both congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. For what purpose Senator DeAngelis arise?

SENATOR DeANGELIS:

Thank you, Mr. President. Yesterday in...I requested leave of the Body to Table a bill from the Revenue Committee and, unfortunately, I gave the wrong bill number. I would like to reconsider that leave and then submit another motion to give you the right bill number.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That motion is in order.

SENATOR DeANGELIS:

I would like to reconsider the motion that...having voted on the prevailing side, I would like to reconsider the motion by which Senate Bill 1136 was Tabled from Revenue. First of all, it wasn't even in Revenue. So, I'd like to reconsider that motion first.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, then you intend to recommit 1136 back into its original committee?

SENATOR DeANGELIS:

Yeah, but I think it was on the Calendar, if I'm not mistaken.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, I...I didn't hear Senator DeAngelis' motion, so if he would restate it for us, I would be grateful.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, yesterday had errored in a motion to discharge Senate Bill 1136 from committee...from the Committee on Revenue, for the purposes of Tabling. Senate Bill 1136 was reported out of committee yesterday on a Do Pass motion. So his error has caused a mechanical problem here. We wish to...just for the record, Senator DeAngelis now wishes to reconsider the motion by which that...reconsider the vote by which that motion passed, get it back in order and submit the proper bill number for Tabling. Senator DeAngelis.

SENATOR DeANGELIS:

That being done then, I would like to request leave of the Body to discharge the Committee on Revenue from further consideration of Senate Bill 1198, which is the proper number, for the purposes of Tabling the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

So to get our motions in proper form, Senator DeAngelis now moves to reconsider the vote by which Senate Bill 1136 was Tabled. Those in favor of reconsidering vote Aye. Those opposed vote Nay. The Ayes have it. The motion carries. Now, Senator DeAngelis wishes to have Senate Bill 1136 reported back on the Calendar in its proper order. On that motion, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senate

Bills 1136 is now on the Order of 2nd Reading. Now, Senator DeAngelis wishes to discharge the Committee on...on Revenue from further consideration of Senate Bill 1198 for the purposes of Tabling. Is there...Senate...Senator Netsch.

SENATOR NETSCH:

Yes, I think...just to allay the fears of some of my colleagues over here, I think Senator DeAngelis finally has it straightened out. He Tabled the wrong bill...from the wrong committee yesterday. He meant to Table a basically duplicative bill that was in the Revenue Committee, and he has now got it right on and I concede that he is doing the...the correct order of business today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the motion to discharge, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Senate Bill 1198 is discharged from the Committee on Revenue and is ordered place on the Calendar on the Order of...now with Senate Bill 1198 being in front of us, Senator DeAngelis moves to Table Senate Bill 1198. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. And Senate Bill 1198 is Tabled. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator D'Arco and Senator Savickas as hyphenated cosponsors on Senate Bill 1074.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any objection? Hearing no objection, leave is granted. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move to discharge Public Health from further consideration of Senate Bill 572 for the purposes of Tabling it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator D'Arco. He wishes to discharge Committee on Public Health from further consideration of Senate Bill 572. Is there any discussion? All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Senate Bill 572 is discharged from committee. Senator D'Arco now wishes to...to move that Senate Bill 572 be Tabled. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Senate Bill 572 is Tabled. Senator Jones.

SENATOR D'ARCO:

No, wait. Hold it...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, Senator D'Arco.

SENATOR D'ARCO:

...I got one more. I would also move to discharge Financial Institutions from further consideration of Senate Bill 326 for the purposes of Tabling it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco moves to discharge the Committee on Financial Institutions from further consideration of Senate Bill 326. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Senate Bill 326 is discharged from committee. Now, Senator D'Arco moves that Senate Bill 326 be Tabled. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Senate Bill 326 is Tabled. Senator Jones. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like leave to suspend the posting rule so that Senate Bill 81 will be heard in Insurance Committee...this morning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones moves to waive the Six-day Posting Notice for immediate consideration of...Senate Bill 81 in the

Committee on Insurance. Is there leave granted? Hearing no objection, leave is granted. Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to get leave...on my bill, Senate Bill 234 to have Senator Rigney and Senator...Bloom added as hyphenated sponsors.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Kelly. Is there any objection? Hearing no objection, leave is granted. Senator Poshard.

SENATOR POSHARD:

Mr. Chairman, thank you. I'd like to discharge from Transportation Committee for purposes of Tabling Senate Bill 981 and Senate Bill 985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Poshard moves to discharge the Committee on Transportation from further consideration of Senate Bill 981 and 985. Is there any objection? All those in favor will indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Senate Bill 981 and 985 are discharged from the committee. And now, Senator Poshard moves that Senate Bills 981 and 985 be Tabled. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senate Bills 981 and 985 are Tabled. Senator Dudycz.

SENATOR DUDYCZ:

(Machine cutoff)...President, I ask...I request leave to have my name removed as a hyphenated sponsor on Senate Bill 374. My name was put on without my knowledge, and I have list of Senate bills I'd like to be added as a sponsor with the permission of the chief sponsors. I'll hand it to you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...you've heard the motion of Senator Dudycz on the removal of his name as a hyphenated cosponsor. Is there

any objection? Hearing none, leave is granted. Senator, if you'd give the list to the Secretary. Resolutions.

SECRETARY:

Senate Resolution 192 offered by Senators Lechowicz, Nedza, Lemke, Rock, it's commendatory.

Senate Resolution...193, by Senators Keats, Berman and all Senators, and it's...congratulatory.

Senate Resolution 194, Senator Geo-Karis, and it's congratulatory.

Senate Resolution 195, by Senators Topinka, Zito and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. Senator Chew.

SENATOR CHEW:

Mr. President, would you have the record indicate that Senator Glenn Dawson has left Springfield because of illness.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Resolutions.

SECRETARY:

Senate Joint Resolution 49 offered by Senator Chew.

(Secretary reads SJR 49)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is in fact the adjournment resolution which calls us to return to Springfield on May the 7th, at the hour of twelve noon when we adjourn today. I would move adoption of the joint resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any discussion? Hearing no objection, leave is granted. The motion carries. Now on the adoption of the resolution, is there any discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Resolutions.

Senators, on your desks are the Resolutions Consent Calendar. Are there any objections to those resolutions that are listed on the Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, we also have in addition House Joint Resolutions 41 and 42, Senate Resolutions 192, 193, 194 and 195 added to the Consent Calendar. Has there been any objections to any of these?

SECRETARY:

No objections have been filed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If no objections have been...filed, those in favor of adopting the resolutions on the Consent Calendar and those that have just been added will indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. The resolutions are adopted. On Senator Demuzio's motion to adopt, the motion carries. (Machine cutoff)...Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would like to...I would seek leave of the Body to change the sponsorship of Senate Bill 258, of which I am the sponsor, to Committee on Revenue. The sponsorship will be shown as a committee bill, Committee on Revenue. Senate Bill 258.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard...you've heard the motion of Senator Netsch. Is there any discussion or any objection?...hearing none, leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. With permission of the sponsor, I would like to be added as a hyphenated cosponsor of Senate Bill 662. I would ask leave.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Kustra. Is there any objection? Hearing no objection, leave is granted. (Machine cutoff)...since we have completed our business of the Senate for the day and there are committees that are waiting to start operation, we will stand in Recess until ten, and those committees that wish to start operating immediately may do so. Senator Demuzio.

SENATOR DEMUZIO:

So, we...we will...be conducting no other business, we will simply be adjourning at ten and committees can continue, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's right, Senator. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. If that's the case then, the Insurance Committee will begin at ten minutes to ten in Room 400, immediately.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Senate now stands in Recess until ten o'clock. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'm a little unclear, so to speak. Are we to go to our committees at ten o'clock, and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

I...I would suggest if the committee chairman called it for ten to ten, that you should be there ten to ten.

SENATOR GEO-KARIS:

I see. You want us there, and then, do...if we're committees...we're not going to have to be back here, is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No further business will be conducted in the Senate Chamber.

SENATOR GEO-KARIS:

By the way, Mr. Chairman...Mr. President, was the adjournment resolution already passed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It was read in, passed and adopted.

SENATOR GEO-KARIS:

And when do we come back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We will return May 7th, at noon.

SENATOR GEO-KARIS:

Thank you.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR SAVICKAS)

As a reminder, the committees are meeting. Insurance will meet at ten till ten in Room 400. If there's no further business to come before the Senate, Senator Luft moves that we now stand adjourned until the hour of noon on May 7th, 1985.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 7, 1985

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend William E. Kruger, St. Luke's Episcopal Church, Springfield, Illinois. Reverend.

REVEREND KRUGER:

(Prayer given by Reverend Kruger)

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

SECRETARY:

Wednesday, April the 24th; Thursday, April the 25th; Tuesday, April the 30th and Wednesday, May the 1st, in the year 1985.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Motion carries and it's so ordered. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, May 2nd and Friday, May 3rd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right, you've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

The committee reports that will be read in now was action taken on May the 3rd or prior to.

Appropriations I, Senator Carroll, chairman, reports out the following Senate bills:

173, 428 and 448 with the recommendation Do Pass as Amended.

Senator Kelly, chairman of Election and Reapportionment, reports out the following Senate bills:

12, 500, 682, 686, 774, 997, 1090, 1103 and 1180 with the recommendation Do Pass.

681, 989 and 1098 with the recommendation Do Pass as Amended.

Senator Berman, chairman of Elementary and Secondary Education, reports out the following Senate bills:

119, 340, 609, 611, 659, 745, 903, 913, 1055, 1056, 1105, 1239, 1302, 1317, 1321, 1339, 1342, 1345, 1378 and 1382 with the recommendation Do Pass.

77, 380, 381, 382, 436, 597, 707, 708, 723, 725 and 1050 with the recommendation Do Pass as Amended.

Senator Jones, chairman of Insurance, Pensions and Licensed Activities Committee, reports out the following Senate bills:

81, 101, 260, 293, 447, 566, 614, 637, 638, 715, 716, 717, 718, 742, 752, 790, 817, 873, 898, 907, 974, 1007, 1062, 1068, 1074, 1080, 1131, 1132, 1220, 1221, 1222, 1223, 1234, 1298, 1309, 1311 and 1323 with the recommendation Do Pass.

60, 96, 140, 223, 369, 576, 578, 617, 726, 866, 1030, 1048, 1206 and 1375 with the recommendation Do Pass as Amended.

Senator Marovitz, chairman of Judiciary II Committee, reports out the following Senate bills:

206, 207, 494, 538, 647, 648, 970, 1008, 1083, 1202,

1244, 1286, 1287, 1288, 1289, 1300, 1303, 1416, 1428, 1429, 1430, 1432, 1433, 1436, 1443, 1445, 1446, 1447 with the recommendation Do Pass.

49, 144, 179, 201, 202, 204, 205, 208, 209, 234, 544, 632, 644, 651, 694, 825, 1188, 1285 with the recommendation Do Pass as Amended.

Senator Netsch, chairman of Revenue Committee, reports out the following Senate bills:

192, 258, 332, 513, 660, 690, 736, 1037, 1063, 1231, 1243 and 1338 with the recommendation Do Pass.

288, 319, 334, 662, 780, 893, 894, 1079, 1273, 1318, 1363 and 1415 with the recommendation Do Pass as Amended.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bills 75, 257, 370, 489, 605, 853, 1204, 1212, 1298, 1303, 1346, 1385, 1576 and 1860.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 196 offered by Senators DeAngelis, Kelly and Mahar. It's congratulatory.

And Senate Resolution 197 offered by Senator Lemke and it's congratulatory.

PRESIDENT:

Consent Calendar. All right, with leave of the Body...if you'll turn to page 56 on the Calendar, while the members are arriving and getting settled, we'll go to House bills 1st reading. Those Senate members who have agreed to sponsor in

the Senate House bills, I wish you'd alert the Secretary or the Assistant Secretary so that the bills can be taken off the Calendar and sent to the Committee on Assignment. All right, with leave of the Body, page 56 on the Calendar, the middle of page 56, House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 35, Senate sponsor, Senator Darrow.

(Secretary reads title of bill)

...House Bill 50, Senator Berman.

(Secretary reads title of bill)

House Bill 51, Senator Berman.

(Secretary reads title of bill)

House Bill 52, Senator Marovitz.

(Secretary reads title of bill)

House Bill 53, Senator Marovitz.

(Secretary reads title of bill)

House Bill 72, Senator...Poshard and Davidson.

(Secretary reads title of bill)

House Bill 81, Senator Coffey.

(Secretary reads title of bill)

House Bill...120, Senator Sangmeister.

(Secretary reads title of bill)

129, Senator Demuzio.

(Secretary reads title of bill)

171, Senator Darrow.

(Secretary reads title of bill)

House Bill 182, Senator Nedza.

(Secretary reads title of bill)

House Bill 208, Senator D'Arco.

(Secretary reads title of bill)

House Bill 228, Senator Topinka.

(Secretary reads title of bill)

House Bill 258, Senator Lemke.

(Secretary reads title of bill)

House Bill 259, Senator Lemke.

(Secretary reads title of bill)

House Bill 260, Senator Lemke.

(Secretary reads title of bill)

House Bill 261, Senator Lemke.

(Secretary reads title of bill)

House Bill 262, Senator Lemke.

(Secretary reads title of bill)

House Bill 263.

(Secretary reads title of bill)

House Bill 264, Senator Lemke.

(Secretary reads title of bill)

House Bill 265, Senator Lemke.

(Secretary reads title of bill)

266, Senator Lemke.

(Secretary reads title of bill)

House Bill 267, Senator Lemke.

(Secretary reads title of bill)

House Bill...House Bill 268.

(Secretary reads title of bill)

House Bill 269, Senator Lemke.

(Secretary reads title of bill)

House Bill 270, Senator Lemke.

(Secretary reads title of bill)

House Bill 272.

(Secretary reads title of bill)

275, Senator Lemke.

(Secretary reads title of bill)

...House Bill 276, Senator Lemke.

(Secretary reads title of bill)

House Bill 277, Senator Lemke.

(Secretary reads title of bill)

House Bill 278, Senator Lemke.

(Secretary reads title of bill)

House Bill 279, Senator Lemke.

(Secretary reads title of bill)

House Bill 280, Senator Lemke.

(Secretary reads title of bill)

House Bill 281, Senator Lemke.

(Secretary reads title of bill)

House Bill 282, Senator Lemke.

(Secretary reads title of bill)

House Bill 283, Senator Lemke.

(Secretary reads title of bill)

House Bill 293, Senator Coffey.

(Secretary reads title of bill)

314, Senators Karpiel and Philip.

(Secretary reads title of bill)

House Bill 366, Senator Holmberg.

(Secretary reads title of bill)

PRESIDENT:

Hold it, Mr. Secretary. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For purpose of an announcement, Mr. President. My...our colleague, Senator Demuzio, is celebrating his forty-fourth birthday today and he does have cake available in his office and coffee for those that wish to join him in celebrating today. Forty-four, Senator Welch.

PRESIDENT:

All right, we will be on 1st reading until we conclude that and then for...for the...benefit of the membership, we're going to go right to Senate bills 2nd reading. We'll begin on page 6. So if you could kind of look ahead and see where you are, we'll...begin it where we left off last week at 300. We'll start at 300 and go as far as we can. Proceed, Mr. Secretary, with House bills 1st.

SECRETARY:

House Bill 368, Senator Lemke is the Senate sponsor.

(Secretary reads title of bill)

391, Senator Topinka.

(Secretary reads title of bill)

House Bill 392, Senator Lemke.

(Secretary reads title of bill)

House Bill 456, Senator Marovitz.

(Secretary reads title of bill)

House Bill 468, Senator Demuzio.

(Secretary reads title of bill)

House Bill 528, Senator Zito.

(Secretary reads title of bill)

House Bill 555, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 576, Senator Lemke.

(Secretary reads title of bill)

House Bill 577, Senator Lemke.

(Secretary reads title of bill)

House Bill 590, Senator Etheredge.

(Secretary reads title of bill)

House Bill 622, Senator Marovitz.

(Secretary reads title of bill)

House Bill...House Bill 639, Senator Coffey.

(Secretary reads title of bill)

House Bill 701.

(Secretary reads title of bill)

House Bill 704, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 772, Senator Donahue.

(Secretary reads title of bill)

House Bill 832...House Bill 832, Senator Marovitz.

(Secretary reads title of bill)

House Bill 883, Senator Friedland.

(Secretary reads title of bill)

House Bill 944, Senator Smith.

(Secretary reads title of bill)

House Bill 986, Senator Luft.

(Secretary reads title of bill)

1103, Senator Lemke.

(Secretary reads title of bill)

House Bill 1137, Senator Lemke.

(Secretary reads title of bill)

House Bill 1335, Senator Marovitz.

(Secretary reads title of bill)

That was Senator Smith instead of Marovitz on House Bill 1335.

House Bill 1410, Senator Marovitz.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

Senator Karpiel. If I can have your attention, we have with us a very special guest and request has been sought to videotape the proceedings when the young man addresses us. I assume leave is granted. Leave is granted. The Chair would yield to Senator Doris Karpiel.

SENATOR KARPIEL:

Yes, thank you. I am very honored and proud to introduce the Youth Governor for the State of Illinois for the YMCA Youth in Government. He is a student from my district. He lives in Bloomingdale. He goes to Lake Park High School. His name is David Kemp.

DAVID KEMP:

(Remarks made by David Kemp)

PRESIDENT:

Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. Just for an announcement.

PRESIDENT:

Yes, sir.

SENATOR WATSON:

Along with Senator Demuzio we have another birthday boy here today in the...in the Senate, my seatmate, Cal Schuneman. He's a little older that forty-four and there's no cake; in fact, he's...he said he's trying to ignore the whole thing altogether, but any way I'd like to wish him a happy birthday.

PRESIDENT:

Happy birthday, Senator Schuneman. Just goes to...goes to further show that May is a very good month, indeed, yes. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Etheredge is absent today because his mother-in-law passed away and...Senator Rupp is absent because of death in the family, he's out of State.

PRESIDENT:

The record will so reflect. Thank you, Senator. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, we mentioned birthdays, but I think this Senate...Body should be alerted to the fact that the President...President of the Senate added a year this past week and so did Senator Berman, but you haven't told us how old you are.

PRESIDENT:

Old enough to know better.

SENATOR GEO-KARIS:

...Happy birthday.

PRESIDENT:

Thank you. If I can have...if I can have your attention,

SB 300 2nd Reading

we've distributed to all Senators a memorandum that I'd ask you to take a look at and you'll understand, I think, the urgency of it. As of tomorrow, we will have eight hundred and ninety-two bills on 2nd reading. It is pretty obvious to Senator Philip and I, at least, that an agreed bill process will be necessary, so we're asking is today and tomorrow in particular that we make every effort to move bills from 2nd to 3rd reading because at the close of business on Thursday...and Senator Philip and I have agreed that we will not be in Session on Friday, so at the close of business on Thursday afternoon, we will then be in a position to assess the 3rd reading bills and hopefully come up with an Agreed Bill List which will be presented for your action next week. In the meantime, obviously, it's necessary to move as many as possible from 2nd to 3rd reading. So, I'd ask you to take a look at the memo, if you have any questions, we'll be here all day. All right, on the Order of Senate Bills 2nd Reading, Mr. Secretary, the bottom of page 6. We'll start where we left off last week on Senate Bill 300, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 300.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 300 adds certain conditions which will trigger events under which the...the rights to a conversion policy shall terminate. First of all, the former spouse's becoming an employee injured under any other group policy and, number two, the former spouse

remarries that would terminate the conversion rights, and I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz moves the adoption of Committee Amendment No. 1 to Senate Bill 300. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Committee Amendment No. 2 adds...adds dependent children to the...to those who may be covered under a conversion policy, and I'd ask for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Marovitz moves the adoption of Committee Amendment No. 2 to Senate Bill 300. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Committee Amendment No. 3 reduces the grace period from ninety days to thirty days. I would ask for adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz moves the adoption of Amendment No. 3 to Senate Bill 300. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Commit-

tee Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 302, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 302.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, I'd move the adoption of the committee amendment. The committee amendment is so that if someone in a timely fashion petitioned the school board to bid that they would reopen the contracts it would not be continuous...shutting anyone out. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Davidson has moved the adoption of...Committee Amendment No. 1 to Senate Bill 302. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 303, Senator DeAngelis. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 303.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 deletes the jurisdictional enlargements of the Commerce Commission by striking out "the enlargement are for repair and maintenance of grade crossing surfaces and signals." Both Senator Joyce and Senator Rupp had difficulty with that. We have stricken that language. The bill simply now enlarges the amount of money available in that fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 303. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 7 is Senate Bill 311, Senator Davidson. Read the bill, Mr. Secretary, please.

SECRETARY:

AB311
AB312
2nd Reading

Senate Bill 311.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 312, Senator Davidson. Read the bill, Mr. Secretary, please. Senate Bill 312.

SECRETARY:

Senate Bill 312.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 315, Senator Mahar. Senator Mahar, 315. Senate Bill 320, Senator Luft. On the Order of 2nd...Senate Bills 2nd Reading is Senate Bill 320, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 320.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 321, Senator Vadalabene. Read the bill, Mr. Secretary, please. 3-2-1.

SECRETARY:

Senate Bill 321.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 1 to Senate Bill 321 is to correct an omission discovered by the Senate Enrolling and Engrossing. It's a technical amendment and the bill should read, "amended or amended to read as follows," and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Any discussion? Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 321. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 322, Senator Vadalabene. Mr. Secretary, read the bill, 322.

SECRETARY:

Senate Bill 322.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 325, Senator D'Arco. Senator D'Arco on the Floor? Senate Bill 328, Senator Vadalabene. Mr. Secretary, 3-2-8, read the bill.

SECRETARY:

Senate Bill 328.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, this is an agreed amendment by the chairman of the...and the Committee on Transportation. Committee Amendment No. 1 to Senate Bill 328...this amendment allows non-for-profit organizations that have vehicles who transport handicapped persons the opportunity to display the special decal and utilize the special parking privilege reserved for handicapped persons, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Vadalabene has moved the adoption...Committee Amendment No. 1 to Senate Bill 328. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 321 deletes the word "primarily"...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...well, Senator, we're on Senate Bill 328.

SENATOR VADALABENE:

...or 328, I'm sorry, removes the word "primarily" and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved the adoption of Amendment No. 2 to Senate Bill 328. Any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 329, Senator Welch. Read the bill, Mr. Secretary, please, 3-2-3.

SECRETARY:

Senate Bill 329.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment changed the bill and what the amendment does is creates an Act to establish a Regional Service Agency Fellowship Program to be administered by the Department of Commerce and Community Affairs. It provides that fellowships be awarded to students at participating universities for work assignments in local government in

non-profit community service agencies. The idea behind this program is to have interns from public administration programs throughout the entire State of Illinois available to municipalities under fifty thousand people so that they could acquire some of the benefits through known changes of city managers of other incidents learned in college that are not available to small towns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Committee Amendment No. 1 to Senate Bill 329. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 335, Senator Mahar. Read the bill, Mr. Secretary, please. 3-3-5.

SECRETARY:

Senate Bill 335.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Yes, thank you. The...the amendment...the amendment offered and adopted in committee deals with only one portion of the bill. The remaining of the parts of the bill have been excluded. The part that it...that the bill deals with

has to do with allowing local government and municipalities or the arresting authority to recover costs of medical reimbursement for arrestees if the arrestee has insurance or in the event that he qualifies for public aid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Mahar has moved the adoption of Committee Amendment No. 1 to Senate Bill 335. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 337, Senator Barkhausen. Mr. Secretary, read the bill. 3-3-7.

SECRETARY:

Senate Bill 337.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 343, Senator Netsch. Mr...Mr...Mr. Secretary, read the bill. 3-4-3.

SECRETARY:

Senate Bill 343.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 345, Senator Netsch. Mr. Secretary, read the bill. 3-4-5.

SECRETARY:

Senate Bill 345.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill deals with the Illinois Criminal Justice Information Authority and at the request of the Supreme Court removed the judicial members thereof. The Governor's Office requested that they be permitted to retain the same number of members on the authority and simply have them appointed as public members by the Governor. This amendment does carry out that request and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 345. Is there any discussion? If not, the question is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 8...top of page 8, Senate bills 2nd reading is 346. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 348, Senator Schuneman. Read the bill, Mr. Secretary, please. Senate Bill 348.

SECRETARY:

Senate Bill 348.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 349, Senator Nedza. Read the bill, Mr. Secretary, please. Senate Bill 349.

SECRETARY:

Senate Bill 349.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 350, Senator Berman. Senate Bill 351, Senator Maitland. Senate Bill 352, Senator Holmberg. On the Order of Senate Bills 2nd Reading is Senate Bill 352. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill...352.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This is the commission bill that deals with the...the fact that there will be an annual report each year on the part of the State Board of Education. A technical amendment, we amended the wrong part of the law and we have changed that and put it in its proper position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Holmberg has moved the adoption of Amendment No. 1 to Senate Bill 352. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 355, Senator Rock. Mr. Secretary, Senate Bill 355, read the bill.

SECRETARY:

Senate Bill 355.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 355 is the Community College Nondistrict Territory Act. Amendment No. 1 was a committee amendment at the request of the Illinois Community College Board, and it's attempted to protect public and private colleges and universities which are located in potential community college districts. I know of no objection to Amendment No. 1 and I have Amendment No. 2 placed with the clerk. I would ask the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Senator Rock has moved the adoption of Committee Amendment No. 1 to Senate Bill 355. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Rock, Etheredge and Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2...the purpose...this is a compromise amendment between the Community College Board and some districts and private colleges to accommodate the requests of

some members. It delays the timetable until July 1, 1990 and also changes the levy from three to six cents. Again, I know of no objection. I think this an...a compromise that has been worked out...after many discussions, and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved the adoption of Amendment No. 2 to Senate Bill 355. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No...committee...Amendment No. 2...Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

...that was a Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, 3rd reading. The Secretary has requested that for those of you who have Floor amendments, if you would please furnish the...both sides with the amendment...it would help speed up the...the mechanism in the Senate. So, if we could...we could please do that. Senate Bill 365, Senator Etheredge. Senator Etheredge on the Floor? Senate Bill 368, Senator Jerome Joyce. 371, Senator Lemke. On the Order of 2nd Reading Senate Bills is Senate Bill 371. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 371.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 372, Senator Lemke. Read...read the bill, Mr. Secretary, Senate Bill 372.

SECRETARY:

Senate Bill 372.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 373, Senator Lemke. On the Order of Senate Bills 2nd Reading is 373. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 373.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 374, Senator Lemke. Top of page nine is Senate Bill 374, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 374.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Mr. Secretary, take it out of the record. Senate

Bill 375, Senator Jerome Joyce. Senator Joyce on the Floor? Senate Bill 376, Senator Netsch. Mr. Secretary, Senate Bill 376, read the bill.

SECRETARY:

Senate Bill 376.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 378, Senator Bloom. 384, Senator Poshard. Mr. Secretary, Senate Bill 384, read the bill.

SECRETARY:

(Machine cutoff)...Bill 384.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SECRETARY:

It amends...Senate Bill 384 on page 2, line 15, by inserting after the word "disease" the following "and who is fifty-five years of age or older."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the adoption of Committee Amendment No. 1 to Senate Bill 384. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 385, Senator Welch. Senator Welch on the Floor? Senate Bill 386, Senator O'Daniel. Mr. Secretary, Senate Bill 386, read the bill.

SECRETARY:

Senate Bill 386.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Amendment No. 1 to Senate Bill 386 deletes everything after the enacting clause and inserts language that is acceptable to the Department of Public Health for reporting information relating to the alzheimer's disease.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator O'Daniel has moved the adoption of Committee Amendment No. 1 to Senate Bill 386. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments? Further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 388, Senator Dawson. Senate Bill 389, Senator Rock. 390, Senator Jones. 391, Senator Poshard. 392, Senator Smith. Bottom of page 9, Senate bills 2nd reading is Senate Bill 392. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 392.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 395. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 395.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 10...top of page 10 is Senate Bill 397, Senator Watson. Read the bill, Mr. Secretary, please. 3-9-7.

SECRETARY:

Senate Bill 397.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 398, Senator Kustra. Mr. Secretary, Senate Bill 398, read the bill.

SECRETARY:

Senate Bill 398.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 401, Senator D'Arco...where's...Senator D'Arco on the Floor? All right. Senate bills 2nd reading, 401, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 401.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 is a technical amendment. It deletes the words "or rental" and inserts thereof "rental or occupancy" and that is the substance of it. It's technical in nature and I would move to adopt Amendment No. 1 to Senate Bill 401.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator D'Arco has moved the adoption of Floor Amendment 1 to Senate Bill 401. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 403, Senator Carroll. 405, Senator Schaffer. Senate bills 2nd reading is Senate Bill 405, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 405.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

The amendment, I believe, is a technical amendment with a...couple of boundary...improvements. They're not really improvement but corrections recommended by IDOT.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Committee Amendment No. 1 to Senate Bill 405. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Senator Schaffer, I have the identical amendment here. I guess we'll just withdraw it. Okay?

SB 406 3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer wishes to withdraw the amendment. Is leave granted? Leave is granted. The amendment is withdrawn. Any further amendments?.

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 406, Senator Welch. Mr. Secretary, Senate Bill 406, read the bill.

SECRETARY:

Senate Bill 406.

(Secretary reads title of bill)

2nd reading of the bill. The Agriculture Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bills does is require that each billing statement by a utility company set forth the charges assessed against a consumer by a public utility. Specifically, in clear language, this bill is intended to make sure that consumers can understand what their bill really is for. The amendment added in committee does two things; number one, it adds an immediate effective date and, number two, the second part of the amendment was requested by the...by CIPCO, their lobbyist, and what it...it changes the wording so that it reduces the number of categories the utility company has to delineate upon the utility bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Welch, there are...is a...there is a committee amendment on the Floor amendment. I think you've explained both. Senator Welch has moved the adoption of Committee Amendment No. 1 to Senate Bill 406. Is there any discussion? If not, those in favor will signify by

saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch...Senator Welch.

SENATOR WELCH:

I beg your pardon, Committee Amendment No. 1 was the immediate effective date. Committee...Floor amendment, which is Amendment No. 2, states it clearly identifies the customer's rate classification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch moves the adoption of Amendment No. 2 to Senate Bill 406. Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Is this the so-called clarifying amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's my understanding, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 2. Is there any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Welch, I vaguely remember some of the...some of the areas that were discussed in...in committee and...and we were concerned about, you know, a voluminous type listing, and I'm...you know...what areas are you covering specifically?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, Senator Maitland, let me clarify what I was saying. The opposition in the committee was that some of the utilities felt that the language in the original bill was not clear in that they thought I was asking them to delineate everything they charge for from plants to vehicles to advertising. What the amendment says is, it amends, at line 11 of the bill, and requires each billing statement which sets forth the charges assessed against a consumer by a public utility for the furnishing of gas for heat or cold or electricity shall, and here's the amendment, "clearly identify the customer's rate classification in a manner readily understandable." That language, Senator Maitland, was worked out in conjunction with the...CIPS and the Commerce Commission and it...they offered the amendment to me. So, I believe it takes care of their problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 406. Those in favor indicate by saying...by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 413, Senator Sangmeister. Middle of page 10, Mr. Secretary, is Senate Bill 413, read the bill.

SECRETARY:

Senate Bill 413.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, simply the one amendment took out...put everything back the way it...the present districts are apportioned and just left Will County as a separate judicial district. We put Tazewell back. Move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Bill 413. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 414, Senator Degnan. Mr. Secretary, read the bill, 4-1-4.

SECRETARY:

Senate Bill 414.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 415, Senator Degnan. Read the bill, Mr. Secretary, please, 4-1-5.

SECRETARY:

Senate Bill 415.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan...committee amendment. Take it out of the record. All right,...take it out of the record. Senate Bill 416, Senator Holmberg. Read the bill, Mr. Secretary, please. 4-1-6.

SECRETARY:

Senate Bill 416.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 417 is Senator Hall. Read the bill, Mr. Secretary, please, Senate Bill 4-1-7.

SECRETARY:

Senate Bill 417.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 418, Senator O'Daniel. Read...no, take it...take it out of the record. Senate Bill 419, Senator Savickas....bottom of page 10 is Senate Bill 419, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 419.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 11 is Senate Bill 422, Senator Dunn. Senate Bill 425, Senator Keats. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 425.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 427, Senator Donahue. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 427.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 431, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 431.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 432, Senator Maitland...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 432.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 433, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 433.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 434, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 434.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 434 permits the guardian or conservator to revoke within certain limits certain trusts held in withdrawable capital accounts, and I would ask for the adoption of Amendment No. 1 to Senate Bill 434.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 434. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

HB 440 2nd Reading
HB 435 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 435, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 435.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 440, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 440.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. What the bill does is basically put the...what the amendment does is put the bill in the shape in which it was intended. And...what...the amendment says is, it provides that within ten days of a principal's notice of reclassification, not dismissal, which is covered by another section of the School Code, but reclassification by demotion or reduction in rank, the school board shall provide the principal with a written

statement regarding the facts of the reclassification. I would move that the amended...amendment be adopted and I would ask that the summary on the Calendar be changed as well so it accurately reflects what the bills does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 440. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 443, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 443.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 444, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 444.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture,

Conservation and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

This is an amendment that was to clarify the language in relation to...by the committee...relation to how the compency judge or the board would have and...so there would be no problem how the funds would be distributed and through what fund. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Davidson moves the adoption of Amendment...Senator Demuzio.

SENATOR DEMUZIO:

Sorry...I'm sorry, I...I didn't hear the explanation, would Senator Davidson just quickly...recap.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Yes, there was some...some possibility of...the way the bill was written that there could be a conflict on whether it was through the court or through the board on the penalty and how it could be...reduced and rather it being rebated and the word reduce went in so it could be reduced so we wouldn't have to worry about appropriating. And two, it corrects any possibility of any jurisdiction on who had what over the funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's no further discussion, Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 444. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

SB 486 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 445, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 445.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 486, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 486.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is a technical amendment. It changes the word "deficit" to "deposit" and it also deletes the word "customers" and inserts thereof, "customers or applicants for service." Strictly technical in nature; in fact, one was a typo error and the other was a...a technical correction. And I move to adopt Amendment No. 1 to Senate Bill 486. I would like to hold it on 2nd reading, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, let's take the adoption first. On Senate Bill 486, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 486. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, technically it's easier to move the bill to 3rd and bring it back for any further consideration, so we will move it to 3rd reading. Senate Bill 487, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 487.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment was requested by the Cook County Assessor's Office which already does treat life-care facilities as the...the bill provides. They did request that this amendment be included because it gives them the...administrative discretion that they need to continue doing essentially what they have been doing. And I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Netsch moves

the adoption of Senate Amendment...No. 1 to Senate Bill 487. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 489, Senator Netsch. Senate Bill 492, Senator Chew. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 492.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 495, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 495.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SB 497
2nd Reading

SENATOR NEDZA:

Thank you, Mr. President. Amendment No. 1 is a section that was deleted from the original bill and also it had an effective date which puts the bill in its proper form, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to Senate Bill 495. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 497, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 497.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 498, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 498.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

SB499 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 499, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 499.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Darrow and Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Amendment No. 1 incorporates the provision of the Statute that pertains to the operating...a watercraft while your privileges are suspended, and it...it's technical in nature in that it...changes the term "motorcraft" to "watercraft." I'd ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 499. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, Senator Darrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Amendment No. 2 was suggested in committee. It clarifies when the owner of a watercraft would be liable for allowing someone intoxicated to operate his watercraft he would have to know that that person was intoxicated and then allow him

to operate it. I'd ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Darrow moves the adoption of Amendment No. 2 to Senate Bill 499. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Darrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

...Amendment No. 3 is technical in nature. Enrolling and Engrossing discovered two or three spelling errors and this amendment corrects those.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Darrow moves the adoption of Amendment No. 3 to Senate Bill 499. Those in favor indicate by saying Aye. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I would like to know what committee this came out of.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

...Judiciary Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I think that this amends the Conservation...Statutes, I think this...this bill should have went to Agriculture. It has been...for the last number of years in that committee and I'd just like that point to be made.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Point is made. Is there discussion on...the motion to

adopt Amendment No. 3? If not, Senator Darrow moves the adoption of Amendment No. 3 to Senate Bill 499. Those in favor indicate by saying Aye. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 501, Senator Rupp. Senate Bill 502, Senator Sangmeister. Senate Bill 504, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 504.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...no committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 505, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 505.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 506, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 506.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 508, Senator Luft. Senate Bill 509, Senator Luft. Senate Bill 510, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 510.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 512, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 512.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Mr. President, I haven't seen any copies of any amend-

ments to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, I'm sure Senator Keats will make them available. If you need...if you need a copy, the Secretary will send one right out to you now. Senator Keats, on Amendment No. 1. Senator Luft. Senator Luft.

SENATOR LUFT:

I think he would like to withdraw the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats wishes to withdraw Amendment No. 1. Is leave granted? Leave is granted. On Senate Bill 512, Senator Luft. We...we have more amendments, I'm informed. There's more to...Senator Keats wishes to withdraw both of his amendments. Leave is granted. Now on Senate Bill 512, Senator Luft.

SENATOR LUFT:

3rd reading, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there any further...Senator Demuzio.

SENATOR DEMUZIO:

Yes, I...I have a...amendment that's being drafted for this bill, I would like to have a commitment from the sponsor that he'll bring it back on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will not bring it back. Senator Demuzio.

SENATOR DEMUZIO:

It's customary around here that, you know, if we're going to do that that a member be allowed to have an opportunity to make a run at...at a bill and it seems that, you know, we're starting a new course of action here. So, you know, I...I want...I'll object to Keats withdrawing his amendments to this bill, I was under the impression that those would be discussed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

AB518 2nd Reading

Senator, that's life. Senator Luft.

SENATOR LUFT:

Mr. President, no one has discussed any amendments with me and it's also customary for me to give my word and I did to handle this bill without any amendments on it, and therefore I request it goes to 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there are no further amendments on the Secretary's Desk...3rd reading. Senate Bill 517, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 517.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 1 is a corrective amendment recommended by Enrolling and Engrossing and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lechowicz moves the adoption of Amendment No. 1 to Senate Bill 517. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 518, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 518.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 521, Senator Luft. Senate Bill 522, Senator Sangmeister. Senate Bill 525, Senator Rock. Senate Bill 527, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 527.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is to modify the corrective language, it's technical in nature and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 527. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 529, Senator Donahue. Senate Bill 530, Senator Coffey. Senate Bill 531, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 531.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 532, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 532.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 533, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 533.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 534, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 534.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. 535, Senator Lemke. Move it. I'm sorry, 534 moves to 3rd...

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...move to 3rd reading. Senate Bill 535. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 535.

(Secretary reads title of bill)

2nd reading...of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 536. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 536.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 539 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 537. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 537.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 539. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 539.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 540. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 540.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

AB 546 2nd Reading
AB 541 3rd Reading

3rd reading. Senate Bill 541. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 541.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 546. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 546.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...Senate Bill 547. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 547.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 547...548, I'm sorry. Read the

bill, Mr. Secretary.

SECRETARY:

Senate Bill 548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 549. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 549.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 550. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 550.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 551. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 551.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 553, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 553.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Committee Amendment No. 1 to Senate Bill 553, this amendment does not increase the fee for renewal of brokers' license, it simply allocates a portion of that fee for the processing expenses since fourteen dollars of the thirty-nine dollar fee was already allocated to other funds. And I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 553. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 554 2nd reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 554, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 554.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 554 corrects a technical error, it changes the word "recommendations" to "rules and regulations," and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 554. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 557, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 557.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 558, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 558.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Floor Amendment No. 1 allows State universities to enter into lease purchase agreement for...for a ten-year period for telecommunications equipment only. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves the adoption of Amendment No. 1 to Senate Bill 558. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 559, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 559.

(Secretary reads title of bill)

2nd reading of the bill. No...2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I think this amendment, Mr....Mr. President, is limitation of eighteen years rather than thirty years and I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves the adoption of Amendment No. 1 to Senate Bill 559. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 560, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 560.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 561
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 561, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 561.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Floor Amendment No. 1 to Senate Bill 561 stipulates that the pay-back methods between the Tri-city Port District and the board be made by resolution of the Capital Development Board and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 561. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 562, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 562.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Vadalabene and Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Amendment No. 1 to Senate Bill 562...states who violates the Illinois Union Label Act enacted by the 84th General Assembly commits an unlawful practice within the meaning of this Act and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 562. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 563, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 563...Senate Bill 563.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

There is an amendment from the...Floor.

SECRETARY:

No...no committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, at the request of the committee, I am filing...I have filed Amendment No. 1 which deletes on page 1, line 31, the words "physical injury" and inserts thereof the words "great bodily harm," and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr...President. We have not had an opportunity to take a look at this amendment. Could we just have a second here to...to read it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Marovitz is off the Floor right now. I was wondering...since it's a Floor amendment that perhaps with leave of the Body maybe we could get back to it in a few minutes as soon as he returns. Is that all right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis indicates that she will get back to it when you are probably up on the Podium, Senator.

SENATOR DEMUZIO:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Geo-Karis on 564. Read the bill, Mr. Secretary. For technical purposes Senate Bill 563 is taken out of the record. Senate Bill 564, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 564.

(Secretary reads title of bill)

SB 568 3rd Reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 565, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 565.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 1 is a technical amendment. It simply deletes line 7 on page 1 and inserts the following...the following, "word follows." It's a technical amendment. I move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you. Again, we don't have copies of these amendments and I'm...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 567, Senator Joyce. Senate Bill 568, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 568.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The amendment restates the requirements of the bill and adds some clarifying language by the Department of Insurance. The amendment adds procedures for the enforcement provisions by the Department of Insurance. And it deletes all...all the other substantive language and inserts the contigent reserve requirements for the Dental Service Corporation, it defines subscription revenue, it requires two percent accumulations for subsequent years, requires net worth to equal or exceed the contingent reserve, allows contributions to cease when five percent average annual...subscription revenue is reached and upon a deficiency the director of insurance must be notified and a plan for filing corrections of the deficiency must be implemented. That is substantially what Amendment No. 1 does and I would move to adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 568. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 569, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 569.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 577, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 570.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 571, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 571.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment was...suggested by the Commissioner of Banks and what it does is reincorporates the fixed deposit requirements...I'm sorry, it deletes the fixed deposit requirements that were inserted in the bill and reinserts the percentage deposit requirements that is now the law. It also clarifies the single deposit requirements of a trust company who does business in more than one town. And I would move to adopt Amendment No. 1 to Senate Bill 571.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 571. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 563, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 563.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 563. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SB565 2nd Reading

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll go to 565. Leave granted? Leave is granted. Senate Bill 565, Mr. Secretary. Senate Bill 565.

SECRETARY:

Senate Bill 565.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 565. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, now we're going to the bottom of page 15, Senate Bill 573, Senator Maitland. Page 16, top of page 16, Senate Bill 577, Senator Degnan. Top of page 16, Senate bills 2nd reading, Senate Bill 577. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 577.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

SB 588 3rd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 579, Senator Joyce. 583, Senator Luft. Mr. Secretary, Senate Bill 583, read the bill.

SECRETARY:

Senate Bill 583.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 586, Senator Karpiel...Karpiel. Read the bill, Mr. Secretary, please, 586.

SECRETARY:

Senate Bill 586.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the...from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 588, Senator Karpiel. Mr. Secretary, read the bill, Senate Bill 588.

SECRETARY:

Senate Bill 588.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 589, Senator Davidson. Read the bill, Mr. Secretary, please. Senate Bill 589.

SECRETARY:

Senate Bill 589.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 595, Senator Bloom. Senator Bloom on the Floor? Senate Bill 596, Senator Dudycz. Mr. Secretary, Senate Bill 596, read the bill.

SECRETARY:

Senate Bill 596.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 reads...it deletes the word "area" and...inserts "area with a population of at least one...eleven hundred but not more than twelve hundred inhabitants." It's technical in nature and it's being submitted to clarify the intent. I ask for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...I am told that that's the explanation of the Floor amendment, not the committee amendment.

SECRETARY:

The committee amendment reads, "municipal, however if the

territory is to be extended in lines between the boundaries of the forest preserve district annexation shall not be permitted."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz on Committee Amendment No. 1. Senator Dudycz.

SENATOR DUDYCZ:

Committee...Amendment No. 1 provides that the area to be annexed lies within the boundaries of the forest preserve district that the annexation is not permitted. It will exclude any area...in the forest preserve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz moves the adoption of Committee Amendment No. 1 to Senate Bill 596. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Amendment No. 2 clarifies the intent of the bill. It...deletes the word...the word "area" and inserts "area with a population of at least eleven hundred but not more than twelve hundred inhabitants." And I ask the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz moves the adoption of Amendment No. 2 to Senate Bill 596. Any discussion? If not, those in favor

signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...598, Senator Darrow. 598. Mr. Secretary, read the bill.

SECRETARY:

(Machine cutoff)...Bill 598.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 603, Senator Maitland. Mr. Secretary, Senate Bill 603, bottom of page 16. Read the bill, 603.

SECRETARY:

Senate Bill 603.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 604, Senator Fawell. Mr. Secretary, read the bill, Senate Bill 604.

SECRETARY:

Senate Bill 604.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary I offers one

amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. All the amendment does is it allows the prosecution for this...for perjury to be five years...statute of limitations. All right. Senator Fawell moves the adoption of...Committee Amendment No. 1 to Senate Bill 604. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 605, Senator O'Daniel. Mr. Secretary, read the bill, Senate Bill 605.

SECRETARY:

Senate Bill 605.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, Amendment No. 1...provides for an effective date of 1-1-86 to the bill and I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel moves the adoption of Committee Amend-

ment No. 1 to Senate Bill 605. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 17, Senate Bill 607, Senator Maitland. Senator Maitland on the Floor? Senate Bill 610, Senator Schaffer. Mr. Secretary, 610, read the bill.

SECRETARY:

Senate Bill 610.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 612, Senator Bloom. Senate Bill 615, Senator Welch. Senator Welch. Senate Bill 615, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 615.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 616, Senator Welch. Senate Bill 619, Senator Lemke. Mr. Secretary, Senate Bill 619, read the bill.

SECRETARY:

Senate Bill 619.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Lemke moves the adoption of Committee Amendment No. 1...to Senate Bill 619. All right, Senator Lemke, the Secretary is in error, we do not have an amendment...not have a committee amendment. Do we have any amendments from the Floor, Mr. Secretary? All right, Senator Lemke, the...the...the folder indicates Do Pass as Amended in committee. Why don't we take it out of the record and see if we can straighten it out. Take it out of the record. All right. On Senate Bill 619, Mr. Secretary, any...any Floor amendments?

SECRETARY:

No...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any Floor amendments?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 621, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 621.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 623 2nd reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...Senate Bill 623, Senator Coffey. Mr. Secretary, Senate Bill 623, read the bill.

SECRETARY:

Senate Bill 623.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 624, Senator DeAngelis. Mr. Secretary, read the bill, 624.

SECRETARY:

Senate Bill 624.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this amendment does, it lowers the threshold for the exemption from the certificate of need from thirty beds down to ten beds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis moves the adoption of Committee Amendment No. 1 to Senate Bill 624. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Bloom, Dawson and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Bloom on the Floor?

SECRETARY:

...we'll make it Amendment No. 2, by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis on Amendment No. 2.

SENATOR DeANGELIS:

I am sorry, that was Amendment No. 2. Amendment No. 1 is the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, why don't you explain Senate Amendment No. 1 which is the committee amendment.

SENATOR DeANGELIS:

Committee Amendment No. 1 creates the exemption for the certificate of need of up to three million dollars and thirty beds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Committee Amendment No. 1 was adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 2, which is the Floor amendment,takes the exemption now from thirty beds down to ten beds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 624. Any discussion? Senator Bloom.

SENATOR BLOOM:

I'll withhold my remarks until we get to our amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 624. Any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator...Geo-Karis.

SENATOR GEO-KARIS:

Senator DeAngelis, by your amendment are you saying...I just want to understand your amendment 'cause I'm not quite clear. Are you saying that the Illinois...the Health Facilities Planning Agency would not have any right to effect the change of number of beds under your amendment? Would you explain it, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Are you talking about the Floor amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, your last amendment I believe it was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It lowers the exemption from thirty beds down to ten beds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What do you mean by exemption, would you explain it in easy language for me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well...you could bypass the certificate of need if you were expanding by ten beds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Bloom, your light is still on. Senator Bloom.

SENATOR BLOOM:

Well,...yeah, okay. This bill by virtue of the amendment that the hospital association caused to be put on in committee and now by virtue of the two Floor amendments is rather...one Floor amendment...is rather controversial. I thought we were just going to kind of move through the Calendar and...no...okay. Because what...what this does is absolutely turn the evaluation of policy towards capital planning and health care delivery on its head by virtue of the committee amendment and the Floor amendment...Floor Amendment No. 1. And I would...say that the effects of this will be especially devastating in terms of policy and health care delivery in not only the Chicago area but in other urban areas downstate and it won't be any great shakes in the rural areas downstate. And I would caution the membership...that what we are seeing here is an end run around the Health Finance Reform Act...that this Body labored on for two

years last year and finally passed. I would urge rejection of this amendment, and as the bill presently is, urge opposition on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, if I read the amendment correctly, this will circumvent the certificate of need. You're dropping it to ten beds on the expansion but in each year if you expand by ten beds you...you just circumvent the certificate of...or...the authority's certificate of need to expand. So you could accomplish what you have to do now by showing the certificate of need just by waiting and each year expanding under the ten-bed provision. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Savickas, the bill...the amendment that was put on in committee permitted the expansion without a certificate of need of thirty beds over two years. This says it can only be ten beds over a one-year period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Our analysis indicates that in addition to changing the limitation on beds that you're also raising the capital expenditure limit from six hundred thousand to three million dollars. Is that three million dollars in any one year or what is that, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that was Committee Amendment No. 1, Senator Schuneman, and I believe it's over a two-year period. This is not the Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, have we adopted the Floor amendment, Mr. President? I thought that's...that was the issue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We have adopted Committee Amendment No. 1, we are on Floor...the first Floor amendment, Amendment No. 2.

SENATOR SCHUNEMAN:

Okay, so how does your...how does your Floor amendment change...change that provision then, if any, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It does not, Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I just think the members ought to be aware of what's going on here. Apparently we've already adopted the amendment that makes these significant changes, but in the last several years this Senate has spent many, many hours trying to accomplish some kind of cost containment within our hospital systems. We...many years ago, or a number of years ago, established the Health Facilities Planning Board which would have to give prior approval to many of these hospital expansions throughout the State and last year passed Senate Bill 495; but this bill tends to indicate that hospitals now can spend up to three million dollars without any approval,

without any certificate of need and, of course, also changes this bed requirement. Now apparently we're past that particular amendment but I think the members ought to be aware of what's happening here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, nobody's...there's nothing sinister about this approach, Senator Schuneman. That bill was...that amendment was aired in committee and passed in committee, there's no attempt at all to disguise that. When we get to 3rd reading the bill will be explained thoroughly and you can vote it up or down at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis moves the adoption of Amendment No. 2 to Senate Bill 624. Those in favor signify by saying Aye. There's been a request for a roll call. Senator DeAngelis moves the adoption of Amendment No. 2 to Senate Bill 624. Those in favor of the adoption of the...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Let me clear...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

...let me clear up the confusion because I think...the amendment makes the bypass more restrictive. So those people who are concerned with the body of the bill ought to know what we're voting on on this second amendment. It lowers the exemption from thirty beds over a two-year period to ten beds over a one-year period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator, the debate was

closed...the...the...those in favor of the adoption of Amendment No. 2 to Senate Bill 624 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Ayes are 21, the Nays are 24, 1 voting Present. The amendment fails. Amendment No. 2 fails. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Bloom, Dawson and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

On a motion to reconsider the way...the Amendment No. 1 which was adopted. Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1 was adopted. And that's in order. Amendment No. 1 was adopted by a voice vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'll let...I'll let you know when it's in order. Senator Lechowicz has moved...having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 1 was adopted. All right. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I'm going to hold the bill on 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if Senator Lechowicz has a motion to reconsider the...the vote by which Amendment No. 1...Committee Amendment No. 1 was adopted, do you wish to hold that motion and work out the differences? Senator Lechowicz.

SENATOR LECHOWICZ:

I'll withdraw that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz...has withdrawn his motion.

SB 616 2nd reading

Take the bill out of the record. No, the amendment...Committee Amendment No. 1 was adopted, we are at that point, the bill is now taken out of the record. All right, he wants to hold it on 2nd, all right. All right, Senate Bill 625, Senator Welch. Mr. Secretary, Senate bills 2nd reading...is Senate Bill 625. Read the bill.

SECRETARY:

Senate Bill 625.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator...Welch requested Senate Bill 616, if there's leave to return to that. Apparently he was on the Floor, the Chair inadvertently did not see him and passed it over. If there's leave to return to Senate Bill 616? Leave is granted. Mr. Secretary, Senate Bill 616.

SECRETARY:

Senate Bill 616.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. All right. Bottom of page 17 is Senate Bill 626, Senator Newhouse. Bottom of page 17, 626. Mr. Secretary, read the bill, 626. No, take it out of the record. Senate Bill 627, Senator Jones. Senator Jones on the Floor? Top of page 18, Senate Bill 628, Senator

Savickas. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 628.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 629, Senator Savickas. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 629.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...Senate Bill...639, Senator Dawson. 640, Senator Jerome Joyce. Senator Joyce on the Floor? Senate Bill 643, Senator Coffey. Mr. Secretary, Senate Bill 643. Read the bill.

SECRETARY:

Senate Bill 643.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB645 2nd Reading

3rd reading. All right. With leave of the Body, Senator Dawson was on the Floor, 639, we'll return to that. Is leave granted? 639, leave is granted.

SECRETARY:

Senate Bill 639.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 645, Senator Barkhausen. Read the bill, Mr. Secretary, please. 645.

SECRETARY:

Senate Bill 645.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 646, Senator Barkhausen. Read the bill, Mr. Secretary, please. 646.

SECRETARY:

Senate Bill 646.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 652, Senator Lemke. Read the bill, Mr. Secretary, please. 652.

SECRETARY:

Senate Bill 652.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 653, Senator Smith. Mr. Secretary, 653, read the bill.

SECRETARY:

Senate Bill 653.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 655, Senator Schuneman. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's 55.

SECRETARY:

Senate Bill 655.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator Rock, for what purpose do you arise? All right. Senate Bill 658, Senator Netsch. Read the bill, Mr. Secretary, please. 658.

SECRETARY:

Senate Bill 658.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The committee amendment restructures the fee schedule in accordance with our wishes and that of the committee. This has to do with a permit fee system for air pollution, and the committee amendment eliminates what was in the bill previously and substitutes a fee schedule which is, I think, much more modest. It provides for sources...emitting twenty-five tons or more of pollutants at two hundred and fifty dollars a year, so-called major

SB 665 2nd reading

polluters; the minor polluters sources emitting less than twenty-five tons at seventy-five dollars an annual fee, and provides also that those fees are to be deposited in the Environmental Protection Permit and Inspection Fund so that we will be providing approximately a million dollars more for enforcement of air pollution standards. And it provides further that the fees may not be changed beyond...by the EPA beyond what is in the Act, unless, obviously, the Legislature should further act. I would move the adoption of Committee Amendment No. 1 to...Senate Bill 658.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion...any discussion? Senator Netsch moves the adoption of Committee Amendment No. 1 to Senate Bill 658. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No FLoor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 665, Senator Lechowicz. Mr. Secretary, read the bill. 665.

SECRETARY:

Senate Bill 665.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. Amendment No. 1 by the Revenue Committee amends various tax costs concerning enterprise zones and it does basically the following. It provides an enterprise zone investment credit authorizing partnerships and Subchapter S corporations to participate in the investment credit. It amends the Public Utilities Act to provide a business locating within an enterprise zone and meeting specific criteria, they may apply for a refund on State municipal utilities tax for a period of five years providing that the county or...municipality desginated the enterprise zone must...must adopt an ordinance requesting that the tax is credited. It also provides that the carry-over of the enterprise zone investment credit in a job tax credit. Basically, that's what Amendment No. 1 does. It's been worked out with the Governor's Office and DCCA, and I would like to compliment both sides of the aisle on the progress of this amendment. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 665. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY;

Amendment No. 2 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 2 is at the

request of DCCA. As you recall, we extended the number of enterprise zones last year from eight to twelve. This is a similar request for the year of 1985, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 665. Any discussion? Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. I would like to point out...that this is a further acceleration of the enterprise zone designation procedure. I...as I understand it, it does not add to the total number of authorized enterprise zones, but it does add to the total number that may be designated next year. Is that correct, first, Senator Lechowicz?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It's partially correct, Senator Netsch. Basically, what it does, the original legislation which was passed in 1982...designated eight enterprise zones to be allocated per year. Last year because of the number of requests that were pending and approved locally, as you know...they have to be approved locally first, DCCA requested that we increase it from eight to twelve, and basically the same situation occurs this year where they have a number of good valid requests to accommodate over the number of eight. So they're asking for...to twelve be designated again this year, so they can accommodate twelve respective enterprise zones in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well,...then, actually it is an increase in the authorized number at least on an annualized basis from...from eight

to twelve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

The total number...remains the same, but basically you're granting them the same privileges they had last year. Eight to twelve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Netsch.

SENATOR NETSCH:

Well, I think we have the...the figures straight on it now. I just...I'm not quite sure what the rush is to get so many designated when we have not yet really gotten sufficient feedback on the extent to which they are all going to be achieving their purposes and not doing it at the expense of other areas of the State. I'm...I'm just reluctant to add the number at this early stage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Committee Amendment...or Amendment No. 2 to Senate Bill 665. Further discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Two committees are scheduled are to meet, and I know a number of witnesses are waiting to testify. Agriculture will meet in Room 400 and Appropriations I will meet in Room 212. Absent any further announcements or further housekeeping business, I would be prepared to put a motion to adjourn

until Wednesday, tomorrow morning, at nine-thirty...nine-thirty tomorrow morning and we will again start on 2nd reading where we left off. 9:30 a.m.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, if you'll hold that motion. The Secretary informs me that we moved a hundred and twenty-three bills off of 2nd reading today, thirty-nine of which were amended. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank...thank you, Mr. President. There are two bills, Senate Bill 845 and Senate Bill 867, of which I am listed as a sponsor, which I would like to have my name removed as a sponsor from the two bills, 845 and 867.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats seeks leave of the Body to have his name removed from Senate Bill 845 and 867. Is leave granted? Leave is granted. Senator Friedland, for what purpose do you arise?

SENATOR FRIEDLAND:

Thank you, Mr. President. Request leave to be shown as hyphenated sponsor of House Bill 468. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Friedland seeks leave of the Body to be added as a hyphenated sponsor of House Bill 468. Is leave granted? Leave is granted. So ordered. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Senator...or Mr. President, I would like the record to show that Senator Berman is absent today due to official business. He is in Washington D.C. with Superintendent Ted Sanders and others meeting with our Illinois delegation regarding education reform issues.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so indicate. Senator Mahar,

for what purpose do you arise?

SENATOR MAHAR:

Thank you. I seek leave of the Body to be added as a hyphenated cosponsor of Senate Bill No. 564. I have permission of the chief sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar seeks leave of the Body to be added as a hyphenated cosponsor to Senate Bill 564. Is leave granted? Leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to seek leave of the Body to add as an immediate cosponsor to me on Senate Bill 195, Senator LeRoy Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis seeks leave of the Body to have Senator Lemke as a hyphenated cosponsor...along with Senator Geo-Karis on Senate Bill 195. Is leave granted? Leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, to be shown as hyphenated sponsor on Senate Bill 619.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 619. Is leave granted? Leave is granted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. Chairman. I ask to seek leave of the Body to add the name of Senator Emil Jones as hyphenated sponsor on Senate Bill 653 and Glenn...and Senator Dawson as cosponsor along with Smith and Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

These are hyphenated, is that correct?

SENATOR SMITH:

Jones hyphenated and Dawson cosponsor along with Smith and Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On Senate Bill 653?

SENATOR SMITH:

653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted? Leave is granted. So ordered. Senator Karpiel.

SENATOR KARPIEL:

Thank...thank you, Mr. President. I'd like leave of the Body to be added as a hyphenated cosponsor to Senate Bills 52 and 53 and I have the approval of the main sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpiel seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bills 52 and 53. Is leave granted? Leave is granted. So ordered. Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, if I might be added as a hyphenated joint sponsor to Senate Bill 508, I do have the permission of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 508. Is leave granted? Leave is granted. So ordered. Senator Darrow, for what purpose do you arise?

SENATOR DARROW:

I'd ask leave to be added as a hyphenated sponsor to Senate Bill 619.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow seeks leave of the Body to be added as a

hyphenated cosponsor...to Senate Bill 619. Is leave granted? Leave is granted. Senator Karpiel.

SENATOR KARPIEL:

I am sorry, I made a mistake. That is not Senate Bills 52 and 53, it's House Bills 52 and 53 that I would like to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpiel in error earlier wishes to be hyphenated cosponsor of House Bills 52 and 53 rather than Senate Bills 52 an 53 and the record will so indicate. Further business to come before the Senate? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate, just to announce that the meeting of Appropriations I will begin as soon as we can get a quorum there immediately after adjournment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves that the Senate stand adjourned until tomorrow morning, nine-thirty, May the 8th. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 8, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend William Oaks from Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND OAKS:

(Prayer given by Reverend Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, May 2nd; Friday, May 3rd and Tuesday, May 7th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Committee reports.

SECRETARY:

Senator Carroll, chairman of Appropriations I Committee, reports out the following Senate bill:

383 with the recommendation Do Pass as Amended.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 16, 25, 27, 621, 739, 743, 929,

1013, 1163, 1314 and 1318.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 43, 44, 45 and 46.

PRESIDENT:

Executive. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 198 offered by Senator Vadalabene.

Senate Resolution 199, by Senator Degnan.

Senate Resolution 200, by Senators Topinka and Zito.

Senate Resolution 201, by Senators Darrow and...

Senate Resolution 202, by Senators Dawson and Chew.

Senate Joint Resolution 50, by Senator Karpiel.

And Senate Joint Resolution 51, by Senators Dawson and Chew.

All congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

All right, Senate Resolution 203 offered by Senators Nedza, Coffey and all Senators.

And Senate Resolution 204 offered by Senator Philip.

PRESIDENT:

Executive. All right, with leave of the Body, while the members are gathering, we'll move to page 68 on the Calendar. Page 68, on the Order of House Bills 1st Reading.

SECRETARY:

House Bill 190 sponsored...Senate sponsor, Senator Friedland.

(Secretary reads title of bill)

House Bill 196, Senators Barkhausen and Schaffer.

(Secretary reads title of bill)

House Bill 222, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 244, Senator Maitland.

(Secretary reads title of bill)

House Bill 335, Senator Maitland.

(Secretary reads title of bill)

(machine cutoff)...337, Senator Rigney.

(Secretary reads title of bill)

House Bill 705, Senator Rigney.

(Secretary reads title of bill)

House Bill 802, Senator Maitland.

(Secretary reads title of bill)

1st reading of the foregone bills.

House Bill 1175, Senator Jerome Joyce.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...information, we will now start on House...Senate bills 2nd reading here at the bottom of page 14 with Senate Bill 667. On the Order of Senate Bills 2nd Reading, Senate Bill 667, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 667.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was the amendment that was discussed in committee. It makes three changes. It add...this...this bill was introduced at the request of the State Treasurer and the three changes are, it adds an immediate effective date, it specifies that bids for State deposits shall be solicited from credit unions exceeding fifty million dollars in assets pursuant to the treasurer's agreement in committee and further sets up a system in conjunction with the superintendent of the State Lottery that instead of buying annuities they will be buying Zero Coupon Bonds. It will save...in payment of those large lottery prizes this legislation will in the opinion of the superintendent of the lottery and the State Treasury save a good deal of money for our State. I know of no objection. I'd move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to Senate Bill 667. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 668, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 668.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

SB 669 2nd Reading

Thank you, Mr. President. The committee amendment makes two changes in the bill. First, it requires the State Board of Education rather than the State Teachers' Certification Board to report the information that's outlined in this bill. It's the staff's understanding that the State Board of Education already collects the data that's required and...and if any additional information or collection mechanism needs to be established the agency clearly has more staff and resources than the State Board of...Certification Board to accomplish the task. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 668. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 669, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 669.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 670, Senator Dawson. Senate Bill 671, Senator Dawson. Senate Bill 672, Senator Holmberg. Senate Bill 673, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 673.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

The committee amendment deletes the requirement that the...that the director of Central Management Services adopt permanent regulation and rates if the...Travel Regulation Council fails to adopt such. Presently, under the bill, the Travel Control Council is required to adopt regulations every two years. If the council fails to adopt such the...the director of Department of Central Management Services is required to adopt emergency regulations and the rates...and then proceed to adopt permanent regulations and rates. This amendment deletes the director's authority to adopt permanent rules and regulations. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 673. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 674, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 674.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Simply a technical amendment suggested by the Reference Bureau. Has no net effect. Move adoption of...Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 674. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 675, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 675.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 676, Senator DeAngelis. Senate Bill 677, Senator DeAngelis. Senate Bill 678, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 678.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 679, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 679.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator DeAngelis seeks leave to go back to the Order of Senate Bill 676. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 676, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 676.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 677, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 677.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments. I'm...there is a...Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, Committee Amendment No. 1 exempts tangible personal property.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any...

SENATOR DeANGELIS:

I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there any discussion? If not, Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 677. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 680, Senator Netsch. Senate Bill 681, Senator Kelly. Senate Bill 682, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 682.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 683, Senator D'Arco. Senate Bill 684, Senator DeAngelis. Senate Bill 685, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 685.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 686, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 686.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 688, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 688.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This bill was at the request of the...extension advisors in Illinois. They are apparently State employees participating in a Federal retirement and they were concerned about their survivor benefits. What this amendment will, in fact, do is to...is to assure that the State of Illinois will not be involved with any cost whatsoever, that that cost will in fact be borne by the survivors or by the University Cooperative Extension Service or any combination thereof, and I would move adoption of...of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 688. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 690, Senator Macdonald. Senate Bill 693, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 693.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 is an amendment that was referred to me by the Legislative Reference Bureau because it's...it's an amendment to supply a section number which was inadvertently...omitted from the bill. It's a technical amendment and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 693. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 694, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Resolution 694...Senate Bill 694.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, the amendment basically removes some mailing provisions that were involved in the Act which the contractors objected to and that's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves the adoption of Amendment No. 1 to Senate Bill 694. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 696, Senator Joyce. Senate Bill 699, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...Senate Bill 699.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The...the amendment is...amends...Senate Bill 699, on page 1, line 20, by adding immediately after the word "bounds" the following "or other legal." So, it reads, "must

also contain a metes and bounds or other legal description of the real estate concerned," and I move the passage of that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 699. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR RUPP:

In the gallery we have the government class from Pana High School, fifty-one students. Of these fifty-one students, and this is why we should be nice to them, there are thirty-five registered voters. The other thing about Pana for which it's famous is that's the point where Senator Sam Vadalabene started and I think he should stand up, too. Senator Sam, Pana.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. It's always a pleasure to see thirty-five young Democrats out there. With leave of the Body, we'll go back to the Order of Senate Bills 2nd Reading, Senate Bill 690 for Senator Macdonald. Is leave

granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 690, Senator Macdonald. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 690.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 705, Senator Lemke...read the bill...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 705.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 706, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 706.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 707, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 707.

(Secretary reads title of bill)

2nd reading of the bill. The Committee Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The committee amendment is technical in nature. It makes some technical corrections and I know of no objection. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to Senate Bill 707. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 708, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 708.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 to Senate Bill 708, which is the zero to three services to handicapped youngsters, is an agreed amendment and it creates an interagency coordination council. The implementation of this bill would not occur in...under any circumstances as introduced until 1988, and so we're setting up demonstration projects for three years and providing for an...an agreement between the State Board of Education, the Governor's Council on Developmental Disabilities and the Department of Mental Health, and I know...again, know of no objection. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to Senate Bill 708. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 709, Senator Lechowicz. Senate Bill 712, Senator Zito. Senate Bill 713, Senator Zito. Senate Bill 714, Senator D'Arco. Senate Bill 715, Senator D'Arco. Senate Bill 716, Senator D'Arco. 717, Senator D'Arco. 718, Senator D'Arco. 720, Senator Darrow. 721, Senator Darrow. 722, Senator Berman. 723, Senator Berman.

SB 734 2nd Reading

724, Senator Berman. 725, 726, 728, 729, 730, Senator Berman. 732, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 732.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 733, Senator Carroll. 734, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 734.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 736, Senator Kustra. Senate Bill 738, Senator Degnan. 739, Senator Degnan. 740, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 740.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Elections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

SB 741
2nd Reading

Committee Amendment No. 1 to Senate Bill 740...is of technical nature. It removes confusing language concerning annexation to library districts, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 740. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 741, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 741.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 742, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 742.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 748 2nd Reading

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Floor Amendment No. 1 to Senate Bill 742 makes provisions of the bill voluntary rather than mandatory. It allows rather than requires organization licenses to negotiate a contract with and paid to an organization of horse owners and trainers at an equal amount of one percent of...of retention, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 742. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 743, Senator Vadalabene. 744, Senator Jones. 745, Senator Jones. 748, Senator Donahue. 749, Senator Kustra. Well, Senator Donahue...on 748, Senator Donahue wishes to move the bill. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 748.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

AB 758
2nd Reading

3rd reading. Senate Bill 749, Senator Kustra. 750, Senator Kustra. 752, Senator Kustra. 753, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 753.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 754, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 754.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay. Take it out of the record. Senate Bill 755, Senator Degnan. 756, Senator Chew. 757, Senator O'Daniel. 758, Senator Davidson. Read the bill, Mr. Secretary. Read the bill, Mr. Secretary.

SECRETARY:

...Senate Bill 758.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Is that committee amendment or the Floor amendment?

SECRETARY:

That's...committee amendment. It's rather lengthy, Senator Davidson.

SENATOR DAVIDSON:

Yes, this is a recommendation to change so the word that would jive between registration and injured athletics. This was to clear up language that had some...problem with those athletic trainers who practice in a health-care facility, such as a hospital. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 758. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move Amendment No. 2. Enrolling and Engrossing caught some ambiguity in the language and this was recommended by them to the Reference Bureau to correct up that...excuse me, ambiguity of the language. Move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Davidson moves the

adoption of Amendment No. 2 to Senate Bill 758. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 760, Senator Marovitz. Senate Bill 761, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 761.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 761 removes the criminal penalties and designs a standard disclosure form, and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 761. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 762, Senator Marovitz. Read

the bill, Mr. Secretary.

SECRETARY:

Senate Bill 762.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 765, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 765.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 1 to 765 is a...technical amendment...only. It changes the...I think, child-care facility to group home facility. Technical in nature only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 765. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 766, Senator Vadalabene. Read the bill, Mr. Secretary. Senate Bill 767, Senator Rock. Senate Bill 768, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 768.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 768 deletes the criminal penalty and specifically clarifies the definition of what a surcharge is, a question that was asked in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 768. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we will go back to 767 for 2nd reading for Senator Rock. Is leave granted? Leave is granted. Senate Bill 767, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 767.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 767 is that bill which directs that the State shall give priority to Illinois public financing investment banking firms. The amendment expands the scope of the bill to cover all State level bond issuing authorities. I know of no objection. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to Senate Bill 767. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 770, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 770.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 771, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 771.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 772, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 772.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 775, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 775.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SB 779
2nd Reading

SENATOR MAROVITZ:

Okay. Amendment No. 1 to Senate Bill 775 amends the Act so that the complainant is not required to provide the name, address and telephone number when making a report but requested to do so as a follow-up. This would maintain the...the privacy of the individual making the complaint.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 775. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 779, Senator...hyphenated sponsor Friedland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 779.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 780, Senator Etheredge. 782, Senator Philip. On the Order of Senate Bills 2nd Reading is Senate Bill 782. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 782.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, do you have a Floor amendment on 782? My Calendar indicates there was to be one. Senator Philip.

SENATOR PHILIP:

I'm afraid I was not at the committee hearing. I notice on the notes that this...there is a comment and...I suppose you better pull it out of the record till we get it straightened out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. Senate Bill 783, Senator Philip. 783, Mr. Secretary, read the bill. 7-8-3.

SECRETARY:

Senate Bill 783.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 785, Senator Fawell. Read the bill, Mr. Secretary, please, 7-8-5.

SECRETARY:

Senate Bill 785.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 786, Senator Topinka. Read the bill, Mr. Secretary, please, Senate Bill 786.

SECRETARY:

Senate Bill 786.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 788, Senator DeAngelis. 788, Senator DeAngelis. Read the bill, Mr. Secretary, please, 7-8-8.

SECRETARY:

Senate Bill 788.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 21, Senate Bill 789, Senator DeAngelis. Read the bill, Mr. Secretary, please, 7-8-9.

SECRETARY:

Senate Bill 789.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'd like to move to Table that Committee Amendment No. 1. It is technically incorrect in that the...it was not underlined.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis has moved to Table Committee Amendment No. 1 to Senate Bill 789. Is there any...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1 is identical to number...Committee Amendment No. 1 except this one is technically correct because it's underlined.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis moves the adoption of Amendment No. 2 to Senate Bill 789. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 790, Senator Davidson. Read the bill, Mr. Secretary, please, 7-9-0.

SECRETARY:

Senate Bill 790.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 791, Senator Davidson. Read the bill, Mr. Secretary, please, Senate Bill 791.

SECRETARY:

Senate Bill 791.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Move the...committee amendment. This was a technical amendment to take care of the temporary employees which will be under the Illinois Department of Conservation under this new Youth Employment Program for the summer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson moves the adoption of Committee Amendment No. 1 to Senate Bill 791. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee...Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 792, Senator Fawell. Senate Bill...Senator Fawell. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 792.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

A point...point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WELCH:

Mr. President, we are fortunate today to have the eighth grade class from Plano Junior High School here in the gallery. I believe they're up...they're up here. I'd like them to stand up and take a bow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to Springfield. Senate Bill 793. Is Senator Coffey on the Floor? Is there leave for Senator Nedza to handle Senate Bill 793? Is leave granted? Leave is granted. Mr. Secretary, Senate Bill 793, read the bill.

SECRETARY:

Senate Bill 793.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment is the culmination of some agreement as to the dollar amount and...it's...it's in complete accord with everybody and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves the adoption of Amendment No. 1 to Senate Bill 793. Any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 795, Senator Rupp. Mr. Secretary, read the bill, 7-9-5.

SECRETARY:

Senate Bill 795.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 796, Senator Fawell. Read the bill, Mr. Secretary, please, 7-9-6.

SECRETARY:

Senate Bill 796.

SB 800 2nd Reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 798, Senator Bloom. Senator Bloom on the Floor? Senate Bill 799, Senator Donahue. Senator Donahue on the Floor? Senate Bill 800, Senator Rock. Mr. Secretary, read the bill, Senate Bill 800.

SECRETARY:

Senate Bill 800.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 801, Senator Topinka. Mr. Secretary, read the bill, 8-0-1.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 801.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 802, Senator Macdonald. Mr. Secretary, read the bill, Senate Bill 802.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 802.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 22, Senate Bill 803, Senator Schaffer. 804, Senator Schaffer. Mr. Secretary, top of page 22, Senate bills 2nd reading is Senate Bill 804, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 804.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

None.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 806, Senator Rigney. Read the bill, Mr. Secretary, please, 8-0-6.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 806.

(Secretary reads title of bill)

2nd reading of the bill. The Department on...Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President,...Amendment No. 1 that was adopted by the committee primarily puts into statutory law what has been the practice within the department in administering the Act. It

spells out...the relationship of assets to liabilities. It addresses that question of what happens in the event of insolvency. It also spells out the department's liability in the event of a failure, and I think a rather noncontroversial clean-up type of an amendment that was adopted by the committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate...Senator Rigney moves the adoption of Committee Amendment No. 1 to Senate Bill 806. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We...with leave of the Body, Senator Philip has indicated that the confusion relevant to Senate Bill 782 has been cleared up. So, with leave of the Body, we'll go back to page 20 and pick that bill up. Is leave granted? Leave is granted. All right, Mr. Secretary, Senate Bill...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 782.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we'll

return back to the regular Calendar now. On page 22...leave is granted. Senate Bill 807, Senator Coffey. Senator Coffey on the Floor? Senate Bill 808, Senator Maitland. 8-0-8. Middle of page 22. Mr. Secretary, read the bill, 8-0-8.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 808.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 809, Senator Donahue. Mr. Secretary, read the bill, Senate Bill 809.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 809.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 810, Senator Rigney. Mr. Secretary, read the bill, 8-1-0.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 810.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 811, Senator Friedland. Mr. Secretary, read the bill, 8-1-1.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 811.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. Amendment 1 is a spelling correction. Appreciate your consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Friedland has moved the adoption of Amendment No. 1 to Senate Bill 811. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 812, Senator Rigney. Read the bill, Mr. Secretary, please, 8-1-2.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 812.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

SB 815 2nd reading

Amendment No. 1 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this does amend the Pesticide Act of '79 dealing with the subject of licensing and certification. The amendment merely adds in about a half a dozen different definitions that did not appear in the Act prior to this time. There were forty-two different definitions in the Pesticide Act. This defines such things as bulk pesticides, bulk repackaging, business, facilities, chemigation and...and terms of that kind. Strictly a definition section.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has moved the adoption of Amendment No. 1 to Senate Bill 812. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 813, Senator Davidson. Read the bill, Mr. Secretary, please, 8-1-3.

ACTING SECRETARY: (MR. FERNANDES)

813.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 814, Senator Mahar. Senate Bill 815, Senator Mahar. Mr. Secretary, Senate Bill 8-1-5.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 815.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Mr. Secretary, my Calendar indicates there's to be a Floor amendment. Senator Mahar. Let's take it out of the record. Take it out of the record. Senate Bill 816, Senator Macdonald. Mr. Secretary, read the bill, 8-1-6.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 816.

(Secretary reads title of bill)

2nd reading of the bill. The Department of Agriculture offers one...the Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, Amendment No. 1 is a technical amendment that puts the Department of Revenue in line with the bill which allows...one-sixth of the value of that land dedicated to nongame wildlife. It just simply puts that section of the Revenue Code into compliance with what this bill does, so I ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald moves the...the adoption of Committee Amendment No. 1 to Senate Bill 816. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

None.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Mr. Secretary, I inadvertently did not see Senator Coffey who was on the Floor with 807. With leave of the Body, we will return to Senate Bill 807. Is leave granted? Leave is granted. On the Order of 2nd...bills...2nd Reading is Senate Bill 807, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 807.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, top of page 23 is Senate Bill 817, Senator Weaver. Mr. Secretary, read the bill, 8-1-7.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 817.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 818, Senator Topinka. Mr.

Secretary, read the bill, 8-1-8.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 818.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 822, Senator Friedland. Mr. Secretary, read the bill, 8-2-2.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 822.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 823, Senator Geo-Karis. Read the bill, Mr. Secretary, please, 8-2-3.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 823.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 824, Senator Luft. 825, Senator Dudycz. 826, Senator Hudson. Mr. Secretary, Senate Bill

826, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 826.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson. Senator Hudson.

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendment.

SENATOR HUDSON:

There was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Mr. President, I checked on this yesterday and was informed there was one Floor amendment on 826. There should be one Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, what Amendment No. 1 would do is to state that any aggrieved person with a disability may bring action...bring on action for a mandamus, injunction or appropriate relief provided that that action against any State agency is brought before the Court of Claims. I know of no opposition to the

amendment and would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hudson has moved the adoption of Amendment No. 1 to Senate Bill 826. Any...is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 827, Senator...Fawell. Mr. Secretary, read the bill, 8-2-7.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 827.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 828, Senator Bloom....8-2-8, Mr. Secretary, read the bill, 8-2-8.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 828.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you. Senator Marovitz offered this amendment and he said it made technical corrections to this bill which addresses...addresses locally held accounts in the various

State institutions. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom has moved the adoption of Committee Amendment No. 1 to Senate Bill 828. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 829, Senator Topinka. Mr. Secretary, read the bill.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 829.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 830, Senator Rupp. Mr. Secretary, read the bill. 830.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 830.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 831, Senator Geo-Karis. Read the bill, Mr. Secretary, please. 831.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 831.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

SB 834 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment that I'm offering is a technical amendment suggested to me by the Legislative Reference Bureau. What it does, it deletes the word "preserve" and puts "preserve district" on line 1, page 18, and I move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 831. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 24, Senate Bill 833, Senator Macdonald. Mr. Secretary, Senate Bill 833, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 833.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 834, Senator Keats. Mr. Secretary, read the bill. 834.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 834.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB835 2nd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 835, Senator Hudson. Mr. Secretary, read the bill. 835.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 835.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. What Committee Amendment No. 1 does is to delete all changes to the Bank Holding Company Act, thus the commissioner's powers are not expanded as they relate to the bank holding companies. The amendment creates three new advisory committees for the commissioner which he will chair. It also changes the name of the Board of Banks and Trust Companies to the State Banking Board and adds four members. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson has moved the adoption of Committee Amendment No. 1 to Senate Bill 835. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 836, Senator DeAngelis. Mr. Secretary, read the bill. 836.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 836.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Committee Amendment No. 1 is essentially a rewrite of the substantive parts of the bill due to some drafting errors in the original bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis moves the adoption of Committee Amendment No. 1 to Senate Bill 836. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it...Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. I believe Senator DeAngelis is indicating to me now that he is not aware of this amendment, is that cor-

rect, Senator? All we were doing is what I indicated in committee, and that is striking that line 4, that says, "an easement for other purposes." You know, we didn't know what that...is that okay? All right. Then this amendment will strike the language, "an easement for other purposes" and confine easements to their specific titles rather than the broad "an easement for other purposes." Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Sangmeister,...I have a question of Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

You are aware that...that is part of the current law right now that you're striking?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, it can't be because it's underlined in here. Now, it may be in some other section of the Statutes. I don't know where this was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Sangmeister, as I said in my opening comments, we redrafted this; and for the reason that we redrafted it, we rearranged it. That's why it's underlined.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I believe that is correct, but I still think that that

terminology ought to come out of there, because I think it's just too broad. Do you have a problem with that? I thought that but we kind of agreed on that in committee. All right? Okay. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...all right. Further discussion? Senator Sangmeister moves the adoption of Amendment...of Amendment No. 2 to Senate Bill 836. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 838, Senator Karpiel. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 838.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 839, Senator Geo-Karis. Mr. Secretary, read the bill. 839.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 839.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

SB 840 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 840, Senator Geo-Karis. Mr. Secretary, read the bill. 840.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 840.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 841, Senator...Topinka. Mr. Secretary, read the bill...841.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 841.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 843, Senator Geo-Karis. Mr. Secretary, read the bill. 843.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 843.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 844
2nd Reading

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is an amendment that we forgot to put on in committee, and this is an amendment proposed by the Department of Law Enforcement and amends Senate Bill on page 6...Senate Bill 843 on page 6, by deleting lines 20...through 31, and adding on page 9 in line 35..."and Federal agencies" after the word "agencies," and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 843. Is there any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator Geo-Karis, I don't remember this...this particular amendment being discussed in committee, and I...I'd like to...I'd like to hear a little bit more about what you're deleting and what you're adding here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you like to pull this out of the record temporarily so I can meet with Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's take it out of the record. Senator Bill 844, Senator Dudycz. Mr. Secretary, read the bill. 844.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 844.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

AB 847 3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 846, Senator Weaver. Mr. Secretary, read the bill. 846.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 846.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 847, Senator Weaver. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 847.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 848, Senator Dudycz. Mr...all right. 849, Senator Macdonald. All right. Can we break up the caucus in front of Senator Macdonald. 849. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 849.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 25 is Senate Bill 850, Senator Dudycz. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 850.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendment No. 1, Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to Senate Bill 850 is technical in nature and it simply clarifies the intent of the bill, and I ask the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz moves the adoption of Amendment No. 1 to Senate Bill 850. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 851, Senator DeAngelis. Mr. Secretary, read the bill. 851.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 851.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 856 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 853, Senator Geo-Karis. Senator Geo-Karis. Mr. Secretary, read the bill. 853.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 853.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 854...855, Senator Macdonald. 855, Mr. Secretary, read the bill. 855.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 855.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 856, Senator Geo-Karis. Mr. Secretary, read the bill. 856.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 856.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate...No. 1 was sent to me by the Legislative Reference Bureau to correct two errors brought to their attention by the Senate Enrolling and Engrossing Committee, and I move the passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 856. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...President and Ladies and Gentlemen of the Senate...Amendment No. 2 amends Senate Bill 856 on page 1, lines 2 and 7, by deleting "8-106" and...and further, on page 2, by deleting lines...line...11 through 17 and on page 2, line 18, by deleting "D" and inserting in lieu thereof "C," and I think the whole thing is a technical amendment that's removing the different classifications.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 856. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SB 858 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 simply adds two more members to the Human Rights Commission, one R and one D, at the recommendation of the second floor. I have talked to Senator Rock, there's no problem, so I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 3 to Senate Bill 856. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 857, Senator Fawell. Mr. Secretary, read the bill. 857.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 857.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 858, Senator Karpiel. Mr. Secretary, read the bill. 858.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 858.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 859, Senator Geo-Karis. 859, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 859.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 860, Senator Geo-Karis. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 860.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 861, Senator Geo-Karis. Mr. Secretary, read the bill. 861.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 861.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 862, Senator Schaffer. Mr. Secretary, read the bill. 862, bottom of page 25.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 862.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, this is a technical amendment from the Reference Bureau. It...changes "on" to "or," a glitch we're clearing up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 862. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 26, Senator Donahue, 864. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 864.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 865, Senator Rigney. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 865.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, Senate Amendment No. 1 is merely a technical amendment where the word "feet" was left out of a description of the land.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rigney moves the adoption of Amendment No. 1 to Senate Bill 865. Those in favor indicate by saying Aye. I'm informed that explanation is for Amendment No. 2, Senator Rigney. Senator Rigney.

SENATOR RIGNEY:

Mr. President, Amendment No. 2 is a reverter clause. It says if the Flag Rochelle Park District fails to use the property for park purposes it reverts to the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The...the Secretary indicates that you have the numbers reversed, explanations are correct. So, if we will just reverse the explanations. On Amendment No. 1, Senator Rigney...moves the adoption of Amendment No. 1 to Senate Bill

865. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Now Senator Rigney moves the adoption of Amendment No. 2 to Senate Bill 865. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 866, Senator Topinka. Senate Bill 868, Senator DeAngelis. Senate Bill 869, Senator Donahue. Senate Bill...read the bill, Mr...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 869.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 870, Senator Bloom. 871, Senator Barkhausen. 872, Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 872.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 873, Senator Schaffer. 874, Senator Topinka. 875, Senator Maitland. 876, Senator Macdonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 876.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 876, Senator Macdonald...I'm sorry. With leave of the Body, we can go to back Senate Bills 853 for Senator Geo-Karis. Evidently, she's worked out her problem on...Amendment...leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 853...843, I'm sorry. 843. Leave granted? Leave is granted. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 843.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I con-

ferred with the chairman of the Local Government Committee, he has no objection. Amendment No. 1 simply inserts in lieu thereof on page 6, the following, "communicates...as may be required by" and strikes out the language until line 16.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 843. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, Senator Topinka has requested Senate Bill 866 to be heard. Is leave granted? Leave is granted. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 866.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA

Yes, the committee amendment on 866 clarifies who sets the conditions and minimum purses for races limited to Illinois conceived and foaled, standardbred and thoroughbred horses, and for stake races. It'll also bring the language of the Act into conformity with procedures presently being followed by the industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves the adoption of Amendment No. 1 to Senate Bill 866. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee

SB 874 2nd reading SB 877 2nd reading

amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. She also requests leave to hear 874. Is leave granted? Leave is granted. Mr. Secretary, would you read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 874.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 877, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 877.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 878, Senator Rupp. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 878.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The bill as written did not state how the two representatives from private business were to be choosen, and what this amendment does is to correct that by just inserting the word "all" and permits the Governor to make those appointments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rupp moves the adoption of Amendment No. 1 to Senate Bill 878. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Schaffer asks leave to return in the Order of Senate Bills 873. Is leave granted? Leave is granted. Mr. Secretary, would you read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 873.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 1 is the Department of Conservation amendment which would require the coroners to notify the department on deaths from boating accidents and the blood testing procedure for people killed in boat...boating accidents. I guess they want to keep...some State-wide statistics.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 873. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Barkhausen seeks leave to go back to the Order of Senate Bill 871 for consideration. Is leave...is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 871. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 871.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 879, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 879.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 880, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 880.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 882, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 882.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. Chairman. Senate Bill 882 is the creation of the Expedited Check Clearing Act. Committee Amendment No. 1 gives banks eight rather than five days to clear a check from outside of Illinois, removes the criminal penalties, only leaving the banks liable for civil action. I move its adoption.

HB 882 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to Senate Bill 882. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd...3rd reading. Senate Bill 883, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 883.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 884, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 884.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment .

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

This is a technical amendment to make the correspondent

changes that...it would jive with the Business Corporate...Corporation Act. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 884. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd...3rd reading. Senate Bill 887, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 887.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 889, Senator Lemke. Read the bill, Mr .Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 889.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 890, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 890.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke...(machine cutoff)...Lemke.

SENATOR LEMKE:

What this does is stipulates that nothing in the provisions regarding the experimentation of fetuses is intended to prohibit...vitro fertilization.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 890. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, Senator Mahar has requested to go back to Senate Bill 815. Is leave...is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 815. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 815.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President. Amendment No. 1 to Senate Bill 815 is to clarify technical language, nothing more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Mahar moves the adoption of Amendment No. 1 to Senate Bill 815. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 891, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 891.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

How many amendments are there? There's two of them here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Caution to Senators that we should be prepared so we can roll through without these interruptions. Senator Watson.

SENATOR WATSON:

Okay...all right. Thank you, Mr. President, pardon me. Amendment No. 1 to Senate Bill 891 simply states, "The provisions of this section shall not apply to any pharmacy owned by a corporation who shares a stock or publicly traded on a national stock exchange." The...the legislation was not designed at all to affect corporate drug stores and so this justs clarifies that. There's no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 891. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

This came from the Reference Bureau and it's simply a technical amendment, puts a comma where it belongs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 2 to Senate Bill 891. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 892, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 892.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 893, Senator Etheredge. Senate Bill 894, Senator Etheredge. 895, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 895.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 896, Senator Bloom. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 896.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Okay. Probably to speed up the process, what I would like to do is to Table the committee amendment, because we had another amendment prepared in committee that was...that didn't track. Senator Sangmeister, you remember this bill,

the easement bill? What staff has done, they've gone down to the Reference Bureau and combined Amendment 1 with the Amendment 2. So, then, if we could Table the committee amendment, then we can offer the Floor Amendment 1 which would combine both of them and do it right like we were going to do the first time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, I've looked at the amendment. It's got the reverter in it as well, so it's fine. You can run with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Bloom moves that Amendment No. 1 be Tabled. All those in favor indicate by saying Aye. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Now he moves to...that's for the committee amendment. Now he moves to adopt Amendment No. 1. Is there further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Since there's no further committee...amendments, any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom moves to adopt Amendment No. 2 to Senate Bill 896. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 897, Senator Davidson. Read

the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

897.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

The amendment was a recommendation from the Executive Committee to clarify language in relation to the exempting on the bidding contract. This was worked out in the subcommittee, move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 897. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 898, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 898.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 899, Senator Schuneman. Senate Bill 900, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 900.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 901, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 901.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 902, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 902.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

SB 906 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 903, Senator Fawell. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 903.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 905, Senator Fawell. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 905.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Hold...hold it. Take it out of the record. Senate Bill 906, Senator Fawell. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 906.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 907, Senator Chew. Senate Bill 909, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 909.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 910, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 910.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 910 deals with disclosures using to determine how well...a financial institution has served the community when it attempts to offer new services or acquire another financial institution. The...the program described in the amendment consists of two parts. First of all, the first part requires all financial institutions to make their residential, small business and agricultural loan activity a matter of public record each year. This would require including the number and amount of residential, multi-family, home improvement, agricultural and small business loans so it would enable members of the community...within which the bank operates to see how well that bank has served the community. And secondly, the second part permits members of the community to testify at a hearing on that bank service to the community whenever that bank wishes to offer new services or whenever that bank wishes to acquire another financial institution. I would ask for adoption of Amendment No. 1 to Senate Bill 910.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 910. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 920, Senator Holmberg. On the Order of Senate Bills 2nd Reading, Senate Bill 920. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 920.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 924, Senator Schuneman. On...924, sir. On the Order of Senate Bills 2nd Reading, Senate Bill 924. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 924.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 933, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 933. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 933.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 935, Senator Dawson. On the Order of Senate Bills 2nd Reading, Senate Bill 935. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 935.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 936. On the Order of Senate Bills 2nd Reading, 936. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 936.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 937. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 937.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Dawson on Committee Amendment No. 1.

SENATOR DAWSON:

Committee Amendment No. 1 industrial...bonds issued by the Illinois Developmental Finance Authority in agreement with the industrial or commercial enterprise shall not be issued unless the Department of Commerce and Community Affairs determines that there will be a net increase in jobs and adds that the authority or DCCA, whichever is applicable, shall report to the General Assembly each year all information received pursuant to this Act during the preceding year. It makes technical corrections.

PRESIDENT:

Senator Dawson has moved the adoption of Committee Amendment No. 1 to Senate Bill 937. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments...no further committee amendments.

PRESIDENT:

...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 30, on the Order of Senate Bills 2nd Reading, Senate Bill 938. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 938.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 939. On the Order of Senate Bills 2nd Reading, Senate Bill 939, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 939.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dawson.

PRESIDENT:

Senator Dawson on Amendment No. 1 to Senate Bill 939.

SENATOR DAWSON:

Floor Amendment No. 1 just specifies the income requirements in this piece of legislation.

PRESIDENT:

All right. Senator Dawson has moved the adoption of Amendment No. 1 to Senate Bill 939. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 940. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 940.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 941. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 941.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dawson.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Requires the Guardianship and Advocacy Commission to establish by rule the procedures and standards for which they will accept a secure, private counsel for eligible persons.

PRESIDENT:

All right. Senator Dawson has moved the adoption of Amendment No. 1 to Senate Bill 941. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 942. On the Order of Senate Bills 2nd Reading, Senate Bill 942, Mr. Secretary...I beg your pardon,...hold it, Mr. Secretary. Senator Dawson.

SENATOR DAWSON:

Mr. President, there was just an amendment offered on this one and staff hasn't got an analysis on it yet. So, can we hold off on this one?

PRESIDENT:

On 942?

SENATOR DAWSON:

943...on...943, Mr. President.

PRESIDENT:

Well, we're...we're on 942. Is this 42 all right?

SENATOR DAWSON:

Yes, it's all right.

PRESIDENT:

All right. Senator Dawson, the Secretary informs me there is a...a second Floor amendment on 941. So, with leave of the Body, we'll take 941 back to the Order of 2nd Reading for purposes of an additional amendment. Is leave granted? On the Order of Senate Bills 2nd Reading, Senate Bill 941, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Dawson.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

This requires the Guardianship and Advocacy Commission to establish by rule...this what...this is what we had for the previous amendment, Mr. President.

PRESIDENT:

Well, all I can tell you is that the Secretary had two

amendments sitting on his desk. Further amendments on 941?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 942. On the Order of Senate Bills 2nd Reading, Senate Bill 942, Mr. Secretary...no, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 942.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 944, Senator Dawson. On the Order of Senate Bills 2nd reading, Senate Bill 944. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 944.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 947, Senator Joyce, Jeremiah. On the Order of Senate Bills 2nd Reading, Senate...middle of page 30, Senate Bill 947. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 947.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 949, Senator Karpiel. 951, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 951. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 951.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 954, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 954. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 954.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 956, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 956. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

SB 957 2nd Reading

Senate Bill 956.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDENT:

Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President. The...the amendment provides that the pregnant woman must also demonstrate that the child when born will qualify as a dependent. Deletes provisions that a eighteen year old who failed to qualify as a dependent under AFDC and who has insufficient income to cover medical expenses will qualify for medical assistance. It adds that the eighteen year old must demonstrate need and fail to qualify as a dependent. Essentially, this amendment restores the original language of the Statutes.

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 1 to Senate Bill 956. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 957, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 957. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 957.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SB 976 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Lemke on 970. 971. On the Order of Senate Bills 2nd Reading, Senate Bill 971. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 971.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 972, Senator Lemke. On the Order of Senate Bills 2nd Reading, top of page 31, Senate Bill 972. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 972.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 974, Senator Lemke. Hold that one. 976, Senator Davidson. On the Order of Senate Bills 2nd Reading, Senate Bill 976. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 976.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 977, Senator Nedza. On the Order of Senate Bills 2nd Reading, Senate Bill 977. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 977.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 978, Senator Joyce. 982, Senator Poshard. Top of page 31, on the Order of Senate Bills 2nd Reading, Senate Bill 982. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 982.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. All right. With leave of the Body, we'll move back to 974. On the Order of Senate Bills 2nd Reading, Senate Bill 974. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 974.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jones.

PRESIDENT:

Senator Jones. Senator Lemke.

SENATOR LEMKE:

...all this does is correct a technical problem raising the figure from twenty-eight thousand to thirty-two five which is the new salary. I ask for its adoption.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 974. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 983, Senator Newhouse. 984, Senator Smith. Senator Newhouse, you wish that moved? On the Order of Senate Bills 2nd Reading, the middle of page 31, is Senate Bill 983. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 983.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 984, Senator Smith. On the Order of Senate

Bills 2nd Reading, Senate Bill 984. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 984.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 986, Senator Marovitz. 987, Senator Joyce. 988, Senator Watson. On the Order of Senate Bills 2nd Reading, Senate Bill 988. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 988.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 989, Senator Kelly. Hold. On 992, Senator Barkhausen. Senator Barkhausen. Will somebody get Senator Barkhausen's attention? On the Order of Senate Bills 2nd Reading, bottom of page 31, is Senate Bill 992. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 992.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SB 993
2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 is just a technical amendment correcting a couple of typographical errors. I would move its adoption.

PRESIDENT:

Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 992. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 993, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 993. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 993.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 32, on the Order of Senate Bills 2nd Reading, 995, Senator Collins. On the Order of Senate Bills 2nd Reading, Senate Bill 995. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 995.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 997, Senator Collins. 998. 1000. 1002, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 1002. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1002.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1003, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, Senate Bill 1003. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1003.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1004, Senator Joyce. 1005. 1007, Senator Degnan. On the Order of Senate Bills 2nd Reading is Senate Bill 1007. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1007.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1008. 1009, Senator Donahue. 1010, Senator Carroll. 1013, Senator Welch. Top of page 33 and we only have to go to page 50. Top of page 33, on the Order of Senate Bills 2nd Reading, 1014. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1014.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDENT:

Senator D'Arco on Committee Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. The amendment actually becomes the bill and the amendment incorporates the provisions of the other two bills, Senate Bill 1015 and Senate Bill 1016, that addressed the delay in receipt of benefits for persons who are scheduled to...be released from mental hospitals and penal institutions. This amendment is in...in cooperation with DMHDD, Public Aid and the Department of Children and Family Services, and right now we're moving the bill along and we're waiting for final approval from those departments; and I would move to adopt Amendment No. 1 to Senate Bill 1014.

PRESIDENT:

All right. Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 1014. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further...committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Jones on 1018. On the Order of Senate Bills 2nd Reading, Senate Bill 1018. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1018.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1019, Senator Netsch. 1029, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 1029. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1029.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1030, Senator Berman. 1031, Senator Friedland. 1032, Senator Jerome Joyce. 1035, Senator Chew. 1036. 1037. 1039. 1041, Senator Karpiel. On the Order of Senate Bills 2nd Reading, Senate Bill 1041. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1041.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Karpiel on Committee Amendment No. 1.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Committee Amendment No. 1 simply changed the word "shall" to "may" making this a permissive...makeing this permissive legislation.

PRESIDENT:

All right. Senator Karpiel has moved the adoption of Committee Amendment No. 1 to Senate Bill 1041. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Barkhausen on 1043. Senator Geo-Karis on 1044. On the Order of Senate Bills 2nd Reading, Senate Bill 1044. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1046, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 1046. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1046.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDENT:

Senator Smith on Committee Amendment No. 1...Senator Smith on Committee Amendment No. 1.

SENATOR SMITH:

...Mr. President, Amendment No. 1 merely makes the bill permissive and puts on a date...a special date on this.

PRESIDENT:

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 1046. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 34, Senate Bill 1047, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 1047. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1047.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1048, Senator Smith. On the Order of Senate Bills 2nd Reading, Senate Bill 1048. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1048.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Smith on the...Committee Amendment No. 1.

SENATOR SMITH:

Thank you, Mr. President...Amendment No. 1 was given to us in the committee and it clarifies the method through which paternity can be established.

PRESIDENT:

Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 1048. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No...2 merely deletes change made to the general...position of the article.

PRESIDENT:

All right., Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1048. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1050, Senator Schuneman. On the Order of Senate Bills 2nd Reading, Senate Bill 1050. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1050.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Schuneman on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. Amendment No. 1 imposes upon school boards the duty to report sex and narcotics convictions to the State Board of Education of any certificated personnel in a school.

PRESIDENT:

Senator Schuneman has moved the adoption of Committee

Amendment No. 1 to Senate Bill 1050. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Watson on 1051. On the Order of Senate Bills 2nd Reading, Senate Bill 1051. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1051.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendment.

PRESIDENT:

3rd reading. 1052, Senator Davidson. On the Order of Senate Bills 2nd Reading, Senate Bill 1052. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1052.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

AB 1068
2nd Reading

3rd reading. 1053, 55, 56, 1060. 1062, Senator Rupp. 1063, Senator Luft. 1064, Senator Luft. On the Order of Senate Bills 2nd Reading, Senate Bill 1064. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1064.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1065. On the Order of Senate Bills 2nd Reading, Senate Bill 1065. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1065.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1068, Senator Lechowicz. On the Order of Senate Bills 2nd Reading, Senate Bill 1068. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1068.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1070, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 1070. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1070.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. All right. While we're on that page, Senator Carroll has rejoined us. On the Order of Senate Bills 2nd Reading, middle of page 34, Senate Bill 1060. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1060.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1072. Top of page 35, 1072, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 1072. Read the bill, Mr. Secretary. 1084, Senator Dawson. Middle of page 35, on the Order of Senate Bills 2nd Reading, Senate Bill 1084. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1084.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1085, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 1085. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1085.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1086, Senator Vadalabene. On the Order of Senate Bills 2nd Reading, Senate Bill 1086. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1086.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1090, Senator Macdonald. On the Order of Senate Bills 2nd Reading, Senate Bill 1090. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1090.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1091, Senator Dawson. On the Order of Senate Bills 2nd Reading, Senate Bill 1091. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1091.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1093, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 1093. Read the bill, Mr. Secretary.

END OF REEL

SB 1077
2nd Reading

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Bill 1072.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1073, Senator Barkhausen. Hold. 1074, Senator Luft. 1077, Senator Carroll. On the Order of Senate Bills 2nd Reading, Senate Bill 1077. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 1077.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

Any chance to call it back? 3rd reading. 1079, Senator Dunn. On the Order of Senate Bills 2nd Reading is Senate Bill 1079. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1079.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

SB 1082 2nd Reading

Senator Dunn on Committee Amendment No. 1.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Senate...Amendment No. 1 eliminated the carry-back and carry-forward provisions of the bill and then readded in a three-year carry-forward provision to make it consistent with some other bills that are in the House. And I'd ask for the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 1 to Senate Bill 1079. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1080, Senator Demuzio. On the Order of Senate Bills 2nd Reading is Senate Bill 1080. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1080.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1082, Senator Dudycz. On the Order of Senate Bills 2nd Reading, Senate Bill 1082. Read the bill,

Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1082.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dudycz.

PRESIDENT:

Senator Dudycz on Amendment No. 1.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is technical in nature and its intent is to clarify the...the bill, and I ask the adoption of the amendment.

PRESIDENT:

All right. Senator Dudycz has moved the adoption of Amendment No. 1 to Senate Bill 1081. Any discussion? If not, all in...1082, I beg your pardon...1082 on the board, Mr. Secretary. Senator Dudycz has moved the adoption of Amendment No. 1 to Senate Bill 1082. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1084, Senator Dawson. Middle of page 35, on the Order of Senate...(Machine malfunction)...

ACTING SECRETARY: (MR. FERNANDES)

(Machine malfunction)...

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1085, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 1085. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1085.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT

3rd reading. 1086, Senator Vadalabene. On the Order of Senate Bills 2nd Reading, Senate Bill 1086. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1086.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1090, Senator Macdonald. On the Order of Senate Bills 2nd Reading, Senate Bill 1090. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1090.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1091, Senator Dawson. On the Order of Senate Bills 2nd Reading, Senate Bill 1091. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1091.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1093, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 1093. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1093.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDENT:

Senator Kustra on Committee Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President. Committee Amendment No. 1 reduces the penalty from a Class 4 felony to a Class A misdemeanor and I urge its support.

PRESIDENT:

All right. Senator Kustra has moved the adoption of

SB 1095 2nd Reading

Committee Amendment No. 1 to Senate Bill 1093. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1095, Senator Bloom. On the Order of Senate Bills 2nd Reading, Senate Bill 1095. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1095.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 36, we're going to go to page 50. Top of page 36, Senator Kustra, 1096. On the Order of Senate Bills 2nd Reading, Senate Bill 1096. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1096.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDENT:

Senator Kustra on Committee Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President. The amendment once again reduces the penalty from a Class 4 felony to a Class A misdemeanor and I urge its adoption.

PRESIDENT:

Senator Kustra has moved the adoption of Committee Amendment No. 1 to Senate Bill 1096. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1098, Senator Philip. On the Order of Senate Bills 2nd Reading, Senate Bill 1098. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1098.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDENT:

Senator Philip on Committee Amendment No. 1.

SENATOR PHILIP:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 does basically two things; it changed the Primary to second Tuesday in May. If that would fall on a religious holiday, it then would be moved to the next Tuesday. Move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Philip moves the adoption of Amendment No. 1 to Senate Bill 1098. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments? No further amendments.

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1099, Senator Macdonald. 1101, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 1101. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1101.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1102, Senator DeAngelis. Yes...no...maybe...yes. On the Order of Senate Bills 2nd Reading, Senate Bill 1102. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1102.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

After all of that, Mr. President, Amendment No. 1 corrects a misspelling in the word "extension." I move for its adoption.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Bill 1102. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

That was the amendment I just explained.

PRESIDENT:

No, couldn't be. Senator DeAngelis.

SENATOR DeANGELIS:

You are correct, that was the committee amendment. All right, Amendment No....

PRESIDENT:

2.

SENATOR DeANGELIS:

...Floor Amendment No. 2...Floor Amendment No. 1...

PRESIDENT:

It's Amendment No. 2.

SENATOR DeANGELIS:

...right. Senate Bill 1102 is the continuing work of the Business Corporation Act Revision Committee. And what this amendment does, it corrects several more spelling errors. Secondly, it clarifies the status of reacquired shares. And

third and last, clarifies the language which states that foreign and domestic subsidiaries can merge. I move for its adoption.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 1102. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1103, Senator Bloom. On the Order of Senate Bills 2nd Reading, Senate Bill 1103. Read the bill, Mr. Secretary. I beg...Senator Bloom.

SENATOR BLOOM:

The amendment isn't ready, if it comes up before we adjourn could we come back to 1103?

PRESIDENT:

No.

SENATOR BLOOM:

No? Goodbye.

PRESIDENT:

1104, Senator Sangmeister. On the Order of Senate Bills 2nd reading, Senate Bill 1104. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1104.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1105. 1106, Senator Philip. On the Order

of Senate Bills 2nd Reading, Senate Bill 1106. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1106.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

None.

PRESIDENT:

3rd reading. 1110, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, Senate Bill 1110. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1110.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1111, Senator Coffey. On the Order of Senate Bills 2nd Reading, Senate Bill 1111. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1111.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDENT:

Senator Coffey on Committee Amendment No. 1. Take it out of the record, Mr. Secretary. 1115, Senator Barkhausen. On

the Order of Senate Bills 2nd Reading, Senate Bill 1115. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1115.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1119, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 1119. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1119.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1121, Senator Mahar. On the Order of Senate Bills 2nd Reading, Senate Bill 1121. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1121.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor Amendments.

PRESIDENT:

3rd reading. 1123, Senator Carroll. On the Order of Senate Bills 2nd Reading, bottom of page 36, Senate Bill 1123. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1123.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading...1124, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 1124. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1124.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 37, on the Order of Senate Bills 2nd Reading, 1125, Senator Newhouse. On the Order of Senate Bills 2nd Reading, Senate Bill 1125. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1125.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President. Amendment No. 1 established that the loans are limited to post-secondary students pursuing degrees in health related fields at public institutions of higher education, and I move its adoption.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 1125. Any discussion? Senator Donahue.

SENATOR DONAHUE:

I...I just have one question. Is this...do you have any amendments coming that make this part permissive? We understand it to make it...it is...you have to do it, it's a shall in the law and we want to know if you're going to make it permissive.

PRESIDENT:

Senator Jones.

SENATOR JONES:

No, I don't have any...other amendments, this is the only amendment that I have.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. The bill is...as written is permissive, there's no intent to do anything otherwise.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Do you have a copy of the bill in front of you, Senator?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

No, I don't, Senator. But let me say this to you, if there's any question at all I'll hold it...it will not go out without being a...a permissive bill. That's our intent.

PRESIDENT:

All right, Senator Donahue. Further discussion on Amendment No. 1? If not, Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 1125. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1127, Senator Newhouse. On the Order of Senate Bills 2nd Reading, Senate Bill 1127. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1127.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDENT:

Senator Newhouse on Amendment No. 1.

SENATOR NEWHOUSE:

Thank you, Mr. President. This is a committee amendment, it's a technical amendment. I move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Committee Amendment No. 1 to Senate Bill 1127. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1129, Senator Newhouse. On the Order of Senate Bills 2nd Reading, Senate Bill 1129. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1129.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Hall, Newhouse, Collins, Chew, Jones and Smith.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment becomes the bill and what it does, it requires...empowers the board to make grants to minority controlled and female controlled business in those locations. I'd ask the adoption of this amendment.

PRESIDENT:

All right. Senator Hall has moved the adoption of Amendment No. 1 to Senate Bill 1129. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor of the amendment yield to a question?

PRESIDENT:

The sponsor indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I...as I read...this Amendment No. 1 on page 2, and I agree with the concept of the amendment but it also...requests that the board shall maintain an office in each of the following areas; in East St. Louis, the south part of the City of Chicago, the west part of the City of Chicago, and I was wondering, is that the normal course of action where we mandate where they have offices as well in State Government?

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, the reason it was drawn like that, Senator, was that's...that's just where most of this action would be. I have no objection to placing in other places. That was the only reason, that we're trying to...to draw it to places that were...depressed areas and that was the reason why it was drawn like that. But I have no...no quim...qualms about placing elsewhere.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I just wanted to bring to the attention of the Body that this amendment does more than initially it was stated, and I...I agree with the concept of the amendment but I am opposed to the designation of where...where the offices are supposed to be located in certain areas. I believe that especially in the City of Chicago we should have access for everyone to participate in this program and not saying that the office has to be on the west side or the south side; probably a centrally located office would be more beneficial for everyone concerned, and for that reason,I'm going to oppose this amendment or just going to record it as...as no.

PRESIDENT:

Further discussion on Amendment No. 1 to Senate Bill 1129? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 1129. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1131, Senator Mahar. On the Order of Senate Bills 2nd Reading, Senate Bill 1131. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1131.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1132, Senator Holmberg. On the Order of Senate Bills 2nd Reading, Senate Bill 1132. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1132.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1133, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 1133. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1133.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1136, Senator DeAngelis. 1137, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 1137. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1137.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 is an agreed amendment that lowers criminal penalties specified in...subsections A and B of Section 4 and also provides that...that material of the kind otherwise prohibited by this bill would be permitted if used for a legitimate scientific or educational purpose. As I say, it's agreed upon and I would move its adoption.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 1137. Any discussion? If

not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1142, Senator Demuzio. On the Order of Senate Bills 2nd Reading, Senate Bill 1142. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1142.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

PRESIDENT:

Senator Demuzio on Committee Amendment No. 1.

SENATOR DEMUZIO:

Yes, I want to move to Table Committee Amendment No. 1 as I have a...amendment that's been filed that will...which is identical to the original bill, the language is...I move to Table...Committee Amendment No. 1.

PRESIDENT:

All right. Senator Demuzio has moved to Table Committee Amendment No. 1 to Senate Bill 1143. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

The intent of this amendment is identical to that of the original bill. The language was restructured, placed in different sections and strengthened to clarify the intent of and to address the concerns of the interested parties; namely, the corporate fiduciaries and the Illinois Bankers' Association. I know of no opposition, move its adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 2 to Senate Bill 1142. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1143, Senator Demuzio. On the Order of Senate Bills 2nd Reading, Senate Bill 1143. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1143.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1144, Senator Marovitz. 1144. On the Order of Senate Bills 2nd Reading, Senate Bill 1144. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1144.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance...offers

one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 1144 removes the criminal penalties and stipulates a...a form for disclosure, and I would ask for its adoption.

PRESIDENT:

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1144. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1150, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 1150. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1150.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1151, Senator Karpiel. On the Order of Senate Bills 2nd Reading, Senate Bill 1151. Read the bill,

Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1151.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1152, Senator Kustra. 1153, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 1153. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 1153.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. All right. If I can have your attention, we will now...we will be turning the page and starting at the top of page 38. We have to go to page 50, I would remind the members for those who wish to call their bills. In the meantime, we have some special guests with us that Senator Davidson will be here to introduce. I've also been...asked to announce that the Gridiron Dinner is May 15th, next week, next Wednesday, I believe, yeah, next Wednesday, cocktails, dinner and the show. Tickets are available at twenty-five dollars each, and I'm told there are only one or two left so you better hurry up and buy your tickets. Gridiron, May 15th. All right. If we could have your attention, Senator

AB1103 2nd Reading

Davidson has some special guests from his district. Senator Davidson.

SENATOR DAVIDSON:

...excuse me, Mr. President and members of the Senate, it's my pleasure to present to you the runners-up for the Double AA...Basketball Championship of the State of Illinois, Lanphier High School of Springfield, Illinois, who also happens to have the Mr. Basketball chosen by the Chicago Tribune for 1985...'84-'85 basketball season, Ed Horton, Jr. who was co-most valuable player in the Washington Classic and played in the Macdonald All American tournament in Dallas a couple of weeks ago. I present to you, Lanphier High School basketball and their coach, Bob Nika. Bob, you want to come up and say a few words and introduce your team to the Senate, please. Send the cheerleaders in around the front so all these guys have an opportunity to look at something besides those ugly old men.

COACH BOB NIKA:

(Remarks given by Coach Nika)

SENATOR DAVIDSON:

Bob, on behalf of the Illinois Senate, I'd like to present to you and every member of the team and the cheerleaders a copy of Senate Joint Resolution 29 which was adopted both by the House and Senate right after you won runner-up, and you are number one public school in the State of Illinois because...the one who was lucky enough by some stroke of accident that beat you was a...a nonpublic school. So you are number one to we in the public school system. Thanks a lot and thanks for coming. Good luck to you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With leave of the Body, we'll go back and pick up Senate Bill 1103. Is leave granted? Leave is granted. Mr. Secretary, read...Senate Bill 1103.

ACTING SECRETARY: (MR. FERNANDES)

SB 1156 2nd Reading

Senate Bill 1103.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1...eliminates the provision of the bill dealing with the county chairmen voting by proxy. There will be no proxy voting. I adopt...I move the adoption of Amendment No. 1 to Senate Bill 1103.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Philip moves the adoption of Amendment No. 1 to Senate Bill 1103. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Now we will, with leave of the Body, go to the top of page 38. On Senate bills 2nd reading, Senate Bill 1156, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1156.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments...from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1159, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1159.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1160, Senator Welch. 1161. 1163, Senator Jerome Joyce. 1163. 1164, Senator Joyce...Jerome Joyce. 1165. 1166, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 1166, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1166.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1171, Senator Donahue. Mr. Secretary, 1171, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1171.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1182 2nd Reading

Senator Donahue. Take it out of the record. Senate Bill 1174, Senator Kelly. Mr. Secretary, Senate Bill 1174, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1174.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1180, Senator Lechowicz. Mr. Secretary, Senate Bill 1180, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1182, Senator Poshard. Mr. Secretary, read the bill, 1182.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. Amendment No. 1 requires the Department of Agriculture rather than the Secretary of State to collect and analyze the required information concerning farmland holdings by non-family farm businesses. I ask for your adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard has moved the adoption of Amendment No. 1 to Senate Bill 1182. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...well, we have a...my Calendar indicates there is.

ACTING SECRETARY: (MR. FERNANDES)

Oh, I'm sorry, there is. Amendment No. 2, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Poshard, Amendment No. 2.

SENATOR POSHARD:

...Amendment No. 2 adds certain exemptions to the reporting requirements of this bill. It requires the Department of Agriculture to combine the information received under this Act and the Agriculture Foreign Investment Disclosure Act. The exemptions would include agriculture land that's owned, held or leased by foreign persons as defined in the Agriculture Foreign Investment...Disclosure Act and agriculture land on which a preannexation agreement has been completed or for which a platted subdivision has been recorded.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the adoption of Amendment No. 2 to Senate Bill 1182. Any discussion? If not, those in...in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1183, Senator Smith. Mr. Secretary, read the bill, 1183.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1183.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1184, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1184.

(Secretary reads title of bill)

2nd reading of the bill. The...the Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. The amendment merely directs...asks the director of the Department of Mental Health and Developmental Disabilities that they would designate and submit a report to the General Assembly at least by March 31st of '86.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Just want to point out, Mr. President, that the Calendar is in error in reference to Senate Bill 1184 that it amends the Vehicle Code and what the clerk has read is correct. The Calendar is in error.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you...thank you for pointing that out, it'll be taken care of. Is there...is there discussion? If not, Senator Smith moves the adoption of Amendment No. 1 to Senate Bill 1184. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...1185, Senator Dawson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1185.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

No. 1, Ladies and Gentlemen, defers the hospital from

trying to receive payment from a county and referring them to collect the payment from the woman or the third-party source.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dawson moves the adoption of Amendment No. 1 to Senate Bill 1185. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1186, Senator Dawson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1186.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Ladies and Gentlemen, Amendment No. 1 establishes the eligibility guidelines and the criteria for participation in this program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dawson moves the adoption of Amendment No. 1 to Senate Bill 1186. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

SB 1188 3rd reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1188, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1188.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers...Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr...President, Ladies and Gentlemen of the Senate, the...the amendment is the bill and it was passed in the Judiciary II Committee and it deletes all references to cable television. I move the passage of this amendment, 'cause this amendment establishes the Miller versus California...Federal decision as to what constitutes obscenity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1188. Those in favor indicate by saying Aye. Wait, Senator Marovitz.

SENATOR MAROVITZ:

Just a clarifying question. Is this strictly, and nothing else in this is the Miller versus California obscenity Statute?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This is the Miller versus California and the Ward...the...the two Federal case...two Supreme Court cases, the one about...I think the...the Ward...the Ward case is the one about...hold on just a minute...I got the decision here...simply a...I think it applies to masturbation.

That...that's all...okay? Okay. I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are you satisfied, Senator? Is there further discussion? If not, Senator...Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1188. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1189, Senator Topinka. Yeah, read the bill, Mr...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 1189.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1190, Senator Keats. Senate Bill 1191, Senator Joyce. Senate Bill 1192, Senator Joyce. Senate Bill 1193, Senator Rupp. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1193.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. All this is just a merely endorsement, it changes the word, b-y, by, to b-e, to be, from by to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rupp moves the adoption of Amendment No. 1 to Senate Bill 1193. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1200, Senator Rock. Read...Senate Bill 1202, Senator Darrow. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1202.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1204, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1204.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1206, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1206.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. That amendment is a technical amendment, it clarifies the definition of the word "widow's annuity."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 1206. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1208, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1208.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Committee Amendment No. 1 is the...is reflective of some concerns that were raised by members during the course of the hearing and it was approved, I think, by parties on both sides of the aisle. This deals with a private right of action for violation of the Consumer Fraud Act. The amendment deletes the interested person concept which was a little bit of concern to others and uses the word "consumer" which is already defined in the Act, so it is a consumer who has a right to seek injunctive relief when it is turned down...earlier by the Attorney General. The...as I say, the amendment was one that was approved by both sides and I would now move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Kustra. Your light's on, Senator. Senator Bloom.

SENATOR BLOOM:

Seek leave of the Body to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Bloom. Is leave granted? Leave is granted. Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 1208. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I...I seek leave also, Mr. President, to be added as a cosponsor to 1208.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Geo-Karis. Hearing no objection, leave is granted. Senate Bill 1210, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1210.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. All it does is a clarifying language, it changes the word "child" to "person" and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to Senate Bill 1210. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1211, Senator Degnan. Read the

bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1211.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 is technical in nature. It changes educational service region to regional superintendent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...Degnan moves the adoption of Amendment No. 1 to Senate Bill 1211. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1212, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1212.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1213...leave of the Body...we ask leave to recall Senate Bill 1211 back from the Order of 3rd Reading to 2nd reading for the purposes of another amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1211. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

...Amendment No. 2 offered by Senators Lechowicz and Degnan.

ACTING SECRETARY: (MR. FERNANDES)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 2 would state that beginning in 1986 and '87 would require students to complete one semester of course instruction in computer literacy as a prerequisite in receiving a high school diploma, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I would just point out that this was a bill which was heard last week in the Senate Executive...Senate Education Committee. It lost in the Senate Education Committee, and I think there is serious question whether we want to add another mandate on top of those we already have. I would think this should be a roll call vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically this is the same concept but a difference...the bill calls for one year of instruction and work...and working with the Illinois Education Association

they agreed to take the term of one semester in lieu of one year and that was the purpose of this amendment on this bill. I feel very strongly that this is a matter that should be discussed and really decided by the General Assembly from the standpoint that the art of education is changing. The State of New York requires one year of computer instruction before they can get a high school diploma. The Tribune and a number of...the Wall Street Journal has stated the importance of computer instruction for high school students. If you want to have people prepared to work in offices in this country, they have to have the requirements and have to have the ability to understand how to work with computers. This is a very important aspect, all...we're talking about is one semester and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just would remind our members that how many times that we've had school administrators, school boards coming down to the General Assembly and saying, if you're mandating us a program you ought to pay for it. Now who's going to pay for this mandated one year...computer...quite frankly, I think it's a good idea. There's a lot of school districts that can't afford it, there's a lot of school districts that are shrinking in students, the tax base in going down and where's the money coming from? Once again, we're telling those local school districts what to do and not providing money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz, you're allowed to close again. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, let me just address that question because I'd also

addressed in the closing before. Right now in the State of Illinois in all the expenditures...spends approximately six billion dollars in education. Out of that is 2.4 billion comes out of the State General Revenue Funds, the rest of it is primarily property taxes and Federal funds. Out of the 2.4 billion, a hundred and fifty...a hundred...one million five hundred thousand is for computer education. That's how insignificant our funding is in this area. I have written a letter to Ted Sanders. I have written other correspondence requesting that a comprehensive study be given between the private and the...and the public sector in education, the amount of money that's being spent in this State to show how...how inadequate it is in comparison to other states. That's why I think this is a very important program and deserves your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz moves the adoption of Amendment No. 2 to Senate Bill 1211. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments? 3rd reading.

ACTING SECRETARY: (MR. FERNANDES)

...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1213, Senator Nedza. Sorry, I did not hear him. Is he joined by...four other Senators? Obviously. On Amendment No. 2 to Senate Bill 1211, a roll call has been requested. Will all the members be in their seats. Senator Lechowicz moves the adoption of Amendment No. 2 to Senate Bill 1211. All those in favor will indicate by voting Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27. The amendment having received a majority vote is declared adopted. 3rd reading. Senate Bill

1213, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1213.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. All the amendment does is allows the community residents to also take...make their availability a night school as authorized in the bill and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to Senate Bill 1213. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1214, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1214.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 changes the word...deletes the word "superintendency" to include all administrative positions not just the superintendent's position, and it also inserts after the word "sources," "State and Federal Grants" to be included in potential sources to administer this program. And I would ask to adopt Amendment No. 1 to Senate Bill 1214.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 1214. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1215, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1215.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1217, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1217.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 1 is one of a series of amendments I have filed on some of the education "reform" bills. It simply provides, and I think some of you might be interested in this, that the school district shall be required to comply with the provisions of the Amendatory Act only if the amount they receive from the State general...State General Aid and State Grant-in-Aid from the school year...previous school year and...every year thereafter...after...exceeds the amount received from the sources from the preceding school year. In other words, if we don't pay for it, they don't have to do it. My great concern on this education reform year is that we pass a whole bunch of reforms we don't pay for, and when the smoke clears, we discover that our school districts to implement our reforms are busy hiring more administrators and paper shufflers but, in fact, have to lay off front line teachers and cut the quality of their program. So, simply what we're saying is, it's only a mandate if we pay for it; if we don't pay for it, they don't have to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer moves the adoption of...Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to this amendment. Now let me...as I read the amendment, it requires

that the amount of previous year school aid increased by the amount of the cost of this program. Now this program under this bill, which is part of the package of bills dealing with the Hispanic Student Dropout Study Committee, calls for vocational and career counseling for minority students. Now, I understand what Senator Schaffer wants to do but he's doing it the wrong way, because there are other reasons that school aid may go up or may go down which has no relationship at all with the cost of this program. We already have on the books of the State of Illinois what Senator Schaffer is trying to do and that's called the State Mandate's Act. This amendment does nothing that adds to that...already existing Statute, the State Mandate's Act. If we're requiring, as we are in this bill, that school districts have career counseling and vocational counseling, then the State must pay for it under the existing provisions of the State Mandate's Act. Senator Schaffer's amendment would say that even if a school district deserved to go down in State aid because of a decrease in pupils or because of an increase of assessed valuation that they wouldn't have to comply with this Act even if those other things caused their State aid to go down. That's turning the whole State aid process and the Mandate's Act up on its ear. I urge a defeat of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I...I expected a...skillful rebuttal and of course we had it. The simple fact of the matter is that our staff worked on this and we tried seven different approaches and there are...I don't think there is an approach that would satisfy my learned colleague from the City of Chicago. Let's just say a lot of us have just had a belly full of mandating things and not paying for them. I think the amendment would at least give a school district an out; they could say, look,

you didn't send us any money, we aren't going to do this. And I think it's appropriate and I think you're going to hear a lot about this in the course of the next few months and I think the roll calls we establish, and by the way, I would like a roll call, in the next few days and I did not, by the way, single this particular bill out as your staff knows. We filed a number of amendments to bills regardless of sponsorship or direct intent in various programs. It's time for us to stop mandating things we don't pay for and that's what this roll call is all about. If you want to mandate it and don't pay for it, fine, business as usual. If you think we ought to be responsible and if we're going to mandate it, pay for it, support the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is on the adoption of Amendment No. 1 to Senate Bill 1217. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? (Machine cutoff)...that question the Ayes are 28, the...take the record, Mr. Secretary. On that question, the Ayes are 28, the Nays are 27, none voting Present. Amendment No. 1 having received the majority vote is declared adopted. For what purpose does Senator Rock arise?

SENATOR ROCK:

Verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the affirmative vote has been requested. Would all the Senators please be in their seats and will the Secretary call the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Bloom, Coffey, Davidson, DeAngelis, Donahue, Dudycz, Fawell, Friedland, Geo-Karis, Hudson, Jerome Joyce, Karpiel, Keats, Kustra, Macdonald, Mahar, Netsch, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver, Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, do you question any of the affirmative votes?

SENATOR ROCK:

Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Coffey on the Floor? Senator Coffey is on the Democratic side.

SENATOR ROCK:

Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney. Is Senator Rigney on the Floor? Senator Rigney on the Floor? Take his name...strike his name from the record.

SENATOR ROCK:

Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Netsch on the Floor? Senator Netsch. Senator Netsch just ran in through the backdoor.

SENATOR ROCK:

I just didn't believe it, I had to hear it for myself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You question any...any further?

SENATOR ROCK:

Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jerome Joyce. Senator Jerome Joyce on the Floor? Strike his name off the record. Mr. Secretary. There are now 26 Ayes and 27 Nays. The motion having failed to receive the required vote is declared lost. Senator Schaffer, what purpose do you arise?

SENATOR SCHAFFER:

Oh, I thought we might look for the negatives too while we were in the mood. I don't know whether we're wasting time

or not but let's try it this first time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the first time on a negative vote. Will all the members please be in their seats. Will the Secretary please call the negative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, do you question any of the negative vote?

SENATOR SCHAFFER:

How about Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Newhouse on the Floor? Senator Newhouse. Strike his name from the record.

SENATOR SCHAFFER:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew is...down in the Well.

SENATOR SCHAFFER:

...Pardon me , Senator Chew,...Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly. Is Senator Kelly on the Floor? Senator Kelly. Strike his name from the record.

SENATOR SCHAFFER:

Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg on the Floor? Senator Holmberg. Strike her name from the record. Mr. Secretary, would you give us the total. On a new and final version, we have 26 Yeas and

24 Nays, none voting Present. The amendment having received the majority vote is declared adopted. There further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments. Yes...

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading.

ACTING SECRETARY: (MR. FERNANDES)

...no...no, I'm sorry. There is Amendment No. 2, by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senate Bill 1217 back on the...on the Order of 2nd Reading for Amendment No. 2. Senator Berman.

SENATOR BERMAN:

This is just an effective date amendment. Move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 1217. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1218, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1218.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, too, is a recommendation of the Hispanic Drop-out Study Task Force, and it calls for the utilization of a tutoring program to be afforded by the private and public schools. It was intended to include both; in fact, the way the bill was drafted it was applicable only to public schools of higher learning that would afford counseling and tutoring service. Amendment No. 1 merely deletes the word "public" so it is applicable to all schools...because, in fact, this is now being done by three institutions of higher learning who are, in fact, private. And I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I jumped the gun a little, we didn't ask for amendments from the Floor. I recognized Senator Rock for his explanation. Mr. Secretary, do we have amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And Senator Rock just gave the explanation. He now moves the adoption of Amendment No. 1 to Senate Bill 1218. Is there discussion? If not, all those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This is the same amendment that we offered to the previous bill, basically says if the State doesn't ante up the money, the schools are exempted from it. I could go into the same explanation, I think the same arguments are there. I think if we're going to mandate it, we ought to pay for it.

And, again, it's not singled out on any program, we filed these on all the...bills where it seemed appropriate. If we're going to have a roll call, we all might try to be here, we can cut down the verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer...Schaffer...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I was not aware that there was to be an amendment offered. I would have been obviously better prepared substantivewise and Bodywise. But the fact is, the amendment is equally as bad and I think the...the gentleman really overlooks what the thrust of this task force report is. I think these services can well be provided within the existing budget; they ought to be provided within the existing budget if, in fact, we are serious about reducing the dropout. Now, we are going to argue long and hard and...and I presume at great length on education reform and I think this amendment simply ought to be defeated. And I would again request a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, if we have...three Senators that have sought recognition; Senator Berman, Collins and Nedza. Senator Berman.

SENATOR BERMAN:

Thank you. I hate to belabor it but it looks like we're going to have to play the tapes back a couple of times on...on this Floor on 2nd reading on this issue. For those of you that voted in the affirmative, let me point out to you that you are not delivering any kind of a message as far as funding of programs. What you are doing on these amendments is to say that you want to dump the entire process of equalized appropriation depending upon local wealth. When you vote Aye, what you're saying is that regardless of the amount

of money that a school district ought to receive based upon the formulas that we've adopted on this Floor, regardless of that, they ought to get extra money over and above last year's appropriation to fund this. That doesn't make any sense, that doesn't make any sense. We're already required under the Mandate's Act to fund every required mandate that we pass. That Mandate's Act applies to this bill as it did to the previous bills. And Senator Schaffer is delivering a message, it's the wrong message, and I would urge that you not support him and therefore vote No, because you are going to undermine a fine program that's embodied in these bills that Senator Nedza and his commission worked on...long and hard. And I would urge that a No vote be cast on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

END OF REEL

REEL #4

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I thank Senator Berman for his kind remarks but I stand opposed to the amendment because what we're talking about here it's not applicable to it. We're talking about private institutions, so I don't know how you're going to demandate or mandate private institutions. This is a program which is...is presently enforced with some private institutions. You're not talking about mandating anything to them, and I urge your No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Schaffer may close.

SENATOR SCHAFFER:

Well, I...I can't help but comment on my learned colleagues from Chicago's defense of the current formula. I believe the districts he represents are over fifty percent State funded; the ones I represent go down as far as under five percent State funded. So, obviously, if anybody is going to lose money, when you're under five percent State funded, how do you lose much? If his argument has validity, I should be against the amendment and he should be for it because it protects those districts that receive a high percentage of support from the State already. Those of us who received what fell through the cracks on the way through the formula process really don't have much to gain 'cause you can...you can give us more than we got last year simply by sending us the...pop bottle returns from the State Office of Education. Quite frankly, that argument shouldn't have a whole lot of validity. The simple fact of the matter is, if

we aren't going to pay for something, we shouldn't mandate it, and this is no reflection on this bill. I happen to agree with the bill. I happen to agree with the work of the commission that drafted the bill. It's a problem that needs to be addressed, but it's also one that if we're going to mandate anything, we ought to pay for it. Certainly, if we can't find the money to pay for this mandate, then we all ought to hang our heads in shame; and if we are not prepared to find the money for this mandate, we shouldn't support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senator Schaffer moves the adoption of Amendment No. 2 to Senate Bill 1218. Senator, did you request a roll call or do you...just a voice vote. Those in favor indicate by saying Aye. Those opposed. Senator, it did sound like the Nays prevailed, but I will...we will have a roll call. On the question of adoption of Amendment No. 2 to Senate Bill 1218, those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27. Amendment No. 2 having failed to receive a majority is declared lost. Senator...there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1220, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1220.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

SB 1221 3rd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1221, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1221.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1222, Senator Jones. 1223, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1223.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1224, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1224.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

AB 1229 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1226, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1226.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1227, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1227.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1229, Senator Chew. Senate Bill...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1229.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew. What, Senator?...Senator Chew moves the adoption of Committee Amendment No. 1 to Senate Bill 1229. Is there discussion? If not,...if not, those in favor indi-

cate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1231, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1231.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1232, Senator Chew. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1232.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1234, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1234.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1236, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1236.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...1237, Senator Davidson. Mr. Secretary, 1-2-3-7.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1237.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment will phase in the sharing from the twenty percent of the

present law...it phased in over three years forty, sixty, eighty percent. It also would let the department make a recommendation for...to categorize the different forestry management products plans so the money can be spread equally. It would also give the landowner, a man who is paying the fee, an opportunity for a fifty percent bonus if he participates and gives him first opportunity to be considered since he's the one who paid the tax in the first place. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 1237. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Coffey, for what purpose do you arise?

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR COFFEY:

Today we have with us in the gallery to the...to the left of myself, we have Carl Sandburg Elementary students here today, and along with them we have two of their...their teachers, Susan Isabelle and Marilyn Switzer, and I'd like for them to stand and be recognized please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests please stand and be recognized by the Senate. Senate Bill 1238, Senator Geo-Karis. Senate Bill

1-2-3-8, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1238.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment was offered in committee and excepted and I move the passage of this amendment...the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Committee Amendment No. 1. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay.

SENATOR GEO-KARIS:

Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Ayes have it. The amendment is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1239, Senator Watson. 1243, Senator Smith. Senate bills 2nd reading is Senate Bill 1243, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1243.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This amendment doesn't have anything to do with the other subject, I should point out very quickly. We have passed a number of these checkoff bills, and I...I will tell you, quite frankly, the first checkoff was the Nongame...Fund and I sponsored that myself. It's pretty obvious that we are going to be passing a large number of these checkoffs for very worthy causes. This amendment simply says that if a...if a...not this particular checkoff but any of the checkoffs fail to bring in a hundred thousand dollars a year, in any given year, they're off the tax form the next year. If we can't take in a hundred thousand dollars for checkoff for veterans or mental health or any of these causes, it's probably not worth the expense and confusion for the Department of Revenue to keep these things on the tax form and, frankly, if we're going to do what I think we're going to do which is have a whole page of these things, this would be a way to constantly keep the groups on their toes to make sure they take in that hundred thousand dollars before they can...so they can guarantee staying on the tax form. I think the idea has merit. I will confess to having thought of it myself. I can't blame the Department of Revenue or anyone else on it, but if we're going to do this, I think we better put a bottom line on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...is there any discussion? Senator...Marovitz.

SENATOR MAROVITZ:

..you, Mr...Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

How many checkoffs do we presently have?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Four, and this would not have affected any of them. The bottom on, I think, took in like a hundred and fifty-seven thousand dollars last year. A hundred and seventy-eight, I'm corrected. So, it's not aimed at anything in particular, it's just an arbitrary number.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

What are the four? And...and can you give me the figures for the last fiscal year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's...Senator Schaffer.

SENATOR SCHAFFER:

I don't have them...here, which means the staff doesn't have them here, but we can given them to you, but it's nongame checkoff, veterans, child abuse and veterans' home, nongame wildlife, food and housing assistance...we...we think...the figures, we don't have them for '84, but we think...food and assistance will come in but it comes substantially above the one hundred thousand dollar figure, and in '83 the veterans' home was the lowest at a hundred and seventy some thousand. So, it's not aimed at any of these but, frankly, if we end up with twenty-eight of these things on the tax form, I suspect the effectiveness of all of those on the tax form will be diluted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, let...let me just ask one question. I'm not arguing the merits of the thing 'cause I'm not even sure how I feel about it, but if...if we wind up with ten of them on and the eleventh doesn't reach a hundred thousand, what does it cost us to put the eleventh on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I think, frankly, the only way you could tell that would be at that point that you have to print an extra page on the tax form, and then I suspect it would be substantial. I would suggest to you, the implications for the...the ones that are left of having the small ones that are only taking in twenty-five or thirty thousand dollars a year probably is more negative towards those...those major things such as veterans' home and...and nongame checkoff. I think we want to avoid having six pages of checkoffs. If they can make a hundred thousand a year, fine. Now the hundred thousand dollar figure, there's nothing holy about that. If somebody's got a better criteria, I'm willing to go along with it, but that's the figure we started with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to members of the Senate. I did not want to put any type of a cap on this because I'm in sympathy with the work of the mentally handicapped, and the...the amendment came to me yesterday, this young lady who represented it to Schaffer, and then I went over and I talked...and I talked to some of my colleagues here. We...always monetary. We're not thinking about the cause. If people want to take monies of their own and give to these

causes, who are we, here in this legislative Body, to stop them? You're thinking in terms of yourself, but you're not thinking in terms of the cause. Now I'll go along with this amendment but I want you to know because I took the fiscal note; the fiscal note stated that...Senate Bill 1240 will have no net impact on the State revenue whatsoever and then...no, I'll go along with it, and that he's going to put a cap on it that if they don't raise monies of one hundred thousand dollars in one year, then...to eliminate that. But I'll go...no, I'll...I'll accept their amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Chew. You're on. Senator Chew. All right, further discussion? Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1243. For...Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to the members of the Senate. I appreciate what has been said, but in regards to this bill, because I want it to pass, I will accept the amendment and hope that if the people really want to support this in one year, they'll do their part...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR SMITH:

...thank you. I'll accept the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1243. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments? Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1244, Senator Marovitz. Sena-

tor Marovitz on the Floor? 1245, Senator Macdonald. Senate bills 2nd reading, Senate Bill 1245, Mr. Secretary. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

For a technical observation. The Digest is wrong in the description of this...of Senate Bill 1245. It says it authorizes park districts and it should be port districts, and I would like to...make note of that for future Calendars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary, read the bill, 1-2-4-5.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1245.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1248, Senator Fawell. Mr. Secretary, read the bill, 1-2-4-8.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1248.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1249, Senator Philip. Read the bill, Mr. Secretary, 1-2-4-9.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1249.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 42, Senate Bill 1250. 1256, Senator Schaffer. Senate bills 2nd reading is...Senate Bill 1256, top of page 42. Mr. Secretary, read the bill, 1-2-5-6.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1256.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This amendment simply restricts the sales tax deduction to automobiles assembled in the...in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schaffer moves the adoption of Committee Amendment No. 1. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1260, Senator Donahue. Senate Bill 1262, Senator Rock. 1-2-6-2, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1262.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1264, Senator Schaffer. Senate Bill 1265, Senator Davidson...Senate bills 2nd reading is Senate Bill 1265, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1265.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1266, Senator Geo-Karis. Read the bill, Mr. Secretary, please, 1-2-6-6.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1267, Senator Kustra. Senate Bill 1272. Senate Bill 1273. Oh...all right, the...with the request of the sponsor, we're going to skip all the way down to 1283. Senator Rock on 1283. Top of page 43, Senate bills 2nd reading is Senate Bill 1-2-8-3, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1283.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1284, Senator Geo-Karis. Read the bill, Mr. Secretary, 1-2-8-4.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1284.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1285, Senator Topinka. 1286, Senator Barkhausen. Senate bills 2nd reading is Senate Bill 1-2-8-6, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1286.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 1289
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1287, Senator Dudycz. Mr. Secretary, it's 1-2-8-7, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1287.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1288, Senator Donahue. All right, Mr...Mr. Secretary, read...read the bill, 1-2-8-8.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1288.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1289, Senator Barkhausen. Mr. Secretary, 1-2-8-9, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1289.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1290, Senator Donahue. Mr. Secretary, 1-2-9-0, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1290.

(Secretary reads title of bill)

2nd reading of the bill. The...the Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This is a purely technical amendment and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves the...moves the adoption of Committee Amendment No. 1. All right. Is there any discussion? If not, the question is, shall...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1291, Senator Schuneman. Mr. Secretary, 1-2-9-1, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1291.

(Secretary reads title of bill)

2nd reading of the bill. The Department of...the Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

...are we...we're on 1291? I'm sorry, could the clerk read the amendment? I don't have a record of it. 1291?

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads Committee Amendment No. 1)

SENATOR SCHUNEMAN:

Move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 1291. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1292, Senator Schuneman. Mr. Secretary, Senate bills 2nd reading is Senate Bill 1-2-9-2, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1292.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

S.B. 1293 2nd reading

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. The committee amendment was purely technical in nature. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman has moved the adoption...Committee Amendment No. 1 to Senate Bill 1292. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. Thank you, Mr. President. Amendment No. 2 is also purely a technical amendment. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Amendment No. 2 to Senate Bill 1292. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1293, Senator Rupp. Mr. Secretary, 1-2-9-3, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1293.

(Secretary reads title of bill)

SB1294 2nd Reading

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The committee amendment was a technical amendment and I recommend...the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp has moved the adoption of Committee Amendment No. 1 to Senate Bill 1293. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. That, too, is a technical amendment, just a typing error to correct one word.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp moves the adoption of Amendment No. 2 to Senate Bill 1293. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1294, Senator Schuneman.

Bottom of page 43 is Senate bills 2nd reading is 1-2-9-4, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1294.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 44 is Senate Bill 1295, Senator...Topinka. Read the bill, Mr. Secretary, please, 1-2-9-5.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1295.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1296, Senator Rupp. Mr. Secretary, read the bill, please, 1-2-9-6.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1296.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Yeah, thank you, Mr. Chairman...Mr. President. It's

basically another technical amendment, Senate Bill 1296. I ask its adopt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp has moved the adoption of Committee Amendment No. 1 to Senate Bill 1296. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1298, Senator Dawson. Mr. Secretary, read the bill, 1-2-9-8.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President, I'd like to have Senator Jones and Bloom added as sponsors on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's take care of this first. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Dawson seeks leave of the Body to have Senator Jones added as a hyphenated cosponsor. Is leave granted? Leave is granted. It's so ordered. Senator Dawson, was that Senator Jones only?

SENATOR DAWSON:

Jones and Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bloom also. The record will so indicate. Senate Bill 1300, Senator Carroll. 1302, Senator Welch. Mr...Mr. Secretary, Senate bills 2nd reading is 1-3-0-2, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1302.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll back up to Senate Bill 1300. Senator Carroll has popped up on the scene. Leave granted? Leave is granted. Mr. Secretary, Senate bills 2nd reading is Senate Bill 1300, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1300.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1303, Senator Donahue. Mr. Secretary, on Senate bills 2nd reading is 1303. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1303.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

This...this is going to be an interesting one. 3rd reading. Senate Bill 1306, Senator Philip. Mr. Secretary, Senate bills 2nd reading is 1-3-0-6, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1306.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1307, Senator Philip. Mr. Secretary, read the bill, 1-3-0-7.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1307.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

It's merely a technical amendment, Mr. President, it just clarifies the Miller Decision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 1 to Senate Bill 1307. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1308, Senator Philip. 1309, Senator Davidson. Senate bills 2nd reading is 1309, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1309.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, Mr. President and members of the Senate, this is a very simply amendment. It changes the seventy-five thousand to a hundred thousand. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 1309. Any discussion? If not, those in

favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1311, Senator Bloom. 1312, Senator Philip...Senator Philip.

SENATOR PHILIP:

...allegedly the amendment will be here momentarily and I'd like to have leave to go back to it if we have enough time today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted to return to 1312? Leave is granted. Next week. Senate Bill 1317, Senator Marovitz. All right, Senate bills 2nd reading is 1-3-1-7, read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1317.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 17 removes the matching requirement under...under the bill and allows the State Board to prescribe the procedure under which grant funds are available. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No.

1 to Senate Bill 1317. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1318, Senator Netsch. Senator Netsch on the Floor? All right, bottom of page 44, Senate Bill 1318, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1318.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The committee amendment reflects a number of procedural and, if you will, mechanical changes that were suggested by the Governor's Office. This has to do with the allocation of the Federal cap that has been put on private activity bonds. What we have done is to put into statutory form, in effect, what the Governor's Executive Order did. These were additional suggestions to make it work more sensibly. I had no problem with them and the detail of what we are doing will be explained further when the bill is called on 3rd reading. In the meantime, I would move the adoption of Amendment No. 1 to Senate Bill...excuse me, 1318.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Committee Amendment No. 1 to Senate Bill 1318. Is there any discussion? If not, those in favor will indicate by saying

Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1321, Senator Marovitz. Top of page 45 is Senate Bill 1322, Senator Berman. Senate bills 2nd reading, top of page 45, is Senate Bill 1322, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1322.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1323, Senator Berman. Mr. Secretary, read the bill, 1-3-2-3.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1323.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This exempts the bill from the Mandates Act because its...funds the Chicago Teachers' Pension Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 1323. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1325, Senator Berman. On Senate bills 2nd reading is Senate Bill 1325, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1325.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1335, Senator DeAngelis. Mr. Secretary, 1-3-3-5, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1335.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1337, Senator Vadalabene. Mr. Secretary, read the bill, 1-3-3-7.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1337.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1338, Senator Jerome Joyce. Senator Jerome Joyce on the Floor? Senate Bill 1339, Senator Jeremiah Joyce. 1342, Senator Savickas. Senator Savickas on the Floor? Senate Bill 1345, Senator Luft. Mr. Secretary, Senate bills 2nd reading is Senate Bill 1-3-4-5, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1345.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1346, Senator Welch. Mr. Secretary, read the bill, 1-3-4-6.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 1352 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1348, Senator Lechowicz. Mr. Secretary,...Senate bills 2nd reading, 1-3-4-8, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1348.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1350, Senator Carroll. Senate Bill 1350, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1350.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1351, Senator Schuneman. Senator Schuneman on the Floor? 1352, Senator Dawson. Bottom of page 45, Senate Bill 1352, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1352.

(Secretary reads title of bill)

S.B. 1356 2nd reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 46 is Senate Bill 1356, Senator D'Arco. Senate Bill 1-3-5-6, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1356.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1357, Senator D'Arco. Mr. Secretary, read the bill, 1-3-5-7.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1357.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1358. Senate Bill 1359. Mr. Secretary, Senate bills 2nd reading is 1359, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1359.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1360. Senate Bill 1363, Senator Bloom. Senate Bill 1364, Senator Weaver. Senate bills 2nd reading, page 46, is 1-3-6-4, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1364.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1366, Senator Sommer. Senate Bill 1367, Senator Sommer. 1369, Senator Coffey. 1370, Senator Poshard. Senate bills 2nd reading is Senate Bill 1370, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1370.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There is a Floor amendment, Mr. Secretary, I am told.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

SB 1375 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard on Amendment No. 1.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. This is simply a technical changement...change. It amends the...for consistency in language, it changes "corrections" to "correctional."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 1370. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1371, Senator Netsch. 1-3-7-1, page 46. 1-3-7-1, bottom of page 46. 1372, Senator Sommer. Senate bills 2nd reading is 1-3-7-2, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1372.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1375, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1375.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pen-

sions and Licensed Activity offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. The amendment is now the bill. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves the adoption of Amendment No. 1 to Senate Bill 1375. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1378, Senator Jones. Senate Bill 1379, Senator Bloom. Oh, Senator Jones. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1378.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1379, Senator Bloom. Senate Bill 1380, Senator Smith. Senator Smith. Senator Bloom on 1379. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...1379.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1380, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1380.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 1 was to reduce the scope of the bill so that it would be agreeable with the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the adoption of Amendment No. 1 to Senate Bill 1380. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. This amendment number...I...promised the committee, and this amendment would merely clarify the intent of the bill; therefore, I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the adoption of Amendment No. 2 to Senate Bill 1380. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1382, Senator Smith. Senate Bill 1385, Senator Newhouse. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1385.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDENT:

Senator Newhouse on Committee Amendment No...we're on 1385?

ACTING SECRETARY: (MR. FERNANDES)

1385.

PRESIDENT:

Senator Newhouse on Committee Amendment No. 1.

SENATOR NEWHOUSE:

Thank you, Mr. President. Committee...this is a committee amendment, as you've already said, and what it does is this, as the bill presently reads, there would be a requirement of some payment on the...on the part of the youngsters

SB 1387 2nd Reading

who are involved in these programs. Most people thought that was unfair and this amendment changes that so there will be no charge to the handicapped students who take advantage of this program. I move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Committee Amendment No. 1 to Senate Bill 1385. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1387, Senator Savickas. On the Order of...Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Senator...or Mr. President and members of the Senate, we are working on amendments for Senate Bill 1387. They're not ready yet. I would like to move it and bring it back for...for amendments. Amendments have not been drafted yet. We are waiting of them.

PRESIDENT:

All right, on the Order of Senate Bills 2nd Reading, Senate Bill 1387. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1387.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1388, Senator Coffey. 1389, Senator Sangmeister. 1391, Senator D'Arco. 1392. 1396, Senator...want the...1394. On the Order of Senate Bills 2nd Reading, bottom page 47, Senate Bill 1394. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1394.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1396, Senator Savickas. On the Order of Senate Bills 2nd Reading, Senate Bill 1396. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1396.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1397. 1398, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 1398. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1398.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 48, 1399, Senator D'Arco. 1402, Senator Collins...do you wish any in that series? All right. 1412, Senator Lemke. On the Order of Senate Bills 2nd Reading, middle of page 48, Senate Bill 1412. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1412.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1413, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 1413. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1413.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1414, Senator Kustra. 1416, Senator Macdonald. 1417, Senator Barkhausen. 1419, Senator Darrow.

1421, Senator Newhouse. 1422, Senator Marovitz. 1425, Senator Luft. 26, Senator Zito. 28, Senator Sangmeister. 29, Senator Jeremiah Joyce. 1430, Senator Darrow. 31, Senator Marovitz. 32...on the Order of Senate Bills 2nd Reading, middle of page 49 is Senate Bill 1431. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1431.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1432, Senator Carroll. 1433. 1434, Senator Savickas. On the Order of Senate Bills 3rd...2nd Reading, Senate Bill 1434. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1434.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1435, Senator Savickas. On the Order of Senate Bills 2nd Reading, Senate Bill 1435. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1435.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1436, Senator Joyce...1437, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 1437. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1437.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1440, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 1440. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1440.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1441, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 1441. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1441.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Before we turn to page 50, finally, we will return, with leave of the Body, to page 48, Senate Bill 1416. 1-4-1-6, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1416.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading...on 49, 1430. Senator Darrow has returned to the Floor. On the Order of Senate Bills 2nd Reading is Senate Bill 1430. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1430.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the same order, Senate bills 2nd reading, is Senate Bill 1433. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1433.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. All right, the same order, before we turn the page, 1421. Senate bills 2nd reading,...bottom of page 48, Senate Bill 1421. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1421.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 50, we finally turned the corner, 1442, Senator Sangmeister. 1443, Senator Joyce. 1445, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 1445. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1445.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1446, Senator Welch. On the Order of

Senate Bills 2nd Reading, Senate Bill 1466. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1446.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1447, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 1447. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1447.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1448, on the Order of Senate Bills 2nd Reading, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1448.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1449, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1449.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, middle of page 50, is Senate Bill 1450. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1450.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1451, on the Order of Senate Bills 2nd Reading, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1451.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is take part of the proportional share of the Attorney General's Office away from the Attorney General's Office and deposit the funds in the Hazardous Waste Fund. This language is similar to language we used last year in the civil penalty section of a...a similar Statutes.

PRESIDENT:

All right, Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1451. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments. 3rd reading. 1452, Senator Joyce. 1454, Senator Kustra. 1456, Senator Nedza. On the Order of Senate Bills 2nd Reading is Senate Bill 1456. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1456.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Nedza.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment becomes the bill, and what it does, it allows a board of election commissioners to create a precinct board of administration. It outlines their duties, the selective process, et cetera. It's permissive in nature and I move its adoption.

PRESIDENT:

Senator Nedza has moved the adoption of Amendment No. 1 to Senate Bill 1456. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1458, Senator Collins. 1462, Senator Watson. On the Order of Senate Bills 2nd Reading, the bottom of page 50, is Senate Bill 1462. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1462.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is a department amendment to make some clarifications, spelling changes, punctuation changes. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 1462. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. All right, the hour is two-thirty, let me just indicate there have been two requests with respect to resolutions. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have obtained the permission of the sponsor of Senate Bill 1050 to be added, myself, as an immediate cosponsor to same.

PRESIDENT:

All right, the lady seeks leave to be added as a cosponsor of 1050, Senate Bill 1050. Is leave granted? Leave is granted. Senator Nedza, for what purpose do you arise? Let me just indicate...we will handle these two resolutions; then there are committees scheduled which the chairmen, I'm sure, will announce their starting time. Tomorrow morning we will commence...there is a committee meeting at nine, so we will commence tomorrow at eleven-thirty and, hopefully, be in a position to conclude our business no later than two-thirty, and we will again be on the Order of 2nd Reading. As indicated, under the Agreed Bill process, when you return next Tuesday, there will be, I hope, an Agreed Bill List ready for your perusal and ultimate approval or disapproval. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. For a motion to discharge the Executive Committee from any consideration of...Senate Resolution 201 for its immediate consideration.

PRESIDENT:

All right, the gentleman seeks leave to discharge the Committee on Executive from further consideration of Senate Resolution 201 for its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. On the Order of Resolutions, Mr. Secretary, Senate Resolution

201. Yeah, Senator Resolution 2-0-1. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 21 is the product of the Senate Transportation Committee's special hearing which was called to by the President of the Senate, Senator Rock; and at the time of the hearing, we took testimony with regards to the sale of Conrail to the Norfolk and Southern. The resolution in a fact...in effect is, "Resolve that the Illinois Senate respectfully urge the Congress of the United States to study the impact...the economic impact on each affected State before approving any disposition of Conrail into select...disposition...by which Conrail will remain an independent competitive...carrier." The testimony that we...we took garnered on...on the special hearing, the report and the resolution has been distributed throughout...to all the Senators, and without any further comments, I would move its adoption.

PRESIDENT:

Any discussion on Senate Resolution 201? Senator Hall, on 201?

SENATOR HALL:

No.

PRESIDENT:

Senator Vadalabene, on 201? Senator Marovitz, on...okay. Senator DeAngelis, on 201.

SENATOR DeANGELIS:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator DeAngelis.

SENATOR DeANGELIS:

Have you come up with any alternatives for the salvation of Conrail?

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Senator DeAngelis, I wouldn't presume to...to know what the Congress is doing. All we're requesting is that Congress...because of the fact in the testimony it was bore out at our meeting there were not enough facts for even the purchasers or those who were not in favor of the purchasing to garner the facts. The Justice Department was handling it. There's just not enough facts available. The economic data was not available. If you would peruse...for your perusal go through the...the synopsis of the meeting, you'll find that that's what's being held true. All we're asking them to do is to evaluate it, find out how it's going to affect the State of Illinois and...and all the other states. We're concerned with the State of Illinois.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I basically would not be opposed to Conrail remaining independent. In fact, it runs through my district, but this resolution says we ought to kill the deal that is being made, but there's nothing that says there's another deal out there which then means that by killing this deal you might very well kill the railroad.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

There's a great quantity of deals. There are...a series of entities that would like to purchase, notwithstanding a public stock offering. There's a...a whole bevy of opportunities but they seem to be predetermined to go into one area and that's the reason for the resolution.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I want to rise in support of this resolution that Senator Nedza has here today. I think after the hearings that we had in Chicago in regards to this buy out or purchase, we think it's in the best interest for...at least for the present time for the Congress to take another look, to make sure they know what they're doing before they make this move; and I think this resolution is a good one, and I think we ought to support it on this side of the aisle.

PRESIDENT:

All right, Senator Nedza has moved the adoption of Senate Resolution 201. Is there any further discussion? If not, all in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution...Senate Joint Resolution 54 offered by Senators Philip and Rock.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I ask leave to discharge the Executive Committee and the immediate consideration of Senate Joint Resolution 54.

PRESIDENT:

All right, the motion is to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 54. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. Motion carries. Now before the Body is Senate Joint Resolution 54. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is the Senate joint resolution we pass every two years, and it basically exempts the Space Needs Commission in regards to the Public Meetings Act in regards to real estate. As you know, we're continually buying real estate and we're...this allows us to do that in private, not out in public. We've done it for the past five or six years. I'd be happy to answer any questions and I move its favorable consideration.

PRESIDENT:

Discussion on Senate Joint Resolution 54? Roll call will be required. It will require an extraordinary vote of the Senate. Question is the adoption of Senate Joint Resolution 54. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, 1 voting Present. Senate Joint Resolution 54 having received the required constitutional majority is declared adopted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 203 offered by Senator Carroll. It's congratulatory.

Senate Resolution 204 offered by Senator Jerome Joyce and it's congratulatory.

PRESIDENT:

Consent Calendar. Further business, announcements to come before the Senate? Senator Collins. There are about nine lights flashing. We'll have plenty of time here. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I'm...requesting leave to be added as a hyphenated cosponsor to Senate Bill 626 and Senate Bill 627. I have consulted with the sponsor.

PRESIDENT:

Amendment HB 201-HB 209 adding co-sponsors

All right, the lady seeks leave to be added as a cosponsor to Senate Bills 626 and 627. Without objection, leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I would like to be named as hyphenated sponsor on Senate Bill 1358 and 1387; and while I'm on my feet, if anyone wants any more of the baseball Cardinal's schedule, they're...they're here on my desk and they're going like hotcakes.

PRESIDENT:

Gentleman seeks leave to be added as a cosponsor of Senate Bill 1358 and 1387. Without objection, leave is granted. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

Thank you, Mr. President. I seek leave of the Body to be added as a hyphenated cosponsor to Senate Bills 1050 and 665. I have permission of the chief sponsor.

PRESIDENT:

Gentleman seeks leave to be added as a cosponsor of Senate Bills 1050 and 665. Without objection, leave is granted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I ask leave to be added as a hyphenated cosponsor on House Bills 51...I mean, 50 and 51 and I have the permission of the...the major sponsor.

PRESIDENT:

All right, the lady seeks leave to be added as a cosponsor of House Bills...House Bills 50 and 51. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Senator Holmberg requested to be a...a joint sponsor on the gang crime bills of Senator Sangmeister's and myself. I think that's Senate

Bill 201, 202, 204, 205, 206, 207, 208 and 209, and I would ask leave to add Senator Holmberg and Senator Carroll and Senator Collins to...and Senator Jones to those bills...and Senator Dawson. Those five...I'll...Holmberg, Collins, Carroll, Jones and Dawson.

PRESIDENT:

All right, the gentleman seeks leave to add Senators Holmberg, Carroll, Collins, Jones and Dawson to Senate Bill 201 to 209 inclusive. Without objection, leave is granted. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and members of the Senate. Just to remind those who are members of Appropriations I that we will be meeting at 9:00 a.m. tomorrow morning in Room 212. It is our final meeting to deal with Senate bills. There will be votes taken. We would appreciate as early an attendance as possible. If we can get started at nine, we can be out in time for Senate Session.

PRESIDENT:

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Purpose of announcement to remind everyone who want to go to the Governor's Prayer Breakfast we laid another message on your desk today. I need to have your reservation and your money tomorrow, so...'cause the tickets we've held at the tables down-front for the members of the Legislature, I need to have that by tomorrow before you leave so we can have a seat for you. Thank you.

PRESIDENT:

Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Thank you, Mr. President. I'd like to take leave of the Body and be requested to be a cosponsor...or a hyphenated sponsor with Senate Bill 553. I have asked permission of the

sponsor.

PRESIDENT:

All right, the lady seeks leave to be shown as a cosponsor of Senate Bill 553. Without objection, leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I would like to ask all the members of Appropriation II to come immediately to Room 212. We are late, so we're underway as soon as you arrive.

PRESIDENT:

All right. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to indicate that Senator Etheredge is absent today because of his mother-in-law passing away.

PRESIDENT:

All right, the record will so indicate. Further business to come before the Senate? Further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, May the 9th, tomorrow, at 11:30 a.m., 11:30 a.m. We will work until two-thirty and then go back to our district. Eleven-thirty tomorrow. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 9, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of eleven-thirty having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. The invocation today will be by the Reverend Eugene Weitzel, Director of Chaplains, St. Johns Hospital, Springfield. Reverend.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(Machine cutoff)...reading of the Journal. Senator...reading of the Journal.

SECRETARY:

Thursday, May the 2nd, 1985 and Friday, May the 3rd, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer. And, Mr. President, I move that reading and approval of the Journals of Tuesday, May 7th and Wednesday, May 8th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard both motions put forth by Senator Vadalabene. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motions are carried. Committee reports.

SECRETARY:

Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy Committee, reports out Senate Bill 1021 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 89, 112, 150, 170, 178, 181, 188, 195, 197 and 204.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 205 offered by Senator Geo-Karis, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 206 offered by Senator Degnan, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

For an embarrassing housekeeping detail. I have the...okay of the sponsor to be a joint hyphenated cosponsor of Senate Bill 667 and ask leave of the Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has asked leave of the Body to be added as a hyphenated cosponsor to...Senate Bill 667. Is leave granted? Leave is granted. (Machine cutoff)...leave of the Body...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GEO-KARIS:

I have the pleasure of introducing to this august Body, the assistant principal of the Zion Venton High School, Mr. Bruce Bauer, and one of his teachers, Bruce Hanson, and they're sitting in the President's Gallery. Like you to welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, will our guests in the gallery please rise. Welcome to Springfield. All right. With leave of the Body, we'll go to House bills 1st reading. Is leave granted? Leave is granted. Mr. Secretary, House bills 1st reading.

SECRETARY:

House Bill 27, Senator Welch is the Senate sponsor.

(Secretary reads title of bill)

House Bill 36, Senator Lemke.

(Secretary reads title of bill)

House Bill 47, Senator Zito and Lemke.

(Secretary reads title of bill)

(Machine cutoff)...Bill 75, Senator Lemke.

(Secretary reads title of bill)

(Machine cutoff)...Bill 573, Senator Nedza.

(Secretary reads title of bill)

House Bill,...excuse me...611, Senator Demuzio.

(Secretary reads title of bill)

House Bill 626, Senator Fawell.

(Secretary reads title of bill)

(Machine cutoff)...Bill 706, Senator Lechowicz.

(Secretary reads title of bill)

House Bill 734, Senator Fawell.

(Secretary reads title of bill)

House Bill 743, Senator Zito.

(Secretary reads title of bill)

House Bill 853, Senator Lemke.

(Secretary reads title of bill)

House Bill 1204, Senator Demuzio.

(Secretary reads title of bill)

(Machine cutoff)...Bill 1292, Senators Berman and Karpiel.

(Secretary reads title of bill)

House Bill 1298, Senator Berman.

(Secretary reads title of bill)

House Bill 1303, Senator Vadalabene.

(Secretary reads title of bill)

(Machine cutoff)...Bill 1358, Senator D'Arco.

(Secretary reads title of bill)

House Bill 1394, Senator Fawell.

(Secretary reads title of bill)

House Bill 294, Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

(Machine cutoff)...Resolution 207 offered by Senators Fawell and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to present to you today the VICA Club members, Vocational Industrial Clubs of America, who are holding their twenty-first annual skilled olympics over at the Convention Center. I

invite those of you who have an opportunity to go over and see these young people perform their skills in their different vocations and different industrial avocations. They're here headed by their president, David Scott from Rockford. If they'd please stand so we could welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise. Welcome to Springfield. (Machine cutoff)...Resolution 207 which is Senate...Secretary just read. Executive...Consent Calendar...Consent Calendar. With leave of the Body, we will go to Senate bills 2nd reading. Is leave granted? Leave is granted. There are three hundred and thirty-eight bills on the Order of 2nd Reading. So, it is our hope that we can proceed with a great deal of dispatch today. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs to me to lay before the Senate the following Message:

To the Honorable members of the Senate, the 84th General Assembly. I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of...this appointment by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. A and A. All right. Senate bills 2nd reading, Senate Bill 3, Senator Jerome Joyce. Senator Joyce on the Floor? Senate Bill 11, Senator Jeremiah Joyce. Top of page 2. Senate bills 2nd reading is Senate Bill 11, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 11.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 12, Senator Keats. Senator Keats on the Floor? Senate Bill 14, Senator D'Arco. 14. All right. Senator...Mr...all right. With leave of the Body, Senator Keats is on...he was on the Floor. Let's return to Senate Bill 12. Senator Keats wishes to have that called. Mr. Secretary, Senate Bill 12, read the bill.

SECRETARY:

Senate Bill 12.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 16, Senator D'Arco. Senate bills 2nd reading, Senate Bill 16. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 16.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, Amendment No. 1 deletes the fifty percent requirement in the amount that the fiduciary bond would be to the twenty-five...at least twenty-five percent of the amount of funds in the association plus the reserves. I move to adopt Amendment No. 1 to Senate Bill 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion, any discussion? Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 16. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor? 3rd reading. Senate Bill 17, Senator D'Arco. Senate bills 2nd reading is Senate Bill 17. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 17.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This makes it clear that the date of the completion of a person's sentence would be the date from henceforth when the expungement period would apply for misdemeanor convictions, and I would move to adopt Amendment No. 1 to Senate Bill 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 17. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 24, Senator Jeremiah Joyce. Mr. Secretary, Senate Bill 24, read the bill, please.

SECRETARY:

Senate Bill 24.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, my Calendar is marked...

SECRETARY:

2nd reading of the bill. The Committee on Judiciary II offers one amendment to Senate Bill 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 24 lowers the age by two years with the consensus of the committee that persons sixteen and seventeen years of age need not be encompassed in the protection of this legislation, and I move the adoption of Amendment No. 1 to Senate Bill 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jeremiah Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 24. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 36, Senator Jeremiah Joyce. Mr. Secretary, Senate Bill 36, read the bill, please.

SECRETARY:

Senate Bill 36.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 42, Senator Topinka. Senate Bill 48, Senator Sangmeister. Senate Bill 49, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 49. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 49.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, as indicated, this is a committee amendment. This is a bill that eliminates jury trials on traffic violations, and the committee wanted to make sure that we were referring...only to motor vehicle offenses punishable by a fine only, and I agreed with the amendment and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Bill 49. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 57, Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 60, Senator D'Arco. Senate Bill 62, Senator Dawson. Senator Dawson on the Floor? Senate Bill 77, Senator Maitland. Top of page 3, Senate Bill 81, Senator Vadalabene. Read the bill, Mr. Secretary, please. Senate Bill 81.

SECRETARY:

Senate Bill 81.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Mr. Secretary, my Calendar indicates that there is to be a committee amendment. Senator Vadalabene, perhaps you can clear it up. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There is a Committee Amendment No. 1 to Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...hold on, let's see if we can find it. Senator, we don't have a committee amendment. Perhaps we could take it out of the record for a moment and come back to it. Senator Vadalabene.

SENATOR VADALABENE:

Yes, we'll...we'll see that the Secretary of the Senate gets a copy of it, and then will you come back to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Leave of the Body...is there leave to come back to Senate Bill...all right. Let's take it out of the record and, with leave of the Body, we'll come back to it and perhaps we can get it straightened out. Take it out of the record. Senate Bill 82. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 82.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. The Committee Amendment No. 1 was a amendment that was...asked for by the Department of Mental Health and Developmental Disabilities which now held a...title to the property and not the Department of Central Mangement Services. This amendment would convey that prop-

erty and so designate, move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 82. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

It is also a technical amendment in reference to the committee amendment that was just put on. The property technically belongs to the Department of Mental Health and Developmental Disabilities and therefore should have access rights, not the Department of Central Management Services. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 2 to Senate Bill 82. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 83, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 83.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The committee...amendment straightened up some problems that the Secretary of State had with the legislation. It was agreed to by the committee chairman. It's simply just...spells out the amount of time...it's...the suspension of a driver's license will be issued in passing a...a stopped school bus. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 83. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 85, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 85.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The bill itself is a regulation of the incineration of waste in...in specific incinerators. What Amendment No. 1 does was change the standard to determine how well the incineration is done. Instead of using the risk analysis, we are now stressing the degree of destruction of a waste which is a different standard and more easily complied with and goes along with Federal requirements in this area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 85. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. Amendment No. 2 was suggested by the committee during the hearings, specifically by Senator Maitland. What this amendment specifies is that regulations adopted for the incineration of waste shall not include substances generated and used on farmland for heating or burning. Basically, this is the...the fuel oil amendment that's been added over the last few years to these types of bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...Welch moves the

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adoption of Amendment No. 2 to Senate Bill 85. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 91, Senator Marovitz. Senate Bill 92, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 92.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 96, Senator Fawell. Senate Bill 101, Senator Hall. Senate Bill 102, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 102.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. The committee amendment is a clarifying amendment...in regard to the definition of what vacation time is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to Senate Bill 102. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 103, Senator Bloom. 109, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 109.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Ladies and Gentlemen of the Senate. This bill deals with the area of having local control over regulations of the EPA by local authorities. Although there was no agreement in committee of any kind, I'm just trying to further clarify this legislation by making sure that no local authority is going to deny anybody the right to operate their landfill but just that they were able to regulate and keep them in compliance with existing regulations. Also, there was some concern about what kind of a fee, and I put a cap on that of two hundred and fifty thousand dollars, and I think this is much more acceptable to the industry and I would move

its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Smith.

SENATOR SMITH:

Sir, I stand on a point...thank you, Mr. President. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh. Is there discussion on the adoption of Amendment No. 1? If none, Senator...Sangmeister moves the adoption of Amendment No. 1 to Senate Bill 109. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of...perfect...personal privilege, please. We have in the gallery with us today some friends of ours from my district, and I'd like to present them, Mr. and Mrs. Howard and Harriett Wiseman and Mr. Lindley Holt.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...would they please rise and be recognized.

SENATOR SMITH:

Thank you, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senate Bill 110, Senator Bloom. Senate Bill 112, Senator Joyce. Jerome Joyce. Senate Bill 114, Jerome Joyce. Senate Bill 119, Senator Lemke. Senate Bill 126, Senator Collins. Read...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 126.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers three amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the city...Senate. Committee Amendment No. 1 becomes the bill, as the bill...as it was filed...were filed and...during the time when the committee...the task force created by myself to work on this problem we're still in the process of doing their work. So, the...the Amendment No. 1 just strikes everything after the enacting clause on the...on the original bill, and it creates the Home Repair Registration Act. It requires that...they register with the county clerk in the area of which they...they...they live. It sets up an application process and it requires a twenty-five dollar application fee, registration to occur every...every year, and it sets up some very careful procedures and regulations for conducting business as a home repair operator. And it sets forth penalties for violation of the Act. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to have leave to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KELLY:

Senator Collins,...I don't know if this would be in your final bill or if it's in your amendment, but there was some indication that there is a limitation of...five hundred dollars on the amount of home improvements. Is that in your

amendment or is that in the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

That...that's deleted out of the bill. That's in the original shell bill. It's no longer in the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I'd like to ask the...the sponsor a question, too. Are you...are you saying by virtue of Committee Amendment No. 1 that any work that's done on my house or anybody else's house, I've got to go down to the county clerk's office and...and file and pay twenty-five dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

No. It defines a home repairer as someone who sets themselves out as doing home repair for...for a living. It specifically excludes your concern of doing the work on your own home. It has nothing to do with it, or if you want to do the work for someone free on their home, that has nothing to do with it. It's whether or not you set yourself out as doing business as a home repairer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

So...so, now, if you're doing home repairs, you're going to have to...do you have to get a license also in addition to this permit with the county clerk to do work on your...on your home?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

For those persons who are currently registered by the State such as plumbers, electricians and whatever, they do not have to get this registration...have to be reregistered. It is only for those persons who...who does home repair, remodeling...home remodeling and...as a living. Right now...and...and who are not required to be licensed by the State of Illinois, they have to register...they're supposed to register now with the county clerk. So this bill just sets up a State Home Repair Act, so that all...all of the registration and requirements can be consistent and uniform throughout the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Demuzio.

SENATOR DEMUZIO:

It's my understanding that we've excluded roofers and plumbers. Why are we excluding them and requiring everyone else who comes over to the house to get registered with the county clerk and pay twenty-five bucks?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Because they have to pay more than twenty-five bucks. They have to register with the State of Illinois. That is existing law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if it's existing...if it's existing law, then why are we...why are we doing this? Why is this bill here? I mean, why is it necessary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Because there are other persons in the home repair busi-

ness who right now is not covered under the Illinois Registration Act for those persons. Only those persons who are not covered would have to register with the local county and that is also existing law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I hate to belabor this thing, but I also understand that it requires the Attorney General to investigate the complaints. Why do we skip by the local state's attorney? Why do we go to directly to the Attorney General's Office?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

He...he also investigates complaints now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, from what I know about it and what I see before me, I...I think it's a terrible bill and this is, in fact, a committee amendment, I...I am told. If it goes on, why I guess I'll speak against the bill when it gets to 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

There's a young man in my neighborhood who used to cut my grass, now he's in community college and awhile back I had a window broken while I was down here. One of my neighbors told me about it and I called him up and asked him to go pound a...a piece of wood, get it out of my house and cover that window, and I said I'd pay him for it and which I did. Is he going have to register? I mean, you know, he does do odd jobs around. Are those kind of people going have to

register?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes. Let me...let me respond to you, but for the interest of time, let me just suggest that this is 2nd reading and we can debate these amendments...the bill on 2nd reading. That is not true. The bill specifically says, it define a home repairer as someone who sets himself or herself out as doing business as a home repairer. That kid that you're talking about, is not a...is not in business to do home repair. It has nothing to do with if you pay someone to...to do something for you like that. It as simple as that...if that's what they do as a business. And the bill...if you'll read the bill in its totality, you will see that's...we have very carefully...carefully, that task force, eliminated what you call the community handyperson who goes around and do...little odd jobs like that for you. This bill does not...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Schaffer.

SENATOR COLLINS:

...this bill is targeted at those unscrupulous persons who goes around in the communities and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR COLLINS:

...and defraud senior citizens and unsophisticated...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't know if I'm unsophisticated or something, but...frankly, our staff seems to think it would apply in that situation and...we have a lot of young people and some

older people who do odd jobs around neighborhoods, and they...they have little flyers they pass out at shopping centers and stuff like that, and that's the very heart of our free society. I mean, you got to be kidding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio again.

SENATOR DEMUZIO:

Well, I...I agree with the...with the sponsor that the...the debate should take place on 2nd reading, and that's obviously what we are doing. This is 2nd...2nd reading. I would ask Senator Collins if she would take this bill out of the record, because there are two additional controversial amendments to follow. Perhaps, you might be able to clear up some of this controversy, so that we can proceed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins, what's your pleasure?

SENATOR COLLINS:

I don't...I don't mind taking the bill out of committee...out of the record, but I...you know, I...I will most certainly talk with these two members, but if they have some real problems with it...we have no...opposition from no one on this bill that I've known of before.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. 128, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 128.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 130, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 130.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 131, Senator Bloom. 134, Senator Carroll. 138, Senator Netsch. 140, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 140.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment allows the sheriffs to transfer into IMRF, but once they have, it prohibits them from transferring back out into their system that...from which they came. And I would move for the adoptment of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson. Your light was on, Senator. No further discussion? If not, Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 140. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Donahue arise?

SENATOR DONAHUE:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DONAHUE:

In the...gallery today we have some students from Quincy Junior High School and they are our student council members, and I'd like to have them recognized...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 144, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 144.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. There was a committee amendment adopted which eliminated the opposition. What it did, is it made it...it increased the penalties for stun guns rather than eliminating or...or banning the sale of stun guns to other than law enforcement officials. It also provided a prohibition...or individuals who work in hospitals will not have any type of liability if the information is given out on

blood alcoholic tests and it...it just increased the penalties rather than...it's a much easier concept and...even the...the Nova Corporation who devised the stun gun is not in opposition to the bill with this amendment. I'd ask for your favorable...adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kelly moves the adoption of Amendment No. 1 to Senate Bill 144. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 145, Senator Carroll. Senate Bill 152, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 152.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Mr. President,...Amendment No. 1 was merely technical.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the

adoption of Amendment No. 1 to Senate Bill 152. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp. Senator Rupp wishes to withdraw his...his motion...or his amendment. Is leave granted? Leave is granted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 157, Senator Poshard.

SECRETARY:

(Machine cutoff)...Bill 157.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This amendment simply changes the operative date for survivors' benefits and allows the survivors benefits to be paid to a trust established and designated by the member on behalf of the dependent beneficiary. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 157. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

AB 159 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 159, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 159.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 161, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 161.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The committee amendment is in response to some concern some of the county people had. It involves cooperation between the county, body and the townships. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio...Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 161. Those in favor indicate by saying Aye. Those

opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 167, Senator Carroll. Senate Bill 169, Savickas. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 169.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Whoop...Mr. Secretary, I understand, my Calendar has indicated a Floor amendment. Senator Savickas.

SENATOR SAVICKAS:

Yes, I...I would like to move it, but we do have a discussion going on...on the amendment to this bill, and I would just let the record show that I will bring it back as soon as we work out whatever amendment is amenable vote to Senator Joyce and Senator, I think, Fawell was concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Bill has already been moved to 3rd reading. Senate Bill 171, Senator Netsch. Senate Bill 172, Senator Zito. On the Order of Senate Bills 2nd Reading is Senate Bill 172. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 172.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members of the Senate. Having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 1 passed for the purposes of Tabling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, the committee does...does not adopt amendments here on the Floor, so your motion would be to...to Table Committee Amendment No. 1. Senator Zito moves to Table Committee Amendment No. 1 to Senate Bill 172. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This is the amendment that's technically correct and the purpose for Tabling Amendment No. 1, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito moves the adoption of Amendment No. 2 to Senate Bill 172. Is there any discussion? If not,

those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 3 would incorporate a five-year plan for our State's infrastructure needs, the five-year capital improvement programs, a preparation of which is to be coordinated by the Governor's Office of Planning, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito moves the adoption of Amendment No. 3 to Senate Bill 172. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Amendment No. 4 would establish guidelines to be used by the Department of Commerce and Community Affairs in its monitoring of local public infrastructure in the State and its report to the Governor and the General Assembly. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Amendment No. 4 to Senate Bill 172. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Vadalabene, we will alert you that when we finish this page, we'll go back and pick up your...your Senate bill that we passed over. Yes, sir. Okay. All right. Senate bills 2nd reading, Senate Bill 176, Senator Watson. All right. Senate Bill 176, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 176.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment establishes a community fire protection grant program and...to be administered by the Department of Conservation. Any community in the State of Illinois can apply for one of these matching grants. It's a fifty percent matching grant but no grant would be over ten thousand dollars in any fiscal year. There's no opposition to it, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 176. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 179, Senator Karpiel. Senator Karpiel on the Floor? Senate Bill 191, Senator Netsch. 191. On Senate bills 2nd reading is Senate Bill 191, Mr. Secretary, read the bill. All right. Senate Bill 191, Mr. Secretary.

SECRETARY:

Senate Bill 191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 192, Senator Sangmeister. Mr. Secretary, Senate bills 2nd reading is Senate Bill 192. Read the bill.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Ladies and Gentlemen of the Senate, this is a school impaction bill and the committee did not agree with the way the bill was originally drafted and decided that it ought to

be amended to the standpoint that where one-half of the school district is within a State institution's area that then there should be a tax equivalent grant and that's what this amendment does. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Amendment No. 1 to Senate Bill 192. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 195, Senator Geo-Karis. Senate bills 2nd reading, Mr. Secretary, Senate Bill 195. Read the bill.

SECRETARY:

Senate Bill 195.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Judiciary 1 Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I move the passage of that amendment. This changes the bill entirely. It has nothing to do with...adding of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Committee Amendment No. 1 to Senate Bill 195. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the...will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield.

SENATOR ETHEREDGE:

What is the...the content of...of this amendment, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Etheredge, the content of this amendment...the amendment is the bill. It expands the senior citizens' home center exemption to include property occupied as a residence by a person of sixty-five years of age or older and shared by a child, grandchild,...lineal descendant, who is the owner of the property and is...is liable for paying real estate taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I would like to point out to the...to the membership that this bill now is in the same form as Senate Bill 184 which was a bill that failed to...to get out of Senate Revenue Committee. This is...this is really a revenue bill. What this bill does, it...it put...it puts wheels on the senior citizens' homestead exemption, so that the senior citizen can carry that exemption with them; if they were to sell their property and move in with their children, they carry that exemption with them. There is a price tag to local government on this bill, and I...I'm going to ask the...the Senator what that...what that cost is, but I want everyone to understand that we're sticking it to the units of local government again...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Etheredge. Can we have some order, please. Will all unauthorized people please leave the Floor. Senator Etheredge.

SENATOR ETHEREDGE:

...that we're sticking it to the units of local govern-

ment again by taking away their...some of their assessed evaluation on which they depend to provide services to...that they are obligated by law to provide. So, my second question then is, what is going to be the cost to these units of local government by this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I would like to defer to my cosponsor on this, Senator Lemke, about the cost, 'cause the amendment is a very humane amendment to help senior citizens stay out of nursing homes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis wishes to yield to Senator Lemke. Senator Lemke.

SENATOR LEMKE:

The...the cost to this would be...with the amendment it only applies to circuit breakers, it would be less than a million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I just wanted to...to see if I understood correctly. Less than a million dollars, I...I find that...that very difficult to...to believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would rise in opposition to the amendment, and in addition to the points that have been made in the concern expressed by Senator Etheredge and others, I would like to point out to the Senate a procedure that we adopted in the Revenue Committee. There were probably at least a dozen bills that dealt with senior citizen tax relief in one form or another that were sent to that

committee. All of us would of course like to vote for all of them, but we also know that that is not responsible and that we cannot do it. And so all of the bills dealing with any form of senior citizen tax relief were put in a subcommittee. We held a subcommittee hearing at which all of the sponsors, including Senator Lemke, were present to make any comments and make any presentation on behalf of their bills. The subcommittee decided that only one bill would be reported out, that that would be one dealing with the circuit breaker because that is the...probably the most responsible form of senior citizen tax relief, and it was time we thought to make some adjustments in it. That bill is now a committee bill. It is not even under anyone's individual sponsorship. And we thought we had an understanding from all of the members who had those bills that they would abide by the committee decision. What this is is a bill that was before the Revenue Committee and the Senior Citizens' Subcommittee of the Revenue Committee. It was not one of those that we voted out, partly because it deals with property taxation, and we thought that was not the appropriate way to move. What has happened is that I think the text of a bill that was in Revenue was then substituted for a bill that was in another committee so that the Revenue Committee's decision was in no way reflected in that. I think that is inappropriate procedure to begin with; and in addition, I think, the amendment is not appropriate on its merits for reasons previously discussed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Senate...Mr. President, Senator Netsch...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll get back to you...

SENATOR SAVICKAS:

...touched the basis that we were concerned about. I don't know if she touched the base about that anyone...anybody would be eligible as long as they used the address; so you could say, I live there, register there and move to Florida and still get the exemption and not be a...a really legal occupant of that building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

Well, I was there and...this is what I was advised; then, when I looked at the Calendar, I noted that there's other...another senior citizen bill on the Calendar who in...I have a perfect record in Revenue of getting bills, I got zero. So, I went along with the agreement on a committee bill. But when I checked the Calendar, I found out the chairman of Revenue Committee also has another senior citizen bill on the Calendar. If that was the deal, then there should be only one bill on the Calendar. So, that...that deal is off. So now it's a matter of looking at what's available, what's necessary to the people in my area. This...this amendment is restricted to homeowners that can qualify under the fifteen...the twelve thousand dollar homestead...exemption under the circuit breaker. These are the people we want to take care of. This is an amendment to encourage people for in-home care, in-home care of their senior citizens' mothers and fathers, which in my district is very important, because in our community, whether you're...of ethnic background, it's a...sin and a crime to put your mother or father in...in a poor house or in an old people's home. It's a sin or a crime. We take them, we take of them. All we're trying to do for these people is give them a little tax advantage, that's all, if they can qualify if they want to take care of their mothers and their fathers or their aunts and uncles, which they want to do. This is a humane

bill. This isn't a taxpayers' bill. This is a humane bill, because local government will indirectly save money by this bill, because they won't have to buy...they won't have to buy county homes to put people in. We won't have to have people in...in...in county facilities, Oak Forest, that we pay for as taxpayers of County of Cook. Indirectly they will take care of it. Who can...who knows best to take care of their children? Who knows best to take care of their mother, their father, their grandmother?...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke...

SENATOR LEMKE:

...isn't it the...the people that raised them? The people that they raised know what's good for their parents. That's what this bill does. It encourages people to keep their children at home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

I move to rerefer Senate Bill 195 to the Committee on Revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved to rerefer Senate Bill 195 to the Committee on Revenue. All right. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator Lemke is absolutely right, this bill...this amendment is trying to help senior citizens stay in their homes of their children by simply giving a homestead exemption of two...two thousand dollars to them as long as they're keeping them at least nine months. It's a very humane bill. This will stop a lot of senior citizens from going to nursing homes so they can get their home care from their family.

There's nothing wrong with this amendment and I certainly am in favor of it, and I move to Table Senator Netsch's amendment...motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved to Table Senator Netsch's motion to rerefer. That motion is nondebatable. It will require a majority vote. The motion is nondebatable. Senator Geo-Karis has moved to Table Senator Netsch's motion to rerefer to committee. Those in favor of Tabling Senator Netsch's motion will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28...29, the Nays are 17. The motion to Table...prevails. (Machine cutoff)...right. Senator Geo-Karis, we're back to the question on Amendment No. 1. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to...I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Geo-Karis has moved the adoption of Senate Bill 195. Any discussion? Senator DeAngelis. All right. Those in favor of the adoption of Amendment No. 1 to Senate Bill 195 will indicate by saying Aye. Opposed Nay. The Ayes have it, in the opinion of the Chair. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 6, Senate Bill 199, Senator

Newhouse. Mr. Secretary, Senate Bill 199. Read the bill.

SECRETARY:

Senate Bill 199.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 200, Senator Newhouse. Mr. Secretary, Senate Bill 200, read the bill.

SECRETARY:

Senate Bill 200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 201, Senator Sangmeister. Senate bills 2nd reading, Mr. Secretary, Senate Bill 201. Read the bill.

SECRETARY:

Senate Bill 201.

(Secretary reads title of bill)

2nd reading of the bill. Judiciary II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Ladies and Gentlemen of the Senate, the synopsis on your Calendar is relatively accurate. As we've been holding

hearings throughout our communities on gang crimes, it came to our attention that not only is there problem on school property but there is problems within one thousand feet of a school property, and what this amendment does is extends it to the crime occurring within school property or within one thousand feet of that school property, and I move for the adoption of the committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Bill 201. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 202, Senator Marovitz. Senate Bill 205, Senator Sangmeister. Senate bills 2nd reading, Mr. Secretary, is 205. Read the bill, please.

SECRETARY:

Senate Bill 205.

(Secretary reads title of bill)

2nd reading of the bill. Judiciary II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Once again, as on Senate Bill 201, the committee came to the decision that we ought to again on...on unlawful use of weapons cover that area of one thousand feet within the

school district or school boundary, and this amendment does the same as on Senate Bill 201 and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Committee Amendment No. 1 to Senate Bill 205. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 206, Senator Sangmeister. Mr. Secretary, Senate Bill 206.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 206.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 216, Senator Lechowicz. Senator Lechowicz, 216. Mr. Secretary, read the bill, Senate Bill 2-1-6.

SECRETARY:

Senate Bill 216.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Earlier today we had leave of the Body for Senator Vadalabene to return to Senate Bill 81 because there was a question relevant to a committee versus a Floor amendment. With leave of the Body, we'll return to Senate Bill 81 which is at the top of page 3. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 81, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 81.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 1 to Senate Bill 81 amends the State Employees' Article of the Pension Code for the State troopers. It changes the operative age and the automatic increase provision from sixty to fifty-five, and if the person retired before fifty-five and with less than thirty-five year service, increase becomes effective after a person reaches the age of fifty-five, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 181. Is there any discussion? If...I'm sorry. The board is wrong. Senate Bill 81. The board has now been corrected. Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 81. Those in favor will signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We will now return to page 7, top of page 7. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I...I believe I had the same problem as...as Senator Vadalabene. I put an...an amendment that just got up there

AB 223 2nd Reading

on Senate Bill 96...

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, we had leave of the Body to go back to Senator Vadalabene's. We will have to catch it next time we get back to it. Senate Bill...223, 2-2-3, Senator Lemke. Senator Lemke on the Floor? 224, Senator Lemke. All right. Which one, Senator Lemke? 223? Top of page 7.

SENATOR LEMKE:

Yeah, move that one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate bills 2nd reading is Senate Bill 223, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 223.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this...amendment does...is an amendment we worked out with the insurance industry. They...they requested this amendment. I think it's a good amendment, it allows...if the interest on the money will follow the judgement rate which is nine percent. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to Senate Bill 223. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 224, Senator Lemke. Mr. Secretary, Senate Bill 224, read the bill.

SECRETARY:

Senate Bill 224.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is requires the sanitary district to hold on-site public hearings and let the public people...express their views. This is an amendment that we worked out with the sanitary district. They will do...take the public information and they will make the ruling. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Committee Amendment No. 1 to Senate Bill 224. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is specifically specifies there that the people are allowed to testify at the public hearings.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of committee amendment...of Amendment No. 2 to Senate Bill 224. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yes, thank you, Mr. President. I'd like for the Senate to recognize the students from the Lincoln School, their principal. They are students from the 17th District in Dalton, Illinois and their principal, Mike Stritcz, a very good friend of mine. They are here and I'd like to give a warm welcome to the students to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to Springfield. Seth Pearlman from the AP has requested leave to take still photos. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 227, Senator Savickas. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 227.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 232 2nd Reading

All right. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this amendment was asked for by the Civic Federation and it adds that the advice and consent of the Senate is required for mayoral appointments to the Metropolitan Fair and Exposition Authority Board. When the Senate is not in Session the mayor may make temporary appointments. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 227. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 232, Senator Jeremiah Joyce. 2-3-2. Mr. Secretary, read the bill, Senate Bill 232.

SECRETARY:

Senate Bill 232.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 232 brings the employees of the State Library System under the coverage of

Senate Bill 232. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 232. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 234, Senator Kelly. Mr. Secretary, Senate bills 2nd reading is Senate Bill 234, read the bill.

SECRETARY:

Senate Bill 234.

(Secretary reads title of bill)

2nd reading of the bill. Committee on...Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, the amendment restricted the application of this bill to only driving while under the influence and...or for reckless homicide. It also exempt medical personnel from liability and it insured the privacy of medical records. At the committee hearing the Illinois State Medical Society opposed the bill. They've advised me since that they are on board, that the amendment takes care of any problem they have. The only one I know that has a problem with this is Senator Darrow and I'm not sure of the depth of that.

Other than that, I ask for your favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly moves the adoption of Committee Amendment No. 1 to Senate Bill 234. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 236, Senator Newhouse. Mr. Secretary, Senate bills 2nd reading is Senate Bill 236, read the bill, please.

SECRETARY:

Senate Bill 236.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on Committee Amendment No. 1.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman.

SECRETARY:

Very short, Senator Newhouse. Changing sixty to a hundred and eighty and deleting Session.

SENATOR NEWHOUSE:

Oh, thank you, Mr. Chairman. This...what this does is extend the length of time within which these decisions must be made from sixty to one hundred and eighty days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB259 2nd Reading

Senator...

SENATOR NEWHOUSE:

Simple amendment, I...I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Newhouse has moved the adoption of Committee Amendment No. 1 to Senate Bill 236. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 241, Senator Sangmeister. Mr. Secretary, Senate bills 2nd reading is Senate Bill 241, read the bill, please.

SECRETARY:

Senate Bill 241.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...top of page 8...top of page 8 is Senate Bill 258, Senator Netsch. Senator Netsch. Senator Netsch, top of page 8 is Senate Bill 258, I think you have an interest in. Do you wish that bill called? Senate Bill 259, Senator Bloom. Mr. Secretary, Senate bills 2nd reading, top of page 8, is Senate Bill 259, read the bill, please.

SECRETARY:

Senate Bill 259.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, with...with the consent of the sponsor of the bill, Amendment No. 1...1 amends...Senate Bill 259 on page 4, line 14, by inserting language stating, "Unless such acquisitions have been approved...shall have been approved by a majority vote of the board of directors whose...county...of directors who are; A, are directors or officers or have a material equity interest in the controlling person or any member of...controlling group; or, B, were nominated for election as directed by...controlling person or any member of the controlling group." This tightens up the bill. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 259. Those in favor indicate by saying Aye. Those...those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 260, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 260.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This is an amendment that was suggested by the IMRF and it applies the interest computation talked about in the bill to all retroactive adjustments allowed by IMRF and changes the effective date to January 1st, 1986.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 1 to Senate Bill 260. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 270, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 270.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 274, Senator DeAngelis. Read

the bill, Mr. Secretary. With leave of the Body, we will go back to Senate Bill 270. We've...we...take it back to the Order of 2nd Reading. There is a Floor amendment. Is leave granted? On that motion, leave is granted. Senator Netsch.

SENATOR NETSCH:

Now, I think we are about to go through the same process again. That is as I...as I see this, it was a Judiciary bill that has been stricken and another one of the bills that had been assigned to Revenue inserted as an amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch, it was the fault of the Office of the Secretary and that amendment was not called. The amendment was here physically. We moved the bill too quickly, so technically, there is no motion that is needed. We should bring it back and proceed on the amendment. So, now we are back to the Order of Senate Bills 2nd Reading with Senate Bill 270 before us. On the Order of 2nd Reading, Mr. Secretary, read...read the bill.

SECRETARY:

No, the bill has been read. Amendment No. 1, Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...in effect gives an additional thousand dollar basic income tax exemption to an individual taxpayer that takes care of his...his parents. Right now, before we get into the cost factor, this factor I have. Right now, the Department of Aging Community Care Program services thirteen thousand clients. If every one of those clients were to get...qualify, all thirteen thousand, the State's cost would be three hundred and twenty-five thousand dollars under this program. I think it's adequate. I think we have the safeguards; in fact, when we passed the Section

402 of the Act of Aging asking for home health service, home nursing services, homemaking services and chores, I think we established the qualification under this program and it's been in effect and we have thirteen thousand clients now that there...this...these cares are being...and this is just an additional twenty-five dollars a year to these people making it the same as the Federal Income Tax. I think it's...it's adequate for senior citizens. I think we should pass the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Netsch.

SENATOR NETSCH:

Again, if I might, this is a...the text of a bill that was introduced, assigned to the Revenue Committee, was considered as part of the total number of senior citizen tax relief measures and is not one of those that was recommended out by the...either the Senior Citizens Subcommittee or the Senate Committee on Revenue. There are good reasons why it was not. It is an extremely difficult thing to administer and potentially could be very costly, although obviously no one has any idea, as I recall, of the fiscal note of exactly how much it would cost because you don't have any really good figures on it, but I would oppose the amendment on two grounds; one, I think it is extremely bad policy to go this particular route with respect even to what is a generally beneficial objective and that is encouraging people to take care of elderly people in the home, but the income tax deduction is not a happy way to do that. In addition, I would express my strong disagreement with the sponsor's attempt to circumvent a process which all of us thought was orderly and which we believed was going to be accepted by all of those who had an opportunity fully to present their ideas to the members of the Senior Citizen Subcommittee of the Committee on Revenue. I think that is no way to expedite and make

orderly the business of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes,...I would like to inquire whether or not a fiscal note has been filed on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, has a fiscal note been filed? A fiscal note has just been brought to the Secretary, and he just...the Secretary indicates that he cannot accept it at this point. The bill has been read a second time. Senator Etheredge.

SENATOR ETHEREDGE:

All right, the...we will be filing a...a request for a fiscal note on this. I was wondering if the sponsor has...has distributed copies of this amendment to...to...to the membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge, for our information, a fiscal note cannot be filed when it's...once it's been read a second time. The copies of the amendment, I don't know if they've been distributed yet or not. Mr. Secretary. Senator Etheredge, are you joined by four other Senators?

SENATOR ETHEREDGE:

Yes, I'm sure I will be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The amendments will be distributed. Senator DeAngelis.

SENATOR DeANGELIS:

Well, just...just a point of clarification. What if there's no fiscal note required till the amendment goes on there? The amendment is the thing that's requiring the fiscal note, not the bill. How can you anticipate when it's on 2nd reading that somebody is going to file an amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke is going to answer your question.

SENATOR LEMKE:

I would assume the Senate rules say that the fiscal note has to be filed on 2nd reading when the bill is read the second time. We don't...if you want to change the rules, then we should change the rules so we know what they start in the beginning of the game.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. My point of order is that before the amendment is adopted, you don't know if you need a fiscal note or not. It's after it's adopted, before the bill moves to 3rd reading, then the request for a fiscal note is in order and would have to be filed with the clerk; but until then, it's premature to say whether the amendment is adopted or not until it's acted upon by this Body. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis and Senator Etheredge, the rules on the filing of fiscal note are not in the Senate rules, they are in the Statutes; and Senator Lechowicz was correct in his statement on the filing of...fiscal note. If Senator Lemke wishes to take it out of the record...

SENATOR LEMKE:

...just go with a roll call. Why...why go through this, we know what's going to happen. Let's get a roll call and...and go from there. We either...we either...we're either going to help senior...people that take care of their parents at home or we, as a Body, are going to say, you can't, that's all and put...put...put your...put your parents in an old people's home. We don't care. We're...(machine cutoff)...senior citizens that qualify under a one estate program right now which is in effect, that's what we're talking about. We're talking about a total sum of three hun-

dred and some thousand dollars which is next to nothing in this State because we'll...they'll spend that...the Governor will spend it on one trip to China...(machine cutoff)...to this State and have worked hard and stayed here for...over sixty years. That's what we're talking about. So, let's take a roll call on the amendment and see how it goes and do it from there. If we want to deny senior citizens and we'd rather have the Governor go to China, fine but I know the trip to China will cost more than three hundred thousand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the Chair. Are...is this a Floor amendment, Mr. President?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes it is.

SENATOR SCHUNEMAN:

A Floor amendment. Well, you know, I'm...I'm concerned by what we seem to be doing more and more here. We have a Revenue Committee in the Senate. This is obviously a Revenue bill. I notice...I just happened to look in the Digest and I notice Senate Bill 268 creates A Friend of the Court Act and that probably should go to Judiciary. 269 amends the Public Aid Code; that went to Judiciary. 270 amends the Income Tax Act; that went to Judiciary. 271 amends the Unemployment Act; that went to Judiciary. 272 amends the Workers' Compensation Act; that went to Judiciary. Now, I'm not sure why we have other committees around here but I thought that it was so that we didn't all have to be experts...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Schuneman, so that our guests...

SENATOR SCHUNEMAN:

...in everything...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...so that our guests don't misconceive your frivolous...looking through the Digest that it's the content of the bill and not the Act that it amends that...decides what committee it goes to, and the Committee on Assignments looks at both the content of the bill not...it's just quick summary explanation. Senator Schuneman.

SENATOR SCHUNEMAN:

I...I understand that, Mr. President, and my comments were in no way meant to impune the reputation of the fine people we have on the Committee on Assignments, but I...I want to point out to the...to the membership...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR SCHUNEMAN:

...what we're doing...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, before we proceed, that your comments should be directed towards the debate on this amendment and not carrying off into a policy procedures. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, absolutely. I agree with you, Mr. President, and that's why I'm addressing the issue. This is a...a revenue matter and was...was not heard by the Revenue Committee, and so now we're being asked as a Committee of the Whole to act upon this issue; and I...I simply want to point out that we're really not qualified to act as a Committee of the Whole on every bill, and...if for no other reason, we ought to reject this and send it back to committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, we will, I'm sure, be requesting a fiscal note...when the amendment is adopted, if it is adopted, but I

would also like to just make it very clear that this is a circumvention of a process that was established. Senator Lemke happens to be the chairman of the Judiciary Committee. It just so happens that a Revenue bill was...was put on in place of a Judiciary bill in his committee even though the substance of that bill had previously been assigned to the Revenue Committee. I...I cannot protest too long, too strongly that I think that that is a circumvention of the entire process of the Senate, and I think it is insulting to those of us on the Revenue Committee who did consider all of these proposals and made our own recommendation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I made a request that this amendment be distributed and I have been joined by at least four of my colleagues in that request so, I would respectfully request that the amendment be distributed to the membership.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, I am...assumed that it was being distributed. The Pages are evidently Xeroxing...photocoping the amendment and they...I assumed that it was being distributed. Senator Berman.

SENATOR BERMAN:

Mr. President, I raise the point of germaneness. Would you rule as to whether the amendment is germane to the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, would you take the bill out of the record temporarily so that our Parliamentarian can check the germaneness of the bill? Senator Lemke asks leave to temporarily take Senate Bill 270 out of the Order of 2nd Reading to check its germaneness on the amendment. We will return to it as soon as are Parliamentarian has digested the bill. Senator...on Senate Bill 274, Senator DeAngelis. Read the

bill, Mr. Secretary.

SECRETARY:

Senate Bill 274.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you...thank you, Mr. President...Committee Amendment No. 1, since this privilege is available in all of the hundred and one counties, extends it to Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Could he...could he give us a little more explanation than that? Extends what...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR COLLINS:

...to Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill itself requires that a taxpayer notify a taxing district when there is a reduction on assessed valuation of more than ten percent. Senator Barkhausen passed a bill last year that does the same thing for every other county except Cook. What the amendment does is to limit this to Cook County because we have a different system in Cook County than the other counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

...Senator, do I understand you correctly to say that this bill as proposed to be amended would apply only to Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

The amendment applies to Cook County because the other hundred and one counties have this already. They have a board of review...or we have a board of review, they have a board of appeals. There's two different boards between Cook County and the rest of the counties. All this amendment says, it's Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Are...are you saying that this bill as proposed to be amended would then provide that the Board of Tax Appeals of Cook County would have the responsibility for making a notification? Are you talking about a notification after review at the administrative level through the board of tax appeals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, the notice is made by the taxpayer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator DeAngelis, let me take you through this again slowly. I don't think you understand my question or perhaps you do understand my question and I will take you through it anyway. Are you saying that under this legislation, as proposed, that the...that the decision made at the level of review, that is at the tax...board of tax appeals, that...upon that decision, a notification is required, or are

you saying that the decision that is made at the assessor's office?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I am saying neither. Senator Joyce, the bill is about one paragraph wrong. This notice is made when a property taxpayer requests a revision of their assessment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Are you...let me...let me ask you this, downstate or the other hundred and one counties that you're talking about, do they have a two-tier level of review similar to what we have in Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, I don't know, but it doesn't apply to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it does apply to this bill if you are saying that a taxpayer...that a taxpayer seeking relief at one level is responsible for making notification as opposed to a taxpayer seeking relief at another level being responsible for making notification. Now, you stood up here and talked about a hundred and one counties, I'll be the first to tell you that I don't understand what they do in the other hundred and one counties. I'm from Cook County and I do know how the system functions there, and if you're going to make comparisons, then I suppose that you have the responsibility of telling us how the other hundred and one counties function.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, all the bill simply states is that any property owner wishing to file a complaint in excess of a hundred thousand dollars shall notify the taxing district, that's all, period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

What is the...what is the...what...what do you assume or what have you been led to believe or what have you heard is the cost of this to...in terms of...in terms of administrative costs? What is...what...what is involved here? Do you know?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, do you have a copy of the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Sure, I have a copy of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

There isn't any cost of administration. The person that's doing it is the property owner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

So that I have...if I...if...if I receive a notice of valuation on my home, then I...I have the responsibility of...notifying every taxing body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, may I just read this bill? It's only about seven lines long.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's looking for an answer to the question, I guess, not for...

SENATOR DeANGELIS:

Well, I'm trying to understand his question. The only time there is a notification is when the taxpayer requests a revision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

If...if I file...if I file a complaint on my home and...it is now my responsibility to notify every taxing district that is involved that draws against my...my property?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Only if you ask for a revision of a hundred thousand dollars or more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock indicates he can answer this question.

SENATOR ROCK:

Thank you, Mr. President. I'm not attempting to answer, what I'm suggesting is that when one files a complaint...I could go right down Oak Park Avenue where I live and every home in my judgment is in excess of one hundred thousand dollars. The point is, you don't ask for that kind of revision. You cannot ask that I want a hundred thousand dollars worth of relief. You ask for relief and what you're suggesting here, unfortunately, is that any time any property owner

goes in and asks for relief, he's got to send copies to all those taxing districts on...on our bill we get a copy of who's getting what or how much is the levy, and now I've got to send...as a property owner I've got to send a copy to all those folks? Doesn't make any sense.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator bill...Senator Rock, you're arguing the bill, actually, but I will try to respond.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'm arguing the amendment because the amendment says this is applicable to where I live and I object to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know, I...I...there is a distinction here, Senator DeAngelis,...between...I think between downstate and Cook County. If...if you...if you file downstate or...perhaps you should tell me, what is the procedure for filing downstate? How do you file? Do you go and file with the assessor and then file with the board of...review?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I'm not...I'm not qualified to answer it but somebody said there was a two-tiered system downstate and stopped by my desk and said...I don't know. But let me...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce.

SENATOR DeANGELIS:

...can I point out...can I point out something?

SENATOR JEREMIAH JOYCE:

Well, wait a minute, I...I...I...you should know. If you are coming forward and saying that this is only...only going to be applicable to Cook County and then say the reason that it's only going to be applicable to Cook County is because they have this in place downstate. If...are you saying that downstate, if a person goes to the assessor...to his local assessor and...and...and seeks relief or seeks review or do they have a process for him doing that down there that he then notifies all of the...all of the taxing districts that are involved or does he do that when he goes to the board of review?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

And the other one is to spare the...the Assessor of Cook County the same pain the other assessors have. The way the bill reads...the way the law reads right now, it's the assessors responsibility to notify those taxing districts. Through some convincing arguments from the assessor's office who felt that might be burdensome, I changed it to...to the property taxpayer. But let me point out, Senator Rock, we are talking about assessed valuation of a hundred thousand dollars, which would mean in Cook County your house would have to have a value of approximately six hundred thousand dollars and then you would be asking for it to be brought down to almost zero. I mean, I...I...I think it's highly unlikely that that would happen in that case. We're talking about the assessed valuation, we're not talking about the value.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, isn't there...isn't there a...a means by which

a...unit of government can find out or determine whether or not a person is seeking relief from the board of tax appeals right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I do not believe they can. They can find out if the assessment has been lowered, yes, but then it's too late.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it...it...it's not too late and...and I rise in opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I also rise in opposition to the amendment. If the one thing that we don't need in all of these local governments, especially in Cook County, is an additional barrage of paper work; and for every amendment...for every complaint that's filed that falls into this category, you're going to have approximately anywhere from six to...to a dozen different taxing bodies receiving these notices. Most of those taxing bodies wouldn't know what to do with this thing even after they receive it. There's a process for these determinations in the County of Cook regarding these assessments and it does not involve an adversarial proceeding involving any of those taxing bodies. The amendment, I think, is more harrassment of all of these taxing bodies than it is a benefit to the taxpayer. I think it works, in fact, against both the taxpayer and the taxing bodies with the paper work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, I think part of this debate ought to be reserved for 3rd reading. The amendment simply puts it in compliance with what's necessary in order to do this in Cook County. That's all it does. The bill itself addresses the issue of the complaint.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The amendment, as I read it says, this shall be applicable to counties in excess of...how much?

SENATOR DeANGELIS:

Three million or more.

SENATOR ROCK:

How many counties does that apply to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

One.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Right, and that's why I am standing in opposition to the amendment and requesting a roll call in opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Let me point out, the other hundred and one counties do it already.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, let me point out that we ought to give the other hundred and one counties a chance to vote on it when it applies to everybody.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 274. Those in favor indicate by saying Aye. A roll call has been requested. Those in favor of adopting Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 26, the Nays are 29, none voting Present. The amendment having failed to receive the majority vote is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 275, Senator DeAngelis.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...Amendment No. 1...the bill itself requires that the Assessor of Cook County develop sales ratios by townships so that people can protest their bills based on the level of assessments. In committee it was pointed out that this might be difficult to do with certain classes of property, so this amendment does two things; one, it...it permits the sales

ratios by quadrants on certain classes of property and, secondly, which is real important, we now have a...a sixth classification in Cook County in which property values can be considerably reduced...or property assessments I should say. What this bill also says that those should be given weighted evidence in the...in the process of determining sales ratios so that we don't get hit with an extraordinary high multiplier because we have, by ordinance, chosen to reduce the assessments on those properties. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I'm not sure I understood that explanation. Tell me how the Illinois Department of Revenue fits into this scheme.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, from what I understand, the Illinois Department of Revenue sets the multiplier and they do it based on some ratios. Now, if you take properties that were purposely reduced by ordinance and you take them at their lower value...I think we had a bill similar to this when we allowed land that was going to be developed that had not been developed to be lowered in assessed valuation, but if that wasn't taken into consideration in that manner, it would have an adverse effect on the multiplier.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Maybe...maybe it's just me, it's Friday. I'm...I'm still not understanding what...what...it feels like Friday, right. The bill...with your proposed amendment, it now says, "The review of all complaints," this I presume is by whom? The

review is now by the board of tax appeals, is that where you are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it's times like this I wish...I was a lawyer. I'm sorry, President Rock, would you restate your question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I...I am attempting to...to read the bill with your proposed amendment and it now appears to read, "The review of all complaints shall be based upon the most recent median level of assessment as determined and adjusted by analysis of assessment to sales ratios by the Illinois Department of Revenue," and my question is, why?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I was told that's the way it had to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I...it does not have to be that way and I would suggest that this amendment is fatally flawed and...substantively wrong.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, do you wish to take it out of the record?

SENATOR DeANGELIS:

Well, no, not really. What I want to do is to assure President Rock if it so, I will bring it back and correct it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, why don't you and I visit on Saturday morning or something, but I'm...I'm...I, for one, am reluctant to...not reluctant, I'm in...standing in opposition to Amendment No. 1 and I think it's ill-conceived.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, I will take it out of the record. In all deference, Senator Rock seems to know more about this area and I do want the amendment to be correct. I do want to caution, however, some of the people that have spoken. I know your opposition to the bill and I know why, and I hope that when you're opposing these amendments that your interest is in making it better and not trying to kill the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Out of the record. 283, Senator Macdonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 283.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Yes, this was an agreed amendment in committee and the bill was an agreed bill, and all it does is increase a six percent interest rate to the legal maximum limit. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Macdonald moves the adoption of Amendment No. 1 to Senate Bill 283. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 288, Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 288.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What the committee amendment does is it allows for a readjustment of the school aid's entitlement when the assessed valuation drops ten percent or more. The bill previously was a little more drastic. The committee amendment would then help those other school districts who are in the School Aid Formula from not losing any revenue. Picks up the slack when there's a drop in assessed valuation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis moves the adoption of...adoption of Amendment No. 1 to Senate Bill 288. Those in favor indicate by saying Aye. Those

opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. We have eighty-one students from Central Junior High in Zion, Illinois, in the...in the gallery to my left and their teachers, Mr. Bellarugal, Mr. Lee, Mr. Audibacher, Miss Olsen and Mrs. Paxton and Mrs. Claveno.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. Senate Bill 293, Senator D'Arco. Senate Bill 297, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 297.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments...Amendment No. 1 offered by Senator Berman. Senator Berman.

SENATOR BERMAN:

All right, thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Is this...thirteen line amendment? This...is this thirteen line...lines one through thirteen...

ACTING SECRETARY: (MR. FERNANDES)

Yes...yes.

SENATOR BERMAN:

...okay. This amendment requires that notice be given before the second presentation of a check that's issued on a...a statement of account or bill. I believe that this is...there's no...opposition by the sponsor to Amendment No. 1. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 297. Is there any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

...it's the second...this one there is no objection to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Sangmeister. All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

What's the bill number? Oh, they just corrected it. Okay. There wasn't a 287 on the Calendar. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Watson.

SENATOR WATSON:

Just to clarify, Mr. President. The Illinois Retail Merchants do support this amendment. They agree with the amendment, let's put it that way, and we'll accept it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 297. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment deals with a rather technical subject of bad checks issued on credit transactions, and I hate at this hour to impose upon everybody, but I've got to give you a little bit of background. Under existing law, if there is a cash transaction between a retailer and a consumer, customer, and I pick up some goods and give them a check and the check bounces, it's a crime because I have taken the goods, the retailer has...transferred possession of those goods. He thought it was a cash deal and when my check bounces, he has been defrauded, he has changed his position thinking it was a cash deal when in fact my check bounced. This bill, 297, changes that law and it...and it goes much farther than the previous law; and what it says is that when the retailer has extended me credit by giving me a credit card and I go into the store, I buy a suit of clothes, I take the clothes home and I give the retailer at that time my credit card, that transaction is a completed transaction. By the issuance of the credit card, the retailer has relied upon a future promise to pay; and under existing law, if I break that future promise to pay, it's...it is not a crime, it is only a breach of a contract to pay. We've abolished and don't have debtors' prisons anymore, up until this bill I might add. Now, this bill tries to say that even though it's a credit transaction and the retailer saw fit after checking out my credit to give me a credit card, the following month I get my statement from the clothing company, ABC Clothing Company, it says I owe them a hundred and fifty dollars for the suit of

clothes. If I do nothing on that bill, I haven't violated anything, they can sue me to collect...the debt. However, if I issue a check for the payment on the credit invoice, this bill says that I'm guilty of a Class A misdemeanor. I want to point out, once they've taken my credit, a credit card that they've issued to me and I issue a bad check, they haven't changed their position at all. My amendment here says that there will be no presumption of fraud by the issuance of a bad check on a credit transaction. Under the bill, if I'd refused to pay the bill, nothing happens. Under the bill, if I issue a bad check the following month on the invoice that I received, I'm guilty of a Class A misdemeanor and there's a presumption that the bad check was issued with the intent to defraud. Well, ladies and gentlemen, that's not always the case and especially today where there are credit card companies that operate out of Podunk, North Dakota, it takes a number of days for checks to clear, and when you issue a check on your Visa Card or a retail credit card, there may be intervening happenings that cause that check which is in transit to bounce; and all I'm doing by this amendment is to prevent you or your constituents from being arrested because you've issued that bad check on the promise to pay on your credit; otherwise, the sheriff can be at your door to arrest you on a Class A misdemeanor. It's technical. It's complicated. But my amendment here simply put says, because the check bounces on your credit card, it's not a crime, that there is no presumption of intent to defraud. I'd be glad to respond to any questions and I apologize for taking all this time in the explanation of this technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Berman, you have timed that just perfect. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator Berman, you indicated this is technical and

it's complicated, but what as I see the bottom line is is you're saying it's all right for it to be a crime when someone issues a check which bounces on a cash transaction, but for some reason, because a retailer sends you a bill that you owe this money, now you send them a check and it's an NSF check, that that shouldn't be a crime. I find it very difficult to get into the logic of that. An NSF check is an NSF check. I don't think we should be doing anything at any time to be encouraging people that because it's on credit we ought to issue...we can take the chance and issue an NSF check. NSF checks should be a violation of the law...a violation of the criminal law; they are, and just because a person is paying a bill that...that's on credit rather than cash, I fail to...to see and distinguish between the two.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I think Senator Sangmeister has...has helped to point out, I...what I think it one flaw in the distinguished Senator's argument that somehow checks issued in exchange or on statements of account or...or on credit should be treated differently than those issued in...in a cash transaction, but I don't really think that is...is the major issue here. I think what is the issue is the fact that the way to overcome the presumption that already exists in the law when one issues a bad check is...is for the person that issues the bad check to make good on it. For the law now requires that the check has to be presented and dishonored twice, not once but twice, and that it has to be presented seven days apart; and now with the addition of Senator Berman's Amendment No. 1, which is going to...which is going to require that the business receiving that bad check give notice to the writer of the check when it's dishonored the first time that the maker of the check is going

to have clear notice that it has been dishonored and is going to have plenty of time to make good on it and thereby will overcome any...any charge of...of criminal conduct. So, I think it's those two things that are...that need to be pointed out. I don't think that there is anyway that the passage of this bill is somehow going to take us back to the era of Charles Dickens and debtors' prisons and...and such nonsense. I...I appreciate that the argument Senator Berman makes is in...in good faith, but I don't think particularly with the addition of his first amendment that it holds any water.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I oppose this amendment because if the Senator on the other side had as many complaints as I have had of people who go ahead and...issue checks flagrantly and don't care...if I'm not...if I'm going to give them by this amendment the right that...they...there isn't a prima facie evidence that he didn't know would...not be paid and so forth, I think we're defeating the very purpose of trying to help the small business. I speak against this amendment and as Senator Barkhausen said, they have a right...to have their check dishonored twice. If they don't know that by the first time it's dishonored, they never will know; and I speak against this amendment and I think we should help the small business maintain their credit 'cause when they go ahead and issue credit on the basis on the checks, they're short in their funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Berman, does this amendment...eliminates the pre-

sumption of theft. Correct? How would this affect...if this amendment isn't adopted, how would it affect, like, you know, I have my secretary in...in my law office, she writes checks for me, pays bills, and she happens to write an insufficient check, would she be guilty of...of a theft?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If...if the provisions of this bill are complied with and if she issued the check, she would be subject to arrest and could be convicted of a Class A misdemeanor which is one year in jail and a thousand dollar fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Lemke.

SENATOR LEMKE:

How about if a...in case you have your wife or your mother or father write a check on your...paying these accounts, without this amendment would they be also be guilty of the same crime?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I think this is a good amendment. It clears up that presumption and takes care of these people that just do...in the normal course of business write checks and they don't know what's in the account and now we're going to make them criminals and the sheriff is going to come knocking at the door and haul my secretary out of the office or my mother out of her house or something like that. I mean, it's ridiculous,...you know, this goes a little too far and I

think the amendment is good and I ask for its...I think it should be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank...thank you, Mr. President. A lot has been said already. I just want to make one point that we do oppose the amendment and the retail merchants also oppose it. In all essence, it's going to just put the burden of proof back on to the merchant which I...really doesn't belong and it just pretty well guts the legislation, so I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman...further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. I think Senator Watson touched exactly on the point of this amendment. We're talking about a Class A misdemeanor which carries with it a penalty of up to a year in jail. In all other crimes the State must prove the fraud. That's all I'm requiring by this amendment, that if fraud took place, the State must prove it before they can put you in jail. This amendment reverses the presumption. The existing law, Senate Bill 297, presumes...presumes that the bad check was issued with intent to defraud; and I'm saying to you, when it's a credit transaction...this does not deal with cash transactions, what I'm saying to you is when it's a credit transaction and a check is issued, the burden ought to be on the prosecutor to establish that there was fraud. This amendment merely removes a presumption of fraud. Make the burden on the person that's going to try to put you or your constituents in jail, that's why I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Senate...Amendment No...Amendment No. 2 to Senate Bill 297. Those in favor signify by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Motion...the amendment...Senator Berman has requested a roll call. All right, Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 297. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 7, the Nays are 37, 1 voting Present. The...the amendment having...the amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 298, Senator Karpiel. Mr. Secretary, Senate Bill 298, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, the provisions of the bill are for all home rule units in the original bill. Amendment No. 1 makes the provisions of the bill apply to all municipalities, and I ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel has moved the adoption of Amendment No. 1 to Senate Bill 298. Is there any discussion? Senator Rock.

SENATOR ROCK:

Explain, if you will, Senator, the current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

The current law that this...that the bill seeks to change is that other than the City of Chicago, all other municipalities when it comes to license violations...liquor license violations have no recourse other than revocation of the license. The bill says that all home rule units should be able to have...issue fines, et cetera, for license violations. The amendment now says that all municipalities will be allowed to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...I...I can agree that home rule units certainly should have. Why...why everybody?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Karpiel.

SENATOR KARPIEL:

Well, there aren't really very many home rule units in the State compared to the number of municipalities and villages, et cetera that...and yet they all issue liquor licenses and all have the same problem as does a home rule unit in the same situation. We've had situations in the district where there have been problems with liquor license violations and there has been no recourse to take care of those situations other than to revoke the license of the establishment. Sometimes you don't want to go that far because sometimes, you know, things can happen, drinks can be served to kids under eighteen and stuff like that, and you

don't want to revoke the license but you do want to issue some kind of penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel has moved the adoption of Amendment No. 1 to Senate Bill 298. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 315, Senator Mahar. On the Order of Senate Bills 2nd Reading is Senate Bill 315, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 315.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The amendment is the bill. The bill was on the Agreed Bill List. What it does is allow non-home rule communities to set aside five percent of their equalized assessed evaluation or...I'm sorry, three percent, it was reduced to three percent of the EAV for capital improvements. I have filed with the Secretary another amendment. There was a problem that was brought to my attention. The...the amendment...the current amendment says that non-home rule communities under twenty-five thousand apply. The amendment that's at the Secretary's Desk strikes the language of less than twenty-five thousand. So, I would move...I've spoke to the chairman of the Committee on Local Government on this. I move to Table this motion in favor of

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the second amendment which is at the Secretary's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Mahar moves to Table the...Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Mahar.

SENATOR MAHAR:

As I suggested, this...the language...all this...Amendment No. 2, it's exactly the same as Amendment No. 1 with the exception of striking the language, "Having a population of less than twenty-five thousand." And, once again, I remind the members that this applies only to non-home rule communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar has moved the adoption of Amendment No. 2 to Senate Bill 315. Those in favor...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 9, Senate Bill 319, Senator Luft. Mr. Secretary, Senate bills 2nd reading is Senate Bill 319, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 319.

(Secretary reads title of bill)

2nd reading of the...bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Could I ask if there's one or two amendments on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

There's one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Okay. Thank you, very much, Mr. President. The committee amendment that was adopted in...in committee struck everything after the...the enacting clause to clarify what we were trying to do in the original bill which was to allow DCCA to designate certain areas in Federal trade zones as recipients of enterprise zone tax credits, and if there...I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 319. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft. Senator Luft on Amendment No. 2.

SENATOR LUFT:

I asked if there was more than one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR LUFT:

Is there a Floor amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

There is indeed.

SENATOR LUFT:

Who offered it?

ACTING SECRETARY: (MR. FERNANDES)

Senator Luft.

SENATOR LUFT:

We got a problem. Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You want...you want...take it out of the record. Senate Bill 325, Senator D'Arco. Senate Bill 332, Senator Jeremiah Joyce. Senate bills 2nd reading is Senate Bill 332, Mr. Secretary, read the bill.

END OF REEL

AB 319 3rd Reading

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 332.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr...President and members of the committee, amendment...members of the Senate. Amendment No. 1 to Senate Bill 332 is the product of Senator Netsch's chairmanship. It removes the...removes churches and religious organizations and leaves intact private and parochial...private and public schools. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce has moved the adoption of...Amendment No. 1 to Senate Bill 332. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Apparently the...the problem is now resolved with...Senate Bill 319, Senator Luft. Is there leave to return to that bill? Leave is granted. Senate Bill 319. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 319.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I apologize, I thought we adopted both the...both amendments in committee; but at this point, I would move to Table Committee Amendment No. 1 which is technically incorrect, and that is the reason that I am adopting it. I move to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves to Table...

SENATOR LUFT:

...Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Committee Amendment No. 1 to Senate Bill 319. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Floor amendment does everything that the committee amendment did substantively; however, it is now correctly worded and what we do is allow DCCA to grant enterprise zone tax credits to designated areas in foreign trade zones, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 319. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 334, Senator Etheredge. Senate Bill 340, Senator Berman. Senator Berman on the Floor? 350. Senate Bill 351...365, Senator Etheredge. 365. Senate bills 2nd reading...Mr. Secretary, 365. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 365.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, this amendment brings the level of the grant awards down to that of the Governor's budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge moves the adoption of Committee Amendment No. 1 to Senate Bill 365. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 366, Senator Etheredge. Mr. Secretary, Senate bills 2nd reading is 366. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 366.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this amendment also brings the...the level of the maximum award down to that that can be accommodated within the Governor's budget. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge...you've heard the motion. Is there any discussion? Senator Etheredge has moved the adoption of Committee Amendment No. 1 to Senate Bill 366. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd...3rd...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. There's been a request for UPI to take still pictures. Is leave granted? Leave is granted. All right. Senate Bill 368, Senator Jerome Joyce. Senate Bill 369, Senator Poshard. Mr. Secretary, Senate bills 2nd

reading is Senate Bill 369. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 369.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Licensed Activity offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, members of the Senate. This is a technical amendment which simply changes repetitive dates in the bill, dates that would make effective one year later certain provisions in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the adoption of Committee Amendment No. 1 to Senate Bill 369. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 374, Senator Lemke. Senate bills 2nd reading, Senate Bill 374, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 374.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this Amendment 3...Amendment No. 1 does is...is conforms this bill to the same as Senator Zito's bill on 172 by making it in the local government interfractural. Wait...I'm sorry, it goes into the Illinois Development Financial Authority, the Floor amendment puts it into the fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of...Committee Amendment No. 1 to Senate Bill 374. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll return Senate Bill 374 to the Order of 2nd Reading, the Clerk inadvertently...missed an amendment. Is leave granted? Leave is granted. On...the Order of Senate Bills 2nd Reading is Senate Bill 374. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President, members of the Senate, on a point of personal privilege. I'd like to introduce the eight grade class from Riley School District...18 who are in the gallery on the Democrat side who are not in my district; coincidentally, they are in Senator Friedland's district who is also in the gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield, please rise. All right. We are on the Order of Senate Bills 2nd Reading, 374, Mr. Secretary, Amendment No. 2.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2...offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is just specifies that this is an interstructure revolving loan fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 374. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate...page 10, Senate Bill 378, Senator Bloom. Mr. Secretary, top of page 10 is Senate Bill 378. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 378.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

This amendment makes the changes...asked for by the committee, they're primarily technical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves the adoption of Committee Amendment...Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 378. Any discussion? Senator Welch.

SENATOR WELCH:

...yes, I just had a question of the sponsor. What did the committee ask for? I'm not on that committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Bloom.

SENATOR BLOOM:

As soon as I get the bill file...yeah, I apologize...Senator Welch, the...language of the amendment is not in the bill file. If you could go down and get a copy of the amendment, I'll explain it, Jim. The Secretary...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I have it here and I've read it, it doesn't do much, so...I'm satisfied.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 378. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 380, Senator Kustra. Senate Bill...385, Senator Welch. Mr. Secretary, Senate bills 2nd reading is Senate Bill 385. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 385.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is, in part it's requested by the Department on Aging. It changes the interagency unit for the alzheimer's disease unit to a task force and places it in the Department of Aging. The size of the task force goes from eleven to eighteen; the responsibilities, however, of the task force itself remain unchanged.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of...Committee Amendment No. 1 to Senate Bill 385. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 388, Senator Dawson. Senator Dawson on the Floor? Can I have some...attention, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, we're now on 389. I think it's an appropriate place...as indicated, we were going to attempt to conclude our business by two-thirty. The members have commitments and...things to do back in their district. I

would ask the Secretary, with leave of the Body, to go to the Order of Resolutions. Senator Philip has a resolution. We have the adjournment resolution and then we can adopt the Consent Calendar so that we can conclude by two-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 55 offered by Senators Philip, Rock and all members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I move that we discharge the Executive Committee and ask for the immediate consideration of Senate Joint Resolution 55.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 55. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. This is a resolution memoralizing General Motors regarding the Saturn Plant here in Illinois. It's a very sensitive time, a sensitive issue, it would be a great facility for the State of Illinois. And I move the adoption of this Senate Joint Resolution 55.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Philip has moved the adoption of Senate Joint Resolution 55. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 55 is adopted. Further resolutions.

SECRETARY:

Senate Resolution 208 offered by Senator Dudycz and all Senators, congratulatory.

209, Senator Jerome Joyce, congratulatory.

210, Senators Rock, Geo-Karis, Topinka and others and it's congratulatory.

And...Senate Resolution 211, by Senators Newhouse, Chew, Collins, Hall, Jones and Smith and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will add to the printed copy of the Resolutions Consent Calendar Senate Resolutions 205 through Senate...through 211. Those were all congratulatory. Is leave granted to add those? Leave is granted. So ordered. Senator Rock now moves the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think...Mr. Egler and the members of the press corps have tickets available, don't forget the Gridiron next Wednesday night and the tickets are going rather quickly. Please, before you leave make sure you obtain one. Mr. President, yesterday we afforded leave to the Minority Leader to go back to 1319, which is a bill on 2nd reading, for the purpose of an amendment which we just received from the Reference Bureau. With leave of the Body, I'd like to go to that order and then we'll take the adjournment resolution and we'll be...on our way home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body,...we'll return to

Senate Bill 1319. Previous leave having granted...is leave granted to return to Senate Bill 1319? Leave is granted. Senator Rock. Well, all right...1312. With leave of the Body, we'll return to the...Senate Bill 1312. Mr. Secretary, read the bill, 1312.

SECRETARY:

Senate Bill 1312.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is merely a technical change, it corrects a section number. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 1...to Senate Bill 1312. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes...basically this is the bill, and I'll tell you what it...what it does. We had a problem in...in the Village of Wheaton, Illinois, we had a referendum to allow them to become wet, they have been dry since 1938, believe it or not.

The law states now that if you have a referendum to go from dry to wet that you use the old boundaries of 1938. Well, of course the city is...probably doubled or tripled in size, people went to the polling place to vote and they...to...to make it wet or dry, whichever your persuasion is, found out that they did not live in the old village boundaries and could not vote. To say the least, it created a lot of dissention and gave the Election Commission more problems than they've ever had in the history of our county. And this merely straightens that law out so that if you would have a referendum to go from wet to dry that you would use the existing boundaries of...of any village in the State of Illinois. Be happy to answer any questions. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 2 to Senate Bill 1312. Is there any discussion? Any discussion? Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock...on the...adjournment resolution. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, right before the adjournment resolution, don't forget on my desk is the St. Louis Cardinals, the 1985 baseball schedule. They're going like hot cakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

See Senator Vadalabene for the forget-me-not. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To give everybody final notice that today is the last day

for you to get your reservation and your money to my office or to me if you want a ticket to the Governor's Prayer Breakfast at a down-front table. We had so many tickets reserved for members of the Legislature, and those of you who wish to participate, please, let me know. And if you don't, next week, we will just take your chances wherever we can get you a ticket; but if you want to participate, today is the day. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR VADALABENE:

Right in the...in the gallery behind me is the Eunice Smith School from Alton, Illinois and I'd like for them to be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

Thank you, Mr. President. I...seek leave of the Body to be added as a hyphenated cosponsor to Senate Bill 230, I have permission of the chief sponsor, and to be deleted as a cosponsor on 195.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Mahar seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 230 and to be removed as a cosponsor of Senate Bill 195. Is leave granted? Leave is granted. So ordered. Senator Philip, for what purpose do your arise?

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to indicate that Senator John Maitland is...in Washington, D.C. attending a National Conference of State Legislators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Rock on the adjournment resolution. 56.

SECRETARY:

Senate Joint Resolution 56 offered by Senator Rock.

(Secretary reads SJR 56)

SENATOR ROCK:

Thank you, Mr. President. We are leaving momentarily and we're...this adjournment resolution calls for us to return to Springfield next Tuesday at the hour of noon. The House will be in Session tomorrow, we will not. There is also, Mr. President, a rumor afloat that any member who has a press release or wishes to have a press conference has to have a paid receipt to the Gridiron next Wednesday. So I would urge all members to see Mr. Egler and company and make sure that's done. I would move for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 56 which calls for us to return next Tuesday at noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the...moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 56. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves to adopt Senate Joint Resolution 56. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Senator Rock now moves that the Senate stand adjourned till Tuesday, May 14th at the hour of noon.

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 14, 1985

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Rabbi Israil Zoberman, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, May 7th; Wednesday, May 8th and Thursday, May 9th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Welch. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

The following committees where action taking....last week:

Appropriations I, Senator Carroll, reports out the following Senate bills:

226, 449,...450, 465, 507, 695 and 1410 with the recommendation Do Pass.

61, 306, 308, 342, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 496, 528, 552, 863, 1033, 1112, 1368 and 1411 with the recommendation Do Pass as Amended.

Senator Hall, chairman of Appropriations II Committee, reports out the following Senate bills:

15 and 387 with the recommendation Do Pass.

356, 357, 358, 359, 360, 361, 362, 363, 364, 476, 477, 478, 479, 480, 481, 482, 483 and 1460 with the recommendation Do Pass as Amended.

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

Agriculture, Conservation and Energy - 81, 293, 337, 468, 555, 611, 772 and 1175; Elementary and Secondary Education _ 50 and 51; Executive - 196, 366, 1204 and 1303; Finance and Credit Regulations - 190, 528 and 590; Education, Higher - 701; Insurance, Pensions and Licensed Activities - 72, 208, 1298; Judiciary I - 35, 75, 171, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269 and 270, 272, 275, 276, 277, 278, 279, 280, 281, 282, 283, 368, 743 and 853; Judiciary II - 36, 52, 53, 456, 704 and 832; Local Government - 129, 182, 222, 244, 294, 314, 576, 577, 626, 734, 802, 883, 1137 and 1394; Public Health, Welfare and Corrections - 27, 391, 392, 622, 705, 944, 1292, 1335 and 1410; Revenue - 47 and 120; Transportation - 228, 335, 573, 639, 706, 986, 1103 and 1358

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage on which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 48, 121, 241, 313, 344, 394, 421, 422, 430, 496, 538, 556, 601, 710, 714, 733, 778 and 792.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 20 and House Joint Resolution 47.

PRESIDENT:

Executive Committee. Resolutions.

SECRETARY:

Senate Resolution 212 offered by Senator Lemke, it's congratulatory.

Senate Resolution 213, by Senator Lemke, and it's congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 213...214, that is, Senators Mahar and DeAngelis, it's congratulatory.

Senate Resolution 215, by the same sponsors, and it's congratulatory.

And Senate Resolution 216, by Senators Mahar and Hudson, and it's congratulatory.

Senate Resolution 217 offered by Senator Zito, and it's congratulatory.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we'll move to page 70, 7-0, on the Calendar. On the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 16, Senator Zito is the Senate sponsor.

(Secretary reads title of bill)

House Bill 25, Senator Holmberg.

(Secretary reads title of bill)

House Bill 89, Senator Barkhausen.

(Secretary reads title of bill)

112, Senator Topinka.

(Secretary reads title of bill)

188, Senator Rigney.

(Secretary reads title of bill)

House Bill 323, Senator Netsch.

(Secretary reads title of bill)

House Bill 370, Senator Schaffer.

(Secretary reads title of bill)

House Bill 809, Senator Poshard.

(Secretary reads title of bill)

House Bill 929, Senator Schaffer.

(Secretary reads title of bill)

House Bill 1163, Senators Luft and Bloom.

(Secretary reads title of bill)

House Bill 1356, Senator Poshard.

(Secretary reads title of bill)

House Bill 1576, Senator Watson.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

Senator Hall, for what purpose do you arise?

SENATOR HALL:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR HALL:

I would like to introduce to the Senate, the Dupo Junior High School. They're accompanied here today by Mrs. Edward Strobel, Mr. Talley and Mr. Harris. I'd like for them to rise and be recognized by the Senate. Dupo High.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Resolutions.

SECRETARY:

Senate Joint Resolution 57 offered by Senators Topinka and Hudson and it's congratulatory.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we'll turn to page 2 on the Calendar. We will begin on Senate bills 2nd reading, and we will work approximately till five-thirty this afternoon and just go right down the list. Page 2 on the Calendar, direct members' attention to page 2 on the Calendar, on the Order of Senate Bills 2nd Reading. The Chair would observe that we have in excess of eight hundred bills on the Calendar, and we have only eight days. Senate Bill 3, Senator Jerome Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 3. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 3.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers three amendments.

PRESIDENT:

Senator Joyce, Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 1 corrects an LRB drafting error, and I'd move for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Committee Amendment No. 1 to Senate Bill 3. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Joyce on Committee Amendment No. 2.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 2 allows you to store your own waste on your own facility while it...this is a...changes the State law right now which does

not let them do that and I'd move for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 3. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Joyce on Committee Amendment No. 3.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 3...sets up an appeal process for the approval or disapproval of...of low-level radioactive waste site. That's in the same as Senate Bill 172 that deals with hazardous waste. I'd move for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Committee Amendment No. 3 to Senate Bill 3. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senate Bill 14, Senator D'Arco. Senate Bill 42, Senator Topinka. Senate Bill 48, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, Senate Bill 48. Read the bill, Mr. Secretary.

SECRETARY:

SB 60 2nd Reading

Senate Bill 48.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 57, Senator Marovitz. 60, Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 60. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 60.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator D'Arco on Committee Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Committee Amendment No. 1...Committee Amendment No. 1 changes the limitation on vexatious and unreasonable delay from a...a five thousand dollar limit to an increase of twenty-five thousand dollar limit. It's an agreed amendment and I would move for its adoption.

PRESIDENT:

Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 60. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

AB 77 2nd Reading

No Floor amendments.

PRESIDENT:

3rd reading. Senate Bill 62, Senator Dawson. Senate Bill 77, Senator...Senator Maitland. On the Order of Senate Bills 2nd Reading, Senate Bill 77. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 77.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Maitland on Committee Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Committee Amendment No. 1 suggests that for a high school that deactivates the question of consolidation has to be asked within five years, and I would move for its adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Committee Amendment No. 1 to Senate Bill 77. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 91, Senator Marovitz. 96, Senator Fawell. On the Order of Senate Bills 2nd Reading is Senate Bill 96. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 96.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and...Credit Regulations offers two amendments.

PRESIDENT:

Senator Fawell on Committee Amendment No. 1.

SENATOR FAWELL:

Thank you, very much. I would like to Table Committee Amendment No. 1 in favor of a...a Floor amendment.

PRESIDENT:

All right. Senator Fawell has moved to Table Committee Amendment No. 1 to Senate Bill 96. Is there any discussion? If not, all in favor of the motion to Table indicate by saying Aye. Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Will...will the...sponsor indicate to us why she is Tabling the Committee Amendment No. 1, please.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

The...the Floor amendment...really does basically the same thing. It's just a...it's sort of a clean-up type language. We had...we had said we were going to have seven members on the committee, we...we ended up with nine. It's a...it's a...it's really basically the same thing. I gave the amendment to the staff last week.

PRESIDENT:

All right. Senator Fawell has moved to Table Committee Amendment No. 1. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Committee Amendment No. 2, Senator Fawell.

SENATOR FAWELL:

Committee Amendment No. 2 just adds the word "school."

PRESIDENT:

All right. Senator Fawell has moved the adoption of Committee Amendment No. 2 to Senate Bill 96. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Fawell.

PRESIDENT:

Senator Fawell on Amendment No. 3.

SENATOR FAWELL:

Thank you...thank you, very much. This is basically the...the same basic...amendment as Committee Amendment No. 1, just the langauges is...is in better form and...and cleaned up.

PRESIDENT:

Senator Fawell has moved the adoption of Amendment No. 3 to Senate Bill 96. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 101, Senator Hall. 103, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

SB375 2nd Reading

I don't know what the procedure is, you want to run the Calendar, but the amendments aren't up from the Reference Bureau.

PRESIDENT:

We'll...we'll get back to it. 110, Senator Bloom. 112, Senator Joyce. 114, Senator Joyce. 119, Senator Lemke. 126, Senator Collins. Top of page 3. 131, Senator Bloom. On the Order of Senate Bills 2nd Reading, top of page 3, is Senate Bill 131. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 131.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 138, Senator Netsch. 171, Senator Netsch. 179, Senator Karpiel. 202, Senator Marovitz. 204, Senator Marovitz. Top of page 4, 240...middle of page 4, 242, Senator Maitland. 253, Senator Maitland. 258, Senator Netsch. 270, Senator Lemke. 275, Senator DeAngelis. 293, Senator D'Arco. 325, Senator D'Arco. Top of page 5, 334, Senator Etheredge. 340, Senator Berman. 350, Senator Berman. 351, Senator Maitland. 368, Senator Joyce. On the Order of Senate Bills 2nd Reading, top of page 5, is Senate Bill...no. 375, Senator Joyce. On the Order of Senate Bills 2nd Reading, top of page 5, is Senate Bill 375. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 375.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 380, Senator Kustra. 381, 82. 388, Senator Dawson. On the Order of Senate Bills 2nd Reading is Senate Bill 388. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 388.

(Secretary reads title of bill)

2nd reading of the bill. The Committee Public Health offers one amendment.

PRESIDENT:

Senator Dawson on Committee Amendment No. 1.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Committee...Amendment No. 1 establishes two comprehensive regional alzheimer's disease and related disorder treatment centers; one in Chicago and...and at least one to serve the remaining parts of the State of Illinois.

PRESIDENT:

All right. Senator Dawson has moved the adoption of Committee Amendment No. 1 to Senate Bill 388. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 390, Senator Jones. On the Order of Senate Bills 2nd Reading, Senate Bill 390. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 390.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDENT:

Senator Jones on Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President...Amendment No. 1 to Senate Bill 390 places the QIP program within the Department of Public Aid to provide incentives for nursing homes and long-term care and the amendment is the bill, and for those nursing homes that be...beyond the minimum standards of care. I move its adoption.

PRESIDENT:

All right. Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 390. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 391, Senator Poshard. On the Order of Senate Bills 2nd Reading, bottom of page 5, Senate Bill 391. Mr. Secretary.

SECRETARY:

Senate Bill 391.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDENT:

Senator Poshard on Committee Amendment No. 1.

SENATOR POSHARD:

Thank you, Mr. President. This amendment is now the bill. It deletes everything after the enacting clause and places alzheimer's within the home services section of DOBS rather than any enabling legislation. Move for adoption of the amendment.

PRESIDENT:

All right. Senator Poshard has moved the adoption of Committee Amendment No. 1 to Senate Bill 391. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 2.

SENATOR POSHARD:

Thank you, Mr. President. This is a technical amendment. It simply...deletes the word "disease" in line 23 and inserts "disease and related disorders."

PRESIDENT:

All right. Senator Poshard has moved the adoption of Amendment No. 2 to Senate Bill 391. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SB 415 2nd Reading

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 6. 415, Senator Degnan. On the Order of Senate Bills 2nd Reading is Senate Bill 415. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 415.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Revenue offers one amendment.

PRESIDENT:

Senator Degnan on Committee Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. Committee Amendment No. 1 makes technical changes regarding where the notice of requirement will be published only.

PRESIDENT:

Senator Degnan has moved the adoption of Committee Amendment No. 1 to Senate Bill 415. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 418, Senator O'Daniel. 422, Senator Dunn. On the Order of Senate Bills 2nd Reading is Senate Bill 422. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 422.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Dunn.

PRESIDENT:

Senator Dunn on Amendment No. 1.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Senate...Amendment No. 1 changes the bill to only apply to one other...one county and that would be Monroe County adjoining St. Clair and Madison County.

PRESIDENT:

All right. Senator Dunn has moved the adoption of...of Amendment No. 1 to Senate Bill 422. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 436, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 436. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 436.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers two...no, one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

SB 447 2nd Reading

Senate. Amendment No. 1 to Senate Bill 436 requires school boards to establish discipline policies which allow teachers to remove disruptive students and afford students due process in the same regard, and I would ask for adoption of Committee Amendment No. 1 to Senate Bill 436.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 436. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 447, Senator DeAngelis. On the Order of Senate Bills 2nd Reading, the middle of page 6, Senate Bill 447. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 447.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 448, Senator Weaver. Middle of page 6, Senate Bill 448. On the...on the Order of Senate Bills 2nd Reading, Senate Bill 448. Read the bill, Mr.Secretary.

SECRETARY:

Senate Bill 448.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Weaver on Committee Amendment No. 1.

SENATOR WEAVER:

I move the adoption of Committee Amendment No. 1 to Senate Bill 448.

PRESIDENT:

All right. Senator Weaver has moved the adoption of Committee Amendment No. 1 to Senate Bill 448. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 489, Senator Netsch. 494, Senator Collins. 500, Senator Lemke. 501, Senator Rupp. On the Order of Senate Bills 2nd Reading, the bottom of page 6...I beg your pardon. All right. On the bottom of page 6, on the Order of Senate Bills 2nd Reading, Senate Bill 500. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 500.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 501. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 501.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No.1 offered by Senator Rupp.

PRESIDENT:

Senator Rupp on Amendment No. 1.

SENATOR RUPP:

Thank you, Mr. President. Since the bill was introduced there has been...discussion between the Department of Insurance, Department of Transportation, both departments now agree that it would be better to allow the Department of Transportation to suspend the sureties under certain conditions. That's what this amendment would permit. I ask passage of this amendment.

PRESIDENT:

All right. Senator Rupp has moved the adoption of Amendment No. 1 to Senate Bill 501. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading...top of page 7 on the Calendar, Senate Bill 502, Senator Sangmeister. 508, Senator Luft. On the Order

SB 513 2nd Reading

of Senate Bills 2nd Reading is Senate Bill 508. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 508.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 509, Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 509. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 509.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 513, Senator Netsch. On the Order of Senate Bills 2nd Reading is Senate Bill 513. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 513.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you...thank you, Mr. President. Amendment No. 1 effectively deletes what was in the bill. It was a sale tax exemption bill and makes it into what amounts to a vehicle bill which will sit on the Calendar for a while. As presented in committee, the bill dealt with the sales tax treatment of what has come to be known as delicatessens. It is...it probably is fair to make the change that was in the original bill, but it is a matter of some concern, because every time you change one thing a little bit, you...you make it perhaps unfair to someone else. And so after discussing it with the minority leader, Senator Etheredge, we decided that we would put this...take the substance of 513 out and leave it in a relatively harmless form; and then, if we can see where there are discrepancies in the sales tax exemption of food that need to be addressed; for example, like the soft drink tax last Session, then, we will proceed with that purpose. In the meantime, it will be a relatively harmless bill. So, with that explanation, I would move the adoption of Amendment No. 1 to Senate Bill 513.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 513. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDENT:

...I beg your pardon. 3rd reading. 521, Senator Luft. On the Order of Senate Bills 2nd Reading is Senate Bill 521. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 521.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. I'd like to move to Table Committee Amendment No. 1. The attempt was to narrow the scope of the bill and we don't feel like it did that. I'd like to Table this amendment. The Republican spokesman has been aware...made aware of this and is in approvement, and I would then offer a Floor amendment to attempt to do what we tried to do in committee. So I'd move at this time to Table Committee Amendment No. 1.

PRESIDENT:

All right. Senator Luft has moved to Table Committee Amendment No. 1 to Senate Bill 521. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion to Table prevails and the...Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

AB 522
2nd Reading

Thank you, Mr. President. Amendment No. 2 narrows the expanded exemption provision in Senate Bill...521 and insures that the exempt machinery and equipment is related closely to the actual manufacturing process, and I would move for the adoption of Amendment No. 2 to Senate Bill 521.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 521. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 522, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, Senate Bill 522. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 522.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary...no. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Yeah, this...this amendment came up from the Reference Bureau and although it did delete everything after the enacting clause, what...we wanted to put it all into one amendment. And basically what the bill did in the changes that are made in this amendment, is where there's reference to murder, it's going to be changed to the wording "first degree

murder," and "voluntary manslaughter" gets changed to the terminology of "second degree murder." And that's really all the amendment does in addition to the original intent of the bill, and I move the adoption of the amendment.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 522. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 529, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 529. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 529.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 530, Senator Coffey. On the Order of Senate Bills 2nd Reading, Senate Bill 530. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 530.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 538, Senator Lemke. On the Order of Senate Bills 2nd Reading is Senate Bill 538. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 538.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 544, Senator Lemke. On the Order of Senate Bills 2nd Reading, Senate Bill 544. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 544.

(Secretary reads title of bill)

2nd reading of the bill. The Judiciary II Committee offers one amendment.

PRESIDENT:

Senator Lemke on Committee Amendment No. 1.

SENATOR LEMKE:

I'll let...this is Senator Geo-Karis' amendment. So it's...I'll let her explain it.

PRESIDENT:

Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

Amendment No. 1 applies to both those soliciting prostitution as well as to the prostitutes, and I move the passage of this amendment.

PRESIDENT:

Senator Geo-Karis has moved the adoption of Committee Amendment No. 1 to Senate Bill 544. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 2.

SECRETARY:

They appear to be identical but the LRB numbers are different.

SENATOR LEMKE:

I think what this amendment does is...where's our staff person? Is it identical?

SECRETARY:

It appears to be but the LRB numbers are different.

SENATOR LEMKE:

Oh...oh, let's go back. I think we're supposed to Table Amendment No. 1 and go with Amendment No. 2. I think there's a...some quoting mistakes in there. It's technical, the second amendment. It's the same amendment but technically right. I remember now. I'm sorry.

PRESIDENT:

All right. Senator Geo-Karis, we'll...we'll go back to Amendment No. 1.

SENATOR GEO-KARIS:

I'd like to move to reconsider the vote by which amendment...

PRESIDENT:

Senator Geo-Karis has asked leave of the Body to go back

to Amendment No. 1 and moves to reconsider the vote by which Committee Amendment No. 1 to Senate Bill 544 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Geo-Karis moves to Table Amendment No. 1 to Senate Bill 544. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

All right. Senator Lemke.

SENATOR LEMKE:

What this amendment does is...same as what Senator Geo-Karis said it does. Only thing it makes technical corrections in the body of the amendment. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 544. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 566, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 566. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 566.

(Secretary reads title of bill)

SB 576
2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 567, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 567. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 567.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 573, Senator Maitland. On the Order of Senate Bills 2nd Reading is Senate Bill 573. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 573.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Bottom of page 7, on the Order of Senate Bills 2nd Reading is Senate Bill 576. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 576.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the...

SECRETARY:

Oh, I'm sorry, Mr. President. Insurance Committee offers one amendment.

PRESIDENT:

Senator Topinka on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, the...the committee amendment basically changes from the Race Track Improvement Fund to the Illinois Ag. Fund and...the Agriculture Premium Fund, rather, and it tightens up the definition of overflow facilities.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 576. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 8, page 8 on the Calendar. On the Order of Senate Bills 2nd Reading, 578, Senator Rigney. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 578.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers two amendments.

PRESIDENT:

Senator Rigney on Committee Amendment No. 1.

SENATOR RIGNEY:

Mr. President, this is a video officers certification bill. Committee Amendment No. 1 merely provides that the Supreme Court of this State will be able to regulate the rules for video equipment in all court proceedings.

PRESIDENT:

Senator Rigney has moved the adoption of Committee Amendment No. 1 to Senate Bill 578. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Amendment No. 2 provides for depositions. It says that for use in any court proceedings a transcript of such deposition shall be prepared by a court reporter.

PRESIDENT:

Senator Rigney has moved the adoption of Amendment No. 2 to Senate Bill 578. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 597 3rd Reading

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 579, Senator Joyce. Senate Bill 595, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 595.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This amendment deletes...well, this amendment makes the bill technically correct. It had redundant language that said "or is unable to," talking about conforming behavior. This amendment makes the appropriate technical changes, and there may be another amendment from Senator Sangmeister and myself, but I'd urge adoption of this amendment and we can bring it back from 3rd. I'll make that representation. So, first, let's adopt this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 595. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 597, Senator Darrow. Senate

Bill...oh, Senator Darrow.

SECRETARY:

Senate Bill 597.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Is that a committee amendment or a Floor amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Committee amendment.

SECRETARY:

Committee Amendment. It's an effective date.

SENATOR DARROW:

Oh, that...that puts in an immediate...or an effective date into the bill, I believe July 1st.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 597. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Amendment No. 2 exempts Cook County from the effects of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Darrow moves the adoption of Amendment No. 2 to Senate Bill 597. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 601, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 601.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I would move to Table Committee Amendment No. 1. I will offer a Floor amendment which will cover the same ground.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption....moves to Table Committee Amendment No. 1 to Senate Bill 601. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendment No. 1 is Tabled. Mr. Secretary.

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. Mr. President, Committee Amendment No. 2 would permit forest preserve districts to purchase property but not

to condemn it. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Committee Amendment No. 2 to Senate Bill 601. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President,...Floor amendment...Amendment No. 3 would require the written permission of the Secretary of the Department of Transportation for certain actions of the forest preserve districts. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves adoption of Amendment No. 3 to...Senate Bill 601. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 602, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 602.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, this amendment narrows the sales tax exemption so that it would not apply to manufacturing research and development or...equipment...used in that way. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to Senate Bill 602. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 607, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 607.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 609, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 609.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 611, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 611.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 612, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 612.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. Amendment No. 1 is the amendment that we agreed to...that was suggested by the committee. Basically, it eliminates several problems

relating to incorporation by reference in agency rules. It will continue to allow agencies when they promulgate a rule to incorporate by reference rather than setting out the standard of the rule. They can incorporate by reference Federal rules and regulations and guidelines and standards of nationally recognized organizations and associations. In the case of guidelines, agencies of the United States...incorporation by reference will be allowed under certain circumstances. I think, it's a common sense solution to rather not a problem. Answer any questions, otherwise, urge the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 612. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. I've been led to believe that Senate Bill 1031 which is sponsored by Senator Friedland is going to be the vehicle for a number of amendments concerning medical malpractice, and my reason for rising right now is, I would like to have all of those amendments on my desk so that I can follow them when we reach that bill. I raise that now not to try to delay the process at the time the bill is called. So, on behalf of myself, I would like to have all of the amendments by the sponsor on my desk before we get to Senate Bill 1031. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SB 617 2nd Reading

SENATOR ROCK:

Thank you, Mr. President. Not having had a chance to confer with Senator Sangmeister, I was going to request that that bill along with 1200 which is sponsored by me be held. As you know, I'm sure you're aware, the Governor's Task Force on Medical Malpractice just this morning issued its report, and on Thursday there is to be another meeting of the negotiating committee. We will hopefully...we are very, very close to a compromise position. So I'd rather not get into that fight at this point in any event.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, Senator, I understand Senate Bill 1031 will be held and amendments will be distributed. (Machine cutoff)...all the amendments will be distributed to Senator Sangmeister and those individual Senators that have...expressed an interest in it. There are fourteen amendments. Senate Bill 613, Senator Etheredge. Senate Bill 614, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 614.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 617, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 617.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Committee No. 1, Mr. President and Ladies and Gentlemen of the Senate, makes this a permissive bill, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Committee Amendment No. 1 to Senate Bill 617. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Committee Amendment No. 2 simply spells correctly the word "antenna" and adds to indecency...the showing of masturbation, lurid details of violent physical torture...dismemberment of a person. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 617. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 627
2nd reading

3rd reading. Senate Bill 624, Senator DeAngelis. Senate Bill 626, Senator Newhouse. Senate Bill 627, Senator Jones...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 627.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Higher Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move to Table Amendment No. 1 to Senate Bill 627. Amendment No. 1 which was...had objectionable language in there and it was...technically in error, so I move to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones has moved to Table Committee Amendment No. 1 to Senate Bill 627. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendment No. 1 is Tabled. Are there further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Jones and Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Amendment No. 2 is essentially the bill. It impounds the Board of Higher Education to mandate institution...public institution of higher education to implement and develop programs for...to increase

the participation of minorities in higher education. The bill...the amendment is an agreed amendment. It has the support of...the Board of Higher Education, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones has moved the adoption of Amendment No. 2 to Senate Bill 627. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further...amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 632, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 632.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1 somewhat restricted the application of the death penalty over...beyond what the...or more than narrowly than what the original bill proposed because of concerns about possible constitutionality of the original proposal, and I would move the adoption of Committee Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 632. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 637, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 637.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 638, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 638.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. All Amendment No. 1 says is, "Firefighter who is married to such a surviving spouse for at least twelve months." This was agreed to in committee.

SB 651
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill 638. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 640, Senator Joyce. Senate Bill 644, Senator Barkhausen. Senate Bill 647, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 647.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 648, Senator Barkhausen. Senate Bill 651, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 651.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that Committee Amendment No. 1 be Tabled because of a technical flaw.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen moves to Table Committee Amendment No. 1 to Senate Bill 651. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2, like Amendment No. 1, seeks to limit the application of a potential felony DUI charge which we are proposing here to situations where the drunk driving incident causes great bodily harm, which is language that's borrowed from the section of the Criminal Code dealing with aggravated battery and therefore has a whole body of law interpreting what that specific language means, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 651. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 659, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 659.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 660, Senator Lechowicz. Senate Bill 662, Senator...Joyce. Senate Bill 670, Senator Dawson. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 670.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 671, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 671.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SB 683 2nd Reading

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 672, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 672.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 680, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 680.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 681, Senator Kelly. Senate Bill 683, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 683.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 684, Senator DeAngelis. Senate Bill 696, Senator Joyce. Senate Bill...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 696.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 709, Senator Lechowicz. Senate Bill 712, Senator Zito. Senate Bill 713, Senator Zito. Senate Bill 714, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 714.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 715, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 714.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 716, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 716.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 717, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 717.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 718, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 718.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 720, Senator Darrow. 721, Senator Darrow. 722, Senator Berman. 723, Senator Berman. 24. 25. 26. 27. 28. 29. 30. 733, Carroll. Bingo. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 733.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 736, Senator Kustra. Senate Bill 738, Senator...736. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 736.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 738, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 738.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

SB 743 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President...Senate Bill 738 amends the Chicago Sanitary District Act with...with respect to the civil service qualifications. Committee Amendment No. 1 makes the provisions of this bill permissive and makes the bill applicable only to those employees who have never passed a civil service exam. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Committee Amendment No. to Senate Bill 738. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 739, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 739.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 743, Senator Vadalabene. Read

the bill, Mr. Secretary.

SECRETARY:

Senate Bill 743.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 1 to Senate Bill 743 affords temporary tax reduction help to the State's three smallest horse race tracks; Fairmont in Collinsville, Quad-cities in East Moline and Balmoral Park in Crete. The four large Chicago area tracks agree that the downstate tracks have been the hardest hit by the economy and they are supportive of these small tracks, and I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to Senate Bill 743. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senators Vadalabene and...and DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 2 adds a three-year sunset provision to the bill, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 2 to Senate Bill 743. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 744, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 744.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I move the adoption of...Amendment No. 1 to Senate Bill 744.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 744. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 745, Senator Jones. Read the bill, Mr. Secretary.

SB 749 2nd reading

SECRETARY:

Senate Bill 745.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 749, Senator Kustra. Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 749.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an amendment which was...asked for by the committee, and I have sat down and worked out an agreement with both sides of the aisle on this particular amendment. Basically, it removes from the bill which deals with joint custody of children the rebuttable presumption in favor of joint custody, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 749. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 750, Senator Kustra. Senate Bill 752, Senator Kustra. Senate Bill 754, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 754.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Mr. President, the Floor Amendment No. 1, there was some question whether or not this bill would increase the cost of printing expenses for units of government. The amendment eliminates that imposition and now there is not any special requirement for additional cost, and as far as I know there's no opposition to the bill, and I move for its adoption...to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kelly moves the adoption of Amendment No. 1 to Senate Bill 754. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 755, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 755.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 755 amends the Illinois Vehicle Code. Committee Amendment No. 1 adds language to require operators of vehicles transporting children to or from day-care facilities to...obtain a permit, much in the same manner as is currently required for school bus drivers. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to...Senate Bill 755. Those in favor indicate by saying Aye. Those opposed. The Ayes have it and Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 756, Senator Chew. 757, Senator O'Daniel. Read the bill, Mr. Secretary. What...Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President, I move to Table Senate Bill 757.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel moves to Table Senate Bill 757. Is

AB 760
2nd Reading

there discussion? Is leave granted? Hearing no objection, leave is granted. Senate Bill 757 is Tabled. Senate Bill 760, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 760.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No Floor amendments? 3rd reading. Senate Bill 766, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 766.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 780, Senator Etheredge. 794, Senator Etheredge. 798, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 798.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. 799, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 799.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 803, Senator Schaffer. Senate Bill 814, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 814.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The...Amendment No. 1 defines what the department has been doing for a number of years; however, they have not...this has not been...they have not been performing these functions as by Statute. So, they're clearing this up and it's strictly a clarification bill, and

SB 824
2nd reading

I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Mahar moves the adoption of Amendment No. 1 to Senate Bill 814. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 824, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 824.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Go ahead...go ahead.

SECRETARY:

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 825, Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 825.

(Secretary reads title of bill)

2nd reading of the bill. The...Judiciary II Committee...offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 deletes all references to stun guns and taser material, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dudycz moves the adoption of Amendment No. 1 to Senate Bill 825. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Amendment No. 2 deletes all references to the throwing star portion of the bill and leaves...the "aggravated offense to commit or attempt a forceable felony while wearing a bulletproof vest," and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dudycz...moves the adoption of Amendment No. 2 to Senate Bill 825. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 848, Senator Dudycz Senate

SB 893
2nd Reading

Bill 854, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 854.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, the...Amendment No. 1 is a technical amendment recommended by Enrolling and Engrossing. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to Senate Bill 854. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...868, Senator DeAngelis. Senate Bill 870, Senator Bloom. Senate Bill 875, Senator Maitland. Senate Bill 893, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 893.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, this amendment makes certain technical changes in the Income Tax Act as recommended by the Department of Revenue. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Committee Amendment No. 1 to Senate Bill 893. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendment?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further committee...amendments on 893?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge. Senator Etheredge, we do have two committee amendments filed.

SENATOR ETHEREDGE:

There are? Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would just like to mumble it through...

SENATOR ETHEREDGE:

...yes, if...if...if you could help me out in that way, yes, right. This is a...I move for the...for the adoption of this amendment. It's another technical amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Very good mumbling. Is there discussion? If not, Senator Etheredge moves the adoption of Committee Amendment No. 2

to Senate Bill 893. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments? Senator, evidently our mumbling has been caught. There's been a request to hold that vote. Take it out of the record. Senator Etheredge.

SENATOR ETHEREDGE:

I think there's...there's no problem with these...with these amendments, and I'm...I'm sorry that I was...they're both committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, we have no problem with the amendments. I think they were the ones that were put on in committee and we didn't suggest that the bill be held.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we did get everybody's attention, and the discussion...Committee Amendment No. 1 has been adopted. On Committee Amendment No. 2, those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 894, Senator Etheredge. Senate...Senator Etheredge...wait, Mr. Secretary.

SECRETARY:

Senate Bill 894.

(Secretary reads title of bill)

2nd reading of the bill. Revenue Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Amendment No. 1 eliminates the first paragraph of Chapter...first paragraph, 39C, of Chapter 127 because the language of this paragraph is in conflict with the...with Paragraph 102 of Chapter 15 which is the controlling Statute, so we...I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to Senate Bill 894. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Amendment No...No. 2 provides that the amounts to be written off by the Department of Revenue's records and cancelled by the department with...that this action may be taken when the cost of collecting the debts exceeds the amount to be collected. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the

adoption of Amendment No. 2 to Senate Bill 894. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 899, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 899.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 905, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 905.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment has several parts in it. Number one, the state's attorneys' groups came to me and asked me if I would add a section that allows the state's attorney also the power to...appoint investigators and allow

them to serve warrants such as the sheriff has. Number two, it takes out the portion that gives the public defender the right to...public defenders' investigators the right to be classified as peace officers. It does allow them also to...serve warrants, however. And, number three, changed the word "weapons" to "firearms." Again, it is only with...the training that is required as the original bill was.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Just to reflesh...refresh the members' recollection, we debated this at some great length in the Executive Committee and, frankly, the bill got out of there over my objection, for one. This is an attempt to make investigators for the office of the public defender at the request, apparently, of the DuPage County Public Defender's Office, in effect, give them the right to carry weapons and be listed as a deputy sheriff or a peace officer or something. I'm not sure, because I just received it, what the amendment in fact does, but I would ask those who are interested to take a look at this. On the one hand, we seem to be going down two parallel tracks. We are attempting to inhibit to some extent the use of handguns, and at the same time, by virtue of something like Senate Bill 905 or 905 as amended, we are in effect passing out handguns to people who otherwise apparently are not qualified, and I just think it's wrong and we ought not do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Although this was introduced by my colleague from DuPage County, I think the Public Defender's office in Chicago has a very important say in this

amendment. The problem is that public defenders have to go into Cabrini Green Housing...like the Cabrini Green Housing Project or they go to tenements where there is a tremendous danger for them in their investigation of criminal cases. There are numerous reports by the public defender's office of being accosted by certain people when they're attempting to make investigations. All they really want is the ability to defend themselves in certain situations where there is tremendous potential of danger in...in their investigations. Now, what I think we should do is, if we adopt this amendment, adopt another amendment that provides that they can't wear a firearm other than in the line of duty and only during working hours. We don't want them wearing firearms when they're off duty, but they do need some protection and the public defenders just like parole officers put themselves in situations of extreme danger. So, I would rise and support this amendment and I think it's needed and we should vote Aye on it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, I heard Senator D'Arco's comments but I think in...or in Cook County, they can either be deputized or one of the sheriff's backup goes with them. I don't know about DuPage County. Obviously, this is a intent to circumvent the sheriff's authority and his ability or if he thought there was need to deputize these people and let them carry weapons. I would think that Senator Rock's initial observation was correct that this bill should never have passed Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, yes, the bill did come out of the Executive Commit-

tee with the idea that we were going to help the public defenders, and now I see that the state's attorneys' offices jumped in here...asking for the same rights and also the right to appoint investigators which I think they really have anyway. I think, Senator, you're carrying this bill beyond what the committee felt it should do when it came out here on the Floor. I'm surprised that if the state's attorneys want it that I certainly haven't heard anything about this, so I don't know whether the association is asking for this or some individual state's attorney or what, but at this point, I, too, would rise in opposition to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Further discussion? Senator Fawell may close.

SENATOR FAWELL:

Thank you, very much. Yes,...to Senator Sangmeister's question, I was asked by the Appellate Court Division of the State's Attorney's Office to...in fact, they gave me the language, so that's where that came from. You've got to realize that the chief judge in each...in each circuit has to, number one, approve all this before we even start out. I...this bill...actually, if anything tightens up the original bill...we have taken the fact that the...that the public defender is no longer under the amendment has the powers of a peace officer, merely the powers of a...to serve the warrants, the subpoenas, the...as far as the weapons are concerned, the weapons has been changed to firearms and it specifically says in here that the training...that they...the they...they must have completed a training program offered or approved by the Illinois Local Government Law Enforcement Officers Training Board which substantially conforms to standards promulgated pursuant to the Illinois Police Training Act and an Act in relationship to the Firearms Training for Police Officers. You know, all we're trying to do is allow

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these men to protect themselves; that was in the original bill, this lessens the power, not increases the power of the...the public defenders' investigators...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Fawell, you want to bring your remarks to a close, please?

SENATOR FAWELL:

...and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...

SENATOR FAWELL:

If you want to debate the bill on...on the 3rd reading, that's all right with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 905. Those in favor will signify by saying Aye. Opposed Nay. In the opinion of the Chair, Senator, the Nays have it. Senator Fawell has requested a roll call. Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill 905. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 23, none voting Present. The amendment is adopted. (Machine cutoff)...amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 907, Senator Chew. Senate bills 2nd reading is Senate Bill 907, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 907.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment changes the basic proposal in that...which was that all group health insurance policies cover out-patient treatment for alcoholism and substance abuse. What this amendment will do, it will not cover, it will eliminate the coverage for outpatient but provides that abuse of a controlled substance will be covered the same as alcoholism and the other...and any other illness on an in-patient basis. This amendment is supported by the insurance industry and the proponents for the bill and also one other in the...one other item involved is that it does change the effective date for a total of a hundred and eighty days, and the purpose of that is to give ample time to implement the preparation of forms and the printing and everything in order to put this...expanded coverage in force. I ask that the amendment be adopted.

PRESIDENT:

All right, Senator Rupp has moved the adoption of Amendment No. 1 to Senate Bill 907. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 911, Senator Demuzio. 912. On the Order of Senate Bills 2nd Reading, Senate Bill 912, 9-1-2. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 912.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 925, Senator Carroll. On the Order of Senate Bills 2nd Reading, bottom of page 14,...Senator Jones, can I ask you to...Senator Jones. On the Order of Senate Bills 2nd Reading, Senate Bill 925. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 925.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It was a technical amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 925. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 15 is Senate Bill 943, Senator Dawson. Mr. Secretary, top of page 15, Senate Bill 943, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 943.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this amendment rewrites the bill. Provides the eligibility is now for nurses who want to further their education in the nursing profession. Loans will also be awarded on the basis of financial need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson moves the...adoption of Amendment No. 1 to Senate Bill 943. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 949, Senator Karpiel. Senate Bill 970, Senator Lemke. Senate bills 2nd reading, Mr. Secretary, Senate Bill 970, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 970.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is was suggested by the committee to tighten up the wording...what rehabilitation means and this amendment says, "incarceration, detention or supervision." I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 970. Is there discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 978, Senator Jerome Joyce. Senator Joyce on the Floor? 986, Senator Marovitz. 987, Senator Joyce. 989, Senator Kelly. 997, Senator Collins. 998. Senate bills 2nd reading is Senate Bill 998, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 998.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Amendment No. 1 is a...an agreed amendment from the committee...committee's recommendations that I exclude from the bill HMOs and PPOs, preferred provider organizations and HMO's. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 998. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1000, Senator Collins. Senate bills 2nd reading is Senate Bill 1000. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1000.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Committee...Amendment No. 1 changes...from the one hundred percent of prime rate as the base rate to the Federal Reserve discount rate plus ten percent, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins moves the adoption...moves the adoption

of...of Committee Amendment No. 1 to Senate Bill 1000. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 amends the Retail Installment Sales Act, commonly know as RISA, R-I-S-A, and sets ceilings of the Federal Reserve discount rate which is currently eight percent plus twenty-five percentage points on loans made pursuant to this Act. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan moves the adoption of Amendment No. 2 to Senate Bill 1000. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1004, Senator Jeremiah Joyce. Senate...top of page 16, 1009, Senator Donahue. Top of page 16, Senate bills 2nd reading, 1009. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1009.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank...thank you, Mr...President. I've just been told that there's something defective in this amendment. I'm not able to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just take it out of the...

SENATOR DONAHUE:

...find out. Can we...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...let's take it out of the record.

SENATOR DONAHUE:

...will we have time to come back to it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I doubt it. Let's take it out of the record. Is there leave to take it out of the record? Take it out of the record. 1010, Senator Carroll. All right. Senate Bill 1010, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1010.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1013, Senator Welch. 1019, Senator Netsch. 1-0-1-9. 1021, Senator Netsch. All right,

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Senate bills 2nd reading is Senate Bill 1021. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1021.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers Amendments Numbered 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. If I might have the attention of the members for just a moment, this is Senate Bill 1021 which is the utility bill. After discussion with the Senate President, the Minority Leader and the chairman and Minority Leader of the committee from which the bill was reported, we agreed that it would be a enormous saving of time and energy if we put the two committee amendments on today. The first committee amendment is the bill. It is about a hundred and ninety-two pages. It is not available in printed form anywhere and it would make it possible for us to have the basic bill before us. The second committee amendment was my own which made some changes in committee. We will then move it to 3rd reading, with my absolute commitment that the bill will be brought back at whatever the appropriate time is so that anyone else who has amendments will have an opportunity to offer them. It will save time. It will save paper work. It will make it much easier for everyone to deal with it. So, with everyone's concurrence, that is what we are proceeding with today and I don't want anyone to get hysterical about what is happening right now. With that, I would move adoption of Committee Amendment No. 1 to Senate Bill 1021. Committee Amendment No. 1 is the report of the Joint Committee on Public Utility Regulation, the one hundred and ninety-two page amendment which is the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Committee Amendment No. 1 to Senate Bill 1021. Any discussion? Senator D'Arco. Senator D'Arco, hold...just...just one second. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. Donna Petro and a group from Madison County Senior Citizen Service is here visiting with us today, and they represent Alton, East Alton, Cottage Hills and Godfrey, and I would like for them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized by the Senate. Welcome to Springfield. All right, on the adoption of...Committee Amendment No. 1 is Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. As I understand it, there really is no agreement that this amendment should be the final bill as passed by the General Assembly, and where I have problem is...if we put amendments on this bill that don't quite fit into the sponsor's idea of what should be the law regarding public utilities, you know, what's going to happen to the bill? I mean, Dawn, there may be situations where amendments are offered and adopted that you are totally against. Does that mean then, you know, the bill...is going...it would be...held by you or not proceeded with by you according...accordingly or how would it work? I mean, that's what I'm concerned about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Netsch.

SENATOR NETSCH:

Well, that is not relevant to what we're doing today, Senator D'Arco, because I don't know what amendments are going to be offered. The...the point of what we are doing today is that there really is no bill. There is no text toward which anyone can adopt other amendments until the committee amendments go on. The bill that was introduced, Senate Bill 1029, as it sits up there right now on the Secretary's Desk, is a shell bill which, as I recall, did nothing except change the name of the commission. The committee amendment is what makes it into a...the report of the joint committee...after that, there will be an opportunity for everyone, including yourself or anyone else, to offer amendments to do whatever you choose with the bill, and, obviously, I don't know what those amendments are so I have no way of responding to them right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

But, you know, my concern is...my concern, Senator Netsch, is that if amendments are offered and adopted to this bill that you do not agree with, you know, what's going to happen to the bill? That's my concern. Are you then going to say, well, I don't want to proceed with the bill? I mean, are we going to tube the bill or what are we going to do with it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, I guess what I'm tempted to say, Senator D'Arco, is what amendments are you planning to offer to the bill? You know, obviously, I'm not going to answer that question in a vacuum. I want to know...I mean, if somebody puts in an

amendment that strikes everything after the enacting clause, I might be reluctant to call the bill for final passage on 3rd reading, but I...you know, I cannot answer that question in a vacuum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Let's just say that you're not going to like them. Okay? Whatever they are, you're not going to like them. So, now the question is...you know, I mean, that's...that's our concern.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...is that a question, Senator D'Arco? All right. Further discussion? Senator Netsch may address that in her closing. Senator Netsch.

SENATOR NETSCH:

Well, again, what we are doing today is trying to save paper work. The idea was to put the amendment on, which is the bill, the joint committee's report, which is the hundred and ninety-two pages. It does not exist in printed form anywhere. By doing this today it will enable the paper work to be done, a copy of the text of the proposal to be printed and then anyone, Senator D'Arco or otherwise, who would like to address amendments will have something that they can work with. It is a procedural point. Obviously, at some point this...amendment will go on because it is the joint committee's proposal and this was done, as I say, with the agreement of...President Rock, of Senator Philip, of Senator Rigney, of Senator Joyce, et cetera, et cetera. And I would move the adoption of Amendment No, 1 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Committee Amendment No. 1 to Senate Bill 121. Senator Smith, she was closing. Senator...Senator...Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman, and I'd like to address this question to the sponsor, Senator Dawn Netsch. She said that you can add your amendments to the shell. Is that right? Or to the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR SMITH:

Is that right? Any amendment that you might want?

SENATOR NETSCH:

No. Senator Smith, the bill as it exists right now is a shell bill. The report of the joint committee was not ready when the deadline for introductions took place. Amendment No. 1, which I am now offering, is the bill. That is the full text of the joint committee's report. The second committee amendment is a...revision of a couple of parts of that that was offered by me on behalf of the joint committee in committee. At that point, there will be a substantive bill available. Then, anyone who would like to propose amendments to the report of the joint committee, which will be Senate Bill 1021, will have a printed copy available and they can draw any amendments that they choose and offer them when the bill is called back subsequently.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I'm glad that you explained...said a substantive bill because at the outset I understood you to say that the bill was so long that they would not be able to read it and digest it and that you would just add some amendments, but if you don't know what the...the...what the substance is, there's no way that you can...intelligently add...an amendment. That's what I was trying to get at, and then the main thing that we all are concerned about as representatives here in this

legislative Body is where are we going to zero in to help the consumer, the person who's suffering today, and that's what my main concern is about. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The discussion has now been opened up again. Senator Bloom.

SENATOR BLOOM:

Yeah, very briefly, the...procedure we're following here...there are parts of this amendment that I could never support but we're trying to expedite matters, and the purpose of this is to get the bill amended, the sponsor has agreed to bring it back from 3rd reading so the amendment can be printed up and distributed by all of us. As I said, there are parts of the amendment that I...I'd never vote for but this is the way to do it expeditiously with almost eight hundred bills on the Calendar, so I'd urge an adoption by voice vote and let's get on about our business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Committee Amendment No. 1...No. 1 to Senate Bill 1021. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, briefly.

SENATOR NETSCH:

Thank you. Committee Amendment No. 2 was the joint committee's recommendation to the Committee on Agriculture for revision in three provisions; one having to do with reorganization, one with excess capacity and one with the relationship between CUB and the Office of Public Council. It was fully discussed in committee, adopted there. I would

move its adoption and it will be part of the fuller explanation when we get back to the bill at a subsequent time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Committee Amendment No. 2. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1030, Senator Berman. Senate bills 2nd reading is 1030, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1030.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No...Committee Amendment No. 1 was adopted in committee and it represents an agreement between the dental society and the hygienists. On several areas it replaces the term "direct supervision" with the term "supervision and general supervision as referred to." "Dental auxiliary" is deleted. It changes the time regarding long-term nursing care authorizations from thirty days in the original bill to ninety days and redefines the certificate of registration so that we are

talking about licensure and not just merely...registration. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 1030. Those in favor...any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Senator Berman, I heard you indicate that there'd been some agreement on this. I've received calls from a number of dentists in my district who then are obviously uninformed about the amendment. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

...it's...there are two more amendments. This one, I think it's fair to say everybody is in agreement with. It's the next two that everybody is in disagreement on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by Senators Jerome Joyce and Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. Purpose of personal privilege, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR POSHARD:

Have with us here today a group of honor students with their parents and sponsors from the Eldorado Junior High School in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senator Joyce on Amendment No. 2.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Amendment No. 2 deals with the dental hygienists' part of Senator Berman's bill, and Amendment No. 2 was passed out last week with a fact sheet detailing the intent of that amendment. Subsequently, the dental society sent a fact sheet indicating opposition to Amendment No. 2 since it would allow...unsupervised practice of dental hygiene and that was not the intent of the amendment. So, Amendment No. 3 will have to be dealt with along with this 'cause if Amendment No. 2 does...doesn't pass, Amendment No. 3 doesn't track, so these two amendments would have to be dealt with together; or if Amendment No. 2 doesn't pass, then No. 3 will be out, but with...with the change, the dental hygiene portion of Senate Bill 1030 absolutely returns to the status quo and allows the dental hygienist to function as...in a supervised setting as provided by the rules of the Department of Registration and Education as...as they have functioned for the past fifteen years without difficulty. So, I would appreciate your support on Amendment No. 2 and then, subsequently, on Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved the adoption of...of Amendment No. 2 to Senate Bill 1030. Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'm not sure how to respond because...well, let me try to clarify it...I'm handling the bill on...at the request of the Illinois State Dental Society. Amendment No. 2 and Amendment No. 3 are proposed by the dental hygienists. With the first amendment that was put on, I would suggest to you that the operation of dental hygienists will continue to operate as you and I are used to; namely, that there will be supervision by...of dental hygienists by the dentists in their offices when you go to visit the dentist. That will apply everywhere, everywhere, except in...in long-term care facilities where the dentist can give an order as to what is to be done by the hygienist and that order must be renewed every ninety days. The entire purpose of the bill as it presently sits is to provide the same quality of care, same supervision over persons who are not dentists but give that supervision by dentists. The dentists...the Illinois Dental Society is opposed to Amendment No. 2. I rise in opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I...I think it's inappropriate to put this amendment on this bill. I think Senator Berman is trying to accomplish something, and the tagging of these two amendments, I believe, is in conflict with what Senator Berman is trying to do. If there is a wish on the part of the hygienists to do this, I think they ought to enter their own bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. What...as I understand it, what the hygienists are wanting is what has been in the

rules for the past fifteen years. Now, with this bill clarifying their role in life, I understand that it is much stricter than as has been by...by the rule making of the department for the last fifteen years, so what...what we are doing is giving the hygienists the same function that they have been doing for the past fifteen years, putting it into law. So, I would ask for support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of Amendment No. 2 to Senate Bill 1030. Those in favor will signify by saying Aye. Opposed Nay. In the opinion of the Chair, the...the Nays have it and the amendment fails. Amendment No. 3...all right, Senator Joyce, you wish to withdraw Amendment No. 3? Senator Joyce seeks leave of the Body to...to withdraw Amendment No. 3. Is leave granted? Leave is granted. Amendment No. 3 is withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1031, Senator Friedland. Do you have an announcement of some sort? Senator Friedland.

SENATOR FRIEDLAND:

...thank you, Mr...President and colleagues. Yes, one of the...sponsors of amendments to this bill is not here today and I agreed to hold the bill today and afford my colleagues a chance to review the Governor's task force report which I understand addresses some of these issues favorably, and I want to report to you that the amendments that will be offered by the Illinois State Medical Society will be copied and you will have them on your desks. So, I'm holding this for today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Senator, we're looking forward to it. Senate Bill 1032, Senator Joyce. 1-0-3-2. All right, Senate bills

2nd reading is Senate Bill 1032. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1032.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...amendments?...3rd reading. Senate bills 2nd reading, 1035, Senator Chew. Mr. Secretary, Senate Bill 1035, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1035.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1036, Senator Chew. 1-0-3-6, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1036.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1056 2nd Reading

3rd reading. Senate Bill 1037, Senator Netsch. 1039, Senator Jerome Joyce. Senate Bill 1043, Senator Barkhausen. Senator Barkhausen on the Floor? 1053, Senator Maitland. Senate bills 2nd reading, Senate Bill 1053, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1053.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1055, Senator Maitland. Senate bills 2nd reading is Senate Bill 1055, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1055.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1056, Senator Maitland. Senate bills 2nd reading is Senate Bill 1056, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1056.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 1063 2nd Reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 1 is an immediate effective date. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has move the adoption of Amendment No. 1 to Senate Bill 1056. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 17, Senate Bill 1062, Senator Rupp. Senate bills 2nd reading, 1062, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1062.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1063, Senator Luft. Mr. Secretary, read the bill, 1-0-6-3.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1063.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'd like to move to Table that amendment, please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you just...why don't you...Senator Luft, why don't you just withdraw the amendment?

SENATOR LUFT:

...okay, I move...I'd like to withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft seeks leave of the Body to withdraw Amendment No. 1. Is leave granted? Leave is granted. Amendment withdrawn. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1, by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'd like to have that one withdrawn also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft seeks leave of the Body to have Amendment No. 1...withdrawn. Is leave granted? Leave is granted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1073, Senator Barkhausen...1074, Senator Luft. Senate Bill 1074, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1074.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...Senator Rupp, for what purpose do you arise? On Senate Bill 1083, Mr. Secretary, read the bill, 1083.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1083.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Wait a minute. With leave of the Body, we'll return the bill to the Order of 2nd Reading. I am told that there is a Floor amendment. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Just going to support the amendment because it was an amendment recommended by the Committee on Judiciary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait till the...wait till the sponsor gets it here. All

right, Senator Rupp, we...we can't seem to locate it...why don't we just take it out of the record and...and see if we can't locate it. Possibly we will get back to it. Won't guarantee it. Is...is leave granted to take the bill out of the record? It's been returned to the Order of 2nd Reading. Leave is granted. Take it out of the record. Senate Bill 1099, Senator Macdonald. Senator Macdonald, for what purpose do you arise?

END OF REEL

SB1111 2nd Reading

REEL #3

SENATOR MACDONALD:

We've been waiting all day for an amendment to this bill and it hasn't arrived yet. Can we take this out of the record and hopefully...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator,...we can take it out of the record...I...I don't have any guarantee that we're going to get back to it...today. We're...we're trying to proceed as rapidly as we can, so...

SENATOR MACDONALD:

All right, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...if we get back to it we will and if not, we'll take it up tomorrow, first thing. Senate Bill 1105, Senator Sangmeister. 1111, Senator Coffey. Senate bills 2nd reading, the middle of page 17, 1111, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1111.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. Senate Amendment No. 1 is the Secretary of State's amendment. It does some...makes some technical changes. It has six different points. Number one, it allows tow dollies to be issued exempt plates. The second part of this amendment provides the statutory authority to

issue a forty-five day Illinois temporary apportionment and pro-rate authorization permit for semitrailers; three, amateur radio plates are to be registered on a staggered system; and four, allows second division vehicles under eight thousand pounds to be reregistered as multiyear plates; five, exempts trailers and mobile home dealers from liability insurance requirements; and six, allows certificate of deposit to be issued as a bond in lieu of bonding requirements for the dealers. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Coffey has moved the adoption of Committee Amendment No. 1 to Senate Bill 1111. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1136, Senator DeAngelis. 1152, Senator Kustra. 1160, Senator Welch. 61. 1163, Senator Jerome Joyce. 1164, Senator Jerome Joyce. Top of page 18, 1165, Senator Joyce. 1171, Senator Donahue. Top of page 18, Senate bills 2nd reading, is...is Senate Bill 1171. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1171.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Committee Amendment No. 1, Senator Donahue.

SENATOR DONAHUE:

Committee...I...I believe they're...they're both just technical amendments. Sorry about that. They're both just...one calls it a child-care facility and makes other technical changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Committee Amendment No. 1 to Senate Bill 1171. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

...Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I don't have a copy of Committee Amendment No. 2.

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads Committee Amendment No. 2.)

SENATOR DONAHUE:

Okay. That's what my amendment is going to do is to change that effective date. How do I...do I Table that one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's a committee amendment. If we adopt Committee Amendment No. 2, I don't believe that you will need your Floor amendment. You probably will withdraw that. Your handler is there now, perhaps he might...Senator Donahue.

SENATOR DONAHUE:

...I...move to accept Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue moves the adoption of Committee Amendment No. 2 to 1171. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have

it. Committee Amendment No. 2 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments...Amendment No. 3...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, the Floor amendment is identical to the amendment that we just adopted, Committee Amendment No. 2. Senator Donahue.

SENATOR DONAHUE:

Then...then I...then...then we ought to...then...withdraw...the Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue seeks leave of the Body to withdraw Amendment No. 3. Is leave granted? Leave is granted. Amendment No. 3 is withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1190, Senator Keats. Senate bills 2nd reading, Mr. Secretary, 1190, please, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1190.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you. The original bill, although a good idea, had some technical problems. This is a...an agreed amendment to go on the bill to clean it up, and I would move that it's...its acceptance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats moves the adoption of Amendment No. 1 to Senate Bill 1190. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1191, Senator Joyce. 1192. Senate Bill 1200, Senator Rock. 1222, Senator Jones. 1239, Senator Watson. 1244, Senator Marovitz. 1250, Senator Watson. 1260, Senator Donahue. Senate bills 2nd reading, Mr. Secretary, is Senate Bill 1260, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1260.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulation offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Just for a point of clarification, this was in the Agriculture, Conservation and Energy Committee. We had it moved to that committee. All right? Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Stand corrected.

SENATOR DONAHUE:

And I will have to move to Table Committee Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we'll take them one at a time. Senator Donahue moves to Table Committee Amendment No. 1 to Senate Bill 1260. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the same...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves to Table Committee Amendment No. 2 to Senate Bill 1260. Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. Chairman. Senator, has...has Senator O'Daniel been...problem been taken care of with this? All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3, by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. Chairman...or Mr. President. This amendment is now going to be...effectively be the bill and I have cleared this with Senator O'Daniel, he is aware of it and I won't speak for him to say that he supports the...the whole

thing but he has okayed it through me. What...what we are doing, we are raising the bonding limits for an individual well from one thousand to twenty-five hundred dollars. We are raising the umbrella bond from ten thousand to twenty-five thousand dollars, and we are also setting up a...a procedure that when an oil company is clearing a title that after six months had they not cleared that title that they would put the money into an...an interest bearing account before they pay the lessee or the lessor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue has moved the adoption of Amendment No. 3. Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. Chairman. Is this the...the recommended raise that the department asked for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Donahue moves the adoption of Amendment No. 3 to Senate Bill 1260. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1263, Senator Rock. Senate Bill 1264, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1264.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers

one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This is the amendment we discussed in committee, Senator Rock's suggestion, which would instead of allowing the Department of Commerce and Community Affairs to establish a fund and handle funds, it would allow them to receive money which would be deposited in the...State Treasury and we would appropriate a line item for those funds for promotion of Illinois; an example of which would be some company that sends a bunch of catalogues that we mail all over the world for them and we hit them for part of the postage. Rather than have them handling money, as the bill originally proposes, would have us appropriate a line item and have them just get checks for the State Treasury.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...

SENATOR SCHAFFER:

I believe both sides are copacetic.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer moves the adoption of Committee Amendment No. 1 to Senate Bill 1264. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I think I just explained Amendment No. 2. I'm not sure what Amendment No. 1 was.

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads Amendment No. 1)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 1 was a technical amendment that...instead of the one I just explained. What I just explained is what's now before us, Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was there any concern on Amendment No. 1? If not, on the adoption of Amendment No. 2, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1267, Senator Kustra. Senate Bill 1272, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1272.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1272 has within it a reading improvement program.

This amendment merely provides that those reading materials shall be provided in library media centers across the State. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 1272. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1273, Senator Kustra. Senate Bill 1275, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1276, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1278, Senator Kustra. Read the

bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1279, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill... 1279.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill clarifies the composition of the board in the bill, and it's a technical amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Committee Amendment No. 1 to Senate Bill 1279. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Kustra. It appears to be the same amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Mr. President, I'm just informed that the amendment before us now is the correct technical amendment and that the previous one should have been withdrawn or Tabled or whatever and we should adopt this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor for reconsideration indicate by saying Aye. Those opposed. The Ayes have it. The vote is reconsidered. Now, Senator Kustra moves to Table Amendment No. 1 to Senate Bill 1279. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

This is the technical amendment. There's some clarifying language in here regarding the composition of the board.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 2 to Senate Bill 1279. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1281, Senator Kustra. Senator Kustra, 1281. 1285, Senator Topinka. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1285.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would like to withdraw the committee amendment...Table the...the committee amendment and then put on Amendment No. 2 from the Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to Table...amend...the Committee Amendment No. 1 to Senate Bill 1285. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...Committee Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Amendment No. 2 basically reflects what the committee suggested which was dropping the advisory board...from the original proposal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves to adopt Amendment No. 2 to Senate Bill 1285. Those in favor

indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1308, Senator Philip. Senate Bill 1311, Senator Bloom. 1321, Senator Marovitz. 1338, Senator Joyce. 1339, Senator Jeremiah Joyce. 1342, Senator Savickas. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1342.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1351, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1351.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that would outlaw the pull tab openers on beer cans and pop cans in Illinois. In committee, it was...opposed by some of the

manufacturers, and particularly Anheuser-Busch, and I made an agreement at that time that we would work something out with them as far as phasing in the bill. So, amendment No. 1 simply makes the bill effective after December 31, 1987 and it is agreed...and agreed amendment. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves the adoption of Amendment No. 1 to Senate Bill 1351. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1358, Senator D'Arco. 1360, Senator D'Arco. 1363, Senator Bloom. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1363.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. What the committee amendment does is scale 1363 down to basically providing the procedures for decertifying an enterprise zone if the community has not gone about developing it. The amendment does not entirely do the job and there will be another amendment after this, but I'd urge this amendment's adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 1363. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

All right, if we adopt this amendment, we would then have the bill...the fully one of...decertification of enterprise zones; and it would empower DCCA to decertify a zone for cause after a statement of charges, a six-month probation and public hearing has been held, and the net effect of Amendments 1 and 2 would be a twelve-month decertification process. Answer an questions; otherwise, seek the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. If the sponsor would just be clear. You indicated that with Amendment No. 2 the bill would deal only with decertification as it came out of the committee. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

That is correct, Senator, and then Amendment No. 3...well, would allow for the awarding of more enterprise zones as, I understand, has been agreed to; but these two amendments accomplish what we hope to accomplish in the

committee, Nos. 1 and 2, making it a decertification bill. Okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Bloom moves the adoption of Amendment No. 2 to Senate Bill 1363. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

All right. Amendment No. 3 allows DCCA to certify twelve enterprise zones in 1985, increasing the number from eight. This same kind of provision was allowed in 1984; however, the overall number of enterprise zones, forty-eight, has not been changed. It allows the process to speed up. Answer any questions; otherwise, urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 3 to Senate Bill 1363. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1366, Senator Sommer. Senate Bill 1367, Senator Sommer. 1369, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1369.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1371, Senator Netsch. Senate Bill 1382, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1382.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Senate Bill 1382 has an amendment and this amendment is technical in nature...it does not specify from whom information on the whereabouts of a child suspected of being a victim of child abuse should be withheld. Since the intent is to withhold information from those individuals who are suspected of abusing that particular child, Amendment 1 makes that intent clear. It specifies that the school district may withhold information from any person suspected of child abuse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the adoption of Amendment No. 1 to Senate Bill 1382. Those in favor indicate by saying Aye. Those...opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1388, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1388.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 amends Senate Bill 1388 on page 3 in line 4 by deleting the word "may" and inserting "shall." It also...on page 3 by adding after line 35 the following, "Nothing in this paragraph shall be construed to...to require anymore hours of work than what is permitted by Federal regulations." This was an amendment that was agreed to by the committee to clear up this bill, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Coffey moves the adoption of Amendment No. 1 to Senate Bill 1388. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1389, Senator Sangmeister...Senator Sangmeister, 1389. 1391, Senator

D'Arco. 1392, Senator D'Arco. 1397, Senator Darrow. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1397.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. 1399, Senator D'Arco. 1402, Senator Collins. 1404, Senator Collins. Senate Bill 1405, Senator Collins. 1406, Senator Collins. 1408, Senator Collins. Senate Bill 1414, Senator Kustra. Senate Bill 1415, Senator Kustra. Senate Bill 1417, Senator Barkhausen. 1419, Senator Darrow. Read the bill, Mr Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1419.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Amendment No. 1 is technical. In drafting the bill the Reference Bureau repeated a line and this merely takes that extra line out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, for what...we're on 1419 and the board shows 1418...is there discussion on the amendment? If not,

Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 1419. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1422, Senator Marovitz. 1425, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1425.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 adds a front door referendum to the bill, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 1425. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1426, Senator Zito. 1428, Senator Sangmeister. Senate Bill 1429, Senator Joyce. 1432, Senator Carroll. Senate Bill...read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1432.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate...for what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege. A group from the Trinity Lutheran School from Edwardsville, Illinois, is here with their principal, Terry Schmidt, and I would like for them to stand and be recognized. They're on the right gallery in the rear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1436, Senator Joyce. 1442, Senator Sangmeister...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1442.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, as this bill was originally introduced, it was not properly introduced because if you recall at the last Session

I passed out of this Senate an immunity bill, and I expected to have the bill reintroduced exactly as it was as we passed it out of here previously and we get into use versus transactional immunity which is rather a technical subject which will be discussed on 3rd reading. All this amendment does is put the bill in the identical shape it was when we passed it out of the Senate a year ago, and I would move for the adoption of that amendment.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 1442. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 43. 1444, Senator Joyce. 1454, Senator Kustra. 1458, Senator Collins. All right, if I can have the attention of the membership, we will be working until approximately five-thirty, give or take a few minutes, probably give and work until five-fifteen or so, and we will reconvene tomorrow morning at 10:00 a.m. and also Thursday at 10:00 a.m. and on both days work until approximately six o'clock; on Friday, we will commence at nine and work until approximately one-thirty. The House leadership advised Senator Philip and I that they will be in late on Friday. It is our intent not to be in late on Friday. Tentatively, we have rescheduled a Session for noon on Monday, the 20th. If you'll take a look at the back page of your Calendar with the schedule and just follow along. On the 15th, which is tomorrow, we'll go from ten to six; the 16th from ten to six, 17th from nine until approximately one-thirty, tentatively, noon on Monday the 20th, and then as you know the 24th, the Friday, hopefully, if we come in on Monday, we can leave

early on Friday, having concluded our business, that is the deadline for the Senate bills in the Senate. Two additional changes on the Calendar...or on the schedule. Senator Philip and I met this morning with the House leadership and we have determined that it is not necessary for us to be here on the 31st day of May, so scratch the 31st, nor on June 7th, Friday, June 7th; so scratch Friday, June 7th. The Secretary has informed me that a number of members have requested recalls of bills on 3rd for purposes of an amendment. I would ask you to get those to the Secretary prior to the close of business today. We will handle...or we will publish a recall list and handle that first thing tomorrow morning to give the members an opportunity to amend their bills and to afford the clerical staff in Enrolling and Engrossing the opportunity to get those prepared. We'll do that first thing in the morning once we get a list put together, so if any member has a bill they wish to have recalled, get it on the list tonight. I would call your attention, I'm told, that all members have received the Agreed Bill List and a LIS printout. I'd ask the members to take a look at that. Any sponsor, obviously, can remove his or her bill from the Agreed List at any time and that is the sponsor's right. If they do not wish it to be on the Agreed List, it need not be on the Agreed List. Any bill that is recalled for an amendment will be taken off the Agreed List, and we will vote on the Agreed List on Thursday, so I'd ask you to check the list and...and make the appropriate motions or whatever. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Just for the purpose of an inquiry, Mr. President. If some of the bills that are presently on 2nd or were on 2nd at the time the Agreed List was prepared and have been moved to 3rd and are noncontroversial and agreed, will there be an addition to the Agreed Bill List for these bills that are

noncontroversial?

PRESIDENT:

Well, that...that's a determination that Senator Philip and I have yet to make. We...we talked in terms of a second Agreed List. Let's see how we're going here. We're going to start on the Calendar on 3rd reading, on page 22, very shortly and we will just continue going through and as the week progresses, we'll find out whether or not a second list is...is necessary. We have, as you can see on the schedule, Wednesday, Thursday and half of Friday, half of Monday, Tuesday, Wednesday, Thursday and, hopefully, half of Friday to handle in excess of eight hundred bills. So, I'd ask the members to be attentive and be in their seats and so that we can proceed and afford every member the opportunity to have his or her bill fully discussed and heard and...and debated. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, did I hear you correctly to say that we will be coming in at noon on Monday, the 20th?

PRESIDENT:

You did.

SENATOR GEO-KARIS:

And did you...you had some other changes and I was tied up when I...sorry.

PRESIDENT:

Okay. Noon on Monday, the 20th; strike the 31st and strike the 2nd...7th. We will not be here either of those two Fridays; Friday, the 31st or Friday, the 7th of June. All right, I'd ask all members to please be in their seats and be attentive. We will begin on the Order of Senate Bills 3rd Reading, passage stage, and we will have about two hours on passage stage and see how far we can get. On the Order of Senate Bills 3rd Reading, Senate Bill 11. Senate Bill 12, Senator Keats. Senate Bill 17, Senator D'Arco.

Senate Bill 18, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 18. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 18.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 18 is aimed at those advertisements which offer merchandise or services as being for free but contain conditions or obligations not stated in the proposed offer of free merchandise. For those who are under the Real Estate License Act, those who advertise or offer the merchandise as free but impose these unstated conditions or obligations for receiving the merchandise are subject to license suspension, revocation or other penalties. Basically, what this is is a truth in advertising proposal. What we are trying to do here is get at those...advertisers among realtors who...entice you to come to these lots to sit through either two hours of programing where they give you a film view of all of the wonders of their lakeside lots or they take you on a tour for a couple of hours. Specifically, what has happened throughout the State is that certain prizes are offered to entice you to get there, you don't know what you're getting into when you get there and this is to require that a statement is made in the advertisement what those unstated conditions for receiving that free prize are.

PRESIDENT:

All right, any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Just briefly, Mr. President. What's the position of the

Illinois Realtors' Association? I haven't heard pro or con from anybody on this bill and I wasn't aware there was a problem. Shows you how many of those things I got...I've been lured to.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, they...my analysis, Senator, says they're not opposed to the general idea behind this bill. Basically, what they have said to me is that part of the bill within...within the section that I'm adding an amendment to says, its misrepresention is a no-no. What this specifically does is spell out this particular type of misrepresentation. This would allow a consumer or local individual to determine just what misrepresentation is and define it for these particular types of circumstances so that you can tell that there is a violation of this Act, and it's not so nebulous that you need a lawyer to interpret the word misrepresentation in each instance.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Welch, you...this applies, as I understand it, only to real estate licensees. Is that...is that correct?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

That's correct. It amends the section of the Statute dealing with real estate licenses.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Are...are they the only...business people who offer free merchandise or...why are you singling out the real estate industry for this bill as opposed to all business, for example?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, Senator, last year I did have a bill that dealt with all free offers. That was opposed by the Retail Merchants' Association. I spoke with them. They indicated that the...since the main problem I was interested in was the real estate advertising, they suggested that I just amend the Real Estate Act itself as opposed to making this an overall Statute. So, with that advice in mind, that's what I did.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Ladies and Gentlemen of the Senate, my analysis indicates that Paragraph 5818, Section 18, Subparagraph E of our Statute deals with this matter already. New language appears to be duplicating existing grounds for suspension, revocation or other penalties, so there's some question about whether this bill is needed. I think we ought to also take a look at...at the extent to which we may be intruding into the business affairs of this State. I would urge a serious look at this bill.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Yeah, just briefly, Mr. President and members of the Senate. I rise to support this bill. I know...most of us in this Chamber have received invitations to go out and look at

property and there's a number of items listed on there. It might be a ten thousand dollar check or a bond for five hundred dollars or a color T. V. set and then they'll have a very small item listed on there, and that particular item is the one, ladies and gentlemen, that you're going to end up with, and it isn't even as valuable as you might suspect that it might be when you...when you view it; and there are a number of people that are traveling great distances in order to think that they have a chance. You know, everyone has this feeling that they're going to win and they're going to get the big prize, they're going to win number one. This legislation is aimed at preventing this type of distortion in trying to get people...to encourage them to come out and...and purchase their property. I think it's a good bill and I ask you to support Senator Welch on this Senate bill.

PRESIDENT:

Any further discussion? Further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

Yes, Mr. President. Let me just respond to the Senator's suggestion that this duplicative of a separate section of the Statute. He's talking about Paragraph 4 of the exact same Statute. Now, he makes the point that we're passing perhaps an additional intrusion upon business. This provision will be provision number twenty-six regulating the real estate industry and their licensing. There are...there are twenty-five other provisions of regulating the real estate industry as it is and a twenty-sixth one certainly is not burdensome especially when it merely extrapolates what one of the earlier provisions are. It...it expounds upon provision number four which talks about any misleading or untruthful advertising. Well, that's pretty hard to figure out. Is it really that misleading or can people figure out by reading a Statute what it says? You know, we're often accused of writing laws

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for lawyers in this Chamber. What I am trying to do here is write something in plain English. I'm trying to write it so that people can read the Statute and figure out that, hey, these guys are doing something wrong. I need to go see a state's attorney or a lawyer and get some...a redress of my grievance. I think this is exactly what the Legislature should be doing. I don't think this is a...a so-called intrusion on business. I think this is a good consumer idea and I would urge a Aye vote.

PRESIDENT:

Question is, shall Senate Bill 18 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 8 Nays, none voting Present. Senate Bill 18 having received the required constitutional majority is declared passed. Senate Bill 19, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 19. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 19.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is set standards for those hot water...heaters which are sold or installed in the State of Illinois after June of 1986. What this bill attempts to do is to require a certain standards set forth by the American Society of Heating, Refrigerating and Air Conditioning Engineers, a violation of which would be a petty offense for selling the water heater. What this attempts to do is redress a problem whereby water heaters

which are either not sufficiently well insulated to conserve energy or are faultily constructed so that there...in your house they either; number one, cost you a greater sum of money to operate or; number two, because of the nature of natural gas being used to heat them creates a potential for an explosion. What this bill attempts to do is to say, as many other states have done, water heaters in Illinois should be safe, there should be standards and they should be followed before water heaters are sold. There is a year long waiting period before the bill kicks in to give retailers plenty of time to take care of their inventory and...and to deplete their stock. So, I would be glad to answer any questions.

PRESIDENT:

Any discussion? Senator Poshard.

SENATOR POSHARD:

Can I rise to a point of personal privilege?

PRESIDENT:

...state your point, sir.

SENATOR POSHARD:

I have a group of honor students here, history students, from the Ridgeway Community High School in my district. I'd like to recognize those students along with their sponsors.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Any discussion on Senate Bill 19? If not, the question is, shall Senate Bill 19 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 3 Nays, none voting Present. Senate Bill 19 having received the required constitutional majority is declared passed. Senate Bill 20, Senator Welch. On the Order of Senate Bills 3rd Reading is

Senate Bill 20. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 20.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a bill that we passed two years ago...in a different form. That bill prohibited the construction of a nuclear power plant without any limitation on...an in-time. What this bill does is creates a five-year moratorium on building a nuclear power plant in the State of Illinois, and the prohibition is that the new power facility construction without a U. S. approved means for disposing of that high-level nuclear waste that it creates would allow for the moratorium to kick in...exemptions would be allowed if those standards were met. The...a recent article in the newspaper indicates that the United States Energy Secretary, John Herrington, in one of his major addresses recently told an audience of power company officials and engineers that his department will submit a nuclear licensing reform bill to Congress, and in quoting Mr. Herrington, "It is aimed to make it easier to build a nuclear power plant in the United States. Why can't we tell the American people the real story of nuclear power and have them believe us?" Mr. President, what we want to do is make sure that before we have a nuclear power plant in operation again in the State of Illinois; number one, that there are...there are some means of disposing of the spent nuclear fuel rods that the...the Federal Government has promised again and again to take care of. They have put off for a few years...1991 is when they are supposed to pick a permanent site. Right now, they're looking at three states, Texas, Nevada and Louisiana. What we

want to do is hold off building any new plants until that point in time. Let me answer a few of the objections which I'm sure will be raised. Number one, this does not apply to any construction going on today. None of the plants being built will be affected by this amendment. What it does propose to do is to affect proposals which have not yet been approved by the Illinois Commerce Commission and it leaves existing construction and their...and workers alone. I'd be glad to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield to a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Now, your...your bill says you want to put a five-year moratorium, is that correct, on building any new plants?

PRESIDENT:

Senator Welch.

SENATOR GEO-KARIS:

Yes, ma'am.

SENATOR GEO-KARIS:

And there's no provisions in your bill, is there, in case of an emergency that we might need to build new plants, that we can do it. Is that correct?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

After five years a plant could be built or if there is a United States approved means for disposing of the high-level waste, you could do that, or you could build a coal fired or other type of plant.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

However, under your bill, if there is an emergency, we cannot build it within five years, isn't that right?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

It takes about ten years to build a plant, so any emergency would have to be met by a different kind of plant being constructed.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, much as I regret to disagree with my colleague, I rise against the bill for this reason. If it takes ten years for a plant to go into operation, then what's the purpose of having this bill? And then, I must...am mindful of the fact, if we have a national emergency where we need to have these plants get started, the bill does not allow for an...emergency provision and, therefore, I speak against the bill.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. Just one...one final point. There...there are no plans at all within the next five years to...to build any plants and I think the bill is somewhat innocuous, really doesn't mean too much, doesn't accomplish too much, and I would urge the Body to oppose the...Senate Bill 20.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. With all due respect to the very fine sponsor of this bill, I cannot help but regard this...this bill and the measures therein to be one more step in the direction of...of...an attempted education, I guess, of our people against what I consider to be the benefits of nuclear power. Now to put a five-year moratorium on the development of any new power plants, and granted there are...there is nothing in the works at the moment that would indicate the building of more plants, but I think this is...an unnecessary overkill...applied to our nuclear power industry which we do need as a viable part and parcel of our energy picture in the State of Illinois and it would seem to me to be totally unnecessary and will have an additional effect, I believe, on the people of the State of Illinois to further condition them against the advantages that many of us feel lie in...in nuclear power facilities. So, I, too, would argue that the bill is unnecessary and would urge a vote against it.

PRESIDENT:

Any further discussion? Further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

...yes, Mr. President. Thank you. I would just like to say that the proposal that a five-year moratorium on nuclear power plants, I think, is very feasible. I think it...it does send a message that Illinois is not going hog wild on building nuclear power plants. It does give us time to pause and reflect on the necessity of building any further nuclear power plants. It encourages industry to think about other means of providing for energy, such as solar power, hydroelectric power, coal fired power. We often talk about helping business here in the State of Illinois and nobody has said that...us stopping building nuclear power plants is going to hurt business from coming in; in fact, it'll prob-

ably have exactly the opposite effect. Businesses are going to be scared because of the situation in Washington with the power company there defaulting on its bonds and not completing its plant. Certainly that's a situation we don't want in Illinois, but to rely solely and continuously...as we have been on nuclear power, I think gives a false sense of security to the State and to business and it sends the wrong message. So, I would urge an Aye vote on this bill.

PRESIDENT:

Question is, shall Senate Bill 20 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 27 Nays, none voting Present. Senate Bill 20 having failed to receive the required constitutional majority is declared lost. 32, Senator Joyce. 36. 39, Senator Hall. 49, Senator Sangmeister. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, Mr. President, on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DEMUZIO:

I...understand that this is a...a truly a great and significant day in the history of the State of Illinois that Senator Savickas has turned age fifty today. So, we wish to...welcome him happy birthday.

PRESIDENT:

Happy birthday, Senator Savickas. 39, Senator Hall. 49, Senator Sangmeister. On the Order of Senate Bills 3rd Reading, Senate Bill 49. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 49.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. I don't know why anybody would want to be recognized on their fiftieth birthday, but my...my congratulations to you too, so...but from fifty go back to Senate Bill 49, your...your synopsis and the Calendar is not correct. The bill has been amended and it does what it says in that it eliminates a jury trial, only we have limited it now to...to traffic offenses where it's punishable by a fine only. You should be aware that I think it's time that the State of Illinois get in line with the vast majority of the states of...of this country. Illinois is only one of six states that provides for a jury trial in a criminal prosecution for a traffic violation where it's by fine only. There's a principle involved here that those that practice in the criminal justice system know and defense counsel can only attempt to tell you otherwise that asking for a jury trial on a traffic case for speeding, which is probably ninety percent of these cases, is used for delayed tactics only with the hope then that it will go to the jury calendar and when it comes time for the case to be tried, the prosecutor does not want to put in a whole day picking a jury, preparing jury instructions and all the other things that has to be done and then spend that amount of time where the ultimate result is going to be a twenty-five or thirty dollar fine. This is used constantly by defense counsel as a way of delay, as a way of getting plea bargaining out of the prosecutor, and even the Supreme Court has alluded to the fact that we can expedite our Judicial System and bring credibility to it by passing such a law, and I would move that Senate Bill 49 be passed.

PRESIDENT:

Is there any discussion? Any discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I call your attention to this legislation as the first in-road into our right to a jury. Our Illinois Constitution guarantees that right and this bill is of dubious constitutionality. The Senator from Will County is correct when he says that oftentimes this is used by defense attorneys for plea bargaining, but put yourself in the position of a constituent who receives his third moving violation by some police officer, ill-trained and who has a grudge on...perhaps a constituent from the City of Chicago, that person has very little defense. He would have to travel for...perhaps if it was down in this area, three hours for a trial, he would have to face an antagonistic police officer and a judge he has no knowledge of. His only recourse would be to demand a jury and, yes, then he would be able to plea bargain, and perhaps he could get the breaks that were accorded to constituents of that area. I'll tell you another group of people who are in favor of this legislation and that's members of the Judiciary. In my area, the judges do handle jury trials on speeding charges, but I'll tell you one thing, they don't like to do it and the judges don't like to sit there and handle these small cases, and yet it's right of our constituents; and if you go into court on these speeding tickets, oftentimes the jury trials are handled where the individual does not have a lawyer but he would rather have his peers judge him. There are many, many reasons why this is bad legislation and I would just call your attention to the fact that; first of all, this an in-road into the right to a jury and; secondly, that it's one of the few protections that a constituent has against a police office who is overzealous and likes writing speeding tickets. I...I would ask that we

vote No on this legislation. Thank you.

PRESIDENT:

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I heartily disagree with the prior speaker, much as I like him. First of all, to get a jury trial it costs someone for a petty offense...and this is...relating only to a petty offense of speeding, if I'm...if I understand the sponsor correctly. And if you can figure out what it costs to have a jury and so forth, I...I think this is a good bill. It'll save a lot of money. I'll save a lot of time...and I'll tell you something else, it's not unconstitutional. There's already been case law...showing that something like this is not unconstitutional and it is not punishable by jail, so...it's only a fine, and I think it's a good bill and I think it'll save a lot of wear and tear. Are we saying that our judges are going to follow the policeman all around? In my county, the judges do as they think they should. So, I think the bill is good and I support it.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

This seems to be a round robin. In spite of the fact that I like very much, my best friend, the former speaker, I want to disagree and say that I feel that this bill is a real danger mark in judicial history. I would hope that in...under no circumstances would the people of Illinois, and particularly people in this General Assembly, take away the trial by jury for whatever reason from the people of this State. I...urge you vote against this bill.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, Mr. Sponsor, I notice the analysis says, petty offense or business offense other than a traffic violation. What kind of business offense or other petty offense would this bill cover?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

As I indicated in my opening remarks, that has been amended out. All we're talking about now...with Amendment No. 1 to this bill, is violation of motor vehicle offenses punishable by a fine only. It has nothing to do with petty or business offenses.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. In the olden days in England, if the king wanted someone's head, all he had to do is request it and, of course, up comes the head; but out of those erroneous kinds of desires, I believe, came the Magna Charta and that did serve as a bumper between saying...I mean, the kings and the heads they wanted. So, this is the kind of step that will take away the few rights that's left to individuals, all the rights that the Reagan Supreme Court and Justice Department have not taken. Looks like that burden has become a Sangmeister burden, and now he comes up with another one of these funny bills. I don't know that we'll name this one the bill of the year, because each year he as funny bill. Oh, I believe you're right, Senator, because I...I've experienced a couple of funny bills in the...in the Senate Committees here. Let's not take this right away, Senator. I think Senator Darrow hit the nail right on the head, overzealous police officers and noncaring judges would just stand around and hang you; maybe not you but me. And, Senator, you know exactly what I'm talking

about. You remember down home they used to have speed traps, that if an Illinois car passed some little place in Georgia, there was some police office with his overalls on, spitting tobacco juice, didn't know how to spell police but they found that sitting justice of the peace and there was no such thing as being not guilty; and maybe if we'd have had a little mercy along with that we would have had some kind of justice; but I'm usually with you on some of your bills but this is one that I can't ride that same horse, Senator, because on this instant I have to look out for "us."

PRESIDENT:

Further discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Collins.

SENATOR COLLINS:

Senator...Senator Sangmeister, what happens in the case where a person gets three moving violations at one time? Three tickets. The person depends upon their drivers license for their livelihood because they have to drive for a living, would that person then be given an opportunity for a jury trial if they can present circumstances that...that warrants such a trial because it's...such an act would...would be threating to take away their means to livelihood?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if I understand your question correctly, if you want to...if you got two moving violations and you're worried about the third one, you go to the prosecutor anyway, okay, and you waive the jury and you say to the prosecutor and the judge, I'd like to have supervision so I don't lose my li-

cense. You can do that and that has nothing to do with this law whatsoever, and you can do that anyway.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

...now I don't know about any other place in the State, but I do know in Chicago you can get three tickets at one time, so you don't have the two and then now you go for supervision. I'm talking about one, two, three, like that.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

If you get three moving violations in Chicago like...I suggest you lose your license.

PRESIDENT:

Any further discussion? Further discussion? Senator Sangmeister, you wish to close?

SENATOR SANGMEISTER:

Yes, I certainly do. I...I just want to enlighten a few people, particularly Senator Chew, that I would think if you were driving your Rolls Royce in Georgia that you stand a good chance of getting a speeding ticket; however, I...I'd also point out to you that in...that is one of the states...remember, there are forty-four states in the United States that do not have a jury trial for traffic offenses, forty-four. We are one of the six that don't. This is like some new concept. Plus, I might remind you that we passed this out of the Senate the last time around, which was killed over in the House. We hear defense here about the poor police officer who is...who's vindictive. You know, there's still nothing in this bill that says that you can't get a change of venue if you don't like the judge that it's before, and Senator Chew thinks that this is a Reagan proposal. Well, if...if this is a Reagan proposal, I hope I get I some

support from the other side of the aisle; but, you know, this is not the greatest thing in the world, but I'll tell you, those of you that want the...the criminal justice system improved, even the Supreme Court has alluded to the fact that we ought to get rid of these delays, we ought to have our prosecutors and our public defenders doing more than having jury trials because somebody went ten miles over the speed limit and that's all this bill is about, and I would request a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 49 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 19 Nays, none voting Present. Senate Bill 49 having received the required constitutional majority is declared passed. 53, Senator Topinka. On the Order of Senate Bills 3rd Reading is Senate Bill 53. Read the bill, Mr. Secretary, please.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 53.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill would have...have physical fitness centers have available on the premises during anytime when persons are engaged in physical fitness activities, a person who has successfully completed a CPR course. We have amended out of the bill penalties and fines and any other concerns I think that anybody else has had with the bill. I don't know of any opposition at this time.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Who wants this bill?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

It originally started from a constituent in my district who had a brother who attended a health...club in Chicago, was thirty-one years old, had had no physical problems that anybody knew, ultimately had a heart attack and there was nobody on the premises to save him. There have been numerous groups that have come out to endorse this, including the Y's the Red Cross, the Chicago Fire Department paramedics, northwest side paramedics. No one has asked for it but a constit-

ment.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, one of the things we have to watch out for down here is, occasionally we have a new member and some group hits them on their first bill with a real sneaky proposal that ends up driving up costs, and I think members ought to bear in mind exactly what this bill is.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question.

PRESIDENT:

Question of the...sponsor indicates she'll yield, Senator Watson.

SENATOR WATSON:

What...what is the definition of a physical fitness center?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes. A physical fitness center is currently defined, and this is already in the Statutes, includes any place where you have instruction, training or assistance in physical culture, body building, exercise and reducing, figure development or any similar activity.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Do we...do we license these people or how are they going to be identified?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

They are not licensed, but it is their primary source of business.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I...I think this is one of those things we're going to...will fly out of here probably and then we're going to hear about it. Every physical fitness center or...in my particular area, we have exercise places, aerobic centers. Is this going to include aerobics? Has this got people that are involved in that? Are they going to have to have CPR or whatever it is? I mean, I just see a lot of problems with this legislation and I see a...a lot of problems from people in the district that we'll hear about after this particular bill probably flys out of here, but I would suggest a No vote.

PRESIDENT:

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. Would the sponsor yield?

PRESIDENT:

Sponsor indicates she'll yield, Senator Friedland.

SENATOR FRIEDLAND:

Senator Topinka, in committee there was a gentleman that appeared...he had some problems with that bill, I don't...did you talk to him...could you lighten me a little bit on the thing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, there was a gentleman from...from Williamsville, Illinois who had a problem with the private club that he had, and we do have an exemption for private clubs which are

little neighborhood clubs put together for their own purposes just for...kind of the...the people in the neighborhood. That...kind of admonished themselves and they are exempt from this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Topinka, is...are you putting this bill in because, from what I understand, you were rejected to do the part that Victoria Principal did for the Chicago Health Club commercials?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Heartbrokenly, I have to admit that that may be kind of an underlying motive, but I'd hate to make it too, too public.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. Does this mean that you got to have a...a heart specialist on the premises?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No. It means that you are qualified to perform CPR, which in answer also not only to your question but to Senator...Senator...Senator Schaffer's question as to what cost is involved, this is available at any YMCA, Red Cross, many park districts, the Chicago Fire Department, probably the

maximum cost would be five dollars for a manual which you can take home with you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Is there a such thing as a resuscitationist?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Not to my knowledge, it sounds sexist.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Why I won't ask this...this unqualified Senator any more questions. I just think that the seat she holds here should be vacated and someone that...in this particular position would bring to this august Body the kind of legislation that, first of all, some of us can understand some of the wordings, and the other that we could understand the person. So, I would urge a No vote on this bill one hundred percent, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald. Senator Macdonald. Try it now. Try...try it now, Senator. All right. Move over...you want to move over to the next one. Senator Macdonald at Senator Fawell's desk.

SENATOR MACDONALD:

Well, actually, I'm a cosponsor of this bill and if there's to be one unqualified seat vacated, august Senators on the other side, I guess that means two of us will have to go, because I think this is a excellent bill and one that certainly deserves your full support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Briefly, if...if there is a...a school group or a church group and they have some aerobics class there, a small aerobic class ten or twenty people, does that mean that that church group or that school group has to...has to hire a cardiopulmonary or CPR specialist to be on...on the scene?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, because it would not be their primary source of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Let...let me ask you this, I mean, you...let's say you're talking about a church or a school that doesn't have a primary source of business in terms of income but they do charge twenty-five dollars a week or fifty dollars a week for five courses, so this is where they're making some money. It's the only classes that they have. It is a business. This...this might mean then that the church or the school might not be able to conduct those courses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I doubt very highly that that would prevent them from...from conducting the courses, mainly because of the availability of...of training of CPR, certification of CPR and available...availability of CPR; plus, their members by virtue of this bill would be held harmless if they perform that CPR.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Marovitz.

SENATOR MAROVITZ:

I'm just concerned about additional costs to the...the school or the...or the churches...and...and...which might...which might increase the...the cost of the...of...of someone that wanted to take the course, and I think there might be some problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka may close.

SENATOR TOPINKA:

Well, thank you, Ladies and Gentlemen of the House and all my friends...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka, this is the Senate.

SENATOR TOPINKA:

...I'm...I'm sorry, I did it again...for that alone I deserve a vote just out of pity, you know...but nevertheless, I suppose in answer to Senator Chew, I did not create the words of cardiopulmonary resuscitation. CPR, I think is as good as it's going to have to be and he's awfully qualified to be able to espouse that; anyway, furthermore, I think it would even apply to those people who are in these clubs and probably held down by seat belts, which he nailed me for in committee last week, so, you know, I think he can afford to give me a vote on this. A similar bill has passed out of the House. This has received, as I say, numerous endorsements from groups like the Chicago Fire Department paramedics and paramedics' groups throughout this State, the Illinois State Medical Society, doctors' groups, hospital groups. It did pass out of committee 11 to nothing. I think it helps. So I would ask your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 53 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Charlie. Have all voted who wish? Charlie. Have all voted who wish? Senator Savickas. Have all voted who

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wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, 2 voting Present. Senate Bill 53 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 54, Senator Marovitz...55, 75, Senator Smith. On the Order of Senate Bills 3rd Reading, Senate Bill 75. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 75.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and I...may I say to this august Body, that was Senator Topinka's first bill and we overwhelmingly supported her, and I'm hoping that the Body would be kindly toward me today because this is my first bill for passage on 3rd reading. Senate Bill 75...there's no harm in taking a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Smith, the Chair wishes to admonish you...tell you that your time is running. Senator Smith.

SENATOR SMITH:

Thank you...okay. Okay. Thank you, Mr. President and members of the Senate. Senate Bill 75 authorizes the director of employment security to deduct from an individual's unemployment benefit the amount to pay for health insurance, and this is merely if the individual elects to do so. This is really preparing for war in time of peace that they...this bill is identical to last Session's Senate Bill 744 which stayed in the Rules Committee. This bill, you must remember,

is provided...it's for a volunteer method, by which an unemployed person may have deducted from his unemployment check health insurance payments. This bill is intended to make it easier for an unemployed person to continue health insurance coverage. The Federal Department of Labor must approve any program initiated by this bill. The...authorizes directors of the Department of...Employment Security to prescribe regulations for the deduction of health insurance payments for the individuals weekly. This legislation was passed by the Federal Government in 1983. It's elective, it is not mandatory, but it would help in today since so many people who are of middle class, who have maintained jobs for fifteen, twenty, twenty-five and thirty years are being laid off of their jobs today and have maintained this insurance for lo these many years, it would help them to keep themselves going with their families if we could provide and pass this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? The question is, shall Senate Bill 75 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 75 having received the required constitutional majority is declared passed. 78, Senator Topinka. Senate bills 3rd reading is Senate Bill 78, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 78.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

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3rd reading

Yes, Mr. President and Ladies and Gentlemen of the Senate, after that last little round I'm sorry to have two bills up at one time, and I'm a little concerned about bringing this up. However, you know, the...the committee voted this out pretty favorably and worked out the amendment, which now allows divorced parents if you...the...the noncustodial parent can request those items which are deliverable, not mailable but deliverable. They're very, very defined as to what...what can...what can be sent to them upon request including records, notices, reports regarding students. They're...they're very finite and to my knowledge at this point there's no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 78 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present...Senate Bill 78 having received the required constitutional majority is declared passed. Senate Bill 79, Senator Vadalabene. Senate Bill 81, Senator Vadalabene. 84, Senator Welch. On the...on the Order of Senate Bills 3rd Reading is Senate Bill 84, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 84.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

...thank you, Mr. President. This is my first bill since...before three-thirty. So I would...appreciate support if that does any good. What this bill does is establish

requirements for the purchase of art supplies which contain toxic substances for certain grade levels. Schools and school districts are prohibited from ordering or purchasing art supplies containing toxic substances for uses in grades kindergarten through sixth grade. For grades seven through twelve, art supplies containing toxic substances can be purchased or ordered by school districts only if the substances any any possible adverse health effects are described on the warning label or on an insert with the product. The purpose of this bill is...is rather obvious and that is that little kids are more subject to toxic poisoning than are bigger kids or adults. What we're trying to do in fashioning this bill was something that is done in...in a couple of other states, and that is to make sure that these children who handle all these different items in school, handle items that are safe and don't become cancer causing agents or create other types of diseases or problems. Many of the health effects which are attributed to toxic substances in art supplies include skin and nervous system disorders, blindness, liver disfunction, kidney damage and cancer. Some effects are acute which develop shortly after the exposure and some are chronic which develop after extended exposure or persisting over time, such as in an...chemical burn. We talked with members of the industry, some of them already do label their art supplies particularly their ink and other types of supplies. This is not an undue burden on them, and I would urge support for this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For purpose of an announcement, Mr. President. Senator Rock who is speaking at the hospital association has asked me to introduce the Sayer Language Academy of Chicago, their

students and teachers that are in our balcony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If our guests in the gallery would please rise and...welcome to Springfield. All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Welch, have you talked with the educational community on this? I...I notice in our analysis, we have no...no notice of any contact made to them. What kind of burden does this place upon them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, I...I've been encouraged by several members of the IEA; other teachers have contacted me and said that they support it. The Child Care Association is in support of this legislation. I...I've had no opposition, Senator. Nobody has said they're opposed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, since this didn't go through the Education Committee this is the first time I've been exposed to it. I...I was wondering if it's going to impose an...an increased burden on...on schools, for one thing, increased cost...really what we're talking...how massive is this thing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator, basically we're giving about a year delay time for the bill to take effect so that schools can get rid of their current supplies, can identify which ones are toxic and be aware that they can only be used above seventh grade. The burden on the schools...it's not really going to be that...a burden in sense that we're forcing them to buy certain items. We're forcing them, I would say, to make sure when they purchase items they are aware that the items are not toxic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well,...what determines what...what is toxic? I mean, some things can have a very low content and not be toxic and, you know, I...I...for the life of me, I don't understand what we're doing here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, there...there are tests, Senator, that can be taken to determine the extent of toxicity in items and there are standards, and it's when those standards are met then an item either can be sold or not sold. There...there is an objective standard. It is...not something that is readily recognizable by a layman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

But...but by whose standards? Who sets the standards and who determines whether or not they're harmful or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, there is an independent art and craft institute

which is a not-for-profit corporation that sets these standards. Similarly, the bill also talks about human carcinogens which certainly we have listings of those substances which are cancer causing in humans by the International Agency for Research on Cancer or by the National Toxicology Program of the U.S. Department of Health and Human Services. It's not...these are not unknown quantities. These are items that are specifically known to create problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well,...you know, I'm aware of some of those tests too, and I...and I'm aware that certain...certain components at certain levels are...you know, do contain enough to cause cancer, but certainly on a very miniscule amount they...they would not; and I would suggest to you, once again, I'm not sure, you know, that we know this and if this information is available...and does it...does it protect...does it hurt...is it more harmful to younger children than it is to older children and all these things. I don't have the answers to any of these questions at this point. It may be a good bill but I'm not sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

I also...thank you, Mr. President. I also notice on the analysis, on page 2, that you have put an amendment here on that more clearly defines what a toxic substance is and makes it more flexible, and the art manufacturing industry has now put...had input into this amendment and supports this bill. Is...is this true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, Senator. I had three members...three manufacturers, in fact, in my office discussing that particular amendment and they helped draft it. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

...to the bill, it seems to me that as long as things have been worked out, I don't see that we should really have any big problem with this bill, as long as the art manufacturers are...are for it, and I would suggest we vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch may close. Well...whoop, I'm sorry. Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

My...my...my question is this, you're talking about labeling of all products. Now, say, hypothetically, a company is located in New Jersey or Connecticut and they're selling products in Illinois. The laws in Illinois make them put on a special label. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, Senator. What the bill does, it prohibits a school from purchasing products which do not have that label. Or if they have the label and it says it 's a toxic substance, then it can only be used seventh grade through twelfth grade.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah,...what you're saying is, you forced that manufacturer into...if Illinois has one law, Indiana has another law, Missouri has another law, they're going to have to comply with the...all of those different states. Consequently, they have to change the labeling on that product. Consequently, the cost goes up and, consequently, it's confusing to the manufacturer, and it's more costly to the consumer. This bill should have stayed in committee at best.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator Luft.

SENATOR LUFT:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Luft.

SENATOR LUFT:

Are the materials available to be sold to schools at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, and they're already labeled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

So, therefore, we would not be posing any undue hardship on any manufacturer or any school district. We already have available to the community school...communities in the school districts a product which would be safe and not harmful to the students of the State of Illinois. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Well, thank you, Mr. President. I would just like to point out that...several states already have a law similar to this. This is not something brand new and so in order for companies to do business in those states, many companies already do have labels for many states, not just for say, here in Illinois or midwestern states, but the...the national manufacturers already have labels. I think Senator Maitland made a point that is worth expounding on, and that is, we don't know how this affects different individuals, which is basically the reason for introducing this bill. When you have kids between kindergarten and sixth grade, certainly they don't know how to take care of themselves; between seventh and twelfth they certainly need some help in figuring out whether a product should be...can be used safely and how it should be used. And that's one of the reasons behind this bill is to make sure that those items that we're unsure of as to the quantity and how if affects individuals, especially children, we take the most precautions that we can, and I would urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 84 pass. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...the record. On that question, the Ayes are 29, the Nays are 23, none voting Present. Senate Bill 84 having failed to receive the required constitutional majority is declared failed. Mr...Senator Welch.

SENATOR WELCH:

I would ask for postponed consideration on that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch...request postponed consideration. Is leave granted? Leave is granted. Postponed consideration. Senate Bill 85, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 85. Mr...oh, I'm sorry. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I rise on a point of personal privilege. I would like to introduce the fifth grade class of the Laurel Hill School in Hanover Park in my district, their principal, Alice Erickson and their teachers and...and sponsors, and they are up in that gallery up there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery...

SENATOR KARPIEL:

Please welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...please rise. Welcome to Springfield. On the Order of Senate Bills 3rd reading, Senate Bill 85, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 85.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 85 is a bill which requires the Pollution Control Board to establish regulations to govern the incineration of hazardous wastes. Right now, we don't really have any standards. What we have is a proposal but nothing is being done. As many of you know, there are incinerators operating in the State of Illinois without any standards to guide them as to how to operate. What we

are trying to do is encourage the adoption of standards which set specifics as to the temperature that toxic waste should be burned at, the standards for operating those incinerators so that they don't end up changing what would have been ground pollution into air pollution. It sets a...a standard that is going to be met and something that can be used for businesses in building incinerators. We haven't done much in this area; in fact, we've done next to nothing, and this is an attempt to start requiring that we regulate the air pollution caused by incineration of hazardous waste.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 85 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, none voting Present. Senate Bill 85 having received the required constitutional majority is declared passed. Senate Bill 92, Senator Etheredge. Senator Etheredge on the Floor? Page 24, Senate Bill 95, Senator Fawell. Senate bills 3rd reading is Senate Bill 95, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 95.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr...President and members of the Senate. First of all, I want to tell you that your...the Calendar is really not accurate with the amendments added to the bill. Basically, what this bill does is it...it does two things.

It...first of all it says that if you have a...a domicile and the domicile is in...a resident domicile is in a...homestead is in a joint tenancy and one party comes in and asks for a second mortgage that the...both parties must be notified and both parties must must come in and sign off on it. The second thing it does is that it requires that a bank or savings and loan notify both parties by certified mail if the...there is no payment after forty-five days...I know of no...opposition to the bill. I think it's a good bill. I have a number of people that have told me they think it's a good bill, and I will be perfectly happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Well, I...I don't think...with all due deference, I don't think it's accurate to say there's...she knows of no opposition. There was opposition testimony in the committee, as I understand it, because, in fact, we are dealing with a subject of some complexity, and this bill as...as it currently sits literally underminds the law of joint tenancy as we know it in Illinois as it applies to residential mortgages; and I think it's...it's...it's one thing to attempt to address a problem where I may place a second mortgage on my...my house in Oak Park and take off with the proceeds and enjoy a weekend in California or some place, but...but it's quite another to literally say, I can't do that, because the fact is the law of joint tenancy as it exists allows me to do that. I...I can understand the problem you're getting at, but the fact is literally this is overreaching; and I would urge those who engage in the practice of residential real estate to take a long, hard look at this one, and I would, for the other members, represent that my understanding is that the Savings and Loan League of Illinois stands in

opposition to Senate Bill 95, as do I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As...as minority spokesman on Financial Institutions, I...I don't remember anyone testifying against this bill. We could perhaps ask the chairman. If someone testified against bill, I don't remember. It came out of committee on a nonpartisan...like 10 to nothing roll call. I understand the point that are...that are being made, but if you cut through all the garbage, what the bill says is that if something is owned in joint tenancy both people have to sign. If you...I mean, you know, there's a lot of legal mumbo jumbo in there that you really can't figure out, and I admit that it...if I hadn't had a staff to analyze some of the mumbo jumbo I might have missed it too. But it all says is if two people own it, two people sign, and that's the concept of the bill. That's...there's no really more sophisticated stuff in it than that. I say, if there was testimony against the bill in committee, I didn't see it and the bill came out on a nonpartisan, unanimous roll call. I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I am not a member of this committee this year and so wasn't a party to any of the discussions that may have been had there, but as one who has recently signed on as a cosponsor of this bill, I wanted to urge support for it, for I think it...it addresses a real problem in situations where one spouse may...may...or one who has...undivided joint tenancy interest in property may go out and seek to encumber that property with a second mortgage;

and certainly as a matter of equity and fairness we should be requiring by means of this legislation that both of the owners of that property, both joint tenants, have to be signatories on that second mortgage, so that the other party, presumably a spouse but not always, doesn't suddenly wake up one day and find out that this property in which they thought they had a one-half interest is suddenly encumbered with a big second mortgage. Usually this happens in...might happen in the context of the marriage which isn't going very well and the parties proceed to get a divorce and...and suddenly the...one of the parties finds that their interest in that property is worth nothing by virtue of a second mortgage,...and I would say that if this requirement of...of having both signatures on a mortgage applies to a first mortgage, it ought to apply equally to a second mortgage. I...I view this in part as a...as a women's rights bill but...but not only that. As a...as a matter of fairness, this ought to be a requirement that applies both to first and second mortgages, and I would urge support for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I...I think it would be remiss on my part, as a female and as a counselor for young mothers, not to rise in strong support of this legislation. There have been several cases that I know personally of where...the case happened where they did have property in joint tenant, and the husband went and mortgaged the property again without the knowledge of...of the spouse, and when it came time for a divorce, there was no equity in the property at all. I think that this is a good bill, notwithstanding one's political views that this is a piece of legislation that needs to be passed and...and is most certainly long...overdue. I rise in very strong support

of Senate Bill 95.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'd like to have a question of the...of the sponsor. You know, it's one thing to talk about a husband and a wife as joint tenants with right of survivorship in regards to this second mortgage, but it's not uncommon in this State to have five individuals who may be joint tenants as tenants in common not with right of survivorship; and myself and four other people own that piece of property and now I'm a little hard up for cash, so I go to bank and say, gee, I'd like to have a couple of thousand dollars, and the bank says, gees, we'd like to have a little security and say well, I'm willing to pledge my undivided one-fifth interest in a second mortgage to you, and under this bill, as I understand it, I would not be able to obtain that loan because I can't offer that security to the bank. So, I mean, we're talking more than just husband and wife in here; we're talking about anybody that might be a joint tenant. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Sangmeister indicates that's a question. Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. Speaker. No, the amendment clears that up. It...it...this is only...this bill is only good for someone...real estate that is occupied...by the owners of a residence or homestead. It's a homestead. You either have to be married or living together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I

thought I would give an example of what happened recently in my county. A very good looking lady went to her local banker because she had a boyfriend on the side and got a second mortgage and depleted the house value by about forty thousand dollars, took off and the husband was left with the second mortgage and the first mortgage, so he had very little equity left. Well, this is a bill to protect all parties. Why shouldn't all parties that have an interest in that real estate sign? I think it's a good bill and it...there's a difference between joint tenancy and tenancy in common. A tenant in common has one-fifth, for instance, of five people...five...one-fifth interest, but a tenant...a joint tenancy, if the wife dies, the husband will get it all or vice versa. All I'm saying is, I think it's a good protection. It's happened in my county, it's happened in DuPage County, and I...I represent a lot of men as well as a lot of women. I'm all for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Just...leave for a question. In what situation would it arise that a lending institution would make a loan on a residential property in the names of husbands and wives without both signatures? The normal practice, I would think, would be that they would require both of them or you simply won't get the proceeds of the loan. You may be able to sight...aberrational situations in which that wouldn't be true but generally it seems to be true. Does this occur and...and to what extent does it occur?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Unfortunately, it is occurring a...a lot in my county. What is happening is that one party will come in and...and

say he wants a mortgage. Sometimes they do say, well, your...you know, your wife needs to...to sign off on that; he says, well, she's in the car in the parking lot, and I have had loan officers tell me this is exactly what happens. He says, give me the...the...the papers, I'll go out and have her sign them. He walks out, comes back in two minutes later and says now give me the check. You know, all I'm saying is, if we're going to have this kind of stuff...a lot of these second mortgages are...are more than the first mortgages. We require that both parties come in and...come in and sign off on their first mortgage. All I'm saying is, why shouldn't it be in the Statutes when you are right, Senator Sommer, that it is indeed common practice that both parties must come in for the second mortgage. We are talking about anywhere...I understand in my county thirty to forty thousand dollar loan on that second mortgage, when a lot of times the mortgage was originally ten, twelve, fifteen thousand dollars. So, I think it's a fair bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell, were you closing?

SENATOR FAWELL:

...yes, I...I would like to close. There's a couple of things I would like to comment on. Number one, there was a 1983 Appellate Court decision which is Harms vs. Sprague, which held that a mortgage given by one joint tenant of his interest does not sever the joint tenancy, and also that a surviving joint tenant owner...who owns the property free and clear of any memorial judgment that may have been filed against other joint tenants; thus, a joint tenant does have the right to mortgage his interest but the lien created by the mortgage dies with the joint tenant, and, therefore, the Illinois League of Savings Institutes feels that this decision will, in effect, end the granting of second mortgages without all the signatures. All I'm doing is putting in the

Statutes that this is indeed what the law is. I...I...I feel that it is a...a fair bill. The only original objection to the bill that the savings and loan had was removed by the amendment when I said that the notice did not have to...although it did have to be sent out by certified mail if there was a forty-five day arrearage, it does not have to be signed...and a receipt requested. They specifically asked me to take that out of the bill. I did. They have removed all objections. I have received absolutely no other objections from any of the banks, savings and loans and any other financial institution. Again, I think it is fair bill and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 95 pass. Those in favor will vote Aye. Those opposed will vote...vote Nay. Those in...the voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 2, 6 voting Present. Senate Bill 95 having received the required constitutional majority is declared passed. 99, Senator Fawell. 102, Senator Etheredge. 109, Senator Sangmeister. 122, Senator Lemke. Senate bills 3rd reading is Senate Bill 122, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 122.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill is...is...it's now a bill which the administration would want the Department of Conservation. What it...it prohibits abandonment of water craft except on property of the owner of...or bailee of the vessel. Sets forth

certain notification provisions, cost and liens, where boats are abandoned on your property. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall Senate Bill 122 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 122 having received the required constitutional majority is declared passed. 128, Senator Collins. 132, Senator Luft. On the Order of Senate Bills 3rd Reading is Senate Bill...132. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 132.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The direct loan program is a part of the Illinois Development Finance Authority and was created back in 1970 when the General Assembly first appropriated a million dollars...I'm sorry,...a million dollars, yes, and then in 1979 appropriated another five hundred thousand dollars and in 1980 a million dollars. At this point that loan program has over 4.8 million dollars in service, and the program has been so successful that they need more money to keep it moving, and therefore, what we're trying to do with Senate Bill 132 is to provide an additional five million dollars to that program. I would attempt to ask...answer any questions; if not, I would move the passage of Senate Bill 132.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 132 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 132 having received the required constitutional majority is declared passed. Senate Bill 136, Senator Joyce. Senate bills 3rd reading, Mr. Secretary, Senate Bill 136. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill creates the certification...creates certification of certified veterinary technicians and sets forth requirements for that certification. This was in the Veterinary Practice Act we passed last year. It was vetoed by the Governor, I'm not really sure why. The veterinarians support it, the veterinary technicians support it. It's nothing more than people who are technicans can...can work with the veterinarians. And I'd be happy to try and answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 136 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 4, none voting Present. Senate Bill 136

having received the required constitutional majority is declared passed. 140, Senator Luft. Senate Bill 143, Senator Davidson. Senate bills 3rd reading is Senate Bill 143, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 143.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill is very straightforward in what it does. This makes the various corrections, technical changes in the Retired Pension Code. This came from the Downstate...Teachers' Pension System to correct those changes. There was an error made in the 83rd General Assembly in relation to an age which this corrects and brings it from fifty back up to fifty-five. We put two amendments on in committee; one which corrected a typing area and the other one who defined a school year, and it's been approved by the Pension Subcommittee of the Economic and Fiscal Commission. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Just a question and I...I hesitate to sound like a lawyer since I'm not, but does not the Illinois Constitution prevent us from diminishing a pension fund and is not this, even though it's a correction of an error, the diminishment of a pension fund and, therefore, in violation of the Illinois Constitution?.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, to my knowledge, it is in...constitutional. This was brought to us by the attorneys from the pension fund, and I'm sure that any attorneys that have work for the Pension Subcommittee of the Economical and Fiscal Committee would have raised such an error if it was there. I think it's in good order and appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 143 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting...55...the Ayes are 55, the Nays are none, none voting Present. Senate Bill 143 having received the constitutional majority is declared passed. Senate Bill 149, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 149.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is a bill that was similar to...another bill that was in committee of Senator Schuneman. Senator Schuneman actually Tabled his bill and is a hyphenated cosponsor of this bill. This bill is substantially similar to the bill of...of the Senate of 1223 of the last Session which was vetoed by the Governor, and we overrode that veto but the House never voted on the override in the...in the...in the previous Session. This bill would require the State contributions in the pension system to equal a specified percentage of employee contributions for

the previous year and stipulates and sets out those percentages in the five pension systems; the General Assembly, the State Employees, the State Universities, the Downstate Teachers' and the Judges. These rates that were established were intended to meet the normal costs and to...to take care of the underfunded...accrued liability over a thirty-year period and provide for reducing the funding schedules if the funding proceeds are more favorable than expected. This bill passed the Senate in the previous Session 42 to 2, and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. Perhaps Senator Netsch would add to this, too. At the present time, the...she is chairman of the Economic and Fiscal Commission, I believe, and at the present time, they are studying this whole matter of the lack of funding in our pensions. It's my understanding that they were going to come out with a report posthaste and it may, in fact, be rolled into this bill. The Auditor General has said that in...if we think we have problems with burdening our future generations with bonding, we ought to take a look at what we are doing with our pension systems. We really do have a problem and this is the same bill, I believe, that Senator Maitland and Schuneman had last year. It's a worthy attempt, but I wonder if the sponsor wouldn't be willing to hold this bill for awhile for...to see our report forthcoming, or perhaps, hold it in the House to determine whether the...the..the report can be rolled into it...your response.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...no response. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I simply want to add my support to the bill. I'm pleased that Senator Demuzio

decided to become the prime sponsor of the bill this year. Whenever we pass anything of this sort I think it's going to have to be bipartisan in nature. I think we...all have to recognize that something has to be done pretty soon about funding the benefits that we all tend to vote for in our pension plans; and although this bill may not be perfect, I think that what we should do here today is pass it out of the Senate, get it to the House, if the Economic and Fiscal Commission comes with a suggestion that we all agree with, I'm sure it can be amended in the House and would be approved by the Senate when it comes back here. But I think that we do need to join in a bipartisan effort to find a solution to the problem, and as far as I know, this is the best solution that surfaced so far and I would urge support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

Yes, I don't have any objections of...of looking at the report of the Economic and Fiscal Commission...in fact when it's issued, and I...as I recall, I think there was a report that was just recently issued by the Auditor General's Office also relevant to the...the pension system. So, with that in mind, I have no quarrel in passing the bill out of the Senate and perhaps making modifications in the House, and therefore, I would ask for your...your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 149 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. Senate Bill 149 having received the constitutional majority is declared passed. Senate Bill...Senate Bill 151, Senator Luft. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 151.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. In 1973, the School Code was amended which affected the State Board of Education, and in that amendment it provided that anyone gainfully employed in the field of education could not be a member of the State Board of Education. I feel as though this is not only discriminatory but I think it also has a potential of providing us with not the best that...people that exist in the field of education in the State of Illinois. So what we do with this bill, Senate Bill 151, is simply delete that language which does prevent anyone gainfully employed in the field of education from sitting on that board. I would try to answer any questions; if not, ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I rise with some concern with regard to Senate Bill 151. I think there's something to be said for the members of the State Board of Education not being connected with...with any particular school district in the State, directly connected. It is an automatic succession usually that...that a board member or possibly a teacher could move on to the State Board and I think this is good. I think they bring the expertise to...to the board that is necessary, but it seems to me, that someone is...that is directly connected with a particular school district in this State as a board member or a teacher or an administrator or

anyone else, I think just...there's a gap there that...that...that should not exist, and it seems to me that...that the way it is in the Statutes now is a workable...a workable and reasonable approach to filling the State Board of Education. I think the Body would do well to oppose Senate Bill 151.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not...Senator Jones...if not,...Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I am not trying to be critical of the present State Board of Education, and there are those people who said that a principal or a teacher presently employed in the State of Illinois may have a conflict of interest either for the school district or the profession when they serve on this board, but I want you to listen very carefully. This board does not prohibit anyone selling textbooks to school districts from sitting upon it. This board does not prohibit anyone selling computer equipment to schools from sitting on it. This board does not prohibit anyone selling school buses from sitting on it. The only people that we have that cannot sit on it is someone at the University of Illinois who could be the world's most renowned expert in education. He can't be there. Anybody from the ISU, anybody from any school district in the State of Illinois cannot sit on this board. That's ridiculous. It is absolutely ridiculous, and then, if you cross over to any other board in the State of Illinois, pharmacists, doctors, real estate or whatever, I defy you to find me one other board that's regulating any other profession does not...they mandate that anybody from that field be on it. You have to have pharmacists. You have to have everybody from that field; yet, in this one area, that may be the most important area to the goals and hopes of the educational community in

the State of Illinois, we prohibit these people from being on the board. And what's wrong with having somebody from everyday life that deals in a classroom every day with having some imput into an everyday situation? I would hope you would support this bill overwhelmingly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 151 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3, none voting Present. Senate Bill 151 having received the constitutional majority is declared passed. Senate Bill 158, Senator Schaffer. Senate Bill 174, Senator Hall. Senate Bill 178, Senator Vadalabene. Read the bill, Mr...oh, I'm sorry. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. Upstairs directly in the gallery, I'd like you all to help me welcome Mr. Don Wasson, president of the Victor Memorial Hospital, Waukegan and the staff, there are about twenty people here watching us and coming to greet us and wish us well. Right upstairs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. On the Order of Senate Bills 3rd Reading, Senate Bill 178. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 178.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

Senate Bill 178 provides that members of the system...employees of teacher organizations who are certifed as teachers and who have previously established creditable service under the system, it provides that the teacher organization shall pay the employer's share of the normal cost of benefits on behalf of the member. The Illinois Economic and Fiscal Commission in their financial impact of which I have here...and I quote says, "There should be little or no additional cost to the system under Senate Bill 178," and I move for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 178 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 178 having received the constitutional majority is declared passed. Senate Bill 187, Senator Lemke. Senate Bill 191, Senator Netsch. Senate Bill 192, Senator Sangmeister. Senate Bill 195, Geo-Karis. Senate Bill 199, Senator Newhouse. Senate Bill 200, Senator Newhouse. 216, Senator Lechowicz. 219, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 219.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 219 is certainly not a new concept or a new thought. I introduced this legislation several years ago. It was in response, ladies and gentlemen, to the problem we have with training

young people and...and unemployed people in this State on equipment equal to the time and certainly keeping in form in with 1985. Many of the school districts, primary and secondary schools as well as community colleges and our universities are in dire...dire need of equipment such as robotics to meet the growing demands and growing need of high technical...technological training. Unfortunately, because of the ills of our public educational systems and their financial problems we have not been able to purchase this equipment so that students interested in learning on this equipment could in fact learn the trade. What Senate Bill 219 does is allows an income tax deduction for equipment donated to schools for technical training programs administered by the State Board of Education. I think this in opportunity for not only our schools to provide the best possible training on modern...technical equipment, but more importantly, it involves our private sector, our industries and businesses to let them feel that they are part of the communities in helping out and, hopefully, have some better trained employees to meet our...our needs in Illinois. Be happy to answer any questions and would appreciate affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

I've just...reviewing the...the staff analysis of...of the bill here, it...it looks like a...a revenue bill, but yet, I see it did not come through the Revenue Committee. So, I...you'll have to...Senator, if you'll bear with me here or take me back to the beginning so that I can understand what is...what is happening here. This amends the...the

Income Tax and the School Code and the State Finance Act. Do we have...do we...what is this going to cost of...what is the...the loss in...in taxes to the State of Illinois? Can you give me some clue as to...as to what that might be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Senator Etheredge, I think this is really the...in answer to your question, I think that's up to us. The dollars that we're going to need for this program are not really sure at this point, because I don't how many businesses are interested in...in participating in this kind of program. I think that Senate Bill 219 creates a new special fund to which money can be either appropriated or earmarked, and I think there are several ways that we in this General Assembly can do that. I'm not so sure which one of the avenues we'd like to approach, but let me give you a couple of examples. A General Revenue Fund appropriation could be made to fund 219, earmarking from an existing revenue source, we can do that, if...if we were interested in that doing that. We could make funding for this program a part of either the Governor's Build Illinois Program or a part of any other comprehensive economic revitalization program that might emerge. I'm not prepared to...to say at this time how much it's going to cost us in dollars and cents, I don't know what those tax deductions would be. I would hope that they would be over...overwhelming, that businesses would want to participate and, in fact, give people in this State an opportunity to learn on...on the new...technological equipment and...so there's a number of ways that we can fund this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

According to my synopsis here, this...program would

authorize the State Board to distribute donated equipment to school districts and provide grants up to ten...well,...or let's just go back to the first part, authorizes the State Board to distribute donated equipment. Is this program going to put the State Board in...in the business of collecting equipment from...from people around the State of Illinois and then having to figure out a way to...to distribute this equipment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

No, Senator Etheredge. The...the SBE can award a grant up to ten thousand dollars payable over two years to a...school dictrict for assistance in paying school personnel to instruct students in training programs and to purchase equipment for such programs. No district may receive more than two grants and so the...the SBE can award a grant but does not necessarily have to do so, and it's my understanding that they're not in the business of collecting the equipment and then distributing it to the school districts. We needed to use the...SBE as a...as a source, but what I'm interested and the intent of the legislation is to allow businesses that are in that school district to negotiate with the school district and then volunteer and...and donate the equipment to that...that particular school district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Etheredge.

SENATOR ETHEREDGE:

Well, if...I guess my...my concern is that we have a...a new program proposed here, but we as...I'm...I don't believe that there's an appropriation to...to accompany this. We don't know how we're going to fund it, and therefore, I...I don't feel that..that...that we should be voting to pass this bill at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. With all due deference to the reservations that Senator Etheredge may have about this bill, it is true that this bill was...did come to our Labor and Commerce Committee and was discussed there. The discussion on the bill was not prolonged, but I felt my...as my...recollection serves me, the discussion...was sufficient to answer questions to the satisfaction of the committee members present that day; as a matter of fact, the bill was passed out of committee without a dissenting vote that I recall. This is a measure that business organizations including the Illinois...the IMA and others see a benefit to them in and benefit to the Illinois business community in their judgment. So, I would...as minority spokesman on the Labor and Commerce Committee, would recommend an Aye vote on this particular measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I echo the comments made by the prior speaker, because isn't it cheaper to give a little tax benefit to individuals or corporations who are going to donate equipment than buying that equipment for the schools? I certainly think it's a wise bill and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL

Thank you, very much, Mr. President. One of the saddest cases that I heard of was from the...Safer Foundation who has been training ex-cons coming out of prison, and they had a young man who was trained, went through two courses in our

schools in prison and when the young man got out thinking that he was now trained and was willing to...to lead a...a good life found out the equipment we had trained him on was twenty years old. I think this is a excellent bill. I think there's a lot of kids that...that could benefit from this, and I would suggest an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President...first I'd like to just thank Senator Hudson which...the...minority spokesman on the Labor Committee for his comments, because it does show that the Labor Committee can put aside their political differences and recognize when we do have a good piece of legislation before that committee and we can come together and agree. The bill came out of our committee as an agreed bill and it is a good bill. It was in fact in the right committee. It did address the subject that dealt with employment in the State of Illinois. It did provide incentives tax breaks for businesses. It was most...certainly an appropriate subject to be deliberated in the Labor Committee along with several other bills addressing that same issue. So I would ask for favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito may finally close.

SENATOR ZITO:

Thank you, Mr. President and members. Just in response and I appreciate all the people that stood up in support. Senator Etheredge, I understand that there are two appropriation measures right now waiting for this bill to move and be acted upon so that we can provide some dollars. Not to slight your concern, because it's been my concern as well. When we pay out in on one hand and the State is in...in the

business of tax deductions, that scares me, because I don't know what we're going to have coming back on the other end. But I can assure you that the dollars...if that...if that raises a question...in your mind, as I'm sure it does many of the other Senators in the room, the question on the other hand should also be raised is, what's it going to cost the State in unemployment compensations, unemployment insurances for not having the equipment to train these people; moreover, what...what is it going to cost our already burdened school districts to purchase this equipment rather than have it donated so that the students can learn on it? To...you know, it's six of one and half a dozen of another. I'd appreciate your affirmative vote, and we will work for the least amount of funding and the proper amount of funding as to not...hurt the State coffers. I appreciate your help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 219 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 219 having received the required constitutional majority is declared passed. Page 26. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WATSON:

I'd like to take this opportunity to welcome to the Senate Chambers a group from Bond County who are representing our hospital here, and I see a couple of constituents in there but most of them are your's, Mr. President, and I'd certainly like to welcome them to...to Springfield.

SB 223 3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Will our guests in the gallery please rise. Senate Bill 223, Senator Lemke. Senator Lemke, on page 26, Senate Bill 223. Mr. Secretary, read the bill.

END OF REEL

REEL #5

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 223.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is supplies for...allows interest on delayed claims where they're paid and the interest rate is the same as the current rate, which is nine percent, which is in agreement with the insurance carriers. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Any discussion? If not, the question is, shall Senate Bill 223 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 223 having received the required constitutional majority is declared passed. Senate Bill 235, Senator Welch. Senate Bill 236, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 236. Mr. Secretary, read

the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 236.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Senate Bill 237, Senator Kustra. 243, Senator Coffey. Senate bills 3rd reading is Senate Bill 243, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 243.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 243 changes the definition of retired members of the General Assembly for purposes of acquiring retired members of the General Assembly special license plates. What it does, it lowers the minimum service time from eight to six years and removes the fifty-five year old minimum age requirement, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 243 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 243 having received the required constitutional majority is declared passed. Senate Bill 269, Senator Lemke. 274, Senator DeAngelis. 282, Senator Poshard. Top of page 27, 288, Senator DeAngelis. 297, Senator Watson. On the Order of

Senate Bills 3rd Reading, page 27, is Senate Bill 297, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 297.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay, Mr. President, thank you. Senate Bill 297 was one of which we acted upon last week. We amended it, put one...amendment on that Senator Berman offered on the Floor. The bill is to establish the deceptive practice and the fact that an individual will be considered a deceptive practice when they are involved in a bad check when a credit transaction is...is involved. Currently, if an individual goes into a drug store, grocery store or whatever, writes a check for the goods they purchase and that check is...is no good, insufficient funds, it is considered a bad check, deceptive practice. If that charge that medication or they charge that food item and pay for it...later by check, it currently is not considered a deceptive practice. This particular measure changes that particular loophole. The amendment that we adopted may place some provisions on there that at least seven days notice had to be given by the...the individual that had received the check by certified mail to the individual who wrote the insufficient fund check. This is a Illinois retail merchants' piece of legislation. I think it's a good piece of legislation. It's one in which, hopefully, we make the public more responsible for their actions in regard to...insufficient funds. I move for...appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Berman.

SENATOR BERMAN:

Well, I asked my good friend Senator Watson not to beat me up too badly on this bill. If you recall, last week I had an amendment to improve the bill but I only had six colleagues join me on the roll call on that vote. Let me ask you for...just a second, you know, timing is everything in life and this is the wrong time to pass this bill. Just last week the Attorney General of the United States saw fit to give a pass...to give a pass to E. F. Hutton and Company when they had a check kiting scheme that bilked four hundred banks throughout the company and ripped off these banks and consumers for hundreds of millions of dollars. Nobody went to jail. Not one person went to jail. Now let me tell you what you're trying to do with this bill as opposed to E. F. Hutton. When somebody pays on a credit account where the...where the creditor, the merchant, has given you a credit card, they've extended you credit and you don't pay the bill, nothing happens to you; but if you send a check and then you got a sudden emergency and you have to send a...issue a second check and that credit card company puts the check through and the check bounces, and they put it through a second time after the notice, and they put it through a second time, and it bounces a second time, you will be arrested and you can be put to jail for up to a year. Now, if you vote green, what you're saying is, in our opinion, you're confirming a two standard system between the little guy that bounces a check on his credit card and E. F. Hutton that rips of the...the United States for hundreds of millions of dollars. I'm not going to go along with that kind of philosophy. I ask you not to also. I'm going to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, to answer the prior speaker, the bill as it was amended says that when a bad check is issued in a credit transaction, in addition to presenting the check twice, the payee must give the drawer actual notice of the first dishonor by certified mail, return receipt requested, at least seven days prior to the second presentment. Now, this is intended to insure that the drawer has actual notice of the dishonor before deceptive practice charges can be filed. I think...E. F. Hutton, I don't care what happened to him, the point is, that he's going to pay and I...I care about the little business...the little businessman in my district, the little businessman who depends on the credit on the checks given to him to make his own account good in the...in the bank. I'm not supporting E. F. Hutton; actually, if he's wrong, he should be held accountable. However...I don't even know the man, but the point is...the point is that this bill protects persons who are innocent and have just made a mistake, and I think it's a good bill the way it was amended and I think it's up to us to protect the creditor as well because he can't stay in business if the checks he gets bounce on him, and I'm for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Hall.

SENATOR HALL:

...Senator Watson, who wants this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson. Senator Watson.

SENATOR WATSON:

The Illinois retail merchants.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, you know, that's a pretty serious question...that...that follows now since Senator Berman has really explained this. Have...have you checked into this really thorough and...and that's what he was explaining that, is that true what he was saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I don't know E. F. Hutton either, and I didn't get the chance to talk to him about this, but I really, honestly don't know what that...has to do with this particular legislation; and from what I understand, it wasn't even a insufficient fund checks that...that was involved here, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I wasn't referring to E. F. Hutton. What I was referring to is he said that you would go to jail. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What would happen is, you would be charged similar as you would be if it was an insufficient fund check for buying merchandise. If you went in and bought merchandise from a particular store in your district and you gave them an insufficient fund check, you would be charged with deceptive practices. What we're doing is saying if you charge that particular merchandise and then later paid for it by an insufficient fund check, you would come under the same penalty. That's all this legislation does, as far as I know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Well, its...in other words, this makes this a Class A misdemeanor, now, right? Is...is that correct, Senator Watson?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I am told, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Watson may close.

SENATOR WATSON:

Well, I don't see a whole lot of problems with this particular piece of legislation and I do think it is for the small guy, the little guy, the small businessman that's out there trying to compete in today's market, and it...and all we're trying to do here is establish the fact that if someone comes in and writes a check on a bill, a charge account, that they would come under the same laws anyone who...who...who writes a check for the merchandise that they purchase. I see nothing wrong with that. I see no problem with it at all. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 297 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 7, 2 voting Present. Senate Bill 297 having received the required constitutional majority is declared passed. 298, Senator Karpiel. 300, Senator Marovitz. 309, Senator Sangmeister. Senate bills 3rd reading, Senate Bill 309, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 309.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. So that you know what we're talking about here, this particular bill deals with the continuation of a group hospital surgical and major medical coverage after termination of employment. This is also an Illinois retail merchants bill. Presently, if you understand the law, the law is that for six months after the date of your termination you have the right to have your medical coverage continued although you will pay for it except that the employer's qualifying rate would be affected. What his bill says is if you are discharged from your job because of a commission of a felony in connection with your work or because of a theft in connection with your work that you're not entitled to have the continuation of your health insurance. I...the position of the retail merchants is is that it is abhorrent to them to have to continue to support and arrange for medical insurance for people who have committed a felony or a theft in their establishment. I think it's entirely reasonable. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 309 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 309 having received the required constitutional majority is declared passed. 314, Senator

Mahar. 320, Senator Luft. 329, Senator Welch. 330, Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I've discussed with Senator Philip...the hour of five having arrived, perhaps this is as good a point as any to stop. Allow me to remind you that scheduled for tomorrow morning is the Committee on Executive Appointments at 9:00 a.m., and we will begin Session at ten and start with those members who have requested that their bills be recalled for purposes of an amendment, and then we will continue on down the Calendar and work tomorrow night until approximately six o'clock; and in that respect, let me again remind you on behalf of our faithful followers in the press corp, tomorrow night is the Gridiron and I'm told there are at least one or two tickets still available. I'd urge you to pick up your tickets this evening or tomorrow morning down in the press room and that extravaganza will take place tomorrow night.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 218, Senator Geo-Karis.

Senate Resolution 219, Senator Watson.

220, Senator Kustra.

221, Senator Dunn.

222, Senator Dunn.

223, Senator Dunn.

224, Senator Dunn.

And 225, Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Announcement. Just like to remind every member of the Senate, those of you have any desire to attend the Governor's Prayer Breakfast Thursday morning, you still have an opportunity to get a ticket. I cannot give you one down front...where the ones who purchased them last week are, but if you wish a ticket, please contact my office and we will contact the Chamber of Commerce who are handling the ticket sales if you wish to attend. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? Senator Rock has moved that the Senate stand adjourned until tomorrow morning, May the 15th, at the hour of ten.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 15, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. Members will be at their desks. All unauthorized individuals will leave the Floor. Our guests in the gallery will please rise. Prayer today will be by Senator Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal, Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 7th; Wednesday, May 8th; Thursday, May 9th and Tuesday, May 14th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. on a point of personal privilege. I'm delighted today to introduce to you the regional winners for the northeastern Illinois area for the Illinois State Historical Society Contest. And they are the regional winners from...winning from Lake, McHenry, DuPage, Cook, Kendall, Will and Kane Counties and I'm happy to tell you they are from my City of Zion and my township of Zion and Newport Township, and their names are: Leah Clark, Lisa Coats, Kathy Crawford, Shawn Davis, Mary Sargent, Michael Torres, and accompanying them today are Mayor and Mrs. Howard Everline of Zion, they're up in the President's Gallery and their teacher, Bruce Hanson and the father of Michael Torres, Frank Torres. Now these students

wrote, produced and directed and starred in a play about the history of Zion. They are now competing in the State finals at Sangamon State University at twelve, noon, and I would like you to help me welcome them, they're in the President's Gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise. Welcome to the Senate. Message from the House.

SENATOR GEO-KARIS:

Thank you.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 775, 951, 957, 963, 1079, 1299, 1363, 1364, 1365, 1366, 1438,...1488, 1585, 1587, 1638, 1654, 1655, 1670, 1703, 1768, 1930, 1938, 1947, 1956, 1958, 1962, 1966, 1969, 1971, 2035, 2080, 2113, 2129, 2189, 2310, 2429 and 2523.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to House bills 1st reading. Is leave granted? Leave is granted. House bills 1st reading.

SECRETARY:

House Bill 121, Senator DeAngelis is the Senate sponsor.

(Secretary reads title of bill)

House Bill 150, Senator Hall.

(Secretary reads title of bill)

House Bill 178, Senator Lemke.

(Secretary reads title of bill)

House Bill 181, Senator Kelly.

(Secretary reads title of bill)

House Bill 257, Senator Luft.

(Secretary reads title of bill)

House Bill 313, Senator Donahue.

(Secretary reads title of bill)

394, Senators Carroll and Topinka.

(Secretary reads title of bill)

(Machine cutoff)...Bill 430, Senator Darrow.

(Secretary reads title of bill)

(Machine cutoff)...Bill 489, Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

(Machine cutoff)...Bill 556, Senator Marovitz.

(Secretary reads title of bill)

House Bill 710, Senator Holmberg.

(Secretary reads title of bill)

House Bill 792, Senators Lemke and Rock.

(Secretary reads title of bill)

House Bill 1212, Senators Lemke and Geo-Karis.

(Secretary reads title of bill)

House Bill...1385, Senator Kustra.

(Secretary reads title of bill)

House Bill 1860, Senator Schuneman.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm told that the Secretary or...has been caused to have passed out a copy of the bills that are going to be recalled this morning from 3rd...reading for the purpose of an amendment. We will start with...at the top of the list of...Senator Keats, you might be interested in this, we'll start at the top of the list and go right on straight through. So, with leave of the Body we will go to the Order of 3rd Reading. All right. Is leave granted? Okay. Leave is granted on...Senate bills 3rd reading...Senate Bill 17.

Is Senator D'Arco on the Floor? Senator D'Arco on the Floor? With leave of the Body, Senator D'Arco requests leave to return Senate Bill 17 from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate Bill 17, Mr. Secretary. 2nd reading.

SECRETARY:

Senate Bill...17...Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'Arco.

Thank you...Mr. President. Committee Amendment No. 1 provides that the expungement period will begin at the completion of the sentence imposed by the judge for the...misdemeanor. That was requested by the committee and it is a good idea, because if he's put on probation and he's given some jailtime, we wanted to make it explicit that the term would end at the completion of the probationary period not just the completion of his jailtime. And also, and this is important, it makes it discretionary with the judge to expunge the record. Senator Geo-Karis is nodding, and I think that was her idea, so...very good, very good. So, I move to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 17. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Now what we need to do, Mr. President, is renumber Floor Amendment No. 1 to make it Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll...we'll so order the next amendment number two. Is that correct? Leave is granted. Senator D'Arco.

SENATOR D'ARCO:

Well, this amendment has already been adopted, so it's just a question of renumbering it, then that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct.

SENATOR D'ARCO:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senate Bill 54, Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 130, Senator Collins. Senator Collins seeks leave of the Body to return Senate Bill 130 from the Order of 3rd Reading to 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is Senate Bill 130, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Body. Amendment No. 1 to Senate Bill 30...is necessary because the bill...the package of bills...there were three bills dealing with strip search of students in...enrolled in schools and

the search of those students by...school personnel. One of the bills passed and...and the bills establishing the...the guidelines...because I didn't make committee...time enough before the end was left in...in committee and did not have an opportunity for a hearing. But all the bill does is basically establish guidelines for school personnel to...to search students or their lockers. It provides for procedures for notifying the parent and also for notification to law enforcements whenever something that has been found that was in violation of the law. It also establishes a...a task force to develop the guidelines which allows for input from parent and from students to be involved in the process, and it sets forth a reporting procedure to the board. That's basically all the amendment does and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 130. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 199, Senator Newhouse. Senator Newhouse on the Floor? Senate Bill 269, Senator Lemke. Senator Lemke, 269. Senator Lemke, 269. All right. Senator Lemke seeks leave of the Body to return Senate Bill 269 from the Order of 3rd Reading to the Order of 2nd Reading for...for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Mr. Secretary, Senate Bill 269, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this...amendment does is...is removes some of the...objections that public aid had and some of the people; in other words, we say that we have a provision for the assignment of public aid benefits for rent with these following conditions. Who has within the...in other words, the recipient can...can...be required or assigned when within the preceding two years they have failed to make timely payments, in the event the assignment can exceed two hundred and fifty dollars, and any landlord who violates the provisions of this section relating to such assignment shall be guilty of a Class B misdemeanor. It think it's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 269. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 336, Senator Coffey. Senator Coffey seeks leave of the Body to return Senate Bill 336 from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 336, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes, thank you, Mr. President. I'd like to...I...I would

like to move to reconsider the vote by which Amendment No. 1 passed prior to putting on Amendment No. 2. There was a technical error, and so I want...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey, having voted on the prevailing side, seeks to reconsider the vote by which...Amendment No. 1 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Coffey.

SENATOR COFFEY:

...I'd like to Table...that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey now moves to Table Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. Amendment No. 2 amends Senate Bill 336 on page 1, lines 11 and...and 12 by deleting "offset school districts." I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey has moved the adoption of Amendment No. 2 to Senate Bill 336. Those...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 371. Senator Lemke seeks leave of the Body to return Senate Bill 371 from the Order of 3rd

Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 371. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is a...amendment that the Department of Insurance wanted...so that the bill would be...narrows down the scope. What it does is it narrows down the scope on examination on a fire adjuster to exempt persons who have five year's private adjusting experience prior to January 1st of '83, the effective date of the public insurance adjusting article, and for whom the application for licensee as a public insurance adjuster occurs within one year of termination of employment with the insurance company. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 371. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 427. Senator Donahue seeks leave of the Senate...of the Body to return Senate Bill 427 from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Mr. Secretary, is 427. Read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This is a purely technical amendment. It adds the word "to" t-o, and I would move for its passage...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Donahue moves the adoption of Amendment No. 1 to Senate Bill 427. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 527, Senator Carroll. Senator Carroll on the Floor? 559, Senator Weaver seeks leave of the Body to...all right, take it out of the record. 603, Senator Maitland. Senator Maitland seeks leave of the Body to return Senate Bill 603 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, 603, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Amendment No. 1 to Senate Bill 603 is simply a technical amendment suggested by LRB and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 603. Any discussion? If not, those in favor

signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 653. Senator Smith seeks leave of the Body to return Senate Bill 653 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is 653, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 1 on Senate Bill 653 is merely a technical amendment, spelling the words.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith moves the adoption of Amendment No. 1 to Senate Bill 653. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...718, Senator D'Arco. Senator D'Arco on the Floor? Senate Bill 760, Senator Marovitz. 785, Senator Fawell. Senator Fawell on the Floor? 804, Senator Schaffer. On the Order of Senate Bills...Senator Schaffer seeks leave of the Body to return Senate Bill 804 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 804, Mr. Secretary, read the bill.

SB 835 Recalled

SECRETARY:

Amendment No. 1...offered...by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This is a technical amendment that clears up some problems in the drafting...of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer seeks leave of the...Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 804. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments?

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 813, Senator Davidson. Senator Davidson on the Floor? Senate Bill 835. Senator Hudson seeks leave of the Body to return Senate Bill 835 from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 835, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. This is a technical amendment and all it does is to delete the word "effect" and in its place insert the word "effective."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson moves the adoption of Amendment No. 2 to Senate Bill 835. Any discussion? Those in favor signify by

saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...all right. With leave of the Body, we will return to Senate Bill 813, Senator Davidson is now on the Floor. On the Order of Senate Bills 3rd Reading is Senate Bill 813. Senator Davidson seeks leave of the Body to return 813 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 813.

SECRETARY:

Amendment No. 1 offered by Senator...Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is an amendment which the Department of Conservation has brought to me for technical changes and deletions and corrections of out-of-date language in the Wildlife Code. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 1 to...Senate Bill 813. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1010, Senator Carroll. Is Senator Carroll on the Floor? 1048, Senator Smith. Senator...Smith seeks leave of the Body to return Senate Bill 1048 from the Order

of...to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted...on the Order of Senate Bills 2nd Reading is Senate Bill 1048, Mr. Secretary. Read the bill, please.

SECRETARY:

Amendment No. 3 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Mr. President, I move first to reconsider the vote on the Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 2 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote...the vote is reconsidered on Amendment No. 2. Senator Smith.

SENATOR SMITH:

Thank you. I move to Table Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith moves to Table Amendment No. 2...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 3 amends...in Section 1 by inserting at the end of Section 1.104 as to the following, "However this section shall not apply to Article VI of this Code nor to any pension fund established under that article." This is merely fulfilling a commitment that I was...made in committee. And I move for the adoption of

SB 1375 Recalled

Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Smith moves the adoption of Amendment No.3 to Senate Bill 1048. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1287, Senator Dudycz. Senate...1375, Senator...Senator Dudycz, do you want your Senate Bill 1287...do you want that? 1375, Senator Weaver. Senator Weaver seeks leave of the Body to return Senate Bill 1375 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of...Senate Bills 2nd Reading is Senate Bill 1375. Mr. Secretary, read the bill.

SECRETARY:

...Amendment No. 2 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment transfers the audit power of the Illinois Off-Track Wagering Association from the Auditor General to the Racing Board. And I'd move adoption of Amendment No. 2 to Senate Bill 1375.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 2 to Senate Bill 1375. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, on the recall list we will jump back up to Senate Bill 12, the first bill. Is leave granted? Leave is granted. On the Order of...Senator Keats seeks leave of the Body to return Senate Bill 12 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted. Leave is granted. On the Order...Order of Senate Bills 2nd Reading is Senate Bill 12, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This amendment does two things; one, when it was drafted by the Reference Bureau I think an overeager staffer put in criminal penalties that would have you hanging by your thumbs for months, and we are deleting this. I don't know how it ever got in the bill, we're deleting it. And the second one changes twenty-four hours to two working days, that's what the amendment does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has moved the adoption of Amendment No. 1 to Senate Bill 12. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments? Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we will go to Senate bills 3rd reading. Leave is granted. On the Order of Senate Bills 3rd Reading, we will begin where we left off yesterday on page 22. The first bill will be Senate Bill 330. Senate bills 3rd reading, Senate Bill 330, Mr. Secre-

tary, read the bill.

SECRETARY:

Senate Bill 330.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 330 was introduced at the request of the Illinois Department of Revenue. It provides that the tax amnesty proceeds, which we successfully passed and the program has obviously been successful, that an amount equal to one-twelfth of the money collected under that program be deposited into the Local Government Distributive Fund. It was, frankly, our intent at the time the tax amnesty program was put into place that the local governments would receive their distributive share. The Department of Revenue did not feel, however, that technically the authority was there. All this does is explicitate their authority to distribute one-twelfth. It will amount to about a windfall of about six million dollars to local governments across the State. I know of no objection and I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall Senate Bill 330 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill...57 having received the required constitutional majority is declared passed. Senate Bill 332, Senator...Senate Bill 332, Senator Jeremiah Joyce. Senate Bill 336, Senator Coffey. That was on the recall list this morning, we're not

going to call recalls. Senate Bill 346, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 346, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 346.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 346 is a bill that passed the Senate almost unanimously two years ago sponsored by Senator Carroll and myself. It attempts to create a remedy for persons who have fallen prey to individuals or groups who exercise a systematic form of coercion to try to alter a person's behavior and beliefs, and it creates a potential remedy of a...of a guardianship, a temporary guardianship of forty-five days at the longest, to allow a relative of a person who is subjected to this kind of mind control and coercive behavior to...to allow a guardianship to be created so that the relatives, in...in most cases the parents, can attempt to win back the allegiance and control of...of their own children or relatives. In order for a guardianship to be created under this bill, a court would have to find that...that three things are present; one, that there has been a substantial behavioral change in the individual; secondly, that there would have to be a systematic pattern of coercive behavior on the part of the individual or...or groups exercising this...this coercion; and three, that the individual or group engaging in such...behavior would have to have misrepresented the nature of its activities or the...or the nature of the organization itself. So, all three of those factors would have to be present in order for a court to create a temporary guardianship. As I say

the...this bill sponsored by Senator Carroll and myself passed unanimously or almost unanimously two years ago, and I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any...any discussion? Senator Keats.

SENATOR KEATS:

I thank you, Mr. President. I'd...I'd hesitate to rise in opposition 'cause I voted for this...a very similar bill a couple of years ago. But I want to...I'm just waiting for a little attention...I want to just raise a point. When we talk about cults, et cetera, the intention may be good...but there's a definition problem. Let me give an example for any of my Jewish brethren in this room. The founder of the...the Hebrew race was a gentleman named Abraham, who lived in a town called Ur and the good Lord said, "All right, Abraham, you're picking up your family and you're leaving and I'm sending you someplace," and Abraham said "Well, where am I going Lord?" And the Lord said, "I'll tell you when you get there, mind your own business and do what you're told," and he did it. That's the founder of the Hebrew race and the founder of the Moslem race, and if you think about it, the founder of Christianity. Do you think someone might have called that altered behavior? A perfectly rational human being packs up and goes to who knows where? And packs up his father and everybody else in a tent and travels to an area that's at war? That might have been mind-altering, and what's his explanation for going? Oh, the good Lord told me to go. You can read that one in the Bible. Or perhaps a Christian, what was the original Christian church? I mean, anyone who doesn't think that the twelve apostles would have been considered a cult has missed the point. Talk about mind-altering, can you picture Doubting Thomas saying, "Well, I know Jesus rose again 'cause I put my hand in his side where the hole was and I...I put my fingers in the nail

holes." You think they'd have said he was a lunatic? And that's the founder of the largest religion in the world. Two years ago I voted for the bill. But I think you really got to ask yourself on that...definition of what is a cult. I mean, every Jewish friend we've got here would be in jail for this or probably deprogrammed. I guarantee you the twelve apostles would have been. But let me throw in on last one for some of my black brethren. You ever been to a Pentecostal service, a charismatic Pentecostal service and watched them rolling on the floor with snakes? You don't think they'd be under a guardian? I think you really have to ask yourself how tightly we want to define this. This is based on a New York law that was vetoed by Governor Cary, and even though Governor Cary is a Democrat, I would commend him for saying, I know what you're doing is a nice idea, but from a practical point of view I don't know how much farther we could go. And so I...I hesitantly rise in opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Can we have some order, please. We have an inordinate amount of work to do today. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 356. I spoke against it in committee, and for those members who have not yet had the opportunity, I'd invite them to look at pages one and two for the criteria under which this law could kick into effect; and I suggested in committee and do here suggest that as each of us leaves our respective caucuses, probably fourteen or fifteen of the criteria would apply to one or another member at some point. It just seems to me that this is an inordinate overreach to deprive one of his civil liberties. But the fact is, we are subject to many of the things that are called for in here, sleep deprivation, unreasonably long

work hours, reduction of decision capacity, you name it, we fit it. I would urge everyone to take a long, hard look at this. This is, in my judgment, ill-considered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senator Rock just said it...my comments, but...but let...let me say that I...I don't know and I can't really understand how this bill got out of committee. I can clearly appreciate what the sponsors are trying to do and...and maybe there is a...a real need that's a serious problem to try and do something to help these people who...who've become preys and victims of unscrupulous organizations. But I think the definitions here go far beyond the scope of trying to address this problem. I think we are creating more problems than the...the actual problem exists. In addition to what Senator Rock just said, that I...I am a little concerned as to why it says sixteen years or older. There are kids under sixteen that would probably need more protection than those who...who are sixteen years and...and older. So, I...I think this bill just really needs to be referred back to committee or just...in...in all honesty, just plain Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, for the edification of my colleague on this side, I have been telephoned by several Jewish families in support of this bill. This bill simply allows a...a deprogramming...process of forty-five days, and it's intended to give the family members the opportunity to deprogram someone who has, in effect, been brainwashed. I have had others from different nationalities, Italians and Greeks and Irish and Germans call me

about their children; one instance of a twenty-eight...year old girl, well educated, her cult does not permit her to even have dinner with her mother and father. These are the things that are interesting to us and these are the things we're looking to. There's nothing wrong with having a forty-five day...period of guardianship. It only lasts that long and the...both parties are protected...the...the...the person involved who the family is trying to deprogram has opportunities...represented by counsel guarantees the right of counsel and requires the petitioning parties to post bond guaranteeing the...the respondent's legal expenses and proof by...clear and convincing evidence which is the standard for involuntary...it's...it's necessary. This is only a temporary guardian appointment for forty-five days. If you would listen...this...the pleas of the parents who have talked to some of us, their agony and their anguish to raise their children and have them be completely deprogrammed out of their life by certains of these cults, I think you might see this bill in a different light. I support this bill because I think it's a step in the right direction; we're not taking anybody's rights away but it gives up to forty-five days to try and get those children, who are grown-up children incidentally, to try and reason with their own family or at least be available to the families to have a talking, communicative opportunity, and I'm...I'm in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Barkhausen may close.

SENATOR BARKHAUSEN:

In closing, Mr. President and members, I think Senator Geo-Karis has said it well. What we're trying to do here is to create a very narrow and limited potential remedy for individuals who fall prey to a group that is, as I said in my opening remarks, engaging in a systematic form of coercive

behavior resulting in a substantial behavioral change and where the identity of the organization engaging in this behavor misrepresents its identity or...attempts to disguise the nature of its activities. Now one might try to say that...that possibly legitimate religions would meet one of those criteria but certainly it cannot be said that...that anything that any of us would conceive of as being a religion meets all three of those criteria. For you can't say that a religion although a conversion may result in a substantial behavioral change, you can't say that it both also engages in a systematic form of coercive behavior and also disguises the true nature of its activities or its true identity. This bill is tidily drafted, it's been looked at carefully by constitutional experts, and the reason that we are only allowing a guardianship to be established for a maximum period of forty-five days is because we are trying to establish just a limited remedy to create a...a small opportunity for a family or a relative to try to win back the allegiance of individuals who will fall in prey to groups who engage in this kind of activities. As I said earlier, this bill passed this Chamber 58 to 1 two years ago, and Senator Carroll and myself as the cosponsors would...would urge this Chamber to again give the bill that kind of support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 346 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 18, 2 voting Present. Senate Bill 346 having received the required constitutional majority is...is declared passed. There's been a request by Senator Netsch for a verification of the affirmative roll call, I assume. Senator Netsch. Request verification of the affirmative roll call...Senator

Netsch. Mr. Secretary. Will you...all Senators be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Barkhausen, Berman, Carroll, Chew, Coffey, Dawson, Dudycz, Dunn, Friedland, Geo-Karis, Hudson, Karpiel, Kelly, Kustra, Lechowicz, Lemke, Macdonald, Mahar, Marovitz, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Vadalabene, Watson, Weaver, Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, do you question the presence of any member?

SENATOR NETSCH:

Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel on the Floor? Senator O'Daniel on the Floor? Senator, he in fact voted in the negative.

SENATOR NETSCH:

...sorry about that. Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll on the Floor? Senator Carroll is on the Floor.

SENATOR NETSCH:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew on the Floor? Strike his name.

SENATOR NETSCH:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson on the Floor? Senator Dawson on the Floor? Strike his name.

SENATOR NETSCH:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz is on the Floor.

SENATOR NETSCH:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch on the Floor? Senator Welch on the Floor? Strike his name.

SENATOR NETSCH:

Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland on the Floor? Senator Friedland is at the back of the Democratic side.

SENATOR NETSCH:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, do you...you...you are finished. Mr. Secretary, what's the count? All right. The...the vote on that question is 27 Ayes, 18 Nays, 2 Present. Senator Barkhausen requests...

SENATOR BARKHAUSEN:

...postponed consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...requests postponed consideration. Postponed consideration. Senate Bill 353, Senator...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR VADALABENE:

Dr. Mary Blanche Youngers and the...and the delegation of the Alton Community Unit School District No. 11 are here in the gallery and I'd like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senate bills...3rd reading is Senate Bill 353, Senator Kelly. Mr. Secretary, read the bill, Senate Bill 353.

SECRETARY:

Senate Bill 353.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 353 repeals the disabled voters' requirements concerning obtaining absentee ballots and also requiring that they have a physician's certification of their disability before they can vote. What it does is, it basically makes it more convenient or, let's say, equally available to voting either by absentee ballot as it is now and eliminating all these...physician requirements and the other extraneous requirements as placed on disabled voters. Now my...have a personal reason because I have two disabled persons in my district, and I personally obtain the absentee ballots for the disabled voter and I...I take them by automobile over to their house. Both of these citizens...one is a senior citizen, does not have an automobile, is immobile and has a very great difficulty and has never missed a vote in a General Election. So I hand carry it to them, they have to either mail it or take it personally to the physician; and as you know, in most cases a physician does not want to sign anything unless they actually see a patient and note that they are continued disabled. So, not...after doing that, they have to then return it, have to mail it back in; and not only that, but one particular case that I know of, this person who is incapacitated has great difficulty even in hand carrying

this absentee ballot to...to be mailed because it isn't at their...isn't attached to their home, the mail box, andit's just extra. And I just happen to think that everyone should get equal and fair justice. I think anyone that's disabled should receive as much consideration as anyone who is going on a vacation to the Caribbean or anywhere else, and I just think it's right and fair and that's why I've sponsored it. I know there's some resistance to softening the laws in...in the area of voter requirements; at the same time, I...I...I would hope that when you vote on this issue you'll think about those disabled individuals in your district who can't afford to pay for the gas or have an automobile or in...in paying for a physician to give this information so they can have their voting privileges available. So, with that, I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I, frankly, have had very little outcry in my area for this type of a change. I think we all recognize in the process...the election process today, probably the greatest amount of vote fraud is in the area of absentee ballots. We know darn well a lot of those ballots get home and are voted by people other than the elector that should be voting them or are voted in the presence of a political representative of one party or other, and I don't mean this in a partisan sense. I suspect both our parties have got some people who should have a little more thorough understanding of the laws of this State. I have, just as the...the sponsor of the bill have, on occasion helped people get these things. I have never found a doctor in any way reluctant to...to fill out one of these things where it was legitimate. My great concern here is that we are opening the door to suddenly find out that thirty-seven percent of our population is now dis-

abled and that somehow the precinct captain is around watching them vote. I don't think that's good for either party, I don't think it's good for fair and honest elections. We had a couple of precincts in my home county that suddenly started turning in seventy and eighty votes absentee ballots out of a hundred and thirty hundred and forty castd, and frankly, we didn't like it and...and I might add it wasn't just one party. And we did our best through our clerks and our State's attorney to put the skids to that stuff. I think we open the door here to a tremendous amount of potential fraud, and anybody who just thinks maybe they're disabled or the...the precinct captain figures well they're a little old and they probably don't want to vote and I can get them a ballot and watch them vote and then I can take it up to the courthouse and, by gosh, we'll know that vote is good. I think this is wrong, I think it's a weakening of a...something that was put there for good reason; and those of us who want honest and fair elections, I think ought to take a real hard look at that and that is not to impute the motivations of the sponsor which I think are probably commendable. But not everybody, I'm afraid, is as honest and upright as the sponsor of this bill and there would be some people that would really make hay with this thing and our courts would eventually find out about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President. I certainly want to echo what the prior speaker said. This bill was discussed at length in committee and of course I feel that...as Senator Kelly does that we certainly want to do all we can for the disabled and handicapped voters in this State. We have a good law now on the books, it does not allow for any fraud; and if there is a permanently disabled person, that person is issued a card and

automatically those ballots are sent to that person. I think that's...I think that is appropriate and I think that there is too much room for fraud in this kind of wide-open, open-ended bill where you just allow anyone to...have a ballot just on the say-so that he is incapicated. We have very strict laws that have been...promulgated over the years to keep us from fraudulant voting and I think that...that this bill really deserves a No vote for good and honest elections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I might have somewhat mixed feelings about the bill under other circumstances; that is, I...I think all of us would like to make more accessible handicap voting; on the other hand, we recognize that it can occasionally be a source of fraud, but I'm not sure that we really have that much choice in the matter. And I'm...I'm going to make it a comment and then ask the sponsor if this is true. I am reading now from the Voting Accessibility for the Elderly and Handicapped Act, Public Law 98435, approved at the Federal level on September 28, 1984. Its purpose is to improve access for handicapped and elderly individuals to registration facilities and polling places for Federal Elections, and it says specifically in Subsection H of Section 5, "No notorization or medical certification shall be required of a handicapped voter with respect to an absentee ballot or an application for such ballot." And then it goes on to say that...makes some exception with respect to State provisions that I think are not applicable here. So if...if I am reading the law correctly, Congress has already decided with respect to Federal Elections that there can be no requirement of a certificate. If that is true, then it seems to me that the same provision ought clearly to apply to elections at the

State level. Now, having read what I believe to be the law as I read it, I'm going to ask the sponsor, is, in fact, that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

...yes, that is correct and that is a...the Federal Government's opinion on this subject that this cannot be...this requirement for the physician cannot be part and parcel to it. So you're correct, the Federal Government has already said that we cannot be placing these undue burdens upon the handicapped by having these physician documents. Yes, the answer to that is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President, I have two questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Kelly, what is the penalty if someone misrepresents the fact that they're disabled under your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Okay, first of all, the penalty is the same for an absentee ballot as it is opposed to a disabled person, so we're not doing anything to change the...the penalties for someone who does something improperly or perjures themself or something to that effect, so I'm not changing anything in...in that area. You still, if you're doing something improperly under applying for an absentee ballot, which is,

in effect, what a disabled person would do, it would...the penalty would be the same if they were doing something falsely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if it's the same, what is the penalty?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

It's a Class 3 felony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

All right. My second question is, what is the likelihood...of a person who is incapacitated not ever having seen or being under the care of a physician?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

What is the what of the person not being under the physician? The likelihood of what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, in your opening comments you indicated that your concern came out of the fact that these people could not afford to go to a doctor or see a doctor, and my question is, what is the likelihood of a person who is incapacitated or disabled not having seen or being under the care of a doctor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, most people that have had some type of a disability

certainly at one time or another are...are being attended or...and this...this law requires that they have to obtain some type of...of report from a physician. So I would say if they're going to vote at every election and every opportunity, they're going to have to at least see that doctor during those periods in order to have that privilege continued. So they have to have a rapport and a...a physician which they have to keep in contact with. I think that's one of the flaws with the law. Many of us who are blessed with good health don't have to have a physician, we can go many years without having a...an attending physician. But somebody that's disabled, it forces them to have a physician, they have to keep in contact and they search for someone who is either their family physician or someone who else that may have a...a...low fear consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I think Senator Kelly made the point. The fact is that they do have a physician and the physician could write them that excuse, it doesn't require going out and having a visit and paying twenty dollars, they can just call them up and he can send it out. They are, in fact, under a physician's care. So you're not creating an additional undue burden on those people, and what you're doing here is...is making sure that all of a sudden, as Senator Schaffer said, you don't get a surge of absentee ballots for some...rather surreptitious reasons.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly may close.

SENATOR KELLY:

Well, just briefly, I certainly know there's a number of other important matters coming before this Body, but the State Board of Election did come in and support this legis-

lation in committee, we already have a Federal requirement as it was pointed out to...to eliminate this particular requirement. And, with that, all I can say is I would appreciate your support of Senate Bill 353.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 353 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 28, 1 voting Present. Senate Bill 353 having received the required constitutional majority is declared lost. Senate Bill 365, Senator Etheredge. 365. On the Order of Senate Bills 3rd Reading is Senate Bill 365, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 365.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is the legislation which establishes the formulas that are used to distribute...distribute monies to the community colleges for their operation during the next fiscal year. I'd be glad to respond to any questions; if there are none, I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Is this the bill, Senator, that removes the exemption that some communities have now from being included within a community college district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, it has nothing to do with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 365 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 365 having received the required constitutional majority is declared passed. Senate Bill 366, Senator Etheredge. On the Order of Senate Bills 3rd Reading, Mr. Secretary, Senate Bill 366, read the bill.

SECRETARY:

Senate Bill 366.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is the legislation which establishes the maximum...grant award for the ISSC. I'd be very glad to respond to any questions; if there are none, I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 366 pass. Those in favor will vote Aye. Those

opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 366 having received the constitutional majority is declared passed. Senate Bill 369, Senator Poshard. 373, Senator Lemke. 374, Senator Lemke. 375, Senator Joyce. Wait, Senator Lemke, on 374?

SENATOR LEMKE:

(Machine cutoff)...happened to 373?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, you weren't paying attention, I did call it.

SENATOR LEMKE:

Well, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'd appreciate it if you would stay in your seats as your bills come up so that we can move along quickly. Senate Bill 373, Senator Lemke.

SECRETARY:

Senate Bill 373.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is permissive language, permits the Department of Conservation to make grants to local governments for certain developments...we...we add to the...open space lands and recreation areas, parks and conservation areas. I think it's a good amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 373 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

SB 375 3rd Reading

wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 6, none voting Present. Senate Bill 373 having received the constitutional majority is declared passed. Senate Bill 374, Senator Lemke. Senate Bill 375, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 375.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Last year, if you'll recall, we passed some legislation that would allow alcohol to be placed in candy to...for the Winter's Candy Company who located in Manteno, Illinois, which employs probably two hundred to three hundred people. And when we passed that we...we did not delete part of the language that says that the...the...alcohol contained in confectionary be derived solely from the use of flavoring extracts to be exempted from the definition of adulterated food, and that is what this legislation would do. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...the question is, shall Senate Bill 375 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 375 having received the constitutional majority is declared passed. Senate Bill 376, Senator Netsch. Senate Bill 388, Senator Dawson. Senate Bill 390, Senator Jones. 388, Senator Dawson.

SECRETARY:

Senate Bill 388.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 388 establishes two comprehensive regional alzheimer's disease and related disorder treatment centers which...one would be in Chicago and one other one to serve the remaining part of the State, and it creates the Alzheimer's Disease Assistance Act. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 388 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 388 having received the constitutional majority is declared passed. Senate Bill 390, Senator Jones. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 390.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Senate Bill 390 places the QIP Program with the Department of Public Aid. Currently, the Department of Public Aid is doing it...doing this service right now as it relates to long-term care. It was previously with the Department of Aging as part of the alzheimer's disease...incentive program, and I move for the adoption of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 390...Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just like to make a comment and...and just say that the...the fiscal impact of this is unknown and that to do a physical examination for alzheimer's disease...the only way it can be truly diagnosed is through an autopsy, and I just don't think that this the right thing to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...he'll yield.

SENATOR DAVIDSON:

Have you had any indications from the medical community that they're able to make this diagnosis other than...by the autopsy route of physical diagnosis and how the nursing home is going to be able to comply with this law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Senator, to...to you and the previous speaker, the bill was amended and everything after the enacting clause was taken out of the bill and all this does, simply, is for them to provide the care. There is no cost related to this program whatsoever, and all they're doing is to provide the quality...care for alzheimer disease patients. So, far as the examination and everything that you're talking about, that's not part of this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

So we clearly understand,...amendment struck everything after the enacting clause and now all it says, the nursing homes have to furnish care, providing that individual or the public aid has the ability to pay for that care. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

You are correct and all this does is provide incentive payment for them to provide that care.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones may close.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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Question is, shall Senate Bill 390 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. Senate Bill 390 having received the constitutional majority is declared passed. Senate Bill 391, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. This bill simply includes victims of alzheimer's disease and other related disorders in the home services provisions, the Department of Rehabiliation Services, and I ask for a favorable vote on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 391 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 391 having received the constitutional majority is declared passed. For what purpose does Senator Dawson arise?

SENATOR DAWSON:

I'd just like to commend Senator Poshard on his first piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 398, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 398.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 398 increases from two to three years the probationary period for teachers before they are granted tenure. Currently, the teachers in the City of Chicago already have a three-year probationary period. So, what this bill does is take the rest of the State and conform the rest of the State to the City of Chicago's practices as they are now. There's been a lot of talk about education reform in this General Assembly and specifically a lot of criticism of tenure. It seems to me that even though I doubt seriously we're going to abolish tenure, we would want to be very careful that those teachers granted tenure have the time necessary, the supervision required by administrators before that decision is made. So, what this bill does is give administrators that extra year to look over the teacher and decide. I also think it's an advantage for the teacher because it gives the teacher that extra year to really buff up and prepare for that decision which is a monumental one...which, as we know, in may cases, amounts to a lifetime appointment. I would ask for favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Kustra, could this be a subject of negotiation under a collective bargaining agreement between the local school district and the teachers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Yes, it could.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, what's...why are we getting involved in an area where local control could determine what could be the issue? That seems to be something that we're always hearing as local control from this side of the aisle, now you're going to hear it back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? It...it was a question. Senator Kustra.

SENATOR KUSTRA:

Well, Senator Welch, if we were to limit ourselves to those issues, most of the legislation we've considered here dealing with schools, I guess, would never have hit the Floor of this Senate. The fact is that we are always, as you well know and you have supported many of those proposals, doing things and mandating things that could just as well be considered in a collective bargaining agreement. I think this is an important enough an issue that there be a Statewide policy on it; as I say, it is already the policy for the City of Chicago. I think it makes good sense Statewide.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 398 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 41, the Nays are 9, 1 voting Present. Senate Bill 398 having received the constitutional majority is declared passed. Senate Bill 401, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 401.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 401 allows the provisions in...in condominium instruments to restrict ownership of rental units as well as condominium units within the condominium to persons fifty-five years of age or older, and it makes this provision not volitive of the Human Rights Act. It also empowers the board of managers to accommodate the needs of handicapped unit owners as required by the Human Rights Acts, but it does provide...and this is the most important provision, it provides in a duly recorded declaration that the housing which is limited to elderly persons does not restrict all the current owners and renters and their families that presently reside in condominium units. So, it only has a prospective effect and no one who is...presently residing in a unit who is under the age of fifty-five would be affected by this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Berman.

SENATOR BERMAN:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR BERMAN:

Well, Senator D'Arco, why are we allowing condominiums to

adopt by resolution a provision that would say, for example, that no children could move into their condo? That...that's what appears to be done...being done by this bill. Why should we allow that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, this...this is being done in many other states in the United States now. In fact, the State of Florida has an extensive law pertaining to this particular declaration. Why are we allowing it? I think that in certain type situations where you have individuals that are elderly, they come to a common consensus that it is better for them, and they do constitute the majority of the people that live in the condominium. They come to a consensus that it is better for them as a whole to deem certain individuals who are not in their category...that these individuals would not be allowed to reside in these units for various reasons, children and...families with children. The reason being the lifestyle of...of people...elderly people is much different than the lifestyle of younger people. They do not, you know, they...their toleration level for their...for noise and...and activities of younger people are much different and it's just something that they feel that they need.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right, thank you. I rise in opposition to the bill. Up in my neighborhood...and we have an awful lot of condominiums in the northside of Chicago and in Evanston, I think one of the things that we want to encourage is integrated housing by age. I don't want just high-rises filled with elderly people...and I point out, by the way, and I hope nobody takes offense by this, but the definition of elderly in this bill

is anybody fifty-five years of age and older. I've got a long way till get to that age, but there are a few people on this Floor at the age of fifty-five that I wouldn't consider elderly. I think that this is highly discriminatory. I think that for most of our cities where there are condominium developments, you want to encourage young families to live in those cities. The problem that I see with this kind of a bill is that as it may be the case, you've got a lot of condominium boards that are controlled by people who are older, fifty-five, sixty-five, seventy. This bill only needs to be fifty-five, I would point out, but if you've got a board that's controlled by people in that category, they may take undue advantage of this kind of bill and pass resolutions that say nobody with kids under...under the age of sixteen or eighteen or twenty can move into their condo. What is that going to do to our cities? It's going to force more of our young families to move out of the...into the suburbs and not to live in the cities. The viability of our cities depends upon a mixture of older and younger people. I think it's a bad bill. I think that the purpose of it is highly discriminatory to...to families of young children...that have young children. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I wholeheartedly agree with Senator Berman. I think at a time, Senator D'Arco, when housing for families with children in most of our urban areas is at a very critical low...point today and there isn't any real movement toward building single-family dwellings so that there can be housing available for those people in our urban communities, I think that this particular law will set a precedent for a struggle that has been going on a long time to allow and to demand that to

eliminate all discrimination in reference to persons with children and looking for a decent place to stay. I think this particular bill would open the floodgates for other groups and communities as a whole to come in and ask for special legislation that would restrict or eliminate children from being...landlords to allow children to move into their homes...their property, and I think that would most certainly be a step backwards for civil rights and...and protective rights of children in this State. I think we should not allow this bill to pass. It is bad for any number of reasons, but for one, we just cannot discriminate against children and then ask to amend the civil rights...Human Rights Act and exempt them from being protected under that Act. This is a most certainly very bad precedent and...and I would ask that we...defeat this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR RUPP:

In the gallery in back of you is the group of high school students from Lovington, Illinois. I would like to have them recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, if they rise and...our guests in the gallery would please rise and be recognized by the Senate. Welcome to Springfield. Senator Maitland, for what purpose do you arise? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. For the same purpose. In the gallery directly behind our side of the aisle is a group of junior high...junior and senior high students from Melvin and

Sibly along with their teacher. I'd like for them to stand and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to Springfield. All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this bill. Are we forgetting the fact that the Federal Government has made funds available to build senior citizens' housing apartments? We're doing that now, and that...they're limited to occupancy by senior citizens and the disabled, and I might inform my colleagues on the other side that under the Department of Aging, seniority is based on the age of fifty-five and that's when the Department of Aging law went into effect. The...you're a senior citizen...considered a senior citizen when you're fifty-five years of age. There are plenty of condominiums available for young people, and the condominiums that may be available for senior citizens are not many at all, and I might add that this bill says specifically that a declaration or amendment limiting to housing...to housing of people to fifty-five years of age and over does not apply against a person or his...immediate family who already living in a condominium prior to the recording of the declaration or amendment. I think it's only fair to realize that there is a big difference in interests...between little children and people who are over fifty-five years of age, who want to have a little peace and quiet; and since you already have the Federal guidelines set forth which provides funds...provide funds to establish senior citizens' housing limited to the disabled and senior citizens, I think this bill is a step in the right direction and I heartily support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion for the first time? Senator Collins for a second. Senator Collins.

SENATOR COLLINS:

Yeah, I...I just have to respond to that because I don't want people to vote for this bill because they think that somehow that this is a bill designed to allow and to encourage the development of apartments or condominiums housing for senior citizens. Senator Geo-Karis, I'm sorry that this bill has...has nothing really to do with that because I...I support a building of...of retirement homes and apartments exclusively for senior citizens. This bill has nothing to do with this. This bill is really an attempt to discriminate against children. It is a select group of people who would like to have a condominium exclusively for themselves and to discriminate against people with children which is different from what the Federal Government is providing funds for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, Mr. President,...gee, I...you know, I'm not against children. I think children are the greatest thing since apple pie. I don't have any apple pie but...the point...the point is, Mr. President, that this would restrict the ownership of the units to persons fifty-five or older. Now what we're saying is that a younger couple who has children would not be able to buy a unit in that particular condominium development. That's true, I mean, that's the truth. But let me point out that that limitation only applies to future condominium developments. Any family that is presently residing in a condominium is not affected by this restriction; that's number one. Number two, age is not a suspect classification as defined by the Supreme Court of the United States, like sex and racists. So, this type of discrimination has not been legally determined to be suspect and therefore wrong. This

is being done all over the United States and the fact is, and I think Senator Geo-Karis pointed...pointed it out better than anyone, the economic conditions are such that no family is going to be prohibited from moving into a condominium that they want to move into, because there's enough housing to go around for everyone. We're not limiting families from moving into a particular area, because within that given area there will be many other condominium developments for families to move into. All we're saying is, these elderly people deserve some peace and quiet. That's all we're saying. Vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate Bill 401 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36...the...the Ayes are 35, the Nays are 15, 5 voting Present. Senate Bill 401 having received the required constitutional majority is declared passed. Ladies and Gentlemen,...the Chair...would...make an announcement. At the rate that we are going, we're going to be here in August. Senate bills 3rd reading, Senate Bill 404, Senator Luft. Mr. Secretary read the bill.

SECRETARY:

Senate Bill 404.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The income tax withholding or deductions by employees must be paid to the State on quarterly, monthly or annual payments. Obviously, that schedule

depends on a minimum amount withheld. What we're trying to do with Senate Bill 404 is to reduce the payments. For example, under current law, when a minimum aggregate of five hundred is withheld, the business would have to pay quarterly. We are changing that five hundred dollar figure to a thousand dollars before one would have to withhold quarterly. When a minimum aggregate of a hundred is held...one hundred dollars is withheld, the corporation or business would have to pay monthly. We're changing that one hundred dollars to five hundred dollars, and annually is the same with a hundred dollars and we're also changing that to five hundred dollars. The Department of Revenue is not in opposition to this. I'd attempt to ask any...answer any questions or move for the approval of the bill, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I think...Senator Luft has correctly indicated that the Department of Revenue did not oppose the bill, although I must say we were somewhat surprised. We thought that it probably would have more of a fiscal impact in terms of cash flow, but they did not seem to feel that it would cause them any great difficulty either in that respect or administratively and so they took no position; and in light of that, because I think the request is not unreasonable...most of us, in fact, all of us on the Revenue Committee voted favorably for the bill and I will now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 404 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 404 having received the con-

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stitutional majority is declared passed. Senate Bill 415, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 415.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 415 amends Section 19 of the Revenue Act to require local assessors to publish a newspaper notice alerting owners of exempt property of their responsibility to file an annual certificate. The 83rd General Assembly passed laws expanding that information and one provision of that new Statute was that failure to file an annual certificate would constitute cause to...to terminate the exemption. My bill is simply to inform exempt owners of both their duty to file and alert them of the failure to file jeopardizing their exemption. Absent any questions, I'd appreciate your favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 415 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 415 having received the required constitutional majority is declared passed. Senate Bill 417, Senator Hall. Read the bill, Mr...whoop, Senate Bill 422, Senator Dunn. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Senate Bill 422 would allow...one more county, Monroe County, to raise the amount of number of bingo games they could play to match those that already been presented by...has already been done in Madison and St. Clair County. I'll be glad to answer any questions. The bill as introduced applied to all of the State except Cook. We amended it yesterday to only include one county and that being Monroe County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 422 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, none voting Present. Senate Bill 417 having received the constitutional majority is declared passed. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, that was Senator Ralph Dunn's first bill. I think we owe him a vote of congratulations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the record, that was Senate Bill 422 that received the constitutional majority and is declared passed. 429, Senator O'Daniel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 429.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the...of the Senate, Senate Bill 429 eliminates the...the one thousand dollar farm machinery and equipment sales tax threshold. As you know, it's...it's very difficult times in agribusiness and there is no threshold on manufacturing equipment, there's no threshold on...on food and drugs and I feel that with the condition of agribusiness at this time this would be very beneficial to the farmers of the State of this...State of Illinois, and I would attempt to ask...answer any questions you might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 429 pass. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator O'Daniel,...well, there's two questions; one, is there an effective date on this bill and; two, what is the economic impact?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...O'Daniel.

SENATOR O'DANIEL:

Well, the...the estimate of the economic impact would be somewhere around five million dollars, but the same people that made this estimate when the original sales tax bill was passed said there would be a sixteen million dollar loss...it was only six, so I suspect this will be similar. I...I would suspect it...it possibly wouldn't even be any...any loss of revenue because the adjoining states have no sales tax and...and I think it would probably generate more income and probably be...probably would not create a financial problem for the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator O'Daniel, you didn't answer my question. The effective date is going to have the...is in fact the determining factor on the economic impact and I don't see an effective date on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

I...I believe the effective date is...is January '86...that's...that's in the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...

SENATOR O'DANIEL:

Jan. 1, '86.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As most members know, I do not normally support any bills that further erode the tax base of the State. I did vote for this one in committee and will again now and let me just briefly explain why. I...the damage really, if there is damage, has already been done when we started the road to exempting every kind of machinery and equipment and then replacement parts and...and now, this year, perhaps, repair parts, but that is the...the basic policy decision has been made and I lost on that one. Having gone in that direction, I really cannot see any justification for the one thousand dollar lid, if you will, with respect to the farm machinery sales tax exemption. It just doesn't make any sense. If there is concern about the possibility that the exemption might apply to a resident who goes out and buys a hoe to dig up their backyard or something of that sort, the

Department of Revenue, I think, made it very clear that their power with respect to rules and regulations is ample to control that kind of possible abuse of it. So, I think the abuse is not really a matter of major concern and the question is just simply one of, do we treat this exemption differently from the way we treat other exemptions and I...to be honest, I cannot see any justification for that. So, I think there is reason for supporting Senate Bill 429.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Just one final point, Mr. President, thank you. When we passed the original exemption bill, we, for a reason, put the thousand dollar limit on and it was very easy to beat the system, if you will, allow bills to accumulate and then make it one sale and so the exemption was there anyway, and this, I guess, somewhat legitimizes and legalizes what's already taking place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. Just to rise in support of this bill, one, I think, as Senator O'Daniel has already pointed out, that...that maybe on the face of it it shows a six million dollar loss, but I think overall you're going to see a gain because those sales now are going out of State for those along the State line and I think we'll bring those sales back into Illinois and, therefore, benefit those implement dealers that are paying taxes here in this State, and I'd ask for a favorable vote on this issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel, do you wish to close?

SENATOR O'DANIEL:

Yes. You know, Illinois is the number one agriculture

exporting State in this nation and I think that we shouldn't have to follow the lead of...of other States. We are...we raise more soybeans than any...any State in the nation. We nearly raise more corn. Illinois and Iowa raise forty percent of the corn that's produced in this entire nation, and I don't think we should have to follow the lead of other States. I think we should be the leader and...and I think this is a very important bill and...and a very important move to help agribusiness at this time, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 429 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 429 having received the constitutional majority is declared passed. Senate Bill 430, Senator O'Daniel. Read the bill, Mr. Secretary. For what purpose Senator Lemke arise?

SENATOR LEMKE:

Yes, a point. I...I think that last bill that Senator O'Daniel passed was his first bill passed in the...in the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Congratulations, Senator.

SECRETARY:

Senate Bill 430.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, really and truly 429 and 430 are my Build Illinois bills. You know, I...I looked all through the Build Illinois

and I couldn't find anything in there that would really benefit the 54th District, but 429 and 430 will probably do more for the economy of southeastern Illinois than...than there is in Build Illinois for...for my district. You know, 429 removes the sales tax from oil field equipment above two hundred and fifty dollars. You know, we're...we're seldom giving the oil industry any consideration at all and it's a very important industry in southeastern Illinois. For the past three or four years, the economy has been terrible and had it not been for...for the oil industry then...in that area, the economy would been hurting much more than it is now. There's about four districts in the State, Senator Coffey's, mine, Poshard's and probably some in Ralph Dunn's and maybe Watson's that has the majority of the oil basin. The State of Indiana has no sales tax on oil field equipment. Contractors can come across the State line and...and drill and...and they can drill for as much as fifty cents a foot less than...than our own contractors in...in Illinois...in the Illinois oil basin and...and I think these people need some consideration. It..it costs a lot of money to drill a well. They drill wells...to the Dutch Creek which is about a mile deep and...and to put one on a pump it costs a quarter of a million dollars, and these people haven't been given any consideration and...and they generate a lot of revenue in our...in our...in our economy in...in southeastern Illinois, and I'll attempt to answer any questions you might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, the question is, shall Senate Bill...Senator Demuzio.

SENATOR DEMUZIO:

Well, I would just like to ask the sponsor, what's the revenue impact of this one? What's...what's the loss of...of revenue to the State of Illinois from this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Senator Demuzio, I...I...I don't have it right here before me. Now I did have it. I believe it's somewhere around...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel, Senator Netsch indicates she can answer that. Senator Netsch.

SENATOR NETSCH:

The fiscal impact note indicates that the cost would be four and a half million in Fiscal Year '86 and that, I assume, would double thereafter because that is a half-year impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I guess the...the question is...you know, we're always passing little bills for the little people and to take care of the little guy. I got kind of a gut feeling the little guy we're taking care of here is Standard Oil and Marathon, and I...you know, far be it from me to presuppose that those aren't little people, but who...who exactly are we giving sales tax relief to? I...I think oil...exploration that isn't something that the neighborhood kid gets together like a lemonade stand, that's big business; and I might add, it's a business that hasn't done too poorly in the last few years, at least the bottom line profit figures coming out on the annual reports are kind of impressive. I'd kind of like to have some of those margins in my little business. I don't know. I'm not sure we're helping any little people with this one. I got a feeling here this is a real big one for some real big boys that have made a lot of money and who I know with interest are currently raising our gas prices.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, I...of course, I'm going to disagree with...with Senator Schaffer. Ninety-five percent of the drilling in the Illinois basin is did by independents. They're small contractors that...that do the drilling...they do...a lot of times, they...they do some drilling for major companies, but I'm talking about the drilling contractors and...and the supply companies and all that...that really are out there trying to produce our oil and...and explore for the oil, and it is a...a high risk occupation and...and...and I think it's very...very essential and very vital that we try to produce this source of energy. It's...it's getting...it's getting where it's...it's more risky all the time to go out and explore for oil and...I...I think that...ninety percent of the...the help we are helping will be for the independent oil producer and most of it, as I say is...is located in southeastern Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. I joined Senator O'Daniel in his economic development bill of the last one because I thought it was fair and defensible. I cannot do the same on this one. It seems to me we are opening up a major new gap in our tax base and while it might be that it would help some independent or backyard oil drillers,...the bill is not so restricted and it, obviously, is going to be a boon to a lot of others as well. The estimated cost, as I indicated, is...assuming a January 1, 1986 effective date, for this fiscal year is four and a half million dollars which would at least double it, I would assume, when it...when it was annualized and my guess is that that might be somewhat conservative. I don't really think we can in good conscience give this break just for the

exploration costs that are involved in the bill. It seems to me that that is not an appropriate way to attract more business to the State of Illinois, and I rise in...in opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise, again, to support Representative O'Daniel and this measure and to point out some of the questions that's been asked about the independents or if it's the majors that's going to be...make the profit from this bill. As Bill had pointed out...or as Representative O'Daniel had pointed out the...the majors...in...in his district, specifically Texaco has just recently closed their refinery down there and I...I guess you could say they're major and they're a big corporation, but they hire a lot of people in that particular area, and I think their drilling crew...I just spoke with one of them from...that works both in his district and mine this weekend and I think they're down to...Texaco now only has thirteen people left on their crews. They've laid everyone else off or fired them or sent them to another state, so if they are doing that in well Illinois, I wouldn't think they would be closing down both their production and their refinery. We, at Marathon, in...in my district...have been threatened to close down the Marathon refinery and also their production in...in our area is...is slowing down. So, yes, the independents is going to benefit mostly by this, but if the majors are going to benefit, those working people down there...and especially in Representative O'Daniel's district, those people...that's there livelihood. There's not a...great...amount of occupation for those people. If...if they're not...if they're not in agriculture and if they're not in oil production or in coal production, then there's

really not another job in that area for them, and I think this is a good bill and I'd ask for this side of aisle to support this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. I rise in support of this bill also. White County, which is shared between Senator O'Daniel and my own district, has been the leading producer of oil in the State of Illinois since 1946. If you can remember the oil prices and the gasoline prices of about five or six years ago and how exorbitant those prices were and going through the ceiling, the increased production by the independents in southeastern Illinois on that oil basin over the past several years, because of the incentives that we have given the oil industry to drill, to produce more wells has brought the prices of gasoline and oil down all over this country and in the State. I think this is a good bill. I think it's the kind of incentive that we need to provide to an industry that's vital to that area. In White County and Gallatin County and those areas, the oil industry is second only to agriculture in terms of the number of jobs that it provides. I think this is a bill that would support that industry and increase the production, keep the gasoline prices low. I would appreciate an affirmative vote on the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Well, here we go again. As you know, yesterday we did the same type of thing, a tax deduction for people who donate equipment to schools. We're not sure how much that cost...well over a million dollars. Here's another one, four

and a half million dollars. You all want to come back next year and pass a tax increase? We're eating away at the revenue and I notice there's a lot more bill to do the same thing. Now the Federal Government is going to the reverse, I hope, to get away from deductions. We ought to say away from these deductions. Let's be responsible and defeat this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator O'Daniel may close.

SENATOR O'DANIEL:

Yes, thank you, Mr. President. I have to disagree with...with my good Senator, the chairman of the Revenue Committee. It says here...State sales tax revenues would be reduced by approximately 1.5 to two million dollars. The thing that...that I've told my good chairman was, she has problems seeing it...the forest for the trees. I...I've been a business person all my life and how do you make money without spending money? If we'll encourage these people to come in, look at the additional revenue it will generate. I don't think it will cost the State any revenue. You know, we talk about...not a...not a line of businesses any...any breaks to...to encourage them to come into a state, how do we expect to generate additional revenue if don't encourage businesses to come into our State? For years, we've ran the businesses out of this State. It's time we were being concerned about spending a little money to get industry into this State, and this is a vital industry in our State. It'll be very beneficial to the State of Illinois and I'd appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 430 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that ques-

tion, the Ayes are 30, the Nays are 20 and 2 voting Present. Senate Bill 430 having received the constitutional majority is declared passed. For...for what purpose Senator Philip arise?

SENATOR PHILIP:

I'd like to verify the affirmative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has been a request for the verification of the affirmative votes. Would all the Senators please be in their seats and will the Secretary please call the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Coffey, D'Arco, Darrow, Davidson, Dawson, Degnan, Demuzio, Donahue, Dunn, Etheredge, Hall, Jones, Kelly, Lechowicz, Lemke, Luft, Marovitz, Newhouse, O'Daniel, Poshard, Rupp, Savickas, Smith, Vadalabene, Watson, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Chew on the Floor? Senator Chew. Senator Chew is on the Floor. Slowly drifting in. Senator...

SENATOR PHILIP:

Senator Darrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow is in his seat.

SENATOR PHILIP:

Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke. Is Senator Lemke on the Floor? Senator Lemke. Strike his name from the record.

SENATOR PHILIP:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Dawson on the Floor? Senator Dawson. Strike his name from the record. Do you question any further affirmative votes, Senator? Mr. Secretary. On a verified roll call, the Yeas are 28, the Nays are 20, 2 voting Present. Senate Bill 430 having...Senator...Senator O'Daniel.

SENATOR O'DANIEL:

I'd like to put this on postponed consideration, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. (Machine cutoff)...436, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 436.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 436 attemps to deal with the problem of disruptive students who keep other students in the classroom from getting the benefit of their class work and keep teachers from being able to do what they are hired for. It requires school boards to establish discipline policies which allow teachers to remove disruptive students and afford...and afford students within the bill due process protection. It contains three particular things. It requires school boards to establish discipline policies. Such policies shall provide that a teacher may remove disruptive students and such policies must include due process protections for students.

The bill has been amended so that the unions, the school boards and everybody is on board and...and has...has agreed to the legislation and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 436 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 436 having received the constitutional majority is declared passed. Senate Bill 444, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 444.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of this Senate, this does exactly what the Calendar says it does. This bill came about because of individuals who...under civil proceedings, either by court or the pollution board, had been...had a fine levied against them. Then after they paid the fine, they were unable to correct the source of the pollution or went out of business, and what this bill does is gives the court or the board a tool or an option 'cause they use it only when it's appropriate and it's only to secure a correction of the pollution problem; and it says that the court or the board may, may, reduce the civil penalties only up to eighty percent, providing the money is applied to the correction of the violation for which this penalty was assessed, and the whole thing about this is we all believe we should get removal of the source of the pollution. I'd appreciate a favorable

vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm not sure I really understand or...from the explanation understand what we are doing. What you are saying, Senator, as I understand it, is that if indeed I am a polluter and I am assessed a penalty, then up to eighty percent of the penalty I get back so that I can correct what I did incorrectly in the first place. Is that what we're doing here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

No. It's only under the civil part of the liability and nothing if you done a criminal damage, and it's only...it...it's not that you get it back, it could be reduced up to eighty percent provided, provided, you're going to correct the problems which created the pollution, and what this came about is individuals or businesses which had...been a fine levied, then didn't have sufficient funds or couldn't get the loan to correct the source of the pollution and, therefore, you lost that source of...employment as well as not correcting the source of the pollution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

If indeed there was no reduction, where, in fact, does the money go? The money, as I understand it, goes into a fund which is...purports to clean up these places. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

The monies, if the fine is levied under the present Act, goes into four different funds; one is the Hazardous Waste Fund, one is the Wildlife and Fish Fund, one is the General Revenue and the fourth one is Environmental Protection Trust Fund which happens to have almost a million dollars worth of money sitting in it right now that hasn't been committed anywhere by the pollution board; and nowhere, nowhere, in all the history of the pollution board, you look at their annual reports and all they do is brag about how much money they levied on fine and there's not one word about reducing or getting rid of the source of the pollution which is what they're in business for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I am certainly not going to stand here and defend this administration's pollution control board or their lack of effort. On the other hand, I think it's terrible public policy to say to you, Mr. Violator, we are assessing you a fine for having polluted our environment and we're going to fine you a hundred dollars; however, we're going to give eighty dollars back to you so that you can stop polluting. That doesn't make a lot of sense to me. I urge opposition to 444.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. Chairman. I urge a No vote on this also. I did not support it in committee, and what it does in essence is just reduce the fees by eighty percent. The board can quadruple the...the fines. It doesn't make any difference,...they're going to get eighty percent of it back and

I'd urge a No vote on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Very honestly, I think this is an excellent idea. You know, we always hear everybody moaning and groaning about we find somebody is polluting and then trying to get them to clean it up whether they have the funds or not. Now what we're suggesting is; number one, you've got a fine, we're going to fine you for it, you should be fined, but out of those fines we're forcing you to clean up the mess. Quite frankly, it's a good idea. What are we fining them for? We're fining them...they violated the law and they've got a problem, why not use those funds to clean up the mess? I think it's a good idea and I think, quite frankly, we ought to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Davidson may close. Senator Zito, now do you wish to speak?

SENATOR ZITO:

Thank you, Mr. President and members. The last Senator that spoke, the distinguished Minority Leader, I can't help but stand here and...and remember what he just said about five or ten minutes ago on the last bill. We don't want to encourage businesses in this State to do business in the State, yeah, well, let a business that's in violation take up to eighty percent as a rebate so that they can correct the problem that they started in the first place. I think it's a ridiculous concept and if we're keeping the same vein that the Minority Leader talked of on...on tax incentives, then we should keep in mind what we're doing with this legislation. I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I think some of you people believe in the old adage, "Cut your nose off to spite your face." This...funds are still under the control of the pollution board and/or the court and it's only an option for them to get a source of pollution corrected. I thought when we passed the Pollution Control Act, we were all about was to reduce pollution, to make a clean environment for which you and I and your children and grandchildren and future Illinoisans could live in. Also, there is nothing nowhere whatsoever any documentation about all the information given to us that the penalties that were assessed under the civil cases were a deterrent, and it's not rewarding the violator. What we're after is to correct the problem. Now if you want to continue to let the people go ahead and be a source of pollution, be a source of irritation to health and limb, then vote No; but if you want to help clean up the environment, give the board and the court an option to use some judgment and it's up to, it's not eighty percent, it's up to, and I think this is a good vote for the protection of the health and welfare of the people and clean up the environment and I'd appreciate a Yes vote.

PRESIDENT:

The question is, shall Senate Bill 444 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 28 Nays, 1 voting Present. Senate Bill...sponsor requests further consideration of Senate Bill 444 be postponed. Without leave, so ordered. If I can have the attention of the membership for a couple of moments, we have some special guests that have traveled to

Springfield to be with us today and I'd...yield...the Chair will yield to Senator George Sangmeister.

SENATOR SANGMEISTER:

Thank you. I appreciate the courtesy of the members on a busy day to...for this interruption but I think it's very important. You know, we always introduce our basketball and football teams that are successful in the State of Illinois, and it's my pleasure to introduce my old high school, Joliet Central High School, who won the AA wrestling meet for the State of Illinois. I might say that they were successful in defeating Franklin Park, Leyden High. I don't see Senator Zito on the Floor, but I just thought I'd let him know that, that this is the team that did it. We're obviously very proud of these young people and...of course, obviously, it cannot be done without a good staff and in particular one good coach to bring the championship to Joliet and that is Coach Mack McLaughlin and I'd him to say a few words at this time, Coach.

COACH MCLAUGHLIN:

(Remarks made by the Coach)

SENATOR SANGMEISTER:

Thank you, Coach, and it's always a great pleasure when any city or village within wonderful Will County brings a championship home, it's...it's nothing new but it's always nice. And in that regard, we would like to present you with a resolution to you and the team from the Illinois Senate as a congratulatory resolution for your accomplishments and, again, congratulations.

PRESIDENT:

All right, with leave of the Body, we'll return to the Order of Senate Bills 3rd Reading. 447, Senator DeAngelis...448, Senator Weaver. 487, Senator Netsch. All right. Stan, you want...I beg your pardon, on the Order of Senate Bills 3rd Reading, Senate Bill 448. Read the bill,

Mr. Secretary.

SECRETARY:

Senate Bill 448.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This increases the general obligation bond authorization by one dollar. I'd appreciate a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 448 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 3 Nays, none voting Present. Senate Bill 448 having received the required constitutional majority is declared passed. Senator Netsch on 487. On the Order of Senate Bills 3rd Reading is Senate Bill 487. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 487.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 487 deals with life-care facilities and, in effect, redefines them as co-operatives for purposes of the various senior citizen and homestead exemptions. The concept of a life-care facility really did not develop until after Sections 500.23-1 and its

companion were enacted and, therefore, the definition of what constitutes a cooperative that is available for senior citizen was really not in anyone's mind at that time. This would, in effect, say that any life-care facility as defined in the Life-care Facility Act which qualifies as a cooperative will have the same treatment available to it for seniors who are resident therein. I might say that this is already done in at least one and possibly more counties of the State. Cook County already has given them the same treatment as cooperatives but it is not uniform throughout the State. This would assure that there would uniform treatment of these facilities throughout the State. I'd be happy to answer any questions.

PRESIDENT:

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT:

Sponsor indicates she'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Does your bill apply to those...edifices where people pay about fifty thousand dollars to go into those edifices...senior citizens' edifices where they pay a substantial sum of money in order to qualify to go in there?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yes, I don't know that the...the figure you mentioned is the correct one, but typically what happens is that someone at...enters into a contract which is in effect a life contract, they pay a sum of money, sometimes it is a fairly substantial sum and then they are required to be kept and maintained in that facility for the rest of their lives. If the...if one of your concerns is about the degree of wealth

or nonwealth which these people have...that was the question that I raised myself, and one of the obligations of a life-care facility as it is defined in other parts of the laws of Illinois is that it must continue to provide both the maintenance and the housing for anyone who has entered into such a contract, and so even if someone becomes totally impecunious later on, they must be retained in the facility.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I can appreciate the concern of the sponsor in...in this bill. The thing that bothers me is that those people who can afford these places where they pay a substantial amount of money for their care, they are going to give homestead exemptions to those certain life-care facilities; and yet, we are not helping those who cannot afford these very expensive facilities, and I think this bill really helps those who have the money to go to these places and not...it doesn't help the ones who really need our help more.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I think the...the sponsor has presented the arguments in favor of the legislation very, very well and there is a...a question of equity involved. If these people stayed in their...in their own homes, they would be eligible for this...this exemption. There is also the issue of...not...not irregularity, but nonuniformity in application of the exemption at the present time in different counties. There's another side to the...to this legislation though that I...I do want to raise. The...and this impacts a...a portion of...of my district. What we do...what we will be doing here is eroding the tax base on which units of local

government are very dependent, not only the...the schools but all the other taxing districts that rely on the property tax as a basis for the revenue which they need in order to provide services. For example, the passage of this legislation would deprive a local school district in my area of approximately fifty thousand dollars in revenue...every year. The school district is already hard pressed. One of the things that this bill does...while it is true that these people would receive the exemption if they were in their own home...homesteads, the impact is dispersed through a region; but when you focus...bring these people together in a life-care facility, then the impact is focused with...within a small number of taxing districts. I would also point out that...that this...this kind of exemption is exempt from the State's Mandate's Act so the State has no obligation to...reduce or to replace the money that this passage of this bill would take away.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I merely wanted to say to the sponsor of the bill, I'm a little surprised at her sponsoring such legislation. When we go to revenue and we're always trying to get an extension for those who...senior citizens who own property and who have labored all of their lives to see that they would be sitting comfortable in their senior years,and we come to revenue to seek to get a...tax break for them...to certain amounts and here we cannot get it. She said, we're spending too much money, too much money, too much money; but people who are already endowed with money and who can afford to throw money into the lake, so to speak, here we are in the legislative Body today seeking to make their life much easier by giving them a tax break, and I'm really surprised and I just wanted to let the sponsor of the bill know

that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President...thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 487. The difficulty has been...and that's one of the reasons why Senator Philip and I are cosponsors of this legislation. The...difficulty has been that there is an inconsistent policy among the assessing authorities throughout the State. There simply aren't that many of these facilities but the fact is they are treated differently. In the County of Cook this kind of exemption has been granted by the Cook County Assessor and is justified. The fact is, in other counties it has not been granted and so there is a...a really unworkable discrimination. We are talking about something to which senior citizens are fully entitled, and the fact that they maintain themselves with a monthly maintenance payment at one of these life-care facilities should not militate against their rights. This is a extremely good piece of legislation and one that will benefit the senior citizens and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Just very briefly. I think the point here is equal treatment for people in equal circumstances, and if Senator Smith would hear my regular lectures in the Revenue Committee she would also hear me making that point. The senior homestead exemption is already available to seniors regardless of their income level. It is available to those who live in their own home or who live in a co-op or a condominium, and it has nothing to do with income level,

that is the way the law is already. All this does is say that those who have a different living arrangement, who live in a life-care facility, which in effect is their homestead, will be treated the same as those who already live in their own homes or in a co-op. That, I think, is equal treatment for people in equal circumstances and I think that really is fair. I would solicit your support of Senate Bill 487.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the question is, shall Senate Bill 487 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, 1 voting Present. Senate Bill 487 having received the constitutional majority is declared passed. Senate Bill 492, Senator Chew. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 492.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President and members of the Senate. It's just as the synopsis says. It justs permits certain trailers or semitrailers to operate where it's a little more convenient for loading and unloading. There's no opposition to the bill. All agencies involved have signed off to it, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 492 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting...1 voting Present. Senate Bill 492 having received the constitutional majority is declared passed. Senate Bill 498, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 498.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

Senate Bill 498 authorizes a seven percent increase in the formula by which funds are appropriated for library systems for funding in Fiscal 1986. This money is contained within House Bill 583, the Secretary of State's annual appropriation. This is an Illinois Library Association bill and is supported by the Secretary of State, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 498 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 498 having received the required constitutional majority is declared passed. Senate Bill 499, Senator Darrow. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 499.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 499 applies the provisions of the driving under influence of alcohol to the operation of watercraft. At the present time, if someone is intoxicated and operating a watercraft, the maximum penalty is a hundred dollars. This legislation has a series of provisions that increase that penalty, make it a Class A misdemeanor for the first offense, Class 3 felony for subsequent offenses and Class 2 felony if result...if death results from the operation of...a watercraft while intoxicated. I'd be glad to

answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. Chairman...or Mr. President. This bill traditionally went to the Agriculture Committee. I think that it had resided there for a number of years. I don't particularly think this is a good idea. Now,...as I understand it, any motor craft, that could be a three-horse motor and the fellow could be sitting out there fishing, and...with a six-pack of beer, and if the game warden couldn't find anything wrong with...what the fellow is doing, he could get him for...for being intoxicated. How in...another thing that...that I don't understand is, how are they going to take this...how are they going to take this test...is the...are the...conservation police officers going to be equipped with a Breathalyzer kit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, to start with, this will be enforced by a number of agencies, the Department of Conservation, the sheriff's department, the coast guard up around Chicago, the Chicago Police Department. The Breathalyzer provisions come as a result of after observing other indications of intoxication, and I'm not sure how the Department of Conservation would enforce this, whether they would take them to shore or have field tests.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, did the conservation police officers...were they in favor of this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

This bill is supported by the Department of Conservation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. My analysis says the bill is supported by the Lake County State's Attorney's Office, DLE, the Department of Conservation. Is that true, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

At the committee hearing the Sheriff of Lake County and the State's Attorney of Lake County came down to testify, and Senator Geo-Karis from Lake County is a cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, all I can do is point out to the members that you haven't seen the need for this bill until you've been out on the Chain-o-lakes, because there is no question that one of the real serious problems we've got perhaps not only at the Chain-o-lakes but at any lake around this State where you put a lot of boats or people who are filling them up with booze and going out and drinking, it's creating a very serious problem up there. I know, I've been on it. I think this is a good piece of legislation. As far as that fisherman is concerned, I'm one of those guys too. They have every bit as much responsibility to watch what they're doing as the rest of those folks out there driving the speedboats. This is a good bill, we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I can only echo Senator Kustra's statements about the need for this as it relates to the operators of boats. I was wondering if the sponsor would yield to a couple of questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schaffer.

SENATOR SCHAFFER:

I think one of the things that has been going on since...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Darrow, the gentleman is asking you questions. Senator Schaffer.

SENATOR SCHAFFER:

...I think one of the things that has been going on since Cleopatra's days on the barge has been people getting a...a party together and going out on a body of water and enjoying themsevles. I guess the people who operated the barge, meaning the slaves, didn't get to drink, but I assume the people holding the party were imbibing and I suspect they will continue to imbibe. How does this impact on passengers in a boat other than the driver, and...and what are the implications in terms of open liquor in a boat? I think of the large forty-some foot craft that are moored at the Burnham Harbor in Chicago, how would it impact on those?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

I'm glad you raised that point. First of all, this legislation pertains only to the operator of the watercraft. It does not apply to the passengers. They can drink to excess if they want. It's completely at their own discretion. Secondly, you can have open liquor in the boat, there's no...prohibition against that. And lastly, the operator of the watercraft can also imbibe in a few drinks as long as he does not drink to excess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think it's a pretty good idea, and...and I agree that a large motorized boat or, for that matter, even a small motorized boat is a killing weapon, and the person who operates that ought not to be intoxicated. I only have one minor problem and that's...I just wonder when that law enforcement officer pulls over that cabin cruiser and they're steering from down below and there are seven people in the boat, I can see this rather amusing situation where the seven of them decide which one of them was driving. But I still think the idea has merit, and I believe that our law enforcement agencies can effectively enforce it and it will save lives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Question of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator...

SENATOR CARROLL:

Just want to know when the law enforcement officer comes up to the boat driver, if he can ask him to get out of the boat and walk a straight line while in the middle of the lake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Just a comment. I...I think everybody agrees that with these larger boats...and there is a problem, particularly those of you that have large size lakes in your area, and I'm sure Lake Michigan is a problem also. But I think some of the problem that we're...and some of the inquiry we're getting from some of our sportsman's people is is they really

feel that this bill is going to open up for them some harassment for the guy with his ten-horse motor fishing boat who happens to take his six-pack of beer along, and now he's out there with his cane pole in the water and some...and now I understand, it's not only the conservation officers but the sheriff and the State police and everybody else cruising around out there possibly giving him a hard time because he is sitting there drinking a can of beer and enjoying his afternoon. I'm not so sure how you can structure this bill to prevent that, because I guess you'd have to admit that even a small watercraft can be dangerous with a ten-horse motor. But at the same time,...as this bill progresses, I...I would...would like to see something of a little bit more protection for the guy who enjoys his...his weekends and his can of beer and his little ole' fishing pole.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow may close.

SENATOR DARROW:

Thank you, Mr. President. I would point out that this legislation or similar legislation is supported by ninety-one percent...or let me...let me back up. Seventy-eight percent agree that State marine officials should have authority to administer a chemical test; that's seventy-eight percent of those folks who own boats. So, if we're talking about the little fisherman, he may be for it just as much as the next guy, I don't...I don't think that we're going to have trouble with enforcement of this. As I said earlier, it pertains only to the operator. It does not pertain to the passengers. The operator can have a drink or two as long as he does not drink to excess. And if you have problems on the Chain-o-lakes, you should see the problems we have on the Mississippi River with the barge traffic. On a Sunday afternoon, a number of people will be out there drinking, pulling water skis, I've seen...motorboat operator pull a person on

water skis in front of a towboat. There are a number of other areas that I've observed. It's a real hazard. It's a hazard here, it's a hazard in the Chain-o-lakes, Mississippi, the Illinois River; Senator Dawson testified in committee on the problems they have on Lake Michigan. He's very familiar with that body of water. I would ask for a favorable vote. I think this is long overdue. It's been a...it's a privilege to operate a watercraft on the waters in Illinois, and I think it's about time we exercise our right to keep them safe for everyone. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 499 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 499 having received the required constitutional majority is declared passed. 500, Senator Lemke. 501, Senator Rupp. On the Order of Senate Bills 3rd Reading is Senate Bill 501, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 501.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Senate Bill 501 was drafted as a result of a joint...of the Joint Committee on Administrative Rules. There was some question as to the suspension of...sureties by the Department of Transportation but now the Department of Insurance, the Department of DOT have gotten together, the bill has been amended and now is agreed that...in agreement both groups...and that the amendment did

permit the Department of Transportation to continue to suspend bonds and sureties as they have been doing. Ask approval of the bill as it has been amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 501 pass. Those in favor will vote Aye. Those opposed will vote No...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 501 having received the required constitutional majority is declared passed. Senate Bill 506, Senator Lemke. Senate bills 3rd reading is Senate Bill 506, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 506.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is conforms petition signature requirements for local advisory referendum to requirements for...amendments to the legislative article of the Constitution...authorizes school districts and local governments to submit advisory referendums. I think it's a good bill. It brings the petition...requirements in...in agreement with all articles in...thing. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 506 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

56, the Nays are none, none voting Present. Senate Bill 506 having received the required constitutional majority is declared passed. 508, Senator Luft. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Please register me with this...bill. I was over on the other side. I'm sorry...voting Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will reflect that had you voted, you would have voted in the affirmative. Senate Bill 509, Senator Luft. 510, Senator Smith. Senator Smith, 510? On the Order of Senate Bills 3rd Reading is Senate Bill 510, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 510.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 510 requires the Department of Law Enforcement to establish a program for providing matching grants to eligible crime prevention organizations, and it permits the taxpayer to designate on their income tax return that one dollar of their taxes be deposited into the fund for this program. Now, this bill is different from the other tax bills that are enacted here in the General Assembly. We're not asking for a...a tax checkoff. This will...when you make out your income tax, you can put on your income tax that I'd like to have a dollar to be...to...designated to law enforcement for organizations. No, no, this is not after...no refund. This is when you go to make out and it's voluntary. It's not mandatory at all, but it will help to create a crime preven-

tion grant fund for our State Treasury from which the General Assembly may appropriate monies for...to the Department of Law Enforcement for awarding grants for programs outlined by this Act. In our neighborhoods we have a lot of organizations that are seeking to help...to, save God, people who are going to work, they come home in the evening, there's a bus there or a car or...to pick them up, take them to their home, supervise the children likewise, and if we can make such a provision possible...or this vehicle possible, then I'm sure that we might be able to help many of our community organizations, they can get a grant from the Department of Law Enforcement; and I might say that the...the law...the Department of Law Enforcement has no objection at all to this bill. I'd be happy to answer any questions if necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think it should be pointed out, I...there's a little confusion at least on this side of the aisle. This is not a checkoff in the sense that we have had before. This just says that every taxpayer can mark a little box...it's kind of like that Presidential checkoff we have for...you don't really put a dollar...well, I guess you do in that case put a dollar of your own money. In this case, whether you have a return or not, you put a check in it and...this fund is created. I'm, frankly, a little dubious of this. We have a number of anti-crime organizations, I think of crime stoppers which has been very effective in my part of the State which is funded exclusively by private funds raised through a whole variety of fund raising mechanisms. Frankly, we could do this right now simply by an appropriation to the Department of Law Enforcement. I don't know that this is something we want to get started. I...I would defer to our experts on the Revenue Committee, Senator Netsch and Senator

Etheredge, whether there is such a checkoff here. It may well be that the accounting on each tax form could...could end up costing thirty-five or forty cents to keep track of how many people wanted to put a dollar in, and, you know, it would be...in all deference to Senator Carroll and Senator Hall, we can make an appropriation a lot cheaper than that. I think it's a good cause, but it's one that we, as the Legislature, ought to do without having to have the Department of Revenue look at...what is it, eleven million tax forms for checkoffs. I...it's a noble cause, but I think the...the paper schuffling involved in it is going to be to the extent that the program really shouldn't be done this way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think there was some confusion about this bill when it went through committee, but as I understand the bill now, and you ought to realize what we're doing, this bill would require that the taxpayer be able to tell the State Government that one dollar of the tax money would go for this purpose. Now, that is different from other checkoff systems that we've had in the past where the taxpayer can voluntarily take a portion of his refund and contribute that refund to some worthwhile cause. I don't quarrel with the cause that the Senator is espousing here, but if we're going to...if we're going to do this sort of thing, then I think we may ask taxpayers, how much of your money do you want to go to schools? How much of your money do you want to go to roads or all the other functions of State Government? That's the sort of thing that's being proposed here, and it's different from the checkoff.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I...I, too, am very much in sympathy with the objective that the Senator is trying to accomplish. Certainly, the...the program that she's interested in...in obtaining financial support for via this mechanism is...is...is a very fine one; however, I must rise in opposition to the bill, because I think that it does...we're putting ourselves in...in the position where...it's going to cost us fifty cents in order to...to spend a dollar in support of these programs. I think it...it establishes a very dangerous...precedent as has...has already been pointed out by a couple of the prior speakers. The next thing we'll have will be checkoffs to the...to...to the schools, to public aid or...or whatever. I think that we have an appropriation's process which allocates money in support of programs which we feel are deserving of support, and we can appropriate a dollar and...in order to provide a dollar in support of the services. So, we're not going to drastically increase administrative costs in order to allocate programs in...in...or money in support of these various programs. I think it's a very dangerous precedent, and I would recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, I request that the sponsor take it out of the record till we can straighten this out, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 512, Senator

Luft. Senate Bill 513, Senator Netsch. Senate Bill 521, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

...thank you, Mr. President. Senate Bill 521 broadens the manufacturing machinery and equipment exemption. The current law limits the exemption to machinery and equipment primarily used in the manufacturing or assembly of tangible personal property for sale or lease. What we're trying to do with Senate Bill 521 is to expand the exemption to include machinery and equipment and tools used in the general maintenance or repair work on production of machinery and equipment, to include machinery and equipment used for in-house manufacture of exempt machinery and equipment, and to also include machinery and equipment used for product design and production including but not limited to computer assisted design and computer assisted manufacturing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 521 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 521 having received the constitutional majority is declared passed. Senate Bill 522, Senator Sangmeister. Senate Bill 527, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 527.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This...excuse me...in this issue...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we break up that conference by Senator Carroll there.

SENATOR CARROLL:

...Margaret, please. In the area of...of asking people in corporations to donate food to the hunger pantries of this State which are run by the various charitable institutions we found that when the law was created in 1981, for some strange reason it had basically been interpreted to limit the types of foods that could be donated to canned goods and agricultural products; namely, fruits and vegetables. There are many companies who wanted to donate other types of food products to the poor and...and their corporate counsel had been advising them that they were not allowed to do so because of the Food Donor's Act; and in addition to that, there was no State involvement in the program in a positive sense. So what this amendment would do would be to expand those areas of foods that could be donated to these pantries and also asks the Department of Commerce and Community Affairs to try and help these food pantries by going with them to corporations and asking them to donate what would otherwise be surplus or wasted food items. This would allow many more of the corporate entities in Illinois to donate those excess items to those who are truly hungry and truly in need, and the department would then be able to help find those sources and make more of what otherwise would be wasted available. I would be willing to answer questions and ask for a favorable

roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 527 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 527 having received the constitutional majority is declared passed. Senate Bill 529, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 529.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Collins arise?

SENATOR COLLINS:

Had I been at my seat, I would have voted Yes on 527. Would the record please so show?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senator Donahue on 529.

SENATOR DONAHUE:

Thank you, Mr. President. I would like if I could at this time, to Table Senate Bill 529 and be added as a hyphenated cosponsor of Senate Bill 1084.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On...Senator Donahue wishes to Table 529. You've heard the motion. Is there any objection? Is leave granted? Leave is granted. She also asks...seeks leave of the Body to be added as a hyphenated cosponsor to Senate Bill 1084. Is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 530, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 530.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 530 is a...is a simple bill and it does two things. It...amends the Downstate Public Transportation Act, changes "may" to "shall" and adds a new provision which requires Illinois Department of Transportation to deny transportation funds to those communities who do not comply with the accessibility standards for the handicapped, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 530 pass...Senator Bloom.

SENATOR BLOOM:

A couple of questions of the sponsor, if I may, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR BLOOM:

Our analysis raises a question as to whether or not the Federal requirements dealing with the accessibility of transportation are even defined in the Federal Revenue Sharing Act. Do you know,...yes or no, whether they are defined?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

It's my understanding by talking to DORS that it is defined.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Would this bill require all structural barriers; i.e., curbs with no ramps to be modified?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

It would not unless...new construction has taken place, and under the provision of the law now that when they're put back they are to be put back to standards which are accessible to the handicapped.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Last question. Would telecommunications devices for the deaf have to be installed and maintained at certain public transportation sites?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

My understanding, again, this morning talking to DORS that it would not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 530 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. Senate Bill 530 having received the constitutional majority is declared passed. Senate Bill 531, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 531.

(Secretary reads title of bill)

3rd reading of the bill.

SB 533 3rd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Code of Corrections in...and questions the...the question of fitness to be executed may be raised after the defendant is sentenced to the death penalty. The burden...under this bill the burden is on the defendant to show by the preponderance of the evidence that he is unable to understand the nature and purpose of the death penalty. If an offender is found unfit to be executed, then he is held by the Department of Corrections until such time. What this does is...the burden used to be on the State to do it, now it's...the burden is on the defendant to show that he's unfit. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 531 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 531 having received the constitutional majority is declared passed. Senate Bill 533, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 533.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Probation Act and the Juvenile Court Act in regards to the Supreme Court recommendations. The court noted that statutory provisions which

govern the various court related departments are scattered throughout the Statutes or in many instances were taken together confusing and duplicating and inconsistent. What this bill does is to clarify it as...as...as No. 1 in the Juvenile Act, appointment of officers to probation or court service department shall be governed by the Probation Officers Act, requires all counties to maintain court services or probation departments, requires court authorization for exercise of certain powers given to the court service probation. I think it's a good bill and creates uniformity amongst our laws. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 533 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 533 having received the constitutional majority is declared passed. Senate Bill 535, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 535.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the uniform Code of Corrections, requires a pre-sentencing report shall include information regarding previous orders of supervision, probation and any continuances under any supervision, notwithstanding whether the defendant at the time of the placement was a juvenile...I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 535 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 535 having received the constitutional majority is declared passed. Senate Bill 538, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 538.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...amends the Juvenile Court Act, provides that the court may require a delinquent minors serve a period of detention not to exceed seven days as a condition of supervision. This is...in other words, if the judge in...his mind feels that the juvenile should be detained maybe for two or three days, he can do it. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 538 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 538 having received the constitutional majority is declared passed. Senate Bill 544, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 544.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is...the bill does is amends the Criminal...Code, provides that a third and subsequent conviction of prostitution is a Class 4 felony. With Senator Geo-Karis' amendment it equalizes this to the fellow that solicits. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 544 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 544 having received the constitutional majority is declared passed. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

I...I thought I had put down my Yes button...please, for the...to show on the record that if I had put my finger on the right button, I would have voted Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, the record will so indicate. Senate Bill 559, Senator Weaver. Read...Senate Bill 564, Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Boat Registration Safety Act to provide that any person who operates a watercraft upon the waters of this State under the influence of alcohol or other...or drugs shall be guilty of a Class A misdemeanor, and I move the favorable passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Where did this...where did this one come out of? What committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Judiciary, sir. Judiciary I.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, which Judiciary Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Judiciary I, and I had nothing to do with the assignment, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Judiciary I, and then the other bill came out of Judiciary II. Never mind.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill...Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as long as we've pumped one bill out of here

already, it's not that we haven't put two out on the same subject before, but I would like to know how...the two bills differ? That's my question, if the sponsor will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, my bill simply applies...saying that if they're guilty of drunken...drunken driving on a boat or under drugs that the penalty goes up from a petty offense to a Class A misdemeanor. And I think we should pass both bills. I supported the other bill, because I think...we don't know what the House is going to do, and I ask for your favorable consideration. There's a need for bills like this, and I might add, I don't have anything to do with assigning bills, and I ask for your favorable consideration.

PRESIDENT:

Further discussion? Any further discussion? Senator Geo-Karis, you wish to close?

SENATOR GEO-KARIS:

Ask for a favorable roll call. Thank you, sir.

PRESIDENT:

The question is, shall Senate Bill 564 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 564 having received the required constitutional majority declared passed. 565, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading, Senate Bill 565. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 565.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Probate Act of 1975. It provides that an adopted child is a natural child for the purpose of determining the property rights of persons under any instrument...we...unfortunately, by a quirk of the law, if a child was adopted before 1955 and his father should die without leaving a will or...make any...not make any provision, I think you'd have a problem. All it does is make it completely...complete and uniform applying to all adopted children, and I urge its favorable passage.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. It's with some reluctance that I rise on this. I understand, I think, what you're trying to do, Senator, but I have a problem with perhaps it...it might not be constitutionally. Could you...could you address that briefly?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe, Senator, that it is constitutional, because what we're saying is that the child...the children adopted before 1955 would have the same rights as people...as the children adopted after 1955. So I think you bring it into uniformity.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I don't know how it...well, I'll just say it. I think it's ex post facto. Well, let me put it another way.

Conceivably there would be testators who executed wills prior to 1955. Basically, this bill says, it doesn't matter what you wanted to do, here is the way you are going to do it. And, I...I understand, I'm just suggesting that there is the probability of a very severe problem with this. I'm...will be unable to support it, I'm sorry.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Let me...thank you, Mr. President. Let me expand on Senator Bloom's concern. This doesn't...this doesn't affect the question of children adopted before or after September 1, '55. This bill affects wills that were prepared and executed, not adoptions that took place but wills that were executed before September 1, 1955. The law says that if I executed a will after September 1, '55, and I said that my children shall inherit, the word "children" will include both adopted as well as natural children, and when persons executed wills after that date, they understood what that meant. The trouble is that before September '55, if you used the word "children," the law has been that it meant only natural children; and people that executed wills according to that law, if they wanted their adopted children to inherit would say, I also want my adopted children to share in my estate. By this bill we are changing the meaning of every will that dealt with a person who has adopted children that...where that will was executed before 1955. Now, I'm not a constitutional law expert and I don't know if it is or is not constitutional, but I raise the question, is this what we should be doing? And it's not on a question of equity, it's a question of...of...of allowing a person who made out a will to have his purposes carried out according to the law when he made that will. Now, a lot of people executed wills years ago before 1955, they put them in a safety deposit box, they

put them in the drawer and they've never changed anything because they knew what they wanted to do then. This bill changes that. I'm not sure that's what we ought to be doing. And, therefore, I think that the law...if you don't pass the bill, everybody knew what the law was, they carried out their intentions and we aren't the ones that are changing it. I don't think...that we should be the ones that should be changing it retroactively. I'm going to vote with Senator Bloom and vote No.

PRESIDENT:

Any further discussion? Further discussion? Senator Geo-Karis, you wish to close?

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, many people who did...had adopted children and their own children, when they just put a classification of children in their will at that time presumed that it meant all of them. And this is...is just a simple correction of the law. Now, if...anyone doesn't want to include their children, they don't have to include their children. That wouldn't make any difference. All we're trying to do is make it uniform so that people who were adopted before 1955 would have the same rights of people who were adopted after 1955, and I urge a favorable consideration.

PRESIDENT:

Question is, shall Senate Bill 565 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 Ayes, 26 Nays, 1 voting Present. Senate Bill 565...sponsor requests that further consideration be postponed. So ordered. 566, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading, Senate Bill 566. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 566.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply amends the IMRF Articles of the Pension Code to expand the definition of sheriffs law enforcement employed to include...full-time law enforcement employees of forest preserve districts. It only affects about forty-seven people. It's supported by the Illinois Municipal Retirement Fund, and I might say that this privilege has already been...afforded to the policemen of the Department of Conservation, and I might also say that LRB says it does not affect the Cook County funds...Cook County people because they have a different classification.

PRESIDENT:

Is there any discussion?...

SENATOR GEO-KARIS:

...urge your consideration.

PRESIDENT:

...any discussion? If not, the question is, shall Senate Bill 566 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. Senate Bill 566 having received the required constitutional majority is declared passed. 567, Senator Joyce. 573, Senator Maitland. 576, Senator Topinka. On the Order of Senate Bills 3rd Reading, bottom of page 26, is Senate Bill 576. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. What this would ultimately do is allow the Agriculture Premium Fund to pay for overflow facilities in terms of race tracks. At present, where...when we have racing dates at one track and more horses have been put at one track than it can accommodate, those horses then flip over to another track and then, unfortunately, that particular track has to either work out an arrangement with the sending track and/or sustain the cost themselves. This would improve racing throughout northern Illinois and probably throughout the State.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, yes, Mr. President, I...I guess I'm a little confused here. We are...we are now going to dip into the Ag. Premium Fund rather than the Race Track Improvement Fund, and I don't understand why we're doing that and I don't know what the fiscal impact is...the drawdown off the Ag. Premium Fund. If the sponsor would indicate some response.

PRESIDENT:

Sponsor indicates she will yield. Senator Topinka.

SENATOR TOPINKA:

Yes, we don't...anticipate the fiscal impact to be very great at all.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Isn't...isn't this a tremendous departure then from previous policies of using the Ag. Premium Fund for...for...for race track improvements?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I don't know that we could necessarily call it a departure, because it indeed improves what the race track is able to do in order to keep the racing industry as strong as we would like to keep it in the State of Illinois.

PRESIDENT:

Any further discussion? Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, yes. Thank you, Mr. President. I guess along that same line of questioning, I know we...we drawdown the Ag. Premium Fund every year to a certain level and then from that level we extract some more money in...into the General Revenue Fund, as I recall, and I...I.. I'm not...I think there could be a very serious impact here on...on the General Revenue Fund. I just would like to know the answer to the question, too, Senator Topinka. If we...we know it; if not, we might ought to hold the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I don't see my staff person here who...would have that information. If I could possibly see if he is here for a moment. I'll pull the bill from the record if you like until I get that information...thank you.

PRESIDENT:

Take it out of the record, Mr. Secretary, please. 577, Senator Degnan. On the Order of Senate Bills 3rd Reading, bottom of page 26, is Senate Bill 577. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 577.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 577 increases the required bond for notary publics from one thousand to ten thousand. The one thousand dollar bond was set fifty years ago in 1935, and that is so low now that it does not fulfill its purpose. Improper notarization can cost the consumer on a falsified document upwards of four or five thousand dollars. I'd be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Sangmeister.

SENATOR SANGMEISTER:

Under that Act, of course, we've always been able to have individual sureties rather than having to have a...a professional bond. You're not changing that section of the Statute at all. All you're doing is saying whether you're an individual surety or whether you get a bond, the limit is going to go from one to ten thousand. Is that correct?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Absolutely. Whether it's an individual or...or...or a bond.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall Senate Bill 577 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none...1 voting Present. Senate Bill 577 having received the required constitutional majority is declared passed. Senator Rigney on 578. On the Order of Senate Bills 3rd Reading, Senate Bill 578. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 578.

(Secretary reads title of bill)

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, the clerk, I think has probably already explained my bill. What...what we're providing for here is really for the first time certifying the people who are in this business of running the video display equipment. Actually what we're attempting to do is something very similar to what is being done for the shorthand reporters, certified shorthand reporters, we certify them and we hope for the first time to be able to do this for the...for the video people, because they are in also a very sensitive area as far as the courts are concern. We are doing this with the blessing and with the help, first of all, of the Supreme Court, and we give them the full right to regulate in this area; and the second amendment to that bill says that in any deposition...for use...use in a court proceeding, we're protecting the court reporters under this Act in that we say that a transcript of such...deposition shall be prepared by a court reporter. So I think we are doing something for these people and also protecting the other people's turf as well.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

We have a whole variety of bills to license and regulate "professions," I guess this is the first one I've seen. I think somebody slipped one by yesterday while I was asleep at the switch, but let me just say, we ought to stop and think about what we're doing on licensing and registering everything that purports to be a profession. We're going to be licensing lawn cutters and babysitters and people who play chess in the park before we get through here. I cannot say that I have had one letter, one phone call, one person, anybody hint that there is a problem that causes this group to be registered. And if it isn't broke, why fix it? If no one has asked you to register these people, why register them? And I don't...I'm frankly prepared to give the same speech on twenty-seven other bills which means that all of you who have those other twenty-seven other bills probably ought to get together and you can pass them all. But let's just stop and think, more and more registration. Years ago we had a move to get rid of all these...frivolous registrations. What comes after registration? Well, then,...then, we have continuing education and certification and testing and what's the end result? We cut down the number of people available to do this "new profession." We drive up the...the cost of the profession. Let's face it, the only people who want to be registered are the people who are doing it and they're doing it out of self-interest. Fine. I understand self-interest, but let's stop and think about this before we go registration nuts.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I join...Senator Schaffer in opposi-

tion. I also note that the Department of Registration and Education is opposed to this bill and the registration of these video officers. So I would suggest that this bill, as those others, have a...resounding No vote and does not pass the House.

PRESIDENT:

Further discussion? Any further discussion? Senator Rigney, you wish to close?

SENATOR RIGNEY:

Well, if there is opposition from the Department of R & E, now, this of course comes as news to me, because I don't recall them appearing at the time of the hearing in the committee to register their opposition at that time. I might just point out that this is rather a sensitive field. You're finding more and more people now are using these video people to do such things for instance, as recording wills; maybe, you know, grandma wants to have a...her will recorded so she can point out valuables that she has in her home that she wants to leave to members of her family. These people of course have a position of trust. They come into the home. They're aware of every single thing that is of value in that home, and obviously, if we get the wrong kind of shysters into the business, I think we're going to find that...that those people can then come back and do a little midnight acquisition on their own after they know the lay of the house and know everything that's of value in that house. I think...unlike as my friend Senator Schaffer pointed out we want to register lawn mowers and people of this kind, I think you'll find that this is a very sensitive area, and if we think it's important that we do certify some people in State Government who have sensitive positions, I think we're going to find that video officers are those kind of people that will have very sensitive positions in our lives, particularly more so as time goes on.

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3rd reading

PRESIDENT:

Question is, shall Senate Bill 578 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 14 Ayes, 39 Nays, none voting Present. Senate Bill 578 having failed to receive the required constitutional majority is declared lost. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

...thank you, Mr. President and members of the Senate. We are honored to have in our...balcony this afternoon fifty students from Mollison School and Mr. Loftin is their teacher and courier with them this afternoon, some of the teachers are with them. I'd like for them to stand.

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. Top of page 27, 595, Senator Bloom. 596, Senator Dudycz. On the Order of Senate Bills 3rd Reading, Senate Bill 596. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 596.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this bill in fact does, it allows approximately four hundred...homeowners and their families in an...unincorporated area in my district to be annexed to the Village of Norridge, and with the amendments does not affect any...any other part of the State. I ask...I'll ask...answer any questions there are.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I would simply call the members' attention to the fact that we're setting a precedent here with allowing annexation to areas that are not contiguous. And I rise in opposition to the bill.

PRESIDENT:

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Nedza.

SENATOR NEDZA:

Senator Dudycz, I'm familiar with that area. What...what area we talking about in Norridge? Is this in Harwood Heights, Norridge, just what section are we speaking about?

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

It's an unincorporated part of Norridge which is surrounded by three sections of...with the City of Chicago boundaries and to the north it's surrounded by Park Ridge. And there is a strip of land which is between the...property of Norridge and this unincorporated property that they wish to be.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Is this the hole in the doughnut? Is this the principle that this...this Body has been fighting with for the past three or four Sessions?

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Yes it is.

SENATOR NEDZA:

Then I have to stand in opposition to the bill also. We create more problems by...by passing this legislation that what we're going to be solving.

PRESIDENT:

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Zito.

SENATOR ZITO:

Senator, you indicated to me that the amendment made it very specific that it was only to...to...the legislation now as amended would only affect that particular area. Is that correct?

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

That is correct. The Floor amendment that we submitted, specifically pertains to an area with a population of at least eleven hundred but...not more than twelve hundred inhabitants. In effect, it does not affect any other part of the State except this specific plot of land.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, I...you know, I appreciate your honest attempt to try to address it just to the area, but as the chairman of the subcommittee in annexation last year, we learned that every piece of legislation dealing with annexations would correct one problem and ultimately create four or five

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others. And the reason I'm interested in annexations because I, too, in my district the first year here tried to address similar problems and realized we created half a dozen or a dozen more in other areas of the State. I'm not so sure that we want to enter...into this area, and would ask each and every Senator to take a good, hard look at this, and if you have any areas that are unincorporated areas and there was interested...interest concerns for annexation should look at this legislation. I think we're moving into a dangerous area.

PRESIDENT:

Further discussion? Any further discussion? Senator Dudycz may close.

SENATOR DUDYCZ:

Well, to answer Senator Zito's last statement, in our conversation you brought up the concern that you'd like to tighten up the amount of the people that would be involved in this...in this bill, and you...it was...I mean, your suggestion that I submitted Amendment No. 1 on the Floor, and it was my understanding that with this amendment you would find this bill acceptable, and I ask everybody for your favorable consideration.

PRESIDENT:

The question is, shall Senate Bill 596 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 19 Nays, 2 voting Present. Sponsor requests that further consideration be postponed. 597, Senator Darrow. On the Order of Senate Bills 3rd Reading, Senate Bill 597. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 597.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, this legislation does not pertain to Cook County. Secondly, what it does is it requires that the person running for regional superintendent of education have two years teaching experience rather than four. The purpose of the legislation is that oftentimes in downstate Illinois it's difficult to find a candidate who meets all the qualifications set out in the Statute. At the present time, he would have to have a good...be of good character, have a Masters degree, have twenty hours in education at the graduate level, hold one of four grades of supervisory certificates and have four years teaching experience and a few other requirements. What this does is change that from four years to two years. He will still have to have all the other requirements. Hopefully, this legislation would encourage more people to run for this office.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Senator Darrow, why...why did we...I...I don't recall...why did we exempt the County of Cook?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

At the request of the County of Cook.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President...when they made that request, did they...did they say anything to you other than they just wanted out? Was there a reason for it?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

They felt that they had enough individuals that met these qualifications living in Cook County that would be able to run for the office. They don't have the problem that we do in downstate Illinois.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Senator Darrow, for that answer, and I...I think that's an excellent answer and I think the same...the same rationale applies downstate. We...for the life of me, I don't know of any county in my legislative district where there's been a problem getting someone to run for that office; as a matter of fact, they are seeking the opportunity to run for that office, and...and it just seems to me to reduce the qualifications for an office that is as important as that one is is not in the best interest of education. I think we're, quite frankly, going the other way, and I, quite frankly, am sorry that...that we exempted the County of Cook and I think I would urge opposition to Senate Bill 597.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Darrow may close.

SENATOR DARROW:

Thank you, Mr. President. In my own county of Rock

Island, since 1970 we've had the same regional superintendent of education. He is now going to retire. He's a friend of mine and this bill is not aimed at him; however, in those fifteen years he has had only one opponent and that was in a Primary Election. Other opponents...or other candidates did not have the qualifications. I might point out to the Republicans that in fifteen years there's not been a Republican in Rock Island County that wanted to run for this office; perhaps this would encourage both Democrats and Republicans to run for this important office and become involved. I'd ask for a favorable vote. Thank you.

PRESIDENT:

...question is, shall Senate Bill 597 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 24 Nays, none voting Present. Senate Bill 597 having received the required constitutional majority is declared passed. 601, Senator Etheredge. On the Order of Senate Bills 3rd Reading, Senate Bill 601. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 601.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the forest preserve district up in my part of the State has been actively developing cycling and jogging trails along the Fox River. The...there are several incomplete segments of that...of that path...or those paths at this time, and what this bill is designed to do is to facilitate

the...the completion of those trails. What the bill does is to...it authorizes the forest preserve...district to enter into contracts with other units of local government and also establishes the...some parameters for working relationships between the forest preserve district and the Department of Transportation and the Department of Conservation. I'd be very happy to respond to any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 601 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 601 having received the required constitutional majority is declared passed. Senate Bill 602, Senator Etheredge. On the Order of Senate Bills 3rd Reading, Senate Bill 602. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 602.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 602 expands the manufacturing machinery and equipment sales tax exemption to include manufacturing machinery and equipment used in general maintenance or repair of such machinery and equipment. It also would include in-house manufacturing machinery and equipment, and it would include computers and peripheral equipment used primarily in operating machinery...manufacturing machinery and equipment. I would be very happy to respond to any questions.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in opposition to Senate Bill 602, and if I did not equally oppose the earlier bill, it was because I was not on the Floor. This is not a question of equalizing treatment among various classes of taxpayers, as I think Senator O'Daniel's earlier bill could be characterized; that is, lifting an exemption...dollar exemption that did not apply to other aspects of the sales tax exemption. This is a major new opening up of the sales tax exemption for the benefit of businesses, and my guess is, although no one was able to come up with a clear dollar estimate, my guess is that this one is going to be a very major gap that will be opened in the sales tax. I think some of us have...have had second thoughts about whether we were right to start on this road to begin with. There has not yet been one iota of evidence that it has mad any difference in terms of our ability either to attract or retain business into the State. But this one begins to...it goes so far in lifting the sales tax on what might be used in business; that is, things used in repairs, computers that might be put in, et cetera, et cetera that I said only half facetiously when the bill was presented in committee, why don't we just abolish the sales tax altogether with respect to business because that is what we are on the road to accomplishing. I think it is much too major a gap and one that, again, is not warranted. There is not one shred of evidence that it is going to make any difference in terms of the retention or attraction of business to the State of Illinois. I strongly oppose Senate Bill 602.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. I rise in support of this. Earlier today, Senator Dawson and I were down in the Governor's Office with a representative of El T.V. which had bought out Republic Steel, and one of the handouts they had was a sheet that did a comparison of what I call the statutory overhead, the various taxes, in Chicago, Illinois,...Illinois for our purposes and Canton, Ohio...Ohio for our purposes. One of the attracted features of Ohio was that in manufacturing the exemption extends to supplies, et cetera...an extensive, extensive exemption. Tax incurred at that the state level in Ohio, four hundred and fifty-seven thousand five hundred; sale tax in Illinois, four million. I think that when we are involved in making policy, we not only must keep in mind attracting, you know, we...or...trying to attract new business, but when we are making policy we also must keep in mind that we have to retain the jobs we have in this State. And I think that this kind of legislation is important for us to support. Thank you, very much.

PRESIDENT:

Further discussion? Senator Luft.

END OF REEL

REEL #4

SENATOR LUFT:

Thank you, Mr. President, I rise in support of Senator Etheredge's effort, simply because one of the things we're trying to accomplish in this bill is to define what is and what isn't; and there is a fine line of definition so when we talk about including machinery and equipment and tools used in the general maintenance of repair work, it's simply because it's definately impossible sometimes to define it, so we just include that. Secondly, we're using a procedure...or

exempting machinery equipment used for product design and production, that's the future. That allows these companies to come in and try to do what they want to. These bills are designed to attract industry to the State of Illinois, and if they don't attract industry to the State of Illinois then they obviously aren't going to need the exemptions. So I would support Senator Etheredge and hope everybody on this side of our aisle would support his effort.

PRESIDENT:

Any further discussion? Further discussion? Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, Mr. President. I think that Senator Bloom and Senator Luft have...have both stated very well the arguments in favor of this legislation. I think it...it makes good economic sense, I think it would encourage the...the business to...to stay here, to expand here, to...to locate here. I would urge an...an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 602 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, 1 voting Present. Senate Bill 602 having received the required constitutional majority is declared passed. 607, Senator Maitland. 03 was on the recall list, 607. On the Order of Senate Bills 3rd Reading, Senate Bill 607. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 607.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 607 amends the School Code and removes the requirement of U.S. citizenship for certification as a teacher or supervisor. Presently,...an individual can be certified in Illinois to teach and be a noncitizen but has to make an effort to become a citizen prior to the end of the six-year period. There are very few individuals so affected around the State. There happens to be a situation in...in my community where a Japanese lady graduated from Illinois State University with almost a perfect four point...average, has been an excellent teacher and wants to become an American citizen but because of business...business in Japan with her family, she simply cannot become an American citizen at this point. I think this bill extends a bit further than that also with the fact that the Mitsubishi...Mitsubishi Plant may well in fact...very poorly spoken and I apologize...that's why I always say the Japanese firm...the Japanese...firm may locate in Illinois, there is the chance that we will be...have a need for more Japanese instructors and I think this is a bill that...that received no opposition in committee and I would...would urge your support.

PRESIDENT:

Further...any discussion? Senator Kelly.

SENATOR KELLY:

Senator Maitland, you're a very distinguished spokesperson for your party but it did receive opposition, at least from myself. And it's not that I'm a hardliner on this bill but it seems like we have constantly bills coming before the General Assembly that take into consideration the interest of foreign individuals and...particularly in areas of certification, almost all the way across the board you have to be a citizen or at least being...making out an application

for a citizenship and I...I just think that this is going against it. I don't know, it just seems like we're having a preponderance of foreign automobiles and medical personnel from other countries that come in and take over positions that a lot of our Americans could fulfill. I think this is just another case of where this could be a beginning for more foreign intervention into our educational process and I'm going to oppose your measure.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor...yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator,...does...isn't the law right now that you must have the intent or at least say that you...intend to become a citizen? Would this delete that?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Hall, it's my understanding that you are supposed to have made an effort to become a citizen prior to the end of the...or the termination of your certification, yes, sir.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, that's...in other words, what you're doing...are you doing this just for one individual that lives in your district, is that what you said in your...are you just doing this just for one individual?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Hall, I am anticipating the possibility that there may be more of these individuals with the fact that the Japanese firm may well in fact locate in this State. It...it will not be any great number, certainly. And...and...and with regard to this particular case, as I indicated, the lady does want to become a citizen. I think it goes much further than that though, however. I think that it...having talked with students who...who are in the classroom with this particular lady, I think it...it brings in a whole new dimension into education to have the opportunity, to have someone of this caliber in the classroom and, you know, that's going...that's going to prevail whether or not she's a citizen or not, I understand that. But to suggest to her that she is going to have to quit teaching when in fact she is...become a citizen when the family problems are worked out in Japan, I think that's a very real factor.

PRESIDENT:

Further discussion? Further discussion? Senator Lemke.

SENATOR LEMKE:

I notice this bill talks about teachers and supervisors, why supervisors? Don't we have enough teachers that can become supervisors...is that...is that above teaching category?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator...Lemke, I'm not sure that the bill itself speaks to supervisors, my intent was to...to allow it to pertain only to teachers.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Senator Maitland, I think we worked out a problem some time ago by putting this requirement in, that as long as a

person is going to get certified in this State that they are at least going to have to make some attempt to become a citizen, and I think this is what it has to be. There's no other country in the world where you can work, except here, by being a noncitizen, an illegal or whatever you want to be. And now we want to go into their teaching industry, pretty soon the teaching industry will be all foreign teachers and we won't have any citizens teaching. We might as well just go to Japan and get jobs as laborers and carry honey buckets. I'd say...this is a bad bill and...any bill that...where we don't require people to take citizenship exams should be defeated in this State and in this country.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

...Senator Maitland, don't we require students in our schools to take courses in American Government and the Constitution?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Yes, sir.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

How...how do you expect these students to be attentive and take these classes seriously when they're being taught by a person who is not a citizen of this country and yet that person is trying to instill in students the spirit of this country and tell them about our Constitution and how great it

is to be a citizen and make them aware of their duties as a citizen when that person teaching them doesn't want to become a citizen of this country? I don't understand that.

PRESIDENT:

Senator...that was a question, I take it. Senator Maitland.

SENATOR MAITLAND:

Yes, the...the individual teacher is...is teaching a foreign language. I think it goes much...much broader than that though Senator Welch, it's the cultural aspect here I happen to think is very good for the schools and...and I'm a little bit concerned about the...about the feeling of foreign intrusion. You, coming from a district where you come from, where you export so many soy beans to...to Japan, what a tremendous asset that is for the State, so there has to be some exchange here.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much Mr. President, members of the Senate. Senator Maitland,...you seem to allude to the fact, and it seems hard to believe but I'm sure I take you at your word, the IEA and the CTU and IFT have no opposition, no problem with this legislation at all?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Is there a shortage of teachers in this State of Illinois that we need to look outside the boundaries of our country or at least take...allow people who are not citizens and have

made no attempt to fill that shortage?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Marovitz, I think the teachers union happen to recognize this as a...as a positive, a plus for education in Illinois, it's the cultural aspect, we obviously have a shortage of Japanese teachers, if you will.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I mean, do we have a shortage of Polish teachers, Irish teachers, Greek teachers, Lithuanian teachers? I mean, is this...is this for...is this for Japanese teachers, is that what this bill is for?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Marovitz, I think you know me well enough to know that...that I'm after quality teachers and...and there are quality Japanese teachers who were educated in this county, as I indicated, had a...had a four point average at Illinois State University upon graduation, is an excellent teacher in the Bloomington School System, and I think that's what we're after, quality education. And I think if...if the individual is qualified to be certified, and she is, then, in fact, we should allow her to continue to teach.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Is this particular teacher or this group or this particular teacher that you're talking to interested in becoming a citizen and working toward becoming a citizen?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I think on two previous occasions in this debate, I have said that...that she definitely wants to become a citizen, but...because of family business holdings in Japan right now, she has to maintain her Japanese citizenship for a...a bit longer.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Very quickly, Mr. President, I would...I would just add, I've heard of any number of situations where Americans have gone abroad and they've taught for a year or two in a foreign school and they've come back, they don't want to give up their citizenship to do that, we don't make any big deal out of that. All we're doing is saying that if a foreigner is in this country and having the kind of difficulty which Senator Maitland has expressed, they ought to be able to teach in the public schools. There's no long line of foreigners waiting to teach in...public schools in Illinois in any school district in this State. Sounds to me like a bunch of campaign speeches are being given for 1986. This is a good bill and we ought to support it.

PRESIDENT:

Any further discussion? Senator Marovitz.

SENATOR MAROVITZ:

I apologize for rising for the second time, but I...I must clarify something. She can't become a citizen because she...because of...family business interests, she has to remain a citizen of...of Japan, is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Marovitz, it's my understanding that to...to get

her...her share of the family business...when...upon...and there has been a death in the family, there has to be a period of time in which she has to maintain her Japanese citizenship. I regret to inform you, I don't know exactly what that is in this particular case, I just know that it goes beyond the six-year period.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

So it seems that she has to maintain her Japanese citizenship in order to get some property rights in Japan. They have strict rules in that regard, so we're going to allow here to do that and...and we're arguing against having those same rules here in...in the United States or at least in the State of Illinois and giving some preference to people who are citizens that are concerned about being citizens because she has a citizenship problem in Japan. This seems to me, politics aside, to be the most ludicrous proposition I've heard since I've been here in eleven years.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

That's a tough act to follow. Senator...Senator Maitland, is the particular individual under discussion displacing some U. S. citizen who wants to teach Japanese?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No, quite to the contrary.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Do you know of an oversupply of those who teach Japanese language and culture in the State of Illinois?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No, I do not.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, this is one time I think I have to agree with the sponsor of the bill. We are trying to make so many tax benefits...so many tax benefits to attract Mitsubishi, Nagasaki, Osaka...the Sanyo companies and what have you, to America and yet we...we just stop cold on something of this nature. And if we're going to give such big tax benefits to get all of these General Motor's Plant and...and what have you over here, don't you think we should add to it that provision that has quality teachers...certain...certain teaching? We do have a need of good language teachers in certain specialties. How many people know how to speak Japanese? How many of the teachers teach here? I think this bill is good.

PRESIDENT:

Further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you, very much, Mr. President. There's been good debate on...on this bill and I think it was...was...was interesting, there were good points made. I happen to believe that this is something that we should pursue. I think it's legislation that should pass and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 607 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 29...the Ayes are 28, the Nays are 21, 3 voting Present. Senate Bill 607 having failed to receive the required constitutional majority is declared lost. The sponsor requests postponed consideration. 609, Senator Maitland. On...on the Order of Senate Bills 3rd Reading is Senate Bill 609, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 609.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR COLLINS:

Yes, Mr. President and members of the Senate, I...I would just like to...appeal to your sense of compassion for...good health practices and ask that you please turn down the air in here. I am really suffering from real pain in my back and I'm sure I speak for a majority of the females in here. It is absolutely too cold and it is not conducive to good health. So, I would appeal to you to instruct whoever is responsible for it to turn down the air.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We are aware of your request and we will make the appropriate call. Senator Maitland on 609.

SENATOR MAITLAND:

Thank you, very much Mr. President. Senate Bill 609 permits school districts to evaluate and place a student without parental consent if a local decision to evaluate is not appealed or if the decision is...is affirmed on appeal. I would add that...that all rights of parents including the

right to appeal and the civil action in all duties of the school district pertaining to those rights are retained, so we're not giving up anything.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 609 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, 1 voting Present. Senate Bill 609 having received the required constitutional majority is declared passed. 610, Senator Schaffer. Senate bills 3rd reading, Mr. Secretary, is Senate Bill 610, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 610.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, last year when we passed the mandatory seat belt law, I was somewhat surprised to find that even a car equipped with air bags would be required to...that occupants would be required to buckle up. What Senate Bill 610 does is simply say that if you choose to spend the extra money and get a car that has air bags in it that the seat belt law does not apply to you. There are a number of cars on the Illinois roads already with air bags which are, I am told by those people who are knowledgeable in this area, actually more effective than seat belts, and this bill would probably encourage a larger number of people to spend the extra money if they feel that the seat belt law is something that they have difficulty for various reasons complying with. I know of no opposition, appreciate a

favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

I recall that one of the arguments for seat belts was that air bags are of little effect in a side collision, and I tend to think that's probably true. I'm curious to know...why you're offering this bill if, in fact, it might not be effective...the air bag might not be effective in a side collision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, as a matter of fact, I did consider that and, just between you, me and the experts, seat belts aren't a whole lot of good in a side collision. Air bags and seat belts are probably about equally effective in a side collision type accident. And since the chances are that the air bag would be there in one hundred percent of the time, and even with the law only...the seat belts will only be there forty or fifty percent of the time, the air bag is obviously a much safer thing for a car.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. This bill was before us in committee and I didn't know that Senator Schaffer's constituency all had Mercedes-Benz because that's the only automobile that's...that's presently equipped with all of the air bags. But I understand that the Ford Motor Company is also making

it an option so that...therefore that...it would be applicable to not only those who ride the Mercedes but those that ride the Ford. In response to Senator Schuneman's question, on a head-on collision a seat belt or without a seat belt, the odds are over a thousand to one, the odds with the head-on collision with an air bag are twenty-five to one. So, I'd urge your support for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, thank you, Mr. President. Senator Schaffer, I'd like to ask you, with an air bag how...is there any identifying marks on a car that would...would let someone know that there is an air bag equipped in that car or is it just the driver's knowledge and the manufacturer's?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I should quickly point out that I do not drive a Mercedes...and that I will comply with the seat belt law like all of us will assuming this goes into effect. There is no outside tag on a car that I'm aware of, I suppose the manufacturer could put it on just like they put diesel powered, if they want to. But inside the car the presence of air bags is something that is readily detectable, so that when an officer pulled a car over and said, you didn't have your seat belt on and they said, well, that's 'cause I have air bags, the officer could just look at the dash and...and in a matter of seconds...ascertain whether, in fact, the car was equipped with air bags.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Can you tell me on an air bag, I'd been advised that air

bags are on the driver's side and not on the passenger's side; and if that's the case, do you know what the percentages of deaths occuring on the highways would be from a motorist as...opposed to the passenger of an automobile?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I am under the impression from testimony that air bags are universally on both seats in the front of a car, so that they would have the same effect. It would...no back seat effect, but then, on the other hand, the seat belt law doesn't apply to anyone in the back seat, so I believe that is not a problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Kelly.

SENATOR KELLY:

Well, I assume that the bill would go the House upon passage and then you might look at some changes. I just think there is a problem of identification for police...law enforcement personnel especially.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer may close.

SENATOR SCHAFFER:

Well, Senator Kelly, if that is a problem, why, we're certainly willing to address it in the House. I think it just makes common sense. Frankly, if I detect the degree of opposition and the number of people who have told me they have medical problems about the seat belt requirement, this would give them an option. They could purchase a car with seat belts...or air bags, or I am told it is possible to retrofit certain models with air bags. So, it is an option, I don't suspect it'll affect too many people but I think if...we ought to be encouraging air bags. I don't happen to believe in mandatory air bags or mandatory seat belts, but

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certainly we ought to give people the option if they want it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 610 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 1 voting Present. Senate Bill 610 having received the required constitutional majority is declared passed. 611, Senator Schaffer. On the...on the Order of Senate Bills 3rd Reading is Senate Bill 611, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 611.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Senate Bill 611 is very simple. I think some of you are aware of the controversy involving the Illinois High School Athletic Association. This is not Senate Bill 42, I should point out, I don't think this bill has drawn the opposition; in fact, I'm not aware that there's opposition to it. It simply says that that association will be subject to the...provisions of the Open Meeting Records Act, provisions three and four of the State. What we're interested in, a number of years ago I had occasion to have some contact with the organization and I asked one of our staffers to look into the organization and, frankly, they were unable to find a whole lot about it. I have talked to the lawyer representing the association whose line...which was sort of a classic, he said, but if our records are open, people will know what we're doing; and I said, well, that's kind of what I had in mind. He indicated

that there might be some types of situations where having their records open would be some...create some sort of confidentiality problem or what have you. I told the gentleman a couple of weeks ago, or ten days or so ago, and earlier by phone that if there were specific problems, I'd be happy to address them. I have not heard from that organization or those individuals about any specific problems that this bill creates. If they can document legitimate problems, which to date they have not done, at least to me, I'm more than willing to suggest to the House sponsor that we consider them. But there is a lot of controversy about this group and it is viewed by many people as somewhat of a secret society. And I think it's time we get those records open just like any other public or quasi public agency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I...completely agree with Senator Schaffer, because I can tell you that they've...made some crazy rules in the past where they wouldn't let a coach of a high school during the summer to teach a baseball team which had more than four students from the same high school on a team. So I think that it's about time we know what's going on in the records.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 611 pass. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 611 having received the required constitutional majority is declared passed. 612, Senator Bloom. Senator Bloom on the Floor? 614, Senator Degnan. On the Order of Senate Bills 3rd Reading is Senate Bill 614, Mr.

Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 614.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 614 amends the Chicago Sanitary District Article of the Pension Code and does for that pension fund what we have done for others; that is, takes the cap off surviving spouses' allowance and allows one-half of the...annuitant's...money to be given to the spouse. I have a letter from the State Manage Review Office saying there is no State reimbursement required because the bill accommodates an official request of the local government affected; the Illinois Economic and Fiscal Committee recommends approval saying the system is well funded and uncapped survivor benefits are not unusual. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Degnan, as chairman of the Pension Subcommittee of Economic and Fiscal, certainly knows whereof he speaks. It is quite correct that the pension subcommittee did not disapprove this bill because it does what others have done. It has no major fiscal impact and the system is well funded. So it was considered quite acceptable and I commend Senator Degnan on his bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

I simply want to make a point, Mr. President. Contrary to a lot of the other pension funds that we deal with here, this fund is some seventy percent funded. And, so contrary to my opposition many times to pension fund changes here when they are not properly funded, I think it should be pointed out in all fairness that this one is very well funded.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? Senator...the question is, shall Senate Bill 614 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 13, 1 voting Present. Senate Bill 614 having received the required constitutional majority is declared passed. 617, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading is Senate Bill 617, Mr. Secretary, read the bill. All right. Take it out of the record. 619, Senator Lemke. Senate bills 3rd reading is Senate Bill 619, Mr. Secretary, read 619.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 619.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides for a three-person medical review panel in lawsuits involving medical malpractice. I think it's a good bill, I ask for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall Senate Bill 619 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 49, the Nays are 3, none voting Present. Senate Bill 619 having received the required constitutional...majority is declared passed. Top of page 28, Senate Bill 627, Senator Jones. 628, Senator Savickas. 29, Senator Savickas. 632, Senator Barkhausen. 637, Senator Fawell. 38, Senator Fawell...647, Senator Barkhausen. All right. The middle of page 28, Senate bills 3rd reading is Senate Bill 647, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 647.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, this legislation is...an attempt to address the problem whereby fines imposed by us in the Legislature to go into the Crime Victims' Assistance Fund...have been whittling away at money that would otherwise be going to local governmental coffers. The situation is that when someone charged with an offense, typically a traffic offense that does not require an apparence in court, and post the minimum amount that must be posted as bail for...for such an offense that that money has deducted from it the...the fines going into the Crime Victims' Assistance Fund and that money at the same time is...is thereby not going towards local governments. This legislation would...would provide that the Crime Victims' Assistance Funds and any fine that...we impose by Statute should be add-on, should be in addition to the amount that would be going to local governments so as not to...to deprive our counties and our municipalities of a necessary source of revenue. This legislation is supported by the municipal league and by county officials and circuit court clerks who

have come to us and complained that...that as desirable as crime victims' assistance is that we should not thereby be depriving our local governments of necessary funds. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 647 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 647 having received the constitutional majority is declared passed. Senate Bill 651, Senator Barkhausen. Senate Bill 658, Senator Netsch. Senate Bill 659, Senator Jones. Senate Bill 665, Senator Lechowicz. Senate Bill 670, Senator Dawson. 671, Dawson. 672, Senator Holmberg. Senate Bill 680...672, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 672.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This bill probably should be on the Agreed Bill List, I think we probably just missed getting it on there. But it simply changes the wording within the bill to "gender neutral." And I would recommend its passage, there's...there's no opposition whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Smith.

SENATOR SMITH:

Mr. President, I just merely wanted you to pass my bill, 653.

AB 685 3rd Reading
AB 682 3rd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it was on recall so we won't get...get to it today. Is there further discussion on 672? If not, the question is, shall...shall 672 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 672 having received the constitutional majority is declared passed. Senate Bill 680, Senator Netsch. 683, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 683.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The bill requires dentists who administer general anaesthesia to obtain a permit from the Department of Registration and Education. The reason for the bill is to prohibit licensed dentists from administering this potent...potent anaesthesia without a permit because of the potential for harm due to side effects. I don't know any opposition to the bill and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 683 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 683 having received the constitutional majority is declared passed. Senate Bill 685, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 685.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Bill 685 disallows any married adult living in the home of their parents from receiving general assistance. This...this bill passed out of committee with...as a matter of fact, it was on the Agreed Bill List as I recall, there was no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate bill...Senator Rock.

SENATOR ROCK:

My understanding, is the Department of Public Aid opposed to this bill, and if so, why so?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Rock, as far as we know on this side of the aisle, they made no registered opposition. I wasn't aware of any opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, then...then...explain to me what...what we are doing, I'm not sure I follow this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

It's my understanding, Senator Rock, that as a part of legislation we passed last year, we allow for married adults

living with their parents to receive GA. That was not...permitted before that time. There have been a number of complaints and...and the only...I guess the only contact we've had is that this is a...is an area that needed some reform, it needed some change and that was the purport of the legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, I...I rise in very strong opposition to this legislation and I tell you why. Because today with the high unemployment we have in families, extended families, people having to move back into their homes with their parents but the parent cannot afford to feed and clothe and house and take care of adults. I think if a person is...is an adult and has a legitimate reason for...and qualify to be on general assistance, notwithstanding the fact that they may live with their families, because, believe it or not, general assistance does not provide enough funds to sustain minimum health, life and safety. So, living with a...a parent or living with another relative should not be a criteria for those persons who are otherwise eligible for general assistance is to be denied general assistance. I think this is absolutely unconscionable and we should defeat it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator, do you mean to tell me that if I've worked for years and I'm out of a job and I'm forced to go back to...and live with my parents that I am to be denied any type of assistance when I have worked, contributed, paid to establish these things? Are you saying that you want to deny me an opportunity because I have no breadwinner...I'm no longer

a breadwinner and I have no way and no means with...with the situation like it is today? Is that what you're advocating?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, Senator Hall, it...it...the bill does just exactly as I say. We happen to believe that it is an encouragement, actually is a disincentive when...when that married couple moves back in with their parents, really a disincentive to...to get a job or to seek a job, and no one is trying to...you know, this really...you're talking from a...from a parent point of view and no one is suggesting denying you anything. But we are talking about the children of that parent if, in fact, they are married and move back into the house.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

...you're talking about exactly what I said to you. The point is this, it...it's unbelievable today with the high unemployment we have around this...in this nation, many times there's no other place for people to go. So, it's the wrong...you're going in the wrong way, Senator. This is a very bad bill and I'm surprised that you'd introduce it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to the members of the Senate. I have to look at my colleague over there who is very affluent, seemingly, because I think he's very insensitive and as the saying is, you ain't seen nothing yet baby, and I think that's what you're saying to us now today. When you think in terms of persons who have had...because of our economic situation today, happen to move back with their

parents, not that young people want to or any of them want to move back with their parents, and if they happen to move back with their parents, it isn't always that the parents are able to take care of themselves. But they happen to have a house where they...four can go there and live. And these people who have lost their jobs...possibly they were independent on their own but because of the economic situation of our society today when you're laying people off right and left and closing down plants and they can get general assistance and make...help to stretch their monies by living with their parents, I don't know how...for what length of time. It doesn't do them any good to make them feel any better because they have to do it, but if there's a situation there and a vehicle that they can go and stay with their parents for a short length of time, and you going to deny them something from the government and they have paid taxes practically all of the time on their jobs. Senator Maitland, I don't understand your thinking, if you will just help me out. I think that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Maitland.

SENATOR MAITLAND:

Well, thank you so very much, Senator. And I'm very happy to respond to...to your question. First of all, we're not denying anything to anybody. We are simply saying that if they move in with their parents, they cannot receive general assistance, they are going to receive general assistance anyway. Now, I've been in this Chamber for seven years, and I have voted for public aid reform right down the line and I have voted for the public aid bill right down the line and for the increases. So my intent is not to deny anything...anyone anything, and as a matter of fact, you must have agreed with me because in committee you voted for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator...Senator Smith.

SENATOR SMITH:

If I voted for the bill, God knows, my...it wasn't from the heart. But regardless of what...I made a great mistake, but I want you to say...I want to say to you, sir, that this is, excuse the vernacular of the street, but this is a damnable thing to...to take people off of general assistance because they can get the privilege of staying with their parents for I don't know...for a short length of time and they need...supposing they had children and they moved with their parents, you still would deny them a...a...funds? Sir?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR SMITH:

If the...if the...the...the couple of a child or the woman whoever she is, has a child or have children and moved in with the parents, you still say, deny them funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Smith, with all due...due respect,...I...we...we look at...at the issue as a disincentive, very honestly, an...an attempt to get general assistance and...and move in with the...with the family and...and really not, perhaps seek work. And...and it seems to me a reasonable approach toward public aid reform to pass legislation like this. The intent is not to deny anyone who has a right and qualifies for anything. That's not the intent and certainly you know me well enough to understand that. But we're trying to eliminate the disincentive and I think this bill does that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

If you'll give me this answer, please. If you're not going to give them any aid how do you expect them to survive? Do you have a mechanism...are you going to provide some jobs for them? That's what I want to...how are they going to...survive? Supposing the parent that they're moving in with are on aid...may I ask a question, how will they do? Could you answer that for me, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

They're going to be already receiving general assistance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

The parents going to be receiving general assistance? All right, how are they going to take what little bit they're getting and give it to the couple that moves in or the daughter or the son that moves back with them? How are they going to have enough to give them? And most...most of these people are on food stamps, you know you have a system now that when a young man or a girl becomes eighteen years of age, if she's not working...and she receives general assistance, if she does not go out and look for a job and turn that report in every month, then she or he is taken off general assistance and the family where there are five or six children in that house are denied food stamps, and they have to...go without stamps for a solid two months. I think you're very insensitive there, sir. Would you please tell me, how do you expect them to survive? Just ask me...answer me that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, you know, food stamps is...is totally unrelated, the food stamps is a Federal program and...and they're going

to be...the food stamps are going to be in place...it's based on income.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Maitland, this is merely a...I was just...citing a case in point. What I am trying to say is that if you are going to take these couple or the young person, whoever, that moves back with their parent, if you're going to take them off the general assistance, what do you plan to give them in...in...response? How do you expect them to survive? There are no jobs. They wouldn't be back with their parents if they had a job. But there are no jobs. Now, how do you expect them to survive? You want to encourage killing, crime, that's what you want to do? They going to have to live some kind of way. How do you expect them to survive? Would you give me that answer, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Smith, it is my understanding that prior to the passage of this Act, married adults moving in with their parents could not receive GA anyway and now they can. Keep in mind, we're talking about married...married children, not the individual children but married children, who may well, in fact, have a family or may not have a family. Food stamps are still going to be in place, that's a Federal program based on income, and they're still going to get that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith, you're time is running out.

SENATOR SMITH:

All right, just one more...he's saying that...if I understand you right, you said this is going to be married couples moving back home with their parents. You going to take them

off of public assistance...general assistance, is that right? Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

If they live in the same home.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

The parents whom they are moving in with are barely able to take care of themselves, and you're talking about the public aid. How do you expect them to take care of two more people? What are you...what do you...what do you plan to give them instead?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, Senator Smith, I...I guess, because of the line of questioning from Senator Hall, I think this thing is maybe going in...in the wrong direction. You see, they could very well, in fact,...you are...you are assuming then that...that the parents along with the married children are...are destitute, and in fact, in may cases they are not. One of the things that precipitated this bill was the fact that people were getting general assistance, living in their parents' home, who, quite frankly, were...had...had plenty of income and that's wrong, it's simply wrong.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, if you bring your remarks to a close, we have Senator Luft, Lechowicz, Joyce, Kelly, Jones, Lemke and DeAngelis and Senator Collins for a second time that have...indicated they wish to speak. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, and I merely want to say to

this august Body, my answer...my questions were not answered; and I wholeheartedly say to this august Body, if you are really thinking right, you will certainly vote against this piece of legislation because, excuse the vernacular of street again, it is damnable. It is insensitive and I only wished that they could live in the areas where we live and see the conditions that we see every day and I think that their thinking would be different. Thank you, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft. I'm using the timer now.

SENATOR LUFT:

I just have a question, Mr. President, if he will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's my understanding in the...course of the conversation you have said that this is relatively new, since just last year it was left out of the Act and this is something that just happened in this fiscal year, am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Could you please tell me how many people are taking advantage of this program at this time and the cost to the State of Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Luft, I can't tell you the number...the...the

bill was suggested to me by...a township supervisor in McLean County who had had a number of...of problems and also had heard that...from some other supervisors in the...in the TOI had had the same concerns and I don't have an exact number.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

If that's the case, then we're not dealing with State funds to begin with. We're dealing with township funds that have a levy on the local property tax for their assistance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question, Senator?

SENATOR LUFT:

I think it's a statement of accuracy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz. Are you over...Senator Luft?

SENATOR LUFT:

Could I first...well, I guess it is a question because I'd like to know what dollars we're talking about. Are we talking about township funds or State funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Maitland.

SENATOR MAITLAND:

No, the State reimburses for GA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Could I make a suggestion? Why don't we leave things alone presently till we find out if there's at least one person taking advantage of the new law and, in fact, what it is costing us. Then if it seems to be or it is perceived to be a problem, why don't we see if there couldn't be a different category for that individual that has to move in with his parents where he would be granted a lower subsidy, if that's

what you want to call it, rather than someone living on his own. I don't think we should abandon these people. I come from an area, as you well know, the Pekin-Peoria area, where we have a new poor. That's the...people that have been working at Caterpillar Tractor making a good income and all of a sudden they've had it dropped out from under them. These people come to my office continually, not only are they the new poor, but they're suffering from a real culture shock, and for the most part a lot of them are moving back in with their parents. So, I would suggest that we look at this for awhile, maybe leave it alone before we do something that we really harm people with and see if there couldn't be something worked out either another category along the line or whatever. For the most part, right now, I think there is a desperate situation out there and the people have to be taken care of, and why don't we just let it alone until we get the job taken care of properly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to this bill. And I don't know the area that the gentleman...Senator Maitland comes from, but in my area, the economic upturn has not transpired as is reflected in the rest of this country. And some of the points that were brought out on this Floor by other members of the Senate really reflect what's going on in Illinois on a day-to-day basis. And if you sat in your legislative office in your respective district, I'm sure you're plagued with...requests by people who have been dropped through the safety net, per se, that was established by this General Assembly, people that were on unemployment and because the Federal Government could not extend the benefits are now on public aid; people who have applied for

retraining programs, maybe because of age and educational characteristics cannot comply. We're finding a new type of economic phenomenon in this State where people who are married are losing their homes because of the fact of a downturn in the economy, and the economy has not upturned in this State to the extent. Different pockets of economic resistance, as was pointed out by Senator Luft, unfortunately do exist. But in my area Hall Printing has announced that they're going to be terminating employment, seven hundred and fifty jobs lost effective August the 1st; Jefferson Electric a hundred people effective next month; Schwinn Bicycle seven hundred people last year, two years ago two thousand. Now these people have been working all their lives and they now are faced with the fact...they may have moved in with...back with their parents, as was pointed out by Senator Smith, not because of they want to do it, they have to do it. The safety net as we know it does not exist and the abuses that you're trying to contemplate and foster on the rest of us are really an...an item of necessity for many people. And for this reason, I stand in opposition to this bill and this concept. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jeremiah Joyce. Senator Kelly.

SENATOR KELLY:

Just briefly, 'cause Senator Lechowicz hit on just about everything I was going to say. But the fact is that if this were to be taken place, you'd find out that if the drain were open and you were eliminating these individuals, it would be the good people, the decent family members who would...would suffer. The abusers always know how to get around it, so even though the intent of the legislation is to be against the abusers of the program, they're not the ones that is going to suffer; and I think Senator Lechowicz's comments about the economic climate being so bad right now, this is

not timely. I would...reiterate the request to have this bill held, Senator, or possibly consider placing it back in a committee because I think that's where it belongs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones. Senator Lemke.

SENATOR LEMKE:

I rise in opposition to this bill. This is contrary to everything that my people stand for. When your child is married and gets in trouble and they have to come home, it's not an easy thing for them to come back. It's not an easy thing to live with your mother and father again as a man who works who loses his job. And it's a shame...what this bill does, it's contrary to what all...what we say is family stands about. When your children are in trouble no matter if they're old or young, you still have some type of moral obligation to at least help them survive. And we have always taken people in...until recently, it came out of...a lot of our people that retired and put money aside...they...they...they...denied themselves of certain things to get savings and then they're going to deny themselves again. And I think it's wrong to do this. If there's a reduced benefit that's one thing, but by just completely eliminating them, you cut into the pocket of probably ninety-nine percent of the decent people on public assistance. In my community it's a disgrace to get public assistance, but if you get it, it's a temporary thing because eventually you go out and get a job. So I think this is the wrong way to go, Senator Maitland. I suggest you take this bill and...and put it back into where it comes from or study it and...and wait and aee and then come up with a benefit might be reduced but these people have to get something; because if they don't get it, it's going to come out of the their parents' pockets and their parents are going to deny themselves something to do it, because they're going to do it

anyhow. I think this isn't the way to go. I think this is a bad bill and it's contrary to everything the family stands for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I just wanted to ask a question. Senator, are we talking...when we're talking about general assistance, are we talking about just the General Assistance Grant, we're not talking about green stamps nor food stamps or anything else are we?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No, we are not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

We're just talking about the general assistance money, so these people can still apply for and get food stamps and Medicaid and other kinds of assistance. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito. Senator Karpiel.

SENATOR KARPIEL:

Well, I just wanted to point out that if we're talking about just general assistance, first of all, these people still can apply for food stamps, Medicaid and other forms of assistance. And to answer a question or...that was brought up quite a few speakers ago. If we're talking about general assistance, this would only apply as far as the State part of

the...having to pay or save part of this money. In the City of Chicago and receiving townships, if you come from a township that is not considered a receiving township, your taxpayers are the ones that would be saving because...they're not getting any kind of money...State money for general assistance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

As a point of information to the sponsor, Mr. President and members, I just received a communication from the Illinois Department of Public Aid which is in opposition. I know the question was asked earlier, John, and unfortunately for your position, the department is in opposition to this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I apologize for rising a second time, but I...I really think this proposal is...is something we had all better be aware of, and I hope that no member of my party will vote affirmatively on this one. We are talking about people who are receiving general assistance, a hundred and forty-four dollars a month subsistence level. And now, under this legislation, we're going to penalize those people because they are fortunate enough to be able to move in with their mother or their father or both. I...this is...this is not right, we just ought not do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall, for a second time.

SENATOR HALL:

Thank you. I want to apologize for rising a second time.

But, Senator, you asked a question a while ago and the Senator said they'll still be able to receive all this other assistance. There's no other assistance they're going to get, food stamps and all these things. I guess someone must think all they have to do is walk to the corner. These people...a bunch of these people are not even getting that. As the Senate President told you, we're talking about people who are going to receive a hundred and forty-four dollars a month and that's it. So you might sit here and say all...we can get all this other, there is no other for them to receive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland may close.

SENATOR MAITLAND:

Thank you, very much Mr...Mr. President. I want to first respond to...to Senator Zito's comment about the position of the Department of Public Aid. Senator Rock has indicated that he had heard that they were opposed to it and, in fact, he has delivered to me a position paper. I would, by way of explanation, suggest to you...or suggest to the Body that this letter was dated April 26th which was after the...the bill came out of the committee and...and they didn't bother to let the sponsor know and I regret that very much. So, if I misled the Body with respect to their position, I apologize for that. But let me also suggest to the Body that this is not an intent to damage or hurt anyone or to deny benefits to anyone at all. But we address it quite the other way to make sure that there is money available for those who truly need and deserve it, because there are those who fall through the cracks, there are those who need the aid, there are those who need the subsistence and we must take care of them. I'm committed to that just as much as you are, Senator Smith. The intent of this bill was not to deny anyone those rights

but rather to secure...or to assure the fact that money is available for those who truly need it. And I would urge your support for Senate Bill 685.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 685 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 34, none voting Present. Senate Bill 685 having failed to receive a constitutional majority is declared lost. Senate Bill 690, Senator Macdonald. Senate Bill 693, Senator Geo-Karis. Read...Senate Bill 694, Senator Topinka. Senate Bill 696, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 696.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...last year we passed the Health Hazardous Substance Registry and the medical association came this year and wanted a change in it. It's basically technical, it takes out...the doctor's regard to diagnosing cancer. They don't do it, the laboratories do, and that's what this legislation does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall...Senate Bill 696 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 696 having received the constitutional majority is declared passed. Senate Bill 706, Senator Lemke.

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 706.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does, it amends the Election Code to conform petition signature requirements for Statewide advisory propositions to...to requirements for propositions to amend the Legislative Article of the Constitution. Removes sections and double filing requirements. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 706 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. Senate Bill 706 having received the required constitutional majority is declared passed. Senator Demuzio.

SENATOR DEMUZIO:

Yes, on that last bill, you had asked me to vote you in the affirmative and I pushed your wrong button.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, that's nothing new with you. Well, let the record show that had Senator Savickas been able to vote his button he would have voted in the affirmative. Senate Bill 707, Senator Rock. Senate Bill 708. Senate Bill 714, Senator D'Arco...15, D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 715.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR D'ARCO:

Senate Bill 715 provides that...payment of refunds, annuities or other benefits are subject to the provisions of the Nonsupport of Spouse and Children's Act which authorizes the withholding of income. This is a very good idea. Someone who is not paying child support payments should have his annuity or his refund garnished in order to make those payments. And...that's what the bill does and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 715 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 715 having received the required constitutional majority is declared passed. Senate Bill 716. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 716.

(Secretary reads title of bill.

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 716 amends the Park District Act to increase the tax multiplier from 1.10 in

1985 to 2.00 in 1995 and thereafter. The present tax levy is not producing sufficient contributions to meet the accruing cost. And during Fiscal '84 the employer contribution fell some four million eight hundred and forty thousand dollars. The increment is needed, all the other Chicago systems have levies in excess of this increment and it is simply providing a necessary increase in order to meet the employer contributions responsibilities. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Netsch.

END OF REEL

REEL #5

SENATOR NETSCH:

Thank you. Senator D'Arco is correct that the bill has been approved by the Pension Subcommittee of Economic and Fiscal. It certainly is the responsible thing to do fiscally. It does increase the multiplier so that the system...pension system would continue to be fund...or would be funded at a reasonable level. The only thing that I would suggest to everyone, and I guess most particularly to those of us who are from Chicago, is that it also underscores just how expensive pensions are becoming, and I think it helps to make the point that we should be very cautious about changes that we make in pension benefits that have an enormous impact on the system. This is a...a tax increase. It's a not insignificant one. It is the responsible thing to do but it also suggests that we are indeed taking up a great deal of our future tax revenue with pension benefits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco, do you wish to close? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I agree in part with some of Senator Netsch's comments and I disagree in part with some of her other comments, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Good. The question is, shall Senate Bill 716 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 6, 7 voting Present. Senate Bill 716 having received the required con-

stitutional majority is declared passed. The...the...the proper vote is 39 Yes, 6 No, 7 Present and the bill having received the constitutional majority is declared passed. 717, Senator D'Arco. Mr. Secretary, Senate bills 3rd reading is 717, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 717.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This requires the treasurer of the park district to deposit 0.03968 percent of its receipts...from the Personal Property Tax Replacement Fund in the State Treasury into the Park Employees Annunity and Benefit Fund. It puts into the Statute a funding level that the park district treasurer has been using for the past several years, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 717 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, 4 voting Present. Senate Bill 717 having received the required constitutional majority is declared passed. 718, Senator D'Arco. On the Order of Senate Bills 3rd Reading is 718. Mr. Secretary, read the bill...Senator D'Arco, that was on the recall list this...this morning and therefore we...we are not calling...we are not calling bills that have been recalled. Senator D'Arco.

SENATOR D'ARCO:

I didn't put it on the recall list. That's what I'm...I'm wondering...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...you...you are correct.

SENATOR D'ARCO:

...how it got on there.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 718.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

A point of order, Mr. President. There seems to be some confusion about this bill. I didn't ask that it go on the recall list either, but I did file an amendment for this bill and I don't know how it got moved to 3rd without that amendment being considered. So, that may have played a role in all of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator, we would not have moved the...the bill without considering your amendment had the Secretary's Office had the amendment on...on a timely basis and it had been filed prior to the appropriate action by this Body. Senator Schuneman.

SENATOR SCHUNEMAN:

I think the amendment was filed timely, Mr. President, but rather than get into a dialogue about that, perhaps we ought to just move to the bill, we'll debate the issue on 3rd reading, and I think Senator D'Arco and I can work out any problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, so we are on the Order of 3rd Reading, Senate

Bill 718. Mr. Secretary, have you read the bill? Senator D'Arco.

SENATOR D'ARCO:

...I think we agreed to the amendment. We'll put it on in the House and there's...there's really no problem with it. The bill recodifies the Chicago Park District Article of the Pension Code and makes various technical and housekeeping changes and there really is no substantial cost at all in the bill. I am not going to read the list of changes it makes but most of them are technical in nature, and we'll take care of that problem in the House and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just so we...everybody understands what we're talking about, this bill effects the Chicago Park Employees Pension System and unless we put the State mandate's exemption on, the State will be required to pay whatever cost there is in here. Senator D'Arco agreed in committee to put on the mandate's exemption. I simply want to raise the issue that it isn't on there now, and as I understand him, he's agreed to put it on in the House and that satisfies me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? The question is, then, shall Senate Bill 718 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, 5 voting Present. Senate Bill 718 having received the required constitutional majority is declared passed. 733, Senator Carroll. Senate bills 3rd reading, Mr. Secretary, is Senate Bill 733, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

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Senate Bill 733.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 733 is the result of discussions between our State Comptroller and the various agencies of State Government concerning the certain ambiguities in the State Finance Act, and basically all this does is make some technical changes in the definitions of the line items of appropriations so that there can be a better tracking and a more useful usage of the specific line items that we appropriate money for. There had been certain discussions as to whether repairs of real property fell in certain line items or not and it was felt that this would clarify the Finance Act to eliminate those ambiguities. I would answer questions and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 733 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 733 having received the required constitutional majority is declared passed. 736, Senator Kustra. 738, Senator Degnan. 739. 741, Senator Vadalabene. On the Order of Senate Bills 3rd Reading is Senate Bill 741, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 741.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 741 amends the Illinois Municipal Code and it reduces from two percent to 1.6 percent the percentage retained by the State Treasurer to recover the Department of Revenue's administrative cost and various local sales tax which are authorized. On June 28th, 1984, we adopted Senate Resolution No. 546 which required that the Auditor General do a special review of costs of administrating the municipal retail occupation and use taxes. His findings were which noted that the amounts retained by the State from the collection of municipal retail and occupational use taxes exceeded the cost of administering and enforcing the taxes by the department. This is the findings from the Office of the Auditor General in Springfield. This legislation is not intended...to seek additional money from the State. It is intended to ask the State to only charge local government a percentage based on the cost as indicated by the Auditor General. This legislation is not without precedent. We previously passed legislation a few years ago reducing the collection charge from four percent to two percent, and I want to compliment the Department of Revenue for maintaining their efficiency of administrating and reducing their costs of collection. This not only helps local government but is a compliment to Director Johnson, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Yeah, how does your bill impact on the bill that Senator Kustra and I had last year which allocated and got together a whole system for the allocation of sales tax monies in municipalities so that they wouldn't go to the wrong ones and then they couldn't collect them back and they'd get involved in all these tremendous lawsuits?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

It really doesn't impact. All it does is that it gives money back to the counties that the...the State takes for administration of which the...the State doesn't need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, according to our staff analysis, it says it will indeed impact on the Department of Revenue's administration of local sales tax collections, and I...I really would like an answer to that because it took us an awful long time to get that problem worked out and I'd hate to have the problem either start up again or...or not be resolved in some way, because it does cause an awful lot of impact, especially in our suburban areas, on where these sales taxes wind up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

The Auditor General took in consideration the impact of your bill last year and still concluded, under his findings which I have here, that the State is taking too much money from the municipalities to administer this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, I...withdraw my question 'cause our staff person says that there is a different interpretation of what we have here and you're okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think that it would be appropriate to...to indicate for the record some of the response...some of the testimony that Director Johnson gave when he appeared to testify before the Senate Revenue Committee and...so that we have on record some of the concerns that he...he...he raised. Specifically, when the staff of the Auditor General interpreted the...the resolution, they decided that the...the intent of the resolution was to include only those costs that were incurred by the Department of Revenue; therefore, there are other costs that are incurred by other branches or other departments and those costs are not reflected...at all...or were not taken in consideration in the Auditor General's reports. Specifically, there are costs that are incurred by the Comptroller, by the Treasurer's Office, by Central Management Services, by the Attorney General's Office and by the various courts. And none of the costs incurred by...by any of those are taken into consideration. In addition to that, the Department of Revenue incurs some costs, specifically in collecting the RTA sales tax and the Metro-East sales tax. There are costs incurred for those collections but there is no consideration given for those costs at all. So, that...I...I think there is...a very real question whether or not the...the figures that are before us that we received from the Auditor General really, in fact, do represent the...an accurate estimate or...let me put it this way, a complete estimate of the costs of collecting these taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would, at the same time, reaffirm what Senator Etheredge has said and still say that I think the bill is worthy of support at the moment. I would point out one additional thing that the amount of gap, if you will; that is, the amount of money that the Department of Revenue has collected from the two percent over and above what it has paid out in costs has been declining over the last several years by about five hundred thousand a year, so it may well turn out apart from the expenses of other offices that the two percent would not remain excess for a long period of time, but I think a case can be made that it is somewhat excess, at least, at the moment; and I think one justification for this that is not a pure accounting mechanism is that those who are the recipients of sales tax...for the most part the cities and counties have also been on a decline in terms of their participation in, for example, the Corporate Personal Property Replacement Tax Fund. Now, this is not a perfect trade-off, I agree, but because of that...because of the fact that the cities particularly have lost some additional sums when the...when the excess went off of the income tax last year, that reduced their take from the prior year. I think there are some justification as long as it is accountingly defensible for this to...to decrease at the present moment, but it should be kept a close eye upon and it may have to be increased again in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, just in response to Senator Etheredge's remark, it is true that the Director Johnson did make those remarks. However, after those remarks of Director Johnson, and I don't

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think he appeared on this bill particularly, the Auditor General did come out with those findings after Director Johnson's remarks, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 741 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 741 having received the required constitutional majority is declared passed. 743, Senator Vadalabene. On the Order of Senate Bills 3rd Reading is Senate Bill 743, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 743.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate Bill 743 had two amendments. Amendment No. 1 to Senate Bill 743 is really the bill. The proposal affords temporary tax reduction help to the three smallest horse race tracks; Fairmont in Collinsville, Quad-city Downs in East Moline and Balmoral Park in Crete. The four large Chicago area tracks agreed that the downstate tracks have been hit hardest by the economy and they are supportive of the...of the small tracks; and Floor Amendment No. 2 to Senate Bill 743 provides that after a three year, there will be a sunset provision to this bill, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, one of the race tracks involved in this legislation is the Quad-city Downs. The Downs originally was constructed...however, in 1979, it went into bankruptcy. The current owners purchased it and began to make a profit. To give you some idea, in 1982, the profit was six hundred and eight thousand dollars; however, the recession has hit my area. International Harvester is closed, Case is closed, Caterpillar, John Deere has slowed down. The revenue dropped from six hundred and eight thousand to two hundred and eighty-six thousand in 1983, and last year it dropped to a hundred and forty-eight thousand. It's anticipated that if this continues next year, they'll be operating at a loss. At the same time, although they had a profit of a hundred and forty-eight thousand, they paid three million dollars in taxes to the State of Illinois. What's...in addition to this, what's happening is in the State of Iowa they have just started a lottery, also dog racing, and this has cut into some of the revenue. If this continues what's going to happen is they're going to have close the Quad-city Downs, and at the present time, there's eleven hundred people working there, so without this legislation we'll see nothing but another layoff of eleven hundred people in my district and I don't think we can afford that. So actually what you're seeing is some form of relief for these race tracks and yet it's good for the economy, good for the State and good for employment in my area. I'd solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in strong support of Senate Bill 743 as amended. This is an economic shot in the arm for these three facilities and something that we need, frankly, to encourage

and upgrade horse racing in Illinois. This is a major industry and we...we are the beneficiaries of about eighty-five million dollars annual in parimutuel tax, and it just seems to me we can afford this kind of tax break to make sure those plants keep operating. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. As the hyphenated sponsor of this bill, I would urge support also for it. I think most of the arguments have been well presented.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I, too, would support this because there is a body of thought that when you cut the taxes a little bit that you actually increase the economic activity in that area, and I would point out to the sponsors of this legislation that on those occasions when they don't have racing dates, that I hope to give them the opportunity to race dogs. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will be very brief. I just want to tell you, this is a bill that's so vitally need for a shot in the arm for not only the other two tracks but for our track that's in Senator Vadalabene's area, and I'd ask your most favorable support for this bill, 743.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a

question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

How much of a shot in the arm are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Well, if the take goes over four hundred thousand a day, then the...then the State tax will continue as it is now. It's up to four hundred thousand a day for the small tracks where they'll get the tax break, and...and I believe the figure is...we're talking about 2.6 million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

So, we're talking about 2.6 million dollars for three tracks? How many tracks are included then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Three tracks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

And this money presently as it is raised goes into the Agriculture Premium Fund or is that the Horse Track Fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

That's one of them. It's gets split up in several million pots...or several different pots and that's one of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm trying to recall, did we provide this type of tax relief for any...any other State supported revenue...raiser? Is this 2.6 million dollars for three tracks?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

The...the monies, of course, is split up. First,...let me answer the question first, the money is split up between the horsemen and the owners and the tracks. Again, when the take reaches four hundred thousand dollars, then the State becomes active and the taxes are not reduced. This is a shot in the arm for these three tracks, and the...the economy and the revenue and the employment for these three tracks far exceed the 2.6 million dollars, and I don't think you should be that concerned, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall Senate Bill 743 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3, none voting Present. Senate Bill 743 having received the required constitutional majority is declared passed. 744, Senator Jones. On the Order of Senate Bills 3rd Reading is Senate Bill 744, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 744.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 744 creates the commission on the...on the Chicago Board of...of Education appointments. The purpose of this bill is to set up a commission for the purpose of nominating members to the Chicago Board of Education. The bill establishes a nominating commission to nominate members to the Chicago Board of Education. It changes the term from five years to three years or a staggered basis. The commission will be...members will be appointed by the mayor and these people will be selected from twenty-five community organizations throughout the city and they will serve at the pleasure of the mayor. The mayor would be required to select the board members from three names that are presented to him. He must, and I repeat, he must select one of those board members that is presented to him. The commission will make recommendations far as the board members are concerned, they will annually review those members who are sitting on the board and issue a report to the citizens of the City of Chicago. This bill is a...is designed to...Mr. President, I can't even hear myself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, if we can have some order, please. Senator Jones is having difficulty hearing himself. Senator Jones.

SENATOR JONES:

This bill is a bill that came...came to me from various community organizations who tried to deal with the problem as it related to the Chicago Board of Education. There have been many, many proposals and this seemed to be a compromise between the two. The members...they are appointed and selected by the mayor will...will serve for a term of three years only. They will not be compensated as such. The new board and its staff will receive funds directly from the superintendent. No funds for the board...the...the newly

board will come from any services that deals with education; and with that, Mr...Mr. President, I...I'll answer any questions any member has regarding this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

A question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, first, could you tell me what...what particular community organizations came to you with this program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Various community organizations throughout the City of Chicago, from all sections of the city came together, held hearings and came up with this proposal for a commission to select members, so from throughout the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Could you tell me the names of those various community organizations throughout the City of Chicago that came to you with this proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I don't have all the names with me at this point. I know the Chicago Urban League was involved...groups from the southwest...northwest side, the southwest side, members of the...Latino organizations and members of the black community organizations, so there were several.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Could you tell me the names of the community organizations from the southwest side that came to you with this proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I don't have the names with me. They are in my file up in my office, but I can easily get the names for you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, would you take this out of the record until you could send someone to get the file and provide me with those names?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I don't think there's a need to take it out of the record for me to get the file to...to...for me to show you the names. I'm...I'm quite sure that if you believe what I have to say, you know I would not present anything in a manner with which...it did not represent what I say they represented. Now, I do have the information in my file in my office as to the organizations. This bill was held...held a hearing before the Local Government Committee. Your seatmate was there. His record and file so indicate all those persons who presented testimony before that committee and you ask your seatmate, he'll give you the names of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I'm asking you. My seatmate is not sponsoring the

bill, but I haven't believed a word you said on this Floor since you carried Jane Byrne's water down here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, you know, the Senator from the 19th Ward always makes snide remarks and his candidate lost to my good friend Mayor Harold Washington, and I...I never served in the Senate with you, so if you want to speak to the merit of the bill, Senator, but you want to discuss other things, we can deal with that here but you want to play games, we can go outside and do that too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, if you are...if you are suggesting that you'd like to go outside and in...in response to that, I would welcome that, and I...I've been telling you that out of this Chamber for a number of years, Senator Jones, and I've given you the opportunity a number of times. You have a lot of mouth but when it comes beyond that you...you don't want to...want to do anything further than that, but I'm asking you, if you have names of community organizations in the district that I represent that support this legislation and that is your representation to us, I want to know the names of those organizations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

As I indicated to you, Senator Jeremiah Joyce, that those names appeared...persons appeared before the Local Government Committee, they came up with the proposal for this commission and if you so desire those names, I will furnish those names after we complete discussion on this bill. The names are in

my file. They're in the file of your seatmate who...who...who sat there as the chairman of the Local Government Committee, they presented the testimony and...twenty-five community and civic organizations throughout the City of Chicago. I do not have the complete list of names with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I, too, don't have my file with me, Senator Jones. And I don't recall...what, if any, communities from the...community organizations from the southwest side attended the meeting. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. If the sponsor will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rock.

SENATOR ROCK:

I'm...I'm curious, Senator Jones, what is the position of the Mayor of Chicago on this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I have not spoke directly with the mayor as it relates to this legislation. It is my belief from those persons who have...put this...commission together that the mayor is in support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I, obviously, have not spoken with the mayor either and I was just...frankly, just curious, but I...I

would just point out to the membership that we are literally creating, in my judgment, and I stand in opposition to Senate Bill 744, we are literally creating a statutory monster. We have...we are setting up a twenty-five person commission who will be funded with appropriate staff out of the already besieged and overloaded budget of the Chicago Board of Education to the tune of we don't know how much; and further, it affords this commission the unprecedented opportunity to publish an annual report of its work, including without limitation, performance evaluations of all board members. My only reaction to that is, holy smoke. Okay. I...this...this is...if it was an amendment to anything but the School Code it probably would be preemptive because this tells the Chief Executive of the City of Chicago just exactly who he can appoint and who he may not appoint and he has to appoint somebody picked from...by this commission. I don't think it's such a hot idea. I think if the Mayor of Chicago wants to set up a...an advisory committee as did previous mayors of Chicago, including Mayor Daley, that's their prerogative but we ought not be mandating what he can or can't do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman. Pardon me, Senator Berman, I was...couldn't see the glare for all the flashing lights in front of me. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. A question of the sponsor. Senator Jones, is there a position taken on this legislation by the Chicago Board of Education?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The...Chicago Board of Education or are you talking about the superintendent or are you talking about the board itself?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

It's my understanding legislative policy is set by the board. Has the board taken a position on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The board has not spoken to me in favor nor have they spoken to me in opposition to the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

All right, let me address the bill for a moment. Couple of years ago, I introduced a bill that would have given members of the Chicago board their own staff and that's part of this bill as I understand it. The board members came to me and indicated that it was not their desire to take funds from their already...existing operating budgets or the administrative budgets to add for their staff, and I Tabled that bill. I've not been communicated with as far as a change in their position, so as far as I know, no members of the Chicago board want an increased bureacratic staff even for their own purposes. I think the point that Senator Rock made regarding this commission also poses the problem that many of us have had in debating the operations of the Chicago board. Right now, the board is appointed by the Mayor of the City of Chicago. They are not elected; therefore, the responsibility to some extent of the operations of the board lie with the responsibility...the responsibility lies with the appointing authority; namely, the Mayor of the City of Chicago. The...the appointment of this commission...or the creation of this commission further insulates an elected official from the responsibilites of the people that he appoints, and I don't think that's necessarily in the right position. If the

mayor wants advice, he's got the power to do it. Mayor Daley did it that way, when he didn't want to follow the commission, he didn't; and legislation was introduced time and time again in this Body to force Mayor Daley to follow the nominating commission, whatever their name was at that time, and that legislation was defeated. I don't think we ought to hamstring Mayor Washington anymore than we were...than we chose not to hamstring Mayor Daley and, therefore, I stand in opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'm one of those members who voted in committee to allow this bill to come out with the understanding, at least on my part, that an amendment would be offered on this Floor which would take out this issue concerning appropriate staff, 'cause I can foresee that this can become a bureaucratic maze of numbers of people added on, and we know how things can get abused in this area, and I really would a make request which was made earlier that possibly we could have this bill held, take it back to 2nd reading and put an amendment on which would make this a voluntary type of organization, and I think that's the only way that I would support it, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, Senator Jones, with all due respect, when you appeared in front of the Local Government Committee, I was also present, I had one of my bills there, and you had a large group of people present with you when you were testifying, and I didn't recognize anybody from the northwest side either by name or by...any type of identification. Do you have any independent recollection or can you give me any

names of organizations or groups from my district, my part of the city, that were represented in your group?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, Senator Dudycz, as...as a member of that...of that committee, let me read off to you the names of the...names and organizations that was there; Southwest Association of Neighborhoods, South Shore Council of Churches, the South Shore Commission, People's Movement for Voters' Registration, Operation PUSH, O'Keefe School, Network for Youth Services, Near South Political Action Committee, Mexican-American Legal Defense for Education, League...League of Women Voters of...of Chicago, the Latino Institute, Yvonne Jefferies, Martin...Temple, Martha Jethrow, Attorney Robert Hart, Hispanic Political Round Table, Hispanic-American Labor Council, Tee Galley, Design for Change, Copper Memorial...AME Church, Concerned Citizens of Little Village, Citizens' Schools Committee, Chicago...United, Bradwell School and Black Women's Network. Let me say this to you, Senator, as a member of that committee, and you sat there and you asked...you asked those same identical questions and so forth, and at that time, those persons who were representatives of the community indicated who was there; and in response not only to that question but to my learned colleague, Senator Phil Rock, if he would read the bill himself as it relates to the board members that would be...would be appointed, those board members' funds will only come out the...out of the money that is run by the office of the superintendent. There is no additional funds whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dudycz.

SENATOR DUDYCZ:

Well, I must correct you in two errors you made, Senator.

Number one, I am not a member of the committee. Number two, I didn't recognize anybody from the northwest side in my district, so I must correct you there. Nobody was represented. No specific organization from my part of the city was represented among your coalition. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce for a second time.

SENATOR JEREMIAH JOYCE:

For the record, also, there is no organization mentioned on that list that Senator Jones has just recited that represents anyone in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones may close.

SENATOR JONES:

Thank you, Mr...Mr. President and members of the Senate. This legislation, as I indicated, is a...is a piece of legislation that came to me from the group...the various groups throughout the City of Chicago to try to resolve the problem as it relates to the Chicago Board of Education. I don't think that the Chicago board should be, as Senator Berman pointed out, have their recommendations as to how we are to select the board members. So, I'm not concerned with what the Chicago board thinks. We are the ones who...who will provide the necessary legislation to determine how board members shall be appointed. My good friend, Senator Kelly, is absolutely right because there was supposed to be an amendment and I...I have forgotten all about that particular...amendment as it relates to the commission, but that's the difference between the commission and the board members that would be appointed by the mayor. Also incorporated within this legislation would be the requirement that if the board members...if the board members are not acted on by the city council within sixty days,then their appointment would

be deemed appropriate and they will automatically become official members of that board rather than wait until two and three years for members...for the city council to act on the mayor's appointments. We have for a number of years argued back and forth as to what we should do regarding the Chicago School Board. This is an excellent opportunity for us to have that valuable input, but for Senator Kelly, I will hold the bill and...and take it back to amend out that one section, and that one section deals with appropriate staff where we talked about in committee and that was only for about eighteen thousand dollars for a secretary for the commission. But, again, it does not create the bureaucracy as...as Senator Phil Rock pointed out. What it does is forces the Mayor of the City of Chicago to accept one of...three persons that is presented to him to be a member of the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Jones.

SENATOR JONES:

So, Mr. President, kindly take this out of the record, 'cause I intend to move it back to...put that amendment on to take out that eighteen thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor requests leave to take it out of the record. Take it out of the record. Spent half an hour. Senate Bill 745, Senator Jones. Page 31, Senate Bill 748, Senator Donahue. 749, Senator Kustra. Senator Kustra on the Floor? 753, Senator Rock. On page 31, Senate bills 3rd reading is Senate Bill 753, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 753.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As was said in committee, here we go again. Senate Bill 753 is a new Act and it creates the Nuclear Materials Transportation Act of 1985. You'll recall that this Senate last year passed virtually unanimously the identical piece of legislation; and the reason we did, I believe, is that we were persuaded, at least an overwhelming majority of us were persuaded, that it is truly in the public interest, it is truly as a matter of public policy that we ought to be in a position to assure the people of Illinois, particularly in northwestern Illinois, that when these shipments of nuclear waste are coming to Morris, Illinois that they can be shipped with safety. Now we are subject to, by latest count, about four hundred tons of spent nuclear fuel to be transversing our State, and I know there's some anxiety because I've had the opportunity to speak with the Mayor of Aurora...or the former Mayor of Aurora, and these shipments will continue probably for the next five or six years; and all we are asking is that some State agency assume the responsibility to make sure that it can be transported safely and that along the route, whether it's down from Minnesota or across from Nebraska or coming across from New York, that somewhere along the line everybody is aware of what in the world to do in the event that there is an emergency or a disaster. At the present time, we simply do not have that assurance. We have heard at great length from the folks at GE and from the railroads and the shippers and the carriers saying everything is hunkey-dory; well, that's fine, and I certainly believe them and I attribute to them no sinister motivation, but the fact of the matter is, we have in Illinois the only commercial facility for storing this stuff and it is highly radioactive nuclear waste, and we ought to be in a position as a matter

of public policy to say we recognize GE's contractual agreement but at the same time we are charged with the responsibility of providing for the public safety of the people of Illinois. I urge an Aye vote on Senate Bill 753.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR RIGNEY:

I recognize this as an old and familiar bill. Isn't it true...that there have been a number of shipments since this was presented a year ago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That is correct. I am informed that there have been nine shipments already. Mr. Camille testified in the committee that there have been nine shipments already coming through.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

One thing you did not do is spell out the procedures now for shipment of this material. I wonder if some of our colleagues think that maybe we just throw these rods on an old flatbed car or something and, you know, along with the potatoes and the cattle and the other things that we're sending down the track and...would you tell us a little bit about how that process works? I was kind of intrigued by that myself, the...the presentation that was made in that area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, as I understand it, there's a special cask into which the nuclear waste is placed and the special cask is placed on a special train and the train is only supposed to go so many miles an hour and they can only ship a very small amount and...and there are...the railroad, the shipper, the carrier indicates that they are taking every precaution that they feel is necessary, and I don't deny that. What I'm suggesting, however, is that perhaps the folks in Monmouth and Galesburg and Kewanee and Princeton and Mendota and Aurora and Morris, Illinois ought to be assured that their own communities and their own law enforcement people are aware of what in the world to do in the event that there is a disaster, and the fact is, at the moment, that assurance is not there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, I think...you did a very commendable job of pointing out some of the safety precautions that are being met at the present time. These shipments are met at our border. They are accompanied across the State of Illinois to their final destination. They are carried in a special cask that will withstand most any type of collision that they might be involved in. All of those things are being done now, and I think what it boils down to, Senator Rock, is the fact that we really haven't seen any need for the type of legislation that you're proposing; and the one thing that kind of...kind of concerns me is the fact that I do not look upon this as a transportation act, I kind of look upon it as a nontransportation act, and I think we're going to have to recognize that as we address this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you. Would the question yield...will the...will the...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAITLAND:

Senator Rock, I wonder if you could describe for the Body what other regulations that the transporters now go through prior to starting a shipment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I understand there is a permitting process of sorts with the Nuclear Regulatory Agency, if that's what you're referring to. I truly don't know...what they are currently subjected to. I understand that there are two or three Federal agencies that attempt to...to exercise some degree of control and...and, frankly, Senator Maitland, all I am suggesting is that we...we ought to have them seek and obtain a permit from the commerce commission for that first shipment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Rock, I...I believe that the NRC and the Federal...Federal Department of Transportation, in...in fact, are the ones that grant the authority for the transportation of...of...of the nuclear waste and then, in fact, it is administered locally or in the State by the...by the Illinois Department of Transportation and the Nuclear Safety Department, and...and so that is...that is already in place, regulations that permits the transportation. It...it seems to me that...that this is just another level of...of bureaucracy that absolutely is unnecessary. It delays the shipment...it

could possibly delay the shipment. It...it brings a motion...it brings into a motion what is already very safe transportation as alluded to by...by Senator Rigney. There has never been a...an accident. There...there will be no problem with the...with the...with the cask rupturing and I...I think of...every day how...how fuel trucks traverse the...the...the highways of this State up and down and...and have blown up and...and people have been killed by this and...and it's going to happen and continue to happen and this transportation is completely safe and I think we're...we're putting fear into the hearts of people that just absolutely isn't necessary. I think the safety precautions are there and...and this legislation is an attempt, really, to bring fear to people rather than to...than to...than to help people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Well, the...the previous two speakers have...have talked about not seeing any need for this. The law of averages says that someday there's going to be an accident. They...they've...they've had these trailers come unhooked from trucks...thirty feet...if one of these cask falls thirty feet and into an impermeable object it can rupture. We're talking about probably the most dangerous substance that's hauled down our highways. One accident from one of these casks...if one of these ruptures, could probably...you know, no one knows, no one knows the damage that...that could be done. So, I think that, you know...the shipments, when they're permitted...say they're coming from Nebraska, say there's ten of them or fifteen of them, they don't have to get a permit every time, just one time for each...each bunch that are going through in each movement and...so I don't think we're asking too much when you think

about the danger that...that we are placing on the highways running through our towns and villages and...and countrysides, it is...it's not too much to ask. Senator Maitland says...added bureaucracy. Well, for something this dangerous, I think a littled added caution is...is wise and I think we would be very well...to...which we would be doing very well to pass this piece of legislation. It is just something that I think is...is imperative that we do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR KUSTRA:

Thank you, Mr. President. Senator, do I understand...and forgive me, this probably was said before but I just want to reiterate, this is a one time only permit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

It...yes, it requires and...and we talked about that last year, because at...at that point, I had had the bill read that it was a permit required for each and every shipment. This...would require only for the first shipment of a movement, so if we're getting two hundred tons from Nebraska Public Power, once that first permit is granted, it...it can be renewed annually.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

I...I guess my question then is, if we're really concerned about safety and we're really concerned about something happening to those shipments, why...why just the first

time? I mean, it seems to me that there's just as much chance for accidents on down the road. Why...why just the first time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...you're...you're agreeing with my bill before I had to amend it to accommodate those desires and I agree with you. Why not every time? The accommodation that I did make was say, we'll do it for the first movement of a given shipment and the presumption is, before you get that permit, the ICC will have made a determination that, yes, indeed, the roadbed is safe, the train and its procedures are correct and that the local authorities along the way do, in fact, have some knowledge about what to do in the event of a disaster and that can be annually or...or as...as often as the commerce commission wants. It can...they...that's the continuing inspection process that the commerce commission, I hope, would indulge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Just...just a comment. It...it seems to me that Senator Maitland made all the appropriate points. We have other agencies of government that does this now and all we're doing is adding to a bureaucracy. The word nuclear, of course, is a word that immediately evokes all kinds of dangerous responses and we jump to vote Yes on bills like this, but the fact is that Senator Joyce talks about the law of averages and tells us it's going to happen anyway,...somewhere on down the line, the question is, why a bill with simply one check at the beginning? I'm not so sure I see a reason for any check right now by the ICC given the other precautions that have apparently been taken

anyway. It's a bad piece of legislation. I recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I...I apologize for rising the second time, but I...I really have a...a serious problem...with this legislation. I...first of all, I can't for the life of me how this is going to improve the safety. Senator Rock,...a question of the sponsor. I...what bothers me about this is that this is really an area that the ICC does not get involved with anyway. IDOT and the nuclear safety people, this is their area of expertise. These are the people who are dealing with the real issue, the hands-on activity; and...and if...if your intent is to improve upon safety, if that's the goal and objective, then why not require, if it's needed, something more of the people who have the expertise in this area? Why deal with the commerce commission who, God only knows, has too much to do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I, frankly, have a little more confidence in the commerce commission. And the fact is, that there...there...there is wide-spread testimony, particularly from our friends in Wisconsin and no lesser a personage than the Governor, that suggest very strongly that the Nuclear Regulatory Commission and the Federal Department of Transportation have...have, yes, established...some kind of generic guidelines, but the fact is, they are not specific enough; and our...you know, it's just a question of do we, in fact, want to be...want to have some prior consultation rights and so that when a truck goes through, our Illinois Department of Transportation can say to some bureaucrat out

in Washington, holy smoke, hold it, 294 is under construction for twenty-three miles and...and you can't go down that road, or why do you...why do you go down 55 or 57 in a...in a densely populated area with that kind of stuff? There are other ways to go. I just think our State has to be involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no...Senator Maitland.

SENATOR MAITLAND:

Well, I...I would just suggest that the State is now involved and we are handling it in a very...in a very proper way and...and the legislation should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You can't have too much safety dealing with things like this. I have a situation in my own district back home where they...that regulatory agency has put some hazardous material, they bring it in during the night, no one knows its there and then when you ask a question about it, there was a fire and when they went there they found out that these drums and things were placed there, you can't overdo safety and that's what that means, safety first. This is something that could wipe you away. This is one of...after all, you're...you're dealing with something that could be hazardous and endanger and wipe a whole city out and thousands of people. You can't overdo this. This is a good bill and it ought to be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just suggest that this legislation, Senate

Bill 753, is in no respect nor should it become a partisan issue. I attribute nothing but the highest regard to the owner, the shipper, the carrier and the receiver of this stuff; but the fact is, this stuff is being transported through our State, and we regulate all kinds of things and when you get...when you're...when you're on...on alert that more than four hundred tons of this stuff is coming into our State, we ought to have somebody looking to protect the public safety, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 753 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? You want to vote me Aye. Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 21, none voting Present. Senate Bill 753 having received the constitutional majority is declared passed. Senate Bill 754, Senator Kelly. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 754.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The purpose of Senate Bill 754 is to clarify the existing law concerning the publication of specimen ballots. The current Statutes are not clear on this subject and there are governmental bodies who are making different interpretations. As I understand it, it's in different sections of the Statute and this will clearly define the responsibility. It is not in any way intended to place any additional printing requirement or cost onto any governmental bodies or election author-

ities. There was an amendment adopted, ladies and gentlemen, which clearly prevented any interpretation that there would be any additional costs. So, as the bill stands, I know of no opposition and I ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 754 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 1, none voting Present. Senate Bill 754 having received the constitutional majority is declared passed. Senate Bill 755, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 755.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 755 amends the Illinois Vehicle Code and does two things. It deletes the provision which allows regional superintendents to issue bus driver permits to individuals who have been convicted of serious...of various serious crimes after a period of five years. The reason for this deletion is that the regional superintendent simply does not have access to information in order to make a...valid determination. Secondly, as amended, Senate Bill 755 requires operators of day-care vehicles transporting children to and from child-care facilities to obtain a permit. The standards are basically the same as those currently in existence for school bus drivers. The main advantage of this bill is that it provides the issuance of a permit in a manner which is already in place. In other

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words, individuals seeking this type of permit would be incorporated into the existing structure and, therefore, I think it's very cost effective. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 755 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 755 having received the constitutional majority is declared passed. Senate Bill 758, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 758.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says here, creates the Registeration Act for Illinois athletic trainers. This bill came about by the Illinois Athletic Trainers' Association and those people who teach them and those other individuals such as school districts and professional teams who use them, and what arose...brought this about was there's individuals who held themselves out to be athletic trainers when they've had no such training and, consequently, we've had some outstanding athletes who have suffered permanent injury 'cause some individual who does not have the training to recognize what the injury was and the seriousness of it proceeded to not send the individual to the right person for treatment or attempt to treat it in error themselves. This has support from a

number of different people. I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Yes, a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Davidson, does this create another regulatory Act similar to the ones that Senator Schaffer is regularly complaining about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, I can't answer to what Senator Schaffer is regularly complaining about. This does create a Registration Act under the...which will be administrated by the Department of Registration and Education. The fee that those individuals will...who are...will be registered has been set to meet the cost of what Registration and Education would say would take the cost to administer this Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch. Is there further discussion? If not, the...Senator Davidson, do you wish to close?

SENATOR DAVIDSON:

Just appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 758 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 7, none voting Present. Senate Bill 758 having received the constitutional majority is declared passed. Senate Bill 760,

Senator Marovitz. Read the bill, Mr...Senator Marovitz.

SENATOR MAROVITZ:

I think there's an amendment filed on that bill and it will be on the recall list tomorrow morning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

761, Senator Marovitz...766, Senator Vadalabene. 768, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 768.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 768 prohibits...the imposition of surcharges on credit cards. Since 1974, Federal law has prohibited sellers from imposing a surcharge on a credit card purchase. That law expired in 1974. A surcharge penalizes people who use credit cards who are already paying a variety of fees as well as historically high interest rates. It applies only to fees imposed in addition to the posted price and still permits merchants to offer a discount for cash. A surcharge is...is a charge which the merchant passes on to the consumer but, in fact, should be paid for as a...as a portion of the collection of debt which the credit card company or the bank is doing on their behalf. The issue really is...is whether or not we believe that surcharges should be imposed upon credit cards. The bill prohibits the seller in any sales transaction from imposing a surcharge to a credit card holder. There are over six hundred million credit cards in circulation and seventy percent are used by American consumers. A permanent change in credit card charges at the point of purchase could have a very dramatic

effect on our retail economy. In July of 1984, Bank Card Holders of America conducted a credit card surcharge survey and the results were really overwhelming. Almost four thousand of their numbers responded to the questionnaire and ninety-three percent of the people questioned felt that surcharges should be prohibited as they have been by the Federal Government since 1974. When they asked...when asked if retailers were permitted to impose surcharges, ninety-eight percent reported that they would change their spending habits if a surcharge were charged. They would turn to cash, they would turn to checks or they would make less purchases at the market place, again, severely effecting our retail economy. The imposition of surcharges is...is very discriminatory. Surcharges could be used arbitrarily against a lower income or intercity consumers. A merchant could impose his surcharge on one customer and not on another, chain stores in one chain store and not another and that's the classic form of redlining. If a surcharge were imposed on credit card holders, it...it, again, would have a negative effect on our economy. This imposition would hurt senior citizens, it would hurt lower income families, it would hurt women and I think this is an important piece of legislation. There is no reason to...for...for people to charge a surcharge. I think this is really a truth-in-advertising bill. Whatever the merchant wants to charge, that's fine. If he's going to charge two hundred dollars for a suit or four hundred dollars for a television, that's fine, he's...that's his right to charge anything he wants; and if he wants to offer a discount for cash, that's fine too, but to...to advertise that they're going to charge one price, to come in and have somebody give you a credit card and say, well, that was two hundred dollars, but it's going to be two hundred and twenty-five dollars because you're using a credit card, that's...that's why the Federal Government banned it since 1974 and why we

should not prohibit it in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

END OF REEL

REEL #6

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to the bill. There are several things that I think people don't understand with credit cards. If you buy an item from a store and...cost a buck and you hand him your credit card, the store doesn't get a buck, they get...depending on what it is ninety-five cents or...it varys, I don't think it's identical, but credit card companies, as you can guess, charge something for their services. If a retailer says, this should be a dollar, and you say, for convenience sake I want to use x credit card; that certainly should be your right, but why should the retailer have to pay for your convenience? If you wish to be...to have that convenience to use a credit card, fine, no one is saying you shouldn't, but what they're saying is, you want the convenient, you pay for it. Why should I pay for your convenience? I've offered a product at a specific price. Some retailers, as you know,...some of you, I'm sure has as I have, have hassled a little on a price here or there, gotten them down a buck or two. Have you ever been in on a sale at the end and said, hey, you had it on sale anyway, and you talk them down another fifty bucks because they had to get rid of it and you promise you'll take it away that day, and then you charge it. Not only if have you gotten that lower price, but he loses even more. Now, if you're...and I'll pick as an example, Marshall Fields, and they say, you want...you want the choice of credit in our store, then get a Field's credit card. If you use, oh, Master Charge; they will get less if they allow you to use the Master Charge instead of their own credit card, they are receiving less. What this bill says is that

you for your own convenience can penalize whoever you're buying something from. Now, some of these credit card guys are...are slow payers. I mean, American Express is notorious, you know, many people finally quit taking American Express. You know, you could die waiting...for American Express to pay a bill, and they're paying the carrying charge, the retailer, whoever it is. And so you're saying, I want to be convenient, I'm going to use my American Express, but you're going to get to pay for the privilege of me being convenient, me not wanting to pay cash, me not wanting to write you a check or whatever it is. So what we're saying is, for convenience sake of having a credit card, there may be a fee. You pay an interest if you don't want to pay it off as quickly, but why should the retailer be asked to float your credit? For your convenience, he should pay. If you wish the convenience, you should pay rather than someone else. That's the basic problem involved with the bill. What we're saying is, we want something for nothing. We want convenience and we don't want to pay for it. Well, that's nice. I know a lot of things I would like, an Avanti car, and I don't want to pay for it. But I don't get the Avanti car. If you wish a convenience, you should be expected to pay for it. Now, I have not have heard of any credit card surcharges that approach, you know, fifteen and twenty percent as was example. I have heard of one surcharge I was aware of that came out to be four percent which was what the retailer lost by letting you use the credit card. That didn't sound unreasonable to me. Why should he pay for your convenience? Those are the points that I think you have to consider. Philosophically,...philosophically, you just have to ask your self, who should be responsible. Those are the points we would raise. If you feel you want that convenience, let the market say what you should pay for that convenience. You are saying now, the market won't say, I'll

say, and I don't know that that is reasonable. I would appreciate a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KUSTRA:

Senator, I...I have used credit cards in my day and especially in the Chicago area, of course, and...I've never been charged a surcharge. Can you give me an idea of where...where is this done?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I think right across the street from here at Marathon Oil, they...they...they charge a surcharge for the use of a credit card, and...and we were very...one of the questions that was asked in committee was a...a request for some clarifying language about continuing to allow cash discounts. And we...and we...and we've done that so that cash discounts are in fact allowed, and we've made that very clear by the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

The only other comment I have is really not a question, but you said something about burying the cost. It seems to me...I...I see what you're trying to do, but it seems to me that if you're concerned about folks out there, consumers, that you're really achieving the very opposite of what you want to do. It would seem to me that if you just say to a retailer, go ahead and charge what you want to charge, charge

two hundred dollars for a suit, for example, you're allowing that retailer to bury this surcharge. It seems to me that what you want to do in a...in a piece of legislation like this or in normal business practices is in fact, to make sure that the cost falls on the person who is creating the burden. And I don't know how you do that with...it seems to me you're...you're doing exactly the opposite of what you intend.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

The way you do that is by truth in advertising so that the consumer can shop around and know what he's going to pay for something, and go to the...go where he's going to get...the best buy. If he knows he's going to pay two hundred dollars for a suit some place, and that's what the advertising says, fine. He shops around and he says, well, I'm going to get my suit for two hundred at Marshall Fields, but it's when he goes in there and finds out that that two hundred dollar suit does not cost him two hundred dollars as the advertisement said, but because he's going to pay with a credit card, which is the convenience of the merchant, it's going to cost him two hundred and twenty-five dollars. At Marshall Fields, that...if that merchant wants to establish their own credit company as they do at Marshall Field, they get a hundred cents on the dollar, they don't pay any less. That...that use of that credit card, that collection company, is for the convenient of the merchant so that they don't have to worry about that. So the...the bank or the credit card company, they do the collections for them and they're charging back the merchant for doing their collection. If the merchant wants to do it themselves, as Marshall Field does, they don't pay any cost. They get a hundred cents on the dollar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Ladies and Gentlemen. I thought it was interesting that when Senator Marovitz said it's the convenience of the merchant, there was sort of a moan that came up from some of the Senators. Well, ladies and gentlemen, the merchant, the retailer, is the one that decides whether he's going to accept any credit cards at all. If I walk into a store and I've got a pocket full of plastic, American Express or Visa or Diners, and the merchant doesn't accept those cards, I can't use those cards. The merchant has made a business decision to accept credit through the use of certain plastic credit companies. ARCO, for example, ladies and gentlemen, ARCO gasoline stations in this State decided that they were going to do away with acceptance of plastic credit cards, and they went to a cash only basis and they discounted their cash sale price and honestly said to everybody, we're not going to take any credit cards. That was a business decision. Now, as it turned out, it was the wrong business decision, but I would suggest to my friends who believe in free enterprise that that was a proper decision for them to call. It turned out wrong, but that was their prerogative; government then forced them to change that...or to make that decision. Now the reason that merchants and American Express and Visa and all the rest operate is because the business community found that you sell more goods even after absorbing the cost of that credit card service charge imposed by the credit companies; otherwise, the credit companies would have been out of business the day after they opened. It's good business. Now all that this bill is doing is to say to the people of State of Illinois that what you're used to, citizens of Illinois, is what we're going to...to continue to require under the business system of the State of Illinois.

We are used to a process that when you go in and you see a item that's marked for two hundred bucks, and you give him your credit card, that's the price you pay; that regardless of what Congress did or didn't do with the abolition of the prohibition regarding surcharges, we're going to continue to say, business as usual, honesty in business, honesty in full disclosure in the pricing of items and if you see that American Express card emblem on the front door, you're going to be able to use your emblem...your card without being charged extra. Truth in selling, that's all that this bill does; and if the...merchant doesn't want to accept credit or plastic, it's his prerogative, not the customers. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. Well, I think we ought to look at the opposite side of this question, too. As I understood Senator Marovitz, he's not prohibiting the merchant from allowing a cash discount. Well, then, if this bill passes, Senator, and I'm a merchant, I have to look at my pricing structure and I have to decide whether I'm going to price all of my merchandise on a cash basis or on a credit basis. If I price it all on a credit basis, which is what you seem to require, then I would have to...in order to be fair to those customers who pay cash, I would have to give them some kind of a cash discount as they move through the...the check-out line; if not, then, really, I am discriminating against the cash paying customers, and I think that...that we ought to raise the issue of discrimination against people who pay cash just like you're trying to raise the issue that you think is discrimination against people who pay on credit. I think we better leave this...you're frowning, and apparently you don't understand my point; but all business, Senator, in Illinois is not done by Marshall

Field. Credit cards are used and cash is paid to a lot of mom and pop operations throughout this State, and I think that...that they're the ones that are going to be hurt by this rather than Marshall Field. I think Marshall Field is going to price their product like they are now, and I think they're pricing it on the basis of...of gathering their...and recovering the cost of credit cards out of the price of the...of the commodity. But that isn't done all over this State, and I'm not so sure it's a good idea to pass this bill because we're going to require merchants, then, in my opinion, to discriminate against cash paying customers unless they allow that cash discount when the customer checks out.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz to close.

SENATOR MAROVITZ:

Thank you, Mr. President. Well, this really is a truth in selling, a truth in advertising bill. I think that some of my friends on the other side of the aisle are not giving enough credit to the...to the customer...to the consumer who is going to be shopping and competitively pricing those items in the market place. And if that particular store ups his cost five percent, the good shopper, who has shopped around, read the advertisements will realize that there's been a five percent increase and with today's economy being what it is will shop around and will look elsewhere. We talk about the ma and pa store, the reason that the ma and pa stores are in existence and have...and have been in existence is; one, because of convenience in the neighborhoods; and two, because of competitive pricing. Again, if somebody wants to charge a credit card...use a credit card, that is up to the merchant, totally, and he...and that is a cost of doing business; and when merchants price their items, they build in the cost of doing business, all of those costs of doing business, into the purchase price of the item. And a...customer has the

choice whether to buy that item at that purchase price or not, but that's the free enterprise system; as advertised, and that's all this bill is about. Let the customer know what the prices as advertised. If the merchant makes his own choice to use a credit card, fine, he's getting the benefit of having the bank or the credit card company that support this legislation for...they are going to be the collection agency so that the merchant doesn't have to be the collection agency. If the merchant wants to have their own credit company, then they'll get a hundred cents on the dollar and they'll be the collection agency. It's up to the merchant, but the seller, the...the...the buyer, the purchaser, the customer that we should be concerned about will know what the price is before he walks in the store and know what the obligation is. This is really a very good consumer bill, and I would ask that everybody give an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall Senate Bill 768 pass. Those voting in favor vote Aye. Those voting opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 30 Yes votes, 26 No votes, 1 voting Present, and Senate Bill 768 having received the required constitutional majority is hereby declared passed. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

I would request a verification of the affirmative roll call. Thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Keats requests a verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman.

Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Keats, do you request a verification of any Senator's voting in the affirmative?

SENATOR KEATS:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Newhouse. Senator Newhouse here? Here...is he here? He's here all right.

SENATOR KEATS:

Please remove him.

PRESIDING OFFICER: (SENATOR D'ARCO)

Strike his name, Mr. Secretary.

SENATOR KEATS:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz. Senator Lechowicz. Senator Lechowicz. Strike his name, Mr. Secretary.

SENATOR KEATS:

That'll do, thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

The roll call has been verified. Okay. On that question, there are 28 Yeas, 26 Nays, 1 voting Present and the bill having failed to receive the constitutional majority is hereby declared lost...Senator Marovitz requests postponed consideration. Senate Bill 771, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 771.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 771 was introduced for the purpose of trying to bring about a better enforcement of the financial responsibility law that's been on the books in Illinois since about 1941. The bill as introduced and in its present form would transfer the responsibility for administering that law...to...entirely to the Secretary of State. Needless to say, the bill as introduced got the attention of the Department of Transportation who at one point was in opposition to the bill. It started a series of meetings between the Department of Transportation and the Secretary of State's Office and those of us that are interested in trying to bring about a change, and just this morning, the Department of Transportation has withdrawn their opposition to the bill. The Secretary of State is now fully in support of the bill. What is planned is that this bill will pass out of this Chamber...as...in its present form and will be amended on some agreeable basis in the House. There is a House bill that will be passing over here and the same result will occur. And...on that basis, I would ask for your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

President Rock.

SENATOR ROCK:

I'm sorry, I was distracted. What...what is your intent with this legislation...I oppose it in its present form, as I did in committee.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I just gave my speech, President Rock, but what it amounts to is that both DOT and the Secretary of State now

have...are in the process of coming to an agreement. I offered to hold the bill here and amend it in this Chamber so that it would be satisfactory to them. What they suggested that we do was pass this bill out to the House, there is a similar bill in the House that would passed out...over to us and that the agreed amendments will be put on in the opposite Houses. So that's what we're about to do and they have both withdrawn their opposition to the...to the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Hall.

SENATOR HALL:

I just...for my own edification, Senator, that...when you're saying they're both...you referring to...to the Secretary and DOT?...the reason I ask that...my book shows that the Governor oppose it. Why is the Governor opposing it?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Schuneman.

SENATOR SCHUNEMAN:

The Governor opposed it because DOT opposed it, but the Governor has also withdrawn his opposition now.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Schuneman, do you wish to close?

SENATOR SCHUNEMAN:

Simply ask for your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. The question is,...shall Senate Bill 771 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 53 Yeas, 1 Nay, 2 voting Present, and Senate Bill 771 having received the required constitutional majority is...hereby declared passed. Senate Bill 772, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 772.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. In the hope that others will follow suit, I would move to recommit Senate Bill 772 to the Committee on Public Health.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz has moved to recommit Senate Bill 772 to the Committee on Public Health. Those in favor say Aye...Yea. Those...opposed say Nay. The Yeas have it. The motion is carried. Senate Bill 772 is recommitted to the Committee on Public Health. Senate Bill 782, Senator Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 782.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 782 authorizes township board of trustees to levy a special assessment against property for the purpose and construction of repair of streets, curbs, sidewalks, et cetera. This bill came from people who live outside of a municipality, in other words, unincorporated area, who have a need for sidewalks or curbs or some kind of an improvement. They have no place to go. They'd like to go to the township and say, hey, we need this in our community, we're willing to pay for it, you please help us do it.

It's just for DuPage County. It's modeled after the special assessment section of the Municipal Code and we let the municipalities do it now. What we're suggesting is, why not let people who live outside of municipalities have the same opportunity. Be happy to answer any questions. I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? There being none, the question is, shall Senate Bill 782 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present, and Senate Bill 782 having received the required constitutional majority is declared passed. Senate Bill 785, Senator Fawell. She's not here. Senate Bill 790, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 790.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does technical changes in the article dealing with the Pension Code to provide credits for...granted for unused sick pay which may be included in the vesting requirements; includes employee contribution and disability benefit when the system seeks reimbursement from the third party, grants the board power to subpoena witnesses and pay a reasonable fee, provides for temporary disability payment to made in cases where there's a dispute over the disability. This has the approval of that Pension Subcommittee, Economic Fiscal Committee. I know of no opposition. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? Hearing none, the question is, shall Senate Bill 790 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present, and Senate Bill 790 having received the required constitutional majority is hereby declared passed. Senate Bill 798, Senator Bloom. Senator Bloom...read the...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 798.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Basically, this bill does as the analysis says. It provides that the appropriation of...funds for flood control or water conservation is sufficient authorization for DOT to go ahead with the project. You may recall in Executive Committee that this bill was discussed and after the committee fully understood it, it passed out almost unanimously. I'll answer any questions; otherwise, I'd seek a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Hearing none, the question is, shall Senate Bill 798 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes,...none voting No, none voting Present, and Senate Bill 798 having received the required constitutional majority is hereby declared passed. Senate Bill 799. Senator...point of order. Senator

DeAngelis.

SENATOR DeANGELIS:

No. Thank you, Mr. President, just a point of personal privilege.

PRESIDING OFFICER: (SENATOR D'ARCO)

State your point.

SENATOR DeANGELIS:

In the gallery on the left side of the Chamber here we have the...just hot off the press winners of the Illinois State Historical Society School Awards. From Glenwood, Illinois, there are six fine students with their parents and Mr. Peterson and Mr. Wayne Hoffer, and I wish they would stand and be recognized.

PRESIDING OFFICER: (SENATOR D'ARCO)

Will our guests in the gallery please rise and be recognized by the Senate. Senate Bill 799, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 799.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 799 amends the Elder Abuse Demonstration Program Act. Extends it for one year to the date of December 31st, 1987 and adds paraprofessionals as mandated reporters for elder abuse. I would hope you could support this.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? Hearing none, the question is, shall Senate Bill 799 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted

who wished? Take the record, Mr. Secretary. On that question, there are 57 Ayes, no Nays, none voting Present, and Senate Bill 739 having received the required constitutional majority is declared passed. Senate Bill 802, Senator Macdonald. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR D'ARCO)

No, wait. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 802.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald.

SENATOR MACDONALD:

Yeah. Senate Bill 802 allows the community care program in the Department of...on Aging to have their bills paid if necessary from a future year appropriation. The reason for this is that the Department has a complex payment system, computer controlled and edited, that cause a large number of vendors to have usually small amounts of bills that do not get processed in time to pay from a current year's appropriation, then...therefore, they have to go to court of claims for...reimbursement. The Bureau of the Budget was opposed to this bill last year until late in June, and the department was unable to get it added that late in the...in the Session. The Department of Public Aid and the Department of Public Health have similar provisions. This bill passed out unanimously out of committee as an agreed bill, and I ask for your support of this piece of legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 802. This is a power or an authority that we have heretofore only granted to the Department of Public Aid, because that department with its, obviously, gigantic budget is called upon to reconcile hospital and nursing home costs...I just...I think that we would be better served...we, the Assembly, would be better served to keep more of a handle on what these agencies are doing with money that we appropriate. The supplemental appropriation system has worked successfully. We will before the close of business today, as a matter of fact, discharge a bill to move that process. But I think we ought to be a little careful, because we're going to find a leapfrog effect that if we allow the Department of Aging to do it, then you're going to allow the Department of Mental Health to do it and then you're going allow the Department of Corrections to do it, and pretty soon this whole thing is going to unravel. I just ask you to be a little careful. I, for one,...oppose Senate Bill 802.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Senate Bill 802, and as has been discussed, right now there's only one agency that we've allowed this for and that's for a very unique reason as I understand. That agency is twenty times...twenty times the budget of this agency, and there is, therefore, a significant difference; but more importantly, we did it because we required by law what is known as reconciliation of accounts most particularly with the hospitals and other major suppliers of health care to this date for the Department of Public Aid. The Department of Public Aid had to go in after the fact and audit those accounts and see whether or not the

hospitals owed the State money or the State owed the hospitals money, and in most instances, those audited...audits did not take place till after the lapse period spending, because then, after the audit the hospital could object and by the time you got through the hearing process, you were well into the next fiscal year. So we have recognized over period of time that there's an amount of money in each year's budget that really pays last year's bills, but what it is paying is bills that were contested, reconciled, audited, heard, and then, finally reviewed. In this case, we are saying to an agency that has, by the way, proven itself to have the inability to maintain fiscal controls that we're going to honor and reward that inability to have fiscal control by saying we don't care what you obligate; you have no limits, no restrictions, pay the bills whenever you want out of any year's appropriations, whether or not you had the authority so to do. It is clearly the wrong way to go if we, who are responsible for the taxes people pay, do not have control on what departments are spending. I think it is illogical and should be defeated.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Macdonald to close.

SENATOR MACDONALD:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I would remind you that normally ninety-seven percent of the bills are paid either on the first try or resolved within thirty days. We are only talking about three percent of the funds that the vendors are entitled to. So I think this is a fair bill. I think of it as equitable...bill for the elderly and...I...I urge your support. It was...came out of committee unanimously, and I...I think the members did...discuss it, and I think that they did agree that it was a good bill. So I ask for your support.

PRESIDING OFFICER: (SENATOR D'ARCO)

SB824
3rd reading

The question is, shall Senate Bill 802 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 29 Ayes, 25 Nays and none voting Present, and Senate Bill 802 having failed to receive the required constitutional majority is hereby declared lost. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

I would ask for this bill to be put on postponed consideration.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senate Bill 802 will be put on postponed consideration. Senate Bill 804 and 813 are on the recall list. Next bill would be Senate Bill 814, Senator Mahar. No. Senate Bill 824, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 824.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 824 amends the Illinois Mechanics Lien Act to include property managers. It appears there's been a growing problem in recent years when building managers have found themselves in a position worse than contractors. They have furnished or performed work for the owners of property they manage at the request of the property owner or have advanced funds to keep the building and then found it difficult or impossible to be reimbursed when the building was sold. I would try to ask any...answer any questions or would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? Hearing none, the question is, shall Senate Bill 824 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, none voting Nay, none voting Present, and Senate Bill 824 having received the required constitutional majority is hereby declared passed. Senate Bill 825, Senator Dudycz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 825.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm happy to report that Senate Bill 825 has absolutely nothing to do with annexation. What it does is exactly what it states it does. All references to throwing stars and stun guns and tasers have been removed. And the bill amends the Criminal Code to make it an aggravated offense to commit or attempt a forcible felony while wearing a bulletproof vest, and the penalty becomes one step higher than the felony or the attempted felony. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm happy also that it has nothing to do with annexation and since it's your first bill, Senator Dudycz, I will refrain from any other comment.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion?...hearing none,...I'm sorry. Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield. Senator Dudycz.

SENATOR ETHEREDGE:

Senator, I was wondering how bulletproof vest is defined in...in your bill, and let...let me tell you why I raise the question. Traveling down here yesterday in the automobile, I heard a story of a policewoman who was saved...I guess a bullet was fired at her and...she was saved because the bullet struck a...a container of eye liner. And I was wondering if the...if this person happened not to be a policewoman but were a...a...a felon who...coming at you with a gun and happened to have an eye liner packet in her pocket, would that be construed as...under...under your...the way your bill is written as a bulletproof vest of some kind?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dudycz.

SENATOR DUDYCZ:

Senator, no.

PRESIDING OFFICER: (SENATOR D'ARCO)

Very good. I like that answer. Senator Chew. The timer is on, Senator Chew.

SENATOR CHEW:

What time is on? You little squirt, you just got up there. This is the first time you've been up there and you get up there with some kind of authority. I'll be up to relieve you very shortly. Now, this fellow who's got this bill, Mr. President,...Dudycz. What...what does the bill...what is the bill supposed to do? I mean, what you've explained, it said nothing. Do you draw this conclusion because you a former police officer or what...what is the

purpose of it and what does it do? 'Cause I don't understand you northwest side fellow's language. What is Dudycz?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator...Senator Dudycz.

SENATOR DUDYCZ:

Senator Chew, the reasoning behind the aggravated offense is twofold. First, a person wearing a vest is more likely to engage in gun play with the police or a victim because to a certain extent they do feel protected. Secondly, a...people who commit forcible crimes particularly while armed with a firearm should not be protected in this fashion. Wait a minute...I didn't interrupt you. Okay.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

...President...Mr. President, would you have a man to speak where we can understand his English. I don't understand this northwest side jargon that he's coming down. I...whatever he said, it doesn't even make sense. Why don't you outlaw vests that are bulletproof if you want to stop selling them to the people who are on your side of town? Why don't you just outlaw that instead of coming down with all this jungle bungle that you have. How long you been here? Well, maybe I should ask, how long do you plan to stay? Okay. I don't need...that's all right, Mr. President. It's no good bill anyway. So we just won't vote for it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Just wanted to know...the sponsor yield to a question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Will the sponsor yield? He...he indicates he will yield.

SENATOR CARROLL:

Is this your second try at your first bill?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes it is.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I wonder if he would yield. Now, are you talking about...what about the ladies who want to indulge in criminal acts, do they have to wear...you don't want them to wear the vests? Don't you think they look nice on them? I mean, I think it will add to them, don't you think?

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Dudycz is a strong advocate of law and order, and I was wondering if he would do like some other legislator did, give a demonstration upon himself with a stun gun to prove his point.

PRESIDENT:

Further discussion? Any further discussion? Senator Dudycz, you wish to close?

SENATOR DUDYCZ:

I'm afraid to. Just to answer Senator Chew's question, I plan to be here long after you're gone, sir. I ask for your favorable vote.

PRESIDENT:

...question is, shall Senate Bill 825 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. Senate Bill 825 having received the required constitutional majority is declared passed. 833, Senator Macdonald. 835, Senator Hudson. 836, Senator DeAngelis. 854, Senator Etheredge. Top of page 33...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Just a point of personal privilege. I thought since we're taking care of Senator Dudycz for his first bill, we should actually commend Senator D'Arco for...his first time in the Chair. We all know the harassment and abuse you take which you...deserve while you're there. John did such a better job that he didn't take the harassment and abuse that you catch.

PRESIDENT:

The point is well taken. Congratulations, John. Top of page 33, on the Order of Senate Bills 3rd Reading is Senate Bill 854. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 854.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this bill does just exactly what the summary on the Calendar says it does. It would make it possible for downstate law enforcement agencies to use oscilating blue or amber lights in connection with red on their...on their squad cars and soforth. And the reason for this is that some experience has shown that...that the blue lights have...are more visible in certain atmospheric conditions than are the red. So it's

a...it's a safety matter.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 854 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open...the voting is open, Mr. Secretary. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. Senate Bill 854 having received the required constitutional majority is declared passed. Senator Geo-Karis on 859. On the Order of Senate Bills 3rd Reading, top of page 33, is Senate Bill 859. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 859.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 859 makes a correction of an old Act that...that applied to amusement rides and...and...and if you'll recall, last year Senator Welch's bill was passed into law relative to amusement rides, and the insurance provision of a thousand dollars per occurrence is in Senator Welch's bill...that was made into law. This bill was brought to me by the Labor Department and I move for its passage. Simply corrects the law.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 859 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 859 having received the required constitutional majority is declared passed. 860, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading, Senate Bill 860. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 860.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, what this bill does is simply say that the...the...the requirement of practicing mechanical engineers...or electrical engineers...is deleted; however, the requirement that amusement ride inspectors be mechanical or...electrical engineers is in the bill. And this makes it possible to hire retired engineers...electrical or mechanical, and save some money for the Labor Department. This, too, was a Labor Department bill and I move for its passage.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Frankly, I know we're on 860, but Senator Geo-Karis just apparently represented 859 as a bill that simply corrected some technical language, and I am told it, in fact, repealed the entire Act. And if that's the case, I would like for her to give us another explanation of this bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

May I answer.

PRESIDENT:

I hope so.

SENATOR GEO-KARIS:

What we repealed in 859, and I certainly would not do that and say something else, was a 1981 Act. But Senator Welch's bill was passed into law, signed into law and that has the insurance provision it it and I have copy of it here. Are you satisfied, Senator Demuzio?

PRESIDENT:

Further discussion on 860? Senator Demuzio.

SENATOR DEMUZIO:

Well, I thought I was and then I didn't think I was and now I don't where I am.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall Senate Bill 860 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 860 having received the required constitutional majority is declared passed. 861, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading, Senate Bill 861. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 861.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply authorizes the director of Central Manage-

ment Services to extend group insurance benefits negotiated under a collective bargaining agreement to State employees not concerned with collective bargaining and would apply to the hundred and fifty-two thousand State employees. And I...and would drive the cost of insurance...down and would be helpful to all employees in State Government.

PRESIDENT:

Any discussion? Is there any discussion? Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she'll yield.

SENATOR HALL:

Senator, is AFSCME opposed to this?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

AFSCME may be opposed to it, but I think we have to consider that there are thirty-eight thousand AFSCME employees approximately; we have a hundred and fourteen thousand additional employees in the State Government who are not covered by AFSCME, and I do think they have the right to choose and this bill would affect all employees.

PRESIDENT:

Further discussion? Any further discussion? Senator Collins.

SENATOR COLLINS:

I'm...I'm sorry, Senator. Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she'll yield.

SENATOR COLLINS:

Senator...Senator, I'm...I'm...I'm really sorry I have not looked at this. Could you repeat again exactly what

you're doing?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

This bill would authorize the director of the Central Management Services to extend group insurance benefits negotiated under collective bargaining agreement to State employees not concerned with collective bargaining. It would apply to a hundred and fifty-two thousand...we have approximately a hundred and fifty-two thousand State employees. It would apply to all State employees, and it would drive...it would bring the cost of the insurance down, because you have a hundred and fifty-two thousand employees involved.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

I still don't understand what you're saying...on one hand, it seems as though you are saying that...that they can...they will negotiate or deal with group insurance according to the collective bargaining agreement, and then...then...then on the other hand, it sounds as if you're saying, notwithstanding any collective bargaining agreement. So, I'm not...I'm not sure what you're saying.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

By law we're only limited to seven dollars for employees. Is that correct...for dependent care. And with this bill is allow any group insurance benefit received by an employee under the Act, pursuant to a collective bargaining agreement to be extended by the director to employees whose wages, hours and other conditions of employment with the State are not subject to collective bargaining agreement. They are still State employees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I understand, Mr. President, that this is a trend that we in the Legislature have been going towards these past few years. If you're...lose your employment, you could stay on into a group policy. If you're in private industry, you can still belong to a group policy. I don't think it's any different than allowing a trend that we've been participating in in the last few years, allow employees to join in a group...a group policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I opposed...Senate Bill 861 in committee and I intend to oppose it here and stand in opposition to it. What...what we're saying by virtue of this legislation is that we recognize, as we have as a matter of public policy, first, by Executive Order of the Governor and then by State Statute, the public employees have a right to collectively bargain; and now this group of public employees collectively bargains for an increased benefit, and this legislation would afford that increased benefit to all employees. So what you're saying in effect is that the...the union then is in...put in the position where every time they negotiate for an increased benefit, they are, in fact, getting an increase for the entire array of State employees and thus the cost goes up dramatically. It seems to me that if in fact a group of employees meets and collectively bargains and secures a benefit that the others don't have, maybe the others ought to join the union. I don't think that's unreasonable. Or maybe the others ought to share in the cost of collective bargaining. I don't think that's unreasonable. But this bill says

neither of those things and I oppose it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think that the director of Central Management has negotiated with AFSCME as to improved benefits for insurance coverage. I don't think we want to get in the position of having two classes of State employees, those who have certain benefits for dependents and those who don't have certain benefits for dependents under the insurance program. Now, whether or not they should contribute some to the negotiating process, that's...that's another public policy matter that I don't think we want to get into, but I don't think we want two levels of insurance for State employees. If it's good for the AFSCME people, it ought to be good for the other classification of employees, Statewide, if they choose to participate. I think it's a good bill and we should support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, I appreciate it. I...I want to raise a couple of points. Senator Savickas raised an...an excellent point, I mean, this is the direction we've been going all along, but there's several things we're missing. One, I appreciate what the Senate President said, but you have to remember, we have a fair share plan now. All these State employees are paying. You know, we got basically a fair share program now. I mean,...you know, our employees do pay in partially. So that's something that has to be remembered. But remember, these are State employees. They work for you, me and everyone in this State. Their technical bosses are sitting in this room. Not all State employees are covered by collective bargain agreements. You have certain

groups who are excluded by the laws that we pass. And we have sat here for many years and I always supported Senator Carroll's position on this...as he comes in, he's going to look up and wonder what I'm supporting of his; but remember, for awhile we had collective bargaining agreements that we did not honor and we set different...standards. We always supported that position and Senator Carroll, Senator Buzbee and remember...remember Senator Hall's famous phrase, the four horsemen? The four horsemen would always lead the charts on that issue. We as a Legislature almost unanimously, as Senator Savickas was saying, win that direction. These are State employees, many of whom are already paying a fair share agreement; many other ones are not, by our own law, covered by any collective bargaining agreement and cannot be covered because of our law. And so, if we are to say, we are their employer and we are, we are technically the boss, we should be sure that they receive these benefits. They're paying for them. We intentionally exclude some from having that ability to get it, and we have traditionally under Senator Carroll and Senator Savickas' many others' leadership, made sure that these people who are employed by the State received adequate benefits. This is an exact continuation. It is just the essence of being reasonable. If you as a boss want to say,...you know, stick it to some of your employees, that's fine; but if you do not support this bill, you're saying, hey, to...you know, whatever term you would like to use to a bunch of State employees, we may have excluded you from the contracts, I'm going to stick it to you for the fun of it. That is not reasonable. We should be supporting the measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I stand in support of the

bill. I...I only want to make two points. First of all, this bill does not require the State to do anything. It merely allows the administration to bring group insurance benefits up to some level that may have been negotiated in a contract...to bring...the...the level of benefits up for all other State employees. So it's permissive in that sense. The other point that needs to be made here is that the economy that you can achieve in group insurance, is best achieved if you have a standard program as opposed to bits and pieces all of which have to be separately rated, separately administered and it creates a big problem. So I can see why anyone who's administering a group insurance program would like to have that program unified...or uniform. So I think it's a good bill. I think we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I hate to rise a second time, but...my understanding is is that the department...the director of the Department of Central Management is requesting this legislation, but the employees and especially the ones that's represented by AFSCME is opposed to this; and why,...Senator, did you explain why that...CMS would want to have something that their employees don't want?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I assume, Senator Hall, that's a question of Senator Geo-Karis.

SENATOR HALL:

Yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Hall, the employees want this. The fact that

some of the AFSCME leaders don't think they want it, they're forgetting the fact that if they're going to have ten fractured plans for health group insurance, it's going to be far more costly to all the employees. But if they have one uniform plan, then it's going to be cheaper for all of the employees. It's certainly cheaper when you have a hundred and fifty-two thousand people in it than rather thirty-eight thousand, and I think we ought to keep in mind that...are we trying to force unionism on the rest of the State employees? Is that what you want to do? Or do you want to be fair and keep the cost down and give the benefits to all the State employees?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Very briefly, Mr. President and fellow Senators. I'm somewhat mystified by the opposition of AFSCME, because they testified in Senator Jones' committee in support of the PPO legislation that Senators Carroll and Dawson and myself are carrying; and the idea is that you get a group together and you guarantee the providers a...if you will, a guarantee market in return for lower prices for the same kinds of services and efficiencies through strong utilization review. This bill is not inconsistent with what we're about, and I...I'm just, frankly, mystified that the folks at AFSCME don't like this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Rock.

SENATOR ROCK:

Well, it's pretty obvious we're..we're getting to the end of the day and we only have to...I think this will be the last bill. I...I just wanted to attempt if I can to allay some of Senator Bloom's mystic. The point is...and it's...it's...it...truly this bill is...is as you say, prob-

ably relatively innocuous or maybe even beneficial if you can stretch it that far, because obviously the...the rating is different if the pool is thirty-eight thousand or the pool is a hundred and fifty thousand, no question about that. But let me suggest to you as a matter of public policy what's going on here. You are saying, yes, group of employees, you have a right to organize and collectively bargain and whatever increased benefit or other negotiated chip you secure, we, the administration, will just give it to everybody else. Difficulty with that is you place me, the negotiator, in the position literally of negotiating for everybody, and obviously that's more costly. Now, it may not be more costly with respect to group insurance, and I admit that; but on the other hand, you can apply this same policy to literally everything about which people collectively bargain; and once you do that, you place me at a distinct disadvantage, because then I am no longer negotiating for my group. I'm negotiating for everybody and that's simply not fair. I think this bill ought to be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Very...very briefly. I think that this is a prime example of a case where the union, in this case AFSCME, is taking the lead and usurping the powers of the Illinois General Assembly to this degree. And Roger...Senator Keats made the point that we still are the employers here. AFSCME is not, and I have tried to make the point on this Floor and over in the House many, many times that when we bring the union in as the exclusive bargaining agent on a coequal term with the Illinois General Assembly who is charged with making the laws for the people of this State, we are giving that union an inordinate amount of power, and I think this is an example of what happens when we

do that. Now, we've passed the law. It's there, but it seems to me that we should be in a position to say, we still are the employers, and the point was made previously that these people are paying their fair share, so-called. So I think we have every right to come forth with a proposition of this kind and say, look, as the employers of these people, we feel for various reasons that this is a good idea and to the advantage of our employees. And I...I just...I just feel we're...witnessing here today exactly chickens coming home to roost when we get into this forced, mandatory collective bargaining process to begin with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I think we got to keep in mind that even the union benefits by a bill of this nature...when...when you want to say that AFSCME...because AFSCME is not for this bill, does that mean it speaks for all of this Legislature? I'm not anti-union, but I...I am for the personnel of the State of Illinois. And I think when we can benefit with this...this type of a bill and a group insurance have one plan of group insurance, the union members will benefit, the nonunion members will be benefit, and besides, you have a hundred and...and fourteen thousand members who are not union members but they're State employees...contrast to thirty-eight thousand, but they will all benefit because...altogether, as the President said earlier, certainly it helps to have more people in this plan. This plan will cost the...it will reduce the insurance costs. It will be one comprehensive plan, not a whole...bunch of fractured plans. It will help all the employees including the union employees, and I feel that we should consider the...the health and welfare of all of the employees, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...the...the question is, shall Senate Bill 861 pass. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32...33, the Nays are 18, none voting Present. Senate Bill 861 having received the required constitutional majority is declared passed. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

A point of privilege...personal privilege. Would you...on Senate Bill 907, would you add the name Rupp as a hyphenated cosponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Chew has requested leave of the Body to add Senator Rupp as a hyphenated cosponsor to Senate Bill 907. Is leave granted? Leave is granted. So ordered. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senator Schaffer and Senator Carroll have a motion, I am told, with respect to House Bill 370 which will contain the emergency supplemental appropriations. Let me just announce for the membership, we will...when we conclude here very shortly...reconvene at ten o'clock tomorrow morning and again start to...to afford the membership an opportunity and to give our Enrolling and Engrossing clerks the opportunity, we'll start again with the recalls. So if any member has a bill he...a bill he wishes to recall for an amendment, please alert the Secretary and we'll have a list of those available for you at ten o'clock tomorrow morning. At five o'clock tomorrow, we will handle the Agreed Bill List, so that those of you who wish to express your vote, please get it to the Secretary today or certainly tomorrow by noon. And then at five o'clock we will

read the Agreed Bill List and take the vote. I would also ask leave of the Body to...and I've discussed this with Senator Philip and with the sponsor, Senator Netsch, there is a great deal of...of justifiable concern about the public utilities law rewrite, and I've asked Senator Netsch if she would agree to a special order of business, if you will. We will set a definite time next Tuesday at approximately noon. We will deal with the public utilities law Senator Netsch has agreed to at that time, call the bill back for the purpose of any and all amendments. So,...just so everybody knows, we'll do it next Tuesday at approximately noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have leave, Mr. President, to Table Senate Bill 898.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, where...where is 898?

SENATOR TOPINKA:

I'm not sure right now...I think it's on the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, you...Senator Topinka has moved to Table Senate Bill 898. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 898 is Tabled from the Agreed Bill List. Senator Carroll, for...all right. Senator Carroll.

SENATOR CARROLL:

First, Mr. President, if I may by way of an announcement to the members of the Democratic Task Force on Build Illinois, a reminder that the meeting is at 9:00 a.m. tomorrow morning in conference room in Room 627, nine o'clock in the morning. If you can be prompt, we should be definitely able

to get out in time for Session at ten. If...whenever ready to make the motion...you want to do that now also?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR CARROLL:

Okay, whenever you're ready.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to motions. Is leave granted? Leave is granted. Mr. Secretary, motions.

SECRETARY:

I move to discharge the Committee on Assignment of Bills from further consideration of House Bill 370 and that it be advanced to the Order of 2nd Reading. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This is a supplemental bill...House bill over...we propose to use it for a vehicle for the emergency items which have to be passed this week. It will be subsequently amended and sent back to the House in a timely fashion for the efficient operation of State Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has moved to discharge the Committee on Assignment of Bills from further consideration of House Bill 370 and that the bill be...placed on the Calendar on the Order of 2nd Reading. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Committee on Assignment of Bills is discharged from further consideration of House Bill 370 and it will be...in fact show up on the Order of 2nd Reading tomorrow. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. I ask leave of the

Body to remove my name as the chief sponsor of Senate Bill 253, and add in place thereof the name of Senator Doris Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland seeks leave of the Body to have himself removed as the sponsor of Senate Bill 253 and have Senator Karpiel substituted in his place. Is leave granted? Leave is granted. Senator...Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Just to remind those members of the Senate who do have tickets and are going to the Governor's Prayer Breakfast, it's tomorrow morning at Holiday Inn East at 7:30 a.m., and you will be out in time to be here in time for Session at ten.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. With leave of the Body, I would like to add Senator Marovitz as a hyphenated cosponsor of Senate Bill 159.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 159 is the request to add Senator Marovitz as a hyphenated cosponsor. Is leave granted? Leave is granted. It's so ordered. Senator...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, my House bill...I mean, my Senate Bill 565 which I had postponed consideration after it was not voted favorably, I would like to move to Table it at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Geo-Karis seeks leave of the Body to Table Senate Bill 565 which is on the Order of Postponed Consider-

ation. Is leave granted? Leave is granted. Senate Bill 565 is so...is Tabled. Resolutions.

SECRETARY:

Senate Resolution 226 offered by Senators Kelly and DeAngelis, it's congratulatory.

227, by Senators Savickas, congratulatory.

228, by Senator Savickas, and it's congratulatory.

And Senate Joint Resolution 58, by Senator Davidson and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Consent Calendar. Senator Savickas. All right...all right. Resolutions.

SECRETARY:

Senate Resolution 229 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, members of the Senate, I would move to suspend the rules for the immediate consideration of Resolution 229. This resolution is in recognition of the Police Memorial Day, and we would like to have it heard...adopted today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas moves to suspend the rules for immediate consideration and adoption of Senate Resolution 229. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Rules are suspended. Senator Savickas now moves to adopt Senate Resolution 229. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 229 is adopted. Further resolutions?

SECRETARY:

Senate Joint Resolution 59 offered by Senator Maitland and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I'd like to ask leave of the Body to...suspend the...suspend the rules and...and ask for the immediate consideration of Senate Joint Resolution 59, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, have you checked with Senator Sangmeister relative to this resolution?

END OF REEL

REEL #7

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why...why don't you give him a quick call so that we might be able to...Senator Maitland has moved to suspend the rules for the immediate adoption and consideration...Senator Maitland...Senator Maitland has moved to suspend the rules for the immediate consideration and adoption of...Senate Joint Resolution 59. Those in favor...of the suspension of the rules indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Maitland now moves the adoption of Senate Joint Resolution 59. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 59 is adopted. Further resolutions? No further resolutions. Senator Kenny Hall, what...what do you arise for?

SENATOR HALL:

Thank you, Mr. President. I'd like to have leave to be shown...I've talked to the principal sponsor, Senator Newhouse, and I would be a hyphenated sponsor on Senate Bill

1129.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall seeks leave of the Body to be added as a hyphenated cosponsor to Senate Bill 1129. Is leave granted? Leave is granted. It's so ordered. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

I would like to have Senator Macdonald added as hyphenated cosponsor on Senate Bill 983.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg seeks leave of the Body to add Senator Macdonald as a hyphenated cosponsor to Senate Bill 983. Is leave granted? Leave granted. So ordered. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, Mr. President, thank you. I inadvertently voted in a way that I had not intended on...Bill 716. I'd like the record to show that I had intended to vote No on that bill instead of Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Further business to come before the Senate? Senator Savickas moves that the Senate stand adjourned until Thursday, May...May the 16th at the hour of ten o'clock. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 16, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Charles Kyle, St. Francis Xavier Church, Chicago, Illinois. Father.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Rupp.

SENATOR RUPP:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 7th; Wednesday, May 8th; Thursday, May 9th; Tuesday, May 14th and Wednesday, May 15th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Rupp. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 301, 302...303, 304, 305, 306, 307, 437, 864 and 873.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 230 and 231 offered by Senator Lemke and they are congratulatory.

PRESIDENT:

Consent Calendar. With leave of the Body, we'll move to page 67 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 37, Senator Rigney is the Senate sponsor.

(Secretary reads title of bill)

House Bill 195, Senator Carroll.

(Secretary reads title of bill)

House Bill 197, Senator Lemke.

(Secretary reads title of bill)

House Bill 204, Senator Lemke.

(Secretary reads title of bill)

House Bill 210, Senator Hall.

(Secretary reads title of bill)

House Bill 241, Senator Zito and Carroll.

(Secretary reads title of bill)

House Bill 338, Senator Kelly.

(Secretary reads title of bill)

House Bill 421, Senator Lemke.

(Secretary reads title of bill)

House Bill 422, Senator Lemke.

(Secretary reads title of bill)

House Bill 538, Senator Berman.

(Secretary reads title of bill)

House Bill 714, Senator Savickas.

(Secretary reads title of bill)

House Bill 733.

(Secretary reads title of bill)

House Bill 778, Senator Berman.

(Secretary reads title of bill)

House Bill 1488, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1585, Senators Poshard, O'Daniel and Demuzio.

(Secretary reads title of bill)

House Bill 1654, Senator Netsch.

(Secretary reads title of bill)

House Bill 1655, Senator Netsch.

(Secretary reads title of bill)

House Bill 1966, Senators Schuneman and Vadalabene.

(Secretary reads title of bill)

House Bill 2113, Senators Karpiel and Philip.

(Secretary reads title of bill)

House Bill 2129, Senator Davidson.

(Secretary reads title of bill)

House Bill 2189, Senators Luft and Davidson.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the...the Order of Recalls. There are several bills that need to be recalled. A printed copy has been distributed to all of the members. We'll begin at the top of the list and go right on through. Senator Marovitz on the Floor? Senator Marovitz on the Floor? All right. Senate Bill 199, Senator Newhouse. Do you wish to have that bill returned? Senator...Newhouse requests leave of the Body to have Senate Bill 199 returned to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 199, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This Amendment No. 1 to Senate Bill 199 corrects inconsistent punctuation

brought to our attention by Senate Enrolling and Engrossing and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to Senate Bill 199. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 200, Senator Newhouse. Do you wish to have that...bill recalled? Senator Newhouse seeks leave of the Body to return Senate Bill 200 from...from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 200, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This is also a punctuation change amendment...and I just move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to Senate Bill 200. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 445...wait a minute. Senate Bill 201, Senator Sangmeister. Senator Sangmeister on the

Floor? Senator Marovitz, are you prepared to embark on Senate Bill 54? All right. Senate Bill 54, the very first one on the recall sheet. Senator Marovitz indicates he is ready. Mr. Secretary, Senate Bill 54 is on the Order of 3rd Reading. Senator Marovitz seeks leave of the Body to return that to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 54. Senator Marovitz. Oh, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 is a clarifying amendment which clarifies some language that was put in the improper place in Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves the adoption of Amendment...Amendment No. 2 to Senate Bill 54. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Sangmeister on the Floor? Senate Bill 445, Senator Davidson. Senator Davidson seeks leave of the Body to return Senate Bill 445 from the...from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 445, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment is to put into the continuing education requirement the recognition for those requirements which a person under the Medical Practice Act must maintain to be a board certified specialist or to maintain their hospital privileges so that there would not be a requirement put in doubling the amount of hours, there would be recognition for those hours. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 445. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 559. Senator Weaver seeks leave of the Body to return Senate Bill 559 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 559, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment provides that the Illinois Board of Higher Education must approve leases of over five years and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver moves the adoption of Amendment No. 1 to Senate Bill 559. Any discussion? Senator Welch.

SENATOR WELCH:

Yes, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

What's the current provision in the law for reviewing a lease and leases, Senator Weaver? Is there a review by the Board of Higher Ed., and if so, after how many years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I have difficulty hearing, but I don't think there are any. This is a bill that provides for leases of up to seventeen years for all of higher education. This merely states that the Board of Higher...Education must be notified and approve those leases exceeding five years. It's just kind of an oversight by the Board of Higher Education on higher education leases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, the current limit you're saying then is...is five years and you're extending it to seventeen with this bill. And with the current five-year leases there is no review by the Board of Higher Education? Did they ask for this particular review authority?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Yes, they did and I think it's a good idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 651 Recalled

Further discussion? If not, Senator Weaver has moved the adoption of...Amendment No. 2 to Senate Bill 559. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 651. Senator Barkhausen seeks leave of the Body to return Senate Bill 651 to the Order of...2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate Bill 651, on the Order of 2nd Reading, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 3 is offered at the suggestion of LRB which in turn took their suggestion from Enrolling and Engrossing. It picked up a technical problem with the bill that this Amendment No. 3 seeks to correct and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 3 to Senate Bill 651. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 658, Senator Netsch. Senator Netsch seeks leave of the...of the Body to return Senate Bill 658 to the Order of 2nd Reading for the purpose of an amend-

ment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 658, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment adds into one sentence two words that clarify its meaning. This has to do with the permit fee for air pollution and it makes it clear that the board may not prescribe permit fees which are different, and the two words added are, "in amount" from those established under the Act. It is essentially a clarification amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 658. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 680, Senator Netsch. Senator Netsch seeks leave of the Body to return Senate Bill 680 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 680, Mr. Secretary, read the bill.

SECRETARY:

...Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you...thank you, Mr. President. This is an Enrolling and Engrossing error that was caught, the word "it's" should be "it," i-t, of momentous importance. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 680. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 690, Senator Macdonald...seeks leave of the Senate to return Senate Bill 690 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 690, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, this bill merely extends to a hundred and twenty days instead of ninety days the period for returning...refunds on your income tax. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald moves the adoption of Amendment No. 1 to Senate Bill 690. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 693. Senator Geo-Karis seeks

leave of the Body to return Senate Bill 693 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 693, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this amendment was arrived from a meeting with Dean Sears from the Illinois Farm Bureau, Dick Davidson, Department of Agriculture, Carolyn Cooley from the Department of Agriculture, Senator Coffey. This amendment is done with their consent and it retains...the current statutory language...and it adds clarifying language on the liability of an animal owner if the animal runs at large and causes damage, defines livestock and allows for impoundment of loose livestock by law enforcement and requires the animal owner fixes enclosure, and...requires notice of impoundment to the owner, et cetera. And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 693. Is there any discussion? Any discussion? If not, those...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 714. Senator D'Arco seeks leave of the Body to return Senate Bill 714 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd

AB 760 Recall

Reading is Senate Bill 714, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment has been requested by the Department of Insurance as a technical clarification of what is intended by the bill. And I would move to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 714. Any discussion? If not, those in favor signify by say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any...any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 742, we don't have the amendments...on the order...760, Senator Marovitz. Senator Marovitz seeks leave of the Body to return Senate Bill 760 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 760, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 to Senate Bill 760 is an effective date amendment only. As promised in committee, it makes the effective date January 1, 1987. I would ask for the adoption of Amendment No. 1 to Senate Bill 760.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 760. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, Senator Sangmeister is on the Floor now, Senate Bill 201. Senator Sangmeister requests leave of the Body to return Senate Bill 201 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 201, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I offered the amendment because Senator Sangmeister wasn't on the Floor as yet. I will defer to the chief sponsor, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. It's my understanding the way this amendment has now been drafted that we must Table the...I don't know whether it was Floor Amendment No. 1 or Committee Amendment No. 1, I believe it was committee amendment, because it now encompasses that in this amendment. So we move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves to Table Amendment No. 1 to Senate Bill 201. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments? All right, Senator Sangmeister.

SENATOR SANGMEISTER:

I guess I've been given the okay to go ahead here. Amendment No. 2 encompasses all of...well, of the Committee Amendment No. 1, and in addition to that, there was...some concern about making sure that firearms could be possessed on school property where they are used for school training purposes, parades, target shooting and that kind of thing, and it does not materially affect...we did not intend in any respect to prevent those kind of activities with a gun on school premises, and it just clarifies it and also takes care of the Rifle's Association concern. So I'd move the adoption of Amendment No. 2 to Senate Bill 201.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister, for the record, before we...we handle this amendment, procedurally Senator Sangmeister moves to reconsider the vote, having voted on the prevailing side, by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Sangmeister now moves to Table Amendment No. 1 to Senate Bill 201. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Senator Sangmeister now moves the adoption of...of Amendment No. 2 to Senate Bill 201. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave, we'll return to

785, Senator Fawell. Senator Fawell seeks leave of the Body to return Senate Bill 785 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 785, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is basically a...technical amendment. It just exempts the airlines so the stewardesses don't have to be fingerprinted for serving liquor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill 785. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 873. Senator Schaffer seeks leave of the Body to return Senate Bill 873 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 873, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

We put Amendment No. 1 on at the request of the Department of Conservation. Our staffs looked that over and, frankly, the language was a little clumsy, didn't track as

well as it should of, and Amendment No. 2 merely cleans up Amendment No. 1 and puts the bill in shape.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 2 to Senate Bill 873. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 974. Senator Lemke seeks leave of the Body to...return Senate Bill 974 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 974, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 974 with Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment...Amendment No. 2 would allow members to transfer credit into the General Assembly Retirement System from other pension systems, and this would...this window would be open between January 1 and February 1 of 1986. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 974. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1010, Senator Carroll. Senator Carroll on the Floor? Senate Bill 1129, Senator Newhouse. Senator Newhouse seeks leave of the Body to return Senate Bill 1129 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1129, Mr. Secretary.

SECRETARY:

(Machine cutoff)...No. 2 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...I...refer to Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Amendment No. 2 clears up a constitutional question and it...it does so by eliminating the...appointing power of the Senate President and of the Speaker of the House so that the appointments will be made by the Governor now instead of the cooperation between the two. However, there will be Senate confirmation of the appointments. That is the amendment and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Hall. Senator Hall moves...the adoption of Amendment No. 2 to Senate Bill 1129. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1350. Senator Carroll seek...with leave of the Body, is there leave to have Senator Rock handle...Senate Bill 1350? Leave is granted. On the

Order of Senate Bills 3rd Reading is Senate Bill 1350. Senator Rock seeks leave of the Body to return 1350 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1350, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, with leave of the Body, we'll let Senator Rock move the amendment. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

Yes, Senator Carroll and I are cosponsors of this amendment as we are cosponsors of the bill. Amendment No. 1 to Senate Bill 1350, which is the substantial recodification of the Savings and Loan Act would delete any reference to other insurers as approved by the Illinois Department of Insurance. Currently, a savings and loan institution can, in fact, apply to the department to the commissioner to have some other insurance for deposits other than the FSLIC. The fact of the matter is they have not in any event ever approved any other insurer. All we are doing by Amendment No. 1 is...is...precluding that opportunity. We are just saying it has to be FSLIC. I know of no objection, I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 1 to Senate Bill 1350. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Lemke, for what purpose do you

arise?

SENATOR LEMKE:

Just a point of order. I think that...you know, we have an Agreed Bill List and certain members have bills on the Agreed Bill List but the members never receive notice of the individuals that are taking off the names off the Agreed Bill List. And I think it would be a common courtesy that these five individuals should present that motion to the sponsor of the bill too besides the Secretary of the Senate. I mean, it'd be nice for us to know who it is so we can reciprocate to them. I think it's a common courtesy that we should sit down and negotiate and see what can be done, because we are not happy in the Polish community, and I will assure you that repercussions will come for that reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll seeks leave of the...on Senate Bills...on the recall list there is Senate Bill 1010. With leave of the Body, we'll go to that order of business. Leave is granted. On the order...Senate Bill 1010, Senator Carroll seeks leave of the Body to return Senate Bill 1010 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1010, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 was brought to our attention by the Reference Bureau and our own Enrolling and Engrossing to add the word "of." It is a technical amendment, it was a typographical error and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1010. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, if I can have the attention of the membership, we'll give you an idea of what the schedule is going to be. We will commence virtually immediately on Senate bills 3rd reading where we left off yesterday, which was Senate Bill 873, and proceed through the balance of the Calendar on 3rd reading at which time we will then go back and start over on 2nd reading, having been through the 3rd reading Calendar one time fully this week. At about twelve-fifteen, I have discussed with Senator Philip, to afford the members an opportunity to...either go to church or grab a bite of lunch or both, at about twelve-fifteen we will begin reading the Agreed Bill List. The Secretary indicates that it will take approximately an hour to an hour and ten minutes to read the list in its entirety into the record, and so we will then literally have some free time to grab a bite of lunch and be back here at one-thirty at which time we will vote on the Agreed Bill List and carry on through the balance of the Calendar, with the idea that we will conclude our business this evening at roughly five or five-thirty only to start again tomorrow morning at ten and attempt to conclude our business by one-thirty tomorrow afternoon to afford everybody a chance to get back to their district. You want to start at

nine on...on Friday? That's all right with me. I was...I was here at ten this morning and I was alone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body...

SENATOR ROCK:

All right. Nine...nine o'clock tomorrow morning, once we ever...if we ever get there, I'll see how many show up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...leave of the Body, we'll...we'll go to the...the Order of Senate Bills 3rd Reading, page 28, we left off with Senate Bill 873, that was on the recall list this morning. So, we'll go to 882, Senator Degnan. Senate bills 3rd reading is Senate Bill 882, Mr. Secretary, read the bill. Senator Savickas.

SECRETARY:

Senate Bill 882.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 882 creates the...Expedited Check Clearing Act and the intent of the bill is to make available to depositors funds in a checking account within a reasonable time following deposit involving a check. Basically the bill says, a check must be credited and available to you one day after deposit if the check is drawn on that financial institution, is on a Federal Government or Illinois Government check or is for an amount less than fifty dollars. The amount must be credited within three days if the check is drawn on any financial institution within the State, and the amount must be credited within five days when the check is drawn...I'm sorry, within eight days when a check is drawn anywhere else. I'd be happy to accept

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any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 882 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 882 having received the required constitutional majority is declared passed. 883, Senator Holmberg. On the Order of Senate Bills 3rd Reading is Senate Bill 883, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 883.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 883 provides that public schools may provide instruction in parenting education. I think it's important for the Body to realize that in this year when we are doing so many things in education that with this bill we are not adding a mandate. This is permissive, it permits school districts in regularly taught programs to teach parenting education between the grades of six through twelve, and they may also provide evening programs to young parents who wish to take advantage of parenting education. I think the Chicago Tribune has brought out very effectively in their series, "Breaking the Chain," how critical it is that we reach parents of young children at a very, very young age. We have the ability to change the next generation...it's cost-effective, prevention is the answer, as parents are able to best reach their children between birth and eighteen months of age. We are adding all

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kinds of safeguards in the things that we must later do in the way of remediation. The actual ability to learn how to learn is taught at a very early age. I recommend the passage of this bill. Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 883 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present...or 1 voting Present. Senate bill 883 having received the constitutional majority is declared passed. Senate Bill 887, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 887.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does...this bill does is permits injunctive relief for the father of an unborn child whose wife seeks an abortion. It opens up...what it does is gives the right to the father; if he can prove his rights are more substantial than the mother's rights, he can...he can get an injunction. It puts the system in the court where it should be and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you...Mr. President, will the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

It's been a long day...if the woman's life is in danger or if the doctor says that...that this should be done, does this...does the father still have the right to say I want this injunction anyway?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

He has to...he has to show that his rights are greater than the...the person seeking the abortion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR LEMKE:

...that situation I would say, no, but he would just be given that right, it would be up to the court to decide whether to enjoin it or not. This is where it should be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Will the...have you got some provision in there that the court must take this up immediately because if...if not it becomes sort of a moot question. You know, if the woman has to wait, say a month or two, at that point it might be more dangerous for her to have the abortion than it is for...for the abortion to take place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

My understanding in talking to the Supreme Court that they have emergency injunctive proceedings which they do for blood transfusions and such, and this would just be along those lines and I think the mechanism is there for this to be accomplished.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I voted for this bill in committee without realizing that if a father wants...if the husband wants to have a vasectomy performed he does not have to ask his wife. And I wonder if the sponsor would pull the bill out of the record and put an amendment on it to make the same provision apply to the wife so that if she doesn't want him to have a vasectomy he should not...that she should have a right to speak about it and be considered before he has it done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Senator Geo-Karis, we can get into the realm of vasectomies or tubes being tied and something in regards to prevention of birth. In this incident we're talking about something that is there which I consider a person and medically it's considered a person. It has nothing to do with the injunctive relief. She has that...she has that right now. She can spell that out right now to stop him, very simple. She has a right in...in...in divorce court, if she wants that. This case, we, the father, wants to go in and protect his rights to his son or daughter that may be born, and he's got to prove that his rights are greater than her rights. We are not getting into birth control here; this is not a matter of birth control, this is a matter of life.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I very rarely disagree with the sponsor 'cause I happen to be very fond of him; however, I do feel that the rights should be equal, because I know of wives who say their husbands don't

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want any children and yet they do, and I know several cases. So, I am forced to speak against a bill on the basis that we should have equal parity...between both men...both wife and husband.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 887 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 9, 2 voting Present. Senate Bill 887 having received the constitutional majority is declared passed. Senate Bill 889, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 889.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Last Session we passed a bill in regards to parental notification. What this bill does, it amends an Act in relation to the office of public defenders, requires the public defender when appointed by court to defend persons under the parent...Parental Notice of Abortion Act of 1983. This rightfully is where it belongs and the public defender should represent the minor in her...attempt to...or trial in court to stop the parents from being notified. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator Lemke, I wonder whether there's any precedent for having public defenders represent other than criminals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I believe there...there is some precedence in this...in this matter. We're talking about an Act that makes certain offenses and I think that it's rightly so that if we have a public defender it shouldn't be the State's attorney it should be the public defender that should defend or represent this...this minor in her actions. I think it's only proper, it's done in juvenile court, public defenders are used in juvenile court. This...this indirectly is a juvenile court matter concerning juvenile even though it's in an adult court. I...I think it's...there's precedent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, to the bill. If there is any merit to this concept whatsoever...and I'm afraid that it's constitutionality both of this concept and also of notice in general, as I understand it, which is already been held to be unconstitutional by a district court and is now on appeal. But if there is any merit to this idea at all, it...it may be that public guardians could be appointed to represent the minor. But the idea of...of suddenly having public defenders, which traditionally only represent those charged with crimes be they adults or be they juveniles, would suddenly have thrust upon them a...sort of a civil responsibility that has been totally foreign to the concept of the office of public defender, I think is completely out of place, and therefore would urge the rejection of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Luft.

SENATOR LUFT:

I have a question, Mr. President, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your question.

SENATOR LUFT:

It is my understanding that a public defender is appointed to defend someone if that person cannot afford to hire a regular attorney. In the case that you're presenting, does that individual have to be declared as one of those people who cannot afford to pay and therefore get a regular attorney and therefore gets the public defender, or can anybody that you're talking about get the public defender?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

In this particular incident, if...you'd have the public defender or...or at least you...you...if the child could afford...her own counsel then she would get counsel, but it's presumable that most children don't have their own finances and would have to go to their parents, so therefore a public defender would be...they would qualify for being represented by a public defender. I...I don't see any problem with that. I don't think...most minors don't have control of their funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 889 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 10, 3 voting Present. Senate Bill 889 having received the constitutional majority is declared passed. Senate Bill 890, Senator Lemke.

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Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 890.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What we're doing here is...is...is amending the abortion law that we passed in 1975 prohibiting the sale and experimentation upon a fetus produced by fertilization of a human ovum...sperm. We're also putting in here a provision to clear up our intent here that in the intro-vitro fertilization that this law does not apply, and it's perfectly legal under that procedure but not to sell these things for experimenting, being cut up in pieces and so forth. I think it's a good bill and I also think it clears up some of...some of the misunderstanding that was when we originally passed this bill. It was never our intent to...to prohibit experimentation in intro-vitro fertilization. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 890 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 7, 3 voting Present. Senate Bill 890 having received the constitutional majority is declared passed. Senate Bill 893, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 893.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill...893 is the result of bipartisan discussions of members of the Revenue Committee and the Illinois Department of Revenue. It makes technical corrections in the State Income Tax Act and also provides...for changes in the income tax penalty. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 893 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 893 having received the constitutional majority is declared passed. Senate Bill 894, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 894.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 894 is similar to the preceding bill in that it is the result of discussions with the Department of Revenue. And what this bill does is to change the provisions that the department implements in regard to the write-off of uncollectible debts. I'd be...very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 894 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 894 having received the constitutional majority is declared passed. Senate Bill 899, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 899.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 899 is a bill requested by the State Employees Retirement System and it is simply a recodification of the State Social Security Enabling Act. The recodification simplifies language, clarifies meaning, and reorders the paragraphs in a more logical manner. This is the first complete recodification since the inception of the Act, and the many amendments, additions and deletions have contributed to the current disorganized and sometimes outdated state of the Act. I know of no opposition to the bill. Move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman...if not, the question is, shall Senate Bill 899 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 899 having received the constitutional majority is declared passed. Senate Bill 905, Senator Fawell. Read the bill, Mr. Secretary. For what pur-

pose does Senator Sangmeister arise? Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 905.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. With the amendment I don't really think this is that terrible of a bill. All it does is it...it allows the chief judge in each circuit to have the power to; number one, to tell the public defender whether he can appoint investigators if the county board comes up with the funds. It also tells...allows the chief judge to...to tell those investigators so appointed if they can carry firearms and then they can only carry firearms if they have gone through very extensive training. It also allows these same investigators to have just the power to serve warrants, nothing else, not search and seizure. All the peace officer things have been...deleted. It also allows the State's attorney, who again is an elected official, to appoint investigators for his office if the county board comes up with the funds. It allows the State's attorney investigators to have the same powers as I just enumerated for the public defender investigators. The reason that this bill is in place is because the public defenders have...have said...some of them have had to go into some very dangerous situations where they feel that their life is in peril and...and they need this...this bill for that reason.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Luft.

SENATOR LUFT:

I have a question, please, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR LUFT:

Who pays for the training?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...I'm sure the county board would. It's...it's under that Police Training Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

I have another question. I think you said that, if I am correctly, that the court would ask for the county to...to supply the funds for the public defender under this...program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

That...that actually is what...what happens now. It's put...the circuit...chief circuit judge is the one who appoints the public defender. The public defender's office is directly underneath the chief...circuit judge and it's in his budget.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

It's in the circuit judge's budget?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

It...it must be...the public defender budget's must be approved by the full circuit...by the...by the circuit judges because that particular office is not an elected office, it's

under direct...it's directly underneath the chief circuit judge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR DUDYCZ:

Senator, do...does the public defender's office have investigators currently?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Fawell.

SENATOR FAWELL:

Beg pardon? I...I didn't hear the question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Does the public defender's office have investigators currently?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Investigator's permits?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Currently. Does...do they have investigators currently?

SENATOR FAWELL:

Oh, some of them do, not all of them. They do in Cook and they do in DuPage and they do in some of the more urban areas in some of the ones down in southern Illinois. In some of the other counties, I understand they do not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

How...how do they...perform their duties now without being armed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Very cautiously.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

...when I was working Cabrini Green for two years, whenever we had process servers or anybody from the public defender's office come by they would request and receive an escort service by the local police officers. Couldn't this just continue rather than arm additional investigators?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

If...if indeed, Cook County handles it that way, that's fine. It is not handled, unfortunately, that way in my county. The police departments do not have the personnel to go out with the public defenders nor are they so inclined, and it's a great deal more costly that way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Wouldn't it make more sense to hire more police officers rather than investigators for that particular office?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

It...it would just cost more. I mean, the only way these men are going to be allowed whatsoever to have those weapons is they've got to have the exact same kind of training that you would have had as a police officer. I mean...you

know...and then the chief judge has to allow them, has to screen them and say, you know, you are capable of carrying a weapon and...and you're a little crazy and I'm not going to let you carry one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well, what you're saying is that you...you want the public defender to have the...specific police force of their own but you do not want the police officers to have additional police officers. If they are going to be performing the same type of activities...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

The only thing they will be able to do under the bill as amended is to just serve warrants, that's all. They are not going to have the power to arrest, they're not going to have all the other powers that a police officer has. Power to give...serve a warrant and the power, if necessary, and if approved by the chief judge to...to carry a gun, that's...that's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well if they don't have the power to arrest, they shouldn't have weapons...if they...if they...if they have the power...if they want to carry weapons, they should be police officers, period. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR ZITO:

Senator, I'm...I'm sorry, I missed part of the debate. Did you say that there was a provision in this bill whereby the...warrant servers when they were off duty, what...what is the stipulation with people that are off-duty hours, can they still carry a...a weapon?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

No...no, it's only while in the...in the pursuit of the duties connected with their office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Was that addressed by amendment? Was that...thank you. I have no further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Chew.

SENATOR CHEW:

Mr. President, those persons in this State that are allowed to carry firearms supposed to go through extensive training and then they're on probation for a period of time before they're permitted to become full-time peace officers. Under this bill, as I understand it, this bill empowers State's attorneys to...and to appoint investigators, and these investigators would be eligible to carry firearms and it also does the same thing for public defenders. The first thing I'd like to know is, who in the world wants this bill? And this deletes the power of the sheriffs in...in these counties where this would be permitted, and to delete the power of the oldest law enforcing officers that we are aware of, I believe the...it originated in England, the sheriffs, I

just don't think the bill is of any...any substance and I don't think it should pass. Why would you delete the power and the authority of people that we elect? The sheriff must be elected and then he in turn deputizes people and these people must go on extensive training. The...the sheriffs of the counties will, in fact, escort officers, State's attorneys and of course public defendants if they must go into areas where there is an inherit danger. So I think if we leave this like it is, it...it would be alright. They...they delegate...they defeated bills to give arson investigators the right as peace officers, that bill was defeated. We don't want to get into an area where everybody who works for any agency would have the right to...to bear arms, because right now we're...we're undergoing an extensive investigation even on security guards as to what their past records have been, it's on one of our major networks now, and I think we just ought not pass this, Mr. President, because it sets a bad precedent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, in order to explain this bill further, all this bill does is say that the public defender can appoint investigators if the amounts...funds budgeted is...allows. And if he can, he has to do it with the approval of the chief judge to appoint investigators who shall be classified as peace officers, may carry weapons after appropriate training only in the course of their duties. You don't appoint the sheriff's office to investigate for the public defender's office. You have to have your own investigators and the counties that do have these investigators, and my county has in the public defender's office, all they...all she's asking for is protection for that investigator when he goes in an awful neigh-

borhood and has to investigate a case for the public defender. So, I don't think this bill is so bad and I move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Fawell may close.

SENATOR FAWELL:

Thank you...thank you, very much. Let me...let me tell you again with the amendment what the bill does. Number one...Senator on the other side was in...was in error...our sheriff's department does not go with our public defenders nor will he go, he does not have the manpower, and I think you will find that's true in a large number of the counties, we...they cannot go. All they are saying is that they would like to have the right to...to carry the weapons in the...in their course of pursuing their duties as designated to them by the chief judge. In order to have that, it says right in the bill that they must have successfully completed a training program offered or approved by the Illinois Governmental Law Enforcement Officer's Training Board and subsequently conforms to standards promulgated by the Illinois Police Training Act and an Act in relation to firearms training for peace officers. You asked who wanted this bill; it's the public defender, Jim Dooley I understand, is a hundred percent behind us in Cook County. I know my public defender is a hundred percent behind it, I understand the Lake County public defender is a hundred percent...behind it. The State's attorneys' portion was given to me by the State's Attorney's Appellate Court Division. I...you know, I...I don't know of anybody except for some of the members on...on the Floor that may be in opposition to this, and I would ask for an Aye...a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 905 pass. Those in

favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take...have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. Senate Bill 905 having received the constitutional majority is declared passed. For what purpose does Senator Chew arise?

SENATOR CHEW:

I'd like a verification of the positive votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the affirmative vote has been requested. Would all the Senators please be in their seats. And will the Secretary please call the affirmative roll.

SECRETARY:

The following...the following voted in the affirmative: Barkhausen, Bloom, Coffey, D'Arco, Davidson, DeAngelis, Degnan, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Jeremiah Joyce, Karpiel, Lechowicz, Lemke, Macdonald, Mahar, Marovitz, Philip, Rigney, Rupp, Sangmeister, Schaffer, Schuneman, Sommer, Topinka, Vadalabene, Watson, Weaver, Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any question of the affirmative vote, Senator Chew?

SENATOR CHEW:

Yes, Mr. President, is Senator Bloom on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom. Is Senator Bloom on the Floor? Strike his name from the record.

SENATOR CHEW:

Senator Lechowicz on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz is talking business.

SENATOR CHEW:

Senator Marovitz on the Floor?

SB 907 3rd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz. Is Senator Marovitz on the Floor? Strike his name from the record.

SENATOR CHEW:

That's enough.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call the Ayes are 29, the Nays are 26, none voting Present. Senate Bill 905 having failed to receive the majority is declared lost. Senator Fawell.

SENATOR FAWELL:

Postponed consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell sought leave to put on postponed consideration. Is leave granted? Leave is granted. Senate Bill 907, Senator Chew. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 907.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Mr. President, this bill has been agreed on by everybody, including the insurance industry, the people in the industry, the members on the other side of the aisle, Senator Rupp has become a hyphenated cosponsor; I have no opposition. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 907 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. Senate Bill 907 having received the constitutional majority is declared passed. Senate Bill 912, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 912.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Bill 912, I think, also should have been on the Agreed Bill List. It does, in fact,

amend the Sales Finance Agency Act. When we...1981, took off the statutory maximum rates, therefore, I...eliminating the usury rates, we did not allow for recovery of amounts that were...that were paid which exceed the maximum amounts under the Retail and Installment Sales Act or the motor vehicle...RISA. This provision does, in fact, put that recovery back into the legislation and I don't know of any opposition. I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen. This bill came out of financial institutions unanimously. As Minority Spokesman,...we always get a little nervous when Vince has one of these bills dealing with interest rates...this is actually...an excellent bill, came out unanimously, and we'll make a fortune for a couple of lawyers. I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 912 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 912 having received the constitutional majority is declared passed. Senate Bill 924, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 924.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 924 is an attempt to respond to a problem in my district where some of our communities have small community water supplies; for example, a...a water supply serving perhaps eight or nine families, and it simply affects the testing requirements, makes them less onerous than they presently are, and I would move passage of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Schuneman, didn't we pass something similar to this last year or the year before on chlorination of water supplies of towns under five thousand?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

No. We passed...I know the bill you're referring to but it...it had to do with municipal water supplies where a referendum could be adopted. These particular groups that I'm interested in are...are groups of families who live, for the most part, in rural areas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, the bill, though, refers to communities under five thousand people. If it's just a few families, why did you set it at five thousand?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

The bill, to my knowledge, doesn't refer to communities under five thousand. I have a copy of the bill here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The...the current law provides communities under five thousand taking their water from wells are exempt from mandatory chlorination if they submit samples twice, the frequency specified to PCB. What you're asking is that these communities that do not chlorinate their water test two times a year if their last sample...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

...passed inspection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

No. What...what we're...what we're trying to address here is not communities that you're thinking of. What we're trying to address are small neighborhood water supplies. Now, the bill...as the bill was heard in committee, our information was it was supported by EPA and there seemed to be no problems with it. I was contacted by EPA yesterday and they indicated that the...the bill as drawn establishing a...a test every six months is not permissible under the Federal law, and Federal law would require that these particular supplies be tested at least quarterly. So, there's going to have to be an amendment on this bill in the House to satisfy whatever EPA requirements or Federal requirements there may be, but the intent is as I suggested to you, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, my information is that the Pollution Control Board in opposing this bill, and my information also is that right now the State Environmental Protection Agency is the primary agency in the testing of public water supplies. Under your bill, the State EPA would lose that primacy, and the Federal portion of its budget going to the EPA that we get from the Federal Government would be cut because they would no longer be in control, so is...do you have a dollar factor on how much money might be lost by the EPA budget from the Federal Government?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, as I explained to you, the bill will be amended to comply with...with Federal laws, so I think that whatever loss may be in...in your analysis will...will not be applicable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, why don't we just hold it, Cal, and...amend it here in the Senate? I don't exactly trust sending a bill over to the House that needs to be amended. I'm not sure what they may end up doing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR JEROME JOYCE:

All right, according to the EPA, this bill would cause it to lose its primacy in water supply testing; and if this happens, what would occur to the testing of chlorinated

wells?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, could you share with me the basis on which EPA would lose its primacy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yeah. EPA says that it would because it would be in violation of Federal law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, as I...as I just explained, the bill, as it was heard in committee, was marked as...with the EPA in support of the bill. It was only yesterday...it was only yesterday, Senator, that the EPA told me that the bill as drawn would be in violation of Federal law, and it was at that time that I agreed that we would have to amend the bill so that it would not violate the...the primacy situation; of course, we don't want to do that, and you have my pledge that it will be amended that way but...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR SCHUNEMAN:

...but their...their opposition to this thing came so late that, as you know, we're on 3rd reading here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

I have another question, I guess. Why should nonchlorinated water be tested less often than chlorinated water when according to the EPA eighty percent of the water

contamination occurs in small nonchlorinated water supplies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, we're not seeking to do that throughout all water supplies in the State. What we're seeking to do here is...is address a very narrow group of...of water wells in the State and these are only wells that have an exemption of both the chlorination provision and the licensed operator provision. They're small wells a lot like you have on your farm, probably exactly like you have on your farm, only they serve maybe a neighborhood of four or five or a half a dozen families.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

But...but you'd have them testing...you'd have them testing chlorinated wells twice as much as you would have them testing nonchlorinated wells with this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

...I...I don't think that's...that's really the case, Senator. The...admittedly, the bill needs some work in language, but that's...that's not our intent at all to...to address these...what you and I think of as...as municipal water systems.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Schuneman may close.

SENATOR SCHUNEMAN:

Well, Mr. President, I've...I've addressed the bill as...as we intend to have it in its final form. This bill will, obviously, have to be worked on in the House. It will

be amended in the House and before it can be passed will come back to the Senate; and on that basis, I would ask for support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 924 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 14, 1 voting Present. Senate Bill 924 having received the constitutional majority is declared passed. Senate Bill 925...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I'd like the record to reflect that I was not on the Floor for...for...the...Senate Bill 887, and had I been on the Floor, I would have voted No on that bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sure the record will so reflect. Senator Carroll, 925. Read the bill, Mr. Secretary. Senator Demuzio.

SECRETARY:

...Senate Bill 925.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As part of our involvement in the National Conference of State Legislator's Fiscal Chairmen, we learned of a program that has been operating well in several other states, it started in Tennessee, that went back to the employees of State Government and asked them to identify where they felt we could save some significant dollars in waste in government. We have, therefore, developed this plan tailored to Illinois law which would have the legislative leadership

appointing a board, presumably the appropriation's people, and an ex officio of the Bureau of the Budget, Central Management Services, the Auditor General, et al to serve as a panel to review suggestions from employees on how, in fact, monies could be saved. There is an incentive award that has worked well, as I said, in Tennessee and other states, where we will provide a percentage of those savings up to a maximum award of five thousand dollars for implemented cost-efficiency moves. This award program would, therefore, say to those most closely identified with the spending of money, the State employees, you show us how to effectively save money, we will implement that and, therefore, give you a token reward for having so done. We learned this during the crisis year of budgeting that when we went back to these departments and said to them often that the Governor has proposed a savings of a certain amount of money, how do you think you could handle it? Many of them came up with some very innovative ways where they felt they could still operate in their divisions, yet save the dollars that we were seeking. I would suggest it is time that Illinois joined the other states in using this type of program to allow the taxpayers of Illinois a little bit of relief and I would urge its vote of the membership.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Just one technical question. Perhaps I'm misreading my analysis. The bill looks like a great idea except there's a little hooker down at the bottom that says something about

hiring additional staff, et cetera to do it. Are we doing that and if we are, who is hiring this additional staff out of what appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The...it is an error in your analysis, Senator Keats. There is no additional staff to be hired. We feel very strongly that between the Appropriations Committee staff and Central Management and Bureau of the Budget, no additional staff need be hired at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, very much. Then I appreciate that correction. Thanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll...the question is, shall Senate Bill 925 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On a record 59...59 Ayes, none voting No, none voting Present. Senate Bill 925 having received the required constitutional majority is declared passed. 937, Senator Dawson. Senator Dawson on the Floor? 938. 940. 943. Senator Dawson on the Floor? 951, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 951, Mr...Senator Dawson, do you wish to have your bills called? Well, let's take 951 out of the record. We'll go back up...Senate Bill 937, Senator Dawson. 937? All right, on the Order of Senate Bills 3rd Reading is Senate Bill 937, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 937.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 937 provides that before an industrial revenue bond is issued it is determined that the project financed by municipalities or State is expected to result in a increase in the jobs on the project site, is not expected to result in a decrease of jobs any...elsewhere in the State; or if a result in a decrease elsewhere in the State, the number of jobs created on the site will exceed the decrease of jobs created first being offered to anybody being displaced in the State of Illinois being affected by that type of...industrial revenue bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall Senate Bill 937 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 937 having received the required constitutional majority is declared passed. 938, Senator Dawson. On the Order of Senate Bills 3rd Reading is Senate Bill 938. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 938.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, sponsor wishes to hold this one. Take it out of the record. Senate Bill 940, Senator Dawson. You wish that one called, Senator? 940. On the Order of Senate Bills

3rd Reading is Senate Bill 940. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 940.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Senate Bill 930 amends the Illinois Occupational Therapy Act. Requires rather than allows our need to promulgate rules...authorizes our need to promulgate rules...the following rules, standards to determine when oral interviews will be conducted, standards to determine the fitness to practice therapy procedures followed in oral interviews and fees for certificate exams and also standards of passage for exams. It requires our need to consider expiration of certificates for less than five years or prima facie evidence or fitness to practice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

What does this bill do and who wants it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Right now, I want it, Senator Schaffer. I...I...I can't answer on that one right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

What? What does the bill do? I mean, I...I...I've read the staff analysis and there...our staffs admit they don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

R and E.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

It is setting up standards, Senator Schaffer, in R and E for the Occupational Therapy Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

What problem does it address? I'm not negative, I just don't understand the bill. I...and...and apparently nobody else on this side of the aisle does. If they do, if they'd come over and enlighten me, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Dawson.

SENATOR DAWSON:

The language in the present legislation basically does not define it...these particular issues as...to clarify it as much as what we're asking for in this new legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Is this a chevy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

It might be a Cadillac, sir. I couldn't answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Dawson may close.

SENATOR DAWSON:

I can see I have to ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 940 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 3, 7 voting Present. Senate Bill 940 having received the required constitutional majority is declared passed. 943, Senator Dawson. On the Order of Senate Bills 3rd Reading is Senate Bill 943. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 943.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 943 is a JCAR bill and it basically streamlines the methods of securing the loans for the education and nursing professions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. This was recommended by the Joint Committee on Administrative Rules. At sometime this Legislature is going to have address the underlying Act, because the way the Act is drawn it sends the department off in conflicting directions and it makes it very difficult for them to establish a...a rational pattern of regulations. This bill takes a step towards correcting the problem. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill

943 pass. Those in favor will vote Aye. Those opposed will vote...Nay. The voting is open. The voting is open, Mr. Secretary. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting...56...on that question, the...the Ayes are 56, the Nays are none, none voting Present. Senate Bill 943 having received the required constitutional majority is declared passed. 951, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 951. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 951.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Just as the Secretary has read that is...clarifies this bill. It's very simple, Senate Bill 951, it merely makes it illegal for an employer to inquire whether an employee has filed a workmen's compensation claim before seeking employment with him, and the purpose behind this bill is to prevent discrimination against an employee who have had injuries prior. I ask for your...favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. This bill did come to us in the Senate Labor and Commerce Committee, and with all due respect to its very fine and well-motivated sponsor, Senator Smith, I must rise in objection to the bill and I will tell you why. It seems to me to be paradoxical that while we're moving in the direction

generally of the public...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, Senator Hudson. Can we have some order, please. Senator Hudson.

SENATOR HUDSON:

...it seems to me to be paradoxical that while we're moving in the direction generally of the public right to know and the employee right to know that we are at one in the same time introducing a bill which probably might be better called the employer's right not to know. In other words, we're stepping in the other direction when it comes to the employer and it's...it...it really is paradoxical and I think it's an...it's an ill-advised bill for these reasons. The measure, if passed, would tend to...to errode the employment-at-will concept. In other words, if it's fair for the employee...prospective employee to know what the job entails that he's thinking of, it seems to me to be also a commensurate right for the employer to know something about the prospective employee. It would provide; that is, the knowing whether or not the prospective employee has filed a claim would provide the prospective employer with an accurate and verifiable method to determine if a person has a physical condition related to the work in question which would prevent that employee...prospective employee for...from performing on the job for which he has applied; and I will say that this is helpful not only to the employer but also to the prospective employee because it may very well be that that employee, if the employer understands his condition, may be able to find a job for him in that plant that will not strain...further strain a previously strained back but...possibly put him in some other place of employment in that plant. Besides this, the information we're talking about is available already from the Industrial Commission. The employer can get it if he wants to, it's just going to take him a little longer.

Another point. Applicants are all ready protected under case law against being discriminated against because they have filed. An employer cannot discriminate against that employee simply for having filed, that's already a member of case law and that applicant is already protected under that law. So, it seems to me that what we have here is a...an overkill in this direction and I think it will be injurious even to the possible employment of the handicapped person. It argues sensibly to me that if the employer is informed or can inform himself that he can better provide for the needs of that prospective employee; and to make it unlawful for the employer, make it unlawful, make it a crime for him to even inquire as to whether or not the applicant has filed a claim seems to me to be injecting government into this process in a way that is unhealthy. This is Big Brother Government really at work and it smacks of some kind of legislation that would be introduced in a...more collectivized society than we are used to in this country. So, let's keep the avenues employer/employee...let's keep them open. I think there can be...I think they can work together, and to pass a bill of this kind, I think, my friends and colleagues in the Senate, is ill-advised, will be injurious to the business community at a time when we're trying in many ways to do things that will help bring business into the State of Illinois, and this kind of measure simply will not do that, and I urge you to consider rejecting this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 25 of Peoria...requests leave to videotape the proceedings. Is leave granted? Leave is granted. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As was mentioned, this bill came out of the Labor and Commerce Committee on a partisan roll call, 5 Ayes, 4

Nays. The...the real serious objection to the bill is twofold; one, it deals with the preexisting conditions issue. That is something we, as the Legislature, are going to have to finalize. This bill is working in a fuzzy area that we have chosen not to clarify. This bill makes a fuzzy area even fuzzier. If we don't want to deal with the preexisting conditions issue, that's a decision we should make, but to then put in another bill like this that makes a fuzzy issue virtually impossible to be dealt with by the individuals involved, I mean, it just is impractical. Okay, the...the second problem is, it is not an unreasonable question for the employer to say, have you had previous injuries. If an employer hires someone who's had a chronically strained back or knee for a heavy lifting job, he is setting himself up for a lawsuit that will just clean him out. I mean, we are fighting right now malpractice issues and we're fighting the change of venues issues and many of these issues where people are sued for reasons they think are unreasonable. This bill sets up a classic lawsuit where the employer, is by our law, totally unable to find out that he's about to hire a guy to do something the man can't do. He's going to get murdered in a lawsuit, he'll have no defense, it'll be our fault and the injured worker who shouldn't have been put in that place, we are putting him there because he is not allowed to explain that problem. I would appreciate a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 951. It is true that this bill had a hearing in the Labor and Commerce Committee and I totally disagree with my Republican colleagues on this particular piece of legislation. There is a...is a need for this bill and it has nothing to do with whether or

not...an...an employer can know whether or not a person is physically able to perform a job. The basic reality of this piece of legislation and the reason that my colleagues on the other side don't want this legislation is that it protects an...potential employee, an applicant, from discrimination based on the fact that he or she has filed a...previous workmen comp. claim. It...it is true that the law simply today provides that no discrimination can be allowed because of previous claim filed, but if that is true, why should there be an objection against an employee from asking that question on a...on an application? I say that it should not be allowed, and because we cannot determine that all employees are fair and honest, what is the purpose of asking the question if you are not going to take any action on that question? So, I say the question should be outlawed and that's what Senate Bill 951 does. It should be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. At the risk of destroying a blooming romance, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

She indicates she will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Smith, it's not uncommon, and I ran a plant for seventeen years, to require whenever you are about to hire someone, for them to take a physical examination. Underneath your bill, that person would either not be required or the employer could not request that that person submit that kind of information that is critical to a physical examination and that is any previous injuries or any time at all that you received medical attention previously. Does your bill do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, sir. No, this bill does not. It does not have anything to do about having examinations at all. You're perfectly welcome to offer that to your employee. The merely thing that we're talking about is discriminating an employee who has been formerly injured by workmen's compensation on a job. Now, my friend, Mr. Keats...Senator Keats, my friend, bless his heart, spoke in terms of being injured and weak backs and thing as that. We're only directing at one thing, to protect the employee who has previously filed for a...workmen's compensation from a previous job but to go and...and be a...to be hired from...from an employer because of previous...job, but for...what am I trying to say...for a...for a...a local examinations, that's not prohibited. We don't want the employer to discriminate that employee just because he has had a previously...a previous injury by workmen's compensation, that's all. It's just as simple as that. It's not going to hurt the employer and it's not going to hurt the business or anything...that, but is going to just ensure the safety of the employee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Smith, I would like to reverently disagree. Let me read you the bill. "To inquire in any written application or in any other manner." Any other manner. Now, if you request this person to take a physical, and most companies do, they're required on that...or asked to on that physical to state previous medical attention, previous injuries; in fact, you can't really conduct a medical examination in fairness to the person being examined unless you, in fact, indicate what...what ailments you've had, what medical attention you've received, what injuries you've received. Your

bill absolutely prohibits that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is that a question, Senator DeAngelis?

SENATOR DeANGELIS:

Well, I'd...I'd like to clear the record on her response that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith may respond.

SENATOR SMITH:

Thank you, sir. Senator DeAngelis, this says on a written application. The doctor is still allowed to ask the person about previous injuries. The only thing we're talking about is just workmen compensation injuries, that's all we're talking about. Don't try to make a mountain out of a molehill, because you're a businessman; you've told me on numerous occasions you are a businessman. Now if you can get somebody to come and work for you if you've had a thousand past injuries as long as he's going to perform for your job and be efficient, that's what you're mainly concerned about, so why try to discriminate a person who can't even help himself?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, to go back, that's not what the bill says, but as a point of personal privilege, no employer, even one who possess a black heart is interested in having anybody get injured on the job, particularly if they come in with an injury already. Now, I would agree with you that injured workers are discriminated, but I will tell you, time after time, we put bills on this Floor to correct that problem and I want to tell you, it's not this side of the aisle that beats those bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I...I've...I looked at this bill, it says, "The filing of a workmen's compensation claim." That does not...this bill does not prohibit an employer from asking that person if he suffers a permanent injury and if he has a disability, but this is a mere filing of a claim, and I can tell you there's a lot of employees that work for companies where the companies file applications to settle their cases with the Industrial Commission. It's the company initiate to file. They could...they could settle it without filing an application, but they choose, and I...when I worked...when I was house counsel for USF and G, everybody that was injured, we filed cases to close their...when we settled them to close their cases out and they were not the initiatives of the claims, they filed a pro se application at the request of the employer to close out that case. They do one on every hernia case, they do it on every...every other case. I...I can remember in Waukegan, one of the big pharmaceutical companies used to have one day, they used to bring in thirty, forty people to close their cases out. These people not...did not file their own cases, the company had them come in the same day they filed...they filed the case and the case was settled that day. This bill...I think, there's no reason to ask an employee for...if he filed a case. The only reason is, is he has a permanent disability, I think he can inquire into that, I think he can inquire into a lot of things, but I don't think if he...this...this provision of inquiry is a mere attempt to discriminate against people that file workmen's compensation cases, and I think this is a good bill because you want to inquire into regards of permanency and everything else, then you can because that's a basis, but just to ask whether the guy filed an application means very little because sometimes that man files an application at the

request of his employer; and more...I'll tell you this, Senator DeAngelos, I used to...I...DeAngelis, I want to tell you one thing, when I worked for USF and G, we filed more pro se cases than we got attorney cases 'cause we wanted to pay the claims and settle them out...to treat the employee fair, and I can tell you this, on those cases that we dealt directly with the employer and settled out those cases, they were settled for much less and everybody was happy; and whenever a lawyer got into the picture, we paid more money because the employer refused to turn their claim over to the insurance company. It is purely...that's the pure reason, Senator DeAngelis, and don't say by the mere request on an application whether you filed a workmen's compensation case it is not going to be used by the employer as a discriminatory matter. It will be. It doesn't prohibit that employer from requiring a permanent injury and what that nature and disability is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We...we are really bogging down here. For the first time, Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. A lot of times we tend to pass these bills and deal with them on a partisan basis, but let's not do that this time. I...I urge you to take a look at this bill. Contrary to what the...the previous speaker said, it does not address the claim situation. What it addresses is the right of an employer to inquire about the physical condition of an employee, and it says that it shall be unlawful for an employer to inquire in any written application or in any other manner of a prospective employee whether that employee has ever filed a claim for benefits under this Act. Now, I submit to you that if you...you are a small contractor and a guy comes to you and wants to go to work, it's very important to you and your previous business

cost to know whether or not that guy may have an existing back injury or some other injury that is going...that is going to be paid under your worker's compensation policy, the premium for which will be affected if this guy has a recurrence or reinjures that particular injury. Now that is not something we should take...away from the employer. We all go back in our districts and tell about how we're going to...we're going to help business in Illinois, we want business to expand, and every business will tell us one of our problems in Illinois is our worker's compensation system. Let's not make it worse.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, I have the bill. This total bill is exactly five and a half lines and it simply says, "It shall be unlawful for any employer to inquire in any written application or in any other matter...manner of any prospective employee of any such prospective employee's previous employers whether that prospective employee has ever filed a claim," ever filed a claim, ever filed a claim, "for benefits under this Act or received any benefits previous under this Act," that's all. Now you can say whatever you want to say. It has nothing to do with him inquiring into that person's injuries.

PRESIDENT:

Further discussion? Further discussion? Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I want to thank all of my colleagues on the other side for their input, but the bottom line is still that the distinction to keep in mind is between asking about an injury and asking about a workmen's compensation claim. This bill does not prohibit asking about an injury, it merely prohibits ask-

ing about a claim. Mr. President and members of the Senate, I ask for your favorable vote.

PRESIDENT:

Question is, shall Senate Bill 951 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are...19 Ayes, 35 Nays, 1 voting Present. Senate Bill 951 having failed to receive the required constitutional majority is declared lost. All right, before we...we will stop at Senator Jeremiah Joyce and pursuant to...earlier leave granted, we will move to the Calendar on page 37, Senator Sangmeister, for your motion.

SENATOR SANGMEISTER:

Yes, I'd like to inform the Body and I want to thank everybody for their cosponsorship of Senate Bill 10, that was the one to require the University of Illinois to televise football games. We've worked out an agreement with the university and we will see Illinois football games, they will be on delayed T.V. but I think that's a reasonable compromise; and as a result of that...in agreement with the university, I now move to Table Senate Bill 10.

PRESIDENT:

All right, Senator Sangmeister has moved to Table Senate Bill 10. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion prevails and Senate Bill 10 is Tabled. Senator Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

Mr. President, based on the assumption that we're about to start the agreed bill...

PRESIDENT:

That assumption is correct.

SENATOR SCHAFFER:

...we would like to request and notify the Republican members of a Caucus in Senator Philip's Office immediately upon the beginning of the agreed bill process, one that will, hopefully, be brief and productive.

PRESIDENT:

All right, gentlemen and ladies, so everybody understands, we will begin on page 37 of the Calendar on the Order of Senate Bills 3rd Reading. I've instructed the Secretary to read the some three hundred and seventy-five bills that are on the Agreed Bill List. He informs me it will take approximately and hour or an hour and ten minutes. So, for the next...until one-thirty, we will just say the...the vote will happen at one-thirty, so in the meantime, have some lunch or say a prayer or whatever suits you. Republican Caucus immediately in Senator Philip's Office.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...

PRESIDENT:

On the Order of Senate Bills 3rd Reading, Mr. Secretary, page 37, begin with Senate Bill 16.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 16.

(Secretary reads title of bill)

Senate Bill 24.

(Secretary reads title of bill)

Senate Bill 29.

(Secretary reads title of bill)

Senate Bill 31.

(Secretary reads title of bill)

Senate Bill 35.

(Secretary reads title of bill)

Senate Bill 38.

(Secretary reads title of bill)

Senate Bill 50.

SB137
3rd reading

(Secretary reads title of bill)

Senate Bill 74.

(Secretary reads title of bill)

Senate Bill 80.

(Secretary reads title of bill)

Senate Bill 82.

(Secretary reads title of bill)

Senate Bill 83.

(Secretary reads title of bill)

Senate Bill 86.

(Secretary reads title of bill)

87...Senate Bill 87.

(Secretary reads title of bill)

89.

(Secretary reads title of bill)

Senate Bill 98.

(Secretary reads title of bill)

Senate Bill 105.

(Secretary reads title of bill)

Senate Bill 108.

(Secretary reads title of bill)

Senate Bill 113.

(Secretary reads title of bill)

Senate Bill 137.

(Secretary reads title of bill)

Senate Bill 144.

(Secretary reads title of bill)

Senate Bill 148.

(Secretary reads title of bill)

Senate Bill 152.

(Secretary reads title of bill)

Senate Bill 155.

(Secretary reads title of bill)

Senate Bill 156.

SB212
SB214
SB159 3rd Reading
SB217 3rd Reading

(Secretary reads title of bill)

157.

(Secretary reads title of bill)

Senate Bill 159.

(Secretary reads title of bill)

161.

(Secretary reads title of bill)

Senate Bill 164.

(Secretary reads title of bill)

165.

(Secretary reads title of bill)

Senate Bill 172.

(Secretary reads title of bill)

176.

(Secretary reads title of bill)

180.

(Secretary reads title of bill)

190.

(Secretary reads title of bill)

205.

(Secretary reads title of bill)

206.

(Secretary reads title of bill)

210.

(Secretary reads title of bill)

211.

(Secretary reads title of bill)

212.

(Secretary reads title of bill)

214.

(Secretary reads title of bill)

Senate Bill 215.

(Secretary reads title of bill)

217.

AB259 2nd Reading
AB254 3rd Reading
AB238

(Secretary reads title of bill)

218.

(Secretary reads title of bill)

224.

(Secretary reads title of bill)

225.

(Secretary reads title of bill)

229.

(Secretary reads title of bill)

230.

(Secretary reads title of bill)

234.

(Secretary reads title of bill)

238.

(Secretary reads title of bill)

239.

(Secretary reads title of bill)

241.

(Secretary reads title of bill)

244.

(Secretary reads title of bill)

251.

(Secretary reads title of bill)

Senate Bill 254.

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LB294
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LB 412 3rd Reading
LB 406 3rd Reading

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AB539 3rd Reading
AB440 3rd Reading
AB 497 3rd Reading
AB435 3rd Reading
AB518
AB541 3rd Reading

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Senate Bill 539.

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AB 546
AB 568
AB 561
AB 554

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AB 588 3rd Reading

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END OF REEL

SB 616
HB 623
HB 669
3rd Reading

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

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1st reading of the bills...3rd reading of the bills, correction.

SECRETARY:

The following bills are all Senate bills 3rd reading:

Senate Bill 675.

SB 734 3rd Reading

(Secretary reads title of bill)

Senate Bill 676.

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No 800 3rd Reading

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LB 815 Opened bill file LB 840 3rd Reading LB 834

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SB 858 3rd Reading
SB 856 3rd Reading
SB 847 3rd Reading

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Senate Bill 855.

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SB874 SB877

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Senate Bill...877.

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AB 944
AB 976
AB 906

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3rd reading of the bills.

ACTING SECRETARY: (MR. FERNANDES)

Continuing to read 3rd reading Senate bills.

Senate Bill 972.

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LB 1103
3rd Reading
LB 1095
LB 1077
LB 1082

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AB 1182 3rd Reading

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HB 1229 3rd Reading
SB 1188 3rd Reading
SB 1193 3rd Reading
HB 1234 3rd Reading

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HB 1289 3rd Reading
HB 1293 3rd Reading
HB 1294 3rd Reading

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AB 1356 3rd Reading

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3rd reading of the bills.

PRESIDENT:

The Senate will please come to order. The next roll call will be on the final passage of the bills just read by the Secretary. Is there any discussion? (Machine cut-off)...question is, shall this series of bills pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is...is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, the Nays as are recorded in the Office of the Secretary of the Senate, none voting Present. This series of bills having received the required constitutional majority by record vote declared passed. The record vote of the Ayes and the Nays for each bill passed, shall be entered in the Journal. With leave of the Body, we'll revert to page 29. Senator Joyce on 957. Senator Lemke on 970. Bottom of page 29. On the Order of Senate Bills 3rd Reading is Senate Bill 970. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 970.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is provides...it amends the Criminal Code, provides that any person of the age of twenty-one years and upwards who...with the latent to promote and facilitate a commission of a felony, aids or directs a person under the age of seventeen is in the commission of...commits the offense and contributing to the criminal delinquency of the juvenile and is guilty of a felony one grade higher than the offense committed. It also,...in the case of...a murder or...or Class X felony, the penalty should be the same as those offenses respectfully. A defendant who is convicted of

this should...shall be responsible for the payment of all...of...for the costs of rehabilitation, which is defined as detention, supervision or incarceration. It also gives the state's attorney a lien on the property of the convicted felon. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, question of Senator Lemkus.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, I agree with what you're doing but you might have an unforeseen circumstance here. Let me ask you a question. Assuming that the crime that was committed would be the crimes that currently are where the juvenile is transferable to the adult court. By now putting the blame on the older person, you're in fact indicating that this person is a juvenile, and you might in fact be prohibited from being automatically transferred to the adult court.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I don't believe so. Just makes this man an accomplice and makes us go after him...as a...he'll be accomplice as it is now as an adult, and if this juvenile is considered an adult, then, maybe we're not able to recover but I don't think it prevents us from trying him.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I don't think you can identify the person two different ways in the same crime for criminal reasons. I'm not an

attorney, but I don't know how you can. And once...you're saying, he's a juvenile, therefore, the...there...therefore, the adult is liable; but then you come back and say, well, he's not really a juvenile, he's now an adult. I don't know.

PRESIDENT:

Any further discussion? Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Lemke, is there any requirement under this bill that the adult who is responsible at...for abetting or aiding in the crime has to be primarily responsible for it or has to be somehow the...the moving force who convinces the...the younger person to participate or commit the crime?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

That bill calls for the intent to promote and facilitate the commission of a felony. That means the solicitation of the minor to commit a felony.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

And, another question, I'm concerned about the definition of rehabilitation costs. Is that defined in the bill and...will it...one be able to readily determine what rehabilitation costs are?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

We have limited that with the amendment, Senator

Barkhausen, which you talked about, which...which calls for...it specifies incarceration, supervision and detention.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, if I may address the bill. It's a...it's a hard thing to oppose and I'm not strictly speaking in opposition, but I'm...I'm really not convinced that the bill is limited to the situation that I think is the prime concern here, which are situations where the older person is soliciting or compelling or somehow directing a minor in the commission of an offense; rather we may find hypothetically that...that where the younger person is actually primarily responsible for the crime but the older person is somehow on the scene and...and may be found to have aided or abetted in the crime that that older person even though not primarily responsible may end up with a stiffer penalty. And if, in fact, we're dealing with a younger person as a juvenile and not transferred...not transferable to...an adult court, we may have, say in a case of residential burglary, we may have the older person not primarily responsible be...kicked up all the way to the level of a Class X felony, whereas the younger person is dealt with in juvenile court. So I'm...myself am going to vote Present and would suggest that some of you may have some...want to have some reservations about this bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Lemke, you wish to close?

SENATOR LEMKE:

This bill is a...a means to get...get rid of the fagins in our society as they go back to...to the days of the English where people would use kids to commit crimes. I think the bill is pretty specific. You have to have the

intent to promote or facilitate the commission of a crime or aid in...aid and direct a person under the age of seventeen to do the crime. I think it's very specifically defined, and I don't think any adult that's...does this should be treated any differently than the bill states. I think it's time that we get rid of the adults from the fagins of society, and tell them that you can't use minors to commit your crimes because they're going to walk and I think this is what the bill does. I ask for a favorable consideration.

PRESIDENT:

Question is, shall Senate Bill 970 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, no Nays, 11 voting Present. Senate Bill 970 having received the required constitutional majority is declared passed. 971, Senator Lemke. On the Order of Senate Bills 3rd Reading, Senate Bill 971. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 971.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Uniform Criminal Extradition Act as for extradition costs. When a county is required to go to another state to extradite somebody, this would allow them to be reimbursed for those expenses which I think is only fair for them...for that particular county bringing back a...a State criminal. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? Any discus-

sion? Senator Schaffer.

SENATOR SCHAFFER:

I was just wondering, do we have the right to review these expenses? I...I always noticed when they send someone to New Jersey from my area they always send only one or two policemen, but somehow when we had to go to California, it always needed a couple of extra. I don't know why, I guess that's a tendency we see in a lot of places. But do we have the ability to review these bills that are sent to us and say, now, wait a minute, it didn't take you six weeks to go to Miami Beach to pick up this individual, or are we just forced to accept the bills and if they have to go to Paris to pick somebody up and they decide that it's going to take six people we got to pay the tab?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I think that the State has that right now when they pay...the attorney fee. They...review the...attorney...bills that are...that are submitted in another state in the extradition hearing and they pay the amount. If there's a disagreement, then the county has the right to go to court of claims, I guess. I don't know that the procedure is, but I think that's where they would go to substantiate the reasonableness of the fees.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Is that what the bill says?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

No. The bill doesn't say that but I think the law is pretty specific that the Department of Law...Enforcement has

the discretion.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I don't know. I just...I kind of wonder, we now pay certain...well, that's a...I suppose our own people, but the impression I have and our analysis is not in detail here, there's...that...that we are just more or less obligated to pay the bill. Maybe, I guess, we could then sue them if we think the bill was too much, but I would think we should have the...the power for some sort of a initial review and power to reject things that are obviously out of line. Obviously, I hesitate to speak against the bill simply because I have two sheriffs in the building within earshot this very moment, both of which may be armed. But I just don't know that we want to do this open-ended. I...I trust the vast majority of our people, but I'm sure there are some people that would ride this and ride it very well unless we have some safeguards.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Watson.

SENATOR WATSON:

Does this have Statewide implication?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I would assume it's...every Statewide, we're talking about every county that's extraditing...is forced to extradite people.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, we're...how much are we talking about as far as dollars? What kind of a fiscal impact is this going to have?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

My staff tells me about a half a million dollars.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Is that in the budget?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Well, I believe if it's not, it should be in the Department of Law Enforcement's budget, because it's a State thing to extradite the people from other states, and if it isn't, then the Department of Law Enforcement should put that in. And I think it should...it should be a priority because I think we should bring back criminals that have violated our laws in other states...I mean, from other states.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Does that mean the Department of Law Enforcement is in favor of this?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Well, I don't think they are against it because last time we passed this out it was 58 to nothing. Last Session we passed this bill, it got tied up in the House.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, according to our analysis and information that was filed in committee, they are opposed to the bill. Just on the piece...on the legislation itself, I...personally, I've been contacted by sheriffs from my counties also, and I'm sure that they're very supportive of this and that it is something that probably the State should...should...should have to do, but I don't know if we...this is the time to be doing that. I think it should be a part of the...of the budget. We shouldn't be coming in asking for additional dollars when possibly those dollars aren't there. I understand that the fiscal impact could possibly be up to two million dollars per year. So we're just not talking about peanuts here, we're talking about big bucks, and I think that a No vote would be appropriate.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Lemke, as...as I understand it, whenever one could be imprisoned then the State will be paying the cost of extradition as under...under this proposal. Is that correct?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

That's correct.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

We had discussion, and I can't remember which committee, one of the Judiciary Committees, on Senator Vadalabene's bill, and the compromise that I thought we had reached is that the...even though it's...something of an extension beyond the State's responsibility for paying extradition costs now is that the State will pay them in cases where there is a felony charge, but where...there is a misdemeanor charge then...then it will be a matter of local discretion and the prosecutors and sheriffs will have to decide whether they want to extradite an individual and bear that cost. In the past, the situation I think has been and the reason for confusion and frustration on the part of the sheriffs is that the state's obligation has been limited to situations where the...where imprisonment would necessarily result, in other words, a...a nonprobationary offense. And so we thought we should go beyond that to have the State's obligation extend to all felony cases, but this is going even further to include all misdemeanor cases, and that is...is certainly a...a much more extensive obligation for the State, and I think there will...would be...situations in which you have to ask on a minor misdemeanor charge, is it really worth paying a substantial amount of money to extradite somebody, and rather than leaving that discretion totally to the local prosecutors and sheriffs, there...they will probably say, well, if...if we're getting all this free money from the State, then even on a minor charge we ought to be bringing the defendant back. For that reason, I think we ought to be opposing a bill that goes as far as this one does.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I remember correctly that we added money into the Department of Law Enforcement budget over and above what the

Governor had requested to take care of something of this. I think it's...was some fifty thousand or more plus. I don't remember. I was just talking to our staff people who are on that. They refreshed my memory. So we did put some money in there; of course, it's not nearly as much as what you...what I heard on this Floor.

PRESIDENT:

Any further discussion? Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think that we have passed laws to persecute and prosecute criminals. I think that we should also back that up that if you do break a law in Illinois and you do go to California, you do go to New York, that we, as a State, will pay the money to bring you back. I think it will encourage people not to break State laws. If we don't do this, then what's the sense of passing laws if we can't extradite? Why should this cost be brought to the...the local people? It should be...it's the State's expense. It's the state's attorney who is a State employee that's prosecuting these crimes, and he...he...and I think he knows best what's good for the State's interest, that's why he's elected. I ask for a favorable adoption.

PRESIDENT:

Question is, shall Senate Bill 971 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nos, none voting Present. Senate Bill 971 having received the required constitutional majority is declared passed. Senator Watson, for what purpose do you arise, sir?

SENATOR WATSON:

Thank you. I'd like to have a verification.

PRESIDENT:

All right. Senator Watson has requested a verification. Will the members please be in their seats. Mr. Secretary, please read the affirmative roll call.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman. Carroll. D'Arco. Darrow. Dawson. Degnan. Demuzio. Geo-Karis. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDENT:

Senator Watson, do you question the presence of any member?

SENATOR WATSON:

Senator Jones.

PRESIDENT:

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name from the roll, Mr. Secretary.

SENATOR WATSON:

Senator Carroll.

PRESIDENT:

Senator Carroll is on the Floor, Senator Watson.

SENATOR WATSON:

That's...that's fine. Thank you.

PRESIDENT:

Mr. Secretary. Okay. The roll has been verified. The Ayes are 29, the Nays are 27, none voting Present. Senator Lemke requests that further consideration be postponed. So ordered. 974, was on the recall list. We'll turn to the top of page 30. Senator Watson on 988. Timing is perfect. Right. On the Order of Senate Bills 3rd Reading is Senate Bill 988. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The finger of fate has done it again. Let's just...I think we'll just hold this after...

PRESIDENT:

Take it out of the record, Mr. Secretary. Senator Collins on...998. Senator Collins on the Floor? 998, 1000, Senator Carroll...1010 was on the recall. 1014, Senator D'Arco. On the Order of Senate Bills 3rd Reading, the middle of page 30, is Senate Bill 1014. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1014.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 1014 provides that by 1-1-86 the Department of Public Aid will enter into interagency agreements with DMH and DOC to establish procedures to...expedite applications for residents scheduled for release. The purpose of this bill is to aid the homeless. This is part of the homeless package, and people that are leaving institutions have a right to know if they are eligible for some type of benefits from the State of Illinois, and all the departments are in agreement that by 1986 they will enter into these agreements to expedite the procedures whereby, people leaving these institutions will be allowed to become eligible for benefits, and I would ask for a favorable

vote.

PRESIDENT:

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1014 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present...1 voting Present. Senate Bill 1014 having received the required constitutional majority is declared passed. 1021, Senator Netsch has agreed to Tuesday at noon. 1029 is on the recall bill. 1030, Senator Berman. On the Order of Senate Bills 3rd Reading, Senate Bill 1030. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1030.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1030 is the Illinois Dental Practice Act. We addressed some of the issues in...that were involved at 2nd reading where some of the original language was changed to accommodate the hygienists. They are...still have some problems with it, but the bill is, I think, in a much better fashion than when it was first addressed in the committee. The...it is a lengthy bill with a recodification and some changes which I'd be glad to go into if there are any specific questions, but I suggest an affirmative vote for Senate Bill 1030, the Dental Practice Act.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Bloom.

SENATOR BLOOM:

Senator Berman, as I read this bill right now, basically the advisory committee is not advisory but a free-standing entity unto itself and that the department director is more of an advisory committee. Has that been changed? Or is that still in the bill? I guess is a better way to ask the question.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The Board of Dentistry is what you're having...reference to? They're still in the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I know they're still in the bill. I described the way it operates. Is the advisory board advisory or is it indeed an operation that is responsible unto itself?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The members of the board are appointed by the director of the Department of R & E. In Section 7, on page 5, it says that, "None of the functions, powers or duties enumerated in Section 5 shall be exercised by the department except upon the action and report in writing of the board. The action or report in writing of a majority of the board shall be sufficient authority upon which the director may act." The director is still vested with the power regarding examinations toward a reexaminations or rehearings.

PRESIDENT:

Any further discussion? Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

I'd ask for a favorable vote.

PRESIDENT:

The question is, shall Senate Bill 1030 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. Senate Bill 1030 having received the required constitutional majority is declared passed. Senator Jerome Joyce, 1032. 1035, Senator Chew. 1047, Senator Smith. On the Order of Senate Bills...3rd Reading, is Senate Bill 1047. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1047.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 1047 merely requires the Department of Aging and the Department of Insurance to conduct a study, a feasibility...study, as far as the possibility of creating a Statewide health insurance counseling advocacy program. It's merely a research bill to avoid the elderly from being ripped off from fraudulent insurance plans and supplement their Medicare benefits.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1047 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1047 having received the required constitutional majority is declared passed. 1048, Senator Smith. On the Order of Senate Bills 3rd Reading, Senate Bill 1048. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1048.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. 1048 simply amends the Pension Code to give children born out of wedlock the same benefit that all other children are entitled to under the Pension Code. These provisions are unconstitutional. Illinois Probate Act which contains similar restrictions on the rights of illegitimate children to inherit from their fathers was held unconstitutional by the U.S. Supreme Court in 1977. The probate court law was subsequently amended and now allows the child born out of wedlock to inherit from the father who dies in State and without a will if the child can prove paternity by clear and convincing evidence. Senate Bill 1048 to the Pension Code creates the same standard for the entitlement to pension benefits. I ask for your favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1048 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1048 having received the required constitutional majority is declared passed. 1050, Senator Schuneman. On the Order of Senate Bills 3rd Reading, bottom of page 30, is Senate Bill 1050. Read the bill, Mr. Secretary.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1050.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, one of the growing problems in our society is the one of the sexual abuse of children. In recent years we've seen more and more examples of sexual abuse by teachers and administrators...of schools and, in some instances, cases where those teachers and administrators had had previous records of conviction on sex and narcotics charges prior to their going to work for the school where the second incident occurred. There have been several attempts at bills to try to address this problem, one of them in the House this year which would have required the fingerprinting of...of all existing teachers and administrators. The reason fingerprints are needed is to be able to check the records of the Department of Law Enforcement to find previous convictions. That bill in the

House did not succeed. This particular bill has a different approach. What this bill does...two things that would be required; anyone seeking a certificate for a teacher or administrator in Illinois would have to submit a fingerprint card, and that card would have to be checked through the records of the Department of Law Enforcement before a teaching certificate or administrator certificate could be issued to that person. The second thing the bill does is require a local State Board of Education to report any known case of conviction of a sex or drug offense by a teacher or an administrator to the State Board of Education. That's simply what the bill does. I'd ask for your support.

PRESIDENT:

There any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1050 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1050 having received the required constitutional majority is declared passed. Senator Maitland on 1053. Top of page 31, on the Order of Senate Bills 3rd Reading is Senate Bill 1053, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1053.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom...I mean, Senator Maitland. Sorry about that.

SENATOR MAITLAND:

It's a new day, Mr. President.

PRESIDENT:

Yes, sir.

SENATOR MAITLAND:

...or was this morning. Thank you, very much, Senate Bill 1053 does exactly as the synopsis suggests. It amends the School Code and provides that no one fraudulently altering or misrepresenting his or her credentials shall be certified to teach. There was no opposition to the bill and I would appreciate your support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1053 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1053 having received the required constitutional majority is declared passed. 1055, Senator Maitland. 1056. 1062, Senator Rupp. 1063, Senator Luft. 1068, Senator Lechowicz. On the Order of Senate Bills 3rd Reading, the middle of page 31, is Senate Bill 1068. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1068.

PRESIDENT:

I beg your...

ACTING SECRETARY: (MR. FERNANDES)

(Secretary starts to read Senate Bill 1068)

PRESIDENT:

...hold it, Mr. Secretary. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Two things; one, the Calendar...the word vexatious is mispelled, it should be v-e-x-a-t-i-o-u-s, and I also have an amendment so that bill will be brought back to 2nd reading tomorrow.

PRESIDENT:

All right. Take it out of the record, Mr. Secretary. 1070, Senator Barkhausen. 1072, Senator...1074, Senator Luft. 1079, Senator Dunn. Can you get Senator Dunn's attention? On the Order of Senate Bills 3rd Reading, Senate Bill 1079. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1079.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President and members of the Senate. This bill does exactly what it says on...it allows a carry-forward and not a carry-back. It's a three-year carry-forward, it's in according with the House bill, it's been...addressed the same subject and has to do with investment credit...with income tax carry-forward for energy...related items. I'll be glad to answer any questions about it and appreciate a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1079 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1079 having received the required constitutional majority is declared passed. Senator Demuzio on 1080. On the Order of Senate Bills 3rd Reading is Senate Bill 1080. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1080.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, this bill is identical to a...the bill that Senator Davidson passed out of here yesterday with one exception that his was broader in scope, that it, in fact,...provided for a subpoena powers and also for temporary benefits for unused sick leave for...for employees. What this does is it provides for the temporary disability benefit for a member with eighteen months of service and under the age of seventy who becomes physically or mentally incapacitated provided that the member has been denied workmen's compensation benefits and has filed an appeal, an application is made within twelve months of the disability and certification of the physician. This would allow an...an individual to immediately begin drawing benefits even though the...the case is, in fact, being considered. It is, as I said, identical to Senator Davidson's bill that passed out of there yesterday with the exception of the...two provisions that I made. Would ask for your favorable support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1080 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. Senate Bill 1080 having received the required constitutional majority is declared passed. 1086, no. 1098, Senator Philip. On the Order of Senate Bills 3rd Reading is Senate Bill 1098. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1098.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1098 as amended would change our primary date to the second Tuesday in May. The amendment...evidently there was a Jewish holiday in some years that would fall on the second Tuesday. The amendment provided if that Jewish holiday falls on that day, it would be the third Tuesday in May. As you know, the Governor has had a Commission on Election Reform. It has...held hearings all throughout the State of Illinois. It is a bipartisan commission made up of the chairman of the City of Chicago, Election Commission and the Cook County Clerk. It was a very well done, hard working commission. This is their recommendation. I would suggest to you that there are nine states now that have May primaries, there are thirteen states that have the first Tuesday in June primary and twenty states that have the primary between September 7th and 18th. I think it's a good idea for a couple of reasons; one, school is still in, the weather is nice and people tend to vote more when you have better weather. I think it's a good idea. It's much better than the March primaries we have now. As you know, we've had some pretty inclement weather over the year, and I'll be happy to answer any questions.

PRESIDENT:

Is there any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask our distinguished Republican Leader a question or two about the bill.

PRESIDENT:

He indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Senator Philip, can you tell me what provisions there are in this bill for the members of the General Assembly to be able to campaign, because our schedule certainly is a busy one and I wondered what opportunity we, as elected members of the General Assembly, would have to campaign if the primary is held in the month of May?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, perhaps some of us are better off here than back home campaigning. That's always a matter of opinion, but we've always been able to in the past work that out in regards to our schedule down here. As you know, Senator Rock and I have always sat down and tried to work out reasonable schedules. I'm assuming if we have a...a primary May date, that we will sit down and we will work out around that primary date to make it convenient for the members of the Senate to go back and campaign.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

It seems to me over the years, and we've had a number of bills which had changed the primary date, that one of the biggest opponents...over the years have been those that represent farming areas. Farmers, in general, have the month of, you know, April, May and June to do most of their work and that's where a lot of resistance. Is there any position of the farm organizations or those representing the farmers' interest on this?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

I might suggest this to you that normally farmers...are

able to plant their crops in about a week's time. They have more flexibility in regards to taking time off to voting than...than we do or the average citizen, and if you'd look at the record, I hate to tell you, but their primary record has not been too hot. If you'd look in the rural areas,...I would suggest to you that they don't have a very good primary percentage voting as we...how should I say, we do in the suburan area. We turn out better in the primaries than the farmers, but I don't see there's a problem for the farmers. I've been told that, basically, the planting is determined by weather and, of course, this year the crops are already in and so it all depends on the weather.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in opposition to this bill. We've discussed the changing of primary dates; in fact, I believe the people of Illinois have been all over the lot as far as primaries and primary dates. We had them in February, we've had them in April, we've had them in March, we've had them...unfortunately, there hasn't been a consistent pattern, and the consistent pattern should be that it's like the second Tuesday in November is...normally an election day and that's...the people start realizing and participating in elected democracy. I share the concerns that were stated by Senator Kelly. We've discussed this matter a number of times in both Chambers on different bills and, unfortunately, an ideal time never exists. There's always some party or some group of people that makes it inconvenient date of the primary. And let me point out to you that...it was pointed out by Senator Kelly that in discussions on previous bills, May was a very detrimental time period because of the planting...planting and the taking care of crops in this State.

As far as the residents in urban areas, I don't believe it really would make a difference whether it would be April, May or September, but I think in order to be consistent, we should at least establish a definite date which we've had now in March, let it run its course and to see if we can actively participate and ask people to work in the elective process. I think that...this matter has been discussed at the Cook County Central Committee level, it's been discussed at the Democratic party level of...of the State of Illinois, to county chairmen and, unfortunately, they have not endorsed this procedure nor the change in the primary date. I...would strongly recommend you take a look at this bill and vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As Senator Palmer used to say, I'm ambivalent about this bill. I think...like most members of the General Assembly, and I suspect almost all of our constituents, I think that the primary date should be moved from March. We can almost all be in agreement that that is irrational. The question then is whether it ought to be in April or May or September or whatever. Like many of you, I want it to be moved and I guess I would sort of take anything that moved it away from March. I would like to point out, however, that there is a September primary bill that also has been reported favorably from the Elections Committee, is on the Calendar. The only reason why it's not on 3rd reading is that we are...I'm still working with some of the county clerks about fixing up some of the dates involved in it, but it will be available for presentation sometime before we finish last week. My own personal preference, very strongly, is a September primary. I think most of the citizenry would like us to compress the...at least the formal election period as much as possible. I think the greatest danger of all that

we run as elected officials is that we are boring our constituents to death with sort of nonstop elections, and I think a September primary makes a good deal more sense in that respect than even a May primary, but I would prefer May to March, so that is the source of my ambivalence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, I...I think we have heard all of our colleagues this afternoon talk about the need for change with the possible exception of Senator Lechowicz, but...we just never seem to be able to agree on which date. I strongly support this particular bill because I think that it does fall at a time of year when it will encourage more voters to get out and vote, and, after all, that is one of the main thrusts and...purposes of either party to see that we get out the maximum number of votes of people who will get out and participate in the elective process. I...I think this bill is a reasonable bill. I think it's been well thought out. I think you can always find some fault or some reason with any of these bills that change the date of the primary, but I think of all of them that we have heard, certainly over the last couple of years, I think that this is the best and I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to the proposed change to a May date. It...as amended, this bill, obviously, does not apply in any respect to the '86 election, but I think for those who will be serving in the General Assembly, I think a May date is...is...disadvantageous. I have supported in the past and will support in the future a change in the primary

date and, frankly, after discussing it and arguing about it for about fourteen years, my only view remains that it ought to be in September. We are spending an inordinate amount of time and money on the election process, particularly if you're a candidate. It seems to me to shorten that process with a primary, in general, a little closer together would be in everybody's best interest, most notably the public's; but I don't think May, truly, from our standpoint, as members of the Assembly, irrespective of party and truly irrespective of districts...some of us have primaries, some others don't, but the fact is that we are at a total disadvantage because with the way the Constitution is constructed in the call for the Governor to deliver his Budget Message in March, we are inextricably tied here for April at least, and to have a May primary, I just don't think is in our best interests.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I would just add one other point of information regarding a May primary. Those of us from urban areas, Chicago and close in suburbs in particular, May 1st is a moving date, and there have been estimates that vary but approximately twenty percent of the registered voters change each year in the urban areas, and if you take twenty percent of the people, most of whom move around May 1st, you may...find that a May primary date is going to disenfranchise an awful lot of people. And I think that should be borne in mind and that's one reason why I am not going to support a May primary date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

...three questions...Senator Philip. Number one, when you originally introduced the bill, it was an April primary; number two, I see that the school board members in district have in between one hundred thousand and five hundred thousand...populations effected and; number three, Article XXXIII applies to school districts in Rockford and Peoria. Would you answer that? What does that mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I am told it only applies to school districts between a hundred thousand and five hundred thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, as...does...does that just apply to Rockford and Peoria? It says Article XXXIII. I wonder, what is that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah,...of course, it would be any area that would be in between that population....I would think that Rockford would be in that category.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

But originally you were going to go with April and now you're going to May. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

No. I was originally going to go with May.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Further discussion? Senator Philip may close.

SENATOR PHILIP:

I...I might say this, Senator Hall, we amended it after the final report came out from the Governor's Commission on Election Reform. I might say this, too, and remind my fellow Senators that we have the longest time between the primary and November election of any state. It forces your workers and yourselves into circulating petitions in the month of December. Quite frankly, that's a very distasteful thing for me and the people who circulate my petitions because, of course, it's the Christmas holidays. Here we are out there asking people to sign petitions for a candidate for the State Senate during the Christmas holidays. I find that distasteful. I find people who don't want to sign them, quite frankly, on that basis. Also I might suggest this to you, is the Primary Election for the convenience of the politicians or the people? Now you go out in your precinct and go door to door and ask them if they want their primary in March or May. I will guarantee you what they're going to tell you, we'd like to have it in May just because of the inclement weather, one simple reason. And you know, we should have everybody participating in the primary and, of course, the better the weather the higher participation. This is a good idea. It was...Statewide hearings on this date and just about the whole consensus of opinion from the Commission on Election Reform agreed on this date and, quite frankly, we ought to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1098 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 21, 4 voting Present. Senate Bill 1098 having received the required constitutional majority is declared passed. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

I'd like to verify the roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Kelly has requested a verification of the affirmative roll. Will all members be in their seats. The Secretary will read the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Bloom, Coffey, Davidson, DeAngelis, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Holmberg, Hudson, Karpiel, Keats, Kustra, Luft, Macdonald, Mahar, Maitland, Marovitz, Philip, Rigney, Rupp, Schaffer, Sommer, Topinka, Weaver, Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly, do you question the presence of any member?

SENATOR KELLY:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats is on the Floor.

SENATOR KELLY:

Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra. Senator Kustra is on the Floor.

SENATOR KELLY:

Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland is near his seat.

SENATOR KELLY:

SB 1111 3rd Reading

Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Watson on the Floor? Senator Watson did not vote. He's not recorded.

SENATOR KELLY:

That's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on that roll call, the verification is 30 affirmative...in the Aye, 21 in the Nay, 4 voting Present. Senate Bill 1098 having received the required constitutional majority is declared passed. 1101, Senator Kustra. Senator Kustra on the Floor? 1111, Senator Coffey. On the Order of Senate Bills 3rd Reading is Senate Bill 1111, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1111.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 1111 is a clean-up bill for the Secretary of State's Office. This bill amends the Illinois Vehicle Code and makes the following changes; number one, it allows tow dollies to be...to be issued exempt plates and provides for voluntary insurance of title; number two, it provides free of charge title...or registration search or certificates...are...government agencies and four dollar title certificate fees for others; it provides for statutory authority to issue a forty-five day Illinois temporary apportionment or prorate authorization permit for semitrailers; it authorizes the Secretary of State to issue two-year plates as multiyear plates; five, it permits the Secretary of State to

eliminate the limit on the issuance of manufactured plates; six, it deletes the October deadline for filing of the amateur radio plates and instead bases registration on the staggered system; seven, it allows the second division vehicles under eight thousand pounds, which is pickup trucks and vans, to be registered as the following multiyear nonstandard registration plates which includes like amateur radio plates, disabled veterans, ex-POWs, National Guard, Armed Forces and so on; eight, reduces from...twenty dollars to ten dollars the two-year registration fee for certain farm vehicles and...machinery registered as exempt plates. A...a year ago we passed legislation and increased that rate...increased that rate, and unintentionally what these are are plates that's used on anhydrous trailers and so on which are not registered...which do not have title and it's a loss of revenue of about twenty-eight hundred dollars, I believe as far as revenue loss. Number nine, deletes ten percent per month maximum mileage reduction penalties for persons registering after July 1st under the mileage weight tax option and that is again...is for license plates that are not titled. Number ten, it requires new and used car dealers to carry appropriate liability insurance rather than Hazard One Garage Liability Insurance, and what this does...they keep the same amount of liability insurance; really, all the change is that they do not use the term "Hazard One". Number eleven,...exempts trailers and mobile home dealers from liability insurance requirements. What this really does is the...right now, for car dealers and others when you're demonstrating a vehicle, they have to have liability insurance. In the case of trailers, of course, they cannot take them out and demonstrate them, so there's no need for liability. Number twelve, it allows for certificates of deposit to be used as bond in lieu of bonding requirements for dealers. Be glad to answer any questions or I'd ask for a favorable

roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When the amendment first came out, we had a little problem with two portions of it. It's been explained...accordingly, as Senator Coffey did. There is a statutory limit of...which is now...it's been extended to thirty...or forty-five days from the thirty days and the liability insurance exemption that was on there, that's for people that use demonstrators and that did not apply, so we have no problem with it and I urge your support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Senator Coffey, you mentioned about having the exemption for trailer and mobile home dealers from the liability insurance requirements. What I'd like to ask you, would not this give them, let's say, a rider permission not to have any liability insurance whether they are...whether it's their own property or if they're selling these items? I'm just concerned that maybe this is giving them a...a freedom not to have any type of insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey. Senator Nedza.

SENATOR NEDZA:

Yes, thank you, Mr. President. Senator Kelly, I...that's one of the problems that we originally had. I just explained that. It's...these are if you're taking out a demonstrator...like you're taking an automobile and you're going to drive it around, you're going...you can't take a trailer or a mobile home and that's...that's why...we had a problem with it originally but it's okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Senator Nedza, I...appreciate that comment. What I want to know is if this individual that owns a trailer or a mobile home, his own, what if he has that, does he have to...under...under...there may be some interpretation that he does not have to have any type of liability insurance, not one that he's taking out to...to demonstrate or something to that effect, I'm talking about the person that owns one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR KELLY:

Any many times...

SENATOR COFFEY:

Again, this...this deals with the Vehicle Code. This has nothing...the...the section that this deals with is with the Vehicle Code as far as registration and titling. Has nothing to do with...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Kelly, were you finished? All right, further discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

Senator Coffey, are there any increases in fees in any way in this bill at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

...no, there's a...there's a decrease...of the one that I mentioned from twenty to ten dollars which...is about a

twenty-eight hundred dollar loss and that was an error made a year ago when...on the trailer license for like anhydrous trailers and tanks which are not titled, so what this does is bring it back to where it was and it...it's about a twenty-eight hundred dollar decrease to...to agriculture but it's very small.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1111 pass. Those in favor will vote Aye. Those...opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none...3 voting Present. Senate Bill 1111 having received the required constitutional majority is declared passed. Page 32, Senate Bill 1119, Senator Lemke. On the Order of Senate Bills 3rd Reading is Senate Bill 1119, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1119.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Public Utility Act. Allows the utility to disconnect services under certain circumstances, requires notification of the customer prior to disconnecting and prohibits disconnecting when a customer is seriously ill. Provides for renegotiation of a deferred payment plan when the customer...final circumstances change

during the period of agreement, and it also codifies the public...codifies the current ICC rules on shut-offs. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall 1119 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 19, 2 voting Present. Senate Bill 1119 having received the required constitutional majority is declared passed. 1129, Senator Newhouse. Senator Newhouse...all right, that was on the...all right, Senate Bill 1131, Senator Mahar. 1144 was on the recall list. 1153, Senator Barkhausen. 1156, Senator Rock. 1171, Senator Donahue. Senate bills 3rd reading, middle of page 32, is Senate Bill 1171, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1171 amends the Abused and Neglected Child Reporting Act and the Child Care Act and requires the...background investigation on all day-care and...day-care center employees. This is another one of the background check legislation, and it is effective July 1st, 1986, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1171 pass. Those in favor will vote Aye.

Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1171 having received the required constitutional majority is declared passed. 1186, Senator Dawson. Senator Dawson on the Floor? Senator Dawson, 1186. 1190, Senator Keats. Senate bills 3rd reading, Senate Bill 1190, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1190.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. 1190 was brought to me by a...an attorney representing a group of contractors and it was an legitimate problem where when someone does a subdivision, he brings in a guy to fix the pavement or to..to make the road, but he has had to give easement to the municipality. Well, if he goes under and he stiffs the contractor, the contractor can't get his money back 'cause you can't sue the municipality. This sets up a mechanism where he could put on a lien for having done the work but the lien has to be done in advance so there's no big surprise to someone later. The Judiciary Committee did some good work 'cause there was a technical problem in the beginning and asked for an amendment that has since been put on. It's my understanding that the bill is now acceptable to everyone involved and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1190 pass. Those in favor will vote

Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1190 having received the required constitutional majority is declared passed. 1206, Senator Kustra. Senator...Senator Kustra, 1206. Senate bills 3rd reading is Senate Bill 1206, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1206.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill arises from the Governor's WBBM radio program where one night a woman called in to complain about the fact that she was not getting a widow's annuity because her husband died before the widow's annuity went into effect. This legislation was drawn by the Governor's Office to cover her situation and apparently the situation of about a hundred widows in the State of Illinois. This bill was on the Agreed Bill List in the Committee on Insurance. I know of no opposition and I'd ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1206 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1206 having received the required constitutional majority is declared passed. 1208, Senator Netsch. On the Order of Senate Bills 3rd

Reading is Senate Bill 1208, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1208.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1208 which Senators Bloom and Geo-Karis are hyphenated cosponsors provides a private right of action for injunctive relief by anyone...any consumer who is injured by a violation of the Consumer Fraud and Deceptive Practices Act. The...the reason for this is that as the law is currently structured and it...and as interpreted by the courts, the Attorney General only may seek injunctive relief. Private parties already have the right to seek damages but not injunctive relief. There are many cases in which it is more appropriate for a consumer and more effective relief to go after injunctive relief rather than just simply getting ex post facto damages, if you will. There are also many occasions when there are sufficient complaints that the Attorney General cannot handle them all. The recommendation has to be made first to him, if he cannot handle the action because of insufficient staff, then the private person may...proceed with a private action. To the best of my knowledge, there is no objection to the bill in its present form, and I would seek your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question, please, of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WATSON:

You mentioned that there is no opposition, but my analysis shows that the...the realtors and the Illinois retail merchants are opposed to this. Do you know what that's all about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, I'm told by staff they did not appear in committee in opposition to it. The committee members themselves raised a couple of questions and the Floor amendment met those concerns, and according to our records there...it passed on a unanimous roll call and there was no recorded opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and...Gentlemen of the Senate, I think they may have been strongly opposed to it before the amendments went on. The amendment that went on the bill removed the punitive damages and expanded the right of the Attorney General to decide whether or not to proceed on the matter from sixty to ninety days and it also provides that only consumers may bring the action. It deleted the person or interested person, it has to be the consumer who can bring the action. So, I think after those amendments...those points when on the amendment, I heard nothing further from the realtors, but I don't know how they stand, but I think the bill now, as it was amended, is a good bill and I support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bloom.

SENATOR BLOOM:

As you know, this is not the first time this measure has been before this body. In a prior karma, I believe Senator Joyce and I carried pieces of this measure. I think with

the amendment, the measure should receive the support of everyone on this Floor. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1208 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42...43, the Nays are 14, none voting Present. Senate Bill 1208 having received the constitutional majority is declared passed. Senate Bill 1211, Senator Degnan. Senate Bill 1213, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1213.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is part of a eight bill package that was resulted from the...the State Task Force on Student Dropouts which was created pursuant to Senate Joint Resolution 82. During the hearings, testimony was taken that indicated that many children who are...experiencing multiple course failures are the same students who constitute the high risk group of potential dropouts. Now the present system that we have does not offer alternatives whereby these students would be able to receive the additional classroom support they need in order to continue moving through the educational pipeline. The dropout problem, the gang problem can be impacted by reestablishing programs as instituted in this bill which are the summer and evening...schools. The have been previously in force and were proved to be highly successful. Since many

of these youths drop out of school in the ninth or tenth grade after being held back due to course failures, it seems that many of them would likely stay in school if they could remain in the same class as their peers; in addition to the summer school, night school, the accredited night courses would also be available to the parents. The bill also authorizes school districts to conduct and grant school credit for night school classes and to collect charges for these programs provided...and it also provides for a waiver of charges for...indigent students. Secretary...or the Superintendent Manford Byrd of Chicago, and I should laud him, seeing the...the...the problem that is faced with the school system in Chicago specifically has already announced that he is going into a trial program or a pilot program of summer school and night school and he should be lauded for that. I would also ask my colleagues here in the Senate to...for their favorable consideration of this bill and I'd be happy to ask any questions...answer any.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I, too, was a member of that task force and for my brethren who lives outside of Chicago, let me remind you that this problem is not just a city problem; in fact, one of the most revealing hearings we had was in Kane County, so I would urge support for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. A question of the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator Maitland.

SENATOR MAITLAND:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MAITLAND:

Senator, is this clearly a board decision or...or...can the board be...be forced to do it after a request by someone...do they have to offer it if some requests it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

There's nothing in the bill that would require that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

It is clearly then a board decision, they...they...they decide to do it or...or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Secondly, is there a...is there a corresponding appropriation bill for this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

They're still on their way, Senator. The only amendment that I have received with regards to educational funding is the amendment that was just thrown on our desk now and that's relegating itself to handicapped children attending schools...services and programs to the handicapped. I think that it's all...most of the appropriation is basically for

the handicapped now...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR NEDZA:

...and the school lunch program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Maitland.

SENATOR MAITLAND:

Thank you. My...my question is, is there a...a line item in the State board appropriation bill to accommodate this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

At this time, Senator, there's no indication of how many people are going to avail themselves of this...it's..it's...you take a guess, I'll take a guess. Providing the program is...is...we don't know where we're going, we don't know how many are going to...having the facility available and having how many there are. The City of Chicago is proposing under their present funding a...a program now, but they...they base their program that...they feel that in each school it would serve about a hundred and ten to two hundred and eighty students and that's depending on a number of courses they take. Now, they are funding that out of their own budget. As to what it would be, Senator, take a guess, your's is as good as mine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, did the task force have any guesstimate of the cost...at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

No, because specifically...the task force at the time we weren't dealing with the numbers of the dollars that it was going to be, it was the numbers of the students that we were...that were being left out of the educational system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have been informed by the Governor's Office that they have worked out a amendment with Senator Nedza and it will be put on in the House and it should solve everybody's problems. So, with that understanding, I would suggest that we vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I wonder if my articulate leader could give us some idea what that amendment contains...or will contain?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1213 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 1213...54 Ayes, no Nays and 1 voting Present. Senate Bill 1213 having received the constitutional majority is declared passed. Senate Bill 1214, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1214.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 1214 is part of the legislative package that resulted from the work of the State Task Force on...Hispanic Student Dropouts. What the bill does...and I want to commend the...the members of the task force because they worked very diligently on a series of bills and this is one of them. What the bill does is to require the State Board of Education to establish two programs designed to prepare Hispanics for school administrative positions. Part of the problem in the Hispanic community, as you all know, is the tremendous dropout problem and the fact that there are no role models for Hispanics to look up to, and this would say to the State Board of Education to develop programs in the system so that we can train Hispanics to become school administrators so they...so that they can integrate themselves in the system. Right now, only 4.9 percent of the teachers in the Chicago public school system of twenty-five thousand full-time employees are Hispanics. We need a program like this. It's going to help in my community where I have a big Hispanic population that is experiencing a tremendous dropout rate, and it's going to help the...throughout the entire State of Illinois, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Nedza.

SENATOR NEDZA:

All I can do is to add to my esteemed colleague's remarks and ask for you solicitation and your support of this program. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1214 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1214 having received the constitutional majority is declared passed. Senator...Bill 1215, Senator Degnan. Senate Bill 1217, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1217.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is another in the package of the Task Force on Hispanic Student Dropouts. This bill calls for school districts to make available to students vocational and career counseling and to establish counseling days. I do want to note that two of the people that were instrumental in the development of this package are up in the balcony, Roberto Rivera and Father Kyle, and I think that this goes along with the purposes of the...addressing the problems of Hispanic student dropouts. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. All I would say is that Senator Berman mentioned Father Kyle and Mr. Rivera, and all I can is, and I don't want to intimidate anybody, but hell hath no fury as a priest scorned, so...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1217 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1217 having received the constitutional majority is declared passed. Senate Bill 1218, Senator Rock. Senate Bill 1220, Senator Jones. 1221, Jones. 1223...on Senate Bill 1218, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1218.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1218 is another in the Hispanic Student Dropout Task Force Package and it provides really for a program that's...to some extent currently going on. It provides for tutoring for elementary and secondary school students by students of institutions of higher learning, and I'm told that at least three of the private colleges engage in this activity already. It authorizes grants for higher educational institutions for dropout prevention studies; and one further, I think, thing we did was to provide that the falsification of student records is a felony, so that we will not have what, unfortunately, we had in the past where the proper records weren't available. This is, again, part of the package, the price tag to be determined and assessed at the conclusion of the summit. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR WATSON:

We hear a lot about mandates. Is this a particular mandate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No, I don't think so. It says that the State Board of Education shall require districts to provide services to students who have dropped out. To that extent, I suppose, it could be viewed as a mandate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, the...the previous bill was also a mandate and I...you know, I understand and I can appreciate the problem that you probably have in your particular area and especially the City of Chicago. Now, I don't know if this is a problem in my district or not, I doubt if it really is. What kind of requirements are we going to be placing on rural school districts and what are they going to have to comply with in regard to...to your legislation here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, the services, I think, that we are requiring to students who have dropped out of high school for not more than a year include...it says may include optional part-time enrollment, preparation courses...you know, some service to be offered and, frankly, we...we have not yet placed a price tag on it, but is obviously subject to appropriation. If they can't provide the services, I'm sure they can provide some services certainly and at least in terms of counseling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In answer...or in response to Senator Watson, basically, the bill is a culmination of the other ones and puts it all together and puts it in proper form, so it's not an added...specific bill to the other pieces of legislation, it's a package, one is intertwined with the other, and I would move your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Any further discussion? If not, the question is, shall Senate Bill 1218 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1218 having received the constitutional majority is declared passed. Senate Bill 1231, Senator Jones. 1237, Senator Davidson...I'm sorry, Senate Bill 1227, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is a simple piece of legislation that would merely say that where there is a case that is being brought because of a Federal law and exclusive jurisdiction was not granted to the Federal court that venue can lie in any county where personal jurisdiction on the defendant can, in fact, be obtained. It requires the personal jurisdiction,

which means that there must be doing business within that county and, therefore, the case can be brought in the same manner where jurisdiction could have been brought in any other place in the State. I know of opposition to the bill. I would ask...answer questions...now, wait, I said that carefully, I said I know of opposition to the bill and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? We have three that are seeking recognition at this point. We will start with Senator Fawell, Barkhausen and Geo-Karis.

SENATOR FAWELL:

Thank you...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...thank you, very much, Mr. President. Will the...the sponsor yield for a question? Is this this lousy bill that if a...if a...if a guy gets hurt on a railroad he can come up to...to...into our State even if he's from Georgia or Mississippi or...or any of the other states and get his case heard so he can get a better judgment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

No. It's not a lousy bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members,...Senator Carroll, I have to admire you and some of your colleagues for your persistence; but as President Reagan is often quoted as saying, "Well, here we go again," and...and, yes, that's exactly what this bill does for it...it seeks to erode a longstanding doctrine

in the common law which the Illinois Supreme Court and...and other state courts have recently upheld, known in Latin as the forum non conveniens doctrine, but...but more...more appropriately known as the doctrine which allows one to have his or her day in court in...in the court which is most convenient and that...that is true not only of...of defendants who, yes, oppose this bill but also of plaintiffs. It ought to be fair for both sides to have a...a case heard in the forum, in the court, which is most convenient for them. For example, if a...an injury occurs in...say it occurs in Cook County and the plaintiff and defendant reside there, just because the defendant happens to do business in, say, Madison County, I don't know why I picked Madison County but perhaps that's appropriate to use in this case as an example, there is no good reason for that case to be heard in Madison County where...where the nexus, as it were, that both the parties have and even the witnesses have is really in Cook County; and it...it should be pointed out, I don't like to...to impune the motives, certainly not of the sponsor, but of the people that are truly behind this bill, there is a major industry at stake that is riding on this bill and that is the trial bar, particularly in Madison County. They fear that they are going to lose business because the Supreme Court has sensibly said that cases ought to be heard in the trial courts which are most convenient to the parties and to the witnesses and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Excuse me, Senator Barkhausen. For what purpose Senator Carroll arise?

SENATOR CARROLL:

Well, Senator Barkhausen, to...to use your...your quote and imitation, "You've made my day," I'll take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And this is only the middle of May. Take it out of the record. Senate Bill...1231, Senator Jones. 1237, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1237.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says on the Calendar. With the amendment we put on a couple of days ago, the Farm Bureau now supports this bill, has support of the commission...Department of Conservation. It gives a fair break to the timber owner who's paying that tax to be able to put forth the forestry plan to reforest the area which has...had been cut for lumber. I would try to answer any question; if not, appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1237 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1237 having received the constitutional majority is declared passed. Senate Bill 1243, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1243.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. 1243...Senate Bill 1243 merely amends the income tax...to permit an income tax checkoff for contributions to the Mental Health Education Fund as required by the Mental Health Educational Act. In order to please our members and friends on the other side, we placed a...an amendment on this bill, and this amendment will answer all the questions as to whether we are putting too many checkoffs on...on a tax form, and I think that I have met their agreement and their satisfaction, and so I'm asking if you'd be kind enough to vote for this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1243...Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, could I inquire as to who you cleared this with on this side of the aisle?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Schuneman, Senator Schaffer and Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer and Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

I'm Senator Schuneman, Mr. President, and I...and I don't know anything about it but maybe others do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You all look alike. Senator Schaffer.

SENATOR SCHAFFER:

Senator Schuneman and other members of the Senate, this particular bill has the amendment on it that says...affecting

not only this particular checkoff but all the checkoffs, that if a checkoff fails to take in a hundred thousand dollars in any given year, it is removed in the subsequent year. Now, I think...it's pretty obvious, I guess there's seventeen checkoff bills in existence, maybe eighteen now, for all I know they tend to multiply, and we have this amendment on this bill and I think we'll have it on another one and...so I'm pretty sure we'll get it to the Governor's Desk, and then if something gets on the...on the tax form that doesn't have enough public support to merit its being there, it'll be removed. I think it's probably a pretty good concept.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1243 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1243 having received the constitutional majority is declared passed. Senate Bill 1249, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1249.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and...Ladies and Gentlemen of the Senate. Senate Bill 1249 would allow the DuPage County Board to issue General Obligation Bonds for the purpose of operating and maintaining courthouse and jails. As you're probably aware, we have a tremendous growth problem in DuPage County in the area of crime, jails, courthouses, et cetera, and what has happened is, the municipalities are continually

eating up all of the shopping centers. Consequently, our tax base is going down, yet law enforcement is increasing. In DuPage County, of a budget of thirty-five million dollars, seventy-five percent of that money is spent in the area of public safety and I'm talking about the judiciary and the jails. Our chief judge had just asked the Supreme Court for three new additional judges because of the caseload in our county. My county board tells me that costs us two hundred and fifty thousand dollars per new judge. Quite frankly, we don't where the money is coming from. This should alleviate our problem. This has been a recommendation of the DuPage County Board itself. I'll be happy to...answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Does this bill...apply only to counties of five hundred thousand or over or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

It only applies to DuPage County, Senator. Although...let me say this, home rule counties already have this power and I think the only home rule county is Cook.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1249 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, 1 voting

Present. Senate Bill 1249 having received the constitutional majority is declared passed. Senate Bill 1256, Senator Schaffer. Read the...Senate Bill 1260, Senator Donahue. Senate Bill 1262, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

This is a model program...I...I don't have to go into a long explanation. Basically, we would call this a Pervert Treatment Act, these are the child sexual abusers. Rather than be sending all to prison, those who are parolable, this isn't everyone, this is those who'd be eligible for parole are put in a specific treatment plant. It's done jointly through DCFS, Corrections, Rush Presbyterian, St. Luke's. The State is funding it on an experimental basis. We think it could save the State a small fortune. Instead of having a pervert who just remained a formerly jail pervert, we may actually have one who is now able to return to society. Senator Rock and I are...jointly worked on it and would appreciate your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senator Keats, is this the...is this the...the project that's modeled after the one in San Jose?

SENATOR KEATS:

This is the one that we've worked on with Gabby Cohen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That's right. This is the one that was modeled after the...the project in San Jose that really has been the model for all projects in the country. It's worked very, very well out there. I rise in strong support of this legislation. It did come through our committee and I think it's a...it's a terrific idea, and hopefully, when the pilot project works, after five years, we'll be able to expand this project throughout the State of Illinois and really get at the crux of some of the problems with sexual abusers and the question of incest, and I do urge everybody to support this pilot program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

There's supposed to be a corrective amendment. I thought it was on...the amendment is not on. Could we take it out of the record?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Certainly. Take it out of the record. Senate Bill...Senate Bill 1264, Senator Schaffer. Senate bills 3rd reading, Mr. Secretary, Senate Bill 1264, read the bill...

END OF REEL

REEL #5

SECRETARY:

Senate Bill 1264.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a bill for the Department of Commerce and Community Affairs. It, as amended, accomplishes a couple of things; one, it would allow that department to charge other departments for promotional material, these Illinois pins and, if they ever get a decent happy State button they might want to give those away or trade them...or...or have other departments who will want those for distribution. Sometimes the other departments have been getting a large number of these things and it seems fair that they should...DCCA should not have to bear the total brunt for that. The second thing it would allow the department to do is charge fees to individual companies for the cost of transporting their products and catalogs to international markets. We have affixed to this worthy piece of legislation what I've affectionally referred to as the "Rock" amendment, which says in essence that we will appropriate the money, they will charge the fees but the fees will not go to the department, it will go into the State Treasury thereby negating the need for the department to have its own bank account and to be handling deposits and writing checks and keeping the entire process within the appropriations process which, I see Senator Carroll nodding an approval of, I think is something that we in the Legislature want to promote. I am unaware of any opposition to the bill as amended and com-

mend it to you for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Two...two things, Senator Schaffer. Is DCCA...do they have an imprest fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Yes, they do, for foreign offices but I don't believe this bill has anything to do with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I understand that it...that it does deal with foreign trade shows.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

The imprest funds do not deal with...that, that is a separate issue. The reference to foreign shows...for instance, if you had a company that manufactured, let's say, farm equipment, and you wanted us...the State of Illinois to transport a couple of pieces of your equipment and several cases of promotional material and...and...some sort of display to China, we would charge you for that, and we'd cover at least part of our cost of taking your stuff into some joint Illinois, all Illinois display, and this will be a mechanism whereby the...the department could ask the appro-

priate companies to kick in an appropriate amount of money to help cover the costs. It is a questionable activity of the State of Illinois, I think, to be promoting individual companies at taxpayers' expense exclusively; I think occasionally, you know, you want to promote all of Illinois but I think it's fair for us to ask the companies to help cover the cost. Now this would not go through any imprest fund, the money they would charge them and the...they would write...the companies would write a check to the State Treasury which DCCA would...may not even get, may go directly to the treasury. I suppose DCCA would have to be notified and the...line item in their budget would be...we would set a line ...item and will set a line item to cover the expense of those sort of things, but there is no imprest fund in this particular...that relates to this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Well, the reason I asked that was that I...I just wondering if the State Finance Act had to be amended to allow this, that's the reason why I asked.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer may close.

SENATOR SCHAFFER:

Well, to answer Senator Hall's question, no, we are not under the impression that that is necessary. I...it might have been necessary had we chosen to give DCCA its own checking account, and the Senate has wisely, in my opinion, decided not to do that. I believe as amended we have eliminated all opposition to the bill and I think it's a reasonable and necessary proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1264 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1264 having received the required constitutional majority is declared passed. 1266, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading is Senate Bill 1266, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1266.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill amends the Radiation Protection Act in it...that....any by this...by this kind of amending it prohibits the operation of a radiation installation unless all persons who administer ionizing the radiation in such installation are licensed or accredited. And it's a safety factor, this bill was recommended to us by the Department of Nuclear Safety to take action against operators of radiation installations who utilize unaccredited or unlicensed personnel. And since radiation is very important and we've had cases of twenty and thirty years old where radiation took place and people are affected today from it, I think it behooves us to protect the...health of the public, and I move for its adoption...its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, about two years ago in response to some problems around the State called to our attention by one of the

media around here, we passed a...a very comprehensive bill which I think you are amending now, the Radiation Protection Act, which provided that everybody would have to be certified who operated and administered radiation to humans. How does this change that Act that we passed already two years ago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I...I believe, Senator Marovitz,...the changes...in this bill it specifically stated that no person may operate a radiation installation where ionizing...ionizing radiation is administered to human beings...I think it's very specific. I don't think it was specifically covered in the prior bill. I remember the bill, but I...this is very specific about it and says, unless all persons who administer ionizing radiation at radiation installation are licensed or accredited in accordance with this section. I think this is a more...a more definite measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Was there a particular problem that was brought to your attention by the Department of Nuclear Safety that wasn't covered by the original legislation, because that is what we did originally?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe that the reason this was called to my attention in the form of a bill, Senator, is because they felt that this would tighten the bill...the prior law up, 'cause the...the prior law was...was a little bit too...open and what this does is tighten it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Is...is this at the request of the Department of Nuclear Safety?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Geo-Karis.

SENATOR GEO-KARIS:

And...you want me to close? I'd move for a favorable passage. It is...a request of the Department of Nuclear Safety, yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1266 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 voting Present. Senate Bill 1266 having received the required constitutional majority is...declared passed. Senate Bill 1285, Senator Topinka. On the Order of Senate Bills 3rd Reading is Senate Bill 1285. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1285.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this basically amends the Intergovernmental Missing Child Recovery Act of 1984 to include school districts within the definition of the unit of local government within the Act and also...the I-SEARCH Advisory Board would be expanded so as to allow representatives from each...each participating agency in the program. It's basically a clean-up measure.

There was a...an amendment added onto this which removed an advisory committee to which the committee objected...the Judiciary II objected to. To my knowledge, there's no known objection to it at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question...if not, the question is, shall Senate Bill 1285 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1285 having received the required constitutional majority is declared passed. 1286, Senator Barkhausen. Senator Barkhausen on the Floor? 1292, Senator...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

It was my understanding that Senate Bill 1286 was removed...was to go back on the recall list for an amendment. I don't know if Senator Barkhausen is...in the Chamber, but I think there's an amendment...he...he...which...which was agreed to by the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in any respect, he isn't calling it.

SENATOR MAROVITZ:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1292, Senator Schuneman. 1296, Senator Rupp. On the Order of Senate Bills 3rd Reading is Senate Bill 1296, Mr. Secretary, read the bill, please.

SECRETARY

Senate Bill 1296.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This legislation is the result of a department...industry task...Insurance Task Force, which would give the department...the Insurance Department more effective measures to prevent insurance company insolvencies. It authorizes the director of insurance to issue orders requiring an insurer to take corrective action in order to clear up a condition which creates a financial hazard to the public or its policyholders. The legislation is needed in order to allow our director to effectively utilize a new early warning and financial problem detection system that has recently been developed and is in use across the country. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1296 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1296 having received the required constitutional majority is declared passed. 1298, Senator Dawson. Senator Dawson on the Floor? Top of page 35, Senate Bill 1300, Senator Carroll. Senator Dawson...are you interested in calling Senate Bill 1298? Senator Carroll, we'll come right back to you. On the Order of Senate Bills 3rd Reading is Senate Bill 1298. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1298.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, 1298 allows for insurers to enter preferred provider arrangements with health care service providers. The bill authorizes insurance companies entrance to preferred provider...organizations known as PPO, arranges with doctors and hospitals, self-insurers and already engaging in PPO arrangements. It allows the insurers to enter into contracts with providers relating to the amounts to be charged the insured for services rendered and issue policies or contracts providing the incentives and for insurers for...use agreements in this piece of legislation. Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1298 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1298 having received the required constitutional majority is declared passed. Top of page 35 is Senate Bill 1300, on the Order of Senate Bills...13 reading, Mr...Mr. Secretary, 3rd Reading is...is 1300, read the bill.

SECRETARY:

Senate Bill 1300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. Senate Bill 1300 is an approach towards dealing with the problems of driving while intoxicated and most particularly with some of the younger people in the State wherein we're saying that there is a responsibility of peer pressure. It's an effort to say that you cannot idly sit by and ride in a car with someone who is obviously intoxicated and claim no responsibility. It is the hope that through this type of guidance people who know that the person with the keys to the car, who is obviously inebriated, will step up and say, "Let me drive, I'm sober. Let me take the car, you should not be driving." And hopefully that type of peer pressure will cause a sobering influence on that driver to either take a cab or give the car to someone who is sober. What this suggests, therefore, is to participate in that act of drunk driving can cause a court to say that you must perform community service. It is not a moving violation, it is not a jailable offense, it is not a fine of dollars of any kind. It is merely an awakening to that responsibility by saying, that as our court system can do, go work in an emergency room, go work in an alcoholic treatment center, see the devastating effects that come from driving while intoxicated. Don't say you're not going to be involved, be involved. If, through this method, we have saved one life, we have accomplished a great deal. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Darrow. Can we have some order, please. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I don't know if the Chamber realizes what this legislation does, but it says that if you're a passenger, just a passenger, you may be stone sober, may not have had one drink, but if you get...in a car with someone who is drunk and they get arrested, you, in turn, get penalized and have to do community service just for riding

with someone who is intoxicated. So, just consider that and think about it before you vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Senator, you mentioned as far as peer pressure and I can understand that concept, but is there an age factor in the bill? Is it to...people twenty-one through twenty-five or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, then, very briefly, Mr. President. I, too, would like to bring the attention of this Body that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait...Senator...Senator Lechowicz, just a moment, please. Could we have some order, please. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd just like to also bring the attention to this Body in reference to what this bill really...the complications of it. In my neighborhood maybe a husband is overzealous and has a few cocktails and his wife is trying to get him home as quickly as possible and he won't let her drive the car, and there's a question whether he's had three drinks or four drinks, whether he's 1.0 or .09 or

maybe even .04, and there's probably an argument pursuing between the husband and wife whether he's had a drink one too many or less, and now the poor woman is going to be penalized for the acts of her husband. I don't believe that this is...the right way to approach a problem. I could understand the...trying to apply peer pressure and trying to have the wife drive in lieu of the husband if he's had a few cocktails or vice versa, but I think to penalize a person who in good faith has had absolutely nothing to do with the situation is the wrong way to go. And I would have to oppose this measure. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I agree with Senator Lechowicz because I can just imagine the husband who's had a few drinks and gets a little strong violently, and if his wife dared say anything about him driving, you know what would happen, he would just haul off and...and give it to her. I...I think...seriously, I think that Senator Carroll has a good point but not...I don't think it's that good and I rise against it too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I wondered, Senator Carroll, if you would consider... maybe an amendment to this...to this bill that would...require the passenger that you're talking about to have a Breathalyzer with him because I don't know how else that passenger could really tell. He would have to be, you know, we get...we get down here pretty fine whether...whether the driver is intoxicated or whether he isn't, it's difficult enough for the authorities sometimes to figure that out even with a Breathalyzer. So, that might

be...that might be a thought, I don't say I'd vote for the bill even so, but maybe you could require that...put that in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have seven additional individuals wishing to speak on this...Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Just wanted to make a comment and say that I've enjoyed very much...being a member of the Judiciary Committee and I think that I've learned a new term today, and maybe that is intoxication by osmosis, and I think this bill ought to be looked at very carefully.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much. You know, I hate to...disagree with my colleagues on this side of the aisle but, personally, I think the idea behind this is a darn good one. I've seen too many kids that have been willing to climb into cars with the driver drunk and...and maybe if nothing else, it will keep more kids out of the car. If some idiot wants to go out and kill themselves or kill someone else, that's his problem, but why let a bunch get killed...and if a wife is dumb enough to get into a car...and while her husband is drunk, maybe she ought to think about some community service. If there was a prison...sentence or if there was a fine that's one thing, but what we're talking about is community service and I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Just...just...briefly, I'm sorry to prolong the debate, Mr. President and members, but one of the aspects of the bill that...that hasn't been touched upon is the penalty. And I think it should be pointed out that even though we had some

discussions with the staff on the other side and indirectly with the sponsor that there's no penalty category specified in the bill, and we feel that that might, for example, be a...a petty offense, and there is no limitation on the amount of public service work that may be ordered by a court. And that is the only...penalty or punishment that might be provided for under this bill, and we felt that there ought to be some limitation to that; and for that reason, we don't think the bill is quite in its proper form, if, indeed, the bill itself is...is warranted. And I would urge at least a Present vote, if not a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I've got a district along the Wisconsin line and it seems about starting this time of year we can count on almost once a week picking up a paper and finding out about a car load of kids being slaughtered, just slaughtered on the way home. I don't know, we're all thinking about how this is going to effect us and people our age, and I'll tell you, I don't care if it was my wife or anybody else, if someone's drunk you shouldn't get in the car with them, you should try and stop them from driving, and if you can't stop them from driving you shouldn't ride with them, maybe that would make them think twice. I think kids are smarter, they're probably a lot smarter than we got to give them credit for, but Senator Carroll is right about one thing, it's peer pressure. And if this law just gets a few kids to tell their friends, forget it, I'm not riding with you because I got...now I got an excuse, I got an excuse, maybe I wouldn't have guts enough without this excuse, but my excuse is, I'm the one that's going to get in trouble not just you. We've given them an excuse to do what's right and maybe they need it. But let me tell you, if it means I have to pick up the paper just one

less time next summer or the year after when the bill takes effect and read about a bunch of kids being slaughtered it was worth the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator...Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. You know, you can nit-pick a bill like this till it falls apart; I mean, you can gripe about all the little provisions all you want, but...you know, these kids are potential killers. It is real easy to turn your back and say, that jerk did it, not me. But you know if you put the provision in that everybody is responsible maybe we would start to have little collective responsibility for these drunk drivers. Those drunk drivers are potential murderers. Over half of all deaths on the highways are caused by drunk drivers, and if this makes life a little tougher for them to get behind the wheel, fine, maybe there ought to be some pressure on them. Howard, hang in there, you got a lot of votes over here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister. Senator Sangmeister.

SENATOR SANGMEISTER:

I think he's calling this on the right day. You know if he'd have called this one yesterday I think he would have got the pickle award last night. I see you do have a few on the other side. I was going to say if you get two green lights on this, but apparently you're going to get four, let's see how many more you get and have the roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR SCHUNEMAN:

This is normally the kind of bill I would like to see passed, but, you know, of all the people who are picked up and ticketed for drunk driving in this State, a very high percentage are given court supervision. Now, are we going to accord the same privilege to...passengers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The provision of the Act says, that where the operator has been found guilty then the court may impose community service work on the passenger. It is not a petty offense, it is not in any way a fine or a jail sentence, but it requires first the finding of guilt which is not the case in a supervision and then the community service to the passenger who should not have been in that car.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not sure I got the answer to my question. It's my understanding that...that the procedure in court actually is that the person who is charged, in effect, does plead guilty but asked for the court to supervise him; if he fails to live up to the provisions of that supervision then...then the guilty charge or guilty plea is entered. And I, you know, I...I think you may have a double standard. You may have the person here who is really drunk and get away scot-free and the passengers have to provide some service.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion?...Senator Carroll.

SENATOR CARROLL:

Merely to answer, no. The...the operative word here is, "found guilty." In a supervision there is no finding of

guilt. At the termination of supervision it's a finding of not guilty. In this case, it says it has to be...it's after they are...they have been found guilty, that reguires a court order of a finding of guilt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

What happens if there's five people in the car, are all five of them going to have...be in violation, and they're sober and the driver is drunk?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

That the court may do...and that's the point, five people should not get in the car with somebody who is drunk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may finally close.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just say to some of the members, I think the point has been made, I won't refer to members by name, but it was interesting that we are concerned with those who are drunk on our...our riverways and our lakes and streams and in the original version of that bill the owner, nonoperator, would be found guilty of the violation; the owner, nonoperator, could be found guilty of a criminal offense. I think the point is well made of peer pressure and involvement. It is ludicrous to say that when a person has drank enough to have been over the legal presumption of guilt and is found guilty that everyone else can just pile into

that car and let that drunk drive on our roadways. If we want to seriously say that we are attempting to keep our roads a little more safe, then I think we should seriously say, the passenger cannot be blindfolded while the driver is drunk. A little bit of peer pressure can, in fact, go a long way to save but a few lives and that's what it should be all about. If we can save a life by having a person say, you're too drunk to drive, give me the keys or let's all take a cab, we've done something positive. There should be no excuse that you just sat in the car and let somebody obviously drunk...and understand, a person cannot be stopped for driving while intoxicated unless and until some other infraction of the traffic laws took place, either they were weaving or they caused an accident or they ran a red light or they were speeding or whatever. There had to take first a violation of the traffic laws before a policeman would know that they were, in fact, intoxicated, and therefore every passenger should know as well that the person is weaving or running red lights or speeding or whatever, and that should no longer be an excuse; and what we have said is, not a criminal violation, but go see the effects of people who are drunk who maim and kill, go work in a hospital for a weekend or so in an emergency room or an alcoholic or drug treatment center, that would be a very rude awakening that we should cause to happen. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1300 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 22, 6 voting Present. Senate Bill 1300 having failed to receive the required constitutional majority is declared lost. Senate Bill 1306, Senator Philip. Senate bills

3rd...3rd reading is Senate Bill 1306. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1306.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The synopsis in the Calendar is absolutely correct. And it says when a...that a circuit judges will have to make their selection of associate judges public record. As you know, down here we're on public record every time we cast a vote, we're on public record when we vote for or don't vote for one of the Governor's cabinet members and everything is public. What I am suggesting to you to improve the caliber of the judiciary we ought to know who those judges are voting for. As you know, not so long ago there was a case in Shiller Park where a person was shot leaving a restaurant. In that restaurant he was having dinner with two associate judges. Of course, nobody will admit that they voted for those two associate judges, but I think the public has a right to know. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Karpiel. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess this afternoon it's not bad to have a little fun and this is a funny bill. Our State Constitution provides that these associate judges shall...shall be selected by the circuit judges as provided by Supreme Court rule, the Supreme Court rule calls for a secret ballot. I'm not so sure we can do this constitutionally in any event, but for

goodness sake, the...the election of a judge is not a meeting. I...I just...this whole procedure is...I...I would like to have the gentleman, if he will yield, explain how he views this process to work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, it certainly doesn't provide them by rule from...from having a secret ballot. All it does is after...after you decide who the judges, you make public notice who they voted for. Now if you're for good open government, Senator, I don't know why you would have anything...be against this. I, quite frankly, would like to know who...occasionally we have associate judges selected who aren't too red hot, quite frankly, and after they've been sitting on the bench for a year or two years and all the bar associations are moaning and groaning, none of the circuit judges can remember they ever voted for them, and, of course, we all know there has to be fifty-one percent vote for them. And all I'm suggesting to you, if you want to improve the caliber of the judiciary, here's a way to do it. Because I'm going to tell you one thing, they're going to be damn scared about voting for those turkeys they can vote for now and hide.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, I suppose there are good reasons and there are real reasons. I don't know that the fact that some member of the judiciary allegedly was in the same restaurant, allegedly with somebody else at some point in time had anything to do with the origin of this bill. The rationale, as I understood it, was that for the first time in the history of the Republican DuPage County a Democrat was selected as an associate

judge and all of a sudden there's some consternation welling up...and so I suppose those who had the temerity to vote for one who used to be a Democrat, although I am sure before he entered the process he disavowed his allegiance to our party. He's a very capable young lawyer. The fact is, he was, at the point at which I knew him, very proud to be a Democrat but I am sure given the system under which he operated he has switched his allegiance. But I don't think that...that...that happenstance ought to...result in something like this. I...I just...I...I don't understand how the procedure works. Are we...are we to then say to the three hundred judges in Cook County who in the next week or so will be selecting or electing eighteen judges, you have to make public for whom you voted? I...I think the system is...that...that's simply not right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

I just want to know if the sponsor would yield to a question, please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Carroll.

SENATOR CARROLL:

Mr...Senator Philip, would you agree to amend this to include State Senators so we can know who voted for you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Keats.

SENATOR KEATS:

You know, I...I know we're sort of kidding, but let's be serious a minute. These are elected officials, judges always like to deny they're elected officials, but how did they get on that bench? They were elected. What we're saying is these associate justices that are kind of treated like high level patronage jobs...you have looked at the caliber

of...several of them. I remember one guy who cost the State twenty some million dollars, probably because he couldn't read what we were trying to do. Why shouldn't a judge be held responsible, he's an elected public official. We have made careers out of being sure that judges aren't responsible for anything. They can't campaign on issues, you know, you can't kick a guy off for a bad decision. I mean, our papers last time after Greylord said all these judges are wonderful and yet...the Bar Association saying kick a...a couple of them off, yet they all got kept. You know, why can't a judge be responsible? I asked my Senate President...not really expecting a...an answer, but Phil, you're expected to explain how you vote on everything; Howard, you got to explain how you vote on everything, you can't vote in hiding, and when you make a turkey vote, you're expected to explain that turkey vote. Why should a judge, who is an elected official, who is protected left and right, with the best pension fund in the State, never has to face the wrath of an electorate that he stuck it to, why shouldn't he least explain who he's putting on and why? He doesn't have to say anything other than list the roll call. If you read the bill...we've gotten a little beyond, they just list a little roll call, okay, this guy got on, these judges voted for him; next one, this guy got on, these judges voted for him. It's just a roll call, it's not a...a transcript of a discussion, it's just a roll call, just like we print on every issue we vote one. I don't see why judges can't be held a slightly slower...lower standard than we're held to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I might remind some of my colleagues who oppose merit selection of judges that this could be the merit election of judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip, you may close.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I right...might remind my friend, Senator Carroll, that in our Republican Caucus for leader that we have an open ballot. We certainly aren't ashamed of who we vote for and we are stand up and we are counted. Now, I might suggest that the judges ought to be under the same circumstance. All we're saying, if you're so proud of who you're selecting for associate judges, well, stand up and be counted. We're counted every day on the Floor of this Senate, more than once. The voters have a shot at us in the Primary and November Election. I might remind my friend, Senator Rock, the person that he has spoken of has seen the light at least eight years ago and decided to carry some water and join the team, and quite frankly, I was most impressed with his resume, his background, and quite frankly, my lawyer friends and my judge friends tell me he's done an excellent job and we're happy to have him. If you've got any more like that send them over, coach.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the question is, shall Senate Bill 1306 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 22, 2 voting Present. Senate Bill 1306 having failed to receive the required constitutional majority is declared lost. Senator Philip, the sponsor, requests postponed consideration. Postponed consideration. 1317, Senator Marovitz. 1342, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 1342. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1342.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, 1342 is the Chicago Board of Education's request to remove the limit on competitive bidding from five thousand to twenty-five thousand. They let out approximately a hundred million dollars worth of contracts a year and most of the small contracts under the twenty-five thousand mark are either for replacement of instructional materials, maintenance materials and general housekeeping of the board's schools. It would save a lot of time and a lot of cost for them to allow the superintendent just to issue these small contracts. I would seek your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...any discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Is it not true these small contracts are by and large the only competition that small companies can get into, they obviously cannot compete on the large contracts, very few small businesses could compete on the major contracts. By raising this limit we're actually in many ways excluding a lot of small businesses from being able to bid on some of the Chicago contracts, is that not a fair estimate?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No, these are basically repetitive contracts and the transportation contracts for the busing of the children like I said, repetitive contracts on replacing instructional materials and maintenance materials...now they have to wait for the board to convene to...to tell the board they're going to put it on the agenda, then the next meeting have it on the agenda and have them vote on it. So, it's...it's a time consuming job to get these materials purchased.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, Senator. Just in reading my analysis here, this is for the Chicago Board of Education. What is it for the...other districts throughout the State?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I'm not sure I understood Senator Karpiel's...

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

The intent of the bill, you're saying that you're raising the amount from five thousand to twenty-five thousand for which a bid must be let, is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator Karpiel, I guess it's a little hodgepodge. Some districts are up to twenty-five thousand, some are under. It's...their...it depends. There are some that are up to that mark some are under it.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Well, who...who makes the determination in each district? I mean, we're here at the Legislature making the determination for the Chicago School Board and I'm not aware that we've ever done that for any other district. How do they change their...their amounts?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I am informed by staff that, depending on the contract...makes that determination. But you've got to...remember that the Chicago School District is probably bigger than...maybe twenty counties put together downstate in the amounts of money that they expend and the amount of...the amounts of contracts, not the total amount of dollars but the amounts in paper work of contracts that are...drawn and studied for every board meeting.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Well, I understand that. I was just wondering how the other school districts do it. I know that in other units of government there's a standard set amount above which you must let, and there are...you know, there are quite a few laws governing what items have to be let out for bid, et cetera. And I just wondered in other school districts, you know, they can't just willy-nilly determine it themselves and raise it to whatever they want, there must be some kind of Statutes governing that, and I'm not aware of them, I just wondered. And I understand, Senator Savickas, that Chicago School District is a lot larger.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Senator, how much of an increase are we talking about for the Chicago...School District?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

They're presently five thousand, they're raising it to twenty-five thousand.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

And is this on...what type of contracts?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

These would be all contracts that are under twenty-five thousand dollars.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, do we have a basically...the number? How many contracts are under twenty-five thousand presently within the Chicago Board of Education?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, I just asked the staff that question and they did not have the amount of the individual...contracts, they did have the total amounts of dollars. And I think this is a

problem that we...run into by setting limitations whether it was on bidding contracts or...reporting in under our ethic system that every time you set a limitation each year, due to inflation and due to other things, those limits must be raised so that you can accommodate just ordinary course of day business, it creates a problem and I don't know how to really answer how to solve that problem.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

One other question, could they possibly hire a thousand people at twenty thousand dollars a year without going to...any of the procedure...under this bill?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator,...I...I imagine...under a contract, they can...I have...technically I would...if it's a...if they're hired...or paid under a contract, I imagine they could, but...

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, just...just for clarity. I...I think we may have left a wrong impression with regard to other school districts. It's my understanding that every other school district in the State is at five thousand dollars and community colleges, so just...I supported the bill, Senator Savickas, as you know, and I intend to support it here. One other point, we still are over the...under the umbrella of the...of the School Finance Authority which oversees the entire expenditure which is something unlike all the rest of the school districts.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was just wondering, and I'm not sure Senator Savickas can answer this question, perhaps Senator Carroll, what's the ceiling right now for the State...for this type of contract?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, we've had a conference both with Senator Carroll and staff and...they're banning about fifty thousand but neither are sure.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Even though I didn't get an answer, it was worth asking the question just to see Kunzeman and Garrett completely dumbfounded back there together.

PRESIDENT:

Any further discussion? Senator Savickas, you wish to close?

SENATOR SAVICKAS:

No, Senator Rock, I'd appreciate support for this problem.

PRESIDENT:

The question is, shall Senate Bill 1342 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 24 Nays, 1 voting Present. Senate Bill 1342 having failed to receive the required constitutional majority...sponsor requests that further consideration of Senate Bill 1342 be postponed. So ordered. 1346, Senator Welch. 1350 was on the recall. 1351, Senator Schuneman. On the Order of Senate Bills 3rd

Reading, middle of page 35, is Senate Bill 1351. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1351.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1351 is intended to prohibit the sale in Illinois of soda, beer or other beverages in cans which contain a pull tab opener. As you know, we've made great progress in this State by way of cleaning up a lot of the cans that used to liter our...our landscape. With the recycling of aluminum cans we pretty much eliminated a lot of the problem, but we still have most of the beer cans that are sold in the State equipped with pull tabs which people pull out and throw down on...in our parks and on our streets and our golf courses and...and everywhere and this bill seeks to eliminate that problem. When the bill was heard in committee, the only opposition was offered by Anheuser-Busch who indicated that they have machinery which they could not and do not want to phase out immediately, but the bill was allowed out of committee on the understanding that I would work with the representatives of that company, I've done that. They now have indicated to me that an effective date of December 31, 1987 is acceptable to them. We've amended the bill to put it in that position so...that's where the bill is now.

PRESIDENT:

There any discussion? Any discussion? If not, the question is, shall Senate Bill 1351 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1351 having received the required constitutional majority is declared passed. 1352. 1357, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 1357. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1357.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you...thank you, Mr. President. This bill reduces from seven to three the number of days within which a rented car must be returned after mailing of a written demand by the rent-a-car agency. We passed this bill two years ago and the Governor vetoed it, but as I understand it, there was some misunderstanding and there really is no reason to veto a bill like this and I think he's...he's...he's on board now. Rent-a-car companies have somewhat of a problem with people who do not return the car. Sometimes it's willful and wanton and sometimes they forget or accidentally keep the car longer than they should. And this would protect the rent-a-car agencies more so than they've been protected in the past, and I don't know of any opposition and I would ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, just going to say that the sponsor is absolutely correct. This is a good bill and I urge you to support it.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, Mr...Mr. President, I just have one question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Is that three business days or three calendar days?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

It actually...it doesn't indicate in the Statute, it just indicates within three days from the mailing of the written demand. So, I...I would think that...it really wouldn't matter whether it was calendar days or business days; as soon as the agency wrote a letter, three days from that date they could request the police department to initiate criminal proceedings against the...the person who rented the car.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

How would that apply to a...let's say, a letter was postmarked right before Memorial Day where we have a three-day weekend?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

In practice what they do...they won't do anything until...they mailed the letter certified mail, return receipt requested and the police department demands from them the return receipt before they will initiate any criminal proceeding. So the whole procedure really takes around ten days or so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1357 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1357 having received the constitutional majority is declared passed. 1359, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What this bill does is repeals the prohibition against political contributions by insurance companies. We passed this bill two years ago...I'm sorry, last year we passed it...and the Governor vetoed the bill last year indicating his reason being that the insurance industry is strictly regulated by the State and there is an...there's a possibility of abuse of political contributions...the possibility of abuse is great. Well, everybody that does business in this State, from bankers, lawyers, doctors, beauticians, nurses, anybody that does business in this State is regulated by the State. I mean, I can't figure out why the Governor singled out insurance companies and grants them some special privilege that nobody else, no other group of people engaged in regulation by the State is granted. I mean, these is absolutely no logical reason why insurance companies shouldn't be in the same posture as banks, as savings and loans, as fiduciary...corporations, as lawyers, as doctors, as anybody else...I...as...as individu-

als, there's no reason why they shouldn't be. And I would...happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator D'Arco, does the insurance industry want this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I think they're...divided on the bill. I think some companies want the bill and some companies, you know, are lukewarm, some don't want the bill. I think traditionally they've...they've said, well, great, we don't have to give political contributions; you know, let everybody else give the contributions and, you know, traditionally, I think they've...they've got more earning power than anybody in the whole State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall Senate Bill 1359 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Vote me Aye, Senator. Take the record. On that question, the Ayes are 43, the Nays are 5, 4 voting Present. Senate Bill 1359 having received the constitutional majority is declared passed. Senate Bill 1363, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1363.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

SB 1375 3rd Reading

Thank you, Mr. President and fellow Senators. This bill as amended, provides procedures for the Department of Commerce and Community Affairs to follow in the decertification process; and the other piece of it, which is of some importance to the second floor, would increase the number of designations that could be made in 1985 from eight to twelve. It still doesn't change the overall amount of designations of enterprise zones. Answer any questions; otherwise, I'd seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1363 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1363 having received the constitutional majority is declared passed. Senate Bill 1369, Senator Coffey. 1375, Senator Weaver. 1378...Senator Weaver. Senate Bill 1375, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1375.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 1375 is the result of one of the recommendations of the Governor's Task Force on Racing. In order to revitalize horse racing in Illinois there's really only two practical alternatives. One is to reduce the privilege tax to a competitive level which would really cost the State about forty or fifty million dollars. And the other is to

provide for off-track wagering. Now, our privilege tax in Illinois is the highest in the United States, it's thirteen...thirteen times higher than New Jersey and Maryland, three and a half times higher than Florida and Kentucky, and really substantially more than any of the states which we are competing with. Now, I passed out a packet that gives you all those rates throughout the United States and you'll see that some of those rates are down to as low as a half of one percent. This...bill as amended would provide for the implementation of off-track betting. In Illinois it would be operated by a not-for-profit association council of twenty-five members from the race track's public representatives appointed by the Governor and confirmed by the Senate and representatives of the horsemen and the breeders. There will be no cost to the State, the race tracks will fund the start-up and the implementation and it will be supervised by the Racing Board. It is estimated that this off-track wagering system will have a handle of eight hundred and fifty million dollars a year. The association estimates gross income to be two hundred and six million, expenses of seventy-two million and the monies available for distribution to State and local government, to tracks and horsemen at a hundred and thirty-four million. I hope that with the information in the packet that I distributed it'll answer all of your questions, but if anyone has any specific questions, I'll be happy to try to answer them. Let me say that the distribution of the racing tax revenues supports the Ag. Premium Fund, the Metropolitan Fair and Exposition Authority...Reconstruction Fund, the local civic centers and a whole list of purposes from the Ag. Premium Fund such as the State Fair, county fairs, Ag. Extension, prize money for the fairs, local fairs, county fairs, salaries in the Department of Agriculture, home economic extension, et cetera. Since 1983, revenues have declined by seven...about seven million dollars and it's my

concern that we have a healthy racing industry in the State of Illinois to support these worthwhile programs. And if there's any questions, I'll be happy to try to answer them, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...there discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I'm sure that Senate Bill 1375 will...will pass, but I really think that we ought to think very carefully about what...what we're doing to a segment of people in our society. I know there...that there is a tremendous need for new revenue in this State but I don't think that we should look for alternatives and initiatives that prey on the poor, the hopeless and the helpless. Off-track betting will be just another way for people who have no hope...to somehow believe that they can pull themselves up out of poverty and suffering by striking it rich. I don't think that Illinois is in a condition that we have to result to these kind of initiatives by allowing off-track betting centers to be put into our communities where many of our children look upon their fathers and their parent as role models and...while they are taking their last dimes and going to those centers to...to wager with the hope of bringing home some more money to feed their families. I...I...I just think it's a sad, sad, day at this time that we would resort to this kind of initiative and even more so when there have been some other alternatives that have been slighted and have been laughed at, some that I have even proposed myself are far, far better, less painless than this type of initiative. And I would really ask all of you to search your conscience because the greater portion of this society, those people who are now able to make it will not be the ones who go and wager their money and use this type of services. It will be the poor and I think it's a shame.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have at this time, Senator Rupp, Vadalabene, Sangmeister and Jeremiah Joyce. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RUPP:

From what I understand is that there is a problem now, one of the problems is the fact that attendance is dropping off, and if this off-track betting arrangement supposedly is going to revitalize horse racing, I can't understand why you're going to make it easier, more attractive for folks to stay away from the track. If I can bet without going to the track, right from a...a nice little cozy place right next to the...the neighborhood where I am, I'm not going to go clear out with all that crowd and get in the parking problem and everything else, I'll stay home, I'll stay away from the track. There's no question about the good programs that are paid for from this parimutuel arrangement, but I just wonder, how do you think this is going to help it when you're going to encourage people to stay away from the track? And then we have some figures, and I think you have them too, Senator Weaver, that New York State...New York State has had exact opposite...occurring than what you presented will happen in Illinois and I want to know why it would be exactly different in Illinois. New York, the figures I have show that every year the city...the New York City's net return has been dropping about five million dollars a year since 1980. I can hear them just back in 1979 when they were considering this using the same arguments, we're going to help, we're going to revitalize. It hasn't happened there, how come it's going to happen in Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Senator Rupp, this is an entirely different concept than New York. New York is a state-run operation, this is a not-for-profit corporation, they're not bound by labor agreements and negotiated or...negotiated by the State, they'll do their own negotiating. So, you can't compare this with the New York operation, that's kind of a...a big bureaucracy that certainly this is not intended to be. The distribution from the revenues will go back to the 1983 level of attendance, parking receipts, et cetera, to offset a twenty or thirty percent decline in attendance at the existing tracks in 1983. So, they will be made whole, the State will be made whole, the communities will be made whole, back to those revenues of 1983.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Well, that's what...that's what my problem is. If...if you think that just getting back and paying the parking fees and everything else is revitalizing this...horse racing industry, I don't think so. If you were talking about keeping the other programs going, that's fine and that's where the money should go into the horse racing and into the...the development of the horse and the breeding of them; but it looks like what we're trying to do...this is just a revenue procedure and so that's why I sort of reject this idealistic thing about it being for the horses and for the good of the...the horse racing industry. I...I don't think so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

END OF REEL

REEL #6

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 1375 and let me preface first before I make my statement that yesterday we passed the downstate bill for Balmoral, Fairmont and Quad-cities and it was through the effort of the major tracks that that was accomplished. Off-track betting is an issue that has been in the headlines a lot lately and we've heard a lot of evils and we're heard a lot of good, but these are the facts, the Illinois horse racing industry is a serious...is in serious economic straits. Revenue to the State, the horsemen and the tracks have declined for each calendar year racing from 1980 to 1983. In 1984, revenues to the State declined but increased for horsemen and remained the same for tracks with the...implementation of intertrack...wagering, and compared with our sister states, Illinois is receiving an inadequate return. This is a solution. Off-track wagering will...preserve and increase revenue to the government and make the Illinois racing industry highly competitive with our sister states. Projections show that within three years, a fully mature off-track betting Statewide system in Illinois will generate from eight hundred million to nine hundred million in handle. It would initially reduce annual on-track handle by approximately two hundred and fifty million. Off-track betting should be implemented as a method to preserve government revenue while allowing the Illinois racing industry to be competitive with the other states. They need this shot in the arm and support Senate Bill 1375.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you, Mr. President and members of the Senate. It appears that the erosion that started in the State of Illinois a while ago is going to continue. We started off by taking care of grandma with her bingo and we quickly slid over and endorsed a Statewide lottery system and now we're going to have off-track betting, and as I understand sitting across the Rotunda, the next thing we're going to have is...casino gambling and the State of Illinois might as well become another Las Vegas. I imagine whether you support or you don't support this kind of legislation will depend upon your viewpoint, but I'll tell you one thing, you can't sell me on this piece of legislation on the base of the revenue that it's going to produce; because if this was such a sure fire thing, why are we receiving twenty million dollars estimated because it's coming out of the profit, why aren't we getting our percentage right off the top and let the harnessmen take the...the chance as to whether or not this is going to he a profitable venture or not? I'll tell you the reason why you're not getting it off the top is the horsemen aren't going to take that chance either. So you're right in the...the scheme of things with them but I think that we should have gotten a percentage, as usual, right off the top. As far as whether this works in other jurisdictions, I think Senator Rupp alluded to New York and I might say I have a press release from the Comptroller of New York dated just two months ago in which he said that, "The City of New York is going to have...to stop seeking a quick fix for its financial ills and start tackling the tough job of cutting costs and streamlining organizations. Off-track betting has been relying for years on...by the expansion of simulcasting to boost its revenues and eliminate the need for major...economics. Indeed, off-track bettings first simulcasting venture under a new State law ran up a net loss

of four hundred thousand dollars." Comptroller Reagan went on to state that, "the off track betting profits have been squeezed by mounting costs and stagnant revenues and New York City is the big loser. Residual revenues turned over to the city have dwindled from forty million in 1977 to only ten million in Fiscal Year 1984." And I would say to you, as Senator Collins has indicated, out of that twenty million dollars the State of Illinois is going to go, if you think that's going to be all profit, you got another guess coming; because you can quickly deduct from that twenty million dollars the cost of social welfare programs that are going to have to be instituted to assist these off-track players who are going to gamble away all of their family income. Off-track betting, without question, in my opinion, will breed compulsive gambling. And another claim that this will drive organized crime out of the...the off-track betting business is pure speculation because contrary to that claims experience has proven that bookmakers thrive on legalized gambling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, if you'd bring your remarks to a conclusion.

SENATOR SANGMEISTER:

I will do that. The introduction of off-track betting in New York has led to an increase rather than a decrease in the incidents of illegal betting, but I think your whole program is fraught with some problems anyway because, how you going to get this signed into law? I remember our Governor who said in 1978, if the people of Illinois want off-track betting, they're going to have to get themselves a new Governor. Which are we getting, a new Governor or off-track betting?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I will take the off-track betting if you can

deliver on the other. I find it difficult to vote on this question because I don't understand what the numbers are. I've...I've read an editorial from one of the Chicago television stations that they send out to us which indicated that the horse people would get around a hundred and ten million, I believe, and the State was going to get less than forty million. Now I hear numbers tossed out here the State getting twenty million, I mean,...I...the...the...I've...I've read these releases...I've read that but that comes from those...that comes from the...from the people who are interested in having this legislation passed. You know, the concept is one thing, whether we should have it or shouldn't have it in terms of the morality and all that, but if...if we are going to make a decision on this, at least we should know what the State is going to get out of this. You know, if we...if the State is being shortchanged, if we're talking about a...more than two to one ratio, the track people getting the better end or the...the...the...and...and us being left with the...the long odds, you know, I don't think that that makes a lot of sense given the economic problems that we have right now. Senator Weaver, maybe you could help.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Yes, Senator Joyce, first off, after the expenses which are estimated at seventy-two thousand dollars, those...1983 levels will be made whole. So, we will go back to a revenue of 71.2 million...the tracks will go back to their same revenues at that time and basically the profits will be split three ways between governments, the tracks and the...and the owners and breeders. That is stipulated in the bill, that percentage. So, it's estimated that in full operation there will be about sixty-six million dollars to be split three ways between government, the tracks and the horsemen to

increase purses, breeding purposes and...and this...the same formula that is now administered by the racing board. So if you'll read...I think it starts on about page 20 of the bill...of the amendment which is the bill, it stipulates those exact percentages but, number one, we will go back to the 1983 level of seventy-one million dollars first. Did I answer your question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce.

SENATOR JEREMIAH JOYCE:

You...you probably did, but I probably don't know enough about it to understand it other than to say that, you know, it's...you're keeping the same formula but it...it seems to me that the State...State or government, State and...and local government is getting about a third and the people associated with the tracks are getting two-thirds. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

That is about the same proportion that is given now. Any revenues, any profits after expenses are paid and the tracks, the horse owners and municipalities are made whole at the 1983 level will be distributed again on a third, a third, a third.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm just...want to ask a few questions about where the money is going...since I represent two communities that have race tracks and have a substantial amount of revenue that comes from those race tracks, Stickney and Cicero. What...what will their compensation be as regards to losing money on attendance at the race track?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, there again, we go back to the 1983 level of revenues for those tracks, for those municipalities for parking fees, admission tax, et cetera.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR WEAVER:

So, whatever they got in 1983, they would be made whole again. Right now,...our...our revenues to the State are down about seven million dollars from the 1983 level. So, I presume, under the formula, their revenues would be down a lot...a portion of that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

And then what portion of this new revenue generated would the County of Cook get since...about eighty percent of the race tracks are in Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

That would depend on the licensing fees and the arrangements made between the not-for-profit corporation and the city.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I didn't ask the question about the city. I asked a question about the County of Cook who has the responsibility of more than just a city. They have...there's race tracks that are in unincorporated Cook, there's race tracks are in incorporated towns. Right now, my understanding is, out of

this premium fund that we get, Cook County generates over eighty percent and gets back less than fifteen, and I want to know what...what guarantees Cook County is going to get to run their State Government?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR LEMKE:

Since it's our money, it's our...it's our people that are going to be playing...betting, you know, we got...we got shortchanged in the lottery and I don't want to see Cook County...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator...Senator Weaver is ready to answer.

SENATOR WEAVER:

Senator Lemke, if there is, say an establishment in the unincorporated area, that portion of the profits derived from that area would go to the unincorporate area or Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close? Senator Lemke.

SENATOR LEMKE:

Well, it's my understanding in a unincorporated area, they do not get the admission's tax. Cook County does not get that admission's tax in the unincorporated like I think, Maywood,...that...there's no admission's tax that goes to Cook County, that's my understanding. Now, I could probably support something like this if this new...if I was guaranteed that this new revenue would go into something to take care of the social programs and the education in that community that it's going to take the money from, but how can we support something...I know on...in the City of Omaha, the money that's generated from Alhambra Race Track goes into the City of Omaha for education, and....and...and I think this would be a laudable purpose. If we're going to go gamble and we're

going to take gambling and raise money, then it shall go into something that's going to be worthwhile to the State, and the most worthwhile thing to the State is education, the next thing is social programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close?

SENATOR LEMKE:

I...I am going to vote Present on this bill because I want to...I don't know where the monies are going, I don't know what guarantees we are. All I see is facts and figures but no guarantees to social programs...there's no guarantee that we're going to set up a gambler's anonymous program to take care of these people or anything like that, and I think we should be involved in this and I am personally going to vote Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Does the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAHAR:

Senator Weaver, I understand that we don't have a feel for the exact amount of money that will be going to the State and local government, but I'm...I was wondering could you tell me...explain to me how the money would be distributed to local governments and which...which local governments are we talking about? Any...anybody with the ability to...to levy a property tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, it...Senator Mahar, it has nothing to do with property tax. The cities that have tracks in their communities,

by ordinance, have invoked a...an admission tax and a parking tax of...from ten to fifteen percent. Now, that's been going down as track attendance has gone down, so in that hold harmless or...I'm...I'm saying that we go back to the 1983 base year to compensate these municipalities who have taxes on parking...admission taxes of, say, ten or fifteen percent, that will increase their revenue back to that base 1983 level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

So, therefore, the only revenue that will be...the only communities that will be benefited from this additional revenue are those communities that have race track facilities within their boundaries. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Excuse me, maybe I...I should clarify the...the revenue. Say we're projecting revenues of sixty-six million dollars after, say, three years of operation, a third to the tracks, a third to the horse owners, a third to the government. From that...government share it is split between the State and the municipalities. That's...the over and above profit after all this hold harmless...a base on 1983 revenues is taken into consideration, that is the projection, about twenty-two million to be split between State and local governments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar, and would you bring your remarks to a close.

SENATOR MAHAR:

Yeah. So, therefore, my community...I don't have a race track in my district, so my local municipalities will not be but...the beneficiary of any of this...of any of these reve-

nues...and...one further question, does a community have to have an off-track...what if they don't want an off-track betting facility in...in one of my communities? Do they have any provision which they can prevent that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

First, let me say that if there are off-track parlors in your communities, then they would participate in that revenue. Now if you didn't have any off-track betting parlors in your community, no, you would not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...Senator Mahar, would you bring your remarks to a close?

SENATOR MAHAR:

I'm sorry, yes, I will. I...I'm sorry. And...but if...how do we...if a community doesn't want an off-track betting facility within its boundaries, can they not have it? Can they insist that there not be a...a...one of those facilities within its municipal corporate boundaries?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, you certainly don't have to have any. These are contracted by the non-profit corporation under the supervision of the racing board; the city council could pass an ordinance that they do not want racing parlors in their community and they wouldn't have any, they couldn't establish there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Just briefly, I rise in support of this legislation. After

listening to the...the debates as to why it should not be, as I look at the race track that's around the City of Chicago and I look at the people who attend that...attend those race tracks, it amazes me that why one doesn't rise in support. If you are opposed to gambling then...introduce the legislation to abolish it...racing in the State of Illinois, but if people are going to gamble...if they're going to bet on horses, as...as they have in the past, and it...and the people who attend those race tracks that's around the City of Chicago, I will estimate eighty percent of them come from within the corporate...limits of the City of Chicago; and at least, under this proposal, some of those revenues will go back to that local unit of government, and for that reason alone, I will support this legislation because it will generate some of those funds back to the local unit of government. Those persons who are going to gamble are going to gamble and some of those tracks are far, far away; but it amazes me any time I've attended those tracks, those same persons who say, they can't get there, they're out there gambling and they're betting and they come from all sections of the State and all sections of the City of Chicago, so as a legislator who represents the city as well as the...south suburbs, I hope this legislation pass. At least some of the gambling down as far as racing is concerned will go back to the community from which the people come from. Right now, you're not getting those funds and we have fought this over the years about the Agriculture Premium Fund as it relate to the City of Chicago, but this way you will get some direct monies if the city council and the mayor of the City of Chicago adopt an ordinance to enter into agreement and to have racing parlors located in the city. So, I think it's a very good piece of legislation and it should have all-around support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise to support this bill and I think that...what we have to understand is that right now at the 1984 level of revenue the State is receiving from the parimutuel tax about sixty million dollars in tax revenue from horse racing in...in Illinois. What the bill says is that they guarantee the State the revenue they received in 1983 which was around sixty-four million dollars. That means that the State automatically, automatically, as soon as the system is in place, will receive four million dollars more in tax revenue than they received in 1984. Now, after the operating expenses and after the distribution to local governments, the State will receive in 1986 approximately another five million dollars, so there's no question that it's going to be beneficial to the State. As far as the New York experience is concerned, we have to remember that that off-track betting system was run by the State of New York and governmental...government officials ran that, not the horsemen and that's a big distinction. This system will be run by the horsemen. They are involved in the business. They know how many parlors to create. In New York, there was an over-saturation of betting parlors, and let's look at the figures; New York City still receives ten million dollars in tax revenue from off-track betting, that's just New York City. Ladies and gentlemen, this bill will create jobs for people and that's what Illinois is all about. Vote for this bill, it's going to help the economy of this State and it's going to be good for this State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question or two?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LECHOWICZ:

Thank you, Mr. President. Senator, based upon the New York experience, and that's what this bill is, I believe, trying to track in some way, my understanding is that the City of New York generates about forty-five million dollars out of the sixty million dollars...in the State of New York. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, number one, it's not modeled after the New York bill and I can't answer your question. I know that they're still making a good bit of money in New York, but I can't...I can't quote you the figures. I think probably somewhere I have them and I...but I can't quote them at this point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. I think it's important that we try to relate, if this bill passes, which area would generate the amount of money and how much money would be coming back to that area that generates off-track betting revenue? And the question that was raised before by a number of other members of this Body dealt in that area that you're contemplating receiving sixty million dollars in additional revenue and they break down, basically, one-third, one-third, one-third. Out of the twenty million dollars for units of local government, how much would come back to the City of Chicago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Senator Lechowicz, it would be a percentage of the total amount bet in the parlors located in the City of Chicago, and

I would presume that...or the bulk of the money bet would be in that city...the bulk of the revenue, the handle created at the parlors would be in the City of Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

That doesn't answer my question, Senator, and I'm...let me rephrase it. How much money would come back to the City of Chicago out of the twenty million dollar take which presently they have...broken down between the State and units of local government is twenty million dollars, of that twenty million dollars, how much has come back to the City of Chicago? Not a percentage, dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

If you're talking about a hypothetical case, if eighty percent of the bets were from the City of Chicago, they would receive that percentage of...of the total revenue. I can't give you the dollars. I...we don't know what...how many, how soon or...or...or what the betting pattern is going to be. There may be twenty betting parlors in the city. I don't know. That will be up to the board to establish those numbers and locations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR WEAVER:

There's no way that I could project how much money it's going to be but certainly your percentage would be the greater...greatest of any area in the...in the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz, and would you bring your remarks to a close.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'll try. What is the percentage then that would be brought back to the City of Chicago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

They would get a half of the third. Say the third being twenty-two million dollars, and the State getting half and the municipality getting half, so it would be a half of the third of their percentage that was bet...or generated in the city.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

And I will bring my remarks to a close, that answers my question. Is that...what is that based upon? Is that based upon what...what they do in New York and other states? And my last question, Mr. President, would be, who would determine where these off-track betting sites are located in the City of Chicago? Is that up to the city council?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

No, that would be off...up to the Off-track Commission of twenty-five, under the supervision of the Illinois Racing Board. Guidelines will be set up, a proposal be made to the racing board for their approval, so it will be up to this nonprofit corporation to establish these parlors wherever they deem them profitable, I presume.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Does that mean that you could come into my community and open up an off-track parlor next to Webber High School or

Foreman High School?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

No, they will be subject to zoning rules and regulations by the city. The city will have to license them and give them a permit. It'll be up to the zoning or...or the city council.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I really don't think that you have to spend hours going through the materials that have been distributed figuring out what kind of industry we're dealing with here today. I think you can just talk to a few folks who travel to the track a few times a year. And I think if you do that, you'll find out that over the last few years there aren't as many good horses racing, the purses are down, we're dealing here with an industry in decline, and I don't need to read any of the material that sits in front of you because I've talked to enough people who can verify that firsthand just by their visits to the track. I hear a lot of talk about the effect of off-track betting at the track, and the only answer I have to that is, I don't understand why an industry would be in favor of a bill that in three or four or five years they think might put them out of business. So, I would imagine that if the industry supports this it's because in good faith they think this good for them, in terms of their revenues, in terms of the revenues for the State of Illinois. I would think that off-track betting would send a signal to the industry, to send a signal to the good horsemen out there that have passed up Illinois and have taken their horses to other states and to other tracks, and that signal would be,

we want you, we're serious about this industry, we know it's going to benefit horsemen, we know it's going to benefit track owners, but we also know that it's going to bring additional revenues. I don't think the question here today is whether or not new revenues will be lost if we don't pass this bill. I think in addition to that there's a question as to whether or not existing revenues, which we enjoy today, will be around two years or three years or four years from now when this industry continues to decline. There are certainly some valid questions that have been raised about what this industry will look like three, four or five years from now. Frankly, I think, this bill is a chance we must take. We sit here and talk about education reform. We sit here and talk about raising the level for welfare recipients. We've got all kinds of big ideas of how to spend money. Well, I recognize that this isn't the solution to any one of those problems, but it's going to help, and for that reason, I think we ought to vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill as a member of the task force commission that helped to put the pieces together. It was a good commission and looked at it inside and out, through every possible way you could...you could put this together and I think the resolution to this situation has been a positive one. Following Senator Kustra is...is difficult because he said much of what I wanted to say, because I think we're most concerned with an industry in decline that could ultimately cost us in the long-run. I also speak in terms of an enlightened district interest because I have three tracks which surround my district and an impact upon the economy of those communities in that area very, very sig-

nificantly in an area which is older, an area which has lost a lot of jobs because of factories which have left which has...has had some rough economic times. If, indeed, we allow the tracks to further decline, we just go after the same type of areas that are represented in a lot of cases by people like Senator Lechowicz or Senator Lemke or people who are on the southwest side of Chicago which are very similar to my eastern flank, and I think this gives a little opportunity and a look toward the future. We certainly don't want to shut it down and doom them once more to something that they could lose. Just in the...in the amount of tax revenues that our tracks have provided for our local communities it's been phenomenal, not to mention jobs, not to mention social services, public services, help wherever we've needed them. I think anything that we can do to help on that front is...is very...is just good, and I think the point that Senator Kustra makes is just one of sheer competition. If we can't get the best horses in the country to come to Illinois, the people aren't going to come either. I mean, I think we saw when the Cubs were doing real, real well, how those ballparks were just filling up, all of a sudden it was really exciting to be there. Well, the same thing goes, if we can't get the...the good horses to come from out-of-state, why should people come? It's...it's a try. It's an effort. I don't think it should be denied at this time, and I would encourage a positive vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAROVITZ:

Senator Weaver, will the take or that amount which is

divvied up depend at all on the number of facilities in a municipality or the amount of take at that particular facility?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Certainly, I'm sure that it will be determined by the number of outlets but the percentage will still be whatever is generated in the municipality or the unincorporated areas for distribution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

So, in other words, when we talked about the City of Chicago getting a...a third of...a half of a third, I think it was, so essentially a sixth, that would be a third of a third of the...of the money that was taken in the facilities within the City of Chicago. If we only had one facility and...whatever...whatever...whatever was...was generated at that one facility, we'd only get half of a third at that one facility. So...obviously, it would be in the interest of the municipality if they wanted greater participation to have a greater number of facilities. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...now in regards to the facility itself, would the facility itself and...and the ownership of the facility that is being leased by the authority or the corporation, would the facility itself have greater participation or

greater...a...a greater lease arrangement if the take at that facility were greater? In other words, would they...would...could their lease arrangement be one that was structured in such a way as to depend on the...the take at the facility?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Certainly that would be a business judgment made by the non-for-profit corporation management as to what kind of leases they enter into, how much they have to pay, what they provide in the way of services and...and amenities. I don't think that the generation would necessarily...I don't know maybe they...maybe they in their lease arrangement would decide that a percentage of revenue generation would be...I don't...there's nothing in this legislation that says that they have to pay a certain amount of that which is bet at the...at the parlor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz, would you bring your remarks to a close? Senator Marovitz.

SENATOR MAROVITZ:

What kind of caveat or restrictions or direction are we giving to the corporate authority in terms of these lease arrangements? In other words, are we leaving it totally up to management or are we giving some direction and caveat to the management as far as what they can and cannot do with the...with the lessors?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

They will have to come up with a proposal, bring it back to the Illinois Racing Board for their approval. All of these judgments will have to be more or less okayed by the

Illinois Racing Board.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

...yes, thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

Senator Weaver, you said before...and I just want to make sure of this, you said before that if a municipality did not want one of these parlors in their boundaries that they could pass an ordinance saying they did not want one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

That is true.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

That is written in the bill and that includes all municipalities or just home rule?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

They would be subject to local...or local ordinances governing...business licenses, et cetera, zoning regulations, whatever. Any municipality in the State whether they be home rule or nonhome rule could preempt their establishment in their municipality.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, I just wanted to make sure on this because I know

that there are problems that we have, and I'm sure everyone else has, trying to get some kind of a business that is not quite what the residents would like to have in their municipality, trying to get it out when it's already...is...zoned B2 area and they...they...meet all those requirements. It's...we've had problems in that area of trying to then get them out of town.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, Senator Karpiel, any municipality could prohibit the location of a betting parlor in their jurisdiction. Any county could do the same thing by a county ordinance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Collins and Senator Mahar wish to speak for the second time. Senator Collins.

SENATOR COLLINS:

Yeah, Senator, I...back on...on Senator Karpiel's question. Now you're saying that the law as it is now, that the...that the local unit of government have to pass a ordinance to opt out, not to opt...if they wanted opt in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

It's not a question of opting in or opting out. It's a question of passing an ordinance to prohibit if they so choose; to prohibit, not allow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, I clearly understand that, but I'm saying that if...if they did nothing...if the City of Chicago did nothing after this law...were signed by the Governor, became effective, then they can...they can go in...into Chicago and set

up these...if it's...if it's...if it's approved by zoning. The area is approved according to the zoning rules and regulation. Is that basically what it does now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates it does. Yes.

SENATOR COLLINS:

Okay. Do you have any provisions at all for local input by the residents of a community to have a hearing, to have some input into whether or not they want these things to be in their community?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, they can certainly...we can't tell the cities what to do. They could all...they could attend the hearings of the Illinois Racing Board and as a neighborhood group advise them not to establish in this certain neighborhood if they felt strongly about it, but that's the right of any citizen. These are open meetings. They can appear before the racing board and...and ask them not to establish a parlor in any vicinity in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, we have passed legislation here providing for local input and there have been Federal laws to...to provide for local hearings into this...you know, for...for various types of...of...of laws passed affecting the community. Why not this? I'm not so worried about the west side of Chicago; believe me, in my center, we led the way for closing down off-track betting before...it was little Earlean Collins and little Jesse Madison that did that, and I guarantee you, won't be one of these centers on the west side of Chicago in the 9th District.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I was prepared to vote against this bill but after doing some research, when I know that off-track betting is going on right now illegally and we are not getting...any benefit from the funds, I think if off-track betting is supervised by the State and as...this bill seems to indicate it will be supervised, I think we're probably taking a step in the right direction, because how are you going to monitor the bookies that are existing now? And talk about gambling...people who...want to gamble, they're going to gamble no matter what. Your stockmarket is the biggest gamble and yet no one seems to think anything wrong about it. I would say that this bill...since it was recommended by the task force, and since it will generate approximately eight hundred million dollars, which we need in the State without taxing our citizens, I who was prepared to vote against it, I'll be glad to take the heat back home and say, well, I'll vote for it and let's see how it goes on, I got three more years, God willing, and if it doesn't do it right...it isn't done right, believe me, I'll be the first one to try and amend the law. I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar for the second time.

SENATOR MAHAR:

Thank you, Mr. President. I apologize for rising the second time and my comments will be brief. I question what the sponsor has indicated that local zoning can solve the problems as to whether or not a community does not wish to have one of these off-track betting facilities within its boundaries, and I go back to experience that we had in my community several years ago when messenger services were in

vogue, we tried to...we sought through the courts to...to close down those messenger...or a messenger service and the court ruled that the...that use which was in a commercial area, a...a B2 zoning, that use was consistent with that zoning and we had no power as a nonhome rule community to close them, and I'd be very concerned...and I am very concerned that in...my district is mainly nonhome rule communities and I would be very concerned that the...that if this bill was to pass that we would have one heck of a time if they...if this commission...demanded one in one of my communities, we'd have one heck of a time keeping them out. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Our last speaker on our books is Senator Rock. Senator Rock.

SENATOR ROCK:

We are now coming...coming down the stretch. Thank you. Yes. Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 1375 for a couple of reasons. One of the misconceptions and I...I just want to disabuse anybody of that idea immediately, 'cause I know Senator Lechowicz had a concern about the high schools in his area and Senator Mahar has a concern, this is not a messenger service. What is being proposed here is an enormous capital investment by the horse racing industry which will cost the Government of Illinois not one nickle, and when the profits are realized, the State and the city, the muncipalities will share in the tax revenue, we'll share in the largess; but the fact of the matter is, this is a business, and Senator Collins and the others, there isn't this council, the Governor's task force, any one of them you talk to, they are simply not going to open where they are not wanted because that does not make a profit. The messenger service was a banded operation. Now the figures that the task force has

put together would indicate their whole projection is based upon a per capita expenditure of twenty cents per person per day, and the fact of the matter is, where there...where there is even more legalized gambling, such as in Florida, the figures are much, much higher. So, I think they have deliberately, as a responsible group, taken a low projected figure and they projected some eight hundred and seventy-eight million dollars will be the handle out of which, at no expense to the governments, the governments will share in some sixty-six million dollars. I happen to think, frankly, it'll be much higher than that, but the fact is, that's where it's going to start. And the second thing is that all of these questions, where shall the facilities be and how many should there be, should there be a minimum number or a maximum number, all of this is under the absolute general supervision of the Illinois Racing Board, who by Statute and by their own rules and regulations have adequate notice...and provision for public hearing. I...I just...don't equivolate this with the messenger service. This is off-track betting and it is different also than was that in New York, because in New York the state undertook to do the whole thing themselves and they, frankly, didn't know what they were doing. They had too many parlors. They had poor operation. This will be run as a private business and the parlors will be comfortable, attractive and will provide other amenities, obviously, with an attempt to increase those who utilize the facility. It's a profit making business. To view it as anything else is simply unrealistic. Off-track betting, I think, is something that will ultimately be of great benefit to the Government of Illinois and the cities and its villages across this State for those who wish...who wish to participate, and if they don't wish to participate, they certainly don't have to. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver may close.

SENATOR WEAVER:

Well, thank you, Mr. President. I just...there's been a great deal of discussion. We've taken up a lot of time. I just want everyone in this Senate to know that I go to the race track once a year, religiously. I think it's good for the...support of what the Ag. Premium Fund goes to and that is my concern in sponsoring this bill to have a healthy Ag. Prem. Fund...Ag. Premium Fund, and that's why I ended up as sponsor of the bill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1375 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, 1 voting Present. Senate Bill 1375 having received the constitutional majority is declared passed...Senate Bill 1378, Senator Jones. 1382, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1382.

(Secretary reads title of bill)

2nd reading...3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1382 merely permits the school officials to withhold information on the whereabouts of any child removed from school permises when a child has been taken into custody as a victim of suspected child abuse. There was an amendment put on this bill because it was not clear...as to whom we were speaking of when we were talking about withholding the information, and so...in this amendment it makes it

clear that the suspected person abusing that particular child is the person whom we're intending to keep the information from. I ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

...how...I'm just curious how this works. Our analysis isn't too detailed. Let's say that someone phones an anonymous phone call to a school that alleges that I have been abusing one of my children, and the child shows up with a black eye which he got in a ball game and then for some reason, you know...does that set the wheel in motion?

PRESIDENT:

Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. No, this merely permits school officials...a child in school that has been suspected of being abused by someone of the family.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

What do they base their suspicions on...what I'm concerned about is a situation where someone, you know, you...your child may have fallen out of a tree and be fairly bruised up and I...frankly, I've got three boys and they're pretty good at bruising themselves up, and a couple of crank phone calls and I go to pick up my child and the school says, sorry about that, guy, and, you know, what protections are there? And in the way we word these things, we put the onus on the school district and we hold them liable if they don't do this. What protection is there? What...what causes the...you know, and we all know there's some weird people loose in this world that abuse children, but there are also some weird people that make false accusations loose in the

world, and I don't want to hear from any of my parents that their kids have been spirited off by Big Brother Government on some erroneous information.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, sir. There are many suspected children who are being abused in schools and through their districts, and if the information comes to the officials of the school and this happens to be true, it is the...the school board of the district, should I say, to protect that child in case one of the parents or...the guardian or whoever is suspected of abusing that child, they have the opportunity withholding information if they take that child in custody to try to keep it in a safe...element until they can act on it. That's happened in many instances.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

In my locale, twenty percent of the reports to the health department are erroneous. A large percentage of the calls to the child abuse hot line are erroneous. A large percentage of the fire alarms set in this country are erroneous. There are a lot of weird people out there, and I don't want to pick up my kid at school and find out that because of three or four anonymous calls my child has been spirited away. There's got to be...and how long...how long am I...is...has Big Brother spirited my child away for? A day, two days, seven days, what's the end of the time period?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. For your information, Senator Schaffer, I'll take this out of the record for the time

being, but it is a very, very good piece of legislation.

PRESIDENT:

All right, the lady has requested leave to take it out of the record. I think in the interest of everybody's mental health, that's enough for today. Yeah, right. Now wait...just wait, we have a couple of housekeeping things; Senator Maitland has a resolution, Senator Philip has a resolution, we have Senator Schaffer's House bill on 2nd which I think we should agree to move to 3rd with the understanding that the gentleman will call it back tomorrow. All right. With leave of the Body, we'll move to page 67 on the Calendar. We'll go to the Order, Mr. Secretary, of House Bills 2nd Reading for House Bill 370. It's on the top of page 6-7, 67 on the Calendar. I'm told that Senator Schaffer and Carroll will have an amendment to present...Senator Carroll has, in fact, distributed an amendment. Should we put it on today or do you want to wait until tomorrow? All right, the amendment has been distributed. If there's no objection, I guess we can put it on today and call it back tomorrow. All right, why don't we wait. I...I...all I want to do is try to get everybody out of here. People are getting a little antsy. On the Order of House Bills 2nd Reading, House Bill 370. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 370.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor? Senator Carroll, will you withdraw your amendment for the time being? Senator Carroll.

SENATOR CARROLL:

Yes, with the understanding it be brought back tomorrow, I'll withdraw my amendment at this time.

PRESIDENT:

All right. Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDENT:

3rd reading. Yes, Senator Carroll.

SENATOR CARROLL:

To save a lot of expense and time, on behalf of the Secretary of the Senate, if the members would notice that they've got this large amendment, I don't think we should have to distribute it again.

PRESIDENT:

Yes.

SENATOR CARROLL:

Let them...just be aware of that it's around and spend all night reading and reviewing it.

PRESIDENT:

I would ask the members to take that amendment and put in their pocket so they bring it with them tomorrow. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 232 offered by Senators...Smith, and it's commendatory.

Senate Resolution 233 offered by Senators Dunn, Sommer and all Senators, and it's congratulatory.

Senate Resolution 234 offered by Senator Smith, and it's commendatory.

Senate Resolution 235 offered by Senators Lechowicz, Nedza, Rock and all members, and it's congratulatory.

And Senate Resolution 236 offered by Senator Demuzio and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 236 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Senate Resolution...

SECRETARY:

...237.

PRESIDENT:

...237. Will you put it on the board, Mr. Secretary. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I'd like to ask leave of the Body to waive the Six-day Rule and ask for the immediate consideration of Senate Resolution 236.

PRESIDENT:

237, Senator Maitland. Senator Maitland has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 237, it's a congratulatory that he's going to bring with him. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Maitland now moves the adoption of Senate Resolution 237. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President. I'd like leave to remove Senator Kustra and put on Senator Philip-Rock on Senate Bill 1273, Senate Bill 1415 which will be vehicles, perhaps, for some tax increase to fund education.

PRESIDENT:

All right, the gentleman seeks leave to show Senators Philip-Rock as the chief cosponsors in lieu of Senator Kustra on Senate Bill 1273 and 1415. Without objection, leave is granted. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I also ask leave to put Sena-

tor Rock on as the cosponsor on Senate Resolution 202 and move to discharge the Executive Committee and for the...immediate consideration of Senate Joint...Senate Resolution 202.

PRESIDENT:

All right, the gentleman seeks leave to show Senator Rock as a cosponsor of Senate Resolution 202 and has moved to discharge the Committee on Executive from further consideration of Senate Resolution 202 for the purpose of its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Resolution 202, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...Senate Resolution 202 deals with United Air Lines which is purchasing some forty-three percent of Pan American's flight in Asia. All this...does is suggest that Congress take it up immediately and expedite that. It's...quite frankly, as you know, United Airlines is an Illinois corporation and it should be a plus for Illinois and for United Airlines.

PRESIDENT:

All right, Senator Philip has moved the adoption of Senate Resolution 202. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like to be shown as a sponsor...hyphenated sponsor of Senate Bill 624.

PRESIDENT:

The gentleman seeks leave to be shown as a cosponsor of

Senate Bill 624. Without objection, leave is granted. Tomorrow morning at nine o'clock, we will begin on the Order of Recalls and then go to the Order of...Senate Bills on 2nd Reading. I would ask the members to be prompt and in attendance. It is our intent to conclude our business by one o'clock. So, we will run through the Calendar and try to get everybody out of here. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to have leave of the Body to have Senator Watson shown as the lead sponsor on Senate Bill 1136 and myself hyphenated.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Watson on Senate Bill 1136. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I'd like permission to add Senator Holmberg as hyphenated sponsor to Senate Bill 1212, which I'm the principal sponsor of.

PRESIDENT:

All right. The gentleman seeks leave to add Senator Holmberg to Senate Bill 1212. Without objection, leave is granted. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, just a point of clarification. As I understand it, you're now saying our schedule tomorrow, as best you can tell, will be nine to one?

PRESIDENT:

Yes, sir.

SENATOR BARKHAUSEN:

Earlier, I think you indicated ten to one-thirty.

PRESIDENT:

Well, I...I tried to say ten and I got shouted down.

Everybody wants to start early and get out early. Nine o'clock. Nine o'clock tomorrow morning. Senator Lechowicz and I will be here...at seven as usual. Nine o'clock and we will conclude by one. Senator Dunn, for what purpose do you arise, sir?

SENATOR DUNN:

Thank you, Mr. President. I...I'd like leave to be shown as a hyphenated cosponsor of House Bill 167 with Senator...Welch.

PRESIDENT:

All right, House Bill 167, the gentleman seeks leave to be added as a cosponsor along with Senator Welch. Without objection, leave is granted...Senator Dunn.

SENATOR DUNN:

...and...and to be added as a cosponsor of Senate Bill 202...Senator Marovitz.

PRESIDENT:

All right, Senate Bill 202, the gentleman seeks leave to be added as a cosponsor. Without objection, leave is granted. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. Seeking leave to be added as a hyphenated cosponsor of House Bill 228. Now that's not on the Calendar yet. Is this in order or not?

PRESIDENT:

No, if it's not here yet, we can't do anything about it. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I'd like to request leave to be added as a hyphenated sponsor on Senate Bill 300. It meets with the approval of the sponsor.

PRESIDENT:

All right, the gentleman seeks leave to be added as the hyphenated cosponsor on Senate Bill 300. Without objection,

leave is granted. Any further business to come before the Senate? If not, Senator Hall successfully moves that the Senate stands adjourned until Friday, May 17, at the hour of nine o'clock, 9:00 a.m. tomorrow morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 17, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. If the members will be at their seats, if our guests in the gallery will please rise. Our prayer this morning will be by the Reverend Dennis Young of the South Fork Church of Christ, Rochester. Reverend Young.

REVEREND YOUNG:

(Prayer given by Reverend Young)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President, I move that reading and approval of the Journals of Tuesday, May the 7th; Wednesday, May the 8th; Thursday, May the 9th; Tuesday, May the 14th; Wednesday, May the 15th and Thursday, May the 16th, in the year 1985, be...be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 497, 799, 880, 895, 899.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 48 is congratulatory and House Joint Resolution 49 is a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 238 offered by Senator Demuzio and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to the Order of House Bills 1st Reading. Is leave granted? Leave is granted. On the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 48, Senator Luft is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 301, Senator Berman.

(Secretary reads title of bill)

House Bill 302, Senator Berman.

(Secretary reads title of bill)

House Bill 303, Senator Berman.

(Secretary reads title of bill)

House Bill 304, Senator Berman.

(Secretary reads title of bill)

House Bill 305, Senator Berman.

(Secretary reads title of bill)

House Bill 306, Senator Berman.

(Secretary reads title of bill)

House Bill 307, Senator Berman.

(Secretary reads title of bill)

House Bill 601, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 775, Senator Davidson.

(Secretary reads title of bill)

House Bill 964, Senator Etheredge.

(Secretary reads title of bill)

House Bill 957, Senators Lechowicz and Lemke.

(Secretary reads title of bill)

...House Bill 1079, Senator Schaffer.

(Secretary reads title of bill)

House Bill...1299, Senator Darrow.

(Secretary reads title of bill)

House Bill 1638, Senator Luft.

(Secretary reads title of bill)

House Bill 1670...Senator D'Arco.

(Secretary reads title of bill)

House Bill 1947, Senator Hudson.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will go to the Order of...the Recall List. The list has been distributed by the Secretary. All members should have a list of the recalls on their desks. The first bill, Senate Bill 39, Senator Hall. Senator Hall seeks leave of the Body to return Senate Bill 39 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 39, Senator Hall.

SECRETARY:

...Amendment No. 2 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This will be amendment...

SECRETARY:

No. 2.

SENATOR HALL:

...should be Amendment No. 2, shouldn't it?

SECRETARY:

It is.

SENATOR HALL:

Oh, okay, all right, now...this is a technical amendment. It makes minor technical changes and corrects misspellings. There are no substantive changes, only technical changes, and I move for the adoption of Amendment No. 2 to Senate Bill 39.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Amendment No. 2 to Senate Bill 39. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate...Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 169, Senator Savickas. Senator Savickas seeks leave of the Body to return Senate Bill 169 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 169, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Watson and Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson. Senator Watson on the Floor? Senator Watson. Senator Watson, we are...Senate Bill 169, Senator Savickas has sought leave to bring it back for the purpose of an amendment, and I am told that you are offering an amendment. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I believe this amendment expands from seventy-five million to a hundred million money

available for civic centers. I don't believe there's any problem with it. It's similar to...a bill that Senator Welch has and it's...I believe is on the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 169. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...195, Senator Geo-Karis. Senator Geo-Karis seeks leave of the Body to return Senate Bill 195 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 195, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 195 with Amendment No. 2 offered by Senator Geo-Karis and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendment specifies that only those people who are eligible under the circuit breaker would be the ones who could give the benefit of the homestead exemption to the...their children, whoever their descendants are who are taking care of them. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 195. Any discussion? Any discussion? If not, the...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any

further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...Senate Bill 371, Senator Lemke seeks leave of the Body to return Senate Bill 371 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 371, Mr. Secretary. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

We have to make a motion to Table Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, just wait...wait till we get there. Mr. Secretary, read the bill. All right, it's been read a...been read a second time. Senator Lemke.

SENATOR LEMKE:

I'd like to have leave to...reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is...is reconsidered. Senator Lemke now moves...

SENATOR LEMKE:

I move to Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lemke now moves to Table Amendment No. 1 to Senate Bill 371. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

SB 1068 Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Amendment No. 2 is the same as the previous amendment only it makes a technical change to satisfy the director of insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 2 to Senate Bill 371. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on 742, the amendment that we've been waiting about...for it for two days and when it comes...gets up here, could I have leave to go to that Order of Recall and have it heard?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we just wait a couple of minutes and we'll come right back to it. Is that all right? Senator Marovitz on the Floor? We're waiting for an amendment for 742. 749. Senator Marovitz is not on the Floor. Senate Bill 1068, Senator Lechowicz. Senator Lechowicz seeks leave of the Body to return Senate Bill 1068 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1068, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senators Lechowicz and Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would allow a judge to award punitive damages. It would eliminate the tier effect. It's based upon discussions I had with many members of this Body. Representative Fawell and...Fawell and I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz moves the adoption of Amendment No. 1 to Senate Bill 1068. Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I have an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...do wish to talk on this amendment?

SENATOR RUPP:

No. No, I said I have an amendment that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's wait till we get there.

SENATOR RUPP:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are...we are on the adoption of Amendment No. 1, Senator...further discussion? If not, Senator Lechowicz has moved the adoption of Amendment No. 1 to Senate Bill 1068. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. It was our impression that

from the maneuvers and the conversations about this bill and Senate Bill 60 that this bill was also to have a cap on it...on the punitive damages and that's what this particular amendment does. It says in no event shall punitive damages exceed twenty-five thousand dollars. This...it was my understanding that this was to be done...I'm sorry if I misunderstood, but I would like to have this added to this particular bill. I think it's something that should be on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp has moved the adoption of Amendment No. 2 to Senate Bill 1068. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I strongly oppose this amendment. When this bill was heard in committee, it was without any caps. Senator D'Arco has moved his own bill out with a twenty-five thousand...twenty-five thousand dollar cap. I brought this bill back from 3rd reading to 2nd so the judge would only make the award based upon some of the reservations as far as...the juries and the amount of awards that they have been making in the...in the past couple of years, but this amendment I do not accept and I strongly reject it. I move that it be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz has moved to Table Amendment No. 2 to Senate Bill 1068. Senator Rupp.

SENATOR RUPP:

I would like a roll call...there is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp has requested a roll call. Senator Lechowicz has moved to Table Senate Bill 1068 to Senate...Amendment No. 2 to Senate Bill 1068. Those in favor of voting to Table signify by saying Aye. Opposed Nay. Senator Rupp has requested a roll call. All right, in

the...in the of the...the opinion of the Chair, the...the Ayes have it. Senator Lechowicz has requested a roll call. On the adoption of Amendment No. 2 to Senate Bill 1068, those in favor of the...those in favor of the motion to Table will vote Aye. Those opposed to the motion to Table will vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Ayes are 30, the Nays are 25, 1 voting Present. Senator Lechowicz's motion to Table prevails. Senator Rupp.

SENATOR RUPP:

I'd like a verification of the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp has requested a verification, I assume of the affirmative roll call. Is that correct, Senator? Of the affirmative roll call. Senator Rupp has requested a verification of the affirmative roll call. Will all members be in their seats. The Secretary will read those who have...voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, D'Arco, Darrow, Dawson, Degnan, Demuzio, Fawell, Hall, Holmberg, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, do you question the presence of any member?

SENATOR RUPP:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR RUPP:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse did not vote.

SENATOR RUPP:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew on the Floor? Strike his name.

SENATOR RUPP:

Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith on the Floor? Senator Smith is sitting in her chair.

SENATOR RUPP:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft is sitting in his seat.

SENATOR RUPP:

Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito is sitting in his seat.

SENATOR RUPP:

Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm in the...oh.

SENATOR RUPP:

Our...our real President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I know. Could you give us a name?

SENATOR RUPP:

I think it was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR RUPP:

...Philip Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock on the Floor?

SENATOR RUPP:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock on the Floor? Strike his name.

SENATOR RUPP:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce on the Floor? Strike his name...Senator Rupp, have you finished questioning the...all right, on the verification of the roll, there is 26 Ayes, 25 Nays, 1 voting Present. Senator Lechowicz's motion to Table prevails. Further amendments?

SECRETARY:

Amendment...Amendment No. 3 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Having voted on the prevailing side, I wish to reconsider the vote by which Senate Amendment No. 1 to 1068 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Mr. President, I move that motion lie on the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis, having voted on the prevailing side, has moved to reconsider the vote by which Amendment No. 1 to Senate Bill 1068 was adopted. Senator Lechowicz has moved to Table the request for the reconsideration. Senator Fawell, there is no discussion on the motion

to Table. Those in favor of Senator Lechowicz's motion to...to Table the request of Senate...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just a parliamentary question. How many votes does it take to Table?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It takes a...a majority of those voting in the affirmative and present...present and voting in the affirmative...takes a majority of those members voting in the affirmative that are in the Chamber, present and voting. All right, Senator Lechowicz has moved to Table the...the request of Senator DeAngelis to reconsider the vote by which Amendment No. 1 was adopted. Those in favor of Senator Lechowicz's motion to Table will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, none voting Present. Senator Lechowicz's motion to Table prevails. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp. Well, we've already dispatched with that one. That was a motion to Table. Further amendments? Senator Rupp, you have two motions...you have two amendments that have been filed. Is that correct? All right, we are now...Amendment No. 1 was adopted. Amendment No. 2, there was a motion to Table which prevailed. We are now on further amendments is Amendment No. 3. Senator Rupp.

SENATOR RUPP:

It might surprise you some but I think there are a few of us that listen to you, and I think the way you announced it was that that failed, the Tabling motion.

SB 749 Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, on a verified roll call, the motion was 26-25, 1 voting Present, the motion of Senator Lechowicz prevailed, prevailed. I think if you will check the...the transcript you will...further amendments? Senator Rupp, you have filed Amendment No. 3. You wish it withdrawn? All right. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll return to the Order of Recalls, Senate Bill 749. Is Senator Kustra on the Floor? Senator Kustra on the Floor? Senator Kustra on the Floor? Do you wish to have Senate Bill 749? Senator Kustra seeks leave of the Body to return Senate Bill 749 from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 749, Mr. Secretary. And while we're waiting and while there's a lull,...WICS-TV requests permission to tape. Is that...leave granted? Leave is granted. Mr. Secretary, 749.

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President...my purpose today is to add a new amendment in place of the one that we adopted the other day, so I...what I want to do is move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye.

Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Kustra now moves to Table Amendment No. 1 to Senate Bill 749. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is an amendment which has been drafted by Senator Marovitz and committee staff to answer some of the concerns the committee had. I would move for its adoption. Basically what it does is remove a rebuttable presumption in favor of joint custody and establish in the language a...a more clear intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has moved the adoption of Amendment No. 2 to...Senate Bill 749. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, just that a...as minority spokesman, I approve that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, those in favor signify...on the adoption of Amendment No. 2 to Senate Bill 749, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 761, Senator Marovitz. Senator Marovitz

seeks leave of the Body to return Senate Bill 761 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 761. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move now to Table Amendment No. 1 to Senate Bill...move to reconsider? Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1 to Senate Bill 761...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Marovitz has moved to reconsider the vote. Having...voted on the prevailing side, moves to reconsider the vote by which...Amendment No. 1 to Senate Bill 761 was adopted. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is...the vote is reconsidered. Senator Marovitz now moves to Table Amendment No. 1 to Senate Bill 761. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. After a conference with a member of the banking organizations, Amendment No. 2 was drawn to make it clear that the bill applies only to noncommercial and nonfiduciary

accounts, it adds...certain definitions, it extends the notification periods, it removes all criminal penalties and sets a standard form for disclosure. I would ask for the adoption of Amendment No. 2 to Senate Bill 761.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...those in favor will indicate by saying Aye. Those opposed. On the adoption of Amendment No. 2 to Senate Bill 761, the Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 910, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 910 removes Department of...Financial Institution hearings procedure and removes their jurisdiction over acquisitions...bank acquisitions, but the department can block acquisitions...I'm sorry, cannot block acquisitions...the department can block acquisitions if the hearing shows negligence. I would ask for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 910. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1144, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Having voted on the prevailing side, I would now move to reconsider the vote by which Amendment No. 1 to Senate Bill 1144 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 1144. Those in favor indicate by say Aye. Senator Marovitz, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The vote is now reconsidered. Now those...Senator Marovitz moves to Table Amendment No. 1 to Senate Bill 1144. Those in favor will vote Aye...or signify by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 1144 makes it clear that the bill applies only to noncommercial accounts, again, adds definitions, extends notification periods, removes all criminal penalties and sets a standard form for disclosure. I would ask for the adoption of Amendment No. 2 to Senate Bill 1144.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 1144. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1153, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that this bill be taken back from 3rd reading to 2nd for purposes of an amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It is on recall.

SENATOR BARKHAUSEN:

Okay. The amendment is agreed upon by both sides. It's to take out a...an authorization for a small tax to get the operations of a joint municipal water action agency underway. It's our feeling that that tax is not needed and so this deletes the taxing authority. It's been discussed with the other side of the aisle and, as I say, it's agreed upon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question...Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1153. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...to satisfy a technical requirement, I would at this time indicate that Senate Bills 1260, 1262, 1276, 1279 and 1286 be brought back to the Order of 2nd Reading for purposes of an amendment. We will remove 1276. Senator Kustra does not want that bill recalled. The other four bills will be recalled to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1260, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This amendment...there was an error made in the first one and we are deleting the number twenty-five thousand dollars to twenty-five hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the adoption of Amendment No. 4 to Senate Bill 1260. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1262, Senator Rock. Senator Keats. Senate Bill 1279, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Amendment No. 3 was requested by the Secretary of State upon the advice of the auditor...the Audit Commission, and basically it adds one member...citizen to the State Library Advisory Committee. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 3 to Senate Bill 1279. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1268, Senator Barkhausen. So at this time, we have concluded our recall Calendar...I'm sorry, Senator Barkhausen. Read the bill, Mr. Secretary, on 1286.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1286 corrects a problem that was brought out in committee...in the Judiciary Committee regarding these very important bills and that is the knowledge of the individual who possesses...child pornography or something that is alleged to be child pornography, and we are putting in a standard term in here that the individual knows or reasonably should know that it's child pornography; and this is...this is because of the age question in regards to the paraphernalia, and I would ask the adoption of Amendment No. 1 to Senate Bill 1286.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 1286. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments? Any further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President, I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

Bev, this is Sam. About three days ago I noticed that you were absent and...when you returned, I walked past your desk several times and I seen a red carnation and a white ribbon. Now, I've been loyal to you and I want to know...I think this Body and I need an explanation of what happened.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Sam, I ain't talking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's your explanation. On the Order of Senate Bills 2nd Reading, on the recall sheet, Senate Bill 1262, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Rock and Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This is the amendment that I forgot to have on the bill yesterday. It's an agreed...amendment and we'd appreciate...vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Keats moves the adoption of Amendment No. 1 to Senate Bill 1262. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. That concludes our recall sheet...our first recall sheet of today. We will now go to the Order of Senate Bills 2nd Reading. We will proceed to the Order of Senate Bills 2nd Reading, starting on page 2. Senator Kustra for what purpose do you arise...I mean, Senator Dudycz.

SENATOR DUDYCZ:

Yes, Mr. President, Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DUDYCZ:

In the gallery above this morning, we have some special guests from my district. We have the students and faculty from the Pennoyer School. I'd like to have our guests stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. Ladies and gentlemen, we are on Senate bills 2nd reading. If you...can see the stack of amendments that are on the Secretary's Desk, due to the volume of work, if you do not call your bill at this point, there is serious question we will...whether we

will get back to the Order of 2nd Reading. I would suggest at this time that you be in your seats, watch as your bill comes up and be prepared to defend or propose your amendment. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. To address an inquiry. There are some of us, I am sure, who have bills that we have been leaving on 2nd reading. There are amendments which are not yet worked out. Is it better than you are suggesting to move the bill to 3rd, and...and early next week when the amendments are done to put them on the recall list rather than leaving them on 2nd reading? I was prepared to do that with several bills of my own today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Technically, I would suggest that would be the best procedure because we do go to recalls at any time.

SENATOR NETSCH:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would suggest...and we do have...Senators, we do have a problem. We have bills on 2nd reading that the amendments have not been drafted yet. I think it would be to our interest to announce, that if that is your intention to amend the bill when the bill is called. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

A...a question on that same point, Mr. President. I have a bill on the recall list this morning. The amendment was supposed to be here. It hasn't materialized...okay, the clerk...or the Secretary says, wait till the next day? Is that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR SCHUNEMAN:

Okay. All right...

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have similar problems...there's quite a few of us. (Machine cutoff)...there any questions at this point? If not, we will proceed to the Order of Senate Bills 2nd Reading, on the top of page 2...on the top of page 2 with Senate Bill 14, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 14.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 15, Senator D'Arco. Read...oh, that's an appropriation, Senator. Senate Bill 42, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 42.

(Secretary reads title of bill)

2nd reading of the bill. The...Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, the committee amendment, Mr. President and Ladies and Gentlemen of the Senate, basically adds coachs, parents and the affected student into the decision-making process for outside sports.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, Senator

Topinka moves the adoption of Committee Amendment No. 1?

SECRETARY:

Umum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...to Senate Bill 42. Those in favor indicate by saying Aye. Those opposed? The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 57, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 57.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 57 clarifies the salary structure for which pension contributions will be allowed, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 57. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Collins and Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. Amendment No. 2 to Senate Bill 57.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2...I circulated it yesterday, I think, or day before, and...and what it simply does...I'm sure that all of you know about the problems that...that we're having in reference to this country supporting and investment...investing in South Africa, and what this amendment does...it is a prospective amendment and it just simply says that, "Notwithstanding any other provisions of the law, any increase in contributions of pension funds or retirement system resulting from this amendatory Act may not be invested in any firm...form, corporation, agency, association, bank or financial institution or any stocks, security or any other obligations which invest in any ownership, interest, property or have an outstanding loan to the Republic of South Africa," and I would move for a favorable adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd...I'm not really rising in opposition to the amendment. I mean, you put enough of these amendments on all these pension bills, we could kill all these goofy pension bills that have been expanding pension things. This may solve a problem, let's put this on all the expanding pension bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR RUPP:

Thank you...thank you, Mr. President. I want to make sure...this is the divestiture procedure that we have talked about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I'm sorry, I was detained...the...the strike did what...what was the question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we have a little order here. Break up these conferences on the Floor. Senator Rupp.

SENATOR RUPP:

Thank you. Is this the divestiture movement that we're talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, there are some divestiture bills here, but this is prospective. This is for any future.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

You know, but this is a divestiture amendment, and because of that, I do rise in opposition to it. There's no...there isn't a soul on this Floor, Senator Collins, who does not feel for the problem in South Africa. Every one of us does. Every one of us has that feeling for it. I just happen to oppose this particular procedure for getting the job done...and then one other question, if I might, Mr.

President. Is this for the Chicago Teachers' System only?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

...thank you. I would like to just reaffirm the opposition to this particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz.

SENATOR MAROVITZ:

A point of order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR MAROVITZ:

...I think I'd like to correct something. The bill amends the Chicago Teachers' Retirement Article, so if the amendment would either have to be amending that specific article, in answer to Senator Rupp's question, it does not amend all teacher pensions. It only applies to the Chicago Teacher Pension Article because that is what the bill applies to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I rise in support of the amendment of Senator Collins and as it relates to all...to pension funds. We are not...this...even though this amendment only deals with the Chicago Teachers' Pension Fund, it is the intent to deal with all pension funds as it relates to their investments and corporations that's doing business in South Africa. I...my esteemed colleague, the minority

spokesman on the Insurance Committee, I respect his opinion; however, we do have a situation in that country wherein people are constantly being harassed, killed, they're not even considered a citizen...citizens; and for this General Assembly to continue to use our tax dollars to help support a racists regime, I think every member in this Body who will...who...who...who is concerned about the rights of the people would support this amendment. We've seen what has happened far as the holocaust was concerned. We, in this country or in the State of Illinois, should not be part and parcel to that happening again. If we continue to support with our dollars a regime...the only regime on the face of this earth today that does not even grant citizenship to all its people, then we are just as guilty as the aparthied government in South Africa. Every member in this Body should stand up and stand not only to say you sympathize but being in strong support. We don't want our dollars in South Africa and if you are really concerned...don't just be concerned that...saying that I sympathize with you, but we going to continue to prop the government up. I...I wonder what happened when this country...was in the Second World War and when we had to fight Germany and all the atrocities that took place there. Did we continue to support those companies? No, we did not. So, stand up and support this amendment as good Illinois citizens and let's get our money out of South Africa because it shouldn't be there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. We heard testimony on...on this bill in committee and the testimony was quite complete, and I think if there ever was a case of cutting off your nose to spite your face, this is it. Nobody in this General Assembly condones the aparthied practices of South

Africa. The fact of the matter is that most of the companies, many of the major companies that...whose investments have been made in South Africa, that is the pension funds have been invested in those companies, many of those major companies subscribe to the Sullivan Principles which are a set of principles in...in...South Africa which are intended to bring about some of the reforms that the sponsors of this amendment want. It seems to me that what we're doing by means of this amendment is trying to attack the very companies that are trying to do something about solving the problem. The other issue you have to look at is what we have done in other ways, in our own lives, about boycotting some of the companies who are involved in South Africa. Do we...really want to take a crack at Caterpillar Tractor Company? Do we really want to take a crack at General Motors? What kind of cars do we drive? There are a lot of points that should be made on this bill. I think...I think the amendment is a bad idea. I think most everybody understands what it is. We sympathize with...with the reasons that it has been brought forward. I happen to think that this action is wrong, and I urge defeat of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go to the speakers for the second time, we have Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I support this and I'll just tell you why. We cannot stand in good conscience to sanction any of the things that's going on...what did we do against Nicaragua? What are we doing elsewhere? The thing...the principle of the thing...if this is the government of the people, by the people and for the people, this is America, we should live up to our philosophy that we teach. Now, it's...fine to say that you sympathize, but the point is, when you cut off that

long green with a short future, it brings people to the realization that you mean business. This simply says that we should not be condoning...I realize that you sympathize, this is like sympathizing with anyone, sympathizing with a person who's hungry. I sympathize with you but I will not give you any bread. The point is that this country should be treated and dealt with, and I would hope that we would see an adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. I rise in support of the amendment. I think this is an issue that has troubled a great many of us on a variety of grounds. One is the abhorrence at what is happening in South Africa and the deep feeling that we must do something to make a statement and to help bring about pressure in one way or another. There obviously can be a dispute about what is the most appropriate way to do that, and I'm aware of the Sullivan Agreement and the fact that in the past, I think, a number of...even of South Africans have said that we...this was not the appropriate way to...express our protest. I think that probably is beginning to change even among the South Africans, and I would have to say, I am more concerned what they think will be effective and helpful in terms of ending aparthied than what we, sitting over here, may think is so. But I would point out to everyone, I think that it has been said but it needs to be said again, that if you believe that it is appropriate to make a statement, a moral statement, about the aparthied in South Africa, this amendment is a much more desirable way to do it than some of the other bills that are pending. This does not require divestment of...of those investments that are already in the pension funds, which I know is the other side of the equation and which troubles some of you in terms

of the financial health of those pension systems. What this says is that from this day forward, those systems...or in this case, one system and I assume the same amendment will be made with respect to others, will...the investment will not be made in those companies that are, in fact, have a strong presence in South Africa. It seems to me that it is an appropriate way to make that statement and in a much more...or a much less troublesome way of making it than perhaps the divestment bills themselves.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we go back to those that's sought recognition for the second time, we do have Senator Berman and Senator Rock yet for the first time. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. When these bills or similar bills were debated in the Insurance and Pensions Committee, there were a lot of pensioners that had come down as well as representatives of organizations that were in support of this amendment; the pensioners, of course, were in opposition to it. It is a very troublesome issue, troublesome from the point of protecting what...what pensioners perceived to be a threat to the security of their funds. I think, however, I have come down on the side of what Senator Netsch has talked about, that a statement must be made regarding our position. You can't always turn the other cheek. You can't always look the other way. This is not as dramatic as the bills introduced by Senator Jones or the bills being handled by Representative Braun which go substantially further, but I think it's important for this Body to take a position in support of the people that are being grossly discriminated. To use the word discrimination just doesn't even do...isn't a fair description of what I perceive is going on in the country of South Africa. It is...it verges on these headlines where we see every day, deaths,...abductions,...total denial of...of

anything that even resembles human rights as we perceive it, and I think that it's important for us to make a statement. On the financial point of view, I think this is a mild statement. It certainly is nothing that I think should cause any pensioner any sleepless nights at all. We're talking about prospective...application only and only of funds that are put into this pension fund pursuant to this particular bill, and I will ask on the record, Senator Collins, you can just nod your head and I'll record it accordingly, is that the way this amendment would work, prospective only and only for the funds added pursuant to this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just nod your head, Senator.

SENATOR BERMAN:

She's indicated, for the record, yes. I think that that's something that does not undercut the pension by any means, but it does speak for us who are concerned about what's going on in South Africa. I intend to support the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Rupp arise?

SENATOR RUPP:

Thank you, Mr. President. I would like to have a copy of the amendment distributed. We have not received it. We're talking about it and I'm...I would think that it would be appropriate that everyone...since it is this question, everyone have a chance to look at it. I suggest that the bill be held or pulled off the record for a few minutes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are you joined by four other Senators? Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

This amendment was distributed yesterday and...and similar amendments to other pension bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, there are...Senator Rupp is within his rights. He has been joined by four other Senators and I would suggest that we take it out of the record at this point. Senator Collins. Senator Marovitz.

SENATOR MAROVITZ:

I mean, it's nice that you would give Senator Collins leave, but it happens to be my...

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, she wasn't granted leave, she was granted recognition. She was talking over there.

SENATOR MAROVITZ:

Okay. I'd like to know what the posture will be if you...it's okay with me if we take it out of the record and get back to it, that's fine. If you want to move it to 3rd and bring it back to 2nd since the...my amendment, Amendment No. 1, was adopted, that's fine too, as long as...if we're...if we're going to take it out of the record, we will get back to it today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would...I would suggest to expedite it that we adopt...your amendment has been adopted, we move it to 3rd, you can put it on the recall sheet for purpose of further amendments.

SENATOR MAROVITZ:

Fine. Fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Otherwise, we may not get back to it.

SENATOR MAROVITZ:

Fine, I'll move it to 3rd reading then and we'll move it back when the amendment is distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

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And I do have a commitment from the sponsor that he will take the bill back to 2nd reading for the purpose of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I said that and I'll put it on the recall list and bring it back to 2nd reading so this amendment can be considered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further amendments? 3rd reading. Senate Bill 62, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 62.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 91, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 91.

(Secretary reads title of bill)

2nd reading of the bill. Judiciary I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

This bill has had probably as many meetings as...as I've been in...involved with. There are...there is another amendment, Amendment No. 2, which is going to be coming down the

pike which is the result of agreement, I hope, of all parties and which should be done by...by Monday and prepared by Monday. So at this time, what I would like to do since Amendment No. 1 will not be on the bill and will not be the...the legislation, having voted on the prevailing side, I would now move to reconsider the vote by which Amendment No. 1 to Senate Bill 91 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You don't...Senator, you just move to Table it. You don't have to move to reconsider. Senator Marovitz.

SENATOR MAROVITZ:

I will make that motion but I want to state to the Body that this bill is going to be coming back on 2nd reading with an agreed amendment, so anybody who thinks that the bill is moving to 3rd and that's the way the bill is going to be, don't fret yourself, that's not what's going to happen. The bill is coming back to 2nd, on my commitment, and there will be an agreed amendment. I would now move to Table Amendment No. 1 to Senate Bill 91.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz. Any discussion? If not,...is leave granted? Leave is granted. Senate...Senator, on Senate Bill 91, Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 101, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 101.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 103, Senator Bloom. Senate...Senate Bill 101, Senator, we marked it 3rd reading. Senate Bill 103, Senator Bloom. Senate Bill 110, Senator Bloom. Senate Bill 112, Senator Joyce. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

(Machine cutoff)...Bill 112.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 114, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 114.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SECRETARY:

Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment brings the program into line with the agreement worked out between the EPA and the State Fire Marshal. It also insures cooperation between these two agencies and makes the EPA responsible for cleanups and exempts tanks used for agricultural purposes which hold motor fuel. And I'd move for its adoption.

SB 110
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 114. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we'll go back to Senate Bill 103 for Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 103.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. This amendment works out the language on posting requirements of the Health Finance Reform Act. It was achieved basically through some negotiations and the agreement of both the Illinois Hospital Association, and although it did not include Senator DeAngelis, they agreed to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 103. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 110, Senator Bloom. Read the

bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 110.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. The committee amendment redefine the nature and extent of the Commerce Commission's jurisdiction. It was worked out in conjunction with the Illinois Manufacturer's Association and some utilities. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 110. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by...or 2 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I got this amendment in the context of a natural gas purchasing cooperative which we are attempting to do in central Illinois with...in concert with the Citizens' Utility Board. This

would provide that the State could guarantee...or at least provide for the financial responsibility of such a cooperative. I'll answer any questions; otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No...2 to Senate Bill 110. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 119, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 119.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 126, Senator Collins. Senator Collins,...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 126.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance, Pensions and Licensed Activities offers three amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I move to Table Committee

Amendments No. 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins moves to Table Committee Amendments 1, 2 and 3. Is there discussion? If not, those in favor of her motion indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendments 1, 2 and 3 are Tabled. Senator Collins...or further amendments, Mr. Secretary?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SECRETARY:

No, let's...no. Senator Collins. We'll take yours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Amendment...Floor Amendment No...Amendment No. 4 deletes everything after the enacting clause; however, it does not make any real substantive changes in the bill with the exception...of those objections raised by several of the Senators on the Floor in reference to the Home Repair Act being Statewide. What we've done to respond to those objectives is to make the bill apply to Cook County but allowing other counties to opt in. The other thing we...we...we've done is to provide a...a threshold of five thousand dollars...cumulative five thousand dollars before one is required to register, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the

adoption of Amendment No. 4 to Senate Bill 126. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that would require registration of home repair people in Illinois. I made the argument in committee and I have with the sponsor consistently that there's no need for this bill in downstate Illinois, and what I'm...what my amendment does is allow county boards and municipalities to opt out of this law. I would offer Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Yeah. Senator Schuneman, my Floor amendment just did exactly that...I...I responded to...it was...respond to your objections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Under those circumstances, I would...withdraw the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Leave granted? Leave is granted. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I was off the Floor but I just handed the copy of the amendment. It only applies to the City of Chicago and does not apply downstate as the sponsor indicated. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB171 2nd Reading

She indicates it is.

SENATOR DEMUZIO:

All right. With that, I have no objection to the amendment. I don't intend to support the bill, but I don't have any objections to the amendment either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 138, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 138.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 171, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 171.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. There will be an additional amendment to this bill subsequently, but I will take care of the committee amendment at the present time. The committee

amendment deals with the date of the effective applicability of the gubernatorial public partial financing bill and would apply it to...first to the 1990 election. It makes it clear that the money can start accumulating prior to that so that the fund will have ample money available in it by that date. I would move the adoption of Amendment No. 1 to Senate Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 171. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 179, Senator Karpiel. 179. On the Order of Senate Bills 2nd Reading is Senate Bill 179. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 179.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

I believe Amendment No. 1 was put on in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we don't adopt amendments in committee...committee

amendment has to be adopted on the Floor. Senator Karpiel.

SENATOR KARPIEL:

...Amendment No. 1 that was, I thought, put out in committee but agreed to in committee rewrote the bill and took out the entire part about closed-circuit television and all that type of thing. And what the Amendment No. 1 does basically it says that, "If a court ordered psychologist and psychiatrist determines that a particular child is too traumatized and intimidated to...to testify in court that a videotape can be made and a videotape is made then in court...in court type of circumstances with the judge, the prosecuting attorneys, the defendant, the defense attorneys cross examining them and that tape then can be shown in court. That was Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel has moved the adoption of Committee Amendment No. 1 to Senate Bill 179. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

All right. Amendment No. 2 makes some changes that were requested by the committee. It changes a "shall" to a "may," and it specifies that this videotape shall be sealed after the trial and all appellate proceedings have been concluded, and I ask for your...for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel has moved the adoption of Amendment No. 2 to Senate Bill 179. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 202, Senator Marovitz. Mr. Secretary, Senate Bill 202, read the bill.

SECRETARY:

Senate Bill 202.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Just a correction. This is the Committee on Judiciary, not the Committee on Executive. All these bills were transferred to Judiciary.

SECRETARY:

Went to Executive but you are right, it was rereferred to...

SENATOR MAROVITZ:

No problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Amendment No. 1 to Senate Bill 202, this is the first in the gang crime package sponsored by myself and Senator Sangmeister, as well as a host of others from both sides of the aisle. Amendment No. 1 deletes everything after the enacting clause and provides for a Statewide juvenile alcohol

and substance abuse education and prevention program. It requires DASA to assist in the development and support of local prevention programs, and DASA is to provide programs to assist teachers in providing alcohol and substance abuse education, and DASA also must provide technical and financial assistance to local governments and community organizations to establish these programs. I'd ask for the adoption of Amendment No. 1 to Senate Bill 202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 202. Is there any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 204, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 204, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 204.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Committee Amendment No. 1 to Senate Bill 204 clari-

SB 207 3rd Reading

fies that the school zone is one thousand feet beyond the school grounds, as the other gang crime bills, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 204. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This bill...this is the automatic transfer bill for...sale of controlled substances on school grounds. We have taken possession out of the bill, so it now just applies to manufacture or delivery of controlled substances on school grounds, and I would ask for the adoption of Amendment No. 2 to Senate Bill 204.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 204. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 207, Senator Marovitz. On the

Order of...Senate Bills 2nd Reading, Senate Bill 207, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 207.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 208, Senator Marovitz. On the...on the Order of Senate Bills 2nd Reading is Senate Bill 208, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 208.

(Secretary reads title of bill)

2nd reading of the bill. Judiciary II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would now move to Table committee...Committee Amendment No. 1 to Senate Bill 208.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved to Table Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 2 to Senate Bill 208 puts in the one thousand feet school zone and also eliminates cannabis from the purview of the legislation and makes delivery of firearms or controlled substances a...by an adult a Class X felony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill...208. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 209. Mr. Secretary, Senate Bill 209, on the Order of 2nd Reading, read the bill.

SECRETARY:

Senate Bill 209.

(Secretary reads title of bill)

2nd reading of the bill. The bill was in Executive, was rereferred to Judiciary II. Amendment No. 1 offered by Judiciary II.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the last of the gang crime bills. Senate Bill 209 provides the programs to help juveniles at the local level. It authorizes income tax deductions...one hundred percent of the cost for local programs that go to help juve-

nile crime and prevent juvenile crime, puts a five million dollar cap on those deductions and authorizes DCCA to make grants of fifty thousand dollars apiece for local...local gang prevention programs. I would ask for the adoption of Amendment No. 1 to Senate Bill 209.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 209. Any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz...Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Amendment No. 2 to Senate Bill 209 is a purely technical amendment correcting a typographical error in the word "include" to "includes."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 209. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 4, Senate Bill 220...Senator Marovitz. Senator Marovitz, on Senate Bill 220 the Secretary has a request for a fiscal note that has not been...has not

been met. Senator Marovitz.

SENATOR MAROVITZ:

I've never...I didn't know about any request for a fiscal note. How...how are we as sponsors to know when someone...requests a fiscal note? It's the first I hear about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...well, we have operated under...is that the person who has made the request for the fiscal note is the person who is responsible for notifying the sponsor of the...of the bill. Senator Marovitz.

SENATOR MAROVITZ:

I...I was never informed about a fiscal note...on this, never informed. What I would like to do is move the...adopt the amendment, move the bill to 3rd and hold the bill on 3rd, and provide a fiscal note to whomever requested it. At this moment, I don't even know who that was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Donahue is the person who requested the...the fiscal note. Have you heard the request, Senator Donahue? Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you. We will have another opportunity next week. I think it's important that the...the law be complied with. The Secretary is by...Statute not allowed to move the bill as long as there is a request for a fiscal note been filed. Now, unfortunately, we weren't notified; otherwise, we would of solved the problem. There will be an opportunity next week because I have asked that the malpractice bills be held in an attempt to effect the compromise over the weekend. So we'll get back to 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, take it out of the record?

SENATOR MAROVITZ:

SB242
2nd Reading

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senate Bill 242, Senator Maitland. Mr. Secretary, Senate Bill 242, read the bill.

SECRETARY:

Senate Bill 242.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 253, Senator Karpiel. Mr. Secretary, Senate Bill 253, read the bill.

SECRETARY:

Senate Bill 253.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Fawell, Amendment No. 1.

SENATOR FAWELL:

Thank you, very much, Mr. President. What this amendment does is add the words "or its equivalent." Basically what we're talking about is in gym classes right now it's mandatory that they have them every single day. I am not talking, by any shade of the imagination, and I want this for the record, that there will be less gym. I am merely saying that instead there should be some flexibility allowed to the school districts so that if they want to offer an hour of gym

on Tuesday and...and...and none on Wednesday, that should be allowed for the simple reason that a better course can be offered in some cases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to Senate Bill 253. Any discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. I move to Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has moved to Table Amendment No. 1 to Senate Bill 253. Those in favor will indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Senator Zito has requested a roll call. Senator Zito has requested a roll call. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr...for purposes of edification. Could we please find out what's going on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell has made a motion to adopt Amendment No. 1 to Senate Bill 253. Senator Zito has made a motion to Table which is not debatable, and that is the position we are in at the moment. Senator DeAngelis.

SENATOR DeANGELIS:

Well, then, on a point of personal privilege. I've been in the Senate for six years, and until recently we've allowed everybody the courtesy of having their amendment heard. And I would like to ask Senator Zito to withdraw it, because I think that the ability to do whatever you have to do is better accomplished if...if you just go and vote on the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito, what purpose do you arise?

SENATOR ZITO:

Mr. President, it's my understanding that a motion to Table is nondebatable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is...under our rules, that is correct. Senator DeAngelis.

SENATOR DeANGELIS:

With all due respect to my good friend and colleague, I'm not debating and I'm just asking if you would consider withdrawing it and allow the sponsor the courtesy of going through and...running her amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

I've not seen the amendment. Can we ask the Secretary if it's been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we do not...the Secretary does not distribute the amendment, that if you are in fact joined by five...four members, the amendment, in fact, can be distributed. All right. Senator Zito, will you withdraw your motion then until we...all right. Senator Zito...is withdrawing his motion...to Table. We're going to take the bill out of the record and ask that it...the amendment be distributed. Is that correct, Senator Fawell? Senator Fawell.

SENATOR FAWELL:

I ask that the...the amendment be Tabled...I mean, the motion be Tabled right now and I will distribute the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think your request is that you...you wish to have the bill taken out of the record.

SENATOR FAWELL:

Thank you. I wish to have the bill taken out of the record.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I...I beg your pardon. I...I've been corrected myself. It is not your bill. You wish to have the amendment distributed; therefore, it's up to Senator Karpiel. Senator Karpiel.

SENATOR KARPIEL:

Yes, I was hoping somebody would get back to me eventually. I would like to take the bill out of the record and have both committee...I mean, both Amendments 1 and 2 distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll take it out of the record. Take it out of the record. (Machine cut-off)...Bill 258, Senator Netsch. On the Order of Senate Bills 2nd Reading is Senate Bill 258. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Netsch and Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment, which is offered jointly by the minority spokesman and myself as chairman of the committee, to this bill which is a committee bill, incorporates the recommendations of the Senior Citizens' Subcommittee and the Committee on Revenue with respect to changes that ought to be made in senior citizen tax relief for this year's Session. It is an amendment to the circuit

breaker bill and what it does is to increase the income limit from twelve thousand to fourteen thousand dollars per year. It is currently twelve thousand, this would make it...I'm sorry, fourteen thousand and it also reduces the...delete...income deletion or subtraction, if you will, that is part of the formula from five percent to four and a half percent. The total cost of this bill is in the neighborhood of ten million dollars which is well within the amount that is already set aside in the Governor's budget for senior citizen tax relief. We discovered that there has been a...a very serious decline in both the number of participants and also in the amount of annual appropriation. We suspect some of that is the effect of the limits which have not been modified for about four or five years now, that it is driving more seniors off of eligibility for the circuit breaker. We think this revised...increase in the...in the standards is absolutely justified and indeed overdue and is quite reasonable and, again, will bring the total amount within the requested appropriation that the Governor's Office had proposed. I would be happy to answer any questions; if not, I would move the adoption of committee...I'm sorry, not of committee, of Amendment No. 1 on behalf of Senator Etheredge and myself to Senate Bill 258.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 258. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Netsch and Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SECRETARY:

It's effective date.

SENATOR NETSCH:

Senator Etheredge will explain this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has yielded to Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

This is the amendment which establishes the effective date of January 1, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge...you've heard...any discussion? Senator Etheredge has moved the adoption of Amendment No. 2 to Senate Bill 258. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President, members of the Senate. As long as we're sending out a committee bill on circuit breakers, I have filed this amendment for your consideration. I don't know how many of you, of course...I would presume many of you have received calls from your senior citizens about wanting property tax relief, and then you would indicate to them, well, you know we have the circuit breaker and that's your property tax relief; and the invariable answer is, well, you know, that's a check we're entitled to from the State, that's got nothing to do with property taxes and do not relate to it. What this amendment would do would be to send...instead of the check going to the senior...instead of the check going directly to the senior citizen, it would go to the county treasurer and he would then deduct it from their tax bill. So once and for all, the senior citizen

could see clearly that this State has in fact thought about their problems and their high real estate taxes and deducts it right off of the bill. And the amendment calls for the county treasurer to notify them that that is what he is doing. In addition, I would think it would be maybe a little bit of forced saving for our senior citizens due to the fact that when they do get the check they may spend it on some other item and then when it comes...comes time to pay the tax bill, of course, the funds aren't there. I think it's a good idea and I think once and for all it will show to our seniors that, yes, this is property tax relief and it has been taken off your tax bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I think Senator Sangmeister has...has explained this amendment very well, but I think it's...it's worthwhile reiterating one of the points...which he has made. I...I...I think that what is being proposed here is...is a very interesting suggestion and it's perhaps the way that we should have gone from the very beginning, but I want to caution everyone that the implementation of this amendment does...what this means. It means that a check which certain of our senior citizens have been receiving in the past will no longer be received. There...I'm afraid that one of the things that's going to happen here is that you will be getting calls from your constituents saying, where's my check...you've taken that away from me, I used to get it and I don't get it anymore. I think that that may be one of the unfortunate consequences of the implementation of this...this amendment. As I said at the beginning, I think it's...it's not...if...if we had done it this way from the beginning, it's probably the way we should have gone, but...but we didn't do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Senator Rupp, you'll be delighted to know that the President is back. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I apologize, I was on the phone with the other House. I'm not enthused about Amendment No. 3, this being the first time I have seen it, because I think it lends itself truly to some real possibility of misunderstanding. For those senior citizens who own their homes as opposed to those who rent, they will after having received a check for some years running all of a sudden not receive a check and the hue and cry will go up, why not. And we will spend a good deal of time, it seems to me, wandering around our respective districts saying, but don't you understand what we did for you, we took it right off your property tax. Well, the idea probably is a noble one, but I have spent probably ten years of my life explaining to people what happened to the proceeds from the lottery, and they still don't understand it; and I'm just a little apprehensive that if indeed all of a sudden the checks stop, we're going to...find ourselves, irrespective of party, we're going to find ourselves back in the same bowl of soup, and I, for one, don't wish to indulge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, it's very hard to argue against...the arguments that have been presented against the amendment. Everything that we do here has some difficulty and some change and some adjustment to it. I'm simply saying that when you get calls from your senior citizens that you're not giving any property tax relief, instead of that check for three or four hundred dollars coming, it'll be right on the tax bill and it will be

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taken right off of there, and instead of their tax bill after the homestead exemption being eight hundred dollars, it may be down as low as four hundred dollars, and I think they're going to realize they really got some property tax relief. Senior citizens do not equate the circuit breaker with property tax relief and this would do it. I...you know, I have no big shakes. I just wanted to run this by the Assembly. Vote yourself whatever you feel you ought to do on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Amendment No. 3 to Senate Bill 258. Those in favor signify by saying Aye. Opposed Nay. In the opinion of the Chair, the...all right. Senator Sangmeister has moved the adoption of Amendment No. 3 to Senate Bill 258. Those in favor signify by saying Aye. Opposed Nay. The Nays have it. Amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 270, Senator Lemke. On the Order of Senate Bills 2nd Reading is Senate Bill 270. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 270.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 275, Senator DeAngelis. On the Order of Senate Bills 2nd Reading is Senate Bill 275, Mr. Secretary, read the bill.

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SECRETARY:

Senate Bill 275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 293, Senator D'Arco. Senator D'Arco on the Floor? 325. 334, Senator Etheredge. On the Order of Senate Bills 2nd Reading is Senate Bill 334, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 334.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the...the purpose of this...this bill is to cap the...put a cap on the...the revenue of the State of Illinois derived from the tax on utilities. The...the bill as originally drafted used the...a consumption base, a per therm, in order to accomplish that. What the amendment does is to shift the basis for the cap from a consumption base, a per therm base, to a...a...an annual reduction in the percentage to be used. The purpose of this...of the amendment, the purpose of making the shift is...so as not to redistribute the tax burden among various classifications of users. I'd be very happy to respond to any questions; if there are none, then I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the...the...if not, the question is shall...Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 334. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted...Committee Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 340, Senator Berman. Mr. Secretary, Senate bills 3rd reading, Senate Bill 340, bottom of page 4, read the bill.

SECRETARY:

(Machine cutoff)...340.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment applies to the Illinois Young Minds Program which is Senate Bill 340, and this amendment permits taxpayers who donate equipment to the private and public schools to receive an income tax deduction. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Any discussion? If not, the...Senator Berman has moved the adoption of Amendment No...No. 1 to Senate Bill 340. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 5, Senate Bill 350, Senator Berman. Senator Berman, the Secretary informs me that there has been a request for a fiscal note that's been filed on both 350 and 351, and Senator Keats was the gentleman who filed the fiscal notes. Take them out of the record. Senate Bill 351, the same...same way. Take it out of the record. Bottom of page 5 is Senate Bill 368, Senator Jerome Joyce. Top of page 6, 380, Senator Kustra. Senator Kustra on the Floor? 389, Senator Rock...418, Senator O'Daniel. On the Order of Senate Bills 2nd Reading is Senate Bill 418, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 418.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators O'Daniel and Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Amendment No. 1 was finally...mostly agreed on after several attempts by DOT and conservation, farmers and...and different groups and everyone seems to be in agreement with this amendment except the municipal league, and...what it

really does, it lets the Division of Waterways still have control of all public and nonpublic waters and...and it...and it also lets the farmers take care of his drainage systems on his land. And I would move for the adoption or I'll attempt to ask...answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator O'Daniel has moved the adoption of Amendment No. 1 to Senate Bill 418. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDENT:

All right. As indicated the appropriation bills will be handled on Monday, so we'll move to page 9 on the Calendar. Senator Netsch, page 9 on the Calendar, in the middle of the page. On the Order of Senate Bills 2nd Reading, Senate Bill 489. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 489.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

I'm sorry, Mr. President, I had forgotten that there was a committee amendment. It deleted some...this is...has to do with the tax treatment of...of historic property or property that is in an historic district, and the...as introduced, the amendment seemed to require that the property have a benefit to the community as well as meet the other criteria. We

really were not quite sure why that was necessary. It was basically inconsistent with the thrust of the historic preservation benefit, and so we have simply removed this language. I might say that the bill itself came from JCAR. I would move the adoption of Amendment No. 1 to Senate Bill 489.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 489. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 494, Senator Collins. On the Order of Senate Bills 2nd Reading, Senate Bill 494. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 494.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 502, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, Senate Bill 502. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 502.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Yes, in dealing with the Division of Aeronautics on this, they were concerned about the terminology I had in this bill called "or political subdivision," and have to agree there was no real definition to the Statute as to what that is. So this amendment takes out those words "or political subdivision." Also, they were concerned about the Statewide effect of this bill, and this bill was directed to some real possible situations in Will County, so the amendment further restricts the law to Will County. Move for its adoption.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 502. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 10. On the Order of Senate Bills 2nd Reading, Senate Bill 579. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 579.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 579 is a clarifying amendment making...making it clear that the amount which the local municipality or local entity of Government may levy against this is the amount of value that is increased as a result of the zoning change. I ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 579. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 2.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. I believe that also is a technical...amendment technical in nature, and I ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 579. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 613, Senator Etheredge. On the Order of Senate Bills 2nd Reading, top of page 10, Senate Bill 613. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 613.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 624, Senator Watson. On the Order of Senate...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. There's been a mistake in the Calendar. I'm not the sponsor of this particular piece of legislation, I believe it's Senator DeAngelis. So, I...

PRESIDENT:

All right. Senator DeAngelis, you wish to move it? All right. 626, Senator Newhouse. 640, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 640. Mr. Secretary.

SECRETARY:

Senate Bill 640.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Amendment No. 1 actually becomes the bill and removes the original bills four requirements...or requirements for four inspections to be preformed every six-month period. It also...the amendment adds a change in the penalty section for violators; it places a thousand dollar cap on fines and changes of violation from a Class A to a Class B misdemeanor. Also adds...adds language to make subsequent violations...and I guess that's the substance of the...of the amendment.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, I have a dairy in my district. Would you run Amendment No. 1 by me one more time so I understand what we are doing here and perhaps why we are doing it?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Demuzio, this is...this is the amendment that is agreed to by the Dairy Association. I think Senator Joyce and I have both filed the same...the same amendment, and...each one not knowing that the other one had done that. But this is the agreed to amendment, as I understand it.

PRESIDENT:

Any further discussion? Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I still don't know what it does. If you would just very briefly and...

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, and...and once again, it

removes the...the bill's original requirement for four inspections to be preformed every six-month period. It also adds language and the penalty...in the penalty section for violators; it places a thousand dollar cap on fines and changes the violations from a Class A to a Class B misdemeanor.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 640. All in favor...all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Well, I have...I have Senator Joyce's amendment.

PRESIDENT:

That amendment is withdrawn.

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 644, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 644. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 644.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Barkhausen on Committee Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1 eliminated from qualification for fees for testifying in court defense witnesses and limits the application to...to victims and witnesses who testify on behalf of the State, and

I would move its adoption.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 644. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

What's the number?

PRESIDENT:

Your light was on. You don't...

SENATOR DEMUZIO:

It's my halo.

PRESIDENT:

I assumed as much. Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 644. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Amendment No. 2 further refines this bill which will, as I indicated, provide fees in certain...certain instances from the Crime Victims Assistance Fund to victims and witnesses testifying in court. For one, it extends for witnesses in certain situations the period...under which they may file a notice of an intent to file a claim for these fees to three months beyond the trial at which they are called to testify. It limits the potential fee from a maximum of eighty dollars down to fifty dollars to try to limit the impact on the fund,

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and it provides that the victim or witness must first exhaust all other possible sources of funds including but not limited to the per diem amount allowed for witnesses who testify in court. I would move the adoption of Amendment 2.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 2 to Senate Bill 644. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 648, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, Senate Bill 648. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 648.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Lechowicz on 660. Senator Jerome Joyce, 662. On the Order of Senate Bills 2nd Reading, Senate Bill 662. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 662.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment specifies that the Department of Energy and Natural Resources shall operate the refund programs only when it receives State appropriated grants or funds from other sources. This says that simply we will appropriate the money or it will be Federal grants that operate this. I'd move for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 662. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 681, Senator Kelly. On the Order of Senate Bills 2nd Reading, Senate Bill 681. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 681.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDENT:

Senator Kelly on Committee Election...Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President. This amendment makes the bill only apply to...municipal and township primaries. There was a problem raised in committee about weighted votes and this

eliminates the...the problem, and I would ask for your adoption...favorable adoption on Committee...of Amendment No. 1 to Senate Bill 681.

PRESIDENT:

All right. Senator...all right. Senator Kelly has moved the adoption of Committee Amendment No. 1 to Senate Bill 681. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Kelly.

PRESIDENT:

Senator Kelly, Amendment No. 2.

SENATOR KELLY:

Mr. President, I apologize. The first amendment was a technical amendment and it's the second amendment which dealt with the...the weighted vote. So, I would withdraw...or make a request that we withdraw the Amendment No. 1 which was adopted previously and then to reconsider Amendment No. 1 which is a...a technical amendment adopted in committee and it just inserted the correct terminology, "local election official."

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. The...we'll take both amendments and Committee Amendment No. 1 inserts the correct terminology...

PRESIDENT:

That's...that's already been adopted.

SENATOR KELLY:

Okay. Then, I would move for the adoption of Floor Amendment No. 2...Floor Amendment No. 1 which applies to the weighted vote, and I move for the adoption of that amendment.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 2 to Senate Bill 681. Any discussion? Senator Macdonald.

SENATOR MACDONALD:

Mr. President, can I...can I ask the sponsor...are these the amendments, Senator Kelly, that you talked to me about yesterday? I never did get copies of them from either my staff or...

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

...yes, it is, Senator Macdonald. This is the amendment and it's strictly...both sides of our committee...both the...membership on both sides asked for this amendment to be drafted concerning the weighted vote, and this eliminated that...so that...it only applies to municipal and township primaries. And I believe this should meet with your approval.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Yes. We did talk about this yesterday and it was agreed in the committee, and I...as far as I recall, that this is all that it does then is...all right. I would like a copy for our files, please. Thank you.

PRESIDENT:

All right. Senator Kelly has moved the adoption of Amendment No. 2 to Senate Bill 681. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 660. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 660.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 684, Senator DeAngelis. On the Order of Senate Bills 2nd Reading, Senate Bill 684. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 684.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary I offers three amendments.

PRESIDENT:

Senator DeAngelis on Committee Amendment No. 1.

SENATOR DeANGELIS:

Yeah. Thank you, Mr. President. Senate Bill 684 is a very comprehensive bill. We have been negotiating with the...various affected interest groups. We have reached a consensus but, unfortunately, have not drafted the amendment yet. What I would like to do is adopt all three committee amendments so they can track with the amendment that will take care of all the problems.

PRESIDENT:

Senator DeAngelis has moved the adoption of Committee Amendment No. 1 to Senate Bill 684. Any discussion? If not,

all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Amendment No. 2, Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I would also like to move to adopt Committee Amendment No. 2.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 684. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Committee Amendment No. 3, Senator DeAngelis.

SENATOR DeANGELIS:

I would like to...have that adopted also, Mr. President.

PRESIDENT:

Senator DeAngelis moves the adoption of Committee Amendment No. 3 to Senate Bill 684. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading...709, Senator Lechowicz. On the Order of Senate Bills 2nd Reading, Senate Bill 709. Read the bill,

Mr. Secretary.

SECRETARY:

Senate Bill 709.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 11, Senator Zito on 712. 13. 720, Senator Darrow. On the Order of Senate Bills 2nd Reading, Senate Bill 720. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 720.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Darrow.

SENATOR DARROW:

Mr. President. I'd like to recommit that bill to the committee from whence it came, that being the Labor Committee.

PRESIDENT:

All right. Senator Darrow has moved to recommit Senate Bill 720 to the Committee on Labor. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The bill is recommitted. 721, Senator Darrow. On the Order of Senate Bills 2nd Reading, Senate Bill 721. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 721.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Darrow and Welch.

PRESIDENT:

Senator Darrow on...on Amendment No. 1.

SENATOR DARROW:

This is a very comprehensive amendment which we received this morning, both the Democrat and Republican staff from Labor Committee are reviewing it. I'd like to adopt the amendment, move it on to 3rd reading and bring it back if we have any problems with it.

PRESIDENT:

Senator Darrow has moved the adoption of Amendment No. 1 to Senate Bill 721. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Berman, on the Order of Senate Bills 2nd Reading, Senate Bill 722. Read the bill...not 722. On the Order of Senate Bills 2nd Reading, Senate Bill 723. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 723.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. Committee Amendment No. 1 increased the authorization from fifty million to two hundred million. I move the adoption.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to...Senate Bill 723. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

SENATOR BERMAN:

Yes. There's a Floor amendment.

SECRETARY:

Oh, I'm sorry, I got a committee amendment. No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No...2 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you. This is...is the amendment worked out with the Department of Public Health. It moves back the date for the promulgations of rules and regs. from July 1 to December 1 of '85. Deals...deals with the contractors dealing with the asbestos removal. I move the adoption of Floor Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 723. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The

Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 724, Senator...on the Order of Order of Senate Bills 2nd Reading, Senate Bill 724. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 724.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 725. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 725.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 sets forth in stronger language the requirements of services to be provided before the courts intervene on...for chronic truants. I move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 725. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you. This is technical in nature, we amended the wrong section in...in Amendment No. 1. I move the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 725. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 726. On the Order of Senate Bills 2nd Reading, Senate Bill 726. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 726.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. Both Amendment No. 1 and Amendment No. 2 do substantially the same thing with different wording. In order to keep them tracking, I'll move the adoption of Committee Amendment No. 1 and then Floor Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 726. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman, Amendment No. 2.

SENATOR BERMAN:

Thank you. This is language agreed upon between the sponsor and the health insurance industry regarding determination that certain benefits are...are no longer medically necessary. I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 726. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 728. On the Order of Senate Bills 2nd Reading, Senate Bill 728. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 728.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you...Amendment...Amendment No. 1 is requested by JCAR as...as a result of the...of their discussions with the Secretary of State. I move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 728. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

This...this pertains and carries out the agreement entered between JCAR staff and the State Board of Education, I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 728. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

This amendment, Mr. President, deletes the references to the University of Illinois pursuant to the discussions

regarding the certification of CPA's. Move the adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 3 to Senate Bill 728. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 729. Read the bill, Mr. Secretary.

END OF REEL

AB 730
2nd Reading

REEL #3

SECRETARY:

Senate Bill 729.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

The Amendment No. 1 deletes the State Finance Act provision that was...contained in the original bill pursuant to discussion between the staffs of JCAR and the...Department of Public Health. Move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 729. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 730. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 730.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

SB 780 2nd Reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 750, Senator Kustra. 52. Senator Etheredge on 780.

SECRETARY:

Senate Bill 780.

(Secretary reads title of bill)

2nd reading of the bill. This bill was in Local Government...it was rereferred to Revenue. Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes,...there is a committee amendment that has been filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...apparently, there...was an amendment that was adopted.

SENATOR ETHEREDGE:

There is a...there is a committee amendment which I would like to move to Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge moves to Table Committee Amendment No. 1 to Senate Bill 780. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Table that amendment. I'll withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister seeks leave to withdraw the amendment. The amendment is withdrawn. Leave is granted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Etheredge and Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This amendment becomes the bill. What the amendment does is to make it possible for all one hundred and one downstate counties by vote of the members of the county board to substitute a one-quarter of one percent sales tax on all items except food and drugs provided they kept their property tax rate at nine cents per hundred dollars of assessed evaluation. I'd be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Sangmeister. Can we have some order, please.

SENATOR SANGMEISTER:

Yeah, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

What's the necessity for this legislation? What's the big crisis in the counties all of a sudden that we have to have...give the counties a right to increase taxes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, what is being proposed by means of this...by this legislation is a...is a tax trade. You...you trade the quarter of one...one percent sales tax for a portion of the...of the property tax. But I think the...the need varies, to respond directly to your question, the...the need varies from county to county. There are some counties, particularly up in...in the northeast corner of the State which you and I both represent, where there is considerable need for additional revenue, a lot of it coming from the...the various additional costs which...which we and also the Federal Government have imposed on the counties in regard to their...to the criminal justice system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator, you're indicating that this is...comes out to be an even swap by the reduction in the rate on property taxes that a county can levy compared to what the sales tax is going to be. If that's the case, of course, I don't see where the counties are coming out. However, I did see some sheet, and I cannot put my hand on it but I think it came from your side, that showed, for example, for Will County that the net difference is an increase in two and a half million dollars in...in revenue. Can you substantiate that for me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I cannot...substantiate that figure. I think what...the impact is going to vary from county to county. Now it...it may be in the case of Will County that there...there is that...that much difference. I did not indicate that it was an even swap. I think...as I indicated, I think it...the situation is going to vary from county to county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, in speaking to the amendment, I would say, particularly to this side of the aisle, you know the Democratic Party is always concerned about how regressive the sales tax is. Why we want to take off, reduce that property tax rate, that infinitesimal amount that I think it's being reduced and then saddle people with another quarter percent on everything that they're going to buy to give the counties the additional money, I think we better take a hard look at what we're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank...thank you, Mr. President, I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it seems to me you've indicated that you do not have a list of the effect this would have on various counties. I represent five counties. Before we vote on this, I think we ought to have some idea of what we are doing to those different people. Could...could you get us a list of...what is going up and down in this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator,...we're not doing anything to the counties. The thing that I wish to...I need to emphasize is that this is permissive. If the county boards wish to...to make this trade, they are free to do so. But they...they do so by...by their own vote after they have investigated whether it would

impact them favorably or unfavorably.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, but we are the ones that are giving them the option to do that and I think before we do that we ought to know what we're...what option we're giving them. It just seems to me we ought to have some idea of the impact that this is going to have on our constituents. You know, some way, shape or form, the county board, if they do...if this is going to, as George says, give two million more dollars to Will County, the county board is going to somehow or other figure out some way of saying that we, in the General Assembly, told them that we...you probably ought to do this. So, you know, the tax hike, if that's what it's going to be, is going to come back on us and I think we just ought to know if...if that's what, you know, if it's going to be a big hike, I certainly want to know it before I vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I hope that everyone is aware of what is in this proposed amendment. Although as Senator Etheredge has correctly pointed out it is an authorization to the counties. It is an authorization to increase the sales tax by one-quarter cent admittedly with some trade-off for property taxations. But effectively we are authorizing a Statewide increase in the sales tax and I think that is something that is a matter at least of concern and ought to be very clear to everyone here. I would point out that...that it is very different from what Senator Etheredge proposed in committee in this respect, the committee amendment authorized the one-quarter county sales tax only in those counties that were already part of the so-called RTA area and there are two

reasons why that is significant. For one thing, they are already applying a one-quarter cent sales tax which is required by the RTA Act. This would add a...would at least authorize the addition of a quarter-cent to the sales tax in those counties. As many of us know, the way the breakage occurs on sales taxes the difference between a one-quarter cent and another one-quarter cent is not all that great and sometimes would be really imperceptable. In addition, and I think this was important, at least to me when the bill was offered in committee, Chicago, specifically, and Cook County, generally, are really becoming known as tax islands in the State of Illinois. The sales tax of eight percent within the city and just a little bit...eight percent in Cook County, actually, I'm sorry, less than that in Cook County because Chicago has an extra cent sales tax really isolates that area, and although many of you who are from other parts of the State may say, that's fine, that's our business, it really is not good because that makes a great many decisions about purchases...where...within a metropolitan area where particular business is done turn heavily on the presence of that tax island which is Chicago and Cook County. It struck me that by authorizing the additional quarter cent in the collar counties, which are the RTA counties, that we would at least be offering the possibility of slightly lessening that terrible gap between Chicago and Cook County and the rest of the collar counties and the rest of the State. So I think in that sense there was some fiscal justification for what was proposed initially. This, however, is a very different amendment. This amendment would apply Statewide, and I think for those of you who are outside of my area or even the collar county area, you certainly want to think hard and look closely at what is being proposed here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

This extra quarter of a percent that the county will levy, do they only have the levy power in the unincorporated areas they have right now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, this would be countywide, it would be countywide.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I think perhaps some of the debate could be saved for final passage since we're on the subject of the amendment, which more or less forces us to debate the bill. I do think it is important to point out, and as Senator Joyce and Senator Sangmeister have correctly pointed out, that this isn't a...a merely bill, this one didn't miss the Agreed Bill List because the staff didn't see it. This is something we ought to consider and think about. And I share Senator Joyce's...shall we say cynicism abut county boards accepting the blame for tax increases, but I do...am forced to support it. In the last few years, county government in this State has reeled under one blow after another. I think of the loss of the interest on the money in the Treasurers Office that was a substantial source of income for county government. Property taxes have never been a major source for the county government but they have stabilized or declined. We now stare at a very real chance that revenue sharing will disappear on the Federal level, one that I think all of us

recognize. This gives counties a countywide funding source. At the time the revenues have been declining and they've run into serious financial trouble, at the same time our Department of Correction has been out telling them to build bigger and better jails, we have, in our all-seeing wisdom, forced mandate after mandate after mandate on them and these are countywide mandates for law enforcement and a whole variety of things. We have a very viable form of government in the State level of government that is in serious trouble, this would give them a mechanism to survive and to do their job. And I...I'll say this for my county boards, they are very tight with a dollar. In fact, sometimes I wish they were a little more farseeing, shall we say, but I think the time has come to give them this option. My guess is, if a county did it, they would lower their property tax, at least initially, substantially below this, and for years many of us have beat our chest around the campaign trails saying it's time to find sources to fund government other than the property tax. And while the...the three-cent reduction in itself is not a major thing, my guess is that the counties, by and large who do respond to the electorate, in fact, more frequently than we do, would be prudent with the dollars and it might have an immediate effect of a rather substantial reduction of the county's portion of the property tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator Holmberg. Senator Etheredge. Senator Holmberg.

SENATOR HOLMBERG:

Clarification on how the amendment reads right now. It is local option, that the county board may choose or not

choose to institute the one-quarter?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, that is true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Is it also a part of the amendment that they must then...they're really required to reduce the amount of property tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that is also true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Does it specify from which fund they may reduce the property tax or is that left up to the county board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that is specified as the corporate general fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you. I...I really commend Senator Etheredge for searching, as many of us are searching...and there are many bills I know before us connected with county government. Winnebago County in particular has been suffering greatly as more and more of its area is...is subdivided and becomes villages in...in...in other municipalities and the counties must continue to exist, we mandate that they must exist. And I

think this is one of several measures that...we're going to want to take a very close look at and is certainly one that we're all going to want to pay attention to. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

I...I apologize, but I tuned in late on this debate and I didn't hear your opening statement. As I understand, what you're proposing is a...is an optional one-quarter of one percent sales tax that can be levied by the county boards on a countywide basis. And there is some kind of property tax relief mandated, if they do that. Would you explain that one...one more time.?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, it would mandate the...the corporate fund is now capped at twelve cents per hundred dollars. If the county board chooses by vote to implement this one-quarter of one cent sales tax, then it must reduce that corporate fund rate to nine cents. It cannot exceed...the maximum that would...for those counties would then become nine cents per hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So then the next question that we would have to have answered, at least on 3rd reading is, how it will affect every county in the State. I...I don't know whether my counties are all at the cap now or not but...that...would...will

you have that available on 3rd reading? Can that be available to us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I don't know if it can be available or not, but I certainly will make that effort.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a cosponsor of this amendment, I obviously rise in support of it. I think this is an important...discussion. I think also the gentleman has a right to have his bill in the form in which he wishes to pursue it. Let me point out that it applies to the hundred and one counties in a permissive fashion, they don't have to do this. And I think some of the questions...we will attempt to get some of those figures as to what the net result would be. I think it's safe to assume that there would be no change in the current law unless and until the county board who has to do this would, in fact, be persuaded that at once they can afford a twenty-five percent reduction in the levy and afford some property tax relief while at the same time opposing this quarter cent may well have a net beneficial effect. We have had members of county government down in Springfield for the past six weeks literally scurrying around looking for sources of revenue because the counties, whether you know it or not, are truly hurting. This does not apply to Cook County, but I think, in fact, it affords the opportunity for the other counties to reassess their position and hopefully afford some much needed property tax relief to the people in their respective counties. I urge the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'm not so sure...we talked about this in committee, I think. But if you impose this tax under the budgeting system and the way that you levy taxes in the corporate general fund, you have the possibility of two things happening. If it does not generate enough money, which I don't think it would, but you may not want it...does this call for automatically going twenty-five percent or up to twenty-five percent? That's the first question I have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

What it...it does not speak to...the expression twenty-five percent is...is not used in here, Senator. What it...what it says is the...the corporate general fund is now capped at twelve cents. What the legislation proposes is that if the county board chooses to implement this quarter of one cent sales tax, then that...that corporate general fund cap is lowered from twelve cents to nine cents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

It is automatically lowered to nine cents. All right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR LUFT:

...then what will happen if the income from the sales tax does not generate enough money that when you subtract your cash balance that you have at the end of a fiscal year from the appropriated...the appropriation that the county board has does not meet...do you know where I'm going? Let me, let me try...first of all, let me tell you how you fund county

government. The county board appropriates x amount of dollars, you then subtract a cash balance that you have in your corporate general fund from that appropriation, then you levy for that amount. Now, what if you have instituted the income tax, that figure plus what you have levied at nine cents which...nine percent or nine cents which you're already taking down does not meet the total appropriation? You've really fouled up the county. Another scenario that could take place is, you could have so much income from the sales tax that you have an appropriation, let's say for a million dollars. You have eliminated a tax levy altogether by this money and, in fact, could have an excess amount of money left over. What do you do with the excess amount?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I would assume that under those circumstances the county board would not elect to use this option.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

The only thing that I fear...and let me try to put this into some explanation that everybody understands. If I have a million dollars appropriated in a corporate general fund and through a sales tax option that sales tax brings in a million and a half dollars, then I don't have to levy a tax. I don't have any levy against the...corporate general fund. And, in fact, I have...I have a half a million dollars more than I need to run the general fund for the year. What I'm asking is, what do you do with that half million dollars? And what I would suggest is, that if, in fact, that does happen, you add something to this bill that allows for reduction in another tax levy that is levied against the taxpayers of the county. And that's what I'm trying to point out, you

could bring...be bringing in more money through a sales tax than you would actually need to run the whole corporate general fund in the county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

I think the...the discussion or the...the issues as raised by Senator Luft certainly...certainly merit...additional study and I think we will have a little bit of time in...in order to do that. I think the idea has been adequately aired during the course of...of this debate. It's a...relatively simple idea and I think it...I think we...some of the debate has also underscored the need for some such provision as this bill would provide to county government in order to provide the..the services which are...are necessary for the citizens of the State of Illinois. I would urge an Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 2 to Senate Bill 780. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendment...no, I'm sorry...Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I suppose one county should not stand out against all the others,but in light of the discussion that we've had here, I think there's a lot of questions as to what is the bottom line of taking away and lowering one tax and imposing another and just how much money are we going to flood the

county with or not flood the county with. And until I get further clarification I have filed amendment to take Will County out of this and I would ask that those of you that have a portion of wonderful Will County and the outlying areas, specifically maybe Senator DeAngelis and Senator...Mahar and Senator Joyce...Senator Hudson, if you will join me in that, let's take Will County out of here till we at least see what's going on. I move the adoption of Amendment No. 3 to Senate Bill 780.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sangmeister moves the...Senator Etheredge.

SENATOR ETHEREDGE:

Well,...Senator, I think that, I...I have a question that I would like to ask the sponsor of...of the amendment because I...I'm getting confused signals here as some of the...the people back home in...in Will County, specifically those in county government, have spoken out very strongly in favor of...of this amended Senate Bill 780.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I haven't heard from one county official, whether it be a member of the board or the board chairman or anybody as to how much money they need in Will County, what they want. The only one they had call me is the Democratic County Treasurer, and...that's the only person I've heard from and he did urge an Aye. At this point, I am asking that Will County be taken out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, may I address my comments to Senator Etheredge?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may.

SENATOR GEO-KARIS:

If...Mr. President, Ladies and Gentlemen of the Senate, if we're going to allow Will County out, I'd like to see Lake County out, and I would ask you to hold this bill on 2nd reading so I can prepare an amendment accordingly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This debate...unfortunately, I think, Senator Sangmeister, you would be better advised to ask those who also represent a part of Will to withhold this amendment until the figures that we have...Senator Etheredge and I have indicated we're going to try to round up, in fact, are rounded up; because the difficulty with this is not unlike that debate we had with respect to the imposition of the...the quarter cent transportation tax in the collar counties and in Madison and St. Clair. And, if indeed, we have a tax that's going to be applicable to a hundred...just a hundred counties now, I'm not so sure we can...we can defend its uniformity. And so this amendment, as well-meaning as I know it is, it seems to me casts a shadow of unconstitutionality over Senate Bill 780 as amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President. I was going to raise the same question because the Department of Revenue is a big one on uniformity. But I also think that if the concept is not good for Will County, it really isn't good for anybody else either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I didn't hear his comment, but...but anyway...well, Senator Rock, exactly what you said is one of the problems. You know, some of the other counties don't have that one-quarter percent levy that Will County has for the beloved RTA, and we've got that already and now we're going to give the counties the right to plop another quarter on, and as indicated before, that real regressive tax of sales tax; and at this point I don't think it's going to affect the constitutionality, and, of course this has to go over to the House and let's see what the response of the House is to this. I still move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Sangmeister moves the adoption of Amendment No. 3 to Senate Bill 780. Those in favor indicate by saying Aye. Those opposed. Seems the Nos carry. Senator Sangmeister has requested a roll call. Would all the members please be seated. Those wishing to adopt Amendment No. 3 to Senate Bill 780 will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 14, the Nays are 31, 5 voting Present. Amendment No. 3 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose does Senator Coffey arise?

SENATOR COFFEY:

Thank you, Mr. President, members of the Senate. Today we have a...a special occasion, we have one of our colleagues has a birthday today, Senator Rupp is celebrating a birthday today. I'm not sure how old he is. I understand he was mayor for forty years in Decatur and he's...about ten years

in the Senate, so if you can add that up from when he started, you might know how old he is, but I'd like for him to stand up and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp. Senate Bill 794, Senator Etheredge. Senate Bill 803, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 830.

(Secretary reads title of bill)

2nd reading of the...Senate Bill 803, that is. 2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Members of the Senate, this bill would provide that members of the Council on Aging who...who are volunteers and...and what have you could not serve more than, I believe, two terms...on the council. Apparently some of the existing members thought that the...the idea behind it is to promote turnover. Some of the members felt that we were aiming at them, which we were not, so this amendment simply grandfathers, no pun intended, the members on the Aging Council that are there so that it's clear that we're not trying to evict anyone currently serving. It's just thought down the road we need...a little more turnover.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Would this mean that someone that is a member of the board right now who has served two years, would this prohibit him from serving a term next time? If he wants to go for one more term, would it keep him from doing that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No...no. The bill with this amendment on would not do that. I think we're starting to find out who we offended. It wasn't aimed at anybody sitting there, it was just the overall policy decision they wanted to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Schaffer moves the adoption of Amendment No. 1 to Senate Bill 803. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 848, Senator Dudycz. Senate Bill 868, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 868.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 870, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 870.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 875, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 875.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No...No. 1 simply deletes the Department of Public Health's authority to charge a permit fee for dairy farms and this makes the bill consistent with House Bill 2515. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 875. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 911, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 911.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is a...an amendment that clarifies the intent of Senate Bill 911. It certainly does not change the original concept. It will allow the municipal police departments to charge a five dollar fee for traffic accident reports that are subject to the dispersement to insurance companies pursuant to the Freedom of Information Act. The Vehicle Code allows for a five dollars fee for these reports, but 911 on the amendment will cross-reference the fee assessment to the FOI Act and would clarify the applicability to all law enforcement agencies. There is another amendment that...although this one is technical in nature, there is another amendment that has been suggested to me by the Illinois Press Association, this is not the amendment. I would move for the adoption of this amendment, bring the bill...move the bill to the 3rd reading and perhaps make a run at the...the Press Association amendment next week. So I would move adoption of...Amendment No. 1 to Senate Bill 911.

SB 914 2nd Reading
SB 913 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 911. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 913, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 913.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 914, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 914.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

This amendment was suggested to me by the respective groups involved with...that this applies to. Senate Amend-

ment No. 1 would close a loophole whereby a bank may voluntarily dissolve and be assumed by a financial institution other than a bank which conduct banking business. The commissioner of banks was concerned about the long-term ramifications of this existing loophole, and he has indicated his support for this amendment and it's his request that I...I am moving for the adoption of Amendment No. 1 to Senate Bill 914.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 914. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 915, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 915.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 931, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 931.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB949 2nd Reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 949, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 949.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 978, Senator Joyce. Jerome Joyce, you want to...read...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 978.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 986, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 986.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much. This is...is this the only amendment? Thank you, Mr. President, members of the Senate. Amendment No. 1 to Senate Bill 986 provides for formalities in the execution of lists...which would...be incorporated by reference into a will and specifies which of two conflicting lists would govern in the event that two lists of things that were to be left to someone were to be...were to be given. And I would ask for the adoption of Amendment No. 1 to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to Senate Bill 986. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 987, Senator Joyce. Senate Bill 989, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 989.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate. Commit-

tee Amendment No. 1 was at the request of the Attorney General's Office. It also is...the purpose of the amendment...it permits voting outside of the polls by persons physically unable to enter the polls. The purpose of the amendment is to comply with a Federal mandate under Public Law 98-435, the Voting Accessibility for the Elderly and Handicapped Act. According to this law all precinct polling places must be accessible to elderly and handicapped voters. And I...move for the adoption of Committee Amendment No. 1, and we do have another amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

What about a precinct that doesn't have a...a building in it that's accessible?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Okay. We do have a...an amendment which has been...offered...which will be offered, Amendment No. 2. A building being accessible...well, if it's inaccessible, then they have to vote outside. Yes, that's the...that's the purpose of the...of the amendment was to allow them to vote outside, so that's why we need...need the...need the amendment and we need this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Now, when you say vote outside, I assume you mean judges come from a polling place to their vehicle or whatever; I assume you don't mean that judges have the booth set up in a field.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, it's as close as...as they can get the...to the polls and it...it would require the judges to...to go outside, but it's they aren't going to be going out in the fields, they don't have time, as you know, with the responsibilities they've got. It would be very close to the polling place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

No, what I meant was the whole polling place set out in a vacant lot with the booths out there if there was no accessible building. Cannot the judges already go out to a vehicle for someone who is enable...unable to come into the polling place?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

No, that's why...why this legislation is being suggested or offered. They under current law cannot do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

So, in essence, what you're trying to do is legalize that practice when...when necessary and when a polling place...who makes the decision that there is no accessible polling place in the precinct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, it would be the determination of the chief judge of that particular polling place and it would be...both judges would be present when the voting takes place. So, that's who makes the determination at the polling place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly moves the adoption of Amendment No. 1 to Senate Bill 989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Amendment No. 2 addressed some of the problems that the members had raised about tightening up in this area. We did, in this amendment, get a list of six items here that would cover it. One, it requires the physically disabled voter who requests permission to vote out-side the polls to vote in a portable voter booth. Two, requires the poll watchers to witness the voting process. Three, required a request from disabled voter to...submitted to the county clerk or municipal elections board prior to or on the election day. Four, requires the clerk or board to notify the appropriate polling place of the request. Five, reduced from three to two years the length of the exemption from the Federal polling place accessibility requirements granted by the State Board of Election. And six, identifies the Federal mandate the amendment is complying with, the Voting Accessibility for Elderly and Handicapped Act. Hopefully, this takes care of most of the objections. If there are still some items which we did not cover, the sponsor will be very amenable to having this bill called back from 3rd to 2nd reading to adopt another amendment if it's

necessary. Other than that, I would request your favorable...adoption of...I would move the adoption of Amendment No. 2 to Senate Bill 989.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Mahar.

SENATOR MAHAR:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAHAR:

Senator Kelly, would you run through that one more time on the...that portion of the amendment that deals with the amount of time that a disabled person has to request of, I think it's the clerks or the election authority?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Yes, it's the day before or on the day itself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

The clerks are going to be able to tell the judges the same day that there is a handicapped person?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Certainly, why not? They got telephones, different ways it can be handled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly moves the adoption of Amendment No. 2 to Senate Bill 989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 997, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 997.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you...Mr. President and members of the Senate. Amendment...Floor Amendment No. 1 deletes everything after the enacting clause and it is the bill. However, let me say this, that I am going to move this bill to 3rd reading with this amendment because the...our representatives from the Cook County Clerk and the State Board, there was an agreement that we would work out an amendment to try and deal with the problems that they are experiencing with absentee voting, not just with students. This bill deals with student absentee...voting but there...there are a lot of problems in reference to other segments where absentee voting is concerned, and I'm going to move the bill to 3rd, and then...with the permission to move it back once they've had a look at this amendment and added...whatever they would like to add to the bill. So what this particular...amendment does, it simply states that a student who is enrolled in college can go to the county clerk's office in the...in the...in the area which they reside...permanent residence and request that an application for ballot be mailed to them at

that...their residence where they live in a college town, not the ballot, but the...application for ballot. Right now the student have to rely on their parent or friend or...or precinct captain or someone to mail them a ballot and then...an application and then get it back to them. This says that they can go and...to the...to the county clerk's office and register to have an application, I mean, a...application for a ballot sent to them, and then once they fill it out and send it back, they then receive their ballot through certified mail.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. May I ask...a question of the sponsor, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, she indicates she'll yield.

SENATOR MACDONALD:

Senator Collins, was this amendment not a bill that you had before the Election Committee and failed in committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

If you recall, the...the bill that we had before the Election Committee was a shell and I indicated it...at that time that it was a shell bill, that we were working on the amendment. This is the amendment; however, because we just have not had time to work out all of the kinks with this particular amendment and we do not have the additional things that the Cook County Clerk wishes to add as an amendment, I'm asking that this amendment now, which is the bill, be moved to 3rd reading and then we will move it back for any clarifications that...that need to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Could we ask that...this amendment be distributed, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...this amendment has definitely been distributed...now...yesterday or day before. Yeah...it...it's on the desk because now we've...I've seen the...the amendment on the desk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Do we have a copy for Senator Macdonald? Senator Karpiel is bringing a copy over. (Machine cutoff)...Macdonald.

SENATOR MACDONALD

Senator Collins, I wonder if we could ask to have this taken out of the record until we have an opportunity to look at it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins, a request to take it out of the record until they have an opportunity to look at it. Senator Collins.

SENATOR COLLINS:

Why don't we just go on, move the shell bill to 3rd and then move back...

PRESIDING OFFICER: (SENATOR SAVICKAS)

She...Senator Collins moves to withdraw the amendment to Senate Bill 987. Is leave granted? Leave is...997...leave is granted. Now on Senate Bill 997, there are no committee amendments. Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1004, Senator Jeremiah Joyce.

Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1004.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Committee Amendment No. 1 to Senate Bill 104 is technical in the sense that the bill was originally drafted from the wrong source so the amendment deletes everything after...now indentifies the right source and repeats the language of the bill as it passed out of committee. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 1004. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1005, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1005.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 1009 3rd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1008, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1008.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1009, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1009.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Amendment No. 1 simply clarifies and tightens up the...the intent of the the original legislation and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the

AB1019 2nd Reading

adoption of Amendment No. 1 to Senate Bill 1009. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1013, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1013.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1019, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1019.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch will handle that.

SENATOR NETSCH:

Thank you. I think this is also my amendment. This is the amendment that...or the amendment reflects what was discussed in committee. This is the IHDA set-aside for helping to finance so-called single-room occupancy facilities. The

amendment has been looked at by IHDA, by all concerned, by Senator Rock, I think by others on the committee, and basically what it does is to...is to authorize the use of...not to exceed one million dollars per year for a five-year period for the purpose of financing single-room occupancy facilities. And it...it does not include any other guarantee, it is just simply that, and they must be determined by the commission to be financially feasible, which I think was something that concerned the committee. I would move the adoption, on behalf of Senator Rock and myself, of Amendment No. 1 to Senate Bill 1019.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 1019. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1031, Senator Friedland. Senate Bill 1037, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1031.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments, and that's Senate Bill 1037.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

If I might,...a number of us have been meeting with

SB1043 2nd Reading

respect to this bill and I am sure there will be some amendments that we will have resolved by early next year...early next year, I'm sorry, early next week, at which point it will be recalled. But we do want to keep it moving in the meantime. I thank you very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You're quite welcome. 3rd reading. Senate Bill 1039, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1039.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1043, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1043.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1073, Senator Barkhausen. Read the bill, Mr. Secretary...no, hold that one. 1083, Senator Rupp. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1083.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentleman of the Senate, at the suggestion of the committee...I filed this amendment. The amendment...does not take out good-time credit. So I move the passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1083. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1099, Senator Macdonald. Senate bills 2nd reading is Senate Bill 1099, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1099.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Macdonald and Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

SB 1105
2nd Reading

Yes, Mr. President, Ladies and Gentlemen of the Senate, this amendment simply was brought to our attention to make sure that there is a positive identification available. Our bill requires that a thumbprint for irrefutable identification is made, but should a person be handicapped and maybe not have a thumb, certainly any other fingerprint under this amendment would be acceptable, and...the judge of election if...if...if there are no fingerprints available, then they will have to give the information under the same procedure which would allow them to vote by affidavit under any other conditions. So I ask for your approval of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

...has copies of this been distributed? It seems to me what's fair for one is fair for all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald, have copies of the amendment been distributed? Senator Macdonald.

SENATOR MACDONALD:

I'm...I...I really am not sure whether they have been. I did not instruct that they be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Apparently they are not. Senator Rock is joined by...the requisite number of individuals...request that the amendment be distributed. So, with leave of the sponsors, we'll take it out of the record. Senator Macdonald.

SENATOR MACDONALD:

...distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald requests leave to take it out of the record. Take it out of the record. 1105, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 1105, Mr. Secretary, read the bill.

SB 1136 2nd Reading

SECRETARY:

Senate Bill 1105.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, the bill that came out of the Education Committee in order...the purpose of the bill is to give some protections to doctors who under our Statute be required to give immunization shots that they have some protection where that child gets a reaction. It was brought to my attention that we ought to clarify that, for example, if the physician gives the wrong...vaccine that he ought not be off the hook and I agree with that and, therefore, we're putting language in to make sure that the physician does have to give the child, of course, the right vaccine. There's no questions, I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 1105. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1136, Senator Watson. Mr. Secretary, Senate bills 2nd reading is Senate Bill 1136. Read the bill.

SECRETARY:

Senate Bill 1136.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1152, Senator Kustra. On the Order of...Senate Bills 2nd Reading is Senate Bill 1152, Mr. Secretary. Read the bill.

SECRETARY:

Senate Bill 1152.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1160, Senator Welch. On the Order of Senate Bills 2nd Reading is Senate Bill 1160, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1160.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1161, Senator Welch. 1163, Senator Joyce. On the Order of Senate Bills 2nd Reading is

Senate Bill 1163, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1163.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment lowers the fee increases and is a compromise worked out with the pest control industry. The fees are lowered from fifty dollars to forty dollars for certified renewal and examination and application from a hundred dollars to seventy-five dollars for the late filing charge, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 1163. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1165, Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1165, Mr. Secretary. Read the bill. I'm sorry, 1164. Take 1165 out of the record. Senate Bill 1164.

SECRETARY:

Senate Bill 1164.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This restructures some of the fees in the original bill, and this compromise was agreed to by the Department of Agriculture, the Fertilizer and Chemical Association and the Farm Bureau, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1164. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from...3rd reading. Senate Bill 1165, Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1165, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment makes the Department of Public Health the lead agency responsible for the pesticide study and creates a temporary citizens task force. This amendment was worked out with the Department of Agriculture, Department of Public Health and the pest control industry and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1165. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1191, Senator Jeremiah Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1191, Mr. Secretary, read the bill.

SECRETARY:

(Machine cutoff)...Bill 1191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1192, Senator Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1192, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 1244 2nd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading....Senate 1200 is a hold. Senate Bill 1222, Senator Jones. Senator Jones on the Floor? 1239, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 1239, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1239.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1244, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 1244, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1244.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1244 is the agreed

amendment between the Chicago Bar Association, the lawyers' groups and the Secretary of State. This is the agreement which is incorporated into Amendment No. 1. It is...all encompassing, it creates a prima facie evidence of reckless act if a driver was under the influence of alcohol or drugs in which case a reckless homicide occurred, requires persons to submit to a professional evaluation prior to sentencing. It's a big bill. Requires a judge to...to fully specify reasons for imposing or not imposing sentences when a defendant is convicted of DUI. It sets up summary suspension hearing procedures, judicial driving permit procedures and...and judicial summary suspension procedures, and I would ask for the adoption of this agreed amendment to Senate Bill 1244.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1244. Is there any discussion? Senator Barkhausen. Can we break up the caucus in front of...Senator Barkhausen, please. Senator DeAngelis. Senator Barkhausen, can we break up the caucus in front of Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

...Senator Marovitz, I...you caught me a little bit by surprise here...as I understand it, this is...an attempt to incorporate the compromise package between the Secretary of State and the Bar Association. My understanding, and I think Senator Philip and Senator Rock could correct me if I'm wrong, but the...understanding I had was that this was going on the House bill, and then the House bill was coming over here and that we weren't going to have two companion bills but we were going to wait for action from the House and...and act on that bill with the sponsors that were originally handling the Secretary of State's bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Marovitz...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, that was not my understanding. We had worked, frankly, long and hard, and I congratulate Senator Marovitz and others who did that; and as far as I am concerned, in my conversations with the Secretary, I indicated that whatever the result of that compromise between the Bar Association and the Secretary and the State Police and everybody else that was involved was that my suggestion was that it be placed on to a Senate bill. I, frankly, do not care to sit around and wait and see what the House may do, if anything. We've got an agreement, let's do it. And I have no objection, Senator Barkhausen, to you putting the exact same amendment on your bill and we'll run them both out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

I would ask for a favorable roll call on Amendment No. 1 to Senate Bill 1244, the agreed amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1244. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

END OF REEL

SB 1267 2nd Reading

REEL #4

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1250...on the Order of Senate Bills 2nd Reading is Senate Bill 1250, Mr. Secretary, read the bill. Oh, Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

...before we go on to that, just a brief interruption here. I would like to introduce to the members of the Senate, Mokena Grade School District 159, and I know along with them is a very fine teacher and former mayor of Mokena, Richard Quinn, and I also see a very fine teacher and a principal, Barbara Cottingham, along with them up there and I'd like them to rise and be welcomed by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests would rise and please be recognized by the Senate. Welcome to Springfield. 1250, Mr. Secretary.

SECRETARY:

Senate Bill 1250.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1267, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 1267, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1267.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This amendment was requested by the Governor's Office. It reorganizes the language in the bill which deals with educational service centers and the various services which they shall provide. I would ask for its adoption.

PRESIDENT:

Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 1267. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1273, Senator Philip. Senator Philip, on 1273? On the Order of Senate Bills 2nd Reading, Senate Bill 1273. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1273.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1281, Senator Kustra. All right. It is now fifteen minutes to one, one being the hour of adjournment. With leave of the Body...so that we can ensure, as we have suggested to the members, that one o'clock would be the adjournment...time of adjournment, with leave of the Body, we'll move to the Order of House Bills 3rd Reading on page 33 of the Calendar. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. If I might raise a question, Mr. President, because I...I might have missed it. Was 1273 just passed 2nd reading? The cigarette tax without...I mean,...was it passed to 3rd reading without adoption of the committee amendment?

PRESIDENT:

It was indicated there was no committee amendment.

SENATOR NETSCH:

Oh really.

PRESIDENT:

That was the indication from the Secretary.

SENATOR NETSCH:

No. The...there was a committee amendment which struck everything and made it into a shell bill.

PRESIDENT:

That was supposed to have happened. All right. We'll get...we'll get the documentation back and get right back to it. In the meantime, we have something of an emergency. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes. A point of order. I would just like some clarification on...Senator Demuzio indicated during the time that he was presiding that, we may not get back to 2nd reading, and I want to know that, when we come in Monday...

PRESIDENT:

That...that...that...that was an admonition to try to

hold people in their seat and on time. The fact is that, as you well know, we are coming in Monday at noon, and we have five days before the deadline. You may be sure we will again be on 2nd reading. We will start, as we indicated, with appropriation bills on Monday and run right...and...and stay on 2nd reading until everybody has a chance. But appropriation bills will be first. All right. With leave of the Body, we're on page 33 on the Calendar. On the Order of House Bills 3rd Reading, Senator Schaffer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 370. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Yesterday, in addition to the large amendment we asked all of you...the President asked all of you to take home and read overnight and put in your pocket, we had sent around to each member a detailed list by department of those additional hundred and twenty-one million dollars the Governor is seeking to spend through supplementals to fund his agencies for the remainder of this fiscal year. Rather than go through the detail, I think we have picked up all of those who claim to have been running out of money before the end of May, and have attempted to deal with as many of them as possible through this supplemental appropriation. I would move its adoption and be willing to answer questions. It's a total of a hundred and twenty-one million dollars of additional revenues to be spent by the departments for the remainder of this fiscal year.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 370. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 deducts 11.4 million which is lapse money in education. I've worked this out with Senator Rock and the second floor. I move its adoption.

PRESIDENT:

Senator...Philip has moved the adoption of Amendment No. 2 to House Bill 370. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a request from the House side for seventy-five thousand in general revenue funds to the Capital Development Board for some minor capital improvements needed here in this building to be spent during this fiscal year. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 3 to House Bill 370. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes

have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading, and with leave of the Body, we will get back to that bill after intervening business...it is of an emergency nature. All right. With leave of the Body, we'll move to the Order of Senate Bills 3rd Reading for Senate Bill 1273. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of the committee amendment. On the Order of Senate Bills 2nd Reading, Senate Bill 1273. Mr. Secretary.

SECRETARY:

Committee Amendment No. 1.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment struck everything after the enacting clause; it's just a shell bill that possibly we may use a little later on.

PRESIDENT:

All right. Senator Philip has moved the adoption of Committee Amendment No. 1 to Senate Bill 1273. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right. With leave of the Body, we will move now to the Order of House Bills 3rd Reading for the purpose of House Bill 370. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 370.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, this is, in fact, the supplemental bill that Senator Carroll and others discussed just moments ago. It does make the supplemental appropriations of...that are of an emergency nature, plus clears up a few other supplemental problems, and assuming the House acts...with some dispatch, we should be out of immediate supplemental appropriation danger area, and we can address the rest of the Calendar with a little more leisure.

PRESIDENT:

Any discussion? The question is, shall Senate Bill...shall House Bill 370 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, 1 voting Present. House Bill 370 having received the required constitutional majority is declared passed. (Machine cutoff)...leave of the Body, we'll move to the Order of Resolutions. We will handle the Resolutions Consent Calendar. Senator Davidson has a motion with respect to another emergency request of the Governor. Senator Bloom, for what purpose do you...looked perplexed?

SENATOR BLOOM:

I...let's get this out of the way. I just had a little announcement.

PRESIDENT:

All right. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory:

239, by Senator Jones.

240, by Senator Hudson.

241, by Senator Carroll.

242, by Senators Kelly and Jeremiah Joyce.

243, by Senator Darrow.

And Senate Joint Resolution No. 60, by Senator Karpiel, and it's congratulatory also.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 244, by Senator Demuzio.

PRESIDENT:

Executive. All right. Motions in writing. Senator Davidson has a motion he will explain, I'm sure. Mr. Secretary, with leave of the Body, we'll move to the Order of Motions in Writing. Read the motion, please.

SECRETARY:

I move to discharge the Committee on Executive from further consideration of House Bill 116 and that it be advanced to 2nd reading. Signed, Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the bill I spoke to you and Minority Leader Philip about. This has to do with making next week the National Retired Teachers' Week recognition in Illinois. Retired Teachers' Week has to do with the national monthly retired teachers recognition, and they'd liked to get this passed so they can do the signing ceremony next week when they issue the proclamation.

PRESIDENT:

All right. Senator Davidson has moved to discharged the Committee on Executive from further consideration of House Bill 116 and asked that it be placed on the Calendar on the Order of 2nd Reading. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Not to delay things, but I just was talking to some school people and got back on the Floor here. We're discharging what from the Executive Committee? Is this...

PRESIDENT:

The bill that Senator Davidson talked to you about yesterday about the Retired Teacher Week.

SENATOR SANGMEISTER:

You did talk to me about that, didn't you? My apologies. Yes, you did. I'm sorry. Fine.

PRESIDENT:

Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

An announcement. As you know, next week...next week we're going to be visited probably by our local docs among others. In my...I'm completing my term as chair of the Health Care Cost Containment Committee of the National Conference of State Legislatures, and they sent me...they sent me something that I think would be helpful to us and it's a...a research, "What Legislators Need to Know About Malpractice." No matter whether you're in a...a...you know, we all leap from tank to tank, but it's fairly balanced. It sets out some of the major issues and gives some statistics and says what's going on in other states. It's available to you. It's about thirty pages and so I figured if you want a copy, ask for it. And that's all I had to say, thought it

would be helpful.

PRESIDENT:

Thank you. I, for one, would like to have one before I leave. Further business? Further discussion? We have...we have only the Resolutions Consent Calendar, then the motion to adjourn will be placed. We will adjourn until Monday, Monday, at the hour of noon, and we will handle first the appropriation bills on 2nd reading for Senators Carroll and Hall and all interested parties and then finish up, we hope or get back on 2nd reading. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar that has been distributed to the members?

SECRETARY:

No...objections have been filed, Mr. President.

PRESIDENT:

All right, if...no objections having been filed, Senator Demuzio moves the adoption of the Resolutions Consent Calendar...Senate Resolution 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 230, 231, 232, 233, 234, 235, 236, Senate Joint Resolution 57, Senate Joint Resolution 58, House Joint Resolutions 48 and 49, Senate Resolutions 238, 239, 240, 241, 242, 243 and Senate Joint Resolution 60. All in favor of the adoptions of the Consent Calendar indicate by saying Aye. All opposed. The Ayes have it. Consent Calendar is adopted. All right, any further business to come before the Senate? Further announcements? If not, Senator Hall moves that the Senate stand adjourned until Monday, Monday, at the hour of noon. Have a nice weekend.

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 20, 1985

PRESIDING OFFICER: (SENATOR SAVICKAS)

The hour of noon having arrived, the Senate will come to order. Our chaplain for today is Father John...Spreen, pastor of the Church of the Little Flower, Springfield. All please rise.

FATHER SPREEN:

(Prayer given by Father Spreen)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you. Mr. President, I move that the reading and approval of the Journals of Tuesday, May 7th; Wednesday, May 8th; Thursday, May 9th; Tuesday, May 14th and Wednesday, May 15th; Thursday, May 16th and Friday, May 17th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Messages from the House.

SECRETARY:

Message from the House, by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

343, 354, 381, 393, 479, 508, 578, 608, 851, 856, 857, 900, 921, 943, 949, 964, 975, 990, 992, 1008, 1016, 1035, 1042, 1067, 1267, 1269, 1355, 1392, 1566, 1648, 1957 and 2088.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 26, House Joint Resolu-

tion 27 and House Joint Resolution 28.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Resolutions.

SECRETARY:

Senate Resolution...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Chew arise?

SENATOR CHEW:

Would you permit the record to show that Senator Margaret Smith is out today because of death in her family?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate.

SENATOR CHEW:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary.

SECRETARY:

Senate Resolution 245 offered by Senator Lemke, it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. House bills 1st.

SECRETARY:

House Bill 344, Senator Barkhausen is the Senate sponsor.

(Secretary reads title of bill)

House Bill 496, Senator Karpiel.

(Secretary reads title of bill)

House Bill 497, Senator Donahue.

(Secretary reads title of bill)

House Bill 873, Senator D'Arco.

(Secretary reads title of bill)

House Bill 880, Senator Degnan.

(Secretary reads title of bill)

House Bill 899, Senator Weaver.

(Secretary reads title of bill)

House Bill 951, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 1363, Senator Darrow.

(Secretary reads title of bill)

House Bill 1364, Senator Darrow.

(Secretary reads title of bill)

House Bill 1365, Senator Darrow.

(Secretary reads title of bill)

House Bill 1366, Senator Darrow.

(Secretary reads title of bill)

House Bill 1393, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 1438, Senators Collins and Newhouse.

(Secretary reads title of bill)

House Bill 1930, Senator Donahue.

(Secretary reads title of bill)

House Bill 1971, Senator Topinka.

(Secretary reads title of bill)

House Bill 2310, Senator Darrow.

(Secretary reads title of bill)

House Bill 2523, Senator Weaver.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yeah, Mr. President, Ladies and Gentlemen of the Senate, just a point of personal privilege. I come from a very nice ethnic area where we have some very exceptionally fine Bohemian bakeries, and today I brought down with me from the Charles Fingerhut Bakeries some Bohemian Kolacky which are little fruit tarts and our Pages, if you don't mind, will pass at least one out to everyone as far as they can go and this includes the staff people and the people in the Well, so

even you can have one. And they're...they're floating around and they're very, very good and they make your hair curl and you're going to feel wonderful.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Berman decided not to have one until you said that...with leave of the Body, we will go to the Order of Senate Bills 2nd Reading. Senator Carroll, for what purpose do you arise? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If we may, by way of...I guess announcement, after discussion with the minority spokesman on the other side of the aisle and leadership, the hope is that we can move through the appropriation bills on 2nd reading dealing with the adoption of the committee amendments. There are a number of Floor amendments that are either filed or apparently to be filed. It was the suggestion of all that we ask the membership to forbear on Floor amendments until we have allowed Enrolling and Engrossing to deal with the committee amendments. All the Floor amendments have been drafted as if the committee amendments have been adopted anyway, so that E & G would have to then transcribe the amendments. The sponsors...will agree, we hope, to then bring the bills back to allow the opportunity of Floor amendment. This will allow us, we believe, to save a legislative day in dealing with the appropriation bills. It is a voluminous task to incorporate the...the committee amendments into the bills, and absent that, if we have to delay, there could be a significant problem getting out of here on time this week. So if we have the approbation of the membership, we would suggest that as the course of conduct and then, either, sometime...my guess is tomorrow, but after Senator Rock's decision to bring them back after discussion with Senator Philip, my guess is it will not be late today but rather tomorrow to let E & G then

get its functioning done. With that caveat, Senator Bloom, Senator Sommer, Senator Hall and I would make that suggestion, Mr. Chairman...Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate bills 2nd reading, Senate Bill 15. Senator D'Arco on the Floor? Senator D'Arco on the Floor? Senate Bill 61, Senator Dawson. With leave...is there leave of the Body to have Senator Carroll handle Senate Bill 61? Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 61, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 61.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill...whoop. All right. With...with leave of the Body, we will return Senate Bill 61 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted? On the Order of Senate Bills 2nd Reading is Senate Bill 61, Mr. Secretary.

SECRETARY:

Amendment...Committee Amendment...Appropriation I offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This committee amendment reduces the request from five million to seventy-four thousand eight hundred and

SB 134 2nd reading

seventy dollars, the amount felt necessary at this point to do a study to see whether or not there should be this engineering program. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 61. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 134, Senator Carroll. On the Order of Senate Bills 2nd Reading, Mr. Secretary, Senate Bill 134. Read the bill, please.

SECRETARY:

Senate Bill 134.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 145, Senator Carroll. On the Order of Senate Bills 2nd reading is Senate Bill 145, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 145.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 167, Senator Carroll. Senator...Senate bills 2nd reading is Senate Bill 167, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 167.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 173, Senator Schaffer. On the Order of Senate Bills 2nd Reading is Senate Bill 173, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 173.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment...this was the supplemental bill and this amendment, hopefully, deleted all of those supplementals that we've already dealt with. There will be Floor amendments later, and I would move the adoption of the committee

SB 175 2nd Reading

amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No....No. 1 to Senate Bill 173. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 175, Senator Hall. On the Order of Senate Bills 2nd Reading is Senate Bill 175, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 175.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 220, Senator Marovitz. 226, Senator Savickas. With leave of the Body...on the Order of Senate Bills 2nd Reading is Senate Bill 226. Is there leave to have Senator Carroll handle that bill for Senator Savickas? Leave is granted. 226, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 226.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I thought there was supposed to be a Floor amendment added to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Let me repeat again, Senator Fawell, we have asked all sponsors of Floor amendments to withhold them momentarily so that we can put on the committee amendments and deal with all Floor amendments at another point in time. Okay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, that was an agreement that was struck...on both sides. Senate Bill 253, Senator Karpiel. Well,...hold...hold on a minute. All right. Senator, we've agreed just to handle the appropriation's bills for the...for the time being but we will come back to it. 306, is there leave to have Senator Carroll handle that bill?...leave is granted. Senate Bill 306, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 306.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think maybe what we should do for the sake of understanding, clarity and time later identify what has been proposed as the Senate guidelines that have been adopted by both committees in areas of general State Government. We have continued in this amendment to fund compensation for State employees at an increase of six and a half percent. We have suggested a careful review of all new positions, eliminating many of the new programs on the theory that the suggestion for the budget was an increase of some eleven percent over last year's budget at a time when the cost of living rose about four percent, and that eleven percent growth in government was slightly too much to ask the taxpayers to pay for. We have suggested that in new hirings that were approved that we phase them in on a three-month basis, and that we deal with long-term vacancies, if they are identical in position, we take out the new, and if not, we phase them in on a four-month vacancy basis. We looked with askew and concern on any new or expanding programs under the same way and apply the normal two and a half percent turnover in hiring lag. In the area of Commodities, Telecommunications, Automobiles, et cetera, after a careful study of the guidelines proposed by Central Management Systems and by chase econometrics as to the operation of State Government, it was decided that the cost of living type approach of four percent was a reasonable and acceptable standard for growth in bills and in various agencies. We have suggested inasmuch as...most agencies do in fact lapse significant amount of money, and repeating again, that the budget requested eleven percent growth that we have a one percent productivity factor...many of you may remember that last year's was two percent, that we have one percent productivity factor applied to all agencies in effect taking back that which they would probably lapse anyway. In addition, we have suggested that

the funding for Retirement be increased as a...a token amount to recognize their obligation to go back to full funding. And we are suggesting sixty-five percent of payout as opposed to sixty percent, on the theory that the one year borrowing down the sixty has now been four years, and it's time that we move back towards making sure this system does not become what social security has become and that is a bankrupt system. There are, I believe, in the General Assembly some other proposals on that that we at least pay into the system that which the employees are paying. This, in fact, is a more moderate approach and says, let's move a step back towards realistic funding, which is the payout level, so that we can deal with the unfunded liability and moves it merely five percent in that direction. With that caveat, Mr. President, so that in the future hopefully we can refer to this as the guidelines amendment, I would move adoption of Amendment No. 1 which is in fact the guidelines imposed on the Auditor General.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Carroll has moved the adoption of Amendment No...Committee Amendment No. 1 to Senate Bill 306. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No...Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 308, Senator Schaffer. On the Order of Senate Bills 2nd Reading is Senate Bill 308, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 308.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I

offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...Senate, this changes the funding...the...to the Boating Act funds for conservation. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll...any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 308. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further amendments...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 342, Senator...is there leave to have Senator Carroll handle that for Senator Demuzio? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 342, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 342.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move the adoption of Committee Amendment No. 1 which is in fact the guidelines amendment and would move

SB356 3rd Reading

its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 342. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No...further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 3. Senate Bill 356, Senator Carroll. With leave of the...with leave of the Body, is there leave to have Senator Carroll handle that for Senator Rock? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 356, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 356.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Mr...thank you, Mr, President, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, I understand that Senator...Senator Hall.

SENATOR CARROLL:

Oh, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is just the BHE appropriation to reflect the amount included in the Governor's allocation. Also...that's all on that one...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 356. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen. This reduces the Personal Service request from 26.0 to reflect a 6.5 salary increase for administrative and professional staff and a one percent reduction for hiring and turnover the same employees' groups. I ask...move for adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. In this reduction, I...intend to stand to try to fight off any of these reductions on all systems. Basically, we are reducing a class of personnel who have been held down in previous years, in the last eight years having averaged about 5.3 percent increase, whereby all other categories, faculty, civil service have all surpassed them by at least one and a half points in...and sometimes two

points. This increase is really 2.3...below the CPI. So I think that we're...we're discriminating against a class of employees in higher education that I just don't think we want to do. So, I would oppose this amendment and hope that there would be a roll call vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just respond to the comments of the last speaker and discuss what this issue appears to be about. We have suggested that State employees receive a six and a half percent increase. We have suggested that in the area of higher education that teachers, faculty and the lower employees needed some catch-up. We have suggested that for the last couple of years. We have therefore gone with an approach that says that those same people, faculty and the...what's known as the lower end, the civil service employees, would in fact get such increases as to amount to eight percent, starting July 1, which means a higher and faster salary increase than anyone else in government. On the other hand, in the issue of administrators, where in fact they are receiving some fifty percent higher already in all categories, and I will repeat that, fifty percent higher than the average for a State employee, we just felt eight percent isn't necessary beginning July 1st, because it is not catch-up. And let me suggest to you the type of people who are in fact harmed by this. The average salary in the university system is...in administrative lines is in excess of thirty thousand dollars, whereas in the State system it is twenty thousand dollars; and we're saying to those who work for the State, six and a half percent is enough, yet, we are saying, if you happen to be in the university, even though you are beyond your equivalent, we're going to have to give

you more. Let me say, also, the people that Senator Weaver is concerned about, the head of the Board of Higher Education, Richard Wagner, would only go to eighty-two thousand six hundred dollars and he wants eighty-three thousand eight hundred dollars. Ken Shaw at SIU getting ninety-three thousand seven hundred dollars today is seeking a hundred and one thousand two hundred dollars, and this will cripple him by only giving him ninety-nine thousand eight hundred dollars. Stanley Ikenberry at the University of Illinois now enjoying ninety-nine thousand seven hundred is seeking a hundred and seven thousand seven hundred, but will only receive at six and a half percent a hundred and six thousand two hundred dollars. William Monat goes from seventy-six thousand to eighty thousand nine hundred, wanted eighty-two thousand one hundred. Tom Layzell, eighty thousand to eighty-five two, wanted eighty-six four. If you would like, I can go through the rest of the presidents of each of these schools...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Carroll, this...

SENATOR CARROLL:

Oh, they find it illuminating maybe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the board is illuminating.

SENATOR CARROLL:

Okay. At the Governor's system, the presidents get seventy thousand four hundred; this amendment would give them seventy-five thousand, they want seventy-six thousand. At Regents, the range is from current seventy-seven two down to sixty-three, they want eighty-three four and we're only giving them eighty-two two. At the U of I they get now ninety-five thousand, these are the heads of the two campuses, they would go to a hundred and one thousand two hundred dollars, and they want a hundred and two thousand six hundred. And at SIU,...they're at seventy-six three, they

want to go to eighty-two four, and we're saying, eighty-one three is sufficient for this year. I would urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Bloom...whoop, Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Well, I hesitate to listen to all this that Senator Carroll is talking about, but he's talking about salaries that are set by the governing boards, the board of trustees, not...not the people who are making twenty and twenty-five thousand dollars a year. It's all well and good to talk about what the president of the various systems gets, but their salaries are set by the governing boards, not by us, they're set by the governing boards. And if Senator Carroll wished to take care of those isolated cases, I'm sure he could find a better a way to do it rather than to hurt the...the people who have been getting less than their co-workers for the last eight years. So, you know, I don't know what he's trying to do...be discriminatory about State employees...if they work for higher education they get one salary and if they work for the State they get another salary. But many of these people...these people we're talking about, there's physicians, there's pharmacists, there's counselors, research assistants, competent people, people that are hard to keep. Industry is offering them more money every day, and to be discriminatory in this matter, I...I think it's terribly wrong. So, let's just put things in perspective, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I believe that the statistics cited by Senator Weaver, perhaps,

are...accurate in the...aggregate from 1977 to 1985 within the whole university system, and that's okay as far as it goes. I think that it was explained that the decision-making process in the committee was to look at those...those university systems salaries as against the State employees' salaries because after all our responsibilities go beyond just the senior university system and we have to make these kinds of judgment calls for the entire State budget and to a degree it's a balancing act. If memory serves and I'm sure that one of the speakers that come after me will correct me if I'm wrong, but at least on this amendment, it was adopted not by a partisan roll call in committee but by an attendance roll call after a certain extended debate and discussion on exactly what the 6.5 percent meant and what the one percent productivity meant. As I said, unless one of the subsequent speakers corrects me, I believe that we hashed this out in the context of the entire budget, not necessarily within the senior university system and that there was some discussion as to when the faculties' salaries phased in within the university system, but the stuff that I do remember is that, I believe, that all members of the committee adopted this kind of formula and approach without a dissenting vote, and the only reason I make this point is this is the first appropriation bills that comes up and that we address this formula in subsequent bills. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. To build, I guess, perhaps, on what Senator Weaver has...has already brought to the attention of the Body. It's very easy to...to hammer away and enumerate on...on the high salaries of the individuals out of the President's Office, but indeed this reduction touches the

lives of...of many administrators who, my friends in the Senate, are making thirteen and fourteen hundred dollars, thirteen and fourteen hundred dollars, a month with bachelors and masters degree. Admittedly, they are young, but when you're talking about people in the university community who have pledged their life to that institution, who really see whatever increase they thought they were going to get cut back when already they are painfully underpaid, simply I think flys in the face of everything that we're doing. I, personally, Senator Carroll, think we should address perhaps more the...the President's Office, the eight or nine at the major universities who are affected there if you're going to a differential salary increase, and then deal with everyone else in a slightly different way. Personally, my own reaction would be to give the universities a...a block of money, let them make the distribution themselves. But nonetheless, people who have committed themselves to higher education making thirteen, fourteen hundred dollars a month, and there are a lot of them out there, in case you didn't know that to see those cut, I believe is just inappropriate at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll for a second time.

SENATOR CARROLL:

Thank you. Let me just respond...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg...I beg your pardon...Senator Carroll to close.

SENATOR CARROLL:

Okay. Let me just respond to Senator Maitland and to Senator Weaver and the other members. The average administrative salary in higher ed. is thirty thousand dollars a year. The comparable State figure is twenty thousand dollars a year. We have agreed, in fact, to a six and a half percent pay raise at a time when cost of living was four percent; not a dastardly deed, not a horrible thing, but a six and a half

percent increase significantly above that which the cost of living was. There may be a few employees in higher ed. below thirty, below twenty. There are many more in this building and the buildings surrounding this doing the same work for significantly less dollars, who we will be giving a six and a half percent increase to. As we identified before, we asked the other areas of State Government for one percent productivity. The universities told us they couldn't do that. As we identified before, we suggested to the rest of State Government that there is a turnover in hiring lag. The universities want all pay raises determined in July 1st even though they don't give them till September. So, in fact, they have significantly more dollars available for raises than even the percentages that we give. Just a few years ago, they allocated all their raises to the administrative personnel denying them to the civil service employees; ten percent raise to administrators one percent to civil service. That's not catch-up. That's not taking care of the people who, in fact, work the system. We are saying here again, I repeat, faculty and the civil service employees, yes, eight percent, but to the higher priced employees of government, the high priced administrators and all of them as a group that...that average thirty thousand dollars a year, significantly higher than the twenty thousand State employees are getting, let them enjoy the same raise that everyone else is getting, and to put it into perspective, a billion three hundred million we are spending on higher education in tax dollars and throughout the system, we asked them to absorb a three million dollar cut. A billion three hundred million being sent to them and we suggested that it be three million dollars less. It is idiotic to believe with the way they play with when they hire and everything else that they cannot live within those terms. I would urge adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, Senator Carroll was closing. Senator Weaver.

SENATOR WEAVER:

Point of personal privilege, then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WEAVER:

There was some figures stated there that are absolutely wrong. There's only been one year in the last eight that administrators received a higher percentage and that was in 1980. No, not 1980, there was not one year. For example, 1978 the administrators five percent, faculty 5.4; '79, administrators 6. 2, faculty 6.8; '80, 6. to 8.5 for faculty; '81, 4 and half, faculty, 4.6; '82, administrative 7.3, faculty 9.3; '83, 1.3 for administrators, 3.2 for faculty; '84, 6.3 for...for administrators, 6.2 for faculty and so on. Now, I...I don't know where you get all your figures, Senator Carroll, these are from the Board of Higher Education and reflect State...in all systems...in all public supported systems. And one other thing you didn't mention is, they only get ninety-five percent of base which takes care of the traditional turnover and lag time. So I think we...let's talk about apples with apples, not apples and oranges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll may close for the second time.

SENATOR CARROLL:

All right. Then once again, let's talk about the ninety-five percent base that presumes every raise that every employee who is on board about July 8th, when in fact the faculty got them...the faculty got them September. The union negotiated to get them whenever the union contract comes up, some July, some January. So, in fact, the administrators relate back and presume no absenteeism in employment by

taking it July 1st and taking the dollars for all year, which is different than the faculty and different than the civil service employees, and that's why the effective difference is still there. And I think, again, a three million dollar over-the-board reduction in higher ed's one billion three hundred million is not a lot to ask for if we are going to fund the important programs of State Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 356. Those in favor signify by saying Aye. There's been a request for a roll call. Senator Weaver has made a request for a roll call. Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 356. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 20, none voting Present. The amendment...Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This committee amendment is to add the Federal Grant dollars of a million four hundred thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 3 to Senate Bill 356. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

No further amendments...committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 357, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 357, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 357.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The first amendment is the Governor's level, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator....Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 357. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies...Amendment No. 2 deletes the double appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 2 to Senate Bill 357. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

It reduces the...Amendment No. 3 reduces administers salary at the 6.5 level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 357. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 4 is the in-fund Contractual Services and adds thirty-five thousand dollars, move the adoption of committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 4 to Senate Bill 357. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 358, Senator Carroll. On the Order of Senate Bills 2nd Reading is Senate Bill 358, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 358.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2...Amendment No. 1 reduces it to the Governor's level, and ask the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 358. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2, since there's a double appropriation, something over in the House and over here too, we have just reduced that, and ask the...the adoption of this Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...Any discussion? Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 358. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 3 takes care of the administrators' salaries at a 6.5 percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...any discussion? Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 358. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 359, Senator Weaver. Senator Weaver, 359? On the Order of Senate Bills 2nd Reading is Senate Bill 359, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 359.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This...I thought he was calling me. I'm...Amendment No. 1 takes the retirement at sixty-five percent of payout, and I'd move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 359. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 360, Senator Davidson. On the Order of Senate Bills 2nd Reading is Senate Bill 360, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 360.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1...takes care of reducing it to the Governor's level. I move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...any discussion? Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 360. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2 is the Build Illinois and it's a double appropriation, the same as others, so we have deleted that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 360. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

This is the administrators' salaries at a 7.5 percent, move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR HALL:

A 6.5 percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 360. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee

amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 361, Mr...Senator Etheredge. Senate bills 2nd reading is Senate Bill 361, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 361.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This reduces to...I mean, it maintains the Governor's level for the appropriation, and ask adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 361. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 2 is a phasing in of the

employees and move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 361. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 362, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 362, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 362.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is...keeps it at the Governor's level and move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 362. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 2 is the Build Illinois double appropriation, so we have deleted that in this also. Move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 362. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 3 is the administers' salaries at 6.5 percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of...Committee Amendment No. 3 to Senate Bill 362. Is there any discussion? Senator Weaver.

SENATOR WEAVER:

Just a roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall, there's been a request for you to explain Committee Amendment No. 3. Senator Hall.

SENATOR HALL:

...Amendment No. 3 is...what it does, it holds the administers' salaries at 6.5 while the others are getting 8., and that's what it does, Senator Jones. That was a discussion we had before while it was on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 362. Senator Weaver has made a request for a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 23. Committee...the adoption of Committee Amendment No. 3 prevails. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 363, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 363, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 363.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate...Amendment No. 1 is a reallocation of funds under the university civil service. I'd move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has move the adoption of Committee...Committee Amendment No. 1 to Senate Bill 363. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2 is the Senate guidelines and actually moves dollars in that system, so move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 363. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 364, Senator Vadalabene. On the Order of Senate Bills 2nd Reading is Senate Bill 364, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 364.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 keeps the...at the Governor's level of the appropriation, move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 364. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

...Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment is the Build Illinois double appropriation and it calls for the deletion of this. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall has move the adoption of Committee Amendment No. 2 to Senate Bill 364. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...Amendment Nos. 3 is the administrative salaries at...held at a 7...6.5 percent. Move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Hall has moved the adoption of...Committee Amendment No. 3...to Senate Bill 364. Senator Dunn.

SENATOR DUNN:

I'd like a roll call on this please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall may close. Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 364. Those in favor of the adoption of Committee Amendment No. 3 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 25, 1 voting Present. The adoption of Committee Amendment No. 3 fails. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 4 is the appropriation for the Rape Crisis Center at SIU, and I'd move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 4 to Senate Bill 364. Those...any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 4, 383, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 383, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 383.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would decrease the appropriation of four hundred thousand, the amount that the Illinois Department of Transportation says that...it would cost to do the study. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 383. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 387, Senator Dawson. Senator Dawson on the Floor? Senator Carroll seeks leave of the Body to handle that for...Senator Dawson. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 387, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 387.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 403, Senator Carroll. On the Order of Senate Bills 2nd...2nd Reading is Senate Bill 403, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 403.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 428, Senator Kustra. 428. On the Order of Senate Bills 2nd Reading is Senate Bill 428, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 428.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee...Amendment No. 1...and this is the bill

that is to fund the various high school band groups who are going...who are invited to participate in different activities. The policy of the Senate has been to allow up to twenty-five percent of the cost of those trips. The bill in its original, it's Glenbrook South...Committee Amendment No. 1 adds Belleville Netherlands. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Poshard. Your light is on. All right. Senator...Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 428. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a like amendment for Danville, I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 428. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 449...449? All right. Senator Carroll seeks leave of the Body to handle Senate Bill 449 for Senator Rock. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 449, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 449.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 450, Senator Dudycz...with leave...is there leave to have Senator Sommer handle that for Senator Dudycz? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 450, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 450.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. WAND-TV has requested permission to shoot the proceedings. Is leave granted? Leave is granted. Senate Bill 451, Senator Sommer...on the Order of Senate Bills 2nd Reading is Senate Bill 451, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 451.

(Secretary reads title of bill)

2nd reading of the bill. The...Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Mr. Secretary, I believe there were two committee amendments. Is that correct? Two committee amendments on that one. I'll explain Amendment No. 1 while you're looking.

SECRETARY:

Okay.

SENATOR CARROLL:

Committee Amendment No. 1 is the Senate guidelines for the operations of Central Management. We found that in some instances they were over their own guidelines, so we tailed them down to the guidelines that they has established, and I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of a...Committee Amendment No. 1 to Senate Bill 451. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we don't have a copy here, Senator Carroll. All right. Further committee amendments? Turn...turn your mike on, Kenny. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

Bills 452 + 453 2nd Reading

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Both sides agree, this was adopted in committee. This is an amendment that deals with the issue of lease purchase construction of real property. In our review of the various agencies of State Government we determined there was a lack of a concrete plan or game plan on when to lease, when to lease purchase, when to purchase and when to construct. We have directed the Department of Central Management Services to conduct such a study, reporting back to us by October 1 of this year. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 451. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 452, Senator Sommer. I'm sorry...all right. Are there any Floor amendments on 451?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senate Bill 452. On the Order of Senate Bills 2nd Reading is Senate Bill 452, Mr. Secretary, read the bill.

SECRETARY:

Senate...Senate Bill 452.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment, I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No...No. 1 to Senate Bill 452. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate...Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 453, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 453, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 453.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is on the CDB new projects bill, a technical clean-up amendment, no dollar impact. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 453. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 454, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 454, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 454.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 in the area of constitutional officers of which is the...this is the first that we are dealing with. We did not do the productivity amendment but did apply as we have in the past the turnover in hiring lag, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 454. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes

have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 5. 455, Senator Sommer. Top of page 5, on the Order of Senate Bills 2nd Reading is Senate Bill 455, Mr. Secretary, read the bill.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 445.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is a very modest usage of the Senate guidelines for the Department of Insurance. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 445. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 456, Senator Karpiel. 4-5-6. On the Order of Senate Bills 2nd Reading is Senate Bill 456, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 456.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This as one of the smaller agencies has a very modest imposition of the Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll have moved the adoption of Committee Amendment No. 1 to Senate Bill 456. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 457, Senator Karpiel. On the Order of Senate Bills 2nd Reading is Senate Bill 457, Mr. Secretary, read the bill, please.

SECRETARY:

Senate BIll 457.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines. I would answer questions. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 457. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 458, Senator Karpiel. On the Order of Senate Bills 2nd Reading is Senate Bill 458, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 458.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This also would be the Senate guidelines approach to the Environmental Protection Agency and to bring it in conformity with the budget book. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 458. Those in

favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 459, Senator Karpiel. On the Order of Senate Bills 2nd Reading is Senate Bill 459, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 459.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical rewrite of the bill but has no dollar impact. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 459. Those in favor signify by saying Aye. Opposed No. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 460, Senator Bloom. On the Order of Senate Bills 2nd Reading is Senate Bill 460, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 460.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. Secretary and Ladies and Gentlemen of the Senate. This is the Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator Carroll moves the...moves the adoption of Committee Amendment No. 1 to Senate Bill 460. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 461, Senator Bloom. 461. On the Order of Senate Bills 2nd Reading is Senate Bill 461, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 461.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the guidelines, twenty-six thousand reduction. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 461. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 462, Senator Bloom. On the Order of Senate Bills 2nd Reading is Senate Bill 462. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 462.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines and still allowing for a significant increase in the Grant lines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No...No. 1 to Senate Bill 462. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 463, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 463, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 463.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines on the Office of Banks and Trust. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 463. Those in

favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 464...on the Order of Senate Bills 2nd Reading is Senate Bill 464, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 464.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the imposition of the Senate guidelines to the Department of R and E. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 464. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is...the licensing of medical technicians. Pursuant to substantive legislation we had to add the money to so fund the department. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 464. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

This is the same for the nurses. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 464. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 464, Senator Watson. On the Order of Senate Bills...all right. 465, Senator Philip. On the Order of Senate Bills 2nd Reading is Senate Bill 465, Mr. Secre-

tary, read the bill.

SECRETARY:

Senate Bill 465.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 466, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 466, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 466.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the imposition of the Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 466. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...all right, there is, in fact, a second committee amendment. With leave of the Body, we will return Senate Bill 466 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 466, Mr. Secretary.

SECRETARY:

Now wait a minute. We adopted Committee Amendment No. 1. Now this is another one of those? We had one before...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll, is there a...further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

In order to make it well for the Department of Mines and Minerals, we added back the two well inspections that were being phased out. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 466. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 to...is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 467, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 467, Mr.

Secretary, read the bill.

SECRETARY:

Senate Bill 467.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the imposition of the Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is the one million dollars in Federal funds for the community action agencies, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is two hundred thousand for the three area agency planning commissions until the department can find within its budget the funds available. They believe that they'll get a Doctor Bob on this. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1...No. 3 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to appropriate through the Department of...Commerce and Community Affairs, as we do these other ones, the mandated for the county clerks, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 4 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 6, 468. On the Order of Senate Bills 2nd Reading is Senate Bill 468, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 468.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers six amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is forty thousand dollars for ovine disease research, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 468.

Those...those in favor signify by saying Aye. Opposed...the Yeas...Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to fully fund the conservation districts, three hundred and seventy-two thousand seven hundred. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is four thousand dollars for the Mid-Continent Fair, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 4 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the reappropriation of the capital improvement projects for the Department of Ag., it's reappropriation, I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 5 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 5 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for trichinosis control and I would reluctantly move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 6 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 469, Senator Dudycz. Senator Dudycz on the

Floor? 469? On the Order of Senate Bills 2nd Reading is Senate Bill 469, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 469.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 469. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 470, Senator Dudycz. On the Order of Senate Bills 2nd Reading is Senate Bill 470, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 470.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Senate guidelines amendment in this case was to phase in the vacancies and add the productivity. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No...No. 1 to Senate Bill 470. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 471. On the Order of Senate Bills 2nd Reading is Senate Bill 471, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 471.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the updated reappropriation's level. As we move through the process and find out what has to be reappropriated, we always bring it down to that level. This does so,

and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 471. Those in favor signify by saying Aye. Opposed...Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 472. On the Order of Senate Bills 2nd Reading is Senate Bill 472, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 472.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the imposition of the said guidelines in placing the funds back out in the districts on taking care of the Amtrak breaks. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 471. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was a..a reducation in the new positions, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 471. Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Mahar on the Floor? 473. On the Order of Senate Bills 2nd Reading is Senate Bill 473, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 473.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is, in fact, the Senate guidelines and I would

move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 474, Senator Mahar. Senator Mahar. On the Order of Senate Bills 2nd Reading is Senate Bill 474, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 474.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines to phase new and vacant positions and impose in productivity. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 474. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is

adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 475, Senator Mahar. On the Order of Senate Bills 2nd Reading is Senate Bill 475, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 475.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We imposed upon Doctor Bob the same guidelines that he imposed upon everyone else, reducing his pay increase from 7.3 to 6.5 and putting in the turnover in hiring lag. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Committee Amendment...No. 1 to Senate Bill 475. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 476. On the Order of Senate Bills 2nd Reading is Senate Bill 476, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 476.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the...follows the Senate guidelines and that...move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall moves the adoption of Committee Amendment No. 1 to Senate Bill 476. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Senate Amendment No. 2 is the...fifty-two percent of standard of needs and it adds 21.5 million and that's...for the General Assistance Program. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hall has moved the adoption of Commit-

tee Amendment No. 2 to Senate Bill 476. Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. There were very few amendments that were subjected to a...a split on the committee; however, this was one of those amendments, because by virtue of Amendment No. 2, after we cut twelve million in Amendment No. 1, we then added back in 21.5 million and essentially added in a lot more than at this stage some members of committee felt was necessary. Having said that, I would request a roll call on this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the Senate. I have to rise in support of this committee amendment and let me explain very simply why. A, we are talking about those on general assistance who find themselves suddenly in a position of need; and B, we are talking about a very modest, modest, modest increase to fifty-two percent of the recognized standard of need. All we will give them if this amendment passes is fifty-two percent of what the Federal Government tells us is the standard of need. How inhumane could we be not to allow them to go from fifty percent to fifty-two percent? Think about that. A four percent increase in the standard of need, the minimum standard of need, four percent increase. We're giving six and a half, as we rightfully should, to the employees of State Government. The Governor gave five percent to all of the providers of care. The Governor has asked for eleven percent for the operations of his budget, and here we are saying, four percent to those on general assistance who have the minimum amount, the standard of care, and we're still, even after this, only going to give them fifty-two percent of that.

Remember, of the twenty-one million, almost eleven is reimbursable under the Federal Formula, so it is, yes, about a ten to eleven million in general revenue but well within our ability to live well within our reason to be a government, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I...I don't know if Senator Carroll mentioned it, but that...if he did, I'll apologize for restating it, but that is only half-year. We're talking forty-two million dollars on a Statewide basis. On an annual basis, taxpayers' money...I don't quite see the difference between Federal taxes and State taxes, it all gets extracted, but simply put, there was an increase last year. If we increase this line item, then we throw it out of kilter, they'll...can come back on the other line items and, frankly, there just isn't enough money, I agree. I'd like to give people a lot more but we have to draw the line somewhere. I'm led to believe that a lot of the budget cutting of...of couple thousand here and ten thousand there is to avoid having to have a tax increase for education. Well, you can't have it both ways. You can't fatten up a budget like this to this degree and then not be put on a posture just to pass additional taxes just to take care of the budget even before we get to education. How can you argue against it...would like to do it, there just isn't enough money and if we do this, there's a whole bunch of other areas in the same budget that ought to be increased, if we want to use the same logic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President. Yes, this is exactly as I said, it's the standard of need and I'd like to reiterate

that this is...is fifty cents refunded by the Federal Government, so instead of 21.5, it'll actually be 12. I'd move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hall has moved the adoption of amendment...Committee Amendment No. 2 to Senate Bill 476. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 26. On the adoption of...Committee Amendment No. 2 to Senate Bill 476, the amendment fails. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 477, Senator Bloom. On the Order of Senate Bills 2nd Reading is Senate Bill 477, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 477.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines, reduced Contractual Services. I would move adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 477. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 478, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 478.

(Secretary reads title of bill)

3rd reading...2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines. It's three long-term vacancies...eliminated into the entry level positions that was funded, unknown certification study deleted and the total reducation of the funds for the Governor's School Base Substance Abuse Prevention Initiative is added back, and I'd move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

No, not on the amendment. On...on an announcement after.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No discussion? Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 478. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On a point of personal privilege. On behalf of Senator Berman and myself, we have in the gallery sixty students from St. Margaret Mary's School. It adjoins both of our districts. We would like them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 479, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 479.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines of Consumer's Affairs and the Lieutenant Governor

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has senior citizens actions left intact. So, I'd move for the adoptment of amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 479. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

The...Amendment No. 2 is for Retired Seniors' Volunteer Program. It was increased while new lines for Foster Grand-Parents was added, and so I'd move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 2 to Senate Bill 479. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 480, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 480.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 was the Senate guidelines and lease dollars and fine range was deleted because both the Department of Correction and Law Enforcement are both...adding...or trying to arrange to get a firing range, so we decided that it'll be best for them to get together and decide so they could have one. The next thing was that the...there is deletion of a general office of new positions in East St. Louis and that was deleted right now, so that...and this was for relocation of the dollars approved for a work release center. So, I move...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 480. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Amendment No. 2 was that we placed two hundred thousand dollars for a county jail in the southern part of the State, and I'd move the adoption of that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This

amendment also is one the few areas where the committee was not unanimous in their approach. Basically, this would provide planning and design money for regional jails in the southern part of the State, and there was some feeling on the members of...on behalf of the membership of the committee that the 1970 Constitution provided intergovernmental...for allowed counties to combine with intergovernmental cooperation agreements to achieve the same results and that there were...had been other counties around the State that had built jails to conform to the State guidelines...a variety of them, Cook and other counties had already gone through this process and under our...1970 Constitution, those counties that for revenue or size purposes wanted to combine certainly could do it and that there was no need to involve State monies in either the planning or construction thereof. Therefore, I would oppose this and at the appropriate time seek a roll call if necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. One correction on this amendment. That amendment was not specific to downstate communities. I think that applied to anywhere in the State. Let me address the issue of downstate counties, though, in this particular State mandate as it relates to the building of regional correctional facilities. We have...several of the counties in the very southern part of the State, as I'm sure there are counties that exist all over the State, which are under the mandate of the State Mandate's Act to build a jail facility or to upgrade present jail facilities by January 1, 1986 or be out of sync with the State Mandate Act. Now the counties in my district...all of the counties which I specifically referred to in committee in addressing this bill range in unemployment right now from

sixteen percent to 28.9 percent in those specific five or six counties. Those counties have very little tax base in the sense that the national forest area takes up a great deal of those counties, and they do not get adequate reimbursement for the area that they have to keep up in the way of fire protection, police protection and so on. They need some assistance in terms of cooperation in building a regional jail facility that would save the taxpayers of that district...should they have to meet the State mandates for the...for the correctional facility in each one of their counties would save those areas about four million dollars. This is just grant money that would be available through the Department of Corrections that would address this issue of a regional correctional facility which would save the taxpayers ' monies. So, I'm hopeful that this Body will see the successful adoption of this...amendment as it relates to assisting counties and accomplishing that act. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. My sympathy goes out to you, Senator, but seeing as DuPage just spent eighteen million dollars for the same purpose because we too had to meet Federal guidelines, and seeing as one of those counties that you are speaking of gets more in return on State dollars than...by far any other county, it seems to me that you and your counties ought to be able to get together and build your own jail like everyone else does because we all have the same problems.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Poshard.

SENATOR POSHARD:

Senator...Senator Fawell, you're quite right about a couple of those counties getting back more monies per capita

than other counties in the State. I don't disagree with you on that, that is a fact. In my district alone we have three State prison facilities now. We have about two State prison work camps. For some reason or...or another, it seems like our district keeps taking care of the prisoners for the rest of the State, and you're right, money flows down to take care of those folks, no question about that, and it does raise the per capita revenue source coming back into those counties at a much higher rate than it does other counties of the State, but I think that you also need to consider the fact that we also take care of a great...a great amount of U.S. forest land for which there is no tax base in those counties. We do take care of the prisoners for the State...for the rest of the State, for the most part, and I think there are reasons why you can show more revenue flows down there, but that doesn't get away from the fact that they're very poor counties, that we do have to depend upon the State probably more than other counties, not that we like it, not that we hope it will always be that way, but right now it is. We have presently in our area committees working on...marketing strategies for our area, we're putting together industrial site handbooks, we're identifying all the areas which we can induce industry to come in and take a look at us. We're trying to develop a tourism industry base. We're trying our best to help ourselves, but at present, we just don't have the money to meet the State Mandate Act to build new jail facilities all over my district. So, the counties are going to have to do something and we're just hopeful that this might open the door to help them help themselves.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Hall moves the adoption of Amendment No. 2 to Senate Bill 480. Those in favor indicate by saying Aye. Those opposed. The Ayes have...a roll call has been requested. Will all the Senators

please be in their seats. On the adoption of Amendment No. 2 to Senate Bill 480, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 26, none voting Present. Amendment No. 2 having failed to receive a majority vote is lost. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 481, Senator Dudycz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 481.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers four amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines and there was nine new positions eliminated so that...I'd move for the adoption...and also what they did was a contingency for Meigs, switch from Operation to Grant of 5.5 million. I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 481. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee

amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Amendment No. 2 adds three hundred and ninety thousand for apprehensions of fugitives. I'd move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 2 to Senate Bill 481. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Amendment No. 3 adds 92.5 thousand for a county expenses in apprehension of fugitives. I move for the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Okay. My handlers energize me. Could you clear up...was...was this the one that addressed reimbursements to counties for FY '85 or prior...everyone else?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR BLOOM:

Or was this...or was this just to a few counties?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Hall.

SENATOR HALL:

Senator, it's open for everyone and it's just for 1985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bloom seems to...Senator Bloom. Senator Watson.

SENATOR WATSON:

Does this have anything to do with the legislation we defeated...last week sometime in regard to extradition of fugitives?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

No, Senator, these are current expenses for the county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

...of what county?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

All...all the counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, then this is...this certainly has a...a great deal to do with the issue we beat last week if it's...if it's as I read it here, "Reimbursement to counties for expenses incurred in the apprehension of fugitives prior to...Fiscal Year '85." Currently, we do not do that and I...it's...it's not in the budget and it's certainly not in Fiscal Year '86's budget because we just defeated that last week, so I think we ought to have a No vote on this and...and defeat it, and I ask for a roll call to do so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Carroll.

SENATOR CARROLL:

I may be able to clarify, I believe, the issue, and that is these were the apprehension of fugitives that were fugitives and apprehendable and reimbursable under the law as it existed at that point in time. It's my recall that the bill we had last week dealt with the apprehension of fugitives to which a felony had not been the charge. These were, in fact, cases...in one case...let me put it a different way, there was no lapse appropriation or they would have appropriately been before the court of claims. One particular county that I recall testifying and the department agreed, they had sent in their request, they got a letter back asking for more information, they sent back that more information which was...for which they received a time-stamped receipt from the Department of Law Enforcement. Department of Law Enforcement testified they never paid the bill because they didn't get the response from the county. When we showed them in committee the time date-stamped response by their department, they said they obviously lost the paper work or that bill was, in fact, valid and should have been paid. The same is true of some other counties that we're aware of, including my home county, where fugitives have been apprehended but, for whatever reasons, the department did not process the paper and in one case, as I recall it, they said they merely ran out of money. So, these were...what would have been valid at the time absent the money to pay for them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, excuse me for rising a second time, but I'd like to ask a question. Then...then what you're saying then, the department supports this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I don't want to say that for and on behalf of the department, other than to say, when the director sitting at the table testified and was shown by Madison County at the time the time-stamped one, he said, obviously there was a screw-up in his department because his records showed that they'd never gotten that information; had they gotten it, he said...you know, he saw where it would have been paid. So, I hate to speak for a director, but I would believe that they would be at least moderately supportive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I think that what has transpired by way of discussion on this particular amendment is partially correct in the sense that the court of claims has not processed this. I think under the procedures we have, they can issue us advisory opinions and inform us as to which warrants were time stamped and which were not, and I think that this is an estimate of what warrants...what will be the obligation because of the failure in FY '82 or that there was a budget crisis in FY '83 which restricted payments. I think that is what this amendment addresses and I think that some of the debate and questions were more properly put towards Amendment No. 2; and that being the case, I would suggest that we adopt Amendment No. 3, the one before us, and at the appropriate time, because I voted on the prevailing side, I would then seek leave to reconsider the vote by which Amendment No. 2 was adopted. So, let's go ahead and adopt this amendment, and then I would seek leave of the Chair to put the proper motion on Amendment No. 2. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Hall moves the adoption of Amendment No. 3 to Senate Bill 481. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

On Amendment No. 4, I'll defer to Senator Carroll...that...I think he wants to make an announcement on his Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

At this time, Mr. President, I would move to withdraw Amendment...or move to Table Amendment No. 4. It's my understanding that the purpose for which it was intended, we were incorrect in our discussions in committee that these were not the troopers to be so assigned to what would otherwise be consider city streets. I'm not saying the room was tapped, but within three minutes I got a call from the director of law enforcement indicating that our comments were in error and, therefore, at this stage, I would move to Table.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll...moves to Table Amendment No. 4 to Senate Bill 481. Is leave granted? Leave is granted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor? Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President. Having voted on the prevailing side for...Committee Amendment No. 2, I would move that we reconsider so that we could have the discussion on that particular amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, our voice indicator indicates that you did not vote on the prevailing side. You voted No on the voice vote, so...

SENATOR BLOOM:

Mr. President, I believe I was snoozing and that when you said Aye, that I think I...I snored in favor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom moves to reconsider the vote by which Amendment No. 2 passed. Is there any discussion on his motion? Senator Carroll.

SENATOR CARROLL:

I...in an effort to attempt to clarify, I believe Senator Bloom may not want to proceed. The issue is, on the DLE reimbursement for the apprehension of fugitives and the fact that they have underestimated that amount each year, the suggested amendment in Amendment No. 2 was merely to bring that amount up to what is a more realistic figure of what the various counties lawfully request from the Department of Law Enforcement and would be paid were there an appropriated account. Their lapse generally happens only if they do not, in fact, process the requests for reimbursement for apprehension. My suggestion is that we do appropriate an amount sufficient to meet the need rather than curtail it and require them to go to the court of claims or come back to us as we had to do in Amendment No. 3. I believe, again, that these are only those claims that are statutorily allowed and this is a better guesstimate of how much those amount to, so I would urge that the committee amendment is, in fact, proper

so that the counties who expend the funds to apprehend the fugitives and are allowed by State law to be so reimbursed can, in fact, be timely reimbursed rather than waiting an excessive period of time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. My...my handlers have again, energized me. The...if that's the case then, I suppose what we would be saying by virtue of...of adopting this amendment is that perhaps we do not need to go through the supplemental process and that when this and other bills come back from 3rd reading, as come back they must, that this Chamber will then make the policy judgment of upping certain expenses...expenditures that we really are unaware of...in any finality until the end of the budget cycle. It's a roundabout way of saying, are we sure we want to do this at this time? Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Merely to identify also, Senator Bloom, Senate Bill 9 which would clarify these reimbursements and from which the four hundred thousand dollar...estimate came from the department assuming passage of Senate Bill 9, passed the Senate 52 to nothing last week and is over in the House. So that the department's estimate of four hundred thousand was in concert with the passage of Senate Bill 9 which is something this Body has already done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the record, Senator Bloom wishes to Table the motion to reconsider. Is leave granted? Leave is granted. No further amendments. 3rd reading. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Well, I'm...just want to make a comment on Amendment No. 4. I'm pleased to see you withdraw that amendment because, basically, downstate there's many districts that have one or two, maybe, troopers on the road at a given period of time, and I just would hope that you'd kind of scrutinize this budget a little more maybe, Senator Carroll, because about a month ago the director gave all the captains in the State police a six thousand dollar raise, all the lieutenants a four thousand dollar raise, the master sergeant a two thousand dollar raise and the average sergeant seven hundred and fifty, but he did give the troopers two hundred and fifty dollars a month so...I know if we've got that kind of money...they call it decompression. I guess that means they've got too much money and so they have to spend it or else it'll lapse and...when we're talking about the administrators and all those high-priced administrators, when you've got a captain of the State police making fifty thousand dollars a year, why, I think that's a pretty good salary for a patrol...for a captain of the districts throughout the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Just...question of Senator Weaver whether he wants to draft the amendment to bring them down to more realistic leverage...levels or he would like me to, either way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, you've done a pretty good job so far, you might as well draft it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 482, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 482.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is along the Senate guidelines that long-term vacancies were phased and new employees...or...twelve with unfilled vacancies were cut. Also that the road projects appropriated from the Road Fund and Manteno opening was deferred and...that's...is what happens to Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I have a...some questions for the sponsor. First, I...I guess a little statement. We've...we've spent eighteen million dollars at that Manteno veterans' facility to date. The construction work is to be done in September and it...if those people are ready to move in there January 1st, it just seems to me, why are we delaying this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

That's a good question, Senator, and I'm sure that we're going to have to look at that and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, while you're looking at it, you might be reminded that we're losing nine hundred jobs due to the closing of the Manteno Mental Health Center, nine hundred. Twenty-two million dollars is going out of that community this year and we're...we're talking about a two million dollar deferment in the Department of Mental...or Department of Veterans' Affairs when...when this facility will be done, ready to go on line, ready to put people to work there and ready to have the veterans who need bed space to go in there, and we're going to defer it for three months makes absolutely no sense to me and it'll make a lot less sense to those people who work in that facility and...and who are in desperate need, they're the low income people in my community, Senator Hall, if you know what I mean. Well, you're cutting those people out of three month's work and I resent it and I think that...I will try and defeat this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Hall may close debate.

SENATOR HALL:

Thank you, Mr. President. And, Senator Carroll, I read you...I mean, Senator Joyce, I read you loud and clear. So, that...and, Senator Carroll, would like to comment as a designated hitter?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll, would you like to close debate?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amongst the things that this amendment does, does...in fact, impact that home, it is two months not three as identified. The director has indicated that were we to do

it at one month, he could, in fact, bring the people in in January as planned. We have been in discussions with the director and would suggest that the amendment which follows the guidelines well beyond that one home be, in fact, adopted and we talk in terms of an add-back as we do with all the other agencies, and I would support the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 482. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is...a roll call has been requested. Will all the Senators be in their seats. On Senate Bill 482, the adoption of Amendment No. 1, those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 17, 1 voting Present. Amendment No. 1 to Senate Bill 482 having received the majority vote is adopted. Any further amendments?

SECRETARY:

No further amendments...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 483, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 483.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Governor's Purchase Care Review Board and also the Senate guidelines. I move for the adoption of the amendment of the Senate guidelines only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 483. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 496, Senator Rock. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 496.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As we indicated, there was a separate type of guideline for the constitutional officers where...and we did do productivity, that's the same with this, and we, in fact,

had to add the interest accrued on the Protest Fund for the two years which we appropriated by way of this amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 496. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. I'm sorry...all those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 507, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 507.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 528, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 528.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I

SB 552
2nd reading

offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a guideline amendment, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 528. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 552, Senator Philip and Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 552.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be the Senate guideline amendment imposed on our legislative agencies. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 552. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 695, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 695.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...863, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 863.

(Secretary reads title of bill)

2nd reading of the bill. This bill was in Appropriations II. It was rereferred to Appropriations I. Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Human Rights Commission and it's a supplemental appropriation. Amendment No. 1 makes it into a transfer bill and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the...speaker...the colleague yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, he will.

SENATOR GEO-KARIS:

Senator Carroll, will this have the same effect by the transfer to give them the required funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 863. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1033, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1033.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment will reduce it to an amount that is believed that can be spent, three hundred and thirteen thousand three hundred. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1033. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1112, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1112.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guideline amendment and I would move its

adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1112. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1263, Senator Rock-Keats-Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1263.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment reduces it from a million five hundred thousand to five hundred thousand, and I'd move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 1263. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1368, Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1368.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is to bring the...the reappropriation amount down to the March 30th level, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1268. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment to the bill, and I

would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1268. Those in favor indicate by saying Aye...for the record, it's 1368. Is there...those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1410, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1410 was in Appropriations II. It's now in Appropriations I.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1411, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1411.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would reduce the requested appropriation from five million to one hundred thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1411. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1460, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1460.

(Secretary reads title of bill)

2nd reading of the bill. Appropriations II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 1460...that's the vocational training center. There's some technical and...and it deleted unnecessary language. It also reduced it from five million dollars to five dollars. I move

for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to Senate Bill 1460. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. That concludes our Senate bills 2nd reading on appropriations. We will start back at the top of page 2 and in the center of the page start with bills...Senate bills on 2nd reading and proceed through these bills. On Senate bills 2nd reading, in the middle of page 2, Senate Bill 220, Senator Marovitz. Senate Bill 253, Senator Karpiel. Read the bill, Mr. Secretary.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 253.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Amendment No. 1...was suggested...or the reason I have introduced Amendment No. 1 is because in committee...in the Elementary and Secondary Education Committee I had a bill dealing with this subject, and many of the members of the committee said that they felt that the issue of...that there should be something done to allow more flexibility in...for the boards to determine who to let go in...in a rif situation, but they felt that the bill that I had there was not written very tightly or very well. So this amendment, I believe, takes care of that situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion?

SENATOR KARPIEL:

The...I'm not finished.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh.

SENATOR KARPIEL:

I'll explain the amendment more fully. The amendment requires that seniority must be the basis for dismissal unless the professional or legal qualifications or the

experience in the grade level or the subject matter of a less senior teacher exceeds those of a more senior teacher. And if the board would determine that this particular individual would be of more benefit to the educational program of the district, they could make that determination and keep a less senior teacher if, in fact, the qualifications and the...in the subject matter and grade level, et cetera exceeds those. If the qualifications and experience are the same then that of the more senior teacher prevails. This determination is based on educational consideration. It would not allow a district to...dismiss a more senior teacher for budgetary reasons, only for educational reasons. And it also includes the...that if a district has a collective bargaining agreement in which seniority is the only criteria used in a rif then that collective bargaining agreement, of course, prevails. And I would...answer any questions or like...your vote on Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...Luft.

SENATOR LUFT:

Thank you, Mr. President, a question, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR LUFT:

This appears to me, Senator, to be part of the program that has gone forth throughout the State of Illinois in the last few months on changes in the educational system and reform within the educational system of the State of Illinois. And it was my understanding that Senator Berman has bills that right now are addressing reform in the State of Illinois. Why are you trying to address this problem in this bill rather than in the reform package?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

...well, Senator Luft, the reform package, to my knowledge, does not deal with seniority except...yeah, just when evaluating the tenured teachers. I don't believe it has...I don't...Senator Berman could probably answer that, but I don't believe that we deal with this particular subject in the reform package.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

What I am trying to state is that that's where we should be dealing with this subject matter, in the reform package. And if it is silent or doesn't address it, what I am trying to say is this is where you should be addressing it. Where, in fact, that if each one of us on the Floor of this Senate want's to pick away at the reform package, that's fine, but we should be doing it in that package; otherwise, we're going to have fifteen or twenty bills with as many ideas floating around, and I would suggest that this amendment either be withdrawn or defeated and offered on the reform package where I think it belongs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr...President. I stand in opposition to Amendment No. 1. First of all, this amendment was in bill form and was defeated by the Senate Committee on Elementary and Secondary Education when it was before the committee a few weeks ago. I think on that basis alone it should not be presented again on to the Floor. Picking up where Senator Luft opened the door, I think the question of teacher evaluation and performance is certainly...was certainly taken into consideration by the Illinois Commission on the Improvement of Elementary and Secondary Education. And...and the ques-

tion, I think, is addressed to some extent by the package of bills that I believe will be...we will be receiving from the House of Representatives. I think also in the summit conferences and other discussions that are going on this will be a subject of discussion, and I think it would be to everyone's best interest if it not be addressed in a separate bill at this time. For those reasons, I intend to oppose Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Karpiel may close.

SENATOR KARPIEL:

Well, thank you, Mr. President. First of all, this is not the same bill that I had in committee, this is totally rewritten and does not...you know, is not the same thing at all. It addresses the same issue which I said at the very beginning but it is not the same...the same bill. Secondly, I believe in the reform package the issue of tenure or of seniority...all that's in there is...is to do...deals with that is to say that there would be...there should be an evaluation of a tenured teacher twice a year. This issue is not being considered in the reform package. And to answer Senator Luft's comments, I don't...I don't feel that any individual Senator here should be precluded from introducing a bill that they feel is important or an issue that they feel is important. We're talking about reform this year in Illinois. I think that the public expects us to do some reform and I think that this is good reform. It's a very moderate bill, it does not take away tenure, it does not take away seniority; it simply says that if a particular teacher with...less seniority is more equipped through educational qualifications, that has more experience and more qualifications in a subject matter or a grade level, it simply says that that teacher can be kept on rather than one with more

seniority if that other teacher doesn't have the qualifications. Why should we keep a teacher on to teach English who's qualified to teach social studies, or why should we keep a teacher on to teach fifth grade when he's qualified or she's qualified or accredited to...has certification to teach second grade? I mean, certainly we should give a little bit more flexibility, you know, for the board to...decide which teacher has a better educational background to teach a certain subject in a certain class. We're not talking about doing away with tenure, we're not talking away...about doing away with seniority; we're just saying give a little bit more...more flexibility to the board in determining what the best educational qualifications are for a teacher in their district in a particular grade. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel moves the adoption of Amendment No. 1 to Senate Bill 253. Those in favor indicate by saying Aye. Those opposed. A roll call has been requested. Those in favor indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator, would you...have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays 28, none voting Present. The amendment having failed to receive a majority vote is declared lost. Senator Karpiel moves for a verification of the negative vote. Will all the Senators please be in their seats. And will the Secretary please call the negative roll.

ACTING SECRETARY: (MR. FERNANDES)

The...the following voted in the negative; Berman, Carroll, Chew, Coffey, Collins, D'Arco, Darrow, Davidson, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Savickas, Vadalabene, Welch, Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Karpiel, do you question any of the negative votes?

SENATOR KARPIEL:

Yes, Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew. Senator Chew is on the Floor.

SENATOR KARPIEL:

Thank you. Not today, Senator, at least not right now...I see Jones there, I see...Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Joyce on the Floor?

SENATOR KARPIEL:

No, the other Joyce...Jeremiah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jeremiah Joyce on the Floor? If not, strike his name from the record.

SENATOR KARPIEL:

...Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz is on the Floor.

SENATOR KARPIEL:

Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Dawson on the Floor? Senator Dawson? Strike his name from the record.

SENATOR KARPIEL:

Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene on the Floor? Senator Vadalabene on the Floor? Senator Vadalabene?

SENATOR KARPIEL:

He's not on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I don't...I don't see him, Senator. There he is...he's on the Floor.

SENATOR KARPIEL:

I see...I see. O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel is in his seat.

SENATOR KARPIEL:

Thank you. You should stand up Senator, I've been told. Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's in his seat, Senator.

SENATOR KARPIEL:

...I'm looking right at him. Senator Kelly. He's in his seat...he's not voting. I think that's all. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, there are 24 Yeas, 26 Nays, and the amendment having failed to receive a majority is declared lost. Any further amendments? Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. What this amendment does is add the word...two words "or equivalent." What we are talking about is...physical ed. Let me give you an example. I used to teach primary classes. By the time my children got their gym shoes on, laced up to the...knees, I got them in line, I marched them down to the gym, I put them on the black line, the gym teacher came out and said, this is a ball and this is what we're going to do with it today, most of the gym period was over. What this bill is saying in...and I want this in the record as the legislative intent, we are not talking about less gym; what we are talking about is using

some common sense. It would make much more sense to allow the children to have two periods of gym on Monday and none on Tuesday and two on Wednesday and maybe one on...on Friday, which would give them the same amount of gym. The same thing would be true in the high school. They are now teaching things such as bowling, cross-country skiing and...tennis. There is no way you can get that kind of an activity and actually teach them anything within one period's time. Again, let me reiterate, I am not talking about less gym, I am merely saying that I think that the schools should be able to have the option of using the time more sensibly so that, indeed, when they do go to gym, they can actually learn something. And I'd be willing to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion on this? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to Amendment No. 2. If you think that there ought to be some greater flexibility accorded to the school districts regarding the present mandatory daily physical education requirement, I would suggest that you not vote for this but that you wait till tomorrow and support Senator Maitland's amendment to Senate Bill 351. And the difference is that in Senate Bill 351, as it was first introduced and as Senate Maitland...Senator Maitland will try to reconstruct it tomorrow is that we were very specific. That said that if you want to chip away at the mandate regarding physical education, you do it within very limited guidelines, and those guidelines are that in the eleventh and twelfth year, junior and senior year of high school, is you need extra time for...to catch up in your studies or to prepare for college or you're a member of one of the athletic teams, you can get a waiver so you don't have to take gym in your eleventh and twelfth year. Now that's a good start I believe and that's

what Senator Maitland is going to reoffer...tomorrow on amendment stage on Senate Bill 351. The problem with Senator Fawell's Amendment No. 2 here is that I don't know and I'm not sure anybody else knows what the words "or its equivalent" really means. And there is...substantial fear on my part and others that some school boards will come up with a definition of what is the equivalent of physical education that nobody will be able to recognize what is the alternative to physical education. I think it's not specific enough, it's in effect a blank check. I'm not willing to go that far at this point. I urge a No vote on Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR ZITO:

First of all, Senator, I apologize for the other day last week moving to Table because we didn't have the amendment. I do have an amendment now and I appreciate it and it does exactly what you said it does. It adds three words, "or its equivalent." And I, like Senator Berman, are...am quite confused as to what that exactly means. Could you explain that, what's "or its equivalent"?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

That's...thank you, very much. Yes, indeed I will. And...and that's why I would like to say for the record...for...that this legislator's intent is, it does not mean any less gym. What we are talking about is merely using the time properly, particularly in the grammar schools, and unfortunately, although I perhaps might agree with Senator

Maitland's amendment tomorrow, it does not address this problem. Your problem in your grammar schools is that particularly in the younger grades, your...your periods of time are about twenty or twenty-five minutes. Mr. President, could I have some order, please. Your periods...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we break up these conferences in the aisle...

SENATOR FAWELL:

...your periods of time in grammar school, are usually twenty...twenty...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft, would you break up the conference. Senator Marovitz...Senator Davidson...Karpiel...Senator Roger.

SENATOR FAWELL:

...your...your periods of time in grammar school, and...and that's where I taught, are twenty or twenty-five minutes; and as I said, by the time you get their gym shoes on, line them up, get them in gym, and we've all gone through this, line them up on that black line, usually by height, make up your teams, get the equipment out, you...your period is just about gone. Then they have to line up again, they come back to the class rooms. If you've ever smelled a bunch of first or second graders after they've been running around for five or ten minutes, who are all keyed up and who now have knots in their gym shoes, you will understand why I think this is a good amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Carol Fowler of WCIA requests permission to videotape. Is permission granted? Leave is granted. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. I...by that explanation, Senator Fawell, I'm not real sure, I think I knew...more about "or its equivalent" before you started. Who's going to make this determination? Who is going to determine" or its

equivalent"? Is the local school board going to make that determination? The instructor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Fawell.

SENATOR FAWELL:

The local school board would probably have to make the...the...decision on...on scheduling, but...but the State board already...says that they have to have x number of...of periods of gym. And I'm not trying to change that...I'm just...saying, does it have to be a daily thing? Can't it be so that we actually teach these children something? Can't we have this flexibility? But believe me, I am not saying, less gym, which doesn't...I think is the crux of the problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

To the amendment, Mr. President, I...I apologize for belaboring the point but it's obvious that we don't know what "or its equivalent" means. Furthermore, it's very difficult for us to understand exactly who's going to determine equivalency in...in gym. At a grade school level, is the instructor, the school board? We don't know. I think we...and...and to coin what Senator Berman say or echo those comments, I think we have a good system right now in the State of Illinois and I think that we should continue in this...in this vein. If we're going to change this I think it's going to take much more language than three words to change an existing program, and I would urge the defeat of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I think this is a really important debate here and I...I hope

that some of us aren't...aren't missing it. First of all, to Senator Berman's point about what's coming up tomorrow in the Maitland proposal, as far as I'm concerned, that is a separate issue. It's different than what we're talking about right now and it shouldn't be confused. You can vote for Senator Maitland's proposal tomorrow or you can vote against it and quite frankly, that isn't going to affect what we're talking about here right now. The fact of the matter is, as Senator Fawell has already said, in the elementary schools many physical education daily programs are only twenty to thirty minutes long. You hardly get the kid out there and he has to turn back and go back to class. And so she's trying to deal with that the way my physical education teachers across my district suggest. Okay? Now, for those of you that are sensitive to the IEA and the concerns they have about reducing the number of hours of physical education, you should pay attention, because tomorrow what you'll be voting on, perhaps, is a reduction in the number of hours students will spend in physical education, if they can get that waiver that Senator Maitland would like them to have. But under this proposal I think those words, "or its equilavent" are very clear. What it says is that instead of a physical education teacher taking those kids out there five days a week for twenty minutes a day, she could have a three-day a week program. And that gives more time per day, but it doesn't have to be every day, but at the end of the week when you total up the hours, they have to be the same. Now that seems to make a lot of sense to me. Certainly teachers can't object to that, who teach physical education, 'cause you wind up with the same number of hours. Now as far as the local or the...the...Senator Zito's question about who determines this, that's the local school board, no question about it. And if they violate that law, if they don't read equivalent for what it means, equal, I don't know how that can be any

more clear, then I suppose the State board can take action against them or whatever happens. But we should be voting for this because it in no way steps on teachers, it in no way steps on school boards, it's a perfect way to give physical education teachers and kids more flexibility, and tomorrow you can decide if in the eleventh and twelfth grades you want to make a...a change or an adjustment in the mandate at that level. But let's give these kids and these phys. ed. teachers a break, and I don't see how anybody who feels strongly about the IEA or teachers or anything could possibly oppose this. I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I think, Senator Fawell, that if your amendment had said exactly the words that Senator Kustra said, I don't think we would have had the confusion that we have on the Floor. I think the issue is...is whether or not your equivalents is one...one hour per day or whether or not it's in reference to five days a week and I think that's the problem. I...I don't think that...Senator Maitland's...amendment address this problem. I think this is a problem that we really ought to deal with because the...the bottom line is that many of our children in elementary school are not receiving a...a...adequate physical education program, and that was the whole intent of the law, simply because of the time restraints imposed on the program. We do need to address that issue. I don't think this amendment does it, Senator Fawell, and I'm willing to work with you if you take it out of the record or let's and try and work it on an amendment because it does not do what Senator Kustra say.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Let me tell you where Senator Kustra's argument fails. I was an elementary teacher for six years. When you say that you are having...or physical education at the elementary...level, do not assume that you have physical education teachers. You have the regular classroom teacher teaching physical education in many districts in downstate Illinois simply because they don't have the money or the wherewithal to hire a physical education teacher. And there is...I can't even figure out how you could violate this bill simply because everything here is based on the interpretation of a word, and how do you violate someone or prosecute or whatever someone's interpretation of a word? The major problem with this bill is that it's just too broad, it doesn't say who interprets it and it doesn't say what is or even comes close to interpreting what equivalent means. And why not? What is physical education doesn't necessarily mean that somebody is going to put on a sweat suit and socks and whatever and go out and do something. Physical education can be simple stretching exercises, physical education can be talking about health or anything. So I would suggest that we defeat this amendment, and if we're going to vote on the exchange of a physical education for anything else, we could maybe consider Senator Maitland's amendment at a later date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Fawell, do you wish to close?

SENATOR FAWELL:

Thank you, very much...I...yes, I would like to answer a couple of the questions. Number one, the reason I cannot put that they have to have an hour of...of gym every other day and that would solve the problem is because by the State Board mandates they have to have an equivalent to what the periods are. Now the periods in...in the lower grammar

school...because of the span of attention is shorter, is much smaller, it's twenty or twenty-five minutes; as you get up into the fifth and sixth grade, maybe half an hour, forty minutes. Therefore...a sixth grader has more gym now and should continue to have more gym than the first or second grader. In answer to...the other Senator's comments, if, indeed he does not have gym teachers in his school, he is out of conformance already. The State mandate is that you must have gym teachers, teachers who have been trained, not the normal classroom teacher, and if he has schools that do not have gym teachers right now, then either they are not obeying the law or they have probably, in all likelihood, gotten waivers and I understand that is true down in southern Illinois. What I am saying with this bill...and all of us when we were children, if you remember, your gym teacher would take you out and you would choose sides, perhaps in a softball game, one side would be able to get up and the other side wouldn't because we didn't have enough time to...to finish the gym period. I do not think this is an unreasonable bill. I think if you talk to your gym teachers they would not think it is an unreasonable bill. I'm not even real sure that the IEA in..in their heart of hearts think this is an unreasonable bill. I...I ask you to use your common sense, that's all this is...and vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell moves the adoption of Amendment No. 2 to Senate Bill 253 and requests a roll call. Those in favor of adopting Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 23, the Nays are 29, none voting Present. Amendment No. 2 having failed to receive a majority is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 325, Senator D'Arco. Senate Bill 350, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 350.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman, just a minute. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR GEO-KARIS:

In the gallery...to my right up there is the...students from Plato School, from the Assumption Greek Orthodox Church with their teacher, Betty...Betty Hiotis. They happen to be in Senator Rock's area but he's not here today, and I'd like you to help me welcome them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. On Amendment No. 1 to Senate Bill 350, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. There are three amendments that have been filed on...this is the first of...350 and 351 are the two reform bills on the Calendar. I've asked Sena-

tor...Schaffer and Senator Kelly who have Amendments 2 and 3...filed, if they would withhold their amendments, we would move this to 3rd reading today and it would be on the recall tomorrow because there's also other amendments that...seek to be filed. So they've indicated that that's all right with them, so if we would...withhold those amendments and we'll take it, bring it back tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, do you wish to withhold all three amendments and just move the bill as is to 3rd reading?

SENATOR BERMAN:

Yeah, we'll bring it back on recall tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there objection? Is there...no objection? Senator Welch.

SENATOR WELCH:

Believe...believe I have two amendments filed as well...to 350. Yeah, I just wanted to make sure that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...why don't...why don't the...the makers of the...of the amendment simply withdraw them and move the bill with the understanding that it's going to be brought back tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's what Senator Berman has requested and has an agreement from...I guess all parties at this point, that he will move it to 3rd and bring it back tomorrow. There's a technical question, the Secretary is desirous of knowing, will all amendments be called tomorrow so they can put it on the recall with all five amendments? There are at this point five amendments to be presented. Is...is that correct? Well,...all the amendments now are being withdrawn by the sponsors. So at this point there are no amendments. All the

amendments are withdrawn today, there are no amendments at this point pending on Senate Bill 350. No Floor amendments, no committee amendments. Senate Bill 350 is moved to 3rd reading. Senate Bill 351, Senator Berman. Senator Maitland. Senator Maitland, there is a committee amendment.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 351.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very...thank you, very much, Mr. President. I hate to be in...in a position of...of moving to adopt the committee amendment, but I am going to move to adopt the committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Committee Amendment No. 1 to Senate Bill 351. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Now, it's my understanding, Senator Maitland, the Floor amendments will be held till tomorrow?

SENATOR MAITLAND:

Yes, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

How many Floor amendments are there?

ACTING SECRETARY: (MR. FERNANDES)

Three; two by Senator Maitland and one by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Those amendments are withdrawn, so at this time, we've adopted Committee Amendment No. 1. Mr. Secretary, are there

any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I want to know what we're doing here. I...I have an amendment for 351 but it's not up here yet. It...it...

PRESIDING OFFICER: (SENATOR SAVICKAS)

It will be recalled tomorrow, it'll be on the recall list for amendments. At this point, there are no further amendments. 3rd reading. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen. I'd like to...for the record to show that Senator Newhouse is absent today because of...of problems back in his home district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let the record so reflect. Senate Bill 368, Senator Joyce, Jerome Joyce. Senate Bill 380, Senator Kustra. Senate Bill 381, Senator Kustra. 382, Senator Kustra. For what purpose does Senator Kustra arise?

SENATOR KUSTRA:

Mr. President, it's my understanding that a fiscal note has been requested on an amendment to Senate Bill 382, and it's not here yet so I would assume we would hold that on 2nd reading until it arrives.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 389, Senator Rock. Senate Bill 624, Senator DeAngelis. Senate Bill 626, Senator Newhouse. Senate Bill...Senator Jones. Senator Jones seeks leave of the Body to handle Senate Bill 626 for Senator Newhouse. Is leave granted? Hearing no objection, leave is...Senator Demuzio. Senator Demuzio, do you object? Hearing no objection, leave is granted. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 626.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I'd like leave to Table Amendment No. 1 to Senate Bill 626.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones...

SENATOR JONES:

Leave to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones seeks leave to Table Committee Amendment No. 1 to Senate Bill 626. Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Jones, it's sort of an unusual procedure that...you know, we are moving the bill in the absence of the sponsor, I have no...I don't have any objections...the question is to whether or not...does Senator Newhouse wish to have...Amendment No. 1 Tabled? I guess that's my question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, he does, that's why I'm handling the bill. Also I am a hyphenated sponsor, that's the reason why I'm handling the...the amendment and the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. What does Committee Amendment

No. 1 do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Committee Amendment No. 1 to the bill...clarify the intent of the bill to a certain degree; however, in committee...in committee, the...the bill was...the amendment was supposed to be a clean-up amendment. The...the second amendment that is coming is an amendment to really clean-up the legislation to further clarify the intent...it doesn't change the substance of the bill but just cleans it up and...and clarifies the intent of the bill. So Amendment No. 1 was supposed to originally do this, but it did not clarify the full intent of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Jones moves to Table Committee Amendment No. 1 to Senate Bill 626. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Newhouse and Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, I'm sorry.

SENATOR JONES:

Yes, thank you, Mr. President. The amendment that was Tabled was an agreed amendment, all this amendment does is...is clarify the intent and clear up any...any technical errors in the bill and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones moves the adoption of Amendment No. 2 to Senate Bill 626. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further...amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 712, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 712.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 713, Senator Zito. Read the bill, Mr. Secretary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 713.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We have Senate Bill 220, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

SB 756
2nd reading

Senate Bill 220.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I think we've already adopted this amendment and then...then we held the bill on 2nd reading for a fiscal note which has been filed. The amendment had already been adopted. The bill was held on 2nd reading for a fiscal note which has been filed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm informed it had to be taken out of the record, so we must move to adopt Committee Amendment No. 1 again. So, Senator Marovitz moves the adoption of Committee Amendment No. 1 to Senate Bill 220. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further discussion?...I mean, any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 722, Senator Berman. 756, Senator Chew. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Bill 756.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 1073
2nd Reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch. Senator Netsch. Senator Demuzio. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment which is to the Seat Belt Act is intended to deal only with one problem and that is that there are some handicapped persons for whom a...the use of the seat belt is inappropriate and in some cases nigh well impossible. And this problem was called to my attention and I think also to Senator Chew's. The amendment is intended to recognize that by listing them among those who are not compelled to wear a seat belt when it doesn't work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Netsch has moved the adoption of Amendment No. 1 to Senate...Senate Bill 756. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 794, Senator Etheredge. Senator Etheredge on the Floor? 848, Senator Dudycz. 987, Senator Jerome Joyce. Middle of page 8. 1031, Senator Friedland. It's a hold. 1073, Senator Barkhausen. On the Order of Senate Bills 2nd Reading, page 8, is Senate Bill 1073, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1073.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think there is to be a Floor amendment, I believe. Amendments from the Floor.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 1073 is an agreed amendment which I have discussed with the chairman and minority spokesman on the Transportation Committee where this bill was assigned and also with Senator Marovitz the chairman of the Senate Judiciary II Committee, since that committee also has a subject matter interest in the subject of driving under the influence. This is the...compromise package that was worked out between the Secretary of State's Office, the bar associations and all of the parties and legislators that have had an interest in this matter and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1073. Any discussion? If not, those in favor signify...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1099, Senator Macdonald. On the Order of Senate Bills 2nd Reading is Senate Bill 1099, Mr. Secretary,

read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1099.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Macdonald and Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President. This is the bill that makes it irrefutable...for the identification of a voter to provide a thumbprint on...the application for a ballot. It was pointed out to us that that might be difficult in the absence of a handicap of not...not having a...a thumb. So we have made this amendment to provide that for fingerprint purposes, any other digit may be used. And if the voter is unable to provide a thumbprint or a fingerprint, the judge of election my ask the elector the questions for identification which...appear on the registration record card in order to determine whether the elector is entitled to vote and therefore they would be able to vote...by affidavit. So I ask for your acceptance of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 1099. Is there any discussion? Any discussion? If not,...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1311
2nd Reading

3rd reading. 1161, Senator Welch. Senator Welch on the Floor? Page 9. 1222, Senator Jones. 1281, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 1281, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1281.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1308, Senator Philip. Senator Philip, 1308? 1309. 1311, Senator Bloom. On the Order of Senate Bills 2nd Reading is...is 1311, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1311.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

I'd like to state for the record that I have...I have yet to hear from...or we have yet to hear from the carriers and the doctors who are continuing their discussion on other matters. And I have advanced it to 3rd and will bring it back on recalls because also Senator Jones has...some input on

SB 1321
2nd Reading

that. Okay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1321, Senator Marovitz. Senator Marovitz on the Floor? 1338, Senator Joyce, Jerome Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1338, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1338.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll return to 1321. Senator Marovitz is on the Floor, I inadvertently did not see him. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1321. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1321.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1339, Senator Jeremiah Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1339, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1339.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This bill which mandates maximum class size in K through 3rd grade of fifteen has fiscal implications the first year of somewhere between forty and a hundred and seventy-three million and the second year of ninety to two hundred and seventy-two million according to the fiscal note. The amendment that I filed simply says that should the State...should we, as the State, fail to fund the education at fifty-one percent, that the school districts are no longer required to comply with the law. You'll recall, I've filed several of these amendments. This is because of the nature of the bills it's difficult to have a uniform amendment, but it's basically, if we aren't going to pay for it, we aren't going to mandate it kind of an amendment. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Joyce. Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

What does the fiscal note have to do with your amendment? You mean, you just...how much...how much share of it you honor? Or is this a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Quite frankly, if the bill had only cost a hundred and fifty bucks, I wouldn't have bothered to put the amendment

on; two hundred and seventy-two million dollars kind of got my attention. And I figure if we're going to mandate the...the potential of that kind of expenditure, we ought to be at least funding education at fifty-one percent, and if we aren't going to do that, then the mandate ought to go by the boards. Although the school districts could still continue to meet the goal if they chose to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Joyce.

SENATOR JEREMIAH JOYCE:

Well, I was so wrapped up in your fiscal note report that I didn't pay attention to what the amendment does, so would you...take me through it again. I know this is only about the fourteenth time you've offered this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Actually, it's only the third, it just seems like fourteen. Basically, what the amendment says is if the State does not appropriate sufficient funds to pay at least fifty-one percent of the instructional cost of the public schools of the State for any school year, no school district is required to implement or continue to implement the provisions of this section for the following school year, although a board may, however, at its discretion continue...such implementation. If we aren't going to at least hit fifty-one percent, then I don't think we have any right to mandate this extremely expensive change, which by the way is...is not a bad idea. I don't...I'm not against the concept of the bill, it's just if we aren't going to pay for it and if we aren't at least going to get to fifty-one percent of cost, I don't think we have any right to mandate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Joyce. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, if you're not against the concept, then I won't be against your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer may close. Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1339. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1358, Senator D'Arco. 1360. 1366, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 1366, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1366.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

This amendment is technical, suggested by the Reference Bureau.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 1 to Senate Bill 1366. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

This is the amendment...suggested by the committee. It places in the bill a reverter and also creates an object of appropriation so that this has to be appropriated every year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Sommer moves the adoption of Amendment No. 2 to Senate Bill 1367. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

There should be no Amendment No. 3.

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...

ACTING SECRETARY: (MR. FERNANDES)

No further amendments on...on 1366.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On 1366, 3rd reading. Senate Bill 1367, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 1367. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1367.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

This is the suggested committee amendment, it creates a reverter and also an appropriation object for each year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer...Senator Sommer has moved the adoption of Amendment No. 1 to Senate Bill 1367. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1371, Senator Netsch. Bottom of page 9. Senator Netsch...1371. On the Order of Senate Bills 2nd Reading is Senate Bill 1371, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1371...Senate Bill 1371.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

SB1391
2nd reading

Thank you, Mr...thank you, Mr. President. Just to make this point. We are still working on some possible amendments to that bill but in accordance with the request that we keep the paper work moving, I am moving it to 3rd and we will bring it back when the amendments are prepared. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 10. 1389. 1391, Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 1391. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1391.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 is the agreed amendment between the consumer groups and the department. And what it says is that the department, when it...when a person files a complaint before the department it shall notify them of this option they have that within three hundred days of the expiration...I mean, within thirty days of the expiration of the three hundred-day period the complainant can opt to file...refile his complaint with the Human Rights Commission instead of the department. I don't know of any opposition and I would ask a favorable vote on the adop-

tion of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 1391. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1392, Senator D'Arco. 1399. 1402, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1402, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1402.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and...Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. Committee Amendment No. 1 is a clarifying amendment; however, I am waiting for an amendment that would...and I will be Tabling that amendment later. So I would request leave to have the bill moved to 3rd reading and then I will move it back for that amendment as soon as it is ready.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You...you want to move to adopt the committee amendment then. Senator Collins.

SENATOR COLLINS:

I...I move to adopt Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins moves to adopt Committee Amendment No. 1 to Senate Bill 1402. Any discussion? If

not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1404, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1404, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1404.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins moves to Table Committee Amendment No. 1 to Senate Bill 1404. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Committee...Floor Amendment No. 1 attemps to clarify the original intent of the Illinois Job Development Corps. It puts the responsibility for administering the corps in the Department of Commerce and Community Affairs. It provide for a more detailed definition and a procedure for selected membership of the corps with priorities given to those persons on general assistance and AFDC. It establishes clear-cut guidelines for the administration of the corps and for those agencies that would be participating in the corps. It...establishes centers to...for training...for...job skill development and a system by which the participants of the corps would participate in the training centers on a...one day out of a week. And I would move for the adoption of...Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins moves the adoption of Amendment No. 2 to Senate Bill 1404. Is there any discussion? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

I think there's some confusion, Amendment No. 3...I Tabled Committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Oh, I'm sorry...Amendment No. 3 was just simply...it provided...it gave preference to participants in the job development...corps to those persons on general assistance and public aid. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has moved the adoption of Amendment No. 3 to Senate Bill 1404. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1405, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1405, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1405.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue and subsequent referral to Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Okay. Committee Amendment No. 1...deletes tax increment financing districts from the Act. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 1405. Is there any discussion? If not, those in favor...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President, that's not what our analysis

says committee...Committee Amendment No. 1 is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well, I'm...I'm reading what I have here and it says limit the abatement to enterprise zone the area and reinstates that no taxes shall be abated in tax increment financing district. I...I don't know what yours has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins has...Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 1405. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No...Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the same committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Okay. Amendment No. 2 limit tax abatement in enterprise zone the area so that no existing Illinois business moving into the zone may be granted abatement privileges, and it further provides that such abatements will not apply to homes or residents and such abatements terminates after a period of two years. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Collins has moved the adoption of Committee Amendment No. 2 to Senate Bill 1405. Is there any discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, I just think that...in our analysis book here...we have things mixed up. We have Amendment No. 1 the one that you just said is Amendment No. 2 and the reverse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I...I'm told...

SENATOR KARPIEL:

Can we...can we get that straightened out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm told by the Secretary that that's precisely what...what has happened. I think Senator Collins is now explaining Amendment No...Committee Amendment No. 1 and we've already adopted Committee Amendment No. 1 and...that is what...that is the information that we have here in the...what...why don't you...why don't you spend a minute and come down here and talk with the Secretary one second. So,...in fact, the...on the adoption of Committee Amendment No. 1, Senator Collins explained Amendment No...Committee Amendment No. 2, and now we are on now the adoption of Committee Amendment No. 2 and you are at liberty to define Amendment...Committee Amendment No. 2. Senator Collins.

SENATOR COLLINS:

Okay. Point of order. So now I should go back over and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we've already adopted Committee Amendment No. 1, we are now on the Committee Amendment No. 2 and your...your discussion should be confined to...to that and if you...wish to mention...

SENATOR COLLINS:

Okay...okay, then...then...Amendment No. 2 limit tax abatement to enterprise zones and reinstate that no taxes shall be abated in tax increment financing districts. That's Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...Senator Collins...

SENATOR COLLINS:

Move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...move the adoption of Committee Amendment No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1406, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1406, Mr. Secretary, read the bill.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1406.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1408, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1408. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1408.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government, subsequently referred to the Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, Committee Amendment No. 1 creates the Small Business Bonding Assistance Board. It establishes this...the...the members of that board which shall be the...the board shall consist of the Secretary of Transportation, the chief officer of the Capital Development Board, the State...Comptroller, which will be the chairman, and one member from Illinois Development Financial Authority, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Committee

Amendment No. 1 to Senate Bill 1408. Any discussion? Senator Hudson.

SENATOR HUDSON:

Would the sponsor of the amendment answer a question or two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

She indicates she will yield. Senator Hudson.

SENATOR HUDSON:

Earlean, in creating this board, could you give us a little more insight as to what the...what the duties and what the responsibilities of the board would be, its prerogatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

The...the...the duty of this board is to establish a guidelines for the allocation and administration of the Small Business Bonding Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Would establish the guidelines. Now, what...what areas would those guidelines cover?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

It...it will relate specifically as to how the bonding monies would be...would be used. It will determine whether or not one is qualified for it. It will determine whether or not this person had in fact...could not in fact receive bonds on the tradition...secure bonds on a traditional...in the traditional market...other guidelines...that have been set forth in the Act that they would promulgate rules and regulations to ensure that the Act was administrated properly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins has moved the adoption of Committee Amendment No. 1 to Senate Bill 1408. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Amendment No. 2 simply clarifies and...because in...in the beginning, we wasn't too sure about how much money would be coming into this fund, and then after more in-depth studying and calculation of the possibilities of the funds we found that there would be enough funds in this...created in this fund to provide for start-up monies and assistance to small business. So what we...this amendment does, it simply state that fifty percent of the money would be used to secure bonds and then fifty percent would be used to make revolving loans to small business, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1408. Any discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. Just...just for clarification, our...again, our records indicate that there was no committee amendment, that both of these are...are Floor amendments. I think...was there a committee amendment adopted?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We just adopted Committee Amendment No. 1. Mr. Secretary, was there...was that a committee amendment? Labor and Commerce. The Secretary indicates there was indeed a committee amendment. Senator Maitland. All right. Further discussion? Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1408. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is...adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1414, Senator Kustra. 1415, Senator Philip. 1417, Senator Barkhausen. On the Order of Senate Bills 2nd Reading is Senate Bill 1417, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1417.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 1417 is in response to concerns on the part of the Department of Registration and Education and the Illinois Association of Realtors, who pointed out that...although our original bill did basically the same things that this bill did that the amended bill which is in the form of this amendment would provide that the Department of Registration and Education is the enforcer of the regulations that are proposed in this

bill, and the realtors are also concerned that those who are dealing in interests in time sharing estates be registered as sales agent. I'd be happy to try to answer any questions, otherwise, would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 1417. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator...Philip has indicated that he is ready on Senate Bill 1415. With leave, we'll return to that. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1415, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1415.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 just strips everything after the enacting clause, leaves it a shell bill. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Philip has moved the adoption of Committee Amendment No. 1 to Senate Bill 1415. Those in favor signify by saying Aye. Opposed Nay. The Ayes have

SB 1429 2nd reading

it. Amendment...Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1422, Senator Marovitz. On the Order of Senate Bills 2nd Reading, bottom of page 10, is Senate Bill 1422, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1422.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 11, Senate Bill 1426, Senator Zito. 1429, Senator Jeremiah Joyce. Senator Jeremiah Joyce on the Floor? On the Order of Senate Bills 2nd Reading is Senate Bill 1429, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1429.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1436 2nd reading SB 1452 2nd Reading

3rd reading. 1436. On the Order of Senate Bills 2nd Reading is Senate Bill 1436, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1436.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1443. On the Order of Senate Bills 2nd...2nd Reading is Senate Bill 1443, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1443.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1444, Senator Jerome Joyce. Senator Jerome Joyce on the Floor? 1452, Senator Jeremiah Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1452, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1452.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1454, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 1454, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1454.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is a technical amendment and I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 1452. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1458, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1458, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1458.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive, subsequent referral to the Committee on Labor and Commerce offers

Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I would like to move to Table Committee Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins seeks to...moves to Table Amendments...Committee Amendments No. 1 and 2 to Senate Bill 1458. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendments No. 1 and 2 are Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 3 clarifies and combine Amendment...Committee Amendments No. 1 and 2. It clarifies the intent of the...the law. It provides for a five-year financing and resource development plan, and it put back the advisory council and it...it provides for the...the creation and making of small business loan guarantee. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 3 to Senate Bill 1458. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Senator Collins.

SENATOR COLLINS:

We have a problem. I...I think what...I think I should have Tabled...withdraw Floor Amendment No. 3 and then we will move No. 4. That's...that's probably what I have to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins, having voted on the prevailing side,...seeks to reconsider the vote...Senator Collins seeks...having voted on the prevailing side,...moves to reconsider the vote by which Amendment No. 3 was adopted. Those in favor signify by saying Aye. Opposed...Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I wondered if copies of this amendment that's either being passed or not passed or voted up or not voted up have been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we have already adopted three. Perhaps we could reconsider this, let her Table 3...at that point, she can be passing out Amendment No. 4.

SENATOR HUDSON:

Then she can...all right. Very good.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is that...is that...does that meet with your approval?

SENATOR HUDSON:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So, Senator Collins moves to reconsider the vote by which Amendment No. 3 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Collins now seeks to Table

Amendment No. 3 to Senate Bill...Senator Collins now moves to Table. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is Tabled. Now, Senator Collins, perhaps you could share with Senator Hudson Amendment No. 4; and I will make the announcement to the Body, that we will be going to the Order of 3rd Reading as soon as we are...have concluded our business on 2nd reading, and we will be beginning on the top of page 32, Senate bills 3rd reading with Senate Bill 1378. So, Senator Jones, if you are in the Chamber, you're first one out of the chute. (Machine cutoff)...amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Collins.

SENATOR COLLINS:

...thank you, Mr. President, members of the Body. Amendment No. 4 differs from Amendment No. 3 only in that it provides for loan guarantees rather than loans to small business with low interest rates, and I will move for its...its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 1458. Any discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, I just want to ask, if Amendment No. 3 was the amendment, I mean...when...when Committee Amendments No. 1 and 2 were Tabled, and Amendment No. 3 was supposed to be an amendment which clarified the...Amendments No. 1 and 2 and combined those two and now we Tabled those. So, now, No. 4 really doesn't address that problem. You said it just changes that one thing. So it includes everything as in 1 and 2?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR COLLINS:

...and...and the one that we Tabled...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Collins.

SENATOR COLLINS:

...the Floor amendment that we Tabled did exactly what I said, but then Amendment No. 4, the only difference is that we changed the small interest loans to guaranteed loans...after we found the money for loan guarantees. I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Does Amendment No. 4...did you say, then, it does...it puts back in the board that was taken out? Now that's the five-member board or the original thirteen-member board which is now in place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

It put backs the advisory board that's already in place. This is...is...is...is...in a...in an advisory capacity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

...the present thirteen-member board. All right. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I urge a No vote and ask for a roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Well, I...I...I realize that we don't have troops on this side, but I can tell you this, we're going to move the bill to 3rd reading and you would have an opportunity to debate the issue and to vote your conscience at that point. But this bill...this amendment most certainly makes this bill, Senator Watson, a far better bill than...than what it was when it passed committee, and I would suggest...you know, all of you to consider that. We don't have the troops today, but we sure will have them tomorrow. I'll ask for favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 1458. Roll call has been requested. Those in favor of the adoption of Amendment No. 4 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have...have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 28, none voting Present. Amendment No. 4 having failed to receive the required majority vote is declared lost. Senator Collins.

SENATOR COLLINS:

Verification of the negatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...thanks to Senator Watson, Senator...Senator Collins has sought a verification of the negative...the negative votes. Mr. Secretary, would you please read the negative...those that have voted in the negative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Barkhausen. Bloom. Coffey. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Karpiel. Keats. Kustra. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson. Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, do you question the...anyone who voted in the negative?

SENATOR COLLINS:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats on the Floor? Strike his name.

SENATOR COLLINS:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen on the Floor? Senator Barkhausen on the Floor?...Senator Barkhausen on the Floor?

SENATOR COLLINS:

Strike his name.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Barkhausen is on the Floor.

SENATOR COLLINS:

Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell on the Floor? Senator Fawell on the Floor? Strike her name.

SENATOR COLLINS:

That's it. Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer. Senator Sommer on the Floor? Senator Sommer is behind you on the Democratic side.

SENATOR COLLINS:

That's it...that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Collins, do you question any...any...anyone else on the negative? You do not. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. As you might well imagine, we've gone this far, we might as...well verify the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson...Senator Hudson has requested a verification of the affirmative roll call. The Secretary will read the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. O'Daniel. Poshard. Savickas. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson, do you request...do you question anyone who's voted in the...the affirmative? Senator Hudson.

SENATOR HUDSON:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson on the Floor? Strike his name.

SENATOR HUDSON:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones. Strike his name.

SENATOR HUDSON:

Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch is in her seat.

SENATOR HUDSON:

Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name. Senator Hudson, do you question...

SENATOR HUDSON:

Okay. What's the count?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Do you question...do you...Senator...Senator Hudson, do you question any other person voting in the affirmative?

SENATOR HUDSON:

All right. Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz is sitting in his seat. Senator Jones is now on the Floor. Restore his name.

SENATOR HUDSON:

Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan is in the back of the Chamber.

SENATOR HUDSON:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall on the Floor? Strike his name.

SENATOR HUDSON:

That's good. All right. Let her go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Since you had struck Senator Jones' name and restored him, Senator Fawell is back on the Floor. Has she been restored on the negative vote?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just a moment. Senator Fawell is on the Floor. Her name will be restored. Both members are on the Floor. They're both being restored to the roll call; otherwise, we will just simply go through another roll call. There are 25 affirmatives...voting Yes, 27 voting No. The...the amendment fails. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Point of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR COLLINS:

Now, it was my understanding that if one returns to the Floor while we are in the process of verifying that particular roll call, then that person can be added to the...to the...to the roll call. However, when...

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is in fact...that is in fact what we did.

SENATOR COLLINS:

...when Senator Fawell turned...returned to the Floor we were not on that roll call, we were verifying the...the affirmatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We most certainly were on...on the verification of the roll call. Senator Fawell returned to the Floor, she's been restored. Otherwise, we would simply go through another verification. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, we'll go to House bills 2nd reading. I understand that there is...an emergency bill that Senator Davidson has made a request be moved. On the Order of House Bills 2nd Reading,

SB 1388
3rd Reading

page 33, is House Bill 116. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 116.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. It's House Bill 116, Mr. Secretary,...put that on the board. 3rd reading. Top of page 32, on the Order of Senate Bills 3rd Reading, with leave of the Body, we'll go to that order of business. Is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading is Senate Bill 1378. Senator Jones. 1382, Senator Smith. 1387, Senator Savickas. 1388, Senator Coffey. 1388. On the Order of Senate Bills 3rd Reading is Senate Bill 1388, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1388.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate...Senate Bill 1388 amends the Public Aid Code, which requires workfare program for eligible AFDC and general assistance recipients. It also redefines the time period of sanctions against...uncooperative workfare recipients. Actually what this bill does, it sets up with the Department of Public Aid an opportunity...an opportunity for public aid recipients and other welfare recipients to be able to work

for the dollars that they receive. I think this bill is a...a good bill. It gives dignity to those people that are entitled to be able to feed their families, and that's...exactly what this bill does. It does exempt those mothers that have preschool children from the workfare program, unless they...theirselves would request to participate in that program. Be glad to answer any questions that you might have in regards to this issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1388 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1388 having received the constitutional majority is declared passed. Senate Bill 1397, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1397.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1397 provides that an applicant must hold a valid Illinois driver's license or furnish a certificate...certified abstract of his driving record from the state in which he resides as a qualified...qualification for license as an instructor for driver's training. What's occurred is in border cities where they have driving schools, they have been unable to find driving instructors and have had to go to other states...the adjoining state, and current law prohibits them from doing that since one of the requirements is that the person have an

Illinois driver's license. This opens it up a little. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1397 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. Senate Bill 1397 having received the constitutional majority is declared passed. Senate Bill 1419, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1419.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1419 is a...has been prepared by Chapman and Cutler. What has occurred in 1984, the Federal tax laws were changed and created...ambiguities in the legal Statutes of tax exempt bonds issued to finance airport...projects. This legislation clarifies those ambiguities and also allows airport authorities to secure...lower rates of interest when they borrow funds. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1419 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1419 having received the constitutional majority is declared passed. Senate Bill 1421, Senator

Newhouse. 1425, Senator Luft. Luft, do you want...1430, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1430.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1430 was requested by the state's attorneys. What it does is change the penalty for violation of the Medical Practice Act from a Class A misdemeanor to a Class 4 felony. The penalty for subsequent violation is changed from a Class 4 felony to a Class 2 felony and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1430 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1430 having received the constitutional majority is declared passed. Senate Bill 1432, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1432.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This also comes as a request from the various state's attorneys to amend the Criminal Code to allow us...by

removal of the Statute of limitation to allow prosecution of the offenses of perjury, subordination of perjury, or communicating with jurors or witnesses absent a specific Statute of the limitations. This would eliminate that Statute so that it would fall in the same category as the offenses of murder, manslaughter, treason, arson or forgery, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Will the speaker yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He will.

SENATOR FAWELL:

Just out of curiosity, when I had the same bill, why didn't you vote for it in committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

It has been suggested to me that maybe it was a bad sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, the question is, shall Senate Bill 1432 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. Senate Bill 1432 having received the constitutional majority is declared passed. Senate Bill 1433, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1433.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Again, this is a state's attorney's bill. What it does is it...any person practicing medicine without a license commits a battery, if he makes physical contact with the patient. If bodily injury occurs or if the offender administers drugs, the offense becomes an aggravated battery. Furthermore, battery of a state's attorney or assistant state's attorney or state's attorney investigator becomes an aggravated battery if the offender knows the victim's official designation and the official is harmed or...as a result of or in the performance of his official duties. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'm not going to stand in violent...opposition to this bill, but I...I just think a couple of things should be pointed out. This bill is amending the Criminal Code to say that it's battery or aggravated battery to engage in certain types of unauthorized practice of medicine. Senator Darrow has just sponsored and we just passed out of here Senate Bill 1430 which stiffens the penalties for violations of the Medical Practice Act, and I would simply ask whether having done that we need also take this action to amend the Criminal Code provisions dealing with battery and aggravated battery to provide narrow and specific provisions for this type of unauthorized practice of law. I would only suggest that I think this type of activity on the part of doctors is already covered by the Medical Practice Act and the sanctions, particularly as...as we just amended them, I think are...are stiff already and I would question whether

these additional provisions in the Criminal Code are necessary. For that reason, I'm voting Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. A question of the sponsor...yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MAITLAND:

Senator Darrow, this is the first time I've seen this bill, and...and a...and a point in the synopsis catches my eye and it deals with...with somewhat not licensed administering a drug to an individual...and the question arises what...what about the...the high school coach or the trainer who in fact is not licensed and...and may well administer a drug to a...to a participant, is that a problem?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

No. The specific language is this. "A person practicing medicine without a license who in the context of a doctor-patient relationship administers to an individual or causes him to take an...any intoxicating, poisonous, stupefying narcotic or anesthetic substance commits aggravated battery." It has to be...first of all, the person has to be practicing medicine without a license; and secondly, it has to be in the context of a doctor-patient relationship. So that would not pertain to your situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank...thank you, Mr. President. I...I know how on...especially with college and university basketball...all

sport...all teams, it is in fact a...a...almost a doctor-patient relationship, and I...I guess I'm a little bit concerned about how far we're going here. That almost becomes a doctor-patient relationship, but I...I have some concerns about that very honestly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to answer...ask a question, please, of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WATSON:

Does this affect the Pharmacy Act in any way?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

No...not...not to my knowledge it doesn't. It doesn't make reference to the Pharmacy Act...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay. Fine. Another question, if...situation in which a patient goes into a doctor's office and this is a...what we in the pharmacy world called a dispensing doctor in which he gives out medication and then charges the patient for that medication, if, in fact, this patient receives the medication from a nurse or a clerk or a typist, is...are they affected?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

They should not be, but we're going...that's one issue that we want to clarify when it gets over to the House. This came to our attention...late last week and our intention is

to have the House sponsor...clarify that over in committee and amend it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

In what way are we going to clarify?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, that's what we...I'll tell you the way it rose, the Nursing Association was concerned, as you are; they are the ones that asked for further clarification of this, and I told them that we would give them that in committee, that we would work with them on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR GEO-KARIS:

You're saying then, under...as you know, nurses do administer some narcotics by hypodermics at the request of a doctor. Are you saying, then, that you are not intending by your bill to affect the rights of an...and treatment of a nurse if...when she administers a hypodermic, for example, of a narcotic, morphine or whatever it is. This would not apply to...the nurses. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

The intention is not to punish any legitimate dispenser of medication such as nurses, nurses aides, people of that...those professions. What it is aimed at is a person

who holds himself out to be a doctor and who administers some sort of narcotic or intoxicating substance in order to get control over another individual and then take advantage of that individual whether it's for sexual purposes or for money or something else.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1433 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37,...36, the Nays are 10, 3 voting Present. Senate Bill 1433 having received the constitutional majority is declared passed. Senate Bill 1442, Senator Sangmeister. Senate Bill 1451, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1451.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is apportion the fines which may be levied under the Environmental Protection Act among the Hazardous Waste Fund, the Environmental Protection Agency, the prosecuting office and investigative agency. An amendment to this bill states that twenty percent of the penalty shall be deposited in the EPA Trust Fund to be expended in accordance with the Environmental Protection Trust Fund. If a state's attorney brought the action, twenty percent is to be retained by the state's attorney's office in that local county, but if the Office of the Attorney General brought the action, the funds would go to the Hazardous Waste Fund. Ten percent is to be retained

by the law enforcement agency which investigated the violation and is to be divided equally among the agencies if more than one agency was involved in investigation. This is basically a technical clean-up amendment to a bill that was previously passed, and I would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

What is the current distribution of these funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Currently, all of the funds go into the Environmental Protection Trust Fund. What this bill would do would give some money back to the localities involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Schaffer.

SENATOR SCHAFFER:

What is that fund used for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Welch.

SENATOR WELCH:

The...the Environmental Protection Trust Fund is used for the day-to-day operation to the EPA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill...1451 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1451 having received the constitutional majority is declared passed. Senate Bill 1456, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...excuse me...Senate Bill 1456.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The bill as amended, the amendment was the...was the bill. It deleted everything after the enacting clause. The bill then permitted county clerks and municipal election boards to conduct a registration by means of a board of precinct administration. It prescribes the procedures and appointment of two judges of election designated administrative precinct officers, one chief and one deputy, and it empowers the administrative officers to register, canvass and restore voters within the precinct. The bill is...was emulated by chairman of the Board of Election Commissioners of the City of Chicago, Mr. Michael Lavelle, and is a product of after consultation and concurrence with the political enities under his jurisdiction. I know of no opposition. The bill is permissive in nature and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1456 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 4, none voting Present. Senate Bill 1456 having received the constitutional majority is declared passed. We will now return to page 11 on Senate bills 3rd reading and start right at the top. On Senate bills 3rd reading, page 11, and we'll run through the Calendar and hopefully finish up tonight. Senate bills 3rd reading, Senate Bill 3, Senator Joyce. Senate Bill 11, Sena-

tor Jeremiah Joyce. Senate Bill 12, Senator Keats. 14, Senator D'Arco. 17, D'Arco. 32, Jeremiah Joyce. 36, Jeremiah Joyce. 39, Senator Hall. 42, Senator Topinka. 48, Sangmeister. 54, Senator Marovitz. 55, Marovitz. 57, Marovitz. 60, D'Arco. 62, Dawson. 77, Senator Maitland. 79, Vadalabene. Read the bill, Mr. Secretary...81, Vadalabene. Read that one, Mr. Secretary.

SECRETARY:

Senate Bill 81.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 81 amend...provides that the State policemen who retire at age fifty-five under the early retirement provision are not eligible for automatic increase until they reach the age of sixty, and this amendment grants them the three percent yearly increase at the age of fifty-five. This bill is strongly supported by the Department of Law Enforcement, the Fraternal Order of Police, the State Police Command Officers, the Association and the Retired State Police Officers Association. And although the Office of the State Employees Retirement...Retirement System...assisted in the drafting of Senate Bill 81 and provided a great deal of input, they have no official position on the bill, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What I would like to point out is just the fact the cost of this particular thing. It indicates to us an increase in the accrued liability of twenty-

eight million dollars. The first year cost is eight hundred thousand dollars. I'd like to have the sponsor indicate if those figures are correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes,...Senator Rupp, the State Employment Retirement...Retirement System estimates this amendment will result in an increase in accrued liability of twenty million dollars and an increase in the first year payout of two hundred thousand. That already has been adjusted and corrected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Yeah. Who...who did that, Sam...Senator Sam?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

The...the officials in the State Employees Retirement System.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. Well, I rise in opposition to this bill. It's a hard bill to oppose but...because it does involve pensions for State police, but I think everybody ought to be aware of a couple of things. Number one, what we're being asked to do here...would increase the unfunded accrued liability of the pension system thirty-three million dollars...thirty-three million dollars. The other thing that we ought to be aware of is that...at the present time, our State police can retire at age fifty. Now, I think those people who retire at age fifty, if you take a look around, you'll find many of them are working in second

jobs, first of all; secondly, the present law does give people once they reach age sixty the automatic annual increase in their pension. What the bill in its original form sought to do was give them that increase at age fifty. The sponsor has amended the bill, as I understand it, so that now the bill is in the posture that that automatic increase would begin at age fifty-five. I suggest to you that we probably ought to leave it just the way it is, and that means that the automatic increases would take effect at age sixty. I urge opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I think most of the points have been made now. I was just going to indicate on behalf of the Pension Laws Subcommittee of Economic and Fiscal that the very high cost of this bill has been pointed out, and although, I gather, an amendment which I have not seen may have reduced that somewhat, it is still a high cost in terms of accrued liability as well as annual payout, and I think it's something that is a matter of great concern.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President and members of the Senate. We're not talking about an Amos and Andy operation here. We're talking about the Illinois State Police Department. By...by the virtue of the work, it's a danger involved, and yet, you might ask a question, why a policeman? Well, I'll ask the question, why not a policeman? These people keep the peace in this State and the hazard of the job is double that of an ordinary citizen who's working. Now some people jump to a conclusion about the high cost. I think Senator Vadalabene answered that adequately by indicating it had been

handled and reduced, and I would hate to see Illinois' finest being denied the right to this retirement benefit. I saw the report that was issued by the subcommittee, but I question what right does the subcommittee have to issue that drastic report and recommending do not approve. Well, you know, if we want to be realistic about what we're doing, why not approve? Senate Bill 81 is a good piece of legislation. It does a group of people a good and a good is a necessity, and in this case, I don't think we ought to deny the Illinois State Police Department the right in which they rightfully deserve, and I would ask an Aye vote and let's pass this bill on out. Let's put it on the Governor's Desk, get it signed, let these people enjoy that benefit which they rightfully deserve.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, I just want to make one observation. Possibly some of the people did not see the Amendment No. 1 to the bill, and the early retirement provision are not eligible for automatic increase until they reach the age of sixty although they can retire at the age fifty-five. And, like Senator Chew has said, the State troopers are a vital organization to our country and to our State. We need these people. They're out on the highways, they sacrifice their lives, and whatever we can do for our State troopers should be appreciated, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...the question is, shall Senate Bill 81 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 18, none voting

SB 92 3rd Reading

Present. Senate Bill 81 having failed to receive a constitutional majority is declared passed...lost. It's getting a little late. Senate Bill 91, Senator Marovitz. Senate Bill...Senate Bill 91, Senator Marovitz. Senate Bill 92, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 92.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 92 would establish the Illinois Math and Science Academy. The academy is designed to be an institution to serve approximately eight hundred extraordinarily gifted, and I underline the word extraordinarily gifted, young men and women from all over the State of Illinois in a residential environment. The program would be extraordinarily challenging, one designed to serve the...the very particular and very demanding educational needs of the Albert Einsteins, the Jonah Salks...of...of...of the future. Think that this...the academy represents a...a good educational effort, and I think it is also important because it represents an...an economic development thrust for the State of Illinois, because it identifies Illinois as one that is interested in education for its truly gifted young...young men and women. I would be very happy to respond to any questions that people might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RUPP:

What is the status of the academy for agriculture?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I cannot answer that question. The...I am aware of the fact that the Governor included a couple of other recommendations for academy...academies in his presentation on education last February or March, whenever it was, but, quite frankly, I'm not aware of the status of those other two academies, only the Math-Science Academy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

No. I just think that it should be noted that we have some smart people out in the country too, and I just think that if this is going to be a...to address the needs and...and the real needs of the State then I think that should be included in this bill, and I wish that that should be looked into.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There have been comments that sometimes they're too smart, Senator. We have Senator Poshard, Collins, Fawell and Holmberg in that order. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I rise in support of this bill. I've worked for the past several years with academically talented youngsters, and I know that these children are some of the most discriminated against children in our educational system. They're bright, too often they're bored with their studies which do not challenge them to excel. This academy, I think, would offer the opportunity for these students to excel in perhaps two of the most criti-

cal areas which faces our State and our nation, those areas of science and mathematics which are conducive to the development of good high technology so that we might be able to compete for industry not just in this State but across the nation and...and...and the world. I'm hopeful that this Body will support this bill. I think it's good. I want to emphasize that this is not an elitist bill. These children come from every social, every economic walk of life. Many of the children in my area that I'm familiar with who would qualify for this academy, and I...and it is going to be geographically balanced throughout the State, many of these students come from very poor families, and I think this would provide an opportunity for them to excel in ways that they wouldn't have the...opportunity to excel otherwise. So, I'm in support of the bill and I would ask for your favorable support for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I'd like for...for you to just stop for a moment and pay attention to what we're talking about, and let me first say that I don't think any of us here in this Chamber or anyplace in...in any position of responsibility and leadership in this State who would not take pride in knowing that Illinois was, in fact, the brain trust center of the world. However, we have heard a lot about education reform. We've heard a lot about Build Illinois in this State, and, yet, we are dealing here, right now, in an isolated way with one issue. I would like to see us just for a moment to stop and reflect and evaluate not just this piece of the Build Illinois Program but to make a determination, what are we going to do in this State for rebuilding this State and make...first of all, we need to stop and prioritize how we going to go about and do

it. Yes, this was one of the...the programs outlined by the Governor in his Build Illinois Program and it is most certainly a very impressive initiative. It is something that the State really should have. But I...I question whether or not is there money available for education, some of the other types of reforms that I would think that most certainly would take a priority over this science academy. I'm not so sure that we can't accomplish the same goals through using some of the dollars that's already existing within our university systems. We may have to do that. I...I...I don't know, and first of all, I would like to know what is the price tag, Senator, on this particular item?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, the...the Governor...has included five hundred thousand dollars...in his budget for...for planning purposes for this academy and the other two that he proposed. So the answer to your question is five hundred thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah. Well, I...I would just like to see us just...just hold and put the brakes on right now before we vote on any portion of Build Illinois Program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Just a couple of statistics. Number one, twenty-five percent of our gifted children now drop out of school. Number two, we are forty-fifth as far as funding for gifted, and I think we ought to seriously think about the fact that we spend millions of dollars on one end

of the spectrum to teach our children, perhaps, how to tie their shoes or button their coats and with all...and I have all the sympathy in the world for people that have children like that. But perhaps if we invested in an academy such as this, we might indeed find out why those children exist and help them in the future generations, and I would certainly hope you would all vote Yes for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen. As the sponsor knows, I have had...long had real reservations about this approach to math-science education, although I will undoubtedly support the bill. I have felt that we may be establishing a precedent which is not too common to the United States. It's...it's the European method to establish residential schools far from home. It becomes expensive when you're paying for the residential expenses of students many, many miles from their home. It would be my preference to put the money into gifted education, to put it into regional centers where those students could live at home and perhaps go nearby to their community college. I think there are several other ways that we could do this. My concern is that we are not doing enough for math-science and that this may be the only proposal before us. I think we live in an age of technology. We must see that these very bright children have the teachers that they need. My own bill last Session which provides two hundred scholarships to teachers who want to be math-science teachers is one step; perhaps this is the only way we can go. It would be my hope that we might have used a different approach, but I understand that we...we do need some kind of expertise for these very bright students in the area of math and science.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have another list prepared now. We have Senator Maitland, Karpiel and Geo-Karis. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I, too, had reservations about this concept when it was first brought to my attention, and I gave it much consideration. Many of the positive statements have already been made but let me just simply add one...one to the list. Keep in mind that many young people especially in their senior year in high school have taken all the available courses that they really can use, and that year, especially the last semester, becomes a goof off time, and that's terrible loss to that bright young mind at age seventeen and eighteen years of age. By the same token, that first year in college is many times a lost period. I believe this bridges that gap for those truly bright students, and I think the bill should pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Machine cutoff)...President, Ladies and Gentlemen of the Senate. I have no reservations about this bill. We had to go and get...Wernher von Braun to help us in science. We had to go overseas to get some of the talent, and I think if that's the European method...and it speaks well for itself, I think it's worth trying here. I think we certainly should have competition and get the best, brightest minds from the tenth, eleventh and twelfth grade high school and first year of college students and...which...who are going to be selected on the basis of competitive examinations and let them work to...to strengthen their minds and help this country. That's the only way we're going to do it. I speak for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, very much. I think the...the arguments that have been presented in favor of the Math-Science Academy pretty well sum...cover the...cover the field. I think that we have the opportunity by voting Aye on this piece of legislation to...to strike a blow for education for the gifted here...here in the State of Illinois. It has already been pointed out in...in debate that the most neglected students in all of our schools are the gifted. I'm confident that by the establishment of the Illinois Math-Science Academy we'll not...not only will...will we be able to serve the extraordinarily gifted but also that we will be able to provide and generate support for gifted programs throughout all the grades, all the schools in the State of Illinois. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 92 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, 1 voting Present. Senate Bill 92 having received the constitutional majority is declared passed. Senate Bill 96, Senator Fawell. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

SECRETARY:

Senate Bill 96.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is a bill that was brought to me by the...the Department of Education and Registration plus the Illinois Psychology...Psychological Association. Basically what it does is define what a clinical psychologist is and what a...a...a regular psychologist is. I have been working with...University of Illinois, University of Chicago, University of Northwestern, the Illinois Psychologists' Society, the school psychologists. I...I think it's basically agreed. If there is any problems with it whatsoever, Dan Pierce is now working with...with the groups and...and we'll straighten anything out in the House, and I would ask for a favorable vote...or answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, Dan Pierce is a great guy and these are wonderful people. This is another one of those registration bills. I think we got sixty-seven of them in this year. We're going to register anything that moves...is going to be signing up with R and E. Well, maybe we ought to register the legislators, maybe we ought to put a bounty on them. What does this do if it doesn't register them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

They're...they're already registered. This is...this is really a clean-up type thing. It's...it's amending the current Act so that we can...they are registered already.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell, what does it do?

SENATOR FAWELL:

It...it clears up the definition of what a psychologist is. It has a two-tier system now. There's a clinical psychologist who has a two-year internship and then there's the psychologist...it's a...it's a clean-up bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Does it bring any additional people in under the umbrella? Why...why are we doing it? Who wants it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

We're...we're doing it because we've had some problems with the...maybe the staff can explain it to you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, all the groups have gotten together and agreed on this bill, and that...that takes care of about five thousand people, the other eleven million are unaccounted for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of this bill. A number of my constituents have raised problems that because of the confusion in the existing law, people that get

masters degrees and...and want to be clinical psychologists find themselves unable to qualify to take the examination. It's a real anomaly and I'm pleased to stand up in support of Senate Bill 96.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell may close.

SENATOR FAWELL:

Thank you, very much. I think this is just basically a clean-up bill. It's exactly as the Senator on the other side of the aisle said. I have also run into some problems with the present language which is the reason why the bill was introduced, and I would ask for a...favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 96 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40...the Ayes are 50, the Nays are none, none voting Present. Senate Bill 96 having received the required constitutional majority is declared passed. 99, Senator Fawell. 101, Hall. 102, Etheredge. Senator Etheredge on 102. On the Order of Senate Bills 3rd Reading is Senate Bill 102, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. What this bill seeks to do is to remove an inequity that presently in...in treatment which presently exists between bus drivers who...are employed by

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school districts and those that are employed by private contractors. At the present time, if a school bus driver is employed by a school district, the law says that they cannot file for unemployment compensation benefits during school holiday periods; however, if you happen to be a...a bus driver employed by a private contractor, it's a...the...you can file for such unemployment benefits. So, the...this...this bill removes that inequity by saying that...bus drivers employed by private contractors will be treated exactly the same way as bus drivers employed by school districts. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 102 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 102 having received the required constitutional majority is declared passed. 103, Senator Bloom. It's on the recall list. 110. On the Order of Senate Bills 3rd Reading is Senate Bill 110, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 110.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. This bill has gotten less controversial with time. What it does, it gives the Commerce Commission some jurisdiction over direct sales off natural gas pipelines. It has two amendments; one, which is a

restrictive amendment that says that the State gets into this area only where the Federal Energy Regulatory Commission has not exercised jurisdiction, and the other one addresses natural gas cooperatives as defined in the Not-For-Profit Corporation Act. What it does is where...says if you have a situation, and there is one being contemplated in our part of the State working with CUB, where a new cooperative would not have a financial track record that the Commerce Commission could work to guarantee that...the financial viability for gas purchasing coop. up to a million dollars. Answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 110 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 110 having received the required constitutional majority is declared passed. 112, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 112, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 112.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This creates the environmental toxicology program. What this says is that the Department of Public Health can go into areas and in...where there's problems where...for instance, in my district there was some kids that had a...a rash that no one could seem to explain

and...and when they tried to get someone from the...Department of Public Health or from the State to go in and...and see what...if...if there was anything that was causing this, there was...there was nothing to handle that sort of thing, so that's what this would do. It would say that the Department of Public Health can go in and see if there are environmental hazards or what have you in...in a community, and I'd be happy to answer any...any questions or, if not, I'd be happy to have your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Welch.

SENATOR WELCH:

I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Joyce, we had a problem in LaSalle and the Department of Public Health came in and did a study. They sent out computerized forms to everybody who worked at the electric utility company plant and they sent in a specialist to ask questions of everybody who worked there. Now, you're saying that they don't have the authority to do that...I want to point out, they never came up with the results and when they were in our Appropriations Committee, I told them I wanted the results, I haven't gotten the results yet. Are you saying now, they...they don't have the authority to do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

They were not mandated to do it, Senator. If you would ask them to do it, they were not mandated to and, consequently, you didn't get your results.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall Senate Bill 112 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 112 having received the required constitutional majority is declared passed. 114, Senator Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 114, Mr. Secretary, read the bill.

SECRETARY:

Senate...Senate Bill 114.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Really this creates a...a...a registry for underground storage tanks so that we will know what is in them. They have to report to the EPA and to the fire marshal if it is something that is flammable, and that's just basically what it is. It let's us know what is being stored in these tanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

As I look at this...my first time that I've looked at this bill, Senator. We're talking about registering all underground tanks. Now these would be gasoline tanks, I assume. What...what's the position of the petroleum

marketers, for example, on the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

The Petroleum Council is in support, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Is there a size requirement on these tanks?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, the...it is the same size that the Federal definition has. So, this...I don't know what it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I've got a lot people in my area that...either farmers or people along the river that have boats that have tanks three, four or five hundred gallons underground and I'm not sure how they'd ever get notified. If we're talking about the big ones, that's one thing, but I just kind of wonder what the size is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Residential and agriculture are exempt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Yes, a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Joyce, you said the Illinois Oil Council had no opposition but the question was asked for the Illinois petroleum marketers and they're entirely two different groups. What is the position of the Illinois Petroleum Marketers Association?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, Senator, I'm not aware that they've expressed any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

What about the AEI?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

What's the AEI?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Associated Employers of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, there...there again,...they express no opposition, they didn't express anything.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall Senate Bill...Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Is it still a part of the definition that an underground tank is one that has as little as ten percent of the tank surface buried underground?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

It...it...it very well might be, it just follows the Federal definitions in the Federal guidelines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

I was wondering what the hazard is of a tank that's only, you know, ten percent underground. In other words, a...a tank almost laying on top of the ground would have that much under...you know, just settled it in the ground.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

If it's leaking where the...where it's underground, you wouldn't be able to see it. If it's aboveground, you would be able to see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I think quite the contrary. I think if there was only ten percent of it underground, you'd probably be able to spot it; whereas, if it was completely buried, you wouldn't, but I was just wondering why you chose that ten percent figure that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

That's the U.S. EPA's definition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce, you wish to close? The question is, shall Senate Bill 114 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 10, 5 voting Present. Senate Bill 114 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, and I think the day has now come to a merciful end. Tomorrow we will...tomorrow we will begin with recalls. The Secretary tells me a number of members have filed amendments, and in order to expedite the processing, I suggest that we begin promptly at 10:00 a.m. tomorrow morning. We'll begin with recalls, attempt to accommodate the members who still have bills remaining on 2nd reading and, obviously, we have the subject of Senator Netsch's bill on public utilities, so it will be a long day. We'll start promptly at 10:00 a.m., and I would move, Mr. President, that we stand...once we finish the paper work, stand adjourned until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

For purpose of an announcement. I just would like to add to Senator Rock's...Senator Rock's comments. Even though a lot of us don't pay much attention to recalls...this week, recalls are...might be the ball game because you've got bills that were moved without addressing the amendments and so I would urge that everybody be here at ten o'clock sharp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, everybody get a bat. Resolutions.

SECRETARY:

Senate Resolution...the following resolutions are all congratulatory.

Senate Resolution 246, Senator Macdonald.

247, Senator Lemke.

248, Senator Bloom.

249, Senator Savickas.

250, Senator Jones.

251, Senator Jones.

252, Senator Jones.

And Senate Resolution 253, by Senator Macdonald is a death resolution.

And Senate Resolution 251, by Senator Dunn is a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution...61.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Further business to come before the Senate? Senator Rock has moved that the Senate stand adjourned until Tuesday, May the 21st, at the our of ten o'clock. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 21, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. If the members will be at their desks, our guests in the gallery will please rise. Our prayer today will be by the Reverend Rudolph Shoultz, Union Baptist Church, Springfield. Reverend.

REVEREND SHOULTZ:

(Prayer given by Reverend Shoultz)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Tuesday, May the 7th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Senator Kelly.

SENATOR KELLY:

Thank you. Mr. President, I move that reading and approval of the Journals of Wednesday, May 8th; Thursday, May 9th; Tuesday, May 14th; Wednesday, May 15th; Thursday, May 16th; Friday, May 17th and Monday, May 20th in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying...Aye. Opposed Nay. The Ayes have it. Motion is carried. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 82, 291, 312, 313, 324, 360, 459, 521, 563, 571, 707, 755, 810, 811, 833, 852, 881, 903, 909, 940, 1018, 2364 and 2431.

PRESIDING OFFICER: (SENATOR DEMUZIO)

First order of business this morning will be recalls. Senator Marovitz on the Floor? Senator Marovitz. With leave of the Body, we'll go to House bills 1st reading. Is leave granted? Leave is granted. House bills 1st reading.

SECRETARY:

House Bill 170, Senator Marovitz is the Senate sponsor.

(Secretary reads title of bill)

House Bill 343, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 354, Senator Kelly.

(Secretary reads title of bill)

House Bill 393, Senator Lemke.

(Secretary reads title of bill)

House Bill 508, Senator Berman.

(Secretary reads title of bill)

House Bill 608, Senator...Lechowicz.

(Secretary reads title of bill)

House Bill 859...or 851, Senator Lemke.

(Secretary reads title of bill)

House Bill 856, Senator Lemke.

(Secretary reads title of bill)

House Bill 857, Senator Lemke.

(Secretary reads title of bill)

900, Senator Netsch.

(Secretary reads title of bill)

921, Senator Donahue.

(Secretary reads title of bill)

House Bill 963, Senator Rigney.

(Secretary reads title of bill)

House Bill 990, Senators Poshard and Demuzio.

(Secretary reads title of bill)

House Bill 992, Senator Bloom.

(Secretary reads title of bill)

House Bill 1008, Senator Keats.

(Secretary reads title of bill)

House Bill 1013, Senator Rigney.

(Secretary reads title of bill)

House Bill 1016, Senator Lemke.

(Secretary reads title of bill)

House Bill 1035, Senator Marovitz.

(Secretary reads title of bill)

House Bill 1064, Senator Lemke.

(Secretary reads title of bill)

House Bill 1267.

(Secretary reads title of bill)

House Bill 1269.

(Secretary reads title of bill)

1392, Senator Netsch.

(Secretary reads title of bill)

...House Bill 1566, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1703, Senator Darrow.

(Secretary reads title of bill)

House Bill 1587, Senator Poshard.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to the Order of the Recall List. Leave is granted. We have passed out to all the members a...a copy of the bills that are on the recall

list. We will proceed at the top and go right on through. Senate Bill 57, Senator Marovitz. Senator Marovitz seeks leave of the Body to return Senate Bill 57 from the...from the Order of 3rd Reading to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 57. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senators Collins and Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to be added as an immediate cosponsor to Senate Bill 258 and I have obtained the...the permission of the sponsor, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis wishes to be added as a hyphenated cosponsor to Senate Bill 258. Is leave granted? Leave is granted. It's so ordered. Senator Collins. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 58 is the amendment that we discussed on the Floor and we took this bill out of the record dealing with investments...prospective investments in South Africa. We took the bill out of the record the last time in order for one the Senators on the other side to have a copy of the amendment, and I would move for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 57. Any discussion? Senator

Rupp.

SENATOR RUPP:

Thank you, Mr. President. I have a question as to the technical correctness of this amendment. The one I have...the copy I have doesn't have any word at all in it underlined and it's my understanding that new additions to any code do require that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

It is not adding any provisions to any existing Statute and I didn't think it would have to be underlined because of that. I'm sure that we'll get a parliamentary ruling on it, but we're not...let me just answer the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, I'm advised by the Secretary that Amendment No. 2 is technically incorrect. Senator Collins.

SENATOR COLLINS:

Well,...this amendment was drafted by LRB and I...I would assume that they would know whether or not it was correct. It...it does have an LRB number, it's drafted by them and it does not amend any part of an existing Statute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, my suggestion is perhaps we just take this out of the record for...momentarily and perhaps...perhaps you can get together and work out...resolve...Senator Rupp. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. No, quite willing, I...I had a question on the amendment the other day and rather than...to do this particular thing, I went over and we got a...the question worked out. We hadn't distributed and had been distributed the incorrect amendment, and I went over to her and talked to her about it and she appreciated it, but now I just

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got this this morning, I have not had a chance to go over to her to work it out, but I do think that if we have a rule that it has to be underlined, that the items should be in correct state before it's added.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz on the Floor? Senator Marovitz, can we take this out of the record for the time being, momentarily? Is...leave to take it out of the record? Take it out of the record. Senate Bill 91. Senator Marovitz seeks leave of the Body to return Senate Bill 91 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 91, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2...I think...we have to first Table Amendment No. 1 and I would move to Table...

SECRETARY:

You...you've already done that.

SENATOR MAROVITZ:

We've already Tabled Amendment No. 1? Okay. Then Amendment No. 2 is the amendment that is the work product of months of meetings between the bar associations, the judges, Department of Public Aid, many of the women's groups around the State of Illinois and has to do with the mandatory child support guidelines which we...which we passed last Session. This is the agreed amendment and it clarifies the confusion created by...last year by the passage of the mandatory child support guidelines...the guidelines for child support remain, let me make that very clear, the guidelines for child support

do remain. They're set forth and the court is directed to apply the percentage guidelines against net income unless either party presents evidence as to why the guidelines should be deviated, and then the guidelines can be deviated from...based on those...based on that evidence presented by either party, only when evidence is presented by either party; otherwise, the guidelines will prevail...evidence presented to support deviation from the guidelines may be from any of the five listed relevant factors, and those five factors to deviate from the child support guidelines are the financial resources of the child, the financial resources and needs of the custodial parent, the standard of living the child would have enjoyed had the marriage not been dissolved, the physical and emotional condition of the child and his educational needs and the financial resources and needs of the noncustodial parent. This allows the court to consider debts of the...parties in determining child support. We left that out of last year's bill. Everybody agrees that the consideration of debts must be allowed in determining child support. The repayment of debts representing reasonable and necessary expenses for the production of income, medical expenses and other expenses for the benefit of the child may be deducted from gross income to arrive at a net income figure. The court in its discretion may order the noncustodial parent to provide health insurance coverage for the child when the child can be added to an existing insurance policy at a reasonable rate. Basically, this is the agreement of...of all parties. If the judge deviates, it is the intent of the sponsor that the deviation should be by the expressed findings of the judge as...dictated to the court reporter and need not, in fact, be...be in a written separate opinion by the judge. I would ask for support of Amendment No. 2 to Senate Bill 91.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 91. Any discussion? Can we have some order, please. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Was the maintenance coverage for the...Senator, the amendment I have before me has the maintenance all struck out. Have you...can you give me some information whether the...maintenance was maintained or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Maintenance has been removed from this. This is now...we only deal with child support here. Everybody agreed that maintenance had no place in this and should be removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection to it as minority spokesman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Are you offering an amendment now which is addressing this problem? Will the amendment become the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Okay. That...that is correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

There was considerable interest in this issue in my district after we passed that bill last year, and so I'm simply curious to know who the...who the principal players were in all of this. Could you recite that for me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Certainly, Senator. The principal players were the bar associations, the Department of Public Aid, the State's Attorney's Office of Cook County, the women's groups throughout the State of Illinois, the judges throughout the State of Illinois and when...we have had...dozens, literally dozens of meetings for long periods of time and just yesterday finally reached agreement with all parties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

And...so as I understood your remarks, this is an agreement among all those groups. They're all on board now, are they? Yeah, thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This has been the work product of...of many, many months. As most of you know, there was a lot of confusion about the bill that we passed last Session which nobody really understood the ramifications of. Now that we do, we're able to correct some of those problems that were created by that bill. I think we've done so and I would ask

everybody's support of Amendment No. 2 to Senate Bill 91.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 91. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 103, Senator Bloom. Senator...Bloom seeks leave of the Body to return Senate Bill 103 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 103, Mr. Secretary. Read the bill.

SECRETARY:

Amendment No. 2 offered by Senators Bloom, Dawson and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. As you know, the Health Finance Reform Act mandates that the Department of Public Aid engage in selective contracting for in-patient hospital services. The regulations they file pursuant to this authority went through the Joint Committee on Administrative Review process. There were some recommendations by the joint committee that the enabling statutory language in certain areas be tightened up so that the...regulations for contracting would be a hundred percent on...on...on the square with the Act. That is what this amendment seeks to do. I'll answer any questions, otherwise, urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Bloom has moved

the adoption of Amendment No. 2 to Senate Bill 103. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, Senate Bill 220, Senator Marovitz. Senator Marovitz seeks leave of the Body to return Senate Bill 220 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 220, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much, Mr. President and members of the Senate. Amendment No. 2 corrects a...a true inequity that we had previously placed in the legislation whereas somebody would be denied unemployment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon...pardon me, Senator Marovitz. Could we have some order, please. Could we have some order, please. Can we break up the caucuses. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, again, Mr. President. Amendment No. 1...2 rather, corrects an inequity that we previously had in the legislation which would deny somebody unemployment benefits. Had they been working for nine years and then committed a

crime in their tenth year, they would be denied their benefits previously. We've corrected this problem so that they will be...not be denied their unemployment benefits if...if...if they had been working for a period of time and then committed a crime. The amendment also provides for a business fine for nursing home facilities who fail to conduct background investigations. If they actually do not or refuse to conduct those background investigations, then there will be a...a business fine assessed to get...against them, no criminal penalties. I would ask for the adoption of Amendment No. 2 to Senate Bill 220.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Did I understand you to say that somebody that's committed a crime is going to be eligible now for unemployment? Is that crime committed...to the employer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Previously in the legislation, if a...if a...a nursing home employee had been working for ten years and in their eleventh year committed a crime, they're going to be terminated, but the question is, the previous legislation...without before this amendment, if...that good time that they had been working and had been a...you know, a...a regular employee, a loyal employee, we don't want to disturb that ten-year period. Subsequent thereto, they're terminated and nothing...nothing from then on...should they receive any

benefits for. What...what will happen is when somebody is hired...when somebody is hired and a criminal background check is done, then they will not be eligible for any...any unemployment benefits if it has been found that they have committed any crimes, but the good time that they were working for a long period of time and then subsequently had to go through this check and subsequently committed a crime, we're not going to penalize them for...for...retrospective...proper employment, only for prospective crimes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What...what kind of crime are...are we...are we talking about here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The offenses...all the offenses are specifically enumerated in the previous amendment, Amendment No. 1...in fact, rather than just say any felony, we've...in negotiation with the nursing home industry spelled out the specific felonies that this bill applies to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Is...is there a fiscal note been filed on this? What's the cost of it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yeah, a fiscal note was requested, a fiscal note was filed and the bill was moved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SB312 Recalled

SENATOR WATSON:

How much is it? What's the dollar impact?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The Department of Public Health says the first year...five hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Is the nursing home industry in support of this amendment? Where are they at on it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I have...the nursing home industry, when this bill was introduced, had some...had some objections, had some problems. We sat down with them, we put a...a rather extensive amendment on to take care of all their problems and I think it has alleviated all of their objections. They have not enumerated any objections to me as a result of the amendments, your staff and our staff worked out with the nursing home industry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 220. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 312. Senator Davidson seeks leave of the Body to return Senate Bill 312 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. On the Order of Senate Bills 2nd Reading is Senate Bill 312, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment would strike everything after the title and put in language which would say...rather than just repeal the Sunrise Act, this would say that the Legislative Research Unit which was created under the Legislative Commission Reorganization Act of 1984 should have the powers to review and...and make a recommendation...new ideas or new licensure or new part. We thought this should be some way that...so we wouldn't just have to deal with all of these, there'd be a way for them to be checked out. I move the adoption of Amendment No. 1 to 312.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 312. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 350, Senator Berman. On the Order of Senate...Senator Berman seeks leave of the Body to return Senate Bill 350 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 350, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. Amendment No. 1 is a technical amendment. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the...all right, Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 350. Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The amendment that I'm offering on Senate Bill 350 is very similar to...in fact, it's...exactly the same as Senate Bill 969 which was considered in the Senate Education Committee and would require students who are...before they can enroll in a driver's education course, they...they would have to pass a minimum competency test in reading, in writing and arithmetic. And, ladies and gentlemen, I cannot think of any...anything that is more of an incentive to a young person than to be able to drive a vehicle, and this is an issue which is very...important to your constituency because I had sent out sixty thousand questionnaires asking for comments about educational reform and I received a great many who are interested in going back to the basics of reading and writing and arithmetic. This is a small effort to try to reform education in Illinois and to take advantage of the incentive of young people's driving, and I really feel that...would...appreciate any support that I can receive on

this and I would move for the adoption and be pleased to answer any questions that might be raised.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I hope everyone was listening to this amendment. I hadn't heard of it before this moment, but it sure sounds like an interesting amendment. Could I ask a...a quick question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

What you're saying is, State subsidized driver education, a student may not enroll in that class till he has passed proficiency testing in reading, writing and whatever. In other words, in order for him to be subsidized to learn to go out and drive a car that he doesn't have insurance on, we at least are going to make sure he's literate. Is...is that what you're saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, that's...that's what I am saying...that this would be the...prerequisite in order to be enrolled in a driver's education program, and, yes, that's true we are going to make that a...that part of the program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

...I would just ask my colleagues in the Senate to support the amendment. I admit it's a little sneaky, but it's a heck of an idea. How else do you motivate some of these kids to finally become...at the bottom end of the class to

get them literate? I commend the sponsor for his idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Before my friend Senator Keats gets so excited about how simple and wonderful this is, may I just suggest that we take a second look at it. Right now, you have a system in...installed in all of our schools throughout the State where driver's education is a program provided for all of our students. I presume that it is there because it serves a purpose, and we will get to a debate on that issue perhaps in a very short while; but for purposes of our discussion at this point, I think we have to say that when we passed the driver's education legislation, we did it because we felt that driver's education was an important part of the total education of all of our students throughout the State of Illinois. Likewise, this bill addresses other programs which we think are also important, including...including the requirement of a phase-in of competency examinations at the third, sixth, eighth and tenth grades in the same subject matters that Senator Kelly is referring to; namely, mathematics, reading and language arts. Now, ladies and gentlemen, we have in effect agreed with Senator Kelly, but in a more realistic approach. You can...you will be decimating all of the programs dealing with driver's ed. if this amendment is adopted this morning, because you do not have a system, Statewide, of competency testing plugged in yet. If Senator Kelly either withdraws or we defeat this amendment, this amendment might make sense in about two years when the competency tests that are, in fact, recommended in Senate Bills 350 and 351 as part of the reform movement are, in fact, in place, but at the present time they're not in place. So, I would suggest that aside from the idea, and the idea is not a bad one but it's just not at the right time, I

would urge a No vote on Amendment No. 2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I happen to agree with my colleague on this side of the aisle and...and Senator Kelly. Unfortunately, it is true, we do not have the competency testing in place right now, but we do have children who are trying to get through high school, and if we wait two more years before we get everything in place, I'm afraid we're going to have an awful lot of kids graduating or...or leaving school who don't know how to read and write. There is no greater motivation for a fifteen or sixteen year old than getting behind that wheel, and having had four...four teenagers that...that...I survived that...that went through this, I think that this probably is going to be the thing more than anything else that will get these kids to start cracking the books and start learning at least some of the basic fundamentals, and I would suggest, again, to my colleagues they do support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I appreciate Senator Berman's comments on this issue. He and I happen to be cosponsors of...of...of the reform legislation. And, Senator Kelly, let me suggest to you that...that this is a concept whose time, quite frankly, simply has not come. Regardless of how one feels on driver education, the two just don't track today, and...and I'm very concerned that...that if we were to put this amendment on, as Senator Berman has suggested, that we then throw out all of the...all the testing at...at those various grade levels, three, six, eight and ten that we are

now about. That's the system that we're trying to build in. Not to...diminish the...the consensus you have for reform, but please allow us to do this thing one step at a time, and I would urge the Body to oppose this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly may close.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. To...to respond to some of the comments that were made; for one thing, there is not an effective date on this bill, and I certainly wouldn't have any problem in the House of extending the date to allow time for this program to be instituted. Whether or not this will wreck driver's education, I've got concerns over whether or not the program at this present time is even...an effective program and this would even improve it. If we're going to keep driver's education, then we should have it in its best possible form, and I...I would just ask for your favorable adoption of Amendment No. 2 to Senate Bill 350.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Amendment No. 2 to Senate Bill 350. Further discussion? If not, all in favor indicate by saying Aye. All opposed. Opinion of the Chair, the Noes have it. Roll call has been requested. Those in favor of Senator Kelly's Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 22 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 3.

SENATOR SCHAFFER:

This amendment is the...this version, I guess I should say of the amendment, is the amendment which simply says that if we aren't going to come up with the money, we aren't going to mandate the program. Now this a somewhat different version of the amendment because of the complexity of this particular bill. Let me suggest to you that I happen to personally believe that these two bills may very well be the vehicles for what we eventually do as a Legislature, and my guess is that what will come out of the debate in both Houses and the interaction of the groups and the Governor's Office will be some form of compromise drawn together in the final days of the Session. I think it's important for the Senate to go on record and go on record very clearly about not mandating things we are not prepared to pay for. Now this amendment simply says, and I'll hope everyone will listen a little bit, that a school district can...apply to the State Board of Education if compliance with the mandates in the Act cause a cut in the basic educational program. My concern is that we are going to pass so many mandates down here that we aren't going to fund that when the smoke clears the districts are going to have to hire fifteen more administrators to shuffle papers and lay off fifteen teachers. Now nobody, and I mean nobody, thinks that's what educational reform is and yet in our well-intended rush towards reform, that may be the end result in many districts who because of the action of the current School Aid Formula will not have their mandates funded; and if that's the case, none of us want to go back to our districts and hear from our school districts that they had to lay off frontline teachers, maybe some of their best teachers, to comply with the mandates of this...that this Legislature has put forward. Be happy to answer any question, but I believe the Senate should clearly go on record on this

issue.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 3. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor, if he'll yield.

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Senator Schaffer, I...I understand your frustration because I share those same frustrations. You and I...you and I have discussed this in the past. I guess my question is this, what Act are you referring to in the amendment? Does...is this...just the legislation that we...we'd hoped to pass this Spring or does this include all the mandates?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

The...reference, obviously, is to this bill and will also be on 351 since I have an identical amendment passed. My general comments, which I did not mean to confuse you on, are because I don't think this bill as it leaves the Senate will be the final version. I think the final version will be worked out perhaps in Senator Rock's Office about June 27th, 28th, if we're organized, 29th, 30th, if we aren't, and I want to get this amendment on as many bills as possible so that when those people, and we don't know exactly who those people are, assemble in that room, that we clearly have the Senate's intent not to savage, and I use the term savage, the basic education programs of many of the districts in the State who get little or nothing from the State in the form of financial support.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Schaffer, once again, I understand your frustration. I would suggest to the Body that as we're dealing with reform over the next several days, at some point within the next six weeks we are also going to be dealing with funding and...and the...I...I think it's very difficult to interpret this...this kind of an amendment and really what it purports to do. I...I agree, Senator Schaffer, we...we will be dealing with this issue probably in Conference Committee, and I would to just suggest to the Body that...that it might be appropriate to oppose this amendment at this time.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I also rise in opposition to this amendment. What you're doing here is to allow the State superintendent to become a super Legislature. When we pass legislations, and especially in this Session, where, hopefully, we will pass some meaningful reforms and fund those reforms, we expect those reforms with our passage of those bills to be carried out. Under this language, which I would suggest is very broad and very vague, I'm not sure what basic education program is district to district and they will be able under this kind of amendment to come in and say, for example, we don't want to test our children in...in grades three, six, eight and ten because we may have to do away with a...a program that involves our football team, which I think...which that superintendent may think is basic or some other type of program which is strictly one that is in favor at that local level. I don't think that's the way we want our schools to operate. If we're going to say that there

ought to be something done and we're going to fund them, which is the commitment of all of the leaders involved in this program and I think all of the members of both Houses, I don't think that this bill adds anything and will probably allow some opt-outs of programs which we think ought to be done and undertaken in the schools. I urge a No vote.

PRESIDENT:

Senator Schaffer. Any further discussion? Further discussion? Senator Schaffer, you wish to close?

SENATOR SCHAFFER:

Oh, yeah. I doubt that the combined resources of both political parties and staff in either House could draft an amendment to accomplish what I want that my two colleagues would find acceptable. Had we gone into detail, it would have been too restrictive; had we done what we did which was try and provide a mechanism for relief, then it's too general. Frankly, what the amendment says is, if we...and I'm, by the way, delighted to hear all this talk on the 21st of May about funding reform. My, God, it's glad to have...I'm just glad to have that on the table now that's it's the 21st of May, and you'll pardon me if I believe it when I see it, but I seriously suggest to the members here, if you want to go back to your districts and find out...those of you and there's virtually two-thirds of us...three-fourths of us here who have districts that get very little from the State, and find out that we have gutted the basic education programs, then don't support the amendment. It's important that if we mandate things we don't pay for, the school districts, and we all purport to believe in local control, have the option to petition the State board for relief, and I don't, by the way, believe the State board is going to be frivolous; if I could find a more objective place to petition, I probably would. They'll...they'll do the...the job, I think, and if the districts have a legitimate case, they can make it there and I

hope the State board will be fair. I would appreciate a roll call on this, what I consider, fairly important amendment.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 3 to Senate Bill 350. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 25 Nays, 1 voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would ask that that amendment be laid on the Table.

PRESIDENT:

Well, you can...yeah, you can withdraw that one. Amendment has been withdrawn. Further amendments, Mr. Secretary?

SECRETARY:

I had two amendments by Senator Welch. Amendment No. 4, by Senator Welch.

PRESIDENT:

Senator Welch on Amendment No. 4.

SENATOR WELCH:

Thank you, Mr. President. This amendment does two things; number one, it affects the bill as far as the three-member hearing panel is involved and strikes that to return to the status quo and; secondly, it permits the...it...it deals with the nonprejudicial error aspect of the bill that was discussed in the Elementary and Secondary Education Committee, and let me deal with the three-member hearing panel first. The current law is that when a teacher

is dismissed, the teacher and the school board is provided a list of five prospective impartial hearing officers. The impartial officers must meet two requirements; that is, they be accredited by a national arbitration organization and; secondly, not be a resident of the school district. The teacher and school district shall within five days alternatively strike one name from the list of five until one person remains. This allows each side to strike the names of those hearing officers they feel would be less favorable to their case. In other words, the system ensures impartiality for both sides. Senate Bill 350 would replace the current impartial hearing officer system with a permanent three-member hearing panel. The Illinois Education Association, the Illinois Federation of Teachers, the Illinois Association of School Boards and the Illinois Association of School Administrators all oppose this section of Senate Bill 350. The reasons for the opposition are as follows; number one, this bill would reduce the likelihood of impartiality for both sides; secondly, it would increase the hearing costs by at least three hundred percent; third, it would make it harder to schedule hearings; fourth, it would take longer to make decisions; fifth, it would delay the whole hearing process. No group registered support for this three-member hearing panel and there is really no reason to replace the impartial hearing officers system when all parties concerned agree that it works well for both sides. The second aspect of the bill...the second aspect of the bill encourages school boards not to follow the requirements for honorably dismissing a teacher or for dismissing a teacher for cause. Instead, it makes errors which may occur permissive; in other words, when a local board fails to adhere to one of the requirements, such as a procedural safeguard, the dismissed teacher would not be entitled to use it as a defense to dismissal as long as there was a finding of wrongdoing at the end of the hear-

ing. As many courts have noted, the tenure laws are designed to protect teachers from political, partisan or arbitrary considerations indealing with local boards. This protection is provided by requiring local boards to follow certain procedural steps in dismissing teachers. The harder substance of tenure is the procedural safeguards provided in the Statutes. Senate Bill 350 would make these requirements meaningless by permitting local boards to commit procedural errors. The current requirements would become no more than guidelines for local boards to follow. Of the dismissal hearings to date, seventy-five percent of the cases have resulted in dismissals or resignations of teachers. This system has been working and this section of Senate Bill 350 would significantly weaken the due process rights of teachers, and I would urge support of this amendment for those two changes.

PRESIDENT:

All right, Senator Welch has moved the adoption of Amendment No. 4 to Senate Bill 350. Is there any discussion? Senator Berman.

SENATOR BERMAN:

Well, thank you. I find it interesting...part of what we all hear from time to time, especially from the school administrators and the school board association, is that they can never eliminate incompetent teachers from the system. The provision in the bill, which this amendment seeks to delete, would create a permanent body of three members that would hear dismissal proceedings against teachers. It is the purpose of this to lend a more stable, permanent judicial type of process. I find it interesting that the School Board Association is in favor of this amendment and the school administrators are apparently in favor of this amendment when all the time we hear about how the present system doesn't work. What the bill...proposes to do and the amendment seeks

to take out is to make a permanent body which could issue opinions that would serve as precedents, sort of a mini-teacher dismissal court so that you would have a basis to know, administrators would have a basis to know what's a good ground to get...kick a teacher out that's incompetent and what is an insufficient ground instead of the constant process and the constant whining by the School Board Association and the administrators regarding that they can't kick out any incompetent teachers. Now, I would suggest to you that, notwithstanding what Senator Welch has said is their position on this, this amendment is not in their best interests. I would urge a No vote.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is an issue that...that we deliberated on a long time when we were finalizing our commission report. Without question, as Senator Berman has indicated, this is an issue that as we took testimony across this State was brought to us by...from...from every, every segment of the State...every segment of the State. There are over a hundred thousand teachers in Illinois and the year preceding the debate on school reform, seven...seven cases we're brought to a conclusion out of over a hundred thousand. Now as Senator Berman has indicated, we can...begin to build a reservior, a bank of information. We will have the same people dealing with educational issues, not someone who is totally...totally unassociated with education and no knowledge of education but people who understand the educational process. I think this is a good amendment...I think this is a bad amendment and should be defeated.

PRESIDENT:

All right, further discussion? Any further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

Yes, Mr...Mr. President. Let me try to answer briefly, if I could, my distinguished colleagues' opposition. They are saying that the...the current system doesn't work and yet the facts that I have show that seventy-five percent of the cases have resulted in dismissals or resignations of the teachers. Secondly, the good Senator has indicated that the...we are setting up a legal process here but the use of an arbiter is in itself the existence of a legal process. Many insurance policies carry a requirement that the American Arbitration Association have a designated arbiter for each case. I happen to be an...arbitrator myself. There are certain arbitrators that can be utilized that can develop a body of knowledge, you can continue to have your precedents built up by using different arbitrators. It's not as if these individuals can render opinions and then disappear into thin air. I don't think that is the problem. I think the problem is whether we want to continue a system that is less costly than a three-member permanent panel. This system, if we have three permanent members, we're going to have to pay each a...the same fee of...I think it's two hundred and fifty dollars a day. There's going to be three of them instead of one. The additional cost of...of course, necessary...secretaries, other equipment is going to make this quite burdensome; and for those reasons, I would urge support of Amendment No. 4. Thank you.

PRESIDENT:

...question is the adoption of Amendment No. 4 to Senate Bill 350. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 18 Nays, none

voting Present. Amendment No. 4 is adopted. If I can have your attention, there is a Mr. London, a photographer from the DuSable Museum in Chicago, who wishes to take...ask leave to take some photographs. He is seated up in the public gallery and will be shooting photographs from the gallery if leave is granted. Without objection, leave is granted, Mr. London. On the Order of Senate Bills 3rd Reading...I beg your pardon, any further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading, top of page 11, is Senate Bill 351. Senator Maitland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 351, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 2?

SECRETARY:

2.

PRESIDENT:

2.

SENATOR MAITLAND:

Thank you, Mr. President. Amendment No. 2 does three things. It changes Principals' Academy to Administrators' Academy, that is technical in nature. Number two, it cleans up and clarifies the permissive language in regards to school boards establishing full-day kindergarten programs and reimbursement of such. What we're suggesting here is that we encourage full-time kindergarten and if schools do have...full-time kindergarten, they will, in fact, be reim-

bursed through the formula; and third, it...it states that students sixteen, seventeen and eighteen year olds may take the GED test providing that the principal of the last school attended certifies in writing that expanded options available have been exhausted and that the parent and legal guardian of...of any minor gives his or her written approval and...and finally, specifies that the State board shall pay the GED...the GED application fee and the GED certificate fee for such students. I would move for its adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 2 to Senate Bill 351. Discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Keats.

SENATOR KEATS:

John, I...I think I know the answer but I'm asking you again 'cause I think there's some puzzled faces here too. This bill...puts the State in the business of funding all day kindergarten. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Senator Keats. It is permissive. It just simply says...there's no mandate for full-time kindergarten. I think this has been...been perceived as mandating full-time kindergarten. It does quite the opposite. It just suggests that...that schools ought to consider full-time kindergarten and if they do have full-time kindergarten, they should...in fact, be reimbursed by the State.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay, that was my understanding. I think all of us should think a moment. If you've ever talked to...child psychologists or if you've ever had a prolonged conversation with a five year old, not only should we not be encouraging...in fact, somedays by the time we get out of some of our caucuses we think we're talking to five year olds, but that's...we've all been like that somedays...do we want...

PRESIDENT:

Further discussion? Is there any further discussion? Senator Donahue.

SENATOR DONAHUE:

Yes, a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Thank you. In the...in the reimbursement for all day versus half-day kindergarten, is there any difference in that reimbursement or is it...is it the same regardless?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, Mr. President. Obviously, if we would reimburse they are...presently they are reimbursed on a half-day basis. If...if it was full-time, they would be reimbursed on a full-time basis. Let me suggest, Mr. President, this amendment is really only technical and this might be an issue we...might want to debate on 3rd reading.

PRESIDENT:

I think that point is well taken. Senator Maitland has moved the adoption of Amendment No. 2 to Senate Bill 351. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 3. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Amendment No. 3 is the amendment that restores...restores the exemption for eleventh and twelfth grade P.E. to the bill. In the original package as introduced by...by me, Senate Bill 351 suggested that for grades eleven and twelve a student be allowed to opt out of P.E. under...under three conditions. Number one, for that student who needed remediation, for example, was getting close to graduation, was having difficulty with a particular academic course should be allowed to be exempt from P.E. Secondly, for the college bound student who needs more academic courses for college entrance, they should be allowed to opt out of P.E. if those two courses came at the same time, and finally, for the student athlete. Point number three, the student athlete who's out for basketball, football, track and...and sports of all kinds should be allowed that during the time that they're out for sports to be exempted from P.E. As we held our hearings across the State, I think this was one of the most...one of the issues that was...received the most attention. I believe that, generally, people across the State support this amendment and I would move for its adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 3 to Senate Bill 351. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 4.

SENATOR SCHAFFER:

Amendment No. 4 on this bill is the same as, I believe, whatever Amendment 2 or 3 that I had on Senator Berman's bill. I'm an equal opportunity amender. And it, basically, says the same thing that if the...the mandates of the program...the funds aren't there that the school district can apply to the State board, if complying with them will cut the basic education program. The same arguments I made before apply probably even more so on this bill because this bill tends to mandate more things and the funding for those mandates has yet been, at least, explained to me.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 4 to Senate Bill 351. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The same argument on 350 applies to 351. Don't need to say it again, I would just suggest a No vote.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

I also rise in opposition to the amendment. Thank you.

PRESIDENT:

Senator Schaffer, you wish to close? A roll call has been requested. Senator Schaffer has moved the adoption of Amendment No. 4 to Senate Bill 351. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 26 Nays, none voting Present. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Demuzio.

PRESIDENT:

Senator Demuzio on Amendment No. 5.

SENATOR DEMUZIO:

Thank you, Mr. President. The commission bill added language in Senate Bill 351 that would allow the school districts to either provide or enter into a contract with driver's training schools licensed by the Secretary of State under the Vehicle Code and also allowed them to enter into contracts to provide a course of...of practice driving and charge a reasonable fee. What this amendment seeks to do is to strike that language and to eliminate the...the language added by the commission thereby leaving the current law in its current posture indicating that each school district shall provide...an approved course and practice driving consisting of a minimum of six hours...six clock hours of the individual behind-the-wheel instruction or its equivalent. The...I suspect that we'll probably see this issue many times, I suspect, before June 30th, but this Amendment No. 2, in fact, strikes that language and restores the...the law as it is now.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 5 to Senate Bill 351. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Senate Amendment No. 5. I want the Body to know that the concept contained...in the original...in the original draft of Senate Bill 351 did not demandate driver education. This is not an issue of demandating versus nonmandating. What the commission suggested was this, that schools...many rural schools and many districts such as we have here today find it extremely expensive, extremely expensive to maintain driver education, and

the...commission suggested that they continue, obviously, to offer the thirty hours of course work in the classroom, but wherever possible and wherever it was needed they should be allowed to get the behind-the-wheel part of driver education from another source. This doesn't take anything away from the child. It will send more money to academia to the kids...in academia in the educational fund and still be able to maintain the service. This seems to me to be a...a...a good concept and one that we should adopt. Secondly, it allowed school districts to charge a reasonable fee for driver education. It costs us a hundred and eighty to a hundred and ninety dollars per student to offer driver education and it seems reasonable to assume that a small, reasonable fee should be allowed charged to those students. We have an opt-out for those who simply can't pay that fee, no child is going to be hurt. It seemed like a reason...a reasonable approach and I believe this amendment should be defeated.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. On that same note, we ought to realize that...that driver's education is probably the most expensive course we have in schools. You've got a full-time teacher with maybe four children driving around for an hour. I think this is a very reasonable amendment. Certainly there are some rural schools that, frankly, just can't afford this and I would suggest to you to strongly take a look at this amendment and then defeat it.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. While not a member of the education...committees or a big player in the legislation affecting education, this seems to me to be an amendment that

we should reject. One of the leading complaints from school districts in my area is the high cost of providing the mandated driver education. Now, if any of you've taken a look at the way driver education is taught in the private sector, I think it becomes immediately apparent that the people that are out driving around in cars with...with kids and others that are learning to drive are not people with high education credentials. You're not likely to find someone with a masters degree in education out riding around in cars with people who are having their...their practice driving. On the other hand, in our schools, many times that's exactly what you find are people with...with educational credentials who ought to be in classrooms and who are a resource for their school that should be used in the classroom. Instead of that, they're out doing things that other people with less training could do just as well. And as I understand what we're about here is that the...the commission has suggested that that's a change that we ought to allow our schools to...to accomplish. Now this amendment would undo all of that, and on that basis, I suggest that this amendment should be...defeated.

PRESIDENT:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like to speak on behalf of Senator Demuzio's amendment simply because I think probably the most important thing you can learn as a student, perhaps, in high school is the ability to drive a car and to learn it properly, and I think the system we have today is working and seems to be doing that. And if, in fact, the one thing you remember from high school would be to learn how to drive a car. If you go the private sector, I can guarantee you one thing, that after it's done, we will be flooded with a bunch of legislation here trying to regulate and to change the pri-

vate way that we direct people to drive and teach people to drive in the State of Illinois. I'm not so sure we don't need masters degrees teaching people how to drive in the State of Illinois. I think it's extremely important and would hope that we would adopt this amendment.

PRESIDENT:

Further discussion? Senator Berman.

END OF REEL

REEL #2

SENATOR BERMAN:

Thank you, Mr. President. I rise in opposition to the amendment also. I find it interesting that most of the discussion today dealt with driver's education when we're dealing with two bills that touch on almost every aspect of education and most of the time has been spent talking about driver's education. If we're concerned, as I think we all are, regarding the costs of education, this recommendation that's in the bill, Senate Bill 351, is a reasonable approach to allow local school districts to try to save some money without negatively impacting on the opportunities available to our children. What we're saying by the...in the bill is that if a school district finds that it can save some money by contracting out, it can do so. Now, all of the safeguards are still there. There's private...if there's a contracting out, the private school must be licensed by the Secretary of State, the kid must still pass the same examination that is required by the kids that take this class...behind the wheel in school, there is no diminution of the quality of the education as measured by the tests that that child must still pass. What it does is to give a small opportunity to save some money, and I think that if that's a...and I would suggest to you that's a reasonable approach on a reasonable compromise in an otherwise very hot area of discussion, as we see by this morning's debate; therefore, I would urge a No vote on the amendment.

PRESIDENT:

Any further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. There's been some discussion about the cost of driver's education. Making the driver's education optional in this bill and forcing students to pay for behind-the-wheel portion will save the State money and create more funds for academics. Well, frankly, that's...that's not true. Driver's education is the only mandate that's self-supporting. It's paid for from traffic fines and eliminating that will provide no extra dollars for other concerns. I have a letter also that I might share with the group from Donald Miedema who's superintendent of schools here in Springfield that indicates that they are opposed to a...any legislation that would allow districts to contract for behind-the-wheel training in driver's education. He indicates that the large school districts have taken no formal action on the bill but he's...as quoting him, "I believe that it's safe to say that a majority of the larger unit districts will oppose this bill." I would ask that we adopt this amendment striking the...the language added by the commission and I assume that this is not the first time that we will see this proposal before us. I move for the adoption of Amendment No. 5.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 5 to Senate Bill 351. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 24 Nays, none voting Present. Amendment No. 5 is adopted. Further amendments, Mr. Secretary?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd

Reading...Senator D'Arco on the Floor? Senator D'Arco on the Floor? 486, you wish that returned? All right, Senator D'Arco wishes that removed from the recall list, Mr. Secretary. 510, Senator Smith. We're now in the middle of page 16, on the Order of Senate Bills 3rd Reading is Senate Bill 510. Senator Smith seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 510, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 510 merely changes the method of funding the Crime Prevention Organization Act created by the bill. It provides for an income tax checkoff like those currently existing on the Illinois Income Tax Form. This allows tax people...payers to contribute up to ten thousands...ten dollars, I'm sorry, of their tax refund for contributions to the Crime Prevention Organization Fund. If the fund does not...and we made this with the agreement with our colleagues on the other side that if the funds does not receive at least one hundred thousand dollars in any year, that checkoff will not appear on subsequent income tax forms. Mr. President and members of the Senate, I move for the adoption of this amendment.

PRESIDENT:

All right, Senator Smith has moved the adoption of Amendment No. 1 to Senate Bill 510. Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that we

opposed earlier on the strength of the argument that the funding was different in this bill than in the normal checkoff bill that we have seen for other causes. The sponsor has amended the bill now so that it is a checkoff, like the other causes, and on that basis, I have no objection to the bill.

PRESIDENT:

All right, Senator Smith has moved the adoption of Amendment No. 1 to Senate Bill 510. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 576, Senator Topinka. 645, Senator Barkhausen. 646, Senator Barkhausen. Middle of page...bottom of page 18, on the Order of Senate Bills 3rd Reading, Senate Bill 646. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 646, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Senate Bill 646 creates stiffer penalties for the offense of stolen property. The amendment makes certain technical corrections. Most significantly, it eliminates all of the civil provisions which were in the original bill and which gave rise to some opposition from such groups as the retail merchants and the manufacturers' association. So,...so now we are strictly dealing

SB 665 Recalled

with...with criminal provisions which...so far as I know, meet with no objections. We have also added some provisions dealing with the...with the forfeiture of profits gained in the commission of the crime of stolen property. As I say, it's an agreed amendment and I would urge its adoption.

PRESIDENT:

All right, Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 646. Any discussion? Senator Bloom.

SENATOR BLOOM:

I'd...I'd join in that. After we're done with that, I have a request.

PRESIDENT:

All right, Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 646. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have your attention, WAND-TV, Channel 17, from Decatur has requested permission to videotape. With leave of the Body, leave is granted. Senator Bloom, for what purpose do you seek recognition?

SENATOR BLOOM:

Well, I...I...I apologize to the membership. As I think we all had the problem where we get dragged off the Floor by various groups and I wondered if we could do 645 now?

PRESIDENT:

Senator Barkhausen indicated to the Chair that there was a subsequent amendment coming up from somewhere. All right. 665, Senator Lechowicz. On the Order of Senate Bills 3rd Reading, the middle of page 19, is Senate Bill 665. Senator Lechowicz seeks leave of the Body to return that bill to the

Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 665, Mr. Secretary. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I lit my button here a while ago on a point of personal privilege when you announced about the photographer taking pictures, and now you've announced it again and you always alert me when the photographer is going to take some pictures. Have I done something wrong or...

PRESIDENT:

No, I was just waiting for the camera to be set up, Sam, then I was going to alert you.

SENATOR VADALABENE:

Yeah. We don't have any problems, do we, Mr. President?

PRESIDENT:

No...no, sir. All I want you to do is kind of spin around and give them your best side.

SENATOR VADALABENE:

Thank you, Mr. President.

PRESIDENT:

Oaky. Mr. Secretary, Senate Bill 665, on the Order of Senate Bills 2nd Reading.

SECRETARY:

Amendment No. 3 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on Amendment No. 3.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 is the amendment requested by DCCA and, basically, it amends Senate Bill 665 to convert the utility tax refund into an exemption, and I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 3 to Senate Bill 665. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 684, Senator DeAngelis. On the Order of Senate Bills 3rd Reading, the bottom of page 19, Senate Bill 684. Senator DeAngelis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 684, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis. Senator DeAngelis, Amendment No. 4.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 4 corrects some of the things that were negotiated during the agreements with the police officers, DCFS, the community agencies, et cetera. Essentially what it does, it deletes the I-SEARCH local board definition with the...which the Department of Law Enforcement opposed, rewrites the...the membership as a broad representation of the community, adds a provision that allows you to hold a delinquent up to twenty-four hours instead of six, restores the thirty-six hours and changes the effective date to October 1st, 1985.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 4 to Senate Bill 684. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Amendment No. 5.

SENATOR DeANGELIS:

Number 5 takes the twelve hours back to the eight hours that was originally in the bill.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Amendment No. 5 to Senate Bill 684. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 694, Senator Topinka. 725, Senator Berman. On the Order of Senate Bills 2nd Reading, bottom of page 20, is Senate Bill 725. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 725, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. This...this...this amendment deletes the language, "whose low or declining academic performance." The reason for that is in defining a chronic truant, those...that language was too vague in order to plug a standard of truancy into the bill, so it's being deleted and it'll remain on the ten percent of the hundred and eighty day regular attendance days which was in the original description without this...language dealing with declining academic performance.

I move the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 3 to Senate Bill 725. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 736, Senator Kustra. 742, Senator Vadalabene. On the Order of Senate Bills 3rd Reading, the middle of page 21, is Senate Bill 742. Senator Vadalabene seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 742, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. First of all, I'd like to move to reconsider the vote on...on Amendment No. 1 in regard...Floor Amendment No. 1 to Senate Bill 742.

PRESIDENT:

All right, Senator Vadalabene has moved to reconsider the vote by which Amendment No. 1 to Senate Bill 742 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Vadalabene now moves to Table Amendment No. 1 to Senate Bill 742. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secre-

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tary?

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 ensures that the money is being paid from the purse money. In otherwords, the money is coming from the horsemen themselves under this amendment, and this amendment has been agreed to by the interested parties, and I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 2 to Senate Bill 742. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 22, Senator Etheredge. On the Order of Senate Bills 3rd Reading is Senate Bill 780. Senator Etheredge seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 780, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 4.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment; however, it is an important one. The...the legislation as originally drafted

did not take into account the...the fact that smaller counties have a higher cap on their corporate property tax rate than do the more populous counties. This amendment corrects that situation.

PRESIDENT:

All right, Senator Etheredge has moved the adoption of Amendment No. 4 to Senate Bill 780. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 833, Senator Macdonald. Middle of page 22, on the Order of Senate Bills 3rd is Senate Bill 833. Senator Macdonald seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 833, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Macdonald.

PRESIDENT:

Senator Macdonald on Amendment No. 1.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment was suggested by the Pollution Control Board and the amendment actually becomes the bill. It does two things. It sets a time limit on recognizing federally issued permits and it makes it absolutely clear that all State requirements including board...more stringent than the Federal standards must be complied with. The amendment accomplishes the original intent of the bill to avoid duplicative permit processes. That's all it does and I ask for your acceptance of this amendment.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 833. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 849, Senator Macdonald. On the Order of Senate Bills 3rd Reading, page 2 on your Recall List, top of the page, page 22 on the Calendar, Senate Bill 849. Senator Macdonald seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 849, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment also was requested by the Pollution Control Board. I might add that this bill originally was on the Agreed Bill List and we were...going to make any technical changes when it reached the House; however, at the request of...of one of the lobbyists, I took the bill off and so we now are...are putting this technical change requested by the Pollution Control Board on the bill. The...amendment deletes all references to administrative orders issued by the Environmental Protection Agency and replaces those with more accurate term administrative citation. The second thing it does is...clarifies the point that the agency may enforce the enumerated prohibitions either by administrative citation or by conventional means. Third, it establishes a sixty-day time limit for the agency to commence administrative citation procedures and requires the agency to notify the Pollution Control Board within ten...ten days of such...so, I ask for your adoption of this

amendment.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 849. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 911, Senator Demuzio. On the Order of Senate Bills...3rd Reading, the middle of page 23, is Senate Bill 911. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 911, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio on Amendment No. 2.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Illinois Press Association brought this amendment to me and apparently...the bills did not...their bills did not fare well in the Senate Executive Committee and asked that I might make an attempt on amending the vehicle bill that I have on 911. The...Press Association amendment does three things. It adds to the policy section a statement emphasizing that public bodies have a duty to provide public information to the public, that it clarifies that public bodies are not required to wait seven working days to respond to a request but instead should respond immediately if practical and the third provision...defines that police blotter information to specify the minimum amount of

crime...information that police must make available. It is rather a lengthy amendment. I'm sure that most members are aware of the contents of the provisions that I have outlined. I would move for the adoption of Amendment No. 2.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 2 to Senate Bill 911. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. Well, I hope we're paying a little bit of attention to this. It's a little surprise to me...

PRESIDENT:

That point is well taken. All right, I'm going to ask the staff to remove themselves. We've too many conferences going on. This is a matter of some urgency and I would ask that...the members be in their seats and that those staff who are not totally indispensable, please, dispense...or disperse, I guess...Senator Sangmeister.

SENATOR SANGMEISTER:

I was just looking over this amendment and, as you all know, of course, the Freedom of Information Act is a sensitive area in which we deal with, but I am rather surprised that the Press Association, after giving certainly in Executive Committee a full hearing, no one was shut out, we spent a lot of time, in fact, more time on these bills than we did on a lot of others. It was discussed thoroughly and the bills were defeated in committee for...all for good reasons which are too extensive to discuss here. Now, we come along, which is not unknown to the legislative process, to attempt to do what we can't do in committee what we're going to do on the Floor, but I'm rather surprised that the press would get involved in doing that, so I would merely say to you that these bills all received a good, fair hearing in Executive

Committee and if we have any feeling for the process, I would ask that this amendment be defeated.

PRESIDENT:

Further discussion on Amendment No. 2? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I want to join with Senator Sangmeister in opposing this amendment. As he said, bills to accomplish this same purpose were given an extensive hearing before the Senate Executive Committee. Everybody had a chance to say whatever they wanted to say, there was full debate and now to see these bills come before the Senate, I think, would require if...if we are going to give it the time that is necessary is going to take more time than we have here. I think that these amendments should be rejected. If the Press Association and others who want to change this Act in future years, they'll have a chance to come back and testify before the committees again. So, I would ask a...a vote against these offered...these amendments.

PRESIDENT:

Any further discussion? Further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

Well, let me just say that this amendment represents a compromise, I am told, that there were...were, in fact, four bills in the Senate Executive Committee that addressed this subject. None of them cleared the committee and I think that sent a very clear signal to the proponents of the legislation, and I think they got the message and they now come back with three significant compromises. They do not change the intent of the Freedom of Information Act, they merely make clarifications to ensure that the FOI is not a denial of...of...of Informational Act. The changes primarily address changes that are made by the Governor's amendatory

veto and not what the General Assembly had originally passed. I would move for the adoption of Amendment No. 2 to Senate Bill 911.

PRESIDENT:

All right, Senator Demuzio has moved the...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

A point of information. It...was this amendment distributed to the committee...

PRESIDENT:

Well...

SENATOR FAWELL:

...apparently this is a fairly important committee and I don't know what they're talking about.

PRESIDENT:

...I...I am sure that...that it has, in fact, been distributed. Senator Demuzio has moved the adoption of Amendment No. 2 to Senate Bill 911. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. Opinion of the Chair, the Noes have it. The amendment fails. Further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 949. Senator Karpiel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. On the Order of Senate Bills 2nd Reading, Senate Bill 949, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Karpiel.

PRESIDENT:

Senator Karpiel on Amendment No. 1.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 deletes the provisions currently in the bill and adds uniform medical standards to the Worker's Compensation Act. Specifically, this adopts the American Academy of Orthopedic Surgeons manual for orthopedic surgeons in evaluating permanent physical impairment as the standards or the foundation for determining permanent, partial disability under Section 8 of the Worker's Compensation Act, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Karpiel has moved the adoption of Amendment No. 1 to Senate Bill 949. Is there any discussion? Senator Rock.

SENATOR ROCK:

Well, I...I presume that if we are talking about significant amendments, this one certainly would qualify. Has this one been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

I don't believe so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I...I...you know, we...we are trying to expedite the process and afford every member an opportunity to get their bill into the shape they wish it, but for goodness sake, if you're going to strike everything after the enacting clause and come in with a bill that...that you and I both know probably would not have gotten out of the Labor and Commerce Committee or...any other committee for that matter, I think in fairness, that ought to be distributed. So, I'm going to request and ask others to join in with me that this amendment, for sure, be distributed. There are some that we can go through without the necessity of...of inundating everybody

with a lot of paper. We almost have to work on a system of trust around here, but...but something this dramatic, truly, I believe the membership ought be made aware of it and we can hold it...there'll be another recall list tomorrow and probably on Thursday and probably on Friday and most certainly on Saturday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

I have no problem as long as mine isn't on the recall list on Saturday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record...well, ladies and gentlemen, if we could have your attention, please. We have some very special guests that are with us today...we have some special guests that are...are with us today. Last year, I had the special privilege of offering a Senate Resolution to the Litchfield Purple Panther Girl's Basketball Team when they won the State championship and, of course, Litchfield is in my district. This year, Senator Davidson and I...and I have...collaborated as we did last time on the Senate Resolution...in Senator Davidson's old district and Senator Davidson has a resolution that is currently before the General Assembly here that he would like to introduce the members of the team and to say a few kind words about the Litchfield Purple Panther Ladies.

SENATOR DAVIDSON:

Thank you, Mr. President. I'd like to present to you a team from a little town in Illinois so that you big city slickers will know we...we do know how to play basketball down in this country. This is a team that's been undefeated two straight years during the regular season, lost two games in two years, each to the team that went on to become the State champion of the Girl's Basketball Class A, and for

those of you who were fortunate enough to have the opportunity to play this team, you'll know that they had talent and I'm particularly pleased to tell you, since we're all from Illinois, that one of the leading stars of this girl's basketball team is going to Eastern this coming...this fall to participate in their basketballs...program over there and we're delighted to keep our home town talent. I'd like to present their coach, Phil Stivers, who will introduce his team members. Phil.

COACH STIVERS:

(Introductions made by the coach)

SENATOR DAVIDSON:

On behalf of the members of the Senate, particularly Senator Demuzio and myself, I'd like to present to you Senate Resolution 195, which congratulates you on the outstanding talent you've done and we'll be looking forward to introduce you back up here next year. Good Luck. I might say, for those of you who are not up here close, Ann Floom, the other night, when Governor Thompson was presenting them then, shook him up a little bit, 'cause she's the first girl that could look him right directly in the eye and he didn't quite know how to handle that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll return to the Order of Recalls. Senate Bill 949, Senator Karpiel. 997, Senator Collins. Senator Collins on the Floor? Senator Collins seeks leave of the Body to return Senate Bill 997 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 997, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

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SENATOR COLLINS:

Yes, thank you, Mr. Chairman and members of the...the Senate. Senate Bill 997 is the election reform bill for absentee voting for students. We took the bill out of the record. We have answered the concerns of our colleagues on the other side of the aisle. I think there's an agreement on the bill, and I would move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 997...Amendment No. 1. Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 997. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...1021, Senator...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. 1021 is a matter of some importance, obviously, with all the amendments that have been filed. Both Senator Philip and I have discussed the necessity for a caucus at the point at which we reach 1021. My suggestion is, let's skip down to 1063. Let's get through the list, then we will revert back to 1021, at which time there will be a request on both sides for a caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will skip down to 1063, Senator Luft. On the Order of Senate Bills...on the recalls, Senator Luft seeks leave of the Body to return Senate Bill 1063 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of

Senate Bills 2nd Reading is Senate Bill 1063, Mr. Secretary.

SECRETARY:

Amendment No. 1, by Senators Luft, Bloom and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 1063 becomes the bill and permits income tax deductions on income earned from bonds, notes or other evidence of indebtedness issued by the State of Illinois, State organized authority or local public entity. Currently, Illinois bonds are exempt from Federal Income Tax but not State Income Tax. Other states, including New York, offer this so-called double exemption to its residents. In Illinois, only bonds issued by the Illinois Housing Development Authority get the double exemption. We believe that Senate Bill 1063 will result in a revenue loss up front although an estimate cannot be calculated at this time; however, such an incentive will over the long-run save State and local governments revenues as a result of lower interest charges on bonds made more marketable by the incentive.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to Senate Bill 1063. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think members should be aware that this is a very dramatic change in tax policy that is being proposed in this amendment for the State of Illinois, and my guess is that the cost, while undetermined, and I think there is a fiscal note requirement that has been filed, is probably very substantial. I...I'm not sure that it makes any sense to speculate. I have heard some speculation that it might be as high as forty or fifty million dollars from the State revenue base. But the point is that we

have never...done this kind of thing to the Illinois Income Tax; that is, we have always added back in the interest that is on so-called tax exempt bonds that it is already exempt at the Federal level. What we are now providing is a double exemption, if you will; that is, exemption from Federal Income Tax and again of an exemption from State Income Tax of all of the interest on so-called tax exempt bonds. Now, some...I suppose it will make them slightly more desirable although I don't really think it's going to have that major an impact because the State Income Tax is still at a low, flat rate. It is the Federal Income Tax that really makes the difference and the reason for the tax exempt status of these bonds, and as many of you know, the...Congress has been trying to retract for the last several years because the Federal Treasury is losing billions of dollars from the exemption of tax...of the interest on these bonds and we are now beginning to start to do the same thing with respect to the State level. I don't really think it is going to be that much of an attraction, again, because of our low tax rate but it is going to be a large revenue loss.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon...pardon me...Senator...pardon me, Senator Netsch. Can we have some order. This is a matter of some importance. Can we have some order, please...all unauthorized persons please vacate. Senator Netsch.

SENATOR NETSCH:

Thank...thank you, Mr. President. Again, some of you may decide, as a matter of policy, that you are...willing to change the tax structure of our State Income Tax this dramatically, but just be alert to the fact that it is a major change in policy at the State level and will be costly to our tax base.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I've joined in the sponsorship in this amendment and we...I've thought about this for some time. First, in response to one of the arguments by the prior speakers, forty-four other states exempt from their state income tax income from this. Second, we...right now, this is not a major policy change in the instance that...we've already decided in the context of IHDA that to make these bonds more attractive in the market place, the IHDA bonds are already exempt from the State Income Tax. And might I add that makes them very attractive and, quite frankly, they're selling like hot cakes. It is the feeling of Senator Luft and myself and others who are looking at economic development in this State and the marketability of our bonds that this is an attractive feature and that the fiscal statement shows that the revenue impact is minimal. We heard this kind of argument against abolishing the Illinois Inheritance Tax. Yet, we did indeed abolish the Illinois Inheritance Tax three, four years ago and we still have almost...right now, today, a seven hundred million dollar surplus in our General Revenue Fund. It seems to me that if we are going to send a signal to the rest of the world that we're ready to do business, that as a portion of this and as a portion of improving our infrastructure, 'cause I firmly believe that we will, at some point, have a program by the 1st of July, that we ought to do it with...insofar as possible with Illinois bonds and with Illinois bonds that are competitive with the other forty-four states. I think that this amendment and this bill are such that all of us in this Chamber can support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. It has already been pointed out that there are revenue implications associated with...with this proposal and I...and it has also been, you know, pointed out that these...this change would make these bonds more attractive to potential purchasers which might result in...in lower interest rates as well, so that the...the fiscal impact does cut both ways for the State of Illinois, at least for those bonds which the...the State itself sells. For those bonds sold by other units of local government, it certainly is just a revenue loss to the...to the State. As I understand it, a...a fiscal note has been...has been filed. I would certainly appreciate the...the sponsor...all the information...gathering as much information as possible as to exactly what this fiscal impact is going to be before we have to vote on this on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion?...Senator...Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of personal privilege. I'd like to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...can we have some order, please. Senator Smith, on a point of personal privilege.

SENATOR SMITH:

Thank you, sir. I'd like to introduce a...a group from my district of New City. They're down here lobbying today and I just want to recognize their presence. Would you please stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please stand and be recognized by the Senate. Welcome to Springfield. Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Luft, if a bond is sold as a tax exempt bond, would the State then get a higher rate of interest return for the bond or would the interest rate on the bond be lower?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

It would have...I don't think it would have anything to do with the interest rate of the bond.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, I...I..I don't think that's correct. I just read an article yesterday in the Tribune which stated that the loss in the Illinois Income Tax due to the tax exempt nature of these bonds would be offset to the extent that...the State would be able to get a higher interest rate. Certainly, if you're going to buy a bond and it's going to be tax exempt, I would think I would be willing to pay more money for a tax exempt bond than I would a nonexempt bond. So, I tend to think that the loss in revenue by the State from income tax would be offset to a great deal by the increased revenue to the State by the higher rate of return on the bond, and I intend to support this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman. Senator Rupp.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, are you amending the Income Tax Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, there's nothing in...in your bill that speaks to the issuance of bonds. It only speaks to the...imposition of the tax. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'd simply want to point out to...to my colleagues that, number one, the argument that is made that somehow this will help the sell of Illinois bonds, the same argument will be true then of bonds of every other state; and most bonds of this kind are owned not by private individuals but by banks and savings and loans and insurance companies. So, to whatever extent we're granting tax relief, we are granting that relief to those business organizations to a much greater degree than we are to individuals. Also,...the...the argument that somehow this is going to make Illinois bonds sell better, I submit to you, is probably false because Illinois bonds are going to be treated just like the bonds of...of New York or any other state. When the owner files his tax return, he's simply not going to have to pay Illinois tax, regardless of whether he owns Illinois bonds or New York bonds or Alaska bonds. I'm not so sure this is a great idea. I...I think we ought to debate it on 3rd reading, but I would hope that by

that time, we'll know what the fiscal impact of this whole thing will be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Not to belabor the point but I, too, have joined as a sponsor of this legislation. I did it for one, I think, very good reason. We need to take an initiative here in the State of Illinois and I think that there's a number of...a multitude of programs that we are going to consider before July 1 that are going to deal primarily with...Build Illinois and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito,...pardon me, just a moment. Ladies and gentlemen, can we have some order. I have difficulty hearing the speaker myself. Senator Zito.

SENATOR ZITO:

Thank you. I think that we need to take some initiative in the State of Illinois, and certainly in this Body. If we're talking about bonding programs like Build Illinois, then I think we're going to have to offer some types of incentives. None of the people that have spoke in opposition to this amendment have really indicated the loss of...of money to the State...to the State funds and we're not sure; quite frankly, we're in a position that we don't know what the impact is going to be. Let's stop looking on the...on the short side or the short-term gains or losses and let's look long-term. We don't know for sure what...what the impact of this is going to be, but I would trust that it would be of a greater incentive to the State of Illinois and not only the bondholders but the State of Illinois. Let's start acting in the State of Illinois. Let's stop reacting to problems or...or have solutions of problems on a reaction basis rather than enacting. Let's take a good, bold step

forward and see if we can't...give some incentives to those individuals wishing to purchase bonds. I would...I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, we do allow exemptions in the Federal...under Federal and State...Federal Income Tax. I think this is a good amendment because it...as the prior speaker said, it will encourage more people to buy Illinois bonds, more money is going to be circulated to...to give us money to do more for education and others. I support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I think that Senator Bloom and Senator Zito have conveyed the intent of Senate bill...or the amendment to Senate Bill 1063 adequately. We're attempting to enhance the saleability of Illinois bonds. If that is a form of guilt, then I plead guilty and would urge you to join me in collective guilt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 1063. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I'd like to...I'd like to withdraw that amendment and be added as a sponsor to 1063.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Bloom seeks leave of the Body to withdraw Amendment No. 2, and I'm told that you are already a cosponsor of Amendment 1. Further amendments? All right, Senator Bloom is...Senator Bloom.

SENATOR BLOOM:

Yes, I'd seek to be added as a joint sponsor to 1063.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 1063. Is there objection? Senator Luft.

SENATOR LUFT:

I'm not objecting, Mr. President, I'm apologizing both to Senator Bloom and Senator Zito. It was my intent yesterday to add both those individuals as hyphenated sponsors and I would hope that you would do so at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will add both...Senators Bloom and Zito as hyphenated cosponsors. Is leave...and Senator Geo-Karis as hyphenated cosponsors. Is leave granted? Leave is granted. It's so ordered. Senate Bill 1074. Senator Luft seeks leave of the Body to return Senate Bill 1074 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1074, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 clarifies that the bill creates registration rather than licensing or certification. It also changes the composition of the Clin-

ical Laboratory Science Board, allows the Department of Registration and Education to define an alternative route of qualifying consisting of a combination of experience and education, adds a grandfather clause to register those who obtain documentation of experience and have been practicing for two years and makes technical changes. What we have tried to do with this amendment is to make Senate Bill 1074 not objectionable to anyone in the industry. Registration and Education has approved of it, and I would ask for the adoptment...adopting of Amendment No. 1 to Senate Bill 1074.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 1074. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. WCIA has requested permission to videotape the proceedings. Is leave granted? With no objections, leave is granted. Senate Bill 1160. Senator Welch seeks...1239, Senator Watson. Senator Watson on the Floor? 1276, Senator Kustra. Senator Kustra on the Floor? 1292, Senator Schuneman. On the Order of the Recalls is Senate Bill 1292. Senator Schuneman seeks leave of the Body to return Senate Bill 1292 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1292, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a Department of Insurance bill which seeks to raise the minimum level of...of capital and surplus required of companies doing business in Illinois. The bill as originally introduced was going to cause a problem for some of the small life insurance companies in the State. Through a series of meetings, those problems have been resolved and the increase in capital and surplus will now be phased in over a period of time. I think that everybody is now in agreement with Amendment No. 3 and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman has moved the adoption of Amendment No. 3 to Senate Bill 1292. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, Senator Watson is on the Floor. We would return to Senate Bill 1239. Is leave granted? Leave is granted. Senator Watson seeks leave of the Body to return Senate Bill 1239 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd is Senate Bill 1239, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 1 clarifies some problems that we had with the legislation. It places the agency...the agency placing the student must notify the

appropriate school district of the status of the students, residency when applicable on or prior to the placement. Also the school district have responsibility for the provision of educational services for all school children ages three to twenty-one residing within its boundaries. The intent of this particular portion of the amendment is not to burden the school district with any...or without any financial relief. We're not trying to burden the district without financial relief. That's the intent of that particular provision. It also creates a new paragraph which in...which was in Senate Bill 1239 to clarify and emphasize the definition of a resident district. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 1239. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1250, Senator Watson. On the Order of...Senator Watson seeks leave of the Body to return Senate Bill 1250 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1250, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Appreciate your going back to this order of business too, thank you. Senate Amendment No. 1 to 1250...this is the Library Act, which I'm sure many of

you have been contacted about. This amendment now becomes the bill and what we're going to do, and I'll just read the language, it says that...well, what we're actually doing is changing from "shall" to "may." When a library is formed by a corporate authority, a...municipality, when a library is formed, a district is formed, right now, the...the legislation and...and the Act reads that you shall levy a .15 percent tax. What we're saying is that this...may be levied and this...this will only be in effect for six months. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 1250. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Kustra on the Floor? Senator Marovitz, 1317. Senator Marovitz seeks leave of the Body to return Senate Bill 1317 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1317, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Mr. President and members of the Senate, I would move to Table Amendment No. 1 which has already been adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz, having...having voted on the prevailing side, seeks to reconsider the vote by which Amend-

ment No. is adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Marovitz now moves to Table Amendment No. 1 to Senate Bill 1317. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Senator...further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This new section...new amendment, Amendment No. 2, allows the State board and local boards of education and community college districts to establish programs directed at providing academic and employability skills for individuals between the age of sixteen and twenty-two who are the dropouts throughout the State of Illinois and are no longer enrolled in school. Funding for these programs will be set annually by us, by the Legislature. House Bill 1070 currently contains an appropriation of nine million of which 4.5 million is directed strictly for the dropout problem. The amendment requires that these programs be outlined within the adult education plans currently required by law so that we ensure that these programs will be coordinated closely with other education programs within regions of the State and not duplicative in nature. I would ask for adoption of Amendment No. 2 to Senate Bill 1317 which has been worked out with the State board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 1317. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Can I have your attention, please. Senator Vadalabene has a special guest that he'd like to introduce to the Senate. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I would like to have your attention and I would like to have it quiet. We have a very distinguished guest here with us this morning. He's chairman for the Run-For-Freedom. He has two silver stars, three bronze stars for valor. He's a Vietnam Veteran in 1968, a very good friend who I got acquainted with over the past few years, he served in the Ninth Infantry Division, my good friend and I present to you, Tom Stack, a Vietnam Veteran from Chicago. Tommy, would you say a few words. Just...

TOM STACK:

(Remarks made by Tom Stack)

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills on the Recall, Senate Bill 1402. Read the bill, Mr. Secretary. For the record, Senator Collins seeks leave of the Body to recall Senate Bill 1402 back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1402. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, I want...I would like to Table Committee Amendment No. 1...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins moves to Table...Senator Collins, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. All those in favor signify by saying Aye. Those opposed. The Ayes have it. The motion to reconsider passes. Now, Senator Collins moves to Table Senate...Committee Amendment No. 1 to Senate Bill 1402. Those in favor signify by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 clarifies the intent of the Vocational and Professional Enterprise Training Center. It changes the administration from the State Board of Education to the community college board. It provides for some definition and expand the...eligibility requirements, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. A question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR HUDSON:

Senator Collins, does this amendment strike everything after the enacting clause?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, it does because there were a lot of technical errors and we just...had the bill redrafted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

It...it would seem to me that we are dealing here with a bill of some substance...one of the bills in your...your package, and it would seem to me that we should perhaps be better informed than I feel some of us are currently as to just exactly what the amendment does. Has that amendment been distributed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

We've just...we've talked with your staff person about the amendment and he does have a copy of it now. The amendment was in the Reference Bureau, we couldn't get it out in time. It does not substantially change the...the basic bill that was introduced and debated in the committee. It simply changes the administrative structure, that's all, from the board of education to...from the State board to the local community college board, but the program remains the same.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

I appreciate your explanation, Senator Collins, but I do recall some discussion not long ago on a matter similar to this, there may be another Senator here that would speak to that perhaps more personally than I, but my staff person does indicate that he has not received a copy of it and I think it would be, perhaps, wisest that we all take a good look at the amendment before we proceed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, are you joined by five other Senators? Indi-

cates he is. Let's take it out of the record. On Senate Bills...well, Senator, let's not take that out of the record. Evidently...if we do, technically, it will not be journalized and the action on Tabling Amendment No. 1 would not be recorded, so we will...yeah, why don't we just take Amendment No. 2 out of the record and...and proceed to the next order of business and leave 1402 on the Order of 2nd Reading. Our next order of business is Senate Bill 1458, Senator Collins. Senator Collins seeks leave of the Body to have Senate Bill 1458 recalled to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of...Senate Bills 2nd Reading, Senate Bill 1458. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I have...this amendment has been distributed. The only change in this amendment is the employment figures. Currently, we had a figure of fifty percent above the State average. Now, it is six percent unemployment, that's all it does, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the adoption of Amendment No. 5 to Senate Bill 1458. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the bottom of our recall sheet, we have two bills. We have Senate Bills 607 and 971 that are on con-

sideration postponed. Sponsors...Senator Maitland of 607 and Lemke of 971 seek leave of the Body to have these bill brought back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On Senate Bill 607, read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 607 is the one that was debated quite...quite lengthy the other day and is now on...resides on postponed consideration. I would...I've attempted with this amendment to meet many of the...many of the objections, and let me just briefly read the amendment to you. "The State Board of Education may make exceptions to the requirement of citizenship if the State Board of Education has determined there is a shortage of teachers in the subject areas a teacher is qualified to teach or if the State Board of Education has determined that extenuating circumstances have delayed the ability of the holder of the certificate to file for declaration of intent to become a citizen." I believe this meets many of the objections and I would move for the...for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 607. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Back...we will return 607 back to the Order of Postponed

Consideration. 3rd reading, consideration postponed. On 971, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is amends a...two things, and we had this bill up...which was brought up. One, we're taking out the word "all" and putting "reasonable expenses for extradition," and we're taking...and we're definitely putting in there that it's for felonies only which was the intent of the bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

...what is the fiscal impact? Now we...the other day we debated this and...and it...it went down and now we're on consideration postponed, but what is this going to do to the fiscal impact? Is it going to have anything to do with it at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, this...this amendment will...will reduce the cost and clear up some of the problems. We're talking reasonable and we're saying felonies only. So, this will definitely add to the reduction and what it's going to cost for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I understand that felony is currently in the law, so really, we're not making any change in regard to that. I understand right now, felony is in the law. So, for all practical purposes, this amendment really does little or nothing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator...well, that was a statement...I took it as a statement, Senator, not as a question. Senator Watson indicates that that was a question, Senator Lemke. Do you wish to answer it?

SENATOR LEMKE:

Well, Senator Watson's the one that raised these points. Now, we're trying to clear up these points to solve his problems and make it definitely save for felonies. It's my understand that reasonable expenses are not paid yet to the counties that extradite people. All they do is get legal fees, they do not get reasonable expenses when they go after a State felon...felon convicted under State law. This is...this clears...this...this amendment answers those objections they raised. Reasonable...we put the reasonable instead of all and we put the word felonies so it's...there's no problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, one other question. What is the definition of reasonable? In regard to this Act, what is reasonable? That...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Lemke.

SENATOR LEMKE:

The word reasonable would be left to whatever the Stat-

utes say and would be left to the discretion of the Department of Law Enforcement. There's...if you want to look at the Statute of what reasonable reads, you can read the Statue and it'll...there's a lot of law cases...with the word reasonable, and I'm sure that it'll be construed as reasonable expenses.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I haven't had a chance to see the amendment, but I think it does what many of us would like it to do. If I...Senator Watson, if I can attempt to answer what I think was your question, the current law, I think, only provides State assistance for extradition when...when a sentence in the penitentiary shall, underline shall, be imposed, and that essentially means that State aid is only provided where you're dealing with a...a nonprobationable or nonprobationary offense, but for all of the felonies for which a defendant might be placed on probation, and certainly there are any number of them, then in that...in that particular situation, there would be no State aid...as the current law has apparently been interpreted. So, this would clearly delineate the...the State's and counties' responsibilities saying, in essence, that where we're dealing with a felony, then counties would be reimbursed for the reasonable costs of extraditing the accused but not in the case of misdemeanors where it would be up to the counties to determine whether they wanted to extradite and...and in those situations to bear the costs themselves. I...I hope that's a correct answer and I...I hope it clears up the questions remaining here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 971. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The bill now will go back to the Order of Consideration Postponed on 3rd reading. Senator Rock.

END OF REEL

REEL #3

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the...if I can have the attention of the membership. I think the appropriate time is now, we will be dealing with the recall of Senate Bill 1021 with its...all it's amendments. When...when we return from the caucus we will deal with 1021; having concluded that, we will then get on the Calendar, on the Order of Senate Bills 3rd Reading beginning at...where we left off yesterday which was Senate Bill 119, and we will continue to work until approximately six o'clock. I need not remind the members, I'm sure, if you look at the back page of the Calendar, it indicates we have four days remaining and we have four hundred bills and we have yet to move any bill today. So I think it's incumbent upon all of us to act as expeditiously as we can. I would urge the members to stay close to their desk and their files and be ready to go. In the meantime, I will yield to Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There will be a Democratic Caucus in Room 212 immediately. 212, immediately, so that we can get back and get at the business at hand. Room 212.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr...Mr. President, I'd like to request a Republican Caucus in Senator Philip's Office, please forward your lunches there. Those of you who aren't on the Floor, please get

SB 1021 Recalled

there, so we can get underway. Saturday morning isn't much fun in Springfield they tell me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate will stand in Recess for approximately one hour.

RECESS

AFTER RECESS

PRESIDENT:

All right. The Senate will come to order. While the members are gathering we'll have...with leave of the Body, we'll go to the Order of Committee Reports, Mr. Secretary.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

Elections and Reapportionment - 181, 338; Elementary and Secondary Education - 873, 1638; Higher Education - 301; Executive - 16, 121, 195, 210, 303, 306, 421, 422, 556, 864, 1212, 1385, 1488, 1654 and 1655; Executive Appointments, Veterans' Affairs and Administration - 957; Finance and Credit Regulations - 204, 809, 1163 and 2129; Insurance, Pensions and Licensed Activities - 112, 1363, 1364, 1365, 1366, 1670, 1966 and 2523; Judiciary I - 89, 197, 489, 497, 792, 1393, 1576 and 1860; Judiciary II - 778; Labor and Commerce - 1438; Local Government - 25, 37, 241, 344, 714, 733, 775, 899, 1079, 1356 and 1585; Public Health, Welfare and Corrections - 302, 304, 305, 307, 394, 951, 1930, 1947, 1971, 2113, 2189 and 2310; Revenue - 48, 257, 313, 323, 496, 538, 601, 710, 880 and 929; Transportation - 150, 178, 188, 430 and 1299.

PRESIDENT:

All right. With leave of the Body, we'll go back to where we left off on the Order of Senate Bills 3rd Reading, the top of page 25, is Senate Bill 1021. Senator Netsch

seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of consideration of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading...on the Order of Senate Bills 2nd Reading is Senate Bill 1021. Any amendments from the Floor, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator D'Arco.

PRESIDENT:

All right. Well...withdraw those two, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Bloom.

PRESIDENT:

Senator Bloom on Amendment No. 3.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators.

PRESIDENT:

Senator Bloom, excuse me for a moment. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Senator Bloom and others, could we ask you now because there are differing numbers on the amendments to indentify, please.

SENATOR BLOOM:

I was about to...I was about to...I was about to make inquiry of the...Chair. The amendment that I have written in the upper right-hand corner is Bloom, then 3 crossed out and 5 is put there. Should I give you the LRB number to expedite the process? What I have is LRB 8404382JMCSAMOL. Is that correct?

PRESIDENT:

I think we're on the same wavelength.

SENATOR BLOOM:

All right.

PRESIDENT:

...wait...wait...before you start,...

SENATOR BLOOM:

Sure.

PRESIDENT:

...Mr. Pearlman, from the AP has requested leave to take photographs. Senator Sam, get ready, he's going to take your picture again. All right...

SENATOR BLOOM:

And, Senators...

PRESIDENT:

...Senator Bloom on Amendment No. 3. Senator Demuzio, will you...

SENATOR BLOOM:

Senator Sam, stay away from the cauliflower. Okay. Thank you, Mr. President. Basically, Amendment No. 3 addresses holding companies' reorganization, interim relief, the standards of inclusion, construction cost audits and fuel adjustment clauses. I think at the outset it might be useful for this discussion and other debates that follow to make the point as someone who served on the joint committee that...I think we're all starting from the same premise. First, I would beg the indulgence of my fellow Senators because the issues involved not just on this amendment but on other amendments are extremely complex. 1021 in its present form without this and other amendments bristles with good intentions and in the judgment of many is unworkable; therefore, in offering Amendment No. 3 I would point out what it does. It provides, first, in the area of holding companies, provides a definition for both holding company system and associated company to strengthen the Act. It addresses the issue of reorganization. As presently drafted 1021 says that the Commerce Commission must know forever and ever that there will never ever be any harm to the ratepayers in all situa-

tions. I think that the limitations on the present Act were provided in the People's Gas case, where the Commerce Commission was taken to court and prevented from exercising jurisdiction to...protect the ratepayers several years ago. 1021 without this amendment does not provide the flexibility. The holding company and reorganization process provides strong front-end...strong front-end jurisdiction and by its terms says, that the commission must find that the reorganization will not diminish the utilities' ability to provide adequate, et cetera, safe, economical utility service, that the reorganization will not result in any subsidization of the nonutility activities by us the ratepayers. And that...if they're going to split off, all costs in facilities are fairly and reasonably allocated between the utility and the nonutility; and that by allowing for a holding company or reorganization, that will not impair the ability of the utility to raise capital in order to construct facilities. This portion provides very strong front-end jurisdiction. Now there is a basic split of difference, if you will, between what is envisioned by some. There are those who think that, if you can look this way, the construct ought to be here's the utility up here, and then here are all the various nonutility operations under here and that the Commerce Commission should be in the business of regulating not only the utility but the affairs of let's say the nonaffiliated shoe factory or what have you. I don't think that is the case. I don't think that...we want to have that many items on the Commerce Commission platter. The Commerce Commission will have the ability to also review the utility and the jurisdiction over the utility to make sure that monies are not being streamed elsewhere to subsidize the nonutility activities. I think that's important. Also, it changes the language on providing interim rate relief. There has been no interim relief granted since January of '83 to any gas or

electric utility, although there have been requests, generally it revolves around construction. Since January of '83 there have been four cases involving little water companies that were near bankrupt. The problem, again, with 1021 without this amendatory language is that it puts the agency in a straightjacket and it provides, without this amendment, that a...an operation has to be on its uppers, almost totally bankrupt. That I think does not provide for the kind of flexibility that we need in the context of both reliability and in the context of predictability for our ratepayers. The amendment adopts language which more accurately reflects when a plant should be considered in service; in other words, without this amendatory language, the used and useful language is used and the problem there is that it has been construed to include what they call construction work in progress or CWIP. There are utilities where there is no CWIP. It more precisely says when a plant is in service. It specifically deletes lines in 1021 which effectively prohibited cancellation costs from being covered. All right? Construction cost audits: basically it provides some flexibility in looking at audits, and there is a misconception in 1021 without this amendments and that misconception is as follows. There are references to generally accepted auditing standards, both in this portion that's being amended as well as in management audits. That applies only to financial audits. It is...it is misleading somewhat. By having it changed to this and using the standard of prudency, the commission is not locked into whatever an auditor finds. Next to last, it involves rate moderation plans. The joint committee report stated that the commission should be required to consider a phase-in of additions to the rate base when the additions are substantial or would have a substantial impact on rates. This portion of the amendment attempts to implement that; however, the language without this amendment states that rate

moderation or phase-in can only happen to those instances where construction work in progress funds have been allowed. Well, the proposed amendment responds to the real word, and the real world situation is that Byron and Braidwood have no CWIP; and under the terms of 1021, without this portion of the amendment, you can't phase those in. And this effectively, again, puts the commission in a straightjacket. Finally, the language on the fuel adjustment clauses. Basically it provides, again, a little more flexibility and says that the commission can adjust the FAC and PGA to reflect both the markets and the changes in Federal policy. This is important because in the instance of natural gas, which I happen to have a particular interest in, it gives the permission...the commission the power to put a stronger obligation on your local utilities to go out and find cheaper natural gas. I have tried to give a once-over-lightly. I'll try and answer any questions you may have and, obviously, seek its adoption. I'm sorry it took so long but this is a complex area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator, would you respond?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...yeah, he indicates he will. Senator Joyce.

SENATOR JEROME JOYCE:

Yes. Why are you eliminating the utility burden of proof in rate cases when that's in the current law right now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Could you point out where in this amendment...it might be the right question but the wrong amendment. I don't know. If you could take me to the page.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. I would ask the doorkeepers if they would hold...hold those cards out there, the members have indicated that they wish to listen to the debate on these Floor amendments. So you just hold the cards. Senator Joyce.

SENATOR JEROME JOYCE:

Line 144 through 149, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

This will go a lot quicker if you reference the page on the amendment where it's...saying...on what page?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Page 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Bloom.

SENATOR BLOOM:

Are you...referencing the deletion of lines 18 through 31 or the additional language that says, "On such hearing the commission shall establish the rates or other charges, classifications, contracts, et cetera in whole or in part or others which had...find to be just and reasonable." I...I...I...I'd like to answer...just a little confused...as to the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce...Senator Joyce.

SENATOR JEROME JOYCE:

Yes. It is the latter part that you read, "on such hearing the commission shall...establish."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Oh, I'm...I'm informed that the burden of proof is always on the utility and this does not make such a change, that this is the standard utilities' language or commission language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

UPI has requested permission to take still photos. Is leave granted?...hearing no objections, leave is granted. Senator Joyce.

SENATOR JEROME JOYCE:

Well, it eliminates the...the burden of proof to establish the just...justness and reasonableness of the proposed rates and other charges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, it just seems to me we're making it more lenient on the utility companies with this piece of legislation than it is currently with this amendment. So I...you know, I...I don't think that's the direction that this General Assembly wants to go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Okay. When...I kept coming back to flexibility. Where you say the burden of proof is on the utility, this restores it to the present language and present practices before the commission, this amendment. Now, to say the burden of proof is...is upon the utility, then, the utility controls what is the kind of evidence then that is put before the commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Okay. The...the courts presently now say that it's on...the burden of proof is on the utility, and why not just

codify that in the legislation we're doing now instead of raising questions about it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Well, simply put. Under case law, the burden of proof is on the utility to...to put it into statutory law. What you...what you've been informed by...my handlers inform me that what your handlers have informed you is partially correct, but that when you get into this, then the utility controls the standards of proof and how much is offered. Here the...the...commission has the flexibility. The...the utility goes and offers items A, B and C approve. They say, fine, we've met the burden. In this...if you add this language in, then arguably you're building in a trip to the circuit court if the commission says, I'm sorry, we don't think A, B and C is enough, we think that you ought to add D, E and F. And we're saying, as long as the...the courts have a fairly consistent and predictable interpretation, why put it into the case law?...or why put...why put it into the Statute? I mean, I...I truly believe, Senator, that the amendment shouldn't rise and fall on...on this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Joyce, have you concluded? Senator Joyce.

SENATOR JEROME JOYCE:

Okay. We're also liberalizing the interim rate relief standards in this. Why are we doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

We are not doing that. We're returning them to exactly the way they are. The codification of the existing standards appeared to be the intent of the joint committee; how-

ever, there is a portion that says, "There must be an obvious revenue deficiency coupled with one or more of the following." This basically, as I said in my explanation in chief, says that a utility has to be practically bankrupt before they can get some kind of interim rate relief. The amendment provides for more flexibility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, well, I'm informed on page 5, in parenthesis five, six and then on page 6...7, those are all new items that liberalize the...and they're...and they're...they're very different from the existing Statutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

It...it...codifies...maybe I should explain it. The existing standards that are used in their regulations, let me read what the existing ones are right now. A sudden decline in revenues caused by factors outside the control of the utility and inability to arrange debt financing or attract capital at reasonable cost without increasing operating revenues and evidentiary showing that deferral or partial rate relief until the final order can be issued would result in an unreasonable and harmful lost of revenue to the petitioning utility and that reasonable grounds exist for the commission to believe that the utility would be entitled to rate relief at the time of the final order is issued. This is lifted right from that docket, sets it out. And two more are added but the overall intent on that area is to provide some flexibility in the application of the guidelines while continue to ensure that the interim relief is allowed only where necessary. And it further allows the commission to take into situation rapidly changing Federal regulatory requirements in

determining whether or not to grant such interim relief. The idea is to try and take into consideration the environment on which these monopolies are regulated. We both have participated in the natural gas wars, on the same side might I add, and the U.S. Court of Appeals out in Washington not six weeks ago has changed that Federal regulatory environment when they overturn the Federal Energy Regulatory Commission's special marketing provisions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

All right. But, then, what you're telling me is it...it's all right to codify this part because this helps the Commerce Commission and the utilities, but it's not all right to codify the part where you're speaking about before where the utility bear the...burden of proof.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Bloom...Senator Bloom, you're on.

SENATOR BLOOM:

All right. No. I think...I think what we're...what the amendment is saying on...that was page 4, I believe, where you were saying that...this...this 18 through 31...18 through 31, the burden of proof is still there in the general order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. I...I think what...it's obvious what we're doing here is...is...these amendments that are about to be offered are...are the amendments that are coming from the Commerce Commission and the utilities, and I think we can go back and forth and debate these issues when...really we all know a little bit about what we're doing here and I think that, perhaps, we should just go ahead and...and we've discussed these matters some fourteen hours in committee, I

think that we should go ahead and...and try and speed this up and take some votes on...this thing and...and just see where we're at. I think that obviously we're going...we're going to just get bogged down in this process, and it's...it's kind of the utility companies and the Commerce Commission versus the rest of the world, the consumers, so I think that we should just go ahead and do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Keats.

SENATOR KEATS:

I have been troubled for sometime in terms of the Commerce Commission not being able to regulate what you call spin-off businesses. I want...I would like to ask a couple of questions in terms of where their assets come from. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

Okay. When we talked about this other business, as you were saying, euphemistically, the shoe factory. The shoe factory that you referred to, euphemistically the shoe factory. Do any revenue...any revenues that the utility gets that are generated under their rate base, generated under the...revenue stream they get from the Commerce Commission, do they use some of those revenues for these other companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

It's specifically prohibited unless you're talking about dividends in a situation. But it's specifically prohibited that they be subsidized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

The second question...revenues. Do they use depreciation from the depreciable assets under their rate base for any of these side companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

No...no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Do they have any individuals who are under the payroll that's covered by their rate base working with any of these secondary companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I don't follow that question...I don't follow...you mean, somebody...the chariman of the board of...let's say,...or the treasurer or something like that. Is that what you mean? I...I don't quite follow your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Would, as an example, the vice-president for marketing for Commonwealth Edison, could they also be the vice-president for marketing for this firm but being paid by the utility not by the firm?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

No. The cost must be allocated according to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank...thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I will be relatively brief because I agree with Senator Joyce that the...the source and genesis of these amendments...or of this amendment and several others is obvious, and I would point out, as one of those who served through long and agonizing deliberations on the joint committee, that the several amendments that are pending before you today would virtually rewrite the many weeks and months of work that went into the report of the joint committee, and in some cases they are ideas that were never even raised or discussed at the joint committee meeting, which it seems to me is a rather remarkable state of events. Let me mention just a couple of things that bother me enormously about this amendment and I rise, incidentally, in strong opposition to it. One, and I think Senator Keats was beginning to get at this point, it drastically changes the reorganization provisions. We had already modified our original proposal in Committee Amendment No. 2 which is on the bill now. It may be that it doesn't satisfy everyone in every respect, but it does at least control some of the kinds of...of divestitures and spin-offs that I think Senator Keats was talking about. As I read this amendment right now, it would cover the creation of the holding company itself and that's all, and the other aspects...divestiture, spin-off, et cetera would not be covered, and that would enormously weaken the commission's jurisdiction with respect to the nonutility business of a utility that is part of a holding company. Secondly, I think, as Senator Joyce pointed out, we did write in provisions that dealt with the granting of interim relief. The...the modification here would considerably weaken those

standards, and it seems to me that that is not a desirable state of affairs, but there are standards even in the joint committee bill and that is quite important. I'm going to skip most of these but let me mention one that I think has not been referred to, for example. In one part of the amendment by moving to the so-called prudency standard alone the...this amendment is inconsistent not only with the joint committee report but also with the Governor's Message and the Governor's Sunset Task report and what...effectively would do would be to allow a return on cancellation costs...a return on the cancellation costs, and that is contrary even to existing commission policy. Finally, on...let me mention one other only. On the prudency of the gas and fuel purchases, the...the way this is written now...the amendment is written, the commission really would not be able to prevent or cover any rate increases such as those that were passed through CILCO in 1982, and I think that...Senator Bloom, with your concern about Panhandle and the problems arising out that, if I were you, I'd take an awful close look at that part of the amendment again. It seems to me that it would for all practical purposes legalize what happened there instead of providing a means of controlling it. For these and other reasons too numerous to mention, I rise in strong opposition to Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 20 has requested permission to tape. Is leave granted? Leave is granted. Senator...further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would too like to stand in opposition of this...in this amendment, if only for just one particular reason and that reason is the...the temporary rate increases that will be allowed by this amendment. This not only allows a temporary rate increase, it guarantees that a

rate increase will be granted sooner than ever before, quicker than ever before and probably the higher rate than would be granted if we went to an actual hearing. What this amendment says is, "In determining whether to grant a temporary order, fixing a temporary schedule of rates increasing revenues, the commission may consider but is not limited to considering the following. A sudden decline in revenues caused by factors outside of the control of the utility." That is one of the broadest grants of power that a commission could have, and then it goes on to cite six other instances but instead of saying, and the other six, it says, or the other six. So if the utility cannot slip into that broad category, it can slip into the next one, the need to maintain the financial integrity of the utility. Well, anytime a utility isn't getting money, you can say that their integrity of their financial situation is being imperiled. Anyone could fit within this amendment, and I would certainly oppose its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. First, prior two speakers have perhaps misstated the facts. Senator Netsch, the fuel adjustment clause and PGA are not part of interim rates. Second, a return on costs is not inconsistent with the existing policy, but the point is on this particular amendment that if we are going to have something that is workable and predictable, we are making policy not just in the context of the lowest possible rates but also maintaining a system and a method of regulating monopolies, we have to have amendments of this kind. It's a fact like today's date. I understand there's a differing concept, differing views of...of how to go after the holding company issue. However, the powers remain in the commission to make sure that that

utility is not subsidizing the unrelated activity, the hypothetical shoe factory, and that it does have the strong front-end powers so never again can People's Gas take the State to court and say, you can't look into what we're doing. That's a fact like today's date. But you have to have a...you have to some flexibility and it makes no good sense regulatory or otherwise to envision only a utility up here and then a lot of little things done here and the commission regulating the shoe factory. And there is no good reason to criticize the rate moderation plan. I think that even those of you who would resist this amendment will agree that the language that says that only in the instance where CWIP funds have been allowed can there be rate moderation, and I think that even those of you who stood against the amendment would agree that to provide some flexibility with the fuel adjustment clause and the purchase gas...PGA which is proper should go on. All in all, I would say that taken individually or as a package Amendment No. 5 and the others inculcates at least twenty-eight or nine of the thirty-seven recommendations of the joint committee, and in many instances it improves upon the existing language of 1021. Therefore, I would ask for a roll call and seek an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has moved the adoption of Amendment No. 3 to Senate Bill 1021. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 31, none voting Present. If...on the adoption of Amendment No. 3, the amendment fails. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This amendment addresses basically energy planning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, Senator Netsch is making a request to identify by LRB number.

SENATOR BLOOM:

All right. Very good. It probably would have been number six but it is LRB No. 404382GLSBAMON...01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Got it, Senator Netsch? Senator Bloom.

SENATOR BLOOM:

Okay. Thank you, Mr. President. What a great way to spend a sunny day. This amendment addresses basically strategic studies in long-term planning, and it deletes the original section 4.4-302 and it really belongs in the new Transportation Act as opposing to this Act. The amendment creates a new section 4-302 which orders the commission to undertake a number of strategic studies investigating changing energy service markets and the changing role of regulations. It's basically necessary if we're to be the...in the forefront of the utility regulation. The following areas would be examined by the commission: energy, conservation, the investigation of new staff needs as a result of the new Act, ways to permit lower prices through competition in the natural gas industry, reevaluation of the currents methods of determining auxiliary energy charges for solar and nonconventional sources of energy, an examination of potential of co-generation as a viable alternative to central power stations, examine whether power brokerage or power auction markets should be developed to examine the potential benefits of intrastate wheeling, to examine the need for unbundling rate structures under regulated and competitive market condi-

tions, to examine the feasibility of utilities working jointly in order to make the most effective use of generating plants or the purchase and distribution of natural gas and to examine the costs and benefits of...well, to continue looking at CWIP which is part of the joint committee's recommendation, and to examine and analyze...energy demand forecasting technics. Essentially, what it does is provide for an annual report with the General Assembly and it restores the requirements set forth in the joint committee report which states that the commission should submit an annual report with a comprehensive reviews of the activities, budget, staff, significant cases. It requires the commission to undertake extensive analysis of...significant policy areas enumerated, directs the commission to investigate the current procedures on estimating customer bills and tells the commission to develop alternative billing procedures which would better reflect actual energy consumption. As currently written 1021 mandates duplicative action by ENR. It results, I believe, in unnecessary expense incurred by both the taxpayers and the ratepayers. There's no reason to mandate by Statute for ENR to do something they already have authority to do. It reduces the planning period from twenty to ten years, because it is conceded by all people that are interested in this issues that once you get into planning beyond the ten-year time frame, it is essentially all guesstimates. And an important feature here is that the utility must file each year...each year an update of their energy plan. As written, 1021 says this shall only needs to happen every two years. It's felt that's too long for a major construction project, two years is too long. Also, the amendment provides the commission with explicit authority to cancel certificates of public convenience and necessity. I think it...it only reasonable that the commission should have that authority. It needs a hammer over the utilities. Central Dispatch, I

had thought had been totally taken out of this amendment. It's only been taken out in one place, and if this goes on, I have an amendment prepared to take it out elsewhere. Finally, the references to least cost energy are removed because they're meaningless unless...unless put in a time frame. If 1021 were the law without this amendment, 1021 would say,...in essence, the commission would be ordered probably to tell the power utilities, go out and buy little peak capacitors run by natural gas, and at some point, five, ten years from now, we would then be in a crunch and there would have to be a crash building program. I'll try and answer any questions you may have; otherwise, I'd seek your support.

PRESIDENT:

Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President...I would urge that we defeat this amendment also. But, Senator...Senator Zito said if we had more solar energy, we wouldn't have to spend a sunny day in here. But this...this reduces the ICC reporting requirements to the General Assembly. It also eliminates a vote by all seven commissioners to initiate studies and approve contents of reports to the General Assembly. It also eliminates the Department of Energy and Natural Resources from the State's long-range energy planning process. What we're doing is...you know, we might as well get rid of the rest of the Commerce Commission members and let the chairman run the whole show and tell everybody what...what type of energy they're going to have and what kind of requirements they're going to have, and I just think this is a bad idea. I think we need more input from all of the...the commission members and perhaps a little less from the chairman.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think what happens in that section to which Senator Joyce just referred is that the ten point deregulation plan which Chairman Phil O'Connor kept proposing to the members of the joint committee and to Senator Joyce's committee on...and which was not accepted except as...you know, something visionary to look at maybe way down the future, he has now basically written into the law in the form of this amendment in the guise of studies; and, as Senator Joyce pointed out, it is only the chairman...not the full membership of the commission that will decide the scope of these studies which could be very expensive and very time consuming and may well ought to happen, but it is seven people who ought to decide that, not the chairman alone. One other...two other things I would briefly like to mention, one is that it seems to me that this amendment substantially reduces the scope of section 8304 which is the proposed studies of estimated utility bills, something that the joint committee and others have been quite concerned about, and if I recall correctly, it was specifically Jeff Miller who...who did want to make sure that this was covered. It seems to me that your language has weakened that...the scope of that and also deleted the requirement that it be reported to the General Assembly. I would also like to point out that on page 10 in lines 3 to 6, as I read the effect of your language, you have, in fact, reneged somewhat on our commitment to Illinois coal. It is...it's a slight change in the language but, as I read it, it very decidedly puts the commitment to Illinois coal at the end of a list of...of considerations not at the front of the list as it was before. And it seems to me, particularly for those downstate members, that is something very much to be concerned about. Finally...oh, the elimination of the Department of Energy and Natural Resources. There are a bunch of places in these amendments,

Senator Bloom, not just yours but some of the others, where the Department of Energy and Natural Resources is eliminated from the process. I think that is a very grave mistake. One of the things that all of us were very impressed with was the need to have their kind of expertness involved in the setting of planning and priorities. It is absolutely...critical that we have their input in the process. Sure, it doesn't have to be written into the Statute, they could probably do it anyway, but by having it in here we make it clear that they are a...an essential part of the planning process, and it seems to me that it is absolutely contrary to a commitment that all of the members of the joint committee, as I recall, shared by writing them out at this point and other points. For those and other reasons, I oppose Amendment No. 4.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. A question on wheeling power. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

One of the concepts of holding down utility rates is to allow the transmission lines to be regulated but allow competition at the generating source. What would happen under this...could we get a downstate utility who can in many cases generate power cheaper than some of the Commonwealth Edison plants, can we wheel power to our areas without having Commonwealth...Edison tack on costs that make it not only unproductive but financially not feasible?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Under this amendment, the concept of wheeling is taken

out.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay. So what we're saying is, under this amendment, we have not allowed for competition at the generating source. Is that what that amendment says?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

No. It just...it's not among the list of things that the commission would be called upon to study at this point.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay. If Illinois Power who supposedly could produce, let's say, electricity a little cheaper could sell that power in northern Indiana, is there any way for them to get that power to northern Indiana under this amendment?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Well, existing law in this amendment would not change it. It gives the commission the power to order sales, and as matter of fact, I think as part of the CIPS rate hearing, they were ordered to attempt to sell their excess capacity. So this would it be...this would leave that option unchanged.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I know the options there today but Commonwealth Edison tends to tack on a couple of percent at the top that makes it impossible to do. What I'm saying, do we do anything to keep Commonwealth Edison from soaking all of us on that

wheeling issue?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Lease cost management would dictate how that would be. I...or another way of putting it would be to say, you can have at that through the PGA.

PRESIDENT:

Any further discussion? Further discussion? Senator Bloom, you wish to close?

SENATOR BLOOM:

I certainly do. In closing, the criticisms leveled at this amendment...one of the prior speakers said, he doesn't like the amendment because all seven commissioners ought to be...able to order staff, there should be no studies unless all seven commissioners vote on it. I think that's weak. On the studies of the...estimating bills in the practice, I think a fair reading of 1021 without this amendment shows that it is tantamount to a fishing expedition. This narrows it down to specifics which I think is important. And finally, in terms of the Department of Energy and Natural Resources, they are a...very much a part of the process right now without statutory authority and they would remain very much a part of the process. And finally, the virtue...the other virtues of this amendment especially in the area of long-term planning and the mandating of the utilities to file annual reports on their construction are truly things that I think merit the support of both sides of this aisle. I would seek your affirmative vote.

PRESIDENT:

The question is the adoption of Amendment No. 4 to Senate Bill 1021. Those in favor of the amendment indicate by saying Aye. All opposed. In the opinion of the Chair the Nos have it. Amendment No. 4 fails. Roll call has been

requested. All right. The question is the adoption of Amendment No. 4 to Senate Bill 1021. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31...28 Ayes, 31 Nos, none voting Present. The amendment fails. Further amendment,...Secretary?

SECRETARY:

Amendment No. 5, by Senator Friedland.

PRESIDENT:

Senator Friedland wishes that amendment withdrawn. My understanding from the minority there's...that the balance of the amendments will be withdrawn. Withdraw the balance of the amendments. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. With leave of the Body, we'll move to page 5 on the Calendar. We are approaching the hour of three o'clock. It is the intent of the Chair to work until approximately six o'clock. We will begin on 3rd reading, I would ask the members to be in their places and have their files ready. We will be starting where we left off on the bottom of page 5 with Senate Bill 1-1-9, 119, and we will go through as far as we can. On the Order of Senate Bills 3rd Reading is Senate Bill 119. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 119.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SB 120 3rd Reading

SENATOR LEMKE:

What this bills does is amends the Adult Education Act to direct the State Superintendent of Education to supervise and to establish standards of Americanization programs in public community college districts and school districts. This is already provided in the Statute. What we're doing is breaking it out and setting up a special section under Article XIV Day and Americanization program. It something the people in my area want. They want it similar to what is done for bilingual education. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 119 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 15 Nos, none voting Present. Senate Bill 119 having received the required constitutional majority is declared passed. 120, Senator Lemke. On the Order of Senate Bills 3rd Reading, Senate Bill 120. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 120.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This bill simply makes the birthday of Casimir Pulaski a...a holiday in the State of Illinois to be declared by the Governor similar to the other ethnic holidays. I ask for its adoption.

PRESIDENT:

Is there any discussion? Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you're seeking to make this a State holiday and in doing so you honor a...a Polish...an important person to the Polish community; however, I think you also do some things that we may or may not want to do and one of which I think is that...would this not require that all schools in Illinois be closed on that day?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This bill does not...it's only if the Governor declares it. It's similar to the...what we do for the other holidays, whether it be Lincoln's Birthday, Columbus Day, Martin Luther King Day. The Governor has to declare it. He can declare what kind of holiday it is.

PRESIDENT:

...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, to the members of the Senate, I think that if we have a Statute which designates this day as a legal holiday in Illinois that Governors will in fact make whatever declaration is necessary to comply with Statute and that it would be a holiday in our schools. It would be a holiday, no doubt, for State employees, and so I think that we should ask ourselves very carefully whether or not this is really what we want to do.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

A long time ago, I was in the Army and I was stationed in Germany, and every time I turned around, I was stationed in Munich, it was a...a holiday of some sort and all of the related offices and businesses and schools were closed, and it finally reached the point in that particular country where they had to...at great pain and suffering, sit down and revise a...a new holiday schedule because they had so many days off that their productivity and their educational systems had been disrupted. I did not happen to vote for a...a holiday for Martin Luther King and it was no disrespect to Martin Luther King, and I'm not going to vote for this holiday and it's no disrespect for a great individual of a Polish extraction. I just happen to feel that we have enough holidays and that our country would be better served with commemorating and remembering these great Americans in other ways. I just think there are enough and that...just a personal opinion, and I'm going to vote...I would vote against a Jack Schaffer State holiday if it was unlikely to be proposed I admit, but I...I think I'll not have to worry about that occurrence, but, frankly, I cannot think of any American living and dead, including many I have total reverence for, that I would add to the Calendar of holidays. So I hope no one will take umbrage at my No vote.

PRESIDENT:

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The historian Ruhlieri said that there was never a warrior who possessed greater dexterity in every kind of service than...the...Mr. Pulaski...Count Pulaski. Benjamin Franklin in introducing him to Washington writes that Count Pulaski, who was a General in Poland and who was to join you, is esteemed one of the greatest officers in Europe. Perhaps

no better insight into the sturdy character of this illustrious Pulaski known and revered both in Europe and America, can be given than to hear a man of his lofty type in August of...1779, state to the Continental Congress, "I could not submit to stoop before the sovereigns of Europe, so I came to hazard all for the freedom of America and am desirous of passing the rest of my life in a country truly free and of setting as a citizen to fight for liberty." General Pulaski landed in America about the middle of July 1777, and after presenting his letters to Washington in Congress, waited for Congress to take action. But restless and eager to aid our cause as he was, he did not wait for official cognizance. The inherent ardor of his warlike spirit, his habits of activity and the desire of efficiency serving the cause in which he had so warmly embraced did not permit him to wait for the decision of Congress on his application, so he immediately joined the Army. General Pulaski and his friend the Marquis de...Lafayette, another...distinguished officer, struck their first blows for American independence at the Battle of Brandywine in September of 1777. Four days after this event, he was appointed by Congress to the command of the Cavalry with the rank of Brigadier General. The eleventh day of October 1779 at the age of thirty-one he was buried in Savannah, Georgia. Pulaski died as he had lived, a noble and undaunted warrior fighting the battles of liberty and of the Republic. He sacrificed himself, all of his years of his young life, his fortune, his ancestral dignity, his lofty spirit, his splendid genius and all his earthly hopes for liberty, justice and humanity. For these things, he gave all he had, his martyred life. I ask you to give what you have, your vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill passed the Senate last year and it passed because it was something that was long overdue. America is a great mosaic, what makes it great is its people...whatever ethnic group that you may represent or whatever race we are, the most important thing is that we're Americans and that we realize that there are people of American extraction...Americans of different ethnic backgrounds and different races. This is the beauty of America and every person as an American also has to look and remember their respective ethnic and racial backgrounds as well. Every ethnic group, every racial group has a person or persons that they seem have contributed to an extra degree in making this country great. The person that is before us for...to be considered as a State holiday, Casimir Pulaski, fills that need for the Polish-Americans. It's really ironic that we have to seek the support of the Senate from the standpoint that the million or so Pol-Amercians in this State that have worked and have contributed on a very productive basis have yet to be recognized by having a State holiday. And I know and you know who write the history books of this great country, and we know exactly which ethnic groups have been underrepresented in the history books of this country, and, hopefully, as I supported Martin Luther King Day, because I thought he was a great American and he represented his people in an extraordinary manner, I would hope that you would support Casimir Pulaski, because this man not only created the Cavalry for the United States, fought it at...battles, gave his life for this country, but I think he also is a symbol of excellence for all Americans to revere, and for that reason, this bill deserves your Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think this bill just symbolizes what the Polish people have wanted in America for some time, and I ask for a favorable vote for those millions of Polish people that have contributed their lives in the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 120 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 11, 4 voting Present. Senate Bill 120 having received the required constitutional majority is declared passed. 126, Senator Collins. On the Order of Senate Bills 3rd Reading is Senate Bill 126, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 126.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 126 creates the Illinois Home Repair Registration Act. The bill as amended now only pertains to the County of Cook. It allow for other counties to opt in if they see the need to do so. It establishes a threshold for registration for a person who does cumulative business...with the aggregate amount of five thousand dollars a year. The bill requires that each home repairer as defined by this Act shall register with the county clerk as they do now on a annually basis and pay a fee of twenty-five dollars to...to register. The bill provides for very strict application procedures in order to minimize the possibility of unscrupulous home repairers who often defraud many of our senior citizens and

prey upon the poor people, taking their monies without rendering the services. The regulations established in the bill has the intent for providing a mechanism for better enforcement of the law,...and in order to get, first of all, to get indictments and it also for better monitoring and enforcement of the Repair Act. I would be happy to answer any questions; if not, I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, really I...I didn't have my light on but since you called me. This bill I understand now only pertains to the County of Cook and does, in fact, offer the same wonderful opportunity for other counties to opt in at their request. I still have some problems with the idea that it...you have to go down to the county clerk's office and register and pay a fee of twenty-five dollars to...to work on your...to work on your house, and it just seems to me if Cook County wants it, why, you know, it's all right with me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 126 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 28, 3 voting Present. Senate Bill 126 having failed to receive a majority vote is declared lost. Senator Collins moves to put Senate Bill 126 on consideration postponed. Is leave granted? Leave is granted. Senate Bill 128, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 128.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 128 simply adds to the State Employees' Group Health Insurance Plan hospital coverage for major periodontal surgery in those cases where it is recommended necessary by the dentist, and I would move for a favorable roll call of Senate Bill 126.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the...Senate. I rise in support of this bill and this bill is also supported by AFSCME. It's estimated this bill will affect a hundred and fifty-five thousand State employees and retirees. It includes hospitalization and the definition is required to be provided by groups of health insurance. I want to commend Senator Collins for having the fortitude to get this kind of bill on the record, and I'd ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KEATS:

Isn't the health provisions under...all the health care provisions covered by the Collective Bargaining Act and aren't these regularly discussed under the collective bargaining bill that I think I remember you being a sponsor of?

I mean, isn't this part of that package?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

It...it could be but it's not included.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

In other words, AFSCME asked for it under the negotiations, didn't get it and decided since someone felt that this perhaps is not a fringe benefit that the State could afford and that the taxpayers didn't want that...we're just, the Legislature, going to override the whole deal and say, even though we passed the collective bargaining bill, we're still going to run everything the way we feel like running it. Is that a correct assessment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

This will simply make it mandatory that it...it be a collective bargaining item.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, with all due respect, Mr. President, I don't think it does anything like that. This requires that this coverage be a part of the group insurance plan. So what we're doing here is designing the group insurance plan. Now do we really want to do that? Do we really want to have...everybody who comes to us that doesn't somehow or another have coverage for something under the group insurance plan, do we really want to negotiate that here on the Floor of the...of the General Assembly? I think this is a...is the wrong way to go. We have people who deal with these issues all the time. We...we

have people who design the State Employees' Group Insurance Plan in such a way that it gives the greatest amount of benefits to the greatest number of people within the framework of what the State can afford, and now we're getting...first of all, we make collective bargaining, we give them a role to play in designing the State plan. Now we're going to get in the act here and mandate certain things be in that plan. I suggest that's the wrong way to go about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Collins may close.

END OF REEL

REEL #4

SENATOR COLLINS:

Yes, Senator Schuneman, we already have stated in...in the law certain things that should be covered under our group insurance plan. So this is no different from what already exists, and it's just simply adding...this as an addition to those things that is already required to be covered under our group insurance plan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 128 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, 8 voting Present. Senate Bill 128 having received the constitutional majority is declared passed. Senate Bill 130, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 130.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 130 is an attempt to tie some of the loopholes that were left open in reference to...strip search of students' persons and lockers as a result of the Supreme Court's decision in the New Jersey versus the Tlo case. What the bill does it...first of all, it clearly...stipulates that strip search of students should not be a part or covered under the...existing Criminal Code which deals with the strip

search law that we passed in the General Assembly several years ago. It also established some clear-cut...guidelines under which teachers and...and school personnel can, in fact, conduct searches of a students locker or a student's person themselves. It also provides for...input from the parent and...and the local school personnel in establishing rules and regulations governing...this Act...provision of this Act. I would happy to answer any questions; if not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I...I hate to say it but I'm afraid that this bill is moving in precisely the wrong direction. As I understand it, what the legislation would do, particularly through the adoption of Amendment No. 1, is for one thing to override the decision of the United States Supreme Court which upholds searches of students in certain select circumstances where the public interest justifies it and where contraband would otherwise escape detection and possible seizure. This legislation, as I understand it, would establish that only selective school personnel would be authorized to conduct searches, so that when there is a hypothetical situation where a teacher sees, for example, a student opening a locker and...and sees, for example, certain drugs or some sort of firearm in that locker, that teacher rather than being able to seize that particular material or in the case of a firearm, a gun, would have to then go contact the person within the school who had been duly authorized and solely authorized to seize...material or to conduct searches of that kind. We are going to be coming up shortly on the Calendar with a whole series of bills sponsored by Senator Marovitz and a number of other Senators that move in precisely the opposite direction of this bill, in that they

seek really to crack down on crimes and criminal property on school grounds. This bill, as I see it, is in direct contravention of the effort and the direction that's being taken by this whole series of other bills. I think it would undermine the efforts of school personnel to deal severely and justifiably with serious criminal conduct. And...and for that reason, I feel we all ought to vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President...and members of the Senate. I think Senator...Barkhausen's comments is probably the...one of the...best reasons or best arguments that...that one can give for voting for this legislation. First of all, it is not true that this bill is a contradiction to the Supreme Court rule; as a matter of fact, it does follow that rule. It does say specifically that they had...had to be reasons to suspect that...that a student, in fact, had something...were...were trying to conceal something that were unlawful...for them to have in the school. It...it most certainly...we most certainly would not want anyone...we would not want a male searching a female student...most certainly not. There...there should be someone, as indicated in this bill, established by their school district...superintendent to determine who, in fact, would be responsible for strip searching of those students in those cases that warrant that a strip search would take place. I think the Supreme Court's decision allowed for that discretion for local school districts to do just that. This bill does that and it's sets forth clear-cut guidelines so that we will protect at the same time the...the student's rights but at the...same time not allow them to violate other laws by having unlawful things in the school system including drugs and other types

of weapons. So I think this is a very good bill, it is most certainly a step in the right direction. It is not contrary to what Senator Marovitz is doing and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 130 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, 1 voting Present. Senate Bill 130 having received the constitutional majority is declared passed. For what purpose does Senator Barkhausen arise?

SENATOR BARKHAUSEN:

To request a verification...of the affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen has requested a verification of the affirmative vote. Would all the Senators please be in their seats and will the Secretary please call the affirmative roll.

SECRETARY:

The following voted in the affirmative: Carroll, Chew, Coffey, Collins, D'Arco, Darrow, Degnan,...Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Rupp, Sangmeister, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative votes?

SENATOR BARKHAUSEN:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones in his seat? He's standing in back.

SENATOR BARKHAUSEN:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew...is standing on a Podium.

SENATOR BARKHAUSEN:

Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey in his seat? Senator Coffey. Senator Coffey. Strike his name from the record.

SENATOR BARKHAUSEN:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson is not recorded.

SENATOR BARKHAUSEN:

That's it, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary. On that...on a verified roll call, there are 29 Ayes, 22 Nays, 1 voting Present. Senator Collins seeks leave of the Body to put Senate Bill 130 on the Order of Postponed Consideration. Is leave granted? Leave is granted. Senate Bill 131, Senator Bloom. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. What 131 says, in essence, is that in the foreclosure situation where the title is subsequently transferred through a mandated share of sale that tax stamps would not be necessary. I'll try and answer any questions you might have, otherwise,seek an affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Does this include releases of...of memorandums of judgment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

No. As I understand it, it is in the foreclosure situation only, not a release of a memorandum of judgment. Let me double-check my file. I don't think so though, I think it is...nope, it's only to...in satisfaction of a debt or other...conveyed but only to the extent of satisfaction of such other debt or obligation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Do you know what the cost would be to the local counties?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

No, I do not. The fiscal note says that it will be...at most forty thousand Statewide and somewhere between thirty and forty, so it's well under the mandate's trigger.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 131 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, none voting

Present. Senate Bill 131 having received the constitutional majority is declared passed. Senate Bill 138, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 138.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 138 provides for the...Primary Election in the General Election year to be held in the month of September, specifically the Tuesday next after Labor Day. It also provides for a Presidential Primary for the election of delegates to a National Convention and whatever beauty contest may continue to exist in the law to be held once every four years in May, so that there is no holding up of Illinois' participation in the National Conventions of its two major respective parties. There are currently some eighteen states which have a primary in the month of September, so that it obviously is not impossible to do it from a mechanical point of view. I think a few of the time constraints that may be of concern to others, for example, the military absentee voting, are a problem right now under current law and would not be any worse with a September primary; it is, however, something that has to be addressed separately. The main argument it seems to me for a September primary is that first it shortens the time period of formal campaigning between the Primary and the General Election. As I think I indicated the other day when we were debating another primary bill, I think the greatest fear that all of us as elected officials ought to have is that we are boring our constituents to death with year-round, nonstop campaigning. This at least shortens the formal period of that cam-

paigning. In time, I think it would also reduce the amount of money that is spent on elections. Obviously, there is nothing to prohibit someone from campaigning earlier than the alloted dates for primary and general, but I think the whole time period is very likely to...to be constricted if we got used to having a September primary. It seems to me that...that one of the things we really must address is the cynicism, the turnoff that so many of the voters have with the electoral process. I genuinely believe that having the primary in September rather than March or indeed even May will contribute some, not totally, but will contribute some to a greater respect for that period of campaigning which really is important and that is the formal part of the campaigning. I would be happy to answer what questions I can; if not, I would strongly commend for your consideration Senate Bill 138 which does provide for a September primary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, we have the following Senators in this order; Kelly, Macdonald, Topinka, Marovitz, Schaffer, Geo-Karis and Holmberg. Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President and members of the Senate. I reluctantly rise to oppose Senator's legislation. One of my main concerns is that if we do go to a September primary that this in fact would require summer campaigning. And if you think you're getting complaints from your precinct workers and volunteers now because of going out in the inclement weather, wait till you...wait till you ask them to go out during the picnic season and when they want to be with their family and forget about politics and just enjoy life. To my knowledge, there has not been any...any information brought to the attention of the election authorities in the State of Illinois assisting them in placing such a program into effect. To my knowledge, they're opposed to it, they

feel it is not reasonable. I know that Senator Netsch had pointed out that some eighteen states have already adopted this. I think we'd like to see that before and I think maybe this is, at this point, premature legislation and I will oppose the Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Of course, I am for shortened primary period, but I think that the September primary really creates a number of problems that cannot be overcome. The...I think the main objection is that in presidential primaries that the polls would be open from just 2:00 to 8:00 p.m., and I don't think that that's enough time to get out the kind of a vote that we would want to get out in that kind...in...in that particular election. A September primary leaves only twenty-five days in which a voter can vote absentee and it creates a very shortened time for the county clerks and boards of elections...commissioners to prepare the ballots. It just...in general, for many of the reasons that Senator Kelly also enumerated, I would reluctantly have to say while I definitely am for shortening the primary, and we had a bill...Senator Philip had a bill which I stongly supported but I...I just think that this is truly too short a time and I would have to...oppose this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I have no reluctance in supporting this bill whatsoever, because I think it makes the most sense of any bill I've seen yet as far as shortening the...the campaign season. I'm sick of campaigning, I can only assume that the public is far sicker not only of my campaigning but everybody else's

campaigning. If apathy be a problem, why feed it further? The...the time lag between March and November is incredible, it's expensive, I hate having to go back to my contributors all the time and bleeding them dry to keep this thing going. How many points can you keep driving home? If the public hasn't figured it out by the...in the time period between September and November, I can't believe that we're going to enlighten them further. I think the bill is well researched. As...as far as summer campaigning, it's one of the best times in the world to campaign, try a picnic someday. It's also a heck of a lot easier for our elderly population to be able to get to the polls in September when they're not slipping and sliding and breaking their hips on the ice, and I'd like to see them come out and vote a bit more. So, I think it's a wonderful bill and I would encourage its support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I reluctantly rise to oppose this legislation. We just recently passed a May primary bill sponsored by Senator Philip. So we are...we have, indeed, taken a...affirmative stance on shortening the primary season. And you know, one of the things that we hear every November, every March, is the tremendous apathy among the voters. Well, if you think that you've had apathy in March, you've seen nothing until September, because the last thing that people want during vacation times and when they're out picnicing and when they're out having a good time and when they're on vacations is to hear all of us come in with our political speeches. It may be a great time for all of us to campaign but it's the absolute worst time to really get people's ears and to focus in on the issues, and after all, that's what campaigning is supposed to be about, focusing in on the issues. People in

ninety degree heat during vacation time and party time in July and August don't want to be hearing about a lot of issues, they want to be having a good time. And I think that's the worst time to be campaigning, it's the height of apathy, and I think it's the worst time to focus in on what the candidates are all about...that's what electioneering is supposed to be all about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Schaffer.

SENATOR SCHAFFER:

This primary would be the first Tuesday in September. Is that not the day after Labor Day?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I can only tell you that that is probably the one weekend of the year that I have the largest number of people absent; I mean, that is just the end of the season...and I...I...I just can't believe a worse day could be found. I...I would like to see the election process shortened, I think moving to May makes sense. Maybe we could move it even closer till we get to the end of the school year. But my clerks have uniformly, and I might add of both political parties in the five counties that I happen to serve, told me that this...this type of timetable is...well, nothing is impossible I suppose if you put enough money in it. It would cost a small fortune. They would probably be forced to at least partially duplicate a lot of their systems to enable to enact a meaningful timetable, and that's assuming they don't get into legalities which we seem to get into very regularly and we

start fighting over the...whether the...Socialist Labor Party had enough signatures to get on the ballot and all those other things. I think it could create an awful lot of problems. I...I would suggest to you though that there is one source of savings for this bill that perhaps the sponsor has not thought about and I speak specifically about pension outlays for members of the General Assembly. Because we would, of course, be filing for office in mid or late June. And if memory serves, mental attitudes of members in late May or June, most of us probably wouldn't file again; therefore, you'd have a seventy-five percent turnover in the General Assembly each election, which of course would mean that no one would ever qualify for a pension which would save a great deal of...money. On top of that, generally that's when we generate the most controversy, we get serenaded, one of our members had a very vocal group serenading him today, and all of those times...I'm sure this would...of the seventy-five percent would quit and of the twenty-five percent that decided to file again, one hundred percent of them would have firm competition both in primary and fall if that was the filing date and that may be a plus...that may be a plus but we ought to think about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. If you recall, in...in the last Session I had a bill which was also a September primary, a little later in the month, and it passed out of this Senate very handily, I think almost everyone was in support of the bill at that time, and I think we should also consider voting for Senator Netsch's bill this particular time. One of the things that I think we owe to the public is if we're elected for a two-year term or a four-year term that we are down here tending to the business of the Senate. And although I voted

for the May primary date, I'm anxious to shorten the season. My guess is the absentee rate would...would go sky-high if that were primary time. Maybe, Senator Schaffer, that again would be a plus because we wouldn't vote out some of the legislation that the public doesn't want us to. But on the other hand, I think we ought to earn any salary increases we've got and we ought to be here for our two-or our four-year period. I think we'd save the public a lot of money; as Senator Netsch has said, television time would be...more interesting to watch and a short both Primary and General Election season in the fall, I think, would be a real asset to the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Some years ago we...we had a June primary, if you recall, and then after one election because of the voter...the voter apathy, we reverted back to the March primary. It's...the intent, as Senator Marovitz pointed out rightfully so, is the...the intent is not to make it easier for ourself, it's...but to get the public involved in the elective process. And another point is, I don't know what this does to our consolidated election laws, Dawn. So, I have to really oppose the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah, thank you, Mr. President. I...I rise in support of Senate Bill 138 with the agreement from the sponsor that she would consider changing the date to the second Tuesday. I agree with my colleagues in...in that many of the people will not...have not returned from vacation the second...the day after Labor Day and so that, most certainly, would be a

very...a bad time for...to...to have the election. But I...I...I do agree with Senator...that said...Topinka that said that we just don't need all of that time to keep boring the people. To be honest out there, a lot of the people are talking about...getting the attention of our constituents, most people don't pay politicians any attention anyway...taking on the issues, to be honest. Most of the people minds are made up about who they are going to vote for by listening to the media. The media will probably have more impact on who get elected than...than anyone else. So people are...are becoming informed and aware and they know that most of what politicians say is...is to get elected and, for that reason, they're not paying too much attention. So if we're going to any good at all come out of trying to change today, it would be to allow for those persons like senior citizens and the disabled people to...to...to come out during the time when the weather is not so bad without having to...to fear slipping down on the ice. The...the other advantage is that because there are so many people during the summer months who...who congregate in the parks and various other places that you would most certainly have a captive audience if you go out there and you won't have to organize so hard to get people to come out to public meetings. And...and I can assure you, if you really have something to say, people in the park will stop and listen. And so, for that reason, I would ask for a favorable vote on 138.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have two more speakers. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, not to belabor the point but people are tired of all of our...rhetoric, and I don't know about your constituency but my constituency does check into what I do; and I think if we can make it a September primary, I think it'll be...you might

encourage more people to come out and vote 'cause we certainly don't have enough people who do come and vote anyhow. I'm for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of Senate Bill 138. And while I admit there is some difficulty with the Tuesday immediately following Labor Day, I think that can be easily changed. We have passed a September primary in my tenure here probably five times. Because...we passed it, I might say, because it makes some sense. It will afford us the opportunity to file, those of us who are currently serving, the opportunity to file late in the year, begin whatever campaigning we wish to do during the summer months, and the fact is that the shorter the distance between the primary and the general, I think the better served are not only the candidates but certainly the general public. It will lessen the amount of time, it will lessen the amount of money, and hopefully in a compressed period much like the State of New York, they seem to get an awful lot done in two months and I think we can too. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Time is a great healer and I don't know about the primaries in other states but in the State of Illinois our primaries are rather heated depending upon what offices are up. And, unfortunately,from a political standpoint, sometime you need that time in order to bring people back together to work as a party and, for that reason, I'm opposed to the September primary. We had a very heated primary for the U. S. Senate seat in the Democratic

Party in the last primary, and we finally won that office because time was a great healer and people that were on different...supporting different candidates came back and worked for the organization candidate and he also had a very good media campaign and was a good candidate, period. So the people of Illinois worked together and elected a new...U. S. Senator. But I don't think that could have been possible after a heated primary if the primary was in September. We couldn't put the pieces back together again by the November election. And you want to look at things from a practical standpoint, sometime you need that time in order to get the things done. And for that reason, I'm going to be voting No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch may close.

SENATOR NETSCH:

One of the beauties of this bill is that it certainly does have strange bedfellows. We've got Republicans and Democrats and, you know, all over the State which must say something good about it. Let me just briefly address twopoints. One is that I have been in communication with the County Clerks's Association and I have even had one meeting with them. I have indicated to them that any suggestions they have that relate to the mechanics of the bill, the time periods, perhaps moving the Tuesday until the next week...or whatever, I am perfectly willing to do. They simply have not gotten back to me with specifics yet. I think all of us understand that if the bill passes here today that we will have time to address those things and I have so indicated to their representative in Springfield. So I think that is not really a matter of enormous concern. I don't think that it has any impact, Senator Nedza, on the consolidated election schedule. I did not touch the local part of the election cycle, that is in a different matter. This deals only with the General Election year. Finally,...well, I think everyone

has answered the summer campaigning well. It seems to me that our real responsibility is not just to ourselves as candidates, although that is not inconsequential but to our constituents, and it seems to me that...and those that want to participate in political campaigns, and it seems to me that it's a lot more sensible to do it in the months of July and August in the State of Illinois than it is the months of January and February when you can barely get out the front door. I genuinely believe that this is a...something that our constituents would welcome with open arms and I think so would we when we got used to it. I urge your support of Senate Bill 138.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 138 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, none voting Present. Senate Bill 138 having received the constitutional majority is declared passed. Senate bill 140, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 140.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. First I'd like to say that this only pertains to downstate police officers and only to those police officers who have served in a municipality and are elected to a sheriff's position. This allows for the transfer of credit from the downstate police office into the IMRF provisions where the sheriffs are under. The bill is

supported by the Illinois Sheriffs' Association and IMRF.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 140 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the ayes are 56, the Nays are 1, 1 voting Present. Senate Bill 140 having received the constitutional majority is declared passed. Senate Bill 158, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 158.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, Senate Bill 158 would allow for the creation of county historical districts either in individual downstate counties, by the way, Cook County is not affected, or by combinations of not more than five contiguous counties. There are throughout the State a number of small, mostly small, I guess there are a couple of them that are fairly good size, county history museums supported primarily through private funds and also through funds garnered by and large through local township and county governments through Federal revenue sharing. The historical associations recognize, as I think most of us do, that Federal revenue sharing to counties and townships is very likely to go by the boards. They would like permission by front-door referendum to create county historical districts with a maximum taxing rate of .004. Now .004 brings in a very small amount of money but most of these bodies are privately supported, most of what they receive is contributed,

so they're basically maintaining the buildings. These are boards appointed by the county so they are still very much products of the county government and controlled by the county government. Frankly, the county boards can levy that amount right now, most county...in fact, no county board that I know of has the historical organizations just say let us...have a chance to take our case to the people through a front-door referendum. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 158 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all...have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 54...the Ayes are 55, the Nays are none, 3 voting Present. Senate Bill 158 having received the...required constitutional majority is declared passed. 169. On the Order of Senate Bills 3rd Reading is Senate Bill 169, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 169.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Senator Savickas, it's your bill. 169. Take it out of the record. Take it out of the record. 171, Senator Netsch. Senator Netsch on the Floor? 179, Senator Karpiel. Bottom of page 6 is Senate Bill 179, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 179.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Senate Bill 179 as amended by Amendments 1 and 2 provides for the videotaping of testimony in child abuse cases and the ability to...for the...to use that tape in court. Now the United States Supreme Court has two criteria that they use in determining whether out of...out-of-court testimony may be admitted in court. First the introduction of...out-of-court statement must be a necessity and generally they...they determine a necessity as showing that the witness is unavailable to testify because of death, absence, illness or trauma. Senate Bill 179 meets that criteria by saying that the only children...and by the way, this is for children twelve years old and under, that the children that a court ordered psychologist or psychiatrist determines are...too traumatized to testify, so it meets that criteria. And the second one, it says that...the testimony must bear some...of reliability and by that they mean it must have a court-like situation. They must have, you know, the judge, the prosecutor, the prosecuting attorneys, the defendant, the...defense attorneys and there's a cross-examination allowed, the confrontation between the...the witness, and the defendant is present. So it meets that criteria of the United States Supreme Court in...in allowing out-of-court testimony. After they have this tape made, the tape is then...can be used in court and after it is used in court and goes through not only the court proceeding but the appellate proceedings, it is sealed. And that's basically what the bill does and I'd...appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Berman.

SENATOR BERMAN:

If you have a duplication...if you have a duplication of the courtroom environment, including the defense attorney, the...the defendant, cross-examination, what are we accomplishing by the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

What we're accomplishing, Senator, is...is several things with this tape. As far as the courtroom procedure, what we're accomplishing is that this child is so traumatized and intimidated that it's bad enough that they...that the child has to testify with the defendant there and the defense attorneys but to meet constitutional...you know, requirements that's necessary. But at least you don't have a courtroom full of people and press and all kinds of circus atmosphere going on so these...children do not have to testify of these very intimate and painful details in front of all those strange people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel, do you wish to close? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you. I just...I just ask for your support on this very important bill. Several...states have passed this type of legislation. I believe this is a very tightly drawn bill. I think it will provide assistance for these children, not only...as far as avoiding the...courtroom testimony but as far as not having to give their story over and over again, as many times as maybe sixteen to twenty times, to different agencies as different people. And I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 179 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 voting Present. Senate Bill 179 having received the required constitutional majority is declared passed. Top of page 7, 187, Senator Lemke. Top of page 7, Senate Bill 187, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 187.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Public Utility Act exempting...actually we changed the exempt into a refund to give refunds to school districts and...public and nonpublic for the utility tax. I think it's a good bill, I ask for its...passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to the bill and I would ask that everyone take a very close look at this bill before we...before voting for it. What it does is to...as...as the sponsor has already indicated, it does provide a...a refund...on the utility taxes to public school districts, nonpublic school districts and community colleges. This is something that we've not done in the past. It...it decreases the size of the...of the tax base, and what we're doing by...by taking this step is leading ourselves inevitably to

the next step which probably could very well be next year have legislation introduced that would exempt sanitary districts and so forth and so forth. I would strongly urge us all not to take this first step and to vote No on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this bill. I think it is a very important bill for all school districts in the State. Seldom do we have a chance as members of the Senate to vote for something that will enable us to each bring something home for our school districts. We usually have to rely on the formula, some of the school districts get much less. In this case, every single one of your school districts and your community colleges will be able to get a refund on their State utility taxes. Their very favorite projects, some very special things that they've been trying to do will...be able to happen within the enactment date of this particular piece of legislation. I think it's very important. It is one way that we can assure our school districts that we are beginning to think of them, bring them the monies they need as we begin to talk about improvement and the things we want included in those improvement packages. A small beginning but a very important one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Newhouse.

SENATOR NEWHOUSE:

I read this as community college districts...school districts or nonpublic schools, so this means that tax dollars would then go into nonpublic schools, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The tax dollars would go...no. What this does is just exempts...the private schools from private...elementary and secondary schools from...from the utility tax would mean about a nine hundred thousand dollars. The bulk of this money goes...most of this bill...I'll give you the fiscal note. Out of this 4.9 million go to public and elementary secondary schools, nine hundred thousand to private elementary and secondary school and 1.4 million to community colleges. What it does is...doesn't give tax money, just...they don't pay tax money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, a question of the sponsor, Mr. President. Our...our analysis of Senate Amendment No. 1 indicates that in fact...the bill does now provide for a refund of taxes as opposed to what you just said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

It's true, we originally had it an exemption, we worked out the basis as a refund; in other words,...this is asked...requested by the utilities and company...companies because they are charged with the tax and then they have to make the refund. So what we're doing here is the...the utility bill is paid, then the school district applies for a refund from the State. It eliminates the in between man and the extra expense that occurs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So then for those people who are interested in this question of tax money being paid back to...private schools, the answer then is that...that tax money would in fact be paid back to them but it would be in the form of refund of their utility tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

No, this isn't tax...this is taxes that they've paid to the State and they get it back as a refund. This is not tax money, this is their own money but this is the...the simplest way to do it with the...Department of Revenue and also with the utilities is to have them pay their bill and then apply for a refund of the tax that they pay on their bill. So this is not...this...let's not confuse things. This is only a refund of money they're paying...on a bill to get it back. We could do it as an exemption but it would be more complicated for the utility companies and for the Department of Revenue. This makes it simple. You just apply and you get your money back. We do this on some occasions on other matters.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

...thanks for the explanation, Senator. But what your explanation said to me is that tax dollars will be coming back into private schools, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, tax dollars that are being paid by the private schools to the State, yeah. In other words, the nine hundred thousand dollars, but also 4.2 million will be going into public...utilities. This nine hundred thousand, as you know,

we give money to certain nonpublic schools and so forth...which in...in other programs. So all we're really doing here is...is...is getting rid of a...unnecessary thing of schools paying taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you...thank you, Mr. Chairman, and thank you for the explanation. But my concern is that we about to put the camel's nose under the blanket again. And once we get started in this direction, I'm afraid about where we're going to start. I would oppose this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones. Further discussion? Senator Lemke my close.

SENATOR LEMKE:

I think it's a...a good bill and I think if it helps education, gets rid of the unnecessary burden of...of schools paying taxes and then getting money from the State and paying it back. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 187 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 28, 1 voting Present. Senate Bill 187 having failed to receive the required constitutional majority is declared lost. Sponsor requests postponed consideration. Postpone consideration. 191, Senator Netsch. Senator Netsch on the Floor? 192, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 192. Mr. Secretary, read the bill,

please.

SECRETARY:

Senate Bill 192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Your Calendar reflects the accuracy of this bill. This is a tax equivalent grants to where our State institutions in a school district that occupy more than one-half of the school district's territory. Not surprising that we have that problem in Will County where Stateville Penitentiary being one of those institutions occupies more than half of the area of the Chaney-Monge School District. The School Aid Formula in no way gives them the amount of funds back or compensates for that loss. And this tax-equivalent grant merely means that they would receive what they would have received had real estate taxes been assessed in that area. Happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I...as...as I understand the proposal, and I am somewhat in sympathy with what the Senator is trying to accomplish here, but as I understand this proposal, in...in effect what we're doing is reestablishing a program which was repealed effective July 1, 1981; and the reason the...the program was repealed was because it was felt to be duplicative because the...the present formula for distributing aid does guarantee a certain amount of assessed evaluation behind...behind each student. So that in an instance such as this one where there

is a Department of Corrections facility it's true that there's a great bit of the area of the school district which is not on the tax rolls because it's a State-owned property; however, the State Aid Formula does...already compensate for that...for that fact. I would suggest that there perhaps might be other and...and better ways of...of resolving this situation than what is being proposed here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Is this retroactive?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, this is not retroactive. This would...yeah, this is not retroactive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

You mentioned Will County and of course your prisons are currently there. So if it's not retroactive how is it going to help your particular area? Have you got a new prison coming in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

We're talking for the future...years, we're not...we're not trying to go back and pick up money that we've lost, we're talking about...there will be a tax equilavent grant

for future years not for the past. I...that's what your talking about being retroactive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you. Partly what Senator Etheredge says is true; of course, when he says there ought to be a better way to do it, nobody has come up with a better way to tell me. I have a school district that is...is literally going bankrupt and the School Aid Formula in no way makes up for what they've lost by having the Stateville Penitentiary being in there, and I would ask you to give me some favorable consideration in that regard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 192 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 25, none voting Present. Senate Bill 192 having received the required constitutional majority is declared passed. 193, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 193, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 193.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 193 merely requests of the Department of Children and Family Services to make known regulations requiring all adoption agencies to forward to the department names and

addresses of all persons who have applied for and have been approved for adoption of a hard-to-place or a handicapped child and the names of such children who have not been placed for adoption. Addresses shall be maintained by the department and coded lists which maintains the confidentiality of persons seeking to adopt a child and of the child shall be made available without any charge to every adoption agent in the State to assist the agencies in placing these children. Now the department has about eight offices...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon...pardon me, Senator Smith. Could we have some order, please. Senator Smith.

SENATOR SMITH:

...thank you, sir. The department has in our State about eight offices to handle adoptions of...for children who are handicapped or hard to place. But we want the Department of Children and Family Services to do this in-house instead of contracting this area of their work out. Because these are handicapped children, these are children who are hard to place and sometimes we tend to leave them to the last, and I think that they should be given an opportunity to have a normal life if it's made possible as well as the other children who are easy to adopt. We're going to remember...we're going to code the names of the child and we're going to also code the names of the parents who adopt such children. And I ask a very favorable vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, very much, Mr. President. Ladies and Gentlemen of the Senate, I have one question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Donahue.

SENATOR DONAHUE:

Senator Smith, how does this affect the confidentiality rules and regulations or feelings that are already in place for people who do not wish their name to be known in regard to adoption?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you. Just as I said, all of these names will be coded, the children and also the parent who gives their name that want to adopt these children and all of this will be confidential, it will be in under the umbrella of the Department of Children and Family Services. We're merely trying to help to assist getting these children adopted, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Why would the Child Care Association be opposed to this on...on their concern for the confidentiality of this, the Child Care Association?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I'm sorry. Because of the talking, I didn't understand the first part of her question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

The Child Care Association is concerned, they are opposed to this because of their concern about the confidentiality.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

We have covered their concerns by doing the things that

we are doing now to make it definite.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

What are we doing now that we weren't doing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

What we are doing now, we're merely trying to put some teeth into making it sure that young people who are handicapped and who are hard to place will have an opportunity as well as those who are not handicapped, that's all we're trying to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Senator, I...I have no problem with what you're trying to do, I really don't, because I...I know that this is something that's difficult to...to accomplish and that we're trying to help. However, it is something that can be done. I...if...if my husband and I were wanting to adopt some...hard-to-place child, I could notify the Department of Children and Family Services that I was looking. If I didn't want my name to go to the Department of Children and Family Services, I have no way of stopping that because you are saying, "we shall" give the name to the Department of...Children and Family Services, and I...I object to that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...was that a...Senator Smith.

SENATOR SMITH:

Thank you. Senator Donahue, we are using a coding system, we're not writing it out. It's in a coded system. Heretofore the department has been contracting through a agency of...information agency in...allocating children. But

this we want in-house, that's why we are coding it and nobody will have that...access.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

But you are still giving my name to the Department of Children and Family Services and I may not want you to do that. That's what I'm saying, it has nothing to do with coding, it simply says that now the Department of Children and Family Services can contact me...and I'm saying, I may not want that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, sir. They are still doing this, they are doing this on the whole, but when the places...they are still doing this. And what...we emphasized here that it's confidential. Don't you understand that word, confidential? Well, when you say confidence...don't you have trust in your State? Ha...ha.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

But, seriously, Senator Donahue, to answer your question. You do not have to...this is why we're talking about we're codeifying everything and so it will be confidential. What we are merely trying to do...don't give us opposition...what we're merely trying to do is to provide that these handicapped children will have an opportunity. It's so easy to come up with a lot of little idiosyncrasies, but the main thing...and I am sure I have trust in our Department of Children and Family Services. And I...I believe that...that if they do this in-house the people will be protected and the children will be given an opportunity. I ask for a favorable

vote, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? We're still on debate, Senator Smith. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator, there's a element to this that is a little bit troublesome. I...I would think that most people who would be in the adoptive business would want some confidentiality on even their request to the first agency for adoption. And in the instance of hard-to-place children, the problem that I foresee is that fewer people will deal with agencies once they know that this information will be made public. So that...so that...I know what you're trying to do. It...it may be self-defeating in the long-run in that people who otherwise would be inclined to adopt hard-to-place children might stop going to agencies for that very reason. Had you thought about that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, sir. To Senator Newhouse. Through the...Information Adoption Agency we are already giving out the names of the persons who seek to adopt. But the only thing that we are seeking to do, we are trying to help these agencies to place these children. Many of the agencies...and the rationale shows that children who are hard to adopt are sometimes left secondary and they will...the agencies will work. But we're merely trying to help these agencies to help themselves to get these children adopted, that's all we're trying to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, would...would you be willing to accept an amend-

ment that would...that would make it voluntary on the part of the persons seeking to adopt to go on such a list? I think that would strengthen your bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

May I...we'll take it out of the record right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith seeks leave of the Body to take the bill out of the record. Take it out of the record. 195, Senator Geo-Karis. On the Order of Senate Bills 3rd Reading is Senate Bill 195, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 195.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the...the Senate. Senate Bill 195 has been amended to provide that if a senior citizen of sixty-five years of age or over is living with a...a relative as provided in the bill and...for at least nine months, that relative who owns this...property can obtain...homestead exemption for that...for that senior citizen. It's a good bill. I supported the bill, Senate Bill 487 which allowed people who spend fifty thousand or a hundred thousand dollars on senior citizens to be taken care of by co-op. units and this helps the people who don't have it. And I urge for...favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. What is the fiscal impact, if

the sponsor will yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't believe the fiscal...impact would be too much because there are not very many...parents living with their children nowadays, as you know, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It was my fault, I did ask, yeah. The difficulty I have with this is this, it seems to me...I understand the motivation and it is certainly altruistic. The difficulty I have is it is a major expansion of an existing program and one that, frankly, could cost a lot of money. This bill, as I understand it, says, in effect, that if my mother-in-law or my mother reside with my wife and children and I in our home,...do I get a homestead exemption or does my mother-in-law get it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

You get it because your mother-in-law lives with you and that will help you, a little bit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

For those of us who live with their mother-in-law, there's not much help you can offer us. You know what I mean?...I don't know. I don't know why I got into this in the first place. I just think...you know, it...it's got some serious fiscal ramifications and I'm not sure...you know, it's...it's only...it's like that bill we had some years ago where it was almost like rent-a-grandma. You could take

a...a senior to the store and get an exemption or get a waiver of your sales tax and...it's..it's too much, I don't know why we're doing this. My mother-in-law, in fact, lives with me, but I am certainly not entitled to a senior citizen homestead exemption on my property that I own and enjoy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want to acknowledge at the outset that the sponsor has worked hard to...to improve this bill and certainly she has done so via the...via the amendment, because the applicability is now limited to those people who qualify for the circuit breaker. But has...has just been pointed out by the prior speaker, this does represent an expansion of the senior citizen's homestead exemption. That was introduced as a form of property tax relief and now we are applying it in situations where the senior citizen does not, in fact, own property.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise only somewhat reluctantly in opposition to Senate Bill 195. Again, no one is questioning the well-intentioned motive of what this bill is about, and it would be nice to be able to do a whole lot of things to encourage families to keep their elderly parents or grandparents or whatever in the home. But it seems to me that we cannot take every possible approach and we cannot cover every possible contingency and this one is indeed an expansion of the homestead exemption and an expansion into a brand new program area. That is not a...the concern with the...the homestead exemption, once we get everyone being treated equally at least is that it impacts on local govern-

ments, it doesn't impact on us, so it's a very easy, cheap way for us to pass tax relief; and in addition it has no dollar...limit, although I know there's been an effort to put one here, which I...that much I applaud. Beyond that, let me say that...and I'm not trying to be too bureaucratic about this but we did spend a lot of time in the Senate Revenue Committee and in the Senior Citizen's Subcommittee of the Senate Revenue Committee to address the question of what was the most important thing to be done in the way of further tax relief for senior citizens in this General Assembly because we cannot do everything that we are requested to...to do by one member or another. After due consideration, we decided that the most important thing was to expand the existing circuit breaker program somewhat, because what's happened is that it has dropped off in recent years and we think that's because inflation has taken its toll on the income limits. That was a bipartisan, unanimous decision of that committee. That bill has now been passed out by this...by this Senate and I'm sure will pass the House, and it seems to me that we ought to confine ourselves to that highly important and responsible approach and not try to open up a brand new potentially costly program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I don't know...the previous speaker and the other speakers here, we talk about helping senior citizens. We passed Senate Bill 47 which helped senior citizens, those that can plunk down fifty to a hundred thousand to get into a retirement home; we extend it to circuit breaker here. Here we're talking about senior citizens that...that qualify for the circuit breaker who make about...who maybe have about twelve thousand dollars coming into their...or ten thousand dollars coming into their...and there may be less than that coming

in. And...all we're doing here is some simple justice. If...in my neighborhood, my people take their parents in just like they're anything else because they think it's a sin to send them to an old people's home, they take care of them. And I think this program here is not expensive. I think...I think it's a good bill and I think it will encourage in-home care. And who can care for their parents better than their own children? I think it's a good bill and I think it's something this State stands for and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm going to vote against this bill because probably seventy percent of the tax relief we would allow here is going to come from our schools. That's why I voted against the bill that Senator Lemke just mentioned that passed out of here earlier. That's why I'm going to vote against most all other bills that would increase circuit break...or...not circuit breaker but homestead exemptions. We have to begin to...to realize that when we here in this General Assembly grant tax relief, we're taking that money away from somebody and most of this money will come from our school children.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of this bill. I think that we have to start looking to the future and planning for what the statistics show us are happening today. The fastest growing segment of the population of this country is the senior citizen segment of the population. I think that this is compassionate. Yes, it may be expensive but it is not as expensive as having to force people either into nursing homes or having more expen-

sive in-home care. Families themselves can take care where at all possible where it's physically possible to take care of these people until the very end when they cannot be taken care of with home nursing care or in some other way. I actually look at this bill as a saving and certainly not as a boondoggle. I don't see it as coming from the budgets of the school and I don't...I...I really don't know how we can equate it, this kind of an exemption, to that situation. I stand strongly in favor of this bill and I think we'd better start thinking of the future and what we are going to do with that population who are the fastest growing area of our segment of all of the population.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel.

END OF REEL

REEL #5

SENATOR KARPIEL:

Well, thank you, Mr. President. I agree with the previous speaker's comments and, in fact, she made many that I was going to say. I think this is a good bill. We're always trying to find ways to keep the senior citizens either in their own homes or out of nursing homes because...and we have a...a very costly community service...program going on with the Department of Aging. We try to keep these people out of nursing homes and there are a lot of older people who may not be...actually ill but just don't have a lot of money, are living on social security, are having a hard time getting around and can't afford the...the cost of an apartment, they have no place to go, there aren't enough senior units in the State. I think this is a good way to keep families together and to, perhaps, provide an incentive to children to have their parents live with them, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, have any of you found out what it costs to put a parent in a nursing home? Fifteen hundred to two thousand dollars a month. Why shouldn't that parent have an opportunity to live with their child and at...at the same time provide a miserable two thousand dollar exemption...on their...the taxes of the child who owns the house? I think we will encourage more love and more understanding between children and the grandparent. I think it's a necessary bill. We've got to help the people who can't afford to maintain an apartment, who can't afford to maintain their own homes today

with the...the tax structures that we have. I think it's a very humane bill and it's only...applies to one...one exemption, it doesn't have...for any more, it helps the senior citizen tremendously; and if we really feel that we want to help senior citizens, this is the way to do it. I urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 195 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, 14 voting Nay, 8 Present. Senate Bill 195 having failed to receive the required constitutional majority is...declared lost. Sponsor requests postponed consideration. 199, Senator Newhouse. 200, Senator Newhouse. 201, Senator Sangmeister. 201. On the Order of Senate Bills 3rd Reading is Senate Bill 201, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 201.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. As many of you are probably aware, because of the gang related problems that we're having in this State and, of course, throughout this country, there were a number of groups put together, none the least of which was by Senator Marovitz and myself who have held hearings in an effort to put together a gang crime package, for want of a better terminology. Senate Bill 201 is the start of that package. I believe it runs from 201 through 209. A number of those bills have already

gone out on the Agreed List. Nonetheless, this one was brought back for amendment and, therefore, is on the...the Calendar today. I would, of...course, urge you all to support this as an entire package. This was not put together willy-nilly but after considering an awful lot of people...talking to the people out in the streets, and we think it is a fine package and one which will attack the problem in the State of Illinois. Senate Bill 201 is one that deals in the area of unlawful use of weapons. What we have done is we have amended that section by establishing a new section called Violations on School Property. The testimony that we received indicated that most of the problems in the gang area come from...from problems that arise on school property, and this bill is an attempt to attack that from the unlawful use of weapons prospective. If you are familiar with that section of the Criminal Code, you will find that there are eleven sections in there of unlawful use of weapons. Sections 1, 2, 3, 4, 5, 8, 10 and 11 will now be a Class 4 felony; six and seven will be Class 2 felony and Section 9 will be a Class 3 felony where the violation occurs in connection with school property and, as the amendment that we put on the bill states, within one thousand feet of any school property, largely because we were concerned about people doing the same thing across the street from the school property. School property is defined as a public, private, elementary or secondary school, community college, college or university. This is the start of a series of bills, as I indicated, the first...we want to deal with people who want to sell or possess...weapons that are illegal under the unlawful use of...unlawful use of weapons section of the Criminal Code and apply it to school property or within one thousand feet of school property. Be happy to answer any questions. If not, will move for a favorable roll.

PRESIDENT:

Any discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. A question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Coffey.

SENATOR COFFEY:

The thousand feet within the school, is that within the boundaries of the school? How about a residence that's...within a thousand feet? My home is within less than a thousand foot of a...of a school. Does that mean I can't own a weapon?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

That...no, it does not mean you cannot own a weapon; however, if your home was within a thousand feet of a school and you are doing an act which is a violation of the Unlawful Use of Weapons Act of the State of Illinois, then, yes, you would be covered.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

So...so to own or to handle, as long as you was not...okay, that answers my question. Thank you.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 201 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 201 having received the required constitutional majority is declared passed. 202, Senator Marovitz. On the Order of

Senate Bills 3rd Reading, Senate Bill 202. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is a...another bill in the gang crime package which tries to deal not only with sanctions but with providing some programmatic assistance to juveniles who were involved in substance abuse or alcohol abuse, and before going on, I'd like to thank Senator Rock for his leadership and assistance in putting...putting this program together as well as Senator Sangmeister and the bipartisan help that we got from Senator Barkhausen, Senator Kustra and Senator Geo-Karis, as well as others. This legislation attempts to reverse the current trend of drug-alcohol use and abuse by school age juveniles. Senate Bill 202 implements a Statewide program of drug-alcohol education in all Illinois schools, public and private. It provides programs which will improve the competence of Illinois teachers to teach drug and alcohol education effectively and encourages cooperation among all agencies and groups which have an interest in and some responsibility for the health and welfare of youth throughout the State of Illinois. The bill provides a Statewide juvenile alcohol and substance abuse education and prevention program. It requires the Department of Alcohol and Substance Abuse to assist in developing and supporting local prevention programs through the use of regional groups. DASA is to provide programs to...improve competence of teachers in the provision of alcohol and substance abuse education, and DASA

must also provide technical and financial assistance to local governments and community organizations in establishing local alcohol and drug education and prevention programs to keep youth out of trouble and to get them off of drugs and substances...which they shouldn't be on if and when the situation arises. I would ask for a favorable roll call on Senate Bill 202.

PRESIDENT:

Any discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 202 and the rest of the package which has been introduced by Senators Marovitz and Sangmeister. Many times what we do here in the Illinois General Assembly complements the work of other levels of government. In this particular case, I'm not so sure at the moment that we're necessarily complementing the work of the City of Chicago but we may be the only game in town, because as some of you may know, there is a four...million dollar program to fight gang crime alive in the Chicago City Council but it is at the present time stalled, and as long as it remains stalled, there really isn't much hope to deal with this problem at the local level. So, I would suggest that Senator Marovitz' program becomes even more important and I would urge its favorable consideration today.

PRESIDENT:

Any further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, speaking specifically and briefly to the...to this bill. Senator Marovitz and I and others have been involved in the...the whole drunk driving issue with driving under the influence of...of alcohol and drugs, and as tough as we are with people who commit that type of offense, I think it's equally, probably more impor-

tant to make sure that at the same time we have sound programs to prevent individuals, particularly our youngsters in this State, from being tempted by the influences of alcohol and drugs in the first place. That's the purpose of this legislation and I rise in support of it.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Frankly, this looks to me to be a very good package but I'm somewhat confused. Didn't I read in the ink column that these bills had already been passed? Why are we voting on them now?

PRESIDENT:

Further discussion? Any further discussion? Senator Poshard. Senator Marovitz may close.

SENATOR MAROVITZ:

I would just ask for a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 202 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 202 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 204. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate.

SB 207
3rd Reading

Another in the gang crime package which provides that juveniles fifteen, sixteen years old who sell hard drugs within the safe school zone would be transferred to adult court, prosecution as adults, and I would ask for your favorable roll call on this bill. If we're going to get tough on crime and try and get rid of drugs in the schools, this is something we need.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 204 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 204 having received the required constitutional majority is declared passed. Top of page 8, on the Order of Senate Bills 3rd Reading is Senate Bill 207. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 207.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. A couple of years ago we passed some tough laws about recruitment...gang recruitment, but this bill is aimed at the adult leaders of gangs who recruit juveniles into gangs. The current statutory provisions make it a Class 3 felony to compel membership in an organized gang. It doesn't make a distinction between the age of the recruiter and the person being recruited. This bill does just that. It enhances the potential penalty for adults who recruit minors into gangs making it a Class 1 felony for adults who threaten

a minor with bodily harm or coerce him into a gang.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 207 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 207 having received the required constitutional majority is declared passed. 208. On the Order of Senate Bills 3rd Reading, Senate Bill 208. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 208.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...thank you, very much, Mr. President and members of the Senate. The cannabis portion of this legislation has been eliminated. This deals with the sale of drugs or firearms by an adult to a juvenile on school property. It makes the sale of firearms or hard drugs to a juvenile within the school zone a Class X felony, and I would ask for your...for your favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 208 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 208 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading,

Senate Bill 209. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 209.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the last in the gang crime package and, again, in additional criminal sanctions, this is the bill which will provide assistance to business and community groups that provide alternatives for gangs, such as, vocational programs, job training programs, counseling programs, alcohol and substance abuse programs, athletic and recreational programs. It provides...it...it allows...authorizes a one hundred percent income tax deduction for businesses who make contribution to projects which are approved by the State, and it...it authorizes the Department of Commerce and Community Affairs to make grants up to fifty thousand dollars per...per project for projects which are approved by DCCA for the assistance of juveniles in athletic, vocational programs, counseling programs, substance and alcohol abuse programs so that not only are we getting tough in terms of sanction, but we're going to try and get at the crux of the problem in...in aiding and assisting businesses and local community organizations that provide alternatives to youth and juveniles from getting involved with gangs.

PRESIDENT:

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, as Senator Marovitz knows, I did express some reservations about this part of the gang crimes package, primarily because it's more than likely that

the bill will have a significant fiscal impact. Estimates have...have varied all over the map, I think, but one...one figure is twenty million dollars. I...I don't know that it's going to be very easy for the Department of Commerce and Community Affairs to determine what the criteria should be that determines whether a community agency is fit for contributions of the kind envisioned by the bill and that would result in significant deductions and a...a great potential erosion of the tax base. For that reason, I ask all of you to take a careful look at the bill. I'm not sure that it's...it's worthy of support than the other measures we just passed.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall Senate Bill 209 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 11 Nays, 2 voting Present. Senate Bill 209 having received the required constitutional majority is declared passed. 216, Senator Lechowicz. On the Order of Senate Bills 3rd Reading the middle of page 8, is Senate Bill 216. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 216.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 216 would provide funds for the operation of a technical training program where corporate sponsored equipment is used. The board shall administer a pro-

gram for the donation of technical and vocational equipment to community colleges. The taxpayers and corporations are granted an income tax deduction for equipment donated to community colleges. I know of no opposition to the bill and I ask for your favorable support.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 216 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 11 Nays, none voting Present. Senate Bill 216 having received the required constitutional majority is declared passed. 220 was on the recall. 227, Senator Savickas. Senator Savickas on the Floor? 232, Senator Joyce. 235, Senator Welch. On the Order of Senate Bills 3rd Reading, bottom of page 8, is Senate Bill 235. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 235.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is very short and simple. It simply says it's an unlawful practice for any person to promote or advertise any business or product by means of offering free prizes to consumers without specifying the fair market value of the free prize, and the amendment contains an exemption for radio and T.V. commercials. This bill is as a result of many complaints made to the attorney...Attorney General's Consumer Division...Consumer Fraud Division in which products were offered as free, which it turned out were not very valuable, and I would ask for sup-

port.

PRESIDENT:

Any discussion? Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

It's my understanding that the Retail Merchants Association has some problems with the bill. I...I think they're...if I understand their position, they don't have any objection to what you're aimed at, but I think they felt you've...shall we say, spread the brush a little further across the...the subject than perhaps we should have. I think there, obviously, are some fraudulent things going on, but have...has there been an amendment put on this bill that I'm unaware of that restricts it down to what you're aiming at or are you still firing the shotgun in the general direction of the evildoers?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

The...amendment eliminated the bill as far as it applies to radio and television, the electronic media. It applies only to print media which is more able to advertise directly on the advertisement the fair market value.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I guess I'd have to agree with you, those sneaky people in the print media probably should be watched a lot more closely than the honest people in the electronic media. Huh? I don't know, I think the objection the retail merchants had is still valid in...in that there are some problems in what you're talking about the...you know, come spend a weekend at our resort and we'll give you a free Cadillac and it turns out to be a six-inch toy, but there are an awful

lot of pretty innocuous giveaway things that are done by, you know, come on in and we'll give you a bag of fertilizer or something from a hardware store and maybe it's only a pound of fertilizer but what did you expect for nothing. I think, frankly, you...you've shot, as I said, the shotgun in the general direction of the evildoers and you probably have hit some fairly innocent, decent folk in the process. I personally would prefer to wait until you get a rifle and take direct bead on the bad guys. Firing shotguns into crowds is just dangerous.

PRESIDENT:

Further discussion? Any further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

Thank you. I would just say that...certainly any problems that exist in the bill we could work out in the House and, secondly, I think that this does correct a problem which exists and I...I think it's a very light burden to place on advertisers to require them just to say what the fair market value of a product is, and I would ask for a...a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 235 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 Nays, none voting Present. Senate Bill 235 having received the required constitutional majority is declared passed. 236, Senator Newhouse. Senator...I beg your pardon, Senator Schaffer.

SENATOR SCHAFFER:

At the risk of prolonging any proceedings, could we have a quick verification of the positive votes?

PRESIDENT:

That request is in order. Senator Schaffer has requested a verification. Will the members please be in their seats. Mr. Secretary, please read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Keats, Kelly, Kustra, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I guess in the interest of bipartisanship, I should start with Senator Keats.

PRESIDENT:

Senator Keats on the Floor? Senator Keats on the Floor? Strike his name, Mr. Secretary.

SENATOR SCHAFFER:

...I see Senator Nedza in his chair...Senator Smith.

PRESIDENT:

Senator Smith on the Floor? Senator Smith on the Floor? Senator Smith is in the phone booth, Senator Schaffer.

SENATOR SCHAFFER:

Senator Berman.

PRESIDENT:

Senator Berman is also in the same phone...department.

SENATOR SCHAFFER:

Senator Dawson.

PRESIDENT:

Senator Dawson is in his seat. The roll has been verified. On that question, there are 31 Ayes, 24 Nays, none voting Present. Senate Bill 236 having received the required...235...Senate Bill 235 having received the required

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constitutional majority is declared passed. 236, Senator Newhouse. 237, Senator Kustra. On the Order of Senate Bills 3rd Reading, top of page 9, is Senate Bill 237. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 237.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill flew out of the Senate two years ago with hardly a Nay vote. It's back again this year. Under current law, in-person absentee balloting is allowed in municipal and township halls during the odd numbered years. This bill extends that voter service to allow in-person absentee balloting in village and township halls in the even numbered years. Current law provides that a clerk can waiver out of this particular practice, so no one is forced to do that. The Bureau of the Budget knows of no fiscal impact to local governments in this case since it really is a practice that already goes on anyway. I would ask for a favorable vote.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 237 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 237 having received the required constitutional majority is declared passed. 242, Senator Maitland. On the Order of Senate Bills 3rd Reading, top of page 9, is Senate Bill 242. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 242 does exactly what the synopsis says. It requires downstate teachers to initiate hearings on dismissal and...and removal for cause rather than school boards...initiating such...such procedures. It take away no benefits whatsoever and I would ask for your support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 242 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 242 having received the required constitutional majority is declared passed. 249. On the Order of Senate Bills 3rd Reading, Senate Bill 249. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 249.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you,...Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 249 provides that the business investment tax credit be applied against the State Income Tax

rather than the personal property replacement tax. As a matter of history, we remember that the corporate personal property replacement tax was enacted to replace the personal property tax as a means of funding schools and local governments. In 1982, we chose to do something very special for business in allowing an investment tax credit, something that I think we still need. At that time it appeared that the replacement tax was increasing at a time when the State's general...revenues were in recession. That is no longer true. In fact, we're in a reverse situation right now with the replacement tax dropping each year rather dramatically and our own general revenues in the State with the recovery going up. I think it is time to reverse that decision to be sure that our schools will get that additional twenty-five million this year, an estimated forty-eight million dollars next year. I think it's a...a very, very, shall I say, easy way to be sure that education has some of the needed monies that we're talking about here in the Senate Session this particular year.

PRESIDENT:

Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she'll yield, Senator Fawell.

SENATOR FAWELL:

Could you tell me...you say that this...the local districts are going to gain twenty-five million. Does this mean somebody is going to lose twenty-five million?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

The...the State does. In other words, we're transferring

funds from one to the other. The...the State loses the money that would have gone into general revenue and instead we're doing what was intended under the law is to give all of those replacement taxes to the school district.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Is this above and beyond what we are allocating for the schools?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Can we afford this? I mean, twenty-five million dollars and then you're talking forty million dollars next year out of the General Revenue Fund above and beyond what we're giving to the schools now?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

The...the available balance this year in the State funds is anywhere from five to six hundred and fifty million dollars extra. This is the year when we can afford it. And as you remember, this is just temporary. It goes to 1989, the business tax credit and now is the time when we need the money for the schools and for...and some of it will go to local governments as well.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Sponsor indicates she'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator Holmberg, what would be the...the impact of the implementation of this proposal on partnerships and Subchapter S corporations? I raise that issue because both of those classifications of taxpayers do pay the replacement tax but they do not pay income tax.

PRESIDENT:

Senator Holmberg. Senator Holmberg.

SENATOR HOLMBERG:

I...I'm not sure they would be eligible and I...and I don't have any particular information on that particular part of the law.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I think that that is a...a matter which...which warrants some consideration because each...both partnerships and Subchapter S corporations do pay the replacement tax but they do not pay the income tax. So, I think that there may be some...there may be some net reductions although I think that...that requires some...some study. However, I find that I...I must rise in...in opposition to this...to this legislation regardless of what impact it may have on the partnerships or the Sub. S corporations. Actually, the fiscal impact is not twenty to twenty-five million on an annualized basis. That...those figures come...represent a six-month impact because this legislation would be effective on the 1st of January in 1986. So what we're talking about in future fiscal years is a...a fiscal impact on the order of fifty million dollars which are taken from the State's General Revenue Fund and...and taken out of State revenues and...and turned over to revenues of the...of local units of...of

government. I...and I certainly am in sympathy with what the Senator is trying to do. She's trying to find a way to funnel additional monies to the schools. I suggest that we do it in some more direct fashion and not doing it by...by robbing the State because...those general revenue funds, as we well know, there's...there's a...a...quite a bit of pressure on...on our State revenue to fund other programs, the schools included. So, I...I suggest that this is...is not the way to find additional funding for schools. I would urge a No vote.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. I rise in support of Senate Bill 249 and I would suggest to Senator Etheredge that if a robbery took place, it took place when we first enacted the investment tax credit several years ago. We very grandly enacted it on the assumption that it would help to do something for business, although admittedly we had no evidence at the time that that would be so; but to make sure that it would not have any impact on State revenues, we said, okay, you, local governments, are going to have to take the full brunt of any revenue loss that does occur because of the investment tax credit. If we believed in what we did when we first passed the bill back several years ago, we should have had the courage of our convictions and taken it out of the State's coffers to begin with. It was absolutely unfair to put the thrust of this onto local governments, and most particularly was it...not right to put that burden on local governments when they are, in fact, losing ground from where they were at the time that the corporate personal property tax was abolished. It has been going mostly down. It's stablized a little bit right now, but this investment tax credit comes totally out of their tax base. Again, it seems to me that if we believe that an investment tax credit is a

good device for attracting business, a premise which I have some doubt about, but if believe it, we ought, indeed, to have the courage of our convictions and say that we, the State, will absorb whatever revenue loss ensues.

PRESIDENT:

Further discussion? Any further discussion? Senator Holmberg may close.

SENATOR HOLMBERG:

...briefly in response to Senator Etheredge's concern about partnerships and Subchapter S corporations, these...these businesses would perhaps be the least likely to take advantage of the investment tax credit. We're talking about manufacturers, industrialists, retailers. What we are talking about, I think, is a very viable amount of income to come back to our local governments in...in...the primary beneficiaries of that which would be our school districts. I think that if all of you who are members of the Senate would go back to your local municipalities and your school districts and tell them that you did not vote for this, that it was because of this vote that they will be deprived of twenty-five million dollars worth of income this year and perhaps forty-eight million dollars next year, that they really never had any say into the decision a few years ago and that now we can afford to be sure that they have this additional income, I think you will find...a vote for this legislation, a very effective vote for both your local governments and your schools.

PRESIDENT:

The question is, shall Senate Bill 249 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 22 Nays, none voting Present. Senate Bill 249 having received the required constitutional

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majority is declared passed. 253, Senator Karpiel. On the Order of Senate Bills 3rd Reading, Senate Bill 253. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 253.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 253 without the amendments that were attempted to...put on yesterday is a very...just a technical bill. It removes obsolete language that provided for special payments to school districts to deal with the cash flow problems for the 1981-82 and '83-'84 school years and this bill simply removes the obsolete language.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 253 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 253 having received the required constitutional majority is declared passed. 258, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate...Senate Bill 258. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 258.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 258 is the work product of the Senate Committee on Revenue and does have the unanimous support of the members of that committee. It is our senior citizen tax relief bill for the Session. It is, we think, the most responsible form, an amendment to the circuit breaker law that increases the maximum income eligibility limit from the current twelve thousand dollars to fourteen thousand dollars and reduces the...the basic grant subtraction factor from the current five percent to four and a half percent of income earned. What this means is that there will be, first of all, additional senior citizens at that lower income level who will be eligible. It will also allow some adjustment in the grant to be paid to those who are already on the system. Both of those we think are very important. If you look at the figures from recent years, the number of grants paid under the circuit breaker law has been decreasing as has the amount of annual...not appropriation, but expenditure. We think that reflects in part not only the concern that Senator Holmberg had about married couples who through their social security reached the maximum limit but even those who may be single, elderly persons because of increased grants due to their retirement or other social security. In other words, we've been loosing people from the program and we did not really intend for that to happen. One point I would like to make very clear is that the maximum cost of this proposal if there were one hundred percent participation is 11.3 million dollars. The actual cost will be less than that because we never have a hundred percent participation. That is well within the amount that is appropriated in...or is budgeted in the Governor's proposed budget. He has allowed ninety million dollars. We have been way under that for recent years. We will stay within the appropriated amount if this bill is enacted. On that basis, I would solicit your support for Senate Bill 258.

PRESIDENT:

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm...I'm very pleased to be able to rise in support of a...a piece of legislation. I think Senator Netsch has said it very well. This is the result of the work of the...both sides of the aisle, those who are members of the Senate Revenue Committee, and I would urge an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 258 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 258 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, the middle of page 9, is Senate Bill 260. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 260.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 260 amends the Illinois Municipal Fund Article of the Pension Code to provide that the interest on repaid separation benefits shall be calculated at the effective rate for each year from the date of separation to the date of payment. As the law reads right now, the current rate of interest must be paid for each of those years since separation, and as you know, the interest rates are very high

right now. The IMRF is now in support of this bill. I know of no opposition. It is a fair bill in that all of the interest accumulated will be paid but that we will not be demanding excessive payment from someone who...who wants to pay back their separation benefits. I ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 260 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate Bill 260 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 269. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 269.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does...amends the Public Aid Code and it allows for the voluntary assignment of income for housing. We put an amendment on there which limits the assignment to two hundred and fifty dollars and also a limit that the person has to be...in default on his rent to have a voluntary assignment which is requested by many of the community settlement groups. This bill will not only assist public aid recipients in finding housing, it will also...help people that rent apartments to public aid to make sure they get their money from those people that don't meet their obligations. I think it's a good bill. I ask for

its...favorable consideration.

PRESIDENT:

Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'd just like to let it be known I got a...a letter from Sister Julia of...one of your constituency, from Merrloc House who was telling me that she has been required to come up with six hundred dollars just within the last two weeks to pay for a recipient's rent who, frankly, just couldn't handle their own money. I think this is a...a good bill. I think in the long-run...although it may cost us a little bit money up-front, it...it should save us money in the long-run because we won't have to pay these exorbitant rent if we can get this somewhat on line, and I would suggest you vote for the bill; especially you, Senator Rock.

PRESIDENT:

...further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I'm not sure. I...when did this become a voluntary thing? I thought we...this is something the landlords could require. It's purely voluntary?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Under the...the Federal Government says that the landlords can't require it...then we'd be out of compliance with the Federal Government, but according to case law and we the...the voluntary assignment, it can do. So, that's what we're doing.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, if I were...in...in other words, it's voluntary, I say to the public aid recipient, unless you sign this form, I

ain't going to rent the apartment to you, that's voluntary. And if the Chicago Housing Authority says, we aren't going to let anybody into the housing authority unless they voluntary sign this form, that's voluntary. Right?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Under this bill, if they say that and they're mandatoring it, then they...they're guilty of a Class B misdemeanor. So, I don't think many landlords are going to require it. They're going to go along with the settlement houses, 'cause...most of these placements are, true...people that place them there and there's always somebody around that makes the rental agreement, so I don't think landlords are going to mandatory require it. I think it's a good bill. I think it's...we should have it.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I notice that the amendment has a provision in there that says, "Limits the bill to public aid recipients who within the preceding two years fail to make timely rent payments." That doesn't sound too voluntary to me. You know, I'm...I'm...why...why do we have that provision in there if it's a voluntary thing?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is a request by the settlement houses. They...they liked that language, so we put that in to accommodate them.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you. A question of the sponsor and...my ques-

tion is to get an answer to the last question Senator Schaffer asked. Senator, you said this is voluntary, but how does the language "failure to have paid their rent" have anything to do with being voluntary?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

That means it can only be a voluntary assignment to those people that...that...it limits to that class of people that have a history of not making their payments. So, it's voluntary as to them. If they do not voluntary want to sign it, fine. That's what the settlement houses wanted, 'cause they say there's many people that do it automatically and meet their obligations.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, well,...well, Senator Lemke, I...I...I think I have some idea of what you're trying to do; however, I don't think this is the way to do it. I think what you may end up doing is penalizing a lot of people. There are...there are several problems with this bill and the absence of a clear-cut State policy as it relates to Building Code violations, I think it is very unfair to mandate that public aid recipients...pay their rent in any...anyway to a landlord. In answer to Senator Fawell's questions that some people have problems managing their money on AFDC, I can assure you that if you were on AFDC, you would have problems managing yours too because you don't really have any to manage. I do recognize that some people are...are careless and make out better than others and that's true, I guess, with...with all segments, even if you work...whether or not you work or not. I don't think that we...we can honestly mandate that two hundred...or three hundred dollars a month be taken off the top out of

someone's flat grant allowance and leaving no money at all...or no discretion for that person to juggle...to try to make ends meet from month to month. It's just not enough money to do that. Is it most certainly unfair to the kids and I think we should...this is not advisable that we do at this time. For that reason, I'll ask that we don't vote favorable for 269.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of...of the Senate. If you would read the analysis of the bill, it simply states there's little benefit to either party. The cost to the State is one million dollars per one percent of recipients who elect this assignment. Now the Department of Public Aid is not for it. The Governor's Office is not for it. He vetoed this same bill, I think, in 1981 and I would suggest that he ought to veto it again if it passes.

PRESIDENT:

Further discussion? Any further discussion? Senator Lemke may close.

SENATOR LEMKE:

The bill that the Governor vetoed prior to the...the Federal regulations did not allow for voluntary assignment. Now, they do, from...from our interpretation of the Act. This is a good a bill and the administrative costs, Senator Philip, is very little because the Department of Public Aid, at this time, pays...attorneys to represent public aid recipients to fight eviction proceedings, which is a lot more than a million dollars. I will guarantee you that this is going to save the State money and also provide hard pressed housing for these people on public aid that let landlords do this. I think it's a good bill and I ask for its adoption.

PRESIDENT:

Question is, shall Senate Bill 269 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 24 Nays, none voting Present. Senate Bill 269 having received the required constitutional majority is declared passed. 270, Senator Lemke. On the Order of Senate Bills 3rd Reading, Senate Bill 270. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 270.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is identical to a bill that came out of our...our committee last year in regards to improving child support. We held it for a while to check. At the present time, the Federal Government...and what it does is very simple. It requires taxpayers to certify that they provide more than fifty percent of the financial support of dependents for whom exemptions are claimed. This creates a certification process to meet and enforce people that take deductions that really don't support their dependents. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator Lemke, I would appreciate it if you would

give me a little further explanation as to the need for this legislation. It appears to me on the surface a step toward confusion and chaos in that we could...easily find ourselves in a situation where we would be claiming one number of dependents on the Federal Income Tax return and another number of dependents on the State Income Tax return, and I'm...I'm wondering what the necessity for...for this...this confusion is.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I...I believe right now you certify on your Federal tax that you support...you pay fifty percent or more of the support of a dependent that you deduct. This would just simply put...the teeth. They changed the law, it's just recently been changed. So, you have to...you have to certify that you pay more than fifty percent of the support. Yes.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

The...what this seems to do...we would find ourselves in a situation, perhaps, where we would be claiming more dependents on the State Income Tax return than on the Federal...return, for the reason that the...more than fifty percent of financial support is just one of the criteria on the...on the Federal tax in order to claim a dependent. Just to list some of the other criteria, the taxpayer must also meet a gross income...test, be a member of the household or...or there...has to be...has to live within the household or there must be a relationship proven, there's a citizenship test and a joint return test. What this does is...effectively as far as the State is concerned, at any rate, remove all of these other tests so that we could have a greater number of dependents claimed on the State return than

on the Federal return. I don't see the necessity for this. I think that it causes unnecessary confusion. Let's continue to keep our State returns simple and let's not deviate, as this legislation would propose, from the...from the Federal tax on which we base our...our State Income Tax return. I would urge a No vote.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

I reluctantly stand to agree with Senator Etheredge. One area that hasn't been addressed that is...too common these days is agreements between divorced parents as to how they're going to handle the deductions on income tax returns for a number of the children, and it appears that this bill would be in conflict with those negotiated agreements which are recognized on the Federal tax basis. So, I reluctantly stand in opposition also.

PRESIDENT:

Further discussion? Any further discussion? Senator Lemke may close.

SENATOR LEMKE:

This bill does not change the existing law as it...this only adds to the thing that you certify you pay fifty percent. This is what the Federal Government does now. You certify that you contribute fifty percent of that support. Even though you have a divorce agreement, you still got to certify it and if you...if you...you're certifying support of children, that means it's a better enforcement tactic to...to enforce the collection of income tax and also the...the...the enforcement of child support in this State. I think this is a good bill. This does not change current law, this just adds to it. It calls for a certification and I don't think that's too much to ask for. In other words, you swear to the fact that you support these kids. Too many people on their income

tax take the credit because they have a divorce agreement but they don't even contribute to those kids. That's why we got a support division in Cook County to go out and collect this money from those husbands that certify...in...on their...they...they deduct on their income tax...these kids but they never support them and this bill does that. This bill says they certify, so we have some teeth after the fact to go after these guys and collect that money. Vote on the regards to income tax and vote as to child support. I think it's a good bill. It adds to existing requirements and I don't think it conflicts with Federal law.

PRESIDENT:

Question is, shall Senate Bill 270 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 30 Nays, none voting Present. Senate Bill 270 having failed to receive the required constitutional majority is declared lost. 274, Senator DeAngelis. 275. On the Order of Senate Bills 3rd Reading, Senate Bill 275. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 275.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President...I thought I would find this bill on the Agreed Bill List but apparently it is not. What Senate Bill 275 does is very simple. It permits the residents of Cook County to be able to file a complaint on their taxes in the same manner that the residents of all hundred and one other counties do, and that is on the median level of

assessments. I've had this bill for three years. The first year it didn't get out of revenue. The second year I was asked to hold it because the assessor was going to talk to me about this bill; the assessor has not. In fact, he set up a committee to study property taxes, Mr. Hider was head of that committee. I talked to Mr. Hider and I was told that I would be allowed to participate; I was not allowed to participate. On this Floor last week, I heard one of the distinguished members of the Democratic party...City of Chicago talk about all the industries that were leaving his district. I was tempted, at that point, to ask him if he asked them why, because I can tell you that I have done that with my district and I can tell you why, because they are fed up with the assessment process in Cook County. But let's not talk about business 'cause this is not a pro-business bill. Let's talk about the people who really get the short end of the stick. If you happen to be assessed at sixteen percent of market in Cook County, you have the distinct pleasure of paying a 1.9 multiplier, when by the admission of the assessor's office, residential property is assessed at eleven percent, but you can't complain because you are not at market. I don't know why the assessor is against this. I would think probably because he's going to be asked to do something that he hasn't done in the past, but then, you know, those of us who serve in government know that if we were to give our constituents the response that we don't want to do something because we haven't done it before, we would not be down here too long. But I really think that there's a far greater reason because the sales ratio studies are, in fact, the assessor's report card, and I think therein lies the concern of the assessor's office. In the County of Cook...County of Cook there resides the largest Democratic population in the State of Illinois; in the County of Cook resides the largest Republican population in the State of Illinois, and in the County of Cook

there lies the largest amount of property taxpayers in the entire State of Illinois, and to not afford them the same opportunity our brethren...I know, some of you from downstate can turn around and say, well, it's not really my problem. Well, I want to tell you, the economy of Cook County is your problem, because the less we end up paying, the more you're going to pay someplace else because the need for the cost of government is still there. One last thing. I'd like to remind some of my fellow Democrats...I'm sorry, some of my fellow Senators who are Democrats...well, I was one for four-fifths of my life, Senator Zito, Senator Lemke, Senator Kelly, Senator Dawson, you know, we do a lot of complaining here about the State Aid Formula. Time after time we talk how we get shorted. Well, I want to tell you, one of the main reasons you're getting shorted is because of the assessment practices in Cook County. I urge an Aye vote. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator DeAngelis, if this legislation...this proposed legislation became law, would it be, in your opinion, more or less likely that the multiplier for Cook County would go up?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it would have no impact on the multiplier other than the fact that it would show that the level of assessments in some categories are far too low, and if the assessor chose...chose to change that, the multiplier would come down, but it'll be his report card, it'll show. If he doesn't want to do anything about it, that's his privilege. I can't make him assess properly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Would you go through that last part again for me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR JEREMIAH JOYCE:

The...the last three sentences.

SENATOR DeANGELIS:

I said I can't make the assessor assess properly. The multiplier is, in fact, an indication of the errors in assessment at a given jurisdiction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Oh. Well, let me...let me...while appearing to be rhetorical, really pose a question for you. It is my understanding that the legislation that you are proposing would permit a...an aggrieved or allegedly aggrieved taxpayer to submit as conclusive evidence data which we call the assessment sales ratio studies, which the Illinois Supreme Court has recently said are not reliable, for the purpose of obtaining a reduction in his assessment. Is that correct? Yes or no?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it is not correct because I think you're reading that Supreme Court decision incorrectly. What it says is we can't do it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...well, let me exclude the...parenthetical and take that out...my references to the Supreme Court decision. With that

out, would what I...would...would the statement that I made or the question that I asked, would you agree with that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

You got my attention with that U.S. Steel case. Now, could you restate your rhetorical question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, what I am...what my understanding is, is that this legislation would provide a person seeking to have his tax assessment lowered would...would provide him with conclusive evidence, the assessment sales ratio study, for the purpose of going to a reviewing body, in this case the board, and having his taxes lowered. Is that right...having...having his assessed valuation reduced. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Now, my understanding is that the multiplier reflects an underassessment. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, in Cook County it reflects a little bit more than that, but by and large, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

So that if a person were to go in and be able to say to a...a board of appeals, discount...discount all other factors and conclusively set by evaluation on the basis of the State sales ratio studies and had his tax...his valuation reduced, my understanding is that the multiplier would have to go up and if I am misunderstanding this, would you point out to me where.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if the...if the assessor were blatantly assessing people at higher than the median level, the answer is, yes; but if you were assessing properly, the answer is, no, it would come down. And I might...let me point out something else too. If there were not sufficient enough sales ratio studies, you might have a point; but you know, Senator Joyce, I tried to put an amendment on that would do that, and you remind me of a neighbor I had in Dallas, Texas who got mad 'cause...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, we have some more questions on Senator Joyce's time. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator DeAngelis, I'm back to...I'm back...your neighbor in Dallas aside, I'm back to the question of whether or not this legislation...because if it doesn't...I mean, if this legislation isn't needed, if everything is...if every taxpayer...if every taxpayer is paying, because I don't believe the taxpayers are going to go in and say, you have underassessed me, I should be paid more. If every taxpayer who goes in with this...data and is able to obtain relief based on this...in many instances faulty data, it seems to me that the...that the...the multiplier will have to go up, and I don't see how you get around that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it...it will go up if the assessor doesn't look at his report card. If he doesn't want to improve his grade, you're right. But let me just tell you where the greater problem is...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR DeANGELIS:

If I'm...if I'm assessed at...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He asked a question. You answered it and now he seeks to ask another question. Senator Joyce.

SENATOR JEREMIAH JOYCE:

This...this...this...this data that we're talking about, Senator DeAngelis, at the time that it would be in the...at the time that it would be in front of whoever was going to make that decision, the board of...of appeals, okay? How old would this data be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if...if you're going to rely on the Department of Revenues, it would probably be about two years old, but the assessor has the opportunity to do that himself if he would like.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, you...you are...you are...you're legislation provides that the board of appeals will...will look at this data. What I'm...what I am...I could suggest a number of hypotheticals. Let me give you one for instance.

If...if...well, Senator DeAngelis, I...I...I think I...I've lost your attention. I...I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's getting...

SENATOR JEREMIAH JOYCE:

...I was trying to learn something about this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, do you have...give your attention to Senator Joyce.

SENATOR JEREMIAH JOYCE:

It's...so it is my understanding that by your own Department of Revenue or whatever notes you're following over there that the decision would be based on information that was at least two and...from what I understand it, possibly three years old; it would be based on information that is, by our...that the Illinois Supreme Court refused to accept in a most significant case; and, in fact, the real beneficiary of this legislation would be a few large corporations in Cook County that would come loaded to bear with all kinds of lawyers and all kinds of high-priced other support staff, enforce local governments to go to the wall on these things, pay a lot of money and maybe possibly...maybe...possibly force the...the...the County of Cook to settle out. So, I don't see how you're helping the homeowner. I don't see how you're helping the small taxpayer and...and in...in Cook County...and in Cook County, if you are saying people...the corporations are...leaving because of the tax situation, that just isn't the case. You know, we've done such a great job in this State of...of shifting the corporate tax burden to the individual, you know, that is just such a...a...an erroneous statement and I ask that this legislation be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, I...I can...can't understand in my wildest dreams why the people of Cook County shouldn't have the same system as a hundred and one counties downstate. Just to refresh your memory...and it's a simple system, quite frankly. If you disagree with your assessment, you go to your local assessor. If you get no relief from your local assessor, you file a complaint with the board of review and simply go to the board of review. You don't need a lawyer. You don't need an appraiser. You don't need a handler. Now it works downstate, quite frankly, and obviously in Cook County you need a lawyer. You know, that's a little gold mine for lawyers in Cook County, but I don't think it helps the system or helps the people. If you'd look who supports this, you would note...notice the Taxpayers Federation, the Civic Federation, the Illinois Association of Realtors, they allegedly are...are unbiased, nonpartisan authorities on taxation. Why don't you, for a change, stand up and do what's right and put your white hat on and vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Having just heard Senator Philip's exhortation to vote Aye, I rise in opposition to Senate Bill 245. Let me just suggest to you what it says, and if you read what it says, it's going to make a lot of difference. It says that the review of all complaints shall be based upon the most recent median level of assessments as determined by analysis of assessment to sales ratios for the township and class of property. Now let me just suggest two things. We beat the amendment with...which called specifically for the use of the Department of Revenue assessment to sales ratios studies

because our own Illinois Supreme Court has said they're statistically not valid; don't use it, please. Certainly, don't use it exclusively and let me just suggest to all of you from the other hundred and one counties that if, in fact, this is done, you can be sure of two things; one, that the only beneficiary are going to be those major corporate entities that can hire a law firm like mine and we can waltz in there and make a heck of a presentation based on assessment to sales ratio studies, and who's going to suffer? The homeowner because the homeowner is going to wind up a higher multiplier. What's it going to mean to the other hundred and one counties? I'll tell you what it's going to mean, it's going to mean countywide that we will have a lower assessed valuation countywide, and you know what that does to the School Aid Formula? That takes money from the collar counties and downstate and shifts it right into the County of Cook. Be my guest. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis may close.

END OF REEL

REEL #6

SENATOR DeANGELIS:

Yeah, Senator Rock, I'm really disappointed that you would not like to see some of that school money coming to Cook County. Let me address the issue that he brought up or...regarding the Supreme Court decision. I would like to read to you one paragraph of that decision, because you know what, we're blaming the bathroom scale for being overweight on this sucker. "The treasurer showed, however, that the studies insofar as the Cook County property is concerned do not, do not, do not, meet the standards of the...International Association of Assessing Officers. Besides lacking randomness, representativeness and sufficient editing, the coefficients of dispersion"...which is the variances in which they assess things," are too high for the median assessment level to have statistical significance relative to the standard of proof." Now, to use something as a piece of evidence to defeat a bill which shows that there is a problem in Cook County, I think that's just going a little too far. I know where the opposition is coming from on this and I'm extremely disappointed. And I really think that when we get down to taxation, we ought to have, if nothing else, some semblance of equity. Let me show you the injustice. I have a letter in my office, which I showed a couple of people here, in which a taxpayer, a residential taxpayer, was told, you don't have a complaint, your property is at fourteen percent, you should be at sixteen even though we assess at twelve, written by Mr. Quinn. Okay? Admitted that it's at twelve. Now the reason the median level is at twelve, 'cause there's some people that are eight. Now, how would you like to be the person that's at fourteen and you

pay...play the multiplier of 1.9? Is that equity? And by the way, Senator Joyce, it's not going to help business, because the...the assessor's office has shown that business is taxed closer to the median level than residential, and the people that are getting hurt are the homeowners. I urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 275 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, 2 voting Present. Senate Bill 275 having failed to receive a majority is declared lost. Senate Bill 282, Senator Poshard. Senate Bill 288, Senator DeAngelis. Senate Bill 298, Senator Karpiel. Senate...on 288, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 288.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 288, as amended...the bill is changed significantly by the...amendment. What it does now, it provides for a readjustment of a school district's entitlement if the recent equalized assessed valuation drops ten more...ten percent or more from the previous year. As you all know, the School Aid Formula is two year's old, the EVA would have an immediate impact. It doesn't take away from the other schools, it will require a supplemental State appropriation to take care of that when it happens. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 288 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 288 having received the constitutional majority is declared passed. Senate Bill 298, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 298.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 298 simply allows all the municipalities in the State of Illinois the ability to issue liquor fines for liquor violations in their municipality. At the present time, the City of Chicago has that ability but none of the other municipalities. They are faced with the problem of...in the case of a violation of either over...overlooking it and...and just, you know, not seeing it, which of course is not the thing they want to do, or revoking the license of the...the establishment...the liquor license of the establishment which they may not always want to do either. So we're trying to give them the ability to issue liquor fines for liquor violations, and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...the question is, shall Senate Bill 298 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none

SB300 3rd Reading

voting Present. Senate Bill 298 having received the constitutional majority is declared passed. (Machine cut-off)...the Order of Senate Bills 3rd Reading, Senate Bill 300, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 300 is the Spousal Health Insurance Rights Act which allows the spouses of...if...employees in a divorce situation or a widowed situation to continue their group health insurance policy at the group rates, and I should make it very clear that the former...dependent spouse will pay the employee's share, the employer's share, plus we put into this legislation twenty percent for administrative costs. So the cost of this will be borne by the...the dependent spouse whose husband has died and she will be able to continue that group policy for herself and her dependent children or who has been subject to a...to a divorce, she will pay the cost...the proportional cost of the policy, the employee's share, the employer's share, plus twenty percent to the insurance company for administrative costs of the policy. I think it's very important that at a time...a very traumatic time where there's been a death or a divorce, the worst time possible for someone to have to make a choice about health insurance, to try and scurry around and get health insurance for herself and her dependents, a time when there are health problems, anxieties...I think public policy demands and other states have recognized that...that we allow that dependent spouse or that former dependent spouse, that

widow, to continue the group policy and...as long as she is willing to pay the premiums. She's already been part of the risk pool, and if she's willing to pay the premiums, she ought to be allowed to do so. I might add that other states have passed this legislation and in those other states that have passed this legislation, there has been no increase...there has been no increase in insurance rates as a result of this legislation, and that information has been garnered by the commissioners of insurance from the states where this bill passed. It seems like all...every time we try and do somthing for people around the State, we have someone getting up and saying, well, it's a great idea, it's a great policy but it's going to increase rates, it's going to increase this. The fact is, it's not going to increase rates, it hasn't increased rates anyplace else; and I think it's crucial that people who have already been part of the risk pool in a traumatic situation after death or divorced be allowed, if they're willing to pay the conversion rate, to pay the...continue to pay the premiums and an administrative cost of twenty percent, be allowed to continue that policy, and I would solicit your Aye vote for this very important piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Just some questions. What happens in a situation where the...the spouse no longer works for a company or quits within a few weeks and...and goes venesuellos?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

In that situation, there is no possibility of continued insurance and that is clear on page 7 of the bill, line 30, when coverage would terminate under the terms of the existing

policy. If that person has been fired, that conversion privilege does not exist for the...for the spouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Then...then all one needs to circumvent the law is to just shift from a regular salaried employee to a contractual employee, and...and then you've circumvented the law, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I guess it depends on what every policy demands.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I, frankly, you know, have been down this particular road and I think this is something that ought to be part of a divorce decree. I think people get divorced, they ought to resolve this that way rather than bring the employer in. I had an individual when I was in private industry that worked for me who got married seven times in a two-year period, and I...and...I might add...ahead of several of us...and I might add, it was a lady and she always managed to find people that were bums, that never had jobs and they were always being brought into our group medical. We had a card file on her about two and a half inches thick. We finally said, would you mind stop getting married? I just, you know,...I just am not sure this is something that we ought to inflict on the business community. I think it ought to be subject to the litigation. I recall catching a little flack here awhile back for a bill that I thought did not affect general divorces; you'll recall it, I think we're trying to straighten it out, and the argument was that we circumvented the negotiation process. I can think of a situation in which

the one party in a divorce...may deserve nothing but a swift kick in the backside of either sex I might add, not special treatment on insurance, and I don't see any exemptions in this case. If someone is an absolute bad guy, they don't deserve to be on group medical, they don't deserve this automatically. This is something that ought to be done on a case-by-case basis, and I might add, that sword swings both ways. It isn't just for the female gender, it's for the male gender, because an awful a lot of people, males, are covered under their wives' group medical, and I think we ought to think long and hard about this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I think the previous speaker has...talking about bringing people into the group, they can do that now by marrying bad guys. What this does is keeps the existing insurance on those people that have been insured by this company and have...have been there. We're not talking about bringing somebody new. We can talk about a lady that's been there for thirty years and her husband dies, and because she has breast cancer, she can't get insurance. She's cancelled out after thirty days. She can't get insurance or she gets an exclusion for cancer. That's what happens here. We're talking about allowing somebody to keep the same coverage they had before and by paying that cost. We're not asking for nothing for...something for nothing. We're also here taking care of the...those husbands that end up in a maintenance order to go out and buy an insurance policy. Why should those husbands have to go out and buy another insurance policy when they got one in their company and they're working for it? We're not talking about bringing in somebody that rate the bad experience; we're talking about people that are there, and...I'll tell you who we're talking about and where most divorces

occur, the middle-aged women because their husband runs off with a young girl and they're left hanging. And that's where the highest risk is in medical care. That's who we're talking about. This is a bill for...for...for the middle-aged woman that's...that's displaced because her husband decides to run off with a young woman or where her husband dies. We're taking care of these people. This is a good bill and I think it should be adopted and sent to the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Oh...oh. Let's...let's take them one at a time now. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I think that...that this bill has two problems that we ought to talk about. One is that group...the very nature of group insurance is to take a group of workers and insure them and that's how it all started. Then, that was expanded to cover the family of the workers. Now, little by little, this Legislature is trying to expand group insurance, and as you do that, you change the experience of the employer. One thing we did was to require that people who no longer work there have to be covered under...under the employer's policy. You'll find, contrary to what the sponsor says, that most of the people who stay insured under that plan are folks who probably can't get insurance anywhere else, and the bad experience shows up in the employer's cost in the following years. Now the humanitarian aspect is another thing, some of these folks probably can't get insurance. So I tend to think that what we did with terminated employees was probably the right thing to do. We allowed them to stay insured for awhile...for six months. Now this bill has no such limitation. This bill would include the spouses apparently forever, so that when the employee gets

married, he's married to the spouse for the period of time that the marriage lasts. The employer is going to be married to the spouse forever and that's...that's wrong we shouldn't do that. This bill goes too far in that direction and will increase the cost of employers because of the adverse selection that...that...will result from this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have the following Senators that seek recognition. Senator Nedza, Holmberg and Senator Netsch and Senator Rock. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR NEDZA:

Senator Marovitz, taking along the same line as Senator Schuneman's remarks, say there's a divorce decree, there's...they've entered into contractual thing or the court comes down, whatever. What happens when that spouse remarries, is it still reverted back to the former spouse or is that...does that conclude the contract or the agreement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

In an attempt to try and mollify all the groups and compromise, when that spouse remarries her rights are terminated, totally terminated. So that situation which was talked about before, that's one of the...one of the...one of the provisions for termination, remarriage of the spouse or if she gets involved or he gets involved in another group situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

One other question...there's dependent children. There's no age limitation on the...for what I can see in the bill. Dependent children, we normally refer to as those being eighteen years or younger. What about in a case of a student? Somebody that's pursuing a...a...a baccalaureate and yet still are considered dependent children. What happens to them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...in that case where the...where the...the child is a full-time student and...and progressing toward a bacclaureate degree, that would be twenty-one, which is...which is the law today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this bill. To me, this is a very, very important piece of legislation. So often when the spouse is deprived of health insurance, the only place that that particular person can turn is to the public aid rolls. It seems that if they're willing to cover their own insurance plus the added fee for the high risk, that this is one of the ways that we can continue to make people self-sufficient. You know, it's one thing to grieve over the loss of a husband either through death or to divorce..through divorce in particular, but it's nothing like the grief when you've lost your health insurance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is going to be a...a little heavy but I...I would like to use one example. This

is an example of why the suggestion that somehow this is going to cost more and have a negative financial impact on the insurance premiums and costs just simply does not work out, and this is an example that was prepared by someone who is the chairman of the Family Law Section of the Illinois State Bar and chairman of the Matrimonial Loss Section of the Chicago Bar...and this is how it would work. Let us assume that the client has a...a family coverage of five hundred dollar deductible which pays eighty percent of the next two thousand dollars and all costs after that. The premium charged for the employee, his spouse and dependent children is two hundred and twenty dollars per month. Under this proposal, after the divorce, the woman would have to pay a hundred and twenty-seven dollars for single coverage plus twenty percent which is what the bill provides for cost of administration or a total of a hundred and fifty-two dollars. The employee will continue to pay the two hundred and twenty dollars per month for coverage of himself and his dependent children, so that the insurance company will now be receiving a total of two hundred and twenty dollars plus a hundred and fifty-four dollars or three hundred and seventy-two dollars per month to cover the same people it was covering for two hundred and twenty dollars per month before the divorce. Now it seems to me that what this shows is, contrary to what some have suggested including some of those in the insurance industry, this bill will not increase costs. That is just kind of the mechanics of it, the dollars and cents of it. I think the importance of it is a matter of public policy which even Senator Schuneman acknowledged it goes beyond any question. These are people who are being, as Senator Holmberg just said, subjected to the most grievous of all calamities, the loss of health insurance through basically no fault of their own. We recognize that is a problem, we have started to address it in other contexts and it seems to me that it is

extremely important that we address it in this context also, and we can rest assured we will be doing it without driving the insurance companies or the employers out of business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 300 as amended, and only wish to point out to the membership something of an inconsistency. Not an hour ago we very cavalierly spent an additional thirty-five...at least thirty-five million dollars in general revenue money on a bipartisan, apparently, basis because it passed with an overwhelming majority, because we were concerned about senior citizens and what the effect would be and we were concerned about local governments and what the effect on them would be, and here we have within 300 as amended, permission for the extension of health and accident insurance coverage to an employee's former dependent spouse and kids. Probably the worst financial and emotional time in a person's life is when they're met with death or divorce of a spouse, and we are saying to...the dependent spouse, here, we'll give you thirty days and you can opt in and you can pay not only what it cost the employee, you...pay the employer's cost, and in addition to that you're going to be charged up to twenty percent of administrative costs. So all the crocodile tears of the employer community, I suggest, are in vain, it just simply is not going to happen. Senate Bill 300, I suggest, is a very fair and a very equitable proposal in favor of particularly displaced homemakers. It's just an option, they don't have to take it, but I think as a matter of policy we ought to make it available. I urge an Aye vote for Senate Bill 300.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Marovitz may

close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, it's very...it's...it's fine to talk about putting something in a divorce decree; but if you can't get the insurance anyway, what's the difference if it's in the decree or not. And in a situation where the former dependent spouse remarries or that widow remarries, that terminates her ability to get the conversion policy; and if she can't get the conversion policy and she's...and she's sick or she's infirmed or she hasn't got the money, then she's going to be on Medicaid or Medicare, and we're going to pay for it one way or the other. Why not give her or him the opportunity to pay for it themselves...pay for it, pay the employer's part, pay the employee's share plus twenty percent instead of having the State pay for it altogether? And...as far as the group experience goes, if...if...if this type of insurance is available, the pool will be greater and the premiums will be reduced rather than increased. There was some talk about...a bill...Representative...Senator Schuneman mentioned about a bill to continue after employment, that's for six months only. I've tried to negotiate with the employers and the insurance companies on this bill, told them I was willing to do things, that's why we said if...if...if there's a remarriage situation, the rights terminate. And I was willing to negotiate other things. They were not willing to negotiate anything at all, just said, we have to oppose the bill period...period. I think this is an important bill. I think it makes a statement about policy, and I would solicit your Aye vote.

PRESIDENT:

The question is, shall Senate Bill 300 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 8 Nays, none voting Present. Senate Bill 300 having received the required constitutional majority is declared passed. The hour of six has arrived, we have a couple of special requests that I would like to deal with. We have a couple of resolutions. Senator Davidson has a House bill that the Governor is requesting we place on his desk. With leave of the Body, we will turn to page 32 on the Calendar, Mr. Secretary, and move to the Order of House Bills 3rd Reading. There will be a roll call on this, ladies and gentlemen, so don't vacate the premises yet. On the Order of House Bills 3rd Reading, page 32 on the Calendar, is House Bill 116. On the Order of House Bills 3rd Reading, House Bill 116. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 116.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, does exactly what the Calendar says it does. It would make the fourth week of May the Illinois National Retired Teachers' Week. I'd appreciate a favorable vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 116 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 116 having received the required constitutional majority is declared passed. All right. Resolutions.

SECRETARY:

Senate...Senate Resolution 255 offered by Senators Barkhausen and Geo-Karis, it's congratulatory.

Senate Resolution 256, by Senators Watson and Demuzio, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate Resolution 257 offered by Senators DeAngelis, Mahar, Kelly and Dawson.

PRESIDENT:

Executive Committee. All right...all right. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to have leave to go to Order of Secretary's Desk Resolutions, Senate Resolution 98 which urges the Government of South...Socialist Republic of Vietnam to account for American servicemen.

PRESIDENT:

All right. The gentleman has requested leave to go to page 37 on the Calendar for the purpose of taking up on the Secretary's Desk Senate Resolution 98. With leave of the Body, we'll move to page 37 on the Calendar, on the Order of Secretary's Desk Resolutions, Senate Resolution 98. Mr. Secretary.

SECRETARY:

Senate Resolution 98, there's no amendments.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this resolution does is urges the Government of Socialist Republic of Vietnam to account for the American servicemen and civilians still being held in Southeast Asia. I think it's appropriate right before Memorial Day we pass

this so we can get it on its way to the proper people. I ask for a favorable vote.

PRESIDENT:

All right. The question is the adoption of Senate Resolution 98. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr...Senator Lemke.

SENATOR LEMKE:

Leave to have the entire Senate sponsor the...

PRESIDENT:

Without objection, leave is granted for...show all members as cosponsors. Leave is granted. Further resolutions, Mr. Secretary?

SECRETARY:

...Senate Resolution 258 offered by Senators Luft, Rock and all Senators, and it's congratulatory.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd hope we can have the attention of the Body because this is kind of a special resolution.

PRESIDENT:

Just settle down for a few minutes. We'll be out of here in five minutes.

SENATOR LUFT:

The resolution reads as follows.

(Senator Luft reads SR 258)

PRESIDENT:

Congratulations, Senator Welch. All right. Senator Luft has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 258. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now

moves the adoption of Senate Resolution 258. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any further business or announcements? Senator Collins.

SENATOR COLLINS:

Yes, I would like leave to add as hyphenated cosponsors to the following bills the names Chew, Hall, Newhouse, Smith and Jones. The...the bills are Senate Bill 1402, 1404, 1405, 1406, 1408, 1410, 1411, 1458 and 1460.

PRESIDENT:

All right. The lady...lady seeks leave to add Senators Chew, Hall, Newhouse, Smith and Jones as cosponsors of Senate Bills 1402, 04, 05, 06, 08, 1410, 1411, 1458 and 1460. Without objection, leave is granted. Ten o'clock tomorrow morning, ladies and gentlemen, we will start again with recalls 2nd reading and proceed on the Calendar where we left off. Ten o'clock tomorrow morning. Without...no further announcements, Senator Nedza moves the Senate stand adjourned until ten o'clock tomorrow morning. Ten o'clock on Wednesday.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. Members will be in...at their desks. Our guests in the gallery will please rise. Our prayer today will be by Rabbi Israil Zoberman of the Temple B'rith Sholom here in Springfield. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Wednesday, May the 8th, and Thursday, May the 9th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that the reading and...and approval of the Journals of Tuesday, May 14th; Wednesday, May 15th; Thursday, May 16th; Friday, May 17th; Monday, May 20th and Tuesday, May 21st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 18, 34, 62, 90, 123, 152, 153, 198, 243, 251, 320, 348, 387, 408, 409, 447, 467, 514, 580, 582, 591, 593, 598, 636, 682, 724, 791, 805, 815, 861, 932, 935, 952, 982, 997, 1012, 1023, 1026, 1027, 1033, 1034, 1037, 1050, 1051, 1053, 1054, 1126, 1127, 1148, 1159, 1160, 1177, 1216, 1217, 1218, 1258, 1382, 1389, 1395, 1528, 1847, 2259 and 2387.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am asked concurrence of the Senate, to-wit:

House Joint Resolution 51 is congratulatory.

And House Joint Resolution 52 is commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. With leave of the Body, we'll go to House bills 1st reading. Is leave granted. Leave is granted. On the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 82, Senator Zito is the Senate sponsor.

(Secretary reads title of bill)

House Bill 312, Senator D'Arco.

(Secretary reads title of bill)

House Bill 319, Senator Netsch.

(Secretary reads title of bill)

House Bill 324, Senators Newhouse and Collins.

(Secretary reads title of bill)

House Bill 360, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 381, Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

House Bill 479, Senators Geo-Karis and Lemke.

(Secretary reads title of bill)

521, Senator Topinka.

(Secretary reads title of bill)

House Bill 563, Senator D'Arco.

(Secretary reads title of bill)

House Bill 571, Senator Hall.

(Secretary reads title of bill)

House Bill 605, Senator Fawell.

(Secretary reads title of bill)

House Bill 739, Senator Fawell.

(Secretary reads title of bill)

House Bill 833, Senator Etheredge.

(Secretary reads title of bill)

House Bill 881, Senator Vadalabene.

(Secretary reads title of bill)

...House Bill 895, Senator Smith.

(Secretary reads title of bill)

House Bill 909, Senator Degnan.

(Secretary reads title of bill)

House Bill 943, Senator Smith.

(Secretary reads title of bill)

House Bill 1018, Senator Collins and Newhouse.

(Secretary reads title of bill)

House Bill 1042, Senator Bloom.

(Secretary reads title of bill)

House Bill 1314, Senator Luft.

(Secretary reads title of bill)

House Bill 1355, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 1938, Senator Fawell.

(Secretary reads title of bill)

House Bill 2431.

(Secretary reads title of bill)

House Bill 895 was read in as Senator Smith, it would be Senator Rock-Smith.

1st reading of the foregone bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 259 offered by Senator Demuzio, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. (Machine cutoff)...Senator Marovitz on the Floor? Senator Netsch on the Floor? On the Order of Recalls, there has been a list that has been passed out to the members. We will attempt to begin at the top and go right on through. Is Senator Marovitz on the Floor? (Machine cutoff)...171, Senator Netsch. Senator Netsch seeks leave of the Body to return Senate Bill 171 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 171, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Amendment...thank you, Mr. President. Amendment No. 2 is a technical one which was called to our attention I assume by either the Reference Bureau or Enrolling and Engrossing and it inserts the word, "of" in one line of the bill, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Netsch has moved the adoption of Amendment...Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I'm sorry, I wasn't on the...I was in the phone booth and not on the Floor. Senator Netsch, can you tell me what the amendment does, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

On page 3, line 5, it inserts the word "of" before the word "this." It's a technical one that was called to my attention, I think by the Reference Bureau, Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

...I just want to say, I wish the rest of the bill was that...was that uncomplicated. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 171. Further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Senator Macdonald, the...the next three have some substantive contents, you might want to...pay particular attention. In Amendment No. 3 we delete...or I am proposing to delete Section 8 which is the section that included within the purview of the partial public financing campaign bill the inaugural committees and contributions. One of the points that the Governor made in his Veto Message was that he thought it was not appropriate to apply the restrictions to

committees that were formed to put on the inauguration for a lot of reasons including the fact that sometimes they were jointly sponsored. And so I have heeded that particular admonition and this amendment would totally remove Section 8, which is the section that restrains...contributions and requires reporting with respect to inaugural committees. Then the rest of the amendment simply renumbers everything after that because we are eliminating Section 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator Macdonald.

SENATOR MACDONALD:

Senator Netsch, wonder if you...are...are...is there another amendment, too? Unfortunately, we don't have copies of those amendments and I just wonder if we might be able for...just momentarily until we can take a look at these amendments, could...would you mind taking it out of the record?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, I will be happy to. I'm sorry, I...I was not aware you did not have copies. May we...we can get back to it at some point, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, why don't we just...why don't we just leave the bill on 2nd reading. We've already adopted Amendment No. 2 and the bill is on the Order of 2nd Reading, so when we come back to it, it'll be there, okay? All right. Is there leave to get back to this a little later? Leave is granted. 193, Senator Smith. On the Order of Recalls, Senate Bill 193. Senator Smith seeks leave of the Body to return Senate Bill 193 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate

SB576 Recalled

Bill 193, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate...Senate Bill 193 has an Amendment No. 2 which merely...rather than making it mandatory is merely stating that we encourage and that we are also asking that voluntarily that they would submit names to the agency. I ask for your adoption, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 193. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 486. Senator D'Arco on the Floor? Senator D'Arco on the Floor? 576, Senator...Topinka. All right, Senator Topinka seeks leave of the Body to return Senate Bill 576 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 576, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. First and foremost...having...I'd like to reconsider

the vote by which Amendment No. 1 was adopted for the purpose of Tabling it and then proposing Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify...having...voted on the prevailing side, Senator Topinka moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Topinka now moves to Table Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I just wanted to ask the sponsor of the Tabling...Amendment...to...why is she Tabling it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Topinka.

SENATOR TOPINKA:

We're Tabling Amendment No. 1 because the wrong fund was mentioned and we're taking it...Amendment No. 2 puts it into the right fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further amendments?

SECRETARY:

Amendment No. 2 offered by...Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Amendment No. 2 basically puts the...the...fund

SB 645 Recalled

that...we're talking about back into the Agriculture...the Race Track Improvement Fund and...ultimately that would take care of any of the flow-over from one race track to another when there were too many horses to be taken care of during a racing season.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 2 to Senate Bill 576. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 645, Senator Barkhausen. Senator Barkhausen seeks leave of the Body to return Senate Bill 645 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 645, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, if I may, Amendment No. 1 is...is...the lead sponsor is Senator Bloom, I'll let him proceed as I believe he's prepared to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. This is the Criminal Victims' Escrow Account Act, and the recent situation involving the recanted testimony of Mr...Mrs. Webb points out a glitch in the Act, and that is, what happens when the victim says, I'm not a victim? The amendment says

in that case...and I'll read it to you because there has been some misunderstanding about it in the media. It says that "If no civil actions are pending" that is, if a victim is not seeking to get the monies in this instance, "If no civil actions are pending or registered under Section 4 with the treasurer against such person in whose name an escrow account was established within one year after the establishment of the escrow account, the treasurer shall deposit all monies in such account into the Violent Crimes Victims' Assistance Fund in the State Treasury." In other words, where the victim says I'm not a victim and makes no application, then, if indeed, the felon is still a felon the monies would go into the Crime Victims' Compensation Fund for the benefit of other crime victims. I'll answer any questions, otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 645. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, it was thought that in order to make the collection of any funds that are...that accrue to a...a criminal as a result of publicity arising from a depiction or description, publicity about the crime itself that in order to make this truly enforceable that we needed a mechanism to create a...a lien against any proceeds arising from such publicity and that's what Amendment No. 2 does. It...it says that a lien shall automatically be created

against the proceeds or consideration for any contract entered into by a criminal having to do with the crime itself, and it also establishes a procedure for the Attorney General who is responsible for the Crime Victims' Compensation Fund to enforce the lien and...and collect these proceeds and I would move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 645. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 646, Senator Barkhausen. Read the bill...to save time, Senators, I would like at this time to make...have a motion to bring back the following Senate bills on recall from the Order of 3rd Reading back to 2nd reading for purposes of amendment; 646, 665, 694, 736, 749, 760, 835, 949, 1153, 1160, 1276, 1321, 1346, 1352, 1404 and 1408, all for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 646, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that Amendment No. 2 be withdrawn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen seeks leave to withdraw Amendment No. 2. Is leave granted? Leave is granted. Any further amend-

SB 665 Received

ments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 665, Senator Lechowicz. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. As a hyphenated sponsor of 665, Senator Lechowicz has asked me to handle this amendment and I'd ask leave to handle it for him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. 665, read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft for Senator Lechowicz.

SENATOR LUFT:

Thank you, Mr. President. This amendment is a clarifying amendment and deals with the provisions of the...utility tax exemption. And it allows...or shall...provides that DCCA shall have the authority and responsibility to establish the rules and regulations to implement the provisions of the exemption. And I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the adoption of Amendment No. 4 to Senate Bill 665. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 694, Senator Topinka. Read the

bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Amendment No. 2, Ladies and Gentlemen of the Senate, adds six basic things. One, it adds the intent...element to the provision, then it also increases the notice...acknowledgement that we have in there from thirty to forty-five days. We increase a threshold amount into the trigger provision to three thousand dollars or more, then we require a failure to substantially perform to take care of partial performance situations, that has been added into it. Then we've made a provision that's inapplicable where the owner initiates a suspension of performance so that no one can have a harassment type situation be created. Then we also make a provision where...that it is...inapplicable where permits...where the owner permits a response to the notice...or the company...I can't read your writing...permits a response to the notice within forty-five...in a forty-five day period. What we're trying to do here is take care of any of the concerns that the Illinois Retail Merchants Association may have had with the bill. It's my understanding now that they have no concerns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves the adoption of Amendment No. 2 to Senate Bill 694. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Channel 25, WEEK-TV of Peoria requests

SB 749 Recalled

permission to videotape. Is leave granted? Hearing no objection, leave is granted. Senate Bill 736, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 736, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Bloom, Luft and Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom. Senator Kustra, you're also the amendment's sponsor. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, but I would defer to Senator Bloom. If he's not here, I assume he wants to hold that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have three amendments...for 736, Senator. Take it out of the record. Senate Bill 749, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is a technical amendment which changes some language to read "Nothing within this section shall imply or presume that joint custody shall necessarily mean equal parenting time." I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 3 to Senate Bill 749. Those in favor indicate by saying Aye. Those opposed. The ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Bloom, are you ready on 736? No. Senator Bloom?

SENATOR BLOOM:

Yeah, in the interest of time, why don't we withdraw those three amendments because they're already on...Senate 1063.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom seeks leave of the Body to withdraw the amendments to Senate Bill 736, the three amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 736 will now be moved to the Order of 3rd Reading. Senate Bill 760, Senator Marovitz. Read the bill, Mr. Secretary. 749 was moved to 3rd reading. Senator Marovitz on 760. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No....let's see, I think...I think there's an amendment that we have to Table. Is there...is there an Amendment No. 3...also? So we want to Table Amendment No. 1. Okay. Having voted on the prevailing side...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz having voted on the prevailing side moves to Table...moves to reconsider the vote by which Amendment No. 1 is adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now, Senator Marovitz moves to Table Amendment No. 1 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SB835 Recalled

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 760...changes the bill so that in regards to seat belts on school buses it is a local option; it is not mandatory and it is up to the local school districts whether they would like it or not, and I would ask for adoption of Amendment No. 2 to Senate Bill 760.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 835, Senator Hudson. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Hudson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. Speaker, Ladies and Gentlemen of the Senate...Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 simply brings the language of the bill as amended in line with what the commissioner of banks had in mind in the first place vis-a-vis the advisory committee that the bill creates and the corporate fiduciaries. The commissioner of banks and fiduciaries are in accord with this amendment. I know of no opposition to it and would...move

SB949 2nd Reading

for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Husdon moves the adoption of Amendment No. 3 to Senate Bill 835. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 949, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 deletes the provisions currently in the bill and adds uniform medical standards to the Workers' Compensation Act. Specifically this adopts the American Academy of Orthopedic Surgeons' Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment as the standards or the foundation for determining permanent-partial disability under Section 8 of the Workers' Compensation Act. Today, permanent partial cases account for nearly sixty percent of total compensation paid under the Act. The lack of uniformity in establishing permanent-partial loss leads to excessive litigation, delayed payments to the injured workers, inconsistent awards and a backlog of cases at the Industrial Commission. This amended is...this amendment is intended to reduce litigation for the bulk of cases which could be settled otherwise and this in turn will ease the burden of Industrial Commission to enable the arbitrators and commissioners to handle those cases which truly do need litigation. The adoption of these uniform

medical standards will assure fair and equitable treatment for all employers and employees in Illinois. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in very strong opposition to Amendment No. 1 to Senate Bill...949. And I'm also very, very...disappointed that a member of the Labor Committee would give their word that a bill would not be used as a vehicle and...once we allow a bill to be debated and passed out of that committee on a affirmative vote. This is most certainly a total violation of the trust and agreements...working agreements that we have on the...the Labor Committee. Now to the...to the bill itself. This issue has been debated over the years and I think that we most certainly...it is a very major...of the workers' comp. laws. May I have some...some...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's break up these conferences down in the...Senator Demuzio...Senator Poshard, Kirk Dillard...Senator DeAngelis...Senator Hudson.

SENATOR COLLINS:

Thank you, Mr. President. While there...I...I can agree that there is a need to take a very critical look at the worker comp. laws in the State of Illinois. We most certainly cannot do justice and...and...and be fair about doing that by coming to the last minute before...the deadlines to getting bill out of the Senate and to adopt this kind of amendment without adequate debate and input from all sides involved. This is not the way to do business and I would ask that we most certainly defeat this...this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I'm not going to make a speech on the issue 'cause I think most people are aware, but I do want to correct one thing. The sponsor of this bill at no time, let me just....at no time said this bill would not be amended. It came out over the opposition of the chairman with the...mild assistance of some Democrat members of the committee. I don't want to say anything more than that to...but no time did anyone every promise that this bill would not be amended; in fact, I think when it came out, everyone was completely aware that an amendment would be put on it or at least offered. So from that angle, I don't intend to make a speech on it but I do want to correct the...perhaps misunderstanding, no one every said that this bill would...that an attempt would not be made to amend it, that was the general understanding. And with that, I'm going to support the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Well, just very briefly, Mr. President. I, too, would like to echo what Senator Keats has just said. I think, as a matter of fact, there...there probably was a tacit understanding that there would be some changes made in this bill in committee. And I recall no...no commitment that the bill would remain in the form that it...that it left the committee. So, having said that, I, too, would add my support to what Senator Karpiel is endeavoring to do here in the interest of our business community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR BERMAN:

Are you familiar with the...document called the Manual for Orthopedic Surgeons in Evaluating Permanent Physical Impairment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, I have it right here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Is that the document that would have to be used by the arbitrator in evaluating the degree of permanent disability?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

From what I understand, the way it would work is that the...the employee could go to his doctor and this document would be used in determining the...you know...so that basically what we're trying to do is to cut down on the amount of litigation. That doesn't mean that an employee who was not a...did...didn't like the award amount that was...was specified could not still litigate. But it would be hopeful that they could just use this and it would be a standard award for whatever the loss is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right. Let me address the amendment. Ladies and gentlemen, the problem with this amendment is that you are trying to use a...a booklet...to determine items that go beyond a simple chart. When you are dealing with disability or loss of use of part of your body, there are elements that

go beyond...go beyond the standards set forth in the orthopedic's...Orthopedic Surgeon's Manual. That is fine as a starting point but there is also the subject of complaints and the reactions of each individual which are presently taken into consideration by the doctors that examine these claimants both on behalf of the employer and on behalf of the...claimant, the employee. The problem with this amendment is that this manual is required to be the standard used, that's exclusive type of language and that is backed up further by the following language in this amendment. "Any determination of disability, disablement or loss of use must be based upon object of findings that are not within the physical or mental control of the employee." Now, ladies and gentlemen, all of us have experienced injuries or trauma in which, depending upon your personal reactions, some of us can handle some kinds of injuries and walk away and others can have substantial disabilities arising from the same kind of injury. I would suggest to you that you are dehumanizing the entire process by trying to adopt this kind of an amendment. I would also point out to you that the whole question of disability is determined in an adversarial process which is set up under the Industrial Commission where there is an attorney representing the employer and a physician that has evaluated the employee by the...on behalf of the employer, and the claimant has an attorney and a doctor that has evaluated that disability by...on his behalf. They are subject to cross-examination. The question of what standards are used, whether this manual was, in fact, used are all brought out and can be brought out in the process to determine the degree of disability. You'd be doing a grave injustice to every employee if you're going to try to relegate them with human feelings, human frailties, the difference between you and me and the next person as to our responses to different types of injuries by saying that a booklet...that a booklet is the

only basis upon which a person's disability can be evaluated. That's not the way the system works, that's not the way you and I work. And I would strongly urge that you not try to relegate your constituents or claimants to the question of what's on a chart. People don't operate that way. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR LEMKE:

...does this amendment mandate the arbitrator to use this book?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, I think I just answered that. We're hoping it doesn't even go to an arbitrator, that's the idea. We're hoping that the employee can go to his or her doctor and...based on this book would find out what the award would be for this...we're talking about permanent partial. We're not talking about temporary partial, we're not talking about, you know, all kinds of other things. We're only talking about the permanent partial. If you lose a finger and I lose a finger, we should get the same award.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Are you aware that eighty to ninety percent of all injured employees still go to the company doctor for treatment...when they're injured? Are you aware of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

No, I'm not aware of that statistic but they have the right to go wherever they want to go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Are you aware that no two orthopedic specialists agree?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

They would if they had to use this book with the standards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

In other words, we're saying to the trier of fact or the judge that you must do this, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

What we're saying, Senator, is that if this book...if the...the standards that were put in place in this particular document were put into place, that an employee would not have to litigate. That employee would not have to be before a court or the arbitrators or anyone else if they chose not to. And, frankly, I think a lot of employees would be much better off and would be glad to just settle right away.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

It's...it's very simple then. If we're going to use this standard and we don't want the employee to litigate then we should follow the Missouri system. Once you're injured at

work, your claim can...stays open constantly and there's no settlement, you just get compensation and you get permanency. So we follow the Missouri standard and we have the claims constantly open for the entire life of this man. Fine, that's okay. If companies want to do that, they can do that now. They can...they can give the guy the money and not settle the case. They can...they don't have to settle the case, they just have to be fair to these employees, not trying to stick it to them...not trying to stick it to them. What this bill...tell me where it's going to cut the insurance premium of the employer? Where is this bill going to cut the insurance premium of the employer? Do you know that they're going to pay more claims?...this is mandating it. Right now some employer has paid his employees less and they never file their claims. We're going to say on every comp. case, every man that's injured, he's entitled to certain amount of compensation. Maybe that would be a good idea if you...you intend that. But this bill is not good, not for the employer or not for the employee. It is a bad bill, and I'll tell you right now, when this bill...if this bill ever passes and it goes to the Supreme Court of Illinois, it will follow the decisions of the Supreme Courts which says, you can't mandate a trier of facts as to what he's supposed to do, he has that discretion. That we still have in this country as a constitutional right of the judiciary and of the person that goes before that, and I think this is a bad amendment and I ask for its defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I rise in reluctant support, because I happen to agree with Senator Lemke that this will probably cost the employers more money. But if anybody heard Senator Lemke's argument, he probably gave the strongest argument for this

amendment that anybody could give. He claims that some people are not being treated fairly, because, in fact, the extent of their injuries are not either being diagnosed properly or when, in fact, those injuries are known, they're not being compensated properly, that the...that the plaintiff is not, when he goes before the commission, perhaps capable of explaining these things; and all this amendment simply says is that there will be a body that determines the extent of that disability and if you read Chapter 8...or Section 8, which is fairly extensive, it provides for a payment of schedule based on disabilities. And I would think that Senator Lemke would be supporting this rather than opposing it because it brings uniformity which brings fairness, which gives the injured worker the necessary and adequate compensation for his injury.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not...Senator Demuzio.

SENATOR DEMUZIO:

Well, I...yes, I'd like to ask the sponsor a question, if I may.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates...she indicates she'll yield.

SENATOR DEMUZIO:

It seems to me that Senator DeAngelis and other members last year pounded out a compromise with labor and...and business groups in...in Illinois, and I was...under the understanding that there wasn't going to be anything that was going to take place in this Session that...perhaps I'm...I'm wrong and perhaps maybe someone can straighten me out on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Who are you directing that to, Senator?

SENATOR DEMUZIO:

Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, Senator, I'm not aware of that. I was obviously not a part of that...compromise or negotiations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, if I may then, let me...address...a comment perhaps and use Senator DeAngelis' name in debate, perhaps he might want to get up and make some kind of statement. It seems to me that there was a...an agreement that was struck last year that indicated that the concessions that were made on both sides that that was it for the Session, that there wouldn't be anything this year and...seems to me that if that's the agreement, that we ought to be standing by that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Along the lines that Senator Demuzio talked about, I would think that Senator DeAngelis would at least partially agree. We worked long and hard to put something together last year that amounted to about a forty million dollar saving for employers in premiums and...and I don't think hurt the working man's right of recovery. We thought it was a...a good package, it was not...jumped on by either side; however, it was our understanding with all the effort that was put in there that we pretty well put workmen's compensation to rest here in...Illinois at least for a year or two. Now, Senator Karpiel, you're not a party to that, I understand that, but that was generally the feeling on both business and labor that let's do it last year and...and labor and management were not that happy with it when we got done, but I thought it was a pretty good deal and I...I think we ought to be

leaving this area alone, at least for this Session.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Karpiel may close.

SENATOR KARPIEL:

Well, first of all, I'd like to set the record straight on a few things. I never ever in committee, was never even asked of me, if this was going to be a vehicle or not. The original bill was not a shell...a shell bill or a vehicle bill, it had to do with disfigurement. I just preferred and think that this is a much more important issue than disfigurement, and since that was the bill I got out, I just, you know, thought I'd use it as a vehicle but it was not intended to be when I got it in committee. Frankly, I never thought I'd get it out of committee. Secondly, as far as any kind of a negotiations between the business and labor last year and making arrangements on workers' comp., I think individual members still have the right to...to introduce legislation in this Assembly, and I happen to feel very strongly that this is an important piece of legislation. As far as the dehumanizing that...one of the Senators...one of the speakers mentioned before, dehumanizing the system, I can't think of anything more dehumanizing than a...than a laborer who is injured at work, as a constituent of mine was, and I'm sure we all have horror stories we can tell, that has been waiting seven years to get a settlement. He has been back and forth to the Industrial Commission, they have lost his papers, his attorney has delayed and delayed, it has gone on and on and on and it's seven years later, he still does not have a settlement, and now his attorney is talking about maybe settling out of court. I think employees that are hurt...we're talking about permanent partial, we're not talking about all the other ramifications, I think that that employee has a right to have a settlement soon and not wait

seven years worrying and wondering what's going on, going downtown, being before the commission, having things delayed. I don't think that's human, to tell you the truth, and so I don't think this is at all dehumanizing. Monday, in Crane's...Chicago Business, maybe some of you saw the article. And I just want to read one sentence from the article and it says, "The lawyers, not the injured workers, are the only ones who benefit from Illinois' adversarial system of settling compensation for injuries incurred in the work place." When workers' comp. was first initiated it was not to be an...adversarial system, it was to be self-executing with a minimum of litigation. It has gotten terribly out of bounds. The Industrial Commission is backed up years and years, I don't know how many arbitrators we could give them to ever get the thing cleared up, and I think this is a good bill, I ask for your support...or this Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel moves the adoption of Amendment No. 1 to Senate Bill 949. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. A roll call has been requested. Those in favor of adopting Amendment No. 1 to Senate Bill 949 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? You're on, Senator Jones. Take the record. On that question, the Ayes are 27, the Nays are 31. The amendment having failed to receive a majority vote is declare lost. For what purpose does Senator Karpiel arise?

SENATOR KARPIEL:

Verify the negative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of...has been requested. Will the members please be in their seats. And will the Secretary please verify the negative roll call.

SECRETARY:

The following voted in the affirmative...or negative, I'm sorry; Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Rupp, Sangmeister, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any question of the negative roll call? Senator Karpiel.

SENATOR KARPIEL:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson is...

SENATOR KARPIEL:

I see him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...in the back.

SENATOR KARPIEL:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco on the Floor? Senator D'Arco. Strike his name.

SENATOR KARPIEL:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones. Senator Jones is on the Republican side.

SENATOR KARPIEL:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Joyce.

SENATOR KARPIEL:

Jeremiah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Jeremiah Joyce. In the back.

SENATOR KARPIEL:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz on the Floor? Senator Marovitz. Senator Marovitz has just returned.

SENATOR KARPIEL:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Chew on the Floor?

SENATOR KARPIEL:

One of these days you're going to vote for one of my bills and we'll do it. That's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, the Ayes are 27, the Nays are 30, none voting Present. Amendment No. 1 having failed to receive a majority is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1153, Senator Barkhausen. Senator...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, just a point of personal privilege. I did not want to enter the debate any further, but for those gentlemen who thought that...those agreements didn't mean the introduction of other...any other bills, they ought to check the Digest and find out about fifteen bills were introduced on workers' comp. including one by a person who spoke in opposition to that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen on 1153. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 is an agreed amendment being offered at the suggestion of the municipal league. This bill deals with joint water action agencies and it's to make it clear that the authorization for general obligation bonding contemplated by this bill is limited to joint water action agencies dealing with Lake Michigan water, and it also adds a technical amendment to make it clear that a municipality within a mile of...of any party to one of these agreements which is attempting to sell water directly as a retailer rather than indirectly as a wholesaler to its residents would have to obtain the approval of such municipality. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 1153. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1160, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What Amendment No. 1 does is in response to the request of I believe it was Kroger Grocery Company was change the number of days before milk has to be

removed from the shelf from ten to fourteen days. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, what's the magic...dating now, we're going from ten days to fourteen days, you know, what point is milk good and what point is it not good, and my dairy wants to...wants...has a question as to why we're doing this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator Demuzio, basically, ten days it was felt was not adequate time for grocery stores to have milk on their shelves or for the milk producers to both produce the milk, get it to the store, and have a date on the milk to get it off the shelf. The fourteen day..out-time for the milk to be removed from the shelf was felt to be a reasonable and, in fact, I think more than reasonable compromise to have the store take the milk off of the shelf or warn a consumer that they shouldn't purchase the milk. So fourteen days is a more lienient industry-oriented amendment as far as the date goes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding they already do this on a voluntary basis and that there are only two dairies in Illinois that are not and those...those are both by bottle. How would you put a date on the bottle?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, I thought this amendment would take care of that problem. I've spoken with Senators Dunn and Watson and I

promised them an amendment to do that. The amendment will put the date on the cap of the bottle, not on the bottle itself, but that amendment apparently has not arrived so I'm...I'm going to have to deal with that in the next two days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, do not the dairies already on a voluntary basis already put the dates on the carton and...and I know that they...if you'll answer that question, and also would you answer the question as to whether or not...what's the time frame now that they're doing it on a voluntary basis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator,...I don't know if you've ever worked in a grocery store, but, yes, some companies do put dates on these milk cartons, but they're...illegible and unless you've worked in a grocery store, you don't know. They're not normal dates, they put on five numbers on the carton and unless you know the code, which is usually the third and fifth number, you can't tell what date to take the milk off the shelf. So compliance may be within each companys' own expertise, not for consumer use. So what this does is it's oriented so that the consumer can tell when the milk should be off the shelf as well as people who work for the grocery store who do not...do not know how to read the code. In addition, if you went downstairs today and purchased some milk in the cafeteria, you would find there would be no date on that milk as well. So the voluntary compliance issue I think is a bogus one. Some do comply, they're mainly in the Chicago area, but the downstate merchants do not have the benefit nor do...do the consumers of those dates being on the milk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well...well, at what point in your judgment is the milk no longer fit for human consumption, is it two weeks?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, some milk is not fit for human consumption when it leaves the cow, I would imagine. I would say that two weeks is the date that...within which the milk should be removed. If it's properly handled by the store, it should be removed by the fourteenth day, then it is no longer suitable for...for purchase...for...we're talking about...not talking about consumption, Senator Demuzio, we're talking about purchase from the store. So you can buy the milk on the fourteenth day...if you want to keep it in your refrigerator for ten days or fourteen days and drink it, that's up to you. This bill does...does not affect that all. It's just that the sale of the milk has to be before that fourteenth day.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, what happens after the fourteenth day, does it go back to the dairy to become milk powder?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I don't know what the dairies do with old milk, I...I really don't. Whatever they do with old milk, I guess they...they do. They take it off the shelves, that's all I know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

While we have a minute here we want to recognize our

former colleague, Senator McMillan, who's...advising Senator Kustra on his vote. Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Will the sponsor yield? I heard my name mentioned and I'd like to ask a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DUNN:

...Senator Welch, I didn't get in on all of your discussion with Senator Demuzio. Does this have to do with the dating of the bottles as well as cartons?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, it does, Senator Dunn. What happened was, I had promised you and Senator Watson I would have an amendment to require the date be on the cap for those industries that use bottled milk. And what happened was, I thought I had the amendment but when I filed it, it was an amendment just changing the date. So, I'm going to try to hold the bill hoping that I get the amendment in time for Friday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to recommend to Senator Welch that occasionally on the milk issue he look at the udder side.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. Senator Welch, I also have a huge dairy in my district and they're concerned about the dating on the bottle, and would you include me in...in reference to that amendment that you have...that you're going to try to move to have the

dating on the bottles on the cap? Is that feasible, can it be done?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, there would be a space either on the side or the top of the cap that a printing machine could print on a date and that would be affixed to the bottle in the normal fashion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, it would be a date and not a code?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, it would be a date legible to a average consumer as far as month and date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

And just for reaffirmation, you're talking about two weeks on that date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, the amendment goes from the ten days currently in the bill to two weeks to be off the shelf of the store.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

And we will have copies of that amendment, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

SB 1321 Recalled

I sure hope so, because I'm still waiting to get it. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1160. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1321, Senator Marovitz. Senator Marovitz on the Floor? On the Order of Senate...all right. All right. On the Order of Senate Bills 2nd Reading is Senate Bill 1321, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the only amendment, is that correct, Mr. Secretary?

SECRETARY:

Right.

SENATOR MAROVITZ:

Amendment No. 1 to Senate Bill 1321 creates a demonstration project for a hundred and fifty schools in Chicago and an option for fifty downstate schools. It totally deletes the funding section, so there's no funding whatsoever in this bill. Changes the effective date to January 1st, 1986, it eliminates any provision releasing children from school for planning sessions for the teachers, it eliminates that totally so children will not be released from school and it...adds some clean-up language. I would ask for the adop-

SB 1352 Recalled

tion of Amendment No. 1 to Senate Bill 1321.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion?...Senator Marovitz has moved the...adoption of Amendment No. 1 to Senate Bill 1321. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No.1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1346, Senator Welch. Senator Welch. 1352, Senator Dawson. On the Order of Senate Bills 2nd Reading is...Senate Bill 1352, Mr. Secretary, read the bill.

END OF REEL

REEL #2

SECRETARY:

Amendment No. 1 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This is a very simple amendment. Actually what it does, it cracks some wording in this piece of legislation and it adds day-care centers to the bill. Our concern was that this bill would affect even a person that might have one or two children in their home and...and by adding day-care centers and...and what day-care centers are clarified as, this would make this bill a...a better bill. So, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Dawson.

SENATOR DAWSON:

I also ask for the adoption of this amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey has moved the adoption of Amendment No. 1 to Senate Bill 1352. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1404, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1404, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 4 to 1404 is...is simply a technical clean-up amendment to...to correct some misspelled words and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hudson.

SENATOR HUDSON:

What Senator Collins has said is absolutely correct. This is a clean-up amendment and I'm happy...occasionally, you see we do get together and would urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 1404. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1408, Senator Collins. On the Order of Senate Bills 2nd Reading is Senate Bill 1408. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 3 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 3 to Senate Bill 1408 is also a technical clean-up...amendment to correct some misspelled words in

SB 171 Recalled

Enrolling and Engrossing, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator...any discussion? Senator Collins has moved the adoption of Amendment No. 3 to Senate Bill 1408. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, Senator Netsch is now on the Floor. We'll return to the Order of...of Recalls, Senate Bill 171. When we left, 171 was on the Order of 2nd Reading, we had adopted...we adopted Amendment No. 2. Mr. Secretary,...we have adopted Amendment No. 2.

SECRETARY:

Amendment No. 3 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank...thank you. Amendment No. 3, as I think I had started to explain, eliminates Section 8 which required that Inaugural Committees be subject to various reporting and restriction provisions. The Governor had objected to that in his Veto Message and I concede it is not a critical part of the pattern, so I'm eliminating any coverage of the Act with respect to Inaugural Committees. I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. We have had a chance to look over all of Senator...Netsch's amendments and...rather than

take the time of the Body when we have so much to do on the Calendar, I'm just going to rise at this time and say that, you know, I'm not going to oppose these amendments. I think the sponsor has a right to get the bill in the order in which she wants it, particularly in view of the fact that we believe that these amendments make a bad bill better. So, with that in mind, I think the Senator can just go ahead and explain all of the rest of her amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch. Senator Netsch moves the adoption of Amendment No. 3 to Senate Bill 171. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 4 deals with the...what is most commonly referred to as expenses of exploratory committees, that is expenses that are incurred by a candidate before that candidate becomes truly a candidate. The...it was suggested to us by some of the election people that that was a little bit fuzzy and so we have provided that the various restrictions in reporting requirements do not begin to become effective until the date on which the candidate or candidates file their petitions with the State Board of Elections. I think it makes it clearer than the time period from which the restrictions apply. I would move the adoption of Amendment No. 4 to Senate Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Netsch has moved the adoption of Amendment No. 4 to Senate Bill 171. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 5 is...is really quite important and I would particularly, at least when we get to 3rd reading, call the attention of Senator Geo-Karis and others to it. A...an objection that some people have made to the partial public financing campaign bill is that if there were not adequate funds in the Trust Fund in the State...that the State creates for matching, that we would then dip into the General Revenue Fund to make up any deficit and some people have said that they thought that was not appropriate. Although I have no objection to it, I am convinced that the system will work well enough that I am proposing an amendment that would prohibit that and say, in effect, if there is not adequate money in the Gubernatorial Campaign Fund in the State Treasury at the time that the matching funds are to be paid out that whatever is there will be prorated equitably among all of the candidates, so there is no possible use of general revenue funds when this amendment is adopted. I would move the adoption of Amendment No. 5 to Senate Bill 171.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Hearing none, the...question is, Senator Netsch has moved the adoption of Amendment No. 5 to Senate Bill 171. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We will now proceed to Senate bills 2nd reading. Leave of the...of the Body, we'll go to that order of business. Leave is granted. On the Order of Senate Bills 2nd Reading...Senator D'Arco on the Floor? Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

On 3rd reading, I had filed an amendment and I've...for some reason it didn't get on the list. That's Senate Bill 1029.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There are several of those that the Secretary has and I am informed by the President that we will put those on the Order of Recall for tomorrow.

SENATOR LEMKE:

That means, the bill...if the bill is called tomorrow in that series, we'll probably be ten hundred where the bill won't be able to be called because we have amendment put on it that day under our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, I would suggest to you that you talk with the President. By the time we get there, perhaps you could have it resolved. Senator D'Arco on the Floor? All right, Senate Bill 368, Senator Jerome Joyce. Page 2. 368. 380, Senator Kustra. Senator Kustra on the Floor? All right, Senator Rock has sought leave of the Body to get back to Senate Bill 525. Is leave granted? Leave is granted. Senate Bill 624, Senator DeAngelis. Senator DeAngelis, do you wish to have that bill called on 2nd reading? 624? Senator DeAngelis.

SENATOR DeANGELIS:

I would like to have the bill Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis moves to Table Senate Bill 624. Those in favor signify by saying Aye. Opposed Nay. The Ayes have

it. The motion is carried...Senate Bill 624 is Tabled. 722, Senator Berman. Senator Berman on the Floor? Senator Kustra. Top of page 3 is Senate Bill 734, Senator Etheredge. Senator Etheredge on the Floor? 848, Senator Dudycz. Senator Dudycz on the Floor?...987, Senator Jerome Joyce. Senator Joyce on the Floor? 1031 is a hold. 1161, Senator Welch. 1222, Senator Jones. 1308, Senator Philip. 1308, middle of page 3. Do you wish to have that bill called? You wish to have it called? On the Order of Senate Bills 2nd Reading, Senate Bill 1308, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1308.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Believe it or not, it's an agreed amendment. Senator Lechowicz and I are the cosponsors. It's agreed by the cable TV, the railroad, the public utilities and, basically, what it does, it allows the public utilities and the cable TV and the railroads to negotiate when they...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator...Senator Philip...Senator Philip, may I interrupt you for a moment. There is a committee amendment that needs to be adopted. Are...are you talking on the committee amendment? Senator Philip.

SENATOR PHILIP:

Yeah, excuse me, I...I move the adoption of Committee...Committee Amendment No. 1. It's merely a technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Philip has moved the adoption of Committee Amendment No. 1 to Senate Bill 1308. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Philip and Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President. Once again, everybody involved has agreed to this amendment. Basically, what it'll let happen, it allows cable TV to negotiate with public utilities and railroads in regards to using their right of way. If they cannot come to an agreement, they would end up before the Illinois Commerce Commission. Also forces them to post notice where they're going to put the lines, et cetera, et cetera. As I say, it's agreed to by everybody involved. Be happy to answer any questions. Move the adoption of Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Philip has moved the adoption of Amendment No. 2 to Senate Bill 1308. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1358. 1389, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 1389. Mr.

SB 1389 2nd reading

Secretary, read the bill. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to introduce to the Senate the current events class, which is the new name for government class...when I was in high school, from the Hillsboro High School, all seniors and who will all be voting public members...have reached the age eighteen by the election in 1986 and their teacher, Sandra Allen, from Hillsboro.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests in the gallery please rise. Welcome to Springfield. 1389, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1389.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, my Amendment No. 1 to this multicounty grand jury bill, which in its present status, I think, is very loose, provides as follows; that the Attorney General cannot go in to a county to ask for...the convening of a grand jury unless he first requests the State's attorney in that county where

the...Statewide grand jury is...is to be convened to investigate and...present evidence to a grand jury, and if the State's attorney then refuses to do so, a failure by the State's attorney to act within forty-five days upon the request of the Attorney General shall be deemed to be a refusal. I think that this is a good amendment because it certainly tightens up the bill. I don't feel the Attorney General should go into a county and to have a judge convene a...a multicounty grand jury without first finding out whether the State's attorney of that county is willing to do so, and I move for the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, first, I have a parliamentary inquiry. I would ask that the Chair look at this amendment. I don't think it makes sense, so I don't think there's any reason to adopt it because I call the Chair's attention to line 11...call the Chair's attention to line 11 on the amendment, Section 4, which says, "The presiding judge of a Statewide and jury." Now that wording doesn't even make sense and I don't think we should be even getting into the merits of an amendment that is not properly worded.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister, it is not the prerogative of...of the Chair to indicate whether or not amendments make sense or not. It is the ruling of the Chair that...well,...although it may be ungrammatical that it is...it is not technically correct...incorrect in form. So, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...of the Senate, I move the passage of the...this amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, just...just a moment. We're on...I...I didn't know

you...you were going to have a closing statement here. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, obviously, the Chair doesn't rule as to whether the amendment is in good form or not, but this is an obvious grammatical error in the amendment; and to adopt something that is an obvious error, even to the Chair, I don't think makes a lot of sense, and I think it is the Chair's prerogative to not have this Assembly vote on an amendment that has an obvious error on its face. I don't know if this is the first time we've been faced with this or not, but you tell me how Section 4 of this amendment makes any sense and yet we're asking this Assembly to adopt it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I will be delighted to call upon Senator Geo-Karis for that explanation. Senator Geo-Karis.

SENATOR GEO-KARIS:

The main amendment is...just from line 2 to line 10. If it'll make you feel any better, I would be very happy to amend Section 4 on the face of this amendment where it says, "and jury" and make it "grand jury," GR right in front of the AND, on its face. Certainly that should not invalidate the main amendment and my colleague on the other side knows exactly what I'm talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if she wants to take this amendment out of the record and get it in shape, then that's her prerogrative to do that, but...I don't know, is she offering to amend it on the face? What are we doing with this thing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it seems to me that, Senator Geo-Karis, for the edification of everyone that you ought to take this out of

the record and we can have leave to come back to it in a few minutes. Senator Geo-Karis.

SENATOR GEO-KARIS:

If Mr. Sangmeister will give...we'll take it out of the record and give me leave to bring back my amendment, the correct form, I'll be very...very happy to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not willing to do that for the simple reason we're at a stage of the proceedings now where it's Wednesday and we're on 2nd readings, and I...you know, I want to move this bill ahead and...there's no way that I can know that we're going to get to this. We finally reached this on 2nd reading and I want to move the bill. I can't help it that her amendment is not in order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, my amendment is in order and his contention is on the last line of the second paragraph which is not the bulk of my amendment, and I would certainly withdraw...if I were in his shoes, I'd certainly bring back...or I would call the bill and bring it back if the tables were turned. I'm rather surprised he won't give me the courtesy of doing that because...it won't take me more than ten, fifteen minutes to get it corrected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

...I can have the correction made within ten minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I call that to your attention. I think it's rather ludicrous that we go ahead on amendments that have obvious errors in them, but in response to the merits of this amendment, this is nothing more than an effort to gut the bill is all it amounts to. The bill specifically refers to the fact that there's to be consultation with the State's attorney in his...nobody's trying to go around the State's attorneys. I'd be the last one that would want to do that, but this one puts it in...right back into the complete hands of the State's attorney and takes all authority away from the Attorney General, that's not the theory of the bill, and I urge everyone to vote No on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in response to the prior speaker, his bill is completely loose about it. My amendment specifically states that if the State's attorney does not act within forty-five days, then that request shall be deemed to be a refusal and that permits the Attorney General to go right in. I move the passage of this amendment because I do not feel we should have a loose multicounty grand jury system, and all this bill...this amendment does is try to tighten it up to make it better.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 1389. Those in favor signify by saying Aye. Opposed Nay. Opinion of the Chair, the Nays have it. Senator Geo-Karis has requested a roll call. Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 1389. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are...the Ayes are 30, the Nays are 28, none voting Present. Senate Amendment No. 1 is adopted. Senator Sangmeister.

SENATOR SANGMEISTER:

Verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, there's been a request for a verification of the affirmative roll. Mr. Secretary, will you read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Bloom, Coffey, Darrow, Davidson, DeAngelis, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Karpiel, Keats, Kustra, Lemke, Macdonald, Mahar, Maitland, Nedza, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister, do you question the presence of any of the affirmative? Senator Sangmeister.

SENATOR SANGMEISTER:

Okay. Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue is on the Floor.

SENATOR SANGMEISTER:

All right. Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow on the Floor? Senator Darrow. Strike his name.

SENATOR SANGMEISTER:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats on the Floor? Senator Keats is right here in front.

SENATOR SANGMEISTER:

Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke is on the Floor.

SENATOR SANGMEISTER:

Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey. Senator Coffey on the Floor? Senator Coffey on the Floor? Strike his name. All right, Senator Coffey is on the Floor. Restore his name.

SENATOR SANGMEISTER:

Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza on the Floor? Senator Nedza is right behind you.

SENATOR SANGMEISTER:

How about Senator Friedland, is he around?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland is in his seat.

SENATOR SANGMEISTER:

Oh, there he is. Yeah, Weaver is back there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister, do you question the presence of any of the other affirmative members?

SENATOR SANGMEISTER:

How about Senator Kustra?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on the Floor? Senator Kustra is back on the Republican side.

SENATOR SANGMEISTER:

Okay, that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary, 29 Ayes, 28 Nays, none voting Present...Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, again, we're trying to tighten up this bill. Amendment No. 2 says as follows, "That...the judge who's going to be convening a multicounty grand jury must be...must convene the grand jury in the county in which the alleged offense was committed or in the county directly adjacent to said county." I might tell you then that the...the bill the way it is written now, a judge could convene a multicounty grand jury in Carbondale, Illinois for an offense committed in Chicago. Now that is wrong. I am asking that...you support my amendment which says that if a judge is going to convene a multicounty grand jury, he's got to either convene it in the county where the alleged offense takes place or in a county directly adjacent to such county, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 2 to Senate Bill 1389. Any discussion? Those in favor...no discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senators Philip and Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip. Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Geo-Karis will handle that wonderful amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 3 says...adds after the period on line 1 on page 3, "A grand jury may be called and seated in any county having a population of more than one million inhabitants; however, the procedures to be followed must be the same procedures as of...for grand juries in counties having not more than a million inhabitants except as otherwise provided in this Act." Let me tell you, ladies and gentlemen, if you look at the bill on page 3, in line 1...let's see, page 3, let's see...I'm sorry,...start looking at page 2, Section 5...Section 5 in the bill says, "The Statewide grand jury shall be called and shall sit at such times and for such periods and subject to the same procedures as grand juries in counties having not more than one million inhabitants." Well, ladies and gentlemen, by inference and implication this bill excludes Cook County but it penalizes a hundred and one other counties by saying that a Statewide grand jury can be convened in a hundred and one other counties and, therefore, I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 3 to Senate Bill 1389. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1392, Senator D'Arco. 1402, Senator Collins. Senator Collins, 1402? On the Order of Senate Bills 2nd Reading is Senate Bill 1402, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1402 had a 2nd reading on 5-21-85 and Amend-

ment No. 1 was Tabled. Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 simply changed the administration of the Vocational and Professional Training Enterprise Centers to the...the local...the...the Junior College Board instead of the State Board of Education. It has some clarifying language and some definitions, cleared up some technical errors in the...in the other amendment, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1402. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1414, Senator Kustra. On the Order of Senate Bills 2nd Reading is Senate Bill 1414. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1414.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Reorganization of State Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I believe Senator Poshard wants the attention of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I would like to Table Amendment No. 1 to that bill...Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard has moved to Table Committee Amendment No. 1 to Senate Bill 1414. Those in favor signify by...Senator...Senator Fawell, there is...there's no discussion on the Table. Perhaps we could ask Senator Poshard to...to...Senator Fawell.

SENATOR FAWELL:

All I wanted to know is, you know, what...what are we Tabling and why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. We're Tabling Committee Amendment No. 1. It takes Fort Massac, the fort itself, out of the Department of Conservation and puts it into the new Department of Historic Sites and Preservation. We've worked very closely with the Department of Conservation on this issue now. I think it's been resolved and I wish to Table the amendment to leave the fort in the park as it presently exists.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Poshard has moved to Table Amendment No. 1 to Senate Bill 1414. Senator Fawell, there's no discussion on the motion to Table. Those in favor of Tabling Committee Amendment No. 1 indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard, before we...let' me interrupt you. Bob Ray of Channel 5 News has requested permission to shoot videotape from the gallery. Is leave granted? Hearing no objections, leave is granted. Senator Poshard.

SENATOR POSHARD:

...thank you, Mr. President. I wish to withdraw Amendment No. 2. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard seeks leave to withdraw Amendment No. 2. Is leave granted? Leave is granted. Amendment is...No. 2 is withdrawn. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow. Senator Darrow on the Floor? Senator Darrow on the Floor? All right, with...with leave of the Body, is there leave to have Senator Kustra handle the amendment for Senator Darrow? Is leave granted? Leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is a technical amendment which has been agreed to by both sides of the aisle and it adds the Postville Courthouse, Governor Horner's State Memorial and Lincoln Trail Homestead State Memorial to the bill. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra, there seems to be some confusion, Senator Darrow is not on the Floor. I...why don't we just take this out of the record till we...till..to clear it with him?

SENATOR KUSTRA:

Mr...Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

...would it be okay to move it with the condition that I'll recall it if...at such time it's necessary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's...that...that's fine. Well, we can proceed with that.

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1426, Senator Zito. 1428, Senator Sangmeister. On the Order of Senate Bills 2nd Reading, top of page 4, Senate Bill 1428. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1428.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This amendment amends that section of the Criminal Code pertaining to the aggravating circumstances needed in the death penalty.

SB 1444 2nd reading

A recent Supreme Court decision, People versus Lyles, held that under that section where you can be put to death because of multiple murders that if you committed one of the murders while you were a juvenile under the age of eighteen that that couldn't be considered as a earlier murder to qualify for the death penalty. What this does...what this amendment does is state that whether you were...even though you were under the age of eighteen when you committed the first murder, that it would qualify as the...as the...as a...as a murder in the chain of events, and I ask for a favorable adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister has moved the adoption of Amendment No. 1 to Senate Bill 1428. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1444, Senator Jerome Joyce. On the Order of Senate Bills 2nd Reading is Senate Bill 1444, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1444.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

SB 293 2nd Reading

Yes, thank you, Mr. President. There is a Floor amendment but I would...I'm going to move this and bring it back if it's agreeable. It was supposed to be an agreed amendment...that was the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will...any member that has a bill on 2nd reading that wishes to have it called, now is the time. Senator...we'll go right down the list. Oh, Senator D'Arco on 15...Senate Bill 15.

SENATOR D'ARCO:

Excuse me. Hold 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 293.

SENATOR D'ARCO:

Yeah, let's go with Senate Bill 293.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...on the Order of Senate Bills 2nd Reading is Senate Bill 293. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 293.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 is an amendment that has been created after long and arduous discussions concerning the...recodification of the Funeral Directors Act. The...we couldn't agree on everything and I think that I

should say from the outset. What we did agree upon...the various groups involved, the cemeterians and the funeral directors and whatever other...factions were involved, what we did agree upon was that anyone, and I want to emphasize this, anyone, that means an individual, a partnership, a corporation, a trust, anyone can own a funeral home. In the original bill, there was a prohibition and the prohibition said that only funeral directors can own and operate a funeral home and that really upset many, many legislators, and we came to the consensus that we should remove the prohibition that said that only funeral directors can own funeral homes and provide in the law that anyone can own a funeral home. That does not mean that anyone can operate or manage or direct the operations of a funeral home. What the bill says is that only a funeral director can operate, manage, direct the operations of a funeral home, and any unlicensed person must work under the supervision of a funeral director. So, we are in a posture now where a businessman can own a funeral home as long as a licensed funeral director is on the premises and is operating that funeral home. The other area of concern, and in this area I must admit there is disagreement between the parties, and this is the area of what kinds of solicitation are to be allowed in this business of funeral directing, and the amendment provides that all kinds of solicitation will be allowed except door-to-door solicitation or telephone solicitation. Now that's where the disagreement arises, because some parties want to be able to pick up the telephone and use a telephone directory and call at random people to solicit business for providing funeral services. We felt that this was not proper in the business because of its unique character and we provided that that type of solicitation should be prohibited. Other than that, all kinds of solicitation are prohibited. Direct mailings are...are not prohibited, offerings through public educa-

tional programs are not prohibited, explaining or discussing funerals are not prohibited. The only prohibition is against door-to-door and telephone solicitation. Ladies and gentlemen, this amendment comes after long discussions with the various parties involved and I must admit to you, I wish we could have...have accommodated everyone concerned, and believe me, we tried our best to do just that; but I think it's a good amendment, it's a compromise amendment, it addresses all of the questions and it's going to be good for the industry as a whole, and I ask for a favorable vote on the adoption of Amendment No. 1 to Senate Bill 293.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? We have Senators Vadalabene, Rupp and Jones. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator D'Arco, you didn't mention any prohibition on radio, newspapers or T.V...is that permissive?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yes, it would be. Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

They would not be prohibited from advertising in...those three news medias?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, they would not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes. You also said that anyone could own a funeral home

as long as they were licensed, and I didn't recall you saying a relative or a son or a wife or a daughter, someone within the family. Could...would they be included in being able to own a funeral home?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, I...I...that was the original point that we're trying to make that...let's say that the funeral director owns the home and he dies, let's say. So, the question then becomes, can his widow own the home or can his son or daughter own the home if they don't have a funeral director's licenses? And we said, yes, they can own the home. There's no reason why they can't own the home just because they don't have a funeral director's license and they should be able to own the home and this bill says, yes, they can own the home.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes,...those answered the questions that are important in my district and I thank Senator D'Arco for those answers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I rise to oppose this amendment and let me tell you why. Senate Bill 293 would not even be on the Calendar today had not we agreed to place this bill out...out of committee and for both parties to sit down and work out their differences. The sponsor agreed that we would sit down with both parties and work out the differences they had as it relates to the funeral home...industry and the cemetery individuals. We did sit down many, many, many hours and we agreed on several points; however, the sponsor of the amendment has chose to

place things in this bill that were not included in the agreement, that were not included with the members of the committee who let this bill out on 2nd reading. The sponsor has included in there that requires licenses to offer funeral services for sale, allows advertising through direct mail or through public educational programs and prohibits unrequested door-to-door or telephone solicitation. These were all items of negotiation. That was the condition for which this bill now appears on 2nd reading. Persons sat down many hours and as chairman of that committee, the bill would not have saw the day of light if the individuals had not agreed to work out the differences, and now we have added in this bill language that was not agreed to by...neither side. He has pre-need language in this bill which was not agreed to. So, I urge both members on both sides of the aisle to vote this amendment down, and those parts of the bill that were agreed to by both parties are contained in Amendment No. 2. That is the only portion that deals with...deals with the agreement between both parties who wanted to sit down and work out their differences, but portions of this amendment was not talked to with the funeral directors, it was not talked with as far as the cemetery folks are concerned. This amendment should be defeated and we should adopt only those portions that both parties agreed to and that would be the bill that we would send to the House. So, I urge you on this side of the aisle and on that side of the aisle to join with me to defeat Amendment No. 1 and we will adopt Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I join the chairman in his opposition to this amendment. I wish we had had a chance to vote on No. 2 before we talked to this one, but the thing that has brought up the problem is the fact...and the best

example that I feel is that if...I could own a cemetery, I could go in and buy a cemetery and if there were an office building on that cemetery, which is normal, then I could rent part of that office out, I have extra space. So, I rent part of it to a funeral director, part of it to a lawyer and part of it to a dentist. Now, that's perfectly all right...perfectly all right, and I don't believe though that if some lady should bring her boy in during the noon hour when the dentist is there...is not there, that I say to her bring him in, I'll take care of him. I am not licensed to drill teeth. Neither would I be licensed to...to handle somebody's request for a will; I might be able to draw it up, but I'm not permitted to do it. Neither would I be permitted to handle a funeral director's job and that basically is what we're trying to do. We've worked diligently on this and we do feel that the agreement that was reached to is in Amendment No. 2 rather than Amendment 1, so I ask for defeat of Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. Let me indicate to you what I think happened in committee. There seems to be some disagreement about that. The one issue, I believe, that everybody agreed on in committee, that the consensus was formed upon, was the issue of who can own a funeral home. There was no such indication that when we passed a bill out of the committee that everybody was going to agree on every point in the bill before the bill would be moved to 3rd reading. No one said that to me and if someone had said that to me, I would have said, no, I want a roll call on the bill as it was presented with the ownership agreement in the amendment. I have a reputation for keeping my word in this

Body, and I have always attempted to do that with each one of my colleagues, and to suggest that I am underhandedly trying to put through an amendment that goes against an agreement is absolutely incorrect and I never have done that and I never will do that. I am told that the Catholic Church has some reservations about this amendment because there is a feeling that priests would not be able to perform bereavements pertaining to funeral services. That is not my...that is not in the bill, number one, and any concern that the Catholic Church has is my concern as well, and whatever they feel must be done to accommodate their concerns, I will do that and I expressed that to the lobbyist from the archdiocese yesterday on the Senate Floor. So, we are at the point, ladies and gentlemen, I think, where we have an amendment that I tried to accommodate everybody's concerns. I think we did a good job in putting it together and there is no reason why we shouldn't vote this amendment and the bill on 3rd reading and send it to the House of Representatives. Ladies and gentlemen, I ask you to adopt Amendment No. 1 to Senate Bill 293.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 293. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. A roll call has been requested...Senator Jones, joined by five others. Those who wish to adopt Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take...take the record. On that, the Yeas are 34, the Nays are 9, 2 voting Present. Amendment No. 1 to Senate Bill 293 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Jones, Topinka and Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. These...Amendment No. 2 deals with those portions of this bill that were agreed to by both parties. It will delete the portion as it relate to door-to-door or telephone solicitation. And as I indicated in my remarks to...to Senate...Amendment No. 1 to this bill, it was my understanding and not to impune the integrity of the sponsor of the bill or the sponsor of the amendment because I know he's a person that keeps his word so I'm not to impune his...integrity. However, for him to place in the bill that portion that deals with pre-need which was discussed in committee, which was agreed to by both parties to sit down and work out and both parties never came to a conclusion on that, it indicates to me that this is being placed in the bill in favor of one group against the other, and I say this to each; and every one of you, especially those on this side of the aisle who happen to be in the majority, if you're going to have a committee system and if you're going to let bills out based on...certain conditions, then, in the future, I don't think we should let any bill out of...out of a committee and have that bill changed or so altered where it does not fit with the agreement of the...the understanding of the members of the committee. So, I move for the adoption of Amendment No. 2, and Amendment No. 2 is the amendment that both parties agreed to and is the only amendment that should be on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I will be in agreement with the chairman of the

Insurance Committee and also the previous remarks from the previous amendment for our spokesman, Senator Rupp. We spent many hours on this bill, and this does not in any way impune the sponsor of this bill on the amount of work he put into it, 'cause everybody did, indeed, put those hours in. The last comments that we heard from the parties that were involved was the agreement on, basically, ownership of funeral homes and it was a very well put together agreement. It defined who was involved here, what services they would perform, what their duties would be. Everything after that was struck and no one could agree to; at best, it was just played with, toyed with and left in that direction. I think for the amount of hours that everybody has put into this bill, Amendment No. 2 is what reflects as the outcome of those meetings. Amendment No. 1, at best, went far and beyond those agreements and it...and I find it very troublesome that it goes beyond what was discussed and what was agreed to because it does, in fact, have the...the impact of pushing through something that I don't think people agreed to and it does show a sign of bad faith, and so I would leave it on that point and hope for a positive vote on Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senator Jones indicated that this amendment reflects the agreement that was arrived at between the parties. Well, you know, that's why we're having this disagreement on the Senate Floor because the parties could not agree about a particular provision in this bill regarding telephone solicitation. I mean, that is the nexus of the problem. Now the point is, this amendment would...would undo everything we did in Amendment No. 1. If we adopt this amendment, then the bill becomes totally

unworkable and there really will be no reason to proceed with the bill as presented to this Body in its original form. Ladies and gentlemen, we all worked hard and long on this bill and believe me, we all tried, we really did, to accommodate everybody's concerns. Unfortunately, nobody got a hundred percent of what they were looking for. The funeral directors wanted a provision that said that only they can own funeral homes and I vehemently opposed that provision and said, no, we cannot do that. It's not fair to the other parties' interest in this bill, but we've got...we've to come to some kind of an accommodation at some...at some time and that's what Amendment No. 1 does and that's what Amendment No. 2 tries to undo. Ladies and gentlemen, I oppose Amendment No. 2 and ask your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

One of the arguments in committee centered on...as I recall it, centered on the question of trust funds for funerals that were sold and...by the cemetery people primarily, and the fact that there was no requirement that...or there was not adequate requirement that those funds be trusted. Do you deal with that issue in your amendment? Does Amendment No. 1 deal with that issue and are there differences between the amendments on that issue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

On that issue, and that was one of the issues that was resolved in the meetings and both amendments deal with issue

on...on the same basis, so that is resolved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

I...I think that really answers my question. As to who kept what agreement, I'm not sure because the agreement was...was pretty sketchy at best in committee. The...apparently what is being taken way from the cemetery operators by Amendment No. 1 is the right to solicit funerals and the sale of funeral merchandise by telephone, and I have no problem with that, but I think everybody ought to understand that, basically, apparently is the difference here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate...Amendment No. 2 does do something. It resolved the ownership issue as it relate to who could own a funeral home, but what it does...also what the amendment does is...is delete prohibitions against unlicensed persons selling funeral services. Now, the bill with...Amendment No. 1 will automatically be in violation of the FDC. There is no way that you can prohibit individuals from selling you a casket, that is wrong, so the...the employees would go to court and knock it out. Why that is thrown in there by the sponsor, I don't know, but these were the issues that we worked on collectively to...to resolve the issue. The amendment does not undo anything. What it does is...have an agreement...between both parties and resolve the ownership issue. It...it resolved the trust issue as it relates to persons. Also, it resolved the issue as to what can be done by persons who are employed in a funeral home. So, I urge the adoption of Amendment No. 2 to Senate Bill 293.

SB 325 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones moves the adoption of Amendment No. 2 to Senate Bill 293. Those in favor indicate by saying Aye. Those opposed. The Ayes...the Noes...the Noes prevailed. The amendment is lost. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. No...what's...Senator Jones has indicated that he wishes a roll call. He's joined by five other Senators. On the adoption of Senate...of Amendment No. 2 to Senate Bill 293, those in favor of adopting will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. The Ayes are 13, the Nays are 27, only 1 voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 325, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 325.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any...any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Ladies...and Gentlemen of the Senate, I don't know if you've been reading about the AIDS...AIDS problem in the United States, but it's...it's a very serious problem and it affects not just homosexuals but it affects every segment of our society. Now originally this bill was to appropriate a million dollars to the University of Illinois for research to try to isolate the virus and cure the disease. It's my understanding and I've been told by the Governor's Office that the Federal Government is forwarding a grant of a million dollars to the State of Illinois to conduct research in this area. So, what the amendment does is really codify that procedure into the law so this money will be used for the purposes of curing this horrendous disease. Ladies and gentlemen, I move to adopt Amendment No. 1 to Senate Bill 325.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

Senator Marovitz asked what it does, so, I'll...I'll read it for him. "To conduct a public information campaign for physicians, hospitals, public health departments and the general public on AIDS and promote necessary measures to reduce the mortality from AIDS. This shall include but not limited to the establishment of a Statewide hot line." That's what this money will be used for and there's no question that we've got to eradicate this thing before it gets...it affects almost everyone. Thank you. I don't mean it that way, you know...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This is a very important amendment. It is a...it is a difficult problem. I've talked to the Department of Public Health and Dr.

Turnoc. There is a...about eight hundred thousand dollars coming to us. The money is going to be used for education and counseling. There's an awful lot of suicides that can be prevented if people were just educated as to the problem and to recourses. I...I think this is...is vital. It is a problem that has escalated. Hopefully, we'll find a cure for it soon and I would ask for everybody's support for Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 325. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 368, Senator Joyce. Senate Bill...380, Senator Kustra. Senate Bill 381, Kustra. Senate Bill 382, Kustra. Read the bill, Mr Secretary.

END OF REEL

REEL #3

SECRETARY:

(Machine cutoff)...Bill 382.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is an effective date amendment. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 382. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Basically, the one thing this amendment does is take the provisions of Senate Bill 380 and 381 and put them in 382. So 382 deals with the whole problem of special education reimbursement. The purpose of the amendment is to reduce the original professional worker reimbursement from eleven thousand dollars to nine thousand

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dollars and to reduce the noncertified special education worker reimbursement from four thousand five hundred dollars to three thousand dollars, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kustra moves the adoption of Amendment No. 2 to Senate Bill 382. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 525, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 525.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SECRETARY:

It's the one, Senator Bloom, you have A on.

SENATOR BLOOM:

Yes. Thank you, Mr. President and fellow Senators. This bill...the bill in chief is a proposal for regional interstate banking within the midwest. This first amendment I offer does three things. First, it affords those banks outside of the territory of Illinois, Wisconsin, Iowa, Missouri, Kentucky, Indiana and Michigan. It adds Minnesota and Ohio to the midwest region within which interstate banking would

be allowed and I do it for two reasons. One, to make it truly a midwest region and, two, it...I'm informed that Missouri and Iowa are not going to change their public policy to allow any kind of reciprocal interstate banking. Second thing is...in this amendment is to afford those banks outside of the region in two years who wish to get into national interstate banking, to both buy and sell, they could do that within the County of Cook. I'm informed that there is no particular interest in acquiring or being acquired by banks in communities outside of the Cook County area. And the third portion of this amendment basically says to those banks who wish to purchase banks in our State, if you're coming into our State, when you apply to acquire an Illinois bank or bank holding company, you must tell how the transaction will bring net new funds to Illinois, and sets out in the application that those banks who wish to do business in our State...they'll discuss their capital investments, loan policies. They'll specifically address steps that they will take to meet the credit needs of individuals and small businesses in the communities affected by the transaction and they'll update it for each year. Those are the three elements of this first amendment. I'll try and answer any questions; otherwise, I'd seek your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 525 as introduced, and I will subsequently have two additional amendments, provides for regional interstate banking. It is admittedly a small step but nonetheless I think a very progressive step. I rise in opposition to Senator Bloom's amendment. We have discussed this at some great length. Senator Bloom's amendment would provide for, after a period of time, wide-open interstate. This

would afford, for instance, the banks in New York to acquire banks in Illinois. I just don't think we're ready for this. There is an interstate...wide-open interstate bill pending in the House which I understand will not meet with any favorable approval. I think it's absolutely essential for the economy of this State that we, along with our contiguous neighbors...and that's another objection I have to this bill, Senator Bloom would include Minnesota and Ohio. I don't know for instance why we would want to get involved with Ohio in any event, but they are certainly not contiguous states and I think for that reason that they should not be included, and that's another reason to oppose Amendment No. 1, and to limit any interstate to Cook County only, in my view...there is no reciprocity there really for banks outside of Cook County vis-a-vis the rest of the world. I don't know why we're trying to do that but, in any event, I think Senate Bill 525 is extremely important. This amendment will serve not to help it but to hurt it, and for that reason, I oppose Amendment No. 1 and ask that it be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Bloom may close.

SENATOR BLOOM:

Well, very briefly, in response I would...I would say that this amendment affords the opportunity for those banks outside of the midwest region to at least engage in reciprocal interstate banking. Remember, the bill in chief says, you can't come into our State unless we can come into your state within the most populous county in the...State, and the second point I would make would be that it seems if we are going to go to regional banking, we should truly have a midwest region. For that reason, I...I'd urge support and seek a favorable roll call. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom moves the adoption of Amendment No. 1 to Senate Bill 525. Those in favor indicate by saying Aye. Those opposed. The Nays...the Nays carry. The amendment is defeated. Are there further amendments?

SECRETARY:

Amendment No. 2, by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

All right. Thank you, very much, Mr. President and fellow Senators. Now this amendment, and I think that it's an important amendment, is the portion that says, if a bank is going to come into our State, if they want to do business in Illinois, if they're going to come into our communities that they must file with their application when they want to take over bank holding companies or banks in...Illinois based banks and banks' holding...holding companies, they must with their application say how they...this transaction...how they're taking over our banks will bring net new funds into Illinois. I believe that it is important for our communities to be included in this process, and the application tells these banks from outside our State, if you're coming into our State, by gum, you better tell us your loan policies, your general plan of business, how you are going to meet the credit needs of individuals and small businesses in the communities affected by the transaction and that you update this on an annual basis. I think that this amendment is very important to this piece of legislation and I'd seek support. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. On this particular amendment when Senator Rock and I originally discussed it, we had no

trouble with the philosophy, in fact, were at one time considering accepting it. From a practical point of view, the amendment does not work that well. Senator Rock will shortly be offering an amendment that probably is much easier to deal with and specifically deals with the Community Reinvestment Act of 1977 and the provisions...within it. I have no philosophic differences with Senator Bloom's amendment. I think practically the amendment that Senator Rock will have in a couple of minutes is probably more workable though.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise, again, in opposition to Amendment No. 2 and I am not opposed to the philosophy expressed in the amendment only to its form. I will shortly offer Amendment No. 3 which in fact calls on the applicant to provide adequate and appropriate services including services contemplated by the Federal Community Reinvestment Act of 1977. I suggested to Senator Bloom, in my judgment, Amendment No. 3 will accomplish the purpose he seeks to accomplish but does it, frankly, in a better way. Amendment No. 2, I simply oppose it and I think Amendment No. 3 will cover what he intends to cover. So I'd ask opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Bloom may close.

SENATOR BLOOM:

Well, thank you, very much, Mr. President and fellow Senators. If you could listen a little bit, you will notice that both of the prior speakers who oppose the amendment did not tell you in what way it did not work. I have discussed this with the representatives of the Illinois Banking Association and, quite, frankly, they have said this. When I said,

well, how doesn't it work, what's the problem? Well, it turns out maybe communities would be involved a little too much. They don't like the idea of annually filing this kind of information on how they are going to meet the credit needs of individuals and small businesses in the communities. They don't like the idea of having our...the State agency responsible for their regulation to tell them the manner and form in which they file. They just don't want to...they don't want to provide the information in this form, and...into my judgment, there is no good reason why they cannot, it is not onerous upon them and it certainly would involve the communities, your local chambers of commerce, your local business and labor councils in the process; and it seems to me that it makes eminent good sense to adopt this amendment and I would seek a roll call on this particular one. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...on that question, the adoption of Amendment No. 2...Senate Bill 525, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? It's going up. Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 42, none voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Senator Bloom.

SENATOR BLOOM:

I would point out to the sponsor of this bill, this is...roll call was identical to prejudgment interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 3 does essentially what Senator Bloom was trying to accomplish. It says that the applicant indeed has to furnish that kind of information to the commissioner of banks according to the Federal Act. I know of no opposition. I think it's a better, cleaner way of doing things, and I urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Yeah, Mr. President, Ladies and Gentlemen of the Senate, on this amendment, again, philosophically it is extremely close to the last amendment but it cuts out an awful lot of pages of paper work, and if you know...if there's one thing the business community gripes about, it's amount of paper work we require. This does the same thing but does it in a couple of hundred pages less.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rock moves the adoption of Amendment No. 3 to Senate Bill 525. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 4 is a particularly important one,

particularly important to those of you who represent areas where the banking interest really don't want to get involved in interstate banking. And what Amendment No. 4 says is that the board of directors of an Illinois bank or Illinois bank holding company may adopt an irrevocable resolution before March 1, 1986 to exempt their bank or their holding company until 1988 from any interstate activity. That means they can neither be acquired nor can they acquire if they make this option. I think that should satisfy those bankers, particularly the smaller banks, who have some concern about any interstate activity. I know again of no objection and I would ask the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This particular amendment in reality, I don't think we need the amendment. If you don't want to sell a bank, you don't sell it. I mean, you don't want to change your policies, you don't change it, but some people felt they'd like to see in writing something that I think is awfully obvious. For that reason, we're supporting the amendment, but I'll be candid, I really don't think we need the amendment but at least it does put in writing that if you don't want to have someone buy it, you don't have to go along with it, and so it's a...a technical point that should be added because it will make some people feel good.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is on the adoption of Amendment No. 4. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 722, Senator Berman. Senate

Bill 750, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 750.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. The amendment to this...Amendment No. 1 to Senate Bill 750 is a technical amendment. It cleans up some language. It's been requested by the Department of Registration and Education and I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 750. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 752, Senator Kustra. Senate Bill 794, Senator Etheredge. 848, Senator Dudycz...987, Senator Joyce. 1031, Senator Friedland. 1161, Senator Welch. 1222, Senator Jones...Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. For the benefit of the membership, allow me to share with you as we again pass over Senate Bill 1200. Late last night and again early this morning we have been meeting with representatives of the medical society

and the trial lawyers and...the Speaker and Senator Philip and myself and...and Representative Daniels. I think we are very close to a negotiated settlement which will be in the form of a rather lengthy amendment which will encompass, I think, much of what the medical society has proposed and will encompass also what Senate Bill 1200 currently contains. So I would ask you to bear with us, we are all being visited by doctors from our districts. I think you can assure them that we will have in fact a workable solution that will meet the...meet with the satisfaction of the medical society. I will make that representation to you as I now, again, go back to the meeting, but I...I think you're in good shape to suggest to the doctors from your district that we are aware of the problem, and we are making a legitimate effort to solve it and hopefully that solution will present itself later this afternoon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1222, Senator Jones. 1358, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1358.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank...thank you, Mr. President. Amendment No. 1 is an attempt to accommodate the independent universities in the State of Illinois. What it says is that proprietary schools can qualify for scholarship awards in the State of Illinois,

but the amount of the awards would be limited to eighteen hundred dollars per individual. Under the present structure, the amount of awards are limited to twenty-nine hundred dollars, so this is substantially less than the present amount of the awards. Also, and I think this is very important, there is a cap on this new fund that is created, and the cap says that they are limited to ten percent of the total amount of money available in the fund which is roughly a hundred and four million dollars. So they would be restricted in the new fund to ten million four hundred dollars, and their awards would be distributed on the basis of that amount of money, the ten million four hundred thousand dollars amount. And fourth, the new fund would be limited to students attending institutions which have been approved by the Board of Higher Ed. and the State Board of Election for the last three years. Ladies and gentlemen, proprietary schools are for-profit schools but let me tell you what they do. They train people to become court reporters, computer programmers, word processors, electronic and auto technicians, welders, interior designers, dental assistants, medical assistants, all of the things that provide jobs for people in our society; and you know what this bill will do, it'll get people off the welfare rolls, because many of the students that go to proprietary schools come from poor families who are on welfare today and this will boost that individual up and put them in the job market where they belong. Ladies and gentlemen, there's no question that in...universities deserve the money that they're getting from the fund. We all agree on that because college education is important in our society. But schools that train people for jobs are also important in our society and we've got to recognize that fact. This is a good bill. It's a compromise bill. It accommodates everybody's concerns and I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR BERMAN:

What's the position of the...of the Federation of Independent Colleges on this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I honestly...you know, I think...well, let me say this. They were opposed to the original bill which was a carte blanche entry into the fund. I haven't discussed with them this particular bill...I mean, the amendment to this particular bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he would.

SENATOR DUNN:

Senator D'Arco, I think in committee we talked about two or three things. One, that this money was not going to come from the regular scholarship fund, that you were going to have...create another fund. Wasn't that correct? And two, didn't we have the effective date going to be 1988 or some...someplace off from the future till you would have time to work out another fund? If I recall that was what we agreed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, the...the amount of money in this fund would be appropriated from a separate appropriation provided for this specific purpose. That's in the legislation. I don't remember the effective date being discussed in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I...I may be wrong about the effective date, Senator D'Arco, but I thought we talked about a future date so you'd have time to get that...extra fund started. When will the bill be effective the way it's written now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

When signed into law by the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Dunn.

SENATOR DUNN:

Thank you. That's...

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI seeks permission to take pictures. Is leave granted? Hearing no objection, leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR ETHEREDGE:

Senator, I...I have not had the opportunity to...to see this amendment and therefore I want to make sure that I clearly understand what the amendment contains before we...before voting for it. My recollection of the discussion in the Senate Higher Education Committee corresponds with

that of Senator Dunn. There was an understanding that amendment would be...would be developed which would establish a separate fund, and I think the...the presumption was also that the effective date would be delayed in order that...the...the funding for this separate fund could be included in the...in...in the budget. So, I want to make...my first question is, does the...does your amendment establish a separate fund out of which these scholarships would be paid?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The...the language says, "Funds for such financial assistance shall be available only from a separate appropriation provided for that specific purpose." So, the effect is that there would be a separate...I mean, there's a separate appropriation for that...for that specific purpose only. So the effect is that it would be a separate fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would...you know, I'm one who has been very sympathetic to the...to the cause that you're championing here, but at the same time, I...I would feel far more comfortable if there were words in this amendment that says that there would be another...a...a separate fund established for this and it's not clear to me from your response that that is...that's going to be the case. I have a second question, however, and that is, which institutions would be eligible for participation in this program? Would this...would the door to be open to any and all proprietary institutions including those that are operated by businesses such as the Macdonald's Corporation for their...for their own purposes? Or...or who would...who would make the determination...if it's not a com-

pletely wide-open door, who makes the decision as to which institutions would be eligible to have their students participate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The State Board of Education and the Board of Higher Ed. make that determination. They wouldn't be able to qualify unless they were certified for...the...at least the last three years by both of those boards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, I just want to point out that the State Board of Education and the Board of Higher Education have entirely different criteria for recognizing this institution. It makes...I would be far more comfortable if it were the Board of Higher Education making these kinds of decisions, because they...they're the ones that have more stringent rules and regulations in regard to...to recognition. I would...I have a third question and that is, where...I think Senator Berman asked the question about the Federation of Independent Colleges and Universities where they stand. I would like to know where...where does the Board of Higher Education stand on this amendment? Are they in favor of it or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Let me also indicate to you, Senator Etheredge, that it also provides that such institutions must be accredited by a nationally recognized accrediting agency so designated by the Secretary of the U.S. Department of Education. So that is also a criteria that must be met before a school would be able to be certified. As far as the Board of Higher Ed., I

have not communicated with them concerning this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I wonder if the sponsor would yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR NEWHOUSE:

Senator D'Arco, I'm...I'm in sympathy with what you're trying to do and in sympathy with the institutions you're trying...that you...you're representing. However, I think the question...the broad question here that several of my colleagues have been trying to get at is the question of the impact on higher education funds. Now that's a serious one and I think all of us know that at some point or another it is going to impact on higher education's budget. There's no question about that. I think the...that what we need some assurance of is the extent to which that's going to happen and when it's going to happen. I wonder if you, Senator, would be willing to check back with the independent colleges and universities to get some feedback from them, an indication of where they stand and also with the Board of Higher Education to see...see where they stand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No...he's not done.

SENATOR NEWHOUSE:

I paused because I wanted to make sure that...that my question was...was heard and understood.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator D'Arco.

SENATOR D'ARCO:

We can do...you know, put the amendment on, move the bill to 3rd and I'll get the information. Let me...let me say this to you, President Rock spoke to the independent college and university this morning and advised them that it is not our intention and this is...it is not my intention that any of the scholarship funds that are presently designated for that purpose go into this separate appropriation. That is not my intention. This is a separate appropriation with general revenue money that will have...that will have to be appropriated for this particular purpose. It will not take away money that is appropriated for the independent universities and colleges. That is not our intention, that's what Senator Rock advised them this morning and that's what I'm advising you today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

...part of the problem, Senator, is that the amendments that are being offered have not been seen by my staff, even though they requested them, so we...we're not...we're not comfortable with what...with not having seen them, and I wonder if you'd take it out of the record and hold it until we could at least look at the...the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator D'Arco.

SENATOR D'ARCO:

Well, you know, I explained the amendment. I mean, you know, everything in the amendment I've just indicated to you, and, you know, it...there's nothing secret about it. I mean, it's a very simple amendment. There's nothing in here that...you know,...you...you know, that's new. I mean, it's...it's just something that, you know, we just indicated what it...what was in here that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Well,...my only suggestion is that my staff has asked for it and hasn't seen it. We'd like to take a look at it before it's offered, and if you would...if you would give us that courtesy we appreciate it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

You know, no one asked me...none of your staff asked me for the amendment. I didn't...I wasn't approached by any staff person who asked me for the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Yes, I'm informed that my staff has asked for it, Senator. I don't know whether they asked you or your staff or what, but...but we haven't seen it, I'd like to see it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I don't have any staff. So if they asked anybody, they had to ask me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I...I think that Senator Newhouse has a good idea..and we in the minority side have not seen the amendment either, and as spokesman on higher education, I'd like to ask that the amendment be distributed if it hasn't been; and if we could, why we would take it out of the record till we've had time to look at it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yeah,...I'm sorry, Senator Newhouse, I was just informed that your staff did ask somebody concerned about this bill for the amendment, and they did not receive the amendment and...for that reason, I'll take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...okay. Now, do you...you want to take the amendment out of the record, Senator D'Arco? Do you want the bill moved to 3rd without any amendments and for recall? Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, if we're on a different subject and while there's a lull, I'd like to introduce a class from Perry, Illinois that's visiting the Illinois Senate today, Rick Parker and the class from Perry is sitting in the President's Gallery right behind the...right behind you, Mr. President. I would ask that they rise and be recognized by the Senate. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Dunn, for what purpose do you arise?

SENATOR DUNN:

Mr. President, maybe I didn't state it correctly, but I'd like to be joined with some others and ask that the amendment be distributed so we can look at it before...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco indicates that he will do that. Senate Bill 1360, Senator D'Arco. Senate Bill...(Machine cut-off)...Bill 1392, Senator D'Arco. Senator D'Arco.

SENATOR D'ARCO:

Yeah, I would move to Table Senate Bill 1392.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Request by Senator...motion by Senator D'Arco to Table Senate Bill 1392. Is leave...is leave granted? Hearing no

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objections, leave is granted. Senate Bill 1392 will be Tabled. 1399, Senator D'Arco. (Machine cutoff)...Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Senate Bills 3rd Reading. Leave is granted. We'll begin yesterday where...we'll begin today where we left off yesterday. Begin on Senate bills 3rd reading and the first bill will be Senate Bill 311 on page 7. Senator Davidson is ready. On the Order of Senate Bills 3rd Reading is Senate Bill 311, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 311.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says on the Calendar since Sunset Commission doesn't exist anymore with the repeal of all the commissions last year, and we spent a million and a half on this commission when it was in existence, only got rid of two bills...or two regulatory things in all that time and they made recommendation of four to be repealed and we kept them, I think this is a good idea. I appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Netsch.

SENATOR NETSCH:

If I understand it, Senator Davidson, and I just came back on the Floor, this is the bill that just wipes out all of the sunset law and...and sunset and sunrise. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This bill does with sunset...the sunrise bill is 312, and if you listened to the amendment I put on 312 yesterday...I'll talk about both of them if I may, Mr. President, at the same time. The amendment I put on 312 yesterday changed that bill, took everything after the title and now makes any proposed new regulation would go before the Legislative Research Unit and make a recommendation to the Legislature whether it be a good or...idea or not. That's dealing with 312. 311 does away with the sunset. All it does is take away all those dates that's in the Statute, and any person that...or Governor who...through the Bureau of the Budget under the old law could ask for investigation of any regulatory body if they so desire. Just wipes out those repeat dates every ten years so we don't go through all this hassle in all the professions and trades, go through all that hassle for nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Aren't there still some of the licensed and regulated businesses which are on the schedule for sunset review that I assume under your Senate Bill 311 would no longer be subject to that kind of review?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, the thing would be, Senator Netsch, as you well know, that those professions and trades that are being reviewed right now that was due in '85, those laws will be enacted before...before this becomes effective. There is, I think, five professions that have not yet been reviewed that were due for the '87 Session. They would not be reviewed if

this becomes law and they could be reviewed if the Governor would ask the board...the Bureau of the Budget do it as the present old law did before we created the...the Sunset Commission eight years ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. You know you've been around here too long when you see one of your children about to die and I'm...I'm torn on that. What we did allegedly reforming the commission structure is that to a degree we might have thrown the baby out with the bath water in that we eliminated the mechanism for achieving sunset reviews. So I understand full well exactly why Senator Davidson is offering this particular bill. We had to complete our review of the '85 regulatory Acts that are up for sunset, and leadership responded by appointing a joint committee, and that's one of the reasons why we spent some time on 1021 yesterday. I'm somewhat torn but if there is no statutory structure by which to achieve the ends...the purported ends of sunset and certainly...those of you who were around here in '79 and '80 remember that this was the...the fate of the western world according to common cause hung on this matter and they've lost interest. So I'm suggesting that at this time...supporting 311 is not necessarily bad policy, 'cause I think it will...I think that the issue will come before us again before the 1st of July. But as long as there's no mechanism for review, what's the point in having these...having these agencies sunset? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Appreciate a...favorable vote, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall Senate Bill 311 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2 voting Present. Senate Bill 311 having received the required constitutional majority is declared passed. 312, Senator Davidson. On the Order of Senate Bills 3rd Reading is Senate Bill 312. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 312.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, as I explained earlier to Senator Netsch, I amended this bill yesterday and it...the amendment is the bill and what it does...it says that if there is going to be a request for a new occupation, a new regulation or a new trade or whatever, in a...of regulatory Act that the Legislative Research Unit, which is a unit in place, would have the powers to do this investigation and make a report to the General Assembly and to the Governor on the recommendation as to whether it say good or bad or indifferent. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Who is now going to have the authority formerly vested in

the regulatory agency for the sunset laws? Did you say the Governor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

No. The Legislative Research Unit, Senator Welch, which is a unit that is in place. We have talked to them and it's something they do and can do, and they would make a report to both the General Assembly and to the Governor as the feasibility of good, bad or indifferent on any new proposed regulation, license or registration Acts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

What...what about old Acts or agencies or licenses? What about the old ones? You said they make recommendations as to new ones, what about the existing ones? Is there going to be a time frame where every agency comes up for review again or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Welch, the bill we just passed 55 to nothing did away with the sunset. As you know, last year when we wiped out the commissions, we wiped out the Sunset Commission, so therefore there is no regulatory way to enforce what's in the Statute; and the Statute what had the professions, mine included, would die an automatic death next year, and since there is no regulatory statute way to do that on sunset that's why 311 is the repeal. This is...gave you a mechanism so if someone wants to come in with a new license or a new registration Act, you would have an opportunity under the Legislative Research Unit. They have the time and the talent and the staff to do it and they can make a recom-

mendation to it whether they think it be good, bad or indifferent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Just one clarifying question. I think, perhaps, you have indicated this now, Senator Davidson. On the sunrise, that is this bill, will the Legislative Research Unit have substantially the same powers as existed before with respect to...well, really the Governor's Office and the Sunset Commission to review and recommend on new proposed agencies? In other words, the real question is, are they substantially the same powers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, they are. It...it says, "To review proposal for new regulations to be imposed on any profession or occupation in accordance with criteria, in Section 3 and 4 of this Act and to make recommendations concerning the need for regulation and the appropriate mode of regulation. Such review shall include public hearings. A report of the recommendation shall be submitted to the General Assembly and to the Governor."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. My son, Sunset, died with Senate Bill 311, but Senate Bill 312 my daughter, Aurora, is still alive. There you could have a mechanism for the front-end review before the legislator...Legislature...ultimately the General Assembly decides what's going to be regulated and what's not going to be regulated and whether we have registration, certification and so

forth. But...because the standards set out in sunrise are pretty clear cut, the Legislative Council or Research Unit as it's now called seemed like a logical place for front-end analysis and then the recommendations could come our way. Thank you, very much. I...I see nothing wrong with this and think we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 312 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 312 having received the required constitutional majority is declared passed. 314, Senator Mahar. On the Order of Senate Bills 3rd Reading is Senate Bill 314, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 314.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I think this bill is easily understood by the members. It amends the Compensation Review Act. Although it amends the Act, it...it does...it absolutely does nothing to change the authority mechanism or operation of the Compensation Review Board. In addition, although it amends the Act, this Body may continue to consider pay...pay raise proposals by the Compensation Review

Board in the same manner in which we currently do. The only thing it does is change the time frame, but the Act now states that...that recommendations from the board must come to the General Assembly by May 1st of the election...of the even numbered years or the election years and that we have thirty legislative days to consider that proposal. This bill would allow those thirty days unless it may...we may not go past the November election, the first Tuesday in November.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to support Senator Mahar on Senate Bill 314. This legislation, as...he pointed out, would prevent the so-called lame duck pay raise issues to go through, which is very similar to what passed by this General Assembly at the end of...last year. I...I think it's something its time has come, we should face it during a legislative Session instead of hiding it away at...at a later time. Certainly in May you have a tendency to cut down on future salary increases, but at least we can do it facing people in the face and not doing it behind their backs. I will support this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall...Senator Hall.

SENATOR HALL:

Thank you, Mr...Mr. President and Ladies and Gentlemen of the Senate. If you remember, last year, I introduced a pay raise at the beginning of the Session and I did that because I had heard down through the years that we're always doing something here behind closed doors. And I'll tell you this, that I'll soon...I'm going toward twenty years here and there's always excuses. I say that the legislation should be put out in front, you're elected to do that and I...all the excuses I begin to hear, yeah, you introduced it, yeah, it's

out-front, but the point that happens is the biggest complaint about here comes from right on this Floor and in the Houses. The legislators ought to stand up and be counted. Now tell you this is what the public wants and I don't think any of this should be behind closed doors. I don't like to see us hamstring ourselves, because you're sent here to be able to introduce legislation that's beneficial , and legislation...if you put a time limit on these things. I found out that the public does not realize that the time-consuming things that you do back home about your district office. You know as well as I that the people who come and need to be attended to...the point about it, is this stuff a part-time job? I don't where people get this. This is a full-time job and anybody who's here that doesn't feel it's a full-time job has got no business here, because what you're doing is when you leave here...now I'm not saying people who have other professions should give up the other professions they do that along with this. I believe that you ought to be up-front, that you ought to be honest with yourself and with your constituents. The only problem I have with this is if you start to doing something in lame Sessions. I know this, there's plenty of people sit right here, they vote against it, they go out and talk about it, but when payday comes, they go up and parade up and get those checks. Now, what I'm simply saying here, if we are honest with ourselves and honest each other...there's no reason to be ashamed to say that I...I don't feel we ought to have a pay raise. If you don't feel that you're worth it, then you should not draw the salary. I tell you this that many times in all the years that I've been here that you have not kept in pace. I think it ought to be explained too that many people here...I personally, myself, I don't get the pay raise and never got it. I'm always in the middle of my term or something. I'll go eight years just like many of you sitting here who go eight years there was a

great possibility some would go ten years. With the cost of living and what we give to all these other people around here, I feel that what you ought to do is to stand up, be counted, then you wouldn't have to worry about this lame duck Session. I thought and felt and introduced that legislation because I put it out-front, had everybody plenty of time to look at it and you find that you see all the excuses, and I just wanted to bring that point out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of Senator...Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Netsch.

SENATOR NETSCH:

That's not my name either, Senator DeAngelis. I think perhaps Senator Hall's comments left the impression that this does something more dramatic than it does. All it does is to deal with the time frame upon which the...report of the Compensation Review Board must be voted, and it...in effect requires that it must be voted on before an election and not during a lame duck period. I rise strongly in support of Senate Bill 314. I'm not sure there is any happy way to solve the problem of dealing with our own pay increases, but remember, we also...I...that is, I think whatever we do or whenever we do it, those who choose to make it their tickets to fame will use it that way and we will all be made to look bad somehow. So that is not really the...the point of principal concern. We also have a responsibility to vote for other pay increases that come out of the Compensation Review Board, and we...we take the heat for those but we have a...a really important burden to discharge in terms of seeing that they are done as reasonably and fairly as possible, balancing the taxpayers' interests against the need to have good

people. The real problem is that when we do this, whatever it is, whether it's a direct up-front vote for pay increases or acting on the report of the Compensation Review Board, if we do it after an election during a lame duck period, we look bad and we deserve to look bad. It seems to me that that is the one thing that we absolutely ought not to do to ourselves. I might well have been willing to vote for some of this the last go around if it had not been presented during a lame duck period. So, it seems to me that this eliminates one major obstacle to our discharging our responsibility and is, indeed, a very good idea, and I hope that it will be strongly supported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you delineate for us what you mean by the lame duck part of the Session?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Mahar.

SENATOR MAHAR:

I didn't use that terminology. This...and I'd like to clarify that point for the General Assembly or the...or the Senate. This bill has nothing to do with ducks, lame or healthy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar may close.

SENATOR MAHAR:

I just ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 314 pass. Those in favor

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will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 2 voting Present. Senate Bill 314 having received the required constitutional majority is declared passed. In a few minutes when I'm back at my seat, I will indicate to the Body that I intended to vote in the affirmative had I been at my seat. Senate Bill 320, Senator Luft. On the Order of Senate Bills 3rd Reading is Senate Bill 320. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 320.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 320 was supposed to be on the Agreed Bill List but we got it caught on 2nd reading and didn't make it. What Senate Bill 320 does, empowers the Department of Commerce and Community Affairs to provide grants of up to fifty percent of unemployment workmen's comp. costs for the establishment of new manufacturing facilities or manufacturing operations in the State where at least one hundred people are involved, and that can be awarded to the companies for up to five years. I would try to paint a scenario for you, if you would like, on why I think this is very important; otherwise, ask any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. I'm

sure that it will be noted that this measure came out of the House Labor and Commerce Committee with substantial support. But I might say to you and call your attention to the fact that the sunshine and balmy breezes that wafted through the Chambers on that particular day have turned somewhat chill in reflection; certainly the support that I gave the bill has, with all due respect to the very fine sponsor and his motivation. It is my understanding that the Illinois Manufacturers Association and the State Chamber which...or who at one time supported the measure have had second thoughts, and many of the rest of us have had second thoughts, and the reasons for these second thoughts is that this measure appears really to open up the...the State Treasury as it seeks to have that treasury pay up to fifty percent of the WC costs that might come up for new businesses as they come into the State. Now, if the workers' compensation costs are too high, and this measure seems to indicate that they...they are too high, the remedy I don't think is to give a break of this sizable porportion to new businesses coming in but is to address the matter in other ways; that is to say, to address the problems of workers' compensation costs in other ways rather than granting a largess out of the State Treasury to new businesses; and, furthermore, it seems to me to argue that if we do this, we are really setting up a...an anti-competitive situation here, and if these costs are too high for a new businesses, and to encourage them to come in we're willing to reduce the cost of them...if they're too high for the new businesses they really are too high for the old-timers that would also like to do business in the State of Illinois at a profit. So the remedy, again, is...is...it's...it seems to many of us, not to go about it in...in this direction but indeed another direction, and I might close by saying that the cost here is...would be considerable. It would be tremendously high and it truly would

open up the State Treasury for payments out that we are not faced with at the moment. So, I would submit to you, colleagues, Ladies and Gentlemen of the Senate, that on reflection, this idea does not seem to be such a good one and is one that I think we should take a long, hard look at in the interest of the overall business climate...in the best interest of the business climate in the State of Illinois. We don't want to drive our established...do anything that's going to put them in an...in an unfair position, disadvantaged and perhaps tend to drive them out as we seek to bring new businesses in. So I would urge a No vote on this measure. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The Chair would like to make this observation. There are three hundred sixty-eight bills on the Calendar today, and at this pace, we will be here beyond Friday. There are five additional speakers on this proposal. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess I'm led to believe that our friends on the other side of the aisle have come to the conclusion that in 1974, the increases in workmen's comp. and unemployment compensation were excessive. And, quite frankly, that is the understatement of the year. You did it, your Governor signed it, now you come back ten years later and say, to encourage business to come into Illinois, we'll have DCCA pay fifty percent of your workmen's comp. and your unemployment insurance costs. Well, isn't that a joke. You should have never raised it in the first place. You are the people responsible for chasing business out of Illinois. Who wants to expand in Illinois? Who wants to move to Illinois? One simple reason and we hear it every time we talk to the business community, workmen's comp., unemployment insurance. But here you are

now...now you're going to solve the problem after the horse is out of the barn. Right? If you're a new company and you come to Illinois, we're going to let DCCA pay for half of your insurance. It's a great idea. Where were you ten years ago? We told you so. We ought to defeat this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr...thank you, Mr. President. At the risk of overkill, I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, how much is the appropriation to pay for this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

None.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

That's not going to be enough...you know, if...if we have a contest around here for the most incredible bill of the Session, this has got to be a winner. Every business group in this State that has had anything to say to the Legislature for the past ten years has told us, please reform unemployment compensation, please reform workers' compensation, give us a break. So the answer that's suggested here is, if you'll come into our State and open a business, we'll give you a break but we're going to tax everybody else in the State to pay for what we're going to do for new business. Now, if that's not an incredible solution to a problem that has been highlighted by business for a long, long time, I'll

eat my hat. This is a terrible idea. There's no way that the State could come up with enough money to pay for...establishing new businesses in this State that might want to come into Illinois and compete with existing Illinois business who has to pay the high cost here in Illinois. Bad idea, let's defeat the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I figured we may have some trouble with this bill because the lack of creativity somewhere in this place has always been amiss. Senator Schuneman, let me first...Schuneman, let me first answer your question. If you had read the bill, there is no appropriation required, beause the grant is not awarded until after the company has been in business one year. So if Company X started in June 1 of 1984, they would not even have to make application till...June of...1985 which does not require an appropriation till next fiscal year. Now, there is enough collective guilt to go around probably on workmen's comp. and unemployment comp. in the State of Illinois, and I will be more than happy to take my share. But what I want to tell you over there is, I dare you to vote against this and I'll tell you why. This isn't yesterday. This is today and this is tomorrow, and if in fact workmen's comp. and unemployment comp. is a problem, we are addressing it here, and I'll tell you how; and if those of you that live in my area that are looking at a Chrylser Plant...in Bloomington-Normal that have hopes of a Chrylser Plant, let me tell you, and I hope you listen to me, let me tell you exactly what the cost is. If you paid fifty percent...the full amount on unemployment costs, on a company creating three thousand jobs, it would be one million and...five hundred thousand dollars. One-half of that, obviously, is seven hundred and fifty thousand. If you

pay...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Luft...Senator Philip, Senator Luft is closing...Senator Philip, Senator Luft is closing.

SENATOR PHILIP:

I just...a point of personal privilege. I just wanted to make this observation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR PHILIP:

Well, obviously, it's an advantage for new companies who move into Illinois...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator...Senator, he...Senator Luft was closing...what...Senator Luft.

SENATOR LUFT:

If you'll be patient, I'll tell you how it benefits the existing companies in the State of Illinois too. We also call for one-half of the workmen's comp. premuim paid or one-half of the average workmen's comp. premuim paid in the State of Illinois just in case they're self-insurers whichever is the less. That cost also is projected to be a million and a half dollars on a three thousand employee factory or seven hundred and fifty thousand dollars. If you go the maximum, the maximum which...we don't have to go to the maximum. If you go to the maximum on this bill, it's going to be a million and half dollars. Now listen to me, okay? Listen very carefully. Three thousand people working are going to be paying income tax in the State of Illinois. Three thousand people are going to be generating sales tax in Illinois. A major corporation is going to be paying property tax in Illinois and hopefully, just hopefully, there will be corporate taxes to pay. Then if you take the Chamber of Commerce paper that says for every job you create, it creates

3.2 jobs, multiply those three thousand jobs and it turns out to be nine thousand more jobs paying income tax and sales tax. Do you know what kind of money that's going to be? That is a lot of money that is paid into the State from the day they go to work until the end of one year, and then, the company files for their rebate. We get the money up-front. We get the money up-front. Then, we sit here and appropriate tens of millions of dollars for job training and job retraining for what? There aren't any jobs. We just spent a million and a half dollars to put three thousand people to work and get three to four dollars back for every dollar we invested. That makes sense to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Luft.

SENATOR LUFT:

Now, wait a minute, Mr. President. They asked questions, can I please just finish?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we have always adhered to the time that...under the rules and your time is about up. Senator Luft.

SENATOR LUFT:

The one brief thing on how we're helping the present employers. We now have a...surtax on the unemployment tax in the State of Illinois. If you put three thousand people to work at an...that are now on unemployment, a hundred and thirty-six dollar a week average unemployment check, ten weeks, multiply that, you're taking millions of dollars liability off the unemployment. So all I'm saying in closing, I really dare you to vote No for it, because this bill, nobody came up with one legitimate argument. If this is a problem in the State of Illinois, and I'm not sure it isn't a perceived problem, let's take care of it today and forget yesterday because we can't afford not to. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 320 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 25, none voting Present. Senate Bill 320 having received the required constitutional majority is declared passed. 329, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill...329, Mr. Secretary, read the bill.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 239.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill is is...it's a program to create fellowships in public administration graduate studies throughout the State of Illinois. The program is modeled after Senate Bill...in Senate Bill 329 is modeled after the Architectural Engineering Internship Program of 1983. Provides internships for those students in the same way as the regional service agency fellowship would for public administration...students. Those being supported by the municipal league which believes that municipalities are in need of student interns to help smaller towns throughout the entire State. This fellowship program will meet the needs of small municipalities and enterprise zones, those with fifty thousand or less population across the State of Illinois. Those areas which could use the expert knowledge of the students and schools of public administration in Illinois universities are going to be able to go into these areas and give expertise advice as well as learn something about the real world. These long-term fellowships will be available to these municipalities and will bring eager interns which otherwise would have no chance of learning about new developments in the field of public administration. Many cities have an acute need and desire to improve their local government with the services of professional city managers

and administers but cannot afford to pay that salary that such a program would command. This program makes that expertise easily available while giving students firsthand experience in their field of study. The universities and municipalities would apply for funding together and submit a proposal outlining the needs of the...the municipality or enterprise zone and the abilities of the university to provide for those needs. The fellowships would last for one year at a time, enabling a student to work with the local government and with his or her professor simultaneously. Very few students work in local government, although some schools do have intern programs. It is my understanding that professors at both Northern Illinois University and Sangamon State University support this measure. Currently, Sangamon State offers programs in State level government administration but has a very, very limited local government internship program. I would be glad to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senator Welch, I...I guess I have a question and it comes in this form. It...testing...thank you, Mr. President and members of the Senate. I have a question, Senator Welch, and it comes in this form. The Board of Higher Education is the central planning agency for higher ed. in the State of Illinois. I don't know of any operational programs they have in...in education in directly administering programs. This is the kind of program...and I have no objection to a university getting involved in fellowships and internships, that's done all the time around the State. What I don't understand is why you chose the BHE to administer the program, and perhaps you can tell us whether or not the Board of Higher Education has any position on your bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, Senator Kustra, the...my understanding is that architectural engineering fellowships are administered through the State Board of...of Higher Education. I don't know what the State Board's position is on this bill. As I've often said, I think that we are the masters of our own destiny and it should be up to us to tell the Board of Higher Ed. what we want them to do. I think this is a good idea. We should tell them to do it and not wait for them to think it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. To answer Senator Welch, this is what I do for a living, I teach graduate students in public administration and I think I know something about it, and we do have programs like this in our universities across the State, public and private. I think it's silly to now create a new program within the Board of Higher Education. It doesn't belong there, the Board of Higher Education. If they do it in these other two areas, as far as I'm concerned, we ought to take a look at that, because as far as I can see, the Board of Higher Education is a planning agency. We ought to be looking forward to the future as far as the State universities and colleges are concerned in the way of planning, not in the way of running programs like this. This belongs at the university and college level, it's where it ought to stay. I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Senator Kustra stole several of my remarks which will shorten my speech by an hour and a half. You...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...please, no...no demonstrations, please. Senator Keats.

SENATOR KEATS:

...you have to ask yourself two questions. If there's one thing this country doesn't need it's more planners. I mean, at the local government level, they can't afford to do most of the programs they're doing right now. That's not an attack or a defense, it's a simple statement. Does anyone here have a local government who's so rolling in money they don't know what else to do with it? In other words, we need more planners at the local government level like we need a broken leg, and if it is not to bring in more planners, which is the alleged expertise the universities have, then these will simply be local employees who are now...essentially on the State payroll or they're not truly paid in that sense although we're paying for the fellowship. So, in that case, we would be paying whatever limited amount we're paying simply to hire people on the local level. I think you really have to ask yourself if either of those alternatives is needed. Number one, do we need more people to find more ways to spend money that we don't have, or that these local governments don't have or, secondly, do we need to have people who are partially funded at the State level working in local governments? If they want them at local governments, let them fund them. It is the general estimation that a twenty-two year old college student probably won't bring in...or a nineteen old, depending on what age it is, this will probably be graduate students, probably won't bring some great expertise to these smaller municipalities, and remember these are the smaller municipalities. So, you just have to compare each of those alternatives and say, it's really not a

bad idea, it's just totally impractical and probably doesn't work, although not that bad an idea. I would vote No just to say, more impractical ideas that don't work are not a benefit for the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this piece of legislation which I think is very creative. I think one of the things that local communities often look to is expertise in the area of administration. The political science people, the local community elected officials often do not have the expertise in day-to-day administration, the kinds of things that are being taught in the universities. My own daughter had the experience at ISU of doing this very thing in an internship that they were running there as assistant to the mayor of Normal. It was an invaluable experience and has served her well in her graduate career and now in the career in which she is a...a part of. I would really recommend this bill for passage. I think it's one way we can help the municipalities. The municipal league is in strong support as are the universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. I would just like to say that...many of the existing programs in graduate engineering are from private schools, not from public schools. This bill...will only applies to public universities throughout the State of Illinois. The idea that these people are either one of...one of two things if they start working for a city, either they're a bureaucrat or they're a...a nineteen year old, fresh-face kid is...is kind of amusing. These are graduate students who have gone through four years of school,

assume...I presume they would be at least twenty-two or twenty-three years old. They are trying to help local municipalities who have enterprise zones or just municipalities who need aid to try to find out about new programs and gain some expertise which is not available to them. We created lot of enterprise zones out there and, frankly, we've got a couple in our area outside of the collar counties that they don't know what the heck to do with them. They're still trying to figure out just how you go about getting grants, they're trying to figure out what they can do to put in the zone, they've gotten the zone approved, we've got...also got free...foreign trade zones that people don't know what to do. We've got all these programs and we sent them out to the local government and they don't know what the hell to do with them. What we're tring to do here is throughout the entire State of Illinois provide for interns from public administration the most recent knowledge available on the issue of State and local government and provide that to these small towns...towns who have mayors whose sole goal in life is to become mayor, they're aldermen for thirty years, they get elected mayor and they're satisfied but they don't know what's happened, they haven't been to school, they haven't kept up with the changes and we have that throughout downstate Illinois and that is what we are trying to take care of. When I introduced this bill, I was...I was at a...a function at Northern Illinois University for the graduate public affairs students. Every student there stood up and said they had a job as a public administrator or a city official, a city manager assistant and everyone was in a collar county. They came from my county, had to come into the Chicago or suburban area to get a job. We...we don't have any of these downstate and it's about time we started getting them. If we're going to keep sending out enterprise zones throughout downstate to bring in jobs and business, we ought

to send somebody with them or make somebody available to explain what they're about and how to make them work. So, I would ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 329 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 27, none voting Present. Senate Bill 329 having received the required constitutional majority is declared passed. Page 8. On the top of page 8 is Senate Bill 332. Senator Joyce, on the Order of Senate Bills 3rd Reading, Senate Bill 332. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 332.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 332 provides secondary...elementary, secondary and public community colleges with a refund for...that part of the...the...of their utility bill that is attributable to the State tax. The bill was amended to remove...pursuant to an agreement with the Revenue Committee to remove churches and religious organizations. It has passed out of here previously and has also failed here previously, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. As the sponsor has just pointed out, this bill, following its amendment, is now in precisely the same form as Senate Bill 187 which failed on 3rd reading yesterday and is now on postponed consideration. I would hope that all of those who voted No yesterday on 187 will do the same on this...on this bill since it is identical. The concern with this legislation is that it...it erodes the tax base it...and it opens the door to further exemptions. There's no reason in the world...I mean, as worthy as all of the...the schools and the community colleges are for this...for this exemption, I think we would have to agree that other governmental units are also deserving. So, next year we will have a bill in to exempt the sanitary districts and et cetera, et cetera, et cetera. I think that this...this bill deserves a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, very briefly, it's...it's a question of...of where the dollars are going. Senator, you have legislation that will be shortly before this Body which will provide substantial relief, I think in an amount...involving utilities in the amount of forty million dollars. We're talking about two or three million dollars in relief to...causes that are most worthy of our support; i.e., the education. I ask for your support on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 332 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that...on that question, the Ayes are 32, the Nays are 26, none voting Present. Senate Bill 332 having received the required constitutional majority is declared passed. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I would ask for a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge has requested a verification of the affirmative...votes. Mr. Secretary, would you read the affirmative roll call.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Dudycz, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Topinka, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, do you question the presence of any of the affirmative votes?

SENATOR ETHEREDGE:

Yes, Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Chew on the Floor? Senator Chew on the Floor? Strike his name. Senator Etheredge, you...

SENATOR ETHEREDGE:

Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka on the Floor? Senator Chew is on the Floor, Senator Etheredge. Restore Senator Chew's name. Senator Topinka on the Floor? Strike her name.

SENATOR ETHEREDGE:

Is Senator Luft?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft is at the back of the Chamber.

SENATOR ETHEREDGE:

Senator Jones.

SB 334
3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR ETHEREDGE:

Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister on the Floor? Senator Sangmeister is at the back of the Chamber. Senator Etheredge, you question...all right, Mr. Secretary...

SENATOR ETHEREDGE:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, you...all right, Senator Hall is on the Floor. Senator Etheredge, do you question the presence of any other member? All right, Mr. Secretary. There are...on that question, there are 30 Ayes, 26 Nays, none voting Present. Senate Bill 332 having received the required constitutional majority is declared passed. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Motion to reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves to reconsider the vote by which Senate Bill 332 passed. Senator Degnan moves to Table. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. It is...prevails. Senate Bill 334, Senator Etheredge. All right, on...on the Order of Senate Bills 3rd Reading is Senate Bill 334, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 334.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The idea behind this piece of legislation is...is very...is very simple. The most regressive State tax...important State tax on our books is the gross receipts tax on utilities. All the residents of the State of Illinois pay a five percent tax on their lighting bills and on their heating bills. What this bill proposes is not to erode that base but simply to put a cap on it so that there will be no growth in future years from this revenue source. I consider this to be a very modest step in the direction of...of reform...tax reform of this...this most regressive tax. What it does is to...it accomplishes the capping of this tax by asking for a...an estimate on an annual basis by the Department of Revenue as to what point...or at what point to set the percentage tax level to ensure that there would be no growth in the revenue from this source from year to year. At the present time,...or in Fiscal 1985, it is estimated that the revenue from this source to the State of Illinois will amount to six hundred and seventy millions of dollars, so that would be the cap at which we would strive to hold this revenue sources in...revenue source in future years. I would be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR GEO-KARIS:

I'm not quite sure I understand the motive and if the motive is to save the taxpayers some money, that's what I want to know. Will it or won't it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

It will not reduce anyone's taxes but it will limit their future growth, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I liked the bill much better when...the way you first introduced it, Senator Etheredge, when it provided for a unit tax on the...for the utilities which I though made and still makes a great deal of sense, so that we don't...all of us...all of our constituents automatically have to absorb the increased rates which are happening year after year. The...this one just troubles me a lot. I...your motive, obviously, is fine, you're still trying to put a cap on the...the...revenues and to some extent the liabilities and obligations that are assumed as a result of the utility tax. It was never intended to become one of the major sources of revenue to the State. It has that. It is a...a...a contributing factor to the heavy burden that all of our ratepayers are paying. This is just such a strange way of handling it that I...I'm a little bit concerned about it. I guess what I'm probably going to do is vote Yes and hope that somehow it may get changed into what I think is a more manageable form sometime before we are through with the process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, very much. I...in response to...to Senator Netsch, it...it is true, they...this bill has gone through a metamorphosis since its initial...introduction, and the

reason for that, Senator, is that there's no way...or at least I could...I was not creative enough to discover a way that we could shift to a per therm...per unit of...consumption base without also simultaneously shifting the tax burden among classifications of users; therefore, I...I...I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 334 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 334 having received the constitutional majority is declared passed. Senate Bill 336, Senator Coffey. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. On a point of personal privilege. I'd like to introduce in the back of the Chamber my predecessor, former Senator Harbor Hall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, Harbor...Senator Hall. Senate Bill 336, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 336.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 336 allows public school districts to be exempt from motor fuel tax for motor vehicles owned or leased...or used exclusively for transportation of students. This bill in passing out of committee there was some concern that a

precedent was going to be set with this piece of legislation. After taking a look and explaining to the committee that all other transportation systems that I know of in this State, the CTA, RTA, downstate mass transit are all exempt from...from the motor fuel tax. All we're trying to do is make this consistent to the other transportation providers in the State. Be glad to answer any...questions and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I feel an obligation to point out here that this...this bill does represent a...another erosion of the...of the tax base.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

To close?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, no, I thought it was a question. Senator Schuneman.

SENATOR SCHUNEMAN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Could you explain briefly what the process is here?...would the school simply not pay the tax up-front or would they have to file for a refund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

When a school district purchases its fuel, an affidavit would be filed with the motor fuel distributor indicating the

amount of taxation to be exempt.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. I got my answer. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Coffey may close.

SENATOR COFFEY:

Yes, again, let me point out that all of the transportation systems in this...in the State of Illinois are exempt from motor fuel tax. There is a...a tax loss as far as department of the...Road Fund between three and six million dollars, but keep in mind that that three to six million dollars...if there's a loss there, would be...go to our educational system which we are funding at a higher level. So, all we're really doing is taking less money, yes, for the Road Fund but it will be going to our schools throughout the...the State, and it is a...it is consistent with all other transportation systems, and I'd ask...favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 336 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 6, none voting Present. Senate Bill 336 having received the constitutional majority is declared passed. Senate Bill 340, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 340.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 340 creates the Young Minds Program for the purpose of receiving donated technical and vocational equipment and distributing it to the public schools. The bill encourages businesses and individuals to donate technical and vocational equipment to schools through extraordinary income tax deductions. Corporations desiring to stay current with their own equipment are turning over their equipment many times, two-, three- or four-year periods and we are encouraging, under this bill, for them to donate that equipment to the schools throughout the State of Illinois. There is a program also provided in here for grants from the State Board of Education for the training and compensation of school personnel in the use of this equipment. Be glad to respond to any questions and encourage an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. It'll give an opportunity for private schools to have the kind of equipment donated with the...the equipment the corporation can...get a tax break, gives a chance for us to do something without any outlay...or money by we, here in the Senate. I think it's a good bill. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 340 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 1 voting Present. Senate Bill 340 having received the constitutional majority is declared passed. Senate Bill 350, Senator

Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 350.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 350 and Senate Bill 351 to follow are two of the bills that are the product of the Illinois Commission on the Improvement of Elementary and Secondary Education which...involved the participation of Senators Holmberg and Newhouse, Maitland, Davidson and Etheredge. These bills with the amendments that were adopted yesterday are the product of the reform blueprint that we hope will be the basis for further negotiations, and...ultimately a sound, responsible approach with accompanying funding to improve the quality of education throughout the State of Illinois. Let me touch on a few of the points that are addressed in this bill which deals essentially with the issues of personnel reform in education. The bill requires school districts to develop procedures for evaluation of teachers, including a minimum of two formal assessments per year for certified teachers. Requires all students entering teacher education programs to demonstrate their proficiency in reading, math and language arts. Requires school districts to design programs which provide for individualized continuing education for existing teachers. It requires teacher certification candidates to pass an examination of their knowledge and skills devised by the State Board of Education in cooperation with the State Teachers Certification Board, the so-called bar exam that the Governor has referred to. Requires that administrative certificates be renewed every five years...and sets

forth...the recertification requirements. It increases minimum salaries for teachers from the statutory minimum presently at ten thousand dollars to twenty thousand dollars by 1987-88. The two amendments that were adopted yesterday deal with the requirement of...of adequate passage of minimum competency in reading, math and language arts prior to being enrolled in driver's education and has the Schaffer amendment regarding the safeguard of adequate funding. I'd be glad to respond to any questions. I want to underline that this not the final product. There are...items in here that some of us still have questions about, but I am sure that as the weeks evolve before July 1 that this will be the basis for meaningful reform of...education in Illinois. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RIGNEY:

You're talking about a twenty thousand dollar minimum salary. What's the fiscal impact of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

In our report, which I have in my hand, we did what many commissions fail to do and that is to price out the...the cost of each one of our recommendations. The first year cost for the recommendation for increased basic teachers'...starting teachers' salaries and the bump effect as to other teachers in that district is 80.3 million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Wasn't there a figure to the effect...in the range of about six hundred million dollars over three years...and about three hundred of that would have to be shared by the local units?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I...I'm not sure what you're referring to. If I add up all three years of our estimate, we're talking approximately five hundred and twenty-four million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

How much of that is on the local units?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All of these projections and the report of the commission is that that would be State funds. Now, let me expand upon that comment. None of us, at this point, are ready to say where those kinds of funds are coming from, and I am not asking anyone by an Aye vote on this bill to string themselves out regarding that kind of a commitment, but I would suggest to you that if we're going to improve the attractiveness of the teaching profession, we must address, as has every other body that has made recommendations, whether it be the Governor or the House of Representatives or the State Board of Education, that we increase starting teachers' salaries. I say, as I said in my opening comments, that this is the basis for further negotiations and I think that that is the responsible approach to reach meaningful reform.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I guess my closing comment would be this, I think the House just passed out their version yesterday in the amount of thirteen thousand which I think is considerably more reasonable than the Senate version; and if that...that being the case, I'll just probably have to wait for the House version to come along.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. Some questions of the sponsor...a little bit along the line of...Senator Rigney's questioning. I've been trying to find out from a State agency, the State Board of Education or the Governor's Office or anybody else that is supporting the idea of raising teachers' salaries, what the impact is going to be, not Statewide, but on the schools in my district; and to date, I haven't been able to get that information from either the State Board or the Governor's Office and I don't...I doubt that you have it, Senator, and...but I would ask you to respond to that. The only place I've been able to get it is by making a direct mailing to each of the districts...schools in my district asking them to tell me what it is, and I've gotten most of that information and I submit to you that if...if we're going to raise salaries to twenty thousand dollars, it's simply going to put some of those schools out of business. Now, I don't see around here anywhere at this point any appropriation bill or funding bill that's going to see to it that if the...Wyanet School District is forced to raise their salaries to the level included here, that the...that the State of Illinois is going to reimburse and make whole that district. Could you respond to that concern?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Schuneman. I'd be happy to respond. I...cannot and am not responsible for the failure of either the State Board or the Governor's Office to not be able to give you some of those figures, but it has been my commitment, the commitment of the Improvement Commission, the...the commitment of the Senators that have served on that commission that the reforms that will ultimately pass this Legislature will be fully funded by this Legislature; otherwise, I don't intend to pass them. This is not the kind of a situation where we are talking about some of the programs that we have passed...or enacted in the past where we have foisted them upon the local districts and expected them to raise the money. Based upon reasonable, logical, verifiable projections of costs when the costs match the programs and vice versa, that's when they will have my vote and, hopefully, they will have your vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

All right, but I simply want to reiterate. I think funding these mandates on a Statewide basis may be one thing, but funding them in such a way that the money gets to where the greatest impact is is going to be another thing, and as you stand here representing schools in the Chicago and suburban area and I representing schools in the rural area, I submit to you that if you raise the salary level to twenty thousand dollars, it probably is not going to have much effect on your schools, some but not much. In my case, it's a major blow, a major hit and so it seems to me that my schools are going to get a lot more money than your schools, but I don't happen to believe that that's the way things work around here, and I have a concern about that and I submit that to you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Ladies...Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of Senate Bill 350 and would urge the Body to support the measure also. I was privileged to spend some fifteen or sixteen months on the Commission for the Improvement of Elementary and Secondary Education, and when we entered into that...that...fifteen-month long program, we knew that the problems were very difficult and the answers were going to come extremely hard, but I was truly amazed at some of the testimony that we received from the twelve hearings that we held around the State. I'm confident that the package that we have before you this afternoon, Senate Bill 350 and Senate Bill 351, is a good compromise of the views and opinions of people across the State. Truly it is not perfect. Senator Berman has indicated that this issue is going to end up in...in a...Conference Committee and we know that, but it's here before the Body for, once again, your consideration. Let me respond to a couple of the questions that have been brought before the Body. First of all, with respect to Senator Schuneman's question on the minimum salary issue. This is an extremely controversial issue, and we know that, extremely controversial, and there's a great difference in...in the figures that are coming over from the House and the figures that we have in...in this bill here, and it will be dealt with in Conference Committee, but the one thing we know that any State that boasts of an average starting teacher's salary of fourteen thousand dollars ought to be ashamed of itself, but by the same token, those starting teachers have to be truly qualified, the best in the land in order to deserve a higher salary. Senator Schuneman, I would say to you that school districts in your particular legislative district would do well under our minimum salary

teacher bill regardless of what that level is, and truly it is the feeling of the commission this money should come from the State. As we test these teachers...these prospective teachers in college, we're going to have better teachers graduating and, indeed, the quality of education across this State will improve. Give us your support for this legislation this afternoon. Let us come together later in the month and work out a reasonable compromise that truly will give us reform in Illinois. I urge an Aye vote on Senate Bill 350.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 350 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 10, none voting Present. Senate Bill 350 having received the constitutional majority is declared passed. Senator Demuzio, did you seek recognition? You were waving your...Senator Demuzio.

SENATOR DEMUZIO:

Yeah, I was seeking recognition to speak on the last bill, but since it got enough votes, why, I have no quarrel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well,...Senator, it's a practice here in the Senate that if you press your light...your button and seek recognition to speak, you'll be recognized. Senator Demuzio.

SENATOR DEMUZIO:

Yeah, and while I'm on the subject, awhile ago when I was presiding and the record was taken rather prematurely on Senator...Senator Mahar's bill, but I can't...I can't find it. What was the number?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 314.

SENATOR DEMUZIO:

On 314, had I...had I been in my seat, I would have voted the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we move on to our next Senate bill, we had some bills on the Order of Recall that were not called for amendments. So, these bills will be automatically moved to 3rd reading. Senate Bill...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Privilege. Seated in the President's Gallery are some constituents from my district who are down to observe the process, the Waggler's. I wonder if they'd stand and be recognized by this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 351, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 351.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 351 before the Body now is the second bill in the package offered by Senator Berman and I this afternoon. Let me mention to you just a few of the important parts of that bill. Senate Bill 351 would require student assessment. All regular education pupils must demonstrate academic...proficiency at grades three, six, eight and ten. This is an issue that was discussed in great detail throughout the State and we think it's a very good part of the bill. Alternative education: State Board of Education shall require all school districts to provide pro-

grams to keep at-risk students in class. Clearly we found that across the State many students were...were dropping out of school and we have to find out the reason, and schools need to be able to provide courses to keep those students in class. Expanded options for secondary school students: State Board of Education shall require school districts to expand options available to secondary students who demonstrate a chronic disability to get along in class. The Principals' Academy: that's a concept that's not new. It is...we...from this Body last year authorized money to start a...a Principals' Academy and is a part of this legislation. High school...equivalency testing program: revised the law to allow sixteen, seventeen and eighteen year olds who have dropped out of school to enroll in the GTA...GED educational development. Believe strongly in this concept. With regard to kindergarten, we would suggest that over a four-year phase-in plan, we backed the starting age up one month at a time to September 1 over, once again, a period of...of four years. Full-day kindergarten reimbursement: there has been some confusion on this. We are not suggesting mandating full-day kindergarten, but we are suggesting that to schools who do have full-time kindergarten that they be reimbursed...they be reimbursed on a full-day basis. Course in physical education: we are suggesting that in the eleventh and twelfth year students be allowed to opt out of kindergarten...opt out of physical education under one of three...under one of three conditions. First of all, for the student athlete; that student who is out for basketball and football should be allowed that during that period in the school year to opt out of P.E.; for the young student who needs remediation, they too should be allow to opt out of P.E.; and finally, for the college bound student, that student who needs additional academic courses for entrance into college, that student too ought to be allowed to opt out

of P.E. Again, as with Senator Berman's Senate Bill 350, there are some areas of controversy in this bill, but we think it's a good compromise and one that should pass out of the Body, and I would urge your support for Senate Bill 351.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I intend to vote for 351 the same way I voted for 350, and I...I will be very brief. But to say that in there present form, I wouldn't be for either one of them, but they are a negotiations tool, and Art and John know it,...but I just want to make a point. As we in the suburbs and collar counties have said and we've...many of us have talked about this, you know, we pay for most of the school system and in our area I get three percent, in some cases, eight percent of the money for my schools back from the State. You know, I can vote No on every one of these bills just as easy as I can vote Yes, and if I'm getting three percent, you can keep your three percent, you need our district worse than I need you. Now either we start to clean up that funding system a little bit or you're going to have a lot of trouble with a lot of suburban and collar county legislators. And the second one...second point I want to make is this...I know we're not mandating all day kindergarten but we're funding those who want to do it. That's going to be a day-care system in two years and everyone in here knows it, and if there's one thing we don't want the schools to turn into is day care for four and five year olds. So, I...I just say, if it's things like that are in the final bills, I just want to say now, don't come looking for me, 'cause it'll be wasting your time. Now I know Art and John are eminently reasonable people and I've had a wonderful working relationship with you but, fellows, keep that in mind. You got a lot of us who can vote No on

this stuff as easily as we vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman. Reasonable Mr. Berman.

SENATOR BERMAN:

...Roger, I'm always reasonable as long as you vote my way. I think it's important to underline that these bills, 350 and 351, represent a substantial compromise of strong positions. The beauty of the bills is that they are a basis for some meaningful discussions. There are amendments on here that many of us disagree with, that I am sure these bills, I can guarantee you will not bypass committee and be voted out unanimously by the House of Representatives. Hopefully, we'll see them again before the end of June and I think that with the summit that has been called under the auspices of Senator Rock, Senator Philip and the other leaders and the Governor and other discussions that are ongoing, that these will be important steps towards a meaningful package. I urge an Aye for vote for Senate Bill 351.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't think we need to belabor the point. I think we all recognize that these bills are but a starting point and that many of the reservations that we've mentioned and heard mentioned here are very real. I only wish to get into the record for our friends, the sponsors, and our friends in the education community, please do not confuse forty some votes for these bills as some sort of mandate for this package as it now exists. It is clearly not that. It is a statement, I think, on behalf of most of us that we wish to see a rational and reasonable education program go forward. There are some vital components missing; funding, for one thing, and the votes for funding will not be forthcoming without some of the other components which includes formula

reform and some addressing of the funding of the mandates. Let's not look at the roll call and conclude that there's a mandate for these bills as they exist today because, clearly, if any of us...many of us thought this was actually what was going to reach the Governor's Desk, it'd be hard pressed to get twenty-five votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 351 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 351 having received the constitutional majority is declared passed. Senate Bill 355...Senate...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 355.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 355 is a bill that this Body has seen before. It requires all noncommunity college district territory to be incorporated into an existing community college district by July, 1990. At present, as I'm sure you're all aware, there are some forty-two high school and unit districts, approximately eight percent of the land in the State of Illinois and approximately three percent of the State's population that currently is outside of a community college district. This legislation phases in a required annexation or new district formation process. We have by virtue of Amendments 1 and 2, which were agreed amendments, protected,

I think, existing public and community colleges in certain areas and by virtue of Amendment No. 2 rolled back the time until 1990. As introduced, the bill would have called for this process to be completed by 1988. In the interest of orderly transition, we have now made it 1990. Senator Etheredge, I'm sure, is much more familiar than I with this legislation, but I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

I appreciate your concern for putting us in a community college district that we didn't want and that in eleven different referendums has been defeated. I don't think a community college has every passed a referendum anywhere in my district. From my home, I have seventeen colleges in...within fifteen minutes drive from my home. I'm not going to make a big point on the bill and I see what you're doing and I appreciate it. It's very convenient for the community colleges to tell everybody to get in. The only people who are being excluded from this process are the people who are paying for them. I mean, if you win on the referendums, you know, we wouldn't have half the community colleges we had except they just kept coming back and coming back and coming back. In my area, one of the referendums when down 75-25 and a year later we had another referendum on it. All I say is, thanks for the help but I wish you'd give me a little less help.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

A question for the sponsor initially. Does this institute a tax without referendum to pay the charge-back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Well, I suppose I could reiterate the same speech that Senator Keats gave. Obviously, there's a good portion in my district that'll be forced into a junior college district. I see no groundswell of support for it. I've never gone around here mandating and voting taxes on anyone unless they came and requested them. Now, all of a sudden, a bunch of people on the junior college board said, we want symmetry, we want everybody in; it looks nice, it's a wonderful bureaucratic thing, even though when we formed the board, we promised we wouldn't do this. We promised it, we said we wouldn't do it. Twenty years later or whatever, oh, we...we broke our promise. We're going to do it, we're going make the people pay more taxes. We're going to make them pay taxes right now and then we're going to force them into a junior college, and then they may want to build a bunch of buildings and they want to spend millions of dollars and we'll create a bigger bureaucracy and we'll budget more employees as they've got budgeted this year under the junior college board and we'll create the bureaucracy, something that generally people don't want in these districts. If they want it, I've never been asked for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I represent part of a district that's not in a community college district either, but I will tell you why I'm supporting this bill. Under the present system, it is costing the taxpayers of my schools approximately two hundred thousand dollars out of the budget of our

high school to pay for the charge-backs and...of the community colleges for the kids that go to those community colleges. That's the reason why, I think, that there has to be uniformity because we're imposing a hidden tax, a hidden tax on people that have no idea that that, in fact, is coming out of their pockets. This is straight up, this is forward, the people will understand what it's about, and I think that's a more honest approach than the present one. I want to reinstate the several hundred thousand dollars that it's costing out of the budget of my high school district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I rise in support of...of this legislation because it is not only good from the educational perspective, but I think it's also good from the perspective...perspective of...of economic development. Let me...let me elaborate but...but briefly. I think one of the things that is happening in our society is that in...over the last several decades is that it is no longer possible for a person to learn a skill and then practice that skill throughout their lives. We have discovered that it is necessary for people to return to school, return to a place where they can acquire additional skills than those that they...they left school with in order that they can continue to be...productive citizens...with...within our society, and we have found that the...the number of years that they can practice a profession without renewing their skills is becoming shorter and shorter and shorter. One of the great things about the community colleges is that they are within commuting distance of the citizens of our State, at least that was the design when the master plan was approved, adopted by the...by the General Assembly back in 1965. It's important that we put these

educational...the opportunities provided by the community colleges close to the people so that they can return, so that there is a place for them to go to renew their job skills. I...I very strongly urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't want to reiterate some of the arguments made against this bill, but I want to make a couple of new ones. I think that the junior college system or the bill that created the junior college system could not have passed...except for the fact that some communities were allowed to opt out and they were promised at that time that they would not be a part of this system. A number of these communities are in my district. One of the reasons they didn't want to be in a community college district is because they are so far from any college. Precisely opposite to the point just made by Senator Etheredge. There would be long commuting distances for them. Consequently, many of those kids that live in those areas now have a choice of where to go to school. They choose the junior college that may offer the particular program they want and not all colleges offer the same programs. The other thing I want to point out is that this bill will require a tax without referendum on those very communities who are...are struggling to save their elementary and secondary schools. If they need to pay taxes, they need to pay them for their elementary and secondary schools, not to get into some community college district that they don't want to be in. I urge a vote against this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I think the very point Senator Schuneman made in opposition is really justifiable reason to vote for this legislation. The fact is that the situation that's driving this legislation, that is promoting this annexation or reformation or new formation is the fact that if you look at the community college system in Illinois the average age is over thirty of those who attend, and the fact of the matter is, the charge-backs are killing the local school districts in those areas. There's roughly three million dollars annually paid out for out-of-district tuition and we ought to be, as Senator Berman said, honest and forthright about it and say, look,...get into a district, here's a levy to pay for it so that you can leave your elementary and secondary funds in your budget alone. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 355 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 15, none voting Present. Senate Bill 355 having received the constitutional majority is declared passed. Senate Bill 369, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 369.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 369 would apply the pension benefits of the State employees who already receive the alternative formula to our State correctional employees who have daily contact with inmates. It's a benefit bill and I'd like to

explain why I think this bill is...is worthy of your support. There are two primary reasons. Number one is that correctional security employees already pay the same rate of contribution as the State police and others who are currently covered by the alternative formula. We raised their rate of contribution in 1983 but we didn't give them the same benefit package. Now that seems to be grossly unfair and this bill would seek to remedy that situation, no more or no less. Secondly, the Legislature has extended the alternative formula to other groups than the State police because we recognize the inherent danger and stress of these other groups' work. Let me tell you who else gets the alternative annuity; air pilots, revenue investigators, security watchmen of the Central Management Services, Secretary of State Investigators and State Park Conservation Police, that's just to name a few. Now, can we say that the work of those groups of people are...is more dangerous or stressful than the work of our correctional workers? If you've ever been inside the walls of a Pontiac or an Menard or a Stateville Prison, you know it's no picnic. In 1984, there were over seven hundred inmate related injuries to State correctional workers. That's an average of nearly two serious injuries a day, three hundred and sixty-five days a year; eight of them in the past twelve years have been brutally murdered by inmates. I suggest to you that no other group presently covered by the alternative formula have worked more dangerous or more stressful than our correctional workers including our fine State policemen. Let me close by saying that the Department of Corrections supports this bill, the employees' union supports this bill, the State Retirement System supports the bill. I would hope that we at least treat our correctional workers who do an extremely fine job under very difficult conditions that we would treat them at least as well as we do our park police and the others whom I have mentioned before-

hand. I ask for an Aye vote on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I imagine it's no surprise that I rise in support of this bill with the amount of correctional institutions that I have, but that may sound parochial but I think, as Senator Poshard has well stated the cause for the legislation, I mean, how can we...differentiate our correctional officers from such people as our police officers, revenue investigators, mental health police officers, Department of Central Management Service security officers, State police, all these groups. If there's any more danger or stress involved, it's certainly in the Department of Correction employees. Plus, we all know what kind of turnover we have. Still, in my district, people always are calling their State Senators, I presume they call you, and want a...some employment with the State if they can get it, and I say to them, maybe the only place we can find you a job is with the Department of Corrections. The first answer is, well, you know, I...I...I will stay unemployed before I'm going to go work there. That's how bad these jobs are and I certainly think that this kind of a program is more than deserving for those employees, and I would ask you to give it your serious consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Earlier I asked you a question and you've clarified it for me, but I think it might be helpful if we clarified it

for the record. I had asked you that if I were an employee of the State in some other agency and transferred into the Department of Corrections would I eligible for this type of pension, and is...is that...could I do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

If you were an employee of a State agency which is not currently covered under the alternative annuity and you...you transferred into the system, you would still have to spend twenty years under this system to...to receive the annuity benefit. In other words, you couldn't transfer in with eighteen years in another agency and then serve two years and get the...the alternative annuity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. I, too, urge you to vote Aye on this bill because of the danger of being a prison guard, and if you've been around a prison, and I...I think that Senator Poshard and Senator Sangmeister have stated the case well, and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR SCHUNEMAN:

How much is the annual cost of this bill and how much is the unfunded liability increased?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

The annual cost under the last Economic and Fiscal Commission report is three million eight hundred thousand dollars, actuarial liability increases eighteen million nine hundred and eighty thousand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, you know, our...the estimates that we've had about the cost have been all over the map. First one I saw was seven million dollars increase in the actuarial liability and one million seven thousand annually. Then it was increased at the time this bill was heard in committee, apparently economic and fiscal had estimated the unfunded liability cost to be seventy-seven million dollars. Then there was a later figure of thirty million dollars, and now, by some kind of change in actuarial assumptions, the number is down to eighteen million dollars. Now, I'm sure that...that the good sponsor had nothing to do with...with all of this, but I merely point out to the members that I don't think anybody knows what this is going to cost. The other point I have to make is, I...I hear the legislators who have prisons in their district rise and make the plea that one of the reasons we ought to do this is the danger of the job. Well, the danger of the job has nothing to do with...with the retirement benefit. If there is an accident or an attack, that is compensated through the worker's compensation system, not through this system. The thing that we're doing here, I think, is that we have given an ultraliberal benefit to our State police, now we have everybody else saying, we want to get on the bandwagon and get a benefit just as good as that and I would ask the sponsor just one question in closing. Can you give me...can you name one private employer in this State who allows an employee to retire at age fifty with only twenty-five year's service?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That wasn't a question, that was a statement, Senator. Was that a question? Senator Poshard.

SENATOR POSHARD:

Let me answer the...the first question that you posed first of all, Senator Schuneman. The...the immediate assessments from economic and fiscal some time ago were based upon the Chicago Police Department as a comparative analysis. We found out that the people who work in the State Prison System do not work nearly as long as those people in the Chicago Police Department. As a matter of fact, some good estimates are that people who work in our prisons, those security employees, many of them burn out anywhere from seven to nine years on the job and do not even go ahead and retire, so the...the latest figures we have were based upon the figures that we got from the Department of Corrections. They're the real figures in terms of how long the people stay on and work toward retirement. I can't answer your last question, obviously. I hope it was a rhetorical question. I...I don't know that many private foundations and their retirement systems...or private companies. Sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. An observation I think that should be made is the fact that just in 1982 there were some changes made and those changes reflected that extra hazardous duty that these guards had. Now, we're doing something else for them. In addition to just being normal, at that time we also permitted the back duty to be added in. We were generous on that respect. Now, it looks like we're going to extend this to everybody in the correctional institution? Everybody?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

This benefit would only be extended to the security employees, and that's already defined by virtue of previous definitions established by this Legislature as those people who come into daily contact with inmates within the walls of the prison.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

...if I work in the cafeteria?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR RUPP:

I don't carry a gun, I don't have any arresting authority, I don't have any authority to act at all like that, and if I work in the cafeteria or if I am the parole officer, I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR RUPP:

...I, too, would...would be included in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, sir. The last two deaths that occurred in the State prison system were not correctional guards, they were, in fact,...one was a food service worker and one was a maintenance worker. So, those people do come into daily contact every day with inmates and their lives are in danger by that process. In regard to the parole officers, those people are mainly located within the Chicago area, as I understand it, and their job daily brings them into contact with very dangerous people and, in fact, there's a very, very

precarious situation that they live with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I rise in support of this bill, and the thrust behind this part of the twenty-year pension is to the stress of the individual. You have already done that to...occupations, including school teachers under the Downstate Teachers' and the Chicago Teachers' Pension Fund. Any of you deal with these individuals on a daily basis, and as Senator Poshard said, the last two deaths, the last several hostages were cafeteria workers; frankly, in some ways they're in more jeopardy than the guard because the cafeteria worker...or particularly the food supervisor in most prisons, the prisoners do the food preparation under the charge of supervisors, they're the ones who are with the inmates who have access to sharp weapons, they're the ones, in most instances, are a captive...as a hostage 'cause they're already accessible and they're also not trained to defend themselves. I think this is a good bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

END OF REEL

REEL #5

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I very quickly want to rise in support of this bill also. I am one of the districts that is receiving a new prison and I know for a fact that it's not easy to hire the security people necessary because the...along with the salaries the benefits are not all that great. And it's been stated here earlier by the sponsor that it's a short-term, seven to nine years, that these people actually stay on the job. I think we need to encourage those people to stay and if it's to give them some extra benefits I think we should do that. And I think they do risk their lives more than a lot of our other law enforcement people do, and if...for you that have not visited some of those institutions, you ought to do so and you'd see why...they only stay for a short time. I'd ask for support on this side of the aisle for this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. I would just remind you that the alternative annuities are already extended to certain groups of other employees on the basis of recruitment and retention of qualified employees, the stress that they undergo and the dangerous nature of their work; and on that basis alone, I think our correctional security people qualify for this annuity, and I would urge a favorable vote on this bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 369 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...the Ayes are 50, the Nays are 6, 1 voting Present. Senate Bill 369 having received the constitutional majority is declared...passed. Senate Bill 371, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is it amends the...Public...Insurance Adjusters Article. It...it allows for a injustice that we created when we initially passed the bill, we...stated that people that work for insurance companies did not have to get public adjuster's license. But what we forgot to consider, when these people retire or leave the company and want to go work for a private adjuster they must have a license. So what this bills does is gives them a year after they retire or leave their employment, providing they meet certain specifications of five year's experience in public adjusting...at the...insurance company. It also allows a...a year from the date of effective date for these people that retired before...after our passage of the law, it'll leave them to come into the system. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 371 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have...have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 6, none voting

Present. Senate Bill 371 having received the constitutional majority is declared passed. Senate Bill 374, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is sets up an...Infrastructure Revolving Fund which...where local governments can borrow from and pay back the money. What it does is creates a...a revolving fund after so many years. If we say...say borrow a million dollars at ten percent, our cost would be 2.3 million if we borrow over twenty years. If we...if we...loaned that money out to local government at six percent, we will get back 3.2 million dollars. In other words, eventually after the twenty-year period, we'll have a...we'll have a million dollars...keeps revolving and revolving which will make money. As far as the collection of it, there's no problem since we...we pay local government money in return of tax money and we have a preferred risk on our hand. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WATSON:

We are talking about...correct me if I'm wrong, increasing the general obligation debt of this State by one hundred

million dollars with this particular piece of legislation, is that...is that true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

That is true.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, then what is the position of the Economic and Fiscal Commission in regard to this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

They have an impact note but not a position. They have a...this...this general obligation on the...at the present time, the current...obligation on taxpayers...is two hundred and ninety-one dollars and ninety-six cents. This would increase a...increase of 8.62 percent...eight dollars and sixty-two cents or two percent. But eventually this would be wiped out because the money would be paid back by local governments at interest and there would be no impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Watson.

SENATOR WATSON:

Okay, but you didn't answer the question. Does the Economic and Fiscal Commission support this legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

My understanding in talking to staff, they have no position.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I think we ought to realize what we're doing here. We are establishing a whole new program, local infrastructure, with the General Obligation Bond requirement of a hundred million dollars. And from the State debt impact note that I have here in front of me from the Economic and Fiscal Commission, they...they claim and they say that over the period of the...of the bonds we'll have a two hundred and eighteen million dollar impact...a potential general obligation debt. So, for those reasons and others, I think this isn't really a time to be expanding our obligation...in regard to bonds and anybody who's concerned about our bond rating, and we've been quite fortunate in regard to that...that particular position, should be a No vote on this, and I would suggest that, and thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I rise in strong support of this legislation. Senate Bill 374 is quite similar to the bill that we passed out on the Consent Calendar, Senate Bill...Senate Bill 172. I can understand Senator Watson's concerns but I think, once again, we're looking at short-term...short-term problems rather than the long-term advantages of this type of legislation. Let me explain to you that as chairman of the Subcommittee on Infrastructure and in the State...eight cities that we held subcommittee hearings in, one of the primary concerns of local units of government is that they are not interested in a handout because, quite honestly, they don't believe that there's going to be enough money available from the State...State's end to finance all of their infrastructure needs. What the local...municipalities are interested in doing, however, is obtaining some types of loans, rather than a handout a help-

ing hand, so that they might initiate the programs on their own, be willing to pay a...a reduced interest...an interest on that money they've loaned but nonetheless an interest rate and get themselves back on their feets regarding infrastructure. I think it's a great concept. It's an opportunity for us in this General Assembly to give local units of governments that are sincere and honest about helping their infrastructure needs obtain those goals, and for that reason, I would urge a...strong support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of this legislation and...and listened with interest to some of the debate. Let me suggest to you that if we are going to discuss the health and future of the communities of Illinois under the catch phrase that the Governor has developed of Build Illinois, you will see two things. One, there is no build in Build Illinois; and two, there is no Illinois in Build Illinois. But what we have here is really dealing with the problem, the problem of the existing and crumbling infrastructure of our older communities; the problem of providing business, and yes, residents, with adequate sewers, adequate streets, adequate lighting, adequate ways in which to go about doing business and living in a community. And what this Act says is that is part of our obligation to rebuild, rebuild Illinois, to attract and maintain business in Illinois. And what we are saying through this Act, how do you go? Let's not spend taxpayer dollars at this level if we can avoid it. So this sets up a loan fund, I'll repeat that, a loan fund, paid back by those units of local government who would have to borrow at higher rates. So we are saving the taxpayers for a change, saving the taxpayers tens upon tens upon tens of

millions of dollars. And unlike Build Illinois, this is general obligation bonds, not revenue bonds. So if the payback figure of two hundred and seventeen million is accurate, and in my opinion it's close, the Governor's way would be two hundred and fifty million dollars to do the same thing. Isn't it better to only spend over the thirty years two-seventeen than to spend two-fifty and yet get it back, which his does not do? This is a cheaper way to do a better service for the taxpayers, those are the people who asked us to be government, then I would urge support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson for the second time.

SENATOR WATSON:

Thank you, Mr. President. I'm sorry to rise a second time but there was a comment made that...a bill similar to this...went out on an agreed list. Well, it's similar but we're...the difference is a hundred million dollars. A hundred million dollars in General Obligation Bonds. Big difference...big difference. I'd like to ask the Chair, how many votes does it take for this to pass since we're raising the bonding authority of the State? How many votes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's not raising the bonding authority...there's no increase I understand in the bonding authorization. It's a revolving fund, no increase in the authorization. So it'll take thirty votes. Is there further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 374. And I think that Senate Bill 374 is probably one of the most responsible piece of legislation that I've seen come before this Body this year. Senator Carroll, I think, capsuled...the problem. If this...we are going to talk about rebuilding Illinois or

Build Illinois, there is just no way around getting to rebuilding our urban centers. We must, if we're talking about being responsible, there is no way to attract businesses to Illinois, there is no way to...to create jobs in Illinois, there is no way to stimulate the economy in Illinois unless we first take a hard look at our "urban" centers. This piece of legislation will most certainly provide a needed capital so that those areas can, in fact, who can't get money otherwise to build and rebuild the infrastructures such as the City of Chicago old dilapidated sewer systems that have been there since the early nineteen hundreds and we're talking about...about over four thousand miles of it. There is just no way that local units of...government can, in fact, burden that kind of financial responsibility. The responsible thing for us to do here as legislators...we represent the State...the people of the State of Illinois and we must talk about giving some relief to local units of government. And so, therefore, I urge a Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair was in error when it said thirty votes. The bill...after looking at the bill, the bill does call for an increase in bonding authorization and it will take three-fifths vote to pass. Is there further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I...I can't help but notice, I...I'm trying to get a copy of the bill and reading our analysis, did everybody that's for this is from one municipality...and I...I...I don't know. Is this the Build Chicago version of Build Illinois? Would one downstater please get up and tell me they think it's going to help us downstate, I'd feel much better about it. Leroy, you're not a downstater.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's a suburbanite.

SENATOR SCHAFFER:

...I...I have a hard time buying suburbanite, but you aren't going to convince me downstater at all. Just one downstater please tell me it's a good idea, I'd just kind of like to hear that, I'm a little nervous here. I got a feeling we're being had and I can't quite see it in the bill, and I...I like to know when I'm being had exactly how we're...how the job is being done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall from East St. Louis has indicated he supports the legislation. Is there further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

You know I always hear Senator Schaffer yell about the big, bad...City of Chicago and the people from there, but it seems like...you know, this isn't...this bill...I'll tell you how this bill originated, from a little town of McCook which consists of about three hundred...three hundred people. Okay? They are required by...IDOT to move a water main from the City of Chicago...in...under the ground. It is going to cost them...they have to pass a referendum because it's going to cost them five hundred and seventy-five thousand dollars. Okay? That means about...to one industry in McCook, Reynolds Aluminum, means about sixty thousand dollars a year increase in water rate, sixty thousand dollars in this little town. This is not for Chicago, this is for the whole State of Illinois. And...and being from a...a...a nature of people that believe and set up the building and loan system in this country, we borrowed people...money and they paid it back and we created a...a solvent industry, a solvent industry of repaying loans, because what happens in this bill is very simple. Eventually we have a million dollars in twenty years that is tax...that...interest free, we don't have to borrow, it's paid back. If we borrow a million, we...it costs us 2.3

and if we loan it out at six percent, it...we get back 3.2. That means we've made a profit and we have money in the future to build and keep building in this State projects and bridges for small local governments that can't do it. I think it's a good bill. It's not just the big thing for Chicago. This isn't a Chicago proposal 'cause, Senator Schaffer, my district I represent nineteen suburban towns. And in that nineteen suburban towns ten of them are Republican. And those people are just as well and the people I'm doing this for are...they're not going...partisan politics when it comes to local government. They run nonpartisan and their boards are evenly matched so they can do it. So this helps small communities. This helps us, and it's...one thing it does, it says to them, you don't have to be in a constant dole waiting on the State to give you money. This says, we're going to borrow it to you, pay it back, we have no problems. And it creates a constant revolving fund that will not only build this State for twenty years but will build this State forever because this money will be there forever. It'll be a constant revolving fund where the dollars will always be there after twenty years. And we don't have to keep coming back and floating bonds at high interest rates 'cause that money will be there without interest and we can loan it out to local governments. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 374 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,the Ayes are 30, the Nays are 26, 2 voting Present. Senate Bill 374 having failed to receive the constitutional majority is declared lost. (Machine cut-off)...bill 376, Senator Netsch. Senate Bill 417, Senator

Hall. For what purpose does Senator DeAngelis arise? 417, Senator Hall.

SECRETARY:

Senate Bill 417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The reason that Senate Bill 417 was introduced is that in both States, Missouri and Illinois, there's a compact between the two States, and this was approved on September the 20th in 1949. Bistate is the...the reason that we have this is that with this compact both States operate the bus and other transportation systems in that...between those two States. Also, that the provision of this bill is for final and binding arbitration to prevent strikes is included. And that's the reason why we have that. So what happens is that if a labor dispute...they're to be settled by finding and binding arbitration by a three-member board, one appointed by the agency, one appointed by the representatives of the employees and chairman selected from a current list of the memberships of the National Academy of Arbitrators by the agreement of both parties. This is necessary legislation...also that identical legislation must be passed by both the State of Illinois and by the State of Missouri and approved by Congress. Labor dispute is to be broadly construed and included in any effective employment of benefits. There are several reasons why this is necessary: A, the preservation of rights, privileges and benefits; B, continuation of a collected bargain rights, protection of employees for...job positions and paid training for programs. This has prevented strikes. They've just signed a new contract and

there has been good working relationship between...the management, transportation system, the State of Illinois and also the State of Missouri. I would ask your most favorable support and I'd like to reiterate that this is for binding arbitration to prevent strikes and that's the reason that we have this bill. I'd ask your most favorable support of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Jones, for what purpose do you arise? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Point of personal privilege, I hate to butt in at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR JONES:

We have with us the eighth grade graduating class from Holy Neighbor Mary with their principal, Sister Carmella and their teacher Miss Jones, three...I'd like to give them a warm welcome, it's my parish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I always hate to rise against one of Ken's excellent bills, and I apologize, Senator. But there are two real technical problems with this bill and...and Senator Hall has made an honest effort to clean this bill up but sometimes when you have an...an internal problem that is beyond the control of Illinois, you can't clean it up. Let me give you an example. This has binding arbitration, okay, it...it gives collective bargaining, it has a binding arbitration.

Now if the arbitrator awards say x and y, trying to figure out...let's say if Missouri...the Missouri side of bistate or the Illinois side of bistate, if one side or the other says, hey, I don't want that, I'm not paying; wait until we try and figure out between Missouri and Illinois who's paying for things that they were opposed to and the arbitrator said you're going to have to pay for. There must be some way to work it out, but this bill doesn't really do that. It's an inconsistency that when you have a group of states together, I don't really know how you deal with it. Even if everyone that was trying to do this in good faith, and I presume everyone will, there is an inconsistency that we are really not capable of dealing with 'cause it depends on...all Missouri has to do is say, well, according to Missouri law we don't pay benefits like that to Missouri employees. And all of a sudden, the guys in St. Louis are sticking it to us and I think we know that East St. Louis doesn't have the extra money to pay for some of this. Or vice versa, suppose we do it from our side and they don't want to pay for it. So you have a...a natural inconsistency. The second point I want to raise is that it does add a little more than collective bargaining. It adds a whole litany of...of...of rights that, you know, you may judge yourself whether you want to do them but it does add a litany of rights to it. And I would ask your serious consideration of the bill and...and to simplify the process, perhaps let's just not pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the House. Senator Hall, I, too, would like to follow that up with a couple of questions if the sponsor will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Kenny, what...what has Missouri done to your knowledge...at...at...at this point? Have they taken any action on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza...Senator Hall is trying to...Senator Hall.

SENATOR HALL:

Senator, in Missouri they...same legislation is in place, they're attempting to pass the same. It must be identical in both states. Now if we pass it and the other state doesn't, this won't take effect anyway. But they are...it is introduced in the Missouri Legislature and they're working on it just like we are. And I would think by the time that...if this goes through and passes the House and gets over and by the time the Governor...if it does...the Governor signs into law that if Missouri doesn't, then ours won't have any effect anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

So...so to your knowledge Missouri, at this point, has not done it...has...has not done any...taken final action on this? That's what I'm trying...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yeah, you're correct. The Missouri Legislature is in Session just like we are but there's no...been no final action taken.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Question. Kenny, how...how...how many employees would you say this would affect in the State of Illinois? I know it's, you know, divided between Illinois and Missouri.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

To the best of my knowledge that the larger portion of this is in Missouri but I...I've been instructed that there's some five hundred employees on the Illinois side. Five hundred plus, I'm told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

To the bill then, briefly, Mr. President. Senator Hall knows that I have all the respect in the world for him and I know his intentions are good. I...I do rise in...in opposition to this bill, however, for a number of reasons. It does introduce the concept of mandatory collective bargaining, as Senator...as Senator Keats has said, with binding arbitration. I think it's...in reading the bill, it...to me, is fairly open-ended and I...if you will bear with me for just a...just a three or four lines here. "The term of labor disputes," and that's what this is all about, "shall be broadly construed," Senator Keats mentioned this, "and shall include any controversy concerning wages, salaries, hours, working conditions or benefits including health and welfare, sick leave, insurance, pension or retirement provisions, the making or maintaining of collective bargaining agreements, the terms to be included in such agreement and the...adjustment of grievances" and so on and so on, but "the terms to be included in such agreement." Now, Senator Hall has said that it's not his intention to...to include the

right to strike or...not that, he said he...he hoped that this would prevent strikes. I'm not so sure that that will be the case under the provision of this bill, ladies and gentlemen. It would seem to me that if the bargaining agreement called for the right to strike, that's exactly what we would face. And I'm going to make...just this...close with this philosophical point and that is that we here in the Legislature create these districts and bistate agencies and supposedly maintain some sort of control over those creations of ours, but then we turn around and through a processes such as this begin to surrender the control and the very exercise of control that it seems to me that we should have over these creations of ours and we do this by bringing in this mandatory collective bargaining and a...a...a union as exclusive bargaining agent and to that extent surrender, it seems to me, the control that we should have properly over these bistate agencies. I...I think it's a...a concept that really should be rejected. And I would urge...I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise of support of Senate Bill 417. This issue has been debated for several years now in committee and on this Floor. The questions raised by my distinguished colleagues on...on the Labor Committee on the other side just not valid questions...concerns...I...I recall when we were debating the collective bargaining bills last year...year and year before last...the bone of contention was that we did not have binding arbitration in the bill. Well, this one does have binding arbitration in it. I...I think many of us feel that binding arbitration is fact the best way to resolve disputes in reference to...collective bargaining agreements. This

group of employees due to the nature of their employment was excluded from the collective...comprehensive collective bargaining bill...State...for the State, and for the specific reasons that...that they were...would be entering into this bistate agreement with the State of...of Missouri. If, in fact, the...the General Assembly in the State of Missouri are now in Session just as we are in Session, then we must proceed through the process just as they are with the same identical bills and then if, in fact, their bill passes and ours don't pass, the same would happen with...with Missouri. You can't have a bistate agreement unless both States pass the bill. So, inasmuch as we are in Session at the same time, we have to start the bills through the process at the same times. The bill, as I understand it, before the representative...before the Labor Committee are, in fact, identical bills so that the questions raised by Senator Keats would not be an issue at all. For that reason, I would urge a favorable role call for 417.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Senator, something that I've...tried to deal with, and I'd like to have you answer this is in regard to binding arbitration. What...what happens if this committee, I believe of three, you mentioned, makes a decision that the bargaining process will spend more revenue than is generated? Can that happen under this...legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, Senator, I...I really can't answer that, I don't know but I'll certainly get it for you. I...I really am...I'll have to try and find out from...but that would be with the...up to the arbitrator and...and I just don't...I don't have that answer. And while I am asking this is that I'd like...could we have a little order...I can't...you can't even hear...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen,...could we have some order, please.

SENATOR HALL:

Senator Watson, I...would...I'll try to get that answer for you. I really don't know. But I'd like to say here in answer to Senator Keats, not avoiding you, we can come back to you,...that Senator Keats...that I heard you made reference to East St. Louis. But this district is not just in East St. Louis, it operates in Senator Watson's area, it operates in Senator Vadalabene's area, it operates in Senator Dunn's area. This covers a wide spectrum. So...but I want you to know that you have four Senators sitting on this Floor where bistate operates in their districts. Getting back to your answer, I'll try to get that answer for you, Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, that...that's one of the reasons that I think we ought to vote No on this, simply because binding arbitration, I...that's a process that I don't have a whole deal of understanding about, and I think what can happen is you can get into a situation in which a decision is going to be made in which we're going to be actually spending more money, more revenue than what's generated. Who pays? That's a question,

I think a legitimate question and concern, and I would suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is necessary; in other words, if we have something operating between two states, and that's why that we changed the bill and we put it in to binding arbitration, as to avoid strikes because everyone seemed to have a problem with that...that last time. What happens is that you going to get agencies, you going to have the National Academy of Arbitrators there and you going to have a list of people from seven members of the National Academy...any agreement reached or awarded shall be enforceful in a civil action in any district court of the U. S. having...jurisdiction over the parties. So I can't see it being a runaway. I would hope that by the time this bill gets...before it gets out of here, Senator Watson, I mean out of the House, I'll certainly have an answer to you and I think that this is good, necessary legislation, and I'd ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 417 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Chew...yeah. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, 2 voting Present. Senate Bill 417 having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

...purpose of a request for a verification of the affirmative roll, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson has requested a verification of the affirmative roll. The members will be in their seats. Mr. Secretary, please read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly,...Lechowicz, Lemke, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, do you...question the presence of any member?

SENATOR HUDSON:

Yes, Mr. President, thank you. Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Jones on the Floor? Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR HUDSON:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name.

SENATOR HUDSON:

All right. Take the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that question, the Ayes are 28, the Nays are 26, 2 voting Present. Senate Bill 417 having failed to receive the required constitutional majority is declared lost. Sponsor requests postponed consideration. Postponed consideration. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

SB 418 3rd Reading

Point of personal privilege, Mr. President. I would like to have myself and Senator Friedland shown as hyphenated sponsors on Senate Bill 1200. That's DeAngelis-Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator DeAngelis seeks leave of the Body to be added as hyphenated cosponsor...of Senate Bill 1200. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. I, too, would like to add my name as the hyphenated cosponsor of...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's...with leave of the Body, we'll add Senator Geo-Karis, but ladies and gentlemen, we're not on that order of business, but leave is granted. Senate Bill 418. On the Order of Senate Bills 3rd Reading is Senate Bill 418, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 418.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, Senate Bill 418 as amended merely allows farmers to maintain their drainage systems and it also gives permission to the Division of Waterways to...to have authority over all public and nonpublic waters. This amendment was agreed to by...members of the...farming community, Division of Waterways,...Department of Conservation, sportsmen's and...and different ones in the State. The...the only opposition that I know of to the bill now would be the municipal league. There's been much mis-

information in the newspapers that was written by, you know, misinformed people that had very little knowledge as to what they were talking about. I might say that Senator Joyce had a...a news article out of the Chicago Tribune that was comparing Illinois to Missouri and Kentucky and Minnesota and some of those states. Illinois produces more food and fiber than all those states combined...you know, Missouri and Kentucky and some of them serve two purposes; number one is to hold the world together; number two is...is to harvest tourists. But we're an agricultural State, we produce a lot of food and fiber here and...if there's any questions, I'll attempt to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates he will yield, Senator Watson.

SENATOR WATSON:

What does this have to do or anything with levy districts...and the ability of agriculture and farming community to build levies on their ground?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

It allows them to maintain...it grandfathers in the...the existing levies and...and allows them to maintain their existing systems. And it also allows them to...to build waterways and things of this nature out on their farms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. But in my district we have a real problem with this, people building levies, not getting proper permits.

The Department of Transportation has got enough to do now, in fact, they can't hardly handle what they've got in trying to comply with...with the current...current law, and I think by adding more to it, you're just going to be creating more problems. And I...I see here on my analysis that the Department of Transportation is opposed and you mentioned...I don't think you mentioned their position...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce. Oh, I beg...sorry. Senator Watson, that was a question? Senator Watson indicates that was a question. Senator O'Daniel.

SENATOR O'DANIEL:

It...it is agreed amendment by the...Illinois Department of...of Transportation. They agreed to this amendment because they do have...it gives them authority now over all nonpublic streams as well as public streams. And...and there isn't any opposition by the Illinois...the Department of Transportation. I can understand why they want authority over them. They're the number one source of silt and sediment in our streams. Because any time they build...construct a project or something, if you'll drive up and down the roads, you'll see who the number one...problem with...with silt and sediment is in the steams, but they still have that...they have the authority now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I rise in support of this legislation. This...this has been worked on long and hard by members of the committee and...and other interested people. We have reached an agreement with virtually everyone except, as the sponsor says, the municipal league. What this does is speeds up the process when a person...in the agricultural field needs drainage, they can...they...we've been assured by

the Department of Transportation that the process will be speeded up substantially. They can also clean out existing ditches without permit now and we have satisfied the environmental concerns of the Wildlife Federation and so forth. So this is...seems to me as good a bill as we can possibly get on this subject and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 418 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 418 having received the required constitutional majority is declared passed. Page 10, 427, Senator Donahue. On the Order of Senate Bills 3rd Reading is Senate Bill 427, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 427.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 427 is an attempt to alleviate a problem that's happened in my district, and all it does is authorizes the trustees of the schools or other school officials having legal title to school sites or lands to be able to grant a roadway easement by...with the consent of a school board in

the district in which...the lands are or they'd...they'd need the easement. It was on the Agreed Bill List until I had to bring it back for a technical amendment. I would hope you could support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall Senate Bill 427 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the...the Nays are none, none voting Present. Senate Bill 427 having received the required constitutional majority is declared passed. 445, Senator Davidson. On the Order of Senate Bills 3rd reading is Senate Bill 445, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 445.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, this bill does exactly what it does. It reestablished continuing education requirements for people licensed under the Illinois Medical Practice Act. It was amended to give credit for educationing...continue education requirements which you must meet if you have hospital privileges or board certified specialists. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 445 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

SB 447 3rd Reading

are 57, the Nays are none, none voting Present. Senate Bill 445 having received the required constitutional majority is declared passed. 447, Senator DeAngelis. On the Order of Senate Bills 3rd reading, Senate Bill 447, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 447.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Several years ago we passed a bill that would allow employers to group together for the purpose of self-insurance for workers' comp. Last year we created a solvency fund; however, we have a slight problem and that is that we don't have a conduit to that solvency fund, and what Senate Bill 7447 does, in the event of a default or an insolvency on the part of the part of a group self-insurer, they would first levy twenty-five percent of the previous year's premiums against the employers of the group, then access the fund, and if the fund was not sufficient enough, they would come back to the employers for the remainder. I would urge your favorable vote on Senate Bill 447.

PRESIDING OFFICER: (SENATOR DEMUZIO)

..any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'm sorry to get up on this bill but I felt rather upset when I tried to find out what this bill did. I was a little bit disappointed in my own ability to...to grasp what was going on, but then I felt relieved when Senator Schuneman also questioned it and he doesn't understand it either. I do think that...I was quite

relieved when that took place. But...there is...the whole purpose of solvency...funds is to pay folks when they have an injury. It seems like this is an effort to restrict the availability of the assets of those in the group insurance fund to meet those losses. I don't think that this is a bill that should be pushed through at this time and I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. First of all, on a side to Senator Rupp. From now on, Senator Rupp, when you don't understand a bill, please don't use me as a reference. Then...then a question to the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you indicate that the reason that you want this bill and that the bill is needed is to gain access to the insolvency fund which was created, by the way, to protect the worker who's injured to make sure that there's some money in the fund. Now, it...and what I would ask you, sir, is...is, what is the balance today in that insolvency fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

There's zero in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, there isn't anything in it. There's no money in the insolvency fund. And...I think what's wrong with this bill and it's a very complicated thing and it's hard...it is a hard thing for...for us to understand, I think. But I

think what's...what's wrong with it is that the people who are group self-insurers, and there are only six groups in the State,...supported the idea of creating an insolvency fund but they haven't created any fund. And the thing, frankly, that I'm worried about is that now they want protection against the possibility of their group going insolvent. They want to be protected so that they only have to pay a twenty-five percent penalty. Now those of you who are interested in protecting the rights of workers and the ability of a fund to pay the injured worker ought to be interested in this bill. It seems to me that what should be done here is to require the group self-insurers to first of all pony-up some money into that fund. Then if you want to protect them with a certain percentage of assessment, then it might make sense. But it seems to me until they put some money in the fund, this bill should not be moved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Senator DeAngelis, why are the insurance...why is the insurance industry opposed to this bill, or...in other words, why are the last two speakers opposed to this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I can't speak for them, but I...I believe that both would probably not look favorably upon people insuring...self-insuring under groups.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, now you've got us all confused on this side of the aisle when you fight among the...yourselves. We don't know which side to go with, so...we'll just maybe vote Present. I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I apologize for the second time, but I think Senator DeAngelis knows full well that there is no opposition from this...to this bill from the insurance industry that I know about. I haven't heard any insurance company opposing this bill. I'm speaking on...on this bill from the standpoint that...that if you want to protect the integrity of a fund that's to pay your injured workers, you ought to know whether or not there's any money in the fund, whether...whether that fund is provided by an insurance company or a group self-insurer. That's what we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, just a couple of quick points. First of all, in response to Senator Schuneman. If there is no money in the fund, the people are a hundred percent liable under this bill anyhow. I think there might be a question if there was money in the fund. The fund was just created. What we're trying to do is find a conduit to that fund. And whoever the authority is for levying that has not acted yet but I believe it's the Industrial Commission. But there is no point in having a fund if you can't access to it. So I urge support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 447 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. Senate Bill 447 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, by way of an announcement, and then I'm going to seek leave of the Body to go to the Order of Recalls. We will be here on Friday, it is now obvious. So my suggestion is that we will start at nine o'clock tomorrow morning and work as late as humanly we can, and then come in at nine o'clock on Friday and...and wrap up our business. In the meantime, we have a number of members who have requested that their bills be recalled for purposes of an amendment. We will start with the recall list that the Secretary has now distributed with the appropriation bills. Then we will move to the regular recall list and attempt to finish those off today to afford the Enrolling and Engrossing clerical staff some much needed rest. But tomorrow morning at nine o'clock we will start immediately again on the Calendar. I am also happy to announce that an agreement has been effected with respect to the subject of medical malpractice. There is an amendment being drafted at this moment. The copy of the amendment and an explanation will be given to each member, I hope, before the close of business today. And we will be amending Senate Bill 1200 to effect that agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we...no applause, please, it's not necessary. With leave of the Body...with leave of the Body, we'll go to the Order of Recalls. Senate Bill 173, Senator Schaffer seeks leave of the Body to return

Senate Bill 173 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, is Senate Bill 173, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I believe first we need to Table Amendment No. 1. So having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 1 was adopted for purposes of Tabling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1...Committee Amendment No. 1 was...was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Carroll now moves to Table Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this appropriates the sum of twenty-five thousand dollars that was donated by a foundation to the Secretary of State to increase literacy. It simply

appropriates these private funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 2 to Senate Bill 173. Any discussion? Senator Carroll.

SENATOR CARROLL:

Just we support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No...2 is...is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Is that the one twenty thousand dollar line transfer?

SECRETARY:

It doesn't so state it as such but it may be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, can you help out here? Senator Carroll.

SENATOR CARROLL:

Yes, this should be the turnover in hiring lag transfer for the Board of Regents. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Apparently it is, according to the Secretary. Senator...Senator Davidson.

SENATOR DAVIDSON:

Yeah, this a transfer, there's no new money. It's a transfer within the Board of Regents from one line item to the other 'cause they ran over expenses on Travel on the collective bargaining...during this...this fiscal year. And this is a transfer within line items.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Let me just identify now and will comment on it in a few moments. This is a...monies that would otherwise lapse in Personal Services to the Board of Regent system in higher education. And they are now giving us better turnover in hiring lag figures and therefore, in this case, they are asking to transfer them. When we get into the rest of the higher ed. budget we'll be explaining that in a little more detail. And I would support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson moves the adoption of Amendment No. 3 to Senate Bill 173. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This is a...seventy-nine thousand five hundred and forty-one dollar supplemental reimbursement to the Illinois State Historical Library to make up for funds they already had committed for other items which they had to use to pay for the expenses of Director Kennedy and the staff and et cetera and their ongoing expenses when under the Executive Order that created the Historical Sites Department, and this is for incurring expenses from November '84 through June of '85. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll.

SENATOR CARROLL:

...yes, Mr. President, Ladies and Gentlemen of the Senate. Senator Davidson...I think I'd ask you to withdraw this at this time. It's our understanding they have more

than enough money that they would...it is our understanding that they have sufficient funds that they would otherwise lapse, that they do not need this additional appropriation. We would, therefore, at this time, have to oppose it. I would suggest to you maybe it better to withdraw it, check with them. If we are accurate that they are lapsing more than this, let them spend what they would have otherwise lapsed. If they are not, then I will support an amendment to thereby fund. But at this point, it seems quite clear that they're lapsing more than they're seeking to spend and we would oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Senator Carroll,...I...I'm...I count votes the same as you and I would withdraw it, but I got to tell you the last conservation I had with them, they...they did not give me the information as you so stated. I will be back to them yet today and if...if what I find necessary or if we find it's necessary to have all or part of this, you'll support it. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson withdraws Amendment No. 4. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This is for forty thousand dollars to DCCA for the imple-

mentation of the plant for the...public affairs research complex we've been working on to bring industry or jobs to the Springfield area. This has to do with...reaching not-for-profit associations dealing with government parts. We have identified throughout the nation fifteen associations who want to move...indicated they would move, including eight from here in Illinois and we have an opportunity to approach them to locate here and keep them here in the State as well as expand on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, have you concluded? Senator Davidson moves the adoption of Amendment No. 4 to Senate Bill 173. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, this is a transfer from existing authority to fund the amusement ride inspector inspections, I suspect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 5 to Senate Bill 173. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you. This transfers forty-two thousand one hundred dollars in Federal Surface Mining Control and Reclamation

Funds from Contractural to Personal Services within the Land Reclamation Division.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves the adoption of Amendment No. 6 to Senate Bill 173. Those in favor signify by saying Aye...opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is a transfer of existing authority in the military and naval department for telephones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves the adoption of Amendment No. 7 to...Senate Bill 173. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This, again, is what we had done the first time and that's the realignment by the freeing up of downstate special ed. transportation monies to do the special ed. grants for downstate districts. It is...almost eleven million dollar reallocation to bring those that had been in ninety-five percent up to a hundred percent of formula. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 8 to Senate Bill 173. Those in favor signify by saying Aye. All right. Senator Philip, for what purpose do you arise? Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President. This is the same amendment we defeated last week, I bet; but I think it's more money now, it's 11.4 million, it's lapse money for education. As you know, I thought our agreement was that we're going to leave it for next year. So I would suggest a roll call, Mr. President, and suggest that the membership vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is no more than it was in the past, it is the same amount of money that they are lapsing. It takes those special ed. lines, Orphanages, et cetera and brings them up to...from eighty-eight percent to a hundred percent, from ninety-two percent to a hundred percent, from ninety-six percent to a hundred percent, from ninety-four percent to a hundred percent, so that those who had been harmed at not being at a hundred percent when we did the allocation at the beginning of the fiscal year will now be treated just as those who had gotten the hundred percent in the beginning of the fiscal year will have been treated. This is monies that we had overappropriated in some lines and therefore had underappropriated others. Now that the overages are known, I believe we would want to give the special ed., where they need it, the money to spend and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved the adoption...of Amendment No. 1...I'm sorry...Amendment No. 8 to Senate Bill 173. Those in favor will vote Aye. Those opposed vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 19, none voting Present. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate...Senate Bill 306. Is there leave to have Senator Carroll...all right, Senator...is there leave to have Senator Carroll handle this for Senator Demuzio? Leave is granted. On the Order of Senate...on...on recalls is Senate Bill 306...Senator Carroll seeks leave of the Body to return Senate Bill 306 from the Order...the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 306, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an add-back amendment to the Auditor General's Office. It is necessitated by the fact that now that he is not going to outside contracts for some of these audits but back into staff, we had not allowed him enough money to do so, and it would add back thirty-nine thousand six hundred. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 306. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 356...is...is there leave to have Senator Berman handle this in...in the absence of Senator Rock? Leave is granted. On the Order of Senate Bills...of recalls is Senate Bill 356. Senator Berman seeks leave of the Body to return Senate Bill 356 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 356, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Would Senator Carroll please explain the amendment? &tf

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman yields to Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is Senator Berman's amendment of his initiative, a hundred and fifty thousand dollar grant to inventors. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Carroll has moved the adoption of Amendment No. 4 to Senate Bill 356. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 360 I understand is off. 361, Senator...all right, Senator...Senator Carroll.

SENATOR CARROLL:

By way of, I guess, announcement would be the best way to handle it. In our discussions with the higher ed. budget there had been some amendments adopted and one was a tie vote, and then some other amendments. All systems now are at the three million dollars less than...than Governor's level in the area of Personal Services; Board of Regents, Board of Governors, University of Illinois, SIU, community colleges, the retirement system and the BHE, Board of Higher Ed. One of the subsequent amendments in SIU brought them down to the six and a half percent pay increase level anyway. What we have now identified talking to each of the systems is that there is a turnover and a hiring lag factor that was not previously identified, so that like other areas of State Government when they hire new people, there's a lapse period, a lag period between the time somebody goes off the payroll and someone goes on. So out of that billion three hundred million dollars spent on higher ed., we have identified that three million in Personal Services would have otherwise lapsed because of the turnover in hiring lag and that the amendments we adopted are not aimed at any specific group within the university systems. I won't have to read the list anymore. They are not aimed at any group whatsoever but merely identified as the amount that would have been a turnover in hiring lag within Personal Services, they can make their own readjustments as they see fit, and the amendments will go out of here as if the...the percentages that we had discussed at the level that we had adopted the amendments yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate Bill 361. Senator Etheredge seeks leave of the Body to return Senate Bill 361 to the Order of 2nd Reading for the...Senator Etheredge. Senator Etheredge, 361? Senator Carroll.

SENATOR CARROLL:

To the best of our knowledge, Senator Etheredge, there would not be a need to at this point. Is that correct? Yeah, so there's no need for a recall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate Bill 361...skip...362, Senator Weaver...Senator Weaver withdraws...363. All right. On the Order of...Senator Weaver seeks leave of the Body to return Senate Bill 363 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, is Senate Bill 363, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, I don't know exactly which is which but one of these amendments adds forty-two...forty-two thousand for rent and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver moves the adoption of Amendment No. 3 to Senate Bill 363. Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

...thank you, Mr. President and members of the Senate. This adds eleven thousand a hundred and fifty-four in GRF for the restorations made for the low-level employees and I'd move its adoption.

SB364 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, those...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 364, Senator Vadalabene. Senator Vadalabene seeks leave of the Body to return Senate Bill 364 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 364, Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Amendment No. 5 to Senate Bill 364, the amendment reappropriates the Income Fund for SIU Edwardsville.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any...Senator Vadalabene has moved the adoption of Amendment No. 5. Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Sam, this is Bev. Now I went away last week because I wanted to check on something in your district. Now I don't mind if gymnasiums are...are named for you because that's appropriate, but what's this other building they're going to name for you and why have they picked you to name it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah, first of all, Senator Fawell, I don't appreciate

you coming down into the district and I don't know it. And, you know, my love for you is beginning to wane because you're...you're doing some things that I object to. I've never been possessive with you, and I've let you do what you please. But I really believe from now on I'm going to be a little bit more careful and just a little bit more stricter where you go. And what this amendment reappropriates is an outdoor pool for Beverly Fawell and the equipment in the amount of four hundred and twenty-five thousand dollars. No. And it's coming from the Income Fund, Beverly, and I...hope you appreciate it when you get into that damn pool.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Oh, I think...Senator Fawell may have been a little bit confused, she was aware of another project that Senator Vadalabene put in, but I think that was put in yesterday. And I think what she was questioning, Sam, is whether they're going to call it the Vadalabene Rape Center. Yeah, we...we put in money yesterday for a rape crisis center and the university has indicated if Sam wants it, they will name it after him like they do everything else on campus. So you can go from the Vadalabene Multipurpose Building over Vadalabene Bridge down Vadalabene paths, drive through Vadalabene Drive and get to the...Vadalabene Rape Center.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It seems to me, Senator Vadalabene has moved the adoption...Senator Vadalabene.

END OF REEL

REEL #6

SENATOR VADALABENE:

Yes, to you, Senator Adeline Geo-Karis, I never said a word about your masturbation program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene moves the adoption of Amendment No. 5 to Senate Bill 364. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene. Senator...wants to have that one withdrawn.

SENATOR VADALABENE:

Wait a minute, Mr. President, I can't take any more of this and I want to withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 403, Senator Carroll. Senator Carroll seeks leave of the Body to return Senate Bill 403 to the Order of...2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 403, Mr. Secretary.

SECRETARY:

Senate Bill 403...Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Court of Claims awards bill, and as always, we are adding the most recently approved claims voted for by the majority of the...of the Court of Claims. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 403. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 428, Senator Kustra. Senator Kustra seeks leave of the Body to return Senate Bill 428 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 428, Mr. Secretary.

SECRETARY:

Amendment No. 3, by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

This is a modest request for the Lincolnway High School who are going to the Fiesta Bowl. It will cost them around a hundred and thirty thousand, we're only asking that the State pick up fifteen thousand of that, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall...Senator Sangmeister moves the adoption of Amendment No. 3 to Senate Bill 428. Those in favor signify by saying Aye. Opposed

Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This adds twenty-five thousand dollars from the Tourism Promotion Fund for a grant to Prospect High School band for its trip to the 1986 Tournament of Roses Parade.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Macdonald has moved the adoption of Amendment No. 4 to Senate Bill 428. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SECRETARY:

Let's try one for Senator Rigney on No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

This is a very modest sum of sixteen hundred and twenty-five dollars to the Dixon High School Pom-Pom Squad to enable them to travel down to Disney World to participate in the Inaugural Parade.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has moved the adoption of Amendment No. 5. Senator Carroll.

SENATOR CARROLL:

I just thought, Senator Rigney, the President got sworn

in in January. I wonder why they're having an inaugural parade six months later. Did anybody not tell Reagan that he was already sworn in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, do you wish to respond? Senator Rigney.

SENATOR RIGNEY:

I understand that the President will be down there for the occasion. You'll remember, his parade got cancelled, and...apparently, Disney World has picked the thing up now and going to make quite a promotion out of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Our parade is running late. Senator Rigney has...has moved the adoption of Amendment No. 5 to Senate Bill 428. Those in favor signify by saying Aye. Opposed...Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 451, Senator Sommer seeks leave of the Body to return Senate Bill 451 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 451, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this simply appropriates an additional amount for the Office Supplies Revolving Warehouse Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sommer has moved the adoption of

Amendment No. 3 to Senate Bill 451. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This to to add back the monies for the Telecommunications Revolving Fund. We had taken out more than what their bills are anticipated to be. These are monies that we allocate to each department and then it's revolved into Central Management. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 458. Senator Karpiel seeks leave of the Body to return Senate Bill 458 to the Order of...to 2nd reading for the purpose of an amendment. Is leave granted? Leave is granted. Senate bills 2nd reading is Senate Bill 458, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. This amendment adds eight hundred and seventy-eight thousand dollars two hundred...eight hundred seventy-eight two hundred dollars for a

grant to the City of Geneva for the design and construction of a shallow well. They have radium in their water there...in that part of the State, and they use deep wells, they are on a restricted status...this would enable them to build a shallow well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Carroll.

SENATOR CARROLL:

...Mr. President, unfortunately, I must rise to oppose this at this time. This is the first we hear of it, very honestly, and we're not quite sure whether all that has to be done by way of planning and design function or whether it should be a State funded program, whether it should come out of other EPA funds and be a transfer or should come out of some of the new programs, and...and at this stage, we are not in a position to support it and I would ask that it either be withdrawn or...the amendment not be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

I'm sorry. I thought you had known about it. I'll withdraw this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 464. Senator Watson seeks leave of the Body to return Senate Bill 464 to the Order of...Senate....Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 464, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 4 adds a hundred and seventy-five thousand dollars for the department to hire six new investigators to investigate private detectives in security firms. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 4 to Senate Bill 464. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 467. Senator Donahue seeks leave of the Body to return Senate Bill 467 to the Order of Senate Bills 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 467, Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President...Amendment No. 5 has five parts. It has a hundred and fifty thousand dollars is appropriated from the Local Government Affairs Federal Trust Fund for the administrative expenses of the Small Business Energy Assistance Program, has seventy-five thousand is reappropriated for the Federal Technology Development Consortium Program. It's a hundred thousand dollars that

is...reappropriated for the Federal Minority Business Development Program, three hundred thousand dollars is appropriated from the JTPA funds for the veteran's employment and training programs, and...two hundred and thirty-four thousand seven hundred dollars of GRF increase in the reappropriation for Industrial Development Grants to supplement training programs. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Amendment No. 5 to Senate Bill 467. Any discussion? Any discussion? If not, those in favor...signify by saying Aye...opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This a technical amendment to clean up some of the language. It has no dollar impact. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 6 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 468. Senator Donahue seeks leave of the Body to return Senate Bill 468 to the Order of 2nd...2nd Reading for the purpose of...an amendment...is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading,

Senate Bill 468, Mr. Secretary.

SECRETARY:

Amendment No. 7 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka. Senator Bloom...is there...is leave...

SENATOR BLOOM:

...maybe to keep the process going, I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, with leave of the Body...is...is there leave to have Senator Bloom handle the amendment for Senator Topinka? All right. Leave is granted. Senator Bloom.

SENATOR BLOOM:

This...this amendment adds seventy-five thousand for the aquaculture study. This was discussed in committee, I think maybe a change of signals. Senator Carroll, I believe, has a response to the proffered amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I think it might be wise at this point to withdraw it, Senator Bloom. I...I was not aware that apparently the substantive bill to create this program...was left underwater in the substantive committee and did not survive the swim. So there is no such program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Senator Carroll, do you want to explain that to the real sponsor of the amendment when the time comes? Maybe we should hold it and we could do it later if it's necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yeah, I...I agree that this is Senator Topinka's, and I

think if we withdraw the amendment now and I will be more than pleased to try and explain it to her later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Let's keep it on hold for now and get back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, here's...here's finally Senator...Topinka.

SENATOR BLOOM:

Senator Topinka, aquaculture is before the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I would like to commend this amendment which adds seventy-five thousand dollars from the General Revenue Fund to an in-depth study of aquaculture, which...we're hoping that this will then proceed to develop a plan that will coordinate to the currently conflicting...State laws and regulations which pose a barrier to the development of this industry in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator...Senator Welch.

SENATOR WELCH:

I had a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Indicates Senator Topinka who is now the principal sponsor of her own amendment again. Senator Welch.

SENATOR WELCH:

We...we had this in the Agriculture Committee, and I believe...wasn't there a commission created by this substantive legislation and this money is to fund that commission? Is that what's this seventy-five thousand is for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Originally that was our intention. I Tabled the bills that created the...the commission. This will just be done right out of the Department of Agriculture. There is no commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, what in the aquaculture field are they trying to study? Whether we need more catfish farms or what...what is it they're going to study?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Currently, there are numerous bits and pieces of laws that go through about fourteen different agencies and departments, many of them conflicting, many of then duplicative, many of them not in good form; and this...it is hoped that this will bring all of these together and to find out what the needs are to create this into a...a viable institution and to expand upon on what little we have now in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, it seems that cleaning up the Statutes and getting agencies their proper authority is our job here in the Legislature, and it seems that's what we pay staff for is to create legislation to combine or codify existing law under one section of the Smitherd Annotateds or the Illinois Revised Statute rather. I'm not sure why we need seventy-five thousand dollars to...the Department of Agriculture to do what the staff could do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

This also goes into educational programs which are concurrent in this State and out-of-state as to what is happening elsewhere and to pull all that research in. It is just really to...to completely direct specific attention on this one field so that they can get it off the ground, and there does seem to be some support in the State now but...having great difficulty in getting off the ground without a little bit of help from us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

As I recall in committee, one of the major plants or fruits or vegetables grown by this would be water chestnuts. Now, I thought that in committee you said that there was no shortage of water chestnuts in Illinois. Is...has that changed since committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Water chestnuts is one of many plants and animals that are researched by this; yes, there is probably no shortage of water chestnuts in the State of Illinois; however, there is a shortage of other plants and animal life that can be grown in a controlled environment which could indeed provide another...agribusiness which the State could use at this point with agriculture being in a slump.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I was...one of the problems we had was just that it...our information told us

that it had to be an average temperature of fifty degrees before...before these type of facilities really were financially feasible, and it...just seems to me that that wouldn't be the case in the Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Topinka may close.

SENATOR TOPINKA:

...since that...agribusiness has been a problem in the State, farmers are having a slump, this provides another alternative for them and it also brings a...a new and more viable business into the State of Illinois. I think anything that we can do to encourage business in the State that's...we've been addressing that issue right along the line, this just follows suit. So I would ask your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka moves the adoption of Amendment No. 7 to Senate Bill 468. Those in favor signify by saying Aye. Opposed Nay. The Nays have it. Senator Topinka has requested a roll call. Senator Topinka moves the adoption of Amendment No. 7 to Senate Bill 468. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...72, Senator...473, Senator Mahar. All right. Senator Mahar seeks leave of the Body to return Senate Bill 473 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. On the Order of Senate Bills 2nd Reading is Senate Bill 473, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...excuse me...this adds back the monies necessary for the agreement State...status which is necessary because of our low-level nuclear waste agreements with the neighboring states where we would be the receiver. We had taken it out thinking it was something the Federal Government could do, but this is the share we must have in order to participate in that agreement. I want to move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 473. Those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments...no, wait a minute. We have one more. Amendment No. 3, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a further reduction of ninety-six thousand in other lines to offset the add-back, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 473. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 476, Senator Bloom. Senator Bloom seeks leave of the Body to return Senate Bill 476 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 476, Mr. Secretary.

SECRETARY:

...Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There has been some significant confusion and still is with this department due to overposting and field staff and staff that would be used to obtain funding for women who would otherwise have been on aid. This amendment would add back those who are actually out in the field, as we can best understand it. There is still a question of what have been known as floaters or bobbers, and that will be dealt with in a later amendment; this, in the meantime, adds it back and then we will be deducting it again later. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 476. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 4 adds back 21.5 million dollars to the Department of Public Aid's budget for the purpose of maintaining the fifty-two percent standard of need for welfare recipients, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Bloom.

SENATOR BLOOM:

Yeah, I'd make a parliamentary inquiry, Mr. President. Under our rules, is...this is an identical amendment that was offered before this Chamber yesterday or the day before and defeated. Under our rules, is it proper then...or under Robert's Rules at any rate, if our rules don't specifically address it, to offer an identical amendment? I'd say that this was dilatory, tried to make an inquiry at first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, I am told...I mean, Senator Bloom, I am told that there isn't...this is not in fact the identical...amendment that there is a substantive change in the amount of dollars...involved with the amendment. Senator Bloom.

SENATOR BLOOM:

Well, then, I'll...I may...I may address this again. I don't...I don't want to tie up the time of the Chamber. But how is this...okay...are you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It seems to me and I'll...I will have the Parliamentarian check this. It seems to me that under our rules, that an amendment without leave of the Body could not be considered that day that there had to be at least one legislative day before...an identical amendment could be...could be taken up, and I'm going to have the Parliamentarian check it. Senator Bloom.

SENATOR BLOOM:

Okay. Thank you. I'll...I'll await exactly what the ruling is and address it. This particular Amendment No. 4, I believe, adds in twenty-one million dollars. It's identical to the one that we defeated yesterday, and I think for the same reason...to shorten up the discussion, I think for the same reasons that this Body with votes on both sides of the aisle defeated this amendment, that we should defeat it again because, as you know, it...it does increase grants as well as...what we're doing is it's not just a twenty-one million dollar add-on, 'cause that's for six months. It's actually going to be forty-two 'cause you're raising...you're raising the rate and base again. I would urge members on both sides of the aisle to defeat it at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President. It is not going to be forty-two, it's only half of that. It's Federal...the total twenty-one million dollars, half of that...that is Federal dollars, so it's not but twelve...twelve...twelve million and seven hundred twenty-five thousand would be coming out of...would be State dollars. Let me also say that the cost of living in...in Illinois according to statistics from the...the...campaign...the group...the causes of the campaign for the family stability indicates that five...that Illinois is about the fifth highest cost of living in the U.S., and that public aid grants are lower than twenty-four other states. Combining food stamps and grants for recipients and...and...and other resources, they are about twenty-five percent less than the poverty...Federal poverty index. This...amendment just merely brings them up to fifty-two percent of the standard of need which I understand that this Chamber has passed...the State have passed and it's merely

about a four percent increase. So...it is just fair, there's no way that we cannot bring them up to at least to the standard of...of need. And I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 476. Those in favor signify by saying Aye. Nay. There's been a request for a roll call. Senator...all right. Senator Bloom.

SENATOR BLOOM:

Now that debate is done, I wondered if we could have a ruling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

In the first instance, Senator Bloom, I am told that the amendment is not identical to one that was offered yesterday.

SENATOR BLOOM:

Our staff says it is. I don't know. But...I...I'm...I apologize for slowing the process down but I think it's important. I'm trying to save us a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, I have both amendments in front of me and the amendment from yesterday was fifty thousand less than the amendment from today, so therefore they are not identical.

SENATOR BLOOM:

You're absolutely correct. Could we have a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has requested a roll call. Senator Collins has moved the adoption of Amendment No. 4 to Senate Bill 476. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all...have all...have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 28, none voting Present. Amendment No. 4 is adopted. Senator

Bloom, for what purpose do you arise?

SENATOR BLOOM:

Verification, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom has requested a verification of the...Senator Bloom, the affirmative vote? Of the affirmative vote. Members will be in their seats, the Secretary will read those members who voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Chew. Collins. D'Arco. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, do you question the presence of any of the members?

SENATOR BLOOM:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Senator Newhouse on the Floor? Strike his name.

SENATOR BLOOM:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is in the back of the Chamber.

SENATOR BLOOM:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft on the Floor? Senator Luft on the Floor? Strike his name.

SENATOR BLOOM:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco is on the Floor.

SENATOR BLOOM:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Over there by Senator Netsch.

SENATOR BLOOM:

Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan on the Floor? Senator Degnan on...on the Floor? He's at the back of the phone booth...on the Floor.

SENATOR BLOOM:

Poshard...Senator Poshard on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard on the Floor? Senator Poshard on the Floor? Strike his name.

SENATOR BLOOM:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, do you question the presence of any other affirmative member? Mr. Secretary, what is the...27 Ayes, 28 Nays, none voting Present. Amendment No. 4 fails. Further amendments?

SECRETARY:

Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

To verify the negatives. We asked.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has...has made a request to verify the negative vote. The request is in order. Senator

Bloom.

SENATOR BLOOM:

Well, all right. I thought that once that...the fate of bill or amendment was announced that we start on to the other business...you announced the other business. If...and you called for another amendment and the vote is off the board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins, the Chair in fact had...had announced the verification of the roll call. We had in...indeed gone to a...a different order of business. We are in fact on other amendments. Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

All right. This...Senator Carroll addressed the issue of certain floating employees' positions in the Department of Public Aid. What this does, staff has been talking back and forth with the agency trying to discern indeed if these are floating positions or not. Right now, we feel that probably the safest thing, 'cause this bill is coming back, would be to remove the hundred and ninety-two floating positions, and then in the normal legislative process ascertain whether indeed they are empty or not. So, I'd answer any questions, otherwise, seek the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Bloom has moved the adoption of Amendment No. 5 to Senate Bill 476. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 478, Senator Kustra. On the Order of Senate Bills...on Recall, Senate Bill 478. Senator Kustra seeks leave of the Body to return Senate Bill 478 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 478, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the House. Senate Bill...Amendment No. 2 increases the grant for residential service for...Department of Alcoholism by a hundred and sixty-seven thousand dollars for the moving of a mental health center...fellowship house to move off of the...Anna Mental Health Center. This...bill was passed last year, Senator Buzbee got five hundred thousand dollars to do this and the Governor vetoed that out and made an agreement with the Department of...of Alcohol and Abuse Substance, and the...and the fellowship house that they would do this in three or four stages of a hundred and sixty-seven thousand each year. So I'd like to move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR DUNN:

Or 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 478. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As...I rise in opposition to the amendment. As has

been identified, the only official word from the second floor has been his veto of this suggested move. It is our understanding that this, in fact, can be performed on premises as it has been in the past, and we would strongly recommend that that be the continuation. It is our understanding that the mental health center can do this on their grounds and we believe as the Governor did that that's the better place to do it, and I would urge defeat of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Okay, I guess I'm one of the designated hitters here. Last year...Senator Carroll's comments are indeed correct as far as they go. Last year it was five hundred thousand, and one of the reasons it was vetoed was because it was perceived as perhaps costing more. This year, negotiations have gone on during right up to and including the past few days between the administration, I believe, and Senator Dunn and that they did agree at a compromise figure of a hundred and sixty-seven thousand. That being the case, I would rise in support of Senator Dunn's effort. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn may close.

SENATOR DUNN:

Thank you, Mr. President. The Department of Alcoholism and Substance Abuse had about six things amended out of their bill by the Appropriation Committee, and they have given me a list of the things that they want restored or would like to have some of it restored and...and the fellowship house money is number two on their priority list. So it's a pretty high priority. It...it would do just exactly what Senator Buzbee attempted to do last year, but it would do it in four or five different steps at a hundred and sixty-seven thousand dollars a year. And I understand that the Anna Mental Health Center

wants this moved off of the hospital grounds and they would build and start construction of a fellowship house to do the alcohol abuse, and I'd appreciate Aye vote and I'd ask for a roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn has requested a roll call in the adoption of Amendment No. 2. Senator Dunn moves the adoption of Amendment No. 2 to Senate Bill 478. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. Amendment No. 2 fails...Senator Dunn, for what purpose do you arise?

SENATOR DUNN:

I...I hate to take time of the Senate, but I'd like a verification, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR DUNN:

Of...of the negative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Dunn has requested a verification of the roll call. The members will be in their seats. Senator Dunn, you wish to have those members who voted in the negative?

SENATOR DUNN:

Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Mr. Secretary, you will read the names of those who voted in the negative.

SECRETARY:

The following voted in the negative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly.

Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn, do you question the presence of any of those that voted in the negative?

SENATOR DUNN:

Thank you, Mr. President. I'd like to...Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Senator Newhouse is on the Floor.

SENATOR DUNN:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft on the Floor? Senator Luft on the Floor? Strike his name.

SENATOR DUNN:

...Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard on the Floor? Strike his name.

SENATOR DUNN:

Senator D'Arco just left. I give him leave. Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew is by his chair.

SENATOR DUNN:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones is back by Senator Chew.

SENATOR DUNN:

...that's all I have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Well, in that case, I'd like to verify the affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has sought leave of...request a verification of those that voted in the affirmative. Mr. Secretary, would you read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Barkhausen. Bloom. Coffey. Davidson. DeAngelis. Degnan. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Karpiel. Keats. Kustra. Lechowicz. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson and Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, do you question the...any of the members that voted in the affirmative?

SENATOR CARROLL:

Yes. Is Senator Coffey here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey on the Floor? Senator Coffey on the Floor? Strike his name.

SENATOR CARROLL:

Is Senator Donahue there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Where's Senator...Senator Coffey...Senator Coffey is on the Floor, add him back.

SENATOR CARROLL:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR CARROLL:

Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

She's in the back of the Republican side.

SENATOR CARROLL:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen is in his seat.

SENATOR CARROLL:

Senator DeAngelis get back?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis on the Floor? He's in his seat.

SENATOR CARROLL:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats is standing right behind you.

SENATOR CARROLL:

I'm sorry, that's why I couldn't see him. Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz on the Floor? Is Senator Lechowicz on the Floor? Strike his name.

SENATOR CARROLL:

Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan on the Floor? Senator Degnan on the Floor? Strike his name.

SENATOR CARROLL:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, may I...Senator Luft has returned to the Chamber. Senator Luft has voted in the negative, restore his...restore his vote to the negative side. On that...on that vote, there are 27 Ayes, 28 Nays, none voting Present. Amendment No. 2 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Order of Senate Bills...on the recall sheet, we have Senate Bill 481, Senator Dudycz. Senator Dudycz seeks to recall 481 to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 4 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate...Amendment No. 4 would delete three million three hundred and seventy-three thousand in overtime, eight hundred and eighty-three thousand at administration, thirty-one thousand and...for cars in race track unit, seventy-seven thousand for State police Cessna airplane, six hundred and thirty-seven thousand five hundred for radio equipment for eighty-five cars, and would delete a hundred and seventy-nine thousand three hundred sixty-six in administration for permanent improvements, for a total reduction of five million two hundred and seventy-two thousand seven hundred and forty-one dollars. I'd move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves the adoption of Amendment No. 4 to Senate Bill 481. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

SB 552 Recall

I think I'll have to withdraw it at this time. I understand that it is technically defective based on Amendment No. 4, so I'll withdraw it at this time to correct it at a future time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 482, Senator Donahue. Senate Bill...Senator Donahue wishes to have Senate Bill 482 recalled to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of...Senate Bills 2nd Reading, Senate Bill 482. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. This an add-back for the veterans' home in Manteno of approximately at a million dollars consistent with the request of the department, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 482. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 552, Senator Rock. Is there leave to have Senator Carroll handle the bill? Hearing no

objection, leave is granted. Senator Carroll moves to bring back Senate Bill 552 from the Order of 3rd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 552. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to our own agencies, our legislative service unit. This is an add-back for the Audit Commission, we had misaudited the figures, and...found we had actually cut some people who...who were there. I would move the adoption of the amendment to add them back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 552. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1368, Senator Sommer. Senator Sommer wishes to have Senate Bill 1368 brought back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1368. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is part of the reappropriation. This is for the school districts. There were actually seven schools in the Chicago area that were being constructed under this reappropriation method that for some unknown reason had been dropped from the reappropriation bill. This would put...in that money...put it back in. I have requested from the administration any explanation they may have as to why the error of having taken it out of the reappropriation, and pending an answer to that, we are asking that it be put back in. I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1368. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1410, Senator Collins. Senator Collins seeks leave of the Body to bring 1410 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1410. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 adds the sum of three million dollars of...for the...to the Department of Commerce and Community Affairs for the operation of the Illinois Job Training Corps, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the adoption of Amendment No. 1 to Senate Bill 1410. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Watson arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to take this opportunity to Table Senate Bill 1250. This is the legislation that deals with the libraries which I think many people are being contacted about. The problem has been resolved in my district, and I now would like to Table this particular piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Watson. Hearing no objection, leave is granted...to Table House...Senate Bill 1250. Is that correct, Senator Watson, Senate Bill 1250? Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I want to commend Senator Watson for Tabling Senate Bill 1250.

PRESIDING OFFICER: (SENATOR SAVICKAS)

At the present time, they are circulating upon your desk a second recall list. A second recall list. We will...begin at the top with the bill sponsors. On recalls, Senate Bills 57, Senator Marovitz. Senate Bill 760, Senator Marovitz. Senate Bill 915, Senator Demuzio. Senate Bill 1029, Senator Lemke. Senator Lemke seeks leave of the Body to bring Senate Bill 1029 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate

SB 1037 Recalled

Bill 1029.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is amends Senate Bill...1029 to...let the existing enterprise zone of Bedford Park Summit to take in a piece of land that was forgotten, which is divided...which is divided by the City of Chicago. It takes in about twenty businesses which belongs to the Business Association and which is part of the economic growth of...of that particular enterprise zone...think it's a good amendment, the department is for it and they agreed to it after they found out the mistake, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1029. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1037, Senator Netsch. Senator Netsch seeks leave of the Body to recall Senate Bill 1037 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1037, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the bill that deals

with use of the prior year's equalized assessed valuation and did other things as well. We've been having meetings involving both sides of the aisle and others who...including for the first time some of the school districts and others who are interested in it, and the amendments that I'm offering now reflect the agreements to date on this. It is possible that at some later time after the bill has gone over to the House that we will have some additional changes, but so far there is a wide degree of uninimity. Basically what the amendment does is to delay the uniform levy date to tax years after January 1, 1987. It deletes the provision that allowed only for adjustments by filing...I'm sorry,...it inserts a provision which allows only for adjustments by filing a certificate of error due to property being deleted from the tax rolls, and the quarterly payment provision which was mandatory is made optional so that it can be done or not done by the counties as they choose, and I think those are the major provisions that are incorporated in the amendment at the present time. I would move for the adoption of Amendment No. 1 to Senate Bill 1037.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to Senate Bill 1037. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1086, Senator Vadalabene. Well, Senator Demuzio...Senator Demuzio seeks leave of the Body to bring back Senate Bill 915 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. Senator Demuzio on Senate Bill 915. Mr. Secretary.

SECRETARY:

SB 1136 Recalled

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would authorize the Illinois Farm Development Authority board members to receive a...a...commensurate amount of per diem, a hundred dollars a day for the days in which the board meets. It's estimated at...that the board will not meet more than fifteen times a year; currently, they are not...they do not receive any per diem, they are voluntary. This would be paid from the fees that were collected by the authority, no State dollars are involved and I would ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 915. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1086,...3rd reading. Senate Bill 1086, Senator Vadalabene. 1136, Senator Watson. Read the bill, Mr. Secretary. I'm sorry. Senator Watson seeks leave of the Body to bring 1136 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1136, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I'd like to withdraw Amendment No. 1 or Table it,

whichever is appropriate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson seeks...seeks to leave...leave to withdraw Amendment No. 1. Is leave granted? Leave is granted. Are there further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, then, I would like to withdraw this one also, and now I understand there's one left. Right?...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson seeks leave to withdraw Amendment No. 1. Is leave granted? Leave is granted. Any further amendments?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

...this is the real amendment. What this does is identifies what an essential part is in regard to the chop shop legislation that we had passed last year, last term or last Session, and it has created a considerable amount of problems not only in my district but throughout Illinois and what we're trying to do is identify what...what is an essential part. And what the amendment does...says that a vehicle less than eight years old would be...would have an essential part and also all hulks, cowls and chasis of vehicles eight years and older would be considered an essential part and have to be inventoried by the...the...the salvage people. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the

adoption of Amendment No. 1 to Senate Bill 1136. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1152, Senator Kustra. Senator Kustra seeks leave of...to bring back to the Order of 2nd Reading, Senate Bill 1152 for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1152, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The amendment to this particular bill has been held up while we've tried to work out some kind of an agreement. Basically, it's an amendment that deals with physicians' assistants and it grandfathers in about sixty physicians' assistants who took a State exam in the late '70's and who are now practicing in certain specialized fields. To the best of my knowledge, most of these physicians' assistants are not involved in primary health care. As far as I'm concerned, we'll add the amendment at 2nd reading and debate the issue on 3rd reading. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to Senate Bill 1152. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1086, Senator Vadalabene. Senator Vadalabene seeks leave of the Body to bring back to 2nd reading, Senate Bill 1086 for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading Senate Bill 1086, Mr. Secretary. Well, we'll move on to...Secretary is...trying to locate the amendment, Senator Vadalabene. We'll move on to...we'll take that out of the record...we'll take that out of the record and go on to Senate Bill 1346, Senator Welch. Senator Welch seeks leave of the Body to bring Senate Bill 1346 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Senate Bill 1346, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I yield to Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment is, is an amendment which creates the Public Awareness and Response Act. It amends the Toxic Substances Disclosure to Employees Act. This bill originally started out as the community right-to-know piece of legislation. It is now going to, with this amendment, create the Public Awareness and Response Act providing that by March 1, 1988 and annually thereafter certain categories of industries must file a hazardous chemical notification form with the IEPA. Businesses must also develop a written on-site emergency response plan which must be reviewed and updated at least every two years. It amends

the Illinois Toxic Substances Disclosure to Employees Act to provide that businesses must submit alphabetized list of hazardous chemicals, compounds and mixtures for which the businesses have acquired material safety data sheets to the director of the Illinois Department of Labor. The Department of Labor director will send the list to either the local government agency coordinating emergency services or the county sheriff will make the list available for public inspection. This amendment as originally introduced in the House is supported by the Chemical Industry Council and it's a version of the community right-to-know supported by various industry organizations, including the Illinois Manufacturers...Association and the Chemical Industry Council. I'd try to answer any questions if anybody...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. With...will the speaker yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

You...you are saying that...that industries are supposed to alphabetize lists of chemicals that they use in the industry?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Yes, Senator, they already do that alphabetically under the employee...the worker right-to-know. It's already done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

And...and then hand them to whom?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

They go to the Department of Labor. He, then, sends the list to either the local government agency coordinating emergency services or the county sheriff who makes the list available for public inspection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Why? I mean, what are we...what we are trying to accomplish with this?...you know, I'm not trying to kill your bill. I really want to know. What...who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, basically, individuals who are...consumer group members, constituents would like to know what is in their community down at the local plant. Many of us who have plants in the communities where we live sometimes smell something or see something going up in the air or...or...or get a breeze from the plant, we'd like to know just what's going on down there. We passed last year the bill allowing employees to find out what chemicals are in that plant. What chemicals are stored. What this bill does, this relates to the chemicals that are used at the business site making it available to public, people who don't work there; and in order for them to get a copy of the chemicals that are used down at the local plant, they have to go somewhere to get it. We wanted to make sure that they didn't have to go directly to the businesses so that they'd be knocking on the door of business saying give me a list. So what we did was we gave...we have a...an option here. Through the Department of Labor, a copy of the list is sent either to the county sheriff or your

local government agency...coordinating emergency responses. So there's two possibilities based on the county where a person could go. Usually the sheriff's office is open twenty-four hours a day so, if necessary, law enforcement personnel could get the lists in case they had to go in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...don't a lot of the...don't a lot of these fire departments have this kind of a list so that in case there is an emergency, we have access to this information?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, that...that's pretty much a voluntary proposal on the part of the companies, some...some fire...departments do have the list available, Senator. But what with this bill...this is more geared towards individuals in the community; for instance, if you wanted to go into your local...if you wanted to find out what your plant down street had as far as chemicals which you think might result in a spill or some other...type of...a truck dragging out chemicals on its tires that might affect your children, then, you could ask the plant, what have you got in there? That's basically what it's geared towards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, I think we ought to take this out of the record for the moment. We have just received a...a request signed by five members that...Amendment No. 1 to Senate Bill 1346 be printed and made available to every Senator who requests a copy before the amendment is further considered. It was signed by five members here and it's in order. Take it out of the record. Senate Bill...Senator Vadalabene on 1086, the Secretary does have the amendments now. Do you wish to...do

you wish to have 1086 brought back, Senator Vadalabene? Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, I requested for the amendments to be placed on everyone's desk on 1086 also, so that we won't have to go through the same confusion, and then I'm going to yield to Senator Welch on 1086.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Has the amendment to 1086 been distributed? Senator, we will save time by having copies...made available and distributed. We'll move on to Senate Bill 1366, Senator Sommer. Senator Sommer seeks leave of the Body to have 1366 brought back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, Senate Bill 1366, Senator...Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, it...it would be my belief that I may have to take off Amendment No. 2. What is the proper motion? Having voted on the prevailing side of Amendment No. 2, we would now...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer has moved...having voted on the prevailing side, moved to reconsider the adoption of Amendment No. 2 to Senate Bill 1366. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion to reconsider is adopted. Now Senator Sommer moves to Table Amendment No. 2 to Senate Bill 1366. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

It's a fine pickle we're in now. We're going to have to reconsider that motion and place it back on. They indicated to me that I did the wrong thing and it's certainly my error.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll just take it out of the record. Take...we're taking all that action out of the record and now we're on Senate Bill 1366 on...on 2nd reading, there...are there further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Okay,...this is the amendment agreed to by both staffs and the Governor's Office at least in regard to language to accomplish what we had suggested at the Executive Committee in regard to these bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sommer moves the adoption of Amendment No. 3 to Senate Bill 1366. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1367. Senator Sommer seeks leave of the Body to bring 1367 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills

SB 1382 Recalled

2nd Reading, Senate Bill 1367, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, this is an amendment worked out between the two staffs and the Governor's Office to reflect an agreement on language. It does not reflect agreement in principle with the bill, but it puts it in a shape that we can all agree to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer has moved the adoption of Amendment No. 2 to Senate Bill 1367. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1382, Senator Smith. Senator Smith seeks leave of the Body to bring back Senate Bill 1382 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1382, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Demuzio.

SENATOR SMITH:

Okay?

PRESIDENT:

All right. Senator Smith on Amendment No. 2 to Senate Bill 1382.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 2 to Senate Bill 1382 provides an exception to the authority granted to the school district in the bill. It requires a school officials to direct parents to the agency responsible for the...child's care, and with this amendment, the Department of Children and Family Services will not oppose this bill.

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1382. Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Maitland.

SENATOR MAITLAND:

This is the bill we debated the other day...as I recall. What...what does the amendment do now?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you...thank you. The...the...the amendment states that the provision of the bill shall apply except as otherwise provided in the Abused and Neglected Child Reporting Act or other applicable State or Federal laws. It requires school officials to direct the parents to the agency which is responsible for the care of the child in this particular situation. In other words, when they...before...this is on Amendment No. 2.

SB1387 Recalled

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 2 to Senate Bill 1382. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 3 to Senate Bill 1382 have...we will insert the word prior to the word "custody" "protective." That's put in and that was suggested by our colleague on the other side...in order to ensure that the child will be safe, the...school board will let the families know where the child is but he will be in protective custody. This is a technical amendment and this further clarifies that the situation in which information may be withheld by the school are those in which the child is in protective custody. Inserted the word "protective" before the word "custody." I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Smith has moved the adoption of Amendment No. 3 to Senate Bill 1382. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas on 1387. Senator Savickas seeks leave of the Body...bottom of page 27 on Senate bills 3rd reading, Senator Savickas seeks leave of the Body to return Senate Bill 1387 to the Order of 2nd Reading for pur-

poses of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1387, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this amendment is the amendment that we drew up to clarify the purpose in...the legislative intent of this bill. We were meeting with the Illinois Board of Education and the proprietary schools, and they believe that this language will clarify the legislative intent and purpose of the bill and I would move its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 1387. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...just had a copy of this amendment delivered at hand here and I'm...I'm trying to understand what it means. Could you...could you elaborate just a little bit?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator Etheredge, this amendment would limit the bill's application to those thirty-nine proprietary schools which are those schools which are approved by the State Board of Education or the Board of High Education and which are

accredited by a national...accrediting agency so designated by the U.S. Department of Education. The original purpose of the bill is to establish that these institutions are indeed postsecondary schools under the definition of the Statute, and now some of these schools are not recognized by the Board of Higher Education as postsecondary schools, but this would include all such schools under the definition; and contrary to earlier reports, this would not include over two hundred schools. This amendment limits this application to only those thirty-nine which meet the approval and accreditation requirements set out in the amendment, and it was...the amendment was drafted to clarify that so that these other schools would not fit in under this definition.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, the...the word that I stumbled over is on line 7 where it says, "designated by the Secretary of the U.S. Department of Education." I'm not sure exactly what that means. Wouldn't it be better if it said approved by the Secretary?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I...I can't argue about that, Senator, I...I imagine that means approval...the definition of the word itself...I...I have no idea. I imagine that the concern is on the approval and why that word was used, I do not know.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

It appears to me when we compare the proposed language contained within this amendment that is...it is...authorizing powers that already are assigned to the Board of Higher Edu-

cation; in other words, it...it appears at least in part to duplicate what...what...what is already in law. I...

PRESIDENT:

Senator Savickas.

END OF REEL

LB 1389 Recalled

REEL #7

SENATOR SAVICKAS:

I'm advised that the word "designated" in this instance means those that are approved by the Secretary of the U. S. Department of Education.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

I...I wonder if we couldn't say "approved" then in the...in this amendment. I think that would be less confusing.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Savickas, you wish to close?

SENATOR SAVICKAS:

Yes, Senator, I...if...if that is a hang-up, I would suggest to...those that sponsored this legislation that this be amended in the House and get this word changed in there. I have no objection to it at all. It's...it's fine with me, and I would seek this adoption and pass it out, let them get it amended there and...and solve the problem, I hope.

PRESIDENT:

All right, Senator Savickas has moved the adoption of Amendment No. 1 to Senate Bill 1387. Any discussion...further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Sangmeister on 1389. On the Order

of Senate Bills 3rd Reading, Senate Bill 1389. Senator Sangmeister seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1389, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senators Sangmeister and Jeremiah Joyce.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. There's an old adage that's been around here as long as you and I have all been here and that is, the sponsor ought to have his legislation in the form in which he introduced it, and this amendment does exactly that, and I ask for its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 4 to Senate Bill 1389. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Yeah, a point...first a point of order. This bill already has three amendments on it. Now, what...what is he doing? Is...is he entitled to do this? What's he doing to those three amendments?

PRESIDENT:

You're asking for an explanation of Amendment No. 4, is that the idea? Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, I am because he can't...his bill has already been amended by the three amendments, so I don't see how his Amendment No. 4 is germane.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

I will explain to you, Senator Geo-Karis, that Amendment No. 4 follows Amendment No. 3.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, here we go again. This Amendment No. 4...Mr. Sangmeister is, again, making it possible for a presiding judge of a...of the Statewide grand jury to select the county in which the...Statewide grand jury is to sit and may...designate the place of trial in any county...in which venue would be proper, but he can decide to convene a grand jury in Carbondale, Illinois on a defendant who may be in Chicago, Illinois. I submit that this is way out of line and I think it makes...his bill just as bad as it was before I put my amendments. He also includes, of course, this time, by inference and implication in Section 5, Cook County to the other one hundred and one counties. I submit that the...this multicounty grand jury bill, the way his Amendment 4 is scheduled is a bad amendment, and I...I ask that we...we vote against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. George, I just want to give you a little friendly zinger. Now you said the sponsor ought to have the bill in the shape they want. Earlier, Senator Karpiel had a bill and she just want to put a minor amendment to put the bill in the shape she wanted it in, and I don't remember you guys letting her do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Sangmeister

may close.

SENATOR SANGMEISTER:

Roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister moves the adoption of Amendment No. 4 to Senate Bill 1389. Those in favor indicate by saying Aye. Those opposed. The...I think a roll call has been requested. Has a roll call been requested? The Ayes have it. The amendment is...Senator Geo-Karis is joined by Senator DeAngelis and...three other members seeking a roll call. A roll call has been requested. Those in favor of adopting Amendment No. 4 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays 27, none voting Present. Amendment No. 4 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Well, this is going to sound real picky, but you have to admit, Senator Geo-Karis, that when I put my Amendment No. 4 out, I had it distributed. Okay? I'm requesting that your amendments be distributed. If you've got them distributed, fine, let's go ahead, but I'm insisting they be distributed. I gave you full notice of mine. I have no idea what you're coming up with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That request is in order. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the recall list was distributed and it would seem to me that you certainly were...well aware of my three amendments following because it's right on your recall list. And I might add, that you and I both fought this miserable type of bill when you were in the House. We fought against Fahner, we fought against Scott and now you're coming across with a miserable bill, the multicounty grand jury, which is so unfair to people. How can you do that, George?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister's request is in order to have the bill distributed to the members. Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Geo-Karis, I'm surprised you'd say things like that, but haven't you ever heard of the old Biblical story called the prodigal son?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are the amendments printed and distributed? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, number one, I never though you would be the prodigal son, George; but, number two, I...I would like to have leave...to distribute the amendments, after all, they're there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis seeks leave to keep Senate Bill 1389 on the Order of 2nd Reading for purposes of distributing her amendment. Is leave granted? There is objection. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we're...this has to be moved to 3rd reading today. We're running late in the Session. I...I'm not going to

voluntarily hold the bill. I mean, she saw my amendment was distributed, she should have distributed hers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Mr. Sangmeister is far smarter than I am on his parliamentary procedure and he has to...indulge me for being a little weak on it, but for heaven sakes, keep it on 2nd reading, it...it's not...your bill won't come up until tomorrow anyway, so at least I can put...get my amendment distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, it's his...his ability to move it or not...the amendments have not been distributed, he can move it to 3rd. Senator Sangmeister.

SENATOR SANGMEISTER:

Let's proceed with the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 5 will amend the Senate Bill 1389 by stating as follows, "However, before the Attorney General may file an application with the chief justice of the Supreme Court, he must first request the state's attorneys of all counties where a Statewide grand jury may be convened to investigate and to present evidence to a grand jury and the state's attorney...refuse to do so. A failure by state's attorney to act within forty-five days upon the request shall be deemed to be a refusal." I...I move the passage of this amendment.

I think it's only fair to the state's attorneys of the hundred and two counties that they be given an opportunity to decide whether they want to go ahead with a mulitcounty grand jury; and if not, within forty-five days, if they don't answer, the Attorney General has the right to go in and do so. I think it's only right to preserve the state's attorneys' rights in the various counties, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as I indicated, this is the identical amendment she had the last time which is nothing more, again, than an effort to scuddle the bill. The bill is drafted in a very limited area dealing only with hazardous waste and the bill is so drafted that the state's attorney will...or the Attorney General will be cooperating with the state's attorney. There's no need for this amendment. Move it be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Joyce. Further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there is nowhere in the bill of the...my distinguished colleague which says that the Attorney General must cooperate with the state's attorneys of the various counties. I move the passage of this amendment to make his bill good. We're not scuddling it, we're not scuddling it at all. I might even vote for the bill if you let may amendments on. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves the adoption of Amendment No. 5 to Senate Bill 1389. Those in favor indicate by saying Aye. Those opposed...the Nays have it. The...a roll call has been

requested. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 28, the Nays are 31, none voting Present. Amendment No. 5 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 6 says, in effect, "The county selected by the judge who's going to convene the...multicounty grand jury must be one in which the alleged offense was committed or a county directly adjacent to such...to such county." Now, I think that's only right. You don't want to have the judge convene a grand jury, as I said earlier, in Carbondale to try someone in Chicago, Illinois; there's about four hundred miles difference, and all I'm saying is, let him convene it in a county where the offense occurred or in a county directly adjacent to the county were the offense occurred, and I move the passage of this amendment in order to have a better bill made out of...the Senator's bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption...Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not sure that this amendment now even tracks and...there may be some merit in what she's talking about, but if it is, we will take a look at this if when...when and if it gets over to the House. So, at this point, we would ask that the amendment be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

I question the germaneness of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Our Parliamentarian is checking that out right now, Senator. Senator Vadalabene.

SENATOR VADALABENE:

Yes, while you're following the germaneness of that bill, I would like to address my comments back over to Bev. Bev, this is Sam. I guess you heard the dialogue between George and Adeline, where George showed his and Adeline didn't show hers, and I hope that we never get into that kind of problem because I've always showed you mine and you've always showed me yours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Just...just an announcement. One of our distinguished colleagues here is having a friendly reception this afternoon at Mason Street's Bar from six to eight. I assume he would like to invite his colleagues...Senator Emil Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has been...there has been no response, Senator Chew. Senator Jones.

SENATOR JONES:

Yeah, Chew is picking up the tab for everyone in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Everyone is invited at the bequest of Senator Charles Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Why I think his question was, is it a complimentary invitation or is it a...

SENATOR JONES:

Who's picking up the tab? Senator Phil Rock is picking up the tab for everybody here, so everyone is invited.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the question of germaneness, our Parliamentarian has ruled that it is germane but it does not track. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, by the same token...

PRESIDING OFFICER: (SENATOR SAVICKAS)

The amendment is out of order. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I submit that his amendment didn't track either, but then I can't...I haven't got the votes, so what can I say? I...you say it's germane. If it's germane, then it should be considered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's out of order because it does not track. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I think the request was not to determine whether it was out of order. The request was whether it was germane or not. I think the President was taking extraordinary powers into his own hands.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, Senator. We try to give a little more than was requested. Senator Carroll.

SENATOR CARROLL:

In that case, parliamentary inquiry. Is the amendment in order?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, it is not in order...Senator Sangmeister. Senator

DeAngelis.

SENATOR DeANGELIS:

...Fast Frank strikes again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...for what purpose Senator Sangmeister arise?

SENATOR SANGMEISTER:

The obvious question is, does this track?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll have to look at it, Senator. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, since Senator Sangmeister included Cook County with the other one hundred and one counties, and that's what this amendment does, by his own amendment, I'll withdraw Amendment No. 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis has withdrawn Amendment No. 7. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills...on the recall sheet, we have Senate Bill 1408, Senator Collins, who seeks to bring 1408 back to the Order of 2nd Reading for purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1408, Mr. Secretary. Senator Collins.

SB 57 Recalled

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. The...I'm moving to Table Amendments No. 1 and 2 because of the confusion when the...the bill was taken out of the record the day before, then when we put the amendment on yesterday, we didn't proceed with the order...proper order...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Okay. Having voted on the prevailing side, Senator Collins moves to reconsider the votes by which Amendment No. 1 and 2 were adopted to Senate Bill 1408. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now, Senator Collins moves to Table Amendments No. 1 and 2 to Senate Bill 1408. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendments 1 and 2 are Tabled. Senator Collins. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator...oh, we have...on the Order of Recall sheet, Senate Bills 3rd Reading, we have Senator Marovitz who seeks to recall Senate Bill 57 and 760 back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is...hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 57, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Collins and Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. This the amendment that is prohibit the investment of pension funds through our pension funds system for this particular system into South

Africa. We discussed the amendment the other day, it was taken out of the record for the purpose of being distributed, and I would move for the adoption of Amendment No. 2 to 57.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. A question of the sponsor, if she'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR ROCK:

What is the sanction if, indeed, perhaps by chance, I assume, the trustees of a particular system or this system were, in fact, to authorize the investment in one of a number of Illinois companies who happens to have some financial interest in a South African venture?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, there are...there are no sanctions in this particular piece of legislation but I'm sure that with fifty...with the majority in this Senate, that if that pension fund come up before...those trustees come before this Body, we could impose some sanction for them violating any law that we pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, the difficulty I have, very frankly, is that we have passed in this State a...almost a guarantee fund to hold those who act in the course of their employment nonresponsible for dereliction of duty or harm caused to others. My point is that as a trustee of one of the retirement system, one has fiduciary liability to the annuitants and, indeed, one's responsibility is to seek the best return

on one's investment; and if I do something less than that, it is my view that I, as a trustee, could be held liable by an annuitant. How do we provide for a hold harmless or some immunity from a trustee's action in this respect?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, well, Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...before...before we proceed, Senator, we do have a written request here, "Pursuant to Rule 15, we hereby request that the Senate Amendments 1 and 2 to Senate Bill 57 be printed and made available to every Senator who requests a copy before the amendment is considered further." Today's date and signed by five Senators. Has the amendments...have they been printed and distributed to the Senators? Senator Collins.

SENATOR COLLINS:

Yes, sir, this amendment has been distributed and distributed and distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question? Senator Collins has indicated and confirmed reports that Amendment No. 1 has been distributed and circulated to the members. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. To Senator Rock's question. Senator Rock, if necessary, we can pass some legislation and not just...in...in reference to this particular bill, but we should have some laws on the books to...to ensure that whatever laws that we enact, that those persons...responsible for that...the pension system or any other responsibilites carry out to the letter of that law, but back to...in terms of getting a fair return, I don't think that...that this country can...can justify...proposing to

believe in...in freedom and having our young men and in the beginning dawn of life going to other countries fighting for freedom and justice without believing in justice and that's all this...this is. I think this is a very light approach to sending a message to...to the U. S. Congress and to the people of...of South Africa, that...that the people in a free country like America does not condone the dehumanizing treatment of the South Africans, and this is a very mild approach, I think, because this bill only deals with...it is not a...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp.

SENATOR RUPP:

...thank...thank you, Mr....thank you, Mr. President. Now one or two questions of the sponsor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR RUPP:

Would you acknowledge that a relationship exists between the Government of South Africa and the United State's Government?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Would you also agree then, with that "relationship," that we, in effect, our United State's Government is doing business with the Government of South Africa?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, and I also understand that there is a...a movement

at the Federal level to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Well, then would you also not agree then since we, quote, "Our Federal Government is doing business with the South African Government," our investment funds would not be able to have any United State's bonds or any other United State's governmental investments in them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I...I didn't finish answering your question, the first question; in the first place, there is an effort at the Federal level too to divest of...of funds from...prohibit them from being used in South Africa, so what we're doing here is merely sanctioning that movement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Now, I believe this bill, Mr. President, reads that you forbid investments in those organizations, agencies and you list some other things in there, doing business with South Africa. Our Federal Government is...and regardless of what the plans are or what the intentions are, maybe we have intentions here of some other things too, but the fact is that right at this moment our Federal Government is doing business with South Africa. So, if your bill is passed, what we're going to have to do is to instruct the people in our investment program to divest themselves of all our United State's Federal...you just dropped a piece of paper...Federal Government Bonds and...and other items like that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

You know, we've sort of been saying nothing on some of these amendments. We're talking about...I mean, Senator Rupp has raised an excellent technical point and we've just knocked out all U.S...all U.S. Government Bonds; of course, I wouldn't want to buy securities from our government, I don't trust them anyway...you know, I'd rather...I'd rather buy International Harvester securities than U.S. Government, but, you know, we haven't been covering it, but there gets a little...bit of a frustration factor, we're singling out South Africa. I don't think anybody particularly defends the South African system but, you know, to single out one country...have you ever heard of "The Gulag Archipelago"? Man, they got...they got all kinds of guys out there, some of the are Jewish, some of them are Pentecostals; you know, they get killed just for believing in God in Russia, you know, I mean, you got to think about the factors when you get into...into the Gulag Archipelago in the Soviet Union. If you got to Afghanistan, you know the Russian Government is right now bombing women and children, and not just in Afghanistan but in Pakistan. You think we should do business with the Russians? Ask a Ukrainian what it's like to...to be able to work with the Russians sometime. Ask any of the captive nations and yet, we're going to do business with the Russians. You know we buy bananas from Nicaragua, now is that a paragon of a social virtue? You know, I mean, you look at some of the countries you deal with, you look at...did we ever try to embargo Idi Amin and Uganda? I mean, can you think of a more...despicable human being and a worse government than Uganda? We were trading with...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, your time is...bring your remarks to a close. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I had the pleasure of spending some three weeks in South Africa two years ago and had the good fortune of meeting and having lunch and spending a half a day with Gatsha Buthelezi. Chief Buthelezi is the chief of the Zulu Tribe, the largest tribe in South Africa. He's been educated in England and he is the leader of the black...the largest black nation in South Africa, and I will tell you what Chief Gatsha Buthelezi told us at lunch. The American companies are the only companies in South Africa that help my people. The Japanese do nothing for us, the French do nothing for us, the Germans do nothing for us, we do get some help from the British. The American companies overwhelmingly are the best companies as far as the black Africans are concerned. Now I'll tell you one thing, they have a doctor on the premises for them, they teach them English, they allow unions, the other companies do not, they give them the best wage of any manufacturing in South Africa and he said, you know, Senator, I'd love to have those blacks from Illinois come into South Africa and find out what's really going...on in our country. This is absolutely unfair. The American companies do more for South Africans than anybody and we shouldn't...we shouldn't pass this, it's a lousy idea. I've got a letter from Gatsha Buthelezi, Senator, I'd be happy to show you what he has said to me in writing. You've never been there, you've never seen it, you don't want to hurt the...the country and the companies that do the best for your people in South Africa.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Jones, Newhouse and Welch. Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I've listened to the debate on this issue and I rise to support

the amendment. As the sponsor pointed out, the amendment is a very, very mild amendment. It does not do what I would like it to do, and in response to the minority leader who indicated that he went to South Africa and he talked with...one of the tribe leaders, and this one particular leader you are talking about, I suppose he speaks for the millions and millions of blacks over there. Perhaps this leader can sleep in the house at the palace of...of the so-called master, but that same leader is not a citizen in his own country and that is the sad part about...about the South African Government. It is the only government on...on...on this earth that practices racial discrimination, the only one. I sat on this Senate Floor and House Chamber time after time after time to see resolutions as it relate...as it relate to other countries. If this was in Czechoslovakia and the same type of government persists there, we would stand together, shoulder to...shoulder to pull whatever dollars was out of there, or be it Poland, or be it Israel, but for you to sit here and try to justify with American dollars that government, then all the things we've done in the past was just hypocrisy. You're not really concerned. Don't tell me one, two or three people represent millions of people, and if you're...if you're this concerned about the dollars and you...you talk about this great State in this great nation, if you have faith in this great State, you have faith in this nation, then you would support this amendment because if our businesses are so great, we can then take these same dollars and invest them here if we have so much confidence in our...in our...in the business section in the United States. This is a very, very mild form, but I don't think American dollars from the State of Illinois, taxpayers' dollars should be supporting a racists government. I don't care what government it is. I don't care what people it is. I'd like to see all the dollars come out. The Democrats on this side

of the aisle should take a note, you should look at what's happening in New York. Look at Governor Cuomo. He has moved to pull all of New York dollars out of firms doing business in South Africa...now he just may be your presidential nominee in 1988. But don't sit here on this Senate Floor and play games with dollars, because if it was a country that was effecting your heritage, you would be there, and from time and time and time and time again, I have stood with you on this issue. Everyone here should be willing to support this issue based on its merits, but don't sit here and tell me that three or four or five people from South Africa that you visited with liked that condition, because they are not citizens...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close?

SENATOR JONES:

...in their own country, you'd know it, so let's...let's not play games, let's live up to what we've done in the past, be supportive, vote Yes on this amendment. I have some stronger ones coming behind this...behind this amendment, and if you are true to your word, do as you did on all of the resolutions as it relates to all of the countries as it relates to the people. So, let's not play games with this here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd just like to point out a couple of things. One is that I don't think there's anybody in...in this forum today who does not understand that by law blacks are disenfranchised from the...even the most basic freedoms in South Africa. It isn't simply that they are nonpersons. They cannot own property, they cannot move about

freely, they are restricted as to where they can live, they are restricted as to residency; to work, they must travel hundreds and thousands of miles from their families and stay apart from those families for years at a time, years at a time. It's absolutely subhuman and for us to gloss over and talk about this as if it's another democracy is ludicrous. We don't have General Motors in Russia, we don't have General Motors in Afghanistan; we have them in South Africa, we have our dollars there supporting a system that is repugnant to everything we presume to stand for. I talked to both Senators after they came back from that trip. I think you both will recall, as a matter of fact, I made the request, the request that the same person that invited you to South Africa invite Dick Newhouse to South Africa. You recall that? I have yet to hear from that person. I think you ought to know that also, but Chief Buthelezi knows very well that I can't travel to South Africa under normal circumstances. I have to become a special person to travel to South Africa. I must have a passport that says I am not black, as a matter of fact, and if I were to get that to...to obtain that, my movement in South Africa would be absolutely restricted by virtue of the laws of that county. So, cut out the con game. There simply is no way we can make a comparison with the freedom of movement we have in this country and we have in some of those backward nations you just mentioned. It simply is a paradox that nobody can defend. So, come off it, folks. We're talking about a fascists, Nazi country. That's what we're talking about. Now, if that's what we're talking about and we say we support that kind of government, that's one kettle of fish, admit it, okay; but if we're...if we are talking about it in any other terms, then you ought to understand that is in an absolute oppressive society comparable to any oppressive society we can think of in this country. It's not a matter of supporting other governments, it's a matter of

saying that to this particular government utilizing American dollars that we ought to...yes, I got you, Mr. President...that we ought to be as firm on our principles in this case as we are firm on our principles in other sections in other nations in this world. It's as simple as that. This is a good amendment. It ought to pass. This Body ought to unanimously stand behind saying to the South African Government that maybe we want to cooperate but you have a job to do in order to make that cooperation possible. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch. We have Senator Fawell, Schuneman, Geo-Karis, Hudson and Philip. Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. I think every single person in this...in this room, Senator, agrees with your feeling as far as the government is concerned and...and I don't think any of us like to be cast in this...this mold of being either for the South African Government or not. The truth is that a bishop in my church, Bishop Tutu, who was a Nobel prize winner and I...and I've never been to South Africa, okay? I, like you, have never been to South Africa, but the Bishop Tutu in my church told our church members, indeed, that this would be a mistake; that, indeed, it would be the main people, your people, South African people who would suffer the most if we tried to do this. Now, I have no ax to grind one way or the other, but I don't want to see those kinds of people hurt and, therefore, I cannot support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, how many speakers do you have up there on...on the Rostrum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Three more, Senator.

SENATOR VADALABENE:

I move the previous question after those three speakers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Vadalabene. All those in favor indicate by saying Aye. Ayes have it. The motion carries. We have Senator Geo-Karis, Hudson and Philip. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, in 1974, Cyprus was invaded by the Turkish armies and they're still there. The people have been deprived of their rights. I'm very much interested in that. I've been to Cyprus; however, what am I going to do? Am I going to just stop the...the business and jobs that are provided for the people back home because of...of interests that the American companies have there? I have been told by some of my black friends who have visited Africa...South Africa, they're not happy with the administration of the Boers at all; however, they say that the American companies have been the most humane companies and have provided some decent jobs. In the meantime, these various companies also are companies that have their main base in this country. Now, what are you going to do? Are you going to cut out jobs here by asking the...the disinvestment and what have you? I think we should take some steps to correct what's going on. I think it's horrible what's going on in South Africa, but I think our...our position is to do it through the United Nations. Another thing as...and may I point out that...I have received loads of letters from teachers and they're opposing any...any amendment like this or any bill that...goes for disinvestment. The opposition has been Teachers' Retirement System, Chicago Teachers' Retirement System, State Employees' Retirement System, State Universities' Retirement Systems,

State Board of Investment,...Illinois Municipal Retirement Fund and, of course, State Chamber of Commerce, Manufacturer Association and Caterpillar Tractor. I can tell you, I have a lot of teachers in my district who come from Chicago and are living in my district and they are definitely opposed. One of the biggest sources of mail that I have had is from teachers, retired teachers, who don't want to see any disinvestment and they don't want their funds touched, because if they have to withdraw their funds and they loose money, it's going to be on our...on our head. I do think that we should do something but not us. We should have our Congressmen and our U.S. Senators and our President take a more positive action with South Africa, but this is not the way to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I'll try to be very brief. It seems to me that one does not have to be for aparthied and I certainly am not, I think it's an abominable practice, but one does not have to be for aparthied to be against the idea of disinvestment, and I'll tell you what I fear. I fear that as we withdraw American influence and business and industry in South America, we will be creating a vacuum into which something is going to move and that something may very well be Soviet influence. As a matter of fact, the Soviets would very much like to see Americans and American business out of South Africa. That is the bottom line of their global strategy. They want South Africa, my friends, and this, we'd better keep a sharp eye on. I don't want to see that influence grow because we have created a vacuum, and I happen to feel that we can best serve our black friends and...and...the black people in Africa by staying in there and applying and continue to apply the Sullivan Principles that I think Ameri-

can businesses have tried. It's been stated before here that...that the...the progress that the black people have made in South Africa has come mainly from our American business and industries. So, I think this is what...what we're all about, and I don't want to feel that South Africa is going to drift in a more oppressive way but I will suggest that the way to make it even more oppressive is to get the Americans and American businesses out of there and let something else come in and that could be the Soviets.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just wanted to set the record absolutely clear, and if you are a black citizen of South Africa, you do and you can own property, Senator. I will tell you this right now that on the...premise of General Motors plant that they have a bank on the premises to encourage the saving of money for black Africans. I have been in their homes, they do own title to the...that land and they do travel freely throughout the country, if they're a citizen. Now, if they're coming from the north and they're not a citizen of South Africa and, quite frankly, there are a lot of people coming in illegally because it's one of the few countries in Africa that makes money, that has jobs, so it's a place where...immigrants come down from the north into the country, that's where the problem is and that's where the restriction is. Now...and I will tell you, I have been there, I have been into a lot of restaurants, a lot of hotels and I'll tell you one thing, there were blacks in every restaurant, there was blacks in every hotel. So, that is a lot of hogwash that you might read in the print media, but it simply is not true, Senator. I was there and I saw it and I was with the black leaders in so-called all white hotels or all white restaurants, abso-

lutely incorrect. Now, those people that come from the north illegally, they do have restrictions, no question about it; but if you're a citizen of South Africa, you walk around that country freely.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. It is ironic that the...the President of the United States can talk about withdrawing support from Nicaragua, and yet, when we bring up that same issue of...withdrawing support from South Africa, all of a sudden this country is going to collapse. The...the other problem that I...in respond to one of the other speakers about Communists, the...the Russians most certainly would appear to me by our presence and identification with the racists regimen like South Africa would most certainly enhance Communist aggression, because we are identified with a...a racists regimen like South Africa. We cannot honestly sell...to the world that we believe in justice and...and democracy and...and equality and freedom and rights at the same time when we support injustice. That's all this bill is about, is to give a message to the world that we do...practice what we preach, and we do believe in justice and equality of all people. That's all this amendment does and I would ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins moves the adoption of Amendment No. 2 to Senate Bill 57. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 27, 1 voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Any further amendments?...the other amendments have been withdrawn. Are there

S.B. 760 recall

any further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 760. Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 2...is that correct, Mr. Secretary...was adopted? Yeah, so I...I move to reconsider the vote by which Amendment No. 2 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Marovitz...having voting on the prevailing side, he wishes to reconsider the vote by which Amendment No. 2 was adopted. Is there discussion? If not,...hearing no objection, the motion carries. Now, Senator Marovitz moves to Table Amendment No. 2 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 was the correct amendment that should have been adopted earlier but a incorrect amendment was filed. This is the amendment regarding school buses and seat belts. It is permissive. Allows local school districts

the option whether to have seat belts or not. Previously, we had a mandatory bill and now we have a local option bill, and I would ask for adoption of Amendment No. 3 to Senate Bill 760.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 3 to Senate Bill 760. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We have...on the Order of Recalls a request by Senator Davidson who has a bill on consideration postponed, Senate Bill 444 to be brought back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 444, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is an amendment which the Attorney General's Office and I worked out which makes them...withdraw their objection to this bill and the amendment says, "This Subsection G shall apply only to those situations where the defendant can...demonstrate that there was no technological, feasible or economically reasonable opportunity for...preventing violation of this Act," and I concur with this amendment and I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, the amendment is not...distributed. I'd just like to ask the sponsor a question. In...in what instance do you envision this amendment being applicable at all to anybody who violates the...the law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, the language was by the Attorney General and felt the same as I felt that if someone had knowingly continued to violate the law, should not even have the opportunity to benefit on reduction of a fine to correct the incident. There is certain instances where the individuals are not known or do not have the technological ability at that time to correct the instance that this would give the judge or the pollution board that opportunity. It's the Attorney General's language and I think it's reasonable and I would appreciate support for this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I...I think it renders the entire bill harmless, so I don't see any difficulty in putting the amendment on at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson moves the adoption of Amendment No. 1 to Senate Bill 444. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The bill will be returned to 3rd reading on consideration postponed. Now, we will go back to Senate Bill 1086, Senator

Vadalabene, who sought leave bring Senate Bill 1086 back to the Order of 2nd Reading for purpose of amendment. He has indicated that the amendment has been distributed. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1086, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the...Clerk. Are there two amendments on this bill that you have?

SECRETARY:

Yes...yes.

SENATOR WELCH:

Is this the thin one or the thick one?

SECRETARY:

This would be the thick one that I...

SENATOR WELCH:

Okay. All right, then. As I stated earlier on Senate Bill 1346, what this amendment does is create the Public Awareness and Response Act. This amendment is similar to the one offered on the other bill, on 1346. What it does is create Public Awareness and Response Act providing that certain categories of industries must file hazardous chemical notification forms for the EPA. The director sends the list to...the local governmental agency or to the sheriff who makes the list available as to individuals. Basically, this is a form of a community right-to-know bill and is supported in various...in this particular form by the...Chemical Industry Council, the Illinois Manufacturers Association and the Associated Employers of Illinois, and I'd try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR RIGNEY:

Is this the same amendment that was adopted yesterday by the House Republicans?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Was that Hallock amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Yes, as I understand.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I...I think it is. I haven't seen that amendment...I'm not trying to be evasive, but I...I don't know. I think it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

...where did you get this amendment then if it...if that is not it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, it's a hybrid of several parts, Senator, including reviewing the entire system of community rates in those bills and as Senator Carroll says, parts is parts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Is this kind of a watered down version of House Bill 300, the Madigan bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, it...it's a different community right-to-know bill, yes; but as far as a water...watering down the Speaker's bill, I wouldn't do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wouldn't be smart. Senator Rigney.

SENATOR RIGNEY:

Well, we're...we're glad to see the gentleman on the other side of the aisle, you know, coming forward with this kind of legislation. I think it'll probably track pretty well with what apparently is going to come from the House and so, we want to get on board with you in behalf of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 1086. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

What this amendment does, it adds emissions and it states, "The...at the time an employer applies or reapplies for a permit, he shall file with such application or reapplication an emission summary form," and then it goes on to state the type of summary forms, "for emissions into the air, water or land, to be reported on an emission form at such

time as he applies or reapplies." It's to detail all emission reports or estimates required under this Act or under board rules.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 2 to Senate Bill 1086. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. That concludes our recall list...oh. Yes, we do have Senate Bill 1346 that was taken out of the record. Senator Welch indicates he would like leave to bring it back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate BIll 1346, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This amendment is the two amendments just offered to the bill numbered 10086 that we were discussing. It was taken out of the record for lack of distribution, and I would move the adoption of those two amendments into the...which are this one amendment currently on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I...I'm a little bit puzzled by this because as the Senator has already noted these things are exactly identical. Why are we doing this twice?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, Senator, it's similar to, I guess, Senator Schaffer's theory on your side of the aisle which is...have as many possible similar amendments on as many bills as possible in the hopes that one will get signed and be enacted into law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I just hope that Senator Welch doesn't attempt to offer these amendments to my bill on 931, that's all I'm hopeful of. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 1346. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Rigney arise?

SENATOR RIGNEY:

Well, I'd now like to be added as a hyphenated cosponsor to these two good pieces of legislation, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland, is that your request also? Senator Maitland.

SENATOR MAITLAND:

Yes, Mr. President, it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, obviously, with leave of the Body, Senator Rigney and Senator Maitland to seek leave to add their names as

hyphenated cosponsors to 1346 and 1086. Is...and Senator DeAngelis. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. That has concluded the recall sheet. I suggest that we stand adjourned until nine o'clock tomorrow morning, and let me just say, tomorrow morning we will deal with recalls. I understand there will be two or three, as members have indicated that amendments are still coming. Then, we will begin immediately on Senate bills 3rd reading with 486, Senator D'Arco; 489, Senator Netsch and we'll go right on through skipping only the appropriation bills. So, we'll give...try to afford every member an opportunity to discuss their substantive bill and then we'll get to the appropriation bills, but I urge everyone to be prompt and present at nine o'clock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Hearing no objection to the motion, the Senate stands adjourned. Senator Demuzio, for what purpose do you arise? The Senate stands adjourned until 9:00 a.m. Thursday morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 23, 1985

PRESIDENT:

The hour of nine having come and gone, the Senate will come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend Paul Flesner, Grace Lutheran Church, Springfield. Reverend.

REVEREND FLESNER:

(Prayer given by Reverend Flesner)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 14th; Wednesday, May 15th; Thursday, May 16th; Friday, May 17th; Monday, May 20th; Tuesday, May 21st and Wednesday, May 22nd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Nedza. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of the Committee on Assignment of Bills, assigns the following House bills to committee:

Elementary and Secondary Education - 605, 990, 992; Executive - 319, 608; Executive Appointments, Veterans' Affairs and Administration - 921; Insurance, Pensions and Licensed Activities - 881, 963; Judiciary I - 312, 324, 343, 381, 393, 479, 508, 563, 851, 856, 857, 1018, 1035, 1042, 1067, 1267, 1269, 1355, 1392, 1565, 1938 and 2431; Judiciary II - 82, 354, 360 and 1016; Local Government - 521, 539, 909, 1587; Public Health, Welfare and Corrections - 895, 943 and 1703; Revenue - 571, 833, 900 and 1008; Transportation - 170,

1013 and 1314.

PRESIDENT:

Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 207, 300, 513, 575, 592, 703, 740, 751, 760, 761, 787, 800, 816, 867, 907, 1010, 1038, 1039, 1044, 1072, 1086, 1117, 1165, 1166, 1206, 1232, 1246, 1252, 1289, 1317, 1373, 1413, 1440, 1455, 1458, 1467, 1491, 1493, 1496, 1500, 1523, 1535, 1545, 1548, 1555, 1714, 1951, 1952, 1977, 2002, 2003, 2036, 2062, 2115, 2158, 2160, 2165, 2167, 2182, 2188, 2219, 2226, 2232, 2275, 2311 and 2352.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 54, it's commendatory.

PRESIDENT:

Consent Calendar. All right, with leave of the Body, we'll move to page 27 on the Calendar, on the Order of House Bills 1st Reading. House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 18, Senator Welch is the Senate sponsor.

(Secretary reads title of bill)

House Bill 62, Senator Berman.

(Secretary reads title of bill)

House Bill 90, Senators Rock and Maitland.

(Secretary reads title of bill)

House Bill 123, Senator Dawson.

(Secretary reads title of bill)

House Bill 153, Senator Friedland.

(Secretary reads title of bill)

House Bill 198, Senator O'Daniel.

(Secretary reads title of bill)

House Bill 291, Senator Lemke.

(Secretary reads title of bill)

House Bill 320, Senator Savickas.

(Secretary reads title of bill)

House Bill 348, Senator Kustra.

(Secretary reads title of bill)

House Bill 409, Senators Barkhausen and Geo-Karis.

(Secretary reads title of bill)

House Bill 459, Senator Lemke.

(Secretary reads title of bill)

House Bill 514, Senator Kustra.

(Secretary reads title of bill)

House Bill 582, Senator Coffey.

(Secretary reads title of bill)

House Bill 593, Senators Nedza and Degnan.

(Secretary reads title of bill)

House Bill 598, Senator Bloom.

(Secretary reads title of bill)

House Bill 682, Senators Berman and Rupp.

(Secretary reads title of bill)

House Bill 724, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 811,...Senator Luft.

(Secretary reads title of bill)

House Bill 815, Senator Carroll.

(Secretary reads title of bill)

House Bill 861, Senator DeAngelis and Jones.

(Secretary reads title of bill)

House Bill 932, Senator Degnan.

(Secretary reads title of bill)

House Bill 935, Senator Fawell.

(Secretary reads title of bill)

House Bill 975, Senator Lemke.

(Secretary reads title of bill)

House Bill 1037, Senators Maitland and Berman.

(Secretary reads title of bill)

House Bill 1059, Senator Bloom.

(Secretary reads title of bill)

House Bill 1159, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 1216, Senators Degnan and Jones.

(Secretary reads title of bill)

House Bill 1217...House Bill 1217...Senators Degnan and Jones.

(Secretary reads title of bill)

House Bill 1218, Senators Degnan and Jones.

(Secretary reads title of bill)

House Bill 1528, Senator Berman.

(Secretary reads title of bill)

House Bill 1847, Senator Luft.

(Secretary reads title of bill)

House Bill 2364, Senators Berman and D'Arco.

(Secretary reads title of bill)

House Bill 2387, Senator Berman.

(Secretary reads title of bill)

1st reading of the foregone bills.

PRESIDENT:

If I can have the attention of the membership, on the recall list there has been one change. We will have Senate Bill 191, Senate Bill 1160 sponsored by Senator Welch, Senate Bill 1414 and Senate Bill 1422. With leave of the Body, we'll move to page 5 on the Calendar. On the Order of Senate Bills 3rd Reading, middle of the page, is Senate Bill 191.

Senator Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 191, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. To a very considerable extent this was Senator Newhouse's suggestion. This is the deal...the bill that deals with school principals being in charge of the school, as an amendment to the Chicago School Code. The last sentence dealt with evaluation and it was suggested that probably it was not appropriate to have evaluations done only by the school principal of the operating engineers and others who are in mechanical...charge of the...that part of the school. And so some suggested to Senator Newhouse that...that that part ought to be eliminated. I think by the elimination of that language which was not in the Statute before, that it leaves the Chicago School Board with discretion about how to set that up. It...the...the bill retains the feature, however, that it is the principal who is in charge of the school, all parts of the school. I would move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 191. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Welch. If you'll turn to page 22 on the Calendar, page 22, the middle of the page, is Senate bill...on 3rd reading, Senate Bill 1160. Senator Welch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1160, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. First of all, I would move to Table Amendment No. 1 because Amendment No. 1 is included in the amendment now designated Amendment No. 2. So I'd move to lay that amendment on the Table.

PRESIDENT:

All right. Senator Welch, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to Senate Bill 1160 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Welch moves to Table Amendment No. 1 to Senate Bill 1160. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment is one that I spoke about on the Floor yesterday that addresses the concerns of both Senators Dunn and Senator Watson. What the

amendment says is that no person shall sell or distribute or offer to sell or distribute any milk or milk product for human use or consumption unless the package in which the milk or milk product is contained is clearly marked to indicate the date until which the milk or milk product will remain suitable for human consumption. And the other change was the one that was put on yesterday and just taken off changing the number of days from ten to fourteen that the product could be on the shelf. And I would move for the adoption of amendment.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 1160. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Kustra, on 1414. On the Order of Senate Bills 3rd Reading, middle of page 26, is Senate Bill 1414. Senator Kustra seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1414, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Darrow.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Amendment No. 1 corrects technical errors, transfers two additional sites to the agency with Conservation's agreement and empowers the agency to work with appropriate culture organizations to advance its goals. I'd ask for the adoption of the amendment.

PRESIDENT:

Senator Darrow has moved the adoption of Amendment No. 2 to Senate Bill 1414. Is there any discussion? Senator DeAngelis. If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Marovitz on 1422. On page 26 on the Calendar on the Order of Senate Bills 3rd Reading is Senate Bill 1422. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1422, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 22 corrects a problem that was brought to my attention regarding notice of...of tenants who did not know that they would be liable for other...utility service other than their own in a large building and this takes care of that problem. It was drawn up by those parties who felt that there was a problem, and I would ask for the adoption of Amendment No. 1.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 1422. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. We have one additional entry for the recall list and that is an amendment just placed with the Secretary on Senate Bill 14. You turn to page 3, page 3 on the Calendar. On the Order of Senate Bills 3rd Reading, Senator D'Arco has Senate Bill 14. The gentleman seeks leave to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 14, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 defines through the legal description the property that is to be conveyed from the City of Chicago to the Chicago Park District concerning the straightening out of the S curve on Lake Shore Drive. The original bill contained...portions of the property that were to be conveyed and this amendment adds the additional property that is per the agreement signed by both of these entities. And I would ask to adopt Amendment No. 1.

PRESIDENT:

Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 14. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. If you'll turn to page 10 on

SB 486 3rd Reading

the Calendar...I would ask the ladies and gentlemen only to look at the back page, we have three hundred and forty-five bills. And we have today and tomorrow and Saturday and Sunday and Monday. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR DeANGELIS:

Today we are celebrating the birthday of one of our senior colleagues, Senator Weaver. And he has asked me to tell the Body that he will not accept gifts, does not want anybody singing Happy Birthday but would urge your support for Senate Bill 293.

PRESIDENT:

Today, for those who don't know, is Stanley Weaver Tag Day. Senator Nedza is the chairman of that effort so I would encourage you all to visit with Senator Nedza. He will have the appropriate poppies or whatever he is going to pass out. All right, we're going to move to the order of...with leave of the Body, the Order of Senate Bills 3rd Reading. We will begin where we left off and we will move, I hope. Bottom of page 10, on the Order of Senate Bills 3rd Reading is Senate Bill 486. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill...486.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. 486 is...is a response to the Public Utility Regulatory Committee concerning low energy

assistance for poverty level income families. What it does basically is put into law a...a proposed rule that is presently pending before the Illinois Commerce Commission, and the rule basically says that a person in this category can enter into a low income payment plan with the public utility that provides the energy to that particular household. It also says that I heap money that is presently administered and distributed by the Illinois Department of Public Aid would be transferred to DCCA and that money would be redistributed in the form of grants to these recipients who do qualify under this low income payment plan. This is an idea that has been floating around the Commerce Commission now and what we want to do is statutorily provide that this low income plan be implemented so that there is no shut-offs of utility services for people not only in the wintertime but for the entire year. And I would ask for...for a favorable vote on Senate Bill 486.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the...sponsor yield for a...question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

You know, I...your...your idea is really laudable, but who in the world is going to pay for this? If...if everybody gets...I mean, if a certain group of people get free heating service, who's going to have to pay for it in the long-run?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, Senator Fawell, they're not getting free heating service. I mean, understand that...that these people are

paying twelve percent...they are paying twelve percent of their utility bill for a six-month period and then the greater of twelve percent or the entire bill plus one-fifth of the deposit for the other six-month period of the year. They are not getting free...free cost for energy service. What the bill says is that these people are incurring bad debts to the utilities now and we want to try to eliminate some of that bad debt. Plus the fact that what we're going to do is take money from the Federal Government, we're going to get more money from the Federal Government to help provide whatever the credit is for providing the services to the utilities. So, hopefully, whatever bad debt is incurred will be made up by the Federal matching funds that we will receive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Well, number one,...I mean, the Federal Government gets the money from us anyway. I mean, you know, it's...it's...granted, they may print more than they get but nevertheless eventually they're going to get it from us. So, I...you know, it's still...you can't talk like Federal Government is coming out of nowhere. We are paying the Federal Government now and...and, frankly, what I've been told is we get back about twenty-five cents for every dollar we throw into the Federal Government, so it's going to cost us more. I mean, somebody has got to pay for this program. You know, I...I...I...I would love to get free or...or just pay one-twelfth of my salary for my heating bill and my gas bill but, unfortunately, I can't get away with it. And...and I...I just don't understand how...how, excuse me...how in the world you think this is going to work without somebody having to pay the final bill and I have a very strong feeling the ones that are going to end up paying for it...and I wish that

the Senators on my side of the aisle would listen to this because I think we're the ones that are eventually going to end up paying for it. And I think this could be an extremely expensive bill and I would suggest that some of our Senators take a very strong look at this bill, particularly...some of our...our leadership and...and get up and talk about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Fawell, I'm appalled to hear you say that you don't want people to have heat in winter and fuel. It's a...may I have a little order, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall requests a little order. Let's break up the conferences, Senator Demuzio, Senator Welch, Senator Marovitz.

SENATOR HALL:

You know it's an amazing thing that anytime on this Floor that something comes up that's going to help people that you always hear the hue and cry, who's going to pay for it. Well, you should pay for it. The...people who make more should pay more. Now don't come with that stuff telling me about that. How would you like to wake up in a house with no heat, children without any food? It's appalling to think that you...here, you can stand around here and cry these crocodile tears, sleep in red, white and blue pajamas and salute the flag every night and then turn around and say, who's going to pay for it. It's a shame, before God, that we act like this. This is a good bill and people should be given it. If you make more money, you ought to pay more money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SCHUNEMAN:

Kind of hate...kind of hate to follow that, Mr. President. Got a couple of questions of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield. Could we break up those conferences. Senator Demuzio, Senator Watson, Senator Jones. Well, just remember, we can be here Saturday and Sunday.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. When this bill was heard in committee one of the provisions in the bill was that during the summer months the ratepayer would have to make up twelve percent per month of the deficit, that is the amount that was owed to the utility company. Now you've changed that provision by your amendment and now they only have to pay twelve percent of their deposit. And it seems to me that they may never catch up under that provision. Why did you make that change in the bill, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, wait a minute. What it...what it says is that they will pay twelve percent of their monthly household income to the public utility, that's for the period between December 1st through April 30th. Now for the period from May 1st through November 30th, they will pay the greater, the greater, of twelve percent of his monthly income or the current bill plus one-fifth of any outstanding deposit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

That...that's correct. My question went to...not percentage, but to the question of why you changed the bill from paying one-fifth of the outstanding deficit to one-fifth of

the outstanding deposit, that's a big...there's a big difference there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

...it's the average utility bill is...for low income people is thirty-two dollars a month. So the one-fifth of the deposit is a more realistic figure than one-fifth of the deficit that might be incurred in the arrearages that have already been created. In other words, the plan is such that even if there are arrearages that will not be put against this person so his utility service wouldn't be shut off.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Another question, Mr. President. What do you think this is going to cost the utility companies in Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, it shouldn't cost anything. If we get the Federal matching money, we should get enough money, approximately thirty-four million dollars. Now those are the estimates of bad debt that would be incurred if this bill becomes law. The fact is, as...as I read it...many of these households are shut off anyway during a great part of the year. So the estimates of how much it will...would cost are very debatable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I simply want to point out to the membership that there are some...discrepanices and some inconsistencies in...in the arguments that are being made on

the parties on both sides of this issue. But first of all, the estimates of how much this will cost apparently varies some...from somewhere around twenty-nine million dollars a year to about a hundred and thirteen million dollars a year. Now, we got those figures from hearings that were conducted by Illinois Commerce Commission on this same issue. So the twenty-nine million dollars or thirty-four million dollars is apparently at the low end of the estimate of what this plan will cost. The other thing I think we should point out is that...by changing the bill after it got out of committee, the sponsor has significantly changed what this bill is going to cost other ratepayers. The way the bill reads now, a ratepayer who is behind on his bill would be required to pay no more than twenty percent per month of whatever his deposit was. Now his...his deficiency to the utility company might run much more than his deposit. I know I have had people contact my office who are behind in their utility bills in amounts like a thousand dollars and certainly their deposit is nowhere near that. So, it seems to me that under this plan a person who is behind in their utility bill might never catch up. So we ought to know these things before we vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As a hyphenated cosponsor, obviously, I rise in support of the bill. And I...I really just want to point out how it fits in to the general scheme of what we are doing right now. There is pending a plan that is very much like this that the Commerce Commission itself is generally supportive of. There is some question in their mind, and I...I'm not sure in the minds of others but in their mind at least, as to whether or not the existing law provides sufficient statutory authority for them to adopt

this kind of a, if you want to call it, low income budget plan program. This bill would confirm the commission's power to do what it really intends to do and to some extent has already done. So there is nothing radical or out of the ordinary stream about what is being proposed here. The Joint Committee on Public Utility Regulation proposed...it did not deal with the question of low income...assistance at all because to be honest there was no concensus. What we did propose was that there be a task force which addressed it on a longer term basis. I think this bill is not in any way inconsistent with that because it...this bill deals with the existing law and says, yes, the commission may proceed to do that which it wants to do but has some doubt about the authority to do. So I think these things work quite consistently together and this takes care of a period of time that is really quite critical and that is now. So, it seems to me that Senate Bill 486 should be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to members of the Senate. I stand in support of this legislation because we're living in very strange times today, and we who come here to Springfield to make the laws cannot be insensitive to our constituents. There are people who are here on day before yesterday when we were...they were lobbying here for utilities and they had in their hands their utility bills. One lady had one for eight hundred and some dollars, one had one for fifteen hundred dollars, one had one for twenty-three hundred dollars and she and her son only receive three hundred and forty-one dollars a month. I come this morning because seemingly our friends on the other side of the aisle seem to be quite insensitive that there's a world out there. We are comfortable, you come from communities that are comfortable. But I

want you to know that there are people right this morning who are cold in their homes because it's always colder in the house than it is outside and they need some consideration. I think, excuse the...using the vernacular of the street, it would be a damnable thing if we here in this Legislative Body this morning do not consider our lesser sisters and brothers here in the State of Illinois who cannot come into these Chambers and speak for themselves but of merely depending upon we who are here in this Legislative Body. I'm asking you, I'm appealing to you that you would make this world or this city or this State, should I say, a much better place if you would just vote for this bill and say to these people who cannot help themselves that maybe you don't have what you would like to give them but at least you show your concern for them. This is a good bill. Help those who cannot help themselves. They are citizens of this State. They are citizens who are desirous to do better but because of the government that we are living under, because of the situation that we're living under, at present, they cannot help themselves. And so I appeal to you this morning, help those who cannot help themselves.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. All right. A motion by Senator Demuzio to move the previous question. If you would hold that, we do have at this time Senator Lemke, Senator Marovitz, Senator Etheredge and Senator Weaver. So leave granted on the...on the previous question? The Secretary has calculated that the rate we are started on our first bill, we will be here till Tuesday afternoon. Senator Lemke.

SENATOR LEMKE:

Just a question of the sponsor. In the case...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...Senator D'Arco. Senator Lemke.

SENATOR LEMKE:

...in the case where this user owns a building, does the utility company get a lien against that property?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Does the utility company get a lien against the property?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

My...my understanding was they're not going to shut off the utilities on this piece of property 'cause people are cold and they can't pay their bills, but in some...situations these people own property. And I think that if we're going to let...there's an incidence where utilities haven't been shut off on apartment buildings which are supposed to be paid by the apartment owner, where the bills go up to fifty-eight thousand dollars and the apartment owner simply sells...just makes an exchange, he sells from one trust to another trust and he waives the utility bill and the fifty-eight thousand dollar bill was lost and we utility owners ended up paying that money. I...I see nothing wrong with helping people but...when they're in financial straits, but I don't think if they own property...and...and they're unable to pay their utility bills, then we should do something to protect the utility company from losing the money and...and let this guy sell the building and...and he walks free, there's no lien against the property. I mean, it's ridiculous. I mean,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

If the...if...if he's a low income...family, how would he own a building? I mean, you know, he's not going to own a building if he's only making ten thousand dollars a year for a family of four. I mean, where's...you know, where's he

coming from?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

John, I have people in my district that make ten thousand dollars a year and buy apartment buildings. Okay? They come and work and they save and they scratch and they skimp and they end up owning apartment buildings. They can live on less money than we pay public aid recipients and they survive and they become...their kids become educated and everything else. So there are situations where a guy makes an income of less than ten thousand but still owns a piece of real estate, tax free, mortgage free and everything else.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator D'Arco.

SENATOR D'ARCO:

Listen, I'll amend it in the House...so the utility has a lien against the landlord if he doesn't pay his utility bill. How's that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

A...just very briefly, Mr. President. We're going to see a...a number of bills today and tomorrow that have to do with utility rates and the utility companies, and people are going to have to make choices between the utility companies and the consumers and the people who send us here. There's going to be a tremendous increase in rates...in utility rates across the State of Illinois within the next twelve months. I think we all know that and we all know why it's going to happen. The necessity for this bill is going to increase two-,threefold over the next twelve months. I think a vote on this bill as well as a major bill that's coming up later today is going to tell us where our priorities are. And if

you're priorities are with big business and with the utility companies, that's one thing and you'll vote red on this bill and you'll vote red on 1021. And if you're priorities are with the consumers and with the people that send us here, then you'll vote green on this and show where your priorities are.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge. Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. A question of the sponsors.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WEAVER:

Aren't there provisions in 1021 that would allow the Commerce Commission to address these...these problems? Senator D'Arco or Senator Netsch as cosponsors.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, yeah, the...the...there's a...a sort of a mandate in...in 1021 that advises the Commerce Commission to look into the whole area of energy assistance for low income families. As Senator Netsch indicated, there is a proposed rule before the Commerce Commission now that would implement this particular twelve percent payment plan that is in this legislation before the Body today. What the effect of that is is still undetermined, and I think...by this legislation we are sending a message to the Commerce Commission that it is the will of the Body that we implement some form of energy assistance for people who can't afford the necessary energies to sustain themselves. And I think that's what we're trying to say as a public policy of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. It would appear to me that we're sending that same message in 1021 and this legislation is not necessary. There may be a better way, and through the years the Commerce Commission can work on this and figure out the better way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

No, I think...well, it was a statement, I don't think it was a question. I think we disagree on that and I definitely think that we should implement the plan in this Session of the General Assembly and not wait for any future plans that may be devised eventually...to...in order...to the benefit of these low income people. We could argue about the necessity of this but I think Senator Hall...Senator Hall's comments illustrated the necessity of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I was just trying to respond to Senator Weaver's question. There is nothing which specifically addresses how low...how people who cannot afford their utility bills should be handled in the future under the long-range rewrite of the Public Utility Law, as I indicated, because there was no consensus. There are some differences of opinion for a long-term commitment as to how it should be done. So that there is a recommendation,as I recall, for a task force of the commission that would continue to look into that. This is designed really for the here and now. The commission has pending a proposal, a question has been raised as to whether or not the existing utility law, which will continue until January 1 of next year at the least, author-

izes what they are proposing to do. This would tide them over, if you will, until they can address whether it is over a long period of time the best way to approach this problem, which everyone concedes is a problem, by the way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. Let me indicate first of all that what the bill does say, Senator Schuneman, is that the...recipient must pay...must pay twelve percent of his monthly household income to the public utility during the months of December 1st through April 30th, and he must also pay twelve percent of his monthly income or the current bill plus one-fifth of...of...of any outstanding deposit during the months of May 1 through November 3rd, whichever is greater. So it isn't simply paying one-fifth of an outstanding deposit, it's paying the current bill or one-fifth of...any outstanding deposit or twelve percent whichever is greater. So I think that we should understand that this is the low income payment plan. These are people who aren't paying their utility bills. These are people whose utility service is being shut off now. We're trying to say to these people who aren't paying their utility bills, come forward and go on this income utility plan, pay twelve percent of the bill and we won't shut you off. All the bad debt that you're incurring now, part of it at least will be eliminated. And what we're saying to those people is, if...we'll get even more Federal matching funds and those funds will be distributed directly to the utilities as a credit against any outstanding balance of their utility bill. So the utilities are going to incur less bad debt from these customers. Ladies and gentlemen, this is a way that everybody is going to benefit from. The utilities are going to get credit against the

bills that are not being paid, the customers aren't going to get their services shut off, and we're doing what is right by these people to keep that utility service on when these people need it the most. This is a good bill, it should be the policy of the State of Illinois to help low income people when the basic necessities of life are at...at stake, and there's no question that if you can't warm your body and you can't put on a light in order to see, my God, what can you do? Vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 486 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, 1 voting Present. Senate Bill 486 having received the constitutional majority is declared passed. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Sorry to start out this way, Mr. President, but would request a verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Verification of the affirmative roll has been requested. Will all the Senators please be in their seats. Will the Secretary please call the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, do you question any of the affirmative vote?

SENATOR SCHUNEMAN:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Dawson on the Floor? Senator Dawson. Strike his name from the record.

SENATOR SCHUNEMAN:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Lechowicz on the Floor? He's standing in...the back.

SENATOR SCHUNEMAN:

Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman. Is Senator Berman on the Floor? Senator Berman. Senator Berman on the Floor? Right. Berman and Dawson are on the Floor.

SENATOR SCHUNEMAN:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Restore Senator Dawson. Mr. Secretary. On a verified roll call the Ayes are 30, the Nays are 26, 1 voting Present. Senate Bill 486 having received the constitutional majority is declared passed. Senate Bill 489, Senator Netsch. Read the bill, Mr. Secretary. For what purpose does Senator D'Arco rise?

SENATOR D'ARCO:

Would you put Senator Smith as a hyphenated cosponsor of 486?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco asks leave of the Body to have Senator Smith added as a hyphenated cosponsor to 486. Is leave granted? Leave is granted. On 489, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 489.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 489 was suggested to Senator Etheredge and me on the Revenue Committee by JCAR. It is intended simply to clarify the definition of what constitutes substantial rehabilitation for purposes of the tax break that is given to historic buildings. I gather that it was not clear that it could include both exterior and interior work and the bill does...simply makes it clear, that it can cover either one. JCAR recommended this, we understand that Conservation may want to do a little tinkering with it over in the other House, but we don't have that available to us at the moment. In the meantime, we would recommend support of Senate Bill 489.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 489 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 489 having received the constitutional majority is declared passed. Senate Bill 494, Senator Collins. Senate Bill 500, Senator Lemke. Read the bill, Mr. Senator.

SECRETARY:

Senate Bill 500.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is decentralize the Chicago...school system into twenty districts and each district has elected representatives rather than their appointed...school system. In Illinois we have a thousand and four school boards but only two are appointed, Chicago and the elementary school district of Lake...Lake Forrest. I think that the biggest school district in the City of Chicago...is the City of Chicago and I believe the people should have a say as to what the education programs are there. And I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 500 pass. Those in favor will vote...vote Aye. Those opposed vote Nay. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Well, I wouldn't like there to be a vote taken without some opposition expressed to an elected school board. We do have a school board that's appointed already and it's in place, I think it deserves an opportunity to do its job. It has been hamstrung in the past because there has been political intervention within that...that...that board. We think that that is not the case in the present circumstance and think the mayor ought to be permitted to appoint the board that he wants. He is the chief executive of the city and...he is responsible for what happens with that board and with the system of education in the City of Chicago. For those reasons, I think it's...this bill is not a good bill, not a good idea. It's not an idea whose time has come and I would oppose it, and I would...would...would...would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Jones. State your

point. Senator Lemke, we didn't...Senator Lemke, you did not close, you presented your case, there was no one that sought recognition at the time. And as we were ready to call, there was those that sought recognition. You are accorded the same considerations that every other Senator and there will be no more or no less, so Senator Jones on the issue.

SENATOR JONES:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JONES:

Senator Lemke,...the...the board members that would be elected in the districts...will they be salaried?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

They would be just like any other school board, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I...I notice in your Digest it indicates that they...the candidates for the boards would be...would not have to file a campaign...disclosure statement. Why is that there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

That's the same thing we have on the other school boards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

...looking at the bill, how would the district be divided? You said twenty districts, would the district be divided based on the...population of the students or...or what?...how...how would the districts be divided?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

The districts in the present time were divided as to the current districts they are. When the new census comes out, then the districts will be revised on...on the principle of one man one vote, as we do legislative district, aldermatic wards or whatever you want, it's done that way. We're presently leaving intact the existing districts until the next census so we can have an election on the basis of one man one vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Okay, what powers would the board...have, what...what powers will they have? What powers will the local district boards have?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

It's very simple 'cause you're reading the same sheet I have...Senator Jones, but we can recite those. The local school boards of the twenty districts established by boundaries of the twenty existing. The powers it would have is very simple, each board with the following powers and responsibilities; to employ teachers and other personnel, to fix salaries of the superintendents, principals, administrative personnel, to adopt a budget and appropriate funds allocated to the subdistrict by the School Service District Board of Education, to establish the curriculum and to negotiate with bargaining representatives for nonsalary items. I think it's just like any other school board, we give them no...no less or no more powers, except in this particular...the only thing they have is that other school boards has is the right

to...to raise money. And what we do is set that up in a central district which distributes the money to the subdistricts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

...the way I look at it here, maybe you can explain this, it says to levy taxes and issue bonds. Would the individual...districts be able to levy taxes individually?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, what...if you read it right, Mr. Jones, Senator Jones, and not trying to confuse people, that is the central board. And on that...which is a power right now that the board has and which the city council has no power over, and what we're doing here is putting twenty people on there that are elected by the people that are going to raise their taxes and...and everything else. It's not going to be the merchants of despair that have ruined the Chicago school system for all the years...including now. This gives the parents and the people that pay taxes the right to decide how their schools should be run, like any other school board in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, thank you, Mr. President, members of the Senate. I rise in opposition to this bill. Currently in the Chicago school system, as you have in most major cities...in most major cities, you have an appointed board for several reasons. The reasons why...that due to the political climate in the City it would be...it would not be in the interest of the children who attend the public schools to have our

schools so devised up wherein the local politicians and precinct captains will be picking principals, will be the ones to decide whether or not who goes where. In theory...in theory as it relate to an appointed system, the people are involved because the people selects its mayors and...from there the city council approve...must act on the mayor appointees. If one is more or less concerned about the education of children in the Chicago Public School System, then they would not vote for this bill, if you are really concerned about education. But if you're concerned about playing politics with education...and I don't think politics should be involved to the degree wherein the local aldermen, the local ward committeemen would be out there electing people to the school board. This bill does not serve in the best interest of the children of the school system. It is a bill more or less designed for those who are only concerned about political control of education. It is wrong...it should...this bill should be resoundly defeated and sent back to wherever it came from, because I don't know no one in the City of Chicago, no citizen who are...are in support of good schools and good education would support this type of legislation and it should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, I rise in support of this legislation, Senator Jones. I'm a citizen of Chicago also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

I think this is a bill that's long needed in the City of Chicago, in the State of Illinois so the people...finally have something to say about the education of the...their

kids. And as far as political implication, I will assure you this will be a nonpartisan basis 'cause every other school board we're talking about in the City of Chicago or whether it's in the State, no local officials gets involved in running the schools. In Springfield, wherever you go, they let the school board run on their own and it's a...it's a good bill and I think it's time that we start giving the power to the people that pay taxes and send their kids to school to elect those people that represent them that are going to educate their kids. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 500 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 14, 2 voting Present. Senate Bill 500 having received the constitutional majority is declared passed. Senate Bill 502, Senator Sangmeister. Senate Bill 508, Senator Luft. Senate Bill 509, Senator Luft. Senate...508, Senator Luft? 509? 510, Senator Smith. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 510.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 510 was amended in order to meet with the approval of our colleagues here. This bill creates the Crime Prevention Organization Grant Act and it is...amended to change the methods of funding the Crime Prevention Organization Act it created by this bill. It provides for an income tax checkoff like those currently existing in the Illinois Income Tax forms. It allows the...taxpayer to contribute up to ten dollars of their tax refunds for contributions to the Crime Prevention Organization Fund. It has a...a cap on it that if the fund does not receive at least one hundred thousand dollars in any year, that the checkoff will appear on subsequent income tax form. The reason why we are concerned about this is that we have programs in the area of our communities that are seeking to aid the residents in helping to fight crime, and they could go to the Law Enforcement Department of our State and request grants to help them out in order to...keep the program going. This is the intent of this bill. We have a program on...on the southside of the City of Chicago that we call Black on Black Love, but we want to say, we've got a lot of black on black crime, and if we can get this...of the people themselves would do their own by helping to support these...this tax credit. And so I'm ask-

ing that if you would be kind enough to give me a favorable vote on this Senate Bill 510.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,...Senator...did put an amendment on it which says, if the contributions do not equal a hundred thousand dollars or more, then they can be removed from the tax forms. I think it is a good bill, we have a problem of gangs too in Lake County lately quite...quite substantial. I...I certainly urge favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 510 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate 510 having received the constitutional majority is declared passed. I've been asked by many of the Senators, and this was a consideration we had before, that the doorkeepers do not bring any cards in on 3rd reading, have the lobbyists contact the Senators in their office if they want to talk to them. We have Senators that have missed the roll call on their bills by being pulled off the Floor. I would suggest any Senator that wants to yield or talk to a lobbyist, remove himself at the time but do not bring any cards in. Senate Bill 512, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 512.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 512 addresses the Banking Act, specifically that part of the Banking Act that is commonly referred to as facilities. I want to acknowledge right off the bat that Senate Bill 512 does not in any way tamper with or change the distance requirements on facilities. What it does do, however, is to change the name from facilities to community service facilities. It increases the number of so-called community service facilities a bank may maintain from three to five, and if the changes the kind of services a community service facility may offer; in other words, we are making them full banking facilities. I would attempt to answer any questions; if not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I would request a ruling from the Chair as to how many votes Senate Bill 512 will take to pass. Does it constitute branch banking?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, in preparation of your question, we have had a ruling prepared and the ruling would be that under the Illinois Constitution, Article XIII, Section 8, Senate Bill 512 will require for Senate passage an affirmative vote of the greater of a constitutional majority or three-fifths of the Senators voting on the question. Is there further discussion? If not, the question is, shall Senate Bill 512 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 19, 1 voting Present. Senate Bill 512 having received the majority vote is declared passed. For what pur-

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pose Senator D'Arco arise? It passed. (Machine cut-off)...Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

A point of order, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR SCHUNEMAN:

I understood your ruling in response to Senator Demuzio's question, I understood you to say that this bill would require a...an extraordinary majority. Was that not your ruling?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it would require three-fifths of those voting. Had there been 23 or 24 Nays and 35 Ayes, the bill would have failed.

SENATOR SCHUNEMAN:

Oh. Only of those voting, not of...not three-fifths of the Body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

As there were only 19 Nays, 35 Ayes, it received a...received the constitutional three-fifths majority and is declared passed. (Machine cutoff)...Bill...for what...Senate Bill 513, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 513.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 513 is a purely technical or...I guess more accurately mechanical bill which deals with the problem of when various due dates file...fall on either Saturday, Sunday, State holidays or other days when

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it is not appropriate, the Department of Revenue does tend to allow the carryover but it does not have specific authorization to do that in all of the Acts which are involved here, and this simply clarifies that they indeed can allow the filing to be...the...the next business day which is typically on a Monday. If there are any questions, I will be happy to answer them; otherwise, it is a very mechanical provision that...as it exists. I would request your support of Senate Bill 513...and...and the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator...the questions is, shall Senate Bill 513 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 513 having received the constitutional majority is declared passed.

PRESIDENT:

Ladies and gentlemen, we have a distinct pleasure today to have with us a very special guest who yesterday was in Chicago attending the Cub game and brought us to victory and is on his way to Denver. It is my distinct honor to introduce to you a man who needs...literally needs no introduction, he is the gentleman who put together and successfully sought a completion the Olympic games and is now the commissioner of baseball. Ladies and Gentlemen of the Senate, Commissioner Peter Ueberroth.

COMMISSIONER UEBERROTH:

(Remarks given by Commissioner Ueberroth)

PRESIDENT:

Bottom of page 11 on the Calendar, on the Order of Senate Bills 3rd Reading, Senate Bill 522. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 522.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Ladies and Gentlemen of the Senate. The bill does exactly what your synopsis says it does; however, it is a rather complex piece of legislation, and due to the press of time, I will try to keep the explanation as simple as possible. We did pass this last year over to the House and the House Judiciary Committee held it there. I think there's some enlightened people over there now. The problem in the State of Illinois is...is that most prosecutors charge people with murder because if it's going to be a voluntary manslaughter, they don't...they would rather have the defendant prove the extenuating circumstances rather than that be a burden that is placed upon the prosecutor. What we are attempting to do here is just divide it into first degree and second degree murder, and therefore, we think that prosecutors will charge when it is a manslaughter case the way they properly should. This all comes about because of...back in 1961 when we revised the Criminal Code, although everybody thinks it's in there, there is no more reference to malice of forethought, and with that being gone, therein rises the confusion. There are many people, nonetheless...Timothy O'Neil who's a professor at John Marshall Law School and a former public defender, we have Professor Hadad from Northwestern University interested in this, Judge Steigman and, in fact, the Supreme Court on...and appellate courts on various cases have indicated that we ought to face up to this issue and we ought to get into first and second degree homicides. I will attempt to answer any questions if there are; if not, I would again like to send this bill to

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the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Just as the minority spokesman on the Senate Judiciary II Committee to second the remarks of Senator Sangmeister. I think he's given a...an adequate explanation and would urge support of all members for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Sangmeister may close. All right...

SENATOR SANGMEISTER:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the question is, shall Senate Bill 522 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 522 having received the required constitutional majority is declared passed. 525, Senator Rock. On the Order of Senate Bills 3rd Reading is Senate Bill 525, Mr. Secretary, call the bill. Read the bill.

SECRETARY:

House...excuse me...House Bill 525...or Senate Bill 525.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 525 as amended would afford the State of Illinois the opportunity to engage in regional interstate

banking. As amended, it also affords the opportunity for those banks, particularly the smaller ones, who do not wish to participate to in fact by option of the board of directors opt out, and they send a resolution to the commissioner of banks and they are not included in the program. But the fact of the matter is, we have the opportunity, it seems to me, to become probably the third best financial market in the United States of America. California and New York far outstrip us at the moment because we have not had...by virtue of our antiquated structure law in this State, we have not had the opportunity we should have had to allow our financial institutions to grow and to prosper. With a regional interstate system touching as it does the contiguous states around the midwest, I think that opportunity is now with us. We have afforded I think every legitimate protection, we have called for reciprocity and we have put the whole program literally in the hands of the commissioner of banks. It seems to me that if we don't do this, at some point in time the Federal Government is going to step in and say, everything is wide open and we don't want that to happen. We should be in a position, as I think with 525 we are and will be, in a position to control our own destiny; and as 525 has been amended, we not only control our own destiny but those banks who do not wish to participate, the independent community banks, if they so wish can opt out of the program, so we are jeopardizing no one. I think this is legislation that is long overdue and it's really a first step but a very necessary step toward, I hope, someday full interstate banking, because at that point in time, I am convinced that the State of Illinois can compete with the best. But in order to get there, we need 525 as amended and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, I've spoken with many of you on both sides of the aisle about this bill, and Senator Rock and I have been working with it for sometime. There are a couple of issues that I think we...we have overlooked, and I just want to quickly state them because Senator Rock has made the case and will close, but there are a couple of things that I think are important. So often you hear people say that this is just an argument over bank ownership. That is not true at all. This is probably as consumer oriented a bill as you can find. The reason being is when you open up a system a little bit more, allows a little more competition...I mean, you remember, the airlines didn't want to be deregulated, but when they opened up a little, what happened from a consumer point of view? We got a better deal. A lot of the gas companies didn't want to get deregulated but we deregulated, the price of natural gas dropped. When you talk about oil, when you talk about the deregulation of trucking; when we deregulated trucking, the trucking companies did not want to be deregulated, and yet, the...yet, from a consumer point of view, the consumer benefited every time. Part of consumer protection is offering a competitive market so the consumer has the right to go to wherever he is being offered the best deal. This...this bill is a step in that direction to offer the consumer the open market that they need. Illinois has the potential to be the financial Senator center, as Senator Rock has said, but if we don't take some action now, time is not on our side. When the Federal Government deregulates, what they will say is...let's open everything up. We have not prepared many of the banks in the financial structure of Illinois for total wide-open competition that the Federal Government is about to give us, and if we don't make the first step, we will be guilty of destroying our own financial system. Those are the only...remarks I really wanted to

make, I think most of us know already what we will be doing. I've spoken to so many of you and I know Senator Rock has, but when you're thinking about the bill, when you say, well, this or that guy is opposed to it, I understand. Very few people would like a little more competition of their market place. But if you honestly are concerned about the actual banking and financial services' consumer, you have to offer more options and this does it. And this starts to rebuild the midwestern region as a cohesive financial structure that I think almost everyone concedes would be dominated by our central location and of the already existing strength of some of our financial institutions. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I was not going to speak on this particular bill and just quietly vote Present, but hearing some of the comments...in the context of this is somehow pro-consumer. I suppose on one level that could be said in that any change I suppose would benefit the consumer, but we...we had an opportunity yesterday to adopt the...language that is in the main Statute. It talks about bringing net new funds into our State, and I believe that that would have been excellent public policy and certainly would have made 525 really do what it said it was...what the sponsors say it would do. Instead, that amendment was rejected and a very watered-down element of community reinvestment language was put on that, and I suppose that to a degree,...then arguably someone could say it is pro-consumer. I would hope this is not the last time we see this bill, because I think that it needs some more work and believe that we could put in language that guarantees that banks that come in our State bring in net new funds. Let me tell you, that

main language has brought an inflow of capital into the State of Maine, and I sincerely believe that if we had the same kind of language in 525 that it would be of the benefit to the consumers and to our communities and it would actually do what the sponsors say it does. In its present form, I don't think it does, and in...in its present form, I'm reluctantly going to have to vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President, members of the Senate. I...I, too,...don't think this is a good bill in its present form; in fact, I don't believe you could get this bill...at all in a good form to suit me. I prefer that we could keep our small banks and our community banks and keep our consumers happy by trading at home. I think it's a bad bill. It's a big...it...it's not good for the consumer, the businessmen, and I'd certainly urge a No vote; and I'd like to ask the President, will this take an extraordinary majority as...the last banking bill did?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Dunn, in...pardon me...in response to your...to your request for a ruling as to how many votes are required for Senate passage of Senate Bill 525, it is...the ruling of the Chair, Article XII, Section 8 of the Illinois Constitution...I'm sorry...Article XIII, Section 8 of the Illinois Constitution does not require...or does not apply to Senate Bill 525. Therefore, the measure requires a constitutional majority or thirty votes for Senate passage. It is different than the bill that we had previous. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Rock, I was confused with one statement that you made with regard to the fact that banks can opt out, that...I don't quite understand what that means.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...what it means is that Illinois banks which are fearful of a takeover and...and, frankly, that fear is out there, and I have had a number of letters, as I'm sure all have had, from chief executive officers of smaller banks fearful that they somehow would be taken over, they would get an offer they could not refuse. The fact is that Amendment No. 4 will now permit that board of directors to offer and adopt an irrevocable resolution and forward that resolution to the commissioner of banks saying they're not going to participate, they...it's like an anti-solicitation legislation. Indiana has adopted this for the same reason, because the fear was in Indiana that somehow the big banks from Milwaukee and from Chicago would...would gobble up everybody. Fact is, they now have the opportunity to say to the commissioner of banks, under whose absolute control this program is, we don't wish to participate, count us out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, that...that really is no different than it is now except that...that they're signing something and that's only good until sometime later in...in the eighties,...'88 or something like that. So that really...I think that's perhaps an...an attempt to...to make this a bit more palatable, but the fact of the matter is, the board of directors are always

going to make that decision, so the fact that the...that the language would be in the Statutes, they can or...or...or cannot sell and I...I think that's the way it is. I...many of us agonize over this concept without question. We have banks on both sides of this and I can well recall when we passed the legislation some years ago dealing with holding companies, the way that was made more palatable or acceptable was to make the five...the five regions in the State, and then we fudged a little bit on that by allowing them to transgress from one region to the...the contiguous region. I think those of us in the rural area have some concerns about where we're going with all this. We are concerned about siphoning off assets from the rural communities. I would submit to the Body that now, anywhere in Illinois, if one wants capital and you have a business that's...that's making some money, the loans are available. I think the proponents of this legislation will suggest to you that we need this for economic development. I think you ought to take a look at the fact that this may also siphon assets out of Illinois into other states. I think we have a good system now, it's one that we should stick with and probably the Body ought to reject Senate Bill 525.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I just want to make a quick...point as it relates to some of the comments of Senator Keats that this was somehow a consumer oriented issue and the fact that in the case of airline deregulation we saw the reduction of air fares. That's true. If you want to fly from Chicago to Los Angles, I think the air fares are less now than they were before. The only problem is, where I live you can't take advantage of those rates unless you can somehow get to Chicago and we can't get to Chicago anymore.

The...the airlines have...have gone to those markets that are most profitable to them and have abandon many of the other communities in Illinois; and I think that's part of the fear in this particular bill, that we see large financial institutions siphoning money out of the small communities that have been serviced by community oriented banks. So I think that the consumer issue here is going to cut both ways and we ought to be aware of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Having heard from nearly every small bank in the area which I represent, I rise in opposition to this bill. Let me just read a statement from Senator William Proxmeier that was made not long ago in addressing this issue. It said, "Access to bank credit can mean the difference between success and failure. If the bulk of bank credit is concentrated in the hands of a few giant money center banks, bank credit is going to be a lot harder to come by for the average man or woman. Why? Because large banks don't really want to bother with small loans. They can make more money by making large loans to multinational corporations or foreign governments." It seems to me that permitting big banks to get bigger at the expense of well managed community banks simply will not help the Illinois economy. The various sectors of this economy are interrelated. Industrial workers depend upon the agribusiness industry, that business is hurting right now. Independent agricultural banks continue to make a substantial number of loans to farmers and small businesses virtually every day. We know that large conglomerate banking institutions provide few loans to either sector of that economy. Interstate bank ownership only aggravates that problem. Illinois farmers and agribusinessmen need the personal atten-

tion, communication and service that's provided by the dedicated local banker; and for those reasons, I urge you to oppose this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Brief...briefly, Mr. President. Perhaps, when I'm home in my business I deal with banks, financial institutions every week some way or another, and I found since the savings and loans have branched into our area, we now...because of Federal action have large urban savings and loans in my area emanating from the big city in the north, everything gets harder. My own practical experiences is that the more remote the management, the more difficult it is to do day-to-day business; the kind of thing you can now do in your local bank face to face with people, it..it's just much, much harder.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

May I address one question to the sponsor? One of the points that is raised by others, and particularly, I guess, the opponents, but I think is a point of concern for those of us who don't feel passionately on either side of this question, is the obligation to continue serving or...I guess, yes, continuing serving local communities and I would like to ask you, what is in the bill very specifically that...that deals with the question of continued service to communities, and I guess I would also say, how is community defined in that respect; that is, in terms of just a...a city or a neighborhood within a city or whatever? Could you please address that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, I can and I will. Amendment No. 3 provides, in...in line with what Senator Bloom was talking about, that...that this whole operation is subject to the Community Reinvestment Act which is a Federal Statute and is specifically referenced in this legislation. More than that, let me suggest, as you and I both know, that this concept will be driven by market forces, and I, frankly, find it hard to believe and I did not...frankly, was not impressed with the gentleman from Maine who testified in the committee. I find it hard to believe that if you have an honest to goodness...profitable altruistic banking institution in a given area, that somehow it's going to be swallowed up and...and made to go away. Profit is profit is profit wherever it's found and the market force is going to drive this operation as...as well as any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I mean no disrespect, Mr. President, but I'm still not clear about exactly what the bill says about the nature of that commitment. Is it something that has to be demonstrated before the commissioner...approves the proposed merger, acquisition, and...incidentally, am I correct that every single transaction will require approval of the State Commissioner of Banks? But if you could just be a little more precise about the nature of what the bill says on the community responsibility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I will be as precise as surgically possible. The answer to your question is, yes, every transaction is subject to the approval of the State Commissioner of Banks; and more than

that, it...it...when you are making application; to be eligible under the provisions of this Act, you have to provide adequate and appropriate services including services contemplated by the Federal Community Reinvestment Act of 1977, and that directly relates to what Senator Bloom was talking about, that you have to show that, yes, indeed, there will in fact be a benefit to the community in which you wish to do business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I...I see now that maybe my question is answered. I was going to request that the previous presiding officer leave the Podium, go to his desk and present to this Body the results of a very fine survey that he made, but I see he has already...he is at his desk, and I hope that that's what is going to happen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just a minute. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Would the Chair permit me at this time to indicate that Senate Bill 500...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, would we...we'll get back to that...in a few minutes. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question? Do I understand this bill to provide for reciprocal interstate banking within a defined seven state midwestern region?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

You...you are, as usual, absolutely correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I appreciate the compliment because I don't get too many from you, but anyway, the other point that I want to make sure about that, for example, a New York corporation couldn't leapfrog over and...and take...and come into our State unless they had their principal places of business in one of the six midwest states, isn't that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The answer is, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have talked to the banks in my district and, you know, we're...we're part of downstate and our banks are small, and they feel that this is a necessary adjunct for them to continue successfully to provide good service to the public. I don't see anything wrong with this particular bill. It certainly has to be approved by the commissioner of banking for any interstate...acquisition. It simply says, if I understand it correctly that my State as long as the other state...comes in...banking...from other state, they have to have reciprocal acquisitions. I think it's a good bill. I think it will help the banking business to serve the public, because we get complaints, they don't have enough money to give us loans and I think it is a step in the right direc-

tion. I speak in favor of the bill and I can tell you the small banks in my area that communicated with me are for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I have some mixed emotions about this bill. I think that interstate banking is inevitable one day, but I question as to whether or not Illinois is ready for it today. As many of you know, I took it upon myself since the banking associations in Illinois do not have a...a...a survey that was broad enough to have any indication as to the...what the membership felt relevant to this issue, and, as you know, I sent out twelve hundred and forty-three questionnaires to the banks in Illinois, there are twelve hundred and forty-three. They responded with fifty-eight percent of those that came back, seven hundred and sixteen to be exact, and I will share with you some...briefly the statistics. Do you favor legislation...eliminating the regions to allow bank holding companies to acquire banks anywhere in the State, which this bill does; sixty-three percent responded in the negative. Do you favor legislation allowing bank holding companies based in contiguous states to acquire Illinois banks; seventy percent responded in the negative, they do not. Do you favor legislation allowing bank holding companies based in any state to acquire Illinois banks or bank holding companies; eighty-seven percent said no. And do you favor legislation allowing bank holding companies based outside of Illinois to acquire Illinois banks regardless of whether an Illinois bank holding company may acquire banks in that state; ninety-four percent of the seven hundred and sixteen respondees said no. It gives you some idea and some indication as to where the industry itself is in Illinois, but I heard some remarks also

this morning relevant to how this was going to benefit the consumer. I will suggest to you that the majority of our constituency is not even concerned with the bank geographic...deregulation that is currently in this bill. People out on the street don't understand the terminology of holding companies or branch banking or interstate banking or non-bank banks, but what they do understand and what they do care about is that basic banking services are available from their neighborhood bank and that fees don't whittle away their meager savings or checking accounts, that installment loans are available at interest rates that they can afford, and that they have adequate investment opportunity and that they can get into see their personal banker when they want to. If you believe that this bill affords basic banking services to the consumer, then I would urge you that you...to vote Aye. My own inclination is that if this passes and once the regions are eliminated and once we had foreign banks in the State of Illinois that you'll have absentee ownership of our community banks, that you will, in fact, be dealing with someone who is not your personal banker, that has no relevance whatsoever to the community, and I doubt very seriously as to whether or not there will be an influx of additional capital for small business and for ag. loans and those things in our rural Illinois communities. So I would urge that 525 be defeated. I think it's inevitable that someday that this proposal will in fact be in place. I am told that some of the contiguous states that are considering such similar proposal, in some instances, I think Indiana has passed it, I think Kentucky has, I think it's been defeated in Missouri and I think one other state. So it seems to me that the time has not come for Senate Bill 525.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR DAWSON:

Senator Rock, what is the prevention for any of these banks along our borders of the different...of the State of Illinois, such as in my district that borders on Indiana, what is going to prevent one of these banks in Indiana to set up a branch and...for spending the money back in the communities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The...the application process and the commissioner. Every transaction under this legislation must meet with the approval of the Commissioner of Banks of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

But basically that is what we have done with our liquor and our tobacco and everything else across the State lines of the tax money being taken out and purchased over there, and we're supposed to be controlling this money going out that way and we've failed on it...as a State, and that's why I just...it's under the commissioner's control then. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I was not going to speak on this but I...was not...when I heard about Senator Demuzio's poll. I can only think of one poll that might be more biased then that and that is to write a letter to every person's mother in this

General Assembly who is still living and ask them if their son is a good legislator...or daughter. I...my bank president...I serve on a bank board, got that letter, I had to bribe the secretary so she could show it me, because what that letter actually asks is if the bank presidents want to keep their jobs. Because any time you talk about changing ownership, who's in jeopardy? The bank president and that's the one that responds to the poll...that's right. So I'd...Senator Demuzio, with all respect for your desire to seek out the truth, I would suggest that if you directed that letter to the chairman of the board or to the directors, the response might be quite different than what you got by asking an employee if he wants to keep his job. Now, Crane puts out a list of the top four hundred banks in Illinois. I have been privileged that in the last three years, two of the number one banks have been from my district, and I want to tell you a little bit about those banks. One bank owns...earns 4.6 percent on assets, an unheard of return. There are twenty-three percent loaned out, they are in a community that is eighty percent minority. The other bank that earned 2.6...that ain't shabby at all, Prescott...the other bank that was number one sits in a community in which it is the only bank and it is the only community that I have seen receive twenty-six letters from...against this bill, they're all shareholders, they are lent out sixteen percent. Let me tell you where they make their money and I have no problem with this at all, but we ought to talk about the truth. They make their money by sending it to the Chicago banks on an overnight basis. In many instances, they are nothing more than the capital collectors of their various communities sending the money downtown, and perhaps the reason that they may be concerned is that this bill might allow capital to be taken from elsewhere and remain in that community and lowering the potential return to these people who are now lending

out money. And I would ask, if you're interested...I serve on a bank board as I said, we are now lend out to the ratio that we should be, but you know, we're not really competitive. I just bought a car not too long ago, 8.8 percent interest. I asked my bank, I said, what's your rate? 13.95. In fact, banks have now made the General Motors Acceptance Corporation the largest financial institution in the United States. And I want to tell you, it's not their fault either, their cost of funds are pretty high, but I don't want to hear this anymore about serving the community. We're out there trying to find places to service the community with our rates and what the...what the...John, could you just hold that...we are trying to serve our community based on the limitations of the loans we can make and our ability to make those loans and we're out there looking, but I have to tell you, we have more money than demand. The community will not be underserved if this occurs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 19 TV from Peoria requests permission to tape the proceedings. Is leave granted? Leave is granted. Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm delighted that my colleague on the other side of the aisle brought up Crane's Business. I want to show you, Senator DeAngelis, Crane's Business took a poll too; says, fifty-five percent of the banks said no, keep the status quo. It was the executives who are urging interstate banking now. I hope you don't question their poll. It seems to me that the questionnaire that I sent out, I was attempting to be fair, didn't ask the chief executive to answer it, he could have took it to the board, wasn't my...wasn't...wasn't my place to pull all of those stockholders of every bank in Illinois, wanted to get some sense as to what the industry felt, 'cause I knew that the consumer

really didn't understand it. But I'll refer you to the...Crane's Business poll and I will stand by it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I would recommend that, Senator Demuzio, with the same ethnic background that I have, the next time you want to check with the polls, check with the Italians too.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm not so sure we're going to change anybody's mind. I think the...the issue has been pretty well debated. We do not govern nor do we make public policy by poll, I hope everybody understands; and let me just suggest to Senator Poshard and others who are truly worried and the worry is justifiable, access to credit is...is the most important economic development tool that we have, and let me just point out to you that where were all these altruistic little, bitty banks when the farmers were in trouble? We had to pass a bill here to afford twenty-five million dollars, because those truly altruistic banks weren't willing to lend their local farmer any money. So I say, bologna. We are not in any respect talking about anything comparable to the airline industry in terms of deregulation. This is a tightly structured, tightly regulated opportunity which will maintain and...and fix the position of Illinois and specifically the City of Chicago as the premiere financial capital center of the midwest, certainly and hopefully, in later years of the nation. There's no attempt here to siphon off any assets. We are talking about regional interstate, the midwest region, our six contiguous states so that if Terre Haute and

Indianapolis who may well be better off doing business in Mount Vernon than they are in the City of Chicago, we can help that area, and Milwaukee may be better off with Waukegan than they are in Chicago. The fact is, and I...specifically to what Senator Bloom said, the net new funds amendment about which he spoke so lovingly, the gentleman from Maine was in our committee and spoke against the whole idea, because it frankly,...in his judgment at least, hadn't worked, and, yet, at the same time, he was the CEO and president of a...a small bank who has survived....an absolute wide-open interstate assault and he survived, and why does he survive, because he provides the kind of services that the people in the community want. And we're not attempting to change that at all. This is tightly regulated, tightly controlled by our commissioner in our State and that's the way it ought to be. I just read an article in the Chicago Bar Record which suggests that the legislative movement toward interstate banking on a regional basis offers Chicago and Illinois an opportunity comparable in some respects to that presented as the railroads moved west more than a century ago. It is an exceptional opportunity and one that should not be missed, and I urge an Aye vote on Senate Bill 525.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 525 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 21, 4 voting Present. Senate Bill 525 having received the constitutional majority is declared passed. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, I was planning on...seeking a...a verification, but as I look around, I see all but one and I know where he's at,

so I will not request a verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd...on Senate bills 3rd reading, Senate Bill...for what purpose Senator Bloom arise?

SENATOR BLOOM:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR BLOOM:

Seated behind the President's Rostrum are sixth graders from the Washington Elementary School in Peoria. They're the gifted students from all over town. I wonder if they could rise and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. On a point of personal privilege, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ZITO:

Yeah, Senator Topinka and myself are fortunate enough to have one of our mayors from our districts here with us today. He's joined by his wife, his daughter and mother and mother-in-law and I'd like the Senate to recognize Mayor Fred Marunde and his wife and family members. If the Senate would recognize them, I'd appreciate it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senate Bill 548, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 548.

(Secretary reads title of bill)

3rd reading of he bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Criminal Code to comply with the rest of the offenses. In 1982, the General Assembly raised from a hundred and fifty to three hundred dollars of valuable property involved in the General Theft and Criminal Damage to Property Statutes. Before, persons committing those offenses would be sentenced as Class 4 felons instead of Class A misdemeanors. This brings two other criminal Statutes in conformity with those higher dollar amounts, deceptive practice and retail theft. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 548 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Everybody ready now? Take the record. On that question, the Ayes are 27, the Nays are 30, none voting Present. Senate Bill 548 having failed to receive a constitutional majority is declared...declared lost. Senate Bill 559, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 559.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 559 allows public universities to enter into...eighteen-year old leases with

the approval of the Board of Higher Education, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 559 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are...55, the Nays are none, none voting Present. Senate Bill 559 having received the constitutional majority is declared passed. Senate Bill 567, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 567.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This does just about exactly that. It...it's making a few changes and corrections on a bill we passed a couple of years ago. One thing it does is allow the election of the council members at the same time and place of the election of the directors of the Corn and Soybean Marketing Acts, and it just eases the workload of the county extension offices where the elections are...are held. Various other changes that are...that are pretty minor. I'd be happy to...answer any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 567 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 567 having received the required con-

stitutional majority is declared passed. 573, Senator Maitland. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes. I have a bill on the Calendar on 3rd reading of 766. I have decided to remove myself as the Senate sponsor of that bill. It puts the hospitals in the nursing home business of which I oppose. The new sponsors of the bill have been designated to be, Senator Bloom, Senator Dawson and Senator Carroll. And I will oppose that bill when it comes up for 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, with leave of the Body, we will remove Senator Vadalabene as the principal sponsor of Senate Bill 766 and add Senators Bloom, Dawson and Carroll. Senator Bloom.

SENATOR BLOOM:

Sam, was it something I said? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. The sponsorship will...will be so changed. Senate Bill 753,...wait a minute, 573, Mr. Secretary, read the bill, please. Senate Bill 573.

SECRETARY:

Senate Bill 573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. The bill does exactly as the synopsis has suggested. We are attempting to exempt from filing a...ethics report for those special districts where...where there is a...a salary or other reimbursement as compensation for services excess of their actual...expenses, and I...I think this will...is an attempt to...to get some of those

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problem areas, people that are primarily just voluntarily serving on these boards. I think it's a good bill and I would seek its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Welch.

SENATOR WELCH:

Well, I would just speak against this bill. It seems to me that what you're doing is presuming that there may be no conflicts of interest by passing this legislation and, therefore, with that assumption, you're taking a number of individuals who would be required to file a...an ethic statements...statement out of the Act, and I'm not sure that that is something we want to do and I...it's something I don't want to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I acknowledge the comments by my colleague on the other side, I think this is legislation that will encourage people who are volunteering their services for small, special districts and I would seek its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 573 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 2 voting Present. Senate Bill 573 having received the required constitutional majority is declared passed. Senator Topinka on 576. On the Order of Senate Bills 3rd Reading is Senate Bill 576, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill proceeds to take care of...the overflow of horses at race tracks from the Race Track Improvement Fund during racing season. There's no opposition to the bill that I know of, and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall Senate Bill 576 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58...58, the Nays are none, none voting Present. Senate Bill 576 having received the required constitutional majority is declared passed. 579, Senator Jeremiah Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 579, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 579.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 579 will permit counties and municipalities to assess a fee in an amount up to ten percent for rezoning or special use permits that...ten percent of the increased valuation of the property as a result of the zoning change. It's permissive, it allows an additional source of revenue if the municipality or the county so elect, and I ask for

its...for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 579 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 5, none voting Present. Senate Bill 579 having received the required constitutional majority is declared passed. 595, Senator Bloom. On the Order of Senate Bills 3rd Reading, Senate Bill 595, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 595.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. This bill amends the Criminal Code. It's something that Senator Sangmeister and I worked on last Session and this Session. What we're doing here is, essentially right now an insanity defense consists of two prongs; the cognitive prong requires that at the time of the offense the defendant as a result of mental disease or defect lacked the substantial capacity to appreciate the criminality of his conduct; the volitional prong requires the inability to conform his conduct to the requirements of the law because of the mental disease or defect. What Senate Bill 595 does is remove the volitional prong, in other words, remove the irresistible impulse part of that. The Federal Comprehensive Crime Control Act of 1984 has eliminated the volitional prong and the American Bar Association and the American Psychiatric Association and the Uniform Law Commissioners have all suggested that the defense

be altered. So this is to tighten up the insanity defense. I'll answer any questions you may have, otherwise, seek an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This bill did come through our committee and I do rise in support of the legislation. I think it...everybody should understand and it should be very clear as to what the legislation does. The intent of the legislation is to allow the insanity defense in fewer cases. That is what this bill will do and if that is your...if you agree...I mean, it still allows the insanity defense if the individual cannot appreciate the criminality of his conduct. That still would allow the insanity defense, but if he was not able to conform his conduct to the requirements of the law, that would be removed as an element of the insanity defense. So, I just wanted to make that clear but I am supportive of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator Bloom, would you explain to me, I'm just curious, if you are a sitting judge and I tell you that my client as a result of mental disease or mental defect is unable to appreciate the criminality of his conduct as opposed to me telling you that my client as a result of mental disease or mental defect is unable to conform his conduct to the requirements of the law, would you tell me how you would distinguish between those two arguments?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Well,...trying...I'll take a crack at it. Simply stated,

if he did not appreciate by virtue of his mental disease or defect the criminality of his act, then the insanity defense would be allowed, but if indeed he...you're...tell the judge at a bench trial, he was unable to conform his conduct to the standards of law because he was a fruitcake, then the insanity defense would not be allowed to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I suggest to you that we are doing nothing, so I won't belabor...belabor this point other than tell you, you know, you'd have to be insane if you...if...if you put a case on and you would...bring in the...you're bringing in the same experts, you're bringing in the same people who are going to testify one way or the other. They're going to say,...yes, this guy cannot...because of result of mental disease or mental defect he cannot appreciate the criminality of his conduct; or, as a result, whether...you know, I've been through a number of these cases, we don't have a...the real problem...if you want to know what the real problem with this whole thing is, Senator Bloom, I know you're just dying to...you're just crazy to know that the real problem is here. I will tell you, it is that the...it's the judges. It's the judges, they stack up all these professionals...in Cook County, for example, we have had...we have had...we have had four cases in the last twelve years in which a jury has found a defendant not guilty by reason of insanity. We have had a hundred and twenty cases in the last two years in which a judge has found a defendant not guilty by reason of insanity. We are really doing nothing with this, but because that judge from downstate, whatever his name is, who wants to try to...do this, you know, we'll go along with it, but if we really want to do something, we should just...eliminate the defense of insanity. That's what this bill should be, if

we're trying to...to really address the problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Well, I won't belabor the topic. I think that the problem as outlined by Senator Joyce is one of forum...forum shopping to a degree and to a degree the Criminal Defense Bar saying that they got a better shot at a judge than they do at a jury which has...a jury probably has a lot more common sense in one level. I would appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 595 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 3, 2 voting Present. Senate Bill 595 having received the required constitutional majority is declared passed. 603, Senator Maitland. On the Order of Senate Bills 3rd Reading is Senate Bill 603, Mr. Secretary. Read the bill, please.

SECRETARY:

Senate Bill 603.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DUDYCZ:

Mr. President, Ladies and Gentlemen of the Senate, we have some special guests from my district. In the

President's Gallery, this morning we have the eighth grade class and the faculty from Messiah Lutheran Elementary School, would ask that our guests please rise and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. On the Order of Senate Bills 603, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 603 is permissive and would allow that the court may order probationers to pay up to fifteen dollars per month to defray the cost of the probation office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall Senate Bill 603 pass. Those in favor will vote...Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

...yeah, just quickly. What probation cases are we talking about here? Every...every person that's placed on probation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I doubt that that would be the case...Senator. It's just...it's permissive and the court may order in particular cases a person being placed on probation...to pay up to fifteen dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

...traffic tickets as well? Any probation case...we have misdemeanors, felonies, traffic tickets, the whole scoop?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I...I would imagine, Senator, it's just only those that go through the probation office in the county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister...Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator, if a...if a person is not an indigent, do they still follow that same procedure?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Hall, I...I would...would imagine, once again...this is permissive, first of all, and I think only in...in certain circumstances is that court going to order that the...that the individual pay for a portion of the cost of...of probation. Certainly with respect to an indigent, the court is not going to rule in that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I seek your support for Senate Bill 603.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 603 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 603 having received the required constitutional majority is declared passed. 612, Senator Bloom. On the Order of Senate Bills 3rd Reading is...Senate Bill 612, Mr. Secretary, read the bill, please.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 612.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, this bill came to us from the Administrative Procedure Act process of the Joint Committee on Administrative Rules. There is an ongoing problem that this bill addresses the problem of State regulations that incorporate standards and Federal guidelines or Federal rules by reference, and it's confusing to the general public unless there is someplace that the public can go to find the references. This bill attempts to provide guidelines in this process and I'll answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 612 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays

are none, none voting Present. Senate Bill 612 having received the required constitutional majority is declared passed. 613, Senator Etheredge. On the Order of Senate Bills 3rd Reading is Senate Bill 613. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 613.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill does just exactly as the synopsis on the Calendar indicates. It permits the Fox Valley Park District to...to sell a building which they do not need at the present time at a public sale. I'd be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Question is, shall Senate Bill 613 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1...none voting Present. Senate Bill 613 having received the required constitutional majority is declared passed. 617, Senator Geo-Karis. On the Order of Senate Bills...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

It's my understanding that some...as a point of personal privilege, I understand there's some game playing being made. So, at this time, I would like to make a motion to reconsider Senate Bill 500 and let it go on its way since it had forty votes. I mean, if they want to play games, fine, but that's

only on close votes. This bill passed by forty votes. I understand that that bill will be tied up now, and I would like that motion right now 'cause I would have made it right after the bill was done. So, I want to make a motion to reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lemke, we're not on the Order of Motions. Is there leave...is there leave to go to the Order of Motions? All right, leave is granted. On the Order of Motions, Senator Lemke, state your motion.

SENATOR LEMKE:

I move to reconsider by the vote by which 500 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Lemke having voted on the prevailing side moves to reconsider the vote by which Senate Bill 500 passed. Any discussion? Senator Rock.

SENATOR ROCK:

Well, I...I don't think there are any games being played. My understanding was that a member of this Senate has filed a motion on that piece of legislation. Now, if, indeed, we're going to that order of business, there is, in fact, a motion filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, there is, in fact, a written motion that has been filed by Senator Chew moving the same motion. Senator Lemke.

SENATOR LEMKE:

Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We...we are currently discussing your motion, Senator Lemke. Your motion is before the Body. Senator Lemke.

SENATOR LEMKE:

...consider, which I would have done after the bill was passed had I known this game is going to be played, 'cause

the man that's against the principle is filing a motion to reconsider. I want this motion heard, so we can go on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You...Senator Lemke, you want your motion heard?

SENATOR LEMKE:

Either motion, I don't care.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, your the maker.

SENATOR LEMKE:

...if we go with...I'll...I'll go...I make a motion that we move to lie it on...move to reconsider the vote by which Senate Bill 500 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator...discussion? Senator Chew.

SENATOR CHEW:

Well, since he's made that motion, I would defer my comments to Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further...Senator Rock.

SENATOR ROCK:

I will accept the gentleman's gracious gesture. I didn't vote on this question. The fact of the matter is, it is a very relatively, at least, heavyweight subject talking about whether or not the school board and the City of Chicago ought to be elected or appointed. Senator Chew apparently had voted on the prevailing side and filed a motion to reconsider. I did not vote. I, frankly, don't believe that we ought to change that system at the moment. We have just successfully reelected, for the second time in the history of the City of Chicago, an Hispanic as the chairman of that board. I think, frankly, it's...under the circumstances, it's operating pretty well; but I think if the motion to reconsider is placed, I'm sorry we got to that order of business right now, but as long as we're here, let's do it.

I intend to vote Aye on the motion to reconsider because I think that question ought to be debated at some length.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, you know, I think that Senator Rock has probably answered most of my questions on this. My point is this, if...if this is a tactic that we're going to start to use, you know, we...we're not even into June and if you're going to say...starting voting Aye or No on...voting contrary to the way you wish the bill to...to come out and then file a motion for the purpose of placing that in limbo because, Lord knows, when we go to these orders of business, you know, I'm...I'm satisfied and happy that...that President Rock is...is saying we'll go to this now, but I think it...because it establishes a dangerous precedent and we'll be here till God knows when.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

Yeah, well, I filed a motion simply because I was not on the Floor and I was voted Aye on the bill. I would have voted Nay, but since I'm recorded as voting Aye, I would hope that my motion prevails or we will vote on Senator Lemke's motion. It isn't a question of what time you get to it, it's a question that some of us sometimes are called off the Floor for many things, in this instance, it happened. I was down in the Governor's Office when it happened. I'm not accusing anybody of...of voting...in the Governor's Office down on the second floor when it happened, will go back when he calls, and if a vote is erroneously put on there by me or anybody else, we'll just take that off. Be that as it may, I think the motion should prevail, Mr. President, and I would support Senator Lemke's motion or if he wants to defer to mine, I

would ask that my motion be voted upon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke may close. Senator Lemke having voted on the prevailing side moves to reconsider the vote by which Senate Bill 500 passed. Those in favor signify by saying Aye. Opposed Nay. The Ayes...in the opinion...Senator Lemke has requested a roll call. The question is,...all right, in the opinion of the Chair, the Ayes had it. Motion is reconsidered. Senator Lemke. Senator Lemke, you're on.

SENATOR LEMKE:

Move for the passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Rock.

SENATOR ROCK:

Well, just...just so everybody understands what we're about here and...and I'm...truly, I'm sorry we got into this fix. The...the vote now having been reconsidered, we are now on the Order of Senate Bill 500 at passage stage and so another roll call will be required. I, for one, intend to vote No. I do not think at this point in time that we ought to be about the business of electing or calling for the election of a school board in the City of Chicago. I think it's a mistake and I would urge those who, perhaps, did vote Aye to reconsider their vote as we have just as a Body done because this is something with which we ought not tinker.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

I move to lay the motion on the Table...Table the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Fawell has moved to Table Senate...has moved to Table...oh, Senator Fawell, I don't know of any other time in my eleven years that we've allowed a member to

move to Table another member's bill. Senator Fawell.

SENATOR FAWELL:

I...I withdraw my motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Further discussion? All right, Senator Lemke...Senator Lemke may close.

SENATOR LEMKE:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 500 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 19, 2 voting Present. Senate Bill 500 having received the required constitutional majority is declared passed. Senator Lemke now moves...I am told by the Parliamentarian that under our rules that no bill can be considered...be reconsidered twice and, therefore, the bill is just simply declared passed. With leave of the Body, we'll return to the Order of...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, while we're on that order of business, I have Senate Bill 81 that I want to be placed back on the Calendar. The motion has been filed. We're on that order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pointed out, we had leave of the Body to go to this order of business. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

I think, Mr. President, leave was given for only this bill, 500, to go back to that order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Well, we...we did go to that order of business and I have a motion filed. I don't want to hear this on 3rd reading. I don't want to bog the Body down, but there is a motion, having voted on the prevailing side, on Senate Bill 81. I would move to reconsider the vote by which Senate Bill 81 failed just for the purpose of getting it back on the Calendar so that it can be called on the regular order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Well, I...I think we gave leave to go to that order of business to hear one bill. Now, if we're going to open it up to all motions, that's another thing, but the...the leave was given to hear 500 and 500 only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Allow me to suggest that...that the...we get...later in the day, we will get back to the Order of Motions. We are going to start bogging down badly here. I know Senator Vadalabene has one. I know Senator Marovitz has one. I know Senator Collins has one. Even my friend Senator Keats has one which I don't intend to recognize.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR ROCK:

The fact is, why don't you...it's, you know, I...I'll move if...if a motion is necessary, I will move that we revert to the Order of 3rd Reading and let's get on with our business.

SB 617 3rd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave of the Body to return to the Order of Senate Bills 3rd Reading? Leave is granted. On the Order of Senate Bills 3rd Reading, Senate Bill 617. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 617.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 617...provides that the corporate authorities of any municipality may refuse to license or franchise or renew the license or franchise of any person or business operating a community antenna television system who knowingly distributes by wire or cable to its...subscribers any indecent material or knowingly provides such material for distribution to a municipality. It also provides that indecent material should include...lurid details of the violent, physical torture or dismemberment of a person. I think it is very important that this House go on record as a statement of policy that we are not going to permit cable television to be sloppy in the way it operates, that they should monitor their programs more carefully so that they don't affect young minds deleteriously. I have passed out to you several instances where cable television has been sloppy the way it has handled its programming where young people have been seeing some horrible pornographic movies and I think it's high time that we help our young people, not hinder them, by monitoring our...cable television more closely. I move for the favorable passage of the bill. I think it's important that this House go on record on a statement of policy that we do not

tolerate sloppy cable television which hurts minds of young people because of their pornographic interference in...in financial programs, in new programs and language that's awful that comes through other programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, we have the following Senators that are seeking recognition: Senator Berman, Smith, Marovitz, Kelly, Rock and Dudycz, and Senator Davidson wants to ask a question. Senator Davidson moves the previous question. Senator Davidson, we do have Senator Kustra now that's been added, so...previous question has been moved. Is leave granted? Leave is granted. On the question, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. First, I raise a parliamentary inquiry as to the number of votes...needed to pass this bill inasmuch as it appears to be preemptive of home rule power.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, the bill as amended does...contain permissive language and does not deny or limit the home rule power, so is, therefore, requires the constitutional majority of thirty votes for passage.

SENATOR BERMAN:

Thank you, Mr. President. On the merits of the bill. We are being asked to get into an area which we really don't have to get into. This deals with cable...television and that operation is licensed by the local municipalities. Each of this local municipalities have elected legislative bodies, usually they're called city councils or they're called some other name, but there is an elected body which regulates the franchise under which cable television operates. We're doing nothing by this bill except probably allowing a few lawyers to make a substantial fee in contesting the constitutionality of this bill, but you're doing nothing, absolutely nothing regarding preserving or maintaining or safeguarding the

morals of any of our citizens, youngsters or oldsters. It is an empty gesture. I find it ludicrous to take up our time in the closing days when we talk about obscenity and trashiness and sexual acts and perversion, et cetera, et cetera. There's nothing in this bill that's going to mean anything as far as regulating the...the power of the local municipalities to regulate cable...cable television, and I think that it's really an insult to our time and authority to ask us to vote on this bill. I stand in opposition to Senate Bill 617.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I'm going to stand in support of this bill. I realize that cable television is well organized and they put to our public whatever they so desire. I'm sure that they're well organized, but I still say that we have young people who are impressionable and many of them have to stay in the homes and many of them have cable television in their homes and their parents are not there because they're someplace else, and these pictures that are shown are viewed by young people, I do not think is very good. I think that these form impressions in their mind and they will take up these habits and I don't think it's very good for our society. Our young people are...are running rampant as it is and if we can implement any type of law, any type of suggestion that will correct the minds and the thinking of our adults and focus towards them what's happening in our society, then I think that we should go with this bill and see that it is adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, this bill was also embodied in Senate Bill

1188 which came before my committee, Judiciary Committee, and the sponsor agreed to remove everything in the bill and to make it...the Obscenity Statute of California, which we did. If you take a look at this legislation, this is the height of governmental sensorship and I...I find it hard to believe that this Body is going to go on record as really sustaining governmental sensorship. The...the...the purview and the...of the legislation is very vague...words like nudity are used and...and human sexual organs. I think we find a lot of educational things on...on TV where nudity is involved and human sexual organs are displayed. The fact is, there's also...reference to violence. I wonder if the sponsor of this legislation has watched much TV lately...public TV lately. If you can tell me any night that you won't find violence on any one of our public TV channels, maybe we ought to start sensoring them if that's what your intention is. This bill is vague. I want to tell you, no matter...if...if this bill passes, it's going to be tied up in the courts for a long time. A lot of my friends who...who were down here last week are going to be making an awful lot of money going to the...through the circuit courts, to the appellate court and to the Supreme Court on this legislation. There are some very serious constitutional problems. Some of the...some of the tenants of this legislation were found unconstitutional when this was attempted in other states...in other states. I don't know why we take the time of the Body to go over this unconstitutional stuff over and over again. This is really ridiculous. If people want cable TV, they want to pay for cable TV, that's what freedom of choice is all about and if they don't want a...a...a station such as the Playboy channel that offers that, they don't have to bring it into their home. That's what freedom of choice is all about, and now we're...we're putting some vague standards in here about nudity that nobody really knows what the community standards

are, what's going to be allowed, what's not going to be allowed. Ladies and gentlemen, this is a terrible idea and if you don't want to be record No, then you really should be recorded Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I've got a hundred and eighty degree different opinion than from Senator Marovitz who's a very distinguished member of this Body. I am concerned that the legislation has been watered down to the point where I think that a resolution could do almost as much good as this legislation, but I want to compliment Senator Geo-Karis for being a strong and a vigorous fighter on this issue, and this is one issue that divides the liberal from the conservatives that are in this Body, let me tell you. I wish, Senator Geo-Karis, that you'd go even further and...and not only pointing out pornography as being sexual material but also that it concerns violent material as well and I know that's what you intention is, but Senator Marovitz had mentioned that maybe we might be getting in the area of trying to sensor the common television stations. Well, I don't think that's all bad because they're getting to be just as bad as the cable, and I think it's very...not only degrading but it's certainly not in the best interest of our young people and even the teaching of criminal activity and behavior has...has accelerated itself. So, I am very proud to support this measure and encourage all of you to vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

...I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR DUDYCZ:

Senator, don't the cable systems currently provide lock-out devices to...during the adult programming or the adult stations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

They do but the lock...lock box devices are...are not foolproof at all. I've had many parents tell me that where they've had them, they haven't worked. All this bill is trying to do is clean up the act of the cable television. It was still bombed by the case of Miller versus California on the standards.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well, if we want to clean up the act, I find the acts of violence more offensive than the sex acts. I find decapitation and a rape, murder and other acts of violence that are seen on TV every day more offensive than the sex act. Why didn't you not include the violent acts in...in this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, I have. I said, I amended the bill to provide that indecent material will also include lurid details of the violent, physical torture or dismemberment of a person. I have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Well...well, my analysis says, "Human sexual organs or

functions, ultimate sexual acts of any kind, nudity or masturbation." Now, I don't see anything...you...watching Channel 2 on six o'clock news and you'd see the...during the Vietnam conflict where the chief of police shot a man in the head during the Vietnam War. This was on national television. Now that's more offensive to...for my children to watch than...not...I'm not agreeing with the...with the...perversion that is shown on the cable television, but I'm talking about the acts of violence that are more offensive to me. I...go ahead.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

They were...they are...I did just describe them to you. They came in by amendment. I amended the bill to include that and you may not have it in your book but I have it in here, believe me. It's in there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise in support of this legislation because I think that it addresses a really serious problem that we have in this State and, for that matter, in this country today. Those cable TV's that are coming into our homes are public airwaves, and I can tell you from some personal experience, having stumbled across one of those programs in my area while visiting a friend one night that that's the kind of material you're not going to find on Channel 2 or Channel 5 or 7 or 9; in fact, you'll be lucky to find it in most communities in the X-rated shows. I mean, we're talking about pornography, hard core. It's on cable TV stations now across this State. Something has to be done about that. Senator Geo-Karis has tried to deal with that in this particular bill. I'd like to think

that the problem is being addressed by our local communities, but the fact is, it is not; and we do have in this State a Constitution which allows the State of Illinois to preempt...to preempt local communities when they simply aren't doing a job, and this particular bill here, as far as I'm concerned, will do just that. Every time something like this comes up, I hear talk about, well, it may be unconstitutional, in another State it might be this or it might be that. I didn't come down here to be a judge. I didn't come down here to take the Constitution and carefully with every piece of legislation which we pass judge whether or not some future court is going to find it constitutional or not, that's for the courts. This is a Legislature. I was elected by people who I think want those cable TV stations cleaned up. I stand in support of this bill as the father of two children. I don't want their hands on this material. I think, especially for adolescents, we're creating some very serious problems for adolescents as far as their emotional development is concerned. I would seek an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Our last speaker before the previous question was moved is Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 617, and the fact of the matter is, this is an attempt at sensorship in its rawest form, and we just ought not be about that business. As a matter of fact, if this were the law and it was generally applicable, and I'm sure that's what Senator Geo-Karis has in mind, the Chief Executive of this State in the Gary Dotson hearing would not have been on television. Now, I know that's what you were after and I appreciate that, but the fact of the matter is, we are indulging in an exercise

that we really ought not indulge in. Sensorship is sensorship is sensorship. I urge a No vote on Senate Bill 617.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 617 pass. Those in...oh, I'm sorry, Senator Geo-Karis may close debate.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, to answer the colleague on the other side, my Senate Bill 1188 completely striped any reference to cable television and it included the standards of the Miller versus California on obscenity and of Board versus Illinois cases on masturbation acts and so forth, if you recall. All right, so I did not...I kept my word and that's exactly the way that bill went out. This is another bill. This bill...is in line with the Federal Cable Communications Act of 1984 which was passed last year prohibiting the cable casting of obscene programming and preserving the right of the State and local community to adopt laws regulating indecent programming. We must keep in mind that all this bill does is gives the corporate authorities the right...and it may...they may refuse to license or franchise or renew the license or franchise of any cable television. What this bill really does...it also includes, in...under definition of indecency, lurid details of the violent, physical torture...or dismemberment of a person. We just had a young lad a few weeks ago who stuffed his mother in a refrigerator and killed her. Now, where did he get those ideas? I can tell you where he gets those ideas from some of this horrible stuff that's on television, and as Senator Kelly says, some of it is...right on...the present television system, why that should be cleaned up too. What this bill is doing is making a statement of policy that this House is not going to put up with cable televisions that...companies that do not clean up their act and conform

to the law. I ask for a favorable vote in the...the sense of decency for young people and helping young people's mind not to be perverted or averted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 617 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 7, 8 voting Present. Senate Bill 617 having...having a constitutional majority is declared passed. Senate Bill 621, Senator...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

...the prevailing side, I move to reconsider the vote by which this bill was voted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Geo-Karis moves to reconsider the vote by which Senate Bill 621 passed. Senator Lemke moves to Table that motion. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries...on 617. On Senate Bill 621, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 621.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 621 came out of the Senate Judiciary II Committee...unanimously. I don't know why it was on the Agreed Bill List, but it's what...Senate Bill 621 seeks to do is to create a new offense of...of unlawful delivery of

hazardous materials. It would allow the State of Illinois to have a greater ability to vigorously attack the hazardous waste problem in...in our State and ensure that individuals who generate hazardous waste will make sure that their waste will be properly handled, treated and disposed. It would create the offense of a...a Class 3 felony and a potential fine of up to two hundred and fifty thousand dollars. I...I don't know of any opposition. I would move for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 621 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 14, 1 voting Present. Senate Bill 621 having received the constitutional majority is declared passed. Senate Bill 626, Senator Newhouse. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 626.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. Senate Bill 626 is designed to increase the number of minorities pursuing graduate and professional degress and subsequently increase the number of minority teachers and administrators in higher education. I think we know...all know how important this is to our educational system in the State of Illinois. It's a recommendation from the Senator...Senate Higher Educations Subcommittee on Minority Concerns. It is...it is supported by the Illinois Board of Higher Education, by the Board of Regents, Board of Governors, SIU and so forth. There's no

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known opposition. I...I would move for a favorable roll call on Senate Bill 626.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr...thank you, Mr. President and members of the Senate. This bill was heard in Higher Education Committee; and as minority spokeman, we on the minority side pretty well approved it subject to its being amended by the...and...and it has been amended, and I'm going to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. I just...I move for...I'd ask a favorable roll call on 626.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 626 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 626 having received the required constitutional majority is declared passed. Top of page 13, 627, Senator Jones. On the Order of Senate Bills 3rd Reading is Senate Bill 627. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 627.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate.

Senate Bill 627 is...is one of the packages of bills that came out of the Senate Subcommittee on Higher Education and...and what it...what the bill does is mandate the Board of Higher Education to require public institutions of education to design or implement programs to increase the...the participation of minorities and handicapped persons and women in higher education. It is one of the series of bills that came out of the subcommittee, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Does this also prohibit them from discriminating on the basis of unfavorable discharge from the army?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That's not part of the bill whatsoever, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the...Senate. We debated this bill and put it on the Agreed Bill List in our education...Higher Education Committee as amended and I'd recommend its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 627 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 627 having received the required constitutional majority is declared passed. 628. 629. On the Order of Senate Bills...Senate Bills 3rd Reading is Senate Bill 629, Mr. Secretary, read the bill,

SB 632 3rd Reading

please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 629.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the bill does just what the synopsis states. It provides that an uninhabited territory contiguous to a municipality and owned by that municipality but located in another municipality may be annexed by the owner of the municipality by ordinance and automatically disconnected from the other municipality. This is a territory that is uninhabited and owned by the municipality. I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 629 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. Senate Bill 629 having received the required constitutional majority is declared passed. Senator Barkhausen, 632. Senate bills 3rd reading is Senate Bill 632, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 632.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 632 seeks to add

as an aggravating factor in the Illinois Death Penalty Statute a...a certain language which would permit in certain select circumstances the death penalty...to potentially be applied or imposed in cases where, and I quote, "The murder was committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life by unlawful means and the conduct of the defendant created a reasonable expectation that the death of a human being would...result therefrom." This language is the work product of a lengthy search on the part of our staff and people who have been...for a considerable period of time have given attention to the death penalty not only in Illinois but throughout the country to seek to find a way to possibly have it apply in situations beyond the relatively narrow circumstances where it can be imposed under our existing Illinois Death Penalty Statute. This language that we came up with is...is largely borrowing from a Florida Statute and to some extent also a Texas Statute and to that extent is something of a hybrid of those two laws, but it is primarily taken from...from Florida language which similarly reads in part that the capital felony was a homicide and was committed in a cold, calculated and premeditated manner without any pretense of moral or legal justification. What our proposed language has in...most in common with the Florida Statute is the use of the words "cold, calculated and premeditated," and I take pains to point out that that language in Florida has...that...that has been in effect for at least four years and that the Florida Statute was upheld against a void for vagueness challenge by the Florida Supreme Court in the case of Smith versus State, and that the United State's Supreme Court in reviewing that case denied certiorari and...and in doing so implicitly upheld the constitutionality of that Florida Statute on which, as I say, our proposal is based. If you bear with me for just a minute because I think if...if

this bill is to pass and be enacted into law, it's quite likely that at some point the courts, perhaps even the United State's Supreme Court, will be looking at what we say today in trying to help to determine whether this bill is, in fact, constitutional. So, let me just elaborate, if I may, for another minute. The Florida Courts in looking at this language similar to this proposal have uniformly held that the words "cold and calculated" qualify the requirement of premeditation and they have required proof beyond the mere premeditation required to commit murder. So, I emphasize that this...this language, if adopted, would not necessarily or would...would not in any way mean that all murders that are committed in a premeditated manner would necessarily qualify for the death penalty, because the Florida Supreme Court has held that the level of premeditation needed to convict in the penalty phase of a first degree murder trial does not necessarily rise to the level of cold, calculating and premeditated manner incorporated in this factor of aggravation and they so decided in the case of Jent, J-E-N-T, versus State in 1981 in which again the United State's Supreme Court denied certiorari. I emphasize again and I, again, ask for your indulgence because I do think this...this debate may have some significance to the courts at some point. This...this Senate Bill 632 is...the language is even more elaborate than the Florida scheme since it also requires a showing beyond cold, calculated and premeditation, it requires a showing of a preconceived plan, scheme or design to take a human life by unlawful means. This...thus it does provide a sufficient distinctions to give guidance to a court or jury in its deliberations in deciding whether to impose the death penalty. It is clear that without additional proof, mere premeditation alone will not be enough; therefore, murder which meets the statutory definition of that offense will not...I again emphasize, will not automatically

qualify for the death penalty, rather the State will have to establish beyond a reasonable doubt each part of the new aggravating factor. When an aggravating factor or factors are found to be present, the jury or court must still weigh them against any mitigating factors such as those already set forth in our Illinois Statute. If the aggravating factors clearly outweigh the mitigating factors, only then is a capital punishment sentence available. It is then up to the sentencer to determine whether or not to impose it. The law requires that only the statutory factors be considered and it is the intent of Senate Bill 632 to tighten up the Statute in relation to a set of murders where the death penalty should be considered but is not presently permissible. Be happy to entertain any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Sangmeister, Marovitz and Bloom that are seeking recognition. We'll start with Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. It's with some great reluctance that I rise in opposition to this. I think most of you know where I come from when it deals with the death penalty; however, I think you better understand, those of you that do not deal in criminal law, what we're talking about. We're talking about a person who's already been convicted of murder. Now, the question is, is he going to get the death penalty or not. United State's Supreme Court, back in '75-'76, whenever it was that they rendered that decision said you had to have certain factors, the death penalty just can't apply to everyone because there's been a homicide. So, in Illinois, we set out eight specific reasons when it can be given. Senator Barkhausen is attempting to add the ninth one. For example, without going into all of them, kill a peace officer or a fireman, your...qualify. You're an employee of the Department of Corrections, a guard, you qualify. You murder two or

more individuals, you qualify. You hijacked an airplane and killed someone, you qualify. On and on. Now the ninth one, which he is attempting to put in here, says the murder was committed in a cold, calculated and premeditated manner. That almost sounds like a newspaper reporting on a homicide that happened in your neighborhood. I would say to you that I think there are very few murders where a jury considering this factor would not be able to latch on to it, and although the Florida Supreme Court may have held this kind of terminology constitutional, I'm not so sure we can rely on the Illinois Supreme Court to do the same, and if they set this aside, our whole Death Statute may go down the drain because of it. I think that's a legitimate concern, and for that reason only, I rise in opposition and I think you ought to chew on that argument. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Speaking of chewing, Senator Hall, do you have an announcement?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd just like to announce that up there is a huge cake. It just happens to have my picture on it. It's...I'm celebrating my 31st anniversary of my 39th birthday, so what we're going to do is that...you might hold it up so everyone might see it and then we're going to eat it on this Floor and everyone should be welcome.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And I think the picture on it represents seventy years of good living. Senator Geo-Karis.

SENATOR GEO-KARIS:

Point of personal privilege. I must congratulate Senator Hall. If he's seventy years of age, there's not one of us in here who'll look that well at the age of seventy, and I think he must have drunk from the Fountain of Youth, and I cer-

tainly want to congratulate him and wish him seventy more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, there...there are some Senators that think you look pretty good. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very...thank...thank you, Mr. President and members of the Senate. Well, I want to make it clear, this is...this is a somewhat controversial bill. It got out of committee, my committee, 5 to 4 and Senator D'Arco had left the committee just prior to...have a bill heard in another committee and mentioned to me that he wanted to vote No on this legislation and it never would have gotten out of committee at that point, but it was on a 5 to 4 vote. Senator Sangmeister already enumerated the...the eight instances when the death penalty can be...can be awarded. This legislation and the Supreme Court has consistently in its opinions said that guidelines are very important when administering the death penalty, and it should only be given...sentence of the death penalty should only be given in the worst type of offenses. Well, anybody could interpret this language so liberally. It is so vague that any case at all could be given the death penalty. Now, maybe that's what you feel, but that's not what the Supreme Court has said. The Supreme Court has said, we need guidelines and we need the death penalty in the worst type of offenses. This language is very vague, preconceived plan, scheme or design. Well, that's just a definition of premeditation. That's already in the law. There's no guidelines to differentiate between murders where the death penalty can be imposed and when the death penalty cannot be imposed. So, basically what we're saying is, we're changing the entire law here. Those other eight instances that Senator Sangmeister read to you will make no difference whatsoever and a jury will be allowed to award the death penalty in each and every case because that's how vague

the guidelines are here. This bill shouldn't have gotten out of committee. It wouldn't if we had the full complement and it certainly shouldn't get out of here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. I, too, have some reluctance in rising but as the former minority spokesman of this committee, I feel compelled to. The problem here is that...however well-intentioned this bill is, it runs the danger of having the exact opposite effect because added to this language is reference of a preconceived plan, scheme or design to take a human life as well as cold and calculating. To a degree, it's like picking up an editorial from the National Enquirer and putting it in Chapter 38. I'm not so sure that this language will not have the opposite effect of what I'm sure the intention of the sponsor is, and for that reason, I would urge others not to support this and that perhaps, maybe it should be studied further rather than enacted by this Body. It...this is not what this Body wants to be about. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President and members, let me just try to briefly address some of the points that have been raised...questions of the other members. Senator Sangmeister said and I don't...disagree with the...with the premise of his or...or Senator Marovitz' remarks that, yes, the Supreme Court and other courts in ruling on the constitutionality of death penalty Statutes and in applying them in specific cases need...need to have guidelines, and that is what we are proposing with this language which has been carefully crafted

and drawn for me, a Statute...a couple of different Statutes, the constitutionality of which has...have already been upheld when challenged on void for vagueness grounds. We have...in the existing Illinois Statute, we have a couple of other factors which bear some similarity to what we are proposing here or...or with which it might be useful to...to quickly compare them. We have, for example, the...the aggravating factor that a...a murder was committed pursuant to a...a plan for which the murderer is...is somehow being compensated, known as a contract killing, and what we envision with this particular factor is it's such a cold and calculated murder committed pursuant to a plan in order for the murder to potentially be...to be executed it should not necessarily have to be committing a killing in exchange for money. Also in response to the concern about vagueness, we have an...an...an existing factor which spells out that if the murdered individual was under twelve and the death resulted from exceptionally brutal or heinous behavior. Well, I would suggest that the language brutal or heinous behavior is not one which...which can be readily interpreted and identified in...every particular instance. I think our language in this proposed factor is much more specific than that. Senator Sangmeister suggested that just because the Florida court has...has upheld the constitutionality of the Florida Statute doesn't mean the Illinois Supreme Court would decide likewise with this language, and again, I would point out that its...Florida Statute was upheld not only in Florida but the U.S. Supreme Court by denying a review of that case implicitly upheld the constitutionality of that language, and I would suggest we do like so...likewise here. Finally, the question of whether this language if in the off chance it were held to be invalid would somehow jeopardize our existing Statute, the answer is definitely that it would not because in...in cases where courts have...have ruled that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close.

SENATOR BARKHAUSEN:

Yes, I will. In those situations where courts have ruled that certain aggravating factors are somehow unconstitutional or have otherwise been stricken, the courts have held that one invalid factor does not render invalid all of the remaining factors that we are seeking to...to add to our Statute without in...in any way jeopardizing our existing Illinois Death Penalty Statute. To those of you who believe that the Illinois Death Penalty Statute ought to be applied in...in more cases than it has been and are frustrated that those who commit the most heinous types of murder and the kind of murder described here are being maintained by the State at a rate of fifteen, twenty thousand dollars a year for the rest of their lives, I say that this is a remedy and I ask for your support of this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 632 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 14, 3 voting Present. Senate Bill 632 having received the constitutional majority is declared passed. For what purpose Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. Just for purposes of an announcement. I've just, again, conferred with Senator Philip, as you'll note on the back page the Session Calendar, Monday, the 27th, is, in fact, Memorial Day, it's a holiday. We have determined that it would be in our best interest both...mentally and physically not to be here on Tuesday. So, there will be no Session on Tuesday, the 28th.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 637, Senator Fawell. Read the bill...for what purpose Senator Lemke arise?

SENATOR LEMKE:

If I would have been here on 632, I would have voted Aye, not No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senate Bill 637, Senator Fawell. Read the bill, Mr. Secretary. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Just to keep the record open...even, I pushed the wrong button. If I had pushed the proper one, I would have been voted No on 632.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Read the...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 637.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill was...I was asked to handle this bill by the Downstate Firefighters Association. Basically, what this bill does is allow a survivor's annuity in cases where a deceased firefighter was vested or in receipt of a reduced pension or deferring their pension provided that the member has made all the required contributions. This is done under...it provides for a widow's pension only in cases where the firefighter died in result of illness or accident or receiving the...based on twenty years of service or while...while in receipt of a disability pension, that's the present law. The widow will now

be eligible if there are some additional circumstances, such as the firefighter died after serving the vesting requirement which is ten years, the fire...and the firefighter died while in receipt of reduced pension barred on more than ten but less than twenty years, and the firefighter died while deferring their pension. This is done because the Retirement Equity Act was enacted last year and private pension...funds are required to provide survivor's benefit upon death of any employee with vested pension right. It's a very minor cost and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I was reading the report of the Economic and Fiscal Subcommittee on Pensions and it says here, "Approved with amendment to said survivor benefited fifty percent of pension rather than forty percent of salary of decedent." Where's the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

...they...they never asked me for an amendment, tell you the truth. I...I'm not sure exactly what you're talking about...nobody every approached me about an amendment on this bill, they did on the next one which I put on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...further discussion? Senator Fawell, do you wish to close? Senator Fawell.

SENATOR FAWELL:

Well, this is a...a bill that has been asked for by our downstate firefighters. I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 637 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 637 having received the required constitutional majority is declared passed. 638, Senator Fawell. On the Order of Senate Bills 3rd Reading, Senate Bill 638. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 638.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This, too, was asked for by the Firefighters Association...Downstate. What it does, it does give a surviving spouse who became married after the retirement, the benefits...if they have been married to that spouse...surviving spouse for at least twelve months, which is the amendment that I was asked for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 638 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 638 having received the required constitutional majority is declared passed. 639, Senator Dawson. On the Order of Senate Bills 3rd Reading is Senate Bill 639, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 639.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, 639 requires the Department of Aging in conducting its programs to avoid unnecessary institutionalization and to direct one-half or more of its community care contracts to non-for-profit organizations or their subsidiaries. It also requires DOA to provide technical assistance to ensure an adequate number of qualified proposals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, very much, Mr. President...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

If you limit the Department on Aging to...have to have at least fifty percent of not-for-profit, doesn't that...couldn't that limit their ability to really get the...the...the most inexpensive price for their product or by the vendor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Would she please repeat that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

All right. If...if you have a fifty percent...you say you have to have at least fifty percent of the vendors be not-for-profit. You are limiting the department's ability to

find the...the most inexpensive vendor for the service that they provide, and I...I think that this is not really in the best service of the people we're trying to serve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue, was that a question? All right, Senator Dawson.

SENATOR DAWSON:

Senator Donahue, it states here that they have to be qualified non-for-profit organizations and if they could not come up with the qualified ones and they exhausted all them, then they would be able to go to whoever they wish. The problem with this is that the for-profit organizations receive Federal funds for job training and their employees then are paid the minimum wages on their...and they're removed from paying the benefits on this job training program and this is one of the problems that the non-for-profit are having in competing with the for-profit organizations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, I rise in opposition to this bill. What we're trying to do is put into law that at least fifty percent of probably what is the best program in the nation to keep individuals...elderly individuals from being institutionalized is the home-care program that's already in place under the Department of Aging, and it's done very well by competitive bidding, both by...by people who are for-profit, who pay individuals, pay taxes to the State of Illinois and to their local community. A not-for-profit organization gets to be a competitive bid also. Now, if the not-for-profit organization is being run as it should, it should be able to underbid any for-profit bidder there is out there on the street 'cause they don't pay local taxes. Now, this is not, I think, a good thing for us to be

doing when we start putting limitations under the...competitive bidding process where the State gets the best service at the lowest cost, and I urge everyone to vote No on this bill which would hamstring a department which has got one of the premier programs in the nation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

...thank you, Mr. President and Senators. I think that what the Senator said is absolutely correct that...that this is a good agency and a good department. However, there is something skewed about what's going on and this is what's going on. I'd like your attention to this. What is happening is that the for-profits are coming in, both from out of State, very large institutions and are taking advantage of a subsidity at the same time not paying, not paying, the benefits that are required for the employees that they take. Many of these employees are former people who were on public aid and, goody, they're off public aid for the moment, but the minute they have an illness or any other kind of...of...of disaster, they're back on the public aid rolls. So, the question then becomes, do we pay on the front end or do we pay on the back end? The advantage that we have with the not-for-profits is that they're local institutions hiring local people with local care. So, if your concern is for local...people caring for local people, then I would suggest that you ought to vote for this bill. If, on the other hand, you're willing to say that, yes, we'll pay an underbid on the front end and then, and then, in the final analysis pay an exorbitant sum, both for the paper work schuffling or getting people back on the public aid rolls and the sums that they will collect on the...public aid rolls and add to that the kind of...turnover that's involved, it seems to me then that the logical conclusion to draw is that, yes, we will take the

local operation; yes, we will pay them prevailing wage to keep people off the public aid rolls and to keep that...element of dependency down. I urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I would just echo the words of Senator Newhouse. We have within this State a family of social service agencies, agencies like Catholic Charities, Lutheran Social Services. We know they're here to stay. We know they're committed to us. One of the recent contracts in question went out to a British firm. They're going to come in here, they're going...in the...in the short-run, as Senator Newhouse says, undercut our own social service agencies and the history is, if you look at other states where this has happened, they're good for two or three years and then their services start...start to falter. If we want to really stick with our own local people because we know they give us good service, I think this is a good bill. This is precisely the way to ensure quality care here in Illinois and because it's a fifty percent split, we still have opportunities for outsiders to come in, but if we leave this up to the present system within the Department of Aging, I'm afraid we're going to run...Lutheran Social Services and Catholic Charities right out of business, and that's going to do nothing but hurt our people. This is a good bill. I'd ask...the Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

..thank you, Mr. President. I also rise in support of this bill. Senator Davidson said that we have a good agency that has run good programs. I agree with him, but the reason

that that's been a good agency and has run good programs is because the not-for-profit organizations, like the Catholic Conference, like the Lutheran Social Services, like the Council for Jewish Elderly, have been there and have made that kind of admirable record. Now, with contracts being let, these reliable performing agencies are being shunted aside because for-profits are coming in and undercutting through hiring second-class persons to...to think that they can deliver first-class services. It won't happen. All we're requiring by this bill is a basis of comparison. We're not saying do away with the for-profits. We're not saying give it only exclusively to the not-for-profits. We're saying let them both participate and see if you can get a better quality...of service for less money. I doubt it, but let's give them a chance. That's the purpose of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I, too, rise in support of this bill. We have community services which has been going for twenty-five years in our county, which has constantly been underbid by other county organizations. Our people are...have not been served as well by these other agencies. I have personally received complaints from our senior citizens. I think it's about time we not only start to look at some...at prices but also quality of the service that is offered, and I would suggest a strong Yes for this vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of this legislation and as Senator Kustra and now Senator Fawell both have said, there is a stronger issue than merely these contracts that is out

there. We call upon these charities, Lutheran Services, the Catholic Conference, Jewish Services and others, to provide all kinds of services to the eleven and a half million people of Illinois without compensation. We expect them to be our safety net for those who fall between the cracks. We expect them from charitable contributions only to provide counseling, guidance, help and assistance for which they receive nothing; and yet, when there is the opportunity to fund them only in part for all that they are providing, we find State agencies saying, no, that we won't give them those funds for that small part of their budget that they are individually eligible for. That's the wrong way for government to go. It doesn't even make economic sense, because if we had to start picking up the bill for that which they are providing without charge to the citizens of Illinois, we could never afford it. This is an obvious good step in the right direction and I would urge support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Last year we passed the bill forcing a set-aside for female and minority suppliers. How...how does it affect that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

END OF REEL

REEL #4

SENATOR DAWSON:

This does not pertain to that, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Why, I think it does, Senator Dawson because if I remember the legislation correctly, it applies to all agencies of government, to set aside a portion of their contracts for females and minorities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

This, Senator DeAngelis, is for profit or non-for-profit and whatever their makeup might be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Dawson, the makeup could conceivably be female or minorities. That...is that a twofer? I mean, does it count as part of the set-aside? It's a twofer? I mean, you're...you're...you're now setting aside fifty percent. There's another part of the law that says you got to set aside a certain percentage for female and minority. We might get up to a high enough percentage where nobody is going to be able to do anything 'cause you're all locked in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

This piece of legislation, Senator DeAngelis, is at...for the profit and not-for-profit, and whatever other existing laws that would be pertaining to this here would be worked

out between the fifty percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I think it's going to impede the process 'cause it's...you're going to have to distinguish whether this is going to be a cumulative total or, in fact, it could be part of that total, and it could be cleared up in the House. But I do want to comment...the largest, single problem the Department of Aging has had, and Senator Kelly can verify this, is with a not-for-profit agency in the south suburban area where the executive director...cannot be found after about a year and a half. The money was squandered away. I...I...you know, I really think you have to have responsible suppliers first, and I'm not suggesting in any way that not-for-profit people are irresponsible, but I think we have to watch what we're doing when we contract out with people rather than just give it to them because they happen to be of a particular group.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand in support of this legislation because...many of our agencies...across our city and especially in our community are in dire need of this type of assistance. It would encourage the people who are workng in these institutions to carry on and to continue their work. I think that this is a good piece of legislation and I think that we should support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate.

Senator DeAngelis, we will address that over in the House after this passes out, I hope. But, this is a bill for the people of the State of Illinois putting...keeping our people working and not have an outside...contractors come in, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 639 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 53, the Nays are 5, 1 voting Present. Senate Bill 639 having received the required constitutional majority is declared passed. The point is well made...that it took us a half an hour for a bill that got...received 53 affirmative votes...Senate Bill 640, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 640, Mr. Secretary, please read...read the bill.

SECRETARY:

Senate...Senate Bill 640.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill has been suggested to establish higher milk solid content requirements. Such changes are basically pro-consumer oriented in the sense that they would guarantee higher quality milk products from milk, skim milk and fat free milk. Higher milk solids would mean a higher protein content, more body and better flavor, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 640, and at the outset let me suggest to you that the other day when we placed an amendment on this bill, I inadvertently read from the wrong analysis and the...the...comments that I made on the amendment were in error. Let me suggest to you that the amendment removed the original bill's four requirements for inspections performed every six months and allowed the fee...and penalty section to stay in place. I want to make that point for the record. Seldom do we have an opportunity to vote on legislation that increases the value of a product to the consumer and this does that. With respect to milk, it...increases the nutritional value by something around the...the neighborhood of twenty percent. And, yes, it would be a very slight increase in cost. But the cost benefit of this legislation is extremely good. And I would urge the Body to take a good look at this bill and vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 640 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 4, 1 voting Present. Senate Bill 640 having received the required constitutional majority is declared passed. 644, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 644, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 644.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 644 attempts to expand somewhat the rights of witnesses under the Crime Victims' Witness Assistance Act that has attracted quite a bit of attention and has been...expanded by the General Assembly recently to allow witnesses who testify in court to be compensated for their services up to a maximum of fifty dollars a day after they have exhausted all other resources. For those who testify in court and who lose wages, they can recover up to a maximum of that amount...fifty dollars, that is, after having deducted from that for which they would qualify having deducted the per diem fee that they automatically qualify for by being witnesses. It...it extends to witnesses the same rights in this regard...currently available to victims under the Assistance Act. As we all know, it's often an obstacle to the effect of prosecution of a case that...the witnesses who are necessary to proceed in a prosecution are...are not available and don't show up oftentimes because they feel they can't afford to. This is an attempt to overcome that obstacle. I think it's a necessary and desirable expansion of the existing Act and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Before we get into discussion, the...the Chair observes that we have a very distinguished visitor with us today, one of my constituents but more importantly the mother of Senator Frank Watson who is sitting in the gallery on the Democratic side. If...if Mrs. Watson and her friends would rise from...Bond County and

please be recognized by the Senate. Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I'd like to make a mention that my mother is also president of the Greenville Library Board and I'm a sponsor of Senate Bill 1250 which I Tabled yesterday. I'm back in the good graces in the family now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We understand why. All right. Senate Bill 444, the...discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, this...this bill which came before our committee...there were...there were some reservations raised. The concept is very good and I think it's laudable, but I think we have to take a look at what the ramifications are. First of all, the money that is used to pay these witnesses will come out of the limited dollars that are available to compensate the victims of violent crime. We...we appropriate every year x dollars, I think our last appropriation was about two million dollars, for the victims of violent crime to pay for their lost earnings, to pay for their medical and hospital expenses which are out-of-pocket not insured. This...these dollars to pay witnesses will come out of those monies that are...that are appropriated by the General Assembly to pay for the victims. And so there will be less dollars available for the actual victim of the crime, and while the idea is laudable, it's...it's...it's really going to have a terrible impact. The...the law today says that these witnesses will get twenty dollars...a twenty dollar fee paid by the county. Today, they get a twenty dollar fee paid by the county. This means they will get...I think it's thirty dollars or maybe it's fifty dollars...Senator Barkhausen can...can correct me...over and above that. First of all, what I would like to

know is what is the economic impact? How much is going to be paid to witnesses under this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR MAROVITZ:

I'm not through, but I have a question for...so...I...I...maybe that's...that is a question, maybe the sponsor could answer. What...how much will be paid to witnesses under this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz if you don't object, Michael Jackson of WLS-TV has requested permission to film from the gallery. Is leave granted? Leave is granted. Senator Barkhausen.

SENATOR BARKHAUSEN:

The victim would get a...a maximum of thirty dollars, as you suggested, Senator Marovitz, if...if he or she qualified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

What I want to know is what...what will the total economic impact be...on...on the funds available? I understand it's thirty dollars. What is the total economic impact?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It's...I grant you that that's a little bit hard to determine. We have all along asked this question of the Attorney General's Office and they point to the number of arrests that are made per year, but you can take the number of arrests and...and reduce that by the number of people who would be qualifying because they're losing wages as a result of having to testify in court and...and reduce that amount further because they have other sources coming in in addition

to the per diem fee or for other reasons would not qualify for this assistance. So it's, you know, it's hard to say, it might be a few hundred thousand dollars but that's...that's a pretty wild stab in the dark.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I, too, questioned the Attorney General in his office and he says that in order to investigate whether these witness claims were in fact legitimate, whether they were needed, whether the witness actually testified, they would have to hire fourteen more people to find out whether all these witnesses were, in fact, needed. So now we're...we're...we're...we're going to be hiring more people and I suppose that's fine if you want patronage. But we're going to be hiring more people, paying witnesses and, again, having less dollars available for the victims of the crime. And who's going...who's going to determine whether they get paid? It's going to be done by the Court of Claims instead of by the forum where the witness actually testified...by the circuit court. They're the ones who could certainly...legitimize whether the fee was due or not, not the Court of Claims. We're talking about a lot of bureaucracy, a lot of extra work, a lot of money not going to victims, it's going to be done by the Court of Claims instead by the...by the court where, in fact, the witness testified. And I...and reluctantly...the...the the spokesman on Judiciary II and I have agreed on most everything all Session long, this is one of those cases where we disagree and where I think the victims of crime will truly suffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise also in opposition with

some reluctance because I think the...the idea possibly of compensating witnesses is one that we don't have too much quarrel with, but again, it is the way in which it is being done here. And I would say also the fact that there is not...there aren't sufficient standards as to how the compensation should be done. As I think Senator Barkhausen acknowledges, there already is provision for a...every witness for the prosecution in a criminal trial to be paid by the county twenty dollars a day. Admittedly, that does not necessarily compensate for loss of wages but at least that is a beginning. The real problem is what this would do to the Crime Victims' Compensation Fund and I think that is...just makes it impossible for this bill to pass as it is. The amount of money that is available...State money that is available in that fund right now is about 3.2 million; that is, subject to appropriation. This bill could conceivably cost as much as about three and a half million depending on how you compute the amount that is to be paid to the witnesses and, of course, in the end, how many witnesses there are. It seems to me that what it does is it really totally shifts the purpose and reason for the Crime Victims' Compensation Act and Fund. It is for the victims. The primary call on the funds and the primary call on those who administer the funds should be on behalf of victims. There are other ways in which we can address further compensation of witnesses if that is your primary...desire. For example, it might be possible simply to include an additional line item in the Court of Claims Act through which the crime victims' compensation runs specifically for compensating witnesses, and there might or might not be additional standards built in which I think probably would be desirable, but that is an alternative. It might be possible to include in the appropriation for the administrative office of the courts an additional line item for compensating witnesses in this partic-

ular kind of circumstance. There are options to achieve some of your purpose, Senator Barkhausen. The problem is that you are taking something to which the General Assembly has been very committed, the Crime Victims' Compensation Act and its Fund, and you are turning it upside down, albeit perhaps not intentionally, and using it for a purpose for which it was not intended. It would exhaust the fund, it would exhaust the employees and I think would really exhaust that purpose. For that reason, I oppose Senate Bill 644.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

This proposal would encourage witnesses to come forth and testify at trials of felons, Senator Barkhausen?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I rise in support of this. The greatest compensation, Senator Maragos and Senator Netsch, for a crime victim is the felon in jail. They could care less about the hundred dollars for their medical bills. I'm telling you right now, it's always great to hear the liberals talk about putting out a dollar here and a dollar here to compensate somebody...and let the felon run the streets and kill some more people or hit some more people over the head. This is a good bill. If this is going to encourage witnesses to testify and we're going to compensate them...okay, then the cases aren't going to kept continuing by these sharp lawyers so these witnesses don't show up, and when they don't show up, then they dismiss the case. Now we're talking about this very simple thing.

The greatest thing you can give to a victim of crime is putting the criminal in jail. And it's a good bill and I rise in support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

I thank you, Mr. President. All you guys who are on...on the side of crime, we're getting tired of this lip. In the war on crime, you liberals are on crime's side. You know, there is a legitimate problem here that could solve this. You know these judges who are forever throwing in continuances and leave people sitting all day, if some of the judges would show a little concern for a few of the witnesses and a few of the victims. You know, I had in a bill that dealt with continuances this year that said you can't grant continuances unless you give the courtesy to the victim and to the witnesses to let them know there are continuances. You don't have a guy like in one case where...where we had to be in court one day...we had a guy drive forty-five miles to come in to be a witness for this injured person and they had already decided in advance there would be a continuance. The other guy's lawyer never even showed up, this guy lost a full day's wages at the CTA 'cause he's trying to be a decent person. Hey, if you liberals would get on our side while we're trying to get rid of these bums and get the judges to cut out the continuances, we'd be able to solve this problem. Now go back to that prison and talk to all your liberal friends.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Let me...let me just quickly respond to a couple of points. I don't know that the debate has anything to do with liberalism and conservatism, I think the debate has

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been...been pretty well cast. But what the Acts that are on the books are attempting to do are to assist witnesses as well as victims. And I'm simply suggesting that we are not doing enough for witnesses, that...the effect of prosecution of crimes is frustrated by the inability of witnesses to testify because of their loss of money and that we ought to be doing as much for witnesses who are in many cases or most cases the witnesses are the victims themselves. And so we are by this proposal trying to help the victims as well as the witnesses and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 644 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 9, 1 voting Present. Senate Bill 644 having received the required constitutional majority is declared passed. Senator...645, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 645, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 645.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, let me first apologize to my colleagues for the fact that I filed most of my bills at once. So, don't worry, I'm going to get just as tired of listening to my voice as you are. This one I think is a little less controversial. Senate Bill 645 is...in its original form sought to expand the provision in the Criminal Victims' Escrow Account Act that forbids one who has been convicted of a

crime for profiting from proceeds about publicity at least to the extent but, up to this point, only to the extent that the victim is allowed to make a claim against those proceeds for any losses resulting from the crime. But the original Act...or the original bill expanded to the point that we were adding to convictions those who have been...found not guilty by reason of insanity and also those found guilty but mentally ill. The bill has since been amended twice...just yesterday. Amendment No. 1, Senator Bloom and Sangmeister and myself, would forever prohibit a convicted criminal from profiting from proceeds. And Amendment No. 2 creates a lien mechanism whereby the State is given a lien which can be enforced by the Attorney General to make a claim against any proceeds, as I say, resulting from publicity about a crime. It's...it's meant to apply, of course, to all convicted criminals. It's gotten probably more attention than it otherwise would or perhaps should because of the...of the Dotson case. I might mention that while this could apply to...to Mr. Dotson, it would really in no way apply to Ms. Webb because if she wants to go out and write her story entitled "The Trials and Tribulations of Kathleen Crowell Webb," there is nothing we can constitutionally do and nothing that this Act would do to prevent her from garnaring whatever profits she might by engaging in that kind of publicity. Be happy to answer any questions, otherwise, would ask for passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Yeah, I have a...a question and also a comment. I think this is also a very laudable bill, but...but there's a portion of this bill that says, "After a judgment,"...the law today is, after a judgment the victim has two years to make a claim on this money. By this bill we're reducing that time

to one year. So that the victim...we're now taking away more rights from the victim and saying, if you're...if...if you're...if the crime...the...the individual who perpetrated the crime profits from it, the victim today has two years if he's got a judgment to get the...to get the fruits of that...of that...of the book or whatever. Now we're reducing that to only one year, so we're giving the victim less chance to get dollars that he's been awarded against the perpetrator of the crime. A...a good bill but why are we reducing the time period when the victim can...can get his money? That seems to be the exact opposite of what we should be doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I think the best...the best answer, Senator Marovitz, is that the victim will have one year from the time that any money accruing to the criminal as a result of publicity...that...from the time that that money goes into the State Treasury, the victim will have one year from that date which will be far beyond...far longer than one year after the time that the criminal was actually convicted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Today, he has two years after the escrow account is established...today. So you are reducing the time the victim can get his money to one year after that escrow period rather than two. I don't know why you would want to infringe upon the victim's rights to get his money back after a court judgment from the perpetrator of the crime.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...that action was taken, I don't know whether Sena-

tor...Senator Bloom I see has his light on, he may want to answer that question. My...my own feeling is that the victim is going to have more than adequate notice in the very rare case when, in fact, publicity does result from a crime the...the victim is going to have more than adequate notice, and certainly one year from the time the money is actually turned over to the State Treasury would seem to be more than adequate. I think for those who put this amendment together, and Senator Bloom can best speak to it, I think the original proposal was six months and this is one year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President, fellow Senators. I...I didn't realize that the fate of the western world was hanging on Senate Bill 645. If, indeed, it...it was felt that in those cases where there is a lot of publicity and Hollywood comes calling and saying we will give you megabucks for the right to your story, that the victim would have adequate notice in which time to file his claim, and actually, the amendment was addressing the issue of where the felon is still convicted and the victim says, I aren't a victim. And the feeling was that then any monies accruing therefrom should go into the Crime Victims' Compensation Fund. And if, indeed, Senator Marovitz feels strongly about letting it be two years...put an amendment on in the House...if it's...but the fate of the western world is not hanging on this bill. It's...opinion...my amendment was to try and address a glitch in the Crime Criminal Victims' Escrow Account Act where the victim says, I'm not a victim. It's that simple. Don't see any problem with this that can't be remedied in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz, you wish to speak for a...Senator Barkhausen, you wish to close? Senator

Barkhausen.

SENATOR BARKHAUSEN:

Just to make the simple point that...all of this money is eventually going to be going into the Crime Victims' Assistance Fund rather than to the criminal himself or herself. So one way or the other, victims are going to be assisted, and for that reason, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 645 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, 1 voting Present. Senate Bill 645 having received the required constitutional majority is declared passed. 646, Senator Barkhausen. On the order of Senate Bills 3rd Reading is Senate Bill 646, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 646.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 646 does a couple of things. It adds to our Criminal Code a new crime of theft by dealing in stolen property and creates a new business offense of possession of altered property. This bill is...was significantly amended yesterday to take out all of the civil provisions which were objected to by some of the business organizations that felt that they could fall prey to the...overzealous prosecution under this legislation. It also...the amendment added narcotics or...extended the profit

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forfeiture provisions of the Narcotics Profit Forfeiture Act so that all profits gained by those who are convicted of this particular offense would...would be forfeited to the State. I have responded to I...I thought the amendments that had been made had...had cleared up all of the objections to the bill. But in addition, there has been some concern about the provisions in the bill that would...create an inference or even a presumption of guilt...if certain...certain prima facie case can be established for...possession of stolen property, and I have agreed to take out those two sections of the bill dealing with prima facie evidence and Senator D'Arco and I have had a conversation and we will certainly agree to do that before this bill is even considered by a...a committee in the House. I would...I would do that today except for the...the place that the bill is on the...on the Calendar and because of the press of business. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Any discussion? The question is, shall Senate Bill 646 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 2 voting Present. Senate Bill 646 having received the required constitutional majority is declared passed. 648. Senate bills 3rd reading is Senate Bill 648, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 648.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 648 expands the definition of prostitution to cover certain other sexual acts. I'm a little bit bashful so I'm hesitant to go into all of them, but...but certain sexual acts in addition to sexual intercourse that are engaged in for profit or for money. We have a situation in our county of Lake, I know the representative of the Cook County State's Attorney's Office also appeared in support of this bill that would enable prosecutors to go after places of...prostitution more broadly defined where health spas and nudie bars in one sort of...one sort of joint or another are in actuality certain...certain types of houses of prostitution. It will enable our prosecutors to try to clean up this type of activity and to...and to get these undesirable operations out of our counties and out of our State. It...it also amends the public nuisance provisions of the Criminal...Criminal Code to declare that any activities which fit the definition of obscenity would be nuisance per se to also facilitate prosecution of these types of activities. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, this is a...a very difficult bill to arise and...and talk about but, you know,for time immemorial in the State of Illinois we've had a definition of what prostitution is all about. And now as I look at the bill here we have underlined that this is going to constitute prostitution, and again, even the sponsor doesn't want to talk about his own language, that's how...Geo, this is really a pornographic bill, you ought to be paying attention. Prostitution is now being expanded...prostitution is now being expanded to cover "Or any other act involving the touching or fondling of the sex organs, anus or breasts of one person or another." Now

think about that for awhile, if you will. That...that's going to amount to prostitution? You know, I...I really think that we're going a little bit above and beyond...I...I never understood, Senator Barkhausen, where you're coming from on this, but...I believe that that is a little bit beyond what we've all thought prostitution has been and I...as...as difficult it is to...to speak against such great bills, I think you better take a good look at this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well,...this is the feel for fee bill, I think. It really...I wonder if we should be getting into these areas with so many other really important bills up. But as Senator Sangmeister said, the definition of prostitution is as old as anything else that we ever deal with, and why we have to "tinker" with it, excuse that phraseology...and...and get into things that really...nobody...nobody believes is prostitution is beyond me. I mean, each one of us, if you take a look at this language, can think of situations that are innocent situations or certainly not situations where somebody should be charged with prostitution. And...and basically what we're doing is we're really diminishing the charge of prostitution and I don't think that's what we want to do. This is really...goes way, way, way beyond what we want to do. And again, it passed out of committee, it was, I think, the last bill that passed out of committee. We probably had just a...a few people left in committee and...and I would say that we all ought to vote Present on this legislation 'cause it really doesn't, it...it doesn't belong on the books and it's not going to be on the books 'cause I know over in the House they're going to kill it, but why don't we do our job here and kill it here first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

In essence, what your bill does, and correct me if I'm wrong, is make it a nuisance if any act of prosecution...if...prostitution that you described is committed, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR GEO-KARIS:

Explain it for me just...in one sentence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Moment...Senator Barkhausen.

SENATOR BARKHAUSEN:

That's correct, if it's prostitution or if it's an act of obscenity it would fall within the public nuisance provisions of the Criminal Code.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate. Some of you think we're tinkering with prostitution. Some of you might think it's pleasure. Some of you might think that we shouldn't be here talking about it. But you know, try and...and...and complete a charge against someone who is involved, as Senator Barkhausen has recited, and see how far you can get. I think it's a good bill. I think it's trying to clear up and clean up some of the perverted morals that we have with some of these book stores and what have you...and...and I think it's high time that...we're not

trying to be censoring but I think we are trying to be a little more careful and I think the bill has some good basis. All it does is expand the definition of prostitution...to...to a public nuisance, and it is a public nuisance, so is solicitation for prostitution, take your choice, they're both just as bad. I speak for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jeremiah Joyce. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well,...I...I...we...this...a bunch of kids up in this place, that's all right, never mind...forget it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Karpiel.

SENATOR KARPIEL:

Senator Barkhausen,...not being an attorney, I don't quite understand the public nuisance provision here. How are we expanding that...that provision to...perhaps aid in a way of getting rid of some of these porno shops that we might have in our area?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...attempting to make it easier for state's attorneys to proceed against...operations that can be categorized as obscene acts or which engage in child pornography so that by describing them in this Statute as automatically or per se a public nuisance so that the state's attorneys can go into court to seek to abate those...those facilities and operations as public nuisances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well, in that...in that context what does abate mean, close them down?...close them down? Are we talking about shops that sell adult movies and books and paraphernalia, et cetera?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Anything that under the Criminal Code could be defined as being obscene or would come under the child pornography provisions of the Criminal Code would...would be...a potential target under this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall. All right. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Geo-Karis, just to clarify one thing. It is truethat there is a provision in the bill which adds to the definition ofmaintaining a public nuisance, but it seems to me that is not the thrust of the bill and that is not what Senator Sangmeister and Senator Marovitz were...were concerned about. It is a redefinition of prostitution and if you look at the definition which Senator Sangmeister read, it...it opens the world and I think it does, in fact, diminish what is something quite legitimate to go after and that is literally prostitution. But this means that almost anything could...could be defined as prostitution, and that means that you are going to get more and more disrespect for the law and less and less effective enforcement of that which is legitimately prostitution. It seems to me that is the point that Senator Sangmeister was making, not so much...just added something to the definition of public

nuisance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen my close.

SENATOR BARKHAUSEN:

Mr. President and members, I should have first asked the Chair before this debate began whether this is in any way being filmed on cable TV. But to...being assured that it isn't, I wouldn't want to fall prey to the new provisions under Senate Bill 617. Let me simply make the point that what we're talking about here, broadly speaking, is sexual gratification for money. And I know we have in Lake County, I'm sure many of you have within your districts, certain facilities, be they health spas or whatever they may front as, they are actually in one way or another offering certain types of sexual acts in exchange for money. We are no way seeking to diminish in importance the traditional common law crime of prostitution; we are simply saying that we are looking for a way that our prosecutors can...can really clean up our neighborhoods, can get rid of the operations that carry on with this type of sexual activity for money that really diminishes the quality of life in the area around us. For that reason, I ask for your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 648 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 2,...12...15 voting Present. Senate Bill 648 having received the required constitutional majority is declared passed. Senator...Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President. That bill we just passed would prohibit Senator Rigney from dancing with a tall woman.

SB 651 3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...we're certainly going to look forward to that. On the page...page 14...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I'm being bothered by Senator Dawn Netsch. I always pat her on her fanny every time she goes by, and now she tells me that I will be committing a crime since I voted Aye on this past bill. And I want the record to know that I'm not going to pat her anymore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. On the...on...page 14...oh, Senator...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Good.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Order of Senate Bills 3rd Reading is Senate Bill 651, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 651.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, one more and then I'll be quiet for awhile. This...this bill was on the Agreed Bill List initially only to be taken off to be put on this agreed amendment. This is the so-called felony DUI bill which will permit prosecutors to charge commission of a felony where...where drunk drivers...the actions of drunk drivers have resulted in great bodily harm to a victim, which is language borrowed from the aggravated battery section of the

Criminal Code. I would urge passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator...Senator Kelly. Can we break up the caucus by Senator Kelly.

SENATOR KELLY:

Yes, I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kelly.

SENATOR KELLY:

Senator Barkhausen, what is the penalty currently? Is there any penalty presently and what is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Be a Class A misdemeanor and this would permit a prosecutor to charge a Class 4 felony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Kelly.

SENATOR KELLY:

Well, I just want to say I'm very much in support of this bill and congratulate Senator Barkhausen on sponsoring it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 651 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 651 having received the required constitutional majority is declared passed. 653, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 653, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 653.

(Secretary reads title of bill)

SB 658
3rd Reading

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 653 was on the Agreed Bill List and it was merely taken off because of a technical...amendment. And so with that, I would ask for the adoption of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 653 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 653 having received the required constitutional majority is declared passed. 658, Senator Netsch. On...on the Order of Senate Bills 3rd Reading is Senate Bill 658, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 658.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As amended, Senate Bill 658 is an amendment to the Environmental Protection Act to establish a fee program that will cover the cost of permitting and inspecting companies which discharge air pollution. Again, as amended, the fee schedule provides for sources emitting twenty-five tons or more, a...an annual fee of two hundred and fifty dollars; for sources emitting less than twenty-five tons, an annual fee of seventy-five dollars. The Federal

Clean Air Act of 1977, Section 110 A to K required that every State develop a permit fee program. Illinois has not yet done so and this is really our first legislative compliance with that mandate. The...as amended, the bill which was originally proposed by the Health and Medicine Policy Research Group also had the support of the State Chamber of Commerce which recognized that this was something that needed to be done, thought our proposed fee schedule was reasonable and was willing to sign in in support of the bill. I...at the moment, I know of no opposition and would solicit your support of Senate Bill 658.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 658 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, none voting Present. Senate Bill 658 having received the required constitutional majority is declared passed. 659, Senator Jones. On the Order of Senate Bills 3rd Reading is Senate Bill 659, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 659.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Jones.

SENATOR JONES:

Yes, thank...thank you, Mr. President and members of the Senate. Senate Bill 659...is a bill to clean up a technical flaw that existed when we passed Senate Bill 1746 and this relates to the distribution of Chapter I funds to the attendance centers in the Chicago Public Schools. And what this

SB 660 3rd Reading

bill does is...requires those funds be distributed based on the eligible to receive rather than receive...receipt of free lunches in the school system. And I move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 659 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 659 having received the required constitutional majority is declared passed. 660, Senator Lechowicz. On the Order of Senate Bills 3rd reading is Senate Bill 660, Mr. Secretary, please read the bill.

SECRETARY:

Senate Bill 660.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 660 would expand the permissive authorization for industrial development property tax abatement to include commercial development as well. Basically in 1982, in Logan County the state's attorney of Logan County asked for a interpretation from the Attorney General's Office whether this type of tax credit would be available to an insurance company moving into the county, and at that time Ty Fahner stated that it was just for industrial purposes and the insurance company would not receive it as tax credit. Under Senate Bill 660 that type of tax credit would be granted for commercial property as well. I'd be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not,...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor. Senator, the...we...are we talking about the tax abatement law that would allow a county or local governments to...abate taxes? And if so, to what business organizations are you expanding that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

The answer to your question is, yes, we are and basically what we're doing...the industrial development eligible for such tax...abatements would include the following criteria: they must locate within the taxing district during the...prior Calendar year from another state or territory, it would also be a newly created within the State during a prior Calendar year, it also expands a previously existing facility. The abatement cannot exceed a ten-year period nor can the aggregate amount of abated taxes exceed one million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, my question went more to the kind of business. Will...will this tax abatement now be available to all kinds of business? You mentioned an insurance company, but will it be available, for example, for shopping malls...other retail merchants, almost any kind of business as opposed to what we had before which was only industrial business?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Let me just...let me just give you the opinion that was

given to me that Ty Fahner wrote. And I'll quote, "It is my opinion that the term industrial firm when given its ordinary and commonly understood meaning, it is intended to mean those enterprises utilizing labor and engaging in industrial activities such as production, manufacture or assembly of goods or other products. It does not include businesses colloquially referred to as industries such as the banking industry or the insurance industry." Under this bill it would include both of those categories.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Our staff just pointed out to me that...that...in their opinion this bill expands the tax abatement provision to any commercial enterprise, so...and I don't know that that's bad, I simply think we ought to understand what we're doing here that we're expanding a provision that has been allowable only for industrial expansion to...apparently all kinds of expansion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rupp.

SENATOR RUPP:

...the concern...the concern I have is with the word, "expansion." It will be granted in case there is an expansion. Is there any minimum requirements for what has to be done, how big, how much of a...instead of just moving a window from here to there or adding ten feet on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Every unit of local government will make that determination on their own. And...in my area, I've found where people wanted to expand their existing facility and unfortunately because of the tax that we have in Cook County as far as...bringing that property right on line, they've moved to other states where they were going to grant a favorable tax abatement in...on commercial property. And I...I think it's up...it's a local decision; in the County of Cook it would be approved by the county board or in the City of Chicago it would be by the city council. Same would be...available to you in your county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Well, my concern was, Mr. President, that there might be some abuses just by use of a token expansion thing, and I was wondering if there are any minimums or anything like that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That's up to the local unit...of government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President. I think the situation is very clear and basically what we're doing is clarifying in a...an opinion by the former Attorney General in granting that, yes, the State of Illinois is important in trying to promote and bring industry into this State; and, yes, it is important that we try to promote the expansion of existing industry in this State, and for this reason, I believe this bill merits your total support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 660 pass. Those in

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. Senate Bill 660 having received the required constitutional majority is declared passed. 662, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 662, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This provides that any person owning a solar energy system may apply to the Department of Energy and Natural Resources for a refund of twenty percent but not more than a thousand dollars of the total cost of the design. Also it says that this must be in...you must be putting in the system now, it will not pay for one that is already put in. And it also says that...this money will come from the Department of Energy and Natural Resources and it shall be money that has been on a...a appropriated or a grant to that agency. So I would be happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator Joyce, do you...is there an estimate as to the

cost of the implementation of this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. It would depend on the appropriation, if there is one...there...that's the only way it can be...expended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

That was going to be my...my next question, Senator. Is there an appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce...oh, Senator Etheredge.

SENATOR ETHEREDGE:

Will...will there be an appropriation to fund this program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce may respond.

SENATOR JEROME JOYCE:

I don't think this year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

I'd ask for the...a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 662 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 662 having received the required constitutional majority is declared passed.

SB 665 3rd reading

665, Senator Lechowicz. On the Order of Senate Bills 3rd Reading is Senate Bill 665, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 665.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 665 is the expansion of the enterprise zone legislation which we passed out of this Body three years ago. And basically what 665 as amended...which was also reviewed in the Revenue Committee and worked on by both staffs and also with the...with DCCA, Department of Commerce and Community Affairs, would do would...would authorize a partnership in Subchaper S Corporations to participate in investment credit. It would provide a carryover of the enterprise zone investment credit and job tax credit. It would exempt from these taxes transactions involving sales of building and construction materials for use in real estate located within an enterprise zone. It would also repeal the section of the Retail Occupation Tax requiring retailers of these materials to pay the tax prior to claiming a refund or credit. And it authorizes the State and any municipality which imposes utility taxes to exempt from such tax upon majority vote businesses, enterprises located in an enterprise zone and the municipality territory of the business enterprise as...designated by DCCA. And it will permit...permit DCCA in 1985 to award twelve new enterprise zones rather than the eight which they currently are allowed by law. Be more than happy to answer any questions. Also ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Etheredge. Can we have some order, please.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I think generally the...the provisions that are contained with...within this legislation are...are fine. There is a concern that I would like to...to put on the record, however, and there...and that is that we're setting a precedent by providing an exemption from these taxes, and providing the exemption makes it difficult for the Department of Revenue to...to track the...the taxes that otherwise would have...been collected had this exemption not...not have been in place. I think...generally the department has expressed a desire for a refund rather than an exemption. I just wanted to point that out that there is a precedent being set here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lechowicz may close.

SENATOR LECHOWICZ:

Let me just point out to the previous speaker, that's...that DCCA requested the changes and we brought the bill back from 3rd reading on a...one...one...one of those special Calendars where...and put on the DCCA amendment with one of the exemption rather than the grant. Let me just also point out that...to the membership of this Body, this is a work byproduct of DCCA...Revenue Committee and both staffs, and probably will be the most important piece of legislation that we have since the enterprise zone legislation was originally introduced. If you really want industry to expand in this State and remain in this State, you will strongly support the provisions of 665 and work with DCCA as they have been trying to do with the implementation of 665 in trying to promote active participation expansion of industry in this State. I strongly recommend 665 for your favorable consider-

ation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 665 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nay...59...the Nays are none, none voting Present. Senate Bill 665 having received the required constitutional majority is declared passed. 670, Senator Dawson. On the Order of Senate Bills 3rd Reading is Senate Bill 670, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 670.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, this authorizes the director of the Department of Labor to enforce and administer the Act. The Department of Labor proposed this bill because of the large number of complaints the department received about violations of this Act and their inability to respond to those complaints without proper statutory authority. The Department of Labor estimates that the duties outlined in this bill can be carried out by the already existing Labor Law Enforcement Division with the additional staff person, preferably one attorney, which would be needed to carry out the added duties. And I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is one of those bills

that was passed out of committee on an attendance roll call, but upon taking another look at it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, pardon me for just one moment. There are...there are...there is a class waving to Senator Degnan in the gallery, apparently they are from his district. Glad to have you with us today. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you. As the sponsor mentioned, we previously passed a law that would require that employers make available to their employees access to those employee files. This bill, however, goes...the extra step in that it makes the Department of Labor an advocate in that proceeding. The employee currently has the right to go into circuit court...in an action against the employer if he finds that the employer somehow denies him his rights. This, however, gives the Department of Labor the authority to do a variety of things as an advocate of that employee in addition to giving Department of Labor the request to...or the authority to seek search warrants and to go in and actually inspect the employers files. I think we may be going a step farther than we really ought to be going with this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Dawson may close.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, as I said before, the...the Department of Labor is the one that proposed this piece of legislation and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 670 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 33, the Nays are 24, none voting Present. Senate Bill 670 having received the required constitutional majority is declared passed. 671, Senator Dawson. On the Order of Senate Bills 3rd Reading is Senate Bill 671, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 671.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 671 is basically the same legislation that...I introduced in...in '83 that was amendatory vetoed by the Governor and it's the Buy America Procurement Act which...requires all different departments of government to purchase Illinois made products except if the overrun is ten percent...fifteen percent over or a contract is under five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Whereas the Buy American concept has a...a good ring to it and even to some degree a patriotic ring, I feel constrained as minority spokesman of Labor and Commerce Committee out of which this bill came simply to apprise you of the fact that...that the bill under consideration here is protectionist in...in nature, and this at a time when the President and yes, even the Governor, is...are making trips abroad encouraging other countries to sell their products to us and encouraging them particularly to buy products from us so that we have a two-way street which we must have. And

this bill would seem to me to fly in the face of those efforts in that it would say that the State of Illinois or its various agencies when entering into contracts can only purchase those products or services that are provided or manufactured in this...in this country. This could have an impact on companies such as Caterpillar in that there could very well enter into this a reciprocity. That is to say if we are going to do this, if we are going to try to be protective in that way, then the probably natural reaction on behalf of other countries would be to say, okay, State of Illinois, you're going to do that, we will...we will do something similar in our country and will export fewer of your products and I'm not sure that's what we need at this time. So I would...I would urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the...sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

According to our analysis, this not only includes the State of Illinois but it...it also includes all other governments, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

That's what I stated, Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell...Senator Fawell.

SENATOR FAWELL:

Well, if that is true then,...then the State Mandate's Act is going to kick in, right? I mean, if...if I...if

Wheaton, for instance, decides that they're going to be able to buy pipes cheaper for instance in...in...from Germany or Japan...and I...and this law prevents them, isn't the State going to have to go ahead then and make up the difference?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

I'm informed here, Mr. President, this only applies to State contracts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Fawell.

SENATOR FAWELL:

Well,...well, you know, unfortunately, I don't have the...the bill directly in front of me, but it says...you know, our analysis says...it says, "by any public"...I have the bill now, "by any public agency." And any public agency is...also it includes, you know, counties, townships,...as well as the states, municipalities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson. Senator Fawell.

SENATOR FAWELL:

I also understand that we have got a...a mandate to remove the State Mandate's Act and...and, you know, I'm not...I'm not going to have all my city and municipalities screaming at me because of the fact that I'm going to make them buy more expensively and then not pay them for it. This is...this is going to be...something that our municipalities, including your city, is not going to be too happy with I don't think.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Dawson, under this legislation, if the increase cost, let's say, is...for...to...for the purchase or to lease is only eight percent more than it would be if you were to have a foreign product, what would happen...we'd be required to...to purchase domestically if it's only eight percent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Yes, we would, Senator Jones. It is...anything that is under fifteen percent over cost, you would have to purchase the Illinois made...American made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, I understand the thrust of the legislation, I supported it when it came through before. But it...it...the vote on this piece of legislation is going to be very, very interesting, you know, 'cause I...as I...at...as I watched the vote yesterday on a similar measure and heard the arguments on both sides of the aisle as it relate to the...divestiture or the...the South African legislation, now here we have a piece of legislation wherein we are willing to pay more for individuals to receive purchased goods and get leases and willing for the taxpayers of the State of Illinois to pay more, but yet and still, by the same token, we say we must take our...pension funds and get the best possible dollar in return for this investment. So, the vote would be quite interesting on that, I'd like to see how my colleagues actually vote on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Collins.

SENATOR COLLINS:

Yeah, thank you, Mr. President. This bill came out of...of committee that day in the midst of some confusion. It was my understanding that the Buy Illinois-Buy America was merely sort of an experimental program for the State agencies only not local units of government and...and that is not...don't seem to be clear in this legislation as to whether or not it is just State of...State agencies, State operated agencies or are we talking about the State and all of its political subdivisions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

As the analysis states, provides for certain...purchase made contracts by any public agency shall contain a provision that any manufactured goods or commodity users supplied, any public agency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

END OF REEL

REEL #5

SENATOR COLLINS:

Well, I...I think...I think, Senator, that somehow this...this whole thing have been misrepresented and I know it has been on my part because I had told some of the local people that this bill only affected State and it was my understanding that that's...that's what it was. I...I would suggest that you take the bill out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Chicago O'Hare Field is in the midst of a major expansion and according to what I read in the newspaper is they were looking for a...they had a bid from three different firms for a people mover; and under your legislation, do I understand it correctly, because the French firm was twenty-one million dollars lower than who the City of Chicago awarded to Westinghouse, so, under your legislation, it could only have been...gone to Westinghouse whether...whatever the dollar amount was. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

There is a percentage limitation in there, Senator Lechowicz, that if it...the cost is greater than fifteen percent, then they would be able to give that contract to any-

one...from anyplace else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

So, that means even though it's a low bid, like the French firm was twenty...twenty-one million dollars less than Westinghouse, would still give them the authority then...oh, that wasn't over...that wasn't fifteen percent. No, right. But the other provision under your bill, they could only accept bids from firms in the United States. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

No, they can accept bids from anyplace in the world, it's just that if the overrun is greater than fifteen percent, then they can award that contract to anyone that they want.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I think I made my point. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, there's been much controversy on this issue and I would like to ask for a favorable roll call and be willing to work out any other problems with an amendment over in the House if possible and bring it back here for a concurrence so we have this in the proper form. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 671 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 24, 6 voting Present. Senate Bill 671 having failed to receive...sponsor requests postponed consideration. 680, Senator Netsch. Order of Senate Bills 3rd Reading is Senate Bill 680. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 680.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 680 was requested by the Legislative Audit Commission and it grew out of a report that the...excuse me, that the Auditor General conducted of the State pension systems. I might mention that it is also consistent with the desires of the members of the Economic and Fiscal Commission, although I don't believe we took a formal vote of support for it. The Economic and Fiscal Commission now has the responsibility for pension analysis and other related matters for the General Assembly. Basically, what the bill does is to require the five State level retirement systems annually to file with Economic and Fiscal certain information. I won't describe it in great detail but I will summarize it as information regarding their actuarial data, funding requirements, asset information and measures of financial status. It then requires Economic and Fiscal to absorb and analysize this information and to make regular reports to the General Assembly. It also requires the Bureau of the Budget within a short period of time after the filing of the Governor's Budget Message to make available to the members of the General Assembly the funding...recommendations for each of the pension systems, and it

requires all of this to be reported regularly to the General Assembly. I think this is part of an important commitment, if you will, to attempt to get the Legislature more responsive to and responsible for its decisions on the State pension systems and it is designed to help provide us with the information that will make that possible. I...it is, as I say, sponsored by the Legislative Audit Commission and all of those members are hyphenated cosponsors. Any of us would be happy to answer questions. If not, I would solicit your support for Senate Bill 680.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The sponsor has made an excellent presentation of the bill and I simply want to rise in support of the bill. I think one of the things this bill will do is require some of the uniform reporting to a central agency that has not been available in the past, and this is something I think is badly needed and will help us get a handle on the growing pension problem in this State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 680 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 680 having received the constitutional majority is declared passed. Senate Bill 681, Senator Kelly. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 681.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and member of the Senate. Senate Bill 681 is a bill which is a part of the State Board of Elections legislative package. It conforms with the Federal Court decision and basically it eliminates the need for a Primary Election in a municipal or township election if every candidate for nomination of a major party is unopposed. There is a provision which requires that there be a primary for a...a person who files a statement indicating his intent to be a write-in candidate. It's...was amended. There was two amendments adopted; one being very technical...amendment; number two, made this just apply to municipal and township elections which was one of the major objections of the committee. It's a...it's a cost saving measure and it also gives the State Board of Election more clarity and standardization and uniformity, and I'd appreciate your support and that's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank...thank you, Mr. President. As the chief cosponsor of this piece of legislation, I strongly urge your support and think that it is, indeed, a piece of legislation that is long overdue since we have had reapportionment, so I ask for your vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 681 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 681 having received the constitutional majority is declared passed. Senate Bill 684,

Senator DeAngelis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 684.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill would allow you to see a pornographic movie if you...repeal the seat belt law. Senate Bill 684 as amended...and amended as amended is...does many, many things, and let me describe quite a few. This is kind of a recodification for DCFS. One of the things it does, as you know, in Illinois we cannot detain a juvenile in an adult jail. It makes some rules on that because that area right now is subject to some controversy. It allows you to hold them for six hours but in the event that it's necessary to hold them longer for investigation purposes, you can do so. Those who are subject to automatic transfer because they've committed those crimes in which they can be tried as an adult are exempted. It allows for home detention. It creates some review on jail standards, provides for a...monitoring system. The I-SEARCH part is out of the bill because law enforcement did not want it in there. Defines or expands the membership on the Cook County Planning Committee and does quite a few other things. This bill has been negotiated, and as far as I know, all the affected interest groups have finally come together. There is one group yet, Al Apa from the police training board, I told them that when the bill went over to the House, we would discuss some of the mandates for the trainings of juvenile police officer. Be happy to answer any questions. If not, I would like to have your support for Senate Bill 684.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel. Your light was on, Senator. No further discussion, then the question is, shall Senate Bill 684 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 684 having received the constitutional majority is declared passed. Senate Bill 690, Senator Macdonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 690.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 690 would require the Department of Revenue to issue income tax refunds to a taxpayer within a hundred and eighty...or a hundred and twenty days of the date which the return is received by the department. This...provision is not applicable if the department is contesting the taxpayer's income tax return. I'd like to say that this bill developed out of a series of meetings that I have had over the years with both individuals and businessmen in my district. It is one of the most aggravating and burdensome parts of bureaucracy when we learn that particularly small businesses have had to wait as long, in one case, as three years for their income tax return. The cash flow problem is enormous...under these particular circumstances, and when one considers that the Federal Government is only required...or is required to return your income tax refunds within seventy days, it certainly seems that with the amended version of this bill where we have allowed a hundred and twenty days that with our new computer

systems and with the moving into the new buildings and so forth, that the Department of...Revenue ought to be able to comply with this bill. So, I urge your...for your constituents...and for the individuals that...and businesses that live in your districts, I urge your support for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 690 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 690 having received the constitutional majority is declared passed. Senate Bill 693, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 693.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Dangerous Animals Act and it...and it extends the scope of the Act to bears, wolves and life threatening reptiles and provides that no person shall have right of property in...keep, harbor, care for, act as custodian or maintain a dangerous animal other than in an escape-proof enclosure. In addition, this bill also adds clarifying language and the liability of an animal owner if the animal runs at large and causes damage. This bill is amended and approved by Dean Sears of the Illinois Farm Bureau, Dick Davidson, the liaison officer from Department of Agriculture, and I ask your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dudycz.

SENATOR DUDYCZ:

(Machine cutoff)...sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She'll yield.

SENATOR DUDYCZ:

You forgive me for my last vote?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I might. I suppose I have to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I must admit that in the western part of DuPage County we do have some wild animals, some four-legged, some two-legged, and I've been led to believe that the Department of Agriculture, the State police, the Farm Bureau, Adeline Geo-Karis and about everybody else is in agreement on this bill, and I certainly want to keep those people off the highway and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 693 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate Bill 693 having received the constitutional majority is declared passed. Senate Bill 694, Senator

Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 694.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill sets up a prima facie evidence provision to facilitate criminal prosecutions for theft by deception. It's basically designed for those people who go out and insist on picking on little guys and senior citizens with things like home remodeling and fancy furnaces that don't work and then take all their money up-front and kind of, you know, skip town. If it can be shown that the contractor took ten percent or more of the contract price as a down payment and then failed to perform pursuant to the contract and did not return the down payment to the owner within forty-five days of a written demand, then a prima facie case would be established. The bill is supported...excuse me, was worked out and is supported by the Illinois Roofing Contractors Association, the American Subcontractors Association Chicago Chapter, Homebuilders Association of Illinois, the Attorney General's Office, the Cook County State's Attorney, and we have worked out any problems that the Illinois Retail Merchants Association has had. They're not jumping up and down with joy, but they're not opposing the bill either. So, I would ask for a favorable vote and/or answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 694 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58,

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the Nays are 1, none voting Present. Senate Bill 694 having received the constitutional majority is declared passed. Senate Bill 707, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 707.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 707 would create the Early Children's Education Act and would provide for early childhood education programs in every school district in the State of Illinois. It also provides that a district may charge a reasonable fee, but in the event that the parents are unwilling or unable, certainly if they're unable, the fee can be waived. It further provides that the parents have to be involved in these programs, and I think that's the essential part of it. The district advisory councils are set up that the necessary teachers are to be hired and that the State board will provide assistance to the districts with programs described in this section. There is both provision for a back-door referendum with respect to a tax levy and a front-door referendum. This, I think, is something that is long overdue in this State and I suggest to you is part of, or certainly should be part of, any educational reform that finally comes out of the Assembly before June 30. I would urge an Aye vote on Senate Bill 707.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR MAITLAND:

Senator Rock, could this in any way be construed to be mandatory attendance? Could the children be forced to go or could the parents be forced to take course?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Absolutely not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Why?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...the whole essence of this is that the...the participation by definition requires parental involvement and, frankly, if the parents don't wish to be involved, doesn't apply.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well,...okay, I think it would be...I think the Body should be aware of what we're doing here. We are...we are, quite frankly, getting away from the...the attendance we...we now ask...we suggest children start to school at age five. We are expanding and...and insisting, enforcing that school districts offer education to those young children from...from crib to age twenty-one is what we're...what we're talking about now. I think this is a very, very serious departure from where we've been and where we're going. First of all, Senator Rock, I want to make it...it perfectly clear that the

front door only applies if you go to the ten cents. If it's at the five cents, which is going to built into the Statute, that is by back-door referendum so that...there is a difference there, but I think we really want to take a...a hard look at what we are doing here. We are forcing school districts...we are forcing school districts to offer school beyond kindergarten and this is from crib to age twenty-one, and I would...would certainly seek your opposition to Senate Bill 707.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR KELLY:

Senator Rock, can you tell me if this program involves part-time or full-time schooling for these young children?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yeah, the...all this legislation says, the...the district...these school districts shall provide this kind of program. In my view, that, obviously, would be part-time and would, in fact, be permissive. Nobody is mandated to attend or participate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

And then, in fact, the...the school districts would provide that service or are...are they...will they be provided by a special district that'll provide the service? Who's going to provide these educational services for this early

childhood program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

As...as the legislation reads, it says, if I may quote Section 2, "School districts maintaining grades kindergarten through eight or kindergarten through twelve shall provide early childhood education programs."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, not to belabor the...the questioning, I would just have some of the same concerns that Senator Maitland has. I do think that in many cases we need early training and educational services to be provided to children at an early age but not in all cases, and I'm just concerned that maybe we might be going too far in...in programs like this that's so wide and encompassing. I know it's permissive, but at the same time it certainly leads itself to getting an awful lot of early childhood...children into the program and I've got some reservations on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Does the State Mandate's Act apply?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

In our judgment...I think Senator Berman can probably

address that, but in our judgment, it does not, sir, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Why not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman may be...be best to answer this. Senator Rock.

SENATOR ROCK:

Well,...there aren't really any State funds involved. We are...we are saying that the school districts ought to do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, it's not a matter of ought to, we're telling them they're going to do it. It's...it is a mandate, it's a shall; it's not permissive, they're going to do it. As a result, the Mandate's Act should apply.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, if...if you're suggesting that the Mandate's Act ought to apply, I...I am suggesting that...that once in place, as a matter of public policy, that, yes, indeed, there will be State funds and, yes, indeed, the school districts, as Senator Maitland pointed out, can go front door for ten cents or back door for five cents to enact a levy to...to help pay for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, do you have any idea at all with the fiscal impact is going to be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

At the moment, I do not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman...oh, Senator Watson.

SENATOR WATSON:

Well, I just urge opposition. This is definitely a step in the wrong direction when we're talking about trying to bring about reform in education, trying to provide new funding and new dollars and then establish a whole new program that...with no real funding mechanism other than a front-door and back-door referendum at the local districts, I think this is a bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of this bill and let me try to put it into the context of the two bills that we passed yesterday. Everyone who has commented upon education reform has recommended that the...one of the areas that should be addressed is early childhood education. That's what Senator Rock is doing by Senate Bill 707. I think that part of the discussions that will be taken place...that are taking place and will be taking place is the question of the funding mechanism. In addition, this bill does provide for a local funding mechanism in addition to State funding, and I think that the message that would be delivered today by an Aye vote, which I solicit, is the commitment that we recognize as part of the package of yesterday and part of the reform effort is that children will do better throughout their educational career and as citizens the earlier and the better we handle them and address their needs in...in schools and that is the beauty and the essence

of this package. It's unlike...or like the bills that we passed yesterday. They are not in their final, necessary mode, but I think that it's important for us to indicate that we do...support the concept of early childhood education. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. In my past life, I was a kindergarten teacher. We just passed a bill the other day that said that we were going to move kindergarten back to September 1st and they must reach the age of five and that's because those of us who have taught...tried to teach these children realize that there is a certain physical development that has to take place if you are truly talking about education. There has to be a hand-eye coordination, there has to be certain physical things that have to take place first. If we are truly talking about basically day care or if we are talking about teaching young girls, and the average age of a girl who has a legitimate child...illegitimate child in this...in this State is fourteen, and...and that is a real problem. If we are talking about teaching them to be parents, if we are talking about teaching them how to raise this...this child and take care of it physically and perhaps teach it things like the colors and that type of thing, that's one thing, but that can basically be handled more in another program, it doesn't have to be handled in a school program; but if we are talking about true education, education the way that we define it in schools, then...then I would suggest you seriously take a look at this bill because I don't think it's going to be really able to accomplish what you think it's going to be able to accomplish. We have had studies made about what happens when we try and teach children too early, before they are ready and although they may

make a slight jump ahead of...you know, in the early grades, by the time they have reached fifth or sixth grade, it all sort of mellows out, and you're talking an awful lot of money. Day care, I have no problem with. Teaching young mothers, I have no problem with, but I don't really think that that's what this bill does and I...and I also think that there are communities that, frankly, don't need this; and if it's mandated, I think we got a problem with it, and I would suggest we vote No until we get it straightened out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, very briefly. Senator Berman has tried to posture this legislation in the way that it was brought before the committee as something that is a first step. We know that a lot of things are going to happen before this reaches its final form. Senator Fawell, very briefly,...we are familiar with those studies that you're referring to with respect to readiness and with the identical twins and all of those things, but there are a number of studies that tell you you get more for your dollars spent up early on than you do for those dollars that are spent in the later stages. It is better to invest in a four-year old than in a...in a...and get him prepared in sensory motor skills and some of those other skills that are not taught in the home than it is...than the...the...the return that we get on the dollar spent in the later elementary grades, and I ask for an Aye vote on this legislation.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, one of the biggest complaints I've had from the school districts is we mandate so may programs and then we expect the school districts to get...to raise the money for them. I can tell you that my people are not interested in

paying more tax money. I can also tell you, my school districts don't want anymore mandated programs. I do feel that there is a...place, of course, of helping young people, but I don't think we should do it on this basis through a bill of this nature. I also feel the expense when you say, it doesn't cost anything to the State, but it does cost the taxpayers money and the school district will have to have...if by back-door referendum motion to get the money, and I can tell you referendums by schools in my district are not at all popular anyway, so I feel it's an exercise in futility and I speak against the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I see that I voted for this in committee and I apparently did so without the full benefit of the bill analysis before me now. Looking it over and examining especially the mandate, I...I, too, am concerned about the impact of the bill. I certainly agree with...with everything Senator Rock is trying to do here, and I would just remind those of us who are interested in trying to do something about early childhood education, that one of the bills on 3rd reading and alive and well in this Chamber and, hopefully, will be considered later today or tomorrow is Senate Bill 1272, which is part of the Governor's package on early childhood education and it approaches this subject from the standpoint of model pilot programs for early childhood education, and I would submit to you that as much as we think we know about educating kids from birth to three years old, there's probably a lot more we need to know before we actually get into the...business of mandating school districts to do this. So, I would suggest that we all get together on this sometime later on down the road. The best thing to do would be to put a bill like this

aside for now, wait until the model pilot program comes forth, vote for that. I'm sure on down the road we can all reach agreement on how to deal with this subject, but I don't like this particular approach for the mandate reason. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I think we all would agree that parents are a child's first and best teachers, and I think that is the...one of the assets in this particular bill. It's not talking about glorified day care, giving the children away to someone else to teach values and so forth. It's helping parents and children learn together. It's establishing parent/child relationships and programs, something sorely needed, something the Federal Government has realized for years in establishing Head Start, its Title One and Chapter One Programs that parents must be involved if the children are going to learn properly, if they're going to merge into the school system knowing the things they ought to know...that have been taught to them in the home. Perhaps somewhere along the line we can come up with a...a more...an easier way to fund the program, if that might be the objection, but it seems to me that this is program that...whose time has come, that more and more of the State is having to take over some of the things that the Federal Government is withdrawing from, a very vital program, and I would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm particularly interested in whether or not this is a mandate, and there seems to be some equivocation here in responding to that question, but if I

can read the English language...it says on page 1 of the bill that, "School districts maintaining grade...grades kindergarten through eight or kindergarten through twelve shall provide early childhood education programs." Now, I think that's a mandate. The bill goes on to say that...that the school district may levy taxes and so on and...and no doubt the parents may or may not decide to let their children participate, but this is a mandate. It's a...it's a mandate on our local schools, and at the present time, there's no conceivable way that the State's going to help finance it. Let's not do this till we know how we're going to pay for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. It's a case of whether we pay now or pay later, and I think that you're not going to eliminate the cost of any of the educational programs that we're faced...that we're...is before us. One of the things that we discovered in the drop-out task force is that the dropout starts not in the eighth, ninth, tenth grade; it starts at...the age of four, five, six and in that childhood years. Having the parents develop a rapport with the child and having the...the child and the parent being exposed to the school curriculums and what have you, I think is the best way to go. In the long-run it's going to cost us less and I think it's an investment in the future and I support this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Yes, Senator, are we talking about from zero to five?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Are you talking about child/parent centers? Programs modeled after the child/parent centers, those that are connected with the schools in...in Chicago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, not exclusively, now. It could...could be, but your...the answer is yes. The program may include the following and then there's a list of what it may...but the program shall not include any activities for children that do not require the substantial involvement of the children's parents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Okay. The...the next question is, what happens to day care?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Nothing happens to day care. This hasn't got a thing to do with day care.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, Senator, I...I, you know, fully appreciate what

you're doing and...and I even support the whole concept of child/parent centers, but I...I do think that we have to know what is going to happen to day care because if the...if the school board are to...I mean, shall provide these programs, then who determines which kids can go to the schools free or which kids will have to go to a pay day-care center, and I'm sure that most...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Rock.

SENATOR COLLINS:

...parents would opt not to send their children to a...to a day-care center where they have to pay some kind of a fee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, what...what I'm suggesting to you is...is that day care doesn't have a thing to do with Senate Bill 707 or vice versa for the reason that the Early Childhood Education Act, as proposed, requires the substantial involvement of the parent. That, I assume, means the physical presence of the parent. You are talking about a situation where the parent, in fact, drops the youngster off to be cared for at a day-care center. It's got nothing to do with this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Maitland for the second time.

SENATOR MAITLAND:

Thank...thank you, Mr. President. I apologize for rising the second time, but...sorry, Senator Rock. Let me...let me address the parental part of this. We're still, obviously, talking about two separate and distinct programs. We are talking about a program that...that intends to educate parents about physical, mental and emotional development of children; obviously, the kids can't be a part of that. So,

we are talking about two separate and distinct components. Is that not correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...I'm not sure I follow that. There...there has to be substantial involvement of the parent or...or we're not talking about the same program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, yeah...yes, but...but if we're...if we're going to put a little two-year old or a bunch of little two-year olds in...in...in a classroom, they're going to be taught one thing and in another room, you're going to have the parents being taught the problems with that little, bitty two-year old. I mean, they can't be a part of the same program, they are two distinct and separate classes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I...I don't claim to have the expertise of a Senator Fawell. I have never taught kindergarten or preschool, but that is not the way I envision this, no, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, I...I...I don't like to prolong this, but I...my...my point is, it appears to me, as I read the amendment, and maybe Senator Berman can comment or maybe Senator Fawell, but...but you're going to have to have two separate and distinct programs, one for the parents and one for the kids, there's just no other way. I guess I'd just like a...a yes or a no answer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

My...my answer to that is no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

...would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MACDONALD:

I'm interested in the concept in...especially in terms of the zero to three-year olds. Knowing the percentage of working families where both parents work, was the testimony in your committee...how...how does this work out? What are the hours where the children could be brought and...you know,...we're talking in a nebulous sort of way without very many details to go on. Just...just when and what time of day or is this...is this for just a...a privileged few whose...whose mothers maybe are not working mothers or how...how does...how is this going to work...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Rock.

SENATOR FAWELL:

...in terms of the...participation...the families?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, two things about your question and then I will attempt to address it. One, we are talking about youngsters who have, in fact, been born, so I don't think it's fair to call them zeros. Secondly, I think that...you know, you, too, again are...are mixing up day care, this is not day care, and the program is permissive to the extent that the

parent, obviously, has to be involved. So, if, indeed, both parents, unfortunately, have to work and they can't spend all day with their youngster, they're not participating in this program. They're simply not participating. The program involves youngsters from birth to kindergarten who are brought to the school or school district facility by the parent and both the parent and the child attempt to learn some things; and the programs are to educate parents about the physical, mental and emotional development of their child, programs to enhance the skills of parents in providing for their children's learning and development, activities designed to detect children's physical, mental, emotional or behavioral problems that may cause learning problems and...and programs that involve substantially the children's parents. Now if the children's parents aren't available because of financial need, the kid is not in the program. It's that simple.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell for the second time.

SENATOR FAWELL:

...I apologize for...for...getting up for a second time, but...you know, maybe I can somewhat help you, Senator. You are, indeed, right. There are programs similar to this that I have read about where the parents come in and if it's an infant, they physically work with their child, whether it's exercising their legs, whether it's assisting them in crawling; they learn the behavior of the child as the child progresses in age, they do, indeed, learn along with their child what normal children of this age can be expected to do and cannot be expected to do. For instance, I know of...of one young girl who was very, very upset with her child because her child was not speaking and acting like a young adult. She didn't realize that this was not possible at this

age. It's sort of a parenting type learning situation, and I do agree if that's, you know, somewhat what you're reaching for that in certain sections in our State that would be an excellent program. I...I have no quarrel with...with that type of thing. I guess my main quarrel is, if you make it a shall program, people in my community, such as Glen Ellyn, where we have got the average age of a young mother in that particular community for the first time is around twenty-seven or twenty-eight, she is a college graduate, a lot of them have got their... you know, training before. I don't think they need to have that kind of training and I don't think it should be necessary that those types of communities be...have a shall in there that the community has to pay for this...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR FAWELL:

...'cause I know these parents would love to come to these things.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close.

SENATOR FAWELL:

...you know, I...I, again say education per se that we are talking about...that we are talking about...when we talk about school, I don't believe can take place much before four and a half, five is the age that most of us have arrived at, but there is another program and I've no objections to that, but don't make it across the State and don't make it mandate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me first, I suppose, apologize to both Senators Maitland and Schuneman. I attempted and I thought I had suc-

cessfully avoided the buzzword mandate, because all too often around here we hear the buzzword mandate and...and it's...it's like a boogeyman, everybody comes up tight. What I am asking by virtue of Senate Bill 707 is that, yes, indeed, school districts shall provide, and that is a mandate, no question about it, and it is a mandate that I hope we, as a group, are prepared to fund. I hope the participants will be charged a fee as is provided in this bill. I hope that as is provided in this bill a district may receive funds from any governmental agency or private source or if, indeed, now there's no other alternative, they have an opportunity for a front-door referendum and/or a back-door referendum, cause, yes, indeed, we ought to do this, and that is...exactly what we are about, whether we understand it or not. I am not afraid of mandates. I am not caught up in the buzzword that once there's...we're mandating something...we mandate an awful lot around here. What I'm asking for is a commitment as a matter of public policy to say to the eleven million four hundred thousand people of this State, as they said in the State of Minnesota, and that's, frankly, where I got this idea. I had the opportunity to visit with the Senate President of the State of Minnesota, himself an educator or former educator, who five or six years ago had this exact law put onto the books of Minnesota and the...the results have been dramatic, dramatic in terms that...that I think everybody understands and in every educational journal it...suggests that the earlier you get started educating both parents and children, down the road the costs are less because we don't have dropouts and we don't have people who can't compete and we don't have, as we have right here, now, in the State of Illinois, an...an alarming illiteracy rate. If this is a public policy, that simply in the future is not going to happen, and all I am suggesting by Senate Bill 707 is that if we are, indeed, committed to substantial educa-

tional reform, we ought to be in a position as a matter of public policy to say, yes, from the time you are born we are prepared to provide you with educational services, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 707 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Would you vote me Aye on this, Senator. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 34. Senate Bill 707 having failed to receive a constitutional majority is declared lost. Senator Vadalabene, for what purpose you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

In the President's Gallery we have Art Fowler with a delegation from the Wood River Moose Lodge Retirees in the gallery, and also I would like to give special recognition to Glenna Borsher who is eighty-five years old...or eighty-five years young today who accompanied the group. Would you all stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. Senate Bill 708, Senator Rock. Read the bill, Mr. Secretary. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, the rest of the group is in the gallery to my rear and I'd better have them recognized or I'm in trouble.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...would they stand and be recognized. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 708.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 708 would statutorily authorize literally a three-year pilot program providing special education services from birth to age three. Grants are to be awarded on an annual basis on a competitive bid basis. There's an interagency coordination council with the respective State agencies who are involved. There is in the Governor's Budget, in the State Board's appropriation, one million dollars appropriated for five to, hopefully, seven of these pilot projects. At the end of the pilot period, by January 1, 1989, the State Board is to submit to the General Assembly a report which will analyze the result of...of these programs. I know...I certainly hope there's no opposition and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr...President. Senator Rock, I'm wondering if 94142, the Federal mandate for special education, and...and as I recall, that...that is based on age three to twenty-one. Can we expect Federal reimbursement, once again, for zero to age three?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...sorry, was that a question, Senator Maitland? Senator Rock.

SENATOR ROCK:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Do you know of any initiative in Congress to change the Federal mandate to include those zero to three?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

There are some that I have spoken with in the Congress who are as well motivated as I, but, frankly, they do not look for much success, much like I met with with 707.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Okay. Let me...just to...to the issue then, I guess. School districts now, for those of you who don't know, do assess the children age zero to three, that is on a voluntary basis, they are not mandated to do that. In the package that Senator Berman and I have, I believe, we are mandating that assessment from age zero to three to include all of those. This, of course, goes one step farther and suggests that we will accommodate or deal with those young people who are deemed to be special education students, who will...who will ultimately fall under the...the mandate of 94142. I just would let the Body know that this is not...it's not a terrible...not a terrible concept, but it's a concept that's going to cost money and I think we need to deal with that issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in strong support of 708. You know, we're talking about money and I agree all these programs are expensive, but if you deal with this prob-

lem from zero to three, I can assure you when they reach the age of four and five, when you have to, in fact, incur the expense of dealing with this, you could appreciably reduce the expense. In addition to that, I think it's rather humane to offer some opportunity to parents who happen to have children that are disabled and some help in dealing with that situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much. Senator Rock,...this is an excellent bill, I think...you are...you are entirely right. If you have a child that is deaf, certainly the quickest we can start teaching them how to speak, and that requires special training and special people to teach the parents how to train, it should be begun as quickly as possible. Same thing is true with handicapped children of just about any kind. This is an excellent bill and I would suggest everyone support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you. I...I think this is absolutely essential. It's a commitment that we ought to make. I have seen...to it that the State Board has a million dollars to be appropriated in their budget for this purpose, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 708 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 2, none voting Present. Senate Bill 708 having received the constitutional majority is declared passed. For your own

information, we are passing bills at the average of nine per hour. We have two hundred and thirty-five bills left on the Calendar. So, if we plan to be out tomorrow afternoon, we can figure if we stay all night and work till three o'clock tomorrow afternoon, we will pass two hundred and sixteen bills and still be twenty short, for your own information. Senate Bill 709, Senator Lechowicz. Senate Bill 712, Senator Zito. Senate Bill 713, Senator Zito. 714, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 714.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 714 amends the Product Liability Reporting Act and it changes an Illinois law proposed by the bill delete expensive and meaningless reporting requirements and leave the essential data reporting which the Department of Insurance requires. It really simplifies the law and makes the reporting data much more uniform and is supported by the Department of Insurance. I don't know of any opposition and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 714 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1,...none voting Present. Senate Bill 714 having received the constitutional majority is declared passed. Senate Bill 721, Senator Darrow. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 721.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 721 establishes the State Job Program for the long-term unemployed through a State subsidy to private non-profit and government employees in targeted Illinois counties. What the purpose of this legislation is to assist those individuals whose unemployment compensation and...other benefits have terminated and there's nothing else available other than public assistance. What will happen is a pool of these individuals will be formed and the employers can choose from that pool when they wish to hire someone. The employees in turn will be subsidized at a rate of four dollars per hour and one dollar for the fringe benefits for hiring that person for a period of up to six months for a total of one thousand forty hours during that period. Following that, they will be kept on the job for one year and they will...the employer will then not be required to pay any of this funds back but to keep the person on up to that one-year period. The amount of money that would be used for this program would be ten million dollars. The object is to assist those in the State of Illinois who would have no other source of income other than public assistance and are unable to find a job. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Well, this is not an administration bill. This is a policy the Department of Commerce and Community Affairs is...is already doing. It actually is a pretty good idea. I'm not saying there's no controversy to it and, I mean,

there may be some minor costs, but it's a practice we're trying now and if you don't mind trying some unorthodox ways to get some people back to work, it's an interesting concept. I intend to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Would the sponsor answer a question or two?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Darrow, I understand that under the provisions of this bill DCCA would have about ten million dollars to...to work with for this purpose. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

It is proposed that there would be a ten million dollar appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

(Machine cutoff)...million dollar appropriation...seventy-five percent of the ten million to be used for wages. What happens to the other twenty-five percent...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR HUDSON:

...of the money, two and a half million?

SENATOR DARROW:

The seven...the seventy-five percent is the minimum that can be used for wages. Hopefully, they'll be able to use ninety-nine percent for wages. The rest of the money would be used for administration of the program and probably for

some of the ancillary services.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Why, I'm...I'm just wondering, why limit it at seventy-five percent, Clarence, that's all? Why not...why not throw most of it, if not all into...into wages if that's what we're trying to do? Looks like, to me, that there may be an administrative overhead drag there somewhere.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Oh, is that a question? Senator Darrow.

SENATOR DARROW:

Well, I don't see the overhead drag. It's going to be administered by the Department of Commerce and Community Affairs, and I'm sure that you...you and the members of your side of the aisle will agree that they are doing a fine job and I have great confidence in Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

I think I'm also a little bit concerned about the six month's provision. Now...as I understand it, DCCA would take these marketing service areas and we would have...based on the unemployment, we would have one of these...one of these outfits in each one of the service areas. Is that right, Clarence?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Yes, the State of Illinois is divided into fifteen market services...service areas by the Department of Commerce and Community Affairs. Cook County is one market area...one

service area, by the way, so they would have one program there. The other remaining counties in Illinois divided into the other fourteen market service areas. The county in a market service area with the highest number of unemployed would be the county that would be used as a pilot project.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Well, I don't mean to be nit-picking here but I'm...I'm concerned a little bit about the distribution. For example, we would have a couple of counties like Madison and St. Clair Counties that might have the high unemployment figure. They can't both be eligible at the same time, as I understand it, and if one county should exceed the other in unemployment, they that county would become the county in that area to receive the benefits under this program and the other county would go wanting, if I'm correct in my understanding, I may not be. That's a question. Am I right in that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Unlike some other programs that we consider, I've tried to make this program geographically fair to all areas of the State. In doing so, we've used the fifteen market service areas. That spreads them geographically around the entire State so there's no pork barrel or nothing of that nature. Now, with regard to the service...market service area of Madison and St. Clair County, the unemployment there is quite high. One county may have the program started out for six months, it would be completed; following the completion of that program, if the other county has a higher unemployment rate, you would go to that county, but you would not conclude a program...until the year is completed and then you would go to the next one, but it would be within that service area,

and I...and I remind you this is a target...this is a pilot program; perhaps, if it goes well, we...in years to come, we can have it in every county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

One...one other question and then I'm through. If you had a case, Clarence, of an individual, let's say, that came in one of these service areas under the program, he came in and he was employed, let's say, for two months and then that service area became uneligible due to a...an unemployment shift in the figures. Does he...what happens to him? Is he no longer eligible as the county...as that district would be come uneligible or...or does he continue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

A portion of the answer to this question will have to be determined by the rules and regulations of the Department of Commerce and Community Affairs; however, logically, I would say that he'd be allowed to finish that program because that's what it's geared to be, and I'm sure that Commerce and Community Affairs would do the logical thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

Senator Darrow,...you said that you're going to be using the service delivery areas of the Job Partners Training Act that are in place now, is that what you said?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

We are using the fifteen market service areas currently used by the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

But when you're talking about market service areas, are you talking about in the job partnership...you know, the...the...the Training Act? The same...those market service areas?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR KARPIEL:

I...what I'm getting at, Senator Darrow, is if you are, you mentioned before that Cook County...all of Cook County will be a service delivery area and, presently, under that Act, all of Cook County is not a service delivery area. There are two...the rest of Cook County and the northwest suburban delivery area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

No, it's not that designation. It's the Department of Commerce and Community Affairs' designation of these areas. Cook is one, Kendall, Will,...well, it...it goes throughout the State the different...breakdown. I have a copy over here if you'd like to see it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, it just seems to me that if you're going to be putting money into DCCA for...this is job training, correct?

No?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

No. Again, this is not job training. What it is is the employer who has to hire someone, has a vacancy, will go to this pool of workers who have exhausted their unemployment compensation and hire from that pool. When the employer hires from that pool, he will be subsidized by the State four dollars an hour for wages, one dollar an hour for fringe benefits. So, it's the employer taking advantage of this program. It's an employer's program, not an employee's program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, it just seems to me that there's a lot of similarities...we are just not training them, you're just hiring them. It's the same kind of a thing. To me that seems rather like a duplication of...of the program that we now have in place and rather than putting money in a new program, I don't know...because if in that Act someone doesn't need training exactly, they...you know, would still be able to be eligible to be hired back or hired by a firm, but, basically, I was just interested in the service delivery area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President...Senator Karpiel has hit on something very important. Senator Darrow, currently, under the jobs...Jobs Training Partnership Act, the person and the service delivery area can do this, there's only one requirement, that that person be enrolled in the program; and if you're talking about unemployed people, what better

requirement than to find a method of training them for a job that is out there when they have lost a job that's disappeared, and Senator Karpiel is correct, that money is available for that purpose. And let me point out to you, right now, as far as I know, there are only two service delivery areas that have met their goal in the number of people to enroll in the program and put into employment. Now, you're creating another program which is going to further draw for that and programs are...that aren't even fully enrolled in and which have Federal funding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Darrow may close.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, the State of Minnesota had implemented this program a year ago. Reports from Minnesota are that it's working excellently. There are no problems with the program. People are being hired and I'd point out to you that this...not...unlike CETA where the employees are out looking for jobs, this is an employer program where the employers are out looking for employees and have a...a range of people to choose from. They are then subsidized, as I said, four dollars an hour for wages, one dollar an hour for fringe benefits. The employer benefits. He has a subsidized employee working for him. The State of Illinois benefits because that family is not on public assistance. That family is...is gainfully employed, the...breadwinner is out working, contributing to society, paying his taxes, psychologically feeling good about life again, able to contribute, and, hopefully, will be able to keep that job. It's an excellent program. The...I've discussed it with the Department of Commerce and Community Affairs. They're quite eager to...to have it implemented so that they can go about their business get-

ting the unemployed off the rolls and back to work. I think it'll be very helpful for the State of Illinois. We'll be able to eliminate some of this unemployment and I'd solicit an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...question is, shall Senate Bill 721 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 22, none voting Present. Senate Bill 721 having received the constitutional majority is declared passed. Senator Demuzio. Senate Bill 723, Senator Berman. Read the bill, Mr. Secretary.

END OF REEL

REEL #6

SECRETARY:

Senate Bill 723.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Last year we passed the Asbestos Abatement Act to address the problem of the existence of dangerous asbestos in our school districts and school buildings throughout the State of Illinois. Under that bill, there was created the Asbestos Containment and Removal Advisory Council which has held hearings and has come back with recommendations which are embodied in Senate Bill 723. The bill provides for a system of...opportunities for funding, which are not set forth definitely yet in the bill subject to discussions that we are going to have under the auspices of the Governor, the Bureau of the Budget, Capital Development Board...with the Department of Public Health to determine what is the best approach to addressing the process of...of abating the...asbestos danger in our schools. Some of the schools that have already done the asbestos abatement are included in the funding proposals of this bill. Be glad to respond to any questions. The bill includes an...increase of authorization in accordance with the recommendations and the hearings of the Asbestos Council to two hundred million dollars. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

You mentioned this in your...your beginning here, but I did want to clarify in committee...my particular school district, Greenville, has already done what we're trying to do here, and you mentioned that they're going to be included in this program and could get money for the work that's already completed, and I want to just make sure that that is part of the record for fact...that's a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 723 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57...58, the Nays are none, none voting Present. Senate Bill 723 having received the required constitutional majority is declared passed. 724, Senator Berman. On the Order of Senate Bills 3rd Reading is Senate Bill 724, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 724.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. Senate Bill 724 addresses a particular process of the court system where a business that operates these private process serving services would be authorized in the name of the company rather than the name of the individual process server to serve writs and papers authorized by the judicial process. Be glad to respond to any questions, ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, would the sponsor yield...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

Senator Berman, there were some concerns by the representative of Cook County Government on this. Have those been addressed and would you tell us what they were at the time? I don't remember what they were.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes. The sheriff's office indicated that they have a similar...or a bill on the similar subject working its way through the House, Representative Laurino has a bill that would give jurisdiction of the...to the sheriff to screen and...in effect, license these process servers. I've talked with...Representative Laurino and when the bills cross, we're going to amend them so that they both...they include both bills, this bill and the...regulation by the sheriff of these process servers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

So, the question with the Cook County Government was the

sheriff's ability to...fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...yeah...would you...yield to a question? Under your bill, are you saying that any person from a business can serve a summons outside of a sheriff? Or are you talking about subpoenas now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

We're talking about process servers. As you're aware, there are people that serve process...judicial process for a fee. This is usually...they're usually utilized when the sheriff has gone out and made several attempts, can't be done...you pay these private process servers. This bill and the bill that I'm talking...that I refer to in the House would authorize these process server serving companies to be authorized to serve them in addition to the name of the individual private process server.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

At the present time, Senator, in my county, if we don't think the sheriff's office can do a fast enough job, we just go get a court order...you know, naming someone to do so. Are you saying that...all you're doing then, if I understand you correctly, is allowing a company to be formed, for example, and call it a process serving company, and let's say the A.J. Company, and then, A.J. will send one of its boys out to serve the process and of course they will sign as an agent of A.J. Company. So, you're...you want to extend that service? Are you aware, at the present time...and I wish I had known about your bill to ask you to expand it because at

the present time, if you want to serve a subpoena in...in a...in a criminal case, it has to be the sheriff who serves it. You can't serve it with any...you know, private process server. I don't find anything wrong with your bill. I'll support it but keep that in mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Question of sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Nedza.

SENATOR NEDZA:

Senator Berman, just a question to the legalities. That individual who would be an employee of a specific entity, the legalities...would they still be in force as to the process server...that kind of...be it a writ, be it summons or be it what have you, because presently we're...I think the sheriff's deputies are officers of the court in that sense. In the Act, does that individual...is...is it as binding as if it was the...being served by a sheriff or what have you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes. It does not affect the effectiveness of the service.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 724 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 57, the Nays are none, none voting Present. Senate Bill 724 having received the required constitutional majority is declared passed. 725. On the Order of Senate Bills 3rd Reading is Senate Bill 725, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 725.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 725 deals with the problem of chronic truants. This bill has been worked out...and I will explain...the single area, I believe, of difference but it's been worked out with the...the State Board of Education, the Illinois Association for Truancy Prevention, which is an association made up of approximately twenty Statewide organizations dealing with children and truants and schools. The...this bill in addressing the question of truancy does a very important thing, and...and what it does is to mandate a series of prevention and remediation services that shall be available to try to address the problems of chronic truancy. There's no problem, everybody is in agreement with the provision of those services. The main area of dispute is whether at the end of the road when all of these social services and rehabilitative services have been provided, should there be a court of last resort; namely, the juvenile court? The State Board of Education and the Commission and...and the Illinois Association for Truancy Prevention says, yes, that juvenile court should be at the end of the road, because that's what gives some leverage and muscle to the delivery and the process of taking advantage of the social services in the proc-

ess. Without the...the juvenile court being at the end of the road, there's no leverage to say...to...to ensure or try to assure that the child, the truant, will in fact take advantage of these services. There is a body of social service agencies that say, we don't want the juvenile court in this process at all, and that's essentially the difference in approach. I've talked with the ACLU, Arm & Hammer group...many of these groups, and my commitment to them was, let's do this bill as it presently is postured with the juvenile court as the last resort, mandating the social services in the process, let's see if it works this way; and if it doesn't work and children are put into detention that shouldn't be put in, come back and we'll take it out. But let's go with the State Board and the Truancy Prevention Association to see if this can work, and I would be glad to respond to any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate. I just want to point out that at the committee hearing there was opposition stated that this legislation may in fact cause truants to be sent to jail, and I know that there was an amendment offered but it seemed to me like that even made it worse, because it...deleted a portion that said, "and whose low or declining academic performance can reasonably be associated with such absences." Therefore, it could not only be a...a student who was struggling in...in their class work but it could also apply to any student, and I...I think the...the intent of this legislation, just as all of Senator Berman's, is very meritorious; at the same time, there is a question to me, if that's what we're doing I think that that's a mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. Will the speaker...the...the sponsor yield for a question? Just for the record, because I have had some concerns in my district, you...we are not talking about hauling parents up who are teaching their children legitimately in the home schools. Am I right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

You are right. I had inquiry from the home school people, that's who you're referring to, and they are not affected at all by this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I am...I think you will find that most juvenile judges and...and most truant officers think indeed that we do have to have some grip on these kids if they're just absolutely refusing whatsoever to go to school, and I think it's a good bill and I think we should vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Berman, up to two year's ago, truants could in fact be brought before the juvenile court, as you're aware. At that time do you...do you have any idea of how many truants there were in the Chicago school system?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I don't have a number.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Twenty-five thousand. Now, I have another question. Do you know how many of those were petitioned before the court?...zero.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman...Senator DeAngelis.

SENATOR DeANGELIS:

And, I really believe that bringing truants back before the court is bringing them nowhere in the first place. But more importantly, I don't know where anything is served by taking a problem regarding a troubled adolescent and then using the juvenile court system which, by the way, doesn't even want to deal with this problem, does have the time to deal with it, doesn't have the resources and the prosecutors don't even want to deal with it. And I find that part quite unnecessary, and I really admire what you're trying to do with the rest of the bill. Now, if you really want to serve some type of punitive system, then I would look at some of the other things that are being done in terms of...well, Senator Berman, that's punitive. Putting a kid in jail is punitive, I'm sorry. Then, I think you ought to look toward ordinances, toward doing something with the parents, toward doing some other things. But I think we're going backwards with this and you're really taking a good bill and messing it up with one or two lines in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen

of the Senate. Senator DeAngelis passed Senate Bill 623 a couple of years ago and what that bill did was to do away with mandatory attendance in schools in the State of Illinois. And every kid in this State who wanted to become truant or wanted to get out of school knew it, as of January 1, 1984, there would be no more mandatory attendance. That's what that bill did, and let me tell you something about all these courts that don't want to deal with these kids. In most courts in this State they have one of the judges who is a juvenile court judge and he works with those kids, and those young kids who are truant have a responsibility in life just like everyone else does, and they have to accept that fact. And if after working with the...with the truant officer in the school and...and he's been unable to get them back in school or retain them in school, then when the courts pick up this child they begin to work with them; and in McClain County, for example, we had a situation where the judge was written up Statewide for the job that he was doing, an unbelievable success. There's nothing wrong with this at all. If we are talking about mandatory attendance to age sixteen, then let's put some teeth back in the law to make sure that we have a mechanism to deal with it, and this mechanism does deal with it. I am in strong support of Senate Bill 725.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

...thank you. Just a question to the sponsor. When you were making your explanation at the beginning, you indicated that some of the youth agencies and others were deeply concerned about the juvenile court option at the end of the tunnel, I think as you described it, and that you had urged them to let it be tried this way and see how it would work. I'm just...you...you sort of left some of us dangling. Did

they...did they accede to that or did they say that, no, that that was such a major detriment that they did not want the bill to be approved at least with that provision in it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm...I'm hesitant to give you a...a direct answer because, you know, they come here with the motive that they don't like the juvenile court as the last alternative, but on the way to the Capitol this morning, I walked with the...I would say the major witness regarding this issue. His comment to me, because I asked him...there was a bill that dealt with the juvenile court that failed in the House, he said, do not let anyone even suggest that the bill that was defeated yesterday and which they wanted defeated, does any way resemble 725. What we are doing in 725 and which they agree upon is mandating these rehabilitative and social services. That is crucial, no one disagrees with that, and I...that is the heart of this bill. The only question, and they are still going to address this issue, as to whether there ought to be the leverage at the end of that rehabilitative process of a court. They would like it out. We are suggesting it be in. I don't think...I don't think that they want nothing passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

And, obviously, since there has not been experience yet with this bill in place, there is no way of making a judgment about how often that option at the end of the tunnel, that is the juvenile court, is going to have to be used. I suppose, ideally, it would never be used at all, but if it's there it's probably going to be used some time but there just is simply no experience on which to make that judgment. Is that

correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, the experience on a very limited basis, and that's, again, the...the...why the bill is important. Where there have been these rehabilitative services, they...have dramatic success. This bill mandates those services as part of the chain of addressing chronic truancy, that's why this bill is so important. Those..where those services have been utilized, even though only on a limited basis, they have been very successful. We want to expand those services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator DeAngelis for a second time.

SENATOR DeANGELIS;

Yeah, I...I want to apologize, but let me point out to you that one of the reasons that that was taken out of the juvenile court, is that it was felt that no one was doing anything about it and relying upon the court. Now, because we took it out of there, it's created a tremendous discourse on the issue of truancy, and I really appreciate that discourse and the approach to the problems. What I am concerned about, by putting this back in again, we're going to go ahead and forget about everything in between and once again look to the court to do the same dismal thing it's done in the past.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Berman.

SENATOR BERMAN:

To close...let me...respond to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Berman to close.

SENATOR BERMAN:

...okay. Senator DeAngelis, if I might just have your attention for a moment, undivided attention. We prepared language that was not even in the original bill as introduced but was in the amendment to do exactly what you have expressed your concern about. These services are mandated. Before you can get to the question of the juvenile court action, there must be these services, because I had the same concern that you did, and I...submit to you that this is a very progressive, forward looking bill...supported by Department of Children and Family Services, the State Board of Education, the juvenile section of the...Juvenile Law Section of the State Bar Association. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 725 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 54, the Nays are 1, 3 voting Present. Senate Bill 725 having received the required constitutional majority is declared passed. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

...thank you, Mr. President. I asked informally and now I'm going to ask formally, and no deference to anybody here, we spent twenty-four minutes on a bill that just received fifty-four positive votes. Can we please use the timer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We will use the timer. 726, Senator Berman. On the Order of Senate Bills, 726, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 726.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, your time is running.

SENATOR BERMAN:

Roll call. Thank you, Mr. President, Ladies and Gentlemen of the Senate. Your synopsis is in total error. This bill has nothing to do with punitive damages. The bill as amended is amended with language submitted by the life insurance industry to deal with a particular situation where a...insured is receiving benefits and...and the insurance company determines that the benefits are not medically necessary. It sets up a process for notice and evaluation by the treating doctor before the benefits can be terminated. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 726 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 726 having received the required constitutional majority is declared passed. 728, Senator Berman. On top of page 16 is Senate Bill 728, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 728.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This is a bill that was prepared by Joint Committee on Administrative Rules. It deals with issues addressing the Department of Labor, the Secretary of State, the Illinois Occupational Therapy Practice Act, the Medical Practice Act, Illinois Public Accounting Act, and the Secretary of State

Merit Employment Code. I'd be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 728 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 728 having received the required constitutional majority is declared passed. 729, Senator Berman. On the Order of Senate Bills 3rd Reading is Senate Bill 729, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 729.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the second bill from the Joint Committee on Administrative Rules. It deals with the Horse Racing Act, the Election Code, the Insurance Code, Shorthand Reporters Act, Developmental...Department of Developmental Disabilities, Hospital Licensing Act, and, again, the Horse Racing Act. I would be glad to respond to any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 729 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays

SB 730 3rd Reading

are none, none voting Present. Senate Bill 729 having received the required constitutional majority is declared passed. 730. On the Order of Senate Bills...3rd Reading, Senate Bill 730, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 730.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. Senate Bill 730 deletes excessive...extraneous language in Article 188 of the School Code, solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 730 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 730 having receive a required constitutional majority is declared passed. 736, Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 736, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 736.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 736 proivdes the credit against income taxes for certain contributions of personal property to school dis-

tricts or joint programs in an amount equal to twenty-five percent of the fair market value of the property. There is a limit established in the bill so the tax credit cannot exceed five dollars per student. What this means is that the maximum State investment could be no more than nine million dollars a year. I think it's safe to say that the number of corporations, for example, who might want to participate in this program would be fairly small and it's highly doubtful that we'd get anywhere near even the nine million dollar maximum investment. There was a fiscal note filed and...the Bureau of the Budget responded that it is very difficult, if not impossible, to determine at this time just what the number of corporations who would be participating in this program might be; but again, I think it's a way to help our business community help our schools, and I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I have no doubt that the bill will pass, but I would like to call attention briefly to the members of the General Assembly of what we are doing. This is one of several bills and I've kind of lost count, Senator Kustra, that would provide either a credit or a deduction for property given by businesses, corporations to either schools or technical institutes or whatever, whatever, there are variations of it. But it is kind of this year's...and I...I don't mean to demean your bill Senator Kustra, but it is sort of this year's fashion to provide this kind of a deduction or credit. No one knows how much they may cost, no one knows how much they may cost to administer. I think the...the idea behind it is admirable. I don't think anyone has an enormous difficulty with that, but it is just another example of the way in which we are using the Tax Code to achieve other

objectives. I would make other...one other point, and that is that...that, I believe, depending on the form of the bill, and I think yours is one that fits this pattern, Senator Kustra, that the value of the gift, the deduction, is also...can be taken on Federal Income Tax forms; that is, either as a business deduction or if it happened to be given to a school as a charitable contribution, so that there probably is a double benefit that is involved in the...the deduction that you are providing here. So, again, just fair warning, we are opening up a whole new area of use of the Tax Code and whittling away the Tax Code to achieve other objectives. If that is what you want to do sobeit, but it's not a good idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. Speaker, Ladies and Gentlemen of the Senate. I will not...I was going to say some of the same things the prior speaker did. This...there is...it is possible that this could be construed as...as double dipping. We are providing a credit...a tax credit on the Illinois Income Tax. There are a couple of mechanical problems here as well that I...I did want to allude to. One is the...the question of who...who is it that's going to determine the fair market value, and also there's a limitation of five dollars per student. The...the administration of both of these things could present some difficulties, and I wanted to call those to your attention as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Kustra may close.

SENATOR KUSTRA:

Well, thank you, Mr. President. I am aware that there are a number of these proposals before us this year, and I would say that this one differs from some of the other ones

anyway in that there is a cap on it, and therefore, the...that will be a limitation on the amount of dollars that would be drawn from the General Revenue Fund. Secondly, I can only add that I don't think you're going to have a long line of corporations waiting to donate equipment, but where a corporation wants to donate a piece of equipment, I think there ought to be a provision under our tax laws for some kind of benefit to them. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 736 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?...take the record. On that question, the Ayes are 55, the Nays are 4, none voting Present. Senate Bill 736 having...having received the required constitutional majority is declared passed. 738, Senator Degnan. On the Order of Senate Bills 3rd Reading is Senate Bill 738, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 738.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 738 amends the Chicago Sanitary District Act and permits persons with temporary appointments in the Chicago Sanitary District on the effective date of this Act who have been employed for two or more years, have meet the standards required for their jobs or positions to take a qualifying examine for that job within six months and be approved in that position. Because of budget constraints, the...district has not been able to pro-

vide these tests over the last few years. Now we are asking that they...that General Assembly allows the tests to be given for these hundred and fifty-eight people who are involved in the next six months. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 738 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 738 having received the required constitutional majority is declared passed. 739, Senator Degnan. On the Order of Senate Bills 3rd Reading is Senate Bill 739, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 739.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 739 also amends the Chicago Sanitary District Act regarding the construction...the creation of a construction working cash fund. The bill does four things. It expands the definition of construction purposes to include flood control facilities. Secondly, it restores the construction working cash fund and authorizes the sale of bonds to create that fund. Third, it authorizes a one-half cent annual levy to maintain the fund at the authorized level. Fourth, it makes various technical changes. Basically what we are trying to do with the construction working cash fund is what this General Assembly did

two years ago with the corporate working cash fund. And that is to allow the sanitary district to issue bonds instead of going to the market with tax...anticipation notes every year. In '82 we approved corporate working cash fund bonding for the Sanitary District; as a result, in 1983, they issued ten-year bonds for approximately forty-eight million dollars. The bottom line on those bonds is, not having to do tax anticipation notes, they resulted in a savings of thirty-three and half million dollars over the ten...ten-year period. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

One of those provisions you mentioned about was a...was a tax increase...is there a referendum on that tax increase?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson...whoop, I'm sorry, pardon me...Senator Watson.

SENATOR WATSON:

How many new taxes are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

In theory, you're talking about two new taxes, but let me expand on that for a moment. With the corporate working cash

fund, we provided for a forty-six cent tax levy. The district with the use of bonds has only levied twenty-nine cents. Two years...in 1985, we provided a construction levy of ten cents. The district uses one cent as a tax levy. The bottom line on this bill is, we're trying to get out of the business of tax anticipation notes into the business of bonding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. The only problem that I have, of course, is the fact that we're having two new tax increases in the Chicago Sanitary District which...I mean, I don't know why I should care, but there is no referendum. The people have no choice, they have no opportunity to express their views and I think they should have so. So I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator Watson, we never do get a chance in...in the Chicago area to express our views, you know, we're used to that, we grew up that way. With respect to the...the working cash fund part of the bill and that's the only part I'm addressing, if there is any other part, I'm...I'm not particularly familiar with it. I had opposed that for years and years down here and then I think I finally spent enough time perhaps in '82 when we first authorized the corporate one and I have looked at the materials here, now maybe it's...it's fatigue after so many years or maybe it's the sponsor, but I really think they're right that this is a...in the long-run a savings device, and I don't think it is the kind of ordinary tax increase for something new and different that should be an ordinarily...ought...would be subjected to a referendum. It really is kind of an in lieu arrangement so that they can

move away from short-term financing, which tends to be pretty costly, and get into a longer range financing on which I...I really do believe, at least I'm persuaded, that in the long-run they will really be saving a fair amount of money. So I think on that basis, I have no concern about that part of the proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question for a sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator, what type of tax increase are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

You're talking, Senator, about no tax increase. The two taxes that Senator Watson identified will be offset by the tax that is now used for tax anticipation notes which will no longer be used and cannot be used legally.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President, if I may. Senate Bill 739, there should be a significant savings in interest by using a working cash fund principle in place of the annual tax anticipation notes which are...really roll around every year. Basically the half-cent that is required in this bill will be used in order to retire the interest on the bonds, but long-term, it's really a savings for the taxpayers of...Cook County by using this principle and this method. I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Degnan may close.

SENATOR DEGNAN:

Well, thank you, Mr. President. I think the Sanitary District has demonstrated its intent with the '82 legislation that we passed on issuing bonds. They ask now for us to provide the same mechanism on their construction fund. I'd appreciate your help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is,...the question is, shall Senate Bill 739 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? You want to...(machine cut-off)...the record. On that question, the Ayes are 45, the Nays are 13, 1 voting Present. Senate Bill 739 having receive the required constitutional majority is declared passed. 742, Senator Vadalabene. On the Order of Senate Bills 3rd Reading is Senate Bill 742, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 742.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Senate Bill 742 allows organization licensee from purse money to pay an...to an organization of horse owners and trainers which has negotiated a contract with the licensee an amount equal to one percent of the licensee's retention. The bill has been worked out with the track owners and all the other people involved around the track, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator...if not, the question is, shall Senate Bill 742 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 742 having received the required constitutional majority is declared passed. 744, Senator Jones. 745, Senator Jones. On the Order of Senate Bills 3rd Reading is Senate Bill 745, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 745.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Senate Bill 745 is a bill designed to clean up a technical flaw that exists currently in the...the levy rate for the Chicago Board of Education as it relates to the...its building fund. Two years ago when we passed the legislation as relate to the difference between that tax levy by a school finance authority and...and that portion that they do not levy which we gave to the Chicago board. What this bill does is permit the Chicago board to levy that tax...for this year and other calendar years in the future, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 745 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays

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are none, 3 voting Present. Senate Bill 745 having received the required constitutional majority is declared passed. 748, Senator Donahue. On the Order of Senate Bills 3rd Reading is Senate Bil 748, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 748.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 748 revises the definition of a place of business in the State of Illinois. The reason that we are doing this or need this is those of you that represent districts that border other states, you will find that your businesses are being taxed by those surrounding states but also the...but cannot tax...they are being taxed...our people are having...all right let me start over...start again, 'cause this is confusing and I don't want people to get confused. In the place of businesses when our people go to Missouri, say, and buy a piece of furniture, they do not pay Illinois sales tax. But when a Missouri resident comes to Illinois and buys from a business, say, in Quincy, he pays...our merchants pay Missouri tax. We feel this is very important and it's an unfair advantage to the border businesses that...in the states surrounding us, and I would move...and hope for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I rise in support of Senate Bill 748. Those of us who border the Mississippi River in the metro-east area are

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having the...the exact problem and all of us should support Senator Kent's bill because of this situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I...I'd like to also...and intend to support this bill and I'd like to get...leave from the sponsor as well as the membership to be added as a hyphenated sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kelly seeks leave of the Body to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. So ordered. Senator Kelly. Further discussion? All right. If not, Senator Kent may close.

SENATOR DONAHUE:

Thank you. It's Senator Donahue, and I just ask you for your most favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 748 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 748 having received the required constitutional majority is declared passed. 749, Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 749, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 749.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 749 deals with one of the toughest problems facing our society today and that's what happens to the kids after a divorce. Traditionally, the courts have awarded what is known as sole custody, and if you look at the studies that have been done and the interviews conducted on children who have gone through this, one of their great fears is that they will abandoned by one of the parents, the parents...parent who did not get sole custody. We do have a provision in the Illinois law for joint custody. The problem is that the existing Joint Custody Statute does not permit a court to award joint custody in appropriate cases without the express agreement of both parents. Thus, it enables the parent to use the child as a tactical pawn in a potentially bitter sole custody battle, and it ignores established evidence of the child's continuing need for both parents after the divorce. Senate Bill 749 allows the court to award joint custody when the court deems this to be in the...interest of the child. Upon a motion, divorcing parents are requested by the court to work out a parenting agreement which is tailored to their specific situation and which must detail each parent's rights and responsibilities regarding the child. The court may order mediation to aid the parents in reaching the agreement and, if necessary, may itself resolve their remaining outstanding differences; however, if the court finds joint custody not to be in the child's best interest, it may award sole custody. The court's power to award sole custody therefore is not changed by Senate Bill 749. Senate Bill 749 thus restores the court's rightful ability to provide the child with a stable, continuing relationship with both parents after the divorce. In addition to the support that I received from my cosponsor, Senator Topinka, I would like also to acknowledge the help from Senators Marovitz, Lemke and Geo-Karis in the work they've put in on this particular

piece of legislation in getting it to its present state as...as before us right now. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the...the Senate. I think this is a very important piece of legislation. There are many cases where today a judge would like to award joint custody, but is not legally able to do so unless the parties agree. We wrote into the law that the judge now can do so if he feels it is in the best interest of the child, taking all circumstances into consideration. In addition to that, I think it should be made clear on the Floor that nothing in this legislation is deemed to mean that joint custody...an award of joint custody means equal physical custody, equal residential custody, that is still up to either...either...either agreement of the parties in the Parenting Act or determination by the judge, and nothing...regarding joint custody should presume to infer that the joint custody is equal...physical custody. I think this is a good bill. I think it's important and I think we can leave it in the hands of the judges who will hear all the evidence in the factual situations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I do an awful lot of this work and I can tell you right now, I'm a firm believer that both parents should be available for a child's welfare. And we...this bill is destined to avoid having vindictive parents who want to use their children as pawns...as pawns rather than having them have the opportunity of two good parents to advise them and...console them

and...and comfort them through life; and I think Senator Kustra spoke it very well because there was a fluke in the law we didn't catch last year and this bill covers it, and Senator Marovitz is also correct in what he said, and I move the passage...I support the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Senator Kustra's bill I think is a wonderful attempt to try and hold families that are apart in some ways together, at least in terms of the child. I do speak in behalf of it. As one who has a...joint custodial situation, it is a difficult thing to master but it does force parents to act like responsible adults and does provide a tremendous opportunity for children to continue in a life that they would like to see hold together as much as possible. If we could, you know, engender your support on this bill, I think you're going to really do an awfully good deed for an awful lot of people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Mr. President, is anybody against this? Well, what are we doing? We're going to be here forever, and...nobody...everybody...doesn't have to talk on everything.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kustra may...may close.

SENATOR KUSTRA:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 749 pass. Those in

favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 749 having received the required constitutional majority is declared passed. Senate...Senate...750. On the Order of Senate Bills 3rd Reading is Senate Bill 750, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 750.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I might point out, I don't know anybody that's against this one either. But...I think it would be a good idea to explain the bill. The...the amendment becomes the bill and the amendment states that if a person is supervising two medical laboratories currently they may continue to do so. The reason for this clarification in the language apparently has to do with a conflict between Federal law and State law as to how many medical laboratory directors can supervise medical laboratories. And the Illinois Department of Public Health prepared this amendment, that is the bill, and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the...the question is, shall Senate Bill 750 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 750 having received the required constitutional majority is declared

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3rd reading

passed. 756, Senator Chew. Can we break up the conference in front of Senator Chew? On the Order of Senate Bills 3rd Reading is Senate Bill 756, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 756.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President and members. This just deletes an obsolete reference toward insurance. There's no opposition. There was an amendment attached which deals with handicapped people toward the seat belts. I would ask for your favorable...support.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Hall.

SENATOR HALL:

Senator, I see that it deletes the reference to an obsolete type of insurance coverage which no insurance company writes anymore. Would you tell me what that is?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Yes, it dealt with a date...the insurance had to expire at the time of the license period and that's the part that it deletes.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 756 pass. Those in favor will vote Aye. Those

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opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 756 having received the required constitutional majority is declared passed. Top of page 17, and for...we have yet to reach and we will intend to go to page 27 before we conclude our business today. We'll work straight through. Top of page 17, Senate bills 3rd reading, Senate Bill 760, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 760. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 760.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. We amended this legislation to take care of the questions and concerns that were brought about in committee. This is not a mandatory seat belt law anymore for...for school buses. This is local option only. Any school district that feels that they want this, they have the option to...to do this. We've taken the mandatory provisions out of it. It applies to Type One school buses only, that of the larger school buses of over eight thousand pounds. The Type Two school buses are already covered by Federal regulation, and I would solicit your Aye vote.

PRESIDENT:

Any discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Darrow.

SENATOR DARROW:

Why is this necessary? Why can't school districts put seat belts in their buses now if they want?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

In the first place, there's no standardization whatsoever, which is now in...in the...in the law and it provides for the State to...to cover this. They can do this at their own expense, but this is a...if a local...if the locals want seat belts, this is a seat belt bill where the State picks up the...the tag.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

The State picks up the check? Who...how much is this going to cost us?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I have not got a fiscal note. I'm not sure if you can...you can get different figures from different people depending on where the school bus is bought. So it's...you know, there's now way to tell if any schools are going to opt in at all...are going to do this at all. The fiscal impact could be zero, but it really depends on how many...how many school districts...decide to opt in and what the cost of that bus is going to be,...we've gotten cost that...that vary from...I think Senator Nedza has got the...the figures on the

cost. Senator Nedza was chairman of the...is chairman of the Transportation Committee and is cosponsor of the legislation.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well,...question.

PRESIDENT:

Indicates he'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Marovitz, it says the cost will be borne by the State. Is this going to come out of the Common School Fund share of the appropriation from general revenue?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I am told that this comes out of a special fund in the General Revenue Fund. Is that correct, Senator Nedza?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, I don't know of any special fund in the General Revenue Fund dealing with seat belts, and it is either General Revenue Fund that's appropriated to the common school or the school appropriation or general revenue appropriated period. Now, which is it?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

GRF.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, I...I think those of you who may feel some inclination for this bill better stop and think that this is General

Revenue Fund which is monies we appropriate into the Common School Fund, and any money that comes out of general revenue just reduces that amount of money that's available for what you may think it's necessary, where it's public aid or school fund, whatever, et cetera. This is not an idea that a school district could ask for now and do if they want to assume the liability of the cost. If they think it's a great thing, then let's let them do the cost of it out of their own local tax levy which they have the control of, and let's not try to put a burden on the State GRF which most of the school districts are not going to participate in the first place.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, I'd like to ask the sponsor a question. I know I'm standing next to him here.

PRESIDENT:

He indicates he'll yield.

SENATOR KELLY:

You say this is just a Class One...what about a handicapped bus? Is that already covered? Where do we stand with handicapped buses? The smaller ones.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

They're exempt from this.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. They're exempt, but do they have to...do they have seat belts now in...when you say they're exempt? Well,...I'll tell you what, briefly, I guess I'll just mention a personal experience and I hate to give somebody a horror story on something but I think maybe it will...it'll

bring some light to this subject because it was moving for me. Because I've been trying to help a handicapped kid and his parents on something for some time now, and I was advised a short time ago that...that a bus driver in a small van had an accident and...first week on the job, and little guy was in a seat belt and he was the last one on the bus and they got everybody else off but this little guy and the bus had a fire. And I just think when we consider all this legislation, we should consider that type of thing. I think it ought to be voluntary on the smaller vans and leaving it up to the discretion of the district or to the...the driver in some cases, 'cause these kids can't get out of them.

PRESIDENT:

Further discussion? Senator...Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Clear up some of the fallacy of...of some of the other speakers. You normally will hear that you don't need them on the...on the Type One buses because of the fact that the impact area is lower than what is normally construed in...in automobile accidents. But in fact...if any of you have seen buses roll around on the roads when there's high winds, buses are normally top-heavy and you're going to take a child and you're going to secure the child into a seat belt. As far as an accident is concerned getting direct damage from the impact of the crash, they will be jolted...to some respect, but if that bus was to tip over, you are going to have a great array of injury to those children because of the fact there's nothing to hold them into it. The argument for the compartmentalization of school buses is valid, when you're having a front-end collision, because the...compartmentalization theory is that the child will either be thrown into the seat which is in front of them to cushion the blow and thereby...minimize the amount of injury

to that specific child. By the same token, if the bus was to be hit with any severity from the side, the child is jolted into the other child into the...into the...the aisle or into the seat which is on the other side of the aisle, and there is no compartmentalization in that respect. We have mandated and put into law that adults have to wear seat belts in their automobiles in the front seats. There's no better way of invoking that law, and I was not a proponent of it, but as long as it's on the books and we have to live with it, let's start...having the children learn how to use it in their school life like we teach them everything else, and I'd move your...for your support for this bill.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Poshard.

SENATOR POSHARD:

Senator Marovitz, I guess one of the concerns that I have...I was under the understanding earlier that if seat belts are installed in the buses, it will reduce the number of kids that can ride per seat from three to two because of the space that the seat belts take up. In my district, the buses are filled with kids three to a seat. If they can only now ride two to a seat, they're going to have to buy additional buses to transport the kids. Is that true or is that not true from what you understand?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

This will not affect your existing buses at all. It only affects buses that are manufactured after December 31st, 1986. So it...it begins in 1987. It doesn't affect your

present school buses at all, and, again, it's ...it's up to the local district anyway. So if they don't want to do it, they don't have to do it. There's no mandate whatsoever in this. We've taken all that out, this is just a local option.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

But in your discussions, do you know if the new school buses or the buses that are manufactured now, can we...still ride three children to a seat with seat belts as we now do, or is that going to be reduced to two?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The...the new school buses only have two to a seat. Okay. So, now that's if they choose to get them. If they don't choose to get them and they maintain their present buses or they don't want go...to seat belts, they don't have to. It's up to the school district. We're just leaving it up to them and saying, if this is what you want, if this is what your parents want, then we're going to make that available for you.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you...thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Davidson has already pointed out that the...the funding for this program has to come out of GRF. There is something else I want to call to your attention...in this regard and that is, there is provision within this...within this bill which says that if there's not enough money to go around, we'll start prorating it. And I think we've all had a great deal of experience already with funding...insufficient funding of school programs in which we

say that if you do this, we'll...we'll pay for it and then we end up not doing it at all, and that is exactly the way this...this bill is written. I would also point out that the bill would also put the schools in...a Catch-22 situation in that our own Illinois law says that in those instances where school buses have seat belts or...pardon me...let me...just let me read here. It says that, "These buses have to conform to the equipment requirements established by the Department of Transportation." I would just point out that there are no equipment requirements established by either the Federal or the Illinois Department of Transportation in this regard. So they can't...they're put in a position of having to conform to standards which do not exist.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Your Honor. Question to the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Chew.

SENATOR CHEW:

There are many people in the State of Illinois, private citizens, that own school buses that do in fact transport school children. Is the State going to bear the expense of that kind of vehicle for the installation of the seat belts?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

No.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

If that school bus is employed by the school district, the State still does not pick up the tab on the installation?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

If that school bus is employed by the school district and the...and it is a Type One bus and the district desires to have seat belts, then the State would in fact pick up the tab.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. Senator, do we understand that this is a voluntary move, you do not have to...those buses that are equipped after 1986, must they be equipped with the seat belt manufactured?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

No bus has to be equipped with seat belts after 1986 or any other time. This is strictly a voluntary program, there is no mandate whatsoever in the language.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

So one would have to order his bus with the equipment in order to have it installed at the factory?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That's correct.

PRESIDENT:

Senator Chew...all right. Further discussion? Any further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. The price tag on this bill, as I have been pointed

out...has been pointed out to me, is between one thousand and three thousand dollars per bus. That estimates to about two million dollars was what the projection we received, about two million dollars in costs, because very few school districts are going to do this. Now, I think two million dollars in costs to protect our kids from head-on, side collisions and rear-end crashes from being tossed around in the buses, I think that's a very small cost for districts where the parents and the elected officials want seat belts on the buses. We have mandated that all of us in our cars have to have seat belts; it seems a little ridiculous to say that a district and parents who want seat belts and a school board who wants seat belts on their buses can't have them or we're not going to give them any assistance. And if the cost is as small as we're talking about, which is what it is, my gosh, I think it's a small price to pay for the safety of our kids, and I would solicit an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 760 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 35 Nos, none voting Present. Senate Bill 760 having failed to receive the required constitutional majority is declared lost. 761, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 761. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 761.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

If I can have the attention of the membership, WCIA-TV wishes permission to videotape. Sam, kind of spin around,

they're right up behind you there. Okay. Without objection, leave is granted. Senator Marovitz on Senate Bill 761.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 61 is one of the financial disclosure bills that came out of the Financial Institution Committee. We've worked on this bill with the banks, and to my knowledge, they have removed their objections to the legislation. In recent years, interest rates which were historically limited by Federal law have been deregulated, and therefore, financial institutions offer numerous types of accounts that pay interest. They can even pay interest on checking accounts which was prohibited until 1980. Consumers no longer have a single, fixed interest passbook account and a single, free checking account. This bill, Senate Bill 761, meets the needs of these confused consumers without imposing any undue hardship on financial institutions. The bill requires financial institutions to disclose terms which apply to those savings and checking accounts which earn interest. While many financial institutions make some of the disclosures which will be required, very few institutions make them all. Furthermore, there is no standard way of making the disclosures and the banks agree that there should be a standardized way of making the disclosures. An individual shopping for an account has no convenient way to...to compare various accounts and varying interest rates. For many years Federal laws required the disclosure of loan terms, there's no similar Federal Statute requiring disclosure of interest terms. I know that the banks have removed their objection. I would solicit your Aye vote.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. As minority spokesman of Financial Institutions who worked with the original bill that we opposed and it came out on partisan roll call. As amended, some of the bank...the bank groups are no longer opposed, but we still don't think it's that good an idea. Let me explain some of the technical problems. One is...the accounts that are not covered, one of them happens to be commercial accounts. Well, if you're a huge company, that's one thing; but if you're a small company, what this says is, you know, the little guy, which is the excuse for the bill, isn't covered, because the small business commercial account would not be covered. In terms of furnishing the information, it doesn't have to come out till the next regularly scheduled mailing. So in terms of time frame, what it says is, if you don't want to do it, don't do it. But there are some things...there are no penalties for not doing it, but the Department of Financial Institutions will prescribe forms for the disclosure, and so while there's little that the bill adds, it will cost time and effort to do it. And if there's time and effort involved, that means money. Who's going to pay for this service that really has no bite to it? By and large the consumers who are going to the bank or whatever financial institution involved. And yet, it might cover a bank or financial institution...or a savings and loan, but it doesn't cover companies that have mutual funds, insurance companies, whatever, which happens to be some regularly changing rates. So we've kind of missed everybody we intended to hit but we have increased costs a little bit, and those costs will be passed on. So what we're saying is, if you're increased in cost and you're not getting anything for it, why are you doing it? So, in that case, we would say, for the good of the little guy, to protect the consumer because we're for rightness and mercy. We ask you to vote No.

PRESIDENT:

Further discussion? Any further discussion? Senator Marovitz may close.

END OF REEL

REEL #7

SENATOR MAROVITZ:

Well, first of all, I want to counter what...the erroneous points that were made on the opposite side the aisle. Commercial accounts were exempted because that's what the banks asked for and...and dealing with commercial accounts, those are the people who have far more expertise in dealing with these types of accounts and are well...well aware of what the interest rates are and what the changes are. These notices can't be sent out willy-nilly whenever a mailing comes. In the legislation, there is a ninety day limit. So, that is incorrect, and as far as...as far as what the sanctions are, there's always a lawsuit, as well as...as well as jurisidiction by the bank examiners. We have worked very hard on this legislation...with amendments paring down what some of the...some of the banks felt they couldn't work with. We eliminated all of those things. When you talk about the consumer, the consumer wants this legislation because they want to know what the terms are and what the interest rates, it's...it's...it's become increasingly confusing and I...I don't know what we...what we should be hiding from the consumer and...and why we should be afraid from giving them the kind of information that'll make banking for everyone a lot more easier and more...a lot more convenient.

PRESIDENT:

Question is, shall Senate Bill 761 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nays, none voting Present. Senate Bill 761 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 766. I understand the sponsorship is not as reflected on the Calendar. It is Senators Bloom, Dawson and Carroll. On the Order of Senate Bills 3rd Reading, Senate Bill 766. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 766.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Sam,...I didn't realize what...this is somewhat of a hot potato. It's kind of like "Rosemary's Baby" in...in one way. Does...Senator Dawson or Senator Carroll, would you like to be the engine and let me be the caboose?

SENATOR CARROLL:

No.

SENATOR BLOOM:

No...we shouldn't. Here's the issue. In 1979, when the Nursing Home Reform Act was being presented, as those of you may recall, then Senator Daley carried it, hospitals were written out in that and...it was one way to keep it from being complicated and in another way, at that point, hospitals were not perceived as overbuilt and were not wanting to get in the nursing home business. What the bill does, and I have no strong feelings about it one way or the other, although it does reflect some conversations we had at breakfast...Senators Dawson, Carroll and myself and

the...Senator DeAngelis and the head of the hospital association Wednesday. It merely says that the distinct portion of a hospital, sanitarium or other institution which provides through its ownership or management personal care, sheltered care, skilled nursing care or intermediate care as defined by various titles of the Federal law would be included as under the Nursing Home Act and would have to comply with the regulations therefore. The hospital association fells that their long-term care units are different, that the average stay of patients there are twenty days only and it's probably more intensive. The issue presents itself in with...when the hospitals get into longer term sheltered or intermediate care nursing. Then, it becomes time for the General Assembly to make some policy judgments and draw some lines. So, the bill is out there for your discussion and vote. That's about as even a presentation as I could give.

PRESIDENT:

Any discussion? Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, as was said, that...if the hospitals are going to get into the long-care facilities...long-term care, then we think that they should come underneath the nursing home regulations for that section of their facility that they're going to use for that, and I solicit an Aye vote.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I strongly encourage you to vote No on Senate Bill 766. As the bill's initial sponsor, I intended that it provided equal protection to all the nursing home residents. I am now convinced that there are two kinds of long-term care and their differences should be recognized and respected.

Free-standing nursing home care, first, a residence and, second, a medical facility. The individuals who reside in a nursing home usually live there for the remainder of their lives, often five years or more. Illinois Nursing Home Care Reform Act ensures that nursing homes provide adequate medical services and adequate residential environment. A nursing home licensure, therefore, has been designed to protect the senior citizen, developmentally disabled individual and persons who...with chronic conditions but who stay in the institution on a long-term basis. Hospitals providing long-term care provide a different service from the free-standing nursing home. And over a third of the hospitals in Illinois are currently providing intensive post-hospital extended care and their patients receive high intensity nursing and rehabilitive care and then are discharged within thirty days or less. Hospital based long-term care units must meet all licensure requirements of an accute care hospital, and hospital licensure requirements are appropriate and necessary for such an intensive medical service of the most unstable of long...long-term care patients. Illinois hospital long-term care units have an excellent record of safety and care, and there would be catastrophic costs associated with Senate Bill 766 and hospitals would have to maintain two licenses and be surveyed by two different agencies, and they would have to make structural changes to build residential living areas that are not indicated for their patients. Free-standing nursing homes are not equipped in most communities to care safely for the patients now served in hospital long-term care units. And I am convinced, in closing, that we do not have a problem with hospital based long-term care. And Senate Bill 766 would create a problem and, Mr. President and members of the Senate, that is why I have I respectfully withdrawn my sponsorship of this bill. Please vote No with me on Senate Bill 766.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President. I had a bill called Senate Bill 624 which went...underwent quite a considerable debate and discussion, and out of trying to salvage a bad situation, I Tabled the bill and I think that, Senator Bloom, I would like to make the same request of you to...since you considered this to be "Rosemary's Baby."

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just say that I was not aware of this bill until sometime today as well but did observe in...in looking at the record on it that it came out of committee nine to nothing, and there's probably a very good reason for that, it was bipartisan support; and it says something very simple and I cannot understand why the objection, very honestly, because it says that if a place is a nursing home, it's a nursing home, period. What it says specifically is that if a hospital chooses to dedicate a portion of its beds forever and ever as nursing home beds, not hospital beds...you're not talking about hospital quality care. You're talking about the hospital saying, a floor, a wing, a building will no longer give hospital care, will now give nursing care under a different reimbursement plan, not under DRG's, not under the Hospital line item, they'll be paid out of the Nursing line item in which case they should be regulated by the State, and the State's regulation happens to be called the Nursing Home Reform Act and there...it is so logical that a nursing home is a nursing home is nursing home wherever it is located. I don't see why the problem. The hospitals happen to be the referers of the vast majority of nursing home patients,

whether they put them into a nursing home or their bed will be their choice, and to say that a resident, and it's not for years often, it's for months, however, to say that a resident has rights only if the hospital tells them to go down the street as opposed to the hospital saying, stay in one of our beds, to me is illogical. The rights we imposed on behalf of these people should apply wherever they happen to reside, and if the hospital wants to dedicate a section and become a nursing home, let them make that financial decision, but let the patient be protected which is why we passed the Nursing Home Reform Act. I think it just that clear.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

Whoever that might be.

PRESIDENT:

Senator Bloom.

SENATOR WATSON:

Can you tell me when a hospital converts to...to nursing home beds, do they have to get a certificate of need? Is that established at all?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

It's my understanding that if you go from a...acute care to long-term care, that you do go through the certificate of need process, but I'd seek the assistance of my fellow sponsors who might know with specificity, but that's my understanding.

PRESIDENT:

Senator Watson.

SENATOR BLOOM:

Well, I answered it.

PRESIDENT:

I beg your pardon, Senator Bloom...

SENATOR BLOOM:

If it's more than ten, correct me if I'm wrong, Senators Carroll, Dawson or Senator DeAngelis or anyone else who speaks nursing home. Thank you.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

More than ten beds. Is that...okay. One of the previous speakers mentioned and said, a portion of the hospital wants to be converted to a nursing home. How many beds are we talking about conversion? How many come up...if we got one bed, we're going make into long care facility? Is this going to be into this, two beds, what are we going to do?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

The bill itself says,...and I read from it because I, quite frankly, don't speak nursing home. "Except for any distinct portion of a hospital, sanitarium or other institution," and then it goes on to describe...the various levels of nursing home type care. It doesn't speak in terms of beds, it...it speaks in terms of a distinct portion. I assume it's envisioning a floor or what have you.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

It...it's obvious then it doesn't identify; in fact, if they've got...a lot of hospitals have what they call Medicare

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beds which are swing beds and we...in the smaller rural hospitals this is very predominate process by which people are moved out of the hospital into what they call a swing bed program. They are Medicare programmed and it would be considered probably long-term. As a result now, we're going to ask them to...to be licensed under the Nursing Home Act and I...I just...I don't think that necessarily that's a good idea. And another thing, if they're going to have to comply with...with this Nursing Home Care Reform Act of 1979, that's going to be costly. Now I noticed that the sponsors of this legislation are the very ones who are quite concerned about the high cost of medical care. They're the ones who promoted the...the cost containment legislation and now we're going to come in and ask for more regulation on the hospitals, it's going to be more costly in that...as a result somebody is going to pay. What's going to happen? Rates are going to go up. I just think this is a bad idea and I would follow Sam Vadalabene's lead and vote No.

PRESIDENT:

All right, we have eight additional members who are seeking recognition. Senator Bloom.

SENATOR BLOOM:

...at this point, I think maybe we should take it out of the record...my...my joint...

PRESIDENT:

Sponsor has requested it be taken...

SENATOR BLOOM:

...sponsors don't want to, I'll give you guys the chief sponsorship then if you wish. I didn't ask for this hot potato.

PRESIDENT:

The sponsor has indicated he wishes to take it out of the record. Take it out of the record. 779, Senator Dawson. On the Order of Senate Bills 3rd Reading, Senate Bill 779. Read

the bill, Mr. Secretary.

SECRETARY:

Senate Bill 779.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, the joint...Joint Tortfeasors Act does not apply to...apply to employers who are liable for workers' compensation benefits. Employers liable for workers' compensation benefits under the Workers' Compensation Act or the Workers' Occupational Disease Act shall not be subject to liability in tort cases, and also one other, it had a correction of spelling of convenient...conveyance. If you have any questions...

PRESIDENT:

Any discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank...thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This bill would overrule a Supreme Court decision in...in 1984 of Doyle vs. Rosen and protects the legislative right to determine how the cost of industrial accidents should be allocated. It reinforces the existing provisions of the workers' compensation Statute, telling the Supreme Court, we meant what we said. This bill does not, I repeat, does not repeal the Scaffold Act nor does it abolish any existing cause of action for personal injury. It simply provides that an employer liable for workers' compensation benefits shall not be compelled to become a party in a jury case or pay jury verdicts. Further, restores Illinois employers the same legal position their competitors have in other states. It's a good bill. I urge you to support it. You'll feel better about it in the morning. Thank you.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

This bill...if you've ever felt that the courts have rewritten laws despite what the Legislature has...has done, this is a perfect example. Under workmen's compensation is it a no fault. An employer does not even have the right to investigate whether the employee was at fault or not 'cause it's irrelevant. The court has said, doesn't matter, you can still be sued, you can still be liable. They are basically doing away with the concept of no fault workmen's comp. If you were an injured worker, would you want workmen's comp. to be taken away as a no fault? That would...you would lose the entire program.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President, and I rise in opposition to 779 for a number of reasons but mainly because the...the bill would prohibit bringing the negligent employer into the suit, and that in...fact...could, in fact, penalize the...the employer's rights to full applications under the law. So, I'd ask for an...a No vote on the bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate. This is a way of bringing down some of the workers' compensation costs, and I ask for a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 779 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

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Have all voted who wish? Take the record. On that question, there are 38 Ayes, 11 Nays, 1 voting Present. Senate Bill 779 having received the required constitutional majority is declared passed. 780, Senator Etheredge. On the Order of Senate Bills 3rd Reading, Senate Bill 780. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 780.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the sales tax/property tax switch bill for counties. There are several points that I would want to make about this legislation. First of all, that it applies to all counties in the State of Illinois except the County of Cook. Cook is a home rule county. It's the only one we have. They can do as they please anyway. So, it applies to the hundred and one downstate counties. What the bill says is that it is permissive. It says that if the board...the county board chooses, it may impose a sales tax equal to one-quarter of one percent which would piggyback on the State sales tax. That is to say this quarter of one percent would not apply to food and to drugs, if the county board so elects. Then, they must forego part of their property taxing power. In the more populous counties, the property tax cap is now twelve cents per hundred, that would be reduced to nine cents per hundred. In the less populous counties, they now have a property tax cap of twenty cents per hundred, that cap would be reduced to fifteen cents per hundred. I'd be very happy to respond to any questions.

PRESIDENT:

Any discussion? Senator Darrow.

SENATOR DARROW:

Would the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Darrow.

SENATOR DARROW:

Senator Etheredge, you had a handout passed out earlier today and I have a question. If you look at Christian County, for example, you have a zero under the third column. Does that mean that there will be no tax relief for Christian County...or no tax increase...no tax decrease for Christian County?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

It...what that means is that Christian County...in Christian County they're not levying at their maximum rate; therefore, they would not be mandated...under the terms of this Act to reduce their property tax, but...certainly they would have the option to do that.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, thank you, Mr. President. I would like to speak against this legislation. If you look at this handout, you will notice that there's a number of counties, including my county, Rock Island County, where this legislation will mean no property tax relief whatsoever. What it will be is an increase in the sales tax for the counties and if...nothing but a tax increase. Counties are short of funds, counties have great dreams, great expectations; for example, in Rock Island County, we would love to have a...a public beach. We don't have the funds. I can see the county board implementing this, levying the tax and building a beach. What...if you

want to talk about referendums, back-door referendums, front-door referendums, this is even worse. We're not giving the voters any choice at all. What we're saying is, increase the sales tax. Go ahead and increase it, county board, we're giving you that power without your constituents voting on it. There will be no tax...tax reduction, property tax...reduction in a number of these counties. Furthermore, what you're doing...what you're doing is you're saying, let's shift the tax burden again. Let's shift the tax burden away from the property owner, and not only in the residential property owner but the corporate property owner, and let's shift it to the little guy, the guy that has to pay the sales tax. That's the theory, that's the philosophy that comes from the other side of the aisle. We've fought it for years. This is a bad piece of legislation. Senator Sangmeister was right last week when he spoke against it. I would hope that my fellow Democrats and right thinking Republicans would vote against this...legislation. Thank you.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I echo the sentiments of my colleague, Senator Darrow, completely. There's no referendum in here and I see where my county will end up getting six million dollars for its county board government, and I can tell you the people that...in my county don't want anymore taxation and particularly when there's no referendum. I'm sorry, but I have to speak against the bill.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you. I...just along the same line, I...in every one of my counties, five of them, there would be a tax

increase in total tax. One would go up twenty-five percent; one, two hundred and fifty percent increase and; one, as was mentioned, Christian County, would go up five hundred percent with no property tax reduction. It was my original impression of this bill that one of the purposes was to have an offsetting on property tax. It doesn't seem to do it, so I would ask for a No vote on this bill.

PRESIDENT:

Further discussion? Senator Hall. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, rapidly because I spoke when we were on the amendment stage, I wish all of there opponents that are coming out of the woods all of a sudden would have been around, I'd been happy to have you on my amendment and maybe we would have gotten somewhere on it. As it is, I agree with Senator Darrow. We, again, as we always talk about the regressive sales tax...come along way here. Once upon a time, we were...we had a program worked out where we were going to take it off of food and drugs, we were going to keep reducing it down until it's gone, then we were going to work on reducing the sales tax altogether and get rid of that horrible tax. Now, the RTA came along and in the collar counties we popped on another quarter...now, we're going to give the counties a chance to pop on another quarter. Terrible idea. Particularly when...as I understand it, this group that has been organized and is seeking ways to raise funds for counties is just getting its feet on the ground, let it give them a chance to explore other avenues. This is a terrible way to go.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to quickly point out, however, that some of the opponents that are speaking

today are the very same people who were quite happy to impose a sales tax on Cook County and the collar counties when it came time for the RTA. I...at least this is permissive.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm not sure where we're going and...and I'm also not sure exactly why we want Statewide on this. It originally was aimed at the collar counties. Frankly, over the last few years, county government in Illinois has reeled under one financial disaster after another. They lost the collection fees, they've lost their sales tax revenue as every large shopping area has been quickly annexed into the municipalities, which is, frankly, good, orderly growth and probably ought to be that way. We've slugged them with one mandate after another. We have a gang from corrections going around telling them to build new prisons, new jails. Mandate after mandate has flowed from this room to county government with little regard for how it would be paid for. Property tax revenues have stabilized and in some cases dropped off and we pour mandate after mandate out. The chickens have come home to roost, ladies and gentlemen, they've come home to roost in a very appropriate place, this Chamber and the Chamber across the way and the Governor's Desk. Those services that we so gleefully thought the counties should provide do have to be paid for, and unlike Federal Government, they do not have printing presses, they will have to exercise some sort of tax. They will have to make some sort of...take a roll call and...and impose this tax. We will not impose it. We will authorize it. I would be the first to agree that I'm sure they'll give us our share of their credit when the tax is implemented, but we have a vital unit of government. We've heard a lot of talk here in the last couple of years about the fact that we have too many special

units of government, but one of the reasons we have so many special units of government is every time anybody comes up with a new problem, none of the existing units of government have any capability to handle it. So, they say, don't look at us, go form a new unit of government. Suddenly we got sixteen thousand units of government. I would suggest to you that on a Statewide basis, county government is a logical place to repose certain responsibilities and powers, and a logical place perhaps to even expand as the needs become apparent and as we tried to eliminate some of the duplicity of units of government we have, but county government cannot survive under its current financial structure. This is an alternative. We all know the property tax has been beaten into the ground. Frankly, we ought to do this or just wait for a...a real crisis and maybe we can have fifty-five hundred county...employees and elected officials down here like the doctors.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, part of....part of you apparently didn't read this bill. It's permissive. If you don't...those of you who spoke in opposition to this bill, it mandates a reduction in the property tax if they're above .9 in big counties and whatever it is on little counties, I think it's .15. It's in nothing, nothing would prevent the county board in those counties who don't have the levy at the maximum to voluntarily reduce it. If, and the big word if, the county board feels inclined to enact the ordinance it would make this happen. Now, it exempts food and drugs and whatever else the State sales tax is exempted from, and I'm certainly sure...every one of you who got up and spoke against this bill, I'm certainly sure you have faith in your own other elected officials in your home

county, if they have an opportunity to reduce the property tax, they'd do it. Maybe you feel that way about your county board, George, but being a past county board chairman who spent three years as chairman who reduced the operating tax levy on Sangamon County for three straight years when started receiving the one-twelfth income tax, I think every county board is looking for some way to reduce the property tax at all possible. And we're laying the jail mandate on it, maybe your county doesn't need to build a twenty-five million dollar jail and lay a property tax on, but this is a way we can to it in Sangamon County if this bill becomes law. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator Davidson has said, this is permissible. Now, I happen to know that my county is supporting this and if we can get some tax relief, we're certainly going to. I ask for it, and I would like to say that I would urge everyone who could see their way to give this an affirmative vote.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

I only rise a second time because my name was used in debate. Senator Davidson, I would say this to you, you know, I have a county board that went out and spent over a million dollars and bought a Sears building for an addition to their courthouse. All they had to do was wait, Sears couldn't get rid of the building and they would have given it to them for a tax deduction. That's the kind of county board I got, and I'm going to give them another two and a half million dollars now to operate out of there? No, not...not with my vote.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

Well, he indicates he'll...he'll yield.

SENATOR HOLMBERG:

Senator Etheredge, I'm looking at my own county, Winnebago, which I...I know is...is supporting this particular piece of legislation. Right now they bring in in the way of property tax revenue about one and a half million dollars. With a quarter sales tax increase, it would be almost three and a half million dollars. Would it be possible, under this bill, for them to reduce their property tax to nothing? Something the people have been asking for for years.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, it certainly would. It certainly would.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Holmberg.

SENATOR HOLMBERG:

I think we should really think, in fact, some of the people who have spoken against the bill should take a look at that as a very, very positive possible consideration that you've finally given the counties the wherewithal to get rid of the property tax, in many cases, something that the public has wanted for a long, long time.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, ladies and gentlemen...and thank you, Mr. President. I really wasn't going to rise and speak on this issue, it's really a downstate issue, but I'll just reflect and maybe jog a few memories, when the first income tax was

passed in the State of Illinois, and it was passed on the premise that the income tax was to alleviate the property taxes to one-twelfth coming back to municipalities...supposed to be a rebate on property taxes; and in reality, one city...on small city...town in...in Illinois provided that tax relief. No one else did it, and unfortunately, I don't believe, although the sponsor may have the best intentions in the world, when it'll come down to it, there will be one-quarter cent increase in sales tax and no relief on the property taxes, and that's what you're considering. I know the intent of the sponsor is...is good, but next year, we'll alleviate the remission of the property tax and...and, unfortunately, history, I believe, has proven me correct; and for that reason, I'm going to be voting No.

PRESIDING OFFICER: (SENATOR LUFT)

Further consideration? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of Senate Bill 780 as amended, and I would urge that those of us who are from Cook County...the bill is not applicable in any respect to the County of Cook, but it will have an impact to this extent, that I'm sure everyone is aware that there is a differential in the amount of sales tax charged in Cook as opposed to the collar counties. This will minimize if not eliminate that differential, and to that extent, I think, it's...it's also good for us; and it has been pointed out three times now, it is permissive and these county boards are locally elected, they make the choice. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

Any further consideration? Senator Etheredge to close.

SENATOR ETHEREDGE:

Thank you, Mr. President. Let me...let me say it a...a fourth or perhaps a fifth time, this is permissive. It is

permissive. This law does not require the county board of any county in the State of Illinois to vote this tax switch program in. I don't know what the situation is where each of you come from, but where...where I live, the county board members are good people, they are accountable people, they are elected to represent the people from their various districts just as you and I are. They are available to be called on the carpet by the taxpayers if they...if the citizens of their districts...their counties...do not like the actions which they take. This is a permissible tax...permissive, it is...and it would be enacted by people that are directly accountable to the taxpayers of the State of Illinois. County government is approaching a crisis situation, in part, because of the mandates which we have imposed on them, particularly in the criminal justice area and also some of the mandates that have...have been imposed by the Federal Government. I think that this is a concept that is worthy of implementation and I ask your Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

The question is, shall Senate Bill 780 pass. Those in favor vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Mr. Secretary. On that question, there is 31 Ayes, 22 Nay, 2 voting Present. Senate Bill 780 having received the required constitutional majority is declared passed. (Machine cutoff)...Senator Davidson.

SENATOR DAVIDSON:

I voted on the prevailing side, I'd move the vote...move to reconsider the vote...

PRESIDING OFFICER: (SENATOR LUFT)

I'm sorry, Senator, but Senator Watson had the Floor before you for a motion. I'm sorry. Senator Watson.

SENATOR WATSON:

I'd like a verification. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Watson has requested a verification. Will all the Senators be in the seat and the Secretary will read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Collins, D'Arco, Davidson, Dawson, DeAngelis, Dudycz, Dunn, Etheredge, Fawell, Friedland, Hall, Holmberg, Jerome Joyce, Karpiel, Macdonald, Mahar, Marovitz, Newhouse, Philip, Poshard, Savickas, Schaffer, Smith, Topinka, Vadalabene, Weaver, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Watson, do you have any requests?

SENATOR WATSON:

Dawson...Senator Dawson, please.

PRESIDING OFFICER: (SENATOR LUFT)

Is Senator Dawson in the Chambers? Senator Dawson. He's in the back of the Chamber.

SENATOR WATSON:

Senator Carroll.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll. Senator Carroll. Senator Carroll is coming out from the back of the Chambers. Senator Watson.

SENATOR WATSON:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR LUFT)

Senator D'Arco. Is Senator D'Arco in the Chambers? He's here. Any further questions?

SENATOR WATSON:

Senator Joyce.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Joyce. Jeremiah?

SENATOR WATSON:

Whichever one is voting Yes.

PRESIDING OFFICER: (SENATOR LUFT)

Jeremiah didn't vote. Jerry Joyce is sitting in his seat.

SENATOR WATSON:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Marovitz in the Chamber? He's right up here in front. Any further questions? Okay. On a verified roll call, the Ayes are 31, the Nays 22, 2 voting Present, and Senate Bill 780 having received the constitutional majority is declared passed. Senator Davidson.

SENATOR DAVIDSON:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 780 passed.

PRESIDING OFFICER: (SENATOR LUFT)

You've heard Senator Davidson's motion and you've heard Senator Etheredge's motion. All those in favor of Tabling Senator Davidson's motion signify by saying Aye. All those opposed Nay. The Ayes have it and the motion is Tabled. The next bill on the Calendar is Senate Bill 785, Senator Fawell...on the Order of 3rd Reading is Senate Bill 785, Senator Fawell. Please read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 785.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is basically a clean-up bill. I sent a letter around...the top of it says, Office of the Sheriff, Richard Paul Doy. I think it's sort of self-explanatory. On October 1st, 1981, the FBI notified the police departments that it was suspending processing of

fingerprint cards for liquor license applicants as of that date. They stated they would resume October 1st, 1982. On January 1st, 1982, the Illinois Department of Law Enforcement Support Service Division discontinued processing finger cards for liquor licenses applications by order of James B. Zale, director. FBI resumed these checks on October 1st. Bottom line, the State of Illinois would not comply with this request because of certain State Statutes that prohibit the forwarding of monies that come into their possession. What we have to do is...is send a check for twelve dollars now so that the fingerprint cards can...can be put in...into the system and find out if they're all right...I'll be willing to answer any questions. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 785 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 55, the Nays 1, no voting Present and Senate Bill 785 having received the required constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 803. Oh, I'm sorry, on the Order of 3rd Reading, Senate Bill 786, Senator Topinka. On the Order of 3rd Reading, Senate Bill 786, read the bill, please, Mr. Secretary.

SECRETARY:

Senate Bill...786.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the

Senate. This bill amends the Counties Act to provide that interest earned from invested trust funds shall not be subject to legal actions. It basically clarifies a provision that's already in law so as to avoid a local lawsuit that had occurred in DuPage County. It came out of committee 13 to...to nothing. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate...I'm sorry, Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

She indicates that she'll yield. Senator Topinka.

SENATOR BERMAN:

Isn't it true that...but for this bill, other taxing bodies would be able to collect the interest that they are entitled to from the collection of these monies?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Well, right now, the...the law says that the interest accrues to the fund. So, this merely clarifies that.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Berman.

SENATOR BERMAN:

What's the position of the Municipal League on this bill?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

I don't know, they haven't contacted me about it.

PRESIDING OFFICER: (SENATOR LUFT)

...Senator Berman.

SENATOR BERMAN:

All right. I'm just advised that the Municipal League is opposed to the bill and the reason, apparently, is that they feel that a bill like this that would shut off the question of legal actions as to who's entitled to the proceeds substantially...impinges upon their rights.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Topinka to close.

SENATOR TOPINKA:

As I...

PRESIDING OFFICER: (SENATOR LUFT)

I'm sorry...I'm sorry, Senator. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. And I will try to refresh your memory here. During the last Session, as you know, we had a lawsuit. A lawyer or a library district sued DuPage County for the entrance that the county had made in regards to investments they were making for all of the taxing bodies, and as you know what happened, they made it retroactive and, quite frankly, the counties are...are going to have to go back and pay those funds back to each one of those taxing districts. And, quite frankly, those taxing districts do not pay any fee for the collection of that money or the redistribution of that money whatsoever; and very honestly, we built our new jail out of those...interest made on that money at no cost to the taxpayers whatsoever, no bonded indebtedness, we paid it...we saved up the money and we paid cash for it and we have a new fourteen million dollar jail that, quite frankly, you'd be proud of and...and we need that authority and, quite frankly, we deserve the interest on well invested funds, quite frankly, and it's merely a fee for investing it prudently, collecting it prudently and giving it back to those taxing bodies. I certainly support it. I haven't...haven't had anybody from the Municipal League come to me or write to me

or talk to me about this whatsoever and they've been in and out of my office all week.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Rock.

SENATOR ROCK:

Well, I don't...frankly, Mr. President and Ladies and Gentlemen of the Senate,...no problem with the...the county accruing the interest, but to say in a blanket way statutorily that what it...this money which now legally belongs to the county is not subject to any legal action, seems to me to be going a bit far. Why can't they use it for...to settle a verdict? I don't know why we're doing this.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Topinka to close.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the House, as I say, the bill came out of committee 13 to nothing. If there's a need to tighten up the language, we can always do that in the House. Up to this point, the...the Municipal League has not told any of us of their opposition. I think they're a little bit late in the game and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR LUFT)

The...the question is, shall Senate Bill 786 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 40, Nays 11, 5 voting Present. Senate Bill 786 having received the required constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 803, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 803.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is an administration bill for the Department of Aging. It's...it restricts members of their...let's see, what is it called...the Advisory Committee shall only serve no more than two consecutive terms. We grandfathered those people on the committee at present. It's not aimed at anyone on the committee, it was just thought that this particular committee to enhance a turnover and new faces should...members should only have two terms. I know of no opposition.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 803 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 54, the Nays 0...zero, the Present zero, and Senate Bill 803 having received the required constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 804, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 804.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schaffer.

SENATOR SCHAFFER:

This is another administration bill from the Department of Aging. It responds to an audit deficiency and it changes

the term "fee" to "copayment." I know of no opposition.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? If not, the question is, shall Senate Bill 804 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 56, no...no voting No and no voting Present, and Senate Bill 804 having received the required...constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 814, Senator Mahar...I'm sorry, 813, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 813.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, it does exactly what the Calendar says, plus the amendment which made some technical changes in the Wildlife Code. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 813 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, no people voting No and no Senators voting Present, and Senate Bill 813 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is Senate Bill 814, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 814.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. Yesterday was the lame duck bill. Some members have indicated my whole program as fowl. I offer this bill as in support that it is not, it amends the Fish Code.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any...

SENATOR MAHAR:

This bill amends selected parts of the Fish Code from 1971. It is noncontroversial. There is no opposition that I know of and I urge a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? If not, the question is, shall Senate Bill 814 pass. Those in favor vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, zero voting No, zero voting Present, and...Senate Bill 814 having received the required constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 833, Senator Macdonald. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 833.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Macdonald.

SENATOR MACDONALD:

SB 835 3rd reading

Thank you, Mr. President. Senate Bill 833 as amended provides that a Federal Hazardous Waste Permit issued before January 31st, 1986 by the U.S. EPA will be deemed to be a permit issued by the Illinois EPA. The Federal Resource, Conservation and Recovery Act Program to permit all hazardous waste facilities is in transition. By January, the U.S. EPA will delegate their permit authority to the State. Prior to that time, several permits will have been issued by the Federal Government. The purpose of Senate Bill 849...or 833, I guess it is...to provide that the Federally issued permits do not have to be reissued by the State after delegation. The bill does not relieve any company from complying with all State requirement. Senate Amendment No. 1 which...is now the bill made it absolutely clear. All the bill does is to avoid a duplicate permit review which would be unnecessary and costly to regulated company and to...also to the State. I ask your acceptance of this bill and your Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall Senate Bill 833 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting No, none voting Present, and Senate Bill 833 having received the required constitutional majority is declared passed. On the Order of 3rd Reading, Senate Bill 835, Senator Hudson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 835.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 835 grants the commissioner of banks and trust companies parity with the director of the Department of Financial Institutions and the commissioner of Savings and Loan Associations with a regard to his regulatory powers. This bill cam out of committee 11 to nothing. I know of no opposition and would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall Senate Bill 835 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting No, none voting Present, and Senate Bill 835 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is Senate Bill 836, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 836.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this bill simply does, it allows the Capital Development Board to be able to acquire easements of under a hundred and twenty-five dollars...of under twenty-five hundred dollars without having to get the approval of the Attorney General's Office. Senator Sangmeister had an amendment that restricted this. I don't think the Attorney General's Office objects to this. What they basically do is do the paper work on this. This allows CDB to...to do it much quicker.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 836 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate Bill 836 having received the required constitutional majority is declared passed. Top of page 18. 849, Senator Macdonald. Order of Senate Bills 3rd Reading is Senate Bill 849. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 849.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This is the bill that was on the Agreed Bill List and we took off for one of the lobbyists and now I...I know of no opposition to it. It would simply allow the IEPA to issue administrative orders to the operators of nonhazardous waste...sanitary landfills for any of the eleven listed violations....so, I ask for your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 849 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none. Senate Bill 849 having received the required constitutional majority is declared passed. 868, Senator DeAngelis. On the Order of Senate Bills 3rd Reading is Senate Bill 868. Mr. Secretary, read

the bill, please.

SECRETARY:

Senate Bill 868.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, hold on. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. 870, Senator Bloom. On the Order of Senate Bills 3rd Reading is Senate Bill...870. Mr. Secretary, would...read the bill, please.

SECRETARY:

Senate Bill 870.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. It authorizes the Department of Conservation to make rules necessary for the performance of certain of its statutory duties. Unlike other Acts, the...this Act does not have a general authorization for rule making authority. I'll answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Question is, shall Senate Bill 870 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Ayes are 59, the Nays are none, none voting Present. Senate Bill 870 having...received the required constitutional majority is

declared passed. 873, Senator Schaffer. On the Order of Senate Bills 3rd Reading is Senate Bill 873. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 873.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the Department of Conservation administration bill. It is basically a rewrite of the Boat Registration and Safety Act. Adds provisions regulating skin diving, excludes inner tubes, air mattresses and similar devices from the definition of vessel and watercraft. Does a variety of other small things. The amendment dealt with the reporting of deaths by county coroners to the Department of Conservation from water...boating accidents so they can begin to compile some statistics which evidently are not available. I know of no opposition...appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 873 pass. Those in favor signify...will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 873 having received the required constitutional majority is declared passed. 875, Senator Maitland. On the Order of Senate Bills 3rd Reading is Senate Bill 875. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 875.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senate Bill 875 establishes a new date for milk hauler permits to expire and also the bill permits DMA...DPH to charge reasonable fees for permits to plants receiving and transfer stations and milk haulers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall...Senate Bill 875 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. Senate Bill 875 having received the required constitutional majority is declared passed. 910, Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 911. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 911.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 911 is a very simple bill. All it, in fact, does is to indicate that...that under the Freedom of Information Act, those individuals who have requested copies of accident reports, that there be a fee established so that the municipalities and those individuals involved can get...seek some reimbursement, and it...Amendment No. 1 indicated that there was a...authority

to charge at least five dollars for...under the Vehicle Code for State police traffic accident reports. I know about no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President. Senator, I think I understand what's here. This...this bill now is exactly as it came out of committee with the exception of the one amendment which raised the cost for motor vehicle reports? Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR GEO-KARIS:

Does your bill just limit it to a five dollar fee for anyone who wants to get an accident report on...automobile accident report?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...yes, it does. As a matter of fact, I want to assure everyone that...that that is all that's in this bill. There was an amendment that was offered at the request of the Illinois Press Association that failed on...on the amendment stage here in the Senate and it...it, in fact, does just simply what I've described so far.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 911 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted

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who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 911 having received the constitutional majority is declared passed. Senate Bill 913, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 913.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, this was a bill that was...one of my constituents asked...asked me to put in. It requires that every student upon entering school shall provide a fingerprint identification card which the school shall keep on record. The purpose of this bill is to aid...parents and...and law enforcement officials in locating lost, missing or runaway children and, in fact, it would only indicate that the information could be released only to law enforcement...authorities upon the request of the parents. Now there was some question by Senator Fawell in committee relevant to the individuals who...were required to give this...this...this fingerprint test and I don't have the answer to that question yet, but I hope to clear that up in the House before it comes back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 913 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 1 voting Present. Senate Bill 913 having received the constitutional majority is declared passed. Senate Bill 914, Senator Demuzio. Read the bill, Mr. Secretary.

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SECRETARY:

Senate Bill 914.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. Senate Bill 914 is a...a bill that I put in for the request of the commissioner of banks. It would close a loophole that was recently found to exist in the Illinois Banking Act which has allowed a bank to voluntary dissolve and have its assets and liabilities assumed by a savings and loan. The loophole results from a recent appellate court decision. The Illinois Banking Act defines a bank as a person who...who is doing business...who's doing a banking business. The term "State bank" and "national bank" are specifically defined to exclude any other type of financial institution. The appellate court held that the term bank as generically used in the voluntary dissolution section could include a savings and loan since a savings and loan is a corporation which does a...a banking business. Senate Bill 914 amends the Voluntary Dissolution Act to make reference to a bank specific and by adding the word "State" or "national." It is at the request of the commissioner of banks. And I don't know of any opposition, Roger.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR KEATS:

I understand the bill, I understand the amendment and I

knew it was a vehicle bill to begin with which is why we voted No in committee. Let me just...a little question. What it's doing is not unreasonable, although I...I disagree with the limitations, but because of what it still amends, it amends some rather interesting sections. Can we get some promise that this won't turn into something else if we see it again?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, the answer is no, but the...but to realistically answer your question, I'm not giving you any guarantees, but I don't intend for it to be anything other than what you see before you today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Zito. Senator Keats.

SENATOR KEATS:

Yeah, I...I was just finishing. I...I appreciate that...that is our concern that...that it may appear differently slightly later, but let me throw in one philosophic point. We are saying...to a...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Do we have time for that, Senator?

SENATOR KEATS:

...yes. To a financial institution that is in significant trouble, we are saying to them, we are...distinctly limiting their options. For a big bank...when Continental Bank got in trouble, we expanded their options. What we're saying now for a small financial institution if they get in trouble, we are limiting their options right now, saying, strictly a bank, where I would say for a small institution, let them look at a savings and loan, let them look at the credit union, let them look at other options. We did it for

Continental, maybe we should do it for little guys too.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, for that piece of information. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Senator DeAngelis was...asked me to ask this question if...if the sponsor had surveyed his banks on this...on this piece of legislation. I'm not real sure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He did poll all the banks and the Italian constituency. Senator Demuzio.

SENATOR DEMUZIO:

No, but I'm going to poll all the Italians on this one...let me respond to Senate Keats very briefly. Senator, I...it's my understanding...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator,...if there's no...no further discussion, Senator Demuzio may close.

SENATOR DEMUZIO:

Well, let...let me respond to Senator Keats very briefly and say that this is a...a voluntary measure because the commissioner of banks does not have the authority now to enter into that kind of...of a...of a...of a merger. So, it's only for the commissioner of banks and Bill Harris will love you. Vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 914 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 2 voting Present. Senate Bill 914 having received the constitutional majority is declared passed. Senate Bill 915, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

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Senate Bill 915.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Last year we disallowed any of the Illinois Farm Development Authority members from receiving any at all...any compensation whatsoever including expenses, I am told. This provision will allow, and it does strictly what I am about to say, is provides for a hundred dollars a day compensation when the board is in session and it...it will restrict the board to no...to no more than fifteen days per year. I don't know of any opposition. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 915 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 915 having received the constitutional majority is declared passed. Senate Bill 931, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

I'll call this one only if I can get the same roll call I got on this last one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, you can't.

SENATOR DEMUZIO:

I can't do that? Well, just...let's just skip this one and the next one then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 938, Senator Dawson. Senate Bill 949, Senator Karpiel. Read the bill, Mr. Secretary.

END OF REEL

REEL #8

SECRETARY:

Senate Bill 949.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yeah, thank you, Mr. President. Senate Bill 949 as unamended amends the...Workers' Compensation Act and what it does actually it relates serious...it gives...a definition of serious disfigurement to this Act, and it relates serious disfigurement to an employee's ability to return to work for purposes of workers' compensation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question...Senator Collins.

SENATOR COLLINS:

Yes. Senator, 949 is the bill that set forth the standards...you deleted everything after the enacting clause, so I'm wondering what is left to the bill now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Senator Collins, we...we did not adopt the amendments. So the bill is still in this form.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. The amendment lost. Is there further discussion? If not, the question is, shall Senate Bill 949 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all

voted who wish?...take the record. On that question, the Ayes are 30, the Nays are 24, 1 voting Present. Senator, will you relax. The bill having received the majority vote is declared passed. A verification has been requested. Will all the Senators be in their seats and will the Secretary please call the affirmative roll?

SECRETARY:

The following voted in the affirmative: Bloom. Chew. Coffey. Davidson. DeAngelis. Degnan. Donahue. Dudycz. Dunn. Etheredge. Fawell. Geo-Karis. Hudson. Jones. Jeremiah Joyce. Karpiel. Keats. Kustra. Lechowicz. Macdonald. Mahar. Nedza. Rigney. Savickas. Schaffer. Schuneman. Sommer. Topinka. Watson. Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion?...I mean, is there a question of any affirmative vote? Senator...Collins. Senator Jones, Mr. Secretary.

SENATOR COLLINS:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew. Is Senator Chew on the Floor? Senator Chew. Strike his name. Senator Jones on the Floor? Strike his name.

SENATOR COLLINS:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz. Senator Lechowicz on the Floor? Strike his name. Senator Jones is on the Floor, return his name to the...

SENATOR COLLINS:

...Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Jeremiah Joyce on the Floor? Strike his name.

SENATOR COLLINS:

Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan on the Floor? Strike his name.

SENATOR COLLINS:

That's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz has...is on the Floor, restore his name. Mr. Secretary, do we have a count? Yeah. On the verified roll call, the Ayes are 27, the Nays are 24, 1 voting Present. Senate Bill 949 having failed to receive a majority...constitutional majority is declared lost. For what purpose Senator Pate arise?

SENATOR PHILIP:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which this bill lost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip has moved to reconsider the vote by which 749 failed, having voted on the prevailing side. Senator Berman moves that motion lie on the Table. Those in favor indicate by saying Aye. Those...a roll call has been requested. On the motion to lie on the Table, all those in favor of having the motion to reconsider the vote by which Senate Bill 949 failed lie on the Table would vote Aye. Those opposed to it will vote Nay. The voting is open. That...have all voted who wish? That motion to lie on the Table...take the record, Mr. Secretary. On that question, the Ayes are 27, the Nays are 30, none voting Present. The motion to lie on the Table fails. Now the motion...before us to reconsider the vote by which Senate Bill 949 failed. On the reconsideration of the vote, Senator Philip moves to reconsider the vote by which 949 has failed. Those in favor will indicate by voting Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

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28, the Nays are 27, 1 voting Present. That motion carries. Now before us is...is the vote. The question is, shall Senate Bill 949 pass. Those in favor of Senate Bill 949 passing will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 30, 1...none voting Present. Senate Bill 949 having failed to receive a majority vote is declared lost. Senate Bill 957, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 957.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 957 precludes the charging of a fee for...when a check is dishonored for insufficient funds or because the account has been closed against anyone in the chain other than the drawer. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall...Senate Bill...Senator Fawell.

SENATOR FAWELL:

...I'm sorry. Could you explain this...a little bit more to me. I mean, the Illinois retail merchants support it and the bankers oppose it, and I don't know which way to go. So just tell me what...what the bill really does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, you get a hold of...you get a hold of Senator

Demuzio and you take a poll and when you get the poll results back...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Well, Senator Fawell.

SENATOR FAWELL:

What does it do? I am serious. What does it do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Present law permits the bank to assess a charge or a fee against the person who presents the check to them in the...in the chain. That is why the...that is why the retailers want the law changed. They would like the charge to be assessed only against the person who draws the check, the drawer, the person who issues the check to the retailer. We're only talking about a fee, we're not talking about any other liabilities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think this bill is the height of hypocrisy. This bill is presented by the Illinois retail merchants who want to pass this bill because they don't want a fee charged when they put through a bad check. About a week ago, if you remember the E.F. Hutton story, they passed a bill that will throw you in jail if you pass a bad check.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I was prepared to do something with this, but I...I...I don't have my poll in front of me. I...confused.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've got an Italian sitting there. Senator Keats.

SENATOR KEATS:

I...I hate to...interfere with a serious explanation, but it's a plain and...simple case of two business groups who are kind of mad, if the retail merchants...if the guy doesn't check it...the guy who wrote him a check well and he deposits it, right now the bank charges him. The retail merchants say, even if I didn't check the check closely, I don't want to be held responsible. The bankers say, if the check we got that we tried to cash that had insufficient funds, unless that guy banks at their bank, they can't charge him a fee unless they want to go to court, hire lawyers and try and sue the guy over a fourteen dollar check or something. So what this says is, if the retail merchant guy does not carefully check who he is accepting a check from, he can accept any check he wants, any check, deposit it, and even if it's a bad check, he can't be charged and so the bank...could be stuck with whatever size check, can't charge anybody and there's really no remedy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, let's..forget about E.F. Hutton, I told you I don't even know him. The point is that the fellow who draws up the check and...gives a bum check, he should be the one penalized and that's what the essence of the bill is, not someone who...accepts a check and finds out later it bounces. I'm...speak in favor of the bill because we shouldn't penalize an innocent person who gets a check from somebody who doesn't pay his bills and therefore owes money on the check.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Watson.

SENATOR WATSON:

Yeah, question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WATSON:

That's exactly what it does, isn't it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Keats doesn't understand the bill, which is not surprising, or maybe he does understand it and is trying to...to deceive us. If Keats writes a...writes a check to you and you bring the check to me and the check...and there's no funds in Keats' account, you are still liable to me with respect to the warranty that you make; i.e., the warranty that you make that the...that the endorsement is good, that it will be presented upon...it'll be honored upon presentment, that there are no forgeries, all of those that are...that know...those normal warranties that you...that carry with the endorsement in...in the chain. What we're talking about here is the charge. So that I don't...I...I can't say, okay, I will charge you the ten dollar, fifteen dollar, twenty dollar, I'll charge you that charge. The charge is against Keats. That's all we're talking about here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, this is a good bill, ought to be passed, Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR SCHUNEMAN:

I haven't read your bill, Senator, but if I take Roger Keats' check and I take it to my bank in Prophetstown, they send it to Roger's bank in Chicago and that bank doesn't pay the...the check because he doesn't have any money, they send the check back to my bank, my bank imposes a fee upon me because they've had to handle my business several times. Is that the sort of thing you're...you're outlawing here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Joyce.

SENATOR JEREMIAH JOYCE:

The..the charge can be charged against Keats. You go back to the drawer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Schuneman...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not sure how anybody including the bank can...can collect the fee against Keats when he doesn't have any money. That's part of the problem here and...and I'm not...although my sympathy is not for people who write bad checks, I'm not sure we're doing the right thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, Senator Berman, I'm going to make sure all those delicatessen owners in your district are aware of your...of your position here today. We are talking...we are talking about a...about a situation where who is best able to bear the cost, and we're talking about the difference between the small merchants and the big banks and the original wrongdoer, the person who issues the instrument without having sufficient funds to honor it upon presentment. I ask for your support. I ask for an Aye vote on Senate Bill 957.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 957 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, 1 voting Present. Senate Bill 957 having received the constitutional majority is declared passed. Senate Bill 974, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...Senate Bill 974.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the General Assembly Article of the Pension Code. It allows members to transfer credit into the...system for thirty days, from 1-1-86 to 2-1-86, allows a member who became a member after 1-1-73 to elect to transfer credit for...from another system. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

As I understand this bill, Mr. President and members of the Senate, what we seek to do here is to provide coverage for...under the pension plan and pensions for any member who serves in the General Assembly for...at least six years. Our present system provides coverage in the event you serve for eight years. So we ought to be aware of what we're doing here. We are in fact liberalizing the pensions of the members of the General Assembly by at least two years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 974 pass. Those in favor will vote Aye. Those

opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, 2 voting Present. Senate Bill 974 having received the constitutional majority is declared passed. Senate Bill 978, Senator Joyce. Senate Bill 986, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 986.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 986 provides for formalities in the execution of lists and specifies which of two conflicting lists shall govern. If somebody wants to give away personal property and it's not in their will, let's say they want to give away furniture or other things, it provides that they can execute a list, that it's attested to and that the last list which has been drafted will prevail. I know of no opposition to the bill and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR GEO-KARIS:

Under your bill, are you providing for any witnesses to the last...would you...just clarify that, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

The list has to be...attested to just as a will.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

...how does this differ from a codicil?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

It...it is very similar to a codicil, but it's...but it...it's not the same as a codicil but is...it is different because it doesn't have to refer to everything in the will. It...there's no...right...there is no reaffirmation of everything that's in the will. It's just a separate list and can just list furniture, personal...personal property, that's all, different than a codicil. A lot people do that and this would clarify that those things are legal and which one prevails.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 986 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 986...56, that machine moves quickly. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 986 having received the constitutional majority is declared passed. Senate Bill 988, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amends the Environmental Protection Act to allow the burning of leaves in Kane, Will, Madison, St. Clair, Peoria and Winnebago Counties. What we're doing is changing the population limitations from two hundred thousand to four hundred thousand as far as those particular counties that would be affected by the leaf burning...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

The question of the sponsor...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WELCH:

...is this says landscape waste not leaves. What...are you...do you have a definition of landscape waste? Does that include if I landscape my yard, I get to burn all the bags and all of the leaves and McDonald's wrappers I find in the yard?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

It is defined in the Environmental Protection Act, we have it here...landscape waste is defined.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well,...I don't understand why we're letting six counties all of a sudden burn refuse or waste out in the open. It seems to me that what we are doing is creating a special category of counties which are allowed to violate clean air standards. It's kind of like the dirty half dozen you're

setting up here, six individual counties allowed to circumvent Federal law and I don't think it's a very good idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. You know, it's very strange that with this pollution deal that it started out in...in Cook...up in Chicago, and then we have no pollution whatsoever till you come three hundred miles downstate and run into St. Clair and Madison County. And then now, Senator Watson puts one on where you can do it by the...your zip codes. If you're on one side of the street, you don't...you don't pollute; if you're on the other side of the street, you do pollute. But so now it's...you might say you're just putting in one place so we're going to be burning leaves...you say we're polluting, so I can't see anything wrong with this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 988 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all...would you change my vote there, I'm with the environmentalists. Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 13, 3 voting Present. Senate Bill 988 having received the constitutional majority is declared passed. Senate Bill 989, Senator Kelly. Senate Bill 997, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 997.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 997 creates a new category of absentee ballot. It is a temporary absentee ballot for students. It...it is based primarily as the current absentee ballot for the handicapped with the exception this is a two-year period rather than a five. It has adequate safeguards to ensure that the student does not vote where they are temporary residing due to the submission of...of the absentee requests to the local jurisdiction, and I know of no opposition to this bill and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Originally, we were very much...on this side of the aisle very much opposed to this bill, but Senator Collins has indeed amended this bill so that it is now...has a lot of precautions in it, and it also has safeguards which make it a very much better bill and we can now support this piece of legislation. So we urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 997 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1...none voting Present. Senate Bill 997 having received the constitutional majority is declared passed. Senate Bill 998, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I'll take the same roll call. This is a very simple bill. It simply prohibits a physician from recommending...who recommends...who writes a prescription and then recommend that prescription to any pharmacy of which that physician may have a interest in. This bill is designed to help to minimize the problem of illegal drug trafficking on the streets through the use of...of legal means by writing a prescription. I know of no opposition to the bill and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yeah...this is the first time I've seen this, I can't believe it. Would you explain this again...in other words, if a...if a doctor...you go into a doctor's office, you're telling that doctor that he can't write a prescription and refer you to a drug store in which that doctor has any kind of ownership? Well, pharmacists will love this, but a doctor...doctors aren't going to like it. I...I can't...any way, if there's no opposition, fine, let her go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 998 pass. Those in favor will vote...those opposed...vote Nay. The voting is open. Have all voted who wish? All voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 11, 7 voting Present. Senate Bill 998 having received the constitutional majority is declared passed. Senate Bill 1000, Senator Collins. Read the bill, Mr. Secretary...Senate Bill...1004, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1004.

SB 1005 3rd Reading

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1004 provides that it will be a misdemeanor for anyone to intentionally interfere with the...an investigator of the state's attorney's office or the Attorney General's Office in the course of their investigation of the Nursing Home Reform Act. I know of no opposition. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1004 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 1004 having received the constitutional majority is declared passed. Senate Bill 1005, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1005.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1005 provides that the Attorney General's Office may expend funds for the purchase of evidence in the investigation of other violations other than the violations of the Consumer Fraud Act and the antitrust law which they are presently...under present law they are permitted to do. It'll

permit them to expend monies for...the evidence in cases involving environmental protection cases and...other significant activities that the Attorney General may wish to be involved with and...under which present law he is so authorized to be involved in. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1005 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, none voting Present. Senate Bill 1005 having received the constitutional majority is declared passed. Senate Bill 1008, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1008.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1008 makes it a misdemeanor for anyone to intentionally interfere or prevent the investigation of an...a attorney....Attorney General investigator or an EPA investigator investigating the State Environmental Protection Act. I know of no opposition. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1008 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 1008 having received the constitutional

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majority is declared passed. Senate Bill 1009, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1009.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1009 allows the Commerce Commission to establish...to allow the different utilities to establish rates for economic development. The Central Illinois Public Service utility in my area has this ability right now. They are not rates that are charged in the rate base, these are...this is above and beyond. As a ratepayer in CIPS, I don't pay for this, I don't subsidize it. It just gives them the opportunity to give some of existing business if they expand as well as new businesses coming into the area to benefit from this break. I do have statistics here and if you want...it has been...established about a hundred and thirty jobs have been created because of this break, and all I'm asking is that we give this ability for the rest of the utilities in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Welch.

SENATOR WELCH:

Yeah, well, it...it seems to me that this is kind of a curious bill, because the last week we've been pounded down here by the utilities about how they're going to lose investment income, they're going to have a reduction in the amount of money they earn because the Utility Reform Act is going to be changed and they're not going to have the earnings that they did before. Now you're saying, you want a utility to be

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able to reduce rates, reduce the amount of charges that they can put on an existing business but, yet, you're not going to raise any other consumer's rates. Now if that isn't going to reduce the rate of return for each utility but, of course, they're not here complaining about this one at all. It's quite...thing seems to me the shoe is on the other foot here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, Senator Donahue may close.

SENATOR DONAHUE:

Well, I just say, Senator Welch, that in the...in...you're trying to limit the excess and cap that, and through that excess they're...they're able to use that to benefit their regions in economic development. And that is what has allowed them to do this and the ratepayers in that area benefit from it. I would move for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1009 pass. Those in favor will vote Aye. Those opposed vote No. The...voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 voting Present. Senate Bill 1009 having received the required constitutional majority is declared passed. 1010, Senator Carroll...Mr. Secretary, Senate bills 3rd reading, Senate Bill 1010. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1010.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me say that Senate Bill 1010 is similar to a bill that had been debated earlier today, Senator Lemke's Senate Bill 500, although there are some significant differences...and if the board could reflect the proper number, Eddie, thank you. This is the result of a multi-year study and working with Doctor Mike Bakalis who used to be, as you know, the Superintendent of Public Instruction and meeting with various community groups throughout Chicago. What we found is probably the most critical problem in Chicago with our school system is the lack of involvement and the lack of a feeling, and a very real feeling that if you attempt to get involved you're going nowhere. There is no parental involvement because of the bureaucracy that has been created over decades of building. This is not aimed at any particular administration of the school system or anything else. It is not the product of any particular superintendent or board. It is a product of the size of the system, and in surveying the nation as to those systems that worked and those that did not and then tailoring it to the needs of a city like Chicago, we have developed a program that is designed in Senate Bill 1010. Basically what this says is, take each of the now existing school districts, allowing for a fluctuation later in membership by a board we once created and hereby recreate that is appointed by the legislative leaders with an appointment of the mayor and an appointment of the Governor to change those boundaries to reflect equal population in each of these twenty districts. Each of these now twenty-three thousand students would then be within an autonomous school district that would have total local control and thereby, we believe, total local involvement; they would set their own curriculums, they would do their own hiring and firings, they would...communities would choose by election their own boards. Each of those twenty would...select a

chairman, those twenty chairmen would serve on a citywide panel with a twenty-first who would be its chair appointed by the Mayor of the City of Chicago. The funding would come into that citywide panel. The tax base would be citywide, because in a city of...like Chicago that is the only way that can be fairly dealt with. It would however be distributed to each of the districts on an average daily enrollment basis, on a membership basis, to be then budgeted by local scrutiny and local control by the local board. The Title One desegregation funds would be spent by the citywide board, as under the Federal law, I believe, they should and it is the most economical and sensible way to do; things like the magnet schools would continue under a citywide board mechanism. Handicapped education, those types of special educations that a twenty-three thousand member school district may not need individually would be handled on a citywide basis through the monies held on a citywide board to be spent in the most logical and economical way. And anything else that the twenty local board chairmen could agree would be better spent, cheaper spent or more productive on a citywide basis could be so done. All the rest of the real decisions would be where they should be in a neighborhood school system. If we want to do something to educate the children of Illinois and most particularly the four hundred and fifty thousand who reside in my city, my children included, we will not accomplish anything if we do not get community involvement, parental involvement, and we cannot until we can get the district down to a size where a parent like in any other district of this State can have a say. Do you realize in Chicago today the schools can never open at night unless the park district rents them and rents it out? So that if you wanted to have a school council meeting, you can't go to the school, you got to go to the park district and rent a room. If they happen to rent a school because it has a pool, they'll rent you a

room to hold your PTA meeting. How can a parent know what's going on in a school if they can't get in there because maybe they're working till after three o'clock in a given day and the school is locked and sealed? How can you ever expect a parent to be involved in the education of their child if we don't allow the system to encourage that involvement? You bring it down to a local level, that won't be tolerated, you'll get involvement, you'll get control. Today in Chicago when they want that, they call it an academy. What we all used to have when we went to school has to be given a fancy name to make it work. That is totally illogical. If we want to solve the crisis in education, we from Chicago must begin at home, and we must begin in the neighborhoods. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, we have at least six speakers. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President...would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR NEWHOUSE:

Senator, you said that...you used a phrase "we" in...in talking about how this was put together. Would you define the "we," please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Newhouse, initially, I had meetings with Mike Bakalis and other members of the General Assembly, you were invited to some of those, you attended one or two, as I recall, where we discussed the problem and the potential solution. And as I remember it, you were up in my office one

day when we had a full meeting, when we flew Doctor Bakalis down to go through the detail and see if there were any problems. In addition to that, we invited every known community group in Chicago to participate. Some did, some chose not to. We had several meetings at the State of Illinois Center on the sixteenth floor where some community groups, including from your neighborhood, and I...I'm sorry, I didn't bring all the lists of those invited and attending, were there and were supportive; and in those cases, including, I might say, some who say, you know I don't like an elected board, but if we're going to have one, this is the way to go. We had Hispanic groups say that, we had other Hispanic groups who said, we like this even with an elected board. We had black community groups come in and say, if you're going to go to elected, this is the only way that makes sense. We had black groups come in and say, and some from the Hyde Park area, if you're going to go to reform, go this way, we would even support elected. We met with the Urban League, we met with all, listened to their arguments and try to accommodate the need other than those who said, don't elect ever, and that this doesn't do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Has...has this plan been presented to the mayor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I have no personal knowledge as to whether it was or wasn't. I invited you to about four months ago and I invited Carol Mosely Braun to do likewise. I have no idea whether either one of you did. I have not discussed it with him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

That's...though you did not present it to the mayor...you did not...you got no reaction from the mayor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

None whatsoever, I had discussed it at one time with his staff, they did not get back to me, and as I said, I asked Carol Mosely Braun back in November and then I believe we gave you some information on it also, and I...you know, again, I'm not faulting anyone, all I'm saying is that we gave out the information, and the few meetings I've had with the mayor of late, and they've been few but there have been some, he did not mention it either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you...thank you, very much for the response to the questions. I'll tell you what, Senator, I kind of like this plan and ten, twelve years ago, I would have been enthusiastically in support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...

SENATOR NEWHOUSE:

I'm sorry you didn't think of it then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR NEWHOUSE:

...just a bad plan, Mr...Mr. President. I think we ought to at least give the administration some chance to react to this plan. I would urge a No vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Five years ago when I had the opportunity to co-chair the investigation of the Chicago Board of Education, I did write a...not a dissenting letter but a letter at the end indicating some views that I held that perhaps those who participated did not hold. And one of the questions I opposed was, is the Chicago Board of Education unmanageable and has it lost its community support. I still feel that answer is yes; however, Senator Carroll, this does not do the job. It does not do a job because it does not take into consideration the things that are necessary to make each one of these districts separate. What you've got is twenty districts operating under one umbrella; yes, you will have more community input, more community participation, more elected officials and, hopefully, more involvement. But the fact is, it doesn't address the issues of educating the children; let me point out, and I have to do it first with a question. Is your distribution system exclusively based on average daily attendance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, when you opened your comments, you said it was. Please correct me if I'm incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

You're incorrect. I said average daily enrollment or membership.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Okay, average daily enrollment. It's based on average daily enrollment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You're on.

SENATOR DeANGELIS:

Okay. That is not the way...and...and by the way, you're going to be getting the money from the State to this area and then you're going to redivvy it up, but you're not going to redivvy it up on the same way that you got it from the State. Correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I'm going to have to give you a little bit longer answer, Aldo, than the other one. Yes, the answer is correct and there's a reason. As you know, for years Chicago has felt the formula should have been enrollment or membership and not attendance, and we say the pool comes in from two basic sources, really three, Federal dollars, the tax base and then the School Aid Formula. School Aid Formula as it currently exists would come in on a...on an attendance basis, city panel, but it would be distributed out on a membership basis to the twenty independent local districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me point out to you that the formula not only is average daily attendance, it's total weighted average daily attendance. Senator Carroll, the manner in which you get your money is not just average daily attendance, it's total weighted average daily attendance. Now, the weighting factors take into consideration several things; for instance,

you being a unit district have a certain rate, but everybody knows that the reason that that combined rate was less because the cost of an elementary student is less than a secondary student. What happens with the school district that ends up with a lot more elementary kids and less secondary versus one that has more secondary versus less elementary, if you're only going to go by average daily enrollment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I can get you an answer for that, I don't have one at hand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis, I hesitate to caution, your time is...

SENATOR DeANGELIS:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

All right. But there are several other factors that go into that weighting. If you take a complicated process that follows money to an area and try to redistribute it on a very simplistic basis, somebody is going to get the short end of the stick.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President, members of the Senate. I must say that this bill is...is most certainly a...a giant step in terms better than Senate Bill 500 that...that we...you passed out of here sometime earlier today. But I don't think that an elected school board in the City of Chicago, particularly at this time, is going to solve our

problems. I think what...what this General Assembly ought to be about is looking at the reforms that have been introduced in this General Assembly by the various task force and...and various groups who have been working on that reform over the past year, and then we ought to take a serious look at a funded...adequately funding education. I think the people in Chicago are...are...are frustrated enough without us pretending to have...come out and pass...laws down here that's going to give them somehow a very simplistic solution to a very complicated problem in the City of Chicago as it relates to education. The education problem in...in the City of Chicago has a lot to do with housing condition, it has a lot to do with economic conditions, it has a lot to do with a lot of other things...in addition to...I have to say the administration of the Chicago Board of Education. Several years ago when...when the mayor of City of Chicago was a Senator here, he and I both felt and...and many of us felt that by throwing out the existing school board at that time that somehow we would improve upon the financial...and administrative structure of the...of the Board of Education in the City of Chicago. And, as most of you know, that that action didn't have very much impact, and I'm afraid that if we go toward elected school board...now, that that's not going even have as much impact. So I would suggest that we do our duties down here and provide the necessary reforms and the necessary dollars for the board of education and leave the administration up to the local school boards, and I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Chicago's Republican Caucus rises in support of this legislation and commends Senator Carroll for his efforts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members. Well,...when...when the...idea of elected school board first came out, reluctantly, I said to many people, anybody who thinks that we're going to improve the quality of education just because we have an elected school board is dreaming, because merely changing an appointed board to an elected board isn't going to mean one hill of beans to the quality of education which is what we're all about here. However, I think each one of us as we travel around campaigning and go to meetings in our district, we constantly hear from parents and...and people in the community that they would like to have more input into the educational process. They would like to have more input in a lot of things. They have suggestions, they have complaints, but they're frustrated because they have nowhere to vent those complaints and no way to get input on those suggestions. This bill gives them that input. This bill brings everything down to the local area, to the local communities, and that's really what this is all about and I think that's the most important facet of the bill. Each of the districts would have a seven-member elected board of education, each district, each of the twenty districts, a seven-member elected board of education. So if they have problems or they have complaints or they have suggestions, they know where to go as opposed to the large bureaucracy downtown that everybody knows hasn't worked and isn't going to work. And, again, I would say that merely changing that form to...to an elected form isn't going to do anything, but I think decentralization may be a step in the right direction; and if we know the other system hasn't worked, and it hasn't, what's the downside risk at trying this? And I think when we've had education bills before us

for so long, we ought to take a look and say, what's the downside risk? There is no downside risk to trying this. We're going to give it to the locals, we're going to give them more input, and I think it can only be a step in the right direction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Further discussion? I noticed that all the members have had adhered to the...to the timer. Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'll...I'll try to make this very brief, but...I have gone down to the Pilsen area, I have gone down to other areas in Chicago, frankly, uninvited and not on committees, just...just trying to hear what in the world the community was...was all about, and over and over again, I had people in the communities coming to me and saying that they wished they could have this input that they...that...naturally there's no way that they can be interested in the schools because every time they come up with a suggestion for their schools, they cannot get anyone to listen to them. I think Senator Marovitz was right on target and I think this is an excellent bill, and I would strongly suggest that my colleagues on my side of the aisle vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Carroll, will the districts be...that you're...that's proposed this legislation, will they be similar to the current district in the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Jones, it would start off as identical to the twenty that existed the day we turned it in, and we have recreated that Boundary Council to adjust it based on population changes that may occur from time to time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Senator Carroll, could you currently tell me...can you tell me what is the current student population of the districts that we currently have...the student population...of some of the districts that we have?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It is my understanding from Doctor Bakalis' study that it is approximately twenty-three thousand students in each of these twenty districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, for you and for Doctor Bakalis who lives somewhere out...in one of the counties downstate, the figure fluctuate from district to district. You have some districts wherein you only have maybe eight or nine students in...eight or nine thousand students, you may have some district where as high as forty-five thousand students. Now I was following the questions of Senator DeAngelis when the...when the impact aid come to the schools, such as the impact aid for Chapter One, the impact aid as it relates to...to high schools, how are you going to distribute those funds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Two things...and let me answer Senator DeAngelis' at the same time. Senator...DeAngelis, I'll refer you to page 27, that is, in fact, covered. The appropriation formula on general aid will have to be set by the twenty-person council. The criteria will be on a membership basis but the other weighting factors will be added thereto. The Title One funds will be handled by the central board under its formula, the impaction aid is under that Federal formula and will be handled as it currently is, distributed in that same manner. Let me correct something else, the boundaries by this new council shall be created so as to ensure an equal number of students in each district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones. Senator Jones, I would...indicate...

SENATOR JONES:

...thank you...now in addressing the bill, and I understand that the sponsor indicated that Doctor Bakalis...this is Doctor Bakalis' brain child but it is not Doctor Bakalis' brain child. This bill originally surfaced a few years ago from a fellow by the of Phil Crone and he gave this bill to some members of the Legislature from the northwest and southwest side for...to let them have the bill so that they in turn could give that...pretend to give their constituents something as it relate to the schools. It was designed more or less to get away from...desegregation of the Chicago school system. Now this is where the bill originally came from, not Doctor Bakalis, 'cause I think he's a very honorable individual. But as it relates to the monies and representation for the children in Chicago public school system, what you will be doing here is simply this, you will be giving a minority fraction of the people in the City of Chicago who will represent about twenty percent of the stu-

dents complete control of all the monies that's going to impact over eighty percent of the students. And this is what this...the bill is designed to do because there...in most of the districts, the average...the average student enrollment in those districts are so low you're going to have some districts as high as fifty thousand students, other as down as far as only eight, nine thousand, maybe fifteen thousand students, but yet and still, those with the fewest number of students will have more power and determine where all the money goes as it relate to aid and to improve the quality in education. So I...urge you, as you have been urged, Senator Howard Carroll, to Table this bill if you're really wise, but in the best interest of the children in the public schools in the City of Chicago, this bill should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. Just briefly, if we were to follow history and courtesies, a hundred years, the...the sponsor of this bill would never have promoted it this far without having checked personally with the chief executive of Chicago. We talk about all the things that South Africa is not, if we would try to squeeze our energies toward some of our seatmates, maybe we could attempt to straighten out things at home rather than to spread it abroad. I would suggest that the sponsor take this proposition to the Mayor of the City of Chicago and let he and his staff sit down and get a decision as to what's best for Chicago. Because on the previous mayors, this sponsor would not, would not have attempted to pursue this subject as far as it has gotten now. He's my friend but he has not shown the courtesies in this instance as he has in past instances, and whether you like the mayor or not is not the...the question. The question is, let us respect his office as the chief executive of Chicago

insomuch as he does have the responsibility of the schools in Chicago, and I would urge you to take this bill out of the record and do as a man of your caliber is capable of doing and that is not to close the barn after the horse is out. I'm not ashamed of you, I'm just surprised.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

You know, I...I sat here and...look about proposals. I've been on this issue, I think going back to the days of Richard J. Daley in our area, for redistricting and I've gone through every mayor, I have tooken the abuse from Mayor Byrne. I...I was originally the one that set up the study commission to pass...to look into this situation. I was on that commission. We went into the near westside of Chicago, we went into the southside of Chicago with...with Representative Huff, and we heard the words of the minority people, we heard the...words of the majority people, we heard the words of the taxpayers and the people that have students; and since when do districts just rely on the basis of students having concern, what about the people that live in the community that day in and day...pay taxes? Don't they have a voice to decide how that school board raises their tax levy and don't they have a voice to say how that money should be spent? Or are they are just there to tax and tax to death? This bill gives the taxpayer as well as the parent the right to elect their representatives in their local boards. And it gives those elected representatives a right to elect an official to go down into the fact...into the finance authorities centrally. That's what it does. It puts the power of schools in the hands once more of the parents that used to run the schools. And, Senator Jones, the chief executive saw my bill and they have saw the proposals because I know certain aldermen and certain people that gave him the bill to

look at. Okay? He's had the opportunity...the city has had the opportunity to express their desires one way or the other like they do on every other bill, and the mayor of this...of my City of Chicago has not expressed a way one way or the other, he has stayed out of the picture...he has stayed out of the picture and not has taken a side one way or the other. And this is not good leadership, this is not what it should be, the leadership on this matter should be directed by elected officials, if they represent the people they...they were voted in by. And if they're concerned about educating kids, this should be the way to go...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lemke, can you bring your remarks to a close?

SENATOR LEMKE:

...because the people that are going to elect members to these school boards are the parents and the taxpayers that are worried about the education, not those people that are appointed and could care less. The school board in Chicago is like an octopus, I said this before, without a head leading it. That's the kind of...they reach in to every community with the tentacle but have no leadership at the top, and I think this is the way to go and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Why, thank you, Mr. President. Senator Chew may not have understood the answer I gave and let me amplify. I have never not given the courtesy to the office of the mayor, this mayor or any predecessor mayor, in fact, more so to this mayor on this issue than to any bill I've ever carried as a member of the General Assembly. I was elected by my people to serve, not elected by the mayor or any mayor of the City of Chicago, but in this case, I took those two people who are

purported to be his representatives here, the member of the Senate and the member of the House, when I...answered Senator Newhouse and reminded him that I gave him this in January and Representative Carol Mosely Braun in November and said, take it to the mayor. But as Chew and I just reminisced, I gave it to the mayor himself in person in December at a luncheon...sitting next to him and went through it in detail and said, I'd like your reaction. And, of course, the answer was, my staff will get back to you, I've waited, today is the next to the last day for passage. I've waited, that's five months on a bill that they obviously knew about, I gave them the detail before we even drafted it and said what do you think ought to be in it. We gave them the rough drafts in November and said what do you think ought to be it, but that's not the issue. I have kids in the public school system. I was educated in the public school system, I'd like to see them stay there. Why should they if the system doesn't work? My district is lucky. We have a very creative district superintendent. Maybe I shouldn't say that, he might be gone tomorrow because of it, but we have a very creative district superintendent and it was allowed for additional educational opportunities. What happens when he goes? There goes our system, unless we have true local neighborhood involvement. The system doesn't work, that's the bottom line. It is not a political issue, it is an educational issue. Do we want quality education and I think every member on this Floor has said, those who have seen Chicago recognize the system has gotten away from the people and the kids they're educating. Why do we have the problems of dropout? Why do we have the problems of testings? We have them because there is no local involvement, no local curriculum, no local control. I had a person who was an orchestra leader walk into my school and say, I'd like to teach these kids how to play in a band, and they said, we can't hire you, you're

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over seventy. He said, I don't want to get paid, I'll volunteer. Well, I'm sorry, you have to come in after school classes are over; and he said, fine, I'll do that, and they said the building is locked. So we're losing these opportunities that exist because of an illogical system that doesn't happen in the other thousand districts of this State where parents would go in and say, open it up, let's have this orchestra. Let's have this volunteer serve us. This is the way to create an educational opportunity and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1010 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 15, 1 voting Present. Senate Bill 1010 having received the required constitutional amendment...require...having received the required constitutional majority is declared passed. 1013, Senator Welch. 1019, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 1019, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1019.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1019 grew out of a recommendation of the Chicago Coalition for the Homeless. It has been amended as requested in the Senate Executive Committee to meet some objections that were raised there, and the

amendment was indeed worked out with the approval of the Illinois Housing Development Authority. Basically what it does is to authorize the authority to issue bonds in an amount not to exceed one million dollars per year in each of five fiscal years for the purpose of financing single room occupancy facilities for low income individuals or families. The sentence that I think is important in terms of IHDA's approval and the objection raised by some members in Executive is at the end, "Such facilities must be determined by the authority to be financially and operationally feasible and such bonds or note issuances are subject to the normal rating agency and financial market restrictions." What this relates to is the fact that a number of facilities, typically older, residential hotels, that become a major source of housing for particularly elderly people, often single, usually at a low end of the economic order are being destroyed; that is, they are simply...being allowed to go to rack and ruin. They are a major source of housing for these people and as they disappear, it puts pressure on the ability to house this group of people. This at least gives IHDA an opportunity to see whether or not they might not be able to help to keep some of these facilities alive and well so that they will continue to be a source of housing for this part of the population. I would solicit your support of Senate Bill 1019.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, ladies and gentlemen. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Hall.

SENATOR HALL:

Senator Netsch, would you please tell me why the...the

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Illinois Housing Development Authority would oppose a bill like this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

They...they do not oppose it now. They did in its original form, but the amendment was worked out with the association of their legislative representative, and I assume they have no objection to it now because it was done with their approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I certainly want to commend you. You know, that...it's these people that sit around and decide what's best for others when they have...aren't...confronted with these things. This is a very good bill and I'd ask for a favorable vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch may close...the question is, shall Senate Bill 1019 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate Bill 1019 having received the required constitutional majority is declared passed. 1021, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 1021, Mr. Secretary, read the bill.

SECRETARY:

(Machine cutoff)...Bill 1021.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. I'll take the same roll call on Senate Bill 1021. This is the utility rewrite. As most of you know under our sunset law, the Public Utility Act of Illinois goes out of existence on December 31st of this year. There was created a Joint Committee on Public Utility Regulation which deliberated long and hard and issued a report on which this bill is based. The...I'm...rather than try to deal with all of the particular issues, I'm going to just describe briefly the process by which this took place, because I'm not sure that has really been put on the record to date and then allow any of you to answer questions...or to ask questions about particular provisions if I might. The joint committee consisted of thirteen members, twelve of whom were appointed by the leadership of the two houses and one represented the Governor's Office. It held nine hearings, it invited some seven hundred persons, companies, utilities, everyone under the sun to participate; and at least a hundred and fifty did, in fact, participate over a period of at least seven or eight days of hearings, and after the hearings the committee itself deliberated another five days. The...there were originally thirty-eight topics that were suggested to everyone as major issues to be considered, and optional suggestions were sent out so that those...those who came to testify would have something really to focus on and most of them did indeed focus on that. Of the original thirty-eight topics that were proposed, nine received no recommendation in the joint committee's work and are therefore not represented in the bill. Five led...five additional ones led to explicit recommendations of no change from existing law; and of the remaining twenty-four topics that had been proposed and deliberated on by all concerned, many of them are recommendations for study and for additional action by the commission over

the...years ahead. A large number of the remaining twenty-four also...represented recommended changes in the nature and procedure of the Illinois Commerce Commission, hopefully, bringing about both more accountability and deliberation in its procedures. In other words, of the thirty-four changes which were considered substantive, nineteen of them...are recommendations that were similar to those that were...included in the Governor's Sunset Task Force, fourteen reflected recommendations or suggestions of the Governor, and six are recommendations for studies and eleven again relate to the Commerce Commission itself. What I am trying to point out is that the bill itself as indeed was the report of the joint committee represented compromise. We did not include or address any of the issues that were among those thirty-eight topics unless there was a strong consensus. I am not suggesting uninimity, it does not mean that every member agreed with every one of the recommendations; but, for example, the question of how to deal with the problem of those who cannot afford to pay their utility bills under any circumstances. We recognized we were not going to be able to develop a consensus and so we did not include that in the proposed legislation or in the report. Again, what is reflected here is the result of long hours of deliberation and hearing everyone involved on the part of thirteen persons who represented a very broad spectrum of points of view. Certainly started out that way and I think...ended up in consensus only because we concentrated on those issues on which there was substantial agreement. I recognize that there are still one or two issues that are somewhat controversial in the bill, and I suspect that there may be some additional work that will be done on it before it sees the Governor's Desk on June 30th or July 1 or whatever date. But I would...I would strongly suggest to all of you that even in its present form it is a balanced, sound, progressive

approach to the future of utility regulation in the State of Illinois. It...it mandates the kind of planning an accountability that all of us, I think, believe are the heart of regulatory action. I would strongly commend it to your favorable disposition and will be happy to answer any questions.

END OF REEL

REEL #9

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. 1021 is a fact, it's here. The public perception of 1021 is that it's going to reduce the utility bills and that is not true. The public perception is that 1021 is going to prevent additional increases in utilities, that is not true. 1021 is more of a political bill than it is anything else. This bill can be an absolute...an absolute Statewide political campaign. And it does absolutely nothing, absolutely nothing, for the poor Joe Blow who is inundated with the high cost of utility bills. Well, let me give you a little run-down on the cost. In 1970, a deluxe Chevrolet car dressed up cost twenty-nine hundred dollars. In 1985, that same car cost fifteen thousand dollars. In 1970, a six-room home in the City of Chicago, the average cost of heating, cooking and hot water was thirty-three dollars a month. In 1985, that same home, heating, cooking and heating hot water is only ninety-seven dollars per month. So the utility increases have not kept up with the cost of other items that we consider a necessity. Senate Bill 1021 is not a cure-all for anything. We are regulated today and it is said if 1021 is not passed in

December of '85 that we will no longer be regulated. Well, all hell has broken lose under regulation. Everybody is complaining about the high cost of the utilities and we are regulated. So to say that if we are not regulated that the utility costs would be astronomical, let me tell you something. It was stated the other day by one in authority here that when the Byron Plant comes into being in '86 we're going to be hit with a twenty percent increase, regulated or not. And when the Braidwood Plant comes into being, we're going to be hit with another twenty percent, regulated or not. So when we talk about what 1021 does, I wish it did something. But even the sponsor has not, has not, been able to show me one line in the bill where it will, in fact, reduce utility rates to the consumer. She has not been able to show me, and if it's in the bill she doesn't even know it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Chew, could you please bring your remarks to a close.

SENATOR CHEW:

Now...yeah, this is little more important, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We have...gone beyond...

SENATOR CHEW:

I'm going to abide by the Chair. So I want the people to know...I may end up voting for 1021, I don't know. But I think the record should show that 1021 does not cure any of the ills that we have on utility bills, and it is a shame that we have permitted the average consumer to believe that 1021 is a cure-all. It is not a cure-all. The sponsor knows it, everybody here with common sense knows it, and we should not allow the public to fall in this disbelief of...we have a piece of legislation that is going to cure the whole problems of utility bills. And I want the record to show that 1021 is not a consumer bill, it's a consumer fooler.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you...thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will...she will yield. Senator Kelly.

SENATOR KELLY:

Yes, Senator Netsch, I'd like to ask you, you indicated that you listened very intently, you and the committee, to both sides on the issue. What I'd like to know, did you get a understanding or compromise or is this what you and the members of the committee thought would be a worthy compromise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I'm not sure I heard the first part of your equation. I...I heard you say, did...is this what we thought was a reasonable compromise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Right. What I'd like to know is, you indicated that you did listen...intently to both sides to make a determination. What I'd like to know is, did the both sides participate in the compromise legislation or was this a determination of the members of the committee and yourself feeling that these concepts were the best ones and both sides would more or less abide by? Did they participate in the comprise? Is there any understanding by...by the citizens' group or by the utilities that...that they aren't going to get everything they want but that this is the best available legislation at this time? I know both sides are not happy with it, but did

they participate in it? And are they willing to...is it an understanding, has this been an accepted compromise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I think it's probably fair to say it is not an accepted compromise by either end of the spectrum, if you will. But I think it is also fair to say, Senator Kelly, that both sides had full opportunity to participate. As I indicated, we had, as I recall, at least seven days of hearings, all day long hearings. We had five days of deliberations at which all the participants or as many as chose to sat in. And indeed we even set an extra afternoon so that the chairman of the Commerce Commission and his staff could present another series of points of view that had not been accepted prior to that. So that there was absolute ample opportunity for every conceivable point of view to be presented, and I can assure you that they...they were known, they were discussed and they were taken into consideration. What we did was to try to structure a bill which met a...what we thought were the major objectives of regulatory action over the long-run. And I think one thing that should be pointed out is that although there clearly are a couple of provisions that are still highly controversial and not accepted by either side, the excess capacity provision, for example, the vast bulk of the bill, even the utilities tell me, is clearly good law. That is it...it rewrites the objectives, the accountability section; it makes a planning process that has never been part of our regulatory law before. I think all of those matters are probably well accepted. It is a few points where we had to try to strike what we thought was a reasonable balance and that is what we did on the more controversial provisions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, for a minute, when I listened to Senator Chew, he had me fooled. He sounded like a conservative Republican. I thought about inviting my good friend Charlie over to this side of the aisle. But then, when he gave us all the reasons we should be voting No, he's decided to overcome his good judgment and vote Aye. I might suggest this to you, that we tried to work out some compromise amendments with your leadership. As you know, the other day we presented, I think, some six or seven or eight amendments which, quite frankly, were good compromises. And all of a sudden it became, for some unusual reason, a partisan issue, and we withdrew all but two of those amendments. Now we have Senator Netsch's bill which is allegedly a compromise. If it is, I don't know what a compromise is...because when I look at who opposes this bill, not only the labor unions, the public utilities, the corporations, the users, and Senator Netsch tells me even some of the people in CUB oppose this bill. You know, we tried to work out compromises, I like to think that we're reasonable, we'd love to solve this problem. I would suggest to you that I'm going to vote Present to show you that I'm willing to sit down and talk and work on this problem but I'm not willing to add to the confusion by passing 1021.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Netsch, to show you I have faith in you, I'm going to be voting Yes. I'm so confused and so angry at these utilities'...rates. I'm not going to be like the man who was on his way between Los Angeles and...and San Francisco and as he turned the curve around the mountain he

fell out of the car and he was just hanging on a twig. And as he looked down to sheer death three thousand feet below and he knew and saw that this twig was pulling out of the mountain, so he said, "It's praying time now." He wasn't a man who ever professed much in religion, so he looked up and he says, "If anyone is up there, please answer...my plea," and a big booming voice came out and said, "Do you have faith?" And he looked up and said, "Oh, yes, oh yes, oh yes." This voice came back and said, "Turn lose." He looked back up there and he said, "Is there anyone else up there?" So, now what I'm going to do is to tell you that I have faith in you. I don't know, but whatever you do, you're doing something, and I'll tell you that these people need to be bridled and I'm going to be voting with you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

...thank...thank...thank you, very much, Mr. Chairman, Ladies and Gentlemen of the Senate. I served as a member of the joint committee. A lot of effort went into Senate Bill 1021, as Senator Netsch has indicated. But the bill, ladies and gentlemen, is in terrible shape. It is in terrible shape and something has to be done. I was really shocked the other day when after the amendments failed on the Floor of this Chamber to read the papers the next day and read that in several of the stories the headlines read, "Consumers Win...Consumers Win." Senator Chew, you were absolutely on target. The consumers did not win, the consumers are losing, they're losing every day with this bill if it should pass in this fashion. The major concern for me is the issue of excess capacity. It is a very real issue. It's important that if this bill leaves this Chamber and goes to the House that sometime before June 30th we address that issue. Economic development for the future is a factor here. When we

dealt with this...bill in committee, so many times in our questioning we heard from bankers, bond houses, you name it, that if we were to set these kinds of limits on the public utilities in this State, indeed, the long-term result would be higher utility bills. Without question, some of the companies indicated to us clearly that if that limit was placed on, all they would do, their board of directors and their investors would insist on it, that they would close down those plants that were already in their thirtieth, thirty-second year of life, they'd just simply close them down because they're going to use the nuclear plants. They're going to build those one way or another into the rate base. This bill absolutely, ladies and gentlemen, has to be prospective, it cannot be retrospective, it's in bad shape. Senator Netsch, I, too, as Senator Chew has said, because I believe in the system and I believe we can work out the problems, am going to vote to get this bill to the House. But I mention once again to the Body, and for the sake of the consumers, and I hope the press is listening to this, this is not a consumer bill in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Netsch, why is the Illinois State Bar against this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, I have...that's a very good question. I have asked...raised the same question myself, as a matter of fact,

Senator Geo-Karis. I have seen a memo also indicating that a presentation was made by the chairman of the Commerce Commission to the Utilities Committee of the Illinois State Bar Association which...agreed with his position on some fairly esoteric questions involving judicial review. I...I think they are incorrect, I don't think anyone ever had an opportunity to present another viewpoint to them, and in any event, that is certainly not the heart of regulatory action for the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR NETSCH:

It is only a part of the bill is what I mean.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate. I think I have fought for...consumers' rights on utility bills for a long time and my record will speak for itself. I supported the Citizens' Utility Board; in fact, I sent a hundred dollars to them last year as a contribution when they started out, and I campaigned on it and I believe in it, but I'll tell you right now, this bill is not the bill that is going to help the consumers when the...when it's going to cost the...user, the consumers, about a hundred and seventy-five million dollars if there's a...one percent...increase in the cost of capital. And as Senator Chew said, and I don't always agree with Senator Chew but he put it so eloquently, this bill is a good political bill but it's not going to help the consumers, and,frankly, I'm betwixt and between; if I vote No, I'll look like I'm anticonsumer, if I...you vote Yes, I don't think I'll know what I'm doing. But I can tell you right now, I wish you would...pull this bill out of the record and give it some more time so we can really work on it

and make it feasible. I can tell you very frankly that the widows and orphans who depend on their stock dividends are going to suffer, and I might tell you that I have two thousand pieces of mail from my constituency against this bill and its amendment. So, I can also tell you that I want to see the consumer benefit but if it's going to cost the consumer more money in the long-run by this bill which is touted as being consumer bill, then I think it's a sad, sad day. I think we're abdicating our responsibility to the consumer and the Illinois...what is that, Political Action Council, they can go ahead and tar and feather me all they like, but this is a bad bill, and besides, they didn't get what they wanted in the bill either, so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, could you bring your remarks to a close, please.

SENATOR GEO-KARIS:

I'm bringing them to a close as fast as I can. But I do feel, in all due respect to you, and I do trust you but I think you are wrong in the formation of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would just like to share with you two conversations today that occurred regarding this bill. One was ex-Representative Ed Kornowicz who had called from Saint Turibius senior citizens' meeting about...support 1021, that this bill is going to save them a lot of money, that their...they can't pay all these new rate increases. I said, well, Senator, two of the chief proponents and the chief sponsor of the bill indicated that if this bill passes the rates will still go up, say, November or December. Do your senior citizens know this? He said, no, they don't. I says, well, don't expect the rates to go

down even if this bill passes. Another conversation was from a Mr. Bobby Brown who called my Secretary, he's with the Organization of New City, it's on 740 West Garfield, and if he's an indication of the type of groups that are supporting this legislation through their innuendo and intimidation, he told my secretary in a phone conversation that if I don't vote and support Senate Bill 1021 that he's going to go to the news media and say that I received a ten thousand dollar contribution from Commonwealth Edison. I...I called Commonwealth, but I...I bring this up to show you that the type of organizations...the type of organizations and the type of intimidation that some of these people are trying to use. If this bill is so good, it should stand on its merits. If it is bad, it should be defeated. But if these people, and if the drafters and the promoters of this legislation have fooled these people to the point that they are trying to intimidate you with false statements to pass this bill, that there is some lack of communication and something wrong on the method that...whether if it's CUB or IPAC or whatever organization is pushing this, that there is something wrong with their methods in trying to obtain proper legislation. I think that they should be chastised. I wanted this in the record in case this New City Organization tries to intimidate any more of our people. I know they had a conversation with Senator Chew and I don't know how many others that they were trying to use these scare tactics to...I guess run our legislative process through their own community organizations.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 1021, not because everything that I've heard from the opposition is not true because it

is, with the exception of I think Senator Chew said that this is a good political issue. For me this is a very,very bad political issue but because most of the people back home that I serve have very...high utility bills of which they cannot pay during the winter, and I run a full-time legislative office and...and for most of you this fall who will probably be about your business, your...your second jobs or your businesses, I will be sitting in my office when the utility rates go up trying to answer the questions, why your utility bills went up when we enacted 1021 into law. And that is a very difficult thing to do. One of the problems with this bill is...is not the bill itself, because what we're doing is what we have to do. There...there are times when we have to weigh what we do or not do and then decide what is best to do. I think in this case...the media, if they would say that the consumer won a victory...simply because they won the passage of 1021 which...will, in fact, they will have some regulations of the utility companies or whether or not we did nothing...at all and come December 30th, there will be no regulations at all. And that's the issue I think we have to face. We have to do something. The sponsors of this legislation has indicated that they recognize that there are tremendous problems and...questions unanswered in reference to this bill and that it will go to the House, negotiations will still continue so that we can hopefully make this into a real...a consumer and a reform utility Statute. And that's why I'm voting for the bill, and I wanted the record to show that by no means the passage of this bill will not increase the rates during the fall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. Prior speakers have referred to some portions of this bill as

esoteric things like judicial review. Well, how these issues are structured before the regulatory agency are very important. This bill, as I said when I unsuccessfully offered these...amendments to strengthen this legislation, bristles with good intentions. They grow all over the bill but they're absolutely unworkable in their present form. Senator Collins, the fastest growing part of our ratepayers' bills is their taxes that are computed on those monthly bills. Take a look at them sometime. This is not the only legislation dealing with this issue but it's a start. Senator Chew, your why are days come back now and then and you say some excellent things. I'm sorry Senator Geo-Karis mentioned the opposition of the State Bar Association, Senator Philip's finger crept towards the green switch. But by and large, this isn't the last time we're going to see this thing, and as long as everybody in this Chamber, and I think the debate is adequately developed, understands that this 1021 is not going to cause any ratepayers' bills to go down and that it is good intentions poorly executed, then perhaps later on in the process this bill or other bills will be before us in more workable forms. I will probably vote to get it out of the Chamber, but believe me, this...this bill is in no shape to become a part of the Statutes right now. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I have a question of the sponsor. Senator Netsch, would...would you explain what happens...what...what is done in this bill to the chairman of the commission and is there an executive director created...would you explain what happens to the chairman? Is there a change in that position?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, the...the bill provides for the creation of the office of executive director to be selected by all of the members of the commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Does the executive director take the place of the chairman or have the powers that the present chairman has?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Only with respect to ordinary administration of the work. The chairman is still the chief executive officer of the commission, using corporate terminology. The executive director is the...I suppose the expression would be the administrative officer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Why do we need both?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, there probably are several reasons. I think one is that the commission itself has not really functioned effectively as a full commission and that is substantiated by...I think by some of the members present and former. The feeling is that it must operate as an entity and that some of the routine administration, supervision of staff and all, ought to be handled by someone who is selected by and accountable to the full commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

To the bill. First, I'm going to make a statement that I think will anger some of my friends, but the fact is that the current chairman of the Commerce Commission was the campaign manager of the man on the second floor and, as such, probably could have chosen any position in State Government that he wanted. Why in God's name he chose to be chairman of the Commerce Commission I think a lot of people ask themselves and maybe he's still asking himself. But he's on the hot seat and I, for one, think that in a most difficult position he's done a most admirable job. And I want that statement on the record, very clearly. And...and I don't think that anything that's being done in this bill should impugn the integrity or the...the job, the professionalism that the chairman has...has displayed...in regards to the bill and talking about consumerism and the Illinois Public Action Council and...we heard over the weekend about thousands and thousands of dollars being spent by Commonwealth Edison to defeat this legislation, dollars that will go into the rate base so that all of us will be paying increased rates. When the Illinois Public Action Council lobbies somebody, it doesn't cost the taxpayers one dime, that's their job. Some people aren't sure how to vote, the bill's not ready, it's not in good shape, it's not proconsumer, it's not going to provide any relief. I think probably that's all true. But we all know that this bill will be back here on June 30th and it will probably be completely different than it is now. And a lot of those problems that have been alluded to on the other side of the aisle will be corrected, we have another month. The fact is, if we do nothing, on December 31st, there will be absolutely no regulation of the utilities' companies, the utility industry in the State of Illinois. Nothing could be worse than that. This bill will be back, worked over, we'll all have a chance to get our input, there's no reason to vote No. Let's keep this thing alive so we can have some regula-

tion and we can improve this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...before I begin my brief remarks, I was handed a note by my colleague and seatmate, Senator Chew, a copy of a message that...his office had received today from a Mr. Harper from the Organization of New City. And on the note from the secretary it says that if you vote against Senate Bill 1021 that they will call the media and they are going to call the mayor. I assume, Senator Chew, you are in the City of Chicago, so I assume that the...the mayor in question is the...is the one we all know and who had served here in this Body before, and certainly Senator Chew is not going to be intimidated by any phone calls that are going to be made from his district. He assures me. Well, on my own behalf, let me simply say that I rise in...in support of this bill. I think on many occasions over the eleven years that I have served in this Body that I have called for reform of the Illinois Commerce Commission and to make the Illinois Commerce Commission an accountable body in this State and, frankly, the level of playing field so that the consumer and the ratepayer had an even voice in the ratemaking decisions, and I think Senate Bill 1021 is a step in the right direction. And I want to compliment Senator Netsch and the members of the commission for their long hours of hard work and for the product that is before us today. And I don't want to reiterate all of the specific measures that individuals had discussed before my remarks but I will clarify and say that this bill, frankly,...decentralizes the chairman's powers and it gives all the commissioners some input into the commission decisions and the procedures and I think that's an important aspect. It also requires some long-range planning, which

Senator Netsch referred to, the consideration of alternative energy sources and requires a commitment to provide the least costly power, the prudent investment and the used and useful standards for determining the inclusions in the rate base and requires the Commerce Commission to take into account the affordability and the ability to pay, and gives greater power to the Commerce Commission to regulate utility holding companies and their...subsidiaries and consolidates existing State supported intervenor groups into the office of public council with the appointments made by the General Assembly, and finally, it includes a moderate excess capacity provision which gives relief to ratepayers for poor utility management decisions. And it's concerning that this final point, which is the most significant economic issue in Senate Bill 1021, that it's unfortunate that we are having to legislate excess capacity, for an accountable Illinois Commerce Commission in this State would have adequately addressed this issue at a time when an application before the Commerce Commission was made to bill any new power plants, but that Commerce Commission has not provided that accountability and, therefore, we are forced today into this position to legislate it. I rise in strong support of Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I think our minds are all made up but I think for the record a couple of things have to be shown. We are, in fact, embarking on a significant course of public policy here in trying to rewrite a Utility Act. I am most disappointed because the elements that I think and others think are the primary factors for the rising utility rates have not even been dealt with. Number one issue, taxes. Senator Bloom talked about taxes, but let me point out to you that for some utilities the largest single cost...largest single cost is

taxes. I was in Dallas last August...and you know we're dealing with educational reform, let me tell you how Texas does it. Governor White says, I need a billion dollars. They said, you got it, let's just raise the severance tax and let the people of Illinois pay for our educational reform. I was in Colorado in December just before the opening of the General Assembly there, and Governor Lamb came out with the same suggestion for the State of Colorado, let's raise the severance taxes on western coal and let's Illinois pay for our education. Nobody has dealt with that issue, and I think if you look at the breakout of costs, you will find out that taxes are in many instances the major cost for the utilities. But we're rewriting an Act, we're going to go out and do something about it, and what do we do, we go the opposite. Let me show you what we've done. The taxes are on raw material. Is there anything in the report on raw material? Nothing. But let me tell you what else they did. They, in fact, enhanced the ability of Montana, Colorado, Texas, Oklahoma, even Ohio, because what they said, we're not going to deal with central dispatch, we're not going to let our in-State utilities sell energy to other people. We're going to force these people to buy that western coal, to bring it in here, we pay their taxes to Colorado, to Idaho, to Montana, to Texas, to Oklahoma and they're dealing with the problem. One of great enjoyments I have is occasionally I have lunch back home with a very portly gentlemen. We go to an Italian restaurant and have a real Italian food orgy. The last time we ate he got most upset after indulging...and I won't go through the menu...he asked the waitress for saccharin. She said, we're all out. He got really honked-off. We'll I'll tell you, this bill is saccharin for obesity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard. Senator Poshard. We'll, I...think you're going to have to...Senator Poshard,

at Senator O'Daniel's...microphone.

SENATOR POSHARD:

Thank you, Mr. President, members of the Senate. I know that by the...the very nature of the beast that we have not been discussing all this time nor are we now...a lessening of the utility rates in this State. So I think that's a given. Like Senator Geo-Karis, I have received many letters from people in my district asking me to vote against Senate Bill 1021. All of those letters essentially concern one thing and address one issue and that's the cap on excess capacity. I sat through the committee for many hearings and listened to all the testimony, and ninety percent of the testimony in that committee addressed essentially only one issue and that was excess...the cap on excess capacity. So whatever else is lacking in the bill, I think in addressing that issue, the twenty-five percent cap, with the provision that any utility company in this State can come before the Illinois Commerce Commission, debate the issue as to whether or not they need to produce more energy to either meet emergency needs, increased economic development in the area in which they serve or whatever reason. I don't understand what's wrong with that requirement. Is it asking too much to ask a utility company which impacts upon every consumer in this State to come before the commission and justify why they need more than twenty-five percent energy production above peak demand load? I don't think that's very much different than what they're required to do now. And if that is ninety percent of the issue, I don't see where this bill is wrong in its intent or so bad as many of us have exclaimed. The utility company in my area, Central Illinois Public Service Company, I think has taken great pains and has made great strides in trying to be more consumer oriented, I think they've opened themselves up to many good things in terms of working with the consumers in our area. And I think this bill just goes one step

farther to help them in that regard and to help any company that wants to do what's right by the consumers. I would urge support for the bill and the two amendments that's on the bill. I think it's a...I think it's a decent bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Coffey.

SENATOR COFFEY:

With the...with the hundred and twenty-five percent cap, with the twenty-five percent over...do you feel that that'll have any effect on the bond rating or the cost of capital...to the utility companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No, I do not, and...and one reason why I would like to explain this, Senator Coffey, is that the use of the word cap is really not accurate, it is not a cap. Even in our original version it was not really a cap. And in the amended version it clearly is not that. It is a goal, an objective, if you will. It, in a sense, shifts the burden of proof to the utility but after hearing by the Commerce Commission to demonstrate that something above or below twenty-five percent is appropriate for reliability or other objective regulatory purpose. What it says is that after that period, after that twenty-five percent excess...then, and...and if the utility has not demonstrated that it is absolutely...necessary for reliability, then the only thing that happens at that point is that the return on common equity of the excess portion, not of the entire portion but of the excess portion, is not

included in the rate base, but all of the construction costs, all of the return on preferred, the debt financing, everything else has already been included. So it is a very small amount that is, in a...in a sense, excluded, and even there, the commission has discretion. That is the way the amendment is...is written right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, in the testimony...in...in committee when First Boston and...and the Soloman brothers, you know, in their testimony, and just saying that those bond ratings, you...in fact, would be increased, you know, why...you know...and there was no...no one...argued that point in committee...why would...why would we have not have argued that in committee or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, I was not a member of the committee and I didn't really have an opportunity to argue it at that point. But I don't see...let me just mention one other factor. I know this is a different kind of answer to your question, Senator Coffey, but there...there already are a number of states that do take into account so-called excess capacity and the most frequent penalty, if you want to call it a penalty, is to exclude the return on common equity. There are some states...one state that has a twenty-five percent excess capacity and their's is, I think, is actually a cap. There's one with twenty percent and there are others that take that into account. Excess capacity has been a factor in rate regulation and determination of proper return actually for a long period of time. This is not a new idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey, your time has about expired. Senator Coffey.

SENATOR COFFEY:

...okay, well, thank you, Mr. President. Just...just a couple of comments then. First of all, I think it's rather confusing for all of us and so far most of the testimony I've heard here today is saying that this...this bill is not going to do anything to help our utility bills. And...and I, too, think it's unfortunate that we're leading our constituents in. I was one of the fortunate ones this week that had a group here to sing songs to me this week. But, you know, it seems to me that if we're going to...to pass legislation here with the intent to do something about the utility bills...and I hope you're right. I hope if I end up supporting this thing it does that. But I certainly want to be on record that a year from now or two years from now when the utility rates go up and if, in fact, that what has been told to me by manufactures, chamber of commerce and other industry and business around the State that it's going to create additional cost for them, which means that it's going to drive business out of this State, which is going to hurt the economy more than it's hurt now here in Illinois, I'd certainly want to be on record as saying that...that I told you so. So I...I hope you're right. I'll probably end up supporting the bill but I have a lot of questions on...the testimony I've heard everybody seems to be very negative and we're about to pass a bill out that's not going to...accomplish anything, could cause some...create some other problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? Ladies and gentlemen, we have five additional speakers in this order: Senator Zito, Senator Smith, Senator Keats, Senator Jerome Joyce and Senator Rock. Senator Zito. All right. Senator Davidson has moved the previous question after those five speakers. We'll hold

that motion till we get there.

SENATOR ZITO:

Thank you, Mr...thank you, Mr. President and members. I don't speak on too many pieces of legislation before this Body but this is an interesting subject for me and I'll...I'll tell you why I'm a little closer to the subject than maybe most of you. My dad has been a Commonwealth Edison employee for the past thirty-nine years, and I represent a...a district that has two Edison facilities in it, and certainly my office has been swamped with post cards and letters and telephone calls urging me to vote against this legislation. I have a problem because my history in the General Assembly has been consumer oriented in the sense that I've tried to wrestle with the very serious problem of helping consumers keep rates down. And when I hear Senator Savickas and Senator Chew say that...the other side of the issue has hit them quite extensively on...on the vote on this bill, well, the Edison employees and the people affiliated with Commonwealth Edison did a pretty fair job of their own. As a matter of fact, yesterday and the day before, I had calls coming right to the Senate Floor from businessmen in my district that really didn't know what 1021 did except that they wanted a No vote on it. Let me just tell you a couple of things that I have...I've tried to do in the last month or so. Being interested in helping...I...I see the problem as twofold; number one, to make absolutely sure that we maintain the equity of stockholders and the effectiveness of the power companies; but number two, that we at the same time address the needs of the ratepayers regarding the ever rising utility costs. In an effort to try to find some common ground, I worked very closely with my area Edison representative and also the chairman of the board of Edison, Mr. O'Connor. We spoke several times on the phone in an effort to try to work out a compromise; at least tell him that I would be willing

to offer any amendments that we could accomplish both...both of these tasks. Edison did not...was not interested, I guess, or felt that the bill was so bad in their...in their eyes that they couldn't support any amendments or any changes and would like to defeat the bill. I think now I'm in a difficult situation. But I'm going to vote Yes for this because, as Senator Philip said he's going to vote Present, I...I think if we vote No and don't have a vehicle or don't have a bill to work from, there will be no more compromises, the issue will be dead. If we vote for...to support 1021, I think the door for compromise...the door for...communication is still open and we might have a better piece of legislation as a result of it. I'm going to support it with the hopes that those two issues can be accomplished.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I guess I'll sound redundant to what others have said already, but I want for the record's sake to know that I have said something on behalf of this, for I've received many, many letters from my district, people who are employed by Commonwealth Edison. They are not only employees but they happen to be shareholders, and then the...chairman of our board at the Provident Hospital, Mr. Dungas, is a member of Edison in a very prominent position. They came down here and we were privileged to have breakfast with some of the leading executives there of the district from Commonwealth Edison. And during the discourse...during the breakfast hour in their presentation to us, all they spoke about was the expansion of their business, the expansion and what it's going to cost them if they don't get that. And I...at the...close of his presentation I asked him, I said, well, what about the consumer, that's who I'm interested in. But not one thing was

said about the consumer. And then on Tuesday, we were also visited by the people from New City and they were out here in droves and they're asking that you do not vote for the amendments but please vote for 1021. They came with their electric bills, their gas bills, et cetera and asking us that we vote for 1021. I'm going to vote for 1021 because I think there's a necessity. But the only thing that I feel sorry for are a lot of the elderly people, a lot of people who are on public aid in my district who have very large bills and they have no way, they see no way of making these payments. And so, I want to compliment our sponsor for this bill, Senator Dawn Netsch, I think she has broad shoulders and I'm so glad I'm not in your place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Keats.

SENATOR KEATS:

I'm going to take a different tact on this and I, at this point, still don't know whether I'm going to vote Yes to keep the process going or whether I'll vote Present with some of my Republican colleagues. But, you know, one of the frustrations is listening to all this, is this report misses the real cause of increasing rates. Everyone is talking about increasing rates and you're right, I mean, it is a significant problem. Unfortunately, the majority of the commission members when they wanted to discuss rising utility rates forgot to...forgot to ask something about the problem. The symptom is rising utility rates. The problem has something to do with a lot of other issues. Senator DeAngelis raised one of them, have you ever looked at these utility taxes, not just what we're paying here but what we're being charged elsewhere? Instead of making a political statement we should have looked at taxes the way Aldo mentioned. Let me throw in another, construction costs. Every time we throw in something new on utility construction costs, which one of those

Comm. Ed. plants originally...1.2 billion and costs five billion to build? I mean, you want to know where costs are when you have your plants going up three hundred, four hundred and five hundred percent in costs, ask your ratepayers what they costs them. Nowhere does this report give the Commerce Commission the right to look at something like Commonwealth Edison as a business, and Commonwealth Edison is a business with a guaranteed profit but it is a business. And the fact is, one of the reason Commonwealth Edison's rates are so high is because it is a poorly run business. Let me state that again, a poorly run business. And until we start to deal with the fact that taxes are significant, construction costs are murder, Commonwealth Edison is a poorly run business and the fact that nowhere does this report allow us to export power. You know, Aldo brought up the point, meanwhile, Colorado and Wyoming are sticking it in our ear. Well, we could do the same thing to somebody else if we would set up a system to wheel some power, to sell to some of the other areas we could do all that. Where was this in the report? Those are the things that lower utility rates. Political demagoguery gets votes but it'll raise utility rates. If we really were working closely on it, we would have looked at those exact things that Also brought up, that Charlie Chew brought up and all these other problems. Then we'd pull rates down. And I say...and I still don't know what I'm going to do on this, whether I'll continue the process or go Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Further discussion? Senator...Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. It was mentioned by the first speaker, Senator Chew, that this would probably not lower the rates. Well, let me tell you, when Braidwood...or Byron I comes on line later this year, Commonwealth Edison's rates

are going to go up probably fifteen percent, and between 1985 and 1987 rates are probably going to go up forty-five percent. Now let's look down the road, if people would have done this ten years ago. If this legislation had been on the books ten years ago, these utility companies wouldn't be in the fix they're in right now with all this excess capacity. They would have had to go to their stockholders and say, now look, we have a hard, tough choice to make and that's whether to build more nuclear plants or power plants in this State. But there was no incentive for them not to do it. There was nothing there that said, you know, if...if you make too much power, your stockholders are going to have to pay. There was nothing there saying that and the Commerce Commission let them go ahead and build. Consequently, today, we're in a position...we're...we're going to have forty-eight percent excess capacity in some of these utility areas. Now if we'd have done this ten years ago, we wouldn't be in this mess. And I think that we also have to think of...business as a consumer. Chrysler came before our committee, they thought this was a good idea. Senator Keats mentioned the fact that we should be selling power. We can't sell power...they were...Commonwealth Edison was asked to sell Braidwood...there's...everybody has got excess capacity in this State. Nobody...they can't sell it out-of-state, nobody wants it. So I think what we have to do is look down the road and...and try and do better for people that are going to be paying for power ten years from now. And what...another thing has been said that if this bill passes it won't do anything for the rates. Well, that's wrong, it can lower the rates. In 1987, if the rates are going to go up forty-five percent if we don't do anything, but if this bill is in place the Commerce Commission can throw back some of that and throw out some of that excess capacity and that will keep the rates from going up forty-seven percent. So I think that's the

thing we have to look at. If we pass this bill, rates don't have to go up forty-five percent. The Commerce Commission will have the authority to throw some of that back. So all of this argument that this bill won't help is a fallacy; this bill will help and it will help on down the road and it will help the people in 1987. And I would certainly urge your support of this bill. And you may not get another chance to vote on another bill, and how are you going to play...explain that to your constituents? So I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise to agree and to disagree in part at least. Senator Netsch described Senate Bill 1021 as amended as balanced, sound and progressive. I thoroughly disagree. It is neither balanced, sound nor progressive in its present form and I think that's the point. My suggestion to Senator Keats and others who have expressed some dismay is that yes, indeed, we had better keep the process moving; otherwise, for certain, we will be back here in the Fall by virture of either the Regular Session or a Special Session, because the regulation sunsets in December of this year and we ought to get our act together. But I think in order to keep the process moving, not unlike what we have been able to accomplish at least in part with medical malpractice, we're going to take...have to take some long hours of negotiating to finally arrive at a work product of which we can all be proud. But in the meantime, this bill has to get over to the House this week so that the process can continue; and on that basis, I intend to vote Aye and ask those who are less than certain to do the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch may close.

SENATOR NETSCH:

No, I'm...thank you, Mr. President. Let me make four brief points; one is, this is not Senator Netsch's bill, this is the work of the joint committee; and indeed the sponsor of the bill when it arrives at the House, which I hope and trust it will, will be a Republican who was the chairman of the joint committee. Secondly, none of us ever represented that this bill was going to reduce current rates. I think Senator Joyce has now made a point which I have emphasized over and over again very well. I believe that if this had been in place ten years ago we would not have the rate shock that we have right now, but we still have a lot of rate shock ahead of us. I genuinely believe that if this bill or something like it is in place that some of that will be evened out in the future and that is because of the very strong objectives and planning and accountability commitments that are written into the bill. Third, with respect to those who are concerned about the business community, and I know they have in their formal sense all opposed the enactment of Senate Bill 1021, let me suggest not just to you but to them also that they are also ratepayers, and probably the major deterrent to economic development in the State of Illinois is the fact that we currently have the fifth highest utility rates in the country, and when those additional nuclear power plants come on line we will have the highest utility rates in the country. That is not an incentive to economic development in the State of Illinois. And finally, let me just say that I do not describe this as a consumer bill nor, obviously, do I describe it as a utility bill. It is, Senator Rock, indeed, a reasoned, balanced approach to the long-range commitment of this State to regulatory legislation of the utilities. I may be the only one who thinks so, but I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1021 pass. Those in

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 1, 26 voting Present. Senate Bill 1021 having received the required constitutional majority is declared passed. 1029, Senator Lemke. On the Order of Senate Bills 3rd Reading is Senate Bill 1029, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1029.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does, amends the...Sales Tax Acts concerning enterprise zones, exempts from those taxes transactions involved in sales of building construction materials for use in real estate located within the enterprise zone. What this bill does is gets rid of the...effects of paper shuffling and makes it a...straightforward exemption. There's no revenue reduction by this bill. It's simply instead of having the consumer pay the building supply company and the building supply company give me a discount and then reapplying for a refund, this simply just takes that...all the paper shuffling out and eliminates and saves the expense. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1029 pass. Those in favor will vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays

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are 4, none voting Present. Senate Bill 1029 having received the required constitutional majority is declared passed. 1032, Senator Jerome Joyce. On the Order of Senate Bills 3rd reading is Senate Bill 1032, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1032.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill is a bill that...would provide legal assistance for farmers who cannot afford attorneys. This is when a farmer has gone bankrupt and this will...or in the process of going bankrupt or doesn't know what to do in these very, very troubled financial times that we see right now, this is the least we can do, I think, for these people who are being forced off their land and...and without...anywhere to turn. And this is...going to be done at a minimum of legal...of cost to the taxpayers by utilizing the offices of the...the legal aid providers which are already in existence and thereby cutting down overhead costs. I'd be happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Could I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You sure can.

SENATOR WATSON:

Than you. What's the cost? I didn't hear a cost factor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, the appropriation is four hundred and thirty-six thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

That's on an appropriation bill somewhere?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Watson.

SENATOR WATSON:

Is there...is there anybody who is opposed to this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schaffer. Oh...Senator Joyce.

SENATOR JEROME JOYCE:

No, there is not, every farm group is for it. The University of Illinois Extension Service, Rural Route it's called, came and testified and I was somewhat shocked at what they had to say about the...the agricultural people who just had no way to...nowhere to go and no one to turn to, and...and they are working with these farmers and they are not attorneys and what they recommended was this program and, you know, it's a very, very sad thing and I don't like to come in here and ask for this...for money to put people out of business, that is not what I'm about. I think farmers should be...helped in other ways if we're going to be spending money, but I guess that it...they're in such sad shape out there that this is why everyone is asking for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I'm sorry, you may have addressed this earlier, but what is the basis and criteria, what...what is going to be the

mechanism by which these people are going to be decided...who gets what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

This...this creates a Farm Legal Assistance Board...consisting of the Attorney General, the State Treasurer, the director of Agriculture or their...their designees and that board is authorized to set up criteria and so forth.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I guess you could point out that there's fifteen thousand auto workers unemployed in the State and we don't have a fund to help them. And I guess you could fund...talk about the steelworkers up on the south side of Chicago who are out of work and filing bankruptcy and we...we don't have a fund...yeah, Senator Carroll has got an amendment. I'll tell you though, my real problem with the bill is that one of these days when we get home I'm going to have go up to a bunch of farmers and they're going to say, what did you do to help me, and I'm going to say we...we sent a lot of money to the bankers and we've spent a lot of money on lawyers, and you know what's going to happen? They're going to pitch me right out of the Farm Bureau Building.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is bill is wrong, wrong, wrong, and I'll tell you why. There's a legal referral service in every county by which any farmer who is in badly need of help and doesn't have the funds can avail himself of the services for free. I just think this has gone too far, and I supported it, the...the

subsidy of twenty-five million dollar loan for the farmers. I think this is a bad approach. As long as we have the legal referral service in every county that can help the needs of these distressed farmers, why are we doing this now? I think this is a very, very poor approach and I rise and speak against it. I might tell you, the three people who will decide when the money is going to be doled out is the Attorney General, the State Treasurer and the head of the Department of Agriculture. Since when, since when do we have such subsidies for legal services like that? As Senator Schaffer said, we have loads of...of steelworkers that are broke, they have no jobs, certainly they can...avail themselves of the legal referral service as well, why can't the farmers do the same? I speak against the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Okay. I'm going to respond to that...that is a Federal program, Senator Geo-Karis, and these people are not eligible for it. They're not eligible for it because their equity is too high. Their worth...their farm may be worth five hundred thousand dollars but they're going under. So, consequently, they can't go there, they can't get that...that legal assistance. They are the ones that asked for this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1032 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Yeah. Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, 1 voting Present. Senate Bill 1032 having received the constitutional majority is declared passed. Senate Bill 1035, Senator Chew. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Just...35 and 36 are clean-up bills, Mr. President, to conform with what the authority is on the World's Fair. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue. Any discussion? If not, the question is, shall Senate Bill 1035 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 11, 1 voting Present. Senate bill 1035 having received the constitutional majority is declared passed. Senate Bill 1036, Senator Chew...or...Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Point of privilege. I...was sitting here, punched my button on Senator Joyce's 1032, and I would like the record to show I would have voted Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senate Bill 1036, Senator Chew. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1036.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

This is the other part of the bill, Mr. President, and it

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defines the authority's power and nonpower. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1036 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 13, 3 voting Present. Senate Bill 1036 having received the constitutional majority is declared passed. Senate Bill 1037, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1037.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill, which is jointly sponsored by Senator Etheredge and myself, is really a very important one because when it is finally put together and enacted, which we think it will be by the end of the Session, it's going to be a landmark property tax reform bill. It basically does address the property tax cycle and all of the problems that have been associated with it for taxing districts as well as taxpayers over a long period of time. It does several things. It does provide for the use of the last known equalized assessed valuation in calculating taxes, and this, of course, is going to help enormously in allowing local governments to know the basis on which their property taxes are to be levied and to be able to avoid the need to extend the huge number of tax anticipation warrants that in fact are utilized now and that really are very uneconomic for everyone involved. It is going to provide for uniform

levy...assessment...levy dates on the part of all the units of local government so that we can make this process work. It will authorize not mandate but authorize quarterly payment of taxing bills for those who want to do so and, of course, it does inevitably involve a one-year freeze in the assessed valuation. We recognize that we still have some work to do with respect to that part of it, and I might say that the...that those who have been meeting and working on this bill include a broad spectrum and for the first time ever, really, the school districts and other taxing districts as well as the assessing officials are highly supportive of attempting to get this major reform done, and we are continuing to meet as we have to date and any other problems that need to be worked out ultimately will be worked out. The Taxpayers' Federation has been a major factor in helping to bring this about, and this year the...some of the school groups, as I indicated, including the IEA have expressed strong support. One reason why it is possible is because for the first time in a long time we have not had rapidly increasing assessed valuations and that has made it possible to begin to put this into place. It is extremely important, Senator Etheredge and I have put a good deal of time in and will continue to...to work out some additional problems that might have to be addressed before we complete it. In the meantime, we would strongly urge your support of Senate Bill 1037.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

END OF REEL

REEL #10

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR DeANGELIS:

Senator Netsch, does this apply to Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Are you certain?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, the uniform levy date does not but the...the rest of the bill does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it if does, I want to rise in support. We should at least get one piece of good property tax reform for...Cook County this Session. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator Netsch has indicated, this is a work in

progress and I...I encourage everyone to vote Aye so that the work can continue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1037 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 1037 having received the constitutional majority is declared passed. For what reason...Senator O'Daniel arise?

SENATOR O'DANIEL:

Mr. President, I'd like to be recorded as...as voting Present on 1021. I was watching the tally and...and I voted No instead of Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Senate Bill 1039, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1039.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, this is a very simple bill. It...there has been a dispute over the effective date in this bill and this will change the date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1039 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting

Present. Senate Bill 1039 having received the constitutional majority is declared passed. Senate Bill 1043, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1043.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, in the interest in moving the process along, I would ask that this bill be Tabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen asked leave of the Body to Table Senate Bill 1043. Is leave granted? Leave is granted. Senate Bill 1043 is Tabled. Senate Bill 1055, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1055.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The next two bills, Senate Bill 1055 and 1056, are a product of the Interagency Task Force, a task force that I chaired for a bit over a year. The task force was cochaired by Dorthory O'Neal who's vice-chairman of the State Board of Education. With respect to Senate Bill 1055, it does exactly as the synopsis suggests. It provides that the State Board of Education shall be the State agency responsible for ensuring that educational services are provided to all eligible children. There have been some expres-

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sions of concern during recent years that no single agency in the State really had the ultimate responsibility of education in the State and this bill simply provides for that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1055 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1055 having received the constitutional majority is declared passed. Senate Bill 1056, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1056.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This is the second bill in the package and it does, once again, exactly as the synopsis would indicate. It creates a residential service authority for behavior, disturbed and severe emotionally disturbed students and defines their powers and duties. Once again, it is a recommendation of the task force.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1056 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 3, none voting Present. Senate Bill 1056 having received the constitutional amendment is declared passed. Senate Bill 1062, Senator Rupp. Read the bill, Mr. Secretary...nope, 1063, Senator Luft. Read the bill, Mr. Secre-

tary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1063.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1063 permits the income tax deductions on income earned from bonds, notes or other evidence of indebtedness issued by the State of Illinois, State organized authority or local public entity. Currently, Illinois bonds are exempt from Federal Income Tax but not State Income Tax. Other states, including New York, offer the so-called double exemption in its residents. In Illinois, only bonds issued by the Illinois Housing Development Authority or independent State agency get the double exemptions. We feel that Senate Bill 1063 will provide an added attraction for the purchase of Illinois bonds. I want to make perfectly clear that if, in fact, we have gone too far in providing an exemption on bonds, I have talked to the chairman of the Revenue Committee in the House, I give you my word that if the cost of this becomes too...too...too much that I will narrow it back to only State bonds. If there's any questions, I'll try to answer them; otherwise, I would hope for a favorable...roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. When this bill was discussed a couple a days ago, I made the point that I thought we were going too far when we were attempting to pass a bill which would eliminate State Income Tax on all municipal bonds. It was my understanding at that time that the bill, in fact,

included all bonds. The sponsor has made it very clear that he's only talking about Illinois issued bonds which makes a big difference, and with his statement that he has...also has a concern about the fiscal impact of eliminating income tax on municipal bonds, I'm willing to vote for the bill under those circumstances and I think we should support it and get it out of here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and, Senator Schuneman, welcome aboard. We don't think that the revenue impact will be that great, and balance that off against the benefits and the marketability of our State and local bonds. We think this will be a real plus. I've discussed this with Representative Keane in the House who is knowledgeable on these manners, serving on the Audit Commission, and if, indeed, any numbers come forth from the Department of Revenue or Bureau of the Budget or otherwise, we stand ready to...make any necessary changement on it; but at this time, I think probably the best decision would be to ship Senate Bill 1063 out. It's a good policy initiative and I'm pleased to join in it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, when we...when this bill was amended the other day, we had not estimates...available on the fiscal impact. Do we know any more today than we did then?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

No, I still have the State...statement from the Department of Revenue saying that they cannot determine the cost of it, but I think if you just sit down and figure eight percent interest on a billion dollars, multiply that income by 2.5, you'll find out that a billion dollars would probably cost the State of Illinois two hundred thousand dollars in revenue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would...like to believe that...that figure, but...the statement that we have from...on the fiscal impact that it...says, the...at least the only one that I have seen, says that they have not been able to estimate the figure but it might be a very significant amount of money, far more than the...the optimistic figure that...that you just gave. I must rise in opposition...to this bill because it...it, indeed, may have a very significant fiscal impact, even...in spite of the fact that we may not, at this time, be able to put a number on it, I think it...it could very well be considerable. I would suggest that the bill would make a great deal more sense if we would...were to exempt our own bonds, the State bonds, from the State tax. That might mean that we would, indeed, save a little money. We might be able to put the mallet at a more attractive interest rate, but to forego the tax on all other bonds issued by other elements of the...of the government, I think is...is...goes much too far, and I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RIGNEY:

Don't we see the pattern at the Federal level that they are really ending this practice and, now, here we're coming around and putting it into Illinois State law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

...well, if, in fact, the Federal Government is ending the practice, which I'm not sure they are or not, but I would think that our actions here would even make our bonds more attractive and would...we would...we would need something like this. I want to point out that we're...we are already doing this in the State of Illinois with all the IHDA bonds. IHDA's got about two billion dollars in bond authorization, if I'm correct, and we're already doing that. My figures tell me that we...if we sold another one billion, it would only cost us two hundred thousand dollars. We're just trying to make these bonds a little more attractive in the industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I agree essentially with the points that Senator Etheredge has made and would add only one additional that...I don't think it has really been demonstrated that with the relatively low income tax rate we have in Illinois, the exemption of the interest on the bonds from State Income Tax is going to "save the State that much money" on the interest costs. I'm not sure that it really is that major a factor. At the Federal level, it clearly does have an impact, but I have never seen any evidence, at least, that it's going to have that major an impact at the State level. So, it seems to me that what we are doing is, perhaps, putting ourselves in the position of excluding a good deal of

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income from the State revenue base but to no particular purpose. I also would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Once again I will state, Mr. President and Ladies and Gentlemen of the Senate. I stated it once; Senator Bloom, I think, echoed what I tried to say that if this bill does go too far, we plan on narrowing it once it gets to the House, and we will bring it back and deal only with State bonds. And, Senator Netsch, if you feel the way you do in Revenue Committee, when Build Illinois comes over, I will help you with an amendment that takes away that exemption that already exists on the IHDA bonds. All I'm trying to do is to put us into some degree of a conformity, and maybe it's not much, but try to offer some small incentive to make the State of Illinois bonds sell a little better and a little quicker. I would appreciate an Aye vote. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1063 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 17, none voting Present. Senate Bill 1063 having received the constitutional majority is declared passed. Senate Bill 1068, Senator Lechowicz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1068.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill will be verified, so I would hope that everybody would be here and everybody that I talked to would vote for the bill like they told me they would. Basically, 1068 authorizes a court to allow punitive damages when it appears that an insurance company has been unreasonable and vexatious in refusing to pay a claim. And, Mr. President and members of the Senate, I don't believe that any insurance company could have any justification as to be opposed to this bill if they would pay their claims in a reasonable manner when there is a person or persons who have a legitimate claim against the insurance company. May 15th there appeared at the...in the State Journal-Register an article which I didn't realize was going to be there when I introduced this bill, but let me just point out to you, and it was a rather extensive article where...where it pointed out that in other states they have what they call insurance bad faith legislation and it covered the terms covered in instances where insurers have knowingly and deliberately failed to make good on valid claims. Unfortunately, that's the case of many other companies when a person has a valid claim, they get the runaround, and although there are a few Statutes governing insurance bad faith, enough cases have been litigated over the last decade, so that leaves twenty-five states now have a clear precedent for the jury to award punitive damages when the insurance companies conscientiously try to take advantage of a policyholder. While the western States were the first to establish such case law, the trend is moving eastward. It also states that this gentleman who has brought this to the attention of the nation, his office is inundated with twenty or thirty letters per day expressing problems throughout the country in this area. Some of them are really terrible stories where the family is destroyed by a huge medical bill and they don't know where to turn for help, and in my own

situation in my own area, how I got this bill into fruition, two business people had a legitimate...complaint against two different insurance companies, and what really transpired was horrendous. One company was faced with the legal expense of over a hundred and fifty thousand dollars which they paid to Jenner and Block on a monthly basis, because anybody who has any knowledge about that realizes that that's the way your large corporate attorneys operate. They'll take the case under consignment but you have to pay it on an ongoing basis. What happended, one company went out of business forcing twenty-four people out of work and, yes, the insurance companies tried to pay them ten cents on a dollar. The other company had fourteen employees. Their legal expenses weren't as great, but, unfortunately, the same situation transpired when they...were forced out of business and these people were placed out of work. If an insurance company takes a...a man or a woman's rate, takes their money in good faith, when a claim comes about, they should also come about and make sure that the paper work is proper, make sure that it is a...a valid and legitimate complaint and pay that claim. If that happens, no one is affected by 1068. Only when the insured party is grieved, unnecessary delays, the runarounds, then that party can now ask for punitive damages and have it awarded by a judge. That's 1068. I think it merits your support and I'll be more than happy to answer any questions at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If...no discussion? Oh, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I must rise to...not question the reason behind this bill, I don't think that...is the normal practice of regular insurance companies to delay any payments. We can find examples, we can find companies that

pay ninety-nine percent of their claims within a certain number of days, we could go through all that whole thing. The item that...and a part of this that we are questioning is the fact that it's necessary to have an unlimited, no cap, no top on the punitive damages that are possible. That seems a little ironic that on another bill that we're going to be discussing, we're going to be asked to change from an unlimited punitive damage arrangement to a limited one...or a limited...eliminating it altogether. I think that's what one of the...that's the main point. It's not the fact that we don't think that companies should pay, and most of them do, but it's the fact that there's an unlimited...uncapped punitive damage type thing. We have examples too. I can give you one that's just as bad, only in this case a policyholder in California filed a false claim, a false claim, and after an investigation, the court threw out the charges because they found that the claim was false, but then...the fined insurance company...they would also fine the insurance company a million dollars for being unreasonable and vexatious. Those are the situations that I think we would avoid by putting a cap on and that's our objections to this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I find it interesting to listen to this a little bit, because what seems to me to be an issue is when a person has a catastrophic loss, a fire, their home, and they don't have the money to go repair it and an insurance company, for no good reason, when it comes to trial, no good reason, withholds any payments to this guy or lady and says, let the building deteriorate further, in effect, we're not going to help you repair it now, we're not going to do anything to let you get back into your home, to go buy some clothes, to get

some food or some appliances and does so for no reason as determined by our judicial system. Why should that company not be penalized for having impacted our constituents in such a devastating way in a devastating situation? Many states are, obviously, much brighter than ours, for they have already said, when you can show no good reason whatsoever that the actions of the insurance company were punitive, all they were doing is holding out and letting this person rebuild their home, for no good reason, then they should suffer as well. I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'll be very brief, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well,...wait...wait...I'm sorry. Senator Carroll, you...you had finished. All right, there are two additional speakers, Senator Lechowicz. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill is an attempt by the Trial Lawyers of Illinois to remove the cap on punitive damages against insurance companies. Now, to the extent that you do that, you're going to be raising insurance premiums a certain amount. No one can tell you how much, but what they're seeking to have adopted here is the...is a plan similar to that that's been in effect in California for a number of years, and in checking with one of the...our Illinois companies, Allstate, for example, they tell me that Illinois...in Illinois only ten or twelve...or ten to fifteen percent of all the claims that are filed here in Illinois ask for punitive damages. In...in California, where they have no limit at all, a hundred percent of the claims that are filed ask for punitive damages. That's the sort of thing that we will see happening here in Illinois if we adopt this bill.

Couple of other points I want to make; one is that...that this General Assembly has been struggling with the issue of trying to control medical costs, and one of the things that's happened in the last day or so is the adoption of an agreed bill between the medical society and the trial lawyers and we are doing that in an effort to control medical costs. On the other hand, we're considering a bill like this which will have just the opposite effect. It will tend to raise the cost of medical insurance in this State. One other thing that I think is very interesting and that is that...although the trial lawyers want this bill, and they want Illinois courts to allow unlimited punitive damages against insurance companies, they have a different standard for themselves, because in the agreement that was reached yesterday with the doctors, the lawyers got something for themselves. They got themselves eliminated for any punitive damages. Now, that's a part of the agreement that was adopted yesterday and was agreed to by the trial lawyers. So, that if we adopt that...that proposal, and I'm going to vote for it, you'll find that the...the doctors are going to give up some of the things they wanted, but the trial lawyers got something they want very bad and that is that you can no longer sue them for punitive damages. So, if you have a claim against another person and you ask the attorney to sue on your behalf and he goofs up and doesn't get the suit filed and as a result of that you lose out entirely, you can't sue the lawyer for punitive damages anymore. I think it's a double standard, and I think on the basis of that alone we ought to defeat this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Darrow.

SENATOR DARROW:

I really didn't intend to speak on this bill until...or Senator Schuneman spoke about the trial lawyers. I haven't

been approached by any trial lawyer, I haven't been approached by the Bar Association, the Illinois Trial Lawyers or anyone else, and I was kind of on the fence about this, but now I'm going to support the legislation of Senator Lechowicz. I want to point out to this Chamber that Senate Bill 1200, the amendment of which we have, really sticks it to the Bar Association and to the lawyers if you read that carefully, and the Illinois Trial Lawyers are not accepting this and they are not part of the compromise. A number of us will nonetheless support Senate Bill 1200. Perhaps we ought to consider this, if this is important to the trial lawyers, perhaps we should give them Senate Bill 1068 so we can go back and say, well, at least we did some little gesture for you because we sure aren't helping you with Senate Bill 1200. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President. Let me point out for the Body because this...bill appears to have invented the wheel. Let me point out that this bill actually amends some things that the insurance company has to pay already if they, in fact, cause unreasonable delay. What this does is considerably raises the ante. So, there was an inducement for the insurance company previously to settle because if they didn't, there would be some additional costs to that settlement. So, we're not adding anything in, we're just...just increasing the ante; but let me point out to you, it is not the insurance company that's paying, it is all the people who buy their policies and for a simple as the insurance company paying for it, we could probably vote for it and not feel too bad. But you know what? The bell pole tolls for thee, folks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Hearing...all right, Senator

Lechowicz may close.

SENATOR LECHOWICZ:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate, and I do appreciate the time you've given this measure. Let me just respond to some of the points that were brought up in opposition to Senate Bill 1068, and I understand that there's been a very intense lobbying effort by the insurance industry to make sure that this bill would not pass, but I can't see any justification as to how a company who was acting in good faith with their insurers can be actually fearful of this modification in the law. And to answer Senator Schuneman, the trial lawyers did...never talked to me on this matter. I am not an attorney nor am I representing any trial lawyers in this matter. I am representing people who, unfortunately, were forced out of business in the process of trying to get their claim settled, that's the fact; and, unfortunately, the present law has a five thousand dollar cap, and when I called Phil O'Connor who was at that time the director of insurance to ask him to intercede in these companies out-of-state who were the policyholders for these people, he told me he couldn't do a thing about it. He told me that the five thousand dollar cap really doesn't do anything because of the fact that it costs more in attorneys' fees in order to get settled. I said, that isn't fair, that isn't fair at all, and you and I know what the bottom line of this thing is; if you kick somebody around for three and half to four years and are keeping that money and keeping it working, you're making a dollar on that, and if you have a company policy where you're going to go to court on every case, and you've got a...a number of attorneys working for you that specializes in that field, you're going to wear the poor consumer right down to the grave. This is a consumer bill. This is a good insurance company bill. If you pay your just claims, you're not affected by this bill one iota, and

that's why this bill deserves your vote and support and I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1068 pass. Those in favor...Senator DeAngelis, the gentleman was closing. Question is, shall Senate Bill 1068 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 28, none voting Present. Senate Bill...Senator Lechowicz...Senate...

SENATOR LECHOWICZ:

Postponed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor requests postponed consideration. All right, Senate...all right, on that...on that it was 29...28 Nays...none voting Present. Senate Bill 1068 having failed to receive the constitutional majority is declared lost. Senate...sponsor requests postponed consideration. 1070, Senator Barkhausen. I understand you have a motion. Senator Barkhausen.

SENATOR BARKHAUSEN:

I would ask that Senate Bill 1070 be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves to Table Senate Bill 1070. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1070 is Tabled. 1072, Senator Barkhausen.

SENATOR BARKHAUSEN:

...same for 1072.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves to Table...Senate Bill 1072. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1072 is Tabled. Senator Rock, for what

purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. In an effort to wind up our business for this evening, I suggest now that's a logical place to stop and that we would move to the Order of Senate Bills 2nd Reading for the last...go around on 2nd reading and if, indeed, the membership has the time and the patience, we could perhaps prevail on the appropriations people to do the recalls.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will go to the Order of Senate Bills 2nd Reading, page 2. If any member has a bill on the Order of 2nd Reading and wishes to have it moved, tonight is the night. Senator...Senate Bill 15, Senator D'Arco. 368, Senator Jerome Joyce. (Machine cut-off)...Senator Joyce...380, Senator Kustra. 81...381. 389, Senator Rock. 722, Senator Berman. 752, Senator Kustra. 794, Senator Etheredge. 848, Senator Dudycz. On the Order of Senate Bills 2nd Reading is Senate Bill 848. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 848.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Mr. President and Ladies and Gentlemen of the Senate, I move to Table Committee Amendment No. 1. All provisions of the amendment will be included in Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz moves to Table Committee Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes

have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, Amendment No. 2 incorporates the committee amendment into the bill and makes other changes to make clear that the state's attorney as well as Attorney General may enforce the Act. It makes clear the suits against the State are heard in the Court of Claims and deletes specific references to taxpayers' suits and injunctive relief. Senator Sangmeister is aware of this amendment and has a copy of it and he's also agreed to all the provisions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate...

SENATOR DUDYCZ:

I move the a...approval of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Dudycz moves the adoption of Amendment No. 2 to Senate Bill 848. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Amendment No. 3 deletes Section 11 and...replaces it with

the requirement that a criminal justice agents notify an employee when his employer requests criminal history information. Senator Sangmeister also is aware and approves of this amendment. I move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Dudycz moves the adoption of Amendment No. 3 to Senate Bill 848. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Joyce wishes to call Senate Bill 368. On the Order of Senate Bills 2nd Reading is Senate Bill 368. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 368.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. The...the amendment changes the name of the Illinois Commerce Commission to the Illinois Public Utilities Commission and I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Joyce moves the adoption of Committee Amendment No. 1 to Senate Bill 368. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

SB 1200
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 987, Senator Joyce. Senator Joyce, 987? 1031, Senator Friedland. On the Order of Senate Bills 2nd Reading is Senate Bill 1031, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1031.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

...thank you, Mr. President. The...the one committee amendment adds language inadvertently left out by the Reference Bureau, and I urge your adoption and would thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Friedland has moved the adoption of Committee Amendment No. 1 to Senate Bill 1031. Those...if not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1161, Senator Welch. 1200, Senator Rock. On the Order of Senate Bills 2nd Reading is Senate Bill 1200,

AB 1200 2nd Reading

Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by...Amendment No. 1 offered by Senators Rock, Philip and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, could we have some order, please. Can we break up the conferences. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 consists of twenty-nine pages and roughly makes twelve specific and very substantive changes with respect to the subject of medical malpractice. I have distributed, along with Senator Philip, a copy of a memorandum outlining the...and highlighting the provisions of Senate Amendment No. 1. It incorporates that agreement that was reached after some lengthy negotiations with the Speaker and the House Minority Leader. I would urge your favorable adoption and be prepared to debate the bill, because the amendment now becomes the bill, be prepared to debate the bill on the Order of 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock has moved the adoption of Amendment No. 1 to Senate Bill 1200. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

SB 1358
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1222, Senator Jones. 1358, Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 1358, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1358.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. It is my impression that everybody is on board now and we're all in agreement that this amendment should be put on the bill and it should be adopted. So, I don't think there's any opposition anymore and I would move to adopt Amendment No. 1 to Senate Bill 1358.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator D'Arco has moved the adoption of Amendment No. 1 to Senate Bill 1358. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1360, Senator D'Arco. On the Order of Senate Bills 3rd...2nd Reading is Senate Bill 1360, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1360.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we get some Pages down here to pass out the...some material. Senator D'Arco.

SENATOR D'ARCO:

...there's no amendments.

SECRETARY:

No...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1399, Senator D'Arco. On the Order of Senate Bills 2nd Reading is Senate Bill 1399, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1399.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1426, Senator Zito. On the Order of Senate Bills 2nd Reading is Senate Bill 1426, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1426.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Does any other member have a bill on the Order of Senate Bills 2nd Reading? We are about to leave this order of business. Senator Etheredge. All right. With leave of the Body, we'll go to the Order of Recalls. There is currently being distributed by the Pages a recall list. We'll begin at the top, the appropriations bills and I think there are two substantive bills at the bottom. With leave of the Body, we'll go to the Order of Recalls. Leave granted? Leave is granted. On the Order of the Recall List, Senate Bill 173. Senator Schaffer seeks leave of the Body to return Senate Bill 173 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 173, Mr. Secretary.

SECRETARY:

Amendment No. 9 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a supplemental appropriation. This is for the newly created historic preservation district....division of the State Library. It is...we have basically had them transfer most of their needs but they are still ten thousand short. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 9 to Senate Bill 173. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is...adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 383, Senator Poshard seeks leave of the Body to return Senate Bill 383 to the Order of...2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 383, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Carroll and Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would change the bill to a reappropriation. We have already passed the appropriation and the supplemental. This would reappropriate it for FY '86. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 383. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 463. Senator Weaver seeks leave of...Senator Weaver, 463, seeks leave of the Body to return Senate Bill 463 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 463, Mr. Secretary, read the...

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the result of Doctor Bob for three additional positions that were added since the budget was submitted and to take care of some cuts we had made in Telecommunications, et cetera. They were a little bit too deep. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 463. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 464, Senator Watson. 467, Senator Donahue. Senator Donahue seeks leave of the Body to return Senate Bill 467 to the Order of...2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 467, Mr. Secretary.

SECRETARY:

Amendment No. 7 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We had in...in our prior amendment taken out some money for some agency offices that are out in the field. We're not sure what the Federal Government will do. They have been funding them in the past. There is a consideration that they may have to be funded with State dollars in the future

based on the discussions happening with the budget in Congress. This amendment would add back a million two of the three two they had originally requested to make sure that those existing offices could stay open. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Amendment No. 7 to Senate Bill 467. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 470, Senator Dudycz. Senator Dudycz seeks leave of the Body to return Senate Bill 470 to the Order of Senate...2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 470, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a no dollar change amendment, just to readjust the numbers within Amendment No. 1 to meet with the fire marshal needs. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 470. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 472, Senator Coffey. Senator Coffey seeks leave of the Body to return Senate Bill 472 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 472, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Amendment No. 3 would add three hundred thousand dollars from the Road Fund for the preparation of plans for widening Illinois Route 13 from Murphysboro to Belleville. I'd ask your passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn moves the adoption of Amendment No. 3 to Senate Bill 472. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is...Amendment No. 4 is for a needed ambulance in the western part...wrong one? Oh, I'm sorry, this is...Amendment No. 4 is the technical one. It's the change in the DOT breakout. We had done it initially just to require them to do it to the districts so we'd know how much they were spending in each district. They have provided us now with the figures of how they would like to have that

money spent. This is the DOT numbers to rebreak out the Road Fund into the districts. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 4 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Carroll and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Now I'm with you. Thank you. This is for the City of Palos Hills to...for transportation to the elderly and handicapped and for Summit for an ambulance. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senate...Senator Karpiel.

SENATOR KARPIEL:

How much is this ambulance and all that...or whatever you said it was for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Ninety-seven thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll has moved the adoption of Amendment No. 5 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Carroll and Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you. This is five hundred thousand for 23rd Street in LaSalle from Route 351 to Route 39. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll moves the adoption of Amendment No. 5 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Carroll and O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for...for County Highway 21 from Route 50 to the Lawrenceville Airport in Lawrence County for DOT to construct the widening and resurfacing to the tune of a million dollars that they had needed to...create some industry towards that airport. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 5 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No, No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, Amendment No. 7 is adopted.

SECRETARY:

Amendment No. 8 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for the removal of chemicals and debris from the Little Calumet River between Burnham Avenue and the mouth of the Thorn Creek tributary in Cook County, nine hundred and fifty thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 8 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senators Carroll and Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for construction of connector highway from Route 159 to Route 157 near Edwardsville in Madison County. Cannot be called the Vadalabene Road 'cause there already is one. It's for four and a half million. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Carroll has moved the adoption of Amendment No. 9 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The...Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10 offered by Senator Carroll and Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

This is in the Town of Mokena from Interstate 80 to Route

30 for improvements of Wolf Road, and I would move its adoption, a million two-fifty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved the...any discussion? Senator Carroll has moved the adoption of Amendment No. 10 to Senate Bill 472. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, Senator Watson indicates he is ready to go on 464. Is that correct, Senator Watson? Senator Watson seeks leave of the Body to return Senate Bill 464 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 464, Mr. Secretary. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

On 464, first, we must, because it technically incorrect, having voted on the prevailing side, move to Table Amendment No. 4 and then it is being partially replaced in Amendment No. 5, but Amendment No. 4 is technically incorrect. Then, having voted on the prevailing side, I would move that that...by the vote by which that was taken be reconsidered for purposes of Tabling the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right, Senator...Senator Carroll, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 4 was adopted. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd just like to ask the sponsor, where is it technically incorrect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It was drafted in contemplation of an amendment that was not offered having been offered, the Luft amendment, and your drafting was then done as if that amendment had been adopted so that the numbers no longer track the bill as it now sits in Enrolling and Engrossing and therefore has no efficacy, unfortunately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. So, I see then in the next amendment just takes care of that technicality.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll...having voted...Senator Carroll.

SENATOR CARROLL:

Not to mislead you, no, it does not. This is the request for six new jobs. We had suggested that they start off with three which it also does, and that's why I said it was...I said initially, it was only partially corrected in the Floor amendment, but it...it right now, the offer of six that you made is technically incorrect so they have zero; so, in effect, it's three more than they had with the way the bill was when it was on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll having moved....having voted on the prevailing side moves to reconsider the vote by which Amendment No. 4 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Carroll now moves to Table Amendment No. 4 to Senate Bill 464. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is Tabled. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

This would add three investigators for that...defective detective section, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves...moves the adoption of Amendment No. 5 to Senate Bill 464. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 507, Senator Lemke. On the Order of Senate Bills...on the recall list is Senate Bill 507. Senator Lemke seeks leave of the Body to return Senate Bill 507 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 507, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Just to note, will you show the sponsorship...not that this will be a fun bill for Senator Zito...Zito-Lemke on 507. What this does now...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the...Senator Lemke requests to add Senator Zito as a hyphenated...all right...Senator Lemke seeks leave of the Body to have the sponsorship of 507 read Zito-Lemke. Is leave granted? Leave is granted. Senator Lemke.

SENATOR LEMKE:

What this amendment does is strips everything in the bill after the enacting clause and sets up a fund to...to fund Senate Bill 172 which passed out of here on the Agreed Bill List. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 507. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1460, Senator Collins. Senator Collins seeks leave of the Body to return Senate Bill 1460 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate BIll 1460, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr...at first, I move to Table Committee Amendment No...No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, I'm sorry.

SENATOR COLLINS:

Was there a committee amendment? Wasn't there a committee...oh, okay, then...it's...it amends No. 1. It is two million dollars for demonstration project for vocational enterprise centers to the Junior...Community College Board. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...is there any discussion? Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1460. Any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Could you explain the amendment, Senator Collins? I...I didn't...there's a lot of noise on the Floor and I didn't hear what was going on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you. Senator Weaver, this is...this is two million dollars for demonstration projects...two demonstration projects for the...to the Junior College Boards for the promotion of entrepreneurship. It's the vocational enterprise centers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver. Further discussion? Senator Collins has moved the adoption of Amendment No. 2 to Senate Bill 1460. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 989, Senator Kelly...is that all? Senate Bill 199, Senator Newhouse. First of all, let me make an announcement to the membership that there are three additional bills that were added to the recall list, Senate Bills 199, 200 and 1421. Senate Bill 199. Senator Newhouse seeks leave of the Body to return Senate Bill 199 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 199, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. 199, 200 and 1421 are the apprenticeship training bills. We find that there are some technical defects and these amendments are to clean them up. So, I would ask for adoption of Amendment No. 2 to Senate Bill 199.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse has moved the adoption of Amendment No. 2 to Senate Bill 199. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 200. Senator Newhouse seeks leave of the Body to return Senate Bill 200 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 200, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

The same thing. This is a clean-up amendment. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Newhouse has moved the adoption of Amendment No. 2 to Senate Bill 200. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

SB 1200 Recalled

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate...Senate Bill 1421. Senator Newhouse seeks leave of the Body to return Senate Bill 1421 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1421, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

This is the last of the series. This is a clean-up amendment. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to Senate Bill 1421. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock seeks leave of the Body to...to return Senate Bill 1200 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1200, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson on the Floor? Senator Davidson on the Floor? Senator Davidson is out in the Rotunda. Senator Weaver seeks leave of the Body to handle the amendment for Senator Davidson. Is leave granted? Leave

is granted. On the Order...Mr. Secretary. Senator Weaver.

SENATOR WEAVER:

Well, this is a technical amendment. Both sides agree on it and I'd move we go ahead and add this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Weaver has moved the adoption of Amendment No. 2 to Senate Bill 1200. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock, for what purpose do you...arise?

SENATOR ROCK:

If there is no further business or if no member requests any further order of business, we'd just clean up the paper and I urge everyone to be here at nine o'clock tomorrow morning. We'll adjourn until nine o'clock tomorrow morning. We will begin where we left off on the Calendar and just keep on going. Hopefully, by midafternoon we can be on our way home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 260 offered by Senator Karpiel. It's congratulatory.

Senate Resolution 261, by Senator Topinka, Dudycz and others. It's commendatory.

Senate Resolution 262, by same sponsors, and it's commendatory.

Senate Resolution 263, by Senator Jeremiah Joyce and Lemke, and it's a death resolution.

Senate Joint Resolution 62, by Senator Topinka. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And Senate Resolution 264, by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Rock...any further business to come before the Senate? Senator Rock moves that the Senate stand adjourned until nine o'clock tomorrow morning, May 24th, Friday. Senate stands adjourned until tomorrow morning, nine o'clock.

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 24, 1985

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Paul E. Flesner, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND FLESNER:

(Prayer given by Reverend Flesner)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, I move that reading and approval of the Journals of Tuesday, May 14th; Wednesday, May 15th; Thursday, May 16th; Friday, May 17th; Monday, May the 20th; Tuesday, May the 21st; Wednesday, May the 22nd and Thursday, May the 23rd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've...heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills, assigns the following House bills to committee:

Agriculture, Conservation and Energy - 582; Elementary and Secondary Education - 62, 90, 123, 320, 348, 409, 514, 598, 815, 935, 1037, 1528 and 2387; Higher Education - 593; Executive - 1059, 1159 and 1217; Insurance, Pensions and Licensed Activities - 459, 682, 932; Judiciary I - 2364; Judiciary II -...291 and 975; Local Government - 724, 1216 and 1218; Revenue - 18, 153, 198, 811, 861 and 1847.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed the following bills...passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 142, 401, 419, 737, 753, 1075, 1083, 1090, 1129, 1262, 1263, 1313, 1324, 1340, 1341, 1353, 1360, 1362, 1378,...or 1529, 1531, 1539, 1556, 1935, 2202, 2205, 2283, 2437, 2441 and 2473.

PRESIDENT:

All right. With leave of the Body, we will begin, while the members are assembling, with House bills 1st reading, page 19 on the Calendar. If any member has a bill that a House member has requested that he or she pick up, please let the Secretary know. Page 19 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 207.

(Secretary reads title of bill)

1st reading of the bill. Senator Savickas is the Senate sponsor.

House Bill 217, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 300, Senator Rock.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 437, Senator Netsch.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 578.

(Secretary reads title of bill)

Senator Poshard.

House Bill 580, Senator Carroll.

(Secretary reads title of bill)

1st reading of the bill.

House Bill...621, Senator J.J. Joyce.

(Secretary reads title of bill)

1st reading of the bill.

636, Senator Demuzio.

(Secretary reads title of bill)

House Bill 703, Senator Sangmeister and J.J. Joyce.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 760, Senator Chew.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 787.

(Secretary reads title of bill)

1st reading of the bill. Senator Luft is the Senate sponsor.

House Bill 791, Senator Luft.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 800, Senators Marovitz, Bloom and Zito.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 805, Senator Karpiel.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 816, Senator Carroll.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 852, Senator Marovitz.

(Secretary reads title of bill)

1st reading.

House Bill 952, Senator Poshard.

(Secretary reads title of bill)

House Bill 1023, by Senator Philip.

(Secretary reads title of bill)

House Bill 1027, Senator Welch.

(Secretary reads title of bill)

House Bill 1034, Senator Welch.

(Secretary reads title of bill)

House Bill 1038, by Senators Berman and Maitland.

(Secretary reads title of bill)

House Bill 1039, by Senators Holmberg and Berman.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1050, Senator Darrow.

(Secretary reads title of bill)

House Bill 1051, Senator Darrow.

(Secretary reads title of bill)

1053, Senator Darrow.

(Secretary reads title of bill)

House Bill 1072.

(Secretary reads title of bill)

...sponsors of that bill was...1072, was Senators Etheredge and Davidson.

1148, by Senator Berman.

(Secretary reads title of bill)

House Bill...1206, by Senator Welch.

(Secretary reads title of bill)

1232, Senator Hall.

(Secretary reads title of bill)

1458, by Senator Poshard.

(Secretary reads title of bill)

1467, Senator D'Arco.

(Secretary reads title of bill)

1491, by Senator J.J. Joyce.

(Secretary reads title of bill)

Senate Bill 1500, by Senator DeAngelis.

(Secretary reads title of bill)

1523, Senator Degnan.

(Secretary reads title of bill)

1535, Senator Kustra.

(Secretary reads title of bill)

1555, by Senator Zito.

(Secretary reads title of bill)

1714, Senator Netsch.

(Secretary reads title of bill)

1951, Senator Schuneman.

(Secretary reads title of bill)

1952, by Senator DeAngelis.

(Secretary reads title of bill)

1977, by Senator Schuneman.

(Secretary reads title of bill)

2002, by Senator Rock.

(Secretary reads title of bill)

2003, Senator Berman.

(Secretary reads title of bill)

2036, by Senators Philip and Rigney.

(Secretary reads title of bill)

2062, Senator Etheredge.

(Secretary reads title of bill)

2088, by Senators Jones and Rock.

(Secretary reads title of bill)

2158, by Senators Nedza, Rock and DeAngelis.

(Secretary reads title of bill)

...2160, by Senators Marovitz, Nedza and Rock.

(Secretary reads title of bill)

2165, Senators Berman, Rock and Nedza.

(Secretary reads title of bill)

2167, Senators D'Arco, Nedza and Rock.

(Secretary reads title of bill)

2182, by Senator DeAngelis.

(Secretary reads title of bill)

...2188, by Senator Marovitz.

(Secretary reads title of bill)

2226,...by Senator Marovitz.

(Secretary reads title of bill)

2232, by Senator Karpiel.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

(Machine cutoff)...call the attention of the membership to the back page, we have two hundred and twenty bills on the Order of 3rd Reading. So I would ask everyone to stay close to their seat and close to their files, and let's move as expeditiously as possible in order to afford all the members an opportunity. We will go through the Calendar but once and then we will go home. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have permission at this time, Mr...Mr. President, to go on Senate Bill 1072, 1938, 1200 and 766 as a joint sponsor.

PRESIDENT:

The lady has asked leave to be shown as a joint sponsor on the bills...the list of which she will afford the Secretary. Can you walk that list up to the Secretary, Senator Topinka? Without objection, leave is granted. (Machine cutoff)...Barkhausen, are we ready? On the Order of Senate Bills 3rd Reading, we'll start where we left off last night, the middle of page 12, and we will go number by number right through the Calendar. We're not skipping any appropriation bills or anything, we're just going to go right through the

SB 1073
3rd Reading

Calendar. We have to go to page 18 and then we will begin again at the beginning. So my suggestion is, if we can hold the rhetoric to a minimum it would be helpful. On the Order of Senate Bills 3rd Reading, Senate Bill 1073. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1073.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1073 is the outgrowth of the work of the Illinois DUI Task Force and the recommendations from it and the Secretary of State's Task Force stemming from it and also from the lengthy negotiations and compromise that went on between representatives of the Secretary of State's Office, legislators that had been involved with this issue and members of the Illinois and Chicago Bar Associations. This is probably best characterized as an omnibus DUI bill, there are numerous provisions in it. It's best known for its provision dealing with judicial suspension of driver's license. Be happy to answer any questions, otherwise, would ask for approval.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1073 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 1073 having received the required constitutional majority is declared passed. 1074. On the Order of Senate Bills 3rd Reading, Senate Bill 1074. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1074.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1074 creates the Clinical Laboratory Science Practices Act. I...handled this bill when I found out that those people that determine what are the results of our blood tests are, whether in fact salmonella...what salmonella is and all the other tests and cultures that doctors...some of these technicians are not required to be registered, as a matter of fact, can be taken off the streets in some cases. So what we have tried to do with Senate Bill 1074 is use language that was provided by us from Registration and Education, by all people involved, the doctors are not opposed; in fact, I don't think there's any opposition. The language is in conjunction with all other language on file with Registration and Education. I will attempt to ask...answer any questions; if not, I'd move for a favorable roll call...ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Perhaps, Mr. President, we could simplify the process here and...here in Springfield by sending every person in the State a form annually and allow them to declare themselves whatever they choose, and we would then register them with a ten dollar fee. It would be a tremendous revenue source and we would cut out all this excess legislation. This is another one of these bills to register a group that...you know, it sounds noble and all that, but we're going to end up registering anything that moves in this State or doesn't

move, and I frankly, think it all comes back to haunt us. We just killed the Sunset Commission and we're just running amok here.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. My sister was a lab technician, it takes...awhile to become one. You have to have some training and I think he's right, a chemistry student can't do a lot of these things, and I suggest we vote Yes.

PRESIDENT:

Further discussion? Further discussion? Senator Luft may close.

SENATOR LUFT:

Well, I think Senator Schaffer is right, we may wind up registering those that don't move, because this is simply anybody right now that can be taken off the street determine what blood sample you...what is in your blood; and as a matter of fact, in the Department of Public Health, those people that were testing for salmonella could have been taken off the street. I helped create the sunset laws in 1975 and '76 and I don't think I've ever gotten up to get anybody registered or licensed, but in this case, I think it's extremely important and would appreciate your support.

PRESIDENT:

Question is, shall Senate Bill 1074 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, none voting Present. Senate Bill 1074 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1083. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1083.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The bill originally modified the...Unified Code of Corrections to prohibit a person in prison on a felony violation committed with a firearm from receiving any good-time credit. There were objections to that, the bill was amended, and what the bill now does, makes it a mandatory prison term for at least the minimum term provided the committing a felony offense was done with a firearm. I ask favorable response.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1083 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1083 having received the required constitutional majority is declared passed. 1086, Senator Vadalabene. 1099, Senator Macdonald. Senator Macdonald. Senator Macdonald. Going, going, gone. On the Order of Senate Bills 3rd Reading, Senate Bill 1099, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1099.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1099 is very

important bill. It was drafted as the result of a concept proposed by the Special...Grand Jury on Vote Fraud. The grand jury suggested that by requiring a print...a thumbprint on every ballot application that that would act as a tremendous deterrent to vote fraud, and...they feel it is no more of an invasion in privacy than a handwritten signature. So it...it is interesting to note here that it is publicly endorsed, of course, by Alderman Vrdolyak, the Sun Times and also by Thomas Leach who is the spokesman for the Chicago Board of Elections. This will do a great deal not only in the largest county in...in Illinois but also in other parts of Illinois where there are absent voters who are voted regardless of whether or not they have been...they actually are eligible to vote. So I...I ask for your vote on this piece of legislation which is designed to abolish vote fraud.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Do I understand, Senator Macdonald, that under your bill, you have to be fingerprinted in order to vote?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

That's correct, Senator Netsch. You...you would have...and in the absence...we put an amendment on the bill to say that in the...in the absence of...we...we have passed three bills out of here, I believe, yesterday requiring fingerprinting and in the absence of...in...in handicapped people of a thumbprint it would be the next digit, or severely handicapped it would be the same as...as voting by affidavit. They would have to provide the credentials and vote by affidavit.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yeah, I think I voted against all of those fingerprinting bills, by the way, yesterday or at least if I...I attempted to. I'm sorry, I'd like to think that I stand second to no one in my...my dislike of vote fraud, but fingerprinting in order to vote, somehow just is absolutely beyond the pail to me. The next thing, you know, you'll have to...well, I don't know, I mean, I guess we'll all be fingerprinted and...footprinted at birth and somehow Big Brother is going to follow his...through the rest of our lives. I'm...I'm sorry, I just find this really offensive to my basic sense of civil liberties.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Well, I'm sorry that Senator Netsch injected civil liberties, that will probably fly this bill out of here. What can you say about a bill that requires you to be fingerprinted to vote? Can we amend the bill so that we can have a...a sign that says 1984 and a picture of Big Brother above it as you walk into the voting booth? Of course, it will in bilingual language. I happen to enjoy a constituency with many senior citizens, many of whom come from foreign countries; and if there is anything that would intimidate them more, I can't think of it. I think this is a outrageous proposal. I don't know how it got out of committee and I certainly hope it doesn't get out of here. Please vote No.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Mr...Mr. President, thank you. Ladies and Gentlemen of the Senate, now that we in this Chamber yesterday...approved an elected school board, let's vote for honest elections. It's a good bill, it's very simple. Those of you who vote

for it will be telling the public that you are for honest elections, and those of who vote against it, will be telling the public that you are not for honest elections, that you approve of vote fraud. It's that simple. Wave your hands, Dawn, all you want. If you vote for it, you're for honest elections. If you vote against it, you're for dishonest elections.

PRESIDENT:

Further discussion? This one has certainly served to wake us up, Senator Macdonald. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, how about tatooing at birth?

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Is...is this optional by election district or is it mandatory Statewide?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Mandatory Statewide.

PRESIDENT:

All right. Senator Macdonald...any further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I don't think it's funny to have vote frauds. We've had plenty of them. All this bill is trying to do is ensure against vote frauds, might be funny to some of you over there, but it's not funny to me and a lot of the taxpayers who want honest elections. I ask you to support the bill.

PRESIDENT:

Further discussion? If not, Senator Macdonald may close.

SENATOR MACDONALD:

Well, first of all, I...I really can hardly say that I think the Grand...Jury on Vote Fraud was capricious in...in offering this bill. I think that we have had a very serious problem. It is not unknown, many banks use thumbprints and fingerprinting for identification. Many hospitals for new borns use footprints and that is at birth to identify...the child, and...and that while is not a tatoo, Senator Joyce, it certainly is at birth an identification which goes through that child on the birth certificate and is required. I just say that because of the vast amount of change that has happened throughout the past few years in the election process in Illinois, that there has to be some way for us to control vote fraud. This was the grand jury's suggestion...the...the Grand Jury on Vote Fraud suggestion, it has been accepted by the Chicago Board of Elections, and I don't think that they are a group who would necessarily embrace an idea like this...unless they felt it was necessary, and I...I just urge your vote in support of this bill.

PRESIDENT:

The question is, shall Senate Bill 1099 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there ar 26 Ayes, 31 Nays, none voting Present. Senate Bill 1099 having failed to receive the required constitutional majority is declared lost. 1101, Senator Kustra. On the Order of Senate Bills 3rd Reading, Senate Bill 1101. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1101.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I would ask leave to have Senator Barkhausen added as a hyphenated cosponsor of this bill.

PRESIDENT:

The gentleman seeks leave to add Senator Barkhausen as a cosponsor. Without objection, leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill provides that prosecution for an Election Code violation be held before a judge from a county other than the one where such a violation was committed. I would point out that this is not a change of venue bill. It is just a change of judge bill in a sense. I think what it does is minimize the possibility of any undue influence being exerted on a judge because of some friendship, relationship or knowledge of the...of the defendant. It also improves the chances of objectivity on the bench and removes any suspicion of...of bias. I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to Senate Bill 1101 and I...I truly don't understand the reason for it. It is in my judgment a direct frontal assault or slap in the face of every circuit court judge in every one of the hundred and two counties of this State, and there is no justifiable reason. I urge an Aye...a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I rise in support of this bill

and simply to make the point that...that vote fraud is not confined to any one region of the State. You all remember when we were going through the question of a preliminary recount in 1982 and there were allegations on the part of the Stevenson Camp that vote fraud was at least as rampant in areas outside of Cook County as it...as it allegedly was within Cook County. I remember hearing Senator Joyce talk about the vote fraud that allegedly occurred, for example, in Kankakee County, and others have cited counties in the southern tip of the State where there are more registered voters than there people of voting age. And I think as long as our...our judges, even though the vast, vast majority of them are...are well-intentioned and probably not...vulnerable to pressure of any particular kind, as long as they continue to be elected, it's more than likely that even subjectively they're going to give the benefit of the doubt to the political party that put them in power; and for that reason, I think in...in a...in a sensitive issue such as vote fraud, it makes sense for the prosecution to be able to obtain the change of venue to be sure that the prosecution is going to be proceeding in as unbiased a manner as possible. For that reason, I would urge support for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of this bill. I think for the reasons that Senator Barkhausen so...so succinctly put that it is really necessary for the prosecution to have a fair a hearing and a fair judgment in a court of law. I would submit to you that if we were to take a poll of our constituents throughout the State who watched on television and actually saw some of the vote fraud that...that was being displayed right before their eyes, that you would find that they would be strong supporters of this

bill. I urge your support for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I...I voted against this bill in committee, I strongly agree with Senator Rock, this bill should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman. If you have time, Senator.

SENATOR BERMAN:

I was checking with my criminal law expert before I spoke. It...it disturbs me that the proponents of this bill stand up and...in fact, what you are saying is that you have no confidence in any of the judges in the county in which a vote fraud charge is brought. That's exactly what this bill says. I find that very difficult to believe. I know judges from thoughout the State, and I think that there are cases that probably touch upon issues that are perhaps more personal, more critical, more sensitive than a vote fraud prosecution, and if you think that you have to go outside of the county to find a disinterested judge or an objective judge, then I...I really regret that you have that kind of an...of an opinion of the...circuit court judges throughout the State of Illinois, and we're not talking about one county. I...I find this preposterous. I...I...I think that this roll call, everyone that's voting Aye, I want to send a copy of this to your circuit court judges to let them know what you think of him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I can assure you that my circuit court judges don't want to

get involved. They'd rather have a...a judge from another county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kustra may close.

SENATOR KUSTRA:

Well, thank you, Mr. President. You noticed in my remarks, I think, Senator Rock's comments notwithstanding, that I made no assault on judges from the front, behind or any other direction. Instead, what I am trying to do is remove any appearance of impropriety. To the question of where does this occur or how does it occur, let me just say that I've taken the time to talk to judges, in Cook County anyway which is where I come from, they tell me that they don't like...as Senator Geo-Karis said, they don't like to be put in these positions. To be very specific, it's a case, Senator Berman, of where two judges are sitting next to each other in adjoining courts, they go out for lunch, one judge says to the other judge, "I've received a phone call from one of our friends. Did you know that this afternoon you've got such and...so and so in front of you for a vote fraud case? He's a precinct captain, he's come through the ranks." Either the conversation ends there or it...or it goes on in a manner I think you can predict. All this bill does is allow those judges to get off the hook so they're not put in those compromising situations. I make no attempt here on the Floor of this House to impugn the integrity of any judge, but I think it's important that we protect them. With the '86 elections around the corner and with Greylord having seriously undermind the confidence of judiciary, I think this makes a lot of sense; and as far as those of you downstate is concerned, I've also checked downstate. It's my understanding that this in many times around downstate occurs anyway. The judges decide for themselves when to remove themselves

from a case and put someone from another area in the circuit on that case. With all those reasons, I really don't think this is such a...a big deal. I think it's a good bill to ensure impartiality on the bench. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1101 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, 1 voting Present. Senate Bill 1101 having failed to receive a constitutional majority is declared defeated...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. Point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR BLOOM:

In the back gallery are some students from Franklin Grade School in Peoria. The students are constituents probably of both Senator Luft and myself, and I wonder if they could be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will they rise and be recognized. Senate Bill 1105, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1105.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President, members of the Senate.

Looking at the Calendar it accurately reflects what this bill does. I'm sure all of us have been talking to our doctors recently and one of them suggested to me that if you don't want to do anything else in malpractice, at least you ought to protect us in the area that you mandate us to...to work in; and as you know, as part of the school exams, before you can get into school you have to have what a...I guess is called a DPT shot which is diphtheria, pertussis and tetanus, and some doctors have told me that they have to give those shots and then later on the child gets a...a reaction to taking those shots, and then they get a malpractice suit filed against them and if they had their druthers they wouldn't have given them the shots to begin with. So this is a little protection for our doctors in this area and this is certainly mild compared to Senate Bill 1200. I'll be happy to answer any questions, if not, would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...Senator Bloom.

SENATOR BLOOM:

Well, it's with some reluctance that I rise to question this bill. It's my understanding, Senator, that when a physician is confronted with a DTP situation that they are not of necessity required by law to give it if, indeed, it's medically contraindicated and that the large verdict lawsuits, the ones that have made this issue somewhat notorious, are issues where you have, let's say, a sibling has had a rather mild reaction to a DPT and then the younger brother or sister is given the shot and a very serious negative result ensues, and in that situation where there is a tendency of reaction within the family that the doctors do not have to administer this shot. In other words, I'm...I'm a little concerned that we might be throwing the baby out with the bath water.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Was that a question, Senator Bloom, or a statement? No further discussion, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, in answer to Senator Bloom, you are correct. In the Statute it does not mandate, but the problem is...is when you're in the doctor's office to...you understand the child does have to have the shots and it has to show to the school authorities that the shots have been administered...I grant you, the doctor could say to the parent, no, I'm not going to do it. Well, you know, they're in there for all the other tests, now if he doesn't give them the shots now the...the parent is going to have to go to another doctor somewhere. It's rather impractical, so the doctor is going to give them the shots. I don't think this is any...any...any problem in that area, Senator, and I have further put in the bill by amendment to cover your second situation provided that the physician exercise reasonable care in ascertaining the appropriate...of...immunization vaccine used and administered an appropriate immunization vaccine to the child. So, I...I think that's tightening up as much as I can. In closing, I would just say that...I think this is a small thing to do for the doctors. We ask them to administer these tests, give these shots and...for an orderly process in their office and...and getting kids into school, I...I think this is a very minor thing that we could do for doctors.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1105 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 1, 1 voting Present. Senate Bill 1105 having received the constitutional majority is declared passed. 1112, Sena-

tor Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1112.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the State's Attorneys' Appellate Service commission. The bill was originally put in at two million eight hundred and ninety-seven thousand four hundred dollars, was reduced sixty-nine thousand three hundred; it is now at two million eight twenty-eight one hundred. Move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1112 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. Senate Bill...1112 having received the...constitutional majority is declared passed. Senate Bill 1129, Senator Newhouse. Senate Bill 1131, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This is a clean-up bill at the request of the Secretary of State, and it adds to the current list of licensees those conditions which they

shall not sell alcohol to include an item...the number four which would be clinically assessed as a...an alcohol abuser or drug dependent person.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

I tried to get your attention and I had my hand up when you called 1129. I'm...I'm the hyphenated sponsor on that even though Newhouse wasn't here, and he was in the phone booth and he came right out. You...fast gaveled me and I'd hope we be able to come back to that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, I look at the sponsor, I look at his chair, if I...seek recognition if they want to move the bill, if they're not there, we move on to the next bill. It's been the...the policy today that we are going right through the Calendar and we're not going to wait till phone calls or lobbyists are answered and move right through the bill. Senator Hall.

SENATOR HALL:

Well, I understand that, that's why I was up and I tried to get your attention there but you looked over there, but I kept trying to get your attention and you just went on to the next bill. So, I think that I...I...I never delay the function here, but you know good and well if...if a person is up and they try to get your attention...I just want to call on that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we will go back to it, but I want to admonish you, waving your hand if you're a hyphenated sponsor when the sponsor is in the...in the Chambers will not get you to call and move the bill. The hyphenated sponsor is not for the purpose as a substitute when the original sponsor is here. It's up to him to decide whether to move the bill or not to.

On 1131, if there's no further discussion, the question is, shall it pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present...moved to 53...53 Ayes. The bill having received the constitutional majority is declared passed. On Senate Bill 1129, Senator Newhouse. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1129.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This bill is a bill that cures the problem of companies being fraudulently admitted to a program for minority contractors. The problem, I think, as we all know, is that there have been some companies that simply have front people to certify their organizations when...when they were not in fact minority controlled. This bill is intended to cure that. There was an amendment to the bill that gave the appointing power for the board that would supervise this activity to the Governor since it was a constitutional impossibility for it to have been appointed by the leadership, even with the advice and consent of the Senate. The bill is now in the condition that the sponsor wanted it in and I'd move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. Would the sponsor...answer a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Newhouse, you had originally a bill 1457, and as I understand it, that bill...or...Senate Bill 1129 struck everything after the enacting clause and then 1457 more less moved over to 1129...became 1129, is this correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you. Also, my understanding is that this bill creates a minority controlled and female controlled loan board. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

That's correct, Senator, to...to...to govern a program that is already in existence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Well, to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Briefly, and, Senator Newhouse, I...I'm somewhat reluctantly speak in opposition to the board. It seems to me...or to the bill...it seems to me that what we're doing here is creating a board, this would be a six-member board as the bill was amended, a six-member board appointed by the Governor, no three members of which could be...that is no

more than three members could be of the same party, if I understand it correctly. It...the bill invests in this board a great deal of power, gives the board the...almost unlimited authority to decide who gets three percent loans. Now this is...this is a board that would be making loans at an interest rate of three percent to minority interest and to...to female controlled businesses, I understand it, in certain limited areas of the State. St. Louis, I think, being one and...and one or two others, and I think I would question the advisability of giving...number one, a board such...what appears to be immense powers to loan money out, the State's money, and the funding would come through appropriations made to DCCA, by the way, loaning out at three percent. It would seem to me that this would be placing some other people and even other women who have businesses in other parts of the State...we're limiting it to particular areas of the State and saying, you can have...we'll loan you money at three percent over a period of twenty years. Now if these loans are defaulted on, I don't know what happens, I suppose the State picks up the tab. I don't know for sure, but it just seems to me to be a...a broad grant of power to a rather small group of people giving them that responsibility. I'm not so sure that this is...that this is the way we want to go to put the State into the loan business to...to this extent. So I'm just raising a few of these questions so that you can take a look at it and decide for yourselves what you want to do. I...I would be inclined to recommend a No vote. I think we have other programs that are trying to do this same thing, and this may very well be...an overkill or an overlay or an overlapping of something that may be already being done, I don't know, in some other way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Geo-Karis, Hall, Schaffer and DeAngelis. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I supported the amendment to Senator Davidson's bill which created the minority controlled and the female controlled businesses...however, what this bill does as it was amended...in the original form, I would be happy to support this bill, but the amendment to this bill says that the loans...the grants shall be done to businesses in the City of Chicago, East St. Louie and...Alexander and...Pulaski Counties. What about the other ninety-eight counties in the State...ninety-six counties?...it's about ninety-eight...I mean, we...it doesn't have any help for them. I don't think this is a...very fair bill...as it is amended, and I...I'm reluctantly forced to speak against the bill because it's patently unfair when you leave out ninety-eight counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Newhouse?

SENATOR NEWHOUSE:

...I think there's a question that needs to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, that wasn't a question. We're going to go through the people that sought recognition and then you can close. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Hudson, it comes at no surprise to me that you are opposed to it. I gave you the information so that you would be familiar. Now what this simply does is that DCCA is trying to stimulate employment around the State of Illinois. What we're trying to do is, we're trying to get people off of aid, trying to give them work, trying to give them some stimulant and this is the thing that they have. It's a great thing around here to tell people to pull themselves up by their bootstraps, but if we don't give them any

boots, how they going to pull them? The point is that what is necessary here, this simply says that these people in these depressed areas down where Senator Poshard is, where Senator Dunn is and...and those areas. It's...and, Senator Hudson, by the way, it's not St. Louis because that's in Missouri, and I heard you make that...I want to tell you that...all right. Now...so the thing that happens is this, as we stay here and cry with these crocodile tears, we say we want to do something for people, we say that we want to give minorities and females an opportunity, we say that we want people to get up and start doing something for themselves. This is a shot in the arm, this is a stimulant and if you got some other problems about it, if you feel that it should be around the rest of the State...we tried to get the State where the most depressed people are and where the high public aid, general assistance are to try to give these people a shot in the arm. If there is a feeling that we ought to...expand it more, I have...know Senator Newhouse will have no problem of trying to make some adjustment to that when the House; but if you don't give people an opportunity, if you preach day in and day out you're supposed to help yourself, and you don't come a long and try to help them...you can't pray them out of this, you got to get something and try to help these people. That's why this bill is so important, and I strongly...ask that we do support this and give it the necessary votes to get out of here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, apparently, we only want to help people in certain parts of the State. That's the gripe I think most of us have. This isn't even the whole City of Chicago. This is just the south and west sides...that's been amended out, now it's the whole city...pardon moi. Well, it certainly doesn't

include my area and we have minority owned and feminine owned businesses, and I take umbrage at...at limiting a program that is funded by Statewide money to a small segment of the State. Now, I admit the minority population is concentrated...rather heavily in certain sections of the State, but I would submit to you that the female population is not. You talk about fairness, this isn't fair, this is burglary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think we've hit on the point of...a classic case of discrimination, and for shame on you, Senator Newhouse, and you, too, Senator Hall. If you think only the westside of Chicago is depressed, I would like...I would like to invite you to drive through the town I was born and raised in, East Chicago Heights, where there are fifty-two hundred people and thirty-one hundred welfare checks. And I think it's...it's reprehensible that people who are trying to clear up a problem regarding discrimination are now discriminating against people who have been...we have minority owned businesses in our area. You're putting them into unfair competition with those very people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill. The bill directly affects some of the counties in my district and I rise in support of it, because for years in my work in those counties I have seen people with no chance of breaking the poverty cycle, twenty-five, twenty-six, twenty-nine percent unemployment now in some of those counties. We have to have some help. This is not a bill to assist people who simply want a handout. Poor people need help on occasion and this bill

lends them the kind of help that they need to break the poverty cycle. We cannot continually stand back apart from the problems of people who simply do not have the sustenance to get by on a day-to-day basis, do not have the kinds of clothes to put on the back of their children, do not have the kinds of quality schools to send their children to. We have to begin to break the cycle in these areas that need it the most, and it's not as though these people are asking for something for nothing. They're trying very hard in the counties in my district which are represented in this bill. We're putting together committees to try to entice industry to come in. We're putting together all kinds of economic development opportunities and incentives to try to direct businesses and industries to come to our area and some of those need to be minority owned businesses. I rise in support of the bill. I cannot emphasize more adequately than I'm trying right now, that it's a good bill, that it can help poor people, and I think that's what we're about in so many cases in this Senate and elsewhere. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Pawell...is there further discussion? If not, Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let me...I was...I rushed in the presentation of this bill because I wanted to move things along in the Chamber; apparently, that was a mistake. Let me just say to Senators on both sides of the aisle, this bill does not create a new program. The program presently exits. What this bill does is create a watchdog agency to make certain...can I get some...Mr. Chairman,...Mr. President,...I want...I want...there seems to be some question, I want to make certain...everyone understands where we are. This bill does not create a new program. The program presently exists.

What this bill does is create a watchdog agency to make certain that the parameters of the program are circumscribed and that people live up to what the parameters of the program are. The geographical locations may be a mistake. What we had...what we tried to do was get into those pockets of poverty to do what I think both sides of this aisle want to be done, to begin to create small businesses in this State that will produce taxpayers and increase the tax base. That's the purpose. Now, for those of you who feel as if that we want...that geographic distribution should be expanded, I would have no objection of doing that in the House if that's what you want on due consideration. So given that as an explanation, it is not a new program, it's a watchdog agency, I would...I would solicit your support of this bill. If you'll suggest to me that you want the changes made in the House, I will certainly commit to that. I would ask that...I would ask...that...a do pass on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1129 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays 21, 4 voting Present. Senate Bill 1129 having received the constitutional majority is declared passed. For what purpose Senator Hudson arise?

SENATOR HUDSON:

I hate to do this, Mr. President, but a verification, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Hudson has requested a verification of the affirmative vote. All the members please be in their seats. Will the Secretary please call the affirmative roll.

SECRETARY:

(Machine cutoff)...following voted in the affirmative:

Berman. Carroll. Chew. Collins. D'Arco. Darrow. Degnan. Demuzio. Dudycz. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Rupp. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative vote? Senator Hudson.

SENATOR HUDSON:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's on...he's in his seat.

SENATOR HUDSON:

Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg...Senator Holmberg on the Floor? She's on the Floor?

SENATOR HUDSON:

Jeremiah Joyce...Joyce...okay, all right. That's it, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, the Ayes are 31, the Nays 21, 4 voting Present. Senate Bill 1129 having received the constitutional majority is declared passed. For what purpose Senator Poshard seek recognition?

SENATOR POSHARD:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR POSHARD:

Like to recognize in the gallery...in the President's Gallery to our rear a group of honor students from New Simpson Hill Elementary School and the best darn musicians in

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Johnson County. They're here with their sponsors and parents and I'd like for them to rise and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. For what purpose Senator Hall seek recognition?

SENATOR HALL:

Having voted on the prevailing side, I move that they...that vote be...1129 be reconsidered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall moves to reconsider the vote by which 1129 passed. Senator Newhouse moves to lie that motion on the Table. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senate Bill 1136, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The amendment is now the bill, we...we gutted the original statement of the legislation and now the amendment is the bill; and this addresses a problem that the salvage people are having, and I don't if you've been contacted by some...the salvage people in your particular area. But we passed a bill a couple of year's ago, House Bill 2211, which really crippled the salvage industry and it...maybe it was trying to solve a problem of...of chop shop concerns and, hopefully, it has done that, but it has created a tremendous problem for the salvage dealers. And one of the areas that they have a problem is in the identification of what is called an essential part. Currently, they have to inventory all parts, keep track of them regardless of

the age, and what this bill will now do is say that a vehicle that is less than eight years older is the only type of vehicle that will...or a...a part..an essential part from a vehicle that is less than eight years is the only thing that will have to be inventoried except for a hulk, cowl and chassis. Those will have to be inventoried regardless of age. We're just trying to help solve a problem that we may have created by...by passage of this bill...in the last Session, and...be glad to...to answer any questions. We are working with the Secretary of State's Office, the Cook County State's Attorney, Department of Law Enforcement and the salvage people are continuing to negotiate in hopes of coming up to an agreed solution. Right now, the Secretary of State supports this provision; the Cook County State's Attorney's Office has taken a position of opposition at this time, but they are willing to continue to...to negotiate with us and hopefully work this out. I would appreciate...a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senator Watson is correct. There still is some concern that Senate Bill 1136 as amended dilutes substantially the chop shop bill we passed last Session. With his assurance that negotiations between the Cook County State's Attorney and the Chicago Police Department who currently stand opposed to the concept, I feel we should pass this to the House and continue that dialogue. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I only wish to concur with both of my colleagues,

the war will not break out here; if they don't come to a...a settlement, the war will break out in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Just one quick concern, I would like to see in your...negotiations that you consider antique cars...you may not want to put that limitation of eight years on them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1136 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, 1 voting Present. Senate Bill 1136 having received the constitutional majority is declared passed. For what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, I would like to be recorded as voting Aye on Senate Bill 1131. I was in the telephone booth and when the roll call was taken, I was absent.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you'll be recorded. Senate Bill 1144, Senator Marovitz. Read the bill, Mr. Secretary. You know, I...I would suggest that at the end of today's Session on those bills you wish to be recorded, instead of interrupting the procedure that we...see the Secretary, we'll get you recorded at the end of the Session. Senator Sangmeister. Senator

Sangmeister.

SENATOR SANGMEISTER:

Not on. Yes, I am. I'm sorry. Oh, are we on? Okay. I would suggest maybe it's time for the Donnewald Rule to be adopted so that we can move readily today. If you recall that was, you know, the sponsor presents his bill, one in opposition, the sponsor closes and we go. Is there any possibility of having the rule and invoked?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Sounds good to me. Senator Marovitz, 1144. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1144.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill only affects checking accounts. As you know, in recent years, the type of checking accounts available to consumers has increased. Savings and loan and money market funds are all newly competitors with banks for this business and consumers can no longer maintain a single, free checking account and they're faced with a variety of accounts. This bill meets the needs of these consumers without imposing any burdens on financial institutions. The bill requires financial institutions to disclose terms which apply to checking accounts. While many institutions make some disclosures, few of them make them all. The Illinois bankers drafted Amendment No. 2. They asked for some changes in the bill. We...we put their amendment on the bill which had to do with the timing, removing criminal penalties from the...from the legislation and other objections that they

had. The amendment is intended to make it easier for consumers to compare terms available at different institutions by standardizing the way information is received and presented, and it does only affect checking accounts, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. In the sake of brevity, I'll cut out the entire speech and simply say the identical bill that dealt with the savings accounts went out yesterday with exactly thirty votes. There were the same problems with this, the same plus, the same minuses. I'll...I'll skip the whole argument and just say, hey, it went out with thirty votes yesterday; my guess, this one's going to go out with thirty or thirty-one votes, and I'm just going to make you all aware of that so you don't miss the significance of the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1144 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is over. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 24. Senate Bill 1144 having received the constitutional majority is declared passed. Senate Bill 1152, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1152.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This

bill comes to us by way of a constituent of mine and a constituent of Senator Kelly's. The amendment becomes the bill and it grandfathers in a group of physicians' assistants who were State licensed in 1976 but due to a rewrite of the section in 1977 are now ineligible for recertification without taking the national exam. The amendment affects no more that sixty physicians' assistants who have held State licensure. To qualify for the grandfathering, a physician's assistant must have been licensed between July 1st, 1976 and September 20th, 1977, and have actively...practiced in the State of Illinois at least twelve of the previous eighteen months prior to July 1st, 1985. There is some language in here deleting reference to license renewal. Staff tells me that we may want to put some of that language back in. I have agreed to do that...over in the House. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly. If no discussion, the question is, shall Senate Bill 1152 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, 1 voting Present. Senate Bill 1152 having received the constitutional majority is declared passed. Senate Bill 1153, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1153.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1153 authorizes a joint action municipal water agency to...upon approval and by

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referendum issue General Obligations Bonds. It was amended once with an agreed amendment by the municipal league. I know of no opposition, would...and would urge passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1153 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 1 voting Present. Senate Bill 1153 having received the constitutional majority is declared passed. Senate Bill 1156, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Bill 1156 had been on the Agreed List and I...I pulled it off awaiting an amendment from the Office of the Governor and from the Department of Commerce and Community Affairs. They tell me that amendment is...in its final stages. The fact is, this is a bill to afford further tax deductions and incentives for job training and retraining programs. The amendment, I'm told, will be ready and will be presented over in the House. There is absolutely no objection to this and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, those in...the question is, shall Senate Bill 1156 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1156 having received the required constitutional majority is declared passed. 1160, Senator Welch. Mr. Secretary, Senate Bill 1160.

SECRETARY:

Senate Bill 1160.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

First, Mr. President, I ask leave to add Senator Zito as a hyphenated cosponsor to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. Senator Zito is added. Senator Welch.

SENATOR WELCH:

...this bill merely requires the date be placed on milk containers. Pursuant to a request from the other side of the aisle, I did amend it to take care of the problem concerning glass bottles, and that's about the summary of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I'd like...like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR DUNN:

How did you take care of that, Senator? Glass bottles...pretty hard to put a...a date on a glass bottle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

All bottles have to have some date so the people who handle them know when to get the milk off the shelf. So, on the cap of the bottle, which is a paper cap, it would be placed on the paper cap.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you...thank you...I'd like to remark that a bottle cap is awful small and if you've looked at a bottle cap...maybe people up in this part of the State don't have bottle caps, but down in southern Illinois, we still have glass bottles with little caps about an inch and a quarter across. I think they're full of writing already. I don't know where you would put a date on top of that. I suggest it's kind of an anti-consumer bill. It's not really good...good business bill and...and I'd suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...further discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

How did you come up with the fourteen days? What's the significance of fourteen days?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The fourteen day was amended from ten days pursuant to a request of the Kroger Grocery Company. They sent one of their officers out and he advised me fourteen days was a date that was a reasonable one. The Illinois Retail Merchants Association agreed. They're the ones who helped draw up this amend-

ment and they have no opposition to this bill at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Fourteen days from what? The time it leaves the...the dairy? The time it's processed through the dairy? What...about when does this date go on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senate...Senator, it is right in the bill. I mean, we're just delaying things here for obvious purposes. It's...it's from the date it's produced, placed in its final package at the milk plant. It's right in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Donahue.

SENATOR DONAHUE:

I assure you, Senator, I'm not trying to delay this. I...would like to know why from the...from the time it leaves or what's the purpose of this? Let's put it that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Okay,...well, let's...let's start from the beginning. Milk has a certain life period. From the date it's placed in the package, what we're saying with this bill is that fourteen days from that date the milk should be removed from the shelf in order to make sure that customers are protected. Then, we're putting the date...the fourteen days from the date it's placed in the package on the package itself so the customers are able to read the package and know what date it should be off the shelves, so when they purchase the milk, they know what date they should not purchase it after. This doesn't affect it when they're in their home. They can drink

it after that date, it's just...it should be off the shelf fourteen days. That was the recommendation of the fellow from Kroger Corporation whom, I assume, knows his business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I would just say that we have heard testimony in committee that this an arbitrary...dating. A lot of the dairies already do it, and with all due respect to Kroger, there are a lot of other dairies in this State. And I'll...finish with one question. How many...is there no opposition to this, or do you have the same type of information I have and the numbers of dairies that are still opposed to this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch, you can handle that in your closing remarks. Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

The...what is...what is the purpose of this...of the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I...I think it's pretty obvious what the purpose is, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I didn't hear the answer to that...I...I heard a statement, but I didn't hear the answer to the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, as I told Senator Donahue, the purpose is to get milk off the shelf fourteen days after it's put in the package in order to protect consumers so that they don't end up buying milk that should be off the shelf but hasn't been taken off.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, I rise in strong opposition to this bill. The dating whether it be ten days or fourteen days does not accomplish your stated objective. There...and this is not a matter of subjective...feelings, this is a...a matter which is...which can be verified by scientific tests. If you want to...the most important factor in determining how milk tastes and how safe it is at the time of consumption is not the period of time that's lapsed between the time the milk has been pasteurized and bottled and taken to the store, but it is rather the temperature at which that milk has been stored during the process and your...your putting a date is not going to protect customers at all. I suggest to you that it is going to do one other thing though, it may...if it accomplishes anything at all, it's going to increase the cost of the product to the consumer. So, what this bill is is a...is a stick it to the consumer bill. I'd suggest that the best thing that we could do is to...is to vote this thing down. The amendment changing it from ten days to fourteen days really doesn't accomplish anything at all, either in the...the way of consumer protection or...or anything else. As one of my colleagues...want to say from time to time, it's like putting perfume on a hog. This...this bill is still a hog and I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator...Senator Maitland. We have five additional speakers. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Etheredge touched upon most of my areas of concern but a direct question, Senator Welch, if you would be willing to...to yield. What...what terrible thing are you guarding consumers against? What's going to happen to that milk after fourteen days? I know a little something about the dairy industry and I want to know if...if you know what really you're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator, the...the harm may not appear in all forms, but what we're trying to do is give consumers information that is available to people in the industry who can read the milk cartons so that they can make an informed decision when they go to the store and, in particular, if they have milk there with several different dates, they can choose among the cartons of milk which is the fresher and take that home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

At the appropriate time, I'd move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there are Senator Karpiel, Senator Joyce, Senator Zito and Senator Kelly and that will be it. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. The fact of the matter is, as Senate....Senator Etheredge has indicated, as long as that

milk is...is kept cool, milk's shelf life can go on for quite a...quite a length of time. Let me tell you what...let me tell you what people in...in stores and supermarkets do, and I can tell by the...by the attention of the Body, no...not too many people really care about this...but the fact of the matter is...the fact of the matter is, people who work in stores are required by their...by their bosses and do it as a matter of...of policy in the store, continue to move the milk forward on the rack. Milk turns over very rapidly, it simply does. So, what's going to happen is you're going to have people, because they know the date is there, picking always the freshest date which, in fact, probably will cause milk to eventually have to be thrown out. Now that's a fact of life; and as Senator Etheredge has indicated is, indeed, going to raise the cost to the consumer, and I...I suggest to you, Senator, this is a bad bill and I think the original intent was to climb on board with the concern about salmonella, no question about that at all, that's been a major concern and salmonella is present in every...in all milk and is taken out by pasteurization. As long as the milk is kept cool, that problem is taken care of. I think it's a bad bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

I don't know what all the controversy is over this. So, some of the milk will be thrown out. The Federal Government spends two billion dollars a year storing surplus milk. So, maybe we'd cut some of that down and the people who are drinking milk would get a little fresher milk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly. I'm sorry, did...Senator Karpiel was next, Senator Kelly. Senator Karpiel.

SENATOR KARPIEL:

I just want to mention that I...I, along with thousands of other people, drank milk that was dated and it was dated way in advance, I mean, it was not bad milk, it was not on the shelf too long, I drank the correct date to get salmonella. I mean, I had salmonella along with thousands of other people and I drank the milk that was dated. I can't see that this bill is going to do anything at all. It's just a silly bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Ladies and gentlemen, we've just had thousands of people that...became ill over this. We had many Illinoisans die from salmonella. The sponsor has indicated that he's working with the Retail Association and I'm sure he's also would be willing to accede to any changes in the House if we need any amendments. I move and I very proudly support Senate Bill 1160.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

I didn't want to get into this, Mr. President, but I excused my ignorance to all of you dairy farmers here. I'm a consumer like everybody else and I don't know anything about the dairy industry. I do know...that when I go to buy a carton of milk, I'd like to see a clear, legible date so that I know what kind of milk I'm buying and how long ago that milk was packaged. What's the argument? I think we should be able to afford the consumers of this State...and I didn't realize that it didn't happen in every county because in the County of Cook, there is a date marked very clearly on...on the package. Come on, let's...cut out the rhetoric, let's be able to at least decide when the milk was packaged and have it in legible for so that a consumer walking into a store can

see it clearly and make the decision for themselves. It's a very simple concept and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. Dates currently exist on bottles of milk but they're not legible to consumers, that's for quality control by the industry and the grocery store itself. All this bill does is say, make that date in a legible marking so that the consumer can have the same information that the grocery store and the producer does. I would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate Bill 1160 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 24, 3 voting Present. Senate Bill 1160 having failed to receive the required constitutional majority is declared lost. Senate Bill 1163, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading, Senate Bill 1163, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1163.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. The next three bills are a package that was initiated by the Health and Medical Policy Research Group and what they do is...is educate the public on programs for the correct use of pesticides, and this bill

would increase the fees and...and have the Department of Public Health work out the problems with this. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1163 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1163 having received the required constitutional majority is declared passed. 1164, Senator Joyce. Mr. Secretary, 1164, read the bill.

SECRETARY:

Senate Bill 1164.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, this is...another one of the bills that creates the Pesticide Control Fund which is to be used for public education program on the correct use...pesticides, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1164 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1164 having received the required constitutional majority is declared passed. 1165, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is the last of the package. It requires the Department of...Public Health to conduct a study of urban pesticide abuses, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1165 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1165 having received the required constitutional majority is declared passed. Senate Bill 1186, Senator Smith. Mr. Secretary, read the bill. All right. 1191, Senator Jeremiah Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1191. Mr. Secretary, read the bill. Senator Keats, for what purpose do you arise? Oh, Senate Bill 1191, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1191 creates the Mobile Check Cashers Act. You can look at your Digest for all the particulars on it. I

will basically summarize the...presently there is one mobile check casher in the State and that is Thillens and what these...what Thillens does is it goes to different locations and cashes payroll checks. The individual locations have to be approved by the State. What this Act would...what this Act would do in part would provide that the State would just license the mobile check casher and review as part of its ongoing operation the various locations. The currency exchanges are in opposition to this. The...the Illinois State Chamber of Commerce...Chamber is of supportive of it. The Illinois Employer's Association is supportive of it and I'll be happy to answer any questions; otherwise, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. On a simple philosophic basis, I would support the bill saying that it does allow greater use of a certain type of currency exchanges, but there are one or two minor problems that you really have to think about that are really technical problems. First, the Department of Financial Institutions does oppose it, I mention that which will influence maybe one vote in the room, but I am supposed to at least mention that. What we're doing is essentially removing the mobile check cashers from...or the single mobile check casher from what is in reality the regulation of the entire rest of the industry which are, of course, nonmobile; and what happens is, in most of these communities where you have currency exchanges, they are it when you talk about financial institutions, that's it, there's nobody else there and...and I know why. Anyone who's been to where most of the currency exchanges are, you wouldn't open a bank in that area either and the bank probably financially could not survive. The cash is not there in some cases. The issue is a very

localized one because in those areas these currency exchanges also sell things, they sell stuff like the license plates, the food stamps, many of the other things that we, as a State, have to distribute. If we had another way to distribute them in the area without opening up an entire new State office which will cost us quite a bit of money to open a State office, distribute the food stamps and the thises and the license plates and the thats and those sorts of things, we'd be okay. I mean, in one sense, I want to say I'm for the bill, 'cause from a...from a philosophic point of view, the bill is correct; from a practical point of view, it does undermine and in some cases do away with a series of currency exchanges in areas where we, as a State, have no other way to distribute things such as that, and for that reason, I would ask opposition to the bill even though philosophically the bill is...appears good.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

First of all, as a point of personal privilege. Senator Keats, I have a currency exchange, I don't own it, but it's across the street from my office and I resent the fact that you claim the neighborhood my office is in is pretty crummy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...

SENATOR DeANGELIS:

...but...ho....ho...wait.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It's not real hot, but it's not that bad. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Well, if you're going to do this, Senator Joyce,...first a statement and them a question. Essentially you're deregulating this industry. Why don't you just take them out of the Currency Exchange Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, they still come under...they still come under the licensing provisions of the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, they get one license, that's it for all of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, first of all...first of all, there...there is...there is a process...a rather complex and detailed process involved in the issuance of the license, but...but as a pragmatic matter, the department isn't really doing anything right now...with...other than putting the...putting Thillens through a...a...a process that is without real meaning other than being...being time consuming. They talk about how it impacts community and those types of things that really don't come into play. These...Thillens is not cashing checks on public streets. They go to a place of business. The employees...cash their payroll checks. It's a...primarily a security or a safety factor and that's the supporting rationale for...for...for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, rather quickly, I think you supported my statement.

If they're not doing anything, if they're just cashing checks, why not just take them right out of the Act? What you're doing here is essentially making a department responsible without giving any authority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's not quite the case. If you would support taking them out of the Act, if you would support totally deregulating this, then you would have a situation where you would have people walking around cashing checks for other people. There'd be no regulation. There'd be no oversight on this. I don't think you really want that, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I...I rise in opposition to this legislation for a number of reasons. I served on the subcommittee in the House when we debated the issue as it related to currency exchanges and the mobile cash checking...cash checking of Thillens' operations. In many communities and particularly in the City of Chicago, for example, the currency exchange is that poor person's banking outfit. The currency exchange in many of these areas is the only area where you...where the Department of Public Aid sends checks direct, and why did they do this? Because of theft from the mailboxes in many areas, senior citizens on their way to the...the...the bank or to the currency exchange were being robbed. Since we instituted that process, theft of public aid checks almost is...nonexistance; not only that, the banks in the area either left the community and they refused to even accept the deposits of...of public aid checks. On top of that, it is the only area, as I indicated, where people are...in a particular community can get their

food stamps, can get checks cashed. In some instances, they are open twenty-four hours a day. The operation that this bill was set up is that a...a mobile check cashing outfit will come in, cash some checks and leave, thus resulting in these currency exchanges which render a service in a community to either have to close up, force them to lay off employees. We dealt with this subject matter. It's not the first time this bill has been here, but in communities that need this service, this particular bill will serve as a detriment to the people. We tried to work out a compromise that didn't work. What he wants to do with this bill is have a mobile check cashing outfit go sit in front of a bank and cash the checks and then leave. In some communities you have no other facility whatsoever but that currency exchange. It...and this outfit is only designed to take the profit out of the community, render no service, there...it's not going to be there in the evening, it's going to serve no protection for the people whatsoever and this is the reason why we as the members of the General...General Assembly instituted that law back in the...in the mid '70's. So, I urge each and every one of you to vote strongly against this bill because it's not rendering a service to the people, it just designed to help one particular outfit which is Thillens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Dudycz.

SENATOR DUDYCZ:

...question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Does this bill specifically have anything to do with public aid checks?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

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SENATOR JEREMIAH JOYCE:

No. The answer to that question would be no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Then what's he talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, you want to answer that? Apparently not. Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, we've all had a long week. Much of what Senator Jones has just spoken is...is in error. These...they're not looking to park in front of a bank, that is not what...that would not be permitted. This issue has...the currency exchange is on one side and one mobile check cashing service on the other side. I ask for your support on Senate Bill 1191.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1191 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, none voting Present. Senate Bill 1191 having failed to receive the required constitutional majority is declared lost. 1192, Senator Joyce. On the Order of Senate Bills...3rd Reading, Senate Bill 1192. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WCIA has requested permission to videotape. Is leave

granted? Leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr...Mr. President and members of the Senate. Senate Bill 1192 is really a technical amendment taking out at some obsolete provisions. I know of no opposition to the amendment and I move its...its passage at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Wasn't 1192 to follow 1191 and since 1191 creating the mobile just died, doesn't this...this says about doing away with licensing or ambulatory currency exchanges. Don't they mean repeal the...surety...bonds? Aren't they one in same?...didn't they...didn't...did they not have to go together?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...I mean, what do you think, I would tell you a lie? I'm telling you that it's...it's...it's an...it takes out an...it has nothing to do with 1191, it takes out some obsolete language and I don't think there...if you look in your Digest, I don't think there's any opposition to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Further discussion? If not, the...the question is, shall Senate...Senator Marovitz.

SENATOR MAROVITZ:

Just a question. I believe everything that's in this bill and there's no opposition, but this bill is liable to come back here with an amendment on it. Are we going to see

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1191 possibly put into this bill? That's just...all I want to know from the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. All right, further discussion? The question is, shall Senate Bill 1192 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 4, 5 voting Present. Senate Bill 1192 having received the required constitutional majority is declared passed. 1200, Senator Rock. On the Order of Senate Bills 3rd Reading, Senate Bill 1200, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would first request leave of the Body to show Senator Philip as the immediate hyphenated cosponsor of this legislation as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Rock to add Senator Philip. Is leave granted? Leave is granted. It's so ordered.

SENATOR ROCK:

Senator Bloom just got effectively moved over one, yeah. Ladies and Gentlemen of the Senate, last night late in the House, House Bill 1604, under the sponsorship of Representative Daniels and Speaker Madigan, passed out virtually unanimously, I am told, and it deals with...as does 1200 as

amended, it deals with the subject of medical malpractice, a subject which has troubled all of us since the Session began and troubled us last year. The whole idea of 1200 as amended and it is admittedly a compromise, a compromise, I might add, which fully satisfies neither side, but a compromise that, I think, is truly in the best interest of those that we are all committed to protect, and those are the victims of medical malpractice. It makes an attempt to control the problem that the medical profession has faced, namely, the inordinate escalation of their premium costs with respect to this insurance coverage, and it does roughly twelve things substantively in an attempt to get a handle on the problem, and the problem really is a dual problem. There...everyone admits there are, unfortunately, cases of medical malpractice and at the same time, I think everyone also admits that there are too many lawsuits, some of which admittedly have been frivolous. So, it makes an attempt to cut down the number of lawsuits. It affords those medical professionals an opportunity which they've not had before to be early dismissed out of a lawsuit in which they are named in error, and it also provides for the right to counter sue on behalf of a physician if, indeed, he has been wrongfully accused. So, I think if you couple those four very significant provisions along with the call for the setting up of itemized verdicts and a structured verdict, examination of hospital and physical records, setting some standard for expert witnesses, setting some standard for who has to certify as the lawyer does by affidavit that he has a meritorious claim, if you put all those things together, those of us who were directly involved in the negotiations truly feel that we have adequately addressed this problem, and the fact is, we will just simply have to wait and see what impact, if any, it will have on the premium cost. Along with this agreement, there are two other bills which will be coming from the House; one, concerns re-

porting by...by insurance companies, so that truly the information that is made available to us will be better and more accurate. Even the director of the Department of Insurance admitted that the information that's even provided to his office simply is inadequate upon which to make an informed decision; and the other would require that if, indeed, a medical professional has been called before the Medical Disciplinary Board, that board, in recognition of the fact that...that in...there's a percentage at least of the medical profession who have, in fact, been found guilty of malpractice, who are somehow impaired and it provides...it will provide...the third bill will provide that that disciplinary panel has the authority to order either a physical or psychological examination or both of the doctor who is under inquiry. I think this is a compromise that we can be proud of. I will tell you honestly there are some in the legal community who are not overjoyed with this because in addition to all the other provisions we have put a limit on contingent fees, but I think all in all it is a balanced and sound addressment of a...an admitted crisis, and the crisis is one of affordability, the crisis is one of too many frivolous lawsuits and I think Senate Bill 1200, as amended, goes a long way to address those concerns. I would...invite any and all of you who have been contacted by your professionals in your district to join with us as cosponsors. The Speaker...I...I spoke with the Speaker this morning early and both he and Representative Daniels are awaiting the message from this Chamber that we have passed Senate Bill 1200 and they intend to move it rather expeditiously across the way, so I would urge an Aye vote on Senate Bill 1200.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I believe under

our rules...the Statutes, that it is a possibility of the bill that's going to be a conflict of interest to you in your other professional life as this is to me as a practicing chiropractic physician and I do deal with malpractice. One, I wanted to declare that conflict; secondly, I want to say that I'm going to vote Aye and I urge those all here to respond with an Aye vote. This is a crisis that we all need to respond to and as Senator Rock so...said, not everybody is happy and usually when we have all opposing sides not happy it means we did something good for the...for the constituents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

There's something familiar about this argument. The bill is a compromise, neither side is satisfied, and I guess I would simply add, I think it is not a good compromise. I think it's a bad bill. I am neither pro-lawyer nor pro-doctor. I think it just does not satisfy the...legitimate concerns of both of those professions and most particularly of some of the people who are caught in the middle who should be our real concern, but as someone said yesterday, although they didn't all respond accordingly, I guess this thing has got to keep moving along because it is major issue that has to be resolved at some point. I certainly hope that everyone sits down and looks at it again as it moves along, so that it will, indeed, come back to us in a form that is balanced, is a fair compromise to all of those involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I had an amendment removing punitive damages, but it is in the

bill now as it is written, and so I'm going to speak in favor of the bill. It may not be the best bill, but I'll tell you, it's a step in the right direction and I certainly will support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill is a product of some intense, prolonged and very emotional discussions. It's unfortunate that the bill was depicted as a battle between lawyers and doctors, when in reality it was an attempt to stablize the rising costs of medical care. I think the bill is a step in that direction and at the same time ensuring protection for those who are injured by any type of medical malpractice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, have you concluded? All right. Further discussion? Senator Marovitz. There are five additional speakers. Senator Marovitz.

SENATOR MAROVITZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Senator Rock, yesterday and last night in the House, did...and I don't really know the answer, but I was told this, did...besides the...the major amendment, did they also put on amendment dealing with...social security?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

There was an attempt made...one of the provisions in here, and I'll point your attention to...according to our memo, with number nine is a modification of the collateral

source rule. The current law is fifty percent of collateral source not to exceed fifty percent of the verdict. It went to a hundred percent and included, obviously, within that hundred percent are disability and social security payments. There was an amendment offered which was barely defeated. That's of concern to both the Speaker and myself. I can tell you, I spoke, as I indicated, with the Speaker early this morning, there will be an attempt, I am told, to renegotiate that section because I don't think even the...medical society and their representatives really wanted to do what, in fact, has been done. So, there is going to be an attempt to remedy that, but it did not...the amendment did not get on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That does concern me and I'm glad to hear that it will be addressed by you and the Speaker. A second question, over and above the social security question, could you just explain briefly...and this is a very important bill, could you just explain briefly the structured verdict portion of the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes. The current law, obviously, has no provision whatever for structured payout, and that's really what this is. It is a payout over a number of years assuming the verdict reaches and is above a two hundred and fifty thousand dollar award. Two things, let me...let me quickly hasten to add; one, is that the average judgment or average settlement these days is in the neighborhood of one hundred thousand dollars, so unless and until you've got a big hit, as I'm told they had in St. Clair County not too many days ago of two million plus, at that point, at the two hundred and fifty thousand

dollar level, it would call for a periodic payment over the actuarial...the proposed actuarial life of the victim. Reason for that and the reason that the medical society was so insistent upon that was that's the level at which reinsurance kicks in, and so they are able at that point to adequately address the problem of reinsurance literally by virtue of buying an annuity to...to pay that out over a number of years. There is some concern and justifiable concern and, again, I can tell you the Speaker and I are still negotiating on this one, because what has happened with the provision as it's written is if, indeed, the victim receives an award of two hundred and forty-nine thousand dollars, they receive the award all at once as is the current law. If, indeed, the award is two hundred and fifty-one thousand dollars, the structured payment provision kicks in and they are then entitled upon application to the court only to receive half of it as a...as a initial lump sum. There...there is some inequity in that and...and we are attempting to do two things at once, remedy the inequity and yet recognize the fact that that's the level at which reinsurance kicks in and that's really the heart of the problem because...some years ago this General Assembly, by an overwhelming majority, afforded the medical profession in our State the opportunity to literally form its own insurance company because the insurance market was drying up. They are required, obviously, to buy reinsurance and there is currently only one carrier and that's Lloyds of London, and the fact is if...if Lloyds...ever stops, there will be no reinsurance. This will afford some modicum of protection, they feel, and I think with some justification, so that they can pay out over a number of years, but that...that inequity, again, will also be addressed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I just call these to the attention of the Body because these are two provisions both dealing with the victims, having nothing to do with the lawyers and contingency fees, whatever we do there is fine, but these...this is dollars that go to the victims and I think are...are areas that must be addressed. The bill has got to move along. I'm sure it's going to pass out of here unanimously, but they have to be addressed before we put this on the Governor's Desk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With those thoughts in mind, let's watch the timer, limit our debate to the...to the time allowed and we can move quickly through the bills. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr...Mr. President. My concern with the bill is the structured verdict part of the bill and I'm worried, Senator Rock, that...what happens when you get a...a young person, a ten year old boy who's injured as a result of a doctor's negligence and he becomes a paraplegic for life and his life expectancy is seventy years or so, and the verdict for future damages is a million dollars? I think if you calculate that over the course of his life expectancy, this...this young boy will be receiving something like twenty thousand dollars a year under a structured verdict. Now, you may think that's fair, but...and in...and in many cases where the injury isn't as severe as that, maybe structured verdicts have some reasonableness, but in a situation where you really have a severe injury, I just don't think it's fair to some...someone who has to live with a physical disability for the rest of his life to be getting twenty thousand dollars a year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, Senator D'Arco, please understand, I...I did not suggest nor did I mean to suggest that it is fair in that instance, no question about that. What...what I am going to suggest, however, is that the...the court is empowered in that instance...let's assume your hypothetical, the court is empowered to grant initially a lump of one-half of the award so that those kinds of medical necessities can, in fact, be met and one of the things that we argued with the medical society and its...its representatives about was that as originally proposed, there was no appreciation factor. There was no inflation factor. The fact is, now, there is an inflation factor built into these periodic payments and it will escalate roughly according to the...the interest rate of the T-bills, so you can figure somewhere between eight and ten percent...percent annually, so that if the first payment is seventy-five hundred...seventy-five thousand dollars, let's assume, the next payment will be ten...next year will be ten percent above that and it is also built into...that escalation is built into the base, and I would...further suggest that I think it's still doable under any configuration to go back into court and explain that, indeed, the cost of medical care for this individual in this circumstance may well be more than that periodic payment and the court has, of course, I think, the opportunity to do something about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco, your time has expired. Would you bring your remarks to a close?

SENATOR D'ARCO:

Well,...well, the...the point is that the lump sum award which is calculated to be half of the total award has to be used for medical payments, for nursing home expenses, for whatever expenses that are incurred and paid to the medical profession by this individual, so the annuity concept really...what I'm trying to get at is that that's not going

to be enough to do it. I don't think that you're going to...you know, if...if the money is going to be paid back to the medical profession, under this bill it says specifically it has to be paid for those particular expenses, then what is he getting for his pain and suffering over the course of all these years?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...just so there's no misunderstanding here and I...and I...and again, I have heard this argument, in...in some respects I suppose it's fair to say...or it's...it's easy to say it is not fair and to a certain extent I'll agree with that. The difference here is that the court enters a lump sum for past damages and any damages payable in lump sum to the date of the verdict. So, you...that...that money is...is readily available. We are talking really about future damage payments, and you are correct, under your hypothetical, the individual victim, be it a minor or...or one who has reached majority, does not receive that in a lump sum; and what we have effectively said by virtue of this is that instead of...assume I'm the victim, instead of me receiving the two hundred and fifty thousand dollars and being in a position to invest it so that I can take care of myself for the...the rest of my actuarial life, we are leaving...essentially, leaving the money with the defendant or his insurer who will then, obviously, invest the money and pay out an annuity, and that's the reason we fought so hard to get the inflation factor in there, because I assume that if I invest on my own behalf, I can expect a reasonable rate of return on an annual basis in order to pay my bills. We are except...we are expecting and demanding the same thing from the insurer who's now holding the money, that, in fact, there will be a...a reasonable return and the payments...periodic

payments on an annual basis will reflect that investment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I just wanted to rise briefly to make a point that I fear may go ignored in all of this debate, and...and I say this as one who has been along with many others active in pushing toward this type of resolution on this issue, but I, for one, have a little bit of hard time seeing why we create this remedy for one class of defendants only. Granted, doctors are important to all of us and are important people in our society; granted, the fact that ever rising premiums for malpractice insurance are a major reason why health care costs are skyrocketing further and further, but I think we have to ask that if we are truly going to bring some sort of reform to our system of civil justice, if we are to make this fairly radical step in overhauling our tort system, should we not be doing it in a way that affects all defendants and lawsuits equally? If we are, for example, to be saying that there shall be structured verdicts for any award over two hundred and fifty thousand dollars, if we are to make it easier to countersue where untrue allegations are made or where some sort of...malicious prosecution proceeds without any basis in law, in fact; if we are to say that awards are to be reduced by all or a portion of money coming in from what are known as collateral sources and if there is to be some sort of limit on contingency attorney fees, should this not be the case in all negligence lawsuits and not only in those where doctors are the defendants? And I say that as...as one who feels that what we are doing here is...is really kind of the minimum necessary, but I...I think it's only fair and I think also that quite conceivably at some point there could be an equal protection challenge to the type of remedy we are creating by changing our tort system

in...in a way, frankly, that only affects one class of defendants. I say that as one who favors this legislation, but I do so through raising this caveat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor, please. Senator Rock, I mentioned last night that I had an interest in the punitive damages portion of this, and on page 15 where they talk about punitive damages, I note that the amendment relieves doctors and hospitals and other medical practitioners from punitive damages but it also relieves lawyers from punitive damages. Now in the case of lawyers, are they relieved from punitive damages only for malpractice cases or are they relieved of punitive damage for all kinds of legal activities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Malpractice only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I don't think that's exactly clear in the...in the amendment, Senator,...frankly, it appeared to me that...it probably would go beyond that, but in any event, I simply wanted to make that point. I'm surely going to vote for the legislation and I...I think you and others should be congratulated on...on putting this package together, but I am curious about that particular provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President. Just to further allay, I hope,

Senator Schuneman's fear, that matter was discussed and discussed specifically because there was some concern on the part of the medical professional, the doctor, who did not feel, as Senator Geo-Karis did not feel, that it was appropriate that a doctor should be it...and under any circumstance liable for punitive damages; and, frankly, I agreed for the reason that if...if you can prove such willful and wanton neglect, that, in my judgment, is tantamount to criminal action and I would not sue one for punitive damages, I would march right over to the state's attorney's office and have the guy thrown in the slammer, and it was equally felt that given the other provisions of this bill where...where, for instance, as one who...plaintiff's attorney has to consult with and have certified that he has a meritorious cause of action. So, literally, the...the...the opportunity for punitive damage recovery was literally knocked out anyway, but the fact is, it is in Section 21115...21115, it makes it very, very clear that it is punitive damages only as respects medical malpractice litigation. Ladies and Gentlemen of the Senate, let me just say that...we worked long and hard to try to effect a compromise to literally take this issue out because it is truly not a partisan issue. It is...and it has been wrongfully characterized somehow as a fight between the doctors and the lawyers, when I think, as Senator Netsch rightfully pointed out, that the people that we ought to have our interest placed in are those who are the innocent victims of professional misconduct. I think we have done that with Senate Bill 1200 as amended and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1200 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1200 having received the constitutional majority

is declared passed. Senate Bill 1211, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1211 is part of a six-bill package that was the work product of the State Task Force on Hispanic Student Dropouts. It requires the annual report on State high school drop-out rates to be given to the leadership of the General Assembly annually. As amended, it also requires that...students complete one semester of course education in computer literacy as a prerequisite to receiving a high school diploma. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I happen to agree with the sponsors that computer literacy is going to be a very, very important part of living in our society in the years ahead, but I would suggest to you that what we have in front of us is one of the largest educational State mandates, unfunded, that this Assembly has addressed in the number of years. Most of the mandates that we get a lot of flak about like consumer education and health education are just a few days of course. This is a full semester, requiring specialized teachers, requiring expensive, specialized equipment. I agree. I don't think a person leaving a high school who is not at least somewhat computer literate is going to have a very bright future. We ought to be teaching it. I'm not arguing that point for a minute. My concern is, we are not funding what is probably

the most expensive mandate this General Assembly will send out in the lifetimes of most of us assembled. I think we ought to do it. I think we ought to pay for it though, and until we pay for it, I don't think we ought to mandate it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Because this bill was not voted on favorably in committee but added as an amendment, I do feel it's important to rise at this particular stage. With all due respect to Senator Lechowicz, I know exactly what you're trying to do. I agree with Senator Schaffer in the mandates argument and all of that. I'd just like to add the perspective of the student. Now, I'd like to do that by using a conversation I had with my daughter just two days ago, and I do this with some reluctance because in a sense I'm arguing against myself. In a day or so or next week or whenever it is, I expect to stand on this Floor and argue against demandating physical education and driver's education, I believe strongly in those mandates; but my daughter called me the other day to set up her junior year, and in setting up her junior year she was trying to work a math course in and when she got finished with phys. ed. and driver's ed. and consumer ed., she didn't have room for it. Now, you're going to add computer education. Believe me, I'm all for computer education. I want that driver's ed. mandate just as it is. I want that physical education mandate just as it is, but we've got to draw a line somewhere or you're not going to have these kids taking the courses they feel are necessary for college prep. in this particular case. She wanted to know, dad, what's this consumer ed.? Who did that? Well, I didn't have anything to do with that and I'll let somebody else argue why we need that one, but today we've got the newest in a long line of

mandates and all I suggest is that you're hurting kids by this particular mandate. Forget who's going to pay for it and the cost and all of that, that's important too, but I really think we ought to stop and think of the kids who have to prepare their schedules semester after semester. If they want to take it, fine, but don't force them to take it when they think they have better things to take, and in this case, I tend to agree with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

(Machine cutoff)...Mr. President. Senator Lechowicz, I...I...I'm sorry that you...the bill was a....was a reasonable bill before the amendment was put on. I think that the arguments have all been made. I think right now when we are just in the process of reforming education in Illinois, I think this is an inappropriate time to do what you are suggesting. There are many young people who simply will never...I...in my judgment, even need to have a computer literacy course; indeed, most will, but to mandate this upon all of them I think is inappropriate at this time, and let me suggest to you with respect to the bill that if the bill passes out of this Chamber, the bill in its original form, I think, is...has some flaws in it with respect to the reporting dates. We...we don't address in any way the time in which the school shall report to the regional superintendent and when the regional superintendent will be asked to report to the State Board of Education. I think this is a flaw in the bill and one that needs to be addressed in the...in the House and I bring that to your attention...in the House if the bill passes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I may, just point out to the segment in reference to the bill as far as requiring one semester of computer training was agreed by the educational community in the committee. Initially I asked for one year and they stated that they would not object to one semester, and they also stated on the Floor when you were discussing the amendment that would write to Ted Sanders and see exactly what the State is spending presently in this field. And his response to me which I received this week was in the area of two million dollars and it's allocated approximately a hundred thousand dollars per district. And out of a 6.4 billion dollar educational budget, that's the total cost of education in this State, approximately two and a half billion supplied by general revenue funds, you will notice the fact that a two million dollar allocation in this field is quite negligible, and I believe that if we are going to move into the 21st Century and ask the students who are graduating from high school to compete on an equitable basis through college and you're...with foreign countries, this is a must. Whether you like it or not, the computer is here to stay. If you want to have a person that is able to work in a current office environment, they have to be familiar with this type of equipment. This doesn't mandate that you're to take a 360 course or a 1410 or anything else, all you're stating is that you have a computer literacy course available. You can have a Haskin and Sells as far as basic data processing course which a math teacher can teach. This doesn't require any extraordinary requirements on any school district. You're saying that you should have a course available. Unfortunately, in many public schools in the City of Chicago, the students are at a total disadvantage in comparison to your suburban school districts and your private schools. This will bring some sort of equity in this needed field, and I strongly encourage an

Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan, do you wish to close? The question is, shall Senate Bill 1211 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 25, none voting Present. Senate Bill 1211 having received the constitutional majority is declared passed. For what purpose Senator Topinka arise?

SENATOR TOPINKA:

Yes, Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR TOPINKA:

Yes, in the back of the room and up in the gallery, I do have some visitors from Senator Degnan and my district from Lincoln School in Cicero under the direction of their teacher, Mrs. Adell Vasic, who is making her thirtieth appearance this year and she will be retiring, so if we could have the recognition from the Senate and welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. Had I been in closer proximity of my switch when Senate Bill 1200 was called, I would have been...I would have voted Aye and I wish to be so recorded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene, the same thing? Senator Topinka...it would be nice if all of you would sit in your seats and vote your switches. Senate Bill 1215, Senator Degnan. Read the bill, Mr...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, you didn't take any pains in giving me hell when I done that, now let's be a little bit more consistent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

What pain? Senator Degnan on 1215. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1215.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1215 is the final bill in the recommendations of the Hispanic Student Dropout Task Force. The bill requires previously attended schools to send copies of records to the student's new school within fifteen days after receiving a request for them. I'd move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is...is there discussion? If not, the question is, shall Senate Bill 1215 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1215 having received the constitutional majority is declared passed. Senate Bill 1220, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1220 sets a max. salary for...part-time court reporters at fifty dollars. The...the minimum salary for half-day will remain the same at twelve dollars. The thirty-six dollar figure has not changed since 1970, and I'll answer any questions anyone has on this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1220 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. Senate Bill 1220 having received the constitutional majority is declared passed. Senate Bill 1221, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1221.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Senate Bill 1221 set a max. salary beginning July 1, 1986 for...at thirty-seven thousand two hundred fifty dollars for a full-time court reporters. The reason why we had to put the legislation in at this time because they cannot receive a raise during their term. If we were to wait to the next fiscal year to do this, then they would be unable to receive a...a pay raise. This does not automatically give them a pay raise. All it does is set the salary and we are setting that salary beginning July 1 at thirty-seven thousand two hundred and fifty dollars, and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1221 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 13, 1 voting Present. Senate Bill 1221 having received the constitutional majority is declared passed. Senate Bill 1223, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1223.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. This bill simply...requires that a court reporter be in charge of any audio or..video recording system used in court...in recording court proceedings. I don't know of no opposition to the bill, and I ask a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Senator Jones, a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR KARPIEL:

I don't have a copy of the...of the legislation in front of me of Senate Bill 179 which we passed out of here dealing with videotaping in children's sexual abuse cases, but there's a very detailed section in that legislation which determines, you know, who can take the video and...and the

whole operation of it. I'm not sure this is consistent because if this is a court reporter...is this...is this just saying that a court reporter has to be in charge of the whole operation but somebody else would be doing the videotaping?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Any...any proceedings in the court itself. Now it does not impact on what you were talking about, but it just...what...what is taking place within the court itself. If the Supreme Court authorizes video recording...depositions upon agreement of parties to be ordered, then the court reporter would be involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you. Well, Senator, according to our analysis it says that the court reporter shall be in charge of the proceedings. Now is it...are you indicating that it's just in certain cases or in all cases?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

If...if the...if the judge or the court...designate that these proceedings be recorded as such, then the court reporter would be the person in charge of any audio or video recording equipment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, all right. I...if...if we find that there is some inconsistency here, would you mind then, in the...House, if we did something to exempt in certain cases or something like that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I have no problem with that whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

END OF REEL

REEL #3

SENATOR RIGNEY:

I just might point out to the Body that I had some legislation earlier here that not many people liked very well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will they clear in aisle in front of Senator Rigney.

SENATOR RIGNEY:

In fact, Senator Schaffer and some others did a pretty good number on that bill when I suggested that maybe we ought to...require certification for video officers. Now what this bill is doing is almost the exact opposite of this. This is saying we're...we're creating something exclusively here for court reporters. We're saying, you know, kick the pros out and let the court reporters be the ones who are going to be handling all of this video equipment. So...you didn't like my bill, but I, frankly, don't think this one is as good as...as the one that you shot down here a week or so ago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

What are you going to do about the Supreme Court where they are...videotaping the procedures for television? Are you...you're surely not going to tell the television people that it's going to be the court reporter that's going to be in charge of taping, and yet the way this bill reads it seems to me that that's exactly what you're going to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

If you're talking about recording the proceedings of...of a court operation, then the court reporter would be in charge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Senator Jones, perhaps you aren't aware but right now the Supreme Court is allowing the television networks to come in and...and videotape certain proceedings on...with the idea that perhaps in the future they may come in either to the circuit courts or the appellate courts. There is no way that I can see a producer or a union or a lot of other people saying that a court reporter is going to be able to take control out of...of those videotapings, and to my knowledge, that is the only court that allows videotaping inside the courtroom during a proceeding. The Supreme Court rule has said that you can't videotape any other courts...unless something has changed within the last year that I am...not knowledge to. Perhaps if there is, one of the lawyers might tell me, but I...I believe that's...that's the only time you can have a videotaping.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question, Senator Fawell? No? Yes, Senator Jones.

SENATOR FAWELL:

...yes, I mean, could you...do you know?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

In the bill, and...and...and I'll read it to you, Senator Fawell. "In the event that the court utilizes audio-video recording system to record the proceedings, a court reporter

shall be in charge of such...I mean, such a system." Now, as...as it relate to the...appellate...appellate court as far as the court reporter is concerned, it does not impact at that level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill flew out of committee and it was well greased there. Since it left committee I've been thinking a little bit about it. I think this is a lot like requiring a...a fireman on a diesel locomotive really.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate...to call to sponsor's attention, this bill will interfere with the structure in Senate Bill 179 which is specific on the molestation of children being videoed. So I wonder if the sponsor would take the bill out of the record and maybe amend it. And I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there...is there further discussion? If not, Senator Jones may close.

SENATOR JONES:

...thank you, Mr. President, and to my good friend, Senator Rigney, this is the same amendment that went on your bill that I voted for and we all voted for it to put...put on the Senate Floor. And I supported your bill. And you were in great support of this concept. The only difference in this bill and your bill is you're calling for a whole new certification system. I supported you and you included this in your bill, if you recall, in committee, and that's why the...the bill passed out of the committee. It wasn't greased, the

members voted in good conscience and thought it was the best thing to do. So with this legislation, all I ask for is a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1223 pass. Those...in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Senator Jones is...the...on that question, the Ayes are 22, the Nays are 26, 7 voting Present. On that question, Senator Jones seeks leave of the Body to put Senate Bill 1223 on the Order of Postponed Consideration. Is leave granted? Leave is granted. There seems to be technical problem on Senate Bill 1165, I'm informed by the Secretary that no hard copy recording of the vote was made. The...the vote was 54 to nothing, nobody voting Present. The Secretary would appreciate a new roll call on 1165 indicating that roll call so that we can have it in our records. Mr. Secretary, would you read the bill, Senate Bill 1165.

SECRETARY:

It's the Department of Public Health to conduct a study of the pesticide use.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. We're short a few votes, Senators. Bring it up to 54. Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 1165 having received the constitutional majority is declared passed. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, I think...does this not screw up the record?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No. We'll work it out, Senator. Senate Bill 1227, Sena-

tor Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...Senate Bill 1227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a merely bill, merely to allow Illinois courts to hear the cases that are concurrent jurisdiction as in the Federal cases such as the FELA cases. It allows it to be brought in any county where the plaintiff is...or the defendant, rather, is doing business and it can, in fact, be moved by normal transfer processes on a change of venue to any county within the State. I think everyone understands the bill and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. Much as I would like...regret that I have to do this, I do not believe in forum shopping. Recently this...Illinois Supreme Court has limited the plaintiff's forum shopping by ruling that trial courts may dismiss or transfer a case under the doctrine of forum non conveniens which means not a convenient forum, from the Latin, when maintenance of the action of the original forum causes unnecessary hardship to defendants and other interested parties. Now, the...the courts are to consider the following factors; the availability of the alternative forum, as access to sources of proof, accessibility of witnesses, relative advantages and obstacles to obtaining a fair trial, congested court dockets and convenience of parties. I do not feel it is right for a case that happens in

Chicago to be tried in Belleville, Illinois. And I do feel that this is too much of a...of a trial lawyer's baby, and I'm a trial lawyer and speaking against my own interest, but I...I just do not believe in this kind of a...of a bill. As the sponsor well...well knows, I didn't believe in it before. So I...I ask a...an unfavorable vote and I speak against the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...Mr. President and members, the sponsor of the bill certainly knows better than to refer to this as a merely bill, but I think by this time everybody is pretty familiar with it. It's a bill, quite frankly, that is...of...of interest to the trial bar in certain parts of our State, most notoriously Madison County, but everyone else would be adversely affected by it. Certainly you or I or anybody else if we were a plaintiff or a defendant in a lawsuit or if we were going to be called upon to be a witness and the incident occurred in the area where we lived and the parties to the lawsuit also resided in the same area, we wouldn't have...want to have to be dragged from one end of the State to the other or even across the country to an area that really had nothing to do with the particular lawsuit other than that the defendant was "doing business." In the case of a railroad, we may only be talking about railroad tracks...the fact that they happen to go through the county where the lawsuit is brought. In the case of a barge line, we may happen to be talking about merely the fact that the river goes through or around the county where the lawsuit is brought. So all we are doing by rejecting this legislation is upholding the ancient common law doctrine that a lawsuit ought to be tried in the forum in the court which is most convenient to the parties and the witnesses to the...to the

case. This bill has been around now for three or four years and, frankly, it's about the worst piece of legislation that has come our way. All of us...can...with good conscience should, and I hope we will, vote to reject it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I think everybody knows what this bill is about and I call for the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The previous question has been moved. All those in favor indicate by saying Aye. The Ayes have it. I did. Senator Carroll may close.

SENATOR CARROLL:

Thank you. Just a couple of brief comments. One, Senator Barkhausen, I've seen worse bills than this, sometimes even in your name. Second, Senator Geo-Karis, have you asked E. F. Hutton about this? But more importantly, you happen to be wrong; in fact, this does not touch the area of venue and you don't have to be carried all over the State, you can always ask for a change of venue and it can, in fact, and will, in fact, be allowed. It can be moved to any county within the State, that is not affected by this legislation whatsoever. What this says is if they do business in Illinois, then it's proper to bring the case here in Illinois, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1227 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 9, the Nays are 42, 3 voting Present. Senate Bill 1227 having failed to receive the constitutional majority is declared passed....I mean, declared lost. Senator Vadalabene, for what purpose do you

arise?

SENATOR VADALABENE:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

Sit down, Carroll, you just lost your bill. Senator Barkhouse...Senator Barkhausen said that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1231, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President, I'll take that same...that past roll call in reverse. Senate Bill 1231 amends the State Revenue Sharing Act to increase the monthly transfer from the GRF funds to local units of government from one-twelfth to one-tenth in net revenue derived from an income tax. This bill is a modest...very modest...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's have a little order, this is an important bill. The Senate will give Senator Jones the courtesy of listening.

SENATOR JONES:

...this bill is a very modest attempt to increase the share of local taxes allocated to local units of government thoughout the State. It...it is really not a new concept, I know Senator Netsch has had this bill for several years and when the...we originally passed the income tax, the Governor then...the State Income Tax, the previous Governor at that

time...they recommended that the local units of government would receive one-eighth. So why do we want to do this? We want to do this to partially offset the...the elimination of Federal revenue sharing that is currently being debated in Congress for FY '86 in the Federal budget and to partially offset the various State mandates that have been imposed on local units of government over the years and also to help make local units of government receive some of the income tax as a result of...that has been lost as a result of legislation that we have passed here in Springfield. The...the...the fiscal impact is very, very minor as it relates to the State budget. In FY '86 we're only talking about approximately twenty-seven million dollars. And FY '87 we're talking about approximately fifty-five to sixty million dollars. The State of Illinois is...in very, very good shape as it relate to revenue. I can quote the Governor when he was in New York just last month when he talk about the...the State balance. Illinois' daily balance is over five hundred million dollars, one of the best available balances at all levels in the nation. But our local units of government are suffering, and in...in the fall of this year, they're going to be really impacted very hard with loss of revenue totaling approximately two hundred and ten million dollars, a hundred and thirty-six million dollars to...to...to cities, forty-two million to counties and thirty-two million to township, and this is the report from our own Intergovernmental Corporation Commission and I solicit a...a Yea vote on 1231.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. As the pro bono legal counsel for the Senate, I want to advise all of you of your constitutional right to remain...remain silent, and I would like to move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats has moved the previous question, and I'd ask him to hold that motion until...we have Senator Netsch,...Collins, Etheredge and Rigney that have sought recognition. On Senator Keats' motion, after that, all those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill is really a very serious matter and it seems to me all of you should pay attention and think carefully about it. I had originally intended to oppose the proposal that we change the distributive share for local governments from one-twelfth to whatever might be proposed, in this case, one-tenth at the beginning of the Session. But as the Session went on, I came to realize that among other things the proposal that was being made at the Federal level to cut off all general revenue sharing which now goes only to units of local government in any event was very likely to end up as part of whatever budget resolution occurred at the Federal level. As of this moment, it continues to be a part of every budget resolution that is being proposed in either House and it certainly is a part of the administration's plan. For Illinois, that means that local governments are going to lose two hundred and ten million dollars fast, as soon as that becomes effective. And they are not talking about a delayed or a phase-in of the elimination of Federal general revenue sharing now. That is a hundred an thirty-six million dollars for municipalities, forty-two million dollars for counties and thirty-two million dollars for townships. That is a enormous drain to absorb in one fell swoop and that is on top of a lot of other programs that have gone to the cities that also...cities and counties, local governments within the State of Illinois that are also part of the various budget programs of the last couple of

years and are proposed this year. If some of you saw the intergovernmental program that was presented to us a couple of months ago, you will realize that the major impact of Federal budget cuts is, in fact, not on the State level of government but on local governments, and our Illinois local governments are among those suffering badly. There's no way we can make up the total loss of two hundred ten million dollars in Federal general revenue sharing that is likely to be gone next year. But it seems to me that we can at least try to help ease the burden on our local governments by giving them something additional to phase in to absorbing that real wallop that they will be taking from the Federal Government. This is fifty to sixty million dollars on an annualized basis but it...it doesn't...it at least begins to replace somewhat the loss of the other funds from the Federal Government. I think it really is called for at this time and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you for keeping within the time limits, Senator. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I, too, rise very strongly in support of Senate Bill 1231. I think Senator Netsch has said everything, and in the interest of time, I'm not going to repeat what Senator Netsch has already said. But I do think that...that...that you ought to take a very critical look at this bill. This may be the most important vote that we will cast down here this year, because we can talk about building Illinois and all of the other glorious things about improving our educational system but unless we can do something to...to make sure that...that our...our major urban areas and our local units of government are able to sustain themselves and to...to...to build a solid foundation for continuous economic growth and employment and

building the infrastructure of those areas, then no matter what we do down here, there is just no way that...the...the State of Illinois is going to...to maintain its viability as a State in...in this country. We...we have to, there's no question about it, have to take seriously the...the economic needs of our local units of government, and for that reason, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I must rise in...in opposition...to this bill. I think the...the sponsor has stated the case rather well. He's...he's spoken of the declining revenues received from this source...from the...from this...this Local Government Distribution Fund. But I want to point out that one of the reasons that funds have been declining from that source is because we imposed an income tax surcharge a few months back which has now expired. So in other words, there was...the...the only reason that the...the total amount of money in the Local...Government Distributive Fund has...has declined is because of that one-time windfall, which in the end of that windfall...in the beginning of the decline was foreordained. The people who are responsible for running the units of local government should have recognized and taken into their planning...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator, would you bring your remarks to a close.

SENATOR ETHEREDGE:

...the fact that there would be a decline. So I want to point out that what we're talking about is taking away upwards of fifty-five to sixty million dollars on an annualized basis from the State's General Revenue Fund. Everyone

who is looking for additional money to fund our schools and some of the other serious problems that...that we're confronting here this spring should certainly vote No on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...(Machine cutoff).

SENATOR RIGNEY:

Mr. President, the only thing I want to say about the bill is, I guess it must be based upon the assumption that we won't need the sixty million dollars in State Government. I find that rather incredible on its face. I don't know where all of these people were when we passed out the educational reform package here just a few days ago, we heard estimates somewhere, you know, depending upon whose figures you wanted to quote, between three hundred and six hundred million dollars. I don't think anybody in this Body is particularly anxious to vote for any tax increases. We're kind of leading ourselves down that path. I hope that this...bill receives a resounding defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. As...as the speakers spoke who were....were in favor of this legislation indicated, this is just a modest transfer to the local units of government, and one of the things we must concern ourselves with is what's happening on the Federal level. I'm not talking about that...one twenty million dollar windfall that we received, I'm talking about the Federal loss of dollars which totals approximately two hundred and ten million dollars which affects every...every unit of local government across the State of Illinois. So if we are concerned about our local cities and counties across the State, then you will support this legislation. Illinois

is...is...is in a very, very, very good financial condition with a surplus almost exceeding six hundred millions of dollars, and to transfer a...a mere twenty-seven million dollars for this fiscal year and fifty-five million dollars in FY '87 is a small token to...for us in the State of Illinois to do for our local units of government. And I ask a Yea vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1231 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, 1 voting Present. Senate Bill 1231 having failed to receive a constitutional majority is declared lost. Senator Jones seeks leave of the Body to have consideration postponed on 1231. Is leave granted? Leave is granted. Senate Bill 1239, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 1239 originated as a result of a problem that a particular school district had in my...in my legislative district. We met with Dr. Joe Fisher of the Illinois Office of Education, and Dr. Fisher has come up with, hopefully, a solution I think that will be acceptable to all. In fact, Dr. Fisher has worked with all education groups and has worked very hard with them to come up with this particular piece of legislation of which there is no opposition from the education groups. This provides

for the determination of a school...a student's school district of residency and the party responsible for the cost of special education services therein. The legislation also proposes four other items. It specifies that a school district is responsible for the provision of services for all school age children three to twenty-one years residing within its boundaries. It defines the resident of...the districts...it defines resident district. It states that when students are placed residentially for other educational purposes, the educational costs, in other words, the tuition for these services would be eligible for reimbursement. This legislation specifies that the district of...residence would only be responsible for one per capita tuition rate. Right now the...the various school districts could be paying considerably more than that. By January...pardon me, by July 1st of 1986, the State Board of Education will have rules and guidelines as far as implementation of this legislation. Our analysis mentions fiscal impact...if you'll notice, it says forty-six million, that's not quite...that's...that may be a little misleading; actually, the fiscal impact is only two million dollars. The amendment we placed on it was a clarification amendment and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Berman.

SENATOR BERMAN:

I stand in support of the bill. There was a question as to the position of ED-RED, they are in support of the bill also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...the question is, shall Senate Bill 1239 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Tim. Have all voted who wish? Have all voted who wish? Take the record.

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On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 1239 having received the required constitutional majority is declared passed. 1244, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1244, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1244.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the...Senate. Senate Bill 1244 revised the DUI procedures by incorporating the changes that were recommended by the Bar Associations and Secretary of State Jim Edgar. It creates procedures for the court to make a determination as to the initial suspension of driver's licenses of a DUI defendant and pending the final determination of guilt or innocence on the DUI charge creates a summary suspension hearing, also allows for judicial driver's permits. Summary suspensions would be for a minimum of six months if the person refused to complete sobriety tests, minimum of three months if the person submitted to testing and...which disclosed the alcohol concentration of .1 or more and a minimum of one year for repeat offenders. This has been agreed to, it has been worked on for a long time. I think it's a...it's a vast improvement over our present DWI laws and I would solicit everybody's Aye vote for this agreed legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1244 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 55, the Nays are 1, 1...none voting Present. Senate Bill 1244 having received the required constitutional majority is declared passed. 1256, Senator Schaffer. Senate bills 3rd reading is Senate Bill 1256, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill...Senate Bill 1256.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This bill as amended would allow a deduction on the Illinois Income Tax for the State sales tax paid on purchase of a new car assembled in Illinois. I believe it could be a valuable incentive to keep the one major assembly plant we have in Illinois which is in Belvidere which is on the verge of...Chrysler is on the verge of making a very important decision about that plant. Could be helpful in garnering the Japanese plant we hope to get in the Bloomington area and we're still in the race for Saturn, this could be another small chip on that table. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1256 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1256 having received the required constitutional majority is declared passed. 1260, Senator Donahue. On the Order of Senate Bills 3rd Reading is Senate Bill 1260, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1260.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1260 does pretty much what it says in the Calendar. It is increasing the bond limits from one thousand to twenty-five hundred and on an overall bond from ten thousand to twenty-five thousand. It also allows that when they pay royalties and they take...as they search the title and clear that title it takes six months, after six months they have to put that money in an interest-bearing account. I think it's...it's a good bill and I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1260 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1260 having received the required constitutional majority is declared passed. Senate Bill 1262, Senator Rock. On the Order of Senate Bills 3rd Reading is Senate Bill 1262. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1262 as now amended with Senator Keats' amendment provides that the Department of Children and Family Services will be responsible to provide support for a four-year demonstration...project for the treating of persons who are accused of and convicted of the sexual abuse of children. This program currently exists in the County of Cook and has the full support and endorsement of the State's Attorney and the Chief Judge of the Circuit Court of Cook County. There are guidelines established for who may participate, and it's...it's an attempt to afford some treatment which consists of medication, psychotherapy and behavior modification counseling in an attempt to reduce the rate of recidivism. It is a project most worthy of our wholehearted support and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1262 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1262 having received the required constitutional majority is declared passed. 1263. On the Order of Senate Bills 3rd Reading, Senate Bill 1263, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President. This is the accompanying appropriation of half a million dollars, five hundred

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thousand dollars to the Department of Children and Family Services for the purpose of this treatment program. This has the full support and endorsement of the Governor and I would urge your full support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1263 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1263 having received the required constitutional majority is declared passed. Senate Bill 1267. On the Order of Senate Bills 3rd Reading is Senate Bill 1267, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1267.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The next few bills that follow under my sponsorship are that part of the Governor's Reform Education Program which was reported out of the Education Committee. Those bills were reported out with no dissenting votes and, as far as I know, in that committee, they had no opposition. The first one, Senate Bill 1267, authorizes the State Board of Education to establish and strengthen a regional network of educational service centers to coordinate and combine existing services such as reading, mathematics, science, career guidance, early child education, substance abuse, alternative education, regional special education. I'd be glad to answer any questions and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? We have a little minor difficulty here, we'll be...ready momentarily. The question is,...shall Senate Bill 1267 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1267 having received the required constitutional majority is declared passed. 1272. On the Order of Senate Bills 3rd Reading is Senate Bill 1272, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1272.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. Senate Bill 1272 deals with three or four different subjects. First of all, it provides for the State Board to enter into contracts with public and private agencies to establish model pilot programs for preschool education, early childhood learning. It also provides planning grants for plans for alternative schools for students with serious discipline problems. It authorizes the State Board to place vocational ed. teachers in private sector jobs for continuing education and it also directs the State Board to fund a reading improvement program within each local school district. I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1272 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, 1 voting Present. Senate Bill 1272 having received the required constitutional majority is declared passed. 1273, Senator Philip. Senator Rock seeks leave of the Body to handle Senate Bill 1273. Leave is granted. Senate Bill 1273, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1273.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of the Governor, Senator Philip and I have assumed the sponsorship of the two proposed tax vehicle bills, one is 1273 which we are currently addressing and the other we'll address in a few moments, that's Senate Bill 1415. The bills as now amended by virtue of committee amendment do absolutely nothing, absolutely nothing, and I think we can all safely vote for absolutely nothing for a change. What we'd like to do is obviously move the bills to the House at which time when the education folks get our act together we'll be in a better position, the Governor and the legislative leaders, to determine what additional revenue will be needed, if any, and at that point, we'll make a determination and we'll be back at you. But in the meantime, we...we should keep the vehicle alive and I would urge an Aye vote for a bill that does nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I might just mention that

Senate Bill 1273 was reported out of the Revenue Committee by the staggering vote of 1 to nothing, which I think gives some indication of the concern about it. The...the problem I have with this is that what we are being asked to do is to buy a, with all due respect to Senator Carroll, a chicken in the poke. No...no...we...we know whereof we speak. We will...we...not only the Revenue Committee but we the members of the Senate will never have an opportunity to have a hearing on whatever tax goes into this bill before the end of the Session. I, for one, would have been perfectly willing to vote for the cigarette tax increase. I...I think they recognize that it is a long shot because unless Congress just completely goofs up, they clearly are going to recapture that eight cents and it will not then be available to us to spend at the State level unless we want to increase our cigarette tax a year by eight cents and that was not the way the bill was written in any event. So that it was a long shot on 1273, but at least it was a specific source of revenue that, for the moment had some life. The problem now is that this is a vehicle bill and we will never have an opportunity to be heard on it again before the end of the Session. It will be, with all due respect, the four leaders and the Governor who will sit down in a back room somewhere and decide what taxes, if any, we are going to impose. I just don't think that's the way the legislative process ought to work and that's why many of us on the Revenue Committee voted Present on the bill...when it was before us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion on this nothing bill? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would...I would just point out that as...that the chairman of the Revenue Committee can call a subject matter

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hearing at any time and receive testimony on this subject. I would also respectfully point out that if this...bill is, in fact, ever amended over in the House, it's going to come back over here for each one of us to say whatever we care to say about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1273 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 6, 10 voting Present. Senate Bill 1273 having received the required constitutional majority is declared passed. 1275 and 76 are holds. 1278, Senator Kustra. Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 1278, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1278 is a recommendation of the School Problems Commission in order to provide financial incentives for the formation of new unit school districts. The bill provides that the petition for formation of a unit school district can include either the highest combined tax rate for any high school district and any elementary school district or the tax rate for any unit school district included in the territory for the Education Fund, operation...Operations, Building and Maintenance Fund, the Transportation Fund and the Fire Prevention and Safety Fund. I might point out for the benefit

of the members that the rates provided in the petition are subject to voter approval at the time the petition is acted upon. I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall Senate Bill 1278 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1278 having received the required constitutional majority is declared passed. 1279, Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 1279, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1279.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. This bill amends the State Library Act to create the Literacy Advisory Board to review all proposals for funding literacy programs in Illinois. I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1279 pass. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it...the question is, shall Senate Bill 1279 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1279 having received the required constitutional majority is declared

passed. 1281. On the Order of Senate Bills 3rd Reading is Senate Bill 1281, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1281.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. Senate Bill 1281 authorizes regional school...superintendents to establish alcohol and substance abuse prevention programs, and it's been a real pleasure doing business with you today. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1281 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...57, the Nays are none, none voting Present. Senate Bill 1281 having received the required constitutional majority is declared passed. 1286, Senator Barkhausen. Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this bill strengthens the law against child pornography...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait...wait...wait...wait...wait...wait. You want it called, Senator Barkhausen? You wish to have this...bill called? Do you wish to have the bill called? All right. That's what we're asking. All right. Yeah,...you raised your hand, I thought you didn't want it out. On the Order of

3rd Reading is Senate Bill 1286, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President and members. Senate Bill 1286 strengthens our laws against child pornography. It raises the age of children given protection under this law up to the age of eighteen. It provides that possession of child pornography parallel to the provisions in the Federal law shall be made a crime. It has a clarifying amendment which we...adopted at the suggestion of some members on the other side of the aisle to make it clear that anyone in order to be charged under this Act will have to...to know or have reason to know that the person who is the subject of child pornography is under the age of eighteen. I know of no opposition to the bill and encourage passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1286 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1286 having received the required constitutional majority is declared passed. 1292, Senator Schuneman. On the Order of...Senate Bills 3rd Reading is Senate Bill 1292. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, members of the Senate...Senate Bill 1292 is a bill requested by the Department of Insurance. Basically all it does is increase the minimum capital and surplus requirements of insurance companies in this State. I think this bill would have been on the Agreed Bill List except there was a problem with three or four small companies. That problem has now been resolved in that we're phasing in these increases over a period of time. I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1292 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1292 having received the required constitutional majority is declared passed. 1308, Senator Lechowicz. On the Order of Senate Bills 3rd Reading is Senate Bill 1308, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1308.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Body. This bill as amended represents an agreed legislative compromise between cable television and public utilities,

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railroads and pipelines on whose property cable companies seek to install, repair and remove both aboveground and underground cable facilities. The amendment allows cable companies entry upon public utility, railroad and pipeline property except where the property owner believes public safety is threatened by entry and installation of cable facilities, the safety of its employees is threatened or where the continued delivery of vital transportation, utility or pipeline services is threatened. If a cable company disagrees with the property owners assertion of a safety hazard, it may seek to have a court determine otherwise. The bill is supported by the railroads, the public utilities, pipeline companies as well as the Illinois cable TV industry. It's a compromise measure and I would hope it merits your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1308 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. Senate Bill 1308 having received the required constitutional majority is declared passed. 1311, Senator Bloom. On the Order of Senate Bills 3rd Reading is Senate Bill 1311, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1311.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. Bear with me a second, I have to read something into the record, a state-

ment of intent. "The intent of this bill is to bring a greater degree of price competition into play in obtaining health care services. It is to enable insurers to obtain the required services for its insurers at a lower cost than is the care under present procedures. The insurer will have the right to negotiate and enter into agreements with a particular provider or providers. The Department of Insurance is of the opinion that the provisions we have incorporated into Senate Bill 1311 are necessary if PPO's are to be utilized by insurers in Illinois. However the statutory language has raised some concerns that the Statute will be used to discriminate against particular providers or particular classes of providers, that it will operate to shut them out for reasons other than the cost of their services. Our State law now includes insurance equality provisions that protect against such discrimination. No such discrimination is intended or expected by 1311. The insurer is to consider proposals for contract or agreement from all providers and all classes of providers. They are to be afforded reasonable opportunity to submit their bids before any agreement is made or renewed. This is appropriate to free competition in the marketplace and also protects against discrimination. Another concern has been expressed that these PPO's will be exclusive provider organizations, EPO's, meaning that the insurer will require the insured to receive care and treatment only from the selected provider with whom it has an agreement, otherwise, no payment would be made for their care. For the record, it should be understood that Senate Bill 1311 does not authorize formation of EPO's, the insured is to have freedom of choice of the provider from which he or she receives care subject only to the incentives that may be offered to the insured to accept care from the PPO provider. These incentives are to be appropriate and reasonable and may relate to such factors as deductibles and percentage amounts

to be paid by the insured." Thank you for bearing with me. Answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1311 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1311 having received the required constitutional majority is declared passed. The Chair would like to recognize on the Floor the distinguished Congressman from the 20th Congressional District, Congressman Richard Durbin. Welcome back. Senate Bill 1311...Senate Bill 1317, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1317, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1317.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1311 is a bill that was worked out with the State Board of Education dealing with hard-core dropouts throughout the State of Illinois. The bill allows local boards of education and community college districts to establish programs directed at providing academic and employability skills for individuals between sixteen and twenty-three years of age who no longer are enrolled in...in school. Funding for these programs...is set forth by the Legislature in House Bill 1070, which is coming over, currently contains an appropriation of nine million of which 4.5

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million will be directed toward the drop-out population. Furthermore, the bill provides that these programs be outlined within the adult education plans currently required by law so as to ensure that these programs will be coordinated with all other adult education programs within each region of the State. It has been worked out with the State Board of Education. I would solicit your Aye vote for this drop-out legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1317 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none. Senate Bill 1317 having received the required constitutional majority is declared passed. 1321, Senator Marovitz. On the Order of Senate Bills 3rd...3rd Reading is Senate Bill 1321, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1321.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1321 creates a demonstration project for a hundred an fifty schools in Chicago and...and an option for fifty downstate schools. There is no funding in the legislation whatsoever. The effective date is January 1st of '86. And it's a...it's a project to try and bring education down to the local area where we involve...local school councils and parents and teachers together to improve schools in their local districts. It's a pilot project, there is no funding,

and I would solicit your Aye vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1321 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1321 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, bottom of page 15, Senate Bill 1338. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1338.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Under the current Act, the 1940...the 1984 amendment allows six percent interest to be paid on funds held in the Protest Fund is applicable only to successful protested cases. This means that a taxpayer that...protested, filed suit and won receives their protested funds at a rate of...six percent interest. Now this bill...1338, allows interest to be paid to the local taxing units when the protest cases are not successful. Taxpayers are allowed six percent on protested money, 1338 allows six percent interest to be paid on...to the taxing bodies, and this is done at the recommendation of the Attorney General's Office and the Comptroller's Office. I'd ask for a favorable vote or answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1338 pass. Those in favor

will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1338 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1339. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1339.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1339 would provide that by 1989 the class size for kindergarten and first grade would be reduced to fifteen...a maximum of fifteen in the State. There is no sound educational basis that I know of for assigning the same number of students to a first grade classroom as...that number or that...or those that are assigned to a sixth or an eighth grade class. If we are going to have true educational reform in this State in this year, I am suggesting to the Body that this is the place to start. In fact, if we only had those dollars sufficient to do a program such as that, I would say that this is the place to put those dollars. Obviously, I understand that this is...the costs of this are such that this, if it were to go out of here, would certainly not pass out of the House, it would come back to us in a far different form. I view this as a statement to those who are putting together this package, this educational reform package, as a statement of something that is important to this Body, and on that basis, I ask for your support.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senator Joyce's suggestion is a good one if, indeed, the large amounts of money were available that it would cost to fund this program, but the cost on this Statewide is absolutely astronomical. I would suggest perhaps that the Body take a look at legislation that will be coming across from the House that will address aides in the classroom of especially these...these younger...younger students. Indeed, many of our...our first, second and third grade classes are...are overpopulated and it's a tremendous burden upon the teacher. But to suggest that...to suggest that we place a limit of fifteen on these classes Statewide...and for those of you who don't know the figures, they run up into...into the area of two hundred and fifty to three hundred million dollars, and to the Chicago School District this would run about...the...the cost there would be roughly a third of that figure, so I think we ought to take another look at this, applaud Senator Joyce for his concern; indeed, it's something we need to address in the reform package, but this bill should not pass.

PRESIDENT:

Any further discussion? Further discussion? Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, you know, again, I understand that...what the costs are and...and I have stated what my purpose is with this legislation. There is an amendment that is on this bill that you know would require fifty-one percent, the Schaffer Amendment, the costs are very, very high. All I'm saying to the Body is if this passes out of here, those who are putting together the educational reform package will look at this, perhaps give it some attention when they put their program

together and it is on that basis that I ask for your support.

PRESIDENT:

The question is, shall Senate Bill 1339 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 27 Nays, 2 voting Present. Senate Bill 1339 having failed to receive the required constitutional majority is declared lost. Top of page 16, on the Order of Senate Bills 3rd Reading, Senate Bill 1346. Read the bill, Mr. Secretary. I beg your pardon, hold. Sponsor wishes that held. 1350. On the Order of Senate Bills 3rd Reading, Senate Bill 1350. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1350.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1350 had, in fact, been on the Agreed Bill List, taken off in order to have an amendment placed on it to take out any intention to have a State insured program. This is merely, though extensive, a rewrite of the Savings and Loan Act that comes out of the Savings and Loan Commissioner's Office including the Savings and Loan League and all the other regulators. It merely was to codify, rewrite and to put into it that which the Federals are now allowed. I know of no opposition to it and would answer questions, ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate

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Bill 1350 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1350 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1352. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1352.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 1352 adds licensed child-care centers to the list of entities whose vehicles used for transporting children are regulated as school buses. Provides for the use of school buses' safety equipment whenever transporting such persons, and the amendment allows day-care facilities to the list of entities, they may utilize school buses. Ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

A lot of the day-care facilities in my part of the State are using vans. How does this impact on them and their...their, you know, their...their drivers are occasionally mothers of kids? How does this work out?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

The amendment deletes...a first division vehicle that may

be used as a school bus by a day-care facility and provides for a second division vehicle which are under a classification of school buses. There's a given number on that, Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm not sure I know, does...does one of the vans that you commonly see driving around painted up with, you know, the Hillside Day-care Center on it qualify? Are we requiring these people to have a special kind of driver's license or what are we doing to the day-care...operations?

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

It establishes requirements for...the centers that the driver is to be twenty-one years of age or older, has a valid and properly classified driver's license issued by the Secretary of State, and he has to have held a valid driver's license for three years prior to date of application, and as...also has to demonstrate the ability to exercise responsible care and the safe operation of child care...center busing in accordance with the Secretary of State, and has also has not been convicted of a...reckless driving within the three years of a date of application.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm informed by staff that this would require day...care van drivers to go through the same type of training and...and permitting and whatever that school bus drivers go through. You know, I guess that's a good idea, I just know that some of these day-care operations are very marginal, they're connected with churches, they have volunteer

drivers. I am a little apprehensive about doing this particularly since most of the day-care facilities, at least in my area, get almost no government support. You know, yeah, I guess everybody ought to have bulletproof vests and...and everything else but...you know, it seems to me that we're out addressing a problem that at least I have not personally been convinced we need to do. I think we're once again headed down the wrong road and driving up costs and we'll hear about it.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you...thank you, Mr. President and members of the Senate. I rise in favor of this bill. Two things; I...I think first of all the children that will fall under this category and the type of transportation provided under this legislation deserves to be protected as any other children that rides our school buses. The sponsor was kind enough to accept an amendment which we felt that maybe would put some hardships on those people maybe with one or two children in their homes, and with that amendment in there, I think it makes it a good bill and those people that...maybe a mother that just has one or two other children in their home is really eliminated by the way the amendment was drafted. I think it's a good bill, it's going to protect our children that's being cared for in these homes, and I'd ask for a favorable roll call.

PRESIDENT:

Further discussion? Any further discussion? Senator Dawson, you wish to close?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, all I can say is, everybody says after it's happened we should have done something, and I think this is the time that we

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should do something to protect these kids that are on these buses because of...as was stated, these are different church groups and everybody else driving kids around and someday when it might be your own kid and somebody gets hurt or killed and one day you're going to say, I should have did something, and I ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1352 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 14 Nays, 4 voting Present. Senate Bill...1352 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1358. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1358.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 1358 is the Proprietary Student Assistance Program. We discussed this bill on 2nd reading, the amendment is the bill and it simply provides that the Scholarship Fund shall set aside ten percent of its allocation for scholarships for proprietary schools, and the amount of the award shall not exceed eighteen hundred dollars. I'm not even sure there's going to be an appropriation for this this year, it comes out of a separate appropriation and I don't think there's...I think all the opposition has been taken care of, and I ask for a favorable vote.

PRESIDENT:

Further discussion? Any discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Dunn.

SENATOR DUNN:

...Senator D'Arco, how many schools would this apply to, proprietary schools, do you know for sure?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I do have a...a list here. I don't know, let's see...about forty schools or so, I think.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

And...and I think we have an understanding that you'll not use money that...that goes into the regular Monetary Award Program from the public and private universities. Is that right?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yes, that's our understanding.

PRESIDENT:

Any further discussion? Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well,...thank you, Mr. President. It may not be from the monetary award but it's coming from the same pot that the monetary award is coming from. And if I read this correctly the appropriation is an amount equal or not to exceed ten percent of the amount in the Monetary Award Fund. And if you don't think that this is going to be counted against that

award, then I think we're a little mistaken.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, as I understand the sponsor, what he's suggesting is that we pass this bill and that there probably won't be an appropriation this year and so it really won't amount to anything. But it seems to me if we put this bill on the books saying that we...we're...we're going to appropriate and are required to appropriate ten percent of whatever we put into the Scholarship Fund, that that's certainly going to create great pressure on this Body to fund this next year and thereafter. I think the proper way to do it is wait until we've got the money and then decide whether or not we want to spend it this way.

PRESIDENT:

Further discussion? Any further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you. Mr. President, Senator DeAngelis seemed to indicate that the money would come out of the Monetary Fund, and that would be true but there must be a separate appropriation in order for the fund to pay out the money. So without the appropriation, the money can't come out of the fund. This amendment is the independent universities' amendment. The independent colleages and universities put this amendment on the bill. They're satisfied with the language, they're not threatened by this bill, they don't think it's going to hurt their fund. We've discussed this in committee and the agreement was that we don't want to take away any monies that are allocated to the independent colleages and universities. I don't know, you know, what else to tell you about it. It's a good bill.

PRESIDENT:

The question is, shall Senate Bill 1358 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 17 Nays, 1 voting Present. Senate Bill 1358 having received the required constitutional majority is declared passed. 1360, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 1360. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1360.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

This also is a nothing bill and I ask that we pass this bill in its present form.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1360 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 15 Nays, 2 voting Present. Senate Bill 1360 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senator Sommer, Senate Bill 1366. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1366.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the...the intent of these bills that come from the Department of Central Management Services is to create a situation in which if we lease a property, we can ultimately end up with the title of that property if we so desire and make the contract that way. It's an option we do not have. Today we either have to lease and not get the property or have to up-front the money either by cash or by selling bonds and getting cash. Simply provides another option. Whatever concerns I had were...were, I think, put to rest by the amendment that has been placed on it which would require...that each year the General Assembly be presented with a separate line item identifying these properties, and then all parties to the contract would understand that this money would not necessarily have to be appropriated if there were any question about the propriety of these contracts.

END OF REEL

REEL #4

PRESIDENT:

Any discussion? Is there any discussion? Senator Chew, on this subject? I'll get to you. The question is, shall Senate Bill 1366 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1366 having received the required constitutional majority declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1367. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1367.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this does the same thing but it's necessary to amend other Acts and this simply amends some other Acts different from the first one.

PRESIDENT:

The question is, shall Senate Bill 1367 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1367 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1368. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1368.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the bill that we do annually that reappropriates the projects; that is, all of the old capital construction projects that are not yet completed are always carried over into the next year, and these are old projects approved by previous Legislatures that are still underway.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1368 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1368 having received the required constitutional majority is declared passed. Senator Chew, for what purpose do you seek recognition?

SENATOR CHEW:

Point of personal privilege, Mr. President. I...

PRESIDENT:

State your point, sir.

SENATOR CHEW:

...regret that I must ask for a minute or two on this subject. An erroneous press conference has...found itself somewhere here in the Senate and it has gotten into Chicago under the name of Judy Erwin who works here on your staff. It is related to Senate Bill 525 which, President Rock, you are the sponsor, which passed on yesterday. I want to dis-

claim any activity or knowledge of this press release, I think it's damaging not only to the Senate and the black members of the Senate but to you as its sponsor. 525 was related to the banking legislation in which we passed yesterday and happily I voted for it. It is alleged that the black legislators here thought it was a bad bill and it went on to denounce the legislation as a ruination to banking in Illinois. We have not been able to discover who sent this news release, no one has taken the credit for it. I have talked to some Senators here and they are just as shocked as I was to find that this release has found its way into the Chicago Daily Defender, and on today's issue, May 25, the Daily Defender carried her article on it, Rock's Aide a Sales Disloyalty Charges, which is true. I would just like to say, Mr. President, that anyone that would stoop this low to try and disrupt an orderly process of going and just telling outright goddamn lie about what the legislation is and what it does for black community, in my opinion, is not qualified to serve in this Body. All of the years here, I have tried to work with people for their own personal legislation and communities and et cetera and et cetera, there's not one of you in this building that I haven't cooperated with; and for whoever sent this press release out, I think you're so low until you would have to reach up to touch bottom, and that's no way to form a cooperative effort here and to get legislation passed for the benefit of the State of Illinois that someone would deliberately say that black legislators are upset over 525. I'd like the record to absolutely indicate that I disassociate myself from this kind of print, the wording, the way it has been circulated; and to show how low the person is, they used someone else's name instead of their own, and press releases are supposed to have the sender's name, but knowing that it's wrong and erroneous, this release does not contain a name of the sender. And Judy Erwin is not

a part of this and she's been in contact with that newspaper, and I wanted the members of this Senate to know that I did not have anything to do with it and I denounce it, and I would...say that whoever did is not the kind of person that I'd even want to be associated with. I want that for the record, Mr. President.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President, members of the Senate. I, too, rise in dismay as to the press release being dated May 21, 1985, which is Tuesday, to be sent out with no name other than Judy Erwin on there, stating that the black legislators on...in the Senate, more or less I should say, are concerned about the interstate banking legislation. I haven't talked to you, Mr. President, about that legislation when it came up. I haven't talked to any banker concerning that legislation be it black or white, no banker has contacted me as...as relate to the vote on that legislation. But for someone to take General Assembly stationery and send it to a newspaper, and I want to commend that reporter, Ms. Juanita Bratcher, because she had the decency to pick up the telephone and call Judy Erwin about this press release. Anyone would stoop so low to tell constituencies to contact their legislators because we are concerned about the vote. I happen to have voted Yes on that legislation, not at the persuasion of the President 'cause he never asked me, not at the persuasion of any banker, black or white, they didn't talk to me on this legislation. But for somebody to do that, to stoop that damn low, and use the General Assembly stationery which we all have access to and send out a press release don't even deserve to be in this Body. So, to you, Mr. President, to you, Judy Erwin, I know you didn't have any part of it and to impugn the integrity of legislators who

happen to vote Yes because they felt they wanted to vote in that matter, but this went out prior to the debate on the bill. And it is asinine, stupid to do...use our General Assembly stationery to even infer such, and...I wish the individual had the integrity or courage to stand on this Floor and apologize to each member for being so wrong and doing this to his fellow Senators.

PRESIDENT:

All right. Back to the bottom...middle of page 16, Senator Coffey on 1369. Senator Coffey...no. Senator Netsch on 1371. On the Order of Senate...you wish the bill called? Do you wish the bill called? On the Order of Senate Bills 3rd Reading, Senate Bill 1371. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. The...what I was trying to explain, Mr. President, is I want the bill read a third time and left on the Calendar for the moment. It is a bill that deals with the...the teenage pregnancy problem and it was an attempt to find a way to provide health services. It grew out of the dropout task force report but there was no legislation specifically on that. We have not been able to get the Department of Public Health quite to come up with the right way to structure this, but I...they claim that they will continue to work on it and we might be able to address it at a later time, I realize not under the deadline of this bill right now, but I do want to leave the bill out on the Calendar, so that it will be available perhaps in the Fall or later if we work something out.

SB 1378 3rd Reading

PRESIDENT:

Take it out of the record, Mr. Secretary. On the Order of Senate Bills 3rd Reading, Senate Bill 1378. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1378.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Senate Bill...1378 is a bill designed to put the Chicago Board on...on parity with the other school districts across the State. What the bill does is give the Chicago Board the same power and authority that the other districts have across the State and that is to...it is permissive legislation authorizing them...giving them the power to levy a transportation tax up to twelve cent without referendum. The...the reason why I put this legislation in is because the reimbursement monies that come from transportation to the Chicago Board does not match the...the necessary dollar amount that is needed for transportation, so, as a result, each year...each fiscal year, the Chicago Board has to dip into its educational fund...has to dip into its educational fund in order to provide transportation for the many mandated programs that it is compelled to do. So this...this legislation is permissive, they will have the power as the rest of the districts across the State to levy the necessary transportation tax up to twelve cents...twelve percent without referendum, and I'll answer any questions anyone has on the bill.

PRESIDENT:

Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I would merely point out that this is a real estate tax increase authorization. I think we're really too early in the Session to pass this kind of a bill out of this Body. We have been responsive, I think, very generously to the Chicago Board as to their needs in past Sessions...particularly the past two and three years, and I just think that if...time comes that the rest of the funding package doesn't adequately address their needs, that's the time to look at real estate tax increases but I think it's too early. I'm going to vote Present at this time on this bill.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Mr. President and Ladies and Gentlemen of the Senate, am I correct to...that I just heard Senator Berman say that this will increase my property taxes?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

If the Chicago Board passes the authorization in this bill, yes.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, would this apply to an elected school board or just an appointed one?

PRESIDENT:

Senator Jones.

SENATOR JONES:

It applies to any board. The...the...the...Senator, for your information, the Chicago School Board is the only...school district, District No. 299, is the only dis-

trict that does not have this type of language. It puts it on parity with other school districts.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, if we're talking about parity, let's have an elected school board.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. In response to our esteemed chairman...of Education...Committee, Senator Berman, let me say this to each and every one of you. I've sat here today, yesterday and the day before and I have voted on many mandated programs for the school districts throughout the State of Illinois. The City of Chicago school system does not even levy a tax for special education. It does not levy a tax for transportation. You wonder why that system...that system constantly runs short every year. It has nothing to do with the revenue that comes from the State, because Chicago's tax for schools is one of the lowest of any taxing district in the State of Illinois. We must stop...we must stop the practice of cheating, and I said cheating, the public school children in the City of Chicago. All this bill does is give them what other school districts have. I voted for the...the...the reform package of legislation, there is a lot of mandated programs in there. Where in the heck is the money coming from? I said time and time again, you pass these bills, we come down to Springfield and when the...of the State, but we must do something at the local level. This will give that school district the authority that other districts have. Every district can levy this tax, you can levy a special education tax, you can levy a

SB 1382 3rd Reading

transportation tax. We need to do the same thing in the City of Chicago and I ask for a favorable vote on this bill.

PRESIDENT:

The question is,...I beg your pardon. Senator Berman.

SENATOR BERMAN:

On a point of personal privilege.

PRESIDENT:

...all right.

SENATOR BERMAN:

I think it's important to clarify the record. On...contrary to the statement of the previous speaker, Chicago's tax rate is not one of the lowest, it is about...a little bit above the median for the State. Thank you, Mr. President.

PRESIDENT:

The question is, shall Senate Bill 1378 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 12 Ayes, 35 Nays, 8 voting Present. Senate Bill 1378 having failed to receive a required constitutional majority is declared lost. Senator Smith on 1382. On the Order of Senate Bills 3rd Reading, Senate Bill 1382. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1382.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the...Ladies and Gentlemen of the Senate. After having two amendments on this bill, I think it's in order for a passage today. It...Senate

Bill 1382 states that except as otherwise in the Abused and Neglected Child Reporting Act or other applicable State or Federal law to permit school officials to withhold information on the whereabouts of any child removed from school premises when the child has been taken into protective custody as a victim of a suspected child abuse. School officials shall direct parents to the agency which is responsible for the care of the child in this particular situation, and we have the approval of the Department of Children and Family Services. I move for an adoption of this piece of legislation if there are no questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1382 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 1382 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1387. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, members of the Senate, the bill now as amended does exactly what it says on the synopsis and it has...with the amendment the Board of Higher Ed. has removed its concern and objection, and I would solicit your support.

PRESIDENT:

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is one of those bills I'm trying...still trying to discover exactly why it's needed. It appears...well, we know under the existing Statutes that the Board of Higher Education...the State Board of Education already have the...the power to...to approve these, and reviewing this proposal with the Board of...Higher Education, they, too, do not see the need for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, obviously, the proprietary schools feel that this amendment to our laws would provide them with a...probably a better ego trip. They think it was necessary, the Board of...Higher Board of Education is not opposing the bill, concern that Senator Etheredge had earlier with the word "designated" in the language, we researched that to find out why that word was used and it appears that this language appears in our Statutes now describing these schools, and they use it to be consistent with the present law. I see no objection...we have received no objections from any...anybody, really, for this piece of legislation and I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I don't see too much objection. There is an objection from the Federation of Independent Colleges and Universities, but since this really doesn't do much, who really wants this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator DeAngelis, I think you are in error. The only objection that we heard voiced was with 1358 from the...Independent Federation, not...and not on 1387. They were in committee and voiced no objection and I have...have not heard from them of any objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, just for the record, I have been advised that they did testify in committee against this, Senator Savickas. Did somebody else present your bill in committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Senator,...they did not testify...they put in a...they may have put in a letter that I don't know of but our staff indicates that they did not testify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'll...I'll clear it up, they did not testify but they did file a slip in opposition to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, I'm glad Senator DeAngelis finally got his facts straightened out and now I...I would assume that...that he has been enlightened that his major objections may have disappeared. I would solicit your...favorite...favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1387 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

SB 1389 3rd reading

Have all voted who wish? Senator Savickas, you want to...all voted who wish? Have all voted who wish? (Machine cut-off)...the record. On that question, the Ayes are 27, the Nays are 21, 5 voting Present...Senate Bill 1387 having...failed to receive the required constitutional majority is declared lost. 1389, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 1389, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1389.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WEEK-TV, Channel 25...News 25, Kelly Morgan, has requested leave of the Body to shoot. Is leave granted? Leave is granted. On the Order of Senate Bill 1387, Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold on, Senator Sangmeister...Senator...we're on 1389. All right...the board is corrected. Senator Sangmeister.

SENATOR SANGMEISTER:

This is a bill that received some discussion yesterday, as you recall, when it went through the process of 2nd reading. The bill very simply does what it states specifically in the bill and...it's to form...allow the Attorney General to form a Statewide grand jury with authority to investigate, indict and prosecute persons in enterprises that generate, use, store, transport and dispose of hazardous waste in violation of the Illinois Environmental Protection laws, and that's exactly what it is limited to and that is the only authority that we would be giving the Attorney General. Criminal damage to the environment, as you all are

well aware of, is a Statewide problem. The environment in which we live does not begin and it is not end at county lines, and thus, pollution of that environment is a problem that transcends county lines. The General Assembly recently enacted tough new legislation to increase penalties for persons in enterprises that commit criminal damage to the environment; however, law enforcement officials have not been given the tools to...to take these tough laws and make them fully effective. That is the purpose of this legislation. I might say to you that you understand that contrary to all of the...the 2nd reading maneuvering that was going on, I am fully advised that Senator Geo-Karis' amendment which she was putting on to protect the state's attorneys in this legislation is on this bill, so I...I think that ended all the controversy that we were talking about. So now the Attorney General cannot in any way proceed without giving notice to the state's attorney and he has forty-five days within which to act. Personally, I think that slows the process down considerably, but seeing as we...that was a concern, particularly on the other side of the aisle, and seeing that that concern has been taken care of, I think on behalf of the environment of the State of Illinois, this should get a unanimous vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. Surely, this is a case of whatever goes around comes around. Those of us that have been here very long can remember the discussions when Attorney General Scott and Ty Fahner wanted similar rights. I don't remember all the arguments but I remember where they came from. They came, Senator, with all due respect, from your side of the aisle, and, frankly I was persuaded by those arguments. I think you were right then.

This probably is the wrong thing to do and as much as we respect our Attorney General and as much as we realize his...his ambitions for higher political office, this perhaps may not be the way to...to help him get there. He probably ought to get there through the...traditional means, and in spite of the...the House...the high sounding rhetoric about this bill, it still has all the faults that you all argued about just a few years ago...that you all argued against. So I would simply point that out to the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? So far we...we have Senators Fawell, Barkhausen, Keats, Dudycz, Geo-Karis and Watson. Senator Fawell...Jeremiah Joyce.

SENATOR FAWELL:

Thank you, very much, Mr. President. I assume everybody has made up their mind on this and I call for the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the previous question. We have the speakers of Fawell, Barkhausen, Keats, Dudycz, Geo-Karis, Watson and Jeremiah Joyce. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I just have a question, maybe two, of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Sangmeister,...is there any good reason why...why the...this bill is limited to a thirty-month period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

It's another very good reason why this is a very limited

piece of legislation. If we are going to this...if this is the first time the State of Illinois has a Statewide grand jury, we're going to put it in there on a temporary basis, see if it works. If it doesn't work, it automatically expires.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Mr. President and members, just briefly to the bill. I happened to support this concept when it came up in the House when I was there for a term, and I did so at a time when the grand jury authorization was being requested not only for crimes of hazardous waste but more broadly for a number of other crimes, narcotics and consumer fraud and those crimes that most have a tendency to cross county boundaries in which in some cases exceed the capacity of our individual state's attorneys to handle. But I do have some concern about a measure which seems to be limited to a particular scope in time. I think if it's...if it's good for one foot, it ought to be good for the other, and when I spoke in support of this concept over in the House a few years back I said that I would support the bill whether it was a Republican or a Democratic Attorney General requesting it, but I suppose I should have qualified by...that by saying that...that such a proposal should be good for all time and not just good for the incumbent officeholder. For that reason, with some reluctance, I...I won't be able to support this and will be...will be voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I just have two short questions. Senator Sangmeister, cannot the Attorney General now request state's

attorney to use his grand jury?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, he can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Why is this legislation needed then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

For the simple reason, the jurisdiction of the state's attorney, as you're well aware of, is confined to his county limits. The problem with these type of...of violations is they are...multicounty violations, therefore, the reason for the Attorney General.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

How come thirty months? Why not thirty-six, forty-eight, twelve, twenty-four? How come that specific period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, that question was just asked, I believe, by Senator Barkhausen and we felt that because we're going into a new program that we ought to...see whether or not it is going to work. Also, we also think that within thirty months we'll be able to clean up some of the present problems that we have in this area which, as you know, are...are gigantic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

You feel that in thirty months, you will clean up the problem or how...what I want to know specifically, Senator, is how you reached that specific amount of time, thirty months, not thirty-two, thirty-six. Why thirty months?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, any temporary program or any...attempt at a program has got to have some delineation. If that's too much and you'd like to cut it to fifteen months or if you think it ought to be extended to five years, you know, we're flexible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

I'm sorry, but you didn't answer my question. You...you made thirty months...you said some specific period of time. How did you reach thirty months?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

There is no magic in the number thirty. Some period of time had to be picked for this to expire, and like I say, if you don't think the thirty-month period is long enough or it's too long, we can always do something with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, I...Senator Dudycz.

SENATOR DUDYCZ:

So, in other words, it was just an arbitrary figure picked out of the sky and said, thirty months sounds good so let's go with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate,

my colleague, the sponsor on the other side, helped me fight the first...multicounty grand jury bill which was sponsored...was supported by Attorney General Scott, and I did not approve of that one, I was the deciding vote, I did not approve of the one when Fahner wanted it because I want...people to be treated fairly whether they're Democrats or Republicans. Under this bill, what he forgets to tell you, but I'm happy that he did, he did include Cook County in it. So all the counties are in it, which I appreciate that he did put them all in, but under this bill the...the judge who is convening...the judge who is convening the multicounty grand jury can select the county in which the Statewide grand jury is to sit and may fix the place of trial of an indictment in return by the...Statewide grand jury. So, therefore, if the...if we have a Republican Attorney General, which we might just have within the thirty months, he might just decide to have the Supreme Court judge authorize a grand jury and the...the presiding judge of the Statewide grand jury can convene it in Lake County, Illinois for any offense that he thinks exists in Carlinville where Senator Demuzio lives. So I think it's a very unfair bill. The sponsor of the bill would not...he Tabled my amendment, he was successful in beating my amendment which said that, "However, the county selected must be one in which the alleged offense was committed or a county directly adjacent to such county." So you can have a grand jury convened by the judge in Lake County, Illinois to affect somebody in...in Carbondale, Illinois, in Belleville, Illinois, all the way down there, and that's what...another thing that's wrong with this bill. And another thing is, since when...since when do we want to invade the providence of the state's attorney...I'm so happy he thinks that my amendment is still on which provides that he has to notify the state's attorney first. However, as Senator...Dudycz said, and as the sponsor admitted, the

Attorney General has...authority now. I can't imagine that Neil Hartigan, whom I dearly love, would have in his wildest dreams want such an awful bill like this to pass. I can't imagine but just think, suppose that he is invited...he...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Geo-Karis, would you please bring...

SENATOR GEO-KARIS:

...all I can tell you, this is an unfair bill and I speak now, not only as a Republican, I speak as a citizen. I don't want...Democrats hurt by it, I don't want Republicans or anyone hurt by it. It's a bad, bad, bill and as E.F. Hutton would say, vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it is...it is in a sense regrettable that some of you have chosen to...to find this on strictly partisan, political terms, Senator Schuneman. If...this bill was drafted to try to deal with those political problems, that was the reason for the thirty-month period. The thirty month period was thought...would allow a...the next Attorney General whether it be the incumbent or the...or...a different one of either party to come in and to look at this and have an opportunity to continue whatever work had been accomplished up to that point. That was the reason for the thirty months. It's...on the other hand, it...the...the...as to why it wasn't more than thirty months, Senator, it was felt that this grant should not be a broad grant. This bill is pretty much in the form of what Senator Geo-Karis wanted, we thought her main objection had to do with the state's attorneys; those other concerns with respect to venue...there's no problem. We could change that if that would so...could be changed in the...House if that is what Senator Geo-Karis would want. But if this bill is going to go down on strictly

on the basis that Attorney General Scott or Attorney General Fahner was not allowed or not voted grand jury powers, that is regrettable, because there is a serious problem in this State in this area, and the resources are available. If we will provide the Attorney General's Office with the opportunity to deal with that problem, he will come back, we will look back on this as something that was very, very meaningful and something that was good for the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis for a second time.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, since my name was used in debate, I want to remind the prior speaker that I, as a Republican, opposed the Republican Scott and Republican Fahner's desire for multicounty grand jury bill. So it's not political with me, I think it's a matter of equal justice and fair justice to all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you. Senator Geo-Karis, I'm glad you found out where E.F. Hutton was, most of us discovered it was right across the street from Boone's. The difference involved here which must be emphasized is that this is not the same grand jury bill that has been floating around with various Attorney Generals. This is a highly limited bill into one specific area and that is to deal with...with the storage, use, transportation and disposal of hazardous waste. Also, this bill has got as thirty-month limitation on it which the other grand jury bills did not have; and, Senator Schuneman, as I recall in committee, I thought you said when we were talking about this that you always supported this in the past, you

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supported it in committee and you were going to support it on the Floor. So I'm rather surprised to hear that there's been a change in tune. However, I...as I recall, the committee vote on this bill was 19 to nothing. So I don't understand where the changes come around and, Senator Geo-Karis, you know, you amended our bill into such good shape and now you're not going to support it. I...I don't understand that either, but anyway, if you're concerned about how hazardous waste is being handled and the problems that we're having in the State of Illinois, this is your chance to do something, vote for it, do something for the people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1389 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27, 2 voting Present. Senate Bill 1389 having failed to receive the required constitutional majority is declared lost. Senate Bill 1391, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 1391, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides that when a complainant files a complaint before the Department of Human Rights, at the expiration of the three hundred day period if they haven't acted on the complaint, he can file that complaint with the Commission of Human Rights as long as he

receives a notice when he initially files the complaint from the department. It's an agreed bill, the department is on board, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Discussion? If not, the question is, shall..Senate Bill 1391 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39...39, the Nays are 18, none voting Present. Senate Bill 1391 having received the required constitutional majority is declared passed. 1399, Senator D'Arco. Senate Bills...all right. 1402, Senator Collins. On the Order of Senate Bills...3rd Reading is Senate Bill...Senate Bill 1402.

SECRETARY:

Yes, Senate Bill 1402. The verbiage where it's...recalled and held on 2nd, should have been removed. So just disregard that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Secretary informs me that the verbiage recalled and held on 2nd reading was to be...disregarded. All right. Senator...Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1402.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you...thank you, Mr. President and members of the Senate. Senate Bill 1402 and the next five bills following is part of a comprehensive economic development package...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, can we have some order, please. Senator Collins.

SENATOR COLLINS:

...or at least which started out to be a comprehensive economic development package; unfortunately, some of the bills did not get out of committee. However, I do feel that the remaining bills in this package on the Calendar today does, in fact, represent a good beginning. And I would just like leave of the Body to make my opening remarks for all of those bills, and then, when we get to each bill, I will be happy to answer...ask...I mean, answer any specific questions that you may have in regard to a specific bill and that they be taken on separate roll calls.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in fact, they will be taken on separate roll calls. Is there leave for Senator Collins to discuss Senate Bill 1404 through Senate Bills 1410? Leave is granted. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. Chairman and members of the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...

SENATOR COLLINS:

Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...you...you only get the same time for all...the whole package. Senator Collins.

SENATOR COLLINS:

...Senate Bill 1402 creates a vocational and professional enterprise training center and the purpose of that center is to provided specialized and vocational and professional training with the major emphasis on the development and promotion of entrepreneurship. The bill is based on a concept that the stimulation and creation of small business develop-

ment is in fact a major entity in creating job development and...and establishing an economic base for our communities. Our statistics indicate that...that about in...ninety-seven percent of businesses in...in Illinois employs less than one hundred people, and I feel that for every dollar spent in this State on vocational education that there should be a direct and immediate future impact on manpower needs in this State. Senate Bill 1404 establish the Illinois Job Development Corps. Now I understand that we have a lot of different efforts in this State supposedly for job development and employment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen, Senator Collins seeks some order. Can we have some order, break up the caucuses. Senator Collins.

SENATOR COLLINS:

Thank you, again. We have created and even in this Session we have passed several major pieces of legislation for the purposes of creating jobs in this State. While I have supported those efforts, I sincerely believe that if we are serious about employment in the State of Illinois that we have to provide training as well as employment. Most of our efforts in the past have ended up spending dollars and at the end of the employment...period, the person employed have often ended up back on the welfare rolls with no more skills...any opportunity to have a job than they did before they entered into the program. Senator Hall, may...may I have some order, please. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR COLLINS:

Yes. I think I have sit in this Chamber and I've listened to all of your initiatives. Whether I supported them or not, at least I gave you the courtesy and the oppor-

tunity to present them, and I think I'm entitled to the same thing from both sides of this aisle. And whether or not you want to vote for these bills, that's your conscience and that's your responsibility, not mine, but I really would appreciate it if you would just lower your voices some so that those who may want to hear can hear. Now back to the bills. As I said, even our job training corp....our job training...those programs under the Job Training Partnership Act which is currently, I understand, under a lot of scrutiny has not by any means began to scratch the surface of dealing with the real...real problems of unemployment in the State of Illinois. The Illinois Job Corps is based after the Pennsylvania Job Corps which has had a tremendous success and most of all it would provide an opportunity to get people off of the welfare rolls. You constantly complain about the high cost of welfare and those old lazy people, and, yet, every time a very positive issue comes to this Body, you vote is down. This bill is focused on providing an opportunity to get people off of welfare. Senate Bill 1405 provides tax incentives for new businesses moving into...to encourage them to move into an enterprise zone. While this bill is just another...tax incentive to encourage businesses in Illinois and specifically to the...to the development of enterprise zones, I am not as concerned about the passage of this bill as I am about most of the rest of the bills in this package, because I think we've already passed bills that would accomplish the same purpose. But Senate Bill 1406 is a different story because it is directly linked with the vocational and professional enterprise training centers, which is tied in with our junior colleges and it provides incentives for businesses and corporations to loan staff and equipment to the junior colleges for the use and training of those students in the vocational and professional trades and to encourage them to go into business of...of their own. Senate Bill...Senate

Bill 1408 is probably one of the most important bills in this package, because it has built within it a revenue source untapped that will provide for our last count...over five million dollars that can be used to assist small businesses, and competing more competitive and providing an opportunity for them to compete for State contracts by assuring that fifty...assuring fifty percent of the risk connected with bid bonds when they are bidding on big contracts. The other measure of money would be...many other states have done is to charge a five dollar flat bid fee for all bid contracts and this money will be also used into this fund. The money will stay in the fund, it is only used in case of risk. According to our statistics, the risk involved is very minimum because very few of the contractors default on their commitments. Senate Bill 1458 is, again, one of the most...very important bill because what it does, it trys to transform the concepts and the printed words into the creation of the Illinois Development...Financial Development Authority into some meaningful action. It expands the responsibility and jurisdiction of that board structurally. It provides for an...the...the...the creation of...a five-member board who is going to be responsible and accountable for the overall financial planning and coordination for economic development in this State and, specifically, the development of the enterprise zones' areas. And most importantly, it provides for a guaranteed loan program that can be used by local businesses and small businesses who are not able to secure money...on the regular market, to do some projects that will most certainly be a very great help to local units of government that will provide them with some necessary monies, and that...which they can leverage some private money and do some of the major infrastructure projects that is so needed in the...at the local levels of which they have no money at this point to do anything about. I think that is the sum total of

all of the bills, and the appropriation bills are there, and I would ask...be happy to answer any questions, and I will ask your favorable consideration of this package of bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Topinka.

SENATOR TOPINKA:

Yes, I...this is on 1402 and, you know, I...I think you're trying to do some pretty nifty things here, but I'd just like to clarify something. According to our analysis, this would affect community colleges near an enterprise zone. Now, we, for instance, have an enterprise zone in Cicero. Will this effect Morton College and Triton College which would be in five...five miles? According to our analysis, it says that this would be limited strictly to a community college in Chicago and a community college in southern Illinois, but you're saying that is not so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

No, that is not so and...and you are right, your colleges would be affected and your analyses are wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly want to...apologize to the principal sponsor, I had no intentions of distracting her and I am a sponsor...a cosponsor on all these bills; and I want to tell you that this is some very important legislation, and I think that what we should do is that we ought to give the

necessary votes on that board to pass these out. It's so important, as she has reiterated on all of them, to tell you that this is an opportunity to give chance and add to communities jobs and other placements that would get people off of the relief rolls as she said. This is very important legislation and I would encourage everyone to be sure and give us an affirmative vote on this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. I...I want to commend Senator...Collins on putting together a package of bills that would be most beneficial to the State of Illinois in that it provides a means by which we can take some tax consumers off the tax consumption roll and put them on the taxpayer's roll, and if I understand the message that we...that we get from the other side frequently, that is what that side wishes to do. I think it's equally as true of this side. I'd like to get permission from leadership to pass out some missives here. They are pieces of research that say one of the major causes of family deterioration in minority communities is the absence of marriageable young males, and by marriageable it's meant those who make enough money to support a family. It's a tragic situation that exists at a time when our communities really need rebuilding. So it isn't a matter of the jobs not being there, the jobs are there. It's a question of how we bridge that gap to take that raw material and bring it together with the jobs that are required to be done. I know everyone is tired and would like to move along with the business but these are some extremely important bills, and I rise in support of them and I wish we would flash all green lights up there. Meanwhile, Mr...Mr. President, may I have permission to pass these out to the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir, it's already been given. Further discussion? Senator Smith.

SENATOR SMITH:

Mr. President and members of the Senate, I merely wish to stand in support of the bill and hope that you will give her a favorable vote, because they are needed and will help us to help ourselves. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President. I...I would just like for, you know, all of you to...to really...carefully consider your vote on this bill. If you have some problems, and I know that there...there's still some questions about some of these bills, I am committed to having those problems and concerns worked out in the House. But right now, I would suggest to you, don't kill the only real vehicles that we've had come through here that will actually help to leverage some dollars to get some things done that...which all of us claim that we want to see done. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1402 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays none, none voting...on that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1402 having...received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1404, Mr. Secretary.

SECRETARY:

Senate Bill 1404.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1404 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1404 having received the required constitutional majority is declared passed. Senate Bill 1405, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1405.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1405 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 4, 3 voting Present. Senate Bill 1405 having received the required constitutional majority is declared passed. Senate Bill 1406, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1406.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

To speak on the measure, if I may, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Hudson, I thought we had an agreement

that...she had leave of the Body to speak on the...the entire package and that the questions were on...on the entire package. Senator Hudson.

SENATOR HUDSON:

Well, if that was the agreement, I wouldn't want to abrogate the agreement. I try to be an honorable man. I didn't understand it that way, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson.

SENATOR HUDSON:

Well, I...I will just...I will just call the attention to the Body...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Hudson, I didn't make the agreement, the...the members did. Senator Hudson.

SENATOR HUDSON:

No. Well, I...I didn't understand it and I'm willing to abide by it, even though I didn't understand it, if that's the...if that's the wish of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you...why don't you make your comments...

SENATOR HUDSON:

All right. I'll make my...I'll make my comment. I think 1406 and 1408 are lousy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill...1406 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 1 voting Present. Senate Bill 1406 having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise? All right, Senator Hudson has requested a verification...Senator Hudson,

of the affirmative roll call. All right. All the members will be in their seats. Senator Hudson has requested a verification of the affirmative roll. The Secretary will read the affirmative votes.

SECRETARY:

The following vote in the affirmative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Lechowicz. Luft. Marovitz. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Topinka. Vadalabene. Welch. Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, do you...Senator Hudson, do you request the presence of any member who voted in the affirmative? Senator Hudson.

SENATOR HUDSON:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is...right here at...by the Podium.

SENATOR HUDSON:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson, he's on...he's over by Senator Lechowicz.

SENATOR HUDSON:

Senator Keats...oh, he's here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats is sitting in his seat.

SENATOR HUDSON:

That's all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the verified roll call, Senate Bill 1406 has 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 1406

having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1408, Mr. Secretary.

SECRETARY:

Senate Bill 1408.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1408 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, none voting Present. Senate Bill 1408 having received...the required constitutional majority is declared passed. Senate Bill 1410, Senator Collins. On the Order of Senate Bills 3rd Reading is Senate Bill 1410, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1410.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. This is appropriation for the job corps, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill...all right. Senator Schuneman.

SENATOR SCHUNEMAN:

How much is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Very little right now, it's only three million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1410 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, none voting Present. Senate Bill 1410 having received the required constitutional majority is declared passed. 1411, Senator Collins. On the Order of Senate Bills 3rd Reading is Senate Bill 1411, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1411...Senate Bill 1411.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, than you, Mr. President. This is a one time appropriation simply to get the creation and establishment of the Illinois Bonding Act for one hundred thousand dollars, and I would move for its...its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1411 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 24, none voting Present. Senate Bill 1411 having received the required constitutional majority is declared passed. 1414, Senator Kustra. On the Order of Senate Bills

3rd Reading is Senate Bill 1414, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1414.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1414 implements Executive Order No. 4 by creating the Department of Historic Preservation and Cultural Heritage, and it transfers to various...to it the various functions of the State Historical Library and the Department of Conservation. This order creates the Department of Historic Preservation and Cultural Heritage which is to be under the direction of a five-member board appointed by the Governor with the consent of the Senate. The board will in turn hire a director to run the department, the initial board shall be composed of the three current trustees of the Illinois State Historical Library and two additional members, terms shall be for two years. On 2nd reading, Senator Darrow offered and we approved some amendments making technical changes and adding to the agency the Postville Courthouse historic site, the Governor Horner State Memorial and Lincoln Trail Homestead Memorial, and we also authorized the agency to contract with appropriate cultural organizations. I would be glad to answer any questions. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1414 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays

are 2, none voting Present. Senate Bill 1414 having received the required constitutional majority is declared passed. Senator Vadalabene wishes to announce that had he been in his seat he would have voted in the...affirmative. Senate Bill 1414, Senator Philip...Senator Rock. Okay. On the Order of Senate Bills 3rd Reading is Senate Bill 1415, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1415.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the second bill that Senator Philip and I assumed the sponsorship of as the request of the Governor. It originally contained the telecommunication excise tax. The bill as amended in committee does absolutely nothing, has no impact on anything or anybody except Senator Netsch and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not...the question is, shall Senate Bill 1415 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 10, 11 voting Present. Senate Bill 1415 having received the required constitutional majority is declared passed. These nothing bills are having trouble...Senate Bill 1417, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 1417, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1417 is the Real Estate Time Share Act. It is proposed by the Department of Registration and Education and the Illinois Association of Realtors and also by the American Land Development Institute. All of these three groups have sought...sat down over a period of months and worked out this Act which for the first time requires disclosure of that which is being sold by those who...who sell interests in time sharing developments. There is...there are some definitions set forth, disclosure requirements, escrow provisions for the deposits that are made and a right of recision for a period of five days by any purchaser buying one of these interests. I know of no opposition and would ask for passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Discussion? If not, the question is, shall Senate Bill 1417 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present...1 voting Present. Senate Bill 1417 having received the required constitutional majority is declared passed. 1421, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 1421, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1421.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This Senate Bill 1421 is an apprenticeship training bill. It's...it's designed to take care of the problem that I mentioned a few moments ago, the large number of unemployed and unemployable people who are capable of working and should be in the work force. I must say to you all that there are some of the unions who are opposed to this bill, they are the building construction...unions. There are certain...as you all know, uninimity even from that sector in opposition to these bills. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1421 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 22, 3 voting Present. Senate Bill 1421 having failed to receive the required constitutional majority is declared lost. Senator Newhouse. Senator Newhouse requests consideration postponed. Senate Bill 1422, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 1422, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill is designed to end the escalating problem

of tenants being obligated to pay for utility service other than their own...other than their own. During the past year...an increasing number of tenants have reported to the state's attorney's office that they're receiving utility bills which include charges for utility service which does not service their own dwelling unit. Many tenants have complained that they have not been notified either by the landlord or the utility company that they're responsible for paying utility service other than for their own dwelling unit, and the legislation addresses this problem by requiring a landlord to enter into a written agreement with the tenant if the tenant is to be responsible for...utility service other than to their own. I've...talked with Commonwealth Edison about this bill and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1422 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1422 having received the required constitutional majority is declared lost...declared...declared passed. Senate Bill 1422 is declared passed. Top of page 18 is Senate Bill 1425, Senator Luft. On the Order of Senate Bills 3rd Reading is Senate Bill 1425, Mr. Secretary, read the bill.

END OF REEL

REEL #5

SECRETARY:

(Machine cutoff)...Bill 1425.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1425 creates an intergovernmental agreement for public building commissions. The bill provides that any two or more municipalities with three thousand more inhabitants, county seats or counties or any combination may pursuant to an intergovernmental agreement set forth in a resolution provided by the corporate authorities of each such municipality, county seat or county organize a single public building commission. I'd try to ask...answer any questions or ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under your bill, would that mean that the municipalities that got together could tax without a referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

There is nothing here outside of the original...original law on public building commissions. The only thing this does is allow them to get together. For example, and this came out of your area, Senator, that if the infrastructure is so bad in your area, if you had two cities that wanted to get together and form a public building commission or two counties or two cities or whatever, they could do so, and, yes,

they would have the taxing right that exists between any public building commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I don't care whether it came out of my area, sometimes some of the requests from my area aren't exactly what I like, however...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, wait...Senator Geo-Karis. Senator Luft, for what...what purpose do you arise?

SENATOR LUFT:

Senator, let me read what's in the analysis and maybe this will make sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

"A public building commission issued a...issues interim notes and revenue bonds to fund a project. The only taxing power involved is if a municipal corporation with taxing powers enters into a lease with the commission, then the governing body of the municipal corporation must levy a tax sufficient to pay the rent," and that's the only taxing that it has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and...Gentlemen of the Senate, our analysis says, "It is important to note that any...municipal corporation which has the power of taxation under the law in any part of whose area of jurisdictions is within the territorial limits of that county seat may join in that organization of the public building commission and no

referendum is required," which I think, by inference, gives the power of taxation without referendum. That's what I'm concerned about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Well, I just read that a PBC does not have the power of taxation presently and we're not changing that. We're only allowing two cities, counties or whatever to get together...perform the same duties of a PBC in a single city. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1425 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 10, 4 voting Present. Senate Bill 1425 having...having received the required constitutional majority is declared passed. 1426, Senator Zito. 1428, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 1428. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1428.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The analysis on your Calendar is very accurate. It does two things, increases the penalty for unlawful restraint from a Class 4 to a Class 3 felony; but more important, the second part of this legislation addresses the Supreme Court decision of the People of the State of Illinois versus Enos Liles

wherein the Supreme Court held that under the aggravating circumstances that the defendant was not eligible for the death penalty because the first murder he committed he was under the age of eighteen. Very quickly, the facts were that this young man was convicted of murder and tried as an adult, convicted as murder but he was a juvenile, was released at the end of his...his time and went back out in the community several years later again and killed three people...convicted of two more murders and a voluntary homicide; and when the jury gave him the death penalty for that, the Supreme Court said, no, you can't do that because under the multiple murders section, the first time that he committed a murder, he was a juvenile and the...and the Statute says eighteen. Simply what this legislation does is it states in that Paragraph 3 on the multiple murders that if you did commit a murder and you were under the age of eighteen, it will qualify you with the additional murder for the death penalty. Be happy to answer any questions. If not, a...a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1428 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53,...on that question the Ayes are 55, the Nays are none, 2...none voting Present. Senate Bill 1428 having received the required constitutional majority is declared passed. 1429, Senator...Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1429, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1429.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. Senator Joyce...Jerome...Jeremiah.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. The description in the Calendar is correct on 1429. State's Attorney of Cook County has caused this bill to be introduced in this Body. It's because they have a problem with juveniles who are serving periods of probation or conditional discharge and violate the conditions placed on them, then complete the period prior to receiving a hearing on the violation and, therefore, the State's attorney's office cannot seek sanctions for the violation because once the juvenile completes his period of probation, the court loses jurisdiction to address the violation of probation or conditional discharge. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1429 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1429 having received the required constitutional majority is declared passed. 1434, Senator Savickas. On the Order of Senate Bills 3rd reading is Senate Bill 1434. Mr. Secretary, please, read the bill.

SECRETARY:

Senate Bill 1334.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

...1434...1434.

SECRETARY:

Okay, I'm getting tired. Senate Bill 1434.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is just technical change and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Just a...a quick question to save time. Frank, we have no objection to sending out a vehicle bill but could we have a little hint as to what the vehicle will come back...it will be a Cadillac or will it be a Porsche or what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I'm hoping that we can join Senator Chew and have Rolls Royces.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1434 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the...on that question, the Ayes are 31, the Nays are 23, 3 voting Present. Senate Bill 1434 having received the required constitutional majority is declared passed. 1435, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 1435, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1435.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1436 3rd reading

Senator Savickas.

SENATOR SAVICKAS:

Yes, this is a technical change for the counties and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1435 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 24, 2 voting Present. Senate Bill 1435 having failed to receive the required constitutional majority is declared lost. 1436, Senator Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1436. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1436.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1436 was caused to be introduced in this Body by the State's Attorney of Cook County. It is similar in every respect to Senate Bill 1429 with the exception it applies to supervision rather than probation and conditional discharge. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1436 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1436 having received the required con-

stitutional majority is declared passed. 1442, Senator Sangmeister. On the Order of Senate Bills 3rd Reading is Senate Bill 1442. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1442...Senate Bill 1442.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This bill is absolutely identical to last Session's Senate Bill 510 which passed out of here 42 to 11 but was held by the House Judiciary Committee. What it does very...very simply...or very basically but not too simply is it moves the State of Illinois from transactional immunity to use immunity. I don't know...remember how many of you can remember the discussion we had the last time, but very succinctly transactional unity is much broader than use immunity and it is thought by many in this State, particularly prosecutors, that we ought to go to a use immunity. I'd be happy to answer any questions or give an example of that if you want; if not, I'd like the same roll call we had a year ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Maybe we should play the tapes back. If I recall correctly, I stood up in opposition to the bill a year ago. The...the problem with this is that all of...most of the control dealing with the jeopardy that the witness is put in because of these highly technical approaches is the average guy is going to get nailed. The big time, wealthy, organized crime person has got all the legal talent in the world that can differentiate between use

immunity and transactional immunity, and they're holding their hands in front of that grand jury and they don't let them say anything without clearing with their high-priced lawyers. Now, we don't have any of those kind of guys around here, so what we need...what I'm suggesting to you is that there is no reason to change the law from its present posture. That...the State's attorney has all the tools that he presently needs and what you're doing is expanding...is expanding a...what should be a very limited exception. Now, let me just point out to you that this is an exception to the Fifth Amendment privilege against self-incrimination, and I would think that this Body and any other legislative Body ought to look very carefully before you expand the tools which, in fact, infringes upon our rights against self-incrimination, and this is a substantial broadening of that exception to our Fifth Amendment privilege. I don't think they need it. They've got all the tools that they need at the present time. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes,...a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator Sangmeister, as a former prosecutor, I wonder if you could answer the question as to what you feel the implications of this change in the law are from the standpoint of the most effective law enforcement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, what it does is it gets the person...that is being given immunity, it makes them tell the whole story. Under

transactional immunity is...once you're given that immunity, anything the defendant or the...the possible defendant would say in his testimony...throws a blanket over him for anything that may come out of that transaction. Whereas in use immunity, if you don't reveal the whole story and you're guilty of another crime somewhere, you're not prevented from being prosecuted for that crime. For example, let's talk about a dealer in narcotics. You give that dealer immunity. Okay, if that dealer, under present transaction...once he talks about the activity of his dealing in narcotics, he now has a blanket over him for anything that might have happened. For example, let's say it later is revealed that he killed one of his suppliers that he's getting his drugs from, he would be given immunity and could not be prosecuted for that even though he did not mention it in his testimony before the grand jury or any other jury. Whereas if use immunity was involved in here, if he didn't own up when he was given immunity to the...the killing of his supplier, he could still be prosecuted for it. I trust that that is a simple enough explanation to give you an idea of the difference between use and transactional. Again, to specifically answer your question, it makes the person who's been given immunity to talk, to bring out the full story because if he doesn't, his immunity is not going to fully protect him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

But doesn't it...I...I may be a little bit confused, but doesn't it cut a little bit both ways? I mean, on the one hand, you were...if you're further immunizing him or giving him a more blanket immunization maybe you're giving him more incentive to talk; but on the other hand, if you're giving him that blanket immunity, maybe you're...you're preventing the prosecution of another crime or by the use of...of evi-

dence which...if given the blanket immunity, you wouldn't be able to use. So, isn't it sort of a double-edged sword in...which...which way are we better off?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, I disagree with you because with transactional immunity, you've given it to them as soon as you give it...given them immunity. It's there, the whole blanket is there at that point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I think...I think the sponsor has persuaded me that this is the most effective step we could take for law enforcement, and I would encourage members of this side of aisle and the whole Body to support this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there further discussion? If...if not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, if the electrican is within hearing of this thing, my microphone keeps drooping for one reason or another. I'd appreciate him tightening it and it has nothing...who said it comes with age? It has nothing to do with this bill. All right. I think we have had adequate discussion on this and, like I say, you approved this the last time around. I suppose that's no reason to have to approve it this time, but I've tried to explain to what it is. It is definitely a more of a prosecutor's tool. It does tighten up...in the area of immunity and would ask that you approve it once again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1442 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open.

SB 1452 3rd Reading

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 7, 3 voting Present. Senate Bill 1442 having received the constitutional majority is declared passed. Senate Bill 1443, Senator Joyce. 1444, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1444.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce says take it out of the record. Senator...1452, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1452.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1453 provides that phone companies will provide telecommunication devices...TTD's to deaf and hearing impaired Illinois residents. There are approximately eighty percent of the deaf and hearing impaired Illinois residents are unable to afford telecommunication devices. This legislation is modeled on legislation in other states, provides for a maximum of the Commerce Commission to...to charge up to a maximum of three cents per month for this service. I ask for your support of Senate Bill 1452.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1452 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are...54, the Nays are none, none voting Present. Senate Bill 1452 having received the constitutional majority is declared passed. Senate Bill 1454, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1454.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1454 implements Executive Order No. 3 which essentially renames the Department of Law Enforcement to the Department of State Police. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1454 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. Senate Bill 1454 having received the constitutional majority is declared passed. Senate Bill 1458, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1458.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate.

This is the last of the substantive bills in the...in the package. I've already explained it. I would be happy to answer any questions and move for its adoption...I mean, I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Question of the sponsor..

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KUSTRA:

Senator, is it true that the existing Illinois Development Finance Authority has thirteen members and they're unpaid and your proposal cuts that membership down to five members and sets the salary of the chairman at forty-two thousand dollars a year and the other board members at thirty-five thousand dollars a year?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

You are partially right...it is true, I have not cut the board down. We have expanded that board. The advisory board which exists now still exists. It is in this...in the amendment. It's put back in the bill in the same form that it was in. We merely...expanded the board. You're talking about a very...one of the most important boards or agencies in this State and there's just no way you're going to get any...get the job done with a...on a volunteer basis. So, what we've done is created a five-member pay board and the existing thirteen-member board will serve in a...still serve in an...an advisory capacity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, I...I would just suggest that this is radical surgery on an existing State agency, and I don't know why we would want to hand out those kinds of salaries at this particular point in time. I...I think this is a bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR FAWELL:

I noticed that you have added an amendment to this and that you've changed the unemployment rate from four and a half to six percent in the definition. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah.

SENATOR FAWELL:

And you now have...you expand the Illinois Venture Investment Fund to allow for loan guarantees up to a million dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...no...no...that...you have the wrong amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

That's...that's want our analysis says, Earlean.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...well, I guess your analysis is wrong. Senator Collins.

SENATOR COLLINS:

It's a loan guarantee of fifty percent up to...up to that million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Just one more word on this bill, if I may, Mr. President. It seems to me that...Senator Collins, you've been on a roll this afternoon, but maybe...I think something...something in addition should be said and that is that it seems...it seems that what we're doing here is adding one more layer to the bureaucratic cake. We now make at two-tier...two-layer cake out of what should be one. I think it can be reasonably argued that the original oversight board, as it was was doing a credible job, and now we are adding something else, a superstructure to the whole business which would have the Governor appointing three and the mayor one and so on, narrowing it on down and adding salaries and adding expense. I don't think, frankly, Senator Collins, that this is necessary to do what we need to do here in the State of Illinois and would suggest a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I note with interest that this bill also requires the establishment of incubators, which I'm kind of intrigued at, in Chicago and East St. Louis and a couple of other places. That's gone? Okay. Well, I, frankly, think we have an agency that's been doing a very good job, and I think we have an attempt to regionalize the impact of that agency in such a way that would be detrimental to downstate Illinois; and I would suggest those of us from downstate Illinois in both parties would be well-advised to take a look at the makeup of this new, highly paid board and the implications of

this shift in what was formerly a Statewide responsibility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Our analysis...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates she'll yield.

SENATOR SCHUNEMAN:

Our analysis indicates that the bill requires the department to establish incubators in Chicago, East St. Louis, Rock Island and...and Danville. Is that...is that taken out, Senator? Okay, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I have to take...I have to differ with my colleague on the other side of the aisle, the minority spokesman, as to whether or not this agency was functioning properly. That is not true. They have not even used any of the Venture...Investment Fund at all...it has not even been functional. We cannot expect an agency as important as the Illinois Financial Developmental Authority to operate with a voluntary organization. If we are really serious about...the...the problems of this State, and...and we have to get serious because they...because of the whole nature and foundation of our economy has changed in this State and we've been sitting here whittling away, talking about all kinds of other things as to why businesses are moving from Illinois or why businesses are not coming into Illinois, and at the same time, thousands and thousands of people are out of jobs and...with antiquated skills, with no hope of ever getting another job and...and while we watch our...our base of our

economy dwindle away, we can't afford to talk about putting it in the hands of a voluntary group to talk about planning the economic...future of this State...for funding the...economic initiatives in this State. What we've done for this...organization is to make it functional and accountable. I think this is a good piece of legislation and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1458 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 30, none voting Present. Senate Bill 1458 having failed to receive a constitutional majority is declared lost. Senate Bill 1460, Senator...Senator Collins seeks leave of the Body to put Senate Bill 1458 on the Order of Postponed Consideration. Is leave granted? Leave is granted. 1460, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1460.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. This is a two million dollar appropriation for the experimental program of vocational enterprise training. I move for its...I mean, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1460 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the...take the record. On that question, the Ayes are 27, the Nays 25, none voting Present. Senate Bill 1460 having failed to receive the constitutional majority is declared lost. Senator Collins seeks leave of the Body to put Senate Bill 1460 on the Order of Postponed Consideration. Hearing no objection, leave is granted. All right, we'll return to the beginning of Senate bills 3rd reading at the bottom of page 2. The bottom of page 2, Senate bills 3rd reading. Senate Bill 3, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 3.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...Senate Bill 3 requires local government approval before the Department of Nuclear Safety can acquire land where radioactive waste may be stored and disposed of. It also provides for the appeal of the site disapproval or approval to the Pollution Control Board. It prohibits the licensing of a low-level radioactive waste disposal site or commercial spent nuclear fuel reprocessing site without...authorization by State law and it clarifies that radioactive waste may be stored...stored at the owner's facility without General...Assembly approval. This bill came about really because last Session when we were dealing with the compact in Kentucky and when we were debating that, Senator Schuneman has asked that local county boards have...have the...some say in what happens in their community, and that's the genesis of this bill. I'd be happy to answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I hate to blame this on my colleague, Senator Schuneman, but what we're talking about here is that we're going to go essentially through the old Senate Bill 172 process now when we're talking about locating some location for low-level radioactive waste, and we're going to have to do that one of these days. That means that county fathers are going to be asked to have to vote yes to locate that site in their county, assuming that this is where the State would like to locate it. They're going to be faced with that kind of a decision. Obviously, I don't think they're going to make that decision. I don't think they're going to willingly want to vote yes. If they turn it down, then, of course, by a committee or by a Floor amendment now apparently there would be an appeal procedure that would go on to the Pollution Control Board and they would have to defend their actions before that Body, so that at least does kind of modify a little bit the county position on the legislation, but then the real kicker is that after you've done all of those good things, then you got to come back to the Illinois General Assembly and if, for instance, the...the chosen county were Kankakee County or someplace like that, I imagine there would be a tad bit of lobbying that would go on despite the merits of the...the location of the site. We're going to do all those things now rather than to go about how....how we provide for it at the present time. On the basis of the present law it says you shall do it on the basis of geological and hydrological studies. So, we're going to throw that overboard and we're going to...to bring in here the political process, first of all at the county level, then at the State level, and I don't think this represents an improvement over the way we're doing business right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah, thank you, Mr. President. A couple of days ago, we established that when Senator Rupp doesn't understand a bill, he checks with me, and now, Senator Joyce is introducing a bill at my suggestion. I just hope the rest of you are paying attention. In my district resides a county...a bureau which was the location of Illinois' first and only low-level radioactive waste site and, believe me, this issue is a very important one in...in that district and, of course, anyone that's had...been burned with this once would like to have the opportunity to have some local input, and that's the reason that I'm supporting that concept.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, we are about to go into a...an agreement here with Kentucky and we're also about to become an agreement State which gives us much more authority on...on radioactive waste within our boundaries, and...and I think there is just a growing popular desire by people at the local level to have a maximum amount of control over things that are going to affect them in...in this area. So, with that in mind, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 3 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 13, none voting Present. Senate Bill No. 3 having received the constitutional number of votes is declared passed. Senate Bill 11, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 11.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 11 requires that all 1987 model vehicles or later be equipped with air bags if they are sold or manufactured in the State of Illinois. We have had considerable debate on this in committee. Part of this was debated last year when we were talking about seat belts. I would like to address myself to those statements and comments that I've had in opposition to this legislation and see if I can...clear some of that up. First of all, the...opponents of this legislation say that these air bags do not function properly. There is a study by General Motors which concludes accidental inflation seldom occurs and those accidental inflations when they do occur are harmless. With respect to the argument that...that I have heard that they are not effective, there are studies from the United States Department of Transportation and from the Insurance Institute which conclude that the air bags work effectively and that air bags are superior to harness restraint systems. And the other argument which was raised in committee had to do with the cost and...and the price that would be...that a new vehicle would be...would be raised to if this legislation were enacted. There are studies that indicate that a mass produced system could be...could deliver these for approximately a hundred dollars per unit. As some of you know...some of you on the committee know that on some of the Mercedes-Benz models this is standard equipment. Most importantly, the most conservative studies would hold...most conservative estimates would hold that over three

hundred lives per year would be saved in this State if every vehicle were equipped with an air bag. We understand...I understand very clearly what went on with the seat belt legislation and Secretary of Transportation Dole and all of the other ramifications of that. Senator Kustra and myself have joined in sponsoring this legislation. I'll be happy to answer any question that you may have. If there are none, I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in opposition to this bill and would like to point out just two or three things. First of all,...the sponsor, I think, in good faith and I think many of the comments he made is...is probably well-taken and I'm not against the use of...of air bags, but I feel at this time, because of some problems still with the manufacture of those air bags, the cost of the manufacturing while I think in the near future maybe will get down to a hundred dollars but as the companies that I have talked to...there's between four and eight hundred dollars for those air bags presently. Number two, the...if the air bag for some reason or another or some kind of impact has been released, the cost of getting that air bag repaired is quite costly. I feel that the...prior to us making any mandatory air bag law that we first of all need to spend more time in research and then make it available to those people to use on those automobiles, and I'm not sure that if they were made available I might even choose to put one on myself; but I, for one, have a General Motors plant in my district and I know we've been threatened many times about what's going to happen, but I know additional costs to those manufacturers in my area and we've had significant layoffs at the General Motors plant in Danville and we're only

about half of production...or half of the employees have been hired back for the present production at this time and...and a cost to that company could...cause a...increased unemployment in the Vermillion County area as well as many of the other areas throughout the State. So, I think that it would be best if we would oppose this bill at this time and at some future time maybe this should be considered again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

Okay...it says here that these are air bags. I was advised that cars were equipped...with one air bag, and I...on the driver's side only, and I...I'd just like know, have we ever gotten an answer on that? Are there air bags in...in these cars or is there one air bag?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This legislation contemplates an air bag for the driver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you. The...the only thing I have concerns on this is a...an older vehicle, that's where I'm concerned about if it gets old and antiquated and some people drive those around that...if they might hit a bump with an old car that's got a hundred thousand plus miles on it that possibly it might release it and might cause an accident. Other than that, I think the Senator has a...a good bill and

well-intended legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. As a cosponsor of this bill, obviously, I rise in support of it. I don't have any doubt that the only long-term solution to the problem of...traffic deaths on our nation's roads and highways is the...the air bag. We can debate when or if or how it should happen; the fact is, that with the passage of the mandatory seat belt law in this State last year, we did nothing but defer, defer those manufacturers from really dealing seriously with the research and development necessary to make sure that one day an air bag is in each and every car. I feel strongly that this is one area of public policy where we've entered blindfolded and backwards and it's time that we face up to the real problem here and the real solution. Anybody who's seen the Allstate Insurance film, anyone who has seen the 60 Minutes film, the test, over and over again, which have documented that these things do not open prematurely, which have documented that an air bag's costs can be brought down when you mass-produce it to a hundred to a hundred and fifty dollars per unit has to believe that instead of running around in the State trying to enforce mandatory seat belt usage, which you're never going to get anyway, maybe no more than fifty or sixty percent, that the best solution is an air bag in every car, one behind the driver's seat in that steering wheel and one on the passenger side. To wait a round and hope that the Federal Government or hope that General Motors or Ford or whoever it is is going to get together and do something about this would be folly. Folly as long as hundreds of thousands of lives are lost every year on our nation's highways. As far as I'm concerned, the only way to really address this fact is to force it on

the manufacturers. I don't like to do it that way, but believe me, I think it's a lot better than mandating seat belt usage. For that reason, I joined Senator Joyce in the sponsorship of this bill. I think it's good legislation and we ought to be voting for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I, too, rise in support of this and since the other day when Senator Kelly asked a question about how you could tell the cars with the air bags in them, I've come up and found out those are the cars that have the orange license plates on them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think I'm going to vote for this bill but I have to admit my logic is somewhat convoluted...which won't surprise many people. I really still have problems with the mandatory seat belt bill, and my guess is, if we can get this bill to the other House and get it moving, the automobile people will be so happy to come back and repeal the seat belt bill to kill this one that we can kill them both and go back to letting people do what they wish. So, I think I'm going to support this because I think this is the one thing that'll pull the automobile manufacturers off spending all their time and money trying to impose the mandatory seat belt on every citizen of this State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would agree with Senator Schaffer. I think he has the right idea. I was very strongly opposed to the seat belts. I think if we pass this

legislation, the car...auto industry, which is opposed to it, will come back down here. I...I would suggest that everyone who is opposed to seat belts vote this good legislation. I think we owe it to the auto industry. I think that this is a good step forward to kind of get a little revenge for what they've done to our constituents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I think Senator Schaffer and Senator Darrow did very, very well. Between Senator...or between Representative Vinson and myself we have forty-three thousand names asking that seat belts be repealed and that, obviously, is going nowhere. So, maybe there's forty-three thousand people out there who would love to stick it to the automobile manufacturers and put their names on this wonderful piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. This is nuts. This is absolutely nuts. We're going to mandate air bags to send a message and all of us represent communities in the Saturn sweepstakes. I don't...I don't know exactly the...the logic of some of the prior speakers escapes me, but I think that a very mixed message goes out and then people stand up and say, it's the nasty old automobile manufacturers that are forcing us all to buckle up. Everyone in this Chamber knows very well that the mandatory buckle-up law was passed and it was driven by Federal regulations, and if people are really serious about abolishing mandatory buckle-up laws, they ought to get onto their Congressman and have their Congress...have the Congress pass legislation keeping the U.S. Department of

Transportation out of the area, if they don't like it, but the kinds of explanations given in support of this legislation are just crazy, and I think everybody in this Chamber knows it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President and Ladies and Gentlemen of the Senate. I understand the logic very well of th prior speakers, no...not...notwithstanding what my estimable colleague on this side has just said, because the automobile companies reneged on their promise to furnish air bags and they went in deviously to the various Legislatures to get them to pass the buckling of seat belts, and for your information, I had a poll taken. Do you want seat belts? The answer was yes, two to one. Do you want to be forced to buckle your seat belts? The answer was three to one against it. Now let me tell you something,...I think this bill is a good one. I'd like to see these lobbyists come in from the big automobile companies and, you know, nine approached me and I thought that...that's all they had, they had twenty-one fighting to pass the mandatory buckling and, incidentally, we didn't have to do that because of a Federal rule. The Federal rule was only that if they had about thirty-six states that did it, then it could be mandatory. I...speak in favor of the bill and I'm glad Senator Joyce has got it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, just a couple of points. Senator Bloom, you're beginning to sound an awful lot like...like your tall friend on the second floor with this, every time we...there's an issue, we drag Saturn out. So, to that argument, you may be

as nutty as...as the people that you're talking...talking about. This legislation will save lives. There's no question about that. There's no one in this Body that can dispute that. I do not presume to be the conscience for this Body...on any day, at any time, but for whatever reasons you want to vote for this, I will accept your vote and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 11 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 30, 3 voting Present. Senate Bill 11 having failed to receive the constitutional majority is declared lost. Senate Bill 12, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 12.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you. Hopefully, this one will be a little shorter and a little less controversial. Senate Bill 12 deals with absentee voting by members in the United States Armed Services and certain...basically, their dependents. According to the Department of Defense who did a survey...after the 1980 election, a hundred and eighty-two thousand military personnel who tried to vote in the 1980 elections were unable to do so because they couldn't get their absentee ballots, too late, didn't arrive at all, the...you know, the mail couldn't ge them back fast enough. So, there's a very legitimate problem. For any of you who are military veterans

and I know it's in the majority here, I had an example in 1974, I had to fly home to Chicago to vote 'cause we were unable to get me an absentee ballot in time; luckily, I was stationed within the United States at the time and was able to get back. So, what this bill does is...sets up voter eligibility standards that they have to be ascertained within a couple of days, the official ballots have to be mailed out in a set time and that they have to be made available, you know, a set number of days in advance. Originally, the bill was opposed by the County Clerks Association because somehow or other in between my notes and the drafting, they put in criminal penalties that shot clerks at dawn if they didn't do this. I don't know where those criminal penalties came from, so when we put the amendment on on the Floor, those criminal penalties were removed and we also stretched out what it said twenty-four hours specifically stated two working days. Say with...with that, my staff informs me the county clerks have removed their objections. Support for the bill comes from various veterans and military groups and from the AFL-CIO who have been very concerned with being sure that people had the opportunity to vote. With that, I would be more than happy to answer any questions anyone has except Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. As Senator Keats mentioned, this bill...after being amended did delete the penalties and it's somewhat better and certainly it's very meritorious to allowing for more participation by our armed service personnel. There was some concern about the time element, and I might ask Senator Keats if the twenty-four hour period that he had, what extension of time are you allowing for these election authorities...county?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Instead of twenty-four hours, which the county clerks did say they thought was probably difficult for them to do, their recommendation was within two business days, and that was their recommendation and we put it in, it's in Section 20-4...actually, it's in two different spots there, but that's the key one. Their recommendation was, they said, we can do it in two business days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I think it's legislation that probably would help for stronger participation and suppose it's...it's needed, but I do think that...possibly in the House, it may get a closer look because I'm not sure that even with the two days that'll be adequate, but I am going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

The only question I had and I'm not sure this is totally answerable in the context of what you're doing, is there now a set time within which the process must be completed that is different from the prior time? One reason why I ask this is that I know that there is concern particularly about the military absentee voting and there is a Federal guideline for that in which a lot of states are having trouble complying with. Do you have a maximum range?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

See, initially it...what the law says now is immediately...I mean, the Federal stuff, that's why some states are having trouble, it's not the time frame, it's immediately.

What we say is, you got two business days and then give forty-five days if they...you know, so that they have the ballots ready in advance. The Federal one which is a great idea is something we all occasionally see has become unworkable in some states 'cause some county clerks in big counties have a hard time doing immediately.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

You haven't changed the forty-five day period though. Okay. I...that's what I was trying to get clear. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

What is the current law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...see, there's both Federal and State. Forty-five days is what existing is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Please, spare me, don't tell we're amending Federal law here. What I asked was, what is the current law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Forty-five days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

To do what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Have to have the ballot prepared in advance so it can be mailed. Had...had you been in the military and served in Korea, you'd realize it takes a month just to get from where we had the troops in Korea just back to Seoul.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That is not the current law, that's what's in your bill. I'm asking what is the current law? The current law says, if I am the county election authority, that immediately upon the...one of these applications coming in, I'm supposed to send it out to ensure that it gets done. Now you strike immediately and say, well, within two business days, that's plenty of time. How does that make it better?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Because, to be quite frank, it isn't being done immediately. It is not being done. What we are trying to do is setting up a framework to get it done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

...am truly missing something. How in the world does within two days speed it up? The duty is there on the election authority to do it immediately. It neither say, no...no, now we want to speed up the process, so don't do it

immediately, do it within two business days.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

What we've...done, too, to make sure it's enforceable, if the State Board of Elections determines that an election authority has not complied with the provisions, they have the right to be sure the ballots are counted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, that...that's my next point. You are putting, it seems to me, an unreasonable burden upon the election authorities and you are...imposing or giving the State Board of Election now authority to impose an unreasonable regulation, because the...the...the thing you have to try to change, it seems to me, is how in the world do I, as an election authority, have a ballot printed when I don't know who's suppose to be on the ballot because I haven't received the certification as to who's to be on the ballot.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, that's handled simply in several other states, but let me run through what you said. They...some of them send out blank ballots, but at least it gets out and they have a list of who's there. If you've got a blank ballot, it's easier to write-in than receive no ballot. What it also does, your saying, in terms of the election authorities...remember the county clerks are not in opposition. By giving them a time frame they can work in and an oversight panel to make sure it is done, in this case, the State Board of Elections...gives them the right to see when things were mailed out and if it was complied with. The county clerks

say they can do that. I...I give you credit for protecting the position of someone who doesn't agree with you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Rock.

SENATOR ROCK:

Well, I hope you'll give me more credit than that. I want you to go back to your county clerk and say,...look what I have done for you. I have now given the State Board of Elections authority over your every action in the processing of an application for an absentee ballot and I'm sure they will all, in the hundred and one counties, be delighted. I am not delighted. I think this is a terrible bill, obviously, well-intended because everything you do is well-intended, but it's terrible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

On whose side were you on when you were in the armed services?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Weaver.

SENATOR WEAVER:

Senator Keats is the sponsor of this bill and I think it's probably the only bill that he sponsored that the ALF-CIO is for. So, I'll have to be for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Well, I find it interesting that some of the former speakers just seem to say that it's absolutely impossible for

us to have our Illinois servicemen be able to vote absentee. Now, this happens to be a national problem. Other states and their election authorities have been able to comply, and certainly with modern communication systems, it seems incredible to me that we are disenfranchising the number of our servicemen that we are are...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Point of order. I object to the fact that somebody doesn't...apparently doesn't want servicemen to vote...nobody said that ever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you confine your remarks to the bill itself? Senator Macdonald.

SENATOR MACDONALD:

Well, I would say that we have worked...this is...this is the fourth year, actually, that I have been on an Election Committee that this problem has been addressed. I think that with the agreement that Senator Keats has on this bill at this particular time, if there does need to be further work on it, possibly the House Election Committee will be able to make some further suggestions, but I think that it is a meritorious bill and one that deserves...the problem at least deserves our attention and I think that this bill should go on over to the House and we should see what we could do, because as it is, indeed, we are disenfranchising Illinois servicemen from voting, and I think it's the best that we could do with our amendments and I hope that...and...and urge you to vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the...sponsor yield for a

question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Yeah...have you got any idea how our election commissioner feels on it...Dan Nelson in DuPage?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...they have not called me and said anything about it but they have not registered in opposition and the county clerks are no longer...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR KEATS:

...in opposition now that we took out the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Fawell.

SENATOR FAWELL:

I think there's only, to my knowledge, a couple of counties that have got election commissions and I happen to represent one of them and I'm...I'm...you have not contacted our election commission at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I did not ask permission to introduce the bill, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Frankly, I think Senator Rock may have gone to the heart of the problem. I think the problem with the absentee ballots isn't that our county clerks are somehow shiftless or lazy, it's simply that the process we have in place doesn't

always get them a ballot printed and certified in time to get it out in a timely fashion. I would suggest to...and I'm not on the committee so this may be...gratuitous advice, I would suggest that what we need to do is take a look at that timetable and...take...make the changes necessary to get the ballots printed in time so the clerks can get it mailed out. I would also suggest to you that I am informed that this is the only bill on this subject and that I think we ought to advance the bill with the understanding it be cleaned up in the House to make it possible for our military men overseas to vote. I, for one, am not going to vote against the only bill to ensure our people getting a chance to vote on Memorial Day weekend. I'm sorry, I'm not going to put that in my speech Monday. Let's get this bill out of here and get it cleaned up in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Keats may close.

SENATOR KEATS:

My...my staff corrected me on one thing. Bev, a mistake on my part. Dan Nelson of the DuPage Board was there when the bill was heard. So, I mean, he is completely aware of it. I'm...I did not know the man, so I didn't realize...apparently, I even talked to him. I just didn't know who he was. Sorry about that. Okay. In terms of a correction, first of all, for...for the President, this doesn't deal with putting the State Board of Elections in on all absentee ballots, it deals with the military problem alone. This has been a huge problem. It is a nationwide problem and you are dealing with hundreds of thousands of people who are being kept from voting. Okay. That is the issue. We are not saying someone's incompetent or crooked or lazy or whatever for keeping them from voting. The point is, it has been technically difficult to get the job done. This

is a way to, hopefully, do it. If it is inconvenient for one county clerk, I am sorry if allowing people to vote is an inconvenience for one county clerk. The rest of the county clerks doesn't find it inconvenient to be sure that other people get to vote; and so with that, I...I really would just like to conclude by saying, if you really are concerned...and I have to give the AFL-CIO credit, you know, they don't back many of my bills, but they have had a consistent position in terms of...of making it easier for people to vote and they even showed up and testified in favor of my bill. I got to give them credit. I don't think you'll see that happen very often. It's a legitimate attempt to clean up a problem for an awful lot of people. It happened to me, it could have happened to many of you when you were in the service. I think it is important that this gets to the House because there is no other option. If there is a problem, we'll look at it. I ask an affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 12 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 3, 2 voting Present. Senate Bill 12 having received the constitutional majority is declared passed. Just as a reminder, Senators, it's three o'clock, we've gone through eighty-eight bills. We have a hundred and sixty-five more to go. There's a question on what time we will return tomorrow morning. Senate Bill 14, Senator D'Arco. For what purpose Senator Keats arise?

SENATOR KEATS:

I thank you for the roll call. After seeing the roll call I apologize for being so long-winded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, it's not the first time. Senator D'Arco

on Senate Bill 14.

PRESIDENT:

On the Order of Senate Bills 3rd Reading, Senate Bill 14. Read the Bill, Mr. Secretary.

SECRETARY:

Senate Bill 14.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill extends the boundaries of Grant Park to include territory bounded on the east by the 1984 Lake Shore Drive relocation and on the west by the current eastern boundary of Grant Park and on the north by Randolph Street and on the south by Monroe Street. There's no opposition to the bill. It...it's good for the City of Chicago and it's...I ask for a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not,...Senator Netsch.

SENATOR NETSCH:

Senator D'Arco, would you mind explaining what this is all about? It's...somehow...are we; A, committing ourselves to the World's Fair; B, committing ourselves to the relocation of...of the outer drive; C, committing ourselves to anything if this bill passes? It just sounds sort of peculiar.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Oh, I'm getting tired here. No, this...this is a simple bill. You know, the...the lake...the Lake Shore Drive S-curve is being...is being relocated, so to speak...by...rerouted, that's a good word, by the State of

Illinois; and in the process of doing that, a certain portion of landfill has been created that the City of Chicago owns that is a adjacent to Grant Park, and what the city wants and what the park district wants is to make that landfill area a...a part of Grant Park. It has nothing to do with the World's Fair. It...

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

You're talking then about some land that is, in effect, freed up or reshaped or...or created by the...the S-curve project, not anything else. Is that correct?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I like the way you put that. Yeah, that's very good.

PRESIDENT:

The question is, shall Senate Bill 14 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 14 having received the required constitutional majority is declared passed. 17, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 17. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 17.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 17 provides that

after ten years has lapsed from the time that a person has served a sentence for committing a misdemeanor in the State of Illinois, that person has the opportunity to have that record of conviction expunged by the circuit court in the county where the...conviction took place, and this is at the discretion of the judge who sentenced the person initially, and it does provide that ten years must have elapsed from the date of the completion of the sentence. The Supreme Court in one of its opinions has indicated they feel that if a person only commits a misdemeanor and he hasn't committed any other crime in ten years from that time, why should that be a permanent stigma on his record and let's...let's get rid of it and do right by this individual, and I would ask for a favorable vote.

PRESIDENT:

Any discussion? Senator Barkhausen.

END OF REEL

REEL #6

SENATOR BARKHAUSEN:

Mr. President and members, just to point out that this...one, that this bill was amended from its original form which covered an addition to misdemeanors, also Class 4 felonies. But a couple of...points about the bill. One is that there was some testimony from the circuit court clerks in committee when the bill first came up that they would have preferred to have the expungement period limited to a five-year period because of their record keeping responsibilities. Also, I think that even though the bill is limited to misdemeanors, I think there is perhaps a philosophical question of...as to whether you want someone with say a Class A misdemeanor conviction to be able to have the records expunged at some point. This could affect a whole series of convictions such as a conviction for drunk driving and a number of other offenses. So those of you considering supporting this legislation may at least want to ask yourselves that question.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just to clarify, Mr. President. This...this legislation in misdemeanor form only, which is what it is, we did amend it so that the felonies are out. This legislation was recommended by the Supreme Court and I would...I would support it and ask everybody to join me.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, sir, Mr. President. Ladies and Gentlemen of the Senate, I...I support this bill because it...it does limit

expungement to misdemeanors. There was a question about the felony before and we took care of that in committee. And it does not make expungement automatic, it's still discretionary with the court. So it's up to the discretion of the judge after ten years. So I urge you to pass it.

PRESIDENT:

The question is, shall Senate Bill 17 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 7 Nays, none voting Present. Senate Bill 17 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 32. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 32.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Senate Bill 32 seeks to address a very specific problem involving approximately fourteen widows of police officers killed in the line of duty between 1940 and 1969. The...pension fund is not opposed to this legislation. The amounts involved...there are varied estimates, one roaming around is two hundred thousand dollars. Our belief is that it is far less than that, somewhere closer to a hundred thousand dollars. Since this legislation first began, two of the widows have since passed away. The...the payout is based on what the police officer would have received had he lived throughout that time. I ask for...I'll be happy to answer any questions and I ask for your support of this legislation.

PRESIDENT:

The question is, shall Senate Bill 32 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 32 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 36. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 36.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, the Calendar description of Senate Bill 36 is indeed accurate. We have had this bill before us on a...couple of occasions, we have passed it our of here with substantial majorities. If there are any questions, I'd be happy to answer them; otherwise, I ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

I would rise in support of this. As you may have recalled the debate yesterday on removing one of the volitional prongs, you may recall that many times a person is put before a judge as opposed to a jury because they can do these kinds of gymnastics. I think in this instance it will cut down on those kinds of defenses, and I think that this is a good tool for the prosecutors. Thank you.

PRESIDENT:

The question is, shall Senate Bill 36 pass. Those in

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 2 Nays, 1 voting Present. Senate Bill 36 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 39. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 39.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At long last, at long last, we have now arrived to a bill that for ten years has been coming over here. We started here and we going to send that ball on over to Leroy. Now, what has happened? That this is a bill that everyone has agreed to, the Governor is going to be happy with it now, DCCA is going to be happy with it now, the Minority Leader, Senator Philip, is going to be happy and the Executive Committee is going to be happy because it was said that they should delete the condemnation procedure and we deleted that out of the bill. Also that the authority will have no power to pledge the credit of the State of a municipality. Obligation authority should not be of the State or any other unit of government. This is something that we've been waiting on for a long time to pass a bill out of here over to the House rather than that bill come over to the House and you have been confronted with. And I'd ask your most favorable support of this bill.

PRESIDENT:

Question is, shall Senate Bill 39 pass. Those in favor

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will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 13 Nays, none voting Present. Senate Bill 39 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 42. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 42.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, Senate Bill 42 is one of four bills regarding the Illinois High School Association that have been floating around both the Senate and the House this Session. This one particularly prohibits school boards from paying dues to any association which has as one of its purposes providing for athletic competition among schools and students if that association prohibits those students from participating in athletic competition or activities which are conducted outside the jurisdiction of that association unless the decision regarding that student athlete's participation and the extent of that participation is made collectively by the affected school coaches, the athlete's parents and the student athlete. It is done...designed specifically to address the rather restrictive rule of the Illinois High School Association that prohibits high school athletes on teams to participate in outside athletics of the same vein in the same season. I would ask for your favorable vote or answer any questions.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I'd rise in support of this bill because there have been some awful things done by the High School Association.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I would just add my strong support of this bill, and again underline the fact that Senator Topinka was willing to work out...somewhat of an agreement on this, and for that reason, there is a provision in that bill that requires the school coaches and the parents to play a role in addition to the individual athlete. This is a good bill and we ought to pass it out of here.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This bill has been talked about for some weeks now, a lot of emotion involved in this, a lot of accusations have been made. But let...let me remind the Body that the Illinois High School Association is an...an association created by the member high schools. They pay dues to the organization, they pay dues to police themselves. And for the Legislature to get involved in telling, first of all, the Illinois High School Association what they should do and, more importantly, to begin to set standards with respect to athletics is absolutely inappropriate. I think, fellow colleagues, that we are opening the door here for some very serious things to happen. First of all, the association provides a very proper balance between...academia and athletics, and high school athletics simply can't be...can't be the only thing. And all of this concern arises out of the fact that one of the regulations states that you cannot play on an

independent team while you're playing on a high school team. And that's there for a reason...that's there for a reason. Think, for example, situations like church basketball where young athletes who can't make the high school basketball team have an opportunity to play basketball in another area. If we're allowed to do this, then what we will say is, those high school...those students playing basketball for the high school will also be permitted to play high school...basketball with that church basketball team. This isn't right, it's simply wrong. And it doesn't keep everyone on the same keel, not at all. We all know the concerns that we have with college basketball. Year after year there are problems with the NCAA, with teams that are taking advantage under the table of the rules and regulations. We all have to abide by rules and regulation. Here is a rule and a regulation that is promulgated by an organization made up of those high schools. They make the decision. What's happening here is, disenchanted parents in a particular school are going to their legislator and saying, change the law, change the rule. Where they should be going is to their high school, to their high school principal who's a member of that association. That's the way it should be done. This is a most inappropriate position for the Legislature to be in, and I would urge your consideration of a No vote.

PRESIDENT:

All right, eight...eight members...eight additional members have sought recognition. Further discussion? Senator Mahar.

SENATOR MAHAR:

...thank you, Mr. President and members. I rise in support of this bill. I understand to a certain extent what Senator Maitland is talking about. I didn't think as a newly elected member...this is a...a situation that we would be dealing with. But nonetheless, I am very surprised and...and

disappointed by the arrogant attitude that the principals have taken and the fact that they don't...do not even wish to discuss this with Senator Topinka. And I would remind you that I think it's wrong for a...as an example a student who is involved in track or cross-country not being able to run in a simple 10K race on a Sunday morning in their own community when their amateur status is not being affected. And what is happening, the byproduct of this is they're running in those 10K races anyway. So, we are, in fact, by enforcing the rules, we're teaching these students how to avoid the rules. I think that's wrong.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President, being very brief. One of the big points that was raised by the...IHSA is saying, gee, it's the academic standards we're concerned about. The only trouble is most of the high schools that have tried to withdraw from the IHSA, although now they've backed off a little, tend to be the top rated high schools. The argument in terms of academics simply is...is not an accurate argument. My local principals might even say, Rog, good idea, give them a kick in the teeth; but, boy, I don't dare say anything, these guys are heavy-handed. I mean, they are afraid to even publicly complain about some of the problems we have had. Let me give you one example of the kind of problems. A local high school swimming power had an alumni meet every Christmas, only their own alumni would come in...they tried to disqualify that high school swimming team for illegal outside competition for their varsity and their alumni having a Christmas swimming meet, that's the kind of thing. And the last point I bring up...remember the average high school athlete, the...overwhelming majority never play college sports, man, this is their last shot. Why do you take away the

chance for kids to participate in the sports where they'd like to? It's a difference between college, world of difference for high school. The majority of these high school athletes, it's the last time they're going to play basketball, et cetera. I would ask for your affirmative vote.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

This bill should not be before us. We should not have to consider this bill. The reason we are considering this bill and the reason we're getting this much verbiage is because of the way this particular organization has operated. I think a previous speaker used the word that best describes it, arrogance; arrogance for the athletes, for the students, for the schools, for the coach and particularly, I might add, for the parents. Honest to gosh, the way they talk about the parents, like parents hate kids, it's absolutely disgusting. This organization deserves to be tightened up. It's a shame we have to be involved, it's a shame its leadership hasn't got the sense to run their organization in such a way so that it doesn't have to clutter up our Calendar and our busy days. But occasionally one of these little quasi-government kingdoms needs to get a good swift kick in the behind. This organization has had that kick coming for a long time, and I urge as many members in this Body as possible to help us give them the message.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Let me get this straight now. You're saying that accord-

ing to current law, if my child belongs to a baseball team in the school, they will be forbidden from engaging in any other type of baseball activities outside that school?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

During the baseball season.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, I think this is a...well, in that case, I applaud your efforts and I support your bill.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'm pleased to stand in support...in support of Senator Topinka's bill. I would just point out to you that one of beauties of this bill is we're not imposing government into this operation. What we are doing is suggesting by this bill that in addition to the autocratic approach of these principals who are responsive to no one that we are bringing into play the school coach, the athlete's parent and the student himself, I think that's a great approach. I urge an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 42 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 42 having received the required constitutional majority is declared passed. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. Let's just see if all the affirmatives are here.

PRESIDENT:

Senator Maitland has requested a verification. Will all the members be in their seats. Mr. Secretary, please read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Barkhausen, Berman, Bloom, Carroll, Collins, D'Arco, Dawson, Degnan, Dudycz, Fawell, Friedland, Geo-Karis, Hudson, Jones, Jeremiah Joyce, Keats, Kustra, Lechowicz, Luft, Macdonald, Mahar, Marovitz, Nedza, Netsch, Newhouse, Rigney, Schaffer, Schuneman, Smith, Topinka, Weaver.

PRESIDENT:

Senator Maitland, do you question the presence of any member?

SENATOR MAITLAND:

Senator Fawell.

PRESIDENT:

Senator Fawell on the Floor? Senator Fawell on the Floor? Strike her name, Mr. Secretary.

SENATOR MAITLAND:

Senator Collins.

PRESIDENT:

Senator Collins on the Floor? Senator Collins on the Floor? Strike...

SENATOR MAITLAND:

Senator Friedland.

PRESIDENT:

...strike her name. Senator Friedland is on the Floor.

SENATOR MAITLAND:

Senator Friedland. Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on the Floor? Senator Joyce in the phone

booth, Senator Maitland.

SENATOR MAITLAND:

Senator Lechowicz.

PRESIDENT:

Senator Collins is back on the Floor.

SENATOR MAITLAND:

Senator Lechowicz.

PRESIDENT:

Senator Lechowicz is filling up the doorway. Fawell has already been stricken. Senator Fawell is back on the roll, Mr. Secretary. All right. The roll has been verified. On that question, there are 31 Ayes, 23 Nays, 1 voting Present. Senate Bill 42 having received the required constitutional majority is declared passed. Senator Sangmeister on 48. On the Order of Senate Bills 3rd Reading, Senate Bill 48. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 48.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this piece of legislation comes around on the base of a school attorney pointed out to me that there was a conflict in publishing the notice for the annual budget. And...we said one thing in Chapter 100, paragraph 2 and another in Chapter 122, paragraph 17-1. The purpose of this legislation is to straighten that out. That's all it does.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall Senate Bill 48 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 48 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 54, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 54.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This bill increased the supplemental benefits for teachers from a hundred dollars to one hundred and eighty dollars for each year of service. It...it applies to eight hundred and eleven teachers only and amounts to five hundred and ninety-four thousand dollars. That's the figure that we were given when we...some...some incorrect figures were given and we did some research on it. It does apply to eight hundred and eleven teachers and five hundred and ninety-four thousand dollars, the cost. It will go down each year because it...it applies only to the oldest people who were at the bottom rung of the ladder and getting the least amount of dollars out of their pension. Downstate got an increase last year and Chicago now is asking for this increase. There's a cap on it of fifty-five hundred dollars. It only applies to those who retired before 1973, and I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 54 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, there are 45 Ayes, 8 Nays, none voting Present. Senate Bill 54 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 55. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 55.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This brings...the Chicago teachers in line with the downstate exactly. It applies to teachers who have ten or more years of...of creditable service, increases the minimum survivor benefit from forty dollars a month to two hundred dollars a month. This again is for people who are on the lowest...this is for people who are on the lowest rung for the oldest survivors and it applies to, the survivors of...of teachers. There's five hundred and thirty-six individuals who it applies to and survivors of pensioners, there's five hundred and thirty-three people that it applies to. There is a State Mandate's Act exemption on here. This is totally paid for by the locals and there's a desperate need for this, and I would ask for your Aye vote.

PRESIDENT:

Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'd like to ask, Senator, you indicate that this brings the...this in line with the downstate. It does as far as the benefits are concerned, but in the situation now, this only requires a member to have completed eighteen months of creditable service; yet,

downstate it requires...to do the same thing, it requires ten years of service. I don't think that's...bringing them together, and we have had so many instances where we have been urged to go along with this particular thing because it now matches up outstate with Chicago or Chicago with outstate. I think that this bill should be corrected. If we're going to make it the same in one place, I think we ought to make it that there's a requirement for ten years of service in order to comply.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, this isn't changing the number of years of service that's been in...in the pension, Chicago Teachers' Pension Fund all along. We're not changing this at all, we're just increasing the benefits and it's all paid for locally, there's no State funds whatsoever. There's a Mandate's Act a...exemption on this which was asked for in the Education Committee. Again, it only applies to I think about a thousand people, the people who are on the lowest rung of the ladders, the oldest teachers, the oldest survivors and their children. And, again, each....each year the number will go down and it is paid for locally.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Yeah, but it...again, we're not doing what you indicate, we're not making it the same. We have the same situation and the same needs outstate.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. The...at least according to the actuarial analysis that we were presented, it seems...I think what this

bill does is not a usual thing; that is, to provide this kind of a minimum is not usual in a pension system. And this is actually a fairly significant increase although the total amount of money involved may not be enormous but it is going to increase the accrued liability by about eight hundred and sixty-five thousand dollars. Admittedly, it is a fixed group and...so that it's not going to be a continuing thing but it is a fairly significant amount at the present time, and it is a principle that is not one that is normally applied.

PRESIDENT:

Further discussion? Any further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Just one other point, Mr. President. There is something happening in pensions around here all the time that I choose to call it creeping pensionitis. And what it amounts to is that if we give this benefit to this group, all the other groups in the State are going to want to get it if they don't have it now, and we ought to be aware of that when we begin to break that chain of...of uniformity.

PRESIDENT:

Further discussion? Any further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Well, this is fixed group, it's estimated that the increase in the first year payout would be only a hundred and thirty-three thousand dollars. There are only a...a thousand individuals involved in this, survivors of teachers and survivors of pensioners, the people who are on...on the lowest rung of the pension ladder, and I would solicit your Aye vote.

PRESIDENT:

The question is, shall Senate Bill 55 pass. Those in

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favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 20 Nays, none voting...1 voting Present. Senate Bill 55 having received the required constitutional majority is declared passed. 57. On the Order of Senate Bills 3rd Reading, Senate Bill 57. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 57.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much...Mr. President and members of the Senate. This bill applies to those...those teachers who are on leave from the Board of Education working for professional organizations such as the union, and it would allow them to pay in at the rate that they're making with the professional organization. The organization would pay the...whatever the increase is, it'll be borne by the union itself or the professional organization and I would ask for your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 57 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes...54 Ayes, 3 Nays, none voting Present. Senate Bill 57 having received the required constitutional majority is declared passed. 60. On the Order of Senate Bills 3rd Reading, Senate Bill 60. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 60.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill raises the limit on punitive damages for unreasonable and vexatious delay by an insurance company from five thousand dollars to twenty-five thousand dollars. This was a compromise that we arrived at with the insurance companies. I don't think it's enough but it's the best we could do right now and I would ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 60 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 3 Nays, none voting Present. Senate Bill 60 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 61. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 61.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 61 appropriates seventy-four thousand eight hundred and seventy dollars for...the Board of Higher Education for a grant to the Board of Governor's State colleges to

study feasibility of establish an engineering school at Chicago State University.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Well, reluctantly, I have to rise in opposition 'cause I'm the designated hitter for our side. It's five million dollars that's not in the budget...excuse me.

PRESIDENT:

You didn't listen...Senator Dawson.

SENATOR DAWSON:

Senator Bloom, it's seventy-four thousand eight hundred and seventy dollars, it's not five million, we didn't get that yet.

SENATOR BLOOM:

I apologize...I apologize...my...my handlers...I was looking at the wrong part of my handlers sheets. It's unbudgeted, and I understand Chicago State has not got its physics program going. Thank you.

PRESIDENT:

The question is, shall Senate Bill 61 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, 1 voting Present. Senate Bill 61 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 62, Senator Dawson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 62.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senate Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate. This provides for a voluntary income checkoff for individuals to contribute in part of their tax refund for...appropriate it to the Public Health to be awarded as research grants for alzheimer's disease.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 62 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. Senate Bill 62 having received the required constitutional majority is declared passed. 77. On the Order of Senate Bills 3rd Reading, Senate Bill 77. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 77.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This is a part of...of the school district reorganization packages that are going around...it...it...the bill purports to encourage consolidation. We have added an amendment that requires that the question of consolidation be asked after five...five years. I would...would seek your support.

PRESIDENT:

Discussion? If not, the question is, shall Senate Bill 77 pass. Those in favor will vote Aye. Those opposed will

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vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 2 Nays, 1 voting Present. Senate Bill 77 having received the required constitutional majority is declared passed. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President, behind us we have the Joseph Warren Elementary School and teacher...Carolyn Curry, one of my...and I'd like to invite them to Springfield.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield...Senator Hall, for what purpose do you arise?

SENATOR HALL:

...okay, it's all right.

PRESIDENT:

Senator Vadalabene, on 79. Top of page 4. 91, Senator Marovitz. Senator Marovitz, going once. On the Order of Senate Bills 3rd Reading, Senate Bill 99. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 99.

(Secretary begins reading title of bill)

PRESIDENT:

91.

SECRETARY:

Senate Bill 91.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...thank you, very much, Mr. President, members of the Senate. Senate Bill 91 is the product of many, many hours

and meetings among the bar associations, the judges, the Child Support Task Force, the Illinois Department of Public Aid, the State's Attorney's Office of Cook County; and finally, we've come up with an agreement which clarifies the confusion created by the passage last year over the mandatory child support guidelines. I would make it very clear at the beginning that mandatory child support guidelines that we passed last year remain. The child support guidelines do, in fact, remain. The guidelines for...for child support are set forth and the court is directed to apply the percentage guidelines that we passed last year, same percentage guidelines, against net income unless either party presents evidence as to...as to why the guidelines should be deviated from. Evidence presented regarding deviation from the guidelines may be from any one of five relevant factors; the financial resource of the child, the financial resources and needs of the custodial parent, the standard of living the child would have enjoyed had the marriage not been dissolved, the physical and emotional condition of the child and his educational needs, and the financial resource and needs of the noncustodial parent. It allows the court to consider debts of the parties in determining child support. The repayment of debts representing reasonable and necessary expenses for the production of income, business debts, medical expenses and other expenses to benefit the child may be deducted from gross income to arrive at net...net income. I repeat, this is an agreement of all the parties involved and I would solicit your Aye vote.

PRESIDENT:

Any discussion? If not, the question is shall Senate Bill 91 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none

voting Present. Senate Bill 91 having received the required constitutional majority is declared passed. Senator Fawell, Senate bill...on 3rd reading, Senate Bill 99. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 99.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is...bill basically does what it says in the Calendar. It gives one day of good time for every week...every week that a man who is in a correctional institution passes a school program with a maximum of twenty-five days. This is what the American Bar Association in 1976 in the House of Delegates has said that we should be doing. It is also what Chief Justice Warren Berger of the U. S. Supreme Court has said, and let me just quote, "One type of educational program that needs to be implemented in the prisons would make certain that every inmate who cannot read, write, spell and do simple arithmetic would be given that training not as an optional matter but as a mandatory requirement. The number of our young functionally illiterates in our institutions is appalling. Without these basic skills, what chance does any person have of securing a gainful occupation when that person is released and begins to search for employment. For those of you the mandatory aspect is harsh and some will. I suggest that the total work and study hours of inmates be no more than the demand of fifteen hundred young American cadets of our military academies." And he also goes on to say that the way we should get these in is...these inmates in school is to give them good time. I move for a favorable vote.

PRESIDENT:

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Fawell, your bill calls for a good-time...credit if they attend school or whatever it is that week. What happens if that individual doing that week violates part of the prison rules which would remove the good time? Which one supersedes?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

This would be in addition to the...to the normal good time that they get, if they...if they have violated a...a...a...a...rule, then actually what happens, of course, is they don't get good time for that particular day under the normal circumstances.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

But what happens to the good-time credit they're supposed to get for being in school that week? Now, if they violate the rule that loses good time, does that also make them lose the good time regardless whether they were in school or not?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Every person gets one day of good time for every one day that they behave themselves, that's the law right now. All right? If they do not behave themselves, then obviously they will lose that day of good time.

PRESIDENT:

Further discussion? Senator Rupp. Oh, Senator Davidson, I'm sorry.

SENATOR DAVIDSON:

You haven't answered my question. What happens to that day for that week of school, do they lose it or not? I...the Department of...I mean, excuse me, Corrections has a real problem on...on this...this point, and you have not yet answered my question.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

If they pass the...the...the whole week of school and they get...they will get that one day. All right? Now, if...they will also lose a day of good time that they would normally get because of the fact that they have misbehaved, no big deal. That's what they would do anyway.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. My question goes the other way. Is this...can I get both credit for good behavior plus this? I'd really be having a good time.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

It...it's a maximum...it's a maximum of twenty-five days for the entire year. It's not, you know, it's not one...yes, you can get...this is an additional twenty-five days above and beyond what you would normally get, if you finish the school. If you finish twenty-five weeks of school and you have passed every single week and perhaps you have learned to read and write, and right now about eighty percent of our prisoners are...are functionally illiterate, then. yes, you

will get that additional twenty-five days.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Well, looks like, if I...Mr. President, if I am real good, I'm going to get day for day, then I'm going to get twenty-five, you're going to owe me twenty-five days.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

No, you still have to serve at..at least half your sentence minus twenty-five days. I mean, that's...that's the absolute minimum. You know, we spend twenty-three to...nineteen to twenty-three thousand dollars per...per year to put a prisoner in...to keep a prisoner in prison. The average man is in there for two and a half years and he...forty-one percent return within two and a half years. Eighty percent of the felons return within four years. The system we have now got doesn't work. I have talked to people who...people who work with these ex-cons all the time, including Father Kiley and...and including Saint Leonard's House, including the Saver Foundation, they have all said, indeed, this is exactly what is needed. We are sending these men out with absolutely no skills, a hundred dollars in their pocket, they have no place to go, they couldn't read a want ad if their life depended on it, and they couldn't go to...and they couldn't get a...a job application filled out if somebody even tells them where a job is. If we don't start doing something with these men, we're going to have nothing but prisons all over the State of Illinois.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

One question, Senator. You mentioned men, what about

women?

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, originally, as I recall in committee, the Department of Corrections came in because they thought they were going to have a problem, but basically I think this is a pretty decent idea. I think so we...so we get some legislative intent here to clear up Senator Davidson's problem. Apparently if you screw, up you're going to lose your regular good time, but if you've been a good student for that week you're going to get your one day. Okay? I think this has been cleaned up from when it was originally put into the standpoint that you've got to do the schooling, right, Senator? And you got to complete the courses or you don't get that extra day. Maybe that will be enough incentive to get some of these people into school and at least learn the basics when they get out. I don't think it's all that bad an idea. I support the bill.

PRESIDENT:

Further discussion? Senator Marovitz. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I rise in support of the bill, Senator. I simply want to say that I thought...didn't think it would roll quite this long, but I think it's a good idea. We want to give these youngsters some skills, get them out of jail get them back into productive life and that's the purpose of this bill. And I support it.

PRESIDENT:

Further...further discussion? Senator Macdonald.

SENATOR MACDONALD:

Just in brief, I want to say that I certainly commend the chief sponsor,while we're hyphenated cosponsor, she has done

a great deal of work and research on this bill and I think it is a very meritorious piece of legislation.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield.

SENATOR COFFEY:

The twenty-five week course, although they've been a good student, do they have to...is there any...do they pass the course or can they fail the course and still get good time?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

These men need instant gratification, in a way. So what they...what they do is, they get one day of good time for every week that they...they pass. I have talked to the superintendent, he says that's fine...the superintendent of schools and prisons, that's no problem whatsoever with him.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

I have one question of the sponsor.

PRESIDENT:

Sponsor indicates she yield, Senator Dudycz.

SENATOR DUDYCZ:

Are we sending these convicted felons to prison or to college?

PRESIDENT:

Senator Fawell may close.

SENATOR FAWELL:

We have...we have already got the schools in place, the problem is nobody is using them according to...the super-

intendent in the prison system. I have checked with Harris Fawell's Congressional Office, he claims there is five hundred million dollars sitting in the Justice Department that...that we can tap into if the prison system will at least make the effort to apply for it. I think it's a good bill. I think the system that we are using right now doesn't work and I would solicit your Aye vote.

PRESIDENT:

The question is, shall Senate Bill 99 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 6 Nays, 4 voting Present. Senate Bill 99 having received the required constitutional majority is declared passed. Senator Hall. Senator Bloom, 103. On the Order of Senate Bills 3rd Reading, Senate Bill 103. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 103.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, very much, Mr. President and fellow Senators. The bill does exactly what the Calendar describes it doing. All of the issues were worked out about a month ago. There was some language added after the Department of Public Aid which is in charge of selective contracting went through the administrative procedure process to allow the purchase review...the contracting board to review the reasonableness of the various contracts negotiated...in Executive Session. Answer any questions, otherwise seek a favorable roll call.

PRESIDENT:

Question is, shall Senate Bill 103 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 103 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 109. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 109.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. As many of our ideas come from, they come from one of the problems that we face in our district, and one that I have faced and was inundated with calls on is the failure of the EPA to be able to respond quickly to problems concerning waste disposal. It was with that in mind that this bill was introduced to allow counties to enact an ordinance and charge a fee, and for these counties to enforce the existing regulations of the EPA. I want to make it very clear that there is nothing in this bill that allows a county to put on any new rules or regulations so that we got one county doing one thing and one doing another. All they can do is enforce what is in existence. And I think many of you have heard from your county boards that they would like to have this authority to be able to locally enforce these rules and regulations. The problem is, of course, the State does not have enough people, it's too far to...from Springfield and their other offices to get to the areas to get the complaints handled and, of course, people don't know where to turn to.

They do know where to turn when it comes to a local problem, they turn to their local government. This would give the county boards the right to enact an ordinance if they see fit, they're not mandated to do so, in order to enforce these local ordinances. We have...amended the bill to make sure that we...are not talking about publicly owned facilities and the...of course, the MSD in Cook County is...is not covered by this legislation.

PRESIDENT:

Any discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

You mentioned fees for this local service, how high can they be, Senator?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

As the bill was originally introduced, Senator Rigney, there was no figure put in there at all. I put the figure of two hundred and fifty thousand dollars in there meaning a one...one...a annual one-time assessment not per facility to be regulated but...totally two hundred and fifty thousand dollar fee in order to operate the department. And I might say, there's no magic in that number, I just picked a figure that I think would probably be reasonable to assess to properly operate the department.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, there may not be any magic in it but I think there's probably a little pain and suffering here when we're

talking about two hundred and fifty thousand dollars to allow the counties to go into a program of this kind. I think it's very clearly a double taxation to set the counties up in this fashion. My handlers also are pointing out to me that there might be a little problem as far as...our ability to see...to receive RCRA funds in that it was the expressed intent at the Federal level that there be one State program and that authorities of this kind would have Statewide powers and would be able to go anywhere within the State of Illinois. This clearly would not be the case under the intentions of your bill. So I'm not just exactly sure what we're going to do to our funding in that particular area. So, here we go again, I mean, yet another layer of bureaucracy as far as...another legitimate business, a needed business is concerned back in our local areas...a very high fee structure, one that, frankly, I don't think can be justified and it looks to me it's the type of bill that I hope that we will not enact into law.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator Rigney, you mentioned that Washington and the RCRA and so forth, and I think that's probably one of the reasons for this legislation. You know, the old, old saying that the Federal Government knows best and...and leave it to them, you know, it just hasn't worked. It hasn't worked so well in the Springfield level either. People are wanting...more local control as they...they want a maximum amount of control over the decisions and the formulations of rules and the, you know, which...govern them. And they...they want...their safety they feel is being treatened. And they...it's not getting there quick enough through the State Government and through the Federal Government and...and as...as we go on, people are...are trusting

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less and less in governments that are farther away from them. I think this is a good piece of legislation. It brings it home where people can see where the problems are, they know what's going on out there. So I think this is just something that we ought to do, it's...it's something that's...it's coming back...it's coming back into...to local control and I...I applaud that.

PRESIDENT:

Further discussion? Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you, very much. I just want to reemphasize when we talk about bureaucracy...first, I want to make it clear that there's nothing about HCRA's money that's being jeopardized here. All we're doing is allowing local authorities to be able to enforce existing regulations, there's no new bureaucracy here whatsoever. Same rules and regulations that we have are...are there, they'll only be locally enforced. Request a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 109 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 16 Nays, 3 voting Present. Senate Bill 109 having received the required constitutional majority is declared passed. 134, Senator Carroll. On the Order of Senate Bills 3rd Reading, Senate Bill 134. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 134.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen...of the Senate. This is a twelve thousand seven hundred dollar study for higher education. They have a bill available for when we need it. I would move for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 134 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 134 having received the required constitutional majority is declared passed. 145. On the Order of Senate Bills 3rd Reading, Senate Bill 145. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 145.

(Secretary reads title of bill)

2nd...3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is to appropriate all the money necessary to reimburse local governments for those issues that we mandated is now, therefore, at one dollar. I would ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 145 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present.

Senate Bill 145 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 167. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 167.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an appropriation to DCCA for a study of economic development so that we also have another bill available should we need it later. I would ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 167 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 167 having received the required constitutional majority is declared passed. 169, Senator Savickas. On the Order of Senate Bills 3rd Reading, Senate Bill 169. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 169.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this bill

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would be an addition...appropriation to the Metropolitan Exposition Authority. It would be for McCormick Place. It was amended to accommodate a concern of Senator Watson and Welch. And at this time, I would let Senator Watson handle explanation on Amendment No. 1.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is...I beg your pardon. Senator Watson.

SENATOR WATSON:

It increases the...available...money available to civic centers from seventy-five million to a hundred million. Simply, that's all it does...the amendment, and I'm for it, yes.

PRESIDENT:

The question is, shall Senate Bill 169 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 5 Nays, 2 voting Present. Senate Bill 169 having received the required constitutional majority is declared passed. 171, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 171. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 171 is the partial public financing of gubernatorial campaign bill. It is in all respects, except a couple that I will mention, identical to the bill which this Senate passed with thirty-nine votes

last Session. And I might say that thirty-nine votes included votes on both sides of the aisle which is the way I would like to see it. It is certainly not a partisan matter. The couple of differences are; one, obviously, the election to which the bill is to apply has been extended into the future since we've lost two years now; secondly, one of the objections that the Governor had in his Veto Message was the...that it required reporting and certain other restrictions applicable to inauguration committees, that section has been removed entirely. Third, there is a provision which allows for certain precampaign expenses, typically expenses of an exploratory committee. That seemed to be a little difficult for some to deal with and so we have tried to clarify that language and I believe had. Finally, and if I might ask several of you to note this, one of the provisions that some of you had had a concern about in the past was that if the Gubernatorial Election Campaign Fund in the State Treasury had not accumulated enough money from the checkoff that money would be transferred from the General Revenue Fund into it to meet all of the obligations. That was the provision in prior drafts, that is no longer the provision. The amendment that I put on the other day made it clear that there can be no transfer of funds from the General Revenue Fund into the Gubernatorial Campaign Fund if the checkoff does not provide adequate funding. If that should be the case, there would be a pro rata reduction of the amount to be used for matching funds. Now those are the basic provisions. That, of course, is extremely important and I...question that many of you had raised before. Basically what we have is a check off provision very similar to the presidential that will allow candidates for Governor and Lieutenant Governor to have a dollar for dollar match of contributions up to a hundred and fifty dollars once they have met a one hundred thousand dollar threshold in order to...to finance Gubernatorial Primary and

General Elections. Along with it there is a restriction on the amount that can be contributed by individuals of one thousand dollars; of corporations, unions and PACS of five thousand dollars. In addition, there is a limitation on the amount that can be spent in each Gubernatorial Primary and General Election of a million and a half in the Primary two million dollars in the General Election with those amounts to be adjusted by inflation over a period of years. Obviously, they would have to increase as inflation increased. Without this kind of approach, first of all, there is no way to restrict the amount that is being spent on our campaigns. The last gubernatorial campaign had a total expenditure of over eight million dollars. We cannot restrict that unless we do it in the context of...partial public financing. Secondly, the only way that we can lessen the dependence of our elected officials on the need to go to special interests to finance their campaigns is through this device. It is not a perfect solution to all of the problems of the amount of money that it takes to finance campaigns today but at least it is a step in the right direction. I'll be happy to answer questions.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Have a question of the sponsor.

PRESIDENT:

Sponsor indicates she'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator, the Internal Revenue Service forms allow one dollar checkoff of the taxpayer's refund. That is correct? Is that...is that...of the refund...the Federal taxes now?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, that is not correct. It's a one dollar checkoff and it applies whether or not you have a refund coming.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

This...this State tax, this checkoff, will that be tax money or is this a refund?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

It is not from refund, it is exactly comparable to the checkoff on your Federal tax return for Presidential Campaign Fund.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, I just want to make one...one correction on your...opening statement, Senator. This is not the same General Assembly that...that passed a similar bill last Session, and I am one of the differences that you stated. And I'm in opposition to this bill.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, thank you, Mr. President. While some of the amendments were certainly amendments that did make an attempt to make this bill a better bill, I have to stand in strong opposition to the principle and the concept of this bill. It still does take public monies, it still does take money from the General Revenue Fund just by virture of the check-off...provision in the bill. I might add that the check-off systems because there are becoming so many of them at this point in no way guarantee that the funds will be there to have public financing. I also would point out to you that

this is just a beginning, why not all of the executive officers? Why just the Governor and in time, why not each of us? I think that this is a concept that...that in time could lead to...really an entire change of the political system in Illinois. And while I, too, regret that there is no cap or there is no limitation on campaign spending, I certainly do not believe that this is the way to go and I strongly oppose this bill.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I made a mistake once voting for the bill. It was supposed to come back from the House with a...amendment so that the State would not have to pay any money. But as Senator Macdonald says, it's still State tax money, money that we pay for taxes. We already have earmarked different funds to...to take money out of, and I think we've gone too far. I also feel that I don't want to pay for the Governor's campaign. I don't...I don't want anybody to have to pay my campaign with tax money, I don't see why we have to pay the Governor's or anyone else's. I think common cause is a great organization but this is one time I disagree with them and I speak against the bill. Let people raise their own money.

PRESIDENT:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members. A...a question to the sponsor, please.

PRESIDENT:

Sponsor indicates she'll yield, Senator Smith.

SENATOR SMITH:

Thank you. Senator Netsch, I'd like to find out, will there be a cap on your...checkoff?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

It's a one dollar checkoff.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Will you still have a cap?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yeah, well, that is the cap. It's an absolute cap.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

I know...I know that, but I'm talking about for what length of time? I...we had some checkoffs here and if they...and they say that that if...in the first year you do not receive at least one hundred thousand dollars then the next year will not approach. That's what I'm trying to find out.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, it's different from that kind of...of checkoff. In that sense...I...I misunderstood your question. In that sense, there is no cap. The...the average...the experience of other states is that we can expect from twenty percent to a thirty-eight percent participation. That gives us an average of about a million and a half a year moving up, if the...percent of participation moves up which it tends to do in most states.

PRESIDENT:

Any further discussion? Further discussion? Senator

Netsch may close.

SENATOR NETSCH:

Thank you. Let me just emphasize, and, Senator Geo-Karis, this is directed...in part at you because you had raised this question before. The bill has been amended so that the only public funds that go into the partial public financing are those that the taxpayer voluntarily says, I am willing to have go to this purpose. There is no transfer of general revenue funds other than those that the taxpayer voluntarily contributes. I think that is for you a very significant difference. No one else has suggested a way that we can meet the problem of financing campaigns except this. I solicit your support.

PRESIDENT:

The question is, shall Senate Bill 171 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 26 Nays, none voting Present. Senate Bill 171 having failed to receive the required constitutional majority is declared lost. 173, Senator Schaffer. On the Order of Senate Bills 3rd Reading, Senate Bill 173. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 173.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a supplemental appropriation to the various agencies of State Government for FY '85. The bill has had several forms but its most recent form includes a series of amendments that

were put on a couple of days ago including some additional money; twenty-five thousand dollars for Secretary of State Grant from private funds, Contractual transfer in the Board of Regents for twenty thousand, forty thousand dollars for SSU the...Sangamon State for the...Commerce and Community Affairs Program, seventy-two thousand for Department of Labor amusement ride, forty-two...the only big item on here is ten million seven hundred thousand for the State boards to fully fund some educational line items which is somewhat controversial, I should mention it.

PRESIDENT:

Question is, shall Senate Bill 173 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 173 having received the required constitutional majority is declared passed. 174, Senator Hall. On the Order of Senate Bills 3rd Reading, Senate Bill 174. Read the bill.

SECRETARY:

Senate Bill 174.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This appropriates money to the Department of Children and Family Services for study in the use of electronic data processing in their investigated procedure. I'd ask your favorable support of this bill.

PRESIDENT:

Question is, shall Senate Bill 174 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Read the...take the record. On that question, 55 Ayes, no Nays, none voting Present. Senate Bill 174 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 175. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 175.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This appropriates to the Department of Public Aid money for evaluating the impact of Federally funded job training program reductions on unemployment. I'd ask your most favorable support of this bill.

PRESIDENT:

The question is, shall Senate Bill 175 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 175 having received the required constitutional majority is declared passed. Top of page 5, on the Order of Senate Bills 3rd Reading, Senate Bill 191. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. Senate Bill 191 as amended does only one thing. It says that...this is an amendment, by the way, to the Chicago School Article, not to the rest of the State. Principals shall be employed to supervise the operations of the...of the attendance center as the board shall determine necessary. It eliminates the word, "educational operations." What it does is to say that there is one authority figure in the school and that is the principal. That is the way it is in every other school in every other part of the State of Illinois except Chicago. The Superintendent of Schools, Manford Byrd, wants this bill; the Chicago PTA wants this bill, Chicago United wants this bill...the Chicago Principals' Association, which I might add is a union, also wants this bill, and all of the principals in schools that I have talked to in my district and in many other parts of the city want it. It is not intended to...to punish anyone, it is not intended to say that someone is not necessarily doing their job. What it is...intended to say is that there must be one person who is responsible for the conduct of the school. And there is one person who always gets the questions about what goes on in the school, that is the principal and this confirms that the principal is in charge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Would you...would you take me through that a little bit about the principal in charge of the attendance center and how the engineers fit into this?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well...yeah the...I'm not quite sure of the nature of your question, but...the way the Statute would read is,

"Principals shall be employed to supervise the operations of attendance centers as the board shall determine necessary." The supervision is only in the sense that the principal supervises all of the personnel. And, incidentally, it's not just operating engineers, it's also the food service which are not responsible to the principal right now. The principal would have general supervisory authority over all of them, and that is exactly the way it is in every other school in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well...I have a number of...number of points I'd like to make and...and a question. First of all,...you are putting people in charge of functions over which they have no knowledge, no training and no experience. If you want to do this, then why don't you provide that the principals shall be trained in these areas, that the principals shall be tested in these areas? The fact of the matter is, if I went down to St. James Hospital here and I said I was going to take the chief of surgery and he was going to be responsible for seeing that the floors are clean and the washrooms are clean, that the light bulbs are put in and all these things, you'd tell me I'm out of my mind. We have a system in the City of Chicago that is functioning properly. I mean, if there's one thing...if there's one thing that works well, it is that the schools are heated, that the snow is removed from the sidewalks. Those things have been attended to. So now when we have all these other problems and because the principals have some problems with compensation and the...working through the summer and they got together and came up with this idea, we are now going to change that part of the system that functions, that operates effectively when we have all of these other things that we're going to be spending the next

month debating here, I just don't...I...I'm strongly opposed to this, I don't think it makes any sense at all.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Newhouse.

END OF REEL

REEL #7

SENATOR NEWHOUSE:

Thank you, Mr...thank you, Mr. President and Senators. As hyphenated cosponsor, I rise in support of this bill. There's one...one aspect of this bill I think ought to be pointed out and that sort of goes to the initial remarks of Senator Joyce and that is that in...in talking with the engineers it was...one of the points that was brought out was that in those areas that...in which the principal lacks competence; that is, in those technical areas that it was unwise to have the principals supervise that aspect of the job. That seemed to me to be a legitimate...request and in...at my request, Senator Netsch deleted that portion of supervision from the bill, so that exists no longer, but I'm not representing that that satisfies all the objections of those who are opposed to the bill, it doesn't, but that particular aspect of the bill seemed to me to be a legitimate request and it was done. I rise in support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The lineup is Savickas, Nedza, Dudycz, Berman and Rock. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I rise in opposition to Senate Bill 191. Fourteen years ago, the legislation was introduced to take it away from the principals or to clarify the language so that the principals were not involved. I introduced that legislation fourteen years ago because then, as now, the principals have enough problems trying to run our education system and our educational programs. Senator Newhouse's amendment that would remove the evaluation, not the supervision. I question the comment by Senator Netsch that Super-

intendent Byrd is in favor of this. The...the board of education, the board itself, is preparing a program to...to make a district superintendent responsible for three different areas, the area of education where the principal would report to the district superintendent, the area of maintenance where to...engineer will report to the district superintendent and the area of food service where the food workers would report to a district superintendent. These are the items that the board of education now are...getting ready to propose or have proposed already. This bill, I think, is wrong at this point. When we talk about Chicago United back in March of 1981, their special task force recommended giving principals full responsibility for all operations of their school; however, this recommendation could only be made if their recommendation, which was number seventeen at a time, was put in place, and that was that they create another job for another person to supervise these engineers. Now, to just take it out of context and say, well, no, the prinicipal will handle it and that's the way United wanted it, that is wrong, they wanted the other recommendation to hire more people to supervise these engineers. I think this bill is premature. The board of education, they, themselves, should be allowed to determine the policy on...on the managerial structure of their operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene has moved the previous question. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. We have Nedza, Dudycz, Berman, Collins, Jones and Rock. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and members of the Senate. I would...I have to rise in opposition to the bill. I wouldn't like to see a...a truck driver, an operating engineer, a painter, a carpenter teaching subject matters to our children

in the classroom anymore than I would want the educator supervising those specific trades so, therefore, I oppose the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Mr. President, I just want...wish to echo the sentiments of the previous speakers, Senator Joyce, Nedza and Savickas. I'd like to add that the Chicago Republican Delegation stands in unified opposition to this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. Senator Berman.

SENATOR BERMAN:

I want to share...thank you, Mr. President. I want to share with you some of the comments that arose in committee. I directed a request to the lobbyist for the Chicago Board of Education to come back and tell us what the position of the Chicago Board was as to whether the Chicago Board of Education was in favor of Senate Bill 191. For those of you who constantly talk about local control, let me advise you that I have received no communication from the Chicago Board regarding their support of Senate Bill 191. Also, I would point out to you that the recommendations of the improvement commission, the legislation of which we passed out of here the day before yesterday,...stresses that the principals should be the educational leader in the school; and I would suggest, as was mentioned in committee by Senator Poshard, that with the obligations to expand the role of the principal in the educational arena is more than a full-time job. I'm not sure that adding additional responsibilities at this time makes any sense. I'm going to not...I am not going to support Senate Bill 191.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 191, not because I don't believe in...letting the...the board make policies determining who is to be responsible for the various areas of the school operations; and as a matter of fact, I think I could support if, in fact, that it was very clear policy that...that the principal would be charge of education and that there would be someone as chief engineer and someone head of other divisions, but what is happening right now in the...in the Chicago schools is that it seems to be that no one is in charge of the engineers. It is...the information that I have in talking with the principals that the engineers walk through the schools and that a principal can tell one to do something or something needs to be done and that that person acts if though the principal don't even exist, and it is not true as someone said that an administrator of a hospital is always a physician, that is not true....there...I've known many cases where there have been administrators and they have not had any medical degrees, that is also the same principle that operates in some of your major corporations. It is not true that that particular person has all of the expertise to run the various departments under that person's administration. What they do, they go out and they find the best persons qualified to head up those departments, but yet that person serve as the overall administrator and coordinate the activities and is responsible for what happens in that institution. I think that's all Senator Netsch's bill is trying to do is put up someone in charge of running the various local schools and I think it's a good idea in the absence of anything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 191 for...for many reasons. Number one, when we're talking about school reform we always talk about the City of Chicago and its public school systems. For those of you who are not in the City of Chicago and you want to do something to help the education in their...in their system, then you would support this bill because...because the...actually administering that school goes hand in hand with the duties of everyone that works there. It is very difficult for a principal or teacher when they need a classroom opened or...or a room heated and...and the engineer act as though it doesn't even exist. There are instances wherein...wherein the room...the classrooms are dirty, the snow don't get picked up and the principal has...has no jurisdiction whatsoever. I know, my friends, that a laborer...been laboring, they're working very hard to kill this bill. I wish they had worked as equally as hard to try to get some money for the system. So, if you're really concerned about improving the quality of education in the Chicago public school system, you would support this bill, but if you want everything to remain status quo, then don't vote for the bill, but let's not talk about educational reform and everything and yet and still not do what you...you're supposed to do to help bring about better quality education in the...in the public school system. You can only have one head of anything. When these...when the astronauts go up in...in...in the rockets and on those planes, only one person is in charge, even though they may have equal responsibility, one person is in charge. You need one person to run the public school system in the City of Chicago, and I urge an Aye vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong opposition to Senate Bill 191 and would point out to some, particularly on this side, who piously mouth the benefits of collective bargaining for public employees and point out that this is something about which this union and this food service workers both bargain who will be their supervisor, and to do something like this simply skirts the entire collective bargaining system. The system has worked. It is continuing to work and this is, in fact, kind of a power grab on the part of a very few of the existing principals in the City of Chicago. We are directing apparently now the activities of the Chicago Board of Education, which I know my friends on the other side are loathed to do with any board of education anywhere in the hundred and two counties, and I simply think we ought not do it. I am asking that everyone cast a No vote so that this question will be resolved overwhelmingly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Could I have a little attention? I'm about to go down but I'm not going to go down except in flames, 'cause I'd like to make a few points. I've just been told that all the...virtually all of the Republicans have been pulled off of this bill and I assume it's by the Governor, I don't know specifically, but I'm sure I'll find out one of these days, and anyway that's precisely what I have been told...and I realize that the operating engineers are opposed to the bill. Let me suggest to you that the operating engineers are the only ones in the world with a...perhaps the participation of the Governor who are opposed to the bill. The Principals' Association, which is a union, is in strong support and was here. Chicago United is in strong support, that is a major business group in the City

of Chicago, and they have strongly supported this and it has nothing to do with their recommendation for an assistant principal. They were our principal witness, as a matter of fact, if you would look at the record, Senator Savickas. The PTA is in strong support. I think every teacher in the City of Chicago, practically, has talked to me since this bill was introduced and they are in strong support. The only opposition is the operating engineers. I have no quarrel with them. I am sorry that we are at loggerheads on this. I happen to think they are dead, dead wrong in saying that it is not the principal who should be the...the authority figure. Finally, I have talked just within the past forty-five minutes to Manford Byrd, the superintendent of schools in Chicago. His exact words were, "I am foursquare in favor of this." He sees no problem at all. It is absolutely consistent with his reorganization proposal. As he pointed out, the principal already supervises shop, art, music, band, a whole lot of other things that does not...that requires special training for the participants but not for the principal. This is a very simple proposition. The principal...it is a school. It is not a...a...shop for anything else...just shut up, Chew...it is a school and it is the principal who ought to be in charge of that school, and if you haven't got the courage to stand up and say so, be my guest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate...Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WEAVER:

I just wanted to point out to the Body that the Governor has no position on this bill and there's been no message sent

down to ask us on the Republican side and maybe he's talked to you, but he...certainly hasn't talked to us on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we're delighted to learn. Senate Bill...the question is, shall Senate Bill 191 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 12, the Nays are 36, 5 voting Present. Senate Bill 191 having failed to receive the required constitutional majority is declared lost. 193, Senator Smith. On the Order of Senate Bills 3rd Reading is Senate Bill 193. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 193.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to the members of the Senate. Senate Bill 193 has been before us and it...I can...the Department of Children and Family Services shall make it known that requiring all adopted agencies for forwarding the department's names and addresses of all persons who have applied for and have approved for adoption of a hard to place or handicapped child, and the names of such children who have been placed for adoption, addresses shall be maintained by the department...a coded list which maintains the confidentiality of the person seeking to adopt the child shall be made available without charge to every adoption agent in the State to assist the agencies in placing such children for adoption and this is merely voluntary. If they do not wish to follow this trend, they do not have to do so.

So, I'm...with that, I would like to ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 193 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 15, 1 voting Present. Senate Bill 193 having received the required constitutional majority is declared passed. 199, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 199. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 199.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This is one in a series of bills which are intended to put together an apprenticeship training program for the purpose of preparing some young people to participate in our economy. Senate Bill 1421, which lost, was presented for that same purpose. Since that time, we have had some conversations and I have agreed to put...to get these bills out and to meet with labor and with the DCCA and whoever else would like to participate and try to come up with some kind of an agreement. If we do not come up with an agreement...Senator Weaver...I've talked to Senator Weaver, if we do not come up with an agreement, then these bills will not be...will not be moved. These will be...at least we'll have some point of discussion and I would ask for a favorable roll call for that purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 199 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, 4 voting Present. Senate Bill 199 having received the...having failed to receive the...the required constitutional majority is declared lost. 200, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill 200. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. The same remarks I made on the previous bill are applicable to this bill, but I'd like to say a couple of things, because I made that arrangement in good faith in the hope that there would be a discussion point from which to take off to address a very serious problem. Most of you have on your desks some research that's been done by some very reputable people that go to a point that everyone in here at some point has talked about and that is the increase of taxpayers in this State and that is the issue; and if we're serious about that, then we've got to look at how we get people into the economy. If we are not looking at that, we're saying on the other hand that we're going to have a one stratum economy that...may I get some...may I get some attention, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please.

SENATOR NEWHOUSE:

That we want a one stratum economy that specifically, that specifically, keeps out of the labor market a group of young people who in the absence of the kind of training and the employment possibilities that we're talking about here are going to...are...are already creating some problems that are almost insurmountable and I got to tell you that this economy cannot stand that much longer. Every time we set down and we talk about a bill, we talk about what it's going to...cost the taxpayer; and yet, we're looking at a bill here that would add people to the taxpayers' rolls, that's what we're looking at. Now, if you want to deliver the message back on your side of the aisle...on the Republican side of the aisle that we're not interested in economic development, then that's what you're doing. On this side of the aisle, if you're...if you're saying that we want to keep out of the economy a specific group in this State that is being excluded, that's exactly the way it's interpreted. As for my union friends who have disappeared all at once after having made this kind of an agreement, I would say to you that nobody is going to be fooled by this and if we want warfare, we can have it. That's not what I would prefer and I went forty miles to try to put together something where we could have a reasonable and rational discussion. I'm sorry you finked out on me. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senator Newhouse has worked hard over a number of years, about fifteen years, trying to open up the craft, the trades so that minority young men and women can have an opportunity to participate in the building of the State and at a time

when we were talking about building Illinois and the World's Fair in the City of Chicago and trying to get people equipped with skills to go out and be self-supporting, I think we have to seriously take a look at any laws that we have or the lack of laws in this State that in some way inhibit those people from the opportunities to learn the...various crafts and trades so that they may be able to support themselves and their families. This is a serious problem. I...I don't know the answer to it. I have met with the unions...all of the trade unions and I had hoped that somehow we would be able to come to some kind of agreement as to how we were going to open up that field so that more minorities can, in fact, get into the apprenticeship trade programs. That has not happened. It is my understanding that Senator Newhouse did have some kind of an agreement that these bills would move on to the House and that he would continue to work on them...and...and apparently...that agreement has broken down and I'm just sorry that has taken place, but I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You can see now that what has happened, we passed a number of bills out of here to say that we got to bring the people up into the 20th Century. We have all these electronic affairs. They claim if you can't work computers, if you can't do these things today, you're in the old age. Now, what needs to be done is people...and this is supposedly America, this is where everybody is supposed to have the life, liberty and pursuit of happiness. Now if we can't encourage people, if we can't open the door, if you...it's just like, you can't play in the world series unless you win the pennant. How are you going to bring the people aboard?

Now, the way to bring them aboard is to put them in a training program. If you make a person able to qualify for a job...to do a job, then that person becomes productive. This is a program that has been worked on long and hard and I know all of you are very fair people sitting here, so let's get this program on the way. Let's make productive, paying citizens out of people and they must be given the chance. This is a good bill and it should be supported. I ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. You know, I've been sitting on this side of the aisle all my life, and all these years, we, on this side of the aisle, have always said, if a man wants a job and he's willing to work, we should be willing to give him that job and allow him...as our colleagues have said on the other side of the aisle, pull himself up by his own bootstraps. I don't think what is being asked today is being unreasonable. What these men and women want is not welfare, at least the one's I've talked to, what they want is a job. There's more than enough work out there. All you have to do is go down and look at...whole sections of our city that need carpenters, that need plumbers, that need electricians. Every single year we are pulling down more and more and more of our housing, housing that could be reconstructed, remodeled and have decent housing for our people in our State. I personally think if we are truly believers in the capitalist system, which we on our side of the aisle claim we are, then there shouldn't be one red vote that is a Republican.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I apologize for rising on this bill but it seems to me that the...it's being insinuated that we are...we are anti-jobs, anti-jobs for the minorities. And, Senator Collins, I would...would direct a comment to you. Both you and I serve on the Statewide Coordinating Council with JTPA, we both serve on the legislative committee of that body. I...I've...I don't know but I don't believe I've ever seen you at one of those meetings. Now there perhaps are reasons that you can't be there and the chairman of the Statewide Coordinating Council, Mr. Curry, an outstanding, brilliant black man who chairs that council does a marvelous job. My concern here, Senator Newhouse, is we're duplicating the Job Training Partnership Act, and I just don't think that's what we're all about and we...we just shouldn't do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Collins for a second time.

SENATOR COLLINS:

Thank you. I have to respond to that. I have been to that meeting one time, but I have read almost every report and I have had my staff to attend the meetings in my absence, but the primary reason, if you want to know the truth why I'm not going, because I think the whole council is a bunch of hogwash. I don't see nothing really happening with that job training program. It's just like CETA and everything else and I'm not going to waste my time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you. I was trying to get to see my friend, Senator Maitland...but...so let me say it to you openly because I

think you raised the proper issue and you got the proper response. People don't have any faith in that anymore because the artificial restrictions that exist won't permit the plan to work, and that's one of the reasons it has been a failure all these years because the intervening cause is the absence of a mechanism for the acceptance of your trainees into the market. You can't...and what has happened is that we've got affirmative action programs which don't mean anything, and we've had a bill go out of here today that was designed to prevent fraudulent minority companies from operating and that's what's going on because the people of the...skilled people do not exist to support the kind of programs that we're talking about, and until those skilled people exist, we're kidding ourselves. For those on this side of the aisle I want to say, I just went outside and...and again reaffirmed with Rich Walsh the conversation that we had had. He gave me permission to say this on the Floor again, that we talk that we want...that we have agreed to have a talking mechanism out of which something might arise that's constructive. As it is, what we have now is an extremely destructive system and if we continue that destructive system, there is no logical way, there's no logical way, to address this very serious problem so that there's no real exchange that can take place. We're asking for a...a medium on which an exchange can take place. We went to the extent of saying, put it in a...a posture where the Governor can be the hero in this State, for goodness sake, and bring people together. I could care less as long as the result is produced, but the fact is, that in the absence of us in this Chamber doing something at sometime that the numbers of people that we're allocating to the trash pile is going to escalate. It's at serious proportions right now. This isn't a frivolous bill at all, it's a very serious one, and I would ask you for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 200 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 17, 6 voting Present. Senate Bill 200 having received the required constitutional majority is declared passed. Senate Bill 220, Senator Marovitz. On the Order of Senate Bills 3rd Reading, Senate Bill 220, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 220 addresses a problem that has been prevalent in the nursing home industry and that we've been dealing with people in the nursing home industry on and reached a...an accommodation pursuant to some amendments. It requires the Department of Law Enforcement to conduct the criminal background investigations of current employees and of applicants prior to employment in nursing homes. Employees found who have been convicted of specific offenses, and the offenses are specified in the legislation, shall be terminated. An applicant or employee is prohibited from being hired if he or she has been convicted within five years of the date of application of committing or attempting to commit an offense as defined in Abused and Neglected Long-term Care Facilities Residents Reporting Act, homicide, kidnapping, forceable felonies, sex offenses within Articles XI and XII of the Code; forceable felonies, treason, murder,

rape, manslaughter, arson, burglary, aggravated battery, any offense within the Controlled Substances Act and any felony offense which bears a reasonable and rational relationship to the...performance of a nursing home facility employee. Investigations are conducted every five years after initial employment and it requires the Department of Public Health to supply DLE with information on applicants and employers to conduct the investigations. I've spoken to the nursing home industry, I've spoken to Jim Zagle of DLE and he is hopeful of getting a new methodology to improve the ability to do fingerprint checks. I think this is an important bill and will...assist the quality of care in nursing homes throughout the State of Illinois, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

As I understand it, the bill either started out or has been amended to say that you can hire someone, take their fingerprints and send it in and you have so many days...what's the timetable before you have to let somebody go?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...there is no specific timetable, but as...as soon as you...as soon as you are notified by DLE, then you have to let them know. Originally in the bill you couldn't hire them. This was unfair to the nursing home industry. We put an amendment in there so that they could be hired, but upon finding out from DLE that they have been...convicted of these crimes, they would have to be terminated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

How big a problem is this is? How many cases do we have on record at date...to date of...on a Statewide basis of employees of nursing homes who have...would fall in this category that would be denied employment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I...I can't tell you how many cases we have on record of those who have been convicted of these felonies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, let me...let me say, is it ten people on a Statewide basis? Six? I mean, that would have...you know, that this bill would have otherwise presumably prevented from being employed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I can tell you for certain, it's a lot more than ten because I've gotten close to seventy-five phone calls from people after this bill was introduced...from people who found out subsequently that their...their loved ones were...were abused or assaulted in some way and found out subsequently that the individual who did so had a...a criminal background.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, Senator, I don't think this bill...other than the fact that it costs a million dollars, a million dollars a year and that's...that's a guesstimate and our guesstimates usually be...are fifty percent low, so we probably figure a million and a half dollars, and I think that's

just our expense. It doesn't count the...the...nursing home's expense...I think probably...totally is probably five million dollars by the time you get the whole thing, and I have to admit, I just pulled that figure out of air but we do a lot of that down here, by the time you figure how much it's going to cost, I don't know if it's a five million dollar problem; obviously, if it's one...your loved ones, it's twenty million dollar problem. I don't think it's going to have a terribly large impact in my area other than the fact that it'll add a buck and a half a day to the nursing home care or whatever, and it's...we've been doing a lot of that lately and that, of course, we pay a sizable percentage of that so it'll all come back to haunt us; but my guess is with the turnover and employment problems that we already have in the nursing homes, that in some parts of the State, and I think you might represent one, you may be just making it a little more difficult to run a nursing home and maybe a little more impossible to run a nursing home. We've gone nuts. We have absolutely gone nuts. We have wiped out the small nursing home industry, they're now all being bought up into big, large chains and we heap regulation on top of regulation on top of regulation, all of it individually sounding nobler than noble, but the cost of nursing homes is now to the point that we can keep people in hospitals cheaper and it isn't because they're getting better care in the nursing homes, it's because of our regulations in that...corps of Gestapo agents that we've assembled in the Department of Public Health to go out and harass people. I think we've just gone far enough and unless someone can really document a problem, not two incidents that one of the local newspapers has decided to make a big to-do about for three weeks, I'm not sure that the...the cure isn't overkill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I'm not sure how to say this kindly, Senator, but I...you know, I'm...I'm sure you think that you're curing something here and probably you have some instances, perhaps in your own community, where there have been some abuses, but...you know, it seems to me you ought to go to the...to the Chicago City Council with a whole lot of this stuff because downstate you're simply adding uncountable costs on us and if you continue to help us, we may not have any nursing home industry in downstate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator, would you answer this for me, please. Now, I understand here that if a person has committed a felony and that they...could never be hired if...suppose that I had committed one and I had come back and I'm a model person, come back into society, because I had once committed that, I would be denied a job at the nursing home?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm glad you asked that question. I will reiterate what I said in my opening statement. It's only certain kind of felonies, which I specified in my opening statement, not just any felony, a certain kind of felonies that would be particularly abusive to a nursing home resident and only within the last five years, only within the last five years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz may

close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I heard my friend, Senator Schaffer, talk about small homes being bought off by large companies. Yes, those small homes are being bought off and, you know, I wish I owned a nursing home so I could be bought off at the million dollar price tag that they're selling for. Those poor, small homes are selling off to the large companies who are coming in and they can't wait to sell and put all the bucks in the bank. Senator Schaffer, I don't think there's anybody in this Body who has more nursing homes in their district than I do. Just come up to uptown any time and I'll be glad to...to chauffeur you around there. The price tag is not what you said. The Department of Public Health said the first year the price tag was five hundred thousand dollars. We have read an awful lot of stuff in the...in the newspapers and I have heard an awful lot...from not only my district but from around the State and I, as you know, sponsored the Nursing Home Reform Act of 1984 about abuses in nursing homes. You talk about unemployment, I don't think we're here to protect those people who are...have been convicted of felonies and want to go into nursing homes...having...been convicted of certain felonies within the last five years. If that's what you're talking about as an unemployment problem, I just have to disagree with you. I don't think those are the people that we're here to protect. I think we're here to protect the citizens who have no alternative but to go into nursing homes and rely on us to make sure that their quality of care is going to be upheld and that's what this Body is all about. We've worked with the nursing home industry, we put the amendments on that they wanted, and I think this bill is protective of its citizens throughout the State of Illinois at a very minimal price tag, making sure, just like we're doing with the day-care centers,

we're going to do it with the nursing home residents. Solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 220 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, 1 voting Present. Senate Bill 220 having received the required constitutional majority is declared passed. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Verify the affirmative roll, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has requested a verification of the affirmative roll. The members will be in their seats and the Secretary will read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Barkhausen, Berman, Chew, Collins, D'Arco, Darrow, Dawson, DeAngelis, Degnan, Demuzio, Geo-Karis, Hall, Jones, Jeremiah Joyce, Kelly, Lechowicz, Macdonald, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, do you question the presence of any member?

SENATOR SCHUNEMAN:

Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow on the Floor? Senator Darrow on the Floor? Strike his name.

SENATOR SCHUNEMAN:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft did not vote.

SENATOR SCHUNEMAN:

Oh, I'm sorry. Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew on the Floor? All right, Senator Darrow has returned to the Floor, so restore his name.

SENATOR SCHUNEMAN:

Senator...Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, you want to finish with Chew?

SENATOR SCHUNEMAN:

I beg your pardon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You want to finish with Chew?

SENATOR SCHUNEMAN:

Let's do that, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Chew on the Floor? Strike his name. Now, Senator Schuneman.

SENATOR SCHUNEMAN:

Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen on the Floor? Senator Barkhausen on the Floor? Strike his name.

SENATOR SCHUNEMAN:

That's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on that question, the Ayes are 28, the Nays are 22, 1 voting Present. Senate Bill 220 having failed to receive the required constitutional majority is declared lost. Senate Bill 226, Senator Savickas. On...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Mr. President and Ladies and Gentlemen of the Senate, obviously, it's a Friday of Memorial Day weekend. The hour is growing late. I have arranged for a plane for a number of my members from Chicago, which plane...necessity leaves at six o'clock. It's pretty apparent we are not going to get through the entire Calendar. I've spoken with Senator Weaver, I've also spoken with the Speaker, it appears that the House is in the same dilemma. So, I would now suggest, with leave of the Body, if we can go to the...Order of Motions for a single motion. I am prepared to move that we extend the rule for the Senate appropriation bills only. The appropriation bills currently on the Order of 3rd Reading only to be considered by the Senate on Wednesday, May 29th. That would leave us remaining on the Calendar only thirty substantive bills which I am convinced we can handle with some dispatch; some of it, I am convinced, will not be called, but those there are, if we could move with some expedited schedule, I think we could at least afford the members, those who wish to call their bills, the opportunity to have them heard while there are still people remaining on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to go to the Order of Motions for the purpose of a single motion. I assume that's it yours. Is leave granted? Leave is granted. On the Order...on the Order of Motions, Mr. Secretary.

SECRETARY:

I move to suspend Senate Rule 5 for the purpose of allowing Senate appropriation bills currently on the Order of 3rd Reading to be considered by the Senate on or before 6:00 p.m., May the 29th, 1985. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The motion is self-explanatory. It will just extend the deadline for the eighty or so appropriation bills until the close of business on Wednesday. I...I think it's a rational thing to do and it will afford all of us an opportunity to get out of here while we still have our sanity. I would urge the adoption of this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to suspend the rules. Is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. It's so ordered. Now, with leave of the Body, we'll return to the Order of Senate Bills 3rd Reading. Leave is granted. On the Order of Senate Bills 3rd Reading, we will return where we left off. We will skip 226. 227, Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 227, Mr. Secretary.

SECRETARY:

Senate Bill 227.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 227 was introduced because of great concern of many people on what happens on McCormick Place and the operation and the appointment of its members...the Metropolian Fair and Exposition Authority Board is the only body in the State of Illinois that does not have confirmations of its gubernatorial appointees. This bill would allow the mayor's appointees to be confirmed by the city council and the Governor's appointees to be confirmed by the State Senate as all other appointees are. I think it's a good bill. It's one that

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will tell us when we complain again want is happening at McCormick Place that we never have a voice in what their decisions are, that we would a voice by being able to confirm the appointees. I would solicit a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 227 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 8, 2 voting Present. Senate Bill 227 having received the required constitutional majority is declared passed. 232, Senator...Joyce. On the Order of Senate Bills 3rd Reading, Senate Bill 232, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 232.

(Secretary reads title of bill)

3rd reading of the bill.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. In light of the time constraints, I shall try to be brief, but this a...an important piece of legislation. I realize...I recognize that the Governor is opposed to this and people on the other side of the aisle have pretty much made up their mind on it, unless there are some of those who would like send a message to the auto manufacturers about their concern for the seat belt or something like that, I would suppose we'll be looking for most of our support on this side of the aisle. This is the comparable worth bill. I suppose the best way to approach this is to just try to deal with the arguments that have been made in opposition to it. The bill provides that a plan will be put into effect for implementing by 1995 a comparable worth program for State employees and for employees of the State Library. The objections that I

have heard as I've talked to you and as we took this bill through the committee process, well, number one, that the bill was not feasible, that you...you cannot determine what someone's comparable worth is. The fact of the matter is, that we do do that now. It is done in both the public sector and the private sector and in twenty states in this union, they have undertaken to do that. Illinois should be there. The second argument that seems to carry...seems to carry an awful lot of weight has to do with costs, and the numbers that have been tossed around with respect to how much...this will cost the State are totally without foundation or basis. The...we have numbers that will show if...if...if one were interested in examining them, that the first year cost would be approximately 5.5 million dollars, that there is no state...there is no state that has had to...that has experienced the cost greater than four percent of the total personal cost after full implementation of the program. The third argument that is made has to do with the fact that the free labor market should be a...should be allowed to operate, but that is not the case. We know that in situations where there...where the...there is a free market that certain members of employee groups, nurses, teachers, et cetera where the large majority of that employee classification is female are underpaid; and then there is the argument concerning a recent decision in the Federal Court in the City of Chicago in which people are saying the court is directed that we cannot have comparable pay. That is not what that court said. There is nothing in that decision that would preclude this Legislature from acting on this matter. I will close by saying this, there is not a person in this Body who has not been affected by this...we could call it, for want of a better word, not discrimination but somewhat similar to benign neglect where because of people's dedication to a vocation, they have been taken advantage of and that

the...the...the realities of the...of the '70's and the '80's have not been addressed where we now have a lot of people working who are sole support. I don't know what more I can say to you. I know that everyone has pretty much made up their mind on this. I will answer any questions, and if you have none, I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I want to speak on it, but first I want to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there are two...there are three additional speakers. Why don't you do that at the end. Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, I have the highest respect for my...my colleague on the other side who is sponsor of this bill, but I'm a woman, I have...faced by discrimination and what have you, but I was determined to make a go of it and do my best and get there. If I can do it, others can do and I did it in a...in a generation when there were hardly any opportunities. Right today we do have the Equal Pay Act, which unequivocally says that men and women doing the same job must be paid the same. Virtually every employer in the State is covered by this Equal Pay Act. Second, we have Title 7 of the Civil Rights Act which prohibits the...discrimination on the basis of sex and which when applied would open all jobs to all qualified individuals. Lastly, there's...Illinois Human Right's Act which also prescribes discrimination recognizes as the cornerstone of a free society rests on permitting each individual freedom of choice and access to opportunity. I don't want to have comparable...I don't want to be comparable, I

want to be myself. I want to be unique, I want to be a name and not a number, and I don't think that the comparable pay bill that's here today is a...is the one that's going to eliminate discrimination. In fact, what I think it will do, it'll make more discrimination because then I think it will become more stereotype; therefore, I speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis has moved the previous question. We have Senator Hudson, Senator Fawell, Senator Keats. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. If we wish to deliberately plant crabgrass in our economic front yard in this State, vote for this bill. If we want to send Illinois business another message that we're perfectly willing to...hammer another nail in the coffin of Illinois business, pass this bill. If we want to take a quantum leap, a giant step in the direction of government wage fixing, then pass the measure. If we want to turn our backs on the normal competitive market factors that traditionally determine wages, then pass this measure, but don't...do it thinking it has anything to do with equal pay for equal work. If it is anything, it is equal pay for unequal work. It is, Senator Joyce, in my opinion and with all due respect to you because I have have a lot of respect for you, but it is, in my opinion and the opinion of many others, wage fixing by the number, a system whereby dissimilar job categories are given assigned points, a number, if you will, as to their supposed value to society. Now, this is where subjectivity replaces the marketplace as to what is comparable and this really is the...is the real difference, and Senator Geo-Karis has mentioned this, equal pay for equal work we already have, but now we're extending this to another concept entirely and that is where we take job classifications that are dissimilar,

dissimilar, nurses and truck drivers, for example, and we have a board, whether it's the Office of Economic Opportunity or some other board, governmental board of some kind, sit down and try to determine the value to society of these various hundreds of different job classifications. Now, granted, we're only talking about State employees now, and I guess the librarians...the library system has been added into this, but the system extended would mean that we would have to have some governmental entity sitting down comparing broad job classifications as to their worth to society and then, presumably, raise the level of pay from one to another. Nobody talks about cutting anybody down to a level but raising the pay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, will you bring your remarks to a close?

SENATOR HUDSON:

All right, I will bring my remarks to a close. I will simply say that if we go this route, I think were making a tremendous, tremendous mistake and would urge a No vote. It should not be a partisan issue. It should be an issue based on what is the best for everybody in the State of Illinois and I don't think this is it and would...would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you. I...I don't think my women friends would deny that I have always been there when the women issues...are...are needed, but I'm going to tell you, I have yet to meet one woman outside of the lobbyists who says she wants this. I think we ought to kill it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, very...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, no, Senator Keats. Senator...Senator Keats.

SENATOR KEATS:

You know, I appreciate it and I'm listening and I'll be very brief. I'm going to say some things that aren't expected. I know everyone assumes all the Republicans are No votes and I guess I am too, but I want...I want to tell you something, this is a warning, fellows. This is right now only State employees and I want to tell you, you look at...Coldwell, the chairman of Ford out there, paid himself seven million dollars. The only reason his company made a dime is 'cause we wouldn't let the Japanese compete against him, but he paid himself seven million dollars. If you're working on the assembly line, male or female, what would you say? Jewel Tea...remember two years ago, Jewel Tea they...they cut the pay of all the people working on the little machines twenty percent, maybe they were overpaid. The president of the company who signed the contract took a thirty-five percent pay raise. How would you like to explain that one sometime? Don't ever say that salmonella isn't a little chance to remind them that things do come around. You play...you take basketball players or baseball players who are are illiterate and make two million dollars a year, you know, one of these days we're going to have to deal with this subject and maybe this isn't the time or the place to deal with it, but if you think this subject is going to go away when you see seven million dollars to the chairman of Ford when I can name you five hundred guys in his company who do as good a job or three hundred, four hundred thousand for the head of Com. Ed. for a company who's notoriously poorly run. One of you...these days all of us, Republicans and Democrats alike, better be ready for the fact that this issue is going

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to come home to roost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, Roger, you've...you've done it to me again. Someday this will...this bill will pass out of here, Roger, because it's....it's the fair thing to do. You cannot have something that has passed in all of these states where it has passed, you cannot have...Iowa last week and Los Angeles a month ago adopt this and stand here and make the type of arguments that are being made against this legislation because it...it's just so incongruous. It...it just cannot be that this could be what is being described by you and still be able to be adopted in other states by reasonable, rational people...for whatever reasons, you know, you are where you are. Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate Bill 232 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who...wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 27, 4 voting Present. Senate Bill 232 having failed to receive the required constitutional majority is declared lost. 236, Senator Newhouse. On the Order of Senate Bills 3rd Reading is Senate Bill...236, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 236.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This bill description is abso-

lutely accurate. What it does is take care of the...of the...of the problem that arises when there are appointments that are made by the mayor and are not confirmed by the legislative body that is charged with that responsibility. What this bill says is that if those...if those...if those confirmations lie unconfirmed for a hundred and eighty days, that's six months, folks, then those slots are automatically confirmed. It makes a world of sense that when appointments are made to bodies that must make decisions that affect a very large constituency that the courtesy of either confirmation or rejection ought to be swift and sure, and this is what this bill makes arrangement for. It says that if those confirmations go...go unaffirmed for a period of six months, then the assumption is, the assumption is, that the legislative body approves of those...approves of those confirmations and, therefore, they will be affirmed. I would be glad to answer any questions on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

A parliamentary inquiry, Mr. President. How many votes does this bill take?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 236 affects the procedures for appointing officials to nonhome rule governments. This bill is not preemptive under Article VII, Section 6G and thus requires thirty votes for Senate passage. Further discussion? Senator...Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, did I hear you that this bill only affects nonhome rule units? That's what he said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It accepts...it...it affects the procedures for appointing. The bill is not preemptive.

SENATOR LECHOWICZ:

Does that affect home rule units or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It affects the Metropolian Transit Authority, the Chicago Park District and the other authorities mentioned in the bill.

SENATOR LECHOWICZ:

Mr. President, doen't it also affect the procedures of the City Council in the City of Chicago which is a home rule unit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...my Parliamentarian tells me that the...the city council does not have the powers...the home rule powers to appoint officials to another government under our Constitution. Those are statutory powers. Senator...

SENATOR LECHOWICZ:

You made your ruling, Mr. President, but I disagree from the standpoint that the city council has to advise and consent, and what you're doing here is you're imposing another restriction on the city council as far as a timetable that they have to be governed by; and based upon the timetable that is presently within 236, I believe you are impossing another restriction on home rule units, and I would say it'll take a...a vote of...thirty-six votes, but you're the President. See you in court.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your...your...your objections will be noted. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I shared, frankly, the same concern as just expressed by Senator Lechowicz and, frankly, Senator, this bill is drawn differently than is 376. 376, in judgment, is preemptive as an amendment to the Municipal Code. This bill,

however, amends all those other Acts and merely provides that they recognize that the mayor has the power of appointment and they talk to the procedure that it has to be done within a hundred and eighty days. I would point out, however, to those of you who are disposed to vote for this to please don't. Please don't, because this is virtual if not actual legal preemption. We are dictating by virtue of the provisions of Senate Bill 236 to the City Council of the City of Chicago, and I am sure, as we have heard for the last week around here, we are mandating what locally elected officials can and can't and should or shouldn't do, and we just ought not do that. If we're going to be consistent, let's be consistent. This bill applies only to the City of Chicago and if we start mandating what the city council or what their procedures ought to be or should be, we can do that, I suggest, for literally every unit of government in every county in this State and we'll have a real mess on our hands. So, I would urge opposition to Senate Bill 236. I don't care if it's six months, six years, a year, two months, two days, whatever, it is their legislature, it is their rules, their procedures, and I dare say, that some would look askance if the Congress of the United States started to dictate to the Senate of Illinois what its rules ought to be, and it's the same principle and I urge an No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

I rise to urge a Yeah vote for Senate Bill 236. I...I'm very surprised that the President of the Senate decided not to support this legislation. I noticed we just passed another piece of legislation by Senator Savickas who dealt with mayoral appointments as well as gubernatorial appointments to the Metropolitan Fair and...Metropolitan Fair and Exposition Center. It talked about confirmation. If...if we

would look at our State Constitution as it relate to gubernatorial appointments in the Executive Branch, it says that those appointments are deemed confirmed if we, in the Senate, do not act on those within sixty Session days. There is no reason why any legislative body, be it this Senate or the City Council in the City of Chicago, should wait two years to act on any appointee, so it is not an infringement on home rule units. The powers of local units of government receive their powers from the State. They are creatures of the State of Illinois, so I urge a Yeah vote on 236 because we have the power to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I, too, rise in support of Senate Bill 236 and really hate that I have to arise to...that we are doing something like this or...or really forced to have to do this, but something has to be done. Now, while it may not...we may not...or should not infringe upon the rights of local units of government, at the same time we have a responsibility in this State is to make sure that no one deliberately disrupt any local unit of government from operating, and most certainly no local unit of government or group of people elected to run that government should have the right to obstruct and...and...and uphold the Chief Executive from carrying out his sworn duties. The other problem is that those bodies...taxing bodies such as the park district and the...and the board of education should not be legally...should not legally have the right to levy taxes and to spend taxpayers' dollars unless those boards are constituted and legal as set forth by this General Assembly, and if, in fact, vacancies are not filled on those boards and persons are still holding office whose terms has expired on

that board, then that is not a legal constituted body and, therefore, they should not be levying and spending taxpayers' dollars; and for that reason, this bill is here and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the final speaker, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator...Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I originally introduced this bill at the request of the City Club of Chicago, which is a nonpartisan club which dates back to the turn of the century. I might say, first of all, in regard to the preemption question raised by Senator Rock that we have on occasion in this Body preempted local governments and when we mandated collective bargaining, when we passed House Bill 1805 which was the RTA compromise and when we passed Senate Bill 1859, the DuPage Water Commission, and many of you who are now concerned about preempting home rule were on that vote with a Yes. This bill is supported by Crane Chicago Business who said city councils have a duty to review mayoral appointments as a check and a balance against a egregious nominations, but there really is a more important reason, I think, as a suburbanite why I stand in favor of this bill. I think that all governments in greater Chicago should be operating at full capacity, and for those of us in the RTA region, I would call your attention to the fact that just a few months ago, the RTA tried to pass a ten ticket discount and it couldn't do it because it was lacking one vote, and the chairman said then and he is saying now that the reason he lacked that one vote is because there were no

Chicago appointments sitting on that particular agency, and I have here a article from the Sun Times, just a couple of days ago, Chairman Skinner saying, "Unless city representatives are seated or the vote requirement for approval of all budget matters is lowered, there is a distinct possibility that the RTA Board will be unable to pass a budget this fall." I think that's probably the bottom line as far as this bill is concerned. This bill forces nothing on any city council across this State, and it applies to the entire State and to every city. What it says is that a city council has a duty to its people to hold hearings. That city council can then reject those appointments and send them back for another round of appointments just like we do here in Illinois State Government when the Governor sends us his appointments. I would also point out that the stalemate which we know exists in the City of Chicago right now and has impact on those regional governments which affect all of us, and I might add downstate as well because we have to fund these problems that come to us from the northeastern Illinois area, this stalemate has the potential to paralyze the city and it could become institutionalized. Once it becomes institutionalized, then it doesn't make any difference who's in power and who's out of power. This is something that could go on and on regardless of who happens to be the majority and the minority. I don't think we want that to happen. I think we want to apply a uniform standard like we've applied to ourselves. For that reason, I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, for what purpose do you arise?

SENATOR ROCK:

A point of order. Just to clear the record, this does not apply to any entity except the City of Chicago and a mayoral appointed by the mayor of that city. It's just not...simply not fair to say it applies everywhere in the

State. It does not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall Senate...Senate Bill 236 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 22, 12 voting Present. Senate Bill 236 having failed to receive the required constitutional majority is declared lost. 274, Senator DeAngelis. On the Order of Senate Bills 3rd Reading is Senate Bill 274, Mr. Secretary, read the bill.

END OF REEL

REEL #8

SECRETARY:

Senate Bill 274.

(Secretary reads title of bill).

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 274 requires that a property tax owner requesting a reduction in the assessed valuation of a hundred thousand dollars or more notify the taxing districts on his tax bill. The reason being is that represents a substantial reduction in many, many instances of the tax base of that particular unit of government, and quite frequently these units of government...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Kenny, did I...

SENATOR DeANGELIS:

...are unaware of what's going on and then find that once these changes have been made, they...suffer a severe revenue shortfall. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. We discussed this at some length awhile ago and the gentleman attempted to amend it to make it applicable only to the County of Cook. This...this, in my judgment, is not a good idea. It further confounds the paper work that abounds in the whole assessing process and literally serves the purpose only, I suppose, to afford the local taxing district the opportunity which they now enjoy,

by the way, to go in and say to Patrick Quinn and Company, don't do this, don't do this, and the fact is, he's not doing it today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Simply to ask for a roll call, but to...to assure the Body that we owe some obligation to our units of government, not to bankrupt them in their activities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 274 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 18, 6 voting Present. Senate Bill 274 having failed to receive the required constitutional majority is declared lost. Top of page 6, Senate Bill 282, Senator Poshard. On the...on the Order of Senate Bills 3rd Reading, Senate Bill 282. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 682...or 282.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill will create an option for local school boards throughout the State. Currently, the teacher retirement...system offers a health insurance program that's open to all the retired downstate teachers. The retired teacher contributes fifty percent to this cost and the teacher retirement system contributes the remaining fifty percent. This bill would allow school districts, if they wish, it's

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not mandated only, if they wish, to contribute the fifty percent premium cost for the retiring teacher. The teacher retirement system will contribute the same amount, fifty percent, toward the premium. I'd ask for a favorable vote on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 282 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 6, none voting Present. Senate Bill 282 having received the required constitutional majority is declared passed. 293, Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 293, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 293.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Than you, Mr. President. I think everyone in the Chamber knows what this bill does. We discussed it at length on 2nd reading and I'd be happy to answer any questions if there are any, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, not so much to ask a question, I suppose, but to cede because I assume this bill is going to go out of here. I just don't see how we can possibly make this bill any worse than it is by virtue of the amendment that has been amended

onto it. It was bad to begin with, now it's terrible. It is anti-senior citizen, it is anti-consumer, it is anti-free trade, it is probably everything that you can possibly do to a bill to just load it up in favor of one industry, to the problems that it...it creates for other people all the way across the board, right on down on to the little fellow who's old and just wants to look...down the road at his death and his funeral, and to have it done in...in the best and easiest possible way and his family involved. I cede on that front, possibly others would like to speak to it. We've done the best we can in our committee and it has just gone nowhere. Maybe I'm asking for sympathy and maybe I'm asking for that kind of a vote, but I think you ought to look very closely at this bill and what it does and whom it affects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'd just like to echo Senator Topinka's remarks. We....there was a lot of time and a lot of effort spent on this trying to reconcile the different views. We thought we had agreements and then we thought we had an agreement that the only thing that we would handle were those areas where we agreed on, but evidently we didn't even have that agreement, but I do recommend a No vote. I think this is a bad bill the way it's rigged right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close...whoop...I beg your pardon. Senator Marovitz...I beg your pardon. Senator Marovitz.

SENATOR MAROVITZ:

Question...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Senator D'Arco, does the language in the bill now permit a spouse, relative or an employee of a licensed funeral director to assist in making funeral...arrangements under...under the direction of a licensed funeral director?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, nothing in the bill would prohibit anyone working...a spouse, a son, an employee from working under the direction of a funeral director from engaging in any of the propositions you outlined. Nothing in the bill would prohibit that activity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So I just want to get the legislative intent clear in the law because there has been some questions. Then, you are saying that...that the bill would permit a spouse, relative or employee of a licensed funeral director to assist in making funeral arrangements under the...direction of that licensed funeral director. Correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Correct.

SENATOR D'ARCO:

All right...further discussion? D'Arco may...may close.

SENATOR D'ARCO:

Thank you, Mr. President. This bill is not anti-consumer. It is not anti-senior citizen. The...the funeral trade is regulated by the Federal Trade Commission, so it is not anti-trade, there's nothing wrong with this bill. It's a good bill, it protects the public, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 293 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 10, 2 voting Present. Senate Bill 293 having received the required constitutional majority is declared passed. 325, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 325, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 325.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides for the public...the Department of Public Health to conduct a public information campaign concerning acquired immune deficiency syndrome, commonly known as AIDS. It's an agreed...the department is doing it now, there...they want to do it. It's necessary, we've got to stop this awful disease and I would ask for a favorable...favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just rise in support of the legislation and ask leave of the Body to be added as a hyphenated principal cosponsor of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Leave granted? Leave is granted. So ordered. Further discussion? The question is, shall Senate Bill 325 pass. Those in favor will

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vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 2 voting Present. Senate Bill 325 having received the required constitutional majority is declared passed. Page 7, 368, Senator Joyce. 376, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 376, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 376.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 376 applies generally to municipalities throughout the State of Illinois and it...I'll get to your ruling in just a second, Senator Lechowicz, be quite. And what it provides is that the appointments of all officers and all persons who are required to be appointed by the mayor with the advice and consent of the city council, shall be deemed...

PRESIDING OFFICER: (SENATOR DEMUZIO)

..all right...Senator Lechowicz...Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. My point of order is, how many votes will...require for 376 to pass? It affects home rule units.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I will discuss it with my Parliamentarian and get back to you momentarily.

SENATOR LECHOWICZ:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

And it provides that whenever an appointment requires the advice and consent of the city council, it shall be deemed to be approved if the city council fails to act thereon within a hundred and eighty days after the appointment. It is, as you know, identical in purpose to the provision in the State Constitution which requires that appointments submitted by the Governor shall be deemed automatically approved if they are not acted on by the Illinois Senate within sixty Session days. It is precisely the same thing. Obviously, this grew out of the current problems in the City of Chicago, but I should point out that obviously it is not confined to the City of Chicago and there are a number of other communities that some of you have even mentioned to me where a mayor, a chief executive of a city has been tied up for some period of time by inability to get action on appointments to major boards, commissions, departments or whatever. So it does have an important impact beyond that. Now, if I might save a little bit of time, I will ask you for the same ruling that Senator Lechowicz is asking for. Your ruling is that it is preemptive and requires a three-fifths vote. It is...I fully concede in the shadow land area of...of three-fifths or majority preemption. I...I legally disagree with your ruling of three-fifths and I will file a dissent, but we don't need to argue about it anymore because that's going to be your ruling. Now, having said that, I would still hope that there would be some votes on Senate Bill 376. It really is a very important and basic principle as evidenced, I think, by the fact that we impose it upon ourselves with respect to gubernatorial appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, for the record since you brought it

up, under Article VII of the Illinois Constitution, Senate Bill 376 will require an affirmative vote of three-fifths of the Senators elected for passage by the Senate. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Not fifteen minutes ago, a similar proposal received 17 affirmative votes. I hope this one gets significantly less, because this is avowedly pre-emptive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch, do you wish to close? The question is, shall Senate Bill 376 pass. Those in favor vote Aye. Those opposed No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the...on that question, the Ayes are 18, the Nays are 28, 6 voting Present. 376 having failed to receive the required constitutional majority is declared lost. 382, Senator Kustra. Senate Bill...page 8, 9...page 10, skipping over to page 10...the middle of page 10 is Senate Bill 494, Senator Collins. All right. On the Order of Senate Bills 3rd Reading is Senate Bill 494, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 494.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 502, Senator Sangmeister. On the Order of Senate Bills 2nd...3rd Reading is Senate Bill 502, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 502.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I have worked with this bill with the Department of Aeronautics and I'm not saying that they are now happy with it, but I've got it restricted down to Will County and took out all of the references to political subdivisions that they didn't want in it. What...basically what the bill does is if Community A has a...a private airport and Community B wants to operate it, under the present law they can do that, which I don't think they should be able to without at least having permission of the community in which the airport is located. In other words, it's so broad in the State of Illinois that Carroll can run an airport in...in Joliet, and I just don't think that that's right; however, the Department of Aeronautics disagreed, so I restricted it down to my county for a personal problem. So it affects only Will County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the...Senator Nedza.

SENATOR NEDZA:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Nedza.

SENATOR NEDZA:

Senator Sangmeister, how does this affect the FAA regulations relating to using...you're talking specifically of an airport or are you talking about an LSD air controllers station or...you know, what are we talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, only about an airport.

PRESIDENT:

The question is, shall Senate Bill 502 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 502 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, top of page 11, 628. 709, Senator Lechowicz. 712, Senator Zito...744. I'll have to get back down there again. 726...766, I beg your pardon. On the Order of Senate Bills 3rd Reading is Senate Bill 766. Read the bill, Mr.Secretary.

SECRETARY:

Senate Bill 766.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Senate Bill 766, we had some discussion yesterday and it's designed to require those hospitals that designate portions of their hospitals to nursing care to have them fall within the auspices of the Nursing Home Care Reform Act of '79. I guess the intent of the legislation in light of the new emphasis on competition in the health care marketplace is to ensure that nursing home beds whether hospital based or in a traditional nursing home or free-standing nursing home setting are equal with regard to inspections, licensing, administration, quality of care and reimbursement. The situation that was raised, I think, by Senator Watson

yesterday is covered to a degree within the definitions of the Federal law. I'll try and answer any questions you have, and if I'm unable to, I'm sure that Senators Carroll and Dawson can.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I'd like to ask a question.

PRESIDENT:

Question of...sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

What is the definition of a...a swing-bed hospital?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I'm informed it's one that's less than fifty beds.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

And I understand that you're going to amend this? I...no. Is there any kind of an agreement that there's going to be an amendment put in this in the House that's going to say that a thirty-bed hospital will not have to comply with this...with a swing-beds of thirty beds...or thirty-bed hospital with swing beds will not have to comply? Is that an agreement you've made?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I'm perfectly willing to make such an agreement, but I think upon investigation, you're going to find out that this bill does not mess with those Federally designated swing

beds. That's what I meant by the definitions in Title 8 and 18 and 19 of the Federal Social Security Act cover that, the situation that obtains in your part of the State or the hospitals you're concerned about.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

You say that there...this does not affect a swing-bed hospital?...a hospital with swing beds. This...this particular piece of legislation will not affect, then, in...actuality a hospital of less than fifty beds?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

That's what I'm informed. Perhaps, Senator Carroll could expand upon that response.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Watson, the answer is yes, as I understand it, that unless they have dedicated these beds to be nursing beds only, swing beds are not so defined as nursing beds only. Swing beds by definition are both and therefore it does...this Act...the Nursing Home Act would not apply to a swing bed, they would still be under the Hospital Act.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I'm...I'm told that's not correct by the...the Hospital Association. So I don't how that's going to get worked out but I understand that they're...they feel they are going to have to come under compliance...okay.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, I...I do want to protest rather vigorously. This is an awfully poor way to conduct public policy. This bill is the product of somebody not wanting it in the first place and at the last minute three people have taken sponsorship of this bill. I think through the benevolence of Senator...Vadalabene they let that happen, but, you know, I had a bill, 624, that was quite controversial, I agreed to Table it in the light that perhaps we ought to look at it further through some other authority. I just think maybe we ought to do the same thing with this, except in this case, since it's not voluntarily Tabled, I think we ought to help it along by destroying it.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, Mr. President and members of the Senate. This bill was so bad yesterday that Senator Bloom took it out of the record and it's had one more day to get moldy, and I think we ought to kill it right now.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Sommer, the Big Four, you remember who...who they were, two of them are riding again. Here they go along taking poor Sam Vadalabene pushing him off, and for...people who do not know, the Big Four was Carroll, Sommer, Buzbee and Regner. All right. Now here you are back again, so now it's the Big Two riding and trying to rope in Dawson. So what...what I'm saying is this, they have...there's no reason this should be passed, and I'm asking everybody to vote No.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Just one minor comment 'cause there is a real problem. There is a high probability, I've heard it as a certainty and we're checking that, that if in fact we don't do this, if a hospital dedicates a portion of its property as nursing beds and so certifies, they would be under no regulation whatsoever. The point is that they should be and they would not be under the Hospital Act, because they have dedicated them as nursing beds, this would put them under the Nursing Act only for those beds where they've dedicated a whole area of the hospital, not every third bed or something like that but a whole section, whether it's a floor or a building, and they've dedicated it as nursing beds, the State, I believe, would want to regulate them and the only way they can do so is under the Nursing Home Reform Act. They would not be under the Hospital Act having been so designated. That's why I think this bill should be moved along and I would hope that it would be.

PRESIDENT:

Further discussion? Any further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Sponsor yield to a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

There are some indications that there are structural changes required in order to...to...to fit the requirements of nursing homes. Is that accurate, Senator?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

There may be, there may be. Hospitals are only now looking to get into the nursing home business.

PRESIDENT:

Further discussion? Further discussion? Senator Bloom may close.

SENATOR BLOOM:

Well, the hour is late. I remind Senator Hall that he is now one of the Big Four and I would also remind the Body that, believe me, I did not seek this bill. It was...it's like Rosemary's Baby, it was a gift from Sammy Vadalabene. I think the issue has been fairly well set out. Senator Watson, I said that, you know, as far as I'm concerned, I have no problem with throwing an amendment on in the House. I think that the point Senator Carroll makes is well-taken, and that is that we may very well see that dedicated beds going the other way. Roll call, please.

PRESIDENT:

The question is, does Senate Bill 766 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 7 Ayes, 42 Nays, none voting Present. Senate Bill 766 having failed to receive the required constitutional majority is declared lost. On the Order of Senate Bills 3rd Reading, Senate Bill 848. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 848.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I have a two-page summary which I'm not going to read. Just going to tell you that this is an administration bill, creates the Criminal History Record Information Act to

establish uniform Statewide policies for dissemination of criminal history information and try to ensure it's accuracy...hello...two amendments were added yesterday, I believe that they clarified whatever problems that were brought up...Senator Sangmeister went through them, approved of them and I hope that...I ask for your favorable consideration, and it's two minutes to six.

PRESIDENT:

Further discussion? Senator Sangmeister. The question is, shall Senate Bill 848 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, no Nays, none voting Present. Senate Bill 848 having received the required constitutional majority is declared passed. 868, Senator DeAngelis. 910, Senator Marovitz. On the Order of Senate Bills...3rd Reading, Senate Bill 910. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 910.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I would move to recommit Senate Bill 910 to the Committee on Financial Institutions.

PRESIDENT:

All in favor of the motion to recommit indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The bill is recommitted. 931, Senator Demuzio. 938, Senator Dawson. On the Order of Senate Bills 3rd Reading, Senate Bill 938. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 938.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 938 refers to complaints against facilities, shall be in writing and shall be investigated if no identical complaint has been checked out within the past sixty days which amends the Nursing Home Care Reform Act. There's been no opposition posted by the Department of Public Health on this and let's roll it...roll call.

PRESIDENT:

Question is, shall Senate Bill 938 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 938 having received the required constitutional majority is declared passed. 978, Senator Joyce. 989, Senator Kelly. 1000, Senator Collins. 1013, Senator Welch. 1031, Senator Friedland. 1031, on the Order of Senate Bills 3rd Reading, the middle of page 12, which is one bill from the end, is Senate Bill 1031. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1031.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. The synopsis is correct on Senate Bill 1031. It came out of committee 9 to nothing and

it has nothing to do with malpractice, urge a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1031 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are...52 Ayes, 1 Nay, none voting Present. Senate Bill 1031 having received the required constitutional majority is declared passed. 1062, Senator Rupp. Ladies and gentlemen, that brings us back to where we started at nine-thirty this morning. Any further business? Any member have anything they wish to bring before the Senate? Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 64.

(Secretary reads SJR 64)

PRESIDENT:

Senator Demuzio on Senate Joint Resolution 64 which calls for us to return to Springfield next Wednesday at the hour of noon. Senator Demuzio moves for the suspension of the rules and the immediate consideration of Senate Joint Resolution 64. Calls for us to return Wednesday, at noon, ladies and gentlemen, and don't forget...don't forget, Wednesday there will be about eighty roll calls on appropriation bills. So I'd suggest everybody make an effort to get here. Noon on Wednesday. There are committee meetings at ten o'clock in the morning on Wednesday, check the committee schedule. Three committees are meeting at ten o'clock in the morning. Session is at noon. Senator Demuzio has moved the...for the suspension of the rules and the immediate consideration of Senate Joint Resolution 64. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio moves the

adoption of Senate Joint Resolution 64. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Executive Appointments will not meet next Wednesday, will not meet. Thank you.

PRESIDENT:

All right. Only two committees will meet, if that. Judiciary Committee is going to meet...Senator Marovitz promises to be there at ten o'clock sharp. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

...thank you, Mr. President. You...we were instructed that if we were missed out on the vote, that we...at the close of the Session, we might be able to give it to you.

PRESIDENT:

Yes, ma'am.

SENATOR SMITH:

I'd like to be recorded for having voted Yes on Senate Bill 62.

PRESIDENT:

The record will so reflect your intent.

SENATOR SMITH:

Thank you.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 264, by Senator Davidson and all Senators, it's congratulatory.

265, by Senator Jeremiah Joyce, congratulatory.

266, by Senator Maitland and all Senators, congratulatory.

267, Senator DeAngelis, congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 268, by Senators Kelly and Lechowicz.

PRESIDENT:

Executive...all right. All right. The only remaining piece of business, the Resolutions Consent Calendar, Mr. Secretary, has any member filed any objection?

SECRETARY:

No objection have been filed, Mr. President.

PRESIDENT:

All right. Senator Hall moves that the Senate...resolutions on the Consent Calendar; namely, No. 245, 246, Senate Resolution 247, 248, 249, 250, 251, 252, 253, 254, 255, Senate Resolution 256, 259, 260, 261, 262, Senate Joint Resolution 62, Senate Joint Resolution 63, House Joint Resolution 51, 52 and 54, and Senate Resolutions 264, 265, 266 and 267 be adopted. All in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it. The Resolutions Consent Calendar has been adopted. Further business to come before the Senate? If not, Senator Schaffer moves that pursuant to the...I beg your pardon. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Excuse me, Mr. President, I would like the record to show that on Senate Bill 1160, I was on the telephone and I would like to see that recorded as a Nay for me...or I'd like to say that I would have voted Nay on that bill.

PRESIDENT:

The record...will reflect your intent to vote negative on 1160. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I...I told Senator Collins that she could be a cosponsor on Senate 99, a hyphenated cosponsor.

PRESIDENT:

All right. Senator Fawell seeks leave of the Body to reflect the fact that Senator Collins will be a hyphenated cosponsor on Senate Bill 99. Pursuant to the adjournment resolution and Senator Schaffer's demand, the Senate now stands adjourned until next Wednesday, May 29, at the hour of noon. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

May 29, 1985

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Rabbi Israil Zoberman, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal.

SECRETARY:

Tuesday, May the 14th; Wednesday, May the 15th and Thursday, May the 16th, in the year 1985.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, I move the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Friday, May 17th; Monday, May the 20th; Tuesday, May the 21st; Wednesday, May the 22nd; Thursday, May the 23rd and Friday, May the 24th, in the year 1985, be...postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by

saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of Committee on Assignment of Bills, assigns the following House bills to committee:

Agriculture, Conservation and Energy - 207, 300, 703 and 2036; Elections and Reapportionment - 217 and 437; Elementary and Secondary Education - 952, 1027, 1038, 1039, 1232, 1458, 1491, 1714, 2062, 2158, 2160, 2165, 2167, 2188, 2226 and 2232; Executive - ...578, 580, 760, 816, 1072, 1500, 1523, 1555, 1951, 1952, 1977, 2002 and 2182; Finance and Credit Regulations - 621 and 1148; Higher Education - 1034 and 2003; Insurance, Pensions and Licensed Activities - 800 and 2088; Judiciary I - 852, 1050, 1051 and 1053; Labor and Commerce - 791; Local Government - 1023 and 1467; Public Health, Welfare and Corrections - 636, 805 and 1535; Revenue - 1206; Transportation - 787.

PRESIDENT:

Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Thank you, Mr. President. I would ask leave to add as hyphenated cosponsors to House Bill 18, Senators Netsch, Senator Zito, Senator Marovitz and Senator Jerome Joyce.

PRESIDENT:

The gentleman seeks leave to add Senators Netsch, is that right?

SENATOR WELCH:

Zito, Marovitz and Jerome Joyce.

PRESIDENT:

All right. Netsch, Zito, Marovitz and Jerome Joyce, House Bill 18. Without objection, leave is granted. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit;

House Bills 49, 54, 68, 100, 132, 308, 334, 375, 431, 434, 450, 451, 481, 483, 486, 493, 522, 558, 574, 615, 692, 715, 782, 793, 838, 874, 882, 968, 1000, 1006, 1020, 1045, 1047, 1058, 1102, 1104, 1109, 1111, 1112, 1142, 1178, 1179, 1182, 1184, 1187,...1193, 1197, 1198, 1202, 1207, 1224, 1249, 1251, 1270, 1284, 1285, 1301, 1330, 1370, 1371, 1411, 1417, 1424, 1464, 1510, 1517, 1520, 1540, 1568, 1571, 1577, 1604, 1624, 1641, 1642, 1643, 1644, 1671, 1677, 1680, 1683, 1688, 1717, 1755, 1756, 1765, 1785, 1801, 1806, 1813, 1828, 1833, 1867, 1889, 1901, 1902, 1912, 1914, 1915, 1919, 1924, 1928, 1929, 1933, 1937, 1943, 1944, 1948, 1953, 1955, 1959, 1961, 1963, 1967, 1970, 1974, 1975,...2020, 2032, 2054, 2067, 2079, 2089, 2096, 2097, 2103, 2104, 2108, 2125, 2180, 2181, 2184, 2213, 2249, 2261, 2266, 2276, 2278, 2286, 2349, 2362, 2378, 2407, 2408, 2429, 2434, 2436, 2439, 2440, 2442, 2449, 2452, 2454, 2472, 2475, 2487, 2512, 2515, 2517, 2521 and 2525. Still House bills. 17, 60, 83, 94, 124, 164, 200, 202, 231, 255, 290, 298, 316, 341, 357, 374, 377, 385, 398, 463, 470, 474, 484, 510, 548, 561, 567, 568, 569, 570, 618, 623, 627, 631, 650, 685, 691, 694, 717, 720, 725, 777, 807, 831, 879, 888, 889, 890, 891, 892, 893, 894, 896, 897, 898, 910, 922, 950, 971, 1106, 1115, 1131, 1132, 1147, 1154, 1188, 1192, 1208, 1213, 1260, 1265, 1277, 1279, 1306, 1338, 1412, 1436, 1445, 1453, 1466, 1474, 1476, 1478, 1479, 1502,...1518, 1544, 1547, 1552, 1558, 1565, 1567, 1575, 1578, 1582, 1589, 1596, 1598, 1656, 1667, 1685, 1687, 1763, 1767, 1769, 1774, 1775, 1776, 1780, 1800, 1841, 1845, 1849, 1850, 1855, 1857, 1871, 1880, 1900, 1918, 1922, 1925, 1926, 1934, 1939, 1949, 1980, 2004, 2011, 2022, 2023, 2024, 2061, 2066, 2084, 2106, 2132, 2154, 2162, 2179, 2199, 2217, 2220, 2247, 2250, 2251,

2263, 2273, 2290, 2299, 2303, 2308, 2328, 2336, 2351, 2358, 2368, 2384, 2391, 2399, 2400, 2414, 2416, 2418, 2421, 2422, 2426, 2443, 2444, 2445, 2446, 2447, 2450, 2451, 2492 and 2499.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives have adopted the following joint resolutions, in the adoption of which I ask the concurrence of the Senate, to-wit:

House Joint Resolution 55 and 56 is commendatory, and House Joint Resolution 57 is congratulatory.

PRESIDENT:

Consent Calendar. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. With leave of the Senate, I would like to add to House Bill 815 Senator Arthur Berman as a cosponsor.

PRESIDENT:

All right. The gentleman seeks leave to show Senator Berman as a cosponsor of House Bill 815. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I'd like to request leave to be added as a hyphenated sponsor on House Bill 800. I've discussed this with Senator Marovitz...it meets with his approval.

PRESIDENT:

All right. Senator Kelly seeks leave to be added as a hyphenated cosponsor of House Bill 800. Without objection, leave is granted. If I can have your attention, there are two announcements, the Chicago Tribune, Mr. Greer who is their photographer and Mr. Egler is seeking leave to take

some still photographs so that in the next month your photograph can appear in the Tribune. Is...without objection, leave is granted. If I can also have your attention, Senators Macdonald and Senator Smith will be visiting with each of us for the Salvation Army. I would ask you to be as generous as possible, they are...tomorrow is Salvation Army Tag Day and so they will be visiting with you today and tomorrow, 'cause hopefully we'll get out of here early tomorrow. We'll begin where we left off. On the Order of Senate Bills 3rd Reading, as we left last week, we suspended the rules for the purpose of considering the appropriation bills by the close of business today. So if you'll turn to page 2 on the Calendar, we'll go to the Order of Senate Bills 3rd Reading. On the Order of Senate Bills 3rd Reading, Senate Bill 226. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 226.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is the annual appropriation for the Metropolitan Fair and Exposition Authority and I would appreciate its...your support.

PRESIDENT:

Any discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, just for the record, traditionally the monies appropriated from this portion of the cigarette tax have gone into the reconstruction of both McCormick Place and I believe Donnley Hall. This will be the first time that this is...money has been ticketed for Operations, that is, salaries and whatnot of the Exposition

Authority, and I'd like to enter that into the record. It's our intent at this point in time to...to not favor that unless there's statutory authority which at the present time does not exist.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall Senate Bill 226 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 22 Nays, 4 voting Present. Senate Bill 226 having failed to receive the required constitutional majority is declared lost. Top of page 3, on the Order of Senate Bills 3rd Reading, Senate Bill 306. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 306.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, in order to avoid the confusion from the last bill, perhaps, I'll read this little paragraph. "The Auditor General's...fiscal 1986 budget request of nine million five hundred and thirty-three thousand five hundred dollars has been reduced by forty-six thousand three hundred dollars to the amended level of nine million four hundred eighty-seven thousand two hundred," and I would ask for your support.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 306 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 306 having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, Senate Bill 308, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 308.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This is an appropriation for seventy-five thousand dollars from the Recreational Boating Fund for the Chain-o-lakes-Fox River Water Management Agency which was created by the people in that area by referendum. That agency will be primarily funded by boat fees but since it just got created, it does need some money to get it started. I should point out that some forty thousand recreational boaters use that chain and by the Department of Conservation's figures, that generates about 3.6 million dollars into that fund, and we are asking for seventy-five thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I presume, if the sponsor will yield, that this also is for Operations. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Yes, as a matter of fact, it is particularly needed

because since this agency will be funded by boat funds, they need to get some start-up money to get tags and get going. They'll be dead in the water without our help. I would respectfully remind everyone that the forty thousand boaters come from all parts of northern Illinois, a significant number from that fine city on the lake and...and the agency, I believe, has enjoyed a great deal of support from all parts of northern Illinois; and since we're asking for a seventy-five thousand dollar return from a fund we generate 3.6 million for...I understand what the Senator has in mind, I think I have the message rather clearly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I would just point out that probably those same boaters attend the annual boat show at McCormick Place,...which generates an inordinate amount of income for our State, and I would hope that Senate Bill 308 would meet with the same twenty-five vote fate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 308 pass. Those in favor vote Aye. Those opposed...Senator Schaffer, what purpose do you arise?

SENATOR SCHAFFER:

No, I am...Senator Rock, I don't know...I think I'm obviously...I have a...the...the best of timing here, I would only respectfully point out that I think the confusion on this side comes...rather major change in State policy using that fund amounting to serve a million dollars. I'd hate to see that particular discussion which we know will be ongoing and will eventually be resolved tied to this particular issue, and I would respectfully and sincerely request the two issues be separated...and a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 356 3rd Reading

The question is, shall Senate Bill 308...pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 15. Senate Bill 308 having failed to receive a constitutional majority is declared lost. Senate Bill 342, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 342.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. The Office of the Comptroller...this bill as introduced was twenty-nine million six hundred and sixty-four thousand twenty-nine...over twenty-nine million dollars of GRF, five hundred and ninety-two thousand of other. Excluding the State officer's salaries and other expenditures, the Comptroller's operating budget is fifteen million one hundred and thirty-three thousand. Senate Amendment No. 1 reduced two hundred and twenty-two thousand GRF, one percent from the adjusted operating budget, making it fourteen million nine hundred thousand as amended. I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 342 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting...1 voting Present. Senate Bill 342 having received the constitutional majority is declared passed. Senate Bill 356, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 356.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 356 is the FY '86...annual appropriation for the Board of Higher Education, appropriating thirty-nine million one hundred and ninety-one thousand six hundred dollars for Grants and Operations. I know of no objection. I seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 356 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 356 having received the constitutional majority is declared passed. Senate Bill 357, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 357.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill that appropriates funds for the ordinary and contingent expenses of the Illinois Community College Board and the Board of Trustees of East St. Louis Community College, and I move for its do passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 357 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. Senate Bill 357 having received the constitutional majority is declared passed. Senate Bill 358, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 358.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill appropriates a hundred and seventy million...dollars for the operations of the Board of Governor's Universities as amended by the Senate. I would hope for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 358 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 358 having received the constitutional majority is declared passed. Senate Bill 359, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 359.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This appropriates eighty-four million eight hundred and twenty-six thousand seven hundred dollars to the State Universities Retirement System. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 359 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 359 having received the constitutional majority is declared passed. Senate Bill 360, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 360.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this the annual appropriation of Board of Regents for hundred and eighty-two million nine hundred and one thousand two hundred dollars, move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 360 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 360 having received the constitutional majority is declared passed.

Senate Bill 361, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 361.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 361 appropriates two hundred and forty-one million nine hundred and three thousand six hundred dollars for the ordinary and contingent expenses of the State Scholarship Commission and also for certain grant...grants and guaranteed loans.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 361 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 361 having received the constitutional majority is declared passed. Senate Bill 362, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 362.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 362 appropriates five hundred and seven million five hundred and seventy-five thousand five hundred to the Board of Trustees of the Univer-

sity of Illinois for Fiscal Year '86. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 362 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 362 having received the constitutional majority is declared passed. Senate Bill 363, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 363.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This...363 appropriates seven hundred and seventy-two thousand eighty-eight dollars for the...to the State Universities Civil Service System. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 363 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 363 having received the constitutional majority is declared passed. Senate Bill 364, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 364.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 364 amended appropriates one hundred and ninety million sixty-six thousand three hundred dollars for Fiscal '86 Operations and Grants to Southern Illinois University, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 364 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present...1 voting Present. Senate Bill 364 having received the constitutional majority is declared passed. Senate Bill 383, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 383.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This is a bill which simply reappropriates funds for Fiscal Year '86 which have already been approved and appropriated of both the Legislature and the Governor on an earlier supplemental appropriation bill, House Bill 1370. I ask for your favorable vote and passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to request my friends on this side of the aisle not to confuse this bill with any other bill or any other issue which we may have previously voted on. This bill doesn't have anything to do with the Chain-o-lakes area and I hope we'll all support it, and this is for southern Illinois, that other bill was for northern Illinois. I think Senator Rock thought the Chain-o-lakes was located in Tazewell County, but I hope we'll all vote for this good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

A point of order. I know very well where the Chain-o-lakes is having visited many times with former Representative Murphy. The point in fact was that a game was being played, that appropriation to the Metropolitan Fair and Exposition Authority was exactly the same as was FY '85, exactly, to the nickel, for the same purposes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Poshard may close.

SENATOR POSHARD:

Just ask for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 383 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 383 having received the required constitutional majority is declared passed. 387, Senator Dawson. 403, Senator Carroll. On the Order of Senate Bills 3rd Reading is Senate Bill 403, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 403.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Court of Claims awards bill, some one million seven hundred fifty-two thousand for all those awards known to date. As you know, we amended it as current as possible so that all awards signed can in fact be paid as quickly as we're out of Session. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 403 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 6, 3 voting Present. Senate Bill 403 having received the required constitutional majority is declared passed. All right. With leave of the Body,...is there leave to return to Senate Bill 387...is leave granted? Leave is granted. On the Order of Senate Bills 3rd Reading is Senate Bill 387. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 387.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is appropriate two hundred thousand dollars to the Department of Public Health for Grants...for the Alzheimer's Disease Assistance Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate

Bill 387 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 387 having received the required constitutional majority is declared passed. 428, Senator Kustra. On the Order of...Senate Bills 3rd Reading is Senate Bill 428, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 428.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This now becomes the big band bill. It appropriates a total of a hundred and forty-two thousand six hundred and twenty-five dollars for Glenbrook South High School band to go to the Aloha Bowl. I'll read the rest of the high schools off, Belleville, Masterworks, Chorale, Danville High School, Lincoln-Way High School, Prospect High School and the Dixon High School Pom-Pom Squad. I would ask for its favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? If not, the question is, shall Senate Bill 428 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 5, 1 voting Present. Senate Bill 428 having received the required constitutional majority is declared passed. 449. On the Order of Senate Bills 3rd Reading is Senate Bill 449, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 449.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the FY '86 appropriation as recommended by the Governor in the amount of five hundred thousand dollars to the Prairie State Two Thousand Board. I know of no objection. I seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 449 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 449 having received the required constitutional majority is declared passed. 450, Senator Dudycz. Senate bills 3rd reading is Senate Bill 450, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 450.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 450 appropriates three million three hundred and seventy-nine thousand three hundred dollars to the Chicago...the Public School Teachers' Pension Retirement Fund of Chicago. I know of no objections. I ask for a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB's 452 + 453 3rd Reading

Any discussion? If not, the question is, shall Senate Bill 450 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 450 having received the required constitutional majority is declared passed. 451, Senator Sommer. On the Order of Senate Bills 3rd Reading is Senate Bill 451, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 451.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the appropriation for this agency is reduced by action in this Chamber by ten million nine hundred thousand dollars from its introduction level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 451 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. Senate Bill 451 having received the required constitutional majority is declared passed. 452, Senator Sommer. Senate bills 3rd reading is Senate Bill 452, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 452.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is for the Operations of the Capital Development Board. It's reduced three hundred and thirty-three thousand from the level at which it was introduced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 452 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 4, 3 voting Present. Senate Bill 452 having received the required constitutional majority is declared passed. 453, Senator Sommer. Senate bill 3rd reading is Senate Bill 453, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 453.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the new project list for this next fiscal year. It's oddly enough for the same level that it was introduced at.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 453 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 4, 1 voting Present. Senate Bill 453 having received the required con-

stitutional majority is declared passed. 454, Senator Sommer. Senate bills 3rd reading, Senate Bill 454, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 454.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the appropriation for the Office of Lieutenant Governor, it's reduced fifty-two thousand dollars from its introduction level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 454 pass. Those in favor will vote...Aye...opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 454 having received the required constitutional majority is declared passed. 455, Senator Sommer. On the Order of Senate Bills 3rd Reading is Senate Bill 455, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 455.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is reduced four hundred and fifty-seven thousand dollars from the level at which it was...was introduced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 455 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 3 voting Present. Senate Bill 455 having received the required constitutional majority is declared passed. 456, Senator Karpiel. On the Order of Senate Bills 3rd Reading is Senate Bill 456, Mr. Secretary.

SECRETARY:

Senate Bill 456.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Senate Bill 456 appropriates three hundred and sixty-six thousand two hundred dollars for the ordinary and contingent expenses of the Civil Service Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 456 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. Senate Bill 456 having received the required constitutional majority is declared passed. Top of page 5, 457, Senator Karpiel. On the Order of Senate Bills 3rd Reading is Senate Bill 457, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 457.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Senate Bill 457 appropriates three million seven hundred twenty-nine thousand two hundred dollars from the General Revenue Fund for the ordinary and contingent expenses of the Department of Labor for FY '86. With the committee amendment...there's a reduction...net reduction of four hundred eleven thousand three hundred dollars in GRF.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the...the question is, shall Senate Bill 457 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. Senate Bill 457 having received the required constitutional majority is declared passed. 458, Senator Karpiel. On the Order of Senate Bills 3rd Reading, Senate Bill 458, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 458.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, Senate Bill 458 appropriates two hundred and forty-one million five hundred sixty-six thousand four hundred dollars for the FY...'86 ordinary and contingent expenses of the Environmental Protection Agency. With the committee amendment we reduced that...the original amount by...over eight million dollars, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 458 pass. Those in favor vote Aye. Those opposed vote

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 458 having received the required constitutional majority is declared passed. 459, Senator Karpiel. Senate bills 3rd reading, Senate Bill 459, Mr. Secretary, please.

SECRETARY:

Senate Bill 459.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, Senate Bill 459 appropriates three hundred thousand dollars for the FY '86 ordinary and contingent expenses of the Environmental Protection Trust Fund Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 459...pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 459 having received the required constitutional majority is declared passed. Senator Keats, for what purpose do you arise? Senator Keats. Senate Bill 460, Senator Bloom. On the Order of Senate Bills 3rd Reading is Senate Bill 460, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 460.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. 460 appropriates five million six hundred and twenty-seven thousand five hundred dollars from the General Revenue Fund for the ordinary and contingent expenses of the Industrial Commission for FY '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 460 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 1 voting Present. Senate Bill 460 having received the required constitutional majority is declared passed. 461, Senator Bloom. Senate bills 3rd reading, Senate Bill 461, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 461.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. Senate Bill 461 appropriates five million six hundred and fourteen thousand six hundred dollars for the FY '86 ordinary and contingent expenses of the Court and Claims.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 461 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 11, 1 voting

Present. Senate Bill 461 having received the required constitutional majority is declared passed. 462, Senator Bloom. On the Order of Senate Bills 3rd Reading, Senate Bill 462, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 462.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Senate Bill 462 as amended appropriates six million seven hundred thousand dollars for the Operations and Grants of the Illinois Arts Council for this FY.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Keats.

SENATOR KEATS:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

We all know the bill is going to pass but just to gross us out, now it's 6.7 million this year, what was it last year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Roughly...I think it's roughly about...the same. I think it...no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Bloom.

SENATOR BLOOM:

Yes, thank you. It was around 6.2 million...six million two hundred and twenty-one thousand seven hundred last year.

It was introduced at 7.3 million, a one million dollar increase. The Appropriations Committee cut it back to 6.7 million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

What had been the percentage increases in the last four years, ninety-seven percent and what and what and what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Our analyses only go back to the prior fiscal year, but as you know, Senator Keats, it received a substantial increase in 1983.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall Senate Bill 462 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 8, 1 voting...1 absent. On that question, the Ayes are 47, the Nays are 8, 1...voting Present. Senate Bill 462 having received the required constitutional majority is declared passed. 463, Senator Weaver. Senate bills 3rd reading, Senate Bill 463, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 463.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 463 appropriates six million six hundred and nineteen thousand three hundred

dollars from the Bank and Trust Company Fund to the commissioner of banks for the FY '86 operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 463 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. Senate Bill 463 having received the required constitutional majority is declared passed. 464. On the Order of Senate Bills 3rd Reading is Senate Bill 464, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 464.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 464 appropriates ten million one hundred thousand nine hundred and fifty dollars for Department of Registration and Education. We had committee amendments that added to that a hundred and sixty-three thousand four hundred and fifty...didn't add to it but brought it to that total. I move...ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 464 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 3 voting Present. Senate Bill 464 having received the required constitutional majority is declared passed. 465. On the Order

of Senate Bills 3rd Reading, Senate Bill 465, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 465.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 465 appropriates...(machine cutoff)...seven hundred and sixty-four thousand one hundred dollars to the ordinary and...contingent expenses of the Office of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 465 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 465 having received the required constitutional majority is declared passed. 466, Senator Donahue. On the Order of Senate Bills 3rd Reading is Senate Bill 466, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 466.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senate Bill 466 appropriates twenty-three million four hundred and sixty-eight thousand six hundred dollars for the Department of Mines and Minerals, and the change is thirty-five thousand one hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 466 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 3 voting Present. Senate Bill 466 having received the required constitutional majority is declared passed. 467, Senator Donahue...Senate bills 3rd reading is Senate Bill 467, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 467.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senate Bill 467 appropriates a total of five hundred and seventy-nine million five hundred and eighteen thousand nine hundred dollars for the Department of Commerce and Community Affairs, and the change is six hundred and seventy-five thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 467 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 467 having received the required constitutional majority is declared passed. 468. Senate bills 3rd reading is Senate Bill 468, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 468.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. The...Senate Bill 468 appropriates forty-five million eight hundred and sixty thousand eight hundred dollars to the Department of Agriculture, and the change is thirty thousand three hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 468 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 2 voting Present. Senate Bill 468 having received the required constitutional majority is declared passed. 469, Senator Dudycz. Senate bills 3rd reading is Senate Bill 469, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 469.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 469 provides nine million four hundred and seventy-nine thousand six hundred dollars for the FY '86 ordinary and contingent expenses of the Criminal Justice Information Authority. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 469 pass. Those in favor will vote Aye. Those opposed

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 469 having received the required constitutional majority is declared passed. Top of page 6, 470, Senator Dudycz. Senate bills 3rd reading, Senate Bill 470, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 470.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 470 appropriates six million seventeen thousand seven hundred dollars for the ordinary and...(machine cutoff)...of the State Fire Marshal. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 470 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 470 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 471, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 471.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Senate Bill 471 reappropriates one billion nine hundred and ninety-four million seven hundred and twenty-seven thousand...seven hundred and twenty-seven thousand seven hundred and forty-nine dollars to the Department of Transportation for various operational and capital grant programs, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 471 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, 3 voting Present. Senate Bill 471 having received the required constitutional majority is declared passed. 472, Senator Coffey. On the Order of Senate Bills 3rd Reading is Senate Bill 472, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 472.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. Senate Bill 472 appropriates one billion eight hundred and ninety-three million two hundred and...thousand six hundred and fifty-nine dollars for the Department of Transportation, the ordinary and contingency expense for FY '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 472 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 52, the Nays are 1, 2 voting Present. Senate Bill 472 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 473, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 473.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 473 appropriates eleven million nine hundred and forty-six thousand seven hundred and eighty-five dollars for the ordinary and contingent expenses of the Department of Nuclear Safety for Fiscal Year '85.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 473 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 2, none voting Present. Senate Bill 473 having received the required constitutional majority is declared passed. 474. On the Order of Senate Bills 3rd Reading is Senate Bill 474, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 474 appropriates three million four hundred and eighty-one thousand four hundred dollars for the ordinary and contingent expenses of the Department of Financial Institutions for Fiscal Year 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 474 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 3 voting Present. Senate Bill 474 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 475, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 475.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 475 appropriates two million nine hundred and fifty-nine thousand eight hundred dollars for the ordinary and contingent expenses for the Bureau of the Budget for Fiscal Year 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 475 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, 4 voting Present. Senate Bill 475 having received the required constitutional majority is declared passed. 476, Senator Bloom. On the Order of Senate Bills 3rd Reading, Senate Bill 476,

Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 476.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you. Senate Bill 476 appropriates a total of 3.389 billion dollars for the ordinary and contingent expenses of the Department of Public Aid for FY '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 476 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 10, 5 voting Present. Senate Bill 476 having received the required constitutional majority is declared passed. 477, Senator Bloom. Senate bills 3rd reading, Senate Bill 477, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 477.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Senate Bill 477 appropriates 2.087 million for the ordinary and contingent expenses of the Health Care Cost Containment Council for FY '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 477 pass. Those in favor will vote Aye. Those opposed

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2 voting Present. Senate Bill 477 having received the required constitutional majority is declared passed. 478, Senator Kustra. On the Order of Senate Bills 3rd Reading, Senate Bill 478, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 478.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 478 appropriates fifty-nine million three hundred and sixty-one thousand six hundred and three dollars for the Fiscal Year 1986...Operations and Grants of the Department of Alcoholism and Substance Abuse. I ask for its consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 478 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 478 having received the required constitutional majority is declared passed. 479, Senator...Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 479. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 479.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Mr. President, there have been a number of us concerned about just how appropriately some social service agencies in Illinois have been treated in the bidding process for various contracts awarded here in this State. I, too, am concerned about that and I think for now the best thing to do is to pull this bill from the record until the department and those of us concerned can sit down and talk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. 480, Senator Watson. On the Order of Senate Bills 3rd Reading, Senate Bill 480, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 480.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 480 appropriates three hundred and eighty-nine million nine hundred and thirty-five thousand eight hundred dollars for the Department of Corrections. Committee action deleted or cut from the introduced level fourteen million five hundred and ninety-three thousand seven hundred dollars. Appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 480 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. Senate Bill 480 having

received the required constitutional majority is declared passed. 481, Senator Dudycz. Senate bills 3rd reading, Senate Bill 481, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 481.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 481 appropriates one hundred and thirty-one million eight hundred and nineteen thousand nine hundred fifty-nine dollars for the ordinary and contingent expenses for the Department of Law Enforcement. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 481 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 481 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 482. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 482.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This...Senate Bill 482 appropriates twenty-nine million five hundred thousand nine hun-

dred dollars for the expenses....expenses of the Department of Veterans' Affairs, and the change is less one million one hundred and thirteen thousand three hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 482 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 482 having received the required constitutional majority is declared passed. Page 7, top, 483, Senator Maitland. On the Order of Senate Bills 3rd Reading is Senate Bill 483, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 483.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senate Bill 483 appropriates two hundred and seven thousand three hundred dollars for the O and C...Governor's Purchase Care Review Board, represents a twenty-one hundred dollar decrease in the level of introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 483 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. Senate Bill 483 having received the required constitutional majority is declared passed. 496,

Senator Rock. On the Order of Senate Bills 3rd Reading is Senate Bill 496, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 496.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 496 is the FY '86 annual appropriation to the Office to the State Treasurer in the total amount of four hundred and eighty-one million eight hundred and seven thousand dollars. This represents, obviously, the amount that is needed for debt service to our State, 3.3 million six hundred thousand represents the operation of the office. I know of no objection and I seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 496 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 496 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 507, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 507.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This is a twenty-five million dollar appropriation from the Infrastructure Revolving Loan Fund to the Illinois Development Finance Authority for infrastructure matching loans pursuant to Senate Bill 172 that we passed out on the Agreed Bill List, and I appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Sommer.

SENATOR SOMMER:

...Mr. President and members, just to clarify that this is a...appropriation pursuant to a bill that passed, you say, Senate Bill 172? This is the appropriation that accompanies it? We're...we're confused because there was another bill also that lost dealing with this topic. They say, 374, which one is which?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yeah, Senator, the bill was amended. The original bill, 507, was defeated. We amended...or we changed...was held...we changed the bill, now it deals with Senate Bill 172 that we passed out of here under the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 507 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, 2 voting Present. Senate Bill 507 having received the required constitutional majority is declared passed. 528, Senator...on the Order of Senate Bills 3rd Reading is Senate Bill 528, Mr. Secretary, read the...read the bill.

SECRETARY:

Senate Bill 528.

SB552
3rd reading

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the FY '86 appropriation annually sponsored by Senator Philip and myself. The total amount for FY '86 is three hundred and nineteen thousand dollars. I know of no objection. I seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 528 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 2, none voting Present. Senate Bill 528 having received the required constitutional majority is declared passed. Senate bills 3rd reading, Senate Bill 552, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, ladies and Gentlemen of the Senate. This is the annual appropriation for the legislative service agencies in the total amount of nine million two hundred thousand dollars. I know of no objection. I seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate

Bill 552 pass. Those in favor...will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. Senate Bill 552 having received the required constitutional majority is declared passed. 695, Senator Joyce. Senate bills 3rd reading, Senate Bill 695, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 695.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the annual appropriation for the flooding along Soldier's Creek.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sommer.

SENATOR SOMMER:

...Senator Joyce is correct. It is indeed the annual appropriation for the same project, could have easily been put on in the DOT budget, but it'll be a nice vehicle if it gets over to the House. So, I have no objections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 695 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 7, none voting Present. Senate Bill 695 having received the required constitutional majority is declared passed. Page 8, 863, Senator Geo-Karis. Senate bills 3rd reading, Senate Bill 863, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 863.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bill 863 as amended deletes everything after the enacting clause and it...instead of increased funding allows funds from the Personal Services lines in the charge processing in compliance to business to be transferred to the Personal Services and Contractual Service lines in the General Office Division. This amounts to about seventy thousand...seventy to eighty thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 863 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 4, 2 voting Present. Senate Bill 863 having received the required constitutional majority is declared passed...1033, Senator Joyce. On the Order of Senate Bills 3rd Reading is Senate Bill 1033. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1033.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill appropriates money for the...the Department of Agriculture to use in the Illi-

nois Farm Legal Assistance Act. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1033 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 6, 3 voting Present. Senate Bill 1033 having received the required constitutional majority is declared passed. Is there leave to go to the Order of...of...of Motions? Leave is granted. On the Order of...of Motions, for a specific motions to specifically consider 226 and 308. Is that correct, Senator Carroll? Senator Carroll.

END OF REEL

REEL #2

SENATOR CARROLL:

I believe...Senator Sommer filed a motion on 226 and I have filed a similar motion on 308. I believe, Senator Sommer first on 226, if we can go to that order of business to move to reconsider the vote by which those two bills lost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on the Order of Motions, Mr. Secretary.

SECRETARY:

Having...having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 226 failed. Signed, Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sommer having voted on the prevailing

side moves to reconsider the vote by which Senate Bill 226 was defeated. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. On the Order...all right, Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. I inadvertently pushed my No button on 453 and I would like to be recorded as Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the...the record will so reflect. All right. The question is, on...the question is, shall Senate Bill 226 pass. Those in favor will...Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. On the appropriation bills, I was on the Floor doing my civic duty and I'd like to be recorded as voting Yes on Senate Bill 356.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so...electronic...record will so show. Senator Keats.

SENATOR KEATS:

I would just like to ask a question of the sponsor. Are we not back on that bill now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Keats.

SENATOR KEATS:

Those of us who were being loyal soldiers and voted No would like to ask a question to now figure out why we're supposed to vote Yes. Is this...there are two or three questions here, I'll ask the first one. This now will allow the McCormick Place Board to spend this money for personnel, right? Operations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas, will you give the loyal opposi-

tion...Senator Savickas.

SENATOR SAVICKAS:

Well, I'm...I don't know loyal opposition, I read in today's paper how Governor Thompson is supporting not only the expansion but the whole operation of McCormick Place. This is their annual budget. I'm sure that he could not support their operation without an annual budget and this is not the first time that the money has been used this way. This is the second time. For any more detailed explanation and more...just to put it more eloquently, Senator Carroll indicates that he has a personal interest in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Savickas, do you wish to yield to Senator Carroll? Senator Carroll yields...Senator Savickas...Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Yes, my...thank you, my personal interest is that I carried the spears the year we made the change and...advised Senator Sommer, which is why he so graciously made the motion because apparently the Digest on their side was in error, a few years ago, I don't remember if it was last year or the year before, we changed the manner in which we appropriate for the Metropolitan Fair and Exposition Authority. This is a statutory amount of 4.8 million, that was set back several years ago when McCormick Place was rebuilt, call it fifteen years ago, I don't recall exactly how long. After paying off part of that debt, only 1.7 was needed for continuing that service although the Statute still called for us to award them 4.8 as it does today. So, a few years ago we then publicly proclaimed that having only needed 1.7 for debt service, the Statute was changed to allow any surplus to be used for "corporate purposes." That would mean that this year, 3.1 million is being used for those other corporate purposes as has been done for the last couple of years and

having taken the questions and jaunt, the first time, that's why I recall the incidents so well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Your...Senator Keats, your time is about up. Senator Keats.

SENATOR KEATS:

Thanks, Vince. You mean now we have 3.1 million dollars to boondoggle and hire more precinct captains for Chicago...now we can get them off the city and county payroll and put them on the McCormick Place payroll. I don't remember when we okayed that to begin with, but we ought to be looking a little more careful. I mean, McCormick Place's national reputation is, let's merely say, poor, allowing this sort of thing...these changes. I mean, I wouldn't want to be partisan. I'm...I'm glad for the McCormick Place. I voted to expand it. I'm just wondering whether we aren't giving largess to a board who is noted for incompetence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Keats, I assume that's a rhetorical question. Further discussion? Senator Keats.

SENATOR KEATS:

...are we not giving more largess to a board that is questionable? I don't think Howard wants to answer that one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis' light is on. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, I didn't vote on it the first time it came up today 'cause I though it was for the World's Fair, but I...I think the bill is justified in spite of what my colleague says and I'm going to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, the questionable board, I may point out to Senator Keats if he doesn't know already, as a loyal Republican, that half of it is appointed by his leader, Governor Thompson, and I am sure that his loyalty for a questionable board can be answered with his Yes vote on this bill, and I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 226 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, 3 voting Present. Senate Bill 226 having received the required constitutional majority is declared passed. On the Order of Motions, Mr. Secretary, read the motion.

SECRETARY:

Having voted on the prevailing side, I move to reconsider the vote...by which Senate Bill 308 failed. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Carroll moves...having voted on the prevailing side to reconsider the vote on Senate Bill 308 and the manner in which it failed. Is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senate Bill 308. The question is, shall Senate Bill 308 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, 2 voting Present. Senate Bill 308 having received the required constitutional majority is declared passed. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Having checked with the principal sponsor, I'd ask leave to have my name added as a hyphenated principal cosponsor on Senate Bill 300...House Bill 300, House Bill 853, 856 and 857.

PRESIDING OFFICER: (SENATOR DEMUZIO)

As a hyphenated cosponsor? You've heard the request, is leave granted? Leave is granted. Senator Marovitz, you want to give the list to the Secretary. On the...on the Order of Motions...Senator Rock on the Floor? Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

If we're on that order of business, with respect to House Bill 1847, will you remove Senator Luft as the principal sponsor and substitute Senator Netsch?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll be delighted. Senator Netsch requests...that Senator Luft be removed as the sponsor of Senate Bill 1847 and that...Senator Netsch be added. Is leave granted? Leave is granted. It's so ordered. All right, is there leave to go to the Order of Resolutions? Well, wait a minute, Kenny. Resolutions.

SECRETARY:

I move that at 4:30 p.m. on May 29th, 1985, all Senate bills then residing on the...on the Orders of 2nd Reading, 3rd Reading and Consideration Postponed be recommitted to the Senate committees from which they were last reported or discharged. Signed, Senators Rock and Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the annual motion to send those bills that were not considered in a timely fashion back to the committees from whence they came so that the committees can further deliberate and so that we can reduce

our printing costs so we don't have to keep printing them every day. I don't know of anybody...any objection. I would move adoption of this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have a bill on postponed consideration, Senate Bill 195. I would like to move at this time to place it in a working subcommittee, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I think that is the...we are recommitting all the bills back to...back to their respective committees from which they came. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, how do I get it on...in a subcommittee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I would suggest that you...talk to the committee chairman.

SENATOR GEO-KARIS:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion of Senator Rock. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. Motion is adopted. Resolutions.

SECRETARY:

Senate Resolution 269 offered by Senator Maitland and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 270 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Resolution...Senator Resolution 271 offered by Senator Donahue and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we're going to continue on the Order of...of Resolutions. Page 19, Secretary's Desk, on the Order of Resolutions, there are several on that page. If the sponsors wish to have their resolution called, now is the...the time. Senate Resolution 40, Senator Kelly. Senate Resolution 45, Senator DeAngelis. All right, on the Order of Senate...Secretary's Desk Resolutions, Senate Resolution 45, Mr. Secretary. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 45 asks Congress and the President not to abolish the SBA. It does not preclude it from modifying it but simply recommends that in the interest of all the small business people in the State of Illinois that the SBA be retained.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? All right, if not, Senator DeAngelis moves the adoption of Senate Resolution 45. Those in favor signify by saying Aye...opposed Nay. The Ayes have it. Senate Resolution 45 is adopted. Senate Resolution 54, Senator Jeremiah Joyce. Senator Joyce on the Floor? 103, Senator Collins. Senate Resolution 103. Senate Resolution 104, Senator Vadalabene. On the Order of Secretary's Desk Resolutions is Senate Resolution 104, Mr. Secretary. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate Resolution 104 urges the President and Congress to pursue a strategic defense initiative in order to

promote peace and...and eliminate the threat of war and endorses a concept of mutual assured survival, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Vadalabene moves the adoption of Senate Resolution 104. Senator Hudson. All right. Senator Vadalabene moves the adoption of Senate Resolution 104. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 104 is adopted. House Joint Resolution 1, Senator Sangmeister. Mr. Secretary, House Joint Resolution 1, Senator Sangmeister. This is a...

SECRETARY:

No, we have an amendment on this that we should adopt. Amendment No. 1 offered by the Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Amendment No. 1 places the University of Illinois at Chicago Circle as the center for research in law and justice as directed to commence the evaluation of the intensive probation study program in lieu of the Criminal Justice Information Authority, and I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Senator...Sangmeister moves the adoption of Amendment No. 1 to Senate...Senate...House Joint Resolution 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

All right, the...the resolution does exactly as the Calendar says. It directs the Criminal Justice Information Authority to cease its evaluation of the intensive probation study program. They, in the end result, had no objection to that; however, they figured the court should not be supervising their own...or conducting their own probation studies, so they agreed that the University of Illinois at Chicago Circle should conduct the evaluation instead, and the resolution is in order to do that, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sangmeister moves the adoption of House Joint Resolution 1 as amended. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 1 is adopted. House Joint Resolution 4, Senator Coffey. House Joint Resolution No. 4, Mr. Secretary. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. House Joint Resolution 4...really what it does, urges the United States Corps of Engineers to update its study concerning the navigation of the Wabash River. In the past, there has been studies done. The studies that we're requesting at the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Coffey. Can we have some order, please. Senator Coffey.

SENATOR COFFEY:

...the studies that we're urging the corps to take upon is one that Indiana has already requested from the corps and they asked us to make the same type of resolution. There's no direct cost to the State of Illinois. It actually starts different than what the earlier studies...it starts about the Terre Haute, Indiana line across and goes...goes south...there's no...in this study we're not requesting side

channels or anything that was in it before, but we think it's a necessary project and we'd urge this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Coffey has moved the adoption of House Joint Resolution 4. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 4 is adopted. House Joint Resolution 16, Senator Vadalabene. I'm sorry, Senate Joint Resolution 16, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Joint Resolution 16 urges Congress to support on-the-job training programs for veterans.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...

SENATOR VADALABENE:

And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? If not, Senator Vadalabene has moved the...adoption of Senate Joint Resolution 16. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 16 is adopted. Senate Joint Resolution 23, Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Joint Resolution 23 urges the United States Congress to reestablish May 30th as the official Memorial Day holiday, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Vadalabene moves the adoption of Senate Joint Resolution 23. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 23 is adopted. Senate Joint Resolution 25, Senator Davidson...Mr. Secretary. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, just one moment. I think we have an amendment. Mr. Secretary, Senate Joint Resolution 25.

SECRETARY:

Amendment No. 1 offered by the Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I move the adoption of Amendment No. 1 which takes the word "plural" and makes is into a singular for the word "criterion."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Davidson has moved the adoption of Amendment No. 1 to...Senate Joint Resolution 25. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I urge the adoption of this resolution. This is...this one and two other resolutions were part of the package that did with the commission that you people authorized to study the improvement of elementary and secondary education and this is part of the package. I move for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? If not, Senator Davidson has moved the adoption of Senate Joint Resolution 25. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 25 is adopted. Senate Joint Resolution 26, Senator Etheredge. All right, I'm told

there's an amendment to be adopted...Mr. Secretary, Senate Joint Resolution 26.

SECRETARY:

Amendment No. 1 offered by the Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Etheredge to handle it.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move the adoption of this amendment. It's technical in nature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has moved the adoption of Amendment No. 1 to House...to Senate Joint Resolution 26. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge on...Senate Joint Resolution 26.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This resolution urges the State Board of...Education to take certain actions pursuant to the recommendations of the Commission on the Improvement of Elementary and Secondary Education. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Etheredge has moved the adoption of Senate Joint Resolution 26 as amended. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 26 is adopted. Senate Joint Resolution 27, Senator Newhouse. Senator Newhouse on the Floor? Senate Joint Resolution 27, Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this is a

commission resolution. Its purpose is to instruct the Board of Higher...of Education...the State Board of Higher Education and the Community College Board to evaluate the State's Educational Service Delivery Program and System, and I know of no objection. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Newhouse moves the adoption of Senate Joint Resolution 27. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 27 is adopted. Page 20, Senate Joint Resolution 31, Senator Darrow. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Joint Resolution 31 was introduced at the suggestion of Justice Ryan. What it does it creates a Judicial Advisory Committee composed of eight members of the Senate, eight members of the House. There's no expense involved, no...we would use our existing staff and they would meet with the Judiciary on at least an annual basis. I'd move for adoption of Senate Joint Resolution 31.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, Senator Darrow has moved the adoption of Senate Joint Resolution 31. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 31 is adopted. Further resolutions?

SECRETARY:

Nope...no further resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to House bills 1st reading. Is leave granted? Leave is granted. On the Order of House Bills 1st Reading, Mr. Secretary. Senator Coffey, for what purpose you arise?

SENATOR COFFEY:

Yes, for an announcement. I don't know if it's timely,

but I wanted to remind the members here that the IDOT, Department of Transportation, picnic is tonight at six o'clock out on Dirksen and wanted to make sure everyone has an opportunity to come out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 142, Senator Bloom.

(Secretary reads title of bill)

House Bill 152, Senator Sangmeister.

(Secretary reads title of bill)

401, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 419, Senator Carroll.

(Secretary reads title of bill)

House Bill 513, Senators Poshard and O'Daniel.

(Secretary reads title of bill)

House Bill 591, Senator Savickas.

(Secretary reads title of bill)

House Bill 707, Senator Weaver.

(Secretary reads title of bill)

House Bill 737, Senators Berman and Bloom.

(Secretary reads title of bill)

House Bill 740, Senator O'Daniel.

(Secretary reads title of bill)

House Bill 753, Senators Savickas and Nedza.

(Secretary reads title of bill)

House Bill 755, Senator Karpiel.

(Secretary reads title of bill)

House Bill 761, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 867, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 903, Senator Smith.

(Secretary reads title of bill)

House Bill 949.

(Secretary reads title of bill)

Senator Chew is the sponsor.

House Bill 982, Senator Savickas.

(Secretary reads title of bill)

House Bill 1010, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 1012, Senator Holmberg.

(Secretary reads title of bill)

House Bill 1033, Senator Degnan.

(Secretary reads title of bill)

House Bill 1044, Senator Lechowicz.

(Secretary reads title of bill)

1075, Senator Davidson.

(Secretary reads title of bill)

House Bill 1086, Senator Karpiel.

(Secretary reads title of bill)

House Bill 1090, Senator Luft.

(Secretary reads title of bill)

House Bill 1117, Senator Berman.

(Secretary reads title of bill)

House Bill 1127, by Senator Degnan.

(Secretary reads title of bill)

1313, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1317, by Senators O'Daniel and Poshard.

(Secretary reads title of bill)

1353, Senator Smith.

(Secretary reads title of bill)

House Bill 1373, Senator Jones.

(Secretary reads title of bill)

House Bill 1382, Senator Poshard.

(Secretary reads title of bill)

House Bill 1440, Senator Weaver.

(Secretary reads title of bill)

House Bill 1455, Senator Weaver.

(Secretary reads title of bill)

House Bill 1529, Senator Collins and Vadalabene.

(Secretary reads title of bill)

House Bill 1531.

(Secretary reads title of bill)

House Bill 1539, by Senator Demuzio.

(Secretary reads title of bill)

1496, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1545.

(Secretary reads title of bill)

Senator Smith is the sponsor.

House Bill 1556, Senator Keats.

(Secretary reads title of bill)

House Bill 1648, Senator Marovitz.

(Secretary reads title of bill)

2219, Senator Smith.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me,...Mr. Secretary. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, first of all, to give the Secretary a...a break and...and to...for this important announcement before all the Senators get away, the annual Senate Memorial Day Program will be held in the Senate Chambers tomorrow, on May 30th, at twelve o'clock. Please show our guests our appreciation by being in the seats at noon. We're going to have a real good program and you ought to all be here at twelve o'clock, noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson, while we're on that order of

business. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would like to remind all members of the Senate who wish to participate, tomorrow is the health screening panel that's being done by Pfeizer Laboratories to give you an opportunity to see the state of health that you're in. If you're going to participate in the entire screening and starting with the blood test in the morning, you will need a twelve-hour fast; in other words, don't eat or drink anything after you go to bed this evening and please don't go too bed to late in the evening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Well, while were on that order of business, I would like to mention that the annual House-Senate softball game is going to be Wednesday, June 19th, and next week we're going to have a couple of practices and possibly a practice game, so everybody come prepared. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills 1st reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2275, Senator Karpiel.

(Secretary reads title of bill)

2283, by Senator Welch.

(Secretary reads title of bill)

2311, Senator Welch.

(Secretary reads title of bill)

2352, Senator Darrow.

(Secretary reads title of bill)

2437, Senator Keats.

(Secretary reads title of bill)

2473, Senator Karpiel.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...resolutions.

SECRETARY:

The following resolutions are all congratulatory.

272, by Senator Lechowicz.

273,...274, 275, 276, 277, 278 and...are Senator Jones and they're congratulatory.

And 279, by Senator Macdonald and it's a death resolution.

And Senate Joint Resolution 65, by Senators...Jeremiah Joyce, Lechowicz, Degnan, Nedza, Savickas and all Senators, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 781 and 1814. And these bills were passed by the House May the 24th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come...come before the Senate? Senator Rock moves that the Senate stand adjourned until tomorrow, May 30th, at the hour of noon. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 30, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of twelve o'clock having arrived, the Senate will come to order. Members will be at their desks, our guests in the gallery will please rise. Our prayer today will be by the Reverend Danny O'Guinn of the Tabernacle Baptist Church, Decatur.

REVEREND O'GUINN:

(Prayer given by Reverend O'Guinn)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Friday, May the 17th, 1985; Monday, May the 20th, 1985 and Tuesday, May the 21st, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and...and approval of the Journals of Wednesday, May 22nd and Thursday, May 23rd and Friday, May 24th and Wednesday, May 29th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any objections? You've heard the motion, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion is adopted. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee, reports out the following resolutions:

Senate Resolution 121, 122, 133 and 257 recommend adoption.

Senate Joint Resolution No. 11 Constitutional Amendment...recommend adoption.

Senate Joint Resolutions 35, 48 and 61 recommend adoption.

House Joint Resolution 20 and 23 recommend adoption.

Senate Joint Resolution 47 recommend adoption as...recommend to adopt as amended.

House Joint Resolution 13 recommend to adopt as amended.

Senator Lemke, chairman of Judiciary I Committee, reports out House Bill 170 with the recommendation Do Pass.

Senator Berman, chairman of Elementary and Secondary Education, reports out the following House bills:

House Bill 50...with the recommendation Do Pass as Amended.

House Bill 51, 296, 348, 605, 815 and 990 with the recommendation Do Pass.

Senator Marovitz, chairman of Judiciary II Committee, reports out House Bills 36, 291, 332, 360, 456, 778, 880...832 and 975 with the recommendation Do Pass.

Senate Resolution...Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy, reports out the following House bills:

House Bill 81, 293, 468, 555, 582, 772 and 1175 with the recommendation Do Pass.

House Bill 337 with the recommendation Do Pass as Amended.

Senator Jerome Joyce, chairman of Agriculture, Conser-

vation and Energy Committee, reports out the following House bills:

81, 293,...on Jud. I's report it was House Bill 171.

Senator...Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

Agriculture - 1047, 1436, 1774, 1814, 1935, 1943, 1956, 1957, 2061, 2251, 2470, 2487; Appropriations I - 569; Elections and Reapportionment - 171, 1102, 1109, 1806, 1813, 2408 and 2475; Elementary and Secondary Education - 1086, 1117, 1373, 2219, 200, 685, 889, 891, 893, 1493, 1582, 1683, 2202 and 982; Executive Appointments - 1975; Executive - 142, 707, 761, 903, 1010, 1044, 1353, 1440, 1455, 1496, 1545, 2275, 2311, 2352, 408, 450, 467,...567, 568, 570, 692, 720, 777, 1045, 1058, 1285, 1301, 1518, 1687, 1555, 1926, 2213, 2273, 2421, 2434,...the following information on assignment of bills just...we will just delete.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, UPI has requested leave to take some pictures. Is leave granted? Hearing no objections, leave is granted. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Thank you, Mr. President. While we have some time, I would like to add Senator Topinka as a hyphenated chief sponsor of House Bill 1889.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Zito has requested to add Senator Topinka as a hyphenated cosponsor of House Bill 1889. Is leave granted? Leave is granted. 1889? Leave is granted. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, two points of personal privilege. One, it is very, very cold in here and if we could possibly maybe make it just a tad warmer, I worry for the gentlemen in here because they

might get cold; and second of all, I would like to introduce in the Speaker's Gallery there...a constituent of mine, Carol Martin from Western Springs who is the wife of Tom Martin who is the president of the Illinois Savings and Loan League, and being Bohemian, we all know how we feel about savings and loans, so I would like to have her stand up and be welcomed by the group to Springfield as she is representing him and the whole and savings and loan league.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guest will please rise. Welcome to Springfield. Senator Kelly, for what purpose do you arise?

SENATOR KELLY;

Thank you, Mr. President. I...I would like to get leave to be taken off as the principal sponsor on House Bill 2408 and Senator Macdonald, who's already on as the hyphenated sponsor, would become the principal sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly seeks leave of the Body to be...remove himself as a hyphenated cosponsor of 2408. Senator Macdonald will assume the principal sponsor. Leave granted? Leave is granted. It's so ordered. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to present to the Senate the lady who makes Forrest Etheredge our...one of our seatmates behave when he's back in Aurora. I'd like to present to the Senate, Mrs. Forrest Etheredge here in the Speaker's Gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Mrs. Etheredge, welcome to Springfield. Resolutions.

SECRETARY:

Senate Resolution...the following Senate...Resolutions are congratulatory unless otherwise stated.

Senate Resolution 280, by Senator Jones.

281, Senator Jones.

282, Senator Jones.

283, Senator Jones.

284, Senator Jones.

285, Senator Jones.

286, Senators Berman, Carroll, Rock and all Senators.

287, Senator Maitland.

288, Senator Maitland.

289, and it's Circuit Judge John J. Kaufman. It doesn't have a name on it.

Senator...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SECRETARY:

...Geo-Karis...290, Senator Geo-Karis.

291, Senator Dunn.

292, Senator Hall and Rock and all Senators.

293, Senators Hall, Rock and all Senators.

294, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

...295, Senator Demuzio and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Joint Resolution 66 offered by Senator Jones and all Senators, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, Senator Jones wishes

to...to discuss a death resolution...you want to put the number on the board, Mr...Senate Joint Resolution 66, Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I move to suspend the appropriate rules for...immediate consideration of Senate Joint Resolution 66.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jones has moved to suspend the...the rules for the immediate...consideration and adoption of Senate Joint Resolution 66 which is, in fact, a death resolution. Is there any objections? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Jones now moves the adoption of Senate Joint Resolution 66. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Joint...Resolution 66 is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, I would like to add my name as a hyphenated cosponsor to House Bill 430 and I've obtained the permission of the sponsor the...the Senate sponsor, Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis wishes to be added as a hyphenated sponsor of House Bill 430. 430? Is leave granted? Leave is granted. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like leave to add Senator Friedland as a hyphenated sponsor on House Bill 715.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones seeks leave of the Body to add Senator Friedland to House bill...Senate...House Bill 715. Is leave

granted as a hyphenated cosponsor? Leave is granted. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Thank you, Mr. President. I'd like to be added as hyphenated cosponsor to the following bills, House Bill 374, 398, 561 and 1849.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Degnan seeks leave of the Body to be added as a hyphenated cosponsor of House Bills 374, 398, 561, 1849. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it...or leave is granted. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

...House Bills 143, 342, 362, 418, 526, 529, 530, 583, 641, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672 and 673.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave of the Body to be listed as a cosponsor on Senate Bill 318, 319, 320, 521 and 602.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz, is it a hyphenated cosponsor or just cosponsor?

SENATOR LECHOWICZ:

Cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if you'll just give us a list we'll...we'll take

care of it. It's House Bill 318, 319, 320, 521, 602?

SENATOR LECHOWICZ:

That is correct, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...leave is granted. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Thank you, Mr. President. I'd like to be added as a hyphenated cosponsor, with leave of the Body, to House Bills 164, 166 and 1306.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dudycz seeks leave of the Body to be added as a hyphenated cosponsor of House Bills 164, 166 and 1306. Is leave granted? Leave is granted. It's so ordered. 1306. Senator...resolutions.

SECRETARY:

Senate Resolution 296, by Senator DeAngelis. It's congratulatory.

Senate Resolution 297, by Senator Topinka and all Senators, and it's congratulatory.

Senate Resolution 298, by Senator Topinka and Degnan, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR HALL:

Mr. President and Ladies and Gentlemen of the Senate, we're, indeed, honored today to be visited by the group known as the Master Works Choral Group from Belleville, Illinois, and we have present with Doctor Dennis Sparges, the music

director; the president, Mr. David Forney and the vice-president, Mr. Stephen J. Bloomer. They're in the President's Gallery and I'd like for them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized by the Senate. Welcome to Springfield. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave to waive the Six-day Posting Requirement so that the Committee on Elementary and Secondary Education can post today for a meeting to be held at 2:00 p.m. next Tuesday, June 4th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved to suspend the posting requirements...suspend the appropriate rule...the posting requirement so that...what was the bill? All the bills...

SENATOR BERMAN:

All bills to be heard next Tuesday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all bills to be heard in the Elementary and Secondary Education, to waive the posting notice. Is leave granted? Leave is granted. It's so ordered. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I would like...with permission of the sponsor, I have leave to be included as a hyphenated cosponsor on Senate Bill 892.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 892? House Bill 892. Those...those...any objections? It's so ordered. The Senate will please come to order. I'd like to have the...Senators will take their seats. All unauthorized indi-

viduals would please vacate the Floor. Instruct the Sergeant-at-arms to have the doors closed when we are...about to begin. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I believe there's a choir coming. They're not here yet.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

There is the space upstairs that's been reserved for the choir. Are they here? Is that the choir? Oh, they're...they're going to be up there. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If the Senators will be in their seats. (Machine cut-off)...Sergeant-at-arms will close the doors. He may let the Senators who are on the outside come in. We will now proceed with the Annual Memorial Day Program and the chair would like to recognize Senator Sam Vadalabene, chairman of the Senate Majority Caucus and vice-chairman of the Senate Veterans' Affairs Committee, for the MC. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate and guests in the gallery. We are proud to assemble today for our Annual Memorial Day Program. Memorial Day is a most sacred national holiday in our United States of America, and it is a day when we honor our departed servicemen and servicewomen, and it is a day we also honor our living servicemen and servicewomen. Please join together in this program of reverence and respect for both the living and for the dead. Now have the introduction of our guests, the Honorable Thomas R. Jones, assistant director of the Department of Veteran Affairs; Brigadier General Richard Eslinger, Air National Guard, Assistant Adjutant General for the Air; Brigadier General William Doris, Army National Guard, Assistant Adjutant General for the Army; Captain Roman Martin,

U.S. Naval Reserve, Naval Advisor to the Adjutant General; Colonel Carl O. Johnson, Jr., Army National Guard, Public Affairs Officer of the Illinois National Guard; Pharmacist Master Chief, John A. De Fiore, U. S. Navy, Commander of the Master Chief Commander of the Naval Training Center of Great Lakes; Lieutenant V. P. De Kime, U. S. Navy, Flag Lieutenant Commander of the Naval Training Center of Great Lakes; Captain...Norman C. Lord, U. S. Navy, Commanding Officer of Recruit Training Command, Great Lakes; Commodore Thomas R. M. Emery, U. S. Navy Commander...United State Naval Training Center, Great Lakes; Captain B. Angus Mac Donald, U. S. Navy Commander, Navy Recruit Area Five, Great Lakes; Lieutenant Lisa...McMangle, Army National Guard, Editor of the Illinois National Guard Chronicle and Sergeant James Holmes, Army National Guard, Equal Opportunity Specialists, Illinois National Guard. Let's give our honored guests a rounding, admirable, applause. We will open our program with the Presentation of the Colors, the Pledge of Allegiance and the opening prayer, so would you please stand. Color Guard, present the Colors, hand salute. (Machine cutoff)...two. I now recognize Senator William Mahar who will lead us together the Pledge of Allegiance to the Flag of the United Statesof America. Senator Mahar.

SENATOR MAHAR:

(Senator Mahar leads Pledge of Allegiance)

SENATOR VADALABENE:

The opening prayer now will be given by Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

(Prayer given by Senator Davidson)

SENATOR VADALABENE:

For some unknown reason, the choir of the Pleasant Plains Grove Baptist Church has not arrived as yet, so we will continue with the program. Please be seated. General John A.

Logan a native of Murphysboro, Jackson County, Illinois, was a Major General in the Civil War. He was three times Commander in Chief of the Grand Army of the Republic as well as a United States Senator and a member of the House of Representatives in Illinois. Senator Judy Topinka will now read General Logan's Order for the First Memorial Day issued on May 5th, 1968. Senator Topinka.

SENATOR TOPINKA:

(Senator Topinka reads General Logan's Order for the First Memorial Day)

SENATOR VADALABENE:

Senator Beverly Fawell will read "A Star in God's Window," which was written by Reverend Eugene M. Denner, Almoner National, Forty and Eight. Senator Fawell. A star is born.

SENATOR FAWELL:

(Senator Fawell reads "A Star in God's Window")

SENATOR VADALABENE:

At this time I would like to recognize in the President's Gallery...there are veterans in the gallery and would they stand and be recognized. It is only fitting that a song that has always been a favorite to be played on Memorial Day, the "Battle Hymn of the Republic," which will be played by Steve Hall, the bugler of the Hundred and Fourteenth Reactivated Volunteers. Steve Hall.

STEVE HALL:

(Steve Hall plays the "Battle Hymn of the Republic")

SENATOR VADALABENE:

William J. Aker is a ninety-four year old self-taught poet. He was born and raised on a farm in Waterloo, Illinois. Aker saw service in the Army first in a Quartermaster Corps in Texas in the Border Patrol under General John J. Pershing in 1916 and in 1917 and later in World War I as a

Warrant Officer in France, and while a patient at the Geriatric Administration Medical Center in Los Angeles, the nurses discovered his talent after he dedicated a poem to them. And when he was asked by the Veterans' Administration to write a commemorative poem for veterans everywhere on Memorial Day, Aker said he had just the thing. And after flipping through a well-thumbed black scrapbook on his poetry, he retrieved and updated a poem he had written in 1941 called "Memorial Day." This poem composed by a Navy son of Illinois, William J. Aker, will be presented by Senator Margaret Smith. Senator Smith.

SENATOR SMITH:

(Senator Smith reads "Memorial Day")

SENATOR VADALABENE:

Senator Greg Zito will present a statement on Memorial Day. Senator Zito.

SENATOR ZITO:

Thank you, Senator. (Senator Zito reads "Why Memorial Day.")

SENATOR VADALABENE:

It is traditional that the poem "In Flander's Field" be recited on Memorial Day. Senator Richard F. Kelly will present the poem. Senator Kelly.

SENATOR KELLY:

(Senator Kelly reads "In Flander's Field")

SENATOR VADALABENE:

Senator Adeline Geo-Karis who served as a Lieutenant Commander at the U. S. Naval Training Station, Great Lakes, Illinois, during World War II, will introduce our guest speaker. Senator Geo-Karis.

SENATOR GEO-KARIS:

Chairman Vadalabene, distinguished guests, it's a real pleasure for me to introduce my constituent, Commodore Thomas R. M. Emery, Great Lakes who will be our guest speaker.

Commodore Emery has served valiantly for our country. He's the son of Grace Merrill Emery and the late Captain George C. Emery of the U. S. Navy, so he has followed the tradition of the Navy through his family. He was graduated from the United States Naval Academy and commissioned Ensign in 1955. He was selected as Commodore in February 1983. His assignments at sea have been many. He's been...had duty on the USS Cotten, the US Lorain County, USS Richard E. Byrd, USS Sampson and he served as Commander of Operations Seafloat in lower Ca Mau Peninsula, as Chief Staff Officer for Commander Surveillance Force, Cam Rahn Bay and as Chief of Staff for Battle Force Sixth Fleet. He commanded the...both the USS Coontz and the USS Hartley. He's also had many assignments at Fleet and Anti-Submarine Warfare School. He's probably one of the most articulate, one of the most well-trained Naval officers in the history of the Navy of the United States. He continued his studies in engineering at the U. S. Naval Postgraduate School in Monterey, California, earning a degree in Electrical Engineering, and he also holds a Master of Science degree in International Affairs from George Washington University. In addition, he is a graduate of both the U. S. Naval War College and the Industrial College of the Armed Forces. He assumed duties as Commander Naval Training Center, Great Lakes, on 21st of July, 1983. Among his personal decorations are the Silver Star, one of the highest orders; the Legion of Merit with Combat "V" and gold star in lieu of a second award; the Bronze Star with Combat "V", five in other words; the...Meritorious Service Medal, three Air Medals; the Combat Action Ribbon; and the...Vietnam...Vietnamese Cross of Gallantry. He is married to the former Gale Valentine of Marblehead, Massachusetts, and has three children. I know Commodore Emery as an individual who is a very community minded citizen as well as a competent naval officer. My only regret is that he is being

transferred, to better duty probably, in July of this year and we're going to miss him. It is my pleasure and, believe me, a distinct honor to introduce a citizen and man, a naval officer I deeply respect because he is a naval officer in the highest traditions of the United States Navy of America, Commodore Thomas R. Emery who will give the keynote address today.

COMMODORE THOMAS R. M. EMERY:

(Remarks given by Commodore Emery)

SENATOR VADALABENE:

Thank you, very much, Commodore Emery. We appreciate very much your honoring us today and our guest speaker...as our guest speaker and sharing with us those wonderful words, and we are proud of your leadership as the Commander of the United States Naval Training Center at Great Lakes, Illinois. We will now be entertained by Mrs. Frances Jones and members of the choir of the Pleasant Grove Baptist Church of Springfield, Illinois for some...some number that's she's going to sing throughout the program. The choir. You're on, Mrs. Jones.

PLEASANT GROVE BAPTIST CHURCH CHOIR:

(Pleasant Grove Choir sings "God Bless America" and another number)

SENATOR VADALABENE:

Mrs. Jones, on the program, we have that you have one more number. Are you finished?

PLEASANT GROVE BAPTIST CHURCH CHOIR:

(Pleasant Grove Choir sings "America the Beautiful.")

SENATOR VADALABENE:

We will now close our Annual Memorial Day Program. The Senators and guests in the gallery will please rise and remain standing for the closing ceremony. The combined Armed Force Color Guard will present the Colors. Present the

Colors. The closing prayer will be given by Senator Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

SENATOR VADALABENE:

Our bugler will now blow "Taps." Hand salute.

BUGLER STEVE HALL:

(Steve Hall plays "Taps")

SENATOR VADALABENE:

Color Guard, retire the Colors. I would like at this time, since we're about to close the program, let's give Senator Bob Mitchler a hand...a round of applause for coordinating this program. Good job, Bob. Thank you, Senators and guests, for participating in this Annual Memorial Day Program. Thank you, President Rock, for authorizing this Memorial Day Program and a special thanks to you, Mrs. Frances Jones and members of the choir of the Pleasant Grove Baptist Church of Springfield. Your beautiful music and songs added so much to this program. And thank you to our Illinois veterans' who have been seated in the President's Gallery and a final thank you to our special guest. This concludes our Annual Memorial Day Program. The Senate will be in Recess for five minutes permitting our guests to retire, and the Sergeant-at-arms will open the doors to the Senate Chambers. And thank you, again, and God bless all of you. The Senate will come to order and we're going to go to page 2 on your Calendar on House bills 1st reading. Mr. Secretary.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

House Bill 17, Senators Lechowicz and Degnan.

(Secretary reads title of bill)

34, Senator Savickas.

(Secretary reads title of bill)

66, Senator Watson.

(Secretary reads title of bill)

83...

PRESIDING OFFICER: (SENATOR VADALABENE)

Mr. Secretary...yes, Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members. A...a matter of personal privilege. I'd like to introduce a group up in the gallery behind me. I'd like for a group of young people to stand up, who are in the front row, if they would just for a minute. The DuQuoin Junior High School Band. This band is a group of students who have gone to Nashville, Tennessee, to the University of Tennessee and won the national championship for a jazz...band concert...contest, and they're led by their director, Jeff Cox. And they and the members of their family are in the gallery behind me, and I'd like for the Senators that are left to give them a welcome, if they'd stand please.

PRESIDING OFFICER: (SENATOR VADALABENE)

Welcome to the Senate, our guests in the gallery. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. There's been a...some discussion relevant to what the remainder of the schedule will be for today. It is our intention to go to House bills 1st readings, and I understand that there are several House bills on 1st reading. When we are finished with that, I think

there's a couple Messages from the House, other resolutions and housekeeping matters and then we will conclude our business after House bills on 1st readings and the other housekeeping matters and the Senate will...adjourn and come back noon on Monday, June the 3rd, this coming Monday. So for the purposes of letting you know what the schedule is today, that's...that's it. Thank you.

PRESIDING OFFICER: (SENATOR VADALABENE)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask leave of the Body to be shown as a hyphenated cosponsor of House Bill 615 with Senator Maitland. I've discussed it with the sponsor.

PRESIDING OFFICER: (SENATOR VADALABENE)

The record will so reflect, Senator Barkhausen. Senate...Senator Keats.

SENATOR KEATS:

I have spoken with Senator Luft and...and he has asked that I join him as a joint hyphenated cosponsor of House Bill 2384.

PRESIDING OFFICER: (SENATOR VADALABENE)

Is leave granted? Leave is granted.

SENATOR KEATS:

Thank you.

PRESIDING OFFICER: (SENATOR VADALABENE)

Proceed, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 49, Senator Hall.

(Secretary reads title of bill)

ACTING SECRETARY: (MR. FERNANDES)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave to be added as a hyphenated cosponsor...principal sponsor with Senator

Barkhausen on House Bill 1902.

PRESIDING OFFICER: (SENATOR VADALABENE)

Is leave granted? Leave is granted. Proceed, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 83, Senator Schaffer.

(Secretary reads title of bill)

House Bill 94, Senator Marovitz.

(Secretary reads title of bill)

132, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 164, J. E. Joyce.

(Secretary reads title of bill)

200, Senator Degnan.

(Secretary reads title of bill)

House Bill 247, Watson.

(Secretary reads title of bill)

House Bill 308, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 316, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 334, Senator Mahar.

(Secretary reads title of bill)

House Bill 341, Senator Netsch.

(Secretary reads title of bill)

House Bill 357, Senators Topinka and Jones.

(Secretary reads title of bill)

House Bill 374, Senator J. E. Joyce.

(Secretary reads title of bill)

House Bill 398, Senator J. E. Joyce.

(Secretary reads title of bill)

House Bill 48, Senator Philip.

(Secretary reads title of bill)

House Bill 447, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 450, Senator Donahue.

(Secretary reads title of bill)

House Bill 467, Senator Sangmeister.

(Secretary reads title of bill)

House Bill 470.

(Secretary reads title of bill)

House Bill 474, by Senator Berman.

(Secretary reads title of bill)

House Bill 486, Senator Dunn.

(Secretary reads title of bill)

House Bill 522, Senator Lemke.

(Secretary reads title of bill)

House Bill 561, by J. E. Joyce.

(Secretary reads title of bill)

House Bill 567, Senator Philip-Rock.

(Secretary reads title of bill)

House Bill 568, by Senator Philip-Rock.

(Secretary reads title of bill)

House Bill 569, Senators Philip-Rock.

(Secretary reads title of bill)

House Bill 570, by the same sponsors.

(Secretary reads title of bill)

House Bill...House Bill 574.

(Secretary reads title of bill)

Senator Netsch is the Senate sponsor.

House Bill...615, Senator Maitland.

(Secretary reads title of bill)

618, Sangmeister.

(Secretary reads title of bill)

623, Senator Vadalabene.

(Secretary reads title of bill)

650, Senator Barkhausen and Vadalabene.

(Secretary reads title of bill)

692, by Senator DeAngelis-Nedza.

(Secretary reads title of bill)

694, Senator Degnan.

(Secretary reads title of bill)

715, Senator Jones-Zito.

(Secretary reads title of bill)

720, Senator Rock-Philip.

(Secretary reads title of bill)

751, Senator Lemke.

(Secretary reads title of bill)

777, Senator Sangmeister, Bloom and Carroll.

(Secretary reads title of bill)

House Bill 782, Senator Collins.

(Secretary reads title of bill)

799, Senator Darrow.

(Secretary reads title of bill)

879, Senator Degnan.

(Secretary reads title of bill)

888, Senators Rock and Berman.

(Secretary reads title of bill)

889, Senators Rock and Berman.

(Secretary reads title of bill)

890, Senator Rock and Berman.

(Secretary reads title of bill)

891, Senators Rock and Berman.

(Secretary reads title of bill)

892, Senators Rock and Berman.

(Secretary reads title of bill)

893, by Senators Rock and Berman.

(Secretary reads title of bill)

894, Senators Rock and Berman.

(Secretary reads title of bill)

896, Senators Rock and Berman.

(Secretary reads title of bill)

897, Senators Rock and Berman.

(Secretary reads title of bill)

898, Senators Rock and Berman.

(Secretary reads title of bill)

907, Senator Schaffer.

(Secretary reads title of bill)

House Bill 922, Senator Holmberg.

(Secretary reads title of bill)

House Bill 968, Senators Nedza and Watson.

(Secretary reads title of bill)

House Bill 1000, Senator Geo-Karis.

(Secretary reads title of bill)

1045, Senator Lechowicz.

(Secretary reads title of bill)

1047, Senator Bloom.

(Secretary reads title of bill)

1058, Senator Lechowicz.

(Secretary reads title of bill)

1083, Senator Jones.

(Secretary reads title of bill)

House Bill 1102, Senator Lemke.

(Secretary reads title of bill)

House Bill 1109, by Senator J. J. Joyce.

(Secretary reads title of bill)

House Bill 1112, by Senator Berman.

(Secretary reads title of bill)

House Bill 1115, by Senators DeAngelis and Demuzio.

(Secretary reads title of bill)

House Bill 685, Senator Carroll.

(Secretary reads title of bill)

House Bill 1126, Senator Keats.

(Secretary reads title of bill)

House Bill 1147, Senator Schaffer.

(Secretary reads title of bill)

1165, Senator Weaver.

(Secretary reads title of bill)

1166, Senator Schaffer.

(Secretary reads title of bill)

House Bill 1177, Senator Zito.

(Secretary reads title of bill)

House Bill 1178, Senator Friedland.

(Secretary reads title of bill)

House Bill 1188, Senator Berman.

(Secretary reads title of bill)

House Bill 1192, Senator Etheredge.

(Secretary reads title of bill)

1198, Senator Sangmeister.

(Secretary reads title of bill)

1208, Senator Weaver.

(Secretary reads title of bill)

1213, Senator Marovitz.

(Secretary reads title of bill)

1262, Senator Marovitz.

(Secretary reads title of bill)

1263, Senator Marovitz.

(Secretary reads title of bill)

House Bill 1265, Senator Berman.

(Secretary reads title of bill)

House Bill 1270, Senator Zito.

(Secretary reads title of bill)

House Bill 1285, Senator Weaver.

(Secretary reads title of bill)

1289, by Senators Rock and J. E. Joyce.

(Secretary reads title of bill)

House Bill 1301, by Senator Bloom.

(Secretary reads title of bill)

1306, by J. E. Joyce.

(Secretary reads title of bill)

1324, Senator Demuzio.

(Secretary reads title of bill)

1338, Senators Degnan, Topinka.

(Secretary reads title of bill)

1340, Senator Nedza.

(Secretary reads title of bill)

1341, Senator Nedza.

(Secretary reads title of bill)

...1362, by Senator Darrow.

(Secretary reads title of bill)

1378, Senator Netsch.

(Secretary reads title of bill)

1395, by Senators Nedza, Rock and Savickas.

(Secretary reads title of bill)

1411, Senator Zito.

(Secretary reads title of bill)

1412, Senator Darrow.

(Secretary reads title of bill)

1436, J. J. Joyce.

(Secretary reads title of bill)

1464, Senator Weaver.

(Secretary reads title of bill)

House Bill 1474, Senator Newhouse.

(Secretary reads title of bill)

1476, Senator Rock.

(Secretary reads title of bill)

1493, Senator Berman.

(Secretary reads title of bill)

1517, Senator Holmberg.

(Secretary reads title of bill)

1518, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 1520, Senator Holmberg.

(Secretary reads title of bill)

1547, Senators Degnan and Topinka.

(Secretary reads title of bill)

House Bill 1552, Senator Vadalabene and Schaffer.

(Secretary reads title of bill)

1558, Senators Vadalabene and Degnan.

(Secretary reads title of bill)

House Bill 1578, Holmberg.

(Secretary reads title of bill)

House Bill 1582, Senator Jones.

(Secretary reads title of bill)

House Bill 1604, Senators Philip and Rock. House Bill...disregard the last bill.

House Bill 1624.

(Secretary reads title of bill)

Senator Hall is the sponsor.

House Bill 1641, Senator Maitland.

(Secretary reads title of bill)

House Bill...1656.

(Secretary reads title of bill)

Senator Degnan.

Senate Bill 1671, Senator Holmberg.

(Secretary reads title of bill)

House Bill 1680, Senators Netsch and Etheredge.

(Secretary reads title of bill)

1683, Senator Berman.

(Secretary reads title of bill)

House Bill 1685, Senator D'Arco.

(Secretary reads title of bill)

House Bill 1687, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 1755, Senator Sangmeister and Degnan.

(Secretary reads title of bill)

House Bill...1765, Senator Lemke.

(Secretary reads title of bill)

1767, Senator Dudycz.

(Secretary reads title of bill)

1769, Senator Philip.

(Secretary reads title of bill)

House Bill 1774, Senator Netsch.

(Secretary reads title of bill)

House Bill 1780, Senator Lemke.

(Secretary reads title of bill)

1800, Senator Berman.

(Secretary reads title of bill)

1806, Senators Kelly and Macdonald.

(Secretary reads title of bill)

1813, Senators Kelly and Macdonald.

(Secretary reads title of bill)

1814, by Senators Bloom and Netsch.

(Secretary reads title of bill)

House Bill 1833, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1841, Senators Barkhausen and Chew.

(Secretary reads title of bill)

1845, Senator Geo-Karis.

(Secretary reads title of bill)

1849, Senator Netsch.

(Secretary reads title of bill)

1871, Senator Vadalabene.

(Secretary reads title of bill)

1889, by Senators Degnan and Topinka.

(Secretary reads title of bill)

1900, Senator D'Arco.

(Secretary reads title of bill)

1901, Senator Geo-Karis.

(Secretary reads title of bill)

1902, Senator Barkhausen.

(Secretary reads title of bill)

1912, Senator Weaver.

(Secretary reads title of bill)

1925, Senator Schaffer.

(Secretary reads title of bill)

House Bill 1926, Senator Maitland.

(Secretary reads title of bill)

1929, Senator Schuneman.

(Secretary reads title of bill)

House Bill 1935, Senators Etheredge and Karpiel.

(Secretary reads title of bill)

1937, Senator Donahue.

(Secretary reads title of bill)

1943, Senator Schuneman.

(Secretary reads title of bill)

1944, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1948, Senators Etheredge and Watson.

(Secretary reads title of bill)

1956, Senator Rigney.

(Secretary reads title of bill)

1957, Rigney.

(Secretary reads title of bill)

1958, Senator Dunn.

(Secretary reads title of bill)

1962.

(Secretary reads title of bill)

Senator Dunn is the sponsor.

House Bill 1963, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1970, Senator Davidson.

(Secretary reads title of bill)

House Bill 1975, Senator Donahue.

(Secretary reads title of bill)

House Bill 2011, by Senator Geo-Karis.

(Secretary reads title of bill)

2020, Senator Holmberg.

(Secretary reads title of bill)

2022, Senator Geo-Karis.

(Secretary reads title of bill)

2061, Senator Geo-Karis.

(Secretary reads title of bill)

2066, Senators Bloom and Rock.

(Secretary reads title of bill)

2083, Senator Bloom.

(Secretary reads title of bill)

2154, by Senator O'Daniel.

(Secretary reads title of bill)

2181, Senator Maitland.

(Secretary reads title of bill)

2202, Senator Sangmeister.

(Secretary reads title of bill)

2213, Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2217, Senator Davidson.

(Secretary reads title of bill)

2251, J. J. Joyce.

(Secretary reads title of bill)

2259, Senator Berman.

(Secretary reads title of bill)

House Bill 2263, Senator Savickas and Smith.

(Secretary reads title of bill)

2273, Senator Davidson.

(Secretary reads title of bill)

House Bill 2278, Senator Marovitz.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR VADALABENE)

Yes, Mr. Secretary, one moment, please. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Leave to waive the posting...Six-Day Posting Rule so that House Bills 72, 112, 156, 208, 509, 682, 881, 932, 963, 1298, 1363, 1364, 1365 and 1366, 1670, 1966, 2088 and 2523 can be heard in the Insurance, Pensions and Licensed Committee on Tuesday, June 4th.

PRESIDING OFFICER: (SENATOR VADALABENE)

Senator Jones seeks leave to suspend Senate Rule 7-C so that the bills be...be mentioned...they be heard on June the 4th. Is there leave? Leave is granted. It will so be reported. Senator Netsch seeks leave to be added as a hyphenated cosponsor of House Bill 142 and House Bill 143. Is leave granted? Leave is granted and it will be so recorded. Proceed, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2328, Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2351, Senator Savickas.

(Secretary reads title of bill)

House Bill 2384, Senator Luft.

(Secretary reads title of bill)

House Bill 2400, Senator Savickas.

(Secretary reads title of bill)

House Bill 2408, Senators Kelly and Macdonald.

(Secretary reads title of bill)

House Bill 2414, Senator Topinka.

(Secretary reads title of bill)

House Bill 2422, Senator Rupp.

(Secretary reads title of bill)

House Bill 2434, by Senator Maitland.

(Secretary reads title of bill)

2440, Senator Rigney.

(Secretary reads title of bill)

2443, Senator Schuneman.

(Secretary reads title of bill)

2444, Senator Rupp.

(Secretary reads title of bill)

2445, Senator Topinka.

(Secretary reads title of bill)

2446, Senator Schuneman and Philip.

(Secretary reads title of bill)

2450, Senator Karpiel.

(Secretary reads title of bill)

House Bill 2452, Senator Schaffer.

(Secretary reads title of bill)

2472, Senator Philip and Rock.

(Secretary reads title of bill)

House Bill 2475, Senator Kustra and Macdonald.

(Secretary reads title of bill)

2487.

(Secretary reads title of bill)

Senator Lemke is the sponsor.

2512, Senator D'Arco.

(Secretary reads title of bill)

2517, Senator Mahar.

(Secretary reads title of bill)

1st reading of the bills.

House Bill 2421, Senator Bloom.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR VADALABENE)

Mr. Secretary, does that complete the 1st reading of the bills? Excellent job. Committee reports at this time, members of the Senate, and I'd like for you to hear them.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills...House bills to committee:

Agriculture - 1047, 1436, 1774, 1814, 1935, 1943, 1956, 1957, 2061, 2251, 2450, 2487, 2154; Appropriations I -

569; Elections and Reapportionment - 1102, 1109, 1806, 1813, 2408, 2475 and 574;...Elementary and Secondary Education - 1086, 1117, 1373, 2219, 200, 685, 889, 891, 893, 1493, 1582, 1683, 2202 and 982; Executive - 1975. That was Executive Appointments; Executive - 142, 707, 761, 903, 1010, 1044, 1353, 1444...1440, 1455, 1496, 1545, 2275, 2311, 2352, 408,...450,...567, 568, 570, 692, 720...777, 1045, 1058, 1285, 1301, 1518, 1687, 1755, 1926, 2213, 2273, 2421, 2434, 2440, 2472; Finance - 419, 1313, 1556, 1641...1765, 1902, 1963, 1970, 2181 and 753; Higher Education - 1115 and 2066; Insurance, Pensions and Licensed Activity - 591, 737, 949, 1075, 94, 164, 357, 374, 398, 561, 623, 715, 782, 1083, 1165, 1177, 1270, 1306, 1411, 1558, 1833, 1871, 1924, 2089, 2414, 2422, 2443, 2444, 2445 and 2446; Judiciary I - 755, 1648, 474, 522, 650, 1188, 1265, 1362, 1656, 1937, 1962 and 1958; Judiciary II - 615, 1412, 1841; Labor and Commerce - 1033, 1529, 2283, 2437, 2473, 2512; Local Government - 401, 1012, 1382, 1531, 1539, 486, 694, 799, 922, 1112, 1126, 1178, 1198, 1213, 1324, 1520, 1767, 1849, 1889, 2020, 2022, 2351, 1147 and 1192; Public Health, Welfare and Corrections - 888, 890, 892, 894, 896, 897, 898, 1289, 1474, 1476, 1948, 2217 and 2263; Revenue - 152, 190, 1127, 1317, 34, 83, 132, 308, 316, 334, 341, 447, 470, 618, 879, 1378, 1517, 1671, 1800, 2384 and 2259; Transportation - 513, 740, 867, 751, 907, 1208, 1769, 1780, 1845, 1944, 2011, 2278, 2328 and 2517.

PRESIDING OFFICER: (SENATOR VADALABENE)

Mr. Secretary, resolutions. Mr. Secretary, have any objections been filed to the resolutions on the Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR VADALABENE)

Senator Philip moves the adoption of the Resolutions Consent Calendar which has been distributed on the members'

desks, and also Senate Resolution 280 through 294 and Senate Resolution 296 through 298. Those in favor say Aye. Those opposed say No. The Resolution Consent Calendar is adopted. Mr. Secretary, the adjourment resolution.

SECRETARY:

Senate Joint Resolution 67, offered by Senator Chew.

(Secretary reads SJR 67)

PRESIDING OFFICER: (SENATOR VADALABENE)

Senator Chew moves the adoption of Senate Joint Resolution 67. Senator Chew moves for...to suspend the rules for the immediate consideration of Senate Joint Resolution 67. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Now, Senator Chew moves that the Senate stand adjourned until Monday...you better adopt the resolution, Mr. Secretary. Now, Senator Chew moves that the Senate stand adjourned...no...no...you people who are transcribing this upstairs, please bear with me...Senator Chew moves for the adoption of Senate Joint Resolution 67. All in favor signify by saying Aye. Nay. The Ayes have it. The motion is adopted and the Senate stands adjourned until Monday, June 3rd at the hour of noon. And I would like to commend my colleagues on both sides of the aisle, you've been very attentive, you haven't made any disturbance and for this I commend you, and to the Pages and to all of those employed here today, have a nice weekend.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 3, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. The members will be at their desks. Our guests in the gallery will please rise. Our prayer today will be by...Rabbi Israil Zoberman of the Temple B'rith Sholom here in Springfield.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journal.

SECRETARY:

Wednesday, May the 22nd, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Any objections? So ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Thursday, May 23rd; Friday, May 24th; Wednesday, May 29th and Thursday, May 30th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the

following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 24, 674, 676, 677, 678, 679, 683, 693, 721, 946, 947, 993, 1011, 1040, 1070, 1097, 1110, 1125, 1247, 2239 and 2240.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 58, 59, 60 and 64.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 299 offered by Senator Jones, it's commendatory.

300, by Senator Smith, it's congratulatory.

Senate Joint Resolution 68, by Senator Karpiel, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 69, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. With leave of the Body, we'll go to House bills 1st...House bills 1st reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 60...by Senator Vadalabene.

(Secretary reads title of bill)

House Bill 68, Senator Poshard.

(Secretary reads title of bill)

House Bill 100, Senator O'Daniel.

(Secretary reads title of bill)

House Bill 143, Senator Netsch.

(Secretary reads title of bill)

House Bill 298, Senator Berman.

(Secretary reads title of bill)

House Bill 342, Senator Rock.

(Secretary reads title of bill)

House Bill 375, Senator Poshard.

(Secretary reads title of bill)

House Bill 385, Senator Berman.

(Secretary reads title of bill)

House Bill 418, Senator Savickas.

(Secretary reads title of bill)

House Bill 451, Senator Demuzio.

(Secretary reads title of bill)

House Bill 463, Senator Fawell.

(Secretary reads title of bill)

House Bill 510, by Senator Poshard.

(Secretary reads title of bill)

House Bill 548, Senator Kustra.

(Secretary reads title of bill)

575, Senator Etheredge.

(Secretary reads title of bill)

House Bill 592, Senator Demuzio.

(Secretary reads title of bill)

House Bill 631, Senator Degnan.

(Secretary reads title of bill)

641, Senator Dunn.

(Secretary reads title of bill)

691, Senator Carroll.

(Secretary reads title of bill)

717, Senators Collins and Zito.

(Secretary reads title of bill)

781, Senator Demuzio.

(Secretary reads title of bill)

House Bill 807, Senators Topinka and Dudycz.

(Secretary reads title of bill)

House Bill 831, Senator Barkhausen.

(Secretary reads title of bill)

838, by Senator Poshard.

(Secretary reads title of bill)

House Bill 940, Senator Rigney.

(Secretary reads title of bill)

House Bill 950, Senator Rigney.

(Secretary reads title of bill)

975, Senator Barkhausen.

(Secretary reads title of bill)

997, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1006, by Senator Berman.

(Secretary reads title of bill)

House Bill 1106, Senator Watson.

(Secretary reads title of bill)

House Bill 1142, by Senator Jones.

(Secretary reads title of bill)

House Bill 1184, Senator Poshard.

(Secretary reads title of bill)

House Bill 1193, Senator O'Daniel.

(Secretary reads title of bill)

House Bill 1202, by Senator J.J. Joyce.

(Secretary reads title of bill)

1224, Senator Hall.

(Secretary reads title of bill)

House Bill 1246, Senator Welch.

(Secretary reads title of bill)

1251, Senator Poshard.

(Secretary reads title of bill)

1277, by the same sponsor.

(Secretary reads title of bill)

House Bill 1284, Senator Chew.

(Secretary reads title of bill)

House Bill 1445, by Senator Luft.

(Secretary reads title of bill)

1371, Senator DeAngelis.

(Secretary reads title of bill)

1466, Senator Welch.

(Secretary reads title of bill)

House Bill 1479, Senator Welch.

(Secretary reads title of bill)

1502, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1565, by Senator Fawell.

(Secretary reads title of bill)

House Bill 1567, Senator Watson.

(Secretary reads title of bill)

House Bill 1571, Senator Newhouse.

(Secretary reads title of bill)

1575, Senators Watson and Holmberg.

(Secretary reads title of bill)

House Bill 1575, Senator Watson.

(Secretary reads title of bill)

House Bill 1577 that was.

House Bill 1596, by Senator Welch.

(Secretary reads title of bill)

House Bill 1598, Senator Kustra.

(Secretary reads title of bill)

House Bill 1604, by Senator Philip and Rock.

(Secretary reads title of bill)

House Bill 1642, by Senator Zito.

(Secretary reads title of bill)

House Bill 1643, by Senator Zito.

(Secretary reads title of bill)

1667, Senator D'Arco.

(Secretary reads title of bill)

1677, Senator Barkhausen.

(Secretary reads title of bill)

1717, Senator Etheredge.

(Secretary reads title of bill)

House Bill...1775, by J. J. Joyce.

(Secretary reads title of bill)

1776, J.J. Joyce.

(Secretary reads title of bill)

House Bill 1785, by Senator Zito.

(Secretary reads title of bill)

House Bill 1801, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1828, Senator Savickas.

(Secretary reads title of bill)

House Bill 1855, Senator Poshard.

(Secretary reads title of bill)

House Bill 1857, Senators Fawell and Karpiel.

(Secretary reads title of bill)

House Bill 1867, Senator Poshard.

(Secretary reads title of bill)

House Bill 1914, Senator Mahar.

(Secretary reads title of bill)

1933, Senator Donahue.

(Secretary reads title of bill)

House Bill 1955, Senator Fawell.

(Secretary reads title of bill)

1959, Senator Donahue.

(Secretary reads title of bill)

House Bill 1980, Senator DeAngelis.

(Secretary reads title of bill)

2004, Senator Welch.

(Secretary reads title of bill)

2079, Senator Dunn.

(Secretary reads title of bill)

House Bill 2096, Senator Schaffer.

(Secretary reads title of bill)

House Bill 2097.

(Secretary reads title of bill)

House Bill 2104, Jones.

(Secretary reads title of bill)

House Bill 2125, Senator Fawell.

(Secretary reads title of bill)

2132, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 2179, Senators Topinka and Zito.

(Secretary reads title of bill)

House Bill 2180, Senator MacDonald.

(Secretary reads title of bill)

2184, Senator Schaffer.

(Secretary reads title of bill)

2199, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 2220, Senator Welch.

(Secretary reads title of bill)

House Bill 2249, Senator Hall.

(Secretary reads title of bill)

2250, Senator Welch.

(Secretary reads title of bill)

House Bill 2261, Senator Welch.

(Secretary reads title of bill)

House Bill 2349, Senator Macdonald.

(Secretary reads title of bill)

2378, Senator Karpiel.

(Secretary reads title of bill)

House Bill 2407, Senator Weaver.

(Secretary reads title of bill)

2416, Senator Zito.

(Secretary reads title of bill)

2418, Senator Dunn.

(Secretary reads title of bill)

2426, Senator Sangmeister.

(Secretary reads title of bill)

2428, Senator J.J. Joyce.

(Secretary reads title of bill)

2429, Senator J.J. Joyce.

(Secretary reads title of bill)

2515, Senator Maitland.

(Secretary reads title of bill)

2525, by Senators Lemke and Hudson.

(Secretary reads title of bill)

House Bill 530, by Senator Dudycz.

(Secretary reads title of bill)

House Bill 583, Senator Davidson.

(Secretary reads title of bill)

House Bill 651, Senator Donahue.

(Secretary reads title of bill)

House Bill 652, Senator Fawell.

(Secretary reads title of bill)

House Bill 653, Senator Dudycz.

(Secretary reads title of bill)

654, Senator Sommer.

(Secretary reads title of bill)

655, Senator Sommer.

(Secretary reads title of bill)

656, Senator Donahue.

(Secretary reads title of bill)

House Bill 657, Senator Schaffer.

(Secretary reads title of bill)

House Bill 658...Senator Bloom.

(Secretary reads title of bill)

659, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 660, Senator Geo-Karis.

(Secretary reads title of bill)

661, Senator Mahar.

(Secretary reads title of bill)

663, Senator Schaffer.

(Secretary reads title of bill)

664, Senator Bloom.

(Secretary reads title of bill)

665, Senator Mahar.

(Secretary reads title of bill)

...666, Senator Sommer.

(Secretary reads title of bill)

667, Senator Mahar.

(Secretary reads title of bill)

668, Senator Sommer.

(Secretary reads title of bill)

669, Senator Bloom.

(Secretary reads title of bill)

670, Senator Mahar.

(Secretary reads title of bill)

671, Senator Sommer.

(Secretary reads title of bill)

672, Senator Bloom.

(Secretary reads title of bill)

673, Senator Schaffer.

(Secretary reads title of bill)

674, Senator Weaver.

(Secretary reads title of bill)

676, Senator Sommer.

(Secretary reads title of bill)

677.

(Secretary reads title of bill)

Senator Sommer is the sponsor.

678, Senator Kustra.

HB 36 2nd Reading

(Secretary reads title of bill)

679, Senator Schaffer.

(Secretary reads title of bill)

683, Senator Davidson.

(Secretary reads title of bill)

721.

(Secretary reads title of bill)

Senator Bloom.

1070, Senator Rock.

(Secretary reads title of bill)

House Bill 1097, Senator Carroll.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 301, congratulatory, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. With...with...with leave of the Body, we'll go to the Order of House Bills 2nd Reading. All right. At the top of page 2, House bills 2nd reading. If any member has a bill that they would like to move, now is the time. We'll go right down through them. 36, Senator Lemke. On the Order of House Bills 2nd Reading is...House Bill 36, Mr. Secretary, read the bill.

SECRETARY:

House Bill 36.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 50, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 50, Mr. Secretary, read the bill.

SECRETARY:

House Bill 50.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Berman, we have a committee amendment listed. Senator Berman, we have a...Senator Berman.

SENATOR BERMAN:

Yeah, there is a committee amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The folder indicates that there is not a committee amendment. So, perhaps you could furnish the...Mr. Secretary...with leave of the Body, we'll return...House Bill 50 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 50, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr. President. Amendment No. 1 was a committee amendment and it changed the word "school districts" to "schools" and made one other nonsubstantive change. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's make it a Floor amendment since the folder is not marked.

SENATOR BERMAN:

Oh, all right. Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Floor Amendment No. 1 to House Bill 50. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. House Bill 51, Senator Berman. On the Order of...House Bills 2nd Reading is House Bill 51, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 51.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 which was adopted in committee conformed this language to the bill previously addressed on the same subject matter. Move the adoption of Committee Amendment No. 1.

SECRETARY:

There was an error, Mr. President. There are no amendments on...no committee amendments on House Bill 51.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 81, Senator Coffey. Senator Coffey on the Floor? 171, Senator Darrow. On the Order of House Bills 2nd Reading is House Bill 171, Mr. Secretary, read the bill.

SECRETARY:

(Machine cutoff)...171.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 291, Senator Lemke. House bills 2nd reading, Senate Bill 291, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 291.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 293, Coffey. 296, Senator Bloom. Senator Bloom, 296? 332, Senator Smith. On the Order of House Bills 2nd Reading is House Bill 332, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 332.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 337, Senator Rigney. Top of page 3, Senator Kustra, 348. 360, Senator Sangmeister. 456, Senator Marovitz. All right. On the Order of House Bill 2nd Reading is House Bill 468, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 468.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 555, Senator Jerome Joyce. 582, Senator Coffey. 605, Senator Fawell. 772, Senator Donahue. 778, Senator Berman. On the Order of House Bills 2nd Reading, House Bill 778, Mr. Secretary, read the bill.

SECRETARY:

House Bill 778.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 815, Senator Carroll. Bottom of page 3,

815? On the Order of House Bills 2nd Reading is House Bill 815, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 815.

(Secretary reads title of bill)

3rd...2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 4, 832, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 832, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 832.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 975, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 975, Mr. Secretary, read the bill.

SECRETARY:

House Bill 975.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 990, Senator Poshard. Page 4, House Bill 990? On the Order of House Bills 2nd Reading is House Bill 990, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 990.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1175, Senator Jerome Joyce. All right. For what purpose Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. Just to make an announcement with respect to the schedule for the balance of the week. I encourage members...the House will...be in tomorrow and they, I'm sure, will be contacting us. It's important that those who have been asked to sponsor a House bill, in fact, pick it up this week. Next week, as you know, is the last week for committee action. So in order to properly post, I'd ask everybody to take a look at House bills first and pick those up. We will when we quit today, which will be very shortly, reconvene at noon tomorrow, also at noon on Wednesday and then on Thursday, in order to accommodate our friends, we are going to commence Session at eleven o'clock in the morning, with the hope that we can conclude our business by noon or around noon so that we can all return to our districts and those who have other places to go can also get there in plenty of time. So it will be noon tomorrow, noon Wednesday and eleven o'clock on Thursday with the hope that you can make plans to be leaving Springfield shortly after noon on

Thursday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I would like to...have Senator Philip shown as the lead sponsor on Senate Bill 1857. I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill...

SENATOR FAWELL:

Senate Bill...I'm sorry, House Bill...House Bill 1857. Presently, I am shown as lead sponsor, I'd like to change it to Pate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell request leave of the Body to show Senator Philip as the principal sponsor of House Bill 1857. Is leave granted? Leave granted. So ordered. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr...thank you, Mr. President, just to make an announcement. Appropriations II will begin right on time, so will you please come down to Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to suspend the Six-day Posting Rule so that House Bill 653 which was scheduled for Thursday in Appropriations I, can be heard instead tomorrow, June 4th, in Appropriations I, and that 658 and 669 which were scheduled for tomorrow be heard instead on Thursday, June 6th. That's 653 to waive the Six-day Posting so that it can be heard June 4th and that 658 and 669, House bills, be heard Thursday, June 6th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved to suspend the...the Six-day Posting Notice on House Bill 653 and House Bill 658 and House Bill 669. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. (Machine cutoff)...Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, for the purpose of an announcement. The Labor Committee will meet promptly at two o'clock. We only have three bills so that if everyone will get there on time, we should be out in about twenty minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, currently I am showed as primary sponsor of House Bill 521. If I might have leave of the Body to transfer that primary sponsorship to Senator Barkhausen and then be a hyphenated cosponsor with him on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has...requests leave of the Body to show Senator Barkhausen as a principal sponsor of House...House Bill 521. Is leave granted? Leave is granted. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. Another announcement in regard to the practice softball game tonight. We are playing the Pages and staff at six o'clock at the Springfield High School practice field which is about two blocks west of the Stratton Office Building on Governor Street. Six o'clock, practice game, we want to take this game serious this year, we want to give the House a good game for a change. So, we need to practice. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland, for what purpose do you arise?

SENATOR FRIEDLAND:

Thank you, Mr. President. Request leave that Senator Mahar be shown as a hyphenated cosponsor on House Bill 883, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Friedland requests leave of the Body to show Senator Mahar as the hyphenated cosponsor of House Bill 883...883. Is leave granted? Leave is granted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

I would like leave to change the primary sponsorship...I'm listed as the primary sponsor on House Bill 2450, and I'd like to change that to...the sponsorship to Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpiel seeks leave of the Body to add Senator...to have Senator Macdonald as the lead sponsor of House Bill 2450. Is leave granted? Leave is granted. So ordered. Further business to come before the Senate? Resolutions...pardon me, Mr. Secretary. Senator Philip, for what purpose do you arise? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Schuneman is in his district on legislative business. Senator Macdonald is absent because of illness in her family.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so...so reflect. Senator...Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President, a housekeeping matter. I would like to add to House Bill 142 as my joint sponsor Senator

Netsch and also if it's not done to take sponsorship with Senator Netsch of House Bill 143.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So, Senator Bloom requests leave of the Body to be added as a hyphenated cosponsor of House Bill 143. Is that the request, Senator? Senator Bloom? Is leave granted? Leave is granted. So ordered. Resolutions.

SECRETARY:

The following resolutions are all congratulatory:

Senate Resolution 301...I mean, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, all by Senator Jones.

And 313, by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till tomorrow Tuesday, June the 4th, at the hour of noon. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 4, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desks. All unauthorized individuals will vacate the Floor. Our guests in the gallery will please rise. Our prayer today will be by the Reverend Jack Glen, First United Presbyterian Church of Mendota. Reverend.

REVEREND GLEN:

(Prayer given by Reverend Glen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Thursday, May the 23rd and Friday, May the 24th, in the year 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any objections? Hearing none, it's so ordered. Senator...Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that reading...and approval of the Journals on...of Wednesday, May the 29th; Thursday, May the 30th; Monday, June the 3rd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any objections? Hearing none, it's so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of Committee on Assignment of Bills, reports the following House bills have been assigned

to committee:

Agriculture, Conservation and Energy - 1000, 1184, 1251, 1596, 1717, 1775, 1776, 1828, 1867, 1933, 2250, 2261 and 2426; Appropriations I - 143, 342, 418, 530, 583, 541...or 641, 651, 653, 654, 655, 656, 657, 658, 659, 660, 661, 663, 665, 666, 667, 668, 669, 670, 671, 673, 676, 677, 683, 721 and 1097; Appropriations II - 652, 664, 672, 674, 678, 679 and 1070; Elementary and Secondary Education - 375, 451, 1006, 1166; Elections and Reapportionment - 100, 1193, 2096, 2097, 2184, 2249 and 2378; Executive - 68, 950, 1224, 1246, 1445, 1466, 1502, 1571, 1642, 1801, 1959, 2004, 2079, 2418 and 2452; Executive Appointments, Veterans' Affairs and Administration - 2428 and 2429; Finance and Credit Regulations - 1912; Insurance, Pensions and Licensed Activities - 17, 60, 298, 510, 717, 968, 1142, 1284, 1624, 1667, 2125 and 2179; Judiciary I - 807, 831, 838, 1604, 1677, 1955 and 2525; Judiciary II - 463, 971, 2132, 2416; Labor and Commerce - 1263; Local Government - 49, 66, 247, 467, 548, 575, 631, 691, 1106, 1262, 1338, 1464, 1547, 1552, 1565, 1567, 1575, 1577, 1578, 1598, 1643, 1785, 1857, 1900, 1914, 2199 and 2407; Public Health, Welfare and Corrections - 1479, 1925, 2104, 2180, 2349 and 2515; Revenue - 385, 781, 997, 1202, 1277, 1395, 1680, 1685 and 2220; Transportation - 592, 940, 1340, 1341, 1371, 1855, 1901, 1980 and 2400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate...the following resolutions are all congratulatory.

Senate Resolution 314 through 330, all by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we'll go to House bills 1st readings. Is leave granted? Leave is granted. House bills 1st reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 24, Senator Jones.

(Secretary reads title of bill)

54, Senator Lemke.

(Secretary reads title of bill)

House Bill 124, Senator Lemke.

(Secretary reads title of bill)

231, Senator Lemke.

(Secretary reads title of bill)

House Bill 255, Senator Lemke.

(Secretary reads title of bill)

House Bill 290...by Senators Carroll and Lemke.

(Secretary reads title of bill)

House Bill 362, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 484, Senator Lemke.

(Secretary reads title of bill)

529, Senator Luft.

(Secretary reads title of bill)

House Bill 627, Senator Lemke.

(Secretary reads title of bill)

House Bill 725, Senator Collins.

(Secretary reads title of bill)

947, Senator Chew.

(Secretary reads title of bill)

1104, Senator Netsch.

(Secretary reads title of bill)

1110, Senator Carroll.

(Secretary reads title of bill)

1125, Senator Coffey.

(Secretary reads title of bill)

1160, Senator Netsch.

(Secretary reads title of bill)

House Bill 1182, Senator Lemke.

(Secretary reads title of bill)

1279, Senator Nedza and Keats.

(Secretary reads title of bill)

1389, Senator Netsch.

(Secretary reads title of bill)

1413, Senator Lemke.

(Secretary reads title of bill)

1417, Senator Collins and Netsch.

(Secretary reads title of bill)

1478, Senator Holmberg.

(Secretary reads title of bill)

1510, Senator Topinka.

(Secretary reads title of bill)

House Bill 1544, Senator Demuzio.

(Secretary reads title of bill)

1568, Senator Lemke.

(Secretary reads title of bill)

1645, Senator Lemke.

(Secretary reads title of bill)

1688, Senator Netsch.

(Secretary reads title of bill)

1763, Senator Netsch.

(Secretary reads title of bill)

House Bill 1880, Senator Lemke.

(Secretary reads title of bill)

1915, Senator Coffey.

(Secretary reads title of bill)

House Bill 1919, Senator Donahue.

(Secretary reads title of bill)

House Bill 1922, Senator Etheredge.

(Secretary reads title of bill)

House Bill 1924, Senator Watson.

(Secretary reads title of bill)

1939, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1949, Senator Topinka.

(Secretary reads title of bill)

House Bill 1953, Senator Geo-Karis.

(Secretary reads title of bill)

1969, Senator Donahue.

(Secretary reads title of bill)

1979, Senator Coffey.

(Secretary reads title of bill)

2103, Senator Lemke.

(Secretary reads title of bill)

House Bill...2106, Senator Lemke.

(Secretary reads title of bill)

House Bill 2162, Senator Lemke.

(Secretary reads title of bill)

2239, Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2240, Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2303, by Senator Hudson.

(Secretary reads title of bill)

House Bill 2308, Senator Hudson.

(Secretary reads title of bill)

House Bill 2368, Senator Lemke.

(Secretary reads title of bill)

House Bill 2399, Senator Karpiel.

(Secretary reads title of bill)

1st reading of the bills.

House Bill 2436, Senator Coffey.

(Secretary reads title of bill)

House Bill 2441, Senator Etheredge.

(Secretary reads title of bill)

2442, Senator Rupp.

(Secretary reads title of bill)

House Bill 2447, Senator Donahue.

(Secretary reads title of bill)

House Bill 2449, Senator Coffey.

(Secretary reads title of bill)

House Bill 2451, Senator Dunn.

(Secretary reads title of bill)

2499, Senator Lemke.

(Secretary reads title of bill)

2521, Senator Topinka.

(Secretary reads title of bill)

House Bill 1020, by Senator J. E. Joyce.

(Secretary reads title of bill)

1850, Senator J. E. Joyce.

(Secretary reads title of bill)

1928, Senator Coffey.

(Secretary reads title of bill)

1934, Senator Macdonald.

(Secretary reads title of bill)

House Bill 1967, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to House bills 2nd reading. Page 3 is House bills 2nd reading. If any member desires to have their bill called, we'll start at the top, House Bill 81, Senator Coffey. Senator Coffey. 293? On the...on the Order of House Bills 2nd Reading is House Bill 293. Mr. Secretary, read the bill.

SECRETARY:

House Bill 293.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

HB 337 2nd Reading

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 296, Senator Bloom. 337, Senator Rigney. On the Order of House Bills 2nd Reading is Senate Bill 337, Mr. Secretary, read the bill.

SECRETARY:

House Bill 337.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, Amendment No. 1 was your amendment in committee. It's protecting the coal mining rights in the agricultural areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney moves the adoption of Committee Amendment No. 1 to Senate Bill 337. Any discussion? If not, those in favor signify by saying Aye. Opposed...Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator Rigney indicates there's an amendment...with leave of the Body, we'll...we'll return House Bill 337 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. On the Order of House Bills 2nd Reading is House Bill 337, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, what this does is to reduce the size of an agricultural area from five hundred acres down to three hundred and fifty acres.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has moved the adoption of Amendment No. 2 to Senate Bill 337. Any discussion? All right. Senator Rigney has moved the adoption of Amendment No. 2 to Senate Bill 337. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 348, Senator Kustra. 360, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 360, Mr. Secretary, read the bill.

SECRETARY:

House Bill 360.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 456, Senator Marovitz. Senator Marovitz on the Floor? 555, Senator Joyce. All right, on the Order of

HB 582 2nd Reading

House Bills 2nd Reading is House Bill 555, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 555.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 4. 582, Senator Coffey. 582? On the Order of House Bills 2nd Reading, House Bill 582, Mr. Secretary, read the bill.

SECRETARY:

House Bill 582.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 605, Senator Fawell. Senator Fawell on the Floor? 772, Senator Donahue. On the Order of House Bills 2nd Reading is House Bill 772, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 772.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1175, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 1175, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1175.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. To ask leave of the Body to be shown as a cosponsor of House Bill 555. I've checked with the Senate sponsor, Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've...you've heard the request. Senator Maitland has requested leave of the Body to be added as a hyphenated cosponsor of House Bill 55. Is leave granted? Leave is granted. It's so ordered. Senator Jeremiah Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I ask leave of the Body to be added as a hyphenated cosponsor to Senate Bill 522 and Senate Bill 1568.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills.

SENATOR JEREMIAH JOYCE:

I'm sorry, House bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

522 and 1568? All right, Senator Jeremiah Joyce has sought leave of the Body to add...be added as a hyphenated cosponsor of House Bills 522 and House Bill 568...1560...Senator Joyce, 1568? All right, 1568. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Resolution 331 offered by Senators Hall, Rock and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution No. 70 offered by Senators Sangmeister, DeAngelis, Rock and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to place Senator Jerome Joyce as lead sponsor on House Bill 1000 and myself as hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis seeks leave of the Body to be...to have Senator Jerome Joyce added as a...

SENATOR GEO-KARIS:

As the lead sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...principal sponsor of House Bill 1000, so it will read Jerome Joyce-Geo-Karis.

SENATOR GEO-KARIS:

Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. It's so ordered.

SENATOR GEO-KARIS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I am recorded as being the sponsor of Senate Bill 132 and I would like to have my name removed and the sponsor be shown as Senator Joyce Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...House Bill 132.

SENATOR VADALABENE:

House bill, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Vadalabene seeks leave of the Body to have Senator Holmberg added as the principal sponsor of House Bill 132. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Also,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute. Let's take care of this. Is leave granted? Leave is granted. It's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

House Bill 881 is residing at this particular time in License and Insurance Committee. I have talked to the chairman, Senator Jones, and would like...and have leave to have House Bill 881 rereferred to the proper committee which is Local Government. Local Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Where is it now, Senator?

SENATOR VADALABENE:

It's in License and Insurance Activities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene seeks leave of the Body to...Senator Nedza, on the same subject? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I'd like House Bill 99...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, no, wait...wait...wait, let's take care of Senator Vadalabene's. I thought...I thought you had...

SENATOR NEDZA:

No...no...no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, the bill is currently now in what committee? All right, Senator Vadalabene moves...moves to discharge the Committee on Insurance and Licensed Activities from further consideration of House Bill 881 so that the bill can be referred to the Committee on Local Government. Is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. (Machine cutoff)...Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you, very much. I would like to put Senator Bob Kustra as lead sponsor on House Bill 463.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Fawell seeks leave of the Body to have Senator Kustra shown as the lead sponsor on House Bill 463. Is leave granted? Leave is granted. It's so ordered. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have leave, Mr. President, to show Senator Sam Vadalabene as the chief sponsor of House Bill 1510.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka seeks leave of the Body to have...have Senator Vadalabene as the lead sponsor of House Bill 1510. Is leave granted? Leave is granted. It's so ordered. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

To make a...a motion on some revisory bills that were put

in the wrong committees. Motion on one, I move that House Bill 273 be transferred from the Committee on Public Health, Welfare and Corrections to the Judiciary I Committee and, further, that House Bill 284 be transferred from the Committee on Higher Education to Judiciary I Committee. These are revisory bills that should have been...these are revisory bills that should have been with the other thirty bills we have in Judiciary I. They're noncontroversial and I ask leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, let's take them...one at a time. Senator Lemke moves that House Bill 273 be...be transferred from the Committee on Public Health, Welfare and Corrections to the Judiciary I Committee. All right, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so...so ordered. House Bill 273 is discharged from the Committee on Public Health, Welfare and Corrections and is rereferred to the Committee...Committee on Judiciary I. Senator Lemke now moves that House Bill 284 be discharged from the Committee on Higher Education and transferred to the Committee on Judiciary I. Is that correct, Senator? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 284 is discharged from the Committee on Higher Education and...and it will be so referred to Judiciary I. Senator Lemke.

SENATOR LEMKE:

Next, I'd like to make a motion. I move to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that House Bills 273 and House Bill 284 may be heard in committee tomorrow, on June 5th with the rest of the revisory bills....our staffs have done the analysis and I think it's...they are worked out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are you...

SENATOR LEMKE:

...all the reports.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that House Bills 273 and House Bills 284 may be heard in committee tomorrow, June the 5th. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Senator Nedza, for what purpose do you arise? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr...President. Change the sponsorship of House Bill 99 so that the bill would read Coffey-Nedza as opposed to Nedza. And also to be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza seeks leave of the Body to have Senator Coffey named as the principal, lead sponsor on House Bill 99. Is leave granted? Leave is granted. It's so ordered. Senator Nedza.

SENATOR NEDZA:

And I would also like to be added as a cosponsor to House Bill 1177.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 1177. Is leave granted? Leave is granted. It's so ordered. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Two...two more things. Would you remove my name from House Bill 1955 and place Philip-Rock a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Fawell seeks leave of the Body to have Senator Rock...

SENATOR FAWELL:

Philip-Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...

SENATOR FAWELL:

Philip and Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Philp and Senator Rock as the principal sponsors of House Bill 1955 and Senator Fawell's name be removed. Is leave granted? Leave is granted. It's so ordered. Senator Fawell.

SENATOR FAWELL:

All right. And House Bill 2125 needs to be Tabled, according to the House sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bill what?

SENATOR FAWELL:

2125.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Where is it?

SENATOR FAWELL:

It's been worked out another way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, where is the bill currently? Where does it repose?

SENATOR FAWELL:

It's...it's still on 1st reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, why don't we get the proper location of the bill and we can do it tomorrow.

SENATOR FAWELL:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay? All right, Senator Fawell, are you the sponsor of House Bill 2125? All right, Senator...she indicates yes. Senator Fawell seeks leave...it's in Insurance and License.

Senator Fawell moves to discharge the Committee on Insurance and License from further consideration of House Bill 2125 for the purpose of Tabling. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The bill is...House Bill 2125 is discharged. Senator Fawell now moves to Table House Bill 2125. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 2125 is Tabled. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Thank you, Mr. President. I'd like to be added a hyphenated sponsor to House Bill 1567 and 1577.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 1567 and 1577. Is leave granted? Leave is granted. It's so ordered. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of May 2nd, 1985...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute, Senator...

SENATOR LECHOWICZ:

...and May 8th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary.

SECRETARY:

Senator...Lechowicz, chairman of the Committee on Executive Appointments, Veterans Affairs and...Administration, to which was referred to the Governor's Message of May the 2nd, 1985, and May the 8th, 1985, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that we resolve ourself into Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz moves that the Senate...resolve itself into Executive...Session. It's so resolved. The Senate...will be in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs Administration recommends that the Senate do advise and consent.

To be a member of the Chicago Regional Port District for a term expiring June 1st, 1990, James Gidwitz of Chicago.

To be director of the Department of Public Health for a term expiring on July 19th, 1987, Dr. Bernard Turnock of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any objections? Hear no objections, the question is, does the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. A majority of the Senators

elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of May 2nd, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advice and consent.

To be members of the Children and Family...Services Advisory Council for a term expiring January 16th, 1989, Ruth Edelman of Chicago, Rhoda Bresler of Chicago.

To be members of the Advisory Board to the Department of Conservation for a term expiring January 21st, 1991, John T. Case of Park Ridge, Arthur Janura of Palatine.

To be a member of the Illinois Development Finance Authority for a term expiring January 19th, 1987, Joe Silverberg of Glenview.

To be members of the Board of Governors for the State of Colleges and Universities for a term expiring January 21st, 1991,...could we have a little order, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen...ladies and gentlemen, we'd like to conclude here as soon as possible, if we can have some order please. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President.

To be a member of the Illinois Development Finance Authority for a term expiring January 19th, 1987, Joe Silverberg of Glenview.

To be members of the Board of Governors for the State Colleges and Universities for a term expiring January 21st, 1991, James L. Althoff of McHenry, Ray Wilson of Dundee, Wilma Sutton of Chicago.

To be a member of the Illinois State Board of Investments

for a term expiring January 18th, 1988, Marshall Burman of Chicago.

To be members of the Illinois Job Training Coordinating Council for a term expiring...July 1st, 1986, Paul Anderson of Evanston, Shirley Brussell of Chicago, Joyce Brown of Peoria, Maria Cerda or Chicago, Scott Gelzer of Chicago, Patricia King of Salem, Karen Larson of Decatur, Marie Malinauskas of Carbondale, Robert Marcusse of Peoria, John McNamara of Rockford, John Monaghen of Palatine, Janet Payne of Westville, Linda Traeger of Elgin, Bradley...Woodruff of Elgin, Robert Anderson of Moline, Charles Porter of Chicago, Sam Bernstein of Chicago.

To be a member of the Medical Determinations Board for a term expiring...June 27th, 1987, Noel M. Bass of Joliet.

To be members of the Medical Disciplinary Board for a term expiring June 10th, 1989, Vicki Bahr of Peoria, Karl Zimmer of Lincolnshire.

To be a member of the Metropolitan Fair and Exposition Board for a term expiring May 31st, 1990, Donald DePorter of Chicago.

To be a member of the Metropolitan Fair and...Exposition Board for a term expiring May 31st, 1986, Dan Webb of Chicago.

To be members of the board of the Illinois State Museum for a term expiring January 19th, 1987, Mary Ann MacLean of Libertyville, James Ballowe of Peoria, Rosalie Clark of Chicago, Donald Hoffmesiter of Champaign, George Irwin of Quincy, Jane O'Connor of Chicago, Michael Schneiderman of Chicago, Robert Waddell of Illiopolis, Sol Weiner of Evanston.

To be a commissioner on the Advisory Board of Livestock Commissioners for a term expiring January 19th, 1987, Ernest Brown of Loda.

To be members of the Oil and Gas Advisory Board for a

term expiring January 19th, 1987, John Homeier of Springfield, Richard Thomas of Olney, Ronald Van Fossan of Collinsville, Edwin Prasuhn of Mt. Vernon.

To be members of the Board of Regents for a term expiring January 21st, 1991, Jerome Bender of Rockford, Clara Fitzpatrick of Chicago, James Wright of Chicago.

To be a member of the Southern Illinois University Board of Trustees for a term expiring January 21st, 1991, George Wilkins of Edwardsville.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any objections? If not, the question is, shall the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of May 8th, 1985, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Floyd...Floyd Bauman of Champaign.

Mr. President, having read the unsalaried appointment, would you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any objections? If not, the question is, shall the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz moves that the Senate arise from Executive...Session. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries. The Senate has arisen. With leave of the Body, we have some more House bills on 1st reading now. Is leave granted to go to that order of business? Leave is granted. House bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 157, Senator Davidson.

(Secretary reads title of bill)

House Bill 526, Senator Carroll.

(Secretary reads title of bill)

693, Senator Carroll.

(Secretary reads title of bill)

946, Senator Marovitz.

(Secretary reads title of bill)

1011, Senator Welch.

(Secretary reads title of bill)

1247, Senator Hall.

(Secretary reads title of bill)

1318, Senator Kelly.

(Secretary reads title of bill)

House Bill 1370, Senator Smith.

(Secretary reads title of bill)

House Bill 1589, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1768, Senator Luft-Poshard.

(Secretary reads title of bill)

House Bill 1918, Senator Sangmeister and Schaffer.

(Secretary reads title of bill)

House Bill 1961, Senator Schaffer.

(Secretary reads title of bill)

House Bill 2032, Senator Rupp.

(Secretary reads title of bill)

House Bill 2035, Senator Rigney.

(Secretary reads title of bill)

House Bill 2067, Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2084, Senator Philip.

(Secretary reads title of bill)

House Bill 387, Senator Collins.

(Secretary reads title of bill)

House Bill 1040, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1260, Senators Smith, Rock and Bloom.

(Secretary reads title of bill)

House Bill...2080, by Senator Coffey.

(Secretary reads title of bill)

House Bill 2336, Senator Smith.

(Secretary reads title of bill)

House Bill 2115, Senator Maitland.

(Secretary reads title of bill)

House Bill 2454, Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, resolutions.

SECRETARY:

Senate Resolution 332, congratulatory, offered by Senators Davidson, Weaver and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Jones, for what purpose do you arise? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. To suspend the posting rules so that House Bills 94, 164, 374, 591, 623, 715, 782, 800, 949, 1306, 1411, 1833, 1871, 2414, 2422, 2443, 2444 and 2445 as well as House Bill 72, 112 and 932 which was postponed can be heard in the Senate Insurance Committee on Thursday, June 6th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that the following bills that he's read into the record may be considered Thursday, June the 6th. Senator Jones, would you furnish the Clerk with a copy? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. It's so ordered. Further business to come before the Senate?...Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, I'd like to request that Senator Karpiel be added as a hyphenated cosponsor of...House Bill 2450, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

2450? Senator Macdonald seeks leave of the Body to have Senator Karpiel added as a hyphenated cosponsor of House Bill 2450. Is leave granted? Leave is granted. It's so ordered. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that on House Bill 2132 my name be removed as the chief sponsor and...and Senator Schaffer be the chief sponsor with my name as the hyphenated cosponsor...House Bill 2132.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen seeks leave of the Body to have Senator Schaffer be the principal sponsor to House Bill 2132 and that Senator Barkhausen have leave to be a hyphenated cosponsor. Is leave granted? Leave is granted. It's so ordered. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr...Mr. President. Would request leave to be added as a hyphenated cosponsor along with Senator Topinka, Topinka-Hudson, to House Bill 228.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hudson seeks leave of the Body to be added as hyphenated cosponsor of House Bill 228. Is leave granted? Leave is granted. It's so ordered. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have leave, Mr. President, to have my name removed from House Bill 1547 and on House Bill 1949 to have Senator Schuneman shown as the primary sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka seeks leave of the Body to have her name removed from House Bill 1547. Is leave granted? Leave is granted. It's so ordered. Senator Topinka, on 1549? All right, Senator...Senator Topinka on House Bill 1949. What...what is your request?

SENATOR TOPINKA:

Oh, I'm sorry. Yes, Mr. Speaker, to show Senator Schuneman as the primary sponsor of 1949.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, Senator Topinka seeks leave of the Body to have Senator Schuneman shown as the principal sponsor...the lead sponsor of House Bill 1949. Is leave granted? Leave is granted. It's so ordered. Senator Rock moves...further business? Senator Rock moves that the Senate stand adjourned till noon tomorrow, June the 5th. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 5, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour...the hour of noon having arrived, the Senate will come to order. If the members will be at their desks. Our guests in the gallery will please rise. Our prayer today will be by the Reverend Paul Flesner, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND FLESNER:

(Prayer given by Reverend Flesner)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Wednesday, May the 29th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any objections? Hearing none, it's so ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Thursday, May 30th; Monday, June 3rd and Tuesday, June 4th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any objections? Hearing none, it's so ordered. Committee reports.

SECRETARY:

Senator Lemke, chairman of Judiciary I Committee, reports out the following House bills:

197, 258, 259, 260, 262, 263, 266, 268, 273, 275, 276, 278, 279, 280, 282, 283, 284, 336, 343, 368, 393, 479,

563, 792, 853, 856, 857, 1018, 1035, 1042, 1050, 1051, 1053, 1267, 1392, 1393, 1938 and 2364 with the recommendation Do Pass.

261, 264, 265, 269, 270,...743 and 1860 with the recommendation Do Pass as Amended.

Senator Berman, chairman of Elementary and Secondary Education, reports out the following House bills:

598, 1232, 2062, 2158, 2167 and 2232 with the recommendation Do Pass.

123, 242, 1027 and 2165 with the recommendation Do Pass as Amended.

Senator Jones, chairman of Insurance, Pensions and Licensed Activities, reports out the following House bills:

156, 208, 459, 682, 963, 1298, 1363, 1364, 1365, 1366, 1670, 1966 and 2088 with the recommendation Do Pass.

2523 with the recommendation Do Pass as Amended.

Senator Marovitz, chairman of Judiciary II Committee, reports out the following House bills:

704 with the recommendation Do Pass.

82, 1016 and 1412 with the recommendation Do Pass as Amended.

Senator Degnan, chairman of Local Government Committee, reports out the following House bills:

25, 37, 39, 40, 88, 137, 182, 222, 223, 244, 294, 344, 521, 576, 577, 724, 733, 734, 739, 775, 802, 883, 909, 1137, 1216, 1218, 1356, 1334, 1585 and 1587 with the recommendation Do Pass.

167, 241, 314, 714 and 1079 with the recommendation Do Pass as Amended.

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills...House bills to committee:

Agriculture, Conservation and Energy - 1544, 1915, 1934, 1939, 1961, 1969 and 2451; Appropriations I - 362, 526, 529, 693, 946, 947, 1011, 1040, 1110, 2239 and 2240; Appro-

priations II - 24, 1125 and 1247; Elementary and Secondary Education - 290 and 2115; Elections and Reapportionment - 1020 and 1104; Executive - 1160, 1260, 1389, 1413, 1417, 1478, 1688, 1918, 1922, 1924, 1967, 2035, 2067, 2080, 2368, 2436, 2454, 2499 and 2521; Finance and Credit Regulations - 2441; Insurance, Pensions and Licensed Activities - 1370, 1589, 1949, 2032, 2084 and 2442; Judiciary I - 54, 124, 231, 484, 627, 1182, 1880, 2103, 2106, 2162 and 2447; Labor and Commerce - 2336; Local Government - 387, 1279, 1510, 1768, 1850, 1974 and 2399; Public Health, Welfare and Corrections - 725 and 1919; Revenue - 255, 1568, 2303 and 2308; Transportation - 157, 1318, 1645, 1763, 1928, 1953 and 2449.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 63 and House Joint Resolution 66. They're both commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Mr. President, on the Consent Calendar is House Joint Resolution No. 60 which commends the Muscular Dystrophy Association on their second annual carnival in my district. It is needed for today. The carnival begins this afternoon. I've spoken with the leadership on both sides of the aisle and they have no objection to its immediate adoption. I move that we suspend the appropriate rule for the immediate consideration of House Joint Resolution No. 60.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, the...the resolution is House Joint Resolution 60, it's currently on the Consent Calendar? All right, Senator Dudycz moves to suspend the rules for the immediate adoption...consideration and adoption of House Joint Resolution 60. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Dudycz now moves the adoption of House Joint Resolution 60. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 60 is adopted. Good work, Senator. Resolutions.

SECRETARY:

Senate Resolution 333...offered by Senators Lechowicz and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise? Senator Lechowicz.

SECRETARY:

It is commendatory.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave to suspend the appropriate rule for the immediate consideration for Resolution 333.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 333. It is a congratulatory resolution. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Lechowicz now...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz now moves the adoption of...of Senate

Resolution 333. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 333 is adopted.

SECRETARY:

Senate Resolution 334 offered by Senator Jones. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, ladies and gentlemen, if we could have your attention, please. We have some very special guests that are here with us today. We have Senator Davidson to join me here at the Rostrum. If we could have your...have some order, please. The members be in their...their desks. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the members for just a moment. Last Session this Senate passed unanimously legislation calling for the creation of I-SEARCH units across the State to aid in the recovery of missing children. I am delighted this afternoon and Senators Demuzio and Davidson will be presenting to these dedicated officers recognition of their effort and I'd ask Senator Demuzio to read the little preamble. What these gentlemen have exhibited particular expertise in the recovery of missing children and I think this is an ongoing effort. We had earlier this Session passed another piece of legislation sponsored by Senator Sangmeister and others to further refine this program. This is something that the State of Illinois can well be proud of. We are, again, leading the nation in terms of the recovery of...of missing children.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Senator Demuzio reads preamble)

Those that we commend and honor today are Deputy Charles Bell. Deputy Bell. Deputy Alan Kern. Deputy

Joseph...Goriszewkski...Joseph Goriszewkski.

SENATOR DAVIDSON:

A comment. This gentleman I'm particularly proud of 'cause he was fortunate enough to be hired as a deputy sheriff when I was chairman of the Sangamon County Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Deputy Harry Cortney. Deputy...John Deffenbaugh. Detective Daniel Hughes. Detective David Duke. And Detective Tom Kramp. Detective Daniel Hughes.

DETECTIVE DANIEL HUGHES:

(Remarks made by Detective Hughes)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to House bills 1st reading. Leave granted? Leave is granted. House bills 1st reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 302, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 434, Senator Degnan.

(Secretary reads title of bill)

483, Senator Kelly.

(Secretary reads title of bill)

House Bill 493, Senator Topinka.

(Secretary reads title of bill)

558, Senator Bloom.

(Secretary reads title of bill)

House Bill 793, Senators Luft and Welch.

(Secretary reads title of bill)

House Bill 810, Senator Welch.

(Secretary reads title of bill)

House Bill 882, Senator Kelly.

(Secretary reads title of bill)

House Bill 910, Senator Degnan.

(Secretary reads title of bill)

993, Senator Berman.

(Secretary reads title of bill)

1131, Senator Chew.

(Secretary reads title of bill)

House Bill 1132, Senator Chew.

(Secretary reads title of bill)

House Bill 1179, Senator Kelly.

(Secretary reads title of bill)

House Bill...1187, Senator Luft.

(Secretary reads title of bill)

House Bill 1197, Senator Bloom.

(Secretary reads title of bill)

House Bill 1249, Senator DeAngelis.

(Secretary reads title of bill)

House Bill 1330, Senator Lechowicz.

(Secretary reads title of bill)

House Bill 1346, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 1360, Senator Etheredge.

(Secretary reads title of bill)

House Bill 1424, Senator Luft.

(Secretary reads title of bill)

House Bill 1453, Senator Luft.

(Secretary reads title of bill)

House Bill 1548, Senator Smith.

(Secretary reads title of bill)

House Bill 2054, Senator Welch.

(Secretary reads title of bill)

House Bill 2108, Senator Lechowicz.

(Secretary reads title of bill)

House Bill 2276, Senator Etheredge.

(Secretary reads title of bill)

House Bill 2290, by Senator Friedland.

(Secretary reads title of bill)

2492, Senator Marovitz.

(Secretary reads title of bill)

House Bill 481, Senator Kelly.

(Secretary reads title of bill)

House Bill 1111, Senators Zito and Lemke.

(Secretary reads title of bill)

House Bill 2439, Senator DeAngelis.

(Secretary reads title of bill)

House Bill...1252, Senators Berman-Rock.

(Secretary reads title of bill)

House Bill 2391, same sponsors.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, committee reports.

SECRETARY:

Senator Kelly, chairman of Elections and Reapportionment, reports out the following House bills:

71, 146, 217, 338 and 437 with the recommendation Do Pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to Senate bills 2nd reading. Top of page 4, on the Order of Senate Bills 2nd Reading...or House Bills 2nd Reading is House Bill 81, Senator Coffey. On the Order of House Bills 2nd Reading is...is House Bill 81. Mr. Secretary, read the bill.

SECRETARY:

House Bill 81.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 36 3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 296, Senator Bloom. 348, Senator Kustra. 456, Senator Marovitz. House Bill 4-5-6, page 4. On the Order of House Bills 2nd Reading is House Bill 456, Mr. Secretary, read the bill.

SECRETARY:

House...House Bill 456.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 605, Senator Fawell. House bills 2nd reading is House Bill 605, Mr. Secretary, read the bill.

SECRETARY:

House Bill 605.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will now go to House bills 3rd reading. On the...on the Order of House Bills 3rd Reading, House Bill 36, Senator Lemke. House Bill 36 on the Order of...of...of 3rd Reading, Mr. Secretary, read the bill.

SECRETARY:

House Bill 36.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the county jail behavior allowances...reference to the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, you want to move your microphone down?

SENATOR LEMKE:

...what this does is amends the county jail behavior allowances to strike references to imprisonment...as to the misdemeanor to reflect the change of the Public Act be adopted in 831073. This is a technical...bill which we need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 36 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 36 having received the required constitutional majority is declared passed. House Bill 50, Senator Berman. On the Order of House Bills 3rd Reading is House Bill 50. Mr. Secretary, read the bill.

SECRETARY:

House Bill 50.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 50 requires that instruction be given to all...requires that instruction be given to all pupils in...in grades kindergarten through third grade relative to

avoiding abduction and actions which should be taken by pupils who become victims of sexual abuse or sexual assault. It's the one of a series of bills dealing with this very sensitive program to alert our young people to the dangers regarding abduction and sexual abuse. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 50 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, 1 voting Present. House Bill 50 having received the required constitutional majority is declared passed. 51, Senator Berman. On the Order of House Bills 3rd Reading is House Bill 51. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 51.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This is similar to a bill that we had previously passed dealing with notification by...by school people of the absence...unexcused absence of children from school. I'll be glad to respond to any questions. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any questions? Any discussion? If not, the question is, shall House Bill 51 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays

are none, none voting Present. House Bill 51 having received the required constitutional...constitutional majority is declared passed. 171, Senator Darrow. House bills 3rd reading is House Bill 171. Mr. Secretary, read the bill, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 171.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. At...first, I'd ask leave to add Senator Geo-Karis as the chief sponsor along with me. She's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow seeks leave of the Body to have Senator Geo-Karis added as a hyphenated cosponsor. Is leave granted? Leave is granted. It's so ordered. Senator Darrow.

SENATOR DARROW:

Senate Bill 171 amends the Circuit Court Act in relation to administrative assistants and their salaries...their per diems. There are about twenty circuits in the State of Illinois that have administrative assistants. This merely changes their names from secretary to administrative assistants and allows the Supreme Court to set their salary rather than Statute. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator...can we have some order, please. Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

...yeah, a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS;

Is there any cap on the increase that can be given?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

No, there is not. It's...the control we will have over it is in the appropriation from the Supreme Court. The Supreme Court will make that determination. It'll be part of their appropriation bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I would think this is highly unusual to not have a limit...a top limit on a salary. Do we do this for anybody else?

PRESIDING OFFICER: (SENATOR DEMUZIO)d

Senator Darrow.

SENATOR DARROW:

I don't understand why it's unusual. It's Judicial Branch of Government and the Supreme Court sets the salaries for all their...number of their employees, if not all their employees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator DeAngelis.

SENATOR DeANGELIS:

Well, maybe I'm not clear, but I don't believe it's the court...Supreme Court that's setting it. Each circuit is doing it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

No, I believe it's set in our Statutes...I believe it's eighteen thousand dollars set by the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...DeAngelis.

SENATOR DeANGELIS:

Well, yeah, right now it is, but if...if this bill goes through, each circuit will be able to determine what it wants to pay...well, you're shaking your head, is that incorrect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

It's...it's...it's the...Supreme Court that sets the salaries and...we appropriate the funds. This is a Supreme Court recommendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise and speak in favor of the bill. The...the Supreme Court has...has asked us to look into it and these administrative assistants do an awful lot of work in our circuits. So, I...I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow may close.

SENATOR DARROW:

I'd merely ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 171 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take...have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 25, the Nays are 24, 3 voting Present. House Bill 171 having failed to receive the required constitutional majority is declared lost. Senator Darrow requests postponed consideration. House Bill 291, Senator Lemke. On the Order of House Bills 3rd Reading is House Bill 291. Mr. Secretary, read the bill.

SECRETARY:

House Bill 291.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this...bill...does is amends the Criminal Code of 1961 to make it a Class I felony for someone who knowingly disarms a peace officer who's acting in the performance of...his official duty by taking his firearm from the peace officer's person or from an area when the peace officer is in immediate possession. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 291 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 291 having received the required constitutional majority is declared passed. 293, Senator Coffey. On the Order of House Bills 3rd Reading is House Bill 293. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 293.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. House Bill 293 is a...really kind of a clean-up bill, but it amends the Bees and Apiaries Act in relating to the permit requirements for transportation of bees into Illinois or across county boundaries within Illinois. I'll be glad to answer any questions...and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President...wonder if the Senator would yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR DUNN:

Is this requested by the Beekeepers' Association? I have some beekeeper friends who haul bees around the county and around the State, now they have to go to the Department of Agriculture to get a permit. Is that correct and why would that be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we...can we break up the caucuses. Senator Savickas. Senator Chew. Senator Coffey.

SENATOR COFFEY:

First of all, Senator Dunn, this is...really the bill came from the Beekeepers' Association and it actually...because there's some diseases that's carried in the throat of some of the bees and has created some proplems for some of the bee raisers in the State, they want this piece of legislation which allows the department to make sure that bees coming in from...from Africa or other countries will not

create a problem for them, so it's their legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall House Bill 293 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 293 having received the required constitutional majority is declared passed. 332, Senator Smith. On the Order of House Bills 3rd Reading is House Bill 332. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 332.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. House Bill 332 covers a gap. It's...amends the Criminal Code for failure to report for periodic imprisonment. Someone who has received a sentence of periodic imprisonment and if they fail to report to begin their sentence, they have committed a crime, a Class 3 if...if it was sentenced for felony and a Class B misdemeanor if it was a misdemeanor by a sentence. Nothing in the law presently makes it a crime for not showing up for the first day. I ask for a favorable vote. It's a very simple bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 332 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays

HB 337 3rd Reading

are none, none voting Present. House Bill 332 having received the required constitutional majority is declared passed. 337, Senator Rigney. House bills 3rd reading is Senate Bill 337, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 337.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this bill...the subject of it is is the Illinois Agricultural Areas Act. Really the purpose of the bill is some minor technical clean-up language to the...the legislation that we passed here several years ago. Probably does about four things; it makes it further...clear the intention of the Illinois Areas Agricultural Act, it provides for notification of the formation, dissolution or modification of any of these areas to the Illinois Department of Agriculture. The purpose of that being that they are involved in making recommendations on agricultural areas. There was an amendment added in committee by Senator Demuzio to protect the coal mining rights in an agricultural area, and there was an amendment added on the Floor yesterday to reduce the size of an agricultural area from five hundred acres down to three hundred and fifty acres.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 337 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 337 having received the required constitutional majority is

declared passed. 360, Senator Sangmeister. House Bill 468, Senator Savickas. On the Order of House Bills 468, top of page 3, read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 468.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 468 is a bill that amends the Egg and Egg Products Act, and simply put, this bill is a bill that was similar to the one we had here in the last General Assembly that passed the House but simply was not acted upon in the Senate. It provides that it will be unlawful for any handler or retailer to pack eggs in the consumer size containers other than those...other than during the original candling and grading operation unless the retail location has obtained written permission of the Department of Agriculture to repackage the eggs and has complied with the respective requirements. This simplistically put is, is to legalize that which is already being done by retailers in Illinois. I know of no opposition and would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate...House Bill 468 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 468 having received the constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 555. 582,...Senator Coffey. Read the bill, Mr. Secretary.

HB 582 3rd Reading

SECRETARY:

House...House Bill 582.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. House Bill 582 requires nonfamily or nonauthorized corporations, partnerships or trusts which acquire transfer or hold interest in agricultural land in Illinois to report such transactions and holdings to the Department of Agriculture and to the...and to direct the director to analyze this information on such reports. Really what this does is trying to find out actually if this land being acquired by other countries or by other corporations if it's taking the family farm out of the hands of those that...that are family farmers are presently. And I ask for a favorable roll call. We passed a bill, I think, last year, I think, 48 or 49 or 50 to 1. So, I'd be glad to answer any questions regarding this matter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 582 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, none voting Present. House Bill 582 having received the constitutional majority is declared passed. House Bill 772, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 772.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this bill does is simply allow a procedure by which a conservancy district can dissolve itself. Right now in the Statutes there is no mechanism for deestablishing these types of districts and it is in response to a problem in my area; however, it does effect all districts the same, and I would just hope for its favorable passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 772 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 772 having received the constitutional majority is declared passed. House Bill 778, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 778.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 778 makes one important change to the Victims and Witness Violent Crime Act. It extends to family members of a deceased victim the right to be notified in advance of a trial of the...or the defendant's trial date. It...the only change is as...to this that applies to the family of deceased victims. Ask for your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 778 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51...53, the Nays are none, none voting Present. House Bill 778 having received the constitutional majority is declared passed. House Bill 815, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 815.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill after agreement was reached with the Higher Ed. community and with the various school boards requires them to make reasonable accommodations for religious observation of...of the individual students as to class attendance, tests, et al and asks the school boards at the elementary and secondary level to establish reasonable criteria for parental notification well in advance of the necessity for observation of religious holidays. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 815 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. Senate...House Bill 815 having received the constitutional majority is declared passed. House Bill 832, Senator Marovitz. House Bill 975, Senator Lemke. House Bill 990, Senator Demuzio. House...read the

bill, Mr. Secretary.

SECRETARY:

House Bill 990.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. House Bill 990 permits the disclosure of school student records for research purposes provided the person to whom the information is released signs an affidavit agreeing to comply with all the applicable Statutes and rules pertaining to student school...or school student records. Presently, under the Illinois Student Records Act, third party access to students records for statistical or research purposes, one must go through the State Board of Education in Springfield to get permission to do that. This bill would change that permission routine to the local board of education and that's all the bill does. Be happy to answer any questions. I would ask for a favorable vote on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 990 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 990 having received the constitutional majority is declared passed. House Bill 1175, Senator Joyce. House bill...resolutions.

SECRETARY:

Senate Resolution 335 offered by Senator Jerome Joyce. It's congratulatory.

Senate Resolution 336 offered by Senators Geo-Karis and Barkhausen. It's congratulatory.

And Senate Resolution 337 offered by Senator Topinka and all Senators, and...and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. For what purpose Senator Karpiel arise?

SENATOR KARPIEL:

Thank you, Mr. President. I would like to ask for suspension of the rules so that SJR 68 could be adopted today. It was suggested that I do this on the...by Enrolling and Engrossing so that I could get it printed by the end of the week and I have cleared it with both sides of the aisle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any...discussion? If not, Senator Karpiel moves to suspend the rules for immediate consideration and adoption of Senate Joint Resolution...

SENATOR KARPIEL:

68.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...68. All those in favor indicate by saying Aye. Those opposed. Hearing no objection, the motion carries and the resolution is...the rules are suspended. On the...the adoption, Senator Karpiel moves the adoption of Senate Joint Resolution 68. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. The resolution is adopted. Senator Demuzio.

SENATOR DEMUZIO:

Thank...thank you, Mr. President...House Bill 963...I have spoken with Senator Rigney's operatives and I had a similar bill of...in the Senate, and I understand that it is permissible with Senator Rigney to have House Bill 963 listed as Demuzio, the principal sponsor, dash Rigney, and I would make that request.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any objection? Hear-

ing no objection, the motion carries...Senator Demuzio.

SENATOR DEMUZIO:

...I'd also like to...there was a bill that...I've spoken with Senator Savickas about that was assigned to License and Insurance. I'd like to move to discharge the Committee on License and Insurance from further consideration of House Bill 1589 for the purpose of having it referred to the Finance Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, the motion carries. Senator Demuzio.

SENATOR DEMUZIO:

Also on House Bill 1417, the principal sponsor should...should read Demuzio-Davidson and the...the...Collins and Netsch, House Bill 1417, and I would make that request.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any discussion? Hearing no objection, the motion carries. Senator Vadalabene...or Senator Demuzio, you still have...Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like to be shown as a hyphenated sponsor on House Bill 291.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, the motion carries. Senator Netsch.

SENATOR NETSCH:

Thank you. With the listed sponsor's permission, House Bill 1247, would you change the sponsorship from Senator Hall to Senators Netsch-DeAngelis-Hall. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, the motion carries. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like leave to add myself as a hyphenated cosponsor to House Bill 1814.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there objection? Hearing no objection, the motion carries. Senator Philip.

SENATOR PHILIP:

...also, Mr. President and Ladies and Gentlemen of the Senate, I'd like to add Senator Rupp and Senator Demuzio as hyphenated cosponsors of House Bill 408.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any objection? Hearing no objection, the motion carries. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'd ask for leave as to House Bill 1143 to be removed as the principal sponsor and be substituted by Senator Netsch. House Bill 1148.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...

SENATOR BERMAN:

...substitute Netsch for Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, the motion carries. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I would make a similar request that I would be removed as the principal sponsor of House Bill 181 and I...I would be replaced by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, the motion carries. Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I would just request

that...House Bill 2437, of which I'm the sponsor, which was placed in the wrong committee and you were kind enough to correct this and if we could have it transferred to the Executive Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Keats...where's it...it's presently in Labor. From Labor to...

SENATOR KEATS:

...and the leadership has checked on it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...from Labor to Executive. Hearing no objection, the motion carries. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I ask leave of the Body to be shown as a hyphenated cosponsor with Senator Degnan on House Bill 932.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? Any objection? Hearing no objection, the motion carries. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I just wish to make the statement that the Senate Transportation Committee will be meeting at two o'clock in Room 400 and ask that all the members of the committee be punctual, if you please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...Mr. President, I'd ask leave of the Senate to be added as a hyphenated cosponsor to House Bill 2036, sponsored by Senators Philip and Rigney. I've discussed this with both of them and they're agreeable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...any discussion? Hearing no objection, the

motion carries. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I would like to have leave to go to the Order of Constitutional Amendment 1st Reading and have Senate Joint Resolution 11 read for the first time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...you've heard the motion, is there objection? Hearing no objection, the motion carries. Mr. Secretary, would you read...on page 9, Senate Joint Resolution 11.

SECRETARY:

Senate Joint Resolution 11 Constitutional Amendment.

(Secretary reads SJR 11 CA)

1st reading of Senate Joint Resolution...No. 11 Constitutional Amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senate Joint Resolution 11 our Constitutional Amendment which was read the first time has now been read the second and it will be on the Calendar for 2nd reading. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. I would just like to remind the members of Appropriation II that we must start promptly at two o'clock as the room must be available for the Revenue Committee that's following us. So, we only have three hours to be in that room and so I would ask everyone to please be prompt so that we can get underway at two sharp. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, like to request a Republican Caucus immediately on adjournment in Senator Philip's Office. Like to request the Republican members that are within the sound

of my voice to please get to Senator Philip's Office as soon as we adjourn so that we can get our caucus over as to not interfere with the committee schedule. So, please, head for Senator Pate's Office right after adjournment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, that motion is always in order. Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. I hope...this is timely to do this now...there's a few bills I'd like to get some sponsorships straightened out on...I am the Senate sponsor of House Bill 1566. 1566. Senator Geo-Karis wanted to be a cosponsor and I would like to see her shown as such. I am the Senate sponsor of House Bill 777 and the sponsorship of that bill should be Sangmeister-Carroll-Geo-Karis. And I would like to be personally, myself, shown as Senate sponsor on two other bills, 1072 and 1106.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you please provide the Secretary with that list so that there is no...no mix-up. Hearing no objection, leave is granted. Senator Lemke.

SENATOR LEMKE:

I'd like to have leave to be shown as a cosponsor on House Bill 18, House Bill 48, House Bill 257, House Bill 385 and House Bill 496.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you also give the Secretary a list. Is there any objection? Hearing no objection, leave is granted. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Having checked with the principal sponsor, I would like leave to have my name added as a principal hyphenated cosponsor to House Bill 50 and House Bill 51.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any objection? Hearing no objection, leave is granted. Senator, would you give those numbers to the Secretary's Desk. Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege for the purpose of an announcement. On Sunday, June 23, 1985,...Governor Thompson, Representative Nash and Adeline Geo-Karis will be sponsoring Greek Night at the Mansion at 6:30 p.m. I will...you will be getting...the legislators will and Senators will be getting their invitations sometime within the next week.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Yes, I would like to request that Senator Margaret Smith be added as a hyphenated cosponsor on...House Bill 496. I am the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Hearing no objection, leave is granted. Senator Luft.

SENATOR LUFT:

I'd ask leave, please, Mr. President, to add Senator Smith as a hyphenated sponsor to House Bill 4-8, 48.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to...on House Bill 1813 be removed as the principal lead sponsor and Senator Macdonald-Kelly would be the new sponsorship of this bill. And also I'd like to make an announcement on the Labor and Commerce Committee that there's a meeting at two o'clock in Room A-1 and would appreciate the membership being there

promptly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Hearing no objection, leave is granted. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. A reminder that the Committee on Revenue will meet at 5:00 p.m. in Room 212. We have something approximating our version of an Agreed Bill List. It should be possible to move...ah, horrors...it should be possible to move some bills rather rapidly, and if you will all be there and in your seats on time, we will be able to get out so that you may proceed with your district business in the latter part of the evening.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I just want to remind the members that tomorrow morning we will commence at eleven o'clock in order to afford the opportunity for all of us to return to our other duties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. I'm sorry to rise for a second time. It's been brought to my attention by Senator Smith that Senator Smith was to be the third principal name on Senate Bills 201 to 209 inclusive. 201 to 209, Senate Bills, the third name on the hyphenated list should be Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? Hearing no objection, leave is granted. Senator Marovitz, would you bring that note up to the Secretary's Desk. Any further announcements? If not, we do have House bills 1st reading.

House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 243, Senator Fawell is the Senate sponsor.

(Secretary reads title of bill)

House Bill 377, Senator Topinka.

(Secretary reads title of bill)

431, Senators Maitland and Jerome Joyce.

(Secretary reads title of bill)

480, Senator Schaffer.

(Secretary reads title of bill)

874, Senator Marovitz.

(Secretary reads title of bill)

1026, Senators Maitland and Zito.

(Secretary reads title of bill)

1129, Senator Fawell.

(Secretary reads title of bill)

1207, Senator Kelly.

(Secretary reads title of bill)

1540, Senator Savickas.

(Secretary reads title of bill)

1756, Senator Zito.

(Secretary reads title of bill)

House Bill 2266, Senator Demuzio.

(Secretary reads title of bill)

House Bill 2358, Senator Marovitz.

(Secretary reads title of bill)

1258, Senator Weaver.

(Secretary reads title of bill)

And...House Bill 2362, Senator Collins.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further business to come before the Senate? If not, the Senate will stand adjourned until Thursday, June

6th, at the hour of 11:00 a.m., upon Senator Rock's motion.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 6, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of eleven o'clock having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning will be by the Reverend Doctor Jack Glen, First United Presbyterian Church, Mendota, Illinois. Reverend.

REVEREND GLEN:

(Prayer given by Reverend Glen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, May 30th; Monday, June 3rd and Tuesday, June 4th and Wednesday, June 5th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. There any objections? Hearing none, so ordered. Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

What? Do I read that again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Did real fine. Committee reports.

SECRETARY:

Senator Netsch, chairman of...Revenue Committee, reports out the following House bills:

House Bill 47, 48, 120, 153, 198, 313, 323, 496, 538, 601, 710, 811, 880, 929 and 1008 with the recommendation Do Pass.

257, 883 and 1847 with the recommendation Do Pass as Amended.

Senator Nedza, chairman of Transportation Committee, reports out the following House bills:

99, 178, 228, 340, 430, 573, 639, 706, 787, 1103, 1299, 1314 and 1358 with the recommendation Do Pass.

69, 150, 335 and 986 with the recommendation Do Pass as Amended.

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee; 793, 1026, 2266, 2439, to Agriculture, Conservation and Energy; to Appropriations II - 993; to Elementary and Secondary Education - 243, 1252 and 2108; to Elections and Reapportionment - 481, 483, 558, 882, 1179, 1187, 1197 and 1424; to Executive - 431, 1111, 1131, 1132, 1249, 1346, 2054 and 2391; to Finance and Credit Regulations - 874, 1258, 1360...2362 and 2492; to Insurance, Pensions and Licensed Activity- 202, 434, 493, 910 and 1756; Judiciary I - 377, 810, 1206, 2276 and 2290; Local Government - 480, 1129, 1453, 1540 and 1548; Public Health, Welfare and Corrections - 2358; Revenue - 1330.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 20 has requested permission to tape. Is leave granted? Leave is granted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 505 together with House...House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 338 offered by Senator Berman and all Senators.

339, by Senator Kustra.

340, by Senator Lemke.

And 341, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Joint Resolution 71 offered by Senator Rock.

(Secretary reads SJR 71)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, this is the adjournment resolution. When we conclude our business today, which I hope will be very shortly, we will...it calls for us to return to Springfield on Monday at the hour of noon. I would move for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 71.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion...Senator Rock moves for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 71. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves...that Senate...Joint Resolution 71 be adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to have leave to be added as a hyphenated sponsor on House Bill 800.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 800. Is leave granted? Leave is granted. Ladies and gentlemen, we have some very special guests that are here with us today. Senator...from

Senator Poshard's area...and I will...let Senator Poshard introduce his guests.

SENATOR POSHARD:

Ladies and Gentlemen of the Senate. I'd like to introduce to you today the Illinois Class M State Basketball Champions, the junior high level, the Pope County Pirates. The Pope County Pirates are from my district, Pope County Junior High School. They are a great basketball team. They've made southern Illinois so proud this year with a twenty-two and two record. As I said, they are the State Junior High Class M Basketball Champions. I'd like to introduce coach Bruce Bard, who will introduce each of the individual players and team representatives to you. Coach Bard.

COACH BARD:

(Remarks given by Coach Bard)

SENATOR POSHARD:

Thank you coach, coach Bard. On behalf of Senate President Philip Rock and the other members of the Senate, I'd like to present this Senate Resolution to you congratulating the Pope County Pirates for being the State Class M Basketball champions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

A Message from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard, Director, Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body:

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive A and A. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 342 offered by Senator Rock and all Senators.

343, by Senator Rock and all Senators.

344, by Senator Holmberg.

345, by Senator Holmberg.

And 346, by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 347 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

On Senate...on Senate Resolution, I read as 344 it was Senate Joint Resolution 72 offered by Senator Rock and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And with the...the 343 that we misread we will read in Senate Resolution 343 offered by Senator Margaret Smith and it is congratulatory.

Senate...Senate Resolution 348, by Senators Lechowicz and Carroll.

349, by Senators Lechowicz and Carroll and they are congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. I would ask for leave to dis-

charge the Committee on Revenue from further consideration of House Bill 1395 and ask that the bill be referred to the Committee on Local Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Nedza moves to discharge the Committee on Revenue from further...further consideration of House Bill 1395 for the purpose of having the bill referred to...Local Government. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 1395 is discharged and is assigned to the Committee on...Local Government. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to have the Committee on Revenue be discharged from further consideration of House Bill 861 and have the bill reassigned to the Higher Education Committee. It was Senator Netsch's wish and Senator Savickas has concurred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis moves to discharge the Committee on Revenue from further consideration of House Bill 861 and that the bill be...referred to the...rereferred to the...Committee on Higher Education. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee on Revenue is discharged from further consideration of House Bill 861 and...will repose in the Committee on Higher Education. All right, House Bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 251, Senator Netsch is the Senate sponsor.

(Secretary reads title of bill)

House Bill 1154, Senator Savickas.

(Secretary reads title of bill)

House Bill 2205, Senator D'Arco.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Committee reports.

SECRETARY:

Senator Savickas, chairman of Committee on Assignment of Bills, assigns the following bills to committee:

House Bill 251 to Revenue Committee, and House Bill 1154 to Revenue Committee.

And House Bill 2205 to Finance and Credit Regulations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like the record to show that Senator Newhouse was absent today and yesterday for personal reasons.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so...indicate. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Having now just read in another couple of House Bills 1st and assigned a couple of bills. I would move at this time to suspend the posting requirements to allow for the committees that will be meeting all next week to post through five o'clock tomorrow. And I would so move this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock has moved to suspend the Six-day Posting requirement contained in Senate Rule 7-C. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended on posting. Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I should also indicate and would like the record to indicate, with leave of the Body, that Senator Dawson is absent today. He is in Chicago on official business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Rock. All right. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. Ask leave to have Senator Margaret Smith added as a hyphenated cosponsor of House Bill 1142.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith, House Bill 1142 to be added as a hyphenated cosponsor at the request of Senator Jones. Is leave granted? Leave is granted. So ordered. The Consent Calendar has been...has been passed out to the membership. Mr. Secretary have there been any...objections filed to the...Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Resolutions...Consent Calendar has been added a series of resolutions. Senate Joint Resolution 72, 348, 349, 338, 339, 340, 341, 342, 343, 344, 345 and 346. If there are no objections, Senator Rock moves the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. Senator Luft...what purpose do you rise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator DeAngelis as a hyphenated sponsor of House Bill 257. And I wish to have House Bill 48 hyphenated to read...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, wait a minute, let's take care of them one at a time. Senator Luft...requests leave of the Body to add Senator DeAngelis as a hyphenated cosponsor of House Bill 257. Is leave granted? Leave is granted. So ordered. Senator

Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to have House Bill 48 read Luft-Bloom-Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House Bill 48, the request has been made to have that bill be shown as Luft, Bloom and...Smith. Is leave granted? Leave is granted. So ordered. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Thank you, Mr. President. I would ask leave of the Body to add Senator Holmberg as a hyphenated...cosponsor to House Bills 1111 and House Bill 241. Also a hyphenated chief...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold it...Senator Zito...requests leave of the Body to add Senator Holmberg to House Bills 111 and House Bills 241 as a hyphenated cosponsor. Is leave granted? Leave is granted. Senator Zito.

SENATOR ZITO:

Thank you. Also hyphenated chief sponsor Senator Davidson on House Bill 1555.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito seeks leave of the Body to have Senator Davidson listed as the principal sponsor of House Bill 1555. Is leave granted? Leave is granted. So ordered...Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to have my name removed as the chief sponsor of House Bill 1314 and have instead Senator O'Daniel be listed as the sponsor of House Bill 1314.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft seeks leave of the Body to have his name removed as the chief sponsor of House Bill 1314 and

Senator O'Daniel substituted in his place. Is leave granted? Leave is granted. So ordered. Ladies and gentlemen can we have your attention please. Could we have some order please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We did, in fact, change the schedule, we were scheduled to be in Session tomorrow. We changed that obviously to accommodate...my friend the Minority Leader. But I did want to point out and I would ask Senator Smith to comment. Tomorrow is a special day, particularly for...Senator Smith. It is the first...anniversary celebration of the erection of the Aldelbert H. Roberts statue which this General Assembly...so admirably responded to Senator Smith's request. I think it's a tribute to all of us and most particularly to Senator Margaret Smith, and I would...since we will not be here tomorrow I would ask her to comment on that today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

Thank you, Mr. President. I merely want to stand this morning because tomorrow marked the first anniversary of the Aldelbert H. Roberts statue that sits on the second floor of our Rotunda. I think it's a tribute to our State and certainly is a tribute to the Legislative Body of this State of Illinois in that had it not been for your kindness and your support that this statue would not be today. We are proud to say, that, where the eagle once stood now a man of color stood...stands. He served in the Senate, the first Black to serve...us in the State Senate. And I'm very proud to say that young people, yet unborn will be able to come to our State Capitol and see that the type of...of fellowship and comraderyship that we maintained here in the State of Illinois shows that they did have a man of color to serve in our Legislative Body from the year 1924 to the year 1936. And

with that the brochure that you received this morning is with our compliments and its a blessing and it's a merit to all of us here, and thank you very kindly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, to follow up with Senator Smith's comments. The epitaph for the late Aldelbert Roberts was written by our former colleague, Senator Fred J. Smith, and it goes as follows; "It is not so much what life does with you but what you do with your life. To live as gently as you can to be no matter where a man." And I think we owe a tribute to Senator Fred Smith and Senator Margaret Smith for their fine dedication in having this statue constructed in the halls of the...the Illinois Capitol.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till Monday, June the 10th, at the hour of noon. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 10, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of twelve o'clock having arrived, the Senate will come to order. The members will be at their desks. All unauthorized persons will please vacate. Our guests in the gallery will please rise. Our prayer today will be by the Reverend Rudolph Shoultz of the Union Baptist Church, Springfield, Illinois. Reverend Shoultz.

REVEREND RUDOLPH SHOULTZ:

(Prayer given by Reverend Shoultz)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Thursday, May the 30th; Monday, June the 3rd and Tuesday, June the 4th, in the year 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Are there any objections? Hearing none, it's so ordered. Motion carried. Senator Poshard. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Wednesday, June 5th and Thursday, June 6th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Committee reports.

SECRETARY:

Senator Jones, chairman of the Committee on Insurance, Pensions and Licensed Activities, report out the following House bills:

72, 164, 591, 623, 715, 949, 2422, 2443 and 2444 with the recommendation Do Pass.

112, 332, 1833,...1871, 2414 and 2445 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 354 offered by Senator Lemke. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we'll go to the Order of Senate Bills 2nd Reading...House Bills 2nd Reading. (Machine cutoff)...on page 2 and try to go right on through. House Bill 25, Senator Holmberg. 37, Senator Holmberg. Top of page 2, House Bill 25. On the Order of House Bills 2nd Reading is House Bill 25, Mr. Secretary, read the bill.

SECRETARY:

House Bill 25.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 37, Senator Rigney. Senator Rigney on the Floor? 39, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill...39, Mr. Secretary, read the bill.

SECRETARY:

HB 40 2nd Reading

House Bill 39.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 3, House Bill 40, Senator Watson. House Bill 40? On the Order of House...House Bills 2nd Reading is House Bill 40, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 40.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 47, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 47, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 47.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 48, Senator Luft. Senator Luft

on the Floor? House Bill 69, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 69, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 69.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment clarifies the bill to allow the use of specially...designated prisoner of war license plates on pickup trucks. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Senator Poshard has moved the adoption of Committee Amendment No. 1 to House Bill 69. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 71, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 71, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 71.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 82, Senator Zito. Senator Zito...Senator Zito, House Bill 82? On the Order of House Bills 2nd Reading is House Bill 82, Mr. Secretary, read the bill.

SECRETARY:

House Bill 82.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you. Can we take this out of the record? I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, let's take it out of the record. House Bill 88, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 88, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 88.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 99
2nd Reading

3rd reading. House Bill 99, Senator Nedza. On the Order of House Bills 2nd Reading is House Bill 99, Mr. Secretary, read the bill.

SECRETARY:

House Bill 99.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 120, Senator Sangmeister. 1-2-0, exempts taxation deeds issued to...on the Order of House Bill 2nd Reading, page 3, 1-2-0, page 3. On the Order of House Bills 2nd Reading is House Bill 102, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 120.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 123, Senator Dawson. Senator Dawson on the Floor? 137, Senator Geo-Karis. On the Order of House Bills 2nd Reading...all right, hold it, take it out of the record. 146, Senator Kustra. Senator Kustra, 146. Top of page 4, 150, Senator Hall. On the Order of House Bills 2nd Reading, top of page 4, is House Bill 150, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 150.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment clarifies the intent of House Bill 150. The Secretary of State shall exclude from any driver's license lists to be sold to the public address of persons fifteen to seventeen years of age. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 150. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 153, Senator Friedland. Senator Friedland, 153. On the Order of House Bills 2nd Reading is House Bill 153, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 153.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 156, Senator Vadalabene. House bills 2nd reading is House Bill 156, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 156.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 167, Senator Welch. On the Order of House Bills 2nd Reading is House Bill 167, Mr. Secretary, read the bill.

SECRETARY:

House Bill 167.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Senator Welch, on Committee Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. What the...what the amendment did was to remove the specific date requirement as to when the county board may adopt a plan for altering the town...boundaries.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Welch moves the adop-

tion of Committee Amendment No. 1 to House Bill 167. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 178, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 178, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 178.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 182, Senator Nedza. 197. All right, on the Order of House Bills 2nd Reading is House Bill 182, Mr. Secretary, read the bill.

SECRETARY:

House Bill 182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 198
2nd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 197, Senator Lemke. House bills 2nd reading is House Bill 197, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 197.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 198, Senator O'Daniel. House bills 2nd reading, House Bill 198, Mr. Secretary.

SECRETARY:

House Bill 198.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 208, Senator D'Arco. 217, Senator Kustra. Senator Kustra, 217? 222, Senator Joyce. 223, Senator Welch. On the Order of House Bills 2nd Reading, bottom of page 4, is House Bill 223, Mr. Secretary, read the bill.

SECRETARY:

House Bill 223.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 5. Top of page 5 is House Bill 228, Senator Topinka. 241, Senator Zito. House Bill 242, Senator Sangmeister. 242, top of page 5. (Machine cut-off)...committee amendment. On the Order of House Bills 2nd Reading is House Bill 242, Mr. Secretary, read the bill.

SECRETARY:

House Bill 242.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the General Assembly, in committee...it was decided on a bipartisan basis to tighten up the wording as to when this leave could be accounted for and that committee amendment should be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sangmeister moves the adoption of Committee Amendment No. 1 to House Bill 242. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 244, Senator Maitland. House bills 2nd

reading is House Bill 244, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 244.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 257, Senator Luft. 258, Senator Lemke. House bills 2nd reading is House Bill 258, Mr. Secretary, read the bill.

SECRETARY:

House Bill 258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 259, Senator Lemke. House bills 2nd reading is House Bill 259, Mr. Secretary, read the bill.

SECRETARY:

House Bill 259.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 260, Senator Lemke. House bills 2nd reading is House Bill 260, Mr. Secretary, read the bill.

SECRETARY:

House Bill 260.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 261, Senator Lemke. House bills 2nd reading is House Bill 261, Mr. Secretary, read the bill.

SECRETARY:

House Bill 261.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is an LRB technical amendment...a revisory bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 261. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 264 2nd Reading
HB 262 3rd Reading

3rd reading. House Bill 262. House bills...262, Mr. Secretary, read the bill.

SECRETARY:

House Bill 262.

(Secretary reads title of bill)

3rd reading of the bill. No committee...or 2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 263. House Bill 263, Mr. Secretary, read the bill.

SECRETARY:

House Bill 263.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 264. House Bill 264. On the Order of 3rd Reading is House Bill...2nd reading, House Bill 264, Mr. Secretary, read the bill.

SECRETARY:

House Bill 264.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment...these are revisory...what this amendment does is makes this bill...changes it from the way it left the House as a substantive bill, now it makes it purely revisory. We cleaned up the language. These are the problems we generally have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 264. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 265. House Bill 265, Mr. Secretary, read the bill.

SECRETARY:

House Bill 265.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is an LRB technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 265. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee

HB 269 2nd Reading

amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 6, House Bill 266, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 266, Mr. Secretary, read the bill.

SECRETARY:

House Bill 266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 268, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 268. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 268.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2nd...House bills 2nd reading is House Bill 269, Mr. Secretary, read the bill.

SECRETARY:

House Bill 269.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This an...LRB technical amendment to a revisory bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...Senator Lemke moves the adoption of Committee Amendment...No. 1 to House Bill 269. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 270, Mr. Secretary, read the bill.

SECRETARY:

House Bill 270.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is a LRB technical amendment to a revisory bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 275
2nd reading

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 270. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 273, Mr. Secretary, read the bill.

SECRETARY:

House Bill 273.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 275, Mr. Secretary, read the bill.

SECRETARY:

House Bill 275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 276. House Bill 276, Mr. Secretary, read

HB 279
2nd Reading

the bill.

SECRETARY:

House Bill 276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 278, Mr. Secretary, read the bill.

SECRETARY:

House Bill 278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 279, Senator Lemke. House Bill 279, Mr. Secretary, read the bill.

SECRETARY:

House Bill 279.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 280, Mr. Secretary, read the bill.

SECRETARY:

House Bill 280.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 282, Mr. Secretary, read the bill.

SECRETARY:

House Bill 282.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 283, Mr. Secretary, read the bill.

SECRETARY:

House Bill 283.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 284. House Bill 284, Mr. Secretary, read the bill.

SECRETARY:

House Bill 284.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 7 is House Bill 294, Senator DeAngelis. On the Order of House Bills 2nd Reading is House Bill 294. Mr. Secretary, read the bill.

SECRETARY:

House Bill 294.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 296, Senator Bloom. Senator Bloom on the Floor? 313, Senator Donahue. Senator Donahue. All right, House bills 2nd reading is House Bill 313, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 313.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 314, Senator Karpiel. 323,

Senator Netsch. Senator Netsch on the Floor? 335, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 335, Mr. Secretary, read the bill.

SECRETARY:

House Bill 335.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Committee Amendment No. 1 would permit State and local law enforcement agencies to change the above fees. I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Maitland has moved the adoption of Committee Amendment No. 1 to House Bill 335. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 336, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 336, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 336.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

HB 344 2nd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 338, Senator Kelly. House Bill 340, Senator Nedza. On the Order of House Bills 2nd Reading is House Bill 340, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 340.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 343, Senator Sangmeister. Senator Sangmeister, 343. Page 7, bottom, 343. Indemnification Act relating to judges. On the Order of House Bills 2nd Reading is House Bill 343, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 343.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 344, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 344, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 344.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 8, 348, Senator Kustra. Senator Kustra. 368, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 368, Mr. Secretary, read the bill.

SECRETARY:

House Bill 368.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 393, Senator Lemke. House bills 2nd reading is House Bill 393...Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 393.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 430, Senator Darrow. Senator Darrow on the Floor? 437, Senator Netsch...House Bill 437. We have the

sponsor's okay. On the Order of House Bills 2nd Reading is House Bill 437, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 437.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 459, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 459, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 459.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 479, Senator Geo-Karis. 496, Senator Karpiel. 521, Senator Barkhausen. 538, Senator Berman. 563, Senator D'Arco. On the Order of House Bills 2nd Reading is House Bill 563, Mr. Secretary, read the bill.

SECRETARY:

House Bill 563.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 9, House Bill 573, Mr. Secretary, read the bill.

SECRETARY:

House Bill 573.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 576, Senator Lemke. House bills 2nd reading is House Bill 576, Mr. Secretary.

SECRETARY:

House Bill 576.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 577, Senator Lemke. House Bill 577, Mr. Secretary, read the bill.

SECRETARY:

House Bill 577.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 704 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 598, Senator Bloom. 601, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 601, Mr. Secretary, read the bill.

SECRETARY:

House Bill 601.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, House Bill 639, Senator Coffey. On the Order of House Bills 2nd Reading is House Bill 639, Mr. Secretary, read the bill.

SECRETARY:

House Bill 639.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 682, Senator Berman. 704, Senator Sangmeister. Middle of page 9, 704. House bills 2nd reading is House Bill 704, Mr. Secretary, read the bill.

SECRETARY:

House Bill 704.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 706, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 706, Mr. Secretary, read the bill.

SECRETARY:

House Bill 706.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 710, Senator Holmberg. Senator Holmberg, 710? House bills 2nd reading is House Bill 710, Mr. Secretary, read the bill.

SECRETARY:

House Bill 710.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 714, Senator Savickas. Senator Savickas on the Floor?...724, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 724, Mr. Secretary, read the bill.

SECRETARY:

House Bill 724.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 733, Senator Karpiel. Page 10, 733. 734, Senator Fawell. On the Order of House Bills 2nd Reading is House Bill 734, Mr. Secretary, read the bill.

SECRETARY:

House Bill 734.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 739, Senator Fawell. Read the bill, Mr. Secretary, please. House Bill 739.

SECRETARY:

House Bill 739.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 743, Senator Zito. House bills 2nd reading is House Bill 743, Mr. Secretary, read the bill.

SECRETARY:

House Bill 743.

(Secretary reads title of bill)

2nd reading of the bill. The...Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The amendment prepared...was prepared by the Department of Law Enforcement. It meets that agency's technical objections to the original bill and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Committee Amendment No. 1 to House Bill 743. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 775, Senator Davidson. On the Order of House Bills 2nd Reading is House Bill 775, Mr. Secretary, read the bill.

SECRETARY:

House Bill 775.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 787, Senator Luft. House bills 2nd reading is House Bill 787, Mr. Secretary, read the bill.

SECRETARY:

House Bill 787.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 792, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 792. Mr. Secretary, read the bill.

SECRETARY:

House Bill 792.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 802, Senator Maitland. House bills 2nd reading, House Bill 802, Mr. Secretary, read the bill.

SECRETARY:

House Bill 802.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 857 2nd Reading

3rd reading. 811, Senator Luft. House bills 2nd reading is House Bill 811, Mr. Secretary, read the bill.

SECRETARY:

House Bill 811.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 833, Senator Etheredge. 853, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 853, Mr. Secretary, read the bill.

SECRETARY:

House Bill 853.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 856, Senator Lemke. 857, Senator Lemke. On the Order of House...House Bills 2nd Reading is House Bill 857. Top of page 11, Mr. Secretary, read the bill.

SECRETARY:

House Bill 857.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 883
2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 880, Senator Degnan. 853...883, Senator Friedland. Senator Friedland on the Floor? 909, Senator Degnan. 929, Senator Schaffer. On the Order of House Bills 2nd Reading is House Bill 929, Mr. Secretary, read the bill.

SECRETARY:

House Bill 929.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House bills 2nd reading is House Bill 883, Mr. Secretary, read the bill.

SECRETARY:

House Bill 883.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 963, Mr. Secretary, read the bill.

SECRETARY:

House Bill 963.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 986, Senator Luft. Middle of page 11 is House Bill 986. On the Order of House Bills 2nd Reading is House Bill 986, Mr. Secretary, read the bill.

SECRETARY:

House...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. House Bill 1008, Senator Keats. 1-0-0-8. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1008.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1016, Senator Lemke. House bills 2nd reading is House Bill 1016, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 1016.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does instead of...making everybody guilty of a...felony on the first offense, it makes the first offense a Class, I believe, B misdemeanor...Class C? And a

Class B for the second offense and a Class A for the third. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, Senator Lemke has moved the adoption of Committee Amendment No. 1 to House Bill 1016. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1018, Senator Collins. Top of page 12, 1027, Senator Welch. 1035, Senator Marovitz. 1042, Senator Bloom. 1050. 1051. 1079, Senator Schaffer. 1103, Senator Lemke. 1137, Senator Lemke. All right, House bills 2nd reading is House Bill 1137, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1137.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1216, Senator Degnan. 1232, Senator Hall. Senator Hall, 1232. House bills 2nd reading is House Bill 1232, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1232.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1267, Senator Lemke. House bills 2nd reading, House Bill 1267, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1267.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 13, 1298. 1299. (Machine cut-off)...House Bill 1298, Senator Berman. 1299, Senator Darrow. 1314, Senator O'Daniel. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1314.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1356, Senator Poshard. House bills 2nd reading, House Bill 1356, Mr. Secretary.

SECRETARY:

House Bill 1356.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1358, Senator D'Arco...oh, I beg your pardon. All right, with leave of the Body, we'll return House Bill 1356 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1356, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This amendment is just a technical amendment which changes the word "park" to "with other parks" to make it more acceptable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard moves the adoption of Amendment No. 1 to House Bill 1356. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1358, Senator D'Arco. On the Order of House Bills 2nd Reading, House Bill 1358, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1358.

HB 1393 2nd Reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1392, Senator Netsch. 1393, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 1393, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1393.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1394, Senator Fawell. House bills 2nd reading, House Bill 1394, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1394.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1585, Senator Poshard. Senator Poshard, 1585. Bottom of page 13, House bills 2nd reading, House Bill 1-5-8-5, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1585.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1587, Senator Poshard. House bills 2nd reading is House Bill 1587, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1587.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 14, 1670, Senator D'Arco. House bills 2nd reading is House Bill 1670, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1670.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1847, Senator Netsch. Top of page 14, 1847. On the Order of House Bills 2nd Reading is

House Bill 1847, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1847.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill as it came over deleted two sections dealing with...old sections dealing with the State property tax. One that is related to schools, the original proposal of the amendment is quite correct, it is obsolete and no longer necessary. The other one is still literally part of the backing of two of the old general obligation bond issues for universities and mental health, and it does raise some very serious questions about the integrity of the contract with the bondholders even though the provision, in fact, is not to be used; and so at the request of the Department of Revenue, we will let that provision stay in the Statutes until those bonds are retired. I would move the adoption of Amendment No. 1 to House Bill 1847.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch moves the adoption of Committee Amendment No. 1 to House Bill 1847. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 1860 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1860, Senator Schuneman. On the Order of House Bills 2nd Reading is House Bill 1860, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1860.

(Secretary reads title of bill)

2nd reading of the bill. The...the Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

As I recall, Mr. President, this was strictly a technical amendment, was it not?

SECRETARY:

It has reference to Class A misdemeanor...

SENATOR SCHUNEMAN:

Oh,...reduces the...reduces the penalty under the law from a...to a misdemeanor rather than a felony.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR SCHUNEMAN:

Move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has moved the adoption of Committee Amendment No. 1 to House Bill 1860. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1938, Senator Fawell. On the Order of House Bills 2nd Reading is House Bill 1938, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 1938.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1966, Senator Schuneman. On the Order of House Bills 2nd Reading is House Bill 1966, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 1966.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Friedland and Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. This amendment was requested by the Illinois Educational Labor Relations Board and it's been agreed upon. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland has moved the adoption of Amendment No.

1 to House Bill 1966. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2062, Senator Etheredge. Senator Etheredge. 2088, Senator Jones. 2158, Senator Nedza. House bills 2nd reading, House Bill 2158, Mr. Secretary, read the bill.

SECRETARY:

House Bill 2158.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2165. House Bill 2167, Senator D'Arco. Senator D'Arco on the Floor? Page 15, House Bill 2232, Senator Karpiel. 2364, Senator Berman. 2523, Senator Weaver. On the Order of House Bills 2nd Reading is House Bill 2523, Mr. Secretary, read the bill.

SECRETARY:

House Bill 2523.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

This just conforms the fingerprinting to the FBI standards, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver moves the adoption of Amendment No. 1 to House Bill 2523. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...any...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 351 offered by Senator Demuzio and all Senators and it's congratulatory.

Senate Resolution 352 offered by Senator Coffey and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I have permission of the sponsor and with leave of the Body, I'd like to be included as a hyphenated cosponsor on House Bill 555.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 555. Is leave granted? Leave is granted. It's so ordered. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Thank you, Mr. President. I would like to change the

sponsorship of Senate Bill 450...or House Bill 450 to Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, do you wish to remain as a sponsor also?

SENATOR DONAHUE:

No, sir. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue requests leave of the Body to remove her name from House Bill 450 and that Senator Vadalabene be added as...as a principal sponsor. Is leave granted? Leave is granted. It's so ordered. All right, with...all right, with leave of the Body, we'll go to House bills 1st reading. Is leave granted? Leave is granted. House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 964, Senator Topinka is the Senate sponsor.

(Secretary reads title of bill)

House Bill 2023, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2024, Senator Topinka.

(Secretary reads title of bill)

House Bill 2247, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Holland. (Machine cutoff)...committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

964 to Executive Committee; 2023 to Insurance, Pensions and Licensed Activities; 2024 to Insurance, Pensions and Licensed Activities and 2247 to Public Health, Welfare and Corrections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. Senator Savickas authorized me to make a transfer motion on his behalf with the permission of the respective committee chairman. I would move to reassign House Bill 1148 from the Committee on Finance to the Committee on Revenue and House Bill 1680...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's take them one at a time.

SENATOR NETSCH:

All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves to discharge the Committee on Finance from further consideration of House Bill 1148 so it can be rereferred to the Committee on Revenue. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carried. The...House Bill 1148 will be assigned to the Committee on Revenue. Senator Netsch.

SENATOR NETSCH:

Thank you. And I would then move to discharge the Committee on Executive from further consideration of House Bill 1688 for the purpose of reassigning it to the Committee on Revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch moves to discharge the Committee on Executive from further consideration of House Bill 1688 and that the bill be rereferred to the Committee on Revenue. Any discussion? If not, those in favor signify by saying...all right, Senator Schuneman.

SENATOR SCHUNEMAN:

Excuse me, I hadn't had a chance to check to see what bill this is. What are we talking about here, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, I...I'm...I should have...tried to speak to you also, Senator Schuneman. I'm the principal sponsor of House Bill 1688. It is one of two bills that deals with the so-called Private Bond Allocation Authority. I, you may recall, passed one out of the Senate initially; there are two others, and it just is much simpler for me if I have them both in the Revenue Committee, that was the reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves to discharge the Committee on Executive from further consideration of House Bill 1688 and that the bill be rereferred to the Committee on Revenue. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 1168 will be assigned to the Committee on Revenue. Further business to come before the Senate? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. A couple of announcements. The Elections and Reapportionments Committee will meet at two o'clock in Room A-1. I'd be very grateful for the members to be there. And also, there is another baseball practice. We had a very successful one last Monday night and tonight there will be one at five-thirty at the same field, Springfield track, which is two blocks west of the Capitol, and we would appreciate it very much if the members would be there, and also we're going to be playing the staff and they gave us a great game last week. I look for big things from this Senate baseball team. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly, I've been asked to ask you if there will be a doctor available at practice this evening? Further business to come before the Senate? Senator Watson.

SENATOR WATSON:

Well, thank you, I understand the emergency room at the hospital will be...will be open. Along that same light in

regard to the softball game, the Republican side of the aisle, each member has given ten dollars per person to go towards the...the Springfield Boy's Club in purchasing tickets, and I understand that maybe the other side of the aisle hasn't...such a unified effort, so just to let you know that...that we're doing our job over here. Secondly,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would you like a roll call on that?

SENATOR WATSON:

...secondly,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

...I'd like to be added as a hyphenated cosponsor with Senator Hall on House Bill 1224. Could I have leave? I got that reversed, didn't I? I should have asked that first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill...

SENATOR WATSON:

1224.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...1224. All right, Senator Watson seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 1224. Is leave granted? Leave is granted. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. First of all is to respond to Senator Watson, my ten dollars was the first one in; and secondly is, I would ask leave to have my name removed as sponsor of House Bill 1340 and 1341 and be replaced with Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza seeks leave of the Body to have his name removed as the sponsor of House Bill 1340 and House

Bill 1341 and that Senator Rupp assume the sponsorship of both of those bills. Is leave granted? Leave is granted. It's so ordered. Further business to come before the Senate? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Dudycz is in Washington D.C. at a conference with the President of the United States.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the record will so indicate. Senator Rock moves that the Senate stand adjourned until tomorrow morning, Tuesday, June the 11th at the hour of...of noon. Those in favor signify by saying Aye...the Senate stands adjourned until tomorrow.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 11, 1985

PRESIDENT:

Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Charles Kyle, St. Francis Xavier Church, Chicago, Illinois. Father.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, June 5th; Thursday, June 6th and Monday, June 10th, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports, Mr. Secretary.

SECRETARY:

Senator Lemke, chairman of Judiciary I Committee, reports out the following House bills:

124, 484, 522, 627, 650, 807, 810, 831, 838, 1182, 1207, 1362, 1656, 1880, 1937, 1962, 2103, 2106, 2162, 2276, 2290 and 2525 with the recommendation Do Pass.

231, 312, 489, 851, 1604, 1677, 1955 and 1958 with the recommendation Do Pass as Amended.

Senator Jeremiah Joyce, chairman of Finance and Credit Regulations, reports out the following House bills:

190, 528, 590, 809, 874, 1163, 1258, 1313, 1360, 1641, 1765, 1912, 1963, 1970, 2181, 2205, 2441 and 2492 with the recommendation Do Pass.

204, 1902 and 2129 with the recommendation Do Pass as Amended.

Senator Newhouse, chairman of Higher Education Committee, reports out the following House bills:

23, 593, 701, 861, 1115, 2003 and 2066 with the recommendation Do Pass.

301 and 1034 with the recommendation Do Pass as Amended.

Senator Netsch, chairman of Revenue Committee, reports out the following House bills:

18, 34, 83, 152, 255, 308, 334, 341, 447, 781, 1090, 1202, 1206 and 1568 with the recommendation Do Pass.

879 and 997 with the recommendation Do Pass as Amended.

Senator Sangmeister, chairman of the Executive Committee, reports out the following House bills and Senate resolutions:

142, 210, 303, 306, 366, 369, 421, 422, 556, 578, 608, 720, 761, 777, 816, 950, 1010, 1044, 1045, 1058, 1059, 1159, 1212, 1224, 1246, 1303, 1353, 1440, 1488, 1496, 1500, 1502, 1518, 1571, 1655, 1755, 1801, 1926, 1959, 2002, 2275, 2311, 2352, 2440 and 2452 with the recommendation Do Pass.

450, 864, 903, 1204, 1285, 1301, 1445, 1455, 1654, 2421 and 2434 with the recommendation Do Pass as Amended.

Senate Resolution 235, recommend adoption.

Senate Joint Resolution No...69, recommend adoption.

PRESIDENT:

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit;

House Joint Resolution 67 and it is congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 353 offered by Senator Carroll, it's commendatory.

354 offered by Senator Geo-Karis and Barkhausen, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

That was...instead of Senate Resolution 354, it was Senate Joint Resolution 73, and it is congratulatory.

PRESIDENT:

Consent Calendar. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, I...I've been trying for sometime, I'd like to be...leave of the Body to be added as a hyphenated cosponsor of House Bills 300, House Bill 510 and House Bill 202.

PRESIDENT:

All right. Gentleman seeks leave to be added as a cosponsor of House Bill 300, 510 and 202. Without objection, leave is granted. Senator Dudycz, for what purpose do you seek recognition?

SENATOR DUDYCZ:

Thank you, Mr. President. Ask leave of the Body to be...added as a House...as a cosponsor or hyphenated cosponsor of House Bill 561.

PRESIDENT:

The gentleman seeks leave to be added as a hyphenated cosponsor of House Bill 561. Without objection, leave is granted. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Yes, with leave of the Body, I would like to have Senator Bob Kustra added as hyphenated cosponsor to my bill, House

Bill 1478.

PRESIDENT:

1478, the lady seeks leave to add Senator Kustra as a cosponsor. Without objection, leave is granted. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, request leave to be added as a hyphenated cosponsor of House Bill 1576 with Senator Watson.

PRESIDENT:

All right. The gentleman seeks leave to be added as a hyphenated cosponsor of House Bill 1576. Without objection, leave is granted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Seek a motion as needed...I need...I move to suspend the posting requirements contained in Senate Rule 7C so that the following bills may be heard tomorrow in the Civil and Criminal Practice Subcommittee of the Senate Judiciary I Committee: House Bills 35, 75, 89, 377, 474 and 1265. The meeting is from 9:00 a.m. to twelve noon in the Stratton Building, Room A-1. These bills have been posted in a regular meeting but they failed to post for the subcommittee. I'd like leave to have them posted...

PRESIDENT:

All right. The gentleman seeks leave to waive the appropriate posting rules with respect to a list of bills which he'll provide the Secretary so that they can be heard in the subcommittee tomorrow morning at nine o'clock in Room A-1. Without objection, leave is granted. So ordered. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I'd like to get leave to be a hyphenated sponsor on House Bill 864. I did speak to the Senate sponsor, Senator Etheredge, and it meets with his con-

sent.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of House Bill 864. Without objection, leave is granted. With leave of the Body, we'll move to the...page 10 on the Calendar. Page 10 on the Calendar, we'll go to the Order of House Bills 2nd Reading. All right. With leave of the Body, we're on page 10 of the Calendar on the Order of House Bills 2nd Reading. On the Order of House Bills 2nd Reading is House Bill 37. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 37.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 48, Senator Luft. Top of page 11, 72, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 72. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 72.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 82, Senator Zito. On the Order of House Bills 2nd Reading is House Bill 82. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 82.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Zito on Committee Amendment No. 1.

SENATOR ZITO:

Thank you...thank you, Mr. President. This committee amendment...this amendment was a request by the committee. It increases the penalty classifications for prostitution related offenses. I would move for its adoption.

PRESIDENT:

Senator Zito has moved the adoption of Committee Amendment No. 1 to House Bill 82. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 112, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 112. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 112.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Topinka on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, the amendment basically does everything that we did to a bill that I had in here as a Senate bill, making it exactly the same as what we had passed out of the Senate originally.

PRESIDENT:

Senator Topinka has moved the adoption of Committee Amendment No. 1 to House Bill 112. Any discussion? Senator Demuzio, on House Bill 112? Senator Demuzio. No...your light was on...all right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to House Bill 112. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 123, Senator Dawson. 137, Senator Geo-Karis. On the Order of House Bills 2nd Reading, the middle of page 11, is House Bill 137. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 137.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

HB 208
2nd Reading

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment extends the provisions of the bill to include Kane County.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 137. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

It's okay with me.

PRESIDENT:

All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments...no further amendments.

PRESIDENT:

Any...3rd reading. 146, Senator Kustra. 164, Senator Joyce. 208, Senator D'Arco. On the Order of Senate...House Bills 2nd Reading, House Bill 208. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 208.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 217, Senator Kustra. 222, Senator Jerome Joyce. On the Order of House Bills 2nd Reading is House Bill 222. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 222.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 228, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 228, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 228.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Topinka.

PRESIDENT:

All right. Will the members be in their seats. Will the staff take the conferences off the Floor. Senator Topinka on Floor Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President, all this amendment does is put garbage trucks, refuse trucks who are to be equipped with...with warning devices under the jurisdiction of the Department of Transportation under the Illinois Vehicle Code rather than under the Secretary of State.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 228. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amend-

ments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 241, Senator Zito. On the Order of House Bills 2nd Reading, the bottom of page 11 is House Bill 241. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 241.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Zito on Committee Amendment No. 1.

SENATOR ZITO:

Yes, thank you, Mr. President and members...Amendment No. 1, I believe, was a technical amendment and it included...the bill was originally set up to receive Federal dollars, it also included any State dollars that may be available for the program, and I move for its adoption.

PRESIDENT:

Senator Zito has moved the adoption of Committee Amendment No. 1 to House Bill 241. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 12, Senate...House Bill 257, Senator Luft. 296, Senator Bloom. 314, Senator Karpiel.

HB 479 2nd Reading

323, Senator Netsch. 338, Senator Kelly. On the Order of House Bills 2nd Reading, in the middle of page 12, is House Bill 338. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 338.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 348, Senator Kustra. 430, Senator Darrow. On the Order of House Bills 2nd Reading is House Bill 430. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 430.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 479, Senator Geo-Karis. On the Order of House Bills 2nd Reading is House Bill 479. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 479.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 496, Senator Karpiel. On the Order of House Bills 2nd Reading is House Bill 496. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 496.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 521, Senator Barkhausen. 538, Senator Berman. On the Order of House Bills 2nd Reading, bottom of page 12, is House Bill 538. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 538.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 13, 591, Senator Savickas. 598, Senator Bloom. 623, Senator Vadalabene. On the Order of House Bills 2nd Reading, top of page 13, is House Bill 623. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 623.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

HB 880 2nd Reading

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 682, Senator Berman. On the Order...on the Order of House Bills 2nd Reading is House Bill 682. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 682.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 714, Senator Savickas. 715, Senator Jones. 733, Senator Karpiel. On the Order of House Bills 2nd Reading is House Bill 733. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 733.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 833, Senator Etheredge. 856, Senator Lemke. 880, Senator...Degnan...wish it called? On the Order of House Bills 2nd Reading is House Bill 880. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

HB 932
2nd Reading

House Bill 880.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 909, Senator Degnan. 932, Senator Degnan. On the Order of House Bills 2nd Reading is House Bill 932. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 932.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Degnan on Committee Amendment No. 1.

SENATOR DEGNAN:

Thank...thank you, Mr. President. Committee Amendment No. 1 removes the Medical Society's objection to the bill.

PRESIDENT:

All right. Senator Degnan has moved the adoption of Committee Amendment No. 1 to House Bill 932. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 949, Senator Chew. 986, Senator Luft. 1018, Senator Collins. On the Order of House Bills 2nd Reading, the top of page 14,...top of page 14, Senator Nedza, I know you want to follow. The top of page 14 is Senator...is House Bill 1018. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1018.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1027, Senator Welch. 1035, Senator Marovitz. 1042, Senator Bloom. 1050, Senator Darrow. On the Order of House Bills 2nd Reading is House Bill 1050. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1050.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1051. On the Order of House Bills 2nd Reading is House Bill 1051. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1051.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1053. On the Order of House Bills 2nd Reading is House Bill 1053. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1053.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1079, Senator Schaffer. On the Order of House Bills 2nd Reading, the middle of page 14, is House Bill 1079. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1079.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Schaffer on Committee Amendment No. 1.

SENATOR SCHAFFER:

This is a technical amendment suggested by the Municipal League.

PRESIDENT:

Senator Schaffer moves the adoption of Committee Amendment No. 1 to House Bill 1079. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1103, Senator Lemke. 1216, Senator Degnan. On the Order of House Bills 2nd Reading is House Bill 1216. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1216.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1218, Senator Degnan. On the Order of House Bills 2nd Reading, House Bill 1218. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1218.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1298, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 1298. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Darrow on 1299. You got a whole series here on 14 and 15. On the Order of House Bills 2nd Reading, bottom of page 14, is House Bill 1299. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1299.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 15, on the Order of House Bills 2nd Reading is House Bill 1363. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1363.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1364. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1364.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1365 Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1365.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, top of page 15, is House Bill 1366. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1366.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1392, Senator Netsch. 1412, Senator Darrow. On the Order of House Bills 2nd Reading is House Bill 1412. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1412.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Darrow on Committee Amendment No. 1, House Bill 1412.

SENATOR DARROW:

Amendment No. 1 is an amendment that...that places this legislation back in the form in which it was introduced. It increases the penalty from a misdemeanor to a felony. I'd ask for the adoption of the amendment.

PRESIDENT:

All right. Senator Darrow has moved the adoption of Committee Amendment No. 1 to House Bill 1412. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1833, Senator Demuzio. On the Order of House Bills 2nd Reading is House Bill 1833. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1833.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Demuzio on Committee Amendment No. 1.

SENATOR DEMUZIO:

Committee Amendment No. 1, Mr. President, just simply adds an effective date of July 1st of 1986. I would move adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Committee Amendment No. 1 to House Bill 1433. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1871, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 1871. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1871.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Vadalabene on Committee Amendment No. 1.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Committee No. 1...or Amendment No. 1...Committee Amendment No. 1 to Senate Bill 1871 changes the word "them" to "firefighters," deductions for insurance shall be made from the Firefighter's Pension Fund rather than from the municipality. And it provides that this section does not preempt the concurrent exercise by home rule,unis of powers consistent

with that section, and I move for the adoption of Floor...or Committee Amendment No. 1.

PRESIDENT:

Senator Vadalabene has moved the adoption of Committee Amendment No. 1 to House Bill 1871. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2062, Senator Etheredge. Okay. 2088, Senator Jones. On the Order of House Bills 2nd Reading, the middle of page 15, is House Bill...2-0-8-8, 2088. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2088.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2165, Senator Berman. 2167, Senator D'Arco. On the Order of House Bills 2nd Reading...Senator DeAngelis, for what purpose do you seek recognition?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR DeANGELIS:

In the gallery to our left, in the front row are seated some realtors from the south suburban area. I would like for them to stand and be recognized.

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. On the Order of House Bills 2nd Reading...Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Thank you, Mr. President. I was trying to get your attention on House Bill 2088. I am told that there was a committee amendment that was requested that apparently was not...not offered by the sponsor, and...

PRESIDENT:

Well, I'll direct Senator Jones to visit with you immediately. We'll get back to that. On the Order of House Bills 2nd Reading, House Bill 2167. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2167.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2232, Senator Karpiel, bottom of page 15. On the Order of House Bills 2nd Reading, the bottom of page 15 is House Bill 2232. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2232.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

HB 2414 2nd Reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Karpiel.

PRESIDENT:

Senator Karpiel on Floor Amendment No. 1.

SENATOR KARPIEL;

Yes, thank you, Mr. President. Amendment No. 1 to House Bill 2232 simply clarifies the definition of...in local newspaper published in the area. It was offered to me by the Press Association.

PRESIDENT:

Senator Karpiel has moved the adoption of Amendment No. 1 to House Bill 2232. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading...top of page 16...top of page 16, Senator Berman on...2364. Senator Topinka, 2414. On the Order of House Bills 2nd Reading, the top of page 16, is House Bill 2414. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2414.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Topinka on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, the amendment basically makes some definitions and was recommended by the Department of Insurance.

PRESIDENT:

All right. Senator Topinka moves the adoption of Commit-

HB2444 3rd Reading

tee Amendment No. 1 to House Bill 2414. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2422, Senator Rupp. On the Order of House Bills 2nd Reading, the middle of page 16, is House Bill 2422. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2422.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2443, Senator Schuneman. 2444, Senator Rupp. On the Order of House Bills 2nd Reading is House Bill 2444, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2444.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

HB 2445 2nd Reading

PRESIDENT:

3rd reading. 2445, Senator Topinka. On the Order of House Bills 2nd Reading, the middle of page 16, House Bill 2445. Read the bill. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2445.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment...two...correction...two amendments.

PRESIDENT:

All right. Senator Topinka on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr...Mr. President, Committee Amendment No. 1 added some language which was developed between the Department of Insurance and the life insurance industry. It's basically technical in nature and Amendment No. 2, if I may continue.

PRESIDENT:

No, just one at a time, please. All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to House Bill 2445. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the Committee on Insurance.

PRESIDENT:

Senator Topinka, Committee Amendment No. 2.

SENATOR TOPINKA:

Yes, Mr. President, Amendment No. 2 allows the University of Illinois to run its own health care program under the terms of this bill.

PRESIDENT:

Senator Topinka has moved the adoption of Committee Amendment No. 2 to House Bill 2445. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Just a question. If...if we're allowing the University of Illinois to operate their own...HMO, why don't we allow the rest of the university systems to do the same, like Southern Illinois University and others, or do we do that?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I have no problem with that. You know, the University of Illinois chose to go this route, I have no problem adding this onto the bill if they would like to do so.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, why don't you go ahead and move it to 3rd and perhaps we'll talk to the...university system and see whether or not they want to be added also.

PRESIDENT:

Sponsor agrees that she will bring it back if it thought necessary. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further...

PRESIDENT:

All right. Senator...Senator Topinka has moved the adoption of Committee Amendment No. 2 to House Bill 2445. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Can you show me as a hyphenated joint sponsor on the following bills: House Bill 1050...1051, 1053, 1363, 1364, 1365, 1366 and 1412. I got leave from Senator Darrow.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor on the list of bills just read which he will, I hope, deliver to the Secretary. Without objection, leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Would you please show me as a hyphenated cosponsor on House Bill 1265. I have...obtained the...permission of the sponsor, Senator Berman.

PRESIDENT:

No. Further business to come before the...all right. The lady seeks leave to be shown as a cosponsor on 1265. Without objection, leave is granted. Just...nobody is paying attention, see, that's...Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, if I might have leave with the permission of the sponsor to become a joint sponsor of House Bill 1589.

PRESIDENT:

1589. The lady seeks leave to be shown as a joint sponsor on House Bill 1589. Without objection, leave is granted. Senator Dunn, for what purpose do you arise, sir?

SENATOR DUNN:

...thank you, Mr. President, members of the Senate. I'd like to have leave to be removed as chief sponsor of House Bill 641 and that sponsorship will go to Senator Poshard.

PRESIDENT:

All right. The gentleman seeks leave to substitute chief sponsorship of House Bill 641, remove Senator Dunn and...and insert in his place Senator Poshard. Without objection, leave is granted. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, to request leave to be added as a hyphenated cosponsor of House Bill 1544, sponsored by Senator Demuzio. I've discussed it with him.

PRESIDENT:

All right...pardon me, 1544. The gentleman seeks leave to be added as a...cosponsor. Without objection, leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President, ladies and gentlemen. I'd like to...I make the announcement that Appropriation II will meet in Room 212, promptly at 2:00 p.m. Will you...please be in attendance.

PRESIDENT:

All right. Appropriations II at two o'clock in Room 212. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Yes...I'm sponsor of House Bill 1478 right now, would like to remain but I would like to have Senator Margaret Smith added as primary and lead sponsor.

PRESIDENT:

All right. Senator Holmberg seeks leave to show Senator Smith as the primary sponsor of House Bill 1478 with herself as the hyphenated cosponsor. Without objection, leave is granted. Senator Geo-Karis, for the forty-third time.

SENATOR GEO-KARIS:

I don't know what you would do without me, but anyway, Mr. President,...

PRESIDENT:

Oh, try me, try me.

SENATOR GEO-KARIS:

You'll be sorry, but, anyway, Mr. President and Ladies and Gentlemen of the Senate, I have been requested and I am delighted to add Senator Emil Jones as an immediate cosponsor to my House Bill 660.

PRESIDENT:

All right. The lady seeks leave to show Senator Jones as the cosponsor of House Bill 660. Without objection, leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I...I would like to have leave to be shown as a hyphenated sponsor of...of House Bill 1412.

PRESIDENT:

Gentleman seeks leave to be shown as a hyphenated cosponsor of House Bill 1412. Without objection, leave is granted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I move to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that the following bills may be heard tonight in the Marriage and Dissolution Subcommittee of...Judiciary I, House Bill 755, House Bill 1188 and House Bill 2447. The meeting is at five o'clock tonight in the Stratton Building in...Room A-1, and these bills were inadvertently left off the posting, and I would move to suspend the Six-day Rule so that these bills could be heard tonight. It's the last opportunity.

PRESIDENT:

All right. The gentleman seeks leave to waive the posting notice with respect to his subcommittee meeting at five o'clock this afternoon. The list will be provided to the Secretary. Without objection, leave is granted. Further

business? Announcements? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I just want to call to everybody's attention that the Transportation...the final meeting of the Transportation Committee will be held at 2:00 p.m. in Room 400, and I'd ask all sponsors and committee members to be prompt if they please.

PRESIDENT:

All right. Transportation at two o'clock this afternoon, Room 400. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 354 offered by Senator Dudycz, it's congratulatory.

PRESIDENT:

Consent Calendar. Any further business to come before the Senate? Announcements? If not, Senator Hall moves that the Senate stand adjourned until noon tomorrow. Twelve o'clock noon, tomorrow, Wednesday June the 12th. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 12, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Charles Kyle, Saint Francis Xavier Church, Chicago, Illinois. Father.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, June the 5th, 1985.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, June 6th; Monday, June 10th and Tuesday, June the 11th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

Senator Berman, chairman of Elementary and Secondary Education, reports out the following House bills:

243, 514, 893, 952, 982, 992, 1166, 1493, 1683 and 2226 with the recommendation Do Pass.

320, 409, 889, 891, 935, 1086, 1117, 1458, 1491, 1528, 1714, 2108, 2115 and 2219 with the recommendation Do Pass as Amended.

Senator Nedza, chairman of the Transportation Committee, reports out the following House bills:

157, 188, 513, 592, 751, 867, 907, 1208, 1318, 1340, 1341, 1371, 1645, 1763, 1780, 1845, 1855, 1901, 1928, 1953, 2011, 2278, 2328, 2400, 2449 and 2517 with the recommendation Do Pass.

1769 and 1944 with the recommendation Do Pass as Amended.

1980 with the recommendation Do Not Pass.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 355 offered by Senator Lemke, it's congratulatory.

And Senate Resolution 356 offered by Senator Donahue and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President. While there's a lull, I'd like to be shown as...hyphenated cosponsor of House Bill 1224.

PRESIDENT:

House Bill 1224, the gentleman seeks leave to be added as a hyphenated cosponsor. Without objection, leave is granted. All right, with leave of the Body, we'll turn to page 14 on the Calendar, on the Order of House Bills 2nd Reading.

Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR MAHAR:

I'd like to introduce in the...gallery above the clock, here, the...a former Senator and his wife, which happen to be my parents.

PRESIDENT:

Senator Mahar, welcome back. Turn to page 14 on the Calendar. On the Order of House Bills 2nd Reading, House Bill 18, Senator Welch. 23, Senator Welch. 34, Senator Savickas. On the Order of House Bills 2nd Reading, House Bill 34. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 34.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 48, Senator Luft. 54, Senator Lemke. On the Order of House Bills 2nd Reading, bottom of page 14, is House Bill 54. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 54.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

H.B. 204 2nd reading

No Floor amendments.

PRESIDENT:

3rd reading. 83, Senator Schaffer. 123, Senator Dawson. 124, Senator Lemke. On the Order of House Bills 2nd Reading, House Bill 124. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 124.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 142, Senator Bloom. 146, Senator Kustra. 152, Senator Sangmeister. 164, Senator Joyce. 190, Senator Friedland. On the Order of House Bills 2nd Reading is House Bill 190. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 190.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 204, Senator Lemke. On the Order of House Bills 2nd reading is House Bill 204. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 204.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit

Regulation offers one amendment.

PRESIDENT:

Senator Lemke, on Committee Amendment No. 1.

SENATOR LEMKE:

Found the mistake and it was a technical amendment.

PRESIDENT:

Senator Lemke has moved the adoption of Committee Amendment No. 1 to House Bill 204. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 210, Senator Hall. On the Order of House Bills 2nd Reading is House Bill 210. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 210.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 217, Senator Kustra. Top of page 16, on the Order of House Bills 2nd Reading, 231, Senator Lemke. On the Order of House Bills 2nd Reading, House Bill 231. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 231.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDENT:

Senator Lemke, on Committee Amendment No. 1.

SENATOR LEMKE:

What this...amendment does...this is asked for by the Department of Corrections. I think it's a good amendment, it's in regards to contraband in prisons, and I ask for its adoption.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Committee Amendment No. 1 to House Bill 231. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

255, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 255, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 255.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 257, Senator Luft. Senator Luft on the Floor? 296, Senator Bloom. On the Order of House Bills 2nd Reading is House Bill 296, Mr. Secretary, read the bill...take it out of the record. 301, Senator Berman. 308, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 308, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

...House Bill 308.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 312, Senator D'Arco. 314, Senator Karpiel. 323, Senator Netsch. 334, Senator Mahar. On the Order of House Bills 2nd Reading, top of page 17, is House Bill 334, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 334.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 341, Senator Netsch. 348, Senator Kustra. 366, Senator...Holmberg. Senator Holmberg, 366? On the Order of House Bills 2nd Reading is House Bill 366, Mr.

Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 366.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...369, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 369, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 369.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 421, Senator Lemke. House bills 2nd reading is House Bill 421, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 421.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 422, Senator Lemke. House bills 2nd

reading is House Bill 422, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 422.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 447, Senator Barkhausen. House bills 2nd reading, House Bill 444, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 447.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 450, Senator Vadalabene. On the...bottom of page 17, House Bill 450, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 450.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to House Bill 450, the purpose of this amendment is to allow parental input and control over

the testing of their child on matters concerning religion, sex and morality, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene has moved the adoption of Committee Amendment No. 1 to House Bill 450. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 18, House Bill 484, Senator Lemke. House bills 2nd reading, House Bill 484, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 484.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 489, Senator Geo-Karis. House bills 2nd reading, House Bill 489, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 489.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

HB 522 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe, Mr. President and Ladies and Gentlemen of the Senate, that...committee...committee amendment is a technical amendment and I move its...its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Committee Amendment No. 1 to House Bill 489. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 521, Senator Barkhausen. 522, Senator Lemke. House bills 2nd reading is House Bill 522, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 522.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 528, Senator Zito. House bills 2nd reading is House Bill 528, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

HB590 2nd Reading

House Bill 528.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 556, Senator Marovitz. Senator Marovitz on the Floor? 578, Senator Poshard. 590...Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 590, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 590.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 591, Senator Savickas. On the Order of House Bills 2nd Reading, House Bill 591, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 591.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate...House Bill 593, Senator Nedza.

Senator Nedza on the Floor? 598, Senator Bloom. House bills 2nd reading, House Bill 598, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 598.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 608, Senator Lechowicz. House bills 2nd reading, bottom of page 18, 608, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 608.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 19, top of page 19. 627, Senator Lemke. House bills 2nd reading, House Bill 627, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 627.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

HB 701
2nd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 650, Senator Barkhausen. Senator Barkhausen on the Floor? No, all right...701, Senator Zito. House bills 2nd reading, House Bill 701, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 701.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 714, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 714, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 714.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, the amendment removes Cook County from the provisions of the bill. This was an agreed amendment with Representative Wojcik and Senator Karpiel, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Amendment No. 1 to House Bill 714...Committee Amendment No. 1, 714. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is

HB 761 2nd Reading
HB 720 2nd Reading

adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 715, Senator Jones. All right. House Bill 715, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 715.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 720, Senator Bock. House bills 2nd reading, House Bill 720, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 720.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 761, Senator Vadalabene. House bills 2nd reading, House Bill 761, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 761.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 777, Senator Sangmeister. 781. House Bill 781, Mr. Secretary. Is there leave to have Senator Savickas handle that? Leave is granted. House Bill 781, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 781.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 807, Senator Topinka. House bills 2nd reading, House Bill 807, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 807.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 809, Senator Poshard. Bottom of page 19, House Bill 809, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

HB831 2nd reading

House Bill 809.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 20, House Bill 810, Senator Welch. House bills 2nd reading, House Bill 810, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 810.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 816, Senator Carroll. 831, Senator Barkhausen. House bills 2nd reading is House Bill 831, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 831.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 833, Senator Etheredge. 838, Senator Poshard. House bills 2nd reading, the middle of page 20, is

House Bill 838, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 838.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 851, Senator Lemke. House bills 2nd reading is House Bill 851, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 851.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...is adds that retired judges can administer oaths. Sometimes the judges are called back to duty and they have to...this...allows them to administer oaths.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 851. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment is is technical, it corrects a spelling mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 2 to House Bill 851. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 856, Senator Lemke. House bills 2nd reading, House Bill 856, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 856.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 861, Senator DeAngelis. House bills 2nd reading, House Bill 861, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 861.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 864, Senator Etheredge. House Bill 874, Senator Marovitz. Senator Marovitz on the Floor? All right. House bills 2nd reading, House Bill 874, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 874.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 879, Senator Degnan. House Bill 903, Senator Smith. House bills 2nd reading, the bottom of page 20, is House Bill 903. Mr. Secretary, read the bill.

House Bill 903.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith. Can we have some order, please. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 903 was amended in committee and it gave a new bill...made a new bill. And then I have another amendment to make Number 2, do you have that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there's...

SENATOR SMITH:

And...the...Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Smith,...it's...I am told that there is a committee amendment and a Floor amendment. Let us deal with the committee amendment first.

SENATOR SMITH:

All right. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You wish to adopt the committee amendment?

SENATOR SMITH:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You may proceed with your explanation of the committee amendment.

SENATOR SMITH:

All right. The amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon...pardon me, Senator Smith, pardon me. Ladies and gentlemen, please, can we have some order. Can we break up the caucuses. Senator Smith.

SENATOR SMITH:

Thank you, sir. Deleting everything after the enacting clause and inserting in lieu thereof the following; one, that the director of the Department of Central Management Services is authorized to convey by quitclaim deed the consideration of one dollar the following described property to the National Conference of Black Lawyers, Community College of Law and International Diplomacy, Chicago, Illinois, and the property is located 4545 So. Drexel in Chicago, Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith moves the adoption of Committee Amendment No. 1 to House Bill 903. Those...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted.

Any...further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, sir. To House Bill 903 the Amendment...No. 2...amended...inserting after the last sentence of Section 1, the following, "Should the guarantee fail to utilize the property for the operation of a non-for-profit institution of higher education, title shall revert without further action to the State of Illinois."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith has moved...moved the adoption of Amendment No. 2 to House Bill 903. Any discussion? Senator Schuneman. Ladies and gentlemen.

SENATOR SCHUNEMAN:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just...just a moment, Senator Schuneman. Could we have some order, please. Senator Schuneman.

SENATOR SCHUNEMAN:

...thank you, Mr. President. There was a lot of discussion about this bill in committee and there was significant opposition to it. The sponsor has actually quieted most of that opposition by this particular amendment which says that if the property shall no longer be used by this particular college for the purpose for which it's intended, the property must come back to the State of Illinois. And I...support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Smith moves the adoption of Amendment No. 2 to House Bill 903. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 21, House Bill 909, Senator Degnan. House bills 2nd reading, House Bill 909, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 909.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 949, Senator Chew. 950, Senator Rigney. House bills 2nd reading, top of page 21, is House Bill 950, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 950.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 986, Senator Luft. 997, is there leave to return to that one in a few minutes? Leave is granted.

House Bill 1010, Senator Vadalabene...all right, Senator Chew is on the Floor, I did not see him, on 949. With leave of the Body, we'll return to House Bill 949 and pick that bill up. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 949, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 949.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1027, Senator Welch. 1034, Senator Welch. House bills 2nd reading, middle of page 21, is House Bill 1034, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1034.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would at this time move to Table the committee amendment for purposes of putting on a Floor amendment that was agreed to in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Welch, would you...there's been some inquiry, would you explain the committee amendment? Senator Welch.

SENATOR WELCH:

During the committee hearing there was some...there was a

request that an amendment be put on concerning private colleges. And this amendment that I'm putting on incorporates that provision as well as the request of Senator Davidson that...that the tuition and fees for students at private colleges and university not exceed the average tuition and fees for students at the four-year public colleges and universities, and also a request by Senator Etheredge that instead of the top one-third of the schools graduating students be eligible that it be a tightened-up figure and we came up with the figure of twenty-five percent, which I believe was agreed to with Senator Etheredge. So, in effect, this does include the amendment offered in committee by the private colleges plus it takes care of the two...stipulations requested by the two Republican Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Luft has moved to Table Committee Amendment No. 1 to House Bill 1034. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

This is the amendment of which I just spoke. What it does is...provide that...among the provisions that are to be considered as factors for awarding a scholarship to be included are the applicant's family income, the size of the family in determining financial need. The scholarships are

good for up to four years while the recipient is enrolled in college and the limitation on the amount available is equal to...rather shall not exceed the average tuition and fees for students at four-year public colleges and universities. And the...and that is basically it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 1034. There are a couple of lights on. If we can have some...break up the caucuses on the Republican side. Senator Davidson.

SENATOR DAVIDSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Welch, what you stated was true, what's in this amendment we will work out, but there's been a...a point raised with me which I think we need to clear up right now and if necessary you can bring it back from 3rd and correct the language. But there's some...the way that it reads on the first page, "Five hundred new scholarships shall be provided each year." People interpreting that that there'll be five hundred this year, that number, then next year another five hundred that actually we're compounding the number of scholarships. And as I remember yesterday from the committee, it's a total of five hundred per year no compounding. We're not adding onto this and I think we need to clarify that language so everyone understands it's not compounding the number.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator Welch.

SENATOR WELCH:

I've got no problem pulling it back from 3rd to 2nd for that sole purpose. This was the language in the original

bill though, Senator Davidson, we just repeated that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

I understand that, Senator Welch, and it was just brought to my attention. I did not catch that yesterday and so there's no doubt, I think we need to clear that that we're not compounding this number each year. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Welch, in this amendment...there is to be considered the family's income et cetera, et cetera. What happens if someone is eligible under the regular State's Scholarship Commission Grant Program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, a person can apply for as many scholarships as they are able to apply for. These are some of the factors that can be taken into consideration. This isn't the sole factor, there are several other factors. As I...I think I said in committee was that there are many decisions that have to be made by the State board, that you can't be so rigid that the computer selects who gets the scholarships and that's what we were trying to avoid. When you have a subjective test such as this, that's what happens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well,...you can be, Senator Welch, because if someone is eligible for this and gets it, this is going to count against what they're eligible for under the Illinois State Scholarship Commission Grant. And those grants do not allow the payment of anything more than tuition. If you're going to, in fact, give scholarships for people to be teachers, it should be beyond what they would normally receive; and if that's the case, then you would disregard family income, because family income would be taken care of through the Illinois State Scholarship Commission. So what you're doing is, here you got it, now you don't. You either have it or you don't. In this case, you don't know whether you do or you don't. What good does it do to give somebody a scholarship under this and then the money is taken away by the Scholarship Commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch.

SENATOR WELCH:

Well, Senator DeAngelis, there...there is many scholarships that are restricted as to receipt of...of outside income. The scholarships we give is the General Assembly, of course; if you get that, you can't accept the sheriff's scholarships and there are other exclusive requirements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that's precisely my point. I think you ought to omit the...the examining of family income, because then...if you...the minute you put that in, you're in fact allowing the taking away of the very scholarship you've given.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

I would just urge adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 2 to House Bill 1034. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1035, Senator Marovitz. House bills 2nd reading is House Bill...1035, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1035.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor requests that it be taken out of the record. Leave to take it out of the record? Leave is granted. House Bill 1042, Senator Bloom. 1044, Senator Lechowicz. House bills 2nd reading is House Bill 1044, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1045, Senator Lechowicz. Senator Lechowicz, 1045. House Bill 1045, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1045.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1058. House Bill 1058, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1058.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 22, 1059, Senator Bloom. 1090, Senator Luft. 1103, Senator Lemke. House bills 2nd reading, top of page...22, is House Bill 1115, Senator DeAngelis. House bills 2nd reading is House Bill 1115, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1115.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1159, Senator Jerome Joyce. 1163, Senator Luft. 1182, Senator Lemke. House bills 2nd reading, House Bill 1182, Mr. Secretary, read the bill.

HB 1182 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1202, Senator Jerome Joyce...1204, is there leave to return to that in a minute? Leave is granted. House Bill 1206, Senator Welch. Senator Welch. 1206. House Bill 1206, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1206.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Well, Mr. President, I...this is a...a standard amendment that is being put on all of these check-off bills, the famous Schaffer amendment, and if you'd give me leave I think I could handle that amendment for Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is there leave of the Body to have Senator Etheredge handle the amendment for Senator Schaffer in his absence? Is leave granted? Leave is granted. Senator Etheredge.

HB 1212 2nd Reading
HB 1207 2nd Reading

SENATOR ETHEREDGE:

Well, this is the...the amendment that has been added on all of our check-off bills this spring that says that if the contributions do not exceed a hundred thousand dollars then the checkoff is stricken from our income tax form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 1206. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1207, Senator Kelly. House bills 2nd reading, House Bill 1207, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1207.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1212, Senator Lemke. House bills 2nd reading, bottom of page 22, is House Bill 1212. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1212.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue. Senator Donahue on the Floor? Well, Senator Lemke, Senator Donahue is not on the Floor. Well...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. Is that a Floor amendment or a committee amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It is a Floor amendment.

SENATOR DeANGELIS:

Here she is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Donahue is recognized on Amendment No. 1 to House Bill 1212. Senator Donahue.

SENATOR DONAHUE:

Excuse me. Thank you, Mr. President. This...Amendment No. 2 to House Bill 1212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it's Amendment No. 1, Senator.

SENATOR DONAHUE:

...sorry, I was reading...on 2nd reading. Amendment No. 1 raises the limit from thirty...the population from thirty-five thousand to fifty thousand for...creating the office of a public offender. And I...I think it'll be very...very helpful to our small communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Donahue has moved the adoption of Amendment No. 1 to House Bill 1212. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page...top of page 23, House Bill 1224, Senator Watson. On the Order...House Bills 2nd Reading, House Bill 1224, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1224.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1246, Senator Welch. House bills 2nd reading, House Bill 1246, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1246.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1258, Senator Weaver. 1285, Senator Weaver. House bills 2nd reading, House Bill 1285, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1285.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This mainly puts the fire marshal's...office into the Administrative Procedure's Act. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Weaver has moved the adoption of Committee Amendment No. 1 to House Bill 1285. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1301, Senator Bloom. 1303, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 1303, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1303.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1313, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1313.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1353, Senator Smith. Senator Smith, 1353? House Bill 1360, Senator Etheredge. House bills 2nd reading is House Bill 1360, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1360.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1362, Senator Darrow. House bills 2nd reading, bottom of page 23, is House Bill 1362, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1362.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Amendment No. 1 is technical in nature. It amends out larceny and replaces it with theft. There's no longer a crime of larceny in our Statutes. I'd

ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Darrow moves the adoption of Amendment No. 1 to House Bill 1362. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1392, Senator Netsch. 1440, Senator Weaver. House Bills 1440, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1440.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 24. 1445, Senator Luft. Senator Luft, there is a committee amendment. On the Order of House Bills 2nd Reading, page 24, is House Bill 1445, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1445.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will you give Senator Luft the file, please...1445. Senator Luft. Senator, why don't we just take it out of the record. All right. Take it out of the record. House Bill

1488, Senator...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR DeANGELIS:

In the gallery to our right is seated two of Senator Etheredge's daughters, Joan and Mary Faye. No, it's his wife Joan and his daughter Mary Faye Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would...would our guests in the gallery please rise...recognized by the Senate. Senator...Senator Weaver, I'm told you ought to talk with the Secretary. House Bill 1488, Senator Barkhausen. On House bills 2nd reading is House Bill 1488, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1488.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1496, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1496.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

HB 1604 2nd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1500, Senator DeAngelis. 1502. On the Order of House Bills 2nd Reading is House Bill 1502, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1502.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1518, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 1518, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1518.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1571, Senator Newhouse. 1604, Senator Philip. House bills 2nd reading, House Bill 1604, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1604.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the agreed amendment between the medical society and the trial lawyers. Got out of committee without a dissenting vote. Be happy to answer any questions. I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There any discussion? Senator Philip has moved the adoption of Committee Amendment No. 1 to House Bill 1604. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1641, Senator Maitland. House bills 2nd reading, bottom of page 24, is House...House Bill 1641, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1641.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you rise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Since it is two o'clock we have a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...I thought you were going to...your light was on.

SENATOR ROCK:

...oh, not on this. No, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 1641, 3rd reading. Senator Rock, for what purpose do you rise?

SENATOR ROCK:

Thank you. The committee schedule this afternoon and early this evening is pretty heavy, so I would suggest we can start again tomorrow where we left off today but I suggest that we wrap up whatever business remains. I understand a couple of the members have motions they wish to place and then adjourn till noon tomorrow to go to committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, House Bill 964 has been rereferred to my Executive Committee and obviously we have not posted that because of the late notice. So I would like to waive whatever the appropriate rule is...posting rule so that we can hear House Bill 964 today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves that the Senate Rule No. 7 and the posting requirement be waived in order for

House Bill 964...can be heard in committee. Is leave...leave granted? Leave is granted. So ordered. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President, for purposes of asking leave on House Bill 90. The present sponsor is Senator Rock, he's asked that he be removed and that I, Senator Berman, be shown as the principal lead sponsor on House Bill 90. And then...

PRESIDING OFFICER: (SENATOR DEMUZIO)

House...Senator Berman seeks leave of the Body to have...have Senator Rock listed as the...

SENATOR BERMAN:

Remove Senator Rock and...and list Senator Berman as the lead sponsor on House Bill 90.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman seeks leave of the Body to remove Senator Rock from a hyphenated cosponsor of House Bill 90. Is leave granted? Leave is granted. So ordered. Senator Berman...Berman. Senator Berman.

SENATOR BERMAN:

Also, Mr. President, I would ask that the posting requirements be waived so that the following bills can be heard this afternoon in House...in Elementary and Secondary Education Committee, House Bill 2188, House Bill 2202, House Bill 2286. And these bills have been discussed with both sides of the aisle and the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, 2188, 2402 and 2286?

SENATOR BERMAN:

2188, 2202 and 2286.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman moves to waive the posting requirement, Senate Rule No. 7, so that these bills...House

Bill 2188, 2202 and 2286 can be heard in the Elementary and Secondary Education today. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. All right. And then...on House Bill 90, Senator Berman is the lone sponsor on House Bill 90. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. The Committee on Judiciary II will commence in Room A-1 at two-thirty instead of two o'clock. At two-thirty, and if everybody could be prompt we can be out of there within one hour, two-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? All right. With leave of the Body, we'll go to the order of Resolutions. Leave granted? Leave is granted. Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 357 offered by Senator Macdonald, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 74 offered by Senators Topinka, Geo-Karis, Zito, Mahar, Vadalabene and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 82 with House Amendment No. 1.

A like Message on Senate Bill 165 with House Amend-

ments 1 and 2.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 68. It's commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And House Joint Resolution 69.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till tomorrow, Thursday, June the 13th, at the hour of noon. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 13, 1985

PRESIDING OFFICER: (SENATOR SAVICKAS)

The hour of twelve-thirty having arrived, the Senate will come to order. Will our guests in the gallery please rise. Our prayer will be by the Reverend Eugene Weitzel, Director of Chaplains at St. John's Hospital.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Reading of the Journal.

SECRETARY:

Thursday, June the 6th, 1985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that the Journal just read by the Secretary to be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objections, leave is granted. The motion carries. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I move that the reading and approval of the Journals of Monday, June the 10th; Tuesday, June the 11th and Wednesday, June the 12th, in the year 1985, be postponed...be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, the motion carries. Is there leave of the Body to go to House bills 1st reading? Hearing no objection, leave is granted.

SECRETARY:

House Bill 2286, Senator Kustra is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns House Bill 2286 to the Committee on...Elementary and Secondary Education.

Senator Lechowicz, chairman of Executive Appointments and Veterans'...Affairs, reports out the following House bills:

921, 957, 1975, 2428 and 2429 with the recommendation Do Pass.

Senator...Senator Marovitz, chairman of Judiciary II Committee, reports out the following House bills:

52, 53, 615, 971, 1841 and 2416 with the recommendation Do Pass.

354 and 2132 with the recommendation Do Pass as Amended.

Senator Degnan, chairman of Local Government Committee, reports out the following House bills:

49, 66, 247, 387, 401, 480, 486, 548, 575, 626, 631, 691, 694, 799, 881, 899, 922, 1012, 1023, 1106, 1112, 1126, 1129, 1147, 1178, 1192, 1213, 1262, 1279, 1324, 1338, 1382, 1395, 1453, 1464, 1467, 1510, 1520, 1531, 1539, 1540, 1548, 1565, 1567, 1575, 1577, 1578, 1767, 1768, 1785, 1850, 1900, 1974, 2020, 2351, 2399 and 2407 with the recommendation Do Pass.

253, 467, 1547, 1552, 1598, 1849, 1857, 1889, 1914, 2022 and 2199 with the recommendation Do Pass as Amended.

Senator Sangmeister, chairman of Executive Committee, reports out the following House bills and resolutions:

38, 131, 408, 431, 580, 692, 964, 1072, 1131, 1132, 1249, 1346, 1389, 1413, 1417, 1478, 1523, 1924, 2054, 2067, 2182, 2368, 2391, 2454, 2499 and 2521 with the recommendation Do Pass.

1111, 1217, 1555, 1918, 1922, 1951, 1952, 1977,

2273, 2437...or 2436 and 2437 with the recommendation Do Pass as Amended.

Senate...Resolutions 268 and 347 recommend adoption.

Senate Resolution 263 recommend adoption as amended.

Senate Joint Resolution 70 recommend adoption as amended.

Senator Berman, chairman of Elementary and Secondary Education, reports out the following House bills:

2188, 2202 and 2286 with the recommendation Do Pass.

62, 90, 1037, 1038, 1039 and 2387 with the recommendation Do Pass as Amended.

Senator Jeremiah Joyce, chairman of Finance and Credit Regulations, reports out the following House bills:

...753, 1556, 1589, 2362 with recommendation Do Pass.

419 and 621 with the recommendation Do Pass as Amended.

Senator Jones, chairman of Insurance, Pensions and Licensed Activities, reports out the following House bills:

17, 202, 298, 374, 398, 434, 493, 510, 561, 737, 782, 910, 968, 1075, 1165, 1270, 1284, 1306, 1370, 1624, 1667, 1756, 1929, 2023, 2084, 2089, 2179, 2442 and 2446 with the recommendation Do Pass.

60, 357, 1083, 1142,...1177, 1411, 1979, 2032 with the recommendation Do Pass as Amended.

House Bills 800 and 1558 recommend Do Not Pass.

Senator Lemke, chairman of Judiciary I Committee, reports out the following House bills:

75, 89, 220, 277, 377, 381, 497, 508, 755, 852, 1067, 1188, 1265, 1269, 1355, 1566, 1576 and 2447 with the recommendation Do Pass.

House Bills 272, 474 and 2431 with the recommendation Do Pass as Amended.

Senator Dawson, chairman of Public Health, Welfare and Correction Committee, reports out the following House bills:

26, 27, 43, 252, 302, 304, 305, 307, 391, 392, 394, 622, 637, 705, 725, 830, 892, 895, 896, 897, 898, 943, 944, 951, 1289, 1292, 1335, 1410, 1476, 1535, 1703, 1919, 1930, 1971, 2104, 2180, 2310 and 2515 with the recommendation Do Pass.

805, 888, 894, 1474, 1479, 1925, 1947, 1948, 2113, 2189, 2217, 2263 and 2349 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Well, just a...a matter of...let the record show that I was absent on May 24th of this Session because I went to my son's graduation at Great Lakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so indicate. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Resolutions.

SECRETARY:

Senate Resolution 358 offered by Senator...excuse me, Senator Carroll. It's congratulatory.

Senate Resolution 359 offered by Senator Newhouse, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we will go to the Order of Senate Bills 2nd Reading...or House Bills 2nd Reading, on page 27. House bills 2nd reading. First bill is House Bill 1654, Senator Netsch. Senator Netsch on the Floor? Page 28. 1656, Senator Degnan. Top of page 28. On the Order of House Bills 2nd Reading is House Bill 1656, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1656.

(Secretary reads title of bill)

HB 1683 2nd Reading

2nd reading of the bill. No committee amendments...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, my Calendar indicates there's to be a...a Floor amendment. Senator Degnan.

SENATOR DEGNAN:

I have no knowledge of a Floor amendment being offered, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1677, Senator Barkhausen. 1683, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 1683, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1683.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1714, Senator Netsch. 1755, Senator Sangmeister. Senator Sangmeister, 1755?...1763, Senator Netsch. 1765, Senator Lemke. House bills 2nd reading is House Bill 1765, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1765.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill...1765 would mandate that no surcharges be used on the credit cards, and I would ask for the adoption of Amendment No. 1 to Senate Bill 1765.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 1765. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1769, Senator Philip. 1780, Senator Lemke. House bills 2nd reading is House Bill 1780, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1780.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1801, Senator Barkhausen. 1845, Senator Geo-Karis. House bills 2nd reading is House Bill 1845, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1845.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 29, House Bill 1855, Senator Poshard. House bills 2nd reading, top of page 29, is House Bill 1855, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1855.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1880, Senator Lemke. House bills 2nd reading is House Bill 1880, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1880.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1901, Senator Geo-Karis. House bills 2nd reading is House Bill 1901, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1901.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. This is an amendment that was not able to be prepared in time for the committee meeting. It's technical in nature and we're...at this time, presenting the amendment and move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to House Bill 1901. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1902, Senator Berman...or Barkhausen. Senate Bill 1912, Senator Weaver. Read the bill, Mr. Secretary.

HB 1928 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1912.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1926, Senator Maitland. House Bill 1928, Senator Coffey. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1928.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate...House Bill 1937, Senator Donahue. House Bill 1944, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1944.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

HB 1955 2nd reading

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment to House Bill 1944 was prepared by the Department of Transportation. I have no objection to it and it covers certain sections in the Illinois Code, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to House Bill 1944. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1953, Senator Geo-Karis. House Bill...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1953.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1955, Senator Philip. Read...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1955.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Philip moves to Table Committee Amendment No. 1 to House Bill 1955. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion to Table carries. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I think I filed a Floor amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, this is the...the subject is malpractice. What a...a...Floor Amendment No. 2 does is when a doctor who sits on a panel decides against a fellow doctor and says, you shouldn't be practicing at that hospital, that this gives him...protection that that doctor will not file suit against him. It's an agreed amendment and I would move

the adoption of Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Philip moves the adoption of Amendment No. 2 to House Bill 1955. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1958, Senator Dunn. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1958.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

...thank you, Mr. President and members of the Senate. Committee Amendment No. 1 is a technical amendment, clarifies that the bill applies to the intentional or knowingly cutting of trees, that's Amendment No...Committee Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator...if not, Senator Dunn moves the adoption of Amendment No. 1 to Senate Bill 1958. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the House. Amendment No. 2 clarifies that the bill does not apply to the suppliers of electricity, gas or telephone service who cut any trees which impair that suppliers of utility ability to provide safe and reliable service. The amendment is approved by the Department of Conservation. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dunn moves the adoption of Amendment No. 2 to House Bill 1958. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Smith arise?

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of privilege...privilege. We have in the President's Gallery some constituents from my district, Miss Mary Jones, Virginia Adams and her guardian boy...little Adam is with her and Erma Sherman and Mr. Cola. These persons are workers with the Corps Housekeepers and Homemakers Staff Builders that I wanted to recognize there presence here. They've come all the way from Chicago to Springfield. Thank you

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. House Bill 1959, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1959.

HB 2002
2nd reading
HB 1970
2nd reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1962, Senator Dunn. House Bill 1963, Senator Barkhausen. House Bill 1970, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1970.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2002, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2002.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2003, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2003.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2011, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2011.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2062, Senator Etheredge. House Bill 2066, Senator Bloom. House Bill...2103, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2103.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2106, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2106.

HB 2129
2nd reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke. Senator Lemke, your amendment on 2106.

SENATOR LEMKE:

What this is is the committee amendment, isn't it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's a Floor amendment.

SENATOR LEMKE:

Oh, this is a request by DCF, I think. I think it's a amendment to clear up some language in there. I think it's...I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill...or House Bill 2106. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...was adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2108, Senator Lechowicz. House Bill 2115, Senator Maitland. House Bill 2129, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2129.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers...the Committee on Finance and Credit Regulation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the amendment strikes out the verbiage and limits to any commercial, industrial purposes. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Davidson moves the adoption of Amendment No. 1 to House Bill 2129. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2162, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2162.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2165, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2165.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 adopted in committee changed it from a mandate to a goal regarding the pupil council ratio. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 1 to House Bill 2165. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2181, Senator Maitland. House Bill 2205, Senator D'Arco. House Bill 2219, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2219.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith. Read the amendment, Mr. Secretary.

SENATOR SMITH:

Please read that for me. I'm sorry...

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads the amendment)

SENATOR SMITH:

Thank you, Mr...Chairman and members of the Senate. 2219...amendment clarifies that the...not only do the teachers who are guilty of absenteeism will be put in the...local newspapers so that it would become competitive with other community schools to see if the teachers are...are coming up to par as teachers because merely the teachers there are absentee and then also to...to put this in the newspapers just to clarify the work that they are trying to do in these local communities to avoid dropouts and also to drop the dropouts of the...of the teachers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the adoption of Amendment No. 1 to House Bill 2219. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2226, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2226.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2275, Senator Karpiel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2276, Senator Etheredge. House Bill 2278, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2290, Senator Friedland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2290.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2311, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2311.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2328, Senator DeAngelis. House Bill 2352, Senator Darrow. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2352.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2364, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2364.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 2400...3rd reading. House Bill 2400. House Bill 2421, Senator Bloom. House Bill 2434, Senator Maitland. House Bill 2440, Senator Rigney. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2440.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2441, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2441.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2443, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2443.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2449, Senator Coffey. House Bill 2452, Senator Schaffer. 2492, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2492.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2517, Senator Mahar. House...House Bill 2525, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2525.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With leave of the Body,...2nd...3rd reading. With leave of the Body, we can pick up House Bill 2108 on page 31. Leave granted? Leave is granted. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2108.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Move the adoption of the committee amendment...it's a clarifying amendment requested by the department.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lechowicz, moves the adoption of Amendment No. 1 to House Bill 2108. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body,...for what...for what purpose Senator Nedza arise?

SENATOR NEDZA:

Thank you, Mr. President. I would...at this time, I...ask that Senator Dudycz be a...a...added as a cosponsor to House Bill 593.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. We have with us a special request by Senator Hudson to introduce two of his constituents to you, and at this point I will turn the microphone over to Senator Hudson.

SENATOR HUDSON:

Ladies and Gentlemen of the Senate, it is my privilege at this time to introduce to you a young man and his father. Now, I'm introducing to you, Adam...this young fellow here is Adam Von Ola and his father, Herman. And Adam is the...in the fourth grade at...in Bolder Hill, Montgomery, he's in my district, and he's the winner of the nutrition poster contest in that category and you can see his poster, if you wish,

down in the Rotunda. It's posted down there, but he's the first place award winner of that contest in that category. As you know, this was sponsored by the Department of Public Health and the American Academy...Pediatrics, Nutrition Association, Dietetic Association and so forth. So, with that, I simply will introduce to you...Adam, here who is a talented young man and his father.

MR. HERMAN VON OLA:

(Remarks made by Mr. Von Ola)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Also with another winner, we have Senator Frank Watson.

SENATOR WATSON:

Thank you, Mr. President. I've been here six years representing my particular district and four of those six years we've had a nutrition poster contest winner, so...from my district, so I feel very proud and pleased to...to..present to you, this is Rachel Reed. Rachel is from Marion County and from Central City and she is going to be in the third grade, and she's a first place contest winner in the nutrition poster contest and what I'd like for Rachel to do is tell you what she had on her poster. Would you mind doing that, Rachel? Okay. I'm going to put the microphone down to her and tell her what...tell...so she can tell you what she had on the poster. Okay?

MISS RACHEL REED:

(Remarks made by Rachel Reed)

SENATOR WATSON:

Very good and we have Rachel's family here, Mr. and Mrs. Reed...also from Central City in Marion County, and I'd like for them to stand in the gallery here on the Democrat side and her brother...you want to stand too...okay. Thank you, very much, and I'm proud and pleased to have these people with me today, and thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have also on our parade of stars today, Senator Coffey with the seventh and eight grade winners and he would like to present them to you.

SENATOR COFFEY:

Thank you, Mr. President and my colleagues. We have here with us today some people I'm very proud of. Heather is the seventh and eighth grade winner of the nutritional poster presenter and I'd like to see if she would want to say anything. I don't think she particularly wants to say anything, but we're very proud of her. She's a first place for the State of Illinois. Here with her...her...her father, Reverend Patients and...and his wife, Christine and sister, Sara, and we're proud of you all of you and we appreciate you coming to Springfield today. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Committee reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred to the Governor's Message of June the 6th, 1985, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of June 6th, 1985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've...you've heard the motion. Is there objection? Hearing no objection, the motion carries. The Senate is resolved into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

With repect to the Governor's Message of June 6th, 1985, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Human Rights Commission for a term expiring on January 16th, 1989, Mr. Aloysius A. Mazewski of Chicago.

To be members of the Illinois Industrial Commission for a term expiring January 19th, 1987, Alvin Cooke of LaGrange, Barbara Sherman of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted to consider on one roll call? Hearing no objection, leave is...granted. Now the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of June 6th, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Board of Aeronautical Advisor for a term expiring January 1, 1987, John Bennett of Mt. Vernon,

Casimir Laskowski of Chicago, Henry Taylor of Savoy, Judith Van Kampen of West Chicago, Robert Waddell of Illiopolis, Charles Wenk of Highland Park.

To be a member of the Employee Owned Enterprise Council for a term expiring November 7, 1988, Daniel Cosgrove of Springfield.

To be a member of the Illinois Health Care Cost Containment Council for a term expiring September 5th, 1987, Donald C. Ames of Elmhurst.

To be the chairman and member of the Illinois State Scholarship Commission for a term expiring...July 1, 1991, J. Robert Barr of Evanston.

To be a student member of the Illinois State Scholarship Commission for a term expiring July 1, 1987, Jonathan O'Neil of Wheaton.

Mr. President, having read the unsalaried appointments, I now seek leave to consider those appointments on one roll call unless some State Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion...any objection to considering these nominations on one roll call? Hearing no objection, the motion carries. Then the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The majority of the Senators elected concurring by record vote the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I...now move that the Senate

HB 1604
3rd Reading

arise from Executive Session.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, the motion carries. The Senate does arise from Executive Session. With leave of the Body, we will go to...to the business of House bills 3rd reading and on that...on that question...we will...on House Bill 1955, Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was going to ask leave to go to House bills 3rd reading for the purpose of House Bill 1604, which is, you know, is medical malpractice. I would ask leave to do that. I...I don't think that we're ready for 1955. I think we just put an amendment on it and it's still on 2nd reading; hopefully, it just went to 3rd reading, but I think Senator Rock and I have the agreement just to go to 1604.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. On the Order of House Bills 3rd Reading, House Bill 1604. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1604.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, Senator Rock and I have passed out the amendment and the explanation to the amendment to 1604. It's on your desk. It's a very complicated, sensitive issue to say the least. I want to commend Senator Rock for working and knocking out this agreement. As you know, the four leaders and some of our members have worked long and hard on

this compromise, and to say the least, it was not easy. I would like to personally commend Senator Rock...of course, he was defending the trial lawyers which, quite frankly, is not very easy to do, but he did a great job, quite frankly, and if it wasn't for Senator Rock, we probably would not have had this compromise, and it's been a compromise between the medical profession and the trial lawyers. It was not an easy...how should I say it...amendment...neither side is very happy. It's a very complicated subject. I'll be happy to answer any questions. I said both sides are in agreement and, hopefully, we will pass it and stand up and do what's right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1604 as amended is, as Senator Philip said, the result of some rather lengthy and at times heated negotiations between representatives of the medical society, the Governor's Office, the trial lawyers and those of us from the Assembly who, I think, were working in the best interest of the poor, unfortunate victims of malpractice. The fact is that we are confronted in this State with something of a crisis in terms of the affordability of malpractice insurance, and certain members of the medical profession have indicated very strongly that they were either not continue to practice in their specialty because of the insurance premium difficulty or, in addition, and mostly in addition, they have to resort to the practice of what is called defensive medicine, whereby literally more costs are assessed against the consumer, the patient, in terms of ultimate protection from liability for the doctor. I think this is a reasonable compromise. As with any compromise neither of the principals is particularly pleased, but the fact is that the effort is

to do two things; to reduce the number of frivolous lawsuits that are to be filed and this Act will become effective August 15th and will apply to all suits filed on or after that date, and that's the reason we're trying to go out of the ordinary course of business and get it to the Governor so that there will be this couple of month period of time within which your constituents and mine can truly understand what the new law will be; and in addition to the reduction of the frivolous lawsuits, we are at the same time by the virtue of the provisions of 1604 as amended truly protecting the rights of those unfortunate victims of medical malpractice. We are not, in fact, putting a cap on any recovery that they might receive because of the misfeasance or malfeasance of a medical professional; and at the same time, we are recognizing that there is an insurance crisis and so there is provision for collateral source, deductions, there is provision for a structured verdict. All in all, I think it is a result of which we can all be proud, and I would suggest that we have a...a unanimous affirmation of House Bill 1604 as amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have the following Senators that are seeking recognition in this order, Senator Lemke, Berman and Geo-Karis. Senator Lemke.

SENATOR LEMKE:

Just a statement for the record. It's...it's my belief, as chairman of Judiciary, that this bill is unconstitutional. It takes the powers away from the Judiciary and I believe it will be set forth in the courts to determine, and any...any...any judge in the Supreme Court that had...him or any of his members of his family connected with the drafting of this legislation should excuse himself and another Supreme Court judge appointed. I also say that this bill is special legislation for a select group of individuals which is against the Illinois Constitution in this State and should

not be done. Another thing, we have not been shown there has been a...affordable...malpractice crisis in insurance 'cause the insurance company has not revealed those records yet and we have no way of getting those. The other point is on the collateral source rule, we are passing the expense of medical to the people that pay for group insurance, the common man, to exempt one of the highest paid professionals in the State of Illinois, that's the doctors. As far as the other provisions in the rule...in the bill, as far as frivolous lawsuits, the lawyers have conceded and have...don't want frivolous lawsuits and there aren't any lawyers that are filing frivolous lawsuits, and if they are, they are under the sanctions of the Supreme Court and have been properly disciplined. That has not happened in the medical profession. There is no doctor that has ever been disciplined in the State, their license revoked. In the matter of Blickman who was...who had...practicing malpractice in the form of an abortion clinic and also absconding with public aid funds, he has never lost his license in the State of Illinois. No one has ever done that, they have gotten their licenses back. So, let it be known to this State that this is a bill we're going to pass to try to protect reputable doctors, but it's up to the medical society to get rid of the bums in the profession; and when we have doctors that come here from a foreign...land and can't speak English to the patients, you are going to have malpractice, 'cause if you can't understand the person's...person's problems in English, how can they talk to them in a different language? I think this is a...I think something should be done in this realm and I don't think 1955 goes as much to remove the...the doctors in this State, the minority of them, who are poor and should be kicked out of the profession and it's up to the medical society to do that and I'd like to see them do it now. I was here in '76 when we had affordable malpractice crisis, we

gave them what they wanted and yet the premiums...the...company they control, still the premiums keep going up and the claims keep going down in the amount of money paid out. I don't know what's going on, but I hope that we can get at the real serious problem and that's the culprits that are milking the premiums in this State, the insurance industry. I will vote on this bill Aye only to...to protect the good doctors, but let the profession of the medical society get rid of the bad ones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Would the...Senator Rock yield to a question? Senator, calling your attention to page 5 of the bill, lines 25 and thereafter. Would you explain in regard to the calculation of future damages how those damages will be calculated considering the affects of inflation and future payments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Berman, I'm sure you're aware that this amendment was subject to a number of different provisions and drafts, particularly as it applied to...to the question of...of future damages and how we take into account what everybody acknowledges as an inflation factor. One of the earlier drafts and one of the things we talked about was tying the ultimate recovery for future damages to the T-bill rate and that was felt, frankly, at the last couple of moments to be a little unworkable. So, what we have done is that under Section 2-1707...it is the intent of this legislation that this will be done by jury instruction, so that the jury, as instructed by the court, will itself determine

how inflation and the possible increase in wages of the plaintiff would, in fact, affect future damages. It is a factor that is to be presented to the jury by virtue of an instruction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Then it's my understanding that future inflation...can be taken into account in the deliberations of the jury and that's anticipated. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That is correct, that is the intent of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, and thank you, Senator Rock. Just to comment on the bill. I think there's one item that I would like to bring to your attention. When the medical society came down on their lobbying day, they did a very effective job and in the closing hours of that particular day, there was the announcement of a package of legislation. House Bill 1604 before us today is an amendment to that original package that was announced two or three weeks ago. I want to point out, to my knowledge and I believe I'm correct, that in the negotiations that have taken place in these past two weeks or so, the trial bar has addressed what they viewed as certain inequities that were built into the original proposal, inequities as related to the injured victim, to the plaintiff. I think it's fair to point out that one of the proposals that was in the original package and has been untouched in the negotiations is a provision that reduces and for the first time, to my knowledge, legislates attorneys'

fees, and I'm very proud to explain that point, and I'm proud because of the fact that the bar association did not jump in to try to reestablish any higher level of fees than was originally suggested. And let me give you a specific example, that under this bill, for the first time, in any type of personal injury action, there is legislation that sets forth the amount of fees allowable and the one-third...thirty-three and a third percent of the first hundred and fifty thousand dollars. Now as we all know, in many of these cases, because of the substantial uncertainty involved in these cases, a thirty-three and a third percent fee is...is not uncommon. That third...one-third fee is still built in only to the first hundred and fifty thousand dollars. Twenty-five percent is the legislated fee for the next eight hundred and fifty thousand and twenty percent for anything over a million dollars. A fast calculation, ladies and gentlemen, says to you and to me that the attorney that is able to recover a million dollar judgment or a million eight hundred thousand dollar judgment has, in fact, shaved his fees by approximately a hundred and thirty-three thousand dollars. The bar associations in the negotiations did not touch that provision. I'm proud of the bar for that type of commitment to seeing to it that the plaintiffs and the injured persons get more money out of the proceeds. I would...commend that kind of approach to the medical society when we're talking about affordability. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, those of us who are conscientious lawyers are a little bit tired of some of the ambulance chasing lawyers who feel they can make so much more money just prosecuting any case against any doctor they desire for anything. I feel

that this bill as amended in the House does provide the safeguards for the people and also for the conscientious doctors. I'm going to vote for this bill predicated on the fact that 1955...House Bill 1955 also has language in it which states in effect that the hospital administrators and individual health care providers who without malice and in good faith go after doctors who don't deserve to be in the medical profession or who...constantly do the wrong things for their patients. I do feel that this bill does have safeguards for the patients, also has safeguards for the doctors. In addition, this bill gets rid of punitive damages, which it should. It also has...malicious prosecution elements in favor of the doctors against people who prosecute them without good grounds, and it does have the opportunity to a doctor to go after the lawyer who sues them on a spurious case to go after them for all their expenses. All in all, I think if we are to...going to keep good doctors here, we have to do something and I think this bill is in the right direction. Hopefully, it will be considered constitutional and I will vote Aye and urge my colleagues here to vote Aye for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, this has been a very sensitive, detailed amendment. I said nobody on either side is happy, quite frankly, but I think generally speaking, the consensus of opinion is something that we ought to do, the time is now, the time is right and I would hope that we would see a lot of green votes up there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1604 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1604 having received the constitutional majority is declared passed. Resolutions.

SECRETARY:

Senate Resolution 360 offered by Senator Poshard. It's congratulatory.

Senate Resolution 361, by Senators Demuzio, Rock and all Senators, congratulatory.

Senate Resolution 362, by Senator Rupp, congratulatory.

Senate Resolution 363, by Senators Lechowicz, Degnan, Marovitz, Rock and all members, and it's congratulatory.

And Senate Resolution 364, by Senator Lechowicz and all members, and it's congratulatory.

Senate Resolution 365, by Senators Keats and Kustra. It's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Resolution 366, by Senators Bloom and Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Senator Smith, for what purpose you seek recognition?

SENATOR SMITH:

Thank you, Mr. President. I'd like to be identified as a hyphenated sponsor to House Bills...301 through 307, please, hyphenated sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the request by Senator Smith. Hearing no objection, leave is granted. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President. I would like to recommit to subcommittee status of the Health Committee, House Bill 391. It

somehow got out on Agreed Bill...List yesterday and it should not have, and it should go back to subcommittee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you can't put it in subcommittee. It's an action of the committee. We can rerefer it back to committee and let them...Senator Topinka moves to rerefer House Bill...to rerefer House Bill 381 back to the Committee on Public Health. You've heard the motion. Any objection? Hearing no objection, leave is granted. House Bill 391 will be referred to the Committee on Public Health. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There'll be a caucus...Democratic Caucus immediately in Senator Rock's Office. Immediately.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard that now, immediately upon adjourning. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. For the benefit of the membership, we have committees scheduled at two, I'm hopeful that the caucus will take a very few minutes. Senator Sangmeister will shortly announce a nine o'clock Executive Committee meeting tomorrow morning. We will go into Session at ten and be finished with our business before noon so that everybody can plan on leaving by noon tomorrow, but we'll have a Democratic Caucus immediately in my office for the members of the Democratic Party.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that your announcement, Senator Sangmeister? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, yes, that's part of my announcement but because the committee adjourned yesterday...rather than recessing, I want

to make sure that House Bills 567, 568, 570, 2481 and 2472, that we suspend the appropriate rule to hear those in Executive, as Senator Rock has indicated, tomorrow morning at nine o'clock. Also, I would like that Senate Resolution 244 which has nothing to do with Build Illinois also can be heard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister moves to suspend the Six-Day Posting Notice Rule. Is there any objection? Hearing no objection, leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. Senator Collins has asked me to make the announcement that there's a...a salute to her at the State House Inn from seven to nine and she wants all of the Senators to know that they have a complimentary invitation. Seven to nine at the State House Inn this evening.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I'd like to...I'd like to add Senator Jeremiah Joyce as a...hyphenated cosponsor to House Bill 1656.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Hearing no objection, leave is granted. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just would like to make an announcement. There is a meeting of the Election and Reapportionment Committee this evening at five o'clock in Room A-1. It's a recess meeting. I'd be very appreciative of the members being there and will make it quite fast. There's only five bills, as I understand, to be considered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further announcements? If not, we'll go to commit-

tee reports.

SECRETARY:

Senator Jerome Joyce, chairman of Agriculture, Conservation and Energy, reports out the following House bills:

300, 611, 703, 793, 1000, 1026, 1184, 1251, 1436, 1717, 1774, 1775, 1776, 1867, 1915, 1933, 1934, 1935, 1939, 1943, 1956, 1957, 1961, 2061, 2154, 2250, 2251, 2261, 2266, 2450, 2451 and 2487 with the recommendation Do Pass.

1544, 1596, 1814, 1969 and 2426 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further announcements or business to come before the Senate, the Senate will stand adjourned until ten o'clock Friday morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 14, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The hour of ten having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer today will be by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield. Father Cassidy.

REVEREND CASSIDY:

(Prayer given by Reverend Cassidy)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Monday, June the 10th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Monday, June the 10th, 1985, Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Are there any objections? Hearing none, so ordered. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Tuesday, June the 11th; Wednesday, June the 12th and Thursday, June the 13th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Any objections? Hearing none, so ordered. Committee reports.

SECRETARY:

Senator Collins, chairman of Labor and Commerce Committee, reports out the following House bills:

1033, 1438, 2283, 2336, 2473 and 2512 with the recom-

mendation Do Pass.

1529 with the recommendation Do Pass as Amended.

Senator Netsch, chairman of Revenue Committee, reports out the following House bills:

251, 316, 385, 618, 900, 1154, 1277, 1330, 1378, 1685, 1688, 2220, 2259, 2308 and 2384 with the recommendation Do Pass.

571, 1317, 1517, 1680 and 1800 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. The Calendar is in error; in fact, I noticed it yesterday after we left. It's got House Bill 706 on 3rd reading...that bill should be on 2nd reading and the second thing I'd like to bring up to the attention, I'd like to have the record show that Senator...Lemke be excused because of personal business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so reflect that Senator Lemke is...is on official business. We'll check on 706. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 154 and House Joint Resolution 73 and House Joint Resolution 72 and House Joint Resolution 71, all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And House Joint Resolution 65.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator...Senator Lechowicz, what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Clerk informed me that the bill was read...706 on 2nd reading on June the 10th, it was moved without my approval. I bring...I ask leave to bring it back to 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz seeks leave of the Body to return House Bill 706 to the Order of 3rd Reading...to the Order of 2nd Reading. Is leave granted? Leave is granted. So ordered. House Bill...706 will be on 2nd reading. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 70.

(Secretary reads HJR 70)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, if I can have your attention. This is the adjournment resolution which calls for us when we conclude our business, which will be in about five minutes, to return to Springfield next Tuesday at twelve o'clock noon. I would urge the members to take a look at the schedule. When we come in on Tuesday, we are scheduled to go right on through until the conclusion. So if we can get here on time and be

prompt on Tuesday, we can get a good run at 2nd reading and...and move our business along. But I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 70.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock moves for the...for the suspension of the rules and immediate consideration and adoption of House Joint Resolution 70. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves House Joint Resolution 70 be adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 70 is adopted. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee, reports out the following House bills:

2418, 2472 and...with the recommendation Do Pass.

House Bill 567 and 570 with the recommendation Do Pass as Amended.

And Senate Resolution 244, recommend adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. It's my pleasure to introduce to you today Mrs. Gertrude Williams who is a constituent of Senator James Rupp from Decatur, Illinois; her daughter, Trustee Barbara Williams from Vernon Hills, Illinois who is a constituent of Senator David Barkhausen, one of my bosses, and her daughter, Cindy Williams and they're in the President's Gallery. Will you help me welcome them here to the Illinois Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to

Springfield. All right. Resolutions.

SECRETARY:

Senate Resolution 367 offered by Senator Rock and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 368 offered by Senators Netsch and Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right...have...on the Resolutions Consent Calendar, the printed copy has been passed out. With leave of the Body, we will add Senate Resolution 367, House Joint Resolution 71, 72, 73 and 74. Is there leave granted to add those to the Resolutions Consent Calendar? Hearing no objections, leave is granted. Senator Rock now moves the...the adoption of the resolutions...all right, Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Further business to come before the Senate? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I wish everybody a happy and healthy weekend and we'll see you all Tuesday, at noon. I move we adjourn until...next Tuesday at the hour of noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that the Senate stand adjourned till Tuesday, June 18th, the hour of noon. Senate

stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 18, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. (Machine cutoff)...this afternoon by the Reverend Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Amen. Thank you, Senator Hall. Reading of the Journal.

SECRETARY:

Tuesday, June the 11th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

Heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, June 12th; Thursday, June 13th and Friday, June 14th, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports.

SECRETARY:

Senator Kelly, chairman of Elections and Reapportionment, reports out the following House bills:

181, 481, 558, 1220, 1102, 1109, 1179, 1187, 1193, 1197, 1813, 2096, 2097, 2184, 2249, 2408 and 2475 with the recommendation Do Pass.

100, 483, 574, 882, 1104, 1806 and 2378 with the recommendation Do Pass as Amended.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 369, by Senator Carroll, it's congratulatory.

Senate Resolution 370, by Senator Carroll, it's commendatory.

Senate Joint Resolution 75, by Senators Philip and Karpiel, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 371, by Senator Lemke.

PRESIDENT:

Executive. If I can have your attention, it is the intent of the Chair to move immediately to page 23 on the Calendar on the Order of House Bills 2nd Reading, and we will continue on that order all day, and we will go right down the numerical line in an attempt to move as many bills from 2nd to 3rd as is humanly possible. We will then at the conclusion of today's business start again at ten o'clock tomorrow morning and handle whatever recalls have been filed and then, again, proceed on 2nd reading. So I've asked the Secretary to prepare a recall list for first thing tomorrow morning. In the meantime, if I can have the attention of the Body, before we begin, we have a special guest with us today here

in Springfield. He is with us due to the graciousness of the Quebec Government Office in the Chicago World's Fair 1992 Authority. He will, I am told, be available all day long to talk to members and answer whatever questions they might have about Quebec's experience. He was the deputy commissioner general of Expo '67 in Canada and during his tenure from '63 to '68 was in fact in charge of the whole operation. It's my pleasure to introduce to you, Mr. Robert Shaw. Please welcome him to Springfield.

MR. ROBERT SHAW:

(Remarks given by Robert Shaw)

PRESIDENT:

Thank you, very much, Mr. Shaw. All right. With leave of the Body, we'll move to page 23 on the Calendar. I would just alert the members to the fact that we have to go from page 23 to page 61. So I would suggest that the members stay close to their desks and stay attentive. On the Order of House Bills 2nd Reading, House Bill 17. House Bill 18, Senator Welch. House Bill 23, Senator Welch. House Bill 26, Senator Berman. House Bill 27, Senator Welch. House Bill 38, Senator Vadalabene. House Bill 43, Senator Davidson. Top of page 24, on the Order of House Bills 2nd Reading, middle of page 24, is House Bill 43. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 43.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 48, Senator Luft. 49, Senator Hall. On

the Order of House Bills 2nd Reading is House Bill 49. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 49.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Hall.

PRESIDENT:

Senator Hall on Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 49 is identical to Senate Bill 39 that left here and is...now resides in the House. What we did was to bring this bill in conformity that we deleted any condemnation powers, and that's what this amendment does. It...it says that, "to initiate and implement slums and blighted areas development...projects; however, the authority shall not exercise eminent domain powers pursuant to the...Blighted Areas Redevelopment Act." I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Hall has moved the adoption of Amendment No. 1 to House Bill 49. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. If I can have your attention, UPI would like to take some still photographs. Senator Sam, hurry back to your seat and a Mr. Charles Momen is filming...doing an

HB 60 2nd Reading

educational film strip about Springfield and would like permission to shoot...some pictures from the visitor's gallery. Without objection, leave is granted. 52, Senator Marovitz. 60, Senator Vadalabene. Bottom of page 24, Senator Vadalabene, do you wish that bill called?

SENATOR VADALABENE:

Will you put me on...there he is...yes, I would like to have that called and I was called out on House Bill 38.

PRESIDENT:

Well, we're not going backwards. On the Order of House Bills 2nd Reading is House Bill 60. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 60.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Vadalabene on Amendment No. 1.

SENATOR VADALABENE:

Yes, Mr. President, is there any way we can keep from being called out? If this is going to continue, we'll never get done with 2nd reading.

PRESIDENT:

Well,...the difficulty I have, my friend, is that the Session was to commence at twelve o'clock; we, in fact, started at twelve fifteen and began on the Order of 2nd Reading at twelve forty, because, frankly, we did not have a quorum on the Floor. Now, yes, there is a way we can be kept from calling out, I will instruct the doorkeeper that we are to honor no cards coming in, keep the doors closed. On the Order of House Bills 2nd Reading, House Bill 60, Amendment No. 1, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I do also want to state that I was only about three bills away from 38 and...and you...you know,...you ruled that we're not going back, and I've seen from time to time that you went back like thirty or forty bills and only three bills away, you refused me.

PRESIDENT:

Well, with leave of the Body, we'll go back. We'll start over at the beginning.

SENATOR VADALABENE:

That's fine with me.

PRESIDENT:

Super. What about Amendment No. 1 to House Bill 60?

SENATOR VADALABENE:

Amendment No. 1 to House Bill 60, the associated firefighters states that the recent United States Supreme Court decision has held that municipal employees including firefighters are subject to the Fair Labor Standard Acts and its requirements regarding overtime pay. This amendment attempts to maintain current benefits for firefighters under this new interpretation...and the firefighters state that this will not increase benefit firefighters of which they are already receiving, and I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 60. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, top of page 24, is House Bill 38. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 38.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This amendment was requested by the Department of Public Health to clean up language in the present Statute. The amendment in no way alters the intention of the bill. It gives the definition of a paramedic as an emergency medical technician paramedic, and I move for its adoption and I thank you for coming back to this bill.

PRESIDENT:

Don't thank me. Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 38. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 26. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 26.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd...2nd Reading, top of page 25, is House Bill 62. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 62.

(Secretary reads title of bill)

2nd...reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 adopted in committee deletes provisions of the bill which were included in three...four bills that we had previously passed out of the Senate. I move the adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 62. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 66, Senator Watson. Senator Watson on the Floor? Senator Berman.

SENATOR BERMAN:

Mr. President, could I ask for leave to go back to 26?

PRESIDENT:

Sure, why not.

SENATOR BERMAN:

Thank you.

PRESIDENT:

It's already been moved to 3rd. Okay. 66, Senator Watson. 75, Senator Lemke. On the Order of House Bills 2nd Reading, House Bill 75. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 75.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 83, Senator Schaffer. On the Order of House Bills 2nd Reading, House Bill 83. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 83.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

In the...Mr. President, the members of the Revenue Committee, in particular Senator Netsch, expressed concerns on this bill which is a tax deferral program for special assessment taxation. Senator Netsch particularly expressed concern; apparently, that's no longer a problem but I'll explain the amendment anyway. Basically the amendment provide...there were some question as to when we would be notified for the deferral purposes of...of when a special assessment came on and when they were asking...the amendment says thirty...within thirty days after the receipt of notification of a special assessment a taxpayer may apply, if they choose to; and the second section which the Department of Revenue suggested since this deferral program will get them into some taxes...in a large number of taxing bodies they don't deal with at this time, potentially, that all applications for deferral of real estate taxes or special assessment are pursuant to this Act shall be subject to the review and approval as may be required by the Department of Revenue. I think the amendment, which Democratic staff has seen and I don't think Senator Netsch has had a chance to react to, addresses the concerns that were brought up in committee. If that does not...is not the case, certainly we're prepared to work further, but I think it does answer those concerns and makes it a better bill.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 83. Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As Senator Schaffer knows, the concern was not with the general objective but with the

effect that it might have on the special assessment procedure which is a statutory and a fairly formalized procedure with the court approval and...a great many other devices built into it, and I was afraid that the deferral might really upset that mechanism because there is a very close formula for how the costs are allocated among those who are subject to the special assessment and so forth. I gather...I think what you're doing here is at least allowing enough time for everybody to sort of take a look at it. I'm not positive that that does it and I'm certainly not sure that it does not. So let's let the amendment go on and if we get any better intelligence about it before we're finished, we can still correct it. Thank you, very much, for your efforts, Senator Schaffer.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 83. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 89, Senator Barkhausen. Yes, no or maybe? On the Order of House Bills 2nd Reading is House Bill 89. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 89.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

HB 90 2nd Reading

3rd reading. 90, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 90. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 90.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 deletes the provisions of this bill which were included in several bills already passed by the Senate and adds the provisions of Senate Bill 707 but makes important changes that...eliminates the mandate for the early childhood programs and eliminates the non-referendum tax increase. I move the adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 90. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. All right. With leave of the Body and leave of Senator Vadalabene, we'll go back to House Bill 66. On the Order of House Bills 2nd Reading, House Bill 66. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 66.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 123, Senator Dawson. 131, Senator Darrow. Yes, no or maybe? On the Order of House Bills 2nd Reading, House Bill 131. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 131.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Darrow.

PRESIDENT:

Senator Darrow on Amendment No. 1.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 131 allows the Supreme Court to acquire essential administrative personnel equipment and supplies to assist the chief judge. When this legislation was heard in committee, Senator Philip suggested that we add DuPage County and a moment later Senator DeAngelis suggested we add Cook County. What this amendment does is take care of their two counties...the bill now applies to the entire State of Illinois, and I ask for the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Darrow has moved the adoption of

Amendment No. 1 to House Bill 131. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Karpiel.

PRESIDENT:

Senator Karpiel on Amendment No. 2.

SENATOR KARPIEL:

Thank you. I have not had a chance to even...talk to the sponsor about this. I think our staff just put the amendment in now. I can say what it's about and see what the sponsor thinks, but I generally don't like to do that.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

I think we just did it. I...if your intention was to include the whole State, that's what we just did with Amendment No. 1.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

I'm sorry. Thank you, yes, that's what we were going to do.

PRESIDENT:

All right. Amendment No. 2 has been withdrawn at the request of the sponsor. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 142, Senator Bloom. In Senator Bloom's absence, the Chair will note that there is cake available for all the members at the base of the press box on the Republican side. 146, Senator Kustra. 152, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 152.

HB 164 2nd Reading

Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 152.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Thank you, Mr. President. Although this is not a committee amendment, the bill was put out on 2nd reading with the understanding that this amendment would be attached. This bill concerns the county treasurer notifying people whose taxes are delinquent and are going to judgment, and the original bill said that notice was to go to all lien holders of record. The committee thought that was too broad and it should be limited to lien holders of record who request a copy, and that's what the amendment does, I move its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 152. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 157, Senator Davidson. 164, Senator Jeremiah Joyce. On the Order of House Bills 2nd Reading is House Bill 164. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

HB 202 2nd reading

House Bill 164.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 188, Senator Rigney. On the Order of House Bills 2nd Reading is House Bill 188. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 188.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 202, Senator Vadalabene. On the Order of House Bills 2nd Reading, House Bill 202. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 202.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene on Amendment No. 1.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Section 5 of Article XIII of the Illinois Constitution of 1970 provides that pension or retirement benefits shall not be impaired or diminished. This amendment is designed to give the IMRF Board of Trustees flexibility to discontinue the health insurance program without being bound by the constitutional provision, and I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 202. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

All right. Ladies and gentlemen, let me ask the staff on both sides of the aisle that when staff conferences are occurring, they better occur off the Floor or we're going to wind up clearing the Floor. I'd ask the members to be in their seats. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think that you're trying to address the issue that I brought up in committee, that being that to allow IMRF to...to begin a health insurance program might in fact create a constitutional right to the benefits of that program, and if that's the case...I have not had a chance to look at your amendment, Senator. I'd be curious to know how you...how you plan to protect against that.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Well, first of all, this is the amendment that we...we thought that you requested to be put on this bill on 2nd reading and if you'll just give me a second, I'll try to answer your question. Yes, thank you, Mr. President. The amendment specifies that group health insurance plan is not a

pension or a retirement benefit for constitutional purposes.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I think that's what needs to be done with the bill and I support the amendment.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 202. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 217, Senator Kustra. 220, Senator Marovitz. Middle of page 26, on the Order of House Bills 2nd Reading is House Bill 220. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 220.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 243, Senator Fawell. Senator Fawell. On the Order of House Bills 2nd Reading is House Bill 243. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 243.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Fawell.

PRESIDENT:

Senator Fawell. Senator Fawell, your mike seems to have run out of juice.

SENATOR FAWELL:

Thank you, very much. This is a...the amendment that we agreed to in the committee. It merely says secondary education...the term secondary education means the curriculum. We removed the...any reference whatsoever to the Federal Excess Act.

PRESIDENT:

All right. Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 243. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Senator Watson, 247. On the Order of House Bills 2nd Reading is House Bill 247. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 247.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 251, Senator Netsch. Senator Netsch, going

HB 253 2nd Reading

once. Senator Netsch, going twice. Senator Netsch. On the Order of House Bills 2nd Reading is House Bill 251. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 251.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 252, Senator Lemke. On the Order of House Bills 2nd Reading, bottom of page 26, would everybody be kind enough to turn to page 27 on their Calendar. Just for once, just look down page 27 and see if your name appears anywhere. On the Order of House Bills 2nd Reading is House Bill 252. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 252.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 253, Senator Lemke. On the Order of House Bills 2nd Reading, House Bill 253. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 253.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government

offers Amendments Nod. 1 and 2.

PRESIDENT:

Senator Lemke on Amendment No. 1 to House Bill 253.

SENATOR LEMKE:

What it...according to staff, that...that...we want to Table this amendment 'cause it's included in Amendment No. 2. So, I move to Table Committee Amendment No. 1.

PRESIDENT:

Senator Lemke has moved to Table Committee Amendment No. 1 to House Bill 253. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The amendment is adopted...I mean, the amendment is Tabled. Committee Amendment No. 2. Senator Lemke.

SENATOR LEMKE:

What this bill does is...is...is...makes it completely voluntary similar to everything else. If they want to annex a piece of property that's next to a forest preserve, the forest preserve has to agree to it, otherwise, it's not annexed. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 253. Discussion? Senator Keats.

SENATOR KEATS:

Thank you. I just want to make sure this amendment says 'cause I haven't been able to get a summary of it, but my understanding is, if they're annexing a property across the forest preserve, this property has to in referendum vote and go along. Does this amendment specifically...specifically state that this second parcel has to have a public referendum and it has to pass?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Yes, it makes reference to those...section numbers to

HB 257 2nd Reading

call for referendum on this...this is an amendment that everybody agrees to now.

PRESIDENT:

All right. Further discussion? If not, Senator Lemke moves the adoption of Committee Amendment No. 2 to House Bill 253. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 257, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 257. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 257.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 1 struck everything after the enacting clause, still dealing with the income tax. What we do with the bill now is to clear up something that is unique to the State of Illinois. A corporation filing a consolidated income tax is dealt with differently than a corporation not filing a consolidated income tax on the carry-forward and backs of net operating loss. What we do with this bill is allow corporations who

file a consolidated return and who have a loss to carry that forward or backwards beginning in taxable year 1985. If there's any questions, I'll try to answer; if not, I would move for the adoption of Amendment No...Committee Amendment No. 1 to House Bill 257.

PRESIDENT:

All right. Senator Luft has moved the adoption of Committee Amendment No. 1 to House Bill 257. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 272, Senator Lemke. 277, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 277. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 277.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 296, Senator Bloom. 298, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 298. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 300 will be held until later in the week. It will not be called today. 301, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 301. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 301.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Higher Education offers one amendment.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Well, thank you. We have Amendment No. 2 up there...that does the same thing...makes technical changes. I move to Table Committee Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved to Table Committee Amendment No. 1 to House Bill 301. Discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled...further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Berman.

HB 302
2nd Reading

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. This is the technical...proper technical amendment. I move the adoption of Floor Amendment No. 1...2.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I move the adoption of Floor Amendment No. 2.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 301. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 302, Senator Berman. On the Order of House Bills 2nd Reading, bottom of page 27, is House Bill 302. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 302.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 303, on the Order of House Bills 2nd Reading, top of page 28, is House Bill 303. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 303.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 304. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 304.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 305. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 305.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 306. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 306.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 307. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 307.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 312, Senator D'Arco. On the Order of House Bills 2nd Reading is House Bill 312. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 312.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDENT:

Senator D'Arco on Committee Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Committee Amendment No. 1 changes the agency which will fund and administer the court interpreter's program from the Administrative Office of the Illinois Courts to the Department of Reg. and Ed. The...the administrative courts are not geared up to qualify these people as interpreters where the Department of Reg. and Ed.

is the appropriate agency to do that function, and I would move to adopt Amendment No. 1.

PRESIDENT:

Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 312. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 314, Senator Karpiel. 316, Senator Sangmeister. On the Order of House Bills 2nd reading, House Bill 316. Read the bill, Mr. Secretary. All right. Take it out of the record, Mr. Secretary. 320, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 320. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 320.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Savickas on Committee Amendment No. 1.

SENATOR SAVICKAS:

Yes,...oh, Mr. President and members of the Senate, Committee Amendment No. 1 allows the Chicago Board of Education to go without competitive bidding in expenditures less than twenty-five thousand. Evidently, two percent of the...two to five percent of the contracts are under this and it's the matter of paper work that...that's more expensive

than the contracts themselves. So, I move its adoption.

PRESIDENT:

All right. Senator Savickas has moved the adoption of Committee Amendment No. 1 to House Bill 320. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 323, Senator Netsch. On the Order of House Bills 2nd Reading, top of page 29, page 29 on the Calendar, is House Bill 323. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 323.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 341, Senator Netsch. On the Order of House Bills 2nd Reading is House Bill 341. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 341.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

HB357 2nd Reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 348, Senator Kustra. 354, Senator Kelly. 357, Senator Topinka. On the Order of House Bills 2nd Reading, the middle of page 29, is House Bill 357. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 357.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Topinka on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President. The amendment allows for another form of investment on the part of the...the pension fund.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to House Bill 357. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 374, Senator Joyce. On the Order of House Bills 3rd...2nd Reading is House Bill 374. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 374.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 374 raises the minimum widow's annuity by one hundred dollars monthly, effective July 1, 1985.

PRESIDENT:

All right. Senator Joyce moves the adoption of Amendment No. 1 to House Bill 374. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 2.

SENATOR JEREMIAH JOYCE:

Well, thank you, Mr. President and members of the Senate. Amendment No. 2 to House Bill 374 provides that after thirty-two and a half years of service credit if the police officer has not then attained the age of sixty-three years, his annuity will be fixed and his contribution will cease. Also provides for a...a refund of contributions made in...at a period of time after that...after thirty-two and a half years of credit.

PRESIDENT:

HB 387 2nd Reading

Senator Joyce moves the adoption of Amendment No. 2 to House Bill 374. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 377, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 377. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 377.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 381, Senator Barkhausen. 385, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 385. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 385.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 387, Senator Collins. On the Order of House Bills 2nd Reading, bottom of page 29, is House Bill 387. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 387.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 392, Senator Lemke. 394, Senator Carroll. 398, Senator Jeremiah Joyce. On the Order of House Bills 2nd Reading, top of page 30, is House Bill 398. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 398.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I am reliably informed that Amendment No. 1 to House Bill 398 has been agreed upon by the concerned parties; that is, the fund, the City of Chicago and the employee group. What it will do is it will reduce the age discount for employee and spouse less than age sixty from one and a half to one-quarter per month for employees born before 1936. It will also provide the means whereby the retirement board may provide future retired employees with assistance in preservation of group coverage in a hospital care plan and medical-surgical plan.

HB 408 2nd Reading

I ask for its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 398. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 401, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 401. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 401.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 408, Senator Philip. On the Order of House Bills 2nd Reading is House Bill 408. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 408.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 409, Senator Barkhausen. Senator Philip,

for what purpose do you arise?

SENATOR PHILIP:

I believe, I filed a technical amendment to that bill, Mr. President.

PRESIDENT:

All right. On the Order of House...with leave of the Body, we'll move House Bill 408 back to the Order of 2nd Reading for purposes of an amendment. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's merely a technical amendment, a reference to the U.S. Code. Move its adoption.

PRESIDENT:

All right. Senator Philip moves the adoption of Amendment...we're on 408, Mr. Secretary, thank you...Amendment No. 1 to House Bill 408. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 409, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 409. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 409.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Barkhausen on Amendment No. 1. Your machine apparently also has run out of juice. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 was put on by Senator Berman in the Education Committee to provide that any money loaned to a school district under the circumstances contemplated by this amendatory Act for school districts who are looking for money for temporary relocation...expenses at the levy that would be imposed would have to totally repay the State loan and that is the purpose of the amendment.

PRESIDENT:

All right. Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 409. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. With leave of the Body, Channel 25 from Peoria has requested permission to videotape. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 419, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 419.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers Amendments Nod. 1 and 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is an amendment that will allow Statewide sharing of the EFT proprietary networks. This clarifies a problem that had been in prior law and they are using this bill to allow for this Statewide sharing. I know of no opposition. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 419. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There was an amendment in the House involving the credit unions, and it happened to have also taken out the allowance for private insurers for credit unions. This would restore that private insurers and, again, I know of no opposition, would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Committee Amendment No. 2 to House Bill 419. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

HB 431 2nd Reading HB 467 2nd Reading

PRESIDENT:

3rd reading. 431, Senator Maitland. On the Order of House Bills 3rd Reading is House Bill...2nd Reading, House Bill 431. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 431.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 434, Senator Degnan. On the Order of House Bills 2nd Reading is House Bill 434. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 434.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 467, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 467. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 467.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Sangmeister on Committee Amendment No. 1.

SENATOR SANGMEISTER:

Committee Amendment No. 1 is agreed to between the City of Chicago, the mayor's office and the Illinois construction industry and delays the effective date of the Act until July 1st, 1987. Move its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to House Bill 467. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

Yes, Amendment No. 2 is a Floor amendment that allows under the Municipal Code for a village with a population...the present law is twenty-five thousand, we're reducing it to five thousand to divide up into six compact contiguous districts and having a representative elected from each one of those districts. It just reduces the population figure to file a petition to do that from twenty-five thousand to five thousand. Move its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 2 to House Bill 467. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 474, Senator Berman. On the Order of House Bills 2nd Reading, House Bill 474. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 474.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. This amendment incorporates many of the areas of dispute between the sheriff's association and the private process servers. It also incorporates the provisions of Senate Bill 1031 dealing with the taxing of costs. I move Committee Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill...474. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 31, 480, Senator Schaffer. On the Order of House Bills 2nd Reading is House Bill 480. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 480.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 486, Senator Dunn. On the Order of House Bills 2nd Reading is House Bill 486. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 486.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 493. On the Order of House Bills 2nd Reading is House Bill 493. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 493.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 497, Senator Donahue. Senator Donahue? On the Order of House Bills 2nd Reading is House Bill 497. Read

HB508 2nd Reading

the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 497.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 508, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 508. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 508.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 510, Senator Poshard. 513, Senator Poshard. 514, Senator Kustra. 521, Senator Barkhausen. 548, Senator Kustra. 556, Senator Marovitz. Top of page 32, 561, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 562. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...House Bill 561.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1, by Senator Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President and members of the Senate. Again, I am reliably informed by the concerned parties; that is the City of Chicago, the fund and the employee group, that Amendment No. 1 to House Bill 561 is agreed upon. It will change the...the present benefit accrual rate, it will reduce the age discount rate from one and a half to one-quarter per month for employees born before January 1st, 1936 and it will provide a means whereby the retirement board may provide retired employees with assistance in preservation of group coverage in a hospital care plan. I ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 561. Any discussion? If not, all in favor indicate by...I beg your pardon. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, earlier today Senator Vadalabene put an amendment on a bill that dealt with a pension plan establishing group health insurance benefits for members of that plan, and I think that's what you're doing here also. Is it not?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Schuneman, I am not an expert on pensions. Let me explain what I understand that I am doing. I am providing for a change in the present benefit accrual rate from 1.67 percent, 1.90 percent, 2.10 percent, 2.30 percent to 1.80 percent, 2.00 percent, 2.20 percent and 2.40. That is one thing that I'm...that is one thing that this amendment does. The second thing that this amendment does, it reduces the age

discount for employees and spouses less than age sixty from one-half to one-fourth per month for those employees who are born before January 1st, 1936. The third thing that it does is what you are referring to and that is it provides a means whereby the retirement...board may provide retired employees with assistance in the preservation of their group medical insurance coverage.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, that's my point. Pension plans in the State of Illinois, both State plans and local government plans, are guaranteed by the Constitution. Those plans cannot be diminished once we put them in place. Now that...constitutional guarantee is one thing for pension plans but it's entirely something else for group health plans. What Senator Vadalabene did and what I would be suggesting to you would be inclusion of some language that would specifically state that the group health insurance benefits would not be subject to that constitutional guarantee, and I...and my question to you is whether or not you'd be willing to accept an amendment, bring it back and put it on...putting that language in. I...I think that it's an important principle around here to make sure that we have that language in all of the bills that may be enlarging pension plans to include group health insurance.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...well, I would have no objection to that, Senator, if those who are concerned with this legislation have no objection to it. I would say that, as I'm reading the analysis, provides that the board is authorized to make payments up to twenty-five dollars a month for employee annuitants age

sixty-five and over with at least fifteen years of service, but in...with respect to the constitutional question, if those who have come with this legislation have no problem with it, I have no problem with it at all.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, then, could we get together...you go ahead and adopt the amendment, and then could we get together and talk about this? Thank you.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 561. Any discussion? Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 567 and 570 per our agreement, Senator Philip, will be held. They will not be called today, probably not tomorrow. 571, Senator Hall. On the Order of House Bills 2nd Reading is House Bill 571. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 571.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson on Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Senate...or House Bill 571 and Amendment No. 1 simply reads that a hearing officer must have the same qualifications as the Board of Review, and that is taking a test and following up with those particular requirements. Currently, in St. Clair County,...excuse me, the...there was...I don't know, some...almost forty thousand objections filed to the property taxes and so they're establishing a separate hearing board to...to hear the objections. And what we're trying to do is simply say that those hearing officers have to have the same qualifications as anyone from the Board of Review, and I move the adoption of this amendment.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to House Bill 571. Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this amendment, I want to tell you what happened. For the first time in forty years there was an assessment and when that occurred that there were over thirty-five thousand complaints. Now we only have three members of the Board of Review, so in order to accommodate the people that what they did...they took some people and simply let them sit there to hear the complaints. The board still operates, but can you imagine three people trying to hear thirty-five thousand complaints? Now we don't expect this to ever happen again, it was over forty years. So what we did...and the Revenue Committee put an amendment on that said that these people could not be used out of the board of assessor's office. We have accepted that amendment and we brought it in line with what the people want. These people who...that...that he's asking...to take some qualification, you would be making them members of the Board of Review. The

county did not have enough money to have all the hearings so, therefore, that...that's why they brought these people on, and this is a bad amendment and I'd ask that it would not be accepted.

PRESIDENT:

All right. Further discussion? Further discussion? Senator...Netsch.

SENATOR NETSCH:

I'm sorry, I'd been on...I...off the Floor for a moment and I'm trying to get caught up on this. There was a committee amendment, what happened to it?

PRESIDENT:

Senator Hall.

SENATOR HALL:

I'm accepting the committee amendment. It should have been read in.

PRESIDENT:

No....wait...wait...wait...wait..wait...wait...wait...the Secretary indicated there was no committee amendment. Senator Netsch.

SENATOR NETSCH:

Well, we did adopt an amendment in committee and the amendment dealt with a problem that was raised with respect to Senator Hall's bill and made it clear that the...

PRESIDENT:

All right.

SENATOR NETSCH:

...employees could not...

PRESIDENT:

All right. Let's take this out of the record. Apparently there may have been a clerical error and that...in this world in which we live, that's humanly possible. All right. We'll take it out of the record, we will get back to it as soon as the committee amendment is found, Senator Watson, if

you and Senator Hall will agree to that. 575, Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 575. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 575.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 578, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 578. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 578.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 1.

SENATOR POSHARD:

Thank you, Mr...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment which inserts the words " more than" at each succeeding step of the ladder...the award ladder, along which awards are given to employees in the Department of Central Management Services for suggestions they make which saves the State money. I move for its adoption.

PRESIDENT:

H.B. 580 2nd reading

Senator Poshard has moved the adoption of Amendment No. 1 to House Bill 578. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 580, Senator Carroll. Middle of page 32, on the Order of House Bills 2nd Reading is House Bill 580. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

House Bill 580.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 592. On the Order of House Bills 2nd Reading is House Bill 592. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 592.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

HB593 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 593. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 593.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 611. On the Order of House Bills 2nd Reading, bottom of page 32, is House Bill 611. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 611.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 615, Senator Maitland. 618, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 618. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 618.

(Secretary reads title of bill)

...2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 621, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 621. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 621.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulation offers one amendment.

PRESIDENT:

All right, two committee amendments. Committee Amendment No. 1, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Committee Amendment No. 1 is technical and clarifying.

PRESIDENT:

Senator Joyce moves the adoption of Committee Amendment No. 1 to House Bill 621. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the Committee on Finance.

PRESIDENT:

Senator Joyce on Committee Amendment No. 2.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This one exempts real estate developers and home builders from the Act.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Committee Amendment No. 2 to House Bill 621. Any discussion? If not, all in favor indicate by saying Aye. All opposed.

The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 3.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This one exempts licensed and...and real estate brokers. I'd move for its adoption.

PRESIDENT:

Senator Joyce moves the adoption of Amendment No. 3 to House Bill 621. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 622, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 622. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 622.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 626, Senator Fawell. On the Order of House Bills 2nd Reading is House Bill 626. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 626.

HB 636 2nd reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 631, Senator Degnan. On the Order of House Bills 2nd Reading is House Bill 631. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 631.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 636. On the Order of House Bills 2nd Reading is House Bill 636. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 636.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 650, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 650. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 650.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 691, Senator Carroll. On the Order of House Bills 2nd reading is House Bills 691. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 691.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 692, Senator DeAngelis. On the Order of House Bills 2nd Reading is House Bill 692. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 692.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Senate...Amendment No. 1 to Senate...House Bill 692 merely changes the effective date from...upon becoming law to January 1st, 1986. I move for its adoption.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 692. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 694, Senator Degnan. Top of page 34. On the Order of House Bills 2nd Reading is House Bill 703. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 703.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

What Senate Amendment No. 1 does is it simply states, and I'll read it, "Any county, municipality or agency which levies a surcharge shall remit two and a half percent of the amount thereof to the owner or operator of the facility in recognition of his collection and processing costs." In other words, it's to give back to those people...a little bit for the bookkeeping expense that's involved, and I move its adoption.

HB 737
2nd reading

PRESIDENT:

All right, Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 703. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 705, Senator Rigney. On the Order of House Bills 2nd Reading is House Bill 705. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 705.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 706, Senator Lechowicz. 725, Senator Collins. On the Order of House Bills 2nd Reading is House Bill 725. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 725.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 737, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 737. Read the bill, Mr.

HB 753 2nd Reading

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 737.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 751, Senator Lemke. On the Order of House Bills 2nd Reading is House Bill 751. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 751.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 753, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 753. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 753.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Luft.

PRESIDENT:

HB 782 2nd Reading

Senator Luft on 753, Amendment No. 1. Amendment...sponsor indicates he wishes the amendment withdrawn. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 755, Senator Karpiel. On the Order of House Bills 2nd Reading is House Bill 755. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 755.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 777, Senator Sangmeister. Senator Sangmeister, 777. 782, Senator Collins. On the Order of House Bills 2nd Reading, top of page 35, Senate...House Bill 782. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 782.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 793, Senator Luft. On the Order of...799, Senator Darrow. On the Order of House Bills 2nd Reading is House Bill 799. Read the bill, Mr. Secretary.

HB 816 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 799.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 805, Senator Karpiel. On the Order of House Bills 2nd Reading is House Bill 805. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 805.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDENT:

Senator Karpiel on Committee Amendment No. 1.

SENATOR KARPIEL:

Can we pass that right now, please? Pass the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. On the Order of House Bills 2nd Reading, House Bill 816, Senator Carroll. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 816.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 833
2nd Reading

3rd reading. House Bill 833, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 833.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This...this amendment contains the recommendation...recommended changes in the Tax Code. These are recommended by the Department of Revenue and the general thrust of these changes is toward simplification of the tax law and enhanced equity. I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption of Amendment No. 1 to House Bill 833. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Amendment No. 2 is...contains technical corrections which are recommended by the LRB. I would move for its adop-

tion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there discussions? If not, Senator Etheredge moves the adoption of Amendment No. 2 to House Bill 833. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Chicago Tribune is requesting permission to shoot still photos. Is leave granted? They can shoot them without lights. Leave is granted. House Bill 852, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 852.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 864, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 864.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Amendment No. 1 would permit the Village of Markham to sell a piece of property which for-

merly belonged to the Department of Transportation. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Etheredge moves the adoption of Amendment No. 1 to House Bill 864. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 867, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 867.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, my records shows that there is a Floor amendment. No. 1...no, no, I'm sorry. No amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, Mr...Senator Vadalabene. House Bill 879, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...879.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 to House Bill 879 deletes the repealer contained in the bill. It was Section 154. Without the repealer we would place in jeopardy two current bond issues, a hundred and ninety-five million and a hundred and fifty million for education and mental health and other public welfare institutions. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to House Bill 879. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 881, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 881.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 888 2nd reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate...or to House Bill 881 is of an emergency nature and what this addresses is a specific problem faced by the Poplar Creek Library District and satisfies prior objections by the Cook County Clerk. This is an emergency situation in response to a court order issued June 5th in which the judge indicated that they way to remedy the situation is to pass this legislation immediately so that the tax bills can be printed at the voter approval level, and I move for its adoption and tomorrow I'll be asking leave to have this bill passed on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to House Bill 881. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 888, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 888.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr...President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 in addition to making various technical changes would include restaurants, cafeterias, delicatessens and stores under the scope of the Act, and it extends the deadline for compliance by units of government until January 1st 1990. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to House Bill 888. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 889, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 889.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and...Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 makes some technical corrections and puts the bill in the same form as Senate Bill 708 which passed this Body unanimously. I know of no objec-

tion. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to House Bill 889. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 890, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 890.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...891, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 891.

(Secretary reads title of bill)

2nd...2nd reading of the bill. The Committee on Secondary...Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am informed that...Committee Amendment No. 1 is an agreed amendment, agreed between the State Board of Education, the Office of the Attorney General and those who represent the special education community. It's a revision in the hearing officer's systems for a due process review of special education cases. I have...it...I'm told it's technically flawed and we have Amendment No. 2, but I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to House Bill 891. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 2 is purely technical. It...it puts Amendment No. 1 in the proper form. I know of no objection. I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 2 to House Bill 891. Those in favor indicate by saying Aye. Those opposed. The Ayes have it.

Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 892, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 892.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 893, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 893.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 894, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 894.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Utilities offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 was offered and adopted in committee in response to some concern expressed by the Department of Rehabilitation Services and also responding to the concerns of the deaf community that the device is simply provided to handle incoming calls. It provides that the transportation sight and/or operating authority will be responsible for the purchase, the lease or otherwise obtaining the telecommunication devices. I know of no objection and I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to House Bill 894. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 895, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 895.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 896, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 896.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 897, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 897.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 898, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 898.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 899, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 899.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 900, Senator Netsch. Senator Netsch, 900...907, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 907.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 910, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 910.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

HB 922 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 921, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 921.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 922, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 922.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 935, Senator Fawell...Fawell. 943, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 943.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 944, Senator Smith. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 944.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 951, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 951.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 952, Senator Poshard. Senator Poshard, 952? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 952.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...Senator...957, Senator

Lechowicz. 964, Senator Topinka. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 964.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 968, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 968.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is an amendment from the Department of Registration and Education which allows the pharmacists license fees to be placed in a special fund to be used specifically on pharmacy licensing and disciplinary matters, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to House Bill 968. Those in favor indicate by saying Aye. Those opposed. The Ayes have

HB 982 2nd reading
HB 986 2nd Reading

it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 971, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 971.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 982...House Bill 982, Senator Savickas. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 982.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 986, Senator Luft. Senator Luft, 986? Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 986.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment eliminates two words, those words being "primarily" and "frequently." This takes care of a situation where someone could have received handicapped license plates and only been transporting people...a certain percentage of the time. With the amendment we mandate that you have to be in the business of transporting handicapped people full-time, and I would move for the adoption of Committee Amendment No. 1 to House Bill 986.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the adoption of Amendment No. 1 to House Bill 986. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

I would like to withdraw that amendment, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 992, Senator Bloom. Senator Bloom,...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 992.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 997, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 997.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...Committee Amendment No. 1, Mr. President, simply puts back the Senate language. This was the bill that deleted the requirement that liquid propane gas not be subject to prepayment...be not used as a motor fuel. It's simply just adding back the language of the Senate. I would move adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 997. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1000, Senator Joyce. Senator Joyce. House Bill 1010, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1010.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll. Senator Vadalabene, do you know what the amendment is?

SENATOR VADALABENE:

It may be the same amendment that I'm holding in my hand, I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Read the...Mr. Secretary,...read the amendment. Senator Vadalabene, it deals with the School Finance Authority. Let's take it out of the record. Senator Vadalabene.

SENATOR VADALABENE:

Yes, 1010 does not deal with any school authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Secretary was in error. There was no legitimate amendment for House Bill 1010. Senator Vadalabene...are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene, do you have an amendment?

SENATOR VADALABENE:

...yes, I do have Floor amendment...

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes,...Floor Amendment No. 1 to House Bill 1010 specifically states that the Law Enforcement Board shall be independent of the Department of State Police. It also...the Governor's recent Executive Order changed the name of the DLE to the Department of State Police and this amendment takes account of that change also, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to House Bill 1010. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1012, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1012.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1023, Senator Philip. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1023.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1026, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1026.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1027, Senator Welch. 1033, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1033.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1035, Senator Marovitz. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1035.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to...House Bill 1035 is a clarifying amendment that was given to us by the Secretary of State's Office just clarifying the numerals the...that...that the language can be in other than...than that specified and I would ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 1035. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1037, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1037.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers four amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you,...Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 to House Bill 1037 really eliminates the duplicative language...the provisions of the bill and...and is...is technical in nature, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to House Bill 1037. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Amendment No. 2 is a DASA agreed to amendment. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 2 to House Bill 1037. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I would move to Table Committee Amendment No. 3, it's not technically correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland moves to Table Amendment No...Committee Amendment No. 3. Is there discussion? If not, is leave granted? Hearing no objection, leave is granted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by the same committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. The same motion. I would move to Table Committee Amendment No. 4 for the same reason.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There seems to be objection. Senator Welch.

SENATOR WELCH:

Well, whose amendments...I want to know whose amendments they are? You're saying they're the committee. Who sponsored the amendment in committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Senator Welch, Committee Amendment No. 2 was...was sponsored by Senator Maitland. Committee Amendment No. 3 was offered by Senator Berman. Committee Amendment No. 4 was sponsored by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland has moved to Table Committee Amendment No. 4 sponsored by Senator Demuzio. Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, now...now what are we on here? We are on amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment No. 4.

SENATOR DEMUZIO:

...and...and the sponsor has made a motion to Table the committee amendment. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's correct. Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, and simply to offer then the technically correct amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Technically correct meaning that the problem that we had in committee that it didn't track, but the same substance is in the...Amendment No. 5 to be offered? Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves to Table Committee Amendment No. 4 to House Bill 1037. Hearing no objection, leave is granted. The motion carries. Senator Maitland. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

...Amendment No. 5 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Floor Amendment No. 1 puts into LRB form Committee Amendment No. 3. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

I...Amendment No. 5 apparently is the amendment that puts into the...the bill the...Arts Program Grants and this is being offered as a result of Senator...of Amendment No...Committee Amendment No. 3 being technically incorrect. Is that correct? Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there objection. If not, Senator Maitland moves the adoption of Amendment No. 5 to House Bill...Senator...I'm sorry, Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Ask.

SENATOR WATSON:

I understand that there's a possibility that this is a mandate that's going to say that art and cultural programs have to be offered to...or that they have to be part of the curriculum of high school students. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator Watson. This was offered in the House and was left off the enrolled and engrossed copy when it reached this Body, and Senator Berman offered the amendment and we are simply reoffering it because the amendment was...was...was not tracking. I'm...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson. Senator Watson.

SENATOR WATSON:

There's some...there's some confusion here. I...I want to know, are we mandating that part of the curriculum of high school student will have to include some form of art education or something of this nature?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman is seeking recognition to answer your question. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Maybe I can respond. The...the amendment says as follows, "The State Board of Edu-

cation shall provide grants to school boards for the purpose of developing comprehensive arts programs in grades kindergarten through six in music, drama, dance and visual arts. The comprehensive arts programs shall include instruction in the historical and cultural significance of the appreciation for and the participation in such arts." It is a grant program. It is not a mandate on the local school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Watson.

SENATOR WATSON:

One...one final question...is this a mandate on the student's curriculum in school?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

The answer is, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of amendment...Senator Welch.

SENATOR WELCH:

Yes, what this amendment does is...is require, it says "shall," require art appreciation classes and music appreciation classes be taught in kindergarten through sixth grade. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR WELCH:

What...what does the amendment say?

SENATOR BERMAN:

Let me read it...let me read it to you again. "The State Board of Education shall provide grants to school boards for the purpose of developing these programs." It is a...it is a direction to the State Board to set up a grant program for school districts that want to utilize the development of art

appreciation and art programs, K through six. There is no mandate involved here on the local district if they don't want to take advantage of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, be that as it may, is there some study that was done that says we should have art appreciation courses for kindergarten and first grade students somewhere? I don't quite understand that...theory. This is...this is the history and the cultural background of art and music. It's not just letting them do finger painting and...and other kind of art work, this is the history and the culture of...and background of art, and I'm not so sure that kids that young comprehend the background of...and history of art and music.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

This amendment was adopted in the House. It is part of the program recommended by the State Board. Let me, again, point out to you that when...over the past several years when school board budgets have been tight, the first areas of cuts have been in many cases in the arts which includes music, drama, dance and visual arts. If we are going to move forward to...to expose our young people to cultural appreciation in those areas, this amendment which was erroneously left out by Enrolling and Engrossing in the process of moving the bill from the House to Senate, it merely says that these kinds of programs shall be encouraged through a grant program in...instituted by the State Board of Education with grants to local school districts and it...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman, Senator Demuzio is jumping up and down. Senator Demuzio, what purpose you're...

SENATOR DEMUZIO:

As a point of clarification. This, in fact, was passed by the House. It was left out by Enrolling and Engrossing. We simply are putting it back in. It would have been in the bill anyway in committee had it not been for the House error. It just seems to me that we ought to put it back into the way in which the House had passed it to the Senate as a matter of...of being technical, because this bill, obviously, is going to conference anyway, so it seems to me we ought to just put it on by a voice vote and, therefore, no one's recorded and let's go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I...I'd just like to tell Senator Demuzio, I don't really care what the House did or didn't do, because we're separately elected and we can make up our own mind; but to the sponsor of the amendment, this doesn't say we're teaching children art and music and drama. What is says is, "The comprehensive art programs shall include instruction in the historical and cultural significance of and appreciation for and participation in such arts." There's three different mandates. It's not just letting them get involved in it, it's teaching them culture and...and appreciation, which I don't know that they're quite able to do. Now when you say that the first programs cut are these programs, when you start talking about art appreciation for kids in kindergarten and first grade, maybe that's why these are the first programs cut and I...I'd just like to know how much is being set aside for the State Board for these grants as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The categorical grant program that was passed out of the

House and is now before the Senate Appropriation Committee, I believe, includes a half a million dollars for this, and I would suggest, Senator Welch, that I think I would be presumptuous to say that either your or my evaluation of these programs is superior to those people who feel that a good, broad based elementary education should include the arts. I think it should. If you disagree, I'd be glad to have a roll call on this, but I think that the people that have supported this...including State Board and the people that have enriched our culture think that this ought to be part of the curriculum through a grant program, not a mandate program. I'm in full support of it. I support the motion of Senator Maitland to adopt Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I would say, let's...I...I think what Senator Welch is saying is correct. Let's at least take a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, wait a minute. I...I recognized you for the previous question. We have two other speakers that want to speak to the main issue. Senator Hudson. Senator Hudson and then Senator Fawell. Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As a primary teacher, I'm sorry, Senator Welch, but you are wrong. It is not uncommon, for instance, to start first graders with "Peter and the Wolf." It is not uncommon to start first and kindergarten with art appreciation. It is not uncommon to do these things already in some of your bigger schools...it...it is a program that is already being used in...and...and done well in a lot of the bigger school districts, and I personally think that you ought to allow this amendment on and...and who knows, maybe we've got another Tchaikovsky somewhere in the primary

grades.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland may close. Senator Hudson.

SENATOR HUDSON:

Just a very quick question, Mr. President, thank you. Would the sponsor answer a question for me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He...he is willing.

SENATOR HUDSON:

Art, will you...will you clarify this point for me, it says here, as I read it, that these grants shall...that is the board of education, shall provide grants to school boards for the purpose and it goes on and on and on. Does the school board have to request or is this something that the board of education provides grants for requested or not? I mean the way it reads...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

This is not...this language is not unique to this amendment. What happens is that we appropriate...we pass this kind of authorization and then we appropriate money. If we don't appropriate money, there won't be any grants. Assuming we appropriate money, then the State Board sends out invitations to school districts...guidelines for the requests for the grants, and school districts that want to utilize this money apply for the money; if their grant is approved, they get some money and they...undertake these programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Maitland moves the adoption of Amendment No. 5 to House Bill 1037. Those in favor signify by saying Aye. Those opposed. The Ayes have it...in the opinion of the Chair, the voice vote was a tie.

The amendment loses...Senator Berman requests a roll call vote. Those in favor will be voting Aye. Those opposed will be voting No. On that question,...the voting is open. Have all voted who wish? Have all voted who wish? On that...take the record. On that question, the Ayes are 30, the Nays are 20. Amendment No. 5 having received the majority vote is declared adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 6 puts a new...LRB form...the committee....the corrected version of Committee Amendment No. 4 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 6 to House Bill 1037. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. A roll call is being requested on the adoption of Amendment No. 6. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, this Amendment No. 6 was adopted as the Committee Amendment No. 4 in committee and we allowed Committee No...Amendment No. 4 to be Tabled so that Senator Maitland could offer the corrected Amendment No. 6; and it seems to me that if we are going to begin discussing all of these respective committee amendments, then we're going to have a pretty slow process around here, because this is about the first committee amendment that I recall during this Session being debated. What this committee amendment...what this Floor amendment seeks to do is to put back in physical education and driver's education back into this proposal as well as...

PRESIDING OFFICER: (SENATOR SAVICKAS)

We're on discussion of that motion.

SENATOR DEMUZIO:

...and it would seem to me that we ought to put this amendment on and have this entire proposal then discussed in...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, I thought we were on the roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call was being requested by five members of the Republican side. Senator Demuzio was speaking to that motion.

SENATOR DeANGELIS:

What a cover-up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, you know, I'm going to get a new writer, you're...is there further discussion? Senator Maitland may close. If not, a roll call has been requested. Senator Berman.

SENATOR BERMAN:

Mr. President, a question of the sponsor...a question of Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR BERMAN:

In as much as we did go through a long discussion regarding the arts, I think it's fair to everyone, especially if we're going to have a roll call, to delineate what this amendment does as relates to...requiring separate types of courses, so if you would...just delineate again what this amendment does so we all are aware of what we're voting on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, as I understand it, where we are now...is simply put, that it would restore the physical education and driver's education...you're shaking your head no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland may...better answer that question. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Demuzio, this is, again, your amendment, which is now technically correct. It meets all those concerns that you had in that amendment. It deals with the deletion of the provisions regarding teacher aides, the P.E. exemptions for eleven and twelve graders, the proficiency tests for consumer ed. and health ed. and for...contracting out driver's ed. It's exactly your amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well,...well, I'm in favor of it, let's adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I...thank you, Mr. President. I have a slightly different opinion on this and I would...I would oppose the amendment and I think ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested. Those in favor will indicate...Senator Schuneman.

SENATOR SCHUNEMAN:

I think we're into something important here and I'm not sure everybody understands what we're doing. As I understand it...who's the sponsor of this amendment, Senator Maitland?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland is the present sponsor.

SENATOR SCHUNEMAN:

Senator Maitland, am I correct that the bill at the present time would allow school boards to contract out driver education and would, in fact, give to local boards of education the kind of freedom that the State Board of Education says they ought to have and then this amendment seeks to put back the current system...is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, you know, it seems to me, members of the Senate, that we've been dealing with this issue for a long, long time. The people that...that we have selected in this State...the State Board of Education, I think the School Problems Commission and...and others who say this is the way we ought to do it, we ought to pay a little attention to some of those folks, and the way to do that is to defeat this amendment. So, I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is...Senator Demuzio. The question is, shall Amendment No. 6 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 18. Amendment No. 6 having received the majority vote is declared adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 7 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 7 is one I believe that we can all support. This simply...this simply deletes the provision with respect to P.E.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 7 to House Bill 1037. Senator Demuzio.

SENATOR DEMUZIO:

Well, I don't have a copy of this amendment and, you know, Senator Maitland offers these amendments and then opposes them. I'm a little confused, so if we could, I'd like to see a copy of the amendment before we proceed on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator...Senator Demuzio, I think I can be helpful to you. I think I can explain the amendment a bit...a bit better. I think we can vote this up or down right now. This simply deletes the language just put in on the previous amendment with respect to P.E. and it does allow for the eleventh and twelfth grade opt-out. Yes, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, let me identify it, if I might, by LRB number. Is this LRB 8403896THJSAM53?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's correct.

SENATOR DEMUZIO:

Well, I would rise in opposition to this amendment. It

seems to me that, you know, we have...done our work effectively in committee. This battle was fought. It was also fought on the Senate bill that was here. It went to the House and it would seem to me that the physical education portion of this proposal ought to be a part of House Bill 1037, and if you want to talk about it in the Conference Committee where it, obviously, is going to go, that's perhaps the...proper place for it, but I would rise in opposition to Amendment No. 7 to House Bill 1037.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR HALL:

Senator, when you're just saying delete P.E., that's physical education, I'm sure, but why are you deleting it? I mean, just to say I think this is...tell me why.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Hall, we are deleting...deleting it from the previous amendment and...the amendment now that's before the Body would...would allow for the opting out of physical education in the eleventh and twelfth grade under one...of three conditions; number one, for the student athlete, that young person could opt out of...of P.E.; for the student...for remediation purposes would be allowed to opt out and for the college bound student who needs that time to...to...to gain access to other academic courses for college entrance, that student, with consultation with the...with the...with the teacher and counselor would be allowed to opt out. Across this State, Senator Hall, we've heard the call for some

relaxation of this particular mandate. We are, in fact, in the business of...of educating boys and girls and we have to meet their needs and we're not demandating P.E. at all, and I somewhat resent the cry from some people who say that this is demandating P.E. I believe in P.E. I think it's very important, but this is an option that we're offering to young people to...to help them gain the necessary course work that's needed. We are not deleting P.E.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? Senator Chew. If not, Senator Maitland moves the adoption of Amendment No. 7 to House Bill 1037. Senator Demuzio has requested a roll call. Those in favor will be voting Aye. Those opposed will be voting Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 29, none voting Present. Amendment No. 7 having failed to receive a majority vote is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 8 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 7 restores the provision encouraging school districts to employ qualified teacher's aides on a pilot program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Demuzio.

SENATOR DEMUZIO:

Again, I...I...I assume that this is...the same LRB number, JSAM54, this time. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR DEMUZIO:

And this is a provision of reestablishing teacher's aides when I am...as I recall, correctly told that there is either in the appropriation bill a provision that calls for reading specialists or soon will be tomorrow, and it would seem to me that the proposal that we have before us is one that we struck in committee by virtue of Committee Amendment No. 4. We are attempting by virtue of this amendment, Amendment No. 8, now to...strike the language that we adopted in Amendment No. 6 and it seems to me that this thing is getting rather confusing to me, but it's...but it seems to me as I have them before me that we reestablished the reading specialists by virtue of the adoption of Amendment No. 6 which was included in amendment...Committee Amendment No. 4 which was Tabled...or 3 or 4 as...as the result of some technicality, and now with the adoption of Amendment No. 6 we are now attempting by Amendment No. 8 to restore back the language that we struck in...in committee. It seems to me that we ought not to do that. That reading specialists will be in the appropriation bill and this seems to be...to me to be the...in the proper form and, therefore, I would rise in opposition to Amendment No. 8.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

All right, I...thank you, Mr. President. I'm...I heard what Senator Demuzio said, but I'm not sure that I...I don't think I agree with him. When...in Amendment No. 1 we took the teacher aide program and...by Amendment No. 1 made it a pilot program. Because of a tracking problem, Amendment 8 merely addresses technical tracking problems in that portion of Amendment No. 1. It does not undo, I am told, anything that we put in in Amendment 6. You think it does? Well, all right, adopt the amendment and we'll look at it on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

In Amendment No. 8 it deals with teacher's aides, as I understand it, and, Senator Maitland, you might correct me if I'm wrong. By virtue of the the adoption of Amendment No. 6, we were talking about reading specialists, so what we, in fact, are doing is you're striking the reading specialists, adding the same...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Demuzio, it is not our intent to strike the reading specialists. What we are doing is reinserting some language in Amendment No. 8 that was sent over from the House with respect to...to teacher's...teacher's aides, and what it addresses is the overcrowding problem. It's an attempt to get assistance in the classroom for those grades.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Let's do this, rather than belabor the point here 'cause we're on Amendment No. 8, why don't we adopt this amendment on the voice vote; and if the sponsor would agree, if there is a problem and...and...you might want to bring it back to 3rd reading. With that kind of commitment, then I would suggest that we ought to accelerate the procedure and adopt the Amendment No. 8, if...if that is what Senator Maitland is indicating in the affirmative that he will, in fact, bring it back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves the adoption of Amendment No. 8 to House Bill 1037...oh, Senator Maitland moves the adoption of

Amendment No. 8 to House Bill 1037. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1038, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1038.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 adopted in committee gives a revised schedule to the phasing in of the statutory minimum teachers' salaries instead of the provision that we had originally had in the Senate bill of twenty thousand dollars in '87-88. This is a one thousand dollar per year phase-in through 1990 and gives...the Excellence in Teaching Program with the provisions that were in the original proposal. The amendment that will follow, Amendment No. 2, will delete two of the criteria involved in the grant program for the Excellence in Teaching Program. I move Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 1 to House Bill 1038. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further committee amendments.

HB 1039
2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. This Floor amendment was agreed to in the discussion in the committee. It deletes the...two of the four criteria regarding the grant program, the relative wealth and the level of teacher compensation criteria is removed from...by this amendment and I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well,...Senator Berman, can you just briefly run by that one more time? I just was handed a copy of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Okay. If...if you recall the discussion in committee, we have...we have adopted by Amendment No. 1 and in the original bill a program called...move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 2 to House Bill 1039. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1039, Senator Holmberg. Senator Holmberg, 1039. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1039.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This is just a technical amendment placing this bill properly in the Statutes, and I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 1039. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1042, Senator Bloom. House Bill 1059, Senator Bloom. House Bill 1067, Senator Cullerton...I mean, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1067.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, this is the amendment that they worked out in committee to clean up some of the objections to the bill. Makes the bill a little better than what it was before. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved the...of Floor Amendment No. 1 to House Bill 1067. Any discussion? Senator Fawell.

SENATOR FAWELL:

Could you explain that amendment a little bit more?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Hold on. (Machine cutoff)...this amendment does is adds...changes the words and adds "presumed to be" and removes the words "plainly appears and is demonstrated as an instrument or by credible...evidence." This is the amendment that was requested by the...by some of the problems that the opponents had on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke moves the...moves the adoption of Amendment No. 1 to House Bill 1067. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, Senator Bloom was on the Floor, the Chair did not see him. With leave of the Body, we'll go back and pick up 1059. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1059. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1059.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates that...

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Welch and Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Last year when we passed the Carnival and Amusement Ride Safety Act, that bill was an amendment to a bill I introduced concerning an Act in relation to liquid fuel portable space heating devices. Subsequent to the passage of that Act, the fire marshal has had trouble enforcing the provisions that dealt with other than kerosene heaters. What this amendment to House Bill 1059 will do is amend the bill and start over and create an Act in relation to kerosene...portable kerosene fueled heaters. The amendment has been cleared with both the fire marshal and the Illinois Retail Merchants Association, and the purpose of the Act is to assure that both domestic and imported portable kerosene fuel heaters offered for sale in this State comply with minimum safety standards of design and performance that are listed by an independent testing laboratory. What the bill does as far as other types of portable heaters is provide...is take them out because those are provided for in other regulations and...and codifications of the fire marshal's office themselves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Amendment No. 1 to House Bill 1059. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1072, Senator Etheredge. House bills 2nd reading is House Bill 1072, Mr. Secretary, read the bill, please.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1072.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the amendment that we discussed in committee that would identify the fact that the bill would...would contain with...a recommendation or contain words to the effect that there would be two locations for this academy, one of which would be located within the Chicago metropolitan area and one located outside the Chicago metropolitan area and centrally located to serve the students residing outside the Chicago metropolitan area. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 1072. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Amendment No. 2 would provide an immediate effective

HB 1083 2nd Reading

date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge moves the adoption of Amendment No. 2 to House Bill 1072. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1075, Senator Davidson. House bills 2nd reading is House Bill 1075. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1075.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1083, Senator Nedza. House bills 2nd reading is House Bill 1083, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...1083.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. It's a...an amendment offered by the Department of Registration and Education and what it

HB 1086 2nd Reading

does, it establishes some procedural change and criteria for record keeping, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves the adoption of Amendment No...Committee Amendment No. 1 to House Bill 1083. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Amendment No. 2 is technical in nature and it tracks Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves the adoption of Amendment No. 2 to House Bill 1083. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1086, Senator Karpiel. House bills 2nd reading is House Bill 1086. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1086.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and

Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes. Amendment No. 1 simply added a...effective date of July 1st, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel moves the adoption of Committee Amendment No...1 to House Bill 1086. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1090, Senator Luft. 1090. House bills 2nd reading is House Bill 1090, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1090.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1103, Senator Lemke. House bills 2nd reading is House Bill 1103, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1103.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1106. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1106.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Mr. Secretary. Senator Watson, any Floor amendments? My Calendar indicates there's...was to be a Floor amendment. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1111, Senator Zito. House bills 2nd reading is House Bill 1111, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1111.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1112
2nd Reading

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The Executive Committee felt that the bill needed further clarification as to its...intent, so the amendment clarifies the intent of the bill. They have a five-year capital plan submitted as legislation by the Governor's Office. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has moved the adoption of Committee Amendment No. 1 to Senate...House Bill 1111. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1112, Senator Berman. House bills 2nd reading is House Bill 1112, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1112.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1117, Senator Berman. House bills 2nd

reading is House Bill 1117, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1117.

(Secretary reads title of bill)

2nd reading of the bill. The...Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Amendment No. 1 adopted in committee merely...adds a July 1,'85 effective date. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Committee Amendment No. 1 to House Bill 1117. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1126, Senator Keats. House bills 2nd reading, House Bill 1126, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1126.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1129, Senator Fawell. Senator Fawell on the Floor? Top of page 41. 1131, Senator Chew. 1142, Senator Jones. 1147, Senator Schaffer. House bills 2nd reading, middle of page 41, is House Bill 1147, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1147.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1154, Senator Savickas. 1159, Senator Jerome Joyce. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

I was standing for 1142. You read that and you passed it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...

SENATOR SMITH:

The Senate...the Senator...Jones asked me if I would stand...cover for him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Well then, I was...the Chair was not informed. With leave of the Body, we'll return to 1142. Is...is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1142. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1142.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

...Mr. Chairman, he did not give me...here...thank you, very kindly. Mr. Chairman and members of the Senate, Amendment 1 to House Bill 1142 removes requirement that the financial statement be detailed and that statement includes assets and liabilities, requires that statement include an approximate net worth. The comments about this is that this amendment has been worked out between the funeral industry and the Comptroller's Office. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith has moved the adoption of Committee Amendment No. 1 to House Bill 1142. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1154, Senator Savickas. 1163, Senator Luft. House bills 2nd reading is House Bill 1163, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1163.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1165, Senator Weaver. House bills 2nd reading, House Bill 1165, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1166, Senator Schaffer. House bills 2nd reading, House Bill 1166, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1166.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1177, Senator Zito. House bills 2nd reading, House Bill 1177. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1177.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 1 is an amendment that changes the pay-back excuse provisions. There seemed to be some difficulty with the Department of Public Health and the Illinois Nurses Association. They have agreed to this language and that's in the light that I offer this amendment. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Committee...Amendment No...1 to House Bill 1177. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1178, Senator Friedland. House bills 2nd reading is House Bill 1178, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1178.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

HB 1184 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1184, Senator Poshard. House bills 2nd reading, bottom of page 41, House Bill 1184, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1184.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any...amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 42, House Bill 1188, Senator Berman. House bills...2nd reading is House Bill 1188, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1188.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1192, Senator Etheredge. House bills 2nd reading is House Bill 1192, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1202, Senator Joyce. Senate Bill 1204. Is there leave of the Body to have Senator Sangmeister...handle this bill? Leave is granted. House Bill 1204, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1204.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This Amendment No. 1 to House Bill 1204 conveys seven-tenths of an acre, approximately three thousand one hundred and ten square feet, to the City of Jacksonville...being conveyed to the City of Jacksonville to the Department of Transportation and reserves DOT the right to acquire in the future a fifty-foot strip adjacent to the park land being transferred in the city and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Committee Amendment No...No 1 to House Bill 1204. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1208, Senator Weaver. House bills 2nd reading is House Bill 1208, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1208.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This limits this legislation to recognize national holidays and also to rest stops that have sufficient...parking available. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver moves the adoption of Amendment No. 1 to House Bill 1208. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1213, Senator Marovitz. Marovitz on the Floor? House bills 2nd reading is House Bill 1213, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1213.

(Secretary reads title of bill)

HB 1265 2nd reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1217, Senator Degnan. 1249, Senator Degnan. 1251, Senator Poshard. Senator Poshard on the Floor? 1258, Senator Weaver. House bills 2nd reading, House Bill 1258, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1258.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1262, Senator Marovitz. House bills 2nd reading, bottom of page 42, House Bill 1262, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1262.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 43, House Bill 1265, Senator Berman. House Bill 1265, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

HB 1270 2nd Reading

House Bill 1265.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1269, Senator Lemke. House bills 2nd reading, 1269, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1269.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill...whoop...Senator Lemke.

SENATOR LEMKE:

I believe in that...this is 1267, right? Was filed by Senator Darrow and me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lemke, it's not filed. We've moved the bill to 3rd reading. Do you wish to have it brought back to 2nd? 1-2-6-9...1-2-6-9. All right. 3rd reading. House Bill 1270. House bills 2nd reading is House Bill 1270, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1270.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1279 2nd reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1277, Senator Poshard. House bills 2nd reading is House Bill 1277, read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House...House Bill 1277.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1279, Senator Nedza. House bills 2nd reading, House Bill 1279, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1279.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Nedza and Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. What the amendment deals with is the suburban bus board. As you well know, the suburban bus board is...is staffed...the directors of the board are staffed by the mayors of the various...municipalities. And

what this does is it says, "The expiration of a director's term as chief executive of a municipality shall not affect his term as the director of the board." And I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves the adoption of Amendment No. 1 to House Bill 1279. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1284, Senator Chew. 1289, Senator Rock. House bills 2nd reading, House Bill 1289, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1289.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1292, Senator Berman. House bills 2nd reading is House Bill...all right, take...not that one. 1301, Senator Bloom. House bills 2nd reading, House Bill 1301, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1301.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Okay, that...this particular amendment is primarily technical in nature. I'll answer any questions, otherwise, urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom has moved the adoption of Committee Amendment No. 1 to House Bill 1301. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. This is a substantive amendment, and, as you know, 1301 is in the nature of kind of a Reference Bureau rewrite tracking off the joint committee recommendations on...on rules and regulations. This had been introduced prior to a Senate bill which addressed the same authorizing area of the Nurses' Baccalaureate Act under the Department of Public Health. The Senate bill is over in the House addressing the same area and language was worked out between the Nurses' Association and the Department of Public Health. So the substantive change here is to essentially have identical language in 1301 so when both bills reach the Governor's Desk on...on this area, the enabling language is the same. Answer any questions, otherwise, seek the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1306 2nd Reading
HB 1317 2nd Reading

Senator Bloom has moved the adoption of Amendment No. 2 to House Bill 1301. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1306, Senator Joyce. House bills 2nd reading is House Bill 1306, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1306.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...my Calendar indicates there's to be a Floor amendment. All right. 3rd reading. House Bill 1317, Senator O'Daniel. House bills 2nd reading is House Bill 1317, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1317.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator O'Daniel.

SENATOR O'DANIEL:

...the...the amendment to House Bill 1317...really what it does is defines gasohol as ethanol produced from cereal grains. And that's...that's the only change it makes in

HB 1324 2nd Reading

the...in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel, I am told that we have another clerical snafu here. It shows a...a committee amendment, we don't have it here. So, with leave of the Body, let's take it out of the record. Well, with leave of the Body, let's take this out of the record, we can come back to it. Is leave granted? House...leave is granted. Take it out of the record. House Bill 1318, Senator Kelly. Page 44, House Bill 1324. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1324.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1330, Senator Lechowicz. House bills 2nd reading is House Bill 1330, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1330.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1335, Senator Smith. House bills 2nd reading, House Bill 1335, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1335.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to 1335 merely make it possible that recipients of basic maintenance grants under Article III and IV and to the maximum extent allowed by Federal Law all persons who would be eligible for financial aid under the provisions of Article IV for the loss of earned income disregarded. And then also it makes the eligibility of any such persons for medical assistance under this article is not affected by the payment of any grant under the Senior Citizen's and Disabled Persons Property Tax Relief and included the word, "pharmaceutical assistance." I...I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith moves the adoption of Amendment No. 1 to House Bill 1335. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1338, Senator Degnan. House bills 2nd reading is House Bill 1338, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

HB 1317
2nd reading

House Bill 1338.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Before we get too far away, let us...leave has been granted to return to House...House Bill 1317, page 43...because of a clerical error. Is leave granted? Leave is granted. House Bill 1317, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1317.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate this amendment defines gasohol as ethanol produced from cereal grain rather than just agricultural products, and I'd appreciate adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel moves the adoption of amendment...Committee Amendment No. 1 to House Bill 1317. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Back on the regular order, page 44, House Bill 1340, Senator Rupp. House bills 2nd reading is House Bill 1340, middle of page 44. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1340.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1341, Senator...House bills 2nd reading is House Bill 1341, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1341.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1346, Senator Vadalabene. House bills 2nd reading is House Bill 1346, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1353, Senator Smith. House bills 2nd reading, House Bill 1353, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1353.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to members of the Senate...amendment of House Bill 1353 merely provides the General Assembly with a mechanism through which it may appropriate monies to the public museums for the State, capital development and for other purposes. It merely states and add to the line 22, "To contribute and to support the operations and capital development of public museums in this State." I move for the adoption if nothing else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith moves the adoption of Amendment No. 1 to House Bill 1353. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

HB 1410 2nd Reading

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1355, Senator Sangmeister. Page 45, House Bill 1370, Senator Smith. House bills 2nd reading is House Bill 1370, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1370.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1371, Senator DeAngelis. House bills 2nd reading is House Bill 1371, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1371.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1378, Senator Netsch. 1382, Senator Poshard. 1389, Senator Netsch. 1395, Senator Nedza. Senator Nedza on the Floor?...1410, Senator Marovitz. House bills 2nd reading is House Bill 1410, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1410.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...3rd reading. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I...I would like permission of the sponsor to have the bill called back in the event there's a...an amendment to be placed on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator,...I've already moved it to 3rd reading. Senator Marovitz.

SENATOR MAROVITZ:

Well, the bill is on 3rd reading, I'd be happy to sit down with Senator DeAngelis, talk about amendments, see if we can work something out. The bill is on 3rd reading and if we can work out amendments, I have no problem with bringing the bill back...with that circumstance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that...that wasn't quite my question. I had the light on before you moved it. What I'm asking is, will you consider moving the bill back for a possible amendment, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I'm sorry, I was...the peanut gallery back here is...is being rather loud. Could you repeat that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah. Soon as Hartigan's Holligans quiet down over there. All I'm asking is for you to consider to bring the bill back for a possible amendment. I'm not asking for your agreement on the amendments, we can wrestle that out on the Floor, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Marovitz.

SENATOR MAROVITZ:

You...you have my commitment that I will consider bringing the back to 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Top of page 45. All right. Middle of page 45 is House Bill 1411, Senator Zito. House bills 2nd reading, House Bill 1411, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1411.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This committee was agreed language between the Attorney General's Office and the individuals operating physical fitness services and centers and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito moves the adoption of Committee Amendment No. 1 to House Bill 1411. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1413, Senator Lemke. House bills 2nd reading, House Bill 1413, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1413.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is...includes a bill that failed to get out of the House committee that we passed unanimously here allowing the...taking the Supreme Court according to their decision out of the...Information Act. It's...it's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 1 to House Bill 1413. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1417, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1417.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1436, Senator Joyce. Bottom of page 45, 1436? Page 46, top of page 46, 1438, Senator Collins. 1445, Senator Luft. 1453, Senator Luft. 1455, Senator Weaver. House bills 2nd reading, House Bill 1455, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1455.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment answers the concerns of the Department of Revenue and also the Treasurer's Office, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver moves the adoption of Committee Amendment No. 1 to House Bill 1455. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1458, Senator Poshard. House bills 2nd reading, House Bill 1458, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1458.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This amendment clarifies the State aid entitlement calculations of those districts that send children to alternative schools. It's an amendment requested by the State Board of Education and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves the adoption of...of Committee Amendment No. 1 to House Bill 1458. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1464, Senator Weaver. House bills 2nd reading, House Bill 1464, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1464.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1467, Senator D'Arco. 1474, Senator Newhouse. House bills 2nd reading, House Bill 1474. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1474.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse. Committee Amendment No. 1. Well, take...take it out of the record. House Bill 1476, Senator Rock. House bills 2nd reading is House Bill 1476, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1476.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1478, Senator Smith. 1478. House bills 2nd reading is House Bill 1478, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1478.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. The...Amendment No. 1 on House Bill 1478 adds to the other provisions of House Bill 1478 regarding community care contracts that are awarded by the Department of Aging. This amendment will encourage the participation of qualified minorities and female organizations both for profit and for non-profit in programs funded by the Department of Aging. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith moves the adoption of Amendment No. 1 to House Bill 1478. Is there any discussion?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith moves the adoption of Amendment...No. 1 to House Bill 1478. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1479, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1479.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The Digest does not reflect what the bill now does. The amendment stripped the bill and placed on the bill House Bill 1399 which was Tabled in the House on the 3rd reading. What the bill now does is provide for a pilot three-year program for legal assistants to Department of Public Aid clients who may be entitled to but have been denied Medicare benefits. What we are trying to do is make sure that every person on public aid in the State who may be eligible for Medicare receives that Medicare payment and will thereby save the State money. A similar program in Connecticut saved over twice the amount of the expenditure and that's something we're projecting here in Illinois as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Are we finding another excuse to use the taxpayers' money to hire more lawyers to sue us, is that what this amendment does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The Medicare program is a Federal Social Security program, Senator Keats. What we're trying to do is make sure that we get our fair share of money from the Federal Government, something that we, in Illinois, have not been able to do for many, many years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Our problem is not how much money we get back from the Feds., our problem is how much that Congress takes from us.

If they wouldn't take so much, we wouldn't care what they sent back. I would just say on this amendment, if everyone is...is listening, I mean, this just looks like another excuse to hire more lawyers to sue the taxpayers. We have several agencies that already do this, we have twenty-two Congressmen who would give their eye teeth for the opportunity to become involved to do this, we got two U. S. Senators, we have an Attorney General, we have the Governor's advocates. How many lawyers do we need on our staff to sue ourselves and to sue the Federal Government? I would just say, we got enough of them, this is another make work bill for lawyers, and I would ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch may close.

SENATOR WELSH:

Well,...Senator Keats has formed his opinion of the bill into such a narrow argument that it's a strawman that anybody could knock down. The reality of the situation is that we are losing benefits that the Federal Government owes to Medicare recipients. Instead of us getting the benefit, the State of Illinois is paying those Medicare...should be paid by Medicare payments. What we end up doing is we're losing money. What we're trying to do here is get something specifically targeted towards money, trying to help get back Medicare benefits for the State of Illinois. This is a program that's going to save Illinois money, not spend it. And I would urge a...a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Amendment No. 1 be adopted. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 29, the Nays are 18, none voting Present. Amendment No. 1 having received the majority vote is declared adopted. Any further amend-

ments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1491, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1491.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment was requested by Senator Maitland. It limits the period of time which provisions of Public Act 831417 apply to districts wishing to consolidate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to House Bill 1491. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 1491 is an amendment that cleans up the language and...and determines the method of reimbursement for legislation we passed out of this Body two years ago with respect to the salary differential for school districts who are undertaking consolidation. I know of no opposition to the bill, it was agreed to and worked out for us by the State board. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 2 to House Bill 1491. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1493, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1493.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1500, Senator DeAngelis. House Bill 1510, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1510.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1517, Senator Holmberg. House Bill 1520, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1520.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1523, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1523.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1528, Senator Berman. Read the

bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1528.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yeah, this is a technical amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the effective date.

SENATOR BERMAN:

...the effective date amendment on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 1 to House Bill 1528. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1529, Senator Collins. House Bill 1531, Senator Vadalabene. House 1535, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1535.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments. No

NB 1539
2nd reading

committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House...is there leave of the Body to go back to House Bill 1531 for Senator Vadalabene? Leave is granted. On the Order of House Bills 2nd Reading...House Bill 1531, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1531.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1539, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1539.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1540. House Bill 1544, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1544.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a...an amendment that's been agreed to by industry and I am told all parties including waste management, the Manufacturer's Association and everybody, and for brevity, I don't know of any opposition to this amendment. I would move the adoption of Committee Amendment No. 1 to House Bill 1544.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 1544. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1547, Senator Degnan. House Bill 1548, Senator Smith. Read...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1552, Senator Vadalabene. House Bill 1555, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1555.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The Executive Committee and myself went round and round on this bill. I think, Mr. Secretary, if I'm not mistaken, the final amendment that we agreed on deleted the Auditor General and...inserted in lieu thereof executive director of the Space Needs Commission. Yeah, I would move for that...that adoption, that's agreed...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall...shall Amendment No. 1 be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1556, Senator Keats. House Bill 1565, Senator Fawell. House...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1565.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1566, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1566.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1567, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1567.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1568, Senator Lemke. Read the

bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1568.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1571, Senator Newhouse. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1571.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1575, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1575.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1576, Senator Watson. Read the bill, Mr. Secretary.

HB1589 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1576.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1577, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1577.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1578, Senator Holmberg. House Bill 1589, Senator Demuzio. Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1589.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1596, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1596.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

...Amendment No. 1 was offered in committee and what it did was state that those who do not bill by...bill their customers in an envelope are required to put a checkoff on the face of the bill once...at least four times a year for purposes of joining the Citizen Utility Board.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to House Bill 1596. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment will do is change the language in the Citizen Utility Board Act governing Citizen Utility Board elections to clarify who may run for the board of directors, who may circulate nominating petitions and where ballots are to be returned. It tightens up the definitions of persons excluded from running for the CUB board, such as persons holding elective positions, chang-

ing that to read, persons holding public or political party elective positions governed by the Election Code to eliminate certain disputes arose during the last election for the board of directors over whether people who are elected to the PTA or other such not-for-profit organizations could run. It also eliminates the language excluding persons exempt from the State Personnel Code from running for the board. Basically this amendment which was run by...the utility companies has engendered no opposition at all, it's basically a clarification resulting from the first election of Citizen Utility Board members from throughout the State in December of 1984. And I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 2 to House Bill 1596. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, sir. The purpose of this amendment is to change the month for the Citizen Utility Board elections from December to March. In the original Act, the first amendment...the first election was in December of 1984. Due to the heavy amount of mail sent during that period of time, the mail was slowed down and many people being away from home were not able to vote on the directors for the Citizen Utility Board. What we are trying to do with this amendment is avoid some of the Christmastime chaos by changing the actual election date to March form December.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

Does this mean we're extending their current term or are we going to be able to get rid of them earlier?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator Darrow, this will extend the term of current board members by three months.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Why wasn't consideration given to shortening their current term?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, due to the fact that this is a not-for-profit organization and the necessity of having a election...an election so soon after the last election would obviously result in some additional confusion...among the membership. It would seem as if every six months they are having an election. So what we are trying to do is by extending terms three months to provide for some continuity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, to the amendment. If the members of this Chamber are pleased with the activity of their current board member I suppose they should support this amendment and extend the current board for three more months. Perhaps if they aren't

happy with the work of it, they should vote No and send Senator Welch back to get a...amendment to shorten their stay so that they all have to run again and we might come up with a different board. Leave it up to the discretion of the members.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No. 3 to House Bill 1596. Those in favor indicate by saying Aye. Those opposed. Sounds like a tie. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of Amendment No. 4 is to clarify Citizen Utility Board membership language. The current language defining membership requires that dues be submitted to the Citizen Utility Board during the preceding twelve months. This language doesn't allow for the possibility of dues, contribution to cover many...multiyear memberships such as a three-year membership period for fifteen dollars. We're trying to allow the Citizen Utility Board to offer multiyear memberships saving money to...the Citizen Utility Board and making it more convenient for members to join. I'd move the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 4 to House Bill 1596. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

HB 1654 2nd reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1598, Senator Kustra. House Bill 1624, Senator Hall. Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1624.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1645, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1645.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1654, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1654.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

HB 1655
2nd reading

Thank you, Mr. President. The bill dealt with...really formalized the procedures for proceeding in forma pauperis in proceedings before the Illinois Human Rights Commission. And this...the amendment that was put on by the committee expands a little bit on that by making it clear that the person who is proceeding in that form can have access to necessary subpoenas and other procedural matters without prepayment of the witness fees or charges. And it also allows for the use of depositions but only with leave of the hearing officer and on good cause shown. I would move the adoption of Amendment No. 1 to House Bill 1654.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to House Bill 1654. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1655, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1655.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1667, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1667.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1677, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1677.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Committee amendment No. 1 makes clear that the...that the prohibition applies to any noncash benefits as well as cash benefits that might be given to a person in exchange for referring a case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 1677. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments on...from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 simply refines Amendment No. 1. I think it's a more artful form of what we were trying to achieve with Amendment No. 1 and I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, I have a question of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR DEMUZIO:

Senator Barkhausen, one of our distinguished members on this side of the aisle has a honorary doctorate of juris prudence. Does that mean under your...amendment now that he can no longer hang out his shingle, that in fact, that he would be in violation according to your bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm not quite sure what you're getting at, Senator Demuzio, but the bill itself simply prohibits one who is not licensed to practice law from receiving any sort of a fee whether it be in cash or noncash benefits for referring a case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Vadalabene has his honorary doctorate of juris prudence, and, Sam, while you were off the Floor, you'll be surprised to know that now that you...you can no longer hang out your shingle and...represent yourself to be a lawyer for a fee, because under Senator Barkhausen's legislation that's coming up you would have to go to...to jail. It seems to me that...they're picking on you, Sam.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yesterday in the Legislative Audit Commission they made a discovery on how many doctors are practicing in the State of Illinois, and for your information, I discovered that there was one Italian doctor in Illinois on a temporary basis. So, Senator Barkhausen, I might answer to you this way, we're doing...we're doing other things, so you better be careful.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ZITO:

Senator Barkhausen, let me set up a hypothetical situation, you can say yes or no as to whether it's correct or incorrect. I'm not an attorney, if a constituent of mine or somebody comes to me and asks for a legal opinion I refer it to a friend who's an attorney, although I don't receive a financial reward or fee for that referral. If, in fact, we go to dinner or we're going to play golf or whatever, does that subject me to the penalties under this...this law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Only if it's clear that your free meal or free greens fee or whatever is...is directly in exchange for your referral.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Who would decide that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

A court if, in fact, a state's attorney chose to prosecute...or a jury.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, thank you, Mr. President. I mean, this amendment takes the cake. I mean, I've heard of stupid things to prosecute people for but this has got to be the...one of the most stupid things I've ever heard. Simply because a person refers a client to a lawyer and then the person is invited to dinner by the lawyer, there can be a construction by...by the judge that that amounted to a payoff for this person extending his hand to someone in good faith by referring a client to the...to the attorney. I mean, ladies and gentlemen, how far are we going to go to protect innocent people from themselves? You know, I mean, this is ridiculous. We do things for each other all the time. We extend our hand to each other all the time in good faith and as a sign of friendship. Now somebody is going to go to...go to jail because he refers a client to a lawyer without any design on receiving a monetary award. Ladies and gentlemen, this is a bad amendment and we should wholeheartedly defeat it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall. We've got Senator Hall, Geo-Karis and

Lemke. Senator Hall.

SENATOR HALL:

...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR HALL:

Senator Barkhausen, who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The Illinois State Bar Association for one, not that I'm trying to doom the bill by saying that the bar association supports it, but I think all of those who feel that the reputation of...of lawyers is...is sometimes...unfairly maligned and...and so we are trying to...to make sure that lawyers are not unfairly thought of in...in the manner in which they sometimes obtain cases.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, you know, Senator D'Arco hit this right on the head. I have a...a lawyer who is chairman of my committee and you mean to tell me...now, I mean,with all the things that lawyers can get into today, with all of them...it...it looks like...that I just...it befuddles to think that you would come here and introduce a bill like that and say that the bar association is...is wanting this bill. It's a terrible bill. We really need to shoot this down and I hope that everybody puts a red vote upon that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I think you're...I think you're misunderstanding. What we're saying here is we had a bill that says cash benefits or

noncash benefits such as...as to get a case. In other words, we have...we have systems where there's no cash ever exchanges, they just simply give you a week free vacation in their condominium in Florida and this is what we're trying to get after. On the poor man's level of...of chasing cases, the lawyer...the poor man gets cash so that...therefore the poor man would be guilty of taking a ten dollar bill or...or something like that. In the...in the rich man's cases, he doesn't get any cash, he gets a free membership at the country club, a week down in Florida for referring businesses. This is typical...or free legal service in regards to referring business. This is connections with certain unscrupulous doctors that refer cases to ambulance chasers. They get...they get legal benefits free and we're trying to get at this to stop this...ambulance chasing and referring the cases and getting kickbacks through noncase benefits. It's only what the Federal Government is doing now and they're going after as far as income tax. They're going now approach the noncash benefits that people get that they should declare on their income tax, and that's what we're trying to do here. What's good for one class of people is good for another class of people that happen to be fairly wealthy. And I think all types of referral business should be stopped. A person should have the right to choose his own lawyer and he shouldn't...referred to a...a lawyer and that's all we're trying to do. I think this is a good amendment, I...I don't see any problems with this amendment. If you're not...sending any business to the lawyer and in return he's not giving you anything, then you shouldn't be afraid. If you are sending business to him and he's giving you something in return, then you should be worried. You should be prosecuted and the lawyer should be disbarred. I think it's a good amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. As I understand Amendment No. 2...if the sponsor will yield for a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ROCK:

Amendment No. 2 would strike line 6 through 9 of Amendment No. 1 which means we are no longer attempting to define noncash benefits, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, that's correct, Senator Rock. The...the first amendment...specifically mentions certain types of...of noncash benefits, and I was afraid that by specifically mentioning certain noncash benefits we might implicitly be excluding others.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...in...okay...and...and I don't quarrel with that. The...I guess I'm quarreling with the bill and to that extent I will quarrel with the amendment because it makes a bad amendment a little better. The problem is that we have in the Illinois General Assembly a number of people who are non-attorneys, and, if indeed, they get a call from a constituent saying, I have this problem and they refer that constituent to an attorney, they would appear to be then in violation of the law. As a matter of fact, my mother thinks I'm such a great attorney she refers me everybody who will talk to her, and she is now in violation of this law...only if I buy her dinner, yes, that's a fact. I...just...I...I think we're trying...I'm not sure what we're trying to get

at. I understand Senator Lemke's disgruntlement with the...less than professional doctors, but I...I think we're...we're going a little too far here. I would be a little careful of this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

When the bill originally came to the Judiciary I Committee it provided that non-attorneys who refer clients to attorneys for a fee are guilty of a Class A misdemeanor. Now has your bill changed now, has been changed from that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Geo-Karis, you probably remember that Senator Lemke offered the amendment in committee to provide that in addition...in addition to making it illegal for someone to receive a fee for...referring a case, Senator Lemke's concern was to cover situations where money might not exchange hands but there would be some sort of understanding that non...so-called noncash benefits would be extended in exchange for making that referral. And so really the impetus for this amendment comes from Senator Lemke and I thought it was a good idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I'm kind of concerned because I know any one of us here in the Legislature is often invited to dinner by somewhere or other to discuss a matter, and actually when you

look at it, we're no different. And I think what we're doing is being a little bit hypocritical about it, because I can honestly tell you, for example, the park districts are having a golf outing at the end of next month, and they've invited the legislators there. Of course, they're interested in bills that we sponsor for them and not sponsor for them. So, I...I think we're going a little too far. I...I don't...much as I like my colleague, the chairman of the committee on the other side, I would be inclined to vote for the bill without your amendment providing that when they refer clients to attorneys for a fee, they're guilty of a Class A misdemeanor. But then when you define the fees, for example, like meals, golf green fees, I think we're going a little too far. And I do feel that your amendment in...in that...context is a bit hypocritical for us, because I'm sure that we're invited to golf by various organizations here and we're invited to a dinner and so forth. And...that doesn't...doesn't mean we're going to be bad people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 1677. Those in favor will indicate by saying Aye. Those...those opposed. The Nays carry. The amendment loses. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

END OF REEL

HB 1680
2nd reading

REEL #4

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1680, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1680.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill deals with the publication fees that are charged by papers for the publication of assessment lists at various stages. The...and it...it changes them to try to comport with the fact that the old way of describing those fees, column inch, just no longer makes any sense because it's not set up that way anymore. The amendment simply revises a few of the figures in the original bill to try to make sure more carefully that the amount of the revenue to be raised will not be increased. In other words, we're trying to be revenue neutral and it was felt that this amendment more carefully brought about that result. I would move the adoption of Amendment No. 1 to House Bill 1680.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to House Bill 1680. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1685, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1685.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1688, Senator Netsch. House Bill 1703, Senator Darrow. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1703.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1714, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1714.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. The bill dealt with a...the authorization to the Chicago Board of Education to purchase perishable foods on...on a spot basis, wholesale, in other words. The...as it came over from the House, it was not crystal clear that the beverage exception was also to be limited to literally perishable beverages which basically means milk and orange juice, and so the amendment adds that word before the word beverage to make that crystal clear. I would move the adoption of Amendment No. 1 to House Bill 1714.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to House Bill 1714. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1717, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1717.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1755, Senator Sangmeister. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1755.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1756, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1756.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1763, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1763.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...for what purpose Senator Joyce arise?

SENATOR JEREMIAH JOYCE:

Personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR JEREMIAH JOYCE:

I think the Body should recognize that the Speaker of the House and his number one henchman, Representative Keane, are with us at the moment on the Floor here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well,...will everybody take note that the Speaker of the House and his henchmen are here. 1767, Senator Dudycz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1767.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1768, Senator Luft. Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1768.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...take it out of the record. House Bill 1769, Senator Philip. House Bill 1774, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

HB 1785
2nd Reading

House Bill 1774.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1775, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1775.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1776, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1776.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1785, Senator Zito. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1785.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1800, Senator Berman. House Bill 1801, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1801.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, thank you. Amendment No. 1 is offered at the suggestion of the Department of Commerce and Community Affairs to change the mandate of this bill from...including educational needs of this State in its future economic planning, changing the word "educational" to "occupational." I would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 1801. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 1841
2nd Reading
HB 1849
2nd reading

3rd reading. House Bill 1841, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1841.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1849, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1849.

(Secretary reads title of bill)

2nd reading of the bill. No committee...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments...

ACTING SECRETARY: (MR. FERNANDES)

Oh, I'm sorry. Amendment...the Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The committee amendment deleted a...Section 7 which had to do...or a large part of Section 7 which had to do with implementing ordinances under the Land Resource Management Act. The language was somewhat confusing and perhaps a little bit hard to implement and so the...discrete course was simply to eliminate it and that is what the amendment does, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the

HB 1900
2nd reading

adoption of Amendment No. 1 to House Bill 1849. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1850, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1850.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1857, Senator Philip. House Bill 1867, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1867.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1889, Senator Degnan. House Bill 1900, Senator D'Arco. Read the bill, Mr. Secretary.

HB 1902 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1900.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1902, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1902.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 simply is a technical amendment suggested by the Securities Division of the Secretary of State's Office. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill...1902. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1914, Senator Mahar. Senator Mahar, 1914? 1915, Senator Coffey. 1918, Senator Sangmeister. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1918.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I don't recall there being a committee amendment...oh, yes, all right, we'll...we'll adopt that...that...that takes printing out of the...out the bill. Department of Corrections would not being doing any printing for State offices...move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 1918. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1919, Senator...for what...Senator Sangmeister.

SENATOR SANGMEISTER:

Should be a Floor amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There was one. It was turned over. With leave of the Body, we'll bring House Bill 1918 back to the Order of 2nd Reading for a Floor amendment. Is leave granted? Leave is granted. On the Order of...House Bills 2nd Reading, House...1918. Any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. We passed a Senate bill out of here, as you recall, that permitted the State to have the right to a jury trial. That bill met a demise in committee over in the House and never saw the light of day. So, what we're doing is stripping this bill from the enacting clause and putting into it that the State has a right to a trial by jury. Move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? (Machine cutoff)...there discussion? If not, Senator Sangmeister...Senator Sangmeister moves the adoption of Amendment No. 2 to House Bill 1918. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1919, Senator Donahue. House Bill 1922, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1922.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers

one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What the amendment does is to change the...the method...the procedure used by the authority to collect its fees from applicants who use pollution control bonds and brings this procedure in line with the procedure that the authority presently uses for other types of bonds. I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves...Senator Demuzio.

SENATOR DEMUZIO:

...is this a committee amendment that we're adopting, Senator Etheredge? Oh, all right, okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 1 to House Bill 1922. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1924, Senator Watson. House Bill...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1924.

(Secretary reads title of bill)

HB 1926 2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1925, Senator Schaffer. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1925.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, the...it became apparent we couldn't reach agreement on the language on confidentiality in the Act and that was stricken.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schaffer moves the adoption of Amendment No. 1 to House Bill 1925. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1926, Senator Maitland. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1926.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1929, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1929.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1930, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1930.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1933, Senator Donahue. House Bill 1934, Senator Macdonald. House Bill 1935, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1935.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1937, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1937.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1939, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1939.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1943, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1943.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1947, Senator Hudson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1947.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. The committee amendment was suggested by the Department of Public Health and would simply include the regulation of mass gatherings in the provisions of the bill. I know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I didn't have any problem understanding the Calendar when it said repealing the Insect Sting or Bite Emergency Treatment Act, but I'm having a little trouble following Committee Amendment No. 1 repealing the regulation for mass gatherings. Is that some insect that I haven't heard about or is..or is that...I mean, a crowd or what...what does that...what does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

No, Senator, the mass gatherings, of course, is not another insect. It may be many, many, many, many insects, I don't know, but the Department of Public Health was not only interested in repealing the...if they could...if it could, repealing the staying of the insect sting legislation, but...or Statutes but also the...the...an Act for the regulation of mass gatherings which presently empowers the department to regulate and issue permits for mass gatherings; and this proposal would eliminate the department's responsibility for approving, regulating and inspecting mass gatherings. The Department of Law Enforcement's secondary responsibility for approval would be eliminated as would their joint responsibility with the Department of Public Health for inspecting mass gatherings. Now, what I am told is that the reasons for proposing this is that the department has had to enforce this Act on only one occasion and that was at Bull Island, a rock concert in White County in 1972, since its enactment in 1971, and they say we have not needed to take any enforcement action in more than twelve years; and for that reason, they feel that this provision relevant to...mass gatherings is really unnecessary and...and our asking that it be repealed because they simply don't feel they need it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, just...looking at the Statutes, it says mass gatherings means any public gathering of people numbering five thousand or more is one of the provisions. Does that mean like a football game or a baseball game or a professional...or say a racing meet or something of that nature, and...do they not regulate in some means...those kinds of activities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

I suppose that is true; however, all of those kinds of meetings have been taking place for over this period of years since '71, and they have had not occasion whatsoever to...to come in and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. I don't understand that. Senator Demuzio.

SENATOR DEMUZIO:

That means, why don't you go ahead.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, after all this time. Thank you. Senator Hudson moves the adoption of Amendment No. 1 to House Bill 1947. Those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1948, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1948.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. What the amendment does is to add a substance known as 3, 4-methylenedioxymethamphetamine, better known by its street name as "ecstasy" to the list of...to the Schedule 1 list of controlled substances.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge moves the adoption...Senator Netsch.

SENATOR NETSCH:

...Senator Etheredge, would you describe that drug that we are adding to the schedule once more, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I couldn't even say it again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 1 to House Bill 1948. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1949, Senator Schuneman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1949.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Amendment No. 1 does two things. First of all, it corrects the definition of broker to mean an individual, a partnership or a corporation, and, secondly, it provides the requirement for a refresher course for a licensed salesman who's been inactive for over five years. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Committee Amendment No. 1 to House Bill 1949. Is there any discussion? If not,...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'm sorry, I didn't hear the explanation of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

The amendment does two things. First of all, it corrects the definition of a broker to mean an individual or a partnership or a corporation is a real estate broker we're talking about; and secondly, it provides a requirement for a refresher course for a...a licensed salesman who has been inactive for over five years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman moves the adoption of Committee Amendment No...No 1 to House Bill 1949. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

HB 1951 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1951, Senator Schuneman. House bills...2nd reading is House Bill 1951, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1951.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Amendment No. 1 is an agreed amendment between AFSCME and the Central Management Services. It simply provides that employee participation in this program shall be voluntary and that nonparticipation by the employee shall not be grounds for denial of any benefits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Committee Amendment No. 1 to House Bill 1951. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1952, Senator DeAngelis. House bills...1956, Senator Rigney. House bills 2nd reading, House

Bill 1956, read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1956.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1957, Senator Rigney. House bills 2nd reading is House Bill 1957, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1957.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1961, Senator Schaffer. House bills 2nd reading is House Bill 1961, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1961.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1962, Senator Dunn. House bills 2nd reading, House Bill 1962, Mr. Secretary, read the bill.

HB 1969 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1962.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1963, Senator Barkhausen. House...House Bill 1969, Senator Donahue. House bills 2nd reading, House Bill 1969. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1969.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Okay. Thank you, Mr. President. Committee Amendment No. 1 is essentially a...a technical amendment and...and allows the importation of ginseng from another State. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves the adoption of Committee Amendment No. 1 to House Bill 1969. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, same committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Committee Amendment No. 2 is actually House Bill 2518 which did...was not able to be heard in the House of Representatives, and what it is...it...it is the Endangered Species Protection Act. All it does is it broadens the scope of the Act to provide for threatened species and their habitat for discretionary authority to issue endangered species permits. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves the adoption of Committee Amendment No. 2 to House Bill 1969. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1971, Senator Topinka. House bills 2nd reading, House Bill 1971. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1971.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1974, Senator Coffey. House bills 2nd reading is 1974, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1974.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate...or House Bill 1974 actually extends the levy for purposes of...the purchase for towns...for counties to...for matching funds for engineering expenses, right-of-way costs and utilities. Presently, they have a...up to five...percent levy and this would increase that to ten percent. It would allow them to go up to ten percent. It takes county board approval to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey moves the adoption of Amendment No. 1 to House Bill 1974. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1975, Senator Donahue. Senator Donahue...House bills 2nd reading, 1975, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1975.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 55, 1977, Senator Schuneman. House bills 2nd reading, 1977, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1977.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Amendment No. 1 is a technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman...moves the adoption of Committee Amendment No. 1 to House Bill 1977. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the same committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Committee Amendment No. 2, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Amendment No. 2 increases the membership by two members on the Internagency Committee on Handicapped Employees. It...it designates the director of the Department of Human Rights as one of those members, and it adds one additional handicapped employee as a

member. It also requires that the committee have six meetings a year instead of the present statutory requirement for two meetings. Move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Committee Amendment No. 2 to House Bill 1977. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2020, Senator Holmberg. 2020? House Bill 2020,...Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2020.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2022, Senator Geo-Karis. House bills 2nd reading, House Bill 2022, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2022.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government

offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...would the...would you please read that...one of them is a short one. I don't have it in my file here. This amendment was at the request of the City of Chicago and also the County of Cook, and I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, you want to read the amendment?

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads the amendment)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this...amendment was done at the request of both Cook County, DuPage County and Kane County, and I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis moves the adoption of Committee Amendment No. 1 to House Bill 2020. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendment also was recommended to me by the City of Chicago and the County of Cook and it was...and my own county is for it and so are the other counties that were involved with it, and all it says that this...no plans...no such plans shall be implemented prior to July 1, 1986. So, I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis moves the adoption of Amendment No. 2 to House Bill 2020. Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Sorry, we should be listening when you're speaking, Senator. Would you just run that by me one more time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

That no such plans however shall be implemented prior to July 1, 1986, adds a...a year's later date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

What such plans?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If you'll wait just a second, I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...it's on Section 3 of the bill, on page...it starts at page 1 and says, "Units of local government may on their own behalf or pursuant to an intergovernmental agreement under Section 4 prepare a solid waste management plans for disposal

of solid waste generated within their jurisdictions. Such plans...if...if prepared"...let's see, wait a minute, "No such plans however shall be implemented prior to July 1, 1986." That's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, was this the amendment that was required by the committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This was the amendment that was mentioned in front of the committee at the request of the City of Chicago, if you were there, Mr. Sangmeister, and I said I would put it on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis moves the adoption of Amendment No. 2 to House Bill 2022. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2023, Senator Geo-Karis. House bills 2nd reading, House Bill 2023, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2023.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 1...makes...it's sixty days instead of ten days for a backdoor referendum. So, I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves the adoption of Amendment No. 1 to House Bill 2023. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2032, Senator Rupp. House bills 2nd reading is House Bill 2032, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2032.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Committee Amendment 1 deletes the provisions of the bill that dealt with the product liability and the professional liability insurance. The bill now pertains only to medical malpractice insurance. The provision regarding the sixty-day notification of the birth of a child also has been deleted and everything has been agreed on, and I ask for passage of this bill with the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Rupp has moved the

adoption of Committee Amendment No. 1 to House Bill 2032. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2054, Senator Welch. House bills 2nd reading is House Bill 2054, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2054.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch.

SENATOR WELCH:

On that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...no committee amendments. Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2061, Senator Geo-Karis. House bills 2nd reading is House Bill 2061. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2061.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Amendment No. 1, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendment was recommended to us by the Department of Nuclear Safety, and what it does, in effect, is it removes the...incineration provision, because since the bill was first introduced, there was an arrangement worked out where there would be a flat fee paid. So, therefore, what this amendment does is delete on page 2, line 19, "and three waste...incineration on-site" and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Geo-Karis moves the adoption of Amendment No. 1 to House Bill 2061. Is there any discussion? Senator Welch.

SENATOR WELCH:

Senator, would you yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Welch.

SENATOR WELCH:

Senator, you're...what...who agreed to your amendment did you say? I'm sorry, I missed that part.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The Department of Nuclear Safety gave me this amendment and if I may just read you from their memo, it said, that this copy of amendment proposed by the department to House Bill 2061. The amendment would remove a section of the bill

which applies the three dollars per cubic feet...foot low-level radioactive...radioactive waste...against materials incinerated on-site by nonutility generators. The incineration provision was originally included in the bill due to concerns about the effect Commonwealth Edison's extensive low-level waste incineration program would have on waste volumes or fees. Since the arrangement was worked out whereby Commonwealth Edison would play a...pay a flat fee of ninety thousand dollars per reactor, this incineration provision is no longer necessary and that's what the essence of the amendment is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, your amendment, though, applies to more than just Commonwealth Edison, doesn't it?...does that apply to everybody throughout the State and, if so, are there any standards for when they do incinerate waste as to how they incinerate it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

To go on to explain this further, it said, removing this provision from the bill will...eliminate problems in calculating low-level waste fees, somenonutility generators that have or plan incineration programs, and this group would include the University of Illinois and the Allied Corporation Processing Plant in Metropolis, and this department is unaware of any opposition to this amendment and it will be helpful to some low-level waste generators, that's why this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis moves the adoption of Amendment No. 1 to House Bill 2061. Those in favor sig-

nify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2062, Senator Etheredge. House...House Bill 2066, Senator Bloom. House bills 2nd reading, House Bill 2066, read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2066.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2067, Senator DeAngelis. House bills 2nd reading, bottom of page 55, is...2067, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2067.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 56, 2084, Senator Philip. Page 56. House bills 2nd reading is House Bill 2084, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2084.

(Secretary reads title of bill)

HB 2089
2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2089, Senator Bloom. House bills 2nd reading, House Bill 2089, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2089.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, I have a...my Calendar indicates a Floor amendment. There is no Floor amendment? All right. Any Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2104, Senator Jones. House bills 2nd reading is House Bill 2104, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2104.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2113, Senator Karpiel. House bills 2nd reading is House Bill 2113, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2113.

(Secretary reads title of bill)

2nd reading of the bill. The...the Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments...all right, Committee Amendment No. 1, Senator Karpiel. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The amendment allows swimmers who are under a physician's orders to wear a life jacket to be allowed to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel moves the adoption of Committee Amendment No. 1 to House Bill 2113. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2115, Senator Maitland. 2132, Senator Schaffer. House bills 2nd reading, House Bill 2132, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2132.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This amendment is at the request of the Department of Central Management Services and it would allow us to piggyback on GSA or General Service Administration prices at the Federal level when those prices were lower than we might normally be able to get. The department indicates a savings of potentially a hundred thousand dollars a year on standard type items.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Committee Amendment No. 1 to House Bill 2132. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2154, Senator O'Daniel. House bills 2nd reading is House Bill 2154, Mr. Secretary read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2154.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2179, Senator Topinka. Senator Topinka, 2179? House bills 2nd reading, House Bill 2179.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2179.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2180, Senator Macdonald. Page 56, 2180? House bills 2nd reading is House Bill 2180, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2188, Senator Maitland. House bills...all right, 2181? House Bill...2181, Mr. Secretary, read the bill, 2-1-8-1.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2181.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2181...or the amendment for House Bill 2181 contains the...the language that was in House Bill 1954 that was on the short debate Calendar in the House and was...was never called. This is...is legislation that was worked out with R and E...between R and E and the collection agency people and it does three things; it sets forth requirements for the trust accounts of licensed...collection agencies, it permits agencies to assign accounts for collection under certain circumstances and it creates a collection agency advisory board. It's my understanding this is totally agreed to and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Savickas.

SENATOR SAVICKAS:

No, on the...after this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland had moved the adoption of Amendment No. 1 to House Bill 2181. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2182, Senator DeAngelis. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Just for a point of information. Senator Topinka, on House Bill 2179 in committee had agreed to hold 2179 until a...bill is worked out, and she had moved it. I...I wondered if there was...did she leave the Floor already?

PRESIDING OFFICER: (SENATOR DEMUZIO)

My indication was there was to be a Floor amendment. Senator...is Senator Topinka on the Floor? Senator Topinka, Senator Savickas is making an inquiry. Senator Savickas, state your inquiry again.

SENATOR SAVICKAS:

Well, in the committee, House Bill 2179 was to be held. This was an agreement that it was to be held until a...the bill was worked out, obviously, with an amendment...Floor amendment. I was wondering if everything was worked out and the bill was moved without any amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka, the...the Chair...the Chair also had a...a Floor amendment. House...Senator Topinka.

SENATOR TOPINKA:

Yes, I'll take it out of the record at this point until I check on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the bill is currently...reposes on 3rd reading.

SENATOR TOPINKA:

I'll be happy to pull it back down on a recall and we can work it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, will she bring it back now and we'll leave it on 2nd until we get this worked out. Is that the agreement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka...with leave of the...you...are you requesting the bill be brought back to

HB 2188 2nd Reading

the Order of 2nd Reading? Senator Topinka.

SENATOR TOPINKA:

Yes, I'm requesting that it be brought back to...2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...all right, with leave of the Body...Senator Topinka requests leave of the Body to return Senate Bill 2179 to the Order of 2nd Reading where it will repose there until tomorrow. Is leave granted? Leave is granted. House Bill 2179 is back on the Order of 2nd Reading. House Bill 2182, Senator DeAngelis. House Bill 2182, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2188, Senator Marovitz. House bills 2nd reading is House Bill 2188, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2188.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2189, Senator Luft. Page 57, 2199, Senator Barkhausen. House bills 2nd reading, top of page 57, is

House Bill 2199, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2199.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 takes out a taxing power that was in the original bill, and this amendment is made at the suggestion of various groups that traditionally oppose taxation of this kind without referendum, and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen has moved the adoption of Committee Amendment No. 1 to House Bill 2199. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...2202, Senator Sangmeister...2205, Senator D'Arco. 2217, Senator Davidson. House bills 2nd reading is House Bill 2217, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2217.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health,

Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Committee Amendment No. 1 is a worked out amendment in joint effort between DORS, the Governor's Office, the Planning Council and Advocacy Board, and I'd move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves the adoption of Committee Amendment No. 1 to House Bill 2217. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Amendment No. 2 is the Christian Science amendment for their protection. This bill...when...in the Enrolling and Engrossing coming from the House over here, that part got left out. This corrects that technical error. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves the adoption of Amendment No. 2 to House Bill 2217. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2220, Senator Welch. House bills 2nd reading, House Bill 2220, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2220.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What House Bill 2220...it permits DCCA with their approval to pay relocation expenses for firms moving into Illinois for machinery and equipment. Amendment No. 1 allows the same privilege to companies moving within the State, because quite frequently we find people who are looking for bigger quarters moving to another State because someone is going to pick up those moving expenses. I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis moves the adoption of Amendment No. 1 to House Bill 2220. Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would rise in opposition to Amendment No. 1. It seems to me, Senator DeAngelis, that there was a lot reason for setting aside the money for relocation expenses...or at least some reason for setting it

aside when you're talking about helping a firm to move from out-of-State into the State of Illinois, it is another one of the package of incentatives, at least that is what is was designed to be; but when you talk about helping to pay for relocation expenses for the movement of machinery and equipment and other things within the State, you're really beginning to set up the possibility of competitive play-offs within the State of Illinois, and it seems to me that although we have occasionally stubbed our toe and...toes collectively and done that in legislation that we've passed, for the most part, we've tried to avoid doing that so that we don't put a premium on a company that wants to get out of Cook County into DuPage or vise versa, from Dupage into Cook or whatever, whatever. It seems to me it just doesn't make an awful lot of sense to create the conditions for that kind of competitiveness. So, it seems to me that the bill was really in much better shape without an amendment which allows for that opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Netsch, if you've looked at Time magazine recently, you'll find out that one of the best ads in there is from Munster, Indiana, telling people right across the border to move across and they're going to pay all these fine things for them that if they choose to move within Cook County or from Cook County to Will or Will to Cook will not happen. I have great faith that DCCA will not, in fact, encourge competition within the State. When a company wants to move, they want to move, and why preclude them from moving within Illinois by encouraging them to move someplace else? And that's the only reason for this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No.

1 to House Bill 2220. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is...Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2250, Senator Welch. House bills 2nd reading is House Bill 2250, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2250.

(Secretary reads title of bill)

2nd reading of the bill. No...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2251, Senator Jerome Joyce. Senator Joyce on the Floor? 2259, Senator Berman. House bills 2nd reading, House Bill 2259, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2259.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment was requested

in committee and what it does is authorize any municipality to require the certification as to the payment of water charges when they're filing for their tax...real estate tax transfer declaration. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman moves the adoption of Amendment No. 1 to House Bill 2259. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, House Bill 2251. Senator Joyce was on the Floor trying to get the Chair's attention and did not get leave of the Body. We'll go back to 2251. Leave is granted. House Bill...2251, Mr. Secretary, read...read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2251.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 58. Page 5-8, 2261, Senator Welch. House bills on 2nd reading is House Bill 2261, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2261.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2263, Senator Savickas. House bills 2nd reading is House Bill 2263, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2263.

(Secretary reads title of bill)

2nd reading of the blll. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, the committee...in the committee, the amendment was put on that the director of Public Health shall have at least five year's practical experience in medicine and all of its branches rather than medicine and surgery, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Committee Amendment No...1 to House Bill 2263. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2266, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2273, Senator Davidson. House bills 2nd reading, House Bill 2273, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2273.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Committee Amendment No. 1 just changes from having a correct name saying "silver passport." We struck that and put in the word "senior citizen discount card" or "senior discount card" so it would be the generic term of "senior discount card." Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, Senator Davidson has moved the adoption of Amendment No...Committee Amendment No. 1 to House Bill 2273. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2276, Senator Etheredge. House bills 2nd reading, House Bill 2276, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, could I ask which amendment this is?

ACTING SECRETARY: (MR. FERNANDES)

This is the smaller of the two amendments, the one-page amendment.

SENATOR ETHEREDGE:

Yes, this...this is...this amendment contains language which clarifies the original...intent of the bill. It's technical and not substantive. I would move to...to...move to approve.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 2276. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 2283 2nd Reading

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This amendment says that an automatic transfer of a case to adult criminal court can be requested only when there is an original petition for adjudication of...of wardship. This is an amendment...which has been requested by several of our state's attorneys. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 2276. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2283, Senator Welch. House bills 2nd reading, House Bill 2283, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2283.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment that has been filed was requested by the Comptroller's Office. What the amendment does is limit the affect of the bill to State and local government and exempts employees...of the State or Federal Government. In speaking with the sponsor of the bill,

the original sponsor, the intention was mainly to affect the State...the local government and not the State. So, I'd move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of Amendment No. 1 to House Bill 2283. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2286. 2308, Senator Hudson. House bills 2nd reading, House Bill 2308, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2308.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2310, Senator Darrow. House bills 2nd reading is House Bill 2310, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2310.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 2286
2nd Reading

All right, Senator Darrow requests leave of the Body to take it out of the record. Is leave granted? Take it out of the record. We may get back to it next month. 2328, Senator DeAngelis. House bills 2nd reading is House Bill 2328, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2328.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2336, Senator Smith. House bills 2nd reading, House Bill 2336, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2336.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, 3rd reading. Well, legitimately, I did not call...the Chair did not call 2286. I didn't see Senator Kustra. So, with leave of the Body, on my own error, I...we will return to 2286. House bills 2nd reading is House Bill 2286, Mr. Secretary read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2286.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Bottom of page 58, 2349, Senator Macdonald. House bills 2nd reading is House Bill 2349, Mr. Secretary read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...2349.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, Committee Amendment No. 1 became the bill. It continues the...intent of the original bill which was to establish a research institute within the University of Illinois to research the cause of alcohol and substance abuse. A joint committee is formed consisting of DASA's chairman of the Interagency Alcoholism and Substance Abuse Board who'll be the committee chairman, also the director of DASA and the president of the University of Illinois; other university presidents many become committee members also. An executive director could be hired to coordinate the grant acquisitions and supervise the research efforts. I ask for your adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Macdonald has moved the adoption of Committee Amendment No. 1 to House Bill 2349. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 59, 2351, Senator Savickas. House bills 2nd reading is House Bill 2351, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2351.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2362, Senator Collins. 2368, Senator Lemke. House bills 2nd reading is House Bill 2368, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2368.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take your time. Your time is running. Oh, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

What this does is this is the bill...what it does is restricts the use of these...the drugs they shoot at animals to veterinarians when they're in their official duties. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 1 to House Bill 2368. Is there any discussion? If...if not, those in favor...Senator Rigney.

SENATOR RIGNEY:

...wait a minute now. You mean a farmer wouldn't be able to use those to tranquilize an animal that...you know, sometimes you got a...a wild animal of your own that you have to catch and some use those things or they use them for their own treatment. You don't always call a veterinarian. Is that what your intent is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke-Geo-Karis. Who wishes to...Senator Geo-Karis.

SENATOR GEO-KARIS:

We had that bill in committee and...just let me...just get my page on this thing. All right. My amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

First time we've turned the clock all day. Senator Geo-Karis.

SENATOR GEO-KARIS:

...is to restrict...to restrict the...the exclusion of...this bill, first of all, says, it amends the Fire Owners Identification Act to exclude hypodermic...tranquilizers used by veterinarians and animal control officers from the...definition of firearm. So, my amendment was simply

that...to restrict the...the exclusion of...that the hypodermic tranquilizers could only be used in the line of duty. That's what my amendment was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

...where did this amendment come from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It came from me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

With no help from the Veterinary Medicine Association or anything or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No. As a matter of fact, what it...what it does is...on page 2, line 13, deletes "officers" and inserts the following "wardens when performing professional services or in the course of their official duties."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Rigney.

SENATOR RIGNEY:

Well, if I understand what I've just heard, it would mean then that a farmer, for instance, would be prohibited from using something of this kind to tranquilize one of his own animals; and if that's the case, if that's the intent of the amendment, I would speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

May...may I suggest that we keep this on... this bill on 2nd reading, we'll put an amendment to...also expressly exclude the farmers using tranquilizers for their animals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Geo-Karis, that would be nice, but...it's Senator Lemke's bill. Senator Lemke.

SENATOR LEMKE:

What this amendment does is right now, under the law, farmers have to get a firearm identification card to use these guns. What this amendment does is, we're talking about exempting hypodermic tranquilizers used by veterinarians or animal control officers. Okay...they do not have to get...identification card. That's what we're doing here. What Adeline's amendment does is tightens up the language that hypodermic tranquilizers used by veterinarians or animal control officers in their official duties. This does not affect farmers. This bill has nothing to do with farmers. Right now, it doesn't affect anything as far as the gun registration. They have to go and get a gun registration card anyhow because they...because of carrying a rifle, but what they want to do is exempt veterinarians and animal control officers from get a FOID Card, that's what this does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis moves the...further discussion? Senator Topinka.

END OF REEL

REEL #5

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask one question of Senator Lemke. How...how does this affect zoos?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This would mean that a guy at a zoo that's a veterinarian or animal control officer would not have to get a FOID card.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

How about just a normal cage keeper or someone who would be involved in maybe having to bring down an animal who was a little bit wild?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This bill would not affect that...they...they have to do it now. We're not getting into realm of...of people that are not official animal control officer or official veterinarians. This is a request by the department to add this language. What Adeline's amendment does is just tightens it up that they...as long as they...as long as they're in their official duties, they can get exempt not having a FOID card, but if they're going to do it outside of their official duties, then they got to be like everybody else and get a FOID card.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, I'd like to follow up on that question by Senator Rigney. I did not get a clear-cut understanding 'cause there is a number of farmers who are livestock business who handle livestock who have a tranquilizer gun. Does or does not this amendment require that individual to get a license?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Davidson, who did you direct the...

SENATOR DAVIDSON:

Whoever...Senator Lemke is the one that had his hand up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This does not affect that. If...all this does is exempts two types of people from getting a FOID card, veterinarians and animal control officers. This is what the department requested. Everybody else has to get a FOID card if they're going to use a gun which is the present law now. All this does is exempts...and what Adeline's amendment does is just tightens up the language that they can get the exemption as long as they're in their official duties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis, do you wish to close or to...do you wish to yield to Senator Lemke or what here? Senator Geo-Karis.

SENATOR GEO-KARIS:

I just move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis moves the adoption of Amendment No. 1 to House Bill 2368. Those in favor signify by saying Aye. Opposed Nay. Well, in the opinion of the Chair, Senator Geo-Karis, it was close. Amendment No. 1 is adopted. Further amendments?

HB2387 2nd reading

HB2384 2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2384, Senator Luft. House bills...House Bill 2384, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2384.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2387, Senator Berman. House Bill 2387, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2387.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment...Committee Amendment No. 1 clarifies that if there is a unsuccessful grading at the end of the one-year of remediation, a notice of dismissal shall be given, and that the amendment further deletes duplicative language...included in Senate Bills 350 which previously passed the Senate. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 2387. If

not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 2 clarifies the role of the consulting teacher during the one-year remediation period. I move the adoption of Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator Berman has moved the adoption of Committee Amendment No. 2 to House Bill 2387. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2391, Senator Berman. 2391.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2391.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2399, Senator Karpiel. 2399? House bills 2nd reading is House Bill 2399, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2399.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2400, Senator Savickas. House bills 2nd reading,...is House Bill 2400, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2400.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, I am...I moved the bill, House Bill 2400, but I want the understanding out that we will be bringing it back for an amendment...for...or more than one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. We can't wait. 2407, Senator Weaver. House bills 2nd reading, House Bill 2407, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2407.

HB 2421 2nd Reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment brings into conformity the rate of interest in the legislation. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver moves the adoption of Amendment No. 1 to House Bill 2407. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2416, Senator Zito. Senator Zito on the Floor? 2418, Senator Dunn. Page 60, 2421, Senator Bloom. House bills 2nd reading, top of page 60, is 2421, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2421.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Essentially, Executive Committee Amendment...House Bill 2421

became somewhat of a Christmas tree, and so what the committee decided was the best course of action was to take it back to the manner and form in which the department caused it to introduced in the House, and, then, I anticipate that Amendment No. 2 which would be the enabling authority for other civic centers is coming right behind this. I'd urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has moved the adoption of Committee Amendment No. 1 to House Bill 2421. Any discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Bloom, what cities were included in the original amendment that you stripped off?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Well, I can read them off and they'll be put back with Amendment No. 2 that Senator Rock and I are offering right after this. Aledo, Normal, Mason County, Jasper County, Browntown Park District, Joe Daviess, Milford, Sheldon and Catherine Dunham in East St. Louis, and they will all be in the amendment that follows this. This amendment merely gets some of the other Christmas tree stuff out of there that have nothing to do with the enabling authorities. Okay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not,...

SENATOR WELCH:

Well,...well, wait...wait.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I...do I understand you to say then that there other...are other cities that you're taking out that are not going to be put back in? Okay, I misunderstood what you said then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom. All right. Senator Bloom has moved the adoption of Committee Amendment No. 1 to House Bill 2421. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rock and Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator Bloom rightfully indicated, Amendment No. 1 stripped five House amendments off House Bill 2421, one of which caused some little consternation and it would afford the opportunity for nine communities to participate in the civic center program. Amendment No. 2 reestablishes that House Amendment No. 2, and I would move the adoption of House...of Senate Amendment No. 2 to House Bill 2421.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Rock has moved the adoption of Amendment No. 2 to House Bill 2421. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2426, Senator Sangmeister. House bills 2nd reading is House Bill 2426, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2426.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

This is Committee Amendment No. 1 which is a JCAR amendment. This bill amends the Boat Registration and Safety Act, and this particular amendment will allow the Department of Conservation to adopt rules for phasing in the issuance of new certificates and provide for one-, two- and three-year expiration dates for boat registrations. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Committee Amendment No. 1 to House Bill 2426. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the same committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, now, Amendment No. 2 is meaningful. The Department of Conservation, as I understand it, because this is an administration bill and talking with all people, decided to allow snowmobiles to be used within five hundred yards of a

nature preserve and also along State highways. That's what the amendment does and move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves the adoption of Committee Amendment No. 2 to House Bill 2426. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, this is another JCAR amendment to spread out the registration as we did in Amendment No. 1 on boats. This brings out the registration on snowmobiles. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Amendment No. 3 to House Bill 2426. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2428, Senator Joyce. House bills 2nd reading is House Bill 2428, Mr. Secretary. Read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2428.

HB2431
2nd Reading

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2429, Senator Joyce. House bills 2nd reading is House Bill 2429, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2429.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2431, Senator Rock. House bills 2nd reading, House Bill 2431, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2431.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is virtually identical to the bill as introduced with...but makes some technical changes particularly in the cross-references. I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Committee Amendment No. 1 to House Bill 2431. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2434, Senator Maitland. House bills 2nd reading, House Bill 2434, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2434.

(Secretary reads title of bill)

2nd reading of the bill...Committee on Executive offers one amendment.

PRESIDENT:

Senator Maitland on Committee...Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2434 is the annual...or one of the annual conveyance bills that...from the Illinois Department of Transportation. As the bill was introduced...it's introduced early as most of you know, and...and those parcels are on the original bill; and, then, subsequent to that, a number of more come in, and Committee Amendment No. 1 then contains those particular parcels and they are located in...in Grundy, two parcels in Lake, one in Winnebago, one in Madison, one in Monroe and one in Bond, and I would move for its adoption.

PRESIDENT:

Senator Maitland has moved the adoption of Committee Amendment No. 1 to House Bill 2434. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2436, Senator Coffey. On the Order of House Bills 2nd Reading is House Bill 2436. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2436.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

Senator Coffey on Amendment No. 1.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. House Bill 2436 is similar to the bill that we just addressed. It authorizes the State of Illinois...to release easements and restore access rights to certain prescribed properties. Amendment No. 1 actually adds eleven parcels to that; the total of those parcels is 11.4 acres at the sum of sixteen thousand two hundred and seventy-five dollars. I ask for a favorable roll call.

PRESIDENT:

All right. Senator Coffey has moved the adoption of Amendment No. 1 to House Bill 2436. Any discussion? If not,

all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2437, Senator Keats. On the Order of...House Bills 2nd Reading, 2437, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2437.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers...the Committee on Executive offers one amendment.

PRESIDENT:

Senator Keats on Amendment No. 1.

SENATOR KEATS:

Thank you, Mr. President. I will not be the sponsor of the amendment but we would like to take off the committee amendment and put on a corrected amendment and then have a vote.

PRESIDENT:

Senator Philip on Committee Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I wish to Table Committee...Amendment No. 1. As you know, to get it out of committee we had an agreement, and then I would like to...I think we have a amendment...Floor amendment filed.

PRESIDENT:

All right. Senator Philip has moved to Table Committee Amendment No. 1 to House Bill 2437. Any discussion? If not,

all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee...Floor Amendment No. 1 would provide that a person may not receive compensation for participating in an informational picket line unless he's a member of a union or another union honoring that demonstration. Move the adoption of Floor Amendment No. 2, I believe.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 2 to House Bill 2437. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2442, Senator Rupp. On the Order of House Bills 2nd Reading is 2442. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2442.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2446, Senator Schuneman. On the Order of House Bills 2nd Reading is House Bill 2446. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2446.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2447. On the Order of House Bills 2nd Reading is House Bill 2447. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2447.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2449, Senator Coffey. On the Order of House Bills 2nd Reading is House Bill 2449. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2449.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2450, Senator Macdonald. On the Order of House Bills 2nd Reading, bottom of page 60, is House Bill 2450. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2460.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Macdonald.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment was drafted at the request of Senator Sangmeister and I have been assured by the Democratic staff that it meets his approval. This bill, of course, is the bill that has been requested by the Department of Conservation for bowmen who...or archers who are handicapped who wish to shoot with a crossbow. Senator Sangmeister felt that we should make it very restrictive and I certainly do agree. So the amendment says that, "Persons who have a physical impairment due to injury or disease, congenital or acquired which renders them so severely disabled as to be unable to move without the aid of crutches or a wheelchair or any upper limb amputees with one hand or more missing, permits will be issued only after the receipt of a physician's statement confirming the applicant is handicapped as defined above." That is the amendment, I ask for your adoption.

PRESIDENT:

Senator Macdonald moves the...adoption of Amendment No. 1 to House Bill 2450. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2451, Senator Dunn. On the Order of House Bills 2nd Reading, top of page 61, is House Bill 2451. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

...House Bill 2451.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2452, Senator Schaffer. On the Order of House Bills 2nd Reading, House Bill 2452. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2452.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2454, Senator DeAngelis. On the Order of House Bills 2nd Reading is House...House Bill 2454. Read the

bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2454.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2473, Senator Karpiel. On the Order of House Bills 2nd Reading is House Bill 2473. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2473.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2487, Senator Lemke. On the Order of House Bills 2nd Reading, House Bill 2487. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2487.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2499, Senator Lemke. On the Order of House

Bills 2nd Reading is House Bill 2499. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2499.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2512, Senator D'Arco. 2515, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 2515. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2515.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 to House Bill 2515 is basically technical, but it does add that the department shall charge a fee for each permit issued to a manufactured dairy plant, and twenty-five dollars to each bulk milk hauler. I would move for its adoption.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 2515. Any discussion? Senator

Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate...if the Senator would yield. What impact does this have now to dairy operations in Illinois? I don't have an opportunity...did not have an opportunity to see your amendment. What does that do?

PRESIDENT:

The gentleman indicates he'll yield. Senator Maitland.

SENATOR MAITLAND:

With respect only to the amendment, Senator Demuzio, or the...that's what you're addressing? Yes, I...it's my understanding that with the exception of the provision that charges a hundred dollar fee to the dairies and twenty-five dollar fee to the...to the milk hauler, it does nothing else.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

All right. Well, then, is there a fee involved with the...to the milk hauler now?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, in the analysis that I just received from the Department of Public Health, they didn't address the fee part of it. I happened to find them in the amendment myself, so I have just asked for someone to get that information. I, quite frankly, don't know.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I know the hour is late but it is just seems to me that we are about to adopt a...an amendment that may in fact require a fee for every milk hauler in the State of Illinois,

and I'm not sure that that's what we want to do with this amendment, if, in fact, that's what it does. It just seems to me maybe, Senator, we ought to get the factual information and perhaps we could just take it out of the record and do it tomorrow. I'm not...I'm not trying to be obstinate or anything, it just seems to me that..that seems to be the...

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, thank you. I think...I think, Senator,...the request probably is in order, because I didn't find that language until I was reading through the amendment, and...and I did ask for the information. It's not gotten back to me yet, so I would accede to your request.

PRESIDENT:

All right. Thank you. Take it out of the record, Mr. Secretary. 2517, Senator Mahar. On the Order of House Bills 2nd Reading, House Bill 2517. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2517.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2521, Senator Topinka. On the Order of House Bills 2nd Reading, the bottom of page 61, which is the the conclusion of this evening's work, is House Bill 2521. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2521.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Nice work, everybody. We will reconvene at ten o'clock tomorrow morning. In the meantime, Senator Holmberg has a joint resolution. With leave of the Body, we'll move to the Order of Resolutions. Ten o'clock, tomorrow morning, we will start promptly, we will be on the Order of Recalls and continue on 2nd reading. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There is a malicious rumor running around today that it's Senator Bloom's 39th birthday.

PRESIDENT:

He's already passed out the cake.

PRESIDENT:

I'm not sure that it is accurate or true, I know it is his birthday. He has his lovely bride here, Dianne from...where's that little...is it Pekin? Bensenville? Lombard? Oh, I guess it's Peoria. But, anyway, I wish that the Senate would acknowledge Prescott Bloom and his lovely bride Dianne and wish him a happy 39th birthday.

PRESIDENT:

With a...with a bride as lovely as Dianne, I'm sure every day is a happy day. Happy day, Mr. Bloom...oh, yeah. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 76 offered by Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I move to suspend the appropriate rule for the immediate adoption of Senate Joint Resolution 76 which is congratulatory.

PRESIDENT:

All right. Senator Holmberg has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 76. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Now, before the Body is the adoption of Senate Joint Resolution 76. Senator Holmberg.

SENATOR HOLMBERG:

I...I move the...adoption of Senate Joint Resolution 76.

PRESIDENT:

It is a congratulatory resolution. Senator Holmberg moves the adoption of Senate Joint Resolution 76. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. To request leave of the Body to show Senator Barkhausen as the lead sponsor of House Bill 2308 instead of Hudson.

PRESIDENT:

All right.

SENATOR HUDSON:

So it would read Barkhausen-Keats.

PRESIDENT:

The gentleman seeks leave to substitute Senator Barkhausen as the chief sponsor of House Bill 2308. Without objection, leave is granted. Senator Carroll, for what purpose do you arise, sir?

SENATOR CARROLL:

Thank you, Mr. President. On a motion to discharge House

Bill 1040 from Appropriations I and move it to Appropriations II...reassign it to Appropriations II, and similarly a motion to discharge House Bill 1125 and House Bill 1247 from the Committee on Appropriations II and have it reassigned to the Committee on Appropriations I. That's 1040 from I to II and 1125 and 1247 from II to I.

PRESIDENT:

All right. Senator Carroll has moved to discharge the Committee on Appropriations I from further consideration of House Bill 1040 and asked that the bill be rereferred to the...Appropriations II Committee, and in a similar vein has moved to discharge the Committee on Appropriations II from further consideration of House Bills 1125 and 1247 and asked that they be rereferred to Appropriations I. Without objection, leave is granted. So ordered. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President, I would like to have leave to be shown as a hyphenated cosponsor of House Bill 1106.

PRESIDENT:

1106. The gentleman seeks leave to be shown as the hyphenated cosponsor of House Bill 1106. Without objection, leave is granted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. With permission of the principal sponsor, I would ask leave to be shown as a hyphenated cosponsor of Senate Resolution 244.

PRESIDENT:

Senate resolution. The lady seeks leave to be shown as the sponsor of Senate Resolution 244. Without objection, leave is granted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to have permission to be shown as a joint sponsor on...on the following bills, I got the okay from Senator Berman and Senator Lechowicz, House Bills 301, 302, 303, 304, 305, 306, 307 and House Bill 706.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of House bills...a series of House bills, the numbers of which you will leave with the Secretary. Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to be...ask leave to be added as a hyphenated co-sponsor on two bills...the sponsors of which have consented to my cosponsorship...House Bills 706 as an immediate hyphenated cosponsor and also Senate Bill 259 as an immediate...hyphenated cosponsor.

PRESIDENT:

Senate bills are gone.

SENATOR GEO-KARIS:

You still can put them on, can't you?

PRESIDENT:

Well, I'm not sure.

SENATOR GEO-KARIS:

Well, try it...try it, you'll like it.

PRESIDENT:

For you...for you...for you, we'll try it.

SENATOR GEO-KARIS:

Okay. Thank you. You're supposed...

PRESIDENT:

Are there any left? The lady seeks leave to be shown as a cosponsor of 706 and Senate Bill 259. Without objection, leave is granted. Senator Lemke, for what purpose do you again arise?

SENATOR LEMKE:

The staff gave me a technical grammatical error...amendment on Senate Joint Resolution 69. I'd like to have that adopted. It just adds the word "is."

PRESIDENT:

Well, we'll get to that first thing in the morning. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Thank you, Mr...thank you, Mr. President. I ask leave of the Body...to be added as a hyphenated cosponsor, with permission of the chief sponsor, to House Bill 608.

PRESIDENT:

608. The gentleman seeks leave to be added as a cosponsor of House Bill 608. Without objection, leave is granted. Further business to come before the Senate? Any announcements? Senator Marovitz.

SENATOR MAROVITZ:

Thank you,...thank you, very much, Mr. President. I would ask leave to be added as a hyphenated principal joint sponsor to House Bill 1841.

PRESIDENT:

1841. The gentleman seeks leave to be shown as a cosponsor. Is leave granted? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, a point of...personal privilege as an announcement. Every legislator, every Senator and...and House member has...should have received an invitation to Greek Night for Sunday evening. Your secretaries have received your invitations; if you haven't gotten them, please communicate with Representative Nash or myself.

PRESIDENT:

Further business to come before the Senate? Any further business? If not, Senator Vadalabene moves that the Senate

stand adjourned until Wednesday, June 19th, tomorrow morning, at the hour of ten o'clock. Tomorrow morning, at the hour of ten o'clock. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 19, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. The members will be in their seats. Our guests in the gallery will please rise. Our prayer this morning will be by Rabbi Israil Zoberman of the Temple B'rith Sholom here in Springfield.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, June 12th; Thursday, June 13th; Friday, June 14th and Tuesday, June 18th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Any objections? Hearing none, so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Good morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title, to-wit:

Senate Bill 321 together with House Amendment No. 1.

And a like Message on 328 with House Amendment No. 1.

A like Message on 828 with House Amendment No. 1.

A like Message on 1014 with House Amendment No. 1.

A like Message on 1084 with House Amendment No. 1.

A like Message on Senate Bill 1200 with House Amendment No. 2.

A like Message on Senate Bill 1132 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 372...Senate Resolution 372, Senator Darrow, it's congratulatory.

Senate...Senate Resolution 373, Senator Rock and all Senators, congratulatory.

374, Senator Demuzio and all Senators, congratulatory.

375, Senator Dudycz, it's congratulatory.

376, Senator Davidson and all Senators, it's commendatory.

377, Senator Philip, Rock and all members, and it's commendatory.

(Machine cutoff)...378, Senator Watson, it's commendatory.

And 379, Senator Savickas, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. There has been a recall list that has been passed out to the members, it should be on your desk. The first order of business will go...will be to go to the Order of...of that Recall List. (Machine cutoff)...bill is Senate Bill 182, Senator Nedza. Senator Nedza seeks leave of the Body to return Senate Bill 182 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is...is House Bill 182. Mr. Secretary. (Machine cut-

off)...182, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body...is there leave to have Senator Nedza handle this amendment? Leave is granted.

SECRETARY:

Senator Demuzio and Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. The amendment just increases the compensation for water commissioners up to a thousand dollars, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves the adoption of Amendment No. 1 to House Bill 182. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 257, Senator Luft. 312, Senator D'Arco. Senator D'Arco seeks leave of the Body to return House Bill 312 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 312, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment was formerly a

Senate bill that passed this Chamber and somehow got waylaid in the House. What it says is that court reporters shall be paid a annually salary beginning July 1, 1986, of not less than six and no more than thirty...thirty-five thousand two hundred and fifty dollars, which would be an increase of two thousand dollars, and then on...beginning July 1, 1987, not less than thirty-seven two five zero which would be a...another increase of two thousand dollars. This bill did pass the Senate and I don't know of any objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco moves the adoption of Amendment No. 1 to House Bill 312. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No,...I'm sorry, Mr. President, that was Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator D'Arco moves the adoption of Amendment No. 2 to House Bill 312. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Savickas seeks leave of the Body to return House Bill 320 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 320, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, yesterday we adopted Amendment No. 1, and what should have happened is to Table Amendment No. 1 and offer Amendment No. 2 which does the same thing as Amendment No. 1 except it deletes the repetitive language regarding...regarding the extra curricular activities that were in the Student Dropout Task Force language in Senate Bill 1213, and just to put the amendment on...on the bidding...competitive bidding. So, by Tabling Amendment No. 1, we would then adopt Amendment No. 2 and it would just do what Amendment No. 1 does without the repetitive...action.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas, having voted on the prevailing side, moves to Table...moves to...moves to reconsider the vote by which Amendment No. 1 is adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is reconsidered. Senator Savickas now moves to Table Amendment No. 1. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Senator Savickas.

SENATOR SAVICKAS:

Moves the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas.

SENATOR SAVICKAS:

I would move the adoption of Amendment No. 2 now and hope that this is the last one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas moves the adoption of...Amendment No. 2 to House Bill 320. Any discussion?

HB 257 Recalled

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. What does Amendment No. 2 do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Savickas.

SENATOR SAVICKAS:

Amendment No. 2 does the same thing as Amendment No. 1 only it deletes all the language that refers to the...that refers to the extra curricular activity and the grants for the Dropout Task Force that is in Senate Bill 1213 and passed this House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas moves the adoption of Amendment No. 2 to House Bill 320. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Before we get too far away from it, I am told that the amendment is now ready on House Bill 257. With leave of the Body, we'll return and pick it up. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 257. Senator Luft seeks leave of the Body to return House Bill 257 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 257, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. As a point of clarification, I

think yesterday we adopted a Floor Amendment No. 1. Am I correct, Mr. Secretary?

SECRETARY:

Yes.

SENATOR LUFT:

At this time then having...voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 1 was adopted to House Bill 257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft moves to reconsider...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Luft now moves to Table Amendment No. 1 to House Bill 257. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 is virtually identical to Amendment No. 1, we just incorporated language that the Department of Revenue...asked or required; and at this point I would move for the adoption of Amendment No. 2 to House Bill 257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft moves the adoption of Amendment No. 2 to House Bill 257. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 334, Senator Mahar. Senator Mahar, are you...are you ready to proceed on 334? Senator Mahar.

SENATOR MAHAR:

...Senator Poshard is going to handle the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With...with...Senator Mahar seeks leave of the Body to return House Bill 334 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 324, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard:

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would amend the House Bill 334 to allow DCCA to designate up to two additional enterprise zones. Move for the passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard moves the adoption of Amendment No. 1 to House Bill 334. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 335. Senator Maitland on the Floor? Senator Maitland on the Floor? Senate Bill 340, Senator Nedza. Senator...Nedza seeks leave of the Body to return House Bill 340 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 340, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. What the amendment does is closes in the definition of the motor home, minihome, van campers, recreational trailers, trailers, et cetera, and it just makes a more thorough explanation and it only allows those vehicles to be displayed and offered for sale on the Sundays, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Nedza moves the adoption of Amendment No. 1 to House Bill 340. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 430, Senator Darrow. Senator Darrow on the Floor? 578, Senator Poshard. Senator Poshard seeks leave of the Body to return House Bill 578 to the Order of 2nd Reading for the purpose of an...Tabling an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 578, Mr. Secretary.

SECRETARY:

Amendment No. 1 which was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Like to Table Amendment...No. 1 which is technically incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 430 Recalled

All right. Senator Poshard, having moved...having voted on the prevailing side, moves to Table Amendment No. 1...moves to reconsider the vote by which Amendment No. 1 was adopted. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is reconsidered. Senator Poshard now moves to Table Amendment No. 1 to House Bill 578. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Amendment No. 2 simply adds the technical language that is necessary to clarify the amendment we just Tabled. Move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves the adoption of Amendment No. 2 to House Bill 578. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Darrow has now returned to the Floor. So with leave of the Body, let's go back up and pick up House Bill 430. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading,...Senator Darrow seeks leave of the Body to return House Bill 430 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 430, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

This is Clarence's bill? The...the amendment simply says that we're going to allow for civilians who are prisoners of war to...to come under the same umbrella as the current prisoners of war as far as license plates are concerned. There are some three civilians is what...all we're able to find in Illinois that were actually...and in Vietnam and were...considered prisoners of war, but they were...they were civilians, they weren't actually veterans and this just puts them in that umbrella.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson has moved the adoption of Amendment No. 1 to House Bill 430. Any discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this amendment because in effect what it does is when you're bringing in the civilian population, maybe justifiably or not, is what you're doing is opening up Pandora's box in the effect that who is to say that the...the nation of the Philippine Islands at the time of their occupation, Vietnam, Korea and what other country that...unfortunately had to befallen unto the...the domination of the...the posing power during the World War II is that they also could not be construed as prisoners of war. Therefore, you would be taking what has been a special privilege for those who served in the armed services and gave of their lives and their bodies and what have you...to take this and say, all right, fine, because you happen to be in a particular area and you are a civilian that we are going to include you in the same thing. I think it's unjustified and

it's a...a slap in the face to those who served in our armed services and were prisoners of war as we...in the connotation that we understand prisoners of war to be. So, I, therefore, rise in opposition to the amendment and ask everyone else to join me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson may close.

SENATOR WATSON:

Well, thank you, Mr. President. It certainly isn't our intent to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Watson. Can we have some order and break up the caucuses?...

SENATOR WATSON:

...it certainly isn't our intent to...to bring into the...the benefits of a prisoner of war the individuals that Senator Nedza mentioned. The...the amendment is really directed towards three people from Illinois who would come under the category of a prisoner of war, who were actually civilians who were working in Vietnam but were considered prisoners of war at that particular time. They suffered as long as...was well as a veteran and I...I do feel that this is a justified amendment and I'd appreciate support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson moves the adoption of Amendment No. 1 to House Bill 430. Those in favor signify by saying Aye. Opposed Nay. In the opinion of the Chair, the motion is...motion fails. Senator Watson, you wish to have a roll call? All right. Senator Watson has moved the adoption of Amendment No. 1 to House Bill 430. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 26. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 605, Senator Fawell. Senator Fawell seeks leave of the Body to return House Bill 605 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 605, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Fawell, your mike is dead. Why don't you move over to Senator Dunn's desk. Senator Fawell.

SENATOR FAWELL:

Yeah, could you refresh my memory. I know it's a sort of a nothing amendment, but...

SECRETARY:

The word "the" following "procedures governing the." Does that do it?

SENATOR FAWELL:

That's what the amendment is.

SECRETARY:

That's the amendment. By...on line 11, by inserting immediately after the word "the" the following, "procedures governing the."

SENATOR FAWELL:

It's...it's a technical amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell moves the adoption of Amendment No. 1 to House Bill 605. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have

it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Is there leave to come back to 720? Leave is granted. 743, Senator Zito. 743, on the recall list. Senator Zito seeks leave of the Body to return House Bill 743 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 743, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Mr. President, can we have leave to come back to this for a...I have a problem with this one and I'd like to get back to it at the end of the recall list, if that's okay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there...is there leave to get back to it? Let's leave the bill on...on the Order of 2nd Reading, Mr. Secretary, and with leave of the Body, we'll...we'll return to it. Is leave granted? All right...all right. Senator Zito indicates that he is ready to proceed the...House Bill 743 is on the Order of 2nd Reading. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank...thank you, Mr. President and members. This is a clarifying amendment that changes the present language to include the director and changes that to the Illinois

Criminal Justice Information Authority. It's a clarifying amendment, I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has moved the adoption of Amendment No. 2 to House Bill 743...is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 807. Senator Topinka seeks leave of the Body to return House Bill 807 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 807, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this amendment to the Missing Child Recovery Act comes to us from the Department of Law Enforcement. It basically clarifies custody, defines that better, also defines specific situations in abduction and I know of no opposition to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 807. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...Maitland, are you ready on 335? 809, Senator Poshard. Senator Poshard seeks leave of the Body to return House Bill 809 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 809, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This is an amendment that we agreed to in committee to draft to bring more specificity to the...bill in dealing with the particular river conservancy district that the bill addresses. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves the adoption of Amendment No. 1 to House Bill 809. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 852, Senator Marovitz. Senator Marovitz seeks leave of the Body to return House Bill 852 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 852, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

HB 883 Recalled

Senate. Amendment No. 1 to House Bill 852 clarifies that the foster parent of a child may apply to the guardian of a child in the case where the foster parent would like to adopt that child, and it...it specifies how that application would occur and I would ask for the adoption of Amendment No. 1 to House Bill 852.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 852. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 880, Senator Degnan. 883, Senator Friedland. Are you ready? House bills...Senator Friedland seeks leave of the Body to return House Bill 883 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 883, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Geo-Karis and Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I cleared this amendment with Senator Tim...Degnan, the...the chairman of the Local Government Committee, and the...and the minority spokesman, Senator Watson, and I move the passage of this amendment. What this amendment does is incorporate the bill that was passed here 59 to zero in which the House committee summarily had a tie vote, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 1 to House Bill 883. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 950, Senator Rigney. Senator Rigney seeks leave of the Body to return House Bill 950 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 950, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, House Bill 950 is the one that creates the Illinois Milk Products Promotion Fund, and the amendment while it's about three pages in length is really technical amendment that does not make any substantive changes in the general bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 950. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 975, Senator Lemke. All right. Senator Lemke seeks leave of the Body to return House Bill 975 to the Order of 2nd Reading for the purpose of an amendment. Is

leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 975, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Philip and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...is allows McDonnell Douglas to do their experimental with short-barrel rifles in the State of Illinois. The way the bill is now, McDonnell Douglas who does this money for the...this work for the government can't shoot or possess short-barrel guns. I think it's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 975. Any discussion? If not, those in favor signify by saying Aye. All right. Is there any discussion? Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

I...I'd like to hear a little more explanation to this amendment. I mean,...first explanation sounds like we're giving McDonnell Douglas the right to...what is this about short-barrel rifles or something? I know...I know it's early and we don't want to get into any big discussions but I think you ought to explain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What we're doing here is, the amendment merely permits...what...we have passed the bill that says you can't have short-barrel rifles in the State. What this amendment does is just leaves...what's...presently we've done which says the merely..."permits a person who has a contract with the U.S. Government to develop and supply short-barrel

weapons or ammunition to such weapons to possess or otherwise engage in commercial or experimental activities involving the weapons which are necessary to fulfill the contractual terms." The exemption also extends to Federal subcontractors and to authorized agents acting within the scope of their employment. It strictly...the amendment is strictly limited to those activities which are necessary and incidental to the contractual terms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 975. Those in...Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, I...see some staff over here that I could probably talk to to get the answer on this, but we're not tying this amendment into any kind of Federal regulations of any kind, are we? So we got another...you know, the old machine gun thing, we're not falling for that again. We're all for helping arms manufacturers but we're not going to open that Pandora's box again I hope.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That...that...this is what that amendment does, see, it just says that the arms manufacturer has to have a contract with the U.S Government to develop and...and supply...just applies to the manufacturer and not to the...not to anybody else owning machine guns. It's...what we have now is the fact that if we pass the bill, McDonnell Douglas who's a...in this State would lose a contract of about eight million dollars a year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. I believe the last question...dealt with some of my concerns. I believe this amendment takes care of Olin Matheson and the gun manufacturers here in this State who have...who may have a Federal contract and have to test the weapons and the manufacturing within...within the State of Illinois, and I really don't see anything wrong with this amendment. I would encourage its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge. Senator Etheredge. Can we break up the caucus? Senator Etheredge, your light is on. Do you wish to speak on this? All right. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, Olin is in my district and...and if I understand Senator Lechowicz, he said if they have a contract it would...this amendment would not affect them but say, for instance, their contract has expired and now they negotiate for a new contract, this would affect them and they would be preempted from then on. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This doesn't preempt them. If they get a new contract to make more guns, then they can do it. As long as they can show proof that they have a contract with the U.S. Government to develop or supply short-barrel weapons or ammunition, they're exempt...yes, if they have a contract now or they get a contract in the future. That's what this is to allow these manufacturers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz has requested a roll...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the

HB 1265 Recall

Senate. I...I just might try to clear the air a little bit, it happens to be...my suggestion to Senator Lemke in regards to the amendment, and, very honestly, I have a manufacturer in my district that I didn't know about, he has a Federal contract. What this says it...doesn't apply to anybody that has a Federal contract. If it does apply to him, he's out of business, he can fold up his little business in Bensenville, Illinois and go home...he depends on that Federal contract and that's all it says, it excludes Federal contracts. We ought to support this amendment, it's a good amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz requests a roll call. Senator Lemke moves the adoption of Amendment No. 1 to House Bill 975. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 2, 2 voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1265, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 1265 to the Order of...of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1265, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This...bill deals with the mandatory arbitration system authorization to the Illinois Supreme Court. The

amendment merely specifies that the procedures that are going to be adopted by rule by the Supreme Court would be adapted to each judicial circuit. The purpose of the amendment is to allow input by local bar associations and attorneys in the formation of this procedure. It was agreed upon between bar associations and the administrative office of the Supreme Court. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman moves the adoption of Amendment No. 1 to House Bill 1265. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1267, Senator Lemke. On the Order of House...Senator Lemke seeks leave of the Body to return House Bill 1267 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1267, Mr. Secretary, read...

SECRETARY:

Amendment No. 1 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow. Senator Darrow on the Floor? Is there leave to have Senator Lemke handle the amendment? Leave is granted. Senator Lemke.

SENATOR LEMKE:

This is an amendment requested by the Supreme Court. What this does is amends House Bill 171 into this bill. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. It's my understanding this

amendment pertains to the administrative assistant to the chief judge. The bill was on postponed consideration. This is an amendment to...Senator Lemke's bill pertaining to the same subject matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow has moved the adoption of Amendment No. 1 to House Bill 1267. Any discussion? Senator Welch.

SENATOR WELCH:

Yes, I...I don't understand still the amendment. What...what does it do? I didn't...I don't remember House Bill 171. Does this amendment...provide for appointing an...an assistant to the circuit judge...chief circuit judge or what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

At the present time, there are twenty individuals around the State who are secretaries to the chief judge. They're called secretaries, this changes their title to administrative assistants to the chief judge. It allows the Supreme Court to determine their salary. Through the appropriation process, we'll have some control over it and that's basically what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

...does this...Senator Darrow, does this allow the court to set the salaries? There's no caps involved?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Unfortunately, I left my amendment downstairs. It's...it's my understanding that what the cap is, is it...it ties in with the salary paid court reporters which is the cap that we now use. The...there was some concern that there would be no cap on this...yes,...what it does, "A maximum salary for administrative assistants shall be the same as the maximum salaries presently established and hereafter established from time to time for full-time official court reporters in Section 8 of the Court Reporters Act." So it sets a cap as was requested by a number of members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Senator Darrow, how is this different from the previous House bill? Is it...are there any changes at all from 171?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Absolutely. There was concern that there would be no cap on the amount that these people could be paid. In this amendment we are placing a cap on this so we have two safeguards; one, we have the cap of the salary as the same salary as court reporters receive; and secondly, we have the appropriation process to guard against this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

I appreciate you answering that question because it's my understanding that 171 is still on postponed consideration and there was a number of problems with that legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS;

Mr. President and Ladies and Gentlemen of the Senate, there is a cap. If you'll look at the court reporter's Statute, it says up to twenty-nine thousand five hundred, if I recall correctly. So there is a cap on it and it differs from 171 because House Bill 171, if I can refer to Senator Zito, had no cap on it but this one does. This does have a cap.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver. Could we have some order, please?

SENATOR WEAVER:

It appears to me that we're really raising the cap from up to thirty-seven thousand two hundred and fifty dollars. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

What we are doing, at the present time, these twenty individuals cannot get a pay increase without coming to the General Assembly. What this legislation does is allow the Supreme Court to determine their salary with a cap, the same as the cap we have given court reporters. It does not necessarily mean that the Supreme Court will pay them that amount of money but that is the cap. There was concern that we had no cap and that the only safeguard would be the appropriation process. It was felt that if we went back and put a cap on, probably the best cap we could put would be the same as the court reporters because these people do equivalent

type of work or amount of work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Two quick questions. I had someone explain to me that these are basically sophisticated secretaries. Now, I can guarantee you that my secretary does a great job but I've never been able to convince Pate to pay her thirty-seven thousand five hundred dollars, although I'm working on Pate. Are we letting perhaps one little branch get a little out of line with people who are of certainly comparable skills and probably doing harder work? I mean, how would you like to work with some pigheaded guys like us? I mean, could you give us a more accurate description of who these individuals are?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Darrow.

SENATOR DARROW:

Well, I can't speak for all twenty of them but the one in our circuit does a number of tasks other than just secretary; for example, she schedules the judges for the various courts, she appears before the county board on behalf of the judiciary, she handles a number of...of public relations...situations with the newspapers, things like that. It's not just a secretary, that's why we're changing it to more of an administrative assistant. There's also a possibility by the way of other legislation that's currently before this Body to have this applied to DuPage and Cook County, and it's my understanding in those counties, especially in DuPage County, that the administrative assistant has two assistants under her and it's very comprehensive job in DuPage County and takes a very skilled person, and, hopefully, we will be able to assist DuPage County and some of the...the entire State at times.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I appreciate the explanation and when we can convince the cheapskates like Pate and Phil that our secretaries who do the exact same job, and in some cases do better, that we ought to be paying them that level which...you could convince me of without a second thought. But the point is, I think we're letting a small group get a little out of line because it's a small group. I would recommend that this is the same court that doesn't allow us to audit funds that they collect involuntarily from attorneys who practice in front of them, offering money to a group who perhaps are getting out of line with people who do similar or substantially tougher jobs. Let me assure you, my secretary does a great deal of what you just said and does just as good a job and she puts up with me. She is a saint and until we can convince Pate and Phil to raise salaries to that level, I think we really should reexamine this number.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Darrow.

SENATOR DARROW:

Well, I would...I would acknowledge that Senator Keats' secretary is a saint, she'd have to be to work with him. Other than that, these are not actually just secretaries, these...these court personnel do quite a bit of other things other than just secretarial work. They're vital to the...judicial circuits at the present time. In this legislation what we are doing is we're just putting them on a par with the court reporters and not necessarily paying them the same as a court reporter, that's going to be up to the Judicial Branch of government in their appropriation bill. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Darrow has moved the adoption of Amendment No. 1 to House Bill 1267. Those in favor signify by saying Aye. Opposed Nay. There's been a roll call requested. Senator Darrow moves the adoption of Amendment No. 1 to House Bill 1267. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 28, 1 voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1479, Senator Welch. Senator Welch seeks leave of the Body to return House Bill 1479 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1479, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this amendment is to strip everything from the bill with the exception of the amendment that I put on yesterday. This was the agreement that was made in the Public Health Committee; unfortunately, I didn't have the amendment...in hand yesterday when the bill was on 2nd reading. So I would move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves the adoption of Amendment No. 2 to House Bill 1479. Any discussion? If not, those in favor

signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1677. Senator Barkhausen seeks leave of the Body to return House Bill 1677 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1677, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, is it your intent to Table Amendment No. 1?

SENATOR BARKHAUSEN:

Yes, it is, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I am asking the Body to Table Amendment No. 1 that was placed on this bill in committee due to the opposition that was expressed to it yesterday. This was the bill that makes it unlawful for nonlawyers to receive a fee for...for referring cases to lawyers, and we had gone beyond the fee concept to include noncash benefits in the amendment in committee and that proved to be objectionable yesterday on the Floor. So, I'm moving here to...to Table Amendment No. 1 so that it will merely be unlawful simply to accept a fee and there will be no reference to noncash...receipt of noncash benefits...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR BARKHAUSEN:

...I would urge the...my...passage of my motion to Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Any discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is reconsidered. Now, Senator Barkhausen moves to Table Amendment No. 1 to House Bill 1677. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I thought there was an awful lot of discussion on this amendment yesterday when it was adopted, and basically what it says that whether it's cash or noncash you should not accept any type of a monetary or unmonetary means in reference to referring a case to an attorney, and I...in fact, I think the bill...really is lacking in many ways, but in reality with Amendment No. 1, if you really want a clean...to clean up any reference of...asking a person to represent somebody and in turn you may take a...a trip somewhere, I don't think that's...should...should be allowed to begin with; and that was the purpose of Amendment No. 1, and if you really want to make something very stringent, this amendment should stay on the bill. If you're really concerned in this area,...Amendment No...No. 1 does clarify House Bill 1677 and it makes it...the...very clear that you accept neither money nor any type of gratuity in any fashion on the reference of a case to an attorney. I think it was a good amendment then, it's a good amendment now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, there is frankly no discussion on the Tabling motion, but...Senator Lemke.

SENATOR LEMKE:

No, I think the...we're...I think the amendment is a good

amendment because...very simple. It just says you can't...kept...accept a fee in the way of cash or noncash for referring a case. That's all it says and if you refer a case, I mean...a guy can give you a gold watch and that's okay, but he can't give you ten dollars and...this...so I mean, I think this is a good amendment, it should stay on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the...the motion is to reconsider...no, I'm...the motion is to Table. Senator Barkhausen, you wish to close? I don't know how we got into this discussion.

SENATOR BARKHAUSEN:

I...I have a little bit of...trouble arguing with Senator Lechowicz or Senator Lemke because even though it was Senator Lemke's amendment in committee, I happen to agree that it probably was a good idea. I'm simply moving to Table at this point because I got a pretty clear reading yesterday that there was strong objection to an attempt to expand the coverage of this bill beyond the straight fee situation to also include noncash benefits, and it's one of those situations where a half of loaf is better than no loaf at all. I don't care that much one way or the other. I was trying to go with the will of the Body here in moving to Table Amendment No. 1 and so that is my motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved to Table Amendment No. 1 to House Bill 1677. Those in favor signify by saying Aye. Opposed Nay. Well, in the opinion of the Chair, the Nays have it. Is there a request? Motion fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1948, Senator Etheredge. Senator Etheredge seeks leave of the Body to return House Bill

1948 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 1948, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. The...Amendment No. 1 which was adopted yesterday is technically incorrect. I have filed a second amendment to replace No. 1. So, therefore, I move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 to House Bill 1948 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Etheredge now moves to Table Amendment No. 1 to House Bill 1948. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

This is a amendment which is now technically correct and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge has moved the adoption of Amendment No. 2 to House Bill 1948. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1953. Senator Geo-Karis seeks leave of the Body to return House Bill 1953 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 1953, Mr. Secretary, House bills 2nd reading.

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I believe that is LRB ending in LKSAM? Is that LRB ending in L...LB...LKSAM? Amendment No. 1 deletes the word "displaying" and inserts thereof the words "which is parked at a self-service island and displays." I have cleared this amendment with both Senator Nedza, the chairman of the Transportation Committee, and also with Senator Coffey, the minority spokesman of...Transportation Committee, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis moves the adoption of Amendment No. 1 to House Bill 1953. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 2 simply provides that this...it says, Section 3. This Act shall take effect on July 1, 1986, and I move the passage of this amendment, and I cleared that with

HB 1955 Recalled

both sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved the adoption of Amendment No. 2 to House Bill 1953. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1955, Senator Philip. Senator Philip seeks leave of the Body to return House Bill 1955 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1955, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's merely a technical amendment. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 2 to House Bill 1955. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is...wait a minute...Amendment No. 2 is adopted...wait a minute...all right. Senator Philip, the chair is in error. It's...you moved the adoption of Amendment No. 3 to House Bill 1955. Is there any discussion on that? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is...is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator...1962. Senator Dunn seeks leave of the Body to return 1962 to the Order of...of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1962, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Amendment No. 1 changes "shall" to "shall within...shall immediately...to shall within two hours as requested by any peace officers." This has to do with timber haulers showing proof of ownership and I'd move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dunn has moved the adoption of Amendment No. 1 to House Bill 1962. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. If you'll turn to page...2232. Senator Karpiel seeks leave of the Body to return House Bill 2232 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2232, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this does, unbeknownst to me, the regional superintendent of schools is the only county office that if a superintendent is indicted or dies or resigns that automatically his deputy becomes the superintendent. What this amendment provides is that he does not or she does not automatically become the...the superintendent, and that we would choose that superintendent the same way we do any other county office. As you know, we've had a problem in our own county with our regional...two regional superintendents; hopefully, this may solve some of the problems. Be happy to...answer any questions, I move the adoption of Amendment No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 2? All right. Senator Philip has moved the adoption of Amendment No. 2 to House Bill 2232. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2275. Senator Karpiel seeks leave of the Body to return House Bill 2275 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2275, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 simply adds one more lay person or citizen to the...the Advisory Library Committee making it a committee now of twenty instead of nineteen. I understand that was suggested by the Auditor General.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel has moved the adoption of Amendment No. 1 to House Bill 2275. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2437, Senator Keats. 2440, Senator Rigney. On the Order of House...Senator Rigney seeks leave of the Body to return House Bill 2440 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2440, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President and ladies and gentlemen, I think probably most of you will remember that earlier in the...in the Session, I had a bill that would have allowed for unattended service stations in the State of Illinois. Unfortunately, I called that bill on a Tuesday when attendance was not what it should have been. There were eight people missing on that particular occasion, and, yet, I received twenty-nine votes for its passage. As a result of this, it became the first bill that went on postponed consideration; unfortunately, we never got back to that item of business. I reviewed that

roll call and reconsidered the objections to the bill and then addressed the amendment by making two very significant changes in the bill. First of all, it was obvious to me that based upon the roll call that Cook County didn't want any part of the bill. So the amendment took Cook...is now taking Cook County out of the bill. The second part of it is that the original bill would have allowed for either coin-operated, card-operated or key-operated...pumps. The amended form of this bill now will take the coin-operated machines out of the bill, which means that the only thing is left are the card machines and the key machines which gives complete control of those devices to the owner...to the service station owner. He simply is not going to give either a card or a key to someone that he does not trust. I think these are probably two very helpful amendments and I seek your support on Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This also is a bill that wound up on consideration postponed and it wound up that way for a very good reason. It's a bad idea and...and I don't think you're solving the problem by just saying it doesn't apply to Cook County. It is still a bad idea, the county notwithstanding. It's just bad public policy and I think this amendment ought to be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO;

Well, thank you...Mr. President, Ladies and Gentlemen of...of the Senate. In...the first time this bill was...was heard in the...in the Chamber, there was some concern over on our side of the aisle, particularly with myself, and it seems

to me that I have received a great number of letters from people involved in agriculture that suggest that this is in fact a...a good amendment; and contrary to my...to my friend on my left, I intend to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rigney moves the adoption of Amendment No. 1 to House Bill 2440. Those in favor indicate by saying Aye. Those...a roll call has been requested. A roll call has been requested. All those in favor of adopting Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 34, the Nays are 8, 1 voting Present. Amendment No. 1 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Recalls on the Secretary's Desk Resolutions, we have Senate Joint Resolution 69, Senator Lemke. Read the resolution, Mr. Secretary.

SECRETARY:

Senator Lemke has Amendment No. 1 to Senate Joint Resolution 69.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is correct a technical grammatic error that the staff found. It adds the word "is" after "she," they...when they drafted, they left out the word "is." I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No, not on this one, next one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves the adoption of Amendment No. 1 to Senate Joint Resolution 69. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We will return Senate Joint Resolution 69 back to the Order of Secretary's Desk Resolutions. We will return now to the front of the recall sheet. We have three...three bills that...four bills that should be picked up. Senate...or House Bill 335, Senator Maitland. Senator Maitland seeks leave of the Body to return House Bill 335 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 335. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I have a great temptation here to say that this is just a merely amendment, but in all candor, it's lot more than that. Actually what it is, it's the pothole amendment of 1985 and we might just as well lable it for what it is. You will recall that last year we voted through an increase in the motor fuel tax and we voted through an increase in license plate fees. We told the motorists of Illinois that we were going to be needing that kind of money to adequately take care of Illinois roads, and, yet, before the ink was hardly dry on all of that, we went and turned around and gave thirty million out of that fund to

the...upcoming emission's program, forever committing ourselves to pay in for that program out of motor fuel monies. I think this is an outrage because not only is this money taken away from the State of Illinois, but it's money that's taken away from every city, every county, every township that receives money out of the Motor Fuel Fund. This is a very simple and easy to understand amendment. What it provides for is that the money for the emission's program instead of being taken out of the Motor Fuel Fund will be taken out of the General Revenue Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? We have Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I, too, agree that an outrage has been caused and the...and the cause has been the Federal Government. We should have never passed the darn bill to begin with. DuPage County is being hooked in on this and we have had absolutely no readings of the pollutions they are talking about recorded in our county, and I...we have four stations in our county, in the entire year of 1984. As I told you last year, the readings...in Chicago were as small as two hours in Lincoln Park. I personally think we ought to...amend this bill all right, but we ought to amend it to knock the whole darn emission's bill out and send it back to Congress and tell them, we aren't in compliance and they ought to forget the whole darn program instead of trying to clip us for fifty million dollars to run the program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I sympathize totally with Senator Rigney's problem. I...I...I share that problem and I...I think that Senator Fawell makes a good point that we were...had some-

thing forced upon us that simply should not have happened. But the fact of the matter is, this is a thirty million dollar raid now on the General Revenue Fund, and I think that's just quite inappropriate and probably the amendment should be killed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Some of the items that Senator Rigney pointed out are probably concerns of not only people in his area but throughout the State. Also, what the...Senator Fawell mentioned in reference to the...probability of the animosity of the people that are going to have to go through the testing procedure, it's probably true; but unfortunately, when we discussed this matter last year...in fact, we had two or three different groups that sat down and finally ironed out the mandatory emission testing program, and the gentleman in...who is presently in the Chair had a role in that, a very important role, Senator Doc Davidson had an important role, Senator Nedza, Senator Rock and others, we finally came up with a legislative solution and let me point out to you if you forgot; unfortunately, the Federal Government had a hundred million dollar price tag whether the State would have a mandatory auto emission's testing program or not, and we were faced with the dilemma of the State of Illinois losing a hundred million dollars last year and a total of over a half a billion dollars during the course of the Federal Highway Entitlement Program that the State could possibly lose. The Governor and this Body and the House concurred that it was best to accept a legislative compromise instead of losing the Federal money and that's what's at issue, and what we worked out last year hasn't even come into being and this amendment...would withdraw the funding for the poor people who are

going to be tested in...for the environmental impact of the automobile. I think this is a bad amendment. I believe we came up with a legislative solution which would save the State of Illinois the Federal money, and, yes, the people in not only Chicago and Cook County but in other urban areas of the State as determined by the zip code will be mandated to take their vehicles through this testing procedure. They're going to lose that time from work and all we did was to provide them so they wouldn't have to necessitate in paying for that procedure from their own pockets, that it came from the general...came from the Road Fund of the State of Illinois based upon a legislative compromise. That's why I thought it was a good idea then, it's a good idea now; and for that reason, I strongly oppose Amendment No. 2. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

END OF REEL

REEL #2

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Rigney, I'm sorry that I was away. Now, just what does your amendment do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Evidently, Senator Lechowicz also missed the point of what my amendment does. It does not require the people living in those areas to pay for their own tests. The money to pay for the program will come from the General Revenue Fund instead of the...instead of the Motor Fuel Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I opposed that whole thing when it was up last time. You know, it's...we're talking about after the fact, but if there ever was a law that was discriminatory, this is one. Here the pollution is in Cook County and then it jumps three hundred miles down the State and then it comes into Senator Vadalabene's area and my area and Senator Watson's area. Now Senator Watson has something on that that puts it on to say it'll go by zip code. You know, it's just ridiculous that we got a bill where the pollution will just be over an area if...if the zip code differs. What I'm trying to do, I thought...my understanding is the whole doggone thing ought to be repealed. It's a bad bill from the word go. I am...certainly want to do anything to help kill the bill, so I haven't decided what I'm going to do right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Perhaps I can address one of the portions that Senator Rigney said in response to Senator Lechowicz that he's...misconstruing exactly what it is, is taking it out of the General Revenue Fund. Well, let me just remind this Body that the motor fuel tax funds are matching funds which are the Federal funds that we receive which was dangled over our head and panicked everybody into passing this legislation

into a compromise kind of a position. The greatest number of contributing funds into the Motor Fuel Tax Fund allegedly come from the areas which are now...mandated to have emission's testing. If we are the largest contributors, we are the largest polluters, then the money is a wash, so we should not be forced to pay not out of the General Revenue Fund because the General Revenue Fund is...is used for...and God knows what, but right now we're going to be facing a great dilemma of financing education and Build Illinois and what have you. The Motor Fuel Tax Fund is the proper fund in order to pay for this. Those are the people that are contributing it because they're using most of it, they're putting most of the money into it and I think that's where it should stay; and we all agree that it's a bad bill but it's a necessity that we have to live with, so let's leave it alone and defeat this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I, too, rise in opposition to Amendment No. 2 and the fact is is...as was pointed out, we had an agreement without which there would not have been an emission testing program, and the agreement was that the Federal money which we then received because we went to the program would in part be used to pay for it; and to change it now, it just seems to we...we ought not do it. The General Revenue Fund cannot stand this kind of an impact, and if you're going to take money from education to pay for emission testing, I think you're making a mistake. I urge opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney moves the adoption of Amendment No. 2 to House Bill 335. Those in favor indicate by saying Aye. Roll call has been requested. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 8, the Nays are 29, none voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 450. Senator Vadalabene seeks leave of the Body...amendments aren't here. On the Order of Recalls...for what purpose Senator DeAngelis arise?

SENATOR DeANGELIS:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

In the gallery right behind the Republican side we have Helen Barret, the Clerk of Onee Township and her husband, Mr. Helen, and their son, Lawrence. I would like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Please...please rise and be recognized. On the Order...on our recall sheet, we have House Bill 720. Senator Rock seeks leave of the Body to bring House Bill 720 back to the Order of 2nd Reading for purposes of amendment. Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 720. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Rock and Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 1 is identical to a bill that passed out of this Chamber with an

overwhelming majority. It restructures the leadership for the Senate. The House did not see fit to let the bill out of committee. So, we are amending this bill and we'll send it back to them with the assurance that it will be acted upon. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to House Bill 720. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Just for the benefit of the membership, if I can have the members' attention. We will, with leave of the Body, then return to page 52 on the Calendar and again proceed through House bills on 2nd reading. Senator Philip and I have agreed to handle the Build Illinois program tomorrow in terms of adoption or rejection of committee amendments, but the House bills on 2nd reading, I think we can adequately go through again today and we will again tomorrow. In the meantime, because of the action we took yesterday where we were able to successfully move three hundred and fifteen bills, we have determined it will not...it will not be necessary for us to be in Session over the weekend, so we will not have Session on Saturday or Sunday. We will work on Friday until roughly mid-afternoon and return to Springfield on Monday at noon. I have just had the opportunity along with Senator Philip to meet with the House leadership and the Governor. There are a number, obviously, of yet unresolved issues. We have agreed we will be here over the weekend to go from one summit meeting to

HB 18 2nd Reading

another...one subject matter to another with the hope that on Monday we can arrive at some agreement on some substantive issues, but in the meantime, I'm happy to report that we will not have to be here en masse over the weekend. Those of you who want to stay are certainly welcome.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a lighter note, House bills 2nd reading. On page 52, middle of the page, we'll start with House bills 2nd reading, House Bill 17, Senator Lechowicz. Read the bill, Mr. Secretary. For what purpose Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR GEO-KARIS:

I would like to remind all the Senators here that Sunday evening at 6:30 p.m. we are going to have Greek Night on the grounds of the Mansion, and if the weather is bad we will have it at the State Fairgrounds. So, I do hope you'll get back in time to enjoy the good food and the comradery.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, House Bill 17.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 17.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 18, Senator Welch. Read the bill, Mr. Secretary.

HB 100
2nd Reading

ACTING SECRETARY: (MR. FERNANDES)

House Bill 18.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 23, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 23.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 27, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 27.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 48, Senator Luft. House Bill 52, Senator Marovitz. House Bill 53, Senator Marovitz. House Bill 100, Senator O'Daniel. Read the bill, Mr. Secre-

tary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 100.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate,...I move to Table...I don't think it...it is numbered but...but it's the longer one of the amendments...to Table that amendment. We want...we want to Table the long one and...and adopt the short one. Table No. 1 and adopt No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel moves to Table Amendment...Committee Amendment No. 1 to House Bill 100. Is there opposition? Hearing no objection, the motion carries. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment...Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

...Amendment No. 2 requires a county clerk or municipal election board by sixty days before the election to give notice of the availability to the elderly and the handicapped of registration aides at permanent registration facilities of voting aides at polling places and a voter assistance in marking ballots and...and voting absentee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a discussion? Senator Poshard. If not, Senator O'Daniel moves the adoption of Amendment No. 2 to House Bill 100. Those in favor indicate by saying Aye. Those opposed.

The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator...Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Amendment No. 3 incorporates the language of Amendment No. 1, plus adds a provision which defines the...the number of judges which may leave the polling place to assist a handicapped or disabled voter. I'd like to read...read this, it's very short, "and except that when a polling place is...inaccessible to disabled voter, one team of two judges of opposite party affiliation may leave the polling place to deliver a ballot to such voter as provided."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Mahar moves the adoption of Amendment No. 3 to House Bill 100. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 123, Senator Dawson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 123.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and

Secondary...Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 makes technical changes in the bill. It changes the pilot project to a demonstration project, clarifies that the State Board of Education shall enter into contracts rather than direct the establishment of such projects, and rather than the State Board of Education so it designates the projects by 1-1-86, states that the State Board shall enter into contracts by that date, deletes redundant or informal language in describing the purposes of social work projects.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Dawson moves the adoption of Amendment No. 1 to House Bill 123. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 142, Senator Bloom. Senator Karpiel is handling it for Senator Bloom? Senator Bloom. House Bill 146, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 146.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This amendment was requested by the committee in an attempt to clarify the language of the bill. I've discussed it with the chairman of the committee and there may be a problem with the language. I think what I'd like to do now is move it on to 3rd with the assurance that if there is a problem, I would call it back on a recall tomorrow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are you withdrawing the amendment, Senator? Oh, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, may I...refer my comments to the sponsor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, sure.

SENATOR GEO-KARIS:

Are you putting this amendment out...or on or are you taking it off?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

I want to put the amendment on, Senator. I think it's a good amendment. There's been some concern expressed on the other side of the aisle and I just want to wait to hear what they...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further...Senator Geo-Karis.

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Recall

SENATOR GEO-KARIS:

...this is not the amendment then that refers to cleaning up vote fraud? Oh, that's all I want to know. I have no objection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kustra moves the adoption of Amendment No. 1 to House Bill 146. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 157, Senator Davidson. House Bill 181, Senator Netsch. Read the bill, Mr. Secretary. 181 is the Netsch-Kustra...hold...hold the bill, Mr. Secretary. House Bill 217, Senator...Senator Netsch, we are on page 53 of House bills 2nd reading. House Bill 181, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 181.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Kelly and Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This is a Floor Amendment No. 1...what it does is it changes the base for determining the number of required petition signatures from votes cast at the last election to number of registrants within the district or subdivision. I'd move for

the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, regretfully I have to stand in strong opposition to this...on the surface...simple amendment. The requirement in the law now is the percentage of those who are voting...highest vote getters...votes cast and this changes it to the registered voters in the district or political subdivision and I think that is just totally unacceptable. I think it's...it's...it makes it extremely hard for those candidates who are running for office and certainly I've...you know, I know that in...in our area, at least, I can't speak for those committeemen or those people in...in the wards in the cities, but I can tell you that this will certainly be met with strong opposition from my side of the aisle and...and from those seeking office that would have to go under this kind of petition gathering. So, I oppose this amendment strongly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. As the sponsor of the bill, I also would rise in opposition to the amendment. I don't have a copy of it but as I understand it, you're changing the base from...or from those who voted in the last election to those registered, and clearly what this is intended to do is a variation of what the committee rejected at the time the bill was heard in committee and that is to make it more difficult for people to file for the office of township or ward committeeman. I think the amendment was offered in committee to increase the number from five percent to ten percent and that was ultimately defeated and I think this has the effect of doing not just that but probably something even more onerous

in terms of getting on the ballot. I...my argument then and my argument now is that the reason for having petition requirements is to make it just difficult enough that there will not be a whole slew of frivolous candidates for whatever office it might be, a public office or a...a party office. It is not intended to become so heavy a burden that, in fact, people who are genuinely and seriously interested are deterred from running, particularly with all of the...the intricacies that are involved in getting petitions correctly signed and notarized and so forth and it seems to me that raising the base to registered voters is clearly just an...incredible burden...alas, as we know, huge number of people who are registered do not, in fact, vote. So, what you are doing is just creating an artificial base to begin with and it seems to me that it is totally inappropriate for this bill, and I would strongly urge a No vote on the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Basically, this amendment does not increase from five to ten percent as far as the number of people that are required to sign a petition. What we're doing is...the threshold is still five percent and we're trying to provide an equitable base that does fluctuate every six or seven months based upon the previous election. The number of registered people in an area is governed after the registration and what this bill requires is that the number of registrants...we all know as far as in our respective wards or townships the number of registered voters and you're requiring five percent of the registered voters to sign a petition for a candidate. I don't believe it's excessive nor do I think that it's...that it's...hurts a candidate in any

way till you know...definite number of signatures are required in order for you to run for public office. I think this is a good amendment and deserves your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I, too, rise in support of the amendment. There was some litigation that showed that there was some disparity between the...City of Chicago and some of the suburban townships where there was a ten and five percent. The court held that the disparity...it had to be the same. So, the equity is that is...whether it's five percent, ten percent, it really becomes immaterial 'cause if you can't...you still need fifty-one percent to get elected and if you can't go out and get five percent or ten percent of the...the signators in your respective...political subdivision, I think you shouldn't even seek office. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch wishes to speak for the second time. Senator Netsch.

SENATOR NETSCH:

You bet I do. Thank you. To make two points; one is that there...the number of registrants waivers as much as the number of people who voted in an election because every time you have an election, you have reregistration. So it is no more stable a base against which to measure the required number of signatures than measuring it against the number of people who voted in a given election which, in fact, is a more stable figure, if you...if you want to really look at it that way. The second thing is that the whole idea of the court's decision is to reduce the...the burden of having to...to get signatures to get onto the ballot for this office. Disparity is part of it. This will still produce

disparity. I would strongly suggest to you that this is going to be as vulnerable to court challenge as that provision which was already invalidated by the courts, because it puts this office and this office alone with a different base for measuring the number of required signatures, so I think it is...equally as vulnerable and it's bad as a matter of policy in addition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there further discussion? Senator Macdonald for the second time.

SENATOR MACDONALD:

...I...I...certainly concur with Senator Netsch and I only ask that when the closing statements are made that we have a roll call on this vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As a township committeeman, I rise in support of Amendment No. 1, and quite to the contrary to what Judge Netsch just indicated, this provides an absolutely stable base. You're talking about registered voters, and the fact is that if you're going to run for a party office, the measure of the petitions ought to be measured against how many registered voters you have. I...I think it's a grand idea and I urge support for Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll has been requested. Those in favor of adopting Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have...have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 30, none voting Present. Amendment No. 1 having failed to receive a majority

vote is declared lost. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Like to verify the negative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a request for a verification of the negative vote. Will all the members please be in their seats and will the Secretary please read the negative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Barkhausen, Bloom, Coffey, Davidson, DeAngelis, Donahue, Dudycz...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you slow that down, Mr. Secretary. Senator Kelly is having a hard time hearing. Will there be order...

ACTING SECRETARY: (MR. FERNANDES)

...Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Karpiel, Keats, Kustra, Macdonald, Mahar, Maitland, Netsch, Newhouse, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Senator Kelly, do you question any of the negative votes?

SENATOR KELLY:

Okay, Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Coffey in his seat? He's standing here at the Podium.

SENATOR KELLY:

Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Davidson in his seat? Senator Davidson? Strike his name from the record.

SENATOR KELLY:

...Senator Bloom.

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2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom is standing at the end of the aisle.

SENATOR KELLY:

Senator Dudycz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz is standing in the back.

SENATOR KELLY:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen is in his seat.

SENATOR KELLY:

Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell in her seat? She's in the back with Senator Dudycz.

SENATOR KELLY:

And Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman? Senator Schuneman on the Floor? Strike his name from the record.

SENATOR KELLY:

Okay, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman has returned to the Floor. On a verified roll call, there are 27 Ayes, 29 Nays and the motion...the amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 217, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 217.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 272, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 272.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What we do is we're...we're...make this bill purely revisory and add...and add certain sections that the...apparently the revisory commission didn't feel were important. Number one, what we're doing is adding back Section 2 which requires an attorney to be a U.S. citizen and to file a certificate of...that he's of good moral character with the circuit court; and two, we're adding Section 7 and 8 back which permits a client to petition the Supreme Court to have any monies...any...any...attorney's name stricken from the master roles of attorney when the client contends that the attorney has wrongfully withheld monies from the client. I think these are important...proceedings to have reputable lawyers in the State and I don't think we should be eliminating these, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 272. Those in favor indicate by saying Aye. Those opposed. The Ayes have it.

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Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 296, Senator Bloom. House Bill 300, Senator Rock. House Bill 314, Senator Karpiel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 314.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

I'm sorry, did you say the committee amendment?...the committee amendment added all municipalities into the bill not just home room...home rule.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpiel moves the adoption of Amendment No. 1 to House Bill 314. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

I would like to withdraw Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment No. 2...Senator Karpiel seeks leave to withdraw Amendment No. 2. Is leave granted? Hearing no objection, leave is granted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Karpiel, for what purpose do you arise?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There was...there was another amendment.

SENATOR KARPIEL:

I should have two Floor amendments there, Amendment No. 2 and...yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We are still on the Order of House Bills 2nd Reading, 314, Amendment No...Committee Amendment No. 1 was adopted...Amendment No. 2 was withdrawn and now we have one other amendment...

SENATOR KARPIEL:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...which...is be offered.

SENATOR KARPIEL:

Would be Amendment No. 2 again. Oh, I see...thank you. Amendment No. 2 then says that a...a distiller, a person or a corporation that has ownership in a distillery and a retail business such as a hotel, motel or restaurant where the prin-

HB 316 2nd Reading

cipal business is not the sale of alcoholic beverages, that such corporation or person can own both...have ownership in both of those entities as long as they do not sell more than ten percent of the liquor sales...from their own distillery or the distillery in which they have ownership. This amendment is brought to me by the Governor's Office. It is approved by Jack Wallenda of the Liquor Commissioner...Commission, the Beer Distributors, the entire industry, I don't know of anyone that has any opposition to the amendment. They have all seen it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpiel moves the adoption of Amendment No. 2 to House Bill 314. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 316, Senator Sangmeister. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 316.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Amendment No. 1 merely changes the retroactive date and brings it up to the date that the bill would become effective if it became law which would be January 1st, 1986. I move

the adoption of the amendment.

PRESIDENT:

All right, Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 316. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 348, Senator Kustra. On the Order of House Bills 2nd Reading, middle of page 54, is House Bill 348. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 348.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 354, Senator Kelly. On the Order of House Bills 2nd Reading is House Bill 354. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 354.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Kelly on Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1...this is on the stun gun, basic-

ally makes House Bill 354 a duplicate of Senate Bill 144 which passed out of this Chamber. It merely prohibits persons under twenty-one from purchasing this weapon and it increases the penalty. Other than that, it's the same bill that we had approved earlier.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Committee Amendment No. 1 to House Bill 354. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. If I can have the attention of the Body, we have a very special guest with us today from Sangamon County and I would ask Senator Davidson to introduce this young lady.

SENATOR DAVIDSON:

Thank you, President Rock. It's my privilege to present to the members of this Senate the Miss Illinois County Fair Queen, Miss Cathy Forgas and I want you people to know that you are now in the land of beauty. Cathy happens to be the third Miss County Fair Queen from Sangamon County. We've had this chance...this queen for the last...three out of the last four years, and it's my great privilege to present to the Illinois Senate Miss Cathy Forgas from Springfield. Cathy.

MISS COUNTY FAIR QUEEN CATHY FORGAS:

(Remarks made by Queen Cathy Forgas)

SENATOR DAVIDSON:

HB394 2nd Reading
HB381 2nd Reading

Thank you, Cathy. I'd like to...also present to the Senate, Mr. Merle Miller, the superintendent of the Illinois State Fair. Merle. Mr. Useman, president of the Illinois Association of County Fairs from Morrison, Illinois. Mr. Useman.

MR. USEMAN:

(Remarks made by Mr. Useman)

SENATOR DAVIDSON:

And also the lady who didn't want to be introduced, the proud mother of the queen, Mrs. Forgas. Thank you, very much, and we'll be looking forward to seeing all of you at your own county fairs and at...also the Illinois State Fair where Cathy will be spending the ten days presiding as the queen and we'll be looking forward to seeing each and every one of you there. Thank you.

PRESIDENT:

All right, back on page 54. Middle of page 54, 381, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 381. Read the bill, Mr Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 381.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 392, Senator Lemke. 394, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 394. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 394.

(Secretary reads title of bill)

HB 513 2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 481, Senator Kelly. 483. 510, Senator Poshard. 513, Senator Poshard. On the Order of House Bills 2nd Reading, top of page 55, is House Bill 513. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 513.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 1.

SENATOR POSHARD:

Thank you, Mr. President. Amendment No. 1 would exclude the building of signs by DOT for the purposes of advertising along interstate highways that are toll highways. Move for...adoption of the amendment.

PRESIDENT:

Senator Poshard has moved the adoption of Amendment No. 1 to House Bill 513. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 514, Senator Kustra. 521, Senator

HB571 2nd Reading

Barkhausen. On the Order of House Bills 2nd Reading is House Bill 521. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 521.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 548, Senator Kustra. 556, Senator Marovitz. 558, Senator Bloom. On the Order of House Bills 2nd Reading is House Bill 558. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 558.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 571, Senator Hall. On the Order of House Bills 2nd Reading is House Bill 571. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 571.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to 571...it provides that no person who is a member of a board of assessors or assessors or a supervisor of assessors or an employer thereof may serve as a hearing officer. Now what happened in St. Clair County, after forty years, they finally had a reassessment and during that time, there were thirty-five thousand complaints. Now, there are only three members of the board of assessors, so they had no way of accommodating all these people, they were standing out in the weather and all; so what they did, they took some people who work in that department and had them sit and take down the complaints. Keep in mind, still the board of assessors had to review these complaints. Now, what happened was that the Revenue Committee, in their wisdom, saw fit to put this amendment on which makes sense, it's to say that these people who are doing this could not work in the board of assessor's office. So, this is a good amendment and I will accept this amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 571. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Watson.

PRESIDENT:

Senator Watson on Amendment No. 2.

SENATOR WATSON:

Thank you, Mr. President. This follows up what Senator

Hall was just talking about in regard to these...these hearing officers, and what we're trying to do is simply say that the hearing officer must have the same qualifications as those individuals who serve on the board of review and those qualifications, of course, would be experience and they have to take an examination and a test. He is quite correct and we certainly support Amendment No. 1, but we think Amendment No. 2 will help clear up any other concerns that might be generated from St. Clair County, and I move for its adoption.

PRESIDENT:

All right, Senator Watson has moved the adoption of Amendment No. 2 to House Bill 571. Discussion? Senator Hall.

SENATOR HALL:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition...this amendment. Now, what has happened is that we never expect to get back into the situation again 'cause we certainly don't expect to go forty years without a reassessment. Now, what Senator Watson's amendment would do would give the people who sit out there and take the complaints the same power as members of the board of review. Now, that county can only afford...we only have three. So, therefore, if we put the qualifications of everyone they had sitting there, then they would become members of the boards of assessment...or the boards of review and there's no way that we can have that. These people simply accommodate the people, take down their complaints, take down all the information but still the three members of the board of review have to act on each and individual case. So, therefore, I move for...that we defeat this amendment.

PRESIDENT:

Question is the adoption of Amendment No. 2. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...thank you, Mr. President. Senator Watson, I really don't think that the amendment is necessary. I...what we are doing now with the committee amendment on is providing for an emergency circumstance. I think Senator Hall has already indicated this and I'm sure the committee would echo it, that we hope that it will never happen again not only in his county but in any other county. If it does, though, you are not going to have the time nor the resources, really, to comply with what I think is implied in your amendment. It seems to me that the most troublesome thing that the bill as originally proposed did was to allow the possibility of, in a sense, a conflict of interest. We have removed that, I believe, by the committee amendment which Senator Hall has now put on and...and I think what you've done is just simply complicate a matter and make it impossible to do what the bill was originally designed to do. So, I would hope that the amendment would not be put on the bill.

PRESIDENT:

All right, question is the adoption of Amendment No. 2. Any further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

No, just roll call. Thank you.

PRESIDENT:

All right, question is the adoption of Amendment No. 2 to House Bill 571. Those in favor of the amendment will vote Aye...I beg your pardon. Oh, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The opion of the Chair, the Noes have it. The amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 574, Senator Netsch. On the Order of House Bills 2nd Reading is House Bill 574. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 574.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

There should be two committee amendments. Well, let me...that may be a little confusing. There were two offered and I'm sure adopted in committee. The first one...both of the committee amendments...

PRESIDENT:

Well, can we...you want to...you want to take it out of the record while they check?

SENATOR NETSCH:

Let's do that and find out.

PRESIDENT:

All right, with leave of the Body, we'll take it out of the record. We'll check. There may have...well have been a clerical error. We'll get back to it. 615, Senator Maitland. On the Order of House Bills 2nd Reading, the bottom of page 55, is House Bill 615. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 615.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 694, Senator Degnan. On the Order of House Bills 2nd Reading, the top of page 56, is House Bill 694. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 694.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 694 is a substantive bill that funds the Cook County State's Attorney Appellate Division. Amendment No. 1 places that process under the jurisdictions of DCCA and reduces the amount involved. I move its adoption.

PRESIDENT:

All right, Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 694. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Senator Lechowicz on 706. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President, I would like to call a caucus immediately in your office.

PRESIDENT:

All right the gentleman has requested a Democratic Caucus immediately in the Office of the President. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

A similar request for the Republicans in Senator Philip's Office.

PRESIDENT:

All right, the Senate will stand in Recess for approximately thirty minutes for a Republican and Democratic Caucus in the office of the leadership, immediately. The Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 380 offered by Senator Macdonald. It's congratulatory.

Senate Resolution 381 offered by Senator Poshard. It's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 382 offered by Senators Kelly, Hudson and Lemke.

PRESIDENT:

Executive. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 76. It's congratulatory. And House Joint Resolution 75 is a death resolution.

PRESIDENT:

Consent Calendar. All right, with leave of the Body, we'll return where we left off, on the Order of House Bills 2nd Reading, the top of page 56. On the Order of House Bills 2nd Reading is House Bill 706. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 706.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Lechowicz, Lemke, Degnan, Marovitz, Zito and Kelly.

PRESIDENT:

Senator Lechowicz on Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would make it illegal to operate, register or maintain...register an...uninsured vehicle or, as plainly understood, the mandatory insurance plan for automobiles in the Illinois. Let me just briefly preface that this subject matter has been before the General Assembly for the past ten years. This subject matter has also passed the House for the past good number of years, it even passed this Body...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, pardon me, Senator Lechowicz. For what purpose do you arise, Senator Jones?

SENATOR JONES:

Mr. President, has this amendment been distributed? I

don't have it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, has...has this amendment been distributed? The...Senator Jones has...all right, the Secretary has indicated that he has the copies here and if we can just get some Pages down here in front, we will momentarily have this amendment distributed. All right, Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

While were waiting for the amendment to be distributed, I'd like to request leave to have immediate consideration on Senate Resolution 382 which was just assigned to the Executive Committee. This is the annual Right-to-Life Respect Week Resolution which has been adopted almost unanimously...by this Body for the last ten years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Kelly, we...were not there yet. If you could just hold that for a few minutes, we will momentarily be to that order of business. I am told now that the amendment has now been distributed. Channel 20 has requested permission to...to tape. Is leave granted? Leave is granted. On the Order of...House Bill 706, Amendment No. 1. Senator Lechowicz, you may proceed.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would provide mandatory automobile insurance to the people of Illinois for any vehicle that is presently operated or registered to make sure that they have a...just a basic, minimum amount of liability coverage in the amount of fifteen to thirty thousand dollars for personal injury and ten thousand dollars for property damage. The Secretary of State would require every person applying for registration will have to sign an...an affirmation that the vehicle being registered is insured and furnish to the Secre-

tary of State the name of the insurance company. Every insurance company upon receiving a premium payment will issue an insurance card to the vehicle owner or leasee making the payment. The form and contents of the insurance card will be...be prescribed by Rosemary Galatians of the Secretary of State. The Secretary of State will investigate applications for registration selected at random to verify the insurance information. Any police officer who stops a vehicle for another traffic violation may request to see the driver's insurance card. If the driver cannot furnish a card, he or she may be ticketed; however, the case will be dismissed if at a court hearing the driver presents evidence that the vehicle was insured at the time the driver was ticketed. The penalties for the first violation would be a three-month suspension of a driver's license and vehicle registration and proof of financial responsibility for the future prior to reinstatement. If the violation involves the operation of an uninsured vehicle, the penalty also includes the minimum two hundred and fifty dollar fine. On a second violation, it would require a six-month suspension and a minimum fine of five hundred dollars. The following vehicles would be exempt: government owned vehicles, vehicles which transport passengers for compensation, for-rent vehicles, vehicles covered by certificates of self-insurance issued by the Department of Insurance and farm vehicles not subject to registration. Vehicles subject to greater liability insurance requirements under State laws will continue to be governed by those laws. Amendment No. 1 to 706 is basically a concept that has been discussed here in great detail. It's a concept that's also been reviewed by most of the major newspapers in this State. It has been endorsed by the Chicago Tribune, the Southern Illinoisan, the Waukegan Times. Papers throughout this State have reviewed the concept of mandatory automobile insurance that is being presented this year in a dual differ-

ent light than it has in the past, and the difference is, how do you prove...how do you prove a person has automobile insurance by the Secretary of State? Under the previous system that was proposed, they thought it'd be too cumbersome and too costly to verify. Under this program, when a person pays his premium, the insurance company issues an insurance card to that individual saying that he has automobile insurance on such and such vehicles and he would be asked to carry that on his person or persons, and in turn,...the verification of that procedure would be up to the individual police officer or the random sampling by the Secretary of State's Office. I believe this concept...if you take a poll of the people of the State of Illinois, nine out of ten people have the...responsible answer in stating that if you have an automobile...you purchase an automobile, you purchase your license plates, you should also purchase the basic, minimum in insurance coverage, and that's what Amendment No. 1 does. It doesn't provide for any exorbitant amount of insurance, its cost...it's asking for fifteen, thirty in liability insurance and ten thousand in medical; and I believe it provides for the safeguards that have been requested both by the Secretary of State and, yes, by the membership of both bodies of the General Assembly in protecting the motoring public in making sure that everybody who has an automobile in Illinois would comply as they have in thirty-two other states where mandatory insurance is on the books. Thirty-two other states have this law in effect, and I've heard the Nay sayers say, well, that won't reduce you insurance premiums. Yes, it will and it will from the standpoint that everybody will have insurance...I believe it will also make sure that if you are involved in an accident, you don't have to go against your own insurance company on uninsured motorist provisions. There may be some adjustment in rates, but I think in fairness and in equity this concept, this law, is long overdue in Illi-

nois. I'll be more than happy to answer any questions at this time, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we have several speakers but before we get into that, WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. I have the following speakers thus far, Rupp, Lemke, Collins and Kelly. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Basically, in addition to the bill being one which does not have too much merit, this is another attempt, I think, to circumvent our committee system. Committee Chairman Jones set a specific time to accommodate some of the folks interested in this bill. It's my understanding that they didn't even give the courtesy to show up, did not give the courtesy to Chairman Jones that they were not going to show up. The sponsor of the bill didn't show up. As a result, the...the schedule that Senator Jones had arranged was disturbed. We did not have enough bills that day to handle when we thought we had time...were giving time for this particular bill. The bill did have two hearings and I think the chairman should be commended for his tact and patience in handling the circumstances at that time. Our esteemed Secretary of State has come out...and in the local paper I saw one indication where he said that appearing before our Insurance Committee characterized by Senator Edgar as the biggest stacked deck you can go against. I think he should recognize a big stacked deck like that on a committee thing because he appeared before the Senate...the House committee...and the House committee in order to get this bill out last year, five members who were going to vote No on this bill were taken off the House Committee; this year, three members were taken off the House committee because it was known they were going to vote No. That's the only way they

got this bill out and I think toying in...in that aroma, as far as any bill is concerned, to me is enough to make it a No vote. One of the things I think that should be pointed out is that this bill is...the claims that are being made for it...evidently are not quite...they're not convinced themselves because the bill itself requires that all the policies that are still issued have an amendment in there or coverage for uninsured motorist. They're still going to require you to carry the uninsured motorist. It shows that they themselves, I believe, do not have too much confidence. Secretary of State Edgar in a TV broadcast indicated that there were twenty percent plus uninsured motorists in the State of Illinois and that if they could get it down to a ten percent figure, that would be his goal, that would be his ideal. Well, we have some figures too and those figures came from the Department of Transportation and they are the ones that get the records of the accidents, and low and behold, we are already...we already have met our goal that we're four hundred and sixty some odd thousand accidents of which forty-nine thousand were deemed and certified as uninsured, that's 10.6. If we already have our goal, I wonder why we're going to go through all this procedure in order to make the change. I do...I think and this is a very personal note and I'm sorry to say it, but most of you people on this Floor have come to me and ask me for a vote at one time or other. I very seldom have come back to you people. I'm coming now and in that regard, I ask for a No vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The following speakers have also been added, Hall, Chew, Jones and Schuneman. We will begin to use the timer. Senator Lemke.

SENATOR LEMKE:

I rise in...I rise in support of this amendment. It's a very simple amendment. It says to the people in the State of

Illinois that if you want to drive an automobile, which we construe as a privilege, you must have financial responsibility. The people that are paying the premiums in my area are tired of seeing...getting hit by people that are not insured. This is...this bill ends the free lunch in Illinois. If you want to drive, then you must be responsible and come up with the cash. You can put up your bond...you don't have to buy insurance, you can be self-insured if you want to, but this says one simple thing...sure, we have uninsured motorist and underinsured motorist, but what about the little lady that doesn't have an automobile in her house? She doesn't have any coverage and I had this happen to my late mother when she was hit. She ended up paying something like fifteen thousand dollars in medical bills and there was no insurance. It's too bad, but she couldn't come under any other coverage of an automobile and there was no way she could collect on her uninsured motorist. These people are there and they're...most of them are our senior citizens that...have this mishap. I think it's time now to pass this bill, and as far as raising in premiums, there's still going to be the same number of drivers in Illinois and the insurance premiums are based on the number of drivers not on the number of insureds, and I'd ask for an Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. A question of the sponsor of the bill, and...are you the sponsor of the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor of the amendment? Senator Collins.

SENATOR COLLINS:

No, I...I'm interested in the sponsor of the bill because I...I want to know...I...I thought that I had an opportunity to prepare an amendment for this bill and I see that

the...the sponsor is moving forward and I just...would like to know whether or not I would have an opportunity to put the...the equalization amendment on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the...the Calendar, in fact, does indicate that Senator Lechowicz and Senator Lemke are the sponsors. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. The lady mentioned the same provision in the caucus and at that time I responded. I have no objection in supporting her concept in a bill. This bill has been on the Calendar. I've filed the amendment with the Clerk, I think it was last Friday and I don't intend on holding this bill anymore or putting anything else on it. I'll be more than happy to support your endeavor on a different piece of legislation. I think it's a separate issue and should be discussed as such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well, thank you, Mr. President and members of the Senate. I rise...in very strong opposition to this amendment. I...I realize what the sponsor is trying to do and I realize that the concept of mandatory insurance is not an all bad concept; however, we cannot sit here and pretend that the problem is...will be resolved in relationships to insurance...automobile insurance once we make it complusory in the State of Illinois. Now, I realize that we...there have been a lot of publicity and...and a lot of media support for this piece of legislation; unfortunate, the media don't always look at problems in depth. If we proceed without having the equalization amendment so that people can across this State obtain insurance at fair rates, then we would have done a disservice to a substantial amount...number...of the popu-

lation of State of Illinois and we would most certainly compound the unemployment problem, because there are many people who have to rely on their automobiles as a means of transportation. None of us here could, in fact, support people driving automobiles and having accidents, destroying people's property and people's lives without adequate automobile insurance protection. I would like to see that protection as well as anyone else here, but at the same time, if that protection is going to exist, then people should have equal and fair access to automobile insurance. The amendment that I would like offer would provide for that protection and I think that we should defeat this bill...this amendment until such time that we're willing to do that, and I...I, too, don't ask for very much, but this is one thing that probably is one of the most important issues to me down here and if you want my cooperation and votes, I say, vote against this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I also rise to support Senator Lechowicz on his amendment, and I took a survey up about two months ago on this issue and it indicated that more than eighty percent of my constituents favor mandatory insurance, and I think the principal benefits from this program are that it'll build character. It'll help to eliminate a lot of the careless attitude that's out in the streets right now when you drive your...your vehicle. It'll help to teach respect for other motorists, and so what if it costs more money in premium rates, I don't think it will, but if it does cost a little more, that won't have any...any big impact on it because I think the people are aware that they want this, not only in Illinois but across the nation, and I just...commend Senator Lechowicz for sponsoring this and urge

your support of his amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Before I speak to the bill, I would ask if the sponsor might yield to a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Yeah. Senator Lechowicz, are you amenable if this does get on to bring the bill back so that I may place an amendment on it or attempt to place an amendment on it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'll be more than happy to look at the amendment at the appropriate time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

If I've ever heard something that was not a complete answer, I...I...I asked you a question. Are you, I'll repeat, amenable to bring the bill back to 2nd reading so that I may attempt to place an amendment on the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, AP has requested leave to photograph. Is leave granted? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I thought I answered the question and maybe you didn't understand me and it's maybe my fault. Based upon what the amendment does, I would...make that determination whether to bring it back from 3rd to 2nd at that time. I can't tell you exact...I don't know what

your amendment intends on doing or what it does, and to ask me that type of question, I don't believe it's even germane now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

My amendment is simply this, that we have an equalization clause put in the...that's what I want to talk to you about. That's what I had. Now, I want to know yes or no on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz.

SENATOR LECHOWICZ:

It's basically the same question that Senator Collins asked me. I told her I would support that concept in a bill but not as an amendment to this bill. My answer would be no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, your time has almost expired. Senator Hall.

SENATOR HALL:

May I have a little quite, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Senator Hall.

SENATOR HALL:

This is going to be a travesty to place an amendment like this on here and where...if you do not have that, that means that in may areas throughout this State that people will not be able to get proper insurance from some of the major companies. There's locations in this State where...that many of those companies have moved out. That forces other people to go to substandard companies, they pay a very high rate of principle, these are usually people on the low rung of the ladder that kind of...it's easy to say what about...if the premiums are higher. Yes, if you got money, but the thing is in this great State, and even in this great country, we're

supposed to be looking out for the welfare of not just a few, we're supposed to be looking out for the welfare of all. Mandatory insurance, great, but if it doesn't apply to all people equal, then it's not. This is a bad amendment, it should not go on; and what I'm simply saying and if you heard what the sponsor is saying right here now, I wanted to know and he has not...he says that if he doesn't like what the amendment says, he will not bring the bill back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR HALL:

It's common courtesy around here to always...if a person has an amendment, if he has enough votes to put the amendment on, I'm sure you'd have enough votes to defeat the amendment, but at this time with the high rate and what people are paying throughout this State, many of them are paying four and five times what other people who move into your city, in and out, work in there, live out in other areas and their rate is one-fourth as high as you when their cars are in your city all the time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, can you bring you remarks to a close please?

SENATOR HALL:

I very seldom take any time up here, Mr....Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm attempting to be fair to all.

SENATOR HALL:

..and what simply saying, this is a very, very important issue here and it should be given a consideration that this is not the proper way to go. If we're going to do this, it should be where it affects all people equally throughout this entire State. I urge a No vote on Amendment 1 to House Bill 706.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen, we have six additional speakers. We have...a long way to go today, so...Senator Chew.

SENATOR CHEW:

Thank you, Mr. President, maybe I can make up for all six. Senator Jones, don't get upset about the committee system. The first year I was here, I found out that the committee system was for the privileged and you don't fit under that category. People with power get what they want with or without a committee system. The committee system is merely a time-taker and to have you parade yourself around as its chairman to only...be defeated on things that were fairly heard that you felt were dead. So don't get excited about that, just try to pass the kind of legislation you can and that that you can't, don't lose any sleep on it; because unless you belong to the privileged few, you are basically a nonentity. Now I would suggest to Governor Thompson who is supportive of mandatory insurance that I would gladly support the concept and the amendment if he were to issue an Executive Order equalizing the rates in the State of Illinois. So if you lived in a zip code that was twenty in Chicago or one that was 606 or 706 in Springfield that we would have the right to purchase insurance at the same rate. Apparently the Governor has not allowed this to come into his memory because maybe no one has brought it to his attention. Well, now, Governor, you know why I do not support the amendment is because you, as chief executive of this State, has not seen fit to get these insurance companies in line and for me who live in Chicago would have the same rate that you who might live in Springfield. Now, I don't have any qualms with

the sponsor of the bill or the amendment that he's attempting to put on the bill, that's his right, I have no problems with that. I have no problems with you not holding the bill. You are a supporter of the amendment, I'm not, but I have no qualms with that. All I ask of you and each one of us that share in this building that would consider how discriminatory insurance is today and to consider how discriminatory it will be on a forced issue once this becomes law. And I would ask you, as my fellow legislators, to once in your life consider the kind of disaster it's going to mean for some of the persons that cannot afford that excessive premium that will be placed on them...once this amendment becomes a part of the bill and the bill is signed into law. You will continue to pay your uninsured premium because this kind of legislation can never be enforced. The Secretary of State who is a very good friend of mine, I support most of his legislation, I have no problems with that, but he knows it cannot be enforced, we know it cannot be enforced. If it's a help for someone politically, sobeit, I have no problems with that. All I ask of you is to consider how whopsided the premiums are going to be and how you going to drive some people who would like to have insurance completely on the ground and they will drive those cars and suffer the consequences. We've all had accidents so it's no...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR CHEW:

...privilege to have an accident, nor do you fit in a special class.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Chew, can you bring your remarks to a close, please.

SENATOR CHEW:

Yes, I will. But the point is, when we have accidents we

want those persons involved to be insured, but how can you ask one person to pay a five hundred dollar premium for the same amount of insurance and the other person to pay a two hundred dollar premium? Mr. Governor, I beg of thee to issue that order and equalize these premiums, and I'll support the concept and I'll support the bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. It's interesting to me that this...that this discussion on the bill has already taken a turn that I predicted would not happen for a year or so. What we're hearing is a demand that we equalize rates in Illinois. Now if you live in suburban Cook County or in one of the counter...counties or in downstate Illinois, I...I suggest to you that your constituents would not be very happy if you equalized rates in Illinois. If this bill passes, this is the kind of complaint that we're going to hear for the next ten years. The argument will be, the State says we must have insurance; therefore, the State must make it affordable. Now there are people on this Floor who agree with that concept and I understand why you do, but the fact of the matter is that the great majority of people that the rest of us represent do not live in those areas where accidents are with such high frequency and where claims are so high. We don't want to pay...we don't want to pay for your bills but that will be the next shoe to drop if this bill passes. Now the argument has been made that since other states have mandatory insurance, somehow we ought to have it here in Illinois. If you'll check with those states you'll find that not everybody in those states has insurance. There is no foolproof mandatory insurance law anywhere in this nation. There are people running around in everyone of those states without insurance and there will be in Illinois.

There will still be uninsured drivers in Illinois. So for the responsible driver who now buys insurance and trys to protect the public, what's the effect going to be on him? We'll, first of all, he's not going to be able to drop any of his current uninsured or underinsured motorist coverage. He has to have that coverage to protect himself, because the guy who hits him is not guaranteed to be insured under any of these bills. So he will not reduce his premium. The other thing that's going to happen is that there are some people who are uninsured now who probably are uninsurable; they really have terrible driving records and any insurance company that insures them is going to have an increase in losses. Those losses are going to be spread over all the policies that those companies write in the State of Illinois. That's how your premium is going to go up under this provision. I suggest to you that...I remember a number of years ago our friend Bernie Epton commented about a bill that was being heard in the House that he and I both thought were sort of...was sort of ridiculous, and he made a statement to me that I always remembered; and he said, you know, when it comes to insurance legislation, it's a whole lot more fun if you don't know anything about the subject. And I suggest to you that that's exactly the position that most of us are put in here today. We know that people support the idea that other folks ought to be responsible. Senator Lemke said that all this bill does is require that people have...financial responsibility. Well, we've already got a law that says that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, can you bring your remarks to a close, please.

SENATOR SCHUNEMAN:

...and the Governor and the Secretary of State under both Walker and Dixon and Thompson and Edgar, nobody has done a very good job of enforcing that law. So...we're going to be

right back in the situation of having another law which won't be enforced and won't work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? New lineup, Jones, Marovitz, Kustra, Berman and Newhouse. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. In response to my esteemed colleague, Senator Chew, let it be said that I know how the...the privileged few get what they want...only way...only way they get what they want is we give it to them. And if the...if the privileged few is going to take these means, then the privileged few would not get what they want because they would not be in power to do so. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR JONES:

Senator Lechowicz,...on your compulsory mandated insurance...amendment, do your bill compel insurance companies to write insurance in all sections of the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, it doesn't address that question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...on page 9 of the bill, line 12, you indicate in your amendment that...any person who owns a vehicle or any person operating the vehicle. If I were to drive your car and I didn't have proof that you had insurance, what would happen to me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Mr...Senator Jones, page 9, line 12, reads as follows, "Proof of...proof of insurance shall be carried in the vehicle or by the person operating the vehicle and shall be displayed upon request by any law enforcement officer wearing a uniform or displaying a badge or other sign of authority." And, basically, if you...then they...if you did not carry...or not have your...proper form, your insurance card with you, you'd...be issued a ticket. And if you...if you went into court and you had your insurance card and proved that...the automobile was insured, the matter would be dismissed. If you were proven guilty, for the first offense you'd...your license would be suspended for three months and could possibly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...wait a minute. Senator Jones...

SENATOR LECHOWICZ:

...get a two hundred and fifty dollar fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Jones, for what purpose do you arise?

SENATOR JONES:

Senator, that's not the question that I asked you. The question that I asked you, it was...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, state your point.

SENATOR LECHOWICZ:

Point of order, Mr. President. You...Senator Jones, you mentioned page 9, line 12 of the amendment, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Let me restate the question. If I were driving a vehicle that did not belong to me...and I was stopped by a police officer and asked me to show proof of insurance and...and the

person that's the owner of the vehicle did not give me such or did not have it placed in the car, would I receive a citation as such?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, you would.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Okay, back to the amendment and...as it relate to this bill. Number one, the previous speaker had pointed out the ills as they relate to this amendment. The concept may sound good, but as this bill is drafted, it's unworkable. Insurance rates as far as liability insurance should be based on one's driving record not on the location where they reside. Any resident of the City of Chicago, for example, witnessed the heavy volume of traffic that is poured into the city be it the Eden's, be it the Eisenhower, be it the Stevenson, be it the Dan Ryan Expressway pour into the city. That heavy increase of traffic increases the probability of accidents. They live out of the city, the people are penalized as such. Your constituency, Senator Lechowicz, rates would go up as a result of this and they should not be penalized. The Senate President just because he lives in Oak Park but works in Chicago and drives in Chicago and increases the probability of accidents will not be penalized but the people in the city would be penalized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, can you bring your remarks to a close, please.

SENATOR JONES:

Under the previous amendment on the original bill, House Bill 800, you had a criminal penalty for a person's not show-

ing proof of liability insurance. I have never seen such a severe penalty. I don't believe you have the same penalty for a person that's convicted of drunk driving for the first offense, be that a criminal penalty. There is no way under God's green earth that this bill can work. You already stated that the insurance companies will not be compelled to write insurance throughout the State of Illinois. All this bill would do is give those second- and third-rate gyp companies an opportunity to rob and rape the poor citizens of this State just for the sake of a dollar, and we on this side of the aisle who always express concern for the people intend to put this type of legislation out. It is disgusting, it should never been heard and I praise the President of the Senate for not doing what they did in the House because the bill would never got out of the House committee had not members have been taken off the committee but the Senate President would not permit such an act, give him compliments for that; but by the same token, this is disgusting legislation, it is not in the best interest of the people, and it should be resoundly defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, as the chief sponsor of this bill in the Senate, House Bill 800, I have no problem with the...with the hearing that I got in...in the committee, no problem whatsoever, I have no complaints about that, and I...I mentioned to people and made it very public that this issue would come before the Body by an amendment to another bill. This issue has been around a long time. If other members of this Body wanted to correct this bill, wanted to offer an amendment, including the chairman of the committee, this issue has been around for years. And to come before this Body and say,

well, this isn't the form that the bill should be in, that's hypocrisy, this...this bill has been around for years. Draft it the way you want it, offer it to the Body, that's what's being done today. I haven't seen it being drafted by the chairman of the committee or anybody else. Well, this is the way the bill is here, we vote it up or down. That's the way the committee system works. I've seen a lot of bills come before this Body by amendment and by Conference Committee, important issues, medical malpractice, Build Illinois, education reform, by amendment, by Conference Committee. Just because it doesn't come out of the committee the pristine way, that has nothing to do with it, that's the process that we're involved in. This is an issue that's very involved and very important to all the people of the State of Illinois, not just the media. But this is about the citizens who care about this issue. The polls have said that over ninety percent of the people in the State of Illinois were for this issue. As far as enforcement goes, today, if anyone of us wanted to go get a driver's license, we would have to go get a driver's license and drive. If we didn't want to get a driver's license and we wanted to drive an automobile without a driver's license, anybody in the State of Illinois could drive a car without a driver's license until you get caught, until you get caught. Okay? As far as enforcement goes, there will be random sampling; you'll be checked when you get stopped for a driving violation or for a automobile accident. Thirty-two other states have this legislation, none of those states have repealed their mandatory insurance laws, it's on the books. The insurance companies will tell you that the rates are going to increase. Ladies and gentlemen, the day after this bill got turned down in committee, the insurance rates increased in this State regardless of this bill. So to say that the insurance rates are going to increase if you pass this, that's a specious argument. Insurance rates for

automobile insurance have been going up with or without...mandatory automobile insurance. If people can afford the cost of a car, the cost of upkeep of a car, the cost of putting gasoline in a car, then they can certainly afford the minimum cost to make sure that they have insurance and that everyone else in the State of Illinois is safe and secure. No one is going to say and I'm not going to stand up here and say that this bill is going to get rid of all the one million or half a million uninsured motorists in the State of Illinois, that isn't going to happen, that's definitely not going to happen. But the fact is, it's going to make a dent. In Oregon it got rid of fifty percent of the people. It's going to get rid of a substantial number of uninsured motorists in the State of Illinois, and if it makes a dent and gets rid of a substantial number of uninsured motorists in the State of Illinois, isn't that what we're all about? Isn't that what this is all about? Ladies and gentlemen, this roll call is very important to the people of the State of Illinois, and I think it's part of the legislative process that an issue of great import, over ninety percent favorable in the State of Illinois, comes to the full Body and that people take a stand, yes or no, and that they...that the voters can take a look at the roll call and act accordingly. I would solicit an Aye vote for this very important bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have Senators Kustra, Berman, Maitland, Geo-Karis, Collins for a second time, and Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. After that list of names that you read off, I would like to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved the pre-

vious...Senator...I'm sorry, Senator Rupp was also on the list. All right. Senator Vadalabene has moved the previous question with the names of those that the Chair has already read off. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The question has been...Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I'll try not to take too much time. I...I do think that Senator Schuneman, who spoke two or three speakers ago, summed up just about everything that I wanted to say. I...I would comment, however, on...on one aspect of this year's debate that I've noticed. In past years as we've debated this issue, it seems like those of us for and those of us against this issue have pretty much taken a stand based on what we thought were the merits of the bill, whether we thought the particular piece of legislation was going to work. This year what I am hearing more than ever before as I talk to individual members in the Senate and in the House is, well, my people back home want it to the tune of seventy-five percent, eighty percent of my folks want it, ninety percent of the polls say we ought to go for it. We've really reduced this issue to government by public opinion poll. And of all the issues which we discuss on the Floor of this Body, I'm convinced that this is one that simply cannot be reduced to that one-line question you send to the folks back home. I, like you, want to reflect my constituents' views, but I'm confident that if they were sitting here with the kind of information that I have, they simply couldn't see how this bill amounts to anything other than poor public policy. They don't see, for example, when you send your questionnaire back home, the experience in other states, that in 1957, 1957 the State of New York, which is an urban industrial state not unlike our own, adopted uninsured motorist protection. At

that time the percentage of motorists in New York was six percent driving without insurance coverage; it's up to twelve percent in 1984 after twenty-eight years of their trying to tinker with the law. The folks back home do not know that they will still need uninsured motorist protection and I think that's important because a lot of my people tell me that they don't like to pay that. Well, they're still going to need it under this bill, folks, because there's still going to be X number of people out there who won't be insured; so if you want to make sure that you're protected from them, you still need the uninsured motorist protection in addition, of course, to the increased insurance rates which I'm confident, in my neck of the woods anyway, suburban Cook County, we're going to pay. They fail to mention the inability of the State to enforce the existing Financial Responsibility Law. If we can't enforce that law, how are we going to turn around and enforce some newfangled law? The bottom line is that this bill isn't going to work. I am confident that I can construct a three-paragraph letter to my constituents and justify my...voting No on this bill and I'd be glad to help you out with that letter if you'd vote No. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WEEK-TV, Channel 25, Kelly Morgan, has requested permission to videotape. Is leave granted? Leave is granted. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hope that you all listened carefully to Senator Schuneman and Kustra who have stated most of what I was going to say. Let me move on, however, and say that for all the years I've been here, and it's now seventeen, this bill has been up before committees that I have sat on almost every year and I have consistently voted No. I am sure if I went

out on the corners of my district and asked the people how they want it, if I ask them should there be compulsory insurance and everybody carry insurance, there is no doubt, over ninety percent, probably a hundred percent would say yes. If you gave them an honest question and said, are you willing to pay more so that somebody else has insurance, that satistic would drop dramatically, below fifty percent, I believe. The concept of insurance says this, the larger the...the group that you are insuring that has an adverse experience, the more you're going to have to pay for your insurance. Compulsory insurance is going to, by definition, include a less desirable risk element. High risk people are going to have to be included in that pool. That means all of you and me and all of our responsible citizen voters are going to have to pay more because we pass this bill. I don't think they're willing to do that. Number two, you're only mandating a fifteen thousand dollar coverage. This is economically discriminatory, let me tell you why. If you look at your own policy, and I've looked at mine, I carry, with a good insurance company, uninsured motorist coverage. I get three hundred thousand dollars of protection against an uninsured motorist that hits me. Three hundred thousand dollars coverage costs me thirty dollars a year, that's ten cents per thousand dollars it costs me. And everybody agrees you can't drop that even if I pass the bill. It only costs me ten cents per thousand. For the guy that's going to have to go out and buy this coverage with substandard companies, the minimum cost to him for only fifteen thousand dollars coverage in Chicago is going to be about a hundred and fifty dollars. It means it's going to cost them ten dollars a thousand for what it only costs me ten cents a thousand, that's not fair. And if it's not fair and it doesn't help the financially responsible people and it doesn't help the people that want to get fair responsive claim action and

they're willing to pay only ten cents a thousand for that, then this bill doesn't make sense. I agree with Senator Kustra and I agree with Senator Schuneman, every once in a while we are asked to take a tough political vote. A tough political vote means that we, upon our deliberations, have learned more about the issue than our voters do back home. That's this kind of bill. I suggest that you do what is politically courageous and economically correct, vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. One of the things that I've learned since I've been down here is from time to time we tend to do those things that we think are popular back home. I think Senators Berman, Schuneman and Kustra have really clearly given most of my speech. But I really...I really resent the fact that we use the...the questionnaire as that criteria by which we determine how we vote, especially on an issue like this. I am confident, too, as the other Senators have already alluded to the fact, that...that if we...we use that criterion and...and base our voting on that...on that...on that criterion, then, in fact, we are not doing judgment to our constituents. The fact of the matter is, here we have access to many more facts and figures with respect to this...this issue. I am confident that after I vote No on this bill and hopefully the bill is...is killed, I can go back to my constituency and proudly say to them, yes, I know, many of you think we should have mandatory insurance in illinois; yes, many of you think everyone should have insurance in Illinois, I think so too, but this is not the way to do it. Ladies and Gentlemen of the Senate, I...I strongly urge you to oppose Amendment No. 1 to House Bill 706. All right. Further discussion? Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis. 6tf

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse, I would like to point out that the question...previous question has already been...raised. Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, I heard complaints that people were removed from the committee because they were against mandatory liability insurance. Well, I was removed from the committee because I had voted for it and that was a few years ago. I have been consistently in favor of mandatory liability insurance...automobile insurance, and let me give you one example. The people who are conscientious and who have a car that is maybe ten years old and they can't get any more coverage on their policy except public liability and property damage insurance but they're conscientious enough to carry it in case they hurt someone or...damage someone else's property, and then somebody smashes into them and makes their car a total wreck and their car is worth very little because in today's market it's a ten year old car. Are we thinking about those people? Let me give you another example, financial responsibility. I think the Secretary of State has done a good job with the financial responsibility law but the financial responsibility law only starts taking place when somebody hits another person and doesn't have insurance. Now, let me give you a third example. Supposing that somebody hits you and doesn't have insurance and suppose that you don't have insurance too, what happens? And, but...but supposing...if you don't have insurance and you're innocent, you still have to...financial responsibility, that wouldn't be fair either. I think this

bill is a step in the right direction and we have had here cited that there are states that haven't had success. Well, New York has had it since 1955, they still have it and friends of mine from New York have said to me, how come you don't have it? There are states in the south that have had it and they've experimented and they've improved it, and I think if we give this bill a chance for four years, we can see what the bugs are. I...I would say that it's high time to respect our constituency. And I can tell you my constituency, I have talked to them and said, it would raise your premiums; they say...they say, go ahead and raise them, at least we'll feel protected. I...speak in favor of the bill and I think it's a step in the right direction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rupp, for a second time.

SENATOR RUPP:

Yeah, thank you, Mr. President. With the permission of the President, I would like to yield to Senator Newhouse since I have had one chance already at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, there's been a request that Senator Rupp leave...yield to Senator Newhouse. Is leave granted? Leave is granted. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I desperately tried to stay out of this; you know my light went on, then my light went off, but there's one aspect of this I think does need to come out. Senator Schuneman, you hit it right on the head. If insurance...if the insurance theory is spreading the risk, then what we have instead of that is confining the risk in certain areas, and let me tell you what happens. In the City of Chicago, for example, the police live on the southwest side and the northwest side. The rates go up because people

steal automobiles and steal equipment. They don't steal them on the northwest side and the southwest side, they steal them whereever cops ain't, that's the logic one. And as a matter of fact, in certain areas, if you know the right people, you know how to get your automobile back. I have yet to hear a single insurance company insist that that kind of nonsense be rectified so that rates can be spread equitably. Yes, that is an issue. What you do is, when you have a large number of accidents at an intersection, you put up a stop light and you cut down on the numbers. Similarly, we could cut down on the loss ratio if we did something logical about what happens with theft rates, if we did something logical about what happens with accidents. The accidents in the City of Chicago aren't all accidents caused by those residents. Come there any day at eight o'clock in the morning and watch the cars pouring in off the super highways getting into the loop. Then go back at five o'clock and look at them pouring back out of the loop. That's the loss kind of ratio that we're having trouble with. It's unfair not to say this and not to have that exposed as part of the problem. If the rates were spread equitably, then Senator Collins would not be paying three times the premium that she would pay if she lived right across the street. It's insane, and because of that, to talk about mandatory insurance is completely unfair until and unless we address those inequities. Thank you for the time, Senator Rupp, I think this had to be said for us to get some kind of rational fix on what it is we're going to do. I oppose this bill and I would suggest everybody ought to oppose it simply on a fairness basis. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I do appreciate the fact that there has been a lot of discussion on the issue of mandatory automobile insurance on this Floor; and, yes, it's been discussed previously for the past ten years and it's passed both Chambers at one time or another, but this...the difference this time is that there are thirty-two other states that have mandatory insurance. Mandatory insurance and no-fault is contained in the State of Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Dakota, Oregon, Pennsylvania, South Carolina and Utah. Now mandatory insurance alone is...mandated in the states of Arizona, California, Idaho, Indiana, Louisiana, Montana, Nevada, North Carolina, Oklahoma, Texas, West Virginia and Wyoming. Only eighteen states do not have this provision. Now is Illinois an exception? Is Illinois super special? Senator Schuneman pointed out as far as the compliance...of mandatory insurance...laws are made so that the majority of the people, hopefully, all the people will comply with the law. We passed a fifty-five mile an hour speed limit in this State based upon a Federal recommendation, and yes, it was very unpopular. And what other provisions; we have a Traffic Code which complies, if you break the speed limit within increments, certain...certain dispositions or fines are imposed upon the driving public. Same thing with this, but the Secretary and the Governor and the people that worked on this concept came in with a provision where it would be instead of a monetary fine only the possibility of a three-month suspension on the first offense is a very good reasoning point at getting people's attention to comply with this law. And if you continue to drive and are apprehended a second time, a six-month provision of...your driver's suspension is a very adequate way of getting your attention; and if

that doesn't, they can impose a fine up to five hundred dollars. I think that's the difference. May I also point out to you, another gentleman on the other side pointed out the number of insured cars in this State...or uninsured, and the information that I received from the Department of Insurance is that there are approximately five million eight hundred thousand cars registered in this State, approximately one million two hundred thousand registered trucks and buses...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, would you bring your remarks to a close.

SENATOR LECHOWICZ:

...of that figure, one million are uninsured. That is the question, and that is the question that's been...addressed not only in this Chamber but by every one of the newspapers throughout this State; Southern Illinoisan, "Auto Insurance, Basic Responsibility;" Chicago Tribune, "Getting at the Deadbeats;" Waukegan, Sun Times...the New...New Times, "Mandatory Insurance, in Favor Of;" Elgin, Daily Courier,..."Mandatory Insurance, Legislation is Needed;" Beacon News, "Editorial Speaking;" Our Views, Danville, "Drive the Car, Pay the Freight;" "Mandatory Insurance, Legislation...Needed." These are the questions before you. It is not a City of Chicago issue or a suburban issue or a downstate issue, it's a State of Illinois issue whether we...we're going to be in compliance with twenty-two other states and making it a responsibility. That's the issue and that's why I offer Amendment No. 1. Encourage your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 706. Those in favor indicate by saying Aye. Opposed Nay. Senator Lechowicz has requested a roll call. Senator Lechowicz moves the adoption of Amend-

ment No. 1 to House Bill 706. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 28, 1 voting Present. Amendment No. 1 fails. Further amendments? Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Verify the negative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has requested a verification of the negative votes. Will all the members be in their seats. The Secretary will read the negative...the negative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Berman, Chew, Coffey, Collins, D'Arco, Demuzio, Donahue, Dunn, Hall, Hudson, Jones, Jerome Joyce, Karpiel, Kustra, Luft, Macdonald, Maitland, Nedza, Newhouse, Philip, Rigney, Rupp, Sangmeister, Schaffer, Schuneman, Smith, Watson, Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, do you...question the...anyone who has voted in the negative?

SENATOR LECHOWICZ:

Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson on the Floor? Senator Hudson on the Floor? Strike his name. Senator Lechowicz.

SENATOR LECHOWICZ:

Senator Weaver is...I think it's Bloom sitting in front of him. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver is in his seat.

SENATOR LECHOWICZ:

Thank you...Hudson is back?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson is back on the Floor, so restore his name. Senator Lechowicz.

SENATOR LECHOWICZ:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco on the Floor? Is Senator D'Arco on the Floor? Strike his name.

SENATOR LECHOWICZ:

Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on the Floor? Senator Kustra is on the Republican side.

SENATOR LECHOWICZ:

I have no further questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary. All right. On that question, there are 26 Affirmatives, 27 Nays, 1 voting Present. The Amendment...Amendment No. 1 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

I'd like permission to withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rupp withdraws Amendment No. 2. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 777, Senator Sangmeister. 793, Senator Luft. Senator Vadalabene, for what purpose do you

have your light on? All right. 805...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Yes, thank you, Mr. President. As you know, there was a cake placed down by the press box on our side of the aisle yesterday. Well, there's another cake here today, and...it's not my birthday again, it's just that...some...yesterday Jerry Shea baked me a cake and today somebody else did and so you're all welcome to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

In other words, something is happening. 805, Senator Karpiel. 882, Senator Kelly. House bills 2nd reading is House Bill 882, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 882.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This amendment is merely a clarifying amendment. It only identifies that the State political committee with voter dated tapes will only provide the information only if it's requested. It also provides for a reasonable fee if...if these tapes are requested from the State board. Other than that, I would move for your approval and ask for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly moves the adoption of Amendment No. 1 to House Bill 882. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

HB957
2nd reading

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 900, Senator Netsch. 935, Senator Fawell. 957, Senator Lechowicz. House bills 2nd reading is House Bill 957, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 957.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1000, Senator Joyce. 1000. 1020, Senator Jeremiah Joyce. Page 57, 1027, Senator Welch. 1042, Senator Bloom. House bills 2nd reading is House Bill 1042, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1042.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1102, Senator Lemke. Well, we're on the Order of 2nd Reading and that's the amendment stages. House

HB 1104 2nd Reading

Bill 1102, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1102.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Well, just hold that there. I think Senator Nedza has an amendment that he filed. I don't know where he's at. Where did Nedza go?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary,...do you have an amendment? All right. With leave of the Body, we'll take it out of the record. Is leave granted? Leave is granted. Take it out of the record. 1104, Senator Netsch. House bills 2nd reading, House Bill 1104, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1104.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Oh, yes, I'm sorry, I'd forgotten about the committee amendment. The...the bill deals with the procedures when supervisors of election are to be elected. It was not clear that...that we were not thereby authorizing it to happen under circumstances not otherwise provided for, that was cer-

HB 1109
2nd reading

tainly not our intention. And this is designed to make it clear that we are dealing only with the procedures when by other rules of law it is determined that the supervisors are to be elected. I would move the adoption of Amendment No. 1 to House Bill 1104.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1104. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry...any...any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1109, Senator Jerome Joyce. House bills 2nd reading is House Bill 1109, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1109.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz is not on the Floor. Senator...Senator Joyce, do you wish to handle...Senator Lechowicz on the Floor? Well, it's a Floor amendment. Senator Lechowicz is not on the Floor. Why don't we...all right...I am told he is enroute. All right. Senator Lechowicz on Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I am sorry for the delay. Amendment No. 1 on House Bill 1109 would change the number of dates from...number of days required from thirty-five to twenty-eight. This amendment was requested by the Chicago Board of Election Commissioners and also our county clerk, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 1109. Is there any discussion? Senator Jerome Joyce.

SENATOR JOYCE:

Yes, thank you, Mr. President. I was...I would oppose this amendment. What it...I want the...the...everyone to have until twenty-eight days before the election, the deputy registrars as well as the county clerks and everyone else to be able to register people. What has happened is that there is a lot of confusion in many of our counties across this State where the deputy registrars can only...register people thirty-five days...up to thirty-five days before the election and the county clerks can register them twenty-eight days before the election. And I would like that moved so that everything is...even and everybody gets to register people until twenty-eight days before the election. There was a lot of confusion in our areas and people were registering voters and then turned in the cards and...and...and found out that they could not...those people could not vote. And I think this would clear up the confusion. Consequently, I oppose this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President. Basically, that may be fine as

far as if you've got a small election jurisdiction. But I can attest to you personally in reference to the City of Chicago in our area the difficulty that the election commissioner had in reference to the deputy registrar program. And basically all it does is say that after thirty-five days, we close the program. And I think it gives them an ample opportunity then to make sure that the people that were registered under the deputy registrar program are verified and checked and they're there, and it's also it...it would make it both...both for the county clerk and the Board of Election Commissioners in the City of Chicago...the...the date would be same and it would make their work load a little more reasonable. If you want to talk to some people that were deluged by this deputy registrar program and a number of people that they were coming through on that process, you would support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Macdonald, Senator Lechowicz had closed. Do you wish to be recognized? Senator Macdonald.

SENATOR MACDONALD:

Well, I...I only wanted to stand in support of his amendment. I think that it's a reasonable amendment and I think...now...I'm not so interested in the work with the county clerks and the boards of elections, I'm interested in being sure that those people who are registered by deputy registers are duly put into the books and are allowed to vote and, therefore, I...I support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 1109. Those in favor indicate by saying Aye. Opposed Nay. Senator Joyce has requested a roll call. No....all right. In...the opinion of the Chair the Ayes have it. The amendment is adopted. Further amendments? All right. Senator Joyce has now...requested a roll

H.B. 1179 2nd reading

call. Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 1109. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Jerry. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 11, 1 voting Present. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1129, Senator Fawell. House bills 2nd reading is House Bill 1129, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1129.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1131, Senator Chew. Chew on the Floor? 1154, Senator Savickas. 1159, Senator Jerome Joyce. 1179, Senator Kelly. 1179? House bills 2nd reading, House Bill 1179, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1179.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1187 2nd Reading

3rd reading. All right. Senator Savickas is on the Floor. 1154, is there leave to go back to that? Leave is granted. House Bill 1154, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1154.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1187, Senator Luft. House bills 2nd reading, House Bill 1187, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1187.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Well, with leave of the Body, before we get too far away, Senator Chew is now on the Floor. With leave of the Body, we'll go back up and pick up 1131. Leave is granted. House Bill 1131, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1131.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1132, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1132.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Bottom of page 57, House Bill...1193, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1193.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 58, 1197, Senator Bloom. Senator Bloom on the Floor? 1202, Senator Jerome Joyce. House bills 2nd reading is House Bill 1202, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1202.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amendment brings this bill into exact accord that...of the Senate bill that we passed out of here dealing with Senate...solar energy that had no negative votes and I'd ask for its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of...Amendment No. 1 to House Bill 1202. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1217, Senator Degnan. House bills 2nd reading, House Bill 1217, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1217.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 by the committee on House Bill 1217 was an accommodation to the North Shore Sanitary District. I am led to believe that that accommodation has been resolved another way. I move to Table

Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved to Table Committee Amendment No. 1 to House Bill 1217. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1249, Senator Degnan. House bills 2nd reading, House Bill 1249, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1249.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No...Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Floor Amendment No. 1 to House Bill 1249 is clarifying in nature. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan moves the adoption of Amendment No. 1 to House Bill 1249. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

HB 1318 2nd reading

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1251, Senator Poshard. House bills 2nd reading is House Bill 1251, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1251.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1284, Senator Chew. House bills 2nd reading, House Bill 1284, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1284.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1292, Senator Berman...House Bill 1318, Senator Kelly. House Bill 1318, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1318.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This was more or less a request of the committee to have an amendment. It referred to towing service rather than to a towing company. Other than that, it was a...an agreed amendment. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly moves the adoption of...Amendment No. 1 to House Bill 1318. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1355, Senator Sangmeister. Senator Sangmeister, 1355? 1378, Senator Netsch. House bills 2nd reading, bottom of page 58, House Bill 1378, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1378.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 59, 1382, Senator Poshard. House bills 2nd reading is House Bill 1382, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1382.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. In drafting this bill, Section 4-5-11 of the Illinois Municipal Code which relates to specifications, bids and awards of contracts over fifteen hundred dollars was inadvertently omitted and this amendment simply includes that paragraph in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves the adoption of Amendment No. 1 to House Bill 1382. Any discussion? Senator Etheredge. Your light is on, sir. Any discussion? If not, Senator Poshard has moved the adoption of Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1389, Senator Netsch. House bills 2nd reading, House Bill 1389, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1389.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

HB 1392
2nd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1392, Senator Netsch. House bills 2nd reading is House Bill 1392, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1392.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 1, which is the longer amendment I trust, Mr. Secretary, the one that ends...2483ESPF, right. This amendment incorporates some seven changes in the basic bill. This is the Illinois parentage law. All of these changes have been reviewed by staff, by the chairman of the committee and the minority spokesman. And I think it can...they can fairly be described as reasonably technical in...couple of cases, for example, they reinsert provisions which were inadvertently left out of the Conference Committee report last Session when this bill was initially passed. In one case, it clarifies what might otherwise be thought of as a conflict with the Probate Act. In another case, it sets forth the procedure for enforcing a judgment of child support, and the procedure is exactly word for word that which is already incorporated in the Marriage and Dissolution Act. I don't know that I need to describe all of the others in exact detail. I think there is no controversy that I am aware of about any of the provisions and they are...essentially clean-up amendments to the Illi-

nois Parentage Act. I would move the adoption of Amendment No. 1 to House Bill 1392.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1392. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Right. Amendment No. 2 is designed to give the presumed father the right to notice and that was missing from the parentage bill. The language is similar to the same rights which are given to fathers who have adopted a child. Again, I don't believe there is any dispute about the relevance of this amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves the adoption of Amendment No. 2 to House Bill 1392. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

3.

SENATOR BERMAN:

...3...clarifies that the...if there is an action brought by either the mother or the purported father that the two-

year Statute of limitation will not bar a defense to the...to the bringing of a cause of action regarding parenthood. I move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of...Amendment No. 3 to House Bill 1392. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1395, Senator Nedza. Senator Nedza on the Floor? 1436, Senator Jerome Joyce. 1438, Senator Collins. On the Order of House Bills 2nd Reading is House Bill 1438, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1438.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1445, Senator Luft. House bills 2nd reading, House Bill 1445, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1445.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like to begin by moving to Table Committee Amendment No. 1. What I will do with the Floor amendment is to add everything in that was in Committee No. 1...Amendment No. 1 and then elaborate on that a little bit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft moves to Table Committee Amendment...No. 1 to House Bill 1445. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 permits the Department of Corrections' teachers to select...elect to be members of the State Employees' Retirement System so as to be eligible for the benefits of corrections employees who have daily contact with inmates. Apparently, there are around three hundred teachers employed by DOC who are members of the Teachers' Retirement System and this amendment will allow them...elect to become SERS members. I would try to answer any questions, otherwise, move for the adoption of Amendment No. 2 to House Bill 1445.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Luft has moved the adoption of Amendment No. 2 to House Bill 1445. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

HB 1474 2nd reading

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1453, Senator Luft. House bills 2nd reading is House Bill 1453, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1453.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1467, Senator D'Arco. House Bill 1474, Senator Newhouse. 1500, Senator DeAngelis. All right. Senator Newhouse, do you wish to have your bill called? 1474, bottom of page 59? House bills 2nd reading is House Bill 1474, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1474.

(Secretary reads title of bill)

2nd reading of the bill. The...the Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, I'm sorry, committee amendment. Senator Newhouse. Go get Senator Newhouse the file. Mr...Senator Newhouse, it's a very short amendment. Mr. Secretary, would you please read the...amendment.

ACTING SECRETARY: (MR. FERNANDES)

(Secretary reads committee amendment)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Committee Amendment No. 1 to House Bill 1474. Any discussion? Senator...Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President and Senators, this is the Department of Public Aid amendment and it addresses the concerns of small townships, I think I ought to share that with you. That's what the amendment does. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senator Newhouse, we have sent that amendment to try to get an assessment back. I think let's go ahead and put it on, and if we do have a major problem with it, we'll get...get back. But I... I think it does take care of our concerns. So let's put it on and then...if I can have your commitment to bring it back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse moves the adoption of Amendment No. 1 to House Bill 1474. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1500. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1500.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1547 3rd Reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Philip and Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this would require would be that when a new county official was elected, the county board would order an audit of the old county official. So that when the new official was sworn in, he'd have an idea how much furniture he had, how much cash, et cetera, et cetera. Be happy to answer any questions. I move the adoption of Amendment No. 1 to 1500.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Philip has moved the adoption of Amendment No. 1 to House Bill 1500. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1517, Senator Holmberg. Senator Holmberg, 1517. All right. House bills 2nd reading is House Bill 1517, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1517.

(Secretary begins reading title of bill.)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait a minute...wait a minute...wait a minute. Take it out of the record. Page 60. 1529, Senator Collins. 1540, Senator Savickas. 1547, Senator Degnan. House bills 2nd reading, House Bill 1547, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1547.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from...

ACTING SECRETARY: (MR. FERNANDES)

Committee on...Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1547 and Amendment No. 1 from the committee creates the Recordation and Transfer Tax Act which deals with land trusts in which beneficial interest is transferred and says that those shall be recorded in the same manner as a land deed and applies a tax to those transactions. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan moves the adoption of Committee Amendment No. 1 to House Bill 1547. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Floor amendment...to House Bill 1547 changes the title of the Act to record...Recordation and Transfer Tax Act. I move

HB1552 2nd Reading

its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Degnan has moved the adoption of Amendment No. 2 to House Bill 1547. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1552, Senator Vadalabene. House bills 2nd reading is House Bill 1552, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1552.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, I'm sorry. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to House Bill 1552 raises the minimum salaries of circuit clerks, county treasurers, county clerks, recorders, auditors and coroners and exempts the bill from the provisions of the State Mandate's Act. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene moves the adoption of Committee Amendment No. 1 to House Bill 1552. Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. As minority spokesman of the Local Government Committee, several of us opposed this concept in committee and I think maybe we ought to go into a little more detail on what we're really talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator Watson.

SENATOR WATSON:

This...this certainly is a pay increase for local officials. And, of course, we're talking about circuit clerks, county clerks, county treasurers, county recorders, county auditors and also coroners. It's not just a modest increase, what we are actually doing is increasing the minimum. I should explain that because some of the current officeholders will be over this minimum but we are increasing the minimum and we are exempting this from the State Mandate's Act, so this is something that is going to fall back on the counties and I think it's going to be in the neighborhood of a two...a little...round two million dollar fiscal impact to county government. But anyway,...let...let's just take for example the clerks...everyone but the coroners. In a population of less than fourteen thousand, the current minimum is thirteen thousand five hundred, and they're talking about increasing that minimum...the proposal is here in this particular amendment is to increase it to twenty-two thousand. That's a sixty-three percent increase. If you're in a county of a population between fourteen and thirty thousand, the increase is to twenty-six thousand. Now remember, this is minimums, and that's a seventy-nine percent increase over the current structure. If you're in thirty to sixty thousand, we're talking about a hundred and six percent increase to thirty-one thousand. If you're in a population county of sixty to a hundred thousand, we're talking about thirty-four thousand dollar minimum and that's a hundred and twenty-six

percent increase over the current Statute. If you're in a county of a hundred thousand to two hundred thousand, we're going to increase your...county officials' salaries minimum to thirty-seven thousand dollars and that's a hundred and twenty-four percent increase. Two hundred thousand to three hundred thousand population, forty-one thousand, that is a hundred and twenty-eight percent increase. From...in a population county from three hundred thousand to six hundred thousand, we're talking about forty-four thousand minimum and that's a hundred and twenty percent increase. And if you're in a county from six hundred thousand to two million, we're going to have a minimum salary of fifty thousand dollars and that's a hundred and fifty percent increase over the current twenty thousand dollar minimum. Now, the coroners, I'm not going to go through all that on the coroners but they're equally as...as bad. In fact, in counties of less than five thousand, we're going to have coroners working for eight thousand dollar minimum. Now in some counties of this State that's going to be over a thousand dollars in inquest. We're going to...paying county coroners over a thousand dollars an inquest in some counties of this State by this particular proposal. I'm not for...probably the county officials deserve an increase, but I think a modest increase is probably more adequate than what we're talking about at this particular amendment. I would urge a No vote and we've got other amendments to follow if this, in fact, does go on, but I certainly would urge a No vote on this particular amendment.

END OF REEL

REEL #4

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, this is a committee amendment.

SENATOR WATSON:

I understand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise also in opposition to this amendment for two reasons, and most of the reasons that I oppose it has already been stated by Senator Watson, but it seems...just a few days ago I was asked to handle an amendment to increase from five to ten percent four counties to be able to levy additional dollars to maintain and to be able to match State and Federal monies for their highway systems, after only a year ago when we actually took monies away from local government. Now, here we are again...and I didn't support that bill when we took the money away but I'm asked to support the bill to increase taxes locally so they can maintain their roads. Now, here we are again, bypassing a Mandate's Act, going to raise upon the county government a mandate that they pay higher salaries when we raise this minimum, no means to pay for and then they'll be back in a year or two and asking some of us that tried to point out the problem now to...to give them more money so they can maintain theirselves, and several of the county board members in my area have said, maybe they ought to eliminate the county board if we're going to mandate everything here from Springfield. We don't like to be mandated from Washington and I think we ought to...to kill this amendment and...and get on with out business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm a little chagrined that no one has really gotten this thing into perspective. I'm going to temper my remarks. This is the first time in eight years that these minimums have been raised and those percentages that were given by my friend from Southern Illinois have really nothing to do with reality. Most of the counties are paying far above the present minimum. As I said, it hasn't been raised in eight years. We are in the process of preparing for you a county-by-county, district-by-district breakdown and you're going to find in a lot of the counties that the salaries that the minimums we're talking are five hundred or a thousand, two thousand dollars over or actually under what the current salary is, the proposed minimums and, in fact, that the minimum has almost no affect on most of the major counties of the State, minimal affect on a large percentage to the ones that are rest...that are left. There are, and I would be the first to admit, some counties that this does have some impact on. We're talking about relatively modest salaries at the lower county level. We're talking about, I think, eighty-five hundred dollars a year for a coroner who is on call three hundred and sixty-five days a year, who has the honor of picking up a body, and we have one coroner who has had several years taken off his life span from hepatitis. I wonder how many of us here want to pick up AIDS victims' bodies for eighty-five hundred dollars a year? Well, I'll tell you that is just...most of these counties are paying far above what the minimum is. We can get you the detailed information...the other thing which hasn't been pointed out is that most of these county officials have four-year terms, and I don't have to tell any member of the Senate that their salaries can't be raised in the middle of a term, half of

them this wouldn't impact on for three years, that's eleven years without any kind of raise in the minimum and the others will be impacted on in a year and a half and then they go four years, that's twelve years without an increase. You start talking about some of these percentages, we're talking two or three percent a year. Now, we only set minimums, we don't set maximums and the reason we set minimums is that occasionally there'll be a partisan split between the county board and the officials or a personality conflict and we'll see some county boards do some things to county officials they don't happen to agree with philosophically or personally and lower the salaries down as low as they can get away with just as a vindictive measure against someone because of their partisan beliefs. I don't like being in the salary business. I do think we have an obligation to continue to set minimums and to raise them on occasion. I don't think these proposals are...are out of line; in the vast majority of the counties, the impact is fairly minimal and some counties there is an impact and I suspect those of you that have those counties already know about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The previous speaker said something I found interesting. He said, we don't set maximums, we set minimums. Well, that I don't think is true in this case, because if you look at the minimums that are to be paid in your counties, particularly in downstate, I think you'll agree with me that, in fact, we are setting maximums. We're setting the salary. Now, it has been the practice of...and...and I say we're setting the salary because the...the minimums are so high that I don't think our counties are going to pay over the minimum that we mandate. It has been the procedure of the Illinois General Assembly to

set minimums, and I suggest to you that while I may not agree with that idea, I'm not going to fight the idea, but what I'm fighting is what I think is happening here now and that is that we are setting the maximum...or the minimum so high that counties are by and large going to pay those minimums so that from now on when the county official wants a pay raise, they aren't going to go to the county board, where they really ought to go, they're going to come to us, and I submit to you that that's something we should not be getting into. I would urge a No vote on this amendment and a Yes vote on the next amendment which seeks to raise the minimums by about twenty percent across the board which I think is a more reasonable approach. I urge a No vote on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, and to some people's surprise, I rise in support of the amendment for several reasons. One, I want to reiterate one thing Jack Schaffer said. For a lot of these people, at a minimum you're talking eight...and in some cases eleven years in between raising that minimum. They have a four-year term. You really can't change it a whole lot in the middle unless you put in some form of step, which I personally happen to support and would like to do it that way but that doesn't seem to be the prevailing attitude at the moment. The point is, you're not talking about a one-year raise, you're talking a raise that deals with four years or in some cases eight years or at worst...in a worse case in there some of them eleven years. You have to be realistic. You know, these guys, men and women are just like us, they got kids in college too. How would you like to be going four, eight and eleven years without a raise? I think you do have to at least bring up the minimum and, as Jack said, you know, you got to remember, it doesn't hit that many. What it

does is at least take care of a...of a limited number at the...at the bottom end. So, I ask...it's Sam's bill, it's Sam's amendment, if you're against the amendment, vote against the bill on 3rd reading, but let him get his bill in the shape that Sam would like to be...have the bill in and then we can argue some of this on 3rd reading; but I say, keep in perspective, this is not a one-year raise you're talking about, and I don't see why Sam can't have the bill in the shape that he'd like to have it in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, for what it's worth, just to call the attention of the Body, a number of these bills were introduced into the Executive Committee and we put them all into a subcommittee for the simple reason that we looked at the proposed increases and thought they were way out of proportion. We did not put those bills into a subcommittee to kill them and, as I understand it, none of these officers can take these pay raises until their next election anyway. We were thoroughly going to...to study the...the pay raises and come back with something that's reasonable. I, too, believe there ought to be a pay raise; but, you know, as I'm looking at this sheet here, we have people that are getting a hundred and twenty-four percent, a hundred and twenty-six percent, a hundred and twenty-eight percent increase in those minimums. You know, I think we got to be a little bit reasonable here. Let's come up with a pay raise. My understanding is there will be an amendment offered that will increase it somewhere around twenty percent. I don't know if that's right or wrong but, boy, that's a lot closer than what we're doing here. I suggest we defeat this amendment and possibly put on the next amendment. If enough...anything else, let's leave it in the Executive Committee and let's study it and come up with some

decent recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I did not support this amendment in committee. In fact, when I was...elected to a member of the General Assembly, I didn't realize this...this is the type of thing we would be dealing with. I find it hard to believe that the...the local unit of government, and in this case the county, should not be the one that sets the wages and if, in fact, the clerks and whoever else may be covered in this legislation feel that they're...unduly being...they are not getting the wage they should, they should be taking that to the...to their...to their constituents and not to Springfield. I think it's about as ludicrous as us determining that members of village boards are not getting paid enough. Some of them...many of the work for nothing, many of them work long hours for absolutely no compensation whatsoever, and it's just about as ludicrous as...as us putting a minimum wage on village...villages and towns in...in the State of Illinois. I would urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Vadalabene may close.

SENATOR VADALABENE;

Yes, I'd just like to repeat the echos of Senator Schaffer and...and Senator Keats, and some of the misinterpretations that were given by the opponents. This bill will not automatically raise all the salaries of elected county officials, because many of the counties are already at or above the salary levels comprised in this bill; and according to the various county official organizations, many of the elected county officials have had...have had

not...have not had an increase in several years and in some cases as much as twelve years, and so the percentage that was given by Senator Watson is a little bit misleading. This legislation will not apply until after the next county elections, and I move for the adoption of Amendment No. 1 to House Bill 1552.

PRESIDENT:

The question is the adoption of the Amendment No. 1 to House Bill 1552. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 21 Nays, none voting Present. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Watson, Schuneman, Mahar, Friedland and Sangmeister.

PRESIDENT:

Senator Watson on Amendment No. 2.

SENATOR WATSON:

Thank you, Mr. President. That last roll call is probably an indication of what's to follow here in this particular amendment, but anyway, I do think this is a...a more responsible approach and a reasonable approach to the problem of salaries at the local level of the county officials. It's been alluded to that this particular amendment calls for a twenty percent increase and that...that's exactly what it does. We've discussed the issue at great length here in regard to the increases that were in the...the Committee Amendment No. 1, and I'm one who believes that possibly these

local officials do deserve a...a salary increase...a minimum increase and I...I've tried to reiterate that and I tried to mention that many times during my discussion that we are raising the minimums. We're not establishing salaries but we are raising the minimums. Now the county boards...and it has been alluded to by several of the previous speakers that some of these people won't get pay raises for eight, ten, twelve years. Now, that's simply not true. County boards can raise those salaries at anytime that they so wish and that, of course, would take effect after the...the following election, so what we do here isn't going to dictate policy necessarily at the...at the local level. They can raise those salaries if they so wish. But this amendment simply is a more reasonable approach, twenty percent increase across the board for all the...the county officials, and I'd be glad to answer any questions or...I'd certainly appreciate a favorable roll call.

PRESIDENT:

Question is the adoption of Amendment No. 2 to House Bill 1552. Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, again, Senator Watson did not tell you all the facts of that amendment. If I recall the amendment, it deletes everything from the enacting clause and it starts all over again, and you didn't tell that to...to the members on both sides of the aisle. Also, when we passed the sales tax collection giving the counties...instead of giving two percent...the State taking two percent, we reduced it to a cent and a half so we are providing funds to the counties for the...added expense of this pay. You supported me in adopting Amendment No. 1 and now I hope you will support me in killing Senator Watson's Amendment No. 2.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. There were some things said in debate before that...and I think Senator Watson alluded to this partially, but the suggestion was made that because the minimum has not been raised for some ten years or twelve years that these officials have not had pay raises. Now that's simply not true. The county officials have had pay raises; at least, I know those in my district have had regular pay raises. The problem with the bill...with the amendment that was adopted in the...in the committee is that we're setting the minimums so high that I think in most counties the minimum set by this Legislature will now be the pay scale and we shouldn't get into that. Unless you want to set the pay scale for every official in this State who serves some unit of local government, for goodness sakes,...let's not get into the business of setting everybody's pay scale in the world. We have enough problem with setting the ones that the Constitution requires us to set. If we want to set minimums, then I think Senator Watson has issued...or has offered a reasonable approach. Probably the best approach was the one suggested by Senator Sangmeister and that's to refer the whole thing to a Senate committee for further studies so we can come out with a reasonable bill, but I think this amendment ought to be adopted.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...Senator Vadalabene tells me this amendment strikes the enacting clause. We haven't tried that game around here in quite a while. One thing that was...well, that's what he tells me, I don't know whether it's true or not, I haven't seen it. Okay. The important thing, I think, should be pointed out, and Sam has already pointed out, is that the...this amendment in...in practical effect guts the

bill and...and whether it strikes the enacting clause or not, it has that impact. The only reason I really wanted to mention was Senator Watson mentioned and...and I think he knows and didn't mean to imply this, but county officials are just like we are, they cannot have their salaries increased during the length of their term. So those people that are in mid-term right now are...are two or three years away from qualifying for whatever we do and those that are up for election next year, whatever we do or don't do will be good for the next four years after they're elected. I think what Senator Sam is talking about is that because of that length of term, we've had...we have a number of county officials whose salaries have been ridiculously low for a number of years; in fact, we have situations where the elected officials are among the lowest paid employees in the office, where their help actually makes considerably more than they do. My gosh, where else in the world do you see that? Except maybe here. I think we have to have...we have to relate to our fellow elected officials and...and, Senator Schuneman, we were setting county official salaries long before you and I came on the scene, and as much as I'd like to get out of setting salaries for anybody, particularly ourselves, my guess is that that onus duty will be on us long after Schuneman and Schaffer are long forgotten.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this amendment and think...also it's a reasonable approach if...and I think the county officials deserve salary increases and that's exactly what this amendment attempts to do, at least...at least raise by twenty percent that minimum. For some of you who have served on the county board and I'm sure when you served on the county board

you didn't like a...a lot of mandates on you, and some of the county officials that have called in support of this amendment to me have...have been the same ones that have griped when we bypassed the Mandate's Act. Now, it's okay in this occasion since it's a pay raise for them. I think if...if we're going to bypasss the Mandate's Act, maybe we ought to just go back and redo what we did before, and I hope for you that...support this bill and to bypass the Mandate's Act will go back and tell your constituency that...that...we were fakes when we passed the Mandate's...Act in the first place. This is a reasonable approach. I think we ought to support this amendment.

PRESIDENT:

The question is the adoption of Amendment No. 2. Further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

Yes...yes, sir. Thank you. I...I'm a little bit confused here. I have in front of me Committee Amendment No. 1 and it says here, "Amendment No. 1 amends House Bill 1552 by deleting the title and inserting in lieu of and thereof the following, and by deleting everything after the enacting clause." Was that mentioned on the House amendment...or Committee Amendment No. 1? No. Nobody said anything about that. Absolutely not. We're doing the same thing with No. 2. Okay? Number 2 is deleting everything after the enacting clause and we're just putting in there a reasonable approach and a responsible approach to salaries at the local level. I think this amendment should be adopted.

PRESIDENT:

Question is, the adoption of Amendment No. 2 to House Bill 1552. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25

Ayes, 26 Nays, none voting Present. Amendment No. 2 fails. Further amendments, Mr. Secretary? I beg your pardon. Senator Watson has requested a verification. Will the members be in their seats. Do you have a particular roll call, Senator Watson, you wish verified? Which one?

SENATOR WATSON:

The Noes.

PRESIDENT:

...okay. I just...I just asked. It's your request, not mine. All right, Senator Watson has requested a verification. Will the members be in their seats. Mr. Secretary, please read the negative roll call.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Carroll, D'Arco, Davidson, DeAngelis, Degnan, Demuzio, Dudycz, Etheredge, Fawell, Hall, Jeremiah Joyce, Keats, Kelly, Lechowicz, Lemke, Macdonald, Nedza, Newhouse, Philip, Poshard, Schaffer, Topinka, Vadalabene, Weaver, Zito, Mr. President.

PRESIDENT:

Senator Watson, do you question the presence of any...

SENATOR WATSON:

Yes, sir. D'Arco...Senator D'Arco.

PRESIDENT:

Is Senator D'Arco on the Floor? Senator D'Arco on the Floor? Strike his name, Mr. Secretary.

SENATOR WATSON:

Lechowicz...Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name, Mr. Secretary.

SENATOR WATSON:

Senator Zito.

PRESIDENT:

Senator Zito on the Floor? Senator Zito is in the tele-

phone booth, Senator Watson.

SENATOR WATSON:

Senator Joyce. J.E. Joyce.

PRESIDENT:

Senator Joyce. Senator Joyce on the Floor? Strike his name, Mr. Secretary.

SENATOR WATSON:

Jones. Senator Jones is not on the...

PRESIDENT:

Not on the roll call, sir.

SENATOR WATSON:

Senator Barkhausen. I'm sorry.

PRESIDENT:

Senator, he's one of yours.

SENATOR WATSON:

Don't verify it.

PRESIDENT:

Be happy to strike him off.

SENATOR WATSON:

Okay. Thank you.

PRESIDENT:

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I never thought I'd ever do this in my nineteen years and it's the first time and I need a little time. Will you verify the affirmative?

PRESIDENT:

All right, that request is in order. Senator Vadalabene has requested a verification...

SENATOR VADALABENE:

...and Lechowicz is back.

PRESIDENT:

Again, will the members be in their seats and the Secretary read the affirmative roll call.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Bloom, Coffey, Darrow, Donahue, Dunn, Friedland, Geo-Karis, Holmberg, Hudson, Jerome Joyce, Karpiel, Kustra, Luft, Mahar, Maitland, Marovitz, O'Daniel, Rigney, Rupp, Sangmeister, Schuneman, Sommer, Watson, Welch.

PRESIDENT:

All right, Mr. Secretary, Senator Lechowicz is back in the hall. Please put him back on the roll call. Senator Vadalabene, do you question the presence of any member?

SENATOR VADALABENE:

Senator Marovitz.

PRESIDENT:

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name, Mr. Secretary.

SENATOR VADALABENE:

Senator Barkhausen.

PRESIDENT:

Senator Barkhausen has just returned. He is in the back of the Chamber.

SENATOR VADALABENE:

Senator Rupp.

PRESIDENT:

Senator Rupp is in his seat.

SENATOR VADALABENE:

Senator DeAngelis.

PRESIDENT:

Senator DeAngelis is in the Chamber.

SENATOR VADALABENE:

He's on our side? Senator Davidson.

PRESIDENT:

Senator Davidson is not on the affirmative roll call.

SENATOR VADALABENE:

This is the first time I've ever done this, so you'll

have to...Senator Bloom.

PRESIDENT:

In his seat. All right, the roll has been verified, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

The Yeas are 24 and the Nays are 24.

PRESIDENT:

All right, the Ayes are 24 and the Nays are 24. Amendment No. 2 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Watson.

PRESIDENT:

Senator Watson on Amendment No. 3.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 3 simply says we're going to comply with the State Mandate's Act. Amendment No. 1, the final provision, Section 8.9, exempts the legislation from the State Mandate's Act. All this...all my amendment does is says...well, if we're going to mandate it, let's pay for it, and I think that's something that's...that units of local government at all levels, whether it's county...county government or whatever, has been telling us for years is that, hey, the time has come that if you're going to dictate policy to us at the local level, then why not pass that money along with it? And I see no problem with that and I think that's, again, a reasonable and responsible approach. We're simply going to mandate these salary increases or salary minimum increases, then we should have to pay for it and I see no problem with that, and I imagine this amendment will go on with little or no opposition.

PRESIDENT:

All right, Senator Watson has moved the adoption of Amendment No. 3. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President, and I think...that we should adopt this amendment. We've done this same thing on a lot of bills around here this year. The fact of the matter...the...the process has come to be known as the Schaffer process and the Schaffer amendment and...and in effect what we're doing here is to say that if the State is going to mandate cost on units of local government, the State ought to pay those costs, and I support Jack Schaffer in that effort and I would support this amendment.

PRESIDENT:

Further discussion on the adoption of Amendment No. 3? Senator Vadalabene.

SENATOR VADALABENE:

Yes, first let me yield to Senator Schaffer in regard to Amendment No. 3, then I'll close.

PRESIDENT:

Senator Schaffer on Amendment No. 3.

SENATOR SCHAFFER:

I think it's a great idea. I mean, what the hay. It's about a million eight to...two million two annualized. I think it could...could be...make the bill almost invincible. We ought to put it on.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

I couldn't have said it any better than...

PRESIDENT:

Question is the adoption of Amendment No. 3 to House Bill 1552. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Welch.

PRESIDENT:

Senator Welch on Amendment No. 4.

SENATOR WELCH:

Thank you, Mr. President. This amendment merely states that the clerks and the other officials other than the coroners shall devote their full time to duties of their offices, and I would move adoption of the amendment.

PRESIDENT:

All right, Senator Welch has moved adoption of Amendment No. 4 to House Bill 1552. Any discussion? If not, all in favor...I beg your pardon, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I know some county officials...well, I think of one, for example, that has a real estate salesmen's license and does occasionally do work of that kind. Is...would this preclude them...that person from practicing any job...well...and I think of another one who...who owns and operates a...a Laundromat, does it...doing that work at night and on weekends, would this preclude those people from doing that?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

If...if...it's a full-time job is the way the amendment reads. If a person owns real estate and rents it out, similarly if he has a business such as a...a self-operating coin laundry that...that is not a job, per se, then he could do that, yes. We just have increased the amount of pay to these officials in...in my county to thirty-seven thousand dollars a year and I think for...not a great deal of...of educational requirement and background that that's quite sufficient and should be a full-time job.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I don't know that I disagree really with what

you're trying to do except that...and...and I appreciate the fact that you and I are on the same side on these other amendments, but I think of people, for example, farmers who may hold some of these offices and...and...and work their farm at night and on weekends, and...and I haven't seen your amendment and I don't know exactly how you describe "job" but I have a concern about it.

PRESIDENT:

Further discussion on Amendment No. 4? Senator Savickas.

SENATOR SAVICKAS:

...I guess my question would deal on the preclusion of attorneys that have income from their law firms although they're not practicing and they're a member of a firm or have an interest, this would not preclude them from obtaining fees; and, again, the attorneys have it both ways, they can hold the office, get the full salary and still receive fees or receive interest from their law firms and an ordinary citizen who tries to earn some extra money would be...unable under this.

PRESIDENT:

Senator Welch.

SENATOR WELCH;

Senator, as long as the person is not practicing law, then he can receive the full salary. If you're talking about a person who was a lawyer, is elected in November to be a county clerk and in December 1st takes the job but he still has fees coming in, yes, he is entitled to continue receiving those fees for prior worked performed. This is just a collection process in which he's getting paid in the future, and in many cases, such as estate work, you don't get paid until the estate is settled, so that's the only delineation between the attorneys and...and otherwise. No, you can't practice law separately.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, but, Senator, if a lawyer gets elected and he still belongs to a law firm and in that office he generates through his contacts and they keep his name there, and I'm sure people would come to that firm because of his influence, he would still be generating an interest and monies from that firm. An ordinary citizen doesn't have this advantage. I think if you want to preclude everybody from out...you should say...no outside income, and I think that would be fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah...Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Does that apply to all offices?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The amendment applies to the offices listed in this bill with the exception of the coroner...it does not apply to the coroner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Could you possibly list the office that's going to receive the least pay under the new bill...under the amendment and what that pay would be for that office?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

...for that I...I wouldn't know. I wasn't sure which

amendment was going to go on the bill, and depending on which amendment went on, that would determine what I did with this particular amendment, Senator; and not being the sponsor of the bill, I can't answer that question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think that if you're going to turn around and state that a person can't earn anymore than a certain amount of money, you ought to know how much that money is because it may not be sufficient enough for that person to live on, and one of the things that can be done with this is that when there is a split, that the board may purposely set the salary at such...at the minimum level so that they get that person out of office and that's not very Democratic, it's not even Republican.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

...I thank you, Mr. President, and I...I appreciate what the sponsor is trying to do but there are some real technical problems and...and Senator Savickas raised one of them. There are different ways to bring an income and if you are part of a partnership, you can receive partnership income for years even though...you're no longer being productive; therefore, a guy who's been...with a successful firm of some kind or other could be bring in significant outside income and it's not technically listed as...as earned income, I mean, it's just additional income being brought in. He may have...you know, produced stuff over time. Just technically it doesn't work. Senator Schuneman...the problem of being a farmer. You know, a few of the counties in Illinois outside of mine do happen to have farmers who run for office and, you know, farmers have a lot of free time during certain parts

of the year but, boy, you know, other times they don't and you just...you know,...basically excluding that class of person. What the amendment says is, if you're a wealthy guy, it's easy to hold that office, but if you're just a working stiff like the rest of us, you're kind of held back. I appreciate what you're trying to do, but I just think, practically, the amendment does not work and I would appreciate a negative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, looking at the amendment, I'm not sure exactly what the amendment does. It says that, "The clerks of the circuit court shall devote full...their full time to the duties of their office." Would this preclude a circuit clerk from being in the Illinois National Guard, for instance, where they have weekends and two weeks a...a year? Is that your intent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, my intent is the...the standard definition of a full-time job which is usually a forty hour a week type of operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER;

Well, I...I...you're just talking about if they put forty hours a week in, you...you consider that full-time. I would suspect that almost without exception other than sickness and that sort of thing, that I don't know of any of the county officials even in the small counties that don't put forty hours in. Now, what about a situation...I know of one small county where one of the county officials is an auctioneer and

he...he can be found on week nights and weekends doing auctions, but he puts a full forty hour in...hours in. Is that acceptable under your definition of full time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, my definition of full time would be so that the person doesn't have another job such as the person who would run for another elective office and be elected to two offices at the same time or be working in a law firm with a law degree, performing actual services in another job as opposed to either being self-employed or self-employed as a farmer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think...I think I understand what you're saying and I don't...in fact, I think I really understand what you're saying, but I, frankly, think that all the county officials are full time. They're like us. The electors...if they don't like what they're doing can pitch them out. I have always been, frankly, against double dipping and I would suggest that there are some interesting precedents here. This is, obviously, anti-double dipping, which I guess I agree with, and a full-time recommendation; and who knows, we might even spread it over to the Legislature, it might...catch on, but...simply put, frankly, in some of the smaller counties, I can imagine a county official would serve on a township board or something like that. If you're talking about forty hours, I think let people...if they don't like what the person is doing, let them pitch them out just like they can pitch any one of us out if they don't like the...amount of time on it. And I think, probably...I think I understand what you're trying to get at, but I don't think that it's appropriate for the whole State. In my counties it

would make very little difference because my people are all full time and...and pay salary is way above the minimums mentioned now, but in the smaller, downstate counties, I can imagine it would cause a lot of hardship and might make it impossible for some very good people to stay in office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I...echo the concerns of Senator Schaffer on this. I...there is no definition in this amendment for full time and, you know, full time...if, in fact, the...the sponsor is indicating that you spend as much time in the job to do the job adequately or...or do the job well, in some cases it may be thirty hours a week, some cases it may be sixty hours a week. I'm also concerned about whether or not...as Senator Schuneman indicated, somebody who may have a Laundromat whether they have to divest their interest in that Laundromat or can they do that after the working day or other than...over forty hours a week, and I'm...also concerned about avocations, whether or not that...you have to limit yourself as to whatever avocations you may have an interest in in order to determine whether you're doing the job on a full-time basis. I think that the...that if, in fact, we're going to do this, certainly...a more specific definitive definition of full time needs to be applied.

PRESIDING OFFICER: (SENATOR DEMUZIO)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I just wanted to clarify something...that farming is not a profit making business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

...yes, I want to stand up and strongly oppose this amendment for one of the reasons that we're going to be setting a precedent here. Now, I happen to be a full-time Senator and I don't have any other interest, but let me caution you people here on the Floor of the Senate, you lawyers, you insurance people, you real estate people and whatever profession you're in, this is the start of something big, and it wouldn't surprise me if Senator Welch would move in that direction in the not too distant future. So, not only are the county officials affected by this, but a lot of you people also will be affected in the near future; and I'm sure that if your ox is being gored, you're going to be voting the other way at that particular time. This is a bad amendment and it should be defeated also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Welch, you may close.

SENATOR WELCH:

Thank you, Mr. President. It's very interesting the turn these arguments have taken. Now, all of a sudden, Senator Keats is telling us we have to protect the poor lawyer who also runs for county office. Yesterday, he was bashing lawyers; today, he's their protector. I think it's kind of interesting that Senator Keats uses lawyers to whichever side he happens to be on in that particular day, but the bill is full-time jobs, meaning a salaried position. There's no question of divesting oneselves of a Laundromat. Keep your Laundromat. Keep your farm. Keep your private job. What we're getting at is double-dipping people, people who run for two jobs, people who are paid some thirty-seven, forty-four thousand, even fifty thousand dollars a year, and you're saying they shouldn't be a full-time employee for the people

they are elected by? I say, boloney. I say they should devote their entire time to serving the people that they are elected to serve, and to say, Senator, that my next move is going to make this job full time when I'm only paid twenty-eight thousand dollars a year is not telling what the future is going to hold. I am not going to do that. So, let me just urge you to vote Yes. This is a bill which will help prevent double dipping. It's a bill which is going to give your constituents their dollar's worth from their county officials, and when this huge, huge pay raise becomes law, you can say, I did my best to get you your fair dollar's worth for a dollar's work, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch has moved the adoption of Amendment No. 4 to House Bill 1552. Those in favor indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Amendment No. 4 fails. Further amendments? All right, Senator...further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1556, Senator Keats. 1578, Senator Holmberg. All right, House bills 2nd reading, House Bill 1578, Mr. Secretary, read the bill. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

...point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR SCHUNEMAN:

Could someone please check and see what Senator Watson and Senator Welch had for lunch today?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there may be a lot that simply don't care what they

had for lunch. All right, Senate Bill 1578,...Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1578.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Amendment No. 1 is a...a Department of Public Aid amendment and it states that such sums shall be in addition to and separate from amounts ordered to be paid as maintenance or child support, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Holmberg has moved the adoption of Amendment No. 1 to House Bill 1578. Any discussion? Senator...Senator Chew, do you wish discussion on this bill? Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1598, Senator Kustra. House bills 2nd reading is House Bill 1598, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1598.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government

offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Mr. President, I have a Floor amendment which would take the place of the committee amendments. So, I would move to Table the committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra moves to Table Committee Amendment No. 1 to House Bill 1598. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is a technical amendment. It does make the effective date immediate; other than that, it cleans up some spelling errors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra moves the adoption of Amendment No. 2 to House Bill 1598. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1688, Senator Netsch. 1768, Senator Luft.

HB 1769 2nd Reading

House bills 2nd reading, House Bill 1768. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

...House Bill 1768.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1769, Senator Philip. House bills 2nd reading, House Bill 1769, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1769.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I move that we Table Committee...Amendment No. 1, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has moved to Table Committee Amendment No. 1. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Philip and J. E. Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 2 strips everything after the enacting clause. If you'll remember, the bill originally provided that to move any type of building material with a helicopter you had to have twin engines. This strikes that out completely, it allows you twin engines or single engines, the way the Statute is, also creates the DuPage County Airport Authority. As you're probably aware, we now have the Fox Valley Airport Authority which extends into DuPage and Kane County. Unfortunately, Kane County now controls that authority. The DuPage County Airport is with...wholly in DuPage County. That's simply what it does. I move the adoption of Floor Amendment No. 2. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 2 to House Bill 1769. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. That was close. 1800, Senator Berman. House bills 2nd reading, House Bill 1800, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1800.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one

amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This...this is the Committee Amendment No. 1 amended the bill so that the...the tax increment funding proposal and the abatement refund of the sales tax would both be incorporated into the amended bill. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 1800. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. Pursuant to the discussion in committee, this amendment is being offered and what it does is limits the TIF sales tax refund to one, maybe two TIF districts in the State of Illinois. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Amendment No. 2 to House Bill 1800. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...this amendment does...does plow new ground and it

HB 1806 2nd reading

would require that the...would require the State to set aside one-cent of it...State sales tax in order to guarantee that the bonds sold by the TIF would eventually be retired. So, I think this is something that we'll want to talk about on 3rd reading; however, I do think the sponsor is...entitled to get this bill in the form in which he wants it at this time. We can talk about it later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the adoption of Amendment No. 2. Any further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1806, Senator Kelly. House bills 2nd reading, House Bill 1806, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1806.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

I'm sorry, there is a committee amendment, Amendment No. 1...Committee on Elections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Committee Amendment No. 1, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This is a technical amendment. It...merely repeals the section that's already repealed. That's all the amendment does and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly moves the adoption of Committee Amendment No. 1 to House Bill 1806. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1813. House Bill 1813, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1813.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This amendment establishes guidelines and reasonable time frames for the State Board of Elections to conduct its test of automatic tabulating equipment in certain selected jurisdictions. This is an agreed amendment between the Illinois County Clerk's Association, the Association of Boards of Election Commissioners and the State Board of Elections. Be happy to answer any questions. I ask for the support of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Macdonald has moved the adoption of Amendment No. 1 to House Bill 1813. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1814, Senator Bloom. All right, House...1857, Senator Philip. House bills 2nd reading is House Bill 1857, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1857.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we adopt...Committee Amendment No. 1...No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved...

SENATOR PHILIP:

No. 2....am I right for a change? Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Let's put No. 2 up on the board. All right, it is No. 1. All right, Senator Philip, it is, in fact, No. 1. Senator Philip has moved to adopt Committee Amendment No. 1 to House Bill 1857. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment...Floor Amendment No 2 is at the request of the Illinois Board of Realtors. It solved one of their problems. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves the adoption of Amendment No. 2 to House Bill 1857. Any discussion? If not, those in favor...Senator Lechowicz, for what purpose do you arise? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question? What does Amendment No. 2 do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes, this provides that real estate is...if we would put on by a front-door referendum a quarter-cent sales tax, it would not pertain to real estate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Answers my question. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip has moved the adoption of Amendment No. 2 to House Bill 1857. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well,...evidently, we have...made a mistake. I have the correct amendment. Amendment No. 2, I would move that we Table because it is incorrect...or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 2 was adopted...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is reconsidered. Senator Philip now moves to Table Amendment No. 2 to House Bill 1857. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip.

SENATOR PHILIP:

This is the corrected version. I understand it is...is mechanically correct. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has moved the adoption of Amendment No. 3 to House Bill 1857. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee...Amendment No. 3 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1889, Senator Degnan. 1914, Senator Mahar. House bills 2nd reading, House Bill 1914, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1914.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I offered that amendment in committee and there is some problems with it. I would move to Table that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Mahar, would you repeat that again, please?

SENATOR MAHAR:

Yes, I had offered that...I offered that Amendment No. 1 in committee and I move to Table the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar moves to Table Committee Amendment No. 1. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

HB 1952 2nd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1915, Senator Coffey. House bills 2nd reading, House Bill 1915, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1915.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1919, Senator Donahue. House Bill 1919, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1919.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1933, Senator Donahue. 1934, Senator Macdonald. 1952, Senator DeAngelis. House bills 2nd reading...we got a live one, House Bill 1952, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1952.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr...thank you, Mr. President. At this time, I would like to move to Table that amendment. We inadvertently deleted some exclusions. I have an amendment that corrects that following that from the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis moves to Table Committee Amendment No. 1 to House Bill 1952. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. Secretary, what's the number of that amendment, 'cause we had filed a wrong amendment previously...

ACTING SECRETARY: (MR. FERNANDES)

The amendment number is LRB8401420JMCSAM07.

SENATOR DeANGELIS:

Okay. Yes...all right, Amendment No. 2 puts back in the exceptions that were inadvertently deleted and also allows CMS to get into some cost containment procedures to give more benefits for less money. I move for its adoption.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Amendment No. 2 to House Bill 1952. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes

HB 1963 2nd Reading

have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1963, Senator Barkhausen. On the Order of House Bills 2nd Reading is House Bill 1963. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1963.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. While we're on that page, 1889. On the Order...with leave of the Body, on the Order of House Bills 2nd Reading, House Bill 1889. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1889.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Degnan on Committee Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. At the request of Cook County we are taking out two parcels, parcels nine and twenty-two with Committee Amendment No. 1. I move its adoption.

PRESIDENT:

All right, Senator Degnan has moved the adoption of Committee Amendment No. 1 to House Bill 1889. Any discussion? If not, all in favor indicate by saying Aye. All opposed.

HB 2096 2nd Reading

The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. We're at the top of page 62. If I can have your attention, the Committee on Appropriations I will meet at four o'clock in Room 212, and so we will be concluding our business wherever it stops us and we'll pick it up tomorrow. We'll conclude in a couple of minutes. 2062, Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 2062. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2062.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2096, Senator Schaffer. On the Order of House Bills 2nd Reading is House Bill 2096. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2096.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2097. On the Order of House Bills 2nd

Reading is House Bill 2097. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2097.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2115, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 2115. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2115.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDENT:

Senator Maitland on Committee Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President. First of all, pursuant to an agreement in the Elementary and Secondary Committee, I would move to Table Committee Amendment No. 1.

PRESIDENT:

All right, Senator Maitland has moved to Table Committee Amendment No. 1 to House Bill 2115. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 2.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Committee Amendment No. 2 provides that there are financial records...a financial audit for the regional...the regional offices of a...of a...of superintendent of schools. I would move for its adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 2115. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. It's five minutes to four. I think in fairness to the Appropriations Committee, we will now conclude our business. Senator Topinka, we will start tomorrow at noon with 2179 and carry on through. Any further business? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I would like to announce that at 9:00 a.m. tomorrow morning in Room 212, Appropriation II will start promptly at nine, please...there so we can get out.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Just...just to remind the members, I know you did it already, as far as Appropriation I, we'll reconvene immediately after adjournment in Room 212.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Just a reminder that there is the Senate-House baseball game at Iles Park at six o'clock tonight. I'd appreciate everyone being there as promptly as possible and let's make this a big evening for the Senate. Thank you.

PRESIDENT:

All right, further announcements? Further business? If not, Senator Vadalabene moves that the Senate stand adjourned until Thursday, June 20, tomorrow, at the hour of noon. Noon tomorrow. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 20, 1985

SECRETARY:

House Amendment 1.

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and...and...members of this Assembly and a point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR GEO-KARIS:

First of all, I want to congratulate the...the President of the Senate, Phil Rock, for hitting three hits last night in the Senate ball game. Second of all, I want to congratulate the Senate team for an outstanding job. Third of all, I want to congratulate the...the House members who lost an awful lot of money by...by giving five runs and ten...and ten runs...of spirit to the Senate because they finally learned their lesson, and fourth of all, I think Pete Miller did a great job. And, fifth of all, I was proud to be a member of that team even though we didn't get to play, we couldn't of done any worse; but I'll tell you, we did darn well, 11 to 12 is nothing to sneeze at and I...I think we need to give a good hand to our baseball players, let's do that.

PRESIDENT:

Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Just to advise her and sixth of all, Geo, you were extremely pleased to see your picture on the second page of the Sun Times this morning.

PRESIDENT:

(Machine cutoff)...Sangmeister. (Machine cutoff)...ladies and gentlemen, we will begin where we left off yesterday, pursuant to our agreement when we had to leave at four o'clock to go to Appropriations. So, if you'll turn to

SJR 11 2nd reading

page 62, 6-2 on the Calendar. We will finish...we will finish 2nd reading, then having been through it completely, then we will go to the Order of Recalls. The Secretary advises the Chair that a number of recalls have been requested by members, and, then we will again proceed on House bills 2nd reading and we will attempt to conclude our business by six o'clock this evening. If I can have the members' attention, again, we'll begin on page 62 to afford those members who...because of the press of business yesterday couldn't get to their bill the opportunity to finish up House bills 2nd. Then we will do recalls and then we will again begin on...House bills 2nd reading and attempt to go through it one more time entirely. So it's Senators Topinka, Schaffer, Luft, Sangmeister, D'Arco and Hall will be the first group. (Machine cutoff)...we're waiting for the members to arrive, I would again remind the members, we'll start at page 62, Topinka, Schaffer, Luft, Sangmeister, D'Arco, Hall and on through. In the meantime, with leave of the Body, we'll turn to page 64 on the Calendar. Senator Vadalabene has requested that the Constitutional Amendment on 2nd reading be read a third time. Mr. Secretary, on page 64 on the Calendar, on the Order of Constitutional Amendments on 2nd Reading is Senate Joint Resolution 11.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Joint Resolution No. 11 Constitutional Amendment.

(Secretary reads SJR No. 11)

2nd reading of the resolution.

PRESIDENT:

3rd reading. If I can have your attention, before we begin on page 62, there is a special guest in the City of Springfield who has taken some time to come over and say hello, and I would ask Senator Luft to introduce this gentleman.

SENATOR LUFT:

Thank you, Mr. President. If I can have your attention, we have with us today probably one of our most famous presidential candidates of the 60's and the 70's; unfortunately, his campaigns weren't very successful, but he sure generated a lot of interest, enough probably that he may be coming back here in the new future...in the near future to announce a candidacy for president, governor or whatever again. He is presently in Springfield and it's my honor to introduce the former presidential candidate, Mr. Pat Paulsen.

MR. PAT PAULSEN:

(Remarks given by Pat Paulsen)

PRESIDING OFFICER: (SENATOR CHEW)

Ladies and gentlemen, we're on Senate bills 2nd reading, Senate Bill 2179, Senator Zito.

PRESIDENT:

Senator Topinka. All right. 2184, Senator Schaffer. 2184. On the Order of House Bills 2nd Reading, House Bill 2184. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2184.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2189, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 2189. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2189.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers Amendments Nod. 1 and 2.

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 1 just provides that copies of dental records rather than the records themselves may be provided to the patient on his or her request, and I would move for the adoption of Amendment No. 1 to House Bill 2189.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 2189. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by the committee.

PRESIDENT:

Senator Luft on Committee Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. Committee Amendment No. 2 provides that the director of R & E shall consider recommendations made by the examining committee regarding professional conduct. A vote of seven-tenths of the committee members requires R & E to adopt the recommendations and the examining committee will advise the director upon request of the administration and enforcement of this Act and the Act becomes effective 1-1-86. I would move for the adoption of Amendment No. 2 to House Bill 2189.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to House Bill 2189. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2202, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 2202. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2202.

(Secretary reads title of bill)

2nd reading of the bill. The...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this amendment does is to...make it possible for the regional superintendent of the schools to receive testimony in school...consolidation hearings and receive this testimony and present it as evidence to the regional school trustees for their decision. I'd be very happy to respond to any questions that you might have.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 2202. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I rise in opposition to this amendment. This is

Senator McMaster's bill which is...and Representative Davis from the House supports this legislation as it originally was. The only purpose to do this...what the sponsor of the amendment has not told you is it applies to only one particular petition that is pending in Illinois. All we're asking for in this legislation is to let the law of Illinois as it presently exists apply to all school districts. I think that's a very, very fair position for us to take and all this bill would do would be to try to expedite a hearing. Had his amendment been drafted, that it applies to the law of the State of Illinois as it presently exists, I'd have no...problem with this amendment, but the end of the amendment says that it will be under the applicable law at the time of the filing of the petition which is completely unacceptable to me. I would propose and ask that from both sides of the aisle that this amendment be defeated.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1. Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

Yes, I do. Thank you, Mr. President. The bill as now before you without this amendment effectively closes the door on an consolidation proceeding which has been ongoing for a number of years; in fact, many of you...have been here long enough to require...to...to remember that there have been...efforts in the past to cut off this consolidation proceeding, and you have wisely decided to let the...consolidation proceeding go on. What the amendment would do would be to speed up the...the hearing process so that the consolidation could...effort can take its course...in a more rapid and expeditious manner. I would strongly encourage all of you to vote for the amendment in order that this proceeding can continue. We all talk about school consolidations, now we have the opportunity to...to

take a...positive step to let...let a consolidation take place. So I would ask all of you to vote Aye for this amendment.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to House Bill 2202. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes and 28 Nays. Amendment No. 1 fails. Further amendments.

ACTING SECRETARY: (MR. FERNANDES)

Amendment...Amendment No.

PRESIDENT:

Hold it...hold it, Mr. Secretary. Senator Etheredge.

SENATOR ETHEREDGE:

I'm sorry to do this so early, but I'm going to ask for a verification of the negative votes.

PRESIDENT:

It wouldn't be a Thursday in June without a verification. Senator Etheredge has requested a verification. Will the members be in their seats. Mr. Secretary, the request is for the negative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the negative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Degnan. Demuzio. Hall. Holmberg. Jeremiah Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Sangmeister...Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDENT:

(Machine cutoff)...Etheredge, do you question the presence of any member?

SENATOR ETHEREDGE:

...yes, Senator D'Arco.

PRESIDENT:

Senator D'Arco is right by his chair.

SENATOR ETHEREDGE:

Senator Demuzio.

PRESIDENT:

He is seated at my right hand.

SENATOR ETHEREDGE:

Oh.

PRESIDENT:

Sounds a little...majesterial...

SENATOR ETHEREDGE:

...Senator Lemke.

PRESIDENT:

Senator Lemke on the Floor? Telephone booth.

SENATOR ETHEREDGE:

Okay. Senator Carroll.

PRESIDENT:

Senator Carroll on the Floor? Senator Lemke has appeared. Senator Carroll on the Floor? Strike his name, Mr. Secretary.

SENATOR ETHEREDGE:

Senator Welch.

PRESIDENT:

Senator Welch on the Floor? Senator Welch is in the back of the Chamber, Senator Etheredge.

SENATOR ETHEREDGE:

Okay. Senator Marovitz.

PRESIDENT:

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name, Mr. Secretary.

SENATOR ETHEREDGE:

Senator Netsch.

PRESIDENT:

Senator Netsch on the Floor? Senator Netsch is at the back of the Chamber, Senator Etheredge.

SENATOR ETHEREDGE:

Senator Jeremiah Joyce.

PRESIDENT:

Senator Jeremiah Joyce on the telephone. Right there, the telephone doorway. Senator Carroll is on the Floor, Senator Etheredge. He will be returned to the roll call. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know what...what...we'll verify the affirmative.

PRESIDENT:

All right. There's been a request for a verification of the affirmative roll. Senator Sangmeister has requested a verification. Will the members be in their seats. Mr. Secretary, the request is for the affirmative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen. Bloom. Coffey. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Jerome Joyce. Karpiel. Keats. Kustra. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Watson. Weaver.

PRESIDENT:

Senator Sangmeister, do you question the presence of any...

SENATOR SANGMEISTER:

Senator Keats.

PRESIDENT:

Senator Keats on the Floor? Senator Keats on the Floor? Strike his name, Mr. Secretary.

SENATOR SANGMEISTER:

Senator Watson.

PRESIDENT:

Senator Watson on the Floor? Is Senator Watson on the Floor? Strike his...Senator Watson is in the back of the Chamber.

SENATOR SANGMEISTER:

Senator Coffey.

PRESIDENT:

Senator Coffey is back of the Chamber, in the Well.

SENATOR SANGMEISTER:

Senator Kustra.

PRESIDENT:

Senator Kustra on the Floor? He's looking for the other one. Yeah, he's right there. Senator Kustra is here.

SENATOR SANGMEISTER:

Senator Philip.

PRESIDENT:

All right. Senator Philip is in his office. I just spoke with him. He'll be right out.

SENATOR SANGMEISTER:

All right. We'll waive Senator Philip.

PRESIDENT:

Thank you...he is right out. Okay.

SENATOR SANGMEISTER:

We called Senator Watson, I believe...

PRESIDENT:

Yes, he has...he has made an appearance.

SENATOR SANGMEISTER;

Senator Dudycz.

PRESIDENT:

Senator Dudycz is in his chair.

SENATOR SANGMEISTER:

Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on the Floor? Senator Barkhausen on the Floor? He's in the telephone booth, right, doorway. All right. The roll has been verified, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

27 Yeas, 28...27 Nays, tie vote.

PRESIDENT:

All right. Question to the adoption of Amendment No. 1, there were 27 Ayes, 27 Nays. The amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

We'll withdraw Amendment No. 2.

PRESIDENT:

All right. The amendment has been withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, Senator Etheredge.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Withdraw.

PRESIDENT:

Been withdrawn.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Withdrawn.

PRESIDENT:

Withdrawn.

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

No further amendments. 3rd reading...on the Order of House Bills 2nd Reading is House Bill 2205. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2205.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2249, Senator Hall. On the Order of House Bills 2nd Reading, bottom of page 62, is House Bill 2249. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2249.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1020, Senator Joyce. On the Order of House Bills 2nd Reading, top of page 63, is House Bill 1020. Read the bill, Mr. Secretary. I beg your pardon, I've got a wrong page here. Mine was miscollated apparently. Top of page 63 is House Bill 2310, Senator Darrow. On the Order of House Bills 2nd Reading, House Bill 2310. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2310.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Darrow.

PRESIDENT:

Senator Darrow on Amendment No. 1.

SENATOR DARROW:

Thank you, Mr. President. This amendment specifies that the grants are for the unified delinquency intervention service programs. I know of no opposition. I'd ask for its adoption.

PRESIDENT:

All right. Senator Darrow has moved the adoption of Amendment No. 1 to House Bill 2310. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2362, Senator Collins. On the Order of House Bills 2nd Reading is House Bill 2362. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2362.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

HB 2408 2nd Reading

No Floor amendments.

PRESIDENT:

3rd reading. 2378, Senator Karpiel. On the Order of House Bills 2nd Reading is House Bill 2378. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2378.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDENT:

Senator Karpiel on Committee Amendment No. 1.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 simply adds road district to the...it...what we're doing is asking judges to wear badges with their name on it, and in the legislation as it is, it says, in the ward, township and precinct number; we're adding road district because I guess downstate there are some..election districts that are road districts.

PRESIDENT:

Senator Karpiel has moved the adoption of Amendment No. 1 to House Bill 2378. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2408, Senator Macdonald. (Machine cutoff)...Macdonald 2408? (Machine cutoff)...the Order of House Bills 2nd Reading is House Bill 2408. Read the bill, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2408.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2416. On the Order of House Bills 2nd Reading is 2416. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2416.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2418. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2418.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dunn.

PRESIDENT:

Senator Dunn on Amendment No. 1.

SENATOR DUNN:

Thank you, Mr. President, members of the Senate. This amendment was given to me by the people that...in the kiln gas project down in Senator Vadalabene's district, to be sure that in case the department of...so that the Department of Energy can go ahead and disburse funds in the event that we haven't passed and the Governor hasn't signed the Coal Development Bond Act...the new bill before then. I'd move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Dunn has moved the adoption of Amendment No. 1 to House Bill 2418. Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, I'm in support of...of this amendment. Due to the kiln gas project being in the east Alton area in my district, I think it's a very good amendment and it should be adopted.

PRESIDENT:

The question is the adoption of Amendment No. 1 to House Bill 2418. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Philip and Dunn.

PRESIDENT:

Senator Philip. Withdraw the amendment, please at the request of the sponsor. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2472. On the Order of House Bills...2nd Reading is House Bill 2472. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2472.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2475, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 2475. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2475.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 has four components. The first component of this deals with the original bill. When it was going through committee there was a problem. The bill provides that absentee ballot applications were to be made available for public inspection from the time they are received by the election authority until thirty days after the election. The County Clerk's Association had a problem with that language because those...those applications are sealed up when the ballots arrive; therefore, the amended language now says that they are available for inspection during the above time except when they are sealed or when they are in the hands of

the election judges. This, then, removes the objection of the county clerks. Also, then...then the bill...the amendment moves on to do three other things. The second thing it does is deal with the verification of voter registration, and what...basically what this provision does is strike from the law the door-to-door in-precinct canvass, specify a non-forwardable mail canvass. The language is still very precise in that any jurisdiction can in fact do a door-to-door in-precinct canvass if they want to provide the details of that canvass to the State Board of Elections and get permission. The third part of the bill, it deals with affidavit voting, what happens when your knocked off the ballot and you're trying to verify the fact that you are who you are. What this says is that a voter may show up at the polls with a piece of mail that would verify the fact that you lived at the address, which you do, and if not that,...that you can use a driver's license or a social security number. And, finally, the bill deals with an inventory of election materials. Again, we passed a bill last year which required the sealing of any containers which hold ballots that have been voted. There was a problem with that particular...piece of legislation. So this amendment provides that in election jurisdictions which use electronic voting systems and in precinct counting, election judges will be denied a receipt for the return of election materials after the close of the polls unless the materials have been inventoried by the election authority and are found to be in order. I would ask for adoption of the amendment.

PRESIDENT:

All right. Senator...Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 2475. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Kustra, if I may, synopsis says that this bill is

an attempt to revive a bill that was lost in the House last Session or one that remains in the House Interim Study Calendar from the previous Session and neither the County Clerk's Association or...association of municipal boards of elections have...have supported that particular bill, and this amendment tends to...intends to do the same thing. Is that correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Senator Demuzio, one of...of the components of this bill is essentially the language of...of a bill which was hung up in the House, yes. I'm not sure which one that is but I...I addressed the four components, one of those was in the House.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, why...why was it rejected over there? I...I...I am told that...that there are some objections to this particular amendment, that it would create more bureaucratic...would create a...bureaucratic nightmare for the...the respective clerks. Perhaps you could enlighten us a little more.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I can tell you that as far as I know the county clerks are not opposed to this bill. I have as late as a half an hour ago been on the phone with Michael Lavelle from Chicago where we are trying to work out some concerns he has about the bill. I've talked to Senator Nedza who has asked for a specific change in the language, and what I told Senator Nedza is that I think what we have to do is put this on a recall list tomorrow after I've had more of a chance to talk to Mr. Lavelle and address Senator Nedza's problem and then

deal...and if you have additional problems, we'll deal with it then.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of Amendment No. 1 to House Bill 2475. There's nothing sinister, surreptitious or bad about a bill that tries to identify people who ought to vote and also try to identify those people who ought not to vote. And that's all that this amendment simply does and, Senator Demuzio, for your information, it's not unusual that there are bills that fail in the House and suddenly show up someplace else. I believe very shortly we will be considering a House bill that I think you have an amendment coming up that is on a bill that passed the Senate rather readily and failed in the House.

PRESIDENT:

Further discussion? Further discussion? Senator...Senator Kelly.

SENATOR KELLY;

Thank you, Mr. President and members of the Senate. In response to the comments made by Senator Kustra, the last conversation I had with Mike Lavelle is that he is opposing this amendment and I haven't heard anything to the contrary; in fact, he had strong opposition to it. And I know this same bill, as it was pointed out by Senator Demuzio, was defeated in the House of Representatives; and I...I would say, if...if that's the case, maybe we should just hold the bill until tomorrow. I think we still have a little bit of time to address it on 2nd reading, so maybe the Senator might consider holding it till then till we can get this straightened out.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, I've already said that I'm willing to put this on the recall list...Mr. Lavelle and I were talking earlier this morning, I said he has some concerns. He wouldn't...he can't live with this bill as it's now written. There is no doubt about that; however, I've had bills at the tail end of House bills 2nd reading...or 2nd reading before and my fear is that I wouldn't get back to it. I'd rather have it on 3rd reading and on the recall list than sitting on 2nd reading where I can't get to it again. So I would urge adoption.

PRESIDENT:

Well, the Chair will just note that no member has ever been denied the opportunity to get to a bill. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. As cosponsor of this bill, I would like to say that I...I, too, am aware of...of the State Board of Elections' concerns, but like Senator Kustra, I would like to see this bill move on to 3rd reading and have us call it back on recall. We're in the very last hours in trying to move our calendar forward, and I think that we can resolve whatever differences there might be on this bill; and I...like Senator Kustra, there are some very valuable parts of this amendment, and I would ask for your support and we'll bring it back on a recall list.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 2475. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2512. Read the bill, Mr. Secretary. On the Order of House Bills 2nd Reading, House Bill 2512.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2512.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 2515, Senator Maitland. On the Order of House Bills 2nd Reading, the bottom of page 63, is House Bill 2515. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2515.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 2515 is in part technical with no substantive change at all, and in another part, it authorizes the department to charge reasonable fees for various permits...issued under the Grade A Milk and Milk Products Act. We passed a similar bill out of this Chamber in a Senate bill and the language there permitted the department to charge fees but they would determine that fee through rules and regulations. This amendment

establishes in the Statutes the fees that will be charged. I move for the adoption.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 2515. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you. It's my understanding...we had some questions relevant to this last time or at least I did. In terms of the fees, we're going to establish a twenty-five dollar first-time fee...one...one-time fee for farmers, and we're going to charge milk haulers a hundred dollars, I assume that's on an annual basis, is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, that's twenty-five dollars per year for the haulers, twenty-five dollars.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's a hundred dollars one-time fee then for farmers. Isn't that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, I think there may be some confusion over what dairy. As this is the...this is the...the...the dairy itself, not...not...where the milk is processed, a hundred dollars a year.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then, one final question then. Are we not charging

the farmers a one-time fee of some monetary value for the permit process? Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, I...as far as I know, we are not.

PRESIDENT:

All right. Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I think we are, but you want to put it on, we'll take a look at it later.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 2515. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 2.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This is a...is an amendment that was suggested by the Department of Agriculture to clarify that raw agricultural commodities except for those which are...for direct human consumption are not subject to...to the provision. If the State of Illinois were to have the power and authority to set the tolerances in the pesticides, they would...would allow all State...it's...it's possible that all states would had different tolerance levels, and it could very seriously hurt the export industry and we feel this is an area that should be determined by the Federal Government. I would move for its adoption.

PRESIDENT:

All right. Senator Maitland has moved the adoption of

Amendment No. 2 to House Bill 2515. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. All right. It's the intent of the Chair to return now to the Order of House Bills 2nd Reading, back at the beginning, so we'll start with House..on page 58. In the...in the meantime, Senator Philip has...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

To request a Republican Caucus immediately in Senator Philip's Office.

PRESIDENT:

All right. That request is in order. The Senate will stand in Recess until two o'clock for the purpose of a Republican Caucus. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, I'm calling a Democratic Caucus in your office immediately.

PRESIDENT:

All right. There will be a Republican...Caucus in Senator Philip's Office and a Democratic Caucus in the President's Office immediately, and we will Recess until two o'clock. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of personal privilege, if I may.

PRESIDENT:

State your point.

SENATOR SMITH:

Just before we Recess for our caucus, I'd like to recognize the young ladies that are in our gallery visiting us

today. They are from...Girl's State and they have come to our Legislature to visit with us today. Their director is Mrs. Virginia Holt and their State president is Mrs. Angeline Powell of the American Legion. It was my privilege to be in attendance with them last night at...MacMurray College and we just want to greet them and say hello to them.

PRESIDENT:

Yes, will our young ladies from Illinois State...Illini State please stand and be recognized. Welcome to Springfield, and to all of you who are candidates, good luck in the election. All right. The Senate will stand in Recess until the hour of two o'clock. There will be a caucus in the leader's office for each party immediately.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. If I can have the attention of the membership, in order to afford the necessary time to get everybody here and talk about different pending amendments, we will start instead on the Order of Recalls and we'll go through the recall list. So I would ask those members who have filed amendments for House bills on 3rd reading...the list has been distributed, Sangmeister, Lemke, Savickas, Barkhausen, Schuneman, Vadalabene, Berman, D'Arco, Degnan, Topinka and on down the list. If we can handle those with some dispatch, we will then return to the Order of House Bills on 2nd Reading. All right. With leave of the Body, we'll move to the Order of House Bills 3rd Reading for the purpose of recalls, then we will stay on House bills 3rd reading, Senator Vadalabene has a bill of an emergency nature that it is necessary to pass and...and have the House's concurrence and the Governor's signature by this weekend. I

would ask you to take a look at that at your leisure, House Bill 881, as I am told, a bill of an emergency nature which we will go to...immediately after recalls. On the Order of House Bills 3rd Reading, the middle of page 7, is House Bill 231. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purpose of an amendment. Is leave granted? On the Order of House Bills 2nd Reading is House Bill 231, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister and Lemke.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this amendment was asked for by the Department of Corrections because their House Bill 1918 got diverted to another use. This puts back in 1918 except it strips out any reference to the Department of Corrections doing any printing. So what it amounts to, it's to allow correctional industries to expand their customer base through lease of goods. Move for its adoption.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of Amendment No. 2 to House Bill 231. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, page 7, on the Order of House Bills 3rd Reading is House Bill 242. Senator Sangmeister seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading,

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House Bill 242. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

Yeah, originally before we had the 2nd reading on 2202, I felt that that concept should be put into 242 as well, and that is the grandfather clause be eliminated and I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves the adoption of Amendment No. 2 to House Bill 242. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 264. Senator Lemke seeks leave of the Body to return House Bill 264 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 264, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is a amendment requested for by the realtors to correct a technical problem in the area of forceable detainer. I think...I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 264. Is there any discussion? If not, those

H.B. 344 recall

in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 272. Senator Lemke seeks leave of the Body to return House Bill 272 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, 272, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 2 would just add on line 14, "Any educational requirement apart from any bar examination requirement shall be deemed satisfied upon completion of ten years of service as a Senator or Representative or both in the Illinois General Assembly." I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Amendment No. 2 to House Bill 272. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 344. Senator Barkhausen seeks leave of the Body to return House Bill 344 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bill 2nd reading, 344, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 344 makes a slight change in the incorporation portions of the Municipal Code to permit an area with at least eighteen hundred persons to have a small opportunity to incorporate for thirty days after the effective date of this amendatory Act. I've discussed it...we've discussed it with the staff on the other side and with the Illinois Municipal League and I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 344. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 360. Senator Sangmeister seeks leave of the Body to return House Bill 360 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 360, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. This Body, by a very substantial vote, sent the exclusionary rule over to the House, it never got out of the House Committee, we're now putting it into this

bill. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 360. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 398, Senator Joyce. Senator Joyce seeks leave of the Body to return House Bill 398 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 398, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 simply makes it very clear that any group hospital care plan or group medical and surgical plan established under this section shall not be construed to be a pension as guaranteed by the Constitution of the State of Illinois. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Amendment No. 2 to House Bill 398. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate bill...House Bill...474, Senator Berman. Senator Berman...well,...Senator Vadalabene.

SENATOR VADALABENE:

There is no amendment...but it's on recall and I do want to make a statement in regard to that 450.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House Bill 450, Senator Vadalabene, what's your pleasure?

SENATOR VADALABENE:

All right. Thank you, Mr. President and members of the Senate. Since I took the sponsorship of House Bill 450, there's been a lot of criticism on the bill not being heard in the Elementary and Secondary Committee. As you well know, the bill came to us and we amended it in the Executive Committee. At that time there was a request for me...no, from Senator Rock to have that...bill rereferred to Secondary and Elementary Committee of which time I opposed, not realizing that the roof was going to cave in on me from several different associations. What I would like to do at this time is to rerefer that bill to the wishes in the Executive Committee to the Committee on Secondary and Elementary for further study. This is a drastic change and I think it should be heard by that committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has made a motion to rerefer House Bill 450 which is on the Order of 3rd Reading to the Committee on Elementary and Secondary Education. Is leave granted? Senator...Senator...Senator Keats.

SENATOR KEATS:

Yeah. Would I...would I be out of place in saying, having worked with Senator Vadalabene and some others on the bill, you know, these bills go to different committees all the time, I...I've seen some in odd committees. I'd be more than happy to take the sponsorship. I don't see any reason to rerefer to a committee that...it's already passed out of another committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR KEATS:

...you could give it to one...the rest of us, I would accept sponsorship.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, there...under our rules, on a motion to recommit, it's debatable only to the merits of the recommitment and it just seems to me that...Senator Keats.

SENATOR KEATS:

...I was speaking to the merits. I understand the problem. I would oppose recommitment and would be willing to take the sponsorship, but I oppose the recommitment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's...it's always been my experience in the eleven years that I have been here that when a sponsor makes a motion on his bill to take the appropriate action, it seems to me that we...we have never traditionally that I know of...in my experience, we...we've never done that. Senator Keats.

SENATOR KEATS:

The problem being, and it was an accident, originally, I was suppose to have been the sponsor of the bill and there was an accident on that. I am...that's what I'm saying, if Senator Sam wants to send it back, I...I won't object. What I am saying is, I would object short-term...say, I will accept sponsorship of the bill; if you want to do it the other way, I'll go along. All I am saying is, I'll offer to take the sponsorship.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved to recommit House Bill 450 to the Committee on Elementary and Secondary Education. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 450 is recommitted to the

Committee on Elementary and Secondary Education. 474, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 474 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 474, Order of 2nd Reading, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. In Amendment No. 1 that we adopted the other day, there was the provision regarding the...fees to be charged for service of process by sheriffs, coroners or other persons. It's been called to our attention that sheriffs and coroners and others...sheriffs and coroners have their fees set by Statutes so that that wording is incorrect. So we're taking...Amendment No. 2 just strikes the sheriffs and coroners, so we're just limiting it to private process servers. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment No. 2 to House Bill 474. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 521. Senator Barkhausen seeks leave of the Body to return House Bill 521 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 521, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 521 seeks to clarify the immunity that the bill attempts to grant to municipalities in the area of antitrust. The amendment is being offered at the suggestion of the Illinois Association of Realtors. I know of no opposition to it and would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 521. Any discussion. If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 563. Senator D'Arco seeks leave of the Body to return House Bill 563 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading,...563, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 provides that all accounts of the condominium association that are managed by a management company shall have a separate account for each reserve fund that the management company is managing. It also provides that until one year after the effective date of the amendatory Act of 1985, if an association has reserves plus assessments in excess of two hundred and fifty thousand

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Recall

and cannot reasonably obtain one hundred percent fidelity bond coverage, then it must obtain a fidelity bond coverage of two hundred and fifty thousand after this one-year grace period which would expire one year after the effective date of this Act. I don't know of any opposition to this. It is necessary because of the legislation we passed last year in order to clean it up, and I would move to adopt Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves the adoption of Amendment No. 1 to House Bill 563. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 831. Senator Barkhausen seeks leave of the Body to return House Bill 831 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 831, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 831 is the substance of Senate Bill 644 which passed the Senate 46 to 9 and was never called in two meetings that I sat through in the House Judiciary Committee. Senate Bill 644 and this amendment deals with fees paid to witnesses including crime victims who testify or called upon by a state's attorney to testify in court. Essentially, the...the bill and this amendment provide for a maximum of fifty dollars per day for such a witness, less the amount that a

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witness would receive as a...as a...court per diem and up to a maximum, as I say, of...of fifty dollars covering lost wages, but that...that is the maximum of fifty dollars. I'd be happy to answer any questions or...or discuss it, but that is the essence of the amendment and the original bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 831. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 880. Senator Degnan seeks leave of the Body to return House Bill 880 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 880, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 amends the Section 20 of the Revenue Act, closes a loophole for property tax avoidance in Cook County that developed under the Forestry Development Act which was enacted by this Body as Prairie State Two Thousand. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 880. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...could you give me a little more detail on this amendment. We've not had the...I've not seen it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Sure. Under Prairie State Two Thousand, the Forestry Development Act became part of our law. That Act has served to cause some tax...real estate taxpayers and speculators in Cook County to take advantage of the Forestry Development Act even though there is no forest in Cook County, and therefore,...avoid certain taxation on property tax matters there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

All right...a copy of the amendment was just put in my hands, we'll...we'll have to take a closer look at it. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved the adoption of Amendment No. 1 to House Bill 980. Further discussion? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 964. Senator Topinka seeks leave of the Body to return House Bill 964 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 964.

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 is an agreed to amendment which puts the Department of Rehabilitative Services into the Act as per agreement so as to be part of a central management services group that would be deciding upon...how to handle products and services of people that this board would control.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 964. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 971. Senator Barkhausen seeks leave of the Senate to return House Bill 971 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 971.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 971 is identical to Senate Bill 646 with one amendment. This is the...a bill that makes it a crime to deal in stolen property and also creates a new business offense of possession of altered property. We passed the bill out of here 53 to 1 with an understanding that it would be amended to remove those sections of the bill dealing with so-called prima facie evidence created...would have created a presumption that under certain circumstances these particular crimes had been

committed. We have...pursuant to our understanding, we have...we have put that amendment or made that change in this particular amendment, so there should be absolutely no opposition to this amendment. As I say, the bill with that understanding originally passed 53 to 1 and, therefore, I would move the adoption of this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 971. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1034, Senator Welch. 1111, Senator Zito. Senator Zito seeks leave of the Body to return House Bill 1111 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd Reading, 1111, Mr. Secretary, read the bill.

SECRETARY:

Amendment No. 2 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 2 to House Bill 1111 was strangely enough suggested by the Governor's Office, and the first time I've been in the General Assembly, I have agreed to it. It's a clarifying amendment and it changes the Governor's Office of Planning and...inserts the Bureau of the Budget, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Amendment No. 2 to House Bill 1111. Any discussion? If not, those in favor

signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1410, Senator Marovitz. 1410 on the recall list. 1413, Senator Lemke. All right. On the Order of...of Recalls is Senator Lemke seeks leave of the Body to return House Bill 1413 to the Order of...Senator Marovitz, for what purpose...all right. Senator DeAngelis, for what purpose do you arise? Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, a very, very obvious one, the amendment proposed on 1410 is my amendment. Senator Marovitz is on the Floor. I asked him if he would give consideration to bringing this bill back. I would like to have some...since he is present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, members of the Senate. I...I have not seen an amendment to 1410. No one has talked to be...talked to me about an amendment on 1410...there's been no negotiations to my knowledge. I haven't been a party to them, and as the sponsor of the bill, I said I would give consideration to that. You can't...very well give consideration to an amendment that you haven't seen and no one has discussed with you. So, as far as I'm concerned, the bill should remain on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator DeAngelis, the sponsor has indicated he does not wish to call it back. Senator DeAngelis.

SENATOR DeANGELIS:

Well, generally, there is a courtesy extended to someone

who...who proposes an amendment unless it's otherwise indicated. And,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR DeANGELIS:

...Senator Marovitz, I've come over there a couple of times and you've been studiously caucusing and I've tried not to intrude when other Democrats are meeting for whatever purposes they meet.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator, it seems to me that maybe we ought to...maybe you ought to...try another sachet over there and see what else you can do. Senator DeAngelis.

SENATOR DeANGELIS:

Well, if I sachet over there and show him this very simple amendment, can we come back to this and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...I...that's...I have no idea where we're going after this. You'll have to speak with the Senator about it. Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I would like permission from the Chair to do so, I realize I have to talk to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the Chair is not in the position to ask the gentleman to recall his own bill. If you wish to ask that question of Senator Marovitz, I would be delighted to give you the time. Senator DeAngelis.

SENATOR DeANGELIS:

Are...are you saying then, that if...that you will recall it if we sit down and...show him the amendment and so forth?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am...I am saying to you that if...is there leave of the Body to go back to House Bill 1410 later this afternoon?

There's objection. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...that...that just goes to show you the quality of the negotiations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of House Bills...recall is House Bill 1413. Senator Lemke seeks leave of the Body to return House Bill 1413 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill...1413, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Is this the amendment which talks about the Supreme Court?

SECRETARY:

Deleting line 17...you want me to give you the LRB number?

SENATOR LEMKE:

Yeah.

SECRETARY:

...LRB8404494EGCHAM.

SENATOR LEMKE:

What Amendment No. 2 does is deletes the Supreme Court membership as we passed the bill out, Senate Bill 345, Senator Netsch had, but the bill didn't survive the committee system in the House. So I ask...it was unanimously passed by the Senate. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 1413. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it.

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Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, it was pointed out to me by the State's Attorneys' Association that in...in the Criminal Justice Information Commission system, we give DuPage County State's Attorney and Cook County State's Attorney but we do nothing for the downstate state attorneys. So what this bill does is gives the director of the State's Attorney Appellate Service Commission power to appoint one member to the Criminal Justice Information Commission to represent those downstate counties. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 3 to House Bill 1413. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1474. Senator Newhouse seeks leave of the Body to return House Bill 1474 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1474.

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I believe we have to take care of a little order of business first before this can happen.

So I would defer back to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise to Table Amendment No. 1 in order for...for Amendment No. 2 to go on. I ask leave of the Body to Table the Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse moves to...having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor signify...of saying Ayes...Aye. Opposed Nay. The Ayes have it. The motion is reconsidered. Senator Newhouse now moves to Table Amendment No. 1 to House Bill 1474. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

END OF REEL

REEL #2

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 virtually takes care of most of

our...our concerns regarding this bill. It...it applies to AFDC only which is the people with just...with children and all reference to general assistance has been eliminated from this bill. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue has moved the adoption of Amendment No. 2 to House Bill 1474. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1567. Senator Watson seeks leave of the Body to return House Bill 1567 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1567.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The amendment is a technical amendment. Sections were removed in the Act that were...should not have been and this just corrects that. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Watson moves the adoption of Amendment No. 1 to House Bill 1567. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, again. This is another clarification amendment. It simply says...it defines exactly what is to be fined and what the surcharge is going to be based upon. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Watson has moved the adoption of Amendment No. 2 to House Bill 1567. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1641. Senator Maitland seeks leave of the Body to return House Bill 1641 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 1641, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 1641 is an amendment that's brought to me by the municipal league and Treasurer Donnewald's Office, and really, I guess, one might say it's clarifying language in that it...it resolves a controversy which centers around whether the purchase agreement is a securities transaction or whether it is...collateralized loan...the Treasurer had indicated that this was a...a necessary amendment, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 1641. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1763, Senator Netsch. Senator Netsch on the Floor? 1850, Senator Jeremiah Joyce...Senator Jeremiah Joyce seeks leave of the Body to return House Bill 1850 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1850, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. This is a...just some clean-up language for DuPage County. It only is for DuPage. It allows counties to receive an equitable relief from the court where a landowner has improperly filled a flood plain by placing a lien on the property for the cost to remove the fill. The second thing it does is set forth procedures to handle abandoned cars by notifying the owner and then removing them, and then, third, allows the Zoning Board of Appeals in DuPage to appoint a hearing officer for variations of less than ten percent of the bulk requirement of the Zoning Code, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 1850. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have. Amend-

HB 1902 Recalled

ment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, 1902, Senator Barkhausen. Senator Barkhausen on the Floor? 1902. Senator Barkhausen seeks leave of the Body to return House Bill 1902 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1902, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2 makes Illinois law on soliciting of accredited investors consistent with the Federal law. It deals with a certain category of offerings which are described as to offer...to...prospective purchasers that have one million dollars of net worth or two hundred thousand dollars income or purchases of over a hundred and fifty thousand dollar minimum. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved the adoption of Amendment No. 2 to House Bill 1902. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, Senator Netsch is on the Floor now. With leave of the Body, we'll go back to the first page

and pick up 1763. Is leave granted? Leave is granted without objections. On the Order of...of Recalls, Senator Netsch has sought leave of the Body to return House Bill 1763 back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1763, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The amendment, as I recall, was suggested by several members of the committee at the time the bill was heard. It deals with the operation of vending machines in...by those who are part of the...State Blind Program at...on State highways...in rest areas on State highways, and the amendment is...is intend to, I think, clarify that we're talking about privately owned vending machines and to make it clear that the State is not compelled to enter into contracts when there is not somebody who is...obviously, qualified for it, and so it changes "shalls" to "may" in several places, and that, I believe, is the intent of it. It...in effect loosens the restrictiveness of it. I would move the adoption of Amendment No. 1 to House Bill 1763.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1763. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, page 2, turn the page, 1924. Senator Watson seeks leave of the Body to return House Bill

1924 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1924, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is a Department of Conservation amendment and I believe this bill is going to end up being...probably a Christmas tree before it's all said and done, but it's a transfer of land and it changes from a hundred and forty acres...140.93 acres to a 141.01 acres. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has moved the adoption of Amendment No. 1 to House Bill 1924. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President and members of the Senate. Amendment No. 2 to...House Bill 1924 would exchange a hundred and fifty-three acres of land known as Rock Ends Creek...a undeveloped tract that was purchased by the Department of Conservation several years ago. This amendment is offered by the Department of Conservation. It would give an exchange of property for property to be a...of the equal appraised value to a stone company in Monroe County. That's the first part of the amendment. The second part of the amendment has to do with Senator Luft's district and he isn't

on the Floor. It's a hyphenated...he and I are hyphenated sponsors of the amendment, and it would convey thirty-three acres of land in the...to the Village of Forrest City for purposes of a park at no money, but...it's being leased now by the park for a dollar a year, and it would say that in the event the property is not used for park purposes, it would revert to the State. I'd moved for the adoption of Amendment No. 2 and answer any questions you might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dunn has moved the adoption of Amendment No. 2 to House Bill 1924. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Amendment No. 3 to House Bill 1924 was suggested and given to me by Central Management Services. It has to do with two tracts of land in Union County that have been offered for sale twice by the department. They were offered by sale on public auction on November the 16th, 1984 and again on May the 31st, 1985. Neither property sold, so it's suggested in this amendment that they reduce the appraised value to three hundred dollars an acre and they think that then they can sell it and...I'd ask approval...I'd be...glad to answer any questions and ask approval of...of...adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 3 to House Bill 1924. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amend-

HB 1928 Recalled

ment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1928. Senator Coffey seeks leave of the Body to return House Bill 1928 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1928, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, the amendment here to House Bill 1928 is actually the former House Bill 940. At the time it was heard in the Transportation Committee, it was objected to by the Department of Transportation. What it proposed to do was to allow local units of government the first chance to buy any used equipment from the Department of Transportation. About the time that that hearing had concluded, I found out from the department what their objection was and under the plan, of course, they would not have received the money for the sale of these used vehicles. They suggested that if I were to draw up an amendment that said that that money would flow back into the Road Fund, they would then remove their objection. They did that and I took that action, and then I talked with Chairman Nedza about this and, of course, we had missed the train in the...in the Transportation Committee, and he suggested that we attach this as an amendment to House Bill 1928, and that's what we have done with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 1928. Is there any discussion?

HB2188 Recalled

If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1958. Senator Dunn seeks leave of the Body to return House Bill 1958 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 1958, on the Order of 2nd Reading, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Amendment...No. 3 was offered...was brought to me by the Department of Conservation and provides that the stumpage value of wrongfully cut trees would be determining by averaging three independent...appraisals secured by the Department of Conservation. I'd move the...adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dunn has moved the adoption of Amendment No. 3 to House Bill 1958. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2188. Senator Marovitz seeks leave of the Body to return House Bill 2188 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. House bills 2nd reading, 2188, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 2188 would permit certified teachers who are seventy or older to be substitute teachers in the City of Chicago only. It...it's only permissive and allows seventy or...or over to be substitute teachers should the situation arise, and I would ask for the adoption of Amendment No. 1 to House Bill 2188.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of...Amendment No. 1 to House Bill 2188. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2434, Senator Maitland. Senator Maitland seeks leave of the Body to return House Bill 2434 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2434, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Floor Amendment No. 2 to House Bill 2434 authorizes the

Department of Central Management Services to convey by quit-claim deed for the sum of one dollar approximately fifteen acres of land to the Village of Maryville to be used for public purposes. If the land is not used for public purposes, it shall revert to the State. This has the approval of the Illinois Department of Transportation and is supported by Central...Management Services, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved the adoption of...Amendment No. 2 to House Bill 2434. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2437, Senator Keats. Apparently we do not have the amendment as of yet, Senator Keats. 2499, Senator Lemke. Senator Lemke seeks leave of the Body to return House Bill 2499 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 2499, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...is the recommended by the Governor's Office to clean up some problems they had...with technical problems they had with the bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved the adoption of Amend-

ment No. 1 to House Bill 2499. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, we've now completed the recall list. We will now go to the...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I would request that Senator Marovitz reconsider his position in not allowing me to attempt to put the amendment on House Bill 1410.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, it's not the...it's not the prerogative of the Chair to...to do that. As a matter of fact, had your amendment not been filed, this bill would never have been on the recall list anyway. It is the sponsor's prerogative if he wishes not to bring it back and, therefore, we are going to the Order of...House Bills 2nd Reading, page 58. With leave of the Body, we'll go there. All right. Senator...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Just a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAROVITZ:

With respect to...to Senator DeAngelis' question. I would apologize to Senator DeAngelis. The amendment was on my desk. We had never discussed it...discussed the substance of the amendment, but the amendment was delivered to me and I would apologize to Senator DeAngelis, because I didn't realize that it was delivered although we did not discuss it.

In...in reference to...to what goes on here generally in terms of courtesy, there are two sort of conflicting courtesies regarding the...the procedures in the Senate. Number one, it's always been the sponsor's prerogative to have his bill in shape, in the order that he would like it called. On 2nd reading, when the bill is there and it lays on 2nd reading, any member has the right to file an amendment on 2nd reading. When the bill is on 3rd reading and it's going to be recalled, it is not generally the courtesy to recall a sponsor's bill and have a sponsor recall his bill when he knows that the purpose for which that bill is being recalled is to, in fact, gut the merits of his bill. I don't know very many sponsors that would call a bill back to 2nd reading in order to have a vote on gutting his bill. That is what the recall would be done. The bill was on 2nd reading, an amendment could have been filed anytime while the bill was on 2nd reading, it was not. It came up in the general order of procedure. It was moved to 3rd because no other amendments were filed. The amendment would, in fact, gut my entire bill and, therefore, I do not want the bill recalled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...all right, it...it seems to me, ladies and gentlemen, we're...we're go to serve a dilatory exercise here because...Senator DeAngelis.

SENATOR DeANGELIS:

Well, for the last time, Senator Marovitz, your recollection that...is kind of faint. One, you didn't remember that the amendment...and I handwrote a note on the amendment to you, it was presented to you two days ago, but you also don't recall that when the bill was on 2nd, I did ask you for consideration and did not attempt to block the movement to 3rd in light of that consideration. Now, you can choose not to give me that consideration; however, I can still say that the act is rather discourteous and not very

HB 52 2nd Reading

kosher.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...all right, we are now...we are on the Order of House Bills 2nd Reading, page 58, House Bill 48, Senator Luft. Senator Luft on the Floor? 52, Senator Marovitz. On...on the Order of House Bills 2nd Reading is House Bill 52, Mr. Secretary, read the bill.

SECRETARY:

House Bill 52.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 59, turn the page, House Bill 53, Senator Marovitz. House bills 2nd reading, House Bill 53, Mr. Secretary, read the bill.

SECRETARY:

House Bill 53.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 142, Senator Bloom. 157, Senator Davidson. 296, Senator Bloom. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Yeah, a point of order, please. It was my understanding there was to be an amendment to...to House Bill 52.

HB300 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Donahue, would restate your point?

SENATOR DONAHUE:

...I was under the understanding there was a...an amendment to House Bill 52.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I've just talked to the Department of Children and Family Services and they're...they do have an amendment prepared. They're running it through everybody. We just...he just left me, I...we'll recall the bill tomorrow when they run it through everybody and get an agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page...59, 300...House Bill 300. On the Order of House Bills 2nd Reading is House Bill 300, Mr. Secretary, read the bill.

SECRETARY:

House Bill 300.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Rigney, Philip and Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney.

SENATOR RIGNEY:

Mr. President, to make it simple as to what's contained in Amendment No. 1, you probably remember that there was a bill called House Bill 2036 and what we're really doing with the proposed the Amendment No. 1 is simply removing everything in the original bill and substituting the language from

2036 into the 300 bill. I think it's probably a better approach as far as community right-to-know is concerned. It does, for instance, require emergency and contingency planning that is not really required as a part of House Bill 300. I think probably a lot of the folks back home just assumed that that was going to be a major feature of any community right-to-know legislation that we would have, and the fact that that's missing is something that, frankly, I've never quite understood about House Bill 300. This, I think, most of you are aware, is the version of community right-to-know that is basically supported by the various business groups throughout the State of Illinois. It rolled out of the House in good shape, in fact, I think with only just a handful of dissenting votes, in sharp contrast to the way the 300 emerged from the House. So, I guess there's not a lot more to say about it. The issue is pretty clear. We just wanted a chance...since we did not get a chance to vote on 2036 in the committee, we thought maybe you'd like to have a chance to vote on it on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

What makes you think that, Harlan? All right, Harlan...Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 300. Is there any discussion? Senator Rock. Oh, Senator Joyce. I'm sorry, who wishes to speak first? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I just want to comment that...Senator, you said you did not get a chance to vote on it. You didn't ask for a chance to vote on it in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to Amendment No. 1 to House

Bill 300. Amendment No. 1, as I understand it, incorporates that which was in a...House Bill 2036 which is truly a totally different approach to community right-to-know. House Bill 300 has undergone substantial revision since introduction two years ago and it's...an attempt has been made really to work with the interest groups and with the business community to put into effect a law...concerning which we can all be proud, and I suggest that House Bill 300, as it will be amended, because I have...an amendment filed which is as...the result of some...very lengthy negotiations between the chemical industry and the staff of...of both Houses. The question really is do we as a matter of public policy want a Community Right-To-Know Act, and if we do, then it seems to me that House Bill 300 is the way to go, because I think we all recognize, as House Bill 300 says, that the citizens of Illinois have a fundamental right and a need to know the potential hazards of priority chemical substances, and those substances are layed out. There are eighty-two of them listed and what it says to the business community and not all of the business community but only those members of the business community which are required to obtain a permit from the EPA that you will have to do six things and submit a report where you will have to list...for public inspection list with the EPA for public inspection and list to the extent that the EPA can them compile this information and forward it to the county executive and the local public health departments and members of the General Assembly. I think 300 has been worked and overworked to the point where it is now in substantially good shape and should be subject to a virtual unanimous vote, but instead, we now get Amendment No. 1 which brings us right back to the old do nothing bill, and I suggest that we strongly defeat Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Channel 20 has requested permission...to

tape. Leave granted? Leave is granted. Further discussion? Senator Rigney may close.

SENATOR RIGNEY:

Well, to sum it up, Mr. President, I think really when we look at it, House Bill 300 in its present form is masquerading as a community right-to-know bill that requires Illinois industry, we feel, to needlessly spend thousands of dollars to comply with the requirements and probably is going to cost Illinois industry many jobs. It requires about seven thousand Illinois businesses and industries to track approximately eighty chemicals and compounds that are not covered by either the current Federal standards or the Illinois EPA requirements. I think unlike House Bill 300, 2036 does require industry to prepare and make available these emergency contingency plans, and I think as a bare minimum, everyone expected that that was going to be a part of community right-to-know, and as I said in my opening remarks, we're very silent on that issue of contingency plans in the event that there's some type of a chemical emergency. We feel that 2036 does present the...the alternative that is needed in this particular area. The information collected by it will be available to the public in each county individually, and the on-site emergency plan also is available to the public in addition to the local emergency service agencies. I think we're going to the heart of the problem with 2036, unlike 300, and so, therefore, now that you do have a chance to vote for the bill that I think has been agreed to by all of the people in industry and by those who have a concern about true community right-to-know, I think you will probably appreciate the chance to cast a vote on House Bill 2036 and so I ask for your...support for Amendment No. 1 and, Mr. President, I would like to have a roll call vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has requested a roll call vote.

Senator Rigney has moved the adoption of Amendment No. 1 to House Bill 300. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 31, none voting Present. Amendment No. 1 fails. Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

...verify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney has requested a verification of the roll call. Senator Rigney, in what respects? The Ayes or the Nays or the Presents?

SENATOR RIGNEY:

Well, verify the negatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Rigney has made a request to verify the negative vote. The Secretary will slowly read the names of those who voted in the negative.

SECRETARY:

The following voted in the negative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney,...I can't even see you. You...do you request...do you request the presence of...of any member who voted in the negative? Senator Rigney.

SENATOR RIGNEY:

Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is Senator Berman on the Floor? Senator

Berman on the Floor? There he is, he's on the Floor. Senator Berman is here. Senator Rigney.

SENATOR RIGNEY:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name. Oh, Senator Rock, for what purpose do you arise?

SENATOR ROCK

Point of order. Now the gentleman hit a home run last night and he hasn't walked as quickly since, so I...maybe we could afford him a little time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR RIGNEY:

Okay, is...Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Carroll on the Floor? He hit a home run too. Senator Carroll on the Floor? Strike his name.

SENATOR RIGNEY:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz is on the Republican side. Senator Rigney,...do you...Senator Rigney, do you question the presence...

SENATOR RIGNEY:

...yeah, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz. Standing right here in front. All right.

SENATOR RIGNEY:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas on the Floor? Senator Savickas on the

Floor? Well, Senator, Senator Jones has arrived so restore his name. Senator Carroll has arrived, restore his name. Senator Savickas on the Floor? Senator Savickas is at the door for a quick exit. Senator Rigney, you question anyone else? All right on that question, on the verified roll call, the...the...28 Ayes, 31 Nays, none voting Present. Amendment No. 1 fails. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is an attempt to accommodate particularly the chemical industry who were concerned about the estimated reporting that has...is to be required under House Bill 300. We took those concerns very seriously because, as I indicated in committee as I would do...upon Senator Rigney's inquiry that, yes, indeed, we expect the companies to make every good faith effort to comply and, indeed, they do wish to comply. As a matter of fact, I read in the Chicago...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Rock. Can we have some order, please. This is a very important subject. Senator Rock.

SENATOR ROCK:

...I read in the Chicago Tribune not so very long that the chairman of the Monsanto Chemical Company from Sauget, Illinois, endorsed House Bill 300 and, further, with this amendment representatives from that company have been involved in this. This makes...the amendment makes some technical changes in the bill and it clarifies the situations where reporting really is not feasible and it provides exemptions for minimal levels, adds a more limited definition of business and allows an affidavit in place of annual filing if

no changes have occurred and makes various other technical changes. This amendment has been subject to some lengthy discussions between Representative McPike and the members of...of my staff, and I know literally of no objection and I would urge the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Would you be...are you saying, Senator, that by this amendment...let's strike that. One of the criticisms I had about House Bill 300 was the fact that the big companies can handle themselves under...House Bill 300, but it's the small companies that would have had...quite a burden to try and comply with it. Now, are you saying, Senator, that you...by your amendment, that you have taken out the...the rigorous provisions that would affect the small companies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

My understanding is that one of the objectives of this amendment is to totally eliminate the...those small companies from the provisions of this bill. So, in...the answer to your question is, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

What...can you give me an idea how small the company...it can be to be eliminated from this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Okay. Yes, five or more full-time employees and twenty or more part-time employees and there is a two thousand pound minimum quantity for reporting. Just exactly what was in 2036.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't quite follow you. You say that under...and any firm with under twenty employees is not covered. Is that what you're saying?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Part-time employees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And...what is the maximum number of a small company of employees? Just five.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes,...the...the provisions of the law kick in at the five or more full-time employee level or twenty or more part-time employee level and a two thousand pound quantity for reporting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock moves the adoption of Amendment No. 2 to House Bill 300. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 392, Senator Lemke. House Bill 481, Senator Kelly...Kelly. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 481.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kelly.

PRESIDENT:

Senator Kelly on Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The amendment which we are offering on House Bill 481 is identical to the amendment that we attempted to offer on House Bill 181 yesterday that Senator Netsch had, and this changes the base for determining the number of required petition signatures. It also affords the reduction which Senator Netsch had attempted to achieve by reducing the requirement from ten percent to five percent of the minimum signature requirements for ward committeemen. So, it does accommodate the interests of the legislation that Senator Netsch had, but at the same time, it incorporates the...the base change. I believe we debated the subject previously. I would move for the adoption of Floor Amendment No. 1 to House Bill 481.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Amendment No. 1 to House Bill 481. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. While there is some difference on my side of the aisle about this particular amendment, I

want to tell you that the majority, at least, and I hope the...people...the Republicans on my side of the aisle are listening, particularly those from Cook County, I want you to know that the suburban committeemen are in the majority opposed to this particular amendment. As a matter of fact, they are vehemently opposed to this particular amendment. I urge you not to support this amendment.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

I...I think it's that time of year, Mr. President, when we are beginning to see some of the same issues over and over again as amendments to various bills, and as someone over here suggested to me, this is probably not the last time we'll see this one if it should happen not to prevail this time. We did defeat this before. It is clearly intended to make it more difficult for anyone to file for the office of township or ward committeeman and seems to me it is intended to do it in a way that is discriminatory, and that is very likely to be just as unconstitutional and just as quickly invalidated as was the provision which it is designed in part to replace. Instead of the...the difference of the number of signatures, we're now talking about a difference in the base against which it's measured. It does...it is not consistent with....any...anyone's idea of what is good government or what is the proper purpose of requiring signature petitions...signatures on a petition to file for an office whether it's public or private, and it is, I repeat, it is discriminatory against this office and it should be defeated.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Kelly's amendment, quite

frankly. One of the things disappointing to me, it's so easy to get a...become a candidate and get on the ballot these days, and you have a lot of, how should I say it, unqualified people who don't take a lot of signatures to get on. We ought to make it tougher. If you've got a good organization and work hard and get these signatures, you ought to be on the ballot. So, I would recommend that we all vote Aye.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

Thank you, I'd move for the adoption of the amendment.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 1 to House Bill 481. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 483, Senator Kelly. On the Order of House Bills 2nd Reading is House Bill 483. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 483.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDENT:

Senator Kelly on Amendment No...

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This is merely a technical change and necessitated by the omission from the bill a particular section which relates to the

tallying of write-in votes. I move for the adoption of the amendment.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 1 to House Bill 483. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 510, Senator Poshard. On the Order of House Bills 2nd Reading, bottom of page 59 is House Bill 510. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 510.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Demuzio and Poshard.

PRESIDENT:

Senator Demuzio on Amendment No. 1.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm offering this amendment...No. 1 to 510 which was identical to Senate Bill 149 that left this Body under the sponsorship of myself and Senator Schuneman, and I have discussed this with Senator Schuneman as well as Senator Rupp and others. We passed Senate Bill 149 which dealt with the

respective pension systems, the General Assembly, the State employees, the State universities, State teachers and judges out of here on a roll call vote of, I think, 53 to...to nothing, I guess, or 53 to 1 or something of that nature, and it seems to me that the House left this bill in the Pensions Committee...apparently chose not to do anything with it, apparently, and take no roll call votes. What Senate Bill 149 seeks to do and why...by virtue of Amendment No. 1 to 510 would to...be to provide for gradual increases in the rate of the contributions to those five pension systems starting in Fiscal Year 1986 so that by the year 1995 the State's contribution would be sufficient to meet the normal cost and to amortorize the...underfund the liability over a thirty-year period of time. This bill is also substantially very similar to Senate Bill 1223 that we passed out of this Body that was vetoed by the Governor in the last Session. I would seek support for the adoption of Amendment No. 1 to House Bill 510 so that we can send it back over to the House and see if we can't get it passed over there.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 510. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have. The amendment is adopted. Further amendments?

SECRETARY:

No...Amendment No. 2, by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 2.

SENATOR POSHARD:

Thank you, Mr. President. Floor Amendment 2 is a technical clarification to solve a problem with language in this bill. The House placed several bills affecting the Downstate Teachers' Retirement System in this one bill, and one of those amendments approved by the House needs to be corrected.

The Senate Insurance Committee had agreed with this proposition in concept. What the language will do is clarify that an annuitant may elect to revoke a reversionary annuity if his or her spouse predeceases him, and I would ask for a...an adoption of this amendment.

PRESIDENT:

All right, Senator Poshard has moved the adoption of Amendment No. 2 to House Bill 510. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 60, on the Order of House Bills 2nd Reading is House Bill 514, Senator Kustra. On the Order of House Bills 2nd Reading, House Bill 514. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 514.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 548, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 548. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 556, Senator Marovitz. Senator Marovitz, 556. On the Order of House Bills 2nd Reading is House Bill 556. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 556.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 567 and...570, Senator Philip and I have agreed to hold until tomorrow. 574, Senator Netsch. On the Order of House...the amendments have been filled, they're up here, yes. On the Order of House Bills 2nd Reading is House Bill 574. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 574.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections and Reapportionment offers one amendment.

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. There was confusion on this bill. One of the committee amendments did not get attached. I believe the one that did get reported is the one that would provide that the...no funds would be transferred from the

Gubernatorial Election Fund...I'm sorry, from the General Revenue Fund into the Gubernatorial Campaign Fund. In other words, no GRF transfers. That was the second committee amendment and it is...it is the first committee amendment as you have it.

PRESIDENT:

This Committee Amendment No. 1 deletes on page 10 lines 25 through 28; it calls for equitable distribution to the candidates. Committee Amendment No. 1, Senator Netsch.

SENATOR NETSCH:

Right, this is the amendment which provides that there will be no transfer of funds from the General Revenue Fund into the Gubernatorial Campaign Fund if the checkoff does not itself provide adequate financing. I would...it's a...makes it identical to an amendment that we had put on our own bill here in the Senate previously. I would move the...the adoption of Committee Amendment No. 1 to House Bill 574.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Committee Amendment No. 1 to House Bill 574. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 is the amendment which the committee adopted as Committee Amendment No. 1

HB 777 2nd Reading

but...which was not reported, so that...that's just simply to identify it to Senator Macdonald and the others. What it does is to provide that the campaign financing bill will be applicable first to the 1990 Election. It eliminates the provision which put restrictions on inaugural funds and...their reporting and...put limitations on them, that is eliminated in accordance with the Governor's Veto of the bill and it also attempts to clarify the period of so-called testing the waters during which the restrictions do not apply. Again, identical to provisions that we had incorporated in the earlier Senate version, and I would move the...adoption of Amendment No. 2 to House Bill 574.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 2 to House Bill 574. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 777, Senator Sangmeister. On the Order of House Bills 2nd Reading, House Bill 777. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 777.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 793, Senator Luft. I beg your pardon,

George. In...there...I just...there...there was nothing...none filed here or at least if it's filed, it's misfiled. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, there's some confusion because there is a Floor amendment for 777. I would ask, at this point, leave to come back to it when I locate where the amendment is.

PRESIDENT:

All right, the gentleman seeks leave...

SENATOR SANGMEISTER:

...ask leave...

PRESIDENT:

...yes, the...we'll return 777 to the Order of 2nd Reading. We'll take it out of the record, Mr. Secretary. Leave it right where it is and with leave of the Body, when we find out where it has been filed, we'll get back to it. So, just leave it...with leave of the Body, it'll be returned to the Order of 2nd Reading and left there. 793, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 793. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 793.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Marovitz, Netsch and Kelly.

PRESIDENT:

Senator Marovitz. Senator Netsch. Your amendment on 793, I take it. Question is...Amendment No. 1 on...House Bill 793. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 793 is the amendment which would amend the legislation that we passed here a few years ago and allow for lights to be used at Wrigley Field at post-season games only, World Series and play-off games only. That is what the amendment does. I think we all know what the issues are. Everybody has had a chance to talk to Dallas Green and talk to the people from the community organizations. I would just like to make a few points very clear and then Senator Netsch will make some points very clear. Last year when the Chicago Cubs were leading the division, and a...we also heard from some very great pundits that the Cubs couldn't win in the...in the daylight and it was impossible they'd get too tired, the heat would bear down on them and they couldn't win in the daylight. Well, the fact is that Dallas Green came in and did an outstanding job in revamping the team, brought in the best players, the Cubs now have the best roster and that is why in 1984, the Cubs won the Eastern Division of the National League under the tutelage and the leadership of Dallas Green and Jim Fry. So, we've done away with that myth and last year, in August, the commissioner's office called me and said, we've got a problem with post-season games and playing them at night, can we sit down and see if we can work something out? So, I met with the commissioner's people, the aldermen, people from the community and we talked about...some alternatives and the question of temporary lights for the play-off and the World Series games came up, and the commissioner's office said...and I would like everybody to hear this, the commissioner's office said, we, at major league baseball, who run the post-season games...we, in major league baseball, who run the post-season games will pay for the installation of temporary lights for the play-off games and World Series games, not the Cub organization, not the Tribune Company, but

major league baseball will pay for them because we have an eighty million dollar TV contract and there's plenty of revenue here, we'll put up those temporary lights. Now let me tell you something else about...about lights, and I know that there's been lots of talk about temporary lights and permanent lights, this amendment doesn't say anything about temporary lights, it can be temporary lights or permanent lights, but in...as far as the installation of temporary lights, which is feasible, the cost according to the Iowa company would be somewhere in the neighborhood of two hundred and fifty, three hundred thousand dollars. That's about ten thousand dollars a team if they all chipped in. The fact is about the ability and the use of these temporary lights, the 1984 Olympics in Los Angelis, baseball was played at the Olympics with temporary lights. That's what happened in 1984. So, as far as the ability of temporary lights, sure, it may not be the same for football because you got a...an eighty-five, ninety mile an hour fast ball coming at you, but it was used in the 1984 Olympics and used without complaint. As a matter of fact, TV cameras need more juice than...than is needed to play baseball, so the fact is, temporary lights are...are going to be fine if those...if that is what major league baseball chooses to use. It can be done in three or four days without great diesel...machines coming in and disrupting the community. The community has not been intransigent. The community has been willing to compromise and willing to be conciliatory...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz, just a moment. Senator Luft, for what purpose do you seek recognition?

SENATOR LUFT:

A point of order, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR LUFT:

How did my...my amendment not become No. 1 to this bill when it was filed first? Not that. Secondly, what I would like to know, since someone has changed the order of amendments and my amendment apparently is now not No. 1, does my amendment track with the one that is about to be adopted?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I think you had better, from what I've just heard. Yes,...have leave to take it out of the record. (Machine cutoff)...to have...we have already had leave to return to House Bill 777 which we are waiting for an amendment. The amendment is ready, so on the Order of 2nd Reading, in the middle of page 60, House Bill 777. It has been read a second time, we are on Amendment No. 1. Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you and thanks for leave to come back to this,...we have located the amendment and the amendment is very simple in nature. After a meeting with all of the parties concerned about probation and community corrections, basically what this amendment does is put some language in as to what the purpose of the whole bill is concerning community corrections and a few other technical changes. I'll be happy to answer any questions if you have any, and...we can discuss it on 3rd reading. If not, move for adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 777. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of House Bills 2nd Reading on page 60, House Bill 805, Senator Karpiel. Read the bill, Mr.

HB 935 2nd Reading

Secretary.

SECRETARY:

House Bill 805.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The amendment that was adopted in committee was an amendment that was suggested by the Comptroller and it just deals with the technical methods by which he is going to withhold these income tax refunds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpiel moves the adoption of Amendment No. 1 to House Bill 805. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 900, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 900.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, take it out of the record. Let's wake up...House Bill 935, Senator Fawell. Read...read the bill, Mr. Secretary.

SECRETARY:

House Bill 935.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. First, I'd like to Table the committee amendment because it is improperly drawn and I...I want to add amendment...Floor Amendment No. 1 to substitute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Having voted on the prevailing side,...Senator Fawell moves to Table Committee Amendment No. 1 to House Bill 935. All those in favor indicate by saying Aye. Those opposed. Hearing no objection, Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment is correctly drawn, first of all, and it does add a couple of...other things. First of all, it excludes Chicago from the bill. The second thing it does is it moves the dates from July 1st, 1986 to July 1st of 1987 for the reorganization committee to study the size and structure of the school districts in the region and then it moves the date from July 1st 1987 to July 1st, 1988 for the...all right, I'm sorry, I...I take it back. The first one is just a technical amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it's in the record, you can't take it back.

SENATOR FAWELL:

Yeah, all right. Senator, the...Amendment No...the Floor Amendment No. 1 is just a technical amendment, period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator Fawell, did you conclude your presentation on the amendment?

SENATOR FAWELL:

I...I just move for its adoption. It's a technical amendment. Just clears up the language, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my...it's my understanding it's simply a technical amendment that substantive...the substance of the...of your amendment that which was adopted in committee and this simply is something to do with technical and we have no objections to that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR GEO-KARIS:

Does this...does your bill...or your amendment...rather the bill itself...is this the bill that forces the school districts to unite?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

No. No, it does not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR FAWELL:

...let's get the amendments on first. The first amendment is just a technical amendment, okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? If not, Senator Fawell moves the adoption of Amendment No. 2 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The third one is the one that changes the dates that I was explaining before, I'm sorry, it...it changes the dates from July 1st...1986 to July 1st, 1987 for the reorganization committee to study the size and structure of the school districts in their region; and then it changes the...the date from July 1st, 1987 to July 1st, 1988 for the committee to submit this proposed plan to the voters. Plus, it excludes Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Fawell moves the adoption of Amendment No. 3 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This amendment simply allows

for the reimbursement of the costs to the...those districts that have already established their ESR's, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I have talked to Senator Donahue about this amendment and this is acceptable to me, and I would move for its adoption also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio, do you have a problem there...I mean, you're...Senator Donahue moves the adoption of Amendment No. 4 to House Bill 935. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 5 to House Bill 935 is the amendment that simply mandates that the...when the question is asked on reorganization that it must pass in every district affected, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'm...in response to the sponsor's amendment, I would go on record as being opposed to this amendment. I think if we go this route what's going to happen is that there are going to be districts that are not going to be reorganized that, frankly, should be. We have

got a...a further amendment a little down the way that might possibly take care of Senator Maitland's problem, I think, but I think this is...this is not a good amendment. We have got some school districts that, frankly, should be reorganized and I would ask my fellow colleagues to oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? We have Senator...we have Senator Welch, Macdonald, Geo-Karis, Hudson and Schuneman, in that order. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to rise in support of this amendment. I think that it is not a good idea what we're doing, ordering consolidation of the school districts. Many small schools will be forced out of existence by necessity should this bill become law especially without this amendment. I'm reminded what was said by Daniel Webster so many years ago in the Dartmouth College case when he argued before the Supreme Court and he said, "It's a small school, but there are those who love it," and I think that we should take that into consideration as we try to eliminate so many downstate small schools under the guise of a study that was done of only some fourteen school districts and which came to the conclusion that bigger is better. Once again, we are being led in this Chamber, as we sometimes are, by a public opinion poll, unusually unscientific and usually supporting the polltaker's preordained opinion of what is good for everyone else. I think that the parents want to keep their kids close to home. I think small schools are something to give small towns identity and they want to maintain them. This bill will end up in more busing than any parochial school busing we have ever thought of before. I think that this is a good amendment and I think we should adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MACDONALD:

Senator Maitland, I was under the impression...as a matter of fact, I was the chief sponsor when I was in the House, that your amendment...was already law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Macdonald, two or three years ago we changed the law which made it now not necessary for a reorganization effort to pass in every district. This bill as sent to the...to the Senate, of course,...followed that train of thought. It just seems to me, as Senator Welch has so capably put, that when something as this...as this dramatic, this monumental, that, in fact, it should pass in every district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

My understanding of your amendment, Senator, is that before they consolidate two school districts the...both the...the people in both...in each of the school districts has to consent to...have to consent to it by vote. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

At the present time, it's possible, is it not, where one school district does not consent and the vote still is a majority, they can consolidate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That is correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise to speak in favor of the amendment. I don't think it is fair to the people of one school district that are concerned about their school district and pass the referendums to help their school district to be bound by an overwhelming vote of another school district with which they may not want to be consolidated. I think the amendment is good and I think it's fair...completely fair, far fairer than the present law, and I speak for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

END OF REEL

REEL #3

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think we're doing some interesting things here, the...the new superintendent of education has issued the recommendation that schools be consolidated in Illinois, and one of reasons he cites for that is a study of the test scores of kids that have graduated from various size schools. He points to the fact that kids from small schools apparently have lower test scores and says, for that reason, we ought to consolidate the schools. He completely ignores the fact that kids from big schools, the larger schools in the State have terrible test scores, bad test scores. The solution to the problem appears to be his suggestion that we do something about the small schools but leave untouched the biggest schools in this State. Now, one of the previous sponsors of an amendment to this bill completely exempts the City of Chicago from the bill, and I suggest to you that...that it's simply not fair to the small districts around this State to ask them the question of whether or not they will consolidate with a larger school district knowing that the larger school district can outvote the smaller school district. It's simply not fair. This amendment, if nothing else, is an attempt to put some fairness back into the system. I don't think any of us object to the idea that consolidation ought to be studied,...and that maybe some proposals ought to be offered to voters. But let's not force this kind of an issue where the people who want their schools will be forced into some other district that they may not want to...to join. This is a good amendment and ought to be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of Senator Maitland's Amendment No. 5. I think the points have already been made...relevant to its passage, and I would ask our members to support the...the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 5 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 offered by Senators Demuzio and Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I'd...I'd like to have that amendment withdrawn.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 6 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Yes, Mr. President, that would be the amendment that was No. 7. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. There had been some concern with respect to the representation on the reorganization committee that...that is formed. Amendment No. 6 would delete the number fourteen and require that...that each...each unit district in the region select one member, and that also each high school district will in fact have a member. All districts then are represented on the reorganization committee. I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment also is acceptable to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 6 to House Bill 935. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 7 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 7 to House Bill 935 gives protection...it is...it will be impossible to erode...to erode an existing district...it eliminates the erosion of assessed valuation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Fawell.

SENATOR FAWELL:

This, too, is acceptable to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...further discussion? If not, Senator Maitland moves the adoption of Amendment No. 7 to House Bill 935.

Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 8 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

I...I'd like to withdraw this amendment, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1000, Senator Joyce. House Bill 1020, Senator Joyce. House Bill 1027, Senator Welch. House Bill 1102, Senator Lemke. Read the bill. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1102.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is Senate Bill 1456 in its pristine form that it left this Chamber by a 45 to 4 vote and it was lost someplace across the aisle, and I would just move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 1027
2nd Reading

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, as much as I hate to...I hate to disagree with my good friend across the aisle, but we are very much opposed to this particular amendment. Why do we really need this? What is to prevent the boss judge from being very partisan if he doesn't want to prevent or enhance vote fraud? There is real concern that this might become a patronage tool rather than instill professionalism in conducting registration, and I would rise to strongly oppose this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Nedza moves the adoption of Amendment No. 1 to House Bill 1102. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...can we have leave of the Body to go back to House Bill 1027 for Senator Welch? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1027. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1027.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The amendment is one which refers to individuals being hired from outside of their districts...their school districts, and what the bill also says is that there is a clause that it doesn't pertain to the City of Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to House Bill 1027. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 1027 merely puts Chicago back in the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you. This issue was debated in committee and it was the sponsor's request that this amendment not be put on the bill either in committee, and I believe he'll restate that on the Floor. Because of the size and the vast resources available in the City of Chicago, the...the Chicago Board of Education and the City Council of the City of Chicago have seen fit to impose certain residency requirements as it affects the employees of certain agencies including the Chicago Board of Education. I don't think it is our prerogative here to change that and I stand in opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. Chairman. As...as Senator Berman stated the facts, they are correct. I promised in the Elementary and Secondary Education Committee that in order to get the bill out of the committee, I would oppose this particular

amendment and I would stand on the Floor and state that I was opposed. So I've done what I promised I would do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 2 to House Bill 1027. Those in favor indicate by saying Aye. Those opposed. The Nays have it. The amendment loses. Further amendments? For what...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of...of...of the Senate. I would ask a roll call and suggest, if it's good enough for downstate, it ought to be good enough for Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested on the adoption of Amendment No. 2 to House Bill 1027. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, 1 voting Present. Amendment No. 2 having received a majority vote is declared adopted. For what purpose Senator Berman arise?

SENATOR BERMAN:

A verification, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the members please be in their seats and will the Secretary read the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen. Bloom. Coffey. Davidson. Daniels...DeAngelis. Donahue. Dudycz. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Karpiel. Keats. Kelly. Kustra. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson. Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative votes, Senator Berman?

SENATOR BERMAN:

Karpiel...Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel. Take her...remove her from the record. There she is back on the Floor. Do you question any other members?

SENATOR BERMAN:

Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer is talking to the press.

SENATOR BERMAN:

No further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary. On a verified roll call, the Ayes are 28, the Nays are 26, 1 voting Present. Amendment having received the majority vote is declared adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1020, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1020.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1159, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1159.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Could you tell me what the number is of that amendment 'cause there's two amendments.

ACTING SECRETARY: (MR. FERNANDES)

SDS84H1159PAMLLA.

SENATOR JEROME JOYCE:

All right. Thank you, Mr. President. This is the home builder's amendment to 1159. This amendment clarifies builder-developer donations to local units of government. Currently, a builder-developer may...be required to make a land donation for a park or a school site in an area where he plans to build. This...amendment does not change that situation; however, where sites are currently provided for such public use and are not being used at all, the local unit of government would be required to show that additional donations are needed. Where additional sites are not needed, the builder-developer would not have to pass the cost of this donated land onto the home buyer, thus, reducing the cost of housing. Again, this amendment...takes no authority away from local government. It merely requires that they show a need, and if that need exists, they may proceed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to House Bill 1159. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1197, Senator Bloom. No, wait...Senator Joyce, you have another amendment?

SENATOR JEROME JOYCE:

It must not be up there. I'll...can I have leave to come back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we can bring it back.

SENATOR JEROME JOYCE:

Yeah, all right. All right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On House Bill 1197, Senator Bloom. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1197.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1292, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1292.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment clarifies the...the opportunity of...as to the financial obligation to the facility and the authorization to apply any deposit to the obligation still holding...still owing to the nursing home upon the resident's death. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 1 to House Bill 1292. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1355, Senator Sangmeister. Senator Sangmeister, 1355? 1395, Senator Nedza. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1395.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the amendment that the Farm Bureau and the Illinois Tax...Federation and the Illinois Association of Realtors have been talking to you about concerning raising the property taxes in...for park districts. We're talking about a five-cent property tax increase and, of course, the problem with this, and we opposed...or I opposed this particular bill in committee simply because there's no...referendum. All we're asking to do...and this amendment would do would put a front-door referendum on the provision and...and ask the people to have a chance and an opportunity to be...to be heard. This is a front-door referendum, that's what this amendment does. Currently, the legislation does not pertain...contain it. So we're just asking for the people to have an opportunity to be heard and I would appreciate support and urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I...I think we all ought to take a good look at this amendment. What this...this five-cent amendment is for is health and safety reasons. Now, if there is a...a health and safety problem in our parks, we are either going to have to close that park...safer and since there is a...a building that is in a park that has a problem in it, a health and safety problem, a fire problem, any kind of...the roof leaks, the improper doors are on it. A lot of our parks have gone out and bought old school buildings and that type of thing that are now, frankly, in disrepair. If there are bleachers that need to be replaced, if you feel that your parks should wait until a referendum is taken and passed in order to correct these situations, I guess you should vote for this amendment, but we allowed this same courtesy not only to our schools but to our community...our community colleges so that they have this leeway to take care

of these problems as they arise so that our people will not be hurt on the property. That's the reason we...we limited it to a five-cent levy, anything above and beyond that we feel probably is not an emergency problem, and we do tell them they have to go to a referendum. But I would...I would suggest you look at this very closely. This is a...a...this bill was originally introduced by our park districts, and I would suggest that you...and as much as I like the sponsor, kill the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senator Watson said is very true, he did oppose the...the bill in committee, and fortunately, the committee, in their wisdom,...the rest of the members of the committee supported the bill, so the bill came out 9 to 1...do it 9 to 2, I'm sorry. But in order to...the amendment, I rise in opposition to that...to this amendment, because what in effect the amendment does is guts the bill. In the...the recent decline of...of school age population, park districts have been able to obtain a number of...or...unused school buildings for their use as recreation centers, et cetera. Consequently, they share...they have a problem with assuming the ownership of these buildings because of the fact that the presence of asbestos and other hazard materials that the school districts throughout these...United States are presently addressing themselves to. House Bill 1395 would extend the same authority that school districts presently have and community college has...have because of the fact of the asbestos...the hazardous material. Now, it's true that there is no referendum, it's a straight levy of up to five percent. The reason for the five percent is because if they acquire one of these structures, the presence of the hazardous mate-

rial is there, the park district would assume what is other...or to be a white elephant as far as the school districts are concerned, the facility would then be placed into a good use for the community, and we do not deny that it is not a five-cent levy. A five-cent levy on a fifty thousand dollar home reflects into a twenty-five dollar increase, but there are some safety provisions in this bill also. What it does is that it requires an architect or an engineer and for the expenditure of twenty-five thousand dollars in order to make the structure habitable for whatever the park district would like it to be. After that five...five percent, there is a referendum provision leading up to the ten percent. So there is a referendum provision in the bill, it's a two-tier, the first five percent none and the five percent after would have to be a referendum. What the amendment does is guts that entire provision and just makes the bill a...nonentity. Now the park districts have had to acquire an association of cost which has mandated their facilities. Now, we're talking about general purpose recreation centers, senior citizen centers, health fitness centers, arts and crafts centers, day school, pre-school centers. Now the health and safety of these individuals and these structures under these programs is the same as if they're in a community college or any...the structures in a school districts, and I would ask and urge you to help me defeat this amendment so that the park districts in this State can do the same thing that the educational community colleges are doing. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to House Bill...Senator Watson, do you wish to close?

SENATOR WATSON:

Yes, sir...yes, sir. Thank you, Mr. President. I just want to make sure everybody knows what they're...what they're

voting on here, because some of...one of the previous speakers made reference to the fact that this is a bad idea. I...I don't know when it's such a bad idea to allow the...the people the opportunity to...to voice their concern and if it's an emergency situation and the park district can sell it, then why not let the people have a choice and an opportunity to be heard? And as a...that's all we're asking to do, put a referendum on it, let the people have an opportunity to vote. We hear constantly about how the property taxes continually increase and this is one of the reasons why it happens. We pass these bills up here that simply go on back home and raise property taxes without giving the people an opportunity to vote. I think they should have that opportunity. I think they should have the...and that's what this amendment does. You vote for the amendment, you're voting for a referendum. If you vote against it, you're voting against the people having an opportunity to be heard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson moves the adoption of Amendment No. 1 to House Bill 1395. Those in favor indicate by saying Aye. Those opposed vote Nay. Sounds...the Ayes...the Ayes have it. Amendment No. 1 is adopted. A...a roll call has been requested. All those in favor of adopting Amendment No. 1 vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 5. Amendment No. 1 having received the majority vote is declared adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we do have our second amendment on House Bill 1159. We will return House Bill 1159 from 3rd reading to 2nd reading for the purpose of

its amendment. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the amendment that the clerk couldn't find because it was in my drawer. This one amends the Illinois Manufactured Housing and Mobile Home Safety Act. It eliminates the mobile home coverage from the Act, but what it...what the real crux of it is...it...is that it provides that manufacturing housing permanently placed and used as a dwelling or as an owner-occupied real property shall be taxed as real property. It amends the Revenue Act to include such manufacturing housing in the definition of real property. I'd ask for adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce moves the...Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, it's been some time since I have been on the Revenue Committee, but isn't manufactured housing subject to a special kind of assessment now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, no, it's not...this one...this further clarifies that it is not. This says that if it's on a...on a foundation that it will be taxed as real property. This will increase the property tax coming into the counties. The special tax was like fifty dollars or something that counties put on several years ago, but this...this says that if it's on a foundation, it will be taxed as real property.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 1517 2nd Reading

Senator...further discussion? If not, Senator Joyce moves the adoption of Amendment No. 2 to House Bill 1159. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1436, Senator Joyce, Jerome Joyce. House Bill 1467, Senator D'Arco...House Bill 1517, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1517.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Amendment No. 1...committee amendment becomes the bill and establishes a limited program of consolidated tax levies by establishing a new increased corporate fund rate for the counties by population and category. It eliminates a currently used county rates and eleven unused rates. This was arrived at by very close work with the Taxpayers' Federation and...of Illinois and they do support this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 1 to House Bill 1517. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further...Amendment No. 2 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this Floor amendment which I will describe, I would like, of course, to have adopted, but following the description, I would like this particular bill to remain on 2nd to not be moved to 3rd. The...the Floor amendment changes two of the consolidated levies as listed in the committee amendment, the one is for populations in counties of eighty thousand to three million, changes that from twenty-five percent to twenty-eight percent and it changes those for fifteen thousand or less from thirty-five percent to forty percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Holmberg moves the adoption of Amendment No. 2 to House Bill 1517. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Oh, I'm sorry...we must keep that on 2nd reading. House Bill 1517 will stay on 2nd reading. House Bill 1529, Senator Collins. House Bill 1540. 1556, Senator Keats. With leave having been previously granted, we will now return to House Bill 793 on the Order of 2nd Reading, that's on page 60. Senator Luft, who filed his amendment first, has out of generosity permitted Senator Marovitz to have his amendment considered first. Senator Luft's amendment being No. 2. With that, Senator Marovitz on Amendment No. 1. Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 793.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Marovitz, Netsch and Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the amendment, once again, that would allow for the use of lights for post-season championship games. As I mentioned before, the community was very concerned, as were I'm sure all of us, that the games might be moved to another city should the Cubs get in the play-offs and the World Series. And a community not to be intransigent, not to be an...an...in an effort to be conciliatory and compromising felt that the use of lights for post-season plays was...was acceptable, and it was extremely important to all the citizens in the State of Illinois because of the revenue that such games would bring into the State of Illinois. And this would amend the law that we passed a few years ago to allow lights for post-season play and post-season play only. There have been lots of talk about lights all the time, giving more people a chance to see the games, but the fact is, try and get a ticket to the Cub games now. I get calls all the time from my constituents and from people in this Body about the need for tickets because it's impossible to get tickets to the Cub games because of their popularity. This amendment passed in the House yesterday, 85 to 25. Today...with with the present law today, the Cubs can play three o'clock games as they do, they can play four o'clock games if they want, it is even conceivable that they could play five o'clock games. I think we should take a look and...at...at what...putting permanent lights and playing forty, fifty games at night

would do to a community, and these are people who moved into the community, who are raising their families in the community, who have a stake in the community, have mortgages, have...are going...attending the schools in the community knowing that it was day baseball only. They had that commitment from Phil Wrigley that there would not be lights at Wrigley Field, and they realized that the installation of permanent lights and the playing of night games during the regular season would really totally destroy that community, and it would destroy that community. The fact is, there is no parking...most of you have gone to the games in Wrigley Field, there's no parking over there. It's not quite as bad during the day because most of the people, a lot of people, take public transportation. The CTA lets you off right in front of the door and people take public transportation because it's during the day. There are a lot of spots available on the street because the residents are at work. If the games were at night, you're not going to find these same people taking the trains home at eleven, twelve o'clock at night. The public transportation is not going to be used, the spaces on the street are not going to be available. Where are people are going to park? There is no provision for parking whatsoever if...if regular season night games were played. I want to read you a letter from the people who are the biggest lighting people in the United States, it's Musco Lighting and this is a letter to the aldermen in our community. "This letter is to advise you that it is possible for Musco Mobile Lighting to provide temporary lighting for Wrigley Field. Our conclusions are based upon the study which we did last year for the baseball commissioner's office and our substantial experience in both permanent and temporary lighting for various types of sport's facilities including baseball stadiums. Electric power to operate the lighting equipment could be provided in a variety of ways includ-

ing conveniently...conventional utility company power systems or generators supplied by Musco." I repeat, that last year, we talked with the commissioner's office, the Tribune wanted to use temporary lights for the play-off games. Last year it was fine to use those temporary lights, major league baseball is going to pay for it not the Tribune Company; and one point that I want to make very clear because some people have alleged that even if we get temporary lights, the Cubs won't use them. Let me make this very clear, the post-season games are under the authority of the commissioner of baseball. It is within his power...if legal in the State and in the city, it is within his power to order the installation of temporary lights and to have those play-off games played under temporary lights at night. It is within his power just as it was in his power to move the games to another city over the objection of the Chicago Cubs. So this is up to the commissioner of baseball who would like to see lights for play-off and World Series games. He came down here, he talked to me and he talked to others, he loves day baseball, wants to see Wrigley Field a viable edifice and the continuation of day baseball but is very concerned, as are the other major league baseball owners, that the play-off games not be used and that lights be available for play-off games in the City of Chicago. I think this is a very reasonable amendment. I think it shows that the community has not been intransigent, it has been willing to compromise and be conciliatory and say, all right, there's a possibility of seven night games in our community, we'll live with that because we know the revenues to the State of Illinois are important and we don't to see those games moved. I would solicit everybody's support to amend the State law that we passed last year and allow post-season games to be played under the lights at Wrigley Field.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Back in the first week of April, I introduced a bill, it's Senate Bill 1173. It says that it will amend the Environmental Protection Act to provide that noise and lights may be omitted from a stadium...of a city of not more than one million...of more than one million people during a nighttime play-off or a World Series game. This bill does exactly what this amendment calls for and I was approached by two of my colleagues asking me to hold that bill, that it was very important particularly since it was under review by the courts, and after seriously considering the issue, because they have been certainly very good to me, I've discussed the matter with the one Senator and indicated that I was going to do this, but if this issue surfaced again, I would like to take a part in taking the lead on the issue. Well, I'm going to support this proposal because this is exactly what I was attempting to do with my Senate bill. But I want to say you, commitment wasn't kept and I...I feel bad about it, that's always been a common trait around here that we...that we have courtesy and we try to...to the best of our ability. I know we've got a very busy world, a very busy General Assembly and maybe that's some of the problem that it's hard to remember what we did or what we didn't do, but I'm going to support this but I think I'll think twice before I hold a bill or Table a bill at the request of a member.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. At the appropriate time to move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito moves the previous question. We do have

Senator Netsch, DeAngelis and Rock that wish...speak, so after those three. Senator Netsch.

SENATOR NETSCH:

Why don't I do the closing since I'm cosponsor of the amendment. I'll take it up last.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Marovitz can do the closing. You relinquish to her. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicate he'll yield.

SENATOR DeANGELIS:

Well, Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Which one...which...

SENATOR DeANGELIS:

Senator Marovitz. Yeah. They may get a twofer on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Okay. Senator...Marovitz, where did you get your information that the commissioner's office would pay for the lights?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

From the commissioner's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, was it the park commissioner in Chicago or was the commissioner of baseball?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...to clarify it, although I did repeat it twice. Last year, 1984, when we had negotiations with the commissioner's office, the commissioner's office said major league baseball would pay...would pay for the lights in 1984. I did not say and I'm not standing here and saying that the commissioner's office has said that they would pay for the lights in 1985, but they did make a commitment that...we've never talked about that. They did make a commitment to pay for them in 1984.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, for the record, the commissioner's office will not pay for the lights, so we have to get that straightened out first. Pardon? The commissioner's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion?

SENATOR DeANGELIS:

Yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Marovitz, you also indicated in your speech that Musco Lighting would do the lighting...could do the lighting. Has Musco Lighting ever lit up a professional stadium for a sport's event for major league professional teams?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I don't know if they did it for major league professional teams, I know they did it for the 1984 Olympics where base-

ball was played.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the answer, again, is, no; and I will tell you that the finals of those baseball games were played in the Los Angeles Dodger's Stadium.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...no further...discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. There are just a couple of points that I would like to make. One, as almost everyone in the Chamber knows, there is still pending a Supreme Court argument that involves the validity of both the State Statute and the city ordinance which effectively control and regulate the playing of games in Wrigley Field at night. It was not our decision to reopen this issue while the Supreme Court decision was pending. It was the Tribune and the Cubs who decided somewhat late in the game, we think, to come to Springfield and to begin to lobby heavily for a complete repeal of the State Statute and a preemption of the city ordinance, and that, indeed, is the next amendment that you will be asked to vote on, Senator Luft's amendment. I am talking on...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, for what...

SENATOR NETSCH:

...this amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Just to keep the record clear, the next amendment does not preempt the city ordinance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, for that point. Senator Netsch.

SENATOR NETSCH:

The next amendment does, unless you've got a new one filed. In any event, whether or not it does is in a sense irrelevant to my argument, because my point is that it was not our decision to reopen the issue of the validity of the State Statute or its continued effect. It was the Tribune and the Cubs who did that. What we are doing really is responding to that pressure from them. We have...met with our community, the community has itself been meeting at great length and what it has said is that we do not want to be unreasonable. Almost everyone who lives in that community is a die-hard Cubs fan. They don't want anyone to play...even to threaten to play play-off games or World Series games outside of Wrigley Field, and so they are the ones who came forward and said, look, we are willing to talk about this, we are willing to make movement. We are willing to say, let's change the State Statute and allow play-off games to be done at night if that is the will of the baseball organization and the commissioner's office and ABC television. And it is for that reason that the amendment...this amendment has been put forward. Finally, let me just say that, don't anyone be under the illusion that is not a community issue and that this is not an issue of enormous importance to the fifty-two thousand people who live within four blocks of Wrigley Field. I have before me, and I guess I won't read it now, a study that was done of the difference in crime at Comiskey Park between day games and night games, and let me point out that Wrigley Field is very different from Comiskey Park. There are no buffer zones around Wrigley Field, the residences are right there, right next door to Wrigley Field. The difference in the crime statistics is very dramatic, that is what those people are concerned about. They...it is their neighborhood, it's their homes, it's their families and I think we

should respect their privacy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch moves the adoption of Amendment No. 1 to House Bill 793. Those in favor indicate by saying Aye. Those opposed. The Ayes have it...the Ayes have it. Amendment No. 1 is...the Ayes have it. Amendment No. 1 is adopted. Any further amendments? A roll call has been requested. Those in favor of adopting Amendment No. 1 to House Bill 793 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Chew, when you...sit in this Chair, you will direct the operation. Have all voted who wish? Take the record. On that question, the Yeas are 28, the Nays are 28, none voting Present. The amendment having failed to receive a majority vote is declared lost. For what purpose does Senator Marovitz arise?

SENATOR MAROVITZ:

A verification of the negative, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the negative vote has been requested. Will all the members be in their seats and will the Secretary please call the negative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following vote in the negative: Bloom. Chew. Coffey. Davidson. DeAngelis. Donahue. Dunn. Etheredge. Geo-Karis. Hudson. Jones. Keats. Kustra. Lemke. Luft. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson. Weaver. Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz, do you question any of the negative vote?

SENATOR MAROVITZ:

Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey is standing in the back.

SENATOR MAROVITZ:

Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke. Senator Lemke on the Floor? Senator Lemke. Strike his name.

SENATOR MAROVITZ:

No further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Verify the affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a request for the verification of the affirmative vote. Will all the members in the seats. Will the Secretary call the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Dudycz. Fawell. Friedland. Hall. Holmberg. Jerome Joyce. Karpiel. Kelly. Lechowicz. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, do you question any of the affirmative vote?

SENATOR PHILIP:

Senator Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson. Senator Dawson in his seat? Senator Dawson. Strike his name.

SENATOR PHILIP:

Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly is...Senator Kelly in his seat? Senator Kelly on the Floor? Strike his name.

SENATOR PHILIP:

That's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr....Mr. Secretary, 26 Yeas, 27 Nays. On a verified roll call, Amendment No. 1 having failed to receive the necessary votes is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 to House Bill...793 eliminates language specifically prohibiting baseball, football, soccer, sport's events or any other events from being played at night in the State law. I feel that the Chicago Cubs belong to all of us even though they're domiciled in the City of Chicago, and I believe that they belong to the whole country and I think after meeting with Mr. Green, it is...seriously and sincerely his desire to be kind to the neighborhood in which Wrigley Field sits, and I think his schedule of eighteen games plus, hopefully, post-season and World Series games is to the advantage of all of us in the nation and I disagree with Senator Marovitz a little bit because night games do bring in a little more revenue and it's called television. There's Monday night games that could be brought from that area and I would just hope that we could strike this language from the State law and would move for the adoption of Amendment No. 2 to House Bill 793.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR BLOOM:

How did you get involved in this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR BLOOM:

Did the...

SENATOR LUFT:

I am a Phil Caveretta fan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, I thought maybe Mr. Vonackan got a hold of you before he did...us. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I am intrigued by Senator Luft saying he got to meet Mr. Green. Now, we had the pleasure of meeting Pat Paulsen and I was wondering why we didn't all get to meet Mr. Green.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

First, a parliamentary inquiry of the Chair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR MAROVITZ;

Since...since this is preemptive of home rule, how many votes would...does this need? Well, I...guess that...that would be...but if this...if this amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, this is an amendment. Amendment takes the

majority of those voting to adopt. The preemption would only have taken effect on the passage of the bill. Senator Marovitz.

SENATOR MAROVITZ:

That's what I'm asking, if this amendment were adopted, how many votes would it need on 3rd reading?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, this is only a parliamentary inquiry at this time. The ruling is not binding and if it's...if it's preemptive, it would take thirty-five votes...thirty-six votes. Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I just...I rise in opposition to this amendment. This is a total repealer. We passed this bill a couple of years ago, this would allow no limitations whatsoever...every game could be played at night, and I think that there comes a time when we have to, you know, it's...it's all...it's fine for the almighty dollar to...to run our lives and run sports, but when it...when it destroys communities, I think that's when we ought to put our foot down and I think that's what this bill will do. It's a total repealer. I'll tell you one thing,...you know, it's sort of an exercise in futility 'cause this is...this bill is not going to go to the Governor's Desk in this form. I think we all know it, it's never going to get through the House. The amendment passed the...the previous amendment passed 85-25, and I would solicit everybody's No vote on this amendment. It is a total repealer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI has sought permission to take still pictures. Is leave granted? Leave is granted. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Even for those of you who do not fully agree with our community in terms of their attitude

toward lights and no lights, let me suggest to you that this amendment as a matter of principle is wrong, wrong, wrong. Not only does it wipe out entirely the State Statute and the city ordinance and leave that community without any way to protect itself in negotiating with the Tribune for some reasonable limitation, but in addition to that, it is literally...what it says, is that no home rule municipality over one million, that is Chicago, can do anything to control the time or conditions in which sporting events are to be played. That is absolutely contrary to about ninety-five percent of the decisions that we take in this General Assembly having to do with the right of a community to protect itself. So that...you know, even if you want eighteen night games or play-offs or something else, for heaven sakes, don't visit this on the City of Chicago, let alone on the citizens of Lakeview, please, vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise to apologize, I misspoke, the amendment is in fact preemptive. The question of preemption, obviously, obtains only on 3rd reading. This amendment can be adopted by a simple majority; on 3rd reading, it will obviously require an extraordinary majority. I was handed, frankly, the wrong amendment. This one is preemptive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft moves the adoption of Amendment No. 2 to House Bill 793. A roll call has been requested. Those in favor of adopting Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 15, the Nays are 39, 1 voting Present. Amendment No. 2 having

failed to receive a majority vote is declared lost. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Withdraw.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment No. 3 is withdrawn. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Philip, for what purpose...

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have Virginia Macdonald's bill, 1934, that's on the same subject. I would ask leave to go to that for the purposes of an amendment...hopefully, there is some middle ground in this battle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, we are at 1688, 1933 and 1934. So, why don't we just do those two bills and we'll be right at 1934. On the Order of House Bills 2nd Reading, House Bill 1688, Senator Netsch. Read the bill, Mr. Secretary. For what purpose Senator Rock arise? Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1688.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill as it came out of committee was essentially a shell bill. It dealt only with the subject matter of allocation of the private bond cap that was decreed by Congress in last year's revenue bill. The...we've already passed one bill out of the Senate which is...effectively reenacts the Governor's Executive Orders, I'm sure that one is going to pass the House also. At the request of the House sponsors, this does all of the same things except that instead of having the allocation done by the Governor alone, it is done by a private activity bond allocation council which consists of ten members most of whom happen to be executive employees but with two appointments...I'm sorry, four appointments also by the Legislature. They wanted to have an opportunity to present this option and I agreed to do it, I've informed Senator Etheredge of this. I would move the adoption of Amendment No. 1 to House Bill 1688.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 1 to House Bill 1688. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1933, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1933.

(Secretary reads title of bill)

HB 1934
2nd reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...

ACTING SECRETARY: (MR. FERNANDES)

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is similar to a Senate bill that we passed out of here, Senate Bill 1260, with...which put royalties paid to people that own leases in oil wells, that an...an escrow account must be set up. We've found a better way to do it and that's what this amendment does. It just allows an for interest...payment after a hundred and fifty days. It is an agreed amendment among the oil industry and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the adoption of Amendment No. 1 to House Bill 1933. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1934, Senator Macdonald. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1934.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft. Senator Luft withdraws Amendment No. 1. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Marovitz and Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz. (Machine cutoff)...Marovitz, Amendment No. 1.

SENATOR MAROVITZ:

Well, this is the same amendment that we had before. Virtually, with an immediate effective date, it...it's the one that would...would allow for lights for post-season games. Rather than going through the whole dissertation, you know what it is. It is the amendment that allows for lights for post-season games and post-season games only. It's effective immediately upon becoming law and I think this is the best way to go and make sure that the play-offs and the World Series, if the Cubs win, are in Chicago at Wrigley Field and preserve the integrity and the viability of a very important community. You know, I...we hear people stand up on this Floor all the time talking about what's good for their community, what's good for their district, what's good for their people and we vote constantly about things, projects, pork and everything else that's good for their community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Philip arise?

SENATOR PHILIP:

A point of order, Mr. President. It's the same amendment

that we just defeated, it's dilatory and ask for a ruling of the Chair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just...Senator, we have in the past allowed amendments that are similar and basically similar to be heard again. I would suggest that we resolve this by hearing it and getting it over with. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. This is exactly the same amendment I've been told, and I would move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The previous question has been moved by Senator Philip. We do have Senator Chew and President Rock that seek recognition. Senator Rock...or Senator Marovitz, do you wish to make your...have you finished your presentation?

SENATOR MAROVITZ:

I'll...I'll close...I'll close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senator Rock.

SENATOR ROCK:

I...I think Senator Philip's point was not badly taken. The fact is he has another amendment which apparently will offer some middle ground. This amendment has been defeated. Senator Luft's amendment has been defeated. What are we fooling around for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock has suggested we withdraw the amendment. Senator Marovitz.

SENATOR MAROVITZ:

First of all, I'm not going to withdraw the amendment; number two, it is not identical at all. The previous amendment had no effective date on it. This amendment now has a...an effective date, the previous amendment did not. So

it's not the same amendment at all. I mean, the fact is, we're not going to make long dissertations. Let the...let the roll call be known, let it be voted up or down. I think we...I am concerned about the viability of a community. Everybody here stands up for the rights of their community and the projects and the pork that their community needs. This legislation if...if...if the law was repealed and if...if night games were played during the regular season, the people in my community feel, and I think justifiably so, that it would be very detrimental to the quality of life and to the property values in their community, and for that reason, I along with they...am opposed to a...a total repealer or to regular season night games and would solicit your Aye vote for this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President...you know, I've...I've seen everything here and I'm never surprised at what happens. You defeat an amendment, then the same amendment is offered with a different line. Purposely, the first amendment did not have the effective date, so in the event it was defeated, you could come back with a second one. First of all, this purpose and time wasting that we're doing here does not belong in this Senate nor in the House, it should be settled by the City of Chicago. The way the sponsor of this amendment talks, you'd swear and be damned that the...Wrigley Field was in his district. Well, let me tell you, Wrigley Field is in Senator Netsch's district not Mr. Marovitz; and I want that known, it is not in Marovitz district, my community, my people, destroying a community. Wrigley Field has been there longer than any of us. It's going to stay there. If the community didn't like it, why in the hell did they buy the ball park and the team from old man Wrigley who had nothing

but a play toy? So now the Tribune has bought the...the team and has decided to make something out of it. They have begun to spend money to get players to play ball, they've shown how much progress they can make in baseball. Now you have one or two persons in the City of Chicago who wants to dampen all the progress that they have on the planning board. No lights...the only ball park that we know in this country that has no lights. It's a shame before God that we would take up all this time arguing in redundance, for what? If you haven't got your political leverage out of it by now, you will never get it.

PRESIDENT:

All right. Senator, will you bring your remarks to a close?

SENATOR CHEW:

You don't care nothing about a physical light in Wrigley Field, and most of the people that live in the community have not voiced their opinions, and anybody who says likewise is lying. Don't tell me about you've met with everybody in the community, that is not true, because it's impossible to get all of the people concerned and against lights in Wrigley Field. If it's a political issue, you've gotten your mileage out of it. Why don't you just let...let it go now and let's get on to do the business that the Legislature should be doing down here instead of taking up time and hours on nothing...

PRESIDENT:

The question is...question is,...

SENATOR CHEW:

...on absolutely nothing, Mr. President.

PRESIDENT:

Thank you, Senator Chew. The question is the adoption of Amendment No. 1 to House Bill...1934. All in favor indicate by saying Aye. All opposed. The opinion of the Chair, the

Noes prevail. Roll call has been requested, that request is in order. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, there are 22 Ayes, 30 Nays, 1 voting Present. The amendment fails. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Kelly...Amendment No. 2 offered by Senator Kelly.

PRESIDENT:

All right. The hour of six is upon us, we will shortly conclude if we can get down to it. Senator Kelly on Amendment No. 2.

SENATOR KELLY:

The results probably won't be any different, it's the same amendment that was just offered.

PRESIDENT:

All right. All in favor of the adoption of Amendment No. 2 indicate by saying Aye. All opposed. Noes have it. Amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 3.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Being a old, old, long, long Cub fan, hopefully, this is a compromise that everybody can buy. What it would allow would allow eighteen night games at Wrigley's Field, plus the play-offs and the World Series. It does not preempt the City of Chicago. The City of Chicago Council by a ordinance could change those games. I'll be happy to answer any questions and I would move the adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 3 to House Bill 1934. Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. At the very least, Senator Philip, we understand that your amendment does not attempt to preempt the authority of the city; and for that, we and my constituents, and they are my constituents, Senator Chew, in Lakeview are grateful. We are not totally grateful for your approach to the solution of the problem, and for that reason, I will stand in opposition to the amendment. It does indeed open the door and it seems to me it opens it to what eventually will be...unless the city council otherwise decrees, and I grant you, you've allowed that as a possible restraint on it, it opens the door to night games at Wrigley Field probably not limited to the number that you have specified in here. It is that condition and what it brings with it in terms of traffic, crime, all of the other things that would be devastating to that neighborhood, that that neighborhood stands in opposition to and on their behalf, I stand in opposition also.

PRESIDENT:

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

...thank you, Mr. President. I, too, stand in opposition on behalf of my constituents, contrary to what some unknowing speaker said a few minutes ago. If a home runner is hit in right field, they're my constituents; if a home run is hit in left field, they're Senator Netsch's constituents. Last time I looked, nobody's legal voting address was...was Wrigley Field. So the constituents are divided about half and half between Senator Netsch and myself. We have been around the entire district and spoken to the vast majority of people in

our communities, as...as much as anybody can speak to their constituents and attended meetings regularly. They are opposed to regular season night games, and for that reason, for the viability of our community and the people that we represent, just like all of you represent, I would oppose this amendment.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I was one of the foolish ones who voted for the prior bill restricting that, considering that it...it was a local item. The eloquence of the prior speaker was a...got us all and I apologize for it. I think this amendment is good because it does leave it to the option of the City of Chicago, that's where it belongs, it didn't belong here and I certainly speak in favor of this amendment.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. As the newly appointed den mother to the Cubs, I rise in support of this amendment. I think that it is...after all a...a reasonable compromise and I think that it will bring to not only Chicago but to all of Illinois what we need to have achieved. So I would ask for your support of this amendment.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this amendment. I do not want to see the Cubs leave Chicago and if we don't pass this amendment, I'm afraid that someplace down the path that's going to happen, but I look at this at as a inquisition on us and the rest of the City of Chicago by a community. When you move

into a community, you accept those things that are in that community. These people that came down here from that community moved in there long after Wrigley Field was built, and they knew there was going to be baseball there, they knew there was going to be cars parking and so forth. My only criticism with Wrigley Field, is they haven't built enough parking around the field and parking lots, that's the problem, but I think that people cannot object to something in a community that's there when you move in. You accept it and if you don't like it, then you shouldn't move into that community, but you can't chase an industry out of that community. I went through this before in my former area. We lost a vital industry and with...by losing a vital industry, we lost about fourteen hundred jobs in that community; and after it was passed, everybody that was for harassing this particular industry, after they lost their jobs were crying that they...the industry left and...and they were left without jobs. And I think this is what's going to happen to the City of Chicago. If the Cubs move, we're going to lose a lot of jobs, we're going to lose a lot of tax revenues to the City of Chicago. So I rise in support of this as a compromise.

END OF REEL

REEL #4

PRESIDENT:

Any further discussion? Senator Chew.

SENATOR CHEW:

Yes.

PRESIDENT:

Briefly.

SENATOR CHEW:

Thank you, Mr. President. Now this goes to show just how sincere people are. Here is a middle of the ground compromise to put the responsibility back in the City of Chicago and the staunch supporters of previous amendments are in opposition to this. I'll tell you why. Because you don't get no ink down here when it's in Chicago and they don't really care. I'm going....

PRESIDENT:

The question is the adoption of Amendment No. 3 to House Bill 1934. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 10 Nays, 1 voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Gentlemen and ladies, we have one bit of emergency business. If you'll turn to page 24 on the Calendar. With leave of the Body, we'll move to House bills 3rd reading for the purpose of House Bill 881. On the Order of House Bills 3rd Reading is House Bill 881. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 881.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. And I appreciate the Illinois Library Association legislation which is of an emergency nature. House Bill 881 amend the states that when the library holds a successful tax increase referendum after their September levy ordinance, the following date...and at the November election an amended levy ordinance may be filed by November 30th and be effective for the next levy year. This addresses a specific problem faced by the Poplar Creek Library District and satisfies prior objections by the Cook County Clerk. This is an emergency situation in response to a court order issued June 5th in which the judge indicated that the way to remedy the situation is to pass this legislation immediately so that the tax bills can be printed at the voter approved level and it must be signed by the Governor by June...23, and I would appreciate a favorable vote.

PRESIDENT:

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 881 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, 1 voting Present. House Bill 881 having received the required constitutional majority is declared passed. Gentlemen and ladies, we have only some housekeeping resolutions, one that Senator Geo-Karis...wished to suspend the rules on and then we will adjourn until noon tomorrow; and we will attempt to conclude our business so

that we can leave Springfield...by midafternoon, if that's doable. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 383 offered by Senator Davidson and all Senators. It's congratulatory.

Senate Resolution 384 offered by Senator Mahar. It's congratulatory.

Senate Resolution 385 offered by Senators...Lechowicz and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 386 offered by Senators Geo-Karis, Philip and Rock.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move to suspend the appropriate rules that we could have immediate consideration of this Senate Resolution 386.

PRESIDENT:

All right. Senator Geo-Karis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 386. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senate Resolution 386, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate.

(Senator Geo-Karis reads S.R. 386)

Mr. President, Ladies and Gentlemen of the Senate, I do not like to see travel to Greece stopped, but, however, I do wish to see a thorough investigation into that incident of TWA Flight 847 and the people who were...the laxity...the

people who were lax in the security form be called to account to the government, and I ask favorable consideration of this resolution.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Senate Resolution 386. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any further business? Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. I wish to have my name removed as the primary sponsor of Senate Bill 1132 and to have Senator Rock's name...as chief sponsor in its place.

PRESIDENT:

All right. On the Order of Secretary's Desk Concurrence is Senate Bill 1132. The lady seeks leave to remove herself as chief sponsor and insert Senator Rock. Without objection, leave is granted. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A reminder to those fortunate enough to serve on Appropriations I that we will be having the next to the last meeting of the committee at nine o'clock tomorrow morning in Room 212. The party is always the last meeting. Nine o'clock in Room 212.

PRESIDENT:

All right. Nine o'clock in the morning for Appropriations I. I might remind the members on the Democratic side that there is to be a brief meeting in 212 immediately upon adjournment that will be chaired by Senator Berman. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. With leave of the Body, I'd

like to have Senator O'Daniel shown as the lead sponsor on the House Bill 952 and my name removed.

PRESIDENT:

All right. 952, the gentleman seeks leave to substitute Senator O'Daniel as the chief sponsor. Without objection, leave is granted. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, with leave of the Body, I would like to be shown as a joint sponsor to House Bill 935.

PRESIDENT:

935, the lady seeks leave to be shown as a joint sponsor. Is leave granted? Leave is granted. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Mr. President, thank you for allowing Margaret Smith and me to tag for Salvation Army, and it is my privilege to say that Margaret Smith was the...one...one of the best taggers for Salvation Army Day out of this Body. She received almost a hundred dollars, ninety dollars and seventy-seven cents, and we certainly want to thank her on behalf of the Salvation Army.

PRESIDENT:

Senator Smith, you're to be congratulated. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Seek leave to be added as a hyphenated cosponsor of 335.

PRESIDENT:

335, the gentleman seeks leave to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. Any further business to come before the Senate? Appropriations at nine, the Session will commence at noon, and I will do my utmost to make sure we're all out of here by midafternoon. Senate stands adjourned till noon tomorrow.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 21, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desks. Prayer today...our guests in the galleries will please rise. Our prayer today will be by the Rabbi Israil Zoberman of the Temple B'rith Sholom, Springfield, Illinois.

RABBI ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, June 12th and Thursday, June 13th and Friday, June 14th and Tuesday, June 18th and Wednesday, June 19th and Thursday, June 20th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion placed by Senator Vadalabene. Are there any objections? Hearing none, so ordered. Committee reports.

SECRETARY:

Senator Hall, chairman of Appropriations II Committee, reports out the following House bills:

24 and 1040 with the recommendation Do Pass.

652, 664, 672, 674, 678, 679, 993 and 1070 with the recommendation Do Pass as Amended.

Senator Carroll, chairman of Appropriations I Committee, reports out the following House bills:

342, 362, 418, 529, 655, 693, 946, 1110, 2239 and 2240 with the recommendation Do Pass.

143, 526, 530, 569, 583, 641, 651, 653, 654, 656, 657, 658, 659, 660, 661, 663, 665, 666, 667, 668, 669, 670, 671, 673, 676, 677, 683, 721, 947, 1011, 1097 and 1247 with

the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate, in the passage of the following Senate bills together with House amendments:

Senate Bill 14, House Amendment 1.

Senate Bill 39, House Amendment 2.

Senate Bill 98, House Amendment 1.

147, House Amendment 1.

158, House Amendment 1.

172, House Amendment 1.

211, House Amendments 1 and 2.

254, House Amendment 1.

312, House Amendment 1.

319, House Amendment 1.

320, House Amendments 1 and 2.

397, House Amendment 1.

405, House Amendment 1.

416, House Amendments 2 and 3.

448, House Amendment 1.

497, House Amendments 1 and 2.

561, House Amendments 1 and 2.

612, House Amendment 1.

616, House Amendment 1.

840, House Amendment 1.

925, House Amendment 1.

982, House Amendment 2.

997, House Amendment 1.

1029, House Amendments 1 and 2.

1103, House Amendment 1.

1121, House Amendment 1.

1129, House Amendment 2.

1142, House Amendment 1.

1143, House Amendment 1.

1166, House Amendment 1.

1180, House Amendment 1.

1236, House Amendments 1 and 2.

1379 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Senator Rock, for what purpose do you arise? Can we have some order, please. Will you break up the caucus, Senator Rigney...the caucus behind you there. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think we have had, thus far at least, a very productive week. I have just spoken a little earlier with Senator Philip, it is our intent to conclude our businesses rapidly as possible, at the same time affording the members the opportunity to offer whatever amendments they wish. My suggestion is that we start with the recall list and on the Calendar there are only eighteen bills yet remaining on 2nd reading. So we will go through the recall list, through the eighteen bills on second reading and then we will adjourn until Monday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Resolutions...leave granted? Resolutions.

SECRETARY:

Senate...excuse me, Senate Resolution 387 offered by Senator Lemke, congratulatory.

388, by Senator Lemke, congratulatory.

389, by Senator Lemke, congratulatory.

And 390, by Senator Kelly and it's congratulatory.

HB 52 Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. We will go to the Order of Recalls. There has been a list which has been distributed. We will begin with House Bill 49. Senator Hall seeks leave of the Body to return House Bill 49 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 49, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by...Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Senator Hall, your microphone does not work, perhaps you could go over to Senator Holmberg's microphone. Senator Hall on Senator Holmberg's microphone.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is to bring it in conformity with the exactly as...as the bill that went over from the Senate, Senate Bill 39. This amendment gives...makes some technical changes, it corrects some spelling errors and it has that where the jurisdiction was given municipalities the bill within ten miles, it was reduced to three miles. And I ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of Amendment No. 2 to House Bill 49. Any discussion? If not, those in favor will signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 52. Senator Marovitz seeks

leave of the Body to return House Bill 52 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 52, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the agreed amendment offered by the department and the operators in...regarding day-care facilities, licensed child-care facilities and background checks, and when those background checks can be made, and I would ask for the adoption of Amendment No. 1 to House Bill 52.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 52. Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Just for...point of clarification, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, do I understand from this that we are taking out the twenty dollar fee that DCFS could charge the applicant or employee to...defray some of these background checking costs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I believe that's true. This is the amendment that was...prepared by DCFS and...and given me by DCFS.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 52

Senator Barkhausen.

SENATOR BARKHAUSEN:

...I also had a question about the definition in the amendment of child-care facility and wondered whether it...it might be such that...employees other than those who are actually dealing directly with children and, therefore, might...justifiably be checked would also have to undergo the kind of examination that this calls for. In other words, just...do you know, does this only apply to those who are dealing directly with children or might it through this definition apply to others as well?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...it is my understanding that...it would apply to others...employed by the facility where the children are...are located.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It...it's been explained to me that DCFS intends by rule to exclude those who will not be dealing directly with children, and if that's the case, I guess I don't have any problem with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, let's get the bill out first. Is there further discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 52. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator...Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

...on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR HOLMBERG:

Yes, for members of the Senate who may not be aware of the fact that this is Swedish Midsummer Day and in honor of that...the Swedish American delegation, the Senate and the House honored Governor Thompson at breakfast today for being named Swedish American of the Year by the Country of Sweden. He will go there in August to receive his award. And when further...to help all of you celebrate with us, we have Swedish coffeecake from Senator Cal Schuneman and myself, the two Swedes in the Senate, and we hope you'll enjoy it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's right down here by the Republican side of the aisle. On the Order of our Recall sheet...Calendar we have House Bill 54. Senator Lemke wishes to recall House Bill 54 back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 54. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What...amendment to House Bill 54 does is...incorporates Senate Bill...1002 which is a bill we passed out of here 59

to nothing, and the House chairman of Judiciary didn't see fit to post it on the call. What this bill does is requires all child-care facility directors, officers, employees and volunteers be certified by the Department of Law Enforcement. This is in conjunction where a program is to I-SEARCH and...and child abuse. And I think it's a good bill and we in the Senate saw fit to pass it 59 to nothing, but the chairman of the House Judiciary Committee seems fit not to even post it or give it a proper hearing. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 54. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 72, Senator Poshard...seeks leave of the Body to bring House Bill 72 back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills...2nd Reading, House Bill 72, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment makes a number of somewhat technical changes in the amendment which was added to the bill in the House, and it impacts on the responsibilities or the authority of the Director of Insurance. It has been agreed to by the Illinois Mine Subsidence Fund. I ask adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? Senator Poshard.

SENATOR POSHARD:

Well,...Mr. President, I'd like a copy of the amendment, I haven't seen the amendment or anything else and...I am carrying the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Your...you deserve it. Senator Poshard.

SENATOR POSHARD:

Yes. Can we take it out of the...the record temporarily and hold it until we've read the amendment and then we'll come back to it. Is that all right, Mr. President? Is that all right, Senator Rupp? Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Leave...leave is granted. Motion carries. I would suggest that the Chamber is beginning to look like the House with all the talk and action. If we can just quiet down a little and act like Senators. House Bill 231, Senator...Senator Lemke seeks leave of the Body to bring House Bill 231 back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Hearing no objection, leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is...amends to House Bill 231, eight bills that we passed out of this Body in criminal law 59 to nothing that the chairman of the House Judiciary Committee didn't see fit to even post or call or let the witnesses testify. I think it's our...our duty to make sure that these insignificant criminal law bills get...get heard by the full House and adopted because I ask...I...I think

they're good bills. I ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Mr. President, we haven't seen any of these amendments...you know, you're amending eight bills onto this, we haven't even seen them. Now he says they passed 59 to nothing, whatever, but...it'd be just a little bit of a courtesy to see that we get the amendment anyhow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, we can proceed in an orderly manner and be out of here quickly if we get some order. Senator Weaver.

SENATOR WEAVER:

Well, Mr. President, I think it would speed up things if we had copies of these amendments, maybe they're all right, but just as a courtesy, we look at them and move...move on ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We would ask that...sponsors furnish the membership with their amendments, if they wish. Senator Lemke...what's your pleasure?

SENATOR LEMKE:

Can we just take this briefly out of the record, come back to it and when they get their amendments, I'm sure they'll be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to come back to 231? Leave is granted. House Bill 243, Senator Fawell. Senator Fawell seeks leave of the Body to return House Bill 243 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 243, Mr. Secretary, read the bill.

HB 314 Recalled

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 to House Bill 243 contains part of the legislation that I introduced into the Senate some months ago with regard to teacher certification. It has to do with the...with teachers who were not citizens of the United States. And we have substantially changed that...that legislation, and this is the way we've changed it. We say in regard to the citizenship requirement for teacher certification, it will be the State board's determination as to whether or not this certification can be extended and it's done if they determine there is a shortage of teachers in that particular area. It also would...would suggest that if extenuating circumstances were involved that they could give that some consideration also. I would be happy to respond to any questions and if not, I would move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland moves the adoption of Amendment No. 2 to House Bill 243. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 314. Senator Karpiel seeks leave of the Body to return House Bill 314 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 314, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Amendment No. 3...thank you, Mr. President. Amendment No. 3 to House Bill 314 allows alcoholic beverages to be served in nursing homes when a physician and the doctors say it's okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel has moved the adoption of Amendment No. 3 to House Bill 314. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 377. Senator Topinka seeks leave of the Body to return House Bill 377 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 377, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 1 is offered by the Illinois Press Association, it takes care of their concern. What it basically does is provide a penalty by law that any jury commissioner convicted under this section would forfeit a performance bond and would be held liable for taking any gratuity in...in order to handle jury summonses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 1 to House Bill 377. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Newhouse and Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse. Senator Darrow. Can't see Senator Newhouse. Senator Newhouse.

SENATOR NEWHOUSE:

Let me apologize to Senator Topinka, this...Senator Topinka...this kind of caught me by surprise as well and I...I apologize for that. This is...this is the peremptory challenge amendment and...I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse has moved the adoption of Amendment No. 2 to House Bill 377. Is there any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might, I would like to ask Senator Newhouse what his amendment does, because it strikes me as sounding like something else because it involves the roofing industry and it involves things that seem to be more of a labor management type of an issue rather than challenges to a jury. Could he more thoroughly explain this amendment which I have not seen up to this point?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Could we have some order, please. Senator Newhouse.

SENATOR NEWHOUSE:

Thank...thank you, Mr. President, and...and I will explain, and let me explain to Senator Topinka, I saw it almost when you did, so let me now tell you what it does. What this...this is intended to...to cure the problem of use

of...of...of peremptory...challenges to keep minorities off juries in jury cases. That's the genesis of the bill and that's what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor. How does it do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, it gives the court the discretion where it believes that peremptory challenges have been used for this purpose, then the court makes that judgment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. We'll just slow the process down, ladies and gentlemen, until we get some order...the...the gentleman cannot hear. Senator Rock.

SENATOR ROCK:

Is...is this a reconstitution of the bill that was held in the Senate Executive Committee and placed in a subcommittee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, in that event, I stand opposed to Amendment No. 2. Difficulty is that we...we did, in fact, have that bill in committee. It was determined by the chairman and at least a majority of the committee members that that bill deserved some further study because it imposes, as I understood it, a duty on the clerk of the courts across this State to compile

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statistics, and in particular in the County of Cook we don't provide any money for the clerk of the court to compile these statistics. And the fact of the matter is, the Supreme Court by rule has attempted to deal with the question of peremptory challenges, and it seems to me since that rule change was...was just recently, we ought to at least give the rule a chance to operate. There...there didn't seem to be much objection to the holding or deferral of this legislation until the fall, and I don't see the necessity of this kind of a stampede effort.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse.

SENATOR NEWHOUSE:

Take it out of the record, Mr...Mr. President, I did not mean to cause this kind of conflict on the Floor, and I'll take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...you wish...Senator Newhouse, do you wish to simply withdraw your amendment, it is Senator Topinka's bill. Senator Newhouse withdraws Amendment No. 2. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 431. Senator Maitland seeks leave of the Body to return House Bill 431 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 431.

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 would allow the DuPage County Board

to appoint the fair board, which it does not do. Be happy to answer any questions. Move the adoption of Floor Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

Who does it now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The fair board which is appointed by...the executive director of the fair, believe it or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Rock.

SENATOR ROCK:

Well, I agree. Anything we can do for Jack Knuepfer and the DuPage County Board, I'm in favor of.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip moves the adoption of Amendment No. 1 to House Bill 431. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 474, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 474 back to the Order of 2nd Reading for the purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 474, Mr.

Secretary.

SECRETARY:

Amendment No. 3...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. Yesterday we adopted Amendment No. 2 that spelled out the right to...assess for fees for the sheriff and coroner in...as costs. The wording was in...inappropriate and I've got Amendment 3 to correct it. At this point, I would move to reconsider the vote by which Amendment No. 2 was adopted for purposes of Tabling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Having voted on the prevailing side, Senator Berman wishes to reconsider the vote by which Amendment No. 2 was adopted. Those in favor indicate by saying Aye. Hearing no objection, the vote is reconsidered. Now, Senator Berman moves to Table Amendment No. 2 to House Bill 474. Is there objection? Hearing no objection, the...Amendment No. 2 is Tabled. Any further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. This does the same thing, it spells out that sheriffs' and coroners' fees may be taxed as cost. Also spells out the right to assess costs for private process servers. Move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 3 to House Bill 474. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

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SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 497, Senator Donahue. Senator Donahue...seeks leave of the Body to bring House Bill 497 back to the Order of 2nd Reading for purpose of amendment. Is...is there objection? Hearing none, leave is granted. On the Order of House Bills 2nd Reading, House Bill 497, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. What Amendment No. 1 does is, it allows...in counties of population in one million, does not go into Cook County, allows private detectives who are properly licensed and properly schooled without special appointment by the court to serve process. This is outside of Cook County. This is a bill that did not get a hearing in one of our committees and we're asking that it get a hearing on 3rd reading. I move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

Is the Sheriff's Association in support of this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I have no idea. I would...my presumption would be they would not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Darrow.

SENATOR DARROW:

What control do we have...or what control does the court retain over the private process servers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

...he has to be properly registered and received instruction on proper procedures for serving process from the sheriff of the county in which the service is to be made. In other words, he's got to be trained by the sheriff in the county. The court...also in its direction upon motion orders service to be made through an entity which is engaged in the process of serving process by any of the employees of such business over eighteen years of age. So, he's got to be trained.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Isn't...isn't this the bill that we heard that, in effect, we...we killed because of the fact that...that some of these process servers do...particularly in our area, Senator, we have process servers that may serve in Cook County, in Kane County, in Will County, in McHenry County, in DuPage County. You know, the objections that I heard to this bill was that you are requiring these process servers to be

trained in each one of these circuits, and...and you're going to have these guys doing nothing but go from one class to another because of the...the proximity of the...of...of the...of the counties. You know, there was a gentleman from your county and a gentleman from my county who were testifying against this bill because what they do for a living is serve process...serve papers, particularly for private attorneys because they can't...the private attorneys cannot get the sheriff to serve some of these papers. And what you're talking about is, if you've got a client in my county, he's going to have to come up and get trained in...not only in your county but in my county because that's where the papers are being served. And if he has to follow the guy into Cook County, he's going to have to be trained in Cook County and he's going to have to be registered in each one of these counties. I...you know...you...what you're doing, basically, is driving these guys out of business. And then all the attorneys are going to go crazy because they're not going to have anybody to serve their papers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not quite sure I follow all of the problem on that, Senator Fawell. What the bill basically does is allows private detectives that have received instruction from the sheriff in the county in which the service is to be made, so they're not running helter-skelter all over, that sheriff has trained them and that is certified to the court, then he can serve. One of the problems is getting the sheriff's office to get off their duff and get out and serve process.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

What I'm talking about, Senator, is what is happening is

you, you know, if all the services that that particular gentleman was going to be serving, if all the papers he was going to be serving was just in your county, then he would go to your sheriff. If all of them were going to be served in just my county, he would be served by...he would be trained by my sheriff. If that's the bill that...that we're talking about, what I am saying is, he'll not only have to be trained by the Will County Sheriff but also the DuPage County Sheriff and the Cook County Sheriff and the Kane County Sheriff and every other sheriff. And what...what these gentlemen said is you are driving them out of business because they can't have their employees spend that much time making sure they're being trained by each individual sheriff.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well,...what you say may or may not be true. The private detectives obviously want to be able to do this service, they're willing to submit themselves to the sheriff in the county in which the service is going to be made. If that means they got to run all over the district to your county and my county to get qualified, that's their problem. Okay? At least it will have some additional people that can serve process when the sheriff doesn't get it done in time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister moves the adoption of Amendment No. 1 to House Bill 497. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 561, Senator Joyce.

Joyce-Degnan. Senator Degnan seeks leave of the Body to bring House Bill 561 back to the Order of 2nd Reading for purpose of amendment. Leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 561.

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is simply the same amendment that we...we have offered on other pension bills that makes clear that...that any hospital insurance benefits that are being offered by pension plans shall not be guaranteed by the Illinois State Constitution. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves the adoption of Amendment No. 2 to House Bill 561. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I think Amendment No. 3 is the State mandate's provision. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 3 to House Bill 561. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 598, Senator Bloom. House Bill 605, Senator Fawell. House Bill 650, Senator...Senator Fawell, do you wish...Senator Fawell wishes to have House Bill 650 brought back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 650...605.

SECRETARY:

Amendment No. 2 offered by...Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Senator Fawell agreed to accept this amendment. What it does is several things. It deals with where you have an elementary school district that is...does not have contiguous boundaries with a high school district. This sets up a viable method for students who've all attended the same elementary district to attend the same high school district. I would appreciate it being placed on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Keats moves the adoption of Amendment No. 2 to House Bill 605. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of the Recall Sheet, we have House Bill 598. Senator Bloom seeks leave of the Body to return House Bill 598 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 598, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. There were a couple of problems with this bill that were brought to my attention, this amendment corrects those problems. The first problem had to do with the fact that the University of Chicago needed more specific language for their university police. The second part of the amendment makes it clear that private universities would be empowered to have campus cops but only those private universities that had a certificate of approval by the Board of Higher Education and were accredited by the North Central Association. Answer any questions, otherwise, seek the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Bloom seeks the adoption of Amendment No. 1 to House Bill 598. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 650. Senator Barkhausen seeks leave of the Body to bring House Bills 650 back to the Order of 2nd Reading for purposes of amendment. Is there objection? Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 650.

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 650 is an amendment agreed upon between the Realtor's Association, the Department of Registration and Education and the time share industry...real estate time sharing industry which this bill would affect. It would for the first time regulate this industry and require disclosure. The amendment makes certain technical changes to the bill. As I say, it's agreed upon and I know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to House Bill 650. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 792, Senator Lemke. Senator Lemke, 792? Seeks leave of the Body to bring House Bill 792 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 792.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is...it deletes some obsolete language from the Illinois Administrative Procedure Act which puts a date in there which is past the date and adds the language that the system under consultation with the Secretary of State shall made...be made available to the public or to the governmental entities or agencies to computerize text of the rules adopted in compliance with the codification system by Section 7 of the Illinois Administrative Procedure Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 792. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 971, Senator Barkhausen. Senator Barkhausen seeks leave of the Body to bring House Bill...971 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 971.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 to House Bill 971 seeks to...to add a...as a...provision that would add an aggravating factor to our Death Penalty Statute. It's identical to Senate Bill 632 which passed this Body by a comfortable margin, but having sat through two full four-hour sessions in the House Judiciary II Committee without having this bill called, I feel no alternative but to seek to have this same Senate bill amended onto this House bill, House Bill 971. Would be happy to answer any questions, but it is identical to the earlier Senate bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, Senator Barkhausen, is this the one again that I have some fear about as far as disrupting that...well, okay, then we know what we're talking about. Once again, I would

say to the Body that I really don't think we ought to do this because I think we're jeopardizing our...our death Statute by making it so broad that every...every possible death case that a state's attorney is going to handle is going to be eligible for the death penalty...I mean, every homicide, and I just don't think we ought to be doing that. I think probably that's one of the reasons it died over in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, this is a bad idea, it flies in the face of what the Supreme Court has said. There should be specific guidelines regarding...death penalty cases. This virtually would allow the death penalty in each and every case and take away those guidelines that we have in our law today and that the Supreme Court says...it needs for...for guidance and that each state should have for guidance, and this...this flies in the face of that. We have our laws on the books today and people who should be getting the death penalty, do get the death penalty pursuant to the eight...eight lists...eight set of guidelines that are...are presently in the law. This adds one that is very vague. It probably, very...very likely could be found to be unconstitutional because it is so vague and...and is really totally unnecessary. So, I would...I think it's a bad idea, I join Senator Sangmeister in opposition to this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 971...Senator Barkhausen.

SENATOR BARKHAUSEN:

May I close?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, sure.

SENATOR BARKHAUSEN:

Briefly...'cause we did...in deference to my colleagues on the other side of the aisle, we did have this debate before and they did raise the objection of possible vagueness. I, at that time, pointed it out...pointed out that the language is largely based on a similar provision in the Florida Death Penalty Statute which has been upheld by the Supreme Court in Florida and also that the U. S. Supreme Court in...deciding whether to review the case denied certiorari,...thereby upholding...implicity upholding the constitutionality. So, I...I think the vagueness of this has been judged by the Supreme Court both in Florida and by the U. S. Supreme Court and has been upheld. This is the...the same debate that we had before and I would urge the same support for this amendment that the Senate gave first time around to Senate Bill 632 and would urge adoption. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 971. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is...a roll call has been requested. Will all the members please be in their seats. On the adoption of Amendment No. 2 to House Bill 971, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Vote me Aye. (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 22, none voting Present. Amendment No. 2 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1034, Senator Welch. Senator Welch seeks leave of the Body to bring House Bill 1034 back to the Order of 2nd Reading for purpose of amendment. Hear-

ing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 1034.

SECRETARY:

Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister. Senator Sangmeister wishes to withdraw Amendment No. 3. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1067, Senator Lemke. Senator Lemke seeks leave of the Body to bring House Bill 1067 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted.

SECRETARY:

Amendment No...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Lemke, what's...

SENATOR LEMKE:

...voted on the prevailing side...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, let's get...let's read the bill, for let's...put the bill in...in action. On the Order of House Bills 2nd Reading, House Bill 1067. Senator Lemke, for what purpose?

SENATOR LEMKE:

We want to make a motion to Table Amendment No...No. 1, having voted on the prevailing side.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Having voted on the prevailing side, Senator Lemke wishes to reconsider the vote by which Amendment No. 1 is adopted. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion to reconsider passes. Senator Lemke now wishes to Table Amendment No. 1 to House Bill 1067. Those in favor indicate by saying Aye. Those opposed. The

Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is replaces Amendment No. 1 with the correct technical changes. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'd like to hear a detailed explanation of what this amendment does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator Marovitz, what...

SENATOR MAROVITZ:

I...I would like to hear a detailed explanation of what this amendment does. It is my understanding that the chief judge of the probate court is opposed to this bill and opposed to this amendment. I'd like to hear a detailed explanation of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

It's my understanding he's not opposed to the amendment, Senator Marovitz, but if you would like, I will take all the amendments off of this bill and pass it out of this to the House and then...become law. So, I would say that we just...this amendment does exactly what Amendment No. 2...1 did, is makes technical changes. You want to vote on the bill at the time, fine, but you're not going to defeat this bill here on the amendment stage. All we're trying to do and put it in correct technical form. You want to argue on the

bill on 3rd reading, that's another thing, but...this amendment is what the parties want it to put the form...the bill in the correct technical form.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm not trying to argue the merits of the bill, I asked a simple question. I'd like a detailed explanation of what the amendment does. I don't know who you're talking about in regards to "the parties." I don't know who "the parties" are, I'd like to know what the amendment does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

...all this amendment does is...is affects pre-1955 wills and not subsequent 1955 wills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, isn't that what the bill does? That's what the bill does...without the amendment. Now I want to know what the amendment does. The bill affects pre-1955 wills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What happened was the Amendment No. 1 was...amended both wills before and after. We...this is a correction to Amendment No. 1 that just amends...it talks about wills prior to 1955. It's a technical amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...all right. I'll...I'll fight the bill on 3rd reading, I guess. I...I'm obviously not going to get an explanation,

H.B. 1182

I'll fight...I'll fight it on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke moves the adoption of Amendment No. 2 to House Bill 1067. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does, it amends the Adoption Act, provides that a failure to maintain a reasonable degree of interest concerning or responsibility as a child's welfare or failure to make reasonable efforts to correct the condition which were the basis for the removal of the child, and to make reasonable progress towards the return of the child within twelve months after the child has been adjudicated a neglected or dependent minor shall not be excused by financial inability or financial hardship alone. I ask for this adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 3 to House Bill 1067. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1083, Senator Nedza. Senator Nedza? House Bill 1106, Senator Watson. Senator Watson, do you wish to recall House Bill 1106 back to the Order of 2nd Reading for purposes of amendment? Senator Sangmeister's amendment. House Bill 1159, Senator Joyce. Jerome Joyce...House Bill 1182, Senator Lemke. Senator Lemke?

HB 1306 Recalled

Senator Lemke seeks leave of the Body to return House Bill 1182 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 1182.

SECRETARY:

Amendment No. 1...offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. Amendment No. 1 extends the effective date...or implementation date by six months. The Act will now take effect on January 1st of next year instead of...I'm sorry, July 1st of next year instead of January 1st. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to House Bill 1182. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1188, Senator Berman. House Bill 1306, Senator Jeremiah Joyce. Senator Joyce seeks leave of the Body to bring House Bill 1306 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 1306. WAND-TV Decatur, requests permission to videotape today's Session. Is...leave granted? Hearing no objection, leave is granted.

SECRETARY:

Amendment No. 1 on 1306 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is an amendment which has been agreed upon by the...firefighters and the Illinois Hospital Association and the Illinois State Medical Society, and embodies...a...an agreement by the medical providers that they will not attempt to collect these charges from officers when the provider consents to an assumption of liability by the city. I would...move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves the adoption of Amendment No. 1 to House Bill 1306. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1410, Senator Marovitz. House Bill 1445, Senator Luft. Senator Luft...House...Senator Luft...House Bill 1470. Senator Luft seeks leave of the Body to return House Bill 1445 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 1445.

SECRETARY:

Amendment No. 3 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. This amendment is the same amendment as Senate Bill 369 which we passed out of the Senate some time ago which brings the alternative retirement annuity to the Department of Corrections security employees and makes them...in the same standard as other State

employees who already receive the alternative retirement annuity. I move for...its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to House...Amendment No. 3 to House Bill 1445. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 1478...3rd reading, I'm sorry. House Bill 1478. Senator Smith seeks leave of the Body to bring House Bill 1478 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 1478.

SECRETARY:

Amendment No. 2 offered by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 2 deletes the original bill and maintains the provision made by the Amendment...No. 1. The Amendment of No. 2 making the new bill is that it would especially require the Department of Aging to apply the Minority and Female Business Enterprise Act to all purchases, contracts and other obligations or expenditures of funds by the Department of Aging, believing that House Bill...1478 as it now reads is so broad in scope to affect even the Federal monies which simply are distributed to...thirteen local service agencies throughout the State. And the Department of Aging offered this amendment to modify the language so that Federal past due monies would not be affected by this bill. With this amendment, the

Department of Aging would not oppose this bill. And...I move for the adoption of...Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. At...we're not going to oppose these amendments at this time, but we had some big problems with this bill in committee, and Senator Smith recalls some of the problems that we talked about. I think the Senator is trying to...to respond to some of the concerns in the committee. We haven't had a chance to look at these amendments. We're not going to oppose them at this time, but we want the Senator to understand that we'd like to get together and talk about what you're really trying to do here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Smith moves the adoption of Amendment...of Amendment No. 2 to House Bill 1478. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 3 with the approval of the Department of Aging clarifies the limits of circumstances in which the Department of Aging is required to apply the provisions of the Minority and Female Business Enterprise Act by deleting certain vague terminology, "other obligations," in Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Smith moves the

adoption of Amendment No. 3 to House Bill 1478. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1510, Senator Vadalabene. Senator Vadalabene seeks leave of the Body to bring House Bill 1510 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. And on the Order of House Bills 2nd Reading, House Bill 1510.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to 1510 is a clarification of the...prohibition section...of the Act which states that any...against any person licensed as a distiller or wine manufacturer being issued a retailer's license, and I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Vadalabene moves the adoption of Amendment No. 1 to House Bill 1510. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1800, Senator Berman. House Bill 1801, Senator Barkhausen. Senator Barkhausen seeks leave of the Body to bring House Bill 1801 back to the Order of 2nd Reading for the purpose of amendment. Hearing no

objection, House Bill 1801, on the Order of 2nd Reading.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 to House Bill 1801 is identical to a bill that was passed by this Chamber a couple of years ago and ties in well with the substance of 1801 which calls upon the Department of Commerce and Community Affairs in its future economic planning to consider the occupational needs of this State. This amendment essentially codifies what the department is doing with its existing task force or commission on science and technology. It provides for a membership of a kind which the Governor has appointed. It sets forth the functions of this group which are basically identical to those which the...task force is now undertaking, and I believe and the department believes that it will further the cooperation which we are seeking to foster between universities on the one hand and private businesses which can use research and...and technology that is going on within our universities. The...as I say, the department favors it, it basically supports what they're doing already. I know of no opposition and would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 1801. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1949, Senator Schuneman. House

Bill...2103, Senator Lemke. Senator Lemke seeks leave of the Body to bring House Bill 2103 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted, and on the Order of House Bills 2nd Reading, House Bill 2103. Senator Lemke.

SECRETARY:

Amendment No...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SECRETARY:

That's the one marked A, Senator?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Juvenile Code to provide that...that the court when it gives supervision can give up...give a detention period for up to...not to exceed seven days. It's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 2103. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Schuneman, you wish to go back to go back to 1949?

SENATOR SCHUNEMAN:

If possible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman seeks leave of the Body to return House

Bill 1949 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted, and on the Order of House Bills 2nd Reading, House Bill 1949.

SECRETARY:

Amendment No. 2 offered by...Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. This is an amendment to the bill that affects the Real Estate Brokers Licensing Act, and it simply makes some corrections in the fees which were intended to be included in the rewrite of the Act that we passed a year and a half or two years ago. So I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves the adoption of Amendment No. 2 to House Bill 1949. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2278, Senator Marovitz. Senator Marovitz seeks leave of the Body to bring House Bill 2278 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted, and on the Order of House Bills 2nd Reading, House Bill 2278.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 to House Bill 2278 just registers

HB 2444 Recalled

those people who are engaged in the practice of enviromental sanitation and...and says that those people must be registered after 12-31-86, and I would ask the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 2278. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2444, Senator Rupp. Senator Rupp seeks leave of the Body to bring House Bill 2444 back to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted, and on the Order of 2nd Reading, House Bill 2444.

SECRETARY:

Amendment No. 1 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment establishes a dedicated fund for certain filing and...transactional fees for the Department of Insurance. It does not, and I'd like to repeat that, it doesn't contain any assessment formula. The amendment also clearly states exactly what the monies of the fund are to be spent on. The fund will be used only to assist the department in defraying expenses incurred in the analysis, investigation and examination of the financial conditions of insurance companies. The problem of insolvency is getting to be considerable and this is one effort to provide additional means by which they can do some extra examination. The amendment also provides that any excess buildup

of the money in the fund at the end of the fiscal year would be transferred back into the General Revenue Fund. The language as understood would remove any industry opposition to the establishment of this type of dedicated fund. I recommend its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ROCK:

Senator Rupp, is this the program that Director Washburn had some significant interest in over the past couple of years?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

It's not exactly, that's what I was...trying to emphasize, that this is not an assessment type formula against all insurance companies. The insurance companies are agreeing to this. It's just a fund that will be built up from certain filing and certain fees on...on some transactions in order to provide additional money for examiners for companies to prevent insolvencies. If there's any money left at the end of the time, that money does not build up, which was what the case before would have been and it goes back into the general fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further discussion? Senator Rock.

SENATOR ROCK:

Does...does the fund which is created, apparently the Insurance Financial Regulation Fund, is that subject to appropriation by the General Assembly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Yes...yes, it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rupp moves the adoption of Amendment No. 1 to House Bill 2444. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2525. Senator Lemke seeks leave of the Body to return House Bill 2525 to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted, and on the Order of 2nd Reading, House Bill 2525.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bills does...the Legislators Reference Bureau's annual...bill making revisory corrections and what this amendment does is...it adds some new revisory corrections which the Reference Bureau has found. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 2525. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I understand that the staff, everything has been...resolved as far as House Bill 231. We have leave to go back to that...to put the amendment on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke seeks leave of the Body to return House Bill 231 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted, and on the Order of House Bills 2nd Reading, House Bill 231.

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is amends to House Bill 231...Senate...Senate Bills 531, 532, 534, 35, 39, 544, 549 and 550 which are technical...bills that we passed out of here 59 to nothing. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 3 to House Bill 231. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further...that was Amendment No. 3. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is amends House Bill 231 to put the...bill

that we passed out of here contributing to the delinquency of the minor...juvenile which passed out of this Body on the Agreed Bill List. I ask for its adoption.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Amendment No. 4 to House Bill 231. Is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I just...I sought recognition on the other amendment as well. I didn't quite understand the explanation. Were...was Amendment No. 3 or 4 any bill...bill that we defeated? Would you kindly explain Amendment No. 4.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

All the amendments that are put on are bills that passed out of this Body 59 to nothing.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Then what's the purpose of the amendment?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Never were posted for call in the House by the chairman.

PRESIDENT:

Further discussion? If not, Senator Lemke has moved the adoption of Amendment No. 4 to House Bill 231. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, before we move to House bills 2nd reading which will effectively conclude our business, we'll go to the Order of Resolutions, Mr. Secretary.

SECRETARY:

(Machine cutoff)...resolution.

PRESIDENT:

Hold it, Mr. Secretary. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. Are my ears deceiving me, we're going to resolutions and then quit?

PRESIDENT:

No...no...no, 2nd reading.

SENATOR PHILIP:

Okay, thank you.

PRESIDENT:

I said...I said before we get there, we will do the adjournment resolution so everybody knows when we're coming back and then we'll proceed through House bills 2nd and that should end our otherwise happy day. Mr. Secretary, resolutions.

SECRETARY:

Senate Joint Resolution 77 offered by Senator Savickas.

(Secretary reads SJR 77)

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I move its...I move its adoption.

PRESIDENT:

All right. Senator Savickas has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 77. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Savickas now moves the

adoption of the adjournment resolution. All in favor of adoption indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. If I can have the attention of the membership, the adjournment resolution calls for us to return to Springfield on Monday and it calls for the hour of ten o'clock. Senator Philip and I have discussed...you have all received a copy of the Agreed Bill List and it's also obviously on the Calendar. It is our intent to convene the Session at ten, and the Secretary and the Assistant Secretary indicate it will take roughly an hour and a half to two to read all those bills in. And so we will utilize the first two hours to read the bills in and have a roll call on those bills at the conclusion of Monday's business, so that effectively, if the membership would be here at noon, we will be able to start on the regular Calendar. The procedure to...to knock bills off or to vote...Nay on...on any is outlined in the memorandum and that...that procedure will be available until five o'clock on Monday. Channel 20 has requested permission to tape. Is leave granted? Without objection, leave is granted.

END OF REEL

REEL #2

PRESIDENT:

All right, with leave of the Body, we'll move to the Order of House Bills 2nd Reading. On the Order of House Bills 2nd Reading, top of page 63 on the Calendar, is House Bill 48, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 48.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Bloom and Luft.

PRESIDENT:

Senator Bloom on Amendment No. 1.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. What the amendment does is essentially address an issue we have in our...in our more mature inner cities and in the context of enterprise zones and foreign trade zones. It is similar to...it is similar to the thrust of Senate Bill 665. Basically, it says to businesses who would qualify within these two zones that would either create two hundred new jobs or save or retain two thousand existing jobs, they get certain sales tax breaks. Now, the other part, it is also conditioned, and primarily trying to address the...conditions as they obtain with the old Republic Steel Plant, now LTV. It's conditioned as well on the local government providing the trigger that would give the sales tax breaks by the local government providing its own sales tax breaks. That's

the...long and short of it. I'll answer any questions, otherwise, seek its adoption.

PRESIDENT:

All right, Senator Bloom has moved the adoption of Amendment No. 1 to House Bill 48. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President...excuse me, a couple of questions, if I might, to the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator.

SENATOR NETSCH:

Did you indicate, Senator Bloom, for what company this amendment is well designed? I'm sorry, I did not hear, would you be so kind as to repeat?

PRESIDENT:

If I can ask the members to be in their seats and ask the staff to take the conferences off the Floor, we will be able to discharge our responsibility in a more orderly fashion. Senator Bloom.

SENATOR BLOOM:

Okay. It's primarily designed to help LTV or, as I said, the company that bought the old Republic Steel Plant, but the mechanism and I...I failed to state it, the mechanism is there for the Department of Commerce and Community Affairs to certify other businesses. This is the result of meetings that LTV has had with both the Governor's...the Governor and, I think, the Mayor of Chicago and other...and council people in Chicago.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Was there any commitment of any kind made by LTV with respect to their course of action if this tax break should be adopted? And, obviously, one of the things that I have in

mind, Senator Bloom, is a couple of years ago many of us remember that with some trepidation, but in a sense with enthusiasm also, we adopted a particular tax break to encourage U.S. Steel to continue their rail mill on the south side and then they just up and left anyway and there was a great deal of anger and frustration as a result of that. So, is there any sense of commitment on the part of LTV that...that this will keep them around employing Illinoisans?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Okay, let...let me give a short answer and perhaps Senator Dawson, who has been a key player in this process, can expand on it. The short answer is the State has not committed to certifying this and LTV has not made any long-range commitments. They just said we want to stay there and that's why you'll notice the language is triggered to creating two hundred new jobs and retaining two thousand existing jobs, and I believe there are a little over three, four thousand people working there now, so they have to make the commitment in that sense, but there were no promises on either side. This is primarily a legislative initiative and, Mr. President, I would yield then to Senator Dawson to expand further on this. Mr. President, hello...do you think Senator Kustra can talk with his hands in his pockets? Mr. President, I would defer then...to the rest of my answer to Senator Dawson on conditions.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Senator Netsch, these meetings have been going on for approximately two months now and LTV Steel employs approximately thirty-six hundred people on their rolls right not, and with their coming forward because of the competition of

a...another plant that they have that does the very similar type of products in another State, and what they're trying to do is keep this plant here competitive with that one there, and they're not saying that they're going to shut out, close down or anything else. What they want to do is they want to stay in the State of Illinois, they want to keep their thirty-six hundred employees and pay their taxes in the State of Illinois, but they have to be kept competitive with their other plant, and this is what this whole thrust of this is all about.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

One...one more question to either of you and...and then just a comment. I...I'll make the comment now since Senator Dawson just responded. I'm sure he is more than sensitive to the...the concern I was raising because it was also in his district that the other incident took place and I think he felt as betrayed, if not more so, than anyone else, so I...I raised that only because sometimes we do things that...that end up doing nothing except costing the State money. That is my last question. Is there any indication...does anyone have any basis on which to estimate the cost that this bill would have to the State?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

The Department of Revenue which assisted Senate Democratic Staff in drawing this up did not furnish me with that kind of information. Suffice it to say that Senator...well, suffice to say that they...they are not giving away the store and this is conditioned on a local initiative as well. The problem is your statutory overhead. In Canton, Ohio, it's about four million for them. In Illinois, it's seventeen

million. They'd like to commit to...expand some of their plant, as Senator Dawson and I understand it, and I think Senator Dawson has told them in pretty earthy terms exactly how he felt about the Wisconsin Steel situation, so I...I think that they're very amenable to staying.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President. I stand in support of this amendment. As Senator Bloom pointed out that the question is whether this steel company will remain in business in Chicago in the Hammond area or whether they're going to move, and the...this site that we're talking about is the old Republic Steel site and, unfortunately, that area has been faced with a tremendous downturn in the economy, a number of people have been layed off, maybe, hopefully, this will supply some economic input as...to have this company remain in Illinois, and I strong...stand in strong support of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator...there further discussion? Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, we've heard all the talk about Saturn and every place else trying to bring them into the State of Illinois, well, here's a company that employs thirty-six hundred people and it's here right now in place. We're not chasing after somebody to come in here, they're here now; and all I can say is we ask for a favorable roll call to keep them here because they pay approximately a hundred and eleven million dollars in salaries every year, and as far as I'm concerned, it's one heck of a lot of money that we already have here for our employees and fifty-two percent of those people live in the City of Chicago and eighty-two percent of their employees live in

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Cook County itself, so they're basically...they're almost all Illinois employees working for an Illinois plant, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Bloom, is this your amendment? Senator Bloom moves the adoption of Amendment No. 1 to House Bill 48. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 142, Senator Bloom. House bills 2nd reading is House Bill 142, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 142.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 157, Senator Davidson. On the Order of House Bills 2nd Reading is House Bill 157, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 157.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp. Senator Rupp seeks leave to withdraw the amendment. All right, the...that amendment is withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...withdraws amendment. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito. It's an effective date, I'm told.

SENATOR ZITO:

Thank you, Mr. President and members. This is a technical amendment. It changes...it adds an effective date to take effect on July 1st, 1986, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito has moved the adoption of Amendment No. 1 to House Bill 157. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 296, Senator Bloom. Senator Bloom, 296. Senator Bloom on the Floor? 392, Senator Lemke. Senator Lemke on the Floor? All right, Senator...House Bill 392. House bills 2nd reading, Mr. Secretary, read the bill.

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ACTING SECRETARY: (MR. FERNANDES)

House Bill 392.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Can we Table that amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why don't you just...Senator Lemke wishes to have Amendment No. 1 withdrawn...amendment is withdrawn. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 567, Senator Philip. All right, on the Order of House Bills 2nd Reading is House Bill 567, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 567.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip. Senator Philip, before you did that, WEEK-TV Channel 25 has requested permission to videotape. Is leave granted? Leave is granted. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 lowers it down to the

Governor's level of 2.7 billion dollars. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Committee Amendment No. 1 to...House Bill 567. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No...or...Amendment No. 2 offered by Senators Collins, Hall, Chew, Smith, Carroll, Zito, Netsch, Luft, Demuzio, Savickas and Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 to House Bill 567 is...it simply says that thirty percent of the new bonding authorization shall be used for rehabilitation of homes for low and moderate income families, and I would move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins has moved the adoption of Amendment No. 2 to House Bill 567. Is there any discussion? Senator Philip. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's just my suggestion that this is a...not a good amendment and it kind of destroys the effectiveness of the Governor's program and I suggest that we vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Collins has moved the adoption of amendment...Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Is that thirty percent minimum, thirty percent maximum or thirty percent on the head?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thirty percent of the new...the billion dollar bonding would be used for rehabilitation of low and moderate income housing...at least...at least.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'd like to reask my question. Is that thirty percent minimum, maximum or right on the head?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Minimum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

That's not what the amendment says.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. As I sit here in this seat during this Session of the General Assembly, I watch time

after time the black members of this Chamber offering good amendments and too often they are construed as black and white issues. Too often we sit here and say, well, there goes another black amendment. Well, let me tell you, ladies and gentlemen, this amendment has no color. This is an amendment for all our citizens of the State of Illinois. I have poor people in my district, I have rich people and I have moderate income, and I'll tell you, the moderate income and the low income are as much entitled to this program as anyone else and they need the money as much as anyone else, and I would hope that my friends in this Senate would listen to this amendment, not consider it on racial, black on white lines. It's a good amendment for all our citizens, all our constituents and I'd hope that we would adopt it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr...thank you, Mr. President and...and I would like to get some attention on what I'm about to say because the genesis of this...one of the major problems that we have when we talk about Build Illinois, for example, and the problems that we have when we talk about building our own communities is the absence of the kind of training programs that permitted those communities to deteriorate in the first place. Now, anyone who's familiar with the growth and the building in the City of Chicago can tell you that a large number of those persons who were building twenty, thirty years ago came from my community. They can also tell you that today they don't come from my community. So that the destruction and deterioration that takes place as a consequence of this and takes properties off the tax rolls and takes people off the tax payrolls and takes them into the tax consumer rolls, that roll which we say we're concerned about, those are the people who would be involved in the rebuilding of

this community and in the rebuilding of those neighborhoods that have deteriorated. Let me tell you something about my personal experience. My area includes sort of a microcosm of a major metropolitan area. I happen to live in Hyde Park. Hyde Park is sort of the...an...an upper-middle class with the University of Chicago in the center of it. Just adjacent to it...just adjacent to it on one side is...is Kenwood, on the other is Woodlawn. Kenwood is where the old mansions were, the Swifts and the Armours and so forth. Just across the street on Fourty-seventh Street is absolute destruction, absolute. On the south side, on the opposite end of the midway where every year the block at Sixty-fourth and Minnerva used to win the Block Beautiful contest in the City of Chicago up until twenty years ago destroyed, absolutely destroyed and the children whose parents built that area cannot get into the business of rebuilding. What we're about to do with this amendment is put some people in the posture to become taxpayers and to begin to rejuvenate our cities and our communities, that's what it does; and I...I would say to you that Senator Darrow is absolutely right that the consequences of this bill have no color, although in the...in the...in the causation and in the effect of putting people together, there is some color...to it, there's no question about that. There's also the sex area. There'll be females involved in this thirty percent and if it's not...,Senator, it certainly ought to be, and I would suggest to you, if that's the kind of change that we made, let's make it on the spot and get on with this. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, what you're doing is you're simply asking IHDA to do what IHDA was created for. You know, we talk about

the American way and all this. The point is, IHDA is not building homes where they should be building or not giving the money for them. I'm three hundred miles away from Chicago, but I have the same problem. They're too busy giving it to the other people. Let's get people where they can get a home that's decent. We give all this money every year and you look around and you say, what has IHDA done? IHDA hasn't done anything for the people that it should. We're all citizens and I don't know how anybody could object to that. You're simply...they shouldn't have to be mandated to do it, that's what their job is and they're not doing it. This is a good amendment. It should be a larger percentage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think if someone looks at the record, one will discover that IHDA is spending a lot of money in this area. I believe it runs between eighteen and twenty-eight percent the last couple of years. Now, the money in this area has been spent for this and I think a majority of the multifamily units they've been involved in with last year were rehab. No one is against rehab. but the cases have to be justified. There has to be merit. I think one of the things that this country and our constituents are fed up with is artificial quotas. If they've got a good program, let them present it and let it be judged on its merits and let it be funded on merits, not on an artificial quota. Let them rise or fall on whether they're good ideas and whether they make sense regardless of whether they're located in my area or your area or anybody's area. If they don't make sense, they ought not to be done; if they make sense, they ought to be done. We don't need artificial quotas. That's one of the things that is ruining this country.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I had not really thought of a thirty percent set-aside on IHDA's bonding authority as a quota in the sense in which you're using the expression, Senator Schaffer. It seems to me what it does do is to set forth a public policy commitment and that one is something that is really exceedingly important, particularly for those of us who live in urban areas and, most particularly, those of us who live in Chicago. What I see happening with IHDA, not exclusively, I fully concede, but all too often is that the projects that developers want to develop are nice high-rise projects on the north side where I live. We don't need them. We do not think they are appropriate uses of tax exempt bonds. What we would like to do is to see more of the housing stock of the City of Chicago and the other cities in this State preserved before it does decline. If I remember my figure correctly, I think Chicago is loosing a net of seven thousand units of housing every year. That is why we have the kinds of problems...we have in terms of density, in terms of other housing going into deterioration. That doesn't make any sense. A lot of those units are salvageable. What we are saying is, IHDA, do not come into the lake front and build fancy high-rises but use your tax exempt, subsidized authority to preserve that housing stock which can, indeed, be preserved, particularly when the developers know that they've got to address that problem. I think that really is what this amendment is designed to say and I think it is appropriate public policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of Amendment No. 2. When

the director of the Bureau of the Budget appeared before the Senate Appropriations Committee...or Executive Committee, I beg your pardon, I asked at that point what...what do we need a billion dollars for? Why a billion? And it was indicated that there was an allocation suggested at least by the housing development authority to provide for some four hundred million or four something in single-family units and the balance, five hundred and ninety or six hundred million, in multifamily units. So, I think this amendment has the right direction. Let's instead of cutting the program in two, let's cut it in three and say that a vital part of the housing stock is in desperate need of some rehabilitation and so we can at once provide for multifamily units, for single-family mortgages and, finally, for some low interest rehabilitation money. I think the amendment is a good idea. It has not been proved to me to be unworkable. Obviously, this dialogue is going to continue over the next week. In the meantime, I think we'd be better advised to put the amendment on and indicate to the development authority that, yes, indeed, we are interested in some allocation, pick a number, but it doesn't seem at all unreasonable to me to divide the program into three parts and this is a very vital part, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion for a first time? Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Yeah, is there...are there any other speakers 'cause I'm looking for some information?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, you're the...you're it.

SENATOR DeANGELIS:

Well, for one thing, on a point of personal privilege. The questions that are being addressed don't pertain to any

racial issues and I resent the implications, not on my on behalf but on the rest of the Body. Now, when you question an amendment that doesn't do what the sponsor says it does, that someone has got to jump up right away and say that the reason somebody opposes the amendment is for racial reasons. I know fully what IHDA does and I know that it does not in any shape, form or manner cross racial lines...doesn't destroy racial lines. It does not attempt to discriminate; in fact, I have quite of bit of IHDA housing in my own district and I know what it does. Now, the...the fact is that this amendment, and I want to point out to it again, 'cause the first thing that IHDA has got to do to implement any change in public policy is to be able to sell the bonds. Now, if you put an amendment on it that doesn't make it possible to sell the bonds, then you haven't served anybody's purposes. The second thing is, I'd like to point out, people have talked about high-rises, the fact of the matter is that less than six percent of the IHDA money has been used for high-rise development, and we have a lot of this to-do about high-rise, and it's been six percent of their money that's done it. Now, I have a question of the Chair in that I can't find the piece of paper I'm looking for. Does this amendment track with Amendment No. 1?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, it just...just to...one, I am convinced that it will track; but beside that, to cavalierly suggest that any attempt to modify or...encourage a different program direction somehow impacts on the marketability of these bonds, I think is an assumption we ought not readily assume. I'm perfectly prepared, as we have done in the past, to talk and negotiate with the folks from IHDA and if, indeed, in the opinion of their bond counsel or some others, it may well

impact, then, obviously, your point is well taken. We do not in any way wish to...make these bonds less desirable or...or nonmarketable, but I think it's...it's too facile an answer to say, holy smoke, you do this and it's nonmarketable; because I'll just tell you, if you'll recall, we had the same discussion in the Executive Committee with respect to the...the project of building for single people, and it...it was said that perhaps that would impact on the marketability. The fact is we had the opportunity then to sit with the folks from IHDA and we were able to construct what we hope will be a very progressive and reasonable program in that direction which they did not feel then would impact on the marketability. So, I wouldn't cavalierly dismiss it on that basis. I think it's worth a look.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis, the amendment, in fact, is...is in order. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, and I'd...if it is, I'd like to point out something else, and I hate to take the time of the Body but...this is what I'm talking about, President Rock. There are certain other set-asides in this bill as is. Now, if you don't clarify whether that thirty percent is a minimum number or a maximum number, if you take the accumulative total of the set-asides, it's perhaps...perhaps that you might find the inability to go to the market, 'cause you got a hundred million for solar heating, you got a hundred million for mortgages that are in arrears. Is this thirty percent of what? And I just want to make out that point. You can vote any way you want.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Very

briefly, my esteemed colleague, Senator Schaffer, threw out that old buzzword quotas. Well, I will tell you, Senator Schaffer, this is a quota. What we are saying to you and what we are saying to the authority is that only seventy percent of these can be built by the fat cat developers along the lake shore, and seventy percent of these projects that would otherwise be built anyway without this because they have sound, economic bases and availability to the conventional markets for funding, only seventy percent of those can be built by those fat cats. That's the quota we're putting on them, seventy percent not one hundred percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins may close.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. And let me say...answer to the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...whoa...whoa...just a minute,...hold on a minute, Senator Collins. Senator Philip, do you wish to...to...to speak on amendment...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and...Gentlemen of the Senate. It is my bill and I'd like to say just a few words, some observations, and what this bill in effect does is limit the amount of money IHDA could spend. Now under the Governor's program as introduced, they could hypothetically spend all the money on moderate and low income housing. What your amendment effectively says, they could only spend thirty percent, period. So, if you're interested in...in moderate and low income housing, I...I would suggest to you not voting for this limitation on what they can spend, and if you've got a good project in your district or in your area, go to IHDA and the administration and make a proposal. We ought to defeat this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins may close.

SENATOR COLLINS:

Yes, let me...for a start with Senator...no...Philip's remarks. That is not true. It is thirty percent and, Senator DeAngelis, let me answer your question at the same time, this amendment is very specific. It says thirty percent of the increased bonding authorization which is that one billion dollars, thirty percent of that will go for rehab. It did not exclude any other developments...new developments for low and moderate income housing. I would hope that the remaining...seventy percent of that thirty more percent would be for new construction of low and moderate income housing. Let me say to the marketability question, I am not careless enough to introduce an amendment and not make specific contact with the agency. I talked with the attorney for this agency and talked about the problems of risk involved and there are any a number of ways that they can do and order that this is not an undue risk because it can be sold in combinations with rehabilitation and new construction bond issued. So, there is no problem there at all. The other question is, we talk about the need for doing this, this has nothing to do with minorities. It most certainly has something to do with revitalizing urban areas and putting dilapidated properties back on the tax rolls which would, in fact, provide for a...a greater and stronger economic base for local...units of government and is something that we need because the State of Illinois cannot carry the...burden for local units of government. So, this is the way of putting property back on the tax roll. And, secondly, it will provide incentives for other types of investments in communities, and let me tell you, I live in one of those type communities that was once totally a community gone down, and now because of people like myself and other citizens got together and with

banks in that area started rehabing a community which is now one of the most famous communities in the City of Chicago; and annually, all of the people from across the State and even out of the country come into that community just to go through our homes and see the kind of rehab. that we've done, and it most certain...certainly has stimulated interest into our areas and in that area most people can, in fact, get loans for almost anything that they want to do. So, I say this is a good amendment and there are going to be Conference Committees, we can work on it some more. I move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins has moved the adoption of Amendment No. 2 to House Bill 567. Those in favor indicate by saying Aye. Opposed Nay. A roll call has been requested. Senator Collins has moved...moved the adoption of Amendment No. 2 to House Bill 567. Those wishing to vote in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 29, none voting Present. Amendment No. 2 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 3 to House Bill 567 is an attempt to allow the Legislature to have an overview of the operations of the Illinois Housing Development Authority. What we do with Amendment No. 3 is to mandate, beginning in July 1 of '86, that all expenses of the authority be payable soley from the funds appropriated by the

General Assembly and no liability for such expenses shall be incurred beyond the dollars appropriated. Also beginning in...July 1 of '86, the Illinois Housing Development Authority shall pay into the State Treasury all dollars received or accumulated for their expenses except for funds appropriated by the General Assembly. If there aren't any questions, Mr. President, I would move for the adoption of Amendment No. 3 to House Bill 567.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft has moved the adoption of Amendment No. 3 to House Bill 567...just a moment. Is there any discussion? Senator Philip.

SENATOR PHILIP:

I'm sorry, Mr. President, I will try not to snap my fingers at you again. What...what this does, in effect...demands that we have an annual appropriation for Build Illinois. We ought to call this amendment the "pork amendment," so we can all come back here annually and put our pork in and everybody can bring your...little goodies back to the district. You talk about a lousy idea, a lousy program, this is it. You know, we ought to let the Governor set the priorities and do what's right, and...we ought to get out of the business of pork. We ought to defeat this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise wholeheartedly in favor of Amendment No. 3 to House Bill 567. This is...is a very important amendment. Yesterday...I...I was attempting to try and get some information...and I would like some order, please, 'cause I'm not going to talk...try and outtalk all...all of the noise in here, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we will make an attempt to get some order. Can we have some order for Senator Collins. Will the members be in their seats. Senator Collins.

SENATOR COLLINS:

...yesterday, as I was attempting to try and...and get some information in reference to the...the amendment which was just defeated, I found that it...it was very strange that the director of that department was away out of the country. It struck me mighty strange that any director this time of year, at this critical time in...in...in State Government that would...could afford the luxury of being out of the country, and...and...and what Senator Luft is trying to do is to make that a...agency more accountable. It's to get it out of its ivory...tower down there in the City of Chicago, overlooking the lake, spending, someone has said, all they way up to a million dollars...a year on rent and God knows what on other expenses, and no one knows what they do with the money and so what he's trying to do is make that agency accountable and maybe then, just maybe, I won't have to introduce those kind of amendments that just failed, because maybe they will carry out the original mandate by which that agency was created. So, I...I...I recommend heartily that we adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I don't really get to uptight about IHDA because every time anybody in my area...my district says they want an IHDA project, the citizens form a committee and hire a lawyer and protest and we don't do it. So, you know, the quotas really don't affect me. My people, rightly or wrongly, don't want anything to do with it. I...I really have to say that, frankly, when you look at this and you know that the...the cumbersome apparatus already in place without

putting the political...shall we say, give and take into the process, I think you're talking about something that would really do harm to a process which...while it may not have had a big impact in my part of the State, I think has had a good impact in other parts of the State. If we start voting rehab. house by rehab. house and covering ourselves in glory like our House colleagues did a couple of weeks ago when they had that feeding frenzy one rather ennoble Friday, I don't think we want to do that. I think most of the people who understand IDHA know that they have been responsive to the political pressures to the extent that they should be responsive. Bear in mind, IDHA is funded by the sale of bonds. You can't sell bonds to support pork barrel junk, and if you want to sell pork barrel junk, you're going to have to be a traditionalist and do it from the general revenue where the taxpayer has no defense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I move the...previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, there's only one speaker left. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We are, today,...engaging in the buzzword amendments, I guess. This hasn't got a thing in the world to do with projects, not one whit. Everybody understands, I hope, the operation of the housing development authority; indeed, one has to make application and one has to prove financial and economic feasibility and go...it has to be financially responsible and on and on and on. You cannot assign projects to IHDA. All this amendment says is that who is IHDA? Why should they and they alone, as a State agency, have a budget

for their operating expenses that is not subject to the scrutiny of the General Assembly through the appropriations process? Why? Why not cause them to come annually before the General Assembly as we do with every other agency of State Government and justify their expenditure and perhaps when they are justifying their expenditure, then some of these questions can be adequately addressed. Why, IHDA, are you so concentrated along the lake front? Why, IHDA, are you opposed or allegedly opposed to money for rehabilitation? Why are you opposed, IHDA, to money for those among us who are single and live in a hotel room? Those are questions we should have an answer to and I don't think subjecting their expenses, their operating budget to the annual scrutiny of the General Assembly is a bad idea at all, and I urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I want to point out what we're talking about. We're talking about someone that we are giving the authorization for over billions of dollars...billions, not millions, billions of dollars. After we make this authorization, they're gone. We never see them again. We don't have any control over them. If anything goes wrong, we're out of it, and as one of the speakers from your aisle said just a few minutes ago which really scared me, he said we should be letting the Governor set priorities. Now I don't care whether it's a Republican Governor or a Democratic Governor, you know, I'm kind of for them setting priorities because I think as the Chief Executive of the State of Illinois, they should be, but it is our responsibility as legislators to provide an overview and a check and balance of that Chief Executive. Without this type measure on all the agencies and quasi State agencies of the State of

Illinois, we're left out and we abdicate our responsibility, so I would move that we adopt Amendment No. 3 to House Bill 567.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, he was...Senator Lechowicz, he was...the gentleman had closed. Senator Lechowicz.

SENATOR LECHOWICZ:

I know he was closing, my light was on before that, you probably just missed it. I won't take the time, I just want to point out that this is not the only quasi State agency that does not appear before the Appropriations Committee. The Illinois Tollway is another good one; if you're going to adopt this...procedure for IHDA, it's sure good enough for the tollway as well, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft has moved the...Senator Luft may close.

SENATOR LUFT:

Only one comment, Mr. President. I put in a bill to mandate this for all quasi State agencies and it failed last year. As each one comes by, I'll be more than happy to add that amendment to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 3 to House Bill 567. Those in favor signify by saying Aye. Opposed Nay...roll call has been requested. Senator Luft has moved the adoption of Amendment No. 3 to House Bill 567. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 28, none voting Present. Amendment No. 3 is adopted. Senator Philip, for what purpose do you arise? Senator Philip.

SENATOR PHILIP:

Verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has requested a verification of the affirmative roll. Members will be in their seats. The Secretary will read the affirmative...those who voted in the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Lechowicz, Lemke, Luft, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip, do you question the presence of any member who voted in the affirmative? Senator Philip.

SENATOR PHILIP:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew on the Floor? Strike his name.

SENATOR PHILIP:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz is not on the roll call. All right, Mr. Secretary, you want...or have you...have you concluded, Senator Philip?

SENATOR PHILIP:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the verified roll call, Senator...Senator Luft.

SENATOR LUFT:

Mr. Chew just walked in the door.

PRESIDING OFFICER: (SENATOR DEMUZIO)

From behind me. Senator Chew has returned. Please restore him to the roll call. All right, Mr. Secretary. On that question, there are 29 Ayes, 28 Nays, none voting Present. Amendment No. 3 on a verified roll call is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I have discussed with Senator Philip 570. My technical technically changed amendment just came up and I would ask Senator Philip if we could hold this one until the end of the call. Let's go through the rest of them, then we'll get back to this, and in the meantime, we can talk about my amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

I do not like to do this, given the hour, but I would like a Democratic Caucus. Now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, that request has in the past been honored and it...I hope it will be used sparingly, but the fact is, it's probably not a bad idea. Senator Vadalabene, would you be kind enough to convene us in my office immediately?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

There'll be a Democratic Caucus in the President's Office immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think we'll take advantage and ask for a Republican Caucus too...in Senator Philip's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Republican Caucus in Senator Philip's Office, Democratic Caucus in Senator Rock's Office. The Senate will stand in Recess for fifteen minutes.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. We're back on the Order of House Bills 2nd Reading. 900, Senator Netsch. 1000, Senator Jerome Joyce. 1355, Senator Sangmeister. On the Order of House Bills 2nd Reading, page 63. (Machine cut-off)...63. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, in discussing this with the parties involved, we have not been able to come up with the proper language to put this bill in shape, so I want to recommit this. I move to recommit House Bill 1355 to the committee from which it came for the purpose of putting it into interim study.

PRESIDENT:

All right, Senator Sangmeister has moved to recommit...okay, moved to recommit House Bill 1355 to the Committee on Judiciary I. All in favor of the motion to recommit indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Joyce, on 1000, do you wish to move that? Top of page 64 is House Bill 1436, Senator Joyce. 1467, Senator D'Arco. On the Order of...Senator D'Arco.

SENATOR D'ARCO:

Like to recommit that bill, Mr. President. I think it's to Local Government. What...what?

PRESIDENT:

All right, Senator D'Arco has moved to recommit House Bill 1467 to the Committee on Local Government. All in favor of the motion to recommit indicate by saying Aye. All opposed. The Ayes have it. The bill is recommitted. 1517, Senator Holmberg. On the Order of House Bills 2nd Reading is House Bill 1517. Read the bill, Mr. Secretary. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. On the bill that we just put back into Local Government, House Bill 1467, I'd like to be added as a hyphenated cosponsor.

PRESIDENT:

All right, the gentleman seeks leave to be added as a hyphenated cosponsor on House Bill 1467. Without objection, leave is granted. All right. House Bill 1517 has, I am informed by the Secretary, been read a second time. Are there any amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

No amendments from the Floor.

PRESIDENT:

3rd reading. 1529, Senator Collins. On the Order of House Bills 2nd Reading, the middle of page 64...(machine cutoff)...I don't know what it is. All right. 1540, Senator Savickas. On the Order of House Bills 2nd Reading is House Bill 1540. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1540.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

HB 1556 2nd Reading

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Savickas.

PRESIDENT:

Senator Savickas on Amendment No. 1.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Amendment No. 1 was promised to be drafted in committee. It was a concern about the CTA's quick-take in eminent...domain procedures. It had not been worked out by the time we had it in committee. We held the bill on 2nd until we can get the...amendment worked out. This amendment would provide that the quick-take procedure must be initiated by the City of Chicago with prior approval of the city council and subject to approval by the Metropolitan Transit Authority. The original bill authorized just the transit authority to initiate the quick-take provisions. Additionally, this amendment limits...it limits the geographical boundaries for the area for construction or extension of the rapid transit lines and it adds a five-year time limit to the quick-take. I think this meets all the objections...or all the concerns, I shouldn't say objections, all the concerns that were expressed in the committee and I would move its adoption.

PRESIDENT:

All right, Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 1540. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1556, Senator Keats. On the Order of House Bills 2nd Reading is House Bill 1556. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1556.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio on Amendment No. 1.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I, first of all, want to congratulate Senator Keats on having the most anticonsumer bill of the legislative Session in House Bill 1556, and the reason I offered Amendment No. 1, I assume it's number one, is to put back into this bill some of the more safeguards for consumers. As I understand it, Senator Keats' bill will, in fact, eliminate the State truth-in-lending provisions, that this bill would repeal the Consumer Fine Act...Finance Act which repeals the surety bond requirements in the Act that are transferred to the so-called Revised Consumer Installment Loan Act. These bonding requirements constitute the only financial security which licensees maintain against the claims. This bill that he seeks to...bring forth repeals the restrictions on wage assignments that are contained in the repealed Consumer Finance Act. He permits other fees...permits any other fees that can be charged in a comparable...cash transaction. What this means is this effectively permits lenders to charge any fee they choose. It permits the lender to charge nonrefundable fees in connection with granting a real estate loan, such as, charging points on a loan. There are so many provisions of this bill that are wrong and should not pass that I have brought forth this

amendment to make some restoration particularly on the limitations which he has removed on the fines if you are found in violation. It seems to me that the...as I've been told, the Legal Assistance Foundation has some serious objections to this bill. By virtue of the adoption of Amendment No. 1, I assume that they would, in fact, withdraw their objections and, therefore, House Bill 1556 would simply be a bill that was suggested by the Joint Committee on Administrative Rules. I would move adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 1556. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I...I appreciate Senator Demuzio's statements. This anticonsumer bill passed the House 108 to nothing, passed committee 7 to 1. Now, I...I do concede it is not without controversy but a 108 to...and, you know, the House makes some funny votes but a 108 to nothing, you know, you got to be realistic. Let me just raise a couple of the points, I could go every one, but there are a couple...first, the...we repealed the State Truth-in-Lending Law Act. That's true, but everybody has to live up to the Federal Truth-in-Lending Act which is tougher than the State one we're repealing. So, the point is that it's mandatory that they live up to the...to the Federal Truth-in-Lending Act. So, point number one, that's something to consider. We do away with the State Consumer Finance Act. Yes, that's true. We are combining the Consumer Finance Act and the Consumer Installment Loan Act. The department is supporting that, they have wanted to combine the two Acts before. Part of it is simply clarification. So, in once sense, yes, we're repealing it, but you have to remember, we're putting two of them into one thing. A...a few other points probably to

throw in; one, in terms of the fines that was mentioned, we offered to make the numbers higher. We've been negotiating for a week. Hey, I...you know, if...if...if the...one of those things was unreasonable, we offered to take an amendment. We offered to do that. Let me just throw in a couple more of the things that the amendment does, it...it won't let someone offer loss in income insurance. Well, if you're...and remember the guys who are making these loans are not living in Kenilworth making two hundred and fifty grand a year, this is the Joe Six-pack loan, and some of these guys occasionally get unemployed and they've got collateral up against these loans. The poor guy loses his job and without the ability of having some kind of loss of income insurance, not only does he lose the loan, not only does he lose what he was buying with it, but he loses his collateral. This idea distinctly benefits the borrower 'cause this kind of guy does occasionally lose his job and we're trying to protect him so he doesn't lose his collateral, the loan and whatever he was trying to buy. We're doing him a favor. You know, and that's something that I think is being missed. This also takes away their ability to give what would be a...a first mortgage loan on properties of three thousand to ten thousand. Hey, how many skilled tradesmen buy a piece of property up in Wisconsin near a lake? They know they can build their own place. So you need a couple of thousand bucks to buy empty property and given them four years, he'll build their own place. Hey, again, this is Joe Six-pack's summer home. It's not the Kenilworth summer home. So, those...I could go on and on on technical points within it. Part of it...in terms of taking away the ability to put notes into the secondary market. Being able to sell some of these homes in the secondary market brings down your interest rate. You're actually offering a way to make it easier for the guy to get what he

wants. I could run down item after item. I'd be more than happy to but I want to save the time of the Senate and say, it is my bill. I'd like it in this form on 3rd reading. I would appreciate your opposition to the amendment. I'll be happy to talk to any individual member and explain the exact points of it, and remember, this anticonsumer bill passed the House a 108 to nothing and the committee 7 to 1. I'd appreciate a No vote on this amendment.

PRESIDENT:

Further discussion? Senator Geo-Karis. Any further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

Yes, I do. There was a very similar bill, Senator Keats, that was in this General Assembly last Session. It was...rejected by the Senate Finance Committee two years ago, by the House of 3 to 7 to 1. Now, if you folks in here want to vote for a bill that's going to remove the State truth-in-lending provisions, if you're going to allow for the loan company to charge whatever they want in terms of...of fees, then you ought to go ahead and vote against this amendment. I suggest to you that this is, in fact, a good amendment, and I would move adoption of Amendment No. 1 to House Bill 1556 and ask for a roll call.

PRESIDENT:

The question is the adoption of Amendment No. 1 to House Bill 1556. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the...take the record. On that question, there are 20 Ayes, 33 Nays, none voting Present. Amendment No. 1 fails. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1814, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

We will probably, if we could, address this Monday. There is an amendment that is being drawn up...that staff is drawing up and then, of course, there are other interest groups who have their own amendments to be offered, and...and once we get that together, then I probably would suggest that we try and explain it to our respective caucuses and then let the...let the fur fly on the other...the OCC's. So, I...I just wanted to...alert the Chamber that there is an amendment that the joint committee staff has been working on, and I think that's what Senator Netsch was going to say, and then we can get it amended Monday and go through that process and send it off to the House.

PRESIDENT:

All right, with leave of the Body, that'll...1814 be deferred till Monday. 2179, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 2179. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2179.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

You know, it's late in the afternoon, I would suggest that we adjourn, Mr. President.

PRESIDENT:

That's...Senator Joyce, for what purpose do you arise? I thought that's what we wanted to do?

SENATOR JEREMIAH JOYCE:

Well, that's...that was before the...the...we got twenty-nine votes here, Phil...adjourn.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate...Senate Resolution 391 offered by Senator Marovitz, Carroll and Berman, congratulatory.

392, Senator Lemke, congratulatory.

393, Senator Lemke, congratulatory.

And 394, Senator Davidson and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 78, by Senators Geo-Karis, Philip, Rock and others.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move to suspend the appropriate rules for the immediate consideration of this resolution.

PRESIDENT:

Senate Joint Resolution 78, Senator Geo-Karis has moved to suspend the rules for the purpose of the immediate consideration and adoption of this resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Geo-Karis on Senate Joint Resolution 78.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,

this Senate Joint Resolution 78 refers to the O'Hare Air Reserves Forces facility at O'Hare Airport, which is in Cook County at the Great Lakes Naval Training Center in Lake County, two installations that are vital militarily to the nation and vital economically to the State of Illinois. As we all know, at Great Lakes there's twenty-two thousand personnel...military...personnel, there's thirty-five hundred civilian employees, five thousand military...dependents, and we also, at O'Hare...O'Hare Reserve Airport has fourteen hundred full-time employees and twenty-five hundred reservists. I think it's vital to the betterment...to the...to the good of this State that we urge the members of Congress of the United State to defeat, and I repeat, to defeat proposed legislation aimed at closing the O'Hare Air Reserves...Forces facility at O'Hare Airport and at the Great Lakes Naval Training Center in Lake County. I might tell you that Illinois, which has approximately twelve million people, has about seven military installations, Texas that has about twenty-six million people has...rather, has twelve million people has twenty-six military installations. I think it's only right that we maintain what we have here and I ask that the Congress, with this resolution, act accordingly and I'd ask all of you to join me in this resolution, and I move the passage of this resolution.

PRESIDENT:

All right, Senator Geo-Karis...

SENATOR GEO-KARIS:

...all the members.

PRESIDENT:

...Senator Geo-Karis asks leave to show all members as cosponsor and...is leave granted? Leave is granted. Senator Geo-Karis moves the adoption of Senate Joint Resolution 78. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Joyce, for what

purpose do you arise?

SENATOR JEREMIAH JOYCE:

Mr. President, an inquiry of the Chair. Is it the Chair's intention to proceed with a...a vote on the motion to adjourn or to proceed with House Bill 570 or where are we going at this point?

PRESIDENT:

The sponsor of 570 indicated to me that he...

SENATOR JEREMIAH JOYCE:

It was my...it was my understanding that there are two sponsors on 570.

PRESIDENT:

Yeah, but custom and uses in tradition, the lead sponsor controls the destiny of...of a bill.

SENATOR JEREMIAH JOYCE:

Inquiry of the Chair. Could...could you inform us when this bill will be heard then?

PRESIDENT:

Monday.

SENATOR JEREMIAH JOYCE:

At what time? Do you know?

PRESIDENT:

I...I...

SENATOR JEREMIAH JOYCE:

...two? Ten?

PRESIDENT:

Well,...here's...as I view it, Monday will be...

SENATOR JEREMIAH JOYCE:

It...it will not be the first order of business.

PRESIDENT:

It will not be the first order of business.

SENATOR JEREMIAH JOYCE:

Thank you.

PRESIDENT:

On Monday we will have, I am sure, the Secretary informs me, some further requests for recalls. It will be the last opportunity for bills on 2nd reading to be moved and we will also handle 3rd reading and the Agreed Bill List on Monday. Senator Joyce.

SENATOR JEREMIAH JOYCE:

So, if Senator Philip is lacking the votes on Monday, as he is lacking the votes today, we will still proceed?

PRESIDENT:

...yes.

SENATOR JEREMIAH JOYCE:

Thank you.

PRESIDENT:

Yes. Further business? Announcements? All right, we have only the Consent Calendar remaining. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right, in that event, Senator Demuzio moves that Senate Resolution 369, 370, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, Senate Resolution 383, 384, 385, Senate Joint Resolution 75, House Joint Resolution 75 and House Joint Resolution 76, Senate Resolutions 387, 88, 89 and 390 and Senate Resolutions 391, 392, 393, 394 be adopted. All in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Further business? Further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Monday, Monday at the hour of ten o'clock in the morning. Hope everyone has a happy weekend. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 24, 1985

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend David Ryan, Maryville Academy, Des Plaines, Illinois. Father.

REVEREND RYAN:

(Prayer given by Reverend Ryan)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, June the 12th; Thursday, June the 13th; Friday, June the 14th; Tuesday, June the 18th; Wednesday, June the 19th; Thursday, June the 20th and Friday, June the 21st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. (Machine cutoff)...Secretary.

SECRETARY:

Friday on the Message from the House reporting passage and...and concurrence in Senate bills with House amendments, Senate Bill 312 was reported out as concurring in with House Amendment No. 1. That was a mistake and should not have...been reported on the Message as such.

PRESIDENT:

(Machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, for

the point of personal privilege.

PRESIDENT:

State your point, ma'am.

SENATOR GEO-KARIS:

I would like to introduce from the President's Gallery some of my friends and constituents, Amelia and Dan Farrow from Zion, Opal and Berdene Gilmore from Zion and, incidentally, Mr...Gilmore videotaped the...all of Greek Night last night for us at the Mansion grounds; Walter Robbins from Zion and Chicago and Frances and Bob Alton, my good friends from Mundelein who are served by Senator Barkhausen...in their district and I'd ask you to welcome them here.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield and thank you for last night. All right. With leave of the Body, pursuant to our earlier agreement, we will move to the Order of House Bills 3rd Reading. The Secretary will read the Agreed Bill List and read each of the bills a third time, and the roll call will be taken later this afternoon. Mr. Secretary, on the Order of House Bills 3rd Reading, the Agreed Bill List No. 1, begin with House Bill 25.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 25.

(Secretary reads title of bill)

House Bill...26.

(Secretary reads title of bill)

House Bill 37.

(Secretary reads title of bill)

House Bill 38.

(Secretary reads title of bill)

House Bill 39.

(Secretary reads title of bill)

House Bill 40.

HB 100
3rd Reading
HB 89
HB 99

(Secretary reads title of bill)

House Bill 47.

(Secretary reads title of bill)

House Bill 69.

(Secretary reads title of bill)

House Bill 75.

(Secretary reads title of bill)

House Bill 81.

(Secretary reads title of bill)

House Bill 82.

(Secretary reads title of bill)

House Bill 83.

(Secretary reads title of bill)

House Bill 88.

(Secretary reads title of bill)

House Bill 89.

(Secretary reads title of bill)

House Bill 99.

(Secretary reads title of bill)

House Bill 100.

(Secretary reads title of bill)

112.

(Secretary reads title of bill)

House Bill 137.

(Secretary reads title of bill)

House Bill 146.

(Secretary reads title of bill)

House Bill 150.

(Secretary reads title of bill)

House Bill 152.

(Secretary reads title of bill)

House Bill 153.

(Secretary reads title of bill)

167.

H.B. 204 3rd Reading HB 208 3rd Reading HB 217 HB 253 3rd Reading

(Secretary reads title of bill)

House Bill 178.

(Secretary reads title of bill)

House Bill 182.

(Secretary reads title of bill)

House Bill 188.

(Secretary reads title of bill)

House Bill 190.

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House Bill 197.

(Secretary reads title of bill)

House Bill 204.

(Secretary reads title of bill)

House Bill 208.

(Secretary reads title of bill)

House Bill 210.

(Secretary reads title of bill)

House Bill 217.

(Secretary reads title of bill)

House Bill 222.

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House Bill 223.

(Secretary reads title of bill)

House Bill 228.

(Secretary reads title of bill)

House Bill 241.

(Secretary reads title of bill)

House Bill 244.

(Secretary reads title of bill)

House Bill 252.

(Secretary reads title of bill)

House Bill 253.

(Secretary reads title of bill)

House Bill 255.

HB 269 3rd Reading
HB 279 3rd Reading

(Secretary reads title of bill)

House Bill 258.

(Secretary reads title of bill)

House Bill 259.

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House Bill 260.

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House Bill 261.

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House Bill 263.

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House Bill 266.

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268.

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269.

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270.

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273.

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House Bill 276.

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House Bill 277.

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278.

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279.

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280.

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282.

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283.

HB302
3rd Reading

(Secretary reads title of bill)

284.

(Secretary reads title of bill)

294.

(Secretary reads title of bill)

House Bill 298.

(Secretary reads title of bill)

301.

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302.

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303.

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305.

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308.

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323.

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336.

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338.

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340.

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341.

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343.

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348.

HB 408 3rd Reading
HB 467 3rd Reading

(Secretary reads title of bill)

366.

(Secretary reads title of bill)

368.

(Secretary reads title of bill)

369.

(Secretary reads title of bill)

388...385...House Bill 385.

(Secretary reads title of bill)

393.

(Secretary reads title of bill)

394.

(Secretary reads title of bill)

House Bill 408.

(Secretary reads title of bill)

419.

(Secretary reads title of bill)

House Bill...421.

(Secretary reads title of bill)

House Bill 422.

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House Bill 430.

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434.

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House Bill 437.

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447.

(Secretary reads title of bill)

House Bill 456.

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459.

(Secretary reads title of bill)

467.

HB 479
3rd Reading
HB 577
HB 508

(Secretary reads title of bill)

479.

(Secretary reads title of bill)

480.

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484.

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House Bill 486.

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House Bill 489.

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House Bill...493.

(Secretary reads title of bill)

House Bill 496.

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House Bill 508.

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House Bill 522.

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House Bill 528.

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House Bill 538.

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House Bill 558.

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House Bill 573.

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House Bill 575.

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House Bill 576.

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House Bill 577.

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House Bill 578.

HB 593
3rd Reading
HB 704
HB 701
HB 590

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House Bill 590.

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House Bill 591.

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592.

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House Bill 593.

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House Bill 601.

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House Bill 611.

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House Bill 621.

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House Bill 622.

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626.

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House Bill 639.

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House Bill 701.

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House Bill...704.

(Secretary reads title of bill)

House Bill 705.

(Secretary reads title of bill)

House Bill 706.

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House Bill 710.

(Secretary reads title of bill)

House Bill 714.

(Secretary reads title of bill)

House Bill 725.

HB 816
3rd reading
HB 833

(Secretary reads title of bill)

733.

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734.

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House Bill 743.

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House Bill 751.

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House Bill 775.

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House Bill 787.

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House Bill 799.

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House Bill 802.

(Secretary reads title of bill)

House Bill 807.

(Secretary reads title of bill)

House Bill 809.

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House Bill 810.

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House Bill 816.

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House Bill 832.

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House Bill 833.

(Secretary reads title of bill)

851.

(Secretary reads title of bill)

House Bill 852.

HB 857 3rd Reading

(Secretary reads title of bill)

House Bill 853.

(Secretary reads title of bill)

856.

(Secretary reads title of bill)

857.

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House Bill 864.

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867.

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House Bill 374.

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879.

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House Bill 882.

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House Bill 889.

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House Bill 890.

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House Bill 891.

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House Bill 892.

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House Bill 893.

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House Bill 894.

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House Bill 895.

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House Bill 896.

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House Bill 897.

HB 986 3rd Reading

(Secretary reads title of bill)

House Bill 899.

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907.

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House Bill 921.

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House Bill 922.

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House Bill 929.

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943.

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House Bill 944.

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950.

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986.

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House Bill 992.

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997.

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House Bill 1008.

(Secretary reads title of bill)

1016.

HB 1112
2nd Reading
HB 1039
HB 1104

(Secretary reads title of bill)

House Bill...1023.

(Secretary reads title of bill)

House Bill 1026.

(Secretary reads title of bill)

1035.

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House Bill 1039.

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House Bill 1042.

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House Bill 1044.

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House Bill 1050.

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House Bill 1051.

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House Bill 1053.

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House Bill 1058.

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1059.

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House Bill 1079.

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House Bill 1086.

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House Bill 1104.

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House Bill 1112.

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House Bill 1115.

HB 1184
HB 1187

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House Bill 1126.

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House Bill 1129.

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1131.

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House Bill 1132.

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House Bill 1137.

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House Bill 1142.

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House Bill 1147.

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1163.

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(Machine cutoff)...Bill 1165.

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House Bill 1166.

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House Bill 1175.

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House Bill 1177.

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House Bill 1178.

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House Bill 1184.

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House Bill 1187.

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House Bill 1192.

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House Bill...1193.

HB 1263
HB 1207
HB 1270
HB 1212

(Secretary reads title of bill)

House Bill 1204.

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House Bill 1207.

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House Bill 1208.

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House Bill 1212.

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House Bill 1213.

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House Bill 1224.

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House Bill 1249.

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House Bill 1267.

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House Bill 1269.

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1270.

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1285.

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House Bill 1289.

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House Bill...1298.

(Secretary reads title of bill)

House Bill 1299.

HB 1324
3rd Reading

(Secretary reads title of bill)

House Bill 1301.

(Secretary reads title of bill)

1303.

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1313.

(Secretary reads title of bill)

House Bill 1314.

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House Bill 1524.

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1330.

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House Bill...1340.

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House Bill 1346.

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House Bill 1356.

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House Bill 1358.

(Secretary reads title of bill)

House Bill 1360.

(Secretary reads title of bill)

House Bill 1362.

(Secretary reads title of bill)

House Bill...1363.

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1364.

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House Bill 1365.

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House Bill 1366.

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House Bill 1370.

HB 1392

(Secretary reads title of bill)

House Bill 1371.

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1378.

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1382.

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(Machine cutoff)...1392.

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1393.

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1394.

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1411.

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1412.

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1438.

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(Machine cutoff)...1453.

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1455.

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1458.

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1464.

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House Bill 1488.

(Secretary reads title of bill)

1491.

(Secretary reads title of bill)

House Bill 1493.

HB 1539. 3rd Reading

(Secretary reads title of bill)

House Bill 1496.

(Secretary reads title of bill)

House Bill 1500.

(Secretary reads title of bill)

House Bill 1502.

(Secretary reads title of bill)

House Bill 1518.

(Secretary reads title of bill)

House Bill 1520.

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House Bill 1535.

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House Bill 1539.

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House Bill 1544.

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1548.

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1555.

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1565.

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1566.

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1568.

(Secretary reads title of bill)

House Bill 1571.

(Secretary reads title of bill)

House Bill 1575.

(Secretary reads title of bill)

1576.

(Secretary reads title of bill)

1577.

HB1683 3rd reading H.B.1654 3rd reading H.B.1655 3rd reading

HB1680 3rd reading

(Secretary reads title of bill)

1579.

(Secretary reads title of bill)

...1578, correction, the last bill was 1578.

1585.

(Secretary reads title of bill)

1587.

(Secretary reads title of bill)

1624.

(Secretary reads title of bill)

1645.

(Secretary reads title of bill)

1654.

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1655.

(Secretary reads title of bill)

House Bill 1670.

(Secretary reads title of bill)

House Bill 1680.

(Secretary reads title of bill)

1683.

(Secretary reads title of bill)

1685.

(Secretary reads title of bill)

1703.

(Secretary reads title of bill)

House Bill 1714.

(Secretary reads title of bill)

House Bill 1717.

(Secretary reads title of bill)

House Bill 1755.

(Secretary reads title of bill)

House Bill 1756.

(Secretary reads title of bill)

HB1785
3rd Reading
HB1769
HB1804
HB1860
HB1849

House Bill 1767.

(Secretary reads title of bill)

House Bill 1768.

(Secretary reads title of bill)

House Bill 1769.

(Secretary reads title of bill)

House Bill 1774.

(Secretary reads title of bill)

1775.

(Secretary reads title of bill)

1776.

(Secretary reads title of bill)

House Bill 1785.

(Secretary reads title of bill)

House Bill...1806.

(Secretary reads title of bill)

1813.

(Secretary reads title of bill)

House Bill 1833.

(Secretary reads title of bill)

House Bill 1845.

(Secretary reads title of bill)

House Bill 1849.

(Secretary reads title of bill)

House Bill 1855.

(Secretary reads title of bill)

House Bill 1860.

(Secretary reads title of bill)

House Bill 1867.

(Secretary reads title of bill)

House Bill 1880.

(Secretary reads title of bill)

House Bill 1889.

(Secretary reads title of bill)

HB 1926 3rd Reading HB 1900 3rd reading HB 1951

House Bill 1900.

(Secretary reads title of bill)

House Bill 1901.

(Secretary reads title of bill)

House Bill 1912.

(Secretary reads title of bill)

House Bill 1915.

(Secretary reads title of bill)

House Bill 1918.

(Secretary reads title of bill)

House Bill 1925.

(Secretary reads title of bill)

1926.

(Secretary reads title of bill)

1929.

(Secretary reads title of bill)

House Bill...1930.

(Secretary reads title of bill)

House Bill 1935.

(Secretary reads title of bill)

1937.

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1938.

(Secretary reads title of bill)

House Bill 1939.

(Secretary reads title of bill)

1943.

(Secretary reads title of bill)

1944.

(Secretary reads title of bill)

1948.

(Secretary reads title of bill)

1951.

(Secretary reads title of bill)

HB1955 HB2002 HB1969 HB1962

House Bill 1955.

(Secretary reads title of bill)

House Bill 1956.

(Secretary reads title of bill)

1957.

(Secretary reads title of bill)

1959.

(Secretary reads title of bill)

1961.

(Secretary reads title of bill)

House Bill 1962.

(Secretary reads title of bill)

1963.

(Secretary reads title of bill)

1969.

(Secretary reads title of bill)

1970.

(Secretary reads title of bill)

1971.

(Secretary reads title of bill)

1975.

(Secretary reads title of bill)

1977.

(Secretary reads title of bill)

2002.

(Secretary reads title of bill)

2003.

(Secretary reads title of bill)

2011.

(Secretary reads title of bill)

House Bill 2020.

(Secretary reads title of bill)

2032.

(Secretary reads title of bill)

HB 2096 2nd Reading
HB 2129 3rd reading

House Bill 2054.

(Secretary reads title of bill)

House Bill 2062.

(Secretary reads title of bill)

House Bill 2066.

(Secretary reads title of bill)

2067.

(Secretary reads title of bill)

House Bill 2084.

(Secretary reads title of bill)

2089.

(Secretary reads title of bill)

2096.

(Secretary reads title of bill)

2097.

(Secretary reads title of bill)

2104.

(Secretary reads title of bill)

House Bill 2106.

(Secretary reads title of bill)

House Bill 2108.

(Secretary reads title of bill)

House Bill 2113.

(Secretary reads title of bill)

2129.

(Secretary reads title of bill)

House Bill 2132.

(Secretary reads title of bill)

House Bill 2154.

(Secretary reads title of bill)

2158.

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2162.

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2167.

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2180.

(Secretary reads title of bill)

2181.

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2182.

(Secretary reads title of bill)

2217.

(Secretary reads title of bill)

2219.

(Secretary reads title of bill)

2226.

(Secretary reads title of bill)

2250.

(Secretary reads title of bill)

2551.

(Secretary reads title of bill)

2261.

(Secretary reads title of bill)

House Bill 2273.

(Secretary reads title of bill)

2275.

(Secretary reads title of bill)

2276.

(Secretary reads title of bill)

House Bill 2290.

(Secretary reads title of bill)

2311.

(Secretary reads title of bill)

House Bill 2328.

(Secretary reads title of bill)

House Bill 2336.

(Secretary reads title of bill)

HB 2414 3rd Reading HB 2431 3rd reading HB 2410

House Bill 2349.

(Secretary reads title of bill)

House Bill 2352.

(Secretary reads title of bill)

2368.

(Secretary reads title of bill)

House Bill 2407.

(Secretary reads title of bill)

2414.

(Secretary reads title of bill)

House Bill 2422.

(Secretary reads title of bill)

House Bill 2426.

(Secretary reads title of bill)

House Bill 2428.

(Secretary reads title of bill)

House Bill 2429.

(Secretary reads title of bill)

2431.

(Secretary reads title of bill)

House Bill 2436.

(Secretary reads title of bill)

House Bill 2441.

(Secretary reads title of bill)

House Bill 2442.

(Secretary reads title of bill)

House Bill 2443.

(Secretary reads title of bill)

House Bill 2446.

(Secretary reads title of bill)

House Bill 2449.

(Secretary reads title of bill)

...2450.

(Secretary reads title of bill)

House Bill 2451.

(Secretary reads title of bill)

2452.

(Secretary reads title of bill)

2454.

(Secretary reads title of bill)

2473.

(Secretary reads title of bill)

2492.

(Secretary reads title of bill)

House Bill 2517.

(Secretary reads title of bill)

House Bill 2521.

(Secretary reads title of bill)

1st reading of the bills...3rd reading of the bills.

END OF REEL

REEL #2

PRESIDENT:

Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 77.

PRESIDENT:

Consent Calendar.

SECRETARY:

And like Message on House Joint Resolution 78, 79 and 80.

PRESIDENT:

Executive.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles together with House amendments:

...Senate Bill 180 with House Amendment 1.

202 with House Amendment 1 and 2.

230 with House Amendment 1.

299 with House Amendment 1.

315 with House Amendment 4.

384, House Amendment 1.

385, House Amendment 1.

388, House Amendment 1.

392, House Amendment 1.

314, House Amendment 1...that is 414 not 314.

445, House Amendment 1.

597, House Amendment 1.

758, House Amendment 1.

775, House Amendments 2 and 3.

822, House Amendment 1.

859, House Amendment 1.

879, House Amendments 1 and 2.

903, House Amendment 1.

944, House Amendment 1.

956, House Amendments 1 and 2.

984, House Amendment 1.

1051, House Amendments 1 and 2.

1152, House Amendment 1.

1183, House Amendment 1 and 2.

1185, House Amendment 1.

...1388, House Amendments 1, 2 and 3.

And 1396 with House Amendment 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 395 offered by Senator Vadalabene. It's congratulatory.

PRESIDENT:

Consent Calendar. All right, we'll begin with the Order of Recalls. All the members have a list on their desk of the bills that sponsors have indicated...or at least amendments have been filed. The movement back to 2nd reading is at the discretion of the sponsor, obviously. If you'll look at the recall list, the bill sponsors to which amendments have been filed are Senators Watson, Poshard, Lemke, Donahue, Degnan, Poshard, Lechowicz, Nedza, Joyce, Berman, Weaver, Marovitz, Lemke, Berman, Mahar, Lemke, Keats. I would ask the members to please be ready. All right, on the recall list, we

have...we begin with bill number 66 and it ends with bill number 2103. So, everybody's working off, I hope, the same list. All right, with leave of the Body, we'll move to the Order of House Bills 3rd Reading, middle of page 3, is House Bill 66. Senator Watson seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 66, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. First of all, under a point of...personal privilege.

PRESIDENT:

Senator Watson, state your point, sir.

SENATOR WATSON:

Well, it...it is certainly a...a privilege for me to be able to address you this morning but I wanted to find out for one thing, I was gone over the weekend and I haven't had an update in regard to the Cardinal-Cub series over the weekend and I was just curious if you could let me know what happened?

PRESIDENT:

...Senator Maitland and I will discuss that a little later. Senator Watson on Amendment No. 1.

SENATOR WATSON:

Was that timely?

PRESIDENT:

That was...yeah.

SENATOR WATSON:

Okay. Senate Amendment No. 1 to House Bill 66

HB 275 Recall

strictly...it's a technical amendment. It just adds the fact that services in the amount as determined by the electors at an annual or special town meeting. Takes out some provisions in regard to some specific amounts and...puts this into it, and I move for its adoption.

PRESIDENT:

All right, Senator Watson has moved the adoption of Amendment No. 1 to House Bill 66. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senate Bill...House Bill 72. Senator Poshard seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 72, Mr. Secretary. Senator Poshard, I beg your pardon.

SENATOR POSHARD:

Mr. President, I believe that Senator Rupp is going to withdraw that amendment at this point, so it would be unnecessary to move that back to 2nd reading.

PRESIDENT:

All right, take it out of the record, Mr. Secretary; and, Senator Rupp, if you'll come up and withdraw the amendment, that'll solve that problem. 275, Senator Lemke. Senator Lemke seeks leave of the Body to return House Bill 275...bottom of page 5. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 275, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco on Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 1 codifies what is presently the law into Statute and says that with respect to certain activities the trustee or its agent shall not be personally liable to third persons unless he fails to identify the trust estate and reveal that he is acting in a representative capacity. It also adds another fiduciary as a depositing agency along with a clearing corporation or a Federal...reserve bank for securities that are sent to those agencies by Illinois corporations, and I would ask that we adopt Amendment No. 1 to Senate...House Bill 275.

PRESIDENT:

All right, Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 275. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 497, Senator Donahue. All right, Senator Donahue seeks leave of the Body to return House Bill 497, that's page 8 on the Calendar...return House Bill 497 to the Order of 2nd Reading for purposes of an...of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 497, Mr. Secretary.

SECRETARY:

Amendment No. 2 filed by Senator Fawell.

PRESIDENT:

Senator Fawell on Amendment No. 2.

SENATOR FAWELL:

Thank you, very much. This just deletes the requirement

that people...private...individuals who are serving subpoenas must be instructed and registered by the sheriff in counties under a million.

PRESIDENT:

All right, Senator Fawell has moved the adoption of Amendment No. 2 to House Bill 497. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 3 is identical to the amendment that we placed on House Bill 474 dealing with the ability to tax as costs...services rendered by sheriffs and coroners. I move the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 3 to House Bill 497. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading...if I can have your attention, on page 38 on the Agreed Bill List, Senator Lemke, you wish 627 called back? Senator Lemke seeks leave of the Body to remove House Bill 627 from the Agreed Bill List and to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd

Reading, House Bill 627, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 1.

SENATOR LEMKE:

I hate to take this bill off 'cause...important bill off the Agreed Bill List but we caught an error in there the way the bill reads. So, what this amendment does is responds to...what we consider a very technical error in the bill which have made...which...would have made the grandparents guilty of a Class A misdemeanor when the...without parental consent to care of the grandchildren...or unemancipated to minors and their caring for them until this situation is over. So, if the grandchild runs to the grandparents as a runaway, technically the way the bill reads now, the grandparent would be guilty of a Class A misdemeanor. This amendment removes that technical wording. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 627. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading, at the bottom of page 10, is House Bill 694. Senator Degnan, you wish that returned? Senator Degnan seeks leave of the Body to return House Bill 694 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 694, Mr. Secretary.

HB 831
Recall

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 to House Bill 694 is an agreed upon amendment that will give state's attorneys in our hundred and two counties throughout the State somewhat more authority in setting the salaries for the assistants in their offices. As I say, it's...agreed upon and I would move its adoption.

PRESIDENT:

All right, Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 694. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Page 12 on the Calendar. Senator Barkhausen seeks leave of the Body to return House Bill 831 to the Order of 2nd reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 831, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 2.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment 2 to House Bill 831 is a technical amendment offered at the suggestion of the Legislative Reference Bureau merely to change a date in the bill that was mistakenly put in the first time around. I

HB 838 Recalled

would urge its adoption.

PRESIDENT:

Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 831. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 838, Senator Poshard. Do you wish that recalled, Senator Poshard? On the Order of House Bills 3rd Reading, the middle of page 12, is House Bill 838. Read the...Senator Poshard seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 838, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDENT:

Senator Poshard on Amendment No. 1.

SENATOR POSHARD:

Thank you, Mr. President. This is an amendment which clarifies existing provisions of the bill relating to fraudulent practices primarily by home repair companies against senior citizens. Move for adoption of the amendment.

PRESIDENT:

Senator Poshard has moved the adoption of Amendment No. 1 to House Bill 838. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

We are, obviously, seeing this amendment for the...first time, but we're told that it isn't just existing practices that it is an expansion of the Attorney General's authority in this realm. I was wondering if you could go into a little more detail?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Schaffer, I have a copy of the bill. What in particular are you interested in...what particular sections?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, it's a four-page amendment. Who wants it? Why do we...why are we doing it? What does it cover? And it...it is..the more I read it, the more I see of the stuff that appears to be brand new, not a rewrite.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. The Attorney General's Office gave us this amendment last Friday. I do not have a...synopsis of the whole thing at this point. It...it clarifies several items within the bill in terms of misrepresenting or unlawful practices for people entering into agreements or contracts with citizens over sixty years of age for remodeling or repairing or renovating buildings.

PRESIDENT:

(Machine cutoff)...Schaffer.

SENATOR SCHAFFER:

I think I can sympathize with the sponsor. I've had amendments handed like this, but it does appear to be fairly sweeping and it'll be probably helpful if the proponents of the amendment would do a little homework with the staff on this side and...some of our membership, get us up to speed.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

...Mr. President, I'd like to go ahead and move for the

adoption of the amendment and...we can get together on both sides of the aisle and work it out.

PRESIDENT:

All right, Senator Poshard has moved the adoption of Amendment No. 1 to House Bill 838. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Lechowicz on 1045. He does not wish it recalled. 1067. Senator Lemke on 1067. On the Order of House Bills 3rd Reading, the bottom of page 14, is House Bill 1067. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 1067, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Technical amendment, it changes the section numbered section...correcting the bill.

PRESIDENT:

All right, Senator Lemke moves the adoption of Amendment No. 4 to House Bill 1067. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, 1083, the amendment has been

withdrawn. Strike that one from your list. Top of page 15, 1103, Senator Lemke. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1103, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 1.

SENATOR LEMKE:

This just adds the technical...to this Act takes effect upon becoming law.

PRESIDENT:

Senator Lemke moves the adoption of Amendment No. 1 to House Bill 1103. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1159, the amendment has been withdrawn, so scratch that one. 1188, bottom of page 15, Senator Berman. Senator Berman seeks leave of the Body to return House Bill 1188 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1188, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you. Amendment No. 1 changes this bill so that the noncustodial parent in the event of the death of the custo-

dial parent has to have been found to be under a legal disability or unfit in order for the court to determine that it would be in the...child's best interest that custody not be awarded to the surviving parent. It sets guidelines for a fair determination as to where the child should go in the event of the passing away of a custodial parent. I move the adoption of Amendment No. 1.

PRESIDENT:

Senator Berman moves the adoption of Amendment No. 1 to House Bill 1188. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Middle of page 16, on the Order of House Bills 3rd Reading. Senator Weaver seeks leave of the Body to return House Bill 1258 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1258, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This amendment is...is with technical nature trying to answer some of the concerns of Chapman and Cutler, and I would move its adoption.

PRESIDENT:

Senator Weaver moves the adoption of Amendment No. 1 to House Bill 1258. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1410, Senator Marovitz. Sponsor indicates he will not seek a recall. 1413, Senator Lemke. On the Order of House Bills 3rd Reading, on page 18 on the Calendar, Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 1413, Mr. Secretary. Senator Lemke.

SENATOR LEMKE:

I'd like to Table Amendment No. 1, No. 2 and No. 3.

PRESIDENT:

All right, Senator Lemke has...having voted on the prevailing side, has moved to Table Amendments No. 1, 2 and 3. Is there any discussion? If not, all in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. Senator Lemke now moves to Table Amendments No. 1, No. 2 and No. 3. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The amendments are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 4 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 4.

SENATOR LEMKE:

Okay, what...what we've found here is after we started adding people and taking people off of the judicial...Criminal Justice Information Authority, we found we had too many members. What this amendment does is incorporates Amendments No. 1, 2 and 3 and keeps the number at fifteen allowing the three judges to get off, the state's attorney appellate service to have one...one of the public...one of the spots and increases the public membership from three

to five. I think it's a good amendment and it keeps it in the form of fifteen on the...on the board. I...I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 4 to House Bill 1413. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Berman on 1800. On the Order of House Bills 3rd Reading, bottom of page 20, is House Bill 1800. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1800, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you. Before we...address Amendment No. 3, Mr. President, this Amendment No. 3 will delete all of the references to the tax incremental financing...sales tax refund which...gave rise to substantial debate in the Revenue Committee, so that the bill after Amendment No. 3 is adopted will be clean of that sales tax refund provision. Accordingly, I would move to reconsider the vote by which Amendments No. 1 and 2 were adopted for purposes of Tabling those amendments.

PRESIDENT:

All right, Senator Berman has moved...having voted on the prevailing side has moved to reconsider the vote by which

Amendments No. 1 and No. 2 to House Bill 1800 have been adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Berman moves to Table Amendments No. 1 and 2 to House Bill 1800. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendments No. 1 and 2 are Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you. The...Amendment No. 3 will delete...deletes the provisions dealing with the sales tax refund as I've just stated. I move the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 3 to House Bill 1800. Any discussion? Senator Netsch.

SENATOR NETSCH:

Senator Berman, I came in just as you were describing and I missed part of it. Could you give me just a capsule again of what the bill will do with the first two amendments Tabled and this one now being proposed?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

It allows for Illinois Development Finance Authority to provide grants which would be contingent on available revenues pursuant to IDFA bonding or...or either Federal or State grants or appropriations. The controversial item that we had previously discussed regarding the sales tax refund has been deleted. Further, and I'll address it at 3rd reading, but

remember the question was raised as to how would the TIF funding through IDFA be repaid because there was a question as to whether this would be a taxpaying entity that would own the land and the property where the Evanston University Research Park is. That will be a private entity. There is a sale pending or in discussion stage so that it will be a private taxpaying body. The increases of the assessed valuation will be on the tax rolls and will be the source for the repayment of these funds.

PRESIDENT:

Senator Berman moves the adoption of Amendment No. 3 to House Bill 1800. Any further discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Philip on 1857. Top of page 21 on the Order of House Bills 3rd Reading, Senator Philip seeks leave of the Body to return House Bill 1857 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1857, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 4.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 4 to House Bill 1857 combines a front-door referendum for three hundred and fifty million in general obligation bonds for the purpose of a water commission and to get water from Chicago to DuPage County, combines

it with a one-quarter percent sales tax to pay off those bonds. Be happy to answer any questions. I move the adoption of Amendment No. 4.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No. 4 to House Bill 1857. Senator Demuzio.

SENATOR DEMUZIO:

Yes, if the...sponsor will yield. The quarter-cent sales tax caught my ear. What...what...what are we talking about here?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

What we're talking about is by front-door referendum, the people of DuPage County authorizing a quarter-cent sales tax, countywide, for the purpose of water from Lake Michigan to DuPage County.

PRESIDENT:

Senator...

SENATOR PHILIP:

...they'll have a chance to vote on it. It's nothing sneaky at all.

PRESIDENT:

...Senator Philip has moved the adoption of Amendment No. 4 to House Bill 1857. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, page 21, in the middle of that page is House Bill 1914. Senator Mahar seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted.

On the Order of House Bills 2nd Reading, House Bill 1914, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Mahar.

PRESIDENT:

Senator Mahar on Amendment No. 2.

SENATOR MAHAR:

Thank you, Mr. President. Amendment No. 2 authorizes two parcels in the Village of Hoffman Estates to be annexed to the Metropolitan Sanitary District. This is at the request of the property owners and the municipality and the MSD are in agreement.

PRESIDENT:

Senator Mahar moves the adoption of Amendment No. 2 to House Bill 1914. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The next two were on the Agreed List. On page 57...page 57 of the Calendar, Senator...Schaffer seeks leave to remove House Bill 1961 from the Agreed List, asked that it be brought back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1961, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a sad duty, I have to remove this bill from the Agreed List to put

H.B. 1970 recall

an effective date amendment on it. That's all the amendment does is put an effective date of July 1, 1985. It hurts.

PRESIDENT:

All right, Senator Schaffer...moves the adoption of Amendment No. 1 to House Bill 1961. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Same page, on the Order of House Bills 3rd Reading, Senator Davidson seeks leave to remove House Bill 1970 from the Agreed List and asked that it be brought to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1970, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

This amendment removes the immediate effective date. I move the adoption.

PRESIDENT:

Senator Davidson moves the adoption of Amendment No. 1 to House Bill 1970. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2103, back on the regular order...Senator Lemke, did you file an amendment on 2103? Well, strike it

H.B. 704 recalled

from the list. All right, if I can have the attention of the membership. While we're on this order, there are three additional amendments that have been placed with the Secretary. If you will be kind enough to take these numbers down, we won't have to go through this drill again. House Bill 704 off the Agreed List, Senator Sangmeister. House Bill 805 on the regular list, that's Senator Karpiel and House Bill 1027, Senator Welch. With leave of the Body, we'll just add those and carry on and try to get this accomplished. On the Order of House Bills 3rd Reading, page 38, Senator Sangmeister seeks leave of the Body to remove House Bill 704 from the Agreed List and asked that it be brought to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 704, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. What this amendment does is it tightens up requirements for bail on drug related case and where terrorists are involved. It will make it...it will give the judge more discretion as to when he can deny bond on first appearance, and there is a host of items in this bill which I think would best be discussed on 3rd reading. At this time, I would just move adoption of the amendment.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 1 to House Bill 704. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Back on the regular order, on House bills 3rd reading, top of page 12, is House Bill 805. Senator Karpiel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 805, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Karpiel.

PRESIDENT:

Senator Karpiel on Amendment No. 2.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 2 is...another amendment that is...has been suggested by the Comptroller's Office. It's a technical amendment, really. It deletes the words that say, "The deduction shall have priority over any garnishment except that for payment of State." I move for its adoption.

PRESIDENT:

Senator Karpiel has moved the adoption of Amendment No. 2 to House Bill 805. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 14, Senator Welch. Senator Welch seeks leave of the Body to return House Bill 1027 to the Order of 2nd Reading for purposes of an amendment. Leave granted? On the Order of House Bills 2nd Reading, House Bill 1027, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you, Mr. President. This states that this bill will not apply to cities having a population of more than...half a million inhabitants. I move the adoption of Amendment No. 3.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 3 to House Bill 1027. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have the attention of the membership, visiting Springfield today is a very special guest. We have with us the Honorable Mr. Klaus Jacoby who is the Ambassador from Switzerland to the United States. He is visiting Springfield and has just been introduced to Mayor Michael Houston. He is accompanied by Council General Holser. I would wish that you would welcome Ambassador Jacoby and I'll ask him to say a few words. Ladies and gentlemen, Ambassador Jacoby.

AMBASSADOR JACOBY:

(Remarks made by Ambassador Jacoby)

PRESIDENT:

Mr. Ambassador, I think we have a lot of volunteers for the trade mission to Switzerland. I see a lot of hands going up. Resolutions, Mr. Secretary. Messages from the House, I'm sorry.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate

the House of Representatives concurred with the Senate in the passage of a resolution, to-wit:

Senate Joint Resolution 77.

Together with the following amendment, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

...Mr. President and members of the Senate, I would move concurrence with House Amendment No. 1. It's just...on the adjournment resolution to make it at ten o'clock.

PRESIDENT:

All right, Senator Savickas has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 77 and he moves the adoption of...House Amendment No. 1 to Senate Joint Resolution 77. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Savickas now moves the adoption of Amendment No...House Amendment No. 1 to Senate Joint Resolution 77. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted and the resolution is adopted. If I can have the attention of the membership. As you're all aware, tomorrow is the last day under our rules for the consideration of House bills on 3rd reading. If you'll look at the back, we have two hundred and seventy-three, probably now two hundred and seventy-eight House bills on 3rd reading. Today is the last day, obviously, to move substantive House bills from 2nd to 3rd reading so that they may be considered tomorrow. After discussing with Senator Philip, it is our intention to go to the Order of House Bills 2nd Reading. There are seven substantive House bills sponsored by the following Senators:

Senators Bloom, Philip, Netsch, Jerome Joyce, Jerome Joyce, Collins and Bloom. At the conclusion of that order of business, we will begin on House Bills 3rd reading at the beginning, and the very last order of business this evening, which will be at approximately six-fifteen to six-thirty, we have agreed to...to terminate our business or adjourn at the hour of six-thirty because tomorrow will be a...all day marathon, I'm afraid. At the conclusion, we will have the roll call with respect to the Agreed Bill List for those bills on 3rd reading that have been read in this morning commencing at ten o'clock. If members wish to move bills off that list or vote other than Aye, that should be filed with the...those indications should be filed with the Secretary so that they can be properly journalized. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I ask to be added as an immediate cosponsor to House Bill 832 and I have the permission of the main sponsor, Senator Marovitz.

PRESIDENT:

All right, the lady seeks leave to be added as a cosponsor of House Bill 832. Without objection, leave is granted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Ask leave to be added as a principal cosponsor of House Bill 48.

PRESIDENT:

The gentleman seeks leave to be added as a principal cosponsor of House Bill 48. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

I would ask leave to be substituted as the chief sponsor of House Bill 24 and have that bill read Welch-Jones. I've

had the permission of the sponsor, Senator Jones, who is nodding his head...in affirmation.

PRESIDENT:

All right, the gentleman seeks leave to be added as the principal sponsor of House Bill 24 with Senator Jones as the hyphenated cosponsor. Without objection, leave is granted. Senator Barkhausen.

SENATOR BARKHAUSEN:

...Mr. President, I would ask leave to have added Senator Dudycz as a hyphenated chief sponsor of House Bills 831 and 971.

PRESIDENT:

831 and 971, the gentleman seeks leave to have Senator Dudycz added as a cosponsor. Without objection, leave is granted. All right, we will begin on the Order of House Bills 2nd Reading. We will go through that order of business and then proceed on to the main Calendar to the main event on House bills 3rd reading. We will work until approximately six-thirty this evening at which time we will have the roll call vote on the Agreed Bill List. On the Order of House Bills 2nd Reading, House Bill 296, Senator Bloom. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President. Let's move 296 to 3rd and I wanted to seek leave on 1814. Let's handle 296 and then I'll...

PRESIDENT:

On the Order of House Bills 2nd Reading is House Bill 296. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 296.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Thank you, Mr. President. I would seek leave later on when we get to House Bill 1814 to perhaps consider it out of order later this afternoon, because the interest...there's one particularly difficult issue involving AT and T and the other common carriers, and they are very, very close to compromising that issue; and if that's the case, we can handle...readily handle 1814 and it will be a controversial issue that becomes noncontroversial, which we all like, but they probably won't have the language drawn up until later this afternoon, sir.

PRESIDENT:

All right, Senator Bloom...seeking leave of the Body to consider House Bill 1814 on the Order of 2nd Reading later this afternoon, perhaps at the close of...before the close of business, let's just say six-fifteen this evening. Is there any objection to that procedure? Without objection, leave is granted. We will handle House bills 2nd reading...return to that order for the purpose of House Bill 1814 at six-fifteen this evening. Without objection, leave is granted. All right, Senator Philip, why...why don't we try these other...Senator Bloom, would you mind? We'll go to...let's get these other ones out of the way and we'll move right there, if that's all right. See if anybody wants to move any of this stuff. Middle of page 67, on the Order of House Bills 2nd Reading, House Bill 900, Senator Netsch. On the Order of House Bills 2nd Reading, House Bill 900. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 900.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1000, Senator Joyce...well, you can get leave to come back to it and we can probably do it Wednesday or Thursday or Friday, I presume...or later today. 1436, Senator Joyce. On the Order of House Bills 2nd Reading, the middle of page 68, is House Bill 1436. There's an amendment filed up here. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1436.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

All right, thank you, Mr. President. This amendment rewrites the bill to include the...the suggested legislation which was a result of the Governor's Task Force on Chemical Safety. The plan requires a business to have a written emergency plan, the guidelines for the coordination of the plan are to be established by the Emergency Services Disaster Agency and...significant release occurs, the EPA will review how the plan worked and may suggest changes in the plan and

HB 570 2nd Reading

so forth.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1436. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1529, Senator Collins. All right, Senator Joyce has asked leave to come back to 1000, Senator Collins has asked leave to come back to 1529 and Senator Bloom has asked leave to come back to 1814. At the last order of business today, we'll get back to them. Without objection, leave is granted. Senator Philip on...Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Mr. President, will there be any chance of going back on a recall list? Are we going to have another recall list or is that it?

PRESIDENT:

Certainly. I...yes. WAND-TV Decatur has requested permission to videotape today's proceedings. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills 2nd reading is House Bill 570. Senator Philip. Senator Bloom. Senator Luft. All right, House bills 2nd reading, House Bill 570, Mr. Secretary.

SECRETARY:

House Bill 570.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt Committee Amendment No. 1 to Senate Bill 570. The amendment cuts it back to the Governor's recommendation which is 1.3 billion dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has moved to Table Committee Amendment No. 1 to House...all right, Senator Philip has moved to adopt House Bill 570, Amendment No. 1. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For the benefit of the membership, Committee Amendment No. 1 to House Bill 570 literally reinstates the Governor's program as introduced, including the imposition of the used car tax. I think a roll call should be had on the adoption of Amendment No. 1. I have Amendments 2, 3 and 4 which substantially alter the financing program under House Bill 570, but Amendment No. 1 essentially strips out what the House did to House Bill 570 and reinstates the program as introduced by the Governor, and I think a roll call should be required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Joyce...Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Philip, the projected used car tax, what is the estimated revenue that will be derived from that, if you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I believe in a full fiscal year, seventy million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Do I understand you to say seventy million dollars for the next fiscal year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

A full fiscal year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

And would you tell me, if I had a automobile that had a market value...that I was selling for five thousand dollars, what the tax would be on me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Five percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That would be two hundred and fifty dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

If your arithmetic is correct, I believe that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Would you tell if you know how many used cars are sold in a year that would be subjected to this tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I don't know. I...hopefully, I could get the figures for you from the second floor or the Secretary of State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, if...if...if we're...we are talking about...say, seven...well, you're talking about one billion four hundred million dollars worth of used car sales if my...if your projections and my arithmetic are correct, would that be right as I...trying to think here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

If I remember correctly, your Responsibly Build Illinois uses the exactly the same tax. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I'm just asking you if you would...would you answer the question. We'll talk about who and what and whose Responsibly Build Illinois and how it's going to be funded when we get to that point, but you're offering the amendment and you're subjecting yourself here to questions and discussion and debate. So I ask you again, would that...is that roughly what my...is that a correct number that I'm talking about if the projection is seventy million dollars to be derived in additional revenue from this tax, would we be talking about a billion four hundred million dollars in used

car sales?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I believe the one thing we can agree on is that we're both using the same figures from the Governor's Office and the Department of Revenue. What the...what the tax raises and how much it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I'm using your numbers. I'm not vouching for your numbers, Senator Philip. I'm taking you at face value. I'm not representing that your numbers are correct. Let me ask you this, what will happen or what...what does the Governor...propose for revenues if this projection is incorrect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

We...we believe he's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, given his track record, I...I...I don't think you're going to get a majority of the people in this Body to agree that he's correct. My understanding is is that there is backup to this, that there is a...a proposal to take funds from the sales tax and have that as the backup to that. Is that...is this not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes, I...to my knowledge, that is absolutely incorrect. Also, I would assume if there wasn't a revenue flow, we'd

have to scale down the amount of bond we'd be selling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce, have you concluded? Senator...Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

No. No, I haven't concluded. You sell the bonds...you sell...you sell the bonds and then you are obligated and then all of a sudden we find, as we have found so many times in the past, that your numbers and your projections are incorrect, then what do we do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I'm sure you know, Senator Joyce, they would not sell all the bonds at once. They would be stretched out and, of course, if the revenue wasn't there, they would scale down the next sale of bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's not my understanding. My understanding is...is that we are going to sell these bonds, put those monies in a fund, derive interest from the funds that those monies go into and arbitrage this deal, that's my understanding. Now, if you're saying that we are going to just do this as...as the economic...situation warrants, then you should adopt our plan because that's what we're talking about. You should just withdraw this amendment and pay as you go, as we are suggesting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Philip.

SENATOR PHILIP:

Well, of course, under your so-called pay-as-you-go would do two things, stretch it out to fourteen years possibly and

cost more money. And as you know, I...I would assume they would spread the selling of these bonds out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well,...first of all, those two statements are correct but...are incorrect but...but let's set that aside for the moment about the fourteen years and costing more money, both of those are...without doubt those...those two statements that you have made are in error. Let me ask you one other thing that I'm still confused about, and I truly am confused about this, Senator Philip, these are...these are...what type of bonds are these? Mr. Mandeville, when he came before our committee, indicated that these were what type of bonds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

They're dedicated revenue bonds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

When you say dedicated revenue bonds, does the full faith in credit of the State of Illinois stand behind these bonds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip.

SENATOR PHILIP:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. All right, Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, let me ask you this, if there is not sufficient funds...if there is not sufficient funds from the...from the contemplated source of revenue to redeem these bonds, does the...does...is it anticipated in this legislation that sales

tax money...sales tax revenues or general revenue funds will be used in this program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, they are prohibitive, they will not be used and what they will do, the second issue of bonds, they will not sell the second issue of bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No, that is...that is not correct. That is not correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the...sponsor of the amendment yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Is it...my understanding that the money derived from the taxes from the sale of the used cars will be...used to pay the interest on the bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yes and principle.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And...if I understand correctly, the type of bonds will be revenue bonds. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Dedicated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

What...I'm sorry, I didn't hear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He said dedicated. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this amendment and I speak in favor of the whole bill, because under this bill and this...and this amendment, we are not going to be forced to go and rob the general fund every time we're short on the other plan that's being advocated by our colleagues on the other side, because if we have to take money from the general fund to...on the pay-as-you-go system and it...it isn't there, then you're going to have to raise taxes to pay for your senior citizens, your education and so forth. So, I think in the long-run, we're much better off supporting this amendment and the bill itself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of Amendment No. 1 on House Bill 570. There are only two things that you have to know about this amendment; one, is that ten is greater than eight, or nine is greater than seven, or eight is greater than six, or seven is greater than five, and if you don't know that by the time you become a Senator, I think we have more serious problems than just this amendment. The other thing you have to know is whether there's a revenue stream so that when the investment is made, eight will be greater than six, nine will be greater than seven. What this bill simply does...and I might do it with an analogy. If you

had a hundred thousand dollars sitting around someplace and you were going to build a hundred thousand dollar house and you found out that you could vest your hundred thousand dollars and get ten percent interest and pay eight percent interest on a regular loan, you would be a fool not to borrow the money, and that's all this amendment says, that in this particular instance, because you have a revenue stream equivalent to the hundred thousand dollars in the bank, that you're far better off borrowing because then you could add a two thousand dollar addition to your house for nothing, and that's all this amendment does. It's very simple, and we talk about pay as you go, this is more than pay-as-you-go; this is not only pay-as-you-go, it's to get more than what you're going to be getting if you went ahead and didn't invest it. I urge your support for this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Linda Mise of WCIA-TV seeks permission to videotape. Is there objection? Hearing no objection, permission is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I can't let that go without challenging that what you said...Senator, because you're talking about...you're not trying to make this so simple, and it's not simple, it's...it's simple, yes,...it is simple...it's simple for the guys who are bond counsel, it's simple for the...for the investment bankers, it's simple for those people. This...if you take the hundred thousand dollars and go and borrow it...go and borrow it, put it in the bank at ten percent and go and borrow at eight percent, that would be fine, if you didn't have to hire a lawyer and hire an investment banker and hire all of these other support people and all of these other costs that are involved in this because then your two percent arbitrage melts away. It's not here, it's gone, and that's really what this whole thing is about, Senator. You

know that and I know it. It's about forty or fifty million dollars that we're going to hand to some bankers and some lawyers and some other friends of this administration. Instead of doing it in a reasonable way, in a cost efficient way, we are going to bring in some other people to sit at the table and divvy up the State's money, that's what it's all about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I think the record has to be cleared up on that point also. The net number, Senator Joyce, is going to be greater regardless of what charges that you talked about, then, simply using the money you're taking in and spending it. Let me point out one other advantage. With this program, you can make commitments that go beyond one year, commitments that can result in some savings, commitments that...in many instances could not be made any other way. Under the plan...and I know Senator Joyce felt that Senator Philip ought not to be bringing up the following amendment but he brought it up himself in his discussion. The fact is, you can't make any commitments under the new plan, and I don't know how you're going to get fifty-one done...well, I know how you can get it done, you can get it done the way it's being done right now, a little piece at a time and maybe it'll never get done. The point is that the invested money, you're going to turn around and sell bonds with short money, put it in to a long-term investments and, Senator Joyce, you can't argue that. Pick up the Wall Street Journal, pick up the Chicago Tribune, pick up any one of them. Read the page that says what you're going to get ten years from now for something if you put the money in right now. And you know what, it'll tell you you're going to get more than what...it's going to cost you to borrow it under a tax-free

borrowing system, every one of them does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI would like permission to take still photos and Channel 20 requests permission to videotape. Is there objection? Hearing no objection, permission is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator DeAngelis, no matter how you address this, it...your program still costs two and a half billion dollars more. Now, somebody is getting that two and a half billion dollars and it's not the guy who's out there laying concrete. Two and a half billion dollars and after...what you're talking about when you tip that balance doesn't even come on the scene till after twenty-five years. If you extend this thing out for forty years, yes, you'll have more interest in...coming in than you will have going out, but two and a half billion dollars more this program costs the way you people want to do it, and the only reason you want to do that is the...for those reasons that I have already stated, because you have a bunch of people you want bring in and let them sit at the table and gobble up the State's money. The bond counsel, the investment bankers and all those other cronies that we've dealt with on transportation, on education and when we passed the income tax, those are the people who...who benefited from that program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Joyce, you are totally discounting the proceeds from those investments, and I challenge you to present those numbers side by side with our numbers, sir, and I will tell you, and you can put them to anybody you want to, pick somebody, provided they understand math. I challenge you to put those numbers side by each.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, let's vote on the thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

END OF REEL

REEL #3

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I've been sitting here and listening to, I guess, this debate, trying to divine what purpose the opposition would be to this amendment, and, apparently, it boils down to this, that the opposition is coalescing around something less than one percent of a program and that's...that doesn't make any sense. There is no reason why all fifty-nine Senators cannot and should not...there's no reason why we...shouldn't be supporting this amendment, and I...I really think that it...it does not speak well for this Body to have this program bogged down in regional and partisan bickering. It...it...we don't look good and we're not doing the job we should be doing for our constituents. I would recommend that we all support this amendment. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Philip may close the debate on the adoption of Amendment No. 1.

SENATOR PHILIP:

Yes, I...I might remind you that the bonds will pay...be paid off by the used car tax and the interest on bonds that are made. In the long-run, it'll save money and I suggest we support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip moves the adoption of Amendment No. 1 to House Bill 570. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 38, the Nays are 16, 4 voting Present. Amendment No. 1 having received the constitutional majority

is declared adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 was our first offering if you will, of a reasonable, rational alternative to Build Illinois. We have found and made some technical corrections which will be offered in Amendment No. 3; therefore, I move to Table Amendment No. 2...Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Rock moves to Table Committee Amendment No. 2 to House Bill 570. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 has been called the Responsibly Build Illinois Program. It effectively substitutes a financing mechanism other than that which the Governor proposed. I want to make it perfectly clear that I have stated publicly and also stated in committee that the amount of the program, one billion three hundred million, the current year's appropriation, two hundred and twenty-three million and the current fiscal year spending program are identical, they are intact. The difference between the financing proposal contained in Amendment No. 3 as...opposed to that contained in

Amendment No. 1 is that Amendment No. 3 contains a pay-as-you-go program. Amendment No. 3 will effectively put into operation the used car tax and call for that tax to be funnelled into...or an equivalence amount of sales tax to be funnelled into the Responsibly Build Illinois Program which will be subject to appropriation on an annual basis for the next ten year's spending as opposed to the Governor's call for the next eight years of spending. And the difference is...the significant difference is that with the mechanism provided in Amendment No. 3, we will not...we, the taxpayers of Illinois, will not be incurring bonded indebtedness until the year 2024. At the conclusion of ten years, we will have one billion three hundred million dollars worth of projects and they will have been paid for, and we will not incur bonded indebtedness until the year 2024. I think that's a significant difference. We are committed, I am committed to Build Illinois, but I am committed to building it responsibly and to not incur two billion three hundred million dollars worth of financing charges, bond counsel fees and debt service. It can be done another way. The programs, I'm sure you're aware, that the Governor outlined that he wanted to commit to in this fiscal year have already been adopted by virtue of an amendment in the Appropriations Committee to House Bill 569. So the spending level is identical as is the appropriation level. What we are saying is, walk away for a moment or take a step back for a moment of the individual projects. Let's take a look at the big picture, let's agree that we ought to have one billion dollars worth of projects over the next eight or ten years, how in the world are we going to pay for them? What the Governor is proposing is that we incur additional bonded indebtedness, and what we are proposing is that, yes, we agree to these projects, and, yes, we agree to the dollar amount but we're asking that we pay as we go. And with the financing mechanism set up on Amendment

No. 3, we can in fact pay as we go, and we have outlined and presented a spending plan which is virtually identical to that outlined by the Governor...or by the Bureau of the Budget at least, and the levels of spending are the same and the commitments in the main are the same. They're not a hundred percent the same, certainly, that's what the legislative process is about, but the fact is that those big ticket items, the Central Illinois Expressway, Highway 51, the spending called for under the Governor's proposal is identical to that which we call for under our proposal. But the difference is...step back for a moment and reflect not on individual projects, although those that have received high priority under his program receive high priority under our program. The difference is, how do you pay for it? And we are suggesting to the people of Illinois that just the same as they do in their monthly allocation, we pay as we go and we do not subject our children and our grandchildren to debt service for projects and programs that will be long gone once they incur the bills. I urge adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Associated Press requests leave to take photos. Is there objection? Hearing no objection, leave is granted. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in joining Senator Rock in supporting Amendment No. 3 to responsibly, in fact, build Illinois; and I think as we have developed this program what we have said is, where you are asking someone other than the taxpayer to pay for the bonds, then, yes, interest is an allowable payment because it will not be a burden on future generations. Where, like in housing, we have said that the borrower will pay the principle and interest, yes, bonds do in fact make sense. The same is true in the area of some of the loan pro-

grams that are created under the program and in some of the coal areas where, in fact, the borrower will commit to repay interest and principle; but under the proposal that was presented to us in Amendment No. 1, we were talking about not selling the bonds day one and making interest on them as has been purported or at least alluded to, but over a five-year period selling bonds and spending them over eight years. Well, when we you look at the Governor's own revenue projections, that is just so illogical because of the income stream that all you could see is several billion dollars of interest going to banks and bonding houses is the only benefit of bonding Illinois as opposed to building Illinois. We have proposed a pay-as-you-go, and if you look at the bureau's own estimates, it can be paid for in about nine and a half years as opposed to the eight years of spending but thirty-eight years of paying proposed by the Governor. To lose a year and a half of spending to save almost thirty years of interest clearly is the way to go, to pay as you go. It has been proposed that if the tax stays on, and so far the Governor has said nothing, but the tax stays on till the bonds are paid, that by the time the bonds are paid, the total taxes taken from the people of Illinois will be over six billion dollars to do a program that costs a billion three. Taxpayers don't want to pay that kind of money except for a legitimate program. Why, do you know that by the turn of the century, the year 2000, if you go pay-as-you-go you could be into the third program of a billion three; you could have already paid for the first billion three, paid for the second billion three and started a third billion three before you got to the year 2000. You could have five of them completed by the time his bonds were paid off, but it would be in programs not in interest payments, not in finance charges. We will in fact appropriate more under a pay-as-you-go plan the first year than that proposed by the Governor, and we

will in fact spend in a mere eighteen months longer than he has proposed without burdening future generations with unnecessary taxes merely, merely to pay interest. If in fact we are borrowing it all day one and spending it day one the answer would be different but we're not, he has not proposed that nor has anyone else. He has said spend out over eight and we're saying it could take nine and a half but look at what you save, seven hundred and fifty dollars a family a year is saved in unnecessary taxes. People do not ask us to come here to tax them to death. They do agree that we have to have taxes to pay for government services but not to pay banks and not to pay bond houses, pay as you go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR PHILIP:

Yeah, are there any bonds in the so-called pay-as-you-go program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...would you repeat that question, Senator Philip?

SENATOR PHILIP:

Are there any bonds at all in the pay-as-you-go program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Interesting, how many?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll wishes to answer that.

SENATOR CARROLL:

Thank you, Mr. President. As I identified in my remarks, Senator Philip, had you been listening, is that we did suggest that where the borrower is paying back principle and interest which would be the IDFA type, the large and small loan program and the coal program, that in fact they were going to be paying...the borrower not the taxpayer, were going to paying...they would in fact be there in the first year, if I recall, it is forty-eight million dollars that would be under a borrower-paid-for bond program and we've agreed to that. We think that that makes sense, someone other than the taxpayers would in fact be paying the interest and principle back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Specific answer, Senator Philip, we have agreed to one billion dollars additional for the Illinois Housing Development Authority, so yes, indeed, that's part of the program. We have also by virtue of Amendment No. 3 are calling for and under Amendment No. 4 will be calling for roughly three hundred million dollars worth of additional bond authority to cover the Industrial Coal...Utilization Program, the Small and Large Business Loan Program, the Incubator Facility Program, the Public Infrastructure Loan and Grant Program, roughly, three hundred million plus the billion for IHDA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...thank you, Mr. President. We're talking about a quarter of a billion dollars in bonds, is that not correct? Who's...who's going to buy this paper? I've been told that

you're going to have a very, very difficult time selling that amount of bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, if we're going to have difficulty, think of the kind of difficulty you're going to have 'cause yours is twice as big as ours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, we have a revenue stream, we have been to New York to the bonding companies. We'll be able to sell these bonds. Have you been there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No, but I'll be willing to go with you. My program is better than yours, I'll tell you that flat out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think a couple of...thank you, Mr. President. A couple of points have to be made clear. Yes, future generations will pay for this but not with their money, with the money that we have raised, not with the money they will have to be raising and there's a big difference. It is pay later but it's collect now. And, Senator Carroll, I'm really surprised because our version is really the wholesale version, yours is the retail. You're going to pay more for those projects and really have less money, and I'm really surprised but...let me point out one thing to the Body, you know, in biology we learned that a cockroach has a memory of a half hour. The Illinois Senate has a memory of about two months.

Let me point out to you, Senate Bill 160 which flew out of here 52 to 3, sponsored by Senator Welch, Senator Holmberg and Senator Zito. It created 412.7 million dollars worth of bonding to build U.S. 51. Now, what was so bad two months ago...was so good two months ago suddenly has become so bad. You know, I...I really think what we're arguing here is not substance, because what I think is going on here is a political battle and it's not new to the General Assembly, but we ought not to be playing political battles with substantively large dollars, particularly when we're talking about projects that we have all been wanting to see accomplished for a long time. I urge the defeat of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of Amendment No. 3. It's one thing, and I gladly do that, to vote in a school referendum to build a school for both my children and grandchildren out of taxes that I will pay for. It's another thing when I choose privately to buy a tree and plant it, that fifty years from now will be enjoyed by those same descendants, but I'm very uncomfortable in mortgaging Illinois' future to such a great extent as has been proposed in the previous amendment. I do not wish to vote for the extent of projects that have been suggested only to be...paid off by bonds that my grandchildren who are not even born yet will have to pay for thirty-eight years from now. Think of how old you will be thirty-eight years from now, fellow Senators. Will you be around to be paying that bill? That, I...I state for all of you, is taxation without representation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I rise in an interesting position, I'm against both of

your amendments. For those of us who are not part of the Governor's staff or part of...of...of Attorney General Hartigan's staff, for those of us in the middle who have read it, have you ever noticed that neither plan is all that good? What the Democrats are saying about the Governor's plan, I hate to admit it, happens to be factual, but, you know, what our guys are saying about the Democrat plan happens to be factual too. What would it take to get our leadership just to back off for a day or two and let's put a plan that doesn't stick it to the entire State? The Build Illinois is a great idea, both of these financing plans, one is grossly political, the other is outrageously expensive. Either way you look at it, I don't know about you guys, but I'm just going to sit here and not vote and say, hey, good luck fellows, but you are not serving a lot of what I would consider the constituents you and I are concerned with. We do do a very good job of taking care of some very wealthy lawyers in Chicago and when...when Jeremiah was saying, you know, we're going to pay off some of these bond counsel guys, they aren't our guys. Those aren't Republican lawyers, I'm not sure there are many Republican lawyers, but it isn't our guys who are getting that money. Maybe we all ought to sit back and just say, fellows, the first two drafts don't work, why don't we try a third draft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Several other priors, but that was a tough act to follow whatever...whatever the point was. The...of the prior speaker. Two things; one, there's an irony here and that is that, frankly, the other side of the aisle are making, if you will, Republican speeches and not doing it particularly well. But one thing that has...we ought to focus on on this particular amendment is that the way it's structured, the State

would be dipping into general revenue, thirty, forty million dollars a year and that is taking money away from other programs. As a practical matter, I don't believe that this serves any purpose...this particular amendment serves any purpose other than to make political points, and for that reason, I believe that we really should reject it entirely, both sides of the aisle. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I was just going to ask Senator Rock if it's true that under your program you're going to be pledging thirty and forty million dollars of general revenue funds to this program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'm glad you asked, the answer is no, but I will also point out that Amendment No. 1 calls for that eventuality and has, in fact, specific provision for dipping into GRF, we do not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, what is your revenue stream to handle the bonding other than in the housing IHDA area?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, other than the housing IHDA area, we're...we're talking about the Illinois...Development Finance Authority. More than that, we are shoring it up with the authority to borrow from the Tourism Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, that...that really is GRF funds, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR WEAVER:

That's...

SENATOR ROCK:

Now, let me...let me just say now,...you're...you're...I...I understand the...the reason for your question and...and hear me out. We are suggesting that...that there is in fact a surplus under the configuration of the Tourism Fund as we have configured it in Amendment No. 3, and we afford the Appropriations Committee the opportunity to dip into that fund in the event it becomes necessary. We do not put it at the same level which Amendment No. 1 had it. You had it kind of as the second priority to draw against that fund, first priority being the debt service from McCormick Place. We have placed it at the bottom of the list so that it is after McCormick Place debt service, it...it is after the downstate parks and conservation rehabilitation. It is after all those priorities that other General Assemblies have already set and, indeed, you are technically correct that whatever surplus there is in the Tourism Fund as we currently enjoy a surplus of some twenty-eight to thirty million dollars, that is subject to the transfer to the General Revenue Fund. So to that technical...you...technically, you are correct, but the point is that we are not authorizing any immediate dip into GRF. We are suggesting legislatively that if there is to be a...if there is a...an immediate short fall, that we will afford the authority to borrow from the Tourism Fund and further afford the authority to pay back or the responsibility to pay back into that fund at the end of the spending program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, I just might point out that that so-called surplus of twenty, thirty million dollars has already been allocated in those appropriation bills before us now such as education.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. If I might direct a slightly different...not line of questioning but maybe a couple of questions. Let me just say at the outset, I am strongly committed to pay-as-you-go. Even a so-called big spending north Chicago liberal like me has always thought that funding most of State Government by bonding these days is one of the most devastating and long-range disastrous things that we have thought up over recent years and so I'm...I am not committed to that at all. I think the way we are doing it is responsible and, you know, we're...we're now at a point where in terms of the...the fiscal feasibility of the two basic programs, it's sort of yes, you can; no, you can't, I mean,...we're just not even talking about the same figures anymore. We're right and you're wrong and that just simply states it that way, but one thing that I am curious about is, particularly in light of the fact that this is coming from what purports to be the conservative side of the aisle,...what, Senator Philip, because it is basically your bill and this relates to this amendment, what will be the bonded indebtedness that will be issued? Are they bonds that will be issued each year by the State of Illinois under your proposal which would not be true if this amendment were passed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The first year would be about eighty million and it...we would build it up until we got to the...the point...spread across eight years, but the first year would be about eighty million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, after that, the...the second year, the third year, the fourth year and thereafter?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mandeville...

SENATOR NETSCH:

What are you building up to is what I'm trying to get at?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Mandeville...Senator Philip.

SENATOR PHILIP:

About average probably a hundred and sixty million dollars a year for eight years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Now, that, of course, adds...and I assume that is on top of the average three hundred and fifty million dollars in general obligation bonds that we are currently issuing and have been issuing for the last several years. You are waving, is that not correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

It's a completely different issue with a dedicated revenue stream, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Indeed, that's the point I'm leading up to. I recognize that it is a so-called dedicated bond and a dedicated bond fund. I guess my...the next part of my question is...because we do in fact issue about three hundred and fifty million dollars of GOs which is considered within a reasonable range for a...a state the size of Illinois. You're talking about now an average of another hundred and sixty million during the life of this. Given the fact that a premium clearly will be paid and it's estimated to be...1.25 premium for dedicated fund bonds as opposed to general obligation bonds, why at the very least didn't you go in that direction rather than with a sort of bond which is not full faith...at least purports not to be full faith and credit and, therefore, will...come in at a much higher figure? I just don't really understand why that makes sense rather than what we are trying to do in Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Short-term bonds, Senator, will...will give us a lower rate. Now, I'm afraid you're absolutely wrong. Also, of course, the Governor's staff has been to New York to the bonding houses. We...we'll have...still will have a...I'm led to believe a triple A bond rating and this is all within the range of our industrial State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I've never understood why it was not possible for the State to issue shorter term bonds even under its full faith and credit bonding, and, indeed, there are those that have been proposing that to the administration, to the Bureau of the Budget and to anyone else who would listen for some

period of time. There are many of us who think that it is an advantage to be able to issue the short-term bonds, but there is no reason why that cannot be done even under the existing set of conditions. Are you responding to that now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yeah. It...it's interesting, Senator Netsch, I have the roll call on Senate Bill 160, which were...you know, were...were bonds to build 51 which there was no dedicated revenue stream whatsoever. Now, that really, really confuses me. She voted Aye. Now we turn around, have some bonds to build Illinois with a dedicated revenue stream and you want to vote No, you really have thoroughly confused me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Netsch.

SENATOR NETSCH:

Well,...unless I am greatly mistaken, the bonds that were to be issued for the long-term road project, Route 51, which clearly should have been issued probably when...Jim Thompson first became Governor, although he kept vetoing the project year after year after year, are going to paid for with the full faith and credit of the State of Illinois which is exactly how they...they ought to be paid for. Let me suggest one other thing, it seems to me that what is being done here is the most expensive way of doing...of accelerating projects which would have been done eventually and should be done, many of them on an accelerated basis, but what you have chosen is the most costly way to do it. And I suspect the only reason why you've done it that way is, one, you...weren't creative enough to see that it could be done on a pay-as-you-go basis, which we have done; and secondly, you chose not to use general obligation bonds, because the only thing Jim Thompson has campaigned for on for the last several

years is his triple A bond rating, and if you added another average hundred and sixty million dollars of general obligation bonds there is a chance, I don't...I'm not convinced it would happen, but there at least is a possibility that the State would lose its triple A bonding rating, and if that happens, then down goes Jim Thompson's house of cards, and it seems to me that...that what we are saying, is that there is a more responsible, long-range, cheaper way of doing it. We...our side has come up with one way of doing that, it can be done on a pay-as-you-go basis. If you don't like our way, then we challenge you to come up with something that is better than the most costly way of doing it, which is exactly what you are doing right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Kelly Morgan of WEEK-TV Channel 25 seeks permission to videotape. Hearing no objection, permission is granted. Senator Philip.

SENATOR PHILIP:

I...I just...might make this observation, Senator Netsch. We keep issuing GO bonds in Illinois, we will not have a triple A bond rating. It's going to cost every taxpayer in the State of Illinois in the long-run more money. You will pay a higher rate of interest.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd just like to point out a couple of things that I have encountered in conversations with my people down in the district over the financing of Build Illinois. I'll tell you what the folks back home are worried about. First of all, they're worried about the Federal deficit which continues to grow and which they know eventually is going to be paid for out of taxpayers' money and taxpayers' pockets. Secondly,

they're worried about the cutbacks in Federal funding of local and State projects which we know we're going to have to pick up somewhere along the line, which is additional monies coming out of their pocket. They know that we're talking about a reform education movement in this State which is going to cost by conservative estimates another three hundred million dollars a year, which they're going to have to pick up out of their pockets in some form of taxation. They know that we already have a large interest payment on outstanding indebtedness in this State which they have to continually pick up out of their pocket. I can't understand and I don't believe that they can understand how we can now ask the taxpayers' of this State to pick up an additional indebtedness of 2.5 billion dollars over a period of some thirty odd years when there is a mechanism for funding this program which does not dilute what the Governor is trying to do in building or rebuilding the infrastructure of this State but simply presents what I would consider to be a more feasible way of doing it to save the taxpayers' money. In view of these things which the people on the street are concerned about, I think that we should go with this amendment. I think it's the best way to go and I...it has my full support, and I would ask the members of this Body to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr...that's my...

SENATOR CARROLL:

Try again...try now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Get back to your own mike, Senator. We just had some amateurs working with the dials.

SENATOR HALL:

I...I see.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Nonunion.

SENATOR HALL:

I thought my old friend over there was sending me a message. I'll...with that, I'll...I'll be very brief. I'm fully support this amendment and what I would be saying was just be reiterating what had been said, but it's just makes sense to pay as you go. And I just want to read you something here from the Belleville News Democrat and that's a paper in my area, and here it says, "The Democrat controlled Senate Executive Committee has remodeled Governor James R. Thompson's plan to borrow 1.3 billion for the Build Illinois Program." It says here, "It's difficult to understand the necessity of long-term funding of the project. Over a period of years the 1.3 billion project is not an astronomical sum; under the Rock plan, the program would be completed in eleven years, Thompson plan would be finished in eight years. The three-year difference is not a big deal; however, the Democrats are retaining Thompson...calling for a five percent tax on private use...the committee prior to unveiling the Governor's spending program earlier this year, Illinois has a tax supported debt of 3.4 billion. Financing and building Illinois under the Governor's program with expanded debt to 2.3 billion, borne by Illinois should be curtailed or we could end up like the Federal Government up to our neck in debt." The right course is pay as we go, and I fully support that. We should adopt Amendment 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I suspect we could debate endlessly but I have...frankly, have a...a concern over the sort of pay-as-you-go, it's...I guess it's not quite pay-as-you-go anymore, this version is pay the go part of the way and bond

part of the way, and my major concerns, I guess, are that we extend it over a period of years, extend some projects such as Route 51, which I guess is nearest and dearest to my heart, and we...we put it really out of the realm of something that's going to do...going to be done to something that's going to be done over such a time period that one has to seriously question whether it'll ever be done. Frankly, that's how most of the people in my part of the world feel about 51, they don't believe we're serious about it. And I think that that's a mistake, but the thing that really concerns me is that this proposal dips into the general fund and we are find ourselves using general fund revenue for what is basically a capital program. We find concrete competing with mental health and public aid and if...pardon me, Senator Hall, if I can steal your phrase, feeding the hungry and clothing the naked, I don't know if I pronounced that correctly. But when that program, if it were to fly and I don't think it will, got into creation and people realize the delay, the pressure on general fund revenue would increase almost daily, and the program will either collapse under its own weight because of the time lags or...or we would find this money for concrete coming out of the public aid budget and the mental health budget and the education budget, and I would suggest people ought to think about that a little bit that are...care about those budgets 'cause that's where the big dollars are. How many people aren't we going to feed? How many deserving people aren't going to get mental health services? How many rapists are we going to let out of prison early? We ought to think about that a little.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Now, we'll proceed to our Senators that seek second recognition. We have Senator Bloom.

SENATOR BLOOM:

Yeah, I don't normally rise twice but this is so awful.

You're really playing around and if...you don't have the numbers, you haven't given us the numbers, you haven't give the media the numbers on your approach, and I guess you think if you just keep repeating the phrase pay as you go over and over again that you can get by with it, but as a practical matter, you are doing bonding, and as a practical matter, if this were such a great idea, you'd have been on a plane and gone out to New York to sell the bonding part of it. And as a practical matter, you have conceded during the discussion of this debate that it is, "technically correct" that you're going to be into general revenue to thirty or forty million a year, and it seems to me that this not a responsible way to go. And the analysis that is available to everyone else shows that you won't get that much completed, and it seems that in the final days of this Session that we really ought to stop clowning around and that we all ought to get together 'cause there are projects in here for all of us. And we do need to rebuild the infrastructure of the State, there's no doubt about it, but this is just clowning around and I think it's unfortunate and it doesn't reflect well on this Senate. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, just a couple of comments if I could. One is on the funding mechanism and in lieu of a sixty-one percent increase in bonded indebtedness, which was the way the bill was presented to us by the Governor, a sixty-one percent increase in bonded indebtedness, and in lieu of making it a higher priority in what had been the Tourism Fund, the thing to which the hotels and the motels had agreed to taxes, the soda pop tax was dedicated to, in lieu of saying that first you pay off McCormick Place, then you pay off Build Illinois bonds, then

if there's money left, the tourism grants, the tourism advertising and the downstate parks will get paid. That's the way the Governor proposed it and those people who supported the tourism grants, who supported the tourism advertising or who supported the rebuilding of the State parks throughout this State would find themselves suddenly behind the Build Illinois bond issue, so that if in fact the taxes generated by used car sales did not produce enough money, there goes downstate parks, tourism grants and tourism advertising. I don't think that's a good idea. In lieu of that we have said those stay secure, any surplus in the Tourism Fund would augment the same exact sales tax transfer that the Governor had proposed to build on a pay-as-you-go plan. Senator Bloom, that's not true what you've said, and maybe they didn't want to tell you, the numbers have been distributed, the charts and graphs have been distributed. They're all over the State, they're all over the building, they were for any member who wished to read them. Unlike the Office of the Governor, we have in fact put out spending plans and appropriation plans, and one of the things we've shown is the difference between how long taxpayers' will pay. And one of things we've shown is how quickly in fact the spending will be and how quickly in fact the programs can go, and I repeat again, that by using this mechanism and allowing those who had agreed to hotel-motel tax, soda pop tax going for tourism and parks and to those who believe that it is better to do it with no more than...no more than an eighteen month lag in what would have been an eight-year program but pay as you go, then this amendment should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, without beating a dead horse, your plan is not the cheapest. It is, in fact, the most expensive. It is pay as

you go but ours is invest now and pay later which is not mortgaging the future but in fact assuring that at the end of this plan, we will have 1.1 billion dollars more to spend, and if that is stealing from your children and mortgaging your future, I would like to be doing it every day. If anything, your plan is in fact stealing from the future. When you take away from the education of young children or taking care of those people in mental institutions, that is in fact stealing from the future; and I think, Senator Carroll, you saw...I saw those pretty pictures too but I saw no explanations and I can sit there and make those graphs up all day long. This is what we're going to take in, this is what we're going to spend. It doesn't take much work to do that but what you haven't...what you haven't done is compare the revenue streams from both programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I assume when you all went off to New York, whoever went off to New York, with...talk to the...the people in New York...assume...the doctor...the good doctor went along or instructed someone, maybe I...you...you...you could help me out on this. I asked you, Senator Philip, with respect to the bonds, if there were insufficient funds available from the used car tax, if there would be some other sources, and I would like to read the language of House Bill 568 which was the Bond Act, and if you would explain to me...Doctor Bob told me...

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose...for what purpose Senator Philip arise?

SENATOR PHILIP:

...well, a point of order, Mr. President, we're on amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR PHILIP:

...we're on Senator Rock's Amendment No. 3...

PRESIDING OFFICER: (SENATOR SAVICKAS)

And Senator Joyce...

SENATOR PHILIP:

...and we should be discussing that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce seems to be addressing that in his own fashion. Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, this will just take a minute and I...and I...I...I think I can understand why you don't want me to get into this; but as long as Mandeville is on the Floor and we are, I suppose, making legislative intent, you could just give me a simple yes or no answer on what this statement means, Mr. Mandeville, through your surrogates over there. On page 58 in line 31, it says, "And further provided that if in any fiscal year the Tax Act amount plus the aggregate of the monies paid into the Build Illinois Fund pursuant to Section 3-1001 of the Illinois Vehicle Code as amended shall be less than the annual specified...amount as here and after defined, an amount equal to the difference shall be paid into the Build Illinois Fund from other monies received by the department pursuant to the Tax Acts. The annual specified amounts means the amount specified below for Fiscal Years 1986 through 1992." I assume that this information was given to the people of New York. Are you saying that...would you tell me what that means if it doesn't mean what I've earlier said I think it means?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, very much, you're making our point for us. It

sets absolutely the amount. That is the limit, no more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No...no more than what, Senator Netsch says. What I say to you is, that...but if there are not sufficient funds available, if you do not get these amounts from the used car tax, my understanding of this is that you go to these other sources.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The...the point is, it sets the absolute limit of the amount of the bonds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

We both agree on that, there's no question about that. What I am asking you is what other sources? My understanding of this language is that if there is insufficient funds available from the used car tax to meet the obligations pursuant to the issuance of these bonds, are these funds then going to be derived from other taxes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Absolutely not. The source of the funds are the new...the used car tax, and if you don't have enough, you don't issue any more bonds, and we've been over this point I don't know how many times.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator,...Senator Philip,...for the record, Mr.

Mandeville is standing there whispering in your ear, so that we understand this, Tax Acts contained on page 59 of 568 on line 3,...the department pursuant to the Tax Acts, what does Tax Acts mean? Are you saying Tax Acts means only the used car tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...well, I...I'm afraid the Senator is confused, we're on...on...on Bill 570, 568 was held in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Did you tell the people in New York that if these bonds were issued and there were insufficient revenues available from the used car tax that there would be other taxes that they could rely on for the bonds to be satisfied?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Absolutely not, it was specified to the exact limits of the law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That's...this...this law is what we are talking about, this...these words, "Tax Act." We are told here...we are told on this side by people who have looked at this that this...that what you are saying is inaccurate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The...the limits are forty million, sixty million, et cetera, absolutely the limit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

You know, we understand the issue. You...if you don't want to answer the question, then....then say you do not wish to answer the question. I'm asking you what the word tax...what the words "Tax Acts" mean on that line.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, I...I can read off to you the limits if you so desire. 1986, forty million; 1987, sixty million; 1988, seventy million; 1989, eighty million; 1990, ninety million; 1991, a hundred million; 1992, a hundred and ten million;...1993, excuse me, 113.5 million; 1994, 113.5 million; 1995, the same way all the way till year 200.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...we all...we all understand that, Senator Philip, the...back to the threshold question. If you all of a sudden find out that there are insufficient revenues available from the used car tax, everybody decides to keep their car. Okay? They don't...we don't sell as many cars that year for whatever reason and the bonds have already been sold, okay? Have you told...or did the Governor's people tell the people in New York that these words "Tax Acts" on line 3, on page 59 would allow the State to go after other sources of revenue to redeem these bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well,...that's in the law, it's the absolute limit, you just simply do not sell the bond. Now, I've said it three

times, I will say it again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well,...if you don't want to answer the question, you should just say that. If you want to stand here and haggle for the next half hour over what the words "Tax Acts" mean, we can do that. We are...we are on the record, this is information that is part of the record for the financial community, those people who are going to buy these bonds. I'm asking you again, if you sell bonds, after the bonds have been sold, you have insufficient revenue because of the projections on the used car tax being inaccurate, can the State then go under this language Tax Acts...can the state then go to other sources of revenue to redeem the bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...you realize you have to make your case before you sell your bond. Now you know that, we all know that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That...that's what I'm telling you, that's what I'm saying. Did you use the word...did you put the word "Tax Acts" in this in order to make your case to sell the bonds? Did you go to the people in New York...not you, I don't assume that you went, but the Governor's people went to the people of New York and said here is the language that will protect you in case we do not get enough revenue from the used car tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

But we wouldn't sell anymore bond. Now, I've said that, I'll say it again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Joyce. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I wonder if Senator Philip would respond to a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR LUFT:

Let me...let me paint a hypothetical or a scenario here and maybe we can get an answer out of this. We have sold, we being the State of Illinois, X amount of bonds in 1985 and 1986. That is an indebtedness that we have to pay off. Now, let's say that debt is five hundred thousand dollars a year and the tax that is generated from the used car sales is four hundred thousand dollars a year. Where does the other one hundred thousand dollars come from to pay the debt that has already been incurred by the sale of bonds? Does it come from the General Revenue Fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

It is a transfer from the ROTX, limited by law to specified amounts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Is the ROTX the General Revenue Fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Never gets to the General Fund, it's sales tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Now, wait a minute,...wait a...wait a minute...all right, then let me ask you this...let me just ask you this then. If, in fact, we are one hundred thousand dollars short on paying our indebtedness from the used car tax, you have just told me then we will go to the sales tax to pay off the rest. Am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

You can't go above the specified amount, it goes right in to Build Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

You know, Mr. President, I think there's fifty-eight of us here that know what we're talking about and what we're trying to get out here. We are not talking about the bonding limit that exists, we are talking about the indebtedness that we have already incurred. What I'm saying is we have a bill out here and we owe money...to pay this bill, and if the money from the used car tax is not there to pay the bill, what are we going to use in lieu of that to pay the bill? That's all I want to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, that...that situation cannot happen, no financial advisor would...would...would allow that to happen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Then everybody that you talked to in New York at the bond

house is convinced that we can incur the indebtedness that we...you have proposed in your scenario, that the used car tax is going to pay every bond from here to eternity that is going to be issued under this program. Am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

A...percent of the sales tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Forget it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Gee, I'm sure everybody is enjoying this esoteric discussion about finances in the State of Illinois, but as a more practical matter, I would like to ask the President of the Senate a question if I might, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR D'ARCO:

Phil, in your...in the bill, all the applications for loans, whether they're small loans or equity loans or large loans for small and large businesses, the application for the loan is eventually submitted to DCCA by the Illinois Development Finance Authority, but DCCA doesn't get the opportunity to approve the interest rate or the terms of the loan. They can make a recommendation as to what it should be but ultimately that decision is made by the department. Now, the problem I have...I can see some inter interagency jealousy going on here, and wouldn't it be more feasible to just let DCCA have the authority to approve the interest rate and the terms of the loans? I think that would probably...you know,

expedite whatever...I can see some small businessman calling me and asking me how he applies, and then three years down the road, I'm still trying to get this guy a loan because the departments haven't decided whether to allow him to have this loan or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator D'Arco, you are correct...and it...it was an attempt on our part in...in Amendment No. 3 to strike some immediate...accommodation between the plan that the House had proffered when they sent the bill back to us. The House literally took those programs and transferred them from any...from DCCA...from the Department of Commerce and Community Affairs over to the Illinois Development Finance Authority. What we have done is attempt at least to...to keep the Department of Commerce and Community Affairs in control so that they would be the department that works with and makes the recommendations for eligibility to the Development Finance Authority. So,...but you are correct, it...it is not the sole, exclusive jurisdiction at the moment of either one of those agencies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...I hope this is worked out in a Conference Committee where I assume this bill is going, because if it doesn't, no one is going home. That's for sure, Mr. President, and I hope that's worked out to everyone's satisfaction. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Philip, just listen a moment. If on the last business day of any month in which bonds are outstanding, o-u-t-s-t-a-n-d-i-n-g, outstanding, pursuant to the Build Illinois Bond Act, the aggregate of the monies deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account,...this gets a little confused, to the Build Illinois Bond Retirement...and Interest Fund, an amount equal to such deficiency shall be immediately paid from other monies received by the department, pursuant to the Tax Acts (elsewhere identified as all of the Sales Tax Acts) to the Build Illinois Fund. Now, either it is or it isn't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

But by definition, there can be no raid on the General Revenue Fund, specific limited amount.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, maybe I could explain this in more street terms. We are not talking about a crap game here, we're not talking about where you bet on the come. You bet on what you haven't had and at no time...at not time do your expenditures exceed your revenues. So the case that you're building doesn't exist. Now you want to set up all these hypotheses, that's fine, but those hypotheses are not in fact coincidental with the way the last amendment read. If you turn around and say, oh yeah, if you're going to spend all this much money and do all this bonding, fine, you're probably right. But that's not what the amendment read and no time...and if you would read the projections on it, you would see that you're creating a scenario that doesn't exist. So the man can't answer

your question because we're not shooting craps here, we're playing with reality.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

I'd like to point out to the Body that we spent about approximately the last half an hour...you have spent approximately the last half an hour cross-examining Senator Philip, while we've been allegedly discussing Senator Rock's amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm also delighted that we had an explanation of the Peoria Journal Star editorial from Senator Bloom, I was a little taken back by his remarks but I see now the source. Allow me just to say in...in defense of Amendment No. 3, the point that we were attempting to make is that we have said in...in unequivocal terms, yes, we are in favor of Build Illinois; yes, we are in favor of one billion three hundred million dollars worth of projects, and, I, too, have the Build Illinois Committee brochure and literally could take the time to go through section by section, both genus and species, and indicate where we are committed to the exact same projects. And let me just, for the sake again of dispelling another argument, indicate that Amendment No. 1 to 569 which is the spending plan contains in Section 17 for the Central Illinois Expressway for U.S. 51 and for access roads and interchanges, the amount for FY '86 of eighteen million dollars. And guess what Amendment No. 2 contains, which is the Democratic amendment, in Section 17? Eighteen million dollars for those specified unequivocal purposes. What we were...the point that was being attempted to be made was

the...not that we are freeing every rapist and not that we are maltreating the children of Illinois, but the fact is, the mechanism in your plan is identical to the mechanism in our plan. The difference is we are not saying that we're going to take and have a limited raid on GRF to pay off bonds; we're going to say, if indeed our spending doesn't come up to where it should be, we'll dip into that fund to spend more to complete these projects. All you're saying is if indeed we can't pay the bonded indebtedness, then we're allowed to dip into this funds but only to a certain specified amount. We have taken literally your spending plan, we have taken your appropriation level, we have taken your estimate of revenue and said, we'll transfer an amount 2.1 percent of the sales tax, the equivalent of seventy million dollars. So everything is identical. The only difference is...the only difference is we do not by Amendment No. 3 incur debt until the year 2025, and I don't care how you cut it, Senator DeAngelis, we are...whether you call it an investment now and pay later or a bond now and pay it later, the fact is, in 2025, you'll be paying a hundred million dollars in debt service that under Amendment No. 3, we won't incur. I urge the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the adoption of Amendment No. 3, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting...none voting Present. Amendment No. 3 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 4 is essentially the same as I offered in committee or attempted to offer and it was thought better to do it on the Floor, because Amendment No. 4 contains in large part at least something that has been called and was called this morning at the press conference held by the four mayors representing twenty-four other mayors the Municipal Program. It would create a program to be administered by the Illinois Development Finance Authority for Illinois Urban Development Action Grants. It would create a housing partnership program to be administered by that same authority. It would authorize our Illinois Department of Transportation to make grants for mass transit districts, and it would authorize the Department of Conservation to purchase Navy Pier for the development of a State park. These are creations and authorizations, nothing more, nothing less, no dollar amounts have been assigned yet to 569, they will be; but the fact is, these are programs that I think are worth considering, and if, indeed, the expectations, as I expect they have, particularly by virtue of that absolutely irresponsible House action, expectations have been raised across this State that the mayors of the municipalities, both small and large, are expecting a reasonable participation in the Build Illinois Program however it's configured. Amendment No. 4 will afford the authority to do that and I urge the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Philip.

SENATOR PHILIP:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

Yes,...am I to believe your...your amendment has no specific amounts whatsoever, and if so,...what...are we going to

throw out Highway 51 or where...where is this going to be on the priority list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

No, what I'm suggesting is that this merely is the authorization for these types of programs that when we get to, as I'm sure we will, House Bill 569 which is the actual appropriation bill, the dollar amount to be expended, those numbers will be plugged in. For instance, for the Illinois Urban Development Finance...or the Illinois Urban Development Action Grants, the municipalities across this State have requested over a eight-year period some four hundred million dollars. So for a first-year level it would probably be about fifty million dollars. The same is true with the Housing Partnership Program, I think that would be an annual expenditure...of roughly in the neighborhood of five million dollars. The dollar amounts will be enunciated, specified in House Bill 569. They will, in my judgment, not be detrimental to any of the other authorized projects. We are dealing essentially again with the same spending level and same appropriation's authorization. This is merely the substantive language to afford us the opportunity to make those allocations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President, Ladies and Gentlemen of the Senate...mass grants...Mass Transit Grants? As you're probably aware, the RTA has just declared a ninety-two million dollar surplus, is that responsibly building Illinois, giving mass transit additional money? Having the Department of Conservation taking over Navy Pier, is that responsibly building Illinois? Also, for the first time in the history

of the State of Illinois, zero interest loans for low income housing, is that responsible...responsibly building Illinois? I...certainly would suggest it is not and we ought to defeat this amendment. It was defeated in committee, we ought to defeat it on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise wholeheartedly in favor of Amendment No. 4 to House Bill 570. We cannot...we kidding ourselves if we...think that we can talk about planning a program to build Illinois without taking in consideration our urban centers. The preservation, the growth and vitality of this State is most certainly dependent upon how we rebuild and revitalize the major urban areas throughout this State. As Senator Rock said, this...amendment merely points toward the authorization part, and I would hope that...minds will sit down and look at...based on the needs identified by local officials will come with up a priority and focus on instead of pet projects critical needs of our urban centers and spend the money more responsible and more wisely. Under the former Build Illinois Plan, the other plan, there were a lot of illusions and a lot of rhetoric about promises to the mayors, to local units of government but they were merely visionary promises and this proposal as proposed in Amendment No. 4 will most certainly put forth some realistic approach to dealing with the problem of our decayed cities, and I would move for the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Again, lest anybody at all be misled, all this does

is establish by substantive language the authorization for the State of Illinois to create these programs. Specific dollar amounts, specific allocations have in no way been committed or are they done. It's a question of, I think, recognition of the fact that the municipalities across this State having heard the rhetoric about build and rebuild Illinois want to participate. This will afford that authorization and I urge the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 4 to House Bill 570. Those in favor...indicate by saying Aye. Opposed...all right. All right. There has been a request for a roll call. Senator Rock has moved the adoption of Amendment No. 4 to House Bill 570. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. Amendment No. 4 fails. Further amendments? Senator Rock. Senator Rock, for what purpose do you arise? Senator Rock. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

END OF REEL

REEL #4

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 5 to House Bill 570 are really suggestions that we have compiled through the infrastructure subcommittee hearings. If I can ask the Secretary for a second, since I did file several amendments, if he can read the LRB number so I'm sure we're talking about the right amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, can you...identify the amendment.

SECRETARY:

Right...I have them the way you handed them...or they were handed to me, LRB8402340PLMLAM24.

SENATOR ZITO:

Withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Sponsor indicates he wants to have that one withdrawn. Withdrawn. Further amendments?

SECRETARY:

Amendment No. 5, then this would be LRB8402340PLM18...or L, rather, AM25.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito. Senator Zito wishes to have that one withdrawn. Further amendments?

SECRETARY:

Amendment No. 5, LRB842340PLMLAM27.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

We're looking for 26, Mr. Secretary, I would withdraw 27.

SECRETARY:

I...all right. I think we're...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...

SECRETARY:

...I think you were where you want to be, LRB8402340PLMLAM26.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito, on Amendment No...

SECRETARY:

No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Amendment No. 5. Senator Zito.

SENATOR ZITO:

Thank you, again, Mr. President and members. As I had originally said, these amendments were offered really by recommendations and suggestions that we compiled through our infrastructure subcommittee hearings throughout the State of Illinois. As you know, we traveled to eight cities throughout this State to discuss the infrastructure needs of the communities in those geographic regions. It's interesting that both of our programs, both the Republican and the Democratic proposals, are talking about spending upwards of a billion dollars to build or rebuild Illinois; yet, we have not taken the time or actually spent the money to do a good comprehensive survey of what this State's infrastructure needs are, what the top priority projects are and should be, and how we should fairly and equitably spend this...these dollars to build Illinois. So Amendment No. 5...the first part of Amendment No. 5 to House Bill 570 suggests that we, in fact, conduct a survey and that we find out what the needs and wants and concerns are when we talk about infrastructure throughout the State of Illinois. The second important element to this amendment suggests that we should create a revolving loan fund. One of things I heard repeatedly from every local mayor, every head of a local unit of government

was that if they were not specifically mentioned in either the Governor's proposal or any other proposal, that they were going to be completely shut out of any infrastructure money or any Build Illinois money. I suggest to you through this amendment, ladies and gentlemen, that we create a revolving loan fund payable...borrowed and paid back with interest so that each and every one of those local units of government throughout this State can have, in fact, an opportunity to provide funding for up to fifty percent of their project costs. One of the great...problems with these local units of government is that the start-up costs or the project costs are prohibitive for the smaller units of local government, they can't afford them. There are no alternatives to find dollars...even if they find some grants with Federal dollars shrinking, there's not enough dollars to pay for these much needed projects, sewers, water lines, bridges, roads. They don't have the start-up money; towns of twelve hundred, seven hundred, even up as many as twenty-five, twenty-six, thirty thousand people cannot afford on a small budget three and four million dollars to even begin sewer projects or water projects. What this amendment says is that we will offer those units of local government an opportunity to find some needed dollars and rather than a handout it will be a helping hand, help local units of government in all of our districts that so desperately need these infrastructure dollars. I would move for the adoption of Amendment No. 5 to House Bill 570.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Any discussion? If not, Senator Zito has moved the adoption of Amendment No. 5 to House Bill 570. Those in favor...signify by saying Aye. Opposed Nay. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Withdraw.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins seeks to have that one withdrawn. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senators Kustra, Jeremiah Joyce and Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on Amendment No. 6.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Under the original Build Illinois Program the small business community came to the Governor and asked for a thirty-five million dollar capital loan program. After that was included in the original Build Illinois Program, the small business community, namely, the Illinois Business Association of Illinois called IBAIL and the Chicago Association of Commerce and Industry rethought what kind of program they would want for the small business community within Build Illinois. And they came back and asked for a loan guarantee program instead of a direct loan program arguing that that would be more with...in keeping of the free enterprise system which, of course, they support so strongly. So what Amendment No. 6, I believe the Secretary said, does is change the direct loan...capital loan part of the program from direct loan to a loan guarantee program. There are no other changes in the language of the bill other than to try to accommodate the wishes of the small business community. I would ask...urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My question pertains to this amendment and all subsequent amendments, I'd like to know if they're germane to the bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in fact, they are germane, Senator. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Let me amplify my question of germaneness whether it follows...or tracks the bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra. Senator Kustra.

SENATOR KUSTRA:

Senator Lechowicz, I was concerned about that too, after I found out about Senator Rock's amendment, and I have both of them side by side. From everything I can determine, it does track. I...I would have a problem too if it didn't, needless to say.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think in the...in the opinion of the Chair...it, in fact, would...it would, in fact, tracks. Let's...let's just proceed. Senator Kustra. Further discussion? Senator Kustra moves the adoption of Amendment No. 6 to House Bill 570. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

7, by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 7, Senator Zito. Senator Zito on the Floor? Withdraw it.

SECRETARY:

Amendment No. 7, by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. 7, Senator Hall.

SENATOR HALL:

Thank you, Mr. President. What's the number of this amendment, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Number 7.

SENATOR HALL:

Amendment No. 7 is...my colleague over in the House, Representative Young, had introducted a number of bills and legislation, House Bill 1224, House Bill 1740, House Bill 1699, House Bill 1233, House Bill 1507, House Bill 1508, House Bill 1239 and 1229. Now, these bills somehow did not survive someplace over there. So now that she's over here and she asked me to put these amendments on under Article IX, which would be the Metro-East Solid Waste Disposal and Energy Producing Act. There is...the substance...legislation is...is replacing in that now, she's only asking for three hundred thousand dollars in the appropriation on that particular thing. I just want to not take up a lot of time of the Body here but I just wanted to tell you what these particular things did. There is no place to dispose of this solid waste, and for this part in our area we got...we must have someplace to do this. The Article IX B is known as the Urban Civilian Youth Service Act and that's one hundred thousand dollars. Now she has this money placed in some money bills around someplace. And then in Article IX C it's the State to agree to finance...the Finance Corporation Act...and if you bear with me for just a minute. And then in Article IX D it's assigned that a Minorities and Female Enterprise Act, they can simply assign the money to the bank and 9 E is the Illinois Public Aid Code and that amends the Public Aid Code. And then also that it...9 E2 the group facility for teenage pregnant girls. In other words, there are a number of young girls who become pregnant and they have no way to help them-

selves out and many of them are put out of homes and then they fall into disrepute and go in...and become, and start to being people who are street young ladies. Then the final one is to establish and implement an administrative program of halfway houses for alcoholic women. So that's the purpose of this bill and I'd ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Philip. Senator Philip.

SENATOR PHILIP:

...yes,...I'm trying to understand what Senator Hall is trying to do to Build Illinois. What is it...what is the total price tag of this monstrosity?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, Senator I thought maybe by...after we'd get it on, I'd sit down and discuss it with you. I don't know for my ownself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

I...I would just ask for a roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of Amendment No. 7 to House Bill 570. Those in favor indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the Nays have it. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. Amendment No. 8 is

the amendment that pertains to apprenticeship and training. In the Build Illinois Program we want to make sure that everybody gets a chance to help Build Illinois. What's happening is that our youngsters in the City of Chicago do not...are not able to get into the training facilities, this amendment would permit parallel training facilities to be put together for that purpose. I'd like...I'll answer any questions. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, Senator Newhouse has moved the adoption of Amendment No. 8 to House Bill 570. Those in favor...indicate by saying Aye. Opposed Nay. The...the Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Amendment No. 9 changes the authority around from the Department of...from DCCA...DCCA will now have the sole responsibility of determining the amount of the loans and the interest rates of the loans instead of the Illinois Development Finance Authority. It seems to me that in order to finance these loans and appropriate the money, one agency should be the sole determining authority to make the decision as to who qualifies to receive these loans. Under the 570 as presented to this Chamber, there was...there was no...one agency was not the sole determining authority. And it was questionable as to...well, the...Illinois Development Finance Authority ultimately would decide this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator D'Arco...

SENATOR D'ARCO:

Yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think...Senator Philip, are you surrendering? Senator Philip.

SENATOR PHILIP:

I...I am surrendering; quite frankly, I'm very pleased with the amendment, will be happy to accept it if that's the will of the...majority of the members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved the adoption of Amendment No. 9 to House Bill 570. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With...with leave of the Body we'll go to House bills 3rd reading, page 2 on your Calendar. No bill that was on the recall list today that was recalled will be called today. And I'm advised by the President that most likely we will not be able to afford anyone an opportunity, at least, twice off of this list, so when your bill comes up, it seems to me that you ought to be ready to go. All right. Leave of the Body, House bills 3rd reading, top of page 2, House Bill 17, Senator Lechowicz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 17.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate...House Bill 17 as amended would provide Cook County employees and officers article of the Pension Code a revisionary annuitant dies after the employee retirement but before the employee...a reduced annuitant being paid shall be increased...the original annuity. Amendment No. 2 would also extend the eligibility to utilize an optional benefit formula for deputy sheriffs who have attained the age of fifty and service...with twenty years of service for persons retiring after December 31st, 1985. It also would add a new option of benefit and contribution formula whereby an employee may elect to take additional contributions of three percent of salary in order to receive an additional one percent for each year of service for which the optional contributions have been made subject to the overall maximum for annuities currently contained in the code. This formula would also be effective...July 1, 1985. It also changed the current...benefit accrual rate from the graduated formula to a flat two percent, replace the current twenty-year service requirement with a ten-year requirement, changes the service requirement for early retirement without discount to the members over fifty-five but less than sixty with at least thirty years of service rather than thirty-five and remove the service requirement for minimum survivor's annuity. Basically, all the provisions in House Bill 17 were made at the recommendation of a study conducted by the county board, approved by both the Democrats and Republican members of the county board; and as you know, the county board presently is probably the best funded pension fund in the State of Illinois at eighty percent in lieu of our own which is at sixty-five percent. Be more than happy to answer any questions. If not, I ask for your favorable consideration for House Bill 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I'm not trying to kill the bill or anything, but...I think everybody ought to maybe look at what this is going to cost, nineteen million five hundred thousand dollars out of Chicago...Cook County, if that's what they want. You got an accrued liability then of ninety-nine million four hundred thousand dollars if you pass this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would just like to ask one question. I want to make sure...this is what it's doing, that you're providing a chance for some individuals to add an additional benefit. Our thrust has been in pension funds to give uniformity and to bring the same benefits to everybody, but it looks like with this new additional provision that you put in there that you or I or someone up there could opt for an extra one percent each year. Now that to me is going a wrong way and it's a...it's a rather innovative type thing that you're starting, and I can just see that next year we'll have a whole batch of people in here and say, well, you're doing it for Chicago, we're going to have to do it down here. And I just wonder if we could have a little bit more details on just what that is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, that question was raised in committee and I responded to the question with the provision and also to Senator Fawell that presently the...Cook County Pension Fund is the best funded in the State of Illinois. And what they did is they made a study and the study made a recommendation

that in order to bring the present county employees' pension fund up to current status in comparison with other pension funds in the State they...they made the recommendation which is contained in 17, House Bill 17. In answer to Senator Rupp's question, that funding is also...what you did miss is that the employee himself pays an additional three percent for the one percent, so that is self-sufficient to say the least.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Just some quick questions. This only affects Cook County, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

No State dollars involved at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm glad you pointed that out. Amendment No. 2 also took it away from the State Mandate's Act, it's all totally self-sufficient for the County of Cook.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And I also read in here that you're...the overall effect reduces in one particular part of it from the age of fifty-five to fifty the requirement for eligibility for maximum benefits for a deputy sheriff?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I pointed that out, that's to make it comparable with the other police departments in the State of Illinois. And as you know, the city...the City of Chicago policemen have had that benefit for some time. The deputy sheriff's police have requested the same provision and its been approved by the county board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, the only thing that I'd be concerned about is that next year we'll see correctional officers coming in here wanting similar benefits, teachers, downstate teachers; once we open the door and make a crack, the...the...everybody rushes through. So, I don't know if this is such a good idea, but...okay...the State and it...and it's...no State...funds involved, which you said is correct. All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, question of the sponsor. Senator Lechowicz, this, I want to make very sure, also includes county board members? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, ma'am, it does. And basically, again, this was conducted...a study that was conducted by the county board in order to bring the respective pension funds of the county in compliance with other pension funds. The recommendation in 17 have been approved by both sides of the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he'll yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, there was some confusion about what you said in...when...pertaining to the State mandate's exemption. Would you state that one more time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, I'll try to be as clear as possible. With Amendment No. 2, there is no State money in House Bill 17. It excludes it from the State Mandate's Act, it is totally self-sufficient by the county taxpayers in Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, then to the bill, Mr. President. As has been pointed out, this does only apply to Cook County, doesn't apply to the rest of the State. But I think all of us are called upon to vote on pension principles. And...I simply want to point out that a few years ago we made what I think was a mistake when we began to give a few employees around the State the right to retire at age fifty with twenty years service, we're expanding on that in this bill. And we

constantly do this sort of thing where we're giving pension benefits to one group of people and the following year everybody comes in and demands equity. Now, we ought to simply be aware of that, and I realize that this was requested by people from Cook County but it's up to us to make the decision on some of these things, so we ought to be aware of what we're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically, that provision is in order so it'd be in compliance with the...City of Chicago Police Department. And if you recall the study that was made on a national basis, they recommended that people in law enforcement should have the opportunity to retire at a younger age because, unfortunately, you can't catch people who are running at...between fourteen to twenty...twenty-four when you are fifty. It's very difficult to keep in that physical shape. And what they're saying that if a person who has been in law enforcement with twenty years of service has the ability to retire at the age of fifty. This General Assembly has acted on that matter for other police departments. The County Sheriff's Office of Cook County has requested the same similar legislation for its county police department...county sheriff's police department. They have the same physical requirements, basically the same pay scale, a little bit less than Chicago Police Department but, unfortunately, they're exposed to the same type of situations as the police...as the Chicago Police Department. That...if that's the only provision that you're really concerned about in this...House Bill 17, it's already been acted upon. I believe that the county board has acted responsibly in stating that, please, consider the benefits under...under House Bill 17, we're willing to

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pay it out of our own coffers, not asking for one...one penny of State funds in trying to bring our Pension Code up in compliance with other pension codes in this State. And let me just also remind you that we're at eighty percent funding, the highest funded pension system in this State. I stongly recommend seventeen...House Bill 17 to you, it deserves your...your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 17 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 16, 1 voting Present. House Bill 17 having received the required constitutional majority is declared passed. House Bill 18, Senator Welch. House bills, 3rd reading, House Bill 18, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 18.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill No. 18 is an attempt to amend the Gas Revenue Tax Act and the Public Utility Revenue Act to provide that the...the utility tax levied on the consumers by the current five percent gross receipt tax be changed to a per unit tax where it is of most benefit to the consumer. What this bill will do is impose a tax of 2.4 cents per thermal unit of natural gas and .32 cents per kilowatt-hour of electricity. A provision in the bill states that whichever tax is the most benefit to the consumer will be the one figured by the utility company and assessed to the consumer of the utility. This bill has come down from

legislation last year through many meetings with constituent groups as well as members of the industry and the legislators and this is the final work product. The aim of this proposal is to slow the rate of growth and the gas and electric utility taxes and to substitute for the current sales tax a means by which conservation of energy is rewarded by taxing only the actual amount of gas or electricity used. Instead of the State being part and parcel of any utility tax increase, what this bill will do is make sure that the five percent increase every time a utility gets an increase in their assessed rate does not come as a windfall to the State of Illinois. And with projections of some forty percent increases for some utility companies over the next five years, the increase to the State will boost consumer rates beyond livable levels. So I would move the passage of House Bill 18.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Fawell.

SENATOR FAWELL

I'm sorry I spent the weekend reading the bills. Can you...would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will.

SENATOR FAWELL:

Can you tell me approximately how much this means as far as revenue loss is concerned to the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The State of Illinois will not receive less revenue once this bill is imposed from the rate...the amount of revenue it's receiving this year. What will happen is, in effect, there will be a cap on the amount of revenue the State of Illinois receives at the approximate current level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, on...on page 2 of our analysis, and I would suggest my colleagues on our side at least look at it, it says, "The fiscal impact of the legislation will be a revenue loss of twenty to twenty-five million dollars during half of FY '86 according to an estimate of the Illinois Economic and Fiscal Commission." The other thing this analysis says is that presently the consumers can take this tax off as a sales tax, and with this bill there's a very good chance that the IRS may no longer allow us to take that tax off which will, in effect, negate any kind of savings we will be able to serve the consumer with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this bill. While I think that, as the sponsor has pointed out, this is an attempt to...to put a cap on the...State's revenue received from the utility's tax, and certainly I would agree that this is a regressive tax, nevertheless, this bill does...does far more than that. As has been pointed out, it applies the cap by shifting the basis for the taxation from a percentage of the...of the bill to a...a per therm. You cannot do that without shifting the tax burden among different kind...different classifications of users. And the...the author of the bill has...has attempted to resolve that problem by inserting a hold harmless provision, and in doing that, it...the result is that the State looses revenue. It is...since this bill would go into effect on the 1st of January, 1986, there is a...a six-month hit during fiscal '86 as far as the State's revenue is concerned, and that hit would amount to twenty-five million dollars. In subsequent years

that annualizes at a rate of fifty million dollars. I would suggest to everyone here that is interested and is trying to find a way to fund some educational reforms that this is not the time to pass this piece of legislation which erodes the State's revenue base. So I would strongly urge a No vote on House Bill 18.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator...Senator Chew.

SENATOR CHEW:

Can't you see back here? Thank you, Mr. President. In reviewing this House Bill 18, we find that it would be a decrease in revenue, Mr. President, for the cities throughout the State of Illinois, and the mayors of the cities of the State of Illinois are in opposition to the bill. For that reason, Senator, I cannot support your concept because it does, in fact, reduce the revenue that the cities would take. And contrary to what you said, you spoke of the State and its revenue but you did not speak of the cities. And some of us do come and have some interest in what the cities do, and for that, I would be in opposition to House Bill 18.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise also in support of the bill, obviously,since I'm a hyphenated cosponsor. Let me just address a couple of points. While it is true that there will be in one sense a revenue loss, it won't be an actual dollar loss, Senator Etheredge, it will be a loss in growth that would otherwise perhaps take place. I would point out that a bill that the Senate has passed that you were the sponsor of has already capped the amount that the State will realize from the utility tax, again, I think reflecting the feeling that there really...the utility tax was never

intended to be what it is now, which is the second or third, depending on what you count, largest source of revenue to the State Treasury. It is by almost any measure a fairly regressive tax and certainly should not be that heavily relied on. I think your own bill, Senator Etheredge, reflected that concern. This is another way of reflecting the same concern. Secondly, just a brief comment on the deductibility. It is probably correct that while the current form of our gross receipts utility tax has...just very recently been declared to be deductible by IRS and this would not, that is not a matter of major concern to about two-thirds of the taxpayers in the State of Illinois who don't deduct to begin with. So they will be losing nothing by it. I would point out, in addition, that if President Reagan's tax reform or, indeed, many of the others are realized, there will no longer be any deductibility of State and local taxes and so that will be largely a moot issue. The third point I would like to make is the one thing that this form of utility tax revision does that Senator Etheredge's and others did not do, and that is, it really rewards those people who learn to conserve because you are paying on a per unit basis. If you learn to live with less energy, then you will, in effect, be rewarded for that. It seems to me that while we may be momentarily past the years of the oil glut and all, that we still have a strong commitment and should have in this country to learn how to conserve energy. This bill rewards those who do conserve energy and it seems to me for that reason alone is really the best way to bring about some relief on utility taxes. I would strongly urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I rise in support of this because it seems to me that this Body has

addressed the concept of indexing, if you will, in the past; and I think that many of the reasons pointed out by the prior speaker, we ought to be changing the basis for this kind of tax. So, I don't see any problem in supporting this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator...Welch, can you...have you done a breakdown by area? I am interested in, for example, City of Chicago and just what does this reform translate into lost revenue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, basically the amount of savings will depend on the...the cost of your electricity and the projected increases in your electrical costs. The Commonwealth Edison area, which is at the Chicago area, will have perhaps the most savings. A recent report reflected the possibility that their rates would go up some forty percent in the next few years. So, if you figure that you're going to save more by the higher the rates are, the Commonwealth Edison customers are both cursed and blessed at the same time, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Watson. I...I will point out that the...not simply because Senator Watson has gotten up, but the pace we're going, we are not going to get finished. Senator Watson.

SENATOR WATSON:

Thank you. Thank you, Mr. President. I'd like to ask

the...the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

This...this is simply a...a use tax, right? That's nothing more than...than a use tax. Those people that are utilizing electrical power are going to pay more, and those who are using less are going to pay less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Welch.

SENATOR WELCH:

Yes, that's one way to look at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well,...I think it's an excellent idea. I see nothing wrong with this at all. As the utility rates continue to escalate, this is going to actually give the people a break, something we don't do very often here. So I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge, for a...wait a minute...wait a minute. Senator Etheredge, you're on the second list...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have heard that the fiscal impact on the State of Illinois would be roughly fifty million dollars, and I presume that those municipalities who expect to...who do, in fact, tax on a gross basis can reasonably expect to receive some money under the law as it currently sits. My question I guess is, what does this mean...what is the translation of the provisions of House Bill 18 as concerns the individual consumer? How much might I, as an average consumer, with three teenage daughters who use hair blowers and air condi-

tioners and curlers and every other electrical appliance known to man, how much do I save annually?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator Rock, the amount you save depends on how much you use. In the initial few years as we change over, there won't be much savings. The savings will come in as utilities continue to raise their rates but the amount the State takes in ends up being, in effect, capped at a per thermal unit or per killowatt-hour as opposed to five percent...whatever the rate increase would be. So the specific figures could go from sixty dollars in the first few years to beyond a hundred dollars each family as time goes by. But specific figures would be difficult to come by because they're based on projected rate increases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

But even for an ordinary user, depending on how much...and...and...I'd...I'd consider my...my home a big...utilization of utilities, but an ordinary user can expect to save sixty dollars annually?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, to use the current jargon, the bill starts out as being revenue neutral, meaning that we tried to maintain the same amount of revenue for Fiscal '86 that we took in Fiscal '85 and, in fact, we're going to take in ten million more dollars. So, in the first year, in order to remain...retain that neutrality, the individual savings may amount to approximately sixty dollars or...or give or take, some money. It's in the further years that the taxpayers

will save money, not in the initial stages because it's based on increases. We're...in effect, there's a grandfathering in of existing costs of taxes to consumers necessarily to maintain our current income from the tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you...thank you, Mr. President, I do apologize for rising a second time; however, that there...there is some misunderstanding as to the...the revenue impact of...of this legislation. In...I had indicated earlier that...on an annualized basis there would be a net loss of fifty million dollars in revenue, and that is...and that is a real loss in revenue, it is not because of a...a failure of the State to realize the...the annual growth from this tax source. It is a real loss. As some...as some of you will remember, I had introduced earlier in this Session Senate Bill 334, which was designed to...to cap the State's revenue from this regressive tax. I considered using, or...or switching to a per therm or kilowatt-hour base but found that that could not be done without reducing the...the State's revenue at a time I thought was...not...not the right year to do that. So, Senate Bill 334 does what this bill tries to do but does it in a way that is revenue neutral insofar as the State is...is concerned. I am told that Senate Bill 334 is now dying an agonizing death over in the House. But I would suggest to you that that was a much better way to go because what 334 did was to reduce the...the tax rate annually from year to year and was truly revenue neutral. This bill is not revenue neutral. Again, I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch may close.

SENATOR WELCH:

Senator Etheredge, I think that that was an excellent

idea that you had this year; in fact, that's why...I introduced the same bill last year and it didn't get anywhere, and that's why we have House Bill 18. This bill, in effect, will raise twelve million dollars more per year than your bill would. In Fiscal '85 we expect six hundred and sixty million dollars in utility taxes to come to the State of Illinois. Under House Bill 18, in Fiscal Year '86, we expect six hundred and seventy-two million dollars to come into the State of Illinois. Those are figures that are going to freeze as years go by the amount individuals pay to the State for their utilities. And when you look at the fact of the matter, utilities are something that everybody on fixed income as well as everybody earning money have to pay, they're as inevitable as death and taxes, I guess, and they are taxes on those who can least afford to pay them, those on fixed incomes. So what we hope to do is to, number one, put in some stability...stability into the process, save consumers some money and give the State of Illinois a fixed revenue source which they can depend on without losing money each year. And I would urge an Aye vote on House Bill 18.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 18 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 16, none voting Present. House Bill 18 having received the required constitutional majority is declared passed. House Bill 23, Senator Welch. House bills 3rd reading is House Bill 23, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 23.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is authorize two different university systems to establish colleges of engineering. The bill initally enabled the Board of Regents to establish a college of engineering at Northern Illinois University. An amendment put on the House directs the Board of Governors of State colleges and universities to establish an engineering school at Chicago State University. And I would urge passage of House Bill 23.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 23 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 20, 1 voting Present. House Bill 23 having received the required constitutional majority is declared passed. House Bill 27, Senator Welch. House bills 3rd reading, House Bill 27, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 27.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill 27 provides that the Department of Mental Health and Developmental Disabilities shall provide an in-home care demonstration program for families caring for mentally ill and developmentally disabled persons. Families are not required to participate in this

program, however, and this bill authorizes that department to develop a training program to implement a demonstration program. We believe that the total cost of this bill will be somewhere around one hundred thousand to one hundred and fifty thousand dollars. And the purpose, of course, is for in-home care of mentally ill as well as...developmentally disabled persons. Although the department does do some in-home care with developmentally disabled individuals, little is being done with the mentally ill. And that is the purpose of this bill is to authorize the...demonstration program to see if it's feasible to try to...keep the mentally ill in homes with their families out of institutions and perhaps eventually save the State of Illinois a great deal of money for institutions. And I would urge passage of House Bill 27.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think we have a little disagreement on the cost of this. Our figures show it's around four million dollars, and I would also say the Department of Mental Health is already doing this type of thing, they feel that the concept is laudable and that the legislation is unnecessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Fawell, she must have read this one too. Senator Fawell.

SENATOR FAWELL:

You're right, I did. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Did...did House Bill 2316 pass, which is an appropriation

for the four million dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I really don't know, Senator, but on...on the issue of the four million dollar appropriation, let me just say that the originators of this bill believe that that...figure is totally inaccurate and much more than the department needs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well...who introduced House Bill 2316 then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I think it may be the chairman of the Appropriations Committee, I...I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Do any of these programs currently exist?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

A program to encourage...developmentally disabled individuals to have in-home care exists. The program for mentally ill staying at home has never been utilized or implemented by the department; in fact, I don't know that it really does exist in the department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, maybe you ought to ask the department if it doesn't exist, why it doesn't and you might find out that it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Well, if it does, it's not being utilized at all and I don't think it...that it does exist. What we are trying to do is to, as you know, get individual's care at home. We talk about spending all this money on institutions and building and here is something that we're trying to do exactly the opposite by encouraging at-home care. The department says that it's supposed to cost something like four million dollars. Well, actually the money could probably be appropriated from existing line items and grants the department lapses at the end of each year. We don't...the...the structure of the demonstration program is one that is to be developed by the department, so the extent of it, if they say it costs four million dollars, they must have planned for a very extensive in-home program. What we're looking at is a much more modest program. The program is going to be run by the department so, therefore, they will determine its scope and its size. So, the...the monetary figure I think is...is a bit specious and...and just a debating point. I would urge adoption of this program because I think it's something that in the long-run is going to save the State money, it's something that we should be looking into and encourage the department to start investing in. And I would urge passage of House Bill 27.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell, the gentleman had just closed. The question is, shall House Bill 27 pass. Those in favor will vote Aye. Those opposed will vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 24, the...none voting Present. House Bill 27 having received the required constitutional majority is declared passed. House Bill 34, Senator Savickas. House bills 3rd reading is House Bill 34, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 34.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 34 does exactly what the synopsis says. And in our note from the Illinois Economic and Fiscal Commission regarding the fiscal impact that...says that House Bill 34 would have a limited impact on State revenues from the boxing and wrestling admission tax. In the last five years only the Hagler-Hamsure fight at the Rosemont Horizon has approached the fifty thousand in admission tax receipts. And House Bill 34 is viewed as an incentive to attract major boxing and wrestling events from the casino states, Nevada and New Jersey. This was basically the comments that were issued by Joe Mudd in...representing the views of the Horizon...Rosemont Horizon and in their efforts to develop some reasonable method to attract major boxing and wrestling matches to Illinois. I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 34 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. House Bill 34 having received the required constitutional majority is declared passed. 43, Senator Davidson. House bills 3rd reading, House Bill 43, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 43.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill does exactly what it says, saying that you got to carry a hypothermic thermometer in an ambulance or have available in an emergency room. And what we're talking about, ladies and gentlemen, is a little four dollar and a half thermometer that does read the temperature below normal. The normal thermometer you buy at a drug store use cannot drop down low enough to get the temperature when someone's temperature has dropped down to know how to treat them, and it's very critical for that, either life sustaining or lack of damage to that...permanent damage to that person that they...this thermometer be available so they'll know how to treat him. This is a good bill and I'd recommend a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 43 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 43 having received the constitutional majority is declared passed. House Bill 48, Senator Luft. Senator...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 48.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 48 simply allows...the five percent...tax in enterprise zones applicable to subchapter S corporations and partners. There is another provision on this bill that I will defer to Senator Bloom for to explain.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Very briefly, thank you, Mr. President, fellow Senators. What it provides for, and I think I explained it when I put it on, that we could call it the LTV amendment. It provides for exemptions from the sales tax for an enterprise that is in an enterprise zone and a foreign trade zone if it is tied to the retention of two thousand jobs or the creation of two hundred new jobs. And if it is triggered by a tax relief at the local government level. Answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the passage of House Bill 48. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 48 having received the constitutional majority is declared passed. House Bill 49, Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

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House Bill 49.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is exactly the same as...as the Senate bill that we passed out 39. This is the bill that the Governor finally worked out everything and all people concerned. This is why I said at long last this is a bill. And it was amended over there and it shows that what happens is that in territory...boundary of a city which land development can take place, they reduced it from ten miles to three miles. And...also it took out the condemnation power as that was said in the...Executive Committee. So I'd ask for the most...favorable support for this...legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 49 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, 1 voting Present. House Bill 49 having received the constitutional majority is declared passed. House Bill 52, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 52.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. House Bill 52 is a proposal to expand the background investigation of child-care facilities in the State of Illinois. The proposal provides a reasonable program for extending background checks of child-care facility licensed applicants and current prospective employees of these facilities. Licensed DCFS facilities are covered including day-care centers and homes, foster homes, institutions and group homes. The proposal in House Bill 52 provides both immediate safeguards at low cost to identify dangerous persons and long-term programs to thoroughly and accurately screen all applicant employees. There's two parts to this bill; first of all, there's the name check system, and the bill authorizes the search of the DCFS Child Abuse and Neglect Tracking System, CANTS. Those identified by these systems will be further investigated by fingerprint analysis through State and Federal computer law enforcement systems. The number of such investigations will be small and funding is reasonable and I've checked that with the director of law enforcement. The key elements of this part of the proposal are that the child-care facilities must maintain records assuring compliance for all their employees, information obtained shall be confidential and exempt from the Freedom of Information Act, and unauthorized release of such information is a Class A misdemeanor. This part of the bill becomes effective October 1st, 1985. The second part of the bill is the criminal background checks, and the key elements of this are the conviction of certain sex related crimes will prohibit employment in child-care facilities. The Department of Law Enforcement will be able to update criminal records on previous applicants and notify facilities as needed. The child-care facility can hire on a probationary basis until the background check results are available. Information is confidential and unauthorized release, again, is punished by Class A misdemeanor. An advisory committee including child-care facil-

ity representatives is created to advise the Governor on fees and implementation and for this part of the bill, the effective date is July 1st, 1987, and I would solicit your Aye vote for this very important piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 52 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 52 having received the constitutional majority is declared passed. House Bill 53, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 53.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. House Bill 53 provides for the use of videotape or closed-circuit testimony of children twelve years or under when they are victims of sexual abuse or assault. It requires the court to order the videotaping of the testimony of a child if the state's attorney make such a motion. It allows the tape to be admitted into evidence at trial if certain conditions are met. It applies to children under the age of thirteen who have been the victim of criminal sexual abuse, aggravated criminal sexual abuse, criminal sexual assault or aggravated criminal sexual assault. The defendant has the opportunity to cross-examine the child at trial. And it authorizes the court to order the testimony of the child to be transmitted via closed-circuit television. Provides

for the child, the judge, the attorneys, the defendant and technicians to locate in a room other than the courtroom. If the child testifies closed circuit at trial, the child may not be required to testify in court, that is conceivable. It allows the defendant to cross-examine the child during the closed-circuit testimony. And I would solicit your Aye vote for this bill which is aimed at trying to relieve the trauma of a child in a very difficult situation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, let me express some concern about what I understand this bill does. This is quite a bit different...I should alert the members to the bill, Senate Bill 179 that we approved here which provided for a videotaping but did not at the same time allow a...basically a repeat of the testimony on the part of the child before the trial. This bill, as I understand it, yes, it provides for videotaping but it allows either side to then request that the child testify at trial. So, as I understand it, what we have here is the distinct possibility that in many or most of these situations where there is a videotaping that by having either side in a position to request a resubmission of the child as a witness at the real trial, that the child could be subjected to more examination and testimony rather than less, and...and I...in my opinion, that sort of defeats the purpose of Senate Bill 179 that we originally approved here, so I am not going to vote for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Just...thank you, very much Mr. President. Just in speaking to that last point, the bill as originally intro-

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duced did not have that provision that either side could require...of course, it would usually be the defendant, require the child to testify at trial, that was not in the original legislation. Judges and lawyers got together and at the request of the bar associations because of constitutional problems and the right of...of the accused to confront the accuser...that is a serious constitutional problem. The bill was changed at the request of the legal community, judges and lawyers so that at the request of the defendant, they would have an opportunity to confront the accuser at trial, that is why this provision was put back in there, and I would solicit your Aye vote for this very important bill for children in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 53 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 53 having received the constitutional majority is declared passed. House Bill 54, Senator Lemke. House Bill 60, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 60.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, House Bill 60 would allow members of the Downstate Firefighters' Pension System to receive a refund on their contributions if the member has been on involuntary, nondisciplinary layoff for more than a hundred and eighty days. From the Illinois Economic and Fiscal Commission, the costs of permitting refunds or contributions would be rela-

tively minor, and I would approve an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 60 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 60 having received the constitutional majority is declared passed. House Bill 62, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 62.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 62 and House Bill 90 which we'll address in a few minutes are two of about four or five bills that have come out of the House sponsored by their Committee on Elementary and Secondary Education which are the basis of the reform package as...molded by the House. In our committee we have deleted the matters that were duplicate of bills that we have already previously passed out of the Senate. These bills will not be the final form that we will see. We are involved in negotiations at the present time regarding the final version of the education reform package. I would solicit your Aye vote so that these matters are...will continue to be under discussion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves passage of House Bill 62. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56,

the Nays are none, none voting Present. House Bill 62 having received the constitutional majority is declared passed. House Bill 66, Senator Watson. House Bill 71, Senator Poshard. Read the bill, Mr. Secretary. For what purpose does Senator Smith arise?

SENATOR SMITH:

Thank you, Mr. President. I'm so sorry...Senate...House Bill...60, I was called to the telephone and I would have voted Aye on that, would you please register me...Aye vote on 60.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate.

SENATOR SMITH:

Thank you.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 71.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 71 amends the River Conservancy District Act and the Election Code to provide for nonpartisan election rather than the appointment of trustees to the board. The specific district included in this bill encompasses two counties and the representation would be the same as is presently being served. The only difference is that this bill will provide for the election rather the appointment of trustee members. This...this conservancy district has been authorized to issue its own industrial revenue bonds, it has a sizable industrial park. It handles literally millions of dollars each year in taxpayers' money, it has an intercity water system,...comprehensive recreational system. Many

people have called me on this bill wanting this board to be an elected board rather than appointed, and I would move for your consideration of this bill and...and your support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes, would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR O'DANIEL:

Senator Poshard, who wants this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, as I've indicated, Senator O'Daniel, many people in the districts served by the...Rend Lake Conservancy District wants the bill. I've had several phone calls in favor of the bill. The director of the conservancy district has said that he would remain neutral on this, but we've had many calls on the bill, many people in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, then what about the...the county board in Franklin County that...that wrote me a letter...I mean, then your county in...in opposition to this bill? And I might say that...the House sponsor has even contacted the news media and asked them to contact me and I haven't had one call in...in...in support of this bill. And there is three counties in this and two of those counties are located within my legislative and my senatorial district and...and my people are all opposed to it. And why would you single out one...one district in the State and ask it to be elective

when all the other districts in the entire State are appointed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator O'Daniel, I believe the part of Hamilton County was taken out of this bill over in the House. It was amended, but Jefferson County is included in your district. As I had pointed out before, this conservancy district differs than most conservancy districts in that it handles a great deal of money, it has its own industrial park, it issues its own industrial revenue bonds, it has a large recreation complex which is currently we're trying to develop...to induce industry to come in and develop around that lake...it handles a lot of taxpayers' money and we're just in support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Then would you be willing to...amend this bill or...or have another bill that would make it applicable to all...all conservancy districts in the State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, I can't speak for the other conservancy districts in the State, I can only speak for this one, and I think the majority of the people that are served by this district want this...this board to be elected rather than appointed because of the nature of its responsibilities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

...I want to disagree with you, and another thing, you

need to know what the...where the district is, Hamilton County isn't in the district but Wayne County and Jefferson in my district and Franklin County in your district are the three counties that are involved with the Rend Lake Conservancy District. And I happen to be involved with this back years ago when it was...when the...during the formation of this...this district. And this...this district furnishes water for fifty-five different communities and municipalities. And I've had mayors and county boards and business people and farmers that called me and...and ask me to oppose this bill. You know, and I think it's very unfair for the House sponsor to pull this...this one district out and try to make an example out of it and...and subject the people of the area...and put them in this kind of a position. I just feel that it's...it's a bad bill and it should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this. It applies, as I understand it, only to the Rend Lake District. And the fact is, having had the opportunity to visit there on a number of occasions, that's truly one of the ones that works. And the story around here is, if it ain't broke, why fix it? I think every area is accommodated and accommodated well by the present system. I think this is a mistake and I would urge Senator Poshard not to pursue it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Well, thank you, Mr. President. I'd just like to ask again the question, how many conservancy districts in the State have the kind of responsibility that this conservancy

district and the board which serves it have? They take on the major responsibilities of municipalities. They have tremendous amounts of taxpayer money that they handle. As I said before, it's a...it's a good bill. The people in the district want it and I think the...the board would be more accountable to the people if...if it were elected instead of appointed. I ask for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 71 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 2, the Nays are 53, 3 voting Present. House Bill 71 having failed to receive a majority...constitutional majority is declared lost. House Bill 72, Senator Poshard. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...72.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, Mr. President, I might say, I don't always understand why this Body acts the way it does. I didn't see...a whole lot funny about that bill but, at any rate, House Bill 72 amends the Mines Subsidence Article of the Insurance Code. It increases the total insured value that may be reinsured for mine subsidence from fifty thousand to one hundred thousand dollars by the...industry placement facility. I would ask for your favorable, most favorable, consideration of this good bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Senator Poshard, I...I...I don't mean this question to give you a hard time, but how much will this increase the insurance premium that just about everyone in this room pays? This was a big fight a couple of years ago. Cook County has mine subsidence insurance, and unless I'm wrong, there are no coal mines under Phil Rock's house but he pays for this insurance. How much will this increase his premium?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Keats, I really don't know. We...we've never

been given an estimate of how much this would increase the individual premium of every taxpayer in the State. Senator Davidson is cosponsoring this bill with me. He may have been given that information, I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...I mean...I...I honestly don't mean it as harassment to give you a hard time. In...the way it works is, we have mine subsidence insurance unless we specifically, in writing, write to the insurance company, a...a specific written letter to get out of it. I don't have any former coal mines in Glencoe, I mean, as old as my house is, it...it still doesn't have coal mines underneath. What I'm saying is is...we're all paying this and...and this will increase the insurance premiums of...of basically everyone on the State it would appear. I may be in error. I'm just remembering this big fight a couple of years ago that all of us who don't have coal mines pay for this insurance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I rise in support of this bill. I was the sponsor of the mine subsidence insurance several years ago and I have the first policy that...that was written. If it...if my memory serves me right, the policy costs approximately ten dollars a year. It's not an exorbitant cost and I don't believe it would affect very many people who have to buy...mine subsidence insurance; however, you don't have to buy it, so that if the people in Chicago don't want the insurance, you know, just tell them to take if off of your policy. This is a good bill and the...homes today, you know, cost more than fifty thousand dollars and forget this mine subsidence insurance for ten or fifteen dollars a year or

whatever it may be, it is a very good investment and this is a good bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I think this bill is all right. The fact of the matter is that the people who operate the Mine Subsidence Insurance Fund in the State indicate that they have a three million dollar surplus in that fund now and, in effect, what happens is that that fund reinsures the private insurers who offer you the mine subsidence insurance and...as has been pointed out here, if anyone decides that they don't want to buy it, they simply can reject the coverage. So, I think this is a good bill and ought to be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

...the...the only problem with this bill, why should the person in the State of Illinois who doesn't want it have to do something about it? Why doesn't the minority of the people that want it apply for it? Why do...why do...because...if you...if...if the average person doesn't notice on his policy, he is going to pay this premium. I mean, it's automatic. If he doesn't reject it, he pays it. You know, it's like...it's giving a...that's...that's probably why there's a surplus...that's probably why there's a surplus because I would assume there's thousands of people in the City of Chicago paying my...paying this insurance because they have never elected to reject it, they never knew it was on their policy, and it's just a way for the insurance industry to milk another sum of money out of these people. Why doesn't it...why don't the...why doesn't the law read that if you want it, you apply, that's all, and if...and why should you

have to not...to apply not to have it? It's silly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have quite a...in my area, quite a few places that have been suffering from...subsidence and I think it's important that we have this kind of legislation. Now, it has been asked around, do you want it? I...I've always been asked whether I want it but in some places, as here, and I think that as...it's been spoken by the previous Senator that there is a large amount...in that and I see no reason why this bill should not be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Actually, this bill...if some of us could have better recollection, was opposed by the insurance companies, contrary to what Senator Lemke said. The insurance companies did not want to do this and I was opposed for it, I was against this thing at that time. This is just a change in existing law. At that particular time, it was pointed out that this really was not a true insurance loss, the condition already existed. What you do with insurance is to provide and care for things that might happen at a future date. This had already happened, that's why one of the principles of insurance was violated when this was passed, that's why insurance companies were against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. We sent the Senate bill out of here which I was the cosponsor...excuse me, I was the lead sponsor on,

59 to nothing on the Agreed Bill List. This only gives an opportunity, as all of you know, that the cost of...of a residence has gone up. It gives the raises to a hundred thousand dollars, so those of you who do live in that area such as Senator Poshard and I, any of you who own a home here in Springfield and, Sam, any of you...own a home here in Springfield outside of the ten square blocks of downtown Springfield will have an opportunity for your property to have some mine...subsidence under it at some time. The fact is, if you're lucky enough to not have it, you're fortunate, but those of us who do have that opportunity and since it's already sunk the whole street just a block over from my house, I'm very glad to have the fifty. I certainly hope we can go to the hundred so we have some possibility of recovering the cost of a house due to the cost of housing that's gone up from inflation. This is a good bill and I urge a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I rise in support of the bill and I, too, would like an answer to Senator Lemke's question, coming from Cook County as I do and I see, having asked that question, that the director...this is the bill now, as it's written now, the director shall exempt every policy issued or renewed in any county of one million or more inhabitants or any county contiguous to any such county. The way I read that language, that means that Cook County residents, for example, Senator Lemke, are not affected by this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

HB 90 3rd reading

Thank you, Mr. President. I would like to point out and reemphasize what Senator Kustra just said. Under the Insurance Code, the director of insurance has the power to exempt any county from this which doesn't...is not undermined or does not need this kind of coverage, so that would apply to Cook County. In my area, so many of our small towns are undermined already. This is an important bill. The cost of housing has gone up. It just...fifty thousand dollars just simply doesn't cover the replacement value of a house that's damaged by mine subsidence now. I'd ask for your favorable support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 72 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 72 having received the constitutional majority is declared passed. House Bill 90, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 90.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 90 as amended in the Senate provides for early childhood programs as an option to be employed by school districts throughout the State, provides for early childhood advisory councils and the provisions as to the State Board of Education promulgating rules and regulations for the conduct of these programs. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Rigney.

SENATOR RIGNEY:

I've had a number of questions about this bill. If a school goes into this program, does it then become mandatory for the kids attending that school?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Would you rephrase the question? I'm not sure I understood it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, right now, the children are attending half-day kindergarten. Suppose they go for this full-day program. This is not it?...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Berman.

SENATOR BERMAN:

No, this not the full-day kindergarten. This is only an...an authorization to local school districts for early childhood, K through 5, and it's voluntary that would be...funded with grants from the State Board of Education, other types of...of funding, private and public that would be available and they can charge a fee for this service. It's similar to...to the bill we passed out of here which was Senate Bill 707, but if you recall that, that...was a mandated program and a tax authorization. Both of those elements have been taken out. This is strictly a voluntary program, and it is not the kindergarten program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. In committee a group of us

voted president...present on this bill, some Republicans, some Democrats. It's sort of bipartisan questioning. We removed the mandate and removed the funding. Now how many of you in this room are dumb enough to think that it won't be a mandate that the State will be funding within a year or two? Now the prospective costs, if our numbers are correct, would be thirty-three to forty-five million the minute we mandate it. Now, right now, it isn't mandated and, right now, it isn't funded. I'm not really against the concept of early childhood education, but is this truly a role for the State or do you think we ought to tell some of the parents to get off their tail end and become more actively involved? Parents can become involved with this program but there's significant State action. You really have to ask yourself, is this the direction you really want to go? I'm not opposed to early childhood education, but if you carefully read it, I'm just going to vote Present the same way several of us did in committee to say, the concept is not unacceptable, but you know and I know if we're pushing it now, it'll be mandate shortly. It's thirty-three to forty-five million dollars and the next step is the parents won't have any involvement. If you read it now, the parental involvement is not that strong to begin with. I think we got some...that we ought to be asking more questions before we start saying, cradle to grave, and this really does start, as you noticed,...when we say early education, you can look at the age yourself. We're not just talking four-and-a-half-year-olds, we're going a lot farther back than that. Maybe we ought to think about this one some more, particularly as we exclude the next step being that we exclude the parents and the State pay for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Will the sponsor yield for a

question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Berman, would you...I noticed here, it says, it requires school boards to employ qualified teachers...does that say to me that they're not using qualified teachers at this time and what are you mean when you say qualified teachers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

That provision merely requires that they be teachers similar to the teachers that are in K through twelve. So, we're not talking about just babysitters, we're talking about qualified, certified teachers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HUDSON:

Senator Berman, is this the bill that takes the educational programs all the way back to birth?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN;

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

It provides not only for educational programs of...as of yet an undisclosed nature for children but also for parents?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

My analysis indicates there was a great deal of discussion in committee as...as to exactly what the programs would be. Was there any determination arrived at as to what the programs would be that we're talking about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Let me read to you from the bill so that we...so that you can evaluate, "The programs may include but are not limited to the following: programs to educate parents about the physical, mental and emotional development of children; programs to enhance the skills of parents in providing for their...children's learning and development, learning experiences for children and parents, activities designed to detect children's physical, mental, emotional or behavioral problems that may cause learning problems; educational materials which may be borrowed from...for home use, information on related community resources."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you. To the bill, Mr. President. I have had some people come to me that seemingly represent those parents who feel that perhaps their children, wherever possible, should remain at home and be under the influence of their parents in these early years. They are concerned about the broad and rather sweeping scope of the programs that you have just out-

lined. Not that ideally, perhaps, some of them...wouldn't be of some value, but I think there are enough questions, at least on behalf of some of the constituents that I represent, about the whole program and the advisability of entering into it at such an early age to perhaps give us some concern.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator, what?

SENATOR KARPIEL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

Thank you. Senator Berman, when you say that this program is...not mandated but it's voluntary, I assume you're meaning it's voluntary for the school district to provide it. Is it also voluntary for the parents to put their children in it, assuming that a school district would provide it; so that parents who do not want to participate in that would not have to? All right, because I've gotten quite a few letters and quite a bit of communication from people who are very much opposed to full-day kindergarten, much less sending their children to school at age three. Now, are you saying three or did you...did you answer Senator Hudson that this is from birth?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The bill provides from zero to five.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

And are are you saying that in order for someone to have...you're talking about school districts who provide this program for a new born baby and that...you're...nodding your head no. No, it isn't for new born babies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The bill authorizes programs...early childhood education programs are programs for children in the period of life from birth to kindergarten and the parents of such children. Now, it will be up to the State Board and local...boards of education as to what the nature of the specific program and who it is addressing. That's in answer to your question, and in closing, I'll expand the purpose of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, I just want to say here that I think that any school district who wants to go into this...and assuming that there is minimal parental participation, and you're saying that for a new born baby, assuming a school district does provide a program, whatever kind of a program that they provide, that this school...that that...age level has to be taught by a fully certified teacher? A day-care teacher wouldn't do for a...for a new born baby? I mean, we're not...I mean, there are day-care facilities in this State that have teachers that...there at the day-care facilities who are college graduated teachers who are in the field of day care, and you're saying that for a six-month-old baby or a year-old baby that we have to have fully certified teachers to provide this service. I think this whole program is...is silly when we've got our own from K through twelve that we haven't gotten figured out yet, we don't have funded prop-

erly, we don't have the kinds of...we're not turning out kids who can read and write, we're trying to reform education and now we're going to get into birth to five-year-old with fully accredited teachers to provide what to a six-month-old baby? I think this is silly and we should defeat it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator,...is there any specific criteria for which one would...would...the services would be provided for all or is it just open to any and everyone if a school district decides that it would like to offer this program? Is it for everyone who wish to participate or is there any specific criteria with a specific purpose for dealing with families and children of that age?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm...I'm not totally clear on what your question is. Let me indicate to you that it involves the children and their parents, that's a requirement; that the district is required to coordinate the programs with other educational programs, that the...the State Board of Education shall promulgate rules and regulations implementing the provisions of this Act. I...I'm not sure if that answers your question or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Can...can we assume though that in those rules...that the

bill authorized the board to...to...to establish some rules and regulations, can't we then assume that part of that would be to establish some kind of criteria in terms of...of priority or need or of people that would be served, because I don't think you could serve every family with a child from zero to five years old. I...I just don't think you'd be able to do that, but I do think that that is a tremendous concept and there are a lot families and especially in those...in cases where we're talking about the number of single families and...and young mothers...having children at very young age and not being able to understand how to be a good parent or how to raise the children. I think this kind of a program would be a tremendous attribute to that...that kind of family. There are other circumstances also that I think would be a good idea. I think the program would go if we just kind of look at it in that vein and have a specific objective by which we wish to accomplish and it can do that, but just to leave it wide open, you may find yourself in some problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Poshard.

SENATOR POSHARD:

Senator Berman,...I understand the intent of this bill and every research study that I've read says that there's tremendous gain to be realized from starting children at a very early age in education, but...and I guess I'm concerned about the logistics of working this out in the rural areas. In your discussions around the State in your commission, how would we work this out in the rural area where we're putting three-year-olds or two-year-olds or whomever on the...on the bus and transporting them twenty miles already to school. How do we get those children involved in this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's exactly the reason why the...the program is local district controlled and oriented. These local district must evaluate as to whether they think that an early childhood program, and we're talking about, realistically, probably three-, four- and five-year-olds, whether that type of a program would make sense for their constituents, and if it can be both logistically and educationally worked out, this...this Act authorizes it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, sir, would this...would this not tend to be more favorably disposed to where those that live in the city where it's a simple matter of, perhaps, walking two or three block with your child to engage them in a program like this. I mean, the logistics could be worked out there much more simply than in the rural areas, and I would tend to think that the majority of the programming for an effort like this would exist in the...in the urban areas and not out in...in places like my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I...I can't comment whether it would or whether it wouldn't, that...you know your district, I know mine. I think it would be valuable in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg. Senator Holmberg.

SENATOR HOLMBERG:

If I might comment,...thank you, Mr. President. When we're talking about programs for parents and children, I think they could be done in a variety of ways. I know that many other States have, for instance, had a home visitor pro-

gram which is something the rural areas might be able to tie into. It's not necessary under a program like this to bring children anyplace. They could even be left in their home and employees of the school district actually visit and introduce play materials and ideas for good parenting right into the homes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you, ladies and gentlemen. I find the debate rather interesting and I'd just ask for another moment of your indulgence. We're talking about...throughout this Session, education reform and every paper in the State and every study has pointed out that in many, many cases the future success or failure of a child is many times determined by the time that child reaches the third grade of grammar school. Now, we say to ourselves, what has to be done in order to give children the best shot at succeeding in school? And just starting them at kindergarten in today's society many times is not sufficient. If we had the stable families, the two-parent-families, the one parent at home families that we had thirty years ago or twenty years ago and before, a lot of these things wouldn't even have to be discussed on the Floor of this Senate, but you and I know that we don't have those kinds of families. We have families to whom the school...parents to whom a school is anathema, parents who do not have a good, sound relationship based upon their experiences with school, and those vibrations are communicated to their children where the parents didn't appreciate school, didn't get much out of it and the children inherent...inherit that kind of negative response. What are we saying with this bill? And I thank the comments from Senator Hudson and others where parents express their apprehension. God bless those parents. Hopefully, they're doing the job that every

parent should be doing and that's why this is a permissive program. And I suggest to Senator Keats that the dollar figures you've put forth are totally fictitious. There is no figures...assigned to this program at this point, and at the proper time we will debate whether there is an allocation or not; but, ladies and gentlemen, let me tell you this, what we're talking about is a permissive program that will be decided by each local district as to whether they think bringing a program to the parent and the child will put that child on the right track, put the parent on the right track to encourage that child to have a lifetime of meaningful learning. The Chicago Tribune dedicated three or four or five days on their editorial page to this exact subject and I've got to tell you, I read that paper every day, as do many of you, I don't remember any other type of editorial page commitment to a single subject as they did to this, early childhood education. That's what the Tribune was talking about, that's what we're talking about. Give the schools the chance to do something to turn around these kids that without these kinds of programs are going to be losers and it's not only the kids that are going to be the losers, it's you and I and every other taxpayer. Whatever the cost of these programs is small change compared to the life of public aid, to...compared to the life of corrections, compared to the life of juvenile delinquency, compared to the life of the dropouts, that's what we're talking about. Give the educators a chance to give these kids a chance. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 90 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 21, 2 voting Present. House Bill 90 having

received the required constitutional majority is declared passed. 120, Senator Sangmeister. House bills 3rd reading, House Bill 120, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 120.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The present law...or the old law used to be when you got a sheriff's deed during a foreclosure or took a deed in lieu of foreclosure, there was no revenue stamps that had to affixed to that deed. Apparently the Attorney General or some state's attorney, I'm not quite sure which, I believe the Attorney General has rendered an opinion that if you look at the Act literally, there ought to be revenue stamps on there and no one has ever intended that and this bill will make the law clearer that there should be no revenue stamps attached to a mortgage foreclosure proceeding or a transfer in lieu of mortgage. Be happy to answer any questions, if not, would ask a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 120 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 120 having received the required constitutional majority is declared passed. 123, Senator Dawson. House bills 3rd reading, House Bill 123, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 123 has the State Board of Education establishing three different pilot projects to enter into contracts with the amendment for...special groups together...which such activities as leadership and organization and development to be included in the awareness program that we've had with different gang problems throughout the State of Illinois, and it requires that one of them be in the City of Chicago and there are two other ones throughout the State of Illinois...for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? The question is, shall House Bill 123 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 123 having received the required constitutional majority is declared passed. 124, Senator Lemke. House bills 3rd reading is House Bill 124, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 124.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This amends the Code of Criminal Procedures, the section

governing speedy trials and continuance, limits the circumstances of which the court may grant the continuance in any case alleging murder and Class X felony or a Class 1 felony in which death or serious bodily harm was inflicted against the person indicative of heinous behavior or wanton cruelty. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a...just an inquiry. As...as the sponsor said, this is...this bill amends the Criminal Code of Procedure. What committee did this go to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What committee? I think it was in Judiciary I, the committee you serve on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

You mean the committee on...the civil Judiciary Committee? Is that the committee this went to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR MAROVITZ:

...that...that you're the chairman of?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Lemke.

SENATOR LEMKE:

I didn't assign these bills and I...the bill was assigned there and I'm sure the same people that sit on one sit on the other and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I guess we should take this up with Senator Savickas who assigns these bills and maybe I...remind him that this is a criminal judiciary bill not a civil judiciary bill. Thank you, Chairman Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

...Senator Lemke, does the ability to obtain a...receive a continuance, does that apply to the State as well as to the defense?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

According to the staff, no, not under the speedy trial section that we passed. This only...this would...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The...I'm not sure that I read the bill the same way and the concern that I have is under certain circumstances the inability to obtain a continuance by the State when, for example, they are...they have some difficulty in getting the evidence that they feel they need in order to effectively prosecute a...a crime of the type that this bill would apply to may, in fact, jeopardize the effective prosecution. For that reason, I think it's unclear exactly what we're doing here. We...by in...intending to...to crack down on crimes of this kind and make sure that continuances...aren't unjustifiably obtained by defendants, we may, in fact, be hindering

effective prosecution. For that reason, I think we should, at least, vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR SANGMEISTER:

Along those some lines, Senator Lemke, I think your...your intent of your legislation is certainly laudable, but I have some of the same reservations that there are times when the State is going to need a continuance and you're talking about, you know, murder, Class X felonies or Class 1 felonies, you're talking about the high end which are the serious offenders. What...I noticed by the...the Calendar that it says, "provides for exceptions." Can you give me a...an exception where a State could get a continuance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR SANGMEISTER:

I know they're under the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop, Senator....Senator Sangmeister. Senator...Senator Lemke.

SENATOR LEMKE:

According to the exception, unless the court expressly states its reason for finding that the ends of justice served by the granting of such countinuance outweighs the best interest to the public, the defendant in a speedy trial; and these are the factors they consider, whether a continuance is probably necessary to make the proceedings possible to avoid a miscarriage of justice, where the case is so complex that it is unreasonable to expect the adequate preparation for

pretrial proceedings or for the trial itself without a continuance, whether failure to grant a continuance would...would deny the defendant reasonable time to obtain counsel, unreasonable denied the defendant of the State to continue of counsel or deny counsel for...for either party the reasonable time necessary for effective preparations taking into account the exercise of due diligence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?

SENATOR LEMKE:

...therefore, under this, the State can't...request that continuance. What this does is prohibits the granting of such continuances due to the general congestion of the court calendar or the state's attorney's lack of diligent preparation or failure to...obtain available witnesses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...,all right, further discussion? If we're going to read every bill, we're going to be in trouble. Senator Sangmeister.

SENATOR SANGMEISTER:

I agree with you on that, but one other question, then I'm done. It's been indicated to me that perhaps this has to be pleaded in the inditement when it's originally...drafted or you cannot bring this motion at a later date?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

According to this, it must be pleaded in the inditement as follows. It's a murder or a Class X felony or a Class 1 felony in which death or serious bodily harm was inflicted...against a person indicative of a heinous behavior and wanton cruelty, that they must plead in the pleadings. It's not just any Class X or Class 1, it's only in...in regards to a henious crime.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I'm reading our analysis and I hope some of my Republican brethern are...are reading their analysis here. I want to tell you, this bill reads an awful lot better in the analysis than some of the comments being made on the Floor. I want to tell you, unless the analysis is in error, this bill is probably a pretty good deal for some of your constituents. How many times have you talked to a constituent who says, this trial has been running on for two and a half years or whatever? Now this...remember, this just deals with heinous crimes, this is not petty, little nothing crimes, these are serious crimes. Take a look at your analysis and figure out the kind of crimes he's talking about. This is not shoplifting. They're serious crimes, and he's saying you can't get a continuance unless and there are about three items here listed that you can get them and then reasons why you can't get them, and one of the reasons why you can't get them is if the lawyer didn't do his homework. I mean, I...we had one case that we showed up at and...try this on for size, no defense...I mean, the other attorney never even showed up, they granted a continuance after some guy who is an hourly worker, who is a witness of a crime, droven in from his home, took what turned out to be almost an entire day off from work, didn't get paid a dime 'cause he's trying to be a diligent citizen. The other side, the lawyer never showed up and they granted him a continuance, and all we're saying is that as you look at it, it might set a precedent. Our judges are notorious for...oh, you got to blow your nose, here's a continuance. Read your analysis and see what you think.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, briefly to tell you that this...this is a good bill and this will encourage the prosecution of some offenses since it'll be more difficult to get a continuance and it is about time we get some of these cases on the road and get rid of them in court. I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke may close.

SENATOR LEMKE:

What this bill does is just simply...tightens up the...the automatic continuances that are granted to these heinous crime felons and lets the court make the decision and lets...let the parties explain the circumstances for giving these continuance in a court of law instead of just having it done automatically. I think it's a good law and it only applies to these crimes that are heinous and which the people...the public are very upset about. I think it's the best that these crimes should be prosecuted quickly. Thank you...I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 124 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 4, 7 voting Present. House Bill 124 having received the required constitutional majority is declared passed. Page 4, we have now handled eighteen bills. House Bill 131, Senator Darrow. House bills 3rd reading, House Bill 131. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 131.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Bill 131 provides that the Supreme Court may establish administrative programs under which circuits designated by the court may acquire essential administrative personnel, equipment and supplies to assist the chief judge of the circuit in fulfulling his constitutional mandate. I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senate Amendment No. 1 apparently added in Cook County and DuPage County into the bill. Our analysis originally indicated that the financial...or the fiscal impact of the bill was about seven hundred and fifty thousand dollars a year for the full year. How much would Amendment No. 1 cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

If you will recall when we were in committee, Senator "Pate" Philip's question about the possibility of adding DuPage County in. After discussing it further, I added DuPage County. Senator DeAngelis then asked about Cook County, and Senator Rock, and so we added Cook County, so we have the entire State covered. The amount of money that this will cost will be depending entirely on the Illinois General Assembly because we're the ones that appropriate the money for the courts. I really don't know how much additional

funds would be requested by the Supreme Court, but if they request it, that does not necessarily mean we're going to appropriate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...I really don't think that is very responsive to the question, and I understand the people who asked about this particular amendment, but I guess the members ought to be aware that what we're doing here is setting up a system under which the chief circuit judge in each circuit will be able to hire his own staff, set up office arrangements, apparently, and that the State's going to pick up the tab for this. Now, I'm not sure that that's necessary. I've not been hearing anything from my local areas that somehow the chief judges...are overworked in any particular manner and, apparently, for the rest of the State, it would cost around seven hundred and fifty thousand dollars. Now, certainly by adding in Cook County and DuPage County, we're going to increase those costs significantly but I'm not sure how much and the sponsor did not respond really to that question, but just be aware of what we're doing here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

Again, to wake up some of my fellow Republicans, look at the first paragraph under staff analysis. I would like to ask a question of the sponsor to clarify if this is correct...is this one that allows the Supreme Court to set a salary of thirty some thousand dollars a year for a gofer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

No, that bill is on postponed consideration, and if you

recall, I tried to amend it on another bill and I was unsuccessful and I'm not going to try that again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

But I'm reading our analysis and I'm trying to figure out who these assistants that the Supreme Court's hiring and that the State's paying for and the Supreme Court that won't let us audit those funds that they demand from every lawyer who practices in front of that court. What are they using those funds for that they won't let us audit...and what are these guys the State's paying for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Darrow.

SENATOR DARROW:

Well, at the present time, each circuit has these offices set up already. For example, in the 14th Judicial Circuit, my circuit, Rock Island County has a chief judge, they have an office in the courthouse in Rock Island. Rock Island County is paying the bill for those services because that's the residence of the chief judge. Were the chief judge elected in Whiteside County, which is part of our circuit, then Senator Schuneman's county would have to pick up the tab for the chief judge who would be a resident of his county. These offices are already in existence. The difference is that at the present time, the counties are...footing the bill and it would be the county in which the chief judge resides, not even the entire circuit. So, there's no...no equity and on top of it, these services are...or these offices...the chief judge is mandated under the Constitution to have these administrative...programs and power, so we're fulfulling a constitutional mandate, but you're right, we are shifting it from the county in which the chief judge resides to the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Finishing the question, I appreciate that candor. Right now, and...and for a minute, and...and...you know, I'm not a lawyer, I'm honest, I work for a living. What...what...in terms of the court expenses, the State doesn't pay a hundred percent of these expenses. I know some of the counties do it. Why are we shifting a hundred percent of the expense to the State or is that normal in this case? I mean, I don't understand why the State is picking up a hundred percent instead of the county sharing some. I...I mean, it seems to me this is not our expense, these are county circuits and the counties normally pay parts of the various salaries within the court system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, the Constitution mandates that the chief judge exercise general administrative authority, and I assume in following that, that that would require...the Constitution would then follow that we should fund it and...from the State level. However, another argument can be made that as long as the counties are paying it, that's our real estate property tax that's going to pay for these offices, and I, for one, would like to get the...get the burden off the property owner for these offices and put it on the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 131 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, none voting Present. House Bill 131 having received the required con-

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stitutional majority is declared passed. 142. House bills 3rd reading, House Bill 142, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 142.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. House Bill 142 reinstitutes a program that we had prior to the Emergency Budget Act of 1982, and it provides for State grants to certain enumerated public radio and TV stations in Illinois by permitting an eligible station to certify to the State Comptroller it's actual operating costs for the prior fiscal year and then it would serve as the basis for the grant. Secondly, the bill sets up two grant pools with seventy-five percent of the funds going to public television stations and twenty-five to public radio, and operating grants would be pro rata. I would answer any questions that you may have, otherwise, solicit your vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. And every once in awhile, there's a good idea that comes along. This happens to be one. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall House Bill 142 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 142 having received the required constitutional majority

is declared passed. House Bill 156, Senator Vadalabene. House bills 3rd reading, House Bill 156. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 156 would extend the applicability of the Act to firefighters employed by universities. Currently, most of these firefighters are covered by the University Civil Service Merit Code for personal actions; however, the provisions of the Merit Code do not specifically address the disciplinary issues covered by the Firemen's Disciplinary Act. University firefighters would continue to be covered by the Merit Code for nondisciplinary matters. I know of no opposition to the bill. It is sponsored by the Associated Firefighters and I would...appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 156 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 156 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 157, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 157.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what the Calendar says. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. It seems that in this particular case when, you know, we're giving quite a bit of time this Session to safety, to helping people, to making sure that we take care of folks properly, but here's a bill that increases the speed limit, and it just doesn't seem to be any discussion on it. The other thing I wonder about, this bill does have to do with speedy things and it seems like it might speed back here with some other provisions in it. I would like to ask the sponsor if there are any intentions of adding any other items to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I don't have any plans of adding any item to this bill, Senator Rupp. What someone else may do and since the House sponsor...it started in the House, what his plans are or not, I can't answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

My questions was not what you were intending to do, but do you know of any?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

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No one has discussed any further amendment to this bill with me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Just a yes or no, Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Rupp, I just told you, you asked me do I know, and the answer is no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 157 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 10, 2 voting Present. House Bill 157 having received the required constitutional majority is declared passed. 164, Senator Jeremiah Joyce. House bills 3rd reading is House Bill 164, Mr. Secretary, read the bill. House Bill 164, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 164.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. 164, Mr. Secretary.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 164 provides that the widow of an active Chicago fireman may elect to receive a pension equal to fifty percent of the retirement annuity the deceased fireman would have been eligible to receive. Removes the requirement that an

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3rd reading

adopted child to be eligible for benefits must have been adopted before the fireman reached fifty years of age and removes the prohibition against paying ordinary disability benefits for alcoholism and VD and exempts the bill from the State Mandate's Act. I know of no opposition to the bill, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 164 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 164 having received the required constitutional majority is declared passed. 181, Senator Netsch. House bills 3rd reading, House Bill 181, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 181.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...Mr. President. House Bill...181 does two things. It equalizes the signature requirements for nominating those who are running for the office of ward committeemen and township committeemen both to five percent. The court had invalidated a prior position that had a larger requirement for one than for the other, and it also eliminates the maximum requirement. The 7th Circuit had held that...that was...could not be enforced by removal of the candidate's name from the ballot. So, for all practical purposes, it is also an invalid provision. I would be happy to answer questions. If not, I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Kelly.

SENATOR KELLY:

Mr. President and members of the Senate, I just want to point out that there was an effort made to try to increase this percentage from five to ten percent. The court had stated that there should not be a difference and we had attempted to amend this legislation to actually increase the township rather than ward committeemen percentage from five percent to ten percent, that...effort failed. We have other legislation later on addressing this same issue, and I intend to oppose this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in strong opposition to this bill. What we did, and I think it's a more reasonable approach, we increased the base of the number of people that could qualify to petition for the office of ward committeeman and that is the more reasonable approach to this problem. All we're doing is allowing frivolous candidates to get on the ballot and then a more responsible candidate has to spend more time, more money, more effort simply because the person he's running against can't get the required number of votes. If you're a responsible person, you should be able to get the required number of votes and you should be able to...get the required number of signatures in order to qualify to be on the ballot in the first place. We've addressed this problem in Senator Kelly's amendment. We are all ready to vote a different formula, but there's no need to make it as easy as possible so anybody in the world can get on the ballot. I strongly oppose this approach and we're doing a disservice to the voters of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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3rd reading

Further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you. If you want to change the base, that is pending in some other bills and you will have another opportunity. What this does and it does only that is to equalize the signature requirement between ward and township committeemen to five percent across the board, and if that seems like a high figure to you, I might mention, for example, that candidates for State Central Committee, which is a much larger area than a ward or a township, need file only one hundred signatures. Those who run for Congress are one-half of one percent. State Representative need one percent or three hundred, whichever is greater and so on and so on. There is almost no office provided for in the State Election Code which requires as high a petition requirement as the office of ward or township committeeman. It seems to me that an equalized five percent is more than adequate to protect against frivolous candidates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill...181 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 38, none voting Present. House Bill 181 having...failed to receive the required constitutional majority is declared lost. House Bill 198, Senator O'Daniel. On House bills 3rd reading is House Bill 198, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 198.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President and members of the Senate, House Bill 198 reduces the sales tax rate to zero on oil field exploration, drilling and production equipment and replacing...replacement parts costing more than two hundred and fifty dollars, and the reason for introducing this legislation was that Indiana has no sales tax on oil field equipment and it puts our independent oil producers at a disadvantage down in Southern Illinois, and the Illinois oil basin lays right along adjacent to the Indiana line, and...and this would stimulate oil field...oil drilling in Illinois and it would, as a result, generate revenue for the...for the State through income tax; and...and also, the bill would be very beneficial to our...our depressed farmers through their leasing and possibly oil production, and, you know, we passed legislation out of here that would remove the sales tax from automobiles built here in Illinois and manufacturing equipment, and I think the independent oil producers in the oil basin here in Illinois need some consideration and I would appreciate a favorable vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah, can...could you tell me...do you know what the reduction in the State revenues for the half of...half of...of Fiscal Year '86 will be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

I'm not sure that I can tell you for half. It says for the fiscal year would be from 1.5...to two million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, according to our analysis, it says that...we're going to lose four and a half million dollars for just half of Fiscal Year of...of '86. Now you double that...that's nine million dollars. The Economic and Fiscal Commission is against this as...as well as the second floor. I hope my colleagues are listening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

I...I feel like this bill is probably just as good as the other one we had a while ago was bad and my seatmate here, my pal, he's going to be supporting this and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 198 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, none voting Present. House Bill 198 having received the required constitutional majority is declared passed. 202, Senator Vadalabene. House bills 3rd reading is House Bill 202, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 202 changes the definition of earnings. It allows death benefits to be paid to the former spouse upon specific designation by the employee, provides up to one-year credit for accumulated sick leave, allows sheriff's law enforcement employees to reinstate special credit and it permits the IMRF board of trustees to procure group accident and health insurance for...IMRF members and it specifies that group health insurance plan is not a pension or retirement benefit for constitutional purposes, and it has the support of the IMRF, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 202 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 202 having received the required constitutional majority is declared passed. 220, Senator Marovitz. House bills 3rd reading, House Bill 220, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 220 permits waiver of the requirement of...the no-fault requirement of living separately for two years when the testimony or affidavit of either spouse shows that the spouses have lived separately for at least six

months immediately prior to the entry of the judgment of divorce, but still in the bill it says that, "The requirement of living separate and apart for continuous period in excess of two years may be waived upon written stipulation of both spouses filed with the court. Any period of cohabitation under written agreement of the parties to attempt to reconcile shall be included in the period of separation." So, that if people that have gone back together and tried to reconcile, that necessarily should not toll the period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any...any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to oppose House Bill 220. In my opinion, I would call this the divorce on demand bill. You know, we all ready have a no...a no-fault divorce law in Illinois and this is for a two-year period. This legislation would make that six months and with only one individual partaking and saying that...that they have lived apart separately, and I think it just takes away from family life, not only from the husband and a wife but certainly the...the children. We already have a two...what I think is a fair and a reasonable law now and we might as well not have any marriage contract if we...if we delude everything that's in our laws, and I just would like to...state these opinions and I...I guess am somewhat conservative in my views and I just...intend to vote against this proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, about a year and a half ago we passed the...the no-fault divorce bill here...but we said if the parties aren't living together for two years...either party can apply for divorce,

but this bill has some very good points in it but there's one thing I do object into the bill...in the bill, rather, and that's the part that says, either party hereafter six months, go ahead and file for divorce. I think Senator Kelly is absolutely right. I think there's too many hardships. I know already of too many hardships since the no-fault...divorce bill has passed where people have been married for thirty years, one spouse decides to leave the other and...it works...and this kind of a...can't do it yet unless he waits two years and by that time, maybe they can work out something for the surviving...the spouse who doesn't want the divorce, doesn't have the education to make a good living 'cause she's been a housewife all her life and then she's been thrown over for some chick twenty years younger. Now, I say...well, I'm telling you the truth, this has happened, and also I have cases where he's been thrown off for a guy twenty years younger, and I'm telling you the truth. I don't think that this is good policy. I do not feel we should encourage divorce. I think we should try and...encourage reconciliation, and the way this bill is drafted now, either party can sign after six months and say, well, now I'm entitled to file for divorce and get it. I feel that it's bad, and in all due respect to the sponsor, this bill was voted out of committee and I didn't even know this amendment was going on, and I...apologize 'cause I notice I voted Yes in committee but I was wrong if I did and, therefore, I speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rock.

SENATOR ROCK

Why...why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm glad you're asking so I get an opportunity to clarify this. There is no amendment on this bill. No...as Senator Geo-Karis said, no amendment was put on this bill and let me clarify it. We are not, n-o-t, we are not eliminating the two-year separation period. We are not doing that. According the the law today and according to this bill, both parties must waive the two-year requirement of living separate and apart. That is the law today, that is still the law regarding this bill. The only change this bill makes is that in the affidavit, after both parties waive it, after both parties sign an affidavit. In the waiver, both parties, in the...in the stipulation that says we've been living separate and apart for six months, after the waiver, then one party can do it as opposed to both parties. Where they...where both parties have agreed to waive the two-year period that plugs in the six-month living separate and apart period, one party can appear and say we've been living together, separate and apart. Here's the affidavit that says we both, together, waive the two-year period. Here's my testimony or my affidavit that we, jointly, have been living separate and apart for six months. That's what this does. It does not eliminate the two-year period for living separate and apart. Does not do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Oh, wait...the...Senator Marovitz.

SENATOR MAROVITZ:

Want to point out where it's at for...for Senator Rock and others. It's on page 2, section 2, and I can...very happy to read it. "That the spouses have lived separate and apart for a continuous period in excess of two years and

irreconcilable differences have caused the irretrievable breakdown of the marriage and the court determines that efforts at reconciliation have failed or that future attempts at reconciliation would be impractical and not in the best interest of the family; provided that if the spouses have lived separate and apart for a continuous period of not less than six months next preceding the entry of the judgment dissolving the marriage, as evidenced by testimony or affidavits of either spouse, the requirement herein of living separate and apart for a continuous period of two years may be waived upon stipulation of both parties." The two-year separation period is still in there. This only refers to...to after that two year...after that agreement of waiver by both parties, this only refers to the six-month separation period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

That wasn't the question I was asking, but go ahead, that's all right do...does the...does the attempt to reconcile that now exists under the law, does that toll the period of cohabitation or living...not cohabitation, the attempt to again cohabit, does that toll the period of living separate and apart?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

If there is a written agreement...between the parties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, I'm not sure I read it that way. You're...you're also adding language that says that any time after the parties cease to cohabit, any period of cohabitation under written agreement. So, you have to agree in writing to attempt to

reconcile, otherwise, the period is tolled and the period of...of living separate and apart starts over. Is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That's exactly right. What we want to do is we want to encourage people to try and go back together and work things out. That's the...that's the point of this so they'll be encouraged to go back together and try and work things out without saying, well, if you go back together, remember, you got to start the whole period all over again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Certainly.

SENATOR FAWELL:

Senator, as I remember that committee meeting, you and I were the only ones there, and I'm...and Sam knew about it. Just...can I just clarify a point. If...if someone, say, leaves on a vacation and...and they have agreed, indeed, that...that the six-month period...that the two way...two-year period is...is waived but they still expect the six-month period to be in existence. Is it possible, under this bill, for one spouse or the other to decide on...I'm not going to wait the six months, I'm going to put the affidavit in and if so, if he or she comes back and finds she's divorced, can she then knock...or he knock out that...that affidavit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz.

END OF REEL

REEL #6

SENATOR MAROVITZ:

The six...for...for clarification, the six-month waiting period cannot be waived under any circumstances whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

What I...what I mean is, if the other spouse says, wait a minute,...he...she went in and said the six-month period is over. I'm saying that it's not over. Is...and...and I was not here to...to...to...defend myself that the six-month period wasn't over, she just walked in, signed an affidavit and said the six-month period was over while I was...you know, out on the road selling beans or something. Is...is...is it possible for her to come back...him to come back in and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

To clarify that for Senator Fawell, to begin with, they couldn't even get to that point unless she has already signed a waiver of the two-year period. Okay? As far as the six-month period, there would have to be a six-month period of living separate and apart. If, in fact, her husband, in your scenario, went in and perjured himself that they did not...she could go in over and above that and have the...the...the agreement and the divorce nullified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Sam, when we're not in Session for six

months, would this affect us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Fawell.

SENATOR FAWELL:

Ask your colleague on the other side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins. We'll just advise everyone to bring your pajamas tomorrow, because the way we are going, we are just not going to finish. Senator Collins.

SENATOR COLLINS:

Let...I'm...I'm really trying to understand this and I am...was a sponsor and...and a cosponsor of no-fault divorce with the two-year period. Let me ask a question, I...maybe going back to that bill as...if I recall, the bill came from the House and was an original one. In that no fault under current law, we can under certain circumstances get a two-year waiver, a waiver of the two years. Is that...but both parties agree...after they have lived together...I mean, been separated for how long...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR COLLINS:

...before the waiver can...they would qualify for the...waiver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR COLLINS:

Now...we're talking about from stage one now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Collins, have you concluded your question? I...I never no when you are concluding your question. Senator Marovitz.

SENATOR MAROVITZ:

There is a two-year period when...when parties have to be living separate and apart, both parties have to waive that. In either case, they still have to be living separate and apart for six month even after they both waive the two-year period when they must be living separate and apart. So in no case can it be less than six months and it can't be waived by one party, only by both parties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator...Marovitz, as I see this right now, that...before this is on both spouses must testify or submit to affidavits that they have lived apart, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR HALL:

The...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Hall.

SENATOR HALL:

...that...now you changed it to only where one person. Suppose that we have not lived apart that long and I tell...and I...what's to keep me from lying to say that the other party has been away? I mean, I'm trying to figure out...are you just trying to make the divorce easy? Is that what the problem is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Hall, at your age, it probably wouldn't make any difference. Senator...Senator Marovitz.

SENATOR MAROVITZ:

I'll try and go through this again. I'll...I'll try and go through this again. Senator Hall, we won't get to that point until both parties have signed an affidavit that they agree to waive the two-year separation period. So, both parties under all circumstances, before this bill and with this bill must waive the two-year separation period. Then, under this bill, as far as the testimony or the affidavit regarding living separate and apart, one party can go to court and submit or testify that there has...that they have in fact been living separate and apart for sixth months. If he or she perjures himself, just like a lot of testimony in court today, there's no way to tell if somebody lies, but I...in this case, there's an easy way to tell if someone else lies. If your wife goes and says, you...we've been living separate and apart for sixth months and, in fact, you haven't been, you go back into court, she's guilty of perjury and there is in fact no divorce, but don't forget, there's already been a waiver voluntarily of the two-year period by both parties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Hall. All right...Senator Hall.

SENATOR HALL:

Well, you know, there's a lot of question about whether you lived apart. How...who's going to prove that...that you have lied, that's my point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The best...the best proof that you lied is the other spouse. The other spouse will come in and...if, indeed, he or she finds out that somebody went ahead with the divorce and they didn't live separate and apart for six months, they'll go into court and that other spouse will be in...worse trouble than they ever were into the marriage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Just going to move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver, there are...there are no...no longer any speakers that are viable. Senator Marovitz, may close.

SENATOR MAROVITZ:

Thank you, very much. Well, the funny thing is the important part of this legislation, not the technical part, was the part to encourage people to go back and try and reconcile, so that the period would not necessarily have to begin over again if parties in good faith tried to go back and work out their problems. That is the important part of this bill. The courts have said, we're having some technical...problems and rather than make both parties come in and testify or sign affidavits,...all we really need is one party to do that regarding the...the fact that they've been separated for six months. The two-year separation period still is in the law, nobody can get a no-fault divorce in six-months or less unless both parties agree and sign an affidavit. The important part of this bill is that if people want to go back together and try and work out their problems, they can do that without feeling the hammer, well, if doesn't work, you got to start that two-year period all over again. I solicit an Aye vote, this really...I hope we clarified all the questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 220 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 35, none voting Present. House Bill 220 having failed to receive the

required constitutional majority is declared lost. 231, Senator Lemke. House bills 3rd reading, House Bill 231, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is makes certain amendments to the Code of Corrections which were requested by the Department of Corrections in regards to contrabands and weapons in prisons. It also has another amendment...okay, and the other one attaches some bills that passed the Senate 59 to nothing. I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 231 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 54, the Nays are 2, 1 voting Present. House Bill 231 having received the required constitutional majority is declared passed. Senator Marovitz, your light wasn't on. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I guess just a rhetorical question, I guess this...this is the bill that amends the Criminal Justice Act and I just wondered what committee this...this bill went to, that was my only question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm sure Senator Lemke will inform you. Top of page 5, House Bill 242, Senator Sangmeister. House bills 3rd

reading is House Bill 242, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 242.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. Senate Bill...or I'm sorry, House Bill 242 does exactly as the Calendar says it does. It provides that no teacher shall receive a deduction from his salary because of absence from a teacher's institute or equivalent...well, no sense reading everything that is in the Calendar. In other words, if he's got sick leave coming, he has a right to take it on that particular day, and also, a second amendment was put on that by the committee to make sure that it was tightened up the way they wanted it, and the third amendment that was put on, as it indicated on the Calendar, pertains to the grandfather clause on consolidation for districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Well, will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, would you review the last part, the part dealing with the amendment? Would you tell me what that...what that would do...what impact that would have?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

That particular provision grandfathers in the consoli-

dations exactly as it would in 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Would this impact any current consolidation efforts in the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

What it would do, Senator Etheredge, would put all of the school districts in the same position under the present current Illinois law as they should be and it would affect a current petition, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I would like to...to call to the attention of the membership and...and I rise in...in strong opposition to this bill and to this amendment. This is a matter which we have voted before not only on an amendment earlier in this Session but in...in prior years. What is in essence the amendment which was put on this bill would have the effect of negating a number of years worth of work leading toward a consolidation of school districts in Grundy, Kendall and Will Counties. In effect what the amendment does is to change the rules of the football game in the fourth quarter. I don't think it's right for the...for the General Assembly to be stepping in and upsetting years of work that has been going on at the local level in order to achieve school...a school consolidation when we here profess to...to say that we want to be about the business of encouraging consolidations. I would strongly urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I, too, rise in opposition to this. I...I think that as Senator Etheredge says, we are...George and I are in a intramural fight here, what helps one district hurts the other district, and I'd just have to rise in opposition to this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kenny Hall.

SENATOR HALL:

Will the sponsor yield for a question? Senator Sangmeister, who wants this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

What we want is equity for Joliet Township High School who is about to lose a hundred and sixty million dollars worth of assessed valuation because of a pending petition, and all we're asking for is that that school district be treated like every other school district in the State of Illinois and that the people in Joliet have a chance to vote on losing a hundred and sixty million dollars worth of assessed valuation, I might say to you, a very fair and a very equitable request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Sangmeister, I'm...I'm sorry that you...that you amended what was otherwise a...a very good bill, one that you and I worked together on and I think came up with a...with a reasonable agreement on and was a good bill. And I guess further, it bothers me that I don't know how many other places you have this amendment, but there is a bill alive and well, 2202 which is on the Calendar, which I think

would address this issue on its own merit and probably that's the way we should do it. I...I think we're going to have to just defeat this bill because of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, Senator Maitland, if you want to commit to me a vote on 2202 when it's called, why then we can...we can certainly make other provisions in this bill. Just let me say to this General Assembly that I rise and ask for your support on this bill, only as a matter of fairness and equity. Because of the differences that you hear when Senator Joyce rise and Senator Etheredge, they represent part of a...a school district that has petitioned to take away a hundred and sixty million dollars worth or assessed valuation from Joliet Township High School. What that means is, that school district will have to fire some sixty teachers if in fact that happens. We changed the law a number of years ago in fairness, as we should have done at that time, to say that when you're taking assessed valuation away from a district, you ought to be able to at that point have the people who are losing the assessed valuation vote on it. That's all we're asking for, let the petition go forward, let the people decide, but my God, don't you think that the people that are losing that assessed valuation have as much right to vote on it as the people who are getting it? That's the current law, all we're asking for is that you take off the grandfather clause and let that be the law and let the people of Joliet survive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 242 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 28, the Nays are 20, 4 voting Present. House Bill 242 having failed to receive the required constitutional majority is declared lost...Senator...Senator Sangmeister requests postponed consideration. 243, Senator Fawell. House bills 3rd reading is House Bill 243, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 243.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This bill really does two things. Number one, it defines secondary education and the definition says that a...it is a school district so attendance centers...center serving grades nine through twelve or grades ten through twelve. There was an amendment added on to it that if a...there is a shortage...teacher shortage in any particular subject matter, the teacher qualified to teach...the State of Board of Education may make an...may make an exception to the citizenship requirement, and they also may make an exception to the citizenship requirement if there has been extenuating circumstances for delaying the ability of the holder of the certificate to file for declaration of intent to become a citizen. Be glad to answer any questions and otherwise I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would only point out to the membership that a similar bill, as I recall, failed to pass this Senate, I don't recall, I was just going to look it up. 607, is that...sponsor will yield, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

The...yes, I guess it is, the sponsor of the amendment says it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? (Machine cutoff)...Fawell may close.

SENATOR FAWELL:

I just solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 243 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all...take the record. On that question, the Ayes are 52, the Nays are 1, 1 voting Present. House Bill 243 having received the required constitutional majority is declared passed. 247, Senator Watson. House bills 3rd reading, House Bill 247, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 247.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 247 is just as it is mentioned in the Calendar. It provides for election...of social security coverage for township employees at a town meeting rather than elections. This passed out of committee 11 to nothing, passed out of the House 109 to nothing, supported by the township officials. The reason that they have to this, in 1980 when the consolidated election law came into

practice, it allowed...or...or said that all this had to go to referendum. Prior to that, it was all done at town meetings and we're just trying to revert to that practice...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 247 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 247 having received the required constitutional majority is declared passed. 251, Senator Netsch. House bills 3rd reading, House Bill 251. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 251.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This amends the Automobile Renting Occupation and Use Tax Act to increase the State rate from four percent to five percent on the various transactions. We enacted a law back in 1981 which replaced the sales tax on automobiles purchased for use as leased vehicles and...instead substituted the automobile renting occupation tax. When we increased the State sales tax to five percent a year ago or so, we failed to increase this one to keep track with it. It obviously was intended to be consistent with that and this bill accomplishes that objective.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 251 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish?

HB 257 3rd Reading

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 5, 6 voting Present. House Bill 251 having received the required constitutional majority is declared passed. 257, Senator Luft. House bills 3rd reading is House Bill 257, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 257.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 257 addresses the Illinois Income Tax law. Illinois Income Tax law presently permits Illinois corporations who choose not to consolidate their tax returns to carry forward operating losses. Corporations who choose to consolidate, however, are not afforded that opportunity. What we're trying to do in House Bill 257 as amended is to simply treat for income tax purposes, corporations who...consolidate the same as corporations who do not consolidate on State Income Tax returns. I would try to answer any questions from the membership; otherwise, I'd move for the passage of House Bill 257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 257 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. House Bill 257 having received the required constitutional majority is declared passed. 262, Senator Lemke. House bill...Senator Lemke, for what purpose do you arise?

HB 264 3rd Reading
HB 262 3rd Reading

SENATOR LEMKE:

Just to change the sponsorship on Senate bill...House Bill 272 to reflect Senator Savickas as a sponsor and I'm off of it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the...with leave of the Body, is there leave to have Senator Lemke withdrawn as a principal sponsor of 272 and Senator Savickas added? Leave is granted. So ordered. All right. 262, is that similar request? House Bill 262 on 3rd reading, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is...the reason...this is strictly a revisory bill and the reason it's not on the revisory...the list of agreed bills is the fact that somebody wanted to put amendment on it which turned out to be substantive and we didn't accept the amendment. So it's purely a revisory bill now and I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 262 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 262 having received the required constitutional majority is declared passed. 264, Senator Lemke. House bills 3rd reading is House Bill 264, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 264.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill is strictly a revisory bill and had a technical amendment on plus the...it was a revisory bill on the forceable detainer actions, a request of the Illinois Realtors...it prohibits the continuance for a period of five days in a forceable...unless the plaintiff requests it or the...made by the defendant who post sufficient security. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 264 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 264 having received the required constitutional majority is declared passed. 265, Senator Lemke. House bills 3rd reading is House Bill 265, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 265.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This bill is strictly a revisory bill that was held of the list because somebody had an amendment which didn't clear through the President's Office as being revisory, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 265 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 265 having received the required constitutional majority is declared passed. 272, Senator Savickas. House bills 3rd reading is House Bill 272, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 272.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 272 and its amendment was put in in the old tradition of Abe Lincoln who was one of our greatest attorneys in the State of Illinois and, yet, never went to law school. House bill...the amendment on 272 would allow an alternate educational requirement for the ability to take the bar examine to practice law in Illinois. That alternate is the ability to get elected, serve and create and make the laws in our State of Illinois for at least ten years. This requirement is in keeping with about six other states throughout our union, California, Maine, New York, Vermont, Virginia and Washington all have alternate educational ability to take the bar examine. In California, a...instruction in law firm or correspondence law school would be one of the...one of the abilities to take the law examine. To serve under the personal supervision of a judge in the court of record in his chambers and study under him would allow you to take the bar examine.

So, six states in our union have alternate methods to allow individuals to take the bar examine. In Illinois, in 1983, twenty-seven hundred and sixty-seven students applied for the bar examine, twenty-five hundred and fifty-eight passed. In '84, twenty-nine hundred and forty-six applied for the examination, twenty-four hundred and eighty-six passed. So far in 1985, nine hundred and twenty-nine have applied, eight seventy-nine have passed. Here in the Illinois Senate, we have thirty-five persons that have at least ten years service; of that thirty-five, fourteen are attorneys already. So we're talking about approximately twenty-one people that would be eligible to take the bar examine. There are...approximately thirty-eight people in the House of Representatives that would have ten year's service or more. But out...of these twenty-one that would be eligible to take it, there is probably only four or five that are young enough, that are dedicated enough, that have served in this Body have become interested in law, not only in creating the law but now wish to go out and interpret it. There is some opposition. Jack Hayes from the Chicago Bar Association has voiced opposition but I think that's self-serving. There has been some concern from some of the educational institutions that have voiced concern but that...I think that's self serving. We are talking about one or two members of the Illinois General Assembly that would be interested and concerned and dedicated enough to pursue a career in law, and I think we should afford them that opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I rise in support of House Bill 272. Having served on a law school faculty and having had the experience to be associated

with law students and having served in this esteemed Body, we are still going to require that the applicant successfully pass a bar examine. I just want to know who those five are that Savickas is talking about so...Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator Savickas, wouldn't it be more logical for attorneys who have served in the Legislature for at least ten years to be disbarred?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Savickas, do you have to be a graduate of a recognized law school in order to take the bar review course?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator Weaver, I'm...I'm really going back with this amendment to about 1963, between 1961 and 1963, where here...where in the State of Illinois, if you were a law clerk or in a similar capacity in a law office and under personal tuition of a licensed attorney, and you could study and take the bar examine. We are just going back basically between 1961 and '63 when the law was changed that stopped this practice and it does not preclude you from going to

accredited law school. It just offers an alternate solution for those of us that are creating the law here in the Legislature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer...oh, I'm sorry, Senator Weaver wasn't finished. Senator Weaver.

SENATOR WEAVER:

You didn't answer my question, Senator. I...I said, in order to take the bar review course, do you have to have graduated from a recognized law school...the bar review course?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, I'm informed by my advisors...my legal advisors in the front row that all you need is money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, this wouldn't force anyone who was here ten years to become one, would it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, it wouldn't; and I'm...I'm reminded one of our great colleagues, Noble Lee, who was a dean of the John Marshall Law School years ago under the old law awarded degrees if you had a certain number of years as a legislator. So this practice was approved by even some of our deans of our law schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...there you had me scared, I...I was thinking

about my chances for reelection if I was...suddenly became a lawyer, but I don't think the time has quite come for this tradition to reinstate itself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yeah, thank you, Mr. President. I already have an honorary degree in law and since I had that...got that degree, I get three or four requests from my constituency thinking that I'm a lawyer. I believe that this bill would help me take care of those constituents and start making some money. I support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Did you tell...did you state earlier that in California, for example, if a legislator has served for ten years and he takes the bar...he or she takes the bar examination, she can...and passes it, she can qualify as a lawyer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, I stated they have alternate educational requirements; in fact, California, one of our most progressive states and most liberal states, has...I think have a more liberal and less restrictive policy for taking the bar examine. One...one of the items is that you may have studied law diligently and in good faith for at least four years, and it lists which studies shall be in a law school or in a law office, in the chambers under the personal supervision of a

judge, by instruction from a correspondence school or any combination of the above. I think we're talking about, basically, allowing an alternate educational requirement method to be met for those that have diligently served in the Legislature creating the laws and have found after that they do have an interest in interpreting the laws that they've created.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I cannot feel...help but feel that perhaps maybe we should pass this...this bill so that you can understand what lawyers really go through; however, if I went ahead and...and voted for this bill, I think they would send a psychiatrist to me because considering some of the legislation we've passed in...for ten years, I don't know very...that we would qualify very much as, shall we say, area died and intelligent people. However, I think the Senator is...to be commended because I'm sure this bill will make it...itself found in Time magazine or Newsweek 'cause it is unique. But if you could have assured me that California would recognize my Illinois license so I can go and live there and practice law, I'd go along with you bill, but, unfortunately, California doesn't work that way, and therefore, much as you...I...I'd be happy to leave you...pay my transportation but, anyway, all I'm saying is...and my minority leader will contribute the biggest bulk of it. But the point is...the point is that I do think that we do not qualify ourselves as lawyers just being here by...for ten years. I qualify already, I've been twelve years but I am lawyer, but I'm telling you right now, it might be a good thing to pass this bill just to see what you can do with it but I don't think it's the time for it. So I vote...I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Savickas, if you remember that Senator Philip, Senator Vadalabene and you and also Senator Newhouse, who is a lawyer, came along and so did Charlie Chew. Now, we've been here approaching nineteen years but the thing that worries me is when you said young enough. What do you mean young enough?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Those that are young enough to actively pursue a new career after they've served at least ten years here in the Legislature. I'm sure that's...that would more than qualify you, and I'm sure that as you think about retiring from one career as a legislator, you may seek to pursue another career as a progressive, promising young attorney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...further discussion? Senator Berman.

SENATOR BERMAN:

I really stand in...with hesitancy because I hoped that my comments really wouldn't even be necessary. Every Session a bill comes along that the media jump on and overshadows the other five thousand pieces of legislation that we give serious attention to. I hope that the frivolity of the remarks is actually frivolity and that we don't move forward to pass this bill, because it will probably be the bill that

everybody will be remembered by if, in fact, it does pass. I think that there...the service in the General Assembly is a distinguishing, honorable, challenging effort. I would...suggest to my colleagues, it does not take the place of law school and I hope, although, I...compliment the sponsor on being unique and...and giving us something to think about, I hope that upon reflection, we reject the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition, obviously, to House Bill 272 both substantively because I think it is...it does not help any of us, but more than that, I guess, procedurally and I say procedurally for a reason. There were a series of probably twenty-five bills which purported to be revisory in nature and amendments have been successfully resisted to virtually all, not all, but virtually all on the basis that they truly were revisory. It was an attempt by the Commission on the Revision of State Laws to literally bring the...the codification up to date, and so many of us were not on the Floor when an amendment which purported to be technical was submitted to this bill; and more than that, let me say that we have, in my judgment, by virtue of this action and previous action and action I guess that we have already done again today literally destroyed any attempt in future Sessions to have a series of revisory bills if we are to allow this to go on. Not fifteen minutes ago we voted on a bill that was a revisory bill, and I voted also for a reason, to deny poor people, people who are unable to pay their rent a continuance of more than five days in a forceable entry action. I'm not sure any wanted to do that, particularly those who stand here day after day and purport to represent

HB300 3rd Reading

those who are unable to otherwise to represent themselves, but that, too, was an amendment to a revisory bill. What I'm suggesting that this is a very dangerous practice and one we ought not get involved in and so I urge an No vote to House Bill 272.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, in closing, Mr. President and members of the Senate, I would remind you that this is not a unique concept, six other states in our union have alternate educational requirement proposals. There are approximately forty-five thousand one hundred and seventy-one registered attorneys in Illinois. So you're talking about a very minute percentage of any new attorneys that would be qualified to practice, and this is permissive, they must pass a bar examination, that's all it says. It says that if you have ten year's service and you had worked diligently and learned your lawmaking properly, that you have the ability to take the law...the bar examine to become a practicing attorney. I would solicit your support in this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 272 pass. Those in favor will vote Aye. Those opposed No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 11, the Nays are 39, 5 voting Present. House Bill 272 having failed to receive the required constitutional majority is declared lost. 275, Senator Lemke. 300, Senator Rock. On the Order of House Bills 3rd Reading is House Bill 300. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 300 would establish the community right-to-know and it's premised on the matter of public policy that people in our State, the citizens of Illinois, have a fundamental right and need to know the potential hazards of priority chemical substances. House Bill 300 would provide adequate information, we hope, with respect to priority chemical substances which are outlined in the provisions of 300 when they are discharged, emitted or disposed of into the environment of Illinois. This bill has been substantially amended to require only those companies to adhere to the provisions of this bill which are required already to obtain a permit from the Environmental Protection Agency, and it says that by March 1, 1987, they must file a report of...a priority chemical report which will outline in an estimated way, those discharges and emissions which may to the citizenry of the county be harmful. We have amended this bill at the request of some in the chemical industry who have attempted to suggest, and I think with some justification, that they are a little leery of estimates and so they wanted a tightening up and we have done that. And what it says effectively is once you file these annual reports, if there's no change from year to year, you can file a...an affidavit which says,...we're essentially doing the same thing with the same amount of these kinds of chemicals as we did last year, and that that information is to be compiled by the agency and there's to be a report...a summary report summarizing the...information which will be distributed to the chief executive officer of each county and to local health depart-

ments and to the members of the Illinois General Assembly. We last year argued long and hard about a worker's right to know...know those substances around which or...with which he was working, and now it seems to me it's time to...take the necessary next step, and the necessary next step is to say to those companies who are required already to file for permit with the EPA that we want to know what priority chemicals among those eighty-two that are listed that you emit or discharge or store on your premises, wouldn't have to draw any conclusion from that. The fact is we have a right to know and that's all this bill does, and I would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Rock, does this include an emergency response plan for the local communities in case something does go wrong in a plant?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It does not in that...the provisions for that kind of plan, as I understand it, were today amended into House Bill 1436, because, as I indicated when Amendment No. 1...was previously offered, those are literally two different subject matters and are...are to be dealt with, in my judgment, independently. I think once the information is...is filed with the Environmental Protection Agency and the citizenry have a right to go and inspect those files, and further the agency will summarize and send it to the local health department, I

think at that point, the chief executive of the county and...and those other...officials who are involved can then make...whatever kind of plans they feel are necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Another question, does the bill...House Bill 300 include any requirements that businesses use estimates of the amount of...of pollution to be created through the air or in the water, and if they are estimates, what are those estimates to be based on?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes, at the top of page 5, it does call for estimates because I'm not sure anybody can be absolutely definitive. So it says, "Businesses shall conduct engineering estimates using reasonably available methods to adequately determine the quantities of priority chemical substances that are emitted or discharged into the environment and contained in waste materials."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The...if the estimates are low, is there a penalty on the...on the company for making a...a low estimate or...and if so, what's the penalty?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

There's no penalty whatever unless the...the lowball of an estimate or the inaccurate estimate is willful knowing and repeated. Absent any willfulness any knowingness or any repetition, there's no penalty whatever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, very briefly, Mr. President, I just want to say to the Body that this really is not a right-to-know bill. It never was from the outset and I don't believe that it is right now, and if we go home and tell our voters back home that somehow we voted for 300 with the idea that we voted for right-to-know, we're kind of misleading them on the subject. Furthermore, as I think Senator Welch's questioning has brought out, this is not an...an emergency response bill either...I would do nothing, for instance, to take care of the type of situation that a...arose in Bhopal, it just simply isn't a part of this legislation, and we will have to look to 1436 if we're going to have that type of an emergency response bill. Basically, it's a smokestack bill and kind of a poor smokestack bill at that, because apparently what we're going to be...relying upon here is a lot of estimates upon what's coming out of these various smokestacks without really knowing in most cases what is taking place. If we truly are going to annually test these smokestacks for what's coming out of there, I understand the cost for one of these tests can run somewhere in the range of seventy-five to a hundred thousand dollars for one annual test. I think that is rather unreasonable to suggest that we're going to ask business and industry to foot those kind of costs to produce a lot of statistical evidence that really isn't going to point to anything. It isn't going to be of much good to anyone once it's been accumulated, because once it has been accumulated, it becomes nothing more than kind of a mountain of paper work that stops at that particular point. So, I guess, unless you can somehow be convinced that there some...cause and effect relationship between these emissions on one hand and health problems on the other, frankly, I don't know what we're look-

ing for when we're accumulating the...the type of paper work that we are under...under House Bill 300. I think it's a poorly thought out piece of legislation and I hope that we're going to seriously consider giving it a red vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further consideration...or discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I fully thought and have agonized over this bill, House Bill 300, and I thought maybe the amendment would make it a better bill but after studying the amendment on the bill, I find it makes it worse. Now under this bill the big companies have the necessary money to quantify, I suppose, the various chemicals, but still, the little companies, the little businesses that I represent, they can't possibly afford it. We're trying to encourage business to come in here, we also have the Pollution Control Board that upon the proper petition can look into all these chemicals if they have to, and I don't know that we are going to do any better by passing this bill. I do feel that this bill since it lacks, absolutely lacks the response for emergency plan is bad, and not only that, there is no planning to avoid chemical disasters such as Bhopal and the Union Carbide plant in West Virginia...situation in West Virginia; and I can honestly tell you that I was very close to voting for this bill, and I wouldn't tell my side of the aisle how I was going to vote, but in all due respect to the sponsor and in...in view of the common sense approach that I think we have to have about business 'cause we can't have it both ways, I do feel the...feel that the Pollution Control Board is the avenue which we should go through instead of adding more piles of paper work, because we don't encourage business to stay here with piles of paper work, and then I think perhaps we can do a better job of...of safeguarding the

lives of our people, and, therefore, I regret but I have to speak against this bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hate to engage in the same dialogue we had the other day, Senator Geo-Karis, but the fact is all the smaller companies about whom you're so concerned, your concern is justified and they have been removed from the provisions of this Act. And further I might say, that perhaps to a certain extent, I will agree with Senator Rigney that it's awfully difficult to measure with...with some degree of...of perfection emissions. But emissions is only one part of this bill and we have deliberately said, do the best you can. Given the technology...the companies...who are covered by this legislation now enjoy, give us your best estimate, take your best shot and unless you are willful in...in lying to us repeatedly, you're fine, just give us your best shot. But what's important, I think, is that there...there should be a way if there is not, and I suggest there is, there should be a way certainly to determine and report the amount of discharge of priority chemical substance into surface waters, ground waters and deep wells, they should know what they're doing in that respect. There should be a way to measure a discharge of priority chemical substances into the surface impoundments or into pits. If you're throwing this junk out wholesale, somebody ought to know how much you're throwing out and there certainly ought to be a way to...to list the priority chemical substances that are stored at your facility at any one time. I just think that...we...we are either going to accept the premise that the community has a right to know or they don't, and to label this as a smokestack emission bill is simply inaccurate. We are saying to you busi-

nesses who file permits with the Environment Protection Agency, that if you store, discharge, emit these chemicals, eighty-two of them that are virtually all carcinogens, we have a right to know. Now, either accept the premise that we have a right to know or you don't, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 300 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 24, 6 voting Present. House Bill 300 having failed to receive the required constitutional majority is declared lost. 304, Senator Berman. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Mr. President, having voted on the prevailing side on House Bill 300, I move to reconsider the vote by which that bill failed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland moves to reconsider...having voted on the prevailing side, moves to reconsider the vote by which House Bill 300 failed. Senator Rigney moves to Table. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. 304, Senator Berman. House bills 3rd reading, bottom of page 5, is House Bill 304. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 304.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

HB 1000
2nd Reading

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 304...is one of a series of bills dealing with alzheimer's disease. This bill requires the Department on Aging to administer three-year pilot project grants for the development of specific services to meet the needs of victims of alzheimer's disease or related disorders, including adult day care crisis intervention, respite, home companion and home nursing services. I'd be glad to respond to any questions. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 304 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record.

PRESIDENT:

And on that question, there are 55 Ayes, no Nays, none voting Present. House Bill 304 having received the required constitutional majority is declared passed. The hour of six having arrived, we'll return and revert again to the Order of House Bills 2nd Reading. If you'll turn to page 67 on the Calendar, pursuant to leave earlier granted, we return to 2nd reading for the consideration of House Bill 1000, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 1000. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1000.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Two years ago, when we passed the Employee Right-to-know Act, we acted only after a long series of negotiations between the labor movement and the employee community. As a result of these negotiations, the in-product was a bill which was clearly workable for both labor and employee perspective. All this amendment does is continue certain reporting requirements with the employee community...that the employee community had accepted at that time is not being erroneous and requirements which might otherwise be preempted as a result of a Federal court decision.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1000. Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Are you saying that what we're trying to do with this amendment is possibly overruling a...a Federal court decision?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

We are...we are bringing this into line with the Federal court decision. We are deleting the rest of the stuff that was in it.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Joyce has...Senator Keats.

HB 1529
2nd Reading

SENATOR KEATS:

...you're doing away with the rest of the bill, I mean, what's in 1000 you're doing away with, which I'm hoping...what I'm saying is, is your amendment going on and doing away with the rest?

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1000. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 2.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 simply allows the EPA to reduce the number of samples required from a community water supply system serving twenty-five to a thousand persons. This is the language which we've been trying to work out with EPA and is basically what was included within Senate Bill 924 that got hung up in the House.

PRESIDENT:

Senator Schuneman moves the adoption of Amendment No. 2 to House Bill 1000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 1529, Senator Collins. Senator Collins.

ACTING SECRETARY: (MR. FERNANDES)

House...

PRESIDENT:

Do you wish the bill read?

SENATOR COLLINS:

Yeah.

PRESIDENT:

On the Order of House...

SENATOR COLLINS:

...let me have a point...today is the last day for bills on 2nd reading?

PRESIDENT:

Today...this is it, yes.

SENATOR COLLINS:

Okay, then, let me say this, I would have the bill read and then moved to 3rd reading and bring it back to 2nd reading. Now, it's my understanding, I have some conflict, that there is a tentative agreement, and then I've heard that there is no agreement, but I will move the bill with the understanding that it will not move off 3rd reading till such time that there is an agreement by all parties concerned.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. With all due respect to Senator Collins...and I don't know that there is a thing that I can do about what she may want to do with this bill except to remind her that if she moves it, she does so in violation of an understanding...clear understanding we had in committee that this bill which is a vehicle bill for police and fire collective bargaining would not be moved, repeat, would not be moved unless all parties had agreed. It would not be moved from 2nd to 3rd unless police had signed off on it, fire had signed off on it and presumably other parties namely municipalities and others interested in this measure. It is a highly significant bill, but that was our understanding, our covenant, if you will, in committee. So I would simply remind Senator Collins, with all due respect, of that under-

HD 1529
2nd Reading

standing and there has, it seems to me, been plenty of time from our last committee meeting to this for police...the police and fire to arrive at some understanding, if they were going to arrive at that understanding which apparently they have not done.

PRESIDENT:

All right. The sponsor requests that the bill be read a second time. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1529.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDENT:

Senator Collins on Committee Amendment No. 1.

SENATOR COLLINS:

The Committee...Amendment No. 1 was a technical...amendment. I think it merely changed the effective date of the bill so that the bill could in fact go back to the House.

PRESIDENT:

All right. All right. Senator Collins moves the adoption of Committee Amendment No. 1 to House Bill 1529. Discussion? Senator Watson.

SENATOR WATSON:

I'd just like to ask the sponsor, Mr. President, if what my colleague here said was fact. Is it...if she made a commitment, I mean, what do we have to live by here if it isn't our word and commitments we make, and if she made that commitment then, I think she is...should think twice about what she is doing.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, let...let me say that there...there is a...you know,...a commitment to hold this bill and that this bill will not be moved until such time there is an agreement. Today is the last day and it's my understanding negotiations has in fact been constantly going on, that there is an amendment now being drafted and if we don't move it and move it back, then there won't be an opportunity to put the amendment on, that is my understanding. So that's why I'm...I...I...suggest that we move it to 3rd, then we'll move back for amendment, but my...my commitment is still not to move this bill out until such time there's agreement still stand. I will not move for passage of this bill until that time.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay...fine, but is that amendment an agreed amendment...by all parties, as Senator Hudson mentioned, or it...is there going to be some problems with it? If there's some problems with it, it certainly isn't agreed and you ought to keep bill on 2nd reading. A commitment is a commitment, I don't what else we have to...to offer...our fellow members other than our word. We can't do that, why, we haven't got a whole a lot.

PRESIDENT:

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. First of all, I just want to reiterate that there was a commitment in committee not to move the bill until there was a...an...amendment...an agreed amendment. But beyond that, insomuch as we have bills on the recall list today that were brought back and amended and then put back to 3rd, and it was stated, I believe, earlier today by you or whoever was in Chair that we would not

vote on those recall bills today. If we do in fact move this to 3rd and it's on a recall list tomorrow and it is brought back for amendment, will we then be able to...vote on it tomorrow?

PRESIDENT:

Yes.

SENATOR KARPIEL:

Why will the rules be different for tomorrow then for today?

PRESIDENT:

Because tomorrow is the last day to consider House bills on 3rd reading and we attempt to afford the members the opportunity to call their bills. They will be held till...as they have in the past years be held until the end of the call, but the fact is that every member will have the opportunity insofar as humanly possible tomorrow to get to his or her bill. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We certainly do have a rule here and...as...as stated but when you're at the last day that we're here right now, and if I understand Senator Collins what she has...has reiterated was that if there is no agreement, the bill will not be called and that's the understanding that you have around here if you make an agreement, but here you run into the eleventh hour and you run into a crunch...suppose there is an agreement worked out and the bill is sitting over on 2nd reading, the bill is dead, that's the only thing. The reason that we do...and I think that everyone around here...is good as their word, that's the only thing that I see is that it would be unfair really to say she has made a commitment to you, she has told you she will not call the bill for passage, and that's the understanding that I think that most of us operate around here.

HB 1814
2nd Reading

PRESIDENT:

All right. Senator Collins has moved the adoption of Amendment No. 1 to House Bill 1529. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1814. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1814.

(Secretary reads title of bill)

3rd reading...or 2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers Amendments Nod. 1 and 2.

PRESIDENT:

Senator Bloom on Committee Amendment No. 1.

SENATOR BLOOM:

Yes, Mr. President, I think what we want to do is to Table those two committee amendments because we have worked out some language that I think is now acceptable to all hands. The most expeditious way to proceed would be to Table the committee amendments and then put on the two Floor amendments.

PRESIDENT:

All right. Senator Bloom has moved to Table Committee Amendments...Committee Amendment No. 1. All in favor of the motion to Table indicate by saying Aye. All opposed. The

Ayes have it. The amendment is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the Committee on Agriculture.

PRESIDENT:

Committee No. 2, Senator Bloom.

SENATOR BLOOM:

Would Table that as well, Mr. President.

PRESIDENT:

Senator Bloom moves to Table Committee Amendment No. 2 to House Bill 1814. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senators Bloom, Netsch and J. J. Joyce.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you. This amendment was a...an essentially technical amendment which reworked the statement...clarified the statement of purpose at the beginning of this article and then made various changes that were suggested and that came to the attention of both the utility staff and the Senate committee staff, and it addresses, also, the fiber optics issue and the telecommunications...the co-ops and, I believe, has clarifying language on...inexpensive...inexpensive pricing and adds that...clarifies and makes certain that competitive service in no way...is being subsidized by non-competitive services. And, finally, provides at the discre-

tion of the commission information from cost studies be accorded proprietary treatment, and takes care of the problem of carriers that have no telephone number by using customer account number. I'm oversimplifying but that's basically the thrust of this amendment. Answer any questions, otherwise, seeks its adoption.

PRESIDENT:

All right. Senator Bloom has moved the adoption of Amendment No. 3 to House Bill 1814. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by the same sponsor.

PRESIDENT:

Senator Bloom on Amendment No. 4.

SENATOR BLOOM:

Thank you. Before I explain the amendment, I would request that the face of the bill, the synopsis does not accurately describe it, it should read, "Universal Telephone Service Protection Act of 1985." I...would seek to have that changed later on. This amendment essentially...the issue that you all were getting beaten over the head on and that we, Senator Netsch and I, have...and Senator Joyce have lived with, was the question of whether or not AT & T could designate itself as competitive to the disadvantage of the other common carriers. The representatives of these groups sat down Friday and over the weekend and negotiated back and forth right up until I would say two and a half hours ago, and this amendment represents the compromise that they have reached which basically says that prior to the...August of 1987, if you try and change and designate yourself as competitive that you have to follow some front-end procedures with the commission. It also says that the commission

shall...the Commerce Commission shall study the need to retain mandatory prior approval and shall report to us. It basically puts off for a couple of years this issue. I think it's a good compromise. I'll answer any questions, otherwise, seek the adoption of this amendment as well.

PRESIDENT:

All right. Senator Bloom has moved the adoption of Amendment No. 4 to House Bill 1814. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. If I can have the attention of the membership, we will begin now on page 64 on the Calendar, the appropriation chairman and minority spokesman and the leadership have agreed that if we can read the House bills...the House bills on 2nd reading a second time, we will save a legislative day and we will not be required to deal with appropriation bills tomorrow but, on the contrary, can deal with them on Wednesday. And so we will read the bills, there will be no amendments...no amendments will be read in or offered. We will just merely read the bills a second time and the bills will remain on the Order of House Bills 2nd Reading, having been read a second time, and so on Wednesday we can handle the appropriation bills in accordance with our rules. (Machine cutoff)...Senator Luft, for what purpose do you arise?

END OF REEL

REEL #7

SENATOR LUFT:

...for announcement...for announcement, please, Mr. President. Can I make an announcement?

PRESIDENT:

All right...I...suppose. Go ahead.

SENATOR LUFT:

Before everybody starts scattering, I'd just like to make the announcement that tonight at Lanphier Park is Senate President Phil Rock's Night. The admission is two dollars. It admits the whole family and apparently somewhere around seven o'clock if...if anybody's there, the State Treasurer is going to sing the National Anthem and that may be worth the two dollars admission in itself, but I would like to make that announcement.

PRESIDENT:

Sure. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Thank you, Mr...Mr. President and members of the Senate. I ask leave of the Body to be added as a hyphenated cosponsor to House Bill 334.

PRESIDENT:

334, gentleman seeks leave to be added as a hyphenated cosponsor. Without objection, leave is granted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Well, I'd...like to add to Senator Luft's announcement that the proceeds from that...tonight's baseball game goes to a very worthy cause, Father Smith in Maryville Orphanage, and if you can't make Sunday's event and you haven't contributed, tonight would be a good way to do it. Thank you.

Vote on agreed bill list

PRESIDENT:

Senator Dudycz, for what...for what purpose do you arise?

SENATOR DUDYCZ:

I ask leave of the Body to be added as a hyphenated co-sponsor with permission of the chief sponsor to House Bill 1529.

PRESIDENT:

All right, 1529, the gentleman seeks leave to be added as a cosponsor. Is leave granted? Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Well, I just wanted to add, Mr. President, that if you do go to the game tonight, you'll have the opportunity not only to meet Pete Vannocen, the owner of the Peoria Chiefs, who's a great guy, but you might even have a chance to meet a...a beer distributor from Flora. Thank you.

PRESIDENT:

Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Well, Mr. President, as you know, Maryville is also in my district and I...I guess I was unaware, I don't know, where I've been that this ball game was going to take place, but where...where is it taking place?

PRESIDENT:

There...there's a slip that we will be happy to provide you. All right, prior to going to House bills 2nd reading for the purpose of reading a second time the appropriation bills, earlier today while we are still with leave of the Body on the Order of House Bills 3rd Reading, Mr. Secretary...earlier today was the Agreed Bill List, commencing at page 27, was read a third time. All right, so the next roll call will be on final passage of the Agreed Bill List as read by the Secretary. All right, Mr. Secretary, have any motions been filed to remove bills on the Agreed Bill List?

SECRETARY:

Yes, Mr. President, the following bills have been removed by...either by five members, the sponsor or by recall: 146, 241, 626, 627, 704, 787, 838, 922, 952, 1086, 1106, 1285, 1393, 1453,...1961, 1970, 1977, 2108, 2182, 2226 and 2446 which is a total of twenty bills.

PRESIDENT:

Objections have been filed to those bills. Those objections will be honored and the bills will revert to the Order of House Bills on 3rd Reading and appear there on tomorrow's Calendar. So, the question is, shall the series of bills read in the Agreed Bill List earlier today excepting those bills that were just removed either by action of the sponsor or by request of...of five members pass. Those in favor of the Agreed Bill List as modified will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, there are 59 Ayes, the Nays as recorded in the Office of the Secretary of the Senate, and the same voting Present, this series of bills having received the constitutional majority by record vote is declared passed, and the record vote of the Ayes and Nays for each bill passed shall be entered in the Journal. Senator Poshard, for what purpose do you seek recognition?

SENATOR POSHARD:

Yes, thank you, Mr. President. With leave of the Body, I have permission of the sponsor to be included as a hyphenated cosponsor of House Bills 522, 627 and 1645.

PRESIDENT:

All right, gentleman seeks leave to be added as a cosponsor of the...I don't have the...give me the numbers. 522,...Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Oh, after the business of today, Mr. President, we want

HB 1070 2nd Reading

to make known that our esteemed colleague, Mrs. Margaret Smith is having a little chat-n-chew over at the State House Inn starting as six-thirty until nine and would like to have you come over and chat-n-chew with the second Senator Smith here in Springfield.

PRESIDENT:

All right, thank you, Senator Chew. Senator Poshard has sought leave of the Body to be added as a cosponsor on House Bills 522, 627 and 1645. Without objection, leave is granted. On the Order of House Bills 2nd Reading, Mr. Secretary, the top of page 64, the appropriation bills will be read a second time. At the conclusion of that reading, we will adjourn until nine o'clock tomorrow morning, nine o'clock tomorrow morning. Tomorrow is the last day and so I ask everybody to be present and prompt.

SECRETARY:

House Bill 24.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 143.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 342.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 362.

(Secretary reads title of bill)

...2nd reading of the bill.

...House Bill 418.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 526.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 529.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 530.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 569.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 583.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 641.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 651.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 652.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 653.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 654.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 655.

(Secretary reads title of bill)

2nd reading of the bill.

656.

(Secretary reads title of bill)

2nd reading of the bill.

657.

(Secretary reads title of bill)

2nd reading of the bill.

658.

(Secretary reads title of bill)

2nd reading of the bill.

659.

(Secretary reads title of bill)

2nd reading of the bill.

660.

(Secretary reads title of bill)

2nd reading of the bill.

661.

(Secretary reads title of bill)

2nd reading of the bill.

663.

(Secretary reads title of bill)

2nd reading of the bill.

664.

(Secretary reads title of bill)

2nd reading of the bill.

665.

(Secretary reads title of bill)

2nd reading of the bill.

666.

(Secretary reads title of bill)

2nd reading of the bill.

667.

(Secretary reads title of bill)

2nd reading of the bill.

668.

(Secretary reads title of bill)

2nd reading of the bill.

669.

(Secretary reads title of bill)

2nd reading of the...of the bill.

670.

(Secretary reads title of bill)

2nd reading of the bill.

671.

(Secretary reads title of bill)

2nd reading of the bill.

672.

(Secretary reads title of bill)

2nd reading of the bill.

673.

(Secretary reads title of bill)

2nd reading of the bill.

674.

(Secretary reads title of bill)

2nd reading of the bill.

676.

(Secretary reads title of bill)

2nd reading of the bill.

678.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 677.

(Secretary reads title of bill)

2nd reading of the bill.

679.

(Secretary reads title of bill)

2nd reading of the bill.

683.

(Secretary reads title of bill)

2nd reading of the bill.

House Bill 693.

(Secretary reads title of bill)

2nd reading of the bill.

HB 993
2nd Reading
HB 1070
2nd Reading

721.

(Secretary reads title of bill)

2nd reading of the bill.

946.

(Secretary reads title of bill)

2nd reading of the bill.

947.

(Secretary reads title of bill)

2nd reading of the bill.

993.

(Secretary reads title of bill)

2nd reading of the bill.

1011.

(Secretary reads title of bill)

2nd reading of the bill.

1040.

(Secretary reads title of bill)

2nd reading of the bill.

1070.

(Secretary reads title of bill)

2nd reading of the bill.

1097.

(Secretary reads title of bill)

2nd reading of the bill.

1110.

(Secretary reads title of bill)

2nd reading of the bill.

1247.

(Secretary reads title of bill)

2nd reading of the bill.

2239.

(Secretary reads title of bill)

2nd reading of the bill.

2240.

(Secretary reads title of bill)

2nd reading of the bill.

PRESIDENT:

Any further business to come before the Senate? If not, Senator Netsch moves that the Senate stand adjourned until tomorrow morning. Tomorrow at the hour of 9:00 a.m. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 25, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. Members will be at their desks. All unauthorized individuals will please vacate the Floor. Our guests in the galleries will please rise. Our prayer this morning by the Reverend Charles Kyle, St. Francis Xavier Church, Chicago. Father Kyle.

REVEREND KYLE:

(Prayer given by Reverend Kyle)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Wednesday, June the 30th; Thursday, June...June the 12th; Thursday, June the 13th and Friday, June the 14th, in the year 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by...placed by Senator Hall. Is there any objections? Hearing none, so ordered. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Tuesday, June 18th; Wednesday, June 19th; Thursday, June the 20th, Friday, June the 21st and Monday, June the 24th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Hall. Any objections? Hearing none, so ordered. Message from the

House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title, to-wit:

Senate Bill 300 together with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 396 offered by Senator Lemke, it's congratulatory.

Senate Resolution 397, by Senator Watson, it's congratulatory.

Senate Resolution 398, by Senator Luft and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 399 offered by Senators Jeremiah Joyce, Degnan, Zito, Savickas, Lemke and Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive...we will begin with the Order of Recalls. I am told that there are nine...at least nine on the recall list. First out of the chute would be...Senators Kustra, Jeremiah Joyce...all right. On the Order of Recalls...374. Senator Jeremiah Joyce seeks leave of the Body to return House Bill 374 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 374, Mr. Secretary. Whoop...Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Mr. President, I ask leave of the Body to set this aside

for the moment. I'm awaiting the arrival of an amendment from the Reference Bureau on House Bill 374 and ask leave to go back to it when I get...see the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has sought leave to go back to it. Take it out of the record. What about 398? All right. On the Order of House Bills Recalls is...is House Bill 398. Senator Joyce seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 398, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 3 to House Bill 398 is the State mandate's provision. I've talked to Senator Schuneman in regard to this, there's no...opposition to it and I move its adoption at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 398. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 514, Senator Kustra. Senator Kustra on the Floor? (Machine cutoff)...Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I beg...leave of the Senate to

HB 888 Recalled

be placed as a hyphenated sponsor with the approval of the sponsor to Senate Bill 944, as a hyphenated sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bill?

SENATOR SMITH:

No, it's a Senate bill that went over to the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate bill what?

SENATOR SMITH:

Senate Bill 944.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith seeks leave of the Body to be added as a hyphenated cosponsor to Senate Bill 944. Is leave granted? Leave is granted. Senator Berman has sought leave to be added as hyphenated cosponsor of House Bills 574, 83...House Bill 83, House Bill 816. Is leave granted? Leave is granted. So ordered. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I have permission of the sponsor and with leave of the Body, I'd like to be added as a hyphenated cosponsor on Senate Bill 807, 832, 1270 and 2217.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Poshard seeks leave of the Body. Is leave granted? Leave is granted. So ordered. 514, Senator Kustra on the Floor? 888, Senator Rock. On the Order of House Bills Recalls, Senator Rock seeks leave of the Body to return House Bill 888 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 888, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you. I'll yield to Senator Berman who's had the amendment prepared.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment deals with the Environmental Barriers Act, and there was questions raised by...the...cities and the agencies involved in the enforcement of this and this represents the agreement that has been struck between those parties. I move...I've not had a chance to see the analysis but I would move adoption of Amendment No...2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the adoption of Amendment No. 2 to House Bill 888. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Kustra, 514. All right. 922, Senator Holmberg. 1027, Senator Welch. 1159, Senator Joyce. On the Order of...Senator Joyce has sought leave to bring...Senator Joyce seeks leave of the Body to return House Bill 1159 to the Order of 2nd Reading for the purpose of Tabling an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1159, Mr. Secretary. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Yes, I'd like to Table Amendment No. 2. That was one that the mobile home people put on that was supposed to be dealing with changing the name, and I found out that it may be doing several more things than that

and we didn't want to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 2 was adopted. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Joyce now moves to Table Amendment No. 2 to...to House Bill 1159. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is Tabled. Senator Joyce. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senator Marovitz on the Floor? 2400, Senator Savickas. Senator Savickas seeks leave of the Body to return House Bill 2400 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 2400, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 2400 in its amended form is an addition to the Motor Vehicle Franchise Act. It adds a new section to the Act more clearly defining what a motorcycle is and adds provisions that are unique to the motorcycle industry. These are regarding financing, ownership by a dealer of the franchise and repurchase of parts when a franchise is terminated. This amendment was put together and agreed upon by both the motorcycle dealers, the Motorcycle Industrial Council and the manufacturers...the out-of-state manufacturers that precipitated the

motorcycle dealers to introduce this legislation. DCCA has agreed to it and I am sure there is no opposition at this time. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 2400. Is there any discussion? Senator Kustra.

SENATOR KUSTRA:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Kustra.

SENATOR KUSTRA:

Does this have anything to do with lawyers and legislators, Senator Savickas?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, it allows them to ride a three-wheel vehicle to take their bar exam.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 2400. Any further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2834...wait a minute...2434, Senator Maitland. All right...Senator Maitland seeks leave of the Body to return House Bill 2434 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2434, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

All right, thank you, Mr. President. What this amendment does is require the Department of Mental Health and Developmental Disabilities to convey the Galesburg Mental Health Center property to the City of Galesburg and requires the...Department of Mental Health also to convey certain portions of the Manteno Mental Health Center property to a not-for-profit corporation, the Manteno Mental Health Center Redevelopment Council. These two centers are no longer in operation and the conveyance of Manteno excludes the portion of the property to use for the Department of Veterans' Affairs for their new veterans' home. This...we've been working on this for...for a long time now and...and we think that with these two pieces of property the State would like to get rid of them and we have people in the communities that...are anxious to try and...and bring some other industry in that area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 2434. Any discussion? Senator Bloom.

SENATOR BLOOM:

Yes, to say I rise in support of it, and to say that although this bill is...its genesis is of...the Department of Transportation, we need to put this amendment on, it affects both Kankakee and Galesburg, in order to get the discussion process going. We have commitments from the administration to the various plans that our respective communities have offered. Well, that's enough to say, I should think, let's put it on. There's no problem...the Secretary of Transporta-

tion when he comes to my office for his daily sandwich will approve it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are you finished?...Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 2434. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, we'll stop...start at the top of the list again. House Bill 146. Senator Kustra seeks leave of the Body to return House Bill 146 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 146, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Excuse me, Mr. Secretary, could you read the LRB number on that?

SECRETARY:

LRB8400920CMTCAM01.

SENATOR KUSTRA:

I'm aware of the amendment but it's not my amendment. I don't even want the amendment but if they want to add it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It has your name on it.

SENATOR KUSTRA:

As I understand it, it's the chairman of the Elections Committee, Mr. Kelly, who wants this amendment and I would suggest...I'll leave it in my name, but he's going to have to

tell us why he wants it. I don't think this amendment is even necessary. Senator Kelly, you want to explain that to all of us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly. On...House Bill 146, Amendment 2. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Yes, there is not a space for a social security number and...and that's where...and this would solve that problem, that's why the amendment is...being sponsored...to allow for a space for a social security number...on the voter's application.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kelly has moved the adoption of Amendment No. 2...I...Senator Kelly, is this your amendment? All right. It's in...it's in Senator Kelly's name. Senator Kelly has moved the adoption of Amendment No. 2 to House Bill 146. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. 514, Senator Kustra. All right, Senator...on the Orders of Recalls is House Bill 514. Senator Kustra seeks leave of the Body to return that to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 514, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

HB 2188 Recalled HB 922 Recalled

Thank you, Mr. President. This is the long awaited agreed language on the special education funding bill and I would urge...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 514. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 922. Senator Holmberg seeks leave of the Body to return House Bill 922 to the Order of 2nd Reading for the...for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 922, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

This is an amendment to the bill that allows the electorate to elect a county executive. This...amendment merely gives a job description of that county executive, and I would advocate its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg...has moved the adoption of Amendment No. 1 to House Bill 922. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2188, Senator Marovitz. All right. Sena-

tor Marovitz seeks leave of the Body to return House Bill 2188 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 2188, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by...yeah...yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Mr. Secretary, which amendment are we dealing with? I know, I want to know the number.

SECRETARY:

If what is right here...

SENATOR MAROVITZ:

This deals with teachers over seventy years of age.

SECRETARY:

There's only one amendment on it.

SENATOR MAROVITZ:

Is that the amendment...can you check the substance of that amendment and make sure that that's what that is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz.

SENATOR MAROVITZ:

I would now move to Table Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Marovitz, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 2 to House Bill 2188 was adopted. Those in...all right, Senator Marovitz, I am corrected....it's Amendment No. 1. Senator Marovitz, having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 1 was adopted to House Bill 2188. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Marovitz now moves to Table Amendment No. 1 to House

Bill 2188. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2278, Senator Marovitz. Senator Marovitz seeks leave of the Body to return House Bill 2278 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bill 2278, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 embodies a agreement that I made with Senator DeAngelis and Senator Coffey which takes out of the bill language which would require that the director of the Department of Public Health be a licensed physician. That language is in another bill, was not intended to be in this bill, was inadvertently put in this bill; and by this amendment, that language is stricken. I would ask for the adoption of Amendment No. 2 to House Bill 2278.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Amendment No. 2. Is there any discussion? Senator Coffey.

SENATOR COFFEY:

Yes, thank you, Mr. President and members of the Senate. I can't speak for Senator DeAngelis and...and I did talk to Senator Marovitz about this amendment. But originally when this bill came through, there was...the question was asked by myself, would there be any amendment attached to this bill,

and I was told no. Then Amendment No. 1 went on which significantly changed the...the text of the bill. This bill does...the amendment that he's now offering does make some changes that are necessary, I think, to be made...be changed, but I prefer to put the bill back in its original form as we agreed that the bill would be in...originally. And I have filed amendment to do that which would put it back in that original form. And I would...I would appreciate it if Senator Marovitz would knock off this amendment and...and accept the next amendment, would put it back into the form that we agreed in...agreed on earlier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I think it...I think that at this juncture everybody is in agreement that...that Amendment No. 2 should go on...'cause there's no one that opposes the...the substance of Amendment No. 2. So maybe when we get to the next amendment, I can talk to Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 2278. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Coffey.

SENATOR COFFEY:

Yes, this amendment...to the bill...returns the bill to its original form when it passed out of committee and was the agreement at that time. And I'd ask, you know, a favorable roll call on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Coffey has moved the adoption of Amendment No. 3 to House Bill 2278. Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I think maybe one or two postures that we can work on, I mean, I'm...not in favor of Amendment No. 3 and we can either take the bill out of the record and I can discuss it with Senator Coffey. His concern, it is my understanding, because the original bill dealt with...some safety standards regarding the transportation of milk. And I think there was some concern expressed in committee about this bill being used in conjunction with the salmonella crisis and some politicizing of that which...which this will not be the case and is not be the case. All...all the...the amendment that was added does...several years ago in order to assist Director Kempiners there was an amendment placed which removed the Sanitarian Act from the State of Illinois along with a requirement that the director of public health would be a doctor, it would have to be a licensed physician. This just puts back in the...Sanitarian Act which is in...in effect in the City of Chicago and I think has always been in effect until recently in the State of Illinois. It is not my intention publicly to make this a vehicle for anything dealing with salmonella or any politicizing whatsoever, and as a matter of fact, if that be the case, I will Table the bill and make that statement publicly. All this does is creates the...puts the Sanitarian Registration Act back in the bill to provide for the registration of sanitarians through the Department of Registration and Education. The Department of Public Health has been talked to, they are in favor of the...of what's on the amendment. It's always been part of our law, and if...if it's Senator Coffey's wish that we discuss this, I would, you know, perhaps suggest if the Body is so able and inclined to take it out of the record then maybe

Senator Coffey and I could discuss this with the House sponsor, Senator...or Representative Mautino.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes, Mr. President, I'd be willing to do that but...but let's keep in mind that, again, in committee it was our agreement at that time that the bill was in the form that you wanted it in at that time, and if we'd passed that out there'd be no amendments attached. And now we find ourselves attaching amendment. Now there was time to...have asked to put amendment in when it could have been heard in committee and could have been discussed then. I think we had an agreement to put the bill on the Floor, it wouldn't be amended, and I think that's the way we ought to stick with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz is it your request to take the bill out of the record? Senator Marovitz.

SENATOR MAROVITZ:

...yeah, let me ask you a question. If we take...now...now that we've adopted Amendment No. 2, if we take the bill out of the record, we get back to it to...or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if we take the bill out of the record as it is right now, Amendment No. 2 is out of the record as well.

SENATOR MAROVITZ:

Well, we've already...we've already adopted that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And we're taking it out of the record, the...the entire action. You...you may...you may wish to have Amendment No. 2...

SENATOR MAROVITZ:

Have we adopted Amendment No. 2?

PRESIDING OFFICER: (SENATOR DEMUZIO)

You may wish to have Amendment No. 2 adopted and have the bill left on 2nd reading.

SENATOR MAROVITZ:

Well, that's what I'm saying. If we can do that and get back to it to move it to 3rd,...in...in case we're going to adopt Senator Coffey's amendment. I don't want to...prejudice him either. We have adopted Amendment No. 2 and we could leave it on second reading then and get to that order and move it to 3rd. Can we do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, procedurally we...no...we've adopted Amendment No. 2. If you wish to have the bill taken out of the record...we can have the bill taken out of the record, it will be, in fact, returned...to 3rd reading. If you wish to proceed with leaving Amendment No. 2 adopted and...it...it, in fact, can remain on 2nd reading and...I suspect you could have leave to get back to it, but I...I'm not sure we're going to get back to it.

SENATOR MAROVITZ:

All right, then we'll take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 3rd reading. 374, Senator Joyce. All right. Senator Joyce seeks leave of the Body to return House Bill 374 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 374, Mr. Secretary.

SECRETARY:

(Machine cutoff)...No. 3 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Amend-

ment No. 3 to House Bill 374 is the State mandate's provision as per our...my conversation with Senator...Schuneman. I know of no objection to it. I ask for its adoption at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved the adoption of Amendment No. 3, House Bill 374. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, we'll go to the Order of House...House Bills 3rd Reading...page 2, the first one is 312. House Bill 312 on the Order of 3rd Reading is...Senator D'Arco. Mr. Secretary, House bills 3rd reading, House Bill 312, read the bill.

SECRETARY:

House Bill 312.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill provides that the circuit court shall appoint a qualified interpreter for respondents in juvenile court proceedings pursuant to the Court Interpreter's Act upon a motion of the court or the State or...or various other parties that are involved in the proceedings. There is a reimbursement formula in the bill that the counties involved would qualify for. The bill is designed for people who are non-English speaking people so that...and it's also designed for deaf people, people who cannot hear so they also can have an interpreter to interpret

the proceedings for them as well. I don't know of any opposition to the bill and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah, who's going to pay for this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I...I'm sorry. Senator Chew was...wondering if it applied to...whites as well as greens and blues, no...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR D'ARCO:

What was the...

SENATOR FAWELL:

Is...is...is it true that the State is going to pay for the interpreter at the juvenile court level?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

The bill provides that upon the county...the county involved can ask to be reimbursed by the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen, I...I want to point out that this is the last day for the substantive bills, House bills on 3rd reading, there are two hundred sixty-two. Senator Fawell.

SENATOR FAWELL:

You know I...I just think this is sort of a foot in the

door problem and...and if we...we start paying at the juvenile court level, I have a feeling we're going to end up being paid...paying for interpreters eventually in the court level, and I...and right now the counties have been able to do that themselves. I just think we're...we're looking at a...an awful lot of money eventually.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator D'Arco may close.

SENATOR D'ARCO:

Well, Mr. President, let...let me point out that right now the counties pay for interpreters and proceedings...hello...in criminal cases and civil cases and in all other cases where an interpreter is necessary in a judicial proceeding. All we're saying in this bill is, in a juvenile court proceeding before a juvenile court judge where a minor is in need of an interpreter, he should have one. And that fee paid to that interpreter should be reimbursed by the State to the county for the cost of those services, I don't think that's extravagant. That's not a foot in the door, it's a simple application for people who do not speak the English language and are entitled to their constitutional rights in the State of Illinois and the United States of America. There's nothing fowl about this bill, it's a good bill and it also includes people that are deaf and can't hear... PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Schuneman, I would point out, the gentleman is closing. Senator D'Arco.

SENATOR D'ARCO:

Ladies and gentlemen, this is a very simple bill and let's not complicate the issue. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 312 pass. Those in favor

vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 20, none voting Present. House Bill 312 having received the required constitutional majority is declared passed. 313, Senator Donahue. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR RUPP:

In the...a group of lovely ladies, I can say that since one of them is my wife, Floss, from the IF Chapter of P. E. O. in Decatur. They are visiting the Capitol today to see what's going on over here and checking on us, and I ask that they...their presence be recognized by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if Mrs. Rupp and her guests would please rise and be recognized by the Senate. Welcome to Springfield again...314, Senator Karpiel. Senator Karpiel, 314? House bills 3rd reading, House Bill 314, Mr. Secretary, read the bill.

SECRETARY:

House Bill 314.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 314 as amended does three things. First of all, the original bill allows all municipalities to issue licensed...liquor license fines rather than repealing...or taking away their license as is

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now the case. An amendment that was put on allows a person who has ownership in a distillery or a wine manufacturer to also have ownership in hotel, motel or restaurant and sell liquor if they...if they only sell ten percent and not any more than ten percent of their own product. And then another amendment that was put on will...would allow...the...the issuance of alcohol to people in county nursing homes if prescribed by their doctor. And I ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 314 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, 1 voting Present. House Bill 314 having received the required constitutional majority is declared passed. 316, Senator Sangmeister. House bills 3rd reading, House Bill 316, Mr. Secretary.

SECRETARY:

House Bill 316.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President, members of the Senate. House Bill 316 as it came out of the House is in its same form, and that is it establishes a Tax Loss Impact Grant Fund, which simply means that if a taxing district suffers an unbelievable disaster and a big source of their revenue is cut out that they could look to the State of Illinois for this impact fund. As far as I know there is not even an appropriation bill. This is a new idea, came out of our dis-

trict, Representative...this is his...Representative Davis' bill whereby Romeoville had the big blowup by Union Oil, almost half of their taxes, I guess, came from utility taxes and, of course, when that was wiped out, they had no place to turn. This does not affect ad valorem taxes at all, it's only other taxes such as the utility tax. Be happy to answer any questions; otherwise, I don't think there's any problem with this bill. Would move that it be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 316 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 316 having received the required constitutional majority is declared passed. 320, Senator Savickas. House bills 3rd reading...Senator...Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR WATSON:

We just passed out of there Senate Bill 312, and in our analysis an amendment mentions that we just raised the court reporter's salaries from thirty-three thousand two hundred and fifty dollars to thirty-five...no, I beg your pardon, ultimately to thirty-seven thousand two hundred and fifty, and that wasn't even mentioned, wasn't even mentioned on the Floor during the presentation of the legislation. Now if we're going take this approach in a responsible manner and you're talking about moving things along, then the sponsor of these bills better tell us what's in here. End of...point, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, very much, for your point. Senator D'Arco, you wish to respond? Senator D'Arco.

SENATOR D'ARCO:

Listen...I mean, Senator Watson is correct, I didn't mention it. But believe me, I got involved in the debate and I did not intentionally not mention the...the fact. I mean, the fact is...when it was on 2nd reading, I offered this amendment to the Chamber, and I explicitly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR D'ARCO:

...stated what the amendment did at that time...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...if...

SENATOR D'ARCO:

...and I apologize for not mentioning it in...in debate on 3rd reading...and what can I say. I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, you know...well, let's...let's...all right. The...the Calendar indicates increases the salary of court reporters. So, I don't suspect that it was any great surprise to many. Senator Mahar, for what purpose do you arise? All right. Senator Savickas on House Bill 320. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President. I would ask leave of the Body to come back to 320 a little later. We are trying to work out a concern that Senator Lechowicz had on...whether it should be just commodities...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator...Savickas has sought leave of the Body to come back to House Bill 320 later in the day. Is leave granted? Leave is granted. Top of page 3. 334,

Senator Mahar. House bills 3rd reading, House Bill 334, Mr. Secretary, read the bill.

SECRETARY:

House Bill 334.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. Senate Bill 334 allows for twelve enterprise zones to be included in the Calendar Year 1985. This is the same as we did in Senate Bill 665 and Senate Bill 1363. In addition, there was an amendment offered by Senator Poshard which allows for two...two additional ones...two additional enterprise zones...which...and I'd be happy to answer any questions or Senator Poshard on the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 334 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 334 having received the required constitutional majority is declared passed. 335, Senator Maitland. House bills 3rd reading, is House Bill 335, Mr. Secretary, read the bill.

SECRETARY:

House Bill 335.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 335 does as the...synopsis would indicate. It would allow the local law enforcement agencies to charge a five dollar fee for a copy of a traffic accident report and for those...those actions that are investigated by accident reconstruction teams a fee not to exceed twenty dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

What's the present cost, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator, with respect to the...to the...to the State, that's the level that is now established by the State. This extends that same level to the locals. Currently, they...they may or may not charge a fee and that fee is not established, they can charge whatever fee they want to charge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

But five is the maximum, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR HALL:

...when you saying whatever they want to charge...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...Senator Hall...

HB 344 3rd reading

SENATOR HALL:

...I mean, is there a five dollar maximum now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir, there is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 335 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 335 having received the required constitutional majority is declared passed. 334, Senator Barkhausen. House bills 3rd reading is House Bill 344, Mr. Secretary, read the bill.

SECRETARY:

House Bill 344.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 344 does two separate and somewhat different things with regard to the Municipal Code. The first provision relates to annexation and it somewhat broadens the annexation provisions which now permit annexation where a municipality is bordered by a river or a lake and goes beyond that in counties over four hundred thousand to allow such annexation where a municipality is bordered not by a river or a lake but by a creek. And this is aimed to help a particular community in my district, the Village of Lincolnshire. In addition to that, it deals with the incorporation provisions of the Municipal Code in one

slight respect, to create a brief thirty-day opportunity after the passage of this amendatory Act for an area that has...rather than having twenty-five hundred inhabitants which is normally required, to allow potentially incorporation for an area that has eighteen hundred inhabitants. This is specifically aimed at trying to help the...unincorporated area known as Knollwood in the middle of my district. I know of no opposition and the municipal league has signed off on it, and I would urge passage. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he...

SENATOR HALL:

Is this Statewide?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, it's not Senator Hall, it's...counties...in the case of the annexation provision I discussed it's counties over four hundred thousand. And, I believe in the case of the incorporation provision I know it's counties over four hundred thousand and it's also, I believe, counties under a million. And as I...I emphasized on the incorporation provision the area of eighteen hundred inhabitants, it has only thirty days after the passage or the enactment of this amendatory Act to try to take advantage of these provisions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Nedza.

SENATOR NEDZA:

Senator Barkhausen, is this the same bill we had last year that concerned that principality with the golf course around it. Is this the same content?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I thought of mentioning that initially to emphasize that no...this is...this is something totally unrelated. We did...some of the members may remember we had a...a difference of opinion on a...some other unrelated aspect of the Municipal Code from the last Session, this has nothing to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...further discussion? Further discussion? If not, the question is, shall House Bill 344 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 344 having received the required constitutional majority is declared passed. 354, Senator Kelly. House bills 3rd reading, House Bill 354, Mr. Secretary, read the bill.

SECRETARY:

House Bill 354.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 354 merely defines the term stun gun. As you

HB 357 3rd Reading

recall, we did pass the substantive bill, Senate Bill 144, by unanimous vote. This bill defines that term, and it also provides a Class A misdemeanor penalty for the...unlawful use of the weapon which is called a throwing star. This bill should have been on the Agreed Bill List. I would solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 354 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 354 having received the required constitutional majority is declared passed. 357...House bills 3rd reading is House Bill 357, Mr. Secretary, read the bill.

SECRETARY:

House Bill 357.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr...Mr. President, Ladies and Gentlemen of the Senate, this basically is a downstate pension bill for the police, it puts them in compliance with the downstate firemen. It allows them also in their retirement to continue their group insurance plans at the full rate that an active police officer would do and also allows them another option for investment of their pension fund. I know...I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 357 pass. Those in favor will vote Aye. Those opposed

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 377...House Bill 357 having received the required constitutional majority is declared passed. 360, Senator Sangmeister. House bills 3rd reading, House Bill 360, Mr. Secretary, read the bill.

SECRETARY:

House Bill 360.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. What is now in 360 is the exclusionary rule that we passed out of here before and got no hearing at all over in the House. It's cosponsored, as you can...see from the original bill which we passed out of here by both sides of the aisle, Senator DeAngelis and I have a great interest in seeing that the exclusionary rule is passed into law in the State of Illinois. We are not creating any new substantive law, as I explained before, all we're doing is codifying the Federal decision that says the exclusionary rule has certain exceptions such as the good faith amendment. That's all this does, it's been worked on by both defense and prosecution and it is the same identical bill that we passed out of here before and I ask that we do so again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 360 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are

none, none voting Present. House Bill 360 having received the required constitutional majority is declared passed...574 was on the recall list...go to the end of the day, 374. 377, Senator Topinka. House bills 3rd reading is House Bill 377, Mr. Secretary.

SECRETARY:

House Bill 377.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this basically eliminates all automatic exemptions from jury duty. As you know, constitutionally, the only thing that a citizen is required to do is serve on a jury. However, because of the effects of special interest over the years roughly twenty-nine either individuals or groups have now been eliminated to the point that it would be very difficult to get a jury of one's peers. The...the bill also permits the county board, jury commissioners upon approval of the chief judge to excuse jurors if undue hardships would result and it continues to allow for peremptory challenges by prosecutors. At this moment in time...I...the concerns of the Illinois Press Association were taken care of in terms that they are neutral on the bill. There might be some publishers who might dislike the bill, it has been editorialized by WBBM radio and is supported by the Illinois State Bar Association.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Lechowicz. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the lady respond to a question or two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will.

SENATOR LECHOWICZ:

Senator Topinka, could you tell me who...what..who or what are the exemptions on this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, if I might. I read fast so it goes pretty quickly. Governor, Lieutenant Governor, Secretary of State, State Comptroller, Treasurer, members of the State Board of Education, State Superintendent of Education, Attorney General, members of the General Assembly, judges, clerks of the court, mayors, aldermen, village trustees, policemen, firemen, sheriffs, coroners, doctors, Christian Science practioneers, Christian Science readers, postmasters, lawyers, clergy, members of "religious communities," we don't quite know what that is but they're there too; officials of the U.S., presumably high elected or appointed...officials; journalists and persons working on newspapers of general circulation, dentists, militia and State guard personnel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, isn't that basically the same exemption we have now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I...I don't understand the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Why don't we just leave it on. Isn't that basically what

we...the same exemption we have now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

...no, there's no exemptions. At this point, it would have to be a peremptory challenge by the prosecutor involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR LECHOWICZ:

I believe...excuse me, Mr. President. I believe that the current jury selection process has an exemption covered by the...by the law. And I believe the exemptions you just read to me are the basic exemptions presently for jury duty.

SENATOR TOPINKA:

That's...those would be removed...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

...I mean, they would be removed totally. At this point everybody would be taken equally.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, my question to you, Senator Topinka, who is exempt?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR TOPINKA:

With this bill, no one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I...may I speak to the bill, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Go right ahead.

SENATOR LECHOWICZ:

I believe this bill is something that we discussed and had brought...brought before us...that was handled by Senator Grotberg sometime ago. And I believe that the current jury selection process...there has to be certain amount of exemptions in order to protect the jury system. When you're...when you're including everybody to be a juror, unfortunately, there are certain conflicts that may arise. And I can understand the situation where a person may say, well, there may be a conflict but they'll be excused either by the defense or by the prosecutors who are selecting the juries. But my personal opinion, I believe the situation as it exists presently where you have court personnel who may have an inside on the case, they should be excused, not making that determination by perspective defendant or someone else within the system. I believe that the court system that we presently have should be maintained and these exemptions should be included, maybe not to the extent that they are, but this bill would make it mandatory that everybody apply for jury service and without any exemptions. I don't believe that the Governor of this State should serve on a jury or any other State officer until their term of office is up. I also believe that the judges in this State should not serve as jurors, court clerks of this State or other elected officials. And I'm really concerned about eliminating the possibility where a person's religious belief...will not...will not permit them to serve as jurors and now you're making it mandatory. I believe the Christian Science practioneers and other people who truly respect their beliefs should not have to serve. And for that reason, I oppose 377.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Joyce, Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Just a of couple questions. Senator, are...are you trying to...provide a...police officers, for example, with an additional right? Is that the purpose of this, or do you feel that these people are being discriminated against because they are not permitted to serve on juries or what exactly are you trying to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

If anything, it discriminates against both sides. It does not allow a person to carry out his...his or her constitutional right, on the one hand, of having the ability to serve on a jury and therefore providing a jury of peers which we are constitutionally guaranteed. On the other hand, do we discriminate against the public at large by removing so many groups from the system that ultimately we have to recycle the same people over and over and over again? And I'll bet you a dime to a dozen that you've got people coming to your office saying, why am I constantly being called? Why me all the time? And these people go out and do indeed do that. We have robbed the pool of available talent, so to speak, of the people who can legitimately serve on juries. And, although Senator Lechowicz might bring up the subject of...of...you know, maybe this should be reduced to some extent; unfortunately, when you remove one, then the next group comes on and the next group and so on down the line till we now have twenty-nine either individuals or groups who are exempted. And if it's good enough for Jerry Brown in California, it's good enough for Jim Thompson in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, the...the only concern I have, and I agree in part with what you're saying, there's no question that these

people stream into our offices and...feel that they are being put upon and...and recalled and recycled into the system. But...I think you have too many...you are...you have...you should have left some of these exemptions intact, because as a practical matter, if you are saying that you have to exercise a challenge or remove for cause, as a practical matter many of the occupation groups that you have referred to in this legislation will be removed for a cause. So, you have to go...through voir dire and all that's attendant with that in order to, for example, take a police officer off a jury. Because if I had a pool and they bring in the first panel and I'm a defense attorney and there are four police officers sitting in that panel...you cannot...no judge, I...I believe would require me to exercise four peremptory challenges to take those four officers off of that jury. I think that they would...I think that they would most likely go off for cause. So that some of those occupational groups that you have on there, if they were not on there, this may make some...a little more sense. But as you have this thing drafted, it's just...you're...you're just going to put an unreasonable time burden on the system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussions? You may...you may do that in your closing. Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Hall.

SENATOR HALL:

Senator Topinka, who wants this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The public.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I...I want to give you an example, Senator. Right now...you do this, your bill would be up today and you'd be ordered to a jury duty, and you got important legislation here, are you saying that you should leave here and go serve on the...on the jury?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

What I'm saying is, I could be called but with some of the House amendments that have put on here, a county board or jury commissioners could submit questionnaires to prospective jurors and excuse them from jury duty for certain undue hardships relating to occupation, business affairs, military service, physical health, family situation or other personal affairs. So there is quite a bit of latitude as to who or who could not be called out in this type of a situation, so I doubt if I would be called.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, in line with what Senator Joyce just said. A police officer makes an arrest and then you're saying that he ought to serve on a jury and supposedly the person is there that he had placed in there...this capacity...have you thoroughly thought through what you're trying to do here? Have you given really serious consideration? Senator, I'm appalled. I tell you, this is a bad bill, it ought to be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, thank you, Mr. President. Well, I rise in support of this bill, I don't see anything wrong with it. I don't see why dentists should be able to...exempted from serving on jury...duty. I don't see why village trustees should be exempted from serving on jury duty. Every village trustee in my district has a private business, they're in insurance or they work for some corporation or something or another. They're just average people like everyone else. I don't see any reason why these people should be exempted. Now, perhaps the Governor should be...exempted from some cases but maybe from some he shouldn't be, I don't know. I see nothing wrong with having every individual American serve on jury duty if...if called, and if any of these other reasons apply or they are challenged by the attorneys, then they're not going to serve. But other than that, I can't see any reason why I should not serve on a jury duty just because I'm a legislator. What has that got to do with say a murder case or a rape case or whatever else? I would have opinions just like every other American that's asked to serve on a...jury, and I think it's a great bill. We should...we should, you know, pass it out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Joyce. Well, apologizing for a second time. Senator Topinka, what we're...what I'm saying is this. Your...the language that you read to Senator Hall talks about hardship. I'm not...I'm not talking about a situation where you have a hardship. I am saying that you are imposing on the system an unnecessary burden and you could remedy that by just taking out a few of those occupational groups. You are putting police officers into the system and police officers or other people who have wide experience with cases that come before courts are not going to sit on juries, they are not going to be acceptable to either one or the other, whether it's a criminal case or a

noncriminal case. And what I am saying is, you are either causing someone to exercise a peremptory challenge...but that's not going to happen, he's not going to have to exercise a...a defense counsel or a prosecutor is not going to have to exercise peremptory challenge. The judge is going to strike them out for cause. But you're going to have to go through the whole process of voir dire and all of that and that is just a waste of time. If you took some of these groups out of here, this bill may...would make some sense. But as it's presently drafted, I don't think it should...should pass out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further discussion? Senator Topinka may close.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I think the bill is...is uniquely fair. When prosecutors come to...to my office and to other offices and say that people cannot get a fair trial because they cannot get a jury of their peers because so many people have been eliminated from the system, there is something radically wrong. I mean, when all that's basically left is a skewed system that has a tendency to fall into certain areas of...of people right off where you get a certain opinion that's already locked in, it cannot guarantee a free trial. It's a very fair bill. To...to kind of recite what...what Senator Karpiel said, what exempts us? Why are we different? We're not, and we can participate just as easily. This bill does provide for excuses for occupation hardship, other related incidences, it should not be a problem. And, if as Senator Joyce brings up, it might cause a difficulty for some people, right now it's causing a difficulty for everybody. And I think it should be addressed, it's fair, I would encourage the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 381 3rd Reading

The question is, shall House Bill 377 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, 2 voting Present. House Bill 377 having failed to receive the required constitutional majority is declared lost. 381, Senator Barkhausen. House bills 3rd reading is House Bill 381, Mr. Secretary.

SECRETARY:

House Bill 381.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 381 is intended merely to clarify pleading requirements in negligence cases where the defendant might want to assert as an affirmative defense that the plaintiff was in some manner contributorily negligent. Apparently there is a...a division of opinions among...among courts as to...in...in the cases of pleadings whether it's the plaintiff's responsibility to plead freedom from contributory negligence or whether the defendant has to assert contributory negligence on the part of the plaintiff as an affirmative defense. And this bill consistent with what pattern jury instructions in Illinois seem to require would put the burden on the defendant to assert contributory negligence on the part of the plaintiff as an affirmative defense. It's a suggestion of Judge Carl Heninger out of DuPage County. I know of no opposition and...and would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is,

HB 387 3rd Reading

shall House Bill 318 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 381 having received the required constitutional majority is declared passed. 387. House Bill 387, Mr...Senator Collins. All right. House bills 3rd reading is House Bill 387, Mr. Secretary, read the bill.

SECRETARY:

House Bill 387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. House Bill 381 does exactly what the Digest said, it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...387.

SENATOR COLLINS:

I mean, 387, I'm sorry. You cut me off...okay. It deletes the requirement that a collective bargaining agreement cannot be entered into until such time an appropriation had been approved. That's all the bill does and I would ask...I'll be happy to answer any questions. If not, I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This came through Local Government Committee and I think it just kind of slid through, I'm not sure exactly how it got through without any opposition. But I would...I'd like to ask the sponsor to

maybe give us a little more detailed explanation of what this does. How is it going to affect municipal leagues or cities? I understand the municipal league is opposed to this. Is this going to have a fiscal impact on...on communities or just exactly what's...what are we talking about doing here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes. What we're talking about doing is to try and...and...and...and...and break the...the logjam and the hassle of having to have collective bargaining agreements come up on an annual basis so that you can enter into two-year contracts and we won't have to go through the same hassle every year. That's all this bill is doing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Watson.

SENATOR WATSON:

You mean we're just allowing the community to enter into a long-term contract and...and that the appropriation then doesn't have to pass in order for that contract to be valid? Is that what we're saying? But why is the municipal league opposed to that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

These...these are collective bargaining agreements. In many instances they're two-year agreements and they don't have to negotiate every year. This just simply allow for multiple year contract, collective bargaining agreements.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WEAVER:

Senator Collins, if the community failed to appropriate sufficient funds on the second year, what would happen to the contract?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I'm sure that a court would have to resolve the issue as they do...some...in some cases now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

This would mean then that the taxpayers are going to be stuck whether or not the...the city council say appropriates the money or not. They'll go to court and...and put on a...on a mandatory tax. Is that the intent of your legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Under the collective bargaining laws that we passed last year or year before last, if there is a shortage of funds there would most certainly be a reasonable and...then there is a process by which one would follow under our State collective bargaining laws that would allow for any local unit of government to get out of a contract or not be penalized simply because the money isn't there. Shortage of funds is one of the conditions by which a contract can be rescinded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Speaking to the bill then. I think we all remember back

a few years where we had multiyear contracts for State employees, and we failed to appropriate enough money to meet those contracts, so what happened? We had to fire X number of...State workers because we didn't appropriate the money. Now you're...with this bill you're coming back and saying that the...say the State employees would go to court and force us, the General Assembly, to come up with the money to honor those contracts. I think it's bad concept and we should defeat this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Collins may close.

SENATOR COLLINS:

Yeah, I think if this bill would...would...prohibit or in some way relieve the burden of the Chicago School Board from having to disrupt the education of our children every year by allowing them to enter into multiple contracts, I think this...this bill is...in fact, would serve its purpose, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 387 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, none voting Present. House Bill 387 having received the constitutional majority is declared passed. For what purpose does Senator Weaver arise?

SENATOR WEAVER:

A verification, please, of the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification of the affirmative vote has been requested. Will all the members please be in their seats and will the Secretary call the affirmative vote.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Dudycz, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Rupp, Sangmeister, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a question of any of the affirmative roll?

SENATOR WEAVER:

Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel in his seat? Senator O'Daniel. Strike his name from the record.

SENATOR WEAVER:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones in his seat? Senator Jones. Strike his name from the record.

SENATOR WEAVER:

Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke in his seat? Senator Lemke. Strike his name from the record.

SENATOR WEAVER:

Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch in his seat? Senator Welch. Strike his name from the record.

SENATOR WEAVER:

That's enough.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Welch has returned to the Floor. On a verified roll call, there are 28 Yeas, 24 Noes, and the bill having failed to receive a constitutional majority is declared

lost. Senator Collins seeks leave of the Body to put House Bill 387 on the Order of Postponed Consideration. Is leave granted? Leave is granted. We have WAND-TV from Decatur. He requests permission to videotape Senate proceedings and Dennis Overturf from...an intern...with Representative Bruce Richmond is seeking permission to take pictures from the gallery of the proceedings to show his government classes where he teaches. Is leave granted? Hearing no objection, leave is granted. And there has been a request by members of the Senate that the doorkeepers allow no cards in. We are on 3rd reading, and...Mr. Doorkeepers, Mr. Sergeant-at-arms, would you see that no cards are brought in and no Senators are disturbed. On the Order of House Bills 3rd Reading, House Bill 392, Senator Lemke.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Read the bill, Mr. Secretary.

SECRETARY:

House Bill 392.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Public Aid Code in regards to burial expenses. Provides that a...that in the...AABD program financial...assets set aside for burial expenses including prepaid burial plans cannot be considered by the Department of Public Aid when determining income. These assets can only be excluded to the same extent permitted for the Federal Supplement Security Income Program. Currently, up to fifteen hundred dollars per family is exempt for a prepaid burial plan and/or burial merchandise which is a crypt. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 392 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 392 having received the constitutional majority is declared passed. House Bill 401, Senator Vadalabene.

SECRETARY:

House Bill 401.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 401 provides for a program of annual matching State grants administered by the State librarian which is the Secretary of State for construction costs of public libraries. It authorizes a special grant not to exceed fifty percent of the annual appropriation each year for construction or renovation of the Chicago Public Library State Research and Reference Center and I move for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

I'd like to ask the sponsor a question, please, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

What's the appropriation for this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

There is a request of eight million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you. Is this in the...the budget...the Governor's budget?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

I think it's in the Governor's Build Illinois Program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Which one?

SENATOR VADALABENE:

I'll let you know after the Conference Committees...

SENATOR WATSON:

...okay...well, it...it may be in the Build Illinois Program but, unfortunately, that doesn't make it any better than...we're...we're talking about increasing the grants for State libraries and that's...libraries and a lot of us will be affected positively in our districts. It's probably something that would be very popular to vote for back home, but I don't know how responsible it is. We're...we're talking about also increasing a special grant for the Chicago Public Library...for the State Research and Reference Center of up to fifty percent. So, a good portion of this money is going to go into the...to the city for their particular library or for that particular State Research and Reference Center. It's not in the budget. It passed out of Local Government Committee on a partisan roll call. There was four of us voting No and I...I think that we should vote No on the Floor here today. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 401 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

the Ayes are 30, the Nays are 27. House Bill 401 having received the constitutional majority is declared passed. House Bill...Senator Watson, for what purpose do you arise?

SENATOR WATSON:

A verification, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Would all the members please be in their seats and the Secretary call the affirmative roll. Senator Watson, what purpose you arise?

SENATOR WATSON:

Well, just for one...one remark. Why don't we just take some paper clips out. If we take the paper clips out of our switch, we might save ourselves a lot of problems here and we won't have these verifications, 'cause the...some of those people aren't here that are voted. Might as well just...thank you, John.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, would you call the roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Dudycz, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson, you question any of the affirmative vote?

SENATOR WATSON:

Yes, sir, Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR WATSON:

Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones on the Floor? Senator Jones? Strike his name.

SENATOR WATSON:

That's good.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene seeks leave of the Body to put House Bill 401 on the Order of Postponed Consideration. Hearing no objection, leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

I don't mind Senator Watson voting against this bill, but I think he ought to be a little bit more careful the way you chastise some of the...the colleagues on both sides of the aisle about those pins. I don't think that should be any concern of yours and I think you owe them an apology.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I don't believe I owe anybody an apology. I...I don't think that that's proper, I don't believe the public accepts that and I don't think if a member is here he should be voting. It's as simple as that. I don't owe anybody an apology.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 3rd Reading, House Bill 409, Senator Barkhausen. House Bill 431, Senator Maitland. Oh, Senator Barkhausen is on the Floor. 409. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 409.

(Secretary reads title of bill)

HB 431
3rd Reading

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 409 represents a bipartisan solution that...through the cooperation of Senator Berman and the members on the other side in the Senate Education Committee, we've been able to work out to a...problem in my district where the high school...Warren Township High School burned down, and this bill authorizes a...a nickle levy to pay back what we will...hope will be a State loan of approximately a million dollars to pay for temporary relocation expenses. The students at this high school have had...to travel some fifteen miles to occupy a...a vacant high school in my district and they're incurring expenses of a couple of million dollars over a two-year period, and so this will help them with some immediate cash flow problems by enabling a payback of a State loan. As I say, have worked this out with Senator Berman and the members of the Senate Education Committee. I thank them for their cooperation and urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen...if not, shall House Bill 409 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 409 having received the constitutional majority is declared passed. (Machine cutoff)...Bill 431, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 431.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 431 increases the...the number of Governor's appointed members to the State...State Fair Board of Advisors from thirteen to fifteen and would further...with an amendment placed on on 2nd reading would cause the...the County of Dupage...county board to pick the county fair board.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio at Savickas'.

SENATOR DEMUZIO:

Well, thank you, Mr. President. First of all, I don't know why we're adding two members to the fair board unless we got two people, I guess, we want to appoint, and you said by virtue of Amendment No. 1, we're going to allow the county board to appoint the board members in DuPage County to the county fair board. Is that prevalent throughout the State of Illinois or we're just now going to do this simply for DuPage County only?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Seeing that's my amendment, it's for DuPage County only. We're one of the few counties that the county board or the county government owns the fairgrounds. I think that's one of the only counties in the State of Illinois that that is true. It's also our intent that the fair board that is appointed pursuant to this bill shall be the fair board that will be certified to the Department of Agriculture as the official board to operate the DuPage County Fair. We're one of the...the second...we're the...we're the largest four-day fair in the State of Illinois, believe it or not, for county

fairs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

All I'm saying is, this is going to be the only county fair in Illinois that appoints...the county board appoints the members of the fair board. Is that correct? That's what I'm asking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

I...I believe that is correct. It's the only county fairgrounds that is owned by the county government in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator...

SENATOR PHILIP:

...and we think, and...my...my county board...this was not my idea, Senator Demuzio, this came from my county board officials...evidently, they have not been exactly thrilled by the way the county fair has operated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I'm not saying it's a bad idea. I'm just saying that, you know, next year, I may come in because I have certain counties maybe I want the county board to appoint the members of their fair board. I'll...just at random and selectively, but I can pick and choose too, that's fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Very briefly, Ladies and Gentlemen of the Senate, I believe that this matter was

addressed on 2nd reading and the President of the Senate, Senator Philip Rock, was very clear when he said he...stood in support of the appointed procedure for DuPage County based upon the present...the current president of the DuPage County Board and his excellent working relationship in reference to picking people in county government. I also stand in full support of 431. I believe it merits your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you...thank you, Mr. President. About the amendment too,...Senator, each...and I'm not just sure of the procedure of how fair boards are...are chosen, but they have to meet a standard. I think the...the farm bureau has an appointment, the county extension advisor is...is on it, and to be eligible for any money, I would think that you would have to meet these same standards, but I...I don't think now that the DuPage County Fair is receiving any State money, are they?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

We are not...receiving any money from the Ag. Premium Fund. That is correct. We turn a profit every year, Senator, I think last year was forty to fifty thousand dollars. Also, they have about seven hundred thousand dollars in CD's and treasury notes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, in that case, I...as long as they're not receiving any State money, I guess it doesn't make any difference. They can do what they want to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 431 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 431 having received the constitutional majority is declared passed. Yes, Senator Rupp has a few constituents that he would like to introduce to the membership. So, at this time, I will turn the microphone over to our colleague, Senator Rupp.

SENATOR RUPP:

I think as soon as you see, Senator Savickas, you'll want to stay here too. Thank you, Mr. President. What I would like to do is introduce Miss Rhonda Culleson of Decatur. Miss Culleson...stand closer, they're taking pictures. Oh, did you hear that? Someone said, don't forget, my wife is up there. Well, Rhonda is a graduate...1985 graduate of Decatur MacArthur High School. She participated in student council work, class council work, cheerleading, band, softball, gymnastics and other activities. She was on the high honor roll. She was a member of Who's Who Among American High School Students and received the Lyle K. Music...Memorial Award at MacArthur High School. And here is some other pluses, and this one I like, she accumulated two hundred and seventy-eight volunteer hours while working as a counselor at East Bay Camp, in nursing homes, in the Special Olympics, the Big Sister Program and other worthwhile organizations. Her accomplishments sort of reinforce and enhance our belief in the youth of this State. We...I...I have a copy of the resolution, I will present this to you, but as you know, earlier today, I introduced another batch of beauties from Decatur. Now, I have another chance to show you another beauty, Miss Illinois National Teenager 1985.

MISS RHONDA CULLESON:

(Remarks made by Miss Culleson)

SENATOR RUPP:

In the back are the proud parents and a proud brother and the program director. She actually is a great singer. We should have her back here sometime to sing. You want to take another picture? Thank...thank you, Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 474, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill does three things. It requires private process servers to be registered with the sheriffs in their...in the counties of their principal place of business. It authorizes employees of private process servers to make service of process and allows the court to tax as cost the cost of...of that service. Move the adoption of House Bill 474.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 474 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 474 having received the constitutional majority is declared passed. House Bill 481, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 481.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 481 prohibits the parties from filling a vacancy in nomination no later than sixty days following the general primary if that vacancy was caused by the failure to slate. This bill which received 111 to 2 votes when it left the House allows...unopposed incumbents, including members of the General Assembly, to learn at an early date whether they are going to have opposition in the fall. That is the first aspect of the bill. The second one, Senator Netsch may have a problem with, concerns changing the base for determining the number of required signatures from the number of votes cast at the last election to the number of registered voters. This...this bill as amended incorporated the contents of House Bill 181 which reduced the number...a percentage of requirements from ten percent to five percent requirements needed for a ward committeeman, and it provides uniformity which is what the earlier legislation attempted to do, and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I am only speaking for myself on this particular bill, while I am minority spokesman, I am not speaking for this side of the aisle. I merely want to say that I think that a percentage of those who are registered voters, even though we have done one good thing in this bill which is to make uniform the number of signatures that are required both...for ward and township committeemen, I do have to tell you that I think that this is an extraordinary requirement and I personally feel that this not a good bill

because of that particular aspect. I think that it disenfranchises people who would want to run and to get that many signatures, which is an unduly high number of signatures as was explained a...a few days ago on an amendment by Senator Netsch is absolutely true, and I...I just really have to say that in the name of what I consider to be good government, I do not think that this is a bill that I can vote for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...discussion? If not, Senator...if not, the...Senator Netsch.

SENATOR NETSCH:

Thank you. I just returned to the Floor. I believe that Senator Macdonald may well have expressed my point of view on it and I would simply underscore the fact that it...the...the whole idea of petitions to get on the ballot is to make it just onerous enough that there will not be totally frivolous candidates. It is not designed to keep people from participating in the political process. This kind of a measure, which is a really burdensome one, will assure that...and lots of wards and lots of townships possibly there will be no one who will be able to qualify. That is not the point of requiring petition signatures for access to the ballot. I think it is...very likely if you do it, it's eventually going to be knocked out by the courts and we'll just keep going round and round and round. So, I just think it is...it is unfortunate that everyone feels they've got to take this point of view and I would hope...I assume the bill will pass. I would hope it would not, because if it does pass, it's going to be overturned by the courts one of these days soon anyway.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly, do you wish to close?

SENATOR KELLY:

Appreciate your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 481 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 9, 1 voting Present. House Bill 481 having received the constitutional majority is declared passed. House Bill 483, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 483.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 483 permits a write-in candidate's votes to be counted only if he or she has prefiled by the Friday before the election a notarized statement of intent to be a write-in candidate. The...the bill's purpose is to eliminate unnecessary work for the election authorities who must now tally the...write-in candidates, and that's the intent of the bill. It passed by a 113 to 5 vote in the House. I would appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 483 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 4, 1 voting Present. House Bill 483 having received the constitutional majority is declared passed. House Bill 497, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 497.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. House Bill 497 has three parts to it. The first part in the original bill requires that in civil arrest warrants that they must contain the name, the date of birth, sex, physical description of the person to be taken into custody. This is where we have some of our problems with our sheriffs if you have the name John Smith and they don't know what John Smith looks like, they have a problem serving the warrant. In part two and...and Amendment No. 1 provides that in counties less than one million, processes may be served without special appointment by a private detective and that detective...must have liability insurance in the amount of not less than five hundred thousand dollars. And in Amendment No. 3, we simply put it in the same posture as Senate Bill...or House Bill 474 that we just passed out. I would move for its favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR DARROW:

With regard to private detectives serving process, although they have the insurance, do...does the sheriff or the chief judge or any of the judge have jurisdiction over them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

He's not appointed by the judge, is that...if that's what you mean.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

In other words, a lawyer can hand a summons to a private detective and say, go serve this on John Jones' wife and bring it back to me, and he can do that, bring it back and the lawyer then files it and whether the detective actually serves it or not, the court has no say in the matter. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

I think I ought to defer this to Senator Sangmeister since that was his amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, Senator Darrow, if I understand your question, the...I'm reading right from the amendment, okay, "This person who's over the age of eighteen years of age and not a party to the action, who is properly registered with and has received instruction on proper procedures for serving process from the sheriff of the county in which the service is to be made." So, he has to be qualified by the sheriff.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

The...first reading of the first part of the bill stated that you have to have the date of birth of the individual who's going to be arrested, and if that's true, does that apply when a judge issues a warrant for contempt against a defendant, for instance, who doesn't appear?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, what if the...what if the person doesn't know the date of birth, what...what's the...is there an exception or an out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Yes, if...it doesn't contain the date of birth, it doesn't invalidate the warrant or the order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

But will the sheriff go ahead and serve the...we have trouble in our county getting the sheriff to serve warrants anyway and if they can find another excuse to not serve it, they will use it, and that's what I'm afraid of.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

No, if it doesn't contain this, the sheriff still has the authority to serve the warrant.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

...didn't...didn't last year...didn't we pass a bill that required more specification on..was it on warrants requiring the address of the individual or...are you familiar with that? No. Okay. Nothing further.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question? Why does this just apply to...to counties under one million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

That's Senator Sangmeister's amendment, the one that deletes Chicago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, whoever put the amendment on, I want to know why is it just for counties under one million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Address that to Senator Sangmeister. Senator Sangmeister, we have questions...regarding your portion of the bill. Senator Hall.

SENATOR HALL:

My question is, why does this just apply to counties under one million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

You've been here as long as I have to know the answer to that question. Apparently, as I've been told, Cook County does not want to be involved in the sheriff authorizing private detectives and going through instructional schools and

everything else, so, you know, when Cook County says they don't want it, why, we kind of go along with the program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Senator Hall, I would point out that it...it's only in...in regard to detectives. The rest of the bill applies to...to Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I'd also point out, we just passed 474 and that requires process servers in Cook and other counties to be registered and to undergo training. These bills between 474 and 497 complement each other. They...they're not duplicative...I don't want to give that impression, but 474 does apply to all the counties including Cook.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Donahue may close.

SENATOR DONAHUE:

I would just move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 497 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 497 having received the constitutional majority is declared passed. House Bill 510, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 510.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 513 3rd Reading

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill represents several items in the Downstate Teacher Article of the Pension Code as well as the State's contribution to the various retirement agencies. The House approved this measure in the form of one single bill, it was several bills that were sent over and passed. Basically, the bill contains administrative proposals and the requests of several organizations. I'm sure your analysis lists the different components of the bill. I'll be happy to cover these point by point if requested...otherwise, I ask for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is,...is there discussion? If not, the question...Senator Fawell.

SENATOR FAWELL:

According to our analysis, there's a fiscal impact of four hundred and twenty-seven million dollars first year payout on Fiscal Year '86. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Fawell, that...that is the State's contribution to the various retirement systems, that's the...the normal State contribution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 510 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 5, none voting Present. House Bill 510 having received the constitutional majority is declared passed. House Bill 513, Senator

Poshard. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 513.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill authorizes the Department of Transportation to install interstate highway exit signs alerting motorists of facilities available in upcoming communities. Various states already have this measure. These are signs that fit in with the surrounding environment, they allow various businesses in communities off the interstates to advertise, such as, McDonald's, Holiday Inn and others. They're attractive. The Department of Transportation would collect rental fees from these businesses to pay for the cost of these signs. So many times when we're driving up and down the interstates in this State, we don't know what kinds of services are available at the next exit or the one down the road and this would simply alert motorists to the facilities that would be available. I think in the end, the...the signs would eventually pay for themselves through rental to various businesses throughout the communities. I would ask for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Does...does this...does the...will the sponsor yield for a question? Does this include, for instance, communities such as mine that have several interstate highways cutting through it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, it would...it would include all area...areas of the State with interstates with the exception of those toll highways in the State. Senator Fawell, I...I don't know about your particular community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there...Senator Fawell.

SENATOR FAWELL:

The reason I'm bringing it up is because...we...we've had a lot of our municipalities who are screaming bloody murder about the fact that...that the State highways...have...are going to their communities and putting up big...allowing big billboards and what have you to be...put in their municipalities and if this bill passes, it sounds to me like we're going to get the municipalities yelling even more because of the fact we're going to have these...these billboards and signs and what have you put up without permission from the municipalities, and it seems to me that...that's overriding home rule and does this...I would like a ruling, does this require thirty-six votes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, it doesn't. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, and I apologize for having to rise on this, but I know there are some Federal guidelines with respect to the location of...of signs. Does this...or attempt to circumvent those regulations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

No, this is...this is not an attempt to circumvent the...Federal regulations in any way. The...the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

You understand, Senator Poshard, that some of those regulations deal with...with the distance between the cutoff and the facilities and all of these things? You'll still abide by those guidelines?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, these are informational signs only. I would assume that if Kentucky and Iowa and other adjoining states could put up these kinds of signs, that Illinois should certainly comply with the Federal...regulations that those states have to comply with. These signs are attractive, they're not huge billboard signs, they're much like the present exit signs that exist with...with symbols of the businesses, Holiday Inn, McDonald's, whatever on the signs. They're very appropriate. They're not damaging to the environment in any way and I'm assuming that DOT would work within the Federal guidelines to comply with those regulations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Very quickly, I rise in support of this bill. I think it's a...it's a good measure and I commend the Senator for coming up with this piece of legislation. There is other states that already participate in...in this same type of program and, Senator,...these are not...large, obnoxious signs, they're really...only roadside signs and they...they'd be small in nature, just designate at the exists places for motels, restaurants and others, and I think it's very informational for tourists and travelers and I'd ask us to support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I just want to emphasize...couple of years ago I did a trip out to the west coast and when you're driving along...what we're talking about are those signs that say services and they had a little symbol for gasoline and forks for food and what have you. Only all this does is add the Holiday Inn logo or Amoco logo or Shell or whoever is out there. Now, frankly, if you're...if you're like me and you have a handful of credit cards, it's kind of helpful to know what gas station is off and we're not...I think they...the signs are the same size as the ones we already have up, they just add the logos. I think the objection comes in the...in the fact that we...we are going to pay for these signs up-front and then get the money back over a period of years. I would suggest that it would be very beneficial to...these gas stations and...and motels to have such a thing and that perhaps...I don't know what the bill says is terms of revenue collection, but I...my guess is that they would cheerfully pay for the signs up-front if we gave them the chance. My only question is, why...why the tollways are excluded because, frankly, the tollways, I think the East-West Tollway and the one the goes up North-West, you know, they're the same thing as the four lanes...the freeways, you know, and...and, frankly, Senator Fawell, that's why you don't have to worry, because downstate they build freeways and in Chicago they build expressways and in the suburbs they build tollways.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 513 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 51, the Nays are 4, none voting Present. House Bill 513 having received the constitutional majority is declared passed. For what purpose Senator Vadalabene arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

A few bills ago, I requested of Senator Watson to apologize to the General Assembly. I was wrong in saying that and I want to apologize to Senator Watson; however, I do believe that we here in the Senate should stop trying to embarrass each other.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 521, Senator Barkhausen. House...read...read the bill, Mr...for what purpose Senator Kustra arise? Senator Kustra, that bills on recall. That will be called at the end of the day with the rest of them. Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 521 is an attempt to grant antitrust immunity to municipalities except in situations where the municipal activities are exceeding power that is granted by Illinois Statute or by the Illinois Constitution. There have been...a number of cases in recent years in which municipalities have been stung by incredibly large judgments which are beyond the power of their taxpayers

to pay, first of these was the case out of Bolder, Colorado but even closer to home, there was a situation in my district where the Village of Gray's Lake, County of Lake and other defendants jointly got stuck with the liability of some twenty million dollars and they're still wondering how they're going to pay that. So, I emphasize that even though we are attempting to...to grant immunity to municipalities by this bill, they would still be liable for antitrust violations where their activities are beyond powers that are authorized by Statute and by the Constitution, and any plaintiff wanting to proceed against a municipality would have a number of other causes of action in addition to...possible antitrust action. This...has been worked out; of course, the municipal league is in support of it. The realtors had some objections for awhile, but the amendment that we put on the bill removes their objections. So, I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

As a reminder, we are averaging ten bills an hour, that means we have another twenty-five hours to go. Is there discussion? If not, question is, shall House Bill 521 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 521 having received the constitutional majority is declared passed. House Bill 548, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 548.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Bill 548 provides that after...or assessors failing to meet the statutory qualifications of...of their office shall forfeit the office they hold. Under current law, every elected or appointed township or multitownship district assessor must have successfully completed a basic course in assessment practices...qualification requirements must be fulfilled before the...expiration of the first year of the term of office. So, what this bill says that if that local assessor has not completed that course, that assessor shall forfeit the office, the office is then deemed vacant and filled as provided by law. This bill came out of committee with no opposition and I know of no opposition to it and I would ask for your consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 548 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. House Bill 548 having received the constitutional majority is declared passed. House Bill 555, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 555.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. What this bill does is increase the premium funds to the county fairs in this State. We passed out a sheet that gives every county fair, what...the first line gives what their current base is. The second column gives the highest premium awarded in '83 or

'84, and the last column gives the amount that they will be receiving because of this bill; and nearly every county in the State has gone up, some substantially, but no one goes down and that is because it is reflected in what they are paying currently in...in premium funds, so that means that they are staying the same or cutting back, and also this increases the amount of money for the building funds and various other changes. It is a net gain for county fairs. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Moultrie, Sullivan County listed on yours, starts out with eighty-three hundred and ninety-five dollars and the last column shows seventy-four hundred and forty dollars. Now, that's a decrease, so I don't see where we can tell everybody there's an increase.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Now that's...that's correct. There's not an increase, but the reason for that is that their premium funds...what they are paying out has been going down, see, so...this is reflected on what they pay in premium funds. As you may or may not know, the way that the premium...the 4-H'er or whoever receives prize money is...first of all, he pays an entry fee and then also the...then the State comes in with the Ag. Premium Fund money and the more entries they have, the more money the fair would make. So, if their entries have gone down, they're...you know, they're...they're not going to get that much more money. They're not...in fact, they won't get any more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. That was my point. If we have...there are twenty-one here who are going to get less, according to these figures that you put out, and I hope that the explanation has been made to the county fair people. I know it has to some of them because I've been checking, but I don't know whether it has been done all over the State...it just looks like it...you say increase, but yet we see decreases in the figures, that was my concern.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Joyce, I don't see St. Clair County on here. What happened?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Do they have a county fair?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

They certainly do. They have a fairgrounds in Belleville.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

...you know, as we just talked...DuPage County is not on here either, you know, perhaps...you know, this is...this comes from the Department of Agriculture. I don't know why they're not listed if they are receiving State aid, they

probably are not receiving State aid.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey...Senator Hall.

SENATOR HALL:

Well, that...Senator Dunn and Senator Watson, you come into that area, so I think we ought to look into this. There are...three of us sitting here and if we're not getting anything, we're losing somebody around here, so we need to check that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this bill and I think it's due time that these county fairs do receive some additional dollars, and many of the fairs in my district and I'm sure in many of the rest of yours was having some financial problems and I think this will give them a little boost. I'm not sure it'll answer all the problems, but to the question that Senator Rupp asked, there...there is a...for those counties fairs that have not utilized the amount of money that's been available to them...in the past, they, of course, might possibly receive less money as far as their overall total, but for the most of them in there, they will receive more money and those...for those that have not been using their money is the only ones that might lose slightly, but for the most of them in the...in the State, it's...it's a benefit and I think there will be the same dollars...they're guaranteed that it'll be the same monies there next year that there were last year regardless of...of those numbers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

If the sponsor would yield for a couple of questions.

Are...are we...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...

SENATOR SCHAFFER:

...should we on the sheet you passed out be comparing the left-hand column and the right-hand column...what is the middle column?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

The middle column is the column that they have paid in premiums, that's what they set the base from, that year in '83 and '84. Yes, you should be comparing the two outside columns.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I know with interest that three of my four counties, Lake, McHenry and Winnebago are not on the list. I don't see Kane on the list and I...I am aware that all of those counties have county fairs and have participated in this program because they have all talked to me at one or...one point in the last few years on this very subject, and I'm...I see...I think there are several other large counties missing that have county fairs. I wouldn't get nervous but I notice you seem to have a total on the third page which makes me wonder what happened to the rest of us.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, the only thing I can tell you is maybe the counties that are not on here are the counties that are receiving the fair and exposition funds and they do not get money from the Ag. Premium Funds. They are funded in a different manner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

That was the point that I was going to make, Mr. President, that the metropolitan fairs are not on this sheet. The other point that comes up about the authorized base...keep in mind that many of these fairs are not drawing their authorized base. So, the fact that the...what the sponsor said in his opening remarks is true that nobody is really going to get a cutback from where they are today in terms of their total funds, and for some of the fairs that are in a growth position, it'll mean substantially more. So, this is a bill without any losers and it has quite a few winners.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, that was my very point. I've tried to explain that to a number of people. You are simply losing some of the money that you qualified for. You're not losing any of the money that you've been spending, and the chances are good that if you...if you...your entries go up and...and the fair is revitalized, under this formula, you may well, in fact, get more money than you already now qualify for. Plus, there is a...over a million dollars of infusion of new money into this formula. We're all winners.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 555 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 555 having received the constitutional majority is declared passed. House Bill 556, Senator Marovitz.

SECRETARY:

House Bill 556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 556 amends the Open Meeting Act to allow local school boards to consider in closed session the selling price of real estate. No final action can be taken in closed session, however. Under the current law, public bodies are allowed to consider the acquisition of property in closed session. House Bill 556 would seek to expand this provision of existing law to include the selling price of real estate exclusively owned by school boards. Unlike other public bodies, title to school district property is not held by the local school district itself. Title to school district property is held by the county board of school trustees. In order to sell school district property, a local school board must notify the county board of trustees of their intent to sell and then the county board of trustees proceeds under the public sale requirements outlined in the School Code. The problem is this; school board members are upset with the current provisions of the Open Meetings Act which require them to discuss in open session the conditions of the sale of school district property including the minimal acceptable selling price. Because the market for the sale of most school district property is very limited, few buyers will participate in such sales. School boards are placed at a distinct disadvantage in trying to attract fair market price for their property because of the requirement to publicly disclose their minimal acceptable selling price prior to the public sale. A potential buyer knows to the penny that the...the

minimum acceptable bid or will simply not bid until the board is forced to lower their asking price. Under the existing law, the school district loses, the taxpayer loses and the school...and the children lose, and I think this would correct that situation in schools throughout the State of Illinois. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 556 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 556 having received the constitutional majority is declared passed. House Bill 561, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 561.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 561 amends the Chicago and Municipal Employees Pension Fund. It provides for a change in the present benefit accrual rate from 1.67 to 1.80 and from 1.90 to 2.00 and from 2.10 to 2.20 and from 2.30 to 2.40 for those employees born before January 1st, 1936. It reduces the age discount for employee and spouse less than age sixty from one-half percent per month to one-quarter percent per month also for employees born before 1936. In addition, it provides a means whereby the retirement board may provide future retired employees with assistance in preservation of group coverage, any hospital care plan and medical/surgical plan. The board is authorized to make payments of up to twenty-five dollars a

month for future employees age sixty-five or over with at least fifteen years of service. Provides for a change for required Federal age discrimination and participation in disability benefits. In addition to that, there is on this bill the amendment requested by Senator Schuneman with respect to...possible conflicts with language in our Illinois Constitution and the State mandate's provision as requested by Senator Schuneman. I ask for your support of House Bill 561.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, I appreciate the amendments that you put on this bill pertaining to the State Mandate's Act and also the constitutional question. Frankly, I just...now it was brought to my attention, the amendment that you put on after the bill got out of committee which does two things, as I understand it; first of all, it...it reduces the penalty for those people who want to retire before age sixty and it also raises the pension benefit for people who were born before January 1 of 1936. Do you have an actuarial valuation of the effects that these changes will have on the system, and if so, can you tell me what the unfunded accrued liability is that we're creating here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I have a statement here which indicates that the Economical and Fiscal Commission estimates this amendment will result in an increase in accrued liability of 31.65 million, and an increase in annual cost of 6.95 million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, thank you, very much. This amends the Chicago Municipal Employees Article and...and...that fund, I think, is pretty well funded. I think they have made their contributions. The thing we ought to be aware of is that the problem that I often refer to as creeping pensionitis, and what we mean by that is that when one system gets some benefit, then everybody else wants that benefit. Now, the bill as it came out of committee had a relatively negligible affect on the Pension Fund, only five hundred thousand dollars. Now, with the amendment that's put on on the Floor, it has a thirty-one million dollar increase in the unfunded accruded liability. I think that...the point that ought to be made here is that by changing the penalty for early retirement, we're establishing a new formula which is not in effect in any of the State systems. It's more liberal than any of the State systems, and if we do this here, then we're going to be asked to do it in other cases. Just one other point that I want to make in connection with pension bills. Yesterday, we had a lot of conversation about the amount of debt that the State has and how much the State owes in bonds. I thought it was interesting because we should all know that the debt that the State has incurred for pensions far exceeds the debt that we've incurred through the sale of bonds. Now this is not technically a State debt. This is a debt of the City of Chicago, but it is guaranteed by the State Constitution. So, we ought to be aware of what we're doing here. I think that...that the amendment is...is a pretty liberal amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes, Senator Schuneman and other members, I...I do not in any way purport to be an authority on pension funds. It is my understanding that this pension bill has been worked out and is agreed upon between the fund, the employee group, the employer and all other concerned parties. You have indicated that the fund is a sound fund. I ask for your support of House Bill 561.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 561 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 14, none voting Present. House Bill 561 having received the constitutional majority is declared passed. House Bill 563, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 563.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 563 amends the Condominium Property Act in the Code of Civil Procedure, and it...it provides that the quorum requirements for condominiums would be lessened from thirty units to twenty when the percentage of those constituting a...a quorum is...applicable. It also provides that condominium associations must maintain separate accounts for each reserve fund, and it also provides that all operating funds of the association must be managed in a single operating account; and I amended the bill to provide that if an association could not get a fidelity bond for a hundred percent of its operating costs and reserve funds, then there is a one-year grace

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period and they would only have to obtain a fidelity bond for coverage in the amount of two hundred and fifty thousand dollars. Some associations are have problems getting a fidelity bond for the total amount of the revenue that is in the operating and reserve fund. I don't know of any objection and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 563 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays none, none voting Present. House Bill 563 having received the required constitutional majority is declared passed. 567, Senator Philip. House Bills 3rd reading is House Bill 567, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 567.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the...of the Senate. I would ask leave to consider House Bill 567 and 570 together. They're like matters. They happen to be Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in terms of the subject matter, is...is there leave to have both 567...discussion relevant to 567 and 570 is that...leave is granted...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We...we've discussed these bills. I think everybody

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understands these bills. I'm suggesting...they're going to end up in Conference Committee anyway. I'll be happy to answer any questions. I think we ought to get them out of here and get them in a Conference Committee and, hopefully, straighten them out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary, let's read 570 also. House bills 2nd reading...understand that. All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think Senator Philip's suggest to discuss them in total is a good one. I don't know that there is any opposition to the initiative to rebuild Illinois. This, 567, is a billion dollar additional bond authorization for the Housing Development Authority and 570 is the Build Illinois 1.3 billion dollar commitment. I urge an Aye vote on both bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 567 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 567 having received the required constitutional majority is declared passed. House Bill 570, Mr. Secretary, read the bill.

SECRETARY:

House Bill 570.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip. All right, the question is, shall House Bill 570 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have

HB571 3rd Reading

all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 570 having received the required constitutional majority is declared passed...all right, if we can have your attention, please. We have some special guests with us today. Senator Karpiel wishes to introduce us her guests. Senator Karpiel.

SENATOR KARPIEL:

Thank you, ladies and gentlemen. I would like to introduce to you the St. Charles High School swim team. We've had a lot of basketball players up here and we've had baseball players and girls baseball players. The St. Charles swim team has captured the State Championship in 1979, '80, '82, '83, '84 and again this year in '85, and I thought it was about time we honored the St. Charles swim team who has done such a great job. I'd like to introduce to you Dave Barth, the head coach, right,...Dave Barth, the head coach who will introduce to you the members of the team and the other coaches, and I'd like for you to give them a very nice welcome.

COACH DAVE BARTH:

(Introductions made by Coach Dave Barth)

SENATOR KARPIEL:

I thank them for coming today and I thank you for...for welcoming them. The all live in Representative Don Hensel's and my district and we have gotten a Senate joint resolution for them which I will distribute to them and I won't take the time of the Senate to read it to you but it does honor this tremendous swim team that has won the State championship in the last six...right...six years since 1979, they only missed 1981. I think they've done a great job. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on the Order of House Bills 3rd Reading is

House Bill 571, Senator Hall. Mr. Secretary, read the bill.

SECRETARY:

House Bill 571.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Present law gives boards of...review broad authority to assess property not assessed by assessors, equalized assessment, correct omissions and other errors made in original assessments and its most important task, conduct hearings with regards to complaints and objections and to issue orders sustaining increasing or reducing assessments pursuant to such complaint. Now, the heavy load work occurs immediately following the publication and what happened in our county, St. Clair County, there was a special circumstances for a variety of reasons, they had failed to undertake quadrennial assessments and such was the case in that county where reassessment took place in 1984, the first in forty years. Thirty-five thousand complaints had been brought before the St. Clair County Board of Review. In order for these people to have a hearing, the board of assessors used some of their employees to take down the complaints and listen to the hearings. Of course, the board which only comprises of three people made the final determination after they got the report. The Revenue Committee, in their wisdom, said that it was not right for members of the assessor's board to do this and they put an amendment on this bill that says, "Provides that no person who is a member of the board of assessors or assesses or supervisor of assessment or an...employee thereof may serve as a hearing officer." As the results of that, that we now have this bill before you

and certainly, I'm sure that we won't wait another forty years. And for that reason, I would like to ask for favorable support of this...of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 571 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 571 having received the required constitutional majority is declared passed. Page 6. 574, Senator Netsch. House bills 3rd reading is House Bill 574, Mr. Secretary, read the bill.

SECRETARY:

House Bill 574.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 574 is the partial public financing of gubernatorial campaigns and of lieutenant gubernatorial campaigns. It is in its present form identical to the version...the Senate version that we saw earlier in the Session that was called, unfortunately, at a late hour on the last day and, therefore, lacked quite the number of votes required for passage. We have seen this general idea before. Let me just make a couple of points about what is here. The first is that it is a checkoff to produce the money for the matching funds, but we have removed the section that provides for the transfer of general revenue funds into the gubernatorial campaign fund if the checkoffs do not produce enough. In other words, only those people who are willingly participating by voluntarily checking off will,

in effect, be helping to fund the public matching funds. Secondly, the bill does include limitations on the amount that can be contributed by both individuals, unions, corporations and PACS to candidates for Governor and Lieutentant Governor, and equally important, it includes...limitations on the amount that can be spent, and this is the only version in...under which you can limit the amount to be spent on campaigns. I don't, for one, believe that politicians and candidates are "bought" but a lot of people do. There is no question that this bill will help in that respect. There is no question that it will help in terms of not putting our candidates for the highest office in the State to the burden of having to spend all of their time raising campaign funds and turning often to special interests. And finally, I think that this is the only thing that can help put some limit on the amount that is spent on campaigns. It is an important concept. It is one that should be supported by all of us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Philip.

END OF REEL

REEL #3

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is, quite frankly, the worst election bill that we've seen this Session...basically, it has two problems, it encourages unqualified people to run for public office. I can't remember the time in Illinois we didn't have enough candidates. Secondly, it takes money away from needed services, from education, mental health. It's a bad idea and we ought to defeat it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise, as Senator Philip did, to strongly oppose this bill. I think that first of all there...our checkoff system is becoming so cluttered on the forms that it will not be sufficient, it is not realistic to expect that we will have enough money to generate monies for the kinds of campaigns that we are discussing, and to go further than that, why just the Governor? Why just the Executive Office? If this is good enough for the Executive Office, then why not have it for everyone? And, this, of course, would be a total disaster. I think that...that we can expect if this...if...if this bill were to pass, that it would go on further and further and further encompassing our own elections eventually, and I simply do not believe in the principle of public financing of political campaigns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR MACDONALD:

I urge your defeat of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I had one time thought that a bill like this would have some good place in our society,...but the more I thought about, the less I thought it would be a good thing. First of all, if anyone wants to run for Governor, let them try and get their own contributions, we all have to do that. I don't think that this is the right avenue. I...I don't see what you're going to gain by saying, well, we can limit the contributions, 'cause everyone is going to find a different way of getting the contributions to the candidate no matter how you try. It's done federally, it's done Statewide, it's done countywide and any other way you can mention. I think that, again, we're going too far in trying to be do-gooders and not getting anything done good at all; therefore, I oppose this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of House Bill 574. First of all, we have seen that it works at the Federal level and the response to the previous...speaker, the question was, why don't we start with other offices...other Executive Branch offices. And those of us who have worked on this project for several years have considered it, but we felt that in order to start with a single first step, this is the office that it ought to be addressed to. It is the most highly visible office in the State, and I think that generally speaking, when our electorate looks at the kind of money that has to be raised...for example, in the last gubernatorial election, we're talking about five, six million dollars plus for each

of those candidates. That's an astronomical number. I think it takes the most important office of this State outside of the realm of possibility for even the most legitimate of candidates, and many of our electorate feel that only the big fat cats are the ones that have access and this will make the playing field more level for all types of candidates. It won't allow kook candidates because there is levels that must be met of broad based, meaningful support before you can even plug in to the public part of this financing campaign, such as being able to raise over a hundred thousand dollars in contributions of amounts of less than five hundred dollars apiece. The...the limits on the campaigns are legitimate and proper, they've been tested; and I think that again from a point of view of the voters of the State of Illinois, this bill is an important step forward to get the gubernatorial campaigns down to a level that they will support, understand and will take away the stigma of only the big contributors controlling the candidates. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I think two points ought to be made. One is that the cost of elections particularly for high public office, frankly, are out of sight, and it seems to me the attempt to impose some reasonable...as in this bill, million dollar limits is not unreasonable. Secondly, it applies, at the moment, as amended to the 1990 Gubernatorial effort and I would suggest that we all keep a look...keep an eye out on the '86 effort, because whoever the candidates of our respective political parties it, will be a multimillion dollar effort, and...by having this in place I think we can say, well, we understood it was going to be this way but we want to change it. Secondly, the bill has been amended, there's

no dependence on or any impact on the General Revenue Fund. We are saying, we will set up a Gubernatorial Election Fund and with the checkoff system in place, we'll have four or five years of checkoff, we'll have a sufficient fund built up. The imposition of rational spending limits bothers me, but on the other hand, having been involved in a million dollar effort, believe me, everybody should vote for this. This is a good bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The lights just keep going on. Senator Collins.

SENATOR COLLINS:

Thank you. I think everything has been said by Senator Berman and Senator Rock, so I would just say that I...I support House Bill 579 and I would...you know, hope that all of you see the wisdom of...of doing this, because you know certainly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins, we're on 574, not 579.

SENATOR COLLINS:

574, and, I, too, would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. There's no question that this bill is well intended and has some good points, but I don't believe we are going about it the right way. If there is a growing concern for the domination of politics by some special interest groups, then we have to deal with that issue and it can be dealt with rather simply. Senator Netsch, I told you several years ago, if you would put in a bill that would limit the amount of campaign by capping contributions from whomsoever...whomsoever including the candidate him or herself that I would gladly support it. But I don't think we

ought to be funding campaigns for office with money, even though donated, through public...through a public method. Limit the amount of special interest group money or anybody, fine, and that will answer the question, but to do it this way is just too much of a meat axe approach.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you. Senator DeAngelis, constitutionally, you cannot limit the amount that the people spend on their own campaigns except in the context of public financing. You cannot limit the amount that can be spent totally on a campaign except in the context of public financing, that is what the Supreme Court has held and that is why it invalidated parts of the Federal election campaign law. That is one reason why this is really the only avenue that anyone has been able to suggest that will allow us to help both the candidates and the public from this terrible dependence on huge amounts of money that must be raised often from the so-called special interest, but in any event, we cannot control these...exorbitant expenditures except in this context of public financing. That is why I strongly solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 574 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, 1 voting Present. House Bill 574 having received the required constitutional majority is declared passed. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

H.B. 580 3rd reading

Request a verification, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has requested a verification. Will all members be in their seats. The Secretary will call the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Barkhausen. Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jeremiah Joyce. Jerome Joyce. Kelly. Kustra. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, do you question the presence of any member who voted in the affirmative?

SENATOR WEAVER:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Dawson on the Floor? Is Senator Dawson on the Floor? Strike his name. Senator Weaver, do you question anyone else? All right. Senator...on a verified roll...Senator Weaver,...do you question anyone else? All right. On a verified roll call, the Ayes are 30, the Nays are 26, 1 voting Present and House Bill 574 having received the required constitutional majority is declared passed. Senator Netsch moves to reconsider the vote by which House Bill 574 was passed. Senator Marovitz moves to Table. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. 580, Senator Carroll. All right. House bills 3rd reading is House Bill 580, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 580.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill deals with wholesale and is the Act that would say that those people...how do you like that...this is wholesale, okay...and that those who sell in that vein are...are entitled to some types of protection. What basically happens is many are absent contract as manufacturers representatives, many are with contract. In either instance, manufacturers after sales have been had will terminate contracts without payment of the commissions due and owing. This bill would provide that custom and usage would determine when commissions are due and owing if there is no written agreement, but that after, in fact, there has been termination that the commissions be paid and puts forth a penalty of treble damages if there had been a vexatious refusal to pay the commission after it was due and owing. It does not impact when it's due and owing, merely says that after that fact, it must be paid. What happens in a practical matter is many of these manufacturers reps. are absent contract and the manufacturers will terminate the agreement, the verbal agreement and then refuse to pay commissions that were earned and then require lengthy and expensive litigation in trying to discourage the commission agent from pursuing his lawful remedy. The hope of this is not to, in fact, get the treble damages but to get payment in a timely manner, and I would ask for a favorable roll call and attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. What is being sought

here is a change or the intervention of the State into an argument between...commission merchants and their principals. Now, if we're going to get into the business of doing this, the State can insert itself into a...a whole lot of arguments between associates in the business community. According to a...a letter that I received this last week, the proponents of this legislation have tried repeatedly without success to get this same kind of legislation passed by the United States Congress and have been unable to do so. It appears that...that the bill, as I remember the way it's drafted and the sponsor can correct me, but I...I think the...the bill does not speak to this particular industry, that is, to the industry of apparel manufacturers and their commission agents. The bill changes...simply changes State law but the complaints are coming from the apparel merchants, and I think that this has us interject ourselves into an argument between two parties that we already have the mechanism to solve those arguments and that we shouldn't do this. This simply increases the...the amount that can be claimed to three times the damages, and I think what it does is simply make it attractive to some New York lawyer to file suit on behalf of some commission merchant in Illinois that is dissatisfied with the way he's being treated. I think this is a bad concept, I think we're starting something we shouldn't be involved in and I would urge defeat of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to answer some of the questions raised, this is, in fact, is the law in eight other states. It, in fact, only applies to those who are sales representatives who solicit wholesale orders totally at the expense of the sales

representative, and what it does do is not put government into the business but rather says that absent a written agreement, if a person here in Illinois is being harmed by an in- or out-of-state manufacturer and, therefore, not getting the compensation to which that person was entitled, that it puts a penalty available in a court action. The intent is to truly afford the representative the payment that he is due for a sale, in fact, made and the commission, in fact, earned and, hopefully, will stop these manufacturers from disregarding those own...owed amounts of money and requiring extensive litigation and say if the guy sold the goods, pay him; if you've delivered and you've been paid as a manufacturer, pay the representative who caused the sale to happen. Don't terminate the contract and try and hold back a commission that was due and owing, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 580 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 19, none voting Present. House Bill 580 having received the required constitutional majority is declared passed. 598, Senator Bloom...605, Senator Fawell. House bills 3rd reading is House Bill 605, Mr. Secretary, read the bill.

SECRETARY:

House Bill 605.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. There are really two parts to this

bill, the first one is just...requires the State Board of Education to inform the school boards and superintendents on the way they might be able to create a tax exempt foundation to receive gifts for the benefit of the local school districts. And the second part is an amendment that was offered relating to the school district boundary changes. If a school board petitions the regional board of school...trustees for a school district boundary change, the regional board of school trustees must hold a hearing on the petition and render a decision within sixty days of the petition. If the trustees grant the petition and a resident of the affected districts objects, the resident may take his case to the circuit court. Any tax money received during the court case is held in an escrow and I would ask your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Kustra.

SENATOR KUSTRA:

Senator Fawell, have you read this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Fawell.

SENATOR FAWELL:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 605 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 605 having received the required constitutional majority is

declared passed. 608, Senator Lechowicz. House bills 3rd reading is House Bill 608, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 608.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate...House Bill 608 authorizes the director of the Department of Mental Health...Developmental Disabilities and Central Management Services to convey certain land to the City of Chicago school system 508. Basically, what it is...in 1978, Senator Egan, Representative Capparelli, Representative McCullough and Representative Roman Kosinski sat down and...with the Governor's Office...and myself sat down with the Governor's Office in trying to achieve a certain parcel of land which is...located between Irving Park and Montrose and from Naraganza to Oak Park known as the Dunning property, or presently as the Chicago Reed Zone property to be conveyed to the junior college board from the State of Illinois. In 1978, the Governor's Office made a survey of all State land in this State and...to see for what purposes it could be used for. Unfortunately, the Dunning property was no longer being used for a mental health facility, and the Chicago Reed Zone Center was curtailed in its type of services that were being offered, and as of this date, no patients are being treated in that facility where this property is located. There are some people being treated on the other side of Oak Park and that facility is not being transferred into this bill. Basically, it transfers thirty-three acres to the City College of Chicago for the purpose of a new Wright Junior College Center. This bill came out of

committee 19 to nothing and, basically, that's exactly what this bill does and I ask for your full support.

PRESIDENT:

Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

On this...on our analysis,...it says, "This thirty acre transaction is only part of surplus land. The thirty-acre tract is worth about five and a half million and it is being...conveyed for nothing, but the college gives up the right to the State aid for building the college which is seventy-five percent of the cost, and...and will be estimated to be twenty-eight to forty million dollars" for...so for five and a half million dollars piece of property, you're giving up twenty-one to thirty million dollars and then the question is why?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, basically, your assumption is correct that the property is worth approximately five and a half million dollars for the thirty-three acres. It's really five million seven hundred and seventy-five thousand, it's appraised at a hundred and seventy-five thousand an acre, and basically that's the agreement that was reached between the Governor's Office and the City of Chicago College Board that they would give up their CDB money for this new facility. It's the only large tract of land that's available for this new facility as far as for Wright Junior College. The City of Chicago College Board system will finance it through the building commission and that's why they have written off that portion

from CDB.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I just wish to voice my support for this legislation.

PRESIDENT:

The question is, shall House Bill 608 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 608 having received the required constitutional majority declared passed. 615, Senator Maitland. On the Order of House Bills 3rd Reading, House Bill 615. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 615.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 615 would allow the Attorney General to initiate a criminal prosecution for violation of the Election Code, when the state's attorney has refused a request of...of the Attorney General to do so. I would be happy to respond to any questions anyone might have.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 615 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted

who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 615 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 618. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 618.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. The bill does exactly what the Calendar says it does. We passed my bill doing the same thing over to the House. This is Representative Davis' bill coming the other way, no pride in authorship. I think we put them both on the Governor's Desk and I'm sure he'll sign Representative Davis', but that's fine with me, no pride in authorship. If you have any questions, there's no...there's no...no amendments on this, so would move...if you have any questions, I'll be happy to answer them, otherwise, ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 618 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. House Bill 618 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 623. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 623.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 623 amends the judges' article of the Pension Code to...to allow Supreme Court and appellate court clerks to participate in the judges' retirement system. They must have ten years of service to become eligible. This bill would affect a small number of individuals and, therefore, would have little fiscal impact, and it passed out of the committee by a vote of 8 to 2, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Keats. If not, the question is, shall House Bill 623 pass. Those in favor will vote Aye. Those opposed will vote Aye. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 17 Nays, 1 voting Present. House Bill 623 having received the required constitutional majority is declared passed. 626, Senator Fawell. On the Order of House Bills 3rd Reading is House Bill 626. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 626.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell, you don't wish that called?

SENATOR FAWELL:

Just take it out of the record, please.

PRESIDENT:

Take it out of the record, Mr. Secretary. 627, Senator Lemke. On the Order of House Bills 3rd Reading is House Bill

627. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 627.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Criminal Code in regards to harboring a...runaway. A person who knowingly gives shelter to an...unemancipated minor without notifying local law enforcement authorities commits the newly created offense of harboring a runaway. Exempts agencies and associations that provide crisis intervention services as defined in the Juvenile Court Act, and with our amendment, we also exempt grandparents. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 627 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 627 having received the required constitutional majority is declared passed. On the Order of House Bill 3rd Reading, bottom of page 6, twenty more pages to go, is House Bill 631. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 631.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 631 is the same as Senate Bill 739 which passed out of this Chamber earlier this Session. It amends the Sanitary District Act. Does three things; expands the definition of construction to include floor control facilities, restores the construction working cash fund with a levy and authorizes a one-half cent annual levy to maintain that fund. This will allow the sanitary district to use bonds in lieu of tax anticipation notes and to gain a result in savings. As you will recall, the corporate working cash fund was authorized by this General Assembly several years ago. Bonds issued in '82 for a ten-year period will result in a thirty-three and a half million dollar savings to the taxpayers. For those few members who voted against this bill when it was a Senate bill, 739, the Taxpayers' Federation has removed their objection. Be happy to answer any questions.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 631 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 4 Nays, 2 voting Present. House Bill 631 having received the required constitutional majority is declared passed. Top of page 6, on the Order of House Bills 3rd Reading is House Bill 598. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 598.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I apologize for going out of

HB636
3rd reading

order, I was called off the Floor. As you know, this...this bill basically empowers private universities to maintain campus police, the same as public universities. It also has an amendment to take care of the University of Chicago, and I'll answer any questions, otherwise, seek a favorable roll call...

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 598 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 598 having received the required constitutional majority is declared passed. Top of page 7, House Bill 636, on the Order of House Bills 3rd Reading. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 636.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio...(Machine cutoff)...at Senator Savickas' desk.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 636 is not without its means of controversy this morning. I am told that there is still some questions that are being raised by the...the City of Chicago relevant to...to 636. This bill is a bill that would provide for the enforcement of health and safety standards in the public...sector work place. Last year this General Assembly passed and sent to the House...the House sent to us, we passed, sent it back and...and it died in a Conference Committee, and what it would do is that it would implement

the...in Illinois the health and safety program to be administered by the Department of Labor for public employees. The General Assembly last year...appropriated nine hundred thousand dollars to implement this legislation, and although the substantive bill, as I indicated, had died in the...in the Conference Committee, the union had argued that because of the old law was still on the books that the Department of Labor should implement the plan, because the money had been appropriated for that purpose. And as of this date, there's been no action at all that's been taken relevant to this legislation by the Department of Labor which has prompted the respective labor organizations to introduce this bill to see if we can't get something moving. I would move for the adoption of House Bill 36.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. On this bill, I...I would like to rise in opposition. If you look in committee, it came out of committee with significant opposition...had significant opposition in the House. We have defeated similar proposals in the past, the one last time died in the Conference Committee. What it really does is it creates an Illinois OSHA. Now when the Federal law was expanded, we did away with our Illinois OSHA. There was some argument at the time whether the Federal would cover governmental units, it did not and so this is an attempt to bring it back. What you have to remember is tricky here at the State level, you can have the Department of Labor make an inspection saying that XY and Z has to be done, and with no authorization or appropriation from us, we're suddenly stuck in the point of saying, we have to do something. We are the employer, we set the standards, we, the Legislature, set these standards every year. We deal with these issues every single year. If there's a complaint,

the point is, the employees have a...have the right to come to their employer and the employer happens to be us. The point is, do we want to delegate this responsibility to the Executive Branch when in reality we are the ones who are paid to...make these decisions as a constitutional issue, and the point is, do you feel that you don't particularly want to do your job? In that case, the bill is probably a good idea. If you feel as the Constitution would say that we are the...the last one to decide on what should happen with appropriations and State employees, well, in that case, you would oppose this bill. I would hope you would oppose it because it could be a significant cost for the State and would be, in our case, abrogating our responsibilities as the employer of all State employees.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thanks, Mr. President. I talked to the sponsor on this yesterday and he informed me that he was waiting on an agreement where everybody would be satisfied...subsequently learn that the agreement did not come. I, frankly, felt that the sponsor would not call the bill insomuch as the...the agreement did not come satisfactorily, and having worked with my co-worker over here, think it does, in fact, place us in a pretty awkward position. Not only is the State Executive Branch against this kind of legislation but the citizens throughout...State of Illinois are also against it. It will be a tremendous cost and I would ask the sponsor if he would just forget about calling this bill and take it out of the record; and if he insists on the bill, I would ask that the members of this Senate would vote against it, because if it is some special legislation for a particular agency or agencies or unions or what have you, it is nothing to compare with the damage it would do to the State of Illinois and to

the cities within the State of Illinois, and I would ask for a No vote if he persists on...on calling this bill. Thank you, Mr. President.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. A couple of questions of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Demuzio, to whom does this apply?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

It would apply to all public employees.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Local, township, county, State...

PRESIDENT:

Senator...

SENATOR DeANGELIS:

...all public employees.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

What has the Supreme Court ruled in the past regarding OSHA type systems for public bodies?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Senator, I'm not sure, perhaps, you'll enlighten me.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I would be delighted to, sir. They...they have ruled against it. Another question, do we currently have any safety laws in the State of Illinois?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'm sorry, I didn't hear the question.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Do we currently have any safety and health laws in the State of Illinois regarding public employees?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, yes, there is an Act, but I think it's probably been...mismanaged as...as much as anything around here. As a matter of fact, it seems to me that since we had already appropriated money this past year for...in the old General Assembly, that this simply would put some teeth into the Act that we already have.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Demuzio, if it's mismanaged by the State, what makes you think that passing another bill is going to make it any better managed?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I think that by virtue of passage of this bill that there would be some clear legislative intent and, therefore, it seems to me that that would help to establish the goals and the objectives by which the plan can be significantly implemented.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I think if you read the current laws, there is some very, very clear legislative intent, but let me just address myself to the bill. I had the benefit of operating under OSHA for eighteen years and let me just tell you how it operates in the...private sector and some of the things you might find out. What it allows, any employee to remain anonymous to file a complaint and force an inspection without loss of pay upon the employer for whatever reason they want. Now, it's bad enough in industry that you can be harassed in that way, and I have to say in some instances there were some valid complaints, but when you're talking about a system that has hundreds of thousands of people in it, you know, the best way to get even with your boss when your boss says something you don't like is to simply file a complaint and force the loss of time, the loss of work. If the laws that we currently have are not being administered properly, I think we ought to work toward administering those laws rather than creating an instrument by which government can be brought to a standstill by an employee who isn't very happy with what's going on. So, I urge the defeat of this particular concept which the courts in their wisdom have ruled will probably not work in the public sector.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and...and members of...of the Senate. Let me say that this...this request by public employees is not, in fact, an unusual request and...because when the Federal OSHA laws came into being, the private sector was covered but...not public employees; so this bill is an attempt to provide for...coverage for public employees. However, it was my understanding, as Senator Chew said, and we worked on this bill last year, because it will, in fact, have a tremendous...fiscal impact on local units of government and also on...on the State that there would be some...some accommodations and agreement worked out to relieve the financial burden necessitated as a result of this Act, I have thought that by now that this...this whole issue would have been resolved. Like Senator Chew, I...the State...I mean, the local units of government with all of the other financial burdens and probably some of the other things that we are talking about passing down here this year, and with the lack of and the shortage of Federal dollars coming to local units of government, I just think that it's...it would put an undue hardship on them at this time in order to act this piece of...enact this piece of legislation, and for that reason, I am most certainly not against what they're trying to do. It...it is their right to have the same coverage as those persons in the private sector, but it's just not the appropriate time to do it, and for that reason, I'm voting Present.

PRESIDENT:

...I beg your pardon. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I echo the comments of Senator Collins, particularly in local governments that...revenue sharing is going to be cut. When

that's cut, they're going to have much less to come...money coming in. In addition, we are...complaining about the economy, we're trying to get it to go up instead of down and we cannot afford all the loss of dollars for a program of this nature at this time and I speak against it.

PRESIDENT:

Further discussion? Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just say that I am surprised and appalled of the comments that I've heard on this side of the aisle. When it comes to talking about the health and safety of the...of workers, they've always been in the forefront. Senator Collins, you're chairman of the...of the committee here in the...in the Illinois Senate, and I'm surprised to hear of your opposition to this bill. Let me suggest to you in the State of Illinois and I think government statistics have...have shown that two and a half times the government workers are likely to be injured on the job as are the...in private...in the private sector. It seems to me that in the State of Illinois that this is a very important law and certainly needs to be given our most serious consideration this morning. This bill is to correct the inequities and to provide for health and safety protection for public employees by implementing our existing Illinois Health and Safety Act, and I would ask from the members of this side of the aisle to vote in the affirmative on this bill.

PRESIDENT:

The question is, shall House Bill 636 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 24 Ayes, 31 Nays, 1 voting Present.

House Bill 636 having failed to receive the required constitutional majority is declared lost. 650, Senator Barkhausen. On the Order of House Bills 3rd Reading is House Bill 650. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 650.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 650 is an effort for the first time to require disclosure and a certain degree of regulation and a right to rescind within three days for those who purchase an interest in real estate time sharing project. This legislation has been in the works for several years and this...it represents now a compromise between the industry, between the real estate division of the Department of Registration and Education and between the Illinois Association of Realtors. So, at this point, I know of no opposition and would urge an favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 650 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 650 having received the required constitutional majority is declared passed. Senator Berman. On the Order of House Bills 3rd Reading is House Bill 682. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 682.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would authorize the registration of respiratory care personnel. This...reason for this bill is because in the past decade or two has been the significant growth of persons that are required to address the needs that have been developing as to pulmonary and associated types of diseases. These are the people that give us the oxygen and the other types of pulmonary care, respiratory care that we have come...to become too familiar with in the past few years. This bill requires that there be training courses, a...a qualification system as to testing so that the people that are providing this type of respiratory care are qualified. This is the only allied...health care profession involved in lifesaving and life sustaining measures that is now...not now licensed by the State. I think for the protection of the public, for the preservation of a quality system of health care, I solicit your Aye vote and be glad to respond to any questions.

PRESIDENT:

Any discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President, I rise in support of this bill. This is a sensitive area of health care and I do think that it's quite proper, in fact, it's almost required that we license and regulate these folks that are involved in this work. I ask for an affirmative vote.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask a question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

Are respiratory care therapists now registered on a national basis?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

They have a national association and a State association, that's the extent of what their involvement or registration is.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Is that a yes or no?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, there's a national registry but it's not a regulatory body.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I...I'm not sure but I think I recall in committee that there was some concern that this might be duplicative of a national registration, and considering that doctors and nurses would also be doing the same function that they conceivably could be registered over again, too; thus, maybe necessitating two or three certificates of registration, is that true?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I...I think you're mixing apples and oranges. There is a national voluntary credentialing...credentialing mechanism. But...that, again, is a voluntary system. This is...this is to impose standards, safeguards, punitive action that can be followed in the event of lack of standards by the persons who provide respiratory care.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

One more question. Why would the Illinois Hospital Association and the Illinois Nurses' Association be opposed to your bill?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I've been asking them the same question for several weeks. I think a fair answer is...and I...I defer to anyone who wants to speak for them. I am...I'm on the other side of this. The nurses perceive that this licensure would infringe upon their duties. I think it's fair to say that in committee we had testimony that bore out that this will not, and I underline the word not, change the responsibility of nurses, infringe upon their obligations and responsibilities, will not expand the responsibilites of the respiratory therapist at all. In fact, if you look in the bill, the duties of the respiratory therapists must be determined upon proper direction of the physician, that is the person that controls the respiratory therapists. In the present system that's the same way, that's why the medical society supports this bill and that's why I don't see that there's any infringement on the...part of the nurses.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have a letter here to me from the Illinois Nurses' Association which tells me that already respiratory therapists are...are tested and certified or registered through a national accreditation program which is more stringent...than the bill outlined here. I do think that we're going a little bit too far. We're...I think we are interfering with the registered nurses' duties here. I also feel that the licensure of respiratory therapists would serve to further fragment patient care, because the registered nurse is already responsible for total patient care and the respiratory therapist is only for the respiratory system; and there is a potential health care cost...escalation, infringement on patient care procedures...routinely and capably performed by nurses and a...a lack of demonstration that licensures...licensure under this bill would dictate quality. I think we're going a little bit too far. I do feel we are infringing upon our registered nurses because they do a lot of those duties and I...I don't see the need for another registration effort here. I speak against the bill.

PRESIDENT:

Further discussion? We have six more members who have indicated they wish to speak on this bill. Senator Macdonald.

SENATOR MACDONALD:

Thank you. I am a cosponsor...hyphenated cosponsor of this bill and I rise in complete support for its passage. And I would only like to say to those people who are concerned...about the physician instructing, even in hospitals, how necessary this is and how necessary respiratory therapists are. I have a brother who died a couple of years ago who was on a respirator for three years. His throat was severely injured, he had to have a permanent trach. put in,

and also his...his esophagus was punctured. Now this was while he was in a hospital and it was not...by the fault of a respiratory therapist. And I only say to you, for those people who are suffering and who really do need the help of respiratory therapists and adequate instruction by physicians on how to suction properly when those people need that kind of therapy, it is extremely important that we have this kind of bill and I urge your support for its passage.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. With some reluctance I rise in opposition to this and...and then let me just tell you why. It's...this year licensure is the first step, and then one of the reasons we have a Sunset Act is to try and...try and stop this kind of thing. The second step then is to have them written into the Insurance Code, so if you offer health insurance, then you have to include the services of whatever, in this case it'd be respiratory therapists. That just makes your health bills go up. They're credentialed and to a degree, to pass this bill is credentialing run amok, and I...I really...I really believe that it's not good policy and the long-run effect is to drive up our health care costs. And we ought to reject this and other such licensure bills out of hand. Thank you.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I think the assembly ought to know, we have over two hundred, mostly children, right now in our intensive care units that are costing us between thirty-five and fifty-five thousand dollars per month, that's per month...there are two children, I understand, here in Springfield that have been on respirators since they have been

born, they are now seven years old. If we are ever to get those children out of the intensive care units and into a more appropriate setting, we had better be able to guarantee that the parents know we're not going to take those children off those...away from that intensive care unit without safeguarding their lives. In the long-run this bill should save the State money. And...and I seriously think that every one of us ought to be voting yes for this.

PRESIDENT:

Further discussion? Any further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Thank you. I think this is the only area of health care which deals with life sustaining and lifesaving measures that isn't regulated by the State. The representations as to a national association, that's like saying that we ought to abolish the Medical Practice Act because a doctor belongs to the AMA. There is no regulation by the national association. We want to upgrade the care, we want to make sure that the people that come into our homes to provide respiratory care, lifesaving, life protecting respiratory care are qualified and that there is State regulation of them. I urge an Aye vote.

PRESIDENT:

Question is, shall House Bill 682 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes and 29 Nays...none voting Present. House Bill 682 having failed to receive the required constitutional majority is declared lost. 691, Senator Carroll. On the Order of House Bills 3rd Reading is House Bill 691. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 691.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Well, the last bill that I handled may have been considered wholesale, this one is retail and what it says is where the State Department of Corrections does not, in fact, take people who have been convicted and sentenced and mittimused to the Department of Corrections for that term of time that they are residing in the county jail awaiting for the State to say, send them to us, and the State is the one who imposes that restriction of when they will receive the client, the...the convicted felon who has already been sentenced to the State institution. So during that period that they've said to the county, you hold them until we are ready to process them in the State facility, that during that interim, the State then pay the thirty dollar a day charge back to the county for the term of time that the county is acting as if it were the Department of Corrections of the State of Illinois. This would only apply where there has been a sentencing to the Department of Corrections and then the length of stay is up to the department. If they will take these State...these already convicted and sentenced felons as they should and process them, there is absolutely no payment to the county, but when they say to the counties, hold them for a week or ten days, then the county should be reimbursed for, in fact, at that point handling a State prisoner. There is a thirty dollar a day cap and there is a limitation on the number of days, so that while the County of Cook, from which I'm from, would have a significantly greater reimbursement than this bill would allow, this bill would cap

that recovery, it would allow the other counties also to be reimbursed when, in fact, they have no choice but to keep these inmates until the State says, ship them to us. So I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Carroll, I appreciate the intent of the bill. I...I wonder though, whether you have a estimate of its possible cost?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, as I recall it, it's about a million and a half dollars, I believe. There is a limitation of thirty-five thousand days per county that obviously only impacts the County of Cook, but the County of Cook would be at a much higher number of days than that. And, then, it would apply to each of the other counties...do we have a dollar figure? Okay. A million fifty thousand per county is the cap total, but I thought the totality of it was under two million, as I recall it, based on the Department of Corrections' figures. I'm not sure of that though, Senator, I'll try and find you an answer.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I haven't seen the...the bill before our discussion...about it here but according to our analysis, the Department of Corrections estimates a minimum cost of 3.1

million dollars. So in voting on the bill, I think we ought to at least be mindful of that.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you,...thank you, Mr. President. On...on that same point, we have...based on Fiscal Year '84 figures, total number days with that thirty-five thousand cap would be around a hundred and five thousand days, a little over that, and times thirty, comes up with a three million one hundred and fifty thousand four hundred and twenty dollars as a fiscal impact in regard to this legislation; and I understand, Senator Carroll, that there is in a bill...an appropriation bill already in for three million dollars. So...I...your remark in regard to the...the fiscal impact of this, I think was...was erroneous. I'd like to ask the sponsor some questions if I could also.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

It...is this in the Governor's budget, if it's going to be a three million dollar hit? Is it going to be in the Governor's budget?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

It'll be in the one that gets to his desk.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Maybe so. Why is it that...let...let me just...let's have a scenario here. The sentence is given and where is it statutorily or where do we say that the county government has to contact the State and pick that prisoner up? Is there

anywhere where we are requiring the counties to contact the State?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, in fact, what happens is the opposite, Senator Watson, as I've been advised, and that is that the Department of Corrections tells the county what day to ship the prisoner to the...one of the four receiving stations that the Department of Corrections has created, and they have said that they will only take them on certain days; for example, in the County of Cook, it's my understanding that it's on the last day of the week is the only day that they will accept prisoners from Cook. There was some testimony, I thought, that in DuPage it was like after a ten-day hold in the county jail that they will accept the prisoner, but they determine...the...the problem is the Department of Corrections determines when they will accept the prisoner and it forces the county to spend money on keeping a State prisoner.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I don't think that's quite the facts and I would like to read from a position paper of the Department of Corrections concerning the availability of these reception centers. Let me just read you this, "Persons committed to the Department of Corrections will be accepted at one of four reception centers, Joliet, Graham and Menard for male prisoners and Dwight for female prisoners, Monday through Friday, except holidays, 8:00 a.m. to 4:00 p.m. Additionally, if there are special circumstances involved, arrangements can be made through the transfer coordinator's office to deliver prisoners on other days and times." So, I...I think you're quite erroneous here, Senator, in regard to the Department of

Corrections' efforts to make themselves available to the prisoners, and what...I understand why Cook County waits till the very...till Friday is so that they can get a bus load of people together. And let me just...one other point here, we pay...the State of Illinois Department of Corrections pays thirty-five cents per mile per inmate to deliver these particular prisoners to these reception centers, so the counties are being reimbursed for the transportation costs. Cook County is compensated in a different schedule, it's based on fifteen cents per inmate per mile for the first inmate and ten cents per inmate per mile for the second and five cents per mile for all the others. So the counties are being compensated for that transportation cost and what I understand is the problem is simply the fact that the counties aren't contacting the Department of Corrections. It isn't the...it isn't the responsibility of the Department of Corrections, Senator, to...to take care of this, it's the county that has to initiate it, and if the county doesn't feel free to do this, then they could keep a prisoner there for literally days and weeks at the thirty dollar a day hit, and as a result, the only way the Department of Corrections is ever going to find out about it is if...when they get the bill. I...I just think that this isn't a good idea, it may be something popular for...for us to vote for because of...we're reimbursing our counties for...for some costs here, but I also think that the...the...the Senator should know that sixty-one percent of this particular problem is derived from the County of Cook. Most counties are trying to comply with the Department of Corrections, and I don't know why that the County of Cook, it takes 6.6 days to...to notify the...the Department and get a prisoner into...into the correctional system. I think this is a bad idea. I've got some information here and I have sent around a...a memo on...on what each county is going to be reimbursed. Some

counties aren't going to get anything out of this, but Cook County certainly does and...maybe that's the initiative here and why, but I certainly would urge a No vote. Thank you.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. For the edification of Doctor Watson, Cook County can produce a bus load of prisoners at any given time twenty-four hours a day, three hundred and sixty-five days a year, fifty-two weeks out of the year, year after year after year. So that's not the problem, the problem is...Senator Carroll has stated the case, it's absolutely correct, we've maintained these prisoners for a period of time...prisoners for a period of time and we're not...properly compensated for it. So, I'll have to support Senator Carroll on this issue because it's absolutely correct, but keep in mind, we can produce you some prisoners any time you want them.

PRESIDENT:

Further discussion? Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Watson, it is my understanding that the State determines when the prisoners will be accepted. It is not to the financial advantage of Cook or anyone else to keep these prisoners with or without the thirty dollars a day. The thirty dollars a day does not compensate the county for that which they are spending now. This would only allow Cook County to receive about a third of that which they would be entitled to under a thirty dollar a day, the cap of thirty-five thousand days is about a third of the number of days that Cook County is now hosting State prisoners. Yes, it would in fact give Rock Island County a hundred and

sixty-four thousand dollars; Peoria County, a hundred and seventy-seven thousand; Kane, three hundred and seventy-six thousand; DuPage, seven hundred and forty-three thousand; McLean, a hundred and twenty thousand, et cetera, et cetera, et cetera. The point is, these are State prisoners at that stage of the game and the State should either take them into the system or pay for them. This comes to us from the County Sheriffs' Association, I think it's a very valid request of saying either accept the prisoners in the State system immediately, or then, if you're going to have the county house them, then pay a reasonable per diem for so doing it. I would ask for a favorable roll call.

PRESIDENT:

Question is, shall House Bill 691 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 15 Nays, none voting Present. House Bill 691 having received the required constitutional majority is declared passed. 692, Senator DeAngelis. On the Order of House Bills 3rd Reading is House Bill 692. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 692.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 692 requires the State police to patrol the entire interstate highway system within the State and not charge back any unit of local government for doing so. Be happy to answer any questions on it.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is,...the question is, shall House Bill 692 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 4 Nays, none voting Present. House Bill 692 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 694. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 694.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. As amended, House Bill 694 provides the Cook County State's Attorney be reimbursed two-thirds of the cost of appeals for various cases, the same as the other hundred and one counties in this State. It would be administered by DCCA, and as further amended by Senator Barkhausen yesterday, it grants all state's attorneys some flexibility in setting assistant's salaries. Be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 694 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 9 Nays, none voting Present. House Bill 694 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is

House Bill 703. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 703.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The bill authorizes counties or municipalities or municipal joint action agencies to prepare and implement solid waste management plants for solid waste generated within their borders. The problem here and the necessity for the legislation is many areas of the State are quickly reaching their disposal capacity in existing landfills. This bill is to promote the finding of places to dispose of this waste and for governments to work together. I don't really think there's any problem with the bill. I'd be happy to...answer any questions if any has, if not, a favorable roll.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

A question to avoid a...a conflict. If a municipality sites a landfill, can the county then put the charge on it even though the municipality has sited it within their powers under Senate Bill 172?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Section D of the...of the Act under...let's see...it's paragraph D under Section 21.2 states that a county or a municipality or municipal joint action agency pursuant to intergovernmental agreement may levy surcharges. Now, your question is, if you have a sanitary municipal landfill, can

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the county put a...a...a charge on that? Is that your question?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

No...no...close but...but not quite. If a municipality sites a landfill as they have the power to do now and it's not simply their own,...it's an open landfill, okay. Can the county who had...who was not part of the siting proceedings put the...the tax on?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Admittedly, I don't think under this terminology that is perfectly clear, but for legislative intent here, I would state to you that is not the intention of this legislation.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, very much, for the clarification.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall House Bill 703 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. House Bill 703 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 704. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 704.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I would bring to your attention that this bill has been changed, everything after the enacting clause was deleted and it is a new criminal bill amending Chapter 38. And so that you understand what you're voting on, this is an amendment to the bail bond section which...which considerably tightens up bail bond requirements. I know we're under pressure to move along here but this is an important bill. I think you should be aware of what you're voting on. Rapidly,...the whole purpose of this bill...or this amendment, I should say, to the bill is to take care of those situations where we have people that are out on bond and committing other crimes, and that's the reason we want to tighten things up. So from here on, if you violate the bail bond provisions of this Act, you are going to have to serve the sentence that is put upon you consecutively for that violation. It cannot be served concurrently with the other charge. The second thing the bill does is it requires the judge or the sheriff, depending upon when you're making your bail, to advise the defendant that if you're released on bond and you fail to appear, that the trial can proceed in your absence. Now if that's abhorrent to anyone, I would tell you that a number of years ago Judge Garippo from the Federal...from the...bench in the City of Chicago who is now privately practicing sent down here a bill which I was one of the cosponsors of, which presently allows you to try a defendant in...in its absence. So that particular part of it is not new, we have that in the law today, but what we want to do is inform defendants that if you skip out on bail, you're going to be tried even though you are not there. Another factor of this bill lays out the conditions that a judge is to...to consider when releasing a person on

bail; for example, what's that person's family ties, his employment, his financial resources, his past conduct, prior use of alias names, there's a number of things that has to be considered by the judge. Another item is when you are charged with a Class X controlled substances offense, there's a rebuttable...presumption that the money that you're putting up for bail has been the fruit of that illegal activity. Now the reason for this being in the...the proposed legislation is we have a lot of cases whereby people arrested for sale of...of controlled substances make big money as we all know, and when the judge says your bail is going to be a hundred thousand dollars, I mean, he reaches into his back pocket, takes the...the money that he has acquired by the illegal sale of those drugs and posts it for bond. So this would require him to show to the court that he's not using that kind of money to post his own bond. The bill goes on to allow for a temporary pretrial detention of...of five days on certain conditions. It allows the state's attorney to extend that another three days under certain conditions and it provides for a pretrial detention hearing, when the kidnapped...when the defendant is charged with murder or aggravated kidnap or treason or when the defendant is charged with a Class X felony and all the provisions that the judge is to consider. I think that I have basically given you most of the provisions that are in here. I'm not trying to go over any of them but this is quite an extensive amendment to the bail provisions of the Illinois Criminal Code, and I would be happy to try to answer any questions.

PRESIDENT:

All right. Discussion? Senator Barkhausen.

END OF REEL

REEL #4

SENATOR BARKHAUSEN:

Mr. President and members, I appreciate Senator Sangmeister's lengthy discussion of this bill because as he made clear, this was not something that was considered in committee in either House. It deals with a somewhat controversial subject of preventive detention which I and I'm sure many others support under certain kinds of circumstances. The problem that I see with this bill, however, is that I think it's quite clear that under our existing...under our existing Illinois Constitution, this bill I'm afraid is clearly unconstitutional. When the 1970 State Constitution was adopted, it provided that...that all offenses are bailable except so-called capital cases. The...that article was amended a few years back by referendum to add to that exception of bailable offenses life imprisonment cases where the proof is evident or the presumption great. The problem, however, here is that we are going beyond that to include other types of offenses which would potentially be those where preventive detention could be sought and obtained, and because that would not be allowed under the Illinois...the bail provisions of the Illinois Constitution, for example, such offenses spelled out in this bill as certain types of forceable felonies where life imprisonment would not apply but potentially preventive detention could be had, I am afraid that this bill is unconstitutional. Many of us are interested in the possibility of bringing about preventive detention but I think most of us have concluded that the only way to do that is to amend the Illinois Constitution. We have before us two separate proposals which would do that, Senate Joint Resolutions 22 and 38, and it is my hope that they will as soon as possible get a hearing here in the

Senate so that they might go on the ballot in the next election year. But absent an amendment to the bail provisions of our Constitution,...such as substituting the language of the U.S. Constitution merely providing that bail shall not be excessive, which would then permit us to adopt the kind of changes to our Criminal Code that they have done at the Federal level to allow for preventive detention under select circumstances, this type of legislation, I'm afraid to say, is...is going to be unconstitutional and it's going to be back before us. For that reason, I would urge opposition or at least a Present vote and I do that regrettably.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Bad Bill Sangmeister rides again. I'm telling you, when I listen to this...you know, you've been going along pretty good around here, Senator Sangmeister, and I'm reluctant to...because every time that it happens, you're lucky enough to get this out. But now it sounds good to stand up here and say that when a person comes before you, he reaches back in his hip pocket and comes out to pay a hundred thousand dollar bail for drugs and all that stuff. What about if some relative has given him some money to pay his bail, does he have to prove that the relative give it to him?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes,...that is correct, he would, Senator Hall, and...and experience shows us that in these drug related cases, it's not uncommon for the fruits of an illegal crime to be used for bail. So if he is charged with a Class X controlled substances violation, under this bill, if it becomes law, he will have to show that the hundred thousand he's coming up

with that a relative gave to him, but what's so difficult about that? You have the relative there and have him post the bond.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Another thing about these...trials that go on without him. You...you are trying to intimate that every time somebody has...doesn't show up...who happens to...put these times off? There's a lot of times their own lawyer can't...appear. The thing that happens is...I want to know this, Senator Sangmeister, who wants this bill besides Sangmeister?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

As Senator Topinka so clearly said to you or someone else here before, the people of the State of Illinois who are tired of people who violate bail provisions and commit other crimes while they're out on bail, they want it tightened up. They want offenders that have prior convictions to possibly be held under certain conditions so they're not out while they're on bail committing more crimes. That's the people that want this legislation.

PRESIDENT:

...Senator Hall.

SENATOR HALL:

Just one more thing and I'll sit down. You know, as the father and framer of all that crime X package, when you loaded up all the jails throughout this whole State, now you come back again...I'm just telling you, this is a bad bill and it should be defeated.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senator Sangmeister, I...I sympathize with what you want to do and there most certainly is a need in this State to prohibit those persons who commit hideous crimes from getting out. I think we ought to just do it straight up, just deny bails to certain type of offenses and...in no conditions, but I think Senator Barkhausen put it in perspective. I...I can't see for the life of me how this piece of legislation would in fact be constitutional. One of the things that you have done here is presume that...that the person is...is...is guilty before...ever going on trial, and I thought the basic premise to our laws that there was a presumption of innocence until such time the person was proven guilty. But if you start totally...invading that person's...all of their rights and denying them certain rights and privileges and invading their total privacy and denying them right to post bail based on the fact that they have to prove to you where the money came from or if it came from a...grandparent or...father or something long time ago, I think that's wrong, absolutely wrong. If you want to get...keep some of these people off the streets, you should just simply come straight up and say that bail will be denied of certain persons for...who commit certain crimes. I...I think it's a bad idea. This bill has not had an opportunity to have a proper hearing. It is a...it is a major revision in our...in our bail system and I think we should hold this bill until such time, that we can have better input.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Mine is a question, Senator Sangmeister, you somewhat quickly mentioned the...that it obviously concerns preventive detention. I don't think you

spelled out precisely the circumstances under which and the offenses for which the preventive detention is to be applicable, and since none of us have ever seen this bill before and I don't think it's available on our desks right now, I think it would be very helpful if you would mention that. It's a rather important concept.

PRESIDENT:

Further discussion? Senator Lechowicz...oh, I beg your pardon. Senator Sangmeister.

SENATOR SANGMEISTER:

All right. The court is to take into consideration when considering whether or not to issue bail the following things pertaining to the defendant. What is this person's family ties? Is he a drifter in the community or is he someone who has been in the community for a while and has long family ties? Is he employed or he is not employed? Does he have financial resources? What's his character and mental condition? What has been this person's past conduct over the last year? Has he been using any alias names or dates of births? How long has he resided in our community? What is his citizenship? Where is the...what was the source of the bail bonds, property or other security that he is posting? Is there...any other record of appearances at court proceedings? Has he ever tried to...has he been involved in flight to avoid arrest or prosecution? Has he ever attempted to escape or to avoid arrest or has he ever failed to appear previously at prior court proceedings? All things that I think are very legitimate for a judge to look at, if he's considering...denying bail.

PRESIDENT:

Senator Netsch. All right...we have...just for the information of the membership, we have twelve additional people who wish to be heard on this. Senator Netsch.

SENATOR NETSCH:

Sorry about that, this is...fairly important I think; as Senator Barkhausen indicated, it does involve some basic constitutional questions as well. I...I appreciate that listing, the...the other part of my question which is perhaps even more important is to what offenses does it apply? That is, when can preventive detention be invoked and I...having just been handed a copy of the amendment, I think it's for any felony if I read it correctly. Is that correct?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

That is correct.

PRESIDENT:

Senator Netsch, I'm sorry, I thought you were just...

SENATOR NETSCH:

Yeah, just a brief comment, I...

PRESIDENT:

...being expressive.

SENATOR NETSCH:

...I think, Senator Sangmeister, that's a little heavy even for you and certainly for the Constitution.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Will the sponsors yield to a question? This question is not from me but it's from Senator D'Arco. What do you mean by nationality? One...one of the elements in determining whether a person should be admitted to bail, you asked his nationality. What does that mean?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Reading from the bill...reading from the bill, it is not...it's the citizenship, whether or not he is a citizen.

We didn't say anything about nationality. Is he an alien? You know.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

If these are...are...we would presume that most of this is taken into consideration by judges that have bail hearings now. Now, my question is this, if there is no information available, what does the bill allow the judge to do? Must he admit them to bail or must he deny bail if there is no information on most of those items?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

It would be in the discretion of the court.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Senator Sangmeister, may I make a very respectful suggestion? You're an excellent legislator, you know the process, may I suggest to you that you do all of us somewhat of a disservice when you present a bill of this importance dealing with preventive detention without allowing any committee...any committee to review this. The House did not have it, the Senate Committee did not have it, and I'm not concerned about which committee but any committee, and I am sure that there are people out in the...in society that would like to be able to comment on this very, very important crucial suggestion. I would suggest that...I would respectfully ask you to commit this bill back to the Judiciary II Committee so that we can look at it in the Fall; otherwise, what you're doing is putting a lot of people on the spot that might like to vote for it, but we have no idea what it does, and I would...respectfully ask that you consider that suggestion.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, for the second time. I'd like to move the previous question.

PRESIDENT:

That motion is in order. Senator Lechowicz has moved the previous question. We have one additional speaker and Senator Sangmeister can then close. Senator Marovitz.

SENATOR MAROVITZ:

Well, thank you, very much, Mr. President. Without really getting into the merits and the specifics of the bill, this probably is one of the most far-reaching criminal bills that we've had this entire Session, this 704, and...again, as everyone has reiterated, it did not go through the Judiciary Committee. It has not had a hearing. I have not seen the substance of the...of the bill, it is very far-reaching. It deals with a...a subject that I...that I am very much in agreement with, but I do think it...it does concern me that...that we haven't had time to go through this legislation. There's a...there's very few pieces of...of far-reaching criminal legislation that don't go through this Body without being amended and having an opportunity to be changed rather substantially. I think this is one of those pieces of legislation that we're going to see and probably pass and get to the Governor's Desk eventually. Whether this be the time, I'm not so sure, and perhaps Senator Sangmeister might consider recommitting this bill for some hearings that...that will bring out the very best piece of legislation so that we can pass on something that is...

PRESIDENT:

All right. Senator Lechowicz has moved the previous question. Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, I understand all the pleas and I am somewhat sympathetic and inclined to do that, but I've talked to other people here on the Floor who think this is a very important item. I apologize to the Body that it didn't go through committee; however, I'm sure you're all well aware of the fact that this isn't the first time something has been put on...on...without having gone through committee. I'm reluctant to...to put it back in committee because nothing is going to happen. There are a lot of people in this State that are very, very concerned about people being out on bond and committing other offenses, and this, of course, is going to tighten it up. I would say to you that...obviously this bill has to go over to the House for concurrence in this amendment, and they will have a chance to take a look at it over there and perhaps maybe that's the place that that consideration ought to be. I...if I had...if this was totally my control, I would probably go along with the...the request, but at this point, there are many people interested in this area...in fact, Senator Davidson has a Constitutional Amendment that does a lot of the same provisions that are right here which we are going to consider this Fall. So those of you that have a problem with constitutionality will probably be backing it up with that and, Senator Barkhausen, you're the last one that I think should raise the question of constitutionality. I mean, your...your amendment to the...to the death section of the...or, I mean, to the Death Penalty Act...made anything unconstitutional, that was certainly it. I leave this to your discretion, I think it's good law. I think it's well structured, there's always a question of a constitutional and there's no question about it, this is a very, very...and what you're doing here when you vote, you understand that you are greatly restricting a person's right to get out on bail. I don't want anybody to be under...any delusions about that. So, understand what you're voting for.

This is a very, very substantial change in the bail provisions for the law of the State of Illinois; however, I do think they are good.

PRESIDENT:

The question is, shall House Bill 704 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 11 Nos, 4 voting Present. House Bill 704 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 715. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 715.

(Secretary begins to read title of bill)

PRESIDENT:

...I beg your pardon. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Just for the record, Mr. President. Did we just vote on a...on a bill that was...gutted, amended and the amendment not distributed, is that correct?

PRESIDENT:

Well, the amendment had been previously distributed, if that's what you mean. On the Order of House Bills 3rd Reading is House Bill 715. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 715.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 715 does, in fact, provide for pharmacists to...continuing education courses. Probably the most important point I could make in favor of pharmacists continuing education is the fact that pharmacy is a field experiencing rapid and frequent changes, particularly with regard to the new drugs and the introduction of these drugs. It's important that pharmacists who have the responsibility for dispensing these drugs have a good working understanding of...of the drugs in order to safely and intelligently provide advice to consumers and detect potential signs of danger and possibilities of side effects. I feel that it is generally beneficial for professionals such as the pharmacists to be engaged in ongoing contact with...some kind of structured learning processes to assure that they not lose touch with the academic principles governing their professional practices. Department of Registration and Education finds the administration aspects of House Bill 715 to be acceptable. The provisions of the bill allow the department flexibility in establishing a system for verification of completion of the required continuing education courses. There was some opposition with the bill. I...I would be remiss if I didn't mention that. I think the opposition came about the thirty hours' requirement. Many pharmacists originally felt that that was thirty hours of educational school training and that's not the case. The courses which would be offered through providers approved by the American Council on Pharmaceutical Education are readily available in live settings as well as electronically on audio and videotapes and through correspondence and self-study mechanisms. I think this is a good concept and I would urge your support of House Bill 715.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 715 pass. Those in favor will vote Aye. Those opposed

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none...1 voting Present. House Bill 715 having received the required constitutional majority is declared passed. 720, Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. About an hour ago, I had a conversation with the Speaker of the House who has requested...an amendment be added to House Bill 720. In an attempt to accommodate him, I would seek leave of this Body to bring that bill back to the Order of 2nd Reading for purposes of an amendment, and then it, along with the other recalls, will be held till the end of the day or whenever we get to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock seeks leave of the Body to return House Bill 720 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 720, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Amendment No. 1, if you will recall, changed the leadership structure here in the Senate. By virtue of Amendment No. 2, what the House is seeking to do is bring to parity the extra emolument that the...their leaders get. So, it will affect the two majority and two minority whips and the majority and minority caucus chairs, and I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, those in favor sig-

nify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 8, 724, Senator Vadalabene. House bills 3rd reading, House Bill 724, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 724.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. According to the Firefighters' Association, there are eight fire departments within Illinois that contract for fire protection service, but this bill is really aimed at future potential contracts. Reportedly several private firefighting enterprises from Indiana are pursuing contracts in Illinois and are as far as forty miles away from the areas proposed to be served. The Firefighters' Association knows that public tax monies are involved with the contracts with prior...private firefighting enterprises; thus, some states...some state rules and regulations should be provided. The bill is supported by the Illinois Association of Fire Protection Districts and the State Fire Marshal's Office and the Firefighters' Association of the State of Illinois, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 724 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 724 having received the required constitutional majority is declared passed. 735, Senator Berman. 737. Senator Berman on the Floor? All right, 753, Senator Savickas. House bills 3rd reading is House Bill 753, read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 753.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, 753 is the gasohol tax bill that removes the one percent...bonus that they received. This has been agreed to by the people that are in the gasohol business, by Marathon Oil. It's the bill that came over clean from the House. It's the one that, I guess, gives the State of Illinois approximately twelve million dollars in savings. It sunsets in 1992 and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

...are you saying that your...your bill reduces the...the tax incentives that we have placed on gasohol?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senators...Senator Geo-Karis. I'm sorry, Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator, it phases the tax back in as per the agreement between all the parties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, alcohol added to gasoline makes gasohol methanol...ethanol alcohol and, therefore, we have more gasoline available, and I think that we should try and keep gasohol on...on the market, and the only way we can do this to give them a tax break, and I think under this bill it takes away the tax break from alcohol fuels when they're mixed with...gasoline; and therefore, I feel that the bill is not really going to help us have more fuels available because when you can think of gasohol, and I've been using it in my cars for years, and you add alcohol to gasoline to make more fuel, we're less dependent on foreign sources for our gasoline.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

SENATOR KEATS:

I...I...thank you, Mr. President. I wasn't going to speak. This bill has been the subject of a great deal of work and...and we're now at an agreement this...basically all the parties involved agree. It does make some changes but it's the best we can do in a difficult situation. Senator Savickas has been most cooperative. Senator Philip has beat us to a plup on the committee. We have all worked this thing out and while it's not perfect, it's the best we can do and...and...we've worked with Representative McPike who reached the original compromise which actually was pretty doggone reasonable. I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Thank you. This is sales tax, so this isn't going to have any impact at all on units of local government, in other words, township roads and county roads, or...or is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

...this all goes into the Road Fund then. Is...is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, it would go into the general revenue, it's sales tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I thought that we...couple of years ago put all the sales tax revenue from gasoline into the...the Road Fund. We called that a diversion. We did not do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Not to my understanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. A...I guess a question and a comment. The question which I will direct to the sponsor is, why are we doing this now? I'm really not quite clear that...all of a sudden we would start shifting around the...the sales tax break for gasohol. If we were starting all over again, I could understand that someone would say that it might cost the treasury some money and perhaps we ought not to be doing it, but it's...it was a policy decision that was strongly made by this General Assembly to...basically, to help a major industry, agriculture, in this State and it was done with full knowledge of the fact...of the consequences and now we seem, all of a sudden, to be sort of changing the rules in midstream and I...I...my comment and my question is, why should we be doing this now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, there are a few reasons, Senator Netsch. The surrounding states, like Indiana, they're phasing out their bonus. The purpose and the intent of this was to allow the companies to build up and develop a market and develop a competitiveness with gasoline. They have done that. They have increased from thirteen percent to approximately twenty-five percent of the market. They realized that at one time they must phase this out since it was a temporary bonus for them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

I'm sorry, someone interrupted me on...just your last comment that...was designed to explain to me something which I cannot figure out even yet.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, it was basically a...the tax break was basically to give them a opportunity to become competitive with the gasoline. Over the years now, they have gone from, I think, about four percent of the market to thirteen and now it's approximately twenty-five percent of the market. The surrounding states have reduced their tax break. Indiana has knocked it back one percent and the companies realize that now that they are getting on their footage that they will phase out this tax break and the money then will be allowed to be used...to come back into the State Treasury.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch, your time has expired. We'll come back to you if it's necessary. In the following order we have Senators O'Daniel, Zito, Coffey, Etheredge, Luft, Nedza. Senator O'Daniel.

SENATOR O'DANIEL:

Yes, Mr. President, I rise in opposition to this bill. I...I think it would discourage ethanol production here in...here in Illinois, and...at this time when commodity prices are very much depressed, I think this would further depress the farm economy, and I think this is a bad time to think about taking this advantage from the production of...ethanol.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. As the original sponsor of the tax incentive legislation for gasohol use, I rise in strong support of House Bill 753. Originally, two years ago, I introduced and passed legislation that would enable gasohol to have a reduction of...of a sales tax at the

pumps and we did that for a very good reason. It was my feeling at the time and this General Assembly concurred that we needed to continue productivity of gasohol, that it was too important of a fuel not to continue to produce in the State of Illinois, important to the farmers in this State and important to the consumers. I'm happy to report that that...in fact, that legislation has worked. We need now to continue to be competitive, and in answer to Senator Geo-Karis' questions and Senator Netsch's question, I think that we've accomplished what we set out to do with that legislation several years ago. Now, we're asking that since the idea has caught on, has been proven both financially rewarding for farmers and the industry in this State, that we need to maintain a competitive edge with the surrounding states and, therefore, House Bill 753 was introduced and I think deserves a favorable vote in this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in opposition to this bill for several reasons. For one thing that...that I would like to just clear up before we go on, the fact that the...the sales tax on fuel does go into the General Revenue Fund and does not go into the Transportation Road Fund, and we did that two years ago when we passed the...the increase in the motor fuel tax. We turned around and change the law to put that money into the General Revenue Fund. So, it's not going to be a saving to...or it's not going to increase funds to the Transportation Fund. Secondly,...the bill is working and now that...as just stated by some of my colleagues on the other side of the aisle, the...the...the bill that we passed a few years ago is starting to work, it's...it's...Illinois now produces over sixty percent of the ethanol that's produced in the United States

which means that it's working here in Illinois, and I think we ought to continue that program...it helps agriculture. The Illinois Farm Bureau opposes this bill, according to my analysis, and I think it's just a bad bill and we ought to...we ought to oppose the thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, as I understand it, in the negotiations that have been taking place over the last week, they're...they're...an understanding has been reached...between all the interested parties. Now, my understanding is that this bill, 753, does not incorporate all of those understandings. So, I specifically want to make...there are a number of these gasohol bills floating around and I just want to make sure that we vote...vote Aye on...on ...on the right ones. One of the elements of the agreement was in the definition of gasohol. Another part of the understanding was in the...on the issue of reciprocity. A...a third understanding was on the...the pickup...or I guess the...the Fed's increase the subsidy a penny we're going to drop back a penny. Does this deal with all three of those...those issues? I mean, specifically does this pick up the...the penny that the...the Fed's put on last year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, that's being addressed in the House, as is the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Then...my understanding is that the agreement that was reached has been incorporated in...in a Senate bill, I believe it's Senate Bill 254 which is on the way over here on...on concurrence. I mean, why...why do we need this bill, I guess? We've go another one coming up later on today on the Calendar that also deals with just part of the problem. I...my question is, why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, we don't know what's going to happen to 254 on concurrence. You're right, they're trying to address some of those problems but there's no agreement yet on that problem. This bill is in the form that the companies had signed off on, that the House members had signed off on and it passed overwhelmingly in the House because of that agreement. So, we want to have this pass and...just in case there is no other agreement...no other bill that's passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Then...but as the sponsor has already indicated, this bill does not include all the elements that were agreed upon in the discussions and I think that we should vote No on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. If I could, I have three ethanol plants in my district, so, I think, probably, I know more about ethanol, I would think, than anybody on this Floor at this time. I, along with Senator Zito, passed a bill two

years ago. We sponsored a bill to give a four-cent exemption for ten years to 1992. That's what we told the ethanol industry in the State of Illinois we were going to do. This year, Pekin Energy which is owned by Texaco and CPC International and, by the way, the second largest producer of ethanol in the United States, came to me and asked me if I would introduce legislation dropping that four cents to three cents, or three percent. It's the first time since I've been around anybody ever asked to be lowered. They did so because apparently the Federal Government had given them an exemption higher than they thought that they were going to get and they thought it was fair to reduce it at the State level. I said, all right. We then decided to address the issue of the millions of gallons of Brazilian ethanol coming into the State of Illinois. So, I added into a bill that is now coming back here on a concurrence, that is my bill, that the exemption only applied to ethanol that was derived from cereal grain, that means corn. The Brazilian ethanol is made from sugar cane; therefore, they would not get the State exemption. We also incorporated in that bill that is now coming back here for concurrence that there would be a...the reciprocity agreement between states would stay in existence. Those two provisions, the reciprocity and the Brazilian, are not in this bill. However, there was an agreement made in the House with all the people involved that this bill would be passed and that 254 or 52 would be passed also. Unfortunately, this bill does not incorporate what I think is a...and of...the industry things is very important and that is the Brazilian ethanol that is doing way with the...the Illinois program...or hurting it, and also the reciprocity agreement. It is my hope...and I think what we have left to do is to perhaps pass this bill because I thought that there was an agreement, although as a conservation this morning, I'm not so sure sometimes that there is or not, but I think maybe

because people gave their words that we should pass this bill, concur in the bill that I have coming back and let the Governor make his decision on whether we should, in fact, have a reciprocity agreement and should, in fact, eliminate the Brazilian ethanol from coming into the State of Illinois. The bill coming back, the way I understand it, has been amended to be exactly like the exemption reduction in House Bill 753. I don't like this bill at all, but...I think people gave their words to support it and I will do so but you're, obviously, free to do whatever you want. I think, with the lead being taken out of gas and if, in fact, that happens, this is going to be the major industry in the State of Illinois in the near future, and I'm not so sure we're not crippling it by doing this, but the word has been given as far as I'm concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I rise in support of the bill for a number of the reasons that...previous speakers have enumerated; but also, when the bill was being heard in committee...and all those parties that were in agreement with the bill, and in some cases, I guess a gun was held to their head, it's a...a reluctant agreement, Marathon Oil attempted to place an amendment onto the bill which was defeated in committee, and after the defeat of the bill, while they reluctantly, basically, up to whatever degree, they say they concur. I don't think we can ever placate everybody's particular parochial needs, but this is what we agreed to and this is the best we got and I would urge your favorable support for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Well, I wasn't involved in any of those agreements and until the proposition that Senator Luft mentioned is on there, I would be reluctant to support any bill, and...and as a matter of fact, I'm...I'm reluctant to support them...as it is. I think that right now, when Illinois agriculture is in its...its worst doldrums since the great depression, to be taking off any incentive to use Illinois corn for anything is irresponsible. Now, I don't care whether the major oil companies like this or not, I think that we have to look out for this nation's number one industry and that's agriculture, and agriculture is in dire straits right now and to be even talking about something like this is absolutely foolishness; and I think we ought to tell the major oil companies to forget about it, folks, we're going to maintain this, and I'd like to know what Iowa is doing, and...Indiana is mentioned, but some of the...other major corn producing states I'm sure are not doing this, and I would urge a No vote on this and perhaps even the other bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, I must remind some of our Senators that the original intent of the bill has been accomplished. The oil companies realize that the subsidy has been too high. There will still be a two percent tax break from June of '86 through 1992. The reduction in this percentage will provide after the first year...the first year, twelve million and after that another twenty-five million to the General Revenue Fund, which I think is important and it also follows the actions of the other states that are surrounding our borders in the reduction of this subsidy because now they realize that it is...it is more than competitive, that they have accomplished their purpose, and I would suggest and hope for an Aye vote on the

passage of 753.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 753 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 33, none voting Present. Senate Bill...or House Bill...753 having failed to receive the...required constitutional majority is declared lost. The sponsor requests postponed consideration. 755, Senator Karpiel. House bills 3rd reading,...House Bill 755, Mr. Secretary.

SECRETARY:

House Bill 755.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 755 does exactly what...what it says on the Calendar. It increases the fee an employer may collect from an employee for withholding spouse or child support from the employee's paycheck pursuant to a court order from what is in the current law now of one dollar to four dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This piece of legislation will no doubt create quite a bit of concern when we go back to our districts. In a situation where a person is divorced and is paying child support in this manner, he could be paying perhaps twenty dollars a week child support but the amount he would have to pay to the employer would be an additional four

dollars, so he'd be paying twenty-four dollars a week. He may not have that amount of money to start with if his child support is, say, twenty dollars a week. On top of that, yesterday, I believe, we passed a bill on the Agreed List that allows the circuit clerk to charge, I believe it was one dollar fee per week. So, by the time you have a fellow who goes through a divorce, doesn't have custody of his children, doesn't have much income, has to pay his child support, tries to pay it on a regular basis, he's now going to be taxed additional four or five dollars. It...it just doesn't make sense to go from one dollar to four dollars or about two hundred...two hundred and eight dollars a year...it...it...twenty percent...it just doesn't seem right. So, I would solicit a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

This...this is one of the worst ideas I've yet heard today. We are no longer interested, obviously, in child support, we are now supporting the employer. This doesn't make any sense at all. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

Well, in...in regards to the comments made,...first of all, if the...the spouse that is paying alimony or child support would pay on time, none of this would happen. The reason that the employers are asking for a raise is because they figure that...first of all, they're in perfect agreement with doing this. We're putting the liability on the employer. Now the employers haven't done anything. It's their employee that's not paying his child support. So, we're just putting that liability and making them be...be a...a collector. The difference between this and other wage

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3rd reading

assignments is that this is not just a standard, once a month...might go on for a few months till some debts are paid. Some of these assignments go on forever. I mean, the child could go from two to eighteen and you'd be collecting this money, and it isn't always a standard. One court order might be a monthly payment and one might be every other week, one might be a pay period, whatever it is. The...the employers are...are finding that it's costing them a great deal of money to...in bookkeeping and in personnel in meeting these requirements. They're doing so willingly except it's costing them about eight dollars on each case instead...and they're only asking for a raise from one dollar to four dollars. Certainly, if these people can't pay these extra three dollars or whatever it is, they should just pay on time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 755 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 24, none voting Present. House Bill 755 having received the...having failed to receive the required constitutional majority is declared lost. 761, Senator Vadalabene. House bills 3rd reading is House Bill 761, Mr. Secretary, read the bill.

SECRETARY:

House Bill 761.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 761 repeals the section prohibiting the DLE officers from participating in any manner in the activities of

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interest of any candidate for public office under penalty are remove from the position. The ban on political activities is meant to keep the State police and the DLE officers above politics; however, the right to become involved politically is a fundamental element of our system. The bill passed the Executive Committee by a vote of 10 to 4 and is supported by the Illinois State Troopers Association, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 761 pass. Those...those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 17, none voting Present. House Bill 761 having received the required constitutional majority is declared passed. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

(Machine cutoff)...Body to have House Bill 982...the sponsorship changed from Savickas to Senator Kelly. It more reflects his district than mine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Savickas seeks leave of the Body to have Senator Kelly substituted as the sponsor of House Bill 982. Is leave granted? Leave is granted. It's so ordered. On the Order of House Bills 3rd...Senator Hall, for what purpose do you arise?

SENATOR HALL:

...well, I'm looking...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Senator Hall, we...want to move over to the next one? Okay. House bills 3rd reading, House Bill 777, Senator Sangmeister. Read the bill, Mr. Secretary,

please.

SECRETARY:

House Bill 777.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. For a long time there have been many of us around here who have felt that probation and community corrections ought to be working together in a unified effort and that's what the result of House Bill 777 is. What...House Bill 777 amends the Juvenile Court Act and the Probation Officers Act to provide for a State and local partnership in...finalizing a comprehensive and uniform system of probation in court services in the various counties and promotes the development of a coordinated community justice system. I met with a number of people over a long period of time and I'm just going to quickly read off the list of the people that have now signed off on this legislation, the Probation Association, the...Administrative Office of the Illinois Courts, the Chicago chief judges, the House Democratic Leadership, the John Howard Association, TAS, the Illinois Coalition on Prisons, the Governor's Office, Catholic Charities and...that's nine different associations or groups of people that we have worked with. I'll be happy to answer any questions concerning it, but I want to tell you that this piece of legislation has been worked over from top to bottom. It's not everything that everybody wanted, but it's a little bit of what everybody thought ought to be done and, as a result, I think we have a fine bill. If there are no questions, move for...passage of this...House Bill 777.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Sangmeister, I believe some of the community agencies had some difficulty with this and there was an attempt to resolve them. Were those resolved by any chance?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if you're talking to people like the Safer Foundation, yes, I...I can...you know, I don't want to speak for any organization that I have not read off the names for, but I...I know at this point of no opposition from any of those community agencies that I think you're referring to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I didn't hear you read off ICOY, are they in favor of it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I have been told they are, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 777 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 777 having received the constitu-

tional majority is declared passed. House Bill 781, Senator Demuzio.

SECRETARY:

House Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Read...read the bill, Mr. Secretary.

SECRETARY:

...House Bill 781.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 781 is a bill that would amend the Retailers Occupation Tax Act to provide that when prepaid taxes are collected on a monthly basis exceed twenty-five thousand dollars, the quarterly monthly...payments are required. It's currently ten thousand. All we are doing in this bill is putting this back to where it was prior to 1983 and it seems to me that it's a prudent thing to do and we ought to...to pass this and I think Senator Netsch may have some questions relevant to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in strong opposition to this and...and I guess my feeling is, you know, enough is enough. Last year the...motor fuel people agreed with the Department of Revenue; in fact, some of us really made an effort to bring their step acceleration up to the same level as all other retailers. Originally it was suggested at a different level and they agreed then to the ten thousand dollar level, and now, less than a year later and, in

fact...considerably less than a year because I think it's been in effect only since January, they are back trying to undo what they agreed to just last year. If this bill passes, it will have a cash flow impact, probably only about six hundred thousand dollars with respect to this particular group of retailers, but if this group of retailers is successful...or not retailers, I'm sorry, those who pay the sales tax, is successful in...in changing the threshold level from ten thousand dollars to twenty-five thousand dollars, then every retailer is going to say why shouldn't we do the same thing. That will have a cash flow impact of about twenty-five...no, I'm sorry, about forty-five to fifty million dollars. That is all the Governor's STEP Program and it will be absolutely up in flames before it really has ever had a chance to become effective. Now, my feeling is, a commitment is a commitment. Why should they be put in any more favorable position than all of the others who are required to prepay their sales tax? It doesn't make any sense and it's not fair and it shouldn't happen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Under your bill, are you saying, in effect, that business could be helped by holding up their money for a little longer in order to pay their bills?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He didn't hear you.

SENATOR GEO-KARIS:

I say, under your bill, would you say that you would be creating less of a hardship on businesses who are getting

prepaid payments of tax money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Sure, and...and quite frankly, you know, this accelerated...tax procedure was put in several years ago and I'm not sure that we ought not to do it as...Senator Netsch has suggested for all retailers. If she wants to bring forth a...a bill next Session to allow that to occur, I would be more than happy to support it. It just seems to me, there's no revenue loss with this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall...Senator Netsch.

SENATOR NETSCH:

I'm sorry, just one point to make it clear though, Senator Geo-Karis. This does not apply to all retailers. It applies only to the motor fuel people. They are the only ones who are going to be given the different treatment. All the other retailers will still be under the provisions of the Governor's STEP Program. So, don't have the feeling that you're helping a lot of small businesses, you're helping a few large sellers of gasoline...wholesalers of gasoline.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, just for the record, we had passed a bill that forces them to prepay this tax. That's the reason why this change is being made. It isn't that they're collecting it and keeping the money, we're forcing them to prepay it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

HB 782
3rd Reading

Thank you, and I... you know, Senator DeAngelis is absolutely correct. I don't see anything wrong with this at all, and it seems to me that if...I wasn't a party to any kind of an agreement that was alleged here on the Floor. Just seems to me that we ought to be doing this, and if Senator Netsch wants to bring in a bill for the other small retailers, I'd be glad to support it next Session. I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 781 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 1 voting Present. House Bill 781 having received the constitutional majority is declared passed. House Bill 782, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 782.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. This is a very simple bill and I'm surprised that it wasn't on the Agreed Bill List. The bill simply extends the coverage period for group health insurance policies after a person has terminated their employment from the...the current six months until nine months. There's no money involved. The employee pays for the cost of this group health insurance. It's just...simply provides them with an opportunity to seek...alternate coverage for themselves and for their family after the...their jobs have been terminated for whatever reason. I would be happy to answer any questions; if not, I

would request a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 782 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 8, none voting Present. House Bill 782 having received the constitutional majority is declared passed. House Bill 787, Senator Luft. House Bill 792, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 792.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is amends an Act providing for electronic data processing in the Illinois Revised Statute. Requires the Legislative Reference Bureau to make a memory system available to be used by the public and governmental entities if such availability does not reduce the quality of service available to the Legislative Reference Bureau. This is requested by the Reference Bureau and I think it's a good bill. It allows our agencies to get this necessary information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 792 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 792 having received the required constitutional majority is declared

passed. 793, Senator Luft. Page 9. 805, Senator Karpiel. Top of page 9 is House Bill 805, Mr. Secretary, read the bill.

SECRETARY:

House Bill 805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. This bill adds new language to allow the Comptroller to withhold income tax refunds for persons who have had support orders filed against them, and it allows the Comptroller to give the Department of Public Aid the refunds and information regarding the where 'bout...whereabouts of the delinquent person.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 805 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill...805 having received the required constitutional majority is declared passed. 811, Senator Luft. House bills 3rd reading is House Bill 811, Mr. Secretary, read the bill.

SECRETARY:

House Bill 811.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 811 provides that

HB 831
3rd reading

in any action against the State or a municipality to recover utility taxes that were illegally or unconstitutionally collected, that the prevailing party shall not be entitled to recover any amount exceeding such taxes or charges paid plus interest where applicable during a period beginning three years prior to the date of filing or court complaint, whichever occurs earlier. Try to ask for any questions; otherwise, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 811 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 811 having received the required constitutional majority is declared passed. 831, Senator Barkhausen. House bills 3rd reading, House Bill 831, Mr. Secretary, read the bill.

SECRETARY:

House Bill 831.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 831 does a couple of different things with regard to the Crime Victims Compensation Act. For one, it expands the definition of crime and violence to include incest, criminal sexual abuse, aggravated criminal sexual abuse and certain other offenses, and it increases the maximum award under the Act from fifteen thousand to twenty-five thousand dollars for crimes committed after the bill's effective date. In addition, the bill has been amended to incorporate the provisions of Senate Bill 644

HB 838 3rd Reading

which earlier passed out of this Chamber 46 to 9, which provides for a...a fee...for witnesses in...violent crimes, including crime victims, the maximum of fifty dollars a day, deducting the twenty dollar amount otherwise available from the circuit court clerk's fee up to a maximum of fifty dollars, as I say, against lost wages. Urge your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 831 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 831 having received the required constitutional majority is declared passed. 838, Senator Poshard. House bills 3rd reading, House Bill 838, Mr. Secretary.

SECRETARY:

House Bill 838.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill amends the Consumer Fraud and Deceptive Practices Act, creates the offense of fraud against the elderly. The Attorney General's Office annually receives about twenty thousand complaints per year alleging home repair fraud against the elderly and this bill, among other things, would make it unlawful...would make it an unlawful practice for any person to...contract with another person age sixty or over for the repair, construction, reconstruction, building, rebuilding, remodeling, renovation or restoration

of any real or personal property or for the purchase of sale of any type of insurance, annuities, security or any other item of real or personal property while knowingly using a name other than their real name or an assumed business or corporate name, while knowingly misrepresentating material facts with the intent that others will rely on that misrepresentation. There are many other provisions to this bill, all of which I'm sure are in your analysis. Be happy to go over each one point by point if necessary, but would ask for your favorable consideration to this bill

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I just would ask the sponsor to yield, if he would.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Poshard, I appreciate that this bill, like Senator Sangmeister's bill we debated awhile ago, it was a fairly substantial one and perhaps we're all or most of us sympathetic, but I...I wondered since it does seem to be a fairly sweeping proposal and...and because, I guess, it didn't get a hearing...before any committee, if you could just take a moment to outline what the...what the unlawful practices are. As I understand, we're talking not only about...about home repairs, but in addition to that, we're talking about the sale of certain types of insurance and maybe certain other transactions as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, these are the types of deceptive practices that the

bill addresses for people age sixty or over; using a name other than his real name or an assumed business or corporate name, misrepresenting a material fact with the intent that others will rely on that misrepresentation, preventing or obstructing another from obtaining pertinent information, selling property without disclosing an existing lien or encumbrance when the person had actual knowledge or reason to know of the existence of such lien or encumbrance, to promise the performance of any act not intended to be performed, to employ any deception, to encourage another person age sixty or over to enter into any contract or agreement, to damage property in order to enter a home to repair that home, to enter into an unconscionable agreement or contract. A contract shall be deemed unconscionable when the agreed upon consideration unreasonably exceeds the fair market value of the services, materials and work to be provided under the terms of the agreement or contract. It prohibits a person from falsely representing themselves as public officals to cause a person age sixty or over to enter into a repair contract or purchase an item of real or personal property. Those are the specifics that the bill addresses, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, your time has almost expired. Senator Barkhausen.

SENATOR BARKHAUSEN:

My time is about to expire, I think I've taken about fifteen seconds but I hope that's not excessive. Just a...you're saying...as I understand it, that it could be a...a crime for someone to...to sell property which is deemed to unreasonably exceed fair market value...did I hear you to say that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, under this bill, that...that would be termed an unconscionable agreement or contract, and as I had stated before, a contract would qualify to be unconscionable when the agreed upon consideration unreasonably exceeds the fair market value of the services, material and work to be provided.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...to the bill, I...like I'm sure...most of us have not had a chance to take a close look at this bill, and I suspect that we are talking about things that are already covered by law under the Criminal Code which this bill partially deals with criminal violations we have under our current Statutes...theft by deception, so that where one is...selling property and misrepresenting the nature of the property or misrepresenting its...its value, there is a potential violation under the Theft by Deception Statute. In addition to that, if one is talking about civil penalties, we have the Consumer Fraud and Deceptive Practices Act which the Attorney General has, at this point, jurisdiction to enforce. I don't know that I would oppose all of the provisions in the bill. I would probably support most or all of them, but I...I think, again, considering the fact that this bill did not get a hearing in committee, that it should before we pass anything so sweeping as this and it potentially comes back to haunt us.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I wonder if the sponsor will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DUNN:

Senator Poshard, is this bill directed towards protecting me from...from unscrupulous people. I appreciate your effort, but what about my seatmates on each side of me? They also would like to be protected they tell me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Dunn, knowing your athletic prowess, you don't need a whole lot of protection under this bill, but it is directed toward protecting you, yes. It's specifically directed toward people over age sixty because those are the people that are...are most usually taken advantage of by people who are in the fraudulent home repair business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I just a little bit resent that, Senator Poshard, that you think that I'm more gullible than the people sitting on either side of me, you know...I...I think I'll vote No on the bill just on that strength. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Sam, I think you ought to know that you're mentioned in our analysis and I don't think that that's right, I don't think you're over sixty. Are you?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Sam, you know darn well that I don't act like I'm over sixty.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I know we're moving along fast, but I think we ought to slow down just a little bit here and take another look at this. With all due respect to the sponsor, this is the Attorney General coming forth at the eleventh hour with some very important changes in State law, changes which have not had an opportunity to go through our committee system, and in some cases, that may be okay, but I think you want to take a look at this one. I'm all for helping senior citizens and I think it's a good idea, but I think a vote Present on this is in order here for the following reasons. For one reason, I see here it says that if, for example, a citizen were to sell a lot to somebody over sixty and failed to expressly state there is an easement across the land, even if such easement is apparent and a matter of public record, that person commits a Class 2 felony, three to seven years. There's a number of felonies that this spells out. Now, maybe that's the way we want to go, but we ought be proceeding in a committee system where we have an opportunity to look at this legislation. I think a vote Present on this bill is in order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, we had a bill here that just flew out of here a while ago and, oh, it was great. Now, what happens here is that the victims are usually elderly, they live in a home alone. Usually the unscrupulous contractor gains inter-

est to the victim's home by representing himself as working in the area or just passing by or noticing what needs to be done in this home. This is really a bill that we should pass, and getting back to Senator Barkhausen, you said, yes, we hadn't read...we hadn't the chance to read and hear about Senator Sangmeister's bill too, but it just flew out of here. This is something that's needed and I should think that everybody on this Floor should try to get something that...would protect the elderly, the people who live by themselves and get rid of this dishonest contractors who have been preying on these people. I urge your most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. It's really strange that this bill has surfaced on the Floor of the Senate when I had a similar bill of which the attorney's from the...state's attorney's office, the Attorney General's Office, representatives of the mayor's office and representatives of the industry itself. My staff and I worked over six months on a whole package of bills that were left in committee that was not too much similar from one of the bills in that package. I'm a little appalled that the Attorney General would put forth this...this bill and it's on the Floor here and I don't know anything about it. I think I've been working on this issue for seven years. While I am not concerned about pride of authorship, there are some concerns that I do have about this particular bill...I think I have worked longer than the...the current sponsor, probably anyone else on this Floor on this issue, and if the bills that I have...that total package of bills are going to be remaining in committee for continuous work, I would suggest that this particular bill go there also because it is a very

serious area, it is most...certain an area which we need to do something about, but it is a very complicated area so that we don't penalize the...the good, hard working person and that we're able to...have legislation so that we can put those unscrupulous people out of business. It's a problem for senior citizens but it's also a problem for many other people throughout the State, and I would hope that we wouldn't have two sets of laws, one for the elderly and one for other people; and for that reason, I'm going to be voting Present on the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I rise...I rise in support of this legislation, being involved in this situation and having my name used in this situation and having my friends bilked through this situation and having worked with the Attorney General in regards to this situation of milking elderly people. In my community when...home repairs are done, the people don't go to the bank, they go to the bank only to get the cash. So, if they have an eight thousand dollar remodeling job, they give eight thousand dollars to that contractor who never does the work. In one incident, going back about five, six years, I...I remember we tried to stop the Sun Times Newspaper from taking advertisement on the back of a...their...their funnies and the company was...and they were still bilking these elderly people remodeling basements and the...and the paper still took the advertisement for that matter and it took almost six months before they realized what was going on. But I think this is an important step to protecting our elderly and I have no personal pride in the bill that I passed. I'd just like to see the problem resolved, and I'm not like the previous speaker, I'm not against somebody coming in and passing the legislation. I have no pride in the worthing of my bill

or any other bill. I think this is a good piece of legislation and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard may close.

END OF REEL

REEL #5

SENATOR POSHARD:

Thank you, Mr. President. I think this is a good bill. I think it does what's right by senior citizens who most often get ripped off by disreputable home repair people. When this was amended yesterday, Senator Schaffer asked me for a synopsis of it. We gave that to him and would have given it to other folks had they requested it. Present Statutes, under the law under which the Attorney General operates, apparently are not good enough to accomplish the kinds of things that this bill needs to accomplish in protecting senior citizens. So, I call for your respectful consideration of the bill. I think it's a good bill and it should be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 838 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, the Ayes...take the record. On that question, the Ayes are 28, the Nays are 3, 24 voting Present. Senator Poshard seeks leave of the Body to postpone consideration of 838. Is leave granted? Hearing no objection, leave is granted. House Bill 861, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 861.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 861 provides tuition waivers to children of tenured faculty members at the various university systems provided that they meet certain conditions. There will be one tuition waiver available for every fifty faculty members. The limit on these tuition waivers would be a hundred and fifty tuitions. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WEAVER:

Senator DeAngelis, why did you only include faculty members? How about nonacademic people and the...the craft union people and those who work for higher education...regardless of what classification of employment they're in?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Weaver, the bill came over that way. I do intend, if this program is expanded, to...include those people. I will, however, not allow children of faculties from embalming schools.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, I...I think we could probably wait until next year to pass a bill of this type. I just can't see granting tuition waivers to the highest paid category of public...institutions of higher education's children. I would hope for a No vote on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I couldn't agree with you more, Senator Weaver. I...in fact, if you...talking about special legislation probably to some of the highest paid people in State Government, this bill is it. Basically what you're doing is you're saying that their children, if they...they receive a tuition waiver, and in turn, we pass budgets out of this General Assembly and their cost of living increases are much higher than anyone elses. Senator Weaver, you're absolutely correct, this bill deserves an absolute No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I rise in support of the bill and we...what we are talking about is attracting and keeping competent faculty in higher education. We all know Illinois ranks very low as compared to other states of what our faculty is paid, and if you're talking about keeping people in Illinois in higher education, this is one way you can do it without coming out with...coming up with direct cash monies. Now, Illinois...we are talking about improving the quality of education, improving the quality of teaching and et cetera, this is one incentive for faculty members to either come to Illinois to teach or it can be an incentive to keep them in Illinois and teaching in higher education, so this is a good piece of legislation and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm looking at this legislation. This is a group of individuals that was very critical of the legis-

lative...scholarship program, and I can't see why we're blanketing every teacher that has children without setting up some type of scholastical program in the school. I think this bill goes too far. I think if they want something, then the school should be allowed to set up a scholastical program so the best...so the students that are children of professors can compete for this. Academic achievement is what we're striving for and that's what we're constantly criticized in regards to the legislative scholarships, but I've also...have a position where...even if I was going to vote for this, I would vote Present since my immediate family, my brother, would directly benefit from this. So, I will vote Present.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I just have a question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WELCH:

Senator DeAngelis, when this bill was first explained to me, I was told that the reason was that tenured faculty are able to go to school and have tuition paid for themselves and what they wanted to do was pass on this right to children. Is that not included in this bill or is that the original intent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I know of no such explanation, Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well,...that's the way it was explained to me several months ago. This is for every tenured faculty teacher can

have their children go to school with a tuition waiver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse. That wasn't a question. Senator Newhouse.

SENATOR NEWHOUSE:

I...I wonder if Senator DeAngelis would want to answer the question that was asked previously?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, there is a limit to this. There's only one available for each fifty tenured faculty member. It's not on a limited amount.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. Chairman...Mr. President, this bill came out of committee on a fairly heavy vote, but there were a number of questions that were unanswered and...and I'm a little troubled by that. I...I'd like to study this a bit longer but, of course, it's up now. Senator DeAngelis, I wonder if you'd yield for a question? Exactly how is this selection made? As I understand the bill,...allocation of one for every fifty, is that correct? Then how is...how is that one selected?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if the number of applicants exceeds the availability, then the availability is determined by that person having the longest amount of tenure at that university and you go right down the line.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Is it accurate then that if there are two parents working that...that that cumulative time will be considered so that in effect you will have two parents, double salary and a child on...on scholarship. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, if there are two members, you would add up the total of the two members; however, if there are two children, they're only allowed to send one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

How nice. Senator Newhouse.

SENATOR NEWHOUSE:

...same thing. My question then is, the...the cumulative time with the double salary so that...so that...for example, if the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

It's not salary, it's years of service.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

I don't want to drag this out, but let's say the salary is twenty-two five. So that a single parent...so that a parent with one child, would...would be at the twenty-two five level. Two parents working at forty-five with a cumulative...accrual of time would then have a space in front of that single parent at twenty-two five, would they not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, provided that the cumulative total of the two is

greater than of the one, yes. It's not salary, it's years of service.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

...my...my point being that with a forty-five thousand dollar cumulative salary that the financial capability to pay some portion of tuition is much greater than that of one with twenty-two five, and it seems to me that that's an unfortunate result of this portion of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Newhouse, there are other programs that are available. If that person is making twenty-two five, currently, under the Illinois State Scholarship Commission, they would probably get the tuition anyhow. Okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

But if the person is making forty-five and the two are making ninety...deal with that...all right, I...I think you see. I...I've got some problems with the bill as...as...I'm...I'm going probably go vote Present...I...I think the...concept is good and somehow I think we ought to work out a bill. I'm just not sure this is it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz?

SENATOR MAROVITZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAROVITZ:

I must not understand this bill. I must not understand

this bill, but I must ask this question. With the tuitions going up in the State as they are and more and more people having trouble dealing with tuitions, especially with more...more than one child, why are we giving a free ride to some people who may very well be able to fund the cost of tuitions themselves when others are having serious problems...just because they're...just because they happen to be faculty members? Why are we doing this? And maybe that's not what the bill does, so maybe I don't understand it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, year after year we hear here that we are losing faculty, we've got to raise pay, we've got to do all these other things. This is a reward system for those longstanding faculty members at the universities. Now, it limits it to one per fifty faculty members. It's not a...and in closing, I'll make some comments regarding how insignificant this is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well,...don't these faculty...longstanding faculty members have other rewards? They're tenured faculty, they have increased salary, they have pensions, they have medical insurance. Don't they have other kinds of benefits? Do we have to...do we have to grant...you know,...we have colleges...universities coming to us all the time saying they need a tuition increase. Okay? So, now we're letting some kids in free who may not even have financial problems so that others are going to have to pay more to get in. I mean, that just...you know, who are we representing here? I mean,...the special interest groups are getting smaller and smaller and smaller. I mean, you know, I just don't understand why we're

doing this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I rise in support of this bill. I don't know how...many of you are not are in higher education. Most of the questions asked by the chairman of the higher education and some other people was brought out in the committee. One of the points you're missing, I think, ladies and gentlemen, is all of you want to keep the strongest people possible on the faculties at the different public universities. Now, we have some of the strongest private universities in America here in Illinois; Loyola, Chicago, Bradley, they all use this to give a student, a son or a daughter of a faculty member a tuition waiver to help keep that kind of a strong person on the faculty. This is a tool that we can keep outstanding faculty members in public universities there 'cause we did lose...did lose two faculty members, I'm aware of, one at...at one university and one at another because they had a job offer to a university...a public university out of this State that gave a tuition waiver to their children while they were in college. This is a good bill. I urge all of you to vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock. Is there further discussion? If not, Senator DeAngelis may close. You may close, there's no further discussion.

SENATOR DeANGELIS:

All right, thank you, Mr. President. Well, you know, this thing is heating up a little bit. I do not think that the bill is the greatest in the world, but I don't think it's as bad as some people say it is. Let me point out to you a couple of things. First of all, as Senator Davidson indicated, the private school systems do it, the community col-

lege school systems do it; in fact, let me read to you...and now we're talking about a hundred and fifty scholarships. Okay? Currently, the Board of Higher Education gives out thirty-three thousand and ninety-six scholarships on their own that they're permitted to do by law, thirty-three thousand and ninety-six. Not one of those...not one of those...goes to the child of a faculty member. Let me read to you where some of them go, and by the way, those are worth twenty-six million dollars. Four thousand and seventy-four called statutory waivers, whatever that means; twelve thousand two hundred and seventy-three, and this is a good cause, graduate assistance. But then there's seven thousand nine hundred and thirteen that go to staff. What does that mean? Two thousand six hundred and twenty-nine to so-called cooperating teachers. I guess if you're not cooperative, you don't get one; one thousand five hundred and forty for academic purposes, one thousand four hundred and two for athletic purposes, and then they got a category called miscellaneous, two thousand one hundred and eleven. Now, what we're arguing about here is a hundred and fifty scholarships. A hundred and fifty when they're currently giving out, by law...that doesn't mean we say they have to do it, we say that they're allowed to do it, thirty-three thousand and ninety-six. Senator Lemke, I don't want to disagree with you, but at no time did the university systems or its faculty oppose...I take it back, the university administration but not the faculty opposed the academic scholarship program. In fact, we have one intact, it was passed last year. I believe you voted for it. It's on stream right now. The June graduates of this year are eligible and are being notified for them. I urge your approval of this program, and as I indicated, if we want to include other people in the following years, I'll be happy to do it. This is a House bill that dealt strictly with teachers. I'd be happy next year to include adminis-

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trators and other people. I urge your support for this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 861 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 23, the Nays are 23, 7 voting Present. House Bill 861 having failed to receive a majority...constitutional majority is declared lost. House Bill 880, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 880.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr President. House Bill 880 as amended amends Section 83 of the Revenue Act to require that property listed by a railroad with the Department of Revenue as noncarrier real estate include the permanent real estate index number when such number is available. It also as amended removes Cook County from the provisions of Section 20E-1 of the Revenue Act which is commonly known as the Forestry Development Act. Several years ago this Body enacted law identifying the Forestry Development Act and that Act was to encourage commercial timber developers in Illinois. However, there...it has served...the Act has served as a convenient vehicle for sheltering from taxation large, residential estates. One...one such estate exists in Cook County. To my knowledge, there are no commercial timberlands in Cook County. This bill as amended will eliminate that tax shelter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah,...Senator Degnan, if it's a tax shelter downstate...is it a tax shelter on Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

You mean if it's a tax shelter in Cook County is it a tax shelter downstate? My...my knowledge of the other four hundred and...or so people that have taken advantage of this...does not include whether or not they're using it as a tax shelter. My knowledge of Cook County does include that information.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, if you don't have the knowledge, you ought not to be doing it. If you think it's pretty dangerous for Cook County, maybe, perhaps, it's dangerous for the rest of the State as well. Now, you know, just a few minutes ago you passed a bill that requested that the Body please extend to the State's Attorney of Cook County the very same rights the other counties had. Now, all of a sudden, we're back again to, well, let's leave Cook County out of it. You know, if it's good for Cook County...if it's good for downstate, it's good for Cook County. Let's stop this assessment changes for Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Will the...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Do I understand correctly that...and I'm speaking...to

the amendment now, Senator,...do I understand correctly that this...this is directed at...at one individual taxpayer?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Well, the amendment...the...the Act was written for commercial timberlands and those people harvesting timber. Unfortunately, one estate in Cook County has managed to get certified by the Department of Conservation and, thus, is qualified for a tax reduction. I am trying to resolve that problem with this amendment. This may very well be happening in some of the other hundred and one counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, I think...in an instance...such as this, we should think very carefully about exempting Cook County from the...the benefits of the program. It...it appears to me that Cook County even more than many of the other counties since it is so heavily populated should be particularly interested in...in preserving some of those...those areas which still remain that...that are forested. I would...I...I would say...and this...as my recollection is, that this was passed as part of the Prairie State 2000 Program. I think it ought to...ought to be applied Statewide. If there is a...if there is a need, if the program isn't operating as we initially felt that it should, then I think we ought to change the program but change...change it so that it continues to affect all the hundred and two counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Degnan may close.

SENATOR DEGNAN:

Well, under Prairie State 2000 the Forestry Development

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Act, I believe, was written with the intent to help those people who were commercial timber growers in the southern part of this State. Unfortunately, someone in Cook County has managed to become qualified and we seek to...resolve that problem with this legislation. I'd appreciate your help.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 880 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 16, 1 voting Present. House Bill 880 having received the constitutional majority is declared passed. House Bill 883, Senator Friedland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 883.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 883, the synopsis on the Calendar is correct. It provides that the township board of trustees may require any unpaid account presented for approval to be verified as reasonable rather than just. Now the background for this is that presently the town board of trustees is required to accept all bills which meet the just standard. This has been interpreted to require than an item or service was purchased is broadly described and approved within the budget document. This change reflects...this change to reasonable would reflect the intended permit of the...trustees to reject bills which they determine that are excessive and thereby remove...from potential abuse. It's supported by the township officials and there's one amendment on it was adopted in

the Senate which is supported by the municipal league, and I urge your favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 883 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 883 having received the constitutional majority is declared passed. House Bill... House Bill 898, Senator Rock. Read the bill...House Bill 900, Senator Netsch. House Bill 903, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 903.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. 903...original bill was eliminated and Amendment 1 became the bill which provided for the...director of the Department of Central Management Services is authorized to convey a quit-claim deed for the consideration of one dollar the following described property to the National Conference of Black Lawyers...the Community College of Law at...International Diplomacy in Chicago. The Department of...of Central Management has never attempted to sell this property in question because the property is located in the depressed area. The property was originally the Singer mansion, property of owners of the sewing machine company and the property was eventually donated to the State Board of Higher Education, and the board conveyed the property to the Department of...of Central Management in 1972 with the condition that the Col-

lege of Law be allowed to remain at the property and the College of Law has been located at the property since 1970. Now, the College of Law has been...certified by the Secretary of State as a general non-for-profit corporation since 1977 and the National Conference of Black Lawyers was certified by the IRS as a tax exempt under Section 501 of the International Revenue Code, and once...we added another amendment to this to stipulate that whenever this school decided not to remain...on this property, that it would go directly back to the...be reverted back to our State, and I...if there aren't any questions, then I would like to recommend that we adopt this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 903 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 903 having received the required constitutional majority is declared passed. 909, Senator Degnan. House bills 3rd reading, House Bill 909, Mr. Secretary, read the bill.

SECRETARY:

House Bill 909.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 909 amends the Chicago Sanitary District Act to increase from sixty days to one year the time period in which the civil service exam must be taken and an eligible list establised after temporary appointment to the position where there is no eligible list.

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3rd reading

Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 909 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 909 having received the required constitutional majority is declared passed. 910, Senator Degnan. House bills 3rd reading, House Bill 910.

SECRETARY:

House Bill 910.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 910 contains much of the same...verbage that was included in Senate Bill 614. It amends the municipal...Chicago Sanitary District Article of the Pension Code, removes the eight hundred dollar monthly cap on survivor's benefits and provides fifty percent of the pension benefits to the spouse, much like other pension funds. It also makes a two percent flat rate optional, includes an automatic increase beginning on the first anniversary date of retirement as opposed to the age sixty, surviving spouse's benefits are not terminated upon remarriage and allows employees to avoid early retirement penalty by making a one-time contribution. This is exempt from the Mandate's Act and the Illinois Economic and...Fiscal Commission recommends approval giving the current funding of seventy-eight percent of the fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right, any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Just to...alert everybody, this is a twenty-six million six hundred thousand dollar accrued liability with a two million nine hundred thousand dollar annual cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I would also like to call the attention to the Body to a report issued yesterday that says the fund is funded at seventy-eight percent now, it was seventy-two percent last year. Absent any other questions, I'd move passage of House Bill 910.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 910 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, 8 voting Present. House Bill 910 having received the constitutional majority is declared passed. House Bill 932, Senator Degnan.

SECRETARY:

House Bill 932.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 932 as amended creates the Dietetic Practice Act. It removes...the amendment we put on earlier removes the medical society's objections, makes the profession subject to regulation and control, assures minimal competency. I'd be happy to answer any

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questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 932 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 932 having received the constitutional majority is declared passed. House Bill 935, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

House Bill...House Bill 935.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is a sort of a merely bill...no this is...this is the...the...the bill on the school district reorganization plan. If you will...if you will look on your desks, somewhere in your papers, you will see a yellow piece of paper, and if we can...quickly go down the...the major provisions, I...I think a lot of questions might be...answered. The major provision...first of all, all reorganization proposals will require the approval of a majority of the voters in each affected district. That was Senator Maitland's amendment which was successfully put on, that's each affected district before being implemented, which means veto power for...in another words. The other major provisions is, it shall...the reorganization committee will be created in each of the fifty-six downstate educational regions. The committees will be elected by the boards of education in each region. Now, the original bill called for a minimum of seventeen and a maximum of fourteen members;

that, too, has been taken off, each school district now will be represented on this board. Cook County will be divided into three subregions and Chicago is...excluded from this bill. The reorganization's committee will study the size and structure of the school districts in the region and report the recommendations concerning the need for reorganization to the State Reorganization Committee no later than June 30th, 1986. That, too, is a change in the original bill. Any reorganization plan recommended by the committee must be submitted to the voters for their approval. If approved, the...the plan must be implemented by July 1st, 1988. That, too, is changed. If the plan is rejected, the committee has a chance to go back, look over the map again, see if there is a...the objections of the voters can be met. They can resubmit another plan one more time, if it doesn't pass the second time, the reorganization committee will be dissolved. The dual districts combining to form a unit district will retain the same maximum taxing authority as the combined maximum taxing authority before they consolidated. There will be a 1.6 million dollar budget to provide...to assist local reorganization's committee to conduct their studies and the State Board of Education will serve as the State Reorganization Committee and will be responsible for procedures, providing statistical information, coordinating the work between the reorganization's committee and presenting an annual progress report to the Governor and the General Assembly. I don't believe, if you look at the bill the way it has been amended, that there is really anything in this bill now that...that prevents anyone from voting against it. If you look at the bill carefully, you will see what we are talking about basically is having people sit down locally, look a the map see if it indeed makes sense; if it does, I guess, they can just go home; if doesn't though, and I think in some cases it may not, submit it to our voters. As I say, the

main objection that I have been hearing on this bill and...and, believe me, I've gotten a lot of phone calls on it, is that the school districts are concerned that they would not have the veto power. This was granted in Senator Maitland's amendment. If you have any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. A question, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR LUFT:

Does this bill repeal the existing laws by which school districts may consolidate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

No, it does not, but the problem has been...it's been forty years since anybody has really sat down and looked at this map and made any sense out of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Then I would like to speak in opposition to this bill simply because I think it's a little foolish to have two different ways to consolidate schools, one that is the existing law and one that we're setting forth here. And since the changes have been made, Senator, I hope that I...I'm not wrong in what I'm trying to say. But it is my understanding that when you do consolidate, the minimum number of students in that school district will be fifteen hundred. Am I correct? That's been changed? All right. Am I right in saying that this plan has to be submitted to the

State Board of Education for approval?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

It...it...all right, for technical...first of all, I'll answer the last question, for technical purposes only. It has to be submitted to the State Board to make sure that, you know, what they've done is technically right and conforms to the law, but those...that...that's all that's for. The other provision...no, also, and I'm glad you brought that up. It...it is...they are suggested guidelines but they no longer, again, are in the bill that you...I'm...we are mandating that there has to be certain sizes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Question. If, in fact, there are seven members appointed to the school consolidation district, two school districts choose to consolidate, those two members representing those...two school districts on that board vote Aye to consolidate, five other members vote No. Will that eliminate the plan?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...in order to pass, it has to be submitted to the voters. Are you saying, though, if on the regional board there are five that vote No that they don't want to submit the board...submit the plan and two that say, yes, they do want to submit the plan? My...my handler says, he doesn't see that happening.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft, would you bring your remarks to a close?

SENATOR LUFT:

I just want to know if that can happen? I don't know whether anybody can see it happen or not, but I just want to know under this bill if that can happen?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Okay. All right...the...the joint committee has to agree on what is submitted to the voters, so...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft, would you bring your remarks to a close?

SENATOR LUFT:

All right. Based on that answer and other than having a dual system of consolidation and the fact that the two school districts that wish to consolidate may not be able to under this program, I would sincerely urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Fawell, of all the years that I've been here, I've never gotten the mail, the phone calls from the people in my district vehemently opposing this consolidation of schools. Now, I know there have been some amendments here, and whatever the amendments are, they're still opposed to this...to this action. And I wanted to tell you along with so many others that I think...it's a move you're going in the wrong direction, and I will certainly be voting No on this and see...and try to encourage others to do likewise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would just like to stand in opposition to this bill. I think that this is a...really a terrible idea but the problem with it is it's being sold to

us under the guise of being a reform and part of a reform package, a reform package based on a few studies, a few minuscule reviews of some fourteen schools throughout the State which say that in those schools where you have under five hundred kids in high school, they may not do as well. Well, if you draw the analogy to some of the small schools, their basketball teams don't do as well either. It...a lot depends on the caliber of the children that you have. The attitude that's taken is that...this so-called reform is going to help us downstate. It's kind of the attitude that, well, we got a bunch of hayseeds down there who don't know what they're doing, so let's help them out a little bit and give them this reform as part of this package. Well, I just want to say to those around Chicago who are rounding up the votes in favor of this so-called reform, please don't do us any favor downstate, you're certainly not doing us one and I just want to say that if this is reform, then we'll have none of it downstate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's eight more speakers that seek recognition on this legislation. Senator Lemke. There's nine more now with Demuzio. Senator Lemke.

SENATOR LEMKE:

I rise against this bill. Basically, I thought maybe it just applied to downstate until we get around to look into Cook County. We have some successful small school districts in the City of Chicago and the quality of those students...out of those students that go to those small schools, the majority of them going to college and become a...accomplished people. I think this is a bad way to go. I don't think school districts should be...consolidated if they're successful financially and educationalwise, and I don't think that they should be consolidated with a bigger district that is more confused in what they're doing. And

the basic thing as I look at it is looked at what happened to the City of Chicago when they got away to the...away from the neighborhood school concept. The people failed to realize the importance of those schools in their...area and the schools started to go down and down and the neighbors didn't care about them. To this day, they still don't care about them, they don't participate in the athletic events, they don't participate in any of the activities. Now there is a drive to go back to these small neighborhood school areas because they actually contributed to the growth not only of the child but to the community and to the business in that community. I think this is a bad concept. I think small school districts should be left to exist and carry on their practices that they have done. I ask for a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom. We have now...ten speakers that seek recognition. Senator Bloom.

SENATOR BLOOM:

I'd...I'd move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom has moved the previous question, that's it. We have...Schuneman, Berman, Poshard, Daniel, Topinka, Lechowicz, Demuzio, Schaffer and Maitland. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm not opposed to downstate schools studying...consolidation reorganization; in fact, I...I think that...that they should and we should. What I am concerned about are some of the numbers that were in this bill. In my district, we have some small schools who are looking at consolidation, some of them have one hundred students. There...I can think of three schools each of whom have about a hundred students in high school who are struggling with the question of whether or not to consoli-

date. A question of the sponsor and that is that...that on page 5 of the original bill, it indicated that the committee shall ensure that under the plan every school district will meet the following minimum criteria, and then it lists high schools of five hundred students. Is that still in the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

(Machine cutoff)...no, those are...what those are are minimum suggestions. They are not mandated and not mandated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. My question is, has the language on page 5, line 3, been changed or does it still say that it shall ensure?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

No. The language has been changed, it no longer says shall...ensure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it's important for us to rise above perception and look at fact, and I identify very strongly with many of my downstate colleagues that are apprehensive regarding any bill that would mandate that a quality small school district would be abolished under this bill. And if that was the fact, I would not be standing up in support of this bill, but let me suggest something to you, that is not what this bill does. This bill...this bill merely asks that a citizens' committee consider restructuring in order to...to decrease the number of school districts that we have in the

State of Illinois. Consider it, after that citizens' committee formulates a policy based upon suggested numbers, suggested not mandated, suggested numbers, any plan that they put together to decrease the number of school districts in that area must be submitted to the voters. If the voters don't like it, it goes back to that citizens' committee. If the citizens' committee doesn't come back with a second approved suggested plan and it's turned down a second time, that's the end of it. There is nothing mandated in this bill except to evaluate whether we ought to have less school districts in Illinois. We have a thousand and six school districts, ladies and gentlemen, we have the third largest number of school districts of any state in the nation. Regardless of how good your local school is, a good amount of money, State and local resources, are eaten up by the administration involved in a thousand and six school districts. We are asking in this bill that citizens' committees look at ways to cut that number, that's all this bill does. Now let me point out to you, in committee, three groups signed in in support of this bill and I'm usually not the spokesman for these three organizations on the Floor of this Body. Those three groups happen to have been the Illinois State Chamber of Commerce, the Illinois Farm Bureau and the Taxpayers' Federation. The reason that they have signed in in support of this bill is that they feel that in order to make meaningful progress...along the broad base of education reform, one element of that reform package ought to be to look at...to look at ways to...decrease the number of school districts that we have in Illinois. That's all this bill does. I would urge an Aye vote to look at ways to decrease the number of school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. With all due respect to my esteemed colleague, Senator Fawell, I rise in opposition to this bill, realizing of course that Senator Maitland's amendment has made the bill somewhat more palatable for those of us from rural areas of this State. Over two weeks ago, I listened to Superintendent Sanders testify to the Elementary, Secondary Education Committee. His remarks were based in large part upon a study recently completed by the State Board of Education and a study upon which I feel a large portion of this bill was drated. The study indicated that high schools of approximately five hundred and elementary districts of somewhere around a thousand offered the best chance for educational opportunity and excellence in this State. Other studies which I have read over the years and have been completed in various parts of the country show no relationship whatsoever to size and educational excellence, but we choose to believe one particular study. This bill is being sold on the basis of educational quality. Compare, if you will, the children from our small rural schools against children from many of the larger city schools and let's see if our kids measure up. Are the scores of these children lower than the national average for SAT or SAT...ACT scores, national achievement test scores? They're not. Compare our children and the courses that they're offered, since the superintendent addressed several courses being offered in a school district as more applicable to educational excellence. Compare what our schools offer now against the State board's own requirements for what our children should have. The superintendent says we need more foreign languages. Well, how many foreign languages do the State...does the State board require right now for our children to graduate from high school. Do we meet that requirement? Of course, we do. How many...the superintendent says we need more courses on math. How many

courses right now does the State Board of Education require for our children to graduate from high school? Do our small schools meet those mandates? Of course, they do. What if they don't meet the mandates? Then they're out of compliance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...would you bring your remarks to a close?

SENATOR POSHARD:

We hear the contention we need to get back to basics. Our small schools have never left the basics. We have taught them, our kids still get them. The neighborhood school issue is always a problem. The small school is the glue that keeps our small communities together. A few years ago when busing became a big problem, the suburbs were the first people to cry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator.

SENATOR POSHARD:

I'm sorry, Mr. President, I will bring my remarks to a close. The neighborhood school is important to our people. It's where our people meet, it's where they...our civic clubs meet, it's where we attend ball games. It's where we meet to discuss our community problems. This bill is being sold on educational excellence, it has nothing to do with that. Our small schools do provide educational excellence. This is a first step in the wrong direction for our schools and I would ask that you vote against this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

WEEK-TV seeks permission to videotape. Is there objection? Hearing no objection, permission is granted. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I...I rise in opposition to this bill. In my senatorial district there are

forty-seven districts and only nine of the...of the forty-seven districts qualify...meet the minimum criteria of qualifications if this becomes law. And, you know, the...the small communities in downstate Illinois are having problems surviving now, all community activities are hinged around the schools in these small communities. Children will be bused for a longer periods...of time as a result of...of this legislation, and one of our big concerns is the cost. Who's going to pay for it? And maybe if we don't...if we do vote it down two or three times and this becomes law, we're fearful that probably...probably we will be more or less stormed or...or forced to...to consolidate later...further down the line because funds will probably be withheld. I...oppose this bill very much and I...I hope that the other members will also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I stand in support of this bill. I think it allows for a lot of public participation and broad range input. It's fair in that it can be rejected. Not only that, it's a good idea because I don't how one can consider educational reform if the basic system is automatically skewed to have a problem of basically proliferation, inefficiency, duplication and fragmentation all the way across the board. I don't see how people can possibly afford to keep these kind of school districts going in this particular fashion. In districts that we have in our district right now, we have schools that don't have enough kids. The public will not pay for referenda to keep these schools operating, financially they're bused. They don't have enough kids, they're supporting half empty or almost empty schools and it can't go on this way. I think before we start looking at this, we're...you know, in

general, in terms of school reform, we're going to have to realize that it may be painful, it may be emotional and we may have ties to our old school district, but if all we're trying to do here is keep together maybe a basketball team or old school colors, it's a damn expensive way of doing it. And I think it's time we just look at this seriously, it's a fair maneuver, it can be rejected by the public. We kick it around every year, now it's time to do something about this and I would encourage its support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Rock said he waived me his time. I'd like to ask the sponsor one question, if I might. Senator Fawell, Senator Schuneman made mention a few minutes ago relevant to page 5, line 3, saying that the...the plan shall ensure...that under the plan every school district will meet both the following minimum criteria for the appropriate type, which in fact means...enrollment and assessed valuation, so it in fact is a mandate that those are...are there. They are...they are not discretionary at all, says shall...can you tell me why the enrollment for the secondary schools are at five hundred and why at the elementary we have established, say, at minimum level of a thousand and that the unit districts why we have to establish a minimum enrollment of fifteen hundred?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...on...in Amendment 2, have you got that? Amendment 2, line 19, page 1,...(Machine cutoff)...you know, if you want to come over and peek over my shoulder, like the company. It says, "Will meet the following minimum criteria for the appropriate type unless a justifiable exception is stated." And in another portion of the bill it said, "unless fea-

sible."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Okay. Then...then tell me, what do you mean if...in terms of if it's feasible? Who...who...makes the determination as to the feasibility?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

If...if the kids are going to be on the buses too long, you know, there's all kinds of reasons I'm sure why this would not be feasible in your...in your districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, first of all, I...I don't know who determines this feasibility. I guess this wide discretionary power is somehow rather granted to the State Board of Education or to the...the State board that is supposedly going to be created as a result of this reorganization committee. Let me suggest to you...and I think every person in here understands the geographics of where we are and how this is going to affect us, and I think we've heard that rhetoric already today. But let me just suggest to you, I have on the west side of my senatorial district, the 97th House District, there are three...three school districts in there that meet the minimum criteria that's provided for in your bill. That would mean in some instances I would have to have even one or two counties that would have to transport kids to a different county, to a different school just in order to meet the minimum criteria that is in your bill. Now, you say that this is voluntary, I say...and suggest to you that your bill indicates that it is mandatory. I think this is bad legislation, I

would ask my friends from the city to simply just to lay off of this bill, this ought not to be part of their reorganization package and I think it's certainly is not in the interest...as a matter of fact, Senator Fawell, if I were from the city, I would want the reorganization of school districts simply to...the consolidation issue to remain as it is, because under the existing Statute it says, that the school districts involved that the vote is simply a majority of...of all of those combined. Under this bill, it says...and, of course, it's much better for a downstater that under this bill that...all of the school districts involved, if it's two or three or whatever, have to carry the vote. So it seems to me that 935 is not in the interest of...of downstate legislators and I would hope that our friends from the city would not vote on this particular piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Without question, this is one of the most emotional issues I think we've dealt with this Session. That can't be ignored, but let me attempt to dispel a couple of the statements that have been made on the Floor this afternoon and have been made by people who I've had the privilege of debating this issue with out in the Rotunda in the last few days. Without question...without question, people come to us and say, if we reorganize the schools and move that high school out of our community, the community is going to die. Senator Poshard, you are an educator and you made that statement, but let me suggest to you that the Cheverolet dealer is gone, the John Deere dealer is gone, that's happened in our small communities because of economic reason. It's a fact of life, changing times, and if we are to suggest that the only thing that holds that community...together is

the school because that provides an opportunity for people to go to meet, then I would suggest to you and others that we are not concerned about the education of boys and girls. That is a terrible reason to suggest that schools should remain in a small community. Let me also address the issue of the ACT scores, the fact that in many small schools the ACT scores are higher as an average. Again, those of you who are educators and know the makeup of those small school districts recognize the fact, if you will, please, that they don't enjoy some of the problems that the larger urban school districts have and the very makeup of those young people. They are a bit brighter and naturally will have a higher ACT score. Is that the suggestion, it's the high school or the grade school that causes that to happen? Of course not, it's not a fact at all. If you are suggesting to that child that in high school he or she can only have thirty or forty...access to thirty or forty courses, what have you done to that child? Compare that with access to seventy or eighty courses and how much brighter that child might be and how much brighter that child might do in the future. We have to consider that. I have a lot of small rural school districts, just as Senator Demuzio has and Senator Welch has, and this is a tough issue for me. That's why the amendment went on that suggested that this referendum had to pass in every school district affected. I agreed with you and we have done that. What more can you ask? With respect to funding, I would love to go out to my small school districts and promise them more money, but I can't do that, two reasons. Number one, their cost per student is so high that I can't sell that in this General Assembly, and the legislators on that side of the aisle who spoke against that bill have the same problem as I do; but I can promise them that in the future as we begin to consider school district reorganization, we will in fact reward them as we have been trying

to do in the past with legislation that addresses that concern and as they become more efficient, as they...begin to provide more courses for kids, the money will be there. That's important, it's boys and girls we're talking about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland, would you bring your remarks to a close?

SENATOR MAITLAND:

Yes, sir, Mr. President. I said at the outset, it's an emotional issue and I understand that. We are in a Session where we are dealing with educational reform. If we are concerned about the future of education in Illinois, school district reorganization is one of those areas, not a mandate, but it has to be considered. This is good legislation, effective legislation and I urge your support for House Bill 935.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell may close.

SENATOR FAWELL:

Thank you, very much. I would like to answer a few of the questions that have been brought up in the debate. First of all, I, too, have received a lot of phone calls and a lot of mail on this issue, including, very frankly, a couple of school districts in my district that possibly could be affected by this legislation. Bottom line is they do not know what the bill says in its present form and I think if you ask or you talk to most of these people...and, believe me, in the last two or three days I have been talking to people from all over the State. They do not know about, for instance, the veto ability of school districts to opt out of this reorganization plan if they don't want it. We are...

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DEMUZIO:

Well, I don't know of any opt out provisions that are in this bill, Senator. Voluntary opt out of school districts, you must be on a different bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Fawell is on closing remarks. She's within her right. Senator Fawell.

SENATOR FAWELL:

What...what I am referring to is the fact that if one school district does not want to consolidate, with...with Senator Maitland's amendment, they may indeed not join into the consolidation. That's what that amendment is all about, each district must in their...within their own confines of their own district pass this plan within their own district. So, indeed, there may be such a thing called a veto power by a smaller district who decides they don't want this...there have been some mentions about the fact that this will only basically effect southern Illinois, this is not true, this will effect my district. I have somewhat the opposite problem perhaps as some of you do, I have one town in my school...my...in my district that has fifteen thousand people and three high school districts within it, for the simple reason that twenty, thirty years ago that town did not exist, and I think it's only fair that that town would be able to look at their map and decide if that's indeed the way they want to go or do they want to join under the auspices of one high school. There are no minimum requirements in the bill anymore. You, if you want to, can keep your neighborhood schools in...certainly your grammar schools, we're not talking about busing people two and half or three hours such as has been suggested to me by some of these phone calls. What we are talking about is look at the idea of a unit district. There are advantages in a unit district. If you've got five school districts feeding into one high school, shouldn't the children all arrive at the high school in the

H.B. 957 3rd reading

same...with the same background, the same knowledge? There was talk about languages and the fact that a...a school between four hundred and five hundred can offer as...as good a language program. The statistics that prove that that's not true.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you bring your remarks to a close?

SENATOR FAWELL;

All right. We are talking about education reform, this certainly is an ingredient that must be considered. All we are asking is that the people in the State sit down and look at the map and try and make some sense of it. If you think it's sensible, if your people think it's sensible the way it is, fine, keep it the way it is but at least let's...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the...the...the question is, shall 935 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27, 1 voting Present. House Bill 935 having failed to receive the constitutional majority is declared lost. For what purpose Senator Fawell arise?

SENATOR FAWELL:

...postponed consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell seeks leave of the Body to postpone consideration of 935. Is leave granted? Hearing no objection, leave is granted. House Bill 949, Senator Chew. House Bill 952, Senator O'Daniel. House Bill 957, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 957.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and...Gentlemen of the Senate. Senate...House Bill 957 would permit a person who has served in the Vietnam Veterans' Organization or the Polish League of American Veterans to be able to serve on the Veterans' Assistance Commission. That's all this bill does and I encourage your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 957 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 957 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 964, Mr. Secretary.

SECRETARY:

House Bill 964.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, the...this amends the Illinois Purchasing Act. It requires that...State advertisements for bids to approximate the number of days between a contractor's or vendor's submission of a bill and the State's payment be published. It would require each advertisement for a bid in the...in the official State newspaper to include the estimated timetable

for payment and it basically notifies potential vendors when to...expect payment for services rendered. DCMS has no problem with the bill. I don't know of any opposition.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 964 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 964 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 971. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 971.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 971 as amended does three different things. The original bill increases penalties for theft of property where there have been prior convictions for robbery, armed robbery, burglary, residential burglary or home...home invasion. That was the basic bill. In addition to that, Senate Bill 646 which passed this Chamber 53 to 1 has been added to it which creates...new crimes dealing in stolen property and possession of altered property and includes profit forfeiture provisions for those who commit those crimes. In addition to that, this bill was amended to incorporate Senate Bill 632 which is an attempt to broaden the Illinois Death Penalty Statute somewhat by adding an additional aggravating factor to the eight which already exist under that Statute. The additional factor reading that

the murder was committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life by unlawful means and the conduct of the defendant created a reasonable expectation that the death of a human being would result therefrom. It is this last provision dealing with the death penalty which might...warrant some attention. We've had a debate twice, first when this bill passed and second one, this amendment to House Bill...971 was put on regarding any possible constitutional challenge to this death penalty provision, and on both occasions I pointed out that this language is taken in large part from a Florida Statute which has been...the constitutionality of which has been upheld by the Supreme Court in that state and also by the U.S. Supreme Court which denied an appeal to review the case. I'd be happy to answer any questions, otherwise, would urge a favorable roll call.

PRESIDENT:

Any discussion? Senator Sangmeister.

END OF REEL

REEL #6

SENATOR SANGMEISTER:

Well, thank you. Once again, I'm sure it's like...as we say, spitting into the wind, but, again, this provision...I don't know how many bills Senator Barkhausen has attempted to put this on, but in my opinion, and I think most of us over here are of the opinion, at least, that that particular provision is jeopardizing, in my opinion, the death penalty section of the Illinois Statutes and I think we're taking a chance by practically saying that every homicide is a death penalty case and as much as we'd like to believe in that, we...the Supreme Court, God's world, never will.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

I, too, join with Senator Sangmeister. This...you know, it's well-intended, this particular provision, but it's got serious constitutional problems and I think it has the exact opposite effect of what the sponsor intends and so I...I would join Senator Sangmeister in standing in opposition to this and I urge that it be rejected. Thank you.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I guess it's the three musketeers, 'cause I join in opposition too. The people who really know best about this are the law enforcement officials and I haven't received any phone calls or any testimony in committee from law enforcement officials or judges that said, we need this, we need this on our Death Penalty...Statutes. We've already got Death Penalty Statutes on there. They have been found con-

stitutional. The Supremen Court has given us guidelines...this...this legislation does not fall within those Supreme Court guidelines. It's not needed by the law enforcement officials or the judges. It is unconstitutional. I think we're being very irresponsible to pass this legislation and if you don't want to vote No, then perhaps, for some of you, especially on the other side of the aisle, a better vote would be Present.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, murder is murder no matter who is being murdered, and I think what the amendment in this bill does assures us that whoever does a horrible, dastardly act should account for it. I don't think there's anything wrong with it. I think...it's high time we stop mollycoddling the defendants who...commit murder and since...it has already been upheld, this particular amendment, the basis of it has...has been upheld by the Supreme Court of Florida, I believe. I think it's worth giving it a chance. I speak in favor of the bill.

PRESIDENT:

Further discussion? Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President and members, just quickly responding to those who...who assert that somehow this bill may be unconstitutional, I think it's sort of presumptious for some of us to suggest that this might be unconstitutional when, in fact, the constitutionality of almost this exact language has been upheld by the highest court in the land. Who are we to speculate it and on some subsequent case brought before it the Supreme Court is going to reverse itself? Now I appreciate that there are many of those here in this Chamber and those in this State who have moral objections to the death penalty,

that may be one basis for opposing this bill, but I think it is false to suggest that this bill is unconstitutional; and those who feel strongly that we ought to have a death penalty and that we ought to have some teeth in it, I think they should be supporting this bill, and I urge a favorable roll call.

PRESIDENT:

Question is, shall House Bill 971 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 12 Nays, none voting Present. House Bill 971 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 975. Read the...I beg your pardon, Senator Friedland, for what purpose do you arise?

SENATOR FRIEDLAND:

Thank you, Mr. President. Just briefly, I see a colleague from the House here with a tear in his...

PRESIDENT:

...Senator Friedland.

SENATOR FRIEDLAND:

Briefly, I see our colleague from the House here, Representative White, with a tear in his eye, I'm not sure what he's doing but we're glad he's here. Come back again next year.

PRESIDENT:

On the Order of House Bills 3rd Reading is House Bill 975. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 975.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Criminal Code to revise and toughens the law on a legal automatic weapon. Prohibits sawed-off rifles from being used. I think it's a good bill. I ask for its adoption.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 975 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 Nays, 1 voting Present. House Bill 975 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, the middle of page 10, is House Bill 949. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 949.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President This bill restores the provision that was taken out in 1981. Came out of committee a unanimous vote. There's no opposition. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Barkhausen. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Marovitz.

SENATOR MAROVITZ:

Well, what this bill does, its...it takes away the authority from municipalities...it takes away the authority from municipalities...the authority to license motor vehicles used to transport students from schools. It also takes out provisions dealing with the ability of municipalities to charge fees for registering vehicles for vehicle stickers. What I want to know is why we want to take away the authority from the municipalities to license school vehicles, vehicles that transport students and why do we want to take away the authority from municipalities to charge a fee for sticker for these vehicles for kids that transport the kids in their own municipalities? Why are we doing that? Isn't it in the best interest of kids that the municipalities have some licensing...power?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

Senator, you know very well that these vehicles...and we're only talking about school buses that are licensed by the Secretary of State. Now, if we want to play some game or from any further cause, let's play the games, but let's not emasculate the bill simply because you want to play games. You know it as well as I do and if you'll read the last analysis on the page, which you should have one; if don't, I have it. This bill restores provisions prohibiting a...municipality from licensing the school buses enacted in 1981, restores. Right. It restores the provision. That's right.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I agree with you, Senator Chew, it restores the provision prohibiting the licensing of school buses from municipalities. We are in agreement. It does restore the provision

that prevents municipalities from licensing school buses, just as I said. Why are we doing that? Shouldn't municipalities have the right to license their own school buses that transport the kids in their municipalities? Shouldn't they have the right to charge a fee for a vehicle sticker...if they...if they want to? Why are we taking this privilege away from them? It's their kids.

PRESIDENT:

Senator...Senator Chew.

SENATOR CHEW:

Senator, this does not affect the City of Chicago. House Bill 15 did that in 1981, and ten of the House bills deny home rule to municipalities. That was all changed and only deals with municipalities with less than one million inhabitants. He...

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I know what the bill does...I'm glad that you now know what the bill does. I know what the bill does and the fact that it doesn't apply to municipalities over one million has nothing to do with what I have talked about, nothing whatsoever. The fact is, municipalities outside the City of Chicago no longer under this provision would have the right to license school buses in their municipality and they can't charge a fee for vehicle stickers in their own municipalities that take their own kids. I don't know why we're doing that.

PRESIDENT:

...further discussion? Senator Hall.

SENATOR HALL:

Well, Senator Chew, it certainly upsets me when I see that you're going to force something like me...you say that because it excludes Chicago, but look what you're doing to us downstate, and you mean to say that we are going to be pro-

hibited from licensing school buses? Well...well, this is a terrible move and I certainly oppose this, and I think everyone else downstate ought to be opposed to it because what you're doing is saying exactly what Senator Marovitz is doing, and this...everyone of us should...should be voting No on this. It's bad. If it's good for one part of the State, it ought be good for all parts of the State; if it's bad for one part, it's bad for the other, and this is a bad bill.

PRESIDENT:

Any further discussion? Further discussion? Senator Chew may close.

SENATOR CHEW:

Mr. President, in committee we had people to come in and testify. The municipalities do not want the regulation. They're regulated by the Secretary of State. No one from any part of the State opposed this regulation. No one, let me emphasize, from any part of this State opposed this bill. It came out of the House with seventy-six votes, came out of committee in the Senate with a unanimous vote, no one opposed it and I don't know of any opposition other than the two questions that were asked. If the municipalities wanted that authority, this would have been the time to say we wanted it. The case would not have been changed. I have no personal interest in the bill, period, and I would ask for a favorable roll call.

PRESIDENT:

Question is, shall House Bill 949 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 9 Ayes, 41 Nays, 3 voting Present. House Bill 949 having failed to receive the required constitutional majority is declared lost. Top of page 11, there are only fifteen pages to go. House Bill 982, Senator Kelly. On the Order of

HB 982 3rd reading

House Bills 3rd Reading is House Bill 982. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 982.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I, first of all, want to express my gratitude to Senator Savickas for allowing me to be the Senate sponsor of House Bill 982. This bill provides for a nonreferendum tax increase for unit districts for educational and transportation purposes over...based over a four-year period. The bill attempts to address the concerns...combined maximums on nonreferendum tax rates for dual districts that are higher than the unit district tax rates. This legislation is a product of the House education reform package. It's supported by every educational group, including the State Board of Education. It would facilitate the consolidation of school districts. Other than that, I'd be pleased to answer any question that you might have and would ask for your support.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Did I understand you correctly to say that there is no referendum provision on this bill?

PRESIDENT:

Senator Kelly.

HB 1000
3rd Reading

SENATOR KELLY:

Yes, there is a back-door referendum on this bill but not a front door.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

You say there is a back-door referendum on this bill? Can you give me the...what...how many signatures or what have you that you need on it?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

It's just the general number, that's it.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall House Bill 982 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 11 Nays, none voting Present. House Bill 982 having received the required constitutional majority is declared passed. 1000, Senator Joyce. On the Order of House Bills 3rd Reading is House Bill 1000. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1000.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. House Bill 1000 amends the worker's right to know...to bring it into agreement with the recent court decision which ruled that the Act was preempted

by the Federal OSHA. This amendment strikes all references to worker's rights and retains only the provisions...which require material safety data sheets to filed with the Department of Labor and there's no additional requirements placed on industry or on the State. Now the second part of the bill...Senator Schuneman had a...provision allowing the EPA to reduce the number of samples required from a community water supply system serving twenty-five to a thousand people and...determining the appropriate sampling frequency, the EPA may utilize the appropriate Federal...provisions. I'd be happy to try and answer any questions if there are any.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1000 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 2 Nays, none voting Present. House Bill 1000 having received the required constitutional majority is declared passed. House Bill 1010, Senator Vadalabene. On the Order of House Bills 3rd Reading is House Bill 1010. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1010.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The intent of House Bill 1010 is to have the Law Enforcement Merit Board become independent of the Department of State Police. The Fraternal Order of Police is supporting this measure because it is their belief that the board will be

able to better evaluate disciplinary measures if the board is truly independent, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1010 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 1010 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 1012. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1012.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this bill permits counties, municipalities and townships to appoint a local historian for the purpose of preparing and publishing local history, preserving and protecting local historic records, artifacts and edifices and documenting local current events. In Chicago it permits a local historian to be appointed in each community area. The bill is totally permissive, is patterned after a current law in the State of New York and should do a great deal to augment our new Department of Historic Preservation and the people who are appointed local historians will work without compensation but will also send their reports to our State historian and we will probably be able to tie the history of Illinois together very nicely without an expenditure.

PRESIDENT:

Any discussion? Is there any discussion? If not, the

question is, shall House Bill 1012 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. House Bill 1012 having received the required constitutional majority is declared passed. 1018, Senator Collins. On the Order of House Bills 3rd Reading is House Bill 1018. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1018.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. Senate Bill 1018 amends the...the Minority and Female Enterprise Act and strengthens that Act to prohibit or to minimize the possibility of persons fraudulently obtaining public money reserved for minority or female owned businesses. It is identical to Senate Bill 995 that was sponsored by myself. It went out of here on the Agreed Bill List and I think it's on the Agreed Bill List in the House now. I know...Central Management Service is, in fact, in support of this bill. The only difference in the two bills, the penalties are a little steeper on this one. I know of no opposition and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 1018 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes,

no Nays, none voting Present. House Bill 1018 having received the required constitutional majority is declared passed. 1020, Senator Joyce. On the Order of House Bills 3rd Reading is House Bills 1020. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1020.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 1020 creates an income tax checkoff system whereby a taxpayer may contribute one dollar of his refund or two dollars on a joint return for use by a major political party. Requires the designated fund to be deposited in the Election Campaign Fund of the State Treasury. Requires an annual appropriation of money to this fund to the State Board of Elections and requires the SBA to disburse the money to the State Central Committee of the political party. Makes all candidates of the party except those receiving Federal matching funds eligible for the funding, restricts the use of funds to defraying campaign expenses, prohibits funds from being used in a primary. The bill would establish an...an add-on check-off system whereby a taxpayer could assign a dollar of his refund, not his tax liability. In the year...in tax year 1983, the most recent tax year for which complete statistics are available, taxpayers checked off nine hundred and thirty-six thousand dollars. This bill is modeled after a California law. At least four other states, Maine, Massachusetts, Montana and Virginia have had such a check-off system. The definition of political party effectively restricts the bill's application to the Democratic and

Republican parties. Most importantly, the bill would significantly enhance the power of the Democratic State Central Committee which would disburse funding to be eligible...to eligible candidates. The Republican State Central Committee, with it's far greater financial resouces, would be less the beneficiary. I ask for your support.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

I move the previous question.

PRESIDENT:

All right, we've had three members indicate they wish to speak. Senator Friedland. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. That was an eloquent if very rapid description of what this bill does, and if anything, this bill, I believe, is worse than the one we heard earlier today. This does, indeed, leave to the State Central Committees the distribution of these monies. There is no assurance that those candidates who really do need money are going to get the...the dollars available. It is unclear. It...not specific enough, in my opinion, for us to even consider such a thing in Illinois. We are a major State, we are a pivotal State for elections and I think that this bill, indeed, just goes so much too far, that I do hope it is totally rejected by this Body.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I thought that Senator Netsch's bill was bad, but this one even tops that. Can you imagine that? We're going to allow people to finance political parties. Ten years from now, if we would pass this monstrosity, we would

have the John Doe party, the Mickey Mouse party, the farm party, the labor party, there would be more parties than Carter's got liver pills. Quite frankly, it's a very, very bad idea. I'm surprised of the...of the Senate sponsor and I happen to be a broken down county chairman. You know what they say, old county chairmen never die, they just smell that way.

PRESIDENT:

Further discussion? Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, Senator Philip, you're right...they're...they're...I had some doubts about sponsoring this legislation 'cause I wasn't quite clear in my mind of what side of the aisle I was...going to be sitting, you know, but I think what most recommends this legislation to this Body is that Senator Rock in the 83rd General Assembly sponsored the same legislation and we all like parties and we all like Senator Rock, and what else can I say, I'd like to see the Democrats vote for it.

PRESIDENT:

Question is, shall House Bill 1020 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nays, none voting Present. House Bill 1020 having received the required constitutional majority is declared passed. 1027 was on the recall. 1033, Senator Degnan. On the Order of House Bills 3rd Reading is House Bill 1033. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1033.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1033 does precisely what the Calendar says, amends the School Code to require advertisements to hire employees to replace striking employees to state that a strike is in progress. Precisely the same rules we have in effect for private enterprise under Chapter 48 of our Statutes. Be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1033 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay...55 Ayes, 1 Nay, none voting Present. House Bill 1033 having received the required constitutional majority is declared passed. It...yes, I'm sorry, I...it was on the recall list but it was not, in fact, recalled. Is that the idea? Okay. Then, that's fine. On the Order of House Bills 3rd Reading is House Bill 1027. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1027.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill will amend the School Code as to downstate...districts. The bill prohibits school districts from considering residency in determining the employment of any noncertified employee. The bill does not

affect the City of Chicago in its present form and it provides that residency within any district shall not be considered in determining the employment, promotion or compensation of any noncertified employment, and I would move adoption...or passage of the bill.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. A question of the sponsor, if he'll yield.

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Welch, I was...we had a...a...an amendment on that bill and...and you elected to take that amendment off and I...and I'm wondering is there a reason why you don't feel that it should pertain to all school districts in the State?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, I didn't take it off. That amendment...as you recall in committee, in order to get the bill out of the committee, I had to agree that the amendment would go on. Then, when it got to 2nd reading, you put on the amendment putting Chicago back in and Senator Berman requested it be put on the recall list to take it back off, and then just a minute ago, you had it on recall list to put it back on. It seems to me that you guys are fooling around with my bill and I don't like it, so that's the reason.

PRESIDENT:

So there. Senator Maitland.

SENATOR MAITLAND:

I...I didn't know that. Well, we...we just simply felt

that if it was good for downstate, certainly it was good for School District 299. I guess we've lost that battle. So, I would just remind the Body that we've dealt with this issue before. I think it's...it's a concept that we should oppose and I would urge opposition to House Bill 1027.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. Speaker. I stand in support of the bill. I think it's an excellent bill for those areas that need it, Senator Welch is speaking for them and I will add my Aye vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

No.

PRESIDENT:

Question is, shall House Bill 1027 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 22 Nays, none voting Present. House Bill 1027 having received the required constitutional majority is declared passed. 1034, Senator Welch. On the Order of House Bills 3rd Reading is House Bill 1034. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1034.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is establish a new scholarship program in the State Board of Education for qualified students in teacher education and training programs at universities and colleges, both public and private by amendment, and community colleges. The eligibility requirements for the scholarships are...stated in the bill. It's limited to five hundred scholarships each year. They will not be...a cumulative number. The stipend of...shall be equal to the tuition, private schools shall not be able to obtain more than the average tuition at the public schools and...the bill was amended in committee, and I would move passage of House Bill 1034.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 1034 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 1034 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, bottom of page 11, is House Bill 1037. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1037.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1037 is a part of the reform package that we've been dealing with for several weeks and we debated most of the issues on this bill on 2nd reading as they went back on and generally, the components of House

Bill 1037 now contain the...much of the language that was in Senate Bill 351 when it left this Chamber. It's my suggestion, Mr. President, that since we are...involved in the...in the summit conference on education now, that the bills be allowed to pass out of here with limited debate, keeping in mind that this is going to be handled in a Conference Committee anyway, and I think that would speed up the process.

PRESIDENT:

Any discussion? Good suggestion. The question is, shall House Bill 1037 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1037 having received the required constitutional majority is declared passed. Top of page 12, on the Order of House Bills 3rd Reading is House Bill 1038. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1038.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Same explanation, same vote.

PRESIDENT:

Question is, shall House Bill 1038 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 4 Nays, none voting Present. House Bill 1038 having received the required constitutional majority is declared passed. 1045, Senator Lechowicz. On the Order of House Bills 3rd Reading is House Bill 1045. Read the bill,

Mr. Secretary.

SECRETARY:

House Bill 1045.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill...1045 is JCAR's...one of JCAR bills. And basically what it does, it amends the Environmental Protection Act revolving its conflict with the Illinois Administrative Procedure's Act by allowing the Pollution Control Board to amends its rules in response to an objection or a suggestion of the Joint Committee on Administrative Rules where the board finds that such objections or suggestions of the Joint Committee, one, relate to the statutory authority upon which the regulation is based, whether the regulation is in proper form or whether adequate notice was given or, two, that the record before the board is sufficient to support such a change without further hearing. The language has been amended to address concerns of the board and their position on this bill as amended is neutral. This was a strong recommendation by JCAR, was originally on the Agreed Bill List, was removed for, I don't know why, and I believe it merits your support.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1045 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 1045 having received the required constitutional majority is declared

passed. 1067. On the Order of House Bills 3rd Reading is House Bill 1067. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1067.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amends is the Probate Act, extends the existing presumption that an adopted child is a natural child for the purpose of probate to include instruments dated prior to September 1st, 1955. I think it's a...a good bill and it provides protection for the fiduciaries. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senator Geo-Karis earlier this Session had a Senate bill that did substantially the same thing and we defeated it. Now, let me just try to refresh your memory very quickly. Because of...and I'm reading from a...reprint from a...an article in the Chicago Bar...the Daily Law Bulletin. Because of one Minnesota person who, I am told, stands to gain substantial inheritance if we pass this bill, we are being asked to change the ground rules under which Illinois residents prepared wills and trust agreements thirty years ago. Some of those agreements cannot be rechanged. I must presume, and I think this was the argument that we put forth before, that when somebody prepares a will involving millions of dollars, they go to very competent, high-priced, expert counsel. That counsel prepares those wills understanding fully the law and that is the basis upon which that will is executed. This is not, ladies

and gentlemen, a debate between whether you want to help adoptees or hurt adoptees. It is a question of whether we are going to be consistent and allow people to exercise their desire in the preparation of wills as existed thirty years ago, thirty years ago. I think it is very unfair for us to consider changing the ground rules thirty years after the fact. Regardless of where the equities may lie, people must rely upon the dependability, reliability of the law. Just as I opposed Senator Geo-Karis' bill, I must stand in opposition to Senator Lemke's bill. The facts are the same, it's not fair to change the rules thirty years after the game has been played. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I...I do note that both the Illinois Bar Association and the Chicago Bar Association have taken a position in opposition to this proposed legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. Perhaps you ought to gavel down the lobbyists outside the...the Chamber, Mr. President. I rise in support of this bill. I think you have to understand one thing, and this bill does a very simple thing, the public policy of this State is to presume that adopted children will take as natural children unless there is language to the contrary. We decided that in 1951, and to me there appears to be no reason to differentiate between those children before 1951 and those after. All we're saying for the adopted children prior to 1951, put them on the same level as the children that were adopted after 1951. What is the magic in the 1951 cut-off date date? Now, Senator Berman indicated to you that he could not support Senator Geo-Karis' bill, I couldn't either.

For one reason you were exposing...you're possibly exposing the fiduciaries to some...some exposure...legally in the construction of these instruments. However, this bill has got complete protection in it and no fiduciary will be hurt whatsoever under the terms in this bill. Truly, this has been brought to our attention by a particular case that has been pending in...in Chicago, but there's nothing unusual about that, a lot of things are brought to our attention because one adopted child or possible adopted children may be involved. We are certainly not changing the...the ground rules, as I see it. The ground rule is, from 1951 on you are...you...as adopted children, it was presumed that the party that made the instrument knew that adopted children were to take as well as natural children. What difference is there between that presumption before 1951 and after? I cannot possibly understand how that presumption could make any difference between the two years. I agree with you, if the...if the fiduciaries were left hanging out on this it would be one thing but they're protected in this bill. All we're saying is, for God's sake, what's the difference between an adopted child before and after '51? It's really that simple. And as far as the bar associations being against it, obviously, they can be lobbied by the fiduciaries across this State who still do not want to change the law; and maybe we ought to follow all the presumptions we've always had here, any time the Illinois and Chicago Bar endorses it we go the opposite way and we certainly ought to on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, to follow up the remarks of Senator Sangmeister, I rise in support of this bill. I...I think...contrary to what Senator Berman said, I think it's

too much to expect that all lawyers or even most lawyers when they wrote the wills or the trust documents prior to 1955, had in mind the remote possibility that in the case of the so-called testator in the case of a will or the so-called settlor in the case of a trust document that those individuals at some point might have...descendants or even collateral descendants or beneficiaries who might be adopted children. I don't...I think it's a little bit too much to expect that even in most situations attorneys drafting these kinds of documents would anticipate...a fairly remote contingency because we're not talking here about direct descendants such as children, we're talking about grandchildren or even more remote relatives. As a matter of public policy, I think this Body would want to go on record of including adopted children as beneficiaries, and I think this bill also, it's fair to say, is much better than the earlier bill not only because the amendment was added protecting fiduciaries but because an additional amendment was added to take care of those situations where a testator or where a settlor in the case of a trust has...has made an attempt to provide for adopted children anticipating that they would be excluded by the will or by the trust document, so that protects a certain number of situations. For all of these reasons, I would urge all of you in spite of the position of the bar associations to support this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and gentlemen, we still have four additional speakers and a hundred and seventy-five bills to go. Senator...Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in opposition to this bill. The one thing that we're not talking about is what went on in the settlor's mind at the time he executed the will. And the law prior to 1951 said that adopted children

should not inherit as natural children, that was the law. So this man drew up his will prior to 1951 thinking that that was the law, and, in fact, it was the law. Now if he wanted to provide for an adopted child, he could have provided for that child in his will. The fact that he did not so provide would indicate his intention was to not provide because the presumption was what it was. Now we want to change the law regarding those instruments drawn prior to that time. And we want to change what that settlor intended. Now that's not fair to that man. That man relied on the law at that time, and we're changing what he intended in his will for one person that lives in Minnesota and hired an Illinois law firm to come here and pursue this legislation before this Body. It's not right, it's not fair, and it's not just. Don't vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom.

SENATOR BLOOM:

I, too, am constrained to speak against this because of some information that was put out by some of the prior speakers. This bill does not, as some of the prior speakers state, treat all adopted children the same. It has a nonapplicability to pre-1955 vested rights, and that is differing treatment. And I think the factual situation as outlined by Senator D'Arco is a little more accurate. This is in far better shape than the Senate bill that we did, in deed, defeat. However, it still, I would suggest, is subject to the same...ultimate constitutional infirmity. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce...Jeremiah Joyce. Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, Senator...the other side was right. My...I had a prior bill,

my...my bill wasn't as good as this one. This is a good bill because...it had two very contested hearings and the third time we...when we called the bill, it passed...if they...if they were late coming into here...meeting it was their fault, those who were opposing it, not ours. I might tell you that this bill limits a trustee's duties and liabilities, provided that...no trustee or fiduciary under an...instrument executed prior to September 1, 1955 is liable to any adopted child taking under this proposal for any act occurring prior to January 1, 1986, nor does that trustee have any obligation to determine whether any adopted child has become a taker under such instrument due to the application of this proposal. Such adopted child has no right to inquire into the acts of any fiduciary, which...has no right to...to inquire into the acts of any fiduciary which occurred before January 1, 1986. I think we have to look at it very, very straightforwardly. If...if a testator doesn't want to include his adopted child, and when he mentions his children he can say except adopted children, very simple. This bill does not ignore the wishes of testators, it simply makes it clear that we don't have a class system here. We can't say you're adopted now, you weren't adopted then for inheritance purposes. I think it's a good bill and I think we should...pass it. I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

Well, as a non-lawyer I hate get into his fact, but I just want to ask a question from someone here. Are you telling me if I make a will and I die and I think that my will is...is to be carried out to...to the situation, and then someone comes along and changes it? The second question that...I want to also whoever may be asking this, is this retroactive legislation? In other words, what is the position on retroactive legislation? I don't care who wants to

answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The general American law philosophy, which we're in the minority is, the position is that there's no exception, an adopted child takes the same as a natural child even...he's considered that way. And if a testator wants to exclude that child, he will put it in his will. Okay? That is the established American philosophy. Let me take you to the philosophy of probate law. Up until a certain time a bastard child couldn't inherit from any of his parents, and we threw that out the window. These are old common law axioms that some of these fiduciaries want to stick to. They want to be safe, they want to stick to them, and they wanted to exclude what is modern...a modern philosophy. And the modern philosophy is that an adopted child takes the same as a natural child, it was only that way and that's the way it should be. And I'm sure that any father or my father or my grandfather, if I could not have children and I adopted a child, would want that child to be considered my own. That's the philosophy. The...the limitation of 1955 is an arbitrary date. It's a date that should not have...never been put in the Statute. And adopted children in my eye are the same as children that are born to me. And I know grandparents that adopted children of their children because the children were...killed in an auto accident, one of those persons was the Governor of this State and those children should be the same. And they treated their adopted parents like their natural parents. And anybody that knows anything about adopting, an adopted child is very dear to that parent, he is considered just as important. And why should we have this law...and I think it's contrary to the American philosophy, and that's what's wrong with this law. It's not changing

somebody's will.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Sorry to rise a second time, Mr. President but just to make a quick point that all of the...the law...law school professors including Dean Cribbit from the University of Illinois who taught property for many years there are on record in support of this bill. So it could be said that lawyers on one side or the other might have something to gain from this particular bill, but those who I think are in a position to be more objective are uniformly in support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think this is a very important bill, and I think this is different, we protect the fiduciaries, it's not like the prior bill. This is an important bill, this is an important bill for the State of Illinois, for the State of Illinois to say to adopted children, we treat you the same as natural born children, we feel sorry for your mishap of losing your parents or having your parents abandon you and somebody else come along and adopt you. And I'm sure that anybody that has a father that adopts the children and then becomes a parent will have the same philosophy 'cause that grandfather will treat that adopted child just the same as his own and if he wanted to exclude him, I'm sure he would have put it in the will. And this is all hogwash that the testator didn't know this was going to happen. This isn't for one individual firm, this isn't for one individual person, this bill is a philosophy of the State of Illinois. We either ought to keep current with modern times and treat adopted children as natural children or we're going to deny certain adopted children, because prior to 1955 the testator, the law was different. I

think that's not our philosophy in any law. When we pass a law, that law should treat all adopted children the same and there should be no exception in regards to inheritance. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall House Bill 1067 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 42, 2 voting Present. House Bill 1067 having failed to receive the required constitutional majority is declared lost. 1072, Senator Etheredge. House bills 3rd reading, 1072, Mr. Secretary.

SECRETARY:

House Bill 1072.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

A hundred and seventy-four bills to go. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is the legislation which would establish the Illinois Foreign Language Academy. The proposed academy as this bill has been amended would be established in two locations, one in the Chicago metropolitan area and one in a downstate location, central Illinois, one that would be accessible to...so that we...there would be accessibility for all the students who would be interested here in the State of Illinois. The thrust of the academy would be primarily to provide educational opportunities for those students with talents and interest in the...area of foreign languages. A secondary purpose would be in...in keeping with the...the

State's economic development thrust, it would provide opportunities for our citizens to develop these skills which then could be made available to the business community and so that when we go on a...a trade mission to China, we can bring along Illinoisans with the ability to speak Chinese. I would be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall...Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I rise, I guess somewhat reluctantly, to oppose House Bill 1072. I...the...the whole academy is a new concept that we're dealing with in Illinois and I supported strongly, as many of you did, the math-science academy, but I think we should take it perhaps a step at a time. There's no question but what foreign language and the discipline that needs to be...the discipline that needs to be...we need to work more on that with some of our State's young people, but I think to suggest that we deal with more than one academy this year might be a bit premature. So, I would suggest to the Body that we might want to oppose House Bill 1072.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates...

SENATOR COLLINS:

Senator, what is the price tag on this academy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR COLLINS:

On the two...for them both?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Etheredge.

SENATOR ETHEREDGE:

According to the figures that I have here, a figure of...of forty-two thousand four hundred and seventy dollars has been budgeted for the next fiscal year, and this would be...this next fiscal year, Fiscal '86, of course, is a...is a planning year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Is this a part of the...the...Thompson's Build Illinois Program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, it is not, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well, I...I rise reluctantly in opposition to this bill also. I think in terms of...of...of priorities. I don't think the State can afford it. We're talking about all kinds of crucial...education reform, science academies and...and...vocational education and training institutions, which is a critical need in this State. There's no doubt that...that the State could, in fact, benefit from this kind of academy, but...but one choose to...or...or should choose to take care of necessities and priorities first before we can even attempt to afford luxuries. To me, this is a...a luxury at this time that the State cannot afford, and for that reason, I would be opposed the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Keats has moved the previous question. We have four additional speakers. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

..is there any language in here that says that this particular academy has to be located in a certain area or region of the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, sir. The amendment which was put on this bill said that the academy would...would be in two locations, one in the Chicago metropolitan area and one in central Illinois. No, there...no greater...specificity than that, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Watson.

SENATOR WATSON:

I...I'm just curious, where's central Illinois?...I mean, let's hear...hear about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

The idea is to pick a downstate location that would be accessible to the citizens of Illinois to...the most specific answer that I can give to your question is to read from the amendment. It said, "One located in the Chicago metropolitan area and one located outside the Chicago metropolitan area and centrally located to serve the students residing outside the Chicago metropolitan area."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, ladies and gentlemen, this bill has a little more importance than I think you want to give it credit. Now you all talked about math and science and we rose to the occasion and hopefully have solved that problem. One of the greatest problems we in Illinois and the people of the United States have in trying to increase our economic advantage or increase our export is the fact we Americans do not speak the second language of the country we're trying to do business with. Give you a little example. Many of you complain about what Japan has done to take away jobs from we Americans by their exports to this country. In one of the recent stories I saw, Japan had six hundred and seventy-seven Japanese salesmen in the United States calling on businesses and business people to sell their Japanese equipment to us. Every one of them spoke flawless English...flawless English. The turnabout of the hundred and some odd Japanese...salesmen that...is correct. The hundred and seventy some, I think, American salesmen they were based in Japan to sell American goods to the Japanese one...one spoke the Japanese language. The other people were complaining that his company was outstripping them in...their sales, and rightfully they should. Now, part of this is so we will have people who have a desire to speak that second language can become very knowledgeable in it and go forth and communicate our ideas, whether it's sales, economics or the American dream or our democracy. This is a good bill. I urge each and...every one of you to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the previous question has been moved. We have one additional speaker. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in support of this

too. I don't care where they put it. I think that the one thing that we are sadly lacking in this State is the ability to communicate with our foreign countries, and...and our universities right now are...are teaching us in agriculture how to grow more and more corn and more and more soybeans and...but we can't sell it anywhere. So, I think what we need to do is teach our young people how to communicate and to learn the customs and language of the foreign countries and that will help us more than anything else we do in...in becoming a better exporting State than we are right now. So, I would urge support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Collins for a second time and then Senator Watson. Senator Collins, do you wish to...

SENATOR COLLINS:

I...I'm sorry to rise on this a second time. Now there is a need to do this but we have universities, some of the best in this country, right here who can teach those subjects. So, all we have to do is expand or to assess, to take a look at the foreign language department and the various institutions, the University of Illinois and we can do...have the same results. It is not necessary at this time and it should not a priority to...to establish and to just spend the money for setting up separate academies. It is just unnecessary and I...and again,...I would just ask that we defeat this bill because it is unnecessary on a list of priorities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the last speaker, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President and I apologize also for rising a second time. (Foreign phrases)...regardless to how you say it, it's a bad idea, and I don't care what language you use.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's not the way I understood it, Senator. Further

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discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, very much. I...I think there's already been a great deal of discussion...not a lot more needs to be said, except that I would just want to point out that there are a great many high schools around this State, unfortunately, that do not...are not in a position to provide the opportunity for their students to study two, much less three or four years of a foreign language. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1072 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 9, 1 voting Present. House Bill 1072 having received the required constitutional majority is declared passed. 1083, Senator Nedza. House bills 3rd reading, House Bill 1083. Read the bill.

SECRETARY:

House Bill 1083.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1083 is in response to an investigative unit at WBBM News in Chicago who recently ran a series criticizing the present administration and effectiveness of the Act. Our legislative response has been to change the composition to the board to add another alarm contractor, specify that licensees shall obtain errors and admissions insurance in addition to general liability, add incrementally

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increase in experience requirements for private alarm...contractors beginning in 1986, establish an escrow account within the department of the deposit of fingerprint processing fees, specify the content of the basic twenty-hour training course for registered employees and adds armored car companies and employees to the provisions of the Illegal Use of Weapons Act. Senator Watson had a group from AmWay who had some problems with the D and E amendment. We, hopefully, will be able to resolve those administratively, if not, perhaps with the Governor's magic pen. I know of no opposition to the bill and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1083 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1083 having received the required constitutional majority is declared passed. House Bill 1086, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 1086.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 1086 amends the School Code. It includes transportation supervisory salaries and related building and maintenance costs as allowable direct cost for transportation reimbursement purposes, and that's all it does. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not,...Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Very briefly, I was the one that caused this bill to come off of the Agreed Bill List. I simply wanted to point out to the Body that this does increase the cost of transportation in the amount of about six million dollars, and if we're able to fund it, if we're able to get that appropriation level, that's fine, but if we don't increase the funding and go with the formula with this new provision in here, it could result in a corresponding decrease to some school districts, and I just bring that to the attention of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Several of the bills that have gone out of the Senate that would increase mandates on schools had the so-called Schaffer...amendment on it that would demandate it if the State doesn't pay for it. Does this bill have that amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

No, it doesn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...I simply want to point that out to the Body and...although I...I haven't even looked at the bill to know for sure what it does, but we shouldn't continue to mandate costs on...on school districts if we're not paying for them. They're shaking their head at me. I suspect they know something I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, well, further discussion? Senator...Senator

Davidson...Senator Davidson.

SENATOR DAVIDSON:

Well, I rise in support of this bill, Mr. President and members...Ladies and Gentlemen of the Senate. We passed this bill out here in the past and it's only trying to do is have the school boards who run their own transportation system to have the same right and opportunity as those school districts who contract with a private contractor. That private contractor can include the building, the maintenance, et cetera and it's paid for when the State goes to it. This is a good bill. It gives those districts who furnish their own transportation a right to figure that in for reimbursement. It's what they should have an opportunity to do. I urge a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I'm going to withhold my vote or probably vote No on the basis that here we are, very cavalierly spending another six million dollars to reimburse some districts for their supervisory personnel and yet we as a group refuse to transport some children just because they go to a private school at a much lesser cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

Well, thank you, Mr. President. In answer to Senator Schuneman, this has nothing to do with the State...I mean, with the local districts paying anything. This is for them to be reimbursed for their supervisory and their...some of their operating costs. Right now, they get indirect costs that they...that they can be reimbursed for. This is just...you know, adding to those costs only it's a direct cost billing that they would do. And as Senator Davidson

said, it's just really to put the districts that operate their own school buses on the same par as those that contract out so that they can be reimbursed for all of their costs. I mean, we're talking about paying for the...the mandates and fully funding, well, we're not fully funding those districts who are operating their own school buses and this just puts them on a par with those that contract out and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall House Bill 1086 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 18, 3 voting Present...House Bill 1086 having received the required constitutional majority is declared passed. 1090, Senator Luft. 1102, Senator Lemke. House bills 3rd reading is House Bill 1102, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 1102.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Election Code in regards to precinct boards of registrations to conduct registration by means of board or precinct administrations. It's similar to a bill that we passed out of here, Senate Bill 1456. This was put on by amendment. It also provides that an electronic voting system is used which utilizes a ballot label book and where candidates for an office appear on a page of the booklet where upon the names of no candidate for another office appear and where less than half of the page is

utilized, the name of the...of no candidate shall be printed on the...lower half of the page. I think this is a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1102 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Whoops. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 8, 1 voting Present. House Bill 1102 having received the required constitutional majority is declared passed. Senator Macdonald, I did not see your light on. Senator Macdonald.

SENATOR MACDONALD:

Well, I would...Mr. Chairman...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Well, it's too late now. As a matter of fact, I pushed my Yes button when I was also...doing this, and it went on. I really did have my button on, it...the light was flashing, as a matter of fact, and I did want to rise in strong opposition to this bill. I...Senator Kustra had his light on too, so I don't know why we went racing right over this bill. This is one of the bills that...that is...has the most far-reaching and serious consequences in terms of the election committee and I...I stand opposed to this bill and I'm sorry I didn't get an opportunity to...to speak on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR MACDONALD:

I...I would like to move to reconsider that vote, since I was a Yes vote, by which that bill passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Macdonald has moved to

reconsider the vote...having voted on the prevailing side, moves to reconsider the vote by which House Bill 1103 passed. Those in favor signify by saying...will vote Aye. Those opposed Nay. The voting is open. It's on the motion to reconsider. All right, take the record. On that question, the Ayes are 32, the Nays are 6, 1 voting Present. The...the vote is reconsidered. Now, on the Order of House Bills 3rd Reading is House Bill 1103, Senator Lemke...or 1102, Senator Lemke. I would like also to point out that for those of you who have had...indicate that you had your lights on, I don't remember any time that during this Session that I have cut anybody off and when I called for the vote, there were no lights flashing. They might...they might have came...they might have came on afterwards, but they were not on at the time that I called the vote. Senator Lemke.

SENATOR LEMKE:

I think I explained the vote, I think we should give Representative...Senator Macdonald an opportunity to explain her position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Macdonald.

SENATOR MACDONALD:

Yes, virtually there are hundreds and hundreds of precincts particularly in Cook County, and...and I think that this would be more or less true in many areas of Illinois where it would be not possible for us to find...these...deputy administrative...or the assistant administrative judges from one party or another. I think that the way that this bill is structured would really...certainly open the door to a great deal of vote fraud in election places, and I...I am...I just couldn't strongly enough say that I hope that the people on this side of the aisle will understand that with all that we have done to make registration possible and to loosen up for the deputy

registrars and...and changed laws so dramatically within this last year that we certainly now don't need to be toying with the election place itself and appoint these judges for a period of four years. I think that that's wrong and I think it could lead to a great deal of vote fraud, particularly in the area of Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

END OF REEL

REEL #7

SENATOR KUSTRA:

Thank you, Mr. President. I have a question of the sponsor and then a comment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra.

SENATOR KUSTRA:

Senator, on page 9 of the bill...or the amendment, whatever it is now, it says the chief precinct administrative officer and the deputy precinct administrative officer shall receive at least fifteen dollars and ten dollars respectively for service on election day. Is that over and above what they get as a judge or is that instead of what they would get as a judge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Over and above what they're getting as a judge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, I won't...I won't pursue a line of questioning, but I would suggest to you then that that's a substantial cost you're adding to the...to the administration of elections. I'm looking at a bill which is thirteen, fourteen, fifteen pages long. If I showed what you want to require of a judge who becomes this precinct administrative judge, whatever it is, if I showed this to the judges who work in my area as judges, they would run for cover so fast you'd never be able to find them again the next time there was an election. What you're doing here is discouraging the good people that

we have a tough enough time finding to serve as election judges, you're discouraging them by laying on them a set of administrative responsibilities which belong in the county clerk's office. That's why we have county clerks, that's their job. Now you're saying that we want to start a new bureaucracy at the precinct level and this is incredible, you even have a hearing procedure so that if a chief precinct administrative officer is removed, there can be some kind of a...of a hearing for the suspended officer. I could go through it, but line after line there's some new bureaucratic entanglement which we're now complicating lives of judges who, again, as I said before, we have a tough enough time getting given the fact that they don't do this for pay, they do this because they're volunteers and they want to do something for their party or our system of elections. The pay, needless to say, is important but I'm afraid it's not crucial. I would suggest that we vote No on this bill. It's an added headache for the entire system of election administration, that's what we elect county clerks for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Originally this bill was before us and it was passed out of here 45 to 4. For some reason or other, I think there's a misconception. This is permissive legislation, this does not mandate anything, and in response to Senator Kustra, the Chicago Tribune lauded the chairman of our elections, Mr. Mike Lavelle, for...for taking this kind of a...an approach to having the judges of election, and the name is immaterial, but you can call them the chief administrative or the deputy administrator, is taking them and these judges become employees of the board of election. The reason for the procedures of removing inadequate judges are because the

Board of Election Commissioners have to have some kind of form of hearing in order to remove judges in which are appointed. It is not attempted, as...as Senator Macdonald had said, that there's fraud; this is step in...to eliminate the fraud. There's nothing in this bill that would be detrimental to anything other than giving the board of election authority more supervision and more control over the judges. I don't know within two weeks or three weeks time why we can pass a bill and then all of a sudden say it's a bad bill. I understand that there is a representative in the other Chamber that...of the other party who voiced some...some concern about this and whether it's he...voicing the concern or the Board of Election Commissioners of the City of Chicago who are trying to alleviate a process and this process after many meetings with the IPO, IVI, et cetera and et cetera and some community organizations, and this is what has come out from that particular meeting and it's still a good bill and I would still solicit your support for the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think this is good legislation. I think it...it...is permissive legislation. It will add to better...precinct administration, but it also will...also eliminate some problems that have developed in regards to printing of names on ballots where our voters get confused. I think it's a good bill and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1102 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...have all voted who wish? (Machine cutoff)...all voted who wish? Take

the...take the record. On that question, the Ayes are 23, the Nays ar 34, none voting Present. House Bill 1102 having failed to receive the...required constitutional majority is declared lost. 1103, Senator Lemke. House bills 3rd reading is House Bill 1103, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1103.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Illinois Vehicle Code, requires every law enforcement officer investigating a motor vehicle accident to contact as soon as possible after the accident the parents and legal guardian of any driver or passenger involved in the accident under the age of eighteen. I think it's a good bill, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Coffey.

SENATOR COFFEY:

Yes, a question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

In the...in the event of the accident, as I understand this bill, and minors are involved between the ages of sixteen, eighteen, all parents of all the minors in that vehicle have to be contacted by the law enforcement officer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Is that right? Yes, I...I believe, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

What in the event that I'm...I have my...my brother's children or your children or someone else's as an adult, does law enforcement then have to make the same contact to the parents to notify that they were in an accident?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The parents have to be notified whether the brother notifies them or the police officer, it doesn't put...it just makes sure that the police officer has the parents notified. So if he's...these particular children are relatives and the relative calls home, that should be sufficient. That...that will satisfy the notification requirement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, that's not what the bill says. The bill says that the law enforcement officer must make that notification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The bill says make a reasonable attempt and I think by having the relative call would be sufficient, they usually do that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR LEMKE:

now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, then,...then what will happen if...who's going to

question this? Who's going to know if the law enforcement officer made a reasonable attempt or if, in fact, someone challenges...just say a parent says, well, I was not contacted...what...what would happen then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, I would...I would say it's...it's the thing if the law enforcement officer said he made a reasonable attempt and...and show that he made a reasonable attempt that that would suffice in...in any situation. The court generally in most of these traffic considerations goes along with the law enforcement, that's the precedent, and it's up to the individual to prove that the law enforcement didn't do it and did not make a reasonable attempt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, thank you, Mr. President and members of the Senate. I would like to speak to the bill. I...I think maybe the...the reasons for the bill originally maybe was...was a...a attempt to...to...the intent was good, but it seems to me that with the Illinois Department of Law Enforcement, Illinois State Police opposing this bill based upon the...the workload that it will put upon those departments and law enforcement people and question several areas. First of all, if, in fact, the accident...there was an injury, then I don't think they would object to that notification, but if you were hauling some of your family or some of your friends' children, they're between the...ages of eighteen...or sixteen and eighteen, the law enforcement has to notify them also. And...and I think it's an undue hardship and if the bill had been amended to say if...if...if there was injuries involved, then that's a different situation, and I think in most cases

if injuries are involved that the law enforcement would already make those notifications to those responsible parents. I think there's a lot of questions in this bill. I think there could be some repercussions if, in fact, the parent was...was not home and didn't get the phone call could come back and could make the law enforcement responsible for an accident or if...if they...the call was not received by the parents. I think it's a bad bill, I think we ought to oppose it. I think we...ought to come back with an amendment at a later date saying if only injuries, they should be notified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator Lemke, Senator Coffey just stated that the State police and the Illinois Department of Law Enforcement oppose this bill. Can you tell me why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, when it was in the House, my...I got the House sponsor here...they were for the bill, the association and so forth. Now, I have nothing to the contrary. I wish that...if they were, they would have sent a note. I have nothing to the contrary that the State police and the law enforcement are doing it now...they're doing it now. This just puts it in law and codifies it and specifies...and protects them because they have reasonable...give...a reasonable attempt. I have the House sponsor here, I'm sure that if they were in the House for the bill, they're not going to

change when they come to the Senate without talking to me or somebody else or our staff or somebody, and it's not in my notes and it's not in the House notes; in fact, the House notes indicate that they were for the bill. So I don't know where this came from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

But...well, it's my understanding that the State police and the Illinois Department of Law Enforcement still oppose the bill, and if that's so, then I think that we should vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? No one for the first time, for the second time, Senator Coffey.

SENATOR COFFEY:

Well, thank you, Mr. President. I'm sorry to rise a second time, but I, in fact,...in our notes the Illinois State Police was...did make their position known, since that time, Illinois Law Enforcement...we have contacted...along with the Illinois State Police which say they object to it, because I think earlier they...where they could have accepted an amendment if it was in fact an injury involved. But, at this time, they're opposed to...to this bill in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke may close.

SENATOR LEMKE:

Well, this comes as a surprise to me, Senator Coffey, I have...usually have a good relationship with the State police and the Department of Law Enforcement; in fact, they sponsoring some of their legislation right now, and I have never been told by them that they're against this bill. This is a...a bill that...that...they want it, this is a bill that

the parents want. This is a good bill and even some of the newspapers have suggested this, and I think we, as parents, would like to know if our kids are involved in the accident 'cause we would like to go to that scene of the accident, and this also codifies the...the thing that they make a reasonable effort to do it. I think it's a good piece of legislation. I ask for its adoption...

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is,...

SENATOR LEMKE:

...and I will assure you, the Department of Law Enforcement that this bill will be back in their bill and if it doesn't come through, so we might as well pass it now. I ask for a reasonable...ask for a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1103 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 24, none voting Present. House Bill 1103 having received the required constitutional majority is declared passed...1106. House bills 3rd reading, House Bill 1106, Mr. Secretary.

SECRETARY:

House Bill 1106.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 1106 gives specific authority to municipalities, counties, townships to sell, lease and transfer public hospitals to various public and private entities. It exempts municipalities from certain

bidding requirements when exercising that authority. Now, in regard to that last statement, the chairman and the Committee on Local Government had some...some concerns and so I want to read into the record the intent of this legislation to clarify what we're trying to do here. "This bill will allow a unit of local government to sell its public hospital only pursuant to an ordinance or resolution and only after public notice and at least one public hearing." A question was raised in committee concerning the sale price. "The terms of the transaction will be exposed to public scrutiny and the responsible public officials will be accountable to their constituents. The way the bill is written, a unit of local government may decide to accept a lower purchase price in exchange for expanded hospital facilities, new services or reduced rates for preferred provider arrangements with the unit of government and the local employer. We feel the bill will provide enough flexibility to the elected officials to provide the greatest benefits to the community while ensuring the protection of the residence." I read that into the record to simply clarify our intent. The reason we introduced the legislation is primarily because the hospitals that are having the most financial difficulty happen to be those that are considered public hospitals, and one of the reasons is simply they can't get into the various areas of hospital care and medical care that can provide...for better economic availability. And we...and if...and if the public hospital wishes to sell to a...another entity and provide that opportunity and hopefully lower hospital costs, this bill provides that mechanism. It also protects the collective bargaining agreement, and under the National Labor Relations Act, we...we've come under compliance there, and I don't...I see no problem with that particular provision. I'll be glad to answer any questions and would certainly ask for a favorable roll call.

HB 1109 3rd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 1106 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 4, 5 voting Present. House Bill 1106 having received the required constitutional majority is declared passed. 1109, Senator Joyce. House bills 3rd reading is House Bill 1109, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1109.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. 1109 as amended here in the Senate doesn't do anything I want it to do and I would hope that we would pass it and the House member would nonconcur and it could go back and do what it was supposed to do. But what it does is clarify some of the voter registration language by deputy registrars, you know. Any questions, I'll be happy to answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Macdonald, your light is on. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Since the amendment was put on this bill, I would like to rise in support of it. I think that it may...it clarifies and...a remedies all of the problems that we had originally with the bill, and I'd like to support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the...the question is, shall House Bill 1109 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 1109 having received the required constitutional majority is declared passed. 1111, Senator Zito. House bills 3rd reading, House Bill 1111, Mr. Secretary.

SECRETARY:

House Bill 1111.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This bill is the companion of Senate Bill 172 which we passed out of here on an Agreed Bill List. It creates the Illinois Capital Budget and a five-year capital improvement program to be prepared by the Governor's Office of Planning, and move for...I'd ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1111 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none. House Bill 1111 having received the required constitutional majority is declared passed. Top of page 13, House Bill 1117, Senator Berman. House bills 3rd reading is House Bill 1117, Mr. Secretary.

SECRETARY:

House Bill 1117.

HB 1179
3rd Reading

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill merely permits the Chicago Board of Education to enter into multiyear contracts without being in violation of the school finance authority restrictions. The purpose of the bill is to lend...try to lend some stability through the collective bargaining process to try to avoid strike threats year-to-year. I ask your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill...House...House Bill 1117 pass. Those in favor will vote Aye. Those opposed Nay. The...voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 3, none voting Present. House Bill 1117 having received the required constitutional majority is declared passed. 1154, Senator Savickas. 1159 was on the list this morning. 1179, Senator Kelly. House bills 3rd reading is House Bill 1179, Mr. Secretary, read...read the bill.

SECRETARY:

House Bill 1179.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 1179 prohibits the submission of binding and

nonbinding propositions at the regular election at which no candidates for nomination, election or judicial retention are scheduled to be voted upon. The intention of the consolidated election law was to prevent anyone from sneaking through propositions, and, apparently, on February 26th of '85, there were a number of...a handful of townships and municipalities who proposed propositions even though there were no candidates on...on the ballot, and I would...the vote received a 106 to 9 votes in the House. I...it would save money and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Kelly, I don't really dislike your bill, but I do have a question. When the...we better adjourn, it's getting punchy around here. When the consolidation of election bill was proposed, there were...some concern expressed by school districts and some units of local government regarding their ability to have votes on referenda. If I am not mistaken, and correct me if I'm incorrect, this could kill the possibility of some of those bodies holding a referenda.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

No, that's not the case. They...they could petition for an emergency and the court could give them relief on that. So, this would not prevent that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if they have to petition the...court and declare an emergency, that could be a rather cumbersome process. In addition to that, the court may decide it's not an emergency and they had planned on doing this. What...what is the purpose of destroying that option, because...if you recall, I wasn't here when it passed but you were but I came in right afterwards, and I know that many units of government had great fears at that time. Now we're further changing that law to preclude them from going out and doing these referenda. In addition to that, quite frequently people on this Floor ask, are they going to do this with referenda or without referenda? Now we're going to turn around and prohibit them from holding referenda except at those times in which we tell them they can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Kelly, you wish to respond to that? Senator Kelly.

SENATOR KELLY:

Well, I just want to say it...it is...it does slightly tighten up the propositions and it...it would prevent this. So, Senator DeAngelis, your point is well made, it would make it somewhat more difficult for these propositions to be considered; at the same time, I don't think there was any intention of it...of...during the consolidated election to allow these to go through when...when voters aren't out there voting on the propositions. So, we want to see people out there. That was the intent of the consolidations, so we can get a true reading from the districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, I would like to answer Senator DeAngelis to say that I, too, was here when we passed consolidation of elections, and when we passed this bill a few weeks ago, we did talk to

them and...and they...they certainly did not support this and said they were sorry that we did have to go through with this bill. But I think that as with all legislation, we cannot commit for future General Assemblies and with the trial and error system and to see how much it is costing us for these referendums and how much it is costing us for these specials elections, there has to be some alteration and this was...this was the very best we could come up with and so I...I rise in support...trying every other way we could to keep that initial commitment, but as...as time goes on, we see how very, very expensive it is to have these special elections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I...I would just point out, it does say on my analysis that the school boards are opposed to this. The bottom line is that they were told at the time of the consolidated election law when it was passed, and they had some concerns about the way it was being structured, they were told they would have an opportunity at every election for referendum. Now, that's being taken from them and they're obviously concerned about that. I...I'm going to have to vote No because I think that the State and this Legislature ought to live up to the commitment, we made the school boards across this State by telling them that they could have a referendum at every opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I apologize for rising a second time, somebody mentioned the cost factor. But how do you evaluate a proposal to tie into Lake Michigan water for twenty-eight million

dollars? Do you turn around and say to the folks, well, gee, I'm awfully sorry because we're not going to let you hold the election? I just think we're really going back on our word.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly may close.

SENATOR KELLY:

I'd just like to say that it's very rare when we don't have a candidate on the ballot, so this wouldn't affect that many and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1179 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, 1 voting Present. House Bill 1179 having received the required constitutional majority is declared passed. 1182, Senator Lemke. House bills 3rd reading is House Bill 1182, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1182.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...amends an Act in relation to juveniles, postpones the effective date to...to June 1st of 1986 to allow the Circuit Court of Cook County to put together an effective program. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill...Senator Sangmeister.

SENATOR SANGMEISTER:

Was this in request to Cook County State's Attorney because he couldn't get the job...done within the amount of days that we set in the previous legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Was a request by the Cook County Circuit Court and the Cook County State's Attorney's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, how many days did we have in the legislation that he had to comply with...the court and the state's attorney had to comply with? I forget how many days...we're reducing it from how many days or increasing it for...we're not doing either, you're just going to give them more time to...okay. Yeah, all right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...the question is, House Bill 1182 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1182 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 1188, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1188.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This bill spells out what

is...what happens regarding legal custody of a minor when the custodial parent passes away, and under the bill as amended, it provides that the...that the legal custody will pass to the surviving parent but that a hearing may be held by any other person who has standing, and that includes persons who would have the physical custody of...of the child. It sets forth the guidelines under which a proper hearing can be held to determine what happens upon the death of a custodial parent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Darrow.

SENATOR DARROW:

Sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Who has standing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I just looked at that and I had the...that's spelled out in Section 601 and it's...it's as follows. "A child custody proceeding by a parent, by the filing of a dissolution of...of marriage or legal separation for custody of the child in the county in which the child is...is...resident or by a person, and I think this is the part that you were concerned with, by a person other than a...parent by filing a petition for custody of the child in the county in which he is permanently resident or found, but only if he is not in the physical custody of one of his parents. That would mean that if...if in the situation, as I understand it, let us say that the mother has the legal custody and the mother lives with the maternal grandparents, the mother dies, the...the...the maternal grandparents who would then have physical custody

could bring a petition to determine whether the child should go back to the father or whether it should stay with them or someone else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman...or Senator Darrow.

SENATOR DARROW:

If the maternal grandparents live separate and apart from the mother and the child and the mother dies, do the maternal grandparents then have standing to seek custody in the court?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, then to the bill. In that situation take for example a girl...a mother dies, the father has serious problems and is emotionally unable to care for that child and the...maternal grandparents know that, they will have to sit by and allow that person to take that child. He may not be a neglected...neglectful father, he may not be under our Statutes an unfit parent but he still may not be the best person to...to have that child; or on the other hand, he may be if it were determined by the court. But you have the decedent mother's parents wanting a court hearing, they will not be able to seek that court hearing, they will not have standing. They will have no opportunity to challenge the father's right to custody or challenge his fitness to take care of that child. I think that's a defect in this legislation, I think as a result of this, we're going to have situations poping up where our reason for passing this bill will be challenged by our constituents. I think it's a bad concept without that provision and I would solicit a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further consideration? Senator Karpiel.

SENATOR KARPIEL:

Yeah, thank you, Mr. President. Senator Berman, in the case of...in a case where the noncustodial parent has waived custody, would that come into play? I...in the original bill it did, I don't see it in the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This only applies...the legal custody would revert to the parent unless the parent has been found to be under a legal disability, in other words, incompetent or unable to attend to his matters or the child's matters or unfit by the court. If...if the...when you say waive the rights,...in many cases, it's agreed in a divorce case, you and I are are married, we work out a property settlement agreement, I tell you, you want to take the kids, I said fine, take the kids; I want the...you know, I want to be able to visit them and that's ninety-nine percent of the cases. If you pass away, this bill says legal custody goes back to me unless I am either under a legal disability or I am unfit. Now, the only exceptions to that...and I think that's the way it should be, that's most of the cases. I don't think anybody else ought to step in to take away my kid. Now the only exception that we are talking about is if you live with someone else and that...and with my child, they have standing to go into court for a hearing as to what is in the best interest. But a stranger, when I say stranger, I mean in a legal sense, a person that hasn't taken care of that kid, that doesn't live with the kid, I've got first right because I'm that child's father. That's what this bill does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well, what I was asking about, isn't there something...in most cases, it happens the way you...way you stated, but isn't there something where you can actually sign something and waive the right of custody, not just your divorce agreement but a special waiver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I'm...I don't think...and, again, I'm...I stand to be corrected, but in...in the divorce cases that I'm familiar with, you don't give up parental rights. The only time you give up a parental right is when there is an adoption, that's when you give up your right to the child and...and your second husband wants to adopt my kid, if I want that done, I...I can enter into an agreement. But with the divorce case, no, I don't give up my rights because you...there may be a...a silent agreement that you're not going to collect the money for child support if I don't come over to visit the kid. But that's not legal and that's not included in any...document.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Karpiel.

SENATOR KARPIEL:

Okay, thank you. I just have two more quick questions. If a parent has appointed a guardian...a relative or somebody as a guardian and then in case of his or her death, would that guardian then have standing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I...I don't know. I...I'm not able to think out that legal implication. I'm not sure what the basis would be of the guardianship. There's two kinds of guardian, guardian of

a child...the guardian of the body and the guardian of the...of the estate. If the mother can't handle dollars, sometimes they can go into court and have a bank appointed as the guardian of the assets of the child, but I don't think that's what you're referring to and on the other, I...I just...I'm not able to give you an answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

All right. I know, Senator Berman, you're aware of why I am asking all these questions, I...you know, I have a problem here. I just want to make sure...you said that if the custodial parent and the child live with a...the grandparents, for instance, and as long as they're living together in...in the case of the death of the custodial parent, then that...those grandparents then would have standing. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I...I'll tell you what troubles me about this, I...I don't like this whole area to begin with, but it's the way the courts look upon the right of the natural parent. You know, irrespective of the fact that you may have standing, all standing gets you, it gets you in front of the judge and he can throw you out and say, you...and this...this case is dismissed summarily on the basis of your lack of standing...I have been...as an elected official, I have been involved in some really heart-rending cases, Art. The most recent involved is a situation where a...a husband put eleven bullets into his twenty-four-year-old wife with three beautiful children and he now is in the penitentiary, and every two weeks those kids are taken down and...for their visitation, taken from the parents of the widow down to the penitentiary for their visitation with their natural father. And you

cannot get a court to move off of that question because he is the natural father. I had another case with a constituent where they had adopted...or were foster parents from a mother who was totally unfit, who had thirty or forty cats and was an alcoholic and a prostitute, we went through up and down...through the court system to try to get a termination of those rights. The courts just won't buy it. So when you say standing, you know, standing, it doesn't mean all that much, Art, and I...I just think...I know what you're trying to do and it's good and all of that, but I just wish that there were some language in here other than just unfit. I wish that the standards were spelled out with greater specificity so that a...a person, a petitioner who was going in in one of these situations could say, you know, here, judge,...you know, the Legislature has already made it clear, that is not within your discretion, this is unfit. If a person is in the penitentiary, that is unfit, you know, if a...all...if a person is a...makes their living as a prostitute, that is per se unfit. I guess I've...I've said my piece on...on the question. I...I just...you know, that...that part of it just bothers the heck out of me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Berman.

SENATOR BERMAN:

All right. Let me respond. Your complaint is under the existing law. May I suggest to you that under this bill the scenario you have given would not have to apply, because I would believe certainly that the murderer father is either disqualified because of under a legal disability, he's in the pententiary or the court can find that he is unfit, both of which are exclusions under this language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That...that is my point, Art. The court won't find him unfit because the standards aren't spelled out. We...we...they have tried...they have tried to find this parent as...have him declared unfit. Do you know what I'm saying? That's the problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I...I have no...no problem in suggesting in...in your scenario and although it's rare, I think it ought to be addressed, in suggesting to the House sponsor that he nonconcur in this and provide a sentence that if...you know, for example, if you are...if I'm a beneficiary under your will and I shoot you, I can't take under that will. I have no problem in adding a sentence that if the reason that the...that the child is an orphan or...doesn't have the...the...the custodial parent anymore is because they're...of a crime perpetrated by the noncustodial parent, that the noncustodial parent shall not be the recipient of this child, that doesn't bother me. I am talking about the language in...for this bill of the ninety-nine percent of the cases where somebody else tries to step in to prevent the child from going back to the father who allowed the wife to have the custody in the original divorce case. That's what this bill is all about. I think it addresses Senator Dawson's concerns. I have no problem in adding a sentence that addresses your concern and let's address not the aberration but the usual situation to prevent somebody else from stepping in preventing a father...usually the father from getting his child back when the wife passes away. I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

I...I...Senator Berman, I...I want to clarify this and...and I'm going to use my son as an example. I have a three-year-old grandson who lives with his mother and her mother. Now, does this bill allows...in case something happens to my daughter-in-law, does this bill allow her mother or father to file a petition without justifiable cause or...or evidence that my son is unfit, and will he have to be...will they be able to drag him in the courts and fight for custody over that child?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR COLLINS:

Simple question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The answer is, yes, they can go into court because they have physical custody of the child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

What...who gave them custody? They...they don't have custody, the wife had custody and she died.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

You...you told me that the...that the mother and the grandparents live with the child. When I said custody, I said physical custody not legal custody, they have physical custody of the child; therefore, under this bill and the existing law, they have standing to go in and have a hearing as to what is in the best interest and who should be the recipient of the legal custody of the child. They have

standing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well, that is my objection to the bill. Now, why...why would they have to drag...you know, go into court over that kind of fight...you're...you're...you're saying that...that on one hand you want to make it easier for a father to...to get custody of a child in case the mother has custody, but then you're...you're setting up...giving legal standing to the parent...the girl's parent so that he may have to go through the courts, spend a lot of money that he may not have to try to get custody of a child that's already his. To me, it doesn't make sense. Now I can understand what you're trying to do if, in fact, there is some clear cut evidence and reason to believe that that father or that mother, the noncustodial parent, is in fact unfit. Now unless the bill is doing that, I think it's unfair. It's crazy for him to have to hire a lawyer to go to court to fight for his child when he and that child has a very good relationship together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield to one question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

The bill as amended...do I understand correctly, the bill as amended, if a child has been living with the grandparents and the mother of the child has died, what this bill will do then will...it...it will give the grandparents standing to come in and ask for custody of the child?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

They have that standing under existing law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And what is the purpose of this bill to guarantee that the...noncustodial parent is the parent who is going to have the child anyway?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Because it says that the legal custody passes, by law, to the surviving noncustodial parent, unless that parent has been found to be under a legal disability or unfit...unfit by the court in a hearing brought by persons who have standing. Among the persons who have standing would be the person such as the grandparents, if they have physical custody of the child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Under the present law, if the...the...the...the custodial parent dies, automatically...and correct me if I'm wrong, automatically, the noncustodial parent has a right to that child. Isn't that so?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No. There was an appellate court case that gave rise to this bill that denied the...the natural parent that...that...opportunity. That's why the bill is here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

But that case,...the...that case denied the opportunity because the child had been living with the grandparents. Isn't that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

That's what we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I...I apologize for rising, but when attorneys start talking, I get completely lost and I think the longer they go on, the farther we get lost. As a nonattorney, are you trying to...are you attempting through this legislation to strengthen the language that says, we are now going to provide a better avenue to return the child to the natural parent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman may close.

SENATOR BERMAN:

Senator Zito, gave my closing argument. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1188 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 6, 3 voting Present. House Bill 1188 having received the required constitutional

majority is declared passed. 1197,...Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator Poshard as a hyphenated sponsor of House Bill 1445.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft seeks leave of the Body to have Senator Poshard added as a hyphenated cosponsor of House Bill 1145. Is leave...1445. Is leave granted? Leave is granted. House Bill 1197, Mr. Secretary. House bills 3rd reading, read the bill, 1197.

SECRETARY:

House Bill 1197.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr...thank you, Mr. President and fellow Senators. 1197 basically provides that wherever practicable, precincts should be situated within a single congressional or representative or county board district or a single municipal ward. It's a problem that you find in some urban areas, split precincts, downstate primarily. I'll answer any questions, otherwise, seek an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 1197 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1197 having received the required constitutional majority is declared passed. A hundred and fifty bills to go. House Bill 1202,...Jerome Joyce. House Bill

1202, Mr. Secretary.

SECRETARY:

House...excuse me...House Bill 1202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. We amended this bill to...so it is exactly like Senate Bill 662 which passed out of here with fifty-five votes. This amends the Comprehensive Solar Energy Act of 1977 to establish the Solar Energy Refund Program to be administered by the Department of Energy and Natural Resources. It provides that a person who owns...a department certified solar energy system may receive from the department a refund of twenty percent, capped at a thousand dollars of the cost of the system. A...refunds are dependent on State appropriations or grants. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1202 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1202 having received the required constitutional majority is declared passed. House Bill 1206, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1206.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you. This bill adds to the State Income Tax a checkoff for higher education assistance in the form of scholarships to be awarded. It contains the Schaffer amendment, if there's not a hundred thousand bucks, it's off the...the ballot...it's off the tax return, and I would move its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Welch,...question of Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator...

SENATOR DeANGELIS:

Do you know how much we have in the Illinois State Scholarship Commission Fund to disburse?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It's about a hundred and ten million dollars and...and, you know, I guess it's nice to collect money for scholarship, but what for? It doesn't mean anything compared to what we're doing already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Just to emphasize what the sponsor has already said, this is another one of those checkoffs. Our income tax return is getting longer and longer and longer. I would so

suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Well, just let me point out that we do provide on the Illinois Income Tax for checkoffs for several other funds. We've added a few more this year and now we're at the point where we're saying, well, wait a minute, we don't want to help students, we may not want to help them. The one good thing about the checkoffs on the income tax return, I've never been a great fan of them, but one good thing about them is it does allow for constituents to, in effect, vote with their pocketbook. If they don't like this, don't give any money to the thing and if they don't, by Jack Schaffer's amendment, the thing will be dissolved. So, I don't think it's going to hurt anything, number one. Number two, it will probably help a few kids going to college which I think is a good thing and something we should be doing, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1206 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 28, 1 voting Present. House Bill 1206 having failed to receive the required constitutional majority is declared lost. 1217, Senator Degnan. House bills 3rd reading is House Bill 1217, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1217.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1217 amends the Metropolitan Sanitary District Act, increases by two thousand every two years the annual salaries of president, vice-president and chairman of the Committee of Finance. Also, provides a two thousand dollar every two year increment to board members. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

According to our...according to our analysis, there is no exclusion for the State; therefore, the State may be picking this up. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, that's not true. I have a letter from the sanitary district to Mr. O'Grady of the Office of Mandates and Special Programs which exempts the legislation from the Mandate's Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 1217 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 42, the Nays are 14, 1 voting Present. House Bill 1217 having received the required constitutional major-

ity is declared passed. 1232, Senator Hall. House bills 3rd reading is House Bill 1232, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1232.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It does exactly what it says here, it creates enterprise high school laboratories to be operated by the State Superintendent of Education in conjucntion with the enterprise high school to provide training for enterprise high school students and to do research in areas of potential values to the businesses and other industries. What this...does is that, in effect, it establishes here, it permits school boards to act to contract with the business located within this area and these pilot tracts are successful. What it means, it means employment and it means something to do to get students back into the mainstream, and I would ask your most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Obviously, this is going to have a fiscal impact and I...and I didn't hear that mentioned. I'm just curious as to what...what is this going to cost the State of Illinois, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...Senator Hall.

SENATOR HALL:

I...I think the...it's...it's a million one...I don't have it hear but I think it's a million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Oh, yes, I noticed here on my analysis, it says 1.1 million dollars. The State of Illinois is going to be putting into this pilot program for a couple of schools in Senator Hall's district. I voted against this in committee, I...Senator Hall and St. Clair County is a part of...of my area, but I don't know if this is necessarily a good idea, and I probably will be voting No again. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall may close.

SENATOR HALL:

...what this does, it means that it will get people off of the rolls and the State Community College will be able to establish this small...and and provides responsibility in the college in this regards. I's ask your most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1232 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, none voting Present. House Bill 1232 having received the required constitutional majority is declared passed. 1246, Senator Welch. House bills 3rd reading is House Bill 1246, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1246.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

This bill basically clarifies the law regarding payment to vendors from State agencies. What it does, it clarifies that the thirty or sixty days which in with...within which a vendor must be notified of approval of bill or invoice are calendar days not business days, and if a bill is disapproved, the vendor is to be notified within thirty calendar days rather than immediately. I'd move passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Senator Davidson.

SENATOR DAVIDSON:

Yes, Senator Welch, there's one...part of this has very good ideas to me but it also has some very big problems. One of the biggest things is, if we're going to do it in thirty calendar days, Central Management Service which has to send out the telephone bills back to the different departments and agencies for verification; therefore, you're not going to give them physically enough time for that to be verified as legitimate on the charges, and you and I, both know the telephone company does make mistakes when it bills you. You have nothing in here for an exception to the rule, and consequently, to get verification to protect the taxpayer's money that it's legitimate bill, we're going to start paying two percent interest to the phone company. Is...is there any exclusion at all in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, none that I know of, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, have been the father of the sixty-day bill a few years back, and in working with all the different parties

concerned at that time in government who had been excessive delays in paying bills, they finally came to the fact that they could do it in sixty days. At that time the construction industry and all the other people who had came to me to solve that problem that time, said, that 's fine, we can live with it. I see one of the people who voted...who registered in support of this was a person representing the construction industry, and I...I think, frankly, they were off base. I think that we're adding a legitimate delay problem in trying to say thirty calendar days when it's going to knock at least two weeks off what the department would have to do, or if the Comptroller or the Treasurer finds a mistake, then we got to start paying two percent interest. I don't think this is a good idea. I urge everybody to vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, just to...to reinforce some of the arguments made by Senator Davidson, I think that this one of those ideas that sounds great, but when you try to make it work, it's not a very practical thing to do. I know in the case of my own legislative phone bill, we quite often are...we're running about a month late because of the problems in sending the...vouchers to the State and...and by the time they get them paid, my phone bill usually shows that I own...owe two months rather than one month when I get it, and I think what you're doing by virtue of this bill is simply making that problem a lot worse; and while I support what you...I think you're trying to do, once again, I think...it's not a very practical way to solve the problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch may close.

SENATOR WELCH:

This bill is one that is designed not only to help constituents who are not paid on time, it's actually one that also helps us as legislators. I'm sure many of you receive phone calls where...on the campaign trail as we're about your duties, somebody comes up and says, hey, how come the State isn't paying my bill, and you get some hassle about that and you try to do something about it. And the purpose of this bill is to...try to encourage the State to pay much quicker, trying to get constituents happier and, perhaps, make it easier on us. I think that it's a...it's a good idea and I think it's one that we should pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1246 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 28, none voting Present. House Bill 1246 having failed to receive a constitutional majority is declared lost. House Bill 1251, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1251.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1251 empowers DCCA to provide information along with the Department of Energy and Natural Resources cooperation on the technologies that are available for businesses to burn Illinois coal and the feasibility of such systems. It also empowers DCCA to encourage new enterprises to use equipment that utilize Illinois coal. There are a couple

of other provisions of the bill. I think it's a good bill. It passed out of the House by a vote of 118 to nothing and out of the Senate Ag. Committee by a vote of 13 to nothing, and I would ask for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis. Any further discussion? If not, the question is, shall House Bill 1251 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 1251 having received the constitutional majority is declared passed. House Bill 1258, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...1258.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 1258 does just as the Calendar states. It amends the Tax Anticipation Note Acts. It makes some changes in relation to the amount of notes that may be issued and the manner...the interest rate and the manner of refunding those notes. If there's any question, I'll be happy to try to answer it. Appreciate...(machine cutoff)...roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1258 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1258 hav-

ing received the constitutional majority is declared passed. House Bill 1262, Senator Marovitz. House Bill 1277, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1277.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill proposes to create the...corporation for innovation development which is formed to generate private venture capital to foster a new research, new businesses and new industry into the State of Illinois. It would provide for State corporation operated by five appointees of the Governor and the legislative leadership and by the directors of the Department of Labor and the Commerce and Community Affairs. The purpose would be to raise funds to make investments in small business establishments and other industry that might want to move to the State, and I would ask for your favorable consideration of the bill. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'll be very brief, as Senator Demuzio said, 'cause I would like to be home before 2:00 a.m. I appreciate the concern of the sponsor. But when you look at the income tax credits available, there is one question I want to ask directly, 'cause no more than five million in credits may be granted in total. Is that five million in credits for one investor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

It's for all taxpayers for the three-year period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, what we're saying is, this does allow a tax credit carryover so that if...if the amount of credit you've got is more taxes than you were going to pay, you can carry the credit over to the next year, which was an innovative idea that the Federal Government does, but needless to say, that's why most major corporations don't pay taxes, 'cause they carry these credits over constantly. There are many small business programs already in Build Illinois and a series of others, and I laud you for your effort,...you always hate to stand up and oppose a program like this, but you always say, well, we got forty-five thousand programs for small business. The average small businessman never hears about them anyway, doesn't utilize them and if...an example, the small business administration is usable, they don't always work that well. Sometimes we're better off letting innovative businessmen be innovative businessmen and quit trying to innovate for them. But I appreciate your concern, I just don't think it's practical.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, who is...who will designate those fortunate individuals that are going to get the tax credits?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

The corporation itself, Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

So that the...the director of the Department of...of Revenue and and of Labor and DCCA and then the...the other people appointed by the legislative leadership then are going to sit around the table and...and designate those people that will be...whose investments will be eligible and those that will not. I can see...just within that mechanism alone, I can see quite a few administrative problems that...that are going to arise. There...you also have built into the legislation a five million dollar cap, you know. This...is this going to be first come first served? I mean, who really knows what the...what the credit is...is going to...going to be? You know, if you okay the investment, that does not tell you what the credit is going to amount to. It seems to me that you could be...have some considerable difficulty after the fact...after a credit has been earned under the provisions of this bill determining who...who of those eligible for the credit are actually going to get it. I...as I...I reluctantly rise in opposition to a bill that is designed to encourage investment in Illinois small business, but I think that...that this is not the way to get the job done. I...I think that this would result in quite a few administrative nightmares. I think we've already set in place a number of other programs that are directed toward the same general goal, most of those programs are new. I suggest that we vote this proposal down, give these other programs a...a..a chance to accomplish the same objective.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't think this a bad idea. The only problem is, we've already done it. We established within the last couple of years the Venture Capital Fund within the Department of Commerce and Community Affairs, and there's a hundred million dollars that is lying in the fund. The money was just put together in March of this year, I believe, and so the allocations have not really been made from that fund. We have a lot of good ideas around here but it seems to me that we're tending now to begin to duplicate those that are already in the works, and it occurs to me that this is one of those instances. We probably should wait and see how successful our Venture Capital Fund is going to be before we embark on one more program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR DeANGELIS:

Senator Poshard, what qualifies for a deduction?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

The corporation that will be appointed will formulate the rules and regulations. They have the right to...to appoint a general manager who is a person of recognized ability and business experience to...to include engineers, accounts and so on in this operation that will make the determinations as to who qualifies for...for this investment credit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I apologize, Senator Poshard. That was not my question. What I mean is, what qualifies? Is it loans, stocks, guarantees, deposits, what...what qualifies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

...it will be treated like any other corporation...just a second, I'll...loans, guarantees, yes. Those...the very things you just mentioned would qualify.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Poshard, I have never heard in my entire life when someone can deduct a loan from their State Income Tax. What happens when the loan is paid back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

I'm...I"m sorry, Senator DeAngelis, I...I misunderstood your question. I was talking about the...the financing from the corporation itself and what may be included in that in terms of equity, investments, loans, guarantees, commitments for financing and so on. What qualifies as a tax deduction is the investment in the corporation or in any entity the corporation deems appropriate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

END OF REEL

REEL #8

SENATOR DeANGELIS:

Is a loan considered an investment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

I...I wouldn't assume so. I...I don't think it would qualify as a deduction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...I think you'd better read the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? If not,...Senator DeAngelis.

SENATOR DeANGELIS:

(Machine cutoff)...to address the bill. I mean, I have never seen a situation in which...and believe me, I am not shy at all about accepting tax credits or even giving them, but you've got a bag here that I've never seen ever given out as tax credits and there's no mechanism in the event that the equity is either returned or the loan is repaid that the State is ever going to recover its money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. First of all, I might point out that the Venture Capitalism Fund is in the Illinois Finance Development Authority and that is State monies. What we're after here are private funds to...to encourage private investment in the State of Illinois. Recently, I was

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listening to a conversation over KMOX...radio in St. Louis, a conversation with the first vice-president in charge of investments of the First National Bank of Boston, Massachusetts. He was talking about the tremendous amount of high technology enterprise that has developed in and around the Boston area as well as in Southern California; thus, the creation of a subpar five percent unemployment rate in those areas. Upon the inquiry as to how they were able to create such enterprise and such business development in those areas, he...he...he replied with this, he said, private capital investment from the midwest, from Illinois, from Michigan, from Wisconsin, our money going to the east coast, to the west coast to finance high technology investment, small business, new industry. This simply creates a mechanism for private venture capitalism to stay in Illinois, not State monies to try and to bring in jobs but private, investment capitalism right here in Illinois. This creates the mechanism. I think it's a good bill and I would ask for your support of the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1277 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, 4 voting Present. House Bill 1277 having failed to receive the constitutional majority is declared lost. For what purpose Senator Poshard arise? Ask leave from the Body to put 1277 on the Order of Postponed Consideration. Hearing no objection, leave is granted. House Bill 1279, Senator Nedza. On the Order of House Bills 3rd Reading, House Bill 1279. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1279.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill would allow the RTA to conduct a study of the adequacy of police protection on the public transportation systems under its jurisdiction. There's an amendment offered to the bill which would allow...and it dealt with the Suburban Bus Board which would allow the directors of which...all directors are mayors of the respective municipalities, would allow a director to conclude his term even though he was no longer the chief executive of that municipality. If there's no questions, I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1279 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1279 having received the constitutional majority is declared passed. House Bill 1284, Senator Chew. Read the bill, Mr...

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1284.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Yes, 1284 is a bill that prohibits insurance companies from refusing to enter into a contract based on the amount of

business that was written prior to an independent agent applying to do business with the company. I don't know of any opposition. I think it's a good bill. I'll answer any questions. Otherwise, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1284 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1284 having received the constitutional majority is declared passed. House Bill 1285, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1285.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 1285 amends the Administrative Procedure Act to permit a State agency to submit an adgenda of rules, it is considering proposing to the Illinois Register. This bill...sets forth certain guidelines as to how this prerule making procedure is to function, and if there are any questions, I'll be happy to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1285 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1285 having received the constitutional majority is declared passed. House Bill 1292, Senator

Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1292.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I want to assure the Body that this has nothing to do with the custody of children in divorce cases. It deals with the rights of the persons in nursing homes to...as to withdraw from the residents' accounts. It spells out the situation under which the deposits must be applied for the benefit of the residents and under what circumstances those deposits can be applied for, any remaining financial obligation upon the resident's death or discharge. I ask your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1292 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1292 having received the constitutional majority is declared passed. House Bill 1306, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1306.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate.

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House Bill 1306 deals with those situations where Chicago police officers and Chicago firefighters sustain an injury in the line of duty and the individual officer is being dunned for the bill because the municipality is late in paying it. It only applies to the City of Chicago. There is an amendment that we have accepted that was put on by the medical society, and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...there discussion? If not, the question is, shall House Bill 1306 pass. Those in favor will vote Aye. Those opposed vote Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. House Bill 1306 having received the constitutional majority is declared passed. House Bill 1317, Senator O'Daniel. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1317.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, House Bill 1317 as amended amends the Use Tax Act to define gasohol as having been produced from cereal grains grown in the...in the...in the U.S. Also, it...it was amended in...there was an amendment put on it in the House to remove the...thousand dollar threshold on farm equipment and parts...and this was the companion bill to Senate Bill 429 that passed out of here 57 to nothing. I would appreciate a favorable roll call. I'll attempt to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, is this where they're trying to prevent importation of any ethanol from other countries to reduce the price that we use when we mix?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, this is...actually,...what this was for was to combat the cheap ethanol that's coming from Brazil made from sugar cane.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, it's my understanding that there is a question of the constitutionality of whether this is...we as a State can, by law, prevent the foreign trade and prevent this coming in, and there's also a question on whether on...on how you can check whether the ethanol is produced with sugar cane or with...with grain and...also this would prevent those in the United States from developing ethanol out of potatoes or other...or our own sugar...wouldn't it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Well, at present here in this country, they are not using...cane or sugar beets or anything of that nature and I think it is constitutional. It was amended...here...in the...in committee to specify as grown...produced from cereal grain. I think this takes care of the constitutional problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, it just strikes me as odd that we're concerned about our constituency and providing some economical fuel for their use and automobiles and whatnot, and yet, when there is a way to enact some savings, we want to restrict that and prevent...prevent them from getting any gain from the savings. I...I just think it's contradictory to what our purposes here are for, and I would vote against this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce, Jerome.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in strong support of this legislation. Senator Savickas mentioned the sugar cane and potatoes. We don't grow much of that in this State, but we do have a labor force in this State that is not at work and if we pass this legislation, it's going to put the biggest industry in this State...it'll at least help put them back to work. Maybe they'll buy a tractor or a combine and put some of Senator Savickas' and some of our urban people's...constituents back to work in the factories. I think this is an...excellent piece of legislation, it will help the hard pressed agriculture community in this State and it will also help our urban people get jobs back at decent, high paying wages making equipment that agriculture can use. I think this is an excellent bill. I don't think we need to look out for the major oil companies in this State this year. I think we need to be more concerned about this...this country's...or this State's major industry and that'll put more people back to work than any of the major oil companies will in this State. So, I would urge adoption of this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, we...we have three...two additional speakers. We are down to a hundred and twenty-five bills or thereabouts

now. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. One concern that I have about forbidding the importation of ethanol is that some of the small jobbers are having a...a problem of getting ethanol at a reasonable price. We have ethanol that is made here in the State of Illinois that's selling for twenty or twenty-five cents a gallon more in Illinois than it is in Indiana or Iowa. One...one manufacturer is only selling by the fifty-five gallon barrel now. There's some real problems here, Senator. There's many small distributors here in the State of Illinois that are having to blend in order to come up to the proper octane and it's only going to get worse as we phase out lead, and to restrict, particularly in a...in a...at a time when we're...when they're having to pay twenty, twenty-five cents more per gallon for that made here in the State of Illinois than they're paying in Iowa, Indiana, it's only going to exacerbate the border problems. I...I don't know what the answer to it is. We'd certainly like to use more grain, more corn in the manufacturing and...and increase the refining capacity, but I...I don't know what's going on in this whole bit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this bill and I, like some of the other speakers, that...that feel that agriculture today certainly needs a...needs a boost. I think this bill does that. For those that are concerned about...and, Senator Weaver, I understand some of the problems but some of the...some of the jobbers and especially some of the other petroleum companies have an opportunity to manufacturer alcohol if they so desire but have chosen another...another direction to go. So, I

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don't really feel sorry for them and I think for us to jeopardize...agriculture at the expense of the...the manufactures, I think, is totally wrong. This bill is a good bill. The exemptions here is good. It's going to strengthen agriculture and they certainly need it because it's going to help the rest of the State, and I'd ask for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

To...to answer some of Senator Weaver's concerns, we're not...we're not saying anything about Indiana or Iowa or anything like that, we're just talking about the foreign ethanol that's being produced in Brazil and putting our...our people at very much of a disadvantage. You know, ADM right near Senator Weaver's hometown of Champaign is...is one...a very big employer of...of people that are producing ethanol and...and I think this is a...a bill that's very badly need, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1317 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, 3 voting Present. House Bill 1317 having received the required constitutional majority is declared passed. 1318, Senator Kelly. House bills 3rd reading, House Bill 1318, Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1318.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 1318 exempts the towing of wrecked vehicles ordered towed by law enforcement agencies from being regulated by the Illinois Commerce Commission. Current law in Illinois is that the towing operators do not need Illinois Commerce Commission authority for trucks that are used exclusively for the towing of disabled or damaged vehicles. The bill...this bill clarifies that language and it permits the use of newly developed equipment such as the tilt bed and the rollback car carrier. There was an amendment adopted which deleted the towing companies and made it towing services and it also allows for the...the towing in emergency cases to a...a local repair shop or gas station to make repairs. Other than that, I'll try to answer any questions you have and appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question. This doesn't take the relocater operators out of the purview or jurisdiction of the Illinois Commerce Commission does it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I can't answer that. I'm not sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I'm just going to assume it doesn't, 'cause I think we probably would have heard about it if it...if...if it did, but I think this bill will be coming back, so no problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we now have two additional speakers. Senator

Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I wasn't aware of this bill, but as I read the bill and the...and the amendment, I get the distinct impression that a body shop operating a towing service who would respond to a State police telephone call could not provide that towing service unless they were registered and certified by the Illinois Commerce Commission. Is...am I correct in that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I...I'm not so sure if it...it doesn't change that...aspect at all as far as the current law, the way I read it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman...Schuneman.

SENATOR SCHUNEMAN:

Small body shops around the State who operate a towing service, are they required now to get a certificate...to operate by the Illinois Commerce...from the Illinois Commerce Commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I'm advised they are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that...that may be true, that was not my understanding; but the other question, I guess, is our...our analysis indicates that this bill is opposed by Illinois State Police. Are they still in opposition?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I don't believe with the amendment we have that they're in opposition. I haven't gotten any information that they are in opposition, at least after the amendment was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is,...Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR HALL:

Senator Kelly, I don't know where this question that was asked and I...I don't know it myself. What is the professional towing and recovery operation of Illinois? What is that?...was there...was such a question asked? I don't know, I just...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Mr. President, let's just take this bill out of the record. We can talk about this further down the road.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Two purposes actually.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...well,...well, let's...let's finish. Senator Kelly requests leave to take this bill out of the record. Is leave granted? Leave is granted. Take it out of the record. Senator Rock.

SENATOR ROCK:

All right, I've just concluded a meeting with Senator

Philip and we've decided...and for the physical and mental well-being of all of us, we will set the schedule and work until 8:00 p.m. tonight and then call it a day. If need be, by eight o'clock we see the necessity for a...a move to extend the deadline until tomorrow, we will do so, but I think plan on eight o'clock tonight; otherwise, we're all going to get nutty...additionally, I'm sure you're aware that the Governor is hosting at this moment the gentleman from Chrysler and Mitsubishi. Senator Philip and I were kindly invited to also attend. We have instead suggested to the Governor that the Senators in the area that the Mitsubishi folks are interested in attend, and so Senators Sommer and Luft and Maitland are at the Executive Mansion at this moment at Senator Philip's request and mine. So, I would ask the members to bear that in mind when their bills come up. If somebody else wants to handle them, that's fine. In any event,...they...they are...have been excused for official business purposes. So, we'll work until eight. I would encourage you to...encourage all of us to move as quickly as possible and then we'll...if appropriate, make the proper motion and start again tomorrow morning at nine o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Top of page 15, House Bill 1335, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1335.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1335 amends the Public Aid Code by first requiring notices to be posted in all public aid offices that

describe rights of clients, to be courteous and give courteous treatment to the recipients...with an appeal to denial. Now this passed the House overwhelmingly with no opposition. Then the second position of this bill is they extended to the public aid benefits to the maximum extent that's allowed by our Federal law. It would provide medical coverage for former recipients who have left the welfare rolls to take low paying jobs that do not include any health benefits. These benefits would not be provided in the cases of former recipients who have secured jobs that pay a sufficient amount so that they are beyond the so-called earned income category, nor would these benefits apply to households where any other health benefits are available. Medicaid would then continue to be a...the payer of last resort. This bill takes our present policy of continuing medical coverage from the minimum nine months to the maximum of fifteen months that is allowed to us by our Federal law. The real purpose of this legislation is to keep working mothers working. We are trying to establish a safety net. If it should be needed if one of her children become seriously ill or needs routine but costly medicare, she may be forced to choose between the impossible costly medical bills or quitting her job or either go back on public aid. What we are trying to do in this legislation is to keep the mother working so that she will not have to resort back to public aid. Each states have this option which decreases the...decrease the welfare load, and I ask the Assembly to please think kindly toward this legislation and give me an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I would have to speak in opposition to this bill and we have no problem with the first part,

Margaret, I think that's every laudable and I also think the second part is in concept; however, Department of Public Aid already offers the nine months for the extension of the green card, and what you're trying to do is...is strengthen it or...stretch it to the fifteen months. What the Federal Government requires in that extra six-month period is extensive administrative proof of eligibility which means on that six month period that each one of those recipients must come in on a monthly basis to prove their eligibility, and I think that it...it...it's just very difficult for that to happen, and I would just move for its...I would just have to speak in opposition to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, very much, Mr. President. There is some...there is some credibility to the...to the representation that has just been made, but let me just say this, what we're talking about is a minimum number of families. For example, in Massachusetts they've had this program in effect and over the past year they had a total of fifty families to take advantage of this...of...of this extension, the six months. Now, Massachusetts' load is about a quarter of that of the State of Illinois. So, we'd be talking about...perhaps about two hundred families. I...I think that what we have to weigh is the difference between having people come back on the rolls and be completely...completely and on the expense seat of the State of Illinois as...at which time, of course, they would have those medical benefits that we're talking about. So, it isn't a question of extension and...and loss of dollars from the use of the green card. The fact is, that we'd have...we'd have the fiscal savings of having these people at work at the same time. So, it seems to me that on balance, this is a good deal for the State and we ought to

support it. I would urge the support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse. I'm sorry, Senator Watson.

SENATOR WATSON:

Thank you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, I'm sorry, Senator Watson, you don't look alike, I just...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question in regard the amendment. It has reference to the Pharmaceutical Assistance Act. I...I'd just like to know what are the provisions in here and what does it do to the Act...the Pharmaceutical Assistance Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Smith.

SENATOR SMITH:

This...the eligibility of such a person for medical assistance under this Article is not affected by the payment of any grant under the senior citizens and disabled persons property tax relief and...Pharmaceutical Assistance Act. This here was already in the bill and this deals...dealt with the senior citizens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

Thanks, Mr. President. If we talk about saving money for the State of Illinois, this is really one vehicle that does, in fact, save money. Senator Newhouse is absolutely correct on the Massachusetts proposition and certainly we wouldn't have an overflow here, but if you just think of staying off welfare and extending it for that period of time versus going back on welfare which mandatory that they get it, we can

automatically discern the difference in the savings there, Mr. President; and I, too, would urge an Aye vote on it because it's a money-saving proposition...on the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Smith may close...oh, I'm sorry, Senator Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Yes, I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he...she will yield. Senator Dudycz.

SENATOR DUDYCZ:

In our staff analysis...without the amendment, it says that there was no fiscal impact and Senator Chew just stated that with this amendment this is going to save us some money. How much money is this bill going to save us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Would you please repeat the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes. Our analysis states that without the amendment there's no fiscal impact on the State of Illinois. Senator...Chew just stated that with the amendment, this legislation will save the taxpayers some money. How much money will this save the taxpayers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith, do you...do you wish to yield to Senator Chew? Senator Chew.

SENATOR CHEW:

I would yield to Senator Newhouse on it. He has better...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Chew yields to Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator, while I can't give you a figure, I can give you an idea. All right? What we're talking about is people who are off the rolls who are making money...at something like the public aid level. Okay? Now, while...so, that in itself is a saving to the State. The difference we're talking about is the green card, in fact. Now, if they go back on the rolls, they have the green card. So, you've got the double whammy. Instead of having people working with a green card so that if the occasion arises they'd have medical coverage, you'd have people who are not working, who are on the public aid roll costing the State those dollars and on top of that having the green card, so the savings is what we would pay out in public aid benefits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

...well, it's my understanding that we're already doing it for nine months. Is that correct? What...what will the additional six months do for us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

The additional six months would provide the coverage so they don't go back on the rolls. If at the termination of the...of the nine-month period there is something that...something happens, then that person will go back on the rolls and have the coverage. It isn't either/or, they'll to have both. So, what we're doing is just giving it a sort of a safety net so that we can get them beyond a period where they'll be...get the regularity and the experience necessary

to stay at work. It's a work...this is a work program and the benefit is, we save public aid dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, where do we...where do we stop the safety net? Why continue six months? Why not six years or...or sixty years or sixty days?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Smith.

SENATOR SMITH:

Senator Dudycz, may I say this, this is by the Federal Government, the six months, and this...remember, this is only optional. Everyone don't have to take it...the option of this and the...the Department of Public Aid cannot give you an accurate count. It's about...say about twenty percent of the caseload, which would be about two hundred people out of ten thousand people. You're not...you're trying to help and encourage these women to stay on their jobs. Now, they had something like this out at County Hospital and they let those people out and every one of them were devastated, they didn't know what to do. We are merely trying to provide a vehicle that these women who want to go to work can have some incentive. Don't be so insensitive. My goodness, what have you got? We're merely trying to help these people, that's all we can do. Do you have an answer for them? These are mothers who do not want to go back on welfare. We had a program here with the corps...mothers. Women who do not want to be a part of welfare. They have dignity and all they ask us to do is to help them to help themselves. Now, the government has given us a provision. Now, let's go along with it. The State has only have to pay part of it, and all I ask...and the welfare has gone along with this. So, all I'm asking for you...your Aye vote. Please help us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1335 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 21, none voting Present. House Bill 1335 having received the required constitutional majority is declared passed. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

I'm sorry, but I would request a verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue has requested a verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Chew, Collins, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Hudson, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Rupp, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue, do you question the presence of any person who voted in the affirmative?

SENATOR DONAHUE:

Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson here? Senator Hudson on the Floor? Senator Hudson on the Floor? Strike his name.

SENATOR DONAHUE:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson on the Floor? Senator Dawson on the

Floor? Strike his name.

SENATOR DONAHUE:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch on the Floor? Senator Welch is at the back of the Chamber.

SENATOR DONAHUE:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones is sitting in his seat where he's suppose to be.

SENATOR DONAHUE:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll is...just walked in the door.

SENATOR DONAHUE:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas? Standing right here at the Podium.

SENATOR DONAHUE:

I've never done this before. They...they do pop out of nowhere, don't they?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Dawson has just returned to the Chamber. Restore his name. Senator Donahue, do you...

SENATOR DONAHUE:

Thank you, Mr. President. No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On a verified roll call, there are 31 Ayes, 21 Nays and none voting Present, and...and House Bill 1335 having received the required constitutional majority is declared passed. House Bill 1338, Senator Degnan. House bills 3rd reading, House Bill 1338. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1338.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. This is the annual Validation Act for the Cook County and Cook County Forest Preserve Districts to validate their appropriations and tax levy ordinances for 1983.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is shall House Bill...Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I just have a quick question. I have wondered ever since I got to the Legislature why it is that we have to validate the...the levy ordinances in Cook County and the forest preserve when we don't do that anyplace else in the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Degnan.

SENATOR DEGNAN:

I have wondered that also, but we do it every year and I'd ask for your assistance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1338 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. House Bill 1338 having received the required constitutional majority is declared passed. House bills 3rd reading, House Bill 1341, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1341.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. We, in this Body, not too long ago,...increased truck weights and increased truck lengths. It now seems logical to approve the changes called for in this bill that would permit tow trucks to handle these heavier and longer trucks. The current law exempts tow trucks from any regulation of weight limits when towing a disabled vehicle to the nearest qualified repair station. That's one of the points where that qualified repair station, the interpretation of that is one of the points we're trying to clear up, and that is possible provided that neither vehicle is in itself overweight. This bill actually tightens down and is much more restrictive than the present law. It sets specific limits of weight, twenty-four thousand single rear axle, forty-four thousand tandum rear axle. It'll...it...limits the distance to within fifty miles of the initial point of the wreck or disablement and requires the equipment to have the...the proper lights to be able to tow in...to tie in to...to the lights and the breaking system of the vehicles being towed. Since this is really more restrictive, I ask that this bill be given a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? If not, the question is, shall House Bill 1341...wait, Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

I...I note in the synopsis that it says that you can't tow a vehicle that doesn't have valid license plates except

by order of a law enforcement officer. If I wake up one Sunday morning and find a car in my front yard, on my well, how do I get it off my property if it doesn't have a license plate, and I...and it's Sunday, and I...and the cop says, we'll see you Tuesday and I kind of what to have my well to operate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

I don't know the connection with this particular bill, except what I would do, Senator Schaffer, is I would call the police department, the police would come, and they would call the tow truck and in this case too, if there is some other violation of length or width or whatever, that the police can give permission for the towing unit to move it and to get it out of the way and that would be the answer in your case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 1341 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1341 having received the required constitutional majority is declared passed. 1353. House bills 3rd reading, House Bill 1353, Mr. Secretary. Read the bill, please.

SECRETARY:

House Bill 1353.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and members of the Senate. House

Bill 1353 provides that public museums also means of the facility operating for the purpose of cultural development. We have in our State forty-one museums and under the current Statute, the Department of Energy and Natural Resources is responsible for State museums and to contribute to the support of the public museums in this State. This bill would expand the definition of public museums by adding to the current definition, "Promotion, cultural development through special activities or programs," and hence would enable the Department of Natural Resources to contribute to public museums for such cultural purposes. This also acts as a basis for extended programs that monies can be appropriated in the future to help the...the development and expansion of these museums in our State, and I ask for your favorable vote if there are no questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill was heard in the Executive Committee and there are some problems, I think, with this in that this, in effect, would establish a new program for which there is no appropriation and which is not in the Governor's Budget. In effect, what the sponsors and supporters of this legislation are trying to do is expand the purpose of the...definition of public museums in the law to include special activities and programs, and it appears that the real purpose of the bill is to build a multipurpose theater auditorium and exhibit gallery at the...DuSable Museum and there was an appropriation bill of two and a half million dollars for that purpose but that bill was Tabled in the House. I suggest to you that we probably should not approve this bill because there's no appropriation to fund it and there's some serious consideration as to whether or not we ought to be starting in this direction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. The previous speaker said it's to create a new definition. It expands the definition of public museum, Senator Schuneman, it doesn't create. The creation is already there. As far as building the theater to DuSable Museum, do you find anything wrong with that? It happens to be for your edification on the southside of Chicago. The director was Mrs. Margaret Burrs...Doctor Margaret Burrs. She's one of the most outstanding citizens in the City of Chicago or the State of Illinois. Now this bill came out of committee, passed the House, I don't know where the problem is on this bill. I don't see one. Mrs. Smith is the sponsor of this bill, Senator Brookens was in the House and it updates the reference to read, the Department of Central Management Service instead of the obsolete Department of Administrative Services; and if a museum is built, I think it would be a cultured advantage not only to Chicago but for the State of Illinois. If you would take time and go by the DuSable Museum, Senators, you would certainly leave there with a different opinion in its entirety as to what the museum is all about. The few things that are designated here are important. No one has time to waste for the benefit of wasting time. Mrs. Smith is definitely encouraged on this bill. It encouraged all of us. It's not a white/black issue. It's an idea which time has come and this legislation should be passed and signed by the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, could you...

SENATOR CHEW:

And I would ask for a favorable roll call on House Bill 1353 from all of my friends.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield, Senator...

SENATOR TOPINKA:

Would this apply to some of these little suburban type museums that many of our municipalities or historical societies run?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you. Senator Topinka, I have in my hand here a list of forty-one museums that are residing in our State. I have from Springfield, Batavia, my home; I have from Glencoe, I have Brookfield, Illinois; I have Des Plains, Pekin, Wheaton, Elgin, DeKalb, Elmhurst, Evanston, Glen Ellyn, Aurora, Freeport, Galena, Joliet, Kankakee, Libertyville, Peoria, Decatur, Bloomington...two in Decatur, Bloomington, Addison,...Palatine should I say, Hennepin, Rockford...Rockford, Freeport and west Chicago, Illinois. To answer your question, this includes all and all of them are advisable to...and...and free to accept anything that this bill has to offer. If they want to expand, the vehicle is here. This is all we're trying to do in this particular piece of legislation is provide the vehicle that if any of these museums want to ask for a grant or anything, that...the mechanism is here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1353 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 16, none voting

HB 1393 3rd reading

Present. House Bill 1353 having received the required constitutional majority is declared passed. 1389, Senator Netsch. House bills 3rd reading, House Bill 1389, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1389.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill was requested by the Comptroller's Office and its purpose is to make it easier to transfer all of the information...financial information that is received from units of local government on to the Comptroller's electronic data computers. The fire districts who currently file...or file their audits but not a report that can be transferred into the computer system, this would make it clear that their information would be...it's not a heavy burden on them because they already file an audit and all they have to do is...take some information off of that form that is already easily available to them. It is supported by the Comptroller's Local Government Audit Advisory Board, the Municipal Audit Advisory Board and the County Audit Advisory Board. I'd be happy to answer any questions; if not, I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1389 pass. Those in favor will vote Aye. Those opposed vote Nay. The...voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1389 having received the constitutional majority is declared passed. House Bill 1393, Senator Sangmeister. Read the bill, Mr.

Secretary.

SECRETARY:

House Bill 1393.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This bill originally was on the Agreed List and I understand that somebody got enough signatures obviously to knock it off. If there is some concerns, I certainly want to address those. Simply what this bill does...and I want you to know that this is introduced...by the...Illinois Association of Park Districts, it's their bill, that doesn't make it sacrosanct just because it's their bill, but it would allow them and other taxing districts to do what I think is a very wise thing to do and that is to go into risk management programs. Now, for those of you that don't know what a risk management program is, it's simply a program where you bring an expert in who takes a look at your operation and tells you where, in effect, you could be sued because of a negligent type of operation that you're conducting. Surely you understand what the park districts...one of their big problems has been that they are getting sued because of young people who are, say for example, I guess it did happen over in Gary, Indiana, so, but it would still be germane here in Illinois, where a park district left a swimming pool unattended and some kids...died in it. I...now if you had a...an expert that came in, although you'd hardly need an expert in that case, could tell you that you really ought not to do that, that that ought to be fenced off and that that pool ought to be drained. That's what...what...risk care management is all about. Private industry has been doing it for years. And actually instead

of a cost increase, because you can levy...for this type of...of a plan, it should be a saving for the simple reason that your insurance premiums are going to go down. Park districts and other taxing bodies pay on the basis of what their experience is, and if the experience is bad, you're going to pay more. This is to save taxes, not...not raise them, and I'll be happy to discuss that issue further with anybody. If there are any...objections, I'd appreciate an approval for the park districts and other taxing bodies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Keats, Schaffer and Schuneman. Senator Keats.

SENATOR KEATS:

Thank...thank you, Mr. President. Actually, I didn't knock it off the...the...list, but as reading it over now, I...I can see why someone did. We've...we've got some legitimate questions. First of all, in terms of...according to our analysis, there's a provision for the issuance of bonds and tax anticipation notes to cover unpaid tort judgments. Is that a new provision of the law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, that's in the law right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Keats.

SENATOR KEATS:

What...what does a risk management program cost?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I can't put a figure on that, but I think you...I asked that question of the park district people and they estimate it would probably cost a couple of thousand dollars to bring

in some people for a week to review their...their parks to see what they are doing that's wrong that they can reduce their...their liability. That's the best figure that I can give you, a couple of thousand dollars to bring somebody in to take a look at what's going on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

This a referendum item?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

You...you want a referendum for...to spend two thousand dollars for the park district to take a look at what's maybe a problem?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

No...no, you misunderstand my...misunderstand my question. In terms of a tort...immunity, the tort liability insurance, that's a separate levy. Is that a referendum levy...which...'cause this would be...the money would come under that. Is that a referendum levy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, that is not a referendum...levy for the simple reason if your park district gets hit with a judgment whether the funds are there or not, you're going to have to levy to pay for it. All they want to do is under that same levy is to use some of those same funds to be able to reduce their...their outstanding liability, and I think that, frankly, makes sense. I also would say to you, I think they can do it under the present law but this would make it clear

that they can use funds for that purpose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Senator Sangmeister, I didn't take it off the list either, maybe Senator Bloom did, I don't know. That got his attention. I'm kind of curious about the complete...sorry to mess up your day...I would like a little more definition of risk care management. We're not talking about if...if you hire the consultant, they come in and say, hey, your fence around the swimming pool isn't big enough, it should be here, and you got to have double lock on the gate. We're not talking about the cost of putting the fence up, we're just talking about the management, the...the looking at and...and what have you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That's a very good question I hadn't even thought about, somebody may be thinking of that. That's not my interpretation of this, this is only to cover the cost of a risk care management program, not...not the...the program of rebuilding or putting a whole new fence around it, that's got to come under...under your operating budget. But just to bring somebody in to say that fence is defective and it ought to be repaired, not the cost of repairing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I believe that we have a...a similar program at the State level which I think has made a lot of sense and saved an awful lot of money. I think at the State level we have...actually have a couple of people in a division that does this. Could a...a large park district hire a full-time

person to do this and...and put it in that area? I mean, I'm obviously thinking about Chicago or one of the super big ones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, surely you could hire a full-time person to do this but I...I think that would be a waste of...of tax money because what you really need is a survey to be done. Once the survey is done of what's wrong...course, obviously, there can always be a continuing on-going survey. But I don't think you want a person hired full-time all the time just to be seeing what's wrong with what the park district people are doing or any other taxing body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Does this increase the authorized tax levy, George?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, it does not increase the...the...the tax levy but allows funds that are raised under the existing tax levy to be used.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, thank you. Mr. President and members of the Senate, this is a good bill. For many park districts and other...units of government who have large insurance pro-

grams, many properties to manage, they need the kind of expert help that is oftentimes provided by a risk manager. There are many cases where the park district, for example, may be better off not to insure some things, they may not recognize that. The risk manager is an expert in figuring out what the park district ought to insure, what it not...what it should not insure. He's an expert in...in advising them on how to reduce their risk and this is a legitimate expenditure of those funds. We ought to support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 1393 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 1 voting Present. House Bill 1393 having received the constitutional majority is declared passed. House Bill 1395, Senator Nedza. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1395.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1395 as amended now permits downstate districts to generate the necessary funds required by referendum up to ten percent to address those repairs and/or alterations to their facilities required to meet standards imposed on them by another regulatory agency. The objections that were to the bill were removed by the amendment and I know of no others and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Quick question. Life Safety funds. Now for any of us who've been on the Education Committee for years remember probably the single, most abused nonreferendum tax in the entire State is the life safety. They build...running tracks, light field houses, replace windows, put in concrete sidewalks across lawns. Who reviews what's a life safety program to find out? I know when you say referendum, if you look at the amendment, there's no referendum up-front and then a referendum for the second one, so, it's a partial referendum...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR KEATS:

...who reviews those projects?

SENATOR NEDZA:

Senator, it says the proposition to oppose a tax under this section may be initiated by resolution of the local park. That's it. No matter what you're going to be doing with it, that's what it has to do, and on...upon approval of a proposition by the majority of those electors voting thereon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

The approval of the individual projects takes a...that's what I'm saying. Who approves when they decide to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR KEATS:

...to build a new field house off this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 1410
3rd Reading

...Senator Nedza.

SENATOR NEDZA:

No mattter what...Senator Keats, no matter what they do. The amendment...Senator Watson's amendment deleted everything in the bill other than whatever they wanted in the bill must be done by referendum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 1395 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, none voting Present. House Bill 1395 having received the constitutional majority is declared passed. House Bill 1410, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1410.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 1410 has two different parts in it. First,...the first part amends the Illinois Public Aid Code. It prohibits a nursing home from knowingly charging a resident for covered services paid for by the Medicaid program and prohibits a nursing home from knowingly charging, soliciting or accepting any gift, money, donation or other consideration as a precondition to admitting or...expediting his or her admission to a nursing home, in other words, under the table payments, or as the requirement for his or her continued stay when the services are paid for my Medicaid. The second part of the bill amends the Nursing Home Care Reform

Act of 1979, and I think this is the most important part of the bill in terms of people-oriented services, in terms of cost effectiveness and cost containment. It prohibits a faculty...a facility from involuntarily discharing a resident when the resident switches from private pay to Medicaid, and it estabilishes a ten-day bed hold policy for each hospital admission. This ten-day policy is already in the public aid regulatory policy. We are putting it in the Statutes. We are codifying it, this ten-day bed hold policy. It establishes a business offense of not less than five hundred dollars or more than a thousand for the first offense and not less than a thousand or more than five thousand for each subsequent offense. In other words, what the second part of the bill is saying is that if a resident has been in a nursing home as a private pay patient for five years and depleted his or her net worth, savings, and eventually has to go on Medicaid, that facility can't say, well, we've gotten all your money, we got all your life savings and now goodbye...you can't stay here anymore. It prohibits a facility from saying to someone who is sick and has to go to a hospital for a short-term stay from saying, okay, we're shipping you off to that hospital but your bed is not going to be there when you come back. They can't do that. Other states have done this, Massachusetts, Ohio, California, New York. Let me tell you what New York just said about this provision and this is quoting from New York, "Discrimination against Medicaid recipients has the effect of forcing many patients to remain in hospitals where they do not receive the recreational, motivational, social and other activities that would be available if they were appropriately placed in a residential health-care facility. Moreover, New York State's interest in the efficient use of Medicaid funds is adversely affected by the necessity of keeping Medicaid recipients in higher cost accute-care facilities. Funds that might more usefully be spent provid-

ing elderly citizens with appropriate care in nursing homes are used to pay costs for extended stays in hospitals." Today...just today in the Decatur Herald there's an article, and I hope Senator Rupp and Senator Maitland and Senator Weaver are listening 'cause...this relates to their constituency. In the Decatur Herald, the headline, it says, "Homes refuse to admit paralyzed woman" and I'm just going to read two paragraphs from it. "Rita Cockran probably knows what it's like to be trapped. The Piatt County woman has been paralyzed since a car accident in 1980, trapped in a body that no longer gives her control of movement, but recently she and her husband, Clifford, have been battling another kind of confinement. The nursing homes where the woman once stayed have said they won't take Rita back, forcing her to stay in a hospital that charges ten times the cost of nursing home care. 'I wanted to go back to Piatt County where we live,' Clifford said, 'we paid taxes there for fifteen years and I think our own county people should take care of her.' Currently, Rita is in Mercy Hospital in Urbana. Richard Jones, the family's minister, said she was transferred there from a Savoy nursing home in May 1984 when she became ill. Rita recovered in four days and tried to return to Carl Arbors in Savory but the nursing home told her the family bed that...told her and the family that the bed was filled. As a result of this situation, the Illinois Department of Public Health and the Illinois Department of Public Aid is looking into the matter. 'This case might force the State to interpret its rule concerning the holding of beds,' said Dan Pitman, a spokesman for the Department of Public Aid. 'Our interpretation is that, yes, any nursing home is required to hold the bed ten days for a resident if its census is below ninety-three percent.' This stay in the hospital has already cost this family...already cost the State...excuse me, already cost the State of Illinois on Medicaid a hundred and

thirty-six thousand dollars...a hundred and thirty-six thousand dollars. It goes up three hundred and fifty dollars a day. If she stayed in a nursing home, it would cost the State thirty-six dollars a day." Ladies and gentlemen, we talk here all the time about cost containment...always talk about cost containment. This bill provides quality care to people across the State, guarantees that they can stay in nursing homes while providing cost containment for the State of Illinois and the taxpayers of the State of Illinois. I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Donahue, Schaffer and DeAngelis. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The first part of your bill, Senator Marovitz, we don't have any problem with. It's the second part that we do and I think from all the...speaking that you've just done, if you could produce a bill that would do what you've just said, we'd vote for it, but the point of this bill...no, no, I would totally disagree. There's a word that you...neglected to talk about and one that we're becoming more and more familiar with and that's the word "cost shift." What happens in our nursing homes today is the private pay patients are taking and paying...helping to pay the bill of our Medicare patients because the State doesn't reimburse for the costs. So, what...what you're saying is that if the nursing home cannot control their beds, they're not going to provide these public aid beds, and what you're going to have happen is there are going to be less and less public aid beds for these people to go to, and I think this is a bad bill and I would hope we would defeat it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

A couple of questions. Will our Department of Public Aid reimburse a nursing home for that empty bed for those ten days?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

The...the answer is...that's a very good question and the answer is yes, they're doing it today for...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR MAROVITZ:

...that's correct for those...for that time that that...that that Medicaid patient is in the hospital, they get reimbursed...State reimburses them now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I have, as I think all of us have, dealt with people who have been in that situation where they've been in a nursing home and depleted their savings and the nursing home...frankly, the nursing homes in my area with all the regulation we have so cheerfully foisted upon them can't make it on Medicaid and Medicare payment levels. They have to have a certain ratio of private pay so that the private pay people can cross-subsidize the Medicaid and Medicare patients that...because of the costs that we have driven up artifically, but you have an interesting concept here, Senator Marovitz. Perhaps it's one we ought to expand. In essence what you said, if a business takes the senior citizen's money for five years and then they go...the senior citizen then runs out of money that the business should then provide the same services for two-thirds the cost that they previously charged. You put an amendment on that says a law-

yer who does work for a client for five years and that lawyer's client becomes a senior citizen and doesn't have money, that that lawyer is required to do that for two-thirds of what he was charging, I'll vote for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

END OF REEL

REEL #9

SENATOR DeANGELIS:

Well...thank you, Mr. President. I am real pleased that House Bill 1410 is finally called. For four days I've been trying to get it amended without too much luck. Senator Marovitz, I have a lot of respect for you but you have done some things with this bill that are just absolutely outlandish and more so in your debate. You have mixed metaphors, you have unrelated analogies, and outright distortions. That analogy that you brought about that lady is absolutely not covered in this bill at all. That woman would not be covered with this bill that you have. It's nice to evoke the sympathy of this Body but this bill has nothing to do with it. Now you also stated that other states have these laws. What you failed to tell them is they all have caps. This has one hundred percent of those patients. Now, let me tell you, this bill...should be called, as Darryl Royal would say, the forward pass, three things could happen and two of them are bad. The first bad thing is that no private pay could get in; two, no Medicaid person could get in. Now the good thing is that the person who goes in as a private pay and becomes Medicaid is guaranteed a bed; the other two might not. Now we realize this is a difficult problem, but forcing private pay out of nursing homes or forcing people on Medicaid not to have a bed, I don't believe is a good trade-off. And I really think that you should look at this. I know where this bill is coming from, it's some more of that, you know, puff and stuff; but I got to tell you, it's a bad concept, the consequences are bad, it ought to be voted down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz

may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I'd like to clarify some things. Senator DeAngelis, you made a comment about a...a nice sympathy story. The fact is, and...and I will let you see this article, this lady was out of her home for four days and tried to get back to the nursing home, that is exactly on target what this bill covers and says, that if you're out of your nursing home for less than ten days, you must be allowed to come back. That is exactly what this article is about, exactly what this case is and exactly what this bill does. And for you to standup and say that, is not accurate, for you to stand up and tell this Body that every other state has a cap, is not accurate. There's no cap in California, there's no cap in Florida. Okay? So let's be honest about it. The fact is, let me read some of the groups that are in support of this legislation, the Illinois Department of Public Aid, Catholic Charities, the Hospital Association, Illinois Homes for the Aging, the Illinois Nurse's Association, the American Association Retarded People, the State Council of Senior Citizens, the Gray Panthers and a dozen other groups that are in favor of this legislation. Senator Schaffer made a analogy about lawyers. There's only one difference in Senator Schaffer's analogy, we're not talking about the place where somebody lives, somebody infirmed lives, this is their home, their last residence and we are saying, kick them out of their last residence. Nobody has to take...Medicaid patients, no home in this State has to take Medicaid patients, that's their choice, they have a...a freedom of choice. They can say we're only going to take private pay patients, that's...that's up to them. All this bill says...is saying is, if you take a private pay patient and she's subsequently because of the...the depletion of her funds has to go on Medicaid, you can't throw her out of her

house. It also says that if she's on Medicaid and she has to go to the hospital for within ten days because she's sick and infirmed and needs more extensive medical treatment, you can't tell her after four days, like happened in this article, you can't come back. Let's be honest about what this bill does and not give me some hyperboles about comparisons with lawyers. These are sick and infirmed people, we're talking about cost containment and taking their homes away from them. Let's see where people stand on that issue. And I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...question is, shall House Bill 1410 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, 1 voting Present. House Bill 1410 having received the constitutional majority is declared passed. House Bill 1413, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1413.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Criminal Justice Information Authority, removes the two...three judicial members as requested by the Supreme Court, adds the director of the State's...Attorney Appellate Service Commission, increases the public members from three to five. I think it's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke. Is there discussion? If not, the question is, shall House Bill 1413 pass. Those in favor will

vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 1413 having received the constitutional majority is declared passed. House Bill 1417, Senator Demuzio. Let's go, Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1417.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's go, Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, we are all delighted that you are now in a hurry. House Bill 1417 was a bill that came to us from the Comptroller and it would allow for direct deposit of State employee's paychecks. Would give the express authority to the Comptroller to offset payments in favor of locally held funds, clarifies some terminology such as records, and would require a copy of an exemption statement to be filed with the Comptroller with respect to the State employee's holding a contract under the Purchasing Act, allows the Comptroller to name a designee to serve on the Travel Control Board and it would allow the Comptroller to transfer Federal cost reimbursement of monies from a temporary fund to the appropriate fund without direct...without a direct...appropriation. It is...this bill is promoted by the Comptroller and I would appreciate a favorable roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill, we're already doing it for elderly and the Public Aid. Gives the opportunity for a State employee, if

they desire, it's their...it's voluntarily that they can do it. It takes...removes any chance...those few who has mailed getting stolen, most of them delivered in hand, they don't get lost, they don't get held up. It reduces the cost of warrant printing of thirty thousand dollars. I think it's a good bill, I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 1417 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1417 having received the constitutional majority is declared passed. House Bill 1436, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1436.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. First, I'd like to have Senator Rigney added as a hyphenated sponsor, to have leave.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any objection? Hearing no objection, leave is granted.

SENATOR JEROME JOYCE:

All right, thank you. This bill requires businesses to have a written emergency plan. The guidelines for the coordination of this plan are to be established by the Emergency Services and Disaster Agency and if a significant release occurs, the EPA will review how the plan worked and may suggest changes in the plan. An employer...employee edu-

cation plan is also required beginning in October of 1987. The Emergency Services and...Disaster Agency must publish a county-by-county report which includes a list of those businesses which have an emergency plan, if any releases have occurred and what...and enforcement actions have been taken. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1436 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1436 having received the constitutional majority is declared passed. House Bill 1445, Senator Luft. Senator Demuzio is...I mean...Poshard is handling for Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1445.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1445 amends the State Employee's Article of the Illinois Pension Code. There are several parts of this bill as...has been amended. Each part has been debated in committee and on this Floor. I know of no opposition to the bill in its present form and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the passage of the bill. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Senator, the Amendment No. 3 that you attached to the bill has a significant financial impact on the pension system and is, in fact, a...a reincarnation of Senate bill...that was passed out of here earlier but died in the House, apparently for lack of support, or at least is being held in the House, and to say there's no opposition to the...to the bill is certainly somewhat of a...an understatement. How much is the unfunded accrued liability increased by means of Amendment No. 3?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Senator Schuneman, forgive me, I did not know we would debate this again. This amendment did pass out of here by a sizable margin. It was amended back into this bill without any opposition, as I remember, and we can debate it again. I...I think the accrued liability was 30.6 million...if this is...if this is correct, if this is the right one. We had about three or four from economic and fiscal on this. This amendment, and let me state it again, this amendment makes certain Department of Corrections' security employees eligible for the alternative annuity that's already being provided by the State Police, for Central Management Services employees, for Conservation Police and others. And we...we did go over this before, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay. Amendment No. 3 seeks to give the same twenty-year eligibility for pensions to prison guards that we have already extended to policemen. And I simply point out the Body one more time that there's a big difference between prison guards and State policemen. And the fiscal impact of this bill and the unfunded accrued liability is something in

HB 1474 3rd reading

excess of thirty million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Well, thank you, Mr. President. I would just call for a favorable vote on the bill. I think it is a good bill and, as I said, all parts have been debated, and I would appreciate for your favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 1445 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all...Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 10, none voting Present. House Bill 1445 having received the required constitutional majority is declared passed. 1453. 1474, Senator Newhouse. House bills 3rd reading, House Bill 1474, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senators, this bill amends the Public Aid...Code, and what it does is permit people to enter on education programs beyond the current period. Now there are two amendments on this bill. The first amendment was by...Senator Luft which brought the bill into...just a second...which limited the program to...to recipients who are currently enrolled in the undergraduate programs of the

Department of Public Aid. There was a second amendment by Senator Donahue that took care of some Department of Public Aid concerns. So that in its present posture the bill would permit public aid recipients to have...to have access to two-year vocational programs and to college programs. This would permit them to then become skilled enough to go into that job market and stay off the public aid rolls. I would answer any questions; if there are none, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Very quickly, I would hope that members on our side would look at the amendments. The amendments have taken care of our opposition to this and I...it's a good bill and I hope we can support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1474 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 2, none voting Present. House Bill 1474 having received the required constitutional majority is declared passed. 1476, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1476.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1476 is an amendment to the Public Aid Code and says in very short order that it...it will require

the department to pay attorneys or advocates who receive favorable decisions concerning supplemental security income. As you know, this is all subject to Federal reimbursement, so the fact is that the attorneys who successfully obtain money both for the client and the State will receive some money. Massachusetts and New York have been very successful with this program. The State is sharing money recouped only if the claimant does not win, the attorney and the State get nothing. I know of no opposition. The bill was originated from some who provide legal services for the poor and has been supported by the Department of Public Aid. I know of no opposition and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1476 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 3, none voting Present. House Bill 1476 having received the required constitutional majority is declared passed. House Bill 1478, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 1478.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I come with this House Bill 1478, it has been quite controversial, back and forth, and it was passed overwhelmingly in the House. And we changed the original bill and we put on an amendment which became the bill. And the provisions of the Act was to create the Minority and Female Business Enterprise

Act and to amend the Act named therein, approved September the 6th, 1984 as now or hereafter amended and hereby expressly adopted and shall...apply to all purchases, contracts..and then I was asked by one of the members of the Department of Aging to take out "and other obligations" of which I did and they in turn approved this bill. So, it read "contracts or expenditures of...funds by the department. The department shall meet the goal for contract award established by Section 4 of such Act. For purposes of this Act the provision of the Act is to create the Minority Female Business Act...Enterprise Act and to amend and Act named therein, approved September the 6th, 1984 as now or hereafter amended." It is for any non-for-profit corporation a majority of whose board its directors is comprised of minority members. Now this bill was given to me and asked that I would...bring this into the Senate. And it was approved by the Department of Aging to support this bill. I am asking the Assembly if you'd be so kind with questions or whatever is before me that you will consider this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Smith,...we already have a Female Minority ten percent Statute. Why this bill...load up the Statute with something that's already law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

If this legislation becomes law, this would allow the Department of Aging and non-for-profit organizations to take

participation immediately, which is needed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Smith, whoever is giving you the information is not giving you good information because the Act which I passed last year is already in force and it applies to every State agency that exists in the State of Illinois and whoever does business with them. And it's already law. It's not a matter of something that's going to apply immediately, it's already law now. And this bill is redundant and, consequently, I would highly recommend all of us vote No. We...we sent out of here last year the female and minority contract ten percent mandatory for all State agencies by an overwhelming vote, fifty some odd, late last year. It's already law, it's in effect now. This bill obvious with putting the amendment for not-for-profit is aimed at one individual not-for-profit association. What it is, I don't know and I don't want to know. And the Department of Aging is not for this bill, they were neutral. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. First of all, for the edification of some of the members, the synopsis is not correct on this bill, the original language in the bill has been stricken. And simply to second what Senator Davidson said, this bill is redundant in that it would impose the Minority and Female Business Enterprise Act provisions on the Department of Aging when those provisions are already imposed upon the aging...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Chew...pardon me, Senator Schuneman. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

I believe the sponsor wants to take this...this bill out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Smith.

SENATOR SMITH:

I'll do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Smith...seeks leave of the Body to take it out of the record. Take it out of the record. House Bill 1479, Senator Welch. House bills 3rd reading, House Bill 1479, Mr. Secretary.

SECRETARY:

House Bill 1479.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you. I'd like to point out that the Calendar is only partly correct, the first sentence in the Calendar referring to the amount of individual income is no longer in the bill. What the bill does at this point is require...authorize the Department of Public Aid to...it requires the Department of Public Aid, excuse me, to implement a three-year demonstration Medicare Assistance Project to provide legal assistance to public aid recipients who may be entitled to Medicare. This project will be administered by contract with a legal service entity primarily serving indigent clients. The project cost would initially be two hundred and fifty thousand dollars which is contained in a separate appropriation bill making its way through the General Assembly at this time. The purpose of the bill is to try to ensure that those individuals on public aid entitled

to Medicare benefits but who have been denied will have legal help to help them fight to get back benefits to which they are entitled. What we hope this program will do is...is similar to what happened in Connecticut where they recouped over eighty-two thousand dollars with an initial contract expenditure of thirty-two thousand dollars, meaning the State made fifty thousand dollars on a bill of this particular type, more than one hundred percent. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hope someone reads the analysis of this bill. What it is is essentially the Legal Assistance...Foundation of Chicago will be...or a group like that will be paid to sue the Federal Government. Now, if someone is denied Medicare...you know, we've got twenty-two Congressmen who've made entire careers making sure people get Federal benefits. We have two United States Senators who've made careers out of making sure people get benefits. We have got a Governor and an Attorney General who have advocates all over their staffs. In fact, unless I'm wrong, the Attorney General has two or three attorneys on his staff. This is part of their function. Besides, you have fifty-nine Senators and a hundred and eighteen State Reps. who will intervene in cases like this. In the City of Chicago you have fifty aldermen who take care of cases like this. In fact, I hear Eddie Vrdolyak would even handle a case like this. What I'm trying to say is, the duplication in terms of, are there people ready, willing and able to attempt to get the Federal Government to pay benefits, it's...it's just...it's almost silly to think about. The Department of Public Aid is mandatorily going to contract with a group in Chicago and I'm just saying, how

many lawyers are on the State payroll today? There are plenty available if we needed that. Now, what we're saying is, we're going to shift them from Medicaid to Medicare. I don't know if anyone has ever noticed but Medicaid comes out of your right pocket and Medicare comes out of your left pocket, but it's the same pair of pants. And...we sometimes wonder why Congress can't balance their budget? I mean, here we are saying, all right let's shift from program to program, the taxpayers are going to pay not only for the benefits we're paying for now, but we're now going to pay for a lawyer who will sue us so we can pay for the benefits we're presently paying for now. This is a heck of an idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Welch.

SENATOR WELCH:

Senator Keats, my hat is off to you; unfortunately, once again, it's a straw hat because you've created another strawman, as you usually do, and then knock him down. What you're saying is that every alderman in the City of Chicago...perhaps you should talk to Savickas, because what you're saying is every alderman should be a lawyer and should give legal advice to every Medicare potential recipient, that's what you're saying. The Congressman can't go into hearings and give legal advice to these people, that's all they'd be doing. That's ridiculous and you know it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think, frankly, this may be the big government bill of the Session. Basically what this is is to hire our lawyers to sue the Federal Government's lawyers to help poor people. Why is it whenever we want to help somebody we end up giving more money to lawyers? When we want...yeah, I know we have a lobby here, I appreciate that...when we wanted to

help the farmers, what did we do? We sent more money to the lawyers. Now we want to help public aid people, we'll spend more money on lawyers. Why don't we just cut out the middleman and send all the money to the lawyers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch may...Senator Lemke.

SENATOR LEMKE:

I just was asked by the press about the feelings towards lawyers, if we're anti- or pro-lawyer and I said there are certain people that just...envious of lawyers. They'd like to be a lawyer, they should have voted for the bill. But I'm telling you this, if you think lawyers are going to make money on these kind of cases, forget about it. That's why the...the Illinois Legislative Counsel of Chicago or Legal Assistant Foundation are the lawyers going to represent these people. There is no fees here, there's no money here. They're just getting benefits from the Federal Government. I think it's...it's a good bill 'cause normal lawyers are not going to handle these kind of cases. And if you think by anti-lawyer feeling you're going to kill this bill, I think it's silly. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I'm sure the sponsor of this bill is well aware of the fact that every bar association has a group that's called...it's attached to it, Prairie States in our area, that takes care of indigents. And I don't see the...the necessity to add more lawyers and I'm a lawyer, maybe I'm speaking against my interest, I don't care. But I can tell you right now, we already have the...the people available to help these people so why add another group? I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch may close.

SENATOR WELCH:

Well, briefly to respond to the three opponents, let me just say, Senator...Senator Geo-Karis, we also have legal aid in my county, it's Prairie State, they don't have enough lawyers to handle these cases so they don't do them. The people go without the benefits. Number two, to Senator Schaffer. Senator, I wish life was so easy that we didn't need lawyers as well, but this is the 1980's. Bills that we pass here add to the need for lawyers just as well as the bills that Congress pass. The Social Security Act is so complex and so confusing that you have to have lawyers to implement it. I'm sorry you don't like lawyers, that's life. Senator Keats, you know how it is to get through a...through a sea of bureaucratic red tape. The great swimmer that you are, well recognized throughout Illinois, you know how tough it is to swim in a sea of red tape and I'm surprised that you oppose this bill. However, I think that if you look at the...the purpose and the ultimate realization of money from this bill, if you base it on what happened in Connecticut, we'll get money back. We expect to get back two dollars for every one dollar that we get in. We're always passing off-track betting bills and dog racing bills, here's another chance. This bill is going to bring back more money than we put out. You know, there is an old Biblical quote, I'm sure Senator Smith will correct me, but I think it goes something like, cast your bread upon the water and it will...will return a hundredfold. Well, we're hoping to return two for one here, and I would urge your support for people who are trying to get money back to us, to the State of Illinois, so that we don't have to spend as much for money that we are deserving of. That's all this bill does and I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 1479 pass. Those of you in favor may cast your vote Aye. Those...opposed Nay. The voting is open. (Machine cut-off)...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 29, none voting Present. House Bill 1479 having received the required constitutional majority is declared passed. Senator Keats, for what purpose do your arise?

SENATOR KEATS:

I would like to verify the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has requested a verification of the affirmative roll. The Secretary will...will read those members who voted the affirmative.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, do you question anyone?

SENATOR KEATS:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins on the Floor? Senator Collins is at the back of the Chamber.

SENATOR KEATS:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas on the Floor? Senator Savickas on the Floor? Senator...Senator Savickas on the Floor? Strike his

name.

SENATOR KEATS:

Strike his name...I mean, strike his name, and that's enough.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that...Senator Keats, are you finished? Have you concluded? All right.

SENATOR KEATS:

Yeah, I'm through.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...the...on that question, there are 29...all right. Senator...Senator Welch, for what purpose do you arise?

SENATOR WELCH:

I'd move to verify the negative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I...I don't know of anytime in my eleven years we've ever denied an...a member an opportunity to deny a vote on...a verification on his bill whether it was in the affirmative or the negative. Senator Keats.

SENATOR KEATS:

It's dilatory. It takes thirty to pass regardless of the negative. If he...got every one of us off it's irrelevant, so it's dilatory and I would ask that you rule it that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR KEATS:

And announce the roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, I...I don't know, in my...in my eleven years I have never denied a member the opportunity to...to verify the roll. I didn't say that, you said that. All right. On that question, there are 29 Ayes and 29 Nays. Do you persist in your...your request? Senator Welch.

SENATOR WELCH:

I'm looking for the rule about...dilatoriness.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas is on the Floor. I have not announced the roll call. Restore his name. Do you wish to...on that question, there are 30 Ayes, 29 Nays, none voting Present. The roll has been verified, and House Bill 1479 having received the required constitutional majority is declared passed. 1510, Senator Vadalabene. House bills 3rd reading, is House Bill 1510, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1510.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 1510 provides that all hearings involving liquor licenses shall be open to the public. Rather than being tried again, appeals from certain hearings shall be limited to a review of the record if the city council, the board of trustees or the county board adopts a resolution requiring that the records...the review be on record. The bill is supported by the Liquor Control Commission and it passed Local Government by a vote of 11 to nothing, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall House Bill 1510 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. House Bill 1510 having received

the required constitutional majority is declared passed. House Bill 1517, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1517.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait...wait...wait...wait...wait. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

A verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has requested a verification of...of what...the affirmative roll?

SENATOR KEATS:

It's not dilatory. I mean, if you feel this way, it's not dilatory. We can verify every bill, even one like this that's 55 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR KEATS:

If you want to play with the rules, we can play with your rules. We're in no hurry, you're the guys who need the bills, not us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has requested a verification of the affirmative votes. Mr. Secretary, call the affirmative roll.

SECRETARY:

Barkhausen, Berman, Bloom, Carroll, Chew, Coffey, Collins, D'Arco, Darrow, Davidson, Dawson, DeAngelis, Degnan, Demuzio, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hall, Holmberg, Hudson, Jones, Jeremiah Joyce, Jerome Joyce, Karpiel, Kelly, Kustra, Lechowicz, Lemke, Luft, Macdonald, Mahar, Maitland, Marovitz, Nedza, Netsch, Newhouse, Philip, Rigney, Rupp, Sangmeister, Schaffer, Schuneman, Smith, Sommer, Topinka, Vadalabene, Watson, Welch,

Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats, do you question any...anyone who voted in the affirmative?

SENATOR KEATS:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen? Senator Barkhausen on the Floor? He's sitting in his seat.

SENATOR KEATS:

Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman's in...in his seat.

SENATOR KEATS:

Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom is in his seat.

SENATOR KEATS:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Carroll is on the Floor.

SENATOR KEATS:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Chew is...Senator Chew here? Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Point of order, Mr. President. I believe the gentleman has requested a verification and was dilatory when the vote was 55 to nothing. He is proceeding to read the affirmative vote and question every member. I would hope that you would rule him out of order, proceed to the next order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We...we will proceed on this order until we...until we

finish with this and then we're prepared to make a ruling. Senator Keats, you may continue.

SENATOR KEATS:

...for Senator Lechowicz's interest, read Rule 23, the second line...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Keats, are you on the verification or a point of personal privilege or what are you on here? Senator Keats.

SENATOR KEATS:

Yeah. Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Coffey is in his seat.

SENATOR KEATS:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Collins is in her seat.

SENATOR KEATS:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco on the Floor? Yeah, he's on the Democratic side.

SENATOR KEATS:

Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow is on the Floor.

SENATOR KEATS:

Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson is on the Floor.

SENATOR KEATS:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He's on the Floor. All right. On that question, there

are 55 Ayes, no Nays, 1 voting Present. House Bill 1510 on a verified roll call is declared...having received the required...constitutional majority is declared passed. House bills 3rd reading is House Bill 1523, Senator Degnan. House bills on 3rd reading is House Bill 1523. Mr. Secretary, read the bill. Oh, I'm sorry, we skipped 1517, I beg your pardon. House Bill 1517. Nope, she wants it held. 1523, Senator Degnan. House bills 3rd reading is House Bill 1523. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Point of order. I would ask for a parliamentary ruling from the Parliamentarian, Rule 23. In terms of what is dilatory, any...after any roll call vote except for a vote which requires a specific number of...affirmative votes, which has not received the...required votes and before intervening business, it shall be in order for any Senator to request a verification of the results of the roll call. It says affirmative. Now, if the last act of my part was not dilatory or if it was, as you seem to feel it was, and I have to be quite frank, I agreed, I thought Senator Lechowicz's point was a hundred percent correct, read that rule, read your...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Keats, I never said that you were dilatory. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I'm sure the gentleman well knows that advisory opinions are given by the Attorney General or by your private counsel. I'd be happy to hire myself out if you want an opinion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House bills 3rd reading is House Bill 1523, Mr. Secretary, read the bill.

SECRETARY:

House Bill...1523.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senate...Senate...Senate...

SECRETARY:

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce, what purpose do...you arise?

SENATOR JEREMIAH JOYCE:

I move we adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Rock. Senator Rock.

SENATOR ROCK:

Well...this is as logical place as any to stop. I have a motion, if the gentleman will withhold that for a moment, just to...a motion in writing to suspend the rules, Rule 5C in particular, to afford those members who have not yet had the courtesy of having their bills heard, they have the courtesy of having them heard tomorrow so that it would effectively extend the deadline for the consideration of House bills until Wednesday, June the 26th; and I would suggest that if that motion is successful, then probably it is a good time to adjourn until nine o'clock tomorrow morning and we can have some more fun.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, we have some housekeeping stuff to do here. Let's take House Bill 1523 out of the record, return it to the Order of 3rd Reading. All right. Messages from the House. Senator...Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Well, now that we've taken Senator Holmberg's bill out of the record, will we, in fact, again begin on that order of business?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR ZITO:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate passage of bills with the following titles, together with House amendments:

Senate Bills 16 with House Amendment 1 and 2.

91 with 2 and 5.

92 with 1 and 2.

114 with 1 and 2.

159, 1.

212 with 1.

224 with 1 and 2.

235 with 3.

259 with 1 and 2.

309 with 1 and 2.

401 with 1 and 2.

413 with 2.

...513 with 1.

518, 1 and 2.

601 with 1.

648 with 1.

651 with 1 and 2.

688 with 1.

693 with 1.

730 with 1.

749 with 2.

786, 1.

791, 1.

796 with 1.

813 with 1 and 2.

814 with 1.

829 with 1.

830 with 1.

831 with 1.

853 with 3.

856 with 1 and 2.

861 with 1 and 2.

862 with 1.

864 with 1.

875 with 2.

891 with 1.

892 with 1.

1004 with 1.

1041 with 1.

1047 with 1.

1090 with 1.

1095 with 1 and 2.

1102 with 1, 2, and 3.

1111 with 1 and 2.

1125 with 1.

1164 with 1.

1165 with 1.

1189 with 1 and 2.

1224 with 1 and 2.

1260 with 1.

1266 with 1 and 2.

1267 with 1.

1287 with 1.

1303 with 1.

1350 with 1.

1380 with 1.

1412 with 2.

1417 with 1.

1430 with 1.

1436 with 1 and 2.

1437 with 1 and 2.

And 1452 with 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think so that everybody can have a pleasant evening and go home and read some more bills I would move that the provisions of Rule 5C be suspended and/or amended to provide that the final day for passage of House bills, in fact, be changed until Wednesday, June 26, 1985, so that we will afford the members the courtesy of allowing them to present their bills tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has...provided a written motion relevant to the suspension of the amendment of Rule 5C so that House bills on 3rd reading can be heard tomorrow, Wednesday, June 26th. You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. All right. Senator Rock has now moved the adoption of the...of...of the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senator...all right. Message from the Secretary of State.

SECRETARY:

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive A and A. All right. Any further business to come before the Senate? Senator Rock moves that the Senate stand adjourned until tomorrow morning...June 26, at the hour of nine o'clock. The Senate stands adjourned until tomorrow morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 26, 1985

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel.

PRESIDENT:

Thank you, Father. (Machine cutoff)...reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and the approval of the Journals of Tuesday, June 18th; Wednesday, June 19th; Thursday, June 20th; Friday, June 21st; Monday, June 24th and Tuesday, June 25th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 81 and 82, both congratulatory.

PRESIDENT:

(Machine cutoff)...Calendar.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of Senate bills with the following titles together with House amendments:

Senate Bill 75, House Amendment 3.

239, House Amendment 1.

295, House Amendment 2.

379, House Amendment 1.

447, House Amendment 3.

562, House Amendment 1.

588, House Amendments 1 and 2.

...653, House Amendment 1.

721, House Amendments 1, 2 and 5.

755, House Amendment 2.

756, House Amendment 1.

771, House Amendment 3.

887, House Amendments 1 and 2.

954, House Amendment 1.

992, House Amendments 1, 2 and 3.

1064, House Amendment 1.

1091, House Amendments 1 and 2.

PRESIDENT:

Resolutions.

SECRETARY:

The following resolutions are all congratulatory:

Senate Resolution 396 offered by Senator Karpiel.

Senate Resolution 397, by Senator Topinka.

398, Senator Kelly.

399, Senator Jerome Joyce.

400, Senator Kelly.

401, Senator Kelly.

And 402, by Senator Smith.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I have permission of the sponsor and with leave of the Body, I'd like to be included as a hyphenated cosponsor on House Bills 52, 53 and 2275.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor on House Bills 52, 53 and 2275. Without objection, leave is granted. We will begin with leave of the Body on page 14 on the Order of House Bills 2nd Reading, all the bills have already been read a second time. 24, Senator Welch. 143, Senator Netsch. 342...Mr. Secretary, any amendments on House Bill 342?

SECRETARY:

No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll and Nedza.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would split the dollars to allow for ten immediate and ten at the beginning of the calendar year. I'd move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 342. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 362, Senator Vadalabene. Any amendments, Mr. Secretary?

SECRETARY:

No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 418, Senator Savickas. 418, Mr. Secretary, any amendments?

SECRETARY:

No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a reduction of 4.8 million. So, as to keep this bill around in shell form, we have another one already flowing through the Chambers, but as we've learned, we may need a few bills around that deal with appropriations in case of emergency. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 418. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 526, Senator Carroll. Any amendments, Mr. Secretary?

SECRETARY:

No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments...I'm sorry, Mr. President. We do have on this bill a committee amendment. From Appropriations I, one amendment.

PRESIDENT:

All right. Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a reduction amendment to the Grants so that this bill could also be available for later use.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 526. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT: tf

3rd reading. Senator Luft on 529. Senator Dudycz on 530. Senator Poshard on 641. Top of page 15, on the Order

of House Bills...that have been read a second time, House Bill 641. Mr. Secretary.

SECRETARY:

Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would switch the funds to Capital Development Board and specifies that it's for the Department of Veterans' Affairs. I would move its...adoption, it is no dollar impact.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 641. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 651, Senator Donahue. 652, Senator Fawell. 653, Senator...653, Senator Dudycz. 654, Senator Sommer. 655, Senator Sommer. 656, Senator Donahue. 657, Senator Schaffer. On the Order of House Bills 2nd Reading is House Bill 657. Mr. Secretary.

SECRETARY:

Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on 657, Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines as we had done on the bills that originated in the Senate. It also deletes some vacancies, phases in some other positions and reduces the Travel to correspond with this new level of funding. We have a correction later to these amendments. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 657. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the deletion of what would have been four new positions. It will be partially corrected in a Floor amendment. I would move its adoption.

PRESIDENT:

All right. Senator Carroll moves the adoption of Amendment No. 2 to House Bills 657. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3, by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Doing a good job of cutting the budget, we cut something twice. This would add back about twenty-seven thousand that was mistakenly taken twice. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 3 to House Bill 657. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Calendar there...658 lacks a sponsor; apparently, the sponsor has...is here. Senator Bloom, please mark Senator Bloom in for 658. On the Order of House Bills 2nd Reading, having been read a second time, is House Bill 658. Mr. Secretary.

SECRETARY:

Appropriations I Committee offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The...Amendment No. 1 would be to impose the Senate guidelines phasing the new positions, deleting some reclassification and adding a appropriate turnover in hiring lag. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 658. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

This would be a deletion of the five new positions. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Committee Amendment No. 2 to House Bill 658. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 659, Senator Geo-Karis. On the Order of House Bills 2nd Reading, House Bill 659. Mr. Secretary.

SECRETARY:

Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the imposition of the guidelines in eliminating two new positions and keeping the pay increase to the Governor's recommended six and a half percent level. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 659. Any discussion? If not,

all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment, adding the words "after, for." It is technical in nature only, has no dollar impact. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 659. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 660. On the Order of House Bills 2nd Reading, bottom of page 15, 660, Mr. Secretary. Any amendments?

SECRETARY:

Appropriations...Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is the guideline...amendment, phasing and reducing some new positions, et cetera. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 660. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

This...this is the deletion amendment of the new positions. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Committee Amendment No. 2 to House Bill 660. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

3rd reading. Top of page 16, 661. On the Order of House Bills 2nd Reading, top of page 16, is House Bill 661. Mr. Secretary, any amendments?

SECRETARY:

Appropriations I Committee offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the imposition of the

Senate guidelines and reappropriating to the Chicago Technological Park to reflect its actual spending. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 661. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would delete substantive language that was in the appropriation bill. There's been a court case in Illinois that that is not an allowable way to go, it wasn't caught till now. This would delete that language. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Amendment No. 2 to 661. Is there any discussion? All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

663, Senator Schaffer. House Bill 663, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of...the Senate. The first one is the guidelines amendment phasing in long-term vacancies, et cetera. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 663. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Mr...thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be the...an addition of the reappropriation of disaster aid for March flooding. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 663. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 3 is for fifty-four thousand four hundred dollars, a transfer from Federal to State GRF for calibration of...and maintenance of the...I guess, it's the radiation detection equipment. The Feds apparently have cut back on some of their funding and we're picking up part of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Carroll...Senator Schaffer has moved the adoption of Amendment No. 3 to House Bill 663. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This appropriates two hundred and two thousand one hundred dollars to implement the Governor's Chemical Safety Task Force report; hopefully, it's something that will never happen but apparently there's a need to have a plan in...in place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 4 to House Bill 663. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted...further amendments?

SECRETARY:

Amendment No. 5, by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 5 is an appropriation of sixty-one thousand one hundred dollars to cover the cost for...and phased in for an additional planner for the develop...program Statewide for a reaction to electronic magnetic pulse in case of limited nuclear exchange.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer moves the adoption of Amendment No. 5 to House Bill 663. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Those were adds, this is a delete of twenty thousand of unbudgeted funds that were added on in the House. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 6 to House Bill 663. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 664, Senator Bloom. House bills 2nd reading, House Bill 664, Mr. Secretary.

SECRETARY:

Appropriations II Committee offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll...Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1, it's the Senate guidelines...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR HALL:

...it's 2.89 million and seven of the two hundred and twenty-nine...new positions were cut long-term vacancies phased, Air Travel reduced, Psychiatric Service deleted and Repetitious Kids Programs eliminated. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Hall moves the adoption of Committee Amendment No. 1 to House Bill 664. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is...Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

This is a clean-up amendment from the Bureau of the Budget. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 2 to House Bill 664. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...Senate Amendment No. 3 was the Parents Too Soon, 1.3 million and I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 3 to House Bill 664. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR HALL:

This is an amendment for five hundred thousand for a demo. project for delinquent...youth. Move for the adoption of the amendment. You remember that, Senator Fawell?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 4 to House Bill 664. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted...Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 5 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Excuse me, this should read Senator Rock and Senator Keats. This is in reality Senate Bill 1263 that went out of here about 58 or 59 to nothing, was held up in House committee and we would just appreciate it being put back on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats moves the adoption of Amendment No. 5 to House Bill 664...any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Keats, I will try not to verify the negatives today on the...on 3rd reading, if you'll try not to verify the affirmatives on 3rd reading as well. Let's see,...665, Senator Mahar. Senate bills 2nd...House bills 2nd reading, House Bill 665, Mr. Secretary.

SECRETARY:

Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment phasing in the vacancy and making the reduction in historic preservation which now goes to the other agency. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 1...Committee Amendment No. 1 to House Bill 665. Any discussion? If not, those in favor signify by saying Aye.

Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 666, Senator Sommer. House bills 2nd reading is House Bill 666, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a Senate guidelines amendment eliminating five new positions in lump sum payments. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 666. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 667,...Senator Mahar. House bills 2nd

reading, House Bill 667, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be to reduce the salary increases requested by the agency to six and a half percent suggested by the Governor. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 667. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 668, Senator Sommer. House bills 2nd reading is House Bill 668, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the Senate guidelines, would have allowed some new positions in Lottery, et cetera, reducing circuit breaker spending to that which they spend, adding for

the pharmaceutical units, those will be adjusted in a second amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 668. And discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 cuts those twenty-eight positions...leaving it in part as it came out of the House and removing all but a few necessary for the pharmaceutical program that we've given them. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2 to House Bill 668. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. At the request of the Governor this is an add-on of some eighty-five million dollars of general revenue funds for tax refunds, thirty million to individuals, twenty-five million for unitary and thirty million for nonunitary corporate.

I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 3...Committee Amendment No. 3 to House Bill 668. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment of no dollar impact correcting some of the accounts and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 4 to House Bill 668. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 669, Senator Bloom. House bills 2nd reading is House Bill 669, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines reducing the salary increases to the guidelines, et cetera. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 669. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would appropriate to the local labor relations board at funding level after Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to House Bill 669. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would delete the new positions. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 3 to House Bill 669. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 670, Senator Mahar. House Bill 670, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines...imposed upon the racing board, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 670. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 671, Senator Sommer. House bills 2nd

reading is House Bill 671, Mr. Secretary, read the bill.

SECRETARY:

House Bill...oh, Appropriations I Committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll.

SECRETARY:

...offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thanks, guys. This is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 671. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 672, Senator Bloom. House bills 2nd reading is House Bill 672, Mr. Secretary.

SECRETARY:

Appropriations II Committee offers five amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the Senate guidelines, and I move

for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 1 to House Bill 672. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2 adds 61.4 thousand for Pesticide Control Act. Move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 2 to House Bill 672. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 3 adds two hundred thousand for local health assistant agency. I'd move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves the adoption of Committee Amendment No. 3 to House Bill 672. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

4 adds two hundred and seventy-five thousand for repair of the eastside health district. Move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of Amendment No...Committee...Committee Amendment No. 4 to House Bill 672. Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. On...on this one, it was not a State facility, it...later on we're going to be offering some amendments that will help our local health departments all the way around the State. This is not a State facility and I believe this was adopted on a partisan roll call in committee, and I reluctantly have to rise...my handlers tell me to rise in opposition and I certainly do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Hall.

SENATOR HALL:

Senator Bloom is correct, it was adopted on a partisan roll call, so I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of Amendment No...Committee Amendment No. 4 to House Bill 672. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is...Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 5 is four hundred and eighty-two thousand. It's Doctor Bob's increase, reapportion and transfer. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 5 to House Bill 672. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 5 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 6 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This is what I referred to when I got up earlier. It turns out that as more local health departments are created, their individual...individual resources for ongoing programs are reduced. They came in and showed that they were actually getting...some health departments were actually getting less in State support than they were five years ago. The information has been given to the chairman, both staffs and so we're offering about seven hundred and twenty thousand in additional grants to local health departments. I'll answer any questions, otherwise, seek its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has moved the adoption of Amendment No. 6 to House Bill 672. Is there any discussion?

Senator Hall.

SENATOR HALL:

I just want to say that we had no letter from Doctor Bob on this amendment and I just wanted to make that announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

If this amendment is adopted, does that mean Senator Hall's area gets a double shot?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom has moved the adoption of Amendment No. 6 to House Bill 672. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the...deals with the Federal dollars for the WIC Program and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 7 to House Bill 672. Any discussion? If not, those in favor

signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 17 is House Bill 673, Senator Schaffer. House bills 2nd reading is House Bill 673, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I would move, Mr. President, that we Table Amendment No. 1. We have a revised version as a Floor amendment. It was technically defective; therefore, I would that Amendment No. 1...Committee Amendment No. 1 lie upon the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved to Table...Committee Amendment No. 1 to House Bill 673. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the...Amendment No. 2 now is the

guidelines amendment that would have been the one adopted in committee. It is a technical...technically correct and is at the same dollar level...the committee amendment was added. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to House Bill 673. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 674, Senator Weaver. House bills 2nd reading is House Bill 674, Mr. Secretary.

SECRETARY:

Appropriations II offers five amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the Senate guidelines and I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of...of Committee Amendment No. 1 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2 adds to the Department of Conservation

that's introduced in the House a hundred and twelve million nine hundred and seventy-eight thousand dollars. I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 2 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 3 is the Senate guidelines on conservation and...let's see...I move...if...for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 3 to House Bill 674. Any discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This amendment, I...I don't think, Senator Hall, is the guidelines. What this amendment does, it whacks about five million out of the department's budget. It does have the Senate guidelines and the productivity which we've agreed to, but also in there, it eliminates two million for the Illinois Conservation Corps, it cuts the open land's acquisition and natural areas acquisition. It defers start-up of remaining new initiatives by three months and cuts some positions, and it was put on in committee on a partisan roll call and we feel that it perhaps goes too deep and, therefore, we're going to have to oppose it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There is an area in which Senator Bloom and I may be in accord, and if Senator Bloom will note, there is a Floor amendment filed that would restore I think the area of concern. It's the last one shown on the handler's guide sheet...the guidepost of amendments...oh, okay, you don't even have that one but there is an amendment filed that I think corrects that defect. I would rise in support of this amendment. It is the guidelines and that which Senator Bloom, I think, is worried about will be adjusted later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Well, I am...was certain that Senator Bloom had got...Senator Bloom, I apologize that you don't have that, but there is another amendment to follow and then part of this is the new initiative...that were deferred three months for the start-up. As Senator Carroll has told you, there is an amendment to follow, so really it is following the Senate guidelines. I'm sorry that you hadn't been apprised to that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 3 to House Bill 672. Is there any...further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 4 deletes the historic preservation from the Department of Conservation budget 6.4 million

and adds to the Historical Library budget. I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Amendment No...Committee Amendment No. 4 to House Bill 674. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 5 adds two department items, 1.5 million, Heavy Equipment reapportionment and nongame checks off of a hundred and twenty-five. So, for that, I move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved the adoption of Committee Amendment No. 5 to House Bill 674. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 5 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 6 offered by Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is five hundred thousand dollars for the acquisition of nine hundred and sixteen acres

that Commonwealth Edison owes...owns. It is between some cooling lakes for the nuclear power plant. It would make a ideal fish and wildlife area in Grundy County. The property is for sale but this does not mean this is the amount that it will cost, and...and I...I'm not sure that they would be able to purchase it this year anyway, but at...at least this would know...let Edison know that the State of Illinois is indeed interested in that property. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 6 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 7 appropriates two hundred and fifty thousand dollars to the Department of Conservation for the William Powers Park in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson has moved the adoption of Amendment No. 7 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 8 to House Bill 674 appropriates a hundred thousand dollars to the Department

of Conservation for a grant to Fulton County for a feasibility study for the construction at Banner Lake in Fulton County and Peoria Counties. I'd move for the adoption of Amendment No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves the adoption of Amendment No. 8 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is five hundred thousand dollars from private donations for the funding of the super collider...project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver has moved the adoption of House...of Amendment No. 9 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10, by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is five hundred thousand dollars from private donations for purchase of art for the Chicago Art Gallery.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 10 to House Bill 674. Any discussion? If not, those in favor

signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

Amendment No. 11, by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

This is fifty thousand to complete the waterproofing at the Dixon Hounds Museum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom has moved the adoption of Amendment No. 11 to House Bill 674. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

Amendment No. 12, by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Amendment No. 12 realigns costs associated with the Federal programs in the amount of four hundred and thirty-six thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 12 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 12 is adopted. Further amendments?

SECRETARY:

Amendment No. 13, by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

This is five hundred thousand dollars...reapprop. for siting of the super collider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 13 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 13 is adopted. Further amendments?

SECRETARY:

Amendment No. 14, by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President...Amendment No. 14 appropriates five hundred thousand dollars to the Department of Conservation for the study of two lakes in Hancock and McDonough Counties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the...adoption of Amendment No. 14 to House Bill 674. Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Senator Donahue, a question. Unlike some of the others...and we know on a lot of these there are no Doctor Bob's yet, and we assume some of you may be able to get them and on our side we write our own version. But on this one, there seemed to have been a lot of communications from landowners in the area opposed to it, a lot of letters. Are you aware of it and can you explain what the problem is? Some of us are a little bit confused.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Yes, I am more than aware of...of the letters that you have been receiving. I would think that you have received a letter from the proponents of this lake, and I think if you'll notice, the...the letters from the opponents, it is

more against the lakes than it is for the study. We feel that the study is vitally important for this area and I would hope...I'm not asking you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue...

SENATOR DONAHUE:

...to support it, just...let's just go with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. We got all kinds of lights here. Further discussion? Senator Bloom.

SENATOR BLOOM:

Let me suggest...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom...I think we're all right.

SENATOR BLOOM:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This amendment is very vital to western Illinois. We have a high rate of unemployment, Western Illinois University has a falling enrollment. We need this study for this lake, and although Senator Donahue may at some time end up on our Democratic hit list and we may want to send her back to her former profession as a stage dancer, I don't think this will help her too much. We...a study...there will be no ribbons for her to cut or anything like that, so I don't think there will be much political gain for her in adopting this amendment. I think we might as well put it on, we put on a lot of other silly amendments on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

Well, after hearing that, I acquiesce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue has moved the adoption of Amendment No. 14 to House Bill 674. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 14 is adopted. Further amendments?

SECRETARY:

Amendment No. 15 offered by Senator Davidson.

SENATOR DAVIDSON:

Yes, Mr. President and members of the Senate, this changes the lines from a hundred and fifty thousand to three hundred thousand out of the Illinois Forestry Development Fund. This is funds that's collected from the tax that's paid on timber that's cut with the passage of 1237 to put more money back into the people to develop the forestry. This is a necessary item, the money is in the fund. I'd appreciate a move...a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 15 to House Bill 674. Any discussion?...If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 15 is adopted. Further amendments?

SECRETARY:

Amendment No. 16 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Amendment 16 to House Bill 674 puts in a total of two hundred thousand dollars into the Department of Conservation's budget for the Community Fire Protection Grant Program. This is legislation that we passed out...we...we passed out a substantive legislation; this, of course, is appropriation to follow. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment No. 16 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 16 is adopted. Further amendments?

SECRETARY:

Amendment No. 17, by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes,...Mr. President and Ladies and Gentlemen of the Senate, this amendment appropriates five hundred thousand dollars in new monies and two hundred and fifty thousand in reappropriation to the Department of Conservation for acquiring land at Wolf Road Prairie natural area and Westchester. In the last few years two appropriations of two hundred and fifty thousand each have been approved for land acquisition and this would complete the purchase of this wildlife area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Amendment...17 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 17 is adopted. Further amendments?

SECRETARY:

Amendment No. 18, by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard. Gentlemen.

SENATOR POSHARD:

Thank you, Mr. President. This is an amendment that adds ninety thousand dollars appropriation to the Department of Conservation's Fiscal Year '86 budget for the completion of a study on the cash river basin in southern Illinois. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard has moved the adoption of Amendment No. 18 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 18 is adopted. Mr...there's been some request that we turn off the TV lights until the TV cameras arrive. Is there leave granted to shut those lights off for the time being? All right. Mr...if we could the TV lights shut off, please. All right. Further amendments? Is that what you needed? Now, they say no. Let's try it. Further amendments? Let's try it a minute.

SECRETARY:

...Amendment No. 19 appears to be Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

That...that should show Marovitz-Carroll. This is for handicapped access children's museum, forty thousand dollars. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 19 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 19 is adopted. Further amendments?

SECRETARY:

Amendment No. 20 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

This...20 or 21?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it says 20.

SENATOR WEAVER:

This is two hundred and eighty-six thousand six hundred for...restores catch-up raises for museum employees and

survey staff, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 20 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 20 is adopted. Further amendments?

SECRETARY:

Amendment No. 21 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of...this is a hundred and fifty thousand dollars to be able to move...one time expense to move all the archaeological facts that have...artifacts that have been in the basement of the two buildings down on the square out to the old revenue building at Eleventh and Ash Street which is a place that's...that's not had moisture, does have the light; more importantly, it allows the space for the people to get to it. Presently, the boxes are stacked plum to the ceiling in the basement and the...artifacts scientists who come to visit are unable to get to them. This is a good move. Appreciate...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson has moved the adoption of House...of Amendment No. 21 to House Bill 674. Any discussion? Senator Carroll.

SENATOR CARROLL:

Yes, Medley Movers called me on this one indicating they were getting the move, but absent any kind of indication from the administration that they want to move these yet, even with Medley Movers doing the move, I think unfortunate this time, we should oppose this. This is the first we hear of this and a hundred and fifty-two thousand to move some things around town unless Medley is getting it, I don't think we

want to be supportive at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Well, I was just going to say that so far, Senator Davidson, on both of yours we've never received a...a Doctor Bob's letter. So, evidently, you must have problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Yeah, will you assure us that Medley Movers will not be the movers on...of this money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson has moved the adoption...Senator Lechowicz.

SENATOR LECHOWICZ:

Will you also assure us..will you...you will not talk to Doctor Bob on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I stand in full support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Davidson has moved the adoption of Amendment 21 to House Bill 674. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 21 is adopted. Further amendments?

SECRETARY:

Amendment No. 22 offered by Senators Geo-Karis and Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is an amendment to allow six hundred thousand dollars to be appropriated to the...Department of Energy and Natural Resources for the Des Plaines River wetlands demonstration project. This is a project which in contract...which can attract Federal monies and private monies around three...million dollars. I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 22 to House Bill 674 which has been corrected on its face. Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Yeah, I believe it's now for six hundred thousand, a much more reasonable figure and I would concur in its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Those...Senator Hall.

SENATOR HALL:

I just wanted to be sure that we're...I've just conferred...six hundred thousand correctly. Okay...you right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved the adoption...adoption of Amendment No...22 to House Bill 674.

Any...further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 22 is adopted. Further amendments?

SECRETARY:

Amendment No. 23, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This restores the Job Conservation Corps that we had taken out in Amendment No. 1. It took a long time to get back to it, but this would restore the kiddy corps and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 23 to House Bill 674. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 23 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 676, Senator Sommer. House bills 2nd reading, House Bill 676, Mr. Secretary.

SECRETARY:

Committee on Appropriations I...excuse me...offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an addition on the Judge's Retirement System to this appropriation. It's sixty-five percent of payout like we have done in everything else and changes the General Assembly to sixty-five percent. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 676. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No...Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 677, Senator Sommer. House bills 2nd reading is 677, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would add the payout to sixty-five percent. I would move its adoption. This would then give Senator Sommer a vehicle bill as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 677. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 678, Senator Kustra. House bills 2nd reading is House Bill 678, Mr. Secretary.

SECRETARY:

Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is the Senate guidelines and its new employees are phased in at a one percent productivity. So, I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 678. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2 is the Republicans added 16.7 million GRF reapportionment to match for grants for independent living Senator and move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Hall has moved the adoption of Committee Amendment No. 2 to House Bill 678. Any further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

(Machine cutoff)...add addition by the other side of the aisle for two hundred and eighteen million GRF reapportionment for children school and visually handicapped institutes and we have a Doctor Bob's letter. So, move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 3 to House Bill 678. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

THank you, Mr. President and members of the Senate. Senate...Committee Amendment...or Floor Amendment No. 4 is a technical amendment and I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 4 to House Bill 678. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Amendment No. 5 is also a technical amendment and I urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved the adoption of Amendment No. 5 to House Bill 678. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 679, Senator Schaffer. House bills 2nd reading, House Bill 679, Mr. Secretary.

SECRETARY:

Appropriations II Committee offers seven amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the Senate guidelines and also the one percent productivity, eliminates ten million House addition for Community Grant, switches central office funding from GRF to Mental Health Funds, breaks out the EDP and capital development cuts. One hundred thousand for Anna, MHC Fire Department and makes transfers for agency's requests. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 679. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further

committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 2,...it's the Republican transfers among the Grant line. So, I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 2 to House Bill 679. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Amendment No. 3 adds 2.5 million GRF fund for Community Residential Care...alternatives for DD individuals, 2-0 for education funded schools. I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 3 to House Bill 679. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I'll yield to Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Committee Amendment No. 4 adds thirty thousand dollars for the transportation of mentally ill to the Peoria Mental Health Center. It appropriates the funds to the Zeller Mental Health Center. I ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow has moved the adoption of Amendment No...Committee Amendment No. 4 to House Bill 679. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Is Senator Welch on the Floor? Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Senator Welch, it's regional service agency fellowship...

SENATOR HALL:

Amendment No. 5...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yeah, Amendment No. 5...GRF for regional service agency fellowships and this was partisan. So I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Amendment No. 5 to House Bill 679. Any discussion? Senator Bloom.

SENATOR BLOOM:

Yeah, thank you, Mr. President and fellow Senators. This was the subject of some debate in committee. What it does it...it appropriates about a hundred and sixty-five thousand for regional service agency fellowships which would be administered by the Board of Higher Education. We opposed this in committee and so we continue to oppose it on the Floor and we seek its not being adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The substantive bill passed out of the House a 117 to nothing just yesterday morning and it's now on the Governor's Desk. This is a hundred and sixty-five thousand to try to get graduate students in public administration into small towns under five hundred thousand...under fifty thousand people in order to avail them of the benefits of the city manager or the type of government or advice from city manager students.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Hall for the first...

SENATOR HALL:

I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Bloom.

SENATOR BLOOM:

Well, I guess, you know, I...I'll be more specific. Our objection is, it doesn't have anything to do with mental health and it...it...it really...has no place in the budget, and, obviously, it hasn't gotten a Doctor Bob letter. So I'll..we'll have to stand against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Hall.

SENATOR HALL:

Well, we passed the substantive bill for it. So we're just doing what has been advocated by this Body and by the Legislature. So, I...for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Amendment No. 5...Committee Amendment No. 5 to House Bill 679. Those in favor signify by saying Aye. Opposed Nay. Ayes have it. Amendment No. 5 is adopted. Further amendments...further committee amendments? Yes.

SECRETARY:

Committee Amendment No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 6...6 adds guardianships and advocacy with Senate guidelines and it impose three hundred and seventy...three million three hundred seventy-four thousand four or five hundred ninety-six less than introduced. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Amendment No. 6 to House Bill 679. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The...Amendment No. 6 is adopted. Further amendments...further committee amendments?

SECRETARY:

Committee...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further committee amendments?

SECRETARY:

Committee Amendment No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Committee Amendment No. 7. Senator Hall.

SENATOR HALL:

Committee Amendment No. 7 deletes twenty million House additions for DD day training pending resolutions of the differences. I move for the adoption of Amendment No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of...moves the adoption of Committee Amendment No. 7 to House Bill 679. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 7 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 8 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SECRETARY:

Schaffer...it says Watson. Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schaffer, Amendment No. 8, Floor Amendment, 679. Thirty thousand dollars protection and advocacy board. Senator Schaffer.

SENATOR SCHAFFER:

Excuse me, that's some additional Federal funds for the protection and advocacy board that we can appropriate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...I beg your pardon. There's now been a request to turn the lights on. Why...why don't you all have a caucus out there. All right. Senator,...it's...it's...it's making it very difficult for the

clerk also. So, let's...let's get to the amendment process and maybe we can go back and turn them off. All right. Senator Schaffer. Mr. Secretary, is that...is that the substance of which amendment?

SECRETARY:

That...we...we have it corrected now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendment No. 8. Further discussion? Senator Schaffer has moved the adoption of Amendment No. 8 to House Bill 679. Any...any...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9, by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This adds seven million dollars to DCCA for Grants to develop the Galesburg and Manteno Mental Health Centers for non-DMHDD use when the facility is closed on January 1, 1986. Each community is to receive 3.5 million for expenses relating to that reuse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 9 to House Bill 679. Any discussion? Senator Bloom.

SENATOR BLOOM:

Okay, I...I, obviously, support this for now; however, we...we don't know whether this is the proper place to put it at this point, but I think that we have the issue on the table and so let's put it on for now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 9 to House Bill 679. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 9 is adopted.

Further amendments?

SECRETARY:

Amendment No. 10 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 10 is the Zoro amendment. It puts back in the Zoro flowchart that the Department of Mental Health and the Department of Public Aid wanted for the DD providers. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 10 to House Bill 679. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

Amendment No. 11, by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 11 adds three million one hundred and ninety-one thousand dollars to improve the staffing ratios and also to include mental health technicians and mental health trainees at Waukegan, Fox, Lincoln, Howe and Ludeman, the developmentally disabled centers. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 11. Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I have been...I...I'm going to support this amendment and I have been on a number of reviews of these facilities and

they've been understaffed and there is a...a certainly important problem there and I...I intend to support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator Hall.

SENATOR HALL:

Senator DeAngelis, is it three one or three six? What is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I apologize, the three one is without the fringes, it is three six with the fringes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved the adoption of Amendment No. 11 to House Bill 679. Further discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

Amendment No. 12, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 12 would take the Operation's portion back to general revenue funds. We had in committee moved them to mental health funds because they seem to play with those funds, we figured let them suffer, but the director of mental health was in danger. So we we are switching them back to general revenue funds. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

It's still not enough. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 12 to...House Bill 679. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 12 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 683, Senator Davidson. Read the...read the bill, Mr. Secretary.

SECRETARY:

Appropriations I Committee offers five amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would incorporate the Department of Conservation's appropriation into the new Department of Historic Preservation. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is...imposition of the guidelines eliminating some of the new guides, phasing others, eliminating some of the new projects, asking the city

to help sponsor the Sound and Light Show, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be the one that deletes all the new positions. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for the historic...the rich historic preservation district. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 4 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Discussed in committee, this would allow the I & M Canal Heritage Commission to use a historic building, Fitzpatrick House, as its offices and provide for purchase and rehabilitation. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 5 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 6 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this restores a hundred and eleven thousand four hundred and ninety-five dollars back. It covers the Lincoln Legal Project and restores two historical...site guides which we need for the...for the summer for the tourist season for the Old State Capital and the new Lincoln...Law Office. Move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll...

SENATOR CARROLL:

We have no objection to this one, it's the next couple that we don't like.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson moves the adoption of Amendment No. 6 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Any further amendments?

SECRETARY:

Amendment No. 7, by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

END OF REEL

REEL #2

SENATOR DAVIDSON:

This is for fifty-six thousand and ninety dollars. It restores back four historical site guides and does the necessary retirement social security. These are guides which will be needed for the seven-day operation of the Old State Capitol Building and the Lincoln Library when it's ready to open. It's phased in basis, this was in the original budget. I'd certainly appreciate it being restored so we can keep this open for the people who come to see on the weekends.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Yes, we..object to these additional people, they can use their existing guides to do both. We would strongly object to this add-on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Davidson moves the adoption of Amendment No. 7 to House Bill 683.

Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 7 is lost. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Amendment No. 8 is fifty-nine thousand dollars restores the...for...Fiscal '86, money for the Sound and Light Show. The original start we had from...some people thought that the life on it was five, it's now nine years old. As you know, the this was the Illinois' gift to the people of America for the bicentennial project. This has been...went over by a..an electronic expert. The system can be repaired and this is what this is all about, so we can continue to...to have it in the years to come. I'd appreciate the restoration of this fifty-nine thousand dollars for this important project.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have left the sound and light in the original budget at the level at which it has been. We know that it's also a benefit to the city and to other tourist attractions, and we feel they could also help contribute if they want a change in the sound and light system. We feel the State's commitment is what it has always been, no more, this would be an increase in...in order to change it and we would oppose it and strongly oppose it at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator...Davidson moves the adoption of Amendment No. 8 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 8 is defeated. Any further

amendments?

SECRETARY:

Amendment No. 9 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 9 is fifteen thousand dollars for...for Professor Clyde Choate so they can publish some books at Southern Illinois University. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lechowicz moves the adoption of Amendment No. 9 to House Bill 683. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 693, Senator Carroll.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

This would reduce my appropriation to the State's Attorney's Appellate Services Commission for the County of Cook by one million dollars, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 693. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 721, Senator Bloom...oh, I'm sorry, Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. On a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DeANGELIS:

Today we are joined by one of the more distinguished members of the Cook County Board, Harold Tarrell, I would like for him to stand and be recognized. We're discussing some strategy regarding the Democrats for the future of county elections.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, welcome aboard, Commissioner. I...I...I understand you're Senator DeAngelis' campaign manager for his bid for presidency. House Bill 721.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be the imposition of the Senate guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 721. Those in favor indicate by saying Aye. Those opposed. The Ayes have

it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...in this small agency we had taken too much for turnover in hiring...turnover in hiring lag. This would be a replacement of thirty-five thousand four hundred. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to...House Bill 721. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...946, Senator Marovitz. Go ahead.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 947, Senator Carroll.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would impose the Senate guidelines on the Attorney General. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 947. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 993, Senator Berman.

SECRETARY:

Appropriations II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This committee amendment would add twelve million for supplemental State aid payments. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 993. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1011, Senator Welch.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Mr. President and Ladies and Gentlemen of the Senate, this is the guidelines amendment breaking out the line items and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 1011. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1040, Senator Barkhausen. Senator Barkhausen, you wish to speak?

SENATOR BARKHAUSEN:

Mr. President and members, I would ask that...leave of the Body that...for Senator Bloom's name to be substituted in

my place as the chief sponsor of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, leave is granted.

SECRETARY:

Appropriations I Committee...no, this bill was rereferred to Approp. II if that makes any difference, Senator Carroll. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

That takes it down to a dollar as per the agreement we had with the chairman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

It's okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If no further discussion, Senator Bloom moves the adoption of Amendment No. 1 to House Bill 1040. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Bloom and Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

This is as per, I think, the agreement we had with the Education Committee and it adds seven hundred thousand in to specifically cover a problem in Illinois Valley, IVC and

Illini Bluffs in Senator Luft's district. This may or may not be the best place to put it; if that's the case, then we'll put it on 1070. We didn't know when we had it filed. I...I seek the advice of...of the chairman of both committees.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll start with Senator Hall.

SENATOR HALL:

Well, I...I...I have not seen that amendment and I...when...when did you do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

I think it was just...I think it was drawn up this morning. If...if that...if this is not the proper place to put it, then I would withdraw the amendment and perhaps we can put it on 1070. I don't where Senator Poshard and Senator O'Daniel's money is. We literally didn't know, so we just figured we'd float it out and that was the best way to find out where to put the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom has withdrawn Amendment No. 2. Senator Hall.

SENATOR HALL:

Well, I would...I'm suggesting we find another vehicle other than this, Senator Bloom. Okay?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Bloom agrees with you.

SENATOR HALL:

Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1070, Senator Rock.

SECRETARY:

Appropriations II Committee offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the Senate guidelines for operation and categorical funding. So, I would move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 1 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Amendment No. 2 reduces it to the reform measure to one dollar. Move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? If not, Senator Hall moves the adoption of Amendment No. 2 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3, by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell. Senator Fawell on the Floor? Senator Bloom says we must...we should withdraw...Senator Bloom.

SENATOR BLOOM:

Thank you, Mr...no, no, I don't...Number 3 increases the voc. ed. line from forty-one five to fifty. That takes it back up to the State board's introduced level. I think that's what Senator Fawell wanted to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

In the immortal words of Senator Vadalabene, why?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Senator Fawell had a sense of symmetry and she felt that perhaps it ought to be at the same level on final passage as it was when it was introduced.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I don't want to be antisymmetric but I think we should oppose it at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom moves the adoption of Amendment No. 3 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 3 is lost. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Hello. Thank you, very much, Mr. President Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Hello.

SENATOR DEMUZIO:

...of the...members of the Senate...just a minute, I have to tell the...Senate President why I'm amending his bill. Adult education...the...the House passed over adult education, I think it was a...like a five percent hike. This million dollar restoration for adult education would still not bring it up to the Board of Higher Education's recommendation, and I would move adoption of...Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 4 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

Amendment No. 5, by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Amendment No. 5 is a reduction of forty-seven thousand dollars to...for the Henry Horner project. Move the adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 5 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Any further amendments?

SECRETARY:

Amendment No. 6, by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

This is a hundred and thirty-nine thousand dollars add-on for regional superintendents' early retirement. Move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 6 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

This is money that was received through the Federal Civil Rights Desegregation Program, 5.428 million for Chicago. Move adoption of Amendment No. 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 7 to House Bill 1070. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I just want to get Senator Maitland's attention. This...this amendment would add five million dollars for the purpose of granting scholarships for elementary and secondary level pupils and financial need who excell academically to be used for regular or summer session attendance costs at private schools, and I would move its adoption unless I hear some objection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Rock, you got my attention. I just would...would suggest we are dealing with...with this whole issue of...of considering some possible aid to the nonpublic school students, one way or another, that's still in a...a subject of some debate and I think perhaps this amendment might be inappropriate at this time. I would suggest a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Well, I...I appreciate that, Senator Maitland, that really is the purpose of my little speech this morning. I don't think we should or can legitimately deal with the question of additional funding for education in this State and at the same time ignore the private school sector, and I appreciate the efforts that have been made thus far. We yesterday rather cavalierly added six million dollars to downstate transportation like we had it. The fact is, there had better be some accommodation with those of us who feel strongly that private schools too deserve some recognition. At this time, Mr. President, with leave of the Body, I'd like to withdraw Amendment No. 8, but know well, it'll be in my pocket for the rest of the week.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...1097, Senator Carroll.

SECRETARY:

Appropriations I Committee offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the imposition of the Senate guidelines in the Supreme Court. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 1097. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would delete the nineteen positions, the substantive bill has failed. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the...Senator Maitland...oh, I'm...is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 1097. Those in favor indicate by saying Aye. Those opposed. The Nays carry. Amendment No. 2 is defeated. Further amendment?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 3 is the increase for the probation officers consistent with legislation we had passed on yesterday. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to House Bill 1097. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a reappropriation for the 3rd Appellate District's improvements. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 4 to House Bill 1097. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is also as a result of some additional legislation on DUI probation that we passed yesterday and I would move adoption. It adds a half million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the

adoption of Amendment No. 5 to House Bill 1097. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is equipment money they needed for the new EDP system they had put in to track their cases, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Perhaps, I could ask the sponsor of the amendment a question on Amendment No. 2, did we hear correctly and that lost?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes. It was a voice vote.

SENATOR SOMMER:

Yeah, well, just trying to find out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We are on Amendment No. 6.

SENATOR SOMMER:

Well and then Amendment No. 5,...in other words, I think we did the same thing twice is what I'm trying to say.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll indicates we did not. Senator Carroll.

SENATOR CARROLL:

Senator Sommer, on Amendment No. 5 as in 4, legislation we passed yesterday on community corrections et al required someone to administer that probation system. Although there were some debate as to which bill had went and we felt that appropriately it belonged in the administrations of the court

and that's why we added it here. There was some discussion of somebody else administering it but it...the probation system under J. Barry Boilson is in the court system and that's why we put it there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

I'm...I'm sorry, I've been...I...I see you've passed over 1070, I was not on the Floor because I was trying to talk to the IEA about...Senator Simon to see if by any chance he got this thing straightened out. Is there any way of possibly going back and...and see...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, we did not pass over 1070, we went through all the amendments. Amendment No. 3, your amendment, was handled by Senator Bloom very ineffectively and he lost...he lost the amendment. Senator Fawell.

SENATOR FAWELL:

I...I'm sorry, but, you know, that...that particular amendment concerns every school district in the State. Senator Simon is trying to get seventeen million dollars for us. I was trying to see if by any chance he's gotten it, he has not as yet. If there's any way that we could possibly...I don't think Senator Bloom even knew what the amendment was all...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, the amendment is dead, the bill is on 3rd reading. Let's see...have leave of the Body to...to bring it back. The sponsor has indicated he will oppose that. We can put the question, is leave granted? Hearing objection, leave is not granted. The motion fails. We are Amendment No. 6 to House Bill 1097. Is there further discussion? Senator Bloom.

SENATOR BLOOM:

Well, just...just so we all don't get overexcited, 1070, Senator Fawell,...earth to Fawell...1070 is going to be in a Conference Committee. We offered it up, the issue will be back before the Body at a later date, so let's not get overexcited.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Very eloquently put, Senator Bloom. On the adoption of Amendment No. 6 to House Bill 1097. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1110, Senator Carroll.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1247, Senator Netsch.

SECRETARY:

(Machine cutoff)...Appropriations II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

This was rereferred to Appropriations I, I believe,...Mr. Secretary, not...

SECRETARY:

Yes, it was.

SENATOR CARROLL:

This would be a reduction to...from the four million down

to a million eight fifty-five for the...reasonable accounting practices that the Auditor General wants. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 1247. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2239, Senator Rock.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2240, Senator Rock.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is an addition of some nine hundred and forty-six thousand dollars for the House and Senate Operations. I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the

adoption of Amendment No. 1 to House Bill 2240. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Okay. On the Order of Appropriations, House Bills 2nd Reading, House Bill 24, Senator Jones. I think they all look alike, Senator Darrow.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 143, Senator Netsch.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment of no dollar change. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 143. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 would increase the basic grant money for the public radio and television stations from three million to five million dollars, and it would also add the...a six hundred thousand dollar appropriation for the Illinois Public Broadcasting Council which was created by the substantive bill which Senator Bloom was the principal sponsor of...which was House Bill 142. That bill has already passed both Houses of the Illinois General Assembly. I would move the adoption of Amendment No. 2 to House Bill 143.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, initially the bill was for three million dollars and it was unbudgeted but there is support for public radio and television here, and it looked like it was going along and all of a sudden we almost doubled it by an amendment that we weren't aware was coming. I wasn't aware of it, I don't know about Bloom. You've just doubled the program, why? I mean, I think you've gotten the program passed, why would you double it here at the last minute?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, it's not...Senator Sommer, it's not a doubling of the program, from three to five is not exactly twice as much, as a matter of fact. I think the...one of the reasons why is that in a sense we are building on something that existed at one time. There were some grants available at one time to

the public radio stations. They had to be undone totally because of the fiscal crisis of a couple of years ago. We are now starting over...or not really starting over again, we are reestablishing those grants and also including the...the rest of the public radio and television stations that perhaps were not even in existence at that time. We're talking about eleven public radio stations spread throughout the State of Illinois, and seven public television stations, again, in many parts of the State of Illinois and to be perfectly honest, three million dollars just simply does not go far enough when...with that large a number.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch moves the adoption of Amendment No. 2 to House Bill 143. Those in favor indicate by saying Aye. Those opposed. The Nays have it...the Nays carry. The amendment is lost. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 529, Senator Luft. House Bill 529, Senator Luft. For what purpose Senator Netsch arise?

SENATOR NETSCH:

I'm sorry, I was trying to get your attention to ask for a roll call on that amendment. You went so fast, you didn't even look over here to give me a chance to get your attention.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Netsch, we...has requested a roll call on the adoption of Amendment No. 2...Senator Netsch has requested a roll call on Amendment No. 2 to House Bill 143. Those in favor will indicate by voting Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Vote me Aye. Have all voted who wish? Take the

record. On that...the...the adoption of Amendment No. 2 to House Bill 143, the Yeas are 36, the Nays are 21 and the amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 529, Senator Luft.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 would make this into a vehicle bill and we have an identical bill going through, we may need this later. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 529. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 530, Senator Dudycz.

SECRETARY:

Amendment No. 1 offered by...Appropriations I Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be the imposition of the guidelines on the Board of Election. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 530. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 569, Senator Philip.

SECRETARY:

Appropriations I Committee offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would delete all the House add-ons and return it to the budget book level. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 569. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would change the program to the Responsibly Build Illinois Program, identifying the areas as the Governor has categorically, identifying this year's appropriation level which would be a little bit greater than that asked for by the Governor in keeping all the projects within the appropriated amounts level. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Could we confer with Senator Philip just briefly to find out...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

I...I would remind my members, this is so-called Responsibly Build Illinois, that's always a matter of opinion and I would hope we would all vote No and ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would make the appropriation bill basically in line with the substantive bill that we passed yesterday. There's one further change that has to be made by an additional Floor amendment, but again, this would say that the...the projects will go ahead...will go ahead in a very timely fashion, will go ahead, in fact, a little faster than that identified by the Governor, identifies the categories and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll moves the adoption of Amendment No. 2 to

House Bill 569. Those in favor indicate by saying Aye. Those...a roll call has been requested. Those in favor of adopting Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 28. Amendment No. 2 having received the majority vote is declared adopted. For what purpose Senator Philip arise?

SENATOR PHILIP:

Verify the affirmative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a request to verify the affirmative vote. Will all the members please be in their seats and will the Secretary read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip, do you question any of the affirmative?

SENATOR PHILIP:

Yes, Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones in his seat? Senator Jones on the Floor? Senator Jones. Strike his name from the record.

SENATOR PHILIP:

...Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins on the Floor? Senator Collins is in the aisle.

SENATOR PHILIP:

Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene is in the back.

SENATOR PHILIP:

Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan...Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you. Senator Degnan is down with...at the request of the Governor.

SENATOR PHILIP:

Okay, I'm sorry about that, Senator Rock. I didn't realize that. That's no problem...Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft on the...he's in the back. Senator Jones has returned to the Floor, put his name back on the record.

SENATOR PHILIP:

Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch is in his seat. Do you question any others? Senator...I mean, Mr. Secretary. On a verified roll call, there are 31 Ayes, 28 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I identified in the description of Amendment No.

2, Amendment No. 3 would take the small business loan, large business loan, local government and...infrastructure improvements loan program and the industrial coal utilization program and make those into user bonds, user paid for, user interest. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 3 to House...Senator Philip.

SENATOR PHILIP:

I...I would suggest this is Responsibly Build Illinois, that's a matter of opinion, that we'd all vote red, and ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll moves the adoption of Amendment No. 3 to House Bill 569. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 28, none voting Present. Amendment No. 3 having received the majority vote is declared adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Withdraw.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 5, by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SECRETARY:

Amendment No. 4, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, for what purpose do you arise?

SECRETARY:

Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson on Amendment No. 4.

SENATOR WATSON:

Right, that's what I've got, Amendment No. 4. This add-back...adds to the House Bill 569 five million dollars and what this is going to be for is a possible loan to a developer in the Carlyle Lake area, largest inland lake in Illinois, to come in and put in a development similar to what maybe a Tan-Tar-A or Four Seasons would be in...in Missouri. This area of the State, it's in my district and many of you have been there, some of you have passed through the area, but it's a beautiful area of the State but it's...unfortunately, it's been underdeveloped primarily because of the corps of engineers and problems that we've had in dealing with them, but we have the cooperation of the corps..the...the cooperation of the Department of Conservation and others in bringing in a developer who is going to put in probably thirty-five to forty million dollars to...to develop this particular area. From an economic point of view, this will be a...a real boom not only to...of course, to our area but to the entire State. With Route 409 actually ending at practically at the entrance to this particular development, we're talking about opening up the whole area to the metro-east-St. Louis area and it's, I think, going to be a big boom to southern Illinois. Tax dollars being brought in will be substantial, I...I think this will be more than paid for...in fact, what we're talking about actually doing is loaning this particular...developer this money. So it's not something that would...that's a giveaway, we're talking about getting it back and I think we're going to be getting

back more...certainly more than we're putting into it. I would move for its adoption and ask any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think there are some thirty-three additional amendments incorporating projects that I'm sure are most worthwhile. Senator Philip and I, as the cosponsors, have agreed that only the committee amendments and the one Floor amendment would go on, and we're asking the membership to please withdraw the other thirty-three amendments. The withdrawal of those amendments will, I am sure, lead to a Conference Committee; on the other hand, if they are not withdrawn, we will send back to the House apparently, what the House originally sent to us, some three hundred amendments representing projects all over the State. It simply is not the way to go and I would ask the members, Senator Watson included, if they would be kind enough to withdraw the thirty-three amendments. We will save probably an hour's time and, more than that, we...you can be sure that the bill in its present form will undoubtedly then be subject to a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, as long as...as my leadership and, of course, the President of the Senate feels this way and I'm not going to take the time of the Body to...to go through my particular amendments that I have, although, I do feel they're...they're very important, I think they're very responsible in building Illinois. The next amendment I had was to help an area...in my area...in my particular district to create some two hundred jobs. So I think they're important but in respect to

our leadership and the people that we elect to...to represent us, I'll withdraw Amendment No. 4 and Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 4, by Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Please withdraw mine, I have four more..four amendments, please withdraw them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 4, by Senator Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Mr...Mr. President, I withdraw No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 4, by Senator Friedland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland. Senator Friedland withdraws his amendment. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 583, Senator Davidson.

SECRETARY:

Appropriations I Committee offers three amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Committee Amendment No. 1 is the guidelines amendment. I would move its adoption...phasing in new personnel as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 583. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I would move that that amendment lie upon the Table.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?...oh. Senator Carroll moved to Table Committee Amendment No. 2. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you. Committee Amendment No. 3...we may have to work on a little bit more but this one is a language change for elevator repairs at the Centennial Building. Those who have used ours here in this building getting up to the six floor may want that adjusted as well, but for the time being, I would that we do adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll moves the adoption of Amendment No. 3 to House Bill 583. Those in favor indi-

cate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 641, Senator Poshard. House Bill 651, Senator Donahue.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment eliminating some new positions. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 651. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted...any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 652, Senator Fawell.

SECRETARY:

Appropriations II Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

...excuse me...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 652. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...is adopted. Any further amendments?

SECRETARY:

Amendment No...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This particular amendment adds back twenty-eight thousand four hundred and fifty dollars. The original budget request was for eight hundred and thirty-two thousand five hundred dollars, and then after our committee action, we got...we reduced it to eight hundred thousand and now we're trying to add back twenty-eight thousand four hundred and fifty. So it isn't even going to get back to the level as originally introduced. The problem the Prisoner...Review Board is having, of course, is naturally with additional prisoners and additional prisons, the travel expense and, of course, clerk filing and personnel problems that they're having, they're needing additional help and this particular amendment adds back...clerk and some travel expense that is necessary for them to fulfill the duties of

their...of that particular position. Be glad to answer any questions, but otherwise, move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

I rise in opposition to this amendment at this time. In addition to the one position, this would add an unbudgeted position without a Doctor Bob and I would rise in opposition to Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Watson moves the adoption of...Senator Watson, you want to close?

SENATOR WATSON:

Well, just to explain once again, in case the members weren't listening. All we're talking about adding back here is twenty-eight thousand four hundred and fifty dollars, and we're talking about positions with the Prisoner Review Board which are necessary for the Prisoner Review Board to comply with...with the additional prisons that we have in our State, some new three prisons. We're talking about increased prison capacity, these people can't simply do what they're asked to do on the current...in the current budget. This is just simply money for a clerk and for some travel expenses that are necessary for the Prisoner Review Board to comply with our statutory requirements. I see no problem with this and I'd certainly ask for its adoption and a roll call if necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson moves adoption of Amendment No. 2 to House Bill 652 and has requested a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?...have all voted who wish? Take...take the record. On that question, the Ayes are 28, the Nays are 29, none voting Present.

Amendment No. 2 having failed to receive the majority vote is declared lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill...653, Senator Dudycz.

SECRETARY:

(Machine cutoff)...Appropriations I Committee offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment to phase in new positions and reduce Equipment to the CMS guidelines. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 653. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would delete the new positions. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves adoption of Amendment No. 2 to House Bill 653. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is...No. 2 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 654, Senator Sommer.

SECRETARY:

Appropriations I Committee offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 adds for the minimum payments and doubles up from House Bill 655 on social security units, retirement. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 654. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Because the House had failed to pass State Board of Education's retirement contribution, Amendment No. 2 adds that and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 2 to House Bill 654. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. What Amendment No. 3 to 654 attempts to do is to restore to the Teachers' Pension System a one hundred percent funding. I have little or no hope for the adoption of this amendment, but I have filed two additional amendments that...that are there and it seems to me that we...we need to be doing something about the pension system in Illinois. I think Senator Carroll has put on an amendment I think for sixty-five percent, I think in...is the Committee Amendment No. 2, but it seems to me that we ought to draw some additional attention to the fact that we have a severely underfunded liability with our pension system, and I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Just...just briefly. It would seem to me that this is a matter of...of negotiation in...in...among those people who are negotiating the education budgets. We had presently leveled, or Senator Carroll has, all pension systems at sixty-five percent. To do anything different at this time would throw us out of uniformity and may jeopardize the discussions going on with the education community. So it

seem to be...this might be premature but not...it's premature.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Welch.

SENATOR WELCH:

...I'd just like to rise in support of Senator Demuzio's amendment. It seems that we've been hitting the Teacher Pension Fund for several years now and haven't been fully funding it. It seems to me that when you're talking about reform, maybe we should get back to fair play as far as the Teacher Pension Fund. I think that when we start talking about some of the alleged reforms in this package, such as a thirteen thousand dollar starting salary as one of our reforms and now we're talking about not fully funding the Teacher Pension Fund, it seems to me that we should live up to what we're supposed to do and put some money into that program, and I would urge support of Senator Demuzio's amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Demuzio moves the adoption of Amendment No. 3 to House Bill 654. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Amendment No. 3 is lost. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, this is a little bit more palatable. This just simply funds the system at eighty percent and I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 4 to House Bill 654. Those in

favor indicate by saying Aye. Those opposed. The Nays have it. The Amendment No. 4 is defeated. Any further amendments?

SECRETARY:

Amendment No. 5, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, this one is a little bit more of a serious nature, Mr. President. Amendment No. 5 is one that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Can we break up these conferences and have a little order here. Senator Topinka and Senator Dawson. Senator Friedland. Senator Demuzio.

SENATOR DEMUZIO:

Well, this one, as I said, is a little bit more of a serious nature. This...this amendment would fund the Teachers' Retirement System at sixty-eight percent, which would be three percent above what Senator Carroll has adopted by virtue of Committee Amendment No. 3. It would seem to me that this is an amendment that, frankly, this Senate ought to take a positive position, raise the pension level that has been suggested in committee and send that over to the House. We have such an underfunded liability in the pension system that it's one that...one of these days it's going to be a serious problem for us like they have in Washington with the social security system. Now, we sent out of here in...in House Bill 510 a bill...substantive bill that would increase the levels of...of pension contributions to the sixty-eight percent level, and it seems to me that this is the one that...that we ought to put on and I would ask, Mr. President, for a roll call on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp. Could we have a

little order here now?

SENATOR RUPP:

Thank you, Mr. President. I do want to follow up a little bit on Senator Demuzio's comparison of this situation with the social security. It looks like we're sort of creating our own little social security mess right here in Springfield. There really is no difference between our responsibility as a State...Federal Government when it comes to retirement programs. Our teachers have paid into the Teachers' Retirement Program...System for years, just like we've paid in social security. We get upset when social security gets trouble; yet, here we sit and we don't seem to be doing anything to prevent the same type problem coming up here. I support this move and ask that we vote Aye on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

Well, I want to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wait. Senator Sommer. Senator Demuzio may close.

SENATOR DEMUZIO:

Just want to point out, you know, we're talking about a lot of grandiose educational reform this year and we're talking about financing that, and it seems to me that most of it's going to be coming out of the backs of the...of the teachers in this State by virtue of their retirement system. I think this is a good amendment, ought to be adopted and I move the adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves the adoption of Amendment No. 5 to House Bill 654. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 655, Senator Sommer. House Bill 655, Senator Sommer.

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 656, Senator Donahue.

SECRETARY:

Appropriations I Committee offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines for the Pollution Control Board, phasing in a vacancy and adding the productivity improvement factor, and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 656. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading.

PRESIDENT:

All right. We will begin on House bills 3rd reading where we left off. I would direct your attention to the fact that we have a hundred and thirty-one bills on 3rd reading. We will...we will work straight through but no later than eight o'clock. Some members have indicated they wish to subject their bills to recall, we will do those in the order in which they appear, so that we can move the Calendar along. I would ask the members to recognize the fact that this is the final day for the consideration of passage of House bills on 3rd reading. We will have a hundred and eighty-one bills to deal with. We'll start where we left off on House Bill 1523. On the Order of House Bills 3rd Reading, House Bill 1523. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1523.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1523 amends the Metropolitan Sanitary District Act with respect to the Civil Service Board, that three-member board; increases the salaries of those board members from five to twelve thousand five hundred and the salary of the chairman from seventy-five hundred to fifteen thousand. I should mention that the board members have not received an increase since 1951, the chairman received a small increase in 1978 when this General Assembly approved it. Be happy to answer any questions.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 1523 pass. Those in favor will vote

HB 1528
3rd Reading

Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, none voting Present. House Bill 1523 having received the required constitutional majority is declared passed. 1528, Senator Berman. On the Order of House Bills 3rd Reading, House Bill 1528. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1528.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill...House Bill 1528 is the proposal this year for the revisions in the School Aid Formula. What it does is by changing the qualifying rates brings greater equity to those school districts that are formed in the unit process and encourages that kind of movement towards that kind of school, K through 12. It is based...we have...I have at my desk two printouts, one at a hundred and twenty-five million dollar increase, one at two hundred million increase. Be glad to show them to any of the interested parties. I...at the moment, this is the only School Aid Formula in bill form on the General Assembly. I solicit your Aye vote.

PRESIDENT:

All right. While we're on the Order of 3rd Reading, I'm going to instruct the doorkeepers, no cards are to come in. Tell anybody who wishes to visit or otherwise implore that there is a telephone but no cards. Discussion on 1528? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I rise to support House Bill 1528 which I am told is a...a bill that is...toward the unit districts, I think. Now, I am told that the State Board of Education has a proposal that they are attempting to find some vehicle bill someplace, but, Senator Berman, that some place, I understand, they have not found yet and, therefore, there is no other proposal with the exception of this one. So it would seem to me that this is a proposal that we ought to support. If the State board's proposal manages to find its way into the mix someplace along the line, we'll take a look at the printout with it and determine how that benefits our respective school districts in our area, but I think for the most part we ought to pass out House Bill 1528 and we'll deal with the State board's when it gets here.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of House Bill 1528. Senator Berman I think has explained it very well. I want to mention to especially the Senators on my side of the aisle that...that with respect to unit districts...with respect to unit districts, in the case where you find that your unit district has been perhaps a slight loser under House Bill 1528, the reasons for that loss in revenue would apply to the other formulas as well. Either EAV has gone up, enrollment has declined or because of the phase-out that was agreed to last year with respect to Title One, you've lost that revenue there. I think this piece of legislation is good. As you know, we address the formula every year. In our reform package that we're dealing with now, we are talking about the...the possibility of great formula reform two or three years down the road. This is the adjustment I think we need and I would urge support of House Bill 1528.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Sangmeister.

SENATOR SANGMEISTER:

I am sure this is flying out of here rapidly but, Senator Berman, I got a call this morning against the bill, because it supposedly discriminates against elementary districts. This is a dual district that called in, what is your response? Does it, in fact, discriminate, whatever that might mean, I suppose obviously in the amount of funds you're getting against elementary districts. Is that true or can you...enlightment?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, discriminating is a relative word and depending upon how high we appropriate the funds for the School Aid Formula, I think it's fair to say that virtually everybody will benefit. The...the formula that's in here does do more for the unit districts than it does for the elementary, but it does increase the...the attention given and the flow of...of funds away from the high schools more than the existing formula. So it's not...you know, if you want to rank them, the elementaries are in a better shape than the high schools as far as the shifting of the funds.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I don't want to delay this. Do you have a printout that I can look at? Thank you.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, we're all sleeping at our switches here and, Senator Sangmeister, you're going to get a printout, but there's a little shell game going on. See, the SBE has a...a proposal and this bill has a proposal and you get printouts to compare the two. What you don't get is a printout of the current formula if we do nothing. In many cases, we are much better off if we do nothing. The proponents of the bill are correct, this is a formula bill consciously designed to force the dual districts into becoming unit districts. Probably not a bad idea to have more unit districts but we are going to starve them into submission. I have printouts on my desk of the three...do nothing and the two proposals at two hundred million dollars which is the maximum number of dollars we are capable of putting in. What I find is the elementary districts get virtually no increase, very small; units do very well, high schools, so-so. I personally am quite concerned in my area, I have a mix. I have units, I have high school districts, I have grade school districts. The unit of this school that is the most trouble in my area is not the unit, it is clearly the elementary. What we have here is a formula change designed to force dual districts into becoming unit districts. I personally think there are a lot of consolidations that make sense. I don't propose to ruin elementary education for ten years while we starve those school boards into submission. I don't think that's the right approach. I would suggest to you that until each of us has a printout on our desk of all of the alternatives that list current year funding, current formula that does nothing, this proposal and the SBE proposal by districts, anyone who votes for this bill subjects themselves to the possibility of going back to their district and explaining to almost all of their school boards why they voted to cut funding to their dis-

trict. Most of us have learned painfully over the years that it's dangerous to vote on a formula bill until you have the facts in front of you. I would suggest to you a prudent vote is either a No vote or a Present vote until you have the facts in front of you. If you're comfortable with what you know now, support the bill. Were I you, I'd find out how it affected my district before I push the green light.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would tend to agree with Senator Schaffer. I think that this does not do many of our downstate districts a great deal of good; in fact, the proposal that has been floating around by the superintendent does a much better job for many of us downstate. In addition, one of the major things we've been kicking around here as a reform is early childhood education, and as Senator Schaffer pointed out, elementary and secondary education would get more under the superintendent's proposal, they would get less under this proposal. I think the shift from high school to elementary and secondary, which in my understanding has been agreed to by many, many of the high schools as something that should be done so that the kids are prepared when they do arrive in high school, is not in this bill. I think that we should vote No, wait for the next formula to come along. I'm sure that this one will return if it fails, it...it always seems to do so and I would urge a No vote.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, that...you...around here you get caught and...now I've looked at both and I have both units and...and

dual and that...it creates a problem. I get more under the State Board of Education than I do under the Hoffman, but, you know, that I haven't seen the bill that says that, and I guess that I'll have to get on board here because this may be the last train of out Beirut. I just don't want to take any chances. So I think that right now I will support this but it depends on who you talk to my district and I got them both...for this. So, at this time, I'm going to vote for it; if the other...resurrects somewhere, then I'll jump ship and get over on that one. So, at this time, I'm going to vote for this bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I certainly concur with the remarks that were just given by Senator Schaffer and I also urge all the members to carefully look at the...at the analysis. I have the pleasure of serving twenty-two both high school and elementary districts, and as I look at this...this printout, the vast majority in comparing the net effect between what they're currently getting and the...this...revision in the formula, the net effect is all negative on my district and I would suggest that even though the elementary school districts are certainly very hard hit, it appears that at least from...from my Senatorial District, also the high school districts are very...very hard hit. I urge opposition.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question?

PRESIDENT:

Senator...

SENATOR WATSON:

Question.

PRESIDENT:

Question of the...sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

We're...we're talking about State Board of Education's proposal and them the one that you have currently. Are we talking about the same amount of new dollars in both proposals when we see these printouts?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, I...I don't know what you have, but I have on my desk three printouts, one shows last year's funding compared to this year's funding under the State board's recommendation at a hundred and thirty-four million dollars increase. I have one that shows last year's funding versus House Bill 1528 at a hundred and thirty-four million, and I have a third printout that shows a two hundred million dollar level comparing the State board and House Bill 1528. Those are available for your perusal.

PRESIDENT:

Further discussion? Senator Schaffer, for the second time.

SENATOR SCHAFFER:

Apologize for speaking a second time. Earlier today I requested the State Board of Education to give us the three alternatives, do nothing, this proposal and the SBE proposal at a constant funding level of two hundred million dollars. They are in the process of cutting and pasting and we'll have that available later in the day for each legislative district. So you'll find out what you've done to yourself.

PRESIDENT:

HB 1529 Recalled

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. First of all, I think it is a great injustice to all of us for Senator Schaffer to use the word starve...starve in describing the benefits that are portrayed under House Bill 1528. I think it's also interesting to note and I want the record to show, that Senator Schaffer is talking about a two hundred million dollar increase in State funding. This is...this is June 26th, I hope I hear Senator Schaffer talking about two hundred...million dollar increase of State funding on June 30th. Let the record show that he is smiling. Ladies and gentlemen, in any School Aid Formula revision, there are winners and losers. If you did nothing, there are winners and losers. This proposal moves the State forward with a carrot approach of...of trying to encourage this school districts that have been shown to provide the greatest quality of education, kindergarten through twelve. I have some districts that do not benefit under this proposal. I have some district that does. I would suggest to you that this is the only proposal that has passed the House, that is in any bill form. If we...and I would love to be able to stand up...and you will hear from me on June 30th regarding two hundred million dollars in a very affirmative manner. With two hundred million dollars, everybody in this place can go home heros. I ask for an...affirmative vote.

PRESIDENT:

The question is, shall House Bill 1528 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 11 Nays, 8 voting Present. House Bill 1528 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, the bottom of page 4, is House Bill 1529. Senator

Collins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1529, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDENT:

Senator Collins on Amendment No. 2.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 to House Bill 1529 is the long awaited agreement for collective bargaining for peace officers in the State of Illinois. The...the amendment has been agreed to by the persons...the following persons who have been negotiating now for over two years, part of them, to resolve the issue of peace officers and firefighters, although this amendment does not include the firefighters' provision. I'm...I'm sorry that no agreement could...could have been made to resolve that issue but this bill...amendment does not include...firefighters. It is exclusively for peace officers in the State, and the agreement has been reached now by the municipal league, the City of Chicago, the Northwestern Conference of Mayors...Northwest Conference of Mayors, the chief of police, the Police Benevolent Association, the Illinois...and representing the...the police...Illinois Police Association. What the bill does, it...it includes the police into the...the current law that was passed in 1983, and it provides for some special provisions which I feel strengthens the overall collective bargaining laws in the State of Illinois. The scope of coverage includes those police in the...in the State Department of Law Enforcement and all police in...in the State of Illinois. It makes some exceptions for such persons working in the law enforcement field as auxiliary police, part-time police, night watchmen and so forth. It provides for a clear definition of peace officers.

It has a special definition for determining the status of supervisory personnel and bargaining units for supervisory personnel and it...but it also stipulates that...that no peace officer's...only peace officers shall be included in...in a unit for the purposes of collective bargaining unless the employer and...labor organizations agree to...of the employee inclusion. It provides for...and what I consider to be a very strong management right sections which gives management exclusive rights to make decisions...administrative decisions in certain areas, including manning an...a residency for...the use of deadly force...certain weapons and so forth. The...the bill resolves impasse...and let me say this so that certain people like Senator Geo-Karis who is very strongly opposed to strikes, it prohibits policemen from striking and it resolves impasse through the...mediation process, and upon fourteen days prior to the...expiration of any agreement, that either party can, in fact, request binding arbitration. Once the panel of arbitrators have made a decision, that decision then goes before the appropriate governing body for its...approval...I mean, disapproval within twenty days. If, in fact, the...the appropriate governing body rejects one or more of the provisions of the agreement made by the...decision made by the arbitrator, it would have to be ratified by a three-fifth vote of that governing body; otherwise, the agreement...the decisions made by the arbitrator will, in fact, become law...become part of the collective bargaining agreement. The...this bill also has a special section in there that increased benefits, widow's annuity for the Chicago Police only. This is a concession made by the...by the City of Chicago as a result of...certain concessions made by the police department in the process of negotiating this...this whole...whole agreement. It is something that is long overdue for increasing the widow's benefits in

the City of Chicago and I think it...it is also a very good provision in this bill. It exempts...this bill is exempt from the Mandate's Act so that it is very clear that the City of Chicago will bear the expenses of...of this pension fund so that it...there will be no cost to the State of Illinois. I will be happy to answer any questions. I...otherwise, I would move for the adoption of Amendment No. 2.

PRESIDENT:

All right, Senator Collins has moved the adoption of Amendment No. 2 to House Bill 1529. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. Would the sponsor yield to a few questions?

PRESIDENT:

Sponsor indicates she will yield. Senator Hudson.

SENATOR HUDSON:

Senator Collins, a day or so ago, I remember we had a discussion on this House Floor out of which I assumed came an agreement that you would not move this bill from 3rd. Don't want to seem to be unreasonable here, but that you would not move this bill from 3rd reading unless an agreement had been reached between, I understood, police and fire and possibly even municipalities. Has such an agreement been reached?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

The agreement has been reached by police only. The...the firemen does not agree...did not reach an agreement. And...and let me just say...say this, I...I...I am fully aware of those two issues that the firemen could not, in fact, come to an agreement on. I do think that the majority of firemen in this State could have lived with the provisions of this Act, but for whatever special reasons, there are some

special problems in relationship to the firefighters of the City of Chicago and...and the City of Chicago which...which has very little, I think, to...to do with the provision of this Act, and...and for that reason, I am inclined to move on and to include the...the...the police into this bill at this time and...and grant them collective bargaining rights. I do think it's...it's a necessity that we move on and do that and hope that the firefighters can work out their problems at a later time.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Well, I understand your answer. I'm not...I'm not happy with it. Our understanding in committee and I...our understanding on this Floor was that this bill would not be moved in the absence in agreement between police and fire on this issue. Now, you're telling me that, no, no agreement has been reached, but we're moving it anyway. Is that correct?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

No. Let...

PRESIDENT:

Senator Hudson.

SENATOR COLLINS:

...me clarify something. The...the agreement that that...my agreement was not in relationship to agreement between police and firefighters but an agreement between local units of government, firefighters and other interested persons or groups into this whole bargaining process, not between the firefighters and...and...and the police as a group, but they were supposed to be a party to the overall agreement.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

You mentioned other interest in parties...interested parties, does that...include parties such as the municipal league? Are they in agreement with this?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, they are. I...I read off the list of persons...the groups that were...were in agreement. You must have...didn't hear me. I can easily pass them over to you.

PRESIDENT:

All right, further discussion? Senator Collins has moved the adoption of Amendment No. 2 to House Bill 1529. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on...Amendment No. 3.

SENATOR JEREMIAH JOYCE:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 includes firefighters within the collective bargaining agreement, and it also deals with a very...in a sense, esoteric issue that is hanging all of this up and that has to do with the distinction with respect to who will be in the unit, and we have a unique situation in the City of Chicago, it applies to battalion chiefs, it's grounded into history that...of the 1979 situation. We want to keep this alive. The amendment provides that in existing units the members of the unit will remain the same in the City of Chicago at the present time. Those supervisors who are...who are presently in the unit can elect to get out of the unit if they so desire. We want to leave that intact.

That is the hangup. Other than that, we have no real serious differences and I move the adoption of Amendment No. 3 to House Bill 1529 at this time.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 1529. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Is the right to strike specifically prohibited in your amendment?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes, it is and the strong management clause that is contained in Senator Collins' amendment is also in this provision.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Then I speak in favor of the amendment.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. And, Senator Joyce, I was not totally aware that the firefighters' amendment was going to be offered. Now, I've been in close contact on this bill and the amendment that was offered and adopted by Senator Collins. As Senator Hudson said, this bill was not supposed to have been moved until there had been a total agreement. I have no thoughts of...of fighting the movement of the bill as it is now with the...Amendment No. 2 having be adopted, but

the City of Chicago, and let me repeat, the City of Chicago is in strong opposition of the amendment dealing with the firefighters because of the cost that's involved and other things that have not been cleared up. I...I cannot tell you why the agreement has not been made, I do not know, but if I'm getting the information correctly, and I hope I am...no, I'm not speaking of what you told me, that's not...I'm not fighting that either, but I know we're getting into these last days, Mr. President, but this...this amendment of Senator Joyce's, with all due respect to him, is opposed and totally resisted by me...and the City of Chicago.

PRESIDENT:

Further...further discussion? Any further discussion? Senator Hudson.

SENATOR HUDSON:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Hudson.

SENATOR HUDSON:

Has this amendment been distributed?

PRESIDENT:

It has.

SENATOR HUDSON:

It has.

PRESIDENT:

Further discussion? Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes, let...let me say again, it is unfortunate that this agreement could not have been reached but...but those are important factors and there must be an agreement. I think Senator Chew said it, that it's almost impossible to impose such a...such provisions as manning as to how many men are going to be on...you know, in each...each car and on each

truck and all of that...unit determination, who's going to be in the unit, supervisory determination of whether not they...they are supervisors or not. Those are important issues that...that...that has financial impact. Those issues ought to be resolved by the local units of government as well as...as the...the...the employees, and that issue...those issues have not been resolved, and at this time, you know, I...while I support what they're trying to do, I'm...I'm just not going to be able to vote for the bill...the amendment.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 59. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment...Amendment No. 4 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 4.

SENATOR JEREMIAH JOYCE:

Thank you, Mr...President and members of the Senate. Amendment No. 4 is a technical amendment and it follows Amendment No. 3. It relates to the title of the bill. I ask for its adoption at this time.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Amendment No. 4 to House Bill 1529. Any discussion? Senator Hudson.

SENATOR HUDSON:

Question to the sponsor.

PRESIDENT:

He indicates he'll yield, Senator Hudson.

SENATOR HUDSON:

Has this amendment been distributed...technical amend-

ment?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I can read the amendment to you. It's only one line. "It provides that an Act in relation to collective bargaining rights of peace officers and firefighters and peace officers and widows pension's benefits." It just retitles the Act...on the assumption that Amendment No. 3 was going to go on. I assume it was distributed.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Joyce moves the adoption of Amendment No. 4 to House Bill 1529. Any discussion? All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. We'll get back to the bills that are recalled, there's about six of them, at the end of the call. 1531, Senator Vadalabene. Top of page 5. On the Order of House Bills 3rd Reading is House Bill 1531. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1531.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 1531 provides when positions are displaced or abolished due to a reduction in force, municipal fire or

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police departments and fire protection districts may not reduce an officer or member more than one rank. A reduction in force or removal shall be in strict compliance with seniority. Officers or members laid off shall have their names placed on an appropriate reemployment list in a reverse order of dates of layoff. House Bill 1531 continues the current practice in that compliance with seniority prevails when positions are displaced or abolished due to a reduction in the force of the department. Officers reduced in rank or removed shall be considered furlough without pay from their positions at the rank from which they were reduced or removed. The bill passed out of Local Government Committee by a vote of 11 to nothing and is supported by the Illinois Police Association, the Policeman's Benefit...Benevolent Association, the Fraternal Order of Police and the Associated Firefighters of Illinois, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 1531 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. House Bill 1531 having received the required constitutional majority is declared passed. 1540, Senator Savickas. 1547, Senator Degnan. On the Order of House Bills 3rd Reading, top of page 5, is House Bill 1547. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1547.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1547 is for owners of real estate who sell and transfer their interest through a land trust and it requires those people and those trusts to pay the same transfer tax that individuals now pay. That tax is one dollar on every one thousand; half of that money goes to the State of Illinois, the other half goes to the county in which the transaction took place. The second reason for the bill is to provide the county assessing officers the same property value information of real estate sold and transferred by way of land trusts as is provided today in the sale and transfer of deed. I'm sure there will be some questions.

PRESIDENT:

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would rise strongly in support of House Bill...1547. I think the reason why this strange anomaly exists is because we do still have heavy reliance in Illinois on so-called land trusts and it does involve what I think by everyone's concession is a legal fiction. The...the idea is that when the change is made in the ownership, if you will, of land that is in a land trust, it is not a transfer of real property, it is simply a transfer of the beneficial interest and that is as if personal property, so there is no change literally in title and so forth. The result of all of that is, and it is purely a legal fiction, that the property then, and it really is a transfer in property, is not subject to the Real Estate Transfer Tax and it just doesn't make any sense. It is depriving local governments, lots of local governments, of a great deal of money and it...to no avail. This property should be treated exactly the same as any normal transfer of ownership of real property. So it seems to me that this is a bill that has been long overdue and I...I certainly hope that we will be

able to correct this inequity.

PRESIDENT:

Further discussion? Senator Chew. Any further discussion? If not, the question is, shall House Bill 1547 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 9 Nays, 2 voting Present. House Bill 1547 having received the required constitutional majority is declared passed. Senator Vadalabene, 1552. On the Order of House Bills 3rd Reading is House Bill 1552, read the bill, Mr. Secretary.

SECRETARY:

House Bill 1552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 1552 had a thorough hearing in a Local Government Committee and also on 2nd reading...the amendment which is the bill was thoroughly discussed on...on 2nd reading. This bill will...this bill raises the minimum salary for circuit clerks, county treasurers, county clerks, recorders, auditors and coroners, and it exempts the bill from the provisions of the State Mandate's Act. This bill will not automatically raise all salaries of elected county officials because many counties are already at or above the...salary levels comprised in this bill. And I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question...well, all you have to do is put a light on. All

right. Relax. There was not a light lit. Senator Watson.

SENATOR WATSON:

Thank you, and I apologize. You mentioned something about the State Mandate's Act, Senator, and I'd like to ask you in regard to that, what...what kind of provision is in here in regard to the State Mandate's Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

The exemption was taken out with the amendment that was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So we are complying with the State Mandate's Act under this law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I've got a feeling we're going to see this again. But under the current conditions as long as the State's paying for it...it is an exorbitant increase in the minimums in many areas and, of course, some of the smaller counties are being the ones that are most negatively affected. I'm not going to support this but...and I'm quite concerned that we're going to see it back where we're going to force the counties to pick up the tab and that certainly wouldn't be a good idea. But, anyway, with...with the State Mandate's Act being included, why it's at least better than it was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I think this is probably one of the worst bills of the Session. What we're talking about here is some increases in the minimums from a low of sixty-three percent, as I understand it, to a high of a hundred and fifty percent. Increases of that magnitude I don't think can be justified, and I don't care if the State is paying for it or if local units of government are paying for it, it just seems to me that this goes beyond simple reason. So I would suggest that it's high time that we decided in this General Assembly that the folks back home that have been paying the bill through the years to support county government, those local units of government are charged with the responsibility of paying their officers, and I think we ought to get out of this business of setting minimum salaries, and I hope that we give this a resounding No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President, I agree with Senator Rigney. Just as somebody in the House said we shouldn't be setting minimum salaries for teachers, maybe they're right if they apply this to county officials. Every time we talk about pay raises down here for ourselves or for judges we get bashed over the head and now come the county officials asking for pay raises and we don't hear too much of a peep from any of the interest or consumer groups complaining about this. I don't know where they are, but I think that this is a bad idea. I think paying an auditor thirty-seven thousand dollars for doing little or no work is a travesty and a slap in the face to our constituents, and I certainly urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in opposition to this bill also, even though the bill is better than it was because we are not preempting home rule...or the...preempting the Mandate's Act. But since...since we passed this bill from 2nd to 3rd I took the time to contact our county board members and the chairmen of our county boards of the five counties I represent. And the county board chairmen and those members serving, both Republicans and Democrats, in my district are in opposition of...of this proposal and feel that we're taking the responsibility that they've been charged with away from them by raising the minimum. I think if and when the...the dollars are available, they've been allowing increases in those counties, and it's true, some of the counties are above the minimums that maybe are stated here in this proposal. But I think...and some have said, well, because...county officials have said, well, the...the opposite party won't give them increases. In my...in my five counties, on the county board we have both Republicans and Democrats and in the county offices that are being held in my county, there are both Republicans and Democrats and they're both saying the same thing. Now it seems to me if those Republicans and Democrats and those county offices cannot work with their county board which should be setting the salaries, there must be a serious problem locally but I think it's for them to work out. And for us to raise the minimums we are, in fact, mandating that the county boards raise those salaries even if they feel they're not justified. We don't like the Federal Government pushing us around, I don't think we ought to do the same to county government. We did put a proposal in to...to...allow some twenty percent minimum increases, maybe that was justified, but to this degree some hundred

and...fifty percent salary increase I think is unreasonable and I'm going to oppose the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, members of the Senate, we all know that pay raises are very painful things, some of us bear some fairly deep scars from some of the pay raise votes that we've had to support or oppose. I would suggest to you, I...I...I would really implore the membership to bear in mind that we're talking about a raise in the minimum and the first raise in eight years won't affect a good portion of the county officers for three years. The ones it'll affect next year will be affected for four years so you can talk either ten or twelve years. And if you're going to treat your percentages you have to spread them over either ten or twelve years. A large percentage of the counties are only...are not affected or marginally affected. We have at this point language in there to have the State through the Mandate's Act help subsidize these things in the counties that would be most adversely affected, the small downstate counties. Senator Watson is absolutely right, this bill will be seen again. What we're attempting to do here right now is to put it into a Conference Committee, to sit down and work out a reasonable compromise. I, personally, will argue strenuously if I'm given an opportunity for a staggered system. I think that all of us elected officials have got to get away from the big salary jump. But when you wait eight years or twelve years to raise something you...naturally the percentages sound excessive. Maybe we can set a precedent here if we can get into a...a Conference Committee with some rational people representing all points of view and come up with a responsible compromise that we can all live with and maybe we can get into a staggered situation and maybe we can teach our-

selves a lesson, learn how to handle the Legislature and the State officials the same way. The bill should be passed. We have a series of officeholders that will be going into four-year terms next year, and if we don't do it now, we're forced to consider the same question again in an election year when it's even more painful. I believe the compromise that can come out of that Conference Committee is one that most of us can accept and would argue is responsible. We need to let the bill go forward. Appreciate a favorable vote on that basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. To argue that we're increasing the minimum and it's the first time that it's been increased in eight years and somehow imply by that argument that salaries of county officials have not been raised for eight years is, of course, wrong. Most salaries for most county officials have been raised in...in the past eight years. The thing that I think is wrong with this bill is that we are moving from our traditional approach to this subject, which was to set the minimum, to what is being suggested in this bill which, in my opinion, is to raise the minimum so high that in many, many counties of this State the minimum will, in fact, become the maximum. And I think that's bad public policy. I think that we're infringing upon the rights of county government and this bill in its present form ought to be rejected. One of the arguments we're going to hear is that, gee, you did it for the sheriffs and now you ought to do it for us. Well, I'd like to point out to you that no sheriff in Illinois has collected a dime under that increased pay scale that was passed last year, and maybe when this thing comes back from Conference Committee we ought to correct the whole situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew has moved the previous question. We have Senators Fawell and Senator Hall. Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Just a point of information for my colleagues. I checked and in DuPage County we're paying every one of our officials more than the minimum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

We're paying more than that is in this bill right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We get back to this same situation. Some of them say, what's wrong with this bill. What's wrong with the bill is that it should be an increase for us in there. I tell you what happens is that...what happens around this place. The only people that really complain about pay raises and...pay raise for legislators are the legislators themselves. They run around town and say they voted against this and they voted against that. The point is, there are many legislators sitting right here right now that have gone for over six years without a pay raise. And you going to sit here and tell me we should deny these people this increase. You just don't have the gumptions to stand up and vote for what you believe in. And what happened is, why should these people..we just passed a bill out of here that gave some department heads over thirty thousand dollar increase, more

than our own salary, and I didn't hear any crocodile tears for that. The point about it is that this bill should pass. And I ask your most favorable support for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank...thank you, Mr. President and members of the Senate. I believe this bill has been debated long enough on 2nd reading, now on 3rd reading and in committee. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1552 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 22, 2 voting Present. House Bill 1552 having received the required constitutional majority is declared passed. Senator Watson.

SENATOR WATSON:

I just think an issue of this importance...and I realize we got to knock four off, but I'd like to verify it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has requested a verification. Of the affirmative roll, Senator Watson? We had a little discussion about this yesterday. Senator Watson. The affirmative roll. Mr. Secretary, would...you will read the affirmative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Berman, Chew, Collins, D'Arco, Davidson, Dawson, DeAngelis, Degnan, Demuzio, Etheredge, Fawell,...Geo-Karis, Hall, Jones, Jeremiah Joyce, Jerome Joyce, Keats, Kustra, Lechowicz, Lemke, Marovitz, Nedza, Netsch, Philip, Poshard, Savickas, Schaffer, Smith, Vadalabene, Weaver, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1556 2nd Reading

Senator Watson, do you question the presence of anyone? Senator Watson.

SENATOR WATSON:

I understand there are several members that are off the Floor with their summit meetings or whatever, so I won't call on them, but...Senator Chew I see is sitting in his seat. How about Collins? Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins is next to Senator Chew.

SENATOR WATSON:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones? Senator Jones on the Floor? Senator Jones is over here caucusing with Senator Netsch.

SENATOR WATSON:

Lechowicz. Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name.

SENATOR WATSON:

Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Berman's here, next to the press box.

SENATOR WATSON:

And as...I understand DeAngelis is in one of these meetings, is that correct? Okay. All right, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On a verified roll call, there are 32 Ayes, 22 Nays, 2 voting Present. House Bill 1552 having received the required constitutional majority is declared passed. 1556, Senator Keats. House bills 2nd reading is House Bill 1556, Senator Savickas. Mr. Secretary, read the bill, 1556.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the rewrite of the Consumer Finance Act. We are repealing the Consumer Finance Act and incorporating its provisions into the Consumer Installment Loan Act. So we're actually combining the two. We are putting us under the Federal Truth and Lending Laws. It authorizes licenses to...licensees to make loans of money for principal amounts of ten thousand or less. It does allow a certain amount of real estate provisions which are sort of the Joe Six-pack...piece of property in Wisconsin that he'll eventually build a house on and wants to pay for over time. It allows the director to find or suspended licenses of consumer finance companies who are out of line in their opinion, changes certain loan levels. It is supported by the Department of Finance, it is supported by Household International, Hoffman Finance here in Springfield. The only support is...I mean, the only opposition is a public aid...law firm in Chicago and Senator Demuzio, so I will yield to him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I hope everybody takes a long, hard look at this one; because for those of you that are out there running for reelection, you're going to hear about this one, I think, from your constituents. Now, what Senator Keats is attempting to do here is he's adding in this new...this new law all sort of anticonsumer little goodies. First of all, the...no severe limit on the fines, only a five thousand dollar per...per notice, not a per violation. In cases where the

tender has committed the same fraud against many lenders, they can earn many thousands of dollars and only pay a single five thousand dollar fine. The lender can sell a loan to anyone including any unlicensed collector, and no surety bond is required to do business under Senator Keats' legislation. It would allow the lender to charge any fee they choose...allows the lender to charge any fee they choose when the current law would limit these fees to the reasonable expenses that are connected with issuing the loan. I guess we're going to have thousands of new loan sharks, I guess, in the State of Illinois as a result of...of this bill. This bill will allow a lender to impose any sort of reasonable or unreasonable fees, such as legal fees, in advance. And there are many, many other nasty little provisions of this bill that need go unmentioned, but I will suggest to you, you better take a long, hard look at this one 'cause this one is going to pop up all over the place. And I would rise in opposition to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, to join with Senator Demuzio in opposition. I think what you'll find also that there are no limitations on many of the areas; there's some significant changes, however, being made. They no longer want to follow Illinois' truth in lending. We have carefully worded a good truth-in-lending laws but obviously there are people now who do not want to be at all involved in the truth in lending. The current language has worked very well but obviously, again, there's no interest in following that. And now they want to charge interest as well on things that they are not loaning, such as any late fees, which in the past had been considered illegal under Illinois law. All and all I think that there are some significant problems that Senator Demuzio

posed and there's no logical reason for this in the interest of the citizens of Illinois. Right now, for example, how are premiums going to be calculated on the insurance? Will the lenders, in fact, charge interest on that as well? Will there be licensed people collecting? The answer, of course, is no, on and on and on. I think all and all, again, take a hard and close look at this and you'll see we're trying to by this legislation help a few lenders but trying to destroy the protection to twelve million people. And I would urge its defeat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats may close.

SENATOR KEATS:

Thank you, Mr. President. I appreciated your...character reference for me. The bill is not quite what they make it out to be. It did pass the House Committee 18 to nothing, the House a 108 to nothing, the Senate Finance Committee 7 to 1 with Senator Demuzio at the time lambasting me in...in...in good humor in committee. I understand some of the opposition, but some of the major opposition raised by particularly the Illinois Support Center are things that are already in the law. I mean, some of their complaints were not...I mean, they want powers that are there right today being dropped out. The few other points I want to raise specifically is, all the fees have to be disclosed right in the contract, there's no...no hidden fee thing in here. The Federal Truth-in-Lending Act totally covers all this. All the fees have got to be disclosed right up-front, I mean, every charge, it's all right there. Secondly, in terms of the...the fine. We offered to make the fine higher, we said what do you think the fine ought to be? Everybody seemed to agree at five thousand, then after there's agreement of five thousand, say it ought to be more and we said, hey, work out a reasonable amendment, we'll put it on. It turned out they never could

work out an amendment. We had no problems with raising the fee some. I mean, the...I mean, the...the penalty...the penalty right now is five hundred bucks or something. I mean, this is a substantial increase over what exists. So, I understand some of the complaints, I don't think they're totally fair. The bill...I say, has been supported by large number of groups, is supported by the Department of Financial Institutions. And remember, this is the kind of loan for the small guy who needs to borrow four thousand bucks so they can buy a...piece of property in Wisconsin so he can eventually build a second...you know a second home on it, the skilled tradesman loan. These are not quarter of a million dollar loans, it's a ten thousand dollar limit. And I would appreciate your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1556 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, none voting Present. House Bill 1556 having received the required constitutional majority is declared passed. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

I hate to do this but to request a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has requested...a verification of the affirmative vote. The members will be in their seats. The Secretary will read those who voted in the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The...the following voted in the affirmative: Barkhausen, Bloom, Coffey, D'Arco, Davidson, DeAngelis,

Degnan, Dudycz, Etheredge, Friedland, Hudson, Jeremiah Joyce, Karpiel, Keats, Kustra, Lechowicz, Macdonald, Mahar, Nedza, Philip, Rigney, Rupp, Savickas, Schaffer, Smith, Sommer, Watson, Weaver, Welch, Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll, do you question any of the affirmative vote?

SENATOR CARROLL:

Yes, Senator Coffey.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR CARROLL:

Oh, I'm sorry, I didn't see him. Is Senator Schaffer on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, he's...

SENATOR CARROLL:

I apologize. Senator Lechowicz on the Floor?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz on the Floor? Senator Lechowicz? Senator Lechowicz? Strike his name.

SENATOR CARROLL:

Senator Margaret Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith? Senator Smith on the Floor? Strike her name.

SENATOR CARROLL:

That's sufficient.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, for what purpose...Senator Keats.

SENATOR KEATS:

I'm not verifying the negative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Postpone? Senator Keats wishes to put House Bill 1556 on

the Order of Postponed Consideration. Is leave granted? Hearing no objection, leave is granted. On a verified roll call, House Bill 1556 received 28 Yeas, 24 Nays and was defeated. House Bill 1567, Senator Watson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1567.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This legislation was introduced in behalf of the Illinois Association of Circuit Clerks. As you know, they collect considerable amount of surcharges at the local level on fines and those surcharges go into the Traffic Criminal Conviction Surcharge Fund, the Violent Crime Assistance Fund and driver's education. The problem that the circuit clerks have, and this is one that's Statewide, is the fact that many of these particular surcharges are percentages, some are add-ons, there's a lot of confusion as to exactly what they're to do, and, in fact, in some cases the circuit clerks simple aren't adding on and the percentages are the...the add-ons because...there's such confusion. What this particular piece of legislation does, it just imposes a flat four dollars on each forty dollar fine or a fraction thereof and ends any confusion at the...that there would be at the local level. It passed out of the House with a hundred and seven votes, it passed out of the committee unanimously. There's no opposition. I'd appreciate affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

Was the Senate amendment adopted which reduces the amount of fine by the amount of the surcharges? Or...or takes your amount of fine and reduces it by the state's attorney fee and the other fees and then applies the surcharge to that figure?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, we put two amendments on on the Floor and they were...they took care of the problem that you mentioned. Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

(Machine cutoff)...you, thank you. A question of the sponsor. Senator Watson, will this raise certain fines or certain surcharges and lower others or is it going to raise everything up to four dollars?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, there's percentages and there's add-ons, currently. So there's going to be a case when they may in some instances raise and some instances lower. We're not trying to...add-on additional money, although...there may be some that will be generated because of this but we're simplify trying to simply the system for the circuit clerks, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall House Bill 1567 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

HB 1589
3rd Reading

wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 1567 having received the constitutional majority is declared passed. House Bill 1589, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1589.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, while I'm on the subject here, on this last bill, 1567, I inadvertently was instructed by Senator Chew to vote him in the affirmative and I inadvertently voted him in the negative. So if the record would so show that I'm...he wanted to be voted in the positive. Now, relevant to House Bill 1589. This is a bill that creates the Illinois Preneed Cemetery Sales Act, and the Comptroller's Office has spent the last four and a half years analyzing problems and drafting legislation relevant to this bill and it is modeled after many other states that have similar provisions. And I am told that this superfund concept would make it a model for the rest of the...the nation. The legislation is in response to the fact that there is a nonexistence of any law that requires cemeterians to entrust a percentage of their preneed sales and it has caused some consumers to lose their investments in cases of bankruptcy or fraud. What this bill purports to do is to protect a consumer by regulating the entrustment, licensing, construction time and refunds without causing undue hardship to the cemetery industry. I personally don't know of any opposition to this bill but I would be pleased to answer any questions that there may...members might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...the question is, shall House Bill 1589 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open...voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1...1 voting Present. House Bill 1589 having received the constitutional majority is declared passed. House Bill 1596, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1596.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is in great part a clean-up bill. It does approximately five separate things. Number one, the main purpose of the bill is to allow Citizen Utility Board customers to become members through having a notice printed on those bills that are sent out by post cards. In addition, the...when that company uses envelopes in its mailings to customers, they are to advise the Citizen Utility Board ninety days in advance of a planned mailing so that the Citizen Utility Board may prepare an insert similar to what it does with all other utilities throughout the entire State of Illinois. When the utility does not use the envelope, then at least four times a year information on billing statements on how customers may receive information on CUB is to be included directly on the face of the bill. Another change, the language of the Citizen Utility Board Act will be changed to clarify who may run for the board of directors and who may circulate the nominating petitions and where the ballots are to be returned. This tightens up the

definitions of persons excluded from running, and...including those persons holding elective offices, which excluded so many people, have been clarified to read, "Holding public or political party elected positions governed by the Election Code." The fourth change, the month for the Citizen Utility Board elections are changed from December to March. The...language defining...CUB membership will allow multiyear memberships as opposed to them requiring someone to send in five dollars every year. I would move passage of House Bill 1596.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Rigney. Senator Friedland. Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, this is not a...a real bad bill, I guess, in terms of some we see at times that goes through our committee, but it is a bill that probably does present at least a couple of problems to the utilities and I think maybe they ought to be mentioned prior to a vote on the issue. I understand that one of the...one of their concerns is the issue of room on the post card, where they are using a post card system to put the information that they are asking for, to find that room on a post card to include all of that. The other concern that was expressed in the committee and that was the ninety-day provision. As I understand, at times the Commerce Commission asks the utilities to include some material in their billings and sometimes they are not given ninety days of notice. And that presents another little problem when you mandate that they must give ninety days of notice back to CUB. As I say, not a...not a major piece of legislation, I think the sponsor has represented it correctly as being a cleanup but it does have a...it is a bill that does present a couple of minor problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

I didn't mean to say it was a technical type of amendment, Senator Rigney, I meant in part it's a cleanup because of the action at the last election. But let me address your two questions. There are only two companies in the State that have objected to this bill because of no room on their post card mailing of their bill. And those arguments are really quite specious when you examine them. We're only talking about a one-line statement typed in on your...on your card, a post card. Certainly they can find room for that in the little check-off box. That's really not asking too much, that's kind of a...a curious argument to defeat this. And what we're trying to do is make it uniform so that all customers throughout the entire State, not those...just those of us downstate here from the Citizen Utility Board, everybody has a representative on the utility board, the Citizen Utility Board, but not everybody is apprised of all that they're doing or receives mailings to join the Citizen Utility Board, and that's the basic intent of this bill. As far as the ninety-day printing requirement, I think in committee the reaction to that was that it takes ninety days for the Citizen Utility Board to print up some three million inserts. It takes a couple of weeks to get the...the layout drawn up, it takes three more weeks to get them to the printer and get the printing of three million pieces of paper, then you have the inserting. So ninety days really isn't that illogical or that...that difficult to abide by. I think that in order to make the citizens more aware that they do have a Citizen Utility Board and so that all citizens in the entire State of...State of Illinois can fully participate in trying to have themselves represented before the Commerce Commission, this is a good bill, and that's the intent of this bill, to

make sure that everybody has a fair chance for representation when their utility rates are about to go up. And I would urge a favorable vote for House Bill 1596.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1596 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, 1 voting Present. House Bill 1596 having received the required constitutional majority is declared passed. One...Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

Someone suggested that since there's only 30 votes on the board, we ought to verify.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rigney has requested a verification of the affirmative roll. The Secretary will read those who voted in the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Rupp, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, do you question the presence of any of the members?

SENATOR RIGNEY:

Yes, I do, Mr. President. Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? All right. Senator

Jeremiah Joyce is at the back of the Chamber.

SENATOR RIGNEY:

Okay. Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones has just popped up in the back here.

SENATOR RIGNEY:

...Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins on the Floor? Senator Collins on the Floor? Senator Collins? Strike her name.

SENATOR RIGNEY:

Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft is...Senator Luft is here, he's sitting next to Senator Rock. Beg pardon?

SENATOR RIGNEY:

Senator Newhouse. Oh he's...I see.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He's in his seat. All right. Senator Rigney, do you question the presence of anyone else? All right on that...on a verified roll call, the Ayes are 29, the Nays are...the Nays are 24, 1 voting Present. House Bill 1596 having failed to receive the required constitutional majority is declared lost. Senator Welch.

SENATOR WELCH:

Ask for postponed consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, I was hoping you didn't ask for a verification of the negatives. Senator Welch has...has asked for postponed consideration. Postponed consideration. 1598, Senator Kustra. House bills 3rd reading is House Bill 1598, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1598.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. The description of House Bill 1598 on the Calendar is not exactly accurate. The original bill read differently than the bill in its form as it stands before you now. Under current law and practice, the MSD has certain guidelines for the amount of storm water which is allowed in the sanitary sewer lines in those communities which the MSD governs. The original bill stated that the MSD could not adopt standards for the infiltrationproblems for these suburbs which could not be effectively and economically eliminated from a sewer system as determined by the guidelines laid down by the Illinois Environmental Protection Agency. The MSD objected to that original piece of legislation, and in committee, an amendment was offered by a representative of the Northwest Municipal League, that association of cities all of whom fall within the guidelines of the MSD, and that amendment which is now the bill reads that for the period from July 1st, 1985 to March 30th, 1986, the board, that is the MSD, shall not initiate compliance proceedings regarding correction of excessive infiltration and inflow from tributary sewer systems if such corrections would conflict with the cost effectiveness determination pursuant to EPA rules. So what this bill is now is an attempt for the mayors of the suburban communities affected by the MSD to buy nine months of time. Nine months to sit down and discuss this matter with the MSD and try to work out a solution. I will also point out to you that presently one hundred and twelve of the one hundred and twenty-seven communities which are in the MSD...affected by the MSD are out of compliance. So almost all the communities who are

out of compliance, we're trying to bring them into compliance. This, I believe, is a good faith effort on the part of the mayors and I hope the MSD to solve this problem over the next nine months. I would be happy to answer any questions. I would ask for a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This legislation that was sponsored by Senator Kustra is really a...a local concern, and being a suburban legislator I...I, too, am concerned and helped Senator Kustra when the bill was in committee because I had felt that negotiations were going to continue as I believe they are, but I...I have some serious reservations now with House Bill 1598 as amended. There's three points I'd like to make and voice my concerns. The first really addresses the problem, and it's a serious problem, that we have in the suburban area, and that's flood waters. I...I fully believe that sewerage treatment plants are not designed to treat excessive volumns of storm water. In times of heavy rain the plants become overloaded and they result, obviously, in flooded basements, and we certainly are plagued throughout the suburban area with that very serious problem. The second, or...or the thrust of the legislation, I think, was originally to fight the standards imposed by the MSD to the local units of government that were really Federal standards to begin with, and one might argue that the Metropolitan Sanitary District, in fact, imposed these standards themselves. I believe that it was a combination, that in order to receive some grant money, the Federal guidelines mandated the MSD to impose these. And...and many communities, the community that I live in certainly had to...to do that, to separate these lines...these sewer lines. Anybody that's dealt with granting with the Federal Government knows,

and being in local government and involved in those granting procedures, I know that sometimes, to receive Federal money you have to follow certain regulations. Now they're not always enforced but the time that they...they may, in fact, be enforced, you're jeopardizing certainly those...those Federal dollars. And in compliance with that, I think the Metropolitan Sanitary District really had no choice in the matter. The second point...or the third point, I should say is the real problem as I see it is infrastructure needs. Rather than spending some time legislatively to address the concerns, as Senator Kustra would like to do, I think we should be spending the time, and I've tried to spend the time, addressing the concerns of infrastructure to find the necessary dollars for our suburban area in...in particular to provide those dollars to put the adequate sewer lines in to alleviate and avoid all of these problems. I'm not so sure that this legislation is going to promote further negotiations. As a matter of fact, I think it might be...termed as being a little antagonistic. I know that negotiations are going on now in good faith. I, too, Senator Kustra, would like to see those continue, and for that reason, I don't think at this point I can support this bill any longer and would urge the members on my side of the aisle and certainly the members of the suburban delegation on the other side of the aisle to oppose this measure at this time as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let there be no doubt about it that the Metropolitan Sanitary District is opposed to this bill. And, unfortunately, the reason why they're opposed to it is that the district has received Federal grants for the construction and expansion of district treatment plants. A condition of these

grants is that local municipalities in separate sewer areas be required to repair and maintain their sewer systems so that the storm water infiltration will be kept at a minimum. The original bill and the amendment inhibit the district's ability to carry out this Federal mandate. Negotiations have been going on by the municipalities, the district and IEPA and some progress has been made. This is the proper way to handle the technical matters of this nature. House Bill 1598 does not offer a solution but unfortunate would complicate many, many issues. And for this reason, the Metropolitan Sanitary District says that they have to comply with the Federal mandates. They have also relaxed the standard by fifty percent, or a hundred gallons per capita per day of allowable infiltration was increased to a hundred and fifty gallons. To relax these...standards any further would require an additional construction of more plant capacity at a far greater cost than it would take to repair the sewers. For this reason, we are...in opposition to House Bill 1598 and I recommend a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, recommend a strong No vote on 1598. Allow me just to say that the...my understanding was that there had been some kind of tentative agreement over in the House that the bill would, in fact, get out of the House but not move in the Senate on the basis that the negotiations were continuing. The Metropolitan Sanitary District of Greater Chicagoland receives Federal monies, but in order to receive Federal monies, it has to live by Federal rules. And to try to obviate Federal rules by virture of an Illinois State Statute simply is not going to work. Obviously, the district is sympathetic. I represent a suburban community; as a mat-

ter of fact, I represent two suburban communities, and I'm not as...any more happy than Senator Kustra is. But the fact of the matter is, if we are indeed to negotiate in good faith, this legislative effort is in vain and we ought not do it. I would ask those particularly from other parts of Illinois who are not involved, please stay out of this one, vote No on this bill. We'll keep the negotiations going on. I've talked to Commissioner Currie as recently as two or three days ago, he's painfully aware of this problem. But by virtue of this kind of legislative action, we stand to...to jeopardize...jeopardize some serious Federal money that would otherwise be forthcoming. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kustra may close.

SENATOR KUSTRA:

Well, thank you, Mr. President. The first thing I would point out is that the MSD in the cities involved in this have been in technical violation of these rules that you're all so concerned about for over ten years...for over ten years. So if they're in violation for ten years, ladies an gentlemen, I suggest to you that another nine months isn't going to make a lot of difference. Senator Rock, your community of Oak Park isn't even affected by this bill, nor is the City of Chicago because you have what is known as combined sewers. We're talking about the hundred and twenty-seven communities whose sewers are not combined and who have been trying over the years to adapt those sewers to guidelines that are so incredibly stringent. And I'm not blaming the MSD, you're right, they're in a box, they're enforcing the Federal Government rules. But let me show you, let me give you one example of how stringent they are. In Niles, whose mayor, I might add, is of your party and not mine and a party official in your party and not mine, the MSD rule says that they have

to abide by an infiltration inflow of a hundred and fifty gallons per capita per day. Niles right now is at two thousand seven hundred and fifty per gallons per capita per day. There ain't no way Niles can in any way abide by that rule without socking it to their local citizens, and that's what's going to happen all around Cook County. All around Cook County tax bills would skyrocket if you ever forced communities to abide by these rules. So what are we asking for? Nine months, ladies and gentlemen, nine months so these mayors and the MSD can sit down and talk. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1598 pass. Those are...those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 19, none voting Present. House Bill 1598 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you rise?

SENATOR ROCK:

I would request a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has requested a verification of the affirmative vote. The members will be in their seats. The Secretary will read the...the persons who voted in...in the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Barkhausen, Berman, Bloom, Coffey, Davidson, DeAngelis, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Jones, Karpiel, Keats, Kelly, Kustra, Lemke, Macdonald, Mahar, Maitland, Philip, Rigney, Rupp, Savickas, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you. I know Senator Savickas and Jones were...recorded in error, I would ask their presence be questioned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones on the Floor? Senator Jones on the Floor? Strike his name. Senator Savickas on the Floor? Senator Savickas on his...on the Floor? Strike his name. Senator Rock.

SENATOR ROCK:

Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka on the Floor? Senator Topinka on the Floor? Senator Topinka on the Floor? Senator Topinka on the Floor? Strike her name.

SENATOR ROCK:

Senator Lemke.

SENATOR LEMKE:

Senator Lemke on the Floor? Senator Lemke on the Floor. Strike his name.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On that question, the Ayes are 29, the Nays are 19, none voting Present. On a verified roll call, House Bill 1598 having failed to receive the required constitutional majority is declared lost. Senator...Kustra requests consideration postponed. 1641, Senator Maitland. House bills 3rd reading, House Bill 1641, Mr. Secretary.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1641.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1641 amends the Public Funds Investment Act and it deletes the provision specified that no more than twenty-five percent of the total average balance from all the funds available at the end of each month may be invested by public agencies in short-term corporate obligations. This bill was a candidate for the Agreed Bill List and because the Treasurer bought...brought to us an amendment, we, of course, had...to call off the...the Agreed Bill List. And the amendment that the Treasurer has suggested to us, and we debated this on 2nd reading, provides that no public agency may invest in any repurchase agreements, what's commonly called...called repos, unless a number of requirements are met. I'd be happy to explain any of those if...if you like, but I believe it's a noncontroversial amendment, and I would ask for your support for House Bill 1641 as amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1641 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1641 having received the constitutional

majority is declared passed. House Bill 1656, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...1656.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1656 amends the Consumer Fraud and Deceptive Practices Act, authorizes the state's attorneys of any county to bring an action to enforce the Act on the same basis as the Attorney General. Also gives those state's attorneys the same investigative and subpoena powers as the Attorney General with regard to the Act. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the passage of House Bill 1656. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On...on that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1656 having received the constitutional majority is declared passed. House Bill 1667, Senator D'Arco. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1667.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is a Chicago Park District bill. It provides that the pension benefits are

subject to withholding under the Nonsupport of Spouse and Children Act which we all agree is a good idea. It also incorporates the provisions of...three or four other Senate bills that passed this Chamber. And it's my understanding that all of these pension bills are going to be reviewed and studied and analyzed and...eventually we're going to come up with a decision concerning the benefits for all of these bills, and I don't know of any opposition to this one. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1667 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1667 having received the constitutional majority is declared passed. House Bill...1677, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1677.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 1677 would make it a Class A misdemeanor for nonattorneys to collect a fee or be given a fee for referral of cases to attorneys. And this would include cash as well as noncash benefits. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator...Senator Collins, Netsch and Rock. Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Would this include...those agencies, consulting firms that...from referring someone who's otherwise charging a fee for services as a consultant to refer someone to an attorney? This include...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I don't know of any such consultants or services, but if they're nonlawyers and they're accepting a fee for it, I believe that it would.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, there...I...I know of...of consultants who are nonlawyers who...who consults on any number of issues but some of those they may find that their...clients may need legal services and refer that persons to qualified attorneys, and the fees they are collecting is for the services that they're...they're providing as a consultant.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen. Oh, Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Caught me at an embarrassing time. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates...

SENATOR HALL:

Senator Barkhausen, I thought we'd just finished with this thing. I don't understand you...continually coming back

with this same thing. Let me ask you this, the eternal question, who wants this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The bill for one thing is supported by the Illinois Bar Association, but I think beyond that it's in the...it's in the interest of everyone to make sure that the legal profession is thoroughly reputable and that there aren't...people charading as lawyers who aren't lawyers and attempting to collect fees for...as nonlawyers for referring clients to lawyers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I've been around here long enough and you have too, and I'm thinking you ought to know that you can't legislate ethics. Now what you're trying to say is that you're going to make the profession better by not having someone who could not refer someone to a lawyer? This is unbelievable. I think you fellows who must have these big law practices don't want anybody else to get any cases, and so therefore...but I think it's a bad move because there are many people that will call a legislator's office, and not that you are trying to do something to that but people walk in and said, that here, I need a good lawyer. And if you say, well, you...I don't make it a practice myself but I'll say there's several lawyers in this building. In other words, if...I have an office in the bank building, if someone comes in there...and of course you saying for a fee, is that correct? Are you saying for a fee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, that's the difference.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

The thing that happens that...I don't know of any legislator around here that's getting anything done. All his constituents want something and they certainly aren't going to go out and start paying for him to do that. It's just one of these things that I see this as wasted legislation and this bill should be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins had a question and obviously we...misunderstood Senator Barkhausen's answer. Senator Collins.

SENATOR COLLINS:

He did not answer. Didn't get a chance to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen, Senator Collins did...

SENATOR BARKHAUSEN:

I'd...I'd have to ask her to repeat her question then, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

The question...I...I'll give you a...a...a good example. My husband is a consultant but he is not an attorney. He does charge a fee, he has a consultant firm. And you're saying...and I'm asking the question under this...this bill or this amendment, you would prohibit him from referring his clients to a lawyer when he find in those cases that a lawyer is necessary, that he does not have the expertise to deal with a specific legal issue and a person would be better served by using an attorney?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Collins, it's not exactly clear from your hypothetical what consultant is doing, but insofar as the consultant is providing a professional service, certainly he or she can charge a fee for that service but could not specifically collect a fee for the mere act of referring that client to...or customer to a lawyer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, I want to know where the safeguards are, when...where's the cutoff point? Where does his fee for service end and...and...and the fee for the legal charge begin? Otherwise, if he charged a fee and part of that...that consultant fee, you know, is...I mean, he's instructing his client to...to a specific attorney, referring him to an attorney, how...how am I to know that there are safeguards to say that this person can't claim that you charged me for referring me to an attorney?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I think it's clear the intent of the bill is to prohibit the...sort of a kickback from the attorney being paid to the person referring the case in the first instance. So, insofar as the so-called consultant who you're mentioning is...is...providing a valuable service to the client, he could charge a fee for the service that he, the consultant, renders.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR BERMAN:

Is the word "fee" which is prohibited spelled out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It is, Senator Berman, in the amendment which was adopted that says fee shall mean any explicit or arrangement for the receipt of cash or noncash benefits.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right. Let me point out, and I'll give you a hypothetical and I want you to recognize that it's strictly hypothetical. First of all, I think the Illinois Restaurant Association should rise up in arms against this bill because when I send a very important big fee case to Senator Barkhausen up in Lake County to handle for me and he comes down to Cook County a couple of weeks later and buys me lunch, he could probably be sent to a year in jail for that nice, courteous gesture under this bill. I think it's ludicrous and ought to be voted down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We, it seems to me, argued this at some length at the amendment stage. I still think, Senator Barkhausen, truly, this is not a good idea. It perhaps would be good to spell out that if, indeed, you are not an attorney, you can't get fees for being a chaser or something, I presume that's what we're after. But the fact is, the way this currently reads...with...with meals and payment of golf green fees and goods and services,...we...we just ought not do this. I

urge a No vote or a Present vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR GEO-KARIS:

There was an amendment that was defeated on the Floor relative to dinners and what have you. Is that amendment back on the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Geo-Karis, the amendment was...was Senator Lemke's amendment in committee and it was added and there seemed to be some concern about it. I...I made a motion to Table but then it seemed to be the will of the Body to keep it in. So the...the amendment is...is in the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I think every one of us in this Senate has...would be guilty of taking a dinner from someone who's not in the Senate here. I certainly don't solicit business as a lawyer from some of these people or vice versa. And I think the...because the amendment is in there makes it potentially dangerous to be fair to all. So I'm afraid I cannot support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Well, just in closing, Mr. President and members, I would

point out that the...the situation that Senator Berman mentions if he would be so kind as to buy me lunch or dinner when I visit Chicago because he may be grateful for services I've rendered or if I'd do the same for him, it's...it's only where that...gratuity or...or...noncash benefit is expressly in exchange for the service of referring a case. I think the...I think the situation is no different from...the free meals that members of the Legislature often get from lobbyists. I mean, if it's...if, in fact, those meals are directly in exchange for our votes on bills, that's prohibited by law. And so what we are trying to do here is to...is to make it clear that that kind of benefit expressly in exchange for the act of referring a case to a lawyer is also to be prohibited by law. I think the ethics that apply to us as members of the General Assembly ought to apply likewise to members of the legal profession, and I don't think any of us are going to take issue with that particular argument. I would therefore urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Berman seek recognition?

SENATOR BERMAN:

Well, I apologize, Mr. President, but if he reads the amendment, it says explicitly or implicitly, that's the whole difference. And I would be glad to defer to him to respond in closing, but his statement was in error. The amendment says explicitly or implicitly. It's the implicitly that undercuts the intent of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen may close again.

SENATOR BARKHAUSEN:

I...I stand by my earlier statement. I think it would...before any prosecutor is going to go after any person referring a legal case, I'm sure they were going to look for direct evidence that the cash or noncash benefit is offered

in direct exchange for the act of referring a case. I...again, urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1677 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 25, the Nays are 17, 12 voting Present. House Bill 1677 having failed to receive a constitutional majority is declared lost. House Bill 1688, Senator Netsch. For what purpose does Senator Hudson arise?

SENATOR HUDSON:

Mr. President, would it be noted that I voted No, I meant to vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. House Bill 1688, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1688.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill...deals with the subject matter of the allocation of the cap on so-called private activity bonds, a cap which was imposed in the Deficit Reduction Act of 1984 by the Federal Congress. I might say that we have already passed out of this Chamber a bill which I sponsored, Senate Bill 1318, which dealt with the same subject matter. This, again, is an attempt to set up a mechanism for allocating that cap which is applicable to the State of Illinois. The principal difference between this bill and the one that the Senate has already passed is that

instead of just simply incorporating into law the Governor's role through Executive Order to take care of part of the allocation, it has created a council which will, in effect, succeed to the Governor's authority to act pursuant to Executive Order. And the council consists of, mostly of executive officers, but of such people as the director of the Bureau of the Budget, the director of Commerce and Community Affairs, the director of Illinois Development and Finance Authority and so forth. It does also include the President of the Senate, the Speaker of the House, the Minority Leader of the Senate and the Minority Leader of the House, so that it is a mixed agency. I think in all other substantive respects, I believe the bill is essentially like if not absolutely identical to the one that the Senate has already passed. The main difference is that it substitutes a council for the Executive Order method of doing the allocation. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1688 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1688 having received the constitutional majority is declared passed. House Bill 1763, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1763.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill is a response to the

authorization to provide for blind vending facilities at...so-called rest areas that are on State highways. What it does is to authorize the Department of Transportation and the Department of Rehabilitation Services to install vending facilities at State and interstate highway rest stops and...and authorizes them to be operated by licensed blind vendors, in other words, similar to that which we do in our State Capitol and other public buildings. It is...it also provides that if there is a rest stop at which there is no one who seeks to operate it that it can be done pursuant to private contract, but any money that the State then makes will be put into the funds that help to support the blind...either vendor's program or the...excuse me, rehabilitation program. It is strongly supported by the Illinois Federation for the Blind, by the Visually Handicapped Managers of Illinois and I think is...is a very good addition to the programs that we have already done. I'd be happy to answer questions; if not, I would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1763 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1763 having received the constitutional majority is declared passed. House Bill 1780, Senator Lemke. Read...that...1765 was on recall. Senator Lemke.

SENATOR LEMKE:

(Machine cutoff)...understanding the...the way we're handling the recall is when it comes up we do the recall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. You're correct, Senator. House Bill 1765, Senator Lemke. Read the bill, Mr. Secretary. Oh,...Senator Lemke.

SENATOR LEMKE:

Like to have it moved to second to...Table...for purpose of Tabling Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke seeks leave of the Body to return House Bill 1765 back to the Order of 2nd Reading for purposes of Tabling an amendment. Is leave granted? Hearing no objection, leave is granted. Senator Lemke.

SENATOR LEMKE:

I've been requested by the House sponsor to take off this amendment. I think...to save the time of the Senate,...we've argued this question before. It's a controversial amendment, we'd probably waste an hour, and just to have the House nonconcur and we'd be back again arguing. So I move to Table this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves to Table Amendment No. 1 to House Bill 1765. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Withdraw that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 1780, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1780.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is amend the Illinois Highway Code and Finance Act. In 1983 the Attorney...Attorney General gave an opinion that the...IDOT was not legally...had no legal authority to make loans to local governments for the moving of their gas, water, electric lines in conjunction with...their road projects. This amendment gives them that authority. I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1780 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 8, none voting Present. House Bill 1780 having received the constitutional majority is declared passed. House Bill 1800, Senator Berman. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1800.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke,...or Senator Berman. You have the same jackets on.

SENATOR BERMAN:

We all look the same. Thank you, Mr. President. First, I would ask for leave to add Senator Keats as a hyphenated cosponsor on House Bill 1800.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If no objection, leave is granted.

SENATOR BERMAN:

The bill as amended does only one thing. It allows the Illinois Development Finance Authority to make grants to universities and research institutions...research consortiums and other not-for-profit entities for the purpose of remodeling or otherwise physically altering existing laboratory or research facilities, et cetera. The purpose of the bill is to allow the Illinois Development Finance Authority, IDFA, to consider within the guidelines that it will set and the funding that it has available a grant for the purpose of the Northwestern University Evanston Research Park that is being developed in the City of Evanston. We have discussed the more complicated and technical areas, but...regarding tax incremental funding...financing those things have been removed from the bill and it is merely an authorization to IDFA to authorize it to consider grants for this purpose. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Briefly, as I understand it then, Senator Berman, the only thing left is the authorization for the grants. I...I would say that's both good and bad because what you were trying to do previously was very innovative and probably has more long-range potential economic development impact than most of the things that we do around here because it was related to research and its relationship to a university. But in any event, I...I think the idea of encouraging this kind of activity is a good one. I don't know whether I'm supposed to vote Present because I work for Northwestern University or not; heaven knows, I will not benefit from this particular facility. But I do think though that, if I might

just underscore something, this does go to one of the great strengths that this State has and that we clearly ought to do more with in terms of economic development and that is to make use of our great universities and to find ways in which we can get them to add to the...really what amounts to a development of job base. And I...I hope that we will spend a lot of time instead of just giving away tax breaks to everybody under the sun, address ourselves to beefing-up our strengths as this bill does in the future.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR ETHEREDGE:

Senator Berman, are the DCCA grants...is that part of the program still in the bill, the grants that DCCA would authorize to...buy or purchase the...the services of replacement facility members for those that are assigned to work in the research labs?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

SENATOR ETHEREDGE:

Okay. So...those grants still...are still in plus the grants that would be made available through IDFA. I'm not sure that you indicated that those were matching grants, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Berman.

SENATOR BERMAN:

Yes, there's a sixty-forty match that would be involved

in those.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

And the...the TIF program with the back-up support of the State Sales Tax, that has also been...been removed from...from the program as it stands right now. I have one...one other question. The grants that would be made available both through IDFA and through DCCA, is there an appropriation for those monies? What is the status of the funding for this project?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No, we have not provided for any funding, that will be down the road. If and when the...the park, University in Evanston, see fit to submit a request to IDFA and they see fit to fund it, then will be...they will be back depending upon their source of funding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

So that what we are setting in place then is a...a shell, if you will, that would make possible grants through IDFA and through DCCA, but also that this is not tied specifically to the Northwestern University Project. I think there are a couple of times that has been indicated, but actually this is written so that universities...any university, in fact, or non-for-profit agency could participate. Is that not the case?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, the language is in a generic description, of

course, but I wanted to be candid, as I was in committee, that we are...the bill is being sponsored by me and by Senator Keats specifically before this dramatic project that's being undertaken in Evanston in cooperation with Northwestern University. I...I'm not aware of any other project of that sort that would be coming in for money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. A couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

What is the size of the project contemplated under this legislation that you have in mind for Evanston?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Before I give you figures, I would like...are you asking what we're going to come to the State for or do you want to know what the size of the cost of the project is going to be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

The cost of the project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Right. The total capital needs of the Evanston University Research Park is contemplated to be 505.2 million dollars. The research park will be four hundred and three million dollars, the research institute will be a 102.2 million dollars. There's already commited Federal support of 68.6

million dollars. Other sources which would include university sources, private, State, municipal funds would be contemplated to be 436.6 million dollars. And, again, I want to underline, those are the total projected costs, we're not coming to the State of Illinois for that kind of money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

That...that would make...the grant eligibility about two hundred and forty million dollars, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No, and that's why I couched my...my comments. I don't want to get put into a box, Senator DeAngelis, where you're saying that I'm coming in for forty percent or sixty percent of a five hundred million dollar project, that's not the case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, then what, under this legislation, would you be eligible for if not two hundred and forty million dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Berman.

SENATOR BERMAN:

The bill as it is before us merely authorizes IDFA to consider grants for these types of research parks. The total prerogatives as to whether an amount is going to be granted will be in the hands of IDFA. And I cannot say to you today that we're coming in for a million or ten million or any other figure. This is merely an authorization to IDFA along with...a...a vote of confidence in a dramatic program that stresses the strengths of the State of Illinois for economic

development.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Berman, thank you for the nonanswer. I have another question that I hope you can answer a little better. When you say not-for-profit, who is the not-for-profit entity here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, we've got a couple of not-for-profit entities; first is the university, that's the not-for-profit entity. As the development goes along there may be other not-for-profit entities that are involved either existing or to be created. But again, we're...we're limiting it to not-for-profit organizations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator DeAngelis, before that, UPI has requested to take still...pictures. Is leave granted? Leave is granted. Senator DeAngelis.

SENATOR DeANGELIS:

All right. Now, you got a non-for-profit entity, you get the...the grant...housed in that facility, can for-profit companies be in there doing their technology and their work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If the question is, is there a prohibition against for-profit entities in this project? No, there certainly is not, I don't think you'd want it and neither would I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I certainly don't, I...I have a strong belief in the profit system, but not profit based on charity, profit based on effort and productivity. The point is that you could, in fact, end up funding up to two hundred forty million, whether Senator Berman wants to disagree with me or not, and you can then, in fact, put in a for-profit company in there, in whatever that facility is. And...it's tough to vote against something like this because the concept is really great. But what you really got here is somewhat of a technology stamp program and I...I just think that we're really embarking on another area of public policy that we should not be doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, Senator Berman, I just want to be clear about this. Now does this bill speak...(Machine cutoff)...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, your...apparently your microphone has...has some problems. Try it again. Say something, we don't know. Now it is.

SENATOR POSHARD:

Yeah, thank you, sir. Senator Berman, I just want to be clear about the bill. Does this bill speak with specificity only toward, Northwestern University? Does it only apply to Northwestern University or can other universities of the State apply for these types of funds from IDFA?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No, it does not limit it to Northwestern University. Let me read to you, "The authority," meaning IDFA, "may award grants to universities and research...research institutes...institutions, research consortiums and other not-

for-profit entities," et cetera, et cetera.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL

Thank you, very much. I have been doing a lot of research recently on...on what brings high tech. into the State of Illinois and one of the main things that must be in place is that the universities work closely with private industry. This is what's happened in...in California, this is what has happened in Massachusetts and this is what is presently happening in North Carolina. Very frankly, I went down to Chicago and listened to Northwestern's presentation because obviously this area is going to be in direct competition with DuPage County. But, frankly, what is being attempted here is what should be done in this State. The only way we are going to increase our high technology possibilities in this State is to have our large universities such as Northwestern, the University of Chicago, the University of Illinois, none of whom which are in my district and I wish they were, have this cooperation with the State. I think this would be penny-wise and pound-foolish if we reject such a...a creation as is formed in this bill, and I seriously ask my colleagues to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, we have about a hundred bills to go. Senator Berman.

SENATOR BERMAN:

Thank you. I think it's always or sometimes ironic...ladies and gentlemen, if I was presenting this bill from three feet to my right, Senator DeAngelis would be up here telling what a wonderful program this was. It's still a great program. Senator DeAngelis, quote, said, "It's a great idea." It is a great idea, it builds upon the strengths as to research and...and basic industry research...that we

have...in Illinois it is an important economic development and I ask for an Aye vote on House Bill 1800.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1800 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...45, the Nays are 12, none voting Present. House Bill 1800 having received the required constitutional majority is declared passed. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Point of personal privilege, Mr. President. I have in the President's Gallery a...a group of women from Rockford, including some county officials, they're very active in Democratic politics and I would like to welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. 1801, Senator Barkhausen. House bills 3rd reading is House Bill 1801, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1801.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I think it's appropriate that House Bill 1801 follows on the heels of Senator Berman's House Bill 1800 for its...although the subject matter is somewhat different the purpose is essentially the same and that is to stimulate the Illinois economy by giving encouragement to increased high technology businesses. It

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does two things, the original bill simply directs the Department of Commerce and Community Affairs to include within its economic planning the future occupational needs of the State. The...the bill was then amended to incorporate into it the provisions of a bill that...that passed this Chamber unanimously two years ago to create a commission on...the Governor's Commission on High Technology...on Science and Technology, and the bill passed both Chambers and was amendatorily vetoed by the Governor into a form which is identical to this bill...as it stands, it essentially codifies the existing High Technology Task Force within the Department of Commerce and Community Affairs and gives the task force or the commission somewhat more specific direction from the General Assembly but it is consistent with the task...what the task force has been doing, it merely directs them to continue in the direction that they've been proceeding. I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? If not, the question is, shall House Bill 1801 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the...the...on that question the Ayes are 58, the Nays are none, none voting Present. House Bill 1801 having received the required constitutional majority is declared passed. 1814, Senator Bloom. House bills 3rd reading, House Bill 1814.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1814.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. House Bill 1814 is the telecommunications portion of the rewrite of the Public Utilities Act. It is the universal telephone service protection law of 1985. It came over from the House and there were some unresolved issues, if you will. Monday afternoon in the...the issues were resolved through amendments and the good faith efforts of the various telecommunications companies and the very hard work of our staff, Deborah Connelly and Bill Sheppard, has resulted in what could have been a very controversial, time-consuming bill is now pretty much settled out. I'll answer any questions you may have about it, but I think that we can take care of this and send it on its way. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Netsch.

SENATOR NETSCH:

Just briefly to underscore what Senator Bloom has said, I think that the bill is essentially without heavy controversy at the moment. I would like to mention just two things; one is that it does have a sunset provision for December 31, 1991, that is important, I think, because it is a reflection of our recognition and the bill's recognition that this is a very volatile...industry, that things are moving very quickly, and that what we write in law today may not be relevant next year or two years from now, certainly not ten years from now. Secondly, I would like to point out that it...it is a...strong commitment to protect what we do call universal service and we do virtually have universal telephone service in Illinois with about a ninety-five percent of the households being connected, that is certainly a commitment that we want to maintain. Third, I think for some from downstate areas they should be aware of the fact that we recognize that local service is...has a real danger of being more expensive

in those areas on a cost basis in the future, and the commission is very strongly directed to pay strong...to pay attention to that, to study it specifically and to report back to us other devices that might be necessary to...to make that not a fact. So, I think in terms of all objectives, it is well done and it does come to you from that same committee that produced Senate Bill 1021.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. The sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Bloom, you know, I've had serious reservations and questions about this. Now, you're telling me that it's pretty much all been settled, I want to know what you mean by that. Secondly, I want to know this and Senator Netsch has alluded to it, we're going to have much higher rates and when you're saying...you're working on it, and you're saying that here it's going to have a sunset provision of 1990, that's fifteen years from now. I want to know what's going to be happening right now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. AP...

SENATOR HALL:

...or five years from now. Did you say 1990, Senator Netsch?...oh, well, that's six years away. Okay. I'm ready for your answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, AP has also requested leave to photograph, they...they don't want to lose this historic moment. Leave is granted. Senator Bloom.

HB 1841 3rd reading

SENATOR BLOOM:

Thank you, for turning my mike on. Purpose of this bill is to guarantee insofar as you and I as legislators can that local phone rates do not go up. Okay? Now, that's the best answer I can give you, insofar as you and I have...are able through House Bill 1814, is to keep the commitment to universal telephone service and to keep the commitment to keeping local exchange rates as low as possible. This bill will not increase your local exchange rates and that's a fact, and Senator Netsch is nodding her head.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, do you wish to close?

SENATOR BLOOM:

No, I want a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill...the question is, shall House Bill 1814 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 2 voting Present. House Bill 1814 having received the required constitutional majority is declared passed. 1841, Senator Barkhausen. House bills 3rd reading is House Bill 1814, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1841.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 1841 is once again the DUI bill that was offered by the Illinois DUI Task Force chaired by Secretary Edgar. I...I think by now most of us

know what's in it so I won't summarize, unless anybody wants to ask questions, all of its provisions. I simply would briefly like to make two points clear and in so doing address a couple of concerns that were voiced in the last Judiciary II Committee hearing that we had on the subject. One was a concern about the possible consequences of an arresting officer not appearing at a...at a hearing in response to a defendant's subpoena, and I want to make clear that it is not the legislative intent of Section 2-118.1 of the bill to limit the circuit court's authority under those circumstances to grant a continuance or to go forward, "on the record." There was also some concern about the possible nonadmissibility of blood alcohol tests, and that is only under circumstances where the officer is not charging the...party with a...a violation of driving under the influence of...of alcohol or intoxicating...I should say driving under the influence of alcohol or drugs. So, again, it's not the legislative intent under Section 11-501.3 to reduce a person's responsibility to voluntarily submit to a chemical test or tests as provided in Section 11-501.1 nor does Section 11-501.3 limit the admissibility of evidence procured...pursuant to any other provision of law. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the House. It's very easy for the sponsor of this legislation to get up and tell what the legislative intent is but this bill is defective...on a number of points. As was mentioned, if the arresting officer fails to appear, the charges will be dismissed, the person will not be convicted of DUI. At least that's how it operates in Cook County. There should be some mechanism written into this bill if for some reason the

arresting officer cannot appear the case is continued. There oftentimes the officer may be called out on an emergency especially in small town communities and it would be a shame if these charges were dismissed. Secondly, the current draft specifies that the urine and blood tests will be strictly confidential and be used only for medical and traffic safety research. I think it might be well if we could also use these tests in reckless homicide and also in the DUI cases. That's another defect. And thirdly, what are we going to do with the juvenile who's charged with drunk driving? Currently, they're often tried in juvenile court. This bill does not specify that. With regard to reckless homicide you cannot try a juvenile in a criminal court, there's no provisions in this for automatic transfer, so we have a problem with the sixteen-year-old who is...just has his license, goes out, becomes inebriated and is arrested. And lastly, a provision that might have...be of interest to Senator Carroll because he had a, if you recall, legislation that says if you're a passenger in a car with an inebriated person you're going to be arrested. Well, this bill...in a way follows that. It says, "Any person owning a motor vehicle shall be guilty of a Class A misdemeanor if he allows a person under the influence to operate the motor vehicle." There again we could make the same arguments. If you allow someone to drive your car, how do you know if he's inebriated if he is right on the border line? You could be charged with that misdemeanor. It's for these reasons that I look at this legislation, I'm very surprised that it's made its way this far with the Secretary of State's Task Force and the other groups that have endorsed it, there are some serious concerns. Hopefully, if this legislation does pass, we'll be able to come back perhaps with a bill in Conference Committee and make some of these changes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. 1841 is the results of the four legislative leaders, the bar association, the Governor's Office, the Secretary of State's Office and the DUI Task Force which some of us served on. Senator Darrow so well knows that very rarely can anybody, including the famous lawyer which he's a descendant of, can draw "a perfect piece of legislation." Anybody with common sense can find a fault of any piece of legislation that comes through this Body, if he so chooses. However, in his closing he said, and I quote, "If it passes, then we can come back and help to clean it up." That's the attitude we should take. The main focus of the bill is to crack down on people driving in the State of Illinois under the influence of alcohol or/and drugs. We had the bar association which put its full input and approval on this legislation and, again let me repeat, the four legislative leaders, the Governor's Office, the Rehabilitation Institute, Lutheran General Hospital and a host of law enforcing agents throughout this State of Illinois. We went into other states to get additional information where we could make this bill as good as we possibly could and yet accomplish what we set out to do, and that was to attempt to get drunk drivers off of our roads, streets in this State. We don't purport to have the perfect piece of...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew, would you bring your remarks to a close.

SENATOR CHEW:

Yes, I will, Mr. President, but I must make this point, if you please.

SENATOR CHEW:

We don't purport to have a perfect piece of legislation, we never said that. But we do bring you a piece of legislation and with your help we would certainly hope that you

would help us make it better. And I would urge an Aye vote on this because it's very crucial. Each time you see an accident or read of one, fifty-six percent of those accidents are alcoholic related. This is a good piece of legislation, it's even supported by most trial lawyers and you've got to be good to produce that kind. So I would ask an...Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Two questions of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He'll...indicates he'll yield.

SENATOR HALL:

Number one, the protection that people have, I guess that's in the other part of the bill, in case that...we have a number of people who...who are subject to some type of medication who might appear to be inebriated. Is...is that protection in the other part of that bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, it is, and I...this protection that they now have is in no way changed by anything this legislation does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Question No. 2, are you...you using .10. Is that right right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I saw there was some discussion that the medical society is saying that they might want to change that, but I guess we'd have to deal with that in case that does happen by the Feds. Am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, you are, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall. Okay. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Two questions. Our Digest shows something and it reads like this, "Finally, a driver involved in an accident causing personal injury or death must submit to a chemical test if requested. The test is to be conducted only for traffic research." What does that mean? And does that mean that the results of that test cannot be used in any other manner than for research?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Those results would only be confidential when the driver is not to be charged with driving under the influence. They're to be...the results kept merely for statistical purposes are to be kept confidential, but where there is a charge for a violation of DUI or reckless homicide, there's nothing in this bill and it's not the legislative intent to keep the results of such a test confidential.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Well, you're saying that this statement is incorrect here

then, the test is not to be conducted only for traffic research.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, what you just read me there is...is incorrect as far as it goes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

And the second thing, getting back to the charging me if I let someone else drive my car. Now this also means that if I'm not even with him, if someone else borrows my car and goes out and has an accident and he is found to be under the influence of liquor, I am charged?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

You...you potentially could be but only where you give them your car...knowing that the person is intoxicated, and, of course, that's a pretty difficult thing to prove.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

That's what my question was, am I going to be...should I take some training as to how to be able to determine whether someone is drunk or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I think the feeling is that that provision would be used very sparingly because of the difficulty a prosecutor would have in proving that the car owner knew or had reason to know that the person using the car was intoxicated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I rise in support of this bill. I think that Senator Chew did a very fine job of...of indicating the purpose which is to remove drunk drivers from the road. For those members who have a concern as to whether or not the Breathalyzer test has what we might call validity or reliability, I had the opportunity several weeks ago to...to talk about the latest instrument being used by the now Department of State Police. And the head of that department has indicated the accuracy of that...of the newest machine or the newest Breathalyzer unit which is...which is being used more and more now is accurate to .001. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President and members, I think in my opening remarks I addressed some of the concerns that Senator Darrow had; but I would not pretend that in a piece of legislation as substantial as this with all of the changes that it proposes that all of the bugs have been worked out. And we are, in...in fact, still looking through to see whether we might need to make some technical changes and we would propose to do so on some DUI bills now over in the House that will be coming back to us. If we fail in that effort and there are still some lingering problems, we would propose to...to clean them up in the Fall Session. But I think all of us are...are concerned about one of the...the primary reasons for unnecessary loss of life and limb in Illinois and this is an attempt...a major attempt to make more serious inroads against this plague on our society that we have made with the legislation we've adopted in the last few years. I know all

of us are concerned about it and I would urge fifty-nine green votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1841 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who...have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1841 having received the constitutional majority is declared passed. House Bill 1847, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1847.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The basic purpose of the bill was to take care of a...an anomaly that arose with respect to the liability for interest paid when property...for interest...incurred when property taxes were not paid as a result of an error that the taxpayer had no knowledge of. And I...I think this is a very fair...eminently fair way of resolving it. What it says is that when an owner has paid...or when a ministerial or assessor's error has resulted in a property taxpayer not paying their property taxes and the owner subsequently finds out about it and does, in fact, pay the taxes due, then they will not be charged the ten percent interest which seems to me is perfectly reasonable. But it does require that they have paid the property taxes so that there is no opportunity for delaying that. A second part of the bill was an amendment which had been put on in the House which repealed two longstanding State authorizations for the

imposition of property taxes. One of them clearly is obsolete and we have continued to eliminate that one. The second one at the request of the Department of Revenue we have continued on the books because it is still the backing for two long ago issued General Obligation Bonds of the State of Illinois, one for mental health institutions and one...and other welfare institutions and the other for higher education that have not yet been repaid. Once those bonds are repaid, that provision also could be eliminated. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1847 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill...House Bill 1847 having received the constitutional majority is declared passed. (Machine cut-off)...Bill 1850, Senator Joyce. Senator Vadalabene, for what purpose you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR VADALABENE:

Sometimes we seem to forget but I have a philosophy, it's never too late to forget. We have a distinguished colleague of ours who celebrated his birthday yesterday and I brought him out here so that we could give him a hearty round of applause. He...he treats us very well, and that's our friend, Everett Kinslow.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 1850, Senator Joyce. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1850.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. House Bill 1850 permits counties and municipalities to establish local hearing officers in zoning matters. It's totally permissive. It also includes a provision that was put on by way of amendment which deals with a flood hazard problem in DuPage County. I know of no opposition and I ask for your support of House Bill 1850 at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1850 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1850 having received the constitutional majority is declared passed. House Bill 1857, Senator Philip. House Bill...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1857.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1857 is the DuPage County Water Commission. And as you know, we've had a problem with water in our county for a considerable length of time. We have now had

permission to take water from Lake Michigan, we're in the process of doing that. In order to do that we have to build a pipeline and pumping stations from the...the Lake Michigan out to DuPage County which as you know will be a considerable amount of money. What this bill does basically is authorizes a front-door referendum for approximately three hundred and fifty million dollars in General Obligation Bonds to be paid for by a quarter-cent sales tax in DuPage County only. It also provides for twenty cents per hundred dollars assessed valuation for one year, a real estate tax which would raise approximately fourteen million dollars to, how should I say it, start up the engineering, buy some property in Cook County and proceed ahead. I'll be happy to answer any questions. I would hope that you realize that the...if and when this happens, it happens by referendum, that DuPage County will be the biggest customer for the City of Chicago for water. They estimate the first year some thirty-six million dollars. A lot of the money from these bonds will be spent in the City of Chicago and Cook County. They guesstimate about a hundred and fifty million dollars will be spent on construction, legal fees, engineering, et cetera. Be happy to...answer any question. I would hope that there would be some support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator, we have four Senators seeking recognition at this point. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ZITO:

Senator Philip, I don't really have a problem supporting this. I understand that it's a DuPage County issue and it's

going to be a DuPage County tax. But I have one question, if you can for me define what you have included in the bill and the terminology as the corporate limits. I'm to understand that...it's an understanding of mine that the tax is not only going to be solely collected in...DuPage County. That, in fact, it could be collected outside the corporate limits of DuPage County. Can you explain that...that terminology of corporate limits?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yeah, as you're probably aware, there are some municipalities that overlap from DuPage County into other counties; Burr Ridge is an example, Hinsdale, Hanover Park, I believe. If a municipality would use more than twenty-five percent of their water from other than a DuPage County location of water then they would...they would have the tax; if not, they would not have the tax. So, in other words, it all depends on that municipality and the amount of water that they use.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Correct me if I'm wrong. You said that twenty-five percent...if they use more than twenty-five...less than twenty-five percent of water...DuPage's water or other sources of water? Can you reexplain that, I'm sorry, I didn't understand that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...if they get twenty-five percent of the water from outside of DuPage County, then they would have the tax; if they do not, they would not have the tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Mr. President and members, to the bill. Just...just a word to the wise, and I...I really, Senator Philip, have no problem at all with supporting legislation of this kind that's going to affect one specific county. My concern certainly is...I...I truly believe that the bill taxes areas outside of DuPage County, and the citizens in those corporate limits outside the limits of DuPage County really have no representation in the matter and that's the point that concerns me, and I just think it should be brought to the membership's attention.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think all of us are sympathetic with the need for DuPage to solve its water problems but I just want to be clear about one thing because this is a fairly dramatic departure from tradition in the Illinois Senate, Senator Pate Philip. One is that, as I understand it, and correct me if I am...if I'm not correct. There is first authorized a twenty-cent property tax which is for start-up costs, that is the one-year-only one estimated about fourteen million dollars and no referendum at all. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

That is absolutely correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Secondly is a one-half cent property tax levy for the general corporate purposes of the water commission and that

also is for...with no referendum required at all. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

No, that is not correct. That is already the law, we've already passed that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip. Senator Netsch.

SENATOR NETSCH:

I'm sorry, in what law? I...I think it is a replacement tax but it is not the same one that is...that is in there right now. That is, you are...it's a new one-half cent without referendum although it is replacing a previously authorized tax. Is that correct? Senator Philip indicates that is correct. Okay. Third, a one-quarter cent sales tax which, again, is expected to raise about fourteen million dollars and there you have a front-door referendum. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

And finally, a tax which will be sufficient...and I don't honestly know whether there's a limit on this one in the Statute, I don't have its...in the bill, I don't have its exact language in front of me, that would be sufficient to raise the money to retire the General Obligation Bonds. And if I'm not mistaken, I think that also is, and that's not too unusual, without referendum. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yes. I...I believe the commission would use the quarter-cent sales tax and the...the cost of the water to the consumer, a combination of both.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

That...that was on the prior point, the...one-quarter cent, and both of those are going to be used and then there is in addition a...a tax that is directed toward retiring the General Obligation Bonds; and I think that there's a limit on the amount of bonds to five and three-quarters percent of the aggregate value of the property, but there is no particular limit on the tax rate and I think again it's without referendum. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yes, I believe that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Right. Well...you...I think you've...I appreciate your...your candor in answering the questions and I think it should just be very clear. Again, you have water problems, no one is suggesting otherwise. There are a lot of other areas that have a lot of other problems, but for many, many years you and others have refused to allow any tax increase, particularly a property tax increase, to be imposed even when requested by the local area for a...what they considered to be a major problem with...unless there was at least a referendum; and I would just simply like to point out that you are now imposing a whole bunch of taxes for...one of which admittedly is a replacement tax, and except for one

front-door provision, I think there is no referendum involved at all in any of them. And I guess I would just say, the next time someone else requests a...help from their local community for a taxing provision without referendum, please be kind to them, Senator Philip, because they might remind you of what you have requested for your county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

END OF REEL

REEL #5

SENATOR KARPIEL:

Thank you, Mr...thank you, Mr. President. I just wanted to clear up some things that brought up by Senator Zito. Two of the municipalities...I believe there are only three municipalities that were affected by this, but two of the municipalities that you were referring to that overlap into other counties were in my district and they were very concerned about the original bill, and we did work it out so that when the bill says twenty-five percent...if the municipality is getting their water from...some other source outside DuPage County, twenty-five percent or more, that does, in fact, take care of all the municipalities that are affected and they are all supportive of the bill and have no problem with it with this wording.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you...question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Senator Philip, following on point number three raised by Senator Netsch, on the front-door referendum, will those persons outside of the corporate limit that's impacted by this legislation, will they have an opportunity to vote on the referendum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yes, Senator, they will.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would hope that this bill doesn't get caught in...in a type of a quagmire because, unfortunately, the situation that exists in DuPage County which has been written by both Chicago papers exemplifies a position where the water in the wells in DuPage County are at a new low, and what...House Bill 1857 is trying to accomplish is to...to provide the funding mechanism so that Dupage County will probably be connecting with Lake Michigan water to make sure that one of the largest populationwise counties in this State has an adequate water supply through the year 2000. I don't believe that the areas that we've discussed have made mention of the fact that, unfortunately, in DuPage County this year, just a few weeks ago they had a water shortage and there was a curtailment in water usage so that there was a very small adequate supply of water available to its residents. House Bill 1857 addresses that situation from a financial standpoint, and for that reason, it should not be caught in any political quagmire but should be approved by this Body. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Question of the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ROCK:

Senator, can you relate to me what happens to those communities that straddle the county line that are, in fact,...are they territorially within the water commission

boundaries, and if so, are they also subject to the tax? Hinsdale, Naperville, Roselle, you know the towns better than I.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

...quite frankly, that's a good question and...maybe I didn't answer it very...clearly before. If a municipality who has boundaries within DuPage and outside in another county receives over twenty-five percent of their water not from the water commission, they are out completely, not taxes, period.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Take, just for example, Hinsdale. As you go down one street, one side is DuPage and the other side is Cook...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR ROCK:

...would...would...would it...would it be possible for the taxation to be different on...on...on different sides of the street?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

No, it would be the whole community, either in or out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, then I guess that was one of the problems that we attempted to point out with the creation of the water commission. As I understand it, those folks in those straddling communities don't have any representation on the board, do

they?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

The...the mayors that they elect have an appointment on the water commission. If...if you'll remember...if I remember correctly, we have a eleven-member board, six are appointed by the chairman of the county board and the five are appointed by members of the...municipalities, the presidents and...and mayors of the municipalities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You've been probably reading in the Chicagoland papers in regards to the problems in Naperville who have passed two ordinances, one restricting the amount of water they can use for sprinkling and, secondly, the restriction on housing permits; in other words, the Village of Naperville have been turning people down for housing permits because they, quite frankly, do not have the water. If you'll look at the taxes, the largest tax is the front-door referendum, the one-quarter cent is by far. When you're talking about a one year tax that only raises fourteen million, that's a small part of the three hundred and fifty million dollar General Obligation Bond. The voters will have an opportunity to discuss it, debate it; hopefully, they will feel the way we do and it will be passed and we will proceed ahead. I would certainly like to see some affirmative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 1857 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 42, the Nays are 10, 3 voting Present. House Bill 1857 having received the constitutional majority is declared passed. House Bill 1871, Senator Vadalabene. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1871.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. House Bill 1871 is a bill which provides for a continued hospitalization coverage for retired fire...firefighters and their dependents at the same rate as the active members. These continued premiums would be paid by the retiree or dependent unless it was negotiated otherwise in the collective...bargaining agreement. It applies only to downstate firefighters and only to that particular section of the Insurance Code. House Bill...1871 passed out of the House Committee 18 to nothing, out of the House 99 to nothing and out of the Senate Committee on Insurance, Pensions and Licensed Activity by a vote of 11 to nothing, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Does it preempt home rule that...is...I'm...I'm looking at the Calendar here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

It applies only to downstate counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not,...the question is,

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shall House Bill 1871 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. Hey...Demuzio, you're...on that vote, the Ayes are 57, the Nays are a mistake and there's none voting Present. Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senator Savickas, had he been here, would have voted in the affirmative. Senator Rock inadvertently pushed the wrong button and...would like to have the record so indicate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Savickas was sitting on the Podium, that's why he wasn't in his chair voting. On that question, the Ayes are...57 Yeas, 1 Nay, none voting Present. House Bill 1871 having received the constitutional majority is declared passed. House Bill 1902, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1902.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 1902 is a recommendation of the Securities Advisory Committee to the Illinois Secretary of State. It for the most part strengthens the fraud and criminal provisions of the Illinois Securities Act. It by and large does not deal with those provisions of the Act that were covered by the 1983 amendments that underwent a considerable debate in this Chamber before their passage two years ago. I know of no opposition to the bill, but it is quite technical and I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1902 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish. Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1902 having received the constitutional majority is declared passed. House Bill 1914, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1914.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This...bill allows for the annexation of seven parcels in Ridge Township to the Metropolitan Sanitary District. It was on the Agreed Bill List. It was taken off to include two additional parcels from the Village of Hoffman Estates. The MSD, the municipalities and the property owners are all in agreement. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 1914 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1914 having received the constitutional majority is declared passed. House Bill 1919, Senator Donahue. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1919.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. House Bill 1919 changes the due date for the Department of Corrections' annual report and statutorily references the current practice of advancing monies for approved employee travel. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion?...any discussion? If not, the question is, shall House Bill 1919 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 1919 having received the required constitutional majority is declared passed. 1922, Senator Etheredge. House bills 3rd reading is House Bill 1922, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1922.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This...bill increases the bond ceiling for the Illinois Environmental Facilities Financing Act and it also changes the procedure used by the authority to collect the fees which it receives from the businesses or who will use the funds from the Pollution Control Bonds. I would be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1922 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1922 having received the required constitutional majority is declared passed. 1924. Mr. Secretary, House Bill 1924.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1924.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. That's quite correct. The Calendar is correct in regard to the initial legislation. It does provide for an exchange of certain described parcels of public lands between the Department of Conservation and the Metro-East Sanitary District. A hundred and forty-seven...or a hundred and forty-five acres of land to the Metro-East Sanitary District in exchange for two hundred and thirty-eight acres of approximately equal value. It was amended. Amendment No. 1 was just a technical amendment. Amendment No. 2 offered by Senator Dunn and Luft permits Central Management Service to offer certain real estate tracts for sale at a reduced rate of three hundred dollars per acre. The reason for this is because the...the land value was...has depreciated considerably in this particular area and this will allow the exchange to occur. Senate Amendment No. 3 offered by Senator Dunn authorizes two land exchanges, one in Monroe County and the other one in Mason County. I know of no opposition and certainly...I'd appreciate your favorable

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vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? Any discussion? If not, the question is, shall House Bill 1924 pass. Those in favor Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 1924 having received the required constitutional majority is declared passed. 1928, Senator Coffey. House bills 3rd reading, House Bill 1928.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1928.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. House Bill 1925 does really two things. First of all, the bill itself amends the Mental Health and Development...Disability Code and requires...I'm sorry, I'm on the wrong bill here. House Bill 1928...it amends an Act relating to identification of the use of motor vehicles of the State. It allows the Department of Conservation to do what already the Secretary of State and law enforcement can do. Presently, the only kind of decals that we can have on those vehicles is...is the State emblem, and for identification purposes, that's fine; but when they're under some investigations, there's other...they...they would prefer not to have this type of identification on their vehicles. Amendment No. 2 actually just says that when Department of Transportation sells their used equipment, they must notify local government so they will have an opportunity to purchase that equipment,

and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1928 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? You want to get Senator Collins, Senator Welch? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1928 having received the required constitutional majority is declared passed. 1933, Senator Donahue. Mr. Secretary, House bills 3rd reading, House Bill 1933.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1933.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an administration bill that deals with...Explosive Acts and the Conservation of Oil and Gas Act. It deals with fees and licenses. It raises the bonds and it deals with the fees involved with the...the brine haulers. Also we added and amended on...an amendment onto it that we've also added onto...Senate Bill 1260 and that deals with the royalties and payment to the oil and gas lessees. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If...Senator...Senator O'Daniel. The question is, shall House Bill 1933 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

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the Ayes are 59, the Nays are none, none voting Present. House Bill 1933 having received the required constitutional majority is declared passed. 1934, Senator Macdonald. House bills 3rd reading is House Bill 1934, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1934.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. The first part of this bill is very fundamental and perfunctory. It is a technical amendment to the Environmental Protection Act which was recommended in the EPA's audit report. Specifically, the Act which currently says the environmental agencies may not charge fees except as authorized under specific named sections...however, in 1984 we did pass legislation, House Bill 3036, House Bill 3193 and House Bill 3041 which directed the Environmental Protection Agency to collect fees, so that's all this bill did. Then, I will let Senator Philip explain what I consider to be...probably the most dramatic amendment to be added to any bill in this Session and one which I strongly support, which is the bill which would allow night games at Wrigley Field. So, that's what this bill does and if Senator Philip would like to explain his amendments to the bill...I...I will let him explain those and I would ask for your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Any discussion? Is there any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Just to explain what my amendment does, it leaves home rule completely intact. In other words, the city council, by its majority, could change...the...the night games and et cetera. What it...provides is that there will be eighteen...only...only eighteen night games plus the playoffs and the World Series, that's it. It does not have anything to do with home rule, home rule is still intact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald may close.

SENATOR MACDONALD:

...would only ask for your support for 1934.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1934 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. House Bill 1934 having received the required constitutional majority is declared passed. Top of page 8, 1947, Senator Hudson. House bills 3rd reading, House Bill 1947, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1947.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. House Bill 1947 would do two things. Number one, it would repeal the Insect Sting or Bite Emergency Treatment Act and, number two, would repeal the Mass Gatherings Act. Now this bill was promulgated mainly on the...the wishes of the Department of...Illinois Department of Public Health that felt for various reasons that these...neither one of these

Statutes were any longer needed on our books. If there are any questions, I'll attempt to answer. I know of no opposition, otherwise, would request an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Holmberg.

SENATOR HOLMBERG:

Yes, this Insect Sting Bite Emergency Act was passed in the last Session of the Legislature 58 to 1 in the Senate and a 115 to 2 in the House. It was based on a model law prepared by the American...Medical Society. This is the law that Senator Watson is attempting to repeal. At least four states have adopted similar legislation, Oregon, Virginia, Tennessee and North Carolina and the whole purpose of it was to train camp counselors so that small children who were not close to a doctor and needed emergency treatment, needed epinephrine in a hurry could have it, and the medical society agreed then in these cases with proper training it could be administered. That was the purpose of the Act. The AMS recommended it and that was the reason that we passed it. I believe that law should stay on the books and that we should once again, direct our Department of Public Health to go ahead with the proceedings for training to make this happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson may close.

SENATOR HUDSON:

Thank you, Mr. President. I might say that in answer to that...Senator...Holmberg's concern that this action is not taken lightly or cavalierly, and I have a letter here from the Illinois...Department of...Public Health explaining; and I could read it but I will not take the time of the Body, I will if anybody requests. I would read the letter from Samuel Andleman, M.D., chairman of the Medical Determination Board, and it was the Medical Determination Board that recommended to the Illinois Department of Public Health that this...this

law is...has been found to be inoperable in many ways. It's very difficult to deal with training people to do this and having them understand exactly when this injection should be given and it is the Determination Review Board's thought and recommendation that the Statute simply is not workable and is not needed, and I will go into this...in detail if...if requested; otherwise, I would ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1947 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, none voting Present. House Bill 1947 having received the required constitutional majority is declared passed. 1949, Senator Schuneman. House Bill 1949, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1949.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 1949 is a clean-up bill for the Real Estate Agents and Brokers Act that was passed in 1983. It does a number of rather insignificant things including deleting the license categories of associate broker and nonresident broker, it corrects the definition of broker to mean an individual, partnership or corporation; provides a...a requirement for a refresher course for a licensed salesman who's been inactive for over five years, it adjusts some fees. I know of no opposition to the bill. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1952 3rd Reading

Any discussion? If not, the question is, shall House Bill 1949 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none...59, the Nays are none, none voting Present. House Bill 1949 having received the required constitutional majority is declared passed. 1952, Senator DeAngelis. House bills 3rd reading, House Bill 1952, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1952.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1952 amends the State Employees Group Insurance Act to require that contributions be made from all funds except from the income funds, public universities and local auxiliary and service enterprise funds of public universities and the Ag. Premium Funds. Also it allows us to go outside of Blue Cross and Blue Shield to purchase some wellness programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 1952 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1952 having received the required constitutional majority is declared passed. House Bill 1953, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1953.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill was amended with the consent of the chairman of the committee, Senator Nedza, and also the minority spokesman, Senator Coffey. What this bill says in effect is that any attendant on duty at a service station which has both self-service and full-service can upon request dispense motor fuel for the driver of a car which is parked at a self-service island and displays the...registration plates or other evidence of disability, and simply calls for this attendant to...to sell the gas to him at a...at the self-service part and charge the self-service rates, and I move the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 1953 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. House Bill 1953 having received the required constitutional majority is declared passed. 1958, Mr. Secretary. House Bill 1958.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1958.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate.

House Bill 1958 provides that...this does exactly what the Calendar said. It provides that any party found to have wrongfully cut or caused to be cut another party's timber, shall pay three times the timber's value and damage. This was suggested by the Department of Conservation and I'll be glad to answer any questions and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1958 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1958 having received the required constitutional majority is declared passed. House Bill 1961, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1961.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this bill would allow the use of State monies in a...in an appropriate fund and procedure to be used for buy-money to purchase illegally taken fish and game. It's a Department of Conservation bill. It was on the Agreed List. I had to pull it off to put an effective date amendment on it. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1961 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting

H.B. 1970
3rd reading

Present. House Bill 1961 having received the required constitutional majority is declared passed. 1966, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1966.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 1966 is the department bill. It was introduced to allow deferrals from lump sum payments for accumulated unused vacation, personal leave and sick leave, that is...deferrals for deferred compensation from those sources. It was amended here in the Senate to allow all State agency heads and...and assistant agency heads appointed by the Governor and confirmed by the Senate to have an option as to whether or not they would be covered under the State Retirement Fund. I know of no opposition of the bill. This is the one that Senator Rock was interested in and I think we got all the problems worked out there. Would urge adoption of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 1966 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1966 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 1970, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...House Bill...House Bill 1970.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this was on the Agreed Bill List and I had to take it off to change the immediate effective date. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 1970 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 1970 having received the required constitutional majority is declared passed. 1974, Senator Coffey. House bills 3rd reading is House Bill 1974, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1974.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. House Bill 1974 really does two things. First of all, the bill amends the Highway Code to make internal cross-reference changes in the township and road districts in the Road Act; and the second part, which is a more important part of the bill, authorizes county boards having a population not to...and not in the excess of one million to levy a property tax within the county at the rate not to exceed ten percent,

which is now five percent, so it's a five percent increase. This tax is to be used for a matching Federal aid for purposes of the construction, maintenance of county highways. Be glad to answer any questions you might have in regarding to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Luft.

SENATOR LUFT:

A question, please, of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Luft.

SENATOR LUFT:

This is a property tax that can be levied by a county board for the purposes of using those funds as matching funds for Federal highway monies. Correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes, that's true...they now can levy at the rate of five percent. This increases it from five to ten percent. Now it doesn't say they have to levy at ten percent. It gives...by county board authority...it gives them authority to go to...from five which they...most of them I think are at five and...and...and are unable to come up with enough money to match their Federal aid dollars. What this will do will allow them to go to six, seven, up to ten percent without referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

This is only for county roads and...only?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...Senator Luft.

SENATOR LUFT:

Is there a referendum provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

No, there is not. This...this is only a...a...authorized by the county boards so they...it is a back door.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Coffey may close.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I think this is a good bill...as you know, the counties are in...in...in some serious problems because of revenue to be able to match the Federal dollars that's made available to them. This would give them the...the opportunity...the county boards to pass that tax on and to be able to match those dollars, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1974 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 20, 2 voting Present. House Bill 1974 having received the required constitutional majority is declared passed. House Bill 1977,...Senator Schuneman. House bills 3rd reading, House Bill 1977, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1977.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill was originally on the Agreed Bill List and I had to take it off because of attaching an amendment, but it...it makes some nonsubstantive changes in the Personnel Code. It is a Central Management Services bill. In the...in the Senate we attached an amendment which would increase the membership of the Interagency Committee on Handicapped Employees by two members, it requires six meetings a year of that committee rather than two. I would move adoption of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1977 pass. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 1977 having received the required constitutional majority is declared passed. 2022, Senator Geo-Karis. House bills 3rd reading, bottom of page 8, is House Bill 2022, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2022.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill permits a...a unit of local government...it's a may bill...says it may enter into intergovernmental agreements...prepared and implement solid waste management plans. I might tell you that I amended this bill to satisfy Cook

County, to satisfy the City of Chicago and to satisfy the collar counties, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? If not, the question is, shall House Bill 2022 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 2 voting Present. House Bill 2022 having received the required constitutional majority is declared passed. Page 9. 2023, Senator Geo-Karis. House bills 3rd reading is House Bill 2023, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2023.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill...includes health maintenance and preferred provider organizations among the types of...group insurance or group participation which a county my provide for its employees. It authorizes a county tax levy for...for this type of insurance subject to the back-door referendum; however, the back-door referendum, I've amended it by a...amendment here in the Senate to provide that it's the...needs only a hundred signature and it gives...it gives the people sixty days in which...to gather the hundred signatures. So, I move for its passage 'cause they'll have ample time if they wish to have referendum to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2023 pass. Those in favor vote Aye.

HB 2089 3rd Reading

Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 2023 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2061, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2061.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amends the low-level...radioactive waste management plan to increase the fees to be collected by the Department of Nuclear Safety from those who generate low-level radioactive waste. I might tell you that this has been amended so that the annual fee will be ninety thousand dollars...for...per nuclear...power reactor for the treatment, storage and disposal of low-level radioactive waste and this is supported by the Department of Nuclear Safety, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2061 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 2061 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2089, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2089.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

This bill is an enabling piece of legislation which would ensure that preferred provider organizations are specifically permitted under the Insurance Code. Answer any questions; otherwise, seek...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2089 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2089 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2103, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2103.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this...bill does is amends the bill of rights for victims of...and witnesses of violent crimes. What it does is authorize the court to...to order a delinquent minor to serve a period of detention not to exceed seven days as a condition of supervision. What this is is if they give supervision, the judge can say, you have to spend the night in the juvenile facility. I think it's a good bill. I ask for its adop-

tion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Fawell.

SENATOR FAWELL:

Can...can you slow down just a second? I can't even turn the pages fast enough.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you signal when you're ready. Further discussion? All right, the question is, shall House Bill 2103 pass. Those in favor vote Aye. Those opposed vote Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2103 having received the required constitutional majority is declared passed. 2108. House bills 3rd reading is House Bill 2108, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2108.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2108 requires principals to report incidents of intimidation to the local law enforcement authorities and to the Illinois Department of Law Enforcement, Illinois Uniform Crime Reporting Program. It applies to...to each incident of intimidation for which the principal has knowledge and each incident reported to him or her by pupils or school employees. This bill is the work product of the Gang Crime Study Committee, was recommended a year ago, passed the House, came to this Senate, was held in Rules.

Again, this was a...also recommended by the Mayor's Task Force on Gang Crimes where if there is a problem within a school of intimidation that the principal be required to notify the law enforcement agency and the State of Illinois. I know of no opposition and I would hope that you would support House Bill 2108.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2108 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 5, none voting Present. House Bill 2108 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2115, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2115.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2115 as amended requires that the State Board of Education cause an annual audit to be made of all financial records of the regional superintendent of schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Question is, shall House Bill 2115 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are

none, 1 voting Present. House Bill 2115 having received the required constitutional majority is declared passed. Senator Hall, for what purpose do you arise? All right. House bills 3rd reading is House Bill 2165, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2165 is a product of the Task Force on Hispanic Student Dropouts. As amended, the bill calls for a goal for the Chicago Board of Education to employ counselors per student ratio of two hundred and fifty to one. It calls for vocational and career counseling to students as well as five special career counseling days. I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 2165 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill...2165 having received the required constitutional majority is declared passed. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Well, for a point of information, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR HALL:

I was trying to get my switch on when Senator Maitland's bill was there and I was trying to see...I just want to ask him a question. Are...under your bill, are we going to teach patriotism to...to public...to private schools? Is that what you're trying to do? It says so here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR HALL:

...is anything to that...and I just wanted to ask that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm...I'm sure that the two of you can get together. House bills 3rd reading is House Bill 2179, Senator Topinka. House Bill...okay. 2179, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2179.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, this bill is fairly similar to the bill we just passed out of here on preferred provider organizations; however, the unique thing about this particular bill is freedom of choice is still retained for the consumer, so that ultimately it does not cut a person's ability to go back and use the services of the family doctor or one who may not be a part of the PPO, and I would encourage a positive vote or will answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka...is there any discussion? Senator Bloom.

SENATOR BLOOM:

The sponsor, I think, maybe could answer some questions

'cause this bill is not, repeat, not similar to 2089. Would this bill cause some existing preferred provider organizations to close down?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

At this moment in time, I don't...and PPO is such a new and novel concept, I don't know if it would or it wouldn't. There...there just aren't any really...I don't think there's any track record for that to be able to answer your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Well, in fact, there are ninety-one hospitals in this State that have already contracted with major PPO's and, in fact, there are existing PPO's, and let me ask the question another way. Is this not the bill that declares all nonprovider based and noninvestor owned PPO's have to be insurance companies. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

So, that if this bill became law, self-insured operations, such as,...let's say Quaker Oats or Caterpillar or Deere or any of the other large self-insurers, their PPO's would be illegal unless they were insurance companies under this bill. That is exactly what this bill does. I'm not going to take the Body's time. I know this gets us off our rhythm, but I...I am unalterably opposed to 2179 in its present form and if anything...talk about overregulating

something in it's infancy, this is classically it...it's a...I believe that the trade association that is pushing this, we've been very good to this spring and perhaps this is the place to stop our taking care of them. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. As a cosponsor of House Bill 2179, I think that there's many good points, obviously, to this legislation, but I might point out to the membership that the one key element to this piece of legislation...there is one key element to this piece of legislation I think it should be supported for...would be the freedom of choices retained for the consumers. This is accomplished, I believe, in several ways but a patient covered under House Bill 2179 is specifically free at all times to seek and receive health care services from both preferred and...nonpreferred providers of...of the patient's choice. The patient has complete choice over this situation. The payment of...by the PPO to a patient use...using a nonpreferred provided under this proposal would be ninety percent of the payment that would ordinarily be made to a...preferred provider. The patient would be responsible for the ten percent difference in payment and, thus, would have an incentive to use a...preferred provider but would have...not have to find it economically prohibitive to use their personal physician. I think that point alone, ladies and gentlemen, is...is worth a Yes vote on 2179 and would hope that all of you would agree.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr...thank you, Mr. President. I wonder if the sponsor would yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield, Senator Dunn.

SENATOR DUNN:

Senator Topinka, do you say that the hospital association supports this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, I...I did not say that the hospital association supported the bill...the Illinois State Medical Society supports the bill and I think most local physicians would probably support the bill because, for all intents and purposes, their normal patient load, people that they've had in the family for years are not going to be able to come back to them else they face no insurance benefit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you. I...I thought that you had said hospital association. I guess you said the medical society, excuse me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hall.

SENATOR HALL:

Thank you, will...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Hall.

SENATOR HALL:

Senator Topinka, Senator Dawson passed out Senate Bill 1298 and Senator Bloom passed out Senate Bill 1311. Now how does your bill differ from them...from...from those two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It is the only bill, as Senator Zito has brought out very, very effectively, which allows for the public to make a personal choice as to their physician so that they can retain someone that they may have had in the family for years or someone to...who...to them who is preferrable and still be able to have the...some insurance benefit from this to the tune of ninety percent of what a PPO would provide but still have that ten percent differential which would provide the incentive to use a PPO. So, it does have that consumerism built into this bill. The other two bills do not have that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hall.

SENATOR HALL:

I agree with this moving, but let's take a little time here too. What's the hospitals' position on this then, Senator...Senator Topinka?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

They are opposed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

They're opposed but the medical society is for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, I guess I've got a question of the sponsor. Senator Zito support stems from the position that this gives them freedom of choice. My understanding of Senator Bloom's comments that only insurance companies could operate PPO's, that the exisiting PPO's would go out of business. So, I guess we'd be left in a void that there would be no PPO's where your doctor or you could get your freedom of choice with. Am

I correct in that assumption, Senator Topinka?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I think that that's not a hundred percent so. I think some PPO's will be able to exist with no difficulty of this...with this particular bill. I...I mean, that has yet to be worked out and with the passage of all of these bills, I think that it provides the necessary position to make those determinations as to what the ultimate PPO legislation around here will look like.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, with Senator Topinka's comments that that's not totally correct, that...even if there is a good percentage of a probability that that would happen, I would think that this bill should probably go back to a subcommittee until that could be worked out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom. Senator...Senator Topinka may close.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I think we have to look at what we're trying to put forth here in...in PPO's which...which is a very laudable concept. Two bills are already out, this is the third, but this provides a very unique part to the whole process which the other two bills do not and that is we continue to allow the consumer to have freedom of...of choice to go to the doctor of...of their...of...of their choosing and, second of all, to still have the incentive to go on and tie into a PPO. Basically, we leave it to them; otherwise, we cut them out of the action totally. I would encourage your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2179 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 7, the Nays are 41, 2 voting Present. House Bill 2179 having failed to receive the required constitutional majority is declared lost. 2182. House bills 3rd reading is House Bill...House bills 3rd reading is House Bill 2179, Mr. Secretary, read the bill...all right, 2182, I'm sorry, House Bill 2182.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2182.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 2182 basically requires agencies to establish rules, procedures and forms to be used by those agencies in the administration and payment of their own workers' comp. claims. Now there's some other things along with it, but most of those other provisions are in House Bill 1977 which we just passed a few minutes ago. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, I guess the question would be, why are we exempting them from the Personnel Code?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I'm sorry, exempting who, Senator Savickas?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, I understand that this would permit transfer of funds on workers' compensation, also deletes the obligation that the personnel would be under the Personnel Code.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Savickas, I still don't understand your...you're probably looking at the synopsis rather than the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I got concerned. I hear AFSCME's got it worked out and everything's okay. So, I don't know what...what that means, Senator DeAngelis. It says, presently the State employees workers' compensation claims and payments are administered by DCMS and that this bill would allow DCMS to delegate to other State agencies this responsibility. Why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, a lot of these payments that are made for this go into CMS's budget. This allows each one of them to have their own budget and deal with their own claims. Now, this is...it's permissive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

All...also on the bill it exempts the hearing officers of the Human Rights Commission from the Personnel Code. Why?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Savickas, that is not in the bill that...the synopsis had that, that's not in...in the bill, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, perhaps you could...shed some light on this. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Will the sponsor yield? Senator DeAngelis, evidently there's some amendments that's on this bill that we don't have. Would you mind telling what...that's one of the questions that Senator Savickas asked you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, there are no amendments on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft seems to have the answer, Senator Hall, if you...if you would yield to him. Senator...Senator Hall. Senator Hall yields to Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. It's my understanding that the bill had an...House amendment on it that someone thought created a problem, that someone who thought a problem was created has decided that there is no problem; obviously, there's no problem with the bill, so I would assume that we vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Then what I'm reading is and the question that Senator Savickas asked is that says, hearing officers of the Human Right Commission are exempted from the Personnel Code, and that was a question that Senator Savickas asked and the

response was that it's not in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that...that exemption already exists. What you're reading is from a synopsis...for the fourth time, that isn't quite the bill, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I...I..I want...from my learned, esteemed colleague, I just want to know so he can set me straight, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis may close.

SENATOR DeANGELIS:

Thank you, Mr. President. For those of the Body...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I beg your pardon, hold on. Senator Hall had not...concluded...

SENATOR HALL:

Well, I...if...I just asked for an explanation on it, that was all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis.

SENATOR DeANGELIS:

It simply reflects those exemptions that already exist in the Human Rights Act, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Yeah, well, thank you, and I apologize to the Body. This particular bill in this day and age had been designated possibly as a Hostage Article. The negotiations were completed in Syria. The hostages have been released. I urge your

favorable approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2182 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53...54, the Nays are none, none voting Present. House Bill 2183 having received the required constitutional majority is...House Bill 2182 having received the required constitutional majority is declared passed. 2184, Senator Schaffer. All right, House Bill...Senator Schaffer on...is there an amendment to be put on? Okay. Senator Schaffer seeks leave of the Body to return House Bill 2184 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 2184, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Mr. President...thank you, Mr. President and members of the Senate. Yesterday we considered House Bill 1102 sponsored by Senator Lemke and Representative O'Connell sent it over here from the House. I was a...it's a good bill, but there was a rather controversial amendment attached to it the boss judge amendment. Basically, the bill died on a debate that had nothing to do with the original bill but on the boss judge amendment. So, what I'm doing is taking Senator Lemke's House Bill 1102, which he was sponsoring yesterday, and adding it to House Bill 2184; and what this bill does is provide that if candidates for only one office appear on a page in a ballot booklet in an electronic voting system and less than half the page is utilized, then no candidate's name

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can be printed on the lower half of the page. The reason for this...legislation stems from a problem in the last November Election where it was found that some candidates received less than the votes they ordinarily would because of the strange way they were listed on the ballot. I know of no opposition to the bill. It came flying out of the House and out of the Senate Committee on Elections. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has moved the adoption of Amendment No. 1 to House Bill 2184. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2188, Senator Marovitz. House bills 3rd reading is House Bill 2188, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2188.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2188 is the Local School Improvement Act. It...it applies to Chicago only. There's no dollars in this whatsoever. Under the Act, each school and participating districts in Chicago will establish a school improvement councils made up of equal members of parents and school staff. The councils will investigate their school strengths and weaknesses and develop a comprehensive improvement plan. The plan would focus on strengthening basic skills

instruction, cutting the dropout and truancy rate and improving...preparation for college and employment. When a school plan is accepted through an objective review process, the school is then committed to making the basic changes that the plan spells out. The council...the school improvement council becomes a permanent decision making group within the subdistrict that holds the school accountable for carrying out their plan. The councils bring local accountability and democracy to our public school system and do not duplicate existing school groups. One of the problems that we have in the City of Chicago with a very large bureaucratic system, as we go around our districts, we hear from parents constantly how frustrated they are that they do not have any input whatsoever into the process. They have suggestions but they have no input whatsoever. This would bring the decision making process down to the local level and give parents input along with staff as to how to improve the quality of education at the local schools. Again, Chicago only, no dollars, and I would ask for your support for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill 2188 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2188 having received the required constitutional majority is declared passed. 2189, Senator Luft. House bills 3rd reading is House Bill 2189, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2189.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2189 was introduced at the request of the State Dental Society. It simply says and provides that copies of dental records shall be made available upon request to the patient or his guardian and it recommends that the director of R and E consider recommendations made by the examining committee regarding professional conduct. I'd try to answer any questions; otherwise, I'd seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2189 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2189 having received the required constitutional majority is declared passed. Top of page 10. 2199, Senator Barkhausen. House bills 3rd reading is House Bill 2199, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2199.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2199 as amended is identical to Senate Bill 1153 which earlier passed this Chamber. Its most essential provision is that it allows the issuance of General Obligation Bonds upon approval in a referendum for the purposes of creating a joint municipal

water action agency. This is of great interest to Lake County, and I know of no opposition and urge your favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 2199 pass. Those in favor vote Aye. Those opposed vote...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. House Bill 2199 having received the required constitutional majority is declared passed. 2202, Senator Sangmeister. House bills 3rd reading is House Bill 2202, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. House Bill 2202 received some discussion previously on another bill and what this bill does is it takes off the grandfather clause on...annexation petitions that have been filed. We...fought the fight on this bill back four years ago and Joliet Township High School was locked in under a grandfather clause. All we're asking is that the grandfather clause be taken off and that Joliet Township High School be treated exactly like every other school district in the State of Illinois. Let's let the law that the General Assembly saw fit to pass apply to this petition as well as to all others. Move for a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall...Senator

Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...as Senator Sangmeister has...has just indicated, the...the thrust of the amendment that has been put on this bill...this is the same amendment that was put on House Bill 242 and which this...this Body, I think, very wisely...the day before yesterday...defeated. That bill is now on postponed consideration and I hope that we will not have the opportunity to get back to it later. I would...hope that, once again, you would defeat this bill. It, again, changes the rules of the consolidation game in...late in the fourth quarter. Let us let the consolidation effort that is going on in Kendall and Grudy and Will County proceed under the law as it stood at the time the proceedings begun. Here we are trying to encourage consolidations, let's not...let's not make it more difficult than it...already is. I would...I see that Senator Jerome Joyce is not on the Floor. He spoke...rose and spoke in opposition to this...to the comparable legislation a couple of days ago, perhaps I could do that for him now since I know that it does affect some of his constituents. I would strongly urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, to echo what Senator Etheredge said. This is...does affect part of my district and I would also urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, I hope everybody noticed that all we're talking about here is...nobody gets into the merits of the bill. The opposition, obviously, doesn't want to get into the merits of the bill because they're on the side of the guys with the

black hats and I want to tell you what's the problem with this petition being covered by current law. We recognize a deficiency of not allowing people to vote in a referendum. My God, that's all we hear about here on the Floor is let the people vote back in the district, that's all we're asking for is for a referendum. Now, if referendums are fair, and we've always said they are, we should have the right. Here's a school district that's going to lose twenty-five percent of their assessed valuation, and the people can't vote on that? Let's quit lining up around here on the basis of who's for and who's against the amendment and let's take a look at the merit of the legislation. Not only are you doing this to Joliet Township High School...you know the Governor was there and spoke law day and spoke so laudably about the high school that he was...speaking in. I hope he realizes that we could use some votes from his members to maintain that district. If we lose twenty-five percent of the assessed valuation, and plus, also, we looked at the printout that just came through on the School Aid Formula, every school district in my district gets an increase except one, Joliet Township High School loses another three hundred and fifty thousand dollars. Without this legislation, sincerely, we could bankrupt that district. I ask for common decency and consideration. This school district needs this and deserves it and it's hurting no other district. The other districts involved, it isn't hurting them at all. They're trying to steal our...our refineries is what they're trying to do. Is that fair? I ask for a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 2202 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 15, 1 voting Present. House Bill 2202 hav-

ing received the required constitutional majority is declared passed. 2205. House bills 3rd reading is House Bill 2205, Mr. Secretary, read the bill.

END OF REEL

REEL #6

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2205.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill combines the provisions of two Senate bills we passed out of here and it enables a holding company to merge trust companies and it allows successor company to assume all the rights and duties of the combined entities. The commissioner of banks is unopposed to this bill, I don't know of any opposition and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall House Bill 2205 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2205 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2220, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2220.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The Calendar is in error as to the percentage set-aside. There is no percentage in this bill. What the bill does is authorize the Department of Commerce and Community Affairs to annually include in existing CDAP set-aside programs, money for moving expenses as an allowable activity to be...to have grants awarded for in the State of Illinois. An amendment added by Senator DeAngelis also states that not only as the original bill provided for companies moving into Illinois would be eligible for grants but companies moving within the State of Illinois would also be eligible. I would move for a favorable vote on House Bill 2220.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, this...this bill has been...has been changed both over in the House and over here. Now, am...am I correct in understanding that there is no percentage set-aside in the bill as it has been amended?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That it correct, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

There is no set-aside, there's no...no set percentage, but you can receive grants for movements from outside the State and also with...within the State. And so...the total

number of dollars that have been allocated to this program in recent years, as I understand it, is five million dollars. So that...and there is cap on each award of a hundred thousand dollars...okay. Then this money, as I understand it, if it were not used for the purposes of moving, would...is used for infrastructure improvements, money that is doled out...perhaps doled is a poor word but...grants that are...are given to local units of government for infrastructural improvements. Isn't that...isn't that the case?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Community Development Block Grants are used for development in community, which may include the beautification plans for downtown such as...we just received a grant in the City of Streator. There is some infrastructure money that it could be used to build up the infrastructure, it's a broad based program which the department administers grants to...cities and villages. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Then I...I rise in...in opposition to the bill. It...it doesn't make any sense to me to use some of this money to make infrastructural and...and other improvements, projects that people at the local level have...have deemed are...are useful and necessary and useful to them, and to spend that money and to...to move equipment from one county in the State of Illinois to another. We're...the amendment to this bill has the impact of...of pitting one locality in the State against another in...in terms of...of attracting business, and we would use money for other local improvements to...to move one firm from one county to another. It just doesn't

make any sense to me. I would encourage a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. Let me point out to the members of the Body that the amendment allowing for interstate movements was not my idea but rather Senator DeAngelis' on your aisle; unfortunately, he chose not to speak in support of his amendment. But let me explain the reason for the bill and perhaps that will clarify why money will be taken from CDAP programs. A business wished to move from Indiana into Illinois; however, it didn't have the funds to move its equipment. The Department of Commerce and Community Affairs was unable because of not having the authority to allow that company to receive a grant to move in the equipment and bring jobs to Illinois. So the purpose of the bill is to try to get companies from out-of-state to bring jobs to Illinois and to encourage them to do so by allowing the Department of Commerce and Community Affairs to award them grants. The department doesn't have to award a penny under this bill, they don't have to award a single cent. It's up to them as to when in their discretion they feel that a company would come in and create employment in the State of Illinois, and I think that that is what we're talking about when we talk about improving our infrastructure, certainly that includes taking care of employing people in Illinois and bringing business to Illinois. I would urge an...a favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the question is, shall...shall House Bill 2220 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 24, none voting

Present. House Bill 2220 having received the required constitutional majority is declared passed. 2226, Senator Marovitz. House bills 3rd reading is House Bill 2226, Mr...Mr. Secretary. Senator Marovitz, you wish to...recall this bill, is that correct? House bills 3rd reading is House Bill 2226, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2226.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the bill for hard core drop-out youth. We passed this bill...Senate Bill 1317, 57 to nothing. Last Saturday, I think most of you have gotten this pink sheet, there was an editorial in the Chicago Tribune on behalf of this program for dropouts and...as you know, that's been a very serious problem in our State. Every year over twenty thousand youth drop out of high schools in Chicago, and across the State about twenty-seven thousand youth drop out. Ninety percent of these kids will never return to their regular public school programs and there is a high correlation, as most of you know, between nonattendance and juvenile crime. Costs the State twenty-five thousand dollars to incarcerate youth for one year, seventy-five percent of these kids are illiterate and incarcerations of juvenile youth have increased by a hundred and eighty-five percent. This program and House Bill 2226 will focus on hard core high school drop-out youth, age sixteen to twenty-three who won't return to their regular school programs. The program is a companion to the educational reform package in that it's a sensible approach to investing in some programs to reach these kids.

Program payments will be based strictly on student educational achievement and outcomes. This is meant to provide a much higher level of program accountability. No performance, no payment, I think that's the key to this bill. If the kids don't perform, there's no payment. 4.5 million dollars is in the State Board of Education. This has gone through the State Board of Education, it will be in their Adult Education line item for programs throughout the State of Illinois, participation by local public school districts and community colleges districts is voluntary. For many kids who cannot function and are not part of the public system, this is their last chance. If they don't get a chance to get into an alternative program such as this, they will never be literate, they will never have an opportunity to be a functional part of society. Eventually, we're going to pay for them in terms of the law enforcement and our prison systems. Give them the last opportunity. Again, we passed this bill 57 to nothing, Senate Bill 1317. This is the bill that will go to the Governor's Desk. It's been approved by the State Board of Education and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? Senator Keats.

SENATOR KEATS:

I don't rise in opposition except to say that it would be interesting to remind some of the local schools who allowed these illiterates to go through there, let them or their parents chip in...it's always interesting that we are responsible for someone refusing to learn or accidentally not learning. I don't rise in opposition because it is cheaper to do it this way than any other way, but maybe you ought to charge those who help cause this problem rather than forever the other taxpayers' having to pay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall House Bill

2226 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2226 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2232, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2232.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yeah, thank you, Mr. President. House Bill 2232 requires the regional superintendent of education to publish an annual accounting of receipts and distributions from the Institute Fund. Currently, the superintendent has to annually report to the county board the condition of the fund but not to the teachers that actually pay into it. So this bill would say that he has to either publish the condition of the fund in a locally published newspaper or send a...a report to the local school board. The bill further provides for procedure to fill a vacancy in the Office of Regional Superintendent when and if one occurs, and I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a question for the sponsor, if she will yield. Could you kindly tell what institute that is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

What is the Institute Fund? The Institute Fund is a fund

that the teachers have to pay...they pay four dollars a year to register their certificate every year and that money goes into the fund for their institute days, et cetera.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 2232 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2232 having received the required constitutional majority is declared passed. 2249, Senator Hall...House bills 3rd reading is House Bill 2249, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2249.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Under existing law, a person may seek judicial review of an electoral board's decision on a objection to a tax rate change proposition. Under the bill, a person before asking judical review may appeal an electoral board's decision to the State Board of Election. The bill would authorize the State Board of Election to review the decision of the following electoral boards that hear objections to local tax rate propositions; county officers, municipal officers, township officers and education officers. It also will allow for appeal to the State Board of Election of an electoral board's decision regarding the sufficiency of such petitions. It...also require anyone seeking review by the State Board of Election to file an appeal, therefore, with ten days of deci-

sion by electoral board. And...fourth, it would provide for a judicial review of any State Board of Election decision. Now, a likely effect of this bill is to reduce the preliminary expense and time required to contest a tax rate referendum. The bill requires that electoral boards do much of the work, that would otherwise have to be done by the objector. By allowing an objector to petition the State Board of Election prior to seeking a court hearing, the objector is allowed to present his case in a forum which would be less costly than initiating court action. Judicial review is still an available option however. So I would ask most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 2249 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting...1 voting Present. House Bill 2249 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2259, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2259.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2259 is...intended to facilitate the transfer of real estate and the payment of a real estate transfer tax were applicable. The bill requires that the transfer of tax be in the form of revenue stamps,

that they be available at the county recorder's office and that the tax declaration sheet be the basis upon which the...stamps are assessed. Be glad to respond to any questions, ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 2259 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1 voting Present. House Bill 2259 having received the required constitutional majority is declared passed. 2263. House Bill 2263, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, House Bill 2263 would require the director of Public Health to be a physician, licensed and practice medicine in all of its branches and, basically, would make him accountable for all the decisions. I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Collins.

SENATOR COLLINS:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Does...does...does the director applicant have to have any administrative experience and training?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, it's my...that he should have some administrative experience in public health.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Just to clarify a few things in House...or Senate Bill 864 which I am the sponsor, it's coming back on concurrence, does include an amendment that does exactly this only much more and I just bring that to your attention. I think it's a much better bill, pardon me, Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Didn't we just...six...about six years ago repeal this provision at the request of all parties concerned including the Illinois State Med. Society for two reasons. One is that they felt the public health needed a...an administrator, you can always hire a physician and, secondly, a person who met all the qualifications that you were talking about, you couldn't hire 'cause the salary wasn't high enough. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Well, I don't think that's correct, but, obviously, we tried both systems and they didn't work and we're reverting

back to the original to say that's probably a better way, the original system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, I'd like...rise in opposition to this bill. We're now putting back something into the law that we felt collectively was a good idea to remove about six years ago. We did the same thing with the Department of Mental Health when we removed the fact you had to be a psychiatrist. Who knows, Frank, you may give me an...you put...you pass this and the Governor signs it, you may not have the opportunity to let me become the director of public health and have an opportunity to get me out of here. So I would urge everybody to vote No on this bill, because we're limiting the possibility to have a good administrator; and because what may have been one episode, which didn't make any difference who was director, if that episode was going to happen, it was going to happen, because some lower level of authority individual did not check that dairy as it should have been and that could happen to anybody and to try to put this back in now just...due to all the publicity I think is bad, bad administration 'cause what we need is good administrators to head a department. You can always hire the technical staff and I don't know many MDs who are good administrators, and even some chiropractors are not a good administrators and myself included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Schaffer. We have DeAngelis, Schuneman, Netsch. Senator Schaffer.

SENATOR SCHAFFER:

Well, I won't belabor the point. Frankly, I don't think this is an idea whose time has come. There are a few of us that remember the years that we had doctors in, and I don't mean to put down any individuals but, frankly, we had a very

tough time at the salary we paid and will continue to pay attracting the kind of personnel that we wanted, and this is no slight on the gentleman who I think has probably come here in the...in the midst of a crisis more out of public service than...than out of a...a feeling he's being adequately compensated. I will tell you that that first director that was put over there was a breath of fresh air in that department and did a lot of good, and I don't really have anything negative to say about the gentleman who decided to take one too many vacations, except he decided to take one too many vacations at a bad time. I don't think that that is justification for going back to the old system. I think, frankly, that both here in the Department of Public Health and the Department of Mental Health, the...the bringing in of administrators has had a very beneficial effect, and to get back to the old ways, I think is a mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Does the current law prohibit the hiring of a doctor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, it doesn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

So, if there is a qualified doctor to administer that department, under the current law, they can be chosen as director of that agency?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Can you tell me if there's currently a doctor the head of public health?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, there is not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

The answer is yes. And I would like to remind the Body that that doctor that's currently the director is a pediatrician. Now, I am not criticizing the current appointee 'cause I think he's a well-qualified person. My point is this, is that if we're going to choose someone...if we're going to limit this by expertise, then you ought to not only limit it to a doctor, you ought to limit it to a certain kind of doctor, because having a doctor in there isn't going to do any better than having anybody else in there. And I think all you're doing with this is limiting the options that are available, you're not helping anything else because you can, in fact, still appoint a doctor; and I might also remind the Body, if anybody has been following any part of the salmonella situation, it was not lack of medical expertise, it was lack of administrative ability.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, not to belabor the point, but you will find that most doctors are lousy administrators. What you need is a good administrator in there, and...if you go ahead with this bill,

you're going to preclude the hiring of good, able administrators who can do the job. We've had a fine administrator...handling the Department of Mental Health, he's not a doctor, and I can remember we had a psychiatrist who was the head of the Department of Mental Health and it was a mess. So I certainly oppose this bill on those bases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of House Bill 2263 and would ask all members, particularly of this side, to support this. I think this is a statement, it is in no way in derogation of what the Governor has done. He has, in fact, found a physician to assume that awesome responsibility, but I think the time is...is appropriate that we, again, restate as a matter of public policy that we consider...we, the General Assembly, consider this agency so important that we're going to mandate that it be a physician licensed to practice, a medical doctor who is, in fact, in charge. And I'll tell you, a medical doctor can hire all the administrators he wants, let's turn it around, don't tell me that it...it should be an administrator and he can...hire all the medical doctors he wants. Let's say to the people of Illinois, that yes, indeed, there should be a medical doctor...we used to have this law and the Governor came to all of us, as you will remember, and said, in effect, I can't find a doctor who will take this at this salary and he was right. So we had the Compensation Review Board...at least make a...a living wage or what purports to be a living wage for these cabinet officers. But the fact is, now that everything is back in place and now that we have had a controversy of some major proportion where seventeen or eighteen thousand people in this State suffered, it seems to

me only appropriate that we reestablish as a matter of policy, whatever it takes, we want a doctor in charge, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...the question is, shall House Bill 2263 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 28, none voting Present. House Bill 2263 having received the required constitutional majority is declared passed. 2266. House bills on 3rd reading, House Bill 2266, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2266.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2266 authorizes the Department of Energy and Natural Resources to develop a program for making grants to nonprofit organizations for pilot recycling projects. I understand this is permissive...permissive program, it's certainly not mandatory. I don't know of any opposition. Be glad to answer some questions, if there are any.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2266 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. House Bill 2266 having

received the constitutional majority is declared passed. House Bill 2278, Senator Marovitz. Senator Marovitz seeks leave of the Body to bring House Bill 2278 back to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading, House Bill 2278, Mr...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. In order to keep my word to members on the other side of the aisle, having voted on the prevailing side by which Amendment No. 1 was...was adopted, I would move to reconsider the vote by which Amendment No. 1 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz moves to reconsider the vote by which Amendment No. 1 is adopted. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. The vote is reconsidered. Now, Senator Marovitz moves to Table Amendment No. 1 to House Bill 2278. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Could I see a copy of that. What is...what is Amendment No. 2? I would move to Table Amendment No. 2, also to keep my word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz moves to withdraw Amendment No. 2. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Coffey.

HB 2283 3rd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Yes, thank you, Mr. President. To keep my word, I'll Table my amendment also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further amendments? Senator Coffey withdrew his amendment. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2283, Senator Welch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2283.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The Calendar is correct, the amended bill includes employees of units of local government and school districts but not employees or the...of the State or local...State or Federal Government from the Wage Payment and Collection Act. The basic idea is to ensure that those benefits available to nonpublic employees are available to public employees at the local level.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2283 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 6, 2 voting Present. House Bill 2283 having received the constitutional majority

HB 2286
3rd reading

is declared passed. House Bill 2286, Senator Kustra. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Bill 2286 requires school districts to pay the cost of a physical examination if and when the school board requires a physical exam from a teacher who has been absent for fewer than few...three days. Basically, this is a bill that stems from a problem in a downstate school district, the Bushnell Prairie City District 170 who apparently has a superintendent that sent a memo out requiring employees to go get a...a doctor's certificate every time they took a...a day of sick leave. That's costly for the employee, they tried to reason with this gentleman to no avail, they came to this General Assembly and ask that at least in those cases for under three days, the school district pay for that physical examination, maybe that will discourage school districts from doing this. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2286 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 3, none voting Present. House Bill 2286 having received the constitutional majority is declared passed. House Bill 2308, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2308.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, because those who had originally asked us to introduce and support this legislation are no longer interested in it, I move to Table House Bill 2308.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion, is there any objection? Hearing no objection, leave is granted. House Bill 2310, Senator Darrow.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2310.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Bill 2310 amends the Department of Children and Family Service Act. It prevents advance funding for grants to the Unified Delinquency Intervention Services Program. I know of no opposition.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2310 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2310 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2351. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2351.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, members of the Senate, this bill would...address a specific problem faced by some of our northwestern Cook County suburbs who need landfills, and it...it would say that the rate charged to residents of the county can be no higher...they can't charge noncounty residents a higher rate, and I would move its passage.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. This particular piece of legislation came through the Local Government Committee and one of the reasons that many of us oppose that, and there was quite a bit of opposition, in fact, it passed out with a five four vote and 2 voting Present, was...and just to reiterate what the Senator said. This is a bill that provides that a county landfill must charge the same rates for nonresidents as for residents. Well, generally, a county landfill, of course, is financed and probably purchased through tax dollars which are paid for by the residents of that particular county. Also, the county government of that particular area could be levying a tax on the people of, let's say, DuPage County if...in this particular case, the DuPage County people may be paying more taxes to support this landfill. So, I don't see particularly any problem in allowing the county to have the discretion to charge people from outside of that area more...more for use of that landfill. I see no problems whatsoever with that; in fact, municipalities in my

area do that quite often, if you don't live within the city, you pay a higher rate for...for using their facilities. So I...I think this is a bad idea and a bad precedent to establish, and I would urge a No vote.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'd just like to echo Senator Watson's comments. If a unit of government uses local property taxes and local revenues and develops a landfill, buys the ground, puts the berm in and then sets a rate that only partially covers the cost, it is unfair to ask the taxpayers in one county to subsidize people in another county. I happen to live in a area that is not in a park district, we have a park district, my area didn't want to be in it, and when I sign up for the swimming pool, I pay twice as much as the people in the district because I don't pay any property taxes to that district and that's fair, because that swimming pool was built with the property taxes from the people within the district. I don't think we want to start this precedent. The county in question bought the land and developed those landfills with taxpayers' money and is charging a rate that only partially covers it. In addition, when those landfills are over, the county is going to be stuck with the responsibility, and I might add, a somewhat awesome responsibility, for a large number of years of monitoring that ground to make sure that that landfill does not become a negative influence in the area. This is totally unfair and a precedent that we do not want to set in this General Assembly.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I, too, happen to serve on this committee and this was a good bill the way it was introduced

and the way our...initial analysis says it is. The way it is now with this amendment, it is a very bad bill, and I would suggest all my colleagues including those from my county vote No.

PRESIDENT:

Further discussion? Senator Savickas, you wish to close?

SENATOR SAVICKAS:

Well, I would just suggest that all those that represent Chicago and all suburbs in Cook County and all their friends should support this bill, because Cook County is a area that...that needs a...an area for landfills so they can remove some of their debris, and I would hope that those in Cook County and those that are their friends would support this legislation to help us out in our time of need.

PRESIDENT:

The question is, shall House Bill 2351 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 32 Nays, none voting Present. House Bill 2351 having failed to receive the required constitutional majority declared lost. 2362, Senator Collins. On the Order of House Bills 3rd Reading is House Bill 2362. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2362.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. House Bill 2362 says exactly...does exactly what the Digest says in the Calendar. It just requires custodians of public

funds to invest when possible those...funds into minority owned financial institution. It also permits the State Treasurer to accept deposits for...proposals for deposits for State monies that will accept the lower...he can accept the lower interest rate if an institution invest those funds into community development projects. I will be happy to answer any questions; if not, I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. The...the bill came out of the Financial Institutions' Committee 10 to nothing but that was not reflective. At the time we just agreed to let the bill out and we were letting a series of bills out, so that vote did not reflect the feelings. There are several questions on the bill, one says that this shall be done, not may. It requires the treasurer to make these investments. Now, I am not speaking for the State Treasurer...I am not speaking on his behalf, but we are turning the State Treasurer into DCCA. Basically, he will take all the State funds and will invest them in these various organizations that are kind of hard to define. You know, the...the papers have been running stories about what are minority owned businesses and the problems involved and various front group. What's a community development project and how does the treasurer then determine when a custodian is performing reasonably? How would you like to be in the treasurer's shoes and try and define reasonably when you have a minority owned business doing a community development project or some...you know, those are the kind of problems involved. The treasurer does at this time do a certain amount of this. He does accept a lower interest rate on part of the State funds voluntarily doing this. It's a good program, but remember, this doesn't say may be done, this says shall be done and the State Treasurer

has to decide what is reasonable...when he already concedes that he is not getting maximum interest. You're putting the treasurer in an almost untenable position and...although, I suppose I should kiddingly say, being a Republican, I suppose I should be happy to see the treasurer in that difficult position, but I really don't think it's fair for the treasurer regardless of who he is, and I would solicit a No vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Collins, you wish to close?

SENATOR COLLINS:

Yes, in response to Senator...Keats, this is an amendatory amendment to an existing Act. The qualifications for the investment of funds into any bank still remains the same, we have not changed that. So for whatever criterion that he uses now to...to invest those funds to ensure that the funds are sound and that there are adequate returns on those investments, they would use that same criteria, it did not change.

PRESIDENT:

The question is, shall House Bill 2362 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, none voting Present. House Bill 2362 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading on House Bill 2364. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2364.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 2364 enumerates the types of evidence to be considered in the evidentiary hearings conducted by the circuit courts in the lien reductions involved in personal injury cases. Be glad to respond to any questions and ask that...a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2364 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2364 having received the required constitutional majority is declared passed. 2378, Senator Karpiel. On the Order of House Bills 3rd Reading, House Bill 2378. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2378.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 2378 amends the Election Code to require that an election judge must print his or her name, ward, township or road district and precinct number in which he or she is serving on a badge that they will be provided.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2378 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes,

HB2384 3rd Reading

no Nays, none voting Present. House Bill 2378 having received the required constitutional majority is declared passed. Senator Luft. On the Order of House Bills 3rd Reading is House Bill 2384. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2384.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2384 is an attempt to eliminate the penalty of corporations who invest or expand and consequently increase employment in this State. What we're trying to do with House Bill...2384 is to amend the Illinois Corporation Income Tax Formula to bring us in line with the efforts of other states, such as Massachusetts, Connecticut and Florida who are perceived to have an excellent business climate. The bill will double the weights, the sales factor...double weights the sales factor and the Corporate Income Tax Apportionment Formula, thereby reducing the tax penalty currently imposed on companies who invest in the State of Illinois. It also removes the existing tax incentive for companies to leave and expand outside Illinois. I feel like we have passed many incentives this year to attract people and corporations into this State, and it is my hope with this bill, we will help the corporations that already exist and do their business in the State of Illinois.

PRESIDENT:

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Here we go again and it is really very unfortunate. I know how these things work and I know how many votes are going to be up there, but let me tell

you what we are doing. We are once again changing the Apportionment Formula for the corporate income tax, that is the tenth time in the last twelve years. Under this proposal there will be some winners and some losers, there always are some winners and some losers. For the most part, the winners have already signed a letter to you saying that, yes, they would love to have this done because it will reduce their State taxes...is it going to reduce the State treasury? I don't know. I don't think we have any way of determining that until we find out who, in fact, has their income tax and changed by how much? But the real point is that this is the most awful business message that could be sent by the State of Illinois, and if...if I might, at least two corporations have had the courage, and I think there are a few more, to stand up finally and say so. So, instead of my saying so, let me tell you what the Ford Motor Company has said in a letter which has been, I think, distributed to some of you. "Illinois' Corporate Income Tax Code has been changed ten times in the last twelve years. These continual changes, we believe, mark Illinois in the eyes of the business community as a State with a Tax Code continually being rebent to suit the narrow interest of a few." And, again, they say, "If adopted into law, House Bill 2384 will send out warnings to many large multi-State firms that they have good reason to fear Illinois. It will harm the State. The good intentions with which this is done will not lessen the harm. Illinois will sacrifice the stature it gained by the thorough reworking of the Corporate Income Tax in 1983." That is a point of view that is also shared by General Motors Corporation which has said again, please, what we most need...what we, the business community most need in State tax policies is stability. You can't go around changing the law every year and twice on Sunday simply to accommodate a few businesses who prefer it that way, that turns off all of the rest of us.

I know I am talking to a...a blank, barren wall, but just listen, you know, for the first time at least some of your big Illinois businesses have stood up and said, don't keep doing this to us. That is the worst message you can send about the business climate of the State of Illinois. I might say that that is a point of view that is strongly shared by the Department of Revenue which has also urged that we do not change the tax law in this form again.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I'm very heartened to see that the sponsors in the Senate and in the House, for the most part, are Democrat Senators and House members who realize that we cannot keep biting business off. We cannot keep making ourselves think that we're going to keep business here. We've lost enough businesses and if you take a look at the number of companies that are affected by this favorably if this bill passes, they have far more employees than Ford Motor Company or General Motors has in this State and I would urge the passage of this bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Keats, are you closing...Senator Luft. Senator Keats will close.

SENATOR KEATS:

Okay. I'm closing. I just want to correct one thing, I appreciate what Senator Netsch has said and she would be correct except for one thing, our Tax Code is closely tied to the Federal Code, we all know that. And I think everyone knows that this year President Reagan and Chairman Rostenkowski, in a somewhat bipartisan manner, will rather dramatically change the Federal Tax Code. If there is ever a time to make a major correction in our code, this is not that

HB 2387
Recalled

major a correction, it would be this year knowing that in a somewhat bipartisan way, Congress is going to make a major change in our Tax Code because we're linked to it. What I simply say is this benefits Illinois growth firms, Illinois headquartered firms, it's a direct benefit for firms that are headquartered in Illinois and the...and the stability of the Tax Code issue would be good if it were not for the fact that we all know there's a huge tax change coming. I appreciate a positive vote.

PRESIDENT:

The question is, shall House Bill 2384 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 20 Nays, none voting Present. House Bill 2384 having received the required constitutional majority is declared passed. Top of page 12, on the Order of House Bills 3rd Reading is House Bill 2387. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2387, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 3.

SENATOR BERMAN:

Thank you, Mr. President. This is a bill that was passed out of the House under the sponsorship of Representative Madigan that deals with the area of evaluation of teachers and remediation of teachers in the reform mode. The...in committee, questions arose as to the role of the consulting teacher and there was an amendment that was adopted in

committee that clarified the role of the consulting teacher. The Speaker upon review did...thought that that was too restrictive and the language that's...embodied in this amendment is a compromise position, and what it in fact says, is that the consulting teacher will...let me read it, "shall provide advice to the teacher rated unsatisfactory on how to improve teaching skills and to successfully complete the remediation plan. The consulting teacher shall participate in...developing the remediation plan but the final decision as to the evaluation shall be done soley by the administrator," and that's the key phrase that was adopted in the House...in the committee amendment. The other point that's changed that's addressed here is that the time line that's spelled out in the remediation plan; namely, that a...within thirty days after completion of the evaluation, a teacher...a teacher shall receive the remediation plan. We have said here that failure to comply with the time...with that time requirement, namely, thirty days, shall not invalidate the results of the remediation plan. I move the adoption of Amendment No. 3.

PRESIDENT:

3...Senator Berman has moved the adoption of Amendment No. 3 to House Bill 2387. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I would rise in support of Amendment No. 3. I think that we've worked a long and hard...several hours relevant to the language in this particular amendment, and I applaud Senator Berman's notion to be conciliatory and it seems to me that this would satisfy both the members of the Senate as well as the House, and would move also to support this amendment.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Yes, thank you, Mr. President. Just for confirmation from the sponsor to be sure...'cause I remember as it went through committee that we were very much concerned with the fact that the administrator would be the evaluator and that the teachers would be the consulting so-called helpers as the remediation process went along. And I want to be sure that this amendment keeps that intact.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, it does.

PRESIDENT: tf

All right. Senator Berman has moved the adoption of Amendment No. 3 to House Bill 2387. Further discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2391, Senator Berman. On the Order of House Bills 3rd Reading is House Bill 2391. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2391.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. This...this creates the preference to the Handicapped Workers' Act. What it does is that if there are two people of equal qualification...equal qualification, one

of whom is handicapped, the handicapped applicant shall be given a preference. This is similar to what is done with veterans and other laws that we have previously passed. I move...solicit your Aye vote for 2391.

PRESIDENT:

The question is, shall House Bill 2391 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 3 Nays, none voting Present. House Bill 2391 having received the required constitutional majority is declared passed. 2399, Senator Karpiel. On the Order of House Bills 3rd Reading is House Bill 2399. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2399.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. House Bill 2399 amends the Highway Code and creates a county division of transportation. Provides for a director of the division who should...shall be appointed by the county board chairman with advise and consent of the county board and shall be an employee of the county board. That's all it does, I ask for your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2399 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57

HB 2408 3rd Reading

Ayes, 2 Nays, none voting Present. House Bill 2399 having received the required constitutional majority is declared passed. 2400, Senator Savickas. On the Order of House Bills 3rd Reading is House Bill 2400. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2400.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Bill 2400 in its amended form is an addition to the Motor Vehicle Franchise Act. It adds a new section to the Act which more clearly defining what a motorcycle is, and it adds provisions unique to the motorcycle industry; these provisions regarding financing, ownership by a dealer of the franchise and the repurchase of parts when a franchise is terminated. This bill has been agreed upon by the motorcycle dealers and the Motorcycle Industrial Council and the manufacturers. The concerns of Secretary of State have been answered and the concerns of DCCA have been answered. I would just seek your favorable support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2400 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 3 Nays, none voting Present. House Bill...2400 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2408. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2408.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. Speaker. House Bill 2408 was introduced at the request of the State Board of Election. The bill simply clarifies existing language in the Election Code to permit the filling of vacancies and nominations up to sixty-one days prior to the General Election which is the date of certification. It also makes various other technical changes in the code. I know of no opposition and it passed the House 114 to 2 to 2, and I ask for your support of this bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2408 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2408 having received the required constitutional majority is declared passed. 2416. On the Order of House Bills 3rd Reading is House Bill 2416. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2416.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate.

I quite honestly don't know why this bill wasn't on the Agreed Bill List. It simply deletes reference to obsolete language to reflect the changes made last year by the incorporation of the offense of rape into the sexual assault provisions. I know of no opposition and would ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2416 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 2416 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2418. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2418.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator...Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Senate Bill...House Bill 2418 amends the Illinois Coal and Energy Bond Development Act, the Natural Resources Act, and creates the industrial...Illinois Industrial Coal Utilization Program and creates a new board called the Coal Development Board to administer funds of the Energy Bond Fund. I'd be glad to answer any questions and urge a...passage of House Bill 2418.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2418 pass. Those in favor will vote

HB 2421 3rd Reading

Aye. Those opposed will vote Nay. The voting is open...the voting is open, please. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2418 having received the required constitutional majority is declared passed. Senator Bloom. On the Order of House Bills 3rd Reading is House Bill 2421. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2421.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This is the Civic Center Act legislation. As you know, we scaled it back and provides some program discretion with DCCA and then we added in nine civic centers that were on it when it came over from the House. This probably won't be the last time we see this. Answer any questions, otherwise,...

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2421 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. House Bill 2421 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2434. Senator Maitland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 2434. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

What these two amendments do, Amendments 1 and 2, deals with land owned by DOT in Highland Park that they want to be giving back that will then be developed. It's right at...where Edens and Old Skokie Highway hit.

PRESIDENT:

All right. Senator Keats has moved the adoption of Amendment No. 4 to House Bill 2434. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 5 offered by Senator Keats.

PRESIDENT:

Senator Keats, same explanation...moves the adoption of Amendment No. 5 to House Bill 2434. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 2437, Senator Keats. On the Order of House Bills 3rd Reading is House Bill 2437. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2437.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

This bill as amended deleted what was presently on your Calendar. The amendment by Senator Philip set up that if you're picketing, you have to be someone who worked for that company, you can't be a paid picketer. Now, you or I could join the picketers as a sympathy picket, but you can't just go hire people from anywhere to go picket to harass people. I think it's an excellent idea and I'd appreciate your favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2437 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. House Bill 2437 having received the required constitutional majority is declared passed. Mr. Owens owes me a nickle. On the Order of House Bills 3rd Reading is House Bill 2440. Read the bill, Mr...(machine cutoff)...

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2440.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this bill is the one asked for by the Fire Marshal. It would take the fees received from boiler and pressure vessel certification and place them into the Fire Prevention Fund. I understand that this is approximately five hundred thousand dollars per year. Apparently, what they use this money for, the Fire Marshal's Office gets a little over three-fourths of this money, the Illinois Fire

HB 2444 3rd Reading

Service Institute gets about twelve percent and the Chicago Fire Training Academy apparently draws about ten percent from this fund. The idea here is so that they will be able to hire additional inspectors. It's a task force recommendation in light of the chemical disaster that we had in Bhopal. I might also say that we did at 2nd reading add on the amendment that deals with the...self-service stations, the one that we need in downstate Illinois and merely ask for your support.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2440 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2440 having received the required constitutional majority is declared passed. Top of page 13, on the Order of House Bills 3rd Reading is House Bill 2444. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2444.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

...thank you, Mr. President. This is in two parts. One is the amendment that establishes an Insurance Financial Regulation Fund in which the fees are to be deposited. This is not an assessment formula, but it does provide a...a spot for monies and this money according to this amendment is to defray only the expenses for analyzing and working and examining financial commissions of insurance companies. This amendment is in contrast with one which has been put in...in

HB 2445 3rd Reading

the House on 1234, there will be a Conference Committee on that, and an attempt will be made to agree on how much should be left in the fund or whether it should be pulled dry. However, the main bill, the first part of this bill before the amendment is one that I commend for your attention and it provides that no life or health insurance company may...discriminate against individuals who are blind or partially blind in the issuance of their insurance policies. They can't charge a different premium or put any other terms or conditions on a contract unless those distinctions are based on sound actuarial principles. I do ask your favorable vote on this...

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2444 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2444 having received the required constitutional majority is declared passed. Senator Topinka. On the Order of House Bills 3rd Reading is House Bill 2445. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2445.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is the Department of Insurance...bill. It amends the Health Maintenance Organization Act, increases the minimum amount of contingent reserve that...an HMO shall have and imposes a one hundred dollar per day fine on an organiza-

HB 2446 3rd Reading

tion for each day of delay in filing its annual report or annual audit, and it defines terms such as HMO, organization and provider. I don't know of any opposition.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2445 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2445 having received the required constitutional majority is declared passed. Senator Schuneman. On...on the Order of House Bills 3rd Reading is House Bill 2446. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2446.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a Department of Insurance bill that seeks to make some changes as affects a holding company operations here in Illinois, holding companies which own insurance companies. Basically, what the department is trying to do by means of this legislation is tighten the restrictions on investments which insurers can make in affiliated companies. This bill would subject a limited number of material intercompany transactions with...within a holding company system to the...to the review of the Department of Insurance prior to their being affected by the holding company. The intent of the department is simply to prevent the type of manipulation of activities which was...which occurred in the case of the Baldwin United Company and others, and I would be happy to respond to any questions.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2446 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. House Bill 2446 having received the required constitutional majority is declared passed. 2447. On the Order of House Bills 3rd Reading, House Bill 2447. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2447.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill was on the Agreed Bill List until Senator Berman called it off, and I think we and the department have taken care of his problem. However, what the bill does, amends the Public Aid Code, the...Marriage and Dissolution of Marriage Act and the Code of Civil Procedure. It sort of puts...us in compliance with Federal legislation, and I...I would move for its adoption.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2447 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 2447 having received the required constitutional majority is declared passed. 2472. 2475, Senator Kustra. With leave of the Body, we'll get back to 2472.

HB 2475 3rd reading

2475, Senator Kustra. On the Order of House Bills 3rd Reading is House Bill 2475. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2475.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Bill 2475 contains four provisions really. The first one is an attempt to deal with a problem which occurred from a bill we passed last time around. We amended the language here to provide that when...absentee ballot applications are available for inspection...let me back up a little bit. Originally, when the bill passed the House, the...House Bill 2475 provided that absentee ballot applications were to be made available for public inspection from the time they are received by the election authority until thirty days after the election, except for the time that they are in the hands of the election judges. The County Clerks' Association objected to that particular language because they pointed out that applications are sealed up when the ballots arrive. So we amended the language here to provide that they are available for the inspection during the above time, except when they are sealed or when they are in the hands of the election judges. This removes the objection of the county clerks and, therefore, there is no objection to that particular part of the bill. The next three parts of the bill deal as follows with election law in the following way. In 1982 when the Grand Jury did a report on the vote fraud which occurred in the 1982 elections, it singled out that door-to-door voter registration canvass as the single, greatest source of vote fraud. What this bill does is eliminate

in-precinct...in-precinct door-to-door voter registration canvasses. At the present time, that's only done in Cook County anyway, and so what we're doing is suggesting and...and mandating by this bill that instead of a door-to-door registration, we move to a nonforwardable mail registration which is used elsewhere around the State. As a matter of fact, I noticed that in Lake County, for those of you from Lake County, nonforwardable mail is the way canvasses are done there, and the former clerk, as a matter of fact, who serves in the Illinois House now says they've used that system for a number of years, the post office air rate is about five percent. The second part of this bill deals with the problem created when people are inadvertently or unjustifiably knocked off of the rolls, and this deals with the affidavit procedure. Basically, the amendment provides a means with very stringent safeguards for such persons to vote on election day without having to go all the way down to the election authority to do so. The third provision of this bill is...an amendment which provides a way to make sure that the ballots which were cast on election day are actually counted, by requiring an inventory of the contents of the sealed container. Finally, this bill provides that in...in an election jurisdictions which use electronic voting systems and in-precinct counting of ballots, election judges will be denied a receipt for the return of election materials after the close of the polls unless the materials have been inventoried by the election authority and are found to be in order. I...I will be glad to answer any questions about this bill, and I urge your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? Senator Philip on this bill?

END OF REEL

REEL #7

SENATOR PHILIP:

Thank...(machine cutoff)...Mr. President and Ladies and Gentlemen of the Senate. I...I might suggest this to you that it is a simple, simple unexpensive way to verify if people are registered and live in that particular precinct, and I would suggest that we ought to give this a nice, big green vote.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I understood there was some discussion relevant on 2nd reading about an attempt to accommodate Mr. Lavelle. Has that accommodation been made and are the County Clerks' Association in...in Illinois in support of your bill as it stands now?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

The County Clerks' Association is not in opposition to this bill. It's my understanding that Mr. Lavelle is in Atlantic City...on some convention or something and I haven't talked to Mr. Lavelle in...in...in two days. I...I...I think I can safely say he is still in opposition to sections of this bill.

PRESIDENT:

All right, further discussion? If not, the question is, shall House Bill 2475 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes,

7 Nays, none voting Present. House Bill 2475 having received the required constitutional majority is declared passed. 2487. On the Order of House Bills 3rd Reading is House Bill 2487. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2487.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Civil Administrative Code to establish the Illinois Clean and Beautiful Advisory Board of the Department of Community Commerce Affairs, authorizes DCCA to...to make fifty percent matching grants to community based litter and solid waste reduction...establishes Statewide coordinator with DCCA to administer the program. I think it's a good bill and I ask for its adoption.

PRESIDENT:

Any discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, at the end of June it hardly seems appropriate to bring up cost when we're only talking about four hundred thousand dollars for a program. After all, that would only buy a small farm, I guess, and it's a rather insignificant figure on a date like this, but we're talking here about creating an advisory board, which I guess is probably a new way of saying that we used to call them commissions, now they're advisory boards, to DCCA and we're going to set up a grant program to do something that really ought to be done out there in all of these areas right now, just...we're talking about a...basically, a landfilling process, I presume. We had this bill before our Ag. Committee. All I can say is, I...I just don't consider it to be a neces-

sary type of bill; admittedly, it's not maybe an expensive one by today's standards, but I think there's probably better ways we could spend four hundred thousand dollars.

PRESIDENT:

Further discussion? Any further discussion? Senator Lemke, you wish to close?

SENATOR LEMKE:

I think this is a necessary bill. This is being done in all the states in the union and to set up a...a Clean and Beautification Advisory Board to get rid of the litter and solid waste reduction programs and I think it's a...encouraging program to communities to clean up...clean up the State, and I ask for its adoption.

PRESIDENT:

Question is, shall House Bill 2487 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 26 Nays, none voting Present. House Bill 2487 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 2499. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2499.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is set up guidelines for DCCA in its monitor and local public interstructure in the State, requires a report to be submitted to the General Assembly and the Governor by January 1st, 1987 and every three years thereafter. I think it's a good bill and I ask for its adoption.

PRESIDENT:

Further...any discussion? If not, the question is, shall House Bill 2499 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. House Bill 2499 having received the required constitutional majority is declared passed. 2512, Senator D'Arco. On the Order of House Bills 3rd Reading is House Bill 2512. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2512.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Bill 2512 provides for the Illinois Youth...Employment Program Act. It is a program to try to get local councils designated by DCCA in order for these councils to provide employment in business communities in low income poverty areas for youth between the ages of sixteen and twenty years of age. We are looking for an appropriation for this money and...and we believe there will be money for this project. It's important in these high density unemployment areas in the City of Chicago and throughout the State of Illinois. It's a good program, it's a necessary program, it is vital for the interest of the State and the city, and I ask for your favorable support.

PRESIDENT:

Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. With all due respect to the sponsor and as well-intentioned as

this bill is, I feel that there are a few things that should be brought to your attention about the bill. For one thing, the income tax...if you were to read it, the income tax provisions are extremely vague. They simply state that a business or an individual may deduct the fair cash value of such contribution from their income tax. Under this bill, and this is worth listening to, a business could donate one thousand dollar to the...one thousand dollars to the local council, which this bill would permit to be set up, and receive a one thousand dollar income tax credit and also receive a grant from DCCA to pay a person's salary. That is one that the council would pick out for a job or that they would sponsor for a job. In other words, a business could hire a youth and receive an income tax credit for the amount of his...for the amount of the salary. Another consideration is that there are currently job programs administered by DCCA, established by the Federal Job Training Partnership Act that would do something along this same line. Also Build Illinois contains a permanent youth employment program and a summer youth employment program. The program established in the bill is to be administered by DCCA. DCCA will set the rules and the regulations for the program. The only specifics in the bill is concerning the eligibility of youth and the rest is up to DCCA, and I won't take your time, ladies and gentlemen, to go through a host of unanswered questions here but there are many. How much money, for example, are we talking about here? We don't know. We simply don't know. So, I offer these for your consideration before your final vote on the bill.

PRESIDENT:

Further discussion? Senator D'Arco, you wish to close?

SENATOR D'ARCO:

Thank you, Mr. President. That's what we're supposed to be all about. That's the incentive for business to hire a

youth who is at this point in time unemployed and who is unskilled and the business has the necessary equipment to provide him with a job and a skilled job so he can live a decent life in our society, and these local councils have an incentive because they can apply to DCCA for a grant in order to motivate the business to hire this youth in the first place. That's what this program is all about. It is...listen, let's face the facts, these kids are roaming the streets and...and they have nothing to do with their time. Now we either admit that or we go about our ways and forget it exists. This is a good program. It's a thought out program. Business isn't going to be hurt by this and State is going to benefit by it 'cause you're going to make people taxpayers in this State instead of roaming the streets doing nothing. This is a good bill and I ask for your support.

PRESIDENT:

Question is, shall House Bill 2512 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 26 Nays, none voting Present. House Bill 2512 having received the required constitutional majority is declared passed. Senator Philip, do you want to go to 2472? On the Order of House Bills 3rd Reading is House Bill 2472. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2472.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is part of the Governor's plan, Build

Illinois. Happy to answer any questions and ask for affirmative votes.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2472 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57...57 Ayes, no Nays, none voting Present. House Bill 2472 having received the required constitutional majority is declared passed. Senator Maitland on 2515. On the Order of House Bills 3rd Reading is House Bill 2515. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2515.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2515 as it left the House was...was an amendment to the Act. It basically is rewritten to conform to Federal standards and to address some other problems...the bill in that form passed out of the House on the Agreed Bill List. I would suggest to you though that there were two amendments that were added in this Chamber, one that...that addressed precisely the...the charge of fees for dairies, dairy plants and milk haulers, a hundred dollars a year for...for dairy plants and twenty-five dollars a year for the milk haulers. There is no fee there assessed to the farmer, I want to point that out. Amendment No. 2 addressed a problem by the Department of Agriculture and it clarified that only raw agricultural commodities which are for direct human consumption are to be regulated by DPH.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2515 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58...59 Ayes, no Nays, none voting Present. House Bill 2515 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, bottom of page 13, is House Bill 2523. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2523.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This bill provides that the...it amends the Horse Racing Act providing for fingerprinting of the applicants for license and a fee involved. I'd appreciate a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 2523 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 2 Nays, none voting Present. House Bill 2523 having received the required constitutional majority is declared passed. Top of page 14. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to have leave to have...have this bill held till November. This is the annual Legislative Reference Bureau bill that we make all the changes on in November...the

correction of the mistakes we make grammatically and technically on the bills that we're passing. I'd like to have leave to have...have it heard in the Fall Veto Session.

PRESIDENT:

All right, the gentleman seeks leave to hold 2525 until the Fall Session, with leave to hear it then if it's...if it's required. Leave granted? Leave is granted. It stays on the Calendar. Ladies and gentlemen, for your information, we will continue on with the appropriation bills and handle those, I'm sure, with some dispatch and then begin again at the top of Calendar on the top of page 2 and go through the Calendar...what's remaining one more time and that's it, and our obvious hope is that by eight o'clock we will have concluded our business. In the meantime, Senator Keats and Representative Pullen, for a brief moment, have a very special guest that they would like to introduce. So, if you'd just stay at ease for a moment and pay attention. The Chair will happily yield to Senator Keats.

SENATOR KEATS:

Thank you, Phil. Penny and I would like to introduce a gentleman named Pat Robertson who many of you have heard of. Pat is the President of the Christian Broadcasting Network in Virginia. He's actually the son of the late U.S. Senator Willis Robertson who many people forget was one of the Democrat Senators from Virginia, and Pat founded the Christian Broadcasting Network roughly twenty years ago in Virginia, came from New York at the time, with seventy dollars in his pocket, founded what is today the largest Christian Broadcasting Network in the entire world and the third largest cable network in the entire world with more than four thousand six hundred stations, has twenty-nine million domestic viewers and is growing at the rate of thirty thousand a day. The Tribune had a major article on Pat today and he will be in Chicago talking to a group of people. Just a little more

background. Pat's a former...a former Marine. We should kid, for some of our lawyers, I apologize for all the things I've said about lawyers, Pat even has a legal background, but we now have Christian Broadcasting...the CBN University, the Christian Broadcasting Network. In 1978, they opened Operation Blessing which is one of the largest private organizations serving the poor in America. They've helped over five million people in 1984...and in 1985 they opened up Operation Heads Up which is teaching literacy to functionally illiterate black and Hispanic students in urban ghettos. We just want to introduce Pat to say hello while he's in town.

PAT ROBERTSON:

(Remarks made by Pat Robertson)

SENATOR KEATS:

While I'm in the Chair, I got three bills I'd like to quickly move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, House bills 3rd reading, page 14, the appropriation bills, House Bill 24, Senator Welch. Mr. Secretary, House Bill 24.

SECRETARY:

House Bill 24.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill contains a bill that we passed out of here several months ago providing one million fifty-seven thousand six hundred dollars for the Northern Illinois University Engineering School. The version that came over from the House includes a one million dollar appropriation to the Board of Governors for establishing an...Engineering School at Chicago State University. I would

move passage of House Bill 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Bloom.

SENATOR BLOOM:

Well, unfortunately, on the...I guess I'm the designated hitter again. Chicago State was added with a partisan roll call in the Appropriations Committee. Chicago State, as you may remember the debate, has no physics department. This is not the place to be doing this. Northern Illinois is already included in the Board of Higher Education's budget. This bill right now is totally unnecessary, and I think that now is not the time to pass it. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...question is, shall House Bill 24 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25, none voting Present. House Bill 24 having received the required constitutional majority is declared passed. House...Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Let's verify the affirmative vote, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Maitland has requested a verification of the affirmative vote. The members will be at their desks. The Secretary will read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse,

O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, do you question any one...

SENATOR MAITLAND:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Senator Jones on the Floor? Strike his...strike his name.

SENATOR MAITLAND:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins on the Floor? Senator Collins is at the back of the Chamber, just walked in the door.

SENATOR MAITLAND:

Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith on the Floor? Senator Smith is on the Floor. Senator Jones is now on the Floor, so...restore Senator Jones.

SENATOR MAITLAND:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson is at the back of the Chamber. All right, on that question...on the verified roll call, the Ayes are 31, the Nays are 25, the...none voting Present. House Bill 24 having received the required constitutional majority is declared passed. Senator Maitland.

SENATOR MAITLAND:

Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...thank you, very much, Mr. President. On...on a

happier note for the President, I...I want to report to the Body that it's been a difficult thirteen or fourteen days for President Rock and I'm happy to report to him that at this point in time, the Cubs are ahead four to three.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, maybe we ought to take time out and watch the rest of it. House Bill 143, Senator Netsch. Mr. Secretary, House Bill 143.

SECRETARY:

House Bill 143.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Senate and the House have already passed the substantive bill, House Bill 142; indeed, we passed it by a vote of 54 to 3. This is the appropriation for the grants for public radio and television at the amount of five million six hundred thousand dollars. It covers stations all over the State, eleven radio and seven television, and I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 143 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 6, none voting Present. House Bill 143 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 342, Mr. Secretary, read the bill.

SECRETARY:

House Bill 342.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 342 was introduced by Representative Madigan and Representative Juan Soliz. It would appropriate twenty million dollars from the Capital Development Bond Fund to the City College System of Chicago for the purpose of establishing a technical skills center, a junior college, on the south side of Chicago in the Hispanic community. This has been the subject of quite a bit of community and other discussion. There are commitments all the way around. There's a great deal of interest and I would urge an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I object to it. There's twenty million dollars unbudgeted. The Governor doesn't want it, the labor unions don't want it and, quite frankly, there is no program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well,...the...the fact is that...that organized labor is in support. The city administration is in support. The city colleges are in support and they came to the committee, plan in hand. As a matter of fact, they even have a site picked out at 23rd and Western, in the heart of the Hispanic community. I think it's fair to say that you and I both know that they're not going to be in a position to expend the entire twenty million dollars in this fiscal year, but I

think it's more symbolic than it is real, frankly, that we make a commitment to the Hispanic community in Illinois that, yes, indeed, we recognize that they have special difficulties and, yes, indeed, we are prepared as a State to assist in the building of this college. The city college has committed, as I understand it, an additional ten million dollars for a total of thirty, and while you and I both know the entire amount won't be spent, I am convinced the Governor will see the wisdom of this and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator Nedza.

SENATOR NEDZA:

Is he closing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, yes. Question is shall House Bill...Senator...Senator Nedza, you want to make a remark? Go right ahead. Senator Nedza.

SENATOR NEDZA;

Well, I didn't know the Senator was closing, but I'll rise in support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall House Bill 342 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25, none voting Present. House Bill 342 having received the required constitutional majority is declared passed. 362, Senator Vadalabene...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has requested a verification of

the affirmative roll. The members will be in their seats. The Secretary will read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Coffey, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Philip, do you question the presence of any member?

SENATOR PHILIP:

Yes, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman on the Floor? Senator Berman on the Floor? Senator Berman on the Floor? Strike his name.

SENATOR PHILIP:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch is not recorded.

SENATOR PHILIP:

Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey on the Floor? Strike his name. Senator Philip, do you question the presence of any other member? Senator Philip,...you concluded? All right, on that...all right, on that question, there are 29 Ayes...we did not verify you off, Senator. There was 29 Ayes, 25 Nays, none voting Present. House Bill 342 having failed to receive the required constitutional majority is declared lost...sponsor requests postponed consideration. House Bill 362. House bills 3rd reading is House Bill 362, Mr. Secretary.

SECRETARY:

House Bill 362.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hold it...hold it...hold it...hold it. Senator Vadalabene.

SENATOR VADALABENE:

I don't want...I don't want to pass that one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Take it out of the record. 418, Senator Savickas. All right, House bills 3rd reading is House Bill 418, Mr. Secretary, read the bill.

SECRETARY:

House Bill 418.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is a bill I think we all should support. It's a reduction in our expenditure. It's reduced from 4.8 million dollars to one dollar. We're saving over four and a half million dollars. I would solicit your support in this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 418 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, 2 voting Present. House Bill 418 having received the required constitutional majority is declared passed. 526. 529, Senator Luft. House bills 3rd reading is House Bill 529, Mr. Secretary, read the bill.

SECRETARY:

House Bill 529.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 529 is identical to Senate Bill 132 that we had already passed and sent over to the House. So, this bill has been reduced to an appropriation of one dollar, I'm assuming at the request of the House sponsor to be sent back to the House for further consideration. If there are any questions, I'll try to answer them; otherwise, I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion?...

SENATOR LUFT:

...favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? If not, the question is, shall House Bill 529 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 529 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 530, Mr. Secretary, read the bill.

SECRETARY:

House Bill 530.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 530 provides for

the Fiscal Year '86 ordinary and contingent expenses of the State Board of Elections, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 530 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 530 having received the required constitutional majority is declared passed. 569, Senator Philip. House bills 3rd reading is House Bill 569, Mr. Secretary, read the bill.

SECRETARY:

House Bill 569.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Governor's Build Illinois at the Democrat's level. Appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall...House Bill 569 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 569 having received the required constitutional majority is declared passed. 583 I am told is to be amended. Senator Davidson seeks leave of the Body to return House Bill 583 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House

Bill 583, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. First, a...technically, I believe we...could we then have leave to get back to it after we go to another bill so that we can then get the final passage. This would be an add-back for the Office of the Secretary of State based basically on a recalculation of the merit compensation, an error we made in the multiple other amendments and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 4 to House Bill 583. Is there any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Carroll, we'll jump right back to it, okay. Page 15, 641. House bills 3rd reading is House Bill 641, Mr. Secretary, read the bill.

SECRETARY:

House Bill 641.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 641 appropriates 2.3 million dollars in the General Revenue Fund to renovate several existing mental

health buildings at the Anna Mental Health and Development Center to serve as a veteran center in southern Illinois. We have veterans all over our area who have need of these services that are provided by a veteran center of this sort. It would enable the veterans in the southern part of this State to stay in close proximity to their families, and I would move for your favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I am a veteran and, frankly, I think veterans deserve a little extra treatment and I feel fairly strong on it, but these things are starting to pop up like checkoffs or weeds, and I have a feeling the day is going to come that we're going to regret having built this massive structure of veterans' homes which will become very difficult to close. I think we've gone through a rather dramatic drop in the population in the mental health area and we've had a difficult time bringing the number of available beds down to where they ought to be. I know parochial local interest, and if I were a Senator and I had one of these facilities, I'd be standing exactly where you are, Senator. I'm certainly not criticizing it. I would suggest if we as a State are going to commit this kind of dollars into expanding all of these facilities and building these facilities which we will then be saddled with for a long time, if we're that interested in the veteran, if we take that money and use it as a stipend to subsidize veterans in nursing homes near their homes, we could keep the veterans not only in their area of the State but in their home town with their families where they really want to be. This isn't the veterans' bill, it's...it's a bill for some jobs in a particular locale because we shut down some mental hospitals, and I...I guess that's the reason, but these things are going to come back to haunt us

and probably sooner than any of us think.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. Well, perhaps you're right, Senator Schaffer. I might point out that this is not in my district, it's in Senator Dunn's district. It does serve a purpose. This has been the process that we've taken in this State to form veterans' centers to take care of the people that have gone to bat for this nation in a time when the nation needed their services. I don't think this is the time to turn our back on those people now. We need to service them where they are so they can stay close to their families, stay close to their friends. I would move for your favorable consideration of this bill. I think it's entirely appropriate to balance out these centers geographically across the State. We have none in southern Illinois. There are several in the central...and northern part of this State, this balances it out. Thank you for your consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 641 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 15, none voting Present. House Bill 641 having received the required constitutional majority is declared passed. Now we'll jump back to page 14 and pick up House Bill 583...House bills 3rd reading is House Bill 583, Mr. Secretary.

SECRETARY:

Senate Bill...or House Bill 583.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the...annual budget...excuse me, Secretary of State with all the various amendments. The total amount is a hundred and eighty-three million four hundred and fourteen thousand eight hundred and ninety-one dollars. Appreciate a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 583 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 583 having received the required constitutional majority is declared passed. Back to page 15. 651. House Bill 651, Senator Donahue. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 651.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you. This is simply the ordinary and contingent expenses for the Commissioner of Savings and Loan and...I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 651 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none

voting Present. House Bill 651 having received the required constitutional majority is declared passed. House Bill 652, Senator Fawell. House...652, Mr. Secretary, read the bill.

SECRETARY:

House Bill 652.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very...thank you, very much. This appropriates eight hundred thousand seven hundred dollars for the ordinary and contingent expenses of the Prison Review Board. There are a couple of committee amendments. One is the Equipment, ten thousand dollars that was added on in the House to assist with the move to a new location, it was deleted and the request for four new cars was reduced to the capital guideline...capital...the Central Management guidelines, and I would move to pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 652 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 652 having received the required constitutional majority is declared passed. 653, Senator Dudycz. Mr. Secretary, House Bill 653.

SECRETARY:

House Bill 653.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 653 as amended appropriates seven million fifty-six thousand four hundred dollars in traffic and criminal convictions...surcharge funds to the Local Government Law Enforcement Officers Training Board for Fiscal Year '86, and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 653 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 653 having received the required constitutional majority is declared passed. 654, Senator Sommer. Mr. Secretary, 654.

SECRETARY:

House Bill 654.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the payout for the State Employees' Retirement System. The Teachers' Retirement System was added and it has...been leveled at sixty-eight percent rather than sixty-five as in the other bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question...any discussion? Question is, shall House Bill 654 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 654 having received the required constitutional majority is declared passed. 655, Senator

Sommer. 656, Senator Donahue. House Bill 656, Mr. Secretary.

SECRETARY:

House...House Bill 656.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This is the OCE for the...at...at...for the Pollution Control Board at one million one hundred and eight-four thousand nine hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 656 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 656 having received the required constitutional majority is declared passed. 657, Senator Schaffer. Mr. Secretary, 657.

SECRETARY:

House Bill 657.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson...I mean, Senator...Senator Schaffer.

SENATOR SCHAFFER:

Members of the Senate, this will leave the Senate at a million two hundred and eighty-four thousand, down some two hundred and seventy-eight thousand, it's for the Educational and Labor Relations Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 657 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 657 having received the required constitutional majority is declared passed. 658...Senator Bloom. All right, House Bill 658, Mr. Secretary.

SECRETARY:

House Bill 658.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I'll...I'll withdraw it at this time. We're...we're holding it. I misread my handlers' signals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. 659, Senator Geo-Karis. House Bill 659, Mr. Secretary.

SECRETARY:

House Bill 659.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 659 as amended appropriates seven hundred and one thousand seven hundred dollars in General Revenue Funds to the Human Rights Commission for Fiscal Year 1986 and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further...any discussion? Senator Lemke.

SENATOR LEMKE:

I rise in criticism of this department and the other department. Three years ago we passed a bill asking for rules and regulations for...to process claims for the discrimination on the basis of national origin. To this...to this date, this commission and this department, Human Rights, has not seen fit to adopt those rules and regulations, and I'm from the...community of...ethnics who are discriminated against in certain jobs and I think it's indicative on this department that can make rules for the slogan, "Us Four and No More" and forget about the other group of people. They can see fit to make rules for minorities and for handicapped, for women and disabled, but they see now that they can't make rules in regards to discrimination against our people; therefore, I will vote Present on both of these bills. In fact, I think this bill should be held, I don't know why it left...on to this department 'cause I've received a very nasty letter where they aren't even thinking about considering it. I think it's terrible on this department, especially run by somebody that says there...discrimination on the basis of minority. We are discriminated against all our life and we try to survive. When we try to do something and go along and have rules, they refuse and ignore us and mistreat us, and I think I'm voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Well, Mr. President and ladies and Gentlemen of the Senate, if there has been some promise made to the former Senator...you have my word that I will personally talk to the director and I'll see that you get your answers and I move for favorable passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 659 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 4 voting Present. House Bill 659 having received the required constitutional majority is declared passed. House Bill 660, Senator Geo-Karis. Mr. Secretary, House Bill 660.

SECRETARY:

House Bill 660.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 660 as amended appropriates three...three million nine hundred and twenty-nine thousand a hundred and fifty dollars in general revenue and Federal funds to the Department of Human Rights for Fiscal Year 1986, and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 660 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 5 voting Present. House Bill 660 having received the required constitutional majority is declared passed. Page...page 16, House Bill 661, Mr. Secretary, read the bill.

SECRETARY:

House Bill 661.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 661 appropriates one million four hundred and seventy-two thousand eight hundred and thirty-four dollars to fund the expenses of the Medical Center Commission for Fiscal Year '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 661 pass. Those in favor will vote Aye. Those opposed Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 661 having received the required constitutional majority is declared passed. House Bill 663, Senator Schaffer. Mr. Secretary, read the bill.

SECRETARY:

House Bill 663.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This is the appropriation for the Emergency Service...and Disaster Agency. I'm not quite sure what the final figure is...as our amendments, 'cause it's not on this handle sheet I have. There were several amendments added. I believe it's in line though.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 663 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

57, the Nays are none, none voting Present. House Bill 663 having received the required constitutional majority is declared passed. 664, Senator Bloom. 664, Mr. Secretary.

SECRETARY:

House Bill 664.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. House Bill 664 is leaving the Senate at two hundred and fifty-five million six hundred and eighty-two thousand, four million over budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 664 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 664 having received the required constitutional majority is declared passed. House Bill 665, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 665.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 665 appropriates eight million five hundred and sixty-seven thousand dollars to fund the expenses of the Military and Naval Department for...for Fiscal Year '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If the...if not, the question is, shall House Bill 665 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 665 having received the required constitutional majority is declared passed. 666, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 666.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the OCE for the Commerce Commission. It has been reduced three hundred and twenty-four thousand dollars by action of this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 666 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 2 voting Present. House Bill 666 having received the required constitutional majority is declared passed. 667, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 667.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 667 appropriates one million eighty-seven thousand dollars to fund the expenses of the Liquor Control Commission for Fiscal Year '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 667 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 667 having received the required constitutional majority is declared passed. 668, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 668.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, at the present time, this...this bill is at one billion seven hundred and thirty-seven million. There were series of amendments. The big one added eighty-five million for necessary income tax refunds so the folks out there can get the money that they're looking for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall House Bill...Senator Lemke.

SENATOR LEMKE:

I just want to ask a question of Senator Sommer. Senator Sommer, does the Department of Revenue have anything in the budget to show the people...the taxpayers the new Taj Mahal

they built with their tax dollars...with the tax increase we put on them a few years back, I mean, that glass palace over there that sits...we're going to show that to the taxpayers so they can all see how their money is well spent and wasted when we get the energy bills on it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

...what was your question? I don't know if I understand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I wonder if we're going to show our...the tax papers...our constituents this great Taj Mahal we have built here of glass windows and...and with great expense, the Ice Building. I mean, it's properly world...worded because I think in the winter, if we don't pay the heating bill, there's going to be ice inside, and I was wondering if we're going to show this to the great taxpayers that have paid this with their tax increase that was put on them by the Governor a few years ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Carroll, for what purpose do you arise? Senator Carroll.

SENATOR CARROLL:

I'm waiting for it to go on...thank you, Mr. President. A point of order to Senator Lemke and Senator Sommer. Under the Department of Revenue regulations, they are no longer taxpayers, they are now deemed customers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If...the question is, shall House Bill 668 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 668 having received the required constitutional majority is declared passed. House Bill 669, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 669.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

My...my seatmate wants the Body to know he comes from a community of slim ethnics. This is the appropriations for the State Labor Relations Board. It would be leaving the Senate at two million seventy thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 669 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 669 having received the required constitutional majority is declared passed. 670, Senator Mahar. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 670.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 670 appropriates six million eight hundred and fifty-seven thousand two hun-

dred dollars to fund the expenses of the Illinois Racing Board for Fiscal Year '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 670 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 670 having received the required constitutional majority is declared passed. 671, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 671.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the current level of this appropriation is seven hundred and ninety-one thousand dollars, a reduction of fifty-three thousand dollars by this Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? If not, the question is, shall House Bill 671 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 671 having received the required constitutional majority is declared passed. House Bill 672, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 672.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, House Bill 672 is leaving the Senate at a hundred and eighty-four million nine hundred and twenty-six thousand, about five over budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 672 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55...56, the Nays are none, none voting Present. House Bill 672 having received the required constitutional majority is declared passed. Page 17, House Bill 673, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 673.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

The department will leave the Senate at a hundred and ninety-five million eight hundred and sixty-one dollar...thousand dollars, virtually all of which is Federal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 673 pass. Those in favor vote Aye. Those opposed vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2

voting Present. House Bill 673 having received the required constitutional majority is declared passed. 674, Senator Weaver. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 674.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

This appropriates a hundred and eighty-eight million two hundred and twenty thousand to Energy and Natural...Resources as well as Department of Conservation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 674 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 674 having received the required constitutional majority is declared...passed. House Bill 676, Senator Sommer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 676.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

I got a new score. The Cubs are ahead six to three. This includes both the payout for the Judges' Retirement System and the...and the General Assembly Retirement System, they're both in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 676 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 676 having received the required constitutional majority is declared passed. 677, Senator Sommer. 678, Senator Kustra. House Bill 678, Mr. Secretary, read the bill.

SECRETARY:

House Bill 678.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Bill 678 provides a hundred and thirty-nine million six hundred and forty thousand and six hundred dollars for the FY '86 ordinary and contingent expenses of the Department of Rehabilitation Services. I ask for your favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 678 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55...the Ayes are 57, the Nays are none, none voting Present. House Bill 678 having received the required constitutional majority is declared passed. 679, Senator Schaffer. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 679.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This is the mental health budget for six hundred and eighty-five million dollars, and despite the sponsor and director's best efforts, I fear it's headed for a Conference Committee...Representative Fredericks, if you can hear me, here it comes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If...if not, the question is, shall House Bill 679 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none...1 voting Present. House Bill...679 having received the required constitutional majority is declared passed. 683, Senator Davidson. Read the bill, Mr. Secretary, please. 683.

SECRETARY:

House Bill 683.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this has the annual budget for the Illinois State Historical Library and the new Historical Sites Preservation Division that's now part of it for ten million four hundred and six thousand eight hundred and ninety-five...dollars. Appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 683 pass. Those in favor vote Aye. Those opposed vote

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 683 having received the required constitutional majority is declared passed. Well, if there's...I am told...reliably or unreliably that the Cubs won seven-three. House Bill...House Bill 693, Mr...Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 693.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As reduced to two-thirds, this is to pay two-thirds of the Appellate Services costs, State's Attorney's Appellate Service Commission for the Appellate Services Division in the County of Cook. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Is this to fund the legislation that we just passed...yesterday or maybe it was even today, I'm not sure?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes. I'm not sure which legislation you're talking about but, yes, it is to fund legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate...further discussion? Senator Sommer. Oh, I'm sorry, pardon me. Senator Watson wasn't finished. Senator

Watson.

SENATOR WATSON:

Do you have a letter from Doctor Bob on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I have the power of the pen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, in line with our general policy that if a substantive bill passes, the appropriation bill will accompany it to the Governor so he can make whatever decision he makes, I would say that we would lend our mild support to this at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 693 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays...on that question, the Ayes are 40, the Nays are 17, none voting Present. House Bill 693 having received the required constitutional majority is declared passed. 721, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 721.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

This is for the State Appellate Defender's Office. It's leaving the Senate at four million four hundred and fourteen thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 721 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. House Bill 721 having received the required constitutional majority is declared passed. 946, Senator Marovitz. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 946.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 946 appropriates 1.6 million for the AG's Crime Victim Assistance Act, a hundred thousand is appropriated for the Attorney General's Grant Fund and 1.5 million appropriated for the Violent Crime Victim Assistance Act which we passed last year. There are no House or Senate amendments. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 946 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 946 having received the required constitutional majority is declared passed. Page 18, House Bill 947, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

HB 993
3rd Reading

House Bill 947.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for some twenty-four million seven hundred and forty-six thousand four hundred is the OCE for FY '86 for the Office of the Attorney General, a couple hundred thousand under the way it was introduced. I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 947 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 7, 1 voting Present. House Bill 947 having received the required constitutional majority is declared passed. 993, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 993.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This is the FY '86 appropriation for the General State Aid Formula...level...increase of two hundred million dollars. Ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...any discussion? Question is, shall House Bill 993 pass. Those in favor vote Aye. Those opposed vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the...the Ayes are 50, the Nays are none, 6 voting Present. House Bill 993 having received the required constitutional majority is declared passed. 1011, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1011.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is an appropriation of two hundred fifty-one thousand two hundred dollars to the Law Enforcement Merit Board. The...the appropriation was reduced thirty-nine thousand eight hundred dollars pursuant to Senate guidelines and I would move for adoption of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...any discussion? Senator Sommer.

SENATOR SOMMER:

This particular item is already in the law enforcement budget. A question for the sponsor would be, why are we doing it by a separate bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is a different fund I think you're talking about. This is a...a separate fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Would you amplify that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, this is a...a different appropriation, number one; it's going to a similar purpose but yet it's a...a separate bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

We agree it's a separate bill and it's identical. What is its purpose? Could you tell us that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, the purpose is to appropriate a budget for the Law Enforcement Merit Board. If it's redundant, I'm sure the Governor will use his pen and take care of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...further discussion? Senator Carroll.

SENATOR CARROLL:

If...maybe to edify just slightly. It's my understanding the merit board is not...substantive language should not be part of the Department of Law Enforcement so that they wanted a separate budget because they are supposed to be independent of the department; otherwise, they were within the appropriation and pen power of the Department of the Law Enforcement, so this created them as a separate entity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 1011 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 15, none voting Present. House Bill 1011 having received the required

HB 1070
3rd Reading

constitutional majority is declared passed. 1040, Senator Barkhausen. Read the bill, Mr. Secretary, please. All right, I'm...I'm sorry. Senator...Senator Bloom.

SENATOR BLOOM:

Yes, that's mine and we're going to hold that here now. That's now under my sponsorship.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh. All right, the record will...should so reflect then Senator Bloom is the principal sponsor. Is that correct? Will so indicate. Take it out of the record. House Bill 1070, Senator Rock. House Bill 1070, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1070.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1070 appropriates one billion sixty-two million dollars to the State Board of Education for Operations and Grants. It is a decrease of a hundred and twelve million dollars as introduced and it...the primary reason is that we cut ninety-eight million dollars for the reform measures and we'll be sending the bill to a Conference Committee, obviously, with the reform measures dollar amounts as yet undetermined and we will leave that, obviously, to the summit. I would encourage a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Coffey.

END OF REEL

REEL #8

SENATOR COFFEY:

Thank you, Mr. President. Senator Rock, maybe Senator Carroll might want to...to answer this...one point, the Illinois Government Internship Program had a hundred and thirty thousand dollars and it was cut back and then was added back on to it. Do you know where that's at, presently?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yeah, I...I know we left it in, it's at a hundred and five thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Coffey.

SENATOR COFFEY:

...is...is this final...will these bills still...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

If you're asking if it's going to the Governor's Desk from here, the answer is no, it's going to a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1070 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 1 voting Present. House Bill 1070 having received the required constitutional majority is declared passed. 1097, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1097.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the operations of the Supreme Court and the other courts within the State at a hundred and twenty-six million two hundred twelve thousand dollars, a million and a half below the introduced level and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1097 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 1097 having received the required constitutional majority is declared passed. 1110, Senator Carroll. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1110.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President, Ladies and Gentlemen of the Senate. This is three hundred and fifty-three thousand for the clerks of the circuit courts around the State pursuant to legislation passed by the General Assembly, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill...1110 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 7, none voting Present. House Bill 1110 having received the required constitutional majority is declared passed. 1247, Senator Netsch. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1247.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill has been reduced to a million eight and it would permit the transfer of the State's accounting system to the GAAP System, G-A-A-P, to get underway, this would cover at least the general design study. We've got to do this at some point because the bonding houses absolutely insist that we have GAAP accounting available when we go to market for bonds, which we now do three or four times a year. It will take a few years for this to get fully done so that we can keep up with the bond requirements, but this is at least a start. I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 1247 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. House Bill 1247 having received the required

constitutional majority is declared passed. 2239, Senator Rock. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2239.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. House Bill 2239 is the appropriation for FY '86 of 5.3 million dollars for the operating expenses of our district offices. As you know, we were successful in obtaining the twenty thousand dollar...or a ten thousand dollar differential between us and the House. I know of no objection and I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2239 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 voting Present. House Bill 2239 having received the required constitutional majority is declared passed. House Bill 2240. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2240.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2240 is the annual appropriation for the

operation of the General Assembly in the total amount of eighteen million three hundred thousand dollars, a five percent increase over last year. I solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 2240 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 2 voting Present. House Bill 2240 having received the required constitutional majority is declared passed. Senator Coffey, for what purpose do you arise? All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. We will now return to page 2 at the top and go once more through those bills that have not been called today and those that were subject to recall, and then there's a motion to reconsider filed by...I don't know, Senator Schuneman on 2391; wherever it is, we'll get to that order and the final order of business will be, if we get there, consideration postponed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Page 2, House Bill 54, Senator Lemke. House Bill 54, Mr. Secretary, read the bill.

SECRETARY:

House Bill 54.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...amends the Coroner's Act and the Civil Administration Code and the Child Care Act and Child Administration Code, requires coroners to authorize dental

exams, requires all child care facilities, directors, officer, employees and volunteers to be serviced...to be certified by the Department of Law Enforcement, and it provides for...no such certified person should be employed until they are. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 54 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 54 having received the constitutional majority is declared passed. House Bill 66, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 66.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you. We put an amendment on here and the...amendment simply made some changes in regard to the per diem for township boards and trustees, and I know of no opposition and I'd be glad to answer any questions; otherwise, I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson...if not, the question is, shall House Bill 66 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, Nays are none, none voting Present. House Bill 66 having received the constitutional majority is declared passed. House Bill 146, Senator Kustra. House Bill

241, Senator Zito. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 241.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Bill 241 is identical language to Senate Bill 172 that we passed out here unanimously. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 241 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays...the Nays are none, none voting Present. House Bill 241 having received the constitutional majority is declared passed. House Bill 146, Senator Kustra indicated that he did want to call it and I...mistook that wave as a...to pass the bill. So, on House Bill 146, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 146.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. This bill amends the Election Code to prohibit requiring a prospective voter to provide his or her social security number when applying to vote. In Cook County there have been some requests for social security numbers. This is just a bill

that says there shall be no absolute requirement but that the request can be made. The Floor amendment...and the reason why we're dealing with this bill now is because there was a Floor amendment from the other side of the aisle which sought to clarify the language. It makes it clear that election authorities may ask a voter for his or her social security number, but the voter's refusal to give the social security number cannot be used to deny the voter the right to vote. I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 146 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 146 having received the required constitutional majority is declared passed. The Secretary informs me that on House Bill 676, we do not have a printed roll call. It is the ordinary and contingent expenses of the Illinois General Assembly Retirement System, Senator Sommer...so let's...with leave of the Body, we'll return to House Bill 676. Is leave granted? Leave is granted. House Bill 676, Mr. Secretary, read the bill.

SECRETARY:

No, I have read the bill, Mr...President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Those...

SECRETARY:

...I just...I failed to push the button, the roll call was 56 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

HB 275
3rd reading

On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 676 having received the required constitutional majority is declared passed. Now, we'll go back...leave of the Body, we'll go back to...leave is granted. House Bill 275, Senator Lemke. Mr. Secretary, read the bill.

SECRETARY:

House Bill 275.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Civil Code of Procedures, repeals an Act in relation to trust estates and transfers the substance of the latter to the former without the changing the law. It also affects the trust liability, permits trustees to deposit securities within another fiduciary. I ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 275 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 275 having received the required constitutional majority is declared passed. 296, Senator Bloom. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 296.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

HB 320
3rd reading

SENATOR BLOOM:

Okay, just so I can clear this...make this clear, 'cause a very good friend of mine and Senator Rock's was down expressing a great deal of concern about this. We are going to, as I understand it, not move 296 and not move 952 but we are going to instead, because we have an agreement from Doctor Bob, if we could get this on the record, that the losses will be addressed in a specific line item in 1070 in the Conference Committee. Is that correct? I...I'm at a...you know, I want to do...I want to do the proper thing here. Is that basically correct? Could someone say on the record...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, it...I have been advised and Senator Maitland can confirm that it's not from Doctor Bob, it's from the Governor's Office that the request for...address the Bloom-Luft bill and the Poshard-Daniel school district problems will be an add-on item to the other school aid appropriations, and it's not necessary to move this bill or the other bill. That's my understanding and Senator Maitland is indicating his assent to that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Done and done, thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. House Bill 313, Senator Donahue. 320, Senator Savickas. House Bill 320,...Mr. Secretary, read the bill.

SECRETARY:

House Bill 320.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this is...allows the Chicago Board of Education to raise their limit for no bid contracts. There was a question on whether it would involve personal services or commodities, that is being resolved and the board of education lobbyists, Richard Guidice, said if it wasn't resolved properly that the...the bill would come back so that it would not move...or would not pass without all parties being concerned being happy with it. So, at this time, I would ask that we do vote it out, send it over to the House and hopefully get that problem resolved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 320 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 14, none voting Present. House Bill 320 having received the required constitutional majority is declared passed. 374, Senator Degnan. All right. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 374.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 374 amends the article in...Chicago Police Pension Fund, provides that the...the widow's annuity shall be increased one hundred dollars per month. Also provides that

a police officer having thirty-two and a half years of service can discontinue his contribution when his annuity is set, State mandate's amendment is on here, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall House Bill 374 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. House Bill 374 having received the required constitutional majority is declared passed. 398, Senator Joyce. Read the bill,...Mr. Secretary, please.

SECRETARY:

House Bill 398.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 398 is a agreement that has been reached between the employer, the employee group, the employees. It is similar to the bill that we passed out of here...or yesterday or day before on 561, except this applies to the labors and retirement board, employees annuity and benefit fund. It provides for a change in the present benefit accrual rate from one-six-seven to one-eight-zero and then that increasing scale as...was described when the amendment on. It also provides a means...whereby the retirement board may provide future retired employees with assistance and preservation of group coverage in hospital care and medical-surgical plan. The fund is actuarially sound, I know of no opposition. I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

The State Mandates' Act no longer applies, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

State Mandate's Act amendment is on here, also the other amendment which Senator...Schuneman requested.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall House Bill 398 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 17, none voting Present. House Bill 398 having received the constitutional majority is declared passed. House Bill 514, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 514.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. This is the funding formula for special education reimbursement. Thanks to the diligence of Senators Berman and Maitland, this is an agreement on...from both sides of the aisle, proponents of the State Board of Education, the Illi-

nois Association of Special Ed. Administrators and ISELA which is a group of twelve special ed. groups. What it does is raise the professional special education worker reimbursement from the present six thousand two hundred and fifty to seven thousand five hundred dollars for the 1985-86 school year, and in 1985, '86, '87, the increase would go from seven thousand five hundred to eight thousand dollars. It also raises noncertified special education worker but that stays the same as is in the original bill from twenty-five hundred to twenty-eight hundred dollars. This bill also creates a new formula for reimbursing the cost for severely handicapped children...educated in our schools. Basically, a school district is eligible for reimbursement when the cost for those children exceed a hundred and fifty percent of the district's per capita cost. As I have indicated, a lot of hard work has gone into this formula over the last two or three weeks. It's agreed to and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 514 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. House Bill 514 having received the constitutional majority is declared passed. House Bill 626, Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 626.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

HB 737 3rd Reading
HB 720 3rd Reading

Would you pull that out of the record, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. House Bill 720, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 720.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 720 creates, as I'm sure everyone is aware, an additional legislative support agency entitled The Citizens Assembly. It will attempt at least to take the place of those super seven that we abolished and will set up a citizen's council on children, one on economic development, one on energy resources, one on mental, one on public aid, one on school problems and one on women. In addition, we had added Amendment No. 1 which restructures the Senate leadership and at the request of the House provided a second amendment to...to equalize the compensation for the six members of the House who are the four House whips and the two House caucus chairman. I would solicit your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 720 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 19, 1 voting Present. House Bill 720 having received the constitutional majority is declared passed. House Bill 737, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

HB888 3rd reading

House Bill...excuse me...House Bill 737.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. This bill increases the recovery limits for dramshop actions from...presently from fifteen to...fifteen thousand slash twenty thousand to thirty thousand slash forty thousand, but eliminates in the process the inconsequence cause of action that was previously established under this...under this Act. The insurance industry, the...liquor industry, the...restaurantist association are...the Secretary of State are all in support of House Bill 737. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 737 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. House Bill 737 having received the constitutional majority is declared passed. House Bill 787, Senator Luft. House Bill 793, Senator Luft. House Bill 888, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 888.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 888 was sponsored by the Speaker and a

number of others over in the House and was drafted, I am told, by the Office of the Attorney General and it is a new Act. It repeals the facilities for the Handicapped Act which we passed some years ago, and creates the Environmental Barriers Act. The Act is specifically...it is specifically preemptive and it provides that the Capital Development Board shall adopt and publish standards for a minimum design and construction requirements for access to the handicapped, and those standards will apply Statewide to all new public facilities and new multistory housing units prospectively. In addition, there will be rules and regulations set up to implement the standards with respect to existing structures, and by January 1 of 1988, governmental units that are currently leasing or renting any building that is not in compliance are supposed to make every reasonable effort to terminate the lease. It allows the Attorney General to bring an action for mandamus or injunction to hault construction of a public facility if, indeed, these standards are not complied with, and as I indicated, it...it repeals the prior Act to which was not preemptive. It does allow home rule units to have obviously more stringent requirements, but we feel that the best interest of the handicapped will be served by this legislation. The Municipal League, I am told, was opposed obviously because of the preemptive feature. I would solicit, again, your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you. I'd...I'd like to ask a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Does this affect like county government? Now, in...in my

home county and in many of my counties, we got a courthouse that's...it was built in the eighteen something or other, and they can't make that accessible to the handicapped without putting in elevators. Now, is that what we're going to require these county governments to do? Are they going to have to put in elevators to make them compatible to the handicapped?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, it...it...no. In a word, no. It...it...these standards will apply to new public facilities and will be applicable to alterations of State-owned public facilities, if the costs are within reason. But, no, the answer to your question is no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

So, it...it doesn't affect county at any level. This is only pertains to the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I don't want to go that far because the CDB standards will be applicable to alterations of...of privately-owned public facilities if we...by governmental units in the event that they are being leased or rented. There...there may well have to be some alterations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

...and one of the...you mentioned that within so many years they will have to terminate that lease if that building is not accessible to the handicapped?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The...the date at which that provision kicks in is by January 1 , 1988, so that the landlord will obviously have some time either to choose to alter or to say to the public body that's renting, sorry, we can't comply.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Are we going to allow for renegotiated leases to cover the cost of...that...that these people are going to have to incur to...to comply?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I...I...that's not specifically covered, I would presume that would be part of the lease agreement, right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I assume we're talking about reasonable changes. You know, we got involved in this before...I had a fellow that had a public facility, he wanted to put a second story on and the elevator was going to cost more than the second story to the building. I mean, in another example of what I consider a...an unnecessary thing is the ramp that we put in front of the State Capitol here that the handicapped can't even drive...get up on and, yet, we have an elevator facility on the side that they could be using but we put this ramp, this steep ramp, and I was watching some of the handicapped try to get up this steep ramp and it's almost impossible on a windy day for them to hit the top without going backwards and starting over. I mean, these...this, to me, is unreasonable

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and I think we should have some...some wording in here about reasonable alterations or reasonable posting. The building was accessible...the State Capitol was accessible to handicapped 'cause we provided the facility off to the side where all the Representatives go in. There was an elevator and they could get into that facility, but now we have an...what I consider unnecessary and unreasonable thing as putting ramp that nobody can use. And I think we should have the words reasonable. Is that our intent? I mean, I want to put this...you know, so we don't get involved that it's not our intent and get sued someplace...or have some little government come up and say, it's...you know, it's necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yeah, I...I think that point is well-taken and the fact is that the bill does set some percentage figures, so in the event that it...the cost can be shown to be fifteen percent or less of the reproduction costs, then...then compliance must be had; in the event that it's fifteen to fifty percent, there...it calls for exceptions and there can be, in fact, partial compliance. By partial compliance that means the means of entrance and exit...at least must be contained, but I...I think reasonableness permeates the whole...the whole bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 888 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, 2 voting Present. House Bill 888 having received the constitutional majority is declared passed. House Bill 898, Senator Rock. House Bill 900, Senator Netsch. House Bill 922, Senator

Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 922.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I took this bill off of the Agreed Bill List in order to clarify the job description for the county executive. It permits a county to adopt the elected county executive form of government and still elect not to become a home rule unit at the same referendum. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Bloom.

SENATOR BLOOM:

Why? Why would they not become a home rule unit? Are you...you know, there are other ways of having a county executive, county board can go out and hire one which is...I know they've done that in our county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

This seems to have been the stumbling block in several defeats of the...this particular form of government when it was put up to referenda, including counties in DeKalb, DuPage, Fulton, Kane, Lake, Lee, Peoria and St. Clair as well as Winnebago. The county executive as put into practice in this kind of referenda has a great deal more power than is true if someone is just merely appointed by the county board.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 922 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill...922 having received the constitutional majority is declared passed. House Bill 952, Senator O'Daniel. House Bill 1090, Senator Luft. House Bill 1154. House Bill 1159, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1159.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill changes some of the terminology regarding the description of manufacturing housing and...mainly substitutes the term "manufacturing housing unit" for...for the term "trailer coach," that part of the bill...does just principally that. The other part of the bill clarifies the builder-...developer donations to local units of government. Currently, a builder-developer may be required to make a land donation for a park or a school site in the area where he plans to build. This amendment does not change that situation; however, where the sites are currently provided for such public use are not being used at all, the unit of local government would be required to show that additional donations are needed. Where additional sites are not needed, the builder-developer would not have to pass the cost of this donated land on to the home...buyer, thus reducing the cost of housing. Again, this amendment takes no authority away from the local government, it merely requires that they show a need and if the need exists, they proceed. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

...first of all, because this involves home rule communities, would you give me a ruling on...on how many votes will be needed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we'll get back to your question in a minute. Senator, do you have other questions, Senator Fawell?...Senator Fawell.

SENATOR FAWELL:

Well, yes, will the sponsor answer a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Are...are you saying with this amendment that the law that presently is under the books, the...the law that our municipalities and our park districts and our school districts have been using, and...and rightfully so, I think, to...to gain some equity when these large subdivisions and a lot of which are going up in...in my district still, are...are asked to donate either cash or land so that the taxpayers who have been living there for the last twenty or thirty years no longer have to supply these school and these park lands and what have you for the new residents? And this is a bill we've been operating on very well for the last several years. Are you saying now that this bill is not going to be in effect?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

What it says,...if the community does not need it, if they've got land sitting there now that's been dedicated for that...for those purposes, this just says that they don't need to dedicate any more unless there's a need for it. If

the community...proves there's a need for it, then they have to dedicate some more land. It doesn't change anything.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

...can you tell me who is...decides whether more park land or more school land is going to be used in the future?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, the county board decides.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Well, to the...to the bill. I think...I hope all of my colleagues are listening, this is a...a bill that our...our park districts and our municipalities have all asked us, as far as at least in my district, to vote No on. This land and...and this cash has...has been used, I think, certainly to the benefits of all citizens. We have in the consequence of it have good parks, good schools, good playgrounds, I would hate to see this tinkered with: as they all say, if it ain't broken, don't fix it and I don't see anything broken about this right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The previous speaker has anticipated my...my questions. I, too, was going to make the inquiry in regard to the number of...of votes to...to pass this piece of legislation. I...as I read the amendment here, it...it seems to me that what would happen is that if a municipality, for example, were to require a developer to donate land, then the

developer could very easily decide to retain legal counsel and go to court to determine...to...to fight any request on the part of that municipality for...for an assignment of a portion of...of that...we use terms like reasonably and...and I think that reasonably determined which I am sure would have to be adjudicated in...in the courts. I...I, too, think that...I just don't see the necessity for repealing the land cash ordinance that is now in place. I think it has worked very well in those parts of our...our State, including parts of my district, that have been growing very, very rapidly. I have no quarrel with the main part of the bill but I think that this...this amendment requires a No vote on the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, if this amendment on the bill says that, "No municipality including home rule units shall require as a condition of approval of the plot of a subdivision that the subdivided...dedicate part of the subdivision for public lands or make a payment in lieu of such dedication"...if this amendment is still in the bill, it's a very bad amendment. I've had experiences...being a municipal attorney for many years and I can tell you, when...when developers come in, they want to get certain zoning, when they want to annex certain property, they are...there has been a law on the books for years, it...it's been effective in just about every county where they either donate land for schools or they want to get...cash contribution to make up for expenses that the municipality is going to incur. I think this is a very bad precedent take this out of the law now because it...it's needed,...unless you've...dealt with developers and know how some of them would like to cut corners or what have you, you

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probably go a long with this amendment, but, believe me, I have. I...I've fought them for about...at least twenty, twenty-five years on behalf of municipalities. And you're...you're cutting out the right of a municipality to ask for land for the schools, you're cutting out the right for...from...of municipality...to ask for a cash donation to help. So, please, do not vote for the bill if this amendment stays in. You got your time, Charlie.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have a ruling. Our Parliamentarian has ruled that under Article VII of the Illinois Constitution, House Bill 1159 will require an affirmative vote of three-fifths of the Senators elected for passage by the Senate. Is there further discussion? Senator Joyce may close...the question is, shall House Bill 1159 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 30, 1 voting Present. House Bill 1159 having failed to receive a constitutional majority is declared lost. (Machine cutoff)...Bill 1262, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill authorizes local public entities to levy taxes to provide for self-insurance and to pay the cost of defending against liability under the Workers' Compensation, Workers' Occupational Disease or Unemployment Act. This just

adds self-insurance and I know of no opposition, and I'd like an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

A question, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR KEATS:

Local government toward immunity, now, is this is a nonreferendum tax...or I mean, what....pardon...I mean, we're just sort of caught off guard and I'm...I'm stalling a minute to find out what's going on with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

That's correct. Presently, the Chicago Board of Education has this ability, this would extend that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Keats.

SENATOR KEATS:

Okay. What...what we're saying is that here's a self-insurer who gets to decide what their paying, gets a nonreferendum tax to cover the cost, you know,...you're right, I understand some people do this, but...I mean, I'm just looking at the bill and saying, knowing the reputation of some of this workmen's comp. stuff, you want to say to a guy, you know, your...your friend, the lawyer, comes in and says, don't worry, we've cut you a deal and you can say, okay, isn't this wonderful...nonreferendum tax to pay for all the money we're going to give you. Hey, I've...I'm missing something here, maybe...maybe you could explain to me why this is so wonderful.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, this...the Chicago Board of Education has this now and we want to allow local public entities to levy taxes to pay for self- insurance, to pay for costs in defending against certain liabilities. This just adds self-insurance to the already existing capabilities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay. Now for this nonreferendum tax, a local government...it isn't just...now, is it just workmen's comp? When you're saying tort liability, I'm saying, seems to me that could be other types. Tort liability seems to me deals with...could be personal injury and all sorts of stuff. I mean, boy, this thing appears to be just absolutely open-ended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats.

SENATOR KEATS:

It...the question...I'm saying is...is this other than workmen's comp.? I mean, this tort liability is this a nonreferendum tax increase for any time you get sued?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I'm sorry, if the gentleman could repeat his question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Is this a nonreferendum tax for any time you get sued in terms of any kind of personal liability or is it just workmen's comp? I can't seem to get it out of our analysis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

It allows them to levy taxes for self-insurance. The Chicago board has this privilege now, other entities do not. I...I can't be much more clear than that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Then...then my...my just concluding remarks to...to all the members sitting in the room,...I mean, if...if you take a look at this as a...wide-open, nonreferendum tax, they get to decide what they pay. Can you picture what a connected Chicago lawyer could do with this bill working through one of these groups? I mean, I don't mean to be cynical, but this thing is absolutely open-ended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, the...the law...State law now allows governmental units to levy for workers' compensation and general liability purposes. Do you know what the limits of those levies are now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

No, I don't know the limits.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Does...whatever limits there may be at the present time,

does your bill remove those limits?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Does not change that whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, if...if the...if the bill simply says that a local unit of government can levy for the premiums for workers' comp. and general liability insurance, and you're merely extending that to allow them to levy for self-insurance, I really don't have any problem with it, but I'm suspicious that that may not be the case and...and the reason is that our analysis leads me to believe that there may not be any limit on the levy that is being allowed here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson. Senator Watson.

SENATOR WATSON:

Thank you. I'm...I'm looking at the bill on page 22, lines 6 through 15, roughly, it says, "To provide for self-insurance," that's language that you're adding, okay, "or otherwise provide protection to the local public entity or its employees against liability under this Act or the Workmen's Compensation, Workers' Occupational Disease or Unemployment Insurance Acts, provided that a local public entity may also use funds raised for its...pursuant to this section to pay the operating and administrative costs and expenses incurred by local public entity." So we are making this unlimited and it's very broad in...in...least from the language that I read there...is that correct, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well,...the...the...the bill is...is totally on a twenty-two page...twenty-three page bill,...the changes are all on page twenty-two, just add the word "to provide for self-insurance," and...and allowing local public entities into this instead of just the Chicago Board of Education.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

But the statement that bothers me, it says it may also use funds raised for...pursuant to this section to pay the operating and the administrative cost and expenses incurred by such local public entity, including the cost of legal services and the wages and salaries of employees in connection with defending and otherwise protecting itself...that, to me, is very open-ended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

But the...the point is, it says, in...in...in connection with defending or otherwise protecting itself against liability under Workers' Comp., Workers' Occupational Disease and Unemployment Insurance Act. So we're...so we're allowing them to do it for self-insurance for those specified purposes. You have to read it altogether and it...it does limit it to those specified purposes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1262 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Take the record. On that question, the Ayes are 10, the Nays are 38. House Bill 1262 having failed to receive the constitutional majority is declared lost. House Bill 1318, Senator Kelly. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1318.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 1318 exempts the towing of wrecked vehicles ordered towed by the law enforcement agencies from being regulated by the Illinois Commerce Commission. We had this bill yesterday, there were a few questions...which were raised, the bill was brought out of the record; hopefully, those questions have been answered. I don't know of any opposition. I know there...the State police did have a problem, it is...I was advised that they withdrew their opposition. Other than that, I would ask for your favorable support and be pleased to answer any questions you might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I was the one that asked the question and nobody has answered any questions for me, I...I don't know whether they have for anybody else or not. My problem with this yesterday was that...that our analysis indicated that this bill would require for the first time that some local towing companies would have to get an operating permit from the Illinois Commerce Commission, and that...that was the question and...and...you know, it hasn't been answered to my satisfaction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Would you repeat that again, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

My concern was that and based on the analysis that we have, which says that...that...the bill requires that a written order is needed from a law enforcement official in order for the initial tow of an accidentally disabled or wrecked vehicle to be exempt from the provisions of the Illinois Motor Carrier of Property law. Now, to me that means that my little local body shop who operates a towing service has got to get a permit to...from the Illinois Commerce Commission to be in the towing business, unless they have a case of a written order from a law enforcement official and...and I think their calls now are exclusively on the basis of telephone calls as opposed to written orders.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR SCHUNEMAN:

...this kind of change must affect practically every member of this Body. We ought to know what we're doing here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Been advised the motor carrier law is planning on sunsetting this...this year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, hooray for that, but what do we do in the meantime?

I...I think we better not pass this bill right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Netsch. Senator Netsch.

SENATOR NETSCH:

Yeah, thank you. I...I think the question was raised the other day, Senator Kelly, and I'm still not clear because we have perhaps a different point of view. Would this, in effect, relieve some of the not well-behaved towing companies that we used to suffer in parts of Chicago from any regulation or licensing by the commerce commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR NETSCH:

...or at all?

SENATOR KELLY:

The answer is no to that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I...I'm sorry. No, this will not relieve them from that regulation, they will continue to be subject to it. Is that what you are saying? He nods his head yes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

...yes, thank you, Mr. President and members of the Senate. I rise in favor of this bill and maybe to clear some points up with Senator Schuneman and his question. I had the same question earlier with some of the small towing services such as filling station towing services and others, and they are not in opposition to this bill. This bill really doesn't even affect them, and they don't really get into the type of towing that we're talking about in this legislation. The towing that we're talking about here is the...is the larger

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towing from the interstate system when we have large tractor trailers to be moved and we're talking about a different type operation; and presently, under some situations now, prior to this legislation, there has to be...there has to be authority given by the commerce commission. So...if we're concerned about that, that's already part of legislation that we have now. This just clears up how those automobiles can be transported and it's really good legislation and...and I don't think it affects any...as far as anything I know in any of the small towing services that we have are concerned at all about this bill, and I think it's a...a good piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Hall.

SENATOR HALL:

Thank you. Senator Coffey is exactly correct. I had some misgivings about this too until I checked with Senator Kelly and I got wrong...I am in support of this legislation. I think it ought to be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

Appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1318 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 7, 4 voting Present. House Bill 1318 having received the constitutional majority is declared passed. House Bill 1453, Senator Luft. House Bill 1517, Senator Holmberg. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1517.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This is the bill that has been worked on by the county study committee group that's been meeting here in Springfield as well as the Taxpayers' Federation. The intent of the bill is to streamline the levy system of county government and it proposes to combine eight of the operating rates into a corporate rate and to eliminate eleven rates that are not used anywhere in this State anymore. We have been working on what would be the best combined rate for each size county, and it is our intention to move this bill out and put it into a Conference Committee report, working very carefully with the Taxpayers' Federation so that we can find the satisfactory rate without increasing the property tax; and I would be happy to answer any questions...if not, I would appreciate your helping me move it...move this out with a favorable roll call.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1517 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 5, none voting Present. House Bill 1517 having received the required constitutional majority is declared passed. All right. I'm told Senator Collins is in a meeting, she'll be out shortly. Is there leave to get back to that one? We'll carry on here. On the Order...on page 6...we're going to do the recalls now, everybody got a list of the recalls earlier. Let me read them off for you. Page

6, 1765. Page 9, 2184. Page 11, 2278. Page 12, 2387 and page 12, 2434. On page 6 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 1765. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1765.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Illinois Credit Act, includes...includes as crimes involving...involving debit cards and prescribes fines...up to a hundred thousand dollars as a Class 4 felony offenses for certain violations relating such...such cards...and...what this does is, we took the amendments off, this is in its...pristine form now. I don't think there's any objection...to this matter and I ask for a favorable consideration.

PRESIDENT:

Is there any discussion? Is there any discussion? Senator Keats.

SENATOR KEATS:

To...just as the Republican spokesman on Financial Institutions, the original bill was an Agreed Bill List. Now that that amendment is off, I would urge all my Republican colleagues to vote for the bill and Democrats too.

PRESIDENT:

The question is, shall House Bill 1765 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 1765 having received the required constitutional

majority is declared passed. If you'll turn to page 9 on the Calendar, the bottom of page 9, Senator Schaffer. On the Order of House Bills 3rd reading is House Bill 2184. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2184.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, this bill is an election bill and effectively does two things. I don't think either one of them is controversial. First, it provides in an area with less than four precincts in an election jurisdiction where a candidate has filed for a petition for discovery, the discovery is permitted to count one precinct. Right now, if you have four...less than four precincts and I say you can...only...you would count twenty-five percent, it's hard to get twenty-five percent of three precincts. Frankly, with the remaps and what have you, we have a lot of bits and pieces in counties and if we don't have...that procedure, we have some real problems in allowing someone to have a...a fair recount...or discovery recount to see if a real...full real...recount is necessary. The second one addresses a problem that...frankly, it's an amendment that Senator Kustra put on which was, as I understand it, a bill that died because another amendment was put on it. I don't think that bill in itself before it was amended was controversial. It's something I...I didn't realize but it's something I got caught on once and it provides that if candidates for only one office appear on a page of a...a ballot booklet in a electronic voting system, and less than half the page is utilized, then no candidate's name can be printed on

the lower half of the page. I got caught in the...in the primary where I was unopposed and they just buried me and everybody said...didn't know I was on the ballot, and I think that's reasonable too. I know of no opposition to either those things, would appreciate a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall House Bill 2184 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. House Bill 2184 having received the required constitutional majority is declared passed. Page 11, Senator Marovitz. On the Order of House Bills 3rd Reading is House Bill 2278. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Pursuant to my agreement with Senator Coffey and Senator DeAngelis, this is the original bill in its original form as it came out of committee. It stipulates that milk may not be hauled in trucks that previously held any chemical or foreign substance unless the Department of Public Health inspects it and deems it safe, clean or uncontaminated. I know of no opposition, I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Coffey.

SENATOR COFFEY:

Yes, thank you, Mr. President. Just to say that Senator

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Marovitz is right, it's been amended back in its original form come out of committee and I'd ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 2278 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2278 having received the required constitutional majority is declared passed. Page 12 on the Calendar, right at the top, on the Order of House Bills 3rd Reading is House Bill 2387. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2387.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As amended earlier today, this bill is the bill that deals with the question of evaluation and remediation of teachers in our public school system. The bill provides for an evaluation of teachers and that if there is an unsatisfactory rating given by an administrator of a teacher, that there is a one-year remediation period involving a plan for remediation that must be developed to address the shortcomings of that teacher. The plan also provides for a consulting teacher that she'll provide advice to the teacher who is being remediated, and to improve that teacher's...skills and to successfully complete the...remediation plan. The...specific language calls for the consulting teacher to participate in developing the remediation plan but that the

final decision as to the second evaluation shall be done soley by the administrator. The...if there is a second finding by the administrator of an unsatisfactory evaluation after the one year of remediation, then a notice of dismissal is provided to the teacher, and a due process procedure is triggered by that notice. The...other change is that the...a hearing on the notice of dismissal must be initiated by the teacher, it also provides that if the time line, namely a thirty-day provision, is not strictly complied with, it will not invalidate the results of the remediation plan. I think all of us have recognized that one of the serious...issues that the reform movement is addressing is how do we evaluate and remediate teachers in order to do a good job. This bill addresses that, I solicit your Aye vote.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall House Bill 2387 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are...58 Ayes, no Nays, 1 voting Present. House Bill 2387 having received the required constitutional majority is declared passed. Page 12 on the Calendar, on the Order of House...Senator Maitland. On the Order of House Bills 3rd Reading is House Bill 2434. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2434.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2434 is one of the annual Illinois

Department of Transportation conveyance bills. As it passed over from the House there were a number of parcels on it, we amended it in the committee, of course, to include some more parcels and then when it got out of here on 2nd reading, a number of you had some conveyances in your respective districts. I think you've explained those amendments adequately. I'd be happy to respond to any questions on...on any of the amendments if you'd like, but I would seek your support for House Bill 2434.

PRESIDENT:

All right. Is there any discussion? Any discussion? If not, the question is, shall House Bill 2434 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 2434 having received the required constitutional majority is declared passed. All right. We have one bill yet remaining on the recall and then for the information of the members, I've asked the Secretary to prepare a supplemental calendar listing those bills that were today or this afternoon put on the Order of Postponed Consideration. After the one remaining recall bill, we'll turn to page 32 on the Calendar, members have requested an opportunity to get to the Order of Postponed Consideration. I think we can do that with little or no discussion and go right down the line, plus the supplemental calendar, if...Mr. Secretary, if you'll distribute that so they can take a look. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

A point of inquiry from the Chair, Mr. President.

PRESIDENT:

Yes, sir. State your point.

SENATOR HUDSON:

H.B. 1529 3rd Reading

Before we get to postponed consideration, will it be possible to get to the Order of...of Motions?

PRESIDENT:

Oh, the reconsider on 2391, yes. I...I...I...I did...you did file it, I'm aware of it,...there was no intent to skip it. We will immediately after recalls do that. Yes, sir, I'm...

SENATOR HUDSON:

Thank you, very much.

PRESIDENT:

...I'm sorry. All right. Senator Collins on 1529, bottom of page...bottom of page 4. Senator Collins.

SENATOR COLLINS:

(Machine cutoff)...you, Mr. President and members of the Senate. It is unfortunate that the amendment this morning went on this bill over my objections. There are still some very serious problems in reference to the amendment, it...as it relates to its fiscal impact on the City of Chicago. I have been working this afternoon trying to come to...get some kind of agreement or accommodations by which we could pass this bill out of here and get an agreement that the amendment would not be concurred with and that continuous negotiations would...would go on to try and resolve this problem, but I have not been successful in getting any kind of commitment that that would happen. I am afraid that if we pass this bill out of here with that amendment and it goes back to the House, it will be concurred with and then there will not be an opportunity to resolve this issue, and for that reason, I will not call the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I move to suspend the rules, being the hyphenated sponsor of 1529, to

take the bill and be the lead sponsor.

PRESIDENT:

All right. Senator Vadalabene has moved for suspension of the rules as the hyphenated cosponsor for the purpose of calling the bill for passage. Discussion? Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. I'm going to resist this move by Senator Vadalabene on the grounds that the sponsor of the bill should have "total control," and for a precedent on last week on House Bill 567 or 70 where the president was the sponsor with the minority...with the majority...minority leader, and was brought out on this Floor by the president himself that he would not be so discourteous to proceed with that bill at the objection of the sponsor, which in this case was the minority leader. Now, if we set that standards and hopefully it was not a personal commitment from you to Senator Philip. Now Senator Collins has told this Body the problems that we've had with this last amendment that went on the bill. It was well-known that...it was over her objections and for that, Mr. President, I think this Body should support Senator Collins who was the first sponsor in spite of the fact that there's a hyphenated cosponsor. The precedent that we've set here is she should have control of this bill and if she elects not to call it, it should stay that way and I think over the years that's the way this Body has...has operated, and I would resist the motion that's made by the distinguished Senator Vadalabene.

END OF REEL

REEL #9

PRESIDENT:

All right, further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Very briefly, Mr. President and members of the Senate. When one accepts someone as a hyphenated cosponsor or one enters into a compact with one to be a cosponsor on legislation, you then are in the shoes of that person. You, by doing that, have relied on the representation that this legislation is going forward. Senator Vadalabene wanted to be involved in this legislation. Had it been resisted from the onset, Senator Vadalabene would have had an opportunity to find other legislation or to have introduced other legislation covering the same subject matter, and on that basis and for that reason, I would ask that Senator Vadalabene's motion be allowed.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would urge the members on our side to support...Senator Vadalabene's motion also. Some of you have some difficulty voting for collective bargaining. I don't think anybody has had as much difficulty as I've had in the past, but I do want to tell you, as part of the process, there's been a lot of negotiations going on by both sides. It isn't a bill where somebody's trying to ram something down somebody's throat. It is the product of a lot of work.

PRESIDENT:

Senator Hudson, for what...I beg your pardon. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I hate to take issue, and I do so reluctantly with the last speaker, but I think this point should be made. Senator Collins, and I'm going back again to our understanding, and I think at this point she is trying to honor the understanding we had which simply was if no agreement was reached or unless an agreement was reached, she would not move the bill forward. Told us that in committee, told us that on the Floor the other day and I think today she's trying to honor that commitment. Now, I have to assume that the hyphenated cosponsor is somewhat or should be somewhat bound by the sponsor. Maybe the question should be answered, when the principal sponsor makes a promise, does he or she at the same time bind the hyphenated cosponsor? I would assume that they would speak in one voice. So, I certainly would support Senator Collins and what she's trying to do here. I think she should have control of this bill, and if she wants to call it to a bloody, screeching halt right now, sobeit.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I wonder if the sponsor of this bill, Senator Collins, would yield to a question.

PRESIDENT:

Indicates she will yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator Collins, are you prepared to give up the sponsorship of this bill?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

No, I am not. I...as Senator Hudson said, we made an agreement that this bill will not be moved until such time

there was an agreement, and the only reason I moved this bill out of committee was based on the fact that there...that promise and that...that that commitment would be honored. Unfortunate, when that amendment went on today, that posed a lot of problems. If...if everyone had agreed to that first amendment, we could have gone and...and...and then come back later and resolved the other issue with the firefighters, but apparently, that's not even agreed to, so there's no agreement at all...and...and for that reason, all communications apparently now is broken down and I just say that we hold the issue until the fall.

PRESIDENT:

All right...ladies and gentlemen, let me see if I can shorten this down...or shut this down...wait just a minute, Senator Newhouse, because the discussion, frankly, at this moment is moot. Under Rule 4 of the Senate Rules, we have a provision that recites very plainly that the House sponsor of a bill originating in the House may remove or substitute the Senate sponsor by notifying the President in writing. I have been notified by the House sponsor in writing that the House sponsor wishes Senator Vadalabene to sponsor 1529. On the Order of House Bills 3rd Reading is House Bill 1529. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1529.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 1529 as amended is the police and firefighters...

PRESIDENT:

Pardon me, Senator Sam. Senator Chew, for what purpose

do you arise?

SENATOR CHEW:

What disposition did the Chair make on the motion that was made by the now sponsor? He made a motion to become the chief sponsor...

PRESIDENT:

The Chair...the Chair indicated that the...the discussion and the motion was moot because by operation of our rule, Senator Sam Vadalabene has...been designated by the House sponsor of the House bill to be the sponsor.

SENATOR CHEW:

So it's not necessary to take a vote.

PRESIDENT:

That is correct. Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, then am I correct to assume that from henceforth that anyone who permits a hyphenated cosponsor is likely to have a bill removed from his control?

PRESIDENT:

No.

SENATOR NEWHOUSE:

That's precisely what's happening.

PRESIDENT:

No, you don't understand, apparently. Wait just a minute. This is a House bill originating in the House. The House sponsor has designated whom he or she wishes to be the Senate sponsor, that's allowed under both rules, both the rules of the House and the rules of the Senate. Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, is that a rule that relates solely to this kind of...to a hyphenated cosponsorship or can that person remove any sponsor at any time?

PRESIDENT:

The sponsor can remove any sponsor at any time. As a matter of fact, I have a couple of bills in the House that I wish I had removed the House sponsor. Next time I'll know better. All right, we're on the Order of House Bills 3rd Reading, Senator Vadalabene. The bill has been read a third time.

SENATOR VADALABENE:

Thank you, Mr. President and...

PRESIDENT:

Senator Schuneman, for what purpose do you arise? Wait...wait just a minute. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Just a clarification of your point, Mr. President. I understand your ruling. My question has to do with the timing of the letter. Now it's...it's customary, I know, for a sponsor in the originating House to be able to designate a...a sponsor in the opposite House, but here we have a situation where legislation has progressed and apparently the...the original sponsor is unhappy with what's happening. Now, he seeks to remove and...and...and is it your ruling that they can take that action at any time?

PRESIDENT:

That is correct. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Thank you, Mr. President and members of the Senate. You may be correct in ruling that the...the House sponsor can designate whom the Senate sponsor may be. As long as I've served in this Body and also the Chamber across the Rotunda, I have never been in a situation wherein...when a bill is called, then the House sponsor happens to come over and change the sponsorship. Let me say this to you, Mr. President and the members on this side of the aisle in particular,

I have never witnessed anything of this nature, and you are messing with dynamite when you do something of this nature to a member of this Body. Now we're not talking about the merits of the legislation, we're talking about the sponsorship of a bill who did not want that piece of legislation...called. A lot of the privileges and things that we enjoy here, especially we as Democrats enjoy, we...we enjoy that...that privilege because we all come together, Mr. President, and work as a unified group for a particular cause, but when you stoop this low and the members on this side of the aisle to try and coerce and take a bill from one of our members, I don't think that's in the best interest of members on this side of the aisle; and I...I would suggest very strongly to you, Senator Sam Vadalabene, that you do not proceed because you are jeopardizing what little unity we do have on this side of the aisle, and it is not going to act in the best interest of those members, especially those members who...who have districts that we consider borderline districts wherein they need our very, very strong support. Now, I'm not talking about the merits of the legislation, but I warn the Democrats on this side of the aisle, if this is the type of action that you're going to play, you're only defeating your own purpose by stripping one of the members on this side of the aisle of their...of...of...of...sponsorship of a bill, and I don't like it because it's not going to hurt me but it will come back to haunt each and every one of us on this side of the aisle.

PRESIDENT:

...Senator Coffey, for what purpose do you arise?

SENATOR COFFEY:

Point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR COFFEY:

Well, just to clarify some of the discussion that this can happen. Two years ago this very well happened. I don't...I'm not sure it's a good rule. I wasn't sure it was a good rule at the time and some of you know I got quite upset, but I did check it out and it...it was right and they could...remove me as sponsor and they did, and then I went across the Chamber and did the same thing over in the House on the transportation budget and removed the sponsor over there. So, it did hold up in the rules in both the House and Senate. It...it happened two years ago and there's no reason why it can't happen now. If we want to change the rule, I suggest we do it at another time.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the...of the Senate, the sponsor of the House bill is right here in this Chamber and if it's his right to decide which one of us can handle a bill. I have had sponsorship changed on me and I think the ruling of the Chair is absolutely correct, and I think it's...I'm very sorry to hear the...the...the President being insulted when he's doing the right thing under the rules and I think we should proceed, Mr. President.

PRESIDENT:

Senator Vadalabene. On the Order of House Bills 3rd Reading is House Bill 1529, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 1529 is the police and firefighters collective bargaining bill. It not only affects upstate, it also affects downstate and I would appreciate a favorable vote.

PRESIDENT:

Is there any discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I appeal...appeal the ruling of the Chair.

PRESIDENT:

...yeah, I'm...I'm sorry, that...that is out of order. We are...we are on the order of discussing 1529 as presented by Senator Vadalabene. Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I asked for recognition before you moved to that order of business.

PRESIDENT:

To successfully appeal the ruling of the Chair requires an extraordinary vote and...and, frankly, it is out of order. Discussion on 1529? We have moved to a different order of business. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. I will speak on a little lighter note.

PRESIDENT:

Well, that would be a refreshing change.

SENATOR HUDSON:

And add a little levity to this whole thing and simply speak against the bill. This measure really should be called the Municipal Manhandling Act, as far as I'm concerned, of 1985. Now it has been represented that practically everybody in the world has signed off on this thing, which is not true. I understand the chiefs of police have hardly seen the bill. The municipal league stands in firm opposition to it, in spite of what we were told earlier today. I have a...a note from them to that effect. So, all parties are by no means in agreement on this measure. Certainly, the municipalities are not and it seems to me that they are the ones...our villages, our cities are the ones that are going to be most seriously impacted by the provisions of this measure. They are the ones who eventually will foot the bills of the collective bargaining process, and it would seem to me in all fairness that

they should have been brought into this and should have come up with something in the way of an agreement to it, but nonetheless, what we're dealing with here is compulsory collective bargaining. We are introducing, once again, an element of state compulsion where...in many cases these things were done voluntarily before. Under the provisions of the bill, the Chicago police are treated differently than downstate police. One has to wonder why. Pages 19 through 28 of the amendment, the first one offered here today, deal with pensions and benefits which if you added up the total cost would be astronomical, I believe. This is all exempted from the mandates and, again, the tab will have to be picked up by somebody and you know who it'll be, and that is our municipalities, villages, et cetera. The bill contains the provision, the fair share provision, which I will call the forced share which means if any of this...these personnel do not care to join or be a member of the union, they pay anyway. I'm just going to close and...and some of my comments, I know, are philosophical in nature, but let me close by simply saying that what we are now doing is putting the final nails in the...coffin lid of the collective bargaining procedures, it seems to me, in the State of Illinois. We've done it with other State employees and now we're just sweeping up what's left, mainly the police and fire, but I think that we're doing the wrong thing and I think we will live to regret this if we do it, and we are sending a message, it seems to me, to our villages and our towns and our cities and the shock waves will reach them, they will be aware very shortly, they aren't going to like it, but we're sending them a message, and I'm closing with this, we're saying to them, ready or not, here we, collective bargaining, compulsory, mandatory, come. Like it or not, you are going to get it, and I think it's the wrong message for us to be sending on short notice. I remember the discussion yesterday about a

bill, I think, Senator Berman had a bill and the argument was...all right, just one minute, I've done a lot of listening here in the past two or three days to others, but I think that we ought to think twice about this. I thank you for your indulgence and would urge my colleagues on both sides of the aisle to think this thing over before you vote Yes and think it over and vote No.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, about two years ago this Body passed Senate Bill 536 which gave public employees so-called mandatory arbitration and collective bargaining with the right to strike, and under that bill, you could not even enjoin a striker. It was illegal enjoin a striker. Let me tell you the difference with these bills...this bill as amended. This bill, today, says specifically the firemen and the policemen cannot strike, are prohibited from the right to strike, and not only that, but if they do, the are in trouble. They can be enjoined. My people in my district don't want their firemen or policemen to have the right to strike when their houses are burning down and their houses are being plundered and...and pillaged by robbers. My people want to be sure that they have good police and fire protection. This bill, at least, gives us that protection because your firemen and your policemen are expressly prohibited from the right of strike. I don't believe in strikes for public employes and I never have. I led the attack against Senate Bill 536 and yet it passed by scant votes, but it passed. I feel that it's to the credit of the policemen and the firemen that they want their own individual bill here today instead of being attached to Senate Bill 536, and if you think that this bill is bad, let them go and be attached to Senate Bill 536 and we're going to

have our hands fuller than they are today. I speak in favor of the bill. I think it's a good bill and I think we should try it.

PRESIDENT:

Further discussion? Senator Mahar.

SENATOR MAHAR:

Mr. President, a parliamentary inquiry. Does this preempt home rule authority and require thirty-six votes?

PRESIDENT:

I will have...ask the Parliamentarian to check that. We will rule before it's called. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, last year, June 27th to be specific, I sat right up there in the Senate gallery as a uniformed Chicago police officer and I watched collective bargaining lose by one vote. This year, I'm very proud to say that as a member of this very distinguished...very distinguished Body, I am a strong proponent of this very, very important legislation. I stand in support of this bill. It brings the police officers and the firefighters into the Twentieth Century with the rest of us. I know from personal experience what they've had to endure. It removes their second-class status...and if I may borrow a quote...from my distinguished colleague, Senator D'Arco, it's a good bill, vote for it.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I reluctantly rise in opposition to House Bill 1529, both for substantive reasons and as a matter of procedure. I believe in the right of collective bargaining for public employees, and I think I have shown and demonstrated that commitment in

my eight years in this Assembly; but if I am given a piece of legislation and I'm asked to carry that legislation under certain conditions and I make an agreement to do that, then it is up to me to keep my word, and this is not the first time I've done that, I am consistent with what I do. It has nothing to do with the City of Chicago, because if you recall, two years ago I stood right here and I took the opposite position because I had given my word to the police and the firemen and I supported their bills...over the objections of the City of Chicago, and that was based on my word then and my action today is based on my word now and my actions in the future will be based on my word as long as I stay here. As to the bill as amended, the amendment put on by...Senator Joyce this morning would, in fact, have fiscal impact...unmeasurable fiscal impact on local units of government, and it is not just the City of Chicago, the City of Chicago probably could survive better under this bill than many or our small local units of government can survive it. It is a problem and it is a problem that...that...that we should find a solution. Maybe the process is all wrong. Maybe where we have failed is to allow...in making agreements to allow labor groups and local units of government and other persons affected by collective bargaining agreements in this State to sit down in a room and to work out their differences and come together on an agreed bill. Apparently that process has failed, and maybe in the future we should assume our responsibilities and sit down and draft legislation ourselves and do what is good for the people of this State, notwithstanding the interest of the various groups involved. I have the word from Speaker Madigan and he told me...he came over a few minutes ago that this bill...this procedure is misrepresenting his commitment also, and because of that, that he probably will not even call this bill once it gets back to the House. It was a commitment that he gave his word that I

would not be moved...removed as sponsor of this bill and that this bill would not move without an agreement, and for that reason, I ask for a No vote.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Thank you. I think one thing ought to be brought out very clearly for the benefit of the uniformed police officer who sat in the balcony last year and saw...collective bargaining. The City of Chicago has, in fact, come to an agreement with the police. You are not a police and a fireman, you are a policeman. So, your side has been take care of. We were hopeful that the City of Chicago and the firemen could get together. That has not happened. So, it isn't a question that the city isn't trying or the firemen isn't trying. The question is, that they have not come together and the amendment was put on the bill this morning over the sponsor's objection. So, I want you to know that the city is constantly negotiating to try and settle these things. Why push it down their throats when you know it's not settled? Yes, if it passes out of here, it must go back to the House. I hope it's never called in the House until it's final and all parties involved are satisfied, but just to just take the kind of tactics we're using here is absolutely wrong, and all the pretty speeches that some of you are making, don't make it right, and we ought to respect members here as elected officials. Now there's no excuse for what we're doing, Mr. President, you know it and I know it too. It's just a highhanded tactic and we shouldn't be a part of it.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President and Senators, those of us who believe in the collective bargaining process

think that there has to be a certain amount of trust on both sides and that your word ought to be good, and that you ought not be looking to get it both ways so that when you can't sit down across the table and do it, you creep..over here and rig a vote to do what you couldn't do otherwise. That's an underhanded move. It doesn't do credit to you. You got to come back again at some point unless this is the last time you're going to come around. This doesn't make any sense at all. This bill ought to be controlled by its sponsor. The collective bargaining process ought to begin right here; as a matter of fact, it had begun. There's no hurry to get this thing out of here, we're going to be here till June 30th at least and there's half a dozen ways to get this accomplished if there is any good faith on either side. The fact of the matter is, this has been done in bad faith and that's all there is to it. It's going to come back to haunt you.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. You know, for the first time, I...I'm generally opposed to these things. I actually looked at it and it's not a bad bill. It's not a bad bill at all, and I'm reliably informed that, you know, it...has some fairly strong management rights...that the hierarchy can run the operation and I'm reliably informed that the municipal league, at least yesterday, signed off on it. Would that...536 and 1350 that we could not support last time around, would that those two bills were like this. I don't think...you know, I think that we ought to take a look at this because I...I see a basis for supporting it. Thank you.

PRESIDENT:

...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Rather quickly, Senator

Vadalabene, I'm not going to ask you to make a commitment on this, but I told you there were negotiations going on, there is one part that I think has to be clarified a little bit, and if this bill gets over to the House, I would like to be able to participate in the discussion on that. Secondly, I would announce to the Body, Senator Bloom and I flank Sergeant Dudycz and I would like to request from this Body from now on that if any other policemen get into this august Body, they would have to check their guns at the door.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Just move the previous question.

PRESIDENT:

All right, that...that...that move is in order. We have two additional speakers. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I'm sorry also that we have come to this juncture in the way that we have, but circumstances, as I tried to explain on 2nd reading, placed us with a Hobson's choice. We have tried to deal with sworn public safety officers in the City of Chicago as a unit. What has...historically what has been done with the firemen was done with the police officers, but in 1979 we had a fire strike. Now the wounds of that strike are...are still with us. The chiefs were out...battalion chiefs were out on that strike. They were part of the unit. This hangup is on whether or not those chiefs will be a part of this unit. This legislation permits the chiefs to elect out of the unit if they so desire. That is why we are principally hung up on this today. So, I ask for your support. The legislation in all other respects is good. It is the work product of a lot of people who have put a lot of time and attention to this. It had all the support that Senator Bloom

indicated that it had and I ask for your support.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What I'd like to do is establish legislative intent on this matter and I'd like to read into the record it is not and has never been any matter of dispute between any of the parties. It is not related to the fire department issue. It is only to establish legislative intent in reference to high crime area assignments. "Section 14 (i) in relation to the word "manning" is not intended to limit the right of the arbitrator to consider or the parties to negotiate about the number of employees assigned to a particular vehicle or piece of equipment in those instances which do not involve a normal or average police officer assignment. For instance, where a single police officer is normally assigned to patrol a high crime area, for example, Chicago...Cabrini-Green area, the arbitrator could consider within the context of Section 14 proceeding as issue relating to two or more officers in a patrol or beat car. Such high crime area assignments are not within the normal performance of a police officer and may pose a serious risk to the safety of a police officer. Such high crime area assignments may result in a finding by the arbitrator that such assignments are not within a normal performance of a police officer. The total number of employees in Section 14 (i) is not intended to prevent or preclude negotiations or arbitration proceedings on subjects relating to lay-off protection clauses covering police personnel. This section is specifically not intended to affect layoff clauses in collective bargaining contracts in existence on the effective date of this amendatory Act or thereafter." Thank you, Mr. President.

PRESIDENT:

All right, Senator...I beg your pardon. Senator Dudycz, for the second time.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I apologize for standing a second time, but as the other hyphenated cosponsor, I, again, plead with my colleagues, please vote for this bill and I strongly suggest that you'll listen to the empty rhetoric...to the empty rhetoric and the motives of these ex-supporters who are new found opponents of this type of legislation.

PRESIDENT:

Senator Vadalabene, you wish to close?

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I would now move for a favorable roll call.

PRESIDENT:

Question is, shall House Bill 1529 pass. Those in...I beg your pardon, I'm supposed...I didn't forget, Senator Mahar, I almost did. All right, the...with all the legal talent I have up here...we have up here...in the opinion of the Chair, that bill does not expressly limit or deny home rule power, thus under Article VII, Section 6 of the Constitution, the bill will require thirty votes for passage. Question is, shall House Bill 1529 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 19 Nays, 1 voting Present. House Bill 1529 having received the required constitutional majority is declared passed. Senator Lemke, having voted on the prevailing side, moves to reconsider the vote by which 1529 was declared passed. Senator Lechowicz moves to Table. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Motion is Tabled. On the Order of Motions in

Writing, I promised Senator Hudson and Senator Schuneman and Senator Watson we'd get back to that. Senator Berman, I believe it's on 2391. Mr. Secretary, read the motion, please.

SECRETARY:

Motion in writing. I move...having voted on the prevailing side, I move to reconsider the vote by which House Bill 2391 was passed. Dated 6-26-85. Signed, Senator Hudson.

PRESIDENT:

All right, ladies and gentlemen, if you'll turn to page 12 on the Calendar, right at the top, 2391. Senator Hudson, on the motion.

SENATOR HUDSON:

Thank you, Mr. President. Members of the Senate, sometimes in our understandable zeal to move things along, and it is understandable, believe me, on a day like this, we move so quickly that we...we sometimes do things that...and vote in such a way that we wish we...we regret later on and such was the case with House Bill...

PRESIDENT:

Senator Hudson, excuse me. Gentlemen and ladies, we have not concluded our business. We have at least twelve items remaining if we choose to go to that order of business. I would ask everybody to stay put. We've got about another twenty minutes work here. Senator Hudson, if you can speed it up, it would be appreciated.

SENATOR HUDSON:

...and such...such was the case with House Bill 2391. I think most of you...if you'll glance back in your records here will understand it had to do with Handicapped Workers' Act in giving preference to handicapped workers.

PRESIDENT:

Senator Berman, do we agree with the motion or do we not?

SENATOR BERMAN:

No, I don't.

PRESIDENT:

All right. Senator Hudson, I didn't mean to cut you off. I thought there was an agreement on the motion. There's just an agreement to go to the motion. All right, Senator Hudson.

SENATOR HUDSON:

Okay. It had to do with the handicapped workers and what it did among other things was to say to the employer that you have to give preferential treatment to the handicapped assuming that you have two prospective employees of equal ability to do the job, and...and it...it comes upon us that this is a rather...a rather heavy thing to lay upon the employer. Nothing against the handicapped, I think most employers want to hire and want to use handicapped people, but to say to them and make it a penalty, make it a subject to fine if they...if they don't hire this handicapped if they're equally able makes the...and puts the employer, I'm afraid, in the position to use some subjective judgments here. How is he really to tell, and I think it's just a little much for the State to be laying on our private industry, the State employees are one thing but private employees are another, it seems to me.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you, now I understand we're going...we're on the motion. Is that right?

PRESIDENT:

It is the...it is a motion to reconsider the vote by which 2391 passed. That motion will require thirty affirmative votes to reconsider the action.

SENATOR WATSON:

So, we should be debating the issue at this time.

PRESIDENT:

You should be debating the reason for the motion, yes, in support of the motion to reconsider, yes.

SENATOR WATSON:

All right. Well, I don't...I...I agree with the prior speaker that I think this simply just flew out of here simply because...for several reasons. One, because no one was really paying attention and it was just the time of day and everybody was anxious to get things moving. Secondly, the sponsor in...in his remarks made reference to the fact that this preference was something similar that the State does in regard to veterans, and I think a lot of people misconstrued that to mean that this applies strictly to State Government and it doesn't. It...it implies to the private employer and I don't know how you're going to litigate this at the local level to decide on who is equal...equally qualified, who's going to make that determination. I...I can't imagine how that determination will be made other than probably through litigation, court proceedings. And to be quite honest about it, I think if we would ask the...the handicapped, and I...I know many of these people who would be considered handicapped and who are handicapped who are quite proud individuals. They're quite proud of the fact that they can take care of themselves. They aren't looking for a handout. They are not looking for assistance, generally. They're handicapped, they understand that, but they don't necessarily want or appreciate people who will provide such preference as we're trying to do here. I think most handicapped people want to earn what they deserve, and I think that this particular piece of legislation, in many instances, could be considered a slap in the face to a handicapped individual, and the people that I deal with and know would certainly feel that way. We're talking about a fine of not less than twenty-five dollars and not more than fifty dollars on an employer who does not hire a handicapped individual who is considered

equally qualified. I just think this is a disastrous piece of legislation. I did vote No when it first came up but...there was only three of us who did, but I think that if you look at this and review it, you'll have to agree that this is something that deserves more consideration. Thank you

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, and I won't belabor this, but I think this bill passed because there was some misunderstanding. I don't think most of the members realized that this would apply to employers in the private sector, and I think we ought to be aware of that. I think the other thing that ought to be pointed out is that a handicapped person is described in the bill as an individual with a determinable physical or mental characteristic which may result from disease, injury and so on. So, we're...we're requiring that every employer, private employer of more that five persons in this State must give preference to people with these handicaps or be subject to a fine, and I don't think most of the members knew that when they voted on the bill originally. For that reason, I support the motion to reconsider.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. First of all, let's put this into the proper context. We go through these bills...and I think that...the members on the other side of the aisle do even a better job than do the members on this side of the aisle by going through their index sheets and their analysis sheets, and the top line on my analysis, and I think it's probably on yours, is that this bill applies to an employer which is a governmental or nongovernmental unit that employs five or more persons. Now, I...there was no way that I meant

to mislead anyone. I stood up here and I said, if there are two people of equal qualifications, this bill says you must give preference to the handicapped person. There was no questions asked. Senator Watson voted No the first time around. There was no misleading on my part to him. Now, let me point out one other thing. There's been some discussion here as to what the bill says. Let me read to you the pertinent section of the bill. "Whenever an employer seeks to fill an employment position, he shall give preference to handicapped persons applying for such positions if such persons are otherwise equally qualified to carry out the duties of that position." Ladies and gentlemen, that's all that the handicapped...you know, when somebody says the handicapped don't want that break, I beg to differ with you. They want to be treated equally. They don't want to be treated or discriminated against. That's all that this bill calls for. If some people want to be given a chance to be voted No, they'll take this roll call. I ask those of you who knew what you were voting on, that subscribe to the consideration of equal treatment to stand by me and by the handicapped and vote No on this motion. If they fail to get thirty votes, the bill still stays in that posture. They've recorded it and we will have accomplished the good purposes that this bill has. I urge a No vote

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you, and I'm sorry to rise a second time, especially after he's closing, but I'll beg to differ...

PRESIDENT:

Well, he wasn't closing. It's not his motion. It's Senator Hudson's motion.

SENATOR WATSON:

All right, very good...

PRESIDENT:

...no, it's not very good...okay.

SENATOR WATSON:

This is not...this is not equal treatment. By the name of the Act itself, it's preference treatment to the handicapped, it's not equal and the previous speaker said it's equal. It's not. We're giving preference to a certain segment of society that probably doesn't really want it.

PRESIDENT:

I'm still ten minutes ahead of what I said I'd do. Relax. All right, any further discussion on the motion to reconsider? Senator Hudson, you wish to close? It will require thirty affirmative votes to reconsider this legislation...I mean this passage.

SENATOR HUDSON:

Thank you, Mr. President. You've been very fair and I'm going to close...I think the arguments have been made...

PRESIDENT:

...thank you...I'm not sure that opinion is...universally shared at the moment but I appreciate that.

SENATOR HUDSON:

I think the...

PRESIDENT:

...okay.

SENATOR HUDSON:

...I think the arguments have been made and I would just ask for an affirmative vote.

PRESIDENT:

All right, Senator Hudson has moved to reconsider the vote by which House Bill 2391 was declared passed. Those in favor of Senator Hudson's motion and position will vote Aye. Those in favor of Senator Berman's position will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Carroll is trying to

get unstuck. I can see that. Let the record reflect, Senator Carroll is voting three different ways on this measure. Take the record. On that question, there are 29 affirmative votes, 24 in the negative, 1 voting Present. The motion fails. All right, with leave of the Body, we're going to move to page 32 on the Calendar for the purpose of consideration postponed plus the supplemental. There are twelve additional matters. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, I think we've had enough for today. I move that the Senate stand adjourned until tomorrow and request a roll call.

PRESIDENT:

That motion is in order. It is nondebatable and will require a majority of those voting to adopt the motion to adjourn until ten o'clock tomorrow morning. Those in favor of adjourning will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Let the record reflect forever that Senator Savickas and I wanted to stay. Take the record. On that question, there are 34 Ayes, 18 Nays, 1 voting Present. The Senate stands adjourned till ten o'clock tomorrow morning...ten o'clock tomorrow morning. Senator Carroll, how are you recorded on that one? Senator Carroll.

SENATOR CARROLL:

While being recorded, just a reminder to the members of Appropriations I and Appropriations II, there is a meeting immediately after adjournment on the director's lawn at the Department of Agriculture. Look forward to seeing you there.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 27, 1985

PRESIDENT:

(Machine cutoff)...will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend Peter Mascari, Holy Family Church, Athens, Illinois. Father.

REVEREND MASCARI:

(Prayer given by Reverend Mascari)

PRESIDENT:

Thank you, Father. Reading of the Journal, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members...Ladies and Gentlemen of the Senate. I move that the reading and the approval of the Journal of Tuesday, June 18th; Wednesday, June 19th; Thursday, June 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th and Wednesday, June 26th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles, together with House amendments:

Senate Bills 95 with House Amendment 1.

148, House Amendment 1.

200, House Amendment 1 and 2.

296, House Amendment 1.

297, House Amendment 2.

343, House Amendment 1.

371, House Amendment 1.

425, House Amendment 4.

...560, House Amendment 1.

570, House Amendments 1 and 2.

571, House Amendment 1.

629, House Amendment 1.

665, House Amendments 1 and 3.

670, House Amendment 3.

728, House Amendment 2.

734, House Amendments 1 and 5.

835, House Amendment 1.

882, House Amendment 1.

884, House Amendment 1.

957, House Amendment 1.

1010, House Amendments 11 and...10 and 11.

1021, House Amendments 12 and 13.

1077, House Amendments 1 and 2.

1156, House Amendments 1, 2 and 3.

1292, House Amendments 1 and 2.

1294, House Amendments 1.

1295, House Amendment 1.

1311, House Amendment 1.

1352, House Amendment 1.

1405, House Amendment 1.

17, House Amendment 1.

24, House Amendment 1.

89, House Amendment 1.

97, House Amendment 1.

110, House Amendments 1 and 2.

190, House Amendments 1 and 2.

206, House Amendment 1.

207, House Amendment 1.

209, House Amendment 1.

214, House Amendment 2.

290, House Amendment 1.

...341, House Amendment 1.

406, House Amendment 4.

499, House Amendment 1.

521, House Amendments 1, 2 and 3.

537, House Amendment 1.

551, House Amendments 1 and 2.

589, House Amendment 1.

623, House Amendments 1 and 2.

658, House Amendment 1.

660, House Amendment 2.

668, House Amendment 1.

690, House Amendment 1.

745, House Amendment 1.

798, House Amendment 1.

800, House Amendments 1 and 6.

825, House Amendment 1.

834, House Amendment 1.

844, House Amendments 1 and 2.

865, House Amendments 1, 3 and 4.

893, House Amendments 1 and 2.

896, House Amendments 1 and 3.

970, House Amendment 1.

993, House Amendment 1.

1037, House Amendment 1.

1052, House Amendment 1.

1055, House Amendment 1.

1056, House Amendment 2.

1202, House Amendment 1.

1212, House Amendments 1 and 2.

1218, House Amendments 1, 2 and 9.

1289, House Amendment 1.

1321, House Amendment 6.

And 1345, House Amendment 1.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 410 offered by Senator Lemke. It's commendatory. Oh, I'm sorry, I read that too quick.

Senate Resolution 407 offered by Senator Jeremiah Joyce and Degnan. It's commendatory.

Senate Resolution 408, by Senator Carroll. It's congratulatory.

Senate Resolution 409, by Senator Kelly. It's congratulatory.

And then Senate Resolution 410, by Senator Lemke. It's commendatory.

Senate...

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 411, by Senator Kustra.

And 412, by Senators Lemke, Carroll and Darrow.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution No. 80, congratulatory, by Senator Karpiel.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Berman, for what purpose do you arise?

SENATOR BERMAN:

While we're awaiting action, Mr. President, I would like...on a point of personal privilege. In the President's...in the President's balcony, we have with us from the City of Evanston four young people who have been nominated by the Evanston Rotary as the Evanston Rotary Youth

of the Year. And I'd like to introduce them to the Illinois Senate, Lisa English, Henry Kamerling, Heather Sampson, David Teska, and they are accompanied by Tom Swiggert. Glad to have them with us.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield.

SENATOR BERMAN:

Thank you.

PRESIDENT:

All right. With leave of the Body, we'll turn to page 4 on the Calendar. On the Order of Secretary's Desk Resolutions. Senator Kelly, Senate Resolution 40. Senate Resolution 54, Senator Joyce. On the Order of Secretary's Desk Resolutions, top of page 4, is Senate Resolution 54, Mr. Secretary.

SECRETARY:

Senate Resolution 54 and there are no amendments.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, this resolution addresses itself to the situation which...Reye's Syndrome in aspirin and requiring...asking the Congress to consider the legislation they have in front of them which would require warnings on aspirin bottles. There are numerous studies which indicate that there is indeed a connection. We have had considerable debate on this in committee. I have tried to...I have been involved in this thing for a couple of years. I'd be happy to answer any questions.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Senate Resolution 54. Is there any discussion? If not, all in favor of the adoption of the resolution indicate by saying

Aye. All opposed. The Ayes have it. The resolution is adopted. 103, Senator Collins. 121, Senator Newhouse. On the Order of Secretary's Desk Resolutions, Senate Resolution 121, Mr. Secretary.

SECRETARY:

Senate Resolution 121 with no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This is the resolution that came out of our subcommittee of the Illinois Higher Education Committee and it does exactly what it says and I would move its adoption.

PRESIDENT:

Senator Newhouse has moved the adoption of Senate Resolution 121. Is there any discussion? If not, all in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Resolution 122, Senator Newhouse. Mr. Secretary, 122.

SECRETARY:

Senate Resolution 122 with no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. 122 came out of that same committee and I would urge its adoption.

PRESIDENT:

All right. Senator Newhouse has moved the adoption of Senate Resolution 122. Is there any discussion? If not, all in favor of the adoption of Senate Resolution 122 indicate by saying Aye. Senator Newhouse moves the adoption of Senate Resolution 122. All in favor indicate by saying Aye. All opposed. The Ayes have it, the resolution is adopted. 244, Senator Demuzio. On the Order of Secretary's Desk Resolu-

tions, the middle of page 4, is Senate Resolution 244, Mr. Secretary.

SECRETARY:

Senate Resolution 244 with no amendments.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

This...this urges Congress to enact House Resolution 2383 and Senate Bill 1083 which is the Farm Policy Reform Act of 1985 and I would move adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Senate Resolution 244. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Ladies and Gentlemen of the Senate, this resolution passed out of the Executive Committee on a partisan roll call. There is a great division in the farm community as to whether or not this resolution should be supported and whether or not...Congress should, in fact, adopt the measures before the House of Representatives that this resolution urges. I think it's fair to say that in Illinois the Illinois Farm Bureau does not support this resolution and that perhaps some of the other farm groups do. We may want to just vote this out of here on a partisan roll call, I'm not sure. But at least let's be aware of what's happening on this particular matter.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

I was wondering if maybe the sponsor might tell us what some of the key provisions are of this resolution.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much. I guess Senator Rigney's staff synopsis has not been updated, I guess. This...the main provisions that are in this Congressional action,...the Federal Ag. and Food Act of '81 is set to expire, as you know, in '85. The provisions that are currently in the Policy Reform Act of '85 would reduce the Federal budget deficit by eliminating the commodity subsidy payments, stabilize the market prices by escalating price floors and balancing production with need, promote conservation practice, increase export markets and support domestic food production.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, I might comment, those are all laudable causes. I was just kind of wondering if you had a little more detail about how we are going to achieve all of these things 'cause that really gets down to the nub of the issue.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm sure as we go through the remainder of the debate, I see several lights on, perhaps the edification for Senator Rigney will...will be forthcoming.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to Senate Resolution 244. I'm one of those farmers who is experiencing financial difficulty and...and, indeed, it's been a rough four or five years without question. The resolution, as I read it, calls attention specifically to House Resolution 2383 and Senate Resolution 1083. And contained in

those bills, as I understand it, are items such as export subsidies, high-priced supports, both of those particular areas are ones that have gotten us into the difficulty that we are now in. You simply cannot...you simply can't compete against foreign countries who have in place the very things that we're trying now through this resolution and through support of this concept to put in place. The fact of the matter is, if we're ever going to export American grain...American products, we have to compete fairly with those other countries. And if you look now at what's happening in the European common market, the only people in those ten countries supporting their policy are the grain farmers. The dairy farmers, all the people in the urban areas are angry about what's going on in the common market, they want also to compete fairly. Economically, the European common market is having a very difficult time financially right now. If think we are on the threshold...on the threshold of competing fairly and equitable with those countries. By sending this signal from the State that exports the largest number of bushels of grain, corn and soybeans is a wrong signal. I don't think the taxpayers are ready for this. I, as a farmer, who again is experiencing financial difficulty right now, as are others, think this is a poor signal to send. And, Senator Demuzio, I urge support of Senate Resolution 244.

PRESIDENT:

All right. With leave of the Body, Channel 2 from Chicago wishes permission to film. Is leave granted? Leave is granted. Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Though I may not agree with everything that is in this resolution, I think that it behooves us to pass this. I think that we ought to urge Congress to do something, even if it's wrong. Right now, Sena-

tor Maitland mentions the facts that...the fact that we have to compete. There is no way in the world that we can compete with countries where their people are planting corn with a stick when our...when the dollar is so high that no one is buying our produce and our products. So what we need to do in that interim period until the dollar either comes down or the rest of the world comes up to meet that standard is to subsidize our farmers, and to subsidize them, I don't necessary mean pay them something but put that land out of production. We cannot continue to grow more and more and more corn and soybeans when we have no market for it. It depresses the price further and further and farmers are going out of business and...and we...we're all witnessing what is happening and right now it's...you aren't reading so much about it but next year is going to be worse than this year. Land prices are going down, commodity prices are going down every day and there is no market for this. So what we need to do is not produce quite so much. And it isn't going to hurt our land in Illinois to sit idle and plant some legumes or something on it that's going to save it for our ancestors. You know that doesn't hurt a thing. So, I urge support of this resolution and I think that our Congressmen ought to realize that here in this State we want some action from them. We don't want them to roll over and play dead every time John Block and the...the administration...the Reagan Administration say, oh well, we can't do this we have...to compete on a free market. There's no free market. Whatever the market prices is, whatever is...it's whatever we set it at, and...those other countries are going to come in just a little bit lower than us, and that's always...been the way it has been and that's always the way it will be. So we set the price in the world market and we're going to...if we just keep letting this go as it is, the prices are going down , down and down. So we ought to do this, we ought to pass this resolution,

tell our Congressmen that, you know, come on get off of it, folks, let it go back to the 1943 Farm Program, that's what brought us out of this...out of the...the depression at that time. Right now...we're...we're...we've got no one in leadership in Washington that knows what in the world they're doing as far as agriculture in concerned. I'd urge passage of this resolution.

PRESIDENT:

Further discussion? Further discussion? Senator Maitland.

SENATOR MAITLAND:

I apologize, Mr. President, for rising the second time. I understand that in...in the emotion of my speech after...after really telling you how bad Senate Resolution 244 was, I then urged support. That was not a true statement and I would urge opposition to Senate Resolution 244.

PRESIDENT:

That is correct, you did say that and you convinced me. Further discussion? Further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

Well, I guess Senator Maitland's true...true feelings came out there toward the end. He was keeping up the big fight. I might add that Senator Watson is a cosponsor of this resolution, so, in fact, this had bipartisan support. It is supported by the Illinois Farm Alliance, the Farmers Union, the National Farmers Organization, the American Ag. Movement, the United Auto Workers, the Chicago Urban League, the National Conference on Rural Electric...on Rural Life Conference, the Illinois...and several other groups and I would ask for support, Mr. President.

PRESIDENT:

Senator Demuzio has moved the adoption of Senate Resolution 244. Those in favor of the adoption indicate by saying

Aye. All opposed. The Ayes have it. The resolution is adopted. 257, Senator DeAngelis. Mr. Secretary.

SECRETARY:

Senate Resolution 257 with no amendments.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 257 simply directs the Department of Transportation to conduct a feasibility study on the airport needs of the Chicago metropolitan area. What it requires them to do is to tell us what the needs are, if there are any additional need indicate potential sites, indicate the impact of those sites on vehicular traffic and air and sound pollution, and also to present to us a plan for financing if another site is required. I believe this has got an appropriation in the House, Senator Rock, and we'll probably have to take a roll call on this, right?

PRESIDENT:

You are correct. Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I just rise to support Senator DeAngelis' resolution. We certainly need this study very badly. There's a lot of concern and a lot of interest in our south suburban area for such a review. And I'd urge my colleagues particularly on this side of the aisle to support Senator DeAngelis.

PRESIDENT:

Further discussion? Senator Lemke. All right. Senator DeAngelis, you wish to close? If not, the question is, the adoption of Senate Resolution 257. Those in favor of the resolution will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, there are 52 Ayes, 1 Nay, none voting Present. Senate Resolution 257...having received the required constitutional majority is adopted. 263, Senator Collins. On the Order of Senate...Secretary's Desk Resolutions, Senate Resolution 263, Mr. Secretary.

SECRETARY:

Senate Resolution 263 and Executive Committee offers one amendment.

PRESIDENT:

Senator Collins on Amendment No. 1 to 263.

SENATOR COLLINS:

Yes, thank you, Mr. President. Amendment No. 1 simply changed the...the...the study being from...being the...the task force from being appointed by the...the Senate and put the...gave the responsibility to IHDA. And I would move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Resolution 263. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. On Senate Resolution 263 as amended, Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Resolution 263 simply instructs the Illinois Housing Development Authority to study the feasibility of creating a Illinois Housing Trust Fund to provide for monies for low and...and moderate income housing, rehabilitation and construction in the State. This is...a idea that...that was put forth in the...on the National level in the Ways and Means Committee, a report that talked about new and innovative ways of finding resources...financial resources for affordable housing for those persons who can't afford housing today. There...other states across this country are in the process

right now of conducting these studies or they are in the process right now of deliberating on legislation before the various bodies to pass such a trust fund. And so what we're doing in Illinois is to keep in pace with all the other states and...and we most certainly have a tremendous...need housing shortage here and a lack of funds to secure adequate housing. And this is one possible way that we can come up with some money to respond to the housing shortage needs in Illinois. And I would move for the adoption.

PRESIDENT:

Senator Collins has moved the adoption of Senate Resolution 263. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. 268, Senator Kelly. On the Order of Secretary's Desk Resolutions is Senate Resolution 268, Mr. Secretary.

SECRETARY:

Senate Resolution 268 with no amendments.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This resolution deals with the subject of illegal drugs. It calls on Congress to...and the President of the United States to do more to prevent the illegal importation of illegal drugs. There is something like estimates of eighty billion dollars worth of illegal drugs coming into the United States each year, about sixty billion coming in through the Caribbean and into Florida. And I have called on the President and Congress to enlist the military services to...to declare war on illegal drugs. And that's what this resolution does. It asks for a lasting solution because these illegal drugs cause problems in our schools, create crimes in our streets and certainly raise our insurance rates and...and do harm that we aren't even aware of. And the only thing different between

society now and it was fifty years ago is the exceptionally large amount of drugs. So, I'd appreciate your support for...Senate Resolution 268.

PRESIDENT:

Senator Kelly has moved the adoption of Senate Resolution 268. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The...the resolution is adopted. 295, Senator Demuzio. Mr. Secretary, Senate Resolution 295.

SECRETARY:

Senate Resolution 295 with no amendments.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is a more of a noncontroversial measure. This simply urges the State universities here in Illinois to offer a full range of bachelor degree programs in all the liberal arts areas. I don't know of any opposition.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution 295. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 13, Senator Vadalabene. Bottom of page 4, on the Order of Secretary's Desk Resolutions is House Joint Resolution 13, Mr. Secretary.

SECRETARY:

House Joint Resolution 13, Executive Committee offers one amendment.

PRESIDENT:

Senator Vadalabene on Amendment No. 1.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to House Joint Resolution 13 is a technical

amendment which properly cites that Michael Witte as the Director of DOC and not the former Director, David Kenney. And I move for the adoption of the amendment.

PRESIDENT:

All right. Senator Vadalabene has moved the adoption of Amendment No. 1 to House Joint Resolution 13. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is adopted. On...House Joint Resolution 13 as amended, Senator Vadalabene.

SENATOR VADALABENE:

House Joint...Resolution 13 as amended urges the department to institute the Department of Conservation to institute as its primary policy the rehabilitation and restoration of the water quality and natural habitat for fish and wildlife. And I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of House Joint Resolution 13. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 20, Senator Demuzio. Mr. Secretary, on the bottom of page 4, Secretary's Desk Resolutions is House Joint Resolution 20.

SECRETARY:

House Joint Resolution 20 with no amendments.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This resolution urges the President and the Congress, the Office of Management and Budget and the Veterans' Administration in Washington to continue comprehensive veterans' medical coverage. We have passed similar resolutions relevant to the same subject matter and the same areas with

House Joint Resolution 23 and 47. This particular resolution would urge the Federal Government to maintain its current comprehensive medical coverage to all veterans. I know of no opposition, came out of committee unanimous.

PRESIDENT:

Senator Demuzio has moved the adoption of House Joint Resolution 20. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Top of page 5 is House Joint Resolution 23, Senator Vadalabene, Mr. Secretary.

SECRETARY:

House Joint Resolution 23 with no amendments.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. House Joint Resolution 23 provides that the Treasury's Department tax reform for fairness, simplicity and economic growth is proposing a tax on service-connected disability compensation to go into effect January 1, 1987. To tax service-connected disability compensation is a government breach of its long-standing pledge to the American disabled veterans who are, in effect, being told that the disability incurred in fighting for this country is no longer considered a significant sacrifice by the government. And I move for this adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of House Joint Resolution 23. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. House Joint Resolution 23 is adopted. Senate Joint Resolution 35. Senate Joint Resolution 47, Senator DeAngelis. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 47, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 47, the Executive Committee offers one amendment.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 in line 18 changes 1945 to 1954. I urge its adoption.

PRESIDENT:

Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Joint Resolution 47. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. On Senate Joint Resolution 47 as amended, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this resolution does is it urges Congress to help resolve the problem that we have in the sale of goods with our residents to other states and other states to our residents. And what we're asking them to do is to look at a Supreme Court decision and enact some legislation. Congress is in the process of looking at this right now. And we hope that this will give them the necessary boost to do what we think is right. And I'm joined in it by Senator Donahue, Schuneman, Rigney, Kelly and some other people.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Senate Joint Resolution 47. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Joint Resolution 48, Senator Maitland. Senate Joint Resolution 61, Senator Maitland. Senate Joint Resolution 69, Senator Lemke. On the Order of Secretary's Desk Resolution is Senate Joint Resolution 69, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 69 with no amendments.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is a...a religion...a resolution which urges the Supreme Court of Illinois to promulgate rules for the appeal procedure for determination concerning whether a minor is mature enough to decide to undergo an abortion without parental notification. This is a response to a recent Federal Court decision that says they're...they're holding the...implementation of the law that we passed until the...until the Supreme Court adopt these rule. This urges them to do that, I ask for favorable consideration.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Senate Joint Resolution 69. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I'd...I'd like to...get leave of the Senate to have Senate Resolution 382 discharged from the Senate Executive Committee for immediate consideration. This is the annual Respect Life Week Resolution. There is a...a form that has to be made up which is why I'm requesting this and which I would appreciate Senator Sangmeister and my fellow colleagues to approve.

PRESIDENT:

All right. Senator Kelly has moved to discharge the Committee on Executive from further consideration of Senate Resolution 382. Any discussion on the motion to discharge? If not, all in favor of the motion indicate by saying Aye. All opposed? The Ayes have it. The motion carries. Senator

Kelly on Senate Resolution 382.

SENATOR KELLY:

Thank you, Mr. President and fellow colleagues. Senate Resolution 382 is the annual Respect Life Week Resolution. It's the same as been introduced each time, the only difference is that the dates have changed. The week which has been selected is October 6th through October 13th, 1985 which is designated as Respect Life Week. I would say that it's a resolution that...that everyone in here could...could support, not necessary all would...(machine cutoff)...and I would appreciate your support.

PRESIDENT:

Senator Kelly has moved the adoption of Senate Resolution 382. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

While we're on that order of business, Senate Resolution 368 was introduced too late to be heard by the Executive Committee. I have cleared it with Senator Schuneman and Senator Sangmeister. I would move that we discharge the Committee on Executive from further consideration of Senate Resolution 368 so that it can be heard and acted on today.

PRESIDENT:

All right. Senator Netsch has moved to discharge the Committee on Executive from further consideration of Senate Resolution 368 and asked that it be placed immediately before us. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and its so ordered. On the Order of Senate Resolutions is Senate Resolution 368, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The resolution is really a carrying out of the action that was taken earlier with

respect to legislation dealing with the homeless. Some of you may recall that we left a number of bills in the Executive Committee and it was understood that the State agencies that have responsibility, which are basically the human service agencies, would have an opportunity to hear from the Governor's Task Force which is due to report on August 1 and then respond to whatever recommendations are made with respect to that task force...or rather by that task force. This resolution would then request those agencies, the Department of Public Aid, Children and Family Services, Mental Health and so forth, to report back to the Legislature by October 15th setting forth what actions they have taken pursuant to the recommendations of the task force. I would move the adoption of Senate Resolution 368.

PRESIDENT:

Senator Netsch has moved the adoption of Senate Resolution 368. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Earlier Senator Maitland was involved in an education summit. We will go back to Senate Joint Resolution 48. Mr. Secretary, on the Order of Secretary's Desk Resolutions, with leave of the Body, Senate Joint Resolution 48.

SECRETARY:

Senate Joint Resolution 48 with no amendments.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, I appreciate that courtesy. Senate Joint Resolution 48 is a resolution that deals with grain standards, and the...the provisions that we're asking for in this resolution are ones that we adopted last summer in a meeting we had here in Illinois with the Council of State Governments. Quite frankly, sum and substance of the resolution would...would allow some recognition

of Illinois quality grain standards that they export and pay their farmers accordingly. And I would urge...urge the adoption of Senate Joint Resolution 48.

PRESIDENT:

Senator Maitland has moved the adoption of Senate Joint Resolution 48. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Maitland, you wish to proceed on 61? On the Order of Senate Resolutions...Secretary's Desk Resolutions is Senate Joint Resolution 61, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 61 with no amendments.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, again, Mr. President. Senate Joint Resolution 61 is a resolution that passed the...the Executive Committee some weeks ago and would urge Congress to approve...to approve legislation to extend an exemption from the provisions of the Cargo Preference Act to the U. S. Department of Agriculture's blended credit and export loan guarantee shipments. Again, this is an attempt to increase exports of Illinois grain products. I would...would urge adoption.

PRESIDENT:

...Senator Maitland has moved the adoption of Senate Joint Resolution 61. Is there any discussion? If not, all in favor...I beg your pardon, Senator Demuzio on Senate...Joint Resolution 61.

SENATOR DEMUZIO:

I was sitting here talking with some of my members. I...I was wondering if Senator Maitland could just spend another minute taking me back through that.

PRESIDENT:

All right. Senator Maitland.

SENATOR MAITLAND:

...how far back do you want me to go, Senator Demuzio?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

All the way.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Currently, shipments of grain commodities are required...on the blended credit shipments are required to go on fifty percent American tenders. This resolution would urge Congress to not...to not abide by that regulation.

PRESIDENT:

Senator Maitland, I think you've...I think you've answered his question. Senator Maitland has moved the adoption of Senate Joint Resolution 61. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Kelly, do you wish to proceed on Senate Resolution 40? On the top of page 4, on the Order of Secretary's Desk Resolutions is Senate Resolution 40, Mr. Secretary.

SECRETARY:

Senate Resolution 40. The committee reported it out for adoption. Senator Kelly has Amendment No. 1.

PRESIDENT:

Senator Kelly on Amendment No. 1 to Senate Resolution 40.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 basically changes the concept somewhat on this resolution as regarding the starving people of America and of...of the world. And it...there was an indication in the first resolution that maybe the President and Congress

was guilty of the neglect and this has...just says that...Americans are...by the lack of concern being shown for the hungry people of America. It doesn't designate who that their lack of concern is for. And it also indicates that dormant fields should be...should be used and we should not allow fields to be...to lie dormant and use every bit of our agricultural skills to...to develop the crop production of this country. And I move for the adoption of Amendment No. 1 to Senate Resolution 40.

PRESIDENT:

Senator Kelly has moved the adoption of Amendment No. 1 to Senate Resolution 40. Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I wonder if the gentleman would then explain the resolution as amended.

PRESIDENT:

He will...he will in fact. He's moved the adoption of the Amendment No. 1 to Senate Resolution 40. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is adopted. Senator Kelly on Senate Resolution 40 as amended.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The resolution as it is now amended...it points out that we do have starvation in the United States and in Ethiopia and throughout the world, and that the United States is very rich in agricultural production, and all we do is encouraging Congress to enact legislation to do more to...to develop our fields and our dormant fields so that we have more crops and more food for the people of the United States and the people of the world that need it. We don't want a...a policy which would endorse or support not producing these crops. So what I'm asking for is that every bit of available agricultural land should be used for crop production. And that's what the

intent of this...of this resolution is.

PRESIDENT:

All right. Senator Kelly has moved the adoption of Senate Resolution 40. Discussion? Senator Rigney.

SENATOR RIGNEY:

I was wondering, Senator Kelly, were you here a few minutes ago when we adopted 244?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

I certainly was and I supported it.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, one of the key provisions of 244 said that we should...were producing way too much, we've got to do these cut-back type of programs, you know, to get our production under control, to get prices up for our farmers. You don't see anything inconsistent with what you're proposing here? I mean, you and Senator Demuzio are tracking the same on these two are you, or...

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

All I know is, instead of our giving military support and financial support to all of these foreign countries and allowing many of these foreign governments who are corrupt to take this money and not feed the poor is wrong. And I say if we're going to have land available that can raise crops, they ought to be raised and we ought to make sure that there's no starving people in the world. That's what this resolution does, and if it's contrary to...I know the farmers have a problem and I'm in favor of helping the farmers, and I don't think the farmers...you know, a lot of farmers want to culti-

vate and they want to use their fields too and they haven't been able to for many years. And I think the farmers are on my side on this issue and not on your side, sir.

PRESIDENT:

Senator Kelly has indicated he'll take it out of the record and see how it tracks with the rest of the programs. 103, Senator Collins. On the Order of Secretary's Desk Resolutions is Senate Resolution 103, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Resolution 103. The Executive Committee offers one amendment.

PRESIDENT:

Senator Collins, on Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 was to clear up a technical error in the drafting of the resolution, it excluded females and it simply adds females and blacks to the resolution. And I'd move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Resolution 103. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Collins, on Senate Resolution 103 as amended.

SENATOR COLLINS:

Yes, thank you, Mr. President. The...the resolution simply asks...calls upon the State Board of Education to conduct a study to determine whether or not the contributions...made by blacks and females are adequately projected in the studies of American history and social studies in our educational system. And I would move for the adoption of the amendment.

PRESIDENT:

Senator Collins has moved the adoption of Senate Resolution 103. Discussion? Senator Keats.

SENATOR KEATS:

Have you been to any of your local history classes recently? They don't even know when the American Revolution was and they haven't heard of half of our Presidents. They think Christopher Columbus is a rock singer. The fact that blacks and women are missed is kind of a minor point, it...there's a whole part of the subject missing.

PRESIDENT:

Senator Collins has moved the adoption of Senate Resolution 103. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Joint Resolution 35, Senator Newhouse. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 35, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 35 with no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr...thank you, Mr. President. Mr. President, this...this started out as a joint committee but by agreement in committee this is now a legislative committee. I understand that because it...there...it might be some dollar expenditure that it requires a...a roll call. I would ask for a favorable roll call on this, please.

PRESIDENT:

Senator Newhouse has moved the adoption of Senate Joint Resolution 35. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes...47 Ayes, 3 Nays, 1 voting

Present. Senate Joint Resolution 35 having received the required constitutional majority is declared adopted. Senator Lemke, for what purpose do your arise?

SENATOR LEMKE:

I'd like to have a resolution heard, Senate Resolution 412 that I filed today. Make a motion to take from...

PRESIDENT:

All right. Senator Lemke has moved to discharge the Committee on Executive from further consideration of Senate...Senate Resolution 412 and asks for its immediate consideration. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Resolution 412, Senator Lemke.

SENATOR LEMKE:

What this resolution does is what we did in a previous resolution, Senate Resolution 127. But this is directed at the University of Illinois in Champaign-Urbana, that we are disheartened that they are showing a defamatory play of Sister Mary Ignatius Explains It All. And I think in summation and support of this legislation, I went through much of my correspondence, and I...and I had some talks with people in my area. And one of those talks was with an individual from...who escaped from Europe in the thirties and came here, Mr. Sliepka, who said that when the Nazi's came in power in Germany they used...first used a way of showing anti-religious plays and getting religious institutions to do this because of their naiveness towards their aims. And I think, Mr. Sliepka's letter is probably greatly in support of this and what most of the taxpayers feel. So I'd like to read this letter. "This letter is in protest of an anti-Catholic play, Sister Mary Ignatius, being presented at a college which is an institution supported by the taxpayers. I resent public institution supportive...supported by my tax money attacking religious faiths under the guise of freedom

of expression. I am a taxpayer and as such am for education, but since when is an anti-Catholic play education? Education is for the betterment of oneself and to help cope with...with their future in whatever field they choose in life and not attacking the taxpayers' belief. Is this education for the betterment of self or society? The college administrators are very callous or stupid not to differentiate between education and an attack on religion. Further, if the administration were familiar with the first amendment which states in short, no public institution shall violate religious neutrality. It is time public figures be held accountable for the actions in the field of education. In the future, I would be pleased to see either these administrators be removed or a cut in their budget for this or any other having the same callous and difference for the taxpayers' beliefs. And I believe that if public facilities cannot be used for the furtherance of religion, they surely should not be used for the...the defaming or degrading of any religion." And therefore, I ask an Aye vote.

PRESIDENT:

Senator Lemke has moved the adoption of Senate Resolution 412. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. On page 3 is Senate Joint Resolution 11, and I would ask leave if I could have that resolution heard approximately four o'clock today.

PRESIDENT:

All right. The gentleman seeks leave to hear the Constitutional Amendment Senate Joint Resolution 11 at approximately four o'clock. Senator DeAngelis wishes to have it at

ten after, is that...all right, without objection, leave is granted. We're going to start on the Order of Secretary's Desk Concurrence. I would ask the members to be in their seats. At this time of the year obviously the paper work has to flow back and forth, so I would ask you to be in your seat. We'll go through the Order of Concurrence once and then perhaps Recess for some lunch. Senate...Senate Bill 7, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

Yes. Thank you, Mr. President. I would like to concur on...Senate Bill 7.

PRESIDENT:

Mr. Secretary, Senate Bill 7.

SECRETARY:

Senate...Senate Bill 7 with House Amendment No. 1.

PRESIDENT:

Senator Fawell on House Amendment No. 1.

SENATOR FAWELL:

What House...what House Amendment No. 1...

PRESIDENT:

Ladies and gentlemen, we are on final action.

SENATOR FAWELL:

...what House No. 1 really is is a...a rewrite of the same language. It involves a special ed...district that concerns basically Greg Zito and my district. The legalese was not agreed upon by LRB and the State Board of...of Education attorney and she rewrote the...the language. That's...it doesn't do anything else.

PRESIDENT:

Senator Fawell, I think you've explained the wrong amendment.

SENATOR FAWELL:

...sorry, you're right. I'm sorry, okay. This...this amendment is...just...House...it is House Bill 1936 which

went out of here and was held up. It is to...it's the State Scholarship Grant and Loan Program language. It's to discourage fraud and abuse in the State of Illinois. All it does is, it talks about access to the records held by the Department of Revenue and Public Aid to facilidate...facilitate investigations and audits of student assistant programs, requires colleges and universities to keep records demonstrating student eligibility for financial assistance, provides that colleges and universities accepting funds on behalf of ineligible applicants shall have subsequent payments reduced by the amount of overpayment, authorizes the board to participate in Federal, State, county, local and university law enforcement agencies to detect and prosecute cases of fraud in student aid programs, requires the Department of Registration-Education to refuse to issue or renew a State license of an individual found to be in default of a student loan and provides that the ISSC be governed by Administrative Review Act and establishes processes in which the ISSC decisions can be appealed. And I would move for its...concurrence.

PRESIDENT:

All right. Senator Fawell has moved that the Senate concur in House Amendment No. 1 to Senate Bill 7. Discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I simply want to rise in support of this...this...of this measure. ISSC has been having some difficulty with collection on loans, I think we all know about that. This will give them some teeth, give them some means by which they will forewarn these youngsters of what they're getting into. And I would move its adoption.

PRESIDENT:

All right. Senator Fawell has...is there any further discussion? Senator Smith, are you on this bill? No, all

right, please remove your light for the moment. Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 7. This is final action. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 7 and the bill having received the required constitutional majority is declared passed. Senate Bill 14, Senator D'Arco. Mr. Secretary.

SECRETARY:

Senate Bill 14 with House Amendment No. 1.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I would move to nonconcur in House Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

Senator D'Arco moves to nonconcur in House Amendment No. 1 to Senate Bill 14. Those in favor indicate by saying Aye. Those opposed. The...motion carries and the Secretary shall so inform the House. Senate Bill 16, Senator D'Arco.

SENATOR D'ARCO:

...Bill 16 has two House amendments to it and Amendment No. 1 makes various procedural changes and it is fine with me, there's no objection to it. And Amendment No. 2 again makes certain procedural changes and it conforms to Senate Bill 16 which we passed out of this Chamber. And I would ask that we concur with the two House amendments to Senate Bill 16.

PRESIDENT:

Senator D'Arco has moved that the Senate concur in House Amendments 1 and 2 to Senate Bill 16. Any discussion? If not, the question is, shall the Senate concur in House Amend-

ments 1 and 2 to Senate Bill 16. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 16 and the bill having received the required constitutional majority is declared passed. Senate Bill 38, Senator Welch. Senate Bill 39, Senator Hall. Senator Hall. Mr. Secretary, it's on top of page 6, Senate Bill 39.

SECRETARY:

Senate Bill 39 with House Amendment No. 2.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur with the amendment. What's the number on that amendment, No. 2.? Amendment No. 2 and move for its adoption.

PRESIDENT:

Senator Hall has moved that the Senate concur in House Amendment No. 2 to Senate Bill 39. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, as I understand it, the amendment adopted in the House simply removes some more of the...powers that were attributed to this new unit of government. Is that right?

PRESIDENT:

Senator Hall.

SENATOR HALL:

I have to apologize. You're absolutely...correct, Senator, there were some and this is technical changes...that needed to be done to bring it in conformity. And that's all this amendment does.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...

SENATOR HALL:

...and we did...on...on Bill...45, the other bill is...similar.

SENATOR SCHUNEMAN:

...as I understand it, this removes some of the eminent domain powers that were in the original bill.

PRESIDENT:

All right. Senator Hall has moved to concur with House Amendment No. 2 to Senate Bill 39. Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 39. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 3, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 39 and the bill having received the required constitutional majority is declared passed. Senate Bill 75, Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I was trying to catch you for the longest...but I'm asking to be removed from Senate Bill 75 and Senator...President Philip Rock will become the chief sponsor.

PRESIDENT:

All right. The lady seeks leave to...to remove herself as the chief sponsor of Senate Bill 75 and substitute Senator

Rock. Without objection, leave is granted. Senate Bill 82, Senator Demuzio. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 82.

SECRETARY:

Senate Bill 82 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I don't think there's any controversy to this, we had an identical bill. This is a conveyance of land from the Jacksonville Mental Health Center to the City of Jacksonville. Amendment...House Amendment 1 is identical to the amendment that we adopted here in the Senate to House Bill 1204 which would allow for the Department of Transportation at a...at a later date to come back in on whatever action that they wanted to...to deal with the...with the land. And I know of no controversy and I would move for concurrence of House Amendment 1 to Senate Bill 82.

PRESIDENT:

Senator Demuzio has moved that the Senate concur in House Amendment No. 1 to Senate Bill 82. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 82. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 82 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...91, Senator Marovitz. Senator Marovitz on the Floor? 92, Senator Etheredge. Senator

Etheredge on the Floor? 98, Senator Fawell. Senator Fawell. 114, Senator Jerome Joyce. Senator Joyce, 114...114? All right. On the Order of Secretary's Desk Concurrence is Senate Bill 114, Mr. Secretary.

SECRETARY:

Senate Bill 114 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO):

Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you, Mr...Mr...President. Amendment No. 1 is a technical amendment. Amendment No. 2 inserts a five dollar fee for all tanks. Move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to concur with House Amendment 1 to Senate Bill 114. Is there any discussion? I'm sorry, 1 and 2? All right. Senator Joyce has moved to concur with...with House Amendments 1 and 2 to Senate Bill 114. Is there any discussion? Senator Karpiel.

SENATOR KARPIEL:

Could he explain Amendments 1 and 2 a little bit, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, Amendment No. 1 is principally technical, it doesn't do much. Amendment No. 2...it revives House Bill 1828 which died in committee and this...wait a minute, that's not right. Okay. It's...all right, Amendment No. 2 expands the original provisions of Senate Bill 114. This amendment requires a five dollar annual registration fee for underground petroleum storage tanks larger than eleven hundred gallons. The proceeds from this nominal annual fee would be deposited in the State Treasury to use by the IEPA to respond to clean up only orphaned underground petroleum tanks, orphan tanks leaks...leaks are leaks from tanks where the rightful

owner, liable party cannot be located. Leaks from these tanks fall through the cracks of existing Federal law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Weaver. Before we do, Senator Weaver,...WCIA, over in your neck of the woods, has requested permission to film the proceedings. Is leave granted? Leave is granted. Senator Weaver.

SENATOR WEAVER:

On Amendment No. 2...I think...who...who's going to pay this fee, Senator Joyce? It's my understanding now that the fire marshal's office is satisfied with the way it's handled now and that this is just going to switch the payment of this fee to others that...you know, it may not be very workable. I have no concern with Amendment No. 1 but Amendment No. 2 I've been led to believe is really not necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Joyce.

SENATOR JEROME JOYCE:

Well,...it...the answer who pays the fees, it's five dollars from whoever has the tank.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver.

SENATOR WEAVER:

Well, can we divide these two and vote separately on 1 and 2?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The sponsor indicates that we, in fact, will divide the question. I...I'm understanding that the Amendment No. 1 is...perhaps, Senator Joyce, in the division of the question now you can explain Amendment No. 1 and we might be able to proceed with that and then get to the more controversial one here shortly. Senator Joyce.

SENATOR JEROME JOYCE:

Okay. This is a technical amendment clarifying the

references to the dates of the underground storage tanks amendments to the Federal Resource, Conservation and Recovery Act. It deletes language to clarify that the EPA and the Office of the State Fire Marshal shall not be performing...duplicative tasks...duplicative tasks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion on Amendment No. 1? Senator...Senator Fawell, on...on Amendment No. 1? Any further discussion on Amendment No. 1? All right. Senator Joyce has moved to concur. The question is on the concurrence of House Amendment 1 to Senate Bill 114. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 114. Senator Joyce.

SENATOR JEROME JOYCE:

All right, then...Amendment No. 2, I'd be happy to answer anymore questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 will force the small petroleum market just to pay for the removal of a major oil company's abandoned tanks by requiring a five dollar per tank registration fee. That was contained in House Bill 1828 which lost in the Senate Agriculture Committee by a vote of 4 to 8 on June 11th. Now the State Fire Marshal also opposes Amendment No. 2. And I think that we have to consider the small business people more than we have to the big major oil companies. So I speak against the concurrence to Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Joyce.

SENATOR JEROME JOYCE:

Let me clarify this just so you'll know which tank you're in. The petroleum marketers are against this amendment, the Petroleum Council is for this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Well, as I understand this,...the debate that we had in committee about this is that some of these things are happening Federally. They're trying to study how many tanks are out there, we don't know and I think the five dollar fee is just not right. We already have...House Bill 2250 on the Governor's Desk that does basically the same thing without the five dollar fee, and I'd say let's support the bill as it is and get rid of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. So the members don't think this is a partisan issue, let me merely say that what we are doing here is taxing every gas station in Illinois. When you go in to buy gas in your local neighborhood gas station, they say, how come I have to pay five dollars per tank for all these underground tanks? I just bought this station a couple of years ago, I don't know anything about orphan tanks but still you're hitting me with a five dollar fee. You can...you can attribute it to this piece of legislation. It's not fair to tax a guy five bucks per tank when he had nothing to do with orphan tanks. It should be put on somewhere else, we shouldn't again tax the people who run our gas stations, we've done them nothing but a disservice over the last couple of years, and I would solicit a No vote on this

amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

END OF REEL

REEL #2

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to No. 2. Senator Darrow stated it very, very clearly, but for those of you who don't understand but what Illinois Petroleum Marketers and the Illinois Oil Council are, the Illinois Petroleum Marketers are the independent businessmen and your neighbors and...and your people in Illinois. The major oil companies who have been very guilty of closing a station and walking off and leaving it and not pulling the tanks, that's the major oil companies, that happens to the Illinois Oil Council...their lobbyist happens to eat lunch with me a couple of times a week. He's not asked me to support this amendment. If they're for it, they've certainly been very quiet in their support. I, frankly, think this is a bad idea whose time has arrived to be killed. I urge all of you to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I think we've been misled by the previous speaker. These are not tanks that big oil companies could walk away. These are orphan tanks that nobody could locate the rightful owners. Those big oil companies will be the ones that will be paying the majority of the monies and the fees on these tanks. They're not walking away, they're identified as the owners. They are not the orphan tanks we're concerned about that are leaking, and I would hope that we would support this...this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, just once again, I'm...I'm going to say what...who is for this and who is against it. The Petroleum Marketers are against it and the Petroleum Council is for it, and I'd ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce...the question is, shall the Senate concur in House Amendment 2 to Senate Bill 114. Those in favor vote Aye. Those opposed Nay. The voting is open. Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 32, none voting Present. The Senate does not concur in House Amendment 2 to...Senate Bill 114 and the Secretary shall so inform the House. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, now I'd move to nonconcur in Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, my Parliamentarians tell me it's not necessary. It is automatically...Senator Joyce moves to nonconcur...all right, Senator, I've already read that into the record. In the meantime, it...it is...it is on...House Amendment No. 2 is on nonconcurrence and the Secretary will so inform the House. In the meantime, we'll go to the next bill and decide what we're going to do from here. 147, Senator Berman. (Machine cutoff)...Senator Schaffer. Secretary's Desk...Secretary's Desk on concurrence is Senate Bill 158, Mr. Secretary.

SECRETARY:

Senate Bill 158 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

SB 159 concurrence

House Amendment No. 1 put some provisions in that we don't really take...have any real problems with but we have found a technical glitch involving the tax rate and regrettably we're going to have to put it in a Conference Committee to clean it up, so I would move to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer moves to nonconcur in House Amendment 1 to Senate Bill 158. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 159, Senator Kustra. Senate Bill 159, Mr. Secretary.

SECRETARY:

Senate Bill 159 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 159 originally refined the definition of bribery in the Statutes. The House Committee on Judiciary felt the necessity to change our language and to insert the words "improperly influence" for the words "unlawfully influence." I don't think it's any substantive change. To me it appears as thought it's a technical change. All parties have agreed to it, and I would urge concurrence on Senate Bill 159.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra has moved...on the concurrence, any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 159. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 159 and the bill

having received the required constitutional...majority is declared passed. Senate Bill 165, Senator Lemke. Senate Bill 165, Mr. Secretary.

SECRETARY:

Senate Bill 165 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I...move to nonconcur in House Amendment No. 1 and to concur in House Amendment No. 2. Yes, I want to nonconcur in Amendment No. 1 and to concur in Amendment No. 2. The intellectual pen of Ellis Levin went on this bill and then after he put the amendment on, he found out it was the wrong bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved to nonconcur with House Amendment No. 1...all right, Senator Lemke has moved to...to concur with House Amendment 2 to Senate Bill 165. Is there any discussion? If not, those in favor signify...if not, the question is, shall the Senate concur in House Amendment 2 to Senate Bill 165. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 165. Senator Lemke now moves...Senator Lemke.

SENATOR LEMKE:

What are we on now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Amendment No. 1.

SENATOR LEMKE:

I move to nonconcur on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke moves to nonconcur in House

Amendment 1 to Senate Bill 165. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 172, Senator Zito. House Bill 172, Mr. Secretary.

SECRETARY:

Senate Bill 172 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I would move to concur in House Amendment No. 1. House Amendment No. 1 was, in fact, offered by the Governor's Office. It provides that the capital improvement program of the legislation shall be submitted to the General Assembly by the Governor as part of the annual State budget. It also deletes requirements and Statewide hearings on the capital improvement program and the capital budget. It also provides for joint development of capital funding by BOB and CDB, and I would move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has...is there any discussion? All right. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 172. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 172 and the bill having received the required constitutional majority is declared passed. Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. I neglected to ask leave to add Senator Welch as a hyphenated cosponsor of that piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to add Senator Welch as a hyphenated cosponsor to House Bill 172? Leave is granted. So ordered. Page 7, Senate Bill 180, Mr. Secretary.

SECRETARY:

Senate Bill 180 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I move to concur with House Amendment No. 1 on Senate Bill 180.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Karpiel.

SENATOR KARPIEL:

All right, what the bill did originally is say that in municipalities that lie within more than one county, the municipal clerk and his or her deputies can register anyone to vote who lives within that municipality regardless of which county it is. The House amendment that was put on says that the municipal clerk and his or her deputies do not have to be...do not have to register those people within the confines of the clerk's office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise to oppose the concurrence. It actually increases to thirty-five days rather than twenty-eight days. It makes it more difficult to register and it's actually against the concept or the intent of Senate Bill 1301 sponsored during the 83rd General Assembly by Senator Rock which established the system of registration for deputy registrars. I feel that a Conference Committee could...could restored some of these restrictions and I...I would oppose the concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

Well, I...you know, I have no...I mean, the amendment that was put on in the House, obviously, was not my amendment. It was suggested by Representative Greiman and so I thought perhaps it was a Democrat amendment that they wanted; obviously, it is not. I would...I would prefer to just concur and go ahead with the bill and get it out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 180. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 13, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 180 and the bill having received the required constitutional majority is declared passed. 202, Senator Marovitz. Top of page 7, Secretary's Deck concurrence is Senate Bill 202, Mr. Secretary.

SECRETARY:

Senate Bill 202 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments 1 and 2 to Senate Bill 202. House Amendment No. 1 just more expressly authorizes the Department of Alcohol and Substance Abuse to enter into agreements with the State Board of Ed. to establish drug and alcohol education and prevention programs; and Amendment No. 2...and I might add, both DASA and the State board drafted the amendment and agree to it and Amendment No. 2...expressly authorizes the educational

service regions established by the School Code to be eligible...merely eligible for the grants under DASA. No controversy whatsoever with these two amendments. I would ask for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? All right, Senator Marovitz has moves to...moves to concur with House Amendments 1 and 2. The question, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 202. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 and the bill having received the required constitutional majority is declared passed. Is there leave to come back to 211 and 212? Leave is granted. Senate Bill...Senate Bill 224, Senator Lemke. Senator Lemke on the Floor?...230, Senator Vadalabene. Senate Bill 230, Mr. Secretary.

SECRETARY:

Senate Bill 230 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill 230, in summary what it does, it...it amends the Department of Veteran Affairs Act which states that the profits from the commissary at the Illinois Veterans' Home shall be used for the pleasure or comfort of residents. Interest and income on funds deposited for residents shall be expended for their...comfort or shall accrue to the amount...to the account, and it outlines regulations for handling of the unclaimed property of a resident who is separated from the Illinois Veterans' Home by death,

discharge or unauthorized absence from the home, and I move for the...and I concur with the House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. The Calendar that...you know, the...the synopsis in the Calendar, is that correct for what the original bill did, Senator Sam?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR DONAHUE:

Or was that added by amendment?

SENATOR VADALABENE:

Wait till I find the...I don't have a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

That was added by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

So the change in the scholarship date...it was added in the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I don't believe it...it does but, however, my outstanding staff must be on furlough and...they may be up at the veterans' home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

We'd love to have them, Sam. If...if I may make one request. I think this is a...a very big change, if I read it

right, and I'd like to ask if you'd just hold this for a minute so we can just clarify it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I would be more than happy to hold it and send the staff back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. 235, Senator Welch. Senate Bill 235, Mr. Secretary.

SECRETARY:

Senate Bill 235 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Amendment No. 3, in which I concur, gutted the bill and started all over again. The bill now is similar to a Federal Trade Commission ruling on the Federal level which prohibits advertising of any...by businesses by means of offering a free prize with...without disclosing all material terms regarding the offer. We took out the requirement that disclosure of the...fair market value be on the face of the advertisement. Earlier opposition by the retail merchants and the one-time opposition by the real estate lobby have been removed. They are both now in support of this bill and I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you...any discussion? All right, the question is, shall the Senate concur in House Amendment 3 to Senate Bill 235. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. The Senate does concur in House Amendment 3 to Senate Bill 235 and...and the bill

having received the required constitutional majority is declared passed. Secretary's Desk concurrence is Senate Bill...239, Mr. Secretary.

SECRETARY:

Senate Bill 239 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I move to nonconcur with House Amendment No. 1 to Senate Bill 239. The Illinois Local Governmental Law Enforcement Officers Training Board has problems with this amendment and I would appreciate your consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator O'Daniel moves to nonconcur in House Amendment...No. 1 to Senate Bill 239. All those in favor say Aye. Those opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 254, Senator Luft. Senate Bill 259, Senator Bloom. Senate Bill...page 8, Senate Bill 295, Senator Marovitz. Senator Marovitz on the Floor? 295. Top of page 8. Senate Bill...Senate Bill 298, Senator Karpiel. Secretary's Desk concurrence, page 8, Senate Bill 298, Mr. Secretary.

SECRETARY:

Senate Bill 298 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I would move to concur with House Amendment No. 1 to Senate Bill 298. House Amendment No. 1 was suggested evidently by Representative Saltsman and he suggested to...making...the bill originally said that...it's the same thing as the bill I passed out of here yesterday. It has to do with allowing municipalities to

issue liquor fines for license violations or...and he added counties also to the bill, and I'd ask for your concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 298. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 298 and the bill having received the required constitutional majority is declared passed. 299, Senator Berman. Senate Bill 299, Mr. Secretary.

SECRETARY:

Senate Bill 299 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The House by...Amendment No. 1 added to this bill the provisions to allow a home health agency to have a lien against an injured person for services rendered to that injured person. I've reviewed the amendment. I see no problem with it. I would move the adoption of Amendment No...or concurrence with House Amendment No. 1 to Senate Bill 299.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Fawell.

SENATOR FAWELL:

...thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Yeah, Senator, according to our analysis, this amendment guts the bill and puts in the other bill...says...it says

AB 300 Concurrence

here, "The...this amendment guts the bill and creates the Home Health Agency Lien Act. This bill creates a cause of action for liens to be placed upon...recoveries made by the injured plaintiffs. Home health agencies would be able to place a lien up to one-third of the recovery on judgments and settlements. This language is consistent with the hospital lien law...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR FAWELL:

...the Council of Home Health Services and IHA support this amendment." Is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Would we take it out of the record at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. Senate Bill 300, Senator Marovitz. Secretary's Desk concurrence, Senate Bill 300, Mr. Secretary.

SECRETARY:

Senate Bill 300 with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendment No. 4 to Senate Bill 300. This is the Spousal Health Insurance Rights Act, passed out of here 50 to 8. In deference to the business community, we very, very substantially compromised this legislation. The legislation that was passed out of here had no time cap for somebody to get into...somebody who's a widow or divorced spouse to join the...the group policy. The insurer...insurance industry and

the employers...we had several meetings with them, they wanted a cap...we wanted a five-year cap and it's down to a two-year cap now. So, there is a two-year cap for people to have an opportunity to join...convert to the group policy. There is no administrative cost, that's been taken off because the empirical studies have shown that there is no increase in rates, and for...those fifty-five and older there is no cap whatsoever except for the first two years they have to pay the...a possible twenty percent administrative cost. We have compromised this legislation and made it much more conservative from where it passed out of here 50 to 8, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall the Senate concur in House Amendment 4 to Senate Bill 300. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 7, none voting Present. The Senate does concur in Amendment...House Amendment 4 to Senate Bill 300 and the bill having received the required constitutional majority is declared passed. 309, Senator Sangmeister. 309, Mr. Secretary.

SECRETARY:

House Bill 309...or Senate Bill 309 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. The motion is that the Senate nonconcur in House Amendments No. 1 and 2 and that we send a Message to the House...requesting that they recede from those amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister moves to...to nonconcur in House Amendments 1 and 2 to Senate Bill 309. All those in favor say Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 315, Senator Mahar...315, Mr. Secretary.

SECRETARY:

Senate Bill 315 with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would move that the Senate concur with House Amendment No. 4. It is technical in nature. The intent and authority of the bill remain exactly the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Question is, shall the Senate concur with House Amendment 4 to Senate Bill 315. Those in favor vote Aye. Those...opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 4 to Senate Bill 315 and the bill having received the required constitutional majority is declared passed. 319, Senator Luft. 319, Mr. Secretary.

SECRETARY:

Senate Bill 319 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1. The amendment simply prohibits anyone from receiving a double exemption or a double tax credit if, in fact, a high impact area is designated in an enterprise zone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If...if not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 319. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 319 and the bill having received the required constitutional majority is declared passed. 320, Senator Luft. Secretary's Desk concurrence is Senate Bill 320, Mr. Secretary.

SECRETARY:

Senate Bill 320 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1. House Amendment No. 1 was added at the request of DCCA and put a five million dollar cap on the grants awards under this program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, is this...is this still the same bill, Senator, that would allow the State to reimburse the costs of up to fifty percent of workers' compensation and unemployment comp. in order to attract new industries? Is...is the bill...the basic part of the bill remain unchanged?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...the question is, shall the Senate concur in House Amendment 1 to Senate Bill 320. Those in favor will...will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 18, none voting Present. The Senate does concur in House Amendment 1. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate does not concur in House Amendment No. 2. House Amendment No. 2 provides that anyone who had a facility in the State of Illinois prior to 1976 is also eligible for this program, and I would move that we nonconcur in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator...Schuneman, on discussion on the nonconcurrence? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This...this vote will be final action on this bill. Is...is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Schuneman...the gentleman has moved to nonconcur in House Amendment 2. You want to put No. 2 up on the board and, therefore, his motion is to nonconcur in...all right, we all...we all together now? We're apart, but we're together. All right. Senator Luft has moved to nonconcur in House Amendment 2 to Senate Bill 320. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...Bill 321, Senator Vadalabene. Mr. Secretary, 321.

SECRETARY:

Senate Bill 321 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill...House Amendment No. 1 to Senate Bill 321 corrects a technical mistake made by the Legislative Reference Bureau in drafting the bill. It makes reference in several places which...states the word "directors" and should have been "trustees," and I move for...and I concur with House Amendment No. 1 to Senate Bill 321.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 321. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 321 and the bill having received the required constitutional majority is declared passed. Senate Bill 328,...Senator Hall, for what purpose do you arise?

SENATOR HALL:

A point of information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR HALL:

The President...if I heard him correctly, said we were going to break for lunch. What time is that going to be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, tomorrow...tomorrow at noon, I think he was talking about.

SENATOR HALL:

Well, I...I...I want to know because...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, I...I didn't hear him, so we'll get some confirmation on that and be right back to you. Senate Bill

328, Senator Vadalabene. Mr. Secretary, 328.

SECRETARY:

Senate Bill 328 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I move to nonconcur with Amendment No. 1 to Senate Bill...328.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene...Senator Vadalabene moves to...to nonconcur in House Amendment 1 to Senate Bill 328. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 379, Senator Nedza. Mr. Secretary, 379.

SECRETARY:

Senate Bill 379 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House No...House Amendment No. 1 to Senate Bill 379 did not change the content of the bill. All it did was put it in its proper grammatical form and I move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 379. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 379 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Senator

Collins, for what purpose do you arise?

SENATOR COLLINS:

Request leave for Senator Jeremiah Joyce to handle Senate Bill 995. I have to...I will be off the Floor at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Collins...Senator Collins has sought leave to have Senator Jeremiah Joyce to handle Senate Bill 995. Is leave granted? All right, leave is granted. We are on page 9, Secretary's Desk concurrence, Senate Bill 384, Senator Poshard. Mr. Secretary, 384.

SECRETARY:

Senate Bill 384 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to concur with House Amendment No. 1. This amendment enables persons fifty-five or older who are victims of Alzheimer's disease to participate in the Respite Demonstration Program. Normally persons would have to be at least sixty years of age to be eligible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 384. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 384 and the bill having received the required constitutional majority is declared passed. 385, Senator Welch. 385, Mr. Secretary.

SECRETARY:

Senate Bill 385 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does in the House, which I am concurring in, adds eight members to the Alzheimer's Disease Task Force, four family members or guardians of victims of Alzheimer's disease, a representative of the Home Health Agency on Aging and two additional physicians. The reason for this was...commitments were made that were included in the House version of this bill but not in the Senate version to include those participants in the negotiations on the advisory board, and I would move passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 385. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 385...all right, we're going to have to do that again. The question is on the...the question is, shall the Senate concur in House Amendment 1 to Senate Bill 385. Those in...favor vote Aye. Those opposed vote Nay. The voting is open. The Clerk hit the wrong button. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 385 and the bill having received the required constitutional majority is declared passed. 388, Senator Dawson. 392, Senator Smith. Senate Bill 392, Mr. Secretary.

SECRETARY:

Senate Bill 392 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Senate Bill 392, I move that the Senate concur with Amendment 1. The original part of the bill remains the same, it's unchanged, and House Amendment No. 1 merely restores a policy providing cash assistance to poor women who are childless but pregnant and who will be eligible for AFDC cash benefits as soon as the baby is born. In accordance with the Federal guidelines, this cash assistance will be limited to the final trimester of this pregnancy, and I do move that we concur with this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I'm afraid I'm going to have to oppose...concurrence with House Amendment No. 1. This bill...the original bill is part of the Alzheimer's package which we do support. However, the amendment that's been attached adds...gives aid to the...to families with dependent children who are pregnant for the first time, not...the normal policy is if they have children, they can receive cash aid...cash aid. Now, if they are pregnant for the first time, they will be added in and I think this is an increased cost of about 4.6 million dollars in general revenue for...for each year, and if I'm not mistaken, it doubles in...in years to come. So, I would move for its defeat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. And I wish that those people who are pro-life would have a listen to this because what this bill does is simply provide some money in the last

trimester of a pregnancy. So, in effect, what we're talking about is trying to make it possible for more healthy babies to be born in the State of Illinois. Now, I hate to be talking backwards all the time, but the facts of life are these, that our infant mortality rate is soring, it's much higher than it ought to be, but the rate of children born with problems is equally as high. Let me tell you what that means. If any of you go out to...to Children's Memorial Hospital, for example, you're talking about hospitalization bills that run three thousand...listen to me, gentlemen, we're talking hospital bills that run three thousand dollars a day. Now I can't give you a...a...a dollar amount or a fiscal amount of savings that there will possibly be, but you can well recognize that when we talk about getting poor, young girls who are pregnant in the final trimester, when that fetus has to have the kind of nourishment that is necessary for a healthy baby to be born, we're really talking about children and we're talking about unborn children in this case. So, the dollar amount that we're talking about saving is really not very large because what happens in this program is that the Feds pick up one-half of the tab. Now according to our statistics...according to what I understand, we're talking about a tab to the State of Illinois that would be...let me see...get my figures here...a figure of about forty dollars per month per case, fifty percent of which is Federal dollars, I don't have the total amount, but we're not talking a great deal of money when we just oppose it against the health of the unborn child. We're really not talking about very much money, when we talk about the dollar costs...the dollar cost to the State of these youngsters who are born with problems. I rise in support of this bill and I would hope that the amendment would stick. I'd ask for favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of the amendment. Having...being involved in the litigation that went to the U. S. Supreme Court when we said no public funds could be used for abortion, our argument as a State was that we provide adequate care for those women that are pregnant and those children that are born. This is in conjunction with the policy of the State of Illinois and the policy of the United States, and I say to everyone here, we should all vote for this amendment and this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I, too, rise in support of this amendment. We are merely restoring a policy that we use to have and were forced to get rid of during a time of recession in the State of Illinois. I would agree with the previous speakers that this is one of the more cost-effective programs that we can have because we will prevent birth defects and problems for newly born children. We have various groups in support of this legislation such as Catholic Charities of the Archdiocese of Chicago, Lutheran Social Services, the Jewish Federation and many others. It is a very, very important bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I want to encourage you to think about this. These are girls who have been tragically separated from their families and they have been made to separate, they get general assistance and they need this in order to have nutritious...nutrition for their bodies in the days before this baby is being born.

They need fruit, they need vegetables, fresh milk and this here will enable them to bring a healthy baby into the world. It's sort of pro-life. You are helping to prevent babies who are being...going to be born ill, deformed, not healthy, then they will become...a ward of the State for the rest of their lives. It's better to give healthy babies and let them bring healthy babies into the world and then afterwards then you will have a responsibility and remember that the State is only paying half of this, the Federal Government will pick up the other half. I think that this is a good bill. This is showing concern to help these girls to want to bring healthy babies into this world and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 392. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 392 and the bill having received the required constitutional majority is declared passed. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

A verification of the affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Well, Mr. President, what do we with some of our members who were in the Governor's Office and in other meetings on education matters and other matters of great import to...to all of us here? What do we...yesterday we...we...we...we knew

who was where and didn't verify certain people off because they were in agreed meetings. What...I think we ought to...we ought to make some ruling now and try and stick by it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

The President of the Senate said we're going to break for lunch at one o'clock. It's now past one o'clock. Why don't we break for lunch and come back and have the verification?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I know...now the State...Senator Hall, for what purpose do you arise?

SENATOR HALL:

I concur with Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's...let's...let's proceed here. Now,...now in the past, I think generally we have always had an understanding on both sides of the aisle that if there were members that were involved in Conference Committees or involved in some negotiations that we have made provisions for that, and I would expect that the same kind of agreements that we've had in the past will be utilized. Senator Weaver.

SENATOR WEAVER:

Mr. President, I think the only two that are missing on official business is the President and the Minority Leader.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I...I'm not aware of that. I don't know if there's anything else going on or not, but the Secretary will read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just a minute, Mr. Secretary. Senator...Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

...Weaver, I'd like to add to that, Senator Netsch is meeting with Representative Ewing on the utility matter right now to try and resolve that. If we can have an agreement on that, that's where she's at, meeting with Representative Ewing on utilities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's see what kind of discretion that our...our members can have here. Mr. Secretary, proceed.

SECRETARY:

...Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue, do you question the presence of any member?

SENATOR DONAHUE:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins on the Floor? Senator Collins on the Floor? Strike her name...strike her name. Senator Smith, for what purpose do you arise? Your...your light is on. All right, Senator Donahue.

SENATOR DONAHUE:

Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Senator Welch on the Floor? Senator Welch is on the Floor. All right, Senator Donahue, do you question the presence of anyone else?

SENATOR DONAHUE:

Senator Netsch. Okay, all right, I'll take that back, but just remember that, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins is back in the Chamber so restore her name. Well, if you wish to have Senator Netsch stricken it won't change. All right. That way we won't have to remember. All right, on that question, the Ayes are 31, the Nays are 23, 1 voting Present. On the verified roll call, the Senate does concur in House Amendment 1 to Senate Bill 392 and the bill having received the required constitutional majority is declared passed. Now there's been some discussion relevant to going to lunch. If we can proceed and finish this page, we will go to lunch in a timely manner. Senate Bill 398, Senator...well, wait a minute, Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR CHEW:

We've been here since January, I think the Senate has done an excellent job so far in trying to tuggle with the many bills that the House and the Senate have introduced and gotten to this Floor and the sister Floor across the Rotunda. We are now dealing with concurrence and nonconcurrence. There are members in this Body that are being called away for important negotiations on legislation that will affect this entire State. I don't encourage anybody voting for anybody else, but we go through a lot of time wasting methods attempting to verify a roll call simply because we cannot stand to be good losers. I think, Mr. President,...and let me finish, you can boo all you want to. I think, Mr. President, when it has been explained that certain members are off this Floor in advance, that they ought to be accepted...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew...

SENATOR CHEW:

...as that without being questioned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Chew, may I make a suggestion?

SENATOR CHEW:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The President of the Senate and the Minority Leader are not here. Perhaps we could enter into this discussion when they are here and maybe we can reconcile this. Right now, we're just being...we're just being dilatory and we need to proceed. If you...with that...Senator Chew.

SENATOR CHEW:

Mr. President, I...I...I really understand what you're saying, but it's not being dilatory because it was called at the...at the absence of the two members in which you mentioned, and maybe by saying this, people will give it a second though before they want to go through this procedure. Whether they're here or whether they're not, I think it's right, and that goes for my side as well as the other side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator...Senator Weaver.

SENATOR WEAVER:

Well, Mr. President, I think it should be pointed out right now that this bill...the substance of this bill was defeated in the House and we find them coming back on Conference Committees and I think we have a...a reasonable right to verify a roll...roll call like this, Senator Chew. If we're going to bring back and dredge back everything that's been killed in one House or the other, we need a little bit of explanation and...and a roll call, and I...I don't think it's wrong to verify a vote on the magnitude of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate stand in Recess until the hour of two-thirty for lunch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion by...placed by Senator Lechowicz that the Senate stand in Recess until the hour of two-thirty. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the hour of two-thirty having arrived, the Senate will be in order. We are on page 9...(machine cut-off)...House Bill...or Senate Bill 397. Senator Watson is ready to proceed, Mr. Secretary. Senate Bill 397.

SECRETARY:

Senate Bill 397 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Delay the roll call as long as you can. It'll take us a while to punch a couple of buttons here. Okay. This is concurrence on House Amendment No. 1 to Senate Bill 397 and the amendment simply clarifies that in order for a municipality...to be entitled for this ten dollar prosecution fee, the case must be tried before a circuit or associate court judge. Really this puts this bill in line with another one that passed out of the House earlier and I...they're both going to end up probably going to the Governor's Desk and I just move for concurrence. Ask a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is shall

the Senate concur in House Amendment 1 to Senate Bill 397. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. Senate does concur in House Amendment 1 to Senate Bill 397 and the bill having received the required constitutional majority is declared passed. 401, Senator...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, during the lunch hour, instead of going to lunch, Laura...Laura Donahue and I...I took Senate Bill 230 out of the record until we had an understanding. We have had the understanding and I was wondering if you could now go to 230.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we did, in fact, have leave to go back to that. Is there objection? All right, hearing no objection, on page 7...page 7, Senate Bill 230, Mr. Secretary.

SECRETARY:

Senate Bill 230 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, the...the...Amendment No. 1 to Senate Bill 230 has been previously discussed and now I would move for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 230. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 1

to Senate Bill 230 and the bill having received the required constitutional majority is declared passed. All right, page 9...page 9, 401, Senator D'Arco. Senate Bill 401, Mr. Secretary.

SECRETARY:

Senate Bill 401 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The House added two amendments to the bill. Amendment No. 1 says that some persons residing in condo who subsequently decide to impose an age restriction could be forced to vacate, and I have no objection to that amendment; and Amendment No. 2 is a technical amendment, and I move that we concur in House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you. The only problem that I see is that on final action here it had 35 to 15. I...I don't know what the...the original legislation had. Is this...is this the...a realtor...have they signed off on this, the realtors, or...is there any problems with this or who's opposed to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Anybody who is under fifty-five. No, I don't think anybody is opposed to it. The realtors aren't opposed to it. Sam Vadalabene is not opposed to it. Phil Rock isn't either. How do you like that? I don't know about Rock though, you never know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 401.

Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 401 and the bill having...having received the required constitutional majority is declared passed. 405, Senator Schaffer. 405, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 405 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

One of the provisions of 405 which affects the Chain of Lakes Water Management Agency would allow them to fine someone who uses the water system without the appropriate sticker. The House inserted the word "knowingly." In other words, knowingly violate the ordinance. Probably complicates enforcement slightly, but I don't think it's unreasonable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 405. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 405 and the bill having received the required constitutional majority is declared passed. Senate Bill 413, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 413 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senate Bill 413 is the judicial reapportionment bill which was worked out over in the House and debated over there and they put an amendment on which now just to satisfy practically everybody anyway we divided the 12th Judicial District into two circuits, Kankakee and Iroquois in one and Will in the other. I understand across the aisle that that's been accepted over there. So I would move that we concur in amendment...House Amendment No. 2 to Senate Bill 413.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

Well, here again, I just look at the analysis that we have, and the vote in the House was...on final reading was 61 to 50, barely passing. I...just maybe we ought to have a little more of an explanation or why was there so much opposition? Do you have any idea, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, there was a fight over the amendment over there as to whether or not that was the right way to go. Now, Senator Watson, we've asked over there whether everything was okay before I called this and I was...understand that there was no objection on that side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Originally, when your bill went across to the House...excuse me, it affected all of the county...all of the

judicial circuits, did it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

No, it didn't. Well, all the judicial circuits...no ma'am, we were in a very, very limited area, we were dealing with the twelfth and thirteenth at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? It's been explained. The question is, shall the Senate concur in House amendment...I beg your pardon, Senator Sommer, I had my sheet on the...Senator Sommer.

SENATOR SOMMER:

Just a question. I think the creation of an Iroquois-Kankakee Circuit makes some sense by the map here, but I do note that...is it possible that Iroquois and Kankakee are in two different Supreme Court districts, even though they're in the same circuit? And if so, that's probably the only incidence of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I don't know whether that's the only incidence or not, but they were split out that way, that's correct, with Kankakee going in one and Iroquois in the other. That's correct. I don't know if there's any other circuit that's split that way or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

You know, I certainly support this bill and I would hope my colleagues would.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur in House Amend-

ment 2 to Senate Bill 413. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 413 and the bill having received the required constitutional majority is declared passed. 414, Senator Degnan. Mr. Secretary...Senator...Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I'd like to know if I can have leave to move my seat. Senator Sangmeister keeps messing around in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

414, Mr. Secretary.

SECRETARY:

Senate Bill...414 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 414 represents an agreement between the Illinois Farm Bureau and the Cook County Assessor and revises the farm assessment law as it relates to Cook County only as follows, "Cook County farm land will be assessed at the lesser of sixteen percent of the fair cash value of the land if sold for continued use as farm land," this is the current assessment process in Cook County, "or ninety percent of the actually 1983 averaged equalized assessed value per acre. This formula will be accepted in 1985 and all subsequent assessment years." I move for the concurrence with House Amendment No. 1 to Senate Bill 414.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would rise in support of this. I've been assured that this will not have any affect on the farm land assessment formula on the rest of the State, so I would...urge its adoption also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm...I'm pleased to see Senator Joyce is approving something that's happening in Cook County when he is objecting to Senator Sangmeister doing something in Iroquois...that might be the reason why he does it. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

There seems to be a...a great concern on the part of the sponsor here regarding assessment practices in Cook County. Can you tell me what affect this would have on the multiplier?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, I can't. Can you tell me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I sure can. It will raise it and it's nice to help the farmers. I have no problem with it, but I sure as...heck don't want to gyp everybody else, particularly with the generous help of some downstaters. Now, what I would recommend is...what...what I tried to do before on the bill that you so skillfully killed and that is that if you're going to

do any of this, that you make sure that it's not included in the sales ratio studies, 'cause I'm going to tell you, it's going to...increase the multiplier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I am advised, Senator, that the department does not include farm land in sales ratio studies as it applies to Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I think that you ought to take a look at that again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I think perhaps there ought to be some good words said in behalf of the bill on this side of the aisle. In spite of what my friend Senator DeAngelis has said, this...I understand this applies to Cook County and I think what has worked out here is a reasonable compromise and that it's my understanding that the assessor's office there has never really chosen to implement the farm land valuation bill as it exists for the rest of the State. So, this was the compromise that was worked out on this subject. I think we're really treating the...the farmowners in Cook County in...in a fair fashion under this bill. If it's going to be impossible to give those landowners the advantages under the farm land assessment bill that other farmers receive, then I think probably they have to arrive at some type of an accommodation of this kind, and as I understand, this has been agreed between all of the parties involved. So, I think it's basically some pretty good legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur...I beg your pardon. Senator Etheredge, I had my papers over the...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I, too, rise in support of this legislation. It's...this is a negotiated compromise that has been worked out between the interested parties. I think it's a good one and I think it ought to be supported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 414. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 4 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 414 and the bill having received the required constitutional majority is declared passed. 416, Senator Holmberg. Senator Holmberg on the Floor? 445, Senator Davidson. Senate bills...Secretary's Desk concurrence, bottom of page 9 is Senate Bill 445, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

Senate Bill 445 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd move we concur with House Amendment No. 1. This was an amendment that was put on in the House which is a worked out agreement by all the three professions under the Illinois Medical Practice Act concerning continuing education and credits given to education which they must do already to apply to it for which they must do to keep their hospital or their speciality board certification. I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 445. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 445 and the bill having received the required constitutional majority is declared passed. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Senator Holmberg was coming in the door as you passed over...and she's here now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, do we have any objections to taking Senate Bill 416 before we leave the page? Hearing no objections,

page 9, Secretary's Desk concurrence, Senate Bill 416, Mr. Secretary.

SECRETARY:

Senate Bill 416 with House Amendments 1 and 2...or 2 and 3, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, I would like to separate the two amendments. I choose not to concur with Amendment No. 2 and I would like to concur with Amendment No. 3 which states that under these support payments, the circuit clerk may deduct from each payment an amount equal to the United State postage to be used in mailing the child support check to the recipient.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, why don't we take No. 3. Senator Holmberg.

SENATOR HOLMBERG:

...yes, Mr. President. I move that we concur with Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? The question is, shall the Senate concur in House Amendment 3 to Senate Bill 416. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 3 to Senate Bill 416. Senator Holmberg.

SENATOR HOLMBERG:

Now I choose to nonconcur with Amendment No. 2 to Senate Bill 416.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Holmberg moves to nonconcur in House Amendment 2 to Senate Bill 416. Any discussion? If not,

AB 505 Nonconcur. AB 447 Nonconcurrence

those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 10. 447, Senator DeAngelis. Senator DeAngelis. All right, top of page 10, Secretary's Desk concurrence, Senate Bill 447, Mr. Secretary.

SECRETARY:

Senate Bill 447 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move not to concur with House Amendment No. 3 to Senate Bill 447.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis moves to nonconcur in House Amendment 3 to Senate Bill 447. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it and the Secretary shall so inform the House. 448, Senator Weaver. Senate Bill 448, Mr. Secretary.

SECRETARY:

Senate Bill 448 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I'd move to nonconcur, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver moves to nonconcur in House Amendment 1 to Senate Bill 448. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Was there leave to come back to 497? Leave is granted. Senate Bill 505, Senator Watson. Senate Bill 505, Mr. Secretary.

SECRETARY:

Senate Bill 505 with House Amendment No. 1.

HB518 concurrence

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move to nonconcur with House Amendment No. 1 to Senate Bill 505.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves to nonconcur in House Amendment 1 to Senate Bill 505. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 513, Senator Netsch...513, Mr. Secretary.

SECRETARY:

Senate Bill 513 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. This is the wrong effective date and I would move to nonconcur. We'll just have to clean it up later on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves to nonconcur in House Amendment No. 1 to Senate Bill 513. Any discussion? If not, those in favor signify by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 518, Senator Watson. 518, Mr. Secretary.

SECRETARY:

Senate Bill 518 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move to concur with both House Amendment 1 and 2 to Senate Bill 518. House Amendment No. 1 amends the Highway Code and it...pretty much clarifies the current law, but it provides for a contract for construction materials, supplies, machinery or equipment exceeding

five thousand dollars is to let to the lowest bidder advertising for such bids after such appear in...at least once in a published newspaper and at least ten days prior to the time set for opening such bids, and then House Amendment No. 2 really clarifies the intent of the legislation after the Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 518. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 518 and the bill having received the required constitutional majority is declared passed. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DeANGELIS:

I wish to tell Senator Degnan that he is correct, that farm land is not used in the calculations for the multiplier in Cook County and I stand corrected, one of those rare occasions in which he is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I wish we had a photographer here to record the occasion. 518, Senator Watson. Well, we just did...561, Senator Vadalabene. Senate Bill 561, Mr. Secretary.

SECRETARY:

Senate Bill 561 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill 562 requires the amount and method of repayment by port districts to be agreed upon by the port district and executive director of the Capital Development Board. The original bill had undefined administrator of the board to set the payback method and Senate Amendment No. 1 would have the board set the...the repayment by resolution. This amendment requires the executive director of the board to set the payback method. The executive director is defined by Statute and is responsible to the board. Amendment No. 2 to Senate Bill 561 deletes the provision that permits no payment by port authority to the board when specific appropriations are made for facilities designed for the movement or handling of cargo if such facilities have no revenue, and I concur with House Amendment No. 1 and House Amendment No. 2 to Senate Bill 561.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Any discussion? If not, the question is, shall the...Senate concur in House Amendments 1 and 2 to House Bill...Senate Bill 561. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does concur in House Amendments 1 and 2 to House Bill...Senate Bill 561 and the bill having received the required constitutional majority is declared passed. 562, Senator Vadalabene. 562, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 562 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Amendment No. 1 to Senate Bill 562...which was an Act to create the Illinois Union Label Act, the summary from the House states technical changes in grammar, makes the bill more precise in its intent to carry out the Act and it does nothing to change the bill, and I would move for the adoption...or concur with House Amendment No. 1 to Senate Bill 562.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Karpiel. Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 562. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 562 and the bill having received the required constitutional majority is declared passed. 588, Senator Karpiel. Mr. Secretary, 588.

SECRETARY:

Senate Bill 588 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House amendment to Senate Bill 588 adds the...I mean, first of all, House Amendment No. 1 to Senate Bill 588 adds the word "individual." As the bill passed the Senate, it said that a individual who was an employee at the time of an alleged unfair labor practice...they could file an unfair labor practice charge. This amendment changes it to any individual can file an unfair labor practice charge, and I move to concur in Amendment No. 1 to Senate Bill 588.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. At the behest of the drafter, I have to ask the sponsor a...a question. Senator Karpiel, as amended, Senate Bill 588 will permit any individual to file unfair labor practice under the Educational Labor Relations Act contrary to the Labor Relations Statute we passed covering municipalities. The educational labor law does not currently permit individuals to file unfair labor practice charges nor may the labor board investigator hear such charges under the Educational Labor Act as it is currently written. Senate Bill 588 properly changes this disparity between the two laws for all future cases filed with the board. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel may close.

SENATOR KARPIEL:

Did we vote on Amendment No. 1? I ask for an...or shall I do both amendments together?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Do you wish to concur in both amendments?

SENATOR KARPIEL:

Yes. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You can put them on the same motion.

SENATOR KARPIEL:

All right, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the...any...further discussion? The question is, shall the Senate concur in

SB 597 concurrence

House Amendments 1 and 2 to House...to Senate Bill 588. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 588 and the bill having received the required constitutional majority is declared passed. 597, Senator Darrow. 597, Mr. Secretary.

SECRETARY:

Senate Bill 597 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Amendment No. 1 strikes everything after the enacting clause and changes this bill to one pertaining to the gifted. What it does is expands the definition of gifted and talented children to include children with high level thought processes and diversion thinking. Mandates that students participating in gifted education programs shall receive special recognition upon graduation and it permits school boards' gifted education programs to include optional summer school programs. I would move that we concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. A question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Darrow, this...this wasn't the best bill in the world, in my judgment, when it left this Chamber, and I...as

it comes back, I think there's a lot of merit in that amendment, but I would suggest to the Body that they want to take a very careful look at this...at this amendment. This amendment expands the gifted program, a program that's extremely necessary, I will agree. We are funding it at about a six million dollar level now, but this expands it to a summer school program. It will be costlier and I question whether or not when we are dealing with educational reform, a program expanded like this one this year probably is not in our best interest and probably should reject this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Darrow may close.

SENATOR DARROW:

Well, thank you, Mr. President. You know we sit down here and we think about the disabilities of people and the mentally ill and the unfortunate and the people that are having to drop out of school, and all of a sudden we have a bill that pertains to the gifted, and we all have gifted students in our districts, and the gifted students are going to be some of the finest scientists and some of the leaders in the community and we can't turn our back on the gifted students. It's about time we start helping them. They're on the other end of the spectrum and all this bill does is it permits the school boards to have an optional summer school program for the gifted. Now, we're...we're building academies for science and all these other academies to take the kids out of your school districts. Let's keep the gifted students in the school districts. Let's provide better programs for them. Let's help them out, and I would ask that we have a favorable vote on the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 597. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have

all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 18, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 597 and the bill having received the required constitutional majority is declared passed. 601, Senator Etheredge. 601, Mr. Secretary.

SECRETARY:

Senate Bill 601 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with House Amendment No. 1. What the amendment does generally is to make...to correct some drafting errors and it also sets criteria for the purchase or sale of real estate by the forest preserve districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 601. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 601 and the bill having received the required constitutional majority is declared passed. 612, Senator Bloom. Senator Bloom on the Floor? 616, Senator Welch. Senate Bill 616, Mr. Secretary.

SECRETARY:

Senate Bill 616 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH;

Thank you, Mr. President. The amendment added in the

House is a bill which we discussed previously in this Senate and the bill received twenty-nine votes early one morning and was put on postponed consideration. The amendment prepares the...includes the Toxic Art Supply in School Act. Since the time it was put on postponed consideration, the chamber of commerce has now removed its opposition and the bill provides for art supplies for certain grade levels, K through sixth, not to be used if they contain toxic...substances; grades seven through twelve...they have to be used only if the substances contain a...a warning of adverse health effects and describe those on a label or an insert.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in opposition to this amendment and to the concurrence. This bill, as Senator Welch says, was Senate Bill 84 which was defeated in this Body. I think it would be excessively expensive to continue to...recommend that the superintendent of schools has to send out notice to all of the schools for toxic art supplies. I...I just think that this goes too far. We discussed this throughly and this bill was defeated in this Body, and I hope that we defeat the concurrence and...request on this particular piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This...this bill, of course, was debated earlier, Senate Bill 84, as Senator Welch has...has mentioned, and...and it almost got out of here without any opposition and then we started talking about it and found out that there were a number of problems with it; and...and, Senator Welch, I don't fault you for what you are attempting to do, I guess, but I...I have a ter-

rible...terribly difficult time trying to determine how we are going to determine what are the harmful levels. Quite frankly, is...is there any evidence that anybody...one has been harmed by...by any of these products in the past, and I think the answer is no to that. What do we do if we have one regulation here and Indiana has another one? I...I really think we are creating something here that we're just not going to be able to deal with and will be a tremendous problem for...for school districts, and I'm just...I'm just wondering...do you have any evidence that anyone has been harmed by...by any of the...of the materials that you're...that you're speaking of?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator Maitland, as you know, many of these carcinogens that are contained in these inks and dyes that are used and paints are dyes and inks that cause cancer over a long period of time. It's not something that you utilize and all of a sudden you can detect the cancer. Obviously, there have been a lot of young children who do die at a early age, some of which...most of which we don't know the cause for. What I'm saying is, this is a potential cause, similar to a few years ago when there was a hue and cry about children eating leaded paint. Certainly, we took care of that problem prohibiting using leaded paint in school buildings because the kids would tend to eat it. This is in the similar vein, Senator, it's difficult to point to a specific child and say that child because of this...exposure to ink that contained a lot of dioxin contracted cancer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Senator Welch. Yesterday, you supported

an amendment of mine on a...on an ag. products bill that allowed for only the Federal Government to set those standards for...for farm chemicals, and I think you supported it for the same reason that I did, that we had to have some standardization; and again, my point is, with respect to manufacturers, there may well need to be something done in this area, but why shouldn't it be done by the Federal Government so that the manufacturers of all these supplies can...can comply with a certain standard or...or certain level? It seems to me that's the way we ought to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Senator Maitland, let me answer your question. The thing is, the industry has agreed to this. They're not objecting to this bill. I had them in my office. I spoke to them directly. They sat there with Sid Marder from the chamber of commerce. They said they could live with this. They said they could label the...the inks and dyes because they do it in other states. California has a law that's in effect and a lot of these people sell in California. This puts the burden on manufacturers, basically, to tell people what's in it, that's...there's no problem with that, Senator, and I...I think you know that too. I think that...even though this wasn't part of the school reform package, it didn't quite get to that lofty height, it is something that we can do for school children. It's not going to cost very much to do it. The burden is not going to be on government but on industry which has already agreed to accept that responsibility. It seems to me that we could pass this bill without much problem. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is...the question is, shall the Senate concur in House Amendment 1 to Senate Bill 616. Those in favor will

LB648 Conc.

vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 24, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 616 and the bill having received the required constitutional majority is declared passed. Now, we'll jump back and pick up 612. Senator Bloom was on the Floor. Mr. Secretary, Senate Bill 612.

SECRETARY:

Senate Bill 612 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

As you know, House Bill 612, Mr. President and fellow Senators, addressed the Administrative Procedure Act problem of incorporation by reference. The House has added further clarifying language saying the mannner in which we can incorporate...or regulations can incorporate by reference other standards. I'd seek a concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 612. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 612 and the bill having received the required constitutional majority is declared passed...648, bottom of page 10. 648, Mr. Secretary.

SECRETARY:

Senate Bill 648 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendment 1 to Senate Bill 648. One of the things that we did with this bill was to somewhat broaden the definition of prostitution and it was felt by some that the expansion of the definition was overly broad. So, we are seeking to narrow it to a more reasonable definition which I think would meet some of the objections that were made to the bill when it originally passed this Chamber. I move for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is,...Senator Netsch.

SENATOR NETSCH:

Thank you. Because we do not have enough here to...identify, what is the difference? What have you changed? How is it defined now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I was...I was hoping, Senator Netsch, that you wouldn't ask me to go into this, but if I get a little red in the face, I guess I can be grateful that the the TV cameras aren't on. We all know what the traditional definition of prostitution is. This goes slightly beyond that to include the touching or fondling of the sex organs of one person by another person for pay. So, we're...we're trying to get at the...the health spa situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate concur in House Amendment 1 to...House...to Senate Bill 648. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The

SB 651 Non concurrence

Senate does concur in House Amendment 1 to Senate Bill 648 and the bill having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Mr...Speaker, let the record show, please, that I intended to vote Aye on that last one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will...shall indicate. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Thank you, Mr. President. I don't know whether to introduce this group right after talking about prostitutes, but in the gallery...is the Board of Directors of the Professional Insurance Agents Association. I would like to have them stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Page 11, Senate Bill 651, Senator Barkhausen. Mr. Secretary, 651.

SECRETARY:

Senate Bill 651 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the bill that makes it possible for prosecutors to charge a Class 4 felony where a drunk driving incident...results in great bodily harm. I move that we concur in House Amendment No. 1 that...I think is a good idea and that it makes it clear that the...the injuries resulting in great bodily harm have to be the proximate cause of the...intoxicated operation of the vehicle. Move that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Marovitz.

SENATOR MAROVITZ:

A question. Aren't there two amendments on this? My analysis, although it could be incorrect, shows that there are two amendments on this and that the House made a mistake in not Tabling one of the amendments because they are close to identical but not identical and that one of the amendments should have been Tabled. My analysis indicates that Amendment No. 1 says that the...it must be the proximate 'cause and Amendment No. 2 says it must be a proximate cause, that the...that the...that the sponsors...intented to Table House Amendment No. 1 and go with House Amendment No. 2 but neglected to do that and, therefore, we would have to nonconcur to put it in Conference Committee to get the incorrect amendment off and I think that the better amendment would be House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...if...I think Senator Marovitz is operating with more information than I have at this point. Assuming that he is correct, I accept his judgment and would, therefore, move to nonconcur in the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen moves to nonconcur in House Amendments 1 and 2 to Senate Bill 651. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 651, Senator Smith...I'm sorry, 653, Mr. Secretary. Senate Bill 653.

SECRETARY:

Senate Bill 653 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I'd like to move that the Senate nonconcur on Senate Bill 653. I'd like for it to go to conference and straighten up a little bit of the language on that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith moves to nonconcur with House Amendment 1 to Senate Bill 653...all those in favor signify by saying Aye. Opposed say Nay. Motion carries and the Secretary shall so inform the House. 682, Senator Kelly. 682, Mr. Secretary.

SECRETARY:

Senate Bill 682 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move to concur in House Amendment No. 1. This amendment...House amendment merely clarified that a member of a legislative or representative committee of a district solely within one downstate county is entitled to cast one vote in the organization and proceedings of the committee. It's strictly a clarification and that's all it is, and I move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 682. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 682 and the bill having received the required constitutional majority is declared passed. Well, is there leave to come back to 688?

HB 651 concurrence

Leave is granted. Senate Bill 693, Senator Geo-Karis. 693, Mr. Secretary.

SECRETARY:

Senate Bill 693 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, House Amendment 1 includes Federally licensed exhibits, and I move the...the concurrence of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 693. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 693 and the bill having received the required constitutional majority is declared passed.

PRESIDENT:

Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Just to kind of make things simpler for the Secretary of the Senate. Having voted on the prevailing side of the vote by which Amendment No. 2 to House Bill 651 was passed, I would move to reconsider. The...what...what happened, Mr. President, is that we nonconcurred. There were two conflicting amendments. What we should have done is concurred with one, nonconcur with the other, that would save the trouble of the Secretary. We would not have to set up a Conference Committee. I checked with the sponsor...the Republican sponsor and it is okay, and that would...we want to reconsider the vote by which House Amendment No. 2 was noncurred

with.

PRESIDENT:

All right, Senator Marovitz has moved to reconsider the vote by which Amendment No. 2 to Senate Bill 651 was nonconcurred. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Weaver, at Senator Barkhausen's desk.

SENATOR WEAVER:

Senator Barkhausen's intent was to accept Amendment No. 2.

PRESIDENT:

All right, the question now before the Body on Senate Bill 651 is concurrence with Amendment No. 2. All in favor of the motion to concur will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none. The Senate does concur in House Amendment No. 2 to Senate Bill 651. Senator Demuzio on Senate Bill 688. On the Order of Secretary's Desk Concurrence is Senate Bill 688, Mr. Secretary.

SECRETARY:

Senate Bill 688 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

House Amendment 1 is strictly technical. According to the synopsis, this simply makes a technical change in the cross-reference of subsection. This was the bill that would have provided the State University of Illinois Cooperative Extension Service employees with the ability to have health and...life...group life and health insurance for members who survived...survivor's benefits but they...this provision was

that they shall not be paid for by the State. I don't know of any opposition and would move the concurrence of Amendment No. 1.

PRESIDENT:

Senator Demuzio has moved that the Senate concur with House Amendment No. 1 to Senate Bill 688. Any discussion? If not, all...if not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 688. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 688 and the bill having received the required constitutional majority is declared passed. Senator Darrow on 721. On the Order of Secretary's Desk Concurrence, Senate Bill 721, Mr. Secretary.

SECRETARY:

Senate Bill 721 with House Amendments 1, 2 and 5.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would move to concur with all three amendments. Amendment No. 1 provides a six-month rather than a twelve-month basis for determining what counties would be eligible, and another technical change you removed the December 31st date and have a twelve-month period and, thirdly, when this bill was considered over here, there was some discussion from the other side of the aisle that twenty-five percent of the funds were to be used for administration. What this bill...what this amendment says is that for the first year twenty-five percent of the funds can be used for administration but thereafter it can only be fifteen percent. Amendment No. 2 provides that the

State...contribution for wages has changed from four dollars...per hour to fifty percent of the wage up to a maximum of four dollars per hour, and Amendment No. 5 eliminates governmental agencies from taking part in the program. It was felt that we should not be paying another governmental agency in this way. Instead, it pertains to not-for-profit agencies in the private sector. It makes a couple of other technical changes. I would ask for a favorable vote on concurring with all three amendments. I'll be glad to answer any other questions.

PRESIDENT:

All right, Senator Darrow has moved that the Senate concur with House Amendments 1, 2 and 5 to Senate Bill 721. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. I remember when we discussed this bill previously there was some question as to the overall funding cost. Now my analysis here indicates that not only has the determination period been extended from six to twelve months but that it also provides that funds shall be allocated to high unemployment counties for a twelve-month period. Is that what the...is that what the amendment actually does? In other words, are we...facing payouts over twelve months rather than six, Clarence?

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

The funding period will still be six months. The funding...it...it...it's technical in nature. The funds will be available for a twelve-month period to the county, but the actual employee will be only eligible still for that six-month period. After the six months are up, if he's not in a training program, he no longer can continue to have the

AB 730 Concurrence

subsidy...his employer can no longer have the subsidy.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur with House Amendments 1, 2 and 5 to Senate Bill 721. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 8 Nays, none voting Present. Senate does concur in House Amendments 1, 2 and 5 to Senate Bill 721 and the bill having received the required constitutional majority is declared passed. Earlier leave was granted to get back to Senate Bill...212. If you'll turn to page 7. Senate sponsor indicates he wishes to nonconcur but we'll go back to Senate Bill 212 and pick that one up. On the Order of Secretary's Desk Concurrence, the top of page 7, is Senate Bill 212, Mr. Secretary.

SECRETARY:

Senate Bill 212 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I would move to noncur with...House Amendment 1 to Senate Bill 212.

PRESIDENT:

All right, Senator Demuzio moves to nonconcur in House Amendment No. 1 to Senate Bill 212. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. For the benefit of the members, we have determined, Senator Philip and I, that we will work until six o'clock and then begin again tomorrow morning at nine. So, we'll quit a six and begin at nine or we can quit at nine and begin at six, however you want it. On the Order of Secretary's Deck Concur-

SB749 Concurrence

rence, Senate Bill 730, Senator Berman. 730, the middle of page 11, Mr. Secretary.

SECRETARY:

Senate Bill 730 with House Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I move to nonconcur on...

PRESIDENT:

Senator Berman moves to nonconcur in House Amendment No. 1 to Senate Bill 730. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 749, Senator Kustra. On the Order of Secretary's Desk Concurrence, Senate Bill 749, Mr. Secretary.

SECRETARY:

Senate Bill 749 with House Amendment No. 2.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I move to concur with House Amendment No. 2 to Senate Bill 749. It deletes the requirement that the court shall take findings of fact for its decision regarding custody. It clarifies that the court must find joint custody to be in the best interest of the child for awarding joint custody, and it deletes the provision that an applicant by a parent with joint custody for leave to remove the child's residence from this State is an application for modification of the custody award. These agreements have been seen by both sides of the aisle. This is an agreed to amendment and I would move for its concurrence.

PRESIDENT:

Any discussion? Any discussion? If not, the question is,

LB 756 Concurrence

shall the Senate concur in House Amendment No. 2 to Senate Bill 755. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted...749, I beg your pardon. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 749 and the bill having received the required constitutional majority is declared passed. 755, Senator Degnan. On the Order of Senate...Secretary's Deck Concurrence, Senate Bill 755, Mr. Secretary.

SECRETARY:

Senate Bill 755 with House Amendment No. 2.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 755 dealt with the licensing of day-care drivers in this State. The House made some technical changes and changes in the title to more accurately describe the contents. It is now called the Child Care Vehicles and Child Care Vehicle Driver's Act. I move to concur with House Amendment No. 2.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 755. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 755 and the bill having received the required constitutional majority is declared passed. Senator Chew on Senate Bill 756. 758, Senator...I beg your pardon, Senator Davidson, for what purpose do you

SB 756 Concurrence

arise?

SENATOR DAVIDSON:

To handle 756 since a hyphenated sponsor and Senator Chew has spoken to the...and Senator Chew came over to say he had spoken to the Chair...for me to handle this bill before he left.

PRESIDENT:

As long as we don't get into another one of those contests, I don't have any problem at all. All right, on the Order of Secretary's Desk Concurrence is Senate Bill 756, Mr. Secretary.

SECRETARY:

Senate Bill 756 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we concur in House Amendment No. 1. This is a rewrite, reorganization of present Statute. It's the new Illinois commercial transportation law. It will let the regulated commercial carriers of passenger truck, bus railroad, common carrier or pipeline be more responsive and more competitive and it's been supported and signed off on by the Brotherhood of Teamsters, the Union Transportation...United Transportation Union, Brotherhood of Railroad Airline, Illinois Railroad Association, Illinois Truck Association of Midwest, the Illinois Movers, Small..., Illinois Interstate Motor Carriers...Regal Transportation Consultant, Illinois Commerce Commission. I'd ask for a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 756. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

SB 758 concurrence

the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 756 and the bill having received the required constitutional majority is declared passed. 758. On the Order of Secretary's Desk Concurrence, top of page 12, is Senate Bill 758, Mr. Secretary.

SECRETARY:

Senate Bill 758 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I'd move to concur with House Amendment 1 to 758. This amendment was to correct an error we made in writing the bill so that those athletic teams that...professional teams that come into Illinois that have their own trainers so that trainer would not be affected by this Registration Act.

PRESIDENT:

All right, Senator Davidson has moved to concur with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 758. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 758 and the bill having received the required constitutional majority is declared passed. 771, Senator Schuneman. On the Order of Secretary's Desk Concurrence, Senate Bill 771, Mr. Secretary.

SECRETARY:

Senate Bill 771 with House Amendment No. 3.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate do concur...does concur with House Amendment No. 3 to Senate Bill 771. This bill is an attempt to bring about better enforcement of the State's financial responsibility law. This is something that a number of us have been working on for a...for a...several years and the fact of the matter is, the State has been doing a pretty rotten job of...of enforcing the financial responsibility law. That responsibility falls upon the Department of Transportation and the Secretary of State. House Amendment No. 3 is the result of some meetings conducted between those two agencies and the sponsors of the bill and in effect will move up the time period of the enforcement of that law probably thirty or forty-five days and I move the adoption...or I certainly support the concept that's embodied in this amendment.

PRESIDENT:

Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

...just a quick question...

PRESIDENT:

Sponsor indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

We...we are not then anyway transferring the...the responsibility...I mean, we had a problem with the Department of Transportation and the Office of the Secretary of State, I thought it was a notice problem and I noticed House Amendment 1 struck everything after the enacting clause and then I got down here to...I'm sorry...deletes the title, requires the administrator of the saftey responsibility...law to notify...is this an agreement between the Department of Transportation now and Secretary of State? Fine. Thank you.

PRESIDENT:

All right, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 771. Those in favor will

vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 3 to Senate Bill 771 and the bill having received the required constitutional majority is declared passed. 775, Senator Marovitz. On the Order of Secretary's Desk Concurrence is Senate Bill 775, Mr. Secretary.

SECRETARY:

Senate Bill 775 with House Amendments No. 2 and 3.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments No. 2 and No. 3 to Senate Bill 775. The amendments allow the complainant to remain anonymous and allow the facility to get a written notice of deficiencies that have been found by the Department of Public Health. It is agreed by the Department of Public Health, nursing home industry, the Illinois Homes for the Aging,...Illinois Council on Long-term Care, Department of Public Health. I know of no opposition whatsoever and would solicit your Aye vote.

PRESIDENT:

Senator Marovitz has moved concurrence with House Amendments 2 and 3. Any discussion? If not, the question is, shall the Senate concur in House Amendments 2 and 3 to Senate Bill 775. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate does concur in House...House Amendments 2 and 3 to Senate bill 775 and the bill having received the required constitutional majority is declared passed.

785, Senator Fawell. On the Order of Secretary's Desk Concurrence, Senate Bill 785, Mr. Secretary.

SECRETARY:

Senate Bill 785 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The amendment that was added on in the House merely deals with...that alcohol/liquors may be delivered and sold at retail in any building owned by a fire...protection district provided that such delivery and sale is approved by the board of trustees of that district and that such delivery and sale is limited to fundraising...events to a maximum of six events per year, and I move to concur with House Amendment...

PRESIDENT:

1. Senator Fawell has moved to concur with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 785. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 785 and the bill having received the required constitutional majority is declared passed. Senator Topinka on 786. On the Order of Secretary's Desk Concurrence, Senate Bill 786, Mr. Secretary.

SECRETARY:

Senate Bill 786 with House Amendment No. 1.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the

Senate, I move to concur with House Amendment No. 1 which delete the exemption from any legal actions and instead it adds language that provides that interest from an invested trust funds shall except to the extent otherwise provided by law or court order become the property of the county upon disbursal of the fund.

PRESIDENT:

Senator Topinka has moved concurrence in House Amendment No. 1 to Senate Bill 786. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 786. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 786 and the bill having received the required constitutional majority is declared passed. Senator Davidson on 791. On the Order of Secretary's Desk Concurrence, Senate Bill 791, Mr. Secretary.

SECRETARY:

Senate Bill 791 with House Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we concur with House Amendment No. 1. It's an immediate effective date.

PRESIDENT:

Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I must have missed this one when it was over here before. This bill exempts State fair workers employed by the Department of Agriculture no more than twenty-nine days per year from the Personnel Code, and we put an amendment on here that also exempts temporary workers hired by the Department

of Conservation, the Illinois Conservation Service from the Personnel Code, and I assume the immediate effective date...can you tell me just briefly why...why we're doing this? I missed it when it was here the first time.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Yes, the...the first two things you mentioned was in the bill as we sent it out here and has to do with under the temporary...if we don't do this, then we have to run all those temporary employees including the Youth Conservation Corps through the Central Management Service in relation to the deduction, the pensions and all the other things and they do not qualify for that, so they got to take it out and then they got to refund that pension held out from them back to them again later in the same year and this is just so we can do it under the law, the temporary part, the conservation corps youth is so that we don't have go through that fact with them as we did a number of years ago when we had that Federal program and we had about six to eighteen months of refunding pension funds that were held out that shouldn't have been held out 'cause they're temporary employees.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well,...well, how many temporary patronage workers do think this will apply to?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

I can't tell you what...how many 'cause I don't know and the...the Illinois Youth Corps...there was a specific number in another bill somewhere and...correct...amount of number, Senator Demuzio, I don't know. I don't remember the number

they said.

PRESIDENT:

Further discussion? Senator DeAngelis. I beg your pardon, Senator Demuzio.

SENATOR DEMUZIO:

I just want to know what the number was 'cause I want to know what I was missing out on.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, I'm not going to try to create any arguments but this bill passed out 59 to nothing. All the House amendment did was change the effective date. Now we're rearguing the bill again.

PRESIDENT:

Is that a question? Oh. Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Demuzio, I want to...when you're...when we're done with bill I'll introduce you to a employee that was temporary for forty years.

PRESIDENT:

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 791. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 791 and the bill having received the required constitutional majority is declared passed...Senator Sam, we'll get to you...why don't we wait till we get to the bottom of the page here. You're waiting, I know, it's tough to be in the starting gate. Four o'clock...earlier we had granted Senator Sam leave to get to

his order. We will do that. 796, Senator Fawell. On the Order of Secretary's Desk Concurrence is Senate Bill 796, Mr. Secretary.

SECRETARY:

Senate Bill 796 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Sam, you're just going to have to wait it for a while. I would like to nonconcur on Amendment No. 1. Unfortunately, there was an administration bill lost by DCCA because it was not called for 3rd reading, and so I would like to have a committee appointed...Conference Committee appointed.

PRESIDENT:

All right, Senator Fawell moves to nonconcur in House Amendment No. 1 to Senate Bill 796. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Davidson, 813. All right, Senator Davidson moves to nonconcur in House Amendments 1 and 2 to Senate Bill 813. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. 814, Senator Mahar. On the Order of Secretary's Desk Concurrence, Senate Bill 814, Mr. Secretary.

SECRETARY:

Senate Bill 814 with House Amendment No. 1.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1 to Senate Bill 814 and it is...the amendment is noncontroversial and makes selected changes in the Snow Mobile Act.

PRESIDENT:

All right, Senator Mahar has moved concurrence with House Amendment No. 1 to Senate Bill 814. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 814. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 814 and the bill having received the required constitutional majority is declared passed. Senate Bill 822, Senator Friedland. On the Order of Secretary's Desk Concurrence, Senate Bill 822, Mr. Secretary.

SECRETARY:

Senate Bill 822 with House Amendment No. 1.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. This bill was on the Agreed List and the...and the House added language requested by the department to provide for a medical review board consisting of experts to scrutinize unusual deaths at the institutions. It's a step in the right direction. Support it. Thank you.

PRESIDENT:

Senator Friedland has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 822. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 822 and the bill having received the required constitutional majority is declared passed. Senator Bloom on 828. All right, we're at the bottom of page 12. Earlier today we afforded leave to Senator

Vadalabene. If you'll turn to page 3 on the Calendar. The bottom of page 3 on the Calendar. Constitutional Amendment 3rd Reading, Senate Joint Resolution 11. With leave of the Body, we will honor our earlier leave and get to that order of business immediately. Mr. Secretary, Constitutional Amendment, Senate Joint Resolution No. 11. Read the joint resolution, please.

SECRETARY:

Senate Joint Resolution No. 11 Constitutional Amendment.

(Secretary reads SJR No. 11 CA)

3rd reading of Senate Joint Resolution No. 11 Constitutional Amendment.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. SJR 11, this proposed Constitutional Amendment would authorize the General Assembly to consider a tax exemption for property used exclusively for veteran organizations. Such organizations are valuable assets to communities throughout the State of Illinois and these groups annually conduct numerous activities to honor America's war heroes. They decorate the graves of thousands of American Veterans annually, provide aid to...indigent veterans and their families and support homes for veterans and their children. In addition, veterans' organizations donate medical equipment to hospitals, sponsor athletic programs, promote the scouting movement, provide educational and summer camp scholarships for children; and in short, through their facilities and services, these organizations have become an important part of local communities throughout Illinois, and unfortunately, monetary difficulties continue to threaten the existence to the State's veteran organizations, and over the past five years, approximately one-half of the Veterans' Post Homes in

Illinois have closed their doors due to rising costs. As these posts vanish in your local community, so do the services which they render and adoption of this proposal would help reverse this disturbing trend. All...all veteran organizations appeal to you for support of Senate Joint Resolution 11, and I would appreciate a favorable vote.

PRESIDENT:

Senator Etheredge. I beg your pardon, your light was on. Senator Lemke.

SENATOR LEMKE:

I would...I would like to have leave to be added as a hyphented joint sponsor with Senator Vadalabene.

PRESIDENT:

Gentleman seeks leave to be added as a hyphenated cosponsor of Senate Joint Resolution 11. Is leave granted? Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in...to speak in favor of this Constitutional...Senate Joint Resolution...to change the Constitution. It authorizes exemption from property taxation...property used exclusively for veterans' organizations. I think what the prior speaker, Senator...Senator Vadalabene, said is absolutely true. The...legitimate and there are legitimate veteran...veterans' organizations have done a lot a good for this State, and I think we should try and help them as much as possible to authorize exemption from property taxation of their buildings because it is a hardship on them because all their work is voluntary and whatever they take in...they put out to help young people, senior citizens and others. I speak in favor of this resolution.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

A question to the sponsor. Senator Vadalabene, is this the amendment that the electorate has defeated on two prior occasions?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

It's similar but not exactly.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Would...would you explain exactly how it differs?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

It took out that one word, and I can't think of it off the top of my head...patriotic.

PRESIDENT:

Patriotic, that's the word. Senator Netsch.

SENATOR NETSCH:

The...you're talking about the...the last time we defeated it. The first time I think the word patriotic was not in there. I think it was a...it was an exemption for veterans' homes and did not have anything about and also for patriotic purposes. So, it is essentially similar to the...the first time, as I recall. I...he is nodding his head in assent. Well, I think that is a relevant piece of information. It's not going to change a single vote on the Floor of the Senate, but I think is it relevant to know that the voters on two occasions have had a very similar if not absolutely identical amendment and on two occasions it has been defeated; and I think the reason why is that every time we increase the exemption of property taxation, by the same token we increase our property taxes, yours and mine and our constituents, and I regret to say, that is precisely what

will happen again.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm going to vote for this again, but I will tell you in, the last election, I told the veterans...I'm a member of one organization, I'm a veteran, I told four chapters in my county to contact the two political parties and ask them to mark their ballots in favor of this. I told the Department of Veterans' Affairs people they ought to encourage these groups to go out and do it. When the committee in my party met, I said we ought to mark it and they said no one has contacted us, no one has asked us to do it and if we aren't asked to do it, why involve ourselves in something this controversial. Not even a post card. What I'm saying is, this ought to be the last time. This ought to be the last time. The veterans' groups have got to get out and hustle if they want this thing to pass. It isn't going to pass because the fifty-nine of us want it to pass, they've got to hustle. They have not hustled in my area, I'm unaware of them hustling anywhere else. They're going to have editorial opposition, they're going to have opposition from some interest groups. If we do this, they ought to understand this is the last time...the last time.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Excuse me, Mr. President and Ladies and Gentlemen, for speaking a second time. This amendment is different from the last two, absolutely different, and when we figure out that there's very few veterans' organization...realty property left, there isn't that much of a drain on the taxes at all and I urge a favorable consideration.

PRESIDENT:

Further discussion? Senator Vadalabene, you wish to close?

SENATOR VADALABENE:

Yes, I do, Mr. President and members of the Senate. In the...in the last election it did get fifty-two percent of the vote, so it did have a majority and it needed sixty percent, and you're exactly right, Senator Schaffer, there has to be more publicity on this and it will pass, but it did get a majority of the vote and we're...needing an additional eight percent, and so I would move for a favorable roll call.

PRESIDENT:

Question is the adoption of Senate Joint Resolution No. 11. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, 1 voting Present. Senate Joint Resolution 11 having received a three-fifths constitutional majority is declared passed. Back to...with leave of the Body, we'll go back to page 13 on the Calendar. Top of page 13, on the Order of Secretary's Desk Concurrence is Senate Bill 829, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 829 with House Amendment No. 1.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I move to concur with House Amendment No. 1. What the amendment does, it's from R and E and it's after meetings with the ISMS, the IHA and provides that medical examining committee with the authority to compel mental and physical examinations of applicants upon showing of possible incapacity. Mental and physical examinations may also be required of individuals seeking a temporary certificate of registration. It also modernizes language in terms of mental illness, substance/alcohol abuse. It is agreed to. I know no opposition.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 829. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 829 and the bill having received the required constitutional majority is declared passed. Senate Rupp on 830. On the Order of Secretary's Desk Concurrence, Senate Bill 830, Mr. Secretary.

SECRETARY:

Senate Bill 830 with House Amendment No. 1.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move to nonconcur in House Amendment No. 1 to Senate Bill 830.

PRESIDENT:

All right, the Senator has moved to nonconcur in House Amendment No. 1 to Senate Bill 830. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 831, Senator Geo-Karis. On the Order of Secretary's Desk Concurrence, Senate Bill 831, Mr. Secretary.

SECRETARY:

Senate Bill 831 with House Amendment No. 1.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Amendment No. 1 permits the Department of Conservation to lease .043 hundredths acres of land for ninety-nine years for the sum of one dollar to Gaylord Lockport Company, an Illinois corporation and its reverter...reverter clause is also included, and this property is a strip of land along the corridor and adjacent to a building which is listed on the national register of historical sites. I concur with the amendment and I ask your favorable passage.

PRESIDENT:

Senator Geo-Karis has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 830. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 831 and

AB 840 concurrence

the bill having received the required constitutional majority is declared passed. Senator Geo-Karis, 840. On the Order of Secretary's Desk Concurrence is Senate Bill 840, Mr. Secretary.

SECRETARY:

Senate Bill 840 with House Amendment No. 1.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the amendment that was put in the House is a little longer and probably a little verbose but it doesn't hurt the bill any and, therefore, I move for its favorable passage...and to concur with it.

PRESIDENT:

Senator Geo-Karis has move concurrence on Senate Bill 840. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 840. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 840 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Secretary's Desk Concurrence, we have Senate Bill 853, Senator Geo-Karis.

SECRETARY:

Senate Bill 853 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the

SB 856 concurrence

House amendment to Senate Bill 853 simply prohibits Federal officers, agents and employees with the rest of the authority under Federal law from...possessing machine guns while off duty and not performing official duties, and I move for the...no...no, I said...I'll repeat it, prohibits Federal officers, agents and employees with the rest of authority under Federal law from possessing machine guns while off duty and not performing official duties. I move for the acceptance of the amendment and I...move...move to concur with the amendment and the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis...the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 853. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 853 and the bill having received the required constitutional majority is declared passed. Senate Bill 856, Senator Geo-Karis.

SECRETARY:

Senate...Senate Bill 856 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In Senate Bill...856, Mr. President and Ladies and Gentlemen of the Senate, it increases the...the House amendment increases the size of the Illinois Human Rights Commission to thirteen members and it shows when the new members' terms shall expire, and I move...I accept the amendment and that's...House Amendment No. 2. House Amendment No. 1 clarifies the current law on depositions of witnesses under the Human Rights Act, and I move...to concur on both amendments

and ask for the passage of the bill as...as concurred.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

I just happened to notice that the Senate by an amendment increased this commission by two members and the House increased it by two members. How much does this commission pay? I do know the answer, but I'd like to hear you tell us what it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

As a matter of fact, Senator, first, the House in committee...we're going to take two members off and then...they changed their minds in all their wisdom and they added these extra members. I believe that...I'd have to have our staff person, Miss Ford, perhaps she can answer your question as to how much they get or do not get.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Senate Amendment No. 3 increased from nine to eleven. House Amendment No. 2 increased from eleven to thirteen. That sounds like four new members to me. Is that not true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It's...it's from nine to eleven...it's to eleven, Senator Sommer. Wait a minute. Hold on just a minute. Hold on a minute. I'm sorry, Senator Sommer, this increases it to thirteen members. House Amendment 2...Senator Sommer, it does increase it to thirteen members, House...Amendment 2. House Amendment 1 clarifies the current law and depositions of witnesses under the Human Rights Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

...these new members, are they going to be representative of the ethnic community 'cause we don't have anybody on there for national origin and this commission still hasn't given us our rules yet, so I think we should firmly...reject this and condition this amendment that if we're going to give them two new members, that these two members would be representative of...of the ethnic people in the State of Illinois 'cause we don't have any representation on them, we can't even get rules for the last three years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

As my esteemed colleague remembers what I said the other day, I will certainly personally see to it that the rules are provided to not only to me but to you too and to everyone who wants it in this Assembly, and I will also personally see to it that all...all peoples are considered, including the ethnics like you and me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment...now is this on both amendments, House Amendments No. 1 and 2, Senator, you wish...on House Amendments No. 1 and 2 to Senate Bill 856. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 20. The Senate does not concur in House Amendments No. 1 and 2 and the motion...and the Secretary shall so inform the House. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, may

I please have concurrence on House Amendment 1 which clarifies the current law and depositions of witnesses under the Human Rights Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, you're entitled to postponed consideration, but you took the vote on both amendments and they both failed.

SENATOR GEO-KARIS:

All right, then ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 859, Senator Geo-Karis. Senator Geo-Karis, 859.

SECRETARY:

Senate Bill 859, House Amendment No. 1.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move to nonconcur in House amendment to Senate Bill 859.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves to nonconcur in House Amendment No. 1 to House Bill...Senate Bill 859. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 861, Senator Geo-Karis.

SECRETARY:

Senate Bill 861 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the House Amendment 1 requires the Department of Central Management Services to offer any...benefit it offers to nonunion employees to union members through their bargaining agents, and House Amendment 2 says that...this changes "any benefit" to "any group insurance benefit." The bill was originally

limited to group insurance benefits, so this is to any group insurance benefit and this amendment keeps the bill within those limits, and I move the concurrence of both amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...if not, the question is, shall the Senate concur in House Amendments No. 1 and 2...in House Amendments No. 1 and 2 to Senate Bill 861. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 861 and the bill having received the required constitutional majority is declared passed. Senate Bill 862, Senator Schaffer.

SECRETARY:

Senate Bill 862 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

We would move to concur in the House amendment. The House amendment does several things for the Department of...Public Health...Department of Public Aid, pardon me, and it primarily involves assets for qualifying for public aid. I think the major one of them would allow the department to establish rules and also would provide a maximum asset that cannot exceed the maximum allowed by the Federal Government under Title 15...16 of the Social Security Act. I think it's primarily technical. I'm unaware of any controversy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 862. Those in favor indicate by saying Aye...or voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58,

the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 862 and the bill having received the required constitutional majority is declared passed. Senate Bill 864, Senator Donahue.

SECRETARY:

Senate Bill 864 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that we concur with House Amendment No. 1. Let me tell you a little bit about what it does. Senate Bill 864 reactivates and expands the Board of Public Health Advisors. The board's role is to...advise the director of public health on general public health issues. In addition, the board is empowered to serve as an advisory group on public health emergencies. The director is required to consult with the board within a twenty-four hour period. It...reviews and advises the department on rules and proposals dealing with medical issues, recommends studies and ad hoc committees to review public health problems. The membership of the board consists of nine members appointed by the Governor and they are two physicians actively practicing medicine and surgery, one physician practicing in the field of public health, one physician employed by the medical school, one local health administrator, one dentist, one professional nurse active in public health and one member representing the Statewide Health Coordinating Council who also represents a professional group not otherwise required, one public health sanitarian on...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion?

SENATOR DONAHUE:

...sanitary engineer. Wait a minute, there's some other parts in here that I think you ought to hear. I mean,

I'm...I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Go ahead...go ahead...

SENATOR DONAHUE:

...I just think it's important...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...well, there were no lights, Senator, I didn't think anybody was interested, but go ahead, no...evidently now there is discussion. Go ahead.

SENATOR DONAHUE:

I figured at some point, you just got to give them a little chance. Okay. Now, the members of the board are to serve three-year terms and are paid a per diem of a dollar...a hundred and fifty dollars not to exceed ten thousand per annum, and the qualifications for the director of public health is changed to mandate a physician who has experience in the practice of medicine and has five years of progressively responsible administrative experience in public health work, okay, is certified by the American Board of Preventative Medicine in Public Health and has a Master's Degree in Public Health. I would move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR DARROW:

Did you say that the director of public health, under this legislation, is required to be a physician?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Donahue.

SENATOR DONAHUE:

Yes, but he has to have five year's practice in adminis-

trative field and public health...administration and public health.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, thank you, Mr. President. To the...to the amendment. Last evening we debated this very same thing on a Democratic bill where we were requiring the director of the Department of Public Health to be a physician, and I thought it was the position of the other side of the aisle that it did not have to be a physician, it could be just a good administrator; and I require...recall the President of this Senate saying we should have a director of the Department of Public Health as an M.D. who can hire administrators, and there was quite a bit of controversy and now, evidently the other side of the aisle is picking up the same chant that we had over here that we must have a physician. I'm glad that they've seen the light and that they're following the President of the Senate, and I think this is a very good amendment and should be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, to clear the record, at least one person on this other side is not endorsing that concept, Senator Darrow. The law as currently prescribed does not preclude the qualifications that are on this amendment. What the amendment does, it's going to limit the options because now we're saying the only people that can are these when there could be other people more qualified than the qualifications that are in this amendment, and I still stand opposed to that requirement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Well, I certainly believe that a...that a person should be...if he's going to head up our health department, I think he ought to be an M.D. You can see at this last outbreak of things, evidently somebody was...asleep at the switch, and I think this amendment is a good amendment and I'm certainly going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis, again.

SENATOR DeANGELIS:

Well, just for the second time, I was going to ask the Chair...the President if he's a Parliamentarian in order to be able to rule this Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The answer to that is yes. Is there further discussion? If not, Senator Donahue may close.

SENATOR DONAHUE:

Well, I...I think the point of this whole thing is that...it's not just whether or not the director of public health is an M.D. but if he can run that department administratively and I think that's what this amendment...this amendment does, and I would move for its concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 864. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 12, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 864 and the bill having received the required constitutional majority is declared passed. Senate Bill 875, Senator Maitland.

SECRETARY:

Senate Bill 875 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 to Senate Bill 875 does a number of things. It strengthens DPH's ability to respond to situations which pose an imminent danger to public health, and this really is a result of the salmonella hearings and...and also cleaning and sanitizing facility is defined in the bill. It also gives authority to DPH to exercise authority over local Department of Public Health departments if the local unit is not enforcing the ordinance...ordinances that they are supposed to. It further, once again, as we did in a bill out of this Chamber yesterday, identifies the fees to be charged by the department for dairies and milk haulers, and I would move that the Senate concur in Amendment No. 2 to House Bill...Senate Bill 875.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

We...Senator Maitland, we took out by virtue of amendment...Senate Amendment 1 all of the dairy farms that were to be charged the one-time fee. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No farmers are charged. Correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

That House amendment simply includes the cleaning and...sanitizing facilities in coverage of the Act. Does

that mean we're adding any other additional types of milk facilities to this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, if I understand the question, Senator Demuzio, the answer is, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

All right, one final question. Also, I...are...are we...are we charging now a fee for the...all of the milk manufacturers that are in Illinois?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Demuzio, we...we've had this debate before and...and yes, we are...we are charging those dairy processing plants a hundred dollar fee. We are charging the milk haulers a twenty-five dollar annual fee. Same language that was in the bill yesterday. Yes, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Maitland, do you have any idea of how much this is going to raise the price of milk, this...this...this extra fee that you're charging?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

...Senator Hall, no, I...I really don't, but I don't...I don't see any substantial increase in the cost of milk. Milk is cheap now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I would just remind the Body, that the question before the Body in our discussion is the amendment. The bill has already been passed through this Body and sent over to the House. Some people seem to forget that. Question is, shall Senate Bill 875...question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 875. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are...59, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 875 and the bill having received the constitutional majority is declared passed. Senate Bill 879, Senator Topinka.

SECRETARY:

Senate Bill 897 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would ask not to concur with Amendments No. 1 and 2 and ask the House to recede accordingly and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to nonconcur in House Amendment No. 1 and 2 to Senate Bill 879. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 887, Senator Lemke.

SECRETARY:

Senate Bill 887 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to concur in House Amendments No. 1 and No. 2 to Senate Bill 887. What they do are...they're clarified amendments provides that the court can only...permit an injunction where the...where the court finds that the mother's life or health is not in danger and also in the ruling they must make a finding...Amendment No. 2 says they must make a finding that the mother's life or physical health is not in danger. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Well, I'm afraid here we go again. You're saying that the court must make a...a finding that the mother's life or health will not be endangered before granting injunction relief to a...to a father to prevent an...an...an adoption. How is the court going to make that finding if the bill already says that the physician must...already say that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

That the...the House wanted to have this in the order by the judges that he issues this...when he issues an injunction, if he issues a injunction, that there is a finding, a separate finding in this matter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

But...and what's going to happen if it takes awhile for the court to have that finding and by the time the finding is rendered, it's too darn late?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Senator Fawell, there is no problem with that, we...we do that right now with the finding in regards to transfusions and everything else. The...they make a...a finding automatically that the child's life is in danger and they give the child the...the transfusion. I mean, we do that right now and...and I think the amendment only clarifies the situation, has the court have a finding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Well, again, on...on...on Amendment 2, you've got that it must make clear that...to the judge that an abortion will not endanger the mother's physical health. There is absolutely no way that a judge can possibly...I mean, any kind of an operation and, indeed, that's what this is, there's no way that a judge can say, I will guarantee you that you're going to come out of this fine...I mean, you know, there's all kinds of complications that...there's no judge that will...that will render a decision like that. So, in effect, I guess, you know, what you've done is you've just said under no circumstances, if a father disagrees and...and I'm not even saying that what the...the substance of the bill is wrong, but what you're saying is that there's no way that a woman can get an abortion if the father doesn't go along with it, because I cannot see any judge sticking his neck out and saying, I will...absolutely guarantee you if you have an abortion that you're not going...that your physical health is not going to be endangered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, thank you, very much, Mr. President. Senator

Lemke, hello, anybody home up there? Senator Lemke, can you tell me the difference between Amendment No. 1 and Amendment No. 2?

SENATOR LEMKE:

As far as I'm concerned, I thought the bill was great but your representative, your great leader over there, Greiman and that they suggested these amendments. So if you want to vote against nonconcurring in these amendments, fine, I'll take them off and pass the bill like it is. All they wanted this was to make sure that in incidences where the mother's life was in danger, no judge would issue a injunction, that's what this says.

SENATOR MAROVITZ:

Well, my great leader is...is Phil Rock, let's make that clear. Now, second of all, I...I...I'll repeat the question. What is the difference between Amendment No. 1 and Amendment No. 2? I...I mean, this is what we're voting on, I think that question might be in order.

SENATOR LEMKE:

Each amendment is supposed to clarify the situation. I think the bill is perfectly clear as it is, but you should talk to the...the liberal, intellectual House Judiciary Committee that wrote these amendments. I...you know, I think the amendments are not needed because it says...the original bill says that a...it's the weight of the evidence whatever the judges decides, but they want to make sure that if the judge would not issue an injunction at any time if the mother's life was in danger, and that's why this language is in there.

SENATOR MAROVITZ:

Okay, well,...according to my reading of this, Amendment No. 2 says that an injunction can't be...everything okay, Frank? Amendment No. 2 says that an injunction cannot be issued for any other reason other than if the mother's life

is in danger. So, you're saying that if the mother has been raped...if a mother has been raped...they can...they're...she can't get an injunction and the father can get an...the...the father can get an injunction against the abortion, despite the fact that she has been raped. Is that...I mean,...that...that is what you're saying here by Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, that does not say that. What the original bill said that it was a weight of evidence what the judges decided whether the father's rights were greater than the mother's to prevent the abortion. Okay? That's how the original bill worked. There was a weight of evidence who would decide...who had the greater rights. It just gave the father the right to go in and...and...and...and...and put his effort forth in regards to having the child. This is in regards to a marriage situation and regards to a marriage contract. I explained this when this bill was here. They put this...this wording in there very simply, that they didn't want it to apply where the mother's life was in danger, and I'm sure in the circumstances you're talking about in a rape situation that the weight of the evidence the judge would rule in the mother's favor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

The amendment that I'm talking about was not on here when the bill came out of the Senate...as I read it, it said, Amendment No. 2 stipulates that a mother's physical health must be endangered in order to prevent the father from getting...an injunction against the abortion. So if she has been raped and her physical health is not in danger, that

father can go ahead and get an injunction against the abortion. That's what the amendment says. Now it may not be your intention but that is what the amendment says. Second question and...go ahead, why don't you answer that one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Amendment No. 2 clarifies Amendment No. 1 that provides that only where the court finds that the mother's life or health are not in danger may the court issue an injunction, that's a prohibition against the court. Amendment No. 2 clarifies Amendment No. 1. Okay? We're not getting into the...into rape situations, we're not getting into that. That's a weight of evidence...I mean, I'm not going to get involved. What we're doing here, Senator Maragos, and you are a great civil libertarian,...I mean, Senator Marovitz, you're a great...we're giving people's rights. We're trying to give the father a course so he doesn't take the law into his own hand and do something else. Okay, we're trying to at least have him come in and get an injunction to show that his weight is...and this is perfectly allowable in any...any...divorce action or marriage dissolution action, separate maintenance action, and we're only trying to enforce the marriage contract, at least give the father a right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

But...I understand what you're trying to do, you want to give the father a right to have an injunction before there is an abortion, I understand that. But Amendment No. 2 does go much further than that and it says that he can get an injunction in all cases unless the mother's life is in danger. So if she's been raped, he can still get that injunction despite the fact that she's been subject to a

vicious rape unless her life is in danger, that's what Amendment No. 2 says. Okay? Now, another question I have for you is this. In a situation where the couple is not married, does that...does that individual who claims to be the father still have a right to get an injunction?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Read the original bill, you...must be married and that this injunction would...could be...is only involved in the third...where the child is viable, which is near the second and third trimester. When we say the third trimester, my grandson was born in the second trimester, he was born four months premature. Okay? He is viable, he's living now, he's four and half years old, okay, he's viable. This is the situation...this is...we're not talking about the first trimester,...where the child is viable, so...if you're trying to take this amendment off, it doesn't matter to me 'cause to me, I think the bill is perfectly clear. The House wanted to have this in there to clarify this situation. Okay? I do not get involved. We're talking about a viable child, you know, the ACLU went in and threw out the whole Abortion Act in the State of Illinois. A woman in this State can kill a viable child in the eighth and a half month of pregnancy. She can kill that baby and to me that baby is viable when I have a grandson that was born four months premature, and I know a lot of the people...have children that were born four and five months premature and we just had an incident of seven born less than a pound in California. So they are viable children, we're talking about...now we're talking about a father going in and saying he...rights are greater than the mother's to save the life of his children. We're not in the situation in the first trimester.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and the...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JONES:

Senator Lemke, the more you talk on...on the legislation, the more confused I get. Now, as far as the amendment is concerned, is there anything in the legislation that establish who the father is? 'Cause if you're dealing with wife only, then the...the husband may not be the father of the child. Now, is there anything in the legislation that specifies such as establish who the father is?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

(Machine cutoff)...the definition of father; the mother can come in and say, he's not the father. Okay? Fine. She can establish that he's not the father, then he can't come in and get the injunction, so we're not in that situation. We're talking about the father of the child which is a legal definition which is established by proof. We have established that in the Paternity Act. If you look at the...new Paternity Act, we have set those grounds down as to establish what paternity is in this State. You voted for that bill, we established those grounds. That is already in the law, that is already in the books.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, Senator Marovitz is absolutely right...and I'm not the...for...ACLU as the ACLU knows quite well. Amendment 2

says, absolutely, that if there's a finding that the mother's physical health is in danger...but let me tell you, if a woman is raped and she's pregnant and her physical health is all right even thought her mental health is in a bad state, well, it's too bad. The father can say...the husband can say, you can't have one, you can't have an abortion. Well, I've always been against abortion except in the cases of rape and incest. The other point is that when we talk about a marriage contract, it goes both ways. A marriage contract doesn't stop a husband from getting a vasectomy without the consent of his wife. I did not vote for this bill originally, I still would not vote for this bill because I don't think it's fair. I think you're ignoring the mental health of the woman completely, the way it's amended, when she is...it's just traumatically injured if she's raped or...a victim of an incest case and I speak against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close. Oh, Senator Zito, I'm sorry. Senator Zito. Senator Zito, do you wish to speak on the amendment?

SENATOR ZITO:

I...I didn't understand Senator Geo-Karis' explanation but I can't ask her a question, so I'll pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke may close.

SENATOR LEMKE:

I can only ask for a favorable vote. We're talking about viable children, we're talking about fathers, we're not getting in before a viable child. We are talking about a mother that wants to go in to be a legal butcher, that's what we're talking about, and if the father can establish that reason and he can prove his rights are greater than that...than his wife that that child should be born, then that child should be born. We did not make the present situation in the State

of Illinois. It's the courts that threw out the whole Statute and said a woman can have a...have a...an abortion at any time in pregnancy. We're talking about children that can live out of the womb, a viable child. We just had an example of seven children that were born early and were viable, and out of that seven children, I think in California there is presently three...three living and that are going to live and be viable and be citizens of this United States.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 887. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator, would you vote me Aye on this. Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 7, 1 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 887 and the bill having received the required constitutional majority is declared passed. Senate Bill 891, Senator Watson.

SECRETARY:

Senate Bill 891 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The original legislation simply expanded the rationale for revoking and suspending a license of a pharmacy in regard to selling prescription and legend drugs. The House Amendment No. 1 which I move to concur with is at...simply adds an immediate effective date, so move for its...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 891. Those in favor will vote Aye. Those opposed vote Nay. The

voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 891 and the bill having received the required constitutional majority is declared passed. House Bill 892, Senator Topinka.

SECRETARY:

...Senate Bill 892 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would move at this time to not concur with Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to nonconcur in House Amendment No. 1 to Senate Bill 892. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 903, Senator...Fawell.

SECRETARY:

Senate Bill 903 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Basically, this is language that has just been reworked. It still does the same thing. It...just places election of the governing board of special election joint agreements under the law as applied to the elections of various municipal trustees, et cetera. There is one other thing they did. They did make a technical change in Chapter 108 and 1/2, Paragraph 7-132, which was requested by LRB which was not related to the substance of this Act. It's really technical language and I ask for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 903. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none...none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 903 and the bill having received the required constitutional majority is declared passed. Senate Bill 925, Senator Carroll. Senate Bill 944, Senator Dawson.

SECRETARY:

Senate Bill 944 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I move to concur with House Amendment No. 1 to Senate Bill 944. This bill establishes a minimum payment level for the public assistance grants at fifty-two percent of the standard of assistance. The current payment level for public aid are at this level at present time. This change would require an adjustment in payment levels to reflect adjustments in the standard that is published by a department effective the beginning of the each calendar year, and I move that the Senate concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just point out to the members that this is a twenty-one million dollar yearly cost and it's...I would just move...what...that we defeat this concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 944. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 30, the Nays are 27, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 944 and the bill having received the required constitutional majority is declared passed. For what purpose Senator Donahue arise?

SENATOR DONAHUE:

Boy, I don't know why it always happens to be me today, but I'm afraid I'm going to have to verify this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the Senators please be in their seats and will the Secretary read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Do you question any of the affirmative vote?

SENATOR DONAHUE:

Jerome Joyce just walked in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

They're both here.

SENATOR DONAHUE:

Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...he just came in the back.

SENATOR DONAHUE:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew is in the back...no, that's...

SENATOR DONAHUE:

That's real cute, Emil.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...Senator Chew, is he on the Floor? Strike his name from the record.

SENATOR DONAHUE:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, we have 29 Yeahs, 27 Nays, 1 voting Present. The Senate does not concur in House Amendment No. 1 to Senate Bill 944, and the Secretary shall so inform the...and he wishes to have it postponed consideration. Is there objection? Hearing no objection, leave is granted. Senate Bill 954, Senator Smith.

SECRETARY:

Senate Bill 954 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment...No. 1 to Senate Bill...to 954 authorizes the Department of Aging to make a grant to an institution of higher learning to study the feasibility of establishing and implementing an affirmative action employment plan for the recruitment, hiring, training and retaining the person sixty or over for jobs for which there employment would not preclude by law. The original bill authorizes Department of Aging to do the study. The Department of Aging believes it will be less expensive and more quickly completed if contracted out to a university. The amendment also clarifies that the study must concern jobs at

which people sixty or over may be legally employed. According to the Department of Aging, the study will cost thirty thousand dollars and that amount has been added to its budget. I move...I want...I...therefore, Mr. President, I move that the Senate concur with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, now, Senator, we've got a lot of retraining programs for unemployed steelworkers and a lot of other people...you mean to tell me we're going to start retraining seniors now? And...and if so, what kind of retraining is...is being suggested here? And I guess my other question is, who's a senior?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Schuneman, you have a lot of young sixty-year-olds who are very viable, very agile and want opportunity to do working. The Department of Aging, they sense this and so they are establishing and implementing an affirmative action program for employment for these seniors. Now there's nothing wrong with that and the money is already appropriated, it's in their budget and they're going to contract this out to a university, and I think that if people want to work and have the incentive, we should certainly, asa...legislative Body, provide the vehicle for them to do so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Would...would you explain what you meant by the term affirmative action program? How...how...how would that work?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

This is giving, I would say, equal rights to those who want to work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. Senator Schuneman, if you keep living, you will be a senior. Now what happens is that this is what we're trying to do. I heard you ask the question what are seniors, and seniors...there are plenty of people that have passed the age of sixty-five, like myself, who need employment and so I'll tell you this, that any time you can encourage people to keep working and that's the reason for this, and we should have a program maybe to retrain legislators.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 954. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 954 and the bill having received the required constitutional majority is declared passed. For what purpose Senator Schuneman arise?

SENATOR SCHUNEMAN:

Well, I guess we need to do it again, Mr. President. We'd like to verify the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request for a verification of the affirmative vote has been made. Will all the Senators be in their seats and will the Secretary read the affirmative roll.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Dawson, Degnan, Demuzio, Dunn, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito...Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman, you question any of the affirmative vote?

SENATOR SCHUNEMAN:

Senator Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Chew on the Floor? Senator Chew. Strike his name.

SENATOR SCHUNEMAN:

Senator Dunn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Dunn on the Floor? Senator Dunn. Strike his name.

SENATOR SCHUNEMAN:

That's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...on a verified roll call, there are 29 Yeas, 26 Nays, and the bill...and amendments having failed to receive the constitutional majority is declared lost...Senator Smith has requested that Senate bill...further consideration on Senate Bill 954 be on postponed consideration. Hearing no objection, leave is granted. Senate Bill 956, Senator Smith.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 956 with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

I'd like for the record to show that in regards to the question that Senator Schuneman asked me, the bill...if you read the bill, it merely said for a study...a feasibility study.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator,...what are we on now? We're on...

SENATOR SMITH:

I wanted to clear that...I...I asked permission to clear that up with Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, would you do that privately. Let's stick with 956.

SENATOR SMITH:

I'd like to hold that one please, for a minute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 982, Senator Poshard.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 982 with House Amendment No. 1....or No. 2, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr...thank you, Mr. President. This amendment makes this bill permissive. It says that elementary and secondary schools may instead of shall include in their health education curriculum various things such as the early prevention and detection of diseases such as cancer, heart attack, diabetes, stroke and prevention of child abuse and neglect and suicide, and I would vote to concur on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill...982. Those in favor will vote Aye. Those opposed vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none,none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 982 and the bill having received the required constitutional majority is declared passed. Senate Bill 984, Senator Smith.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 984 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment 1 to Senate Bill 984 decreases the number of required visits of the Department of Children and Family Services to child-care facilities from three years to one per year, allows a visit at any time by the Department of Children and Family Services to inspect child-care facilities for health and safety reasons, requires some rather than all DCFS personnel who inspects child-care facilities to acquire training in the detection and prevention of exploitation and abuse. Senate Bill 984 has passed by the Senate on the Agreed Bill List, requires DCFS to visit child-care facilities at least three times a year to determine whether they are in compliance with the standards. One of the visits could be without notice. The bill further mandates the Department of Children and Family Services' personnel authorized to inspect child-care facilities to receive training in the detection and prevention of exploitation and child abuse. House Amendment No. 1 to Senate Bill 984 is a compromise between DCFS and the child-care lobbys. There is no known opposition to House Bill 1...to Senate...to House Bill...Amendment 1, and I'm asking...to let you know that I...the Senate concur with the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr...thank you, Mr. President and Ladies and Gentlemen. I would just like to add my support for this amendment and move that we do concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Kelly.

SENATOR KELLY:

Like to ask the sponsor a question, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KELLY:

Senator...Senator Smith, I see that it's reducing the number of visits to these child facilities from requirements from three to one a year. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

No, there will be three per year, two with notice and one unnoted...without notice.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, on page 100 of the...this sheet, it says, reduces the number of required visits from three to one per year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Yes, it is reducing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Well, I just have some concern, if a...if...if there's going to be only one visit a year, why are we cutting it down

from three to one? What is the purpose and reason? I know that these...these agencies have too big a workload and maybe that's the reason for it, I'm not sure, but I'd like to know, why do you want to cut it down from three to one visit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Kelly, the department wanted to cut it down because of fiscal reasons.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, Mr. President...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I'm sorry, Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President and members of the Senate. That's exactly what is being done. It's they're...they're working within a budget that's...that's limited and I know that they're trying to cut down. We no longer have a Visitation Commission. I suppose as time goes by, we won't even visit these State facilities or public facilities that are being regulated. It, obviously, is another reduction and...I'm just concerned that it'll be just a future increase in...in abuses and misuses of what these agencies are doing and I'm going to oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. Let me just clarify this a minute. The original legislation was introduced at three. The House amendment reduces it to one and it says that DCFS may visit any number of times at any time they wish in order to ensure the safety of children and inspection of those

premises, but they must visit at least once a year, but they can do it as many times as they want. That's the amendment, and I would...do move we concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah, I...I can understand having to do certain things because of...of lack of money, but there's some things you just don't skimp on, and I'm afraid that if we reduce that requirement to once a year, that's about all some of the child-care facilities will ever get, and I just don't think that is in the best interest of the children of the State of Illinois; and I want you to know that I use...that used to be my job with the State and I used to have to go out and write up the evaluation procedures for those centers and go out sometime...when I first started working with the State and...and to go out to some of those centers sometime where there were problems...and there are many problems that those centers are having out there due to lack of...of funds, and so what they do, they do what we try and do, they try and cut back. We cannot afford to make that kind of sacrifice and to say that we're only going to visit those...have to visit those centers but once a year. I think Mrs. Smith had a very good idea when that bill left here and I think we should leave it where Mrs. Smith has it and I would say that we shouldn't concur with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I...I just...how many times does the...the department visit now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR LEMKE:

Can Senator Donahue tell me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Once.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Make one visit a year. What...what is this bill doing then? It's just complying what they're doing now. I mean, I think it's...you know, I think in the time and the...and the...and the many instances that have been popping up with child abuse in these care facilities, I think the department should at least make more than one...inspection a year unannounced. I mean, whatever the cost is to prevent child abuse at these child facilities is worth paying. The greatest assets we have in this State is our children and if we as a State and if the man on the second floor can't find the money to make the inspections twice, but he can find the money for that great Taj Mahal, glass relic in the City of Chicago, I...it's...it's a shame. It is really a shame. I think this bill should...these amendments should be rejected and we should get it back to its original form because I think it's the worst thing in the...in...in this State to have...a facility only inspected once when we got abuse going on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. If I may be permitted, I feel that the Senate should nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith moves to nonconcur in House Amendment No. 1 to Senate Bill 984. Those in favor will vote Aye. Those opposed vote Nay. The...I'm sorry, those in favor say...Aye.

Opposed say Nay. The motion carries and the Secretary shall so inform the House. I think they ought to visit me. Senate Bill 992, Senator Barkhausen.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 992 with House Amendments Nod. 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendments 1, 2 and 3 to Senate Bill 992 creating the Illinois Uniform Transfers to Minors Act in making certain changes in the old Uniform Gifts to Minors Act. There are three amendments to the bill, all of which are recommended by the authors of this Act, the National Commission on Uniform State Laws. The Amendment No. 1 specifically allows for a transfer of an interest in a...in a land trust. Amendment No. 2 delays the effective to July 1 of '86 and Amendment 3 increases the amount that can be transferred by a so-called obligor to a beneficiary under the Transfers to Minors Act without the creation of a...a guardianship. I move the adoption of these three amendments...I should say I move for a concurrence with these three amendments. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 992. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 992 and the bill having received the required constitutional majority is declared passed. Senate Bill 997, Senator Collins.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 997 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I move to concur with House Amendment No. 1. House Amendment No. 1 is to accommodate the Cook County Election Board who felt that the certification process on the absentee voting for students bill that we passed out of here was...would be too costly, and I agreed to accept the amendment to take that certified mail provision out of the bill and, therefore, I move to concur with Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 997. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 997 and the bill having received the required constitutional majority is declared passed. Senate Bill 1004, Senator Joyce. Senate Bill 1014, Senator D'Arco.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1014 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The House Amendment No. 1 permits a grace period of up to thirty days before aid to the aged. Blind and disabled is suspended when a person is institutionalized and the aid to family with dependent children is exempt from such suspension. The benefits will be restored after discharge or release. There is nothing objectionable in this amendment and I would ask that we concur in Amendment

No. 1 to Senate Bill 1014.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1014. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1014 and the bill having received the required constitutional majority is declared passed. Senate Bill 1029, Senator Lemke.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1029 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What these amendments does is...is revise the exemption provision as to building materials used in enterprise zones. It clarifies the section numbers. When the bill left the House, there was no limitation that the materials had to be used in the limit...in the enterprise zone. What this bill does now is limits the use of these materials in an enterprise zone. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 and 2 to Senate Bill 1029. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays...53, the Nays are 3, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1029 and the bill having received the required constitutional majority is declared passed. Senate Bill 1041, Senator Karpiel.

SECRETARY:

Senate Bill 1041 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 1041 simply takes out college districts and the State Board of Education and school districts and community colleges from the bill. The bill dealt with the Comptroller coming up with some standardized forms for reporting for units of local government to use if they choose, and the reason these school districts all want to be out is because they have their own forms.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1041. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1041 and the bill having received the required constitutional majority is declared passed. House Bill 1047, Senator Smith.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1047 with Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish that the Senate to concur with the amendment for Senate Bill 1047. House Bill No. 1 to Senate Bill 1047 merely requires the Department on Aging to develop a training program to train already employed counselors, to provide Medicare beneficiaries with counseling, it requires the

department to report back to the General Assembly. This amendment removes all reference to the Department of Insurance. The bill passed out of the Senate on the Agreed Bill List and out of the House on the Consent Calendar. I move that we concur with Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Smith, I have a surprise for you, I'm going to support this bill. I think it's a heck of a good idea. There...there are a lot of...of aged people out there who have Medicare claims and it's a terribly complicated thing for them to try to find out how to file the claims and...and handle all that paper work, and I think this is a good idea and I'm going to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHUNEMAN:

Urge others to do the same.

SENATOR SCHAFFER:

I just wanted to ask for a verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I don't know, but in my area this is being done by the community action service groups. I mean, they already have people, advocates going out trying to help these in regard to social security, Medicare claims, whatever. They're...they're already providing this, so...but this could be a...a duplication of services and I'd like to ask the Senator if she's aware of...of the service already being provided.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator Watson, there are a lot of communities doing a lot of things, but we want to put this on the State basis, the State level through the Department of Aging that represents the State of Illinois, and I think that if they set the precedents, it will enhance whatever small communities are doing in any part of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

This isn't an effort of the small communities, this is the community action groups that...in our particular area, we have the Kaskaskia Community Action Group, we've got several different ones who represent our particular area who have advocates who go into the various counties and do nothing but make themselves available to provide the services I think you're wanting to provide here. This is a duplication of governmental services that I don't think is necessarily a good idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I think this is something we as a State must do since the Federal Government now has stopped doing it. We used to allow this to happen under the...the Equal...Man's Equal Rights to Justice Act used to file claims and social security and so forth, they used to fund these...these community action groups. That money was taken out of the budget by our President and by our Congress. Now, we have to do this as a State to get our money from the...the Federal Government. This is what this bill is going to do is allow us to get our fair share of the Federal dollar that's left. They took away the people's legal counsel. These community action groups can't do it, they're not trained to do it and I think we have

to set up a program to help these people file these claims. I think this is a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

END OF REEL

REEL #5

SENATOR NETSCH:

...thank you. To, Senator Watson, I would just point out that this does not mandate that it be done by the department. What it mandates is that they look into the feasibility of how it can be done, and if, indeed, it is being done appropriately by the community action agencies in some areas, it seems to me that that will take care of it. There's...they're not going to set up a duplicative service, they are simply going to make sure that it...the...the service is covered everywhere, and that I think is very different.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1047. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who...take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1047 and the bill having received the required constitutional majority is declared passed. Senate Bill 1051, Senator Watson.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1051 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. The original legislation that passed out of here simply said that if the Department of Mental Health was to discharge a young individual from a mental health facility, that the school in that

particular individual's school district had to be notified and that the superintendent had a right to object. Well, the House took that objection right away from the superintendent and I concur with that, that's House Amendment No. 1. House Amendment No. 2 simply permits the...the Department of Mental Health and Developmental Disabilities to implement the day training program. It permits the use of mental health funds to pay for local community providers. The...the appropriation is amended into the budget. Senator Carroll did this, I believe, yesterday with the so-called Zoro amendment and this amendment also empowers the Department of Mental Health and...Developmental Disabilities to set quality assurance standards. This particular amendment is signed off by the Association of Retarded Citizens of Illinois, the Illinois Association of Rehabilitation Facilities, the Human Service Providers for Black Residents of Illinois, the Illinois Association of Community Mental Health Agencies. I at this time know of no objections. I concur in both amendments and ask for favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Smith. If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1051. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 2, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1051 and the bill having received the required constitutional majority is declared passed. Senate Bill 1053, Senator Maitland.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1053 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 to Senate Bill 1053 merely is clarifying language, it adds the word, "knowingly," and I would move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1053. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1053 and the bill having received the required constitutional majority is declared passed. Senate Bill 1064, Senator Luft.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1064 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to concur in House Amendment No. 1 to Senate Bill 1064. House Amendment No. 1 states that where a collective bargaining agreement between an employer and a labor organization contains a successor clause, such clause shall be binding upon the...upon and enforceable against any successor employer who succeeds to the contracting employee's business until the expiration date of the agreement therein stated. No such successor clause shall be binding upon or enforceable against any successor employer for more than three years from the effective date of the collective bargaining agreement between the contracting employer and the labor organization.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This bill originally passed 59 to nothing but the House amendment has dramatically changed it, and I just want to make sure I wake everyone up, this is not another 59 to nothing bill. Senator Luft has been very candid and very honest in explaining what this House amendment does. It sets up an almost unenforceable policy in terms of someone buying a new company, what happens in terms of the collective bargaining agreements. I would certainly solicit a No vote because when you're buying a company, you need a certain amount of flexibility to deal with internal problems, staffing problems or whatever, and I just don't think you can constantly tie the hands of the management of that particular company. This is a collective bargaining issue, it is not a legislative issue and I'd appreciate a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I am really confused by this amendment. If a successor clause is legal, this bill is not necessary. If it's not enforceable, then what you're going to do is create bankruptcies and receiverships because that would be the consequence of having to do something that would make it unenforceable or that would destroy the successor clause. I cannot understand this amendment at all, but I only perceive two bad consequences from it if it is that necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I...I really should ask the question. Why is this necessary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Well, to be perfectly honest with you, Senator, I'm not sure I know except I think we're trying to codify a problem that apparently exists in the employer-employee relationship, and I'm not so sure that the new language in Section 2 that provides for a fine is not something new either. Apparently, the people...Representative Saltsman and Bullock in the House thought this was important and I have tried to do my job.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I would strongly urge that we defeat this amendment...it has some sinister implications that are totally...which we are...unable to understand at this time. I would not be very comfortable voting for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. I can only echo what the former Senators have said. I remember when this bill was debated in committee and, of course, it was a completely different bill. It was a fairly harmless bill, maybe even a good bill as it went over to the House and what I suspect has happened here is that somebody has found a...found this as a vehicle and has attached an entirely different bill to this...to this measure, which of course changes the ball game entirely, and it is every bit as bad as the previous speakers have described and...and I sincerely would recommend a...a No vote on concurrence in this measure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. It is obvious there is a problem in this State with this situation and this amendment tries to address that situation. I would simply ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1064. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 28, 1 voting Present. The Senate fails to concur in House Amendment No. 1 to Senate Bill 1064 and the Secretary shall so inform the House. (Machine cutoff)...Bill 1084, Senator Dawson.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1084 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I wish to concur with House Amendment No. 1 to Senate Bill...House Bill 1084. Provides that the Department of Public Aid shall define by rule those services considered exceptional medical care. The amendment allows DPA to establish the criteria problem which the payment of exceptional medical care shall be based. Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1084. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Amendment...the Senate does concur in House Amendment No. 1 to Senate Bill 1084 and the

bill having received the required constitutional majority is declared passed. Senate Bill 1090, Senator Macdonald.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1090 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

I move to concur in House Amendment No. 1. The amendment becomes the bill. It removes conflicting language from the code to provide that community college elections are conducted by election authorities and not by community college districts. At the time of the election consolidation, the Public Community College Act was amended to provide that their elections were to be conducted by county clerks and boards of election commission. However, through an oversight, the language in the Election Code was never amended to reflect that fact. The council for Rock Valley Community College is eager to correct the code so as to remove any question concerning such election. So, I move to concur in this Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1090. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1090 and the bill having received the required constitutional majority is declared passed. Senate Bill 1091, Senator Dawson.

ACTING SECRETARY: (MR. FERNANDES)

1091 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, I wish to not concur with the amendment and I'd like to also change the sponsorship of 1091 to read Lechowicz-Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's...there's been a...motion by Senator Dawson to change sponsorship of Senate Bill 1091 to Senator Lechowicz-Zito. Is there any objection? Hearing no objection, leave is granted. Senator Jones.

SENATOR JONES:

Mr. President, the sponsor of the bill made two motions into one and our...and you didn't deal with the first motion...the first part of that motion. Will you kindly deal with the first part of that motion first?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, there was no request in the order. The best order to take it is...is to change the sponsorship and have the new sponsors handle...handle the discussion. Senator Jones.

SENATOR JONES:

I object.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Hearing only one objection, the motion carries. Senator Rupp.

SENATOR RUPP:

I also object. I think that the main sponsor isn't on the Floor. I'd like to have this bill postponed, pushed off, whatever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...for what purpose Senator Zito arise?

SENATOR ZITO:

Well, thank you, Mr. President. It's...it's a standard courtesy around here, it's been done before when a sponsor gets up and requests that another member of this Body has to

take over sponsorship, it's been done and I would suggest that we continue with the business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I'm very surprised at the distinguished Senator Zito start talk about precedents. I wish you would...I wish you would continue that role when you deal with other matters as it relate to sponsors on this Senate Floor. The rules of this Body and precedent is set for all members, not a select few. Now, I asked you, Mr. President, the...the sponsor of the bill made two motions, made...made a motion, he said he moved that the Senate not concur in the House Amendments No. 1 and 2 and change the sponsorship of the bill. I ask you, Mr. President, as...since he was the sponsor of the bill and that was the motion that he...he made, we must deal with House Amendment No. 1 and 2...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, I...I...I think the easiest way would be have the sponsor restate his motions the way he wishes them. Senator...we're on the Order of Concurrence on Senate Bill 1091. Senator Dawson is recognized.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to have the sponsorship changed to Senator Lechowicz and Zito and remove my name.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There is a...Senator Dawson has requested to have his name removed as chief sponsor of Senate Bill 1091 and be replaced by Senator Lechowicz-Zito. Is there objection? There is objection. On that motion...Senator Zito...Senator Lechowicz.

SENATOR ZITO:

Defer to Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I believe Senator Dawson wants to move and place that matter before the Body that the sponsorship of Senate Bill 1091 be transferred from Senator Dawson to myself and that would require thirty votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Lechowicz has made that motion...or Senator Dawson has made that motion, that motion is in order...a motion is in order. Senator Dawson has made a motion to...Senator Dawson, would you restate your motion?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to make a motion that the sponsorship of 1091 be changed to Lechowicz-Zito, because this bill may end up being a mandatory insurance bill, so everybody knows what we're doing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

So on that motion, evidently, the Ayes and the Nays, there is a problem on determining the exact count. We will have a vote. All those...all those favor of adopting the motion of Senator Dawson's will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On Senator Dawson's motion, there are 36 Ayes, 14 Nays and 1 Present. That motion is...adopted. It carries. Senator Lechowicz-...Zito will be recorded as the chief sponsor of Senate Bill 1091, and on that motion and on that order of business, Senator Lechowicz. Senator Rupp.

SENATOR RUPP:

Make a motion that we adjourn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That motion is in order and it is not debatable and it will require an affirmative vote of a majority of those voting. Have all...Mr. Secretary, those in favor of adjourning will vote Aye. Those opposed will vote Nay. State your point, it's not debatable. State your point.

SENATOR ZITO:

...order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ZITO:

Mr. President, we were on a second motion to take a vote on 1091 as to whether the sponsor wanted to concur or nonconcur, and I would suggest that the Chair finishes that order of business and then moves to the order of adjourning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito, the motion to adjourn is always in order and it's not debatable. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

On a point of order, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR CARROLL:

If, in fact, the motion had been made to nonconcur, any other motion during that time would be out of order until that issue had been resolved. If, in fact, that motion had been made and if the Chair would recognize that motion, no other motion is in order until that has been resolved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, the Chair had asked Senator Dawson three times to restate his motion. His motion was to change the sponsorship. There was no roll call in...in progress, so the motion to adjourn is in order. On that question, all those in favor of adjourning will vote Aye. Those opposed will vote Nay.

The voting is open. The motion to adjourn...on that question, the Ayes are 13, the Nays are 34, none voting Present. The motion fails. On the Order of Senate Bills Concurrence Secretary's Desk, Senate Bill 1091, Senator Lechowicz.

SENATOR LECHOWICZ:

I move that the House nonconcur in amendments...I move that the Senate not concur in House Amendments 1 and 2 on Senate Bill 1091.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I think the Body is owed an explanation...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Mr. President, I think the Body is owed...owed a explanation on House Amendment No. 1 and 2. As I read the synopsis of those amendments, I think they are very, very good amendments. I see no reason why we should not concur in House Amendments No. 1 and 2. So perhaps the sponsor of the...of the motion will state to this Body as to why House Amendment No. 1 and 2 are not good amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, as a matter of courtesy, I'd be more than happy to explain...House Amendments No. 1 and 2 on 1091; but as a matter of fact, that is not necessary when the motion is made to nonconcur and ask for a Conference Committee to be established. Amendment No. 1 to Senate Bill 1091...inserted the word "court order" on line 17 of Section 7-309 and Amendment No. 2 inserted the word "where" and, again, by court order on Section 2 on line...page 23 and also on line 19 under Section 7-309, and I move...we nonconcur in Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there further discussion? Senator Rupp.

SENATOR RUPP:

(Machine cutoff)...you, Mr. President. I would request a roll call on the nonconcurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Roll call has been requested. Senator Collins on discussion.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. There's a little game being played here and I think everybody know what's going on, but I think it's a very sneaky way for any member of this Body to get a piece of legislation on that is...in a Conference Committee because of the controversial nature of that piece of legislation, and it was not brought before this full Body at...of which I would have had an opportunity to amend and that is the mandatory insurance provisions and that's what this...why the nonconcurrence is taking place so that this bill can be gutted and used as the vehicle for mandatory insurance. It would not provide an opportunity for me and...and the rest of us who are concerned about...regulatory rates of the insurance industry, so that there could be fair and equitable distributions of those rates, would not have an opportunity to address that issue, and, for that reason, I would ask that we...that we concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senators, we have now six Senators...five Senators that seek recognition on this amendment and on the motion to nonconcur. Previous question has been moved by Senator Davidson. We have four Senators, we have Senator Hall, Lemke, Demuzio, Zito, he popped in again and Senator Jones. Senator Hall.

SENATOR HALL:

Well, Mr. President and Ladies and Gentlemen of the

Senate, I...I guess I've been asleep sitting here, I didn't dream that such as this. Now I'm vehemently opposed to this mandatory insurance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we are on the amendment...

SENATOR HALL:

...what...what are we on?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...it is not mandatory insurance.

SENATOR HALL:

...but if...if...if such a game is being played, I'm...I mean, I thought that...what time are we suppose to adjourn? Six o'clock? Maybe we better filibuster till then.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm not on there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Your light is on, Senator. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I fully understand what the ramifications of where we are at this moment. It seems to me in my experience, that we have always have allowed and afforded the opportunity of the sponsor to have control over his bill. This is still within the sponsor's purview, he has asked for a nonconcurrence, and I don't know of any other period of time in recent history that we have not allowed the sponsor to...to...to do as he wishes with his bill. If it comes back in the form in which no one wants it, then we'll have to defeat it then. But if someone could...refresh my memory, I don't ever remember us getting ourselves into this predicament.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Let me...for Senator Collins' edification and Senator Jones and Senator Hall and Senator Rupp and anybody else that's opposed to this measure, we did not try to camouflage this issue at all. Senator Dawson stated when he was transferring sponsorship that this may be, in fact, the mandatory auto insurance. I am stating it now if it was not clear and understood prior to that and if it's a game, I don't like the terminology game; unfortunately or fortunately, depending on your perspective, that in fact is the rules and the procedures by which we adopt, pass up or down legislation. Our hopes is that this will go to a Conference Committee report and we'll see what happens. One way or another, we're going to vote on it again, and I would like to see it...on 1091 go to a Conference Committee report and give this Body an opportunity to vote on the issue. We are not trying to camouflage the issue at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. When the sponsor moved to nonconcur and I asked him specifically why, he did not indicate that he wanted to use this bill as a vehicle. Now, as I look at the House amendments to Senate Bill 1091, those House amendments are okay, and I warn you guys on this side of the aisle in particular to quit playing games. You tried to do it yesterday with Senator Collins and you had...had a little victory but that's...truth of that victory going to turn around and be ashes in each one of your mouths. Now, this piece of legislation, if the sponsor want to use it for mandatory insurance, we dealt with that issue in committee, we dealt with it on the Senate Floor, both of these amendments on this bill is okay and I

would ask that this Body do not heed to the wishes of the sponsor that we...we not concur and vote No on the concurrence motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. So there is no question, I personally believe that this is part of the legislative process. Each and every one of you realize the fact that you have an opportunity not only to introduce legislation but to offer by...an amendment on 2nd reading and also to a Conference Committee report, and there are so many different matters that will be addressed the next few days of the General Assembly in Conference Committee that have been matters that we have discussed once again before. If you recall, last year in a Conference Committee, we seen the same proposal five different times. So it's nothing new, it's nothing shocking, there's nothing wrong with it. It's the...for the Body to decide and I would hope that the Body would concur with me and that we not...do not adopt Amendments No. 1 and 2, and that Conference Committee be reported on 1091. It's my intent to hope we bring this matter up before this Body once again as far as...mandatory automobile insurance and maybe some other matters who haven't been addressed and with other legislation, and for that reason, I'm asking for a Conference Committee to be adopted at this time. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There has been a request for a roll call vote on the motion to nonconcur on House Amendment No. 1 and 2 to Senate Bill 1091. On that motion to nonconcur, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. The motion to nonconcur...have all voted who wish? Have all voted who wish? Take the record. On that question, on the

motion to nonconcur, there are 30 Yeas, 23 Nays and none voting Present. The motion carries and the Secretary shall so inform the House.

PRESIDENT:

If I can have your attention, it's my pleasure to introduce a former colleague and old friend, the Honorable Harold Washington, the Mayor of Chicago. Please welcome him.

MAYOR WASHINGTON:

(Remarks given by Mayor Washington)

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. As earlier indicated, I think the time to adjourn has arrived. We will commence again at nine o'clock tomorrow morning and begin again on the Calendar on the Order of Concurrence. In the meantime, I have placed a motion in writing with the Secretary to recommit the bills on the Calendar rather than to incur the printing cost on a daily basis to...motion is to recommit the bills on 3rd reading and consideration postponed back...with the exception of the revisory bill, I'm sorry, I forgot about that one, with the exception of the revisory bill which by leave of this Body was to be held over till October, to recommit the others to the committees from which they came, and then I will be prepared to make a motion to adjourn until nine o'clock tomorrow morning. I'd like to announce for the Democratic members, there's going to be a brief meeting in Room 212 immediately after adjournment for those who are interested in the update on the education reform and funding proposals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, read the motion.

SECRETARY:

Motion in writing. I move to recommit all House bills

except House Bill 2525 currently remaining on the Order of 3rd Reading or Consideration Postponed to the committees from which they were originally assigned. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. For what purpose Senator Dudycz arise?

SENATOR DUDYCZ:

Thank you, Mr. President. I ask leave of the Body to be added with permission of the chief sponsor as a hyphenated cosponsor of Senate Bill 1091.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion, is there objection? Hearing no objection, leave is granted. If there is no further business to come before the Senate, the Senate will stand adjourned until tomorrow morning, nine o'clock.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1985

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND EUGENE WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal, Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President, I move that the reading and approval of the Journals of Tuesday, June 18; Wednesday, June 19; Thursday, June 20th, Friday, June 21st, Honday, June 24th and Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Jones. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of Senate bills with the following titles, together with House amendments.

Senate Bill No...No. 1 with House Amendment No. 1.

134 with House Amendments 1 through 8 and 11.

145, House Amendment 1.

167, House Amendment 1.

174, House Amendment 1.

175, House Amendment 1.

342 with House Amendments 3 through 6.

363 with House Amendment 1.

403 with House Amendments 1, 2, 4, 5, 6 and 7.

428 with House Amendments 1, 2 and 4.

449, House Amendment 1.

451, House Amendments 1, 2, 3, 5, 6, 7 and 9 through 15 and 17.

453, House Amendments 1 through 29, 31, 32, 33 and 35 through 38.

454, 1...House Amendments 1 and 2.

455, House Amendment 1.

456, House Amendment 1.

458, House Amendments 2, 4, 5 through 16, 18 and 19.

459, House Amendments 1, 2 and 3.

460, House Amendment 1.

461, House Amendments 1, 2, 3 and 4.

463, House Amendment 2.

464, House Amendments 2, 3 and 4.

466, House Amendment 2.

467, House Amendments 2, 3, 4, 6 through 36, 38 through 55, 57 through 60.

468, House Amendments 1, 2, 5, 6, 9 through 16, 21, 22 and 23.

470, House Amendments 2 through 8.

471, House Amendments 1 and 2.

472, House Amendments 1 through 14, 16 through 19, 21, 22, 24 through 28, 30 through 33, 35, 37, 38, 39, 41, 43 through 48 and 50 through 55.

473, House Amendments 1, 2 and 3.

474, House Amendment 2.

475, House Amendment 1.

476, House Amendments 1, 2, 3 and 5 through 13.

477, House Amendments 1, 2 and 3.

478, House Amendments 1 through 7.

481, House Amendments 3, 4, 5 and 7.

482, House Amendments 2 through 8.

483, House Amendments 1 through 11, 14, 15, 16.

...528, House Amendment 1.

552, House Amendments 1 and 2.

And 1368, House Amendments 1, 2, 3, 4 and 5.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the...the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to bills...House bills with the following titles, together with Senate amendments.

House Bill 90 with Senate Amendment No. 1.

House Bill 23 with Senate Amendment No. 1.

House Bill 50 with Senate Amendment No. 1.

269, Senate Amendment No. 1.

316 with Senate Amendment No. 1.

344 with Senate Amendment No. 1.

360 with Senate Amendment No. 1.

431 with Senate Amendment No. 1.

497 with Senate Amendments 1, 2 and 3.

563, Senate Amendment 1.

567, Senate Amendments 1 and 3.

570, Senate Amendments 1, 3, 5, 6, 8 and 9.

571, Senate Amendment 1.

692, Senate Amendment 1.

809, Senate Amendment 1.

879, Senate Amendment 1.

894, Senate Amendment 1.

971, Senate Amendments 1 and 2.

1027, Senate Amendments 1, 2 and 3.

1037, Senate Amendments 1, 2, 5, 6 and 8.

1038, Senate Amendments 1 and 2.

1103, Senate Amendment 1.

1109, Senate Amendment 1.

1182, Senate Amendment 1.

1188, Senate Amendment 1.

1249, Senate Amendment 1.

1279, Senate Amendment 1.

1285, Senate Amendment 1.

1292, Senate Amendment 1.

1392, Senate Amendments 1, 2 and 3.

1412, Senate Amendment 1.

1544, Senate Amendment 1.

1552, Senate Amendments 1 and 3.

1641, Senate Amendment 1.

1763, Senate Amendment 1.

1769, Senate Amendment 2.

1947, Senate Amendment 1.

1970, Senate Amendment 1.

2103, Senate Amendment 1.

2113, Senate Amendment 1.

2426, Senate Amendments 1, 2 and 3.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 413 offered by Senator Kustra, it's congratulatory.

Senate Resolution 414 offered by Senator Zito, it's congratulatory.

And Senate Joint Resolution 81 offered by Senators Hudson, Mahar and Topinka and it's congratulatory.

PRESIDENT:

(Machine cutoff)...Vadalabene, for what purpose do you

arise?

SENATOR VADALABENE:

Good morning, Mr. President and members of the Senate. I've been delegated as the captain of this row ever since I've been over here, and I just want you to know that Senator Nedza and Senator Darrow and Senator Lemke, this is probably the only row that always has a hundred percent attendance record. And I would like for you to...and I would like to commend my...my partners here.

PRESIDENT:

Well, we have to get one...we have to hear from one other row captain. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. As captain of my row...I want the Body to know that we've had a hundred percent attendance and we've kept everybody aboard ship over here.

PRESIDENT:

Attendance maybe, aboard ship I'm not sure. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles:

Senate Bill 480 with House Amendments 6, 7, 9, 10, 11 and 12.

Senate Bill 847 with House Amendments 1, 3 and 4.

PRESIDENT:

Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I'd like to request leave to have on Senate Resolution 40 Senator Jones added as a hyphenated sponsor along with Senator Lemke.

SB1103 concurrence

PRESIDENT:

All right. The gentleman seeks leave to have...all right, page 1 on the Calendar, on the Order of Secretary's Desk Resolutions, the gentleman seeks leave to have Senator Jones and Lemke added as cosponsors. Without objection, leave is granted. All right. We'll begin where we left off. We have a hundred and thirty-one Senate bills on the Order of Concurrence. It's the intent of the Chair to go straight on through and then there will be a supplemental Calendar...issued later in the day. But I would ask the members to be in their seats and be alert. We'll start where we left off in the middle of page 9. On Senate Bill 1095, page 9 on the Calendar, we'll start there and go straight on through. On the Order of Secretary's Desk Concurrence is Senate Bill 1095, Senator Bloom...or Mr. Secretary, I beg your pardon.

SECRETARY:

Senate Bill...1095 with House Amendments 1 and 2.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I'd like a nonconcurrence.

PRESIDENT:

Senator Bloom moves to nonconcur in House Amendments 1 and 2 to Senate Bill 1095. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1102. 1103, Senator Bloom. On the Order of Secretary's Desk Concurrence, Senate Bill 1103, Mr. Secretary.

SECRETARY:

Senate Bill 1103 with House Amendment No. 1.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you. I'd like to concur with House Amendment No.

1. It clarifies the intent of the bill.

PRESIDENT:

Senator Bloom has moved concurrence on Senate Bill 1103. Is there any discussion? Any discussion? Senator Jones.

SENATOR JONES:

Yes. Could you explain what...exactly what House Amendment No. 1 does?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Certainly. What it does is it provides that for the Republican Party that the...Cook County would be under the same provisions as the rest of the State for selecting their State central committeemen. It does not affect your side of the aisle at all.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, you know, you say it doesn't affect this side of the aisle and I'm...I'm nonpartisan I may be sitting on that side of the aisle. So, I'm trying to protect my rights. And so all I want to know, what does the amendment...amendment really do? You know, you say it clarifies the intent, but I'd really like to know exactly what it does.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Fine, thank you for turning my microphone on. All right, you'll get the long version. Just trying to shorten up the process. What 1103 does is provide among the options for selecting a State central committeeman that the State central committeeman be selected by the precinct committeemen, the local grassroots precinct committeemen, in caucuses within the congressional district. With Amendment No. 1, it says

that Cook County will be under the same provisions. For all counties weighted vote of township, ward or precinct committeemen will elect the State central committeeman in each congressional district if this method of selecting State central committeeman is adopted at the...next State party's convention. There it is.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes,...but where does it say Republican Party?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

If you look at the Election Code, you'll see that the Election Code provides option A and option B. Historically, our party has been option A and your party has been option B.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

And so this is an amendment to option A? Okay.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I know this is not supposed to be any of our business, our being Democrats, but I'm happy to see Senator Macdonald has just turned to the...returned to the Floor. But I'd had a...letters, I think some others had from the Women's Political Caucus strongly opposing the changes in Senate Bill 1103. And this was on behalf of Republican women particularly in the suburban area and...and the outer fringes of the metropolitan area, and their argument was that it has, as they put it, ominous implications and that it will really dramatically deinfluence the role of women and others in the Republican Party structure. Now,

I'm...I realize it's not my particular concern, but on behalf of an open political process which I think is important not just in my party but in the Republican Party as well and probably considerably more needed in your party than in my party, ha, ha, ha, I would...I would really speak strongly in opposition to this. It seems to me that it is...it is not a good idea to disadvantage those who have been struggling to get recognition in political party circles.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Mr. President and fellow members of the Senate, I think this is good legislation and...and it's always been my opinion that political parties shouldn't even be under our disguise and design by the Legislature, it should be the party's function. If the party chooses to go their path and it's not in agreeance with the majority of that party, then I'm sure they won't...their ticket won't win. I'm not going to interfere with this because I've seen the unwise decisions of the Democratic National Party with the selections of quotas and minorities and...and ethnics and everybody else. And yet with those...we put up candidates that can't win. So I...if the Republican Party wants to go this route, I...I favor this route myself for the Democratic Party. But until our intellectual geniuses that came in with McGovern get out of the National Democratic Party, maybe we just have to keep getting defeated until they wake up over there and say, hey, the old system was great, let's do it. You know, it's nice to have quotas and everything else but if you don't have...anybody in there, who's going to represent those Democratic women or those Republican women if...if there's not a guy in there that can get in with the regular party. I think this is a good bill. I mean, I...I personally think that it's an option, we have options in Illinois, and if the party

chooses, fine. And I think we should let the Republicans do this. And as far as Republican women in my district, Dawn, they like this. They like...this is a great, great thing for the Republican women in my area because they usually follow the main course of the Republican Party and they usually get put on. So, I think it's a...a bill that should pass.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It is my understanding that the leaders of my party have endorsed this concept very, very strongly at a number of levels. And I would like to say, first of all, that I have a history going back for a lot of years, well over thirty, as a volunteer in my party long before I became an elected official. And I helped build my party, as a matter of fact, when I was the county chairman...chairwoman with my good friend Tim Sheean, at that point it was the last time that we had people elected to the sanitary district in any number, we've had one since then. We elected the superintendent of public instruction, we elected the sheriff of Cook County, we elected judges that had not been elected since 1920 so I have some experience in my party and I know the importance of women in the party. I don't think this is just a women's issue, I think this is really a people's issue. I think that when you do take away the right of the people to elect their representatives, if we are fortunate enough in the Republican Party to draw young people, to draw minorities, to draw women to support us, I think that we should encourage them to participate and I don't think that we should close them out by making the choice that of a few people who the people indeed do elect to office. But why...why should we really take this route? As a matter of fact, why should we take the route we've taken in another bill in this General Assembly to

require election or selection by petition to get on a ballot of those that are registered voters rather than those who have voted in the last election. Those are the people in a party that really are speaking for that party. I don't want to go against my party leaders, they have basically been very fair to me as an individual. I have worked hard, I have been elected and I have been reelected for many terms and for many years in this Body and also as a delegate to the Constitutional Convention, but this is...one issue which I feel quite strongly about and I regret to say that I feel that my party is making a mistake on. I just wish that it were not necessary and I wish that they had not taken this course of action. And reluctantly while I think that ultimately they will see their way and they will see the mistake of this way that I think it will have to be resolved and I am quite sure that the votes are not here, but I...I feel honor bound to rise and to really reprimand those who have made these decisions because I think that it will hurt the party that I, too, have worked so hard to build. I think it is a bad decision.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I believe that this will probably show the difference between the parties and I intend supporting this measure if this is what the Republican Party and the State central committeemen want to be...determined by the respective ward and township committeemen or...I think it's...it's their decision and I intend to abide by it. But I think...in all reality as far as the Democratic Party, we are restricted by our rules on the national level to select the State central committeemen by convention. And that's one of the differences between the party and it's something we can all dis-

cuss, but if the Republican Party intends on selecting their State central committeemen this way and it's their determination, I intend to support it.

PRESIDENT:

Further discussion? Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Netsch certainly has a very short memory when she says that we...we may have a problem with women in our Party and that the Democrats do more for women. May I remind Senator Netsch before she runs out the back of the Chamber that we elect more women in the Senate, more women in the House than the party on the other side of the aisle. In DuPage County we elected the first woman to the Illinois House of Representatives, we elected the first lady to the United...to the State Senate in Illinois. We have more elected precinct committeemen, township officials, county board officials, State and House...State and House and Senate members, female, than the other party by far. So we encourage women in our party in DuPage County, throughout the State. Some people have misconstrued this as some kind of a plot against women, absolutely untrue, it only gives us the third option. I'm not sure what my party will do at convention, quite frankly, I kind of think that they will adopt it but I'm not sure. I wish Senator Macdonald would...would call her ex-chairman and see what he says. I will tell you what Tim Sheean would say, that the average voter out there has no idea who the State central committeeman is. Go to your neighbors and knock on the door and say, "Who's your State central committeeman?" They will give you a blank stare. Secondly says, ask them, "What does the State central committeeman do?" They have no idea whatsoever. This is a party position, it should be elected or appointed by party officials, not the mass...voters out there who have no idea

of what the State central committeeman is.

PRESIDENT:

All right. We have seven additional speakers who have indicated that they too have...eight, nine, ten. Good. Senator Zito.

SENATOR ZITO:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Zito.

SENATOR ZITO:

Press, I'm not going to speak one way or...another on the...the merits of the legislation, but I think there's a...a technical flaw. Why was not the language "part of a ward," added to the amendment? Because it seems that approximately twenty-six wards in Chicago are split by congressional lines and it would seem to me that that language would need to be added in the amendment.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I'm informed by staff that there is, indeed, technical problems, so all the posturing that's gone on prior to your arising, Senator Zito, is for naught. So, let's do it right.

PRESIDENT:

Senator Zito.

SENATOR BLOOM:

Let's do it right. I'd move to nonconcur, and...

PRESIDENT:

Senator Bloom moves to nonconcur in House Amendment No. 1 to Senate Bill 1103. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1111, Senator Coffey. On the Order of Secretary's Desk Concurrence, Senate Bill 1111, Mr. Secretary.

SECRETARY:

Senate Bill 1111 with House Amendments 1 and 2.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I'd like to move to nonconcur with Amendment 1 and 2.

PRESIDENT:

All right. Senator Coffey moves nonconcurrence with House Amendments 1 and 2 to Senate Bill 1111. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1121, Senator Mahar. On the Order of Secretary's Desk Concurrence, Senate Bill 1121, Mr. Secretary.

SECRETARY:

Senate Bill 1121 with House Amendment No. 1.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, I move to concur with House Amendment No. 1. And what it does is creates a new...a portion of the...or amends the Criminal Code to create a new offense, namely, criminal mutilation or vandalism of library materials. It goes further to...to define the Act and to assess penalties.

PRESIDENT:

All right. Senator Mahar has moved concurrence with House Amendment No. 1. Discussion? If not, the question...the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1121. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does

concur in House Amendment No. 1 to Senate Bill 1121 and the bill having received the required constitutional majority is declared passed. 1125, Senator Newhouse. On the Order of Secretary's Desk Concurrence is Senate Bill 1125, Mr. Secretary.

SECRETARY:

Senate Bill 1125 with House Amendment No. 1.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This bill is in response to the...to the desires of governmentally operated hospitals to educate employees hoping they'll retain them for professional positions. There is an amendment on the bill and I would yield to Senator Schuneman. It's a downstate amendment, I would yield to Senator Schuneman to explain the amendment.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, and I want to thank Senator Newhouse for his courtesy in allowing this amendment to be attached in the House. Basically what this amendment does is amend the district hospital insurance law to allow for a problem that has developed in appointing members to those district hospitals. There is an unofficial or a...I've forgotten exactly the term they use, but it...an opinion by the Attorney General which indicates that anyone who may be connected with a company that does business with the hospital can't serve on the hospital board. Now in many instances that's okay, but in these very small towns where you have a very limited number of...of people who might be eligible to serve, it creates a hardship on the hospital board. This amendment would simply change the...section of the law under which hospital districts are held accountable on that issue.

And I would urge adoption of the amendment.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1125. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1125 and the bill having received the required constitutional majority is declared passed. 1129, Senator Newhouse. On the Order of Secretary's Desk Concurrence is Senate Bill 1129, Mr. Secretary.

SECRETARY:

Senate Bill 1129 with House Amendment No. 2.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I move to nonconcur on Senate Bill 1129 and ask the appointment of a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse has moved to nonconcur in House Amendment No. 2 to Senate Bill 1129. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...Bill 1132, Senator Rock.

SECRETARY:

Senate Bill 1132 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to nonconcur with House Amendment No. 1 to

Senate Bill 1132. This, as I am sure the membership is aware, will be, it appears, the sole pension benefit bill. It was decided in the House...this is the only pension bill that came out of the House. It was decided this would be the vehicle for those pension benefit structure changes that have found or have been met with agreement. So, I would move to nonconcur with House Amendment No. 1 to Senate Bill 1132.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock moves to nonconcur in House Amendment No. 1 to Senate Bill 1132. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1142, Senator Demuzio.

SECRETARY:

Senate Bill 1142 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. The amendment that was added by the House...is, I am told, a nonsubstantive amendment, that it would...it simply clarifies the problem that the corporate fiduciaries were having and I know of no opposition. I would move for...concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1142. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in Amendment No. 1 to House Bill 1142 and the bill having received the required constitutional majority is declared passed. 1143, Senator Demuzio.

SECRETARY:

Senate Bill 1143 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Amendment 1 added clarifying language recognizing that money market mutual fund investments often include...repurchase agreements. These repurchase agreements authorized as investments are limited to those involving U. S. Government obligations. So, in...in effect what we are doing is we are extending the provision authorizing investments in mutual...money market mutual funds that consist of U. S. Government obligations to include repurchase agreements for such obligations. Again, I know of no opposition, I think this is a compromise with the corporate fiduciaries as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1143. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1143 and the bill having received the required constitutional majority is declared passed. 1152, Senator Kustra.

SECRETARY:

Senate Bill 1152 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I would move that the Senate nonconcur with House Amendment No. 1 to Senate Bill 1152.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra moves to nonconcur in House Amendment No.

SB 1156 concurrence

1 to Senate Bill 1152. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Senate...and the Secretary shall so inform the House. Senate Bill 1156, Senator Rock.

SECRETARY:

Senate Bill 1156 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House made three amendments to the Prairie State 2000 initiative. One is simply a name change. The other...is an amendment offered and adopted by Senator...or Representative Braun to amend the Municipal Code and the Administrative Code dealing with economic development program coordination. And the third amendment also deals with the tax increment financing. I know of no objection. These amendments have been subject to lengthy negotiations with both the...the Office of the Governor and the Department of Commerce and Community Affairs. And I would move that the Senate concur with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1156. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 1156 and the bill having received the required constitutional majority is declared passed. House Bill 1164, Senator Joyce. Senate Bill 1165, Joyce.

SECRETARY:

Senate Bill 1165 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

I'd move to nonconcur, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves to nonconcur in House Amendment No. 1 to Senate Bill 1165. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1166, Senator Poshard.

SECRETARY:

Senate Bill 1166 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur with House Amendment 1. This adds newspapers, radio and TV stations to the entities to which earthquake preparedness literature must be distributed. Previously this bill only included distribution to schools and school districts. This would require a compilation of a list of those school districts, hospitals, airports, power plants, lakes, dams and other man-made structures which are at the greatest risk of damages from earthquakes. Southern Illinois lies in the midst of the New Madrid Fault which is a major earthquake zone in the Central United States. Analysts in the...or geologists have been predicting a major earthquake for our area now for some time and they think that the energy that's being builtup is...is presently great enough that we may have an earthquake in the near future. And I...I would move to concur with this because I think it expands the scope of the emergency preparedness that we need in our area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the

Senate concur in House Amendment No. 1 to Senate Bill 1166. Those in favor indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1166 and the bill having received the required constitutional majority is declared passed. House Bill 1180, Senator Lechowicz.

SECRETARY:

Senate Bill 1180 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate do concur with House Amendment No. 1 on Senate Bill 1180. Basically it's a clarifying amendment to make it clear that the preceding primary upon the vote of which weighted voting is to be based during the even/odd numbered years is the General Primary which is the intent of the bill. As you recall, the current law requires that the weighted vote cast at a meeting of the Cook County Central Committee to be based on a vote in a ward or township at the primary preceding the meeting. This is a recommendation by the Cook County Central Committee of the Democratic Party that they wanted to have this matter clarified and a more recent vote...cast on behalf of the township committeemen and the Democratic ward committeemen, that's the clarifying amendment on Amendment No. 1. I move for its adoption and concurrence on House...Senate Bill 1180.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

Senator, will this make the...both the suburban and the city committeemen be...have their weighted vote taken at the same primary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

The weighted vote will be on the most current election. Basically the township committeemen were two years in arrear...in comparison to the city...city committeemen. And there was a discussion to try to make it as current as possible, that's exactly what Senate Bill 1180 does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

They will both be using the weighted vote from the same...the same primary, is what I'm saying. So, that...because always they were off, one was the presidential, one was not and, of course, there was a difference there. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1180. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1180 and the bill having received the required constitutional majority is declared passed. Senate Bill 1183, Senator Smith.

SECRETARY:

Senate Bill 1183 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I wish to concur with the Amendments 1 and 2 that was put on by the House to Senate Bill 1183. The Amendment No. 1 deletes the provision that funding for Fiscal '85 grants for the Infant Mortality Act shall come from certain Federal funds and funding for subsequent grants shall come from State appropriations, requires the Illinois Department of Public Health to participate in the Women's Infant and Children, which is WIC, nutrition program of the Federal Government to the level permitted by Federal Law or regulations. It mandates that the Department of Public Health to accept appropriations and funds from any public or private sources in addition to Federal monies. Senate Bill 1183 as passed by the Senate on the Agreed Bill List creates the Infant Mortality Reduction Act. And House Amendment No. 1 to Senate Bill 1183 is a compromise between the Department of...Public Health and organizations in Illinois attempting to reduce infant mortality. Senate Bill 1183 like Senate Bill 392 which passed the Senate on 6-27 is a measure to save the lives of infants in Illinois. And there is no known opposition to Amendment No. 1 to Senate Bill 1183. And Amendment No. 2 removes the formula from distributing the funds as grants. House Bill...Amendment No. 2 to Senate Bill 1183 like House amendment to 1183 is a compromise between Illinois Department of Public Health and organizations in Illinois endeavoring to reduce infant mortality. Illinois Department of Health encourages House Amendment 2 to...Senate Bill 1183 because the formula for grants in the bill limited the department. I move that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator, did you move to concur, is that what you did? All right. Senator Smith has moved to concur. The question is, shall the Senate concur in

House Amendments 1 and 2 to Senate...to....Senate Bill 1183. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Rock...Senator Rock. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none...none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1183 and the bill having received the required constitutional majority is declared passed. 1185, Senator Dawson. 1189, Senator Topinka. Senate Bill 1189, Mr. Secretary.

SECRETARY:

Senate Bill 1189 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. I move to nonconcur with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka moves to nonconcur with House Amendments 1 and 2 to Senate Bill 1189. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1200. Senate Bill 1200, Mr. Secretary.

SECRETARY:

Senate Bill 1200 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Naw, hold it...hold it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 1202, Senator Darrow. Senate Bill 1202, Mr. Secretary.

SECRETARY:

Senate Bill 1202 with House Amendment No. 1.

AB 1236 Concurrence

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1202 created the offense of aggravated unlawful restraint. When it left here the penalty was a Class 3 felony...a Class 2 felony. The amendment adopted by the House changed it to a Class 3 felony. I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not...if not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1201. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill...1202, and the...and the...and the bill having received the required constitutional majority is declared passed. 1212, Senator Marovitz. Page 11, 1218, Senator Rock. All right. Senate Bill 1218, Mr. Secretary.

SECRETARY:

Senate Bill 1218 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, take this one out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take this one out of the record. 1224, Senator Carroll. 1236, Senator Jones. Senate Bill 1236, Mr. Secretary.

SECRETARY:

Senate Bill 1236 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I move that we concur in House Amendment No. 1 to Senate Bill 1236. House Amendment No. 1 is...is the bill and what it does is it...exclude the amount of loans or scholarship that a person may receive that...that has resided within the public housing and that amount of the loan or scholarship received shall not be included in...in that income. And the reason why this is put in is because many persons who live in public housing who do go on to higher education may receive either State, Federal or a Federal loan for the purpose of education and this amount shall not be included in determining what their rent shall be. And also, any adjustments as relate to foods shall not be included in their rent. And I would the...we concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is,...Senator Jones your motion is only relevant to House Amendment 1? Or 1 and 2?

SENATOR JONES:

1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank...thank you, Mr. President. Will the...sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Could you tell me the fiscal impact of this amendment...or concurrence?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

There is no fiscal impact to the State, whatsoever, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

What's the...how many are eligible...for this exemption?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The number of persons who will be attending colleges and so forth, that...that...that number is undetermined because we have no way of knowing exactly how many will receive State grants and Federal grants for...and loans for the purpose of going to college.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Question of Amendment No. 2, you didn't explain that...in...in our analysis it says here it applies to all counties, cities, villages, towns of over ten thousand inhabitants. Why the figure ten thousand, what's the significance of that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

It is my understanding from the sponsor of the amendment in the House that the many downstate legislators wanted the same provisions for their particular districts in the event that they do have persons who fall into the same category. So this is the reason why that amendment was put on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. Another question. So, in other words, an

individual, let's say who has an athletic scholarship, that will not be considered in regard to food stamps and also rent for housing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Jones.

SENATOR JONES:

Yes, that's the intent of the bill. See, otherwise that person may be...the family may become ineligible for public housing just because the student is receiving a grant or something going to college.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Jones...the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1236. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1236 and the bill having received the required constitutional majority is declared passed...1260, Senator Donahue. 1260, Mr. Secretary.

SECRETARY:

Senate Bill 1260 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that we concur in House Amendment No. 1. This is the same provisions that we have put in...House Bill 1933 which deals with royalties in the Oil and Gas Act. I would move we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1260. Those in favor vote Aye. Those opposed Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56...56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1260 and the bill having received the required constitutional majority is declared passed. 1266, Senator Geo-Karis. Mr. Secretary, 1266.

SECRETARY:

Senate Bill 1266 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, Senate Bills 1266 requires owners of radiation installations to hire accredited X-ray technicians. And the bill passed out of here by a great vote. There are two amendments and I move to concur with those two amendments. The first...Amendment No. 1 asks that certain engineering and technical employees to the list of those exempted from the...Personnel Code be exempted so that the Department of Nuclear Safety can...recruit, rather, qualified nuclear engineers and health physicists. The second amendment was put on at the request of the dental society, and the second amendment...says that since dental assistants are exempt from the X-ray accreditation requirements, the dental society asks that the employers with X-ray machines must hire accredited personnel unless exempted by law. The Department of Nuclear Safety has no problem with this amendment. I move the concurrence of both amendments...the bill with both amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...any discussion? If not, Senator Geo-Karis moves...the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1266. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all

SB 1267

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1266 and the bill having received the required constitutional majority is declared passed. 1267, Senator Kustra. Senate Bill 1267, Mr. Secretary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1267 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. I would move that the Senate nonconcur with House Amendment No. 1 to Senate Bill 1267.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra has moved to nonconcur in House Amendment 1 to Senate Bill 1267. Those in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 1287. Mr. Secretary, 1287.

SECRETARY:

Senate Bill 1287 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move that the Senate nonconcur with House Amendment No. 1 to Senate Bill 1287.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz moves that the...moves to nonconcur in House Amendment 1 to Senate Bill 1287. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1289, Senator Barkhausen. 1289, Mr. Secretary.

SECRETARY:

Senate Bill 1289 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we nonconcur in House Amendment No. 1 to Senate Bill 1289.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen moves to nonconcur in House Amendment No. 1 to Senate Bill 1289. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1292, Senator Schuneman.

SECRETARY:

Senate Bill 1292 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate concur with House Amendments No. 1 and No. 2. This is the bill that would increase the amount of minimum capital and surplus requirements for domestic insurance companies. The bill passed out of here at a level which it was found to be unacceptably high for a small group of companies in Illinois. There have been some ongoing negotiations with the Department of Insurance and they settled their differences in House Amendment No. 1 and No. 2 and made some exemptions for some of the companies that are not in any trouble but would be adversely affected by this change. I move adoption of...I move that the Senate do concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1292. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the

SB1294 nonconcurrence

record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1292 and the bill having received the constitutional majority is declared passed. Senate Bill 1294, Senator Schuneman.

SECRETARY:

Senate Bill 1294 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate nonconcur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman moves to nonconcur in House Amendment No. 1 to Senate Bill 1294. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1295, Senator Topinka.

SECRETARY:

Senate Bill 1295 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate. I move we concur with House Amendment No. 1 which provides that the director of the Department of Insurance may assign the rights or interest of a liquidated company to receive reinsurance proceeds for losses to the Illinois Life and Health Guarantee Association or any similar organization in any other State. This is a Department of Insurance amendment. I know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 1295.

AB 1311 concurrence

Those in favor indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1295 and the bill having received the required constitutional majority is declared passed. Senate Bill 1303, Senator Donahue.

SECRETARY:

Senate Bill 1303 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, I would move to nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue moves to nonconcur in...House Amendment No. 1 to Senate Bill 1303. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1311, Senator Bloom.

SECRETARY:

Senate Bill 1311 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. I would move that we concur in this amendment. This amendment represents a...a great deal of hard work on the part of the provider groups, this is the preferred provider, PPL bill, very hard work on the part of provider groups, organized labor, insurance and business. And everyone is in agreement on this except the med. society. I think that came out in the debate a couple of days ago on Senator Topinka's bill. I'd try and answer any questions, otherwise, seek a concurrence.

S.B. 1321 Concurrence

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1311. Those in favor indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1311 and the bill having received the required constitutional majority is declared passed. Senate Bill 1321, Senator Marovitz.

SECRETARY:

Senate Bill 1321 with House Amendment No. 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the House do concur with Senate Amendment No. 6 to Senate Bill 1321. It's a noncontroversial amendment which allows Chicago teachers over seventy that are certified, it permits them to be used as substitute teachers. There was not one negative vote on this bill and I would ask for concurrence with Senate...House Amendment No. 6 to Senate Bill 1321.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 6 to Senate Bill 1321. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 6 to Senate Bill 1321 and the bill having received the required constitutional majority is declared passed. Senate Bill 1345, Senator Luft.

SECRETARY:

(Machine cutoff)...Bill 1345 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I move to nonconcur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves to nonconcur in House Amendment No. 1 to Senate Bill 1345. All those in favor will signify by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1350, Senator Carroll-Rock. Senate Bill 1352, Senator Dawson. Senate Bill 1379, Senator Bloom. Senate Bill 1380, Senator Smith.

SECRETARY:

Senate Bill 1380 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment...House Amendment No. 1 to Senate Bill 1380 I do concur with. It merely removes the required clear and convincing evidence standard relating to denial of guardianship when the proposed guardian caused or substantially contributed to a minor becoming abused or neglected. It also removes provisions relating to denying visitation rights. And...in the Senate in committee it was 8 to nothing, on the Floor it was 59 to nothing, and over in the House, the...moved out a 111 to 1. I move for...concurrence.

PRESIDENT:

All right. Senator Smith has moved concurrence with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1380. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1380 and the bill having received the required constitutional majority is declared passed. 1388. On the Order of Secretary's Desk Concurrence is Senate Bill 1388, Mr. Secretary.

SECRETARY:

Senate Bill 1388 with House Amendments 1, 2 and 3.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I'd like to move to nonconcur with Amendments 1, 2 and 3.

PRESIDENT:

Senator Coffey has moved to nonconcur in House Amendments 1, 2 and 3 to Senate Bill 1388. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence, Senate Bill 1396, Mr. Secretary.

SECRETARY:

Senate Bill 1396 with House Amendment No. 1.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, the original bill simply added the word Illinois to reference the Administrative Procedure Act, and the House amendment simply affords the HMOs the same privilege of confidentially of patient records as the hospitals. And I would move its adoption..or concurrence.

PRESIDENT:

All right. Senator Savickas has moved concurrence. Any

discussion? If not, the question is shall the Senate concur in House Amendment No. 1 to Senate Bill 1396. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1396 and the bill having received the required constitutional majority is declared passed. 1405, Senator Collins. On the Order of Secretary's Desk Concurrence is Senate Bill 1405, Mr. Secretary.

SECRETARY:

Senate Bill 1405 with House Amendment No. 1.

PRESIDENT:

Senator Collins on House Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1...House Amendment No. 1 deletes the application to real property in need of...of rehabilitation and...and that the abatement shall not extend to homes or to residence. It...it was a technical error in the bill and it just clarified that section and I would move to concur with Amendment No. 1...House Amendment No. 1.

PRESIDENT:

All right. Senator Collins has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1405. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1405 and the bill having received the required constitutional majority is declared passed. Senator Lemke on 1412.

1417, Senator Barkhausen. On the Order of Secretary's Desk Concurrence, Senate Bill 1417, Mr. Secretary.

SECRETARY:

Senate Bill 1417 with House Amendment No. 1.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendment No. 1 to Senate Bill 1417. The amendment is...virtually identical to the Senate amendment that we put on House Bill 650 and it's...this is deals with the Real Estate Time Sharing Act legislation which has been developed by the real estate division of the Department of Registration and Education and the Illinois Association of Realtors and affected members of the industry. I move concurrence.

PRESIDENT:

All right. Senator Barkhausen has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1417. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1417 and the bill having received the required constitutional majority is declared passed. Senator Darrow. On the Order of Secretary's Desk Concurrence Senate Bill 1430, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

(Machine cutoff)...Bill 1430 with House Amendment No. 1.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1430 originally proposed increasing the penalty for the offense of practicing medicine without a license. The...the subsequent convictions would be a Class 4 felony. What the amendment would make it would be...reduces to a Class 3 felony. I would move that we concur with the House amendment.

PRESIDENT:

Senator Darrow has moved concurrence. Is there any discussion? If not, all in...the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1430. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate does concur...House Amendment No. 1 to Senate Bill 1430 and the bill having received the required constitutional majority is declared passed. Top of page 13 is Senate Bill 1436, Senator Joyce. 1437, Senator Lemke. On the Order of Secretary's Desk Concurrence, Senate Bill 1437, Mr. Secretary.

SECRETARY:

Senate Bill 1437 with House Amendments 1 and 2.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move to nonconcur in House Amendments 1 and 2.

PRESIDENT:

All right, Senator Lemke has moved to nonconcur in House Amendments No. 1 and 2 to Senate Bill 1437. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1452, Senator Joyce. All right, if you'll turn back now to page 2, we'll start again at the beginning. We will continue on through the Order of Secretary's Desk Concurrence, starting at the top, and then the Secretary has prepared a Supplemental Calendar which will shortly be distributed. Middle of page 2...middle of page 2, on the Order of Secretary's Desk Concurrence is Senate Bill 17, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 17 with House Amendment No. 1.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move to nonconcur in the House amendments to Senate Bill 17.

PRESIDENT:

All right, Senator D'Arco has moved to nonconcur in Amendment No. 1...House Amendment No. 1 to Senate Bill 17. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 24, Senator Joyce. I beg your pardon, Senator D'Arco.

SENATOR D'ARCO:

Mr. President, yesterday I moved to concur in Senate Bill 1014. It was a mistake. The motion should have been to nonconcur. Is it possible to reconsider that vote? No?

PRESIDENT:

...at the moment, it's physically left the Senate, so it

is...it is no longer in our turf. 24, Senator Joyce. 38, Senator Welch. On the Order of Secretary's Desk Concurrence is Senate Bill 38, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 38 with House Amendment No. 1.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The House added an amendment to this bill which states and which I would concur, changes the title of the Chicago Regional Port District Act to the Illinois International Port District Act.

PRESIDENT:

Any discussion? Is there any discussion? Senator Hall, on this matter? All right, if there's no discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 38. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 38 and the bill having received the required constitutional majority is declared passed. 89, Senator Schaffer. On the Order of Secretary's Desk Concurrence, bottom of page 2, is Senate Bill 89, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 89 with House Amendment No. 1.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Senate Bill 89 came back with one House amendment which includes a whole slew of administrative change...changes requested by the

Department of Revenue. I don't believe any of them are controversial. I'll hit several of them that I think are of interest. It raises the maximum income level of the Senior...Citizen's Real Estate Tax Deferral Act from ten to twelve to match the circuit breaker income change. It makes technical changes in the pharmacy assistance legislation to clear up some problems, simplifies the assessment officials continuing education program, clarifies some language for the department in the Federal land bank mortgage rate interest...haven't any idea why they get involved in that, makes a series of other changes. I don't believe any of them are controversial and if they are...there are questions, I'd be happy to get you some answers; if not, I would appreciate a...a favorable vote.

PRESIDENT:

Any discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Holmberg.

SENATOR HOLMBERG:

We passed a bill out of here increasing the circuit breaker level from twelve thousand to fourteen thousand. I understand, I think, that's passed the House. Would it not be better to have language specifying that both things should be the same rather than a...specific amount in...when you're talking about the Real Estate Tax Deferral Act?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Staff informs me that if that...if that is the decision of the second floor to sign the legislation moving it to fourteen thousand, that all they have to do is sign that bill after this bill and it will automatically accomplish that.

SB 91 concurrence
SB 92 concurrence

PRESIDENT:

All right, further discussion? Further discussion? Senator Schaffer has moved concurrence. If there's no further discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 89. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 89 and the bill having received the required constitutional majority is declared passed. Top of page 3, on the Order of Secretary's Desk Concurrence, Senate Bill 91, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 91 with House Amendments 2 and 5.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate not concur with Senate...with House Amendments 2 and 5 and that a Conference Committee be set up.

PRESIDENT:

Senator Marovitz moves to nonconcur in House Amendments 2 and 5 to Senate Bill 91. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 92, Senator Etheredge. On the Order of Secretary's Desk Concurrence, Senate Bill 92, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 92 with House Amendments Nod. 1 and 2.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the

SB 97 nonconcurs

Senate. I move to...that we not...that the Senate not concur with House Amendments 1 and 2.

PRESIDENT:

Senator Etheredge moves to nonconcur in House Amendments 1 and 2 to Senate Bill 92. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 95, Senator Fawell. On the Order of Secretary's Desk Concurrence is Senate Bill 95, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 95 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

I move to nonconcur on Amendment No. 1.

PRESIDENT:

Senator Fawell has moved to nonconcur in House Amendment 1 to Senate Bill 96. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries...95 is the one we were on. Senator Fawell moves to nonconcur in House Amendment No. 1 to Senate Bill 95. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence, Senate Bill 97, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 97 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. All this does is move the Statute of limitations from one to three years, and I move to concur on House Amendment No. 1.

PRESIDENT:

Senator Fawell has move concurrence. Senator Hall. All right, Senator Fawell has moved concurrence. Is there any discussion? If not, the question...I beg your pardon, Senator Marovitz.

SENATOR MAROVITZ:

...I...I think that we ought to take a look at this. This is the bill that adds to this...rather substantially...to the Statute of limitations, and as we passed it out of here it allows a suit to be...to...the...it extends the Statute of limitations one year after the individual reaches majority or emancipation and that would be after the age of eighteen, and it was some...I believe there was a...quite a bit of discussion in here. Then, when the bill went over to the House, that was even extended further to three years after the individual reaches emancipation and I'm not sure that we...we need to go that far. I don't know why we're going that far and I think that the bill that passed here was the better way to do it and perhaps we should nonconcur, put it in conference and return it to the way the bill passed out of...out of the Senate as the sponsor wanted it out of the Senate.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I'm going to ask Senator Fawell to nonconcur because in the amendment...I don't worry about the Statute of limitations, but in the amendment it said, for example, if a granddaughter went to see grandpa in the afternoon and is molested, that would not...this bill would not take effect. It would only take effect where they share a common household. So, I don't think that is right. I don't think Senator Fawell might have been aware of that...and I'm asking that she nonconcur as a result.

PRESIDENT:

AB 110
Sec. Desk Conc.

All right, further discussion? Further discussion? Senator Fawell.

SENATOR FAWELL:

I will...I will move to nonconcur and...

PRESIDENT:

All right, Senator Fawell has moved to nonconcur in House Amendment No. 1 to Senate Bill 97. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence is Senate Bill 98, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 98 with House Amendment No. 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

I think a lot of us has been receiving a lot of phone calls on this. I will...I will nonconcur. We will attempt to work it out. I'm not going to guarantee a thing.

PRESIDENT:

Senator Fawell moves to nonconcur in House Amendment No. 1 to Senate Bill 98. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 110, Senator Bloom. On the Order of Secretary's Desk Concurrence, the middle of page 3, is Senate Bill 110, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 110 with House Amendments 1 and 2.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I would move that we concur with both amendments. The first amendment took off the rather controversial portion of this bill that would have

extended the commerce commission's jurisdiction over interstate pipeline. The second amendment put back in the language that gives them authority to provide financial backing for ratepayers...or energy purchasing cooperatives. I'll answer any questions; otherwise, let's get it out of here.

PRESIDENT:

All right, Senator Bloom has moved concurrence. Any discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Bloom, they have removed Amendment No. 1. Now is that bad or good?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

...in a...in a nonabsolute world, it depends on where you sit. This...the...the...Amendment No. 1 took off...well, let me describe the bill as it went out of here. As it went out of here it did a couple of things. It extended the commerce commission's jurisdiction over interstate pipelines where it was not contrary to Federal law and the second amendment provided financial assistance for ratepayers' co-ops. The first amendment in the House took everything out and the second amendment put in...back in the assistant...assistance for the consumers to form their own purchasing co-ops. Now, I suppose in the best of all possible worlds, I would have liked to have seen the commerce commission extend its jurisdiction over the cartel mentality of Panhandle Pipeline, but this isn't the best of all possible worlds, so I'm going with half a loaf.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 110. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting...1 voting Present. Senate does concur in House Amendment No. 1 and 2 to Senate Bill 110 and the bill having received the required constitutional majority is declared passed. Senator Berman on 147. Senator Demuzio on 148. On the Order of Secretary's Desk Concurrence is Senate Bill 148, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 148 with House Amendment No. 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Amendment 1 is an amendment that was put forth by the Illinois Association of Realtors...Realtors. Apparently, there was a question that remained relevant to the question of a...a period of time between 1977 and...and 1983 in the Deceptive...Practices Act and under the Consumer Fraud Act. I think this is an amendment that has been agreed to by all parties. I don't know of any opposition. Would move its concurrence.

PRESIDENT:

Senator Demuzio has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 148. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate

does concur with House Amendment No. 1 to Senate Bill 148 and the bill having received the required constitutional majority is declared passed. 190, Senator Dudycz. On the Order of Secretary's Desk Concurrence is Senate Bill 190, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...190 with House Amendments Nod. 1 and 2.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Amendment No. 1 adds an offense to...unlawful possession of antitheft protection shielding device and possession of an antitheft protection device remover, and Amendment No. 2 makes...

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

...and Amendment No. 2 makes the bill consistent with Amendment No. 1, and I ask for the concurrence.

PRESIDENT:

Senator Dudycz has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 190. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate does concur with House Amendments 1 and 2 to Senate Bill 190 and the bill having received the required constitutional majority is declared passed. Senate Bill 200, Senator Newhouse. On the Order of Secretary's Desk Concurrence is Senate Bill 200, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 200 with House Amendments 1 and 2.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I move to concur in House amendments to Senate Bill 200.

PRESIDENT:

All right, Senator Newhouse has moved concurrence in House Amendments 1 and 2 to Senate Bill 200. Discussion? Senator Weaver.

SENATOR WEAVER:

Mr. President, may we have a division of the two...

PRESIDENT:

That request is in order. You...you wish the amendments considered separately? That is correct. That request is in order. All right, Senator Newhouse has moved that the Senate concur with House Amendment No. 1. Discussion? Senator Hudson.

SENATOR HUDSON:

Well, thank you, Mr. President and members of the Senate. Question of the sponsor.

PRESIDENT:

All right,...wait...wait just a minute, Senator Hudson. Let's get some order. May I ask the staff to take the conferences off the Floor and also request that the doorkeepers do not pass any cards into the members. We are on final passage stage and will be all day.

SENATOR HUDSON:

Senator Newhouse...

PRESIDENT:

All right, wait just minute, Senator Hudson.

SENATOR HUDSON:

Okay.

PRESIDENT:

Let's get them settled down here. The staff will please

take the conferences off the Floor. Senator Topinka, if you please. I'm sure you can meet with this young man in your office. All right, Channel...25 from Peoria has requested permission to videotape. Is leave granted? Leave is granted. We are on the question...Senator Newhouse has moved concurrence with House Amendment No. 1 to Senate Bill 200. Senator Hudson.

SENATOR HUDSON:

Senator Newhouse, we had in the Labor and Commerce Committee at one point House Bill 790...791 which remained in that committee. Now my understanding is that the amendment we're talking about now really takes that House bill and puts it on this bill. I wondered if you would explain exactly what House Amendment No. 1 does.

PRESIDENT:

Senator Newhouse. All right, hold...hold on, Mr...

SENATOR NEWHOUSE:

I'm sorry, Mr...President.

PRESIDENT:

All right, Senator Hudson, would you repeat the question?

SENATOR HUDSON:

Well, I think we have a whole new bill here, to put it simply, and I'm asking the Senator if he will...if he will explain the net effect of House Amendment No. 1?

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

House Amendment No. 1...just a second, Senator, I'm trying to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse, there's a...Senator Newhouse, there's a book on your desk there...blue copies that I think you're looking for. Senator Newhouse.

SENATOR NEWHOUSE:

Nonconcur...move to nonconcur, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves to nonconcur in House Amendment 1 or 1 and 2? Senator Newhouse. Senator Newhouse, we...apparently we've divided the question. So a...Senator Newhouse moves to nonconcur in House Amendment 1 to Senate Bill 200. Senator Keats, on the nonconcurrence. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Senator Newhouse on Amendment 2.

SENATOR NEWHOUSE:

Nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Newhouse has moved to nonconcur with House Amendment 2 to Senate Bill 200. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 206, Senator Sangmeister. That's a hold. Page 4. 207, Senator Marovitz. Senator Sangmeister, is that a hold? Senate Bill 207, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 207 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate not concur in House Amendment No. 1 to Senate Bill 207.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves to nonconcur with House Amendment 1 to Senate Bill 207. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 209, Senator Marovitz. Senator Marovitz, 209? 209, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 209 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate do concur with House Amendment No. 1 to Senate Bill 209 which would create the Office of Coordination of Gang Prevention within DLE, and I would ask for concurrence with Senate...House Amendment No. 1 to Senate Bill 209.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 209. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 10, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 209 and the bill having received the required constitutional majority is declared passed. Senate Bill 211, Senator Demuzio.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 211 with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio

SENATOR DEMUZIO:

House Amendment No. 1, Senate Bill 211 deleted the provision exempting interest income earned on bonds from the Illinois Income Tax Act. This amendment is at the request of the Bureau of the Budget which opposes exempting bond income from the State Income Tax Act. Amendment No. 2 is simply a technical amendment that Enrolling and Engrossing had some problems with, it's simply technical. I would move to concur with Amendments 1 and 2 to Senate Bill 211.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 211 concurrence

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 211. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 211 and the bill having received the required constitutional majority is declared passed. Senate Bill 214, Senator Lemke. Senator Lemke.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 214 with House Amendment 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to concur with House Amendment No. 2. What this amendment does is limits the tax abatement for all taxing districts and shall not succeed one million dollars. That was the real intent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 214. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 214 and the bill having received the required constitutional majority is declared passed. Senate Bill 224, Senator Lemke.

SENATOR LEMKE:

Move it.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 224 with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What Amendment No. 1 does is...I move to concur with Amendment No. 1. This amendment prohibits the establishment of a regional pollution control facility for the use of garbage transfer stations which is less than a thousand feet from a residential property. I think it's a good amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 224. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 224 and the bill having received the required constitutional majority is declared passed. Senate Bill 254, Senator Luft. Senator Luft.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 254 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I move to nonconcur in House Amendment No. 1 to Senate Bill 254.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves to nonconcur in House Amendment No. 1 to Senate Bill 254. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 259, Senator Bloom. Senate Bill 263, Senator Demuzio.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 263 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I would move to nonconcur with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves to nonconcur in House Amendment No. 1 to Senate Bill 263. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 290, Senator Demuzio.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 290 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Amendment 1 deleted everything...it amends the Crime Victim's Compensation Act. I think...Senator Schuneman, I think, raised some questions in the Senate Executive Committee that...along these lines and I think that this answers his question. It specifies that students may be reimbursed for tuition paid if they're unable to attend school as a result of the crime that was perpetrated against them. This was a...as a result of a constituent that...whose daughter was raped and, as a consequence, was not able to recover tuition because she was enrolled in...college at the time. This also would allow for medical reimbursement for the medical examination which is currently not in the Crime Victim's Compensation Act and deletes the two hundred dollar deductible for all claims. I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Would the sponsor respond to some questions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR SCHUNEMAN:

Senator, I don't have my analysis in front of me and...but I have talked to our staff about this. Have you...have you removed the two hundred dollar threshold now from everything in this...in...in the crime victim's recovery?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Demuzio.

SENATOR DEMUZIO:

House Amendment 1 did, in fact, delete the two hundred dollar deductible for all claims.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

...and you're moving to concur in that action? Well,...you know, it...I think that we're doing the wrong thing here. The Crime Victim's Act is intended to provide reimbursement to people for serious losses as a result of being victims of crime, and I have no problem with that, I think it's a good idea, but it, in effect, is...is a form of insurance coverage. The premiums for those coverage are being paid by all the taxpayers of the State. Now, if we...I think that the mistake that's being made here is to remove the threshold and I objected to that when the bill was in the House...or in the Senate in its original form, and we had some thresholds that remained, as I recall it, when it left the Senate. Now, all the thresholds have been removed and I think that what we're doing here is going to be increasing the numbers of claims and probably paying money to people who have relatively small damages and perhaps not had enough to take care of the...of the major injuries. The other thing I want to point out is that apparently this now applies, that is, you can collect for damages for loss of wages, plus all

medical expenses, plus the loss of any tuition that you've paid without any kind of deductible, and I think that's moving in the wrong direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Was that a question, Senator Schuneman? Senator Schuneman.

SENATOR SCHUNEMAN:

That...that was a speech, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Demuzio may close.

SENATOR DEMUZIO:

First of all, it...it will...will not increase the number of claims because of the nature of the Crime Victim's Act itself. I think, Senator Schuneman, that it only allows reimbursement for medical examination. It does delete the two hundred million dollar...I mean,...the...the two hundred million...the two hundred dollar deductible for all claims. At that level, the Attorney General's Office estimates that that would cost a hundred and eighty-seven thousand dollars, and that the Attorney General's Office has informed us that they will begin receiving 1.2 million in Federal funds for the Crime Victim's Compensation Act and this addition of the Federal money would offset any additional expenses that would be incurred as a result of the concurrence of House Amendment 1, and I would move adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 290. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 290 and the bill having received the required constitutional majority is declared

passed. House Bill 295, Senator Marovitz...Senate Bill 295, Senator Marovitz.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 295 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur in House Amendment No. 1 to Senate Bill 295. It is merely technical in nature, adds a comma, clarifies the original intent of the bill. No substantive changes whatsoever and I would ask for a concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 295. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 295 and the bill having received the required constitutional majority is declared passed. The Chair would like to recognize one of our colleagues from the House and the ex-commissioner...one of the ex-CTA chairmen and the...now the chairman or commissioner in the Sewer Department for the City of Chicago, Eugene Barnes. Senator Vadalabene, for what purpose do you arise? Senator...Senator Dunn with Senator Vadalabene.

SENATOR DUNN:

Right. Thank you, Mr. President and members of the Senate. I'd like to...matter of personal privilege to introduce a group from the DuQuoin Boy's Club who are sitting back here in the Democrat side of the gallery and are friends of mine from DuQuoin. Would you rise and say hello.

SB 299 Concurrence

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. We're glad to have them on the Democratic side as we are to have you, Senator Dunn. Senate Bill 296, Senator Mahar. Senate Bill 297, Senator Watson. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. Could I have leave to come back to this later? We're trying to work out this amendment. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll just...we'll just skip it. Senate Bill 299, Senator Berman.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 299 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. I...took this out of the record yesterday, Mr. President, because there was a question as to whether the House amendment deleted everything else in the bill. It...it does not. The bill is the same as it left here except, in addition, it provides for a home/health agency to have a lien for...if any of its recipients of services are involved in an accident allows for a home/health agency lien. I move the concurrence on House Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No. 1.

SENATOR BERMAN:

No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 299. Those in favor will vote Aye. Those opposed vote Nay. The

voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 299 and the bill having received the required constitutional majority is declared passed. Senate Bill 341, Senator Geo-Karis.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 341 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment 1 from the House reduces to a Class 3 penalty for the...for reckless homicide and I accept the amendment and I move the concurrence of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 341. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 341 and the bill having received the required constitutional majority is declared passed. Senate Bill 343, Senator Netsch.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 343 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The basic bill made it clear that the chief judge did not have to...get the advice and consent of the circuit judges in the appointment of court reporters, that is consistent with the Illinois Constitution.

The amendment that was put on in the House authorized the chief judge of each circuit to employ an assistant...an administrative assistant whose salary would be determined by the Supreme Court and paid under...under a schedule to be established by the director of the administrative office, and it sets out the qualifications that may be taken into account in setting that salary schedule and provides that its maximum cannot exceed the maximum for full-time official court reporters. This is something that the Supreme Court had requested and as, indeed, the basic bill was also. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER;

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WEAVER:

Senator Netsch, what is the appropriation in the appropriation bill to the Supreme Court to pay these salaries?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I really cannot answer that question. I think it...I don't assume it's a separate line item appropriation, but I would have to consult with the appropriation staff to make sure that that was so. That is, I don't think every category of employee is separately line itemed in the Supreme Court's appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Wouldn't there be a category there for these positions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, I did not hear that question. I was trying to get a...a more accurate answer to your first question. Would you repeat it, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I say, wouldn't there be a separate category in...for their...in the appropriation bill to pay these salaries and what do you estimate them to be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, Senator Carroll is indicating to me that there probably is a separate appropriation or will be a separate line item. This is really the replacement for the administrative secretary. The...the title is being changed and the duties confirmed. So, if there is an appropriation for administrative secretaries, then there will be an appropriation for the administrative assistants...and just a moment, I'll see if I can find out the amount. Senator Carroll...says his recollection is that there is a provision for nineteen such positions in the appropriation as it stands at the moment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WATSON:

Is this the same thing as House Bill 171 that was pre-

sented prior to...this particular date and was actually put on consideration postponed and we had some problems with a...a cap and now do we have a cap?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, I think it is substantially if not identically the same. There is a cap which I will read to you. "The maximum salary for administrative assistants shall be same as the maximum salary presently established and hereafter established from time to time for full-time official court reporters in Section 8 of the Court Reporters Act." So, there is, in fact, a cap that is in this version of the authorization.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I'm sorry, but I didn't hear what you said. I had a couple of conversations going on here at once. Would you repeat...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock wishes to get involved.

SENATOR ROCK:

One of the things we're going to have to do, if it's necessary, is get the staff off the Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's break up the...conferences. Senator Poshard and O'Daniel. Let's break up the conferences. Senator Netsch.

SENATOR NETSCH:

...I'm sorry, do you want me to answer the question again, Senator Watson? It is very similar if not close to being identical to House Bill 171, you are quite correct. There is, however, a cap in this amendment and to be honest, I'm not sure whether...there was one in House Bill 171 and I

will read you the cap, that's what I was reading before. "The maximum salary for administrative assistants shall be the same as the maximum salary presently established and hereafter established from time to time for full-time official court reporters in Section 8 of the Court Reporters Act." So, there is, in fact, a cap.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Then what is that cap? What are the court reporters currently being paid?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

The range is six thousand to thirty-three thousand two-fifty. So, the cap would be thirty-three thousand two-fifty.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

What?...Yes,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you. Now, what is the administrative...secretary currently receiving? What is their maximum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...fifty...fifty dollars per diem, eighteen thousand cap.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

So, we're talking about going then from eighteen thousand

to possibly thirty-seven thousand dollars...as a cap.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, the...the current cap for court reporters is thirty-three thousand two-fifty, and that would be the current cap for the administrative assistants. Now that is the maximum, obviously, that is not the amount which they will inevitably be adjusted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I understand that. We did pass out House Bill 312. Are you familiar with...with that particular piece of legislation and the amendments on it that raised the court reporters to thirty-six thousand two hundred and fifty dollars beginning July 1 of '87? Are you familiar with that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, I knew they had raised their maximum salary at some point, but its not current though, and I think...it's not this year, if I recall correctly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, it takes effect July 1st of '86. It's...it's phased in over a two-year period and then, finally, July 1 of '87 it reaches that particular point. Well, let...to the issue, we've attempted to beat down the...the salary increases of local officials who really aren't even asking for anything near what the point of this particular legislation is. Some of these people are going to go from eighteen thousand...if I'm correct in what you have said, from

eighteen thousand possibly to...to over thirty thousand dollars in...in simply one particular stroke of a pen. I just don't know if this is...it...it certainly isn't a good idea and I don't know what these people do. They're probably very competent but for...for us to raise it at that level and at that amount of increase, I think is a...a bad idea, especially since it's going to come out, of course, of...of State dollars in...in our particular treasury, and I just think a No vote would be appropriate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I will just be very brief because the point has been made. We've defeated this particular bill once and I think twice, I can remember once distinctly. I believe we...and...and probably twice, it would be nice to do it a third time. This would be a cap of thirty-seven thousand dollars for the personal secretary of the chief judge, which is a little more than we pay our secretaries and I think ours probably do a better job. I would ask for a No vote 'cause we've defeated it before and it doesn't belong here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Well, thank you, Mr. President. Senator Keats is right in that we have had an opportunity to vote on this good piece of legislation on two previous occasions. The first time there was no cap and there was a lot of opposition from the other side of the aisle saying we have to have a cap. That bill was on postponed consideration. We next had an amendment that had the same bill and that time we had a cap and we were unsuccessful on that occasion. This is the third time we've had this good piece of legislation and I'd like to

point out to the other side of the aisle, this affects twenty people...twenty people, and most of them are Republicans, appointed by a Republican judge to help the Republican Party in one way or another. I don't know how you operate that, but I'm sure there is some assistance to the Republican Party. We're just trying to help your people. We're just trying to help these administrative secretaries over there so you can be stronger in downstate and rural counties and I don't know why you're fighting your own people. I know some of you received some calls from some of the constituents there because a lot of your constituents are for this good legislation. This isn't a Cook County bill. This isn't a Chicago bill. This is a good bill to help downstate Republicans and I'd solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to concur, and let me just remind everybody, I...I was, frankly, baffled when the...when the legislation didn't originally pass. We have traditionally honored the requests of the constitutional officers as we have this year when the Secretary of State came marching in here requesting all kinds of new positions at some salary as yet undetermined, and this is a request from the Illinois Supreme Court saying that the Supreme Court wishes to set the salary of the administrative assistant to the chief judge of a circuit, and whether the Supreme Court will set it at thirty-seven thousand or whatever the cap is that we now are imposing, thirty-three at the moment,...what...I don't understand the...the rationale for the opposition. The constitutional officers have the right to set the salary scales of all their employees. We do not from time to time tell the Governor what he may or may

not...afford his administrative assistants, of whom they are legion, we do not tell the Secretary of State, we do not tell the Attorney General, we do not tell the...the Treasurer and the Comptroller. Why are we trying to...thwart the Supreme Court? I...I just...this...this one baffles me. Unless somebody has some particular individual in some particular chief judge's office, the...the salary is to be determined by the Supreme Court, it's not an automatic pay increment, it simply is not, and I think it's a legitimate request, a request that, frankly, the court has made before and...and we ought to honor that request. I would move to concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I fully concur with Senator Rock's comments. The Supreme Court is not going to give the...the cap...the top cap to these administrative officers...they're going to use their best judgment, but this affects all the districts except Cook County and every chief justice from every district outside of Cook County would like to see this done. They...these people have not had a raise for about five years and I think it's time that we do implement it the way the Supreme Court suggests and, furthermore, they're not going to go hog wild, I'm sure, and give the top cap to everyone. I think it's a good bill and I move for its concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, for a second time.

SENATOR KEATS:

I apologize for rising a second time, but the President of the Senate asked a question for which...if you'd like, I'd be glad to answer. There's several reasons why and I think...the most important being one, the job specification.

We're setting a cap of thirty-seven thousand dollars a year in two increments, you're right, it goes...I think, thirty-two something and then to thirty-seven, for a position that really, to be quite frank, is a secretary. Now, I personally want to pay my secretary that 'cause she does a heck of a job, but just between us, we aren't allowed to it. The second one being, the Supreme Court does not allow us to audit funds they collect...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock. Senator Rock.

SENATOR ROCK:

Point of order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ROCK:

The fact of the matter is, the...the job spec. for these people is not that of a secretary and...and those who understand the administration of the court system fully ought to understand that, that's simply inaccurate and that's the second time you've said that. The first time you got away...away with it. That's simply not accurate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

There are those who disagree with you who also work with the court system, but I'll move on to the second point 'cause it's a point of disageement with other people who work in that court system. The other problem is the Supreme Court has substantial funds that they extract from attorneys who practice for them that they will not let us audit. It is to be our position as a Legislature to set salaries and we should be aware of these funds. If the Supreme Court wishes to extract money from people just for the right of practicing in front of them, and the Auditor General of this State can't

audit it, we have to be very careful in terms of that kind of judgment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Then get me an audit of the medical society, too, will you, please? That's the Attorney Registration and Disciplinary Commission, it has not one whit to do what this bill or anything else we're about today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may close.

SENATOR NETSCH:

Senator Keats, just be quiet a moment. I happen to be on your side on the audit thing. I think we should have been able to do that, but that is an entirely separate issue. There is a...an entire report here. Back to this issue, if we might. There is a report here in which the administrative office on behalf of the Supreme Court has set out all of the duties that are implicit in and explicit in the office of administrative assistant, that for which they are attempting to receive authorization; just briefly, calendaring, scheduling and assignments, budget preparation and fiscal control, supervision of the court reporters, jury management in most circuits, the...they are trustee of the marriage fund, they are in charge of the reports and records for the circuit, they have to keep track of all the associate judge vacancies, run the law library and so on. Now, not every duty in every single circuit but most of those in most circuits. That is not the same as just having general secretarial duties. It is an administrative position and the court has asked our help in acknowledging it as such. I would solicit concurrence in Amendment No. 1 to Senate Bill 343.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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Is...the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 343. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 20, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 343 and the bill having received the required constitutional majority is declared passed. Senate Bill 371, Senator Lemke.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 371 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to concur with House Amendment 1. What this does is...is adds a requirement that when a fellow leaves a insurance company, he works...he has five years...he gets a limited license, he's allowed to work five years with a fully...licensed public insurance adjuster. This...removes the objection of the public adjusters to the bill and I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 371. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 371 and the bill having received the required constitutional majority is declared passed. House Bill 388, Senator Dawson. House Bill 406, Senator Welch.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 406 with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment added in the House creates the position of small business utility advocate to represent, protect and promote the interest of the small business utility customer of Illinois. What the bill is to do is to make sure that the viewpoint of small businesses are represented before the Illinois Commerce Commission, Federal Communication...Commission and the Federal Energy Regulatory Commission. This bill was drafted by the Small Business Association. It's supported by the Illinois Retail Merchants Association and several other business groups. The position of small business utility advocate will be appointed by the Governor subject to approval of the Senate with a five-year term and the person eligible for reappointment. The person to qualify for this position must include the ownership or operation of a small business. Compensation for this individual is set by the Compensation Review Board which cannot be less than the salary set for the commissioners of the Commerce Commission. The duties of this individual will be to represent, protect and promote the interest of the small business utility customer and he can cooperate with the Citizen Utility Board and work with them. He is also authorized to establish a small business utility advocate's hot line and the budget for this office is to be set by the Governor in an amount sufficient to carry out the provisions of this Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR TOPINKA:

Is this like a commercial version of CUB?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This is a streamlined, thinned down kind of a one- or two-man...operation...or woman operation, designed mainly to represent small businesses which have been unrepresented before the Commerce Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Is...is there...can CUB not represent this particular group of people as well?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The...the main purpose of CUB was to protect an overall group of citizens, meaning mostly consumers. Basically this is to emphasize the small business aspect of what the Citizen Utility Board could do but is not pursuing ardently before the Commerce Commission and, in fact, the two roles may be in conflict at times, Senator. The individual consumers as opposed to small businesses may have a conflict.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

But CUB does not preclude representing these people. I mean, they could conceivably talk to CUB and be a part of CUB, could they not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The Citizen Utility Board could represent one viewpoint or the other should their board choose in areas of conflict to take a position...it...I'm not trying to evade your question, Senator, but...but it's a problem because there may be

points where they have difference of opinions and CUB has to speak with one voice, they can't come in and say we're submitting a brief for the small businesses on the one hand and on the other hand we're submitting a brief for consumers in general, so the answer isn't really yes or no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. In our analysis, Senator, it says that this person...although it says he, I will say this person that would be running this...is this advocate. Salary will be set at no less than the commissioner of the ICC, that he can hire a staff, adopt rules and accept gifts for running the office. Now, if we're going to have an advocate that's going to be getting paid no less than the commissioner of the ICC and also accepting gifts for running the office, I'd like you to define that please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, the...the definition of the position is that he is to represent small...I didn't understand it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

I'm sorry, I wasn't very clear on that. I would like to have what is accepting gifts to run the office?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I beg your pardon. This is a provision that we have been including in...in many pieces of legislation for creation of jobs, and I believe the main purpose is so that if somebody wants to make a private donation that they are not precluded

since this is a government agency from accepting the private donation. It doesn't mean a...it doesn't mean a gift to the individual who is the advocate, it means a gift in effect to the...position itself, it doesn't mean a private transfer to him or her.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Could he accept gifts from utilities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I don't believe you can, but I...I cannot find it right now, Senator,...if you'll let me look at it...but I think the answer is no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, I...I just rise in opposition to this amendment. I think that the idea of setting up this...another huge bureaucracy when we have CUB...according to our analysis, this advocate also has to communicate and cooperate with CUB and...and put out a hot line would seem to me that we could somehow or other do this in a way which is not going to put together a whole new bureaucracy, which, obviously, is going to be expensive if we're going to pay the advocate the same as the commissioner of the ICC.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch has the answer to your question.

SENATOR WELCH:

Senator Karpiel, in answer to your previous question, on...on page 5 of the amendment it says, "To accept, solicit and expend gifts, grants, appropriations and loans for the operation of this office except the advocate may not accept

gift, grants or loans directly or indirectly from any public utility."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Why thank you, Mr. President and fellow Senators. I think that this is a simply marvelous amendment. This was a bill that I carried and it's...it's for you're...I know you're new to the issue, Senator Welch, or at least new to the small business issues, it's called the National Federation of Independent Businesses and this amendment is the bill that was given to me that was defeated in your committee. So, I'm very pleased that Representative Mautino was able to affix it to this piece of legislation and I, for one, intend to support it. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I'm just using my recollection now, but can we get an agreement after this one to...to stop? I think the Attorney General has an advocate. I think the Governor has an advocate. We have CUB. Senate Bill 1021, Senator Netsch's bill, will create another general advocate. Now, we'll have a small business advocate. Are you going to suggest...advocates for the other occupational groups in the next Session?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This...this sounds like something similar to a Schaffer amendment, Senator Sommer, where we have a limit on these things. I...I have no intention to do that, no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

The...the...the practical effect of creating all these advocates is...is to create a...a lot of people saying the same thing, I suspect, in regard to utility rates, because the utilities that go the corner grocery store and that go to your house are the same, they're not differentiated, and it would seem to me that...you're...you're going to have these many advocates all with the same position.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. The only reason Senator Bloom liked this amendment because it's French.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Welch may close.

SENATOR WELCH:

Well, thank you, very much, Mr. President. I think that with all of our bill passages to help bring business into Illinois and to make sure that they're treated fairly, that this is another bill that will do just that. I think that the question of an advocate as raised by Senator Sommer is a good one. Unfortunately, we have set up advocates that are in conflict with each other, such as with the Citizen Utility Board representing consumers in general, we have to recognize that there are different brands of consumers just as there are different brands of products. We're trying to make sure that small business is not left out. Too often we have large business groups, the manufacturers representing the big guys and we've got consumer groups running...representing the small guys and these are sort of the...little guys in between, the small business operators who work for themselves, they're entrepeneurs, and we don't do a heck of a lot for, and I think it's time that we did do something for them. I think this is an excellent piece of legislation and I would

urge your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 406. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 4, 1 voting Present. The Senate does concur in House Amendment No. 4 to Senate Bill 406 and the bill having received the required constitutional majority is declared passed. Senate Bill 425, Senator Keats.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 425 with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I move that we accept House Amendment No. 4. What it does, and I'm going to be very candid, it is a pay raise for the North Shore Sanitary District. It includes Lake County only. The Lake County Senators are in favor. It also deals with one bonding thing up there. For those of you who just don't think there should be pay raises period, it's a No vote; for those who feel that the people in that area...it's the first raise since '55, it's a two thousand five hundred dollar one-time raise and they would appreciate it. Everyone from that area supports it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 425. Senator Netsch.

SENATOR NETSCH:

Is this a pay increase bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Is that not what I just said?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, it was going so rapidly and...and I think it was just a matter of disbelief on our part. So, would you mind repeating what it is you are authorizing to be increased in the way of compensation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

And would you do it slower, Senator Keats. Senator Keats.

SENATOR KEATS:

The North Shore Sanitary District which includes the Lake Shore in Lake County, goes up and the...the...the head goes from seventy-five hundred to ten thousand, the other members from five to seven thousand, so it's two thousand and it's twenty-five hundred. They run a sanitary district that is the second largest in the State of Illinois. They've not had a raise since '55. It deals with their bonds and the difference between this and...I normally vote for the pay raises, people feel that they deserve it. If people want to give them one, great; every Senator from that area happens to be in favor of it. If you're against, God bless anyway.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is one time that Senator Keats is right, and...therefore, I...I move the...the concurrence of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 425. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Take the record. On that question, the Ayes are 46, the Nays are 4, 2 voting Present. The Senate does concur in House Amendment No. 4 to Senate Bill 425 and the bill having received the constitutional majority is declared passed. Senate Bill 497, Senator Demuzio. Oh, I'm...I'm sorry, Senator Dudycz...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...for what purpose you arise?

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 497 with...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Mr. Secretary...Senator Dudycz.

SENATOR DUDYCZ:

Point of...personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DUDYCZ:

Mr. President and Ladies and Gentlemen of the Senate, Pages will soon be passing out to all the...Senators a few treats. Every Senator will be receiving some kolackys. The kolackys have been donated by Dawn Miller of St. Joseph's Bakeries of Lake County. Now this is not the first time that Mrs. Miller has donated these special treats. The first time she donated these kolackys was on election day last year when every polling place within my district received three dozen and I ask that you join me in thanking Mrs. Miller and...and Joseph's Bakeries for these donations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will she please rise and be recognized. Mr...Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 497 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I move we nonconcur with House Amendment 1 and 2 to Senate Bill 497, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves to nonconcur in House Amendments 1 and 2 to Senate Bill 497. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 499, Senator Darrow.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 499 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This is the legislation that prohibits operating a boat while inebriated. What the amendment does is reduce the penalty from a Class 3 felony to a Class 4 felony if your...and that applies if you're intoxicated and have a boating accident and kill someone. It also...in the bill that left here, we did not have any provision in for a hearing if a person refuses a Breathalyzer. That was inadvertently left out of the legislation, we put that in and, thirdly, and probably the most important part of this amendment, it clarifies the situation where someone goes down on their boat and it's in the harbor and they use it as a party boat and they drink on the boat and become intoxicated. This does not apply to them. So, it...in order to have this law apply to someone, they have to be out in the water operating the boat. As long as you're in the harbor, you can get as drunk as you want.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator Darrow, would you just explain the provision that requires...requires a blood sample to be taken from the deceased from an accident?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

I don't have the legislation up here. I believe...so I...I'll have to go from memory, but I believe that applies in a situation where there's a death, but I...I'm...as I said, I don't have the...the substantive legislation up here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Marovitz.

SENATOR MAROVITZ:

...maybe we could get the legislation, take a look at it because I...my analysis indicates that the amendment requires, mandates that a blood sample be taken from the deceased and I'm not sure...you know, deceased...would that be the driver of the boat or...or who and this is a...if...if the analysis is...is correct, it's fairly far-reaching to mandate a blood sample be taken from a deceased.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

That is...when death results from a boating accident, you would take a blood sample and it would be withdrawn by the coroner before the coroner's purposes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

So...so, does that mean that if somebody is swimming and a boat runs over them, this law would mandate that we take a blood sample of the swimmer?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

No...no, of the...of the person operating the boat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Is that what the amendment says or does it specify the operator of the boat or the deceased from an accident? Could be a skier, could be swimmer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

No, what the amendment does, the actual amendment, it states within six hours after a death resulting from a boating accident but in any case no more that twelve hours after the occurrence of a boating accident, a blood specimen of at least ten cc's shall be withdrawn from the body of the decedent by the coroner. Now let me check that because I think this referred...this relates back then to the...boat operator. That is the intention and...like I said, I don't have the specific legislation here. If you want, I'll take it out of the record and I'll go back to it. Let's do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...all right, take it out of the record. Senate Bill 521, Senator Luft. Senate Bill 537, Senator Lemke. Senator...Senator Lemke.

ACTING SECRETARY: (MR. FERNANDES)

Senate...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

...Senate Bill 537 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

We move to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke moves to nonconcur in House Amendment 1 to Senate Bill 537. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House...551.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Hold on...hold on...hold on. Is that a nonconcurrence, Senator Luft? All right. Let's...let's...page 5, Senator Luft was on the Floor...page 5, bottom of page 5, Senate Bill 521, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 521 with House Amendments Nod. 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I move to concur in House Amendments 1 and 2 to Senate Bill 521, both are technical in nature. Amendment No. 1 has a definition of equipment and tools and Amendment No. 2 has an effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall the Senate concur with House...House Amendments 1 and 2 to Senate Bill 521. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. The Senate does concur in House...Amendments 1 and 2. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I move to nonconcur in House Amendment No. 3 to Senate Bill 521.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves to nonconcur in House Amendment 3 to Senate Bill 521. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The

HB570

Secretary shall so inform the House. Page 6, 551, Senator Lemke. Mr. Secretary, 551. No? WBBM-TV has requested permission to tape the proceedings. Is leave granted? Leave is granted. 560, Senator Vadalabene...

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 560 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move to nonconcur...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene moves to nonconcur in House Amendment 1 to Senate Bill 560. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 570, Senator D'Arco. 5-7-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 570 with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Amendment 1 and 2 are amendments that we passed out of here on House bills, but they do provide that...with respect to an agent or trustee, he shall not be personally liable to third persons unless he identifies himself as such, and the other amendment is a technical amendment and I move we concur with Senate...House Amendments 1 and 2 to Senate Bill 570.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any...all right. If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 570. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 570 and the bill having received the required constitutional majority is declared passed. 571, Senator D'Arco. Mr. Secretary, 571.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 571 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Amendment 1 integrates language that was in Senate Bill 834 with regard to the commissioner of banks putting deposits into a...into a single account. I move to adopt the Conference Committee...to...to concur in House Amendment 1 to Senate Bill 571.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 571. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all vote who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 571 and the bill having received the required constitutional majority is declared passed. Senate Bill 589, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 589 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, Mr. President and members of the Senate, I move to concur in House Amendment No. 1. It puts an immediate effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 589. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 589 and the bill having received the required constitutional majority is declared passed. 623. 623, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 623 with House Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you...thank you, Mr. President and members of the Senate. I'd like to nonconcur with Amendments No. 1 and No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey moves to nonconcur in House Amendments 1 and 2 to Senate Bill 623. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so...inform the House. 629. Senate Bill 629, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 629 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would move we concur in House Amendment No. 1 and what it does is it allows the Public Works Building for Burbank...the City of Burbank which currently is incorporated in the City of Chicago. We're talking about six hundred and forty square feet and it authorizes Burbank to enact...annex this land and

AB 660 concurrence

building into their own city. It's been approved by the...by the City of Chicago and there is no objection that I know of. I would move its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to...to Senate Bill 629. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 629 and the bill having received the required constitutional majority is declared passed. 658, Senator Netsch. 6-5-8, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 658 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. Senator Netsch wasn't ready. Senate Bill 660, Senator Lechowicz. 6-6-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 660 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate do concur with House Amendment No. 2 on Senate Bill 660. Basically what they're doing is providing a cap of a million dollars maximum abatement for all taxing districts...permissively involved in this project. There was some question whether it was that type of a cap for each taxing district, just makes it all inclusive...also is recommended by DCCA and I move for its concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the

SB 665 Concurrence

Senate concur with House Amendment 2 to Senate Bill 660. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 660 and the bill having received the required constitutional majority is declared passed. 665, Senator Lechowicz...Mr. Secretary, 665.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 665 with House Amendments Nos. 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate do concur with House Amendments 1 and 3 on Senate Bill 665, both of these also are recommended by DCCA. Amendment No. 1 was requested by DCCA which was required to administer the program. The amendment deletes messages, utility tax exemptions from these incentives leaving gas and utility...electricity tax exemptions in the bill, and Amendment No. 3 was to provide a five-year jobs audit income tax credit carry-forward. Both matters were recommended by DCCA and I move that we concur in Amendments 1 and 3 on Senate Bill 665.

PRESIDENT:

All right. Senator Lechowicz has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 665. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 668...665, Mr. Secretary, and the bill having received

the required constitutional majority is declared passed. Top of page 7, on the Order of Senate...Secretary's Desk Concurrence, Senate Bill 668. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 668 with House Amendment 1.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

House Amendment 1 deleted everything after the enacting clause and made it a new bill that provided for an increase in the allowance for teacher dismissal hearing officers. The two hundred and fifty dollars per diem now would be increased to three hundred dollars. Apparently, there are...this has been to...two hundred and fifty has made it difficult to attract quality hearing officers. Lawyers, for example, who may wish to serve as hearing officers may not feel it's worth the regular day's billing in order to receive only two fifty. Increases the per diem allowance and the bill has passed by the Senate...well, this is a whole new bill. I'd ask for Concurrence No. 1 and answer any questions if there are any.

PRESIDENT:

All right. Senator Demuzio has moved concurrence. Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 668. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 668 and the bill having received the required constitutional majority is declared passed. If I can have your attention, Channel 20 has requested permission to videotape. Is leave granted? Leave is granted. Senator Macdonald, 690. On the Order of Secretary's Desk Concurrence is Senate Bill 690.

Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 690 with House Amendment No. 1.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Yes, I move to concur with House Amendment No. 1. It deletes the corporate income tax return, and while I would like to have had that in the bill, I'll take a half of loaf this time and we'll see what we can do after that. It also gives the Comptroller the authorization...for the refund rather than using the word "by mail." So I ask for your support of concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 690. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 690 and the bill having received the required constitutional majority is declared passed. 728. 7-2-8, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 728 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This is...House Amendment No. 2 represents a compromise between the Department of R & E and JCAR regarding the Occupational Therapy Act and the Medical Practices Act. I move to concur in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the

SB 734 concurrence

Senate concur in House Amendment 2 to Senate Bill 728. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 728 and the bill having received the required constitutional majority is declared passed. 734, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 734 with House Amendment 1 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendments No. 1 and 5 to Senate Bill 734. Amendment No. 1 is of a technical nature, it declares that recycled material...materials are not garbage; and Amendment No. 2 would amend the Township Waterworks System Act to permit townships to recover attorneys' fees in action to collect water or sewage service charges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 5 to Senate Bill 734. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 5 to Senate Bill 734 and the bill having received the required constitutional majority is declared passed. 745, Senator Jones. 745, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 745 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I move that the Senate concur in Amendment No...House Amendment No. 1 to Senate Bill 745. What the amendment does in essence is limit the...what the amendment does is limit the tax levy to one year in...in that bail-out plan. I move the concurrence in the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 745. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting...1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 745 and the bill having received the required constitutional majority is declared passed. 798, Senator Bloom. 798.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 798 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I'm moving that we concur with House Amendment 1 which specifies that the agency may, not shall but may, it makes the...include indemnification provisions in agreements with units of government. This basically says the issue of indemnification should be subject to negotiation. This involves the bill itself to remind you...involved water projects and intergovernmental cooperation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the

SB 800 Concurrence

Senate concur with House Amendment 1 to Senate Bill 798. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 798 and the bill having received the required constitutional majority is declared passed. 800. 800, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 800 with...House Amendments Nod. 1 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. Senate Bill 800 as it left the Senate created the Software Licensing Enforcement Act and...House Amendments 1 and 6 further limited the scope of that Act insofar as it provided that the package licensing agreement is inapplicable to custom-made soft...software, and certainly that the Act is inapplicable where a different agreement exists between the parties. No. 6 also added a provision stating that the Act intends to make no change...no change in the Federal copyright law nor in the Illinois Consumer Fraud Act. I agree with both amendments and I urge concurrence in House Amendments 1 and 6 to Senate Bill 800.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 6 to Senate Bill 800. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none...1 voting Present. The Senate does concur with House Amendments 1 and 6 to Senate Bill 800 and the bill having received the

required constitutional majority is declared passed. 825. 825, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 825 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 825 takes the proposed aggravated offense of committing or attempting to commit a forceable felony while wearing a bulletproof vest from the offense sections of the Criminal Code and lists it instead among the factors in aggravation to be considered in determining a sentence of punishment, and I move that the Senate concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the...Senate concur with House Amendment 1 to Senate Bill 825. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 825 and the bill having received the required constitutional majority is declared passed. 828. 8-2-8, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 828 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Now, I'm unclear as to whether the amendment provides the limitation that was desired. I'll seek some guidance. Do we want to...someone, and I wish could remember, from that side of the aisle said that that amendment did not provide the

kind of limitation. This...this is enabling legislation for a revolving fund, did not have the proper limitation on it but they...they didn't know whether or not. I'd like to either concur or get it in a Conference Committee, but I don't want to waste the Body's time and no one has gotten back to me. Can someone get back to me? Earth to the other side. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The...the answer is yes and...and this amendment, as I understand it, was suggested by the Comptroller's Office to accomplish the desired purpose. So, I...I would concur in a motion to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

I so move and less there be...any misunderstanding, this is to set up a revolving fund and it should not to empower somebody to start cranking a hundred thousand dollars a year or anything like that through it. So then I would move we concur in the amendment and send it on down to the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendment 1 to Senate Bill 828. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 828 and the bill having received the required constitutional majority is declared passed. 834, Senator Keats. 8-3-4, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 834 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I move to nonconcur. If you looked at your Digest, it appears they put an appropriation amendment on an administration banking bill. I move we nonconcur, we'll clean it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats moves to nonconcur with House Amendment 1 to Senate Bill 834. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 835. 8-3-5, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 835 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. I move to concur with House Amendment No. 1 to Senate Bill 835. House Amendment No. 1 to Senate Bill 835 is a clarifying amendment to only the Electronic Fund Transfer...Transmission Facility Act portion of Senate Bill 835, worked out in cooperation with the Illinois Retailer and Merchants Associations. It makes certain changes which I'd be glad to explain if anyone cares to listen, but, otherwise...I would attempt to answer questions; otherwise, I would ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 835. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

SB 844 Concurrence

the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 835 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Before the members start ordering out for lunch, it is the...our intent, I spoke with Senator Philip a little earlier, that once we reach the point at which we started which was Senate Bill 1095, we will then have a break for lunch and afford the Pages an opportunity to pass out the supplemental Calendar and be ready to go when we come back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Point of order, Mr. President. I listened to Senator Keats' explanation on Senate Bill 834 that there was an appropriation attached by the House amendment, and...either our information is...incorrect or his. According to my information, all it required was an effective date on 834. So...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, irrespective, it's gone. Senator Lechowicz.

SENATOR LECHOWICZ:

...well, my point, Mr. President, is not gone and I would...you know, I just want to make sure that...when...in the amendment is...is explained on the Floor that it's explained in its...entirety. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Keats, you'll take that admonishment as it is given. 844, Senator Dudycz. 844, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 844 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Amendment No. 1 to Senate Bill 844 is identical to the final version of House Bill 332 which has passed both Chambers. Amendment No. 1 rewrites the bill to make it unlawful to fail to report for periodic imprisonment as required by a court sentence. Currently, this is punishable only as a contempt of court, and Amendment No. 2 adds to the aggravated battery provision employees of the Department of Children and Family Services engaged in their official duties. Public aid employees already are covered and I ask that the Senate concur with House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 844. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 844 and the bill having received the required constitutional majority is declared passed. Page 7, 865, Senator Rigney. 8-6-5, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 865 with House Amendments Nod. 1, 3 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Rigney.

SENATOR RIGNEY:

Mr. President, I'd like to move for concurrence on...on Amendments 1, 3 and 4. This is a land transfer bill for Ogle County and three amendments were added on in the House. Amendment No. 1...conveyance from the Department of Conservation to the Oswego Land Park District in Kendall County.

The...Amendment No. 3 is from Central Management Services, it's the Peoria State Hospital to be conveyed to any public or private entity willing to meet the conditions of the conveyance. Amendment No. 4 is from Mental Health and Developmental Disabilities to the Galesburg Mental Health Center to the City of Galesburg. I ask for concurrence in these amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendments 1, 3 and 4 to Senate Bill 865. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none. The Senate does concur with House Amendments 1, 3, and 4 to Senate Bill 865 and the bill having received the required constitutional majority is declared passed. 882, Senator Degnan. 8-8-2, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 882 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move to not concur with House Amendment No. 1 to Senate Bill 882.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan moves to nonconcur with House Amendment No. 1 to Senate Bill 882. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 884, Senator Davidson...8-8-4, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 884...I'm sorry...Senate Bill 884 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we concur in House Amendment No. 1 to 884. It was the suggestion from the Corporate Division of the Secretary of State. It adds procedures for changing or canceling an assumed not-for-profit corporation's name. These procedures are identical to those now applicable to the business and foreign corporations assumed name.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill...884. Is...those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill...884 and the bill having received the required constitutional majority is declared passed. 893, Senator Etheredge. Senator Etheredge on the Floor?...896, Senator Bloom. 896. Senate Bill 896, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 896 with House Amendments Nod. 1 and 2...1 and 3, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you. I'm...apologize, I'm rummaging around through this goat's nest on top of my desk looking for my sheet. Okay. Right. This...first amendment specifically reserves the perpetual right or easement to the...the Department of Transportation to enter on these parcels. The bill, as you recall, was to..have little...conservation set-aside, little

natural wildlife areas. This gives the State right to go back on for construction and improvements of the Galesburg-Monmouth Freeway and it also, apparently, a member bill offered by Representative Pullen that lets the Department of Mental Health and CMS convey certain realty by quit-claim claim deed to the Zion Latvian Church in Chicago. I hear...I know of no objections, so I would move we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

The only point of inquiry is because these come through from the Executive Committee and I tried to get a copy of the appraisal on the Zion Latvian Church conveyance. Obviously, the State is getting a good hunk of money for that, but have you had a chance to look at the appraisal yourself?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

...I...I've only looked at the analysis of the appraisal and it's six hundred and eighty-seven thousand. Okay...and it's being done for fair market value.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then you've looked at the appraisal...or know something about that piece of property...I know...that sounds like a lot of money but obviously that must be a pretty valued piece of property as well, but...the department, the administration, nobody has got any problem with it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

No, they don't and I...I'm not familiar enough with the neighborhoods in Chicago to be able to question them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 896. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none...1 voting Present. The...the Senate does concur with House Amendments 1 and 3 to Senate Bill 896 and the bill having received the required constitutional majority is declared passed. 925, Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I would move that we...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait...wait...wait...Senator Carroll. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 925 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we do not concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves to nonconcur with House Amendment 1 to Senate Bill 925. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 956, Senator Smith. Senate Bill 9-5-6, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 956 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

SB 957 Concurrence

Thank you, Mr. President and members of the Senate. Amendment No. 1 to 956...Senate Bill 956, I wish to concur with. It states that...upon the strong opposition of the Department of Public Aid, Senate Bill 956 was amended to the...in committee to reflect current practice which indicated in the bill analysis. This legislation was introduced on behalf of the Healthy Mothers, Healthy Baby Coalition to ensure that poor, married couples who are expecting their first child receive necessary prenatal medical care. It is intended to overcome the limitations of current categorical programs that restrict medical assistance coverage to dependent children in single-parent households. The Department of Public Aid with this...withdrawn...they've withdrew their opposition to this bill...on Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 956. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 956 and the bill having received the required constitutional majority is declared passed. 957, Senator Joyce. 9-5-7, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 957 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do concur with House Amendment No. 1 to Senate Bill 957. The House amendment provides that a retailer can be liable for the charge in those situations

where he has knowledge or should have known that the check would be dishonored upon presentment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 957. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 957 and the bill having received the required constitutional majority is declared passed. 970, Senator Lemke.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoa...993, Senator Barkhausen. 9-9-3, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 993 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we concur in House Amendment 1 to Senate Bill 993. This particular bill puts restrictions on the granting of court supervision to those who have been convicted of reckless driving. The original bill not only put restrictions on supervision but also restricted plea bargaining, and we agreed to a House amendment which somewhat dilutes the bill, but I think it's still worthwhile...as is and I would, therefore, move to concur in House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 993. Those in favor vote Aye. Those opposed vote Nay. The voting

S.B. 1037 Nonconcur

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 993 and the bill having received the required constitutional majority is declared law. 1004, Senator Joyce. 1004, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1004 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Is that mine? I will nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves to nonconcur with House Amendment 1 to Senate Bill 1004. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senate Bill 1010, Senator Carroll. 1021, Senator Netsch. Page 9, 1037, Senator Netsch. Senator Netsch indicates she is ready. Senate Bill 1037, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1037 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move to nonconcur in House Amendment No. 1 to Senate Bill 1037 and if I might take just a moment to explain what we are doing with this bill. Senate Bill 1037, cosponsored by Senator Etheredge, is the major property tax cycle reform bill. We have had numerous meetings, everyone agrees it ought to be done and it ought to be done this year, but there are several problems that even to date we have not been able to work out, one of them

involving the affect on both the Chicago school district and on several other high growth, high enrollment school districts, and so the agreement among everyone is that we will get this bill into a Conference Committee. I will refuse to concur in this amendment, the...the House will refuse to recede and request a Conference Committee and we will let the bill sit on the Calendar on Conference Committee, and see if we can successfully address those remaining problems before we come back in the Fall. That is just an explanation so that no one will get up...concerned about any intent to pass the bill without having addressed those problems. We have no intention of doing that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves to nonconcur with House Amendment 1 to Senate Bill 1037. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1052, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1052 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, I move to concur in House Amendment No. 1 to 1052. This language made it clear that it was certified mail with a return receipt requested. There was some ambiguity about whether the return receipt...was requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1052. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to

SB 1056 Concurrence

Senate Bill 1052 and the bill having received the required constitutional majority is declared passed. 1055. 1055, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1055 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

(Machine cutoff)...very much, Mr. President. House Amendment No. 1 to Senate Bill 1055 is a...is an amendment that we added over in this Chamber some days ago to House Bill 2115. It...is exactly the same and it calls for the...State Board of Education shall annually...and complete an audit to be made of the operation of regional superintendent of schools. I would move for the concurrence of House Amendment No. 1 to Senate Bill 1055.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 1055. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1055 and the bill having received the required constitutional majority is declared passed. 1056, Senator Maitland. 1056, Mr...Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1056 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 2 to Senate

SB 1077 Concurrence

Bill 1056 does a number of things that I...that I agreed with, there are seven in number. I would be happy to...to go down the list, I believe they're noncontroversial. I would move the concurrence. If anyone has any question, I'd be happy to respond.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 2 to Senate Bill 1056. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 1056 and the bill having received the required constitutional majority is declared passed. 1077...Mr. Secretary, 1077.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1077 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I would move that we nonconcur with House Amendment No. 1 and 2 to Senate Bill 1077.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves that the Senate nonconcur in House Amendments 1 and 2 to Senate Bill 1077. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would move that the Senate now stand in Recess until the hour of two o'clock, at which time when we come back there will be a supplemental Calendar which we will attempt again to go through to conclude today's work. If I'd ask everybody to get some lunch and answer your

phone calls and be back here at two o'clock sharp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, I would like to be shown as a cosponsor of Senate Bill 734.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene seeks leave of the Body to be added as a cosponsor to Senate Bill 734. Is leave granted? Leave is granted. So ordered. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President, I'd like to be shown as a cosponsor of Senate Bill 406.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis seeks leave of the Body to be added as a cosponsor of Senate Bill 406. Those...is leave granted? Leave is granted. So ordered. Senate...Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I've been aiming to do this for the past couple of days, I do have the Independence Day suggested address for anyone who wants to...has to give an address on Independence Day. You can come over and get them at my desk, they're going like hot cakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...the Senate will stand in Recess till the hour of two o'clock.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. (Machine cut-off)...resolutions.

SECRETARY:

Senate Resolution 415 offered by Senator Jones, it's congratulatory.

And, Senate Resolution 416 offered by Senator Rock and it's congratulatory.

And, Senate Joint Resolution 82 offered by Senator Vadalabene and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 83, by Senator Vadalabene.

PRESIDENT:

Executive. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to the following House bills with Senate amendments:

House Bill 48 with Senate Amendment 1.

54, with Senate Amendment 1.

66, with Senate Amendment 1.

204, with Senate Amendment 1.

275, with Senate Amendment 1.

312, they concurred in Amendment No. 1 and refused to concur in Amendment No. 2.

514, they refused to concur in Amendment No. 1.

851, Amendments 1 and 2.

...1517, Amendments 1 and 2.

1850, Senate Amendment 1.

1961, Senate Amendment 1.

1977, Senate Amendment 1.

2276, Senate Amendment 2.

2418, Senate Amendment 1.

2421, Senate Amendments 1 and 2.

2437, Senate Amendment 2.

2440, Senate Amendment 1.

2444, Senate Amendment 1.

PRESIDENT:

All right. I'd direct the members' attention to the Supplemental No. 1 Calendar. You take a look at Supplemental No. 1, in order to expedite the flow of paper, we will begin on page 5 on the Order of Secretary's Desk Concurrence on Supplemental Calendar No. 1. The Order of Secretary's Desk Nonconcurrence, page 5, Supplemental Calendar No. 1. The motions...the alternatives are to refuse to recede and ask that a Conference Committee be appointed or the sponsor may move to recede at which point we are at final passage stage. All right. The hour of two o'clock having come and gone, the Senate will come to order. Supplemental Calendar No. 1. With leave of the Body, we'll turn to page 5, on the Order of Secretary's Desk Nonconcurrence. The motion is to refuse to recede and ask for a Conference Committee or to present a motion to recede at which point we are at final passage. Senator Berman.

SENATOR BERMAN:

As to House Bill 90, I would just ask for leave to be...come back to it after discussion with leadership.

PRESIDENT:

That request...is in order. House Bill 123, Senator Dawson. House Bill 150, Senator Hall. Mr. Secretary.

SECRETARY:

House Bill 150 with Senate Amendment 1.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen. I refuse to recede and ask that a Conference Committee be appointed.

PRESIDENT:

Senator Hall moves that the Senate refuse to recede from the adoption of...Senate Amendment No. 1 to House Bill 150 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 231, Senator Lemke. We're on page 5 on the Supplemental Calendar, House Bill 231, Mr. Secretary.

SECRETARY:

House Bill 231 with Senate Amendments 3 and 4.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move to...not recede and ask for a Conference...

PRESIDENT:

Senator Lemke has moved that the Senate refuse to recede from the adoption of Senate Amendments 3 and 4 to House Bill 231 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 269, Senator Lemke. Mr. Secretary, on the Order of Secretary's Desk Nonconcurrence is House Bill 269.

SECRETARY:

House...House Bill 269 with Senate Amendment 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Hold that a minute.

PRESIDENT:

316, Senator Sangmeister...344, Senator Barkhausen. On the Order of Secretary's Desk Nonconcurrence, House Bill 344. Mr. Secretary.

SECRETARY:

House Bill 344 with Senate Amendment 1.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I ask that we refuse to recede from Senate Amendment 1 and request that a Conference Committee be appointed.

PRESIDENT:

Senator Barkhausen has moved that the Senate refuse to recede from...Senate Amendment No. 1 to House Bill 344 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 360, Senator Sangmeister. On the Order of Secretary's Desk Nonconcurrence is House Bill 360. Mr. Secretary.

SECRETARY:

House Bill 360 with Senate Amendment No. 1.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Motion is to refuse to recede and ask for a Conference Committee.

PRESIDENT:

Senator Sangmeister moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 360 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 431, Senator Maitland. (Machine cut-off)...497, Senator Donahue. On the Order of Secretary's Desk Nonconcurrence is House Bill 497. Mr. Secretary.

SECRETARY:

House Bill 497 with Senate Amendments 1, 2 and 3.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Before I make my motion, is it proper to add Senator Friedland as a hyphenated cosponsor?

PRESIDENT:

That motion...that...with leave of the Body, that motion is in order...the lady seeks leave to add Senator Friedland as a cosponsor. With leave of the Body, without objection. So ordered. Senator Donahue.

SENATOR DONAHUE:

Thank you. I would move to not recede from House Amendments...or Senate Amendments 1, 2 and 3.

PRESIDENT:

All right. Senator Donahue has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 497, that a Conference Committee be appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Secretary's Desk nonconcurrence is House Bill 563, Mr. Secretary.

SECRETARY:

House Bill 563 with Senate Amendment 1.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you. I move to not concur and refuse to recede and ask that a Conference Committee be...

PRESIDENT:

Senator D'Arco has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 563 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)..the Order of Secretary's Desk Nonconcurrence, Senator Philip on House Bill 567. Mr. Secretary.

HB571 Refuse to Recede

SECRETARY:

House Bill 567 with Senate Amendments 1 and 3.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I refuse to recede and suggest a Conference Committee be appointed for the purpose to Build Illinois.

PRESIDENT:

...Senator Philip has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 3 to House Bill 567 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrence, on page 6,..top of page 6 on Supplemental Calendar No. 1, is House Bill 570. Mr. Secretary.

SECRETARY:

House Bill 570 with Senate Amendments 1, 3, 5, 6, 8 and 9.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move we...Senate nonconcur with Amendments 1, 3, 5, 6, 8 and 9 and that a Conference Committee be appointed.

PRESIDENT:

All right. Senator Philip has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 3, 5, 6, 8 and 9 and that a Committee on Conference be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 571, Senator Hall. On the Order of Secretary's Desk Nonconcurrence is House Bill

571. Mr. Secretary.

SECRETARY:

House Bill 571 with Senate Amendment 1.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I refuse to recede on Senate Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

Senator Hall has moved that the Senate refuse to recede from Amendment No. 1 to House Bill 571 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 692, Senator Nedza. Well, we could just leave it. All right. 809, Senator Poshard. On the Order of Secretary's Desk Nonconcurrence is House Bill 809. Mr. Secretary.

SECRETARY:

House Bill 809 with Senate Amendment No. 1.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to recede from Senate Amendment No. 1 to House Bill 809.

PRESIDENT:

Senator Poshard has moved that the Senate refuse to recede...I beg your pardon...House Bill 809, Senator Poshard has moved that the Senate recede from Senate Amendment No. 1. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to recede from Senate Amendment 1 on the basis of the Representative in the House asking us to do

this. Senate Amendment 1 limited the river conservancy districts which would be able to participate in issuing industrial revenue bonds to one conservancy district in the State.

PRESIDENT:

All right. Senator Poshard has moved that the Senate recede from Amendment No. 1 to House Bill 809. Any discussion? Senator Keats.

SENATOR KEATS:

Hang on a second, could I ask for a two second pause here? We're taking off the amendment that limited it to Rend Lake. Whose...what's going on? I...'cause I thought that we had an agreement that this was what we were going to do. What's...what's going on?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Keats, the only thing I can tell you is that the House Representative has moved in this direction and I...

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay, now...now wait a minute here, the...the House does not like the Senate amendment and...I...I mean, talking to Representative Rea, I thought we all agreed on this. I mean, just sort of let me in on the program because, boy, that's a awfully wide bill without that amendment.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I change the motion, I refuse to recede and ask for this to go a Conference Committee.

PRESIDENT:

All right. Senator Poshard has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1

to House Bill 809 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All...opposed say Nay. The motion carries and the Secretary shall so inform the House. 879, Senator Degnan. On the Order of Secretary's Desk Nonconcurrence is House Bill 879. Mr. Secretary.

SECRETARY:

House Bill 879 with Senate Amendment No. 1.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move the Senate refuse to recede from the adoption of Senate Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

All right. Senator Degnan has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 and that a Conference Committee be appointed. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 971, Senator Barkhausen. On the Order of Secretary's Desk Nonconcurrence is House Bill 971. Mr. Secretary.

SECRETARY:

House Bill 971 with Senate Amendments 1 and 2.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I recommend that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 971 and request that a Conference Committee be appointed.

PRESIDENT:

All right. Senator Barkhausen has moved that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill

971 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1027, Senator Welch. On the Order of Secretary's Desk Nonconcurrence is House Bill 1027. Mr. Secretary.

SECRETARY:

House Bill 1027 with Senate Amendments 1, 2 and 3.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move that the Senate refuse to recede from Amendments 1, 2 and 3 and ask that a Conference Committee be appointed.

PRESIDENT:

All right. Senator Welch has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 1027, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1037. On the Order of Secretary's Desk Nonconcurrence is House Bill 1037. Mr. Secretary.

SECRETARY:

House Bill 1037 with Senate Amendments 1, 2, 5, 6 and 8.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I would...would move that the Senate refuse to recede from Senate Amendments 1, 2, 5, 6 and 8 and ask that a Conference Committee be...

PRESIDENT:

All right. Senator Maitland has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 5, 6 and 8 to House Bill 1037, that a Conference Committee be

appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...the Order of Secretary's Desk Nonconcurrence is House Bill 1038. Mr. Secretary.

SECRETARY:

House Bill 1038 with Senate Amendments 1 and 2.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr. President. I move to...refuse to recede and that a Conference Committee be appointed.

PRESIDENT:

All right. Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1038 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The motion carries and the Secretary shall so inform the House. 1103, Senator Lemke. On the Order of Secretary's Desk Nonconcurrence is House Bill 1103. Mr. Secretary.

SECRETARY:

House Bill 1103 with Senate Amendment No. 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move not to recede from Senate Amendment 1 and ask for a Conference Committee.

PRESIDENT:

Senator Lemke has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1103 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries

and the Secretary shall so inform the House. Senator Joyce on 1109. 1182, Senator Lemke. On the Order of Secretary's Desk Nonconcurrence, top of page 7, is House Bill 1182, Mr. Secretary.

SECRETARY:

House Bill 1182 with Senate Amendment No. 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move not to recede and ask for a Conference Committee.

PRESIDENT:

Senator Lemke has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1182 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Berman on 1188. Top of page 7. Senator Degnan on 1249. On the Order of Secretary's Desk Nonconcurrence is House Bill 1249, Mr. Secretary.

SECRETARY:

House Bill 1249 with Senate Amendment 1.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1249, ask a Conference Committee be appointed.

PRESIDENT:

Senator Degnan has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1249, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrence is House Bill 1188.

HB 1279 Nonconcurrence

Mr. Secretary.

SECRETARY:

House Bill 1188 with Senate Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to...that we refuse to recede and that a Conference Committee be appointed.

PRESIDENT:

Senator Berman has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1188 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrence is House Bill 1279, Mr. Secretary.

SECRETARY:

House Bill 1279 with Senate Amendment 1.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I move the Senate refuse to recede from House Amendment No. 1 and ask that a Committee on Conference be convened.

PRESIDENT:

All right. Senator Nedza has moved that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 1279 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1285, Senator Weaver. On the Order of Secretary's Desk Nonconcurrence is House Bill 1285, Mr. Secretary.

SECRETARY:

House Bill 1285 with Senate Amendment 1.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Move that the Senate refuse to recede in Senate Amendment No. 1.

PRESIDENT:

Senator Weaver, I'm sorry.

SENATOR WEAVER:

...no...refuse to...recede, Mr. President.

PRESIDENT:

All right. Senator Weaver has moved to refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1285 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 1292, Senator Berman. On the Order of Secretary's Desk Nonconcurrence is House Bill 1292, Mr. Secretary.

SECRETARY:

House Bill 1292 with Senate Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. I move that we refuse to recede and that a Conference Committee be appointed.

PRESIDENT:

Senator Berman has moved that we refuse to...Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 1292 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. Senator Netsch on the Floor? 1412, Senator Darrow. On the Order of Secretary's Desk Nonconcurrence is House Bill 1412, Mr. Secretary.

SECRETARY:

House Bill 1412 with Senate Amendment No. 1.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I move we refuse to recede and that a Conference Committee be appointed.

PRESIDENT:

Senator Darrow has moved that the Senate refuse to recede from the adoption of...Senate Amendment No. 1 to House Bill 1412 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1544, Senator Demuzio. Senator Demuzio...all right. Mr. Secretary, on the Order of Secretary's Desk Nonconcurrence, House Bill 1544.

SECRETARY:

House Bill 1544 with Senate Amendment No. 1.

PRESIDENT:

Senator Demuzio moves that the Senate refuse to recede from the adoption of...Senate Amendment No. 1 to House Bill 1544 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Vadalabene on 1552. On the Order of Secretary's Desk Nonconcurrence is House Bill 1552, Mr. Secretary.

SECRETARY:

House Bill 1552 with Senate Amendments 1 and 3.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I refuse to recede and request a Conference Committee.

HB 1769 Nonconcurrence

PRESIDENT:

Senator Vadalabene moves that the Senate refuse to recede from the adoption of Amendment Nos. 1 and 3 to House Bill 1552 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrence is House Bill 1641, Mr. Secretary.

SECRETARY:

House Bill 1641 with Senate Amendment No. 1.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate refuse to recede from Senate Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

All right. Senator Maitland has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1641, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Netsch. Senator Philip on 1769. All right. On the Order of Secretary's Desk Nonconcurrence, Mr. Secretary, House Bill 1769.

SECRETARY:

House Bill 1769 with Senate Amendment No. 2.

PRESIDENT:

Senator Philip moves that the Senate refuse to recede from the adoption of Amendment No. 2 to House Bill 1769 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House.

Senator Hudson on 1947. On the Order of Secretary's Desk Nonconcurrence is House Bill 1947, Mr. Secretary.

SECRETARY:

House Bill 1947 with Senate Amendment No. 1.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

I move to nonconcur and a Conference Committee.

PRESIDENT:

All right. Senator Hudson has moved that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 1947 and that a Conference Committee be appointed. All in favor of the motion indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrence is House Bill 1970, Mr. Secretary.

SECRETARY:

House Bill 1970 with Senate Amendment No. 1.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we not recede from Senate Amendment No. 1 to House Bill...1970 and ask for a Conference Committee.

PRESIDENT:

Senator Davidson has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1970 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2103, Senator Lemke. On the Order of Secretary's Desk Nonconcurrence is House Bill 2103, Mr. Secretary.

SECRETARY:

House Bill 2103 with Senate Amendment No. 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move that we refuse to recede, ask for a Conference Committee.

PRESIDENT:

Senator Lemke has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 2103 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2113, Senator Karpiel. On the Order of Secretary's Desk Nonconcurrence is House Bill 2113, Mr. Secretary.

SECRETARY:

House Bill 2113 with Senate Amendment No. 1.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to not recede from Senate Amendment No. 1 to House Bill 2113 and request that a Conference Committee...be appointed.

PRESIDENT:

Senator Karpiel has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2113, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Sangmeister on 2426. Bottom of page 8 on Supplemental No. 1, on the Order of Secretary's Desk Nonconcurrence is House Bill 2426, Mr. Secretary.

SECRETARY:

House Bill 2426 with Senate Amendments 1, 2 and 3.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Refuse to recede from the Senate amendments.

PRESIDENT:

All right. Senator Sangmeister has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 2426 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. A couple of members have indicated that they are now ready to proceed. On the same order of business, we'll return to page 5, House Bill 123, Senator Dawson. On the Order of Secretary's Desk Nonconcurrence, top of page 5, is House Bill 123. Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

House Bill 123 with Senate Amendment 1.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I wish to not to recede from amendment to...House Bill 123.

PRESIDENT:

All right, Senator Dawson has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 123 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 269, Senator Lemke. On the Order of Secretary's Desk Nonconcurrence, Senate Bill 269, Mr. Secretary.

SECRETARY:

House Bill 269 with Senate Amendment No. 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I removed...not to recede and ask for a Conference Committee.

PRESIDENT:

All right, Senator Lemke has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 269, that a Committee on Conference be appointed. Those in favor indicate by saying Aye. Those opposed Nay. The motion carries and the Secretary shall so inform the House. 316, Senator Sangmeister. 431, Senator Maitland. On the Order of

HB 1109 Nonconcurrence

Secretary's Desk Nonconcurrence is House Bill 431, Mr. Secretary.

SECRETARY:

House Bill 431 with Senate Amendment No. 1.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move the Senate refuse to recede from Senate Amendment No. 1 and ask for a Conference Committee.

PRESIDENT:

Senator Maitland has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 431 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries. The Secretary shall so inform the House. Top of page 7, Senator Jerome Joyce, 1109. Supplemental Calendar, top of page 7. On the...on the Order of Secretary's Desk Nonconcurrence, House Bill 1109, Mr. Secretary.

SECRETARY:

House Bill 1109 with Senate Amendment No. 1.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

I would refuse to recede.

PRESIDENT:

Senator Joyce has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1109 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries. Secretary shall so inform the House. All right, while we're awaiting the arrival of the Supplemental Calendar, which the Secretary informs me will contain additional House bills with Senate amendments on the Order of Nonconcurrence, Senator Zito has a

motion he wishes to place. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I did receive an answer to my question pertaining to Senate Bill 1103; therefore, I would move to reconsider the vote by which a motion of nonconcurrence to House Amendment No. 1 to Senate Bill 1103 was cast.

PRESIDENT:

All right. Senator Zito having voted on the prevailing side has moved to reconsider the vote by which the motion to nonconcur with House Amendment No. 1 to Senate Bill 1103 prevailed. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. We're now back on the Order of Concurrence. (Machine cutoff)...return to the Order of Secretary's Desk Concurrence. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

While we're waiting...whatever we're going to do next, I have filed with the Secretary a resolution which tries to recognize the achievement of one of our members here. Is that up there? Well, I could...I could...could...

PRESIDENT:

Appears there is some delay with respect to the printing of the Supplemental Calendar. It has only sixteen items on it. I'm sure we can handle that with some dispatch when we resume. I am prepared to accept a motion to Recess until the hour of four-thirty. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate, I request a Democratic Caucus in your office immediately.

PRESIDENT:

All right, Democratic Caucus immediately in the President's Office. Senator Schaffer.

SENATOR SCHAFFER:

Request a Republican Caucus in Senator Philip's Office immediately.

PRESIDENT:

All right. Both requests are in order. There'll be a Democratic Caucus in the President's Office immediately, Republican Caucus in Senator Philip's Office immediately. The Senate will stand in Recess until four-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, if we could have your attention, we will start on our Supplemental Senate Calendar No. 2. This is Secretary's Desk Nonconcurrence with House Bill 48, Supplemental No. 2, and while you're looking for Supplemental No. 2 the Secretary will go to the Order of Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives refused to concur with the Senate in the adoption of their amendments to bills...House bills with the following titles together with Senate amendments:

House Bill 605, Senate Amendment 1 and 2.

694, Senate Amendment 1 and 2.

704, Senate Amendment 1.

807, Senate Amendment 1.

831, Senate Amendment 1.

883, Senate Amendment 1.

And 888, Senate Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right...with leave of the Body, for the purpose of a special resolution, we'll go to the Order of Resolutions.

SECRETARY:

Senate Resolution 419 offered by Senators Lechowicz, Rock, Philip and all Senators.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I do appreciate the fact of receiving leave and considering Senate Resolution No. 419, and I'd like to have the Clerk read it, please.

SECRETARY:

Senate Resolution 419.

(Secretary starts to read Senate Resolution 419)

SENATOR LECHOWICZ:

Mr. President, could we have a little order, please? Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we have a little order here. Senator Lechowicz has an important resolution and he needs some order.

SENATOR LECHOWICZ:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'd have two beers and three scotchs.

SENATOR LECHOWICZ:

That's after the resolution is adopted.

SECRETARY:

(Secretary reads Senate Resolution 419)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I know there are certain important dates in everyone's life, probably the date that he is born or she is born, when you graduate from grammar school

and high school, possibly moving on to college and graduating college, entering and leaving the service, getting married, having children of your own, all of these are milestones and probably in Clyde's life, every one of those dates that I mentioned were important. Probably when he received the Congressional Medal of Honor is one...one of the most important days of his life as it was for many other people in Illinois showing recognitions for tremendous amount of valor, but today is also a milestone day because now he's officially a senior citizen, and when Senator Smith had that amendment the other day providing assistance for people who...reached this age in either receiving Medicare or...or Medicare assistance, Clyde now is eligible for that, and since we've lived together now for about...close to sixteen years, I thought to myself, there is no way that he can be...attained his age and operate at the rate that he does. So, I just wanted to make it part of an official record that, yes, Clyde Choate is sixty-five today and, yes, we're having a slight reception or a pretty good reception over at the Top of the Arch and you're all invited, start approximately at seven-thirty and I would hope that you would join with me in wishing Clyde Choate not only a happy sixty-fifth birthday, but in our own tradition...may he live to be a hundred and may we wish...and be there to wish you well. Clyde, happy birthday and many more. I move for the adoption of the resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz moves to suspend the rules for the immediate consideration of House...Senate Resolution 417. Those in favor indicate by saying Aye. Those in favor of adopting the resolution please clap your hands. Senator Choate.

CLYDE CHOATE:

(Remarks made by Mr. Choate)

PRESIDING OFFICER: (SENATOR SAVICKAS)

We though he'd never stop. With that, Senate Resolution 417 is adopted. On...on the desk now, Senate Calendar, Supplemental No. 2. We will start with House Bill 48, Senator Dunn. Oh, I'm sorry, Senator Luft. I'm reading the Representative's name. Senator Luft.

SECRETARY:

...House Bill 48 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 and would ask for a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 48 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 54, Senator Lemke.

SECRETARY:

House Bill 54 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to not recede from Senate Amendment No. 1 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 54 and that a Conference Committee be appointed. All...those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 66, Senator Watson.

HB 204 Nonconcurrence

SECRETARY:

House Bill 66 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Yes, Mr. President. I refuse to recede from House action on Senate Amendment No. 1 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 66 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 204, Senator Lemke.

SECRETARY:

House Bill 204 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to not recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 204 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 275, Senator Lemke.

SECRETARY:

House Bill 275 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move not to recede from Senate Amendment 1 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 275 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 312, Senator D'Arco.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 312 with...with Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

I ask that the Senate refuse to recede from Senate Amendment No. 2 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco moves that the Senate refuse to recede from the adoption of Amendment No. 2 to House Bill 312 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 514, Senator Kustra...Senator Kustra.

SECRETARY:

House Bill...no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Out of the record. House Bill 851, Senator Lemke. Senator Lemke.

SECRETARY:

House...House Bill 851 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm going to move not to...to recede and ask for a Conference Committee due to the fact when they printed the amended bill they left out a...an important word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves that the Senate refuse to recede from the adoption of Amendments 1 and 2 to House Bill 851 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 1517, Senator Holmberg.

SECRETARY:

House Bill 1517 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

I would like to move not to recede from House Bill 1517, Senate Amendments 1 and 2 and have the bill go to Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg moves that the Senate refuse to recede from the adoptions of Amendment 1 and 2 to House Bill 1517 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 1850, Senator Joyce.

SECRETARY:

House Bill 1850 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce...Senator Joyce moves that the Senate refuse to recede from the adoption of Amendment 1 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 1961, Senator Schaffer.

SECRETARY:

House Bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 1977, Senator Schuneman.

SECRETARY:

House Bill 1977 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 2 and that we call for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman...moves that the Senate refuse to recede from the adoptions of Amendments 1 and 2 and a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, we refused to recede, Mr. President, I'm not sure you stated that correctly. We refused to recede.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR SCHUNEMAN:

Oh, okay. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 2276, Senator Etheredge.

SECRETARY:

House Bill 2276 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move that the Senate not recede from Senate Amendments Nos. 1 and 2 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves that the Senate refuse to recede

from the adoptions of Amendment No. 1 and 2 to House Bill 2276 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2418, Senator Dunn.

SECRETARY:

House Bill 2418 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I move that the...Senate refuse to recede from Senate Amendment No. 1 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Dunn moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 2418 and that a House...that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 2421, Senator Bloom. House Bill 2437, Senator Keats. Yeah, go ahead.

SECRETARY:

House Bill 2437 with Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Are we on...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Nonconcurrence. Senator...

SENATOR KEATS:

I...I move that we not recede and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats moves that the Senate refuse to recede from

HB 2444 Refuse & Recede

the adoption of Amendment No. 2 to House Bill 2437 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 2440, Senator Rigney.

SECRETARY:

House Bill 2440 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Refuse...to recede.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney moves that the Senate refuse to recede from the adoption of Amendment No. 2 to House Bill 2440 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 2444, Senator Rupp.

SECRETARY:

House Bill 2444 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move to recede from Senate Amendment No. 1 on House Bill 2444. This will be taken care of in a Conference Committee on Senate Bill 1294.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp moves that the Senate refuse to recede from the adoption of Amendment No. 1...Senator Rupp has moved that the Senate recede from the adoption of Senate Amendment No. 1 to House Bill 2444. Is there any discussion? Now this is final action on...on House Bill 2444. Senator Sangmeister.

SENATOR SANGMEISTER:

Well,...as you indicated, this is going to be final

action. What...what was in the Senate amendment that we're now backing off of?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's have a little order. We are now on a...on a motion to recede from the adoption of a Senate amendment. This is final action on the bill. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This...the amendment that we...from which we are receding was the amendment that was providing and setting up a fund that would be for...basically for the policing, examining companies...the finances of companies. This particular amendment had a...spigot on it where if there was money left over, it had to go back to the general fund. There has been an agreement worked out with the Insurance Department, the insurance companies and that will be taken care of on 1294. We're taking off this, that other bill will be in Conference Committee and that's the way we feel that would be the best way to handle it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Could we break up some of these conferences. We do have a concern and discussion on House Bill 2444. Senator Demuzio, why are you waving your hands? Is there a problem?

SENATOR DEMUZIO:

Yes, thank you, Mr. President. Apparently...just to get your attention. Apparently we...we don't have any problems now and...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, I thought you were...were chasing flies.

SENATOR DEMUZIO:

Well, you...you had so many people up there caucusing I couldn't...you know, I couldn't see you, so I thought I might move my hands.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate recede from Amendment No. 1 to House Bill 2444. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Yeas are 56, the Nays are none, none voting Present. The Senate recedes from Amendment No. 1 to House Bill 2444 and the bill having received the required constitutional majority is declared passed. Now on Senate Calendar Supplemental No. 3...Supplemental No. 3, nonconcurrence. We have House Bill 605, Senator Fawell.

SECRETARY:

House Bill 605 with Senate Amendments Nos. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I would like the Senate to refuse to recede from Senate Amendments 1 and 2 and a...a committee...Conference Committee appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell moves that the Senate refuse to recede from the adoption of Amendment No...1 and 2 to House Bill 605 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 694, Senator Degnan.

SECRETARY:

House Bill 694 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move to recede from both House Amendments 1 and 2 to House Bill 694. House Amendment 2 is offered by Senator Barkhausen and it dealt with the pass-through of money for the State's Attorney of Cook

County. Senate...the House thought giving the money directly to the State's attorney and not going through the county board was not a good idea. Amendment No. 1 sent the funds through the State agency DCCA. The House considers that a poor idea and would rather see it go to the Comptroller's Office. I'm led to believe the Comptroller's Office is in favor of it. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

This is final action on House Bill 694. Senator...Degnan wishes to recede from Amendments...Senate Amendments 1 and 2 to House Bill 694. Is there discussion? If not, the question...Senator Barkhausen.

SENATOR BARKHAUSEN:

...because Senator Degnan mentioned that I had offered Amendment No. 2, I just thought I should explain a little further what...what is was and...and what my feelings about it are. Senator Degnan was kind enough to offer his bill as a vehicle for Amendment No. 2 which would have given...or would give State's attorneys...around the State discretion in setting the salaries for their assistants. Right now, as I understand it, the county board by their budget ordinance spells out what salaries shall be for the various personnel in...in the State's attorneys' offices and I...we had been led to believe that State's attorneys were being treated differently than other county officials. Apparently, at least, in Cook County that is not the case and the county budget ordinances deal in some detail with all the various personnel positions in the various offices. I have not been able to find out whether this is true in the...in the various downstate counties and...and I would prefer to give the State's attorneys this kind of discretion to set salaries for assistants. The same way, for example, the Attorney General can...can take the personnel money that he is given and decide how many assistants he wants and what he wants to pay

them. So, I'm...reluctant to...to see this amendment go off the bill, but I'm not sure that the House is giving us any choice.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Michael Flannery of WBBM-TV requests permission to record the proceedings. Is there objection? Hearing no objection, leave it granted. Senator Watson...or...Senator Watson.

SENATOR WATSON:

Yes, sir, I'd like to ask the Chair...this is final action...is this...

PRESIDING OFFICER: (SENATOR SAVICKAS)

This is final action.

SENATOR WATSON:

Okay. Well, this is the bill that...from what I understand and I recall, we had a partisan roll call; in fact, it wasn't even the unified support by the Democrats in the Local Government Committee, it was a 6 to 4 vote with 1 voting Present, and I understand we are going to put three million dollars from GRF into...well, it's going to go to the Cook County State's Attorney's Office for the cost of...keep appealing cases. Now, I'm not sure what all the Senate amendments did but you're just receding from those. Is that correct? So, we're back to...we're back to space one. Okay. Well, we're talking about three million dollars of unappropriated...or money out of GRF to go for the Cook County State's Attorney for costs of appeal's cases. If that's what you want to do, then...they you're voting Yes. If you think that maybe this is a little bit exorbitant and maybe we ought to scale it back a little bit, you ought to be voting No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is,...is there further discussion? If not, the question is, shall the Senate recede from Amendments No. 1 and 2 to House Bill 694. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted

who wish? Have all voted who wish? Have all voted who wish? Take the record...Senator Degnan...on that...on that roll call, there are 30 Yeas, 29 Nays, none voting Present. The Senate does recede from Amendments No. 1 and 2 to House Bill 694 and the bill having received the required constitutional majority is declared passed. For what purpose Senator Watson arise?

SENATOR WATSON:

Well, we had a delayed taking of the record there or something happened, anyway, I thought you had taken the record and...he did not. Okay, well, we'll verify it anyway.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the Senators please be in their seats and will the Secretary read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson, do you question any of the affirmative vote?

SENATOR WATSON:

Yes, sir. Dawson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson is on the Floor talking to the press.

SENATOR WATSON:

Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll. Is Senator Carroll in his seat? Senator Carroll is on the Podium.

SENATOR WATSON:

Smith.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith is standing in back of the Chambers.

SENATOR WATSON:

Chew.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew is standing here in the...in the Well.

SENATOR WATSON:

Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins is in the back of...Senator Collins in the Chamber? Senator Collins. Senator Collins on the Floor?

SENATOR WATSON:

Doesn't look like it. Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...strike her...Senator Newhouse. Senator Newhouse on the Floor? Strike his name from the record.

SENATOR WATSON:

That'll do it. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins is on the Floor. Return her name to...to the record. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Purpose of a substitute motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your motion.

SENATOR DEGNAN:

Move to refuse to recede from House Amendments 1 and 2 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, there were 29 Yeas,...29 Nays and the...the motion to recede failed. On the motion to refuse to recede on the adoptions of amendments...Senate

amendments to House Bill 694, Senate Amendment 1 and 2 and that a Conference Committee be appointed, those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 704, Senator Sangmeister. Senator Sangmeister, 704.

SECRETARY:

House Bill 704 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Motion...motion is to refuse to recede from the Senate amendment, ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 704 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 807, Senator Topinka. House Bill 831, Senator Barkhausen.

SECRETARY:

House...House Bill 831 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I reluctantly ask that we...I reluctantly move to recede from Senate Amendment 1 to this bill dealing with the Crime Victim's Compensation Act. House Bill 831, the original bill, includes within the...the crimes for which compensation can be received the offenses of sexual relations within families, criminal sexual abuse and aggravated criminal...sexual abuse. More significantly, it increases the maximum award under the Act from fifteen to twenty-five thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, just a moment. This is final action on this bill. Senator Barkhausen seeks to recede from Senate Amendment No. 1 on...House Bill 831, final action. Will we break up those conferences so the members can hear this debate. Senator Barkhausen.

SENATOR BARKHAUSEN:

The Senate Amendment 1 had incorporated the provisions of Senate Bill 644 which as all of you may remember provided a...a fee for witnesses, including victims, in the same class of crimes now covered by the Crime Victim's Compensation Act...though that passed this Body with, I think, about forty-five votes, the House has refused...either to give Senate Bill 644 a hearing in the House Judiciary II Committee and has refused to concur in Senate Amendment 1. So, it is with great reluctance that I ask that we recede from Senate Amendment 1 because I think the core bill and House Bill 831 has some merit and I would like to at least see that pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr...Mr. President and members of the Senate...I just don't quite...Amendment No. 1 they did not concur with. So we...you want to recede. Could you once again explain what Amendment 1 is and is that the amendment that had the witness fees in it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...yes, it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR BARKHAUSEN:

...and the...and the House did not go along with it, so with reluctance, I'm asking that we recede so that the bill

itself will pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Did that amendment also increase the...the maximum award?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, the bill does that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Did...did that amendment also expand the crimes to...to...certain sexual crimes or was that the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

That also was the bill rather than the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Okay, so then...is...is really the only significant part of the...of the amendment the witness fees?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate recede from Amendment No. 1 to House Bill 831. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none. The Senate recedes from Amendment No. 1 to House Bill 831 and the bill having received the required con-

HB 883 Refuse to Recede

stitutional majority is declared passed. House Bill 883, Senator Friedland.

SECRETARY:

House Bill 883 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. With this bill...what the...the Senate amendment attempted to help Senator Geo-Karis and she's...the bill was unsuccessful in the House and she has appropriately addressed the House sponsor, and I refuse to recede and request a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland moves that the Senate refuse to recede from...Senate Amendment No. 1 to House Bill 883 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. House Bill 888, Senator Rock...

SECRETARY:

House Bill 888 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. I refuse...make a motion to refuse to recede and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman as the hyphenated cosponsor moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 888 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. Senator Maitland...Senator Maitland on the

Floor? Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank...thank you, very much, Mr. President. I'd like to suspend the...the appropriate rules and ask for the immediate consideration of Senate Resolution 417...418, I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? If...hearing none, leave is granted. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. This is a congratulatory resolution and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...those in favor indicate by saying Aye. Those opposed. The Ayes have it. Senate...the rules are suspended. And on the adoption of Senate Resolution 418, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Senate Resolution 418 is adopted. Senator Joyce, did you have a...Senator Joyce...

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I...I have filed with the Secretary a resolution which seeks to recognize the accomplishments and achievements of one of our members. I would ask the Secretary to read that now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary. Could we have a little order. This...this is a resolution honoring one of our great colleagues.

SECRETARY:

Senate Resolution 407.

(Secretary reads SR 407)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Obviously, there's many people interested in praising Senator Keats. The board is lighting up. Senator Joyce has moved for the suspension of the rules for immediate consideration of Senate Resolution 407. Those in...is there any...any

discussion on the suspension of the rules? Senator Weaver.

SENATOR WEAVER:

Well, Mr. President, I'd request that the Sergeant-of-arms find Senator Keats and bring him to this Floor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Sergeant-of-arms...will the Sergeant-at-arms please locate...or his assistant please locate Standing Tall Senator Keats. Senator Bloom.

SENATOR BLOOM:

I...I think you can...I think he can be located at the McFarland Zone Center.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, I would move for a roll call unless the resolution were appropriately amended to include some other comments that were left out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I wonder if you'd clarify, how is the sponsorship of this resolution indicated? It does not say "and all Senators" does it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary.

SECRETARY:

It was offered by Senator Jeremiah Joyce and Senator Degnan.

SENATOR ETHEREDGE:

That's fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I think it's very commendable for both Senators Joyce and Degnan to offer this resolution, because poor Roger hasn't had a kind word from me except once today, and I think he deserves some plaudits. Where is Roger? Is he gone or did they dispose of his body, which is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the suspension of the rules, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The rules are suspended. On the adoption of Senate Resolution 407, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I think the resolution speaks for itself. I wish that Senator Keats would come up from the Governor's Office and participate in the roll call on this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Just a question of the sponsor, if he will yield. I had discussed with him an amendment to the resolution that there also be a suitable copy of the roll call on the bill itself since that was inconsistent with his speech, if a...if the resolution be amended to read, "A suitable copy of this preamble, resolution and the roll call on the bill be presented to Senator Keats." Can we amend it on its face?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I just thought maybe you might exercise your power as President and place him under Senate arrest and return him here to the...to the Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have a warrant out for him. On...on the adoption of Senate Resolution 407, those in favor indicate by saying Aye.

Those opposed. The Ayes have it. The...a roll call has been requested. Those in favor of adopting Resolution 407 will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senate...for what...Senator Lechowicz, for what purpose you arise?

SENATOR LECHOWICZ:

I want to verify those two Aye votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'll...Senator Zito.

SENATOR ZITO:

I don't see Senator Keats on the Floor and he's registered as voting Present. It's obvious...it's obvious he has a conflict of interest in both mind and body, so I would ask that his vote not be recorded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question,...on that question, those in favor indicate...saying Aye. Those opposed. The Ayes have it. The...the resolution is adopted. Senator Carroll.

SENATOR CARROLL:

I believe there is a written motion up there. Is that the purpose?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR CARROLL:

Okay. We have a motion to present on a number of the appropriation bills to nonconcur. I would ask the Secretary to read off the list of bills. This is the suggestion of the two chairmen and two minority spokesmen in unanimous agreement, written motion by the four of us so that we can start the paper work on those bills on which it is obvious that a conference is necessary. So, if the Secretary could read those list of bills and we would then move in tandum that they be nonconcurred and that the House be so informed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 90 motion to Recede HB 175 Nonconcurrence

Mr. Secretary, will you read the motion.

SECRETARY:

I...I am going to read them rather slow, I have three people taking them down.

A Motion...Motion in Writing.

I move that the Senate nonconcur in House amendments to the following bills:

Senate Bills 134, 145, 167, 174, 175, 387, 403, 449, 452,...453, 458, 459, 460, 464, 467, 468, 470, 472, 473, 475, 476, 480 and 483. Signed, Senators Carroll, Hall, Bloom and Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Now Senators...Senator Bloom.

SENATOR BLOOM:

Now, essentially, the idea is these are appropriations where...if we can get the Conference Committee process started now, that it will probably be in everyone's best interest. Generally, they're...the larger agencies, but I...I think...this is probably the...the most expeditious way to proceed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom and Carroll move to nonconcur in the House amendments to the Senate bills listed on the motion just read by the Secretary. All those in favor indicate by saying Aye. Those opposed. The motion carries and the Secretary shall so inform the House. Now, on the Secretary's Desk on our Supplemental Calendar No. 1 at the top of page 5, we will start at the top with House Bill 90. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 90 as it left this Body provided for pre-school education programs for zero to five. The bill went over to the House and the House refused to concur in that amendment and the bill is back before us and my motion is to

recede so that the bill will be in the form in which it was originally...as we received it from the House. Let me tell you what that form will be. Instead of the...Senate amendment which called for zero to five preschool programs, this bill, if you vote Aye to recede, will provide for the following: preschool programs for children ages three and four only, optional preschool program for children of those ages; it will provide for an optional full-day kindergarten in addition to our present system of half-day kindergarten programs. Those are the totally relevant differences between the bill with and without the Senate amendment. Be glad to respond to any questions and I solicit your Aye vote on the motion to recede.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Berman's amendment. Without question, there's been much opposition to the zero to five amendment for preschool. If you would look at the...the bill as suggested as it came over from the House, we are talking about ages three and four for at-risk students, for those students who come by and large from...from sociological backgrounds where...where there is a very, very good possibility that that child is not going to succeed in school. It's totally voluntary and I believe it's an effort that we should support in this Chamber, and I would urge support of Senator Berman's motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Senator Berman, I have a...a question...as you remember, Senate Bill 1272 contained within it the Governor's recommendation on early childhood edu-

cation. That went to the House and as I understand it got hung up someplace over there. Could you explain how your preschool program or whatever you want to call it...early childhood education proposal before us right now differs, if it does at all, from what we already voted on and sent over there or is this that much different than what you're trying to do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I...if I recall, and I've...you were the Senate sponsor of 1272, so I don't remember all of those details, but I...I believe the Governor's program was substantially similar to this. I'm...I apologize, I cannot detail without looking at analysis what there were, but I know it was for three- and four-year-olds, that was...and a grant program, that's what this is, optional. I think they were substantially the same.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

I think they were too. I...I knew what my bill was. I wasn't so sure what yours was. On that basis, I will support you in this endeavor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. This is a true Catch-22 if there ever was one, because on one hand, if we support Senator Berman's motion to recede, some of us are automatically passing House Bill 90 in its originally form which we don't like. On the other hand, if we vote against it, we are supporting an amendment which we like even less, hoping that we would throw this into a Conference Committee and maybe something better than what is being pro-

posed would come out of the...the Conference Committee which is risky to say the least, but I...but I will, therefore, be voting against Senator Berman's motion holding those hopes in mind.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Berman's amendment...or motion, but I...but with these reservations, I think those of us who represent predominately rural districts must realize the logistical impossibilities that this bill presents to those that attend rural schools. It's very difficult for parents who live in rural districts, for school boards who have to provide transportation for children who are three- and four- and even five-year-old to rural schools to early childhood programs. By the logistical nature alone of this bill, the majority of these programs will be concentrated in the more urbanized districts of this State. It presents a problem for those of us in rural districts but I understand that early childhood programs, and all the research supports it, are good for our children and, therefore, I do rise in support of the motion and the bill but not without reservations that I have explained.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Just a question. I...wasn't able to ask this in caucus, why have we now...or have we now excluded five-year-olds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Well, five-year-olds presumably would be available for kindergarten. We're talking about preschool programs under

this bill as well as full-day kindergarten. If they are...available...if they're five and...eligible is the word I was thinking of, eligible for kindergarten, that's where they would go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Wasn't the earlier program...and maybe I'm wrong again, wasn't the earlier program zero to five?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yeah, the Senate...the...the amendment that we are receding from was zero to five, this is three to five. It's the same category...I mean, at the top end, you're still talking about people that are not eligible for kindergarten.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, I think you should have listened to Senator Kustra a while ago. The bill that he's talking about which dealt with three- and four-year-old at risk...preschool at-risk student went out of here with no red votes on it. You voted on this once and now suddenly have reservations about this, that and the other, and I don't know where your reservations were when you sent it out of here, but my understanding from the sponsor was it went out of here with...with no red votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr...Mr. President, can I...and Ladies and Gentlemen of the Senate, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

I originally voted No on 90. Now...because you had an amendment in there which provided for preschool children from zero to...from birth to five years of age. Now, by...are you moving to recede from that particular amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If that's the case, then I can...support your motion to recede because I cannot vote for the bill with that amendment in it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I apologize for rising a second time, but it simply isn't accurate to say that this bill went out of here with no red votes because I voted against it when it went out here, and that's...that's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate recede from Amendment No. 1 to House Bill 90. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 14, 2 voting Present. The Senate recedes from Amendment No. 1 to House Bill 90 and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President. I think we have accomplished a good deal today. I would move that we stand adjourned until ten o'clock tomorrow morning...ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate stands adjourned...Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

I was off the Floor when the last roll call was taken. Had I been here, I would like the record to reflect my vote would have been Nay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. The Senate stands adjourned until Saturday morning at 10:00 a.m.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 29, 1985

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Harry Mann, Calvary Baptist Church, Springfield, Illinois. Reverend.

REVEREND HARRY MANN:

(Prayer given by Reverend Mann)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, June 18th; Wednesday, June 19th; Thursday, June 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th and Friday, June 28th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to the bills with the following titles:

House Bill 83 with Senate Amendment 1.

House Bill 137 with Senate Amendment 1.

House Bill 419 with Senate Amendments 1 and 2.

474 with Senate Amendments 1 and 3.

627 with Senate Amendment 1.

1039 with Senate Amendment 1.

1072 with Senate Amendments 1 and 2.

1258 with senate Amendment 1.

1567 with Senate Amendments 1 and 2.

1801 with Senate Amendments 1 and 2.

2263 with Senate Amendment 1.

And 2445 with Senate Amendments 1 and 2.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 83, 84, 85, 86 and 87 are all either congratulatory or commendatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

House Joint Resolution 40 and 53.

PRESIDENT:

Executive. If I can have your attention, WBBM-TV Channel 2 has requested permission to shoot some film. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 419 offered by Senator Newhouse. It's commendatory.

420, by Senator D'Arco. It's commendatory.

421, by Senator Mahar. It's congratulatory.

And 422, by Senator Berman is a death resolution.

And Senate Joint Resolution 84, by Senator Sangmeister is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate Resolution 220...or 423 offered by Senator Savickas, Lemke, Topinka and Dudycz and it's commendatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, Supplemental Calendar No. 1 is currently being distributed. We will begin on page 2 on the regular Calendar and begin at the top and go all the way through both Calendars. So, I'd ask the members to look ahead, see where your bills are, decide what you wish to do, we're going to proceed ahead. All right. We'll begin at the top on the Order of Secretary's Desk Resolutions, Senate Resolution 40, Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Resolution 40, I've had a...quite a difficulty in passing this and I know there's been opposition on the other side to some of the strong language. This concerns the starvation and asking for the President of the United States and Congress to enact legislation to alleviate starvation in the United States and abroad. We are certainly aware of what's happened in Ethiopia and even in our own country. And one of the principal problems has been, in my opinion, that we have not taken advantage of the farm land in Illinois and across the country. And this resolution as amended calls on...the President and Congress to take...legislative action to do something to develop the cultivation of these fields which have been laying dormant. Now I know there has been opposition across the way. I feel that the amendment takes care of, I would think, most of the problems that anyone had because there was an indication at first that the...the President and Congress maybe were...not doing their job. And this is strictly, I think, to feed the people in...the hungry people of the United States and of the world. And it calls on Congress, that's all it does. I'd ask for your adoption.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you said that you had amended this resolution. This is the same resolution we've debated now at least two or three times, and there has been and continues to be objection to the language you have in here, not I guess to the intent of what you're trying to do. Has this been amended since we debated it a couple of days ago?

PRESIDENT:

All right. Senator Kelly, I think it's necessary to again adopt the amendment because at the...the last go around we took it out of therecord so it was never journalized. Senator Kelly moves...Mr. Secretary on Senate Resolution 40.

SECRETARY:

Senate Resolution 40 with Floor Amendment No. 1 offered by Senator Kelly.

PRESIDENT:

Senator Kelly on Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Amendment No. 1 deletes some of the language that the...opponents had as to the...to the President of the United States and Congress not...lacking concern for the starving people of the United States and of...and of the world, and it...it eliminates most...and it also...initially the proposal had called for military force to supply assistance to those nations that are in grave difficulty, and I've withdrawn all that from the resolution, we no longer ask for military intervention or for heroic individuals to supply

food to these starving nations and I...I believe it's...it's made it more palatable for everyone in this General Assembly.

PRESIDENT:

All right. Senator Kelly has moved the adoption of Amendment No. 1 to Senate Resolution 40. On the amendment? Senator Lemke, on the amendment? All right. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Kelly, on the resolution is adopted, further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I have a copy of the amendment, Mr. President. I think we've wasted enough time on this issue. But just for the edification of the members, the amendment indicates whereas we cannot afford to have a national agricultural policy which encourages farmers to leave their fields dormant when we have such large numbers of starving people in the world. Of course, this simply flies in the face of the amendment that your other...some of your members sponsored a couple of days ago. And, you know, the whole thing is kind of foolish but...not to say that it's foolish to be considerate about...concerned about world hunger, but your...your solution to it surely is...I...I don't think very practical. So, for what it's worth for the Republican members, I think maybe I'll just refrain on this one and let the...let the issue come to rest.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. Speaker and members of the...Mr. President and members of the Senate. I rise in support of the resolution and I...I believe that all members of this Body should unanimously support this resolution. I can't see any reason for any opposition. You know with the starving

people not only in this country but throughout the world, and I want to commend my colleague, Senator Kelly, for coming up with this resolution 'cause I join in joint sponsorship with him on this resolution. And money is being raised throughout the country to help the starving people in the world and there's no reason, as the resolution pointed out, that we should let our farms remain dormant and not grow crops wherein we can produce the food to help feed the people not only in Ethiopia but throughout the world and in this country. So, I...I wish the members on...the members would join me in this song, and I'm going to play the song for you, and we all join in saying, "We Are the World."

(Senator Jones plays tape of "We Are The World")

Mr. President and members of the Senate, as I indicated, we are the world, we are the children, we should not in no way stand unanimously and support this resolution. And the We Are The World Foundation, if individuals want to, I think that it would be a good symbolic gesture on this Body if we all dig in and chip in and write checks, make donations to We Are the World Foundation to help feed the starving people in the Ethiopia and the world. So, I want to thank you for joining with us on this song and I look for a unanimous vote on Senate Resolution 40.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I move in support of this resolution. As a young kid I used to go Sunday night services with my great late grandmother and we would see the starvation that was going on and this has been going on for forty years. And she used to say to me in her broken accent, why are these people starving when we have so much food in this country and we pay farmers to farm down the field and we burn potatoes, we burn wheat

and we burn all this, why can't we be free enough and giving enough to those that are less fortunate than we are? And I can remember those days because we had very little money. I can remember walking in the snow with cardboard covering the holes in my shoes. I can remember my grandmother wearing the same coat for thirty years. But I can also remember my grandmother, who had very little food, that when somebody came for a handout, she always found something to feed them. And I cannot see why this country, the greatest in the world, and we have a Congress and we have a President that can adopt the farm policy to tell farmers not to farm their fields when there is a need. There is a need in this country, there is a need in this world to feed people. And I think this resolution should be adopted and I think this country should adopt this type of policy, because I don't think it pays to have farmers go broke but I don't see farmers...I don't think it pays to have fields grow weeds either. And I can...I can say this, in...in the thirteen years that I have been in this Legislature, in the House and in the Senate, I have always had close to a perfect farm voting record. I always voted for the farmer, and I'll tell you something, there ain't no farms in my neighborhood. The only farm we have left is now an airport, Midway Airport. So, therefore, I think this...resolution be adopted and we should express our desires to the President of these United States and to the Congress of these United States.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Fine mess you've got us into now, Mr. President.

PRESIDENT:

Right.

SENATOR JEROME JOYCE:

You know, this is a great thing and we all want to feed

the world and we have the biggest surplus in this country that we've ever had. Farm parity prices are the lowest since 1910 and that's when they started doing them. You know, everybody in agriculture thinks that we ought to take our food and spread it over the world for everyone. There's no one who believes more firmly in that than I, but this...this is the most convoluted resolution that I've seen in some time. And, Emil, you ought to stick to producing music. You know, I hate to rise against this; everybody, you know, wants to feed the hungry but this way is not the way to do it. We have more...more surplus than...than ever, Senator, and if we could get that food that we have sitting in our warehouses to those countries, that's what we ought to do, and that's what we ought to be imploring Congress to do instead of this. So, I reluctantly rise in opposition to this, the intention is wonderful.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes, Mr. President, members of the Senate, I also rise in opposition to this resolution. I think it would be more fitting if...we would amend it to use some of the...the grain now we have in our...our grain reserve. When I was administering the Federal farm programs, four years ago when I left there was more than a billion bushels of grain in...in...feed grain in the reserve and nearly a billion bushel of wheat that we're paying farmers thirty cents a year just to store it plus...eight cents in and out storage charge. And I think it would be more fitting if we would...would ask maybe the U. S. Department of Agriculture to take some of this grain that we're paying farmers to store and give to the needy rather than asking them to produce more.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I can well appreciate the kind motives of Senator Kelly, and I can agree with him. However, what about feeding the poor in this country? We have plenty of poor in this country, we get so altruistic for overseas we forget our own. It's high time we also took care of our own.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise very strongly in favor of Senate...Resolution 40 as one of the...the sponsors of that resolution. And I think that if all of you think very carefully about what we're trying to do here, the intent of the resolutions, I think we all know that this Body does not make laws for Congress, that all this...resolution is doing is expressing our sincere concern about a very critical issue throughout the world. I think that there is no greater gift that one can contribute to man than the actual gift of food and medical necessities for...sustaining life. And there is no greater injustice than the denial of those basic rights to human beings no...no whether or not wherever they exist on...on the place of this earth. And if this country is going to take a stand on leadership around the world for justice and equality and the humanity of mankind, then they cannot sit back and not...and allow people across this world to die due to a lack of food. This resolution is just saying that the Illinois General Assembly representing the people of this State says...this country must take a stand and lend whatever aid that we can to help the starving people in the world.

PRESIDENT:

All right. UPI would like to take some still photographs, Senator Sam, turn a little to your...that's it, right

about there, that's good. Is leave granted? Leave is granted. The question is the adoption of the...Senate Resolution 40. All in favor indicate by saying Aye. All opposed. The opinion of the Chair the Ayes have it. The resolution is adopted. On the Secretary's Desk Resolutions, Senate Joint Resolution 70, Senator Sangmeister, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 70. The Executive Committee offers one amendment.

PRESIDENT:

Senator Sangmeister on Amendment No. 1.

SENATOR SANGMEISTER:

Amendment No. 1 changes the date as it applied to the Memorial Day weekend, and I move for the adoption of that amendment.

PRESIDENT:

Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to Senate Joint Resolution 70. All in favor indicate by saying Aye. All opposed. The Ayes have it. The...the amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

In discussion with the Republican members, there was a paragraph in the resolution that they felt was not needed and I agree, and this amendment deletes that paragraph. Move for its adoption.

PRESIDENT:

Senator Sangmeister has moved the adoption of Amendment No. 2 to Senate Joint Resolution 70. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Sangmeister on Senate Joint Resolution 70.

SENATOR SANGMEISTER:

Well, thank you. Now that we have this resolution in the order it belongs in I would hope that...this Body would agree that in the thirteen years that I've been coming down here, one of the things that has always concerned me is that the Constitution states that we convene on the second Wednesday in January, and thereafter, we never seem to get about our business. This resolution would establish joint rules with the House which would expedite the legislative process for next year. I see no reason why we shouldn't get about the people's business as...as we should be shortly after we organize in...in January of next year. I discussed this with a number of members of the Senate, in particular with Senator DeAngelis, and we decided to go to the Legislative...Council and have them research whether or not there were anything needed outside of...of rules changes. And their research proved that we can do all that we want to do here by adopting joint rules. What the net result is, we are not going to be working any less time at all, it'll take the same amount of legislative days, obviously, to do our work but we'll get at it quicker, and one thing which I think we all can agree with is we will be out of here next year on May 31st. If...I think today is an appropriate date to...to be calling this; I mean, is there any place else you'd like to be today but here? I must say to you that I've talked to the media and they certainly agree because they can't find anything else that they'd rather do than be here, obviously. The lobbyists are all in favor of it. I certainly hope that every member

of the Senate that I have talked to about this seems to be in accord, there's got to be a better place to be on May 31st and the whole month of June than here and...again, I want to reiterate, we are not shortening up the process, we're just getting about our business earlier and hopefully we can be out of here by the end of May next year. And I would defer to Senator DeAngelis for some further remarks on this resolution.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I think Senator Sangmeister has said it all. I do want to share one thing with you though. I have occasion to ride home with Senator Sangmeister, and I can recall my first year in the Senate. I chose to miss my oldest son's high school graduation to stay down here, and Senator Sangmeister immediately belittled me for not having my priorities in order. Well, I think there are a lot of other people that are faced with those same issues. And if we can do the business of the State and not disrupt our personal lives as much, help the process, I think we ought to be in support of changing those rules. So I would ask the members from our side to do so.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

I just wanted to ask Senator Sangmeister, can he tell me a better place that he'd love to be rather than here today?

PRESIDENT:

That question I'm sure is rhetorical. Further discussion on Senate Joint Resolution 70? If not, Senator Sangmeister moves the adoption of Senate Joint Resolution 70. All in favor indicate by saying Aye. All opposed Nay. In the opinion of the Chair the Ayes have it. The resolution is

adopted. All right. We're going to begin on...page 2 on the Calendar. We're going to go through the Calendar totally and then go to the supplemental and go through that and then we'll see where we are. Senator Jones, for what purpose do you arise, sir?

SENATOR JONES:

Yeah, thank you, Mr. President, a point of personal privilege. Several members have made contributions to We Are The World, and other members have came up and asked, so if those who wish to can see Senator Kelly or myself and we will take the contribution and make it on behalf of this Body to...We Are The World, U. S. A. Foundation.

PRESIDENT:

All right. On the Order of Secretary's Desk Concurrence, Senate Bill 1, Senator Welch. Mr. Secretary.

SECRETARY:

Senate Bill 1 with House Amendment No. 1.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is the same bill we passed out earlier this week as House Bill No. 23. It includes...one million fifty-seven thousand six hundred dollars for Northern Illinois University, one million dollars for Chicago State University for the creation of engineering schools.

PRESIDENT:

Senator Welch has...moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 19 Nays, 1 voting Present. The Senate

does concur in House Amendment No. 1 to Senate Bill 1 and the bill having received the required constitutional majority is declared passed. 24, Senator Joyce. 147, Senator Berman. Senator Berman in the hall? 206, Senator Sangmeister. 259, Senator Bloom. 296, Senator Mahar. On the Order of Secretary's Desk Concurrence, top of page 3, Senate Bill 296, Mr. Secretary.

SECRETARY:

Senate Bill 296 with House Amendment No. 1.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. I would move to concur with House Amendment No. 1. The House amendment makes certain technical changes. The intent, the authority and concept of the bill remain the same.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 296. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 296 and the bill having received the required constitutional majority is declared passed. 297, Senator Watson. Top of page 3. On the Order of Secretary's Desk Concurrence is Senate Bill 297, Mr. Secretary.

SECRETARY:

Senate Bill 297 with House Amendment No. 2.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move to concur with House Amendment No. 2 to Senate Bill 297. The amendment...was offered by Representative Cullerton and it corrected some of the problems he had with it. And it makes a...a deceptive practice to issue a bad check in the amount exceeding a hundred and fifty dollars or in full payment of the entire amount owed in a credit transaction if the drawer of the check fails to provide sufficient funds within seven days of receiving actual notice of the dishonor of the check. This is the legislation the Illinois Retail Merchants have introduced which made a...issuance of a bad check on a credit transaction a deceptive practice, and I move for concurrence.

PRESIDENT:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I just wanted to make a couple of comments for the record. First of all, I still think that this bill creates a crime where no crime exists. Just to refresh your memory, it says that once you have a credit card transaction and you don't send them a check, nothing happens, but if you send them a check and the check happens to bounce, you can go to jail for a year. That doesn't make sense to me. However, the...the amendment does improve a bad bill to make it a little less bad by applying only to checks in excess of a hundred and fifty dollars. But I would point out that the amendment does provide for actual notice. In my conversations with the House sponsor that did not...it was not his intention to change the requirement that we had in the Senate amendment version that required a letter, return receipt requested so that actual would mean actually received by the person who...who issued the check. I will...I will be voting No. I don't think that it's...that it's a crime to do something that you have not put anyone in a bad or worse position than they previously were at. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Watson, who did you say wanted this?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, this was initially introduced by the Illinois Retail Merchants. It was pretty much their...their idea.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I certainly agree with Senator...that...Senator Berman that this is a bad way to go. I'm...to...to do this and you're saying deceptive practices, what is the penalty with deceptive practice, Senator?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay, I'm...I'm told it's a Class A misdemeanor.

PRESIDENT:

All right. Senator Hall, anything further? Senator Hall.

SENATOR HALL:

Well, I just say it's the wrong way to go and I think this ought to be defeated.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, we

heard this bill in committee, it's a good bill. The amendment makes it a weaker bill but still a good bill, we need it. It's...it's high time we protect people who get bad checks from other people who don't care what happens to them. After all, the people who receive those checks, they have their own bank...bank accounts depleated because they...depending on the checks they receive. And I move for a favorable vote on this.

PRESIDENT:

Further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

Just for a comment, sir. Thank you, Mr. President. The bill originally passed on 3rd reading 43 to 7. So the original concept forty-three members agreed with. It is watered down somewhat but still is an issue in which I think we can support. All we're saying here is that somebody that comes in to your place of business and they charge merchandise and later pay for it with a check and that check is a bad check, then we're going to say that you are...in a deceptive practice situation. I see no problem with this whatsoever and I would move for concurrence on Senate Bill 297.

PRESIDENT:

The question is, shall the Senate concur in House Amendment No. 2...House Amendment No. 2 to Senate Bill 297. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 44 Ayes, 10 Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 297 and the bill having received the required constitutional majority is declared passed. 342, Senator Demuzio. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

For the record, I inadvertently pushed the wrong switch,

and had I been paying more attention, I would have voted No on the last bill.

PRESIDENT:

All right. The record will so reflect. 342, Senator Demuzio. On the Order of Secretary's Desk Concurrence, Senate Bill 342, Mr. Secretary.

SECRETARY:

Senate Bill 342 with House Amendments 3 and 6.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I will, in fact, be moving to concur with both House Amendments 3 and 6. House Amendment 3 restored two hundred and twenty-five thousand dollars GRF to the Comptroller's budget for three items; one for the recomputation...recomputing the turnover in hiring lag in the Administration and Statewide Fiscal Operation's Divisions, adding funding to the various line items for expenses that were associated with the passage of the public aid bill to direct the State Comptroller to withhold and pay over to the Department of Public Aid income tax refunds of responsible relatives who owe past due support payments which the department is authorized to receive. Three, adding Personal Services funding. Amendment No. 6 added thirty-five thousand dollars for the Electronic Data Processing Division. I would move concurrence with amendments...House Amendments 3 and 6.

PRESIDENT:

All right. Senator Demuzio has moved concurrence with House Amendments 3 and 6. Discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President, question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Coffey.

SENATOR COFFEY:

Amendment No. 3, according to our staff analysis says that this bill permits trustees to deposit funds in a bank located in an adjoining state within fifty miles of Illinois border. What...why are we doing that? Out of the burial fund, as I understand.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

That was in Amendment 3...Mr. President, why don't I yield to Senator Carroll who's more familiar with that...somewhat familiar...somewhat more familiar.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Senator Coffey, was that your question? I didn't hear who...okay. I'm aware of the question 'cause I raised the same question myself earlier this week. It is my understanding that a House bill passed involving the Illinois Funeral and Burial Funds Act, and apparently there's a cemetery or a couple of cemeteries on the borders of Illinois who, in fact, hold their funds in banks outside the State of Illinois. The Comptroller had not had the authority to audit those funds who were out-of-state even though he has the authority as administrator of the cemeteries as the Comptroller of the State of Illinois. So, House Bill 1912 allowed the Comptroller to administer those funds and audit them, and then Amendment No. 3 added the personnel necessary to implement that Act.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Well, then you're saying that...then this analysis that bill maybe is not exactly correct 'cause this says that...are you saying they presently can...can deposit those funds out-

side the State of Illinois? This amendment according to my analysis says that it allows them to do that, not to administer as I...

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, my understanding is it's the trustees of the cemetery associations which under House Bill 1912 now allows the Comptroller to audit and use his capacity as overseer of cemetery associations, but it's the individual cemeteries, their trustees, who have these funds deposited outside of Illinois, not the Comptroller, as I understand it. This just gives him the people to implement that other Act to let him go to those banks and audit those funds.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

...okay...I...I guess I understand that, and you're saying that the...that the trustees now deposit those monies outside the State, this bill only gives that authority to the Comptroller to...to be able to audit those accounts. Thank you.

PRESIDENT:

The question is, shall the Senate concur in House Amendments 3 and 6 to Senate Bill 342. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 7 Nays, 1 voting Present. The Senate does concur...the Senate does concur with House Amendments 3 and 6 with Senate Bill 342 and the bill having received the required constitutional majority is declared passed. 363, Senator Weaver. On the Order of Secretary's Desk Concurrence, Senate Bill 363, Mr. Secretary.

SECRETARY:

Senate Bill 363 with House Amendment No. 1.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1 to Senate Bill...363. This would add thirty-two thousand five hundred and thirty dollars to the Retirement line item.

PRESIDENT:

Senator Weaver has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 363. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 363 and the bill having received the required constitutional majority is declared passed. If I can have your attention, WAND-TV from Decatur has requested permission to videotape. Leave is granted. Senator Dawson. On the Order of Secretary's Desk Concurrence, Senate Bill 388, Mr. Secretary.

SECRETARY:

Senate Bill 388 with House Amendment No. 1.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, I wish to concur on House Amendment No...1. It makes...the amendment makes it exactly the same as the House bill and requires Department of Public Health in...consultation with the Alzheimer's Advisory Committee to develop stands by 1-1-87 for a designation of regional centers and primary providers,

and ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 388. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 388 and the bill having received the required constitutional majority is declared passed. 428, Senator Kustra. On the Order of Secretary's Desk Concurrence, Senate Bill 428, Mr. Secretary.

SECRETARY:

Senate Bill...428 with House Amendments 1, 2 and 4.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President, members of the Senate. When this bill left the Senate I said it was the big band bill, it's now the bigger band bill because we've added from over in the House two or three other bands. I don't know whether I even have the names and the specifics, but I think if we don't get this thing out of here we're going to start paying for bands from Indiana. I would urge concurrence.

PRESIDENT:

All right. Senator Kustra has moved concurrence. The question is, shall the Senate concur, House Amendments 1, 2 and 4 to Senate Bill 428. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 3 Nays, none voting Present. The Senate does concur in House Amendments 1, 2 and 4 to Senate Bill 428 and the bill having

received the required constitutional majority is declared passed. Senator Sommer on 451. 454. On the Order of Secretary's Desk Concurrence, Senate Bill...454, Mr. Secretary.

SECRETARY:

Senate Bill 454 with House Amendment No. 2.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to nonconcur in House Amendments 1 and 2 on this bill.

PRESIDENT:

All right. Senator Sommer moves to nonconcur in House Amendments 1 and 2 to Senate Bill 454. All in favor of the motion indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 455, Senator Sommer. On the Order of Secretary's Desk Concurrence is Senate Bill 455, Mr. Secretary.

SECRETARY:

Senate Bill 455 with House Amendment No. 1.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to concur with House Amendment No. 1 on this bill. The bill is still some hundred-odd thousand dollars lower than introduction.

PRESIDENT:

Senator Sommer has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 455. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does concur

with House Amendment No. 1 to Senate Bill 455 and the bill having received the required constitutional majority is declared passed. Senator Karpiel. On the Order of Secretary's Desk Concurrence is Senate Bill 456, Mr. Secretary.

SECRETARY:

Senate Bill 456 with House Amendment No. 1.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to concur in House Amendment No. 1 to Senate Bill 456. Amendment No. 1 restores eight month's funding to two positions and reinstates one additional position.

PRESIDENT:

Senator Karpiel has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 456. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 456 and the bill having received the required constitutional majority is declared passed. 461, Senator Bloom. Turn to page...top of page 4, 463, Senator Weaver. On the Order of House...Secretary's Desk Concurrence, top of page 4, is Senate Bill 463, Mr. Secretary.

SECRETARY:

Senate Bill 463 with House Amendment No. 2.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

I would move the Senate concur in House Amendment 2 to

Senate Bill 463.

PRESIDENT:

All right. Senator Weaver has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill...Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Yes, Mr. President, I'd like to ask Senator Weaver to explain what that does.

PRESIDENT:

All right. Senator Weaver.

SENATOR WEAVER:

Floor...Floor Amendment...2, by Representative Barnes. This amendment adds a hundred and sixty-seven thousand two hundred and fifty dollars to the...commissioner for one technical advisor and one secretary and two correspondents, all the items provided for the office space and the equipment and other related items to support these...positions.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

And that's all...that's the total...everything that it does? Thank you, Senator.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 463. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 463 and the bill having received the required constitutional majority is declared passed. 466. On the Order of Secretary's Desk Concurrence

is Senate Bill 466, Mr. Secretary.

SECRETARY:

Senate Bill 466 with House Amendment No. 2.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that we concur in House Amendment No. 2 to Senate Bill 466. It's just a two hundred dollar change from when it was introduced.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 466. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 2 to Senate Bill 466 and the bill having received the required constitutional majority is declared passed. 471, Senator Coffey. 474, Senator Mahar. 477, Senator Bloom. 478, Senator Kustra. 481, Senator Dudycz. 482, Senator Donahue. On the Order of Secretary's Desk Concurrence is Senate Bill 482, Mr. Secretary.

SECRETARY:

Senate Bill 482 with House Amendments 1, 2, 3, 4, 5, 6, 7 and 8.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move we concur with House Amendments No. 1, 2, 3, 4, 5, 6, 7 and 8.

PRESIDENT:

All right. Senator Donahue has moved concurrence. Is there any discussion? If not, the question is, shall the

Senate concur in House Amendments 1, 2...Senator Kelly.

SENATOR KELLY:

I don't know, maybe I'm missing something, but I'd like to have the Senator explain what...what's being done here before we go ahead and vote on it.

PRESIDENT:

All right. Senator Donahue.

SENATOR DONAHUE:

Okay. House Amendment No. 1 reduces the Contractual line item in the general office and Illinois Veterans' Home to one dollar each. It was later restored by House amendment...Floor Amendment No. 8. House Amendment No. 2 reduces the appropriations for the headstones by forty-nine thousand, the department accepted this. House Amendment No. 3 reduced the appropriation for grants to the Vietnam Veterans' Act by one hundred and seventy-one thousand five hundred. That was restored by Floor Amendment No. 8. House Amendment No. 4 increased the Personal Service line at the Veterans' Home by a hundred and eighty-eight thousand four hundred dollars. It was also later restored...wait...it was restored in the Senate reduction...and it's the Illinois Veterans' Home Fund and not the General Revenue Fund. House Amendment No. 5 is...technical. House Amendment No. 6 transfers three hundred thousand dollars from the Road Fund to General Revenue Fund at the Illinois Veterans' Home, it reverses the action that was taken in the Senate. House Amendment No. 7 adds a hundred and seventy-one thousand five hundred dollars that was cut by a House amendment, and No. 8 restores all the ones I later said.

PRESIDENT:

Senator Kelly. Further discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3, 4, 5, 6, 7 and 8 to Senate...to Senate Bill 482. Those in favor will vote Aye. Those opposed will vote Nay. The voting is

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56, no Nays, none voting Present. The Senate does concur in House Amendments 1, 2, 3, 4, 5, 6, 7 and 8 to Senate Bill 482 and the bill having received the required constitutional majority is declared passed. 499, Senator Darrow. On the Order of Secretary's Desk Concurrence, Senate Bill 499, Mr. Secretary.

SECRETARY:

Senate Bill 499 with House Amendment No. 1.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. The amendment that the House put on is actually a pretty good amendment. I'm surprised at what good work they've done. What it does is provide that the hearing provisions for...refusal of the Breathalyzer incorporated in operating a motor...or operating a boat while intoxicated. And, secondly, more importantly, is the fact that if you possess a...a boat and stay in the harbor this Act does not apply to you. It only is for those persons who are out on the water operating their boat. And lastly, there's a technical change with regard to the blood test. We had some problem...there was one area that said six hours, another twelve hours. So I would ask for a concurrence of this amendment. I'm surprised how well the House did on this.

PRESIDENT:

Senator Darrow has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 499. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

there are 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 499 and the bill having received the required constitutional majority is declared passed. 528, Senator Philip. On the Order of Secretary's Desk Concurrence is Senate Bill 528, Mr. Secretary.

SECRETARY:

Senate Bill 528 with House Amendment No. 1.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 1 restores five thousand five hundred dollars for Personal Service. I move that we concur in House Amendment No. 1 to Senate Bill 528.

PRESIDENT:

All right. Senator Philip has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 528. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 528 and the bill having received the required constitutional majority is declared passed. 551, Senator Lemke. 658, Senator Netsch. Senator Netsch in the hall? 670, Senator Dawson. On the Order of Secretary's Desk Concurrence is Senate Bill 670, Mr. Secretary.

SECRETARY:

Senate Bill 670 with House Amendment No. 3.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

SB 847 conc. + non conc. amends. #1, 3, 4

Mr. President, Ladies and Gentlemen of the Senate, I wish to concur with House Amendment No. 3. It clarifies the conditions under which employees may file a suit in circuit court under the Employee's Access to Personnel Records.

PRESIDENT:

Senator Dawson has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 670. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, none voting Present. The Senate does concur with House Amendment No. 3 to Senate Bill 670 and the bill having received the required constitutional majority is declared passed. 847, Senator Weaver. On the Order of Secretary's Desk Concurrence is Senate Bill 847, Mr. Secretary.

SECRETARY:

Senate Bill 847 with House Amendments Nos. 1, 3 and 4.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move the Senate concur in House Amendments No. 1 and 3 and nonconcur in No. 4.

PRESIDENT:

All right. Senator Weaver has moved concurrence with House Amendments 1 and 3. Is there any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 847. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 3 to Senate Bill 847. Senator Weaver now moves that the Senate nonconcur with House Amend-

SB 1102 concurrence

ment No. 4 to Senate Bill 847. All in favor of the motion to nonconcur indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 893, Senator Etheredge. 970, Senator Lemke. 1010, Senator Carroll. 1021, Senator Netsch. 1102, Senator DeAngelis. On the Order of Secretary's Desk Concurrence is Senate Bill 1102, Mr. Secretary.

SECRETARY:

Senate Bill 1102 with House Amendments Nos. 1, 2 and 3.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move to concur with all three amendments. This is the continuing...revision of the Business Corporation Act and a few more things were added on in the House.

PRESIDENT:

Senator DeAngelis has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 1102. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 1102 and the bill having received the required constitutional majority is declared passed. 1103, Senator Bloom. On the Order of Secretary's Desk Concurrence is Senate Bill 1103, Mr. Secretary.

SECRETARY:

Senate Bill 1103 with House Amendment No. 1.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, very much, Mr. President and fellow Senators. This bill was discussed extensively yesterday. I would move that we concur with the House amendment.

PRESIDENT:

All right. Senator Bloom has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1103. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1103 and the bill having received the required constitutional majority is declared passed. Senator Carroll on 1010, I understand you have a motion. Mr. Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 1010.

SECRETARY:

Senate Bill 1010 with House Amendments 10 and 11.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I move that we nonconcur with House Amendments 10 and 11.

PRESIDENT:

Senate...Senator Carroll moves to nonconcur in House Amendments 10 and 11 to Senate Bill 1010. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Joyce on 1164. 1185, Senator Dawson. On the Order of Secretary's Desk Concurrence is Senate Bill 1185, Mr. Secretary.

SECRETARY:

Senate Bill 1185 with House Amendment No. 1.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, I wish to concur with House Amendment No. 1 to 1185. The summary of it is that no hospital may refuse necessary treatment to a pregnant woman in active labor whose life or safety to be threatened in the absence of such treatment because she is unable to pay. This is supported by the Illinois Hospital Association. I ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Donahue.

SENATOR DONAHUE:

Sorry. I just want to say, yes, this is okay.

PRESIDENT:

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1185. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1185 and the bill having received the required constitutional majority is declared passed. 1200 is a hold. Top of page 6. Top of page 6, on the Order of Secretary's Desk Concurrence is Senate Bill 1212, Mr. Secretary.

SECRETARY:

Senate Bill 1212 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do concur with House Amendments No. 1 and 2 to Senate Bill 1212. They set up

advisory councils for the Board of Education and I would move that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Keats. Senator Keats.

SENATOR KEATS:

Well, we're okay, thanks. We thought...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, turn off your...Senator Watson.

SENATOR WATSON:

Yes, sir, Mr. President, I'd like to ask the sponsor, it says here requires...is this going to be a mandate and what's this going to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

What...what part of the...what are you asking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson...

SENATOR WATSON:

The original legislation says, "Requires school boards to appoint informed advisory councils." It probably isn't a bad idea, but is there...is that what this is going to do is...is mandate this to units of local government? Is it going to be costly?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

That part of the bill only applies to the City of Chicago. It came out here on the Consent Calendar. It applies only to the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator...Senator Marovitz has moved that the Senate concur with House Amendments 1 and

2 to Senate Bill 1212. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1212 and the bill having received the required constitutional majority is declared passed. 1218, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

1218 with House Amendments No. 1, 2 and 9.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1218, you will recall, was part of the Hispanic study...Hispanic Dropout Study Task Force recommendation. Three amendments were added in the House and it's my intent to move to concur...or ask the Senate to concur in all three. Much like Senator Darrow, I think the House did a pretty reasonable job this time. The first amendment, Amendment No. 1, makes permissive...as opposed to "shall" it says, "may." It makes permissive the provision for tutorial programs in Chicago. Amendment No. 2 changes the penalty down to a Class A misdemeanor for the willful falsification of student records. And finally, Amendment No. 9 deletes the provision altogether that required school districts to provide services to students who have dropped out of school for more than a year. My understanding is that Senator Berman and the summiteers have taken care of this provision, it will be presented to us in some form in the education reform package. So I would move, Mr. President, Ladies and Gentlemen of the Senate, that the Senate concur with House Amendments 1, 2 and 9 to Senate Bill 1218.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB/224 concurrence

All right. Any discussion? If not, the question is, shall the Senate concur with House Amendments 1, 2 and 9 to Senate Bill 1218. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2 and 9 to Senate Bill 1218 and the bill having received the required constitutional majority is declared passed. 1224, Senator Carroll. 1-2-4-4, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1224 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

ACTING SECRETARY:

1 and 2.

SENATOR CARROLL:

1 and 2. I would move that we do concur with House Amendments 1 and 2. These were technical amendments to tighten up the definitions as to when an attorney could claim that a continuance was necessary for religious purposes. And I would move that we do concur with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1224. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate...does concur with House Amendments 1 and 2 to Senate Bill 1224 and the bill having received the required constitutional majority is declared passed. 1350, Senator Carroll. 1-3-5-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1350 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Berman claimed that because the...it is the Sabbath he did not vote on the last bill. But as to 1350, I would move that we nonconcur, there is a technical defect in the language that I believe is being worked out, and I move that we nonconcur so the conference can straighten that out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves to nonconcur with House Amendments...with House Amendment 1 to Senate Bill 1350. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1352, Senator Dawson. 1-3-5-2, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

1352 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate, I wish to concur on House Amendment No. 1. The summary of the amendment replaced the...the term "child-care facility" with "day-care centers" and to make the new requirements for a day-care center driver applicable to the operation of a second rather than a first class division vehicle. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1352. Those in favor will signify by...will vote Aye. Those opposed Nay. The voting...voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 54, the Nays are 3, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1352 and the bill having received the required constitutional majority is declared passed. 1368. 1368, Mr. Secretary.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 1368 with House Amendments Nod. 1, 2, 3, 4 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the capital development reappropriation bill. What that means is that...these are ongoing and existing projects that last more than a year and it's necessary to continue to provide the funds so that the contractors might be paid and...and the projects completed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate concur with House Amendments 1, 2, 3, 4, 5. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2, 3, 4, 5 to Senate Bill 1368 and the bill having received the required constitutional majority is declared passed. 1379, Senator Bloom. 1-3-7-9, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1379 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Move we nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves to nonconcur with House Amendment 1 to Senate Bill 1379. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. 1412, Senator Lemke. 1436, Senator Joyce. 1452. All right, with leave of the Body, we'll return to page 4, Senate Bill 471, Senator Coffey. 471. Page 4, Senate Bill 471, Secretary's Desk concurrence. 471, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 471 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. This makes reappropriations for the ordinary and contingent expense for the Department of Transportation. I'd like to move to accept Amendments No. 1 and No. 2...House Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 471. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 471 and the bill having received the required constitutional majority is declared passed. 474...Senator Mahar. 474, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 474 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. I move to concur with House Amendment No. 2 to Senate Bill 474. What the amendment does is add backs partial year funding for positions cut in the Senate as vacancies which have been since filled. The total increase is twenty thousand six hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? If not, the question is, shall the Senate concur with House Amendment 2 to Senate Bill 474. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take all record. On that question, the Ayes are 58, the Nays are none, none voting Present. The...the Senate does concur with House Amendment 2 to Senate Bill 474 and the bill having received the required constitutional majority is declared passed. All right, page...page 6 on...Secretary's Desk nonconcurrence, we're going to go through the nonconcurrences and then to the supplemental Calendar. Page 6, Secretary's Desk nonconcurrence, House Bill 316, Senator Sangmeister. Page 7, House Bill 514, Senator Kustra. 692, Senator DeAngelis. House Bill 692, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 692 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I move that the Senate refuse to recede from Senate Amendment No. 1 and that a Committee on Conference be called on Senate Bill 692.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis has moved that the Senate refuse to recede from...from Senate Amendment 1 to House Bill 692 and that a Conference Committee be appointed. Those in

favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 807, Senator Topinka. Senator...Mr. Secretary, 807.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 807 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I...move the Senate refuse to recede from Senate Amendment No. 1 and that a Conference Committee be called.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka has...moves that the Senate refuse to recede from Senate Amendment 1 to Senate Bill 707. Those in favor indicate by saying Aye...and that a Conference Committee be appointed. Those in favor...indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 894, Senator Rock. Mr. Secretary, 894.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 894 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 894 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate refuse to recede from...from the adoption of Senate Amendment No. 1 to Senate Bill 894 and that a Conference Committee be appointed. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. 1392. 1763. 1961, Senator

Schaffer. Senator Hall, for what purpose do you arise? Senator Hall.

SENATOR HALL:

Just for a point of information a while ago. Senator Topinka's bill, 707, where was that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...she refused to recede from...

SENATOR HALL:

The board had 707. That's what I'm trying to say.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, it was 807.

SENATOR HALL:

Oh, okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...1961...Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Point of information, Mr. President. Are we on Senate bills or House bills?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We're on House bills, nonconcurrences.

SENATOR DUDYCZ:

The board says Senate bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 7, House Bill 1961, Senator Schaffer. You ready? All right, Mr. Secretary, 1961, House bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1961 with Senate Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I would move to nonconcur, frankly, with the express purpose of putting in a Conference Committee to add some bills for the administration or...or added language for the administration on other subjects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer moves that the Senate refuse to recede from Senate Amendment...from the adoption of Senate Amendment No. 1 and that...to House Bill 1961 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2421, Senator Bloom. 2421, House bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2421 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I move that we refuse to recede from House Amendments 1 and 2 and have a Conference Committee formed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 from House Bill 2421 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Bottom of page 7, final action, consideration postponed concurrence is Senate Bill 944, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 944 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson...take it out of the record. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. It...it is approaching noon, my suggestion will be that we go through supplemental...having been through the regular Calendar once, we'll go through the Supplemental Calendar No. 1 and then we'll be in a position to break for lunch and Conference Committees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, Supplemental Calendar No. 1 Secretary's Desk nonconcurrence, House Bill 83, Senator Schaffer. Supplement No. 1, nonconcurrence, House Bill 83.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 83 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, House Bill 83, we put an amendment on on behalf of the Department of Revenue. Our House colleagues, I believe on both sides of the aisle, particularly the...the House Democrats were not comfortable with that language. In talking to Senator Netsch and to the House, it is apparent that the bill may need some fine-tuning by the Department of Revenue but it is suggested that we recede from the amendment and if that fine-tuning is necessary, which it may or may not be, that we do that by amendatory veto. At this point,...apparently, everybody agrees what we want to do for senior citizens is appropriate and if there is a glitch, they aren't quite sure how to...how to resolve it and it's a minor one and it's a technical one from the department's point of view. The House sponsor and I have both agreed to work with the department to make sure that if there's a problem we'll...we'll get it resolved; but at this point, I would move to recede from Senate Amendment No. 1, and I might add, I've talked this over with the chairman of the Revenue Committee and while she is not on the Floor, I...I'm comfortable in saying that she agrees with this procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer has move to recede from Senate Amendment No. 1. Any discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House

Bill 83. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 83 and the bill having received the required constitutional majority is declared passed. House Bill 137, Senator Geo-Karis...House Bill 137, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 137 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I refuse to recede from the Senate amendment and I ask for a conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves that the Senate refuse to recede from the adoption of...of Senate Amendment No. 1 to House Bill 137 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. House Bill 419, Senator Carroll. House Bill 419, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 419 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we refuse to recede from Senate Amendments 1 and 2 and ask that a Committee on Conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 and that a Conference Committee...to House Bill 419 and that a Conference Committee be appointed. All those in favor say Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. House Bill 474, Senator Berman. House Bill 474, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 474 with Senate Amendments No. 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I move that we refuse to recede and that a Conference Committee...be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 3 to House Bill 474 and that a Conference Committee be appointed. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 627, Senator Lemke. Senator Lemke on the Floor? House Bill 627, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 627 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to not recede and ask for a Conference Committee. I understand our amendment in the bill doesn't jive or something according to the Reference Bureau and we need a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke moves that the Senate refuse to recede from Senate Amendment...from the adoption of Senate Amendment No. 1 to House Bill 627 and that a Conference

Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 1039, Senator Holmberg. 1039, Mr. Secretary, House bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1039 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I move not to recede from the House amendment and ask that the bill go to a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Holmberg moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1039 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 1072, Senator Etheredge. House Bill 1072, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1072 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, I...I move that the Senate refuse to recede from the...amendment and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 and that a Conference...to House Bill 1072 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 1258, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1258 with Senate Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I would move that the Senate refuse to recede and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver moves that the Senate...refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1258 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill...House Bill 1567, Senator Watson. All right, Mr. Secretary, House Bill 1567.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1567 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move...that the Senate refuse to recede from House action on House Bill 1567 and a Conference Committee be reported.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator...any discussion? All right, the...Senator Watson moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1567 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator...Senator Rupp.

SENATOR RUPP:

...point of personal privilege.

HB 2445 Refuse to Recede

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR RUPP:

Thank you. Senator Lemke was kind enough to give me a note that his Secretary, Margie, has her mother, Helen O'Daffer, and her sister, Betty Thompson, are in the Senate gallery. As I say, Senator Lemke asked that I be given the privilege of asking that the Senate recognize them since they are from the Decatur area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, will our guests in the gallery please rise and be recognized by the Senate. House Bill 1801, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1801 with Senate Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I recommend that the Senate refuse to recede from Senate Amendments 1 and 2 on House Bill 1801 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves that the Senate refuse to recede from the adoption of...Senate Amendments 1 and 2 to House Bill 1801 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Secretary will...shall so inform the House. House Bill 2263, Senator Savickas. House Bill 2446, Senator Topinka...I'm sorry,...it's hard for me to read, it's House Bill 2445, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2445 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, I would move to...that the Senate should refuse to recede from Senate Amendments 1 and 2 and would ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House bill 2445 and that a Conference Committee be appointed. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Before I move us to Recess for the purpose of Conference Committees and/or a bite of lunch, we can revert back to the Order of Secretary's Desk Concurrence, on the top of page 5. That one, it appears, has to go to Conference Committee. It's appropriations for our support agencies and I would move...top of page 5, with leave of the Body, I would move that the Senate not concur with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go back to page 5, Secretary's Desk Concurrence, Senate Bill 552, Mr. Secretary...Senate Bill 552...552...(machine cutoff)...Mr...Mr. Secretary, 552.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 552 with House...with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to nonconcur in House Amendments 1 and 2 to Senate Bill 552. All in favor...say Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you. I would now move that the Senate stand in Recess until the hour of three o'clock. Recess until three o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Senate will...Senate will Recess till the House of three o'clock.

RECESS

AFTER RECESS

PRESIDENT:

Senate will come to order. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to make a motion to adjourn until tomorrow at nine. Suggest that Senator Rock and I come in at nine and move the paper work, because, as you know, the House has not been flowing the paper work back over here so we can get our jobs done, and then have the...have us come back...the members come in at one o'clock.

PRESIDENT:

I think that's a good suggestion, frankly, the Chair would reflect...Senate will...Senator Philip has moved the Senate...yes, Senator Philip.

SENATOR PHILIP:

I...I would say this, Senator, that I don't know what the hell is going on. If you want to find out what's going on, go over to the other Chamber, they know, we sure as hell don't.

PRESIDENT:

The fact is, there's nothing remaining on the Calendar to do. The...the House has not sent us any paper work. The bills that were...everything on the Calendar was called today and members decided to hold what they didn't wish to call. Every bill on the Calendar was called. Senator Philip has moved correctly that the Senate stand adjourned till nine

o'clock tomorrow morning. He and I will be here to move the paper. The members will please come to the Floor at one o'clock and we'll sort it all out. The Senate stands adjourned till nine o'clock tomorrow morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 30, 1985

PRESIDENT:

The Senate will come to order. We will defer the prayer and the reading of the Journal until one o'clock when the members arrive. Mr. Secretary, Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to House bills with the following titles together with Senate amendments:

House Bill 62 with Senate Amendment 1.

House Bill 529, Senate Amendment 1.

993 with Senate Amendment 1.

1070 with Senate Amendments 1, 2 and 4 through 7.

1097, Senate Amendments 1, 3 and 6.

1924, Senate Amendments 1, 2 and 3.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 212.

I am further directed to inform the Senate the House of Representatives requests a first Committee of Conference to consist of five members from each House to consider the differences of the two Houses in regard to the amendment, and the Speaker has appointed the members on the part of the House.

A like Message on Senate Bill 796 with Senate Amendment 1.

A like Message on Senate Bill 813 with Senate Amendments 1 and 2.

A like Message on Senate Bill 856 with Senate Amendments 1 and 2.

And a like Message on Senate Bill 859 with House Amendment 1.

PRESIDENT:

All right. Senator Philip moves that the Senate accede to the request of the House with respect to Senate Bills 212, 96, 813, 856 and 859. All right. The Senate will stand in Recess until the hour of one o'clock.

RECESS

AFTER RECESS

PRESIDENT:

The hour of one having arrived, the Senate will come to order. Prayer this afternoon by the Reverend Cecil Koop, St. James Church, Riverton, Illinois.

REVEREND KOOP:

(Prayer given by Reverend Koop)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and the approval of the Journals of Tuesday, June 18th; Wednesday,...June 19th; Thursday, June 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th and Saturday, June 29th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and it is so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to House bills with the following titles:

House Bill 1934, Senate Amendment 3.

1962, Senate Amendment 1.

1974, Senate Amendment 1.

And 2434 with Senate Amendments 1, 2, 3, 4 and 5.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their amendments to Senate bills, and I'm further directed that they request first Committee of Conference and the Speaker has appointed the members on the part of the House on the following Senate bills:

17, 95, 98, 114, 158, 207, 447, 448, 497, 513, 537, 560, 623, 653, 730, 830, 882, 984, 1037, 1064, 1095, 1111, 1152, 1267, 1287, 1289, 1303, 1388 and 1437.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Resolutions, Mr. Secretary, have any objections been filed to our Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We do have, what, Senate Joint Resolution 82 that's been added. Senator Rock moves for the adoption of the Consent Calendar. Resolutions. With...Senate Joint Resolution 82 added. Is there objection? If not, those in favor indicate by saying Aye and those opposed. The motion carries and the resolutions are adopted. We have...Senator Chew has brought us an old-time friend of his, one that's helped him many

years ago, and would like to introduce him at this time.

SENATOR CHEW:

You know, ladies and gentlemen, we've operated on a theory over the years that Abraham Lincoln was the freer of the slaves. Well, true or false, the fact is that the slaves were freed, but we had to bring you a reminder and we have for you this morning the actual, authentic Abraham Lincoln, Harry Hawn.

MR. HARRY HAWN:

(Remarks given by Harry Hawn)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Good morning. I wanted to ask Mr. Lincoln a question but he got off of the Podium. I wanted to ask him after meeting Senator Chew would he have still made that decision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have an enormous amount of work to do today. There are conferences going on and I have been involved in a leadership meeting since about nine o'clock this morning. The House, it appears, has come to a virtual standstill. So, my suggestion, Mr. President, is that we go through the regular Calendar and the Supplemental Calendar, see where we are and then start right at the top and go through one by one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, that's a very good suggestion. We will start on page 2 on the Secretary's...Desk for concurrence. This is final action on Senate bills. WCIA-TV requests permission to videotape the proceedings, Carol Fowler from WCIA. Is there objection? If not, leave is granted. On the

Order of Secretary's Desk for Concurrence, Senate Bill 24, Senator Joyce.

SECRETARY:

Senate...Senate Bill 24 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 2, also seeks leave to videotape. Is leave granted? Hearing no objection, leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do concur in House Amendment No. 1 to Senate Bill 24. House Amendment No. 1 deletes the language "attempt" in line with the reasoning that the inchoate defense of attempt is already covered in the Illinois Criminal Code.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 24. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 24 and the bill having received the...required constitutional majority is declared passed. Mike...well, Mike Flanner...we just gave WBBM-TV permission to record. Senate Bill 75, Senator Rock.

SECRETARY:

Senate Bill 75 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 3 to Senate Bill 75 did in fact delete everything after the enacting clause, and what the

bill does now as before us with House Amendment No. 3, this would extend the 1983 unemployment insurance solvency package for an additional six months. As you recall, when the General Assembly with the help of organized labor and the organized business community put together the unemployment insurance solvency package back in 1983, it was to be in effect for a three-year period; namely, till July 1, 1986. Subsequent to our action, the Congress of the United States in 1983 set a little different guideline. So, the fact is, that in order to qualify for the third year, the State must extend our solvency package for an additional six months. If we do not...if we do not, we will incur an additional twenty-seven million dollar liability from the General Revenue Fund, which payment...interest payment would...otherwise be due and owing on September 30th of this year, and the employer or the business community would incur an additional...it is estimated forty-eight to fifty million dollars in additional taxes, payments. Now I am aware that the...the United Auto Workers in particular are opposed to this six-month extension. I spent well over an hour yesterday meeting with the representative from the United Auto Workers and their point, frankly, is a valid one in that three years ago we had an agreement, and under the agreement business was to contribute and labor was to contribute to the extent that the benefits were to be stabilized if not lowered. That fact is the business community in the judgment of the United Auto Workers has not contributed its fair share under that agreement, and before they are willing to agree to a six-month extension, they want to get...reestablish the parity that was intended. Fact of the matter is, this is the eleventh hour and we simply don't have the time. Absent this activity, the State will incur liability of an additional twenty-eight million dollars and the business community will incur forty-eight to fifty million dollars. I explained that to the representa-

tive of the UAW, I understand their concern, but our concern, I think, is to protect the integrity of the General Revenue Fund in particular, and so I move to concur with House Amendment No. 3 to Senate Bill 75.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Rock, I apologize, I heard most of what you said but I didn't hear...I didn't hear the explanation of what it is we are doing for the next six months. We're extending something for six months, what is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock. Let's have a little order. This is a very important piece of legislation.

SENATOR ROCK:

All right. Let me...let me start over. We are extending for a six-month period from July 1, '86 to January of '87 the unemployment insurance solvency package which we put together back in 1983. This, it is felt necessary to be done because of subsequent congressional action which allows those states...as I understand it, allows those states that have made an effort in terms of absolving their debt to make the system again solvent. If, indeed, good faith is shown and...and the statistics prove that we have made a significant contribution, as we did make, then the employer is entitled to a credit on the penalty, the penalty is lessened to the tune of about forty-eight to fifty million dollars and the interest that is otherwise owing to the Federal Government can again be deferred. If we don't do anything...if we don't do anything, the agreement is still in effect until next July, but the fact is, we will owe the Federal Government an additional twenty-eight million dollars in interest on September 30 and the employers will pay fifty million

dollars more than they have to. So, I think,...even though there is some justifiable concern on the part of the United Auto Workers, I explained to them, I hope, the reasonableness of the position I have taken, that we...in order to protect the General Revenue Fund and to protect the employer community, this is something we simply have to do, and so I'm moving concurrence in House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like...ask leave to have my name removed as a sponsor of Senate Bill 75.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? Hearing no objection, leave is granted...the question is, shall the Senate concur in House Amendment...Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. While Senator Rock's motion is probably the...the most responsible action for us to take on Senate Bill 75, I do think it's important though that...for the record that I speak to the...to the process again, because it appears to me that the whole process by which we...arrive at decisions on agreed bills has broken down. It is true that we must go on and resolve this issue and...but I would hope that in the future that those persons involved in that process, the leadership, would, in fact, alert their memberships before they sign off on agreements because it just causes all kinds of problems, and to ignore legitimate concerns of one group over the objections of...of others, it is unfair and we cannot call this an agreed process. So, I would just like, for the record, to say that this is, in fact, not an agreed bill and that United Auto Workers does have a legitimate concern, although, this...Senator Rock's motion is a legitimate

SB259 concurrence

motion and probably the most responsible approach to this problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 75. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none...and 4 voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 75 and the bill having received the required constitutional majority is declared passed. WAND-TV from Decatur requests permission to videotape today's Senate proceeding. Is...is there objection? Hearing none, leave is granted. Senate Bill 147, Senator Berman. Senate Bill 206, Senator Sangmeister. Senate Bill 259, Senator Bloom.

SECRETARY:

Senate Bill 259 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I'm going to move that we concur in the two House amendments. Senate Bill 259 with these amendments addresses a situation of hostile takeovers. Under present law, you have certain raters that will offer a premium price for stock up to, let's say, thirty or forty percent and get control of the company, and then tell the remaining shareholders that...they'll force them out or they can buy the...the stock at a much reduced price. What this does, it adds a fair price requirement to the second step in takeovers and assures equal treatment of all shareholders in corporate takeovers. The other amendment represents a little bit of controversy and what it does it directs...or permits, I should say, the directors...the board of directors of a corporation to consider the effects of

their action upon the communities in which the corporation is located and on the employees, suppliers and customers. It raises the standards somewhat of behavior of directors. Now, I'll answer any questions you may have, otherwise, I would seek its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 259. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 259 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The next five bills are appropriation bills. I think the...request ought to be, we'll get back to those later. The budget conferees are still meeting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That request is in order. Senate Bill 551, Senator Lemke. Senate Bill 658, Senator Netsch. Senate Bill 893, Senator Etheredge. Senate Bill 970, Senator Lemke.

SECRETARY:

Senate Bill 970 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to concur in House Amendment No. 1. This takes out the...recovery of the state's attorney putting a lien on the property. I think it's...it's not what we want but..I always felt that with the liberal House Judiciary Committee half a loaf is better than none and I'll accept the amendment.

SB 1021 Concurrence

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 970. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 970 and the bill having received the required constitutional majority is declared passed. Senate Bill 1021, Senator Netsch.

SECRETARY:

Senate Bill 1021 with House Amendments 12 and 13.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would like to divide the two amendments, if I might, and address myself first to Amendment No. 12. With tears in my eyes, I move to concur in...I move that the Senate concur in House Amendment No. 12 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...

SENATOR NETSCH:

May I...may I address it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, yes.

SENATOR NETSCH:

It is final...it will be shortly final action. So that's why I would like to have some discussion if I might. The reason why I am making the motion to concur rather than the motion that I guess I would have preferred to make which was to nonconcur, I think is for two reasons. One is that at this stage of the legislative Session with a bill that is this complicated and this important and that was this diffi-

cult to put together, I simply do not want to risk a Conference Committee, and the second reason which all of you will recognize and understand is that I...on a nonconcurrence motion, I simply didn't have the votes. Now,...there are a few points I would like to make because I...this is an extremely important bill and an extremely important amendment, and I would like to make clear what it was that we were trying to do and what the amendment that the House put on has in fact done. There is no question that the single, most important issue that actually affects rates, particularly electric rates, was this issue of excess capacity; in fact, the provision dealing with excess capacity is really the only one that had any direct relationship to the amount that we will be paying in in the future. That is clearly why it became the major focus of discussion, despite the fact that there was a great deal of...there were many other provisions in the bill that were also important. That...it is the excessive capacity which the utilities currently have and it is excessive capacity and it's going to be more so that your constituents are paying for right now and will continue to pay for at a very high level, and I should make it clear that those ratepayers are not just our voting constituents, who I think are the most important, but it also...the businesses of the State. We have the highest rates in the midwest and they're going to get higher and we are paying a terrible price for that in terms of our economic climate in the State of Illinois, and remember that there are still some terrible shocking rate increases that will be coming in the future, almost all of them the result of the nuclear power plants that will be coming on line. True, many, many months of hearings and deliberations that the Joint Committee on Public Utility Regulation went through...I'm...I was about to say endured and that was the committee that was appointed by all of you to review the utility law. We heard over and over

again that there had been no effort to address the question of excess capacity on the part of the utilities or the commission. The utilities continued to stand by their inflated estimates of economic and energy consumption growth, and even...even if their original estimates for need in the future were justified, after a period of time it became clearly evident that they were not justified and, yet, they were not changed, and one reason why they were not changed was the commission did not sit in judgment on those estimates. It quitely acquiesced in whatever the utilities asked in the way of construction and building authority. That is why we ended up with what we have now today in the way of excess capacity and excess capacity still to come on line, there was no commission oversight. That is also why we on the joint committee wrote into the law the very explicit directions that we did, because we were addressing the question of...of inaction...a decade of inaction on the part of the utilities and the oversignt. And that is why when the bill passed the Senate it had a very clear mandate to the commission to consider excess capacity, it had a precise and specific definition of what constituted excess capacity and it had a very precise remedy. The House did not agree with what we did and I strongly disagree with what the House did, but at this stage, it is more important...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's have a little order. Senator Netsch has worked long and hard on this legislation and I think she's entitled to some order and some consideration.

SENATOR NETSCH:

Thank you, Mr. President. But at this stage, it is much more important to get the bill passed and to get the commerce commission committed to the proposition that it must in the future take into account excess capacity. And, so, while Amendment No. 12 is not as precise, it is not as detailed, it

is not as mandated as I would have liked and a number of us would have liked, I think it does reaffirm...it clearly reaffirms the commission's existing authority to consider excess capacity and to adjust rates in accordance with its findings on excess capacity; and by writing into the Statute an explicit provision that deals with excess capacity, I think that the General Assembly is now sending to the commission as well as to the utilities but particularly to the Illinois Commerce Commission a clear warning that it can not continue its inaction on this, the most important issue with respect to rates in the entire regulatory process. The mandate is there, it is clear, the commission must act, and it is for that reason that I move to concur in...Amendment No. 12 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Joyce, Sangmeister, Poshard and Hall and Bloom seek recognition and now Jones. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Could I have the sponsor...answer some questions, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JEROME JOYCE:

All right...it seems to me in listening to your description of why you're doing this that you shouldn't be doing it, and, I guess, I want to know...you do admit that right now currently the commerce commission has...the power to determine that excess capacity exists?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, there is nothing in the existing law which in any way prevents the commission from doing that and...and it is quite clear, because it has the total regulatory authority

with respect to...to rates that it could do it. Now the fact is, and...and I...this may be your next question, Senator Joyce, the fact is that it has not done that. With the exception of one small case in 1982 involving CIPS where there was a...built into the rate adjustment a...what really amounted to a recognition of excess capacity, the commission has other than that steadfastly taken the position that it shouldn't do it, there is no such thing, it oughtn't to do it and so forth.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, that's...that's correct, they've...one time they tried to do it...isn't it also true that Iowa, Illinois gas and electric rates have recently been...the commerce commission refused to adjust their powers in fact...inspite of the fact that they've got sixty percent over capacity?

PRESIDING OFFICER: (SENATOR SAVICKAS)

AP requests leave to take still photos. Is leave granted? Hearing no objection, leave is granted. Senator Netsch.

SENATOR NETSCH:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

And we're not doing anything here to change what is actually in the law now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR JEROME JOYCE:

...well,...you know, you say no, but...but really we are just rewriting it and recodifying it saying that, you know, you better do it or...or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well,...I hope we'll draw and quarter of the members of the commerce commission if they do not now abide by this. I think there is a difference though, Senator Joyce, and this is part of what I had to consider in making a motion which I know you do not agree with, and that is that there is now spelled out in...in...not the precise mandated terms that I would have liked, but in very explicit terms the commission's authority to deal with the issue of excess capacity and to adjust rates accordingly. And it seems to me that what the commission has been able to get away with these last few years,...except for that one incident saying, you know, we don't think it's an issue, it's not important or...or we shouldn't do it or whatever, it simply cannot do that any longer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I think what...what we are proving is that this General Assembly doesn't have any teeth, that CUB doesn't have any teeth and we are proving that the utility companies can get away with whatever they want to. They can continue to...to build and profit at the expense of the ratepayers. I think if ever we had a chance to do something that would be meaningful for all of the people in this State, it is now and I think we have forfeited that chance, I think that we have turned this over, I think the utility companies and the commerce commission must be laughing at us. We went through...Senator Netsch, you did, and the...the joint commission did, they went through lots of hearings, came to our committee in this Senate and amended the bill...had fourteen hours of hearings with the Senate Committee and we

really believed that we were doing something that wasn't a whole bunch, it wasn't a lot, but it was a little bit of something. It would have stopped the...the Commonwealth Edison rates from going up forty percent in the next couple of years, Illinois Power rates from going up seventy percent in the next year or two. It wouldn't have prevented all of that increase but it would had some kind of an impact, and it would have told the utility companies, you'd better do a better job, you had better...be better managers and you'd better use better planners...and we didn't do that. We have completely, in my opinion, capitulated on this and I think it's a shame. I think it's a real shame that...at least the people on this side of the aisle who are purported to represent the people in this State, the people that don't have the large lobbyists representing them, I think we've turned this completely over to the utility companies and the commerce...a commerce commission that hasn't done anything in the past, and we're saying, but we're going to be watching you, and you see how we're watching them. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Dudycz, for what...purpose you rise?

SENATOR DUDYCZ:

Mr. President, I move the...previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz, that motion is in order, has moved the previous question. We do have Senator Poshard, Sangmeister, Hall, Bloom, Jones, Collins, Chew and Geo-Karis have sought...and Coffey that have sought recognition before the motion. And we would like to take this time to recognize one of our colleagues that's with us today up in the gallery on the Democratic side. Senator Watson, would he stand and be recognized. Senator Poshard...oh, Channel 20 requests permission to videotape. Is leave granted? Leave is granted.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I reluctantly rise in support of this concurrence motion by Senator Netsch. This is a difficult issue for me because we have at stake coal interest in my end of the State as well as consumer interest and utility interest. That bottom line, I feel this issue is an issue of accountability. It seems to me that it should be no great problem for a utility company to come before the Illinois Commerce Commission and justify the need for what the public would perceive at least to be the production of an enormous amount of excess energy which increases the cost of energy for every consumer in this State. No one in this Chamber is against a utility company making a reasonable profit for its shareholders, no one is against the utility company having the ability to meet the demands of an emergency nature or expanded industrial use. This is not a cap that we talked about in this Senate amendment, it's only a recommended goal above which we are simply asking a utility company to justify the need. This is an issue of accountability, is that so wrong? How could we possibly believe that the Illinois Commerce Commission, which has been more than fair to utility companies in the past, would not grant permission for the production of excess generating capacity above the twenty-five percent goal if it was justified? We talk about sending negative messages to perspective industry in this State, what kind of message are we sending to consumers in this State? This is the age of accountability. We say to our teachers, be accountable and we pass educational reform to enforce that accountability. We say to our doctors and lawyers in the case of malpractice to be accountable and we pass legislation to...enforce that accountability. We say to the citizen on the street, be accountable with respect to the obedience of the laws of the land and the taxes that we enforce upon you for education or

for infrastructure rebuilding or whatever. In this age of accountability, can we say be accountable except with respect to utility companies? We can't even say that there is a recommended goal for the production of energy in this State. We are told that it is not fiscally prudent for a utility company to have to justify production above the twenty-five percent level. I'm sure that hundreds of thousands of people in this State do not feel it is fiscally prudent to pay the kinds of utility bills that are prompted by unrestricted freedom of utility companies to set production and rates in this State. To whom do those consumers turn to protect their interest? They have to pay the rates, they have to subscribe to a monopoly enterprise. They depend upon us to protect whatever right they have to fiscal prudency. There are too many good things in this bill to cause us to kill it, but it seems to me on this one issue, we could have brought some accountability to the public utility reform in this State. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I rise in opposition to this motion to concur, as futile as that opposition is obviously going to be. I happen to agree I...it's interesting we're hearing speeches here about how bad the legislative process is but we're all going to vote to concur, because I guess that is the bottom line of what we're going to do, but I must say that in my years that I have been down here I would like to think that the legislative process has worked. It has absolutely failed in this piece of legislation. It has always been my position that the utility companies on the excess capacity issue should in no way have to assume all of the responsibility for what they were led to...to believe was the right thing to do by the Illinois

Commerce Commission and went along with their rulings. However, at the same time, and in fairness to the consumers, there should have been some responsibility on the stockholders to share some portion of this excess capacity. For this bill to leave here with it being all pro-utility and nothing for the consumer is wrong, and in that respect, I certainly agree with Senator Joyce and we have failed in our responsibility here today. I would ask you to think about that and we should really nonconcur, send this back into a Conference Committee and let's work out something where the utility company assumes at least some responsibility along with the consumer, and I urge you to think about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to this and Senator Sangmeister has expressed it well. There's no reason why that this should be that the consumer should assume all this. I'm going to be voting No and I hope we can force this into a Conference Committee, and I'd like to ask others to do likewise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Why, thank you, Mr. President. As one of the sponsors of this bill, I rise in support of House Amendment No. 12. We've gone through a period of compromise on this...before I get into this, I...I would ask Senator Netsch, isn't it true that the Senate version of Section 9-215 on excess capacity included provisions intended to prevent utilities from unjustifiably retiring or mothballing plans using Illinois coal?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, Senator Bloom, the exact sentence was...and this was in the version that was passed by the Senate. "The commission shall review any proposed retirement, significant derating or other reduction of capacity to determine whether such proposed action would unjustifiably reduce utilization of Illinois coal." That sentence is no longer in the amended version of Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

However, doesn't the bill still require the commerce commission to prevent such action where it is not justified by virtue of Section 8-508 and Section 8-402?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes. I think that is...is more than an...an accurate statement. The one provision effectively requires that any kind of modification of fuel source be reported to the commission and subject to commission approval, and the other section which deals with the planning process also requires a consideration of the...the kinds of plans that are being made and their impact on the utilization of coal. So I think it is...it's fair to say that although a very explicit sentence was eliminated from the section that there...there is still a mandate to the commission to take into..to strong consideration the affect on the utilization of Illinois coal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, to the bill and why I...I rise in support of this particular amendment. We've gone through this proc-

ess, the sponsors who were on the joint committee, for eighteen to twenty months, an arduous process, trying to...with great good intentions trying to modernize the Public Utility Act. We achieved probably more consensus from the telecommunications bill than we have on this bill, but this amendment, I didn't get my way. I wanted to...I wanted to have...mandate to sell the excess generating...the electricity of the...excess generate from the excess generating capacity on the open market to really force a lot of these monopolies to start spreading that around and I was...I didn't win. And, so, this question is obviously closely divided but some of the prior speakers get up and speak as if somehow the world is going to end and that's just simply not the case. And the case is that the...the consumer is well-served...well-served by this particular amendment. Granted, we didn't get all we wanted; however, still, you have to deal with it on a case-by-case basis, as the present amendment does instead of some kind of Procrustean formula that...because it might apply to one utility must be applied to all. The fact of the matter is that with this amendment, 1021 is still a strong consumer oriented bill, make no mistake about that, and I see no reason why everybody on both sides of the Floor cannot support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I rise in opposition to the motion to concur in House Amendment No. 1 to Senate Bill 1021, and I'm somewhat surprised but not shocked at the motion because this has happened in the past. Someone must...Mr. President, I can barely hear myself talk with all this noise...someone on this Floor must rise up on behalf of the small consumers across this State. We cannot give the consumers a pie in the sky and tell them to eat it,

because you know and I know that this bill is not in the best interest of the consumers. But according to the sponsor of the bill, you can't have anything, so if the Illinois Commerce Commission currently has these powers, what you are saying to the consumers, that we're not going to hang you from a tall tree, we're going to hang you from a short tree and this is what this amendment does. It hangs the consumer from a short tree and the bottom line is the consumer gets a bad deal, he's dead, he's screwed in Senate Bill 1021. Those individuals on this side of the aisle who has always been an advocate for the consumers, now is the time to stand up and...and vote against this motion, but let's not give them that pie in the sky and pretend that you are helping them when you know, in fact, that this bill screws the consumers, the little people who pays those consumer bills, and when those bills, rise up, you're going to tell them to go to the commerce commission. If the commerce commission has the power right now and they have not acted, what do you...what...what do you think they're going to do if we pass this legislation? They're going to continue to act as they have in the past and I urge a very strong No vote on the motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I doubt if I could add very much to this discussion as those who have rose in opposition as I am to this bill have already said before me. But let me say that I...I think all of us have to compliment Senator Netsch and those who have worked hard over the past months to try and come up with a meaningful utility reform package, and for that, I think all of us are grateful and...and the citizens of this State are also grateful that they had the wisdom and compassion to...and

devoted and had the dedication to devote their time and energy of trying to do this. However, they have not accomplished what they set out to do, and for that reason, I don't think that we should, in fact, concur to this motion because this is probably one of the most critical issues to more people and more people are concerned and involved in this issue than any other issue before this General Assembly this year. The other thing I think is that this issue can, in fact, have some more time...there is time because the agreement...the current regulation does not terminate until December of this year. This reform for the sake of reform is no reform at all and this is a case where we're going on and passing a bill for the sake of reform more than for the sake of progress, and I think reform that does not have the necessary ingredients to ensure positive results is no reform at all. I think myself and many others over the years have been constantly passing legislation...or putting forth legislation each year because the commerce commission and its current rules and regulation lack the teeth and the power to do an effective job to protect the...the consumers of this State; and to sanction already existing laws, what this particular bill does more than anything else is really it taken no action at all, because we can wait and...and have some time come Fall and to take a very careful look at this issue when we have gotten rid of some of the cloud of all of the other hundreds of reforms that this legislative Body is attempting to do this year. We cannot change the world in one Session and we ought to recognize that, and we should not worry about what the media is going to say after we leave here because the people...it is no consolation at all to the people of this State, and so whether or not the media think that we have act responsibly by going on and passing this bill and the people of this State find that come Fall they have to make a choice between sleeping or heating

their...their...their houses, that is not fair and this is not reform at all, and for that reason, I'll ask for a...nonconcurrence to Amendment No. 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

I suppose would say why and why not on this issue. If Senator Netsch has moved to concur with this issue, I will stand with Senator Netsch, and the reason I will stand with her on this particular acceptance is because we realize if we don't do anything, everything stays as status quo. It's a hard decision but there are areas that we should realize as human beings, utility companies are built and owned by people like us, I don't happen to own any stock in them. But people invest into entities for a purpose and the purpose is a profit, and I would hate to see us try to stymie that investment into something that we want which is not profitable for the investors. I'm sorry to have to part company with the previous two speakers, but in this instance, I'm voting my conscience and I will be voting to concur with that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I am glad that the Senator...the...across the aisle has moved to concur with the amendment, because I think the best way to tell you that the cap that has been removed is more effective is by citing to you a statement made by Tom Nader, chairman of the Illinois Building Trades Council, in the Chicago Sun Times of the June 17th edition. Mr. Nader says,"...discouraging excess generating capacity will result in the utilities constructing smaller, nonefficient plants while they find creative ways to retire fully depreciated but

still fully usable existing facilities. This will actually increase utility operating costs and increase rates. Illinoisans will lose jobs in commerce and industry tightens their belts. In job creating, economic development will be blown right out of the water." I'm certainly glad the cap went on. Now the cap if it...it was not on, rather...and if the cap had gone on, it would have probably increased the cost of the consumers by a hundred and seventy million dollars. I might tell you that certain things in the bill, 1021, which I thought were good are still in there. One thing is utilities will be required to submit plans to meet our future energy needs and it does codify the need for review excess capacity by the Illinois Commerce Commission. Another thing is...there's the office of public counsel created to represent consumers in proceedings before the Illinois Commerce Commission and in court. The Illinois...the Illinois Commerce Commission is directed to investigate possible utility overcharges and estimated bills. And another point that I think is very good, it protects the interest of Illinois coal and its priority consideration for further electrical generation. I might tell you that some of the...groups that are for this bill besides the chamber of commerce and the business groups are the Illinois Building Trade Conference, the Illinois Brotherhood of Electrical Workers and Local 148 of the International Union of Operating Engineers. So this bill is not being...supported just by business, it's also being supported by labor with some common sense. I voted Present when the original bill left here but, fortunately, it has been modified so...so I can live with it. I've probably had more mail on this bill, over two thousand pieces, and I can tell you ninety percent of the mail was against the bill as it was when it was first introduced in this House. I might tell you further that half a loaf is better than none. I think this is a step in the right direc-

tion, I support the concurrence and I urge everyone else's support...because it does help the consumer as well as the ratepayer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey. There was a motion for the previous question. All the speakers have concluded. With that, Senator Netsch is recognized to close.

SENATOR NETSCH:

Thank you, Mr. President. To those who have spoken against the concurrence motion, and I have great sympathy with your point of view, let me say that it is not the bill and it is not this amendment, Amendment No. 12, which have in the past or will in the future hurt consumers. In the past, it has been the mismanagement or, perhaps, at very best, the misjudgment of the utilities and most of all the inaction of the commerce commission which has put us into the position that we are in right now. If this whole bill even with the amended...excess capacity provision had been in effect ten years ago, we would not be paying the rates that we are now. So, it seems to me that...that one of the most critical things is to make sure that that kind of...of misjudgment, mismanagement and acquiescence by the public regulatory body is not permitted to happen again. There is no question, Senator Joyce, that with the bill as it is now, with the...excess capacity provision as it is now, with the very explicit provisions removed, that it will be more difficult for the office of public counsel, for CUB and for the other consumer interveners. They will have a more difficult time with this version than they would have with the version that we passed out of the Senate, but that means one thing that is absolutely critical to this whole debate, all of the other provisions that are in this bill, the procedural reforms with respect to the commission are absolutely vital. They are not as sexy as the excess capacity provision, they

are not as well understood as the excess capacity provision, but they are the things that are going to make it possible to make the commission do the job with respect to excess capacity and the control of rates that it could have done and failed to do during all of these past years; and one reason why I want to call attention to the absolute critical importance of all of those other procedural provisions in the bill is that not only are we dependent on them, but I am also sending a message to Governor Thompson, don't you touch any of those other provisions. When this bill gets to your desk, it has been thoroughly worked out by the Legislature. We have modified it as much...as the consumers of this State have a right to expect it to be modified, don't you remove any of those procedural safeguards. With that, I would move for concurrence in Amendment No. 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 12 to Senate Bill 1021. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46,...45, the Nays are 12, 1 voting Present. The Senate does concur in House Amendment No. 12 to Senate Bill 1021, and now on Amendment No. 13. Senator Netsch.

SENATOR NETSCH:

Yes, thank you, Mr. President. Amendment No. 13 is not quite as emotional as Amendment No. 12. I would move that the Senate concur in Amendment No. 13 to Senate Bill 1021, and let me just briefly explain a couple of the things that it does. I think the only two provisions that are of...of considerable substance are there were some changes with respect to the reorganization provision, and the end result of those changes were that the reorganization provision was...or the commission's jurisdiction with respect

to...reorganization was somewhat narrowed over the original bill. The idea was that where there are transactions, acquisitions, divestitures, spinoffs that involve a subsidiary that has no interrelationship at all with the utility's subsidiary that it would not be subject to commission jurisdiction. I personally think the provision went a little beyond what it should but the basic thrust of the original provision is intact, and that is that any creation of a holding company, any acquisition, any divestiture, any spinoff, any action of that sort that will have an affect on the utility is subject to scrutiny by the commission, and the utility and its ratepayers are to be protected. So that is that provision. I think the one other...point that I might mention that is of interest to the members of the Senate is that the...at the House insistence the office of public counsel will be appointed by the Governor subject to Senate confirmation rather than by a legislative agency which we would have preferred. I still prefer it our way but at least it is subject to Senate approval and I think there will be adequate safeguards. I will answer any other questions about the amendment; if not, I would move that the Senate concur in Amendment No. 13...House Amendment No. 13 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR JEROME JOYCE:

Does Amendment No. 13 require that public counsel to be appointed by the Governor rather than by the Legislative Audit Commission as we sent it out of here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, that was the point I just made, Senator Joyce. That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Don't you foresee some kind of a conflict there when the...the Governor appoints the people's advocate and he also appoints the commerce commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

That is why the members of the joint committee initially proposed that the public counsel be appointed by the Legislative Audit Commission. It was the view of the...those who worked on the bill in the House that the prevailing law of the State of Illinois suggests that that was unconstitutional, and they insisted that it be changed to reflect a more usual appointive provision. I personally don't like it, I would rather have the public counsel not appointed by the Governor, but, again, there is Senate confirmation and we have demonstrated once, perhaps, unfortunately, only once, but we have demonstrated once that we know how to turn down a Governor's appointments that deal with commerce commission matters, and I would hope that if a Governor does not act appropriately with respect to this office, we would do exactly the same thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

All right. Well, for my friends in here who happen to be attorneys who had the...such a tremendous problem when this

bill was going through the first time with the judicial review, that I might tell them that it's still in here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. And for my friends in here who are not attorneys, some of us still have that problem and, I suppose, if we're taking the opportunity to speak to the Governor, we'll have an at-bat at that level too. However, I believe that we should support Amendment No. 13 as well, insofar as it goes. There...the conflict argument is really a red herring. The fact of the matter is, we have input at this level too. Amendment No. 13 goes a long way; as you know, I criticized this bill and voted Present when...even though I was a sponsor when it went out of the House because it bristled with good intentions that were at war with one another. The good intentions are still there, the war is...perhaps reduced to skirmishes and I think that considering the time limits we're under that it's in as good a shape as this Legislature can put it in; therefore, I see no reason why there should be any No votes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 13 to Senate Bill 1021. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52...53, the Nays are 4, 1 voting Present. The Senate does concur in House Amendment No. 13 to Senate Bill 1021 and the bill having received the required constitutional majority is declared passed...whoop, Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR KELLY:

...I would ask my colleagues to follow the lead of Senator Rock and Senator Philip and please display and wear your yellow ribbon which recognizes our deep concern for the hostages which are being held in the Middle East, and it also our...signifies our concern for the American servicemen who are still being held captive in Southeast Asia. Our heart and our prayers are with them, and by this public display we certainly demonstrate that. Thank you, very much.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1164, Senator Joyce. Senate Bill 1412, Senator Lemke. Senate Bill...Senator Lemke.

SENATOR LEMKE:

On the Senate Bill 1412, I'd like to have leave to hold that till the Fall. It's an enterprise zone bill and it's a bill that...we may need it...by the Department of DCCA to do...to clear up any technical problems we have with the present enterprise zones. We had this problem in the past and I think it's a good idea to hold this bill till the Fall and hear it then. I ask for...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you've heard the motion. Hearing no objection, leave is granted...Senate Bill 1436, Senator Joyce.

SECRETARY:

(Machine cutoff)...Senate Bill 1436 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would we break up that conference in front of Senator Joyce?

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President and members of the Senate. I move that the Senate do concur in House Amendments 1 and 2 to Senate Bill 1436. These House amendments will permit the inspection and disclosure of photographs of juveniles to victims and witnesses of crimes, something which is not pres-

ently permitted by the Illinois Juvenile Court Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1436. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1436 and the bill having received the constitutional majority is declared passed. Senate Bill 1452, Senator Joyce.

SECRETARY:

Senate Bill 1452 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

First of all, Mr. President and members of the Senate, I would ask that...leave of the Body that Senator Welch be added as a hyphenated cosponsor to Senate Bill 1452.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is...any objection? If not, leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do not...Senate does not concur in House Amendment No. 1 to Senate Bill 1452 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves to nonconcur in House Amendment No. 1 to Senate Bill 1452. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator DeAngelis, for what purpose you arise?

SENATOR DeANGELIS:

HB 1392 Refuse to recede.

Well, I had a question of the sponsor and the light was on, Senator Savickas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator DeAngelis. Did you ask a question? Senator Joyce. Would you ask that again?

SENATOR DeANGELIS:

Yeah, well, the amendment simply has an immediate effective date...what's so objectionable about that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Everything in good time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have on Secretary's Desk nonconcurrence, we have House Bill 316, Senator Sangmeister. House Bill 514, Senator Kustra. House Bill 1932, Senator Netsch. 1392, Senator Netsch.

SECRETARY:

House Bill 1392 with Senate Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, I'm sorry, I...I move that the Senate refuse to recede from the amendments to House Bill 1392 and request a Conference Committee. There's some problems in the way the original thing was...the original amendments were drafted, in any event, and we want to make a substantive change if possible but there...we can't let it go the way it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch moves that the Senate refuse to recede from the adoptions of Amendments 1, 2 and 3 to House Bill 1392 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the

House.

PRESIDENT:

(Machine cutoff)...Senator Netsch. On the Order of Secretary's Desk Nonconcurrence, House Bill 1763, Mr. Secretary.

SECRETARY:

House Bill 1763 with Senate Amendment No. 1.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I would move that the Senate refuse to recede from Amendment No. 1 to House Bill 1763 and request a Conference Committee.

PRESIDENT:

All right. You've heard the motion, Senator Netsch moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1763. Any discussion? If not, Senator Netsch has moved the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 1763 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrence, House Bill 2263, Mr. Secretary.

SECRETARY:

House Bill 2263 with Senate Amendment No. 1.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I move that we do not recede from the adoption of Senate Amendment No. 1 and that a Conference Committee be...convened.

PRESIDENT:

You've heard the motion, any discussion? If not, Senator

Savickas moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 2263 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The..the motion carries. The Secretary shall so inform the House. Senate Bill 944, Senator Dawson. Senator Smith on 954. On the Order of Consideration Postponed Concurrence is Senate Bill 954. Mr. Secretary...Senator Dawson, are you with us? On the Order of Consideration Postponed Concurrence is Senate Bill 944, Mr. Secretary.

SECRETARY:

Senate Bill 944 with House Amendment No. 1.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr...Mr. President, Ladies and Gentlemen, I wish to concur on the House amendment to 944. This amendment becomes the bill and deletes everything after the enacting clause, requires the Department of Public Aid to adjust the grant levels to all categories to...fifty-two percent of the standard of need established annually by the Department of Public Aid. Currently, payments made by the department are at fifty-two percent now of the standard of need, and I ask for a favorable roll call.

PRESIDENT:

Any discussion? Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This is the cost of living increase for public aid recipients and it has, if I'm not mistaken, is at about fifty-two million dollar price tag and I would just hope that we could defeat this again like we did the first time.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

If you're not here, please don't vote.

PRESIDENT:

All...all who are absent please rise. Senator Chew.

SENATOR CHEW:

Just for the record, it was not defeated the first time and the level of the fifty-two million in which she mentioned is, in fact, not "an increase." So we should concur with this amendment.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I rise in support of this. To think that this day and age with everything...we just got through passing out something, utility rates are raising, everything is hard today and we come along and say that the people who are on public aid that they should not be given an increase, why...is happening to us? People should be able to live with dignity, here we come along...the first primary concern of this Legislature or anybody should be to take care of the homeless, the elderly, the sick. It's great to pass out all these other thing, but if we don't think of our fellow and lady mankind, this is a humane bill. Everybody here, there should be fifty-nine Aye votes on this board. I move and ask for...recommend an Aye vote for this. I'm appalled.

PRESIDENT:

Any further discussion? Further discussion? Senator Dawson, you wish to close?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, as said, this is something that is for the needy people of the State and I ask for a favorable roll call.

PRESIDENT:

The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 944. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 30 Nays, none voting Present. The motion to concur fails and the Secretary shall so inform the House. 954, Senator Smith. On the Order of Consideration Postponed Concurrence, Senate Bill 954, Mr. Secretary.

SECRETARY:

Senate Bill 954 with House Amendment No. 1.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I bring Senate Bill 954 back to you with the amendment and I hope and pray that our friends on the other side will be a little bit more...sensitive and not gloat over this, because this is something that's going to help seniors who are not ready to retire and die and go to bed. This merely...requires that the Department of Aging make a feasibility study of affirmative action employment plan for people sixty years and older. That's all it does. We have amended...it was stated on the other side last week that we do have a lot of private groups but let the Department of Aging come up with a study and they take the lead rather than letting all of these community groups take the lead. We're only asking them, please, that we're asking for a feasibility study and that...I ask for a favorable vote.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President...members of the Senate. This

is the same proposal that was defeated just a few days ago which has the Department of Aging...conduct a feasibility study; the study which undoubtedly will next year be used as a citation for reason to begin job retraining for senior citizens or at least people age sixty and over. I submit to you that with all the retraining of the unemployed and younger people in this State that we need to do, that we've got plenty of work to do in this State, plenty of places to spend our money without getting into this area and I suggest that this whole idea should be nipped in the bud.

PRESIDENT:

Further discussion? Any further discussion? Senator Smith, you wish...I beg your pardon, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Just...I wasn't going to speak on this but I think the discussion that we had on this piece of legislation several days ago was confused between a mandate and a study. It's a feasibility study and, Senator Schuneman, if, in fact, the Department of Aging after they have conducted that study deem it necessary that State enter into retraining and reskilling our senior citizens, maybe it might not be a bad idea. The discussions...when Senator Smith put this piece of legislation on postponed consideration, I think a majority of us were under the understanding that it was a mandate, it is not, it asks for a feasibility study; and for those reasons, I think we should strongly support this legislation.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this, I think it's a good...a good amendment. I think this is needed since the President saw fit to slice out the money for the equal excess to justice to these people on social security and Medicaid. The Federal

Government used to pay groups to represent these people. Right now, the Federal Government has refused to help them and what this will do...this amendment will help the State of Illinois get back some Federal dollars that were...were...we don't get back. Maybe we'll come from the bottom of the list to the top of the list one of these days and be in the top ten of the recipients of Federal dollars, but so far, we're near the bottom ten and I think this is a good bill. I think it will assist our senior citizens in getting what's rightfully theirs and having them properly represented. Most of these people have worked all their life, are on pension and if they don't get the money from Medicare, it comes out of their pockets and they go around eating dog food and stale bread. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I, too, would rise in support of this amendment. I...I think this is an excellent idea. I remember many years ago when my father was thrown out of a job...he was about fifty-six years old and the plant moved and they said he was too old to go with them and he couldn't find another job for quite some time, and it seems to me that the idea that jobs are reserved somehow for young people is wrong in this State. It seems to me that senior citizens are just as good as kids twenty to thirty years old, and I think that we should do a study on this and I think that we should see if we can retrain people and keep them productive because they are very productive people.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise in support of

this...this bill. From the other side came the suggestion that this would cut into the kinds of funds available for younger people were this bill to pass and the study to be effective. The fact of the matter is that if we think that the economy is stilted and...and stable, yes, that is true; but the fact is, we're looking at an...at an expanding...economy, that's what I believe our system is built upon. We have in addition to that some seniors with some peculiar...with some particular kinds of skills which with a little direction could be used effectively for our communities. For those reasons, I would hope that we would all vote in favor of this bill, I support it and would ask all others to do so. Thank you.

PRESIDENT:

Further discussion? Senator Smith, you wish to close?

SENATOR SMITH:

Thank you, Mr. President and members. I merely want to assure you that the study will only cost thirty thousand dollars and that amount of money has already been added to its budget. So I ask for a favorable vote.

PRESIDENT:

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 954. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 22 Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 954 and the bill having received the required constitutional majority is declared passed. All right. If you'll take out Supplemental No. 1...Supplemental Calendar No. 1. On the Order of Secretary's Desk Nonconcurrence, House Bill 62, Senator Berman. Mr. Secretary, on the Order of Nonconcurrence, House Bill 62.

H.B. 993

SECRETARY:

House Bill 62 with Senate Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I would move that we refuse to recede from Senate Amendment No. 1 and that a Conference Committee be appointed.

PRESIDENT:

Senator Berman has moved that the Senate refuse to recede from Senate Amendment No. 1...from the adoption of Senate Amendment No. 1 to House Bill 62 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Luft on 529. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of personal privilege. Mr. President and Ladies and Gentlemen of the Senate, in the gallery behind me are Bill and Betty Hoffmeyer from Zion, Illinois in Beach Park, and he is an instructor at the Zion-Benton High School and he is the gentleman...appointed by the Lake County Board to represent the board...the paramedics of the Bonnie Brook Fire Department and I ask you to welcome them here today.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Berman on House Bill 993. On the Order of Secretary's Desk Nonconcurrence, House Bill 993. Mr. Secretary.

SECRETARY:

House Bill 993 with Senate Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

HB 1070 Nonconcurrence

Well, thank you, I would move that we refuse to recede and that a Conference Committee be appointed; and after that motion, I have one other motion to make.

PRESIDENT:

All right. Senator Berman has moved that the Senate refuse to recede from Senate...the adoption of Senate Amendment No. 1 to House Bill 993 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. Senator Berman.

SENATOR BERMAN:

Thank you. As to House Bill 62 that we addressed a moment ago, I would ask for leave to...to remove my name as the House...as the Senate sponsor and to substitute Senator Kustra, please.

PRESIDENT:

All right. The gentleman seeks leave to remove himself and his name from cosponsor...chief sponsorship of House Bill 62 and request Senator Kustra be in his place. Without objection, leave is granted. Senator Berman, will you make the motion on...with leave of the Body in my behalf on 1070...Mr. Secretary, on the Order of Secretary's Desk Nonconcurrence is House Bill 1070.

SECRETARY:

House Bill 1070 with Senate Amendments 1, 2, 4, 5, 6 and 7.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede and that a Conference Committee be appointed as to House Bill 1070.

PRESIDENT:

All right. Senator Berman has moved that the Senate

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Sec. Desk nonconc.

refuse to recede from the adoption of Senate Amendments 1, 2, 4, 5, 6 and 7, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1097, Senator Carroll. 1924, Senator Watson. On the Order of Secretary's Desk Nonconcurrence is House Bill 1924. Mr. Secretary.

SECRETARY:

House Bill 1924 with Senate Amendments 1, 2 and 3.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate refuse to recede and a Conference Committee be reported.

PRESIDENT:

Senator Watson has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 1924 that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1934, Senator Macdonald. On the Order of Secretary's Desk Nonconcurrence is House Bill 1934. Mr. Secretary.

SECRETARY:

House Bill 1934 with Senate Amendment No. 3.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Mr. President, I move that the Senate refuse to recede on Senate Amendment No. 3 to House Bill 1934 and that a Conference Committee be...established.

PRESIDENT:

All right. Senator Macdonald has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 3

to House Bill 1934 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 1962. On the Order of Secretary's Desk Nonconcurrence is House Bill 1962, Mr. Secretary.

SECRETARY:

House Bill 1962 with Senate Amendment No. 1.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President. I...I move that the Senate refuse to recede from the Senate Amendment No. 1 and that a Conference Committee be...appointed.

PRESIDENT:

All right. Senator Dunn moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1962 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1974. On the Order of Secretary's Desk Nonconcurrence is House Bill 1974, Mr. Secretary.

SECRETARY:

House Bill 1974 with Senate Amendment No. 1.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I move that the Senate recede from Amendment No. 1.

PRESIDENT:

All right. Senator Coffey has moved that the Senate recede from Senate Amendment No. 1. This is final action. Is there any discussion? Any discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1974. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate recedes from Amendment No. 1 to House Bill 1974 and the bill having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Nonconcurrence is House Bill 2434, Mr. Secretary.

SECRETARY:

House Bill 2434 with Senate Amendments 1, 2, 3, 4 and 5.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendments 1, 2, 3, 4 and 5 to House Bill 2434 and request a Conference Committee.

PRESIDENT:

All right. Senator Maitland has moved that the Senate refuse to recede from Amendments 1, 2, 3, 4 and 5 to House Bill 2434 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Carroll on...you want to move on 1097? All right. On the Order of Secretary's Desk Nonconcurrence is House Bill 1097. Mr. Secretary.

SECRETARY:

House Bill 1097 with Senate Amendments 1, 3 and 6.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we nonconcur in House Amendments 1, 3 and 6 to House Bill 1097.

PRESIDENT:

All right. Senator Carroll has moved that the Senate refuse to recede from Senate Amendments 1, 3 and 6 to House Bill 1097 and a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...we have...pardon me, we have concluded both Calendars, Conference Committee reports are just starting now to filter in. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 424 offered by Senator Vadalabene.

PRESIDENT:

424, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move to suspend all the appropriate rules for the purpose of considering Senate Resolution 424.

PRESIDENT:

All right. Senator Vadalabene has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 424. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion to suspend prevails. Senator Vadalabene on Senate Resolution 424.

SENATOR VADALABENE:

Yes, Mr. President,...am I to explain the resolution or is the Clerk to read the resolution?

PRESIDENT:

...why don't you explain it, then we'll move its adoption.

SENATOR VADALABENE:

All right...the...the resolution states that we notify Congress...where a fifteen million Federal appropriation for funding of the Kiln Gas 1986 operations when coupled with

7.38 million provided for the 1985 program, and I would move for its adoption.

PRESIDENT:

All right. Senator Vadalabene has moved the adoption of Senate Resolution 424. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I...I move to suspend Senate Rule No. 5C so that House Bill 2525, the annual Legislative Reference Bureau revisory bill, may be considered for passage by the Senate today. The bill is on the Senate Calendar at the top of page 2, on the Order of 3rd Reading and we had deferred taking action on it till the Fall, but since the House adjourned abruptly and killed the Senate bill which was supposed to pass, we need this bill to make corrections for the Legislative Reference Bureau. So, therefore, I ask leave.

PRESIDENT:

All right. The Senator seeks leave to go to the Order of House Bills 3rd Reading for the purpose of the revisory bill. Is leave granted? Leave is granted. With leave of the Body, we'll move to...top of page 2 on the Calendar, on the Order of House Bills 3rd Reading, Mr. Secretary.

SECRETARY:

House Bill 2525.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move for the passage of House Bill 2525 as amended by the Legislative Reference Bureau and ask for a favorable vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2525 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no...54 Ayes, no Nays, none voting Present. House Bill 2525 having received the required constitutional majority is declared passed. Senator Philip, we are out of paper so to speak.

SENATOR PHILIP:

I...I might suggest, Mr. President, that we Recess until after dinner probably six thirty, seven o'clock. I...I've been led to believe there's no paper work over here from the other Body and so why don't we let...give our members a little R and R and let them have dinner and come back at seven.

PRESIDENT:

That seems...it's been a rough day so far, right. Okay. All right. Without objection, Senator Philip moves that the Senate stand in Recess until the hour of seven o'clock. In the meantime, the Conference Committee meetings will continue and we'd ask the members to promptly return at seven and we'll conclude our business I hope. The Senate stands in Recess until seven o'clock.

RECESS

AFTER RECESS

PRESIDENT:

All right. The hour of seven having arrived, the Senate will reconvene and be in order. For the first order of business while the members are rearriving, I would yield to Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. As most of you know, each year, in fact, for the last twelve years, we have had a legislative tennis tournament put on by the Southwestern Illinois Industrial Association which is a organization out of the metro-east area which Bob Walters, former Representative, is the executive director, and each year Bob has put on this tennis tournament and has done an outstanding job and, at this time, we'd like to award the trophies that were bestowed upon...at least one member of the Senate and his partner and that's Dick Luft. Dick, you want to come up here? Dick was captain of his team and he won the A Division which is the top flight division in...in the tournament and his partner was Jack Sutter, of course, Jack works for Illinois Bell. Like to present them with these trophies. Yeah...no relation to Bruce. Anyway, we appreciate the participation of the...of the members; unfortunately, this year, Art Berman who has participated in every tournament we've had and, in fact, has been a winner in the last four years was unable to...to...to beat...participate because of an award he was receiving in Chicago, but we hopefully have Art back again next year. Thank you, very much, Mr. President, for this...giving me this opportunity.

PRESIDENT:

(Machine cutoff)...right. We will begin on the Calendar, Supplemental No. 2. The intent of the Chair is to go right through the supplemental Calendars as they arrive. We're going to work until midnight, hopefully, conclude by midnight then we'll come back tomorrow if we're not finished. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the

Senate, in the adoption of their amendments to the following House bills:

House Bill 374 with Senate Amendments 1, 2 and 3.

578 with Senate Amendment 2.

And, 1445 with Senate Amendment 2.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate, in the passage of a bill with the following title, to-wit:

Senate Bill 1454 with House Amendments 1 and 3.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to recede from their amendments to Senate Bill 263. Further directed they ask the first...for the first Conference Committee and the Speaker of the House has appointed the members on the...on the...the Speaker has appointed the members on the part of the House.

With...that was with Senate Amendment No. 1 on 263.

320 with House Amendment rather...House Amendment No. 2.

416, House Amendment No. 2.

834, House Amendment No. 1.

1132, House Amendment No. 1.

1165 with House Amendment No. 1.

And, 1194 with House Amendment No. 1.

PRESIDENT:

All right. Senator Demuzio moves that the Senate accede to the request of the House. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House for the formation of Conference Committees. All right. On the Order of Secretary...Supplemental Calendar No. 2. On the Order of

Secretary's Desk Nonconcurrence, Senate...House Bill 374, Senator Joyce. 578, Senator Poshard. On the Order of Supplemental No. 2 on Secretary's Desk Nonconcurrence, House Bill 578. Mr. Secretary.

SECRETARY:

House Bill 578 with Senate Amendment No. 2.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I refuse to recede from Senate Amendment No. 2 and request a Conference Committee.

PRESIDENT:

All right. Senator Poshard moves that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 578 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. Senator Luft on 1445. Senator Luft, 1445? On the Order of Secretary's Desk Nonconcurrence is House Bill 1445. Mr. Secretary.

SECRETARY:

House Bill 1445 with Senate Amendment No. 1.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Could I first ask if that...if that is Committee Amendment No. 1...or is that Amendment No. 1 or No. 2? I wonder if there's an error.

PRESIDENT:

...Senate Amendment No. 1.

SENATOR LUFT:

Okay. I would move to nonconcur in that amendment, please.

PRESIDENT:

All right...the Senator refuses to recede from Senate Amendment No. 1 to House...and moves that...the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1445 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Conference Committee Reports. Conference...on the Order of Conference Committee Reports is a Conference Committee report on House Bill 48. Senator Luft. Senator Luft...or Mr. Secretary.

SECRETARY:

First Conference Committee on House Bill 48.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senator Bloom was supposed to handle this and Senator Lechowicz. Is Senator Lechowicz here? This is the Conference Committee report on House Bill 48. It just came out...it passed the House 110 to nothing, and what it does is offer a sales tax exemption on the LTV plant in the Chicago area. There are efforts being made by the local people up there, the assessor, in reduction of assessment of taxes, and this is one of the programs that they asked the State Legislature to enter to...enter into with them to help them maintain that plant in the Chicago area. I would try to answer any questions or have Senator Lechowicz further explain the conference report; otherwise, I'd move for the adoption of the Conference Committee...

PRESIDENT:

All right. Senator Luft has moved the adoption of the Conference Committee report on House Bill 48. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President. Basically, what it...it

does, it creates a tax exemption for certain businesses who create two hundred or more jobs or make investments to ensure the retention of two thousand job. As it was pointed out, this is one steel company that has competition in the State of Ohio, and the difference between the real estate taxes at the facility in the Chicago...area and Ohio is thirteen million dollars. And DCCA has made...in conjunction with the Governor's Office has made a recommendation that in order to try to keep this company to...to remain in business in Illinois, that provisions be incorporated in Conference Committee Report No. 1 on Senate Resolution...on...on...on...House Bill 48 to concur and ask that these employees...with the exception that the State sales tax exemption will not be contingent on municipal sales tax being amended. I...both the city and DCCA concur with this and I move for its adoption.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

I apologize for not being on the Floor, we were up on the sixth floor working on appropriations. The prior two speakers have adequately outlined the terms of this Conference Committee report, and we'd request a favorable roll call.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I have a question to the...Senator Bloom.

PRESIDENT:

Senator...Senator Bloom indicates he's more than able and willing.

SENATOR KUSTRA:

Senator, on page 7, beginning with line 8, there's a discussion of the misallocation of sales tax revenues. We passed a bill a couple of years ago that dealt with this

subject and affects the communities in my district. I just want to know what the significance of striking the effective date of the amendatory Act and putting January 1st, 1985 is, if you know that?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I think that's Reference Bureau cleanup. It would have no substantive effect on the purposes of the language. In other words, your amendatory Act passed at a certain time. Okay? So this actually goes back and they're still covered. Okay? Thank you.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 48. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 48 and the bill having received the required constitutional majority is declared passed. 66. On the Order of Conference Committee Reports, House Bill 66. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 66.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I move to adopt the first Conference Committee report on House Bill 66. The original language was put back into the legislation which provides for the opportunity of multitownship boards of trustees to vote compensation for themselves up to twenty-five dollars per

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diem. This passed out of the Senate with little or no opposition. We added to the report a provision from Senate Bill 1044 which passed the Senate 59 to nothing but was Tabled in the House, and this particular provision amends the Township Open Space Act to prohibit townships from holding or acquiring land which is subject of a municipality's annexation petition unless permission is obtained from the municipality. I move for the adoption of the report.

PRESIDENT:

All right. Senator Watson has moved the adoption of the Conference Committee report on House Bill 66. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 66. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 66 and the bill having received the required constitutional majority is declared passed. 204, Senator Lemke. On the Order of Conference Committee Reports, Mr. Secretary, House Bill 204.

SECRETARY:

First Conference Committee on House Bill 204.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this Conference Committee does is puts this bill in the same form it left the Senate, and I ask for its adoption.

PRESIDENT:

Any discussion? Any...is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 204. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 204 and the bill having received the required constitutional majority is declared passed. If you'll turn over Supplemental Calendar No. 2 on the...top of the flip side. (Machine cut-off)...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Mr. President, I'm not trying to delay the process, but have all these...the...the ones we're voting on now, have they been circulated?

PRESIDENT:

...yes, sir.

SENATOR DeANGELIS:

I couldn't find 66 or 204 on my desk.

PRESIDENT:

Senator Barkhausen on 344. On the Order of Conference Committee Reports, Mr. Secretary, House Bill 344.

SECRETARY:

First Conference Committee report on House Bill 344.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this Conference Committee on House Bill 344 adds a provision to the bill that we passed earlier. The...the earlier bill dealt with annexation and permitted annexation where a municipality is bounded by a creek, in addition to one being bounded by a lake or a river. We then added a provision dealing with the incorporation section of the Municipal...Municipal Code to allow a municipality an opportunity to incorporate if it had eighteen hundred inhabitants. And this third provision deals with municipalities with parcels of less than ten acres and bounded by an interstate highway. This has been requested by

the Village of Northfield because they are concerned about property which is a former Nike site and which now belongs to the Cook County Forest Preserve District and the forest preserve is going to sell it, and the Village of Northfield would like to be in a position to acquire it. I know of no opposition, although, there are a couple of signatures missing from Senators on the other side of the aisle, but I'd be happy to try to answer any questions.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of the Conference Committee report on House Bill 344. Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 344. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 344 and the bill having received the required constitutional majority is declared passed. Senator Fawell on 605. On the Order of Conference Committee Reports, Mr. Secretary, House Bill 605.

SECRETARY:

The first Conference Committee report on House Bill 605.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I wish to concur with House Amendment No. 1 and recede on Senate Amendment No. 1. The Senate amendment was a bill that was...I was asked to attach to this bill by Senator Keats, it was a local problem and he has now resolved it in another way. Amendment No. 1 was...House Amendment No. 1 that we are concurring on is basically technical language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference...Committee report on House Bill 605. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does...does adopt the Conference Committee report on House Bill 605 and the bill having received the required constitutional majority is declared passed. 809. House Bill 809, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 809.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to accept the Conference Committee report on House Bill 809 and move for its adoption. This bill authorizes river conservancy districts to participate in industrial projects and to issue revenue bonds under the Industrial Building Revenue Bond Act. The House concurred with Senate Amendment 1, and I would...defer to Senator Watson to explain the additional language that was added by the Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The language that we added in the Conference Committee is agreed upon, from what I understand, it was Department of Transportation brought this to our attention. The City of Collinsville is going to be selling industrial revenue bonds which will, in...in fact, then be used...utilized to build a facility for Department of

Law Enforcement, Central Management Services and Department of Transportation in the Collinsville area. They will then, in fact, lease this particular facility to the State and the State then will pay the City of Collinsville and this...this language was necessary in order to...to make this happen. I see no problem with it and I have...I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 809. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 809 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Bill...1182, Senator Lemke. House Bill 1182, Mr. Secretary.

SECRETARY:

House Bill 1182, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does, number one, on the date of...to not enforce the...it changed the date. We...originally it was...January 1st, then we made it July 1st and now the agreement is April 1st, on April Fools' Day, I guess, in regards to the enforcement of the Juvenile Act. Also what it does is adds a provision...gives it twenty-one...date to social workers to work with juveniles. I think it's...which the department and the sheriffs want. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall

the Senate adopt the Conference Committee report on House Bill 1182. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill...1182 and the bill having received the required constitutional majority is declared passed. All right, with leave of the Body, we'll back up and pick up House Bill 888. Mr. Secretary, House Bill 888.

SECRETARY:

First Conference Committee report on House Bill 888.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is probably one of the shortest Conference Committee reports we'll see all evening. It says essentially that the Senate recedes from Senate Amendment No. 1. You will recall, House Bill 888 is the Environmental Barriers Act which passed out of this Body unanimously; upon reaching the House, it was found that Senate Amendment No. 1 which was superseded by Senate 2 was technically in error. So we are just taking one off to clean up the bill. It is a purely a technical change and I would urge the adoption of the first Conference Committee report on House Bill 888.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question...any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 888. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does adopt the first Conference

Committee report on House Bill 888 and the bill having received the required constitutional majority is declared passed. House Bill 894, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 894.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. House Bill 894, the intent of which was to require the installation of telecommunication devices for the deaf at major transportation sites involving commercial, inner city rail transportation did not intend, I am told by Representative Madigan, to include the Chicago Transit Authority; otherwise, that under the provisions of this bill, you would literally have to have one of these devices at darn near every corner in the City of Chicago. So, the fact is that Senate Amendment No. 1 exempts the Chicago Transit Authority from the provisions of this bill. I know of no opposition and I would urge, again, the adoption of the first Conference Committee report on House Bill 894.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall the Committee...shall the Senate adopt the first Conference Committee report on House Bill 894. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55...I'm sorry, the Ayes are 56, the Nays are 2, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 894 and the bill having received the required constitutional majority is declared passed. House Bill 2440, Mr. Secretary.

SECRETARY:

House Bill 2440, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 2440 is the legislation that will require the deposit of all fees from boiler and pressure vessel certification to be deposited into the Fire Prevention Fund. Senate Amendment No. 1 was the one that allowed for the unattended service stations in the downstate counties of Illinois. The Conference Committee report is giving approval to Senate...Amendment No. 1. I'm pleased to say that the House has just concurred in Senate Amendment No. 1 on a vote of 116 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President, and I do apologize for taking...standing in opposition to 2440. But I think it should be clearly understood by the membership of this Body that the State Fire Marshal's Office was really opposed to this bill and we defeated it in this Chamber just a few weeks ago. And when it come...comes to public safety in this State, I believe there is a certain responsibility we all have, but it's...there's also responsibility that if we don't have the expertise, we have to listen and take advice of people who are charged with that responsibility in the area of public safety. And, unfortunately, this bill covers exactly that point, and the point is that the State Fire Marshal stated that this will cause a hazard, a hazard whether it be in downstate Illinois or, unfortunately, a more hazard if it's in an urban area. That's the fact in this matter and I don't believe that this Conference...and I refused to sign this Conference Committee. When the gentlemen who is sponsoring this legislation and was defeated before, I told him, I checked with the Fire Marshal's Office, he is still opposed

to the bill. I would not sign the Conference Committee report and I would be...I would make sure that I would voice the objection of the department due to the public safety nature of this bill and opposition to the adoption of this Conference Committee report. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, Senator Lechowicz, our information indicates that the Fire Marshal supports the bill. Can you tell me who you talked to in the Fire Marshal's Office?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I spoke with the fire marshal from Peoria and Mr. Dick Ortciger, I believe his name is, he...he talked to me this...or Tom Ortciger, he talked to me this afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney may close.

SENATOR RIGNEY:

Well, Mr. President, it's no doubt about it...that this bill had a lot of opposition as late as this morning. In fact, when I went over to secure signatures in the House, I understood that even the Speaker was opposed to it. That opposition was withdrawn, I'm not exactly sure of all of the...ramifications of it or why it was, but as I pointed out in my opening remarks, the vote in the House was 116 to nothing, and I think that was rather conclusive proof that if there was opposition, at least the House must have got the message and the opposition was not registered at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 2440. Those

in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 10, 2 voting Present. The Senate does adopt the first Conference Committee report on House Bill 2440 and the bill having received the required constitutional majority is declared passed. Senate Bill 813, Senator Davidson. 8-1-3, Mr. Secretary.

SECRETARY:

Senate Bill 813, the First Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, and members of the Senate, this Conference Committee report has the technical changes and the recodification of the Department of Conservation which we passed out of here at 813. We went into a Conference Committee to add to it Senate Bill 1237 which passed out of the Senate 56 to nothing with 1 Present, and that deals with the Forestry Development Fund. That bill got lost in the shuffle when they adjourned over there suddenly, it was never called. It was one of the...I think the next bill to be called and that's what this is all about and the Conference Committee recommended adoption. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 813. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 813 and the bill

having received the required constitutional majority is declared passed. All right. There will be a...momentarily a...an additional Supplemental Calendar 3 that will be distributed as soon as it arrives. So if you would...just stand at ease for a couple of minutes. Senator Holmberg, for what purpose do you arise? Senator Holmberg.

SENATOR HOLMBERG:

With leave of the Body, I would like to add Senator Etheredge's name as hyphenated cosponsor of Senate Bill...or House Bill 1517.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave of the Body, Senator Holmberg has requested to add Senator Etheredge as a cosponsor of House Bill 1517. Is leave granted? Leave is granted.

PRESIDENT:

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. While there's a lull and I think this is a good time, I have these suggested addresses for Independence Day. They've been on my desk for three days now and they're going like hot cakes.

PRESIDENT:

Begin on Supplemental No. 4. Senators Maitland and Berman, are you guys...okay. On the Order of Conference Committee Reports, Supplemental Calendar No. 3, Conference Committee report on House Bill 1037. Mr. Secretary.

SECRETARY:

House Bill 1037, the first Conference Committee report.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move that the Senate accept Conference Committee Report No. 1 to House Bill 1037.

PRESIDENT:

All right. Senator Maitland has moved the adoption of the Conference Committee report on House Bill 1037. Any discussion? Senator Berman. Take it out of the record, Mr. Secretary. 1249, Senator Degnan. All right. 1258, Senator Weaver. On the Order of Conference Committee Reports is Conference Committee report on House Bill 1258. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1258.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate adopt the first Conference Committee report on House Bill 1258. This is basically a change in...in some of the technical language to make these notes more saleable and to make sure that the issuance does not exceed eighty-five percent of the tax levy. If there's any questions, I'll be happy to try to answer them.

PRESIDENT:

(Machine cutoff)...discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the...gentleman yield to a question?

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Senator,...what kind of notes are you referring to?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

These are tax anticipation notes, Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Affecting units of local government or is this strictly tax anticipation notes for this State?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Units of local government.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Is this an imposition on home rule? Fine. Thank you.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House...House Bill 1258. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1258 and the bill having received the required constitutional majority is declared passed. 2276, Senator Etheredge. Senator Etheredge on the Floor? 796, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

My understanding is, we are waiting for a technical amendment that I don't believe has...arrived yet.

PRESIDENT:

All right. We'll hold it. All right. On the Order of Conference Committee Reports is a Conference Committee report on House Bill 1249. Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on House Bill 1249.

PRESIDENT:

Senator Degnan...Senator Degnan, I'm sorry.

SENATOR DEGNAN:

Thank you, Mr. President. The concept in House Bill 1249 is offered by Senator Netsch and I would yield to her for an explanation.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the...I beg your pardon. I...you know, all I can do is go by the lights. Senator Netsch.

SENATOR NETSCH:

Senator Degnan had said that the...

PRESIDENT:

I beg your pardon.

SENATOR NETSCH:

...bill is mine now and he yielded to me. Senator Etheredge and I were the joint sponsors of Senate Bill 1318 which was a method of establishing by Statute the Governor's...or the allocation of the so-called private activity bond cap that was imposed by Congress in the Tax Act of 1984. The Governor has done that by Executive Order to date, but the Legislature should assume the responsibility for doing it. My bill was worked out with the Bureau of the Budget, it effectively codifies the...Executive Order 6 of the Governor. I think there was no objection to it at all, but it was one of the bills that was on the Calendar before they adjourned...or after they adjourned in the House the other night and so it was not reached. It passed...I think 58 to nothing out of the Senate initially. I would move that the Senate adopt Conference Committee Report No. 1 to House Bill 1249.

PRESIDENT:

All right. Senator Netsch has moved the adoption of the Conference Committee report. Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1249. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does accept the...adopt the Conference Committee report on House Bill 1249 and the bill having received the required constitutional majority is declared passed. Senators Maitland and Berman, I'm told, are ready on the Order of Conference Committee reports. There's a Conference Committee...I was just told that you...okay. Got you. We'll hold on to that one too. (Machine cutoff)...we're...we're just awaiting paper, so my suggestion is we just stand at ease and we'll continue every hour on the hour. So we'll start again at nine-thirty with a...Supplemental No. 4, once the paper is processed and distributed. We'll stand at ease until nine-thirty. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

You know,...I don't have one of those orange sheets with the Democratic staff analysis on these bills that we got this time. I'd like to see that analysis before we, you know, call these bills for a vote. We don't know what we're voting on.

PRESIDENT:

That...that...that request is in order. I'll see that that's done before nine-thirty. Senate will come to order. It is now ten-thirty, we intend to work until midnight. Hopefully, if we get everything done, we'll go home; otherwise, we'll come back at ten o'clock tomorrow morning. We'll start on Supplemental Calendar No. 4...Supplemental Calendar No. 4. On the Order of Conference Committee Reports, Confer-

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ence Committee report on House Bill 497. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 497.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that we accept Conference...the first Conference Committee report on House Bill 497. If you'll notice on the back, I did not sign it and that is simply because they couldn't find me. I would have had I done it. It clarifies that the civil arrests...we've taken care of a problem that...and then we've put the language in the same form as House Bill 474 which we passed out of here. I would move we adopt it.

PRESIDENT:

All right. Senator Donahue has moved adoption of the Conference Committee report. Is there any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 497. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 497 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, Senator Hall. Conference Committee report on House Bill 571, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 571.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you...thank you, Mr. President and Ladies and

Gentlemen of the Senate. I move to concur with Conference Committee Report No. 1 on the first Conference Committee on House Bill 571. What happened, everything was stricken from this bill except the enacting clause and then they put in to provide the boards of review, and that's not...no longer in this 571. All the producers are in agreement on the ethanol...at that...this reduces their subsidy by one cents. It's been worked out with the Governor's people and it does not hurt the farmers. So, therefore, I move for the acceptance of the first Conference Committee to House Bill 571.

PRESIDENT:

All right. Senator Hall has moved the adoption of the Conference Committee report on House Bill 571. Discussion? Senator Joyce.

END OF REEL

REEL #3

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEROME JOYCE:

Yes, are we adding back any of the...the penny tax or two penny tax on gasohol?

PRESIDENT:

Senator Hall.

SENATOR HALL:

Senator, I'm trying to get that information. I just came down and I received this and I...I've sent for Paul, he's...should be here right away. If you want to,...I certainly take it off the record...

PRESIDENT:

All right. Take it out of the record, Mr. Secretary. Senator Degnan. Well,...Senator Degnan on...we'll get right back to it as soon as he's ready. Senator Degnan. On the Order of Conference Committee Reports is House Bill 694, Mr. Secretary.

SECRETARY:

House Bill 694, first Conference Committee report.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate...House Bill 694 is first Conference Committee report. The Senate recedes from Senate Amendments No. 1 and 2 and language is changed that provides the Cook County State's Attorney with the same two-thirds reimbursement for appellate costs that a hundred and

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one other counties in this State are entitled to. I'd be happy to answer any questions.

PRESIDENT:

Senator Degnan has moved the adoption of the Conference Committee report on House Bill 694. Discussion? Senator Hall. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. In...in regard to your...your remark about you're complying now with language that, I guess, a hundred and one other counties have, why...why didn't Cook County have language such as this prior to this time and are...and are we receiving...or are Cook County receiving any funding at all in lieu of what this particular two million dollars is going to be?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I'm not sure when the appellate...State's Attorney Appellate Service Commission was organized, I wasn't here. I'm not sure why Cook County was not included, Senator Watson. On your second question, the answer to my knowledge is no.

PRESIDENT:

Further discussion? Is there any further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 694. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 20 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 694 and the bill having received the required constitutional majority is declared passed. Senator Hall, are you ready? On the Order of Conference Committee Reports, House Bill 571, Mr. Secretary.

SECRETARY:

First Conference Committee Report on House Bill 571.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To answer Senator Joyce's question, I'm going to defer to Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this bill is the old 753, Senate bill, that reduced the subsidy by one percent for the gasohol. It also includes the reciprocity and tax exemptions awarded to gasohol produced out-of-State and it revises the definition of the tax exempt gasohol to exclude gasohol blended with imported ethanol. This is...this is the bill that...I believe has been worked out with the Governor's input, all the producers and manufacturers of ethanol have agreed and signed off to remove this subsidy in this phase and phase it out as they originally intended. The producers have no problem in...in having this subsidy reduced. They agreed to the reciprocity and they agreed also on the...out-of-State, the...gasohol blended with imported ethanol. I have seen no opposition from the producers, from the Governor's Office and those of us interested in bringing more funds into the State General Revenue Fund. I would move its concurrence.

PRESIDENT:

All right, Senator Hall has moved the adoption of the Conference Committee report on House Bill 571. Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I think that we have

already addressed some of the problems and most of them in the bill that Senator O'Daniel and Senator Poshard were sponsoring. I think...with the mood of this General Assembly and Build Illinois coming along...a few dollars more going into a subsidy for grains...cereal grain that will be used to produce this would be a great benefit for this State. Right now, when agriculture is at its lowest ebb probably ever, this little bit of help...this couple of cents could bring us...could help bring a little bit of agriculture to the agricultural economy back to where it ought to be. I think that it's very important that we defeat this Conference Committee. I think we could help Illinois' number one economy immensely by defeating this Conference Committee report.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Welch.

SENATOR WELCH:

How much will this raise?

PRESIDENT:

Senator Hall yields to Senator Savickas.

SENATOR SAVICKAS:

Senator Welch, when we talk about helping our Build Illinois and our education economy, this subsidy reduction in the first year will bring at least twelve million dollars into the General Revenue Fund and over five years will bring over one hundred and fifty-five million dollars into the General Revenue Fund, monies that can be used to help develop our Build Illinois programs and our educational funds. This subsidy has been agreed to, the reduction, by the manufacturers that produce it. They say they don't need it. So, why can't we bring it back into the General Revenue Fund?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I'd like to answer that question. What we're...what we're doing is taking off an incentive for the entire State of Illinois to become energy self-sufficient. This is exactly the wrong time of the year to be doing this. One of the reasons we're trying to become energy self-sufficient is because of the crazy antics over in the Middle East, and if anybody has been watching TV in the last two weeks, they know how crazy those people can be, and the oil supply can be shut off at any time. It seems to me that the question is not just reducing a subsidy one year at a time, the question is, discouraging the development of an industry which we hope will help to replace gasoline which is a commodity we're in very short supply of. I tend to agree with Senator Joyce as far as trying to help out the farmers. Certainly farming is not a great occupation in this State anymore as far as making any money. The farmer is lucky if they can break even nowadays. It seems to me for those two reasons we should reject this Conference Committee report.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senator Savickas, you said that this was similar to Senate Bill 753. Is it not 254...Senate Bill 254? What's the difference between the two?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

My...my understanding that this does not have the...the reciprocity. This does have the protection against the Brazilian ethanol and, evidently, there is a question on that

reciprocity and the Governor would like this bill on his desk...both of them really.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well, then where's Farm Bureau, where are the Illinois Corn Growers, where are those involved in...in support of this?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

My staff has indicate to me, standing right next to me, that the Farm Bureau and the Corn Growers Association are both in agreement with these bills.

PRESIDENT:

Further discussion? Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill. I think Senator Savickas has stated the case well. It is a product of discussions that have taken place between all the interested parties. I think that they have agreed. I would suggest an Aye vote.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes, Mr. President and members of the Senate, I rise in opposition to this bill. I...I feel that with the agriculture in...in very difficult times and we need to promote the use of cereal grains into ethanol and while it's still in the experimental stage and the...the original legislation was designed to phase the sales tax back in in 1992, and I think it should be left that way.

PRESIDENT:

Further discussion? Any further discussion? Senator Hall, you wish to close?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have been given the information that this was all worked out in the Governor's Office, that he's anxious to accept this bill...I'm also informed that the Farm Bureau, the corn growers, the ethanol producers and the oil industry are in support of this bill, and I'd ask your most favorable support.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 571. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 19, none voting Present. The Senate does adopt the Conference Committee report on House Bill 571 and the bill having received the required constitutional majority is declared passed. 1072, Senator Etheredge. On the Order of Conference Committee Reports, 1072, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1072.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I move that the Senate accept the first Conference Committee report on House Bill 1072. What the Conference...well, first of all, House Bill 1072 is the foreign language academy bill. The...it has come back to us, however...just a shadow of its former self. What the Conference Committee report says is that the...the academy will

exercise its responsibilities by offering weekend and after school hours and during...and programs during vacations, that's all. That it would no longer be residential, and...and, of course, the...the...during the first year would simply be a planning year to offer these kinds of programs. So, I would move for the acceptance of the Conference Committee report.

PRESIDENT:

All right. Senator Etheredge has moved acceptance...or adoption of the Conference Committee report. Discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Berman.

SENATOR BERMAN:

Senator Etheredge, it was my understanding that the only academy that would be addressed was the one that will be included in the reform package and that's the math-science academy up in your area. What is this?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...this proposal is so radically different from...from what we originally discussed a...a few days ago, it is no...it is an academy now in name only I would say. It is no longer residential. The programs that would be offered would be after...regular school hours, on weekends and during summer vacations. Quite frankly, at this time, Senator, I'm not sure how the program can function, but as you...as I also indicated, this first year would be a planning year to see whether or not such...such an institution, academy, whatever you want to call it could function in those terms.

PRESIDENT:

Further discussion? Senator Collins. Gentlemen, please.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Sponsor indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator,...you know, recognizing that there...this...this Conference Committee report poses a drastic change to that academy, how much money now is being allocated for the academy?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the original request was for forty-two thousand dollars and...and at this point, I honestly can't tell you if that money is still in the budget or not. I...I am told that it is.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes,...point of personal privilege, I...I guess I should do that right...do this right now and maybe just kind of save all of us some time. Let...let me just say that I recognize that during the Conference Committee process that...that we often change a lot of bills from what they were when they originally passed the House and the Senate, but I think this year would serve all of us well that if we are going to drastically rewrite legislation that we explain very explicitly what that legislation is doing. And to the extent possible, I would hope that we will not be totally rewriting legislation and specifically as it relates to so-called Build Illinois bills that we've already passed, because I've always been afraid that what is going to happen to this so-called reform on all of the world that we are reforming in the State

of Illinois is that we're going to end up with nothing, and this is a good example of ending up...starting out with something and ending up with nothing and...and so we're just kidding ourselves. So, if we're not going to carry out the...the...the mandates that as we have passed them through this Assembly on the major issues, then I just suggest that we just adjourn this Senate, we will do the citizens of this State well and go home.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I had asked a question but I didn't...I hadn't finished. It...if we could have a little attention, please.

PRESIDENT:

Yes, please. Gentlemen,...Dave, will you get that group out of there, please.

SENATOR BERMAN:

I apologize for taking the time of the Senate on an appropriation or a bill that's going to involve only the expenditure of forty-two thousand dollars. But I...it...it disturbs me because what we are doing here is with one hand we have agreed upon a certain commitment regarding academies, and on the second hand, we are being asked to pass a bill, House Bill 1072, that refers to an academy and the sponsor himself says, it's called an academy but it won't be an academy. Well, ladies and gentlemen, let me tell you, one year from tonight we'll be here appropriating or asked...being asked to appropriate substantial money...substantial money for an academy that everybody has agreed tonight shouldn't exist. I'm going to vote No and I...I'm rather upset that the sponsor would move forward with this bill. His academy is in the agreed package and there was agreement with the Governor's Office and all of the summiteers, the designated

hitters, that there was going to be only one academy funded and this bill calls for a second academy and forty...forty-two thousand dollars of planning. I'm not sure what they're planning for because we've addressed bilingual, we've addressed dropouts, we've addressed...all of these programs in other areas and I'm not sure why we're being asked to do this. I'm not ready to...to vote Yes, I'm going to ask you not to vote Yes. I don't think this bill makes any sense in light of the other agreements that have been signed off to by everybody else.

PRESIDENT:

All right. Any further discussion? Further discussion? Senator Etheredge, you may close.

SENATOR ETHEREDGE:

I think I have...have indicated that what we're talking about now is no longer a...a residential academy. What we're talking about is a...a study to determine how we might offer the educational opportunities for students in the area of the foreign languages after school hours, on Saturdays, during summer vacations and this...this would...the legislation would provide the planning for that kind of a program to take place over the next year. I would...I would ask for your favorable consideration.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 1072. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 24 Nos, 3 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I would request a second

Conference Committee report on...

PRESIDENT:

All right. Fine. Thank you. That will be included in the Message we send back to the House. Mr. Secretary, the gentlemen has requested a second Conference Committee. 1552, Senator Vadalabene. On the Order of Conference Committee Reports, House Bill 1552, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1552.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the...Senate. The report deletes everything after the enacting clause and becomes the bill, and the report includes the county assessors for the first time. The increases in the minimum salaries are gradual and funded in part by the State's Mandate's Act, and I move for the adoption of the Conference Committee report.

PRESIDENT:

Senator Vadalabene has moved the adoption of the Conference Committee report on House Bill 1552. Discussion? Senator Watson.

SENATOR WATSON:

...can I ask a question of the sponsor, Mr. President?

PRESIDENT:

Indeed. The sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

What...was any other office added to the Conference Committee report, Senator?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

...yes, I just said the assessors. I...I said that in my opening remarks.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay...what is the rationale of including this...the county supervisor of assessments in this? This...he's not an elected official, why should they be included?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

...there are four elected and ninety-eight are not elected.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Does this only affect the four that are elected then?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

It affects all of them except Cook County.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

...thank you. Okay. Well, Cook County, you mentioned that...since Cook County is a home rule, then are they affected by this legislation at all?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

They're home rule, so they're not.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay. Another question, on a chart that we have that was prepared by our staff, it talks about the minimum compensation proposed and a phase-in over a period of time. The first particular phase-in date is December 1st of 1985. Is that...is that correct? Do you have that? All right. He's nodding his head yes. Then, I thought we couldn't raise...or change an elected official's salary during a term of office. How can that pay raise take effect...December 1st of 1985 when the election is not until November of 1986 and, therefore, the county official will not take office until, I believe, it's the first Monday or so of...of December of 1986? How can that pay raise take effect in '85?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

I don't know, I'll have to yield...to Senator Schaffer on that one.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

First of all, the circuit clerks' salaries don't happen to fall under that mandate. In any given year, you'd probably have forty to fifty people throughout the State that either resign or die in these positions and they could conceivably be affected by that.

PRESIDENT:

All right. Further discussion? Senator Watson, please.

SENATOR WATSON:

Thank you. All right, well, that's...we're going to take care of the ones that are appointed then, that's what we're doing on December 1st of 1985, those people that are appointed. All right. Under the State Mandate's Act it says that, "The State shall not reimburse units of local government if the net cost is less than a thousand dollars for each

unit of local government affected." Will there be any counties that will come under that particular umbrella?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yielding to Senator Schaffer.

PRESIDENT:

Yielding to Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Conceivably, I would think there might be a couple.

PRESIDENT:

Senator Watson, will you bring your remarks to a close?

SENATOR WATSON:

Also, under the State Mandate's Act, it says that, "The State Mandate's Act...shall not...or the State shall not reimburse units of local government if it's less than fifty thousand total for all local governments affected." Now, are we talking about...since it's going to be each county will be affected differently from a salary increase, will this be individually, collectively or how will that fifty thousand dollars apply in this particular regard?

PRESIDENT:

Senator Schaffer. Senator Vadalabene. All right. We have...Senator Watson, we have eight additional members who have sought recognition. I just want you to bear that in mind. Senator Watson, you want to repeat the question?

SENATOR WATSON:

Well, I've been sitting here for a long period of time today and we've been waiting for a long period of time for...for this action to occur and for finally to get to some order of business. So I think every member ought to have an opportunity to question the sponsor on...

PRESIDENT:

I'm not...I'm not quarreling with that.

SENATOR WATSON:

...oh, thank...

PRESIDENT:

...I...I asked if you were going to be...repeat your question. There didn't seem to be anybody...answer your question.

SENATOR WATSON:

We will repeat the question.

PRESIDENT:

Thank you. That's all I asked.

SENATOR WATSON:

Under the...the State Mandate's Act it says that, "The State shall not reimburse units of local government if the less...less than fifty thousand dollar total for all units of local government affected." Now, since each county is affected individually in different amounts, how is this going to affect the counties? Will we have a...will this be total or...total collectively or individually or how is this going to affect the counties? Will they be reimbursed?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'm under the impression and staff...also informs me, we are talking collectively Statewide. If all the counties in the State get to the point where it's less than fifty thousand, all one hundred and two of them, at that point, the program is deemed not to have enough Statewide impact to be...to fall under the category.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Senator, would...would you explain how the State Mandate Act is going to...to apply here in regard to the percentages and its increment increases? That wasn't explained by the

sponsor.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

..let me do this, if I can, Mr. President, to expedite...since I'm...my light was one of those flashing. You'll recall when the bill left the Senate, I made some statements and I suggested to you that we would try and get this thing...phased in over a period of years, and that's what this Conference Committee says, and we thought we'd try and work out some language on the mandate that, frankly, was sellable to the second floor and didn't have a major State impact that would, in fact, cushion those counties that...that should, in fact, be cushioned. I think most people know there are several...I think we call them revenue enhancers moving through both bodies, at least one major one that is signed off by everybody including the Taxpayers' Federation at last count. And it's obvious that the counties, particularly the larger counties, at least at this point, my reading of the situation...although the way things have been going around here, I'm not sure my reading is any better than anybody that's watching the fireworks out there. The fireworks are over, I didn't even know that, it's probably there better. The simple fact is that most counties would have granted a pay increase of some sort. So rather than make the assumption, we're going to pick up every dollar of the pay increase, we assume that they would be giving a five percent a year pay increase which is not unusual and most counties have done that, and...what in effect we have said is anything above...if a county increase is above the five percent a year for the four-year term, that falls under the Mandate Act. In other words, they would have done it whether we pass this bill or not in 99.9 percent of the cases, I suppose, unless you had a real bitter fight between

a county board and a officeholder of maybe the other political faith. And this way instead of hitting the State for something that we really weren't responsible for, we only are cushioning those small counties that would in fact have been hit rather heavily and...and those, I think, were the counties that you addressed in your remarks when the bill got passed. Frankly, nobody is particularly worried about DuPage or Kane or Lake or McHenry or Winnebago, those counties I think will do quite well by this General Assembly. The bill is an attempt to compromise with the people who have problems with it. When it came through here the last time, obviously, you know, some people like pay raises and some people don't, we all understand that, but we have, I believe, kept faith; we have phased it in over a period of years. We have a workable mandate provision that will help the counties that needed to be helped, and I think it's a good faith effort. Let me...add one other comment, the supervisors of assessments were added here and you want to know why...I mentioned earlier what we've attempted to do with this bill, which will be a first for the General Assembly, is put all the county officials, save the two that we passed salary increases for last year, in one bill with the uniform salary levels so they won't be back next year with one or two this year and one or two next year and a couple of more the year after that. And by staggering this over a period of years, we have effectively taken ourselves out of the salary business for a four-year period, which frankly appeals to me because I'll have my pension locked on in four years, and I won't have to fight this horrible fight again, 'cause it's always a painful thing. That was a whimsical comment; the voters have that choice, obviously, whether I get to lock it down or not. But...anyway, I think it's a reasonable compromise and I present it at least as one of the cosponsors to you as keeping faith to what we said we would do when this bill left the

Senate.

PRESIDENT:

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. I stand in opposition to this bill and for a very simple reason. I don't believe that this Body should be involved in setting minimum salary standards for local units of government when, in fact, those local units of government have the ability to set whatever salary standard...salary level they wish. Now, the argument that has been offered in the past to us is there are selected county boards around the State who for one reason or another don't wish to pay their elected officials with a pay level that is commensurate with the job that they do. Now I have the...the salaries for county officials from around the State...for all the counties around the State for several of these positions, and as I review this, I don't see where really they have a problem; and if you would view it from the aspect that members of this Body receive or will...after July 1st, after midnight, thirty-two thousand five hundred dollars for representing between a hundred and ninety-five thousand and two hundred thousand people. As an...is an example, as I look at the pay scale for some of the small counties around the State, for example, Grundy County, their clerk makes twenty-five thousand, that represents thirty thousand six hundred people. Kendall County, the clerk make twenty-six thousand seven-eighty and represents thirty-seven thousand two hundred. Knox County, twenty-four thousand dollars and represents sixty-one thousand six hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar, can you bring your remarks to a close?

SENATOR MAHAR:

Yes, sir. And...and...now maybe the case might be made that some of the smaller counties such as the coroners...such

as Hardin County, where the coroner makes six thousand dollars that maybe that is not commensurate with the job they do, I take exception to that. In Hardin County there's only fifty-three hundred and eighty-three people in the whole county. Now unless they're dropping like flies in Hardin County, I would suggest that the coroner's position is not a full-time job and the pay that they're getting is commensurate with their responsibilities. Thank you.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, if I understand this so-called compromise that has been presented to us...really, you can forget the first column, I think that was the point that Senator Watson was making. That really isn't going to affect anyone or...a very few at...at best. So, really, you're only talking about the figures that appear in the second column, and if you will notice, they're all just two thousand dollars less than what appears in the third column. So this is really not a phase-in in the true sense of the word, it's a...a two-step process that will be completed after one year after the election, and everybody will be right up to that figure that was originally proposed in the original legislation. So let's not kid anybody here that we're doing anything for county government, that we're giving them any kind of a break or anything of the sort. We're barely taking any of the pain out of this bill. So the way I look at it, really, 1552 really hasn't been improved from what it...the way it was originally introduced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Yes, the...the State's Mandate's Act has...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Vadalabene...

SENATOR COFFEY:

...I know it's been discussed, but as I understand by our analysis, December 1st, 1989...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Coffey, just a moment...who...Senator Schaffer, I think he's addressing a question to you. Senator Coffey.

SENATOR COFFEY:

...as I understand, December 1st, 1989, the State's Mandate...State's Mandate's Act does not apply. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

As I...I mentioned that, we picked the stipend up for a number of years and the thought that you don't want this to go on forever is, quite frankly, by the end of that time most of these counties...these physicians would have cleared where the minimums are anyway, if they had just been given the nominal five percent a year raise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, just to the...to the bill then. You know, I...I rise in opposition. This bill is worse...in my opinion, than it was when it left the Senate. One of my counties, Coles County, for instance, the cost for those increases is going to be just a little under a hundred thousand dollars a

year. Now, we're going to pick that cost up for the first part of the term, and then after that, we're going to leave it back to the counties. We're going to make them think that we're going to pay this bill and, in fact, we really aren't except for the first payment, then it's going to go back on to those counties. I've contacted the five counties I represent, there is not one county to the number...each county board member would...accepts this proposal, and to say that, in my counties, that they're going to have these kind of increases...that they're going to have these types of increases in the next four years is just not true, because we're talking about close to a hundred percent increase, and in our county, they're talking about a special referendum to try to come with enough money to run the government as it is and then we're getting ready to put this extra burden on them. I think this is a bad bill, it's too expensive. We ought to leave it up to the county boards who are elected to make this decision, but they can raise that if they have the revenues and if they see it's fit, and it's not political, we have...the county board members both Republican and Democrat and we have county officials both Republican and Democrat, and I think we ought to kill this bill and let that decision be...at the county board level. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I have a question...and I'm sorry if it's been asked, but I...I did not hear it. We are now mandating a salary increase for the supervisors of assessment who are not elected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Four of them are elected, ninety-eight are not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you, Mr. President. I've been for this bill all along but I...you know, next thing we're going to mandate the salary for the janitor in the courthouse. Why in the world are we doing the supervisors of assessments? They hire on at a salary, they negotiate that salary...their...their celery with the county board. For crying out loud, why are we putting them in...on this Act and, you know, it just seems like we're going to take the ethanol tax and...increase that and pay county supervisors of assessments. I think...(machine cutoff)...wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Roll them...let's roll them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate...shall the...shall the Senate adopt the first Conference Committee report on House Bill 1552. Those in favor vote Aye. Those...opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, 2 voting Present. The Senate does not adopt the Conference Committee report and the Secretary shall so inform the...Senator Vadalabene, do you request a second Conference Committee? All right. Senator Vadalabene has requested...a second Conference Committee, and the Secretary shall so inform the House. House Bill 2426, Senator Sangmeister. 2426, Senator Sangmeister. 2426, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2426.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the department's Boat and Registration Safety Act. We put three amendments on and sent them over there. I'll be happy to discuss every one of those amendments, none of them were controversial. The only reason we're doing this is there was a decision in the 3rd District Appellate Court that said a sailboard was not a watercraft. You know, all these young people who wind surf? The department wants it made very clear that they...they are, in fact, a...a boat that comes under the Boat and Registration Safety Act, and then they're going to exempt them from registration requirements so they don't have to pay any fees and they can go into areas that are designed for swimming only and all that kind of good stuff. I can't find a thing wrong with this, I'll be happy to answer any questions. If not, the motion is to do adopt...the first Conference Committee...report on House Bill 2426.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2426. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2426 and the bill having received the required constitutional majority is declared passed. 207, Senator Marovitz. 320, Senator Luft. House...Senate Bill 320, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 320.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 320 provided UC and WC grants awarded by DCCA. When it came back from the House it had an amendment allowing anyone in...corporation in existence prior to 1976. We eliminated that amendment and put a cap of five million dollars on the program. And I would move to accept the Conference Committee report to Senate...No. 1 to Senate Bill 320.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President...members of the Senate. House Bill 320...as amended and coming out of Conference Committee may be just a little bit better. This is the bill, as you may recall, that has DCCA...has the State Treasury of Illinois paying unemployment insurance...fifty percent of the unemployment insurance for new businesses in Illinois and also worker's comp. Now, what we've done in Conference Committee apparently is to take out the amendment that we put on that would have extended it to nineteen businesses before...established before 1976. Now that may help a little bit but it seems to me that the major...the fundamental flaw in this bill still exists, and that is that if worker's comp. and unemployment comp. insurance costs are too high for businesses in the State of Illinois...we recognize that and we're going to give new businesses a break. They're too high for businesses that have been here in the State of Illinois for some time. And if adjustments in those costs, worker's comp. and unemployment insurance, are going to be made they should be made in other ways, it seems to me, than tapping into the State Treasury and paying it out of that source. So I would recommend that we don't accept this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

How...how will it be decided who gets these...these grants?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

By the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Are...are there any rules or anything or just...first come first serve or...or...I mean, you know...five million dollars to the first group that asked for it or how do we do it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

This bill is strictly permissive. It allows DCCA to do the negotiations, it has to be a manufacturing or heavy industrial firm moving into the State of Illinois that creates in excess of one hundred jobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Senator Luft, this doesn't have that amendment that...Representative Tuerk put on over in the House, does it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That amendment is gone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Good.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Well, I intend to speak in favor of this particular measure. There are...in our home communities there are over fourteen thousand out of worker's laid off. Mitsubishi is looking at two sites in there and any kind of incentive we can give to something like that to help our communities that are in very desperate straits, I'm going to support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question, the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Is there anything in here to help every employer in Illinois in their worker's compensation costs and unemployment costs, or are we going to leave the system unchanged and make certain grants to certain companies? Is that...is that the way this works?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

My feeling is if the Chrysler Mitsubishi Plant moved into Morton or Bloomington and we put three thousand people to work and took three thousand people off of unemployment, with

the average check of about a hundred and thirty a week, with the average person drawing that check about ten weeks, we would relieve a lot of liability on the trust fund, therefore, hoping to take the surcharge that is on that trust fund off at the present time. Senator, the only thing...I mean, you can argue the point whether we're high or low. I sat with your Governor for a half-hour discussing this bill at one point. We tried to develop language that could help the present employer in the State of Illinois, we could not do it. We thought it was very...important at this time to have something to lure any new industry into the State of Illinois, therefore, Senate Bill 320 in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Schuneman.

SENATOR SCHUNEMAN:

Well, we won't belabor this. We've talked about this issue, I think this is the third time it's been presented to the Senate, apparently, isn't considered to be a very popular idea in the House; but certainly, if there was ever an admission that we need to reform the worker's comp. and unemployment compensation system in this State, this is the bill that is the admission of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

I would simply ask for the third favorable roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the...first Conference Committee report on Senate Bill 320. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 13, 2 voting

SB 856 C.C.R.

Present. The Senate does adopt the first Conference Committee report on Senate Bill 320 and the bill having received the required constitutional majority is declared passed. 560, Senator Vadalabene. Senate Bill 560, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 560.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

(Machine cutoff)...yes. Senate Bill 560 increases the maximum...allowable tax rate for library districts and local libraries from forty percent to sixty percent subject to referendum, and it rewrites the provisions relating to the transfer of territory from one library district to another and requires the consent of the expanding district and provides for supervision by the circuit court. The forty percent to sixty percent was the error in the first bill and had to be...had to be corrected in this Conference Committee, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 560. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 560 and the bill having received the required constitutional majority is declared passed. 856, Senator Geo-Karis. 8-5-6, Mr. Secretary, Senate Bill.

SECRETARY:

Senate Bill 856, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, the...the Conference Committee report concurs in House Amendment 1 and 2. If you have any questions, I'll be glad to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd like a brief explanation exactly what the Conference Committee report does, very brief, but I don't quite understand it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis for a brief...

SENATOR GEO-KARIS:

House Amendment 1 clarifies current law, depositions of witnesses under the Human Right's Act. House Amendment 2 increases the size of the Illinois Human Right's Commission to thirteen members and two members...two new members' term shall be expiring on the third Monday of January, 1987. Now the other two new members' terms shall expire on January, 1989 and the...under current law, the members are paid...twenty thousand dollars per year plus expenses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, what do we need four new members for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Senator, the...the amendment was put on in the...in the House and I believe that they increased the membership on

the Human Right's Commission so that they can probably do a better job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, I didn't hear the explanation of why we need four additional members for the Human Right's...Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Senator, the...I don't see anything wrong with the amendment, I've gone through the rigamarole before. When I first brought this up, if you recall, there was a question that there were no rules and regulations of the Department of Human Rights and there were...there are and I've got it right here, I checked into that. The other question they had was as to whether or not people of foreign orgin were employed, and I got a letter showing different Polish names...German names, no Greek names on it, but other nationalities, that was the other question, if you recall, the other day that was asked of me and I got the...that information and I'm submitting it here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I just want everybody to realize that we're...creating four new jobs in this area, not that...and there's nine now and I really don't know what those nine do. I do know what they get paid and I know how many meetings they go to, and I think that the nine is more than sufficient to compensate for the type of workload that they have, and I have...I'm opposed to this Conference Committee, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Geo-Karis, it's a...it's a suggestion from the administration. Obviously, it's a sensitive commission and I think we ought to support the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? Senator...Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, would you say that if he wasn't here, Pate? Why...why do...are these nine people...are they having a difficult time with this commission? Do they need...is it that they need four more minds to join in on this or...you know, what is the problem?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I think what we're trying to do is diversify the different ethnics to get them into the position, more can come in on this commission. One of the criticisms that I've had on this Floor is that we're not putting any ethnics, well, that's not quite true. We'll have more room to put the ethnics in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR GEO-KARIS:

It...ethnic...by the way, I'm not even speaking for my own ethnic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR GEO-KARIS:

...I'm speaking for everyone else's ethnic background.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Does...does...in other words, Senator Geo-Karis, your legislation specifies that these four spots, one will be a Polish orgin, one will...is that how it reads?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It doesn't read like that, but I'll guarantee you there...four spots will be...will have some...very definite impact with ethnics.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, this is...this is legislation that's going to cost over a hundred thousand dollars that we're going to just hand out here for no real justifiable reason, as I see it, other than to...yeah, other than to probably create more problems, and...and...and I am opposed to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis, you may...wait a minute, Senator Jones. Senator Jones, your time is running.

SENATOR JONES:

Thank you, Mr. President. I rise...I've been...I rise in support of the Conference Committee report and it...if the Governor wants more persons on that to deal with the problems as it relates to ethnics as...on this commission, then I think we should go ahead and put those individuals on there; and I...in the wee hours of the morning...you know, tomorrow we will be dealing with the various budgets and I watch how the votes go as you...as all the pork goes on there and special interest legislation for millions of dollars. So let's not holler about a mere one hundred thousand dollar for the commission. I urge the members on this side to vote in favor

of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Ladies and gentlemen,...Mr. President, Ladies and Gentlemen of the Senate, this does not preclude...also appointing a handicapped person to this Human Right's Commission. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 856. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...38, the Nays are 13, 5 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 856 and the bill having received the required constitutional majority is declared passed. 859. Senate Bill 859, Senator Geo-Karis. Mr. Secretary, 859.

SECRETARY:

First Conference Committee report on Senate Bill 859.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this conference report does retain the provisions of the original bill repealing the Amusement Ride and Attraction Safety Insurance Act. Now, don't be misled by that, we're not repealing that we passed the...the last term to the...it concurs in the...I'm asking concurrence in House Amendment 1 which requires any person or entity contracting when the...with an amusement ride operator to inform the Department of Labor of the name and address of such persons and the date and location in which the ride will be operated. It

further increases the membership of the Carnival Amusement Safety Board from three to five members. And B, it includes individuals and organizations who contract to perform safety inspections of amusement rides for the Department of Labor within the general indemnification provided State employees. I move for the concurrence of this conference report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to rise in support of this. What Senator Geo-Karis is doing is not repealing the Act that I was the chief sponsor of last year in response to the mishap at the Edge. What she is doing is repealing a previous Act that was totally ineffective; in addition, she is amending the Act we passed last year so that the Governor can appoint the other two members and get the board going. It's going to be a five-member board instead of a three-member board, and I've been assured by the sponsor that the Governor is going to act very quickly in appointing the board so that we will have a quorum and so that these rides can be inspected like they should have been for the last several weeks. So I would rise in support of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Senator Geo-Karis, are these two new appointments also going to be...ethnic?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't know, but, you know, I haven't had any Greeks in any of these appointments, so you can never know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 859. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 859 and the bill having received the required constitutional majority is declared passed...Senate Bill 882, Senator Degnan. Senate Bill 8-8-2, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 882.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on Senate Bill 882 provides that financial institutions may delay crediting an account for...for a deposit made by check for only a certain number of days; one day if the check is drawn on...on that financial institution, is a government check or is for less than fifty dollars; five days if the check is drawn on an institution with an office in Chicago and eight days for all other institutions. This...this concept has been here before, it passed out of this Body 55 to zero. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Degnan, will this allow a bank to consider to be not deposited within this time frame?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I didn't hear the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Will this allow a bank to declare these uncollected funds if they stay within this time frame?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

If...if they are uncollected, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

No, I...what your bill says is that these are to be considered collected funds in this period of time. What I am saying to you, will this permit a bank to consider the funds uncollected if they stay within this time frame? In other words, can they wait five days to consider that money collected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, all I'm putting is an upper limit on them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I...I don't understand what an upper limit is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Well, recent studies by...some nationwide organizations

and some State organizations have caused us to believe that some banks are holding checks for more than a week before crediting that money to a person's account and allowing them to deposit...to extract the money. This legislation seeks to solve that problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't want to belittle the point, but I think you've got a tiger by the tail here, because if you're authorizing the bank to hold it up to eight days, I don't know of a check in the western world that takes eight days to clear nor five days if it's a check drawn in the State of Illinois. You might, in fact, end up having people not being able to use their money and the banks being able to use the money if they comply with this law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Well, I think...I doubt if the consumer who is being serviced by a bank now properly is going to have that problem. What we're trying to get at is those banks who keep checks without allowing the customer's use of his own money for upwards in some cases of twenty-one days, and I seek your approval of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill...882. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, 3 voting Present. The Senate does concur with the first Conference Committee report on Senate Bill 882 and the bill having received the required constitutional

majority is declared passed. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate, the passage of a bill with the following title:

Senate Bill 173 together with House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Supplemental...Supplemental Calendar No. 6, Senate Bill 173, Senator Schaffer. Mr. Secretary, Senate Bill 1-7-3, Supplemental Calendar No. 6.

SECRETARY:

Senate Bill 173 with House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. For the edification of the members who have been inquiring, it's this one little sheet that was passed out. It says Supplemental No. 6, everyone seems to have it. Senator Schaffer.

SENATOR SCHAFFER:

This is, believe it or not, a supplemental for FY '85 which I guess would be appropriate to pass in the last twenty minutes of FY '85, was resurrected from the grave in the House not several hours ago. There are a series of House amendments on there, I'd be prepared to go through it, that were added. My...my understanding is that those...items that are not necessarily totally meritorious will be...judiciously handled by the Executive Branch. I would be happy to answer any questions, there are some more school bands in here and stuff like that. I don't think there's anything here that's particularly offensive and it will be judiciously handled, but I think we obviously have to pass it before midnight.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Has this Conference Committee report been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it is a concurrence.

SENATOR LECHOWICZ:

Oh, it's a concurrence?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR LECHOWICZ:

I'm sorry, I misunderstood that. Could you explain what the concurrence motion is equivalent to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I'd be happy to but some of you may be earning more money when I finish. I thought you'd be happy about that. All right. House Amendment No. 1 transfers sixteen thousand dollars for the Prisoner Review Board. It appropriates fifty thousand dollars for FY 1985 membership in the Midwest Technology Development Institution, five hundred and fifty-eight thousand four hundred dollars for the Small Business Development Center, twenty-eight thousand for employees against DCCA for...judgments against DCCA by former employees, twenty-five thousand dollars for repayment of prior year disallowed costs on CETA programs, 2.5 million for Community Block Grants for grants for eligible recipients. This is money recaptured from previously...unexpected grants. Section 3 is the Department of Mental Health and Developmental Disabilities for fifty thousand dollars for Federal projects, this is a transfer by the way. Section 4, public aid is fifty thousand dollars to pay the judgment of...versus Miller, I think most of us have heard that before. Section 5 is Public Health and

it totals some six hundred and sixty-three thousand eight hundred dollars of which five hundred and fifty thousand is GRF, a hundred and thirteen eight hundred is Federal for various grant...items as follows; three hundred thousand for medical grants for persons suffering from chronic renal disease, two hundred and fifty thousand for medical care grants for persons suffering from hepatitis, twenty-four thousand nine hundred dollars for the...Rape Victims' Assistance Fund, twenty thousand dollars for hypertension grants to allow total utilization of Federal funds, sixty-eight thousand nine hundred dollars for prevention programs to totally allow utilization of available Federal funds. Section 6 is the Department of Revenue, a supplemental appropriation of some forty million dollars for grant refunds to utility corporate income taxpayers for...or for FY '85. Okay. Section 6.1 is the banks and trusts, eighty-nine thousand transfer for lapsing funds. Section 7 for the Department of Transportation for one million seven hundred thousand dollars. It's a supplemental to...for the purchase of salt for Districts 1 and 2. Section 8 is the Secretary of State, twenty-five thousand dollars for the literacy programs. Section 9 is the State Board of Education, transfers some ten million seven hundred and five thousand five hundred and fifty-six dollars for transfers between line items for the remaining...unallocated funds, I believe that's to fully fund several categoricals. The Board of Regents makes a transfer...the central office of some twenty thousand dollars between Personnel and Contractual line items. Department of Labor transfers some seventy-two thousand dollars from Personal Services to Contractual Services for the Carnival Amusement Rides Division. Section 12 is the Historical State Library, some ten thousand seven hundred dollars for general...GRF reimbursement. I believe that's when we brought those people over from Conservation. Section 13 is Mines and

Minerals for forty-one thousand two hundred dollars for Contractual for personnel services to prevent some layoffs. Section 14 is Military and Naval, transfers some fifty thousand GRF to meet telephone costs for the balance of the...fiscal year. Section 15 is Veterans' Affair. This section...well, evidently, it's a correction of an erroneous earlier amendment. Section 16 is the Administrative Office of the Courts, some one hundred and seventy-six thousand seven hundred and fifty dollars for lump sum awards for the circuit clerks for counties of one thousand or less for additional...duties. Section 17 is a no dollar transfer for...I guess, it's a language change for some building modifications. Section...that was House Amendment 1. I, by the way, have a total of sixteen amendments. House Amendment 2 is Capital Development Board for a hundred and twenty-five thousand...Senator Lechowicz, should I continue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

...thank you, Mr. President. I just want to point that this...meager concurrence is a hundred and forty-seven million dollars in total, and it also points out that the Department of Revenue has now come in for the third time for a...additional money to reimburse businesses on the unity tax, and it's...I would just like to point for the record that this is approximately a hundred and eighty million dollars this year. I would hope to God they would budget it properly next year. I have no further questions. Move that we should also concur in this...in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A...question of the sponsor. Senator Schaffer, as I look at our analysis on House Amendment 2, it says that it appro-

priates a hundred and twenty-five thousand dollars to the Capital Development Board for pork and conservation programs. Is that a misprint?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Probably honesty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The question is, shall the Senate concur in House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16 to Senate Bill 173. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 10, 1 voting Present. The Senate does concur in House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16 to Senate Bill 173 and the bill having received the required constitutional majority is declared passed. All right. We will now revert to the regular Calendar, it was passed out this morning. The regular Calendar, page 2, Senate Bill 451, Senator Sommer. Mr. Secretary, Senate Bill 451, page 2 of your regular Calendar.

SECRETARY:

(Machine cutoff)...Bill 451 with House Amendments 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15 and 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I would move that we concur in all of the amendments. This matter should be on your desks and has been on the desks all day. I'd be happy to ask any...answer any questions concerning them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the

Senate concur in House Amendments 1, 2, 3, 5, 6, 7, 9, 11...10, 11, 12, 13, 14, 15 and 17 to Senate Bill 451. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The Senate does concur with House Amendments 1, 2, 3, 5, 6, 7, 9, 11,...10, 11, 12, 13, 14, 15 and 17 to Senate Bill 451 and the bill having received the required constitutional majority is declared passed. Top of page 3, Senate Bill 461, Mr. Secretary. Senator Bloom. Mr. Secretary, 461.

SECRETARY:

Senate...Senate Bill 461 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Move we nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom...moves to nonconcur with House Amendments 1, 2, 3 and 4 to Senate Bill 461. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 477, Senator Bloom. Mr. Secretary, Senate Bill 4-7-7.

SECRETARY:

Senate Bill 477 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I think we move to concur with this. Are we concurring, Senator? Yes, I would that we concur with the House amendments. They add back some contractual money, not...not as much as perhaps the agency would like but I think we've concurred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? All right. The...the question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 477. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 477 and the bill having received the required constitutional majority is declared passed. Senate Bill 478, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 478 with House Amendments 1 through 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I'd like to do a little bit of concurring and a little bit of nonconcurring tonight. I'd like to nonconcur on Amendments No. 1, 4 and 7, and I'd like to concur on Amendments 2, 3, 5 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra moves to nonconcur in House Amendments 1, 4 and 7 to Senate Bill 478. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Senator Kustra. Senator Kustra moves to concur with House Amendments 2, 3, 5 and 6 to Senate Bill 478. Any discussion? If not, those in favor...the question is, shall the Senate concur with House Amendments 2, 3, 5, 6 to Senate Bill 478. Those in favor...will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. The Senate does concur with House Amendments 2, 3, 5 and 6 to Senate Bill 478 and the bill having received the required constitutional majority is declared passed. Senate Bill 481, Mr. Secretary.

SECRETARY:

Senate Bill 481 with House Amendments 3, 4, 5 and 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move we nonconcur with...with House..with House Amendments 3, 4, 5 and 7 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz moves to nonconcur in House Amendments 3, 4, 5 and 7 to Senate Bill 481. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would, with leave of the Body, ask that we now move immediately to Supplemental No. 5...Calendar Supplemental No. 5. There's a Conference Committee report, copies of which have just been distributed after yeoman work all day by Senator Berman and Maitland and others on Senate Bill 730.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll move to Supplemental Calendar No. 5. The only bill that's contained is Senate Bill 730. Mr. Secretary.

SECRETARY:

Senate Bill 730, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Berman. Senator Berman on the Floor? Senator Schaffer.

SENATOR SCHAFFER:

Defer to Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and...Gentlemen of the Senate. As you know, I had asked Senator Rock earlier this evening that we had to have a Republican Caucus before we went to Senate Bill 730. So, I'm requesting that caucus.

We'll try to get back as soon as possible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. That request is in order. The Senate will...Senator Rock.

SENATOR ROCK:

...that...that request is in order. The fact is, I think that this bill has been so well drafted and so well put together, I am sure they will come out of their caucus unanimous. I move we adjourn until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that the Senate stand adjourned till ten o'clock tomorrow morning. Well,...Senator Hall, for what purpose do you arise?

SENATOR HALL:

I just wanted to congratulate our colleagues here, at the stroke of twelve, many of them will go into a different...pay scale and I know we who do not want to congratulate all of you. Best of luck and break a champagne bottle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Just to make sure that the Republican members...know we are still having a caucus immediately in Senator Philip's office, and to lament the fact I'm not one of the people getting a pay raise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ten o'clock tomorrow morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

July 1, 1985

PRESIDENT:

The Senate will come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, June the 19th...or 18th, 1985, and Tuesday, June the 18th, 1985, and Wednesday, June the 19th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

...yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it is so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, June 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th; Saturday, June 29th and Sunday, June 30th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor of the motion indicate by saying Aye. Those opposed by Nay. The Ayes have it. The motion carries. It's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to House...Senate amendments to House bills with the following titles:

House Bill 652, 653, 654, 657, 659, 660, 661, 663, 664, 666, 668, 669, 670, 672, 674, 679 and 683.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to recede from their amendments to Senate bills with the following title:

To Senate Bill 14.

And, I'm further directed to inform the Senate that they have requested a first conference and the Speaker has appointed the members on the part of the House.

Also, a like Message on 91 with Senate...Amendments...House Amendments 2 and 5.

254 with House Amendment 1.

403 with House Amendments 1, 2, 4, 5, 6 and 7.

449 with House Amendment 1.

...452 with House Amendments 1, 2 and 3.

...47, House Amendment 4.

944 with House Amendment 1.

1091 with House Amendment 1.

1189 with House Amendments 1 and 2.

1345 with House Amendment 1.

1350 with House Amendment 1.

And, 1452 with House Amendment 1.

PRESIDENT:

Senator Demuzio moves that the Senate accede to the request of House. All in favor of the motion to accede indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries with respect to the aforementioned bills.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on House Bill 694 and requests a second Committee of Conference in regards to Amendments 1 and 2, and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right. Senator Degnan moves that the Senate accede to the request of the House. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. If I can have the attention of the membership, WAND-TV has requested permission to tape as has WEEK-TV, Channel 25. UPI has requested to take pictures. WGN requests permission. WCIA-TV and WLS-TV have...all requested permission to take pictures. Is leave granted? Leave is granted. If I can have the attention of the membership, again, in an attempt to expedite the procedure, which...with which we are not having much luck today, if you'll turn to Supplemental No. 1, there are a number of House bills that have been finally returned to the Senate with Senate amendments. My understanding is that the appropriation's people have been meeting and that virtually all are to be in a Conference Committee, which would mean that the...proper motion should be..or I would suggest that let's go down the list and where the Senate sponsor moves that the Senate refuse to recede, we can handle that paper with some dispatch and keep the budgetary process alive. With leave of the Body, we'll take motions to refuse to recede on Supplemental Calendar No. 1. Senator Fawell, 852. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. On 652, I move that we refuse to recede and have a Conference Committee appointed.

PRESIDENT:

Senator Bloom has moved that the Senate refuse to recede from...the adoption of Senate Amendment No. 1 to House Bill 652 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 653, Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move that we refuse to recede and call for a Conference Committee.

PRESIDENT:

All right. Senator Dudycz has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 653 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 654, Senator Sommer.

SENATOR SOMMER:

Could we pass that for a minute?.

PRESIDENT:

All right. 657, Senator Schaffer. Senator Bloom.

SENATOR BLOOM:

I move that we refuse to recede and that a Conference Committee be formed.

PRESIDENT:

Senator Bloom has moved that the Senate refuse to recede from Senate Amendments 1, 2 and 3 to House Bill...657 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries. The Secretary shall so inform the House. 659, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the House refused to concur with the Senate in the adoption of the amendments. So, I move for a...I ask for a conference.

PRESIDENT:

All right. Senator Geo-Karis has moved that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 659, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 660, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the House has failed to concur with amendments...Senate Amendments 1 and 2 to House Bill 660, and I request a conference.

PRESIDENT:

All right. Senator Geo-Karis has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 660 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. WBBM-TV has also requested permission to film and record the proceedings. Is leave granted? Leave is granted. 661, Senator Mahar.

SENATOR MAHAR:

Mr. President, I move that we refuse to recede from Senate Amendments 1 and 2 and that a Conference Committee be appointed for House Bill 661.

PRESIDENT:

All right. Senator Mahar has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 661, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. Motion carries and the Secretary will so...shall so inform the House. Senator Schaffer, while you're up here, 663. All right. Senator Schaffer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5 and 6 to House Bill 663 and that a Conference Commit-

tee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. If you'll turn over Supplemental No. 1, we're on 664, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Refuse to recede, get a Conference Committee.

PRESIDENT:

Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4 and 5 to House Bill 664 and that a Committee on Conference be appointed. All in favor of the motion indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 666, Senator Sommer. Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 666 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries. The Secretary shall so inform the House. 668, Senator Sommer. Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 from House Bill 668, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary will so inform the House. 669, Senator Bloom. Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 669, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. 670, Senator Mahar. Senator Mahar moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 670 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the

Secretary shall so inform the House. 672, Senator Bloom. Senator Bloom moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6 and 7 to House Bill 672 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 674, Senator Weaver. Senator Weaver moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 679, Senator Schaffer. Senator Schaffer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 to House Bill 679 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Finally, 683. Senator Davidson moves that the Senate refuse to recede from the adoption of Senate Amendments No. 1, 2, 3, 4, 5, 6 and 9 to House Bill 683 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Sommer.

SENATOR SOMMER:

Mr. President, on House Bill 654, I would move that the Senate recede from Amendments 2 and 5. These...these amendments reflect a higher pension payout than was agreed by the conferees.

PRESIDENT:

All right. Senator Sommer...page...Senate Calendar, Supplemental No. 1. Mr. Secretary. On the Order of Secretary's Desk Nonconcurrence is House Bill 654.

HB 275
C.C.R.

SECRETARY:

House Bill 654 with Senate Amendments 2 and 5.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

These amendments reflected a higher payout of pensions than was agreed by the education conferees and, therefore, this takes it down to the sixty percent level agreed to them. We can accomplish that and pass the bill by removing these two amendments.

PRESIDENT:

All right. Senator Sommer has moved that the Senate recede from Senate Amendments 2 and 5 to House Bill 654. Any discussion? If not, the question is, shall the Senate recede from House...from Senate Amendments 2 and 5 to House Bill 654. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, none voting Present. The Senate does recede from Amendments 2 and 5 to House Bill 654 and the bill having received the required constitutional majority is declared passed. All right. We'll return to the regular Calendar. Now that we have the paper work completed, we'll return to the regular Calendar and begin on the Order of Conference Committee Reports. Senator Lemke, you're first, 275. On the regular Calendar, on the Order of Conference Committee Reports, page 3 on the Calendar, Conference Committee report with respect to House Bill 275. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 275.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this adds...Senate Bill 57 regarding combination of trust...subsidiaries. The Conference Committee Report No. 1 has the Senate recede from Senate Amendment...No. 1 but inserts that the amendment as part of the text of the report. Senate Amendment No. 1 permits a trustee to operate a partnership business as part of a trust without being personally liable for actions other than tort actions or actions whether...where it does not disclose it's trust capacity. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Any discussion? Senator Lemke has moved the adoption of the first Conference Committee report on House Bill 275. Is there any discussion? Senator Sommer. Oh, your light was on. Okay. All right. If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 275. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 275 and the bill having received the required constitutional majority is declared passed. Mr. Secretary, on the order...on the Order of Conference Committee Reports, Conference Committee report on House Bill 431. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 431.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move that the Senate accept the Conference Committee...first Conference Committee report on House Bill 431.

PRESIDENT:

All right. Senator Maitland has moved the adoption of the Conference Committee report on House Bill 431. Senator Kelly.

SENATOR KELLY:

Mr. President, I'd appreciate an explanation of what that Conference Committee report is.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I...I apologize, Senator Kelly, that puts the bill back in the...in...in...in the position it was in when it left the Senate exactly. It's...it sets up a mechanism for appointing the DuPage County Fair Board.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 431. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does accept the Conference Committee report on House Bill 431 and the bill having received the required constitutional majority is declared passed. Senator Lemke on 627. Mr. Secretary, on the Order of Conference Committee Reports, Conference Committee report on House Bill 627.

SECRETARY:

Conference Committee report on House Bill 627 was passed out. We now have a corrected first Conference Committee report on House Bill 627 which has also been passed out.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is amends the Criminal Code and deletes

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all of the bill and reinserts the properly engrossed copy of the bill as amended in the Senate. I think it's a good...Conference Committee, ask for adoption.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor. Is there a reason why Senator Sangmeister's signature does not appear on this?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

No,...no not...no reason at all; apparently, the staff didn't get the signature.

PRESIDENT:

Any discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 627. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 627 and the bill having received the required constitutional majority is declared passed. 883, Senator Friedland. On the Order of Conference Committee Reports, bottom of page 3, House Bill 883, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 883.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I urge that we adopt this Conference Committee report. Your...the Calendar is...incorrect...regarding this

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second sentence. The...the original bill 883 amended the township law and required the board of trustees requiring any...set forth that is reasonable, now just...is in the bill, that's the original bill. The second sentence has been stricken and we've added language to permit DuPage and Lake County to levy special assessments where construction of repair of sidewalks and street lighting and traffic control devices and additionally language to put Cook County in the Township Open Space Act...to include Cook County in that Act, and I urge your adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 883. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 9 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 883 and the bill having received the required constitutional majority is declared passed. Senator Maitland on 1037. Senator Holmberg on 1039. On the Order of Conference Committee Reports, top of page 4, House Bill 1039. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1039.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, House Bill 1039 with the first Conference Committee report deletes everything after the enacting clause and inserts the provisions of Senate Bill 723 which was our asbestos legislation. It sets dates for corrective action and so forth, and I would like to defer to Senator Berman, who was the sponsor of 723 to further explain the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. As Senator Holmberg indicated, what is...House Bill 1039 has now got the elements of Senate Bill 723 which dealt with the problem of asbestos in our schools. Ongoing negotiations have been conducted since the beginning of this year, and the bill as it sits before you and which we are asking you to concur in provides for the elements in which the Department of Public Health may issue rules and regulations regarding asbestos abatement on or before December 1st of this year. It sets up the requirements for the department to prepare a list of contractors who would be eligible to perform the asbestos removal, regarding the removal of these things from the schools. There is a...there has been ongoing discussions regarding three areas which have been deleted from the bill totally, and those three areas are a bond authorization which was in the bill when it left here but has been removed. Secondly is a...authorization regarding a formulary for reimbursement to schools, and the third is a question as to insurance availability for the contractors that do this work. All three of those issues have been removed from the bill. Because of ongoing discussions with the insurance industry and the Bureau of the Budget, they will not be addressed at this time, we will be addressing that in the Fall and that still gives us time to rev up and to perform the inspections and issue the rules and regs. which is all that this bill presently does. I'd be glad to respond to questions and ask for your affirmative vote on Conference Committee Report No. 1.

PRESIDENT:

All right. Senator Holmberg and Berman have moved the adoption of the Conference Committee report on House Bill 1039. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator, I...I was interested in the last part of your...remarks in particular. We are...we are establishing procedures here for correction of the asbestos problem in the schools. I know that there is out there a terrible lack of anybody willing to write the insurance coverage for these contractors, and what is your solution to that problem? We're just going to delay the whole thing, is that what you're saying here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

...sir...yes, sir. Senator Schuneman, we have been...we have had meetings with insurance industry representatives and the director of the Department of Insurance. It is their joint suggestion to do what we are doing, remove any question or any addressing of that problem. The National Association of Insurance Commissioners has this on their agenda for their summer meeting. Hopefully, with the industry, NAIC, we will be able to come back. They're very aware of the problem, they're...trying to find a solution, nobody was...able to do so in these closing days and so we've removed any reference to insurance in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1039. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1039 and the bill having received the required constitutional majority is declared passed. All right. Senator Maitland is on the Floor now.

House Bill 1037, Mr. Secretary. 1-0-3-7, House Bill.

SECRETARY:

First Conference Committee report on House Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate reject Conference Committee Report No. 1 on House Bill 1037 and let me explain why. Senator Berman and I talked about this last evening and some language that he and I were both concerned about was left out of that first report and, therefore, I would wish to reject the first Conference Committee report and ask that a second Conference Committee be selected please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...procedurally, we...we've got to dump this Conference Committee report so the...Senator Maitland.

SENATOR MAITLAND:

I...I made the motion initially. Yes, I'm...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we've always taken the...we've always taken the vote in the affirmatives and request that the members to...all right. Senator Maitland has moved that the Senate do not adopt...do not adopt the first Conference Committee report on House Bill 1037. Is there any discussion? I assume Senator Maitland is requesting a negative...Senator Berman.

SENATOR BERMAN:

My...my question is a parliamentary one. Wouldn't it be proper to move to adopt and everybody vote No? I think that's the way we've done it, so if I might suggest that the proper motion is do adopt but we're urging a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've...we have always done it that way but I was

responding to the request of Senator Maitland. Now...so let's get it straight. Senator Maitland, you want to restate your position.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would accede to the wishes of Senator Berman, I would suggest that...I would move that the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Vote No.

SENATOR MAITLAND:

...adopt Conference Committee Report No. 1 to House Bill 1037 and urge you all to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...the question is, shall the Senate adopt the first Conference Committee report on House Bill 1037. Those in...oh...discussion? Senator Welch.

SENATOR WELCH:

Well, could I ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, absolutely. Senator Welch.

SENATOR WELCH:

Senator Maitland, when you said there's language in there you don't like, is it language that was incorrectly written or is it something in the Conference Committee report you disagree with?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Welch, when this bill was heard in committee, you may recall, it was among other things putting the circuit court back into the...to the truancy issue. It's my understanding that when it went to the...to the House, there were those who did not want the circuit court, the County of Cook involved. They

have other means to do with...deal with truancy, and I remember and go back to...oh, Senate Bill 623 when this was first taken out. We had that problem downstate and we feel strongly that the circuit courts should be in downstate, and that's what we're attempting to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, maybe you feel that way but I don't. In fact, in committee I was one of the ones who raised the questions about the circuit courts getting back in. What...as I recall the bill in committee, the testimony from the judge sitting in the witness stand was that under the bill that we had before us, we could end up putting truants in jail for not...for being in contempt of court. There's a little hocus-pocus that goes on in the court system, you don't arrest a kid and put him in jail for being a truant. What we do is we have him under the court supervision and then when he doesn't listen to what the judge says or he doesn't show up in court, then the judge can put him in jail, and there...as I recall, there wasn't any segregated facilities in many of these jails. In Putnam County, in my district, we don't have any seregated jails. You can have a hardened criminal in the same jail with a truant. Now, you are trying to take the provision out that keeps the circuit court out of the system. Is that what you're saying? You want a second Conference Committee report that says the circuit court could be back in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, then, I would urge us to adopt Conference Committee Report No. 1. It seems to me that we shouldn't be making criminals out of kids who don't attend school. I think that that may be a little bit harsh and what you're going end up doing is, eventually, in some of these...cases downstate in particular, you're going to have judges putting kids in jail. I've got no doubt about that and I don't think anybody else here does either. We all have read stories about some...some judges, either campaigning for higher office or trying to be tough on crime showing the kids that they were going to be tough, and you're going to find one or two of them spending the night in jail. So I think we should vote Yes on this, not No, and I would urge folks on this side of the aisle to vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I'm a little bit disappointed with the explanation of Senator Welch. There are a number of circuit districts across this State that with their juvenile judge have worked very diligently with truant officers in schools and with the parents to attempt to resolve the truancy in the...in the different high schools. It is a very serious problem. When we passed Senate Bill 623 a couple of years ago, every student who wanted to be truant knew that after January 1, there would be no mandatory attendance in Illinois and that's where we are today, Senator Welch, whether you know that or not, we do not have mandatory school attendance any longer in Illinois. Now, it's fine to accept the fact that 623 attempted to deal with the issue through...through crisis intervention centers in...in the

various counties and I understand that. The City of Chicago, that was very proper and probably very correct, but in downstate we have a different situation, a totally different situation, someone has to be in charge. In my circuit we have a juvenile judge who has addressed this issue in a very professional way. Young people who are truant have to understand that there's a law to abide by, and it's the exception rather than the rule when they put the child in jail, but they work with them forcing them to understand that in life there are laws that you have to follow. And as we are today and even in your county, Senator Welch, we don't have crisis intervention centers to deal with this problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR MAITLAND:

...I believe this is reasonable and I would, once again, urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We...the gentleman to close. Senator...Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Do...Senator Maitland, do I have it right, if I want to concur in Conference Committee report...if I want to agree with Senator Welch, I would vote Aye and if I want to oppose you...I mean, to oppose you and then...and to join you, I'd vote No? Okay. Well, I want to be with Senator Welch, I agree, these truants don't belong in with...hardened criminals and that could occur which we did have opposition in our committee as you well know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

Well, thank you. I rise to agree with the sponsor and I

think this point that was made can well be argued on a second Conference Committee when the conferees meet. The fact is, we from time to time or virtually all the time are in a position to honor the request of the conferees, and if they can't agree, they dump the first Conference Committee and try it over and that's all the sponsor is asking to do. I urge support for Senators Berman and Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Well, I...I raise to...rise to object to the sanctity of a Conference Committee that I certainly had no part in and in committee it was Senator Berman's bill, and Senator Maitland and Berman have worked this out, that...that's fine, but I don't think that we should have to swallow the Conference Committee report whole without getting a chance to discuss it and debate it...just because the Conference Committee, two of the members disagree. Apparently, there were several other members who signed this report, at least six out of ten, and if these two members here didn't like it, it seems to me, they're in the minority. So I don't see why we should go with them, and...and, obviously, when this gets over to the House it's not going to be under the guise that, well, we'd like to go around with the Conference Committee members from the Senate. It's going to be under the guise that...hell, the Senate rejected keeping the circuit courts out of the juvenile justice process and that's not what this vote is. This Conference Committee report isn't going to come back the same way, it's going to come back with the reverse. They're going to get the circuit courts into juvenile justice and the truancy system, and I don't think we should do that and that is a very important issue here. It's not a procedural one whether we go along with Conference Committee members or not...if we want to go along with Conference Committee mem-

bers, let's go along with the six who signed the Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Davidson, what's your point?

SENATOR DAVIDSON:

A point of order. What...is the motion before the House by Senator Maitland to move to nonconcur...what is the motion before the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The motion by Senator Maitland is to...that...is to have the Senate adopt the first Conference Committee. His position, however, is that...should that motion fail, he would request a second Conference Committee. Senator Davidson.

SENATOR DAVIDSON:

And did he, as sponsor, make a request for us not to concur? Is that correct, even though the motion was to adopt?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That is correct.

SENATOR DAVIDSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...all right. Senator DeAngelis, we've...now that the sponsor has closed, we are...Senator DeAngelis.

SENATOR DeANGELIS:

Well, just a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR DeANGELIS:

Since my bill was mentioned in debate, I do want to point out...and I have the greatest respect for John Maitland, I also have the greatest respect for Judge Witty from Bloomington, but the results don't indicate what was men-

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tioned. Truancy, in fact, has gone down. People have taken a more active interest when the juvenile court got in because then they had to do something about it. I agree with Senator Maitland that McLean County was, in fact, an effective program but one county does not a truancy program make, and what we're talking about here is much more than McLean County and I'm going to support the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, I think you probably...advise you to close a second time if you like. All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 1037. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 13, the Nays are 39, 1 voting Present. The Senate does not adopt the...the Conference Committee Report No. 1 to House Bill 1037 and the sponsor requests that a...a second Conference Committee, and the Secretary shall so inform the House. House Bill 1103, Senator Lemke. 1103? 1279, Senator Nedza. Conference Committee reports, House Bill 1279, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1279.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Seth Pearlman with the Associated Press has requested leave to take still photographs. Is leave granted? Leave is granted. Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Conference...the first Conference Committee report on House Bill 1279 as it appears before you now provides for an...indemnification clause for the mass transit systems. It increases the per diem for metro-east mass transit trustees.

It provides for fair demonstration programs under a grant through the Department of Transportation for security and mobility limited handicapped persons. There's a five million dollar cap. The program is to run from January the 1st, 1986 to December the 31st, 1986, and it also provides a yearly salary of ten thousand dollars for the Suburban Bus Board members and fifteen thousand dollars for its chairman. That is the content of the report and I move for its adoption. If there's any questions, other than that, your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1279. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 3 voting Present. The Senate does adopt the first Conference Committee report on House Bill 1279 and the bill having received the required constitutional majority is declared passed. House Bill 1412, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1412.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I move we adopt this Conference Committee report but vote No on it. The reason being, it's already been rejected by the House. We want to put it back in a second Conference Committee so that we can put an effective date on it, and this is the only way we can do that. So I would ask that you vote No on the adoption of the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? (Machine cutoff)...not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1412. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 12, the Nays are 40, 1 voting Present. The Senate does not adopt the first Conference Committee report. Senator Darrow has requested a second Conference Committee and the...Secretary shall so inform the House. 1445. House Bill 1-4-4-5, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1445.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in Conference Committee Report No. 1. There are two provisions in the Conference Committee report; one of them is the same as Senate Bill 369 that left the Senate 50 to 6. That bill tried to address...under present law, the Department of Conservation security employees receive a higher benefit formula for retirement at age sixty. This provision allows them to take an early retirement without reduction of benefits. State police and other law enforcement personnel are eligible for the early retirement but DOC security employees are not. This just basically gives DOC security employees the same retirement benefits as any other law enforcement agency of the State of Illinois. The other provision was that of Senate Bill 81...was Senator Vadalabene's and it provides that State policemen who retire at age fifty-five under the early retirement provision are not eligible for automatic increases until they reach age sixty. This provision grants them the three percent yearly increase at age fifty-five and I would, once again, move for

the adoption of the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. With the meetings pertaining to pensions, the agreement was that Senate Bill...I think it was House Bill 1132 handled by Senator Rock would be the vehicle which includes all the agreed items. This is, of course, not an agreed item. Senate Bill 81 failed in the Senate, that's the...the bill that was designed to allow the State police to get a cost of living increase at age fifty-five rather than the cost of living beginning...increases beginning at age sixty as it does now. That bill, as I recall, had a...an unfunded...an increase in the unfunded liability cost factor of about seven million dollars. The other one pertaining to correctional officers is a much more costly matter. The problem with what we're being asked to do here now is...that by piggybacking these two issues on one bill, we have an unfunded...we have an increase in the unfunded accrued liability of eleven...or fifty-five million dollars with an annual cost of eleven million dollars. Now these are numbers that were given to us by the State Employees Retirement System, and I have every reason to think that they are accurate numbers. What we're beginning here is what I think, is a move toward making all the State systems provide retirement at age fifty or fifty-five and then be giving the...begin giving the cost of living increases at that point, and I think...simply think it's much too liberal. The State is not properly funding its pension programs now and we shouldn't continue down this road. I would urge defeat of this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I just want to emphasize, if I might, the points that Senator Schuneman made. We're talking about a lot of money, fifty-five million dollars in accrued liability and eleven million dollars annual cost. That, I think, is enough to stop and make you pause and look at this particular bill. I ask a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I don't know what meeting Senator Schuneman attended but if it was the same meeting I was at, and we were duly designated by the President and Minority Leader of the Senate to attend these meetings and put all of these pension bills into two bills so that we can consolidate the benefits and agree on what we were about to do. Now, it's my understanding, that the Republican side of the aisle wants this bill as much as the Democratic side of the aisle. Now, if I'm mistaken, then sobeit, but the truth is that the General Assembly Retirement System has a cost of living increase at age fifty-five. Now, if it's good for the General Assembly Retirement System, then it should be good for those people who put their life on the line every day to protect the citizens of the great State of Illinois, and as Senator Vadalabene just said, the General Assembly...especially when they're cruising down those highways. Ladies and gentlemen, this was an agreed bill, there's no reason...well, when I say that it was an agreed bill, I mean the conferees decided that...hey, look, do what you want. You don't want to run with the bill, don't run with the bill. That's not the issue, everybody seemed to think it was okay. Now, Senator Schuneman, you were at the same meeting I was at, the House members that attended that meeting were amenable to doing this in 1445. Now, if you're not amenable, sobeit, I still think it's a good bill and we should run with

it.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

I have a question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

On page 5, Section B, line 18, it says, "For the purpose of this section, eligible creditable service." I understand the following: State policemen, firefighter, air pilot, special agent, investigator for the Secretary of State, conservation police officer, investigator for the Department of Revenue, mental health police officer and...and Central Management Services security police officer. Could you please elaborate what you mean by security employee of the Department of Corrections?

PRESIDENT:

Senator Luft. Senator Poshard, do you wish to respond?

SENATOR POSHARD:

Thank you, Mr. President. Yes, Senator Dudycz, I would respond to that. This is the third time, by the way, that we've debated this on the Floor now in regard to the security employees, and it's passed out of here by a sizable margin on two different occasions, so we're back with it again. Security employee are those employees which come into daily contact with prisoners behind the walls of the prison. Now, in my district alone, we have a sizable number of people that this applies to because we have so many prisons in my area. We're doing the same thing for security employees that we're doing for those other groups that you just mentioned because of the stress of the job. The early retirement annuity on the basis of the decision of this Body is granted because of the stress of the job. We have already granted this to Cen-

tral Management employees, security employees, to conservation police, the State policemen, none of which, in my estimation, have any more strenuous or stressful job than the people who go behind the walls of our State prisons every day to take care of our prisoners. Now those are the people we're talking about. We've debated it thoroughly on at least two other occasions. I ask for your favorable concurrence with this.

PRESIDENT:

Further discussion? Senator Schuneman. I beg your pardon, Senator Dudycz had not concluded. Senator Dudycz.

SENATOR DUDYCZ:

You haven't answered my question, Senator. I want to know what type of employees you're speaking of. Are you talking about janitors, kitchen employees? What type of employees...you want to include these peace officers?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Security employees by the definition that we ourselves have given those people in the past in this Body are those people who come into daily contact within the prison with the prisoners. The last two people which have been killed in the prisons of this State have been cafeteria workers. So those are people that are also put in their line. They're in there mingling with the prisoners every day just as the people who are armed within the prison.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Are we talking about including cafeteria people? Are there any others or just cafeteria people you're including in this legislation?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

I can only indicate as I have before the definition that we ourselves have given security employees. Those people who come into daily contact with the prisoners behind the walls of the prison.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I simply...I...this bill is going to be voted upon upon the merits of the bill and that's the way it ought to be. I have no problem with that but to suggest that this is in any way an agreed upon process is simply false. We agreed on the bills that would be included in Senator Rock's bill, House Bill 1132, but this was not one of those agreed measures. So it is not correct to say that it is.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

On...on page 5 of the bill, do I understand that the following people are...are already covered, for example, the State policemen, firefighters, air pilots, and that...and...et cetera? So the only thing you're adding here then is the...the security employees of the Department of Correction?...thank you.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, again, it's much parochial for me to arise

from...with Joliet and all the prisons, high security we got, but I know the problem with this bill has always been the definition of what employees are included under it. But it's been indicated by others...I don't care if you're a cafeteria worker or work in the library or where you are, you're exposed to these people and it's a risky business, and as I indicated to you before, when times are good, you can't even get people to take these jobs in these institutions. They certainly need this additional incentive to become a career employee for the State of Illinois, and I think we ought to quit stumbling around on this issue for the last time and put it on the Governor's Desk. I ask on behalf of all of those employees working in those institutions give this an Aye vote.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this Conference Committee report and there may be some parts of it you don't like, but those of you who have the pleasure or displeasure whichever way you want to sing of having one of those security facilities in your district...number of us do, the people who they're trying to put into this to have an opportunity for their retirement who have just as much stress as the person who is a guard and they don't carry a gun inside that prison. The only people who have a gun is the people in the tower, but as Senator Poshard said, the last three people killed were people working in the cafeteria who actually have more exposure to danger than a guard does because the prisoners are doing the work. They do have to have equipment including knives to prepare the food, they...that employee has a higher risk exposure to danger than some of the so-called correctional officers per se. I think this is a good move. It's some-

thing we need to do and I urge you to vote Aye.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. We talk here and we...heard the word agreed and agreed process, I think we ought to go back a little bit. We do have a process that we have agreed on; in fact, all our rules call for our Senators to submit bills, they're assigned to a committee, we have the committee hearing, they come back to the Floor, we have the second and then we have the third and then we pass the bills, and this is what has happened to our pension bills this year. We went through our agreed process, they go over to the House and every one of our bills was tubed. That's a real fine agreed process that we all should follow. Now what happens, back comes one bill...one bill and now two bills covering all the pension questions and all the problems, but there wasn't anything agreed about this process whatsoever. I just think that just on the basis of the way the pension problems and the...questions have been handled this particular Session that that even deserves a real fine strong No vote.

PRESIDENT:

Further discussion? Any further discussion? Senator Luft, you wish to close?

SENATOR LUFT:

Thank you, Mr. President. I hope we will address this on the merits, as was suggested by one of the earlier speakers. Their merits are, do you feel that someone who is an employee of a prison, a security guard, who puts himself in the line of danger every day should be treated equally with other security personnel? I think the merit exists and I hope you'll vote Aye.

PRESIDENT:

The question is, shall the Senate adopt the Conference

HB 1517
C.C.R.

Committee report on House Bill 1445. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 15 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1445 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, House Bill 1517, Mr. Secretary. Senator Vadalabene, I'm sorry, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Since Senate Bill 81 has been incorporated into House Bill 1445, I would move to have my name added as a sponsor of House Bill 1445.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of House Bill 1445. Without objection, leave is granted...Mr. Secretary, on 1517.

SECRETARY:

First Conference Committee report on House Bill 1517.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I...I move to adopt Conference Committee No. 1 on House Bill 1517. House Bill 1517 and its Conference Committee report has combined two significant pieces of county legislation, 780, which as you remember was the quarter cent sales tax which mandated that there must be property tax deferral if it were adopted and 1517, both of which have passed out of this Body and 1517, as you remember, is a streamlining of county government in that it combines eight operating rates into a new corporate levy without increasing the corporate rate for those combined funds above

what it was for any of the three classifications of counties. It also eliminates eleven levies that are no longer used. It has strong support from the Taxpayers' Federation, I'm sure you've been spoken to by them. It has had bipartisan support in the House where it has passed and Senator Etheredge and I are cosponsors here in the Senate. I would be happy to answer any questions if there are any.

PRESIDENT:

Is there any discussion? Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, just a reminder to everybody that you know what you're voting for here. This has got the quarter percent for the counties in it, which is an authorization to your county board to increase your local sales tax a quarter percent. If you vote for this, I really hope you think your county needs it.

PRESIDENT:

Further discussion? Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support to...for House Bill 1517. I think the...the lead sponsor, Senator Holmberg, has explained the provisions very well. I think by voting Aye on this bill we have the opportunity to strike a blow for efficiency in the financing of...of county government. I don't think there's any question but counties...many of our counties around this State have faced an impending financial crisis. Some of them already arrived at crisis point in trying to fund the law enforcement and criminal justice systems. I think by...adopting the provisions of this Conference Committee report we have an opportunity to retain...or maintain the economic viability of county government. I

strongly urge an Aye vote.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. Could I ask the sponsor a question?

PRESIDENT:

Sponsor indicates she'll yield, Senator Watson.

SENATOR WATSON:

Senator, there's...there's provisions in here for relief at the property tax level. What...how much relief are we talking about?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

We're talking here about, if you choose to adopt the quarter cent sales tax by a vote of county board, that you are mandated to reduce by three cents the corporate fund.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Is...is that the same as the original legislation then?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

The original had a twenty-five percent which basically did the same...thing when the corporate rate was twelve cents. We've changed it to three cents, so we're...we're still talking about the same amount but different phrasing.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I...I missed that last...what did you say? We're talking about the same amount but different what?

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

In the original bill...the corporate rate under that original bill was twelve cents and the wording was that it would be reduced by twenty-five percent, which would have been three cents. Now we are talking about reducing it by three cents.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you, I appreciate you answering the questions and your consideration, but I...I'm going to have to rise in opposition to...to this particular proposal. I'm sure it's going to do the counties a great deal of good and the county government needs extra funding, there's no doubt about that, but I do think that if we're going to really approach the problem of...that I see it at the local level and that is in the area of property tax, and I just don't think there's enough property tax reform and revision and a lowering of the property tax at the local level. I...I think a No vote would be appropriate. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to accept the Conference Committee report on House Bill 1517. This matter in the form of Senate Bill 780 has been debated at some length and passed out of this Chamber with a pretty healthy majority. I'd particularly like to point out to my colleagues from the County of Cook that while this bill is not directly applicable in that applies to the other hundred and one counties, it will ultimately be a benefit to us for

the reason that there will be less of a differential between the Cook County tax and the surrounding counties tax rates. I think this is a good idea, and for all the rhetoric we've heard lo these many months about the distress of the counties we are finally affording them the opportunity to do something that's long overdue. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support this motion and, as you know, the metropolitan counties that have large population increases are enjoying those criminal problems and those legal problems...those court problems. Seventy percent of our budget in DuPage County goes for law enforcement and for our courts and this certainly will help in this area. Along with this, it mandates that the county board reduce the real estate rate, so there is a trade-off.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator...Senator Watson.

SENATOR WATSON:

Yes, sir, I apologize for rising a second time. How may votes does this take to pass?

PRESIDING OFFICER: (SENATOR SAVICKAS)

What...it takes thirty-six votes. Is there further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. I think that we all are very much aware of counties having been one of our earliest areas of government. Unfortunately, they have become the step-children of government as we impose more and more expense upon them while eating away at their tax base. This particular combination of two excellent pieces of legislation

that work better together is a step toward streamlining county government. It is going to bring counties into the twenty-first century. I think it will go down as something that we did over and above things that were done in a Constitutional Convention to recognize the times and to help counties in their time of need. I recommend its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The...the question is...Senator Netsch, state your point.

SENATOR NETSCH:

However, you feel about the bill, I think your ruling on the required vote was incorrect. It does not...the bill does not have an immediate effective date and there is no preemption involved, so it seems to me that it takes only thirty votes. Isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, it has a effective date of January 1st, 1986. Since that is before July 1st of 1986, it would take thirty-six votes. On that question,...shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1517. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all vote who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 10, 1 voting Present. The Senate does adopt the Conference Committee Report No. 1 on Senate Bill 1517 and the bill having received the required constitutional majority is declared passed. For the record, I had indicated Senate Bill 1517, I meant House Bill...the Chair was in error. It was House Bill 1517 that...received the required constitutional majority and was declared passed. House Bill 1544, Senator Demuzio. House Bill 1977, Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate adopt Conference Committee Report No. 1. The Conference Committee

report simply...embodies the language that was in Senate Bill 141 under the sponsorship of Senator Rock. Senate Bill 141 was the bill that changed the terms of office for a variety of boards of State Government, frankly, in order to enable those people to...to get a pay raise. The boards affected are the Illinois Prison Review Board, the Illinois Racing Board, the Liquor Control Board, the Board of Elections, the Industrial Commission, the Human Right's Commission, Pollution Control Board, the Illinois Commerce Commission and the Civil Service Commission. Be happy to try to respond to any question. I move adoption of the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1977. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, none voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 1977 and the bill having received the required constitutional majority is declared passed. House Bill 2276, Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I move that the Senate do adopt Conference...Committee Report No. 1 on House Bill 2276. This Conference Committee report amends the original bill which reduced the twenty-one-day waiting period for chronic runaways to provide that where one year has elapsed since the last instance of his having been taken into limited custody, the twenty-one-day waiting period would once more apply. So, I would move the acceptance of the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

AB207
conf. comm. Rept.

Is there discussion? If not, the question is, shall the Senate adopt Conference Committee report on House Bill 2276. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none...voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 2276 and the bill having received the required constitutional majority is declared passed. Senate Bill 158, Senator Schaffer. Senate Bill 207, Senator Marovitz. For what purpose Senator Degnan arise? Senator Marovitz on Senate Bill 207.

END OF REEL

REEL #2

SECRETARY:

Senate...Senate Bill 207, there was a Conference Committee filed on that and the first Conference Committee report was withdrawn and we now are working with corrected first Conference Committee report on Senate Bill 207.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 201 is the gang crime package. We passed out about six or seven bills to the House due to the deadline. Several of those bills did not get called and they are now all embodied in Senate Bill 207. That is the gang crime package that passed out of here without opposition. It creates the safe school zones in and around school property and deals severely with the bringing of firearms, the selling of...the dealing of hard drugs in and around the schools. It deals with adults trying to recruit juveniles into the...into gangs. This is...as a result of hearings over six months in schools throughout the State of Illinois, we've seen statistics about the dropout rate and surveys that the...have been done that the major reason for the dropout rate has been gangs. This is our message to those gangs that we're not going to tolerate drugs, firearms, gang recruitment in and around the schools and I would solicit your Aye vote. And I want to also thank Senator Rock and Senator Sangmeister for their very hard work in putting this package together and Senator Barkhausen and Senator Kustra from the other side of the aisle of working very close together.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, just a word to let you know that we would...I would say that this is a real good step in the first direction. Obviously, you're not going to cure all the...gang crime problems with this series of bills but you can go home thinking that you made an effort and I think that's worthwhile. You should also be advised that the House has already concurred in this Conference Committee report, so upon our approval of it here, it'll go to the Governor and we'll be off in the right direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate adopt Conference Committee Report No.1 to Senate Bill 207. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none. The Senate does adopt Conference Committee report on Senate Bill 207 and the bill having received the required constitutional majority is declared passed. Senate Bill 416, Senator Holmberg.

SECRETARY:

(Machine cutoff)...Conference Committee report on Senate Bill 416.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, thank you, Mr. President. I move to adopt Conference Committee No. 1 on Senate Bill 416. This is...with the exception of the special fund utilization, this report is House Bill 1578 which we passed and has also passed the House. The only thing that is new in it is the provision that authorizes the clerk of the circuit court to maintain a special fund from which the county board shall authorize payments by voucher between board meetings to pay for in-service training. It basically is the bill that allows them to

charge thirty-six dollars once a year for child support and maintenance collection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WELCH:

The...the maintenance charge...and child support charge of thirty-six dollars a month from the respondent. Now, number one, you're assuming, aren't you, that the respondent is the noncustodial parent, number one; that may be a mistake. The a...petitioner in a divorce is not always the person who gets support of the children. The petitioner is just the person who files the petition for dissolution. It would seem to me that this is a fatally flawed right to begin with; and number two, I wanted to know if the annual fee of thirty-six dollars was a one-time shot on January 1 or if it's proportionate with each payment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

...in answer to the second part of your question, the fee is one time. It...it...the way it's worded now, it'll be once a year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I...I think we should reject this report, number one. First of all, you're hitting a person who may only be paying ten to twenty dollars in child support a week is going to be hit with a thirty-six dollar fee; whether it's a millionaire or a pauper, they're going to be paying the same

thirty-six dollar fee. Obviously, there's very little equity as far as the individual paying is concerned. Number two, the paragraph says that the respondent is going to pay the fee of thirty-six dollars. So if the respondent is the wife and she receives custody of four children and the husband who is the petitioner who filed the petition for the divorce, he's paying the child support, but for some reason, it's the wife who has to pay the thirty-six dollars. This is obviously a drafting error, I would think, and I...I think that we should reject this report and at least try it over again and do it right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, I've been informed that this version of the bill has failed in the House and I would like to take this out of the record at this time. Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, why don't we just...vote it up or down?

SENATOR HOLMBERG:

All right, let's...let's vote it up or down, it won't have that much effect.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 416. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 31, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Would you request a second Conference Committee?

SENATOR HOLMBERG:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB623 C.C. Rept.

Senator Holmberg desires a second Conference Committee and the Secretary shall so inform the House. Senate Bill 449, Senator Rock. Senate Bill 623, Senator Coffey.

SECRETARY:

Senate...Senate Bill...the first Conference Committee report on Senate Bill 623.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move to accept the Conference Committee Report No. 1 to Senate Bill 623. What this actually does, it...first of all, it authorizes counties to charge a township for assessing work if the township assessor fails to complete the assessment of the property in the township. This is the original part of the bill. We did strike in the Conference Committee the provision which would allow the taxes in that unit of government of township or townships not to be paid, so we did strike that...that part in the Conference Committee and added to a provision which provides that the townships of multi-township board of trustees may either enter into a contract with persons qualified by the law to do assessments at the cost no greater than the maximum salary. What has happened, in some cases the townships are forced to go to a special election to elect assessors. This just allows them to contract for that work to be done. The second provision amends the Local Government...Governmental Tax Collection Act which deletes the provision requiring the county treasurer to have...published a notification concerning the use of interest on collected but undistributed taxes. I'll be glad to answer any questions in regards to this Conference Committee report. If no questions, I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

According to our analysis, this report deletes the provision that requires the county clerk to reduce the tax rate of the taxing districts if they chose to receive the interest money. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

I think we ought to look at this a little carefully. It would be my understanding, therefore, that if a unit of government earned interest on our tax dollars, they would benefit from that with no abatement in the taxes. I feel if they're going to earn the interest, that's kind of an added benefit to them and they ought to reduce our real estate taxes a little bit. Just take a careful look at that. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 623. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 3, 1 voting Present. The Senate does adopt Conference Committee report on Senate Bill 623 and the bill having received the required constitutional majority is declared passed. Senate Bill 730, Senator

SB 834 conf. comm. Rept.

Berman. Senate Bill 796, Senator Fawell. Senate Bill 834, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate bill...first Conference Committee report on Senate Bill 834.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What 834 contains is the original bill which was clarifying language from the commissioner, then House Bill 419 that was more commissioner of banking...more things he introduced, none of which seem to be particularly controversial and the old House Bill 1552 which is the rewrite of the Consumer Finance Act that was at one time controversial, was defeated on 3rd reading in the Senate, hasn't worked out, and it is my understanding that it is basically an acceptable form and...has no, you know, no particular opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 834. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 834 and the bill having received the required constitutional majority is declared passed. Senate Bill 1091, Senator Lechowicz. Senate Bill 1132, Senator Rock.

SECRETARY:

First Conference Committee report on Senate Bill 1132.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As was referred to earlier by Senator Schuneman and then in a rather disparaging way by Senator Rupp, Senate Bill 1132 incorporates into one omnibus bill...twenty separate legislative proposals dealing with virtually every known pension fund...in existance in the State. It...it has been, I am told...and that is the reason I understand the philosophy from the House was that those governing bodies, that is to say, those who are responsible for the employer contribution or the governing board of the pension systems have, in fact, agreed in every instance to assume the liability and the responsibility for the payment of whatever increase benefit there is; the Chicago Teachers' Union, the Downstate Teachers' Union, the State employees and State universities, downstate police, downstate teachers, Chicago teachers, IMRF. In addition, it incorporates Senate Bill 337, Senator Barkhausen, to allow systems to invest in stocks quoted in the National Association of...Securities Dealers; Senator Geo-Karis' bill with respect to the forest preserve district employees, two of Senator Fawell's bills on downstate firefighters, Senator Netsch's Economic and Fiscal Commission reporting requirement, State Employees' Social Security Enabling Act from Senator Schuneman. And, frankly, I was part of the negotiations in the Governor's Office with respect to all of these, it was felt at that time that the bill that was earlier addressed with the security personnel and the State troopers was better left to itself. As far as I know, there is no objection to any of the above named provisions and I would urge the adoption of the first Conference Committee report on Senate Bill 1132.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, I simply rise to support Sena-

tor Rock's motion. There is a wide variety of...of bills and subject matter in this...in this bill, but basically, as Senator Rock explained, these are bills that were agreed upon by the Minority and the Majority in both the Senate and the House and the Governor's Office and I would urge support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1132. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1132 and the bill having received the required constitutional majority is declared passed. Senate Bill 1165, Senator Joyce.

SECRETARY:

First Conference Committee report on Senate Bill 1165.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I'd move to reject the Conference Committee report, the House has already done so and a second Conference Committee report is being circulated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report No. 1 on Senate Bill 1165. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 15, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Joyce asks that a second Conference Committee be constructed.

PRESIDENT:

Senator Carroll on 1350. On the Order of Conference

Committee Reports, Conference Committee report on Senate Bill 1350, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1350.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As many of you may or may not recall, this legislation initially was to recodify without much controversy the Savings and Loan Act of the State of Illinois. One minor item developed and we needed the Conference Committee to take care of it. It basically says that the lending limits in Federal Law will apply to commercial loans and agricultural loans and allows for staggering terms of the board of directors, not that they must stagger, that the terms will, and I would move adoption of the Conference Committee Report No. 1.

PRESIDENT:

All right. Senator Carroll has moved the adoption of the Conference Committee report on Senate Bill 1350. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1350. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1350 and the bill having received the required constitutional majority is declared passed. UPI has requested to take still photographs. Leave granted? Leave is granted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President. I beg leave would you please be kind enough to register me as voting on Senate Bill 207 a

NB 704 C.C. Rept. HB 269 Conf. Comm. Rept.

Yes vote please. I was called from my desk, I'm so sorry.

PRESIDENT:

All right. The lady seeks leave to be shown as having voted in the affirmative on 207. Leave is granted. All right, we'll return now to supplemental Calendars and continue on Conference Committee reports. If you will take a look at Supplemental No. 1, there were two reports listed at the end of that; Senator Lemke has one, Senator Sangmeister has one. Supplemental Calendar No. 1. Then we will move to Supplemental Calendar No. 2. The bottom of page, Supplemental 1. It is printed on both sides and at the bottom of the second side there are Conference Committee reports, Conference Committee report on House Bill 269, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 269.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this...Conference Committee does is increases the Statute of Limitations for reporting construction defects from two to four years and decreases the Statute repose from twelve to ten years. This is a...a request by the Capital Development Board and the members of the construction industry. I think it's a good amendment and I...and there's no conflict. I ask for its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 269. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 269 and the bill having

received the required constitutional majority is declared passed...704, Senator...on the Order of Conference Committee Reports, House Bill 704, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 704.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, members of the Body. Senate Bill 704, for your recollection, was the bail bond bill that we sent out of here and the predetention hearing process that was contained therein. As you recall, there was an awful lot of discussion, an awful lot of concern by people here that we were putting that bill through without putting it through committee. I still thought it was a good bill, but when it got over in the House the expected result happened over there, the ACLU...thought the bottom had fallen out of justice, the counsel of lawyers thought we had turned the whole system of justice around the State of Illinois. So, what we have here without me going into detail is a very, very, very watered down vision of what went over there, but it's something. And if you want me to answer questions on it, I'll be happy to. Let me just tell you, there's nothing in here that's abhorrent to anybody. It is now approved by the Chicago Counsel of Lawyers and by the Chicago Bar Association, that shows you how weak it must be. I encourage your Aye vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 704. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference

HB 1769 Rept. conf. comm.

Committee report on House Bill 704 and the bill having received the required constitutional majority is declared passed. Take a look now at Supplemental Calendar No. 2. Supplemental Calendar No. 2...the hour is now five-thirty, we will begin on Supplemental No. 2, then there are a couple of members who have a couple of things on the Calendar and we should be in a position to break for dinner. House Bill 123, Senator Dawson. House Bill 1641, Senator Maitland. House Bill 1769, Senator Philip. Supplemental Calendar No. 2, Conference Committee reports, Mr. Secretary, on House Bill 1769.

SECRETARY:

First Conference Committee report on House Bill 1769.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I do move that we do adopt Conference Committee No. 1 to House Bill 1769 and a compromise has been struck. This is the DuPage County Airport, it leaves the Fox Valley Airport Authority boundaries intact. It allows the president of the DuPage County Board to appoint five members that live within that boundary in the DuPage County part. It also allows every municipality that has...over five thousand people to make one appointment, that would be Geneva, Batavia, West Chicago and St. Charles. Also, it sets priorities for who uses the State airplanes. Now that was a suggestion from the House leadership, I have no problem with that. I'll be happy to read to you the priorities; the Governor, Lieutenant Governor, legislative leaders, Attorney General, Secretary of State, Comptroller, Treasurer, members of the General Assembly, agencies and department directors and the staff of those above. Be happy to answer any questions. I think it's a reasonable compromise and would

solicit your favorable support.

PRESIDENT:

All right. Senator Philip has moved the adoption of the Conference Committee report on House Bill 1769. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1769. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. The Senate does accept the Conference Committee report on 1769 and the bill having received the required constitutional majority is declared passed. Senator Maitland, I know I...caught you off guard coming up from the education meeting. On the Order of Conference Committee Reports, House Bill 1641, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1641.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I move that the Senate adopt Conference Committee report to House Bill 1641.

PRESIDENT:

All right. Senator Maitland has moved the adoption of the Conference Committee report on House Bill 1641. Discussion? Senator Kelly.

SENATOR KELLY:

Senator Maitland, I know you got a very difficult schedule today. Would you please explain this...in some detail.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Again, Senator Kelly, I apologize for not explaining that. This puts the bill back in the same posture it was

when it left the Senate. There was a problem with an amendment that had been put on, it affected the Treasurer's amendment and we wanted to take that off and that's what this does.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

I...I'm still trying to figure out what the bill does. No more than twenty-five percent of the total average balance from all funds available is to be invested in short-term obligations. Is that all this bill does?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That was the original bill, yes, Senator, and then there was an amendment put on by the Treasurer.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

And that amendment is now off? Is that what you're saying?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No, that...that amendment is on, there was another amendment put on by the House that was not acceptable and we wanted to take that off.

PRESIDENT:

All right. The question is, shall the Senate adopt the Conference Committee report on House Bill 1641. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish. Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate

SB91
C.C.R.

does adopt the Conference Committee report on House Bill 1641 and the bill having received the required constitutional majority is declared passed. 2434. On the Order of House Bills...on the Order of Conference Committee Reports is House Bill 2434, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2434.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2434, of course, is the...one of the IDOT conveyance bills. There was an...an amendment placed on the bill that was technically incorrect. This places the bill back in the same posture it was when it left the Senate.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2434. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2434 and the bill having received the required constitutional majority is declared passed. Senate Bill 91. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 91, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 91.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 91 is the...mandatory guideline bill that's been the product of six months of work between the Department of Public Aid, all the women's groups in the State, the bar associations and everybody and agreed. It also passed out of here in House Bill 2431, 59 to nothing and passed the House a...111 to nothing. The guidelines...the child support guidelines are intact, they are still mandatory. They...there is a rebuttable presumptions that the guidelines will be intact unless an express finding by the judge pursuant to certain relevant factors. There's also another provision in the bill that has been approved by the Catholic Conference that says...that encourages people to try and work out their marriage problems, and if there's a written agreement between the parties, if they try and go back together to work out their problems that would not total the time period and during the six-month or two-year time period. And I would ask for adoption of Conference Committee Report No. 1 to Senate Bill 91.

PRESIDENT:

Discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to ask the sponsor a question.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR KELLY:

Senator Marovitz, we had what I considered the...I...a no-fault divorce bill, the current one was two...two year's separation. Now, we defeated once before the proposal which made it six months. Is this...does it have anything in here that relates to that subject?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Glad you asked that question, this has nothing whatsoever to do with that, doesn't change the time periods whatsoever. As a matter of fact, before putting this in the bill, I talked to the Illinois Catholic Conference and the archdiocese and they approved this...this provision of the bill. It doesn't...it's not the same bill that was defeated here and it has nothing to do with the time periods, it doesn't change that at all, and I did check with the archdiocese and the Catholic Conference.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. Can you tell me what's the archdiocese signed off on? What is...what is that issue that they signed off on in more detail than just what you've just stated?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. All that says is, pursuant to the separation periods, if two people are...want to go back together and try and work out their problems and they sign an agreement between the parties that they're going back together for the purpose of trying to work out their problems, that the period that they're back together would not count against the separation period. Let me give you an example. If they were to be separated six months and they wanted to go back together and they went back together for a month to try and work out their problems and they both signed an agreement to do that, and then after a month, it didn't work out, that that would not count against the six-month period. Before this was put in here, I personally checked with and called and as...today, talked to the archdiocese and they said they had no problem with this because it, in fact,

encourages people to try and go back together and work out their problems.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. Does that include both persons in this agreement or is it one person?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

It...it is a written agreement by both parties that they want to go back together and work it out.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor?

PRESIDENT:

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Marovitz, what's the effective date of this bill?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Immediate.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

So...if we pass this tonight, tomorrow morning any cases that are set in court are now under this guideline, is that what you're saying?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

As you know, it's not effective until the Governor signs

it, and I'm sure that won't be until some time probably in August.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, yes, rather rapidly. You stated that the guidelines are all in there and admittedly, you know, you look at a Conference Committee report, you can't read it intelligently at this point. But as I see it, everything is lined out, there's lines through all of the guidelines. I call your attention to...what, page 20, they're all lined out...page 9, they're all lined out. Maybe they're reinstated somewhere, I...I...like I say, you know, and they're all lined out on page 3? Where are they in this thing?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...the support guidelines are all one hundred percent in the bill, nothing has been changed whatsoever. The...the support guidelines...the child support guidelines are all in the bill exactly as it was originally, exactly as it passed the...the Senate 59 to nothing and passed the House 111 to nothing. I think it's on page 11.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the bill as it now stands says, in effect, that if the party seeks to cohabit, they can by a written agreement, both parties...attempt to reconcile. But the period that they're trying...that they're using to reconcile, let's say they go back for three months, that does not...told us it...it...it stays...the time is there. In other words, if...that three months counts, actually counts as time of separation. Am I

correct, if I can address my comments to the sponsor?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That's correct. If there's a written agreement between the parties that they want to work out their problems and work out their marriage and go back together and there...and there is that written agreement, stipulation by both parties, that the time they're back together would not total the...the running of the time periods.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Be...in the prior bill that we did not support in...in this House, it was just one party who signed, am I correct, Senator? In the prior bill, there's only one party who had signed instead of both, is that correct?

PRESIDENT:

Senator...

SENATOR GEO-KARIS:

One party had to testify, not both.

PRESIDENT:

...Senator Marovitz.

SENATOR MAROVITZ:

That is a completely different issue, that has nothing whatsoever to do with what is in this bill. This has nothing to do with six months or two years, has nothing to do what is in this bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I do not object to it. I think that this...at least both parties have to sign a written agreement and I feel more com-

fortable with it. I might say that there are guidelines for child support and they are...can be found on...on page 11 of the Conference report. The only thing I believe this bill...other thing has done is taken out the guidelines for maintenance for the spouse, and I believe I'm correct on that.

PRESIDENT:

Further discussion? Any further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

I would just ask for an affirmative roll call. This bill did pass before 59 to nothing and 111 to nothing. No...

PRESIDENT:

Question is...question is, shall the Senate adopt the Conference Committee report on House bill...Senate Bill 91. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 91 and the bill...and having received the required constitutional majority is declared passed. 114, Senator Joyce. On the Order of Supplemental Calendar No. 2, Conference Committee Report, Senate Bill 114, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 114.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the underground...storage tank on...for the petroleum people. The conference has been worked out now between the petroleum council and the petroleum marketers, and this dealt with the

fee that was to be charged, the registration fee for underground tanks, that has been taken out now unless the...they don't have to pay a fee or a tax until the USEPA requires it. So, anyway, it's all worked out.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Wonder if the sponsor might yield?

PRESIDENT:

Indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

I was looking in Section 5, it appears that those that would still be covered by a fee...I believe, if my recollection was correct, it was going to originally be a five dollar fee and now it appears they've left it up to the fire marshal to...to determine the fee by rule. Is that correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct. If the fire...if the Feds. don't put it in, then the fire marshal would have to do this.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, that part I understood, but I was kind of wondering how the petroleum industry agreed to setting the amount by departmental regulation. I would suggest, you know, they could...the sky is the limit when you give them the...the chance to do it by rule.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well,...they'll just have to determine that at the time.

There is no...they didn't know what they could set it at.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, let me say, Mr. President, that I stand in favor adoption of this Conference Committee report. Senator Savickas and I and several others have met with all concerned and it has been understood that if there's no money coming from Federal Government in the future, we'll be back next fall, next spring and we can establish some reasonable fees that will satisfy everybody. So I would urge adoption.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 114. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 114 and the bill having received the required constitutional majority is declared passed. 1437, Senator Lemke. On the Order of Conference Committee Reports, Senate...Senate Bill 1437, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1437.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is it keeps the original language about prohibiting a person from conducting home improvements under...any name other than the person's real name, an assumed corporate name or assumed business name. Also incorporates Senate Bill 694, which is Senator Topinka's bill, which passed the Senate 58 to 1. I think it's a good

Conference Committee, I ask for its adoption.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1437. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1437 and the bill having received the required constitutional majority is declared passed. If you'll turn to page 4 on the regular Calendar...page 4 on the regular Calendar...we have House Bill 1544, Senator Demuzio. Senate Bill...158, Senator Schaffer. Both these gentlemen were involved in an earlier official meeting. Bottom of page 4, Mr. Secretary, on the regular Calendar, Conference Committee report on House Bill 1544.

SECRETARY:

First Conference Committee report on House Bill 1544.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 to...to House Bill 1544 includes the provisions of the original bill, and it's my understanding that it's the original bill that is contained in Conference Committee Report No. 1 only which would require new municipal waste incinerators to use their best available control technology to control emissions. The...House Bill 1544 passed the Senate 59 to nothing and this report contains only Senate Bill 1544, and I would be happy to respond to any questions if there are any.

PRESIDENT:

Discussion? Any discussion? If not, the question is,

shall the Senate adopt the Conference Committee report on House Bill 1544. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1544 and the bill having received the required constitutional majority is declared passed. Top of page 5, on the Order of Conference Committee Reports there is a Conference Committee report on Senate Bill 158, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 158.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, the first Conference Committee...we had to send this particular bill to a conference because of a glitch we discovered. That has been corrected and...and the basic provisions are very similar to the House amendments and we primarily established procedures for disposing of property should a district be created and then be dissolved, and we require that the Attorney General enforce the dissolution procedures. I don't think there's any opposition, be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 158. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference

Committee report on Senate Bill 158 and the bill having received the required constitutional majority is declared passed. All right, we've had a request to go back to bills that were...have been skipped over the last couple of days. On the Order of Secretary's Desk Concurrence, Senate Bill 206. On the Order of Secretary's Desk Concurrence, page 2 on the Calendar, Senate Bill 206, Mr. Secretary.

SECRETARY:

Senate Bill 206 with House Amendment No. 1.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the last bill in the gang crime package. We were holding this for whatever purposes were necessary. It does exactly what the Calendar says except the House, once again, wanted to reduce it from a Class 1 felony to a Class 3. Better we take something than nothing. So, my motion will be that we concur in House Amendment No. 1 to Senate Bill 206.

PRESIDENT:

Senator Sangmeister has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 206. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 206 and the bill having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Concurrence, Senate Bill 551, Mr. Secretary.

SECRETARY:

Senate Bill 551 with House Amendments 1 and 2.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move to concur with House Amendments No. 1 and No. 2. House Amendment No. 1 replaces the system of jail good behavior allowances with...the same system we have for Department of Corrections that they...for days system. It also incorporates Senate Bill 335, Senator Mahar's...bill, which passed the Senate 59 to...nothing in regards to...defining arresting authority and as to providing medical and hospital services to persons held in custody allowing the counties and the...arresting authorities to be reimbursed from the insurance if they have any. I ask for its adoption.

PRESIDENT:

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I just want to point out what we're doing here which may be justified but it certainly, I don't think, should go without attention that...what apparently this bill is mandating is that prisoners in county jails will under this bill be required to have given to them a day off of their sentences for each day of so-called good behavior. Granted, this is currently the practice for the Department of Corrections but whether we want to be in the position of mandating that it also shall apply to misdemeanants in county jails is another question. For that reason, I...I call this aspect of the bill to your attention and...and suggest that some of you might want...might want not to...to support it for that reason. Thank you.

PRESIDENT:

Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Leroy, are you working on behalf of the people in your district with this legislation?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I believe so. We're talking about making a system we have presently...putting and adopting a system we adopted through Department of Corrections...we're talking about misdemeanors, we're not talking about felons. Right now, a...Class IV felon can get out sooner in jail than a Class A misdemeanor, and I think we should at least, before we get a Federal suit against us...do something to remedy it...we're putting the same system in both...in both...both systems of corrections.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

A question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Let me get this straight. If there's an individual that's sentenced to the Cook County Jail for a hundred and twenty days for a misdemeanor, according to your proposed legislation, if he spends sixty days without beating anybody up or...or just for being a good little boy in the county jail, he'll be able to get out?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I think there's a...a some type of mistake in here and I ask that we ask for another Conference Committee.

PRESIDENT:

SB 658 Concurrence

Well, your motion would be if you wished to move the bill along to nonconcur with House Amendments No. 1 and 2. Senator Lemke.

SENATOR LEMKE:

Okay, to nonconcur.

PRESIDENT:

All right, Senator Lemke moves to nonconcur in House Amendments 1 and 2 to Senate Bill 551. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. On the Order of Secretary's Desk Concurrence, Senate Bill 893, Mr. Secretary. I beg your pardon, I skipped Senator Netsch and I shouldn't do that ever. We've called this bill twenty-six times in the last four days, so this is time number twenty-seven. On the Order of Secretary's Desk Concurrence, Senate Bill 658.

SECRETARY:

Senate Bill 658 with House Amendment No. 1.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1, and the reason why we skipped it in the past is that we wanted to see whether there was any other legislative action to take place with respect to the subject of lights in Wrigley Field. The only other piece of legislation that was reasonably alive was House Bill 1934 with Senator Philip's amendment on it and that is now effectively dead, dead, dead. This bill would do what we had earlier proposed and what the people of our community had suggested. It...it allows an exception to the State Noise Pollution Statute which had previously been adopted in this General Assembly for post-season championship games for which temporary lights are installed. The thing that I would point

out is that there is no other legislation now that is available if the Cubs make it into the play-offs and into the World Series, as we hope they do, this will allow the use of lights, if necessary, for night games for that purpose. The...our community feels that that is a...a reasonable offer. They have authorized us, their representatives to pursue this. I...I'm aware of the fact that the Cubs...or at least Dallas Green has occasionally said we don't want temporary lights, but this is exactly what...several years ago, they asked us to do, to allow lights...temporary lights so that they could play post-season games. We are now saying, we are willing to do that. We think it would be very unfortunate if the Cubs do make it into the play-offs for the games to be played elsewhere as the leagues threatens to require. For that reason, and because it is the only form of relief that is now available for the Wrigley Field problem, I would solicit your concurrence in Amendment...House Amendment No. 1 to Senate Bill 658.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Zito.

SENATOR ZITO:

At the appropriate time, Mr. President, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are three speakers, Senator Marovitz, Senator Maitland, Senator Philip. Senator Zito has moved the previous question. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, Dallas Green was down here about two weeks ago, talked to us in regard to temporary lights and there are problems with temporary lights, Senator. The problem is; number one, it is extremely expensive; number two, temporary lights create shadows. I didn't realize it but

when you have a pitcher that throws a ball ninety to nine-five miles an hour, you can't allow for any type of shadow whatsoever or they lose the ball. The White Sox...I mean, the Cubs organization has said that it is unacceptable, they do not want temporary lights, and I suggest we follow their wishes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well...well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. A question of the sponsor if she'll yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Netsch, does...does the language in...in...in...does the language specifically identify post-season games?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...it would seem to me that in the spirit of...of keeping language as brief as we possibly can, the fact that...that post-season games might, in fact, be a moot issue, we might exempt that part of the...of the language from your bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Those...those who are fans of the Chicago Cubs and have been for...since the last time they won a pennant and a World

Series, never give up, they will be in the play-offs, they will be in the World Series.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Just...also in referring to...Senator Maitland. About a year ago, just before the All Star break, the White Sox who had won in 1983 were in first place at the All Star break, finished only about twenty games out of first place; so, half a season does not a season make, remember that. But I...I...to the...to the bill and to the...to the motion. This is the General Assembly's last opportunity to ensure that the World Series in play-off games when...when all the players come back and the Cubs are healthy again, if that be the case in the fall, it's our last opportunity to ensure that those games will be played in the City of Chicago, in Wrigley Field, in the State of Illinois and that the tax revenues that will be generated by those post-season games will inure to the benefit of all the citizens of the State of Illinois. If we do not pass this, we are saying, we don't care if the post-season games are moved to St. Louis. And while Senator Maitland might be a St. Louis Cardinal fan, I doubt that he'd want the tax revenues to go to the benefit of the citizens of the State of Missouri as opposed to the citizens of the State of Illinois. This is our last opportunity. If there is some compromise to be reached between all the parties involved as has been requested, that can occur...occur in the time after we adjourn. And we can always come back here after that in the fall, after the compromise has been reached, if one has been reached, and deal with that. The fact is, the issue that we have to deal with now is to make sure that the World Series and play-off games remain at Wrigley Field, in the City of Chicago, in the State of Illinois. This is our last oppor-

tunity. Let's not go home and say, we don't care if you move those games. If you...if you want those games played here, vote to concur and vote for Senator Netsch's motion. That's the most important thing. Then we can deal with the question of permanent lights if there is an agreement reached by all parties involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Chew, for what purpose do you arise? Senator Chew.

SENATOR CHEW:

Am I procluded from speaking?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is...is there...is there leave to have Senator Chew to have his two minutes? Senator...leave is not granted. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just a question of the Chair. Is this a preemption of home rule, and if so, does it require thirty-six votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 658 has an immediate effective date on House Amendment 1 and will, in fact, require thirty-six votes for Senate passage. Further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you. Just briefly to address the temporary lights issue. I...I am aware of the fact that Dallas Green has made that statement. I can only tell you that I have spent many hours or at least many minutes on the phone with those who know the business of lights. They require...they have...the people who do this have installed temporary lights in a lot of places, and what they have told us is that the television people require more candlepower than the...the game of baseball itself. The cost is not very high at all. They do one time, one game, at about sixty to eighty thousand dollars and

that is all that it will require. It seems to me that the real question is, if the Cubs make it into the play-offs, as we hope they will and believe they will, this is the only opportunity that this General Assembly will have to allow temporary lights to be installed so that those games can be played where they ought to be played in Wrigley Field. I strongly urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first...all right, we are...we are on concurrence. All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 658. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 24, 2 voting Present. The Senate does not concur with House Amendment 1 to Senate Bill 658. All right, the motion fails and the Secretary shall so inform the House. Senator Etheredge on 893. Senate Bill 893.

SECRETARY:

Senate Bill 893 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I wish to make separate motions on House Amendments 1 and 2. On House Amendment No. 1, I move that the Senate concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you want to explain the amendment, Senator? All right.

SENATOR ETHEREDGE:

This is a...largely a...a technical amendment put on at the request of the Department of...of Revenue. Generally, the amendment is in the...you...you could characterize this

being pro-taxpayer in...in nature, and...and as I say, it is a...it is fairly long and technical...amendment. I'll be glad to respond to questions, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Bill 893. Those in favor will vote Aye. Those opposed will...Senator Rock.

SENATOR ROCK:

My understanding...or was I misinformed? This was to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...what I proposed to do, Senator Rock is to concur with House Amendment No. 1 but nonconcur in House Amendment No. 2 where there are some technical changes that do...do need to be made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur in House Amendment 1 to Senate Bill 893. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 893. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I...I move that the Senate not concur with House Amendment No. 2 on Senate Bill 893. There are some technical changes that do need to be made in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge moves to nonconcur with House Amendment 2 to Senate Bill 893...all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Just for a moment. If I can tell you, I think...or try to tell you where we are. There is to be another meeting at six-thirty with the education summiters, the designated hitters, to attempt to iron out some wrinkles with respect to the education reform and financing bill. The House Republicans at the moment are in conference. We have concluded the work on our Calendar. The appropriations people are currently meeting to attempt to resolve those issues. All in all, I don't think there's much more that we can do this evening. So, I am going to move that we stand adjourned till ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate stand adjourned till the hour of ten o'clock tomorrow morning.

84TH GENERAL ASSEMBLY

REGULAR SESSION

July 2, 1985

PRESIDENT:

The Senate will come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Thursday, June the 20th, 1985 and Friday, June the 21st, 1985.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Rupp. Is there any discussion? If not, all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it's so ordered. Resolutions. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move that reading and approval of the Journals of Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th; Saturday, June 29th; Sunday, June 30th and Monday, June...July 1st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Rupp. Is there any discussion? If not, all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their Amendments 1, 2 and 3 to Senate Bill 461.

A like Message on 481 with Senate...House Amendments 3, 4, 5 and 7.

A like Message on 879 with House Amendments 1 and 2.

And a like Message on 882 with House Amendment 1.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House has refused to adopt the first Conference Committee report and...on Senate Bill 1165 and have requested a second Conference and the Speaker has appointed the members on the part of the House.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 809 and requests a second and the Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Rupp has moved that the Senate accede to the request of the House for the appointment of those Conference Committees. All in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. It's so ordered. Resolutions.

SECRETARY:

The following resolutions are either congratulatory or commendatory.

Senate Resolution...425, by Senator Degnan and all Senators.

Senate Resolution 426, by Senators Topinka and Zito.

Senate Resolution 427, by Senator Lemke and all Senators.

Senate Resolution 428, by Senators Lemke, Rock and all Senators.

Senate Resolution 429, by Senators Keats and Kustra.

Senate Resolution 430, by Senator Kustra.

Senate Resolution 431, by Senator Kustra.

Senate Resolution 432, by Senator Newhouse and all Senators.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 433, by Senators Smith, Philip, Collins.

Senate Resolution...and others.

Senate Resolution 434, by Senator Keats.

PRESIDENT:

Executive.

SECRETARY:

And Senate Joint Resolution 85, by Senator Vadalabene and all Senators, and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of information. Can you tell us, Mr. President, I hear a rumor that we're going to be here today and adjourn and come back Monday. Is that true?

PRESIDENT:

That is...

SENATOR GEO-KARIS:

The reason I'm asking you is because some of us don't want to be put out of our hotel rooms or...what are we going to do?

PRESIDENT:

Well, I have discussed earlier this morning with Senator Philip my thought that the Senate will conclude its work today, perhaps later today but today, and then we will go home under an adjournment resolution calling for us to return October the 2nd, and I have spoken also to the Speaker and to

the Governor to that effect. (Machine cutoff)...Fawell, for what purpose do you arise?

SENATOR FAWELL:

I would like to have Senator Macdonald as lead sponsor with me as hyphenated on Senate Bill 796.

PRESIDENT:

All right. The lady seeks leave to have Senator Macdonald shown as lead sponsor of Senate Bill 796. Leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Resolution 435 offered by Senator Vadalabene.

And Senate Joint Resolution 86 offered by Senators...Lechowicz, Rock, Philip and a group of Senators whose names have been marked on a roll call.

PRESIDENT:

Executive. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Would you also put Senator Geo-Karis on as a...hyphenated sponsor of 785, I'm the prime sponsor. Senate Bill 785, I'm the lead sponsor.

PRESIDENT:

All right. The lady seeks leave to show Senator Geo-Karis as a hyphenated sponsor of Senate Bill 785. Without objection, leave is granted. (Machine cutoff)...Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. While we're standing at ease here momentarily, I thought it might be a suggestion to you, it might be helpful in a way, something perhaps we haven't thought about before to resolve this whole thing, but maybe you and Senator Philip could go to the House leaders if they remain intransigent over there and seemingly in...at an impasse forever. Maybe you could suggest that we bring in

the Red Cross to help them negotiate...their differences over there or wherever they may be, and I, for one, would be willing to put on a blindfold along with some others and we could be transported to some intermediate...point, Lincoln, Illinois or wherever, and then perhaps bust on home so that we could be with our families. You know, just...just something like that so that we hostages here in the Senate could be...could be allowed to go home. I...it might be an act against international obstrepancy or whatever we want to call it.

PRESIDENT:

Senator Hudson...

SENATOR HUDSON:

...just a suggestion.

PRESIDENT:

...couldn't...couldn't agree more, and all you have to do if you don't believe it is look at the House Calendar. The...virtually the entire budget sits on the House Calendar under Republican sponsored bills and the House Minority Leader refuses to call them. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Well, I think that Senator Hudson must have been sleeping the last few weeks. If Senator DeAngelis is in his office or near his speaker, he has assumed that name Rambo we've been calling him all Session, and keeping with President Regan's off the cuff remarks, maybe we could send Senator DeAngelis over to the House. Where's Rambo?

PRESIDENT:

Senator DeAngelis, you have just been volunteered. (Machine cutoff)...Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. In lieu of your announcement, it looks like most of us are

going to be home on 4th of July, and I have the suggested address on Independence Day and they're going like hotcakes. Would you please come over and get one?

PRESIDENT:

All right. We will begin on the Order of Conference Committee Reports on the regular Calendar and then there is also prepared already a Supplemental Calendar No. 1, and as the reports are filed, we will continue to run supplemental Calendars. At the conclusion of the regular Calendar and Supplemental 1, we will then take a Recess for lunch and probably a couple of additional hours to afford the conferees on the budget an opportunity to construct those reports. All right. Page on 3 on the Calendar, on the Order of Conference Committee Reports, 62, Senator Kustra. On the Order of Conference Committee Reports, page 3 on the regular Calendar, House Bill 62. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 62.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The only thing which Conference Committee Report 62 does is amend some language in the School...Code dealing with the lease of school property. And, basically what it does is add the word "land" to already existing language allowing...school buildings to be leased. As I understand it, this is for the purpose of new...school district and something they want to do. As far as I know, this is has been signed off and agreed to by all parties and I would ask for your favorable consideration.

PRESIDENT:

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference

Committee report on House Bill 62. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 62 and the bill having received the required constitutional majority is declared passed. 123, Senator Dawson. 312, Senator D'Arco. I beg your pardon, Senator Berman. On the Order of Conference Committee Reports on House Bill 123, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 123.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I would ask for leave to handle this for Senator Dawson. Mr. President, House Bill...Conference Committee report on House Bill 123 does several things. The...the bill...elements in the bill are four in number, let me...mention them to you. Number one is a separate appropriation for grants for students attending one of the thirty-nine business schools that are approved by either the Board of Higher...Education or the Board of Education, and that must be accredited by a national accrediting...organization which is approved by the State board. That's the proprietary schools and was in...included in the bill...handled by Senator D'Arco that passed out of the...Senate. The grant is limited to a thousand dollars including the requirement of a separate appropriation not to exceed ten percent of the regular Illinois State Scholarship Funds. Second is authorization to the Chicago Board of Education regarding powers granted to the board to enter into joint ventures as to its real estate. It separates the budgeting and levying process of the Chicago Board of Edu-

cation, and allows for DuPage County, the elementary districts with an enrollment of less than eight hundred students, the Board of Education may initiate a referendum to...to transfer accumulated building fund monies to their education fund. I'd be glad to respond to any questions, ask the approval of Conference Committee Report No. 1 on House Bill 123.

PRESIDENT:

Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Senator Berman, it is correct, and I guess you said it but I was busy here, this contains the proprietary schools within it, and how many...what...what are you talking about in terms of dollars here? Is it a formula?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes. This is the proprietary school plug in to the Scholarship Commission. There are restrictions on that. The grant may not exceed one thousand dollars. The total appropriation may not exceed ten percent of what we give to the regular allocation, and the...and it must be a separate appropriation for this proprietary function. It's similar to the provisions of Senate Bill 1358 sponsored by Senator D'Arco.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Does this have the support of the independent colleges and universities, the association?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, I made that specific inquiry at the time of...passage of Senator D'Arco's bill and I...I reasked that question again and the answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman may close.

SENATOR BERMAN:

Roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 123. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. All right. On that question, the Ayes are 32, the Nays are 18, 2 voting Present. Conference Committee report is not adopted and the Secretary shall so inform the House. 312. House Bill 312, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on House Bill 312.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the...this...this is the bill that contains the situation where an interpreter is hired by the court in a juvenile proceeding, and the State does reimburse the county for the cost of the interpreter in that proceeding. It also contains the provision that a...any order compelling a news media produce information is a final appealable order. It also contains the provision raising the court reporter's salaries from thirty-two...2-5-0 to...from thirty-two 2-5-0 to thirty-three 2-5-0 in FY '87, and to thirty-seven 2-5-0 in FY '88. This bill passed out of

this Chamber and the only difference in this Conference Committee report is the provision providing that the news media information would be a final appealable order in juvenile court proceedings, and I ask that we adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

As you mentioned, this particular Conference Committee report contains the language in regard to salary increases for court reporters. Be quite honest with you, I...I don't know much about court reporting and I'd like to know why someone who is a court reporter should receive a maximum salary of thirty-six thousand two hundred and fifty dollars beginning July 1st, 1987. Exactly what kind of expertise do these people have to...to generate that kind of salary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...I don't know if you've ever been in a courtroom but a...a court reporter is a very professional individual and it requires tremendous skill to...for the court reporter to put down all of the proceedings that are going on in the courtroom without missing any words that may be important in an appealable order of the trial. Their function is extremely important to the whole process of the legal system and they definitely...it is not easy to become a court reporter. Their schooling is very rigorous. Their examination procedure is very rigorous and they have to be certi-

fied by the State and by the county where they practice, and it's...so it's a...it's a very difficult job and concomitantly their salary should be commensurate with the skill they profess as court reporters.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. What are the educational requirements of a court reporter? What do they have to do to...to...to become one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

It's a two-year specialized class of rigorous study in order to qualify to become a court reporter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

One other question. There was a bill that Senator Netsch sponsored that tied their particular salary increase to a court reporters, and I can't recall who else we're raising along with court reporters because whoever it was was tied to their particular salary. So we got another group that's going up along with court reporters...Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion?...Senator Netsch.

SENATOR NETSCH:

Just to answer Senator Watson's question. It was the bill that authorized an administrative assistant...or administrative secretary, I think it was called, for the chief judge of each circuit in the State. So that would be...I think, in fact, it was nineteen people who were involved in that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. In answer to what a court reporter has to do and what skill it takes, the main skill it has to take is they have to be extremely proficient at...at taking records at great speeds. They are tested and, very frankly, that's probably the most difficult thing that they have to do. Not only that but quite often...I mean, they have to stay there if...from the beginning to the end of the trial, and if the trial stretches out until late in the evening, they must be there with the jury in order to take the...the final orders, and...it's...it is a difficult job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, I don't...I don't want you to confuse this bill with the bill for the administrative clerk...with the Office of the Supreme Court...the administrator of the Supreme Court. This is a bill that passed out of this Chamber before. This is a permissive legislation. Let me emphasize that, we're not...we're not preempting the home rule authority from...passing an ordinance to provide for an increase in their salaries. It's up to the local county where these court reporters are situated for them to decide to vote for a salary increase or not. So we're not mandating anything by this bill. I think we should emphasize that. The other provisions of the bill are good, workable. This provision is good, workable. The bill is in good shape, we've passed all these provisions out before. Arthur Berman is nodding in agreement here. Mr...(Machine cutoff)...Ladies and Gentlemen of the Senate, go for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 312. Those in favor will

vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 18, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 312 and the bill having received the required constitutional majority is declared passed. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

What was the constitutional majority? How many?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thirty-six.

SENATOR WATSON:

Let's verify it then...I'd like to...call for a verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson has requested a verification. Will all the members be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Berman...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

You know, I don't mind verifying a roll call, but I know that there's...you know, Conference Committees are going on at this time and people are off the Floor and it's really...doesn't say much, you know, for certain people on that side of the aisle when we're all trying to get our job done and work diligently to get it done. And I just, you know, have to say that maybe...I wouldn't do something like that to a fellow colleague of mine because...that's true, that's true. I wouldn't do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Secretary will read the affirmative roll.

SECRETARY:

...Carroll. Chew. Collins. D'Arco. Darrow. Davidson...Dawson. DeAngelis. Degnan. Demuzio. Dudycz. Dunn. Fawell. Geo-Karis. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Kustra. Lemke. Luft. Marovitz. Netsch. Newhouse. Poshard. Rupp. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, do you question anyone who voted in the affirmative? Senator Watson.

SENATOR WATSON:

Senator...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon...

SENATOR WATSON:

...there he is. Dawson. Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson on the Floor? Senator Dawson is...Senator Dawson is in...in back of the Chamber.

SENATOR WATSON:

Marovitz. Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz here? Senator Marovitz on the Floor? Senator Marovitz. Strike his name.

SENATOR WATSON:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, I am told that there is a...

SENATOR WATSON:

I understand. They're in appropriation's Conference Committees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Do...do...

SENATOR WATSON:

...so that's fine. We'll leave Hall on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR WATSON:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats on the Floor? Senator Keats on the Floor? Strike his name.

SENATOR WATSON:

O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco, for what purpose do you arise? Senator D'Arco.

SENATOR D'ARCO:

I'm informed Senator Marovitz is talking to the Governor about Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR D'ARCO:

And if you believe that, I'll tell you another one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson, do you request the presence of anyone else? Mr. Secretary. On that question, there were 35 Ayes, 18 Nays, none voting Present. The Conference Committee report is not adopted. All right. The sponsor requests postponed consideration. 809, Senator Poshard. House Bill 809, Mr. Secretary. All right. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to accept the Conference Committee Report No. 2. Basically, it adds language making the language of the...

SECRETARY:

This is the second Conference Committee report on House

Bill 809.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's clarify something for the record here. On House Bill 809, Conference Committee reports, your Calendar reflects it is the first report; in fact, it is the second report. I am told that the Senate adopted the first report. The House rejected the first report; therefore, House Bill 809 that we...that is before us now is the second Conference Committee. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to accept Conference Committee Report No. 2. It adds language simply making the language of the first Conference Committee a little more specific. Last year a provision was added to the Civil Administrative Code authorizing the State to enter into an agreement with a municipality to construct a transportation structure in the vicinity of Collinsville to be leased back to the Department of Central Management Services and this additional language just makes that specific to the Collinsville site, and I'd ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on House Bill 809. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate...the Senate does adopt the second Conference Committee report on House Bill 809 and the bill having received the required constitutional majority is declared passed. 851, Senator Lemke. House Bill 851.

SECRETARY:

House Bill...first Conference Committee report on House

Bill 851.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, what this bill does is simply corrects a...a change, they left off the...in the original bill we passed, left off the effective date. It just said, "this law shall become effective." It doesn't...the...they...they also added Senate Bill 372 that passed out of here on the Agreed Bill List and was lost in the shuffle on the...when the House adjourned. That was...for an...an affidavit of inheritance filing. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference...the first Conference Committee report on House Bill 851. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 851 and the bill having received the required constitutional majority is declared passed. 971, Senator Barkhausen. 9-7-1, Mr. Secretary, House bill.

SECRETARY:

First Conference Committee report on House Bill 971.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Mr. President and members, House Bill 971 increases the penalties for theft of property where a defendant has had prior convictions for certain offenses. We had added certain amendments dealing with other provisions of the Criminal Code in the Senate and the House resisted them. So, we

reluctantly agreed to drop those amendments and now ask for passage of the basic...original bill embodied in this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 971. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 971 and the bill having received the required constitutional majority is declared passed...1027, Senator Welch. Senator Welch on the Floor? 1103, Senator Lemke. House Bill 1567, Senator Watson. House Bill 1-5-6-7, page 4, Conference Committee reports, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1567.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 1567 sponsored by myself and Senator Degnan originally involved and still involves the distribution of...and the...the fines...a four dollar surcharge on each forty dollar fine imposed by the local court. What we're trying to do here is simply identify that circuit clerks have a problem in saying, well, so much money goes here, so much money goes there, this simply says four dollars on every forty dollars of fine imposed or a fraction thereof will go towards the Driver's Education Fund, the...Violent Crime Victims' Assistance Fund and the Criminal Conviction Surcharge Fund. This is not an increase in the...in the rate at all, but it's just a matter of trying to

clarify and simplify it so that the circuit clerks and the county level won't have any problems. Senate Amendment No. 1 which is still on the legislation is a technical amendment. Senate Amendment No. 2 was a clarification amendment in regard to the deducting of the gross amount of fees by the state's attorney, the sheriffs and various other county officials; and then what we added in regard to the Conference Committee was actually House Bill 245 which was sponsored by Representative Ewing, and what this particular legislation does is...is simply state that...it provides for the distribution of the proceeds of all fines received by the court in cases where there is a combination of law enforcement personnel involved. Now, what happens is, we've got several various law enforcement groups that are involved in a...in an arrest, and the court in the past has been the ones who dictate where that revenue would go. What we are doing is simply establishing where that revenue goes. I know of no opposition at this particular time and be glad to answer any...any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1567. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1567 and the bill having received the required constitutional majority is declared passed. 1850. House Bill 1850, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1850.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate adopt the first Conference Committee report on House Bill 1850. It deals with a couple of problems in DuPage County; one, flooding, the other was a towing problem with respect to abandoned vehicles. If there's any questions, I would suggest that they be addressed to Senator Pawell; otherwise, I move for the adoption of first Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all...any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1850. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1850 and the bill having received the required constitutional majority is declared passed. House Bill 2113, Senator Karpiel. House Bill 2113, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2113.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Conference Committee 1 on House Bill 2113 simply returns the bill to its form as...that it took in the Senate, and the bill says that...or will allow people who have a physician's order to use a life jacket while swimming in a pool. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes she will. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is the therapist bill on that bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

No, it is not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the...shall the Senate adopt the first Conference Committee report on House Bill 2113. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2113 and the bill having received the required constitutional majority is declared passed. Senate Bill 98, Senator Fawell. Senate Bill 98, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 98.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is a...amended version of a...Education and Registration Act, Administration Act for the licensing of the psychologists, and it...it takes care of a situation to take care of Northwestern...University of Illinois and Northwestern University. I'll answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the

Senate adopt the first Conference Committee report on Senate Bill 98. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 5, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 98 and the bill having received the required constitutional majority is declared passed. 449...is there leave of the Body to go back to the top of the page and pick up House Bill 1027 before we leave the page? Leave is granted. Conference Committee reports, top of page 4, is House Bill 1027, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1027.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill contains three bills which previously passed out of this Chamber into the other Chamber. Number one, the original provision in the bill concerning the creation of a parent-teacher advisory committee on discipline. Two other bills supported is that no teacher shall receive a deduction from his salary because of absence of a teacher...from a teacher institute if such absence is due to illness or if he's on personal leave. Third one was that...the district shall not be considered in determining the employment compensation promotion or transfer of noncertified employees as passed by the Committee on Elementary and Secondary Education. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen

of the Senate. There are two components of this bill that are good; unfortunately, there's one that's...that's bad. I tried to improve this bill as some of you may recall some days ago...some weeks ago...some days ago, I guess, to include...the entire State but I believe the residency issue is a very serious one and, for that reason, would have to oppose this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch, you wish to close?...Senator...all right. The question is...Senator Dudycz.

SENATOR DUDYCZ:

Senator Welch, can you tell me why...page 2, it says, "The provisions of this amendatory Act of 1985 relating to residency within any school district shall not apply to cities having a population exceeding five hundred thousand...inhabitants." Why this piece is in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The will of the Elementary and Secondary Education Committee was to put that provision in, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

...unanimously?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Very few bills that I have have passed unanimously, Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

I still don't understand. Why is Chicago excluded if this has some very important points in it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I'd be glad to defer it to one of the fellows who are really interested in that issue because it not one that I'm that concerned about. If Senator Berman would like to answer that, that's fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch seeks leave to...to yield to Senator...Senator Berman.

SENATOR BERMAN:

Thank you. Senator Dudycz, let me give you a little bit of the background. The...this bill was introduced apparently at the request of some downstate educational interests who were concerned as to the possibility of some downstate districts imposing residency requirements. Many times we have situations that arise in downstate districts that do not apply to Chicago, and one...that's one reason why you have a separate section of the School Code that applies only to Chicago, Article XXXIV. Now, in Chicago, because of the vastness of the size of that city with the population of over three million people, the City Council of the City of Chicago and the School Board of Chicago saw fit that they enacted a certain residency requirement because they felt that it...they would not be prospectively at the time that they adopted it unduly limiting the access to quality teaching personnel. If downstaters feel that they have to have the flexibility of moving between communities, that would be their option. The City of Chicago felt that their present status was such that that's the way they wanted to keep it. That's the gensis of the exclusion for Chicago and I would suggest that if those of you from downstate wish to have the

flexibility, you vote for the bill; if you don't want it, you don't vote for the bill but keep Chicago's problems out of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WBBM-TV has...requested permission to film the proceedings. Is leave granted? Leave is granted. Senator Berman, you want to start over? Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this Conference...Committee report. You can...you can tell we're down to the closing hours because we have rapped into this report at least one bill, the contents of it...one bill that has failed on the first time around, and it's...there's an attempt being made to...to resurrect it. I think that what we ought to do is to reject this Conference Committee report and ask for a second report that would eliminate some of the chaff here. There are some good things here that...could be put into a second Conference Committee report. So let's reject this report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, my apologies, I...I thought you were concluded. Senator Dudycz indicates he was not. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. No, I just wanted to add to Senator Berman that there may be some of us...where did he go?...there may be some of us in Chicago that would also like some of that flexibility that downstaters are requesting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis, the timer is on.

SENATOR GEO-KARIS:

...would you please yield for...will the sponsor yield

for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Which one?

SENATOR GEO-KARIS:

Understand...sponsor...I'm sorry...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, Senator Welch indicates he will yield.

SENATOR GEO-KARIS:

All right...all right. Thank you. I understand...is Amendment 2 in there...is that...is there amendment that states that the provisions of this bill are not applicable to Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The...well, once again, the provisions as to noncertificated employees are not...applicable to Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, are you...all I want to know is that if people want to teach in the Chicago schools, do they have to live in Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I am told the answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, perhaps you could clear up this point. Senator Berman.

SENATOR BERMAN:

No, that...that's not the case. There was a residency requirement passed by the city that was adopted by the Chicago board and I'm not sure of the date, but that was...a

year or two or so ago and that was prospective only. You have a substantial number of people that teach in the Chicago public schools that were hired prior to that rule. They live outside the City, this...they're not affected one way or the other, and that's been part of the discussions between the union and the Chicago board. Again, I would urge that that really is not the subject matter of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WAND-TV, Decatur requests permission to videotapes the proceedings today. Is leave granted? Leave is granted. Sorry, again, Senator Berman. Further discussion? Senator Fawell.

SENATOR FAWELL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR FAWELL:

You said in the original remarks that this was applicable to any county five hundred thousand and over. Is that right or is...are you talking about a million? Five hundred thousand does not just include Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Pardon me, Senator, it does say cities...it says cities having a population exceeding five hundred thousand, so it would be Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the...the question is, shall the Senate adopt the first Conference Committee report on House Bill 1027. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Take the record. On this question, the Ayes are 34, the Nays are 24, none voting Present. The Conference Committee report is not adopted. The Secretary shall so inform the House and Senator Welch requests a second Conference Committee. All right. Bottom of page 4, Senate Bill 653, Senator Smith. Conference Committee report, Senate Bill 653, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and...Gentlemen of the Senate. I stand to accept the Conference Committee's report on Senate Bill 653. The original bill mandated new employees to sign statements indicating their knowledge of their responsibility to report, and the Conference Committee merely clarified that with this report the Department of Children and Family Service will supply upon request rather than to just...and...and this will help them to lower their costs considerably. I move for adoption and your consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 653. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 653 and the bill having received the required constitutional majority is declared passed. 796, Senator Fawell. Bottom of page 4, Senate Bill...796, Mr. Secretary.

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SECRETARY:

...first Conference Committee report on Senate Bill 796.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I would like to yield to Senator Macdonald, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, earlier this morning Senator Fawell made me the lead sponsor of Senate Bill 796. I have conferred with President Rock on how to handle this because we...we have really no objection to this report, but I would like to ask for a No vote because we want to add Senate Bill 1245 to this and need another Conference Committee...to do that. So, I...it is not that I object to or anyone objects to the Conference Committee report, but we would like to get it in a second Conference Committee to add Senate Bill 1245 that went out of here on the Agreed Bill List.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Fawell has moved to concur. Senator Macdonald requests a negative vote for a second Conference Committee. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 796. Those in favor indicate...those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. Have all voted who wish? Take the record. On that question, the Ayes are 15, the Nays are 20, 2 voting Present. The...the Conference Committee report is not adopted and...and Senator...Fawell has requested a second Committee of Conference. Page 5, Senate Bill 847, Senator Weaver...page 5, Senate Bill 847, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on Senate Bill 847.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move that the Senate do adopt the first Conference Committee report. Basically, this bill changed the membership on the commission from...up to...fifteen members instead of thirteen. The...Amendment No. 4 created the County Correctional Facilities and Courthouse Assistance Program authorizing IDFA to issue forty-year bonds in the amount not to exceed two hundred and fifty million to be paid off by the counties authorizing...a tax levy and also includes a backdoor referendum. Is there...any questions, I'd be happy to try and answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

A number of us have had our counties build jails over the last two or three years. We are paying a higher rate of interest than would be available under this program but it would be my understanding there's no way for the counties that have already constructed jails to take advantage of this program. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, I'm not sure but what you couldn't...pay off the bonds and come back with a new issue. I'm not an attorney, Senator Darrow, and I can't tell you exactly whether that

would be. But there are provisions here for lease agreements through IDFA. Whether or not in your bond authorization that's allowable, I can't tell you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well...to the bill...I...I...I read our analysis rather carefully and I question that we would be able to do that in the number of counties that have recently constructed jails. I would like to see...I think this bill is an excellent idea; however, I think a number of us will not be able to take advantage of it. I would like to see a second Conference Committee report go back and try to broaden it a little bit so we could help all the counties in Illinois. And along those lines, I would point out to the members that what we're doing is the authority is going beyond their usual practice of being involved in private economic development. We're also allowing to use bond money to...for maintenance costs, so it's...it's not just for the buildings. And lastly, there's a backdoor referendum. Those things you ought to consider. If you aren't for this bill, I'd like to see it go back, and I'd like you to consider putting on a...an amendment to help all the counties. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard. Try it now.

SENATOR POSHARD:

Thank you, Mr. President, I rise in support of this bill. One of the most pressing problems that we have in...in my part of the State, at least, are the building or refurbishing of jails to meet the State mandates. We have several counties in the lower part of my district that are at least talking about, at this point, of even suing the State because there's no way that they can raise the necessary property taxes that they need to get the jails up to par.

This would enable them at least to look at some borrowing capabilities to...to meet those State mandates, and I rise in support of it, I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as I look at this bill, I...unless I'm reading it wrong, it's a...it's a...it's a public building commission at the State level is what it amounts to. And I don't know...obviously, the counties are not going to be paying this with rent from the inmates so it's going to have to come from property taxes by that one percent levy with...admittedly, there is a backdoor referendum on it, but I think the thing I object to mostly is it's not just for jails because it states right in the...Conference Committee report, of course, that it's also for expanding correctional facilities and courthouses. I think it's awfully broad. I don't particularly care for the concept and I would urge we defeat the Conference Committee report on 847.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Could I address a question to the sponsor? This is...I'm not particularly hostile to the idea of taking care of this problem, I'm just curious about the particular funding mechanism that is proposed in the Conference Committee report. You are using a State agency, which I think, as Senator Darrow's question pointed out, normally is available for various kinds of economic development projects and normally has revenue bonding authority not general obligation authority. Was there any consideration given to authorizing the counties to issue General Obligation Bonds for this particular purpose, assuming that many of them did not have adequate authority under existing law? That's the first part of

the question. And the second part is, was there any attempt to compute the difference in rate that would be...interest rate that would be paid in comparing county level General Obligation Bonds and a State level revenue bond, a State agency revenue bond? 'Cause that's fairly important in terms of the long-term cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, Senator Netsch, I presume that with the authorized levy enacted by the county board to back up the bonds over a period of years, that there would be a savings maybe with the full faith and credit of...of this quasi State authorized funding mechanism. But this is just an alternate way of trying to help some of the...particularly the small downstate counties in financing that which is mandated by the State in...basically the county jails, et cetera. It's...it's not intended to supplant the Public Building Commission or any other means of financing county buildings. But this is just another way, another vehicle on which maybe some of the smaller downstate counties without great assessed valuations could economically finance these facilities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. UPI has also requested leave of the Body to take still pictures. Is leave granted? Leave is granted. Senator Netsch.

SENATOR NETSCH:

I...I'm just trying to understand how it works, Senator Weaver,...a...the...the State authority, and I think it's IDFA, isn't it, would actually issue the bonds. They would retire the bonds with what I assume are equivalent to lease rentals paid by the county for whom the bonds are actually being issued. They...so that from the point of view of IDFA they are a revenue bond; that is, they're project funds that

are going to be available to retire the bonds. The county in order to get enough money to be able to pay the rentals to the State which has issued the bonds would impose this property tax. I think...is...is that an accurate way of describing how it works?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

IDFA may issue forty-year revenue bonds not to exceed two hundred and fifty million. Now, the counties may levy a property tax not to exceed one percent of the equalized assessed valuation to pay for these so-called loans, it's kind of a lease-purchase type payed off through...through the levy of one percent of the equalized valuation of the county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Then...if my understanding is correct then, just back really to my original question or the second part of my original question. Was there any...attempt to determine which kind of bonding would be likely to produce the most favorable interest rate? And the reason why I ask that question...well, I think it's a relevant question, as part of the...our understanding of this bill. Typically, revenue bonds...pay a higher interest rate than General Obligation Bonds. On the other hand, you are here dealing with a State level agency versus county general obligation, and to be perfectly honest, I'm...I'm not positive how the equation would come out, that's why I'm asking the question. Was there any attempt to determine whether, in effect, we're going to be paying an interest penalty for engaging in what I admit is a very creative form of financing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I think basically, Senator Netsch, with the ability to float that large an issue and with the backing that this issue has and with the revenue stream from the taxation throughout the State, certainly would tend to support a lower interest rate if several communities were in the...in the...bond...into these bonds and had sufficient back payment to...to support them. I...I think maybe the...the bigness of the issue may tend to help lower the interest rate available for some of these small counties that have problems issuing revenue bonds at a reasonable rate. That's the intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I rise to speak in favor of the bill. I can tell you that I have polled my people in my area and I...they really want monies available to build their jails. And in...in my particular county, we are short of jail space and we have had to rent units from Peoria to put our prisoners in there. It...the...the bonds that the Illinois Development Finance Authority would be issuing are revenue bonds...or forty-year revenue bonds, and there is a...a referendum if five percent of the eligible voters petition for it, as far as the property tax not to exceed one percent and could be much less than one percent. I speak in favor of the bill because there is need to...to build more jails, believe it or not, in our State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

I want to understand about this tax rate. I can't believe my ears when I heard you say and I also read it in my staff analysis that the tax rate would be one percent. Is that correct, one percent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Not to exceed one percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Okay, not to exceed one percent. I hope everybody...you know, this is the second day of July and maybe we're not paying attention this morning, but let's put that down in terms that everyone can understand, that's a dollar on a hundred. That's a lot of money. Ordinarily we don't allow rates of this kind for local units of government in most areas; in fact, the county rate that we approved yesterday, on the average for all county expenses will allow now about thirty cents on a hundred. And here we're talking about a dollar on a hundred. So we're talking about a substantial rate that does not have to be approved in any way by the voters of the particular county that are affected. I would point out to you there are two other ways to build courthouses and to build jails. We can do it the general obligation way, by referendum in that particular county. This is a...the plan that we've had in our laws for many, many years. I guess probably twenty, thirty years ago the General Assembly gave the counties the right to have a public building commission at the local level. They can get around a referendum that way by the subterfuge of the lease system but it amounts to taxation without a referendum, and now here we go with still a third plan, still another way to get around the

voters of that particular county. I, frankly, don't know of any legislation that's been introduced in this Session that would give a dollar of taxing authority per hundred without referendum. I think by far this is the...the most serious impact in...in that particular area. So I hope everyone is paying attention and thinking about what you're doing here as far as overall authority for county government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard for a second time. Senator Poshard.

SENATOR POSHARD:

Yes, forgive me, Mr. President for rising a second time. A quick question from Senator Weaver. Is there anything...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver. Senator Poshard.

SENATOR POSHARD:

...is there anything in this bill to prohibit several counties going together for application for these...revenues?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

No, it says that one or more counties may be eligible. Counties must prove financial need to the authority and plans for these constructional facilities must meet the Department of...Corrections' standards. Multi-counties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Weaver may close.

SENATOR WEAVER:

Well, thank you, Mr. President. There's been some concern here. Number one, any county by resolution of the county board may do this. There's a backdoor referendum with five percent of the eligible voters petitioning for that referendum within thirty days after the county board's decision to impose the tax. It's...we're just trying to

create...an easier way and a less expensive way for many of the particularly downstate small counties to implement that which they've been mandated by the State Department of Corrections to do and the Federal Government. There's, I think, sufficient safeguards, and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 847. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 31, 2 voting Present. The Conference Committee report is not adopted. Senator Weaver, you requested a second Conference...and the Secretary shall so inform the House. 1287, Senator Dudycz. 1-2-8-7, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

First Conference Committee report on Senate Bill 1287.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1287 as is now...is known as the Sexual Abusers of Children Treatment Act. It raises the penalty for indecent solicitation of a child from a Class A misdemeanor to a Class 4 felony. What the Conference Committee did was add in Senate Bill 1262, sponsored by Senators Rock and Keats, creating the Sexual Abusers of Children Treatment Act for Department of Children and Family Services to develop a model demonstration...project. The project is to evaluate, treat and counsel persons charged with the sexual offenses against minors under the age of eighteen. This is based upon a proposal submitted to DCFS by the Isaac Rape Center and it is being set up in order to determine if such a treatment program can help reduce child molestation and allow for better decisions on treatment and prosecution of offenders. Senate Bill 1262 passed the Senate 58 to nothing and was tied up in the House. I move that the Senate adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1287. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none

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voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1287 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 1...Supplemental Calendar No. 1, House Bill 1392, Senator Netsch. Supplemental Calendar No. 1, House Bill 1392, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1392.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 1392 was designed to clean up some of the matters that were left unresolved in the Parentage Act that was passed last Session. Most of them were literally clean-up provisions...some...some sections that were inadvertently left out and a few cases in which it was felt that there were not references to the...the right law and that it all should be incorporated. Most of what is in the Conference Committee report was in the amendments that the Senate put onto House Bill 1392. There have been some change...changing around of the order of provisions, but as...as I say, most of it is...was in the version that we passed out of here. There are two substantive changes, one of which I think is really quite minor; it authorizes those individuals who are emancipated under the Emancipation of Mature Minors Act to sign the consent proceeding forms to declare parentage, that was not otherwise authorized. Probably the...the most substantive provision, however, is one that deletes the so-called laches provision that had been inserted into the Act before it was passed last year. This is laches that would, in effect, change the running of the Statute of Limitations. The deletion of this has been recommended and agreed to by a very large number of groups that are interested in the Parentage Act, and I think in the judg-

ment of most of us is really quite essential in order to comply with both statutory and, in a sense, constitutional mandates at the Federal level. I would be happy to answer any questions; if not, I would move for adoption...I'm sorry, approval of Conference Committee Report No. 1 to House Bill 1392.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it is...is on the adoption. Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Berman.

SENATOR BERMAN:

We had discussed the...the language that would allow both sides to assert an affirmative defense if a suit for parentage or child support were brought after the two years had lapsed. I thought that was a Senate amendment. Is that provision still in the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

The answer is yes. There is still in...I'm reading from...let's see, it's Section 1...Section 6A, I'm sorry, the...the language is "Failure to bring an action within two years shall not bar any party from asserting a defense in any action to declare the nonexistence of the parent and child relationship." That language is still there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch, do you wish to close? Question is, shall the Senate adopt the first...the first Conference Committee report on House Bill 1392. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1392 and the bill having received the required constitutional majority is declared passed. Senate Bill 14, Senator D'Arco. Senate Bill 14, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 14.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What we did was to remove an amendment to this bill that we thought was necessary but it's not, and in...what we have now is the original bill without any...any amendments as it passed the Senate and there is no problem with the bill and I would ask that we adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 14. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 14 and the bill having received the required constitutional majority is declared passed. Senate Bill 17, Mr. Secretary.

SECRETARY:

The first Conference Committee report on Senate Bill 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 17 was originally

my expungement bill and the people who are involved in criminal history record information had a problem with the wordage and we changed expungement into a record that becomes sealed as opposed to expunged, and we also put in the bill the creation of the Criminal History Record Information Act, and we also put in the bill another Senate bill that passed this Chambers and that was to prohibit paramilitary training with the intent to act unlawfully in furtherance of civil disorder. This is a necessary bill because the local police can't get into these paramilitary camps that are being created around Illinois and in the country in order to effectively eliminate these kind of individuals from our society. The bill does all of those things and I don't know of any opposition and would ask that we adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Kelly.

SENATOR KELLY:

Yes, a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Kelly.

SENATOR KELLY:

Senator D'Arco, on your entire concept,...you're trying to expunge the tenure records of the individuals. What type of crimes are we...are we eliminating?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, it only applies to Class A misdemeanors. It originally applied to Class 4 felonies but that was eliminated because we thought that was a little too much, so we just provide that if you commit a Class A misdemeanor, and I think it's a little redundant but, you know, that's all you can get out of this Chamber, sometimes.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. I would add in regards to that particular provision that originally came in as a felony and then we amended it in committee to change to misdemeanors only, that is a provision that was recommended by the Supreme Court. They specifically recommended that we allow for that for misdemeanors and misdemeanors only. So pursuant to Supreme Court recommendation, that is what we're doing; and I also want to emphasize that the...the paramilitary portion of this bill, which is extremely important, the bill did not get called in the House, it passed here without any opposition, it prohibits paramilitary training with the intent to act unlawfully in the furtherance of civil disorder, and in view of the things and the events we're seeing around the world today, I think this an extremely...important part of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 17. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 17 and the bill having received the required constitutional majority is declared passed. Senate Bill 447, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 447.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 447 had an amendment in the House which I agreed with and passed out of the House, but I chose to not concur because there was an immediate requirement to add a provision that the court...Supreme Court said that we permit lawyers' affidavits, proof of evidence...not proof of evidence, proof of payment....House amendment took care of the second injury fund, but the Supreme Court required us to modify some of our language on provisions on the accident reports be filed by affidavit with the Industrial Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on...Senate Bill 447. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 447 and the bill having received the required constitutional majority is declared passed. Senate Bill 1294, Senator Schuneman. Senate Bill 1294, Mr. Secretary.

SECRETARY:

Senate Bill 1294, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I move that the Senate concur with...or adopt the first Conference Committee report on Senate Bill 1294. This is the Department of Insurance bill which raised the filing fees for insurance companies who are

required to file a variety of documents with the department. Those fees had not been increased for many years. The principal thing that the Conference Committee report does is establish a new fund within the department, it's called the Insurance Financial Regulation Fund and the Department will deposit into that fund the fees that are collected under this bill. There was some disagreement between the insurance companies and the department over this matter. The companies have removed their objection now since the department has agreed to a one hundred thousand dollar cap...as to the amount of money that can be kept within the department. I know of no opposition to the bill. I move for Senate concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1294. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...the...the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1294 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 3...Supplemental...I'm sorry, Supplemental Calendar No. 2...Supplemental No. 2, House Bill 231, Senator Lemke. House Bill 231, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 231.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this Conference Committee report contains is...in addition to the other bill...a provision for Senate Bill 549

which passed here 58 to nothing which talked about criminal trespass to State land. Another bill was 691 in regards to corrections and the difference between the Department of Corrections and...and Department of...in counties in regards to transfer of prisoners and the other provision is Senate Bill 164, the parent's right to recover from a drug pusher which passed here 59 to nothing. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator DeAngelis...Senator Maitland. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, could you please reexplain what you just said and tell me if you're putting in some bills in here that either failed or the House chose not to hear them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...the bills that we're putting in here are bills that when the House abruptly adjourned, they all went down the tube. It's not because they didn't vote on them. They were on...they were on a order of special business to be heard but they never got to them, and so these bills never failed in the...in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Senator Lemke, can you explain page 5, thirty-five thousand days per county per year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That...that's the bill that Senator Carroll had that passed here 45 to 10. What that does is allows Cook County to get two-thirds for...of the counties to...to get their transfer fees from the Department of Corrections. It was a deal we made with Department of Corrections because of some provisions they have in the bill that they want that they have given up their objections to that provision. So, it's been put in this bill as a compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...if not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 231. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 14, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 231 and the bill having received the required constitutional majority is declared passed. House Bill 1292, Senator Berman. House Bill 1292, Mr. Secretary.

SECRETARY:

House Bill 1292, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 1292 does only one thing. There was some questions as to whether respiratory therapy was in this bill. It is not. The bill does...the Conference Committee report merely recedes from Senate Amendment No. 1 so that the bill...the Conference Committee report merely provides that the...it prohibits a nursing

home...facility from withdrawing resident funds except for returning them to the resident or to another person entitled to request them or to make other payments authorized by the resident. I move the adoption of Conference Committee Report No. 1.

PRESIDENT:

There any discussion? There any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1292. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1292 and the bill having received the required constitutional majority is declared passed. 1763. On the Order of Conference Committee Reports, Supplemental No. 2, is House Bill 1763, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1763.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill is the one that authorized the Department of Transportation and the Department of Rehabilitation Services to provide for the license...or the installation of vending facilities at rest stops on both State and interstate highways to be operated by licensed...excuse me, blind vendors. Senator Nedza had put an amendment on which somehow confined it to privately owned vending machines and...and we all agree, we didn't understand what his amendment was intended to do and so we have now removed it. We've also made it clear that where the...there is not a licensed blind vendor who requests to operate one of the sites, that previously the law...the bill had provided

that the department shall contract for the operation of that site by a private contractor and the funds then ultimately go into the...that fund which helps to carry on the Licensed Blind Vendor Program. We've now made it clear that the department may contract for that conduct of the...or the operation of the vending facilities at a...by a private contractor but doesn't have to, and that's obviously so that it has discretion if there is not an appropriate one available. I would move the approval and adoption of Conference Committee Report No. 1 to House Bill 1763.

PRESIDENT:

Is there any discussion? Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

If the Senator would yield. I, like most of us, drive a...a great deal on our State highways and I happened fairly recently to stop at the Funks Grove stop which is, I guess, our newest, biggest, fanciest stop. I was chagrined to notice that the washroom had been thoroughly vandalized, holes punched through walls, just really...it's very discourging when one knows how much we paid for those walls how bad that place had been torn up, and I have to admit I would kind of like to have a Coke machine or someplace there to get a Coke or...or what have you, but are we not...are we requiring...if we're going to have somebody on...on hand making money, are they going to be under any obligation to help us keep those washrooms clean, to...you know, if we're going to do this, there ought to be something...some public service in terms of keeping those operations. We don't leave people there and, frankly, our rest stop record in this State is much less than I wish it would be. The...the ones we have are not all that well maintained and we don't have many of them. If we're going to have vendors there, I believe they ought to be involved in the...in...in keeping the washrooms

clean, seeing that the appropriate supplies are on hand and keeping an eye on the vandalism. I think that is probably the only justification for putting a vendor in a position where they will compete with other private enterprise type operations up and down the highway. I'm concerned unless those type provisions are in this idea that we are going to create something that will make it impossible for us. I...I once complained to the former transportation secretary about the...a small rest stop on one of the roads I drive on and that the grass hadn't been cut, there was garbage all over. You know what their answer was? They put big cement blocks and they just closed it. Now, that's not my idea of progress, that's not what I had in mind. I just wanted the garbage picked up. If we're going to do this, Senator, will these vendors be involved? Are they going to sit by and watch vandals tear this place up? Will they clean the washrooms? I mean, if we're going to have a free enterprise kind of operation or something that competes...you got an answer?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. I think you may not have heard my...my opening statement. The...this authorization has to do with the licensed blind vendors and so there...obviously, their responsibilities would be considerably limited by that. The...the only provision in the bill that deals with that, I think, makes it clear that the responsibility for maintaining the rest stops...remains that of the Department of Transportation, and the bill does say the Department of Transportation may not charge the operators of the vending facilities for any portion of the cost of rest...rest area maintenance or oversight services provided by its employees prior to the effective date of this Act and the department shall not require the vending machine operators to perform any

services other than those related to servicing and operating the approved vending machines. I think under the circumstances you would recognize that that is totally appropriate. I'm not disagreeing with your basic comment that the department apparently is not doing its job in making sure that the facilities are maintained, but I don't think it would be appropriate to put that mandate on the licensed blind vendors.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, maybe it's just an idea we ought to think about. I...you know, I...I...you know, it's almost impossible to stand on the Floor of the Senate and talk against the blind, but I...I...I have...can't help but picture this...this guy sitting there at Funks Grove when Hell's Angels arrive with their seventy-eight motorcycles, but I guess it wouldn't matter with that crew whether you had perfect vision or not. I still think...we all know the vending...that we all know that our rest areas are a disgrace. Maybe one way we could get more and better rest areas is to emulate what is done in other State which is to have a free enterprise component on those areas but to make those people also responsible for maintaining decent, clean washroom facilities and emergency phones and that sort of thing. If we do this, I have an ugly feeling we are cutting our throat for any kind of meaningful program in the future.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, well, speaking...Mr. President, speaking to Senator Schaffer's point, I think we could put the...the fellow that we've just...you know, put him in...the fellow in a wheelchair with a crossbow in there to take care of them,

have the...

PRESIDENT:

Any further discussion? Senator Netsch, you may close.

SENATOR NETSCH:

Well, the...where it is privately contracted out, where there is not an available licensed blind vendor who seeks a particular spot, then it seems to me that can be done and appropriately should be done, but I...again, I would just suggest, Senator Schaffer, that there are certain...practical limitations to the obligation for oversight that you can impose on those who would be operating the vending machines. I don't think there's any objection to what is authorized here. I think your problem should be separately addressed. I would seek your support of Conference Committee No. 1 to House Bill 1763.

PRESIDENT:

All right, the question is, shall the Senate adopt the Conference Committee report on House Bill 1763. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee report on House Bill 1763 and the bill having received the required constitutional majority is declared passed. If I can have the attention of the membership, with leave of the Body, we'll move to the Order of Motions in Writing. I understand that there have been three motions in writing filed to reconsider votes by which Conference Committee reports were not adopted. Two of the messages have already left the Senate, so there's one remaining motion, Mr. Secretary.

SECRETARY:

Motion in writing. Having voted on the prevailing side, I move to reconsider the vote by which Conference Committee

No. 1 on House Bill 123 failed. Signed, Senator Welch.

PRESIDENT:

All right, Senator Welch has moved to reconsider the vote by which House Bill...the Conference Committee report on House Bill 123 was not adopted. All in favor of the motion to reconsider indicate by saying Aye. Opposed Nay. The motion carries and the question before the Senate is the adoption of Conference Committee report on House Bill 123, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill...

PRESIDENT:

Senator Dawson.

SECRETARY:

...123.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I wish to concur with the second Conference Committee report on House Bill 123...Conference Committee No. 1, excuse me. Conference Committee Report No. 1 adds to the social work group pilot project authorized by the bill and passed by the Senate and the House. Two of the four provisions are part of the CB legislative program while...another affects the elementary district in DuPage County which was added by Representative Hoffman, and the fourth provision includes within the definition of an institution of higher learning grant...nationally accredited proprietary institutions for resident students. Such assistance may not exceed one thousand dollars and that was from Senate Bill 1358. Ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this Conference Committee report, of course, because of the proprietary scholarship and I understand, I think, the issue; I understand, I...I believe, the reason for people supporting it or either...or rejecting it...I guess it's more of a philosophical thing with many of us than anything else. People were in my office tempting to persuade me to support this provision and I...I guess my concern...first of all, the...proprietary schools are for-profit schools. You...you need to understand that initially. Secondly, and I understand the kind and types of students that the proprietary...schools help, but keep in mind, they can access JTPA funds, those funds are available, they can access PEL Grants, those are grants paid to...to the individuals.

PRESIDENT:

Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

I was just informed that the House did not concur on this and they're going for a second Conference Committee. Go to second Conference Committee, Mr. President, okay?

PRESIDENT:

All right, then Senator Dawson's motion is to adopt the Conference Committee report on House Bill 123 and after that motion fails, he will request a second Conference Committee. Question is, shall the Senate adopt the Conference Committee report on House Bill 123. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 23 voting Ayes, 10 voting No, 5 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House and Senator Dawson requests the appointment of a second Conference Committee.

Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. Are the boxcars on the train loaded yet?

PRESIDENT:

No. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand on a point of...perfect privilege. I don't think that the lovely wife of our new legislator, Senator Poshard's wife, has ever been officially introduced to this Body, and I'd like for Jo Poshard, who is the power behind the throne there, to please stand and let's give her a hand.

PRESIDENT:

Will our guest please rise and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members and on this side of the aisle, there's a caucus in the President's Office immediately. A caucus in the President's Office immediately and I think we can get our work done pretty quickly.

PRESIDENT:

All right, that request is in order. Democratic Caucus immediately in the Office of the President. In the meantime, as Senator Philip and I earlier discussed, we will stand in Recess until the hour of three o'clock. We are still awaiting paper work. We have effectively completed our Calendars. So, the Senate...Senate will reconvene...will reconvene at three o'clock. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR SAVICKAS)

Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their amendments to the following Senate bills and request a first Committee of Conference and the Speaker has appointed the members on the part of the House:

Senate Bill 134, 174, 458, 459, 460, 464, 467, 468, 453, 471, 473, 475, 480, 483, 925 and 1379.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan moves that we accede to the House's request. Any discussion? If not, the motion carries. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

A...a point of personal privilege. I just asked the Pages if they would hand out a copy of what the proposed curriculum for the Illinois Science Academy is to everybody. I've gotten several phone calls about it and I thought, perhaps, this information might be useful to all the members, so this is the proposed curriculum that has been set by the various scientists and educators from Fermi Lab.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I would like to change the sponsorship of...Senate Bill 1303 from Senator Donahue to...and make it Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue is shaking her head indicating agreement. Is there discussion? Is there objection? If not, the motion carries. On your desk we have Senate Supplemental Calendars No. 3 and 4, and we will now start with Supplemental No. 3. (Machine cutoff)...Supplemental No. 3, Conference Committee reports. We'll start with House Bill 123.

SECRETARY:

House Bill 123, second Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I wish to concur with Conference Committee...second Conference Committee report on House Bill 123. This time we have deleted the fourth provision that was included definition of an institution for higher learning. Grant purposes nationally accredited proprietary institutions has been removed out of that and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 123. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 123 and the bill having received the required constitutional majority is declared passed. House Bill 360, Senator Sangmeister.

SECRETARY:

We have the first Conference Committee report on House Bill 360.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senate Bill...or House Bill 360 has encompassed in it a number of the bills that did not pass over in the House such as the exclusionary rule, although it's been worked over and amended. It also has in it a reworking of the Aggravated Battery Statute was a requirement that was requested over in the House eliminating all the exceptions to the aggravated bat-

tery and making them aggravating factors in considering the offense instead. I'll try to answer any questions, if not, ask for a favorable roll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I am rising on this bill, pointing out that I did sign the report but also to say as...or to repeat what Senator Sangmeister just mentioned, that the bill does include within it the lowering of penalties from aggravated battery to battery for certain so-called status offenses; that is, battery that's committed not necessarily causing great bodily harm but battery which is directed towards certain kinds...classes of individuals or committed in certain ways. So, some of you might be wary of approving a report that is reducing the severity of...of punishment for this class of crimes...I signed the bill because it does include within it the...some...the good faith exception and other strengthening of criminal laws in some other areas. Also, I'm told that the...the report contains the measure that we earlier debated increasing the...the threshold level for felony theft from a hundred and fifty to three hundred dollars which is a matter that we debated here before and that was defeated and which the Illinois retail merchants opposes. So, for those two reasons, that is, the aggravated battery provisions and the retail theft provisions, you may want to be wary of voting for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister, you wish to close?

SENATOR SANGMEISTER:

Well, what Senator Barkhausen has said is true, is in the bill. We're not misrepresenting anything; however, this is a...I think a fine revision to Chapter 38 of the Criminal

Code and would ask for your approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate adopt the Conference Committee report on House Bill 360. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 28, the Nays are 4, 18 voting Present. The Senate does not adopt the Conference Committee report and the Secretary shall so inform the House...Senator Sangmeister, are you seeking a second Conference Committee to be created? Senator Sangmeister seeks leave of the Body to have a second Conference Committee appointed and the Secretary shall so inform the House. House Bill 1072, Senator Etheredge.

SECRETARY:

Second Conference Committee report on House Bill 1072.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a...an agreed Conference Committee report. What it does is to establish something to be called the Illinois Foreign Language Project that would over the course of the...the next year determine ways in which foreign language instruction in Illinois schools could be encouraged and accomplished by means of programs conducted after school, on Saturdays and on summer vacations. I would move that the Senate adopt this Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR D'ARCO:

Senator Etheredge, there was originally two academies that were floating around in this bill. Now, what happened to the second academy? Is that still in here or...or has that been deleted from this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

No. When this bill...when the first Conference Committee report came before this Body just before the...the deadline on Sunday night, it...it failed. It...and so there...we no longer have any...foreign language academies, they're gone. What we...now have is a foreign language project. No academies at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, what...what happened to the academy...you mean the downstate academy isn't in here as well as the...academy for Chicago? They're both gone?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

That is correct. There are no more academies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

What is a foreign language project? What does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I think a great many people have an interest in encour-

aging foreign language study here in Illinois in our schools, and initially, it was thought that maybe the best way to accomplish...that would be by means of the academies, but we just couldn't get enough...a majority of the members of both the Senate and the House to support that idea, so it has been determined that one small, initial step that we might take...in this General Assembly is to establish this project that would...enable some people who know something about the subject to...to study the issue and then come back to us at a later time with some recommendations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, is there an appropriation for this project?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

It is my understanding that there is a...an appropriation of...I believe, forty-two thousand dollars for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1072. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 1072...I'm sorry, the second report to House Bill 1072 and the bill having received the required constitutional majority is declared passed. House Bill...1801, Senator Barkhausen. House Bill 497, Senator Demuzio. House Bill 1111, Senator Coffey. House Bill 1165, Senator Joyce. I'm sorry, Senate Bill 1165, Senator Joyce. Thank you, Senator DeAngelis, for bringing that to my attention. I'm glad that you're wide awake and ever

watchful.

SECRETARY:

Senate...Senate Bill...second Conference Committee report on Senate Bill 1165.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President, I think. This bill is the environmental toxicology bill that we passed through this Senate early this year and never got called in the House and it was just now passed on a concurrence of seventy votes in the House...what was the vote here? Yes, it was 52 to nothing, it passed this Senate earlier this Spring. Be happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall the Senate adopt Conference Committee No...Report No. 2 to Senate Bill 1165. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1165 and the bill having received the constitutional majority is declared passed. House Bill 1345, Senator Luft...I mean, Senate Bill 1345, Senator Luft.

SECRETARY:

First...first Conference Committee report on Senate Bill 1345.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Machine cutoff)...Luft.

SENATOR LUFT:

Thank you, Mr...President. I would move that we adopt the first Conference Committee report on Senate Bill 1345.

It has five provisions incorporated in the bill. One of those provides for meal breaks for noncertified employees of an educational system if they have worked seven and a half...continuous hours. Secondly, it provides that the residency within a school district shall not be considered in...employment, I think that's already passed out of the Senate once. Thirdly, that there shall be no deduction from salary because of absence from a teachers' institute or equivalent educational experience if there is...if the teacher is on sick leave, and it also incorporates the proprietary student assistance program. Once, again, I would move for the adoption of Conference Committee report on Senate Bill 1345.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 2 to Senate Bill 1345. Those in favor will vote Aye. Those opposed vote Nay. The voting is open...I'm sorry,...Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Well, Mr. President, I had my light on. I wanted to ask a question about the...about the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, why don't we just take this off the board and start over and let him ask his question. Yes, erase this...Senator Etheredge, I'm sorry, but the...I did not notice your light at the end there.

SENATOR ETHEREDGE:

Will the...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

I see...I just received a...a copy of the Conference Committee report, and I noticed it has no Republican

signatures on it, so I have...want to make sure that I understand what it is that we are voting on. Would...would the sponsor please walk through this one more time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

The bill provides meal breaks for noncertified employees if they have worked seven and a half continuous hours. Got that one? The meal break has to be thirty minutes, that's page 1, lines 30 through 34.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Let's...let's look at page 3, I want to make sure that I understand what...this is the proprietary student assistant...assistance program. Is...would you...describe this program? Is this the same program...or the same amendment that we had voted on earlier on Conference Committee report on 123? Is the program...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator D'Arco indicates he'll answer that question.

SENATOR D'ARCO:

Thank you, Mr...thank you, Mr. President. Senator Etheredge, this is the same proprietary program we voted on in 123 and this is the same proprietary program that I discussed with you, and I think there was some confusion on both sides of the aisle concerning the merits of this particular proposal. This is the same proprietary program that passed out of this Chamber as well. I've discussed it with my colleagues on both sides of the aisle and I don't see anything wrong with it, there's nothing hidden in it. It's simple and straightforward and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, I understand your explanation, then this...this is an identical program to the one that we dealt with before...there is a separate line item. It does not represent a raid on the...on the State Scholarship Commission...Program...very good. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

A...a question of the sponsor. As I understand it though, and I...I...I'm just looking through the Conference Committee report on House Bill 123. That was...the Proprietary Assistance Program was deleted from the Conference Committee report that I believe was just voted on a few moments ago, whoever the sponsor of this is. Isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senator Netsch,...you are in fact correct. The proprietary program is presently in Senate Bill 1345, it was deleted...it was deleted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. Then...I will let the sponsor correct me if...if I'm wrong, but I was listening to what Senator Etheredge was asking the sponsor, and on the subject of whether or not this is a drain on the program, it seems to me, that once you allow proprietary school students to qualify for this program, that's going to affect the amount of dollars available for students in nonproprietary schools. So there is no question in my mind that while this

may be a good idea for proprietaries, it's not a good idea for students attending nonproprietary schools.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I...I have one of these proprietary schools in...in my district, Bell and Howell just put into Rye Institute. That is a school that offers a four-year course. It cost fifty-five hundred dollars apiece, the graduates are snapped up as soon as they graduate from places like Fermi Lab, Argonne Lab,...Bell Lab. These...the...the proprietary schools we are talking about have to be certified by the State Board of Education. We are not talking about every barber college being automatically able to tap into this. My understanding is, there is a limited few right now that can tap into it. I think this is a good amendment and I think we ought to get on with our business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question...Senator D'Arco.

SENATOR D'ARCO:

Well, to answer Senator Kustra and the other people...I mean, we've argued this bill about four times. The separate line item appropriation, there is no money in the present budget for proprietary schools, and the most that...that can be appropriate...appropriated can never exceed ten percent of the ISSC budget. For Fiscal '86, there is no appropriation at all and the total amount of the scholarship can never exceed one thousand dollars. Now, we've argued this bill before, I don't know how many times in this Chamber. These kids that turn out to be computer programmers, they turned out to be the skilled work force of our country. It's great to be an academia but the people that do the work in our country are the people that are trained in the skills that

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run the society we live in, folks. Now, this is a good bill, we passed it out before, and I heartily recommend it for your consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report No. 1 to...Senate Bill 1345. Those in favor will vote Aye. Those opposed vote...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 13, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 1345 and the bill having received the constitutional majority is declared passed. Senator Demuzio has returned to the Floor from wherever and he wishes to go back to Senate Bill 497.

SECRETARY:

Senate Bill 497, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 497 I was asked to make a...an accommodation relevant to the adoption of a social worker's program on this particular bill. I had spoke with the chairman of the committee to which the bill went and was informed that the...the proposal did not reach a successful conclusion in his committee. As a matter of fact, the bill was not even called. Several other members had asked that I not become necessarily involved with this proposal, and as such, I am moving to adopt Senate...the first Conference Committee report on Senate Bill 497 would simply and totally would...concur with House...both House amendments. This bill was a bill that started out to be a very simple bill that said that a grain dealer to whom a license had been issued

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prior to the effective date of the Act need to...needed to comply with at least a fifty thousand dollar net worth, it's currently twenty thousand. The House added an amendment requiring the Federal licensed warehouses also to comply with the provisions of this State law and allow the existing warehouses to be grandfathered in into the new provisions. That is all this bill does and I would move to concur with the first Conference Committee report on Senate Bill 497.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Just to clear the record, I was the sponsor of that bill and I chose to hold it because there was a similar bill in the House. That bill did get out of committee in the House and rather than have duplicate legislation, I tried to...tried to keep the process less cumbered up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 497. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 497 and the bill having received the constitutional majority is declared passed. Senate Bill 1111, Senator Coffey.

SECRETARY:

Senate Bill 1111, the...first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I

stand in...in support and ask you to support Conference Committee Report No. 1 on Senate Bill 1111...it really puts...the Conference Committee report is the initial bill on 1111 from the Secretary of State's Office. That bill passed out of here 53 to...to nothing. We also include in that Conference Committee report 1082...Senate Bill 1082 that passed out of this Body. It deals with the...making it illegal for any persons to intentionally remove or have removed a salvaged or rebuilt...notation from a vehicle title by washing it in any way through any other jurisdiction with the intent to sell the vehicle, and...there's a second provision that we added in there which it says that a local authority may require that any persons who files a request for installation of traffic signs pay for the cost of such traffic signs. This is in...in private subdivisions, it does not include the City of Chicago, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report No. 1 to Senate Bill 1111. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 1111 and the bill having received the required constitutional majority is declared passed. House Bill 1801, Senator Barkhausen.

SECRETARY:

House Bill 1801, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the Conference Committee report on House Bill 1801 does exactly what the original bill

did. It was held up in the House because it was thought that it might be a vehicle for some...something the Administration wanted for the Department of Central Management Services. They didn't need it for that purpose and so the bill is back in its original form. Again, it...it basically mandates DCCA to do two things which it is more or less now doing; one is in its future economic planning to consider the occupational needs of the State, the other is to establish within the department what essentially already exists, a commission on science and technology which, as I say, basically exists in the form of the existing high technology task force. The bill is signed...or the report has been signed by all members of the Senate. I know of no opposition and...and urge adoption of the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report No. 1 to Senate Bill 1801. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 1801 and the bill having received the constitutional majority is declared passed. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I think you better check, it's a House bill...you got Senate bill up there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm...I'm sorry, he has Senate bill marked. Mr. Secretary, that's House bill. That's House Bill 1801 that has received the constitutional majority and is declared passed. On Senate Calendar Supplemental No. 4. Before we...proceed to Senate Calendar Supplemental No. 4 we have...Messages from

the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their amendments to the following Senate bills and request a first conference and the Speaker has appointed the members on the part of the House:

Senate Bill 328, House Amendment 1.

Senate Bill 472 with House Amendments 1 through 14, 16, 19, 21, 22, 24, 28, 30, 31, 32, 33, 35, 37, 38, 39, 41, 43 through 48, 50 through 55.

476, 1, 2, 3 and 5 through 13.

893, House Amendment 2.

...454, House Amendments 1 and 2.

451, House Amendment 2.

And 452, House Amendments 1 and 2.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 313 and request a...or 312 and request a second conference. The Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate accede to the request of the House and that a second Conference Committee be appointed on the bills just read. Senator Lemke moves that the Senate do accede to the request of the House and a second Conference Committee be appointed. Those in favor signify by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. On Senate Calendar Supplemental No. 4, we have House Bill 1412, Senator Darrow.

SECRETARY:

House Bill 1412, the second Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This Conference Committee...the first Conference Committee was rejected in order to put an immediate effective date in it. What this legislation does is provide that if you are soliciting advertising for a fireman or policeman's magazine you have to be registered with the Attorney General. In the event you aren't, it's a violation. The first violation would be a Class A misdemeanor, second violation or subsequent violation would be a Class 4 felony. Originally the bill was rejected because it...it made it just a straight Class 4 felony. I'd be glad to answer...any questions; other than that, I'd ask for the adoption of the Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

I'll...I'll wait till after the bill is over with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall the Senate adopt Conference Committee Report No. 2 to House Bill 1412. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none,...57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 2 to House Bill 1412 and the bill having received the required constitutional majority is declared passed. House Bill 1924, Senator Watson.

SECRETARY:

House Bill...1924, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Bill 1924 in the Conference Committee Report No...is it...is it No. 2 or No. 1?

SECRETARY:

No. 1.

SENATOR WATSON:

Okay, No. 1. The original language remains and that was to convey land in the metro-east area, the Metro-East Sanitary District from the Department of Conservation. They...we're getting land from the Metro-East Sanitary District and in...exchange for land from the Department of Conservation...a switch...change...a trade. Next is a technical amendment...Senate Amendment No. 1 was technical...Senate Amendment No. 2 was one in which Senator Luft and Dunn were involved with and that authorized Central Management Services to convey a certain parcel of...of ground for three hundred dollars an acre. The problem was that...that currently the...the evaluation of the ground is such that it can't even be sold and so we're changing it to three hundred dollars an acre, and Senate Amendment No. 3 provided land exchanges in Monroe and Mason Counties. This passed out of the...the Senate with no objection at all and then a Conference Committee was reported to...or asked for because...to add this additional language. The language in the Conference Committee...the new language attempts to provide and enforcement mechanism to hold liable a sanitary district which intercepts or impedes percolating waters under the service of its land for any purpose and which causes injury to adjoining property. The district shall be liable for civil damages for injury to the adjoining land, and apparently, case law is the only point of authority on this issue and dates back to the late 1800's. This was put in by Representative Tate to...involved in a problem in...in the Decatur area in which

a sanitary district came in and is, I guess, causing a considerable amount of problem with wells and other water supplies in a particular area. Part number two amends the Sanitary District Act and it removes a population requirement of over ninety thousand and resets the population requirement at over one hundred thousand before a board of trustees with a membership of five persons can be created. A population of up to one hundred thousand is...entitled to a three-member board of trustees. This amendment clears up a problem which exists in the Aurora Sanitary District. I'd be glad to answer any questions...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the...is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report No. 1 on Senate Bill...or House Bill 1924. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 on House Bill 1924 and the bill having received the required constitutional majority is declared passed. House Bill 1947, Senator Hudson.

END OF REEL

REEL #3

SECRETARY:

House Bill 1947, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, members of the Senate. I would move to concur with the first Conference Committee report, House Bill 1947. What the Conference Committee did was two things really. It added the provisions of...it added provisions which amend the Emergency Medical Service Systems Act to add due process provisions to the Act. And secondly it recreates the Medical Determination Board to serve an advisory capacity to the director of Public Health on strictly medical issues. And that was necessitated by the inadvertent repeal of the board by another bill which had been sent to the Governor. And unless there are questions, I would again move for the adoption of this ruling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

...no, after this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 on House Bill 947. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53...54, the Nays are 1, none voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 1947 and the bill having received the required constitutional majority is declared passed. House Bill...2445, Senator Topinka. Sena-

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tor Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. Having voted on the prevailing side on Senate Bill...House Bill 360, I'd like to move to reconsider the vote on...by which that bill failed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, why don't we entertain that motion, we're almost finished with the Calendar. Senator Topinka.

SECRETARY:

House Bill 2445, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the House...of the Senate, I almost did it again on my last day. Okay. House Bill 2445 corrects the technical problems with Senate Amendments 1 and 2; it also allows the Department of Insurance to issue corrective orders for health maintenance organizations. It's identical to the provisions of Senate Bill 1296 which was Senator Rupp's bill. It is an HMO bill, it's the Department of Insurance's bill. I know of no opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill...or to House Bill 2445. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report to House Bill 2445 and the bill having received the required constitutional majority is declared passed. Senate Bill 254, Senator Luft.

SECRETARY:

Senate Bill 254, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that we adopt the first Conference Committee report on Senate Bill 254. The bill as amended in the House provides for a two-cent reduction in the sales tax exemption on ethanol products. It also has a reciprocity agreement in it and it also provides that the exemption only is applicable to ethanol made from cereal grains. It also has a clause in it that simply says if any part of this bill is ruled unconstitutional, it does not affect the rest of the bill. And I would move for the adoption of...first Conference Committee report on Senate Bill 254.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is...is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MAROVITZ:

In...in...in reference to the reciprocity issue, would that mean that those out-of-state would have to pay the tax and those in-state would not have to pay the tax?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

If their state had the same tax exemption as we did, they wouldn't have to. Senator, this is an agreed bill between all parties. We passed the bill out of here yesterday, this simply had for the two cents. This bill is being passed so we can check the constitutionality of the reciprocity agreement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Luft, it seems like we passed about six or seven bills dealing with ethanol in the last couple of weeks, what have we passed and is this any different or is this the same bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

The exemption is the same, the two cent. This bill has something different. One, the reciprocity agreement which is designed to test the constitutionality of the concept itself in the State of Illinois. And this bill also provides for the exemption to apply...only to ethanol that is made from cereal grain. The...the other bill that we...passed just had the two-cent exemption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR JEROME JOYCE:

Yes, you said this is agreed upon by all parties, does that include the Governor? Is he going to sign this one?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

He...wasn't at the party.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, is somebody going to talk to him about this? Otherwise we're just going to take off...put back on the two cents, and...hurray for the big oil companies and the hell with the rest of the world, huh?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

I don't think it's any secret that I have three ethanol plants in my district, so, obviously I'm not...that excited about taking this two cents off but those industries in my district along with the other ethanol companies in the State of Illinois have agreed to this concept and I am bound by that agreement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz for the second time.

SENATOR MAROVITZ:

I'm sorry to rise for the second time, but just to indicate...those in the Body, in...in reference to the...to this bill and be it agreed or not agreed on the reciprocity issue, this is the bill that the Attorney General of the State of Illinois as well as the Attorney General of other states have ruled to be unconstitutional. An Attorney General's Opinion has been issued that this bill is unconstitutional, that the provisions within this bill are unconstitutional, I'm just stating that for the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill. There...it...it's

true, we've dealt with this topic a number of times, but I think what we have before us is the...is the result of a lot of discussion. In regard to the point made by the...previous speaker, there is a reciprocity clause in this piece of legislation and I can only tell you that there are a number of states, there are about seven states, that...presently have reciprocity written into their laws. I don't see why we can't write a reciprocity provision which will stand the test of...of the courts. So I rise in support of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. Senator Marovitz, apparently you didn't get the message. I told you this was an agreed bill and it was part of the design. The state of Ohio in a circuit court ruled that reciprocity was, in fact, constitutional. There are reciprocity agreements in the State of Illinois. I have seen the letter that our Attorney General wrote saying that they thought that it was unconstitutional, but there has been no Attorney General's Opinion issued on reciprocity. That is why we are passing this bill to try to get an Attorney General's Opinion in the State of Illinois to see if, in fact, it is legal. So I would hope that we would pass the bill. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is...

SENATOR LUFT:

Or adopt the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...the question is, shall the Senate adopt the Conference Committee report on Senate Bill 254. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 48, the Nays are 9, none voting Present. Senate Bill 254...the Senate does adopt the Conference Committee report on Senate Bill 254 and the bill having received the required constitutional majority is declared passed. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr...President, on a point of personal privilege. Bev, this is Sam, will you hold the kid for awhile, I'm getting tired.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Looks just like you, Sam. Senate Bill 796, Senator...Philip.

SECRETARY:

...second Conference Committee report on Senate Bill 796.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's not here. Senate Bill 984, Senator Smith.

SECRETARY:

First Conference Committee report on Senate Bill 984.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand to accept the Conference report on Senate Bill 984 which originally passed the Senate on an Agreed Bill List, and it requires the Department of Children and Family Services to visit at least three times a year to facilities that care for children. And then when it reached the House, they put an amendment on it and asked us to decrease our visitations to one time once a year. I understand that the department is already making visits once a year to these facilities, but it is not in the law, it's not on the books, not on status...on...in the Statutes. I also understand that the Federal Government through licensures visit the facili-

ties at least once every other year. I think...and I have been given a lot of static because they said that once a year was not enough, but I think a half a loaf is better than no loaf at all. And I think that if we can get this on the books this will solidify the security of these young people. I have talked with the director, Gordon Johnson, and he said that his monies are being increased and new people are being hired and they will be able to as time goes by to increase the visitation. I stand here this afternoon not to cause any discord but I think one step is better than no step at all. And I'm asking the...this august Body if you will concur with me on accepting the Conference report of one legal visit once a year with the understanding from the Department of Children and Family Services that the visits will be increased. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR COLLINS:

Yeah, Mrs...Smith, once this law is...is passed, who...does it affect anyone except the...the Department of Children and Family Services?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Senator, I'm still Senator Smith instead of Mrs. Smith, I'm still Senator, thank you. That's all right, darling. I would like to say this does affect the children who are in foster homes as well as those away institutionalized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

What about private agencies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Private agencies are to be visited as well as other...the foster homes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, well, now on...on...on the merit of...of...of the issue. I rise in...and...and very strong, and I hate to do this, very strong opposition to the Conference Committee report for several reasons. One is because there has been a tremendous increase over the past several years of the number of incidents involving sex abuse and other types of problems in relationship to day-care facilities and...and day-care homes and group homes as relate to children throughout the State and not just in the State of Illinois but across this country. There are several things going on right now, one is a total look at and a revision of the licensing standards and monitoring standards of these facilities to ensure that there are adequate safeguards to...to minimize the possibility of those incidents occurring to the children across this State. The other reason is because I think I know a little more about this subject, I spent a lot of my life helping to put together and build and even help to develop the current standards of which they are operating under. The licensing standards right now has in it which is in effect law...no, we do not have on the Statutes visitation rights in terms of monitoring of these centers because I think it would be far more damaging for us to in...in...invade that area and just simply say that there must be a minimum of one visit a year. Not only the Department of Children and Family Services but

there are other proprietary agencies and non-profit agencies who also licensing under their social service license these facilities. We do not want these people to take...an out and say that because you have mandated in the Statute that we make at least one visit that they visit these facilities only once a year because they need staff or they want to cut back on staff and...and say that they have met the minimum standards of this State. I think that will be a very serious mistake. Now I know that...we have passed many bills of...of Mrs. Smith's...Mrs. Smith is a hard working...Senator Smith, rather, is a hard working Senator, but this is one time that I have tried to and some of us have tried to explain to Mrs. Smith that this is a very dangerous precedent to set, to intrude upon. I think that we ought not to...to...to...to...to...to invade in this area and...and particularly due to the fact that there are right now negotiations and a...and a...and a new standards are being set, and once we codify that one visit into the State laws, it will be probably less than the minimum standards that will come out in the new licensing and...monitored manual. And I think we would be doing the children of this State an injustice. So I would just prevail upon you that we do nothing, that we defeat this Conference Committee report and we do nothing at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR DONAHUE:

Senator Smith, does this...if...if this bill passes, does this in any way preclude the Department of Children and Family Services from...from investigating these day-care cen-

ters or what have you more than one time a year?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you. No, Senator, it does not; in fact, they want to do more...they want to do more.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

I...well, I think that's the point of this Conference Committee. I would move to concur or to support it, because DCFS can visit these homes any number of times that they want to. All we're doing is saying one time a year at least, but they can do it more than once and I would move that we adopt this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Senator Smith, our staff analysis says that after July 1, 1986, that there's a requirement for two visits a year. Is that in this Conference Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

...Senator Schaffer, I understand that in the Conference report it does state two but one is under licensure. One is the official, but she...I've just been informed here that she said one by...that's the Federal Government licensure, the Federal Government. But I only know and...oh, I've just been informed that there's only one visit but there...may be more than one...there may be more than one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SMITH:

And I conferred...I did confer with Director Gordon Johnson and this is what he stated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...looking at our analysis, I guess I can understand why...what...what you mean. It...we went from two to three and then we went back to two is what it amounts to. Are these facilities also facilities that would be under the regulatory power of the Department of Public Health and the Department of Mental Health?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

I imagine so. The day-care homes, the day-care centers, the group homes and foster homes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, my only point on this is, the Department of Children and Family Services has a small number of wards spread out throughout the mental health system who are in facilities that are monitored...almost hourly by other departments. And I...I guess my...my principal reservation is that I would prefer to have the department visit those facilities that need to be visited daily and not force them to visit facilities that are being visited and regulated by other agencies. I...I...it occurs to me we could be dissipating the inspectors on a frankly perfunctory...stay in compliance with the law so you don't get sued, kind of walk in the building and...and walk in and out kind of thing and that's kind of ridiculous. I guess I have...I...in my area there's no problem and I've always said if it isn't broke, don't fix it; so no one has told me there's a problem, so I'm not prepared to

come up with a solution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I have mixed emotions over whether or not to support this because I know both Senator Smith and Senator Collins are very sincere in trying to do something about this problem, and I know Senator Collins has a strong background in this area. But at the same time, I interpret it, it says at least once. And to me, and I'm not an attorney, that would mean you could visit it ten times or twenty times in a year or on a daily basis, there would be nothing to preclude it. By not having it in there, they could very well not be visiting...at all. And in many cases, according to my conversation with Senator Smith, they are not being visited and that's why she wants it in there, that there's at least a visit. One of my concerns about losing our visitation commission was that there wasn't visits being made or they would not make them to...various institutions in other areas. But I don't see anything...and it's the...the lawyers and the department that's going to interpret this, it's not going to be the staff and it's not going to be the caseworkers, and it's very clear, it says at least once.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR NEWHOUSE:

Senator, this is the bill we discussed this morning?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise reluctantly on this bill, but I'd like to just repeat what our conversation was because it's...it may be important. What we have here is a measure to mandate that the department do x-y-z, which means that the department has to have the staff to do x-y-z, which removes from the director a certain amount of flexibility that he has. Now it seems to me it might be a better course of action to have a reporting mechanism back to this Body so that we'll know what was being done in terms of inspections. The difficulty we have is that while there presently exists staff sufficient to do this one time a year, it many mean a reallocation of the time that staff is used. If we go to two times, three times a year, then it means that extra staff would have to be required to do that. Ordinarily this wouldn't mean very much to me, except if one has to choose between an inspectional service and direct service to children, I think we'd all prefer to have the time allocated to the direct service to children. Now, this conundrum may never arise, it may never arise; but if it does arise, then what we have is a director on the horn of a dilemma. The director must then decide how to allocate this resources that he does have. If then he's mandated to do x-y-z, such as have inspectionals...inspections where perhaps none are needed, then it means that's taken away from the children's direct service. We had this conversation this morning, I want to get that into the record. It seemed to me a...a good deal more simple not to clutter up the books with this legislation but, on the other hand, to still have some kind of a report back mechanism so that the end objective would be achieved, and I'd hope that we would do it that way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? Senator Collins for the second time.

SENATOR COLLINS:

Yeah, I...I really hate to rise a second time on this, but I...if you just listen to what Senator Schaffer said, and we're not talking about DCFS, we're talking about proprietary agencies, we're talking about a...a...a...other social not-for-profit agencies which doesn't have anything to do with DCFS. And...and that's what this mandate will do, would actually cause more problems than it will do good; and if you heard Senator Schaffer he's...he's absolutely right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No further discussion, Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President, ladies and gentlemen. I merely want to say that you...my colleague said about proprietary agencies. I think if you make the first step, I think that then you can go further. My merely concern right now is getting on the books legally in the Statutes that at least one visit will be required, that these children will have some protection. There's a saying that my husband used to say, "For forms of government, let fools contest, what's best administered is best." And right now the best thing that we need to do is think in terms of these young people. The Department of Children and Family Services have given us their word that they will develop and give more visits, but what I want to do is to be protected by these...for these young children. I ask your favorable vote, please to concur with the Conference report. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 984. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 30, 5 voting Present. The Senate does

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not adopt the Conference Committee Report No. 1 and the Secretary shall so inform the House. Senator Smith, do you seek...Senator Smith also seeks a second Conference Committee be convened and the Secretary shall so inform the House. Senate Bill...796, Senator Philip. Senator Macdonald.

SECRETARY:

Senate Bill...796, the second Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator Macdonald, I had just seen Senator Philip's name and I...sorry, I overlooked yours. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 796 embodies three administration bills. Senator Fawell was the chief...sponsor of 796 and she very graciously gave me the sponsorship so that she could accommodate me to get on my Senate Bill 1245 which was on both the Agreed Bill in the Senate and in the House and somehow was taken off and fell through the cracks over there. I'd like to say that Senate Bill 796...amends the Administrative Code to transfer from DCCA to the Department of Transportation the authority to...to study ways that we can use and conserve water resources and most particularly Lake Michigan water resources. This will allow the State to monitor the diversion of water from Lake Michigan more closely and as a part of a program to prevent diversion of Lake Michigan water to other regions of the country. This amendment was added to the House and I think we all know how important Lake Michigan is to Illinois and it...it is really a very important bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt Conference Committee...No. 2 to Senate Bill 796. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have

all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 53, the Nays are 1, none voting Present. The Senate does adopt Conference Committee report No. 2 to Senate Bill 796 and the bill having received the required constitutional majority is declared passed. For what...Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I would like to renew my motion of having voted on the prevailing side, I move to reconsider the...vote by which Conference Committee Report No. 1 to House Bill 360...failed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel move to reconsider the vote by which House Bill 360...House Bill 360...the Conference Committee on House Bill 360...had failed. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now, Senator Karpiel...on Conference Committee Report No. 1, Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, and thanks to Senator Karpiel for making the motion. I think when Senator Barkhausen rose in debate on this there was some misapprehension. There is nothing in this that the Illinois retail merchants are concerned about; they were the original bill, that has been stripped out. The matters that go into this again are the exclusionary rule which did not pass or was never heard over in the House is in here. The second item that is in here is that a third or subsequent time of conviction of DUI will be a Class 4 felon, the admissibility of blood test in the DUI, for the results to be admissible blood or urine samples must be taken in conformance with standards promulgated by the Department of Public Health. There is a provision in here concerning what the procedure will be and the admissibility of blood taken at

an emergency room. And item five does cut down the...the...in the area of aggravated battery there are fourteen...presently fourteen factors in there, we are reducing them down to...I believe it takes eight of them out of there. But all the eight that are being taken out are being placed in the general aggravating factor section of the Statute so that they will apply to all crimes. This is a compromise with the House and I think a reasonable one and would move for adoption of Conference Committee Report No. 1 to House Bill 360.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Well, having made the motion, it was my understanding that the...the problem with the retail merchants or...that language was out of here, now our staff tells us it is in there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know how they come to that interpretation. Looking at the...the report itself, it says, "House Bill 360 will be further amended as following, on page 1 deleting the title and inserting in lieu thereof the following; an Act in relation to criminal law," et cetera.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I've been advised by Republican staff, I don't see a Democrat here, that the way it is worded there is that possibility. They must have missed it in the House, they've already concurred in this...or adopted this Conference Committee report but...if that is true, all I can say to you is, I don't want to go forward with it either, and...I felt

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that the language I read took care of the situation, but staff tells me that No. 1 in here that says, "The Senate recedes from Senate Amendment No. 1," which took it out of there, puts it back in again. I don't read this stuff that easily and maybe if that's correct, we better hold it up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record.

PRESIDENT:

If I can have the attention of the membership, I have just discussed the schedule with Senator Philip; those who wish to order some dinner, I suggest you do it, our intent is to work straight through. The Conference Committee reports are now being processed and filed. You have in front of you Supplemental Calendar No. 5. On Supplemental Calendar No. 5...and I would ask those within the...reach of my voice, particularly the appropriations folks up on sixth floor and the fifth floor, to please join us on the Floor. With leave of the Body, as Senator Philip and I discussed earlier, we will take as a special order of business the education reform and funding bills. So I would ask the membership to please refer to page 4 on the regular Calendar for Senate Bill 730, and on Supplemental Calendar...Calendar No. 5, the Conference Committee report on Senate Bill 893...and the Conference Committee report on 1267. With leave of the Body, they will be considered together. Senator Berman will seek leave to speak to them together and then we will call them right in a row, one, two, three, 730, 893, 1267. With leave of the Body, as a special order of business, we will revert to page 4 on the regular Calendar, consider the Conference Committee report on Senate Bill 730 and then go immediately to Supplemental Calendar No. 5 and consider the Conference Committee report on Senate Bill 893 and immediately thereafter the Conference Committee report on Senate Bill 1267. Leave having been granted, Conference Committee report on Senate Bill

730, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 730.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First, procedurally, I would ask for leave to add Senators Holmberg, Newhouse, Maitland, Davidson and Etheredge as...hyphenated cosponsors to Senate Bill 730 and any others who wish to be added. These people are the Senate members of the Illinois Commission on the Improvement of Elementary and Secondary Education.

PRESIDENT:

All right. The gentleman seeks leave to add the...his comembers on the Commission on Excellence. Is leave granted? Leave is granted. Any other member who wishes to be added as a cosponsor, would you please let Carla know up here. Just put your name in and we'll get it accomplished.

SENATOR BERMAN:

Thank you...

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. I will address Senate Bill 730 first and then address 893 and 1267 if...if I may. Senate Bill 730 is a forty-seven point education reform piece of legislation which, I hope, completes nearly two years of study on...by the Illinois General Assembly and its members into the question of education reform. Following the national reports that began with A Nation at Risk," this General Assembly adopted a joint resolution which created the Illinois Commission on the Improvement of Elementary and Secondary Edu-

cation. What is in Senate Bill 730 I would say represents about ninety percent of the recommendations of that commission. There have been numerous, and that is an understatement, numerous hearings that were held throughout the State of Illinois, a number of Committee of the Whole meetings that were held in this Senate, many, many hours, if not tens perhaps hundreds of hours, of conferences held with people representing all phases of the education community after this bill...or the initial bill regarding our reform package was introduced, and many hours of meetings in the past several weeks by the designated hitters as well as the...legislative leaders and the Governor. I will mention a number of the items that are in...that are included in Senate Bill 730.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, can I stop you for a minute. UPI would like leave to waive...have still photos. Is leave granted? Leave is granted. Senator Berman.

SENATOR BERMAN:

We have addressed the question of education reform in several general categories and I will take us through them touching on what I consider are the highlights but certainly they are not every item that is in this bill. We have endeavored to put Illinois on a meaningful course of education reform. First, before I get into that, let me underline that every state in the country has undertaken in the past two years educational reform movements. Illinois has not had to do as extensive or expensive a program as have...had to be undertaken in many other states because basically our education program is one of the top in the nation, but being one of the top in the nation does not mean that there hasn't been room for improvement, and Senate Bill 730 and the two accompaning bills gives us the impetus and the funding to make those necessary improvements. We have addressed the issue of accountability of our school dis-

tricts. These...this bill requires that students be tested at grades three, six, eight and ten in the areas of reading, mathematics and language skills. The purpose of those required examinations which will be according to Statewide criteria but adopted by local school districts as they feel is most apropos to their students...the purpose of these tests is to eliminate social promotion and to make the high school diploma a meaningful document. We are requiring that establishment...school districts establish learning objectives for their students. We are requiring that each school district issue a report card that has been spelled out as to certain criteria in relation to local district criteria and criteria where...where appropriate for each particular school building in that district. We have also called and sunset for August 1, 1987, the existing general State Aid Formula in order for us in the next two years to evaluate not only other outside suggestions regarding a more equitable distribution of funding but how, with these reforms, we can commit ourselves financially to a broader and more equitable funding process. In the area of personnel reform we have instituted a requirement for a basic skills test for students that are in the junior year, for example, who are going to enter teacher training. We have required a bar examination type...test for teachers before they can become certified. Both of those criteria are in keeping with the upgrading of the professionalism of the profession of teaching. We have established an administrator's academy to improve the quality of evaluation and remediation which is being imposed upon administrators under this bill. We have mandated that there be teacher evaluations, and that bill has previously passed out of the General Assembly and is now on the Governor's Desk regarding a process of teacher evaluations, remediation and teacher dismissal for those who cannot qualify. We call for administrative recertification every five years and a pilot

program for performance pay for teachers. In the area of curriculum program reform, we have eased the physical education requirement for juniors and seniors in high school. Those who are involved in team sports and those who require specific special educational needs either as to high school remediation or college entrance can be excused from junior and senior participation in physical education. We have provided for reading programs, and I think that all of us recognize that reading is the cornerstone of any successful...learning experience both in the K through twelve grades and in the future. And this...reading program is an extensive program with a specific line item in the budgets that will be addressed later for not only reading and teachers aids for kindergarten through six but reading specialists for kindergarten through three that are specialists that will enable teachers to be better trained in the process of teaching of reading. We provide for the establishment of a math and science academy to stress the strength in those two areas of the State of Illinois. We provide for summer school grants for remediation as well as for the gifted students. We have provided for a rollback over a three-year period for the beginning entrance date...moving back from December to eventually September 1st for five year olds because studies have shown that the older a child is when they enter kindergarten the better able they are to have a successful schooling experience. We provide for permission for school districts to charge a fee for behind-the-wheel phase of driver's education, and we provide for birth to three pilot programs for the handicapped children among us. In the area of structural reforms, we have provided creation of...advisory councils in Chicago so that the people at the local school level will have a greater voice in determining the budget and...operational programs that are involved in their schools. We have in here a provision which we have debated

on this Floor several times regarding the study of and submission to the voters for consolidation of our downstate school districts, and we...further provide for contracts to be entered into with the Department of Alcohol and Drug Abuse to conduct programs in those critical areas regarding educating our children as to the problems involved in alcohol and drug abuse. There are two other items which I want to point out. One is a funding mechanism in a very critical area, a funding mechanism that addresses substantial money again into the schools that address the problems of special education with an increase to eight thousand dollars level for the pupil...Personnel line item in the...in formulary in special education. And we have in this bill the transportation reimbursement proposal for providing to children both in the public and in the nonpublic sector reimbursement with caps fifty dollars the first year, a hundred dollars the second year and a hundred and fifty dollars the third year for those children who are...who are not provided free public transportation in...in getting to school where they live more than a mile and a half away from their school...schools. Ladies and gentlemen, that is an outline of the forty-seven points that are in Senate Bill 730. I would be glad to respond to any questions. Let me...before we get to that, let me merely point out that in here are two tax proposals. One is the expanded message tax that deals with the interstate message transmission and authorizes the five percent tax on those interstate transmissions of messages. Senate Bill 893, which we will vote on after...Senate Bill 730, deletes the language that's in 730 that would have allowed...specifically allowed local home rule units to impose a corresponding five percent tax on interstate messages. So that with the passage of 730 and the passage of 893 the only tax imposed is on the interstate...transmission of messages without any new authorization to local dis-

tricts...home rule units. Also provided will be...the cigarette tax which is conditional upon the Federal Government allowing the repeal of that tax to go into effect on or about October 1. We have been assured by the President who has spoken with the Governor that it is not his intention to allow that tax to be reimposed. We are including that reimposition at the State level of that tax within Senate Bill 730. That generates approximately in the first year our estimates are of a hundred and sixty million dollars of new revenue. Let me tell...take you through for a moment that funding mechanism. We have provided approximately a hundred million dollars for school reforms, almost all of which are in Senate Bill 730 or the other bills that I've mentioned in our description, a hundred million dollars of costs in the first year for implementing these reforms. I believe and we have...consistently stated, many of us, that we were not going to pass the reforms unless the revenue to pay for them at the State level was included. Through the passage of Senate Bill 730 and the two bills that follow and the appropriation bill, which is Senate Bill 1070, we are living up to that commitment. We are not passing mandates that we are not funding. Also, we have provided in Senate Bill 1267 an optional funding formulary that addresses the needs of our elementary schools in those districts that find that they were receiving less money than they would have received if we had done nothing in the formulary changes and still appropriated at two hundred million dollars and that is the other element regarding funding. We have provided a total package, ladies and gentlemen, of two hundred million dollars...two hundred and eleven million dollars of general State Aid Formularies, we have provided a hundred million dollars of reforms with the additional appropriations of...retirement and other categorical programs. The total package, I am proud to say, is three hundred and seventy-nine million

dollars. That is a substantial commitment to fully funding the mandates, to fully funding the reforms and to moving education in Illinois forward so that our children are ready for the...latter decade of the Twentieth Century and can move into the Twenty-first Century with pride as to their capabilities. I'd be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Yes, on a...a point of clarification, if I...if I might, as...as sponsor of 893. Reference was made to the message taxing authority of local...of...of home rule units, that should have been to...to municipalities. The home rule units can do whatever they please but the taxing authority on messages taxes did relate to municipalities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are at least...twenty speakers. The Chair would acknowledge the presence of the Governor, welcome to the Senate; Ted Sanders from the State Board of Education, the Majority Leader from the House, Jim McPike; Jim Reilly, the Governor's chief assistant. Further discussion? Senator Etheredge. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Since you got twenty speakers, I move the previous question; so when you get done, you can shut it off.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...when we get there. Further discussion? Senator Etheredge. All right. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. Speaker. Ladies and Gentlemen of the Senate, I rise in support of this bill for several reasons. First of all, not the least of which, two hundred and eleven million new dollars in the general State Aid Formula. These

are badly needed dollars for education, raises in teachers salaries, special education reimbursement, vocational education. When you compare that two hundred and eleven million dollar increase with the average of fifty-five to sixty million dollar increases that we've received during the last several years, this additional money is welcomed in education. For years now traveling throughout my district I've listened to parents speak to me, these are the questions that they formulate; are our teachers being trained in a rigorous enough fashion to ensure that the people who are going into the classroom to teach our students are capable of doing the kind of job that they need to be doing? Are our teachers being evaluated on the job adequately? Do our principals know enough about the skills of teacher guidance and teacher evaluation and curriculum development in order to be able to do the job that they need to be doing in the classroom rather than counting lunch money or patrolling the halls? How can my child be measured against every other child in this State so that I can know that they're measuring up to the kinds of educational quality that I want them to have? Can you help my child who has fallen behind in math or reading or some other area who needs remedial help during the summer? Can you give more help to my gifted child that seems to be neglected in the regular classroom? These questions that I think every parent in this State has been asking for so long are being answered in this educational reform bill. They're being addressed and I think they're being addressed adequately. One other point that I should make, eighty-six million new dollars in educational reform measures for the schools, this is needed to address those questions. But one other point, I don't think anyone has stood on this Floor and more vigorously opposed the idea of school consolidation and reorganization than I have because I represent a lot of small rural districts. This bill allows each school district to

stand on its own, to decide for itself. The State cannot mandate consolidation of their district. The Legislature cannot mandate consolidation of their district. The large district next door cannot mandate consolidation of their district. The decision now lies in the hands of the people in that district, exactly where it should lie. And, therefore, I stand in support of this bill, I think it's a good bill and I think it should be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, because there are so many speakers, we, in fact, will revert now to the timer. Senator Watson...Senator Maitland. Well, you can be...do you wish...do you wish to yield, Senator Watson? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Because I'll be responding, I think, to a couple of questions a bit later, let me...let me just make a few comments...if I might. I really believe that this is a great day for education in Illinois. Senator Berman, I first of all want to commend you for your leadership on the commission. For nearly two years we traveled the State and sought ways to improve education in...in Illinois and from the very beginning it was a bipartisan effort. This effort transcended political boundaries and I think that's why we have arrived today where we are, and indeed I'm very proud to have been but a small part of that. The package contains not everything that all of us wanted for sure, but the package contains components that will indeed improve the quality of education in Illinois and I'm convinced of that. Some two weeks ago I had the opportunity to travel across the State in a one day fly-around with the Governor along with some other groups, some other legislators, about twelve in number. And in six cities of this State we made one final plea that in the closing days of

the General Assembly we needed their help. And since that time I've received phone calls, I've received letters, and the rest of you have also, urging us to keep that commitment that we had made nearly two years ago to improve the quality of education in Illinois and also to provide that other side of that equation, that necessary funding to pay for that quality. My colleagues in the Senate, we have that package before you tonight. It was not easy to arrive here, indeed it was not easy to arrive here, but thank God we have arrived and we need your support. One final point, and it came out loud and clear as we debated this issue in hearings across the State, you can legislate all you want to legislate, you can spend all the money you want to on education and that will help, but there's a component that you cannot legislate and that's parental and community involvement in education and we've gotten away from that. Time and time and time again, people who testified made that point to us. As we pass this package out of the General Assembly tonight and as the Governor makes his commitment and signs it, we have one more responsibility. We go back to our districts and we challenge those districts to do their part. I'm committed to do that, I hope you are. I urge support of this package.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Watson...AP has requested permission to take still photos. Is leave granted? Leave is granted. Senator...Watson.

SENATOR WATSON:

Thank you, Mr. President. Many of us on the Floor and Senator Poshard...referred to this...concerned quite a bit with reorganization and consolidation. We come from rural

districts and quite concerned and the people are from our area about the whole process and what's going to be forced down their throat. There is somewhat of a misconception, I believe, among the people of many of the districts as to what this is all about. And what we want to do, if you would beg deference of the Body here, is to read into the record the intent of this legislation. And I understand that Senator Maitland is...is ready to respond in this and I...first of all want, to...thank the...the sponsors...the principal sponsors, Senator Berman and Maitland and others who have shared our concerns and have been willing to work with us, those of us from the rural area and the smaller districts that are involved, in coming up with what we think is a...a workable solution to the reorganization problem as we see it. So, if I would...I'd like to address and ask Senator Maitland several questions that...which will be read into the record and which will clarify the intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, are you ready to respond? Senator Watson.

SENATOR WATSON:

Thank you. What is the real intent of the School District Reorganization Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Simply to require that a committee be created in each educational service region, three in Cook County outside Chicago, to take a look at school district structure and how it might be improved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Does it mandate reorganization or consolidation of school

districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

It absolutely does not, the decision clearly rests with the voters in each and every school district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Must a plan be submitted to the State committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Does the plan have to provide for consolidation reorganization of school districts of the region?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Not...not really necessarily. If a committee feels that the district organization in the region is proper and...and defensible, the plan could indicate that no...no reorganization at all take place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Can a State committee dictate what is in the plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No, it cannot. The State committee's responsibility is

to assist the local committees in the development of the plan and possibly improve upon it with some of their expertise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Can the State committee require that a plan be voted on by referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No, it...it really cannot. The State committee's responsibility is to...I'm sorry, no. Consultation on line 3 means that there must be an agreement between the State committee and the local committee, that's an absolute...absolute must. And...and if that is not agreed to, there will no referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

If the first plan is voted down, must there be a second plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, again, not necessarily. Again, if the vote on the first plan would indicate agreement in part of the region for reorganization, the State committee could work with the local committee to develop a plan that would give those voters a chance to make the final decision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

One final question. What happens if the voters reject the plan either the first one with no resubmission or the

revised plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I believe, Senator Watson, that that...that really is...is clearly spelled out in...in...in the Act; but I would say to you that that's it, it's all over, there would be a...a...no other action and the committee would absolutely be...dissolved and that's, I think, very clear in...in the...in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

One...one other point. I would like to thank once again the sponsors of the legislation and Ted Sanders and all in cooperating with those of us from the rural area, and I appreciate it very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...it'll be in the transcript. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, members of the Senate. I join with Senator Watson in expressing appreciation to the sponsors and to the superintendent and others in working with us in trying to find a solution to what we perceive to be a serious problem in the original House Bill 935. One of the problems that I think concerned us most was the fact that the bill provided some specific numbers that...apparently would be required in any new district that was formed under this reorganization plan. And I would ask Senator Maitland to look at page 6, line 27, where the bill says, "That each education service region or subregion in...formulating a reorganization plan shall comply with the procedures, standards and guidelines established by the State committee and shall

ensure that every plan...that under the plan, every school district will meet the following minimum criteria." And then it sets out the fact that unit districts must be of at least fifteen hundred students. Now that is a problem for a lot of the downstate districts. But the bill also says that...that they must meet that criteria unless a justifiable exception is stated. And my specific question to you, Senator, is, would a justifiable exception exist if the geographic area exceeds a certain number, for example, ninety or a hundred square miles? Would that constitute a justifiable exception?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Schuneman, I would...I would...would probably...I think they will...will definitely address the issue of...of minimum size with respect to square miles. I would...would suggest that perhaps ninety square miles which would be slightly less than three townships would certainly be on...on the small side. But I would suggest to you that in a school district like Olympia, which happens to be my own school district, that school district has over two hundred square miles in it. The high school resides pretty much in the central portion of the district and probably the determining factor for the State board would be how long would children be on the bus, for example. And clearly spelled out in...in...in...in the State board policy is the fact that a child should not ride the bus for more than an hour. So, certainly, when they review a plan, if the configuration of a district is such that the school was too far from the home of the furthest students, that would be a...would be a means by which to determine not to approve it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So, you got to my second question, Senator, and just...I think we understand one another but a justifiable exception you think would exist then if a student would be required to be on a bus for more than one hour?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes...yes, that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just one last question. Since some school districts lie in more than one education service region, would the State committee require cooperation between the two local reorganization's committees in trying to work out the problems of such school districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, indeed, it would and...and that's clearly spelled out in the Act. It would require them to work in cooperation with other regional superintendents' districts to assure that if that configuration would be better served by bringing someone else in, they are required to work together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, very much...that answers some of my concerns and I'm going to be supporting this bill under these circumstances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel. The...the...the next...the order...lineup will be Karpiel,

Lemke and Kelly. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I just have a...a question that I would like to ask the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Karpiel.

SENATOR KARPIEL:

And more to put it on the record for legislative intent. On page 48 of the...bill, there...it mentions the bilingual program and that in cases where you do not have twenty or more students of the same language and you...now, what most of the school districts in my area do is provide a transitional program, ESL, and in...the language, the new language that's in this bill says, "But should a school district decide not to establish such a program, the school district shall provide a locally determined transitional program of instruction," which, of course, is what they do now, "which based upon an individual student language assessment provides content area instruction in a language other than English to the extent necessary to ensure that each student can benefit from...educational instruction. What is the intent on that piece of legislation that every child...okay...does every child have to have...for instance, in some of the districts, in Senator Fawell's for instance, there's a...a lot of Asians and they're all of different...sects or dialects and they don't even understand each other. Do you have to have a...an individual teaching the instruction in all courses in that particular language?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well, then could you explain exactly what they do need to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, this...this language that you have read into the record is not the same program as the traditional...traditional transitional bilingual programs that we have funded and carried on for a number of years. This is a...much more flexible and individualized program because we are talking about those clusters of students or even singular student that doesn't add up to the number twenty where we provide a regular full-time course in transitional bilingual. There's flexibility built into this language so that the needs of the individual student to allow that student to benefit from English type instruction. Now that can include a...a person who understands the...dialect that you've referred to, that could come in on a part-time basis, that could give after hours or tutorial type help. It's based...it's triggered upon a individual language program that would be...individual student language assessment that would be tailor-made for that individual child who doesn't have a class of twenty to address his needs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well, then they...they...for instance, the school district then still has to provide some...someone there at least part time or at some time that speaks that language. Can that person be a...a parent or a relative or just someone in that community that might speak that language? And, if so, it is just part time and does that person have to be paid?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The answer is...there is nothing in here that indicates that that person need be paid. And as to the other parts of that question, there is total flexibility, it could be a parent, it could be part time, all of those things could be included in the individual student language assessment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senate...further discussion? Senator Lemke.

END OF REEL

REEL #4

SENATOR LEMKE:

I just...you know, we had some problems develop which...over the message tax in regards to the intent of...the intent of this legislation in regards to the message tax. It was my idea that the five percent message tax was only supposed to be a State tax. There's been some question raised as to it being...also allowing local governments to put it on. Is that the intent of this legislation?...who? Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge.

SENATOR ETHEREDGE:

I'm sorry, but I would...if Senator Lemke would please repeat the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...just saying, there's been some questions brought by...various industries in my district one of them being Midway Airlines, which is a new striving airlines in the areas create a...quite of...few jobs in the area and they have the reservation center in the...in the City of Chicago. Okay? And my questions...and also it's brought out that this would also affect United Airlines who has a reservations here who has a great large message service that takes reservations, Eastern Airlines and Mississippi Valley. These are...you know, these are not small industries and they would have a...they would be affected by this message tax greatly, and I want to know if it's the intent of this legislation to just let the State collect the message tax and not the local

government, because...put a burden of about ten percent on them if you let the local government. Is the intent that this is only going to be a State tax or a municipal...tax too?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

It is not the intent of this legislation to let the municipalities to...to apply that tax and there are provisions included in Senate Bill 893 that would repeal those...those...take those words out of 730.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The problem I have in comparing Senate Bill 720...730, I'm sorry, and Senate Bill 893 is the fact that Senate Bill 730 has an earlier effective date than Senate Bill 893. That in effect would allow the municipal governments under 730 to tax. What is the difference in the effective dates? Is it going to be the same thing or is there going to be a year before we get the tax repeal under 793...I mean, under 893?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, if Senate Bill 893 is passed last and signed last, then it would effectively take those objectionable sections out of Senate Bill 730 and have precedence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

But you understand in comparing the two bills, Senate Bill 893 has a later effective date, and I want to know when that bill is going to take effect. Is it going to take effect upon signing, and is 730 going to be signed and...and

a minute later, Senate Bill 893 signed so there is no lapse of time to get municipal...governments to allow them to make this tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the...the repealing sections contained in Senate Bill 893 do have an immediate effective date; the other sections have a later effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...do we have assurance by the administration that this bill is going to be signed at the same time as 730? Or are we going to wait to get it signed and then have local governments come in within that period before this bill becomes effective?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR LEMKE:

We want to know if these are immediately going to be...take effect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke...

SENATOR ETHEREDGE:

...yes, Senator, we do have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Etheredge.

SENATOR ETHEREDGE:

...yes, we do have those assurances that Senate Bill 893 will be signed after Senate Bill 730...immediately after.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

And...and Senate Bill 893 will not be amendatory vetoed in any effect, so will take affect later? We're...I'm worried about this additional tax. I do not want to chase business out of my district, especially Midway Airlines where...substantial large number of people in my district work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, we do have those assurances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Thank you, very much. I rise in support of this bill on those conditions. The only...my only reservations about this bill and everything else is the way the...a...a piece of major reform legislation in this State was handled and how it was presented to this Body ten minutes to twelve on the last day and something could slip by. That's the resentment and that's the resentment people have in my district towards educators, that they're always trying to sneak something by without the people's approval and without the people reading it first. And I hope in the future this Body when they put together a major reform legislation, especially concerning education, that they give the adequate time to the people's representatives to review this legislation. I do not think this type of legislation should be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR LEMKE:

...whistled by in ten minutes before the deadline of Sessions, and I'm glad that there was a conference on some other matter and that we adjourned and we had time to look at this, because with this bill and with the amendments that are

coming in, my district will get more money and I think it's proper for me to vote for this. So I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kelly.

SENATOR KELLY:

Senator Berman, is the private school busing concept still intact in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There is no busing provision in this bill. There is a formulary for pupil transportation reimbursement which applies to public school students as well as to private school students, that provision is in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Okay. In Senate Bill 730, are there any taxes that are still left in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR KELLY:

...or is it all in the...in 893...

SENATOR BERMAN:

No, sir. This...Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Berman.

SENATOR BERMAN:

...Senate Bill...Senate Bill 730 has two specific taxes

in it, the message tax and the cigarette tax, both of those are...indicated that they are to be allocated for school purposes, that is the relevancy test and that is why they are included in Senate Bill 730 so that we are passing both the reforms and the funding within one bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Then you're telling me that this local tax...and I'd like to ask, since we do have our...our Governor and certainly the leaders, who actually placed that into this concept this local tax to begin with?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

My answer is, I'm not sure. There is...you know, we have been working on this for many weeks and as to where any of the specific language came from, I, as one, cannot tell you how it was put in or...or whose draft...we know that the...we know that that is where...where it appeared on June 30th, but I cannot tell you how...where...where that language came from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Brief closing comment. Mr. President and members of the Senate, I intend to support this package as well as the taxing provisions. It would be a hypocrite not to...not to support the reform of education which is very important and then walk away from the taxes. But I will say this, I am concerned about the tax capacity. We don't even know how much of a...a dollar amount that we're talking about here. It's going to take care of not only reforming education and it's not earmarked for education which is a very important

concept. It should be in there right now. It should be earmarked for education and not for other purposes. I'll support it but it's...it's not the best concept it could be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be very brief. Senator Berman, I had a lot of questions to...to ask you but it seems that all my questions have been answered, and I'm certainly want to congratulate you and all who worked on this, 'cause the district I represent is vehemently opposed to consolidations and I see you've taken care of that. And so...with that, I'll give you the three B's; I'll be sincere, I'll be brief and then I'll be seated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I think what's important about this package is that we in the Legislature did not rush into a program of educational reform much as other states did throughout the nation in respond to "A Nation at Risk." We took the time to go to the people and to put together a package plus the money to fund that package, something that our constituents have been asking for time and time again as they ask us to move towards truly fifty percent of funding on behalf of the State. To get their support for new taxes we kept the faith, we gave the public some ninety percent of the reforms and improvements they asked for, but we asked from them that we wanted them to support us by supporting those new taxes. In other words, we decided to make them an offer they couldn't refuse. As we go back to our districts, in many cases we'll be talking about all the money we brought back to them, in most cases a good deal, but we should not

lose sight of the forty-five excellent improvements coming from this package, one of the most comprehensive and thoughtful in the whole United States. We have worked closely with the Governor, with the superintendent and other education groups and the General Assembly can be very proud. Children entering kindergarten this year will be graduating from college in the year 2001. This educational program is for them, our children. This educational program is for the future of Illinois. It is truly excellence in the making.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Berman, would yield for a question or two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman...or...Senator Schaffer.

SENATOR SCHAFFER:

Senator Berman, when we...as we move through this dialogue many of us have been concerned about funding our mandates. And my question simply put is, the things that we are mandating in this package, I think, all of which are justifiable and most of which are highly needed, are we paying the freight or are we shoving things down people's throats, however good, but not picking up our share of the tab?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Senator Schaffer, we are paying for what we are calling for. Let me give you one specific example which is not in here, and the reason it's not in here is because we decided that we couldn't afford to pay for it. One of the issues that have been bounced up and back was increasing the State statutory minimum teacher's salary, which presently exists at ten thousand dollars. The improvement commission recommended

a twenty thousand dollar level in three years. The House recommended a thirteen thousand dollar level. The Governor recommended a fifteen thousand level. Any of those involve the bump effect. Even the most modest recommendation was expensive. That item has been taken out. It would have been great to stand up here and say in X number of years there won't be a teacher hired in Illinois at less than fifteen thousand, thirteen thousand, twenty thousand. We deleted that recommendation because we could not afford the bump and the spending that was involved. Every item in here, I can honestly say to you, that in Fiscal '86 is totally funded. The revenue projections if the two taxes come into play, the out-years will be funded with a combination of those taxes and what we project as reasonable growth of general revenue besides that. If we keep our general commitment and, which we will discuss in later days, the earmarking of these specific taxes, we will pay for everything that we are calling for at the State level without increasing the local property tax burden.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Thank you, Senator Berman, and, frankly, many of us who fought for that concept are delighted and I think it should also be noted that part of this programs includes full funding of past mandates, something this Legislature has not always wanted to do or been able to do, I guess you could say. I've been here thirteen years and there are very few times that I've stood on the Floor of this Senate and felt that what we were doing would be remembered more than about a half an hour. I would suggest to you, Ladies and Gentlemen of the Senate, that what we are doing today will be remembered long after all of us have left this scene and after our Governor has left this scene, and I...I'd like to

commend the Governor for his leadership 'cause the type of program we have here today and the number of dollars involved would not have happened without that kind of leadership in the Executive Branch. I think this moment will be remembered and it will remembered I think for a...a couple of reasons; one, because it will promote quality education. It will improve education in Illinois, and the second thing that I'm particularly happy about and proud about is the plan we have before us is a plan for the whole State of Illinois. It's not a suburban plan, it's not a Chicago plan, it's not a downstate plan. It's a plan that affects equally, beneficially all portions of the State, and when we in the Executive and...Legislative Branch of this State Government work with that type of goal in mind and when we achieve it, I think that's the finest hour of any of us that serve down here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? I will tell you that there is Senator Welch, Kustra, Bloom, Geo-Karis, Etheredge, Marovitz, Mahar and O'Daniel left. Senator Welch.

SENATOR WELCH:

I...I will try to be brief. Let me just say that we have discussed education reform in the State for months and even for many years. There are programs in this bill that I have opposed and voted against and argued strenuously with both Senator Berman, Senator Maitland and...and other members of our committee. But I think that the test of whether this is a good bill, is not whether everything each of us wants is included in this bill. The test we should apply to this bill is whether the children of Illinois will be better educated if this bill is passed. The test we should apply is whether the children of Illinois will be better educated than their predecessors as far as the sciences, as far as the mathematics, as far as competing with other nations and other states

in the future is concerned. And I think the answer to both those questions is, yes, and I intend to support this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. As the sponsor of Senate Bill 1267 which addresses the concerns of those of us in suburban districts in Cook, Lake and Dupage Counties, I rise to support this legislation, first of all, to add my respect to the work of the commission, Senators Berman and Maitland and all members who served on that commission and all who participated in this process. There was a problem however with the bill that dealt with the formula which left here, it was passed by the House and on to...the way to the Governor, and that, of course, did concern those of us who represent dual districts, especially our elementary districts, we would have suffered under that plan; and, as you know, as Senator Berman explained, 1267 now provides that for the 1985-86 school year, elementary districts will receive general State aid computed in accordance with House Bill 1528, the formula bill we passed out of here or the law as it presently exists whichever is greater. That means an additional increase of 4.46 percent on top of the already nine percent increase that our elementaries received. I think that's an awfully important part of the plan, and, frankly, it's the reason why I can stand up and support this bill. I would also have to say in...in comment on the subject of reorganization, and my comments I guess won't be like those of my...of my colleagues, you know, when superintendent...former Superintendent Bakalis went around the State and conducted his hearings, he came back with an interesting statistic, and it was that seventy-eight percent of the people in this State do not, do not, have children in

the public schools. Those I guess are the empty nesters, they're the senior citizens, they're the young singles, the yuppies, whatever you want to call them. I think it's safe to say that they don't have the same stake in the public schools that perhaps you and I do and certainly those parents who have children in the schools. But those folks are taxpayers and those folks want effectiveness in their schools, they want efficiencies and I happen to believe those people who vote down those referenda want economies of scale. And so when I hear these words about how they want...everybody wants to make sure that we're not shoving anything down anybody's throat, I tell you, I have to rise up and say that back home when I go around my district, I complain about certain of my school districts where there's one junior high and there's one elementary school and they call that a school district. And I come down here and I read in the local Journal-Register about a kid, a valedictorian of his class, who stood up to give a speech and complained about the quality of education he received, when in his area there were three high schools within ten miles of each other and he complained about the number of offerings that he received and what have you. Frankly, I would have voted for the reorganization plan in this bill when it was a lot stronger than it is right now. And I rise only to suggest to you that I hope, while I understand the concerns of my colleagues downstate, we don't lose the will to attempt to reorganize and to consolidate our schools, 'cause those taxpayers out there that have been turning down those referenda, I think they're trying to send us a message. I think they want us to get more cost effective. I think they want us to get more efficient, and finally, let me just conclude by saying and echoing the comments of Senator Maitland, those kids get out of these great schools we're going to provide for them now at three o'clock or three thirty and then the job of responsible parenting

begins, trying to decide when to turn off the TV, what movies to send your kids to and what movies to forbid your kids to see, what kind of reading they will do, what kind of discipline you will impose. This is a great package but no matter how great it may seem from the Floor of this Senate and that House over there, the job is now up to the parents, and if they fail, we've done little here. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I, too, will try and be brief. Many of the prior speakers have made excellent points in support of this, especially the programmatic changes. I would point out also, we all have printouts and I note that in my district and Senator Luft's district and Senator Sommer's district, there are substantial increases of support for our schools. The issues that are more troublesome in our part of the State would be, for example, the consolidation issue, and I had the superintendent of the schools in a smaller community in the western part of my district, Monmouth, to be specific, call yesterday afternoon absolutely enraged by the consolidation provisions. We walked through them and he said, well, then we will not have it shoved down our throats; and I said, absolutely not. I only wish I had enough hours but I was trapped in a tank up on the sixth floor working on appropriation, I only wish I had enough hours to call the other superintendents. The concern...another particular concern in the area of consolidation, of course, is Peoria Heights and their school district which almost everyone in this Chamber has become acquainted with, and their fear of mandated consolidation comes from the scars of a twenty-year old annexation fight. I think that this does not disturb them. I think those smaller communities that...devote the resources to educating

their kids and these forty-five programmatic changes are safe from having some faceless bureaucrat in Springfield tell them they must redo their...configuration. Finally, a message was left in my office this afternoon when I came out of the tank on 627, basically from someone from Ozark, a message similar to the one that concerns similar...Senator Lemke. It was a little blunter, it said, you know, if the funding mechanism of this goes on, they're...the regional reservations will be moved and you will lose two hundred and twenty-five jobs. That's a foolish message, that's a terribly foolish message to send, because that really tells you something about the corporate responsibility of those people who claim to be good corporate citizens and seek tax breaks from us in other areas, to be sending on this kind of an issue. Let them move, sobeit. Education, in my judgment, and this package in particular builds Illinois, and I think that those corporate folks that would send these kinds of messages should remember that. I intend to support this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this education reform package, Senate Bill 780. I want to direct your attention to one of the provisions that I don't believe any of the prior speakers have...have mentioned, and that is the provision which calls for the establishment of the Illinois Math and Science Academy. There are a number of us here on both sides of the aisle who have been committed to this idea for some time, and all of us, I think, are very pleased to see this initiative included in this package. Strictly speaking, it is not a reform; however, it is a new initiative and I think it makes a statement to all of those interested in education, that Illinois is...does have an interest and is concerned about

the programs for the gifted, in the case of the math and science academy, those that are extraordinarily gifted. But one of the reasons I support the...the concept of the academy is because it will have, I believe, a very powerful impact on gifted programs for the students enrolled in every school in this State, and I think that it will...this provision alone makes the package very well worthwhile. Mr. President, on another topic, I would like to read into the record a statement which I believe will clarify legislative intent with respect to the portion of the bill that deals with the cigarette tax. It is my understanding, that the legislative intent of this Conference Committee report is that the total Federal and State tax on a pack of cigarettes as of the 1st of October, 1985, will be twenty-eight cents as it currently stands in the State of Illinois. If the Federal Government were to take off two cents, then the State would pick up two cents or any such other combination, that the total tax per pack will be no more than twenty-eight cents for both the Federal Government and the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, after the assurances made by the sponsors of the bill that there are only two taxes that are going to be involved, and that's a cigarette tax and the...message tax and not any tax from any local municipality, I feel that this...this bill has probably embodied more in it than any other bill...on education. One of the things that I am pleased about is to see that in this bill there's the establishment of an administrator's academy. I've had the complaint from many teachers in my area, that our administrators don't do enough to have good rapport and understanding with their teachers and perhaps this will be a better...aid. The other thing is

the fact that there will be background checks of new employees required, and this is very important that we don't have personnel in schools that hurt our children badly with with either immorality or other felonious misconduct. The third thing is there are...mandatory teacher evaluations, which I think it very important, because it's about time that we taught the children to read and write and spell and count, because many of them have not had that much good training. And...other item that I like is the fact that there will be parent-teacher advisory committees on discipline. Discipline is important and I think when you can involve the parents in advisory committees...in a bill like this, you will have it. I might say that I had mixed emotions about this bill until I read all of it, and I will say that if the...educators...once this bill is passed and signed into law, if the educators in the State of Illinois will still tighten their belts and try to put forth themselves as much as possible to get the best education out for the students, I think this bill will be a success. But...remember, educators, don't think because we're getting more money from this bill that we just go spend it uselessly. We still have to teach the children to read, write, spell and count because it...it's been sadly lacking in many of our districts, and I...rise in support of the bill under the circumstances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, I...of course, I join with everybody else in praising this outstanding piece of legislation that is so meaningful to the children of the State of Illinois, but I must...I must issue a word of reservation and perhaps it is the only word of reservation. We have approximately eighty-four million dollars...approximately eighty-four mil-

lion dollars of the reform money that is going to the reform programs...of the new taxes that's going to the reform programs. That leaves about eighty million dollars roughly from the message tax and the cigarette tax that will not go to the reform programs, roughly, somewhere between eighty million and a hundred million of the remaining dollars. That money, as has been mentioned before, is not, I repeat, not earmarked for education, and the sentiment on this side of the aisle by many of the Democratic members is that we would like it to be earmarked for education. And what concerns me even more is that in particular with the message tax that is a growth tax and probably will be reaping far more revenues for the State of Illinois than we even anticipate at this moment, as the amount of revenue increases in future years, those dollars are not earmarked...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Marovitz. If we could break up our conferences and give the gentleman some order, please. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Those dollars that we reap in...in future years from the growth tax of the message tax...the growth revenue from the message tax and from the cigarette tax, those dollars are not earmarked for education. We've heard speeches on this Floor about if we keep our commitment, well, it concerns me greatly to use that word, if we keep our commitment. If we wanted this bill to be more meaningful to the children of the State of Illinois and to the citizens of the State of Illinois, we would do the right thing, the responsible thing and earmark all of these dollars for education. As I go around my district, and I dare say every member of this Body, we hear talk from people around the State about the lottery, and when we passed the lottery, all those dollars were supposed to go to education, they were

supposed to go to education but they don't, they're into GRF. Now we have an opportunity, we're passing two new taxes. We should be learning from our mistakes of the past, mistakes that citizens retell us about. We have two new taxes here, every dollar in these taxes should be earmarked for education, they're not, and we on this side of the aisle have been told that this is the package, take it or leave it. The money will not be earmarked for education; unfortunately, this is our last opportunity, but I want the record to be very clear. I, as one legislator, will be voting for this package, but I'm...I want to make it clear, I would like and prefer to see every dollar in these new taxes earmarked for education so we don't make the same mistake that we did with the lottery, and we're not back here years in the future saying, where are we going to get new revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. My comments will be brief. I stand in support of the reform package. It was not but a day or two ago when I didn't think I would be in this position. I want to thank the leaders and all those involved and the Governor for making the...funding formula equitable so I can support the program. I want to share two concerns very briefly. The concerns can be directed to Ted Sander as well as the oversight committee who will be in...in effect for the next two years. The first has to do with the fact that the State board will be charged with developing a...a number of these programs. Now, they can take these programs and they can make it easy or they can make it hard for the local school districts to implement, and I would remind you that time and paper work is money and there is no need to...for them to implement this...package that they should have to jump through the flaming hoop. The

second...the second concern has to do with the reimbursement of...of students for...who are being bused to school...reimbursement of families...my concern with this particular element has to deal with the fact that if they do not have the expense...their...their expenses...evidence of their expenditures, then in absence of that, they may sign an affidavit. And I would suggest to the State board and the oversight committee that very careful procedures be developed and an audit be developed, so that a program that is being told will cost nine million this year or next year, nineteen the following year, twenty-eight the year after that doesn't turn into a hundred million dollar program. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We...we break up the caucuses, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Two years ago about this same time we were all confronted with the report from the Federal Commission that was labled "Nation at Risk," and at that time I asked this Body to consider forming a commission on excellence. And we asked the members who were then directed to serve under the direction of the legislative leaders that we were serious and we asked them to do something. I can remember asking Senator Berman to visit with me in my office and suggested to him that this was going to be one long arduous task and that, in fact, as the election season approached us, literally every candidate running for every office would be talking about education reform and education funding. And, so I rise, Mr. President and Ladies and Gentlemen of the Senate, to say thank you not only to the members of that commission, most particularly Senators Berman and Holmberg and Senator Demuzio and Senator Maitland, but thank you all because all of us

here as members of the 84th General Assembly, I think when we leave, hopefully,...early...tomorrow morning or later this evening, can be proud of a truly remarkable work product, a legislative work product. For those who attended the summit meetings, and there were many, when you get that dispirit a group together all concerned about education and children and come out with a work product like this, we can all be proud. This should be a unanimous Aye vote, this should be a unanimous Aye vote. Later on this evening I will have the privilege and the opportunity to present to the 84th General Assembly the State of Illinois a three billion dollar budget for education, three billion dollars, and that's something that we should be proud of. That's a commitment that speaks as highly of our compassion, as highly of our noble ideals as anything we will do now or later; three billion dollars for education in the State of Illinois, and for those of you who expressed some concern about the...the taxes and whether or not they're earmarked or not earmarked, let me just say to you that it was the consensus of not only that commission which was composed of some truly fine legislators, it was the consensus of all of us including the Governor of this State...when he addressed us in Joint Session that there would not be any serious reform unless there was serious money to pay for it, and that, in fact, is what is contained within Senate Bill 730. I was proud earlier to be selected as your leader, this is one of the finest hours a leader can have to see a work product like this, and I ask a unanimous roll call for...Senate Bill 730.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 20 has requested permission to tape. Is leave granted? Leave is granted. Senator Berman, I'll...I will yield my time. Senator Berman may close.

SENATOR BERMAN:

Thank you, Senator Demuzio. Mr. President and Ladies and

Gentlemen of the Senate, I, first of all, appreciate all of the fine comments that have been made as to the effort that has been put into this. A couple of...just a second or two, I think some thank you's are an order. First of all, so often we undertake serious projects in this Body that many of us because we are the elected Senators take great credit for when a great deal of the credit goes for...goes...should go to staff, and I want to acknowledge the wonderful work of Steve Hendricks and Brenda Forbes, our majority and minority staff on the Education Committee, a young lady...up in the balcony by the name of Gail Lieberman in the green dress...Brenda Holmes, I'm sorry,...up in the balcony, Gail Lieberman, who staff the Commission on the Improvement of Elementary and Secondary Education. I want to thank the Governor for being a stand-up public official. It's not easy to have made the commitments that he made and to fly around this State and say, we've got to pass new taxes. That's tough, he took a stand-up spot position. He has been totally supportive of this bipartisan effort, and I want to salute him publically. To Senators Madigan and...to Representatives Madigan and Daniels, the Speaker and Minority Leaders of the House, I want to express my appreciation because this has been a effort that has been...cooperatively ushered through both Houses in a fine manner. To Senator Rock and Senator Philip, one of the reasons that this is successful tonight is because you vested in Senators Maitland and Schaffer, Demuzio and myself, in particular in the...in the last closing weeks and then to Maitland and myself for the past two years, the authority that each of you possess as the leaders of this Senate. We were bombarded by a myriad of groups that wanted to water this down, by a lot of groups that wanted nothing to be done, literally, for their own selfish reasons, but we were vested in the power that both of you have and the political clout that you have in this Body that allowed us to

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reach this moment. That is not delegated easily and on behalf of Senator Maitland and myself and the others that I've mentioned, to Senator Philip and to Senator Rock, we thank you for that delegation of responsibility that allowed this package to be put together. I will not...reiterate everything that everybody has said. I will tell you this, a green vote is not a vote for the sponsors or the leaders or the Governor; a green vote is a vote for the children and more importantly for the future of the State of Illinois. I ask your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 730. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 730 and the bill having received the required constitutional majority is declared law. By prior arrangement, we will now proceed with the question of...Mr. Secretary, are you ready? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 893. Those in favor will vote Aye. Those opposed will vote Nay. The...wait a minute, Senator Rock. (Machine cutoff)...right. On the Order of Senate Bill 893, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 893.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? Senator Netsch.

SENATOR NETSCH:

If I might, Mr. President, just a...a couple of things because there has been a lot of confusion about the messages

tax. One, as I think has been explained by now, with the passage and the signing right after..Senate Bill 730 of Senate Bill 893, the authority of units of local government in this State to adopt a message tax will be exactly as it was before, so that the...what we call the interstate component that was authorized in Senate Bill 730 to be adopted by the State will not then be available to units of local government unless it is available to them through their home rule powers right now, and that is an unsettled question but the existing statutory authority will be exactly as it was before. I...I did want to just make one other point which really has to do with the scope of the telecommunications tax that was adopted in 730 and in a sense is being semi-repealed for units of local government in this. The definitions which are in that bill are a little bit hard to follow in terms...particularly because we are dealing with a new and sophisticated technology and not everyone is quite sure what some of the terminology...covers, but in terms of the telephone aspect of it, let me tell you how the Department of Revenue interprets it, and I think this will be the way in which it will be administered. For interstate telephone messages, it is a message which either originates in or terminates in the State of Illinois when it is also billed to someone in the State of Illinois. I think that probably clarifies as best one can the scope of it with respect to the telephone part. The...the rest of the...the information processing, the data processing and the rest that is covered is going to have to be determined I think as it goes along. There are some murky areas but I think one point should be made that in...while it is true that in some earlier drafts there was reference to the taxing of cable television, that is absolutely not spelled out in this bill, and I think that any reasonable reading of the scope of the communications...the telecommunications tax would establish that

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cable television is not to be covered. There may be some other troublesome areas, as I indicate, but that should not be one of them. I think those things are important in terms of the members' understanding of the reach of the telecommunications tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The...the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 893. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 893 and the bill having received the required constitutional majority is declared passed. Senate Bill 1267. Mr. Secretary, 1267, Senate bill.

ACTING SECRETARY: (MR. FERNANDES)

First Conference Committee report on Senate Bill 1267.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg, you have some...Senator Holmberg, your light is on. Do you have...Senator Holmberg.

SENATOR HOLMBERG:

Yes, my light...or my button did not work. I would like to be recorded on that bill, Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the...the record will so indicate your intention. Senate Bill 1267...Senator Hall, for what purpose do you arise?

SENATOR HALL:

Senator Holmberg is trying to tell you her...she's not being recorded on that board. Her...she's pressing the switch but it's not showing up. So, something ought to be worked out right now for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1267. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1267 and the bill having received the required constitutional majority is declared passed. All right, we are on Supplemental Calendar No. 5, House Bill 807. Senator Topinka is ready. Mr. Secretary, House Bill 807.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 807, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, we would like to concur with the first Conference Committee report to 807. It's part and parcel of the missing...child package and this involves the...the...Conference Committee...took up and adopted...six different versions of situations which would be considered child abduction offenses. It clarifies the term "lawful custodian." It clarifies affirmative defense provisions, adds stiffer sentences for aggravating factors and...creates a few other definitional type of things. It doesn't seem to have any problems that I know of at this point. I think everybody is in agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 807. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays

are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 807 and the bill having received the required constitutional majority is declared passed. House Bill 1188, Senator Berman. 1961, Senator Schaffer. House Bill 1961, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

First Conference Committee report on House Bill 1961.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This was a nice simple little bill when it left the Senate, it's picked up a little weight. I don't think any of it is controversial, however. The essence of the report basically is authorization for the building of the fifteen hundred wet slip marina on Lake Michigan at Zion State Beach; you'll recall,...this is an ongoing project. We're now expanding it slightly and using...I'm going to say, GR bonds, I'm not sure which kind...well,...we're getting into bonding on that. This also now creates the Historic Preservation Agency language, that bill I believe died on the Calendar. It also...one of the reasons it's so thick is...includes the name...change for the Department of Law Enforcement to the Department of State Police. That one is a hundred and eighty-nine pages long, just catching the change in all references, and it also adds the provision of Senate Bill 806 which is the Rigney-Rupp Grain Dealers Act and Grain Dealers Act and...Grain Warehouse Act. I don't believe there's any controversy on that and it also adds some new language to the State board...State Museum Board Act which states the current board members' appointed...appointed...appointment expires when this bill becomes law and that a new board member shall...shall serve for two years. And that pretty well covers it, I don't think any of the points are particularly controversial. Be happy to answer any questions if there are

any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1961. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1961 and the bill having received the required constitutional majority is declared passed. 537, Senator Lemke. Senate Bill 537, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

First Conference Committee report on Senate Bill 537.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What we do on this bill is we concur with House Amendment No. 1 and we incorporate into the bill House Bill 428 which was the reporting requirements for eavesdropping that the Supreme Court wanted it so they don't have to report each time but make out a annual report. I think it's a good...it also adds Senate Bill 164, the parental right to recovery...against drug pushers. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill...Senate Bill 537. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 537 and the

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bill having received the required constitutional majority is declared passed. 1289. Senate Bill 1289, Senator Barkhausen. Mr. Secretary, Senate Bill 1289.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1289, first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the Conference Committee report on Senate Bill 1289 incorporates three bills which have earlier passed this Chamber, Senate Bill 1289 itself and Senate Bill 1286. Both of these are bills that have been recommended by the Governor's Inspector General dealing with the subject of child pornography that...both of them very noncontroversial and...and easily passed this Chamber. The same is true of the provisions of Senate Bill 645 which are incorporated in this report which is the legislation which would prohibit a criminal...a convicted criminal from profiting from publicity about his crime. As I say, all three of these bills easily passed this Chamber earlier. The Conference Committee report is signed by all five Senators. I'd be happy to answer any questions and would otherwise urge adoption of the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1289. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1289 and the bill having received the required constitutional majority is declared passed. Senate Bill 1388, Senator Coffey...Senate

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Bill...1388, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

First Conference Committee report on Senate Bill 1388.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move to accept the...first Conference Committee report which really...what it does, it accepts Amendment No. 1 and No. 2 and...and objects to the Senate...Amendment No. 3. Amendment No. 1 and...really what it does is just clarification for the department. In the event the department shall not require persons in such areas to participate in job search training programs, it just clarifies that. This is the workfare program, by the way. Amendment No. 2...or...Amendment No. 2 really in the event that a person receives food stamps,...just the requirements on the working hours to thirty hours rather than forty, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1388. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1388 and the bill having received the required constitutional majority is declared passed. Senate Bill 1452, Senator Welch. Mr. Secretary, Senate Bill 1452.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1452, first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill combines three separate objectives. Number one, the original bill is a bill that passed out of here that allows the commerce commission to design and implement a program whereby telephone corporations shall provide devices capable of servicing the needs of the deaf or severely hearing impaired. Although a bill similar to this has passed out, the effective date on that is not immediate and this bill is an attempt to make that with an immediate effective date. The second provision of this bill is an amendment that was not put on, House Bill 18, the bill that will provide utility relief for a great many consumers throughout the State of Illinois. House Bill 18 was a bill which changes from the five percent tax on utilities to a per therm and per kilowatt tax. An amendment was not put on that bill because of the...hazards of throwing that one into a Conference Committee. Instead, the amendment is on this to clarify provisions requested in part by People's Gas Company not to reduce liability to the State for taxes but rather to clarify the method of collecting those taxes; and the third provision is a bill that has been before this Body and that is one detailing changes in the Citizen Utility Board election process and billing procedure of utilities. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, I think maybe we should probably note the last provision that the sponsor referred to because we defeated this bill one time, I think as a rather close vote; in fact, I think it was only after a verification. However, it seems like it has reappeared again and that, of course, is this business about the CUB provision that requires such folks as

Commonwealth Edison and others to...to do printing on their postcards in behalf of CUB and also to give CUB at least ninety days notice any time they're going to be making a mailing. We didn't think too kindly of this the first time that it appeared. I hope that perhaps everybody is going to hold fast and we will be able to reject this first commerce...this first commission report...committee report and maybe we can get a better one the second time around. I'm not particularly thrilled either about Provision B of the so-called clean-up language...I guess probably because I really do not favor the modifications that were made in the utility tax in the first place. So, I think we probably can do better in terms of a Conference Committee report, and I would kind of ask that we hold fast on this one and see if we can do better the second time around.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, just to...Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I'd like to ask you a little bit about the CUB. Was he hibernating this Session?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, where is House Bill 18?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

House Bill 18 passed both Chambers and is on the Governor's Desk. The amendment that I referred in this bill was an amendment to amend that particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. Our staff analysis indicates that the glitch that you refer to in House Bill 18 is simply a technical problem and could easily be resolved by an amendatory veto. Do you...do you agree that it could be done that way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, I don't want that bill coming back to the House of Representatives, Senator, I...I think that there was a great deal of difficulty in getting that out. I think that we may have some changes if it does come back, so I would prefer to do it this way if we do it at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

That wasn't my question. The question was, do you agree that it could be done that way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Not with an immediate effective date on that bill, no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Oh, thank you. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

It...it seems to me that if we can clean things up ourselves, Senator Schuneman, we don't want to invite the Governor to overuse his amendatory veto when we still have the power to correct it ourselves. My understanding is, with respect to that part of the bill, that the...the particular provisions were really requested by some of the gas companies who don't have any position on the merits of House Bill 18, but when they looked at it, subsequently after it passed, found that there were some things that just simply did not work well for them if it should become law. So, it seems to me that it behooves us to take care of our own business now while we have the opportunity and not further encourage the overutilization of the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Welch may close.

SENATOR WELCH:

I would just like to urge a favorable vote. There is some very important legislation we're dealing with here and I think that the time has come to pass it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1452. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 26, none voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Welch requests a second Conference Committee. All right, with leave of the Body, we'll...on Supplemental 5...Supplemental Calendar 5 is House Bill 1188. Senator Berman is ready to proceed. House Bill 1188, Mr. Secretary.

SECRETARY:

House Bill 1188, first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The...the first Conference Committee report on House Bill 1188 deals with several items, let me take you through them. First, we debated the other day regarding the issue of the rights to the legal custody of a minor when the custodial parent passes away, and what we have said here, and let me read it to you, it's relatively short. "Upon the death of any parent having legal custody of a minor child, legal custody passes by law to the surviving noncustodial parent unless that parent has been found to be under a legal disability or unfit or the court after a full hearing pursuant to proper notice and petition filed by a person who had standing at the time of the custodial parent's death to bring a child custody proceeding...pursuant to Section 601, determines the surviving parent is unfit to have custody of the minor." Now, what we have provided in here is that the noncustodial parent is the one that will have the first rights to the child when the custodial parent passes away. What we have provided further, in response to Senator Jeremiah Joyce's inquiry regarding the question of a person who has caused or contributed the...to the death of the custodial parent, we have provided further that where a surviving person has been convicted of the murder or voluntary manslaughter of a deceased person of a minor...deceased parent of a minor, such surviving parent shall not be awarded visitation rights unless the court finds by clear and convincing evidence that visitation rights would be in the minor's best interest. It is the stated policy of the General Assembly that in most circumstances it is not in the best interest of the minor to have contact with a parent who

is incarcerated for the murder or voluntary manslaughter of the minor's other parent. We have changed in this bill also revised from one dollar to two dollars the fee that the employer may collect from an employee for withholding pursuant to court order spouse or child support from the employee's paycheck. I urge the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I concur with the...the urging of my colleague for the approval of this conference report. It was redone about two or three times so that we could get the language in there that if the parent...surviving parent is not fit, the court can take cognizance of that because it didn't appear in the first time that the report was drafted, and I urge a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I reluctantly rise in opposition and I...and it's as much my fault as anybody else's because I may have even signed this report, I probably did, and I was...explained to me as many things are in these closing days without knowledge of what a particular provision does, and I'm sure that if Senator Berman knew about it and Senator Geo-Karis, they probably would agree also. On page 10 of the report where we talk about...you know, we...we passed a mandatory guideline bill here sponsored by Senator Rock, sponsored by myself and agreed upon by everyone. The provision on page 10, line 13 to 20 is contradictory to the mandatory guideline bill that we passed under Senator Rock's sponsorship and under my sponsorship, and it

says that where two people agree to...ignore the guidelines, in...in fact, they have written agreement signed by the two which...which establishes the amount of child support that they can supersede the guidelines; but nowhere in that language does it say that the individual knew what they were signing, that it was in the best interest of the child and that is what we should be concerned about, that that agreement is in the best interest of the child and here it says, that if two people sign it, the court shall order that amount paid unless there is some evidence of physical violence. It doesn't have any...any language in there about what's in the best interest of the child. There has been some language that has been established. I think it's been agreed to by all parties and the way we can get that language put in is not to concur with this...not to adopt this report, go to the second Conference Committee report and have the report put...have the language put in there that it's in the best interest of the child, 'cause if we pass this and someone signs something that they don't know about, that they're not well-informed and it's not in the best interest of the child, the court must go along with that and that is a terrible thing to do and contradicts the agreement of all parties and the...and the mandatory child support bills that we passed here and, therefore, I reluctantly rise to oppose the adoption of this report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator...Senator Berman.

SENATOR BERMAN:

Thank you. Let me say that this provision when it was first presented to me, I said to the staff person, who is not on the Senate staff, I said, you touch base with Marovitz and with Johnson, is that your House sponsor? I said, because this is okay with me but I'm not sure how it fits in with ninety-one and others. The bill came back to me, I saw your

signature on it, and I presumed that it met within the guidelines of what everybody was talking about. Now, I'm not sure at this hour how to solve this and I...and it causes me some concern. Let me suggest to you, because there are other provisions that I think are...are relevant, I would...let me suggest this, let's take this out of the record at the moment, let me see what the House is going to do. If we can have a second Conference Committee, I did not intend...and when I saw your signature, I went ahead on it. Let's take this out of the record now, Mr...Mr. President, if I might, we'll try to straighten out this question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman requested leave to take it out of the record. Leave is granted. Senator Marovitz.

SENATOR MAROVITZ:

On a point of personal privilege, I don't want any...leave any doubt, this has nothing to do with Senator Berman at all. I began my statement by saying this is probably as much my fault as anybody else's, 'cause I did sign the Conference Committee report and it was just brought to my attention not more than five minutes ago about this problem. This is not...Art's fault at all, it...if anybody's, it's probably as much mine as the others who signed the report; and rather than do something hurriedly in the last moment that might adversely affect a child's rights to support, I think the better move is to take this out of the record and...and I don't want any...any inference at all that Senator Berman in any way was doing anything untoward.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Well, I wanted to speak on the bill. I had other concerns with the bill but if it's taken out of the record, I

suppose I'll wait till they bring it back up again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, my suggestion...might speak with him privately and see if you can reconcile your differences. We will stand at ease for a moment, Supplemental No. 6 will be out shortly. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Sam, we just passed Senate Bill 807 about abducting a child. You wouldn't...you wouldn't think about charging me just for taking him for a few minutes now would you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Bev, you take care of that kid. You know, it took us nine months to get him and he finally showed up. So you take him for just a little while but I want him back after while because he knows his daddy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, do you have...Senator Lechowicz, what purpose do you arise?

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SENATOR LECHOWICZ:

Thank you, Mr. President. I'd like to have leave of the Body to postpone the further consideration on Senate Bill 1091 until the Fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz, I...you want to restate your motion, please.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave of the Body to postpone...further consideration on Senate Bill 1091 until the Fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any...any discussion relevant to that point? Senator DeAngelis.

SENATOR DeANGELIS:

I don't...thank you, Mr. President. I don't think that requires a motion. Just leave it on the Calendar, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz, are you, in fact, the sponsor? Senator Lechowicz, can you tell us where the bill reposes?

SENATOR LECHOWICZ:

It's on the Calendar on page 5 and a motion is required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz has moved that the Senate postpone consideration on Senate Bill 1091 till later on in the Fall. Those in favor signify by...is there discussion on that point? Senator...Senator Rupp. We...Senator,...we...I don't know of any other instance that we have not allowed a sponsor who, in fact, is the sponsor to do that. Senator Schuneman.

SENATOR SCHUNEMAN:

Just a procedural question, Mr. President. What are we going to do with all the other bills that are on the Order of Conference Committee? Are we going to automatically postpone all of them until the Fall at some point in this procedure? If we don't postpone them, what is the disposition of the bills?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Rock.

SENATOR ROCK:

The disposition of the bills, they will be on the Calendar when we return on October the 2nd. The gentleman is making a motion to allay the fears of those who thought that between now and midnight the compulsory insurance would surface, and all he's trying to do is tell the world, it's not going to happen until October. I don't know what the big deal is. I think the motion is in order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the motion is in order. Senator...Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Well, is...is he also telling us that it will not surface under another bill, 1103.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, we're on the...we're on the...on the Order of Motions...

SENATOR RUPP:

Don't say that, he made some comments off the side about compulsory, so why can't I? He asked the question and someone explained it, so I want to know that, that might decide the vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Don't entertain the motion. Let's stand at ease until we get Calendar No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will...stand at ease. All right, Supplemental Calendar No. 6...Supplemental Calendar No. 6, they've been passed out...(machine cutoff)...Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on Senate Bill 17 and request a second and the House has appointed the members...the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves to accede to the requests of the House and...for a second Conference Committee. The Secretary will so inform the House. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

To put Senator Rupp at ease and those...Senator Lechowicz did...wanted to postpone...1091, I think it was, Senate Bill 1091 until the Fall. House Bill 1103, there's going to be a corrected report filed taking out the compulsory insurance part, and just to put everybody at rest,...I understand the leaders all want this and so nobody will get unrestful and worry about compulsory insurance till the Fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Gee, we're glad you brought it up. Senator Rupp.

SENATOR RUPP:

...thank you, Mr. President. I was ready also to apologize to this Body if there was any reason for so doing, but Senator Lechowicz has told me that he will not call mandatory insurance in this Session until October possibly. All we were trying to do since there was another vehicle was to get the

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assurance that that would not be used either. We now have that assurance, we have the assurance that mandatory will not be called before we adjourn this particular Session, and with that guarantee, I...I thank those folks for that consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Supplemental Calendar No. 6, House Bill 578, Senator Poshard. Mr. Secretary, House Bill 578, Supplemental Calendar No. 6. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Well,...you may have a copy of Supplemental Calendar No. 6 but some of us peons out here do not have a copy of the Supplemental Calendar No. 6 yet, and I would appreciate having a copy in hand before we start.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we...we will stand at ease for a moment until the copies are passed out. The Chair was under the impression that all the members had them. Thank you for calling it to our attention. All right, Senator...Senator Poshard requests leave to take House Bill 578 out of the record for the time being. Is there leave to come back to it? Leave is granted. 1970. House Bill 1970, Senator Davidson. Supplemental Calendar No. 6 is House Bill 1970, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1970.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Conference Committee No. 1 on 1970 does three things. It puts the...it repeals the Senate amendment of the immediate effective date which is what we had to do to get it in a Conference Committee. Second part of it is new language so the Department of

Central Management Service would have a special events revolving fund in the State Treasury so that when the individual clubs or et cetera do rent State facilities, that money would be able...be available to pay for whatever the cost was for the clean-up, care or et cetera. As it presently is now, anything that is received goes in the General Fund and it has to be reappropriated, and consequently, we don't have the funds available to take care of the clean-up. The third part was to take care of what has been an arrived on agreement which had been...negotiated for about eighteen months between...excuse me, Central Management Service and the AFSCME union in relation to State employees who had a wage claim settlement through the Court of Claims, and this will establish the program of settling it directly. This is...the reason why this originally went in to a Conference Committee was to get that agreement which was only signed between all parties concerned last Thursday or Friday, I forgot what date. I would move the adoption of committee...Conference Committee No. 1 to House Bill 1970.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1970. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does...adopt the first Conference Committee report on House Bill 1970 and the bill having received the required constitutional majority is declared passed. House...Senator Geo-Karis. Can we have some order, please. Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you. A point of information. I had two

bills...two appropriations bills, House bills and the House refused to accept the Senate amendments. Can I make a motion at this time to...refuse to recede so that I can have a conference report and get it over with?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I am told we...we...we do not have the paper work physically back from the House in order for us to do that, so as soon as that arrives, we will do that. House Bill 2263, Senator Savickas. House Bill...well, Senator Berman is back on the Floor...House Bill 1037, Senator Berman. All right, House Bill 1037, Mr. Secretary, 1-0-3-7.

SECRETARY:

Second Conference Committee report on House Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill has been debated a number of times. It deals with the...it deals with the programs regarding truancy in our public schools. Let me try to make the debate short. If you recall, when the bill was in the Senate originally with Senate Bill 725 and the bill passed out with a substantial vote. The area of disagreement was whether the juvenile courts should be in or out of the bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we break up the conferences...Senator Berman. Senator Berman.

SENATOR BERMAN:

The question was whether after a series of supportive of services that are mandated in this bill were supplied to the students, should there be a backup, a last alternative of having the juvenile courts in them; and we presented that question to the Senate and the Senate went along with the Senate Education Committee and we said, yes, that ought to be

at the end of the road. The House, for several reasons, the major one let me point out was that the workload involved could not be handled by the Circuit Court of Cook County, and there was a large feeling on...in a number of downstate districts that the court system there was inappropriate. You've heard some of that debate from Senator Welch earlier. The bill as it's presented to you today...tonight, now, in the second Conference Committee report does not have the juvenile courts in it. The courts have been taken out. The reason they've been taken out is a very practical reason. There's a substantial split as to whether the facilities in many of the downstate districts can provide a meaningful backup in their juvenile system. What we are presenting to you today and which I'm asking you to support me in is a mandate of substantial support services to chronic truants. If it doesn't work and we need the juvenile courts in there, I will be back, others will be back in a year or two to plug them back in, but we...we're not able to get either the support back home or the support in the Body to pass the bill with the court...the downstate courts in them tonight. So, I'm asking that we not dump the bill. There are mandated support services that I and others all feel are critical, that's what's in the bill. I ask for your affirmative vote on Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on House Bill 1037. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 4 voting Present. The Senate does adopt the second Conference Committee report on House Bill 1037 and the bill having received the required constitutional majority is declared passed.

2263, Senator Savickas. 2421, Senator Bloom. Senate Bill 328, Senator Vadalabene. 630...Senate Bill 830, Senator Rupp. All right, Supplemental Calendar No. 6, middle of the page, is Senate Bill 830, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 830.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move that we concur and adopt the first Conference Committee report. The...the concern was...Senator Carroll had...there was in a previous...in the...maneuvering and in the amendments a proposal to set up an escrow account for some funds. That procedure we have never done. Senator Carroll asked that we meet and write the conference report eliminating that, that we have done, and I ask for adoption of this conference report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? All right, Illinois Information Service has requested permission to videotape the proceedings. Leave granted? Leave is granted. Any further discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 830. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who...who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 830 and the bill having received the required constitutional majority is declared passed. Senate Bill 879, Senator Topinka. Senate Bill 925, Senator Carroll. Senate Bill 944, Senator Dawson. Senator Dawson on the Floor? Senate Bill 1189, Senator Topinka. All right, Senator Topinka indicates that...that she is ready. Senator

Vadalabene indicates that he is ready and since he is above you on the Calendar, we will seek leave to go to Senator Vadalabene. Senator Vadalabene, let's...what's your...Senate Bill 328, Mr. Secretary. Senate Bill 328.

SECRETARY:

Senate Bill 328, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move to accept the first Conference Committee report on Senate Bill 328. What it does is the House receded from House Amendment No. 1 and incorporated a provision that allows certain vehicles exceeding the...prescribed weight limits to remove such excess if the officer requests such of the operator...such of the operator of the vehicle. It eliminates the issuance of a ticket if such excess is removed. The...Conference Committee No. 1 has the support and approval of the Secretary of State, IDOT, the Illinois State Police and the Midwest Trucking Association, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 328. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 3 voting...3 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 328 and the bill having received the required constitutional majority is declared passed. All right, bottom of the page, bottom of your page...Supplemental Calendar No. 6 is Senate Bill 1189, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1189.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would move to concur with the Conference Committee. What this ultimately does is allow the transplant board, which we agreed to last Session, on the appropriations, which we agreed to and which have now kicked in as of yesterday, to be exempt from the Illinois Open Meetings Act and the Freedom of Information Act only insofar as the discussions of the cases in point; however, the announcement of who would be getting these reimbursements would be made public. It has been agreed to by the Illinois State Medical Society and also by the Illinois Press Association who seem to be the players here. I...I would move for your concurrence at this time. It still may have some problems in the future, but I think that with the help of Senator Sangmeister, we can iron those out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Senator Topinka, I wanted to ask you about this...the wordings in here that I read about...Experimental Organ...Transplantation Act. What is it that is an...an experiment in this program on the organ transplants?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well, that...that is not really a part of this bill at all. That was passed last year where we became the first State to provide reimbursement for experimental organ transplantation that may not have been approved by various insurance companies but was a viable medical/surgical procedure which was underway and which was coming into Illinois to account for that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, then can you give a...a rundown on just exactly what it is now in its present form so I can decide?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

The Transplant Act or this particular amendment to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I'm interested in...in the bill and also I'm interested in what you're trying to do by your...by your amendment or the...the change that you're making here. What...what are we...what's the concept in...in the bill and then, what is this amendment...what are we...what are we doing on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Well, really the amendment is the bill. Now if you're talking about the Act, it was passed last Session and it's locked in. The bill basically does not want to put the personal discussions of sick people in a public forum...because it's just not the place for it and the results would be voted upon and would be made public. It...it's not any attempt to evade, but it's just attempting not to put forth the

tragedies that are ongoing in the families that are involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Okay, so it'll be a public meeting then that you're going to have...an...an open meeting on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The deliberations about the procedures and the cases involved will not be public. The voting and the results will be, so that everybody knows where any type of public reimbursement will be going.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

When we talk about public meetings, are we talking about applications of the people that want to donate or the people that want organs? Are we talking about the doner or the donee in this case?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

We're talking about the donee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is...the...the receiver. We're not talking about...okay, we want to make sure, because in these cases I know that...especially downstate that the right-to-life people monitor all these organ donated cases in regards to...to see if there's any euthanasia involved in...in the person giving the organ, and as long as it doesn't affect that, I guess it'd be okay. I'm still going to vote Present

'cause I'm fearful of what this could be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

...a question, because I was one of those who signed the Conference Committee report. My understanding, Senator...Topinka, is that if we do not pass this bill, all of the deliberations, everything will be subject to the Open Meetings Act, and while there may be some discomfort about what we are permitting to be on the public record as a result of this, it is considerably more restricted than would be the present state of the law. Here you will have only the final results that will be subject to the Open Meetings Act; otherwise, the deliberations and the discussions which would certainly be, I think, an invasion of privacy would also be subject to the Open Meetings Act, so that this is certainly an improvement over the current state of the law. Is that an accurate description?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, very accurate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. When this organ transplant bill was passed last year, it established a board which would consider the applications of people who might be eligible for organ transplants. All this bill does is...is simply say that those doctors and others who look at...at very confidential, personal medical records of these applicants, that all of that information does not be...need to be spread before the public. It's a very reasonable and necessary bill to pass. The final action

taken by the board, that is the actual vote, will be public and I commend Senator Topinka in what she's doing here. We all ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. If you'll notice on that Conference Committee report, my name was signed and then it was scratched off. I want you to understand that it's really back on there again. I do not completely, by any means, agree with what...what the final determination is. I don't think that those proceedings should be that public at that stage; however, rather than see this whole thing go down the tubes, I've talked with Senator Topinka, and as a result, I will support it, but I tell you, we'll be back with a bill again to restrict this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I stand in...in support of this legislation and I sympathize with the people who are involved. I know personal cases of this and to hold something like this in confidence when a person is plagued with this type of illness, I think you're doing them a great justice and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka may close.

SENATOR TOPINKA:

I think we've probably kicked this around adequately. It came in...the whole idea of a reimbursement process in the original bill was so that people didn't have to publicly air their linen and...and go around begging. I think this is part and parcel of that. It's a really dignified way of going about it. I would appreciate your vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1189. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48...48, the Nays are 1, 4 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1189 and the bill having received the required constitutional majority is declared law...is declared passed. (Machine cutoff)...leave of the Body, we will return to the top of Supplemental Calendar 6, House Bill 578, Mr. Secretary.

SECRETARY:

This is the first Conference Committee report on House Bill 578 corrected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the bill which establishes the employees suggestion award program, and I would move to concur with the corrected Conference Committee Report No. 1 which simply requires the appropriations to the Employees Savings Award Board for the awards rather than to the department involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...any discussion?...the question is, shall the...the Senate adopt the first Conference Committee report on House Bill 578. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 578 and the

bill having received the required constitutional majority is declared passed. Senator Dawson on the Floor? Senator Dawson on the Floor? All right. Senator Dawson, on 944? All right. Supplemental Calendar...No. 6, bottom of the page, is Senate Bill 944, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on Senate Bill 944.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON;

Mr. President, I wish to concur with the second Conference Committee report on 944. The second Conference Committee deletes the requirement of the fifty-two percent and would make it that the General Assembly would annually adopt a joint resolution indicating the specific relationship between the grants and the annual standard of...of need for general assistance and aid to dependent children programs. Ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. What do you mean by an annual agreement or whatever?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Senator Donahue, I said it would be through a...General Assembly would annually adopt a joint resolution...in just indicating to them. It wouldn't be making it mandatory. Be just a regular resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate

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C.C.R.

Bill 944. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are...the Ayes are 23, the Nays are 28, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Dawson, is it your desire to have a second conference? It is not. Supplemental Calendar No. 7 is being distributed...(machine cutoff)...we could get some Pages to come down to the Secretary's Desk here and start distributing Supplemental No. 7. The Senate will stand at ease for a moment. We'll stand at...we will stand at ease for about ten minutes...at eight...eight forty-five we will begin on Supplemental Calendar No. 7.

PRESIDENT:

The Senate will please come to order. We're on the Order of Supplemental Calendar No. 7, the Order of Conference Committee Reports, the Conference Committee Report on House Bill 570, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 570.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, this is the Conference Committee report on Build Illinois, or how should I say it, Responsively Build Illinois. It's...as you notice on your desk, it's a hundred and seventy-two pages. It authorizes a used car tax of five percent, authorizes bonds of 1.3 billion dollars for five years, nine hundred and forty-eight million dollars of bonds and three hundred and eighty million dollars as pay-as-you-go. It includes many projects, highways, fifty-

one central Illinois sewer and water projects, flooding projects, infrastructure projects, mass transit, engineering school in the City of Chicago, urban development, housing partnerships, State of Illinois Building in Rockford and many other projects. This has been the Governor's program. I think it's a reasonable compromise between Responsively Build Illinois and Build Illinois. We have some bonds and some pay-as-you-go. I'll be happy to answer any questions and hope that we would have well over thirty-six votes.

PRESIDENT:

All right, Senator Philip has moved the adoption of the Conference Committee report on House Bill 570. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to join with Senator Philip in his comments and what I believe is a truly valuable program for the people of the State of Illinois in all of its aspects. It not only allows us the business incentive of Building Illinois but Building Illinois in a very responsible manner, for what we will do is maintain a billion three hundred twenty-eight million dollar program that can, in fact, be completed in the Governor's requested eight years, appropriated over five years, but do so at a savings that will be at least seven hundred and fifty million and a...and possibly a billion five hundred million in interest payments that the State would have otherwise had to pay and save the taxpayers, at least, five billion dollars in what would have been the tax burden under the original plan. This is, in fact, an amalgam of the two ideas. It guarantees that no less than three hundred and eighty million dollars will be pay-as-you-go. It guarantees that 2.2 percent of the sales taxes will, in fact, be put into the Illinois Fund. It guarantees that if used car taxes are, in fact, greater than the 2.2 million, as has been sug-

gested to us by the Illinois Economic and Fiscal Commission and others, that if, in fact, the used car taxes are greater than that 2.2 percent mandatory transfer, that that additional money, year by year, will spill over into the Build Illinois Fund and, therefore, cause for the next year no bonds to be bought for that dollar amount. It provides that the bonds will be basically the short-term type notes so that we can get a lower interest rate, lower, in fact, than general obligation, and further provides that if, in fact, at any point in time the reserve funds created are equal to the outstanding bonds, those bonds must be paid off. The provisions in the Bond Act call for that calling of bonds. It is, therefore, presumed the tax will last no longer than fifteen years instead of the thirty-six years originally created. There is no use of tourism dollars in this approach. We believe that the combination will allow no less than thirty percent to be pay-as-you-go and very probably fifty to sixty percent pay-as-you-go with quick projects at the same appropriation level and I think will do something to spur the economy of Illinois at the most minimal taxpayer expense possible and urge support.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I, too, would rise in support of this program. I think that what we've learned here is that the legislative process does work and it works well. We have taken two programs and meshed them together to the point where we have used the best of both ideas, both a bonding program for those programs where we need accelerated funding and the program to pay as we go so we can save the taxpayers' of Illinois something like seven hundred and fifty million dollars in interest. The bottom line and what we are seeking is getting Illinois in shape to bring in new jobs, in doing

that with as much cost effectiveness as we possibly can, and I think that by the Senate Democrats holding out and not falling in line willy-nilly and proposing our own plan we have been able to shape a new program, one that both parties can call their own and one that's in the best interest of all of Illinois.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to ask a question in regards to the proposed revenues that were in the original Build Illinois program for coal, and I'd like to ask that, I guess, to Senator Carroll. Okay?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, thank you, Mr. President. Senator Poshard, the program calls for the creation and use of the Coal Industrial Bond Revolving Fund Program. The first year spending plan developed by the General Assembly would provide a million dollar seed money to begin that loan program, and then it would grow from there and then be a loan repayment plan, and we have provided that million dollars in other legislation.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I was just listening to Senator Welch tell us that this is a program that both parties could truly call their own. I really don't whether my party can call it its own anymore, but I certainly would agree, Senator Welch, that you can certainly call it your own 'cause you're on all these pages here. Here's page 9 of the appropriation bill coming up, you've done quite well, and I

certainly congratulate you on your good work.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

If the sponsor would yield. New Section 46.51 of Article XIX of the Build Illinois Act expressly authorizes the Department of Commerce and Community Affairs to "extend appropriations for the purpose contained in the Act." For...clarification purposes, the omissions of the Department of Commerce and Community Affairs from a list of agencies set forth in agents...Article I, Section 1-3 of the Act does not in any way prevent, impair or diminish the authority of the Department of Commerce and Community Affairs from extending appropriations for the purpose...purposes contained in the Build Illinois Act. That's a very spontaneous question. I'd appreciate an answer.

PRESIDENT:

Senator Philip, I guess, is yielding to Senator Carroll. Senator Carroll, if you please.

SENATOR CARROLL:

Thank you, I believe that is to show the legislative intent that the Department of Commerce and Community Affairs can, in fact, spend the monies appropriated in the various appropriation bills. This is the authorization.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

And for further clarification, if you turn to Article X, Section 10-3H, I...I believe it authorizes the Department of Commerce and Community Affairs to "acquire and accept by gift, grant, purchase or otherwise but not by condemnation fee simple title or such lessor interest as may be desired in land for the purposes of improvement and development of such land." Could you clarify the use of the term "lessor inter-

est in land"? Would that...is that intended to include the authority to enter into option agreements with such land? I...

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

There may be a necessity such in...as an incubator facilities to do leasehold agreements and that is what that is to provide for a lessor than a fee simple absolute.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Could that language "lessor interest in land," also intend to include the authority to enter into option agreements with respect to such land?

PRESIDENT:

All right, further discussion? Senator Schaffer, for the second time. I beg your pardon, Senator Carroll.

SENATOR CARROLL:

The famous Japanese people tell me, yes.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

With...with the indulgence of the Body, another spontaneous question has occurred to me. For clarification purposes, it should be noted that the Small Business Development Act which is set forth in Article IX and the large Business Development Act which is set forth in Article X are intended to assist in those projects which will result in the retention, emphasize the word retention, of jobs as well as those projects which will yield an increase in jobs...similarly those two programs are intended to assist in those projects which will result in a retention of a given business as well as those projects which involve a new plant start-up or

expansion. Well, it just occurred to me while I was walking over here. Like an answer.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDENT:

Any further discussion? Is there further discussion? Senator Philip, you wish to close? I beg your pardon, Senator Zito. The late lights are causing us all difficulty. Senator Zito.

SENATOR ZITO:

I...I apologize, Mr. President, and...reluctantly rise in opposition to House Bill 570. I really believe, ladies and gentlemen, we could have made Build Illinois a much better program. You know, when we had the infrastructure subcommittee hearings, we heard hours of testimony from more than one hundred witnesses. We had our first hearing in Carbondale and we heard about the very serious problems many southern Illinois communities have with contaminated drinking water. In Salem, for example, they have a domestic water boil order on the average of every six days. In Belleville, we were told of the massive flood control projects which are necessary to make the Metro-east area a viable, economic territory. In Rockford, Illinois, when employment has been in double figures now for several years, we were told about projects that would lure some new high-tech. industries; and in Chicago, a metropolitan sanitary district engineer testified that after...that four times a year more than half a million homes in Chicago flood their...their basements flood with raw sewerage. Build Illinois has turned out to be less than what we all expected. Build Illinois proposes flood control projects in some of the most affluent communities in our State; yet, there's no mention of the domestic water boil

order in Salem, Illinois. Build Illinois would undertake the Hanover Park Flood Control Project along the west branch of the DuPage River, but there's no relief for those half a million Cook County homes whose basements are flooded with raw sewerage four times a year. For all the communities that aren't going to have an opportunity to apply to the revolving loan fund, each and every program that is not specifically mentioned in the next piece of legislation that we're going to vote on will...those communities will have nothing in Build Illinois; they'll have no revolving loan fund to go to, they'll have no opportunity to help themselves with their infrastructure needs. While I think this was a good beginning, we haven't even taken the time, ladies and gentlemen, to do a survey of this State to find out what our infrastructure needs are. I reluctantly rise in opposition. I think it was a good beginning but we could have done much better, and to pass this legislation at this time, I feel, would be a mistake.

PRESIDENT:

Any further discussion? Senator Philip, you wish to close?

SENATOR PHILIP:

Thank you, Mr. President and Ladies Gentlemen of the Senate. Senate Bill 570, the Conference Committee is...has been a compromise between the Democrat and the Republican plan. There are nine hundred and forty-eight million dollars in bonds and three hundred and eighty million dollars as pay-as-you-go. It's a good program for all of Illinois and I would appreciate an affirmative vote.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 570. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 11 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 570 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 7, on the Order of Conference Committee reports, there's a report on House Bill 993, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 993.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, and I would wish to yield to Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 993 is the appropriation bill that appropriates the three hundred and seventeen million dollars of spending for...appropriations, rather, for this next year. It lists the projects for the proposal that we just passed out. I think everyone knows what's in it, and I would ask for concurrence of...of the first Conference Committee report on House Bill 993.

PRESIDENT:

Discussion? Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I'd like to ask the sponsor or sponsors or whoever it may be a question.

PRESIDENT:

Sponsors indicate they will yield, Senator Watson.

SENATOR WATSON:

And who will that sponsor be?

PRESIDENT:

Senator Demuzio, I assume.

SENATOR WATSON:

Okay. Senator, I've looked through the analysis that I have here in front of me and I am amazed at the number of projects that are for the Chicago area, and I'm just curious as to out of that three hundred and seventeen million, how many millions of dollars are for the Cook County/Chicago area?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

It's three hundred and twenty-five million dollars out of the 1.3 billion.

PRESIDENT:

The gentleman is out of order and will be removed, if need be. Please. Senator Watson.

SENATOR WATSON:

Well, during...during your explanation, you mentioned three hundred and seventeen million and what was that?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO;

That is this year's appropriation which is near the Governor's level as...as he introduced it.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Out of that three hundred and seventeen million, can you give me any idea how much of that would be for the City of Chicago?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'm told it's about a hundred and thirty.

PRESIDENT:

I beg your pardon. Senator Demuzio.

SENATOR DEMUZIO:

Beg your pardon, it's eighty-six million.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

What's a hundred and thirty?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

That's the Governor's portion.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, that...that's well and good. We got eighty-six million in here for Build Chicago at the expense of probably the entire population of the State of Illinois. As I look through here, I can just...I've got them circled, the number of...the dollars we're talking about and you can see the people that are on the Floor here tonight, not necessarily Senate members, members from other Chambers that are here tonight that are concerned and interested in this particular...333. I don't see...I don't see necessarily the downstaters here, I see a lot of people from the...that are interested in the City of Chicago. I think that this particular analysis that we have in front of us and this particular piece of legislation is simply nothing more than Mike Madigan and the Speaker of the House's proposal to Build Chicago, and I don't think that necessarily it's...in the best interest to the people of this State, and I don't think that my people in my district are going to be very appreciative of the fact if we pass legislation such as this it's going to be nothing

more than a funnel and a one-way street and a one-way road to the City of Chicago. I'm not anti-Chicago, not at all. I think that Chicago deserves what they deserve, nothing more, and what we have done in this particular program is appropriate dollars more...a greater percentage of money than we probably...than Chicago deserves, and I don't think it's right for the rest of the State of this...of Illinois to be asked to pay for a Build Chicago. Now this, for example...I mean, the Cook County Hospital, we've got eleven thousand beds in Cook County that are vacant and we're asking for how many millions of dollars, Mr. Sponsor, for the Cook County Hospital? How many millions of dollars are going to go into a hospital in which we've got...Cook County of eleven thousand vacant beds? Can you tell me that?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'm sorry, I didn't...I didn't listen to the question. How much to Cook County Hospital? Is that the question? Five...five billion dollars of planning money.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Planning for what?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm told planning, architectural design and those kinds of items.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Are we going to build a new hospital...architectural design, is that what we're going to do?

PRESIDENT:

...Senator Demuzio.

SENATOR DEMUZIO:

I'm going to yield to Senator Carroll who may have more details...

PRESIDENT:

All right, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just...also, if I might utilize some of the time of mine to identify some of the issues. The Governor has asked for a spending level now of three hundred and thirteen million dollars, his request, up from the two hundred and twenty-three he originally asked for...

PRESIDENT:

I beg your pardon...

SENATOR CARROLL:

You want me to just answer you on this one and then I'll ask my own time? Okay. It is my understanding, the Governor has suggested a study at County Hospital to see, in fact, whether a new institution need be built or a total rehab. of that portion of the hospital that is truly...unusable at this stage in time. I don't think anyone yet knows the answer until they get in there as to whether it's smarter to build new...tear down and build new or totally gut and rehab. As you know, much of it is out of compliance and cannot be used now and is empty and this has been something the Governor has been talking about for quite sometime.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I don't remember...I don't recall my question being answered. How much...how many millions of dollars is going to go for Cook County Hospital and what is it for?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

It...it's planning, engineering and architectural design in the amount of five million dollars. Senator Demuzio had...had answered that.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Are we going to build a new one or are we going to try to refurbish what we got? We've got eleven thousand vacant beds in Cook County. We're...and...and you were one of the sponsors of the trying to control the high cost of medical care in Illinois and you are going to put more money into a situation in which we got a no win. I would like for you to explain that, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Be pleased to. County Hospital, right now, is probably the most expensive institution in the State to operate, the cost of which public aid is paying and the citizens of Cook County is about double that of any community based institution and significantly more than the other teaching institutions. It is because of the high operating costs of this old and obsolete facility that their costs are running somewhere around seven hundred and fifty dollars a day for which the Department of Public Aid reimburses them significantly less than that, probably about forty-five to fifty-five percent. What is happening, however, is that many of us who have seen the facilities believe that it has to be totally restructured in a much smaller component, my own personal belief. This will help determine that through architectural planning and engineering, and if you will recognize service

to patients has ebbs and flows, highs and lows. Right now, the hospitals of Cook County are running at sixty percent occupancy or less. Imagine that were you to close County while you are rehabing or rebuilding, you are sending out to these communities some eight hundred to a thousand patients per day which would significantly increase their billings, community based billings to the State of Illinois at a lower rate and make their occupancies at seventy or eighty percent during the time it would take to construct a truly valuable public facility. Remember, the citizens of Cook County pay for more than half of the cost of operating this facility through the property tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I...I won't dwell any longer. I think...I've tried to make my point. I...I believe that any...any downstater who feels that proper appropriation in dollars and cents should be treated equitably and fairly for the entire State of Illinois should be voting No...any downstater. It's an obvious No vote on an appropriation and a bill such as this. I...I realize and...and I appreciate the concerns of the City of Chicago. I do have an appreciation for that and I do understand the importance of the city to the State of Illinois, but I do think that they shouldn't ask for anymore than their fair share and that's all that we've asked for in downstate and I don't think that the...the city should ask for anything more. I believe a No vote is the appropriate vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DUDYCZ:

Senator Watson, you mentioned several times that this bill...you mentioned...or you referred to it as a Build Chicago bill. Well, you're mistaken. This may be Mike Madigan's build part of Chicago bill where Build Chicago is Democratic part, but not the 7th District. So, when you refer to Build Chicago, it's not all of Chicago, it's only may be...Mike...Mike Madigan's and his friends' part.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the House, I don't often speak because I really feel that most people have enough to say around here...I said the House again, I'm sorry, I...I have my old seatmate with me here tonight too. But, you know, before we became a "Happy State" with that new little tourism gag, there used to be a theme that we filed through that...was referred to outside of Chicago is a place called Illinois, and apparently it didn't sell then and with House Bill 993 it apparently doesn't sell now. Outside of Chicago is also suburban Cook County, East DuPage County, West DuPage County and all the other counties that are involved. When I look at this bill, I don't see anything for these areas that are old, old in infrastructure, old in what it needs. We've been left out there on the doorstep like a foundling. Now, I understand greed and I understand its tentacles and I also see it very strongly here on 993, and I think it's an intolerable act that is trying to...trying to be perpetrated here by 993. I personally won't tolerate it, I think it stinks and I think it oinks, and I would hope that people in suburban Cook and East DuPage and West DuPage and everybody else in this State realizes what this bill is and votes against it and votes it down appropriately. I'd have

to agree with Senator Zito that I think it was a good start with Build Illinois, but, boy, it came out with a real bad finish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I don't want to leave the impression that we've been left out completely and...and when those who tried to do nothing and get nothing go back home and say Chicago got everything. Well, let me remind Senator Watson that Madison County in this project has approximately over nine million dollars in different projects. St. Clair County, of which he also has a part of, has over six million dollars in projects in this package and let me...me remind Senator Watson that the new State Office Building and police headquarters is going to be built in his district, and let me remind Senator Watson that we all joined together to get him a convention center in his district. So, don't say that Chicago got everything. We got a good chunk of this money and you got a good chunk of it before this bill came here, and so you people who think that when Senator Watson and some of these downstate Senators who do nothing to get anything, we take care of them anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait...wait...wait a minute, Senator...Senator Carroll...all right, Senator Carroll.

SENATOR CARROLL:

Thank you. Senator Watson asked me not to speak when answering his questions other than an answer. Now let me just make some comments in support of the legislation. I

think it is quite clear that this, the first year's funding is critical to the needs of the State of Illinois. The Governor has asked us to raise the level from that which he had announced of two hundred and twenty-three million to accommodate some needs he had in attempting to attract some business, and that is, in fact, why the growth and some of that falls in all parts of this State. Yes, in fact, some eighty-five million would be spent within the County of Cook and a lot of that, obviously, within the City of Chicago. Yes, in fact, the Governor asked for about a hundred and thirty-five million that he allocated, and about a hundred and ten roughly in other downstate areas. Yes, in fact, that's different than the way Build Illinois was introduced, and at that point only twenty-three percent of the budget for Build Illinois was allocated. After the allocations, the Governor took a larger share, downstate took a larger share and Chicago and Cook County got a smaller share of the unallocated portion. In fact, it has been estimated that about forty percent of the taxes from the sales individually of used cars will come from the County of Cook. I'll repeat that. About forty percent of the taxes raised from the individual sale of used cars will come from the County of Cook, and if that were to be the criteria, then, in fact, the county's portion should almost double in this first appropriation bill, and if that is the criteria that this legislation would want to establish, we in Cook County, I'm sure, would be very supportive of getting about a hundred and twenty-five million instead of eight-five million as this allocates. So, once again, the County of Cook will be providing the dollars to the Governor and downstate in order to join together to Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion?...Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, in regards to Senator Carroll's talking about the County of Cook, could you tell me how much money is in this bill for Schaumburg Township or Hanover Township?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll.

SENATOR CARROLL:

I honestly don't have a county breakdown. I'm not sure if Thorndale Avenue Expressway et al goes through your area. I really don't know. I don't know the boundaries of that. I know that was a major expressway for suburban Cook and DuPage. I don't know, Senator. I know there have been specific requests for that area in varying budgets...that could have also been in here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Is Thorndale Expressway in this appropriation? The entire amount?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No, and none of them is the entire amount nor was it ever in the Governor's published plan. He has suggested those are multiyear builds and asked for the original planning and preparation monies for this...excuse me, Central Illinois Expressway and Route 51.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Is the amount of money that is in this appropriation bill the same amount as...for Thorndale Expressway the same amount as was in the Governor's proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Identical language. Identical, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel. Senator Karpiel.

SENATOR KARPIEL:

For all the years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

This, of course, is only the FY '86 appropriation. It is our intent and his that it will be the same for all the years, exactly the same spending plan as suggested by the Governor the day he announced Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

You said that forty percent of the tax is going to come from Cook County. Do you have a breakdown how much of the tax will be coming from DuPage County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No, and...you know, obviously, that's not in this bill, although I do believe Director Johnson could get you that information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Do you have a breakdown of how much of that forty percent in Cook County comes from Chicago as opposed to suburban Cook?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't have that here. We can get...provide those figures for you. It was based on in part, also an extrapolation, from what was paid from used car lots and what was projected based on the thirty dollars by the Department of Revenue, thirty dollars paid on the private sale. It is my understanding that the vast majority of that also came from within the boundaries of the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Do you have a...a breakdown for me of what projects are in this proposal for both DuPage County and Kane County that are also in my district? We've already established that Hanover Township, Schaumburg Township, Barrington Township get nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I'm sorry, I didn't here the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Do you have a breakdown of what projects in this...in this proposal are in Dupage County and Kane County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No, I think if you'd look through it you'd see a couple of things that would jump to light. One is the lower...Des Plaines River comes out of the million seven fifty in...in Cook and DuPage and a lot of the Statewide funds, it's my understanding, the Governor intends to spend in DuPage, which again, he allocated a hundred and thirty-three million

roughly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

And Kane?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't have a breakdown by county. I know that the Batavia area is for the alleged...you know,...the...the hopeful side of the super conductor and super collider, which is a huge, huge project.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'm not here to quarrel about whether Chicago gets more or less or Cook County or downstate, but I do want to quarrel with the process in which this was put together. Doesn't take a genius to recognize who put this plan together and it doesn't take a genius to figure out why the projects went where they went, and, in fact, there are many projects here that can go many other places, in an orderly fashion and on a priority basis. A school crossing signal...Build Illinois with a school crossing signal. Construct a field house for a park district. You're right, Senator Zito, this is not building Illinois. So, let's not make any excuses about what the problem here is. It is, in fact, the process by which this Conference Committee report was assembled, when we were notified of it and who it's taking care of and we ought to defeat this; and I'm not saying that Cook County should win or lose, I happen to be proud of living in Cook County, but let's make some common sense out of Build Illinois rather than...without offending Senator Carroll...just beefing it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

END OF REEL

REEL #6

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. My part of the State needs Build Illinois and I'm not representing Cook County, but we have a mental institution there that's being shut down. We're going to lose nine hundred jobs. We need Build Illinois for funds for...to let the private sector take a...a crack at trying to develop this and put people back to work and...and put this back on the tax rolls where it belongs. We need the bonds that Build Illinois will provide. This will help not only Kankakee County but Will, Grundy, Iroquois, have a facility in Galesburg that's going right along with this and...and that will help put people back to work in that area where they're losing jobs. So, I think it's something that spreads across the State and not...is not just for Cook County. I'm not adverse to Cook County getting something, I'm not adverse to anyone getting something, we need to help everybody. This State is in...in desperate straits. What we have here is an opportunity to put people back to work and I think that's what we ought to do is seize upon that opportunity and vote for this program and let's give it a chance, folks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I...I, too, think we ought to Build Illinois, and one of the things we haven't addressed in here, I don't believe, I'd like to ask the sponsor or perhaps Senator Carroll about the coal utilization money. We had money, we thought, in Build Illinois and certainly in order to make Illinois the great State it should be, we need to

keep our coal industry alive and well, we need to develop the use of high sulfur coal and I...I'd like to ask a question of one of the sponsors, is there any money in Build Illinois for coal utilization?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I...Senator Dunn, I believe that when...I believe that I identified to Senator Poshard the fact that a million dollars of GRF was added in another bill to fund through DCCA, in DCCA's bill, the coal utilization bond...or loan fund. Then in future years' appropriations this could be used to beef that up and to cause the revolving loan fund to grow, but the seed money was put in...in the DCCA legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you...thank you, Mr...Senator Carroll. It is my understanding that there were fifty-five million dollars, I believe, in bond fund going to be in the Coal Utilization Fund for energy and natural resources maybe or for coal utilization board, but you say it's one million dollars in DCCA and it's not in this bill either, I don't believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It is my understanding, that, obviously, they first have to identify the projects and the dollar figures, at which point you could then sell the bonds and loan the money and then create the revolving, and, therefore, the money was put in the DCCA budget, the Department of Commerce and Community Affairs, to...for the seed money to do that planning to find out which ones...you know, to let them come in and apply like we've done in so many other programs, create the priorities

and then fund the individual loans as they're requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you and thank you, Senator Carroll. I think that we've been talking coal utilization for at least thirteen years that I've been in the Legislature and been a member of the Energy and Resources Commission. I thought we had pretty well identified the problems. We spent a couple of hundred million dollars already in coal research and it's nice to have one billion...one million dollars, I'd rather said one billion, it'd be nice to have one million dollars someplace if we can find it, but it isn't in this bill and I'm not going to vote for 993. I would like to ask one other question maybe, since I've said I'm not going to vote for it anyway, where's the small business incubator that we thought was going to be in the bill perhaps for Southern Illinois University? Where did that go? To Rock Island was it or Rockford?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, that was not in the Governor's plan nor in the Governor's request nor in the Governor's version of Build Illinois. As I remind you, he only allocated twenty-three percent of Build Illinois, that was not in that twenty-three percent. Some members took the Governor at his word and allocated a portion of the seventy-seven percent and apparently that was not on that list either, but it was not on the Governor's plan at all at any time that we have ever seen either in his printed plan or that which is allocated to him in this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Davidson.

SENATOR DAVIDSON:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Carroll, to follow up on Senator Dunn's question in relation to coal utilization. Now the million dollars you say that's in here or in DCCA somewhere is for planning. I thought the fifty-five million dollars that was in the Governor's program on coal utilization was to make low interest grant to those industries that could use the present known technology to...such as we're doing over at the Anderson-Clayton so we can burn Illinois coal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. You know, E and R is there for that purpose, so we asked, and the director said they had no projects ready to go. That's not a problem. We've never had a problem appropriating those kind of funds when the departments who are supposed to do come in and ask...you know, they requested a lot of money this year. In that one area, they requested zero and we asked and they said they had nothing ready to go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, then either they or I or you or someone has some misinformation 'cause I understand one of the in-place operating coal fired generating plants that's using western coal to the tune of a hundred cars a week wanted to get into that possibility to use the new proven technology of fluorized bed firing which could burn all of Illinois' soft coal and be below the EPA standards on air pollution. Are...are you saying that's not a fact?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I'm saying that would be a wonderful thing. Be great for Illinois' economy and all it takes is an application and we never saw one and we asked.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, there's one, two, three, four, five, plus myself, six, that I know of sitting in this Chamber that represent the areas which have probably ninety to ninety-five percent of all of the...the coal mine operators and coal miners in the State of Illinois, which is our greatest untapped source of energy in America. This doesn't have anything in it. I highly recommend for those ten thousand unemployed coal miners you either put a No or a Present on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Well, how 'bout Senator Carroll? Senator Carroll, can you explain to me on page 15 of Conference Committee report Section 4.3, lines 12 through 15. That deals with the Department of Commerce and Community Affairs receiving eighteen million dollars, I believe, to the local units of government for public infrastructure improvements. Can you...explain that to...to the Body?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Unlike the last series of questions where the Governor never had anything in his program, here the Governor had asked for eighteen million for loans to and grants to units of local government for public...infrastructure improvements and we put it in at the Governor's request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Will this be the same kind of concept that we discussed both on the Floor of this Senate and in the House? Will this be a revolving loan fund, do you know, Senator Carroll?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Zito, it is my understanding that the intent is to create out of this a revolving loan. That is my understanding, you know...you know, again this was the request of the Governor but from our discussions, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Well, to the piece of legislation, Mr. President, if I can. I am a person that could look at the board just like everybody else and I realize that my arguments on the last piece of legislation fell on deaf ears. We now are confronted with the situation where Build Illinois, I guess, is going to happen and if it's going to happen, I would suppose that we have the projects in place. You know the revolving loan fund concept was not a government handout at all. In so many towns so many mayors said that all they wanted was an opportunity to help themselves. All they wanted was a helping hand. That was the guts of the revolving loan fund, and

while this provides now much less dollars than I would like to see it, I think it's...it's a start; hopefully, we can build on it and I realize my opposition to the last piece of legislation, but I'll support House Bill 993 in the interest of building Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, a number of hours ago, yesterday, when we were voting on another major package, I indicated how proud I was to be part of that process. I wish I could say the same about this process. Over the years, we've had...established a procedure which has gotten these kind of decisions out of pure naked political hands and into the hands of technicans and people who make decisions based on priorities and what presumably is rational thought patterns. I think it's appropriate we have so many of our friends from the House with us tonight because my remarks are aimed at them as much as anyone here. I'm ashamed of this process. We shouldn't be doing this. This is the kind of thing that brings discredit to the Legislature as an institution. This is the taxpayers' money we're playing with and awful lot of it and a lot of it we're going to pay interest on. We shouldn't be itemizing every issue, we should putting...be putting money in the funds that will be needed to take care of the problems based on rational priorities. It's my sincere hope that we will reject this Conference Committee, forget our own local parochial interests and come back with a second one that we can take back to the people of the State with pride.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Watson, for a second time.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. I just...one of the

previous speakers mentioned about what...how much good this is going to do for my district and he talked about Department of Transportation and Law Enforcement Building in Collinsville and the civic center in Collinsville. I don't...that's nowhere in this legislation. In fact, Madison and St. Clair County area, of which is the second largest area of this State, gets 15.5 million, none of which...or very small amount is...is in my...my district. I wasn't involved in the negotiations in regard to this particular piece of legislation, there's nothing in here for the people in my area and I think it is a parochial interest. I...I look at this as a point as to what can I do for the people in my area, that's...that's the people who sent me here. They voted for me. What can I do for them? There's not much in here for my area and there's probably not much for anyone from downstate Illinois. Anybody who votes green from downstate Illinois, it's a bad vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka, for a second time.

SENATOR TOPINKA:

Yes, Mr. President. May I ask a question of the sponsor? Just kind of a quickie? Senator Carroll. Yeah, quickie. Right. In the Governor's proposal there was at least 16.5 million in the first year for wildlife habitats, natural area acquisitions and soil erosion programs. Now we've already agreed my area has got nothing. This is a pretty generic type of a...of a request that I think is rational in terms of what Senator Schaffer brought up. Could you tell me what happened to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, you know, he has exisiting finances for that in his operating agencies. I wrote to him and Doctor Mandeville

early May and asked them for their priority list in that category and others, and I...they said it was on its way. You've seen it and I've seen it. It hasn't exisited and the minute it does, we would have made it part of the Governor's allocation. Wonderful idea. We asked for the detail, we asked for the prioritization, we asked for the criteria and we got nothing back, and, therefore, we put nothing in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Rigney.

SENATOR RIGNEY:

I note in our handout here, we're talking about eighteen million dollars to the DOT for reconstruction, the extension and...and improvement of State highways. Have any of those been tabbed as to where they're at?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, those were the ones as the Governor had announced. Route 51, Central Illinois Expressway, Thorndale Avenue and then the three million category for access roads and interchanges, et cetera...pursuant to the Governor's allocation as he announced and as was in his original handouts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock to close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Allow me to say, welcome to the 3rd of July and for those who think seriously that there will be a second or a third or a fourth Conference Committee report, let...let's take the facts as they are. We are dealing essentially with House Bill 569, introduced in the House and then bloated to the tune of about four billion dollars and sent to the Senate; and the Senate, I think, acted pretty responsibly and we not only acted responsibly in committee, we then agreed,

as we always agree, to attend summit meetings and attempt, if you will, a prioritization of...of where Build Illinois should go, how fair could it be, and we said, we are willing to sit and negotiate and talk until we're blue. We have a different way to finance this program, Governor, and the Governor, after some lengthy rethinking agreed with us in part and disagreed in part, and that, frankly, is what this process is about. The adoption of Conference Committee Report No. 1 which I am urging strongly, strongly, at one-fifteen in the morning on July 3rd, is final action of the Assembly but is not, I suggest to all of you particularly on the other side, it is not final approval. Some of the comments I heard from the other side would lead me to believe that the gentleman on the second floor is a Democrat with a Democratic pen, and by virtue of passage of this we are somehow taking all of the funds of the Illinois and landing them in...in the City of Chicago. Simply not correct. Simply not correct. The allocation that was made was one that we said from day one would be fair, because I hasten to add as was alluded to earlier and apparently ignored, is that by virtue of passage...passage of 570, by virtue of our initiative...legislative initiative at the Governor's request to put into place a Build Illinois Program, we are imposing a tax to pay for these projects, however they finally come out, a tax that is paid for principally by the people in the City of Chicago and in the County of Cook. Like it or not, those are the figures from the Department of Revenue, and so those of us who happen to represent that area said, hey, isn't it fair that we would receive a percentage of whatever capital projects are out there? We are all universally...irrespective of House, irrespective of party, we all are universally committed to the capital rehabilitation of our higher university system. That's a given. I don't care who's district it's in. I don't care if you're a Demo-

crat or Republican, that's a given. There is...I dare say, there's no one in this Chamber who is opposed to the finally realized Highway 51. I have been hearing about Highway 51 since Governor Ogilvie was the Governor. Nobody is against the Central Illinois Expressway, nobody is against the Thorndale Avenue, get-people-to-O'Hare Airport-road. Those are universal. We're all for that. Question is, how do you get there? Well, I suggest to you, you don't get there by delaying tactics and by suggesting to the other members of the summit that we do not choose to participate, that you don't get there by...refusing to sit down and talk about priority lists and allocation. So, now we are left with a bill with which many of you are unhappy. Well, frankly, many of us are unhappy about it too because that simply is not the way the process should work. But what do we do now on July 3rd at one-fifteen in the morning? My suggestion to you is that we ought to unanimously approve the Conference Committee report on 993, because what it says in broad outline is, yes, we want to Build Illinois and, yes, we have a commitment for one billion three hundred million dollars in expenditure and, yes, it will be fairly spent and, yes, there ought to be a municipal agenda, not only for Chicago but for every city in this State; and if we can't stand for that and quit nickle and diming around on little bitty projects, then we ought to rethink our position, then we ought to back up and say, no, we really don't want a Build Illinois initiative. Whether you're a Democrat or a Republican, for goodness sake, all of you from downstate ought to embrace this thing wholeheartedly and blindly, and what those of us who represent the people of Chicago are saying is, look, we're paying the tax, we'd like a fair share, we don't want it all, a fair share, and your Governor...your Governor has the pen. This is final action of this Chamber, but it is surely not final approval because you and I both know what he can do with that pen. Ladies and

gentlemen, if we are to move this Session to a conclusion, I urge an Aye vote for the motion to adopt the Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 993. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last time. Take the record. On that question, the Ayes are 31, the Nays are 22, 2 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I move that the Senate stand adjourned till...or stand in Recess until nine o'clock this morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock moves that the Senate stand in Recess till the hour of nine o'clock this morning. The Senate stands in Recess.

H.B. 993

84TH GENERAL ASSEMBLY

REGULAR SESSION

JULY 3, 1985

PRESIDENT:

The Senate will come to order. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Mr. President, last night, having voted on the prevailing side on Senate Bill 993, I would now move that we reconsider.

PRESIDENT:

All right, Senator Bloom has moved to reconsider the vote by which the Senate failed to adopt the first Conference Committee report on House Bill 993. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. On the Order of Conference Committee Reports, a Conference Committee report on House Bill 993, Mr. Secretary.

SECRETARY:

The first Conference Committee report on House Bill 993 with the vote reconsidered.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Apparently there was some confusion last night when this bill was called the first time, and this is the appropriation bill that implements those projects that were...or the funding mechanism that was in 570. I...it's been debated. I would move for a concurrence of Conference Committee report on House Bill 993.

PRESIDENT:

All right, the gentleman has moved that the Senate adopt the Conference Committee report on House Bill 993. Discussion? Senator Geo-Karis. Pardon me, Senator Geo-Karis, before you begin, WAND-TV Decatur has requested permission to videotape. Is leave granted? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I want to apologize to this Senate 'cause last night I had my little rod here and I did press the green but not strong enough and I ended up not voting and I certainly apologize. I'm going to speak in favor of 993. I think it is spread around for the whole State, and I think it's about...that we can leave it up to the Governor to use his pen, as the President of the Senate suggested, if there is any inequity, and I speak in favor of the bill...the...

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I...I think I said enough last night. I don't believe this has really gotten any better after however many hours, eight, ten hours. It's the same...same proposal. We're talking about Build Chicago. I understand the sleds are greased and everything is going to go, but as a downstater, I'm still quite concerned about the...the funding and where it's going and the fact that many of us in downstate were simply not considered when it came to many of the projects, but...so, I'm going to be voting No and...thank you.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I would have the tendency to go along with Senator Watson. I don't think eight hours improved this any. Sometimes when you let things sit around, they just have the tendency to grow mold and rot, and I think that's where this is. I would like to make a comment though...in answer to a...an answer I got last night for my question regarding what happened to the money that was allotted, thirteen some million dollars, for conservation in terms of soil erosion,

land...wildlife habitats, land acquisition. Senator Carroll noted at that time that there had never been any response to him when he asked about all that information. I do have in my possession a letter dated June 12th and it is written to Senator Carroll. I realize sometimes mail, apparently, doesn't make its way, but it is a response from the Department of Conservation and it does break down that whole particular area, does make its request, does state why it sounds like an awfully good program, and I will be more than happy to make a copy of this available to Senator Carroll.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. Let me caution members on both sides of the aisle that before we get heavy into more posturing, as the maker of the motion to reconsider to bring it before us again, I listened very closely to the closing of the Senate President last night, and the point he made, as we all had exhausted ourself at about one-fifteen in the morning, posturing, some of us, the point he made was that there is a pen; and I would suggest further to this Body that there are people on both sides of the aisles who recognize that there may be double appropriations represented in this and other bills, is another way of putting it, and I believe that we will have the opportunity to more fully...more fully address Build Illinois in another bill and that probably the longer we stay around here, the more we catch some infectious diseases...no, strike that...the more we get caught up in some of the...some of the convolutions of the other Body, and perhaps the best thing is to send this out of here and to address Build Illinois in another Conference Committee report and one or two other issues. Thank you.

PRESIDENT:

Further discussion? Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think I'll ask the question that's on everyone's mind. Now what's happened over night? Does that mean, Senator Bloom, that the Governor has assured enough of you that he will veto the projects which are either in Chicago or in Democratic districts that enough of you will support it and if that's true, maybe there ought to be some rethinking on this side of the aisle. You know, there was a lot of nonsense in that bill to begin with and a lot of very good things in the bill, but for some reason...as of last night, the Governor was not able to persuade other than a handful of people on his own...in his own party to support his major program of the entire Session, and the only reason why it got any votes at all was because a lot of us felt that...having gone far enough to make some compromise on the funding that the appropriation, obviously, ought to be included. Now, most of you did not think that. What's happened overnight? Would you like to let us in on it?

PRESIDENT:

Further discussion? Channel 2, WBBM-TV has requested permission to film as has whoever it is. Leave is granted. Senator Macdonald. UPI, by the way, would like to take some still photographs. Leave is granted. Senator Macdonald.

SENATOR MACDONALD:

Thank you. Senator Netsch, I can't speak for my side of the aisle, I can only speak for myself, but I can tell you that my vote last night, I think, was one of the worst I've made in the thirteen years that I've been down here...as...I...I thought about it a lot and really didn't get a lot of sleep last night. I think that in general, the Build Illinois Program...I voted for Build Illinois and I thought that Senator Rock made a...a very impressive statement on the Floor of this Senate and I...I...really fatigue

was my enemy last night, and I certainly have not talked to the Governor personally and I know of no deals that have been made and I...I just will tell you from my own perspective that my...my problem was fatigue. I was just too tired and I...I really was looking at how other people were voting in my area and so forth and...I think my vote was wrong and I intend to support this move to reconsider and vote Yes this time.

PRESIDENT:

Further discussion? All right, we have nine additional speakers on a bill that we almost passed. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Netsch, the Governor and the four leaders have been meeting this morning since about nine-fifteen and, quite frankly, one of the problems with downstaters and people on my side of the aisle is that some of the Governor's, we call, good stuff was taken out, soil conservation, water, those things. We are going to be considering, I hope, House Bill 655 sometime today. Most of that stuff will be put back in and, hopefully, we will pass that, and I think that's...should satisfy downstaters and people on my side of the...of the aisle. So, without further ado, I would hope that we'd have a favorable roll call, get on with the business of the Senate and get out of here for the 4th of July.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

All right, I understand that and I...I don't disagree with you, Senator Philip, that I think some very good things came out in 993 last night. I guess what I'm asking as an additional question is, what that was in 993 last night is now going to be removed? For example, although I do not

share Senator Watson's feeling about the imbalance in favor of the City of Chicago, there were some critical projects for Chicago as well as other areas of the State in there. Are they now in danger? Is that what the trade-off is going to be?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

...Senator Netsch, there has been no trade-off whatsoever. I'm assuming all of those things for Chicago are going to be in there. Now,...and the Governor had the same authority he had yesterday, the day before, two years ago. If he doesn't deem that project on a high priority, whether it's downstate or Chicago, he has the authority to veto it out. I'm assuming he's going to probably do that to some of those projects, going to do it to some of the downstate projects, quite frankly, and he's always had that authority, but there has been no agreement whatsoever.

PRESIDENT:

WFHL-TV Decatur also wishes permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I know there's been a lot of discussion on this bill in regard to Build Chicago or whatever, but speaking as a downstater, we have some crucial projects in this bill. We have some cities that have needed sewer extensions, have needed water lines for a long time and we've been waiting on them for economic development, to create some jobs, to put our people to work. It's critical for...for several of the communities in my area. I don't view this as a Chicago bill, I think it's helpful to my area as well as other areas of downstate and I'm grateful for that. I've been assured that

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there is no less a commitment toward the coal industry from the Governor's perspective or from the leadership perspective of either House on this bill and I...and I hope that...that that is true and whatever we need to do to convince the folks in the...in the coal area of...of this fact, that we do that, and I just ask for a favorable consideration of the bill. I think it's a fair bill.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 993. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 8 Nays, 2 voting Present. The Senate does adopt the Conference Committee report on House Bill 993 and the bill having received the required constitutional majority is declared passed. If you'll turn to page 3 on the Calendar, on the Order of Conference Committee Reports, Senator Philip. Senator Philip on Conference Committee report on House Bill 567. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. For a number of days now, the Calendar has had on Secretary's Desk concurrence, Senate Bill 1454, which you know is the McCormick Place reform which passed the House and was sent back here. I would like that called at some point. And my question is, whether you intend to do so...to allow me to do so?

PRESIDENT:

I...I believe I do at the end of the call. That's been...that...we've been over that order of business at least twice and it's now July 3rd. I think the conferees on the appropriations have a right to be heard first. Senator Philip on 567. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 567.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the IHDA bond appropriation for about a billion dollars for housing, et cetera, et cetera. Be happy to answer any questions and hope that we see some green lights up there.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 567. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 567 and the bill having received the required constitutional majority is declared passed. Turn to page 4 on the Calendar, Senator Dunn. On the Order of Conference Committee Reports, House Bill 2418, Mr. Secretary.

SECRETARY:

House Bill 2418, the first Conference Committee report.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

...thank you, Mr. President...House Bill 2418 in the report...the Senate...and the...recede from Senate Amendment No. 1. The effect of the report creates an Illinois Industrial Coal Utilization Program and revolving loan fund to finance new coal burning facilities. Coal Development Bond is to continue awarding grants from the Coal Development Bond

Fund, there's thirty-three million dollars left for coal and two million for alternative forms of energy. The Coal Development Board is to...consist of eleven members, that's...and I move that we adopt the Conference Committee report.

PRESIDENT:

All right. Senator Dunn has moved the adoption of the Conference Committee report on House Bill 2418. Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2418. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2418 and the bill having received the required constitutional majority is declared passed. If you'll turn to Supplemental Calendar No. 1...Supplemental Calendar No. 1. There are some thirty Conference Committees representing, I'm told, sixty to seventy percent of the State budget and we will go right down the line and, hopefully, they will enjoy support. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Could we have two minutes to get the fact sheets out. The...the paper has not...

PRESIDENT:

No question about it...no question about it.

SENATOR BLOOM:

Okay. Thank you...thank you, Mr. President.

PRESIDENT:

All right. Gentlemen, it is the intent of the Chair, I can tell you, to conclude the budgetary matters and go home, and in that we will make every attempt to expedite the

discussion on the appropriation bills. In the meantime, while the Secretary and the staff are passing out the requisite fact sheet and backup material for your perusal, there are still some remaining substantive Conference Committee reports which some members may wish to go to. If that's the fact, I...I think in fairness, we could probably try to handle some of these. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. The civic center legislation, House Bill 2421, if we could do the Conference Committee report on that...

PRESIDENT:

All right. Mr. Secretary...

SENATOR BLOOM:

...there's some interest in that.

PRESIDENT:

(Machine cutoff)...Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Mr. President, in listening to the latest information you gave us, it sounds like the budget considerations will be the last order of business, and we will not return to Secretary's Desk Concurrence, or am I wrong?

PRESIDENT:

That's a mischaracterization of what I said.

SENATOR KUSTRA:

Oh, okay. I would just remind you that we have never been through that order of business to allow me to get to 1454. You...

PRESIDENT:

Oh, yes I have.

SENATOR KUSTRA:

...you were on the...

PRESIDENT:

Oh, yes we have.

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SENATOR KUSTRA:

...the other day...

PRESIDENT:

Oh, yes we have. No, wrong. You were not always on the Floor, Senator Kustra, and that's unfortunate but that happens to all of us with...Conference Committees going on. The fact is, we were through that order of business and you did not respond. All right. With leave of the Body, we'll move to middle of page 4, on the Order of Conference Committee Reports, the Conference Committee report on House Bill 2421. Mr. Secretary.

SECRETARY:

House Bill 2421, the first Conference Committee report.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I'll try and be brief. As you know, there have been many areas in communities in the State that have gotten into the process of building civic centers. House Bill 2421, after a substantial work and discussion on both sides of the aisle in both Houses and with the Governor's Office, basically has worked out an affordable solution to continuing this and also restoring a degree of discretion and sanity of...basically, this increases the State's aggregate financial commitment from seventy-five to a hundred million, and it's done by virtue of establishing a new bond fund with an authorization of one hundred million for refunding the existing bonds and consolidating the bonding process. Now, in order to make these bonds...attractive to those who would buy them, it prevents new issues of bonds if a ratio of revenue is less than a hundred and seventy-five percent of debt service needs. It also sets some standards for the application process and requires some competitive ranking of projects, but grandfathers in to

afford fairness to those who have already gone through the process under these rules an application on file that was received prior to the 1st of June of 1985, and the ten new civic center authorities are retained in the bill. I'll answer any questions, otherwise, seek a favorable roll call.

PRESIDENT:

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you. I'd like to ask the sponsor a question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

Thank you. On House Amendment No. 2, it says Brownsville Park District and I understand that's in my area and that should be Brownstown, and I think that...would...would you tell me if it's correct in...in the language in the legislation?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

All right. I...I think the analysis is incorrect. Okay. That's one of the problems we have, we rely on analysis and sometimes forget we pass bills; and I'm sure that...that there's a typo, it can be corrected in Enrolling and Engrossing.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2421. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 Nays, none voting Present. The Senate

does adopt the Conference Committee report on House Bill 2421 and the bill having received the required constitutional majority is declared passed. Top of the page, Senator Weaver has requested leave to go to House Bill 1285. Mr. Secretary, on the Order of Conference Committee Reports, the report on House Bill 1-2-8-5. 1285.

SECRETARY:

First Conference Committee report on House Bill 1285.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that we adopt the first Conference Committee report. This report is the exact way in which 1285 left the Senate. If there's any questions, I'll be happy to answer them.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1285. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1285 and the bill having received the required constitutional majority is declared passed. Senator Sangmeister seeks leave to go to...360, Mr. Secretary. On the Order of Conference Committee Reports, the report on House Bill 360. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I have a motion at this time that we move to reconsider the vote by which Senator Karpiel moved to reconsider the vote on Conference Committee No. 1 to House Bill 360.

PRESIDENT:

All right. I am told that typically the House has put us in this position. So we are moving to reconsider the vote by which Senator Karpiel's vote to reconsider prevailed. That will have the effect of losing the first Conference Committee and we will then be on the proper order. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the vote is reconsidered. Mr. Secretary, on the Order of Conference Committee Reports on House Bill 360.

SECRETARY:

Second Conference Committee report on House Bill 360.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I hate to go through this litany for the third or fourth time. The problem, if you recall, on this last time I was mistaken, it was corrected by Republican staff. There were elements of the original bill that were still in here that are now gone that were abhorrent, for want of a better word, to the Illinois Retail Merchants' Association. Once again, basically and rapidly, what the bill does is it reinstates the bill that we sent over to the Senate on the exclusionary rule. There is in this report several other bills pertaining to the taking of blood alcohol tests at the emergency room, and the other important thing in here is deleting eight of the fourteen aggravating factors on...on that upgrade of simple battery and put them into the aggravating section of the Criminal Code, so it pertains to all crimes. I'll try to answer any questions; if not, I would move that we adopt Conference Committee Report No. 2 to House Bill 360.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of the second report. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Senator Sangmeister, which elements in...of the ag. battery section 12-4 still remain if this Conference Committee report is adopted?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Those that...pertain to policemen and firemen or where poison is used. It is...it is still an aggravated battery.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Okay. Well, then to the bill. I rise in opposition to this Conference Committee report. What...just so that everybody understands what we're doing. Presently, in Section...Chapter 38, Section 12-4 of the Criminal Code, that's the aggravated battery section so that certain offenses which would ordinarily be a battery, if they are committed against certain individuals, they automatically become an aggravated battery. That's been in the law for quite some time. What we are doing by this is removing those provisions, such as if...if the individual is a teacher or employed in a school, that would be an aggravated battery now. We're taking that out, so your teachers and your school personnel are not protected as they would be before. If the individual is employed in a park district in any of your communities, we are taking that out...that protection out of the bill. If the individual is employed by the State Department of Public Aid or the County Department of Public Aid, we are taking that protection out of the bill as it is today. If the individual is a driver, operator or employee of a transportation facility system, we're taking that out of the bill today. If the individual is a senior citizen, we're

taking that protection for senior citizens out of the bill. If the individual is a judge, we're taking that provision out. These are provisions that have been in our laws for some time. The protections that if they...if these individuals are harmed, batteries become automatically aggravated batteries, and for some reason, we see fit to take that out, this has been in our law for some time. I think it's a bad idea and I think that teachers should be protected and if you're going to...assault a teacher or school personnel on school grounds or a public aid worker, that should be an aggravated battery. That's been in the law for some time, I see no reason to take that out and, therefore, I rise in opposition to this Conference Committee report.

PRESIDENT:

Further discussion? Any further discussion? Senator Sangmeister, you wish to close?

SENATOR SANGMEISTER:

Well, I detect that to be a veiled disguise because we don't like the fact that the exclusionary rule is going to become the law of the State of Illinois, and I think we're using one section of this bill to kill another. Now what Senator Marovitz said is not entirely true. When you say you're taking it out of the law, we are not; we are moving that over as an aggravating circumstance for all crimes in the State of Illinois, not just on aggravated battery, it will apply to any felony. Now it...we've reached the point with aggravated battery in this State that we don't have simple battery anymore. Everybody wants every time they're assaulted to be an aggravated battery. Now we are leaving it in for policemen and firemen where it rightfully belongs, and we're making it a factor for all other crimes in the other section. I think that's a reasonable approach and the other goodies in this bill should not be lost to the law enforcement in the State of Illinois. It's important that that

exclusionary rule become the law of the State of Illinois, and I would urge adoption of this report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report...the second Conference Committee report on House Bill 360. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 2 Nays, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 360 and the bill having received the required constitutional majority is declared passed. The top of page 5, Senator Kustra seeks leave to go to that order for Senate Bill 1152. 1-1-5-2, Mr. Secretary.

SECRETARY:

First Conference Committee report on...House Bill...or Senate Bill 1152.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. I would move that we reject Conference Committee Report No. 1, that a second Conference Committee report...or Conference Committee be appointed.

PRESIDENT:

All right. Senator Kustra has...the question is, shall the Senate adopt the...Conference Committee report on Senate Bill 1152. The sponsor is requesting rejection. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 19 Nays, 1 voting Present. The Conference Committee report is not adopted and the Secretary

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shall so inform the House, and Senator Kustra has requested the appointment of a second Committee on Conference. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Could I have the Conference Committee report on Senate Bill 513 heard?

PRESIDENT:

All right, the lady seeks leave to go 513. Leave granted? On the Order of Conference Committee Reports, Conference...Conference Committee report on Senate Bill 513. Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 513.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 513 was originally a vehicle bill that was intended to be available if needed for school funding, and it was not so needed and so it has become a little bit of a Christmas tree but a revenue Christmas tree instead of a pork barrel Christmas tree like the one that we just adopted a few moments ago. It does three things at this point; it enacts a...an enterprise zone loan program which does, in fact, set up a mechanism for permitting DCCA, the Department of Commerce and Community Affairs, to provide for and ultimately approve loans to businesses in enterprise zones and there are, obviously, a number of qualifications on that. That, as I understand it, is a...a proposal which has been requested by DCCA. The second thing that it does is to deal with the question of the interest on earnings on taxes collected by the county for units of local government. As some of you may recall, the interest is to be returned on request to the units of local government and there currently is a provision which provides for an automatic rebate of the

taxes of that unit of local government to the extent of the interest collected. That is thought to be an extremely cumbersome matter that is probably not worth the effort, and Representative Klemm has requested on several occasions that we eliminate the automatic abatement. I think this provision is already in a Conference Committee report on...either Senate Bill or House Bill...623 and it's...which has passed. The third thing that it does is to provide a little tax break for Mitsubishi, if indeed, it...decide to come to the State of Illinois. It is a five-year investment tax credit carry-forward that is, I think it's fair to say, so carefully circumscribed that I don't think anyone could qualify except Mitsubishi and my understanding is that if anything happens and Mitsubishi does not locate its automobile plant here, the Governor intends to veto that carry-forward section. It obviously should not be allowed to be available generally because it will cost local governments a ton of money if it is widely available, but it is very, very narrowly defined for that purpose.

PRESIDENT:

All right. Senator Netsch has moved the adoption of the Conference Committee report on Senate Bill 513. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, it sounds like a lot of pork to me, but I guess I'm for it if the lady is.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 513. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 513 and

the bill having received the required constitutional majority is declared passed...with leave of the Body, we'll go right...two down to Senate Bill 925. Senator Carroll has been conferring on appropriations for two days. On the Order of Conference Committee Reports, bottom of page 4, the Conference Committee report on Senate Bill 925. Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 925.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was the employee awards suggestion plan. The House had had a...a slightly different version. We have resolved the differences between the two Chambers, it will have to be a legislative Body with executive oversight by way of advisory because of the problems we had once had with the State Fair, so that this would have to maintain it as legislative and would allow the Comptroller to set aside any savings so effectuated through the employees suggestions, to actually earmark those funds with the approval of the Bureau of the Budget from the operating budgets of State Government. I would move adoption of Conference Committee Report No. 1.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 925. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 925 and the bill having

received the required constitutional majority is declared passed. Senator D'Arco seeks leave to return to House Bill 312. Top of page 3, on the Order of Conference Committee Reports, Conference Committee report on House Bill 312. Mr. Secretary.

SECRETARY:

Second Conference Committee report on Senate Bill 312.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the court reporters...court interpreters bill and it provides that the State would reimburse the county for the fee that the court interpreter would provide where a person cannot speak English. There was a provision in this bill that had an increase for court reporters' salaries. I'll have you know that that provision is no longer in the bill, Senator Watson, so you don't have to worry about that anymore, and I don't know of any opposition to it.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 312. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 312 and the bill having received the required constitutional majority is declared passed. Mr. Secretary, the bottom of page 5, another conferee is back with us. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 1379. Senate Bill 1-3-7-9.

SECRETARY:

First Conference Committee report on Senate Bill 1379.

PRESIDENT:

(Machine cutoff)...Bloom, I'm sorry.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. 1379 originally allowed for the appointing of committees and/or task forces by the Health Care Cost Containment Council. It was amended in the House to add language necessary for the Department of Public Aid to implement its eye care program, the selective contracting program. The Conference Committee added a technically correct Senate Bill 103 that flew out of here about 53 to nothing. I would move that we adopt the Conference Committee report.

PRESIDENT:

Senator Bloom has moved the adoption of the Conference Committee report on 1379. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1379. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1379 and the bill having received the required constitutional majority is declared passed. All right. If you'll turn to Supplemental Calendar No. 1, we will handle in their order of appearance the Conference Committee reports on the FY '86 budget and there are, I'm told, ten or twelve additional Conference Committee reports which will be subsequently handled. On the Order of Conference Committee Reports, Conference Committee report on House Bill 652. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 652.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This...amendment was requested by GRF, thirty-five thousand two hundred dollars, reduces the Personal Services by eighteen thousand eight hundred dollars, Social Security by one thousand three hundred, Retirement added nine hundred. Also, makes reductions of sixteen thousand dollars, ten thousand dollars was added on in the House to assist with the move to a new location. It was deleted and the request for four new cars was added...(Machine cut-off)...for Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, that was a very good motion. The question is, shall the Senate adopt the first Conference Committee report on House Bill 652. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The...the Senate does adopt the first Conference Committee report on House Bill 652 and the bill having received the required constitutional majority is declared passed. House Bill 653, Senator Dudycz. Mr. Secretary.

SECRETARY:

First Conference Committee report on...House Bill 653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

I move the Senate adopt Conference Committee Report No. 1 to 653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the...first Conference Committee report on House Bill 653. Any discussion? If not, those in favor signify...will vote Aye. Those

opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 653 and the bill having received the required constitutional majority is declared passed. 657, Senator Schaffer. Mr. Secretary, 657.

SECRETARY:

First Conference Committee report on House Bill 657.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, the conferees come up...this is the Education Labor Relation's Board come up with a total of a million three hundred and two...well, almost three hundred and three thousand down from a million four as introduced. I'd be happy to answer any questions. I believe we've reached an equitable compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 657. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The...the Senate does adopt the first Conference Committee report on House Bill 657 and the bill having received the required constitutional majority is declared passed. 659, Senator Geo-Karis. House Bill 659. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 659.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, the Senate...in the...in the report, the Senate receded from Senate Amendments 1 and 2 and made some other substitutions. I move for the concurrence of this report and...and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 659. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 659 and the bill having received the...required constitutional majority is declared passed. House Bill 660, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 660.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move the adoption, the first Conference Committee report on...House Bill 660.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 660. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee on House Bill 660 and the bill having received the required constitutional majority is declared passed. House

Bill 661, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 661.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I move the Senate adopt the first Conference Committee report to House Bill 661.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just a point...Mr. President. We're all in a hurry to get out of here, but I do think that we ought to have a very brief explanation of what the Conference Committee reports do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This Conference Committee report...I just give the dollar amount. This Conference Committee report appropriates one million four hundred and thirty-three thousand five hundred and thirty-three dollars to the...the Medical Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 661. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 661 and the bill

having received the required constitutional majority is declared passed. House Bill 663. Mr. Secretary, House Bill 663.

SECRETARY:

...the first Conference Committee report on House Bill 663.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Okay. Mr. President and members of the Senate, this is the Emergency Service and Disaster Agency for a total of twenty-six million five hundred and forty-three thousand, up about five thousand from the way it left the Senate...series of amendments. Be happy to go into details, I don't believe there's any controversy though.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 663. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 663 and the bill having received the required constitutional majority is declared passed. House Bill 664, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 664.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you. This is the appropriation for the Department of Children and Family Services. It is two hundred and fifty-six million one hundred and ninety-three thousand

dollars. It would be a little less than it passed the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 664. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 664 and the bill having received the required constitutional majority is declared passed. House Bill 666. Mr. Secretary.

SECRETARY:

...first Conference Committee report on House Bill 666.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the operating budget for the Commerce Commission. It's about two hundred and fifty thousand dollars less than the...introduced level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Did you say that you had reduced the Commerce Commission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Senator Carroll would be happy to speak to that, I think.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It's a hundred and seven thousand six hundred over the way it originally left the Senate, restoring the money that they needed for EDP...expansion and some other minor items.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Was there any reduction in the availability of their professional staff during the course of the process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The only thing we're aware of is there was a suggestion in there that was duplicative of last year, identical language of three people that nobody could understand...excuse me...that had never been put on last year. That's all we're aware of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

...thank you. Just a comment. I didn't know whether...that there had been. I was really just asking a question. The reason for it is to begin to look carefully at the budget for that agency, because with the rewrite of the public utility law, with the absolute commitment that we have made to try to further professionalize the operations, it is extremely critical that...that they really be allowed to have more than they have had in the past, in fact, be forced to almost. So I think that's got to be watched in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer may close.

SENATOR SOMMER:

Just in response to Senator Netsch, if she's listening. We did, in fact, discuss that very issue in the committee at...at quite...at quite some length. It was decided that the...the public utilities laws will go into effect, we'll have over the summer to develop the...the...the...the knowledge that we need to...to determine where they need the pro-

fessional help, and then perhaps in October we can give them that boost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the question is, shall the Senate adopt the first Conference Committee report on House Bill 666. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. The...the Senate does adopt the first Conference Committee report on House Bill 666 and the bill having received the required constitutional majority is declared passed. 668. Mr. Secretary.

SECRETARY:

First...first Conference Committee report on House Bill 668.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this the operating budget for the Department of Revenue. The greatest change in this is an additional eighty-five million dollars that was needed to meet our obligations to return taxpayers' money for overpayment of taxes. That is individual taxpayers and corporate taxpayers what not for tax refunds. The bill would be about a...about that amount up from the introduction level in the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 668. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting

Present. The Senate does adopt the first Conference Committee report on House Bill 668 and the bill having received the required constitutional majority is declared passed. House Bill 669, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 669.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you. This is the appropriation for the Illinois State Labor Relations Board and the Local Labor Relations Board. The level is 2.128 million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 20 has requested permission to tape. Is leave granted? Leave is granted. Discussion on Senator Bloom's motion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 669. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 669 and the bill having received the required constitutional majority is declared passed. Page 2, House Bill 670, Senator Mahar. 670, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 670.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill...or...I'm sorry, House Bill 670 appropriates seven million one hundred and fifty-seven thousand four hundred dollars to the Illinois Racing Board, and I move the adoption of commit-

tee...Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 670. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 670 and the bill having received the required constitutional majority is declared passed. House Bill 672, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 672.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you. This is the appropriation for the Department of Public Health. Essentially, the conferees adopted the Senate amendments and then there is some other additional...made some other additions, restored some new positions, restored all the cuts in the...Laboratory Division and decided on a half a million for local rodent and weed control grants. It restored some money for a Rape Assistance Program in Aurora and reduced my add-on support for local health departments by two hundred and twenty thousand. The total Conference Committee report is a hundred and eighty-five million six hundred and seventy-four thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 672. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 672 and the bill having received the required constitutional majority is declared passed. House Bill 674, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 674.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the appropriation for the Department of Energy and Natural Resources and the Department of Conservation in the amount of a hundred and eighty-eight million eight hundred and ten thousand five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 674. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 674 and the bill having received the required constitutional majority is declared passed. House Bill 679. Mr. Secretary.

SECRETARY:

House Bill 679, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This is the Department of Mental Health and Developmental Disabilities. The Conference Committee report ends up with the department...and it also adds...also includes the Commis-

sion on Guardianship and Advocacy for a total of six hundred and seventy-nine million seven hundred thousand which is down about six million dollars from the way it left the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 679. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 679 and the bill having received the required constitutional majority is declared law. House Bill 683, Mr. Secretary...oh, I'm sorry, declared passed. House Bill 683, I'm on that again, huh?

SECRETARY:

...first Conference Committee report on House Bill 683.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move to adopt first Conference Committee report on House Bill 683. It's the annual budget which is now the combined Department of Historical Library and the new Historical Sites Preservation for a total of ten million three hundred and fifty-three thousand eight hundred and thirty-two dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 683. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference

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Committee report on House Bill 683 and the bill having received the required constitutional majority is declared passed. House Bill...Senator Rock, for what purpose do you arise? All right. House Bill 1070, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1070.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee report on House Bill 1070 now incorporates the school funding. It's the first three billion dollar single bill I have ever handled, and in deference to my friend and the one who put most of this together, I'd like to have Senator Berman have the pleasure of making that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, and thank you, Senator Rock. I move that the Conference Committee report on House Bill 1070 be adopted. Let me just point out, as Senator Rock indicated, it's three billion one hundred and eight million four hundred and forty-eight dollars. It is a...the first time in seven years that all of the categorical programs have been fully funded. It represents a two hundred and eleven million dollar increase in general State aid, and a hundred million dollars for fully funding of the reforms that we passed last night. I'm pleased to make that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1070. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 2, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 1070 and the bill having received the required constitutional majority is declared passed. 1097. House Bill 1-0-9-7, Mr. Secretary.

SECRETARY:

House Bill 1097, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll. Senator Collins.

SENATOR CARROLL:

Than you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1097 is the ordinary and contingent expenses of the operations of the court system and the Supreme Court, a hundred and twenty-nine million two hundred and 61.1 thousand, basically taking out of the budget the lapsed funds that they normally have and putting in the new DUI probation system. I would move adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1097. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1097 and the bill having received the required constitutional majority is declared passed. Senate Bill 403. Mr. Secretary, Senate Bill 403.

SECRETARY:

First Conference Committee report on Senate Bill 403.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Conference Committee on Senate Bill 403 is the Court of Claims awards bill. These are the awards that were, in fact, signed and only those that were signed by the Court of Claims or the advisory opinions that were signed by the majority judges of the Court of Claims, none others, and I would move adoption of Conference Committee Report No. 1. No Medley.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 403. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 403 and the bill having received the required constitutional majority is declared law. Senate Bill...all right, is...is...is declared passed. Senate Bill 452, Senator Philip. Senator Philip, 452? Senator Sommer, I'm sorry. Senate Bill 452, Mr. Secretary.

SECRETARY:

Senate Bill 452, first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is for the Operations; that is, the Office of the Capital Development Board. It's down about a hundred thousand from the amount that the Governor introduced it at.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill

452. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 2, none...none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 452 and the bill having received the required constitutional majority is declared passed. 454, Mr. Secretary. Senate Bill 454.

SECRETARY:

First Conference Committee report on Senate Bill 454.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the Office of the Lieutenant Governor. It's up about ten thousand dollars from the...introduction level, most of that is for telephone costs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 454. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 454 and the bill having received the required constitutional majority is declared passed. 460, Senator Bloom. Mr. Secretary, 4-6-0.

SECRETARY:

First Conference Committee report on Senate Bill 460.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This is

the appropriations for the Industrial Commission. It was introduced at 5.7 million and the Conference Committee has it at 5.715 million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 460. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 460 and the bill having received the required constitutional majority is declared passed. Page 3, Senate Bill 461, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 461.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you. The Conference Committee accepted the three House amendments and did not accept House Amendment No. 4. So the conference report is five million six hundred and nineteen thousand seven hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 461. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 461 and the bill having received the required constitutional majority is declared passed. Senate Bill 464, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 464.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. I move for the adoption of Conference Committee Report No. 1 on Senate Bill 464. This is the appropriation for the Department of Registration and Education. The Conference Committee report is ten million thirty-four thousand seven hundred dollars. It was introduced and passed...well, it passed the Senate at ten million thirty-two thousand, so we restored a little over two thousand dollars. So I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion?...discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 464. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 464 and the bill having received the required constitutional majority is declared passed. Senate Bill 468, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 468.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Department of Agriculture's budget. It was introduced at forty-five million eight hundred and thirty thousand five hundred dollars, and the Conference Committee report is at forty-six million five hundred and forty-six

thousand two hundred and ten, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the fist Conference Committee report on Senate Bill 468. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 468 and the bill having received the required constitutional majority is declared passed. WCIA requests permission to videotape. Is leave granted? Leave is granted. House Bill...Senate Bill...Senate Bill 470, Mr. Secretary. Senate Bill 470.

SECRETARY:

First...first Conference Committee report on Senate Bill 470.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 470, Conference Committee Report No. 1 appropriates six million one hundred and seventy-six thousand dollars for the ordinary and contingent expenses for the Office of the State Fire Marshal. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 470. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Commit-

tee report on Senate Bill 470 and the bill having received the required constitutional majority is declared passed. Senate Bill 473, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 473.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 473 appropriates fourteen million ninety-two thousand eight hundred and fifteen dollars to the Department of Nuclear Safety. I move the Senate approve Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 473. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 473 and the bill having received the required constitutional majority is declared passed. House...Senate Bill 475, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 475, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 475 appropriates twelve million four hundred and eighty-eight thousand two hundred and eight dollars to the Office of the Bureau of the Budget. I move that the Senate approve Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate approve the first Conference Committee...adopt the first Conference Committee report on Senate Bill 475. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 475 and the bill having received the...required constitutional majority is declared passed. Senate Bill 476, Senator Bloom. 476, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 476.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This is the appropriation for the Department of Public Aid. When it left the Senate it was at three billion four hundred and

thirteen million. When it came back, the House had added fifty million. The Conference Committee cut back out twenty million, so it is now at the three billion four hundred and thirty million eight hundred and thirty-one thousand dollar level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 476. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 9, 2 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 476 and the bill having received the required constitutional majority is declared law. Senate Bill 480, Mr. Secretary...I mean, is...is declared passed. Senate Bill...480.

SECRETARY:

First...first Conference Committee report on Senate Bill 480.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, do you wish to have that called? All right, let's pass that one. Okay. Senate Bill 481, Senator Dudycz. All right, Senate Bill 481, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 481.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Conference Committee Report No. 1 appropriates one hundred and thirty-eight million six hundred eighty-seven thousand to the Department of Law Enforcement. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 481. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 481 and the bill having received the required constitutional majority is declared passed. Senate Bill 483, Senator...Senator Maitland. Senator...is there leave to have Senator Bloom handle that? Leave is granted. Senate Bill 483, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 483.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. This is the Purchase Care Review Board and the Department of Aging, and the Purchase Care Review Board is at approximately...two point...2.250 million and the Department of Aging is at...the Department of Aging is at a hundred and fifty million three hundred and nineteen. Answer any questions, otherwise, let's adopt it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 483. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 483 and the bill having received the required constitutional majority is declared

passed. Senator Watson, do you...all right, with leave of the Body, we'll return to Senate Bill 480, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 480.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the Department of Corrections' budget and the reason there's...we held it up is it's been cut considerably from what introduced; in fact, it was introduced at four hundred and four million five hundred thousand, a little over that, and once we got through with the Conference Committee and add-backs which...add-backs weren't really add-backs, they were...some of it was simply provisions, we ended up with about three hundred and ninety million, so we have a...actually about a fourteen million dollar drop in what was introduced, but the actual Conference Committee report is three hundred and ninety-eight million one hundred and eighty-two thousand one hundred and forty-two. Now what is going to happen as a result of this and, of course, Corrections is one of the growth agencies we have in...in our State because we're building more prisons and trying to take care of the people that need to be taken care of, but with the cuts in the provisions that were made in the add-backs where the Department of Corrections is speculating that...that at many of the correctional centers we're going to have a drop in personnel; and I'd just like to run through this and if you...of course, here in Springfield, the general office, they feel that there's going to be a twenty-three positions actually cut...head count will drop; Kankakee, there will be two positions; St. Charles, three; Valley View, three; Centralia, twenty-four positions, which is in my district; Graham-Hillsboro, close to my district, thirty-six positions cut; Jacksonville, twelve positions; Logan, seven-

teen positions; Pontiac, twenty-five positions; Sheridan, eleven positions and Vandalia which, of course, is also in my district, thirteen positions. The reason that I mentioned this is...and a problem that I think many of you are...are aware of in Pontiac where we had an assistant warden that was...that was murdered, not...not in the correctional center, but was murdered and...we have a volatile situation there, and I think that this is not the time to be cutting personnel out of the...out of the budget and I...we're going to move for its adoption, but I just think the members ought to be aware of what we're doing. So, I move for the adoption of Conference Committee Report No. 1 to Senate Bill 480.

PRESIDENT:

Discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would just like to...echo what Senator Watson said. The Department of Corrections, although I don't know if I'm getting any cuts in my area or not, I'm not concerned about the personnel cuts; I'm concerned about the safety of the prisoners and the safety of the community. We have a saying around here, if it's not broken, don't fix it. The Department of Corrections is functioning well, we've had no serious riots, we've had no Atticas, we have a director that has been making progress with the prison system in Illinois. Now, we have a budget that's cut back severely. I don't know the reason for that. I...I'm...I would...I would hope that Senator Watson would reconsider and perhaps nonconcur and we can go back, although we're rushing through these, I think this is one area where the security of our communities are at stake. I'm not happy with this and I'm not going to vote to concur.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Watson, you're just wrong and the Bureau of the Budget indicates you're just wrong. The department has given misinformation once again, and I think it's unfortunate. I don't fault them a hundred percent 'cause they may not have had the current information, but the information they were spreading yesterday was absolutely false based on the Conference Committee meetings. Unless you have employees earning three thousand eight hundred and eighty-eight dollars a year gross, you could not have taken the cuts that they have indicated to you that you took because that's all we took out of some of these institutions, and in most cases, those were either a phasing of new positions at a very modest level. We were very careful not to touch anything at all in the phasing or...or request for new in maximum security, and to allow Danville to open September and let them start their classes now, we did, in fact, take some of the new positions that were in the central office and many of those we just phased them, but we were very careful in this agency as we finished the conference to make sure that the prison system was safe and secure; and, again, I repeat, from the numbers you were given, unless your employees were making less than four thousand dollars a year, there's no way that those cuts could have been anywhere near the number of employees you're told, now that's not new. We've heard that from a lot of departments before. One time we cut four jobs out of a budget and forty people showed up here with pink slips. The department took one member from each of the districts, if possible, and sent them over. That's not what we did here. There is no intent there so to do. All we have done is provide for the safety and security of the system and to ask them to be realistic as to when they hire and that's it.

PRESIDENT:

Further discussion? Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I would reassure people on this side of the aisle, echoing what Senator Carroll has said but adding further that this agency this year is lapsing twenty-five million. I think that the information that has been supplied to some of our members...and I'm surprised at this agency with whom I personally have had a good relationship in the past and hope to have one in the future...overlooking this lapse, but I'm very surprised at this agency for putting out the kind of information they did. Last night when the Governor was up here with us, the director was reading...giving him information from an analysis that was two meetings behind. We worked very hard and carefully on the phase-ins and we got Danville up so it'll go on-line through hard negotiations. Once again, I'm very surprised at some of the information this agency is putting out. Thank you, very much.

PRESIDENT:

Further discussion? Senator Sommer.

SENATOR SOMMER:

Just to point out, you will hear it from time to time from agencies saying that we did something that didn't please them or perhaps they think isn't the proper thing to do. We are back here in October and they can spend their money up till then...there's no great problem in...in that situation.

PRESIDENT:

Further discussion? Further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

Well, yes, sir. I...I have a list that was just given to me ten minutes ago concerning this proposed job loss at the various correctional centers. This was not the list, Senator, that I was referring to and if...and if that's what you're referring to...and this came from our appropriations

staff, then this is not what I...I had in mind. My...my information came from the director and I talked with him at length last night and he's quite concerned, and...and I think justifiably so. His list of cuts is...doesn't come...anywhere near what this proposal is that our people have put together. I think he's being very realistic and I'm sure he's willing to sit down and discuss it with whomever and whenever, but he's quite concerned about the future of corrections and he's quite concerned about the security of the prisons. We're in a situation in which we're going to have to adopt a Conference Committee report if the members so wish, and that's what I'm going to ask for, but we're not necessarily happy with what we got. Thank you.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on Senate Bill 480. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 2 Nays, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 480 and the bill having received the required constitutional majority is declared passed. All right, that...completes the work on...Senate Supplemental Calendar No. 1. I will ask the Secretary to distribute Supplemental No. 2 and it will take approximately one hour for the paper work to follow the Calendar and to afford the members an opportunity, obviously, to look at the reports. Motions in writing, Mr. Secretary.

SECRETARY:

Motion in writing. I move to discharge the Committee on Appropriations I from further consideration of House Bill 655 and that it be advanced to the Order of 2nd Reading. Signed, Senator Sommer.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President, I so move.

PRESIDENT:

All right, Senator Sommer has moved to discharge the Committee on Appropriations from further consideration of House Bill 655 and asked that the bill be placed on the Calendar on the Order of House Bills 2nd Reading for purposes of an amendment. The bill has already, I am told, been read a third time. So, upon the receipt of the amendment, the offering and adoption, we will move it to 3rd and ask for leave of the Body to immediately pass it. In the meantime, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. House Bill 655 now resides on 2nd reading. I would ask the members to take Supplemental Calendar No. 2...just take a look at it. I'm just going to walk you through to show you where we are so that you'll have an idea. At top of the list, put down House Bill 655. That will be amended when we return assuming the amendment is correct. House Bill 655 will be amended, moved to 3rd and, hopefully, passed. On that same Calendar, Senate Bill 448 is a technical change to the Build Illinois Program at the request of the Office of the Governor, and Senate Bill 1095 is a technical change to the Build Illinois tax at the request of the Secretary of State; and, obviously, the one, two, three, four, five, six, seven appropriation bills are all that remains for the Senate to consider. In the meantime, I think it's appropriate that we probably could take a break and get a sandwich or repack your briefcase so that we can be ready to leave, because when we come back, it's the intent of the Chair to go through Supplemental Calendar No. 2 and adopt the adjournment resolution and wish everybody a happy 4th of July, which should...all of which should take, I hope, no more than an...an additional hour upon our return. Senator

Netsch, for what purpose do you arise?

SENATOR NETSCH:

An...an inquiry. Are we going to be allowed to see 655...

PRESIDENT:

Oh, indeed.

SENATOR NETSCH:

...before it is run through here?

PRESIDENT:

That...that...my...yes, indeed. That's one of the reasons I am suggesting that the paper has not caught up with us and so we're going to have to take a break because I surely wish everyone to take a look at...not only that amendment but all the other Conference Committee reports. Mr. Secretary, with leave of the Body, we'll return to the regular Calendar. On the Order of Secretary's Desk Concurrence is Senate Bill 1454, Senator Kustra. That's a message that's...we're trying to deliver to you, Senator Kustra. Senator Kustra.

SENATOR KUSTRA:

We...we on? As I said, it was...it's amazing the control you have over this Body, Mr. President. It's my understanding that the leaders met this morning on the issue of McCormick Place and there has been agreement on a resolution which I don't have in front of me but which I believe...will appoint a committee of this General Assembly to investigate the problems at McCormick Place, and I believe that resolution will also call for an immediate audit by the Auditor General. With that information, I have no interest at this time in calling 1454, Mr. President. I...I do have an interest, however, in another bill, Senate Bill...

PRESIDENT:

Yes, we were going to get there right now.

SENATOR KUSTRA:

...right. So, I would move that we Table that bill.

PRESIDENT:

All right, Senator Kustra has moved to Table Senate Bill 1454. In favor of the motion to Table indicate by saying Aye. Opposed Nay. The Ayes have it. The bill is Tabled. On the Order of Secretary's Desk Nonconcurrence is House Bill 514, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I would move that the Senate nonconcur with Senate...with Amendment No. 1 to House Bill 514.

PRESIDENT:

Well, the motion is to recede or refuse to recede.

SENATOR KUSTRA:

...yes. I refuse to recede and wish that a Conference Committee be reported.

PRESIDENT:

All right. Senator Kustra moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 514 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 529, Senator Luft. Mr. Secretary, on the Order of Secretary's Desk Nonconcurrence is House Bill 529. House Bill 529. Top of page 3 on the regular Calendar.

SECRETARY:

House Bill 529 with Senate Amendment No. 1.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate recede from Senate Amendment No. 1 to House Bill 529. The original bill was a five million dollar appropriation for IDPA small loan programs. We cut it back to one dollar. Now we'd like to have the program intact. So, I would, once

again, move that we do recede from Senate Amendment No. 1.

PRESIDENT:

All right, the gentleman has moved that the Senate recede from Amendment No. 1 to House Bill 529. Discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 529. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 1 Nay, none voting Present. The Senate does recede from Amendment No. 1 to House Bill 529 and the bill having received the required constitutional majority is declared passed. All right, we will adopt the...we'll go to the order...with leave of the Body, to the Order of Resolutions. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right, Senator Demuzio moves that the Resolutions Consent Calendar...all right, Senate Resolution 425, 426, 427, 428, 429, 430, 431, 432 and Senate Joint Resolution 85, no objections having been filed, Senator Demuzio moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, just a...just a comment in regards to Senate Joint Resolution No. 85. You might like...want to know that Senator Lemke announced his engagement to Mary Lou...Shogan, and what I'd like to add to that is that I want to congratulate Senator Lemke and my condolence to her.

PRESIDENT:

All right, ladies and gentlemen, Senator Philip and I have discussed the appropriateness of perhaps a break...Recess for a...for an hour to afford you an opportunity to get back to your desks and answer phone calls and explain to the world that we are, in fact, leaving today. When we conclude Supplemental No. 2, we will have effective concluded our business. So, we would suggest strongly that at two-thirty you be back here so that we can proceed with our business. All right, Senate stands in Recess till two-thirty. Don't forget Supplemental No. 2 with House Bill 655 also added on that Calendar should represent the balance of our work.

RECESS

AFTER RECESS

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on Senate Bill 1152 and requests the second conference. The Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Kustra moves to accede to the request of the House for a second Conference Committee. All in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

...Resolution 436 offered by Senator Demuzio, Rock and all Senators, and it's congratulatory.

Senate Resolution...437 offered by Senator Newhouse and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 438 offered by Senators Schaffer and Kustra.

PRESIDENT:

Executive. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 87 offered by Senator Demuzio.

(Secretary reads SJR 87)

PRESIDENT:

Mr. Secretary, we'll take that resolution out of the record for the moment. All right, if I can have your attention, ladies and gentlemen, apparently the House Republicans are still in a conference. They have not yet decided whether or not they will support the appropriations. My suggestion is we run Supplemental Calendar No. 2, conclude responsibly the business of the Senate, fund State Government as we are mandated to do and leave the House to its own devices. On the Order of Supplemental Calendar No. 2, Senate Bill 453, Mr. Secretary, Conference Committee report on Senate Bill 453.

PRESIDENT:

First Conference Committee report on Senate Bill 453.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill is the capital construction bill. It includes the potential new projects for next year. There are a number of member amendments that inevitably get attached to this. It's my belief there's no member amendment on here that...that would embarrass anybody to vote for. They're all legitimate projects, it's a question of whether they're important enough to be funded. They're now going to be presented to the Governor.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 453. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 453 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports is Conference Committee on Senate Bill 458, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 458.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Senate Bill 458 is the budget for the Environmental Protection Agency which this year the...it totals two hundred and sixty-two million one hundred and nineteen thousand seven hundred and one dollars and I ask for your support.

PRESIDENT:

All right, Senator Karpiel has moved the adoption of the Conference Committee report on Senate Bill 458. Any further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 458. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 458 and the bill having received the...required constitutional

majority is declared passed. On the Order of Conference Committee reports, a Conference Committee report on Senate Bill 459, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 459.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I move the adoption of Conference Committee report...on Senate Bill 459 which is the Environmental Protection Trust Fund Commission budget and it is a total of eight hundred and fifty thousand dollars. I ask for your adoption.

PRESIDENT:

Senator Karpiel has moved the adoption of the Conference Committee report. Any discussion? If not, all...the question is, shall the Senate adopt the Conference Committee report on Senate Bill 459. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 459 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports is a Conference Committee report on Senate Bill 467, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 467.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I have two things I need to do. First, I would move that we do adopt the first Conference

Committee for the Department of Commerce and Community Affairs. It's at the level of four hundred and ninety-two thousand seven hundred and seven dollars and...wait, eight hundred and thirty dollars, and it's not at the level that I really think it should be but it...it's in the best shape I guess it can be at this time; but I do have to make this a legislative intent to read this into the record, "The sum of ninety-five thousand dollars which is appropriated to the Department of Insurance in Section 33J for the expenses of the Alzheimer's Disease Task Force is the same as and is...intended to pay for the ordinary and contingent expenses of the Long-term Health Care Insurance Availability Task Force which is established by House Bill 306," which was passed earlier by both Houses and is now on the way to the Governor's Desk.

PRESIDENT:

All right, any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 467. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, No Nays, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 467 and the bill having received the required constitutional majority is declared passed. 472. On the Order of Conference Committee Reports the report on Senate Bill 472, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 472.

PRESIDENT:

Senator Coffey. Senator...Senator Coffey. (Machine cut-off)...Weaver.

SENATOR WEAVER:

Yes, Mr. President, this is the annual appropriation for

DB552
C.C.R.

the Department of Transportation with all the amendments, and I would move adoption of the first Conference Committee report.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 472. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 1 Nay, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 472 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee reports, the Conference Committee report on Senate Bill 552, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 552.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Conference Committee report for the ordinary and contingent expenses of the legislative support agencies, and I would move its adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 552. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 1 Nay, 1 voting Present. the Senate does adopt the Conference Committee report on Senate Bill 552 and the bill having

received the required constitutional majority is declared passed. (Machine cutoff)...Bloom on 1095. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 1095, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1095.

PRESIDENT:

(Machine cutoff)...hold on that until we get 448? Fair enough. We'll be here. Senator Kustra, on the bottom of Supplemental No. 2 is Senate Bill 1152, Mr. Secretary.

SECRETARY:

Second...Conference Committee report on Senate Bill 1152.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This Conference Committee report now contains four different pieces of legislation. The first thing that this does is clear up the original problem. The original bill was one that attempted to grandfather in a small group of physicians' assistants who were caught between a requirement that they take a national exam and the fact that they have already taken a State exam. What this measure now says is that this group of less than twenty licensed physicians' assistants who were licensed in '76 but become unable to be relicensed by a change made in our 1977 law, that this measure will satisfy the constituent's need, creates a grandfathering clause. It also solves a problem the Department of Registration and Education has because they are now undergoing a major lawsuit and that would be resolved by passage of this legislation. There is also in this Conference Committee report a provision that Senator Davidson is interested in, it's his old bill and, basically, that provides that the Regulatory Agency Sunset Act is amended to become the...Regulatory Agency

Review Act. Since the Sunset Commission has been disbanded, there is no agency to review sunset actions. This provision makes the Legislative Research Unit the new Sunset Review Agency; therefore, the current thirty-five registration Acts which will be reviewed by the Legislative Research Unit and...and which will be administered under the Senate and House leadership, the Governor shall retain his authority to review these same Acts through the Bureau of the Budget as previously permitted by law. In addition, the Legislative Research Unit will become the Sunrise Agency with powers and responsibilities to review new licensure and registration proposals. This bill...this...Conference Committee also contains the provisions of Senate Bill 933, sponsored by Senator Topinka, which allows municipalities to license tree experts. This is another noncontroversial bill. It had bipartisan sponsorship, passed out of the Senate by a vote of 59 to nothing. Anything that will get Senator Topinka back in her tree is fine with me. And finally, it has within it House Bill 2420 which is a revision of the Illinois Manufactured Housing and Mobile Home Safety Act. This was an administration bill, passed out of committee 14 to nothing, it failed to be voted on in the Senate. The Department of Public Health is in favor of this proposal, also the Illinois Manufactured Housing Association and the Manufactured Housing Advisory Council. It's basically a clean-up bill to comply Illinois law with Federal standards in this area. I would ask for your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1152. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes,

2 Nays, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1152 and the bill having received the required constitutional majority is declared passed. If you'll turn to page 4 on the Calendar, there is an appropriation bill yet remaining and then I've asked Senator Carroll to read a statement with respect to our constitutional duty on the budget and then we have...or will have three items yet remaining and only three. With leave of the Body, we'll move to the Order of Conference Committee Reports, page 4 on the Calendar is Conference Committee report on Senate Bill 449, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 449.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On Senate Bill 449, I would move the adoption of the Conference Committee report. This would be the Prairie State 2000 Authority for job training grants and loans to implement the changes in the Act and the changes in substantive legislation as well as the money for the Illinois Development Finance Authority's ordinary and contingent expenses. I would move adoption of Conference Committee Report No. 1 and it is at 12.2 million.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

I note with interest that there are no Republican signatures. Could you give us a little background on the various projects and what exactly they all are?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

The substantive legislation which passed in late June changes the Prairie State 2000 Program from an insurance concept with employer/employee contributions to a State appropriated grants and loans for job training purposes. The governing board will be created as an authority to make these expenditures. The...in...in addition thereto, there was the GRF, as I identified before, appropriation of the Illinois Development Finance Authority's ordinary and contingent expenses and their direct loan program, that...the last part being 6.2 million of the appropriated amount.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Is this agency up and underway or are we starting a new one or...I'm not familiar with it.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

IDFA, of course, has been up and underway for many, many a year and Prairie State 2000 Authority we created, I think it was a year and a half ago.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 449. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 449 and the bill having received the required constitutional majority is declared passed. Illinois Information Service has requested permission to videotape or televise the proceedings. Is leave granted? Leave is granted. All right, Senator

Carroll, for what purpose do you arise, sir?

SENATOR CARROLL:

Thank you, Mr. President. On a point, I assume, of personal privilege dealing with the issue raised at the Constitutional Convention, as we do every year, of identifying the nature of the budget that we are now by our actions submitting to the Governor. If I may...on also a point of personal privilege, first, thank my colleagues, specifically Senator Hall, Senator Sommer and Senator Bloom who worked long and hard the last several days putting together the pieces of a finite budget to submit to the Governor. They, the leadership and most particularly the members of the Senate have been responsible with the people's money and have worked extremely well and long and hard times putting these pieces together. We will now by the action we have taken today submit to the Governor a budget of general revenue funds of some ten billion two hundred and ninety-three million dollars. Using the budget book as our starting point guide, recognizing there have been many add-ons by the Governor and adjustments, but so that we may work from a starting point, we are some three hundred twenty-two million dollars in appropriations over and above the book as identified by the Governor. The additions thereto includes such things as refunds...for the Department of Revenue, et cetera, et cetera, the totality of which was that three hundred and twenty-two million dollar difference. On the revenue side dealing from the budget book, the...the Bureau of the Budget's revenue estimate update for spending available is up two hundred and fifty-six million, less forty million in refunds or a net increase of two hundred and sixteen million. In addition thereto, the ending balance of June 30th of the State, rather than the two hundred seventy-four million identified in the budget book was four hundred and seventy-nine million dollars; therefore, were the Governor to

sign into law every appropriation bill passed by this General Assembly and using the revenue available, there would be an ending balance at the end of Fiscal '86 instead of the budget book's two hundred and seventy-four million, the ending balance would be three hundred and ninety million if he signed every bill into law and had absolutely zero lapses, which has never happened before, but if every penny were spent, the ending balance at the end of Fiscal '86 would be up some hundred and sixteen million from what the Bureau of the Budget had initially projected. This includes all of the additional funding for reforms of education and all of the additional monies we placed into the State Aid Formula. I think the General Assembly should be proud that it was able to stay within exisiting revenue sources even with the demands being made on it. All funds...all funds, meaning general revenue and all others, the total appropriation appears to be nineteen billion five hundred and eighty-two million dollars. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I thank my seatmate for reminding me, in my thanks I forgot to thank those who truly kept us together and that's our handlers, the staffs on both sides of the aisle who, along with the House staffs, did an outstanding job throughout the year, giving us the right information and keeping the paper flow going. We could have not functioned without them and we thank them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Will Senator Carroll yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR GEO-KARIS:

I...I believe you said that the total budget is nineteen billion five hundred and eighty-two million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

That it correct.

SENATOR GEO-KARIS:

And...how much...is it over from last year? Can you tell me...last fiscal year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

My guess is about three billion, as I recall it. Again, all funds...and remember, included in here in these numbers includes Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So, actually we haven't done badly if we can include Build Illinois and that's approximately about how much if the bills are all signed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

In the version that we have sent to the Governor, it is approximately three hundred and twenty million of appropriation authority; and, again, I say, we are within on the cash side, on the general revenue side, available balances and will have, in fact, an ending balance significantly higher than the budget book had suggested, approaching four hundred million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I'd like to...Mr. President and Ladies and Gentlemen of the Senate, I'd like to commend Senator Carroll, Senator Sommers, Senator Bloom, Senator Schaffer, Senator Etheredge and...Senator Vadalabene, of course, and Senator Hall, who always helps me in my human right's budgets and...and Senator Welch, whoever they were...and the staff. You had a very able staff on both sides. I think all of you are to be commended for keeping in line and still showing us a profit because it's a little different that it was four years ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would certainly like to raise my voice to thank everyone here, especially the President and the minority leader on the other side, plus our own staff and the staff on that side, and the tireless work of Senator Carroll and Senator Bloom and Senator Sommer; and just when he was telling you that how much money that...if you would stop and think, if you had spent a thousand dollars a day every day since Christ walked upon this earth, one thousand and nine hundred and eighty-five years ago, you would not have spent a billion dollars. You can make these ladies very happy here who sit on this Floor to say I want you to spend almost two and a quarter million dollars every day for a year, and you would not spend a billion dollars. It takes a thousand million to make one billion, so when you're talking about this and that's the reason such a yeoman job and I certainly want to thank everybody here that helped us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Weaver.

SENATOR WEAVER:

Point of personal privilege. I was just going to ask Senator Hall how it feels to be one of the Big Four around here? We heard that so many years I just felt he'd probably kind of busting his buttons off his shirt and his tie is bulging a little bit. No comment, Kenny?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are...we are waiting on some more paper work and we will begin momentarily. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I...I just...just so the Body knows, I met with the principals last night until about 3:00 a.m. and again this morning, and much to...as frustrated as I was, I think Senator Philip and I entered into a reasonable agreement with some truly unreasonable individuals. Fact of the matter is that the amendment from the House Minority Leader was to be in Senator Philip's hands about noon, and then about one, and then about two, and then about two-thirty, and then about three, and then about four; it is now about five and so we are awaiting the arrival of that. In addition, we have two other bills to which we have agreed and I think they are important. Senate Bill 448 is a technical clean-up of the Build Illinois Program at the request of the Bureau of the Budget and the Office of the Governor. We have gone over it...our staff has gone over it. It is absolutely essential that it be done if the program is to work and so we are awaiting a printed copy so that the members can take a look. 1095 is sitting on the Calendar at the request of the Secretary of State. It was the intent, obviously, to delay the imposition of the tax to afford the Secretary's Office the opportunity to gear up and that's what 1095 will do when we get to it. So, there are only three bills remaining...there items of business remaining. I cannot at this point tell you what the adjournment date will be because, as you know, as we leave for more than three days, we need the

concurrence of the House. We can't get concurrence of the House for the time of day, much less the time of adjournment. So, we will have to leave that to Senator Philip and I, but I assure you, we will we conclude these three items and we will be gone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the amendment for House Bill 655 has arrived. I assume that copies are being distributed. I am told that they are still being printed. They will be done in about five minutes. So, if we could just stand at ease for just about...for a few minutes. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President...it seems like we're getting close to the 4th of July and I have these suggested addresses for Independence Day. I still have a few here and they're going like hotcakes, and you'd better get over here and get one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

On a point of personal privilege. Mr. President and Ladies and Gentlemen of the Senate, I would also like to commend our leadership on both sides for their tolerance, patience and consideration of all of us, and particularly of all the...shall we say, business from the House. I think they've certainly displayed a great, great fortitude for patience, compassion and understanding. Some of us might not have had as much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DUDYCZ:

This first year of mine I have enjoyed thoroughly and I've learned a lot and I've got a lot more to learn. I've learned the names of quite a few of my colleagues and staff, although some of them have a hard time pronouncing Dudycz, Margaret, but you'll get it yet. Throughout this first six years...or six...six years...through out these first six months...sure does...these first six months I've sat in my seat and I've watched all of my colleagues at one time or another stand up and refer to one individual, which I have not yet met. I'd like to ask anybody here in the Chamber if somebody, please, after six months, please tell me who is this individual that each one of you has referred to numerous times. Somebody please tell me who is this person known as "Quite Frankly"?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Again, on a point of personal privilege. I almost forgot, Mr. President and Ladies and Gentlemen of the Senate, I think we are to...we should commend our respective secretaries and all the other staff, the Secretary of the Senate and his staff, the Assistant Secretary of the Senate and his staff, their respective secretaries 'cause they...and our Pages. I think all of them have done a yeoman job under very stressful circumstances and they're still able to say hello to us and smile and I don't think it's too easy for them to do it, but I...I certainly wish to commend them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

Bev, this is Sam. Last year, if you recall, we showed our colleagues our little rabbit and it died. This year...last night you passed little Sammy around and it's still alive and kicking. Do you have any surprises for our colleages next year so...that we can tell them what we're going to do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Sam, I forgot to mention, another rabbit died.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Where in the hell did you get another rabbit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Sam, I'm going to...let you take little Sammy home for the summer, but don't forget, we passed lots of bills and I was really the...the main purpose...the person behind all those bills...we have a...a law on the books now that if you start to abduct that poor child, you're going to be in serious trouble.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Bev, I want a little girl and if you behave, I'll see that the girl looks like you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Sam, that would be an improvement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I don't know whether the rumor has gone about and everybody's heard it, but there's been a few rumors around about Senator Sommer and his intent, and what a lot of people don't know here is that I am Senator Sommer's county chairman, and I want to admire him and tell everybody what a good job he's done this year. I think he's the best legislator in the 45th District by far. I think no one can hold a candle to him and I hope that he will come back and he and I, along with Senator Bloom, I think we're all about fifteen miles apart. We desperately hope, Roger, that you come back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate...Senator Sommer.

SENATOR SOMMER:

Well, I want to thank my county chairman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 439 offered by Senator Newhouse and all Senators, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, subsequent to the...the...the adoption of the Resolutions Consent Calendar, Senate Resolutions 436, 437 and 439 are all resolutions, two are congratulatory, one is a death resolution...I'm sorry, two are death resolutions, one are congratulatory...is a congratulatory resolution. Is there leave to move to that order of business so that we can adopt these resolutions? Leave is granted. Senator Luft moves the adoption of Senate Resolutions 436, 437 and 439. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions...rules are suspended. Senator Luft now moves for the immediate adoption of...Senate Resolutions 436, 437 and 439. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have. Motion is adopted...resolutions

are adopted.

PRESIDENT:

May I request a meeting of the Democratic members in my office immediately? Well, ladies and gentlemen, let me suggest to you that this delay was not occasioned by Senator Philip and myself. Now we are here and we're down to the last three items and I'm going to require a five or ten minute meeting. I'd ask that be done immediately in my office. The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 87 offered by Senator Demuzio.

(Secretary reads SJR 87)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is, in fact, the adjournment resolution. It calls for us to return October the 2nd at the hour of twelve noon. I would move its adoption...immediate suspension.

PRESIDENT:

Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 87. All in favor of the motion to suspend indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 87. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. We are on Supplemental Calendar No. 2. With leave of the Body, we will go to Senate Bill 448. On the Order of Conference Committee Reports, a Conference Committee report on Senate Bill 448, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 448.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. The first Conference Committee report on Senate Bill 448 is of a technical nature. It cleans up some of the language in House Bill 570. The technical amendments are in the grammar and the spelling and the internal consistency between the sections. If there's any questions, I'll be happy to try to answer them.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 448. Those in favor will vote Aye. Those...opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 1 Nay, 4 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 448 and the bill having received the required constitutional majority is declared passed. Early...with leave of the Body, we...put House Bill...655 on the Order of House Bills 3rd Reading. Senator Sommer, are you handling the amendment? Who's handling the amendment? Senator Philip. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 655, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Amendment No. 1 to 655 had three sections. The first section is the Governor's Build Illinois, contains soil, coal, water, conservation. The second section is the suggestions from downstate Republicans and includes some seventy-five million dollars totally; twenty million for sewers, twenty million for water supply, fifteen million for DOT and mass transit, twenty million for water treatment. Section No. 3 is downstate from the Republican in the House, eighty-five million; sewer and water, thirty-five million, on page 7, the cities that could receive it; 21.7 million, DOT and roads, the...cities are listed on page 8; 3.5 million for flood control, the cities are listed on page 9; 9.6 million dollars for conservation and wildlife, those areas are listed also on page 9; 13.7 million for other projects listed by cities on page 9 and 10; finally, five million for DCCA for import/exports. I'll be happy to answer any questions. As you know, this has been worked out with leaderships on both sides of the aisles. I want to commend Senator Rock for his tireless effort. It has not been an easy process, believe me, and I think we've done a good job. I'd ask your favorable consideration.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 1 to House Bill 655. Discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Would the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES:

Yes, Senator Philip, on page 4, line 23, that portion that deals with the...the bonds to the Illinois University and so forth. Now is the intent...I'd like to read into the record...I want you to agree on this portion. This comes

from Robert Mandeville; the subject, higher education projects. "The appropriations contained in House Bill 655 for renovation of various higher educational facilities are added to those contained in Senate Bill 993. Since the appropriation in Senate Bill 993 for those projects are to CDB and since the....substantive language in House Bill 570 also provides for this, it would be our intention for CDB to do all the higher education projects notwithstanding the appropriation language in this legislation." Is that true?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Senator, that is absolutely correct. I have the same memo that you have for Dr. Mandeville and that's absolutely correct.

PRESIDENT:

Senator Jones, thank you. Senator Netsch.

SENATOR NETSCH:

Senator Philip, a question. Could you give me a total on the amendment to 655?

PRESIDENT:

Senator Philip. (Machine cutoff)...Philip.

SENATOR PHILIP:

In round figures, three hundred and twenty-five million.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

So, if all of this came to pass, it would be...what, about three hundred and seventeen or eighteen million yesterday, three hundred and twenty-five million, about six hundred and some odd million, which I think is about three hundred million more than the Governor had indicated was to be appropriated in the first year. Is that correct?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

That is correct, Senator, and, of course, it's always the Governor's option what he wants to take and what he wants to delete.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, my concern is that we are playing...with all due respect to Senator Carroll, pork barrel in a fashion, the likes of which I think have...has not been seen in the Illinois General Assembly for a long, long time. The...the concern I have also is that there probably are projects in here that are quite legitimate and should have been part of what we passed in 933, and there might well have been some substitution of some of these for some of those, but none of that process took place, and so...this morning, some of us with...some reluctance, as a matter of fact, voted for 933 because we thought something had to begin to carry out Build Illinois and they...most of the projects...or I should say, some of the projects in there were quite legitimate and were...were those that needed to be done, but now what we are doing is we are just piling pork barrel on pork barrel on pork barrel, and it seems to me what we are doing if we pass this bill along with 933 that we passed this morning is making a joke out of Build Illinois. That, I think, is not responsible government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Briefly...thank you, Mr. President. Senator Netsch, as one who made the motion to resuscitate 933, it was my understanding that, yes,...there probably would be something else coming but, indeed, both amendments had certain member

projects that really were not properly in Build Illinois, and that is one of the reasons why we have an amendatory veto and we understood that. This is a...portion of the process and I would...I would take issue with you when you say we are making a joke of Build Illinois. The process at the end of a legislative Session is a little messy, certainly not because of the behavior of anyone in this Chamber, but we then used the legislative tools at hand to try and fashion an agreement and wind up our business, and I would suggest there's no reason why we can't support Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

END OF REEL

REEL #3

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to state for the record that I intend to support Amendment No. 1 only because that I know it's the only way that the sewer projects and the water projects that I need so desperately for my district even get to the Governor's Desk for consideration. Whether or not they're ever approved, it's the only way they're going to get there; and for the record, I think we're doing exactly what Senator Netsch said, we're pork barreling, but my area is desperate. We got people out of work. We need sewer projects and we need water projects so we can get some industry and we've at least got to get them there for the Governor to consider them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It seems to me I rose on this Floor some hours ago and...and asked for support of 993 on the basis that, as Senator Netsch indicated, it was, in fact, a way that we could indicate to the Chief Executive that, one, we were committed to Build Illinois and, two, we outlined some areas of concern, not the least of which, obviously, was the municipal agenda and fairness...fairness to all parts of the State. Senator Philip and I had the opportunity to meet not only early this morning or late last night and again early this morning, and it was suggested that one way to accomplish our purpose was to literally enlarge the pool of eligible projects with the full understanding that the commitment that those of us who are responsible as we are here in the Senate

have made is that, yes, this is an initiative worthy of our support and, yes, we will support it to the tune of 1.3 billion dollars; and however large the pool is, the Chief Executive will have the opportunity after consultation, I assume, with virtually all of us to select the projects that he deems most important and most appropriate on the basis of fairness. I'm convinced of that and I urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, as...as Senator Rock said, just a few hours ago we were on this Floor debating projects. I, for one, at that time did not support 993 'cause in my opinion a very vital industry and a very...vital need was not included. It is now in this, the coal utilization opportunity which applies to six or seven of us in this Chamber with a tremendous amount of unemployment in that opportunity, but the others for those individuals who did want to see open space, soil erosion, et cetera, this, I think, is a very responsible opportunity; and as Senator Poshard said, we do have to get it to the Governor's Desk to have the opportunity, then the...the rest of it's up to however artful negotiator you are. I know every one of them...you...of you are very artful, least of all, not Senator Rock. I urge you all to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't ever remember in my nineteen years of passing a budget that didn't have some so-called fat or pork in it. We have always relied on the second floor to straighten out that fat and pork. I have faith in the Governor. I know

what he will do. He will do what's right. It's a good program, something in it for everybody. Let's vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the...Senator Philip moves the adoption of Amendment No. 1 to House Bill 655. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it and the amendment is adopted. House Bill...Senate Bill 1095, at the bottom of the page, we'll...Senate Bill 1095, Senator Bloom. Oh, I'm sorry, the amendment was adopted on...on House Bill 655. 3rd reading. House...Senate Bill 1095, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1095.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr...thank you, Mr....thank you, Mr. President and fellow Senators. Senate Bill 1095, the Conference Committee report contains the underlying bill passed the Senate 59 to nothing. It was a technical clean-up bill. The Conference Committee report also includes Senate Bill 83 which passed the Senate 59 to nothing, and then contains language that makes the effective date of the tax...the sales tax, October 1st, 1985, and limits it to those vehicles ten years old or less. Those are the three components of 1095. They are necessary to effectively get the Build Illinois Program in place. I know that we...all of us in the last few days have cast votes we don't normally do, but that is towards the cause of getting Build Illinois on our Statute books. I'll answer any questions, otherwise, seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1095. Those in favor will vote Aye. Those opposed will vote

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are none, 4 voting Present. The Senate...does adopt the first Conference Committee report on Senate Bill 1095 and the bill having received the required constitutional majority is declared passed. House Bill 655, Mr. Secretary.

SECRETARY:

House Bill 655.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think we've had enough rhetoric on 2nd reading on the amendment. We know it's Build Illinois. It's a good program. We've all been campaigning for it. Like to see some green votes up there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. It has been a long day and, indeed, a long Session. This will effectively conclude our responsible business. I would ask only that once this is passed we stand at ease. The Department of Public Aid appropriation budget has not yet passed the House, and I'm just a little reluctant to leave until they do that. We have just too many people out there in need, but this will conclude our business and I would ask our members to, if they feel in their heart they can, render an Aye vote. I intend to support House Bill 655 as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? The question is, shall

House Bill 655 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 3, 7 voting Present. House Bill 655 having...having received the required constitutional majority is declared passed. The Senate will stand at ease for a moment. Senator...

PRESIDENT:

The Senate will come to order. I understand the House has adjourned until ten o'clock tomorrow morning. Senator Hall moves that the Senate stand adjourned until October 2 at the hour of noon. Senate stands adjourned.

84TH GENERAL ASSEMBLY

FIRST SPECIAL SESSION

JULY 8, 1985

PRESIDENT:

The Senate will please come to order. Will the members by at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

Thank you, Father. Communication from the Secretary of State.

SECRETARY:

To the Honorable Kenneth Wright, Secretary of the Senate, Statehouse,...Room 401, Springfield.

Dear Sir - I am enclosing herewith a copy of a proclamation issued by Governor James R. Thompson, filed with my office this sixth day of July, 1985,...given under my hand and great Seal of the State this sixth day of July, A.D., 1985. Signed, James Edgar, Secretary of State.

(Secretary reads Proclamation from Executive Department)

PRESIDENT:

Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Just to let the record show that Senator Nedza is absent due to his official business in China.

PRESIDENT:

The record will so indicate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. While we're awaiting the arrival of the printed second Conference Committee report on House 993, which is literally the only thing we are to con-

sider in this Special Session, in order to properly constitute a Special Session, we filed with the Secretary five resolutions necessary to conduct our business. And I would ask that the Secretary if...with leave of the Body, go to that order so we can adopt these five Senate resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary.

SECRETARY:

Senate Resolution No. 1 offered by Senator Rock.

(Secretary reads SR No. 1)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Resolution No. 1...just exactly what it says, that we adopt our...our rules as the temporary rules for the first Special. I would move to suspend the rules for the purpose of the immediate consideration and adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion...to...of Senator Rock. Those in favor indicate by saying Aye to suspend the rules. Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 1 is adopted. Senate Resolution No. 2, Mr. Secretary.

SECRETARY:

Senate Resolution No. 2 offered by Senator Rock.

(Secretary reads SR No. 2)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This...Senate Resolution 2 reconstitutes the committees and the officers and I would

move for the suspension of the rules and the immediate consideration and adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion to suspend. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 2 is adopted. Senate Resolution No. 3, Mr. Secretary.

SECRETARY:

Senate Resolution No. 3 offered by Senator Rock.

(Secretary reads SR No. 3)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Resolution No. 3 merely informs the House that we are here, as we were last week, and ready to transact business. I would move for the suspension of the rules and the...immediate consideration and adoption of Senate Resolution 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock has moved the suspension of the rules and immediate consideration and adoption of Senate Resolution No. 3. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 3. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 3 is adopted. Senate Resolution No. 4.

SECRETARY:

Senate Resolution No. 4 offered by Senator Rock.

(Secretary reads SR No. 4)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of...of the Senate. Senate Resolution No. 4 merely is to put a committee together to inform the Governor that...at his request we are here and...ready to do business. And I would move for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the...suspension of the rules and immediate consideration and adoption of Senate Resolution 4. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 4. Any discussion? If not, those in favor...indicate by saying Aye. Opposed Nay. The Ayes have it. Resolution No. 4 is adopted. Resolution No. 5, Mr. Secretary.

SECRETARY:

Resolution No. 5 offered by Senator Rock.

(Secretary reads SR No. 5)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution No. 5 calls for the activity of the first Special Session to be journalized and copies of the Journal to be afforded to the membership. I would move this...to suspend the rules and ask the immediate consideration and adoption of Senate Resolution 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the...has moved to suspend the rules for the immediate consideration and adop-

tion of Senate Resolution No. 5. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 5. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolution No. 5 is adopted. Channel 20 has requested permission to tape the proceedings. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Joint Resolution No. 1 offered by Senators Rock and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the...of the Senate. Senate Joint Resolution No. 1 calls for the creation of a joint committee on McCormick Place to be composed of sixteen legislative members, four each to be appointed by the Speaker, the President and the Minority leaders of the House and the Senate to conduct a study and report to this Assembly on or before October 2nd, 1985, with respect to the difficulty that McCormick Place apparently now finds itself in or the governing body in that there have been cost overruns on the McCormick Place Annex Project which threaten the timetable for completion; and the fact is in order to accommodate those cost overruns, this Assembly will be called upon to take some action either in...increasing the bonding authorization or...increasing the expenditure cap. And so we are asking that this sixteen-member committee be appointed for the purpose of studying and gathering information and making a recommendation to the Assembly. I would ask for the suspension of the rules and the immediate consideration and adoption of this resolution pointing out that...apparently close...close to the close of business last

Friday night in the House there was a similar if not identical House joint resolution that was passed in the Regular Session; the Regular Session has now adjourned until October the 2nd. So in order to formulate this committee we are considering and I hope to immediately consider Senate Joint Resolution No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I'd like to inquire of the Chair whether or not we may, by law, consider this. We are in Special Session, could you give me an answer and some documentation with respect to your answer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...a moment, we'll check it momentarily and get right back to you. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. Every time I get up to speak on McCormick Place my microphone falls off its...stand here...there must...somebody is trying to tell me something. I...well, I rise in support of this resolution, but I...I do so reluctantly because I happen to think that we had a solution to McCormick Place. It passed out of the House with eighty-eight votes and it got over here and I really don't know what happened. It obviously didn't have the support that it would have needed to...to pass this Body and, consequently, we wind up with what I think is a...a second best solution. I'll support it but I would hope that that sixteen-member committee looks carefully at what came out of the House, because there's restructure in there and a new organization for McCormick Place that I think makes sense. I'm not so sure we have to go to all this trouble to do what has already been done pretty doggone well in the Illinois

House. It's too bad we don't have that to vote on right now, I'd certainly vote Aye. In the interim and instead of that, I'll support this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask leave to be...all the sponsors and cosponsors that resolution on McCormick Place be added to this resolution. That matter was never called;basically, it's the same type of a investigatory resolution asking that the sixty million dollars before it's approved certain answers be generated and brought back to this General Assembly. So, Mr. President, I ask leave that the members who are on my resolution be added to this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, could you give us the number of the resolution, sir?

SENATOR LECHOWICZ:

You'll have to ask the Clerk, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR LECHOWICZ:

Number 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Lechowicz...has requested leave to be added, himself and the members who are on a similar resolution which the Clerk will check. Is leave granted? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I believe this is a very important resolution, it should be adopted by this Body. The newspapers in the past couple of weeks have pointed out certain possible irregularities at McCormick Place, and I believe in order to

justify the expansion or the continued expansion at McCormick Place not only the...should we be assured but the general public and every citizen of Illinois should be assured that the money that was spent and allocated by this Body to McCormick Place was spent wisely and in the most prudent manner. And the allegations as far as whether they be excessive attorneys' fees, bond fees and the possibility of additional bond fees or attorneys' fees with this additional sixty million dollars supplemental appropriation, that matter should be thoroughly looked into so no one is double billed or the people...or the taxpayers of Illinois are charged one penny more than it's entitled to. I believe that there are certain allegations that have been brought up by McCormick Place that are probably true and others are not true. I believe the President has addressed this thing in a very sensible manner stating that sixteen members be appointed and an investigatory committee be established with a report not only to the membership of the General Assembly but to the general public at large. I would hope that this Body would vote unanimously on behalf of this Senate joint resolution so that the people of Illinois can be assured that...if...if anything did transpire, that it'll be brought to the proper court of justice and I would hope that we will find that the money was used prudently and expeditiously on behalf of the people of Illinois. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Just to clarify a point on the resolution. This resolution deals only with the cost overruns. It is our understanding and we thought the agreement was that they were asking questions concerning the operations of McCormick Place and the cost overrun. I want to make sure there's no misunderstanding that this investigation is not limited to bond-

ing, that the...that this in reality deals with the operation of McCormick Place, part of which is the construction problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Reading the resolution I notice the...the reporting date is on or before October 2nd. I might suggest to you that the Governor may in his wisdom call us back or before that date. I would hope that this commission would try to report back to us before that date, because I think a lot of the members particularly on this side of the aisle are not going to want to try to solve the McCormick Place problems until our commission reports back to us with some kind of suggestions and recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jeremiah Joyce, in response to your inquiry, my high priced...Parliamentarian tells me that the resolution may...may properly be considered in this Special Session because, one, the subject matter is within the purview of the Build Illinois call of the Special Session by the Governor and, secondly, that the matter is not a bill, it is a resolution. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Two things. I would like to first know where...in...in what source he is citing for the distinction between resolutions and bills with respect to Special Sessions, which is what I had asked for in my initial inquiry, if you recall. Would you...would you give me a cite please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...the...the fact that there is a section in the Conference Committee report referencing McCormick debt service, it is the opinion of the Chair that the resolution

then falls within the purview of the call. Senator Joyce.

SENATOR JEREMIAH JOYCE:

So, you have backed off the ruling with respect to a distinction between resolutions and bills insofar as Special Sessions are concerned?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR JEREMIAH JOYCE:

Is...is it my understanding that any time that there is a Special Session that this...this Special Session may undertake consideration of resolutions, no matter what the subject matter of the resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Well, it...it...no...I don't think that's a fair characterization of the ruling. The subject matter...the House bill...the second Conference Committee report on House Bill 993 will call for the expenditure of twenty seven million dollars in debt service in favor of the Metropolitan Fair and Exposition Authority. So there is a...a connection because as the resolution recites, it is apparent that at some point the request has already been made for additional bond authorization. And the fact is, what all we're saying is before we deal with that request, given the fact that we are today appropriating twenty-seven million dollars for last year's debt service, that we're calling for an investigation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, the fact of the matter is, Senator Rock, you cannot be both the offerer of the resolution and then the...arbiter or the decider of...of what the ruling is on this. Now the Chair has made a ruling, I'm inquiring of the

Chair not of you, and I'm not asking for your explanation of what the Chair has stated here. The Chair has said that there is a distinction between resolutions and bills. Now, is it...is it...is the Chair still of that opinion, and if so, would you provide me with some cites? If you are not of that opinion, if you are backing off of that ruling, if you are saying that the basis of your ruling on this matter is now that by some stretch of someone's imagination here that McCormick Place and what has gone on in McCormick Place, whether we're on a witch hunt or a whitewash, is part of the Build Illinois Program, then is that what you are saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...it seems to me that it's been...it has been clearly stated that the...that the matter before us is...is within the purview of the...of the special call of the Governor and that is the ruling of the Chair, there is no citing. Further discussion? Senator Rock. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I would like to know for my own information and for...you know, we...we do bend rules around here, but at some point we have to say something stands for something. Can you...by your ruling, can you consider resolutions during Special Sessions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, we've just handled five resolutions already. Senator Joyce.

SENATOR JEREMIAH JOYCE:

There was, I am told...at least I am led to believe...Senate President Rock said that there was statutory basis for the consideration of those resolutions, that they were, in fact, required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senator, it...it seems to the Chair that if this resolution were not related to the subject mat-

H.B. 993 2nd C.C.

ter that was before us in the Special Session that it possibly could be ruled out of order, but in...under this instance it is clearly within the purview of the Build Illinois Program, and therefore, it is the ruling of the Chair that it is, in fact, in order. Further discussion? Senator Rock. Senator Rock moves for the...for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves for the adoption of Senate Joint Resolution 1. Those in favor of the Senate Joint Resolution 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate joint resolution is adopted...Senate Joint Resolution No. 1 is adopted. (Machine cutoff)...from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - Directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on House Bill 993 and requests a second Committee on Conference to consider the difference between the two Houses in regards to Amendment No. 1. Further directed that the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves to accede to the request of the House. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried...and the Secretary shall so inform the House. We have passed out Supplemental No. 1. Supplemental Calendar No. 1 has been passed out...which reposes House Bill 993. Is there leave to have Senator Rock...handle that? Leave is granted. House

Bill 993, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the...Senate. The second Conference Committee report on House Bill 993 is the reason we are all here gathered. I was informed late on Friday night that the Speaker and the Minority Leader and the Office of the Governor and the Governor had reached an agreement with respect to the budget for the agencies of State Government and were prepared to pass the budget last Friday night, particularly the Department of Public budget, on the basis that a special call would ensue from the Governor and bring us back for the consideration of the second Conference Committee report on 993 or a Conference Committee on 655 which would encompass in broad outline action similar to that which this Senate had already taken, namely, the passage of both...or the adoption of both the amendment to 655 and the Conference Committee report on 993 in general, and the members have been provided with copies and the members have been provided with a listing of what projects are specifically enumerated. But let me say in general that...the second Conference Committee report on House Bill 993 calls for three hundred and eighty million dollars in expenditures in FY '86 covering a whole host of subjects and projects; bond authorization for coal development projects, soil and water, sewer and waste water treatment, a significant commitment to the City of Chicago, and I think if you take a look, particularly the members on this side, at Section 3, there is an outline of specifically enumerated projects. Section 1 represents, as I understand it, the Governor's set of projects in the amount of two hundred mil-

lion. Section 2 and 4 represent the Republican requests in the amount of ninety million. Section 3 is the Democrat House and Senate in the amount of ninety million, again for a total of three hundred and eighty. This is our only order of business today. Upon its adoption we will be in a position to adjourn the Special Session sine die and the Regular Session has already been adjourned until October the 2nd. I'd be happy to attempt to respond to any questions. I would move, Mr. President, Ladies and Gentlemen of the Senate, to adopt the second Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. I was wondering if...since the lateness of this information being on our desks, that the leadership on both sides of the aisle would...respectfully agree to a caucus so that we can understand what exactly we're voting on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I don't think that the moment is opportune, Senator Zito, for the reason that the Republicans, I am told, had already caucused and that we caucused at some length last week on the identical subject matter. You know, I...if...if the members want to take a few moments to read it, that's fine. I think everybody understands why we're here. Nobody was particularly happy about coming back. I was not at all pleased with House action. But the fact is, we are here, this is what...what is in front of us and it requires thirty-six affirmative votes to adopt this Conference Committee. We have provided the members with an outline of...of what is in here and...and in what amount. They have a copy of the

Conference Committee report. I am sure that those who have been tracking specific projects are prepared or have already found where they are situated within the report. And, frankly, I...I'm not sure that a...caucus or a conference would serve any purpose except to delay what I hope is the inevitable approval of House Conference Committee report on 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

My request for a caucus, Mr. President, was not to delay the proceedings. I would like, as a member of this Body, an opportunity to read through this and I...I realize that it's going to take thirty-six votes, but I think it's going to take more than a couple of minutes to go through all these...these papers that we have before us and to read through the Conference Committee report...the second Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we do have some additional lights that are on here to...to discuss. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

I'm looking through this. I put out a press release before I left here and I see it's been substantially reduced. The next thing is that I want to know, what assurance are we going to have that we're going to get what is even left? My experience was with the man on the second floor is that what I've got down through the years is zip. I don't know whether or not...is there any guarantee that what's in this is what

the Governor is going to sign?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

My understanding, sir, is that the Governor will sign the second Conference Committee on House Bill 993 as presented to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...well, maybe I should rephrase that. Is he going to fund it as it is sitting here? I have dropped ten million dollars, I just see this. And the reason why I want to know that is that I want to be sure...each time that I look around here, when I go back home all that I get is a...a...a notice from the Governor that he's vetoed our projects. And what assurance do we have right now that he's not going to do this same thing again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I don't purport to stand here and speak for the Governor, I'll speak to the agreement that I understand was entered into with the House leadership and the Governor was that he would sign House Bill 993, the second Conference Committee report as presented to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Rock, just a quick question. Will the Governor have the authority as I have understood it from other circles or reports or whatever to cut back the appropriation from three hundred and eighty to three hundred and

twenty million dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

He has the authority under Section 8, on page 28 which says, "No contract shall be entered into or obligation incurred for any expenditure from appropriations made in this Act until after the purposes and amounts have been approved in writing by the Governor."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

But are we funding three hundred and twenty million dollars of Build Illinois projects or three hundred and eighty...under this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Rock.

SENATOR ROCK:

Three hundred and eighty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Well, thank you, Mr. President. I would like to express my appreciation to the leadership and the members of the Conference Committee who helped in terms of the projects for my area. But from what we came in with in the bills last week that went over to the House, my district went from somewhere around seven and a half million dollars down to about a million and a half, and I don't see a whole lot in here for southern Illinois, at least in the areas that we represent. I think the bill has decidedly become a Chicago and a suburban bill. I'm going to vote for it because I have to protect our projects or a least some of the out-year monies on it. But I don't like this, this isn't good, this isn't...this is

much worse for our area than the bills that we passed out of here and that I thought there was an...agreement upon that was going to go to the Governor's Desk and then at least be able to negotiate it. But, be it as it may, I guess that's the way it's going to be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I'm looking over this list. I...I thought the Build Illinois Project was to redevelop and...and to restructure our existing sewers and highways and byways and buildings in the State and all I see here is building new projects; agricultural institutions, city halls, studies for airports, you don't see any...any...any what it was proposed to be by the Governor. The Governor proposed that this money to my mayors was going to be used to redevelop things that have become obsolete in their towns. This proposal doesn't do anything for anybody that's rebuilding, there's no rebuilding in here, this is only...this is all new projects, this is identically to the Christmas tree and the IDOT program of building new projects. What...what...what...what should we do here? You're...you're taking money out of my district...you're going to take out a hundred and fifty thousand dollars a year in taxes and there ain't nothing in here for us and there ain't nothing in there to reimprove things. One of the major...demands, Senator Rock, in the suburbs of Cook County is the sewer restructure which they were promised by the Governor. I don't see any suburban towns...every town in the suburban Cook County should get money to redevelop the sewer structure because the Federal Government has put these requirements on. There is no guarantee that this money is going to be done in these...in these projects. There's not even money in here to borrow to these towns, and you being from Oak Park ought to know this, you should stand up for

what it is. Our people don't want a new county hospital, our people know that functionally County Hospital should shut down. The hospital should be shut down and the patients should be utilized at the private hospitals. They could...these private hospitals can treat these patients for about one-third of the cost it costs us at Cook County Hospital because of the...we don't want a new hospital, we don't need three million dollars. We don't need a new arts council building, we don't need these things. We need our sewers fixed, we need some roads fixed, we need some park development, we need some...some recreational development, we ain't getting it. Redevelopment of area, it ain't in here. I think the Governor...and those people that went on board for this program, they've lied to the public. They said there was going to be a redevelopment and a restructure of existing facilities, things that have become obsolete, like bridges, roads; that ain't in here. Where is it? This is all pork, it's all baloney and it's nothing for the people of this State. It's just a robbery of money off of their backs and for things we don't need. And to spend money for new things and let all things become obsolete and deteriorate is wrong, and I have never been brought up that way and I don't think the people in this State have been brought up that way. They want their existing structures improved and restructured and recorrected. And anybody that votes for this, I think is committing suicide and...and compounding the lie that was put on the State by the Governor. I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

I call for the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell, there are Senators Bloom, DeAngelis, Netsch and Senator Zito for a second time. Sena-

tor Fawell has moved the previous question. Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. On this...on this particular appropriation, as one who moved to revive 993 the last time it was stalled, I would say and readily concede that there are projects in here that probably shouldn't be in here and there are other proposed projects that didn't make it in here; and I think that many of the objections voiced this afternoon and before are based on an invalid premise, and the invalid premise is that somehow Build Illinois is comprised of eight separate twelve-month projects. That is not the case. And in response to the points made by some of the prior speakers, I would say that 993 has been improved somewhat, because under overall Build Illinois categories, we found that we are adding small business, large business, coal utilization that was not there before in 993. We found that under education that the university renovation, the food production, the survey equipment, very important to the development, is there. We find that EPA waste water is there, was not there before in the amounts they should have been. We find rail freight and flood control in; it was not there before in the amounts that should have been. We found soil erosion, very important in our parts of the State, especially in agricultural area, is there, was not there at all before. So all in all, notwithstanding the fact that there are provisions in here that many of us would agree are not there or should not have been there, over all, in a redirection of these expenditures, it is, indeed, worthy of our support. And I would repeat once again, do not fall prey to the fallacy that what we are doing is engaging in an exercise of adopting eight twelve-month programs. We're adopting an eight-year program that is necessary for us to do business with the world. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

If I might, Mr. President, a couple of questions about the financing. I'm a little confused, Senator Rock. Senator Rock, you are the sponsor, aren't you? Should I address my questions to you?

SENATOR ROCK:

Yes.

SENATOR NETSCH:

All right. There are three hundred and eighty million dollars worth of appropriations for projects plus the McCormick Place debt service, the Build Illinois debt service and the expenses of the bond issuance; a total of four hundred and twenty-three million dollars appropriated in this bill. Now, I understand that the...the projects themselves apparently...are...represent, what is it, three hundred and eighty million dollars. The Governor's original fund mechanism and the one that was finally passed by the Legislature provided for, as I recall, about three hundred and seventeen million dollars. I am not quite clear where the rest of that money is coming from. I don't think that the used...so-called Used Car Tax is likely, particularly because it's not going to begin even until October now, to bring in enough to cover appropriations of three hundred and eighty million dollars for a full year. Does that mean that the Governor is, in fact, going to veto part...item veto part of these appropriations, or does it mean that he's going to sign the entire bill and simply withhold the funding on some of them, which has the same effect and which I think is always a...a very unfortunate thing for the Legislature to permit the Governor to do? And my second question is, since this amount is in excess of that which was originally provided for in the program, what are the out-year costs? Do they, in fact, go above the original 1.3 billion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WHOI and WEEK-TV have requested permission to videotape. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

Allow me to answer your second question first. My understanding is that the spending schedule will not increase the out-year costs as opposed to what we previously discussed, no. And in answer to your first question, my understanding is that there may well be some impoundment or lack of...withholding of approval for some of the projects with the intent that the spending level will be in accord with the available revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, I...I...I'm not quite sure I understand the game that's being played here. If the Governor is going to sign and impound for this year the full three...or some part of the three hundred and eighty million, it seems to me having signed it that that does begin running the meter, if you will, on the out-year costs. And I don't see why and how we are going to avoid an increase in the out-year costs unless he intends to impound these projects ad infinitum until the end of the project twenty-five years from now, and if that is the case, it seems to me that that is flying in the face of legislative power and legislative prerogatives and is totally unacceptable from our perspective as an institution. I'm just not quite clear what is happening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Illinois Information Service has also requested permission to videotape. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

What is happening, and as...as I'm sure as you look through this report you can well understand, that some of the projects perhaps are not fit subjects for the entire expenditure if any expenditure in FY '86, so that he will, as I understand it, spend to the level he promised and to the level which can be supported by the revenue, namely, three hundred and twenty million dollars, and those that are not expended this fiscal year will be subject to reappropriation, which reappropriation, obviously, as has been happening every year around here for both the Capital Development Board and in particular the Department of Transportation, is again subject to legislative scrutiny.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Then the understanding of the four leaders, and obviously this is not the understanding of any of us peons since we were never in on the arrangement, but the understanding of the four leaders then is that every project which is in this Conference Committee report will, in fact, be approved and will, in fact, go forward if not this year then next year. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is my understanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Then I guess I'm back just once more to my...one of my original questions. If that is correct, I do not see how at the same time we are not increasing the ultimate cost of the program above the 1.3 billion that was originally authorized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, and again, the...the 1.3 billion was to have been spread out over eight years and subject from year-to-year annual review as to project and amount. What this agreement encompasses is the initial expenditure of three hundred and...or commitment to three hundred and eighty million dollars worth of front loading, spending.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, but that...that doesn't quite answer my question. And...and this...this is a fiscal question, Senator Rock. I'm trying to find out what we are doing here today in terms of fiscal commitment. Either we are or we are not, and I don't see how we can keep going around in...in this circle. Either the Governor is not going to allow all of these projects to go ahead, or if he is, indeed, and you have that commitment from him, then it seems to me we are committing to something more than the original amount of the authorization because this comes out to more. Or, one other alternative that has not been suggested yet is you are...you have agreed to an extension of the time during which the Build Illinois so-called pork barrel will be done. Is that a possibility?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I...I'm sorry, I didn't hear the last part of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I said the...there are only, it seems to me, a couple of possibilities, you have eliminated several. You said the Governor intends to approve and at some point complete every

project that is listed in this bill. You have said that the Governor does not intend to increase the out-year costs of the program, it's still 1.3 billion. So I can only see one possibility, and I...even that doesn't add up for me mathematically, and that is that instead of the program being completed in whatever it was going to be completed in, eight years or thereabouts, that it's going to be spread out over a longer period of time. Is that what the Governor's commitment was?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Well, I...I'm not sure I'm...I'm ever going to be able to answer this question adequately. But again, recall, if you will, the program as...originally introduced where there were things like forty-two million dollars for waste water treatment facilities, no specificity. Okay? What we are doing here now is taking projects that were on, as we understood it in committee, the three-, four-and five-year program and locking them in now specifically.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito for a second time.

SENATOR ZITO:

Well, thank you, Mr. President and members. I rise for a second time. First let me say that I don't ever remember in my years in the General Assembly being denied to have a caucus, so I will air my concerns from the Floor and please bear with me. Ladies and Gentlemen of the Senate, what are we doing here today? What are we voting on today with the second Conference Committee report of House Bill 993? The membership, I don't know about your side of the aisle, but our side of the aisle only saw this Conference Committee report minutes before we had been asked to vote on it. I

haven't had a chance and I've been reading diligently...Senator Demuzio, since you refused my request for a caucus, and I haven't caught up with all the paper work yet and I don't...know where the projects are. We've...we've had seconds to go through this, the biggest program in the history of the State of Illinois for public works, we're going to vote on it within five minutes and...and we didn't spend a dime, ladies and gentlemen, to figure out where the top priority issues in this State are. We passed programs here for a million dollars and spent forty or fifty thousand dollars studying how that money should be spent, where it should be spent and what the...best dollar for our tax dollar is going to be; yet, in this program, 1.3 billion dollars of money, we haven't spent a dime for a study to figure what we need in this State. There's no mention that I can see in this report of our subcommittee results, the boil order in Salem, a boil order for every...almost...on an average of every six days. There's no mention of Salem, Illinois, there's no address to the flooding problems of Peoria, there's nothing for the unemployment in Rockford and Carbondale; yet, we're going to haphazardly pass a bill that out of a hundred and seventy-seven members only a hundred and seventy-three have been privy to. I think it's wrong. I suggest that we defeat Conference Committee Report No. 2, realize and let the taxpayers of the State realize that we're not going to spend our time bickering about Republican and Democratic pork barrel projects, study this issue over the summer, let a bipartisan group study the top priority issues of infrastructure and the needs in this State, come back in October the 2nd, because I realize the money that we'd raise is not going to be able to be spent until that time and to do it on a fair and equitable basis so that each and every area and corner of this State is fairly represented. What we're doing here is ridiculous. Nobody wanted to be called back

into Session, certainly I did not, but now that we're here and we've got some time to look at this, I suggest we do that and be prepared to come back in the fall so that we can have a fair, concise and comprehensive plan to give to the taxpayers if we're really serious about building Illinois. I think it's wrong to pass this Conference Committee report. At best, I would ask for a Present vote so that we can have some more time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WAND-TV has requested...permission to videotape and Nick Ladderback, a...Sweden citizen, has also asked leave to take still photos. Is leave granted? Leave is granted. Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, I rise in support of the adoption of the second Conference Committee, and I underline second Conference Committee report on House 993; and to my friends from downstate Illinois, let me just suggest that I think the Senator's remarks particular with respect to downstate projects unfortunately has not had the opportunity to really read through this, but if you go through Section 1 and you go through Section 2 and then 3, I think you will find an enormous commitment to downstate Illinois not the least of which is the Highway 51 and Central Illinois Expressway and...and the other roads and the waste water treatment and coal utilization and it goes on and on and on and on. And the fact is that downstate Illinois is in much better...much better shape in terms of commitment...dollar commitment than our other areas. And to my friends from suburban Cook, of whom I am one, just for instance, to suggest that this is all new stuff and not a repair of the infrastructure simply is inaccurate. Thirty-one million dollars under Section 1.12 for waste water facilities, and as I read the project list, there's about six

million dollars in suburban Cook County, in Berkeley, in Wheeling, in Wilmette, in Alsip and in Hazel Crest, right off the top of the list. Ladies and gentlemen, again, and perhaps I have been uniquely too close to this since I arrived here yesterday at the hour of one o'clock and have been arguing projects ever since, the fact of the matter is, when I stood before you before in favor of the first Conference Committee report on 993, I suggested very strongly that the County of Cook is going to pay forty-seven or forty-eight percent of the tax which pays for this thing. And it's not at all unrealistic to have a fair distribution of the project commitments across this State. And the fact of the matter is that even after yesterday when I left the Office of the Speaker at about six in the evening, the County of Cook and the City of Chicago does not fare as well as we thought it should, but we did the best we could under some very difficult circumstances. And to suggest that somehow this ought to be put over till October, that was suggested in the House last Friday on July 5th. And so it's July 8th and we're here under special call of the Governor, and if we don't pass it, we'll be here tomorrow under special call of the Governor, I suggest. We have made, I think, a fair and equitable distribution. This second Conference Committee report has just been approved by the House of Representatives with ninety...ninety affirmative votes. I would ask that the Senate adopt the second Conference Committee report on House Bill 993 and I urge an Aye vote by all present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on House Bill 993. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays

are 1, 4 voting Present. The Senate does adopt the second Conference Committee on House Bill 993 and the bill having received the required constitutional majority is declared passed. Resolutions.

SECRETARY:

Senate Resolution No. 6 offered by Senator Zito and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito, do you wish to proceed with your congratulatory resolution? All right. Senator Zito moves for the...suspension of the rules and immediate consideration of Senate Resolution No. 6. Those in...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Zito now moves the adoption of Senate Resolution No. 6. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 6 is adopted. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, a purpose of an announcement. As you know, the Governor traditionally has had a party after the Session and, of course, the Session, hopefully, is now concluded and he wishes to invite you all over to the Mansion for a few toddies and some hors d'oeuvres. And, Senator Rock, job well done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The adjournment resolution, Mr. Secretary.

SECRETARY:

Senate Joint Resolution No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SECRETARY:

(Secretary reads SJR No. 2)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Joint Resolution No. 2 in the First Special Session says that we have concluded our business responsibly and stand adjourned sine die. I would move to suspend the rules and move its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved for the immediate suspension of the rules and...and adoption of Senate Joint Resolution No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution No. 2. Those...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. All right. Senator Rock now moves to adjourn sine die. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate is adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

October 2, 1985

PRESIDING OFFICER: (SENATOR SAVICKAS)

The hour of noon having arrived, the Senate will come to order. Our opening prayer will be by the Reverend John Spreen of the Church of the Little Flower. Will our guests in the gallery please rise.

REVEREND SPREEN:

(Prayer given by Reverend Spreen)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Reading of the Journal.

SECRETARY:

Monday, June 24th; Tuesday, June the 25th; Wednesday, June the 26th; Thursday, June the 27th; Friday, June the 28th; Saturday, June the 29th; Sunday, June the 30th; Monday, July the 1st; Tuesday, July the 2nd and...Wednesday, July the 3rd, in the year 1985.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 89.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 892 and they request a first conference and the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves that we accede to the request of the council and the Secretary will so inform the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee on Senate Bill 1345 and request a second Committee of Conference to be...to consider the differences between the two House, and the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves that we accede to the request of the House and the Secretary will so inform. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 440, by Senator Hall.

441, by Senator Hall.

443.

444.

445.

446.

And, by Senator Lechowicz, 448.

449.

450.

451.

452.

453.

454.

455, by Senator Lemke.

456, by Senator Vadalabene and all Senators.

457, by Senator Dunn.

458, by Senator Dunn.

459, by Senator Davidson and all Senators.

460, by Senator Mahar.

461, by Senator Lemke.

462, by Senator Mahar.

463, by Senator Jeremiah Joyce.

...464, Senator Jeremiah Joyce.

465, Senator Jeremiah Joyce.

466, Senator Jeremiah Joyce.

467 and 468 and 469, by Senator Zito.

Senate Joint Resolution 88, by Senator Marovitz.

And, Senate Joint Resolution 89, by Senator Macdonald.

Senate Resolution 470, by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Resolution 471, by Senator Lemke.

And, Senate Joint Resolution 90, by Senator Davidson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Introduction of bills.

SECRETARY:

Senate Bill 1463 offered by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 1464, by the same sponsor.

(Secretary reads title of bill)

465, Senator Lemke.

(Secretary reads title of bill)

466, Senator...Vadalabene.

(Secretary reads title of bill)

1467 offered...introduced by Senator Rock.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Rules Committee. Motions in writing.

SECRETARY:

I move to dispense with the reading of the Governor's Veto Messages, that they be entered upon the Journal and a copy of each message be placed on the desk of each member. Signed, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, this motion indicates that we will dispense with the reading of the Governor's Veto Messages and indicate that they will be entered into the Journal and a copy of each Message will be placed on the desk of each member. I would move adoption of this resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. If I could have your attention for a moment, as...as you are recognized by the sergeant-at-arms, the Pages, they'll be distributing two books, one with the total vetoes and one with the amendatory vetoes, a green and yellow copy. They will be distributed to those members that are present. Resolutions.

SECRETARY:

Senate Joint Resolution 91 introduced by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive Committee. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director, Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message. State of Illinois Executive Department.

To the Honorable members of the Senate, the 84th General Assembly. I have nominated and appointed the following named persons to the offices enumerated below, respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive Appointments. Resolutions.

SECRETARY:

Senate Resolution 475.

Senate Resolutions 476.

And, Senate Resolution 477 offered by Senator Savickas, all congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

On the last group of resolutions, they should have read 472, 73 and 74. Instead, I read 475, 76 and 77. Further resolutions.

Senate Resolution 475 offered by Senators Demuzio and all...Demuzio, Rock and all Senators.

And, Senate Resolution by the same sponsors, congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. (Machine cutoff)...what purpose Senator Rock arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have just had the opportunity to meet with the four leaders and the Governor. It has been determined that

it's in everybody's best interest that we conclude our business quickly today and return to Springfield on the 15th of October. There is one legislative matter that is of some immediate urgency, it is currently pending before the House and so it probably won't get to us until about two o'clock. So I would suggest that we stand in Recess until the hour of two o'clock and I would yield to Senator Vadalabene.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There will be a Democratic Caucus in the President's Office immediately.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

There will be a Republican Caucus in Senator Philip's office immediately.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Senate will stand in Recess until two o'clock.

RECESS

AFTER RECESS

PRESIDENT:

All right. The Senate will come to order. We are now in...back in the Regular Session which will take just a very brief few moments. If I could ask the members to...that was the second special, we're now in Regular Session. Resolutions, Mr. Secretary.

SECRETARY:

Senate...Senate Resolution 477 offered by Senator Topinka and Dudycz, it's congratulatory.

Senate Resolution 478, by Senator Topinka, it's congrat-

ulatory.

Senate Resolution 479, by Senator Topinka and Hudson and it's a death resolution.

Senate Resolution 480, by Senators Rock, Zito, Collins and all Senators, and it's congratulatory.

Senate Resolution 481 offered by Senators Rock, Philip and all Senators and it's a death resolution.

Senate Resolution 482 offered by Senator Jeremiah Joyce, and it's congratulatory.

PRESIDENT:

All right. With leave of the Body, we'll add those to the Consent Calendar. Without objection, leave is granted. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit;

House Joint Resolution 96 and it is congratulating a House member.

PRESIDENT:

All right. With leave of the Body, we'll add that to the Consent Calendar, House Joint Resolution...

SECRETARY:

No. 96.

PRESIDENT:

...96. With leave...without objection, so ordered. Introduction of bills.

SECRETARY:

Senate Bill 1468 offered by Senators Maitland, Berman, Davidson, Demuzio, Philip and Rock.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Resolutions.

SECRETARY:

Senate Resolution 483 offered by Senator Savickas, it's congratulatory.

Senate Resolution 484 offered by Senator Kelly, and it's congratulatory.

PRESIDENT:

All right. With leave of the Body, we'll add those...483 and 484 to the Consent Calendar. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 485 offered by Senators Dawson, Bloom, Rock, Philip and Donahue.

PRESIDENT:

Executive Committee. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following House joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 97.

(Secretary reads HJR 97)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Joint Resolution 97 is the adjournment resolution of the Regular Session, calling for us to return October the 15th, Tuesday, at the hour of twelve o'clock. I would move for the suspension of the rules, immediate consideration and adoption of Senate...or of House Joint Resolution 97.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 97. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of House Joint Resolution 97. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions Consent Calendar, have any objections been filed, Mr. Secretary?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. If...if not, Senator Demuzio moves the adoption of the Resolutions Consent Calendar which has been distributed containing Senate Resolution 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, Senate Resolution 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, Senate Resolution 467, 468, 469, 470, 472, 473, 474, 475, 476, Senate Joint Resolution 88, Senate Joint Resolution 89, Senate Resolution 477, 478, 479, 480, 481, 482, 483, 484 and House Joint Resolution 96. Senator Demuzio moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Further business to come before the Regular Session? Any further business to come before the Session? If not, Senator Demuzio moves that the Senate stand adjourned till October the 15th. Tuesday, October the 15th, at the hour of twelve o'clock noon. Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

OCTOBER 2, 1985

PRESIDENT:

The Senate will come to order. Pursuant to the call of the Governor, we will call to order the Second Special Session. Mr. Secretary.

SECRETARY:

Communication from the Secretary of State.

Dear Sir - I am enclosing herewith a copy of the proclamation issued by the...Governor James R. Thompson, filed in my office this eighteenth day of September, 1985. Given under my hand and the great Seal of the State this eighteenth day of September, A.D,...1985. Signed, Senator James...James...Edgar, Secretary of State.

(Secretary reads Proclamation from Executive Department)

PRESIDENT:

All right, in order to organize, we will have a...resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution No. 1...offered by Senator Demuzio.

(Secretary reads SR No. 1)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Hello.

PRESIDENT:

Senator Demuzio. Right.

SENATOR DEMUZIO:

This is...I...the Senate Resolution No. 1 is the...the...the adoption of the temporary rules for the Special Session. I would move adoption of Senate Resolution No. 1.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Senate Resolution No. 1 in the Second Special Session. All

in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 2 offered by Senator Demuzio.

(Secretary reads SR No. 2)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, Mr...Mr. President. Senate Resolution No. 2 is, in fact, the adoption of the standing committees and their membership as designated by...the Senate of the 84th General Assembly. I move adoption of Senate Resolution No. 2.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 2. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Resolution No. 2. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

...Senate Resolution No. 3 offered by Senator Demuzio.

(Secretary reads SR No. 3)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, I move the...for the immediate...suspension of the rules and the adoption of Senate Resolution No. 3 which simply informs the House that we are ready to do business.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution No. 3. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Resolution No. 3. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Mr. Secretary, further resolutions?

SECRETARY:

Senate Resolution No. 4 offered by Senator Demuzio.

(Secretary reads SR No. 4)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, I...I move to suspend the rules for the immediate consideration and adoption of Senate Resolution No. 4 as just read by the Secretary.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 4. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Resolution No. 4. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution No. 5 offered by Senator Demuzio.

(Secretary reads SR No. 5)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I would move...to suspend the rules for the immediate consideration and adoption of Senate

Resolution No. 5 which, indeed, is the Journal and transcript procedure. Move adoption.

PRESIDENT:

All right,...Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 5. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Resolution No. 5. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 6 offered by Senator Demuzio.

(Secretary reads SR No. 6)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I move to suspend the rules for the immediate consideration and adoption of Senate Resolution No. 6 which, in fact, sets up the members of the Senate to approve the...the Journal.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 6. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. The rules are suspended. Senator Demuzio now moves the adoption of Senate Resolution No. 6. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right, if I can have the attention of the membership, Channel 20, Channel 17, both have requested permission to videotape the proceedings; and the...Chicago Sun Times has requested permission to take some photographs. Is leave granted? Leave is granted...Messages

from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has accepted the Governor's specific recommendations for change, which are attached, to a bill with the following title, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 2472.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives. Adopted by the House...October the 2nd, 1985 at the Second Special Session. Jack O'Brien, Clerk of the House.

PRESIDENT:

Motions in writing, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2472 in the manner and form as follows. Signed, Senator Philip.

PRESIDENT:

All right, with leave of the Body, Senator Weaver will handle the motion in writing. This is the motion to accept the specific recommendations for change. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move to accept the specific recommendations of the Governor as to House Bill 2472 in the manner and form as followed. This is the Act that takes effect upon becoming law. I think everyone is familiar with it. If there's any discussion, I'll try to answer any of their questions.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommenda-

tions of the Governor as to House Bill 2472 in the manner and form just stated by Senator Weaver on behalf of Senator Philip. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2472 having received the required constitutional majority vote of Senators elected are declared accepted. Resolutions, Mr. Secretary...Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution No. 1.

(Secretary reads HJR No. 1)

PRESIDENT:

Senator Demuzio on House Joint Resolution 1.

SENATOR DEMUZIO:

Thank you, Mr. President. This is, in fact, the adjournment resolution, calls for us to return October the 15th, Tuesday, at twelve-thirty. I move the immediate suspension of the rules for the immediate consideration and adoption of House Joint Resolution 1.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution No. 1, calls for the Second Special Session to reconvene on the fifteenth of October at twelve-thirty. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any

further business...to come before the Second Special Session? Any further business to come before the Second Special Session? If not, Senator Vadalabene moves that the Second Special Session stand adjourned until October 15th at the hour of twelve-thirty. Session stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 15, 1985

PRESIDENT:

The hour of one having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Eugene Weitzel, Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal, Senator Smith.

SENATOR SMITH:

Thank you,...thank you, Mr. President and members of the Senate. I move that the reading and approval of the Journal of Wednesday, October 2nd, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives have adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit. They are all congratulatory.

House Joint Resolutions 93, 94 and 95.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Joint Resolution...or Senate Resolution...486 offered by Senator Rock and all Senators. It's congrat-

ulatory.

Senate Resolution 487, Senator Welch, congratulatory.

Senate Resolutions 488, 489, 490, 491, Senator Lemke, all congratulatory.

Senate Resolution 492, Senator Davidson and all Senators and it's congratulatory.

Senate Resolution 493, by Senator Topinka and all Senators and it's congratulatory.

Senate Resolution 494, Senator Lemke.

And Senate Resolution 495, Senator Lemke, they're congratulatory.

Senate Resolution 496...by Senator Savickas and it's congratulatory.

Senate Resolution 497, by Senator Jones and it's congratulatory.

Senate Resolution 498, by Senator Marovitz and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 499, by Senators Jones and Degnan.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 92, by Senator Schaffer and it is congratulatory.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is a resolution honoring Mrs. Margaret Tuck who has made a major contribution in my part of the State, and there's a dinner honoring her Thursday in the Chain of Lakes area and I'd kind of like to get this one out of here so the House can act on it in a timely fashion. Make

the appropriate motions.

PRESIDENT:

All right. Senator Schaffer has moved to suspend the rules for the immediate consideration and adoption of Senate Joint...Resolution 92, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Schaffer now moves the adoption of Senate Joint Resolution 92. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it, the resolution is adopted. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Mr. President, it's been brought to my attention that at the Executive Committee hearing tomorrow we will be considering Constitutional Amendments but there are two Senate resolutions that were not posted that should be heard tomorrow. They are Senate Resolutions 485 and 499, and at this time I would move that the appropriate posting rules be suspended so that both of those resolutions can be heard in the Executive Committee tomorrow.

PRESIDENT:

All right. Senator Sangmeister has moved to suspend the rules for the purpose of considering Senate Resolutions 485 and 499 in the Executive Committee hearing tomorrow. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it, the motion carries and it's so ordered. Introduction of bills.

SECRETARY:

Senate Bill 1469 introduced by Senators Rock and Philip.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

On a point of personal...privilege, Mr. President. While we're waiting to get started here, there is a civics class from Perry High School in Perry, Illinois that's in the balcony on the Republican side of the aisle and they're here with their instructor, Rick Parker, as part of their...annual visit, I guess, to the Illinois General Assembly. And I'd like for them to be recognized by the Senate.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. If I can have the attention of the membership, we have a special guest with us. A member of the House of Representatives from the State of Oklahoma has traveled to Springfield to, I'm told, take a look at our Department of Alcoholism and Substance Abuse. He is Mr. Gary Baston, State Representative from the 94th District in Oklahoma. Please welcome our colleague from Oklahoma. Gary.

REPRESENTATIVE BASTON:

(Remarks given by Representative Baston)

PRESIDENT:

Thank you, very much, Gary. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 500 offered by Senator...Barkhausen. It's congratulatory.

Senate Resolution 501, by Senator Jeremiah Joyce and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate Resolution 502 offered by Senator Chew.

PRESIDENT:

Executive. WCAI-TV has requested permission to videotape. Is leave granted? Leave is granted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the body, we will go to motions in writing. Mr. Secretary, motions in writing.

SECRETARY:

I move that the Committee on Transportation be discharged from further consideration of House Bill 740 and that the bill be placed on the Calendar on the Order of 2nd Reading. Signed, Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion...Senator O'Daniel has moved that the Committee on Transportation be discharged from further consideration of House Bill 740 and the bill be placed on the Calendar on the Order of 2nd Reading. I...I understand that there is an agreement on these next three or four respective motions. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered.

SECRETARY:

I move that Senate Bills 1467 and 1469 be discharged from the...Senate Rules Committee and advanced to the Order of 2nd Reading. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For the benefit of the membership, there are five bills that are now being moved so that we can take the appropriate action, hopefully, this week. The two that I just moved concern themselves with the winding down of the World's Fair Authority and the recapturing of that three million dollars that is still available in their treasury and 1469 sponsored by Senators Macdonald and Philip and myself dealing with the proposed break in the Parimutuel Tax for Arlington Park among others. The other will be the speed up of the school aid payment, I think that one is next. And then Sena-

tor Bloom has requested a bill concerning...for cleanup of the Public Utilities Act. So those five, with leave of the Body, will be moved today and the...the members will have an opportunity to see if their...see any and all amendments and we'll deal with those tomorrow. We are running a little late in that we have the Executive Appointments Committee at 2:00 o'clock this afternoon and there are, Senator Lechowicz advises me, a whole host of gubernatorial nominees to be considered. So if...at the conclusion of these motions, if any member has a motion with respect to anything on the Calendar, either the override or acceptance of an amendatory veto, we ought to make that suggestion that we get right to it; if not, we can adjourn until noon tomorrow. Then in addition, we have yet remaining today the Special Session and Senator Kustra has a motion to place that bill before us so that we can have a vehicle upon which to work on the McCormick Place problem pursuant to the Governor's call. So I would ask the adoption of that motion on Senate Bills 1467 and 69.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The motion by Senator Rock is to discharge the Committee on Rules from Senate Bill 1467, 1469 and that they be advanced to the Order of...Senate Bills 2nd Reading. You've heard the motion. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Mr. Secretary.

SECRETARY:

I move that Senate Bill 1468 be discharged from Senate Rules Committee and be advanced to the Order of 2nd Reading. Signed, Senators Maitland and Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 20 has requested to...permission to videotape. Is leave granted? Leave is granted. All right. The motion is...Senate...to discharge the Senate Rules

Committee from further consideration of 1468 and the bill be advanced to the Order of Senate Bills 2nd Reading. You've heard the motion. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is...the motion is carried. Mr. Secretary.

SECRETARY:

I move...to suspend Rule 5C and that the Committee on Rules be discharged from further consideration of Senate Bill 994 and that it be placed on the Senate Calendar on the Order of 2nd Reading. Signed, Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Bloom moves that the suspension of the rules and...and that Senate Bill 994 be discharged from the Senate Rules Committee and placed on the Order of 2nd Reading in the Senate. Further discussion? Any...further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. All right. With leave of the Body, we will go to resolutions. I understand there is an emergency congratulatory resolutions. Leave is granted. Mr. Secretary, resolutions. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. At this time I would like to move to suspend the rules for immediate consideration of a resolution that has been placed on the Consent Calendar for tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can you give us a number, Senator Welch?

SENATOR WELCH:

In one minute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch moves to...for the suspension of the rules and the immediate consideration and adoption of a congratulatory resolution, Senate Resolution...487. Any

discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Welch now moves...Senator Welch, do you wish to speak on the...all right. Senator Welch now moves the immediate...the adoption of Senate Resolution 487. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted.

SENATOR ROCK:

If I can have your attention, the Chair will yield to Senator Chew for the purpose of an introduction of a very distinguished guest.

SENATOR CHEW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Needless to say, that the gentleman I am going to introduce to you needs to be introduced. We all are aware of the trials and tribulations that he encounters every day, we are aware of the goods and the bads in which he encounters. It's a pleasure to have worked with him over these years and many of you here have done likewise. He's here to say hello, he's here on programs, we have recently met with him this morning and we plan to continue this afternoon. Ladies and gentleman, it gives me great pleasure to introduce to you or bring to you the only one, Reverend Jessie Lewis Jackson.

REVEREND JACKSON:

(Remarks given by Reverend Jackson)

PRESIDENT:

Introduction of bills.

SECRETARY:

Senate Bill 1470 introduced by Senators Maitland and O'Daniel.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. All right. Does any member have any

motion he wishes to pursue at this time? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to discharge the Committee on Elementary and Secondary Education from further consideration of House Bill 1252 and ask that it be placed on the Calendar on the Order of 2nd Reading. The purpose of this motion is that this bill would be used for consideration dealing with amendments to the asbestos problem in our schools. I've touched base with the minority spokesman on the committee.

PRESIDENT:

All right. Senator Berman has moved to discharge the Committee on Elementary and Secondary Education from further consideration of House Bill 1252 and ask that it be placed on the Calendar on the Order of 2nd Reading. Is there any objection? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Any further business to come before the Regular Session? If not, Senator Vadalabene moves that the Regular Session stand adjourned until tomorrow...Wednesday, October 16, at the hour of noon. Tomorrow at noon for the Regular Session. The Senate stands adjourned. We will now convene the Special Session which will be just a...yeah...should take just a very few moments.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

OCTOBER 15, 1985

PRESIDENT:

All right, pursuant to the call of the Governor, the Second Special Session will come to order. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journal of Wednesday, October 2nd of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDENT:

All right, you've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. All right, with leave of the Body, we'll move to the Order of Motions in Writing. Mr. Secretary.

SECRETARY:

I move that Senate Bill 1454...to take the bill from the Table and to nonconcur with House Amendments 1 and 3. Signed, Senator Keats.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. You'll have to forgive my handwriting, Mr. Secretary. That bill, Senate Bill 1454, is the bill that we considered during the regular Session that deals with McCormick Place. This will...allow us to take that bill from the Table, send it back to the House and eventually use this bill for the vehicle for the McCormick Place reforms. I ask for your...

PRESIDENT:

All right, Senator Kustra has moved to take Senate Bill 1454 from the Table and place it on the Order of Nonconcurrence for the purpose of nonconcurring with House

Amendments 1 and 3. All in favor of the motion to take from the Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Kustra now moves to nonconcur with House Amendments 1 and 3 to Senate Bill 1454. All in favor of the motion to nonconcur indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. Any further business to come before the Special Session? If not, Senator Demuzio moves that the Special Session stand adjourned until Wednesday,...October 16th at the hour of twelve-thirty, twelve-thirty tomorrow. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

October 16, 1985

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Eugene Weitzel).

PRESIDENT:

Reading of the journal. Senator Luft.

SENATOR LUFT:

Mr. President, I move that reading and approval of the Journals of Wednesday, October 2nd and Tuesday, October 15th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Luft. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 98, 99, 100, 101, 102 and 103, all congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 503.

Senate Resolution 504.

And Senate Resolution 505, by Senator Lemke, all congrat-

ulatory.

Senate Resolution 506, by Senator Jeremiah Joyce and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1471 introduced by Senator Jones.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1471 introduced by Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. (Machine cutoff)...reports.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Message of October the 2nd, 1985, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October the 2nd, 1985.

PRESIDENT:

All right. You've heard the motion as placed by Senator Lechowicz. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With the respect to the Governor's Message of October 2nd, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

Agriculture Export Advisory Committee. To be members of the Agricultural Export Advisory Committee for terms expiring January 19th, 1987, Gary L. Benjamin of Wheaton; Richard Burket of Blue Mound, Dr. Dale E. Butz of Bloomington, Bruce Cluver of El Paso, Ginnie Hartman of Mounds, Ron Havekost of Peoria, Herman Kloppman of Westchester, Satoru Takemoto of Morton Grove, Jack Rundquist of Butler, John Twomey of Monmouth.

To be members of the Board of Agricultural Advisors for a term expiring January 19th, 1987, Glen Brandt of Pleasant Plains.

To be members of the Bi-State Developmental Agency for a term expiring January 15th, 1990, Patricia Watkins of Caseyville.

To be members of the Advisory Board of Cancer Control for terms expiring September 30, 1986, Milton Darr of Oak Brook. Thank you, Mr. President. Dr. Paul Peterson of Chicago.

To be members of the Governor's Advisory Board of Cancer Control for terms expiring September 30th, 1987, Dr. Nathaniel Berlin of Chicago, Dr. Frank Hendrickson of Oak Park.

To be members of the Governor's Advisory Board of Cancer Control for terms expiring September 30th, 1988, Alan Hatfield of Urbana, Charlotte Longwisch of East Alton.

To be members of the Central Midwest Interstate Low-Level Radioactive Waste Commission for an unspecified term, Clark Bullard of Urbana and Terry Lash of Springfield.

To be members of the Illinois Coal Research Board for term expiring on July 1, 1988, John Vancil of DuQuoin.

To be members of the Illinois Advisory...Illinois Community College Board for terms expiring June 30th, 1991, Lorraine Genesen of Glenwood, Joel Jennings of Metropolis, William Payne of Danville, Delores Ray of East St. Louis, Jack Watts of Robinson.

To be members of the Economic Technical Advisory Committee for terms expiring March 31st, 1986, Ronald Rainson of Morton; Maynard Venema of Northfield.

To be members of the Economic Technical Advisory Committee for terms expiring March 31st, 1987, Ken Alderson of Springfield; John B. Brandon of Urbana.

To be members of the Economic Technical Advisory Committee for terms expiring March 31st, 1988, Ray Johnson of Oak Lawn; Richard...Wissell of Woodstock.

To be chairman of the Havana Regional Port District Board for a term expiring June 30th, 1988, Gene Hermann of Havana.

To be a member of the Board of Higher Education for a term expiring January 31st, 1991, Jane Williamson of Kenilworth.

To be a member of the Illinois Independent Higher Education Loan Authority for a term expiring June 30th, 1992, David Bramson of Glenview.

To be members of the Board of Trustees of the Historic Preservation Agency for terms expiring January 19th, 1987, Julie Cellini of Springfield, Frank Mason of Springfield, Richard Roddewig of Riverdale, Sally Schanbacher of Springfield, Marc Schulman of Chicago.

To be members of the Advisory Board to the Department of Insurance for terms expiring January 19th, 1987, Fred C. Jenks of Monmouth; Walter Letzsch of Riverdale, Cecil Pearce of Springfield.

To be chairman of the Illinois Job Training Coordinating Council for terms expiring July 1, 1987, G. Allen Andreas of Decatur.

To be members of the Advisory Board of Livestock Commissioners for terms expiring January 19th, 1987, G. Harlan Bane of Riverdale...I'm sorry, G. Harlan Bane of Riverside, Merlyn C. Eickman of...Pecatonica, Gilbert Hadley of Cambridge, James Handy of Waverly, George Inness of Galesburg, Verlin Jackson of Galva, R. William Killey of Monmouth, Betty Lenz of Winfield, Tom Poskin of Ashkum, Carman Potter of Jacksonville, Jack Rundquist of Butler, Wilmer Smith of Davis, Arnold Taft of Olney.

To be members of the Surface Mining Advisory Council for terms expiring on August 10th, 1986, Wendell R. Clark of Victoria; W.D. Klimstra of Carbondale, Ray F. Lambert of Cutler, William A. Lemons of Sesser.

To be members of the Surface Mining Advisory Council for terms expiring August 10th, 1987, Henry Barkhausen of Jonesboro, Richard Lounsbury of Carlinville.

To be members of the Surface Mining Advisory Council for terms expiring August 10th, 1988, George Dirkes of Indian Head Park; Richard Smith of DuQuoin, Kenneth Stellhorn of Red Bud.

To be members of the Illinois State Museum for terms expiring January 19th, 1987, James Ballowe of Peoria; Rosalie Clark of Chicago, Donald Hoffmeister of Champaign, George Irwin of Qunicy, Mary Ann MacLean of Libertyville, Jane O'Connor of Chicago, Michael G. Schneiderman of Chicago, Robert Waddell of Illiopolis, Sol Weiner of Evanston.

To be a member of the...Advisory Board of Necropsy Services to Coroners for a term expiring January 18th, 1988, Charles Bramley of Divernon.

To...to be Public Administrator, Guardian and Conservator of Dupage County for terms expiring December 2nd, 1985, John Darrah of...of Addison.

To be Public Administrator for terms...of Logan County for term expiring December 2nd, 1985, Donald A. Behle of

Elkhart.

To be a Public Administrator, Guardian and Conservator of Saline County for terms expiring December 2nd, 1985, Charles Ferrell of Harrisburg.

To be a member of the Board of Regents for terms expiring January 19th, 1987, Sylvia Nichols of Lawrenceville.

To be members of the Illinois State Scholarship Commission for terms expiring on June 30th, 1991, Alan Baker of Pinckneyville; Anthony Volpe of Lake Forest.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. Senator Lechowicz has sought leave to consider all these unsalaried appointments on one roll call. Is leave granted? Leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. (Machine cutoff)...Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that we...Senate arise from Executive Session.

PRESIDENT:

All right. You've heard the motion by Senator Lechowicz. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 507, by Senator...Zito, it's congratulatory.

Senate Resolution 508, Senator Topinka.

509, by Senator Topinka.

And 510, by...no...509, by...Senator Topinka, and they're congratulatory.

And Senate Joint Resolution 93, by Senator Topinka and it's congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, we'll begin on the Calendar on page 16. We will attempt today to deal with all the motions in writing that have been filed with the hope that our business tomorrow will start tomorrow at ten o'clock in the morning and, hopefully, conclude by noon so that the members can get back to our districts. So, we will go through the entire set of motions in writing today. Whatever is not handled today, we'll handle tomorrow. Turn to page 16 on the Calendar. Senator Chew, for what purpose do you arise?

SENATOR CHEW:

I would like to do a good deed for the entire Senate. There are two young ladies here that have personally baked what is known as sweet potato pies, and she has them here for sale and it's for a non-profit organization here in Springfield. You can see Senator Hall and he can direct you how you may purchase them. They're inexpensive and they're helping a non-profit organization. Thank you, Mr. President. And they good...and they're good.

PRESIDENT:

All right. We will begin with the motions that have already been filed with the Secretary. The Secretary has informed me that additional motions have been filed and are currently being filed. We will before we conclude our busi-

ness have a supplemental calendar and afford all the members the opportunity to have their motions heard. We're beginning on page 16 on the motions in writing to override the total veto of the Governor. The Chair will take the prerogative of introducing a man to this Chamber who needs no introduction, the Governor of Illinois is with us. Welcome, Governor. All right. Top of page 16, motions in writing. Senate Bill 3, Senator Joyce. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 3 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank...thank you, Mr. President. Senate Bill 3, as you may recall, was the setting up...a bill that set up the criteria for siting of a low-level nuclear waste site. The Governor's...veto of this bill I think is...is one that though it may be understandable from the Department of Nuclear Safety's version, it will be much easier for them if this bill are...is now law. But, in fact, I think that we have come to the time when public participation in this kind of...of...a facility is one that's going to be required. This gives local government the option to site and to license a low-level nuclear waste facility. It tracks Senate Bill 172 with the hazardous waste...facility in that the Pollution Control Board can overrule the local county board or municipality if it's within...their boundaries. So, in that sense, I think that...that the only way we will ever get a low-level nuclear site in the State of Illinois is for the local people to have a voice in that process when this is being talked about. For us to ignore the local people, will be...will suggest that they will never have a site. They want to know

what's going on and have a...a piece of the action, if you will, on what happens; and for us to ignore them, I think will...will definitely prohibit a site ever being set within our boundaries. So I'd be happy to answer any questions.

PRESIDENT:

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question, please?

PRESIDENT:

Sponsor indicates he will yield. I'd ask the staff members to take the caucuses and meetings off the Floor. We will be on the order of final action for the next couple of hours.

SENATOR MACDONALD:

Where in the amendatory veto or where does it strike that the people would have some hearing or that they're...that they would not have any say whatsoever in...in this piece of legislation?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, this is a total veto, Senator, it's not an amendatory veto.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you.

PRESIDENT:

All right. Any further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...this bill came about in a...when we were discussing the compact site between Kentucky and us. Senator Schuneman, in fact, is the one that

said what are the local people going to do and what kind of a say are they going to have because of Sheffield in his district. They are not very...very happy with that facility. The record of these sites is not a pretty one. So if we are to do this, I'd think it behooves us to have...let the local people have some control over what is in their boundaries also. So I would ask for an override of this veto. Thank you, Mr. President.

PRESIDENT:

Question is, shall Senate Bill 3 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 22 Nays, none voting Present. Senate Bill 3 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Rigney, for what purpose do you arise, sir?

SENATOR RIGNEY:

...well, there was only thirty-six votes there, I think we better verify.

PRESIDENT:

All right. The gentleman...Senator Rigney has requested a verification. Will the members be in their seats. Mr. Secretary, please, the affirmative vote.

SECRETARY:

The following voted in the affirmative: Barkhausen. Berman. Carroll. Chew. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Donahue. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Kustra. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Schuneman. Smith. Vadalabene. Welch. Zito. Mr. Presi-

dent.

PRESIDENT:

(Machine cutoff)...Rigney, do you question the presence of any member?

SENATOR RIGNEY:

Senator Berman.

PRESIDENT:

Senator Berman is on the Floor. Question the presence of any other member?

SENATOR RIGNEY:

No.

PRESIDENT:

All right. The roll has been verified. On that question, the Yeas are 36, the Nays are 22, none voting Present. Senate Bill 3 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. All right. Senator Lemke moves to reconsider the vote by which this bill has been...declared passed. Senator Vadalabene moves to Table that motion. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senate Bill 9, Senator Vadalabene. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 9 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate Bill...Senate Bill 9, I filed a motion for the override is...which requires the State to pay extradition expenses in...in instances where the extradition calls for a...a felony where the...where the person would be impris-

AB209 Override

oned. Under the current law, the State pays expenses for bringing fugitives back to Illinois when the punishment is mandatory imprisonment in the penitentiary. In other instances, a county where the alleged crime was committed pays the cost of the...extradition. The effect of this bill would be to place a financial burden of the extradition, travel expenses and fees paid to out-of-state officers of the State rather than a county in the greater number of cases of extradition. Senate Bill 9 would be less expensive because it is limited to crimes for which penitentiary imprisonment may be ordered. Senate Bill 9 passed the Senate by a vote of 50...52 to nothing and passed the House by a vote of 116 to nothing. It is supported by the Illinois Sheriff's Association and other police associations, and I would ask for a...a favorable vote in the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 9, pass the veto to the Governor...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, none voting Present. Senate Bill 9 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 161, Senator DeAngelis. Senator DeAngelis on the Floor? 209, Senator Marovitz. Senate Bill 209, Mr. Secretary.

SECRETARY:

I move that Senate Bill 209 Do Pass the veto of the Governor to the contrary notwithstanding. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 209 was part of the gang crime package sponsored by Senator Sangmeister and myself, Senator Barkhausen, Senator Kustra and members from both sides of the aisle. Much of the package was a get tough package dealing with drugs and weapons and gang intimidation in and around the schools. In addition to tough sanctions, there were...there was also Senate Bill 209 which...which provided programmatic assistance to...to these kids as alternatives to gang crime; programmatic assistance in terms of recreational programs, vocational training programs, counseling programs which the kids said that they needed. We drafted this bill with the help of the Department of Commerce and Community Affairs. The...the bill authorizes businesses to take a tax deduction...a deduction for the contribution of money or resources to community groups in order to develop alternatives for youths in lieu of gang activity. The programs would have to be approved by the Department of Commerce and Community Affairs before any deduction was granted. So, DCCA is totally in control of this, no dollars would be expended at all unless DCCA approved the program. The Department of Commerce and Community Affairs would have the responsibility of certifying the community based organizations. There's an annual cap of five million dollars on the aggregate amount allowed deductible. It also allows DCCA to make grants of up to fifty thousand dollars to community based programs which provide alternatives to gang involvement. Unless specific dollars are appropriated, there would be no cost to the program other than that occurred from the income tax deduction. Now let me give you an example. A 2.5 million dollar revenue loss from income tax deductions...a 2.5 million dollar revenue loss from income tax deductions would require fifty-six million dollars in investments by businesses throughout

the State. This means that contributing businesses would donate over fifty-three million dollars to community based organizations to help fight gang programs and provide gang alternatives. This is an investment of twenty-five to one. To realize that type of return of a...revenue loss of 2.5 million would be a practical investment, a short-term loss and a tremendous long-term gain. I've talked to the Governor's Office about this, they say that they can work with this program and will be able to implement the program. They have no active opposition. The Department of Revenue is against this because they were against any revenue loss. DCCA says that they can work with the program, I've talked to the Governor's Office. This is part of the gang crime package. It's not only get tough with a stick but help these kids with a carrot and, actually, there's hardly any revenue impact at all for a tremendous gang...gain throughout the State in terms of businesses and community organizations providing alternatives to gangs. Remember, it's controlled by the State, not controlled by the community organization, not controlled by the business, totally in control of the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. I'd just like to add my word as a cosponsor of this legislation. I...looking at the Governor's rationale for the veto and I think it is somewhat inconsistent in that he is concerned of course about the amount of money that it may cost the State up to about 2.5 million; but, on the other hand, says that this legislation does not provide a real incentive to business entities to contribute. So I don't think you can have it both ways. I, frankly, think the business community is as concerned about gang activity as anybody else, and if we can give them an incentive through this kind of legislation to contribute, I

think the money that the State...it will cost the State of Illinois and the way this tax incentive is well spent, and if we're concerned and we really want to do anything about gang activity, we really ought to override. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion?...Senator Marovitz.

SENATOR MAROVITZ:

Closing, I would just ask for an Aye vote. This is part of the gang crime package and does provide programmatic assistance, some help for these kids...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Marovitz, I beg your pardon. Senator Etheredge had his light on, I had my book on the light. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I rise in opposition to this motion to...to override. I think what we...what we have here is a...a very well-intentioned effort to solve a problem which needs solving; namely, to...to deal with the problem of...of gangs, but I think in seeking funding for...for the program, I think we're going about it in the...in the wrong way...through this...through this checkoff effort. I would strongly urge that you vote against this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. Well, in closing, I would just say if we really want to do something about gang crime and help the kids of this State stay out of gangs and provide them alternatives, we ought to

help the businesses of this State and the community...organizations of this State under the leadership of the State and the Department of Commerce and Community Affairs provide the tools to give them an alternative. Again, no dollars expended from the State at all unless DCCA and the State feel that the program is worthwhile and that we can afford it. Please help the kids by voting Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate Bill 209, pass the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 21, none voting Present. Senate Bill 209 having received the required three-fifths vote is declared passed, the veto...of the Governor to the contrary notwithstanding. 239, Senator O'Daniel. Senate Bill 239, Mr. Secretary.

SECRETARY:

I move that Senate Bill 239 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, members of the Senate. Senate Bill 239 doesn't change the speed limit. It...it merely states that until you exceed sixty-five miles an hour in a fifty mile an hour zone, it won't be used against your driving privileges. It doesn't encourage reckless driving. It doesn't...it doesn't deal with DUI, reckless driving, too fast for conditions and...and it wouldn't jeopardize our...our...our Federal highway funds. Our staff checked with the Feds and it...it's no problem there at all. It

would make it more difficult also for insurance companies to...the insurance industry to more or less rake the public by merely having a...a speeding ticket raising your premium. There's other states that...that have similar legislation. This passed out of the Senate on the Consent Calendar. I would appreciate a...a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Discussion? If not, the question is, shall Senate Bill 239 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed will vote Nay. The voting is open. Have all voted...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, 1 voting Present. Senate Bill 239 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR BLOOM:

Yes, seated in the President's gallery are a group of students from the Logan School in my district is here to observe the proceedings, and I wonder if we could welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized by the Senate. Welcome to Springfield. Senate Bill 249. Senator Holmberg, are you...ready? Senate Bill 249, Mr. Secretary.

SECRETARY:

I move that Senate Bill 249 Do Pass, the veto of the

Governor to the contrary notwithstanding. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, this is the so-called investment tax credit bill. Background on that is that in 1980 the corporate personal property replacement tax was enacted to replace the personal property tax and its purpose was to fund schools and local governments. However, in 1982, we enacted legislation to create a very needed investment tax credit for business but, unfortunately, we placed that against the corporate personal property replacement tax, which meant that as it kicked in in 1984 that we would have schools and local governments receiving less money. Well, at the time, we had hoped that property tax would keep increasing and we were very close to a recession in our general revenues. That did not happen, our Corporate Personal Property Replacement Fund has been going down. We are in real trouble there. It is time now to make the change, to place that...business investment tax credit which we want to continue against the State Income Tax. With a simple technical change, and many of you, I think, have a printout that I've distributed as to what your local school districts would get, we can begin to bring additional dollars both to schools and to local governments. On the printout on Senate Bill 249, you have what your school districts did not receive this year. That amount will double next year and further increase the year after. As an example, the City of Chicago did not receive three and a half million dollars. Next year they will not receive seven million dollars. As an example, the City of Quincy school district did not receive ninety-one thousand dollars; that will double next year. The Springfield school system did not receive a hundred and nineteen thousand dollars; that will double next year and further

increase the year after. This is a simple change in the way the business investment tax credit is figured. It is one way that we can answer the problems of both local government and school districts back home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise also to speak in favor of the override of the veto of Senate Bill 249, and I really would ask all of you to pay attention to the importance of this bill, because it indeed has enormous importance to all of your units of local government. What we are talking about is money that we, the State Legislature, took away from all of our units of local government who used to be the recipients of corporate personal property taxes. When that was abolished, as the Constitution required, then we set up a means for it to be replaced. We have now done something very, very damaging to the base of that replacement fund. We have said we think an investment tax credit is a great idea, it's going to do a lot for economic development in Illinois. Admittedly, we didn't have much evidence that it was going to do that but that was a judgement which the Legislature made; however, to hedge our bets, what we said is we're not going to take it out of the State Corporate Income Tax, we're going to take it out of the hides of the units of local government who already were not getting fully compensated for the amount that they lost from the corporate personal property tax. That makes absolutely no sense at all. As Senator Holmberg pointed out, we are right now giving back to the units of local government, and that means not just our schools but our municipalities, our counties, other important units of local government, less than they got at the time that the corporate personal property tax was abolished in 1979 and that is exclusive of any growth that would have taken place in that

tax. We are already cheating them. If we continue to allow the investment tax credit to come out of that base rather than out of the State Income Tax base, we will be cheating them further. I really beseech you, Ladies and Gentlemen of the Senate, if we believe that an investment tax credit is a proper way to attract business to this State, then we ought to have the courage of our convictions and take it out of the State revenue base and not out of the local government revenue base.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this motion to override. What this bill does is to conduct a raid on the State's General Revenue Fund. The cost of the implementation of this legislation in Fiscal '86 would be somewhere in the order of twenty-five million dollars. On a annualized basis in Fiscal '87, the cost would be fifty millions of dollars in lost revenue to the General Revenue Fund. I would submit to all of you that the best way to fund our schools is through the general State Aid Formula, funded through the General Revenue Fund. I think all of us are very much aware of the fact that we are in a very difficult position now in regard to...to funding the educational reforms that we passed last Spring. I think it is critical that we not further endanger our...ability to support those educational reforms by reducing General Revenue Fund income. I strongly urge you to vote No on this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? UPI has requested leave to take still pictures. Is leave granted? Leave is granted. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this override motion as the sponsor of the original investment tax credit bill which we passed in here with a majority of you voting in favor of it. It would not have been law to give the industry in Illinois an opportunity for...to stay in Illinois and give people employment without raiding the general fund and circumventing, going through the General School Formula Aid. As you look at what she passed out, the amount of dollars that's going to help each one of your school districts is pretty insignificant to the total amount of taking fifty million dollars out of the General Revenue Fund which is going to harm the funding for your school formula fund next fiscal year. I would urge all of you to vote No or not vote. This is not a good vote for the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. In contrast to what the Senator said when saying this would be raid on general revenue funds, this has been a raid on school district and local government funds far beyond the intent of anybody years ago. Those corporate personal property replacement funds were dedicated to schools and local governments, and we have not been doing them a good deed by taking money away from there. Talking about what you receive...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator...Senator Holmberg. Senator Philip, Senator Holmberg is closing. Did you wish to speak on this? All right. Senator Holmberg, Senator Philip wishes to...Senator Philip.

SENATOR PHILIP:

I apologize, Mr. President, I wasn't paying attention,

which so often happens back here when you're talking to other people. I might remind the members, particularly on the other side, twenty-five million this year, fifty million next year. I hope everybody on the other side is ready and willing to vote for a tax increase to pay for all this...all those big spenders. I know it's a good cause but we ought to stand up and do what's right and vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg, I apologize, you may close.

SENATOR HOLMBERG:

If I might reply that the money that comes to school districts and to local governments out of that...those general revenue funds would amount to only about ten percent, they would get far more by this simple change in the law. Also, out of General State Aid as we appropriate for many of your school districts because you get such a small percentage, anything that you can bring home to your schools is very negligible, those of you that get six or seven percent of State funds. This particular bill would bring it home for certain, it would not have to go through that formula. I don't know how you feel about another tax or a cigarette tax or how you may vote in the future on additional monies for education, but we are talking about similar amounts here without having to vote for a definite tax by...Fiscal 1987 we're talking about sixty million dollars while still protecting the business investment tax credit. That tax credit is to expire in 1989, and if you want for your businesses to be able to continue to give them this, its chances of continuing are that much greater if it is figured in the proper way against the State Income Tax instead of against your schools and your cities. I ask for your support in overriding the Governor's veto and bringing sixty million dollars to your local municipalities and school districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is...the question is, shall Senate Bill 249 pass, the veto of...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 27, none voting Present. Senate Bill 249 having failed to receive the required three-fifths vote is declared lost. (Machine cutoff)...Bill 329. Senator Welch, are you prepared? All right. Senate Bill 329, Mr. Secretary.

SECRETARY:

I move that Senate Bill 329 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 329 creates the Regional Service Agency Fellowship Program, the idea behind which was to bring the benefits of graduate students and public administration of their universities to small towns, those towns under...fifty thousand people. In the Governor's Veto Message he even pointed out that this was a worthy cause, but he vetoed the funding for it. This particular bill, of course, has no funding. We're trying to override the veto because some of the schools who would be eligible under this program wish to attempt recede to implement this program. As many of us traveled around our districts since the last part of the Session, we have found these small towns inquiring as to Build Illinois money and how they apply for the grants and what help is available to help them fill out the applications to get those funds. This particular bill will help small towns do just that by making interns avail-

able to them. The...the bill itself is not a major one, but I think it sets a tone for this Legislature that we want to help out small towns, many of which need help, many of which need to avail of...avail themselves of the benefits that are apparent through the universities in our great system. I think the Governor's statement that we have to yield our decision-making to the Board of Higher Education should be rejected. In the past, we have set forth our policy decision without regard to the Board of Higher Education or in effect leading the Board of Higher Education as we did when we created an engineering school at Northern Illinois University and with many other programs. And for that reason, I would urge that we vote to override the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 329 pass, the veto of the...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting Present. Senate Bill 329 having failed to received the required three-fifths vote is declared lost. Senate Bill 371, Mr. Secretary.

SECRETARY:

I move that Senate Bill 371 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to override the Governor's veto of this particular bill. This...this is an amendment to the public insurance adjusters examination. I talked to the Department of Insur-

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ance, we talked to everybody to work out the problem involved in this. This problem became aware to me because I used to be house counsel for United States Fidelity and Guarantee Company and the people that have been working with were exempt from the public adjusters examination. But now that...when they retire, if they go to work for a public adjuster, they can't work in their field because they must take an examination but they are experienced men. They have been working in the field for twenty, thirty years. What this does is makes a special category to allow them to work for a period of time under a public adjuster's direction. It benefits both the public adjuster and the...and the individual. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. One of the questions I have on this, this is...this bill did not come to the Insurance and Licensing Committee, and to me it...that's exactly what this bill is involved with. It does seem like we have the sympathy for someone who may not be able to...to pass an examination, but I don't believe that we should treat each individual case like that by answering with a specific change in a...in a whole rule, regulation or bill. I oppose this particular bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

Hold this a minute, take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Senate Bill 576, Senator Topinka. 576, Mr. Secretary.

SECRETARY:

I move that Senate Bill 576 Do Pass, the veto of the

Governor to the contrary notwithstanding. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, Senate Bill 576 ultimately...benefits a depressed horse racing industry which we've discussed on this Floor and I think are pretty well aware of which has been enhanced and heightened by the Arlington Park situation, so that's the background on it. What we have asked here is when we do have a track that is in operation with active racing dates that has managed to attract more horses than they can accommodate, that when they shift these horses to another track, which we call a dark track because it's not in operation, and it then provides the housing for the horses, which I call the kind of friendly slop-over, that we use the Race Track Improvement Fund to pick up the cost of that. It is not that much of a cost and it does benefit the industry and it does basically benefit business in general throughout the State, because we all depend on the money that the race tracks do indeed provide for us. And on that basis, I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Bloom.

SENATOR BLOOM:

Who right now pays for the overflow? Does the track that has the overflow rent some space from another track?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Basically, they just kind of agree in some cases as to the fact that they may trade it off or that they will just overlook it. But, basically, they just absorb the costs. The...usually it's the dark track that absorbs that cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I...I'm sorry, the what track that absorbs the cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The dark track, the track which...which takes them over there does bare most of the cost on this. There would be some from the giving track but not from the receiving track which usually has to pick up more of the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Okay. The...one of...the Governor had two objections to this. One of them was that this is a departure from the purpose of the Race Track Improvement Fund which was to underwrite capital improvements at operating tracks, such as building, stands, et cetera. The departure is from this goal, and I have no particular quarrel with the bill itself. However, he then goes on to say that there's no specific limit on the amount that could be used for housing, and there really is no statutory control. It's like, basically, taking the top off the jar and saying to the operating tracks, go ahead and use as much as you want from this fund; and if indeed we are to depart from that, I think the Governor has a good point on the second point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka may close.

SB 887 override

SENATOR TOPINKA:

Yes, in response to Senator Bloom's comment, I think it...there's a self-imposed cap because you can just put so many horses into just so many barns, and after that point it stops. So I...I don't think that that's all that much of a problem. I just would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 571 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 14, none voting Present. Senate Bill 576 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding...640. 887, Senator Lemke. Senate Bill 887, Mr. Secretary.

SECRETARY:

I move...excuse me...I move that Senate Bill 887 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to override the Governor's veto on Senate Bill 887. What this bill does is permits injunctive...relief where there's a...there's a marriage through the courts for the father of an unborn child whose wife seeks an abortion after the child is viable. In the case when a married woman wishes to have an abortion, and her husband, who is the father of the unborn child, is opposed to the abortion, a court may hear testimony from both parties and balance the rights and interests of those parties. The court may issue

an injunction against the abortion if the unborn child is viable and the interests of the husband in preventing the abortion outweighs those of the wife. A court cannot issue an injunction if the woman's life or physical health is in danger. Senate Bill 887 is narrowly written to meet the constitutional test. The Supreme Court in Roe versus Wade and Doe versus Botton stated that states have a compelling interest in protecting potential human life after viability. It also states...stated that states could then prohibit abortions after viability except when the woman's life or health are in danger. The Illinois Abortion Law of 1975 follows this language...prohibiting abortions after viability, except when a woman's life or health are in danger. The bill does not prohibit the issuing of an injunction by a court if the mother's life or physical health are in danger. This, of course, includes medical emergencies. The gray area according to the court is when we are talking about mental stress and this is best resolved by the courts. Just as the courts have ruled that parents of pregnant minors do not have an absolute veto power over the abortion decisions of minors, it is also stated in Planned Parenthood versus Danforth that husbands do not have an absolute veto power over the wife's abortion decision. But the court added and has allowed parental consent, a parental notice, with a minor having the right to go to court to obtain a waiver of consent or notification. We believe that the Supreme Court will also...allow husbands to seek relief through the courts when the unborn child is viable. All we ask is that in those cases where abortion is being sought by the woman is not for reasons of...life or physical health dangers, that...if a husband disagrees with his wife, he can go to court and on a case-by-case basis, the court can weigh the rights and interests of both parties and decide whether or not an injunction should be issued. The question, when allowing the husband to

go to court and put...put a strain on the marriage. The answer probably would be, but no more than the strain that a...a wife seeking abort their five' or six' or seven-month-old unborn child while the husband is helpless to do anything to...to save his child. Another question would be, how many times would this situation arise in later stage of pregnancies? Not...not in many...the answer probably would be not too many. But the principle of the father's interest and rights should be protected when the child is viable. And I think it's in our court and every system in the United States that the parties in any disagreement should have the right to go to court and have them iron them out there instead of having them ironing on the street, and in the cases of family where there's other children involved, the court in their wisdom should do everything possible to save that marriage and save that protection. And if one of the parents are going to do something against the will of the other, then they should weigh the contest and see in some way to...to get an agreement where the harm would not harm the total family. I ask for an override of the veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I voted against this bill to begin with when it first came up for a simple, philosophical reason. If the husband wants to get a vasectomy, he does not have to get the...consent of his wife. I don't think it is a fair bill. You didn't...haven't included that in your bill and as much as I respect the sponsor of the bill and, therefore, I speak against the override of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Just briefly. Time and time again, we pass abortion laws in the...in this Chamber that are continually ruled unconstitutional by the courts. This is another example, it will be ruled unconstitutional, we've said it before and we've predicted it before. It's been ruled unconstitutional before, this one will too. Why don't we stop doing that to ourselves. We can't...we can't stop an abortion in a life threatening situation, how can we allow the husband to do such in a life threatening situation. I would recommend a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

Well, to counteract the other speaker, November 5th, we're going to court before the U.S. Supreme Court. They'll pull one law that we passed in '79. The progress is going through courts. The lower court generally works either affirming or defirming, then we have an appellate court in the system that always rules against us and then we have to go to the U.S. Supreme Court. The last time I was there in 1979...with a bill that Harry Leinenweber and I sponsored, it was declared constitutional. This, too, will be declared constitutional 'cause we have done our work; and November 5th, we will, again, get Illinois Statutes declared constitutional because I'm represented by what I consider one of the best attorneys and law firms in the country, the U.S. Soliciter General, and I think that we will go forward in this situation. And I think this is a good bill and as far as the other speaker, a vasectomy is not the same thing as an abortion. To me, an abortion takes a life; it takes a life of an unborn child in its sixth, seventh, eighth and ninth trimester. My grandson was born four months premature, he's a loving four-and-a-half-year-old child. I think that's life

and I think this is a proper step, if the father can, he should go to court and seek an injunction. If he feels his rights are...are...are better than the wife, then he should get that injunction. And that was the ruling in Iowa by the Supreme Court and I think that's...would be the case. This is the case, I think the...the bill should be overridden, we should pass it, we should take our course as usual through the courts and finally rid ourself in rich society of this terrible thing of murdering young born infants. I ask for an override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 887 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 14, none voting Present. Senate Bill 887 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Joyce, 640.

SECRETARY:

I move that Senate Bill 640 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill is a bill that we passed in both Houses. It...it would require...it would increase the amount of nonfat solids in milk. This provision would go into effect at the same time that all adjoining states would adopt this measure. This increases the...nutritional value of two percent and skim milk...and California has this law and it has increased the sale of milk in that state. It also improves the taste of the milk and ninety percent of the dairy farmers in this State are in favor of it, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill. If...if we vote for this motion to override, what we're doing is to increase the cost of low-fat milk from ten to fifteen cents per gallon. I don't want to go home and...and tell all of my constituents that...that I'm the one who is responsible for increasing the cost of their...their milk products by voting for this bill when there's no reason for us to do this. I think that this is a totally unnecessary piece of legislation. I think that we...we ought to vote this motion down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I would like to

associate my remarks along the lines of Senator Etheredge and certainly agree. Frankly, I have been told by the dairy in...in my...specific area, as I related, I think on the Floor of the Senate during the debate on this bill when we had it originally, that they claim that this particular proposal would increase the retail price of low-fat milk from at least, oh, ten or fifteen cents per gallon and whole and skim milk from at least four to six cents a gallon, well over the fifty percent fluid milk consumed in Illinois which is low-fat. It would also, I am told...require us to purchase from outside sources...outside of the State of Illinois, nonfat solids which...according to the information I have is that there are none manufactured in Illinois to date. So, I've gotten several letters from consumers relevant to this issue that...from consumers in my area that this, in fact, would increase the...the price of milk and, in fact, seems to me that they don't want to pay a higher price and is really no...not necessary that this bill pass and I would concur with Senator Etheredge and ask that we get a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, this is an interesting...subject. I asked the House sponsor if changing the requirements for milk nutritionally helps the milk. He told me that he thought it did. There is a letter floating around from the FDA that said it doesn't help the nutritional value of milk one iota. All you're doing is increasing the cost of milk. It's probably not a good idea...and we ought to vote to sustain the Governor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

In our Calendar, on our desks, it talks about the acceptance of this definition by other states. Is our...is this contingent on that or are we doing this on our own?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it is contingent on all of the surrounding states accepting this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Can you briefly...how would affect if...if the other states do it and Illinois doesn't do it, how does that affect us?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Then it doesn't go into effect in any of the other states. Wisconsin is doing it now. Wisconsin has passed it. I might point out that...that the average national consumption for milk is twenty-six gallons. We're talking about an increase of three-cents a week and the sales tax...we just removed a eight-cent sales tax, so that's more than made up for that. To increase now...I haven't seen that letter from the FDA. I have a letter saying that the FDA does not study or publish nutritional values. So, I...you know, it...it seems to me that this is going to make it...milk taste better and...and increase the value...the nutritional value of two percent and skim, so for that small amount of money to put a better pride of product on the market for people who consume

milk just seems to me to be worth it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion...the question is, shall Senate Bill 640 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 35, none voting Present. Senate Bill 640 having failed to receive the required three-fifths vote...the motion is declared lost. Senate Bill 890, Senator Lemke.

SECRETARY:

I move that Senate Bill 890 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to override the Governor's veto on Senate Bill 890. What this bill does is amends the abortion law to prohibit the same of an experimentation upon a fetus produced by...by the fertilization of a human ovum by a human sperm unless such experimentation is therapeutic or...or of benefit to the fetus thereby produced. Nothing in...in this provision is intended to preclude the performance of in...vitro fertilization. Senate Bill 890 is...is in response to those who oppose it and let me present a few facts. The Illinois General Assembly passed a ban on the sale of and nontherapeutic experimentation of fetuses in 1975 in the Illinois abortion...law. So, we have a similar law in effect without terrible consequence up until around 1983. At that time, efforts were made to revise the law to conform to Federal and Supreme Court terminology, but it was met with opposition from some legislators who feared that the revi-

sions would prohibit in...vitro fertilization, so the law was repealed in 1984 and this bill was introduced to protect human fetuses from nontherapeutic experimentations, while clarifying that we are not prohibiting in...vitro fertilization. Thus, this isn't a new bill or a new concept for us. The Governor, in his veto message, stated that the word experiment is vague, but...researchers know quite well that what is meant by this word. Common usage is...is quite prevalent in the courts. This is a similar to the term medical emergency. The courts recognize doctors know what is meant by that term without defining it in law. Practice in...in life teaches us what experimentation is. The Governor also stated that treatments of a pregnant woman with cancer with the combination of drugs and radiation therapy could be considered as experimenting on the fetus. Obviously, this is not experimenting on the fetus, but in anything...experimenting on the woman and keeping her alive, and I think we have established that in Illinois that when the...woman's live is in danger, she can have the abortion or do what she wants. I think this is a good bill. I don't know why the Governor vetoed it, because I think we should prevent the sale and use of fetuses. I hate to go to a circus or a carnival and see a glass bottle with a human child in there as a fetus being sold and people looking at it. I think it's wrong and I think we should prevent this, and I ask for an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 890 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 46, the Nays are 8, 2 voting Present. Senate Bill 890 having received the required three-fifths

vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 915, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

I move that Senate Bill 915 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 915 is a relatively simple bill. During the session there was language that had...been recommended by the Joint Committee on Administrative Rules be removed from...the Statute and that was contained, according to the Governor, in another bill that he signed, I think Senate Bill 211, if my memory serves me correct. So, all in fact that...what Senate Bill 915 does at this point is provide a fee of one hundred dollars per board meeting compensation for the members of the Illinois Farm Development...Board and...and sets out that that fee will now be...will not exceed fifteen hundred dollars on an annual basis. There's no revenue impact because the...the fees, in fact,...compensation will be paid for out of the fees that have been derived by the Illinois Farm Development Authority through other programs, and I would seek your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 915 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays

are 24, none voting Present. Senate Bill 915 having failed to receive the required three-fifths vote is declared lost. (Machine cutoff)...Bill 1032, Senator Joyce.

SECRETARY:

I move that Senate Bill 1032 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill is a bill that I think we...we are all aware of. It will give people in our agriculture community, the farmers in this State...the right and option to have legal assistance in bankruptcies that are happening all too frequently in this State. It is a bill that...that is very difficult for a farmer to sponsor in that we are foreclosing on other farmers in this State, but there is a very substantial need for this type of legislation. These are very cruel, hard times for agriculture in this State, and it seems to me that the very least we can do is provide farmers with a way to be represented when they go out of business through foreclosure. This bill came about because the Rural Route Program in this State suggested it. This would fund the legal assistance groups in this State who are already in place, who farmers could go to and receive help without having to form some other bureaucracy, if...if you will, to deal with this problem. So, I would ask your support and your sympathy, if you will, for the farmers in this State and help us override this veto. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair would like to recognize one of our distinguished State officers, our Attorney General, on the Floor, Neil Hartigan, on the Democratic side. Is there discussion?

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, we feel there's a better way to go about this. We're not debating the need for legal assistance for some of the farmers who are facing some difficult circumstances. The Governor recently had a press conference in which he said that he was preparing to introduce legislation that will place the responsibility for this under the Rural Route Program. For those of you who are not familiar with the Rural Route Program, that is one that is operated by the University of Illinois Extension Service. I think it gets it out of the political realm. I think it's probably a logical extension of their function to follow through at that juncture and to provide this type of legal service. Legislation is being prepared. Amendments are being drafted that will do this very thing. So, the only thing that I would say to you...for those of you that want to vote for this kind of program, you're going to have the opportunity to do so. It's going to be coming along here in a couple of days, but I do not think it's going to be wise to override the Governor at this time, so I ask for a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to speak in behalf of overriding the Governor's veto. It seems to me that the point that should be made is that the Rural Route Program doesn't provide legal services to anybody at this time, and if the Governor has what appears to be his way in his veto message, the Rural Route program will have to hire several lawyers, train them in farm foreclosure law and then send them out on the road. It seems to be...to me to be much more feasible to use existing legal aid structures already in

place to give legal advice to...farmers, to help them intervene in presently existing mortgage foreclosure lawsuits. You know, you can give a person just so much advice and at some time you have to take action. The Rural Route Program can't take that action that the farmer needs. What he needs is legal intervention on his behalf. That's what this bill allows for and it allows for it now, not next spring when this bill finally comes to our session to be voted on, not next June when we finally get all the amendments added and...and all of the other programs refined, but now, this year as farmers are being foreclosed on, this bill can go into effect. The longer we wait, the more farmers are going to be out of their home, and I think that this is too important a bill to put into the political realm between either of the candidates, either of the parties. What we're talking about here is people being thrown out of their homes, and I think that in this instance we should go to override the Governor's veto. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of the motion to override and would point out for those of you...we had an awful lot of material to read, but you ought to read the Governor's Veto Message. It says all the things that we have been saying, he just comes to a little different conclusion, but he says, "I assure," and the word assure is underlined, "Illinois farmers my support for legal assistance." What he quarrels with is the mechanism and I think the point that Senator Welch made was a good one. This bill has a mechanism already in place, and if, indeed, we wish to expand the program at some future date, sure, we can include the Rural Route Program. But the fact is, Senator Rigney, you and I both know that those

interested in Farm Aid and the component part of which is this provision met earlier this week and arrived literally at no conclusion, and I am reliably informed that the House has now formed another task force, and with three or four days remaining in the Session, I'm...I'm not so sure we're going to be presented with anything to vote upon. So, I think while this issue is alive, and it is alive only if we get it out of the Senate, I would ask you to consider that if, indeed, you want to provide some legal assistance to the farm community in the State of Illinois, Senate Bill...1032 is the way to do it. It'll be over in the House ten days from now and we can argue it again, but in the meantime, this is the only game in town, and I would urge those who wished seriously to provide legal services, legal assistance to Illinois farmers, as the Governor says he does, this is the way to do it. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. The individuals who speak in favor of this bill are...are good intentions and have a sincere desire to help the Illinois farmer and I don't quarrel with that at all. But the fact of the matter is, one of the things that have gotten farmers into trouble over the years has been government's involvement in their everyday life, and I would suggest, as others have said in opposing this motion, that for those farmers who truly need the legal attention, and there are those, Senator Welch, I would agree out there that do, there is an appropriate vehicle now to deal with that issue, there's no question, no one will argue about that issue, and by killing this motion, you get politics totally out of what is a very serious situation in Illinois and allows us to deal with it on a sound and businesslike basis.

I urge support of this motion...defeat...motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I believe...Senator Maitland, did you say you urge support of this motion? You...you say you're safe? Well,...let...let me...let me tell you that...getting us...out of it...politics out of it, I think politics just got in it. This is a program that was called for by Rural Route, and I'll read a statement from Joe Dailing, the Director of Prairie State Legal Services. He says, "It is important that legal services provide the legal help to farmers because of the government's involvement in the current agricultural crisis. Besides the individual problems that farms are...farmers are faced...facing, system problems dealing with governmental agencies such as the Farmers Home Administration, the farm credit system and other government bureaucracies because of that, Senate Bill 1032 would provide immediate legal assistance to many farmers facing bankruptcy. Four thousand farmers went under last year, and some could have been helped if we'd had...a Legal Assistance Act in place. So, if we have Senate Bill 1032 in place, we can perhaps save some of those farmers who are in need of that service that we can provide," and that is a statement from the Director of Prairie State Legal Services. I sat in on a meeting with the people who were designated from the...how the...the minority leader in...in both Houses and the...the Speaker and the President, and I'm not sure that the House is ever going to come up with a proposal. The proposal that they've got ties in so many things from the Arts Council on down that perhaps that will never get out of the House. So, I think, as Senator Rock pointed out, the only thing we have right now is this vehicle. Let's pass it

to the House and then let's see if they come up with something. If they don't, we are playing politics with the future of agricultural...agriculture in this State like we have done in the past and like is happening at the Federal level. Let's get that out of our system and let's do something that will help right now. I would urge an...an Aye vote on this. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1032 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 26, 1 voting Present. The motion on Senate Bill 1032 having failed to receive the required three-fifths vote is declared lost. Senate Bill...Senate Bill 1129, Senator Newhouse. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1129 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this bill passed out of both the House and the Senate. The override message has two problems that it points out. One is that it is a special business incentive to certain districts, and the second is that it...gives a...which means that it gives an advantage to those particular districts as opposed to others, and it suggested that...it suggests further that a solution to these problems that the Governor has is an overall economic development policy. I would posit to those of us here today that the fact is that these are extremely deprived

areas and it does give a specific advantage. I would have had no problem having added areas from...added other areas to this bill in order to satisfy that objection. But secondly, if there is going to be an overall policy, and I think there ought to be that too, then I should think the Governor ought to get busy with that. In view of those responses to this...to these Governor's Override Message, I would urge a favorable roll call on this bill and ask your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Is it my understanding that there are only four areas involved; East St. Louie, Chicago, Alexander County, or Pulaski...and Pulaski County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

That's correct, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have a distressed area in my area...my county and I can tell you we've had a lot of unemployment. I don't think this is a fair bill if we're going to only give some help to four counties, Chicago...to four areas, Chicago being a big city, and yet my little district gets none. I don't think it's a fair bill. I think it's unconstitutional, but you're...'cause you're limiting to four areas instead of the

whole State and, therefore, I'm...I'm constrained to vote...rise and speak against the override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hudson.

SENATOR HUDSON:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Only in a sense to echo what Senator Geo-Karis has said. I think the principal flaw in this approach, well-intended as it may be, is its limitation to certain...geographical areas of the State. Our Constitution does provide against singling out specific areas and treating them in this manner. That seems to be the major thrust of the Governor's objection, I think it's a valid one and I think that one that we should take carefully into consideration before we vote for this. So, I would urge, too, not to...also not to override the Governor in this case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Newhouse's bill. Two of these counties are in my district. I recognize...I realize that we are singling out specific areas of the State in this bill. But let me point out a couple of things about the areas that are singled out in my particular district in this bill. First of all, Pulaski and Alexander County have upwards of twenty percent unemployment right now; twenty-eight percent in Alexander County has been a constant level of unemployment now for a number of years. There are many people there, small businesses, who need help. We need help down there in terms of bringing more industries into the area to try to put...our people to work. Sure, it's singling out areas. It's singling out areas that are crying out for assistance in order to be able to help themselves. This isn't

welfare. This is money that people can use to build their business that is there, to bring in other businesses that we hope to get there. It's for poor people who don't have the chance to do it unless we single them out and help them. So, this is a good bill. I would ask for your support for the bill. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and the...Gentlemen of the Senate. You know, it's very amazing around here, and I've been hearing it for years, when you're looking for an excuse not to support something, the things that I hear is that it's...admirable, good intentions and all these other things. The good intention is that you're trying to take people who cannot afford the expense of having decent living, people who are relegated to the lowest form of our society, and you steadily stand up and say, oh, how I sympathize. You sit there and eat at a table full and you let another poor sister or brother sit beside and say, don't worry, you're going to eat; and every day you're eating, he's going to telegraph his stomach by saying, I don't need this, and what do you do? The subject finally dies. It's like all these other things around here. You don't adequately fund these different things around here. I look...as chairman of the appropriation, we can find money for every doggoned thing around this place, high salaries, overpaid so many of these people and you turn right around here. It's amazing to me in this country today and in this legislative body...that's not the American way. Many of you sleep in red, white and blue pajamas, salute the flag every day and night and you turn right around here when we're trying to do something to help people who cannot help themselves. The reason these areas were picked because many of you complain about people, we got

to give them assistance, we got to give them aid. What we're saying, let's get a...an opportunity for these people to earn a living and that's all we're simply asking about. You complain about all these things around here, many of you. You should be holding your head in shame to get up and say something like that, it's a good intention. Yes, it's a good intention and then you sit up here and vote. This should be passed. This is an opportunity to give people who cannot help themselves get off of these rolls. Nobody wants to be on that. Every citizen in the United States should have the dignity. It's a shame. It's a disgrace. And anyone that pushes a red button or doesn't push at all for this, let that be on your conscience. I strongly support this bill and I hope it gets the thirty-six votes necessary for an override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 1129 because it's a long time due, the concept is great. However, the sister county of St. Clair County is Madison County, one of the...one of the greatest...of the highest population counties in the State of Illinois with a tremendous population...minority population...was left out. I believe that somewhere down the road that this county should be included with St. Clair County. It's a good concept. It should deserve our vote, but don't forget a county that has a great population of minorities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. I wonder if I could have your attention for just a moment. This bill is represented as

being exclusive in some fashion. The fact of the matter is, it's not exclusive. What we've attempted to do here is to catch those pockets of poverty where we're spending great deals of money in public aid, where there has been a drag on the State's economy for a number of years, the impact of which is not confined to local residents, the impact of which is felt not only in southern Illinois but in DeKalb and as far up north as you can go. Everybody understands when we start talking about raising taxes and when the allocation of those taxes is proportioned so that we'll get taxpaying citizens in the long-term. In the long-term it'll mean so much more to this State. We talk about entrepreneurs, we talk about business opportunity. That is precisely what this bill does. This bill will make it possible for people in deprived areas to put people to work, to reduce the rolls, to reduce those rolls that we constantly cry about. That's the purpose of this bill. Now, as to the Governor's veto reasons; had the Governor been sincere, it would have been very simple for him to make this bill apply to all deprived areas. As sponsor, I would have had absolutely no objection to that, but what seemed to me to be a good idea was to at least put together an experimental program so that we could see how it worked in certain areas and then expand it. It seems to me that makes ultimate sense because in that regard, the initial investment would be fairly low, and if that investment proved to be what I think it will be, then we could spread it to other areas. So, it is that kind of an opportunity, and I would ask for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1129 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 34, the Nays are 25, none voting Present. Senate Bill...the motion on Senate Bill 1129 having failed to receive the required three-fifths is declared lost. For what purpose Senator Newhouse arise?

SENATOR NEWHOUSE:

I'd like to postpone consideration, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse seeks...that consideration be postponed on Senate Bill 1129...the motion on 1129. Is leave granted? Leave is granted. 1322, Senator Berman. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1322 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was very surprised to see that the Governor vetoed this bill. It moved through the Senate Committee on Higher Education without a dissenting vote. It...was voted out of the Floor without a dissenting vote and the same kind of treatment in the House, not one dissenting vote on this bill all the way through the system. The bill is a very simple one. The purpose is to encourage utilization of the creativity that's within the borders of the State of Illinois. It provides for an inventors in residence program. It says that the State Board of Higher Education should...develop a program of matching grants to public and private colleges to encourage inventors in the State of Illinois. That's all it does. There's a cap as to the match, thirty thousand dollars per college per year per person. I don't know why he vetoed it. There's some explanation

regarding the Board of Higher Education, but if they had a problem, they could have talked to me or to anybody else as it moved along in this process over several months this Spring. It is a good program. I've got statistics here as to the dramatic decline of patents that are issued to Illinois residents and Illinois companies. The purpose of this bill is to encourage more inventions, more patents to...increase our economic productivity. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Would the speaker yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Senator, are you talking about all higher institutions of...I mean, all institutions of higher learning, all colleges and universities or just our State universities and...and colleges?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Public and private.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Do you know...approximately how many people would...how many colleges would be taking advantage of this and what...what the cost would be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

We have provided in the bill that there would be an

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appropriation, and the appropriation, in fact, would be the cap of the expenditure. The appropriation this year was a hundred and fifty thousand dollars. We felt that that's certainly a very modest undertaking to see if this program would work or not. The Legislature will determine the amount of the money we wish to spend, and that's all we appropriated for this year was a hundred and fifty thousand dollars.

PRESIDENT:

Further discussion? Any further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

I solicit an Aye vote for the inventive genius of the people of the State of Illinois.

PRESIDENT:

Question is, shall Senate Bill 1322 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 22 Nays, none voting Present. Senate Bill 1322 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Poshard on 1370. Mr. Secretary, read the motion, please.

SECRETARY:

I move that Senate Bill 1370 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1370 creates the Regional Correctional Facilities Act. This bill would allow two or more contiguous

counties with a combined population of thirty thousand or more to form a regional correctional facilities advisory board. This board would have the responsibility of providing a comprehensive plan for the construction and operation of a corrections facility which may be shared among the cooperating counties. Now we have mandated laws in this State which require our counties to come into compliance by January 1, 1986 in renovating or building jails to certain standards, standards which are needed, standards with which the counties are trying to comply, but standards which are expensive to meet, standards, in fact, which cannot be met on an individual county-by-county basis. A recent county study finance committee meeting in my district concluded that help in building jails was a top priority for State assistance. Seven of eleven counties which I serve in my district cannot meet State mandates for upgrading or building the jail facilities which the State is requiring them to build presently. Lawsuits are being prepared, not as an attempt to escape responsibility, not in anger toward the State but because counties simply cannot meet the mandates. They have no recourse. These are counties primarily with a low tax base. We say build schools, we say provide education, build roads, build jails, they're overloaded. This is...the...the loss of Federal revenue sharing funds to these counties is going to increase as time goes on. In Fiscal Year '86, counties in this State will lose twelve million dollars in Federal revenue sharing funds and in Fiscal Year '87 that quadruples to forty-five million dollars, funds which counties needed for these kinds of projects. This is a cost effective measure when several counties can come together to build a common facility to meet a State mandate, to save money; this is the kind of thing that we need to encourage in this State, not to discourage. Let me give you a for instance. A regional jail can be built for five of my coun-

ties for 1. 7 million dollars. If those counties have to build separately and meet the State mandates by January 1, '86, which they can't meet anyway, it's going to cost them 5.5 million dollars. That doesn't make economic sense to me. So, this bill passed the Senate committee by a 9 to nothing vote and passed the Senate in the Spring Session by a 56 to 3 vote. I'm asking that your...your...your support...for your support on this bill. Thank you, very much.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senator Poshard has said makes sense. The Federal Government, as all of you know, that...that they required the states to come up with living space for inmates. It's a shame that our jails today are overcrowded, but we should have expected that when they come up with the Crime X Package, they were going to lock up everybody for everything, but the point is that the money could be found. Department of Corrections lapsed twenty million dollars just in the last. This could be done. There's no reason why this should not pass. The Governor was in error when he vetoed this. I'll tell you this, he was a great framer of all of this in saying that we should Crime X and do this. Senator Poshard is absolutely right. That's the only way to go. It's a mandate and those counties that are all doing deficit financing...they have no other recourse than to appeal to the State for help. I strongly support and ask you if you would give this an Aye vote.

PRESIDENT:

Any further discussion? Further discussion? Senator Donahue.

SENATOR DONAHUE:

Just a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Is there anything in...in the Statutes now that prohibits our counties from joining together to have a regional facility?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Donahue, in our search of the Statutes, we find nothing to permit the counties to come together. That's the debate...it's...it has engendered considerable debate in my district which would account for a lot of legal fees and so on to be paid to the lawyers to find out if we can do that. This would simply clarify that counties can now join together. The bill is very...specific as to how they can to that in terms of forming the regional advisory board and getting all the legal ramifications out of the way.

PRESIDENT:

...Senator Donahue.

SENATOR DONAHUE:

I don't...I don't think I have a problem...at all with what you're...you know, the concept of that because I have problems in my area too. I think...I question the twenty million dollars of unbudgeted funds that this will possibly put the State liable for.

PRESIDENT:

All right, Senator Poshard.

SENATOR POSHARD:

I think the twenty million is a misstatement. What...the Governor's Veto Message says is that right now for all of those counties which are being required to come up to standards, it would cost two hundred million dollars. Now that's assuming because this bill covers ten percent of that, that's

assuming that this bill is going to amount to twenty million dollars. Many counties are up to mandate already. They've come up...they have the money at the local level to do it, many counties do not and they're under pressure. So, this...this I don't think will come anywhere near the twenty million dollars that's in the Veto Message.

PRESIDENT:

Further discussion? Any further discussion? Senator Poshard, you wish to close?

SENATOR POSHARD:

Thank you, Mr. President. I would just ask for your considerable vote for this bill.

PRESIDENT:

Question is, shall Senate Bill 1370 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 33 Ayes, 24 Nays, none voting Present. The motion fails. Senators Bloom, Poshard and O'Daniel are next on the list. We will move to the order...with leave of the Body, to the Order of Motions in Writing to Override Item Vetoes. Mr. Secretary, the motion on Senate Bill 453. By the way, with...Associated Press has requested leave to take photographs. Sam, are you ready? Okay. Leave is granted. Mr. Secretary, motion on Senate Bill 453.

SECRETARY:

I move that the item on page 2, lines 21 through 26 of Senate Bill 453 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Bloom.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This particular item reduction cut out 3.5 million to construct a new animal disease laboratory where the present one exists in Galesburg. Basically, this is best characterized as a difference of opinion between the Department of Agriculture and the Bureau of the Budget. Obviously, I would not have filed the motion had the Bureau of the Budget lost but they won. So, at this point, I would seek to have this amount restored. I'll try and answer any questions, otherwise, seek a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 2, lines 21 through 26 of Senate Bill 453 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 7 Nays, 1 voting Present, and the motion fails. Motion on 467, Mr. Secretary.

SECRETARY:

I move that the item on page 26, lines 6 through 15 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think one of the problems that has been indigenous to our area in southern Illinois is that in order to get business and industry into our area, we need to collect data on industrial and possible industrial sites. We need to put together industrial site handbooks. We need brochures. We need slide tape presentations to sit down with industries who may be looking to move toward our part of the State. We've

never collected data. We've never put any kind of comprehensive plan together to try to go out and get the private industrial sector...interested in our area. We're doing that now. We've formed a marketing strategies committee in cooperation with Southern Illinois University. We're trying to put together an industrial site handbook. We need people from the university to go out and look at these sites, to draw them up, to put them together in...in a way which is comprehensible to outside business and industry which may choose to look at us. This twenty thousand dollars would help us accomplish that purpose. We're trying to help ourselves. We're trying to get people...interested in an area that has fifteen to twenty-eight percent unemployment. Twenty thousand dollars is not a lot of money when you compare it to the millions that we spend here for everything else in the world. We need this assistance. I just simply ask you to give us this tool so that we can begin to get some folks interested in our area in the area of economic development. Thank you.

PRESIDENT:

Any discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Karpiel.

SENATOR KARPIEL:

Senator Poshard, I...in...in our analysis book it just gives us lines 26...the types of things. So, I really am not aware of what are the items that you mean to keep in...in this bill? Are you still...does the bill still have it...or with your override motion, would it still have money for the tee ball sports park?

PRESIDENT:

Senator Poshard.

SENATOR KARPIEL:

That's the wrong bill. Does it still have the money in there for the Minority Controlled and Female Controlled Loan Program?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

That has nothing to do...this is a line item and a much larger bill...an appropriations bill from the Department of Commerce and Community Affairs. That's doesn't pertain to my area whatsoever. The only thing that we're looking to restore here is a line item, 6 through 15, which relates to a twenty thousand dollar appropriation to Southern Illinois University School of Technical Careers to help us put together an industrial site handbook that we might present to prospective industry.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you. Well, that's what I wanted to know. By the way, the tee ball park was in this bill. I wasn't wrong, it was in this bill. And there were all kinds of things in this bill which I would not be able to vote for but I just wanted to make sure that all you're asking for is what you mentioned. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. All that he's asking is twenty thousand dollars. When you think...if you would spend a thousand dollars every day since Christ walked upon this earth, one thousand nine hundred and eighty-five years ago, you would not have spent a billion dollars. Just think about that. You could spend almost two and a quarter million dollars every day for a year

and you would not spend a billion dollars. With a budget of nineteen and...point five billion we can't find money to give such a worthwhile cause, something that's going to bring aid and help to an area, twenty thousand dollars. It's unbelievable. Would you, please,...that's why it was placed in that, twenty thousand dollars around this place and here you say we can't afford it. It's pocket change, as I said, and that's all it is when you think about that. Please give an affirmative vote. It's needed.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm a little bit surprised by the veto. I thought the Governor had supported economic development in this State. Yes, I agree, this is not the hundred and twenty or two hundred and twenty million it took to get Mitsubishi, it's only twenty thousand dollars, but twenty thousand dollars to help an area promote itself to create jobs and economic development. I had thought the Governor was going to sign this section and think we in the General Assembly should, in fact,...restore this money by rejecting the Governor's Item Veto.

PRESIDENT:

Further discussion? Any further discussion? Senator Poshard, you wish to close?

SENATOR POSHARD:

Thank you, Mr. President. I would just ask for a favorable vote on this consideration.

PRESIDENT:

Question is, shall the item on page 26, lines 6 through 15 of Senate Bill 467 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 20 Nays, none voting Present. The item on page 26, lines 6 through 15 of Senate Bill 467 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Motion in writing on Senate Bill 472, Senator O'Daniel. Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 11, lines 26 through 30 of Senate Bill 472 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator O'Daniel.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I move to override the Governor's Item Veto on Senate Bill 472. This appropriation would appropriate one million dollars to improve the county road from U.S. 50 in Lawrence County to the old George Field Airport. There's a twenty-five hundred acre industrial park there and there's been several industries indicate an interest in locating there providing it was an all-weather road. This...George Field is...is very important to Lawrence County. You know, we just recently lost the Texaco refinery there that employed three hundred and seventy-five people and this...this piece of legislation is...is very important to that area of...of the State. We have nearly seventeen percent unemployment there and this would...would be very beneficial to our area and I'd appreciate your favorable consideration.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 11, lines 26 through 30 of Senate Bill 472 pass, the item veto of the Governor to the

contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 Nays, 1 voting Present, and the motion fails. Continuing on page 17, the next heading was in error, so we will pursue motions in writing to override item vetoes. Senator Netsch on 467. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 29, lines 5 through 9 of Senate Bill 467, the item...be...restored, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The sum of money involved is two hundred and fifty thousand dollars and this is one of those somewhat unusual situations where the Governor did, in fact, approve the substantive bill which we passed, which was House Bill 1849, but then eliminated the appropriation so that the substantive bill really has not much meaning as it stands. This was the program for local land resource management plans. It's something that was very strongly oriented toward local governments because it...it enabled them to get together and to develop their own plans and methods for managing their own local resources, water...land, whatever it might be. In other words, it wasn't Big Brother's heavy hand, it was you, the local people, ought to have the first crack at managing your own local resources. The money involved...and as I say, the substantive bill, House Bill 1849, was approved. The money involved was for grants to cities and counties, particularly those two, to enable them to carry out the very kind of...of resource management plan-

ning that the substantive bill authorized. I think it's something that everyone feels is a very good idea. It deals with our most precious resources and it does it at a local level which I think many people feel is very desirable. The unfortunate part is that without this two hundred and fifty thousand dollars, the substantive bill is meaningless because they have no way to get their work started. It is for that reason that I would move to override the line item veto to Senate Bill 467.

PRESIDENT:

All right, any discussion? Is there any discussion? If not, the question is, shall the item...on page 29, lines 5 through 9 of Senate Bill 467 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 28 Nays and 1 voting Present, and the motion fails. 476, Senator DeAngelis. All right, the next order of business is motions in writing to accept the specific recommendations of the Governor for change. Senate Bill 113, Senator Joyce. All right, bottom of page 17, motion in writing on Senate Bill 113, Mr. Secretary.

SECRETARY:

I move that the specific recommendations of the Governor as to Senate Bill 113 in the manner and form as follows. Signed, Senator Jeremiah Joyce...no, Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I move to accept it...if you want to.

PRESIDENT:

All right, the motion is to accept the specific recommendations of the Governor. Is there any discussion? If

not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 113 in the manner and form just stated by Senator Joyce. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 113 having received the required constitutional majority vote of Senators elected are declared accepted. Top of page 18, motion in writing on Senate Bill 158, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 158 in the manner and form as follows. Signed, Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, in case anyone is interested, apparently when we drafted this bill which deals with the historic museum districts we had...inadvertently stepped on someone's turf when we made a reference to the museum district looking at archaelogical digs and...and that sort of thing, and the Governor has taken that language out and that was never important to us and we're more than happy to go along with it.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 158 in the manner and form just stated by Senator Schaffer. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 158 having received the required constitutional majority vote of Senators elected are declared accepted. Motion, Senator Dudycz. On Senate Bill 190, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 190 in the manner and form as follows. Signed, Senator Dudycz.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. The Governor's recommendation clarifies the intent of the bill, and I move to accept his recommendations.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 190 in the manner and form just stated by Senator Dudycz. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 190 having received the required constitutional majority vote of Senators elected are declared accepted. Motion in writing, Senator Sangmeister on Senate Bill 413, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 413 in the manner and form as follows. Signed, Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, this bill was part of the gang crime package, and in this particular one we increased the penalties for selling a firearm to a minor. The Governor expanded it by saying not only selling but also giving, which, of course, I would agree with; however, he did turn around and reduce the penalty from a Class 3 to a Class 4 but we're willing to accept one on the other, and my motion is that we accept....accept the recommended changes of the Governor.

PRESIDENT:

I have just pointed out to the Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, I...I'm following the Calendar and 206 was the next bill up on the Calendar and all of a sudden you went to 413 and I...

PRESIDENT:

No...no, now wait. We started...we started according...in accordance with the motions that have been filed. We started on the top of page 16...

SENATOR SANGMEISTER:

All right.

PRESIDENT:

...we are now on the top of page 18 and...and as the motions are filed, we are calling them.

SENATOR SANGMEISTER:

All right, fine. Then we're on 413. All right.

PRESIDENT:

Senate Bill 413.

SENATOR SANGMEISTER:

Strike everything that's been said. On 413 was the Judicial reapportionment bill wherein the Governor took Iroquois County and put it back into the 3rd Judicial Dis-

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trict. I concur on that and the motion is that we accept the Governor's recommendation.

PRESIDENT:

All right, any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

No, I...I was...going to comment he had the wrong bill.

PRESIDENT:

I understand. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 413 in the manner and form just stated by Senator Sangmeister. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 2 Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 413 having received the required constitutional majority vote of Senators elected are declared accepted. Middle of page 18, Senate Bill 486, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 486 in the manner and form as follows. Signed, Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 486 when it left this august Body on its way to the Governor was a good idea, and it said that for low-income families, if they pay twelve percent of their income toward their gas and electric bills, the utilities would have to accept that proposition and they couldn't shut off their energy usage; but it had some minor flaws in the bill, and I must say this outright, the Governor spent many hours with staff and with a coalition of people who presented this bill before this Body and before the Illi-

nois Commerce Commission, many long hours and he labored very hard over this bill, and through his amendatory veto he has effectuated a design to solve the problems that came forth as a result of the bill passing both Houses of the Legislature. Now what...what he did was to say...there was a problem about conservation. They said, if you let people pay twelve percent of their income, they're going to use up so much energy, therefore, there's no conservation mechanism. So the Governor put a conservation mechanism in the bill and he said that anyone who participates in the plan must not use more energy than the average residential usage in the State, and that applies to each individual utility. The Statewide average is for each individual utility participating in the program. Then there was a question about cost of the...cost of this program and who was going to pay for it and how much was it going to cost, and the Governor said, I'm going to put a three-year sunset provision in this program because we don't know what it's going to cost, but I'm going to provide a sunset provision in here so that if the skeptics are correct, we'll repeal this program and that's what we did. He also included in the program the oil refund surcharge money that the Exxon Oil Company owes to the State of Illinois, some ninety million dollars, and he specifically provided that that money must be used for low...for low-income energy assistance, and the Department of Energy and Natural Resources will monitor the program and provide the necessary funds of oil surcharge refund money if there is a shortfall along with the IHEAP money that presently is being administered by DCCA and the Department of Public Aid. We also provided in the bill that any cost to the utilities for conservation provisions for low-income families would be included in the cost of the shortfall. So, they wouldn't have to pay any additional money for this necessary program. There was a question about arrearages, and right now in the State of

Illinois there are sixty million dollars in uncollectables from people whose energy is shut off; and the argument is, how much would this cost if they put them on a payment program? And we're saying, they would...it would cost a lot less than sixty million dollars. The shortfall would be much less because they would be paying part of their income for the energy that they are consuming, and they look toward the Ohio experience, the only other state in this country that has a low-income energy program for people, and I've got the figures from Ohio back from two utilities that submitted the figures to the commerce commission there, and under one program it cost the average residential consumer of that particular utility three dollars more on his utility bill for the entire year...for the entire year; and what we're saying in Illinois is, we're not going to...it's not going to cost any consumer any money because we have more than adequate funds to pay for this program. I know you've been lobbied awfully hard and I understand the utilities' position; but, ladies and gentlemen, let me tell you something, there are ten thousand people today that don't have any heat in the State of Illinois, and when winter rolls around, they're going to have to somehow survive without heat and it isn't fair to those people. Give those people a chance. Let those people feel like decent human beings. Let them feel like they are contributing and don't let them try to live without the basic necessities of life. Ladies and gentlemen, this is a good program. We are in the forefront of energy assistance for low-income people, and the Governor of this State deserves tremendous credit for his efforts on their behalf. And, ladies and gentlemen, I submit to you that we must accept his amendatory veto of this necessary program and respect for ourselves and for the people of this State. I ask you to accept his amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Netsch.

END OF REEL

REEL #3

SENATOR NETSCH:

Thank you, Mr. President. As a hyphenated cosponsor with Senator D'Arco of Senate Bill 486, I rise also to urge that we accept the Governor's specific recommendations for change. I'm not quite as enthusiastic about the substance of a couple of them perhaps, as...as Senator D'Arco indicated, although I think they are on balance fairly reasonable. But I think the critical point is that if they are not accepted, then this bill will effectively be vetoed. We have already removed from Senate Bill 1021, which was the major rewrite of the utility bill this Session, a provision which would have authorized the Commerce Commission to adopt a budget plan for low-income customers. We removed that section from Senate Bill 1021 with the understanding on the part of all of us who were involved in the utility bill rewrite that Senate Bill 486 would be passed. Everyone kept their word, Senate Bill 486 was passed. If the amendatory veto is not accepted there will be nothing, no statutory authorization at all for the Commerce Commission to adopt a budget plan. Now it could be argued that they have that authority in any event but they have taken a different position. That means that for low-income customers there will be no plan, no nothing, and that makes absolutely no sense at all. It was understood by many of us that this bill would become part of the total utility package. It is absolutely essential that the amendatory veto be accepted so that that accomplishment can be realized. Without it, we have no provision at all for the commission to provide for low-income assistance. I urge your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I certainly can't improve on what the two speakers...previous speakers said, but I just want to remind you, and can you imagine if you were to wake up in a home today, if we who are sitting on this Floor would not have heat, not have adequate utilities. It's a terrible, terrible feeling. I visit many homes, I know a lot of people and many of them are people who are in the twilight of their life. I'm simply saying that I don't often agree, this isn't the best bill. I'm happy the Governor saw the light, but I tell you this, that we should certainly accept this amendatory veto. So I would ask the most favorable vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Without question, Senate Bill 486 is a better bill now than it was when it left this Chamber some months ago. But I would submit to you that...that there probably is a...is a better way to deal with the issue. To my colleagues on the other side of the aisle and to those who would support this...motion, make no mistake about it, there's not a Senator in this Body who is not terribly sensitive and terribly concerned about the problems facing those less fortunate than we are and we're going to deal with that issue, we intend to ponder that...that concern. But I would submit to you, those of you who think that there will be no cost to the...to the ratepayer on Senate Bill 486, you are probably very, very wrong. A better way to deal with this issue will be submitted to you in Senate Bill 1470. And I urge you to vote against this motion, most of you are aware of the other bill that will be before us, and allow us to address this issue in a sound and businesslike way, placing this burden where it belongs and not on the backs of the ratepayers. I urge you

to defeat this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Well, I want to understand a little more about the program. Is it true that this covers both electricity and heating fuel?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

What about fuel that comes to you in a truck?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

So, in other words, if we're talking about maybe the rural poor out here that they're not along a natural gas line and they buy heating fuel, they would not be covered. The only thing they would be eligible for would be assistance on electricity, is that it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...you know, I'm not...I'm not really sure about that. I'm not sure why fuel...okay...all right, it's not...it's not covered in the bill and it's...it's a very small...majority of people. I mean, it doesn't apply to many people but...I mean, that...that problem can be corrected. I...I don't...you know, that's not the intent of the bill. I...I think a problem like that can be corrected, especially since the Commerce Commission has to implement rules in order to apply the program. So, I don't see that as a major obstacle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I think it's a major problem. I think a lot of the rural poor are, in fact, purchasing heating fuel or coal or, you know, heating substances of this kind, they are not on a natural gas line. Let's say that they also are served by their local electrical co-op, are they eligible?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I discussed that...with...with Senator O'Daniel and we don't have an electrical co-op in the bill. I mean, people on electric co-ops aren't in the bill. And I'm offering...I offered him to...put it in another bill. There's a telecommunication bill floating around that it...it can be put in. The question is, I understand that CIPS doesn't want the ICC to administer a program with electrical co-ops in it, they'd rather have it administered by DCCA, and why I don't know because the ICC really is in a much better position...in order to administer any program of this type or a program with electrical co-ops in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, then I guess my closing comment is that it looks to me like this is legislation that totally ignores the downstate rural poor who are not along a natural gas line. It also ignores those who are served by the many electrical co-ops in this State. I think it's legislation that has quite a few oversights in it, and for that reason, I think maybe we should just let this pass by and not give it our support and attempt to do something different by means of another piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I rise to speak in favor of this bill as amended by the Governor because it does have a sunset provision for three years. I think it's worth trying because right now it...there are sixty million dollars in uncollectibles; perhaps some of that can be reduced and...help people maintain their dignity. I think it's worth a try, I speak in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. I wasn't going to speak on this but I think something is lost in this discussion and we really have to bear in mind where we are right now. And right, now utilities are writing off approximately forty-four million in residential bad debt each year, right now. And what I think is done with the specific recommendation for change is to say that at least utilities will receive some payment for their services. Now, there are many customers that know their protected status under some existing ICC orders. Under this bill a customer has to pay a portion of

his debt. I agree with many of the points that are made both for and against this bill but come to the conclusion that we probably should support the specific recommendations for change, realizing full well that this spring we can come...next spring we can come back and make further refinements. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you. Mr. President, you handed me this copy of a Jacksonville Journal Carrier and it said, "Demuzio Should Help Block Twelve Percent Bill." And you just wanted to test me I think, right? But...but in this article it says that this bill is going to cost the taxpayers sixty million dollars. Now...I don't believe that's true and I don't think many of you in this Chamber believe that's true. And that's why that sunset provision is in that bill, because in the worst case scenario we are saying that we will not allow the bill to go into effect if it costs sixty million dollars or forty million dollars or thirty million dollars. We don't want that to happen, we don't want to put the burden on the average residential consumer. That's not what we want to do. We want to help the low-income family and we can do that under this bill. There will be energy resource money available for that purpose without raising rates. There is every reason to vote for this bill and I ask your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I assume that was a close. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 486 in the manner and form just...stated by Senator D'Arco. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 36, the Nays are 18, 3 voting Present. On that...on that question, the Ayes are 36, the Nays are 18, 3 voting Present. The specific recommendations of the Governor as to Senate Bill 486 having received the required majority vote of Senators elected are declared accepted. Senate Bill 653, Mr. Secretary. Could we have some order, please...will our...will our guests who are vacating please...do so in a quiet manner. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 653 in the manner and form as follows. Signed, Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you...thank you, Mr. President and members of the Senate. Senate Bill 653 addresses the...amends Abused and Neglected Child Reporting Act. It was after seven...July 1, '86, persons hired who are mandated to report are required to sign statements acknowledging their understanding of the reporting requirements. This deals with the abused child, persons who refuse are neglect in reporting any abuse to the child. Now the Governor's action was that he deleted the penalty offense of disorderly conduct for a mandated report who knowingly fails to make a report in instances of child abuse. He felt as though that this was not strong enough because in House Bill 1535 is a stronger provision made that calls for a Class A misdemeanor, one year incarceration and one thousand dollars. I ask that the Senate accept the motion and the amendment of our government...Governor for Senate Bill 653.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not...discussion? If not, the question is, shall the Senate...accept the specific recommendations of

AB 844 Spec. Recom. of the Gov.

the Governor as to Senate Bill 653 in the manner and form just stated by Senator Smith. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 653 having received the required majority vote of Senators elected are declared accepted. 844, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 844 in the manner and form as follows. Signed, Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. The Governor's recommendation adds into the escape offense the failure to report to jail after being sentenced. I ask for a favorable vote on the motion to accept the Governor's recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 844 in the manner and form just stated by Senator Dudycz. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57...the Ayes are 58, the...the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 844 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill...Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

S.B. 856 accept. Spec. Recommen. of the Governor

For a personal question, Mr. President. On 690 I did file a written motion to accept the recommendations. Does that have to wait until tomorrow's Calendar?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I am told...

SENATOR MACDONALD:

...to accept.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I am told, Senator Macdonald, that there is a Supplemental Calendar No. 1 that...if it's not on your desk will shortly be and it is on your desk and it is on the Calendar.

SENATOR MACDONALD:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

856, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 856 in the manner and form as follows. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, the change that was made by the Governor was the effective date and saying, "This Act shall take effect upon it becoming law," and I move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 856 in the manner and form just stated by Senator Geo-Karis. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1,

none voting Present. The specific recommendations of the Governor as to Senate Bill 856 having received the required constitutional majority of Senators elected are declared accepted. 864...Senate Bill 864, Senator Dudycz. You ready? I'm sorry, Senator Donahue, I beg your pardon. Senate Bill 864, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 864 in the manner and form as follows. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I would just say, Mr. President, it's easier to say Donahue than Dudycz. Donna who? All right, thank you, Mr. President. The amendatory veto on Senate Bill 864 that we're dealing with is with the qualifications for the director of Public Health. The original bill stated that the director must be a physician and have five years experience in public health. What the amendatory veto does is to put it back to current law which would give the Governor flexibility in picking a qualified person for this position. I would move for...the...my motion would be to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 864 in the manner and form just stated by Senator Donahue. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 864 having

received the required constitutional majority vote of Senators elected are declared accepted. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

For an announcement, Mr. President. After conferring with the President of the Senate, it appears that we will not be done until about four o'clock; therefore, for those of you that have witnesses here for the Executive Committee which was to convene at two, the best we can give you now is that we will convene at four o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1052, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1052 in the manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, I move to accept the specific recommendations...change...the changes were put in this bill to correct some errors, technical errors that was made in Senate Bill 730. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1052 in the manner and form just stated by Senator Davidson. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill...1142...I'm sorry, the spe-

SB 1156 Spec. Recommend. of the Gov.

cific recommendations of the Governor as to 1052, Senate Bill, having received the required constitutional majority of Senators elected are declared accepted. 1132, Senator Rock. 1132, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1132 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1132 was the omnibus pension bill which passed this Body with fifty-four affirmative votes on the first Conference Committee. The Governor has recommended six technical changes, each one of which...with which I agree. There were technical changes to five different articles that were contained in the bill and finally there was a cleanup of the Mandate's Act exemption language. I know of no objection. The Governor and his staff were kind enough to talk to me before they did this. I agree with what they did and I would urge that we accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1132 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1132 having received the required constitutional majority of Senators elected are declared passed. 1156, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1156 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1156 was that bill that concerned itself with the Prairie State 2000 Fund and the Tax...Increment Financing Act and amendments to the Municipal Code for provisions dealing with job training and the financing of local economic development. It passed this Body with fifty-six affirmative votes and the Governor has with a couple of technical changes accepted most of the provisions of the legislation. The technical changes that he made again were agreed to by me prior to his making them. In addition, he has taken that local financing mechanism for which the State is in part responsible and moved the effective date until January 1, 1987 so that the Illinois Department of Revenue, his staff and our staff would have a chance to refine it and rework it. Again, a change with which I readily agreed and I would urge that we accept his specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1156 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to...as to Senate Bill 1156 having received the required constitutional majority vote of Senators elected

are declared accepted. 1183, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1183 in the manner and form as follows. Signed, Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm delighted at this time to come and to give a report of this bill that has been nurtured and lobbied and of much concern for the State of Illinois, Senate Bill 1183 which created the Infant Mortality Act. It established a grant program targeted to areas in the State which experience high infant mortality rate that required the public...Department of Public Health to participate in the Federal Women's Infant and Children Nutrition Program to the maximum extent. The Governor totally vetoed this and then he came back with an amendatory veto, and he set a task force to work on this bill and I am very pleased to say that the language would now provide for notification to the General Assembly the actions necessary to achieve the full expenditure of the Federal funding. I'm very happy to say that in implementing his amendatory veto that he included the legislation that we had passed here in the Senate, Senate Bill 392, 956, 1183 and 1105 which will be vital in this step-up attack on...infant mortality. I want to say that the money is going to be increased and twelve million dollars for the first year which is half of it is going to be Federally funded and they are going to participate in other areas. I ask that the Senate at this time accept this amendatory veto and vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate

accept the specific recommendations of the Governor as to Senate Bill 1183 in the manner and form just stated by Senator Smith. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1183 having received the required constitutional majority vote of Senators elected are declared accepted. Bottom of page 18, override of specific recommendations, Senate Bill 527, Mr. Secretary.

SECRETARY:

I move that Senate Bill 527 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are on the bottom of page 18, Senate Bill 527, override on specific recommendations, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 527 which was an amendment to the Good Samaritan Act as it related to the donation of food products to the hungry and needy, the Governor had amendatorily vetoed it, I believe in error, and it had not been discussed with us prior to the action of the Governor. The bill provided for some additional categories of food that could be donated to these food pantries and still be within the Good Samaritan Act so that we could get, for example, bread product, other types of items other than produce that were still...wholesome but were no longer available for sale by the producer of the food given to these existing charitable food pantries to distribute to the needy on an emergency basis. What we had put in the bill was to have a coordination by the Department of Commerce and Community Affairs to give technical assistance

to the same agencies they now deal with, these food shelters, these food pantries, these community action agencies that are now at the Department of Commerce and Community Affairs; and at the same time ask their existing personnel when they are out dealing with manufacturers of food product, whether it be job creation, job retention or any other activity, to just identify to those manufacturers, hey, here's a program where you can donate your surplus, maybe get a tax write-off, deliver it here or we'll pick it up or whatever. We specifically said we were not looking to create a division in...in DCCA or any additional manpower but merely to ask those who are already on board to add one sentence to their normal line, to add a sentence when they're going out to a business that produces to say, did you know you could donate? And to add a sentence to the community action agencies to say, did you know company X has day-old bread that you could give away. So I would suggest that the actions were in error and ask that Senate Bill 527 pass, the amendatory veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 527 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Senator...Senator Marovitz.

SENATOR MAROVITZ:

Just a question of the sponsor. How does this juxtapose or coordinate with the House bill that was sponsored by Representative White, the Good Samaritan bill also, about the donation of food?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I'm not aware of that bill, Senator Marovitz. This was the one that expanded the program that currently exists to

allow for the donation of food products and be under the Good Samaritan Act. I'm not...I'm not aware of what...Representative Jessie White's bill was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 527 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 15, none voting Present. Senate Bill 527 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senate Bill 583, Senator Luft. Supplemental Calendar No. 1...Supplemental Calendar No. 1, motions in writing, override total veto, Senate Bill 1, Senator Welch. Mr...Senate Bill 1, Mr...Mr...Secretary.

SECRETARY:

(Machine cutoff)...move to...no...I move that Senate Bill 1 Do Pass, the total veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill did was two separate things. It appropriated money to create an engineering school at Northern Illinois University; that money was also included in a separate bill, Senate Bill 360, which did pass and was enacted into law, and in fact, Northern Illinois University has admitted engineering students this fall. The second part of the bill appropriated one million dollars in General Revenue Funds for an engineering school at Chicago State University. That was vetoed because the Board of Higher Ed. has not reviewed fully the determination as to

whether that school will be allowed to have an engineering school. We're asking to override this particular veto because of the need at Chicago State University and the fact that the school will not be able to get rolling until the following semester or even of September of 1986. So we're asking at this time that the veto of the Governor be overridden.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Yes, thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. I guess I'm the designated hitter on this one and I think that the...I...I would...I appreciate the candor of the maker of the motion, Senator Welch's candor. As a practical matter, Chicago State, the study has not been done on the efficacy of whether or not there should be an engineering school and we're reliably informed that even...if we do override the veto the...the monies would lapse because there's no way that an engineering program could be put on line in time for an academic year to begin with. So, therefore, at the request of the administration, I would ask that this motion be opposed. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Welch, do you wish to close? The question is, shall Senate Bill 1 pass, the veto to the Governor...the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, none voting Present. Senate Bill 1 having failed to...receive the required three-fifths vote is declared lost. Senate Bill 172, Mr. Secretary.

SECRETARY:

I move that Senate Bill 172 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I'm sure by now that we're quite tired of discussing and having more rhetoric about Build Illinois and...and how that's going to affect our individual districts and more importantly the entire State of Illinois. However, Senate Bill 172 was supported overwhelmingly by this Chamber when we were here in June. If we didn't hear enough about Build Illinois during the months of...of March, April, May and June and now in the veto override Session, we certainly heard about it from our constituencies back home, more specifically local units of government who have come to my office, and I am sure to yours, and have asked for an avenue by which they can be placed into the Build Illinois Program. And I constantly told them, as I am sure many of you did, that unless they were specifically named in the Build Illinois appropriations, they, in fact, would not be receiving any Build Illinois dollars. But I also told them that the Senate overwhelmingly passed a bill by a vote of 58 to nothing, along with concurrence in the House by a vote of a 113 to nothing that we did, in fact, have a mechanism by which localunits of government could participate in Build Illinois and that was the revolving loan fund or specifically Senate Bill 172. When the bill was introduced I realized that we needed a...a system that these local units of government could, in fact, go to to receive not a handout but a helping hand with some of their infrastructure problems. One of the reasons was because of the subcommittee on infrastructure that we held...we had in

eight cities across this State. So many of the mayors and heads of local units of government came to us and said, look, we don't know if we're going to be specifically named but if we aren't, is there a system by which we can obtain some money...thank you...is there a system by which we can obtain some money so that we can help ourselves with our infrastructure needs? I think it's a good bill, I think it leaves us a safety valve and a ray of hope for every local unit of government that was not specifically named in Build Illinois. Originally the appropriations had asked for one hundred million dollars to develop this loan fund. Realizing and taking the advice of this Chamber, we reduced that to now what I think is a fair and equitable price of twenty-five million dollars to be placed from the Build Illinois money into this fund. I would caution each and every member, specifically those that live outside of the City of Chicago and the suburban area, collar counties and downstate, that if a community in your district was not specifically named in Build Illinois, there will be no dollars available to help that community and help them with their infrastructure needs. I think this is a good piece of legislation. We, in fact, are aiding local communities to help themselves and I would appreciate your support at this time. The Governor's Message, I might add...I think he's in error. He talked about the bill that I had introduced previously that was the National Infrastructure Revolving Loan Fund. If you remember, that bill was in Congress...which would have given thirty billion dollars over a ten-year period to all the states. I realize that that bill has not been passed by Congress. The Governor made specific recommendations pertinent to that piece of legislation, his comments are well-intended but have nothing to do with Senate Bill 172. The twenty-five million dollars we're asking for in this bill is not contingent upon Federal money but is contingent upon State money

and Build Illinois money. I solicit your Aye vote. I think this is a good opportunity for each and every local unit of government to...in some small way participate in Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I just don't understand how you're going to allocate this twenty-five million dollars if it's set aside out of Build Illinois, Senator Zito. It seems like this is probably unnecessary..."the House has done a pretty good job" of distributing amongst their various...pork what? Well, I don't think the Senate had much input into that distribution in the past and I...I just would hate for us to set aside twenty-five million dollars that will be up for grabs in future General Assemblies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito.

SENATOR ZITO:

Senator Weaver, that's precisely and...and I appreciate the arguments in favor of Senate Bill 172. I was not delighted by the wild spending orgy that the House passed over here in...in the amount of three billion dollars for Build Illinois. The reason we created Senate Bill 172, if you recall, and I appreciate your support the first time it came before this Chamber, was so that we would not politically dictate and spend that Build Illinois money. Senate Bill 172 will allow the local head of government to go directly to this fund and apply through a grant procedure to obtain some money for Build Illinois. All the General Assembly would do and us as Senators would do would be to provide that revolving loan fund. We would not dictate then as we have with the Build Illinois money now how that money is going to be spent. I wanted to eliminate the politics of

Build Illinois, take out the political pork barrel projects and leave it up to the local units of government to apply for a grant from the Department of Commerce and Community Affairs and to obtain the money. I appreciate your comments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 172 pass the veto of...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 26, none voting Present. Senate Bill 172 having failed to receive the required three-fifths vote is declared lost. 291, Senator Welch. Senate Bill 291, Mr. Secretary.

SECRETARY:

I move that Senate Bill 291 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this bill was to prohibit retroactive laws being enacted against those who have constructed dams on various lakes throughout the State of Illinois, such as Lake Holiday, Lake Geneva and other recreational lakes. What had happened was the Department of Transportation decided after the fact to change the system for awarding permits so that those people who in good faith had a permit to create a dam and build one spending millions of dollars were later told they had to change. Even though they met the standards in effect at the time, they were told that they had to start and build a new dam costing millions of dollars to homeowners along these lakes and for what

reason, because of a bureaucratic change by the Department of Transportation Water Resources Division. And, Mr. Chairman, I would move that we override this veto; it is unfair, it is changing the ball game, changing the rules after the game has started and it's going to cost millions of dollars to...homeowners throughout the State of Illinois and I would urge that we override the Governor's veto on this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 291 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 18, none voting Present. Senate Bill 291 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 343, Mr. Secretary.

SECRETARY:

I move that Senate Bill 343 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The original bill requested by the Supreme Court and part of their report simply was a reshuffling of the authority to appoint court reporters which was consistent with the constitutional requirement. What was added in the Legislature was a provision which allowed the administrative office of the courts on behalf of the Supreme Court to retitle their administrative secretaries to administrative assistant and to provide their own salary schedule rather than having it set out in the law which is not the

usual pattern for salaries of other than State officers. I would like first of all to point out that I have just today received a copy of a letter which the Governor wrote to Judge Gulley in which he makes it clear that he would have no objection to overriding his veto on Senate Bill 343. And specifically he said, "In light of my signing of an extensive driving under the influence package and the medical malpractice legislation creating new duties...creating new duties to those contained in Senate Bill 343, I would have no objection if the sponsor filed an override motion on this legislation. My signing of these two packages of legislation during the summer has altered my position on Senate Bill 343." I would be happy to answer any questions; if not, I would request that we do as the Governor requested and override his veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 343 pass,...well, Senator...Senator Keats, all you have to do is turn your light on, you don't have to beat the desk to death.

SENATOR KEATS:

I...I couldn't get it to go on, the...the thing is trying to outsmart me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Keats.

SENATOR KEATS:

It didn't take any work. I did so much weight lifting this morning my arms weren't strong enough to push a button. That's true, I did this morning, but...I...I just want to rise and say I appreciate these explanations that the Governor says, well, gee, I vetoed the bill but let's go ahead and override and all this sort of stuff. There were some very legitimate reasons for vetoing the bill and despite the fact that a certain couple of judges beat the Governor to a pulp on the issue, the Governor was right the first time. And I

personally was just going to say, take a look at the Message, take a look at the problems, and I think we ought to just sustain the Governor's position. Just 'cause a couple of judges gave him the dickens about it doesn't mean he was wrong to begin with. Take a look at it and see if you agree with his initial Message. I do and I intend to vote to sustain the veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch may close.

SENATOR NETSCH:

I had a feeling you might feel that way, Senator Keats, so let me just briefly address a couple of those points. One, the Governor had said that the salary schedule for the Judicial employees should be set out by Statute as it was generally done and that is actually inaccurate. The only Judicial...actually no Judicial employees are set out by Statute. The Judicial officers themselves, of course, are because they are State officers. So this actually treats differently these twenty administrative assistant secretaries differently from all other Judicial employees, so I think he was actually wrong on that point, Senator Keats. Secondly, he said that, well, if you're going to do this to their category, you ought to do it to all others and, in fact, these twenty employees are, as far as we know, the only twenty employees in the State of Illinois at this level or any other who have had no pay adjustment since 1980. So that, I think, is the second way in which he was actually in error. And third, he said that there was no appropriation; in fact, the amount available for making this adjustment to the administrative assistants to the...the judges was included in the appropriation that has, in fact, been approved. So actually all three of the objections have been met and I think that probably was also a factor in the Governor's change of heart.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 343 pass, the veto to the...of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 17, none voting Present. Senate Bill 343 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. I am told, for those of you that are interested, that it's...the score is two to one, bottom of the third inning and the Dodgers are on top. And next case. Senate Bill 507, Mr. Secretary.

SECRETARY:

I move that Senate Bill 507 Do Pass, the total veto of the Governor to the contrary notwithstanding. Signed, Senator Vito...Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President, members. This was the appropriations bill to the bill that we just did not override the Governor's veto on, Senate Bill 172. I will adhere to the decision of this Body and withdraw this bill at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito withdraws the motion on Senate Bill 507. Senate Bill 957, Senator Joyce. 1404, Senator Collins. Senate Bill 1404, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1404 Do Pass, the veto of the Governor the contrary notwithstanding. Signed, Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1404 is as you recall is the...created the Illinois Job Development Corps for hard core...unemployable youth in the State of Illinois. The Governor found in his wisdom to veto the bill and his basic rationale was that the bill would be a duplication of the existing job training programs in the State and that is simply not the case. As you recall, we passed an almost two billion dollar...well, two billion dollars if you include 2.3...if you include IHDA in the Build Illinois Program this year which was basically a publics works program. Senate Bill 1404 would have provided a great opportunity for this State to have put forth a comprehensive effort that would have assured the training and development of those persons who are left out of mostly all of the existing job training programs in this State, because as you know that the...under the Job Training and Partnership Act that private employees have an opportunity to select those persons that they wish to participate in those programs. We're talking about young men and women who have gotten out...dropped out of school for the most part or who have finished high school and not continued on to a higher education, who lack the basic skills to go out in the job market today and compete for employment, and the probabilities that they will ever get a job, ever in their lifetime, is very, very slim. We, the State of Illinois, must...must provide for public work projects to train those persons in the basic skills and some of the skills to go forward and to go out in the private market and get a job to support themselves and their families. And if we don't, we're going to take care of those persons in the prison systems, on the public welfare rolls for the rest of their lives and we're going to take care of their children and their children for the rest of their lives. This is a good concept, it is not a duplication

of any program that currently exists within the State. And I would just ask you, all of you, to seriously consider overriding the Governor's veto. I will be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? I would like to point out, ladies and gentlemen, there are three pages that we still have to get through. So, Senator Hudson, that's no reflection on you, of course, you have not spoken at all today. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'll make this very brief, but I would call your attention to the fact that there have been a few changes since this bill was considered originally. And the Governor did...did veto this measure because it, in his opinion, and I think he is justified in...in his reasoning, in his opinion it does duplicate several other existing job programs such as the Job Training Partnership Act which has been mentioned. Also, the Governor makes the point that he has signed legislation which would fund and implement a job training program as part of the Prairie...Prairie State 2000 program. I think that as we consider this we should keep the Governor's considerations in mind and vote to sustain his veto in this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief. This is a sound concept. You know, there are always some people that, what we call, fall through the net. This will pick up these people. You know, any training that you can give today, and it doesn't matter of what race, creed you are, or nationality, the thing is that

we have many young people who are...have moved into areas and their fathers have been laid off and other members of their family because of the loss of jobs. This is a program that needs to be implement, we can't have too many of these. And I'd...I'd urge you to be sure and give this an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Collins may close.

SENATOR COLLINS:

Yes, let me just say that my colleague on the other side, Senator Hudson, was in error in reference to the...the Prairie State...the monies that were put into Prairie State. Prairie State 2000, that money was...was given to an authority, it...it did not...which does not have an active job training program, it does not exist. So we're...we're talking about...while I'm not saying that the Prairie State 2000 authority is not a worthwhile project but it does not address itself to actually providing for public works that would give these people an opportunity to be trained in some of the basic...skills, and I think that probably the construction and the building industry will probably have more jobs available in that segment than any other segment in society in addition to some other service type jobs. So this would really provide an opportunity for the State to take a leadership role and create in some jobs and at the same time helping to rebuild the State, because that's what...Build Illinois was supposed to be about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1404 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 28, none

SB 957 overrides

voting Present. Senate Bill 1404 having failed to receive the required three-fifths vote is declared lost. With leave of the Body, we'll go back up and pick up Senate Bill 957, the bill right before this one. Is leave granted? Leave is granted. Senate Bill 957, Mr. Secretary.

SECRETARY:

I move that Senate Bill 957 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. 957 prohibits the financial institution from imposing a fee for a returned check to anyone other than the issuer of the returned check.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 957 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38...39, the...the Nays are 9, 1 voting Present. Senate Bill 957 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 1410, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1410 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

This time because the bill failed, 1404, this was the appropriation. So I would just withdraw.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins seeks leave to withdraw...the motion on 1410. Is leave granted? Leave is granted. Motions in writing, override item vetoes, Senate Bill 356, Senator Berman, you ready? All right. Senate Bill 356, Mr. Secretary.

SECRETARY:

I move that the item on page 3, lines 1 through 4 of Senate Bill 356 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A short time ago we overrode the Governor's veto on Senate Bill 1322. That was the inventor's bill for matching...a program for matching grants between the State and colleges and universities in Illinois for persons who are inventors to encourage our economic development. This is the appropriation for that. It's a very modest a hundred and fifty thousand dollars. I urge your support to override the appropriation, a hundred and fifty thousand dollars for matches to inventors in the universities of our...of our State. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page...page 3, lines 1 through 4 of Senate Bill 356 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 15, none voting

Present. The item on page 3, lines 1 through 4 Senate Bill 356 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Senate Bill 453, Senator Joyce. J. J. Joyce. Senator Joyce on the Floor? All right. Senate Bill 453, Mr. Secretary.

SECRETARY:

I move that the item on page 21, lines 28 through 35 of Senate Bill 453 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. This is for a school in Iroquois County that the...that has been condemned and the statement on the Governor's veto is that alternative use for the facility has been proposed, and that has fallen through. So I would ask for an override of this amount.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page 21, lines 28 through 35 of Senate Bill 453 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, none voting Present. The item on page 21, lines 28 through 35 of Senate Bill 453 having failed to receive the required three-fifths vote is declared lost. Senator Poshard wishes...Senate...Senate Bill 456, Senator Poshard seeks leave of the Body to withdraw that motion. Is leave granted? Leave is granted. Senate Bill 467, Senator Newhouse. Senate Bill 467, Mr. Secretary...Senator Poshard wishes to withdraw the motion on Senate Bill 458. Yes...I'm sorry, 458. Senate

Bill 467, Mr. Secretary.

SECRETARY:

I move that the item on page 17, lines 32 through 35 and on page 18, lines 1 and 2 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Would you come back to that please, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to take it out of the record and return...all right, leave...take it out of the record. Senator Newhouse, I assume the same motion on...on the next one, all right. Senate Bill 467, Senator Mahar. All right. Senate Bill 467, Mr. Secretary, he's ready.

SECRETARY:

I move that the item on page 26, lines 26 through 31 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. As you will note by the Message from the Governor, there is no reason for this veto. I think there was some confusion. I offered an amendment in committee...in Appropriations Committee to fund...or to appropriate five thousand dollars for the Municipal Clerks Institute. This was at the behest of the municipal clerks. The institute is mandated by the State of Illinois to be held annually at the University of Illinois. Since this mandate went into effect the State of Illinois has never...never forwarded one dime. The clerks have asked for a partial or one-seventh appropriation of five thousand dollars to help in

their...their cost. The problems, and they've been able to demonstrate this, that they have had fewer and fewer members attending their institute because members from the smaller towns are not getting reimbursed for their tuition. And I would urge your passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page 26, lines 26 through 31 of Senate Bill 467 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. The item on page 26, lines 26 through 31 of Senate Bill 467 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Senate Bill 468, Senator Donahue. 468, Mr. Secretary.

SECRETARY:

I move that the item on page 16, lines...7 through 12 of Senate Bill 468 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. What this is is seventy thousand dollars that would be in the Department of Agriculture budget to help defray the cost of the...the corporate form data collection which we passed in substantive legislation in House Bill 582 which was passed and signed. And what they're saying...as I understand it, is that the Department of Agriculture should absorb these costs to do this. I think it's important legislation and I think this seventy thousand dollars is needed to have this data collection done properly. I would move for...the motion would be to override the

Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Well, I...I don't have any strong feelings on this but it's seventy thousand dollars to find out if corporations are owning farm land. I think probably right now anybody would sell anything to anybody if they could...it's not worth anything. So...you know,...I just think that we could probably do without it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Will the sponsor yield? Senator Donahue, didn't the Governor veto or amendatorily veto...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue...excuse me, Senator...Senator Dunn is...all right...Senator Dunn.

SENATOR DUNN:

Fine. Thank you. I was going to ask Senator Donahue if the Governor didn't amendatorily veto that bill and take most of the main thrust of it out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

No, Senator Dunn. As I understand it, he's...made it where the corporations would file only when they...when a transaction happens. If...if...they wouldn't have to file every year if nothing has changed, only when a transaction happens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you. I...I would also urge that we...or I would

urge that we vote against this, it was an unnecessary bill and unnecessary filing taing that we voted. This is one of those bills that I hate to get caught in the switches on. It's one of those four hundred bills that...that we all voted for at one time. I've been voting against that bill for about twenty year...ten years at least. And I'm going to vote against the appropriation, I...I don't think it's needed, I'm going to support the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue may close.

SENATOR DONAHUE:

Thank you. I think what we need to keep in mind, this was a...an effort by many of the farm organizations across the State to be able to...keep...get the data to know whether or not we have a problem with corporate farms. The...the next step is to prohibit this, and I'm not necessarily in favor of that but we don't know if we have a problem till we collect the data. This seventy thousand dollars is needed to do that. The substantive legislation is already on the books and the way it's written, the Department of Agriculture must do this. So I don't think if we...we don't accept this seventy thousand dollars...if we don't get the seventy thousand dollars, it's still going to happen. And I think that's what we have to keep in mind. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 16, lines 7 through 12 of Senate Bill 468 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 15, 1 voting Present. The item on page 16, lines 7 through 12 of Senate Bill 468 having failed to receive the required...three-fifths

vote is declared lost. Page 2 on your Supplemental Calendar No. 1, Senate Bill 472, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

I move that the item on page 36, lines 28 through 33 of Senate Bill 472 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This line item would appropriate eight hundred thousand dollars to the Department of Transportation for the upgrading, repair and renovation of several county roads in the southern Illinois counties of White, Saline, Johnson, Massac, Pulaski, Alexander, Pope, Hardin and Gallatin Counties. The reasons for this is very clear if you have traveled through those counties, most of them are mountainous terraine. Last year in three of these counties, we had school children out of school because the roads were absolutely...impassable for a total of thirty-five straight schools days. That costs a lot of money to keep...kids out of school for that long. We had the Emergency Services and Disaster Agency on the ready with helicopters because there were several people along those county roads that had severe illnesses, that on a moment's notice had to be transported out of that area. This is a very crucial area. The county tax base down there is just negligible, the roads fall through every winter costing us a lot of money. What we're trying to do here, we got the county board members together, the county superintendents of highway and we said, what do we need to put a base on these roads to keep them from falling through so that we don't have to go through this every winter

with our school kids not being able to get to school, with people not being able to get to their jobs, with people with severe illnesses put in danger of life threatening situations? This is what we came up with, we...very much appreciate your support of the override of this line item veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I guess I'm the designated hitter once again in a task I don't particularly relish, 'cause I...I do understand what the gentleman is saying. However, for White, Saline, Johnson, Massac, Pulaski, Alexander, Pope, Hardin and Gallatin Counties already has been appropriated three million five hundred and seventy-six thousand dollars. These particular roads are not State responsibilities and if there is this, indeed, total appropriated, it then becomes not only a bad precedent but it then makes the process of appropriating and the process of...of establishing rankings and listings on...on how we're going to go about this in providing resources, really a bit of a sham. And, so, at the request of the administration, I would urge that we sustain this particular veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

All right. Thank you, Mr. President. Just to reiterate what Senator Bloom has just said, three million dollars for nine counties in southern Illinois, three million dollars in State funds for State roads. Isn't that incredible? What does three million dollars buy in the way of funding to repair State roads for nine counties and that's State roads?

Here we're talking about county roads where people live, where the great majority of the counties is national forest land for which the counties are reimbursed eighty cents per acre for a year to meet their obligations for roads, for schools, for everything else. It's an impossible situation, a small amount of people, no tax base, all kinds of obligations which they cannot meet year after year after year, life threatening situations developing because roads fall through every year. We can't get our kid...thirty-five days in a row kids were out of school this past year because the buses can't run. This is a one-time effort to try to build this...these roads up so our buses can get our kids to school and our people can get to work. Ask for your support of this. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 36, lines 28 through 33 of Senate Bill 472...Senator Poshard.

SENATOR POSHARD:

Mr. President, can...can we hold up on the vote on this for just a...a couple of seconds? We're checking some...some...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've got tomorrow, the next day and maybe the day after...sure, take it out of the record. Next case. Senate Bill 472. On the next motion, Senator Poshard? Senate Bill 480, Senator Carroll. Senate Bill 4-8-0, Mr. Secretary.

SECRETARY:

I move that the item on page 20, lines 17 through 22 of Senate Bill 480 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is the appropriation legislation, the substantive bill being debated currently over in the House that would have provided...or would provide for reimbursement to the local county governments for the days in which they have to maintain a prisoner in the county jail until the State accepts them after sentencing as a member of a State institution. Now, what we have learned is that in many cases the State in effect asks the county to hold the prisoners for a number of days so that they can have an orderly arrival into the State penal system. Again, this is after sentencing. The State is therefore not at that point accommodating these prisoners as part of their system but rather the county is paying the cost of incarcerating what is then a State penal institution offender so ordered by a court. This bill would provide for a reimbursement for those counties. We have capped in the substantive bill the number of days, so that Cook County would not be absorbing all the money potentially available, cap the number of days for which a county would be reimbursed. The appropriation is for two million one hundred and fifty thousand and would impact some twenty counties throughout the State. In addition to the County of Cook, it would provide additional funding to the county governments because of their holding these then State prisoners in Alexander County, in Champaign County, in Henry County, Kane County, Kankakee County, McLean County, Macon County, Peoria, Pike, Rock Island, St. Clair, Sangamon, Tazwell, Vermillion and Winnebago. These counties would all receive some reimbursement that they are now not getting for, in fact, accommodating, taking care of room and board and guard for prisoners who are then truly prisoners of the State system. I think this is just fair and equitable since the counties are, in fact, at that point really holding a State prisoner; and this would be a modest reimbursement to those counties for what...should have been a State expense, and I would ask that

the veto of the Governor to the contrary notwithstanding, this line item be approved by the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

You mentioned the substantive bills, I understand what 691...House Bill 691. Is there any other bill besides...yeah...go right ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't have the other numbers, Senator Watson, but I understand that the substantive language was in two bills that is over in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And at this point, you...you don't know exactly where they stand?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

As...I talked to the sponsor a few moments ago, call it fifteen minutes to a half hour ago, and at that point in time the House had not overridden the Governor's veto of the substantive language. It was still pending and on the Calendar in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

At what rate will the counties be reimbursed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It's at a...a total of thirty dollars per day with a cap which only applys to Cook on the number of days, that would be the rate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR CARROLL:

...somewhat reduced, I'm sorry, 'cause we used the lesser amount.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Are there any estimates as to how much will end up going to Cook County versus the rest of the State, or do...do you have any figures in regard to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Watson, the Department of Corrections when they gave us the original said approximately, if I remember, 1.2 million of the then three million...I'm sorry, 1.050 would have gone to the County of Cook; a hundred and six thousand to DuPage, sixty-five thousand to McLean and so on. Now, again, we did tailor that money down somewhat so those numbers are a little bit high, assuming the Department of Correction's figures of their memorandum of June 20th was correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay. Well, to the...to the motion and to Senate Bill 480 and the attempt to override. The Senator is quite correct in regard to...at one time, the Department of Corrections refused to accept prisoners except on certain days but that is no longer the case, and I have a memorandum here from the Department of Corrections which says that they will accept prisoners at the reception centers and...for which there are four in Illinois, on Monday through Friday from 8:00 a.m. to 4:00 p.m. All that Cook County has to do is simply bring their prisoners to those particular receptive areas and the Department of Corrections will administer and admit the prisoners at that time. The...the other problem, of course, with it is the fact that we are now reimbursing the sheriffs' departments for transportation costs involving transportation of inmates. Cook County is reimbursed at the rate of thirty-five cents per mile one way per inmate and...I'm sorry, that's not Cook County, that's all the rest of the counties in the State but Cook County is reimbursed at a rate of fifteen cents per mile for the first inmate, ten cents per mile for the second and five cents per mile for other inmates. The Department of Corrections and, in fact, has a what is called the transfer coordinator's office. So if there is a problem in...accepting prisoners, the...the county, all they have to do is contact this particular office and prisoners would be accepted on other days than the ones that are already established. So I think at...at this time, I don't believe this is a good idea. I believe what we're seeing is possibly some counties of the State trying to raid the Department of Corrections' appropriation for additional monies which I don't know if they're necessarily deserving. I think a No vote is most appropriate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just say to Senator Watson and the other members, obviously, we don't know what the House is going to do as to the substantive legislation. I would presume it is going that the veto of the Governor will be overridden, I could be wrong. Obviously, should we override, which I would hope we will, the House will not call because the action would be of...of no legal effect inasmuch as the substantive bill had failed. The only way to keep this thing moving though because of our time constraints versus theirs is to override at this time. Let me just say that, in fact, many counties of this State have been acting as State wardens, as State holders of prisoners; and if something has changed since June, at least I am not aware of it and I don't think we are, but at that point, the coordinators from the Department of Corrections would tell the counties what days they could easily accept these prisoners and nothing is wrong with that system. You don't want an influx of people into the prison system in a disorderly fashion where they cannot absorb them in...in a safe way in order to make sure that the...the system is safe. So there's nothing wrong with them saying, all right, send us on Monday or send us on Tuesday. The point is, if they say send us on Tuesday, who should be paying for Monday? And you're talking about an amount less than thirty dollars a day for taking care of these prisoners' food, lodging, guards et al. I do not believe any county in this State would be making money holding these State prisoners at thirty dollars a day. I think they would rather get them out of their jails and into the State prison system but they have no choice, and, therefore, for places like Peoria County to lose about a hundred and fifty thousand dollars or Winnebago or DuPage or Kane or any of the others I mentioned, I don't think is fair. They're providing a service to the State at that point and we should be making this at least

token reimbursement. Again, this is merely the appropriation; should the substantive bill fail, at that point this would be of no effect but, at this point, I would move that the line item of the Governor to the contrary notwithstanding, that we do appropriate these funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 20, line 17 through 22 of Senate Bill 480 pass. Those...the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 21, none voting Present. The item on page 20, lines 17 through 22 of Senate Bill 480 having received the required three-fifths vote is declared passed, the item veto of...of the Governor to the contrary...to the Governor to the contrary notwithstanding. Senate Bill 483, Senator Schaffer. Senate Bill 483, Mr. Secretary.

SECRETARY:

I move that the item on page 9, lines 4 through 7 of Senate Bill 483 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is an appropriation for some fifty-seven thousand dollars to the Crystal Lake Senior Citizens' Center. I could take about a half an hour of the Body's time to explain the litany that's taken place over the last ten years, but the long and short of the story is that our senior citizens' services in my major county, McHenry County, almost came to a screeching halt a number of years ago due to some serious financial management problems. They have been grad-

ually pulling themselves out of the hock and putting their programs...back in place. This amount is a fraction or a part of that total financial problem and in part reflects the duplicity of our State agencies. I wouldn't be before this Body if the State had not a responsibility and it...it does in this case, and the locals have paid the price also, and it seems fair that since our people were alleged to be overseeing this, that we should bear some responsibility and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you. I'm not sure if the sponsor will yield. What...what is the money for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Basically, Senator Rock, at the urging and recommendation of the agencies, the area agency in our Department of Aging, the seniors became involved in a major senior citizen center which subsequent to cutbacks and programs they were not able to continue, and the resulting financial loss on that is a debt carried by the organization which they have been paying off. This is a portion of that debt for that payback.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I would just point out, and I, frankly, don't have anything obviously against senior centers anywhere, my recollection is that during the course of the appropriation's process there was this money and a similar amount to three or four others; and the fact is, I suppose if we each in our own districts started asking for money for senior centers, we could surely drain the General Revenue Fund. This is the

only one now yet alive, I am told, and I just think, again, as well-intended as it may well be, this is a bad precedent. I've got senior centers all over my district and if you get one in, we're going to have serious trouble.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Schaffer may close.

SENATOR SCHAFFER:

I can certainly agree with Senator Rock and just happens to be the one in my district and I think everyone in this room can relate to my feelings and my motivations. I'd like to help my seniors. Appreciate a vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 9, lines 4 through 7 of Senate Bill 483 pass, the...item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 18, 5 voting Present. The item on page 9, lines 4 through 7 of Senate Bill 483 having failed to receive the required three-fifths vote is declared lost. Senator Chew, do you wish recognition? Your light is on. All right. Senate Bill 1368, Mr. Secretary.

SECRETARY:

I move that the item on page 33, lines...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait...wait...wait, Mr. Secretary. Senator Carroll, you want that hold...held? All right. Let's take it out of the record. All right. The middle of page 2, motions in writing, restore item reduction, Senate Bill 472. Senator Luft, are you prepared? Whoops...all right. Mr. Secretary, would you read the motion, please.

SECRETARY:

I've corrected this motion. It is an item veto, not an

item reduction. It...the motion will read as follows. I move that the item on page 38, lines 18 through 22 of Senate Bill 472 Do Pass, the item reduction of the Governor to the contrary...the item veto of the Governor to the contrary notwithstanding. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. It's a rare occasion when I get up to try to put pork back since I don't deal in that very often. However, this was a three...however, this was a three hundred thousand dollar appropriation for lake in Canton. That lake is the water supply not only for the City of Canton, for...but about for four or five other communities around that area. Without this money to repair that lake, it is fearful that the water supply may be in danger, so I would ask for the restoration of the three hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Point of inquiry. Are we talking about six...1368 or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon...

SENATOR FAWELL:

I...you got...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, we have...it's Senate Bill 472. The Secretary will correct the board. All right. Senator Fawell, did you seek recognition on Senate Bill 472? All right. Further discussion? All right. If...if not, the question is, shall the item on page 38, lines 18 through 22 of Senate Bill 472 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye.

Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 20, none voting Present. The item on page 38, lines 18 through 22 of Senate Bill 472 having received the required three-fifths vote is declared passed, the item veto to the...of the Governor to the contrary notwithstanding. Senate Bill 481, Mr. Secretary.

SECRETARY:

I move that the item on page 1, line 29 of Senate Bill 481 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Earlier in the Session, we passed Senate Bill 9 over the Governor's veto. This item in the State Police budget is for the funding to execute the policy for reimbursing counties for extradition costs in all criminal cases. As we passed Senate Bill 9 only shortly earlier by a 44 to 9 vote, I ask for the same action to restore the three hundred and ninety thousand dollars in Senate Bill 481, the item reduction of the Governor notwithstanding. By resolution, again, the sheriff's...the Illinois Sheriff's Association by its president, George Kramer, and it's secretary-treasurer, Quinton Durst, passed by resolution in support of...of this measure, and I would appreciate a favorable vote.

PRESIDENT:

Any discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, Senate Bill 9...by virtue of Senate Bill 9, the Governor was overridden, that

SB207 Spec. Recommn.

was the substantive language. This to a degree is...the funding language. I don't think I ordered the meal but that's not to say that perhaps we should not pay for it.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the item on page 1, line 29 of Senate Bill 481 be restored, the item reduction of the veto to the...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 17 Nays, none voting Present. The item on page 1, line 28 of Senate Bill 481 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. (Machine cutoff)...right. We're going to try to move rather rapidly through the motions in writing to accept the Governor's specific recommendations for change on the Supplemental Calendar. Then, we will return to page 2 on the regular Calendar for the six bills that members have indicated they wish to move and that will effectively, I think, conclude our business for today. All right. Page 2 on Supplemental Calendar No. 1 is the motion in writing to accept specific recommendations on Senate Bill 207. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor of Senate Bill 207 in the manner and form as follows. Signed, Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. I would move that we accept the Governor's specific

recommendation for change, Senate Bill 207. This is the bulk of the gang crimes bill and, as I understand it, the changes that the Governor made have to be looked at in conjunction with a House bill that passed which deals with the same subject matter and with the automatic transfer provisions; and so, in essence, no substantive change was made in that area but rather a reduction of the criminal penalties for an adult selling or giving or delivering a firearm to a minor on school property. The bill that we passed made it a Class X felony for an adult to deliver or sell or give a firearm to a minor on school property. Senator Sangmeister and myself both felt that there are very few more heinous dealings that a...that an adult gang member can do but to deliver a gun to a juvenile in school. So, therefore, we made it a Class X penalty. The Governor felt that was too stiff and would hinder prosecution, he reduced it to a Class 3 felony. While I don't agree with it, I'm not going to move to...to override and will reluctantly accept this particular recommendation for change and, therefore, make this motion.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall we accept the specific recommendations...the question is, shall...the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 207 in the manner and form just stated by Senator Marovitz. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 56, none voting Nay, none voting Present. The bill having received the...required majority vote of Senators elected is declared accepted. Senate Bill 244, Senator Coffey. Read the bill, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of Governor as to Senate Bill 244 in the manner and form as follows. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I rise to accept the specific recommendations of the Governor for change to Senate Bill 244 which amends the Vehicle Code and the Motor Fuel Tax law. Now, the Governor has included in the new language which appears in Chapter 95 and a 1/2 which is the Vehicle Code in Chapter 120 of the Revenue Act. This change will provide consistency between both chapters with respect to exemption of sale vehicles from the...provision. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 244 in the manner and form just stated by Senator Coffey. Those in...favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 54, none voting Nay, none voting Present. And the specific recommendations of the Governor as to Senate Bill 244 having received the required constitutional majority vote of Senators elected is declared accepted. (Machine cutoff)...Bill 459, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 459 in the manner and form as follows. Signed, Senator Karpiel.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I move that we accept the...specific...change recommended by the Governor for Senate Bill 459. This is the appropriations for the EPA Trust Fund. In the past, the monies that...in this fund have been used for...right now, the Waukegan cleanup...Waukegan Harbor cleanup has been put on hold, but this money in this fund is to be used for extraordinary type projects such as that and the Maryland Manor Water Main Project that is now going on in Chicago. In the changes that the Governor made, he took money for an ongoing program out of the trust fund and put it into the General Revenue Fund because he felt that it was a better revenue source for an ongoing program, to leave the money free in the trust fund for some of these extraordinary type projects, and I ask for your approval.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Carroll.

SENATOR CARROLL:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. Over the past several weeks a number of changes have occurred in the financial outlook for the State of Illinois. The impact this year will be to bring our year-end balances below the two hundred million warning zone. The two-year impact of these changes jeopardizes the multiyear funding commitments to education. Revenues originally assumed in the budget of Fiscal Year '86 are now lost and need to be restored. Now, I can read you the rest of the letter the Governor sent us today but I think Senator Philip had it distributed so we could all read it. Here's a case where we have over a million dollars in an environmental trust fund. This General Assembly in attempting to preserve general revenue funds for those things for which only general revenue funds can be used for decided to use into this trust fund that has been building up money over a ten-year period,

unused, and use it for this important environmental project. To suggest now, the general revenue is suddenly available, at the same time the Governor tells us that our general revenue is in jeopardy does not make sense. I believe the General Assembly in its wisdom chose the correct fund in June and that that the decision is one in which we should now concur. I believe we should object to and oppose this specific recommendation for change which is changing the source of funds. Let us preserve the general revenue funds for those for which no other sources are available, and I believe, therefore, we should reject Senator Karpiel's motion and then go about our business of using the appropriate fund for this appropriation.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Karpiel, you wish to close?

SENATOR KARPIEL:

Yes, I would. First of all, I would like to ask the previous speaker if he would then, in fact, support a total override of this bill.

PRESIDING OFFICER: (SENATOR LUFT)

...Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpiel.

SENATOR KARPIEL:

Well, it might come to that. I would like to make...make it plain to the membership that this million dollars is not just sitting there doing absolutely nothing. We have in it two hundred and fifty thousand dollars for...which would allow the extension of a water main to Maryland Manor, a small neighborhood in Chicago which is located between the...Gardens Housing Project and the Calumet...River. This

area has no city water service and a number of health threatening contaminants have been identified in the well water. Three hundred thousand would fund an intensive study of ground water contamination in the Rockford and Loves Park areas of Winnebago County. The area is known to have serious ground water contamination problems. Those are the kinds of projects that this trust fund is...is there for. It was never set up for the...for a...money to fund an ongoing program of the EPA. This program is...is said to be three hundred thousand this year from the State's portion, next year it will be six hundred thousand and the following year, nine hundred thousand. There is only about nine...about a million dollars in the trust fund now. We still have the problem with the cleanup of the Waukegan Harbor. This money is not for ongoing programs, it was never intended that and I don't think we should let political considerations and the gubernatorial race coming up and all these kinds of things influence good...you know, good economic and good efficient practices and you should not fund ongoing programs with a...a fund that is not a...stable revenue source. I ask for your Yes vote.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schuneman, she was closing. Senator Schuneman.

SENATOR SCHUNEMAN:

I apologize, Mr. President, I didn't...I wasn't aware that you had asked her to close. I...I had a question of the sponsor, if I might address it to her.

PRESIDING OFFICER: (SENATOR LUFT)

Absolutely.

SENATOR SCHUNEMAN:

The Environmental Protection Trust Fund is something that I am not...I'm not certain about, but isn't this the fund that is established through the payment of fees levied against companies that deposit hazardous wastes?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpiel.

SENATOR KARPIEL:

Well, I don't know if it's specifically only hazardous waste. It's...it's fines and...and fees and that that come into the State because of various...you know, problems.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, my...my concern is whether or not this is the fund that was established a number of years ago under a bill...which I cosponsored in the House that established an environmental protection trust fund, the purpose of which was to pay for environmental hazards that were created and got out of control through the...the operation of hazardous waste dump sites in the State; and if that's what we're...that's what we're raiding here, then we shouldn't be doing this. We should be supporting Senator Karpiel's motion, but I...and I wanted to assure myself of what...actually what we're doing.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Karpiel.

SENATOR KARPIEL:

Yes, the money was originally intended to take care of these kinds of sites and these kinds of problems in the State.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, thank you, Mr. President. Then I would suggest that...that the...Senator Karpiel's motion is absolutely correct and we should support the motion. This...this fund was not established to take care of projects of the kind that seek to be appropriated out of the fund. The fund was established as a trust to be held for the repair and clean up of

hazardous waste accidents that occur in the future, and if we raid the money for these purposes, there won't be any money in the trust fund when the accident occurs.

PRESIDING OFFICER: (SENATOR LUFT)

All right. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 459 in the manner and form just stated by Senator Karpiel. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question,...on this question, the Ayes are 31, Nays 15, none voting Present. The specific recommendation of the...Governor as to Senate Bill 459 having received the required constitutional majority vote of the Senators elected are declared accepted. It has come to my attention that the printing machine is down upstairs, so we're going to be running late as far as anyone receiving any information that they may need, just copies...just copies. Senate Bill 690, Senator Macdonald. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 690 in the manner and form as follows. Signed, Senator Macdonald.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 690 was the bill that we passed out of here and passed out...in the House also which would return in a timely fashion the income tax refunds. The Governor has merely said if the money is available that they can meet this hundred and twenty day return mandate in the bill. I think that's...goes almost without saying, I don't know why he had to put it in writing but, of course, if we didn't have the money, we couldn't return...the

AB 758 Spec. Recommn. of the Govr.

refunds within a hundred and twenty days. So I ask for your support of the...his recommendation.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 690 in the manner and form just stated by Senator Macdonald. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 52, Nays 2, none voting Present and the specific recommendations of the Governor as to Senate Bill 690 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 758, Senator Davidson. Senator Davidson. Read the motion, Mr. Secretary.

SECRETARY:

I...I move to accept the specific recommendations of the Governor as to Senate Bill 758 in the manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we accept the...specific recommendations for change. They're basically are mostly technical and to correct one part which they thought could been some debate, whether a team...visiting team, professional or amateur, otherwise coming to Illinois could have their own athletic trainer and that has been corrected in his amendatory veto. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 758 in the manner and form just stated by Senator Davidson. Those in favor vote Aye. Those opposed

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr...Secretary. On that motion, the Ayes are 56, none voting Nay, none voting Present and the specific recommendation of the Governor as to Senate Bill 758 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 785, Senator Fawell. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 785 in the manner and form as follows. Signed, Senator Fawell.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is the Senate bill that allowed the local liquor license commissioner to require fingerprints of the local liquor license applicants. The changes that the...that the Governor recommended are basically technical changes. It includes changing the Department of Law Enforcement to the Department of State Police and it also requires that the fingerprints of the local liquor license applicants be forwarded to the Department of State Police through a local police agency. I move that we accept the recommended changes as specified by the Governor's veto.

PRESIDING OFFICER: (SENATOR LUFT)

Any...is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 785 in the manner and form just stated by Senator Fawell. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, none voting Nay, none voting Present...and the specific recom-

mendations of the Governor as to Senate Bill 785 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 829, Senator Topinka. Read the motion, Mr. Secretary, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 829 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, basically, the Governor's suggestions are technical in nature. The original bill amended the Illinois Medical Practice Act and it basically beefed up disciplinary grounds for physicians. Among the items, however, that inadvertently got left out was professional incompetence as manifested by poor standards of care. We would like to put that...he would like to put that back in and he would also like to make the effective date immediate, and he would also like to put in a provision regarding the use of the term "M.D." which was contained in a Fawell bill which did pass out and was taken care in...in another way. I don't know of any opposition, so I think we ought to accept it.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 829 in the manner and form just stated by Senator Topinka. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 54, none voting Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 829 having received the required constitutional

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majority vote of Senators elected are declared accepted. Senate Bill 834, Senator Keats. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 834 in the manner and form as follows. Signed, Senator Keats.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we accept the Governor's amendatory veto...amendatory language even though I don't particularly agree with it. It's...in fact, he's cleaned up a bill that I voted against. He's...chosen my bill to clean up another bill that I was opposed to to begin with, but since in our wisdom, we decided to pass that other bill, this clean-up language does solve when we shifted from three to five facilities for a bank that they can now have five. This cleans up the order in which it can be done and...and it's an administrative problem. It also cleans up an internal commissioner of banks...thing where in 835...Senate Bill...835 we did one thing and in 834 we conflicted it, so he went with 835 and...and cleaned it up here. And the President of the Senate is laughing 'cause the bill I said I voted against was his bill, and that's why they're using my bill to clean up his mistake. So, with that, I would ask for your acceptance of the Governor's changes.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 834 in the manner and form just stated by Senator Keats. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 834 having received the required constitutional majority vote of Senators elected are declared accepted. Now, we'll turn to the last page of the Supplemental...Calendar. Top of page 3, Senate Bill 866, Senator Topinka. Read the motion, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 866 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I move we concur with what the Governor had to state. Originally, the bill worked over some obsolete language and...and handled terminology in terms of breeding for horses in the State of Illinois that would be used in racing. Unfortunately, the way the bill ultimately came out, it did have a tendency to restrict interstate investments, and what this bill does now with the Governor's interaction, is to broaden the residency requirement to allow a transfer of interest in an Illinois stallion to an out-of-state resident as long as such a transfer will not result in the stallion being owned by less than fifty percent Illinois residents.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 866 in the manner and form just stated by Senator Topinka. Those in favor vote Aye. Those opposed Nay. The voting is open.

Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary, please. On that question, the Ayes are 55, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 866 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 897, Senator Davidson. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 897 in the manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move to adopt the specific recommendations for change as recommended in 897. What it does is for...in this instance only would allow the Department of Law Enforcement to be exempt from bidding to be able to purchase the forensic laboratory analytical equipment and the software thereto. It...they're very specialized and only one made, it's a microprocessor. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 897 in the manner and form just stated by Senator Davidson. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 897 having received the required constitutional majority vote of Sena-

SB 1289 Spec. Recommns. of the Governor

tors elected are declared accepted. Senate Bill 1029, Senator Lemke. Read the motion, Mr. Secretary, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1029 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lemke.

SENATOR LEMKE:

What this amendment does that the Governor vetoed is to make it conform with another bill that we passed. This is the bill in regards to exemption of...of lumber sold in enterprise zones. And what this amendment does, if my staff told me correctly, it makes this bill conform with a bill that we passed that he also signed...on enterprise zones which is Senate Bill...65. I think the language is good and I think we...it's consistent with our policy...enterprise zones. I ask for a...

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion?

SENATOR LEMKE:

...a favorable vote.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1029 in the manner and form just stated by Senator Lemke. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wished? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 1029 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1289, Senator Barkhausen. Read the motion,

please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1289 in the manner and form as follows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we accept the Governor's specific recommendations for change on Senate Bill 1289 which are minor...which are twofold. One is to delete the provision...this bill dealing with crime victim's escrow account to delete the provision that would allow a...a recanting victim, such as Kathleen Webb in the Dotson case, to...to delete the provision that would allow a victim's attorney to recoup fees from that fund. The other change is to provide an immediate effective date which is certainly desirable in this case. I would move that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1289 in the manner and form just stated by Senator Barkhausen. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 57, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 1289 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1295, Senator Topinka. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the

Governor as to Senate Bill 1295 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Topinka.

SENATOR TOPINKA:

Ladies and Gentlemen of the Senate, the original bill amended the Illinois Life and Health Insurance Guarantee Association Law and provided that the association would become primarily responsible for Illinois resident policyholders in all instances. And that was all fine and good but a typographical error in numbering amended this section so that it potentially changed the entire meaning of the Act, and that has to go and the Governor's veto corrects those errors. He also adds an effective date of January 1st of '86. So, it's predominantly technical in nature but a pretty serious technical.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1295 in the manner and form just stated by Senator Topinka. Those in favor please vote Aye. Those opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting Nay and none voting Present. The specific recommendations of the Governor as to Senate Bill 1295 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1430, Senator Darrow. Read the motion, please, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1430 in the manner and form as follows. Signed, Senator Darrow.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Darrow. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1430 increased the penalty for practicing medicine without a license from a Class A misdemeanor to a Class 4 felony, increased the penalty for subsequent offenses from a Class 4 felony to a Class 3 felony. The Governor's amendatory veto removes two Acts from the unauthorized practice of medicine felony penalty provisions. The first one is that portion of the Medical Practice Act that pertains to the...to regulating the occurrence of false advertising regarding third-party payor systems, he wishes to keep that a Class A misdemeanor because that area is still in a state of flux. The other provision is the section of Medical Malpractice Act that pertains to improper dispensing of medicine and drugs, that's already covered under the Controlled Substance Act. I would move that we concur in the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1430 in the manner and form just stated by Senator Darrow. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 56, none voting Nay, none voting Present and the specific recommendations of the Governor as to Senate Bill 1430 having received the required constitutional majority vote of Senators elected are declared accepted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 3 is Senate Bill 1159, motions in writing, override the specific recommendations. Mr. Secretary, 1159.

SECRETARY:

I move that Senate Bill 1159 Do Pass, the specific recom-

mendations of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This particular bill passed both the House and the Senate unanimously. It is now in a position where the Governor has taken it upon himself to write an amendatory message which has pretty much gutted the bill. What the bill tried to do was create fair trade between university campuses and the local citizens when there's competition by business for items used by students on campus and nonstudents on campus. What we are trying to do is make sure that State universities that perform purely commercial functions comply with purely commercial home rule taxes. This bill only...applies to home rule cities and those with universities located therein. What we are seeking to do is make sure that when a bookstore sells a wide variety of goods, a great many of which are not related to the...of an education, that the gross receipts be taxed. The amendment by the Governor has altered that situation so that there is an exemption for schoolbooks, school supplies and parking spaces. The question arises as to enforcement of this particular amendatory veto. How do you determine what is a school supply? If you buy a T-shirt with Southern Illinois University on it, is that a school supply or is it something collateral? If you buy a pen that you're going to use at home and not in the university setting, is that a school supply or is it a collateral item? If a nonstudent goes on campus, such as myself, and buys a schoolbook for home use, that would have to be taxed under the Governor's amendatory veto. What the Governor has done by his veto is require, number one, a...a cataloging of every item within a school supply store. Number two, he is requiring that those items

then be determined when sold to an individual whether that...whether the intent of the individual is to use those related to the school itself and furthering his education, or whether they are used for a peripheral purpose such as home consumption. Number three, the university will have to determine if the person buying those books is, in fact, a student or a layperson and just happens to be on campus buying something. The overall effect is to make each of the bookstore managers the determiner and arbiter of what the law is, and what it's going to result in is litigation between the universities and the home rule cities. And for that reason, Mr. President, I would urge that we override the Governor's veto and return it to its original form. I would like to point out, however, one of the main purposes of the amendatory veto is to make sure that there would be no sales tax on the sale of football tickets, basketball tickets and other such sporting events on campus and, in addition, the University of Illinois requested that parking spaces not be taxed. I have no problem with that at all; in fact, I intend to introduce legislation that will exempt those specific items from taxation in the Spring. In addition, I would like to say that the attempt of this bill was to settle a lawsuit between the University at Northern and the city itself. We thought that could be accomplished if this bill was signed without being amended. Since it has been amended, that suit is going to continue unless we override this particular veto. So I would urge that we override the specific...recommendations of the Governor on Senate Bill 1159.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. Well, I don't stand before you saying this is a perfect amendatory veto, but under the existing bill as passed, it's terrible and I think

it needs...I think it needs more work but I think we should accept...we should accept the amendatory veto and refine it in the Spring. So that everybody knows where we're coming from, the Retail Merchant's Association has some concern, the universities has...has some concern. But certainly, I don't think we want to impose a tax to the municipalities of any university community on athletic events and...and ticket sales, rentals of parking space, parking rental at sporting events. I think we should accept the Governor's amendatory language and then work on it in the Spring to...to refine that language a little bit, but to override it would be wrong.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right...further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Mr. President, let me point out that this bill...I'm not going to accept the Governor's amendatory veto, I'm going to let it die if we don't override his veto. So there's going to be nothing to amend in the Spring, because the University at Northern believes we can win our...believes they can win the lawsuit...the city believes they can win the lawsuit against the university, so they do not want to proceed with this bill unless the veto is overridden. So they have no interest in pursuing this legislation and refining it in the Spring. So what I am trying to do here is to settle this lawsuit among taxpayers and make sure that that bill is taken care of. There are three groups supporting this bill. I haven't heard any reservations from them at all. The groups are the Illinois Retail Merchants' Association, the Illinois Municipal League and the Northwest Municipal Conference. They're united in...in believing that the city should be able to tax the same item sold on the university that are sold in the city. It's only fair that a bookstore competing with a

city...a campus bookstore a block away be allowed to have the same advantage or disadvantage as far as costs. Now as far as the amusement tax, the tax on sporting events, I agree, let's not tax those events but let's do that in the Spring. Let's sign...let's pass this bill without the amendment and then we'll pass the bill exempting those from the tax. That's what's fair, not having one person at the University of Illinois write a note to the Governor suggesting what legislation should be after we passed it unanimously and he doesn't even bother to show up to testify. So I would urge that we override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1159 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting Present. Senate Bill 1159 having failed to receive the required three-fifths vote is declared lost. All right. With leave of the Body, we will now go to the regular Senate Calendar, your regular Senate Calendar, page 2, Senate bills 2nd reading. Page 2 on your...regular Calendar, Senate bills 2nd reading is Senate Bill 994. Is Senator Bloom on the Floor? Senator Bloom on the Floor? All right. 1467, Mr. Secretary, 1-4-6-7.

SECRETARY:

Senate Bill 467...or 1467.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 994 3rd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll go back and pick up 994. Is leave granted? Leave is granted. Senate bills 2nd reading is...is Senate Bill 994, Mr. Secretary.

SECRETARY:

Senate Bill 994.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment that I have affixed to 994 is a rather lengthy and somewhat technical amendment. Basically, at the request of the Commerce Commission, what I would like to do is to put the amendment on...I mean...and I'll...I can briefly summarize it, Senator Netsch, 'cause I'd ultimately like to recall this bill from 3rd reading tomorrow if I'm not entirely satisfied with the language of the amendments, and we may not ultimately need to pass this at this time. However, I did represent to the Commerce Commission that I would file and affix this amendment...basically, it does certain technical changes to the Public Utilities Act; for example, it adds phrases like intrastate public utility business which does not appear in Section 502 of the Act itself but does appear in Section 3-121. Those kinds of changes that are made; however, I would represent to this Body that I will bring this back 'cause I have some other...some other language that I...I'd like to affix to this or Senate Bill 1452. But those are those kinds of amendments and I...I believe

that our staffs on both sides of the aisle have them. So I would seek to adopt it now and seek leave to bring it back to the Order of 2nd Reading if I'm not entirely satisfied with it. It also includes some language that I am told is needed from Senate Bill 665 for the Chrylser-Mitsubishi plant. I'll...I'll answer any...any questions. I can...I can run it down, it'll take about three or four minutes to run down the...the various synopsis of the language changes in this amendment, but I...I figure the most expeditious way would be to put it on, move it to 3rd and bring it back to 2nd again tomorrow so it will be in a position to be sent to the House for the second part of the Veto Session. I'll answer any questions, otherwise, seek to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has moved the adoption of Amendment No. 1 to Senate Bill 994. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Although a hyphenated cosponsor of the bill, I have not seen this amendment. So, I...I can't ask any questions about it, I don't know what it does. One of the things that I would ask is, does it make some substantive changes? Because there were a lot of changes that the chairman of the Commerce Commission wanted made in our basic law that were rejected on numerous occasions by this Body, and I would be aghast if they all of a sudden showed up in the guise of technical amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Once burnt, twice cautious. That is one of the reasons why I asked Bill Sheppard on our staff to go over this very carefully, because I do not want to be in a position of presenting things. And that's why I want to be in the position

to...if there is language in there that I subsequently find out happens to be various horses that did not get around the track, I want them excised. So I think we are at...we are both on the same wavelength, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Netsch.

SENATOR NETSCH:

Just one additional point. Would you share a copy of the amendment with me and...it may have been shared with someone else on this side, but I have not seen it and I would like an opportunity to see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Senator Bloom has moved the adoption of Amendment No. 1 to Senate Bill 994. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1468. Senator Maitland on the Floor? 1469, Senator Rock. 1-4-6-9, Mr. Secretary.

SECRETARY:

Senate Bill 1469.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House bills 2nd reading is House Bill 740, Senator O'Daniel. House bills 2nd reading,...House Bill 740, Mr. Secretary.

SECRETARY:

House Bill 740.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, the purpose of this amendment is to clarify the intent of the...of the General Assembly in regards to the regulation of the transportation...industry, including trucks, buses, railroads and pipelines. Last June, the Legislature attempted to transfer the regulation of transportation companies from the Public Utility Act to the new Commercial Transportation Act. However, in the legislative process of enacting the new Commercial Transportation Act, all of the same regulations were left in the new Public Utility Act. The amendment completes the transfer of these regulations to the Commercial Transportation Act. The amendment repeals those definitions and sections of the Public Utility Act which relates to transportation matters. Again, these...provisions are covered in the Commercial Transportation Code. The amendment makes clarifying and technical language changes to the Commerce Transportation Code. There's no change in regulatory functions or authority between the two Acts. The Illinois Commerce Commission still retains regulatory authority over transportation companies. The amendment is a technical necessity because both Acts become effective January 1, 1986. The amendment is supported by the Illinois Commerce Commission, the Illinois Railroad Association, Illinois Truckers'

HB 1252 3rd Reading

Association and the midwest truckers and we know of no opposition. Appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel moves the adoption of Amendment No. 1 to House Bill 740. Is there any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1252, Mr. Secretary, read the bill.

END OF REEL

REEL #5

SECRETARY:

House Bill 1252.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 1252 strikes everything in the bill, and the amendment provides for the details regarding the Asbestos Abatement Act regarding our schools. The amendment has been discussed and worked out in cooperation with the Department of Public Health, Capital Development Board, Bureau of the Budget, all of the educational groups and the representatives of the insurance industry. It deals with a formulary for funding of corrective action regarding asbestos, provides for required financial responsibility for contractors dealing with the asbestos problem in our schools. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Berman moves the adoption of Amendment No. 1 to House Bill 1252. Discussion? If not, those in favor indicate by...Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Berman, I know that there's a very serious insurance problem relating to this. Could you just give us a little information as to how your bill affects that problem and the...and the availability of insurance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

We haven't solved the insurance problem in this amendment. What we have...all that we have said is that...there will be a list of approved contractors. They have to post a fifty thousand dollar insurance or other proof of financial responsibility regarding their liability, that's a Floor...I'm sorry, five hundred thousand. Did I say fifty? I meant five hundred thousand. That figure was cleared with the representatives of the insurance industry as far as its...its availability, and...any higher amount would be subject to the requirements of local school districts in the contract that it...that is let. Other questions as far as the tort system exposure liability, we thought would be better addressed in the Spring in a broader context than just asbestos contractors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not prepared to debate the amendment at this time and I'm not sure whether I'd be opposed to it if...if I had studied the amendment, but I think the point needs to be made that we must be very careful about mandating anything pertaining to what schools must do on the asbestos problem, because it is true that insurance is generally not available to contractors who are going to be dealing with asbestos

either for the general liability exposure or for the workers' compensation exposure to their workers and...and I'm...have a concern about that. I hope that we can find a solution, but I...but I'm wondering whether this is it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask a question of the sponsor. How does your amendment impact the rules that are now being promulgated which should be ready around December 1st regarding asbestos removal in general? Is that going to change them in any way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This amendment is in line with the promulgation of the rules that DPH is...is moving forward on. It...it certainly doesn't undercut them at all. They're moving along together.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman moves the adoption of Amendment No. 1 to House Bill 1252. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator...Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. I ask leave of the Body to return to the Order of Senate Bills 2nd Reading for the purpose of moving a bill to 3rd reading, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maitland, if you would sit in your seat, you would know we would be able to go right down the Calendar here. Is leave...is there leave to return? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1468, Mr. Secretary.

SECRETARY:

Senate Bill 1468.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Yeah, just to announce that the Executive Committee will meet in Room 212 at five o'clock, promptly. We are still planning on handling the entire agenda. So, those of you that have Constitutional Amendments should certainly be there with your witnesses and we'll promptly start at five o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask leave of the Body to have...on Constitutional Amendment SJR 22 that it read Davidson-Sangmeister-Bloom and then the other hyphenated sponsors, and I've checked with Senator Bloom and that is all right with him, and I would appreciate that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Davidson that Senate Joint Resolution 22 read Davidson hyphenated sponsor...Sangmeister hyphenated Bloom and...and others. Is

leave granted? Leave is granted. It's so ordered. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

If we have concluded our business, and I believe we have, we'll...we'll reconvene at 10:00 a.m. tomorrow morning with the hope, as I indicated, that we can conclude our business by the hour of noon and be on our way. So, at ten o'clock tomorrow morning, whatever motions are remaining will be handled, the bills that were moved from 2nd to 3rd will be handled if the sponsor calls them and that will conclude our business for this week. We have yet this evening, however, Mr. President, to open and close the Special Session. I understand that the House has not yet reacted to our nonconcurrence motion. So, we'll just open and close it and try it again tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We've got some housekeeping things to do here. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you. For announcement. The Joint Committee on Education Reform that was scheduled for Room 400 at 4:00 p.m. will meet for its organizational meeting at 6:00 p.m. tonight in Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might, sir, with the permission of Senator Rock, I'd like to be added as the joint sponsor to Senate Bill 1469.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Topinka requests leave to be added as a sponsor of Senate Bill 1469...cosponsor. Is leave granted? Leave is granted. Mr.

Secretary, resolutions.

SECRETARY:

Senate Resolution 510 offered by Senator Berman. It's congratulatory.

Senate Resolution 511 offered by Senators Hudson, Mahar and Topinka, and it's congratulatory.

Senate Resolution 512, by Senator...Savickas, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 94 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Introduction of bills.

SECRETARY:

Senate Bill...oh, that's wrong...Senate Bill 1473 offered by Senator...introduced by Senator O'Daniel.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Further business to come before the Regular Session? Senator Rock moves that the Senate...that the Senate stands in...Regular Session adjourn until tomorrow morning, Thursday, at the hour of 10:00 a.m.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

OCTOBER 16, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Second Special Session will...will come to order. Reading of the Journal.

SECRETARY:

Wednesday, October the 2nd, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion of Senator Smith. Any objections? No...hearing no objections, so ordered. Senator Smith.

SENATOR SMITH:

Thank you, sir. I move that reading and approval of the Journal of Tuesday, October the 15th, the Second Special Session, in the year of 1985, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion placed by Senator Smith. Any objections? Hearing none, it's so ordered. All right, Senator Smith now moves that the Second Special Session reconvene tomorrow morning at the hour of ten, Thursday, October 17th...ten-thirty. Second...Second Special Session stands adjourned until the hour of ten-thirty tomorrow.

84TH GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 17, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Eugene Weitzel, Director of Chaplains, St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, October the 2nd, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, October 15th and Wednesday, October 16th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and its so ordered. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 105 and it's congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 513 offered by Senator Kelly, it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 514 offered by Senator Lemke.

PRESIDENT:

Executive. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee, reports the following resolutions from committee:

Senate Joint Resolution 4, Senate Joint Resolution 22 and Senate Resolution 485 and 499 with the recommendation for adoption.

PRESIDENT:

(Machine cutoff)...Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR VADALABENE:

Yes, before we get started with our Senate activities,

I...I would like to introduce...I would like to introduce the fourth grade of Nelson School of school children and their teachers from Edwardsville, Illinois. They are in the gallery to the right and I'd like for all of them to stand and be recognized.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. If I can have the attention of the membership, we have with us some special guests. The Chair would yield to Senator Judy Topinka for introduction.

SENATOR TOPINKA:

Thank you, President Rock and Ladies and Gentlemen of the Senate. As you know, our district has a...a strong reputation for turning out some interesting women. And today we have a few littler type women who are not only interesting but who have just brought a fantastic title to Illinois and we're very proud of them. They come from the Village of Brookfield. Let me just suggest here that on August 16th, 1985, the girls' little league team from Brookfield defeated the All Stars from California, thus marking the first time that a team from a central state region has ever won the championship in girls' little league softball and they're hear today and I would ask that you welcome them with a big round of applause to our all star team here from Brookfield who went out there and did their thing. And I would like to introduce you first and foremost to the President of the Village of Brookfield who'd like to tell you about the team and then to their coach, Dan Hall. President Pierce McCabe, Village of Brookfield.

PRESIDENT McCABE:

(Remarks given by President McCabe)

SENATOR TOPINKA:

If we could hear now from their coach, Dan Hall.

COACH HALL:

(Introduction of girls by Coach Hall)

SENATOR TOPINKA:

And now, since Senator Lemke shares Brookfield with me, Senator Lemke, would you like to make some comments how neat these gals are? You always are a good appreciation of fine womanhood.

SENATOR LEMKE:

It's always a pleasure to have some people from back home to come to Springfield but it's also a special privilege to have our girls in this town ofBrookfield. Many of them come from their parents who I grew up with back in...the old area of Pilsen and 26th St. in Berwyn and Cicero where Judy and I come from, and I think it's appreciative to see that the ladies in our area are doing as well as when I was growing up and they were very prominent in this local movement in my area. So it's appreciative and grateful to them and, of course, to their coaches to make our area at least noted for some of the things that we have done. Thank you.

SENATOR TOPINKA:

And thank you, ladies and...gentlemen, for taking the time to make them feel so welcome. They will be going off to the House, and I think we're just very, very proud that we have these girls out here. It just goes to prove that women can be really, really good. Thank you, very much.

PRESIDENT:

Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR CARROLL:

We are privileged today to have with us in observing a very important board in Illinois, that is, the Illinois

Development Board which serves as the liaison to the Department of Commerce and Community Affairs and serves as an adjunct of our State in seeking investment in Illinois, both foreign and domestic; in seeking job retention programs and all else that goes with being a developing State. We have Herb Rothchild and the members of the Illinois Development Board who are meeting here in Springfield today and we would like them to stand and be recognized.

PRESIDENT:

Ladies and gentlemen, please stand and be recognized. Welcome to Springfield and thank you. Resolutions.

SECRETARY:

Senate Resolution 515 offered by Senator Savickas, it's congratulatory.

Senate Resolution 516 offered by Senator Jeremiah Joyce and it's a death resolution.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1474 introduced by Senator Holmberg.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1475 introduced by Senator Jones.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. All right, with leave of the Body, we'll go to committee reports, Mr. Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee of Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Message of...Messages of October the 2nd, 1985 and the Secretary of State's Message of October the 2nd, 1985, reported the same back with the recommendation

that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October 2nd, 1985 and the Secretary of State's appointment set forth in his Message of June 25th, 1985.

PRESIDENT:

All right. Senator Lechowicz has moved that the Senate resolve itself into Executive Session. Is there any discussion? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. The Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Secretary of State's Message...of June 25th, 1985, I will read the salaried appointment to which the Senate Committee...

PRESIDENT:

Wait a minute...wait a minute...wait a minute...

SENATOR LECHOWICZ:

Senator Netsch...so there's no questions later. Thank you, Mr. President. With respect to the Secretary of State's Message of June 25th, 1985, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Merit Commission for the Office of the Secretary of State for a term expiring June 30th, 1991, James Wright of Chicago.

Having read the salaried appointment, will you put the question as required by our rules, Mr. President.

PRESIDENT:

All right. Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. All right. Ladies and gentlemen, if we can settle down a little bit, we have...in addition to the salaried appointments to be advised and consented to, we have about eleven motions with respect to gubernatorial messages and about six other legislative matters. So we can wind up our business rather handily if we get at it. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends the Senate do advise and consent.

To be deputy commissioner of the Banks and Trust Companies for a term expiring February 1st, 1989, James D. Martin of Springfield.

To be chairman of the Illinois Commerce Commission for a term expiring January 18th, 1988, Philip O'Connor of Chicago.

To be a members of the Illinois Commerce Commission for a terms expiring January 15th, 1990, Andrew Barrett of Chicago.

Expiring January 19, 1989, Mary Bushnell of Stillman Valley, Susan Stone of Urbana.

For terms expiring January 18th, 1988, Ruth Kretschmer of

Medinah.

For a term expiring January 20th, 1986, Stanford Levin of Edwardsville, Calvin Manshio of Chicago.

To be members of the Illinois Human Rights Commission for terms expiring January 19th, 1987, Manuel Barbosa of Elgin, Wallace Heil of Taylorville, Lillian Mitchell of Carlyle, Rebecca Sive-Tomashefsky of Chicago, Oscar Williams of Chicago.

To be a member of the Illinois Human Rights Commission for a term expiring January 16th, 1989, Aloysius A. Mazewski of Chicago.

To be a member of the Illinois Industrial Commission for a term expiring January 19th, 1987, Barbara Sherman of Chicago.

To be chairman of the Illinois Liquor Control Commission for a term expiring February 1st, 1986, Albert McCoy of Aurora.

To be members of the Illinois Control Commission for terms expiring February 1st, 1988, Sam Gutilla of Chicago, Virgil Wikoff of Champaign.

To be a member of the Illinois Control Commission for a term expiring February 1st, 1990, Jack Kneafsey of Evanston.

For a term expiring February 1, 1986, Irving Koppel of Skokie.

To be superintendent of the Illinois State Lottery for a term expiring January 19th, 1987, Rebecca Paul of Rochester.

To be assistant director/underground mines in the Department of Mines and Minerals for a term expiring January 19th, 1987, Kim Underwood of Newman.

To be chairman of the Pollution Control Board for a term expiring July 1, 1988, Jacob Dumelle of Oak Park.

To be members of the Pollution Control Board for terms expiring July 1, 1986, Bill Forcade of Chicago, John Marlin of Urbana, Walter Nega of Chicago.

To be members of the Pollution Control Board for terms expiring July 1, 1987, Joan Anderson of Western Springs, Ronald Flemal of DeKalb.

To be a member of the Pollution Control Board for a term expiring July 1, 1988, J. Theodore Meyer of Chicago.

To be chairman of the Prisoner Review Board for a term expiring January 20th, 1991, Paul Klincar of Belleville.

To be members of the Prisoner Review Board for terms expiring January 19th, 1987, Earl K. Dryden of Aurora, William Redmond of Bensenville, Tommy Wells of Chicago.

To be members of the Prisoner Review Board for terms expiring January 20th, 1991, Salvatore Pisano of Peoria, Rafael Nieves of Chicago.

To be members of the Prisoner Review Board for terms expiring January 16th, 1989, Herbert Brown of Rockford, Joseph Longo of LaGrange Park, Anne Taylor of Champaign.

To be a member of the Illinois Racing Board for terms expiring January 1, 1986, Robert Ward of Decatur.

For terms expiring July 1, 1988, Ray Garrison of Flossmor, Ralph Gonzalez of Jacksonville, Cecil Troy of Chicago.

To be a commissioner of Savings and Loan Commission for a term expiring July 1, 1990, Paul Downing of Highland Park.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to have all those...nominees on one roll call. Is leave granted? Leave is granted. If there's no discussion, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 2nd, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent.

To be members of the State Board of Elections for terms expiring June 30th, 1987, Theresa Petrone of Chicago, Joshua Johnson of Springfield, J. Philip Gilbert of Carbondale, John Lanigan of Chicago.

To be members of the State Board of Elections for terms expiring June 30th, 1989, Carolyn Eyre of Springfield, David Murray of Sterling, Langdon Neal of Chicago.

Mr. President, pursuant to Chapter 46, paragraph 1A-4 of the Illinois Revised Statutes, a three-fifths majority vote is required for the advise and consent of the Senate for confirmation of members of the State Board of Elections. Having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to have those nominees on one roll call. Without objection, leave is granted. If there's no discussion, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, there are 58 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I now move that the Senate arise from Executive Session.

PRESIDENT:

All right. You've heard the motion as placed by Senator Lechowicz. All in favor of the motion to arise indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise. All right. If I can have the attention of the membership, if you'll turn to page 12 on the Calendar...page 12 on the Calendar, we will begin at the top in motions in writing that have been filed. There is also a Supplemental Calendar which will shortly be distributed which contains five additional motions and two resolutions. But we'll begin...we'll begin on the Order of Motions in Writing to Override Total Vetoes. There's a motion with respect to Senate Bill 161. Mr. Secretary, read the motion, please.

SECRETARY:

I move that Senate Bill 161 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The Governor's veto referred to a so-called technical flaw in the legislation. It also pointed out that there was a companion bill of a similar nature that was signed which I sponsored in the Senate as a House...from a House bill. However, let me point out that Senate Bill 161 as originally entered had the intent to do what the Governor's Office thinks the technical flaw did. So

in terms of legislative intent, the bill is in the form that it was legislatively intended. And what it does, it allows townships across the State to form as emergency service and disaster districts. So I urge the override of the Governor's veto on Senate Bill 161.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I speak in favor of this motion because I think by inadvertence the townships were left out. I speak in favor of it.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you. Mr. President, question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

We seem to get ourselves into a regular problem with townships around here lately, passing bills mandating things, and I guess by question is whether or not there is anything mandated on our townships or if this is permissive?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Good question, Senator Schuneman, there is no mandate on this whatsoever.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall Senate Bill 161 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

there are 55 Ayes, no Nays, none voting Present. Senate Bill 161 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Lemke on 371. Senator Newhouse on 467. Top of page 12, on a motion in writing to override item vetoes, Mr. Secretary, a motion on Senate Bill 467.

SECRETARY:

This motion takes both...both motions into consideration. I move that the item on page 17, line 32 through 35 and on page 18, lines 1 and 2 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, could you pass that for the moment and come back to it?

PRESIDENT:

Surely. 472, Senator Poshard. 476, Senator DeAngelis. Yes, Senator Poshard.

SENATOR POSHARD:

Skip the first one and take the second one, okay.

PRESIDENT:

All right. Motion in writing on Senate Bill 472, Mr. Secretary, the sponsor indicates he'd like the second motion. Page 38, lines 4 through 7. Read the motion, Mr. Secretary. Okay...the sponsor indicates the first one. Page 36, lines 28 through 33. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 36, line 38 through 33 of Senate Bill 472 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the motion yesterday that we discussed on the Floor in regard to eight hundred thousand dollars of appropriation to the counties of White, Saline, Johnson, Massac, Pulaski, Alexander, Pope, Hardin and Gallatin Counties. These are counties which have a great deal of national forest service area within the boundaries of the counties. The roads in those counties fall through every year preventing traffic, both commercial and residential traffic, but especially traffic in the...with...with the school buses that transport the kids to school. Last year in three of those counties we had children out of school thirty-five straight days in the winter. This is a...a measure that we need very badly to put a base on those roads that will enable the school bus traffic to survive throughout the winter as well as the people that live along those roads who have severe health problems not to be in danger year after year in terms of emergency vehicles waiting to...to bring them out and so on. I would ask for your favorable consideration of...of this...motion.

PRESIDENT:

All right. The gentleman has moved that the item on page 36, lines 28 through 33 pass, the item veto of the Governor to the contrary notwithstanding. Discussion? Senator Sommer.

SENATOR SOMMER:

Just a point of clarification. You said the...you wanted to do the second item, then you described the first. Could you...

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Senator Rock. Excuse me, please, Senator

Sommer, we're...we're describing the first item. This is the item having to do with the funds for the counties who have severe road problems.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall the item on page 36, lines 28 through 33 of Senate Bill 472 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 17 Nays, none voting Present. The item on page 36, lines 28 through 33 of Senate Bill 472 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Senator DeAngelis, 476. Motion in writing to override an item veto on Senate Bill 476, Mr. Secretary.

SECRETARY:

I move that the item on page 9, lines 18 through 30 of Senate Bill 476 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. It would seem to be rather unusual to see me in the position of requesting an override of a Governor's veto on a public aid bill. However, I'd like to explain to the Body why I'm doing this. Without getting into any long, detailed explanation, in 1973...in 1973 it was determined that caseworkers in the Department of Public Aid were not being paid equally. In the process of trying to rectify that, it was determined that the only basis it could be done is on the basis of racial discrimination. However, in this case, the majority of downstate workers were white

and there were quite a few white workers in Cook County. The case was brought through the courts and I believe it was Judge Power that finally made the decision that there was indeed discrimination but because of the nature of the case could only provide compensation for the nonwhite caseworkers in Cook County, and therefore the white Cook County workers and the white and black downstate workers were not able to...receive redress. The only manner in which this can be done is by what we're doing today and that is to seek legislative relief for what I perceive to be a gross inequity. The Governor's Office in its haste to sign the public aid bill rendered a decision that there was no legal basis for doing this, and they are correct. But that was the primary reason why this bill was put in, is to...seek the redress through the General Assembly. I am advised that the Governor's Office, though probably supporting the veto, has softened their opposition because of the serious inequity and the philosophical issue involved here. I urge your support for the override or the restoration of line item veto, lines 18 through 30 on Senate Bill 476.

PRESIDENT:

Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate, I rise in support of this. Senator DeAngelis is absolutely correct, there are a number of people from my area along with others who were...with this bill passed, I mean, this...rendering...this decision. It's important that these people be brought under the same as others because this is sheer discrimination. And irregardless of the race, creed or color, I strongly support this and ask that we get a favorable vote on this matter.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Briefly, I was the individual who put this on in Conference Committee and I would join the two prior speakers in urging the support of this. Although our...our Governor's thoughts are a harmonious continuum, sometimes he gets advice that is...perhaps leads to bad results and I think that by...virture of overriding this particular item veto, we can correct a bad result. Thank you.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Very briefly, I also stand in support in trying to override the Governor's veto. Basically what happened in 1970 and that period of time, the Department of Public Aid specifically had a two different categorical tier for the same type of work. Now the courts ruled very specifically that this was an error at that time and they provided some compensation and this would just correct a situation which is long overdue. A number of people have come...to my office showing the inequities and I strong...I stand in strong support of Senator DeAngelis' motion to override the Governor's veto.

PRESIDENT:

Further discussion? Any further discussion? Senator DeAngelis, you wish to close?

SENATOR DeANGELIS:

Just roll call.

PRESIDENT:

All right. The question is, shall the item on page 9, lines 18 through 30 of Senate Bill 476 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The item on page 9, lines 18 through 30 of Senate Bill 476 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. Senator Carroll on 1368. Mr. Secretary, motion in writing on Senate Bill 1368.

SECRETARY:

I move that the item on page 33, lines 20...10 through 20 of Senate Bill 1368 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To echo the remarks of Senator Bloom, this again is one of those times when the Governor may have been ill-advised, and at least at some point in the history since the Veto Message was received he had indicated so that he was ill-advised. Let me just give you a brief moment of history of what this is about. What the Governor did, in his budget of this year he failed to continue a reappropriation of that amount that we had allowed for construction of schools in the Chicagoland area if Chicago provided the matching dollars. When the program was created in 1973, we had divided the funds between Chicago and downstate with downstate getting about a two for one allocation of those dollars. At that time Chicago was unable to equal its match for many years and therefore could not avail itself of the State funds that were available. In 1984, we, the General Assembly, passed legislation allowing the City of Chicago to pass a bond issue so that it could, in fact, provide its match. During all those years we reappropriated the appropriation, so that year by year should Chicago tax itself to reach its match, they could

then apply for those funds. In fact, that has happened, but the Governor this year failed to continue the reappropriation. We put in the legislation, both the Chicago and downstate portions, that heretofore had been reappropriated every year. Chicago has nine schools that are essential to be either constructed or reconstructed that for which it has passed its bond levy and has its match. The Governor vetoed this reappropriation for no known reason, and I would suggest that the Governor was once again in error and ask that the item be restored, the veto of the Governor to the contrary notwithstanding.

PRESIDENT:

Any discussion? Senator Sommer.

SENATOR SOMMER:

Mr...Mr. President and members, it's my understanding that the Governor continues to remain opposed to this item, at least at this point in time and I would...urge our members to do the same.

PRESIDENT:

Further discussion? Any further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

Just merely to identify that as with all of these, there is for example, an area in Chicago that has a student population and no school. The city has raised its portion, this has been a reappropriation of some twelve years, no reason for it to have been taken out. We have not taken out reappropriations for projects that are viable. There are other areas where the schools are just totally falling apart, they are in unsafe condition and that's why we were trying to utilize these funds once the Chicago board agreed to the tax levy necessary to raise its portion. I'm surprised the Governor took it out. I don't think he wants to harm the school children of Chicago, and I would ask that the monies

be, in fact, replaced into the reappropriation budget, the veto of the Governor to the contrary notwithstanding.

PRESIDENT:

The question is, shall the item on page 33, lines 10 through 20 of Senate Bill 1368 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 26 Nays, none voting Present, and the motion fails. Senate Bill 206, motion in writing to accept the specific recommendations for change on Senate Bill 206, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 206 in the manner and form as follows. Signed, Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. Once again, on Senate Bill 206 was part of the gang...package within which we had penalties for selling firearms to minors, and the Governor thought we ought to expand that to giving as well as selling, and I certainly concur in that. He did reduce the penalty from a Class 3 to a Class 4 but we're willing to accept that. So, the motion is that we accept the recommended changes of the Governor.

PRESIDENT:

All right. Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 206 in the manner and form just stated by Senator Sangmeister. Those in favor will vote Aye. Those opposed will vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 206 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Luft on 583. Top of page 13, Senator Newhouse on 1129. Mr. Secretary, there is a motion to override a total veto on Senate Bill 1129. Read the motion, please.

SECRETARY:

I move that Senate Bill 1129 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this is the Minority and Female Controlled...Business Loan Act which we voted on yesterday. I have subsequently talked to a number of my colleagues who see the light now and see it favorably, and I ask for a favorable roll call on it.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I certainly am not against females or minorities in business or what have you. However, this particular bill directs its focus on just four areas. I have a distressed area in North Chicago, Illinois which is full of minorities and nothing has been done there. All we have is...East St. Louis, Alexander, Pulaski County and the City of Chicago. I don't think it's fair. Futhermore, I think it's unconstitutional when you deprive...distressed areas in about ninety-eight other counties. And, therefore, I'm forced to speak against the

bill...against the motion of Senator Newhouse, and I'm going to vote No. I feel that next year if you come in with a bill include distressed areas in all the counties, I'll be very happy to go sponsor the bill and support it.

PRESIDENT:

Any discussion? Further discussion? Senator Newhouse, you wish to close?

SENATOR NEWHOUSE:

Ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 1129 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 24 Nays, none voting Present. The motion fails. Bottom of page 12, a motion to override the specific recommendation...I beg your pardon, Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I...I think we caught some folks unaware, I wonder if we could put that on postponed consideration.

PRESIDENT:

Well, you can file another motion, that's the simple way.

SENATOR NEWHOUSE:

It'll be filed. Thank you.

PRESIDENT:

Okay. Bottom of page 12, Senate Bill 583, Mr. Secretary.

SECRETARY:

I move that Senate Bill 583 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. To begin with, I'd like to

make perfectly clear what we're talking about. We're talking about the vehicle...Illinois Vehicle...Code. Specifically...

PRESIDENT:

Senator Chew,...please, the gentleman is trying to present his motion.

SENATOR LUFT:

Thank you, Mr. President. Specifically, a supplemental license that is issued by the Secretary of State to sell automobiles. Everyone feels that the original intent of the supplemental license was for a car dealer to be able to go to a mall across the street or somewhere near his business where he could sell used or new cars. But it appears to everyone involved that they have violated the intent of this bill and now what is happening is someone wishing to sell cars in Pekin, Peoria, Chicago, East St. Louis goes all over the State, asks for the license, moves into a lot, sells cars for a couple of days and is gone, never to be heard of again. So what we're trying to do with this bill is to make it a little more restrictive for someone to get a supplemental license. What the Governor has done is eliminated from the bill that part we feel is necessary to curtail the people going in and out of areas, selling cars and being gone within a few days. So, what I'm asking for is simply to reinstate that part which requires that three people make application for the license before a supplemental license is issued.

PRESIDENT:

Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I have some questions on this...I guess probably for my own benefit or knowledge. Can you get a...when you take one of these supplemental licenses, you can go into a shopping mall and take sales orders for your vehicles that are displayed in that shopping mall?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

That's my understanding, yes.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Can you go into any shopping mall in the...in the State, if...if they'll issue a license?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

That's my understanding, yes.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

And how does this thing figure into the franchise...into the Franchise Act? Can you go outside your...to the...the area outside of your franchise area?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Yes. We feel as though it was not...that was not the intent of the supplemental license, but in fact, that is what they can do and are doing presently.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I...I just have...this came up...someone came to see me about a matter involving this and I...I didn't have any answers and I was trying to find an answer for them and no one seemed to really be able to...to give me any answer, so I just kind of was curious here this morning as to what the...what the state of the law is.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President, I've looked at the bill and I don't see where they allow you to go outside your franchise area. And the bill...I guess what the Governor amended out was that you must have three licensed dealers to make the application to hold a joint sale. And the...the problem, I would imagine, would arise...what if only two of them want to make a joint sale and the other one wants to hold up any...any sale? I think this is a restriction on the Secretary of State's Office...restriction on trade. I don't see anywhere in the bill that allows them to go outside their...their area, maybe the Senator can point that out to me. It's not like someone is just running on a used...on an empty lot getting a bunch of used cars and dumping them and selling them and taking the money and running. I...I don't believe that's what the Senator meant that he's trying to stop here.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

That is exactly what I'm talking about. Under the...the way that the supplemental license is being issued at this point, if I have a dealership and I am licensed on a corner in Springfield, I can make application to get a supplemental license in Chicago. I can have that supplemental license located right across the street from the Chevrolet dealership, sell my cars and be out of there at anytime I wish. And that's what we're trying to avoid. That is happening presently and that's why we're addressing this issue today.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, could you give me an example, who is conducting

these kind of sales? Are these lease companies that are selling their lease cars or are these just people that go to an auction, buy a bunch of cars and try to sell them across the...franchise dealer?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

We are talking potentially about anybody licensed to sell automobiles in the State of Illinois. What we're...we're only talking about people licensed to sell. That would be perhaps credit unions, that would perhaps be leasing companies, that would perhaps be any automobile new or used dealer. What we're just trying to say is we don't think it's fair, for example, too, let's say a credit union who may have repossessed eight to ten cars or a bank, to wind up...a bank, let's say, in Peoria to be able to ask for a supplemental license to sell cars in Chicago or Springfield and that's what is happening. That's why we're addressing the bill the way we are.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, perhaps I can help. We had a...a group that came in and sold brand new cars at our county fairgrounds a couple of years ago. They came in, set up the cars, had people come in and look at them, sold them at a very nice price but then got out of there about the time that the...the cars were falling apart. It...it was...it was a twenty-four hour wham bang sale and it let all of our...our new car dealers having to pick up all the extra warranties and what have you, and I think that's what this bill is trying to avoid.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in support of overriding this amendatory veto and...and I would like to just state a couple of reasons. In Vermillion County, one of the counties I represent, we had, like the past speaker, two years ago we had a...a rental...car group to come in with about a hundred and twenty cars into my community and in a very short time sold those vehicles and left town. We have established dealers in that community that have sizable investments in their facilities, and those hundred and twenty some cars that were sold in that community took that opportunity away from them. And they pay taxes in that county and they pay taxes on their buildings and...and left them with...without being able to make those sales locally. On top of that, as was already stated, they were left with all the problems of those cars. Those cars were still under warranty in some situations, so they get to do the warranty work. I think it's very unfair to those dealers that are established in the community and I think if they're going to have these types of sales, I think there ought to be three or more, whether it's rental cars or whether it's other dealers, before they can go into a community and set up and then leave town. I think we should override this and I'd ask for a favorable roll call on this issue.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Luft, who benefits from this legislation?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

The consumer.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Can you expound on that, 'cause I think you and I have gone to different schools of economics if that is true.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

My feeling is the consumer benefits this simply because once the car has been purchased and that individual that sold that car to the person leaves town never to be found again is not in the consumer's best interest.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think you're addressing only one part of the bill and I think that does not have an economic impact. I'm...I'm talking about the bill regarding...the part of the bill that regards competition.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

My feeling is that we don't restrict competition at all, and I'll explain it to you the best way I know how. We are talking about licensed automobile dealers in the State of Illinois. Everyone has to be licensed and they're in a franchise market...or they're in a market area. Now if my car dealers in the City of Pekin want to go to Chicago to sell cars, they can apply for a supplemental license and go to Third Street in Chicago and do it. We're not preventing them from that simply because they could apply for a permanent li-

cense in the same place. What we're trying to do, we're not eliminating it, we...they can file for a franchise market everywhere they wish. What we want them to do is just to establish themselves and what we're trying to do is simply eliminate a fly-by-night operation or an operation that is temporary.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well,...I appreciate the...the skillful manner in which you made the argument but the fact is that you are limiting it to three or more dealers. There are other people who are in legitimate businesses that sell cars as well, and if you think they're going to get the approval of three or more dealers, then you have been here a lot longer than I have and seen something that I have not seen. The fact is, you know, I have tried to help the car dealers in every situation, but they have come before this Body and said, look, we want to be the only industry that says everybody shuts down on Sunday and I voted for it, didn't like it, voted for it. Then they come back and said, you know, we want the situation where you can't turn around and have a dealership within ten miles of my dealership. And I got to tell you, in my area the only thing that's opening up right now is foreign dealerships, and if anybody is concerned about that, they ought to look at that bill. I opposed that bill because I thought it was anticompetitive. This bill is even more anticompetitive 'cause it's going to prohibit legitimate people who have a need to sell their cars, who provide a consumer service to be unable to sell those cars. In addition to that, the cost of cars is going to go up because you're eliminating a competitive aspect of the field and I don't see where that benefits the consumer. And I have to tell you, I'm really dismayed because I have always regarded car dealers as almost the last

bastion of free enterprise, and I think they're moving to socialism with a profit.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think the last speaker made a forceful argument against two bad bills which he voted for. But I really don't think that his argument is on target in this particular instance. It seems to me that the local automobile dealer provides not only the service of selling a car but there are many, many follow-up services that people expect to get when they buy a car, service of the car, handling of warranty items and so on. As I understand this bill, all that is prevented here is activities beyond the normal radius of that dealer's market area. In other words, you're not restricting what the dealer does within a...like a fifteen mile radius of his...of his dealership, but companies who may have hundreds of cars to sell in your community can flood the community with the sale of those cars then go back home, wherever home is, and leave the servicing of the cars to the local people, and I think that's an unfair...I think that's an unfair situation. I don't...I think this bill should...this motion be adopted.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I started off explaining this bill with the words "supplemental license" and that's what we're talking about. We are trying to prevent the supplemental license from being used by overnight car salesmen, from people going out of their franchise markets, selling cars in two days, running away from your constituents, never to be seen. We are not trying to restrict competition

because if, in fact, somebody from Springfield wants to sell cars in Chicago, they can go to Chicago, put up a building, ask for a franchise market, move in permanently. We are not talking about permanent licenses, this is supplemental license and I would appreciate your vote very much.

PRESIDENT:

The question is, shall Senate Bill 583 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 13 Nays, 1 voting Present. Senate Bill 583 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. If I can have your attention, if you have a pencil handy, we have three additional motions on the...gubernatorial action that have been filed. There's an item...motion to restore an item reduction on Senate Bill 472 by Senator O'Daniel, a motion to accept specific recommendations for change on Senate Bill 114 by Senator Joyce and a motion to override the veto of the Governor on Senate Bill 1129, Senator Newhouse. Senator O'Daniel, are you ready, 472? Motion in writing on Senate Bill 472, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

I move that Senate...that the item on page 12, line...19 of Senate Bill 472 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator O'Daniel.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, the Governor vetoed Senate Bill 472 below the level of the statutory requirement which would provide enough money to upgrade railroad crossings throughout the State. Especially in my district, this is a major concern. We need the nine million dollars for the vital projects and the Governor has only provided 7.5 million dollars. In...in my district alone, in one county, the ICC and the railroads are...are planning to cross...to close two crossings out of five in one township. They...seems like it...the railroad and the Commerce Commission are agreeing to close them and...and everyone is agreeing except the two hundred people that live out there; and also we have railroad crossings all over downstate Illinois that school bus have to...have to use and they don't have the funds to update the crossings, and I think this a very important piece of legislation and I would appreciate your support.

PRESIDENT:

All right, is there any discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, it is true that we passed a bill here this Spring that has been signed that allocates a

million dollars a month to the Grade Crossing Fund. That bill does not take effect until January 1st. Also it is true that the amount that remains in the budget is too little. It is my understanding that it is the intent of the administration, the Department of Transportation to come in and ask for the proper amount. The amount requested here is too much apparently, so it would not be all spent out anyway. It could not be under the...statutory authorization of the payins. So, it would seem to me that the best thing to do is await the supplemental and fund it through that mechanism and it'll be funded at the statutory level.

PRESIDENT:

All right, any discussion? Further discussion? If not, Senator...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion of Senator O'Daniel and disagree strenuously with the suggested program of Senator Sommer for the following reasons. One, the legislation that we did pass creating the substantive law is another one of those that Senator DeAngelis voted for; in fact, he was the sponsor and it created a statutory amount to be put in each and every month for this grade crossing and establish the Commerce Commission as the priority setter of where these grade crossings would...shall be fixed and then DOT does the construction, a very simple and obvious procedure. Like the situation we have found in other State built projects if, however, we don't have the appropriation authority, they just cannot go ahead and do the construction. So, all we're doing...is withholding necessary construction if we don't appropriate enough money. Now, it is true that as the bill now sits, there is not enough money in that fund. It is also true that this would provide slightly too much money in that fund, money that need not be spent and can be lapsed, which

is, in fact, what has been done before. In my opinion, supplemental appropriations should be used only for emergencies that arise during a fiscal year. Good financial management requires a budget to be passed by the General Assembly that provides for the known needs of government. Good financial management requires the Governor to ask us to allocate enough money to follow the Statutes and do that which is necessary to protect the people of Illinois. Good financial management requires us to appropriate the funds required by Statute and use the method of supplementals only for grievous errors. The smart course of conduct would be for the General Assembly to, in fact, restore these dollars to the statutorily required amount under the DeAngelis bill and then let it lapse, like Dr. Bob indicated, we will be lapsing about two hundred and sixty million of other dollars in all of agencies of State Government.

PRESIDENT:

All right, further discussion? Further discussion? Senator O'Daniel, you wish to close?

SENATOR O'DANIEL:

Yes,...the Governor is...is shortchanging this appropriation in his three hundred million dollar supplemental appropriation; and this bill passed out of here 58 to 1 and...and out of the House at a 107 to 6, and I think it's very important legislation and I would appreciate the override.

PRESIDENT:

All right, the question is, shall the item on page 12, line 19 of Senate Bill 472 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, none voting Present. The item on page 12, line 19 of Senate Bill 472 having received the

required majority vote of Senators elected is declared restored, the item veto...the item reduction of the Governor to the contrary notwithstanding. 114, Senator Joyce. Motion in writing on Senate Bill 114, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 114 in the manner and form as follows. Signed, Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. The Governor removed the exemption for underground tanks on agriculture property used for storing motor fuel. He also adds a deadline for registration of underground tanks which, of course, respond to the Federal deadline. The underground tanks on farms...if you have...if the tank is over eleven hundred gallons, they would have to register. I would move to concur with the Governor's amendatory veto.

PRESIDENT:

The gentleman has moved to accept the Governor's specific recommendations. Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 114 in the manner and form just stated by Senator Joyce. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 114 having received the required constitutional...majority vote of Senators elected are declared accepted. Motion in writing, Senator Newhouse, on Senate Bill 1129, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1129 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse. Dated, December the 17th.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. When this bill was called there were several people off the Floor and there was some confusion as to the vote, and I'd ask now for a favorable roll call.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1129 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 21 Nays, none voting Present. Senate Bill 1129 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Newhouse on 467. Senator Newhouse. Motion in writing on Senate Bill 467.

SECRETARY:

I move that the item on page 17, lines 32 through 35 and on page 18, lines 1 and 2 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this appears on the Calendar in two separate sections but it is the same item and...I understand from staff that there was a computer foul-up. So that this is the appropriation with Senate Bill

SB994 Recalled

1129. I would ask for a favorable roll call on it.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the items on page 17, lines 32 through 35 and on page 18, lines 1 and 2 of Senate Bill 467 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 24 Nays, none voting Present. The motion fails. All right, if you'll turn to page 2 on the Calendar, page 2. Page 2 on the Calendar and then the Secretary informs me that Supplemental Calendar No. 1 has been distributed. We will go through the six bills on the top of page 2, through the Supplemental Calendar, and as far as I can tell that will conclude our business in the Regular Session. Mr. Secretary, with leave of the Body, we'll move to the Order of Senate Bills 3rd Reading. Senator Bloom, 994. All right, Senator Bloom seeks leave of the Body to return Senate Bill 994 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 994, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Bloom.

PRESIDENT:

Senator Bloom on Amendment No...

SECRETARY:

2.

PRESIDENT:

...2.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Everyone has had an opportunity to study Amendment No. 1 overnight, and I'm...I'm informed that there are no objections and...particularly of matters of substance to that, and that there are no landmines in Amendment No. 1. Amendment No. 2 is basically my idea, and actually, I think, Senator Joyce's as well. We discussed that, Senator Jerome Joyce, and that is, right now there's a situation where...the phone company makes us pay interest on taxes as well as the basic charge. Under the rates filed with the Commerce Commission, if you're a residential user, you get it forgiven once a year; if you're a small business person, you don't, and what Amendment No. 2 does says a public utility which forgives a late payment charge for a residential customer once a calendar year shall also extend such privilege to the small business as defined by our Regulatory Flexibility Act. It's a...was brought to my attention by some small businessmen and it seems to me that fair is fair. I'll answer any questions on Amendment No. 2, otherwise, seek it's adoption and then I can explain the bill in chief on 3rd reading. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator...Bloom has moved the adoption of Amendment No. 2 to Senate Bill 994. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...Senate bills 3rd reading is Senate Bill 1467, Mr. Secretary.

SECRETARY:

Senate Bill 1467.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1467 is, as far as I know, without objection. It is the official repealer for the World's Fair Authority and it establishes...the mechanisms for the elimination of the authority, the transfer of its assets and the handling of its liabilities. As I'm sure everyone aware...is aware, as an authority, they have decided to forego the bidding, I guess, for the World's Fair in 1992. There's approximately three million dollars left from the appropriation that we afforded to the authority. What this bill says, essentially, is that the money will be returned to the State, that the authority will terminate on December 31st of this year, that the records will be turned over to the Chicago Historical Society and that the Department of Central Management Services, after an independent audit, will handle the windup of the affairs and the subsequent action that has to be taken with respect to the employees, namely, mailing out, for instance, their W-4 forms and that kind of thing. There is one other thing that I should call to your attention. This Act specifically says that it shall not be construed to in any respect derogate the efforts of the private sector to continue to plan for a World's Fair. I'm sure some of you are aware that there...there is a group of businesspeople in Chicago, each of whom have pledged a significant amount of money in the continuing hope that perhaps the city and the State and the Federal Government can be yet persuaded that a World's Fair is in our best interest. It is strictly a private sector enterprise, has no public support that I'm aware of, but the fact is, we don't want this legislation to in any way derogate their efforts. They are sincere and I, frankly, personally, wish them well, but this will effectively repeal

the World's Fair Authority and conclude its business. I know of no objection and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Watson.

SENATOR WATSON:

Thank you. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Watson.

SENATOR WATSON:

You mentioned liabilities. What liabilities is the State going to incur under this transfer back?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rock.

SENATOR ROCK:

None that I am aware of, but they will assume the responsibility for liabilities...there will be an independent audit, everything will be turned back to the State, but there are none that I know of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1467 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1467 having received the required constitutional majority is declared passed. Senate Bill 1467...Senator Maitland seeks leave of the Body to return Senate Bill 1468 back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is...is Senate Bill 1468, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

AB 994
3rd Reading

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to Senate Bill 1468 effectively becomes the bill and this is the recently...publicized agreement with the Chicago school system and...and the substance of the amendment, of course, is the speed up of general State aid payments over the next...next three years. Now we are advancing those payments...as you know, by one month and the fact that the Chicago school system operates on a different fiscal year than does the State, this legislation has no direct impact at all upon annual appropriation to the General State Aid Fund. I am prepared to answer any questions that you might have. I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland has moved the adoption of Amendment No. 1. Discussion? Senator Berman.

SENATOR BERMAN:

I just...thank you, Mr. President. I just stand in support of Amendment No. 2 and when we get to it on 3rd reading also. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 1. Okay. Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 1468. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Bloom, are you prepared to proceed? On the Order of Senate Bills 3rd Reading, we will skip back up to the top of the page and pick up Senate Bill 994. Mr.

Secretary, read the bill, please.

SECRETARY:

Senate Bill 994.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 994 does what your analyses says it does. I would point out that in addition to the technical changes, it clarifies the intent of Senator Lechowicz's bill, Senate 665, in that local units of government can abate less than a hundred percent of the utility tax and clarifies that the message tax is included in the exemption of Senate Bill 665, and in addition, the amendment we just put on that affords to small business the same privilege that residential customers have, vis-a-vis, late charges. I'll answer any questions you may have; otherwise, I'd seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Several members on this side had asked whether we had any problems with the amended version and I just wanted to clarify that our staff has looked through it and it appears to be in very good order. It does make the three substantive changes, I believe Senator Bloom just mentioned them, two of which I think are absolutely top-notch because they make a tax break less mandatory, if you will, than it would otherwise have been and the other simply clarifies that the messages tax will be part of the list of exemptions, which I think is what was always intended. Your second amendment is going to cost some utili-

ties a lot of money but it's a good...very good idea, so I...there's no objection to that. I think it should be mentioned also that because this does go back to the House, if another fine-tooth combing produces anything that...that does not stack up, we'll have a chance to pick it up over there. So, on that basis, I would certainly urge support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, the question is, shall Senate Bill 994 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 994 having received the required constitutional majority is declared passed. All right, let's...let's proceed now in...in order. House Bill...Senate Bill 1468, Senator Maitland, are you prepared? Senate bills 3rd reading is Senate Bill 1468, Mr. Secretary.

SECRETARY:

...Senate Bill 1468.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1468...as amended is the bill that resolves a situation that developed in...in part in the City of Chicago in the recent settlement up there. It advances...advances State aid payments to all schools in the State, not just to the City of Chicago, School District 299, advances them on a one-month basis. There's no affect on Statewide appropriations because of the fact that

there is a varying...the...the two...our fiscal year is different than the City of Chicago and it simply advances for that school system the State aid payment into the preceding year to help resolve that problem. The fiscal impact on the State, therefore, then is simply the interest on that money. I have those figures and can comment on those if you'd like, and I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

This legislation then...which advances payments, does that affect all the counties in the State? I didn't quite hear you. I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

We advance the State aid payment to all school districts in the State in the same fashion, yes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you. A couple of questions of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

The...the...if...refresh my memory if you will. Under the current State Aid Formula and the distribution to the schools, how many payments do we make and when are they made?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator, we make a...a total of...of two payments every month to each school district in the State. In the month of June, we advance a double payment on...in each one of those time periods.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

So then under the proposal, will we be making, for example, eleven payments and the first payment would be a double and then we'd make the subsequent payments on a timely basis? Is that the way it would work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, sir. The double payment would be in...in the month of...of July. That is...that's the moving back and in the...in the three subsequent year...two subsequent years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

I'm curious as to how this would work with the Chicago School Finance Authority. I know they're required to...to have a balanced budget. It seems to me that what we may be doing here is making a double payment this year so the Chicago School Finance Authority will have a balanced budget in their fiscal year, and that's fine except that it seems to me that we may be causing a problem in balancing their budget next year. Would you react to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I would only say, Senator Schuneman, that it...that it's

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not only an advancement this year, but amounts to the same in...in...in their Fiscal Year '88...'87 and their Fiscal Year '88, the same scenario is played.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just one other question. We...in the past few years, we have changed our payment schedules to the schools. Weren't we once on this same system and then skipped a payment and then made it up and...would you address that, then I'll sit down?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, this is actually the third different payment schedule we've been on since about 1974, I believe. That year, as I recall, Governor Walker advanced a payment in the month of October. Two or three years ago during some difficult fiscal times, we delayed that thirteenth payment and now, finally, we are going to be back on what I consider to be a proper payment schedule on a monthly basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1468 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. Senate Bill 1468 having received the required constitutional majority is declared passed. Senate Bill 1469, Mr. Secretary.

SECRETARY:

Senate Bill 1469.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1469 is an amendment to the Horse Racing Act of 1975 which effectively does one thing; it reduces the privilege tax on the first four hundred thousand dollars of the daily handle and limits the tax on a handle over a million dollars. This is an attempt on our part to provide an incentive to the owner...owners and operators of Arlington Park to provide an incentive to encourage them to rebuild, to reinvest in Illinois and in Illinois racing. Last Session, you will recall, we passed a similar bill for the purpose of the three small downstate, outstate tracks, Balmoral, Quad-cities and Fairmount. The Governor approved that legislation and this is an attempt to provide the same kind of tax break and an incentive to Arlington Park and the other race tracks by lowering the State's part of the take. The effective date of this Act, if approved, would be December 31, 1986. So, it will not have any fiscal impact this year nor for the first half of Fiscal '87. The total cost to the State is estimated by figures supplied by the Illinois Racing Board that's somewhere between ten and eleven million dollars annually. Now, obviously, that amount will have to be made up somehow, some other way; but the fact is, if we are to provide the kind of financial incentives to a legitimate industry, namely the breeding and racing of horses in the State of Illinois, this, in my judgment, is absolutely necessary. Senator Philip and I had the opportunity to meet with the Governor this morning. He, too, is interested in providing a reasonable incentive to the folks at Arlington to rebuild in Illinois. I'm not suggesting this is the final answer or a complete answer, but I think it is a legitimate effort on our part to provide some incentives so that when the racing board meets again in

November to allocate next year's racing dates, they should be in a position to hear from Arlington Park and its owners and operators as to whether or not they are, in fact, in a position to reinvest and rebuild. I will be delighted to answer any question and I would urge your favorable support of Senate Bill 1469.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will. Senator Geo-Karis.

SENATOR GEO-KARIS:

It has come to my attention that one of these bills includes dog racing. Does this bill of yours, 'cause I don't have it in front of me, include dog racing? I'm very serious about this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

So am I. No, and I have suggested to the House leadership that I would not countenance any amendment being placed on Senate Bill 1469 that had to do either with the subject of parimutuel wagering on dogs or off-track betting. This is a simple, straightforward tax break to, I hope, provide the kind of incentive that's necessary to encourage the expansion of the breeding and racing industry in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, does your commitment include the fact that you would not countenance an...an amendment on your bill that would provide for dog racing in Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Absolutely, yes. Absolutely. No amendment whatever with respect to that subject matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We've got several lights on, now. Senator Savickas.

SENATOR SAVICKAS:

I guess my question would be just...we're providing an incentive to rebuild, an eleven million dollar incentive. I would imagine the incentive to rebuild would be the profit margin that they make at the track on this. Are they operating at a profit or will they make a profit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

My understanding is that the three major tracks...or four major tracks, indeed, operate at a slight profit...those figures are filed with the Illinois Racing Board, I do not know the amount; but when you're talking about an investment as will be necessary for Arlington Park of probably somewhere in the neighborhood of eighty to ninety million dollars, to...expect a reasonable return, in my judgment, is not at all unreasonable. If you take Hawthorn and Sportsmen's they probably have a capital investment of somewhere in the neighborhood of a hundred and fifty million dollars and I would suggest that a reasonable return in terms of profit, again, is not at all unreasonable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. I was not going to bring the subject up, Senator Geo-Karis did and I'm deeply troubled by your Shermanesque...the sponsor's

Shermanesque statements about what happens in the other House. Now I suppose it's a wash as far as the sponsor is concerned, he gets one and loses one, but I would ask the sponsor if this is written in granite, this no amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, written in granite to this extent, that I think the subject of dog racing will be discussed by this General Assembly, probably next Session. This Senate has already approved the concept of off-track betting and sent that to the House for its consideration. I think those are separate subjects and they ought not be tied to this because if, indeed, we don't do anything this Session, we are sending, I think, a very strong message to the owners of Arlington Park, that, no, we are not going to afford you any help and, no, don't reinvest a hundred million dollars on that three hundred and twenty-five acre plot of ground. I'm prepared to deal with dog racing. I'm prepared to deal with off-track betting, but I suggest it ought not be done because I am painfully aware of the dilatory nature of the House of Representatives. I'm not sure they can do it in three days over there. I'm not sure they can do anything in three days over there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Well, I supported Senate Bill 743, as you may recall, and the last statements of the sponsor, I think, we're all painfully aware of, but it does put...put me in a...in a bit of a quandary, as you can well understand, because we do need one to encourage this industry, although I would suggest that probably the assessed value of that three hundred and twenty-five acres is more than enough collateral on any kind of

loan, but I'm not going to...I'm not going to...this is my life's work and I'm not going to take the Body's time. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I just want to strongly concur with President Rock in his assessment of the importance of this bill and keeping this particular bill free and unencumbered by the other two subjects, off-track betting and dog racing in Illinois. Illinois horse racing is a billion dollar industry in Illinois, and certainly the loss of a premiere track that is known throughout the world not just in...the State of Illinois would be an enormous loss to this State and to Illinois thoroughbred racing. There are innumerable jobs and I hope that all of you have taken the opportunity to read the report that was sent to each one of you to realize the magnitude of the loss of Arlington Park, not just to the State coffers but to Cook County, to our own economy in my own area, in my own district and I think it would really be totally wrong for us to really, if you will, gamble in this manner to think of adding any other complications to an already very complicated matter of rebuilding this premiere track. So, I urge your vote for Senate Bill...or...or 1469.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We have the following Senators, Netsch, Topinka, Vadalabene and Weaver. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Couple of factual questions, Senator Rock. What is the reduction...I'm not sure that you...the reduction in the amount of the tax? I did not hear that specified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Reasonably estimated at ten to eleven million dollars annually.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I...I meant the...I...I understood the...cost, I meant the...from what level to what level does the tax go?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, it...it...it reduces to one percent the privilege tax on the first four hundred thousand dollars. Currently there's a graduated scale from 1.75 percent to 3.75 percent, just the same as we did with 743, we are just knocking that down to one percent, and at the top end instead of...instead of a graduated upwards to 7.75 percent, we are capping it at six percent. So, it's...as I understand the figures from the racing board, it's...the...the initial break on the first four hundred thousand...the cost of that is somewhere in the neighborhood of nine million...the cap on the top end since there are...it does not happen every day that the handle is in excess of a million, but on those days that it does happen, the...the cap would kick in...that the cost of that is roughly a million dollars, perhaps a million something.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Again, just to be clear, I believe you said that this schedule would then be exactly the same as that which was passed earlier in this year's session for three downstate tracks. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

With respect to the first four hundred thousand dollars, that is correct. We did not do anything on handle over a million because those downstate tracks never handle over a million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

And one last question. I know that some of us have received communications indicating that even with the revised schedule for horse racing that we adopted very recently, I am not talking about this year's bill, but the substantially revised one of about a year ago or two years ago, that it is alleged that we are still much higher than other states near by or not near by which are horse racing states, that is states which do attempt to have an industry. Do you have a general sense of...or even a specific sense of where this would put us on the comparative scale if this were applied also to Arlington and other large tracks?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Still, unfortunately, higher than Kentucky, Ohio, Minnesota, New Jersey. New Jersey, for instance, has an incentive to the folks at the Meadowlands. I think their tax on the whole handle is only a half of one percent, I mean, it's a literal give away. If you get into Ohio and Kentucky, they're probably around two and a half to five percent. We will still be higher but we will be more competitive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I think this is a very good bill; in fact, it would probably be better if we even lowered it further but this is a good start. It was the recommendation by the Horse Racing Task Force Committee, on which I sat, that we do, indeed, look at lowering the parimutuel tax even if Arlington Park had not burned down, it was quite alive and well at the time that the report came out. This would make us equitable up in the northern part of the State with the...with the bills that were passed last Session in terms of southern Illinois tracks, as President Rock just stated. You know, it...it still leaves us higher than the parimutuel tax in other states, so we're on the road to competition but it's still something to be done. I would concur with President Rock that dog racing and off-track betting are, indeed, two other issues and if they...in the House somehow get onto this bill, it will, indeed, muddy the waters and I think there's a time and a place and another battlefield to discuss those issues. If they do get onto this bill, we could, for all intents and purposes, doom Arlington Park and I don't know that we really want to do this if we're going to think in terms of building Illinois and encouraging tourism and just building this industry which does have very, very deep roots. So, I would encourage the passage of this bill, it's clean and just and right and proper in its present form and, hopefully, it will stay that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I, too, rise in support of Senate Bill 1469 and I like...would like to remind...our downstate legislators that I was the sponsor of Senate Bill 743 that passed out of here about...a vote of...I think it was 58 or 59 to nothing which

provided approximately two million dollars a year to Balmoral, Quad-City Downs and Fairmount Park. If that bill hadn't passed, it was the indication that all three of these downstate race tracks would be closed, and we got the entire support of the Cook County legislators, but...however, let me remind Senator Bloom that on...on...Senate Bill 743 every attempt was made to put dog racing on that bill and also off-track betting in the House but we defeated every attempt, and so in response to President Rock, nothing is in concrete when it goes over to the House, but with a lot of effort and energy, you can defeat some of those attempts to amend your bills over in the House. This is a good bill. The Chicago people supported the downstate people, now I think it's our turn to support them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you...thank you, Mr. President. I certainly stand in support of this effort, but I just would like to alert the Senate that somewhere along the line, either in the supplemental or next year, we're going to have to find some revenue for the Ag. Premium Fund and those other areas that the loss in this bill will represent to the Ag. Premium Fund and all those things that horse racing supports; but I think it's imperative that we give this relief, but I just wanted to alert you, there's going to have to be other revenue put into those funds that horse racing supports Statewide.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

You know, I sit here as a Senator, Mr. President and fellow Senators, of finding how an effective lobbyist group can come up and get a tax deduction when the people that put us here can't get anything. The House defeated the increase

of the personal exemption for our taxpayers. We couldn't afford it. It was a similar amount of money, but we can afford it for the race tracks. I mean, I'm going to vote Present. There's no relief here. We have four tracks that are making a profit. I have a track in my district, Hawthorn, they had a fire, their grandstands burnt, they used their own money and investment to rebuild that stand and to be an effective race track, and they're making a profit. Now why can't Arlington do this? Is this a new tactic? Is Arlington going to...the owners of Arlington Park going to leave the Chicagoland area with a bulk of the population and build the track someplace else? This is more ridiculous than...than anything that can be seen. I don't think now is the time to listen to threats by lobbyists, by a special interest group, a real special interest group. These tracks do nothing, nothing. If you travel the State...other states, you'll find out. In Nebraska, in Omaha, the race track revenue that's earned goes into educating students, they go into the education system. We're going to take this money away and then we're going to have to come up replacing it and...do we have to put a tax on personal and people that...give their cars to their sons...we put a tax on, we increased the tax. This Governor is great for special interest groups. He puts the taxes on the people and takes them off of special interest groups. I think that we should vote Present and this matter should be looked at over the next six months next year to come up with an effective way to help the racing industry. And if this racing industry and Arlington, the owners, want to leave, I say, welcome, leave because I am not going to give to the threats that they're going to leave because I don't see any competent, brilliant businessman leaving a profitable enterprise. I'm going to vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President and Ladies and Gentlemen of the Senate, this is a very serious matter. What we're talking about is nine hundred permanent jobs at Arlington Park. We're talking about a residual twenty-seven hundred jobs Statewide in the breeding industry which has been supported by this General Assembly. Now, you talk about the ability of DCCA to promote and instill the development of new industry in this State, you try to encourage the development of current industry in this State, and here you have a very serious problem which is trying to be addressed by Senate Bill 1469 in a good manner and you're saying that nine hundred jobs are not important or the residual effects within the Arlington Heights area of employment is unimportant to this State, that's a lie. The Governor was absolutely correct when he said that we will try to do anything possible within the law to encourage the redevelopment of that facility, and I want to commend the leadership of both sides of this Body who sat down and tried to discuss this in a rational plane to ensure that Arlington Park is redeveloped; and, yes, we know they have an insurance policy and we know they could collect on that insurance policy and leave this State high and dry, and I want to commend Mr. Joyce and his body who tried to sit down and say, wait, we have a problem. The problem is the parimutuel tax in this State, it is one of th highest in the nation, and when other tracks in this country try to attract quality horses and owners to participate in this sport, they have a bigger purse to offer, and that's why it's important, that's why I commend the President of this Senate and we should stand in support of this measure because it's good not only for the employees of that park, it's good for the people of Illinois in providing that money that Stan Weaver mentioned in the Agricultural Premium Fund which we allocate for different purposes. This is a vital interest in this State and it

deserves your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I thank Senator Lechowicz. I think he put it in proper perspective. For the last couple of days, I'm sure you're aware, that representatives of not only the Illinois Manufacturer's Association but representatives of organized labor of the working people of this State, about thirty strong, have been all over the building suggesting that, yes, indeed, Arlington Park is important to Illinois, and it seems to me only logical that we would provide some modicum of incentive to the owners of Arlington to say, please, stay here, your presence is important to the horse racing industry in the State of Illinois, the horse racing industry with its support services that's responsible for thousands of jobs, responsible for a great deal of money and returns directly to the coffers of this State something in excess of sixty million dollars annually. We are providing with this not enough of a break, in my judgment, but something that I think is palatable to the Governor of this State who ultimately has to approve this and something, as Senator Weaver pointed out, that we're going to have to make up somehow, I admit that. That's why the effective date is December of '86, because in the tight fiscal times that we are now in, we simply can't afford it this year, but we sure can afford it on the basis that any attempt to rebuild is probably going to take two years and the racing board will have to take that into account, but we want to say to the owners of Arlington Park and to the other track owners, we recognize your legitimate investment in the State of Illinois, we commend you for it and to prove it, we're going to do something for you. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1469 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 6, 4 voting Present. Senate Bill 1469 having received the required constitutional majority is declared passed. We will now proceed to the Supplemental Calendar No. 1. Supplemental Calendar No. 1, Secretary's Desk resolutions. Senate Resolution 485. Senator Dawson on the Floor? It's Dawson-Bloom. All right, Senate...Senate Resolution 485, Mr. Secretary. Senator Bloom is the hyphenated cosponsor. Is there leave to have Senator Bloom handle that? All right, leave is granted. Mr. Secretary, Senate Resolution 485. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. 485 creates a six-member select committee to look at the Medicaid problem and to recommend specific pieces of legislation. The Department of Public Aid has five proposals that they would like us to consider. It would be made up of three from each side of the aisle and probably be chaired by Senator Dawson, who has returned to the Floor. I would yield to Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dawson...Senator Dawson. Oh, I beg...Senator Dawson, just a moment...Senator Bloom, did I cut you off?

SENATOR BLOOM:

I'm sorry, Senator Geo-Karis would like to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...is there leave to have Senator Geo-Karis added as a cosponsor? Leave is granted. It was overwhelming.

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, everybody knows what we're talking about and would just ask for a favorable roll call on this resolution. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall Senate Resolution 485 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Resolution 485 having received the required constitutional majority is declared passed. I am told that there is an amendment for the next resolution, 499. Is that right, Senator Jones? All right, is there leave to come back to that? Leave is granted. Motions in writing, Supplemental Calendar No. 1, House Bill 568. Mr. Secretary, read the motion.

SECRETARY:

I move that...to suspend Rule 5C and that the Committee on Executive be discharged from further consideration of House Bill 568 and it be placed on the Senate Calendar on the Order of 2nd Reading. Signed, Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would intend to be the cleanup for Build Illinois. Evidently, there are some technical problems wrong with it. I do not have the information yet because the Governor's Office had not given it to me but, hopefully, I would have it shortly and would let everybody know exactly what the technical problems are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1090 motion

Discussion? Senator Rock.

SENATOR ROCK:

No, I...I don't disagree, as long as we just move it out on the Calendar. The one amendment that I saw to the Build Illinois Program was, frankly, unacceptable. So, we'll have to discuss it, but I...I don't disagree that we ought to get something out on the Calendar. I apologize to Senator Sangmeister, I should have mentioned it this morning, but I agree it ought to be out on the Calendar so we can proceed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, Senator Philip has moved to suspend Rule 5C and that the Committee on Executive be discharged from further consideration of House Bill 568 and that it be placed on the Senate Calendar on the Order of 2nd Reading. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is adopted and the bill will be on the Order of 2nd Reading and show up on the Calendar tomorrow. House Bill 1090, Mr. Secretary. Senator Luft, are you read to proceed? House Bill 1090, Senator Luft. All right, we...we have to read the motion, Senator...Mr. Secretary.

SECRETARY:

I move to discharge the Committee on Labor and Commerce from further consideration of House Bill 1263 and the bill be placed on the Calendar on the Order of 2nd Reading. Signed,...oh, oh, I'm sorry, I'm reading wrong one. I move that the Committee on Revenue be discharged from further consideration of House Bill 1090 and that the bill be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I've discussed this both with Senator Netsch and Senator Etheredge. The bill will be used

HB 1090
2nd Reading

for the purpose of helping the farm community. I think Senator Joyce has distributed to each person's desk the intent of the bill. So, I would ask for your approval in discharging this...House Bill 1090.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? All right, Senator Luft has moved that the Committee on Revenue be discharged from further consideration of House Bill 1090 and that the bill be placed on the Calendar on...on the Order of 2nd Reading. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to have House Bill 1090 read Jerome Joyce-Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request that the...of Senator Joyce that he...that Senator Luft...Senator Joyce and hyphenated Luft be the sponsor. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, I would ask that that bill be read the second time now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there leave to...to have...the sponsorship as indicated by Senator Luft? Leave is granted. All right, Mr. Secretary, read the...read the bill.

SECRETARY:

House Bill 1090.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This amendment is what we're going to call the Emergency Relief Assistance Act and what this does, it would create a fund in the State Treasury to make appropriations to the Illinois Farm Development Authority and this authority, after verifying that a farmer does have a debt to asset ratio of seventy percent or above will make...the authority then will make payments to the farmer's creditor on two percent of the existing debt not to exceed two thousand dollars. So, what this does is basically buy down interest two percent on farmers who have a debt to asset ratio of seventy percent. If you owe a hundred thousand...or if you have...are worth a hundred thousand dollars and owe seventy thousand dollars, you would qualify or if you were higher. Also, the bill will provide relief for those people who are delinquent in their real estate taxes. The penalty right now is eighteen percent every six months plus what the county charges which is one and a half percent a month. We cut that down substantially to twelve percent a month for everyone. This is farmers and...and homeowners and...anyone all over the State. We also raised the...or lower the interest rate on farm land to three-quarters of a percent a month or nine percent annually. This was raised back when the inflation rate was at twenty percent and we raised it to eighteen percent every six months which figures out to thirty-six percent a year; actually, it's...it's over fifty percent a year. There's a worksheet on the back that explains it. It is..it's rather complicated but it is something that I think we ought to do for everyone in this State. So, with the adoption of this amendment, we would be in a position to help some fifteen thousand seven hundred and fifty farmers with the money that the Governor has asked for in a supplemental appropriation of 31.5 million dollars.

Now, I am hoping that the Governor will support this proposal and...we will leave this on the Calendar for...well, until we come back and anyone with any better ideas, we will certainly listen to them and I think it is something that needs to be on the Calendar. I have been with Senator Rigney working with...in Jim Riley's office, the Deputy Governor, and we have seen the dilemma that the House may be in. So, I think it behooves us to put this on the Calendar where people can get an idea of what we are about. So, I'd be happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1090. Is there discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, of course, we don't have a copy of the amendment, so I just would like an understanding that before 3rd reading we have an opportunity to bring it back for any further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor...Senator Joyce.

SENATOR JEROME JOYCE:

Yes, absolutely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rigney.

SENATOR RIGNEY:

There's some that have asked me to make a few comments about the amendment before it goes on and I understand that it will be adopted here, and I guess we're really not going to fight it at this stage because as the sponsor has correctly pointed out, negotiations are underway with the Governor's Office concerning the whole package of bills dealing with the subject of the farm debt situation. Just a couple of brief comments about this, this is not a guarantee

program, this is a grant program, and I think...I want you to know that when you vote on it. If your debt to asset ratio is worse than seventy percent, the procedure is that that entitles that individual to a two thousand dollar check and that check will go to one of his creditors. The...the cost of the program will be approximately thirty million dollars of...of cash. So, if you want to know what the cost is, that's...that looks like the...the bottom line cost. Some comments have been made about the Governor's plan for interest buy down which was very similar to Senator Demuzio's buy-down plan that we adopted here earlier this year. I'm not exactly sure at this stage of the game whether the Governor's people and their staff really favors that concept any longer, I mean, that's something that's really being kicked around. So, I'm not sure that's going to be a part of the ultimate package either, but at least that's what's being considered now and...I just wanted, you know, everyone to know what we're going to be voting on here momentarily.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? WAND...WAND-TV Decatur has requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Kustra. Senator Kustra, your light is on. You made a...oh...further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Well, you know, you can call this a grant if you'd like, but we do interest buy downs every day for industry and business. DCCA offers low interest loans to...to virtually all industry that...that comes before them. So, what we're doing is...if we're serious about helping farmers who are in distress, this will spend the money and this will get to them and it will get to the place where it will do the most good. There are other proposals that are...that are around. Senator Demuzio has been working

on one where...a debt restructuring. If that works out correctly, that won't cost the State anything, but that will cover the rest of the farmers who are not covered in this one. So, I think if we adopt this, then we cover the whole field. If we don't, I don't want to be in a position of saying to...to fifteen thousand farmers in this State, we're not going to help you, you're simply going to go broke, because we don't know that that's the case. Things can change very rapidly in agriculture. If the dollar would go down, prices of commodities would come up substantially. It would bring the value of the farm land back up to where it ought to be. If there's a conflict somewhere in the world, commodity prices go up. There are any number of things, just perception alone can drive the prices up on the Board of Trade. So, if we're serious about helping agriculture and helping farmers, this is the way to do it. If we want to appropriate thirty-one million dollars and not spend it, well, I think everybody's too smart for that. So, I would ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 1090. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from...3rd reading. House Bill 1263, Senator Marovitz. Senator Marovitz on the Floor? All right, House Bill 1263, Motions in writing, Mr. Secretary, read the motion.

SECRETARY:

I move to discharge the Committee on Labor and Commerce from further consideration of House Bill 1263 and the bill be

placed on the Calendar on the Order of 2nd Reading. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. You have heard the motion...the...the bill is...is gutted to...to my understanding, everybody has been contacted, members of both sides of the aisle. The amendment has been correcting...would correct deficiencies in the self-insured bankruptcy law. It amends the Workers' Compensation and Occupational Disease Act. This new language is the product of...of extensive negotiations held under the auspices of the Governor's Office and the chairman of the Industrial Commission. It involves agreement of both labor and members of the self-insured industry who are going to take responsibility on themselves on a shared basis for liabilities left by bankrupt self-insureds. It's a...it's a...it's an important problem that we have to handle immediately and I understand that there's a total agreement among everyone and that's why this bill is being gutted in the amendment...the agreed amendment being added.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion placed by Senator Marovitz. Is there discussion? Senator Collins.

SENATOR COLLINS:

Yes, I...I rise to concur with the statement just made by Senator Marovitz and to say that I wholeheartedly support the discharge of that motion from the Labor and Commerce Committee...as chairman of that committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. I just want to verify

with Senator Marovitz, there's bipartisan agreement...the product of some negotiations and it's extremely urgent that we go ahead and take care of this problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hudson.

SENATOR HUDSON:

Yes, just...as minority spokesman of Labor and Commerce, just to concur with what has been said. This is on track and I would urge...I also would urge support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved to discharge the Committee of Labor and Commerce from further consideration of House Bill 1263 and the bill be placed on the Calendar on the Order of 2nd Reading. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The bill will be on the Order of...House Bill 1263 will be on the Order of 2nd Reading in the Senate. Senator Marovitz.

SENATOR MAROVITZ:

I would now ask leave of the Body to have the bill read a second time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there leave to have it read the second time? Leave is...leave is granted. Mr. Secretary, read the bill.

SECRETARY:

House Bill 1263.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SECRETARY:

No...no...no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Marovitz, DeAngelis and Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. The amendment deletes everything after the enacting clause and inserts in its place new language amending the Workers' Compensation and Occupational Disease Act. The amendment would correct present deficiencies in the self-insured bankruptcy law. We passed this Act in 1983 as an attempt to handle workers' compensation liabilities left by bankrupt self-insureds. To address this problem, the self-insurance industry agreed to assume those liabilities left by bankrupt self-insurers. Currently, there are approximately twelve hundred and fifty claims filed with the commission and the circuit court brought by employees under the present law, but because of deficiencies in the '83 law, none of these claims will be able to access the fund for final settlement. This amendment will allow access and will handle those deficiencies by the self-insured industry themselves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 1263. Any discussion? If not, those...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator O'Daniel, for what purpose do you arise?

END OF REEL

REEL #3

SENATOR O'DANIEL:

You...you moved over my House Bill 740...it's on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we haven't got to that order of business yet, Senator.

SENATOR O'DANIEL:

Oh, I thought you passed it two or three times.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we'll probably pass it the remainder of the day too. Mr...Mr. Secretary, motions in writing.

SECRETARY:

Yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse, are you ready? We're going to read your motion in here. Mr. Secretary.

SECRETARY:

I...I move that the item on page 17, lines 32 through 35 and on page 18, lines 1 and 2 of Senate Bill 467 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Could you hold that for the moment, Mr. President? Could somebody ding the dinger so we can get our...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we're...we're getting down to the end of everything here. Take it out of the record...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

If we are at that point, for purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Proceed.

SENATOR CARROLL:

Yes, Mr. President, as has been indicated, a notice has gone out, there will be a meeting of the Appropriation's Committee to deal with the topic of emergency supplemental appropriations, even though no bill currently exists, although three or four lists from the Governor currently exist. It will be held Thursday, the hour has changed from nine to nine-thirty. It'll start at nine-thirty, we would ask the members to be prompt, some of the members had asked for that extra half hour of travel time. So it'll be at Thursday, the 24th, at nine-thirty in the morning in the State of Illinois Center, sixteenth floor, Room 503. Thursday at nine-thirty in the morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With...now, with leave of the Body, we...we have leave to go back to Supplemental Calendar No. 1, Senate Resolution 499. Senator Jones indicates he is ready to proceed. Mr. Secretary, Senate Resolution 499.

SECRETARY:

...Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Amendment No. 1 to Senate Resolution 499 clears up a technical problem and the select bipartisan committee will be composed of twelve members appointed by the Senate President and the Minority Leader, and I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones has moved the adoption of Amendment No. 1 to Senate Resolution 499. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We are now on...on the...on the resolution. Senate Resolution 499. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Senate Resolution 499 create a select committee for the purpose of investigating the availability and affordability of insurance coverages for a local units of governments and small business. It...it...it will have twelve members appointed by the Senate President and the Minority Leader. It will be a bipartisan committee. We all are aware of the problem that we have in the insurance industry and I move the adoption of Senate Resolution 499.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I am told that the resolution involves expenditure of money, therefore, there would have to be a roll call. Discussion? If not, the question is, shall Senate Resolution 499 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Resolution 499 having received the required constitutional majority is declared passed. Senator Jones, for what purpose do you arise?

SENATOR JONES:

For those members who will be appointed to the committee,

this is to inform them that we plan to have...hold that first hearing on October 30th, the second day that we'll be back in Springfield, the morning of October 30th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Jones, you have a great crystal ball. Next case. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director, Legislative Affairs.

Mr. President - ...the Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive Appointments. Resolutions.

SECRETARY:

Senate Resolution 517 offered by Senators Welch, Dudycz, Smith and Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this resolution is to attempt to get a contract from the United States Navy to come to Illinois as opposed to the State of Indiana. The contract amounting to between six and eight million dollars is going to be awarded next week, and we have been urged by the Institute for Advanced Safety Studies to contact the Congress and the Department of Navy urging their support of the State of Illinois as the recipient. The affected State...State agencies would be the Northern Illinois University and also the Illinois Institute of Technology, who in

consortium with the Institute for Advanced Safety Studies would be administering this contract. And, needless to say, it would be nice to get some defense funds from the Department of Navy into the State of Illinois since we have such a negative cash flow when it comes to sending taxes to Washington and not getting our money back. And for that reason, this is a bipartisan resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 517. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Now, Senator Welch now moves the adoption of Senate Resolution 517. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 517 is adopted. Further resolutions?

SECRETARY:

Senate Resolution 518 offered by Senator Davidson and all Senators, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

...Senate...Joint Resolutions 95 and 96 offered by Senator Vadalabene, Hudson, Philip and Rock, and they're congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And Senate Resolution 519, by Senator Keats and all Senators, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1476 introduced by Senator Barkhausen.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Mr. Secretary, has there been any...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, go ahead.

SENATOR COLLINS:

Are we on that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Go ahead. Senator Collins.

SENATOR COLLINS:

Yes, on Tuesday...on Wednesday, I mean, October 23rd, the Labor Committee will be conducting a special hearing on Senate Bill 1408 which dealt with the Minority and Female Bonding Act, and it will be at ten...10:00 a.m. in Room 503, sixteenth floor of the State of Illinois Building and we are urging all of you and especially those of you members of the Labor Committee to attend.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. For purpose of introduction. I'd like to take this opportunity to introduce the Henchcliff Elementary School from O'Fallon, Illinois, which is in the gallery on the Republican side of the aisle, and I'd like for all of us to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests in the gallery please rise and be recognized. Welcome to Springfield. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will add Senate...or House Joint Resolution 105, Senate Resolutions 513, 515, 516, 518, 519 and Senate Joint Resolution...95 and 96 to the Resolutions Consent Calendar. Is leave granted? Leave is granted. Senator Rock now moves the adoption of the Resolutions Consent Calendar. Those...any discussion? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. All right. Resolutions.

SECRETARY:

(Machine cutoff)...Joint Resolution 97 offered by Senators Friedland, Karpiel and Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. Senator Rock on the adjournment resolution. Senator Rock. All right. Mr. Secretary, read the...read the...read the...resolution.

SECRETARY:

Senate Joint Resolution 98 offered by Senator Rock.

(Secretary reads SJR 98)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the adjournment resolution. We will return to Springfield happy and healthy on the 29th day of October to conclude our business on the 29th, 30th and 31st. We will return to Springfield in Regular Session at the hour of noon, and I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 98.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as...placed by Sena-

tor Rock. Senator Rock has moved to suspend the rules for the immediate...consideration and adoption of Senate Joint Resolution 98. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of the...Senate Resolution...Joint Resolution 98. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The..the Regular Session will stand adjourned until...Senator Rock now moves that the Senate...Regular Session stand adjourned till the hour of twelve noon, October 29th.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

October 17, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Second Special Session will come to order. Reading of the Journal. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Tuesday, October 15th and Wednesday, October 16th, of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as placed by Senator Poshard. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried...resolutions.

SECRETARY:

(Machine cutoff)...Joint Resolution No. 1 offered by Senator Rock.

(Secretary reads SJR No. 1)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves for the immediate...for the...suspension of the rules and immediate consideration of Senate Joint Resolution 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves to...the adoption of Senate Joint Resolution 1. Those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. The...adjournment resolution calls for the Special Session on...to reconvene October 29th, at the hour of twelve-thirty. Senator Rock moves that the Senate stand adjourned until the hour of...the Second Special Session stand adjourned till October 29th at the hour of twelve-thirty.

84TH GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 29, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Paul Flesner, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND FLESNER:

(Prayer given by Reverend Flesner)

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

SECRETARY:

Wednesday, October the 2nd, 1985; Tuesday, October the 15th, 1985 and Wednesday, October the 16th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title, to-wit:

Senate Bill 1136 with House Amendment No. 1.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to a bill with the

following title.

House Bill 510, Senate Amendments 1 and 2.

And House Bill 1529 with Senate Amendments 1, 2, 3 and 4.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 106.

And this is a...House Joint Resolution 106 is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And House Joint...like Message on House Joint Resolution 104.

PRESIDENT:

Executive. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 520 and 521, congratulatory, by Senator Topinka.

Senate Resolution 522, congratulatory, by Senator Etheredge.

523, congratulatory, by Senator Geo-Karis.

524, congratulatory, by Senator Geo-Karis.

525, congratulatory, by Senator Lemke.

526, congratulatory, by Senator Lemke.

527, congratulatory, by Senator Demuzio and all Senators.

528, congratulatory, by Senator Davidson and all Senators.

529 is congratulatory, by Senator Karpiel.

530 is congratulatory, by Senator Savickas.

531, congratulatory, by Senator Savickas.

532 is a death resolution, by Senator Demuzio and all Senators.

PRESIDENT:

Consent Calendar, Mr. Secretary.

SECRETARY:

Resolution 533 and 534, by Senator Collins.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 99, by Senator Macdonald and it's congratulatory.

PRESIDENT:

Consent Calendar.

PRESIDENT:

The Senate will please come to order. We have a number of special guests, not the least of whom, of course, is the Chief Executive. Welcome, Governor. We have a special...a couple of special additional guests with us this afternoon that I thought the membership might enjoy saying hello to. All of us are subject to and receive copies of this, the Illinois Statutes. When I started I think there were only two volumes, now we're up to five and still going. Mr. Arnold Ginow, who is the editor in chief of West Publishing and Mr. Larry Culligan who is the assistant editor are here with us to make sure we don't add too many more pages. Gentlemen, welcome, if you'd like to say hello, please.

MR. GINOW:

(Remarks given by Mr. Ginow)

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 535 offered by Senators Kustra and Keats, congratulatory.

536, by Senator Weaver, it's congratulatory.

537, Senator Donahue, it's congratulatory.

538, Senator Dudycz, and it's congratulatory.

PRESIDENT

Consent Calendar. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

Thank you, Mr. President, a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DeANGELIS:

In the President's Gallery on our right here, we have the students from St. Karen's School led by the ever loving Alice O'Brien. I wish they would please stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Point of personal...privilege.

PRESIDENT:

State your point, ma'am.

SENATOR FAWELL:

I would like to introduce two guests from...to our country from Brazil, they are being Honorary Pages today. Andreano and Rogerio, they are both from Brazil, they are Rotary exchange students and I'd like to have them be given a good welcome.

PRESIDENT:

Welcome to Springfield. The Chair will yield to Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. We have the honor to have with us today Ben Harpstrite who served my area for eight years in the Illinois House and...and Ben is up here to spend the day

with us and I'd just like to take an opportunity to introduce him. Ben.

PRESIDENT:

Message from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the members...to the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below, respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

All right. Committee on Executive Appointments. Introduction of bills.

SECRETARY:

Senate Bill 1477 introduced by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1478, by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1479, by Senator Marovitz.

(Secretary reads title of bill)

1480, by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1481, by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1482, by Senator Vadalabene.

(Secretary reads title of bill)

1483, by Senator Lechowicz and Degnan.

(Secretary reads title of bill)

1484, by Senator Marovitz.

(Secretary reads title of bill)

Ag.R.22 C.A.
1st Reading

1485, Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1486, by Senators Dawson and Jones.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. All right. If I can have the attention of the membership. The House has sent approximately sixty items to which we will have to react if the proper motions are filed, and the Secretary informs the Chair that a number of motions have today been filed. They will appear, obviously, on the Calendar tomorrow and will be called in the order in which they were filed. For the purpose of today's business, if you'll turn to page 2 on the Calendar, on the Order of House Bills 3rd Reading, there are four bills that this Body addressed two weeks ago and suspended the appropriate rules. Sponsors have indicted that they wish those bills to be called. There is a House bill on 2nd reading, Senator Philip informs the Chair that he has an amendment prepared. And both sponsors of the Constitutional Amendments have indicated that they wish those amendments read a first time today. So with leave of the Body, we'll move to page 2 on the Calendar, on the Order of Constitutional Amendment 1st Reading is Senate Joint Resolution 4, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 4 Constitutional Amendment.

(Secretary reads SJR 4CA)

1st reading of Constitutional...of Senate Joint Resolution 4 Constitutional Amendment.

PRESIDENT:

2nd reading. Senate Joint Resolution 22, Senator Davidson. Senator Davidson.

SECRETARY:

Wait...we have an amendment, Mr. President.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I would move the amendment which was adopted in Exec. Committee to Senate Joint Resolution 22. And what it does is strikes one line and then the bill will read, "A felony offense for which a sentence imprisonment without conditional, irrevocable release shall be imposed by law as a consequence of conviction, when the court after hearing determines that the release of the offender would pose a real and present threat to the physical safety of any person." Move the adoption of the amendment.

PRESIDENT:

All right. Senator Davidson has moved the adoption of Committee Amendment No. 1 to Senate Joint Resolution 22. Is there any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

Senator Davidson, you wish the...the resolution read? Mr. Secretary, Constitutional Amendment Senate Joint Resolution 22, 1st reading.

SECRETARY:

Senate Joint Resolution No. 22 Constitutional Amendment.

PRESIDENT:

I beg your pardon, hold on. Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, just a...a inquiry here now. As it will be read, it will be read as amended, is that correct? Thank you.

PRESIDENT:

Proceed, Mr. Secretary.

HB568
2nd reading

SECRETARY:

Senate Joint Resolution No. 22, Constitutional Amendment.

(Secretary reads SJR No. 22CA)

2nd reading...or 1st reading of Senate...Joint Resolution 22 Constitutional Amendment.

PRESIDENT:

All right. 2nd reading, Mr. Secretary. With leave of the Body, we'll move...stay on the Calendar on page 2 and move right up the line. On the Order of House Bills 2nd Reading, Mr. Secretary...is House Bill 568. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 568.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a cleaned up amendment for Build Illinois, it basically does three things; defines public infrastructure, it increases the...the cap for economic development from ten million to fifty million, decreases the authorization cap on education from two thirty-one to one ninety-one, also provides clear authorization for capital improvements for private colleges and universities. I think Senator Rock's staff has had the amendment. I am...been informed there is no opposition. So without further ado, I move the adoption of Amendment No. 1 to Senate Bill 568.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 1 to Senate Bill...House Bill 568, I beg your pardon. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I guess you could characterize no opposition from the perspective that nobody knows what's in this amendment. I'd like to ask the sponsor, if I might, why we are renaming the Tourism Fund to the Build Illinois Fund. What's the reason for that? It seems to me that we had a tremendously hard fought battle to...with the imposition of the soda...pop tax last year and it seems to me that that's why we're in the happy State, and I don't know why we're...we're changing the name of the fund and...are we expanding the purposes for which the fund can be utilized?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Yes. You know, we've already done this, all this does is clarify what we've done when we passed the original bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Senator, you're telling me we don't have a Tourism Fund any longer?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

I...I...I have been told the Tourism Fund and other funds have been put into Build Illinois.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

All right. And then...I understand that now. And then,

finally, we are going to expand the definition of the Build Illinois Program to include privately operated colleges and universities to assure them that they are also going to be allowed to utilize the proceeds of the...of these respective bonds. Well that's a...that's interesting. Thank you, very much.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Philip has moved the adoption of Amendment No. 1 to House Bill 568. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. With leave of the Body, we'll move to the Order of House Bills 3rd Reading. There are four bills, two of which I understand may have amendments. Senators O'Daniel, Joyce, Berman and Marovitz for final action. On the Order of House Bills 3rd Reading is House Bill 740. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 740.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the...of the Senate, the purpose of this amendment is to clarify the intent of the General Assembly in regards to the regulation of the transportation industry. All of the same regulations were left in the new Public Utility Act, and this amendment completes the transfer of these regulations to the...Commercial Transporta-

HB 1252 Recalled

tion Act. This amendment is a technical necessity because both Acts become effective January 1, 1986. And I know of no opposition and I appreciate a favorable vote.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall House Bill 740 as amended pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question...on that question, there are 56 Ayes, no Nays, none voting Present. House Bill 740 having received the required constitutional majority is declared passed. (Machine cut-off)...Bill 1090. With leave of the Body, we'll get back to that. I understand the sponsor and the Office of the Governor are working on an amendment which is not yet present. House Bill 1252, Senator Berman seeks leave of this...Senator Berman. Senator Berman seeks leave of the Body to return House Bill 1252 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1252, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDENT:

All right. Senator Berman on Amendment No. 4.

SENATOR BERMAN:

Thank you, Mr. President. The bill as amended deals with the...program for the removal of asbestos in our schools. This amendment was requested by the Bureau of the Budget. What it does is to tighten up the purposes of the program by eliminating the words "repair and maintenance." I move the adoption of Amendment No. 4.

PRESIDENT:

All right. Senator Berman has moved the adoption of

Amendment No. 4 to House Bill 1252. Is there any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Berman, do you wish to get back to that? With leave of the Body then, we'll get right back to it. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. While we're at a lull, I have some very important people visiting us here in Springfield from Tazewell County. I wonder if they could please rise and be recognized by the Senate. They're in the President's Gallery.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. All right. For the purpose of intervening business, with leave of the Body, we'll move to the Order of Conference Committee Reports. Mechanically, we have to put the vehicle for the supplemental appropriation bill in its proper form. So if you'll turn to page 4 on the Calendar on the Order of Conference Committee Reports is the Conference Committee report on Senate Bill 134, Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we...not accept...the first Conference Committee on Senate Bill 134 and ask that a second one be appointed.

PRESIDENT:

All right. The Senator has requested that the Senate not adopt the Conference Committee report on Senate Bill 134. In accordance with our rules, the question is put obviously in

HB 1090 Recalled

the affirmative. The question is, shall the Senate adopt the Conference Committee report on Senate Bill 134. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 13, the Nays are 14, 2 voting Present. The Senate does not adopt the Conference...first Conference Committee report on Senate Bill 134 and the Secretary shall so inform the House and also inform the House of our request for a second Conference Committee. With leave of the Body, we'll move then back to House bills on 3rd reading for the purpose of House Bill 1252. Senator Berman, would you mind waiting just a minute, we have another amendment for that other bill? On the Order of House Bills 3rd Reading, we previously passed over with leave to get back to House Bill 1090. Senator Joyce seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, Mr. Secretary, is House Bill 1090.

SECRETARY:

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Amendment No. 2 would seek to demonstrate...this is the Farm Credit Relief Act that we're talking about...

PRESIDENT:

Please. I understand copies are currently being distributed, Senator Watson. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, and I can read the amendment to you, Senator Watson. This says that he can demonstrate that he can secure credit from a conventional lender in...for the 1986 crop year. What

HB 1252 3rd Reading

this does is say that the...the same people who we were talking about before, those with a debt to asset ratio of seventy percent above, will be eligible for this two percent buy-down up to two thousand dollars and...but that they must be able to secure credit for the next preceding year. The people that cannot...are going to go bankrupt, we're not going to help with this proposal now, but all the rest of them would be helped. I ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 2 to House Bill 1090. Is there any discussion? 2nd reading, Mr. Secretary, on the board. All right. Senator Joyce has moved the adoption of Amendment No. 2 to House Bill 1090. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Joyce, you request leave to get back to that one? All right. We'll move on to House Bill 3rd reading. On the Order of House Bills 3rd Reading is House Bill 1252. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1252.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1252 as its been amended is the next step in the program dealing with the removal or containment of asbestos in our schools. The bill as it's before you today

has been worked out in cooperation after many meetings with the Department of Public Health, Capital Development Board, the Bureau of the Budget, educational groups including the Illinois Association of School Boards, Illinois Association of School Administrators as well as representatives of the insurance industry. This provides for a funding formulary on a grant index of which school districts are familiar with which will provide for a reimbursement program of a minimum of fifty percent up to a hundred percent depending upon the wealth of the school district for the costs of removal or containment of asbestos in the schools. This also provides for a mechanism for reimbursement to school districts that have already done the work after the inspection and the work has been approved by the Department of Public Health. It also provides for financial responsibility to be provided by the contractors that will be hired to do this work. Be glad to respond to any questions and solicit your Aye vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1252 as amended pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1252 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd reading is House Bill 1090. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1090.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. House Bill 1090 is the...bill that we have been dealing with and the Emergency Farm Relief Assistance Act, and if you'll excuse me for a minute I need to talk to someone.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is the Emergency Farm Relief Assistance Act. What it will do is create a special fund in the State Treasury to make appropriations to the Illinois Farm Development Authority. And that authority after verifying that a farmer does have a debt to asset...ratio of seventy percent or more will make payments to the farmer's lender on two percent of the existing debt not to exceed two thousand dollars, if the farmer can demonstrate that he can secure credit from a conventional lender for the 1986 crop year. Also, it deals with the tax delinquency problem, and it reduces the delinquency interest charge from one and a half percent a month or eighteen percent annual...annually for all property taxpayers to one percent a month or twelve percent annually. It also reduces the delinquency interest charge further for farmland to three-quarters of a percent per month or nine percent annually and this provision sunsets after three years. I'd be happy to answer any questions.

PRESIDENT:

Is there any discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

Is there any of the debt restructuring language that the Governor was seeking, is that a part of this bill now?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

That...that is not a part of this bill, we're still waiting for that bill to surface.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

I would point out to you, I think that's a very major part of any type of thing that we might do on the farm scene and...and perhaps has the greatest potential to do some good. Would you be willing to hold this bill until after we have the meeting of this task force this afternoon that's going to be meeting with Jim Reilly?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yeah...I...no, I would not. I think that the time is...is running out on us. We have to get this bill over to the House and, as you and I both understand, the House is in a different world on this proposal. Now, I will support the...any bill that the Governor puts forth or...or Senator Demuzio has a bill on that restructuring. I have no problem with that, I just don't see it on the Calendar anywhere, Senator, and this one is and perhaps you can add it to this one in...in the House. I have no problem supporting a debt restructuring bill, but I...but I don't see one anywhere.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Well, you've answered one of my questions, I was going to ask you to hold this, but I have a couple of other questions as well. I have not seen the bill, Senator Joyce, it's coming through rather rapidly. What would preclude anyone who is a farmer from paying their real estate property taxes under your bill?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

I don't understand the question, Senator, would you repeat that?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you're going to offer financial support for delinquent payments of property taxes, correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

No...no...that's...this...that's a different proposal in the bill. What we do with the delinquent taxes are...we reduce the percentage that people pay from eighteen percent every six months...the interest charge, I'm sorry, from eighteen percent...

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, that's what I'm asking. Are there any criteria by which a person...are you saying all farmers who...whose taxes become delinquent because they don't pay, even if they have an ability to pay, will have a reduced rate of interest on the delinquent taxes?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes. If they don't pay it, they will have a...a reduced rate.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

With no consideration on their ability to pay or not or their impact on local government when they don't pay?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Senator, right now there is no provision, you know, that...and it's still double the rate of inflation and we're lowering for everybody across the board to twelve percent rather than the eighteen percent every six months.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm really impressed with the argument that it's double the rate of inflation. But the fact of the matter is, the reason those are in there are in fact to provide penalties so that local government can get their money, it's not related to inflation. And what you're doing now is...there are...there are plenty of opportunities to invest money today at nine percent and not pay your property tax. In fact, right now, IHDA bonds are selling at over ten percent and they're tax free. I...I think you're really creating a blanket situation for those who don't need and those who do need. I think you're running a fairly costly operation and...I just really believe that you ought to wait on this till we get a little further reading on what the total package is going to be.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I am requested by my leader to call a Republican Caucus immediately. I am also informed that that could be a rather lengthy caucus.

PRESIDENT:

Okay. That request is in order, certainly. All right, Senator Joyce.

SENATOR JEROME JOYCE:

Well, why don't...why don't we wait until after the meeting this afternoon then before we carry on with this, if...that will prevent your...you know. If...if you want to wait until after you have the...meeting this afternoon, it's all right with me, we'll take this out of the record.

PRESIDENT:

All right. Take it out of the record, Mr. Secretary. The gentleman has requested a Republican Caucus immediately in Senator Philip's Office. The Chair...the Senate will stand in Recess until the call of the Chair.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. The Chair has consulted with Senator Philip and it appears that the Republican Caucus will take a little while longer. So in deference to the other members, I think we can quickly conclude our business for today. Further business to come before the Senate? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to announce to the membership of the Senate that the appointments contained in the Governor's Message of October 29th, 1985, will be heard during the

Senate...Committee on Executive Appointments at 9:00 a. m., October 30th, in Room 212. Thank you, Mr. President.

PRESIDENT:

All right. Without objection, leave is granted to hear the Governor's appointees tomorrow at nine o'clock. Any further business or further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Wednesday, October 30, at the hour of eleven o'clock. Eleven o'clock tomorrow morning. The Senate stands adjourned. We will now, for the purpose of the record go into the Special Session for the purpose of opening and closing.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

OCTOBER 29, 1985

PRESIDENT:

The Second Special Session of the 84th General Assembly will come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, October the 15th; Wednesday, October the 16th and Thursday, October the 17th, in the year 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

All right, you've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. I've just been informed by the Speaker of the House that the Message with respect to the bill that the Governor has requested in the Second Special Session will not be handled...until tomorrow by the House. So, if there's no further business or further announcements, Senator Vadalabene moves that the Second Special Session stand adjourned until Wednesday, October 30, at the hour of noon. Noon tomorrow for the Special Session, eleven o'clock for the Regular Session. Have a good evening.

84TH GENERAL ASSEMBLY

REGULAR SESSION

October 30, 1985

PRESIDENT:

The hour of eleven having arrived, the Senate will come to order. Members be at their desks, will our guests in the gallery please rise. Prayer this morning by the Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, October 17th and Tuesday, October 29th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

Heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 107, 108 and 109, all congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 539 offered by Senator Zito, it's congratulatory.

SJR22 C.A. 2nd Reading

540, by Senator Lemke, congratulatory.

541, 42 and 43 from Senator Kelly, congratulatory.

And 544 from Senator Demuzio and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1487 introduced by Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution...or 545 offered by Senator Lechowicz and all Senators...is congratulatory.

Senate Resolution 546 offered by Senator Newhouse and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we'll turn to page 2 on the Calendar. Senators Friedland and Davidson and Sangmeister have requested that the Constitutional Amendments be read a second time. On the Order of Constitutional Amendments 2nd Reading, page 2 on the Calendar, Senate Joint Resolution 4. Mr. Secretary.

SECRETARY:

Senate Joint Resolution 4 Constitutional Amendment.

(Secretary reads SJR 4 CA)

PRESIDENT:

(Machine cutoff)...Davidson, you wish to proceed on...yes. On the Order of Constitutional Amendments 2nd Reading, Senate Joint Resolution 22 as amended. Mr. Secretary, read the resolution.

SECRETARY:

Senate Joint Resolution 22 Constitutional Amendment.

(Secretary reads SJR 22 CA)

2nd reading of Constitutional Amendment Senate Joint Resolution 22.

PRESIDENT:

3rd reading, Mr. Secretary. All right. With leave of the Body, we'll turn to page 11 on the Calendar, page 11. In order to ease into the day, we will begin with motions to accept the specific recommendations of the Governor. The middle of page 11. Motion in writing on House Bill 26, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 26 in manner and form as follows. Signed, Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 26, the amendatory veto was a minor technical one from the words "committee on" to "office of." That's the only change in the bill. I move the adoption...or acceptance of the amendatory veto.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 26 in the manner and form just stated by Senator Berman. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 26 having received the required constitutional majority vote of Senators elected are declared accepted. Motion in writing on House Bill 47. Mr. Secretary.

HB 60 Spec. Recommd. of the Gov.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 47 in the manner and form as follows. Signed, Senator Zito.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. I...I do make that motion. The Amendatory Veto Message by the Governor made some technical changes which do not have an impact on the substance of the bill and would ask that we adopt the Governor's recommendation for change.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 47 in the manner and form just stated by Senator Zito. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 47 having received the required constitutional majority vote of Senators elected are declared accepted. Motion in writing on House Bill 60. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 60 in the manner and form as follows. Signed, Senator Vadalabene.

PRESIDENT:P

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I move to accept the...specific amendments to the...to the bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 60 in the manner and form just stated by Senator Vadalabene. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 60 having received the required constitutional majority vote of Senators elected are declared accepted. (Machine cutoff)...Poshard on 72. There a motion in writing, bottom of page 11 on the Calendar. Motion in writing on House Bill 72, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 72 in the manner and form as follows. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. The Governor's recommendations merely correct technical errors in the bill, and I move to accept them.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 72 in the manner and form just stated by Senator Poshard. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 72 having received the

required constitutional majority vote of Senators elected are declared accepted. 142, Senator Bloom...142, Senator Netsch. Top of page 12, on the Order of Motions in Writing to Accept the Specific Recommendations for Change, a motion in writing on House Bill 142. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 142 in the manner and form as follows. Signed, Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, very much. This is the bill that authorized a...and reauthorized a program of grants to public radio and television stations. This is the basic enabling Statute. There were two changes which were recommended by the Governor; one deleted the qualifying requirement that the station had been operating for two full years, and this was done specifically to permit a newly formed public station to...to be able to qualify, which we all agreed was a very good idea because...we are encouraging all of them. The second was a technical change that removed the language "annual operating income" and substituted "actual operating costs" to make clear the formula on the basis of which the grants were to be distributed. We...all the sponsors agree with these changes; in fact, we recommended one of them and I would therefore renew the motion that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations for change as to the Governor as to Senate...House Bill 142 in the manner and form just stated by Senator Netsch. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all

HB 264 motion

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 142 having received the required constitutional majority vote of Senators elected are declared accepted. Page 12...top of page 12, House Bill 142, Senator Netsch. All right. House Bill 231, Senator Lemke. Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 231 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to accept the Governor's amendatory veto as...in...specific recommendations. I believe the matter that he deleted out is covered in another bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 231 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 231 having received the required constitutional majority vote of Senators elected are declared accepted. 264, Senator Lemke. Mr. Secretary, House Bill 264.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 264 in the manner and form as fol-

lows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to go along with the Governor on the amendatory veto. We'll have hearings on the other matter that's...I believe is still merely technical and we did something for the tenants. We failed to do something for the landlords, and since I have many little old ladies that have two flats and three flats that get knocked out of rent for six months and a year, I think the Tribune was completely out of line. They don't consider that and I think this is still merely a technical error that was made when we drafted the original proposal. And contrary to what the Governor says and contrary to what any newspaper says, it's merely a technical proposal and I think it's time that we start protecting landlords that own two flats and three flats and not just crying the need for people. It also will assist tenants to get flats and to have some place delayed and not be evicted on the street like they're commonly done. I think this is only right that we give some relief to these little old ladies and owners of...of property that live off this income and this is the only income they have to live off of and to protect them from the thieves that steal from them in their...in their apartments for six and nine months. So I'll go along with the veto and we'll have hearings and I will guarantee you we'll pass the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 264 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

N.B. 344 Accep. Rec. of the Gov.

Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 264 having received the required constitutional majority vote of Senators elected are declared accepted. 335, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 335 in the manner and form as follows. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. The...the Governor agreed with the...with the intent of House Bill 335 but felt that...that the information should be provided free of charge, and I concur with that...that recommendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 335 in the manner and form just stated by Senator Maitland. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 335 having received the required...constitutional majority vote of Senators elected are declared accepted. House Bill 344, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 344 in the manner and form as follows. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move to accept the...the amendatory veto of the Governor on this bill, because this bill will protect the...the....the amendatory veto still protects the municipality's right to object to the incorporation of parcels of land within a mile and a half of their border, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, because it was a provision of this bill that I had...had amended on to it during our Session last spring to seek to provide an opportunity for a small unincorporated community in...in my district to incorporate and to allow others in a similar situation the opportunity to incorporate without having adjacent municipalities object to such an incorporation, I have some misgivings about this motion and will oppose it; but because an override motion was defeated in the House, I don't see any..chance for success at this point, but I simply wanted to let the Body know my feelings on the matter since it was my amendment that the Governor amendatorily vetoed out of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I happened to be listening to WBBM last night when they had asked the Governor and there were some allegations made about this legislation and about the legislative process. I'd just like to state for those people who alleged that the General Assembly listens only to high-priced lobbyists, no one has lobbied me or a number of my colleagues on this legislation, neither pro or con, and evidently, it's a local issue and I think people are misinterpreting what we do down here and I wish that before

they make statements on the radio, they'd learn more about the legislative process. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this amendatory veto will prevent a lot of paper municipalities from coming to existence and it still protects the rights of the existing...municipalities to object if they have to that are within a mile and a half of their border which is the law now, and I...move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 344 in the manner and form just stated by Senator Geo-Karis. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. The specific recommendations of the Governor as to House Bill 344 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 431, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 431 in the manner and form as follows. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. The Governor supported the addition of...of two...two more individuals to the State Fair Advisory Board but had some concern about the second part of the

bill...dealt with DuPage County and the fair, and under his...his suggested change, they...they do suggest the agreements reached between the county board and the county fair board in that county, and I move to accept that specific change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 431 in the manner and form just stated by Senator Maitland. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Savickas. Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 431 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 489, Mr. Secretary. Senator Geo-Karis.

SECRETARY:

I...I move to accept the specific recommendations of the Governor as to House Bill 489 in the manner and form as follows. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I move the acceptance of the specific recommendations for change by the Governor in House Bill 489, because it's a technical clean-up bill and what the Governor did is clean it up even better, and...and I move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 489 in the manner and form just stated

by Senator Geo-Karis. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 489 having received the required constitutional majority vote of Senators elected are declared accepted. 493, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 493 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Ladies and Gentlemen of the Senate, I would ask that we concur with the Governor on this, he made a good bill better. The original...bill amended the Hearing Aid Consumer Protection Act. What this does is basically clean it up. It adds a...an immediate effective date and it also puts the responsibility of hearing any problems that come up with the appropriate hearing officers that were designed for this purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor in the manner and form just stated by...to House Bill 493 in the manner and form just stated by Senator Topinka. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House...the specific recommendations of the Governor as to House Bill 493 having received the required constitutional

majority vote of Senators elected are declared passed. 521, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 521 in the manner and form as follows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that we accept the Governor's specific recommendations for change with regard to House Bill 521. The Governor's changes bring the...the exemption under State law for...from immunity or from...the exemption from liability under antitrust law under State law into conformance with that which Federal law provides in that relief under Federal law is...is limited to injunctive relief, that is preventing the...the activity which is complained about...rather than allowing treble damage award which becomes very expensive for units of local government that...that may be targets for antitrust actions. I...therefore recommend that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

I'm trying to refresh my recollection, Senator Barkhausen. Was this applicable only to the Federal antitrust laws or was this specifically applicable to the State antitrust law? Because the Federal has already been changed to eliminate the treble damage penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

This would...this would apply to State law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Just to clarify then, what we are doing is we are not changing the scope of liability or nonliability for the units of local government, what we are saying is that if one of them does transgress the State antitrust law and is found to have violated that injunctive relief will be the only remedy rather than treble damages. So that...in that respect, it will be very much like the current State and Federal law. Is that a reasonably accurate statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, it is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 521 in the manner and form just stated by Senator Barkhausen. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 521 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 576, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 576 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

HB 582 Mandatory Veto

Senator Lemke.

SENATOR LEMKE:

I go along with the Governor's recommendation, I make a recommendation we adopt it. The Governor put the...the...took out the words that the...you can have a disconnection of a township...for a multiple township assessment district, and it shall...and that should not be allowed if the remaining portion of the district will have fewer than a thousand population. I think it's a good...good recommendation, I go along with it. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 576 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 576 having received the required constitutional majority vote of Senators elected are declared accepted. 582, Mr. Secretary, House bill.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 582 in the manner and form as follows. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I move to accept the specific recommendations of the Governor in regards to House Bill 582. 582...it concerns itself with corporate farming and the reporting requirements. The Governor made two changes to that. One, he felt that annual re-

porting requirements should only be necessary if property holders has acquired or...or divested itself of farm land during the preceding year and in that case no reporting would be necessary. The second part, he felt that annual requirements that the landowner speculate on the potential use of farm land was not necessary. With those two changes, the...the bill has been OK'd and we'd ask for favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 582 in the manner and form just stated by Senator Coffey. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 582 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 743, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 743 in the manner and form as follows. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The Governor's recommendation deleted language prohibiting the charge of a fee for noncriminal justice fingerprint checks. This is a bill that was introduced on behalf of the State police. They are in agreement with the Governor's recommendation and..I would so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 743 in the manner and form just stated by Senator Zito. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 743 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 891, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 891 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 891 as introduced by myself and the Speaker provided for due process in the special education placement of students across the State. The Governor made a change with which I agree, namely, moving the effective date from next July as it was passed by this Body to January 1 on the premise that to do otherwise might jeopardize the receipt of Federal money under that public loft that we're all familiar with,...94-142. I agree with what the Governor did and I move that we accept that specific recommendation for change with respect to House Bill 891.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 891 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote

HB 1000 Veto

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 891 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 982, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Mr. Secretary...Mr. Secretary, take it out of the record. House Bill 1000, Senator Joyce. 1000. J.J. Joyce. All right. Mr. Secretary, House Bill 1000.

SECRETARY:

I move to accept the specific recommendations of the Governor to House...as to House Bill 1000 in the manner and form as follows. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. What this...what the amendatory veto did would...it amended the EPA Act to allow the less frequent drinking water samples from a community water supply system serving twenty-five to a thousand people. This was Senator Schuneman's amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1000 in the manner and form just stated by Senator Joyce. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are

HB 1212 Spec. Recommend. of the Gov.

none, none voting Present. The specific recommendations of the Governor as to House Bill 1000 having received the required constitutional majority vote of Senators elected are declared passed...declared accepted. House Bill 1117, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1117 in the manner and form as follows. Signed, Senator...Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Terrible handwriting. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill that encouraged multiyear contracts to be entered into between the labor organization's employees of the Chicago Board of Education and the Chicago Board with the concurrence of the school finance authority. The Governor's amendatory veto requires that the second year provisions of any contract be...be...be contingent upon receipt of...sufficient revenues in order to pay for the second year provisions. I agree with the recommendations of the Governor and move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1117 in the manner and form just stated by Senator Berman. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 2 voting Present. The specific recommendations of the Governor as to House Bill 1117 having received the required constitutional majority vote of Senators elected are declared passed. Top of page 13, House Bill 1212, Mr.

Secretary. Senator Lemke, you're up.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1212 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What...I make...move to go along with the Governor on this proposal. What it does is deletes the proposed requirement that counties with population of fifty thousand rather than thirty-five thousand or more have a public defender. The current legislating breakdown in the Act is...is working well, and the proposed change appears to be unnecessary according to the Governor, and we'll go along with that and I ask for...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1212 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1212 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1340, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1340 in the manner and form as follows. Signed, Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. There was an ambiguity that was created by the passage of Public Act 83-1260 which exempted all vehicles registered for a gross weight of eight thousand pounds or less from safety tests. What this bill does is just affirms that all tow trucks regardless of the registered weight are required to undergo safety tests, and it also emphasizes the change...emphasizes the fact that school buses, senior citizen transportation vehicles, medical transport vehicles regardless of registered weight...must also undergo safety tests. I move to accept the specific recommendations of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1340 in the manner and form just stated by Senator Rupp. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1340 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1341, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1341 in the manner and form as follows. Signed, Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The Governor has changed this bill to permit the hauling and moving and towing of vehicles that are improperly registered; in fact, the reason he said

it would probably adversely affect about ten thousand operators in Illinois. There is no objection to the change. It is a good change and I move that the specific recommendations of the Governor be accepted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1341 in the manner and form just stated by Senator Rupp. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1341 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1667. Senator D'Arco on the Floor? House Bill 1680, Senator Netsch. 1755, Senator Sangmeister. House Bill 1755, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1755 in the manner and form as follows. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. As you can see from the Calendar, there's an effective date on this of July 1st, 1987. The Governor wanted to move the effective date up one year, there's no problem with that. So I move that we accept the recommendations of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1755 in the manner and form just stated by Senator

Sangmeister. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1755 having received the required constitutional majority vote of Senators elected are declared accepted. 1814. Senator Bloom on the Floor? 1814. Senator Bloom on the Floor?...House Bill 1814, Senator Netsch. House Bill 1-8-1-4. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

I think Senator Bloom would like to proceed with that motion. I had filed one also but he is the first name and I think you can get back to it at some point. I don't want to deny him that pleasure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll get back to it on Friday. House Bill 1924, Senator Watson. House Bill 1924, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1924 in the manner and form as follows. Signed, Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I do move to accept the Governor's action on House Bill 1924. The original legislation provided for exchange and purposes of various land parcels. It also provided for an enforcement mechanism to hold...certain sanitary districts liable for impediment in percolating waters under the service of its land, and it also decreased the size of the board of trustees for sanitary districts with municipalities from ninety thousand but less than

a hundred thousand from five to three. The Governor's objections...he struck entirely the...all provisions in regard to enforcement mechanisms for sanitary districts which impede percolating waters, he struck that entirely. He also said that any board which currently is five members can remain at five members and it's not mandatory that they reduce to three. He made...couple of technical changes and also made technical changes that allow the bill to track properly. I move for this adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1924 in the manner and form just stated by Senator Watson. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1924 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1947, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1947 in the manner and form as follows. Signed, Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. House Bill 1947 among other things addresses the jurisdiction of the restored medical determination's board to review and advise the director of...of Public Health on various activities of the department...department's activities. However, the Conference Committee omitted two existing exclusions. The Governor's

HB 1969 Veto
Amendatory

amendatory veto picks up these two exclusions. The Department of Public Health...concurs in this as do the sponsors of House Bill 1947, and I do, therefore, move that we accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1947 in the manner and form just stated by Senator Hudson. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1947 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1969, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1969 in the manner and form as follows. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1969 amendatory veto is purely technical in nature. It adds some clarifying language and I would move for the acceptance of the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1969 in the manner and form just stated by Senator Donahue. Those in favor will vote Aye. Those opposed vote

Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1969 having received the required constitutional majority vote of Senators elected are declared accepted. 2054, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2054 in the manner and form as follows. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President and members. House Bill 2054 provided that if the State agency fails to comply with the Forms Management Programs Act, a business or local government would be relieved of its obligation to respond to request for information or submit file forms to that agency until they complied with the Act. What the Governor did by his amendatory veto was add agricultural enterprises to the bill's requirement of business or local government being relieved from their obligations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 2054 in the manner and form just stated by Senator Welch. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2054 having received the required constitutional majority vote of Senators elected are

declared accepted. 2132, Mr. Secretary, House bill.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2132 in the manner and form as follows. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, the Governor in his amendatory veto changed this particular Act from a Class 3 felony to a Class 4 felony to avoid inconsistency in State law. I know of no objections and think it's a reasonable suggestion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2132 in the manner and form just stated by Senator Schaffer. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2132 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 2226, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2226 in the manner and form as follows. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This is the bill which deals with services to

hard-core youth dropout in the State of Illinois. The Governor...totally agrees with the proposition of the bill, but his amendatory action narrowed the eligibility requirements from sixteen to twenty-three as we originally passed the bill to sixteen to twenty-one, and the change makes it consistent with other drop-out programs in the State. I concur with that narrowing and by...and with the Governor's amendatory action and would move that we sustain the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2226 in the manner and form just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2226 having received the required constitutional majority vote of Senators elected are declared accepted. 2418, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2418 in the manner and form as follows. Signed, Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. House Bill 2418 established the Industrial Coal Utilization Program under the...under the Coal Research and the Coal Development Board. Some changes were necessary the Governor thought to clean up the language that we had and...changes are technical, and I move that we accept the recommendations of the Governor.

HB 1680
Spec. Rec. 80
Governor

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2418 in the manner and form just stated by Senator Dunn. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as...as to House Bill 2418 as having received the required constitutional majority vote of Senators elected are declared accepted. With leave of the Body, Senator Netsch has made a request to go back and pick up 1680 before we leave this page. Is leave granted? Leave is granted. House Bill 1680, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1680 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President and thank you for your courtesy in going back to the bill. This is the bill that was requested by the Illinois Press Association to clarify and in effect update the language that spells out the publication charges for publishing various aspects of the property tax the...quadrennial assessment and changes therein and so forth. There were two places in which it was not absolutely clear how those charges were to be done dealing with the preamble headings and other explanatory matter which is different from the actual listings of the property, and the amendatory veto makes it clear that those will be charged at the...newspaper's regular published rate for such advertis-

ing. That is all that the bill does. It makes those two clarifications. I would move that we do accept the Governor's recommended changes in House Bill 1680.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 1680 in the...in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1680 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Bloom on the Floor? All right. We'll...go to page 14, motions in writing, override specific recommendations. We'll begin with House Bill 188, Mr. Secretary.

SECRETARY:

I move that House Bill 188 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, what House Bill 188 does is simply grandfather in those damns throughout the State of Illinois that were originally built to State specifications. It prevents the Department of Transportation from coming along at a later date and then deciding that they want to raise the ante on all of these damns by drawing up new specifications. I want to make it clear it does not in any way affect the ability of the department to set standards for new construction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB357 Override

Discussion? The question is, shall House Bill 188 pass the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 188 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 357, Mr. Secretary.

SECRETARY:

I move that House Bill 357 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, I would...I would hope that we would not...or we would override the Governor's veto on this. This amends the Illinois Pension Code for the downstate police article. Now, since the Governor has vetoed this, we have had extensive discussions and I think he has agreed that he possibly...not necessarily may have been in error but maybe this one just kind of slipped through the cracks. So, anyway, what this does is...is it reduces the vesting threshold from ten years to eight years. It basically brings the downstate police into compliance with currently what is happening in northern Illinois, and it's the same type of program that we in the Legislature and other officers have. It's nothing unusual, it is also the...same thing that we did for the firemen last year. It's in concurrence with that and it also allows for the police to be able to pick up their pension premiums after they have retired from the force and preceding the time they go into Medicare at their own cost. So we're not paying any-

thing out on that. I see absolutely no problem with this bill. The final Senate vote here was 58 to 0, final House vote was a 100 to 2. The House override was a 106 to 1. I think we ought to join forces and just pass this out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 7 has requested leave to photograph. Is leave granted? Leave is granted. All right. Discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Rock.

SENATOR ROCK:

The cost of this is what, may I ask?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The fiscal impact is twelve million dollars in accrued liability, the annual cost, one million two hundred thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Might we assume that that was the reason for the amendatory action?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, I don't think we should assume that. I think what the problem was was the...the vesting seem to be the biggest problem and when that was shown to be commensurate with what was going on with other police departments and fire departments, the Governor didn't seem to have any problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Topinka, do you wish

to close? Senator Topinka.

SENATOR TOPINKA:

No, I just think we should pass it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall House Bill 357 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 357 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 880, Mr. Secretary.

SECRETARY:

I move that House Bill 880 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. The Governor has deleted language in House Bill 880 which...which removed Cook County from the provisions of Section 20-1 of the Revenue Act. This pertains to the Illinois Forest Redevelopment Act. The bill 880 was intended to stop abuses in Cook County only of this Act. Currently, there are four hundred and seventy-five applications on file to take advantage of this Act. Of those four hundred and seventy-five, a hundred of them are located down in...the southeast region of our State...near the Shawnee National Forest which is appropriate but one such application has been approved in Cook County. The intent of the original legislation was to encourage the commercial timber growth in our State. There are no commercial timber

growers in Cook County, and as an example of the abuse this kind of legislation creates in Cook County, we have one taxpayer up there who has a hundred and thirty-four acres of wooded land which is part of his estate including a twenty-eight acre lake. Instead of paying what the assessor believes is a fair market assessment of thirty-seven thousand dollars each year, this taxpayer has taken advantage of...of the current Act and paying six hundred dollars a year. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 880 pass, the specific recommendations of the Governor...to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 11, none voting Present. House Bill 880 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 1269,...House Bill 1585, Mr...Mr. Secretary.

SECRETARY:

(Machine cutoff)...move to...that House Bill 1585 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to override the Governor's specific recommendations on this bill. House Bill 1585 will permit municipally owned gas utilities to...form joint ventures in order to provide better service at cost effective levels to their customers. There are several benefits of this legislation

enabling these joint ventures to...the availability of lower costs, natural gas for local utilities because of their ability to purchase in larger volumes, their client rapid cost increase of gas to residential and industrial customers and the municipal gas systems would provide them the ability to access more than one gas pipeline, the use of Illinois coal for gas projects and so on. The Governor amendatorily vetoed this bill on the basis that the property tax exemptions would place an unfair burden on other property taxpayers but, really, we're not exempting these people from property taxes. The...the property that is included here would be paid back on a...on a...on another basis, not just in the form of property taxes...in lieu of property taxes, the same amount of money that would ordinarily be paid as property taxes. I would move that we override the Governor's specific recommendations on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 1585 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. House Bill 1585 having failed to receive the required constitutional three-fifths majority is declared lost. House Bill 2368, Senator Lemke. House Bill 2368, Mr. Secretary.

SECRETARY:

I move that House Bill 2368 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What the Governor did was delete the provision that the...the FOI card would be valid until thirty days after application, and the reason we put that clause in there was that historically the Department of State Police have been late in getting out the new FOI cards; and since we want to make it...make it plain sure so nobody is on the spot and they can allow them to purchase ammunition and that for the hunting season, I think we should override the Governor's veto so our hunters and that can exercise their rights and have permission to go thirty days after their card expires. So I ask for the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. As I recall this bill, its purpose was to ensure the fact that those who are in possession of firearms have a currently valid firearm owner's identification card. I think that was the point of the Governor's amendatory veto to clarify that, in fact, one had to have a currently valid card in one's possession as opposed to a card that had been previously issued and is now expired, and I, frankly, do not agree with the gentleman's rationale. I think those who own firearms are well aware of their rights and responsibilities under the law and they should in fact be required to have, if indeed they wish to own a weapon, a currently valid firearms owner's identification card. I wonder if the gentleman would explain why we should override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

END OF REEL

REEL #2

SENATOR LEMKE:

That was the initial intent until we found out from various hunting groups throughout the State that historically this...the...the State Police, you apply, and it takes additional time which is...almost thirty days after your card expires to get a current card. So, what we're doing here is just extending it...your existing card thirty days as long as you have applied and I don't think this is too much of a...I think it gives the State adequate time and it doesn't jeopardize a...a man from going hunting or so forth because the State is...because of the mechanism in clearing this takes additional thirty days and I think this is what we're doing here, and I think it's a perfectly valid amendment. The...the existing bill was to make...assure a valid card. This way it does set it down. This way, also, the law goes into effect that a guy can't have a card three years after it expires and go out and buy...ammunition and have some judge come in and rule that he had a FOI card, and that's what the Statute says, so we added the word valid and the thirty days is requested by the hunting groups. So, I think it's valid and I think we should all go along with overriding the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. On Monday, the Legislative Audit Commission reviewed the Department of Law Enforcement, and Director Zagel did indicate at the time that they were a little late in issuing the new licenses. However, Senator Lemke, they're only about fifteen days late and they claim

that very shortly they will have that backlogged wiped out, so I really don't see any need for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate...further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senator DeAngelis hit it on the head. The department is and has year after year held back on these cards and it's not their fault because they only have a handful of people that work within the department. I think this is a good bill. I do not expect even the identification card to do much to prevent crimes or anything else, so I don't think much of this card to begin with. All it does is bring...and that's the one worthy part of it, it brings funds into the Department of Conservation and that's why the hunters are for it. It's a problem. I know I have been contacted, I'm sure you have too, about...from hunters that want to get their cards and aren't getting them. I think it's a good concept and I support Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...further discussion? Senator Marovitz. Further...further discussion? Senator Lemke may close.

SENATOR LEMKE:

I think this bill is necessary. I wasn't that happy with the amendment initially, but it was put on so we could pass the bill. What this bill does, and let's not...not...not take the initial intent of this bill, was to say that in order to buy ammunition and carry a gun, you needed a currently valid FOI card. That's what this bill does. If this bill does not pass and we reject to override the Governor's veto, then we will go back to the old law and people will be able to buy...ammunition with a three-, four- or five-year old suspended FOI card. All we're doing here is putting a thirty-

day clause on it. I...I think that court cases have come down on that basis, and I...I've been told by several judges that there's been decisions in Illinois...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Rock, for what purpose do you arise? Senator Lemke was closing. Senator Rock.

SENATOR ROCK:

I...I...I understand it and I beg the gentleman's pardon, but on a point of order, that simply is not the fact. In order to purchase ammunition and in order to have a firearm, one is supposed to have a currently valid firearm owners identification card. The fact of the matter is, I suppose we could do the same thing with a driver's license. You know, why don't we just extend the...you don't have to renew your license or if it's not renewed on time, you're still all right. The...the people who own weapons understand this. I think Senator DeAngelis has just pointed out that the department is making every effort to get current, but to allow people to...to purchase guns or ammunition on the basis of a card that is not currently valid simply is wrong, we ought not allow it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke, you may now close.

SENATOR LEMKE:

Well, I have been told by several judges and I've been told by those people of interest, some of you might not agree but you must agree that he does research, and there are judges in Illinois...according to this judge that have ruled that since he had a FOI card, the Statute...he complied with the Statute and they dismissed the case, and that's what the word valid...the word currently valid was added into the law. The...the amendment came onto the bill in the House which extended it thirty days because the hunters and sportsmen's clubs wanted that thirty days in order for us to pass the

bill. So, we put that amendment on. Now the Governor took it off. I have no choice but to go along with the House's motion which was to override the Governor. It's up to the Body whether they want somebody to have a currently valid card or if they don't want to...have a currently valid card. The department is moving along swiftly, but before this, the department never moved swiftly and it's still fifty days to get a card, and I think it's...after a year's expiration, I think that's terrible. I think it's terrible on the State...we should do this. Then we should move up the application time earlier in the Statute then, but this is the only thing before us whether we want to go along with it or not, I think it's a good bill and I can't see it going down for this amendment. If the department wants to take out the thirty-day clause next year 'cause they have complied, we can to it and I think that's sufficient. I know, Senator Rock, we passed a...a spousal rape bill and we said it's not going to go in to force for two years. I mean, we can do it...anything we want in this Legislature, but right now we have people out there that have expired cards and because of the slowness might not be able to hunt this season, and I think it's wrong, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, the question is, shall the...shall House Bill 2368 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 23, none voting Present. House Bill...the motion on House Bill 2368 having failed to receive the required three-fifths vote is declared lost. All right, page 10. Leave of the Body, we'll go to page 10. At the bottom of page 10, motions in writing to override total vetoes. Senator Lemke,

you're first out of the hat, House Bill 124. House Bill 341, Senator Netsch. All right, House Bill 341, bottom of page 10, motions in writing for total vetoes, Mr. Secretary.

SECRETARY:

I move that House Bill 341 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill dealt with life-care facilities as they are defined in the Illinois Statutes and was...designed to extend to life...to people who live in life-care facilities the same two property tax exemptions that are available to all other people in their same general condition, that is the senior citizen homestead exemption and the general homestead exemption. The...the Governor's veto, I think, may have misunderstood a couple of points, at least...as I read the Veto Message. For one thing, the bill makes it clear that only those senior citizens who live in life care facilities who are, in fact, responsible for payment of the property tax pursuant to a contract entered into with the facility will be the beneficiaries of these two property tax exemptions and that is assured by, really, simply defining a life-care facility as a cooperative and as most of you know a co-op already makes available to the resident thereof...that is the owner and resident thereof both of these property tax exemptions, the senior citizen and the general homestead exemption. The other point that the Governor made in the Veto Message was that somehow this was going to be in violation of the proviso township case which I think is not correct, again, because the...all that case said was that where a corporation, that is somebody...who is not a resident, is...in possession of...of a piece of property,

they are not entitled to either the general homestead or senior citizen exemption. That is just simply not applicable in this case because we are, in fact, talking about elderly people who, indeed, are a resident. Basically, what these people have done is that they have effectively sold their homes which would have been eligible for these property tax exemptions, consolidated their assets and bought a contract in a life-care facility and that for all practical purposes becomes their home from that point on to the end of their days. That's why I think it is just a matter of simple fairness that they would be allowed to have the same exemptions available to others. The other point the Governor made in the Veto Message was that it was...he thought it raised some kind of a question under the State Mandate's Act. I think that is not correct because the State Mandate's Act is and has been absolutely clear that it does not apply to either of these two homestead exemptions. Again, I think the...the reason why we passed this bill so overwhelmingly is that it really is simply a matter of addressing fairness, of putting a...a particular group of senior citizens in exactly the same position as those who continue to live in their own home but may be in the same financial circumstances. I would request that we override the Governor's Veto of House Bill 341, which, incidentally, the House did by an overwhelming vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this override motion. There are two points that I want to make about this legislation. First off, the homestead exemption was meant to be a tax reduction for the individual homeowner. I want to make it clear that this bill does not provide a tax...break for the

citizens who live in these life-care facilities that Senator Netsch has talked about. This does not reduce their monetary obligation to the life-care facility one iota. So, this is not a tax break for individual senior citizens. Point number two, what this bill really does is to shift the tax burden from one set of taxpayers to another set of taxpayers. Let me talk about a specific facility which is located in a neighboring district to mine. If this bill were to be implemented, it would reduce the assessed evaluation of a school district by 1.65 millions of dollars. To some of the tax levies that are available to school districts are if...if the tax levy is not at a cap, what happens when the EAV is reduced is that the tax levy increases on those properties that remain on the property tax roll. So, what this bill does is to shift the tax burden from one set of taxpayers to another set of taxpayers and, let me repeat my first point, it does not provide a tax break to any individual...senior citizen. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to override the Governor's Veto on House Bill 341, and let me just point out that I think the previous speaker misspoke. If you read the Governor's Message...in the Message he outlines the...the salient provisions of this legislation which very clearly says that the county assessor may determine the eligibility of each life-care facility to receive this benefit and may request proof that the management has credited an exemption to the resident's apportioned liability. So, the fact is, the individual does, in fact...the individual senior does receive the benefit and that's the point that we have afforded this benefit and the...fact of the matter is that our assessor in

the County of Cook already does this, and it just seems only fair that we extend this same provision to seniors elsewhere located, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...if not, Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Senator Rock called attention to one important point that I think is worth noting. In Cook County, the assessor has for sometime already interpreted life-care facilities as qualifying the residents thereof for the senior citizen homestead exemption and the general homestead exemption. What we are doing, really, is affecting approximately fifteen facilities in other parts of the State and making the State consistent in its treatment of these facilities. One brief response to a point raised by Senator Etheredge. He said that this just shifts the burden to other property owners. In a sense that's true, of course, Senator Etheredge, but it's true of any property tax exemption. The point is that we have already put into place a senior citizen homestead exemption and a general homestead exemption. What we are saying is that here are a group of senior citizens who have in most cases sold their assets, sold their home, they have given up their normal property tax exemption because they no longer live in the residence which they owned for many years, they have traded it all in to a facility which will then take care of them for the rest of their lives, and a...a part of the bill is absolutely explicit that the contract requires the applicant to pay the real property taxes. So, there is no question that the applicant would otherwise be responsible and, as Senator Rock indicated, there are provisions which allowed that to be verified. So, what we are really saying is that these people should be allowed to be treated as any other group of senior citizens anywhere else in the State. That is basic fairness. I would urge an Aye

vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 341 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 19, 1 voting Present. The motion with respect to House Bill...341 having failed to receive the...three-fifths vote is declared lost. Senator...all right, top of page 11, House Bill 761, Mr. Secretary.

SECRETARY:

I move that House Bill 761 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 761 would repeal two sections of the State Police Code which are clearly unconstitutional. The first section applies to the troopers. It says a trooper can only vote and serve on a school board and a trooper cannot serve on...the public in any other way. He cannot ask his neighbor to vote for a candidate or place political sign in the family yard or serve on a township or village board. He cannot even talk about politics to someone else. The other section deals with us, the State Senators. We cannot even inadvertently ask a State trooper for any kind of help. If a trooper should get on your contribution mailing list even by mistake, then you could be found guilty of a Class B misdemeanor. The House overrode the Governor's veto by a vote of 94 to 16 and during

the Regular Session we passed a bill, I think it was 39 to whatever, and I would ask that we do pass, the veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill has had some extensive hearings in the Senate Executive Committee over the past few years and I think we ought to be aware of what we're doing here, that the sponsor just made the point that if this bill doesn't pass, we'll all be guilty of some kind of misdemeanors or violation of the law. I guess the fact of the matter is that most of us have been guilty of that then, because he's addressing the law as it currently exists, and the law as it currently exists was intended to make sure that State police remain professional, that they not become a political arm of either one party or the other or a political arm of the Governor, and I think that's been a pretty good system for something over thirty years and this bill, in my opinion, would change that direction. Now the argument can always be made that somehow we're denying the constitutional rights of these people and that we're making them second-class citizens and all that sort of thing, and I think those arguments are...are false because nobody considers the Illinois State Police to be second-class citizens. We all hold them in the highest regard, but I think that...to sustain the Governor's veto in this case will maintain that present posture of high regard for State police and will not make them just another political organization. I would urge opposition to the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and...and Ladies and Gentlemen

of the Senate. It's with some reluctance that I rise in opposition to the motion to override; however, I would commend to you the volume of history of Senator John Fribley, of all names, that the oral history people at Sangamon State have done and give a very thorough description of what the State police force was like before they took it out of politics, and it seems to me that if it ain't broke, you don't want to fix it. And under the present law, if an officer wants to participate in the political endeavor, either in his own behalf or on behalf of others, he may get the time off to do that and return to duty after the political battle is done, and I would not take up more time of this Body describing the way the State police were operated...that agency was operated before it was taken out of politics, but I think that probably one of the better policy decisions that was made, and by the way, it was made on a bipartisan basis when Adlai Stevenson became Governor, was to take them out of politics and make them truly professional. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to override, and Senator Schuneman was quite correct, we debated this at some great length in the Senate Executive Committee and the fact of the matter is, this law, this prohibition, is an anachronism and one that ought to be summarily thrown out by us. We have tried before, the Governor even admits in his...in his Veto Message that the advocates of this bill, and I am one, argue that the ban on State police political activity makes second-class citizens of the officers and the fact is, it does. If this law was applicable, for instance, to the Chicago Police Department, your seatmate would not be present, Senator Bloom. The fact of the matter is, we have

made...we have taken this class of individuals and just said, hold it, you are no longer involved as members of the electorate in the political process, and that's silly, and those who argue that somehow this is going to politicize the State police simply don't understand the nature of the beast I suggest. The troopers were the ones that requested this so that they can enjoy full rights of citizenship including supporting the...supporting or running for public office and supporting the candidates of their choice. I think this law is silly and in order to get it off the books, I urge an Aye vote on the motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The right to become involved politically is a fundamental element of our system, and I hasten to add that this legislation that Senator Rock has indicated is from the Fraternal Order of Police and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 761 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 17, none voting Present. House Bill 761 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding.

PRESIDENT:

On the Order of Motions in Writing to Override Total Vetoes, top of page 11, a motion in writing on House Bill 781, Mr. Secretary.

SECRETARY:

I move that House Bill 781 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. What House Bill 781 sought to do was simply to raise the threshold for the sales tax to be sent into the Department of Revenue from ten thousand to twenty-five thousand. This provision actually restores that threshold back to the level that it was prior to, I think, 1975, as I recall correctly, when we accelerated the sales tax collection system. So, I would move that we...that we accept 781...that we override the Governor's specific...override his veto.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 781 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. House Bill 781 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Kelly, yes, on the Order of Motion in Writing to Override Total Vetoes, a motion in writing on House Bill 882, Mr. Secretary.

SECRETARY:

I move that House Bill 882 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Kelly.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. House Bill 882 required county and municipal election authorities to submit to the State Board of Election current voter registration information on a...semiannual basis. The Governor in his Message indicated that this bill would impose a costly administration...administrative burden...on to it. The fact remains that...that this cost can be passed on to those that make the request, the State political committee. The bill received a 113 to 0 override vote in the House and I, therefore, would move that House Bill 882 pass, notwithstanding the veto of the Governor.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall House Bill 882 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 17 Nays, none voting Present. House Bill 882 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. On the Order of Motions in Writing a motion with respect to House Bill 932, Mr. Secretary.

SECRETARY:

I move that House Bill 932 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 932 creates the Dietetic Practice Act to be administered by R and E, estab-

lishes qualifications for registration, establishes fees, grounds for refusal to issue or renew and for revocation or suspension of registration and also penalties for violation. The Governor vetoed House Bill 932 feeling that proponents of the bill have not demonstrated the bill would serve to improve significantly the public safety. My understanding is R and E is neutral on the bill. I have not talked to R and E in awhile on it. The Illinois Dietetic Association is in favor of it, Hospital Association is opposed to it, the weight watchers of the world are in favor of it, Illinois Health Care Association is in favor of it, Illinois Association of Homes for the Aging is in favor if it. I'd be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I hate to rise against the prior speaker because I have a lot of respect for him, but this...more regulation and I might add that the Illinois Nurses Association is against it and I don't think we need that much more regulation, and I really think the Governor is right in the veto that he's exercised in this bill, and I think we have enough regulation, so I speak against it.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Just would like to ask the sponsor a question. Senator Degnan, I...I...as you know, I'm a co-sponsor of the bill and...and support the bill. I...I have heard from the...from the homes for the aging and there was some concern about whether or not a full-time dietetic

service supervisor in a long-term care facility would...would be required to be licensed, and it's my understanding that that is...that that would not be the case. Could you clear that up for me, please?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

...sure, my understanding is diet supervision remains all right as long as they are working with consultants which they all do now as required by Department of Public Health.

PRESIDENT:

Any further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is one of those tough issues for us laymen legislators to try to...discern the...the merits of, but my feeling is that when we're being asked to license an additional profession, the burden ought to heavily be on...on that profession which is seeking to be licensed and seek...seeking thereby to close out others who might seek to...to practice whatever it is they might be precluded from practicing by an additional form of licensure. I have been besieged by those from various quarters expressing misgivings about this bill and I think all of us voted for it last Spring because there wasn't any real opposition to it, but as...as best I can tell, it would...it would cause considerable problems for those in hospitals, for those in nursing homes and it would, for example, require anybody obtaining the services of a dietitian to first go to see a physician and have the physician approve that kind of service. In addition, I am told that it would only allow nutritionists to provide...to provide advice to healthy people and never to sick people, and I am told that nutritionists as distinguished from dietitians are concerned about the health of...of cells as opposed simply to the...the kind of food and

food groups that one eats; and I think also...the statement was made that R and E is neutral, my impression is that they're strongly opposed to it. I think those of us who are laymen have to be in the position of accepting...advice from those who are in a position to...to be objective and who are the experts which, hopefully, in this case, R and E is. For all of these reasons, I don't think that those seeking this bill and seeking this additional form of licensure have met the burden of proof as they should and...and, therefore, I think we should reject this override motion.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. For the clarification of the...of the assembly, I got the bill and it does not do all these terrible things that the prior speaker has said. It says, the practice of dietetics by any person who does not represent themselves as dietitians...it does not...does not prohibit or restrict the practice of dietitican by any person who do not represent themselves as dietiticans and who market or distribute food products and who may engage in the normal...explanation to and education of customers in connection with the marketing and distribution of...of those products. It does not prohibit and restrict persons who do not call themselves dietiticans from furnishing nutritional information as to the use of food, does not prohibit anybody from the practice of...of dietiticans by a dietary...technical support person in a hospital setting who has been trained and supervised. So, you know, I'm...I think there's a lot of misunderstanding about this bill, and having read the bill, I think that if we can vote for the bill, we can go back and explain to the people who are very upset about it that it doesn't say what they seem to think it says.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, I...I think perhaps originally, without knowing too much about this bill, I was duped also, but the Governor, I think, in his wisdom has made the right move and vetoed this legislation, and I think that we should also make the right move and sustain that veto, and I do this sort of reluctantly because of the sponsorship of the bill, but the fact is, and...and if...if this...is not the fact, I'd like someone to tell me why it is not the fact. This law would give Illinois...the...the Dietetic Association the unprecedented authority which is nowhere else in the law to prosecute alternative health professionals with a felony charge after the first offense for providing nutritional counseling. That seems to me absolutely absured. What also upsets me is that this would give these people a...monopoly in this particular health care field and limit competition and, therefore, cause increased costs to the consumer; and with the burgeoning health care field, I think that this is an area that we need to provide as much competition as possible, certainly within the realm of protection and the Department of...is strongly opposed to this legislation and feels that this type of protection is absolutely not needed. If 932 becomes law, health care costs are going to escalate, as I said, due to lack of competition. The bill's provision says the dietitians will provide therapeutic nutritional counseling only upon referral or in consultation with a physician licensed to practice medicine in all of its branches...hear that Doc Davidson, all of its branches. Thus, the consumer will ultimately find it necessary to visit the physician before he or she can even receive nutritional counseling, and this is going to double or triple costs for any therapeutic nutritional services. This bill isn't needed at all. The

protections aren't needed at all. We have a...a...we have a department in State Government, R and E, that is supposed to protect the public. They're doing the job. They are opposed to this legislation in increased health costs. It provides a monopoly to the one segment. Why are we doing this? Let's sustain the Governor's veto. He was right in his action.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Degnan, who are we putting out of business here? Because if we're not putting anybody out of business, we don't need this Act. Who are the people that will not be able to perform their work as they did before if this were to become law?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Well, I would answer your question and the previous speaker's question about competition with calling your attention to several documented...instances of harm being caused to consumers when they sought advice from unqualified practitioners. Parents of a seven-year-old Illinois leukemia victim following the advice of a nutrition consultant who claimed to enhance the immune system of cancer patients. The patient was readmitted to the hospital where he received additional therapy, not for a relapse of leukemia but for a sever vitamin toxicity resulting from a nutrition program. A second case, the Wall Street Journal reported a six million dollar lawsuit regarding a vitamin aid toxicity of a sixteen-year-old Illinois boy. A man was admitted to an

Illinois hospital following a coronary. The man had been convinced by a so-called dietitian that his hypertensive medications were unnecessary if he followed a particular nutrition regimen. The licensed physician indicated that the coronary was a result of that advice. I would suggest we are putting these people out of business.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't know about you but I have occasionally taken vitamins and I've gone to the drugstore and I ask my pharmacist,...I'd like to buy some vitamins for this purpose, make my hair turn dark or something like that. Would...would my pharmacist or somebody who works behind the counter be allowed to advise me of what vitamins to buy?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

...first of all, your pharmacist gave you terrible advice, Senator. My understanding is that the...the division here is between general nutritional advice and therapeutic care. I would assume your pharmacist can give you general nutritional advice but not therapeutic care advice...and I don't know...and I'm not sure where hair follicles fall in...in that definition.

PRESIDENT:

Any further discussion? Further discussion? Senator Degnan, you wish to close?

SENATOR DEGNAN:

I move to override the Governor's veto...House Bill 932.

PRESIDENT:

Question is, shall House Bill 932 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open.

HB 1539
Override

Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 25 Nays, 2 voting Present. The motion fails...1539, Senator Demuzio. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR VADALABENE:

With me here at my seat is Alan Lynch, a...Medal of Honor winner, and Tom Stack who has two silver stars, a Medal of Honor and three bronze stars. They are Vietnam Veterans and they are here today on the Veteran's Advocacy Division of the State of Illinois. Let's give them...a rousing round of applause.

PRESIDENT:

Gentlemen, welcome to Springfield. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

...point of personal privilege. I...I, too, join Senator Vadalabene in welcoming the gentlemen, particularly Alan Lynch who comes from Lake County, Illinois.

PRESIDENT:

1539, Senator Demuzio. On the Order of Motions in Writing, motion with respect to House Bill 1539, Mr. Secretary.

SECRETARY:

I move that House Bill 1539 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I think the proper

motion, I guess, is to override on House Bill 1539 and to provide equity to the firefighters in Illinois. This bill would have granted full political rights and privileges to those individuals who were covered under civil service, police and fire commission or the Fire Protection District Statutes in Illinois, and it seems to me that we ought to in concert to allow these the same equity that we have already afforded the State police by action that we took a few minutes ago and, therefore, I would move that we override the Governor's veto of House Bill 1539.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 1539 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 7 Nays, none voting Present. House Bill 1539 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Lemke, 1568. Senator Lechowicz, 2108. Senator Luft, 2384. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd...a point of personal privilege. I'd like to introduce to the Senate some people that are pretty important to our operation in State Government. A certain amount of publicity was generated about my summer job, but they're seated behind the President's...in the President's Gallery, on the east side, are some men and women who really provide the first line of defense for a very fragile Medicaid system, they are some investigators from the Department of Public Aid who are down here to observe the process and they

include some men and women that day in, day out go into clinics and try and ensure the quality of care and to try and weed out the bad actors in a terribly fragile system, and I wonder, Mr. President, if they could be recognized by the Senate.

PRESIDENT:

Will out guests in the gallery please rise and be recognized. All right, with leave of the Body, we'll return to the top of the Calendar, page 2. Page 2 on the Calendar and I'll ask the Secretary to distribute the supplemental Calendar. Members have filed additional motions which at the conclusion of the Regular Calendar we will then address. Top of page 2, with leave of the Body, we'll move to the Order of House Bills 3rd Reading. 568, Senator Philip. 1090, Senator Joyce. 1263, Senator Marovitz. You wish that called or is there an amendment? All right, Senator Marovitz seeks leave of the Body to...on the Order of House Bills 3rd Reading, House Bill 1263. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 1263, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to House Bill 1263 makes certain technical changes and let me detail them. First of all, it clarifies the responsibility of which constitutional officer is responsible for the payment of voucher from the Industrial Commission. Second, it...it inserts in certain sections of the bill the term Occupational Disease Act where it was inad-

SB 1136 Concurrence

vertently left out, and finally, it clarifies the term nonappropriate and appropriate account in the bill, this is a nonappropriated account, and I would ask for adoption of Amendment No. 2 which is technical in nature to House Bill 1263.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 1263. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator, you wish to get back to that today? All right, with leave of the Body, we'll get back to it after some intervening business. Bottom of page 2 on the Calendar, on the Order of Secretary's Desk Concurrence. Senator Watson, you...yeah, okay. Senator...147, Senator Berman. 1136. Top of page 3 is Senate Bill 1136, Mr. Secretary.

SECRETARY:

Senate Bill 1136 with House Amendment No. 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, I move to concur with House Amendment No. 1 and ask for concurrence on Senate Bill 1136. I don't know if you recall this or not, but this was a piece of legislation which was trying to rectify a problem in which the auto salvage people found themselves in when a bill was passed during last Session trying to put an end to the chop shop operations in Illinois. What happened is that it ultimately went overboard and really put a great deal of harm into the auto salvage and

rebuilding business. We're trying to help rectify that problem with these changes. Just to give you an...idea of what the amendment actually does, it requires vehicle identification numbers to be kept on all hulks, chasis, frames, cowls regardless of age. For all other essential parts, the record keeping of VIN numbers will not be required on parts which are eight years model or newer. It places the responsibility on the licensee to make sure that the gross appearance of the essential part corresponds with the vehicle identification number and it defines how to determine whether an essential part is eight years of age or newer. The State's Attorney of Cook County and other interested parties have worked...sat down and worked together in coming up with this amendment, and I appreciate the work of...of all involved and hope that the Senate will concur with this particular motion.

PRESIDENT:

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

...yes, thank you, Mr. President. I merely want to concur with what Senator Watson said and I also support the...support the bill.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Watson, there's been a number of these body repair places who asked and met with me, does this bill...or the Conference Committee report alleviate part of the problems they have had in relation to the record keeping and all the other things that's created a hardship on the legitimate body repair people?

HB 316
Refuse to Recede

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The answer is yes.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1136. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1136 and the bill having received the required constitutional majority is declared passed. 1164, Senator Joyce. 1200. 1412, Senator Lemke. On the Order of Secretary's Desk Nonconcurrence, House Bill 316, Mr. Secretary.

SECRETARY:

House Bill 316 with Senate Amendment No. 1.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President and members of the Senate, the motion is that the Senate not recede from Senate Amendment No. 1 and that a Conference Committee be appointed.

PRESIDENT:

Any discussion? All right, Senator Sangmeister moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 316 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 374, Senator Joyce. Senator Joyce.

SENATOR JEREMIAH JOYCE:

HB 1529 Refuse to Recede

Yes, Mr. President, I move that the Senate not recede from Senate Amendments 1, 2 and 3 to House Bill 374 and that a Conference Committee do be...appointed.

PRESIDENT:

All right, Senator Joyce has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 374 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 510, Senator Poshard. Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, I move that the Senate refuse to recede from Senate Amendments No. 1 and 2 and request that a Committee of Conference be appointed.

PRESIDENT:

All right, Senator Poshard has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 510 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 1529, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate refuse to recede from Senate Amendment 1, 2, 3, 4 on House Bill 1529 and request a Conference Committee.

PRESIDENT:

All right, Senator Vadalabene has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 to House Bill 1529 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the

House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Supplemental Calendar No. 1...Supplemental Calendar No. 1 which was passed out. Motions in writing, override total vetoes, House Bill 82. Senator Zito, are you ready? House Bill 82, Mr. Secretary.

SECRETARY:

I move that House Bill 82 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members of the Senate. House Bill 82 is back before us once again and I'm troubled that it's back here and that we should be postured in this situation of overriding the Governor's veto. What House Bill 82 did was increase the penalties for third or subsequent convictions for various prostitution related offenses, those being prostitution, pimping, soliciting for a prostitute, keeping a place of prostitution and the like. In my discussions with many law enforcement officials, specifically in Cook County where I am unfortunately put in a position of representing the Manheim Road strip, the problems there are not unlike many of the red light districts I find throughout the State of Illinois in the sense that prostitutions that are...arrested in those areas are back on repeated offenses and the problem, at least the Law Enforcement Department tells me, is that they realize that the penalties for prostitution are minimal and without any deterrents to that, they will continue to...to persist. So, what we've said...and I worked with Chairman Marovitz and the Judiciary II Committee and Senator Geo-Karis that strengthened the bill and helped me with the bill. We passed this bill 59 to nothing the first time. The House has overriden the Governor's veto.

I'd be happy to ask any...answer any questions, but I think this...this really is a three-time loser bill. If you're convicted on the third offense or subsequent offenses, it will be a much stricter penalty, and I would move to override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I would concur wholeheartedly with the sponsor's words on this. I think this is a veto that deserves to be overridden. In certain areas of our State, and certainly in Senator Zito's district, prostitution is a very serious problem, and we're not talking about a first time offender here, we're talking about a third conviction, and I think this sends a...and should send a very loud and clear message to the prostitutes and the pimps who are destroying neighborhoods and preying upon individuals that we're not going to tolerate this. I would like to see us get tougher, but absolutely, I think this is a veto that needs to be overridden and...and if you take a look at the vote and the fact that each and every one of us in here supported this legislation when it first came through, what's wrong with it now? And if...if each of us have problems in our own districts and make a legislative attempt... a legitmate legislative attempt to solve those problems, I think we have to respect the individual Senators in the efforts that they make to resolve those problems. This is a serious problem in Senator Zito's district. I have to say, unfortunate, it's also a problem in my district along segments of the lake front, and I think sending a loud and clear message is important and I don't think it's inconsistent with the fact...that we're getting tough on individuals after a third time conviction. Let's support our original vote, vote to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Bloom.

SENATOR BLOOM:

Well, I'm in...I'm in sympathy with the two prior speakers and I guess I have a question for the sponsor and that goes to the question of the constitutional issue, and that is, the prior convictions become an element of the offense which must be proven to the jury. That being the case, the analysis then raises the issue of a defendant being improperly prejudiced since the jury sees at least two prior convictions for the same offense. This troubles me somewhat and if you could help me around that, I'd certainly like to support the override motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

If you'll beg my pardon, I have talk to my counselor, I'm not an attorney. So, let me figure that out and I...I will answer your question. You have any other questions? I'll work on that one now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Marovitz.

SENATOR MAROVITZ:

Well, first of all, I...I believe, and I'm not...I'm not going to be able to cite specifics that there are other crimes where a third time conviction will elevate the penalty. If, indeed, there is a constitutional problem, let someone take it up and...and find that it's...unconstitutional. I don't believe that it's unconstitutional and I think that there are...that there are laws on the books and precedent to establish that this has occurred before for third time convictions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito may close...oh, oh, I

HB 1086 Veto of the Governor

beg your pardon...

SENATOR ZITO:

...well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I beg your pardon, there was...I did not see Senator DeAngelis' light, either that or he didn't have it on. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not an attorney either, but I think what Senator Bloom was asking, is there any precedent for taking a misdemeanor and upgrading it because of the number of convictions? Is that correct, Senator Bloom...and I don't think there is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Senator. That...the reason I deferred questioning to Senator Marovitz is because that question was asked in committee. The committee's response was that there was...I can't cite specific cases, I don't know of any, but...that question was raised in committee, maybe Senator Geo-Karis can add some light to...to that subject. She had answered that question in committee I believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, the question is, shall House Bill 82 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 82 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 1086, Mr. Secretary.

SECRETARY:

I move that House Bill 1086 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 1086 is another in the series of bills allowing some indirect cost to school districts in the pupil transportation formula, those districts that own their own school buses; and this particular bill would allow a supervisory salary costs in all transportation building and maintenance costs and would bring some...some needed funds to school districts and some equity to the districts that do it this way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this override motion and this is a bill which I've had in prior sessions here. All we're asking by this bill is to give those school districts who run their own transportation fleets the same courtesy and the same rights to figure in the supervisory and maintenance type cost as part of the transportation costs as we allow those school districts who contract with private contractors, and this is finally...with the override this will give those districts who furnish their own transportation to right...the right to compete on an equal basis on those items, and I think it's an excellent bill, and I urge all of you to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is,...if not, the question is, shall House Bill 1086 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye.

Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 10, none voting Present. House Bill 1086 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. All right, motions in writing, Supplemental Calendar No. 1, restoration, House Bill 679, Mr. Secretary.

SECRETARY:

I move that the item on page 1, line 28 of House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The appropriation that was reduced by Governor Thompson amounted to one hundred and seventy-two thousand dollars. The purpose of the appropriation was to fund House Bill 27 that we passed out of the Senate this year and was signed into law. The purpose of that bill was to provide in-home care demonstration program for families caring for mentally ill and developmentally disabled persons. Families were not required to participate but in order to have this pilot project it was thought that this initial grant of a hundred and seventy-two thousand dollars was necessary. This is an attempt to keep people out of institutions. It's an attempt to keep them in their homes with their families where they belong. I think it's a very worthwhile program and I would move the override of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I guess I'm the designated hitter on these and so it's...with some reluctance that I rise and speak against it because it was extensively discussed during the Conference Committee process. The...the problem here is that if we...embark on...on this restoration, and there's an even...there's a...an amount...an even larger dollar amount and a subsequent motion that has been filed, but on this issue, the concern is, essentially, that you...what you're saying is, we're going to be funding...psychiatric care in the home and what that means is basically in the next eighteen to twenty-seven months we'll probably see another lobbying group on this issue, the Visiting Shrinks Association. The Bureau of the Budget and the...the Governor reviewed this and...and really this is one of those things that when you start looking at the out-year costs and consider the kinds of benefits that are brought to a...percentage of the population, that the result really starts to get somewhat staggering, and so it is for this reason that I would urge us to not override the Governor's Veto on this particular case. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Marovitz.

SENATOR MAROVITZ:

Senator Welch, where are these...how many projects are we talking about and where are they located?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

There are...I think there's going to be six projects to be determined by the department as to locations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So, at this time they're not in any particular district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR MAROVITZ:

Okay...okay, fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, thank you, Mr. President. This is a...is a bill which we're talking about a hundred and seventy-two thousand dollars for pilot projects. I recognize Senator Bloom's concern that in the future years, the out years as they say, the project costs may go up, but that's why this is just a pilot program. The idea is that we find out if the project works or not. If it doesn't, we don't have to fund it any further. This isn't a mandated program that we're going to be stuck with in perpetuity; rather, it's a program that we can see if it works, if we end up saving money, fine, then we're all the better for it. If we end up losing money, certainly we should and can cut back, but I think a hundred and seventy-two thousand dollars for the Department of Mental Health is a small amount to pay to take care of this problem. I would move for a...an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the item on page 1, line 28 of House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Those opposed will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, none

voting Present. The...the item on page 1, line 28 of House Bill 679 having received the required majority vote of Senators elected is declared restored, the item reduction of the...of the Governor to the contrary notwithstanding. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Verification of the affirmative vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver has requested a verification of the affirmative vote. All Senators will be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Dunn, Etheredge, Friedland, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Lechowicz, Luft, Netsch, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Watson, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver, do you question the presence of any of those members who voted in the affirmative?

SENATOR WEAVER:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall is on the Floor, back of the Chamber.

SENATOR WEAVER:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR WEAVER:

Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza did not vote. Senator Weaver, do you ques-

tion the presence of anyone else?

SENATOR WEAVER:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll on the Floor? Senator Carroll is at the...to my left. Senator Jones has returned to the Floor, so restore his name.

SENATOR WEAVER:

Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland. Senator Friedland on the Floor? Strike his name.

SENATOR WEAVER:

Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn on the Floor? Strike his name. Senator Weaver,...on the verified roll call, the...the Ayes are 28, the Nays are 24, none voting Present. The motion fails. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank you, Mr. President. I would like to introduce a group of students in the balcony behind our side here, they are from Uelzen, Germany, which is in the state of Lower Saxony, and when I visited there in 1982, I spoke to students in their high school there in Uelzen and they have made an annual trip here students in...in their year. This is the third consecutive year, they are staying Jacksonville tied to MacMurray College which, of course, is Senator Demuzio's district. I wanted just to introduce the students to my colleagues.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Supplemental Calendar No. 1, motions in writing to accept the specific

recommendations for change is House Bill 513, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 513 in the manner and form as follows. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. House Bill 513 authorized the Department of Transportation to install signs along the interstate highways alerting motorists of facilities that were upcoming in the different communities. It exempted the interstate highways that are toll highways from application of the Act, and the Governor changed the bill because he felt that a logo program should be limited to certain businesses where a need exists rather than arbitrarily putting up signs along all the exits. I accept the Governor's change on this and would move for passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 513 in the manner and form as just stated by Senator Poshard. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 513 having received the required constitutional majority vote of Senators elected are declared accepted. Cook-Witter, a...has asked leave to film for an educational documentary. Is...is leave granted? Leave is granted. House Bill 975, Senator Lemke. House Bill

975? House Bill 2278, Senator Marovitz. House Bill 2278, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2278 in the manner and form as follows. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 2278 provides that milk tank trucks can't be used if they have chemicals or other nonmilk substances, provides for decontamination inspection and certification and it creates a presumption that milk...introduced into a tank that's been used for chemicals is unwholesome milk unless the truck...unless the truck has been inspected and certified as clean. The Governor in his amendatory action wanted to make certain points clear and I agree with him. He...changed the bill to make it clear that a milk truck may not haul any substance other than milk unless that substance is on an improved list developed by the Department of Public Health, and also he wanted to make sure that proper records were...were maintained and so he put in a requirement that such tank trucks maintain logs on the materials they haul and the logs have to be available to the Department of Public Health. I think these changes make the bill even better and I would ask everybody to sustain the Governor's amendatory change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2278 in the manner and form as just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2278 having received the required constitutional majority vote of Senators elected are declared accepted. Motions in writing, override specific recommendations, Supplemental Calendar No. 1, House Bill 53. Senator Marovitz.

SENATOR MAROVITZ:

With leave of the Body, could we pass this for a moment and get back to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is leave granted to come back to it later? Leave is granted. Friday, ten o'clock. House Bill 99, Senator Coffey. House Bill 99, Mr. Secretary.

SECRETARY:

I move that House Bill 99 Do Pass, the...the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and...members of the Senate. This override that I'm asking this Body to...to consider is one I think is very important and...and somewhat difficult to explain but very simple, really. Several years ago in the Vehicle Code, and I have went back to as far as 1969 when a...a new word was added to the Vehicle Code and it's the word "state" and it's in regards to load limits and axle weights of trucks. Originally there was a provision in the Motor Vehicle Code to allow vehicles with a compactor such as garbage trucks or roll-off to be eliminated from the load limits on...under certain specifications on certain roads. And since that time there was a provision that was added back

in 1983, the word "state" was added. The word state was added and at that time said it was necessary so we could receive Federal dollars, but what that has done has said to those people with roll-offs or with garbage compactors that in many cases because of their load limits on other roads; in other words, it can't travel on county, township and city unless the municipality has give them that right to do so. I think it's one that we should override. It's...certainly, we've dealt with this the last two or three years. I think the Governor...my understanding is as since the time of the...the amendatory veto is agreed maybe it is a necessary piece of legislation and I don't want to speak for them but my understanding is that they've changed their position. But I would like to...be glad to answer any question and ask for a favorable roll call and override on this issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 99 pass, the specific recommendations of the Governor to the contrary...notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All right. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 17, 7 voting Present. The motion with respect to the override of the specific recommendations for change on House Bill 99 having failed to receive the three-fifths vote is declared lost. House Bill 1026, Senator Maitland. House Bill 1026, Mr. Secretary.

SECRETARY:

I move that House Bill 1026 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. There was a great deal of confusion on this bill last spring and what was considered to be at that time a companion bill, Senate Bill 640. This bill really deals with...with...with two issues. Number one, a test for salmonella as a result of the problem we had last spring and...and late winter. And secondly, it has been, it's become apparent that from time to time a number of processors have not kept the standards for the various grades of meat at the level to which they're supposed to keep them. And this would simply then establish a test for standards to make sure that...that the consumer is buying what he or she is paying for and secondly, the test that we think is needed for salmonella.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1026 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 11, none voting Present. House Bill 1026 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senate...House Bill 1500, Mr. Secretary.

SECRETARY:

I move that House Bill 1500 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SECRETARY:

...signed, Senator...DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Mr. Secretary. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1500 when it passed out of the Senate had two parts. The first part would require the Auditor General to conduct an audit of Federal funds when we are reimbursed by the Federal Government. The second part was an amendment suggested by Senator Philip and I think it was Senator Luft that required county boards to do an audit of all funds after a county official leaves office. The Governor sought to amendatorily veto this by changing "shall" for "may" which essentially neutered the entire concept because I think right now they would have the authority to do that anyhow on a "may" basis. So, I am asking the Senate to override the Governor's amendatory veto or to pass House Bill 1500 with the specific recommendations of the Governor notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall House Bill 1500 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 1500 have...1500 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. All right. We will now go our regular Calendar...back to the regular Calendar. Senator Bloom on the Floor? Senator Bloom on the Floor? Senator Bloom outside the Chamber? Resolutions.

SECRETARY:

Senate Resolution 547 offered by Senators Vadalabene, Geo-Karis and all Senators, congratulatory.

Senate Resolution 548, Senator Lemke, congratulatory.

Senate Resolution 549, by Senator Topinka and Hudson, congratulatory.

Senate Resolution 550, by Senators Welch, Rock and all Senators, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 551, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SENATOR LECHOWICZ:

Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October 2nd, 1985, October 17th, 1985 and October 29th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Lechowicz. Those in...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate is...now resolves itself into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the chairman of the Civil Service Commission for a term expiring March 1st, 1989, J. J. Moffat of Springfield.

To be a member of the Civil Service Commission for a term expiring March 1st, 1991, John Gilbert of Edwardsville, Peter Zelkoff of Lombard.

To be a member of the Prisoner Review Board for a term expiring January 16th, 1989, Corrine Franklin of Jerseyville.

To be the chairman of the Illinois Racing Board for a term expiring on July 1, 1986, Farrell Griffin of Chicago, Thomas Garvey of Oak Brook.

Mr. President, having read the salaried appointments, I now seek to consider these appointments on one roll call unless some Senator has objections to a specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Are...are there any objections?

SENATOR LECHOWICZ:

Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Hearing no objections, the question is, does the Senate advise and consent to the nominations just made by Senator Lechowicz. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of October the 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the State Board of Elections for a term expiring June 30th, 1989, Richard Cowen of Chicago.

Mr. President, pursuant to Chapter 46, paragraph 1A-4 of

the Illinois Revised Statutes, a three-fifths majority vote is required for the advice and consent of the Senate for confirmation of members of the State Board of Elections. Having read the salaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, does the Senate advise and consent to the nominations just made by Senator Lechowicz. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 17th, 1985, the Senate Committee on Executive Appointments recommends to be the director of the Department of Central Management Services for a term expiring January 19, 1987, Michael Tristano of Springfield. Mr. President, have...having read the salaried appointment,will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, does the Senate advise and...and consent to the nomination just made. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of October 17th, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be members of the Illinois Development Finance Authority for terms expiring January 16th, 1989, Peter Gidwitz of Chicago, Thomas Harrington of Champaign, Perry Snyderman of Highland Park.

To be members of the Illinois Jobs Training Coordinating Council for terms expiring July 1, 1986, Verne Hagstrom of Quincy, Cleveland Walker of Chicago.

To be members of the Illinois Job Training Council for terms expiring July 1, 1987, Lester Brann of Hinsdale, D. Royce Carter of Fairfield, Robert Gibson of Chicago, Margarita Martinez of Chicago, Carl Officer of East St. Louis, Edgar Garcia Rojas-Smoot of Evanston, Richard Weeks of Davenport, Consuelo Williams of Chicago.

To be a member of the Southern Illinois University Board of Trustees for a term expiring January 19th, 1987, Barnard B. Birger of Collinsville.

Mr. President, having read the unsalaried appointments, I would now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any objections to...to one roll call? Hearing none, discussion? If not, the question is, does the Senate advise and consent to the nominations just made by Senator Lechowicz. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are

none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 29th, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be director of the Emergency Services and Disaster Agency for a term expiring October 1, 1987, Charles Jones of Springfield.

To be a member of the Illinois Racing Board for a term expiring on July 1, 1990, Mr. Irwin Jann of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the...you've heard the motion by Senator Lechowicz. Is there leave? Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

I have objection but I cannot state it. I may have a conflict in that one of the two appointees, Mr. Jann is my law partner, and I will be voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to consider all of the members on...nominations on one roll call? Leave is granted. Further discussion? If not, the question is, shall...does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

HB 1814 Spec. Recommd. for change

that question, the Ayes are 58, the Nays are none, 1 voting Present. The majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I now move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate arises from Executive Session. Senator Bloom. With leave of the Body, we will now return to the regular Calendar. Page 13, House Bill 814, motions in writing, accept the specific recommendations for change. House Bill 1814, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of change as to House Bill 1814 in the manner and form as follows. Signed, Senator Bloom.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...if Senator Netsch is within the sound of my voice...ah, good, she has returned to the Floor. As you know, House Bill 1814 represented a...a really excellent effort by the Legislative Branch of Government to address the very complex and rapidly changing issues of telecommunications. The specific recommendations that the Governor has sent to us have been examined by staff thoroughly on both sides of the aisle and by and large they are technical in nature and involve no policy changes, no departures from the policies we enunciated this spring. I would answer any questions that any member may have. I...I am sure that Senator

Netsch has one or two remarks and between us we'll try and answer your questions; otherwise, we would urge that you accept the specific recommendations for change. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I...stand to confirm and affirm what Senator Bloom has said. Just to summarize, I think that the suggested changes include some twelve really technical errors, mostly typographical. There is a substantive provision which continues the State regulatory jurisdiction over some aspects of the so-called CPE equipment, the customer premises equipment, and there is some modification of the procedural requirements that are involved in the control of cross-subsidization between competitive and non-competitive service offerings. But I think, as Senator Bloom indicated, all of them are quite consistent with both the letter and spirit of House Bill 1814 as it was worked out by the Joint Committee on Public Utility Regulation and initially passed by the Senate. And I would strongly support our concurrence in the recommended changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1814 in the manner and form as just stated by Senator Bloom. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1814 having...having received the required constitutional majority vote of Senators elected are declared accepted. All right. With leave of the Body, we will go to page 11...page 11, total overrides, House Bill

2108. Page 11, total overrides, House Bill 2108. (Machine cutoff)...Secretary, House Bill 2108.

SECRETARY:

I move that House Bill 2108 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Carol Fowler with WMBD-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2108 originally when it was addressed by this Body passed by a vote of 53 to 5 would require the Chicago school principals to report incidents of intimidation to local law enforcement officials. In the Governor's Veto Message he stated that it would...in his opinion it would place an excessive responsibility and an overburdened the reporting system with information. Unfortunately, the concept and the purpose and the genesis of this bill came out of public hearings...held throughout the Chicagoland area in the serious subject of gang crimes and gang intimidation. If you recall, this General Assembly had a specific gang package program that was trying to alleviate this serious problem, not only in the City of Chicago but a Statewide problem. House Bill 2108 addressed that problem and I personally believe the Governor made an error in his original veto of this bill, and I would hope that the membership of this General Assembly would recall the serious nature and basically...asking that principals report incidents of intimidation to local law enforcement officals. I know of no further objection to this bill and I ask that you vote Aye on the motion to override this veto. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2108 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 2108 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. (Machine cutoff)...leave of the Body, we'll go to resolutions. Leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Resolution 552 offered by Senator Geo-Karis and all Senators and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President.

(Senator Geo-Karis reads SR 552)

And, Mr. President, Ladies of the Senate, Amy Bieneman has a...been a wonderful secretary for me and a good friend. I regret that she's retiring, but I just want her to know that she can always come back, and I just want to wish her and her husband well on their trip to California and her retirement this week. And let's give her the hand she deserves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Congratulations. All right. Senator Geo-Karis moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 522. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves the adoption of Senate Resolution 522. Those in favor...552...552. Those in favor indicate by saying Aye. Opposed Nay. The

Ayes have it. The...Senate Resolution 552 is adopted. All right. Resolutions. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

To...discharge the Executive Committee from further consideration of Senate Joint Resolution 94...and have it placed on the Order of 2nd Reading. What?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk.

SENATOR D'ARCO:

Secretary's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved to...suspend the rules and discharge Senate Joint Resolution 94 from the Committee on Executive and asked that it be moved to the Order of Secretary's Desk. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Could the Senator please explain the resolution then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Just as a matter of explanation. There's probably going to be series of motions now. Senator Schuneman as the minority spokesman on that committee and myself have decided to let a number of these resolutions come without going through committee because we're not going to have a committee meeting. That in no means is to be inferred from that that we think that the content is meritorious or that the resolution should be passed. You decide that for yourself and ask what questions you want. Of course, on the other hand, we're not saying that they shouldn't be passed either. But just putting them out on the Floor doesn't mean that we approved of

these resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Simply to reinforce what Senator Sangmeister has said, and I...I would suggest that those sponsors of these resolutions who have spoken to both Senator Sangmeister and me about them refer to that fact when they make their motion and I think it might save us all a lot of time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco, I think if you explain some of...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

I'm sorry, I thought he had finished.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What the resolution says is that the Department of Energy and Natural Resources should monitor this energy assistance program that the Governor and the Senate and hopefully the House today will adopt in order to make a comparison of arrearages that would be incurred with the program and would be incurred without the program and to evaluate the program, because we do have a sunset provision in the program; and the program with that provision would be phased out and the department would report back to the General Assembly and give us an evaluation of the merits or demerits of the program. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver.

SENATOR WEAVER:

Mr. President, I was just wondering if we couldn't...if you want to discharge them, that's fine, but why don't we

give us overnight to look at them, we can deal with them tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that's precisely the procedure I think we're going through here is that apparently there's an agreement between the majority and the minority that these resolutions would be discharged and would be put on the Order of Secretary's Desk. They, in fact, will show up on the Calendar tomorrow and as a result we'll be able to...expedite and proceed tomorrow in a...in a timely fashion. Is there any objections to that procedure? All right. Senator D'Arco...hearing none, Senator D'Arco has moved to discharge the Committee on...on Executive from further consideration of Senate Joint Resolution 94 and that it be put on the Secretary's Desk. Those in favor of the motion to discharge indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 94 is discharged from the Committee on Executive and will show up on the Order of Secretary's Desk tomorrow. All right. Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd ask for the same motion to discharge Executive Committee of further consideration of Senate Joint Resolution 97 which would ask the Human Resources Committee of the Secretary of State's Office to scrutinize the abuses in parking...in the handicapped parking area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Just waiting, sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, has he finished with his resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, he has not. All right. Senator Friedland has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 97 and that the resolution appear on the Order of Secretary's Desk. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 97 is discharged from the Committee on Executive and will appear on the Calendar under Secretary's Desk tomorrow. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to move to discharge out of Committee of Executive Senate Resolution 551. I have talked to both majority's chairman and minority spokesman and they both have concurred with the resolution. The resolution is simply another matter in which we're trying to delve into the problems of the chop shop industry and trying to come up with more solutions in...in regard to the legislation we passed a couple of years ago. It establishes a committee to look into these problems and report back to the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...any discussion? Senator...Collins, I assume your light is on for when do you get to your turn, right? All right. Senator Watson has moved to discharge the Committee on Executive from further consideration of Senate Resolution 533 and that it be placed on the Order of Secretary...533...(Machine cutoff)...some confusion as to the number, Senator Watson. All right. Senator Watson has moved to discharge the Committee on Executive from further consideration of Senate Joint...Senate Resolution 551, that it be placed on the Order of...of Secretary's Desk. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Collins, we are there.

SENATOR COLLINS:

Yes, thank you. I...I would like to move to suspend the appropriate rule and have the Committee on Executive discharged from further...consideration of Resolution 533 and that it placed on the Order of Secretary's Desk. I have spoken with both the...Democratic majority and the Republican minority leader of the committee and have their approval for the discharge of this...for this motion to discharge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Collins has moved to discharge the Committee on Executive from further consideration of Senate Resolution 533 and that it appear on the Order of Secretary's Desk tomorrow. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to suspend the appropriate rules for the...immediate consideration of this resolution. I've cleared it with the President of the Senate, cleared it with the...Senator Sangmeister and Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator...Senator, what resolution are you speaking about? We haven't even read it in yet.

SENATOR GEO-KARIS:

Well, I'm waiting for the...Secretary to read it in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 553 offered by Senator Geo-Karis and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

I move to suspend the appropriate rules for...immediate consideration of Senate Resolution 553.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is...is this...this...this resolution has never been to committee.

SENATOR GEO-KARIS:

No, and I have it cleared with...Mr. Sangmeister and Mr. Schuneman...and Mr. Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think the appropriate motion...I don't have any objection to any of these resolutions per se, but I think for the good of the Body the appropriate motion ought to be that the committee be discharged and the bill...or the resolution be placed on the Calendar on the Order of the Secretary's Desk and then first thing tomorrow we can get to that order. By that time everybody will have had a chance, we hope, to read the resolution and...make a judgment accordingly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there...Senator Rock, there are numerous others that I understand have also been cleared, and we will proceed in the same...have the same procedure with yours even though it has not been to committee. So...so, Senator Geo-Karis moves...to suspend the rules to bypass the Committee on Executive and therefore the resolution be placed on the Order of the Secretary's Desk.

SENATOR GEO-KARIS:

I'm not on it. Now I'm on, thank you, that's what I want to do. All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 553 will appear tomorrow on

the Secretary's Desk.

SECRETARY:

Senate Resolution 554 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I would like to make a motion to discharge the Executive Committee and...and place Senate Resolution...this Senate resolution on the Calendar of 2nd reading. I've got it cleared with Senator Sangmeister and Senator Schuneman. This is a resolution we want to pass to send to the parole board in regards to preventing Mr. Crump from getting out of jail. So I ask for the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. Senator Lemke has moved to discharge the Committee on Executive from further consideration of Senate Resolution 554 and that it appear on the Calendar on the Order of Secretary's Desk tomorrow. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered.

SECRETARY:

Senate Joint Resolution 100 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I have conferred with Senator Sangmeister, the chairman of the Executive Committee, and...and also with Senator...Schuneman, the minority spokesman, who have agreed to let me suspend the rules for the immediate consideration of Senate Joint Resolution 100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR VADALABENE:

You want me to explain it now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the procedure, Senator, is that once we discharge the resolution, that it appear on the Order of Secretary's Desk tomorrow. Senator Vadalabene has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 100 and that it appear on the Order of Secretary's Desk tomorrow. Senator Vadalabene.

SENATOR VADALABENE:

Yes, as a point of information, this Senate joint resolution has to go over to the House, doesn't it? Then what happens if they adjourn tomorrow?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if they...

SENATOR VADALABENE:

Why can't it be done today?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, we are...we are operating under the procedure of...of allowing these resolutions to be discharged from committee so that they could be there overnight. I assume Senator Rock will procedurally take these Senate joint resolutions up first thing in the morning so that, in fact, that the House can have appropriate time to take the appropriate action. Senator Vadalabene.

SENATOR VADALABENE:

No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved that the Committee on Executive be...be discharged from further consideration of Senate Joint Resolution 100 and that the resolution be placed on the Order of Secretary's Desk. Those in...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So...so moved. Secretary's

Desk. Resolutions.

SECRETARY:

Senate Joint Resolution 101 offered by Senators Rock and Philip.

And Senate Joint Resolution 102 Constitutional Amendment, by Senator Luft.

And Senate Joint Resolution 103, by Senators Kelly, Hudson and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Resolution 555 offered by Senator Davidson and all Senators and its congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Allow me, if you will, just to tell you where we are. We have virtually completed the Calendar. There are, however, three or four matters that we are held on awaiting paper work, typically. My suggestion is, as I indicated, we would certainly conclude our business by six o'clock this evening, more likely five o'clock this evening. In the meantime, I'd ask the members to stay loose, stay here. When we get the paper, both in terms of amendments and Conference Committee reports, I'm going to ask the Secretary to prepare yet another Supplemental Calendar and we'll do as much as we can do today and conclude our business, hopefully, first thing tomorrow. So, my suggestion is we just stand at ease for twenty-five or thirty minutes and be back here at three-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will stand at ease until the hour of

HB 1090 Recalled

three-thirty.

SECRETARY:

Attention. The Senate will convene at five o'clock.

PRESIDENT:

The Senate will come to order. We have four items of business yet remaining before we conclude our work for this evening. So if the members would kindly join us on the Floor I think we can handle...we will be on the Order of House Bills 3rd Reading for House Bill 1090, House Bill 1263, and then on the Supplemental Calendar, which has been distributed, for the Conference Committee report on Senate Bill 1037 and House Bill 1529. All right. On the Order of House Bills 3rd Reading, the top of page 2 on the Regular Calendar...on the Order of House 3rd is House Bill 1090. Senator Joyce seeks leave of the Body to return House Bill 1090 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1090, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Joyce, Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President...Amendment No. 3 would provide a grant of up to two percent of the outstanding debt, not to exceed two thousand dollars for farmers with a debt to asset ratio of at least fifty-five percent. Farmers with a debt to asset ratio of between fifty-five percent and seventy percent must repay the grant within five years at no interest. Those with a debt to asset ratio of over seventy percent do not have to repay that grant. And that is the extent of that one.

PRESIDENT:

All right. Senator Joyce has moved the adoption of

Amendment No. 3 to House Bill 1090. Discussion? Senator Davidson.

SENATOR DAVIDSON:

I'm...I'm sorry, he corrected the board, 'cause we had an amendment, we had 3rd reading and we wanted to make sure we were on the amendment stage and not final passage. Thank you.

PRESIDENT:

Thank you. All right. Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 1090. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

All right. This amendment is the debt restructuring. Guarantees will be used to restructure the high interest rate debt and delinquent debt. The guaranteed loans will be set up for a thirty-year repayment schedule with a ten-year balloon. The guaranteed loans will be eighty-five percent guaranteed by the State of Illinois with the lender holding the first fifteen percent of the liability. If there's a loss, the banker will take on the first fifteen percent. The guarantee must be a hundred percent collateralized, the interest rates will be adjusted annually to two and a half percent over one year T-Bill rates. The lender and the IFDA shall review the collateral annually to make sure the State guarantee is collateralized, and the farmer must have a debt to asset ratio of forty percent or a bove to qualify for a guarantee. The IFDA shall establish the ceiling and the debt to asset ratio for the farmer. And I'd ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 4 to House Bill 1090. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you. This is the legal assistance for farmers. This establishes a Farm Legal Assistance Foundation created by the Illinois State Bar...Association to use money appropriated to the Department of Agriculture to operate and a lawyer referral service for farmers and...and to fund other not-for-profit legal assistance providers to furnish legal services for farmers. And I'd ask for its adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 5 to House Bill 1090. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. This one amends the Grain Dealers and Public Grain Warehouse Act to clarify what constitutes the acceptable amounts receivable when determining the debt to asset ratio.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 6 to House Bill 1090. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator, do you seek leave to get back to that bill? All right. No objection, leave is granted. 1263, Senator Marovitz. On the Order of House Bills 3rd Reading is House Bill 1263. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate...House Bill 1263 is intended to correct certain deficiencies in the present self-insurance bankruptcy laws and its self-insured companies have been good enough to come forward with this legislation to correct their own industry and to try and take care of those claims which have not been paid due to insolvency. The previous piece of legislation contained a number of problems including the ability to fund to...to pay these claims once they have been settled. To correct these problems the chairman of the Industrial Commission, organized labor and the self-insurers have agreed to the following steps: the creation of a self-insurance advisory board which will work in tandem with the commission in the settlement of workmen's compensation claims left by insolvent insurers. Secondly, the law will allow the

commission to assess the self-insurance industry itself an amount of 1.2 percent of the previous year's claims in order to meet the claim demand; and finally, allow the self-insurers a role with the Industrial Commission in the certification of employers wishing...designated as a self-insurer. By passing this legislation today the Senate will assist some twelve hundred and fifty individuals awaiting settlement of the claims against insolvent self-insurers. According to estimates of the industrial commission the total estimated value of all claims pending is 3.5 million dollars, and I would solicit your Aye vote for this good legislation.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't have any objection to the bill, I think it's something that we really have to do but I'm not sure how many members understand what it is we're doing here. It's my understanding that...that there are accumulated a large number of workers' compensation claims against employers whose self-insured plans have gone bankrupt. About how many claims are pending against those bankrupt self-insured plans?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The...the latest figure that I have is roughly twelve hundred and fifty claims.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

So there are twelve hundred and fifty employees who have been injured under workers' compensation who have made claims against self-insured plans for which there is no money available, and the total amount of those claims is estimated to be

some three and a half million dollars that employees of this State are entitled to but they can't collect because the workers' compensation fund has gone...gone belly up. Can you tell me how old some of those oldest claims are?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The original legislation was back in 1983, Senator Schuneman. Some of these claims do predate that 1983 legislation. I would say the vast majority if not all of them are in...are in this decade, within this...within the eighties.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I would assume they are within this decade because I think we only authorized...self-insureds...we...we authorize, certainly, either new self-insured program or we...we broadened it a lot in just very recent years. So I assume that most of them would be within the five-year period, something like that. I only have one other question and that is, what is being done, if anything, to prevent this sort of thing occurring in the future? Can you respond to that?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

In...in all honesty, I can't tell you what steps are...are being taken to...to prevent this from happening in the future. But I can tell you this, that I talked today to the Illinois Self-Insurers Association and my concern in talking to Tom Nyhan who is the executive secretary of the Illinois Self-Insurers Association, one of my concerns was with the 1.2 percent limit of the previous year's claims with that percentage. And I said, how do we know that this is...this is going to be enough...is going to raise enough

money to...to pay all the claims? And he said...and this is his industry, he said, we are absolutely certain that that figure...that 1.2 percent figure will be more than enough to pay all the claims and that we are taking steps in our own industry to resolve the problem. I want to make this point very clear and I want it on the record. I asked Mr. Nyhan, who is the executive director of the Illinois Self-Insurers Association, I said, if the 1.2 percent limit doesn't raise enough money, would he support an effort which I would undertake to increase that 1.2 percent figure. And Mr. Nyhan said, if the...if the 1.2 percent figure did not raise enough money to take care of these claims, he would absolutely guarantee that he and his association would support efforts to increase that figure.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The sponsor has addressed a different question from the one I was asking. The bill seeks to correct some problems in the guarantee fund to pay those claims of companies that have gone broke...after they've gone broke, and my concern has to do with preventing...some kind of mechanism to see to it that we don't have more self-insured plans operating in this State that go broke. Part of the problem...and...and understand, I'm not opposed to your bill, I...I stand in full support of your bill but I think we ought to have an understanding of what's happened here. The Legislature rushed into this void a few years ago under the theory that by allowing free operation of self-insured plans that somehow this would correct the problem in workers' compensation. What has...what's happened is that those self-insured plans who do not want to operate...they want to be insurance plans but they don't want to be subject to the same kind of...of controls that the insurance industry is subject

to. Partly as a result of that, I believe, some of these plans have gone broke and now we see an effort to bail them out, and...and we have to do that because we have to pay those employees that have been hurt. But I simply want to point out to my colleagues that while this is a good bill, this may not solve the entire problem that's out there and I do urge your support of this bill.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of House Bill 1263. As Senator Marovitz has indicated, this is a necessary piece of legislation and a lot of work went into putting together and drafting the provisions of this Act, and it was my understanding that we had a...a rather good agreement on the content of this Act. To Senator Schuneman's concern, while this bill may not solve all of the problems in the future but I think the fact that this bill does create a self-insurers board with specific responsibilities for tighter monitoring and control over the self-insurance companies to make sure that they are...if they are running into financial difficulties prior to any outstanding debts or claims would most certainly help us to...not to get into this...the predicament that we are...are in today. The bill also provides for the...the...the commission to have tigher control over the self-insurance companies' provisions of which they do not have an authority which they do not have now. And I think it would most certainly address the problem raised by Senator Schuneman. As I said, it may not solve all but it...it is most certainly far better than what we have today, and I would just ask for support from all of you for this...for House Bill 1263.

PRESIDENT:

Any further discussion? Further discussion? Senator

Marovitz, you wish to close?

SENATOR MAROVITZ:

Just briefly. I'm not sure how anyone can guarantee the question of insolvency, but if Senator Schuneman has some...some ideas about we can prevent this problem, I'd certainly and I'm sure the entire Body would be...would love to see that bill forthcoming so that we can prevent this kind of problem in the future. No one has any guarantees and presents anything as a panacea, but I think this will solve some problems for people who, you know, have legitimate claims and whose claims are forthcoming and the dollars aren't there and I think it's our responsibility to take care of them. I would solicit your Aye vote on this legislation.

PRESIDENT:

The question is, shall House Bill 1263 as amended pass. Those in favor will vote Aye. Those opposed vote Nay. The vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 1263 as amended having received the required constitutional majority is declared passed. (Machine cutoff)...the Order of House Bills 3rd Reading is House Bill 1090. Read the bill, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

House Bill 1090.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, members of the Senate and Mr. President. This bill is the Farm Debt Relief Act that we have been working on this Veto Session, and it is one that I feel reaches the maximum that a State Government can do in helping farmers, and I think it is one that other states will look at and try to copy. It is one that is not going to help farmers to the point that the Federal Government need not apply. We are in desperate straits in the State of Illinois and the field of agriculture. This bill will be of some small help to farmers. It may keep some farmers in existence. It will help some farmers who are going bankrupt and it is something that I believe is our obligation to do, and...we have discussed the various components of this bill in the amendments as they were being put on and I see no need to go into them again unless there are questions about them, and I would be happy to answer any of those questions.

PRESIDENT:

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This...this bill that is before the Chamber now is a result of...of a lot of work the last two days by Senator Joyce and...and the Democratic staff, the

Republicans and their staff, the Governor's Office and...and his staff and...and I believe that we've been able to work out the disagreements in...in most areas, and I'm satisfied that the bill is in...in the best possible condition that it could be...can be in at this particular point in time. I...I would ask, Mr. President, a question of the sponsor, if...if he would yield.

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Joyce, it...it is my understanding that...that the language in the bill with respect to interest buy-down will be used for the operating loan for the farmer for the year of 1986. In other words, we are saying that, first of all, the farmer has to be able to qualify and be assured by the lending institution that he does qualify, in fact, for a loan and will get a loan from that institution. And I simply wanted to put into the record that we are talking about the...the year 1986, which is the year we are about to go into production for.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct. Now, I might explain that if a farmer has a rollover or a...if he did not get his entire debt paid off the year before, that if that banker will lend him money for the 1986 crop year, that money in the rollover, the payment of that will be included in the operating loan.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Yes, the...the payment on that rollover loan. Thank you, Senator Joyce. A...a second question, and...and I believe the language is...is clear in the

bill but you and I have had some discussion as to how the money is going to be disbursed, and I simply want to...to have it the record that when the two thousand dollar grant or less than that if the case may be, it is paid by the authority that the farmer has the option to choose the creditor to which he wants that money to go. Is...is that not correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. On page 2 of the bill, it says that, "If payment made by the authority directly to one or more of the applicant's farming related creditors to be applied to the reduction of the applicant's farm related debt, the applicant shall be entitled to select the creditor or creditors to receive the grant payment."

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Then just to conclude then, that grant does not necessarily have to go to the lending institution making the loan for the crop year '86.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. As I indicated in my opening remarks, I think this is the result of a lot of work by...by a number of people. I would urge the Body's support of House Bill 1090.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to also ask the sponsor a couple of questions.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

This is in regard also to the interest buy-down program and Amendment No. 3, and I probably should have asked these questions when it was presented earlier, but I want to clear up some matters that I...I have some concerns on. Originally, when...when you brought this before the...the Senate in an amendment, the...you had passed out some material in regard to what the costs were going to be and you said that we had some fifteen thousand seven hundred and fifty farmers in Illinois that were going to qualify for this two thousand dollar grant program, and that was going to cost three...31.5 million. Now I see we've amended it further and we've expanded the language to include individuals that have a fifty-five percent debt asset ratio. Now, what...what are the costs going to be for this provision of...of the legislation?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

As we changed the bill and as we amended it, we said in there that the farmer must qualify for a 1986...operating loan, that will eliminate some of the fifteen thousand seven hundred farmers. So we figured that the amount of farmers and the amount of money that that would leave in the fund, we could expand it down to the fifty-five percent to the seventy percent and that amount of money would cover that group. Now we don't know just how many people that is but it's...it's going to be on a first-come first-served basis in that area. They have to pay the money back, Senator. They have five

years to pay it back. So until the...we've appropriated I believe it's thirty-five million dollars for this, that...that's where that is.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I understand then that there is cap of thirty-five million and you do say it's a first-come first-served basis. It's not everybody who applies and who's eligible is going to be made available to this program then.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I would suspect when the thirty-five million is gone, it's...it's out of business.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you. What is the total cost of this...of the whole legislation? Do you have any idea with the debt restructuring and the possibility of eighty-five percent guarantees on three hundred thousand dollar loans? Do you have any idea what the possible potential cost to the State might be?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes. The legal aid is approximately seven hundred and fifty thousand, the debt restructuring is thirty-nine thousand...thirty...no...no, the debt restructruing is...excuse me,...okay. It's a...it's a thirty million dollar fund with a five million dollar trigger. Now,...in a perfect world, this gets paid back, that's the debt restructuring.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

That's the legislation as a whole, then? That's what the cost of this particular legislation can...can incur to the State of Illinois then, or is that just that one provision?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

The thirty-one million thereabouts for the operating loan, that's included also.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you and I...I probably will vote for this. There are some provisions in here that I don't particularly like and I've...I went to...after Senator Joyce brought this up a couple of weeks ago...and...and...and I appreciate his intent and I think it's...it's sincere intent in wanting to help the agriculture community of our State, and I appreciate Senator Maitland and others, the Governor, who...who are addressing this problem, but I took this particular issue to the people of my district, the Farm Bureau types, the American Ag., I don't care what spectrum you're talking about, they all looked upon this grant program as totally ludicrous. Two thousand dollars that...the average farmer in my particular area has an indebtedness of two hundred thousand dollars. The average interest he's paying is twelve and half percent, that's twenty-five thousand dollars a year in interest, and we're talking about giving him two thousand dollars that's going to be less than one month's interest. It's not a long-term solution by any means, it's...could be just throwing money down a rat hole and throwing good money after bad, and then the agricultural community in my area doesn't support this particular provision. Now I'm just talking

about the grant program, the two thousand dollar grant program which I...that's I'm addressing at this point. I...I...as I say, I'm probably going to vote for it but I think I'd like to just vent my frustrations into the record as far as how I feel about this particular...provisions of the law. Thank you.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

I'd like to address some questions to the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

I have some questions about the debt restructuring section of the bill and I'm curious to know how this is going to work on...on the guarantee. For example, is it going to work something like the Small Business Administration guarantees, in which case if a lender goes under, the bank simply notifies SBA and SBA pays out the loan, the bank takes its fifteen percent loss and the SBA then pays out the loan. Is that the...is that the concept of this bill?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, it is...it's pretty much up to the Farm Development Authority. The...the first eighty-five percent or...no, the first fifteen percent is the local banker, and then the other eighty-five percent is the Farm Development Authority.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I understand that, but I...I guess with the...with the farm debt situation the way it is right...today, I happen

to think that any figures that were based on debt to asset ratio of...maybe even a year ago are...are badly out of date today because of the rapid...deterioration of...of real estate values and...and machinery values; and it seems to me that...that maybe half the farm credit out there would be eligible for this and I...it seems to me maybe we're talking about billions of dollars and we're...we're seeking to establish a one hundred million dollar program here which, you know, doesn't seem to me like it would be adequate. Were there any hearings held at all, Senator, on...on this bill?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well,...excuse me,...we...we've had hearings not specifically about this debt restructuring, we did talk about debt restructuring. Quite honestly, Senator, the one farmer that stuck in my mind more than anything else told us, why don't you take your thirty million dollars and go to Washington and lobby for a better farm program. And I suspect that's...that's true but...you know, and you may be right and...I hope that you're not, but it's not something that we have control over. I think that...that if we don't do something, if we don't spend some money now to stop this decline in agricultural values that we're going to pay much more dearly in the future. It'll be a price that we can't afford and can't do anything about. So I think the little bit we are doing now may stop and may help stem the tide that is going the other direction.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I think most of us here that...that represent farm areas are aware of the problems if not...the solutions, but in the debate here, I have not heard any reference

to the position of the various agricultural organizations on this particular proposal, and I, for one, am interested in where those formal organizations that most of us look to...to represent agriculture where they are on the bill. I'd hate to vote for something...I want to do something, I want to help but I don't particularly want to get back to my district and find that the various organizations that represent the people we help are not for this bill. Where are they on...on the proposal?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you. I guess...on the debt restructuring, I can tell you that when the Governor proposed this and had his press conference, in the press release, John White, the president of the Farm Bureau was mentioned as supporting this. I cannot imagine any farm group not supporting this, contrary to what Senator Watson says. Granted, it's two thousand dollars and it may be one month's interest payment but that's one month's interest payment that they don't have to make.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, my guess is that since we've amended this that we may yet see it again, and I would really like to hear from some of these farm groups. I know they maintain rather extensive lobbies and I'm kind of amazed that even with the late hour that we're voting on this without some sort of guidance from them, if not in writing, certainly verbally, but I think we do have to do something.

PRESIDENT:

Is there any further discussion? Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise reluctantly in opposition to this bill and only from the standpoint that what we're doing to the Illinois farmer is perpetrating a hoax. Anyone who has studied the problem, and, Senator Joyce, you have studied it far more than I, know full well that the problem in agriculture is not a problem caused by the State and not a problem that can be resolved by the State. You will not save a single farmer, you will not in fact hold up land values. What we're doing is saying, as we walk out of this Body, that Illinois now has bailed out the farmer and that's grossly untrue and grossly unfair. But, in addition to that, we're going to take thirty million dollars or whatever the amount is going to be while we're struggling to improve our educational systems, while we're refusing to pass the cigarette tax and putting it into a program that admittedly will not do any good and will, in fact, further frustrate the higher expectations that the agricultural community has regarding its problem. And, you know, I really believe ultimately beyond being a hoax, it's an insult. A lot of the farmers in my area really are smarter than we give them credit for, and by passing this and coming back to our districts telling everybody how well we have done for them, I would hope that when they see you as when they saw me will tell you how little or nothing we did for them.

PRESIDENT:

Any further discussion? Is there any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Yes...yes, thank you, Mr. President. Senator DeAngelis, I would be the first to say that what we are doing is not nearly enough and what...but what we are doing is all that a State could possibly do. Our problems lie in Washington, D.C., that is where the whole problem of the midwest lies,

not just agriculture, Caterpillar, everyone else who is...who is an export oriented...in that sort of business is in serious trouble because of the high dollar. That's our biggest problem and just to go back a little bit, in 1971, Richard Nixon devalued the dollar. We had grain bins full all over the...the midwest. In a year they were all gone because we could afford to trade with...with foreign countries, but that doesn't have anything to do with what we're doing right here today. We are doing something, it is not enough, but it is all we can possibly do. Maybe this will be an example to Washington to...to get them to do something, to realize what desperate straits our farmers are in. So I would ask for your support on this legislation. I think it is...it is the least we can do for a group of people who have paid taxes all of their lives, never received a handout, never complained but were good, solid citizens who are now in terrible, terrible trouble and it's not their fault. So I'd asked you to support this bill and I would also like to add Senator Maitland and Senator Rigney as hyphenated cosponsors.

PRESIDENT:

All right. The gentleman asked leave to have Senators Maitland and Rigney as hyphenated cosponsors. Is leave granted? Leave is granted. If there's no further discussion, the question is, shall House Bill 1090 as amended pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 7 Nays, 1 voting Present. House Bill 1090 as amended having received the required constitutional majority is declared passed. All right. With leave of the Body, we'll move immediately to the last two items of business for this evening and that is Supplemental Calendar No. 2. There are two Conference Committee reports that have been filed. Sponsors have indicated they wish to proceed and

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at the conclusion of those two items, we will then adjourn...we'll do a little paper work and then we'll adjourn till...all right. Supplemental Calendar No. 2, Conference...on the Order of Conference Committee Reports, the Conference Committee report on Senate Bill 1037. Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, I...just a brief explanation. The...before I turn it over to Senator...Senate Bill 1037 originally was the prior year EAV bill which we'd been trying to keep open for additional work going into next year. It became the only...available vehicle for several items, one of which was the cleanup of the telecommunications tax and, reluctantly, I gave it up for that purpose. We do still have another prior year EAV bill in committee, House Bill 900, so that we do have something available to work on that issue during the course of the rest of this year and next year. With that, I will...I think the amendment...or the Conference Committee report, I believe, is being offered by Senator Rock and I will happily defer to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion?...Captain Courageous, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the Conference Committee report on Senate Bill 1037. The report essentially does two things. It is a technical amendment to the message tax or Telecommunications Excise Tax Section that we passed last year. The provisions...the technical changes have been agreed upon by

the telephone industry, by the retail merchants and by the Department of Revenue. There is no revenue impact, it is revenue neutral, we are advised, but it is technically necessary. The second element, however, probably is a little more controversial but one that I stand in full support of. The second element would authorize municipalities of a population of one hundred thousand or more to impose...authorizes now, not mandates, permits municipalities to impose a one cent motor fuel tax...one cent per gallon motor fuel tax. The fact of the matter, this...this provision is in direct response to a request by the Mayor of Rockford and the Rockford City Council. As you well know, in 1982 they had a referendum in that city which took away their home rule authority and, thus, took away what was then in existence a...an additional one cent motor fuel tax. They wish us to give them the permission to reimpose by city council and mayoral action. They are convinced that their retail merchants, their petroleum marketers have no objection, their citizens have no objection. It will mean to the City of Rockford approximately six hundred thousand dollars annually and the money is to be dedicated to the repair and maintenance of the roads in Rockford. This is in...response to Mayor McNamara's request. I agreed that we would try to help and that's what we're doing. I know of no opposition and I would urge the adoption of the first Conference Committee report on Senate Bill 1037.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have two points. First, Mr. President, I would ask to...I am shown on this bill as a hyphenated cosponsor. I would ask that my name be deleted. I would ask to have my name removed as hyphenated cosponsor on Senate Bill 1037.

Then, I would like to speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Etheredge is...seeks leave to have his name withdrawn. Leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in...in opposition to the bill and I want to make it clear that my opposition to the bill is based solely on the part that relates to the additional taxing authority which would be given to the...to the City of Rockford. Those parts of the bill that relate to the...the technical changes that have been worked out between AT & T and the...and DOR I think are...are valid, they're...they need to be enacted. However, the baggage that is carried along by the additional taxing power for the City of Rockford I think makes this bill too heavy to...to support. This adds a tax...a new tax without referendum; the City of Rockford just...rejected home rule not too many months ago I think in part...in part because they were interested in eliminating some of the taxing authority then held by the...by the city government. So I...I want to point out to everyone that this is a tax without a referendum and I would be very interested in...in hearing where the Senator from the city...Senator from the City of Rockford stands on this issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise in support of this bill in both...both aspects of it. I think it's a very, very important bill to the education package that we have, the clean-up language here for the telecommunications tax. We have the cigarette tax in limbo and I think it's important that we all put our votes on this so that we have one tax that will work for education

within the State of Illinois. As far as the one-cent motor fuel tax that will be expiring in the City of Rockford, this particular bill is part of that purgatory that comes after a city loses its home rule. What do you do with laws that have been enacted that were creating existing kinds of user fees for the...the...the citizens of the community? The city council in a very prudent decision made this particular tax renewable from time to time and, unfortunately, this is the year in which it must be renewed; and our Republican city council and our Democratic mayor has asked that we give them that option, they may or may not decide to renew it. It will be on the backs of the city council. It will be permissive. All we are doing is giving them the chance to make that decision that they made before on a tax that they prudently made renewable from time to time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield...she will yield. Senator, wait a minute...wait...wait. Senator Netsch.

SENATOR GEO-KARIS:

I think Senator Rock, I believe, is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Rock will handle it...Senator Geo-Karis.

SENATOR GEO-KARIS:

Does this bill raise taxes in municipalities of under a hundred thousand people?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No. And, as a matter of fact, it doesn't raise taxes

anywhere. It authorizes a city in excess of a hundred thousand, all other cities over a hundred thousand are in fact home rule units. It applies only to the City of Rockford and only the sales of motor fuel within the City of Rockford, and all it does is authorize the city council and the mayor to impose it if they want to. We're not imposing anything, we're giving them the permission to do it if they want to do it to themselves, just like we did for DuPage County, just like we've done for a lot of people. We're giving them the authority if they want it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch, do you wish to close?

SENATOR NETSCH:

...no...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

...if I might, I didn't mean to walk away from the telecommunications part of it, but let me just make a...a...two points, that part is really quite critical. As many of you know, that bill went through without the benefit of a committee hearing and while there were several questions that were raised on the Floor about the scope of it, there was no way to clarify them at the time. What the amendment does is to make much clearer what is to be taxed under the telecommunications tax and what is not to be and...that is very important. One other point I quickly want to make is that a question that also came up in the number of the discussions in June when we were working on this was the...just where the calls had to originate and/or end in order to be covered by the telecommunications tax. This makes it clear. A tax is imposed on the actor privilege of...of originating in this State or receiving in this State, and I think that language

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also is quite important to clarifying the scope and purpose of the Telecommunications Act. So I would say those provisions are really quite essential.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1037. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 29, none voting Present. The...the Senate does not adopt the first Conference Committee report and the...the Secretary shall so inform the House. House Bill 1529. Supplemental Calendar No. 2. Senator Netsch, do you wish to request a second Conference Committee? Senator Netsch. All right. Senator Netsch...seeks to request that a second Conference Committee be appointed and the Secretary shall so inform the House. All right. Supplemental Calendar No. 2, House Bill 1529, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1529.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like to report at the outset, it's...it...the first Conference Committee report on House Bill 1529 was just adopted in the House by a vote of 91 to 26.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator. Could we break up the caucus behind Senator Vadalabene? Senator Vadalabene.

SENATOR VADALABENE:

The first Conference Committee report on House Bill 1529 was adopted by a vote of 91 to 26. The Conference Committee

report represents long negotiation sessions between labor and management and agreement on many...significant items. The following should be of interest to you with respect to the terms and background of this Conference Committee report. One, police collective bargaining. All parties have agreed on the police collective bargaining language originally in Senate Amendment No. 2 and that amendment is incorporated in the Conference Committee report in its entirety. Two, much of the agreed language dealing with police is tracked for firefighters as well. To resolve certain items that were in conflict, the following are contained in the Conference Committee report: the definition of a firefighter. The Conference Committee report includes verbatim the Municipal League's definition of a firefighter and specifically excludes volunteers paid on call for collective bargaining as requested in the Municipal League's letter of October 21, 1985. Arbitration of safety measures. Language that would have allowed every safety issue whether to the public or to the fire equipment or other safety considerations has been eliminated from the bill. While firefighters may collective bargain under this issue, arbitration is limited only to safety issues where the equipment considerations is a specific work assignment, involves a serious risk to the safety of the firefighter beyond that which is inherrent to the normal performance of the firefighter's duties. This language is...similar to that regarding safety which is contained in the police amendment and apparently satisfies the original objections of public employers. Arbitration of manning. With respect to firefighters, manning is not specifically excluded as an item which can be subject to arbitration. This issue remains the most significant difference between firefighters and police provisions and that difference is accounted for because of the different historic concerns that firefighters and police have had with respect to

this issue. I would...would like now to yield to Senator Jeremiah Joyce for additional information in regard to House Bill 1529.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President, members of the Senate. I wish that I would have the ability to stand here and speak and persuade or dissuade someone from a particular position, but I know on a matter such as this that you have pretty much made up your minds on what the issues are and what is important to your district. I would like to talk for a moment on fairness, because four months ago we had legislation very similar to this before us and we voted on it at that time and we sent it out of here, and at the time that we passed it out of here we thought that it would surely become law. In the last four months there have been a number of conferences and discussions and meetings and...mostly involving representatives of the police officers and the firefighters and the Municipal League. So what we are talking about this evening really, 'cause you know the issues, manning, supervision, size of the bargaining unit, we're talking about a question of fairness. We have tried to be fair. The unions have met and have compromised on almost every issue that was contained in the original legislation, and after each compromise they came away with the expectation that the Municipal League would be able to support this package. Unfortunately, that is not the case, so we are here this evening talking about fairness and I am here to tell you that the police officers' and the firefighters' representatives have gone as far as they can go. We have raised the unit to thirty-five; the manning question with respect to the firefighters really deals with the question...really deals with the question of equipment and we're only talking about those situations

involving ultrahazardous activities where there is great likelihood of risk. The other provisions that are in this legislation, fortunately or unfortunately for some of those who are affected deal with pensions. We have debated those, there is no question that those provisions are actuarially sound. I have nothing else to say other than I will try to respond to any questions you may have, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, it will come as no surprise, I'm sure, to my colleagues here to find me rising in opposition to this Conference Committee report. This bill it seems to me is another body blow to municipal government specifically and to the concept of local control generally. The follow-up punch is what this represents, the follow-up punch to the one we delivered last Spring when we forced the police into the bargaining process and we are now on the threshold of saying to our cities and villages, your firefighters as well as your police will be subject to the bargaining process and you will foot the bill. And, ladies and gentlemen, before too many years have passed it's going to be recognized that this is going to be an immensely costly step we're taking here today to our municipalities. I can assure you that the municipalities have not signed off on this and the Municipal League has not signed off on that, as my colleague on the other side of the...aisle has just mentioned. I would think, however, that before we push forward on this concept that we would at least bring in...well, I shouldn't say bring in, because the municipalities and the Municipal League has been brought in but I would think at least we would make one more attempt to get their acceptance or its acceptance of the provisions in

this measure. That has not been accomplished. The bill is unacceptable to them in spite of some of the concessions that have been made. Manning, for example, has been mentioned. Doesn't it seem to you, at least it does to me and many others, that our municipalities, cities and villages should have the right to say how many firefighters they are going to employee or use on a fire truck? Shouldn't questions of this kind be decided by the municipality and not an arbitrator somewhere? It's wrong I believe to force our local units of government to surrender their control over decisions that they were elected to make. And I'll close with a philosophical point that I've expressed many times before, and that is, it seems to me to be wrong to bring in the exclusive bargaining agent, in this case a union, on equal terms with your elected representatives at the municipal level and in so doing exclude in effect other people that should have some right to say as to what firefighters, police and others are going to be paid, how many men they're going to have on a truck and so forth and so on. But that's exactly what we do and I believe that philosophically it is wrong for us as legislators to designate this kind of power to the union, and I would urge you, my colleagues, before you jump too readily to accept this Conference report that you think about what it is exactly we are doing, and I would urge you not to accept this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

First of all, I'd like to disagree with my colleague, Senator Hudson, when he stated that we forced the police into the bargaining process. They, the police, or...maybe I should say, we, since I include myself as one of them, have been asking for years to be included in this process that everybody else is part of. I stand in support of Conference

Committee Report No. 1 on House Bill 1529. The contents of 1529 have eliminated most of the questionable issues brought out by the Municipal League. A compromise had been worked out with what I considered to be only very minor differences unresolved. First of all, unlike other bargaining units, the police and the fire unions have given up the right to strike. It has been...thanks, Prescott...I've been waiting for thirteen years for this. It has been agreed that paid, on-call volunteer firefighters have been excluded from this legislation on the insistence of the Municipal League. Also on the insistence of the Municipal League, the unions gave a concession from twenty-five to thirty-five employee units. Regarding the question of arbitration of manning with respect to firefighters, very clearly it states that "Nothing herein shall preclude an arbitration decision regarding equipment levels if such decision is based on a finding that the equipment considerations in a specific work assignment involve"...and I must stress this, "a serious risk to the safety of a firefighter beyond that which is inherent in the normal performance of firefighter duties." The arbitrator's decision is not binding to the city. City council can reject the arbitrator's decision by a three-fifths vote; therefore, the elected city leaders have the final say to any opinion given by an arbitrator. I believe that this Conference Committee report on House Bill 1529 is fair to both sides, the result of hard work by many and is an acceptable compromise that deserves support by all. Finally, I would like to echo Senator Vadalabene's last statement that 1529 passed out of the House this afternoon with ninety-one votes, and I'd also like to add that they included sixty percent of the Republicans voting in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins. Senator...Senator Lechowicz. Senator Geo-Karis, you are next.

Senator Lechowicz...turn Senator Lechowicz on.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. And I, too, will be brief because I believe that Senate Bill 1529 is probably one of the most worked through pieces of legislation as far as a Conference Committee report that we have before us in this abbreviated Session. It was worked with not only the police departments and the fire departments throughout the State, but I believe the Municipal League in good faith sat down and realized that this is 1985 and whether you like it or not, and I happen to think it is right, that a person has an opportunity to join and be represented as a unit in working for local government whether it be a policeman or fireman. And whether you consider the fact that a person or persons may call in on blue flu or sick because of they have a grievance, that's a fact of life. What 1529 is trying to address is to eliminate that type of situation from occurring. It's trying to eliminate of having a grievance boil over into a walkout. 1529 is a reasonable compromise between all three units and coming in with a legislative solution on a very ticklish personnel problem. One of the most devastating things that happened to the City of Chicago was when the firemen walked out, and probably one of the most harrowing experiences of the residents of the City of Chicago was when there was a fire in the community and a small detachment of personnel arrived to put it out. That is something I or...I'm sure no one...any one of us wants to see happen to any community in this State. That's the purpose of 1529 and I believe that, as it was pointed out, this is not a partisan issue. It's an issue that has been addressed and does merit your support. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have been consistently opposing strikes by public employees. I opposed Senate Bill 536 which thirty-two votes put out of this House and which I think still is a horrendous bill. The firemen and policemen in House Bill 1529 have a specific prohibition against strikes. Now, I don't care what anyone says, but you talk to your constituents like I've talked to mine, they don't want their firemen, they don't want their policemen having the right to strike. This bill has been watered down and I think it's much fairer for the municipalities than it was before, and I think we're going to have to look at the realities of life. If you're going to allow your other public employees to have a free hand in strikes and put the...the people of Illinois out on a limb when they decide to have their horrible strikes, 'cause I don't believe in strikes by public employees 'cause we don't have the right to stop paying taxes when those strikes take place and they do affect our health, safety and welfare, I think you're going to have to look at reality again and say as long as your policemen and...and firemen are there to protect the people and their property without the right to strike, I think they're entitled to be considered as equal citizens and I speak in favor of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I'll be very brief. Every other public employee has collective bargaining rights. This bill brings police and firefighters in line. House Bill 1529 is supported by the City of Chicago, the Chicago Firefighters' Union, the Fraternal Order of Police, the Illinois Firefighters' Association and the Illinois Police Association and I would ask for a favor-

able vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the Conference Committee report on House Bill 1529. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 14, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1529 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

...thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which the first Conference Committee report on House Bill 1529 has been adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves to reconsider. Senator Vadalabene moves to Table. Those in favor signify by saying Aye. The motion is Tabled. All right. Senator Rock, do you have any words...Senator Rock.

SENATOR ROCK:

Yes, Senator Davidson has an announcement. There is some paper work on the Secretary's Desk and then we will stand adjourned until...Senator Lemke has some announcement. There....then we will stand adjourned until eleven o'clock tomorrow morning, eleven o'clock. If we start promptly, I hope we can end promptly. So, eleven o'clock tomorrow morning...once we get the paper work done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Just announcement. There's many people who have been asking me if I'm going to call the...House Bill 1268 which

repeals the Deadmen's Act and does other things. This particular bill I have discussed with many judges and judicial, they originally wanted it and now there's...numerous complications coming up. So I am not going to call my motion on this and I don't think many people are on these provisions. What we're going to do is work on these provisions over the...over these...the Session we're out to come up with solutions of the Civil Practice Act to solve the problems involved. I think they can be and I think it's a little more complex than just abolishing something. So I ask...I'm not going to call it and I...I would at this time, if I could, Table the bill and...say forget about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further announcements? Senator Davidson.

SENATOR DAVIDSON:

Yes, Mr. President, this is not part of the announcement, but for your information, in case you didn't know it, since we happen to share a county, a town called Hillsboro beat Carlinville in the State football playoffs of...33 to 14, just...so you'd be informed. But a number of people have asked to be hyphenated cosponsors to Senate Joint Resolution Constitutional Amendment 22 and I've given a list to the Secretary, and if anyone else would like to join as hyphenated cosponsors, I would ask them now to give their names to the Secretary after I've read these names in the record. I'd ask leave to have the following individuals added as hyphenated cosponsors of...Senate Joint Resolution...Constitutional Amendment 22 and...do I have leave?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...is...is leave granted? Yes, leave is...

SENATOR DAVIDSON:

The following individuals have asked to be added. Senators Degnan, Jeremiah Joyce, Philip, Weaver, DeAngelis, Coffey, Donahue, Dunn, Etheredge, Fawell, Friedland, Geo-

Karis, Hudson, Karpiel, Keats, Kustra, Macdonald, Mahar, Maitland, Rigney, Rupp, Schuneman, Sommer, Topinka and Watson. Any other additional Senators who would like to join please now, we have leave. Please give your name to the Secretary at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further announcements? Senator Kenneth Hall.

SENATOR HALL:

...I would just like to ask Senator Davidson, what does that resolution do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, Senator Hall, I should have mentioned. That's the Constitutional Amendment in relation to bail bond which was...been read in the record. This will allow that after a hearing...if this is adopted by the people next Fall, after a hearing before a judge, the judge with taking everything in consideration and if it's any threat to the individuals or life or limb or public, if the person is...charged for a felony which includes drug pushers, they can deny bail if they find cause to do that after a hearing in the court.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR DAVIDSON:

...as you know, the present Constitution allows only deny of bail on a death sentence or a life imprisonment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator, she's got...he's got the message. Messages...Senator...Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint

resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 110, 111, 112 and 113, congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 556 offered by Senator Sangmeister, it's congratulatory.

Senate Resolution 557 offered by Senator Davidson and all Senators, and it's congratulatory.

And Senate Resolution 558 offered by Senator Newhouse and all Senators, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Consent Calendar. All right. Further business to come before the Senate? Senator Rock.

SENATOR ROCK:

Eleven o'clock...I move the Senate stand adjourn till eleven o'clock tomorrow morning. I'd ask everybody to be here promptly and hopefully we will conclude our business as scheduled tomorrow as early as possible. Eleven o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate stand adjourned till eleven o'clock, Thursday, October 31st. Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

OCTOBER 30, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Second Special Session will come to order. Reading of the Journal. Senator Hudson.

SENATOR HUDSON:

Mr. President, I move that reading and approving of the Journal of Tuesday, October 29th, of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the...you've heard the motion. Any...any objections? If not, so ordered. Any further business to come before the Second Special Session? All right, Senator Joyce moves that the Senate...Second Special Session stand in...be...adjourned until October 31st at the hour of eleven-thirty. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Second...Special Session is adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 31, 1985

PRESIDENT:

The hour of eleven having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Charles P. Mulcrone, Cathedral of the Immaculate Conception, Springfield, Illinois. Father.

REVEREND MULCRONE:

(Prayer given by Reverend Mulcrone)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Thursday, October the 17th, 1985.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator O'Daniel. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that reading and approval of the Journals of Tuesday, October the 29th and Wednesday, October 30th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator O'Daniel. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. the motion carries and it's so ordered. The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 559 and 560 offered by Senator Lemke, and they're congratulatory.

Senate Resolution 561 offered by Senator Smith, Chew, Newhouse, Jones, Collins and Hall, and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, for the purpose of an announcement.

PRESIDENT:

You are in order.

SENATOR VADALABENE:

All right, I have the suggested address for Veteran's Day for 1985 and also the suggested address for the American Education Week of November 17 to November 23rd. Now, these go like...hotcakes and I always have a big crowd coming over to my desk, so this time I'm going to have the Pages deliver them to each Senator so that we can avoid this congestion here.

PRESIDENT:

I think that's a...very good suggestion, Senator. If I can have your attention, while we're...waiting for the other members to assemble, Senator Lemke has with him and brought to us a very honored guest, and it's my pleasure to introduce to you Mr. Po-Lun Liu, who is the director of the Chicago office of the Coordination Council for North American Affairs for the Republic of China. I've had the pleasure of meeting Mr. Liu who was born on the Chinese mainland and moved to Taiwan in 1950. Mr. Lui and his family now live here in Illinois. He has had extensive diplomatic experience. He's been in Chicago for almost three years representing the people and the government of the Republic of China in the

midwest and his friends and the Chinese population see him as the Chinese General of Taipei. Ladies and gentlemen, please welcome our honored guest, Mr. Po-Lun Liu.

MR. PO-LUN LIU:

(Remarks made by Mr. Po-Lun Liu)

PRESIDENT:

Thank you, very much, Mr. Liu, we are indeed honored with your presence. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Director Liu, we appreciate your coming with us today and sharing with the other colleagues in the Senate who had not had the good fortune that myself and Senator Jones and four members of the House just had and other members of the Senate have had in the past of enjoying your hospitality and seeing your country firsthand. Director Liu had had Senator Jones and I and members of the House invited this past August to view the wonders that the Government of China and Taiwan has accomplished in taking what was very backward area and turning it into the type of thriving community that we would be proud to have here in Illinois, and let me just say on a very personal note that while we were there, the hospitality that we enjoyed from just the average citizen of their country was something that we should strive for here. Every person we met on the streets of Taipei or throughout their nation extended to us the kind of personal courtesy and interest in the United States Government and in our trade relations with them, the type of things that we would wish our schools would teach our own children here. We had experiences where a clerk in the store would ask us what we in Illinois could sell to the Republic of China to help eliminate the balance of trade deficit. They, as individual citizens, were as concerned as their foreign ministry that the relationships stay long and strong and that the ties be

their forever. We appreciate that ability to see it firsthand and we thank you for coming here again today to share with the rest of our colleagues that which they could not have enjoyed firsthand. Thank you.

PRESIDENT:

With leave of the Body, we'll begin on page 2 of the Calendar. The sponsors of the Constitutional Amendments have indicated they wish to proceed. So, we will begin with Constitutional Amendment, 3rd reading, Senate Joint Resolution 4. Mr. Secretary, read the resolution, please.

SECRETARY:

Senate Joint Resolution 4 Constitutional Amendment.

(Secretary reads SJR 4 CA)

3rd reading of Senate Joint Resolution 4 Constitutional Amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This Constitutional Amendment if approved by the House and then the voters in the election would provide that all future superintendents of education in Illinois be confirmed by the Senate. It's just our...passed the Executive Committee 12 to nothing and it's the feeling of many that public education involves more people and...and extreme amount of dollars in Illinois and it...it...it should be on an equal footing with other code departments that are appointed, and I'd urge your favorable consideration of this important issue. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Joint Resolution 4 be passed and approved. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

S.J.R. 22 C.A.
3rd Reading

voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Joint Resolution 4 having received the...the required three-fifths constitutional majority is declared passed and approved. Senate Joint Resolution 22, Mr. Secretary.

SECRETARY:

Senate Joint Resolution No. 22 Constitutional Amendment.

(Secretary reads SJR 22 CA)

3rd reading, Senate Joint Resolution 22 Constitutional Amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, before I explain this and ask for your vote, I do need to ask leave...there's been two other fellow Senators that have asked to join as hyphenated cosponsors, and I'd like leave to add their names at this time and any other Senators who would like to do this, please identify yourselves to the Secretary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if you'll just inform the Secretary. Leave was granted yesterday to add all of those...

SENATOR DAVIDSON:

Okay. All right,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Then you need to add Senator Chew and Senator Vadalabene, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there leave to...leave to add those? Leave is granted.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, this is a very straightforward Constitutional Amendment. Many of you have been contacted by the public, I'm sure as I have, and a number of judges have said our hands have been tied as far as denying bail on some individual who is awaiting trial or awaiting sentencing after a conviction of felony and they're out and either intimidate witnesses or create or do another felony offense, and this adds to the Constitution that on felony offenses for which a sentence of imprisonment without conditional revokable releases shall be imposed by the law as a consequence conviction when the court...when the court, after a hearing determines the release of the offender would pose a real and present threat to the physical safety of any person. This would allow a judge to deny bail to that drug pusher and all the other people who are creating other...other interest...other items and would give the judge, after a hearing, and the state's attorney, the prosecuting attorney has made their case, it will give the State courts the opportunity of what the Federal courts have to do which they do not have now. This is someone whose time has arrived. I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? There is a...Rosario, who is an exchange student from Brazil requested leave to take still pictures from the gallery, I assume. Is leave granted? Leave is granted. Discussion on the...on...Senate Joint Resolution 22? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I have two questions of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Davidson, is residential burglary included in this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON;

Residential burglary is...is a felony offense and if a person has been arrested for that or is awaiting a sentencing after conviction, then it would be included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, how about the...the bill we passed yesterday where prostitution after the third offense is a felony, would that be included in it also?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I don't think the gentleman heard the question, Senator DeAngelis.

SENATOR DeANGELIS:

Let me take my chew out of my mouth. Yesterday we passed a bill where we would upgrade the crime of prostitution to a felony if it were a repeat offense. Would they fall under this also...prostitutes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

If it's a felony, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. All right, Senator Sangmeister.

SENATOR SANGMEISTER:

Certainly would defer to the President. As a cosponsor, obviously, I endorse this concept. As Senator Davidson has indicated, again, we are responding to requests from the constituents we represent and the people in the communities that are concerned about judges that tell them that they cannot do anything with serious offenses and serious crimes because the

Constitution does not allow them to deny bail. There will be those who are going to speak, I presume, that are going to make you think that judges are going to jail everybody that commits a crime until their trial. That's not the intent or the purpose of this Constitutional Amendment. All we are...the present law is, of course, only capital offenses and offenses for which a sentence of life imprisonment may be imposed. Basically, we are expanding that to cover now Class X felonies and it will have to be after there is a hearing held by a judge. This is nothing automatic at all. There will be a hearing held, evidence presented and only then where the offender would pose a real and present threat to the physical safety of any person should that bail be denied. I think this is a reasonable approach. Senator DeAngelis just asked a couple of questions without making any comments. The comments are, of course, that this covers more than Class X felonies, it covers the nonprobational offenses and, of course, residential burglary does happen to be one of those. I'm not that comfortable with that being there either, but as we've discussed over the years here, the whole question of residential burglary may have to be readdressed, but it does cover it, we should know that, and any Class 2 felony where the person has been...convicted of a Class 2 felony or greater within the preceding ten years would be covered under this. But, again, the point that I want to emphasize is that this is just giving the judges a little more authority. This is not saying to the judiciary, you lock everybody up that commits a Class X felony until he proves his innocence and I want to make that clear. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, we've had too many occasions of people who are

released on bond...committing other felonies. In answer to the prostitution question, to begin with, this Constitutional Amendment relates to excepting...in other words, not having it as a...a bailable offense...offenses...felony offenses which involve personal injury or the threat of personal injury. So, I don't know whether you consider prostitution that kind of an offense. I think that's more of a pleasurable offense, not a felonious offense of damage to the person...personal injury to the person or threat of it. We have had so many repeaters who are out on bond and the judges are helpless because they still have to put them out on bond even though they commit another felony. I think it's time that we protect the rights of the public and stop worrying about the people who are going to be felonious whether we like it or not and it...and it's high time that we looked after the citizens property of...shall we say, of injury. We cannot afford to keep our citizens...on the...constantly in the limelight to be injured by these repeaters of felonies and I certainly speak in favor of this Constitutional Amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. As I understand it, Doc Davidson, you were the sponsor of the residential burglary law that passed this Body and the House, originally, weren't you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. The gentleman cannot hear the question being...answered.

SENATOR D'ARCO:

You were the sponsor of the residential burglary law that passed this Chamber originally, weren't you?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, I was.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

So, under this provision, if it passes that law then would be applicable to this provision so a person who is accused of committing a residential burglary and who makes an off the cuff remark about somebody that has accused them of committing that burglary can be denied bail by a judge of the State of Illinois. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Only after a hearing in court and the prosecuting attorney has been able to prove that this person would be a danger or threat to that individual. He has...the case has to be made and the judge would have that opportunity to make that decision, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, let's pretend you're a judge and I say, that SOB accused me of burglarizing his garage or stealing his bicycle off his lawn, you know, I'm going to get that son of a gun for accusing me of that crime. Would you say that's enough of a potential threat to that person's physical safety to deny him bail?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Senator D'Arco, that example won't work because if you steal it off the lawn or you take it out of their garage,

it's not residential burglary. Neither one of those are inside the residence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, that's not true, because the court cases have said that if you take a bike out of a person's garage or any item out of that garage, it's a part of his abode and it is residential burglary. So,...and the argument can even be made that if you take something off his lawn, it's residential burglary because it's part of his private property attached to his home. But that's not the issue here. The issue here is, what are we going to do with all the people that are in jail today? We don't have enough room for all these people anyway and you can't legislate crime away like some magic wand that you would put in front of everybody and just hope that it goes way. It's not going to work that way and you have the potential in this bill to hurt some young, first offenders who never committed a crime before because some judge wakes up one morning and has a bad cup of coffee in the morning and decides that this individual should go to jail and not allow him to be bailed out on bond, that's an atrocity that you are in the process of helping some irate judge commit by passing this amendment; and I'm for law and order like everybody else in this State, and I believe in the death penalty. I believe that if you commit a heinous crime, you should be given the death penalty in this State, and I believe that capital offenders should be sentenced to life imprisonment and should be nonbailable offenders, that's without question, but don't hurt the guy on the low end of the totem pole. Don't hurt that first offender that has a chance of doing something with his life and making a fine, decent citizen out of himself because he commits one crime; 'cause we were all young once too, don't forget that and we

were a little crazy in our youth, and in our old age too, you're right. So, don't do this to...to everybody, Doc, it's not right and it's not fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Since the proposition before us requires only thirty-six votes and since I see listed thirty-five cosponsors, I'm not sure we're going to change anybody's mind here. This is unabashedly law and order, but the fact is as Senators...other Senators have pointed out, this amounts to preventive detention. This amounts to the imposition, in my judgment, of virtually a police state and will result, in my judgment, particularly in the county that I represent, in overcrowding of the jails to the point where you're not only going to experience the difficulty that all the county jails now have, that they are not up to Department of Corrections and Federal standard, we're just going to have more people in the slammer than ever before. And why? We, two years ago, changed the Constitution with respect to the bail article to provide for the judges of this State more discretion, if you will, more authority to truly incarcerate people that they were afraid either would flee the jurisdiction or had been previously convicted of a...of a serious offense. This goes much, much, much too far. I suggest that this one ought to be rethought and I hope, for once, that the House will have better sense than to present this to the voters as somehow a solution to crime in Illinois. This is not a good idea and I am sure that I will be along with Senator D'Arco and that's probably it the only voice in the wilderness. This is not a good idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I think those who oppose this are forgetting to explain to you that this isn't anything automatic, as Senator Sangmeister said. This is only...only applies after a hearing before the judge, only if the prosecuting attorney is making that request; and to say some first time offender...first time arrested individual on a felony is going to be denied bail unless they've had extreme bad acting record or is certainly indicate they're going to harm someone, I don't see any reasonable judge denying bail. That is a smoke screen, ladies and gentlemen. Now, if you're saying this is wrong...Mr. President, could I have a little...little...quite...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator...

SENATOR DAVIDSON:

...this is a very important thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Davidson, it's all from your side of the aisle. If we could break up the caucuses and...

SENATOR DAVIDSON:

This...this...Constitutional Amendment is only being asked to give the people of Illinois an opportunity to express themselves if they believe bond should be denied to someone who has been either arrested or convicted on a felony, that they not be bondable and be out where they could do more harm or commit another felony offense while they are either awaiting trial or awaiting sentencing. This is an opportunity which the people in my area have said, hey, enough is enough; we want those individuals who could be a harm to us and our neighbors not to be able to be out on bond or bail if the judge thinks he's going to be a harmful...individual. The judges have said they need some other tool, at least the judges from this area have. This gives

them an opportunity if the majority of the people of Illinois think it's a good idea to have that tool. It's very straightforward, very simple. Those of you who have had an opportunity, as I'm sure you have, of have an offense been done against you or your...members of your family by an individual who's been out on bond while awaiting trial for a felony offense, this is an opportunity for your family and your neighbors to be protected. It's a very straightforward, simple thing and we all say we believe in the judgment of the voting public. All we're asking for is an opportunity for this to be on the ballot November 4th, 1986, to let the people of Illinois render their judgment whether it's a good or bad idea. I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Joint Resolution 22 be passed and approved. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 6, 4 voting Present. Senate Joint Resolution 22 having received the required three-fifths constitutional majority is declared passed and approved. Going right on down the page, page 2, Senate Resolution 533, Senator Collins. Page 2, Senate Resolution 533, Mr. Secretary. Senator...Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Resolution 533 simply is an attempt to call upon the...the...the Department of Alcohol and Drug Abuse to create a consortium among the universities and colleges of this State to assist the department in coming up with a comprehensive research and program design for the treatment of preventive drug and alcohol abuse programs in the State of Illinois. There most certainly is a very urgent, critical

need to do this and the resolution is introduced...there's no money involved...with this whole process. We...we ought to be about the business of utilizing our own resources and talents of our universities more and that's what this resolution simply does, it just calls upon that department to create a consortium to do the necessary work to come up with a program and then, maybe, we wouldn't have the bad audits that we...that you saw the other day, and...and what this hearing is supposed to have been about to the...the...the Intergovernment Cooperation Committee. Because we do not have a consistent design within the State of Illinois to address the issue of alcohol and drug abuse treatment and because many of the drug treatment programs are fairly new and very little information is really known, conflicting information, about what is a more effective treatment,...for the treatment of certain types of addictions in this State. We felt that it was necessary for the State of Illinois to utilize its vast resources to do so, and I would ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, it seems to me that the files of this department are filled with studies and projects of this type. Who wants this resolution and where did the idea come from and explain to us again how it's not going to cost anything?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

I personally took it upon myself this...starting when I got out of Session in June, as you know, I am a full-time legislator, to begin to look at the...the overall problems and to review some of the treatment programs in this State of alcohol and drug abuse and to find them, and as you know, as

chairman...as I served under you as chairman of the subcommittee on alcohol and drug abuse, I have done a lot of work in this area and to find that our programs in the State do very little other than detoxification and minor treatment for alcohol but not...into the other types of drugs which is probably more prevalent among young people today, like heroine and cocaine; and so after doing a literature search, there are not too much in the whole country that...that can be validated as an effective tool by which to deal with these programs...I mean, these victims and their families, and so, I went to the universities myself, Chicago State, Governor State assigned a full-time intern to me to work with this project. I've met with the University of Illinois, Circle Campus and Chicago State, and then I met with the Department of Alcohol and Drug Abuse director, Senator Duffy. He thought it was a good idea, except in the fact that we would most certainly have to have the support and approval from the Governor's Office. I contacted the Governor's Office, of course, they didn't seem to have any problems with it and so, therefore, I...and I contacted Senator Rock, and so I decided to move forward. I will do it whether you pass the resolution or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not,...since Senate Resolution 533 requires an expenditure of funds, there will be necessitated a roll call vote. The question is, shall Senate Resolution 533 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Resolution 533 having received the required constitutional majority is declared passed...is adopted. Senate Resolution 551, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. We addressed this issue yesterday in regard to Senate Bill 1136 and this the one...concerning salvage business in Illinois, and what we're trying to do with this resolution is establish a committee to study the provisions of Public Act 83-1473 relating to the salvage vehicles and parts problems we have in Illinois. I checked with the minority spokesman, Cal Schuneman and the chairman, Sangmeister, concerning this...getting out of committee and they had no problem with it. Our staff has some concerns about it, but I know of no objections and at this time, I would like to have this resolution passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Public Act 83-1473, you will recall, is House Bill 2211, affectionately know as the chop shop legislation. That legislation placed Illinois in the forefront in the fight against organized crime's chop shop activities. I would suggest that we consider this and might take it out of the record for a moment. I'm not sure how it got out of committee yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Watson.

SENATOR WATSON:

Do you have a problem with this? Do you have a problem with this resolution at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Yes, I do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, thank you. I was under the impression that this

was agreed, and at this time, I'll take it out of the record and we'll talk about it...okay, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. Senate Resolution 533, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it's Senate Resolution 553 and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

553.

SENATOR GEO-KARIS:

...and what it does is says it declares the members of the Senate to support local efforts toward reducing pornography in communities and support educational efforts toward ultimately raising contemporary community standards. It's a resolution that's been asked for by many parents, very concerned parents and I cleared it with Senator Sangmeister, with Senator Rock and with Senator Schuneman, the minority spokesman, and I ask for a favorable consideration. There's no expenditure of funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

This one, I think, we can all be cosponsors of. It puts us on record as against pornography.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the...Senator Geo-Karis has moved the adoption of Senate Resolution 553. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 553 is adopted. Top of page 3, Senate Resolution 554, Senator Lemke.

SENATOR LEMKE:

This is a resolution that we will be sending to the Parole Board to support the nonparole of Mr. Crump who killed

and assassinated a security guard at the...at the...in the old stockyards, who was also a family acquaintance of my father, they worked together as policemen in the stockyard area. I don't think that when he was commuted from the death sentence, he was...he was commuted on the basis that he would serve life in prison and not be paroled. I think we as a State should support that position and make it known as we did on the Herrins matter, and I ask for a favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, Senator Lemke has moved the adoption of Senate Resolution 554. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 554 is adopted. Senate Joint Resolution 94. Senator D'Arco on the Floor? Senate Joint Resolution 94, Senator D'Arco.

SENATOR D'ARCO:

...Mr. President, all this does is says to the Department of Energy and Natural Resources that they will monitor the new twelve percent low-income energy assistance program that we passed out of this Chamber in order to determine what the arrearages might be and make a...a study and a statistical analysis of the program in order for our perusal so we can after the sunset provision terminates decide whether this is a worthwhile program and we should continue on with it or not, and I would ask for the adoption of Senate Joint Resolution 94.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall...Senator D'Arco has moved the adoption of Senate Joint Resolution 94. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 94 is adopted...Senate Joint Resolution 94. Senate Joint Resolution 97, Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 97 would...ask that the Human Resources Department in the...which exists already in the...in the Secretary of State's Office conduct a study of the abuse of the handicapped parking spaces in Illinois. Urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Friedland has moved the adoption of Senate Joint Resolution 97. Senator D'Arco.

SENATOR D'ARCO:

No, no, I...not on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Friedland has moved the...moved the adoption of Senate Joint Resolution 99...97...Senate Joint Resolution 97. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 97 is adopted. Senate...Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

On Joint Senate Resolution 94, I would ask permission to have Senator Netsch listed as the hyphenated cosponsor because she was a hyphenated cosponsor of the original bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there leave to add Senator Netsch? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Leave is granted. Senate Joint Resolution 100, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The purpose of the Senate Resolution...Joint Resolution 100 is to support an increased national and international awareness and recognition of the vast resources of the Mississippi River Valley. As chairman of the Mississippi River Parkway

Advisory Council, I need your support in order to augment the National Mississippi River Parkway Commission's efforts to inform community leaders, interest groups and others who are interested and vitally concerned with the economic development of their communities. The primary goal is to ensure congressional support for a national corridor, and the secondary goal is to prepare an economic development strategy for the Great River Road and to augment the Governor's program to ensure Build Illinois. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Vadalabene has moved the adoption of Senate Joint Resolution 100. No discussion? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 100 is adopted. (Machine cut-off)...page 3, Conference Committee reports is House Bill 510, Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill speaks only to the early retirement option of the State University Retirement System. Right now, under the present law, a participant retiring before June 30th, 1987, may elect at the time of retirement to make a one-time employee contribution to the system and thereby avoid the early retirement reduction and the retirement annuity, and this bill simply extends the present law which was slated to end June 30th, 1987, another five years, to September 1, 1992. Would ask for your favorable support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 510. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are

DB 847 2nd C.C.R.

none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 510 and the...and the bill having received the required constitutional majority is declared passed. Page 4, 847, Senator Weaver. Senate Bill 847 on Conference Committee reports. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the second Conference Committee report on 847. The Senate turned down the first Conference Committee report because of an amendment in the House that would allow county correctional facilities to be built through the IDFA and increases the county tax to finance these. The second Conference Committee report omits that. It's back to the basic form that we sent out of here 59 to nothing back in June, and if there are any questions, I'll be happy to try to answer them; otherwise, I would move that we do adopt the second Conference Committee report on Senate Bill 847.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on Senate Bill 847. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee...report on Senate Bill 847 and the bill having received the required constitutional majority is declared passed. Senate Bill 1452, Senator...Senator Joyce on the Floor? Let's turn to page 6 on your regular Calendar,...(machine cutoff)...override specific recommendations for change, House Bill 53. Senator Marovitz on the Floor? Senator Marovitz on the Floor? House Bill 53. House Bill 53, Senator Marovitz. Page 6. All right,...all right, let's take that out of the record. Page 6, motions in writing

override total vetoes, House Bill 124, Senator Lemke...House Bill 341, Senator Rock. All right, House Bill 341, bottom of page 6. Senator Rock.

SECRETARY:

I move that House Bill 341 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senators Rock and Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 341 is an amendment to the Revenue Act and what we attempted to do was to include certain life-care facilities in...in those who would be eligible for both the homestead and senior citizen homestead exemption. The Governor questioned, really, the constitutionality of this provision, but the fact is that this is currently being done in the County of Cook and what we are attempting to do is to have equity and parity Statewide with respect to the life-care facilities. I think the discussion went a little awry yesterday and so we have refiled the motion and I will be delighted to yield to my cosponsors, one of whom is Senator Netsch and the other of whom is Senator Philip...so, I will yield to Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President and Mr. President. Just very briefly, I think as it was explained and perhaps the message did not get through with absolute clarity yesterday, what this does is to put a particular group of senior citizens in the same posture as others who are in like circumstances. These are people who have probably sold their home, put all of their assets together, purchased these life-care facilities and, therefore, should be given the benefit of the senior citizen and general homestead exemption as others are,

and I would like to make it clear that...I...I think there was a point of confusion based on Senator Etheredge's comment yesterday. These people pursuant to their contract with the life-care facility are, in fact, liable for and responsible for the property tax. It is absolutely clear in the bill that the exemption, the...the credit for the exemption must be passed back through to those very people who are eligible for it, so they will, in fact, individually realize the benefit of the senior citizen extemption and the general homestead exemption, and that is as clear as it could be in the bill. With that, I would seek your support also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 341 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 341 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 1568, Senator Lemke. House Bill 1568, Mr. Secretary.

END OF REEL

HB2384 Veto of the Governor

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1568 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Enterprise Zone Act to redefine the qualifications as an area must meet to be granted enterprise zone status, provides that when considering unemployment criteria DCCA shall consider persons who are not employed and have exhausted their unemployment benefits as unemployed. What...these workers are listed in U. S. statistics, Department of Labor as discouraged workers and they're considered as part of the employment records. I think this is a good bill and I think we should not just consider those people that are collecting unemployment but those people have what we call discouraged workers and have been off for a long time, they have not collected unemployment. I think it's...I ask for a favorable override of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1568 pass, the veto to...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 10, none voting Present. House Bill 1568 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill

2384, Senator Luft. House Bill 2384, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like to begin by telling you that this is not a bill that was conceived by Representative...Steczo or Senator Luft. In fact, it was a bill or a 1983 Governor's Business Advisory Committee report entitled "Building a Vital Economy" and this was one of the major suggestions that came out of that report. House Bill 2384 addresses that committee's report and recommends by changing the combined apportionment formula to double weight the sales factor in the formula used to compute Illinois Income Taxes from multistate, national and international corporations doing business...in Illinois. We feel or else many corporations in this State feel that the present formula serves as a disincentive to corporations based in Illinois. And as a matter of fact, the Governor indicates...the Governor indicates in his Veto Message that taxpayers with headquarters or manufacturing operations in Illinois will benefit. Also in the...Veto Message the Department of Revenue projects a loss of twenty-two million dollars to the State of Illinois. Yet, in Massachusetts the experience there shows that there has been an increase in revenues of forty million dollars. The Governor objects to this bill because he feels it is contrary to uniformity among states; yet, many of the states have adopted provisions similar to those in this bill and they're classified as desirable economic climates. We feel this bill is an effective way to provide Illinois corporations with a desirable climate and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I was one of the actually not such a small band to oppose the bill when it first went through and I oppose it as least as strongly if not more

strongly now. And so I would hope that we sustain the Governor's veto of House Bill 2384. First of all, I would like to make the point that there is not one shred of evidence that...that this bill would have the effect of either bringing in or retaining any business. It is simply not an economic development bill and one reason why is that there are as we...there always are when we start playing with the Tax Code, there are winners and losers. And while it is true that some of the Illinois based large corporations would love to have this bill because it would significantly decrease their State corporate tax liability, it is also true that there are other large employers who are important to the economy of this State who oppose the bill because it would either not help them or because they think it is a bad idea to start playing games with the Tax Code every time someone gets the idea. For example, some of the firms that oppose House Bill 2384 are Monsanto, Ford Motor Company, PPG, Reynolds Industries, Burlington Northern, General Motors, which is, as I recall, the...approximately twelfth largest employer in the State of Illinois; TRW, Rockwell, Chrysler Corporation, I repeat, Chrysler Corporation; Emerson Electric, Dana Corporation, Union...Union Electric, IBM, U.S. Steel, General Mills, General Electric and so forth. So, the...the point is that we accomplish nothing because we make a few companies that are...that are in the State happy and we make a number of them extremely unhappy. And I would repeat with very strong terms a point that was made on behalf of several of the large employers in this State who are among those who oppose the bill that one of the things that we have got to have is stability in the Tax Code. Most of the breaks that you try to give us are not that meaningful to large numbers of employers, but what does drive them off the wall after a while is the fact that we change the Tax Code every time one or two employers gets an idea about some way in which it or

they might be benefited. I believe it was Ford which wrote a letter to us earlier and said...reminded us, really, that we have changed the corporate apportionment formula ten times in the last eleven or twelve years. There is no way that the...the multistate companies can live with that kind of an arrangement. Stability is absolutely as critical to them as a relatively minor tax break and it is minor when you spread it around to all of them. I would also like to point out that there are a hundred and thirty-five thousand companies who file corporate tax returns in the State of Illinois, a hundred and twelve thousand or eighty-two percent of them have one hundred percent of their property, payroll and sales in the State of Illinois. Over eighty-two percent of the companies that are doing business in this State would be helped not one wit by this bill. It is a very small number of companies that are going to...realize any benefit at all. And in the long-run it is very possible that those who do all of their business, who have their property, payroll and sales in this State may end up actually being hurt; because if we keep chipping away at the corporate revenue base, ultimately we are going to have to raise the Corporate Income Tax to make up that kind of loss. And if it's made up, it's going to be made up on the backs of the hundred and thirty-five thousand who are totally located in the State of Illinois. Finally, let me make one other point, and there are many, many that could be made against this, or let me make really two other points. One is that the bill is going to cost the State about twenty-two million dollars. After it was originally passed in June, the Department of Revenue and others went back and went through their corporate returns to find out what kind of revenue impact it would have; and I think most of you have received a letter from the State Department of Revenue pointing out that this will result in a loss of twenty-two million dollars at a time when I think we really

should not be doing that in light of some other actions that we have taken. One last point, it is not going to get us any business from other states. Sure, there are a couple of states who have already started changing their apportionment formula. Most of those...for most of those it is an optional change and so it doesn't really have the impact that you think it does. For some others, like Iowa which uses sales only, they haven't been able to attract a single business as a result of that. The only thing that it is going to attract is retaliation and if you had gone...have been going to interstate meetings of fiscal chairmen as I have, you will know that this is the case. All of them have said, we are starting to feed on one another; we are absolutely out of our minds if we start changing the formula, the corporate tax formula every time someone comes in and asks us to make an accommodation. It will buy us nothing but revenue loss, instability and a bad business name. I urge a sustaining of the veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we have a lot of lights on, so we will now put the clock into effect. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll try and be briefer than some of the other speakers in my remarks in support of this. Essentially...essentially, the instability argument is really not...really not particularly accurate because there are always adjustments made to our Tax Code, but let me respond to the argument about the...those companies that are not Illinois based. I asked the representative of a Michigan based company, I showed him...many of you have this chart and a picture is, indeed, larger...more...says more than a thousand words. Right an island in the middle of states that give preferential tax treatment is the State of Illinois.

And I asked the representative of a Michigan based company, I said, would you change this, because I note that you have unique laws designed to benefit your based company? Would you change that to make that wide, what have you done? Well, that's different, Senator. As a matter of fact,...as a matter of fact, the twenty-two million dollar figure that has been thrown about so loosely is a guesstimate. And the fact that there is a sense of preferential...tax...tax treatment for certain taxpayers, well, for heaven's sake, that's what we're doing for Chrysler...that's what we did for Chrysler and Mitsubishi. And as a matter of fact, it levels the playing field between the states. So I would suggest to you that indeed this picture is worth a thousand words and I would suggest to you that on this issue, although the Department of Revenue won with the Governor's Office, that the Department of Commerce and Community Affairs has given the exact opposite analysis of those who speak against it. And I would suggest that on this one perhaps we go with the Department of Commerce and Community Affairs. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to this override. And that's true, pictures do tell more than words but all the details of the picture is not there. They forget to tell you, now this isn't an optional thing, is not optional. In Missouri, which you talk about, the weighting is optional. In Minnesota it's optional. In Iowa, it's weighted on the sales, it's never attached to the business. Indiana has a gross receipt tax and it's not really an income tax. Then you talk about Michigan, the great state of Michigan, who made the changes to remove the peaks and valleys, so they said. But if it's such a great thing, please explain to me why the Alexander Grant

Company which does the rating of all states on every number of factors has Michigan rated last, last on being a good state for business. Now I happen to be sponsor of the unitary tax law which is now on the books at the request of Caterpillar and John Deere, and it was a good law then and I still think it's a good law. This is not a good idea. If it was such a good idea, please tell me why two-thirds of these United States do not have it. There's only fifteen states that have some kind of a weighting factor but most of them are optional and some of them are not a weighting factor, as Indiana, it's on gross receipts; Iowa, it's on sales. Ladies and gentlemen, those of you who are from the suburban area and who heard yesterday saying Abbott was for this...override, let me add to you one. Senator Netsch read off Monsanto, you now know who owns one of the largest employers in the northeastern Illinois area, G. W. Searle, Monsanto. You know who the fifth largest employer in the State of Illinois is, there are not twelfth, they're fifth, General Motors is the fifth largest employer. Their electro motor plant in LaGrange in area is one of the greatest installations in the world.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson, can you bring your remarks to a close, please.

SENATOR DAVIDSON:

Thank you. This is not a good idea, I would urge everyone to vote No on this override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I'm sorry I have to disagree with the prior speaker. But we've got to keep in mind that we have to take care of the companies who have their bases in...in Illinois a little more than

we do the outside companies who come in and make money off of Illinois. All this bill does is says that it would...equally treat sales within Illinois, the override, that is, for the bill. The bill says it will treat sales within Illinois as the primary income tax factor rather than payroll and property. Thus, it would provide an incentive to companies to expand properties and payrolls in Illinois. Now, one of our prior speakers read about the companies that are in favor of the...the bill against the override. Let me read you the names of the companies that are in favor of the override, Abbott Laboratory, hiring seven, eight thousand people; AT & T, Beatrice Foods, Bell and Howell Company, Brunswick Corporation, Borg Warner Corporation, the Seiko...Corporation, CBI Industries, Deere and Company, Sara Lee Corporation, Caterpillar Tractor Company, DeSoto, Inc.; General Mills, Gould, Inc.; Interlake, Inc.; International Mineral and Chemical Corporation, Joselyn Manufacture and Supply Company, McDonald's Corporation, Morton...Inc., Motorola Inc., Quaker Oats, G. D. Searle and Company, Standard Oil of Indiana, Square D Company, A. E. Staley Manufacturing Company, Walgreen Company, Montgomery Ward and Company, Zenith Radio Corporation. Now, I don't think that we could ignore all of those companies in spite of what General Motors says or does. General Motors stuck it to us in the eye and went and put the Saturn Plant in Tennessee and didn't bother doing anything for us in spite of the fact that we did all we could to bring it here. So I have no sympathy for General Motors, I speak in favor of the override. I think we should protect the companies who...stay here and have their payrolls and expand their...their plants here and let's help them be more competitive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I don't usually rise on...on tax matters, I don't consider myself the consumate expert but I think this is pretty clear. We...I stand here and...and have sit here listen to people talk about the business climate in Illinois and admittedly that isn't my first priority and hasn't been, but I'll tell you something, I can't understand how anybody can talk about a probusiness climate in Illinois and vote against this attempt to override. I am strongly in favor of this attempt to override. I admit that I made a mistake and I think several other members at least on my side of the aisle made a mistake in voting No the first time this bill came up. That's because I didn't have the wisdom of an explanation from some of the people in the business industry. They've since explained this to me and I think when we give preference to people who have jobs in this State, who have manufacturing plants in this State, isn't that what this is all about? Isn't that what...what we're doing when we're trying to improve the business climate in the State of Illinois and attract businesses to Illinois and help the businesses in Illinois expand, which is what this will do? The Department of Commerce and Community Affairs, the governments...the Governor's own department, is in favor of this attempt to override. Several years ago the Governor appointed his own task force of...major Illinois companies to a business advisory committee. The group was to make recommendations on how to improve the Illinois business climate. The very first recommendation that the Governor's own task force made was embodied in this bill, the Governor's own task force. And I...I can't understand how anybody who wants to improve business wants to vote against the bill that will help people who have payrolls in Illinois, who put people to work in Illinois and who have manufacturing plants in Illinois, especially with the surrounding states, the states that

are contiguous to us, doing this today. We talk about the twenty-two million dollar revenue loss, the fact is that the Department of Revenue's study was limited to only the largest eighty-eight taxpayers. Over a hundred and thirty thousand corporate returns are filed each year and they only used less than six percent. The result would be different if the study were broadened but they only limit it to eighty-eight because it suited the Department of Revenue's needs. I think we ought to help business in Illinois and if we're going to help business in Illinois, no one is going to be hurt. Let's put us on parity on a level playing field with the other states around us. We're giving preference to people who give jobs in Illinois, we're giving preference to people who have manufacturing plants in Illinois, not businesses in other states who have their payrolls predominately in other states, their manufacturing plants predominately in other states and...and prey upon us with sales. Let's give the advantage to people who employ people here and the advantage to people who have manufacturing plants here. I think that's where the...where the advantage should go and that's why I think it's very important to override the Governor's veto and to vote for this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Luft, I understand Senator Keats is going to close. Senator Luft.

SENATOR LUFT:

Could we have a dual closing? I would just like to make a couple of comments, please. I'm not so sure that everybody hasn't made up their mind before we even started, once the bill was called maybe we all knew how we were going to vote. But there's been a couple of things said that rankle me just a little bit, and the one thing that I'd like to point out is some people, some corporations in this State felt like they could be helped by this bill. They've made a commitment to

this State, they have been here for a long long, time. They sit and they watch us give eighty million dollars to Chrysler-Mitsubishi, they watch us pass this bill to help this person and that person. They have decided collectively that we can help them in this State. Now I look at this picture and I see every state around us has something and, as Senator Davidson said, almost every one of them is different. So there really is no uniformity in the whole system and I don't care. I don't care if we are the only one that is starting something. I don't care whether ours is unique or creative or what. What I want to do is to respond to a group of corporations, major corporations in the State of Illinois that say they need help. And let me give the Department of Revenue...I'll tell you where to come up if, in fact, it is twenty million dollars. This...this year we passed Senate Bill 254 that took one penny off right now on the ethanol and another penny in July, that adds up to almost twenty million dollars. So if we loose twenty million dollars we just picked it up off of another corporation and another industry in the State. All I want you to remember, if you're not committed, that there are people that have asked us for help, people in this State that have a commitment. And I think we owe them that help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats to close.

SENATOR KEATS:

We are set to close, I'll remind the...last thing and that's it, I'm going to be very brief. What Dick said, you look at this map, everyone talks about how we're doing something sneaky. You look at every state in the midwest, we're the only one that is not making an attempt to take care of the companies that have made the largest, single investments in our State. Were we the only states in the midwest doing this, we ought to be against it, but we're the only

state...the only state in the midwest that is not doing it, which ought to tell you something. With that, one comment was made that we should have made this optional. The sponsors of the bill wanted this to be optional, it was the administration that didn't want it optional 'cause that would have been the major revenue loss. When...when it was brought up a revenue loss...I have to say one thing to clear this up, they claim we're going to loose twenty-two million dollars. In 1979, when we were replacing the...remember the Corporate Personal Property Tax, this exact idea was discussed then and the Department of Revenue said it was revenue neutral. Now one year the Department of Revenue says it's revenue neutral, next year it says we loose twenty-two million. Had any of you ever read Department of Revenue numbers and realize that sometimes they might be in error and that sometimes their numbers slant the direction they want it? They want to establish the tax system instead of the Legislature. Personally, maybe I don't understand the system but I've always personally thought the Legislature established the Tax Code and if their numbers say one time it's neutral and one time it's twenty-two million, I think we dismiss their position, and I ask for your affirmative vote to support the corporations that have made the largest investment in Illinois and put us in conformity with the rest of the midwest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2384 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 20, 3 voting Present. House Bill 2384 having failed to receive the required three-fifths majority vote, the motion is declared lost. Page 7, House Bill 679, Senator Welch. House

Bill 679, Mr. Secretary.

SECRETARY:

I move that the item on page 1, line 28 House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is an attempt to restore a hundred and seventy-two thousand dollars to the budget of the Department of...of Mental Health for pilot projects affecting...sending psychiatrists out to the homes of...of handicapped and mentally ill individuals. This is an attempt to restore just a portion of a eleven million nine hundred thousand dollar budget that was cut by the Governor, and I would move for the...override of the Governor's reduction veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page 1, line...Senator...I'm sorry. Senator Bloom.

SENATOR BLOOM:

I'm sorry, Mr. President and Ladies and Gentlemen of the Senate, unfortunately, I'm the designated hitter on this one; and the agency does resist this for the simple reason that the department presently is supporting these activities and this...the department is already doing this, and I think that the out-year implications for this are far beyond just a hundred and seventy-two thousand. We had this before us yesterday and we rejected it, and I'll shorten it up, I would urge that we continue rejecting it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...all right. The question is, shall the item on page 1, line 28 of House Bill 679 be restored, the...the item reduction of the Governor to the

contrary notwithstanding. Those in favor indicate...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 25, none voting Present. The motion with respect to House Bill 679 having failed to receive the required majority vote of Senators elected is declared lost. House Bill 679, Mr. Secretary.

SECRETARY:

I move that the item on page 2, line 28 of House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have moved in writing to restore an item reduction of 1.5 million dollars. As you will recall, in the Department of Mental Health and Developmental Disabilities' budget, we appropriated successfully two and a half million dollars for programs to serve developmentally disabled persons who become too old for the education funded programs. And the budget as proposed did, in fact, include two million of Federal vocational rehab. funds to begin the initiative. The Governor simply cut it back because of fiscal constraints. I am asking that we restore it, 1.5 million dollars, and I would solicit your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Once again, I guess I have to be the designated hitter on this. There's a reason why that 1.5 million

was taken out. Already the State has committed three million dollars in this fiscal year to that segment of the populations who is what they call aging out. This is a multiyear and multiagency problem and already the Department of Rehabilitation Services has taken two million and is getting two million to address this problem, and the Governor left one million in for the Department of Mental Health to address the problem as well. And it is based on that knowledge that the monies are there. If these monies are restored, the Department of Mental Health will be unable to expend them within six months. So this is to a degree a...more of a gesture and I think that symbolism is best left to the other Chamber. They often act in a symbolic fashion, but here, I don't think that this effort is necessary, the money is there, it's a multiagency and multiyear problem, and I would suggest that we do not support this motion. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I do not regard this as a symbolism. The money is there, you're right; because when you think of the total budget, absolutely, Senator, it's there. This should be passed, that's what we're about and that's what we're here for. I would ask and solicit your most favorable support to this. It's a very needy cause.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I am...I'm not in a position really to dispute what...what Senator Bloom has said. I think it's an honest effort to...to shore up a program that was instituted by this General Assembly and funded at the time in June at the proper

level. And I'm asking again that we restore this 1.5 million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the item on page 2, line 28 of House Bill 679 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 20, none voting Present. The item on page 2, line 28 of House Bill 679 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

I'm asked to seek a verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom has requested a verification of the affirmative votes. The Secretary will read those Senators who voted in the affirmative. All members of the Senate will be in their seats. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, DeAngelis, Degnan, Demuzio, Dunn, Hall, Holmberg, Jones, Kelly, Kustra, Lechowicz, Lemke, Luft, Macdonald, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, do you question any member?

SENATOR BLOOM:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew is right here at the Podium.

SENATOR CHEW:

I'm sorry, I didn't...all right...

PRESIDING OFFICER: (SENATOR DEMUZIO)

He blended in with the flag.

SENATOR BLOOM:

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll on the Floor? Senator Carroll on the Floor? Strike his name.

SENATOR BLOOM:

Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn on the Floor? Senator Dunn on the Floor? Strike his name. Senator Carroll has returned to the Chamber so restore his name. Senator Bloom.

SENATOR BLOOM:

Senator...oh, he's in his seat. Okay. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the verified roll call, the...there are 31 Yeas and 20...I'm sorry, there are 30 Ayes, 20 Nays and none voting Present. The item on page 2, line 28 of House Bill 679 is restored and the vote has been verified. All right. Motions in writing accept specific recommendations for change, House Bill 975, Senator Lemke.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 975 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

HB 982
Amt. Rec.
of Gov.

What the Governor did was add language to the bill to give a clearer definition of manufacture and sale and possession of machine guns including the parts necessary to construct one is illegal. I think it's a good amendment and I ask for adoption of the Governor's recommendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 975 in the manner and form as just stated by Senator Lemke. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 975 having received the required constitutional majority of...vote of Senators elected are declared accepted. 982, Senator Kelly. Senator Kelly.

SENATOR KELLY:

Thank you. Thank you.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 982 in the manner and form as follows. Signed, Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate. House Bill 982, as you may recall, is a bill which provides for a nonreferendum tax increase for unit districts for educational and transportation purposes. The original intention of the bill was to provide equity between units and dual school districts in the State of Illinois on their tax rates. The Governor decided to set a threshold of fifteen hundred stu-

dents; therefore, something like seventy-five percent of the smaller school unit districts would not be included under this proposal. I do, however, understand and know that there is legislation moving through the House. It isn't moving as rapidly as some of our colleagues wish which would bring in the smaller unit districts. I also realize it would be very difficult for some of the particularly downstate legislators who represent smaller unit districts to support this concept without having the other bill move through the Chamber. Now, we held this bill yesterday and my feeling is that we should go forward with it. I don't know how long we're going to be here and I'd like to proceed with this bill and would ask, therefore, that...I move to accept the Governor's specific recommendation for change with respect to House Bill 982. Solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I...I did ask Senator Kelly yesterday to...to hold this bill and...and made him aware of...of what we were attempting to do in...in the House and I'm prepared to make that same request this afternoon. I'm...I'm vitally interested in this bill, I believe that the tax rates for those school districts is extremely necessary. There were many members in this Chamber who last spring for the first time in history made a commitment to support this equity concept. We did that all...all in relationship to the whole reform package. We felt that it was necessary and it should happen. I believe that a mistake was made in this amendatory veto, that this now has become a...a reorganization issue rather than a...an equity issue. I...I believe the bill is moving along nicely in the House that would allow for the rest of the school districts to be included under this concept, but I

am terribly concerned that if that bill does not arrive here, those of us who support...who support this concept will be forced to kill this issue with respect to House Bill 982. I don't want that to happen. This is very necessary for both those school districts above fifteen hundred and below fifteen hundred. And, Senator Kelly, therefore, I would respectfully request that you take this out of the record and allow us to debate it a bit later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. Further discussion? Senator Berman. We...Senator Berman, you have to...at Senator Dawson's desk.

SENATOR BERMAN:

I have a parliamentary inquire, Mr. President. I don't know the full schedule of the day. I would suggest that if we can get a commitment to get back to this, I would concur in Senator Maitland's request to take it out of the record at this moment, but I think...and I think we're all in agreement with what we're trying to accomplish but I'm not sure of the timing. None of us know what's happening in the House. If we have a commitment that we can get back to this before we...adjourn today, I'm...I know that that's Senator Kelly's concern, that we'll have at least a chance to have part of a loaf if we can't have it all. I think we all are on...on board to get it all, but I think that we've got...well, some of us are on board to get it all. If we could have that commitment, I...I would suggest that we take it out if we'll get back to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

This question arose earlier in the day and I posed that question to Senator Rock. Is Senator Rock on the Floor? Senator Rock indicated that he intended to call...have called today both Senator Kelly's measure as well as the measure once it...came from the House. So, I...I think there's no commitment to play games with this kind of legislation and

I...I am unable to speak for Senator Rock, he's not here. But I...I'm sure that we could get back to it, that's up to Senator...Kelly. Senator Kelly is...is the sponsor of the motion. Senator Kelly.

SENATOR KELLY:

Mr. President do you have a reading how long we're going to be here 'cause I think we can get leave right here from the Senators present to get back to this before we adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...I...

SENATOR KELLY:

But it...it depends on how long we're going to be here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we have...let's do it this way. We have several motions that are still before us that we are going to go through. By that time, Senator Rock should be back. So why don't we...

SENATOR KELLY:

Why don't we at least get to that then let's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...why don't we take it out of the record...

SENATOR KELLY:

Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...for at least the time being till we reach down the...the remainder of...of the Calendar on page 7 and come right back to it. Is there leave to do that? All right. Leave...leave...take it out of the record. All right. 1163, Senator Luft.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1163 in the manner and form as follows. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 1163 addressed the...IFDA's total bond authorization. The bill passed out of here and also a bill, Senate Bill 211. Both bills were signed and there was a conflict. So what we're attempting to do, the Governor's specific recommendation with 1163 is to establish the three hundred million dollar level so it will be in both bills the same way and fifty million dollars is earmarked for R and D as per House Bill 1163.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the...shall the Senate accept the specific recommendations of the Governor as to House Bill 1163 in the manner and form just stated by Senator Luft. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1163 having received the required constitutional majority vote of Senators elected are declared passed. House Bill 1667, Senator D'Arco. Senator D'Arco on the Floor? Motions in writing to override specific recommendations. House Bill 53, Senator Marovitz. House Bill 53.

SECRETARY:

I move that House Bill 53 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. The intent of this bill, House Bill 53, which I

think was one of the most important bills that we had this Session, is to secure reliable testimony of victims without having to traumatize the child witness. The purpose is to reduce the trauma for very young victims of sexual offense and encourage parents who would otherwise not allow their children to testify in court to approve of the child's testimony out of court. I would move that we override the Governor's veto. The essential part of this Veto Message...in the original bill...the defense is precluded from cross-examining the child at the time the tape is made, and the Governor has made a change so that the defense would have a chance to cross-examine the...the child at the time the tape was made. In the bill the...the defendant does have a chance to cross-examine when the tape is introduced into evidence. The purpose of not allowing the defendant to cross-examine the child at the time that the tape is made is to reduce the trauma on the child, because what happens, oftentimes...and this is...this...this law is now in effect in...in Texas and we can use the empirical evidence in Texas to show how advantageous this is and will be in Illinois. When the defendant sees the tape that the child has made prior to the trial, what has happened in Texas is that the defendant has pleaded guilty rather than have the jury and the judge see that tape and, therefore, the child does not have to go...undergo cross-examination, the child does not have to be questioned the second and third time and that is more advantageous to a child, allows the parents...the parents who are fearful of the child being...cross-examined and traumatized now will allow that child to testify knowing that there's not going to be any trauma and cross-examination at the time the tape is made. Everybody agrees to the merits of this legislation, to its absolute importance to children who are the victims of sexual molestation and sexual abuse. We need this legislation. This is final action here and I would

move that we override the Governor's amendatory veto and finally pass House Bill 53 which will bring Illinois to the forefront of attempts to reduce trauma of child sexual victims.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. First of all, I would like to clear up something, some rumors that have been going around here. On our side of the aisle, the sponsor...the House sponsor of the bill has been going around and telling my members...members on this side of the aisle that I'm against this bill, they should vote for the override anyway, but I am against it because I had a bill on the same issue. Now, first of all, I've never talked to the House sponsor of the bill about whether or not I'm against this override motion, he never came to me. So if he's going to be quoting me, he should have first talked to me, 'cause I haven't told anybody I was against this override. It is true that I had a bill on this same issue which I personally felt, naturally, pride of authorship, that was a better bill, and I got it out of the House committee; but then I was told by one of Speaker's operatives I would never get that bill called, you'll never get it called, Karpiel, and it never was called. So I, if I'm so much against this sponsor's bill, am a cosponsor, you may notice, a hyphenated cosponsor on...of the Senate...as the Senate sponsor on this bill. And I sponsored it and voted for it and voted for it in committee and never spoke against it because I felt it was important to have at least something out there and, hopefully, the Governor could amend it to make it what I thought would be a better bill and he did. I am extremely surprised that there is an override motion on this amendatory veto, because the things that the Governor did I feel made it a much better bill and let me

tell you why. It is...it...any bill is unconstitutional if you'd...if you disallow the defendant's rights for face-to-face confrontation with the...with the accuser. So you must have that someplace in the bill. If you do not have the confrontation taking place at the taping of the videotape, it has to come sometime later, and where it will come if this bill...if this is overridden, where it will come is in court. Now what we're trying to do with this bill is to have children under the age of 12 who have been sexually abused have them make a videotape which could then we used in court so that they don't have to be placed in that court, that zoo/circus atmosphere and then be cross-examined by the defense attorney. It is much better to have the defendant and the defense attorney cross-examine the child at the time of the taping when you're not in court and don't have all the hoopla and the media attention and then to be able to use that tape in court. If you will read the Governor's Veto Message, he says exactly that, that this taping does not permit cross-examination of the child by the defendant or his counsel at the time of the taping. Therefore, a second appearance in order to allow the defendant to exercise his right of cross-examination is necessary. A second or third appearance of the child is not likely to lessen the trauma nor is...is it likely to encourage otherwise uncooperative parents to allow the child to testify. I just want to say that I don't like to stand up here...if...if the sponsor had chosen to agree with the Governor's amendatory veto, I would be standing up here urging you to vote for the bill; because I think it is an important issue and something that we...that should be done...we should do something about in this State. However, this bill unamended won't do it. It will have the child be...have to make a tape and...and tell what happened to that child, which is traumatizing; then the child is still going to have to go to court and be cross-examined there. I

mean, it defeats the whole purpose of the bill if you do not allow the cross-examination to take place at the tape and then to allow the tape to be played in court instead of the child appearing there. That's the whole point that we want to do with this bill, and unamended it certainly does not do that because it makes the child appear in court and at that time be cross-examined. And if the tape is shown and the defense attorney can show that the child is...maybe said something a little different, they can pounce on that and throw out the whole testimony of that child. It's wrong and I think we'd be better off to come back here next Session and put together a really good bill. I don't care who the sponsor of the bill is or who gets credit for it, but if we're going to put a law on the books, let's put one on the books that does something. I urge a No vote on this override motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, for all of the reasons just so eloquently stated by Senator Karpiel, I think we should oppose this override motion. I say that as the Republican spokesman on the Senate Criminal Law Committee and I...and I do so somewhat reluctantly because I know a lot of effort went into this legislation by Senator Karpiel and Senator Marovitz and Representative Preston and so forth. But Senator Karpiel, in my opinion, is absolutely right, the measure would, if anything, be a step backward and would increase rather than reduce the trauma that potentially is experienced by children having to testify in these kinds of cases. For these reasons, I think we should oppose the override motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Mr. President, what happens if this...this is a motion to override, what happens if we don't override...to this piece of legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, we are faced with...with two choices. We override and the bill becomes law or the bill dies and we have no help at all for the victim of child molestation or sexual abuse. This is it, we have to follow the House's action. The House overrode, we either have to override or the bill is dead in its entirety.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WCIV-TV 26 in Chicago has requested permission to...to videotape. If leave granted? Leave is granted. Senator Lemke.

SENATOR LEMKE:

So then, that would mean that we would have no videotaping of...children's testimony in...this matter? I think then as a Senator and as a responsible individual, it's time that we give some consideration. I don't like to be put in a box by the House and I wish there were some kind of rule change. But all we can do here is adopt the bill so we can get videotaping in...in these incidents. It's...it's a half a loaf, it's not what we want, but it's still a half a loaf and it's something better than we have. And to defeat this because...we fail to go along with the Governor's amendment would be to me ludicrous and...and not protective of our minors who have been abused, and I ask for adoption of Senator Marovitz's motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate. One of the reasons that I supported both Senator Karpiel's bill and...and Representative...Preston's bill is to lessen the trauma on the youngster who is sexually abused. As a former assistant state's attorney who was involved with representing little children who were sexually abused and badly, I know what a trauma it is on the child to have a child testify in court. What the Governor did with his motion, and rightfully so, and we...it missed us because it was the last month and we had so many bills and those of us who should have known better should have caught it and we didn't. What the Governor has done in his amendatory veto is provide that the attorney for the prosecution during the video in the court, during the video, may question the child, and the...the attorney for the defendant and the defendant himself pro se if he's alone may cross-examine the child and the court would rule on evidentiary objections of the prosecution of the defense. Now, if we support this bill in its present state, we are not doing the job that the bill was intended to do and that was to lessen the trauma on that poor victimized little child...of sexual abuse. I feel that Senator Karpiel is absolutely right and I don't care whether it's her bill or whose bill it is, I think we're better off not to go ahead with this bill because it doesn't do the job we wanted to do and that was to have the child's testimony videoed and not have the child subjected to unnecessary coercion and browbeating in court. And I feel the best thing to do under the circumstance...and God knows, I support children, I don't like molestations of children, I've been death against it. I say that, I...I state definitely I speak against the motion to override the Governor's amendatory veto which had made the bill a much better bill than when it went out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Okay. Senator...Marovitz, right now, can a child be required to appear in court to testify?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Then...then why...what I would like to know, and I apologize for...for being in the phone booth at the time when you started talking about your...your rationale for...for wanting to override, then how does this bill make it easier or less dramatic on the child in cases of...when the child is involved in...in some type of...or a victim of some sort and have to...give some...evidence or testimony against...the accused?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Okay. Let me try and explain it. Today, what is happening in the vast majority of cases, the child is not testifying, the parents are not letting the child testify and for that reason, a lot of these cases are not prosecuted. What this bill will do, it will allow for the first time the child's testimony to be videotaped to reduce the amount of trauma to the child so that the parents will then allow the child to testify. The child will not be cross-examined at

that time, they will be cross-examined later...the child will not be cross-examined at that time to further reduce the opportunity for trauma. But at the time of trial, if and when the videotape is introduced, then the defendant has an opportunity to cross-examine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

You answered my first question in the affirmative first and then you just...you answered it a different way. Now, I'm looking at...at the digest of the...of the Governor's recommendation here and...and I don't have anything except that. It says the bill now requires the child to appear in court for the purpose of cross-examination by the defendant or supplementing questions by the prosecutor. Now, I'm...you said that...first you said yes but then you said, what is happening the parent does not allow their child to come. Now the question under this Act as it is written according to the Governor of...of the synopsis here is that it...it now allows that...that the child can be required to come into court to testify. And that...and that's...I...I guess that's what...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

No, no, I want to clarify this because I think, Senator Geo-Karis, I think you've confused some people and I want to make that very clear. This bill does not require in any way a child to go into court and testify; whereas, prior to this law, they wouldn't have had to testify. That is not at all have anything to do with this law. Today, what happens is a child is not testifying. When...when...you asked me the question, is a child required to go to court. Okay? Maybe I...maybe I didn't...maybe I gave you technically the answer, yes, if they want to prosecute. But what happens is, the

parents are not letting the children go into court so the cases are not being prosecuted, the children are not going to court and the defendants are going scot free. These cases are not being prosecuted. All this bill is, and we...let me just say this so everybody understands. Senator Karpiel, Senator Barkhausen, Senator Geo-Karis, everybody...everybody, the Governor, is in agreement that we need a videotape bill. There is no controversy in that whatsoever. And...and that videotape bill does not mandate a child to testify any more than the law is today. All it...all it does is reduce the trauma. What the issue is here is, the bill before us says that at the time of the videotaping there cannot be cross-examination. The cross-examination does not come until the...the...until the trial when the tape is introduced into evidence. The Governor's change said, he wants the defendant to have the opportunity to videotape both, at the time the tape is made and at the time that the tape in introduced into evidence at the trial for cross-examination, two times. That's the only controversy here, not whether the child will...will have to go into court more or less, that is not an issue at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion for a first time? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know if we should try to throw any more light on this or not at this point, but to try to help Senator Collins and other who may be confused, the present law today is very simple. As we stand here right now, if there's a child abuse case, the...the child has to appear in court and give his testimony and there's cross-examination by the defense attorney. Well, that's what I'm trying to clarify for it, that...that is the present law right now, nothing different than any other witness. You put the kid on the

stand and he testifies and the defense counsel cross-examines him. Now there is a theory that we could be more effective in child abuse prosecutions if we allow this videotape concept outside the presence of defense counsel and outside the presence of the defendant. And what...what they want to do is be able to do that. Apparently in other states that have done this or one other state that's done it, once that videotape has been made without defense counsel being there, it is then shown to the defendant and the defendant at that time will admit his transgressions, may plead guilty and can dispose of the case. As I understand it, the Governor is saying, well, because the bill is drafted that you have to allow a person to be confronted by an attorney if he's going to go to trial, that's what I think the misunderstanding is here. The idea of the bill is to prevent cases from going to trial. The Governor is saying, well, if he does have to go to trial, then there's going to be cross-examination of him anyway, we ought to have the cross-examination during the time that the kid is being videotaped. The sponsor says no, let's not do that; let's see if we can't use it without because mothers and parents, and fathers, of course too, will be more readily wanting to cooperate with prosecution when they know that defense attorney and that defendant is not going to be there. You know, it's a judgment call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel for a second time.

SENATOR KARPIEL:

Well, I just wanted to clear up something also. The Governor is not only saying that if you cross-examine at the time of the taping, then you can...what he's saying that if you...do the cross-examination at the time of the taping, he also has written...amended and written into this bill that then that tape recording can be used in trial. So that

we're...we're achieving that purpose anyway. We're saying that the tape is made, that's it. The kid doesn't have to take a chance on whether or not the defendant recants and says, I did it and whatever, and it doesn't go to court. I suggest that there isn't a defense attorney around here who is not going to make sure that that kid goes to court. And then that child is going to have to be testifying in the court situation. If you do the cross-examination at the time of the taping, when it's not a court situation, when you don't have all the jury and all the people there and then that's it for that child and that child can then...that tape can then be used in court, to me that makes a lot more sense than hoping that these defendants are going to recant and do whatever and then say, oh, I'm so afraid, I'm not going to go to court.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I regret that I have to speak a second time but I want to clarify one point. The way the Governor's amendatory veto was, it would have allowed the defendant to cross-examine the child during the...videotaping, and this way, the court could then determine later whether or not to ask the child again. And, you have to allow the defendant his course in...in law, his due process. And the way the bill was written did not allow the defendant his due process during the video. And it's better to have the due process during the video rather than subject that child two and three and four times again to come...in front of a court. I feel the bill should have been accepted as it was amendatorily vetoed by the...by the...the Governor and not changed...not be attempted to be overridden. And I still speak against it because we are not...helping that child who has been traumatized by having him...him or

her cross-examined during the trial. She should...she or he should be cross-examined during the video and that's where it belongs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz may close.

SENATOR MAROVITZ:

Thank...thank you, very much, Mr. President. I want to clarify a couple of things. Just to clarify something that Senator Sangmeister said. At...in this bill as it stands...in its original version, at the time of taping the defense...defense counsel and the defendant have a right to be there, they have an absolute right to be there. They just do not have a right to cross-examine at that time. And the purpose of this is to prevent the trauma. They do have the right to cross-examine...cross-examination at the time the tape is admitted to evidence and at the time of trial. The difference is, in this version there is a good chance that the child will never have to be cross-examined, because after seeing the tape, the defendant, as has happened with this same bill in Texas, the defendant will plead guilty and not want to go to trial and, therefore, the child will never have to be cross-examined. In the other version, the child will always have to be cross-examined and it will maximize trauma. There is no chance at all for the child not to be cross-examined in the other version because it will happen immediately at the taping. In this version, it doesn't happen at the taping. The defendant is there, the counsel is there, the lawyer is there, but if the taping is such that when the defense counsel sees it and says, you'd better plead guilty, then the child is never cross-examined. And let me add this. The fact is, that it isn't true that if the...that if the defense counsel cross-examines at the time of taping that the child will never have to testify again, because the child can always be recalled. And if the...and if the...and if

the...the lawyer asks to recall the child, there's no way that they can deny that because they're denying the defendant his...his rights. The child can be recalled again at the...at the trial and, therefore, have to do it a second time. This bill that is before you now will prevent the trauma and may prevent the child from ever having to be cross-examined. As far as the rights of the defendant, which I, as you know, am always primarily concerned about, this bill was written by the criminal section...Criminal Law Section of the Bar Association. It guarantees the defendant's constitutional rights because at the trial he has an absolute right to confront his...the...the...the victim and an absolute right to cross-examine at the time of trial, but if they see at the taping that the...that the story is...is one that will hold up and the child has been a good witness, as has happened in Texas, fifty percent of these cases the defendant pleads guilty and the child never has to be traumatized by cross-examination, never. Okay? Now, this is what we have before us, and I think it's important for everybody to understand what they're voting on, if you do not vote to override, you are voting against...tape testimony in...in child abuse cases, that's what you're doing. You're voting against having videotape in sex abuse cases for children. If we vote yes to override, we're going to have that videotape, and if you feel strongly about the other version, that the defendant should have the additional opportunity to cross-examine...the additional opportunity to cross-examine at the time of taping, we can put that in next time and I'll support it, and I'll support it under Senator Karpiel's sponsorship. But the fact is, this is the bill we have before us. We are left no choice, the House overrode. We need videotaping in sex abuse cases of children. We want to reduce trauma, we want the parents to allow the kids to testify. It's worked in Texas, these people are pleading

guilty without going to trial. In the other version, at least once they'll have to be cross-examined. Here, they may never have to be cross-examined, minimize trauma and still retain their constitutional rights. Please vote yes to override, give us videotaping in sexual child abuse cases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 53 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 24, 4 voting Present. House Bill 53 having failed to receive the required three-fifths vote, the motion is declared lost. 1269, Senator Lemke. 1585, Senator Poshard. House Bill 1-5-8-5, Senator Poshard. All right. Senator...Mr. Secretary, 1585.

END OF REEL

REEL #3

SECRETARY:

I move that House Bill 1585 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm asking consideration for your support of this bill. This bill passed the Senate by a vote of 57 to 32 and it passed the House by a vote of 115 to nothing. The bill authorizes municipalities which operate natural gas systems to form joint municipal natural gas agencies for joint planning, financing, owning and operation of facilities relating to natural gas. There are sixty-four municipally owned gas systems in Illinois and this would permit them to participate in a joint agency to provide gas services to residents of Illinois communities. There are several potential benefits of this bill. The first is that it would increase the availability of lower cost natural gas for local utilities because of larger purchasing power. Secondly, it would prevent the decline and rapid cost increase of gas to residential and industrial customers of municipal gas. And, third, it would provide municipalities the ability to access more than one gas pipeline, thus, providing more competition and possibly lower prices. In 1983, municipal electric agencies obtained authority to form joint action agencies to provide electrical services to member communities. That bill became public law. It passed both Houses by an overwhelming majority. This bill only accords to the municipally owned gas systems the same

authority which we have already given to municipally owned electric systems. It's the same bill exactly. The bill...this bill holds that property of joint agencies that is a part of the project shall be exempt from property taxes, the same provision we have already accorded municipally owned electric systems but shall be subject to payments in lieu of taxes. No money is lost in the form of taxes to local government, no unfair burden is placed upon other taxpayers. The House overrode the Governor's veto on this bill by an overwhelming majority. It's a good bill. It only extends to the municipally owned gas companies what we have already given to the municipally owned electric companies. I would ask your support of the override motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 1585 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote...Senator Mahar indicates he had his light on. I must...my bifocals...I'm having trouble apparently. Senator Mahar.

SENATOR MAHAR:

I'd like to ask the...sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Mahar.

SENATOR MAHAR:

This bill as originally drafted allows for the municipalities...or allows for the...a property tax exemption for these joint ventures, is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, it's the same exemption that's already allowed to municipally owned electric companies, but in lieu of taxes, a direct payment is made back to the local government for what-

ever the taxes would have been otherwise. The only exemption for property taxes is that part of the project of the company whereby perhaps a line is laid or whatever that...that refers to the specific project whereby two or more...municipalities go together to access cheaper rates, more gas purchases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Yes. Well, the municipalities on their own have the right to take these properties off the tax rolls themselves, do they not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

I'm sure that they do if they so choose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

One last question. Didn't we defeat this proposal...a few days ago or yesterday?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Mahar, we did defeat it yesterday, in fact, and I refiled because this is a good bill. There's no logical reason for turning this bill down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall House Bill 1585 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, 2 voting Present.

The motion with respect to House Bill 1585 having failed to receive the required...three-fifths vote is declared lost. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 907 with House Amendment No. 5.

A like Message on Senate Bill 1307 with House Amendment No. 2.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 114 and 116, both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. We now have prepared an additional supplemental...Supplemental Calendar No. 1. If we could get the...some Pages down to have Supplemental Calendar No. 1 distributed and while we are doing that, we will take care of some more paper work. (Machine cut-off)...resolutions.

SECRETARY:

(Machine cutoff)...Resolution 562 offered by Senator Demuzio and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 563 and Senate Resolution 564 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...executive. Senator DeAngelis, for what purpose do you arise? Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

I thought while we're at a moment of leisure that you might want to take up motions in writing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll get right back to you. (Machine cutoff)...Lechowicz, what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. To ask leave of the Body to include Senator Berman, Jones and...and Topinka as...cosponsors of Senate Bill 1483, and also ask leave to include those same individuals to be cosponsors on Senate Bill 907. 1483 was introduced Tuesday and that would prohibit the midterm cancellation of certain insurance policies except for specified reasons. Yesterday the language from 1483 was sent over to the House, it was adopted this...this morning on Senate Bill 907, which Senator Chew is the principle cosponsor for that purpose and it's supposed to be coming back here this afternoon which will alleviate that problem. And for that reason, I ask that the individuals who are on 1483 conjunction with Berman, Jones and Topinka, myself and Degnan be added on 907 as well. Also, put down Senator Dawn Clark Netsch as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On...on which bill?

SENATOR LECHOWICZ:

Both, 1483 and 907. Is that too difficult?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We got it. All right. Is leave granted? Leave is granted. All right. Supplemental Calendar No. 1 should have been distributed by now. Conference Committee reports, Supplemental Calendar No. 1, Senate Bill 882, Senator Degnan.

HB 1109 C.C. Rept.

(Machine cutoff)...Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 2 on Senate Bill 882 bears no resemblance to the Expedited Checking Clearing Act which we passed out of here last June. The Conference Committee report provides for amendment to Chapter XXVI, Article 8 of the Uniform Commercial Code dealing with security transfers. The present law permits and gives legal effect to book entry transfers of securities between domestic clearing corporations but silent on book entry movements with foreign clearing corporations. This bill is to clarify the status and recognize the validity of book entry movement of securities involving clearing corporations located outside the United States. This bill provides an essential step in developing international securities trading links. The New York Stock Exchange will shortly obtain this authority from its Legislature and the passage of this bill will allow Illinois to compete fairly with New York. I'd be happy to answer any questions, I believe there's no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate adopt the first Conference Committee...second Conference Committee report on Senate Bill 882. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? You want to get Senator Berman there...have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 882 and the bill having received the required constitutional majority is declared passed. House Bill 1109, Senator Joyce. House Bill 1109, Senator...Jerome Joyce.

SENATOR JEROME JOYCE:

My microphone just broke. Thank you, Mr. President. This bill clarifies and certifies that the people who sign petitions...who circulate petitions, now that's circulate not sign, at the bottom of that petition they put the date when they started to circulate it and...finish, or they will certify that they did not start circulating the petition before the date that the opening of the petitions...that you were eligible to circulate petitions. It certifies that they did not start before that time. Also,...okay, it permits the Board of Elections to hire to...a long-term contracts to people...yeah, recent...to implement recent voter registration Acts. Also, it prohibits filling a vacancy in nomination sixty days after the general primary when no one has filed for that position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Oh...further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

On page 19, Section 3, "it provides that this Act takes effect upon becoming law and Section 1 applies to all nomination petitions filed with respect to any election to be conducted on or after February 4th, 1986. In other words, the petitions that may be out now and being circulated are not governed by this Act, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

No, that is not right. It...they would be governed by this Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Would there...would it be necessary then to recirculate these petitions or how would we make the change when they come back already signed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

No, they would not have to be recirculated. They wouldn't have...when...when you...when...when you sign them you'd certify the dates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, on the petitions that are...that were sent out by the Board of Elections, they had a certification at the bottom. Does that certification comply with the changes in this law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

It...it does but you can specify on the thing that...that the dates were between such and...that you circulated it bewteen such and such a date or you can say that I...I circulated this after such and such a date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, I'm not sure if we want to do that then. If we've sent our petitions out, for example, to our precinct committeemen and they will then get to circulate them, certify them and then return them to us, we would have to go back to the committeemen and say, here, you have to recertify this

under the new provisions of the law. Wouldn't that be correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

No...if they certify...now, if they certify from the first date to the last date that they certified it, it just makes another provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

But is that on the present certification that they say on the present certification that they circulated from one day to the next or is it the certification that we see on page 2 of this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Page 2 of the amendment is current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

I realize that and under current law, I don't see where you're putting in that you...you circulated them between two dates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that's right. This...this would clarify that. It doesn't say that, that's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, then we go back to the same question. Our peti-

tions will come back with this certified without the dates on it from the precinct committeemen or whoever is circulating our petitions. We will then not be able to send them to the State Board of Elections, we will have to go back to the person who circulated them with the dates on and say, would you please certify this again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, the...on page 3, line 24, it says "Indicating the dates on which the sheet was circulated." Now, if they get that back, that will...work and then down on...on line 31, 32, "An indication in the statement at the bottom of the petition sheet the first and last dates in which the petition sheet was circulated shall satisfy the requirement that the statement indicate that the dates on the sheet...that the sheet was circulated."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hudson.

SENATOR HUDSON:

Yes, question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator Joyce, I am looking at the primary petition that it's my intention shortly to circulate. I have taken the trouble to go over this any number of times and also to the State Board of Elections to see and to check it for accuracy and correctness. They have looked this over and have assured me that this petition in its present form is okay. Now to what we're talking about here, I believe. On the bottom of my petition or all of our petitions it says that "41st District...Legislative District and the signatures on this sheet were signed in my presence on the following date/dates and

are genuine," et cetera, et cetera. Now if I let this thing go out and it comes back, is...what I have here in my hand satisfy the requirements that you're talking about over there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, there would be no conflict.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Even though it does not specify between this date or that. All this says is on the following date...on the following date/dates. Doesn't say when they started, when they finished, just says date or dates and you say that this is okay. I'm not going to have to redo all these things.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that is correct. It would be okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson. All right. Further discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Senator Joyce, what's the present requirement before this Conference Committee report...is it ninety days preceding the last day for the filing...filing of the petition?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

That is opening day for collecting signatures, yes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

I'm not reading...the answer you gave to Senator Hudson, I don't believe is the case because on...on page 3 of the Conference Committee report, lines 31 through 35 an indication of the statement at the bottom of the petition sheet, are you saying that we can just add the dates on there? I'm...I'm quite confused. There's a number of petitions that are on the street already. The petitions that were requested by printers were the revised petitions of May, 1985, I believe. This would change that revision of May, 1985, this section?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr...I...yes. As a matter of fact, why don't we just take this out of the record to solve all this confusion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Senator Netsch, for what purpose do you arise?...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. If we might have leave...if we don't have...if we've finished with Supplemental Calendar, let me go back to that and say that we have a moment of hiatus, Senator Topinka and I have a resolution that we would like to have voted on and we would request leave to go to that order of business at your convenience, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Netsch, it hasn't even been read into the record yet.

SENATOR NETSCH:

Then we would request that it be read into the record so that we could go to that order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, take it under advisement. (Machine cut-off)...Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...for a point of an announcement. One of the issues that...has been before the Appropriations during the supplemental calendar requests of the Governor included the ability of the...what's now called the Department of Employment Security, that used to be the Bureau of Employment Security of the Department of Labor, intending to move in Chicago from its current location at 910 South Michigan to a leased space at State and Van Buren. I had our hearings last week, some questions came forth from members of the committee. Myself and Democratic members had met with Deputy Governor Reilly and the Department of Central Management Services and the Department of Employment Security this morning for an hour or so. They've been upstairs for the last several hours, it was my suggestion that since many members have been concerned about that agency and its moves over the various years that we do have a hearing. The Governor has asked me to conduct that as quickly as possible to see if, in fact, any questions are still outstanding. I have the agencies involved up in the conference room on the sixth floor. I invite the members of the General Assembly who may be interested in the topic to come up there right now so we can go through it with Central Management Services and with the Department of Employment Security. If, in fact, we end up out of space, we'll move into larger quarters, but I want to make sure that all members of the General Assembly who have any questions, myself included, have been fully advised of

the issues and dollars involved; and if, in fact, it can be resolved, we can deal with it during this Veto Session and if, in fact, there are questions outstanding, we deal with it at some future time. So I invite you all to join us now up in the 627 and if it gets too large we'll move into 212 or some other room.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions.

SECRETARY:

(Machine cutoff)...Resolution 565 offered by Senators Netsch, Topinka and Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, I...I don't mean to preempt Senator Netsch, the resolution we're about to consider is extremely important, but I just wanted...if I can have the attention of the membership, because I have been...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, could we break up the conferences. Senator Rock has an announcement.

SENATOR ROCK:

The news here is as dismal as is the weather outside. We have just...Senator Philip and I have just left the Governor's Office after meeting with the House leadership. There are four or five obvious major issues yet outstanding, one of which is the supplemental appropriation request, obviously, one is McCormick Place, one is Arlington Park and one is the question of the cigarette tax. The House, I can reliably report, is at an absolute impass. I...I think

rather then have a caucus, I'll just tell you as much as I know at this point, they're at an impass. Senator Philip and I are...are moving to break the logjam, but the fact is we're going to be here, so I would not make any plans to travel home this evening, unfortunately; and the Governor has stated and...just stated to the press corps. assembled in...in the hallway that he is prepared to cancel his foreign trade mission trip and is prepared to stay here over the weekend until we responsibly act on those four items. That's as much as I know at the moment. We are scheduled to meet again later in the afternoon but the fact is, let me just say, that for those of us who are concerned and I know there are many, we are under a time deadline. McCormick Place and its construction will stop effectively Monday if we do nothing. The Governor is quite concerned about the lack of revenue due to the lack of the cigarette tax. The supplemental appropriation's total amount is yet...or bottom line is yet undetermined, and the question of some incentive, if any, for Arlington Park is as yet unresolved. All of those the Governor said to me and to the others he wishes us to address before we leave here and he is prepared to stay, so I suggest so are we.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, in lieu of that, do you wish to proceed with your resolution? All right. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I can't think of a better time to proceed to the one issue on which we are all in absolute, total agreement. Senate Resolution 565 is jointly sponsored by Senator Topinka and myself and I strongly suspect that many of you will ask to...to join in and we more than invite that. It...it might seem to be repetitive at the moment but it truly is not. What it does is to spell out the deep concern that many of us feel about the recent decision of the

Illinois Commerce Commission with respect to the rate increase granted to Commonwealth Edison and its implications for ratepayers...right, thank you. Senator Sangmeister just reminded me of a procedural matter which I probably should take care of before I get to the substance of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, we...we were waiting to see whether or not you were going to do that. Senator Netsch has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 565. Senator Netsch.

SENATOR NETSCH:

All right. Thank you, very much...do we have to discharge Executive? No, it has not yet been assigned. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We just now read it into the record. It...it's my understanding that the resolution has been cleared by leadership, Senator Sangmeister and the minority leader on the...on the Republican side, Senator Schuneman.

SENATOR NETSCH:

Okay. All right. Thank you, very much, Mr. President,...right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

So, Senator Netsch has moved to...to suspend the rules...

SENATOR NETSCH:

So I can move to suspend the rules for the immediate consideration and, hopefully, adoption of Senate Resolution 565. Now, back to the merits and what it does. What it does is to spell out the concern that all of us have felt about the direction of rate increases on electric utilities and, of course, most prominently, the recent 4 to 3 decision of the Commerce Commission to grant Commonwealth Edison about four hundred and ninety-four million dollars worth of additional rate increase which is likely to mean for most residential people at least a fifteen percent rate increase, something

that is, I think, beyond the pale for all of us. The resolution is...is not a bomb throwing one but I think it does express the...the deep concern if...not indeed outrage that many of us feel about this, and specifically what it asks is that the Illinois Commerce Commission use...reconsider the recent decision that it did grant and that, in fact, it formally grant a rehearing so that the matter may be reviewed; and specifically we also ask that they direct themselves to a couple of points, one of which is the greatly increased access charge from a dollar ninety-four to eleven dollars per month which is going to have a really devastating effect on all individual residential ratepayers, and, in addition, that they make use of their already existing authority, which I think we further confirmed when we passed Senate Bill 1021 in the recent Session, to take into account the huge excess capacity that these new nuclear facilities are generating and at least to have some sensitivity to those of us who are being asked to pay these enormous costs. But, basically, what we are saying is, please, reconsider and rehear and rereview this enormous rate increase that has just been granted to Commonwealth Edison. With that, I would defer to Senator Topinka, the cosponsor of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 565. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would encourage all of you to go on unless your ratepayers, your residential home...your homeowners in general are willing to pay between seventy-five and a hundred dollars extra per. Now, this is the ninth increase that

Commonwealth Edison has sought in eleven years. They're basically coming back almost once a year and I don't know about your residential people but mine can no longer afford to go on with this. I mean, we just have some pretty common ordinary type people who live in my district who are...you know, the kind that just go along and try and live up to the laws as best as they can, but this is unfortunately...breaking their backs and I think it's probably affecting many of your districts as well. Yesterday, the Commerce Commission received its first appeal and rejected it. They...other appeals on other fronts can be proposed and we would suggest that they look at those very seriously, because if they don't, somewhere down the road, I think we can force the litigation. So if you could join us in this, I think it sends a nice message to the ICC that they kind of rethink their position and look at this very, very carefully.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I...I intend to join in and support the resolution and...would ask to be added as a cosponsor, but there's some things that's confusing to me and...will either one of the sponsors yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, Senator Jones wishes to ask a question.

SENATOR JONES:

Had not the Illinois Commerce Commission acted, would there have automatically been a...an increase of eighty-four million dollars more than what they granted, is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I'm trying to...I think what...are you saying that...that

there would have been an extra eighty-four million if they had not acted? No, basically, the rate has to be at some point approved by the Commerce Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The reason why I asked the question, I saw Phil O'Connor this past Sunday and I asked the question. He said, why hadn't I...he...he informed me that the way the law is written that had not the Commerce Commission acted or took the steps that they did, the increase would have been eighty-four million dollars above what they approved. Is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I don't think so, Senator Jones. I...it's hard for me to respond to what Phil O'Connor said because I didn't hear it directly myself. The...the only way that that could possibly be true would be if once a rate is filed, it's...after a certain period of time it takes effect unless the...the commission acts in the meantime. That may be what he is referring to and that would require me to know the exact amount of the original filing and, I'm sorry, I do not have that in front of me right now and I cannot tell you what that figure is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Okay. Other words then, if they file for a rate increase and the...the Commerce Commission take no action whatsoever, then that rate increase will automatically go into effect. I don't know that the law is but that question...has come up and I wanted to know the answer to it, and another question I wanted to ask is this. Senate Bill 1021...or if it was House Bill 1021 which we passed during the Spring Session, when the

bill left the Senate and we put a cap on as relate to...now, if that cap had remained on the bill, would the rate increase as far as excess capacity be included in here?

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Netsch.

SENATOR NETSCH:

I think the...the accurate answer on the latter question is that this particular rate increase would not directly have been affected; in fact, it would not have been affected at all because Senate Bill 1021 does not take effect until the end of this year in any event. I think probably you are looking for a little bit more of a response than that and I would say this that what 1021 did in its excess capacity provision was to say that once the bill became effective and a utility reached twenty-five percent excess over peak capacity that there would then not be allowed a return on common equity on that portion which was in excess of twenty-five percent. Now, at...at this...this is the first of what we expect to be several large, large requests for rate increase from Commonwealth Edison, almost all of which relate to the building of the nuclear facilities. This one might not have been affected by that provision even if it had been in effect, but there's no question that the next one or the next one would have. Now, let me just finish my answer because there really is another side to that which you may be looking for also. The...the existing law, in our judgment, allows the Commerce Commission right now...that is, the current law allows them right now, in our judgment, to take into account excess capacity and to make some adjustment for it in the rate increase that they grant. There is no question that that authority is there under Senate Bill 1021 even though it is not in the form in which we wanted it. Right today, the Commerce Commission could say, we will not allow all of the costs of Byron No. 1. In our judgment, they chose to ignore

their authority to do that and that is one reason why the rate increase is as large as it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. It does buzz from other parts of the State. It ain't our war but I think I ought to at least get on the record that there's a possibility that if the can of worms gets opened up a little further, there is a possibility that Commonwealth Edison at a later date may end up with even larger rate increase. I only throw that in just to get it on the record. It ain't our war and whatever you want to do is fine with me, but I think you ought to be aware of that and that we ought to take a good close look at the Public Utilities Act before we jump into this thing with both feet. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...Senator Bloom, I think you said we ought to take a good close look at the Public Utilities Act. The Ag., Conservation and Energy Committee meet fourteen hours on it this year on Senate Bill 1021. I get a somewhat of a kick out of this if it wasn't so pathetic, people now are sponsoring resolutions ask...asking that they roll this back or take a look at it or whatever. We had a bill here and we passed it out of this Chamber that would have stopped some of this nonsense, it was the twenty-five percent excess capacity; but now we're going to pass a big, tough resolution, that's really going to scare everybody. So, you know, let's pass this and all go home and put out press releases and say, look at what we're doing, boy; we're going to really scare the living daylights out of

the Commerce Commission. We just confirmed all those folks by the way, I don't think there was probably a negative vote on the whole batch of them. Well, you know, so...so we're going to...we're going to put this press release out and this resolution and...and we're scaring everybody.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I...I don't think we're scaring anyone; however, this resolution is a statement of our policy, our feelings that we are a little tired of having our utility rates go up, up, up, and every time the...Commonwealth Edison wants a raise in rates, they get it, and this is what it's all about. If they're entitled to it, let's find out how much. That's the purpose of the Citizen's Utility Board. I, myself, have written to them and telling them to take any action possible to look into it and see if they can't reduce those...raise in rates, because I'm telling you right now, I have had more calls and more letters about this raise in rate that was just given by the Illinois Commerce Commission than on anything else in the last ten days. I think that the resolution is justified 'cause it will tell them exactly how we feel, and I think it's high time the public utilities account a little better than they have in the past and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to echo some of the sentiments. I've had a chance to review the resolution and talk to a representative of the Governor's Office and this is not a partisan thing. This, I think, is in truth a bipartisan thing and I think those of us from the Commonwealth Edison part of the State have every reason to be concerned and our constituents

certainly are. Now, I happen to be somewhat of a cynic on the value of Senate resolutions. I suspect that we've had a number of them filling the garbage hands...cans of the halls of Congress and other places for years, but I would respectfully remind my colleagues that this is a group that we confirm and I would suggest they can...ignore this resolution at their own peril if they choose to, and I would like to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schaffer has requested leave to be added as a cosponsor. I think of all of those of you that wish to do that would...simply notify the Secretary, you will be...you'll be added. Further discussion for a first time? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. May I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Rupp.

SENATOR RUPP:

I'd like...like to...thank you, Mr. President. Like to refer to the line 23, 24...actually on line 24. The sum of the cost overruns are attributable to...Commonwealth Edison's actions and decisions but did not result in efficient economical and timely construction. Who was responsible for the others and what were they and why were they not included in this condemning resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I have...it's very noisy over here and I'm not sure I heard you. Let me just...see if I can...I'm clear about what you're asking. You're referring to page 1, lines 23 and 24, is that right, Senator Rupp? Where it says that, "The final

cost of the two Byron units will be at least six times greater than Commonwealth Edison originally told the Illinois Commerce Commission. There have been substantial construction delays and facts presented to the Commerce Commission indicate that some of the cost overruns are attributable to Commonwealth's actions and decisions." Is that the part you're talking about? Some of the cost overruns and you're question was, if it's only some, what are some of the others?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Yes, plus...and why were not those responsible for the balance of the overruns and everything mentioned and condemned in this resolution also? I think you know who it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, the answer that I would give, because I think it is accurate, is that some of the cost...some of the other cost overruns are due to an...an upgrading of the Federal standards, the NRC standards for safety, which I think largely grew out of the...the Three-Mile Island incident. There is no question that the...the fear that that engendered in a lot of people required the NRC to relook at some of the standards that it was imposing, and I think that in turn required it to look more carefully at some of the construction work that was being done on the...the nuclear plants, and I think it did make it some difference and I think we are suggesting that a part of that is...is not something that can be easily recovered unless we could figure out how to get it from the Federal Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

That's fine, you ought to get a copy of what you said, really. It doesn't mean anything. We did it, we did it. We're the ones who have brought about this...this awareness and this requirement that we upgrade, didn't we? You and I, everybody else who has any indication...any feeling about this business but we're not taking any of the blame. It's all Commonwealth, it's this...and all I do think, I object to the...that you are not including us or the Federal Government, whoever it is, or EPA or NRC or anybody else...we tend to blame the company management all the time and I don't think that's quite right, and the same thing has happened in Clinton with our Illinois Power Company. Time and time again, regulation folks have come in and said, tear that out and put it in this way; tear that out and fix it this way. So the costs go up but we never, never blame the Federal Government for their increased regulations. I just think this...I also...was real pleased...really pleased that we did have some excess capacity because, otherwise, I don't believe...I...I...let me put it the other way, I am certain that a diamond star looked at the capacity in the Bloomington-Clinton area and that was one of the factors that brought them in here. If we did not have it, we would not have been able to bring that unit in here to put the people back to work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would just like to say that I'm not going to take any blame for the Legislature allegedly increasing these rates, but I think that we should take some credit here in the Legislature for something we just did a few months ago. The House Bill 18 that we passed that changed the way that we determine the tax rate on utility increases saved consumers more than twenty-four million

dollars based on this one rate increase alone. By changing that law, consumers in Illinois on the Commonwealth system are saving more than twenty-four million dollars; so instead of blaming ourselves, maybe those of us here today who voted for that bill should take some credit as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka for a second time.

SENATOR TOPINKA:

Yes, just to answer what Senator Jones brought up in the...earlier on. You know, no matter how you cut it, ultimately, after a company or a utility has asked for a rate increase, the ICC has got thirty days in which to act upon it. Generally speaking, it suspends that request and acts because it's a responsible move to make. That is what they are in power to do, and up to this point, they have continued to increase it and increase it and increase it. And, again, I think the public, although they grumbled a bit, were very good at putting up with it, but I think we've gotten to the point where they can't take anymore. I mean, considering all the taxes we have laid on the public, my God, and this is basic and considering too that we have now passed a bill through this House that allows a...a...money to be provided for those families who cannot provide, that money has to...somebody has to pick up what...the residuals on that, because what you take from one has to be picked up by the other. And I know in terms of my district, we're getting hit twice by this, not only with the increase in rates but also for that twelve percent of your income bill, and I'm not going to have my people hit twice. Indeed, what Senator Schaffer says is true, Senate resolutions are probably not worth the paper they're written on, but how else can we send the message and I think if nothing else, this is where it's at. Again, ICC, reconsider.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp for a second time.

SENATOR RUPP:

Yeah, I apologize. One other thought that I wish I could take credit for but, no, I'm wondering if we could have as strong a resolution condemning the cost overrun on McCormick Place. I wish that the sponsor would...would also generate one of the those. I think it's the same thing. Here is sixty-five million dollars or sixty million, whatever you're talking about, and I trust that...I think it would be...interesting to see the votes on this compare with the votes on the one on McCormick Place if we ever get to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Now, Senator Jones for a second time.

SENATOR JONES:

To my esteemed colleague on the other side of the aisle that...that just posed that question, perhaps, he should ask what was the cost ran...overrun on the Illinois Center.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dawn Clark Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Let me just emphasize that...that what we are doing in the resolution is asking the Commerce Commission to reconsider the recent decision on Commonwealth Edison's rate increase. That was a 4 to 3 decision. It is, I believe, very unusual for a major rate case to be decided by such a close vote. That suggests to many of us that it is not just the legislators and not just our constituents that had some doubt about the validity of that high a rate approval, but it was the Commerce Commission, the members of the Commerce Commission themselves, many of whom seriously questioned the validity of approving that kind of a rate increase. Admittedly, this is a resolution. It is simply the General Assembly saying, please, look at this

thing again. We know that that message will be carried to the Commerce Commission by, among others, the Citizen's Utility Board with whom we worked out...or, in fact, who really initiated this resolution. I...it seems to me that at this stage it is not very wise for the Commerce Commission to ignore the virtually unanimous exhortation from the members of the Illinois General Assembly that, look, halt, we've had enough, you'd better go back and look at what you are doing to...to our business climate and to our constituents. That is all we are asking you to approve today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Senate Resolution 565. Those in favor indicate by saying Aye. Opposed Nay. Hearing no Nays, the Ayes have it. Senate Resolution 565 is adopted. Motions in writing. I understand Senator DeAngelis has filed one. (Machine cutoff)...Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For a purpose of announcement. I'd like the record to indicate that Senator Nedza has left today and he left for home due to illness.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so indicate. Mr. Secretary, read the motion.

SECRETARY:

Having voted on the prevailing side, I move to reconsider the vote by which the motion to override the Governor's veto on House Bill 1086 was adopted. Signed, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WAND-TV, Decatur has requested permission to videotape today's proceedings. Is leave granted? Leave is granted. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'd like to apologize to the

members of the Body for introducing this motion, but yesterday when I voted for this, I did not know that on January 1st, 1984, we did have a law that did create a system for reimbursement on administrative costs for school transportation. The veto that we overrode is on a bill that makes those costs unlimited and, therefore, I would like to move that we reconsider...that we reconsider the motion on House Bill 1086.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis is moving to reconsider the vote by which...by which House Bill 1086...well, Senator DeAngelis moves to reconsider the vote by which the motion to override the veto on House Bill 1086 was adopted. Those in favor will say Aye. Those opposed will say Nay. On the question, Senator Berman.

SENATOR BERMAN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR BERMAN:

Who is the Senate sponsor of this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

The Senate sponsor was Senator Karpiel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

What's the...what is the issue before us? The...for leave to reconsider?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The motion to reconsider the vote by which...the motion to override the Governor's veto was adopted.

SENATOR BERMAN:

Well, all right. On...on that issue, let me...let me explain the facts as...as I believe I understand them, and if Senator Davidson would listen, I would appreciate his comments. I think he was the sponsor of the bill that Senator DeAngelis was referring to regarding recognition of costs in school districts that contract...I'm sorry, that...that operate their own school buses, am I correct...back...back a couple of years ago. All right, he indicates correct. As I understand 1086, the change in the formula that was propounded in the original bill and that which...and which we approved yesterday changes the formulary for reimbursement so as to give a little better consideration to school districts that operate their own school buses. Now, this gets into a very complicated area but let me tell you, as I understand it, what the...what the issues are. We have two types of school districts that run buses; one school district that contracts out for an independent company to supply the bus service and other school districts that run their own buses. As this bill moved through the General Assembly in the Spring, it was heard in the respective committees and it is my impression that it was the considered opinion of both Houses and...would point out that this bill was heard in the House Committee on Elementary and Secondary Education, was passed out of there 15 to 0; it passed out of the House 116 to 0. It passed out of the Senate Education Committee 14 to 0 and passed out of the Senate 36 to 18, was concurred in by the House on about...on a vote of 113 to...to 0. As I understand it, what it did is just to allow certain elements that were not reimbursable before by those school districts that run their own buses to be included in the reimbursement formula. It brought up...gave them a little better equity. The Governor vetoed the bill. The House overrode the veto. We overrode the veto yesterday. I haven't heard any reason, and I'm willingly to listen to be educated, as to what's unfair

about the bill, because I will tell you this that every interest group, every educational group certainly had their shot in the four or five months that this bill was moving along. You know, it's not...and it...it wasn't anything that we put on...on June 30th and snuck out of here. This bill moved along in the normal process, and before I'm willingly to undo four months of deliberation, I'd like to hear why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, I want to echo part of what Senator Berman has asked. I have been here now since '73. I have had this bill in or supported this bill which we overrode the veto yesterday I believe almost every year I have been here, 'cause the old saying, "What's fair is fair." Those school districts who contract for their bus service are allowed to use the administration, the building, et cetera, et cetera as part of their contract price in that school district's reimbursement from the State. Those school districts in many areas do not have that liberty to contract out for service, even if they wanted to; they must run their service. They are denied those same kind of administrative costs to apply in their distribution formula for reimbursement on transportation, and we would not be in this fight that if the State Board of Education would have shown the courage of what they have said to us unofficially and had put in a rule. So they left us no choice but to do this by Statute. I would urge everyone to resist this motion to reconsider the vote unless the sponsor of it can convince me for some reason that there's some...something about this that I don't know about. I'm willing to be educated about it if there's a factor that escapes me, but until that is proven to me, I urge every one of those of you who have school districts as I do, most of them who have their own transportation system, give them a

fair opportunity to participate in the reimbursement on the transportation costs. That's what it's all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to thank Senator DeAngelis because when the bill was up yesterday, I voted No by mistake and he's giving me a chance to redeem myself, and I...I will oppose this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, you know, I think there's some misinformation going on through this process and...and...and I...understandably so, 'cause I was misinformed yesterday when I voted the other way, Senator Schaffer. There is a formulary for reimbursing school districts who have their own transportation. What this is doing is removing the formulary and allowing...allowing them to do it without limitation. Let me just give you an example. This morning, the State Board of Education received a phone call asking...a downstate school district asked if they were to take a vacant school building and transform it into a bus garage would we be paying for it? The answer is maybe. It's not no, John, it's maybe, because with the way this bill is written and let me just read to you what it says. "In addition to the above allowable costs, school districts shall also claim all transportation supervisory salary costs and all transportation related, building and building maintenance costs without limitation." Okay? Now, you tell me whether we should buy that school again that's going to be converted into a bus garage. I don't know but I think we will, but let me tell you the fallacy of...of approving the measure while...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute. Senator Maitland, the gentleman was closing on his motion.

SENATOR DeANGELIS:

...approving the override is that there are some people and I...this is why I probably supported it, we thought we were going to get six million more in transportation money from the General Assembly. What we're going to end up doing is dividing up the pie even thinner and whereas we are at fifty percent reimbursement now, we could conceivably be lower because what you're doing is thinning up the pie, but I don't see anyplace ever where we allowed a reimbursement without limitation, never before.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, have you concluded? All right. Senator DeAngelis moves to reconsider the vote...having voted on the prevailing side, moves to reconsider the vote by which the motion to override the Governor's veto of House Bill 1086 was adopted. Those in favor indicate by saying Aye. Opposed Nay. The Nays have it. Oh, there's been a request for a roll call. All right. The motion will require thirty votes. Having...Senator DeAngelis...the question is on the motion to reconsider the vote by which the motion to override the Governor's veto of House Bill 1086 was adopted. Those in favor of the motion to reconsider will vote Aye. Those oppose will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...Senator Sangmeister, your light is on. Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 26, 2 voting Present. The motion fails. The Supplemental Calendar No. 2 is being...has been passed out. Supplemental Calendar No. 2. Senator Berman, I had...my ears were in tune originally when I declared this motion defeated. I just want to point that out to you. Chan-

SB 907 Concurrence

nel 20 has requested permission to tape. Is leave granted? Leave is granted. Supplemental Calendar No. 2, Senate Bill 907. Senator Chew, are you prepared to proceed? Senate Bill 907, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 907 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Mr. President, I would move that we accept House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? The question is, shall the Senate concur...well, Senator, there's...the board is lit up like a Christmas tree now. Senator Watson.

SENATOR WATSON:

All I wanted, Mr. President, was an...explanation of what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Watson has requested of Senator Chew an explanation of the amendment. Senator Chew.

SENATOR CHEW:

Senator, there's an amendment put on in the House is the correctional amendment, it doesn't have any...it's not a substantive amendment, it was a correctional amendment. I can get it and bring it over to your desk if you want to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp.

SENATOR RUPP:

The copy that I have is rather important.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's take it out of the record. Senate Bill 1307, Senator Philip. (Machine cutoff)...there leave to have Senator Weaver handle that? Senator Weaver, do you wish to

proceed? Senator Chew, for what purpose do you arise?

SENATOR CHEW:

If you wish, we can deal with 907 now or come right back to it. I have...Senator Rupp, if you will come on over to my desk, I have the amendment and we're ready on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, we've taken it out of the record. We are now on Senate Bill 1307...and we'll come right back to it, Senator Chew. Senator Philip, are you prepared? All right, Senate Bill 1307, Secretary's Desk Concurrence, Mr...with House Amendment No. 2, Mr. Secretary.

SECRETARY:

Yes, it's Senate Bill 1307 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What House Amendment No. 2 does is allow a dollar to be taken away from the five dollars that we pay for our gun ID card to be earmarked for postage to inform hunters that when their card had...thirty days before their card expires that their card is going to expire. I'll tell you what has happened to me personally because I happen to be a hunter, my card expired. Went out to buy some ammunition and, of course, my card had expired. The Statute says that the Department of Law Enforcement is supposed to notify us. They do not notify us because they don't have the money to notify us. There's about a million and a half hunters in the State of Illinois. What that dollar would be used for that is coming from the five dollars which we pay for a five-year ID card would be used for postage, handling and mailing to notify hunters that thirty days before their card expires that it's expiring; and so I'll be happy to answer any questions, but I would move that we do concur on House Amendment

No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Sangmeister. All right, Senator Sangmeister, let's get back...you want us to get back? All right, Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

The...Senate Bill 1307 started out as the bill originally about amending the obscenity laws of Illinois. Is that out of the bill now and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes, everything is deleted but the...a dollar for ID card postage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I rise in support of the bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall the Senate concur in House Amendment 2 to Senate Bill 1307. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? George. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 1307 and the bill having received the required constitutional majority is declared passed. Senator Chew, are you ready? All right, with leave of the Body, we'll

AB 907 concurrence

return...Supplemental Calendar No. 2, Senate Bill 907. Senator...Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. I've just had a conference with Senator Rupp. He wants to speak on the bill. We both know what's in the amendment and I'm going to move, prior to his speaking, that we would accept the amendment from the House; however, I will yield to Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President, and thank you, Senator Chew. What the amendment does is attempt to stop one of the complaints that we've been hearing so much about is the cancellation during midterm of some casualty insurance policies. What this does is it indicates that no policy on some of these casualty policies except for those defined below in section so and so that have been in effect for sixty days, they can be...they cannot be canceled except for one of the following reasons, and that is if you don't pay the premium, the company can still cancel, that's logical; the policy was obtained through material misrepresentation, that's fine; any insured violated any of the terms or conditions of the policy or it's the risk that you originally accepted under the policy has changed and measurably increased...to certification to the director of the loss of reinsurance by the insurer which provided coverage to the insurer for all or a substantial part of the underlying risk. Now what that is is normally if we came to you, we handled your building for a million dollars, my company...I might give you a policy shows that Company X has a million dollars coverage for you, but Company X isn't big enough to be able to provide a million dollars, so we go to Company Y and Z and they each take, say, a quarter of a million and brings it down. Now, if they

come in and cancel their reinsurance, that would leave us with too much exposure and not too much exposure if a loss came along, might jeopardize and might water down the value of the policy of the other people in the company; and the other reason why you could cancel is if there's a determination by the director that a continuation of the policy could place the insurer in violation of the insurance laws of the State. The...that situation might be where the company might be bordering on insolvency, and for us to insist that the company continue to carry the coverage on risks that might be more hazardous than they should be, we might be...by doing that, we might be jeopardizing your coverage, someone else's coverage who...which should not be done; and in that case, the director could step in and say, well, fine, you should not be stopped from canceling. I think I do recommend...there has been quite a bit of negotiation and conversation back and forth, and I do recommend that we accept this, but I think we should also remember what we're doing to the companies. We are now saying that, Mr. Company, you cannot cancel...you cannot, but me, as an insured, I can cancel. That doesn't...add up too well as far as legal contracts are concerned. I don't think that there should be a one-way cancellation. I think there should also be a clause in there that if costs increase, part costs, labor costs, what you have done, if you're not careful, you're making sure that that company gets in trouble. The other thing that I worry about, when we make it so tough, right now the problem is an availability of insurance. If you were an underwriter and you realize that once you write that policy, it's in force for sixty days, you can't get off it, you're going to be a little bit more careful about going on the policy in the first place. That's exactly contradictory to what we're trying to do. We're trying to improve the market, this in a way does the opposite. Now, I have to say I ask that we do

vote for it 'cause I think that...but I think you should know that there are some reservations about it, there has some been negotiations and it worked out, but I do think it should be accepted at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any more discussion on this noncontroversial amendment? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a very important item that this Conference Committee is addressing. A situation that transpired a few months back, in fact, immediately after this General Assembly adjourned, July and August, certain premiums were paid and when it came time for September and some people were...school bus companies, for one, were supposed to be taking children back to school, they were notified that their insurance policies that they paid their premiums on were canceled. What we're trying to do is to address a problem of unilateral arbitrary and capricious cancellations of insurance policies which some businesses and local governments have experienced. Local governments and businesses paid their premiums in good faith and, in turn, midterm we're notified of a cancellation. This added a tremendous burden on businesses and local governments. By adding this section to this part of the Insurance Code, the bill entitles the insured to a hearing with the Department of Insurance to appeal the reasons for a cancellation. This would also prohibit the cancellation of Class 2 and 3 insurance policies except for one of the following reasons: nonpayment of premium, obtaining policy through material representation, violation of terms and conditions of policy, original risk has measurably increased or possibly, if this matter was reinsured with another company, there was a change in that policy. This Conference Committee proves the fact that the General Assembly can

address a very serious problem and come in with a resolution that is justifiable for the insured by the...for the companies and the Department of Insurance. Both the director of the Department Insurance and insurance companies and, yes, agents throughout this State need this relief, and I strongly encourage the adoption of this amendment and the adoption of the Conference Committee report as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I rise in support of the amendment. It is my understanding that many of the insurance carriers in the State support the amendment even though this Senate passed Senate Resolution 49 creating the Senate Select Committee on the Affordability and Availability of Insurance and we will be holding hearings on this matter; however, this solved part of the problem and there are many, many other problems as it relates to affordability and availability of insurance. I've been contacted by several units of government, school districts, park districts talking about their problem they have as...as it relates to insurance and their coverage. So, this will solve part of the problem, but I...I encourage each and every one of you to support this legislation and also be supportive of other pieces of legislation that will come down the pike to deal with a serious problem not only in this State but throughout the nation and that is the problem of the affordability and availability of insurance, and I rise in support of the gentleman's motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'll make my remarks very brief. In 1984, the property and casualty insurance industry

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Spec. Recommendations

in the United States lost almost four billion dollars on underwriting; that is, they paid out almost four billion dollars more than they took in in premiums. That's a situation that can't continue, so what has happened is that the insurance companies are scrambling to try to correct that problem and as a result of that, some of them...most of them are acting responsibly, some of them are pretty irresponsible about what they're doing and the problem of midterm cancellation, that is you buy a policy in good faith with the understanding that you pay the premium up front and that you're going to have insurance for a year...that understanding is being rejected by some insurance companies who are exercising their rights to cancel policies rather indiscriminately in midterm; and while I normally would be opposed to this sort of thing because it does interfere with the free market, in this instance, I stand in support of the amendment because I think our school districts, our units of local government and business throughout this State badly need this kind of protection. So, I would urge everybody to support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate concur in House Amendment 5 to Senate Bill 907. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendment 5 to...to Senate Bill 907 and the bill having received the required constitutional majority is declared passed. Motions in writing, Supplemental Calendar No. 2, override of specific recommendations is House Bill 99, Mr. Secretary.

SECRETARY:

I move that House Bill 99 Do Pass, the specific recom-

mendations of the Governor to the contrary notwithstanding. Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. If I could...and...and I do apologize for the second time that this motion has been made but was asked by...by some of my colleagues to bring this motion back for us to take a new look at, and if you would pay attention because I was told by several members too that they didn't understand the motion when we originally brought it before ourselves yesterday. This deals with ninety-five and a half...Chapter 95 and a 1/2 of the Motor Vehicle Code. It deals with one simple word but it's...it's a very, very important word. The...the word "State"...in 1983 was added to...to the Illinois Vehicle Code, Chapter 95 and a 1/2, and at that time when it was added, it was added because the Department of Transportation for Federal...for receiving Federal funds needed the word "State" added in several areas of the...of the Vehicle Code and which is was. There was one area of the Vehicle Code that was added that created some problems and this is where we are today, and I guess we got to decide whether we think that word should stay or whether it should not. If you have refuse haulers in your area that travels on townships and county roads to pick up refuse which is mandated in...in some cases by contracts that that refuse company might have with a city or with a county or with a township, you should be concerned about what happens to this bill. If we continue on now with the word "State" added, what it does, it says that those refuse haulers cannot travel upon those township or county roads without township or county permission, which means they will have to go to each individual county and township for permission to travel on that road. Now some

might say, well, that's...there's nothing the matter with that and we have discussed that, but keep in mind the township in which the landfill lies in might not...may determine not to allow...the trucks to travel on that road and might be carrying refuse from another township or another county. In my case, in Coles County, we have two refuse...disposal sites, both in one township, both on a township road and to get to those, that township would have to give permission from travel on that road. If they decide not to get permission, we would not have another location in Coles County and...and surrounding areas for them to haul that refuse to. So, I think if we're going to demand, under contract, when we tell these refuse haulers that they have to pick up all of the sites whether it be in the township or county, and to be honest with you, if I was the haulers, I would probably say, leave it this way because that would give them good reason not to travel down those township or county roads to pick up refuse, which is probably not very profitable, but it does create some problems for where they're going to...for where those sites lie. So, you want to take a look at...in...in your area while townships and counties that...my township and county officials have not contacted me in opposition to this; some say they have but I think...in...in 1980...back as far as 1978, I went back to the Motor Vehicle Code, it has never been the intention of this Legislative Body to say that they could not travel with those certain types of equipment in those townships; and by fault or by error, this Body put the word "State" in for other reasons and now have created the problem and in some cases they're receiving as high as fifteen, seventeen hundred dollar fines for trying to pick up the garbage in those areas. I think it's a...a very important bill. I think we all ought to take a real serious look at it and I'd be glad to answer any questions for those who might have questions in regards to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I concur with Senator Coffey and if you haven't looked at this bill, it's really, really serious. For those of us who come out of Cook and DuPage County, it impacts on us very heavily. It...the...the bill as it...or I mean, the...the law as it as now is defective and if we don't correct this, we really put all of us into a bind, not just the refuse hauler but thems of us that also create that refuse. So, I suggest we kind of help out and pass this bill rather quickly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

You have constantly made reference to hauling refuse. Is that all we're talking about in this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes, that's true. Let...let me cite...you know, the chapter. It says, "A truck specifically equipped with self-compactors used exclusive for garbage or refuse operations may however," and then it goes into that section of the code. That includes two things, the...the rolloffs that you might...if you're having construction, you might roll a rolloff off in your yard and...and put refuse in it and they come out and pick that up or the one that goes to your door and picks your garbage up. It...it specifically deals with

those people, no one else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I was one that has contacted by several superintendents up in my area and had a very...a distinct difference...with this bill and they were leading me to believe that we were legalizing all eighty thousand pound trucks on all township and county roads. So, evidently, what you're telling me is that the information that I've had then is wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Yes,...that is incorrect. The...the specific with those vehicles...that's in the Vehicle Code, deals with Chapter 95 and a 1/2, deals with...with no other vehicles, no other trucks, and they have to have the self-compactor to be used for this specific purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey, do you wish to close? Senator Coffey.

SENATOR COFFEY:

Well,...again, you know, if...you know, this bill specifically deals with those people that are removing our garbage from our homes and then the only other case is where that rolloff is being left at that home, residence, business where they'd be able to move that...where they come out and pick it up and move it to somewhere else. The Department of Transportation, according to my staff analysis is...no objections to it, the Governor's Office now...have not taken a position for it but I think they're not working the bill. I think...so there's no problem there. I think it's a...it's a measure we should deal with and it's going to create some

additional problems in some of our communities if we don't. I'm...I've always been in a position to stay with counties and townships, I have no reason now to try to jeopardize anything for them except to say, if we're going to move our...to keep sanitation...or good sanitation, we have to remove that garbage and we're going to have to allow them to get there to pick it up. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...question is, shall House Bill 99 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 8, 5 voting Present. House Bill 99 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. House Bill 2368, Mr. Secretary.

SECRETARY:

I move that House Bill 2368 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I don't usually file a second motion but this time I did because I think...of looking at House Bill 2368 and the fireowners identification card, I sent the letter out for your...reconsideration of this bill. I believe the...there was a mistake made as to misunderstanding in the debate. The present law on FOI cards does not include the words "currently valid." If you look at Senate Bill...House Bill...I mean, House Bill 2368, page 2, Section 2, you'll see that.

The courts have held in certain jurisdictions that the present language allows anyone who has a previously issued FOI card can buy guns and ammunition because of the present language...this...this has never been take up to the Supreme Court, but by adding the words "currently valid" to the Statute will solve this problem. The thirty-day provision which the Governor objected to merely tightens the law up...more so than it is now, but more important to this, we have some other major pieces of legislation in the bill. One of them...this particular House bill excludes veterinarians and animal control officers from having to have a FOI card. In other words, if at zoos, an animal breaks loose and an employee grabs a tranquilizer gun to restrain that animal and he...he violates the FOI card, and if he...if he accidently shoots a...a patron at the zoo or something, he could be tried on a...on a...on a count because of...of violating the law. He could be tried for an aggravated assault or an aggravated battery. The other provisions are what the Department of Law Enforcement needs and that's the definition of what a mental facility is and also the reporting requirements in...the reporting requirements to make it...confidential information. Therefore, I ask the...the Body to reconsider and to override the Governor's veto in this matter so this law can...become effect. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2368 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 2, 1 voting Present. House Bill 2368 having...the motion having failed to receive the required three-fifths vote is declared lost. Messages

from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has accepted the Governor's specific recommendations for change which are attached to a bill with the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 257.

I'm further...instructed to deliver to you the objections of the Governor which are contained in the attached copy of this letter to the House of Representatives. Adopted by the House October 31st, 1985. Jack O'Brien, Clerk of the House.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 913 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Just as a matter of...of letting everybody know where we're at, we are having another Supplemental Calendar. As soon as it is made, it'll be up here, we'll have it distributed. Resolutions.

SECRETARY:

Senate Resolution 566 offered by Senator Jeremiah Joyce. It's congratulatory.

Senate Resolution 567, by Senator Lemke. It's congratulatory.

Senate Resolution 568, by Senators Rock, Zito, Collins and all Senators, and it's congratulatory.

And Senate Resolution 569, by Senator Lemke, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 982 - Veto
Amendatory

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1488 introduced by Senator Barkhausen.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right, the Senate will stand at ease for just a...momentarily here until the Supplemental Calendar comes up. Supplemental Calendar No. 3 has arrived. The Senate will come to order. If we can get some Pages down in front to pass out Supplemental Calendar No. 3. (Machine cut-off)...with leave of the Body, we...we will go back to the Regular Calendar. Senator Kelly has filed a motion. Back to the Regular Calendar, page 7. Page 7 is House Bill 982, Senator Kelly.

SENATOR KELLY:

Thank you...thank you, Mr. President and members of the Senate. House Bill 982, as I indicated earlier today, is the legislation which places a uniformity...would be, for units and also dual school districts in the State of Illinois as it applies to the taxing rates. This is the...this is the bill that had the threshold of fifteen hundred students placed into it by the Governor and it would have encouraged many of the smaller districts to consolidate in order to obtain the...the equity with the dual districts. I understand we do have the bill here now, House Bill 913, which should...which takes care of the smaller school districts and, therefore, I would ask that you join me in supporting the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of the motion to...accept the amendatory veto language. The shortcoming in this bill, if any, is corrected by the bill that we

will consider immediately following this which is Senate Bill 913; and the purpose of all of this is to allow districts...unit districts to take advantage of higher access to local property taxes to improve the quality of education throughout the State. I support the motion to accept the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I...I...I believe that everyone here understands what we are attempting to do here, I think. For those of you who support this issue, this is very critical to a lot people both in this Body and in the other Chamber, and I would urge you to recall your vote last Spring, support Senator Kelly's motion and subsequent to the action on this bill, we will follow with...a bill sponsored by Senator Demuzio and myself and would...would ask you for your support on that also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Watson.

SENATOR WATSON:

I have a printout here of the various school districts and the average daily attendance, and I have a district in my area that has an average daily attendance of fifteen hundred and forty-eight students. So, they will qualify for that higher rate. Now what happens next year if sixty students...they end up less than fifteen hundred? Can they then tax at that rate that...prevails today or do they then fall

to the lesser rate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yeah, they can retain it even if it falls below. They can retain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What if the reverse is the case? If you've got a district that...such as Carlinville that has fourteen hundred and ninety-nine students and they do not qualify at this time, but next year, they're over the fifteen hundred, then what happens? Can they go to the higher rate at that time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, they won't lose anything now, but later on they can go to the...to the higher rate, right, and then qualify, right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly may close.

SENATOR KELLY:

Mr. President,...I move to accept the Governor's specific recommendations for change with respect to House Bill 982.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 982 in the manner and form just stated by Senator Kelly. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 5, 1 voting Present. The specific recommendations of the Governor as to House Bill 982

SB913 Amendatory Veto

having received the required constitutional majority vote of Senators elected are declared accepted. We will now go to Supplemental Calendar No. 3...Supplemental Calendar No. 3. Senate Bill 913, Senator Maitland has requested leave of the Body to be added as a...as a hyphenated cosponsor. Is...along with Senator Poshard. Is leave granted? Leave is granted. Senator Maitland also requests leave of the Body to handle the bill in the...for Senator Demuzio. Is leave granted? Leave is granted. Mr. Secretary, Senate Bill 913.

SECRETARY:

Senate Bill 913 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 913 is the legislation passed earlier today by the House that would allow access to those same tax rates just alluded to by Senator Kelly for those school districts whose enrollment is below fifteen hundred. Many of us in this Body for the first time ever supported this concept last Spring, all to conform with the whole educational reform package that we were passing. We felt that was...was necessary and should happen. It was not at that time a reorganization issue but rather an issue of equity only. Obviously, there has been some disagreement in the past on this. I think that disagreement now has been resolved. We've talked with those...I don't mean to imply that some of the groups don't still support their concept, but we have talked with the Governor and it's in the whole spirit of reorganization. As we've talked out in the field on the subject of reorganization, it is moving along very nicely. They're accepting the responsibility in the reorganization committees and this simply was a detriment to them. I'd be happy to respond to any questions that you might have;

if not, I would appreciate your support for Senate Bill 913.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of...concurrence of Senate Bill 913. I think that it's an important bill that got lost in the mix-up of amendatory veto language and I would urge an Aye vote on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Bill 913. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 2, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 913 and the bill having received the required constitutional majority is declared passed.

SENATOR BERMAN:

Mr. President...Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I thought...I would like to call the attention of the Body to the fact that for the first time in history, we have a dinosaur in the press box and if the dinosaur would stand up so we could recognize the dinosaur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the Democratic side too.

SENATOR BERMAN:

I think...I think the dinosaur could probably do...I think the dinosaur could probably do as good a job as some of the other people that have held that seat in that box.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Supplemental Calendar No. 3, specific recommendations for change is House Bill 257, Senator Luft. Senator Luft. (Machine cutoff)...Luft.

SENATOR LUFT:

Thank you, Mr. President. What the Governor did with House Bill 257...we got the right bill up there? Anyway...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...a moment...House Bill 257 on Supplemental Calendar No. 3.

SENATOR LUFT:

Thank you, Mr. President. What the Governor did with this bill was simply change the effective date to January 1 of '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 257 in the manner and form as just stated...let's take it out of the record for the time being. Take it out of the record. All right, Supplemental Calendar No. 3, I understand that the...we now have the motions that have been properly filed with the Secretary. Supplemental Calendar No. 3 is House Bill 257, and I understand Senator DeAngelis is going to be handling this motion. Is leave granted? Leave is granted. Senator DeAngelis.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 257 in the manner and form as follows. Signed, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. It would seem rather appropriate that you...that Senator Demuzio gave his bill to Senator Maitland and now Senator Luft is going to give me his bill.

We got...we're really on a roll here. The Governor's amendatory veto does two things; one, it...it changes the effective date and, secondly, it makes some technical changes so that House Bill 257 which we passed out two weeks ago is similar in language to the areas that apply on Senator Rock's bill, 1156. So, I would move to accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 257 in the manner and form just stated by Senator DeAngelis. Those in favor will vote Aye. Those opposed will vote Nay.. The voting is open. Senator Sangmeister. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 257 having received the required constitutional majority vote of Senators elected are declared accepted. Resolutions.

SECRETARY:

Senate Resolution 570 offered by Senator Zito. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Thank you, Mr. President. While we're at ease, I thought it might be a good time to call a Republican Caucus...all the Republican members would meet in Senator Philip's Office, we'll try to get in and out in just a little bit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Weaver, can we just stand at ease for one moment? I think the President may have an announcement here

on...what's going to take place for the rest of the evening. All right, the Senate will Recess until the hour of six-thirty...six-thirty. Does that give us a...chance according...to get some lunch and dinner and whatever else is out there. Senator Weaver.

SENATOR WEAVER:

Well, there will be a Republican Caucus immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Senate will stand in Recess until the hour of six-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 571 offered by Senator Demuzio, Rock and all Senators.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, I will...this is a congratulatory resolution and I will move to suspend the rules for the immediate consideration and adoption. Senate Resolution 571 is rather a historic resolution in the history of at least one of our members. It has come to my attention today that one of our members has achieved the...his...his fourth decade birthday...and the person...to whom I have directed this resolution...I know when I turned forty, how dramatic and how concerned I was that, you know, forty-one was not going to be around the corner, and I remember when I turned forty, why, there was a lot of black drape...drapings around and there was a...a...some dead...flowers that was delivered to me on the Senate Floor. Well, today happens to be the fortieth

birthday of Senator Glenn Poshard and since...since some of our members have from time to time indicated that Senator Poshard looks a lot younger, I wanted to point out today by this congratulatory resolution that he, in fact, is forty and I think the whole world should know about it and, therefore, I move you, Mr...Mr. President, to suspend the rules for the immediate consideration and adoption of this congratulatory resolution.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 571. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the rules are suspended. On the adoption of Senate Resolution 571, Senator Demuzio has moved its adoption. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted and Senator Poshard will have a chance to rebut on Sunday. Happy...Happy Birthday. All right, if I can have the attention of the membership, let me...or allow me to try to tell you, Senator Philip and I have just conferred a few moments ago...try to tell you where we are or aren't. The...the House has adjourned until ten o'clock tomorrow morning awaiting what will be, I hope, successful Senate action, but action that will require a vast amount of staff work and paper which we feel in all honesty could be accomplished this evening but not until much later. So, we just feel it's not in the best interest of all of us to sit here while we attempt to accommodate the paper. The plan is, as Senator Philip and I have discussed it, is to recall House Bill 568 to the Order of 2nd Reading for the purpose of consideration of a number of amendments, which number I think six at the moment, to cover the subject matter that's yet before us, which subject matter I'm sure is familiar to

everybody. In order to accomplish that, we again, have to get sixty copies of each of six amendments and sixty fact sheets and so on and so forth. It seems to us better to afford the staff a little more leisurely pace although late hours and be ready when we come in tomorrow morning. The House comes in at ten. My suggestion to Senator Philip was that we come in at nine with the understanding that we will go virtually immediately to that order of business and attempt to bring these issues to a resolution. The Governor has delayed, I'm sure you know, his trip to Japan at least until Saturday. He has changed his plane reservation and the reservation of the members who were to accompany him from Friday until Saturday. He will be here first thing in the morning and I am optimistic, as always, that we can reasonably address and conclude our business. So, if that is agreeable to the membership, I would ask you to get a good night's sleep and be here at nine o'clock. If there's no further business to come before the Senate at this time, Senator Philip moves that the Senate stand adjourned until Friday morning, tomorrow morning, at the hour of 9:00 a.m. Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

OCTOBER 31 , 1985

PRESIDENT:

The Second Special Session of the 84th General Assembly will come to order. Reading of the Journal, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, October 29th and Wednesday, October 30th of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. All right. If there's no further business or any announcements to come before the Second Special Session, Senator Philip moves that the Second Special Session of the 84th Assembly stand adjourned until Friday, tomorrow morning, at the hour of eleven o'clock.

84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 1, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon, which will carry us through the weekend, will be given by Senator Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Thank you, Senator. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, October 29th; Wednesday, October 30th and Thursday, October 31st, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have just met in my office with the Governor and the other legislative leaders. The discussions on the issues before us are continuing and will continue over the weekend and we have agreed to meet again in my office Monday morning at 10:00 a.m., and so I would move you, Mr. President and ladies and gentlemen, that we stand adjourned until Monday at the hour of noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion that was placed by Senator Rock that we adjourn until Monday at the hour of noon. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned until Monday at the hour of noon.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 1, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Second Special Session will come to order...reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, October 29th; Wednesday, October 30th and Thursday, October 31st of the Second Special Session, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as placed by Senator Vadalabene. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. All right, Senator Vadalabene now moves that the Second Special Session stand in...adjourned until Monday at the hour of twelve-thirty. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. Second Special Session is adjourned until Monday at the hour of twelve-thirty.

84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 4, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of twelve having arrived, the Senate will come to order. Members will be in their seats or at their desks. Our guests in the gallery will please rise. Our prayer today by the Reverend John Spreen of the Church of the Little Flower, Springfield. Father.

REVEREND SPREEN:

(Prayer given by Reverend Spreen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, October 29th; Wednesday, October 30th; Thursday, October 31st and Friday, November 1st, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion of Senator Vadalabene. Any objections? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Resolutions.

SECRETARY:

(Machine cutoff)...Resolution 572, by Senator Topinka and Hudson.

And 573, by the same sponsors. Congratulatory.

Senate Resolution 574, by Senators Rock, Philip and all Senators and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. (Machine cutoff)...of bills.

SECRETARY:

Senate Bill 1489 introduced by Senator Luft.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For the benefit of the membership, the joint leadership and the Governor met at about ten o'clock this morning and just concluded. I am sorry to say we have not as yet resolved all our differences. The House, I am told, and I listened myself, just went in and Recessed until the hour of five o'clock. The Governor is scheduling another meeting in my office at three o'clock. If, indeed, the resolution can be reached, we will conclude this evening; if, indeed, it cannot, at five o'clock we will then adjourn until tomorrow. In the meantime, I would move you, Mr. President, that we stand in Recess until the hour of five o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...resolutions.

SECRETARY:

Senate Resolution 576 offered by Senator Jerome Joyce.

Senate Resolution 577 offered by Senator Rock and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Yes, I'd have a question of Senator Rock on the schedule.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Bloom.

SENATOR BLOOM:

On those matters that are...not quite as controversial as what has been involved the last few days, such as the supplemental appropriation and some of the other ones...I'd...I was...wondering if perhaps we could take care of those with a little more dispatch. I don't know that...I...I just thought I'd throw a leading question and let you take the ball and run with it, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, pardon me for laughing. Senator Rock.

SENATOR ROCK:

Eminently reasonable. Eminently reasonable. However,...logic and reason no longer prevail around here. We are now dealing again with the House and the supplemental is no longer agreed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved that the Senate stand in Recess till the hour of five o'clock. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate will stand in Recess till the hour of five.

RECESS

AFTER RECESS

PRESIDENT:

Senate will be in order. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, due to illness, Senator Nedza could not be here today.

PRESIDENT:

The record will so reflect. Thank you, very much. All the loyal spear carriers, let me just suggest, the sun will come up tomorrow. We appreciate the fact that you have waited patiently all day. Senator Philip and I have been involved in meetings interminably since we arrived early this morning. We have not yet, unfortunately,...reached any resolution with the House leadership and his Excellency. We will be meeting again at nine o'clock tomorrow morning. And I will yield to Senator Philip, if need be. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. Yes, we are meeting at nine

o'clock, but I suggest that we come in at noon, the membership. Hopefully by that time we may have come to some kind of a resolve of this problem. But it would appear...I hope you all brought extra shirts and the other stuff because we may be here for awhile.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, let me just ask this of this tremendous leaders we have here. If you guys didn't work it out, why did you call us back in Session in the first place?

PRESIDENT:

Well, the...

SENATOR D'ARCO:

Why didn't you continue to have your meetings until you had it resolved and then call us back into Session at that time and we could vote on it.

PRESIDENT:

Well, you...you're arguing with the wrong leaders, John. Senator...Senator Philip and I, I thought, had it worked out before we left on Friday, and unfortunately...there is another Chamber, this is still a bicameral Legislature. We're going to work on that too. If there's no further business to come before the Senate, the Senate will stand adjourned until the hour of noon tomorrow. Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 4, 1985

PRESIDENT:

All right. The Second Special Session of the 84th General Assembly, for the purpose of the Journal, will come...come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, October 29th, 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer. Mr. President, I move that reading and approval of the Journals of Wednesday, October 13th...30th; Thursday, October 31st and...Mr. President, it seems that...I have some interference here, but I...

PRESIDENT:

No, AP didn't ask to film you, Sam,...everything is all right.

SENATOR VADALABENE:

I move that reading and approval of the Journals of...Mr. President, they're not up there. I move that reading and approval of the Journals of Wednesday, October 30th; Thursday, October 31st and Friday, November 1st, of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals and my...may God bless Howie Carroll.

PRESIDENT:

All right, you've...you've heard the motion as...expressed by Senator Vadalabene. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Further business to come before the Second Special Session? If not, Senator Chew will move that the Second Special Session

stand adjourned until Tuesday, at the hour of twelve-thirty.

84TH GENERAL ASSEMBLY

REGULAR SESSION

November 5, 1985

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

SECRETARY:

Tuesday, October 29th, 1985.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator O'Daniel. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that reading and approval of the Journals on Wednesday, October the 30th; Thursday, October 31st; Friday, November 1st and Monday, November 4th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator O'Daniel. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 577 offered by Senator Topinka, it's congratulatory.

Senate Resolution 578 offered by Senator Poshard, it's congratulatory.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we have a number of requests. The House is recessed until two o'clock on June 30, 1992, so...you know, we're the only game in town and...Channel 20, Channel 3, Channel 7, Channel 5 and UPI would like to take some pictures. Is leave granted? Leave is granted. And we invite any House member who's within the sound of my voice to come in and get their picture taken. Senator Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

Mr. President, to request a Republican Caucus. I would expect that the caucus would last at least two hours and we realistically should alert our friends in the other party that we will be gone for a couple of hours and...not...hopefully not that long, and I'd like to request any other Republican members who might still be in their office to meet us in Senator Philip's Office immediately.

PRESIDENT:

That...that request is in order. The Senate will stand in Recess till the hour of two o'clock.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. With leave of the Body, I assume the leave is also given for this afternoon for the...our friends from the media to film or otherwise do what they have to do. Leave is granted. Resolutions, Mr. Secre-

HB 568
Recall

tary.

SECRETARY:

Senate Resolution 579 offered by Senator Poshard and it's a death resolution.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, we are going to move to page 2 on the Calendar. (Machine cut-off)...would assume what's euphemistically called the main event. On the Order of House Bills 3rd Reading is House Bill 568. Senator Philip.

SENATOR PHILIP:

...okay. Thank you, Mr. President, and ask leave to go back to 2nd reading for the purpose of amendments.

PRESIDENT:

All right. Senator Philip seeks leave of the Body to return House Bill 568 to the Order of 2nd Reading for purposes of an amendment or two. Is leave granted? Senator Demuzio.

SENATOR DEMUZIO:

Are...are we going to have an opportunity to have the amendments passed out so we can see them?

PRESIDENT:

Yes. All right. Senator Philip seeks leave of the Body to return House Bill 568 to the...for the...to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is House Bill 568. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This merely changes the title of the Act to say...it

includes, "economical development." It just broadens the scope. I move its adoption.

PRESIDENT:

All right. The gentleman has moved the adoption of Amendment No. 2 to House Bill 568. Question? Senator Lechowicz.

SENATOR LECHOWICZ:

I question the germaneness of the amendment.

PRESIDENT:

Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Mr. President, I would ask that the Secretary since we have so many amendments, they can refer to the amendments by the LRB number, please. It would be a little easier.

PRESIDENT:

That request is in order. Mr. Secretary, Amendment No. 2, how is that reflected?

SECRETARY:

LRB number is 8402545XXMLAM02.

PRESIDENT:

Senator Kelly, for what purpose do you arise, sir?

SENATOR KELLY:

Yes...yes, Mr. President, it seems like this would be a good time to request a caucus...

PRESIDENT:

Oh, it's a terrible time. Did...stand for any other purpose?

SENATOR KELLY:

Well, I don't know what the...all these amendments are and what the purpose is. We all know that...

PRESIDENT:

Well,...that's the..that's the point we are...we are...

SENATOR KELLY:

...Build Illinois is economic development in itself. I

hope we all know what that's been all about for the last year or year and a half, and I'm not sure...and it just seems like we've been here for two days now and I have not had an opportunity to...to vote in the local elections which took place today. We should have come in on Wednesday instead of Monday. I've been wasting my time and everybody else's and the Governor certainly isn't the only one that's been working. We're working a lot of times by just holding our patience till what...we find out what the program is and what's going on, and that's why I'm requesting a caucus.

PRESIDENT:

I...I think your point, otherwise, is well-taken, but I...frankly, in my judgment, a caucus will ill-serve the purpose of this Body at this moment. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO

...Mr, President, I just would say that...amendments are distributed, we could read each amendment.

PRESIDENT:

Yes, we...

SENATOR D'ARCO:

And...

PRESIDENT:

Your point is well-taken. We are attempting to...to bring some order out of chaos. We have all been sitting around for weeks now awaiting the moment of truth and the moment is upon us, and we're going to do the best we can. I beg your pardon...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

...our problem is we don't know what that truth is. We realize it's the moment of truth but we don't know what the truth is, because we don't have any idea what we are about to be presented with.

PRESIDENT:

You are sounding more and more like a regular organization Democrat every day, and I mean that as a...in a complimentary sense, don't misunderstand what I'm saying. Everybody is going to have an opportunity to vote on everything, all right? This is pure democracy, yes, sir. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Yeah, I...I guess to just...to elaborate on...on that issue a little further. I think if...we can bring some order out of what has been chaos around here if, in fact, we did caucus and know what was going on in...in these amendments. I don't see it serving the...the...the public interest for us to sit here and...and...and vote or debate because all the cameras are here for the next five hours and then end up not doing anything. I think it would better serve the...public interest for us to caucus and see what's in these doggone amendments.

PRESIDENT:

Well, I...I am...I am convinced personally the Chair will suggest...I am convinced personally that everybody is pretty well aware of the issues and pretty well polarized on how they're going to vote. My attitude is, let's vote. All right. The question is the adoption of Amendment No. 2. Senator Lechowicz has questioned the germaness of Amendment No. 2. The Chair is prepared to rule that Amendment No. 2 is in fact germane. It is a change in the title from the, "Build Illinois" to "An Act to Encourage Economic Development, amending certain Acts therein named." The Chair rules that it is germane. The question is the adoption of Amendment No. 2 to House Bill 568. All in favor of the adoption of the amendment, if there is no further discussion, will indicate by saying Aye. All opposed. The opinion of the Chair, the Ayes have it. Roll call has been requested as

it...sure will be on every other amendment. The question is the adoption of Amendment No. 2 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 11 Nays, 2 voting Nay. Amendment No. 2 to House Bill 568 is adopted. Yes, sir, Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, my light was flashing. I'm sure you got your paper over there, that's why you haven't...see it, but let me just point out to you that I respectfully disagree with the ruling of the Chair and it's my intent to file with the Clerk my official objection to your ruling, and I would humbly request a caucus be called at this time, as a regular Democrat, so we can get a little game plan on 568.

PRESIDENT:

Okay. Senator D'Arco, for what purpose do you arise? Now, the gentleman's request is still on the Floor.

SENATOR D'ARCO:

Let me...you know, Mr. President, a caucus isn't going to accomplish anything. Every one of these amendments...wait a minute...wait a minute, we know how to read and write. I mean, we all went to school to some degree here. I can read what it says on this amendment, I know what it does. The issues have been before this Body for over a month or two months. We all know what the issues are. We may be in favor of some; we may not be in favor of others.

PRESIDENT:

Why...why...Senator D'Arco,...allow me to suggest that the gentleman's request is in order. There will be a Democratic Caucus immediately in my office. We will reconvene at quarter to five.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr. President, I would move that the Senate adjourn until November 6th, at the hour of noon.

PRESIDENT:

The Senator has made a motion that we stand adjourned until noon tomorrow. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate stands adjourned till noon tomorrow.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

November 5, 1985

PRESIDENT:

The Second Special Session will come to order so that we can quickly adjourn. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, October the 30th; Thursday, October the 31st and Friday, November the 1st, in the year 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals of the Second Special Session just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, it is so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journal of Monday, November 4th of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene...any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Any further business to come before the Second Special Session? If not, Senator Vadalabene moves that the Session...Second Special Session stand adjourned until the hour of twelve-thirty tomorrow. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 6, 1985

PRESIDENT:

The Senate will please come to order. With leave of the Body, obviously, a number of the television stations have requested permission to videotape. Hearing no objection, leave is granted. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Senator Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Amen and thank you, Senator. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, October 30th; Thursday, October 31st; Friday, November 1st; Monday, November 4th and Tuesday, November 5th, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

(Machine cutoff)...heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 580 offered by Senator Jones and all members and it's congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, Mr. President, I move that we...Recess for a Democratic Caucus.

PRESIDENT:

That request is in order. Senator Vadalabene has requested a Democratic Caucus immediately in the President's Office. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, we would like to request a Republican Caucus immediately in Senator Philip's Office, also.

PRESIDENT:

All right, those requests are in order. The Senate will stand in Recess until three o'clock.

RECESS

AFTER RECESS

PRESIDENT:

The hour of three having arrived, the Senate will reconvene. The Chair notes that a protest has been filed by Senators Zito and Lechowicz, which protest will be journalized and read if the members require it. Senator Kelly, for what purpose do you arise, sir?

SENATOR KELLY:

Mr. President, I make a motion that we adjourn until noon tomorrow and would ask that all the members of the Senate be present and, hopefully, we can have legislative action tomorrow.

PRESIDENT:

That motion is in order and the Chair would suggest that, yes, indeed, we will have legislative action tomorrow at the hour of noon. Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 6, 1985

PRESIDENT:

The Second Special Session of the 84th General Assembly will please come to order. Reading of the Journal, Mr. Secretary...Senator Kelly.

SENATOR KELLY:

Mr. President, I move that reading and approval of the Journals of Monday, November, 4th and Tuesday, November 5th, of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right, you've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Any further business to come before the Second Special Session? If not, Senator Kelly moves that the Second Special Session stand adjourned until tomorrow at the hour of one o'clock. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 7, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks, and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

REVEREND KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Thank you, Father. Reading of the Journal, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the reading and approval of the Journals of Wednesday, October 30th; Thursday, October 31st; Friday, November 1st, Monday, November 4th; Tuesday, November 5th and Wednesday, November 6th, in the year 1985, be postponed pending arrival of the...printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz. Is there any discussion? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit.

House Joint Resolution 118 and 120.

PRESIDENT:

Consent Calendar. All right. If I can have the attention of the membership, the House, as I'm sure you're all

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aware, is awaiting Senate action as is only appropriate. So, in the meantime, Channels 20, 17, 3, 5, 7, UPI, AP request permission to tape and photograph as does WCIA-TV, also Channel 19 and Channel 17 in Decatur. With leave of the Body, leave is granted. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Thank you...thank you, Mr. President. I would renew my request made the other day of the Secretary that he reads the LRB number so that we can correspond that with the corresponding amendment.

PRESIDENT:

I think that...that suggestion is a good one. The members now have at their desks copies of the amendments, copies of the analyses and a list insofar as we...as of eleven o'clock this morning, a list of the order in which these amendments will be offered. I would ask the members to just take a moment or two, make sure you can find what you have to find, so that as we begin I will ask the Secretary when an amendment is offered to indicate the LRB number and we would hope that the sponsor would recognize it. Senator Lemke, for what purpose do you arise, sir?

SENATOR LEMKE:

I would like to ask leave to be excused for my attendance on Tuesday and Wednesday, I was in Washington on behalf...on legislative business on behalf of some legislation that was before the U. S. Supreme Court.

PRESIDENT:

All right. The record will so reflect. If you turn to page 2 on the Calendar, on the fifth day of November, House Bill 568 was recalled from 3rd reading to 2nd reading at the request of the sponsor. And we will begin again on the Order of House Bills 2nd Reading, House Bill 568, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Jerome Joyce.

PRESIDENT:

All right. May I ask that the members be in their seats. There are some twelve or fourteen amendments. We have been patiently waiting all week to get to this, we're there. So, I'd ask the members who are not on the Floor to please join us and the others to be at their seats. And I'm going to ask the staff and the visitors to take their conferences off the Floor. Amendment No. 3, Mr. Secretary, what is the LRB number?

SECRETARY:

LRB 8402545EGCHAM83.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the farm debt relief program that we passed in House Bill 1090 with two exceptions. In House Bill 1090 on the tax delinquency interest, we lowered that from eighteen to nine. There was some concern expressed about that, that it would prevent people...or they would not pay their property tax, so we raised it in this one to twelve. So what...in essence what we are doing is lowering the...the tax delinquency interest from eighteen percent to twelve percent. Also, in this one the other exception is that we are taking twenty-five million two hundred and ten thousand eight hundred thirty-two dollars and thirty-two cents from the Farm Credit Payment Adjustment Fund created last year by House Bill 485 and transferring it to the Farm Emergency...Fund...Farm Emergency Assistance Fund. And that is the two percent, two thousand dollar payments if you're seventy percent or over or fifty-five percent to seventy percent, you have to pay it back. And that is the only two different...the only two changes from House Bill 1090 as we passed it. Also in here there is seven million

dollars for debt restructuring and seven hundred and fifty thousand dollars for legal assistance. And I'd be happy to answer any questions if there are any. If not, I'd ask for a favorable roll call.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 3 to House Bill 568. Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, and thank you, Mr. President. On page 5, we talk about the State guarantee program and...and we have discussed this individually and I again want to reiterate my appreciation for your concern for the agriculture community of...of Illinois and I share your concern and your sincerity, but...I just have a problem with this one and I'd just like to ask some questions, if I may.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

Now...from what I understand, we're going to be guaranteeing eighty-five percent of a three hundred thousand dollar loan on those qualified farmers.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

That is correct.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

And we are going to have a hundred million dollar bonding program to fund that particular program. Okay. What and how are we going to determine which farmers are going to come first in the line of guarantees? Not necessarily the farmers but which banks are going to come first in...in regard to the

guarantees?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, we don't Senator. The lenders apply...or the farmers apply and the...Farm Development Authority makes that decision.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Do you have any idea what the total indebtedness is of the agriculture community in the State of Illinois and what a hundred million dollars is going to do in regard to any kind of a guarantee program?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

No, I can't give you the total debt...farm debt in Illinois, but I can give you from fifty to eighty percent debt to asset ratio, there are 16.79 percent and from eighty percent debt to asset ratio above, there are 15.11 percent. That totals 31.90 percent.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

In the legislation in the amendment here, does it spell out where the State comes in regard to the...to the mortgage? Do we get a first mortgage, second mortgage? Do we follow the bank? What...where do we...where are we at in regard to...to our protection?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

What it does say is that the bank takes the first fifteen

percent of the loss and then the State would come in after that. That's as much as it spells out.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Is the State of Illinois prepared to take upon the obligation of liquidation that...that's going to have to occur in regard to...bankrupt farmers?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

That is the lender's responsibility.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay...okay, thank you. Just...just to make a couple of remarks, and...and I want to reiterate that I...I appreciate the sponsor's sincerity in trying to help the agriculture crisis that we now find ourselves, but I'm involved with a couple of banks and maybe I'm even in conflict of interest but I'm going to vote my conscience, but I sit on a bank board and I know how this thing is perceived. I know how we in the banking industry or the banking industry tries to shove everybody into either Farmers Home Administration or SBA, let's get them out of the bank. These marginal farmers, these marginal businesses, get them out. Get them into some other guarantee loan program and that's exactly what's going to happen here. This is going to be a tremendous boon to the banking industry for those people who are considered a marginal farmer. We're going to be...eighty-five percent of the...of three hundred thousand dollar loan we're going to be guaranteeing to this particular financial institution and...and the banks are going to love it. And I...and...I don't know exactly how much good this is going to provide the

farmer, the guy that's out there trying to...to push the...the plow and make the living but we're going to do a lot for the banking industry in regard to this because they're going to love it. They're going to get eighty-five percent of three hundred thousand dollars instead of a loss of possibly a hundred percent of three hundred thousand dollars. I...I just don't know what the real benefits of this are and I thought that I should mention that and...and put it into the record. Thank you.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. A parliamentary inquiry.

PRESIDENT:

State your point, sir.

SENATOR WEAVER:

Mr. President, is the Amendment No. 3, the farm assistance proposal, germane to 568?

PRESIDENT:

The Chair is prepared to rule that Amendment No. 3 as proposed is germane to House Bill 568 because the amendment provides forms of assistance to farmers and therefore seeks to encourage economic development in...as it relates to the farm industry. The subject of the amendment relates to that of the bill which seeks overall to promote economic development in Illinois. So the Chair rules that, yes, Senate Amendment No. 3 as proposed is germane. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Joyce, I...I've not had an opportunity to read the amendment. I assume this is the farm aid...the same farm aid package that was...adopted by the Senate on...was it Senate bill or House Bill1090? Is...is that correct? The same one that passed the Senate earlier.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Senator, that is what I just explained with two exceptions. Do you want me to explain them again?

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Perhaps. I guess...I guess the one thing I'm curious about is whether it's got the two thousand grant in there.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, it has the two thousand dollar grant in there. Do you want me to explain the other changes?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you. For the second time then, we are also...lowering the...or decreasing the tax delinquency interest...and the bill that we passed, we...in House Bill 1090, we lowered it from eighteen percent to nine percent. There was some concern expressed that that was too much and that people might not pay their taxes in lieu of the nine percent, so we raised...the amendment...we raised the interest back to twelve percent. So it's...it is now lowering it from eighteen to twelve. Also, we are taking twenty-five million two hundred ten thousand eight hundred thirty-two dollars and thirty-two cents from the...Farm Credit Payment

Adjustment Fund that was created by House Bill 485 last year, putting it into this...this one, the Farm Emergency Assistance Fund. So, we are not taking...we are not spending any new money, we are just shifting the twenty-five million dollars that was not spent before into this fund. That is the only changes, Senator.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, then, to the bill, Mr. President. Those of us who are elected public officials I'm sure often get caught on issues that are very important to our constituents and who...and issues which appear to be of assistance. And I think that's precisely what we've got here. Anyone who really understands the farm credit problem in the State of Illinois realizes that some of the points made by Senator Watson are absolutely correct. If we're going to pass this bill, we probably ought to rename it the Bank Aid Bill, because I think that banks will try to the extent possible to push these loans toward a State guarantee. Now the other...the other point that's out there in the farm community today is...is the problem of the Federal loan system which is near bankruptcy. Part of the reason that it's near bankruptcy is that the Federal farm credit system is full of loans that wouldn't be allowed by private banks, they were loans of last resort. Now what we're going to do is set up another category of loans of last resort, and if we get into this, I suggest to you that what we're doing here is probably helping the banking industry in Illinois more than we're helping agriculture, and Lord knows, the banking industry in Illinois may need some help because small country banks are full of troubled loans. I think we're going in the wrong direction here and...and I went along with this bill before; frankly, I'm not comfortable with my vote, I think it was the

wrong vote. I'm going to vote against it this time.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just strongly recommend that the people in this Body seriously consider the consequences of what we're considering today on this issue and probably the other amendments as well, and we've tried to address the farm...crisis problem in Illinois during this past four or five months. It's not only a crisis in Illinois; unfortunately, it's a nationwide crisis which was brought to the attention of this country by a farmers march in Washington, D. C.. The Governor of this State tried to bring it to a national attention by having a farm aid program in Champaign, Illinois with Willie Nelson and Company and tried to do that standpoint...bring that standpoint to a national attention and he did. What Senator Joyce is trying to do is provide a small semblance of relief, a stopgap measure which will assist the farmers, not for an extended period of time, and you're right along that direction, but if you read the paper, both the Chicago papers and the downstate papers ten days ago, they pointed out that there was a banking crisis as well which is related to the farm crisis in this State nationwide. And if you're saying that, if this bill provides some semblance of additional time so the farming community, the number one product of the State of Illinois is agriculture, is able to get back on its feet in a more productive role, then you should support this amendment; and if you're saying, farming community, we appreciate all the help you've done to the State of Illinois for a good period of time but we can't afford this and you're on your own, you're cutting off a tremendous opportunity for advancement of this State. I would strongly recommend an Aye vote on this measure and I'm

from an urban area, but everything is interrelated and the cost that we are experiencing in Chicago or in any urban area deals to exactly what the farmer receives to some extent on a direct level. There's a lot of in between costs that are...also in consideration, but the farmer, the family farmer as we know it in Illinois or the corporate farmer that's coming to be needs a relief so that the...family farmers have an opportunity to farm in this State. I'm not saying this is the panacea but is a step in the right direction and deserves your support.

PRESIDENT:

Further discussion on Amendment No. 3? Senator Lemke.

SENATOR LEMKE:

I rise in support of this coming from an urban area but having roots that go through agriculture, having heritage of people that came from Europe from farm land, having heritage that supported a community by McCormick's reaper who...who started our area on the southwest side; but also more important, I think this is a good example of what we can show the people in the State of Illinois. This State for the last administration since Governor Thompson took the reins has done very little to retain business in this State. They have accused people of chasing industry out of this State but they have nothing to retain it. They can spend fortunes and fortunes to travel to the Orient and bring industry to Illinois but yet not spend a single dime to help small businessmen to retain them in Illinois, not to assist them, and we're talking about retaining one of the most...vital industries in Illinois, farming. Illinois is a fortunate for an industrial state to have both and they have both so well. We have a well balance and I think this bill is going to balance our economy again and get us rolling and also put some of my people back to work at Harvester so the farmers can buy some implements and start going in the right way. I think that

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it's a bad precedent in this State to see what's been done in trying to help existing business. It's nice to bring industry here and bring Japanese car industries here and spend the money, but it's also bad when you see little businessmen being squeezed and the State doing nothing about it. I ask for an Aye vote on this amendment.

PRESIDENT:

Any further discussion? Further discussion on Amendment No. 3? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I think that this has been thoroughly discussed. We all know the...the farm problem in this State is not brought about by what we did in this State, it is brought about because we have low commodity prices. Those prices will go up someday and these farmers who are in trouble now will then be able to repay the loans and keep the small banks in these small communities open and perhaps keep the small grocery store open and all the rest of it in the...the way we...we like to remember rural life in...in Illinois. And if...if we don't do this, then I think we're saying to the farmers, well...and we're saying to rural Illinois, things are going to change so dramatically that we don't know what's going to happen and we're...but we don't care. So, I would certainly ask for an Aye vote on this...this amendment. Thank you, very much.

PRESIDENT:

All right. The question is the adoption of Amendment No. 3 to House Bill 568. Those in favor of the adoption of the amendment will indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments? Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senators Rock and Philip. LRB No. 8402545GLSBAM24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 4 deals with the subject of the horse racing industry and provides again an economic incentive to that industry to remain in Illinois and, in fact, hopefully, will provide an incentive to the operators of Arlington Park to, in fact, reinvest and rebuild that magnificent facility. This is a bill that is similar to Senate Bill 1469 which just two weeks ago went out of the Senate with forty-seven affirmative votes. This bill does three things; it is reasonable, it is agreed to by the Chief Executive and it will provide, I think, a signal from the Illinois General Assembly and from the Governor of Illinois that, yes, we are interested and obviously very interested in the building of Arlington Park. Three substantive changes are made. One, it reduces the privilege tax, reduces it in an amount similar to what we did for the small downstate tracks last Session. In addition to that, it lowers the tax on the top end so as the handle gets bigger the tax gradually increased. We cap it, instead of going to seven and...and a quarter percent, it...remains at six. The net effect...the net fiscal effect of that change in the privilege tax is an eleven million dollar tax incentive to the breeding and racing industry of Illinois and an eleven million dollar decrease in the Agricultural Premium Fund. Secondly, it would authorize...authorize under again the discretion of the Illinois Racing Board as this is a totally regulated industry, it would authorize the track operators to impose an additional one percent tax on winning wagers. That will result in an additional one million dollars annually and is figured in, frankly, in the computerized result so that the bettor who is the winner will wind up paying an additional one percent. And, again, it is an

attempt on our part to provide a reasonable incentive for the owners of Arlington Park to reinvest and rebuild at that location. The third change would afford the local taxing bodies...would give permission to the local taxing bodies to abate real estate taxes, to notify the county clerk in accordance with the proper procedure that they have agreed, the local taxing bodies, the village and the school boards and the local mosquito district or how many ever taxing bodies are there, that they have agreed to abate any portion...any portion of the taxes otherwise due and owing, again, as an incentive particularly to Arlington Park to afford them the basis upon which a decision is going to be made whether or not they can reinvest. It doesn't mandate any taxing body to do anything; it affords them the permission to do so if they want to. And given the fact that the people of Arlington Heights and its mayor circulated petitions and received thousands of signatures from the people in that local area, this will afford them the opportunity...by record vote of those local taxing bodies, it will afford them the opportunity to abate real estate taxes if they want to. I think this amendment is a reasonable approach, a reasonable incentive to the operators of Arlington Park. The eleven million dollar shortfall that will occur in the Agricultural Premium Fund will be taken up in Amendment No. 5. The Governor has agreed to this and so Senator Philip and I urge your affirmative vote for Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, I would like to ask the...Senator Rock a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Rock, there's been some questions in regard

to...of the funding of the convention centers in the State of Illinois. I think you just alluded to something...in Amendment No. 5 but I want to be assured, will the convention center funding, would they be in jeopardy in...regards to the funding of Arlington Park?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

The question is a good one and the answer is no. There was never any intent even with the passage of Senate Bill 1469 two weeks ago that was discussed and discussed at some length, and it was admitted and I admit it on the Floor in response to Senator Weaver's question at that time that that shortfall in the Agricultural Premium Fund would have to be made up by a transfer from general revenue. It was never our intent to in any way derogate the rights of the downstate civic centers to access to that money. In Amendment No. 5 which will follow immediately, I've asked Senator Luft to offer that, will make that as clear as can be. We are attempting to provide and only provide an incentive for the breeding and racing industry in Illinois and specifically with the intent to provide an incentive to rebuild Arlington Park.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of this amendment and I also rise on a point of personal...personal privilege to say that there will be a series of amendments attempting to help Arlington Park and it...they are most critical. There were forty-five thousand people who signed the petitions that were circulated by Citizens for Rebuilding Arlington Park. It is not only the interest of those people who were not just local people but people

throughout the whole Chicago area that signed those petitions, and these amendments that lie before us to help Arlington Park must all pass or I can assure you that the owners of Arlington Park will not be able to rebuild that track. So not only am I strongly in support of this amendment but I will also be in support of the other amendments to follow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Last spring I supported and spoke for the bill that was sponsored by Senator Vadalabene. As you know, in our part of the State there's an interest...an economic development interest, might I add, in the dog racing industry; and I believe that the other concern we had was the Ag. Premium Fund. I've conferred with Senator Luft on his amendment and one of the problems we had when 1469 was debated several weeks ago was to...that it had no mechanism by which our civic centers...revenue stream through the Ag. Premium Fund and we felt that each budget cycle would turn into a bit of a begging contest. I think that this amendment and No. 5 takes care of that problem, and my support of it and the amendment that follows in no way means that we have given up attempting our form of economic development in central Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I'd like to ask the sponsor a question, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

I...I appreciate your remarks and...and you alluded to

the eleven million dollar shortfall that the two previous speakers also remarked about. County fairs and the civic centers, of course, are...are impacted there. Now...am I to assume from your remarks then you're going to be supporting Amendment No. 5?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

With my heart and soul.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I have a parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your...

SENATOR WEAVER:

Mr. President, Amendments No. 4 through 9 all deal with horse racing industry here in...in Illinois, and I was just wondering about the germaneness of these amendments to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, the...the Chair has, in fact, utilized the high-priced attorneys that we have and...have examined the...the next several amendments that deal with the horse racing industry in Illinois. Since House Bill 568 deals with the subject of encouraging economic development in Illinois, the amendments that...that you have mentioned seek to encourage the development of horse racing in Illinois via the various tax the surcharge or the breakage proposals and because of the subject of the amendments relates to the subject of the bill, they are, in fact, germane. Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Rock, you...you say that we're taking a tax on the winners. So that means if my constituents go to the race track and they bet two dollars and they have a winning, say, of two dollars and ten cents, what would this cost them...in taxes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

One percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

In other words, that would mean, would they get taxed on the two dollars and ten cents or just on the ten cents? The winnings or the whole thing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, on the winnings.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I think then, you know, this is a great example but I think that we, as Democrats, should put in as a requirement to put on the windows if we do help Arlington Track and we do help Hawthorne and Sportsman, we should put on the...winning windows a little placard that says, "Sorry, we're taking one percent of your winnings but we're not giving you one percent of your losings, 'cause we have to help this striving, profitable industry make twenty million dollars...at this race track because they're blackmailing us to stay in this State. Signed, Governor Thompson." I think that would be the greatest thing in the world in my district to tell my constituents that Governor Thompson is taking one percent of

their winnings but is not giving them anything for their losings. I think if it's going to be fair, then we as taxpayers should be given a deduction on our income tax for our losings at the race tracks. If they're going to take taxes for our winnings, then we should be giving a deduction for our losings at the race tracks. This is ridiculous. I can see helping industry in this State that's deprived, and I get calls every day from industry in my district that is going. I get letters from Crystal Lake of former people that moved there and have industry and they say, isn't it a...a...a wrong that the Governor in this State is spending millions and millions of dollars to help Koreans and Japanese and pretty soon Vietnamese to bring them here to this country to make us work for them but they're doing nothing to help me, a Korean War Veteran, a Vietnam War Veteran, a World World II Veteran that has come back to this State and has built the small industry. It has built the small industry but yet my industry is suffering because of the high foreign investors that are causing interest rates to go up and keeping them up and the foreign investor creditors, and then we come to this silly thing of helping an industry in this State so a guy can make another twelve million dollars profit every year. That's ridiculous. I think this whole thing...if you're going to cause economic development, then we should start looking at the picture and we shouldn't be having this rammed down our throat. The next thing we're going to be asked to do is to tax my people eight cents a pack of cigarettes, that's what we're going to do. We're going to put...we're going to help...guy make twelve million that's going to line his pockets and could care less about this State...could care less about the State of Illinois 'cause he has said that if we don't do this he's moving out of the State and I say...anything. And I say right now, let him move, we don't need him here; some other state wants him, let then have it.

California got Marge Everett and you saw what happened with Marge Everett in California. So let them have this guy too and let them have them all. If you want to leave, leave, but don't come to us and take our monies and say and plead with us and try to blackmail me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, can you...can you bring your remarks to a close.

SENATOR LEMKE:

And...and this is going to start a precedent in this State, every industry that's profitable will come up to...and say, we're going to leave if you don't give us a tax break. And that's what this do, this is a most ridiculous thing...a most ridiculous thing. And the news media should stand up and criticize this thing but maybe they won't...maybe they won't because the race tracks advertise in their newspapers and they make profits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Can we have some order. The following have...their lights on, Senator Jones, Savickas and Senator Geo-Karis. Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Jones.

SENATOR JONES:

Senator Rock, you indicated in your opening remarks that you were sponsoring this legislation so that Arlington Park will stay in Illinois and not leave the State. Why would they have to leave the State and why do you need this legislation for them to remain in Arlington Park?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, what I said...what you said I said is accurate but not totally accurate. I started out my remarks by saying this is admittedly an across the board tax incentive program, tax break program, for the racing and breeding industry of Illinois with the hope that it will encourage and act as an incentive to the folks at Arlington Park to rebuild, and I say that because this relief is aimed at the operation of a race track. This will say to the operator of a race track all across the State, the same as we did last year for the small tracks, stay in business, we will afford you as best we can a better margin of profit; now you're going to have to operate probably with some more stringent fiscal controls, you may have to do something, but the fact is, we're going to afford you...instead of taking as large a tax bite as we currently do, we're going to afford you some relief.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

If that is the case, Senator, can you tell me in the recent years other than the racing industry what businesses...small businesses have we passed similar legislation to afford them a larger profit or a...a...a...a increase on the profits that they would make?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Every one of us has put together a brochure for...under which we stand for reelection and I'll guarantee you that...that this General Assembly and the past couple of General Assemblies has afforded business and industry some significant tax breaks. I heard Senator Lemke as the chief sponsor of a bill to exempt manufacturing and...and parts and all kinds of things to afford initiatives to expand and remain in Illinois. Yes, the answer is...is clear as a bell,

the answer is yes. We have afforded substantial tax relief to businesses large and small in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, Senator Rock, if that is the case then, and when you indicated that we did this for other smaller race tracks and Arlington Park was not included in that legislation, why then...why didn't we include them then if they were having a problem? Why are you just doing that...this at this particular time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I think it's fair to say, and I think Senator Vadalabene who was the sponsor of that measure would corroborate the fact that it's fair to say and you as the committee chairman in which committee that bill reposed, I think it's fair to say would not have supported it because it was costly. The...the cost of the help for the downstate tracks was estimated at between two and three million dollars, as a matter of fact, closer to two. This admittedly is closer to eleven. It incorporates what we did with the downstate tracks and literally puts another eight million dollar tax break on top of it. I just...that's a judgment call. We were mightily concerned at that point about the downstate tracks, the three smaller tracks, East Moline, Balmoral and Fairmont, that they were operating very, very marginally because we were taking too big a bite out of the handle and so we said, here, we're going to try to help you, and Senator Sam pleaded eloquently for that help. Had we at that point attempted to amend, I suggest, the larger tracks into that program, it would have failed. This year it's different, I suggest, because this year we are confronted with the fact that this major race

track has now unfortunately burned to the ground and we are attempting to provide an operational incentive, a larger margin of profit so that there will be that seventy-two hundred million dollar reinvestment. And I don't agree with Senator Lemke, I think we ought to do what we can reasonably do to encourage that kind of reinvestment, and this, I suggest, is the way to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, speaking to the amendment, it is my understanding that the Arlington Park Race Track could be rebuilt with the proceeds from the insurance policies that covered that particular track. I don't think we, as a Body, should be guaranteeing millionaires to make megabucks off the people of the State of Illinois. If Arlington Park, the owners want to build there and take the...insurance proceeds and rebuild that track, let them do so. The money is there but we should not be playing the same game that was played with the consumers in the State of Illinois and particularly the City of Chicago with Comm. Ed. to guarantee them a profit. They have the money, why should we be doing this? And all the petitions, Senator Macdonald, that you talked about, I don't think those petitions was gathered from many of the patrons who...who go to Arlington Park, because those same persons who go there...and you talk about three thousand jobs, they can't get the jobs. I'm talking about minorities and women. I have in my district black horse breeders, black horse owners and the race...and they can't even get racing stalls at Arlington Park. It is the most racist industry in the State, and to take taxpayers' dollars to promote that racing industry is ludicrous. All we'll be doing is fattening...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, pardon me. Ladies and gentlemen...the

gentleman is entitled to courtesy to be heard. Our House members will please...

SENATOR JONES:

...as the old timers say it, all we will be doing if we pass this legislation as is would be to be fattening frogs for snakes. If Arlington Park doesn't...doesn't want the race track, then why don't they stand up and say so? But they should not come in here begging like some poor individuals that we have to have a guaranteed profit in order for us to rebuild there. The track can go well in the City of Chicago where eighty percent of the patrons come from; but the people in my district, the people in Senator Collins' district, Senator Chew's district and many others, they go there and they can't even get jobs as parimutuel clerks. Horse breeders in Illinois, black horse breeders, black horse owners cannot get stalls at Arlington Park. No...I...I don't intend to vote for this bill and anyone in their right mind wouldn't vote for it, because we have not dealt with the poor people of this State but yet and still we going to give the rich everything they so desire. It's stupid. This...this amendment should be defeated and overwhelmingly defeated if we are concerned about the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we talk about keeping jobs in Illinois and bringing in more jobs. If that track is not rebuilt, there are nine hundred jobs are going out the window and not only nine hundred jobs but the small business people around that area within a fifty and sixty mile area of that area are going to suffer. I mean, we can say what you want about tracks, I don't even like racing myself but let's face the realities of life. This track has been operating the last few years in a manner

where the money was reinvested in the track. I don't care what happened before or during Marge Everett's time but I...from what I know, the people who have the track, Arlington Heights Track, have reinvested the money and they were just becoming...beginning to come out of the red when they had the fire. Now we can talk about racism all we like. If you have a genuine complaint about it, let's help this track get rebuilt. They're not asking us for any money, they're asking us for a couple of tax breaks that apply to all the tracks all over the State. If we're interested in keeping employment going and stop having more unemployment, then let's help and vote for this amendment. As I said, I don't have a track in my area but I do have concerned citizens about the track and so does the...so do the prior speakers. And if you want...any of you wants to put an amendment in this one...the Senator said he's complaining about the one percent tax which is nothing, if he wants to put an...an amendment of...for one percent rebate for the losses, that's up to him, but we can't afford it. We got enough problems, let's support this amendment, let's go on with the show, we've been here long enough.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, a few comments I guess. It was my understanding when we passed the incentive for the downstate tracks last year it was because they were broke and they proved their case that they were going out of business, and the reason the big tracks didn't get it is that they showed a tremendous profit, not because of the amounts of money that they showed a huge profit and weren't entitled to any help. I could see if our treasury had a great deal of money to offer incentives to businesses, but here we are going to be taking in the next amendment the money out of the General

Revenue Fund, money that goes to our school districts and a little later we're going to raise the cigarette tax and raise taxes to supply money for our schools. It seems incredulous that we are offering a...guaranteed profit to an industry and then have to go around through another side door and go home and say, well, we raised the taxes to open your schools and keep your schools operating because we want these race track owners to enjoy a greater percentage of profits on their money, not to make business viable but to enjoy a greater percentage of profits, so we're going to tax you now so those people can enjoy a greater life style. I think it's wrong, I think if the business is a viable business that if it will produce a return on their investment, they will rebuild. If it's a bad concept and they will not make a return on their investment, they will not rebuild and develop the land for other use. I think this is a bad amendment and should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate. I stand in support of this particular amendment and it's interesting listening to what people are saying here, especially some of the heated preelection speeches that they're already warming up to. But let me suggest that, you know, first and foremost, if Arlington Park, you know, cannot be rebuilt in this State, we are going to lose a preeminent track which ultimately draws the best horses from all around the world to come to Illinois. Not only that, it creates bigger handles and it goes down to the breeding farms and has a very strong and direct impact on agriculture. Now we just put forth a very nit-wit amendment onto this bill that allegedly helps farmers and at best all you're doing is BS'n them 'cause it's not going to give them anything. This actually

has a direct impact on breeding in the State and it...it'll show, it'll show in their profits and help them to help themselves to get...back to where they are, not just, you know, giving them grants or trying to do bailouts when...when for all practical purposes they're going under already. The second thing is is that when we're providing this tax relief, if the Village of Arlington Heights wishes to do this they may, it is permissive, it doesn't say they have to do it. If Arlington Heights wishes to go along with that abatement and their school districts wish to go along with that abatement, to be perfectly honest, we're leaving it on the local level, it's up to them. In terms of the rest of this bill, we're basically bringing the tracks in northern Illinois up to parity with what we have done for the tracks in southern Illinois. And I don't see that there's anything wrong with that. You know, we hear Senator Lemke constantly stomp around here on how tracks don't do anything for their people. Well, I happen to have districts which impinge on three tracks right off, and they're not rich areas, these are people who are holding their own, and those tracks provide a great deal of money in terms of tourism dollars, in terms of taxes that they provide back to those local communities, in terms of jobs, in terms of things that we need for economic development; and I sure as heck would hate to put them out of business on this. In terms of allowing the race tracks to impose the one percent surcharge, again it is permissive. Personally speaking, if I owned a race track, I think you'd be dumb to do it because I think you're outpricing yourself in terms of the recreational dollar but, again, it is permissive. This gives a lot of leeway for an industry to help itself and I think it has a direct impact on agriculture. So for those of you who do have farm districts, you ought to look very carefully at this bill. And once again, I would stand in support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

I call for the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell, we only have one additional speaker. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator Topinka. Senator Topinka. Yes, if you have three parks in your district, you're not doing much benefit for them by saying that the amendment before on the agricultural bill was a nit-wit amendment. I'm very prepared to vote for this but I think you may just have lost me and I may just try and lobby on this side of the aisle for your area. I take deep resentment in the fact that you said that that was a nit-wit amendment. There are all kinds of farmers in this State who do, indeed, benefit from...from racing and that's why I was prepared to vote for it, but I think you do them a very great injustice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm urging support for Amendment No. 4 and I'd just like to respond to a couple of things. Senator Jones, there isn't any question in anybody's mind in either Chamber on either side of the aisle that the folks from Arlington Park will have as...as businessmen they had insurance and they certainly can rebuild out of the insurance proceeds. The question really is, what's the incentive to reinvest? Why not take the insurance proceeds and put them into a treasury note or buy stock or do what other business people do? What we're trying to do is provide an incentive to reinvest in an industry and to stay here with that industry. And in order

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to do that, it seems to me only fair to recognize that others in this State have a stake in this industry and have, in fact, a committed investment. And what we're saying is, we recognize that, we thank you for it and we are attempting to provide a reasonable return on your investment; and in order to do that, we will take less of a tax bite...less of a tax bite which we hope ultimately will redound to the future benefit of Illinois because it will encourage the industry, it will provide more money for the farmers as suppliers, it will provide more money for the breeders, it will provide more money for everybody and ultimately they will be paying much more in taxes. It's a question of reasonable return on an investment and I urge an Aye vote on Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 4 to House Bill 568. Those in favor indicate by saying Aye. Opposed. There's been a recall...request for a roll call. Senator Rock has moved the adoption of Amendment No. 4 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 37, the Nays are 18, 2 voting Present. Amendment No. 4 to House Bill 568 is adopted. Amendment No. 5, Mr. Secretary.

SECRETARY:

Amendment No. 5 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment we just adopted does impact on...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft...pardon me for interrupting...Mr.Secretary, would you read the LRB number for the members.

SECRETARY:

LRB 8402545XXCSAM61.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment...that we just adopted does impact on a number of ongoing programs that are being financed by the Horse Racing Privilege Tax and therefore this amendment is...proposes to provide beginning in January of '87 a monthly transfer of one million dollars into those funds that are being impacted. They are as follows: the Agriculture Premium Fund, the Metropolitan...Exposition, Auditorium and Office Building Fund, the Fair and Exposition Fund and the Illinois Standard Breeders Fund and Illinois Thoroughbred Breeders Fund. It's my understanding that this amendment is agreed to by the Bureau of the Budget and hopefully the other side of the aisle and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator,...is it your understanding that the proposed transfer is adequate to keep the Ag. Premium Fund, the Civic Center Fund whole?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

It's...that is my understanding. In my discussion with DCCA and our staff members that this will, in fact, satisfy the needs of that fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, it's also my understanding that there was a bond sale which was proposed on behalf of the Civic Center Fund the latter part of this year or very early next year in order that some...proposals which have been in the works for some time might continue forward. Would this transfer enable that...that bond sale to proceed? Is this a...large enough revenue stream to...to cover those bonds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Luft.

SENATOR LUFT:

In...in my discussions with DCCA this satisfies the need for that bond sale.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Is this amendment germane? I knew Senator Weaver asked the question, so...I'll be as conscious on this side. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, in fact, the...the Chair had indicated that we had reviewed the...the next several amendments that had been proposed to House Bill 568 and, in fact, this amendment is, in fact, germane. Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the House...Senate. I get confused some days. Last spring Senator Vadalabene had a bill to help my race track in East Moline and it was to save nine hundred jobs we thought. We did give them a tax break and when I went back home I thought that we would be talking about saving jobs, but instead what happened was, as I went around to the retirees, they said we

had money to help the race tracks but we didn't have money for senior citizens' tax relief. As I went to the...the school board members and the teachers, they said we had money for the horse race industry but we couldn't give any more money to the education fund. And we've adopted Amendment No. 4 for Arlington Heights and that was not General Revenue Fund and so it did not directly affect tax relief for senior citizens or tax...tax or revenues for the school system, but here we're transferring twelve million dollars of general revenue funds. I'm just alerting you to the fact that this may backfire on you. When you go out on the campaign trail people may say, why did we have twelve million dollars for the racing industry when we needed it for senior citizens tax relief, why did we have twelve million dollars for the...horse racing industry when we didn't have it for the unemployed, for programs or jobs? So I merely caution you on that and I...I hate to see this twelve million dollars going out of the General Revenue Fund, but now that we adopted Amendment 4, I see, we probably would have to do this to continue the other programs. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Luft may close.

SENATOR LUFT:

I would just simply ask for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft has moved the adoption of Amendment No. 5 to House Bill 568. Those in favor indicate by saying Aye. Opposed Nay. The Ayes...the Ayes have it. Amendment No. 5 is adopted. Further...further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...whoop, Senator Macdonald.

SECRETARY:

LRB No. 8402545RCMLAM26.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. The State of Illinois has adopted the policy that a certain amount of money that is bet at the track each year to be used for physical plan improvements made at Illinois race tracks. The Race Track Improvement Fund guarantees that tracks can maintain their physical plant through the use of monies collected from betters Statewide. One of the uses to which these funds can be put by law is the construction of a grandstand. This Race Track Improvement Fund last year received 4.5 million from the State, all drawn from what is called breakage. I should explain what breakage is. In Illinois, all winnings are actually paid in multiples of twenty cents; in other words, if a winning horse is computed to pay three dollars and thirty-six cents, the actual payout is three dollars and twenty cents, the sixteen cent difference is breakage which the State retains. At the moment, the policy in Illinois has just been fifty percent of all breakage on race track improvements and put the other fifty percent in the General Revenue Fund. In past times, the fifty-fifty split between the General Revenue Fund and the Race Track Improvement Fund was sensible. In the event of a major catastrophe, the Federal Law permitted the issuance of tax exempt industrial revenue bonds to reconstruct a track. Changes in the Federal law have now made such help unavailable nor is the Track Improvement Fund...nor is the Race Track Improvement Fund as

currently funded sufficient to reimburse an owner who makes this large capital improvement. This amendment would provide that the other fifty percent of the breakage or about 4.5 million which would ordinarily go into the General Revenue Fund would go to Arlington Race Track. The Improvement Fund would be devoted to that purpose for a ten-year period only. This approach is not new, it is consistent with established policy of this State and the approach is sound business. For a 4.5 million a year for only ten years the State of Illinois will; one, cause the reconstruction of a hundred million dollar facility; two, it will create almost four million in taxes generated by the construction in the next fifteen months; and three, it helps to ensure that the racing industry remain sound, stable and a valuable part of our economy. There is one more thing, as a legislator from that area and a taxpayer, I am proud to make this recommendation. Arlington has come from a losing track four years ago to one that is a premier world-wide track. Since being acquired by the Illinois ownership that it...presently in charge of Arlington Park, we have spent over fifty percent of the total expended Statewide to promote and advertise racing, even though it has only a twenty percent cost ratio to the revenue. Every track has benefited from that effort to publicize racing and involve the fans. Arlington's management has proven to be capable, responsible and good for Illinois. When the owners put their own money on line to stage the Budweiser Million this year known around the world as the Miracle Million because of the rise of Arlington from its own ashes within six weeks of its terrible fire, they showcased Illinois racing for the world and showered a record amount of publicity on that sport in Illinois. Arlington's management is simply asking us to help them continue to be strong and stable and...and an economic force in this State. I...it is my good fortune to live in that district and I beg for your

support of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I'd just like to point out now, here's another four and a half million dollars a year, forty-five million over the next ten years out of general revenue, the money that you'll be asked in the next few amendments to vote for a tax so we can give another four and a half million dollars to Arlington Park, not even to the other tracks, they want it all for themselves. Now that's...that's really a great thing. The other tracks, forget them, don't even give them a part of it, just give it to us. When you talk about a money grab, Arlington Park sure knows how to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke.

END OF REEL

REEL #2

SENATOR LEMKE:

I was unaware...Senator Macdonald, I was unaware about this, but you mean if my constituent bets two dollars and he wins five dollars and thirty-six cents, he only gets five dollars and twenty cents. The other sixteen cents he doesn't get, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Senator Lemke, that is correct and that has been the precedent in Illinois for many, many years. That is the formula and it...the accepted law in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Then I think this is a bad amendment. I think we should give that sixteen cents back to the winner 'cause we're...that sixteen cents that...is five twenty...is five thirty-six...we should give that sixteen cents back to the winners because we're taking the one percent tax on top of the sixteen cents on the winnings. So, in other words, this poor guy is going to pay more tax in tax that he doesn't know about. I think that...a race track bettor should...they should explain to him what they're doing. I think there should be some public awareness of what's happening and I'm getting sick and tired of this thing. Now we're going to give another four million dollars to Mr. Joyce and all these millionaires. I say good-bye to them. They should leave the State. I'm sure that we could find somebody else to build a track there. We can find somebody else to build a track; in

fact, we have a track that's still setting and could be...reconditioned in Aurora...in Aurora Downs, maybe we could rehabilitate that and put the premiere track there and spend this money to promote and give the money to somebody that wants to come here and say we're going to give you this money to promote your race track so your...'cause you want to come here and you want to create jobs and you're going to keep them here and you're not threatening us if we leave. It's like stealing and stealing and stealing. If it isn't stealing illegally, it's surely an...way to nicely steal, like Jay Gould and everybody in the past, legally and that's what this is, this is a legal steal by mulitmillionaires who have no love or compassion for the people of the State of Illinois when they threaten to leave. I think we should vote against this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, as one whose district is adjacent to Senator Macdonald's and, therefore, adjacent to Arlington Park, I rise in support of this amendment. The point has been made but I think bears repeating at this point that the success of the racing industry in Illinois is very much dependent upon Arlington Park coming back to full life and operating more successfully than others; and I think it also needs to be pointed out that since all tracks, as I understand it, now get fifty percent of this breakage revenue, that if fifty percent of it goes to Arlington Park, the remaining fifty percent rather than being shared by all tracks, including Arlington, that the remaining tracks, other than Arlington, will have that fifty percent to themselves. So, in that sense, this amendment will benefit all tracks and will, therefore, benefit the entire racing industry. I think it's shortsighted of us to...to look upon this amendment as

simply taking four and a half million dollars and giving it to Arlington Park or to the racing industry generally. There is ample precedent...the recent tax incentives given to Mitsubishi being perhaps only the best and most recent example of the State making a calculated decision to grant incentives to various businesses that they might locate in Illinois. I think, perhaps, in some cases we need to do that to businesses not simply to get them here but to...to keep some of the industries that we have here and which we are so dependent upon, like the racing industry, to keep them here and to make sure that they flourish even more than they have in the past. For that reason, I think this Amendment 6 is...is important and really underpins all that we do for Arlington and for the racing industry and...and, therefore, for the economy and for ourselves and I would ask for your support of it.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right, further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, I think we have to make a distinction between Amendment No. 4 and Amendment No. 6. I mean, Amendment No. 4...benefited every track in the State of Illinois, and because of the situation with attendance being down at all tracks and because of the situation of State revenue being down from last year and the year before from proceeds from all tracks, there's no question that all the tracks deserve some economic stimulus in order to get back on the type of situation that they need be in. The problem with Amendment No. 6 is it only benefits one track, Arlington Park, and there's no replacement revenue for the...for the amount of loss to the State of Illinois. Now, in Amendment No. 4 we took care of that problem, but we're doing nothing with this amendment to take care of the substantial loss of revenue to the State as a result of this benefit for

Arlington Park only. It's not a good idea, and Senator Barkhausen is absolutely incorrect when he suggests that the other tracks will benefit from the Race Track Improvement Fund in lieu of this fifty percent breakage going to Arlington Park only. Arlington Park will be able to dip into that fund as well. So, they're getting a double benefit out of this. Now, I believe it's the premiere track in the State, and it...it is a...a good, solid investment for the State of Illinois, but we've got to draw the line somewhere and this amendment goes too far, ladies and gentlemen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...all right, Senator Lemke for a second time.

SENATOR LEMKE:

Oh, I'm sorry, I pressed the wrong button.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of Amendment No. 6 to Senate Bill 568, and I've heard a lot about people grabbing stuff, taking stuff; perhaps let me put this in perspective with an analogy. Let's assume that there were four apartment buildings in an area and they're all worth about the same amount and they all make the same amount of money and one of them burns down. The person who owns the building that burnt down has two choices. The first choice is to rebuild and there is sufficient enough insurance to rebuild. The second choice is not to rebuild. Then why would you choose not to rebuild? And I'll tell you why, because if your apartment building is in the same area, generates the same clientele, in this case pays the same rent, and you had a building that cost a hundred thousand like everybody else's and you collected five thousand dollars a year in profit on the rent, you now have to replace it with

a building that may cost three hundred thousand, four hundred thousand or five hundred thousand and, in fact, not even make your five thousand. Well, I'll tell you, if those of us in this Body were given that option or choice, I can tell you right now, if that were the scenario and that were the only scenario, our choice would be not to rebuild. We would take our insurance money and invest it in even the worst investment and do far better. Yes, it is a grant to one track, but that one track is like that apartment building that doesn't fit the neighborhood, it's overbuilt for it, and nobody in this Body would take that kind of risk. In fact, I'm even wondering why they're even contemplating it alone, 'cause I know that if I were faced with that decision what I would be doing, and I would trust that the majority of the members on this Floor would probably do the same thing; except in this instance, the person that intends to rebuild has as it would happen in that case a sense of commitment to the neighborhood, doesn't want to build it someplace else, and that is what the choice is, and let me point out a couple of errors. When we talk about what they are taking, we are assuming the pot is going to be the same without them. The fact of the matter is, they contribute to that pot and without them, that pot won't be there. So, when we talk about how much is being taken, the assumption is that they would build it, it would be in there, and they were grabbing what they were putting in. Well, ladies and gentlemen, if they don't build, that pot will be diminished severly. It's hard to accept but, you know, we talk about the people that go to the track. No one has to go to the track if they don't want to. There are a lot of people that go, perhaps with some weakness, but what...one thing we are forgetting from an economic development standpoint, horse racing is not like lotto. It is an industry. It has farms, it consumes agricultural products and as an end product helps produce other agricultural prod-

ucts. The fact is,...the fact is, it is an industry and to relate this to things that I've heard on this Floor without relating it appropriately to the fact that there is an industry would be unfair. Illinois...Illinois...Illinois has the chance of maintaining a premiere track, the flagship, the only international track in the United States. The choice is ours, ladies and gentlemen, and I can tell you and this is not a threat, the economics are not there if this does not pass. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It is with some reluctance that I rise but I rise nonetheless to ask for a No vote on Amendment No. 6, and while Senator DeAngelis was eloquent in his analogy, the analogy, I suggest, breaks down to this extent because this amendment calls for four plus million dollars a year out of a fund that is otherwise available to the entire industry and ultimately to the State, and it really does, in fact, guarantee operations assistance, no question about that, but his analogy breaks down because the rebuilding aspect, I don't think anybody questions, but that the rebuilding will be out of the insurance proceeds and if, indeed, that apartment building that unfortunately burned down in Senator DeAngelis' neighborhood was insured for four hundred thousand when it was only worth a hundred, there probably would be an investigation of sorts. What we are attempting to do and I think did attempt to do in Amendment No. 4 was afford some operating assistance, yes, to the industry and, yes, specifically to Arlington Park as a reasonable return on an investment, and that's the key to this. Amendment No. 6, in my view, is unreasonable. They're asking too much. I certainly don't blame them for asking but they're asking too much by Amend-

ment No. 6. We have been discussing this in other proposals for the past three and half to four weeks and the Governor, I think, has made it very clear that, yes, indeed, he is in favor of some operating assistant, not rebuilding assistance, operating assistance, if, indeed, it's fair and evenhanded across the industry, but to single out a four million dollar grant for ten years to one specific ownership group is simply asking us to do too much. If the entire industry were to benefit, then we could argue whether or not we could afford it, but the entire industry does not benefit, one set of owners benefits, and in my view, it's too much. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, it's true, it's about four and a half million dollars but it's for ten years; however, if the...the track is rebuilt, there's going to be far more income coming into the State of Illinois than four and a half million dollars a year, and I think we have to look at it, basically, if we're giving up four and a half million, what are we going to get back in return? It's a ten-year situation. It helps rebuild a track in the sense of...once the track is rebuilt, there's a lot of jobs while it's...going to be built; and on...on the other hand, after it's built and they're in good shape and they..are going to be the premiere track and attract racing business that is very palatable to the rest of the country, more money is going to come in to the coffers of the State of Illinois and I think we cannot minimize that. So, I rise in support of this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Macdonald may close.

SENATOR MACDONALD:

Thank you, Mr. President. As has been stated eloquently in the first racing amendment we heard by Senator Rock, the racing industry in Illinois is over a billion dollar industry. Arlington Park is the premiere track of all of the tracks in this State, and I think that for them to take money from the...racing improvement funds which is what the...State's portion of the breakage is intended for in the first place...and I would like to clarify that should there be another fire or another natural disaster at any of the other tracks, then the State would be forced to split that four and a half million that would be going to Arlington Park and help that other track as well. They are only asking for an...an incentive for them to rebuild this track. I would like to tell you that...some...not only are the citizens for...building...rebuilding Arlington Track very much involved in this effort and knowing that we will be saving nine hundred permanent jobs and probably over twenty-seven hundred jobs now...involved with the...breeding industry as well, but we have the...AFL-CIO, the Chicago Federation of Labor, the Illinois Building Trades Conference, Chicago and Cook County Buildings Construction Trades, the Chamber of Commerce, Illinois Manufacturer's Association, all of them are behind the building of Arlington...rebuilding of Arlington Park. Our small businesses in that area are showing losses of up to thirty percent over the period...this same period since the burning of the track of a year ago. This is a crisis not only in our area of Illinois which is the northwest suburban area but it is a crisis for all of...Illinois. I only in closing want to tell you what we did as incentives for Chrysler-Mitsubishi. For starters, there was forty million given for them for training and education over five years; there was thirteen million given for water and sewage improvements from State and local governments, there was eleven million site acquisition and prepara-

tion from Build Illinois. So, I can tell you, ladies and gentlemen, that to ask for four and a half million dollars of the breakage fund which is not taking this from any other fund but rebuilding and capital improvement fund for which this money is...breakage money is paid into that fund for this express purpose and I think that this is a...a...a good amendment and it is a necessary amendment to have Arlington Park rebuilt in the State of Illinois. So, I ask for your Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Macdonald has moved the adoption of Amendment No. 6 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 34, none voting Present. Amendment No. 6 fails. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator DeAngelis. LRB No. 8402545RCMLAM32.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I would like to have that amendment withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis seeks leave of the Body to withdraw Amendment No. 6...Amendment No. 7. Is leave granted? Leave is granted. It's withdrawn. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senators Jones and Collins. LRB No. 8402545GLMLAM23.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. This is the most simplest of all amendments, it only pertains to Cook County, and what it does is remove that thirty-five mile restriction for tracks having racing dates at the same...same time. The...the reason why I...I put this amendment in is because due to the close proximity of the tracks and as well as the people in the City of Chicago, this amendment if adopted to this bill would give a local unit of government, particularly the City of Chicago, the right if they so desire to build a track in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, might I ask a question of the sponsor, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Who wants this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Senator Emil Jones, Jr.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Who else might want this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Besides Senator Collins and quite a few others, the people who patronize the tracks at Hawthorne, Sportsmen, Balmoral and Arlington who make up eighty percent of the patrons at those tracks, who cannot get jobs at those tracks,

who are discriminated against. If we had a track in the City of Chicago...and anyone from the City of Chicago should vote for this because when you talk about taxes, you're talking about a tax base. All the taxes that...we pay out there far as concessions and...and everything else go back to that local unit of government. If you had a track located in the incorporate limits of the City of Chicago, then the taxes that the people pay would help defray some of the burden that's placed on the property taxes. So, this amendment would...it's on a permissive wherein the citizens of the City of Chicago would be able to have a race track.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Then I am to assume from what you have said that this would be laying the groundwork for a potential track in the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

When you remove the thirty-five mile an hour...I...I mean, thirty-five mile radius restriction, then the racing board if they so desire and Chicago if they so desire to place a...a race track there, then they would be able to have that race track and have racing dates in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Would this be kind of looking part and parcel of a suggestion which came out of one of the leaders of the House that possibly Arlington Park might see fit to rebuild in the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I'll...I'll give you a statement that was made once when the Chicago Bears thought about moving to Arlington Park and they were told that they could go Arlington Park but they would no longer be the Chicago Bears. So, therefore, what I'm saying to you, if a track is built in the City of Chicago, it'll be the City of Chicago track; if Arlington Park wants to rebuild, they can go ahead and rebuild, we have no problem with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

To the bill. Last Session we put out legislation that reduced the geographical perimeters between tracks from forty-five miles to thirty-five miles, and that in...of itself, I think, is bumping the...the same geographic limits pretty hard in terms of how far the racing recreational dollar can go. If you remove the thirty-five mile limit and just leave it as open season, I think it's been made pretty clearly on this Floor that the racing industry has not been doing all that well and this has a...a permeating effect throughout the whole State in all areas of endeavor. If you remove this lid, I think you're going to reduce that even more because you literally are going to have them a...abutting one another, racing dates abutting each other, track services abutting one another and it strikes me that at all times this is not the appropriate way to go and we should continue to keep the limits at thirty-five miles between tracks unless, of course, you wish to move Arlington Park to the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a question of Senator Jones. Senator Jones, the

existing tracks in the City of Chicago,...what is their position on this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The existing tracks in the City of Chicago, I haven't talked to any of them because none exist.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm talking about...Balmoral and Sportsmen's, what...in the county. How...how do they feel on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, I filed the amendment two days ago and they haven't talked with me, so I don't know what their position is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Does...is the...is the Mayor of the City of Chicago supportive of this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I have not talked to the Mayor of the City of Chicago. I've been a resident of the City of Chicago for fifty years. I...so, therefore,...I'm a legislator, I can think for myself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank...thank you, Mr. President. Senator Topinka, this is directed in part toward you. I have no desire to move

Arlington Park. I think the suggestion of trying to move it from where it is now probably does not make great sense; but by the same token, I would lay down a challenge to all of you on that side of the aisle that this restriction which should never have been in the law to begin with is about as anticompetition, as antifree enterprise as anything that we do in the State of Illinois Statutes. It's a horrible idea to set up such protected territories for any business, and for that reason, I will support Senator Jones' amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Topinka for a second time.

SENATOR TOPINKA:

Yes, I am sorry to, you know, bring...go back up on this, but I have talked to the track owners, at least at Sportsmen, Hawthorne and Maywood. They are not in favor of this and it's my understanding having just had someone call Balmoral they don't even know that this amendment exists. So that caught them total unawares and I just not wanting to speak for them, but it would strike me that they would not be all that happy with this either. In terms of what Senator Netsch brings up, I think there are certain industries that we have always provided regulations for that have provided again for the best bank for the buck that you can get in the State of Illinois. The recreation dollar just goes so far, and when you pit one against the other, you ultimately come up negating anything and our tracks benefit the State of Illinois in terms of tax dollars. So, it's just a matter of how much you want to make off of them and I think we're doing pretty well now and could probably do better. Terms of Arlington Park, I did not make the first suggestion that Arlington Park go to the City of Chicago, that came from somebody in the other House. I merely responded to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We have two additional lights. Senator Schaffer.

SENATOR SCHAFFER:

Well, I think I share some of...Senator Netsch's concerns about restricting free enterprise; and refreshing to see candidate Netsch adhering to that position of late. I...I, remembering the speechs on the Floor a few minutes ago, assume that if this amendment was successful that any race track that was built in Chicago that we wouldn't hear from anybody wanting subsidies or special treatment or breakage, because as I recall from the sponsors of this amendment that those things were akin to the worst possible evil, and I assume if they prevail in this amendment, they would not come back and ask for State subsidies or special treatment for any future Chicago race track. I'm...I'm confident that they wouldn't be that hypocritical.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Amendment No. 2 and I don't think we have to have the approval from any of the...the tracks to...to do this, it's just basic fairness, and then the...the other...the fact is that most of the people that go to the tracks, be it Hawthorne or Arlington Park, comes from the City of Chicago, so why not allow the people of the City of Chicago the opportunity to have their own race track if they want to play the horses and that's what this is all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Allow me, if I can, to attempt to make some sense out of Amendment No. 7 because I think it is the wrong time,

the wrong place and on the wrong bill to argue this subject matter. There is currently...currently no prohibition, constitutional, statutory or any other prohibition against any one of us or any group of us or anybody prohibiting the building of a race track in the City of Chicago, none. There simply is none. The mileage protection says to the Illinois Racing Board that you...members of the board, ought not afford two licenses...cannot afford or give two licenses for racing dates to hold a race meeting on the same day during the same hours unless the tracks are thirty-five miles apart. Those of us who go to the track know very well that Sportsmen's and Hawthorne are certainly not thirty-five miles from one another, and I suggest to you that if they want to build a race track in Senator Collins' district or in Senator Savickas' district or in my district, all you need is the money, and then you go to the racing board and you ask for a license because this is a regulated industry, and once you receive that license, then no other track within thirty-five miles can be granted a license to hold racing at the same day in the same hour. So the fact of the matter is, this is more symbolic than it is real, it doesn't belong in this bill. I will pledge to Senator Jones that we will consider this subject matter if he wants to pursue it next Session, but in the meantime, all we're going to do is muddy up a bill that is extremely important because the bill, hopefully, when we conclude is going to contain farm aid, a cigarette tax, some incentive for Arlington Park and most importantly, the rejuvenation of McCormick Place. The fact is, this may be counterproductive in terms of a Chicago track, because if I build a brand new facility in Chicago, I don't have any guarantee that once I get racing dates they might not also at the same time give racing dates to Sportsmen's and Maywood and Hawthorne all at the same time, and I, as the new kid on the block, would be hard pressed to compete with existing busi-

nesses. I just think it's the wrong time. I wish you'd withdraw this and let us get on with the major business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, actually, Senator Rock really gave the remarks that I was going to give. I think this is the wrong time for this amendment. I think that if...if we...interfere with the thirty-five mile limit as involved with the racing board that we could all be competing...all the tracks could be competing for a...for the same crowds, and I think that this is...is...is just totally unacceptable and I urge your No vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If...if not, Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President. I believe Senator Rock hit the nail on the head and that is, we're all aware the you can build a race track in the City of Chicago, but we're also aware that as long as this thirty-five mile radius exists, it would be very ludicrous for the City of Chicago to build a race track 'cause during the racing season be it Balamoral, be it Arlington, be it Hawthorne, any one of the tracks who...who currently have racing dates during that period of time, they going to fight very vigorously to oppose any racing dates at a...at a race track in the City of Chicago. If you...as you indicated in your remarks that you would fight very vigorously for this and if you will fight very vigorously to see that the people of the City of Chicago can keep some of their tax dollars there instead of letting those tax dollars go out to the various suburban areas where people can't even get apartments that work out there in Cicero, Senator Topinka, and can't get their kids into school, Sena-

tor Topinka, then I will withdraw this amendment, but it...it is not to take anything away from any race track, you just give the people who patronize the race track an opportunity to have something in their own back yard. So I will withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Jones withdraws Amendment No. 7. Further amendments?

SECRETARY:

...Amendment No. 7 offered by Senator Jones. LRB No. 8402545JSJWAM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

This is the OTB amendment that we passed out of here last Session, and in view of the fact that it has been indicated by some of the speakers on the previous amendment that they are opposed to...they were opposed to the removing the thirty-five mile an hour restriction but they would be in favor of this amendment and I am not going to give them the opportunity, so I will...will withdraw this amendment as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jones withdraws Amendment No. 7. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senators DeAngelis and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. LRB number, Mr. Secretary.

SECRETARY:

LRB No. 8402545RLMLAM62. On eight and a half by eleven.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 7 on House Bill 568 is the McCormick Place amendment. It is essentially composed of four parts; a governance part, a financial part, a reform part and a technical part. We have been here quite a long time and I think most members know what's in this amendment, but I will very quickly and briefly go over this amendment. As far as the governance is concerned, it provides for a board consisting...an interim board consisting of six members, there's three appointed by the Governor and three appointed by the mayor. The terms of that board would expire on June 30th, 1987. The chairman would be selected by that board, and for that board to conduct action, a vote of the majority of that board would be necessary. After that date, a permanent board which would be created now would take its place and it would consist of twelve members; six gubernatorial appointees and six mayoral appointees. The chairman would be selected by the Governor from among those appointees. It prohibits existing members...board members from being appointed to that new board. The governance also creates a trustee appointed by the Governor who would be responsible for the operation of the existing facility. He would...he or she would have control over the expansion project...and rather than continuously saying he/she, I think I will refer to it as it. It would be responsible for the operation of the exisiting McCormick Place, have the power to employ its staff. It would also have such appointees as attorneys, consultants, et cetera. The trustee will make recommendations to the board concerning contracts, policies, procedures and appointments, and the compensation for that trustee will be fixed by the board and the board will fix a budget for the trustee. Now the important part, the financing of the expansion. It raises the bond authorization level from two hundred and sixty-five million to three hundred and twelve million, approxmiately sixty million more of which

only forty-five million would be authorized to be spent by that board, the balance...or the nine million would be required with the approval of the...Bureau of the Budget. It also sets up a mechanism for getting the money, and the bonds would be created or...the bonds would be issued at the end of the completion of the project. Any monies left would be returned. As far as reforms are concerned, it includes conflict of interest language under the Corrupt Practices Act, requires the authority to adopt and develop a three-year financial plan, requires the authority to issue requests for...proposals for professional service, requires bidders and respondents to...to disclose individuals having a seven and a half percent interest in the bidding entity. Bids and rebids must be advertised for bids three times, prohibits any entity which does a...feasibility study to employ themselves. The Auditor General will approve the accounting system. The authority has to issue monthly construction reports to the Governor, the mayor and the General Assembly. They must adopt a quality insurance plan if using a general contractor, directs the authority to adopt appropriate sanctions if a contractor is not in compliance with affirmative action goals, reminds the...MFEA that is subject to the Prevailing Wage Act, provides an exemption for training programs in connection with the affirmative action program, requires the MFEA to adopt the Personnel Code, requires the authority to be subject to the Open Meeting Act and the Freedom of Information Act, provides for a annual review of general manager, general attorney and chief engineer. The technical part of it or last part simply provides the MFEA with eminent domain over a personal land belonging to the McCormick Inn. The authority needs to acquire an easement or fee title to permit construction of the pedestrian spine to connect the project with Donnelly Hall. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator DeAngelis, please forgive me if...if you covered this. Is the provision in there which would not allow for reappointment of any existing board members?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Oh, I beg your pardon. Senator Kustra.

SENATOR KUSTRA:

I like the order we take here. Thank you, Mr. President and members of the Senate. I rise in support of Amendment No. 7 as a member of the Senate Investigating Committee which spent many, many hours listening to testimony over the last summer of what went wrong at McCormick Place. As a matter of fact, I think all of my colleagues on that committee would agree that never have we ever been subjected to so many hours of testimony and so many revealing statements by the various people who paraded through those meetings over here in the Senate and, of course, as you know, the House has those also. Even though what brings us here today are the cost overruns, I really don't think that it's the cost overruns alone which are the basic problem. I think that the cost overruns which occurred are symptomatic of poor management practices and an ineffective governing structure which has been ingrained in McCormick Place for a long time. As a result, I think what we need are two solutions. We need the short-term solution which provides for that tough trustee to make sure that those sixty million dollars are spent properly, czar as it's been called; but I also think that we would be foolish...we would

be foolish to go back to our districts and tell our constituents that we gave McCormick Place sixty million dollars without looking to the long-run, without looking to what happens past 1987, and the reason I stand in strong support of this amendment is because, of course, as Senate DeAngelis has already noted, it provides for a long-term solution to ensure that the operations of McCormick Place will never again come under the influences of past practices. I think the problem transcends the people who happen to be in the various political offices right now and so the solution should transcend who happens to be in office right now, and that's the reason why this solution dealing with the long-term must give the power to that government which is constitutionally and legally responsible for McCormick Place; and, ladies and gentlemen, let me remind you that it was here in this Senate and in that House and in that Governor's Office that a soda pop tax was added to provide for the funding of that McCormick Place Annex. It was not in the Chicago City Council or in any city council, it was not done at the action of the Mayor of the City of Chicago or any other mayor. So, it is here in this...Illinois General Assembly that the responsibility lies, and so we must ensure that that final long-term solution provides the taxpayers of the State of Illinois with the control which I think they deserve given what has happened in the last few months. If you agree that McCormick Place is the key to economic development in the State of Illinois, as I do, and if you agree that we must give them that sixty million dollars, there is no alternative, then you can settle for nothing less than what is contained in Amendment No. 7. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Weaver.

SENATOR WEAVER:

Parliamentary inquiry, Mr. President. I was wondering

whether Amendments No. 7 and 8 which deal with McCormick Place are germane.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, the bill deals with the subject of economic development in Illinois and Amendment No. 7 and the next Amendment No. 8 have been reviewed. They seek to promote the convention and tourism industry in...in Illinois by providing for the continued construction of the McCormick Place Annex. Because of the subject of the amendments relates to the subject of the bill, the amendments are germane. Further discussion? Senator Berman. Senator Berman. Senator Berman at Senator Dawson's desk.

SENATOR BERMAN:

Thank you, Mr. President. A couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Berman.

SENATOR BERMAN:

Does your amendment require that the members of the board or the trustee or...and the trustee are subject to the Illinois Governmental Ethics Act; namely, do they have to file a disclosure form?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The trustee included?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

All employees, trustee included.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Is there a cap on the allowable compensation to the trustee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

No, that decision is made by the board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz for a second time.

SENATOR MAROVITZ:

I'm sorry to rise for a second time but I need a clarification on a point, Senator DeAngelis. On page 25 of your amendment, that's the portion of the amendment that deals with the reappointment of the existing board or the fact that they are ineligible, but in...in the previous amendments that were drafted, there was a sentence that was left out and that sentence that has been left out of your amendment reads, "No person who has served as a member of the board within thirty days prior to the effective date of this Amendatory Act of 1985 may be appointed as a member of the board on or after such effective date." That sentence which was in the previous amendments has been left out of your amendment. I want to know why that has been left out of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Marovitz, it was left out of the previous amendment as well, but I think you're talking a couple amendments ago. It has been left out to make them ineligible and...if I might, before I finish answering your question, Senator Berman, I was incorrect, there is a hundred thousand dollar cap.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, the gentleman was responding to a previous question that you had. Senator DeAngelis, you want to repeat that, please.

SENATOR DeANGELIS:

Yes, Senator Berman, I owe you an apology, there is a hundred thousand dollar cap in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I don't believe I got an answer to my question. That sentence which had been in one of your previous amendments has been left out of this amendment. What was the rationale for leaving that sentence out of the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It was to make any current member ineligible for board...for board membership.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

No, that's...that's not the case. The sentence which I...you have on page 25 a sentence that reads, "Such members shall be ineligible for reappointment to the board." That's in there, but you left another sentence out that says that if they have been serving within thirty days prior to the effective date, they can...they are not eligible. So, what your amendment...the...the window, the loophole that is left open is that if a current board member resigns, then he can be reappointed. That is the loophole that you have left open by taking that sentence out. I want to know why you've done that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't really understand the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'll repeat the question for everyone and I'll reread the sentence for you. "No person who has served as a member of the board within thirty days prior to the effective date of this Amendatory Act of 1985 may be appointed as a member of the board on or after such effective date." By taking that sentence out, you have left a loophole open so that if a current member of the board resigns, he then can be reappointed according to your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Marovitz, I'm going to tell you, it was never, never intended as a loophole. You know there are many drafts of this floating around. No,...no, there's been no change in the board that I know of in the last thirty days. If you have a real problem with it, I think we can work it out, but there's...it's just a matter of drafting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I do have a real problem with it and I would like to...I'd like to know and I'd like the Governor to state on the record, which probably could alleviate the problem, I'd like the Governor to make a public statement that under no circumstances will any current member of the board or anyone who...has sat as a member of the board be reappointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not the Governor, obviously. But, Senator Marovitz, if you read a little further down, we do confirm those members too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, we're not talking about confirmation. I think one of the...one of the major points made in the Senate report as chaired by Senator Sangmeister was that current board members should not be reappointed. That's really a simple statement, that's all we're saying; however, by taking that sentence out from previous drafts, you have...in fact, left a loophole open that current board members could resign and then be reappointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I have been advised if it's sincerely that serious a problem with you, Senator Marovitz, we can prepare an amendment and put that on. It's just a matter of the way it's drafted, all right. This bill, by the way, is effective upon signing. Now will you vote for it if I put that on there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Let me say this, we all know that the bill isn't going to be signed today. There isn't anybody in this Body that thinks this bill is going to be signed today. Okay? So, if...if you will have that amendment prepared, I will be happy to offer it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I still would like to know if he's going to vote for the bill if we offer the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm...I'm...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate, and I hope everybody was listening to Senator DeAngelis, because Amendment No. 7 which I am rising in opposition to will be reoffered in substantial form by Amendment No. 8. There will contain the same duties and responsibilities, the same call for an additional sixty million dollars, the same enumeration of reforms that both the Sangmeister and Currie committees thought necessary and with which I agree. The difference really is something...that we have, unfortunately, been talking about for something in excess of a month and that is the governance. How do we get over what is an obvious political problem? And the four leaders sat at some great length and attempted to work out a solution, a solution that was agreeable to both principals and, in fact, to the leadership, and I think we've done that, but it's not reflected in Amendment No. 7. It is, however, reflected in Amendment No. 8 and it deals only with the question of the permanent board, because the provisions for the interim board are identical in 7 and 8 and they provide for the immediate appointment upon approval of this Act of six people; three by the Governor, three by the mayor, and they further provide for a...the appointment of a trustee by the Governor to ensure not only the completion of the project and we hope the completion on time but to actually manage the operation of McCormick Place and we have agreed to that. What we were unable to agree upon was the question of the establishment in the same bill or in the same provision of a permanent board. There were all kinds of configurations. At one point we were even discussing, at my request, the pos-

sibility of having the legislative leaders involved in the appointment as we did with the RTA or have other people involved as we have done with other boards. It was finally decided and I thought to virtually everyone's satisfaction that what's the hurry. Why do we, today, at the eleventh hour have to deal with and fight about a permanent board which under everybody's configuration doesn't take place until June 30, 1987. Obviously, in reference...in recognition of the fact that in November of '86 we will have a gubernatorial election and in April of '87 we will have a mayoral election and we will have a brand new General Assembly whose configuration as at this moment in some doubt, and we may or may not have a new Governor and we may or may not have a new mayor, so why don't we leave that decision alone. There is no sense in hanging us up on the question of a permanent board that doesn't become effective until June 30, 1987. The immediacy of this of this dictates, if you will, that those kinds of long-term considerations can best be left to another Assembly with perhaps a different political configuration and let them wrestle with it. Our problem is immediate because I'm sure you're aware that when the board met on Monday, they said, yes, we can probably go another week. We will pay as best we can. We will defer some payments as best we can but, holy smoke, as of next Monday, perhaps it will have to be mothballed and mothballed to the chagrin and embarrassment, I suggest, of all of us, irrespective of party and irrespective of geography; because if, indeed, that project has to mothballed, there isn't any question, I hope, in anybody's mind that at some future date we will come back here and have to unmothball it in an attempt to complete it, and that will just cause additional hardship and certainly cost additional millions of dollars which we can avoid by doing it today or this week, preferably today. We do not simply have to deal with the question of the estab-

lishment of a permanent board and who controls or doesn't control, we don't have to deal with that today, and I urge you, I urge the members particularly on this side, please, vote No on Amendment No. 7. Amendment No. 8 will follow immediately on its heels. It will contain verbatim the language that Senator DeAngelis so aptly described with that single exception that it's silent as to the permanent board. That's a political problem with which we can deal later. Our problem now is real and immediate and I urge a No vote on Amendment No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schaffer.

SENATOR SCHAFFER:

In his usual eloquent manner, Senator Rock has clearly stated the problem and the difference between the two amendments. This amendment has a permanent board, a...a board, by the way, I should point that's appointed. The major difference between it and tradition is that the chairman would be appointed by the Governor, a Governor, by the way,...and we're not sure who that is 'cause we're talking July of '87. I know who I want it to be, I know who I think it should be, but I have no guarantees that the gentleman that's currently in that office will still be there, none of us do, so it's not a partisan request. The President has said we don't have to select a board. We are going to give sixty million dollars to an exisiting unit of government to clean up a mess created by that exisiting unit of government and its mismanagement, and we are told that we don't have to take steps to see that we don't go back to business as usual in July of 1987. If I were to vote for sixty million dollars to pump down this rat hole and not take steps to see that we hadn't corrected the mess, anybody who voted for me in my district would have to have an IQ of four, and I suspect the constituents in every part of this State agree with me, even in the City of

Chicago, maybe in particularly in the City of Chicago, I don't think your people want business as usual at McCormick Place; and without a permanent board in this bill, it's business as usual July 1987, and nobody wants that in McCormick Place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in opposition to this amendment. If you recall when this proposal came up the first time I stopped it, and I was assured by the Governor of the State, I was assured by the leaders and I was assured by the convention center people and the hotel people that they would watch Mr. Hannan and everything would go right. Here we're back again later. I think that this is bad. I think with the mayor and the Governor sharing the appointments, at least both can watch each other and maybe they'll have a compromise, but to give the Governor this authority when he assured me that Mr. Hannan would not create these problems and I was assured by the department that everything was going well and this is going to be a great project, do you think I want to give this man any power? I could care less. Maybe...maybe we shouldn't give him...anybody...and maybe we as a General Assembly should take the power of appointment and have the people cleared through both bodies like we do the Auditor General, but to give the Chief Executive political power of...the City of Chicago or of the State of Illinois, if we're going to give it, then we should give it to both of them, then both Chief Executives can watch each other and maybe the people will get a fair shake but not this way by giving one man something to take care of something. I think it's wrong because this man assured me when I got up on this Floor and spoke against Mr. Hannan that everything would...work well and Mr. Hannan was the right man for the

job. This was the assurances I got. It didn't turn out that way 'cause we're in a mess, and we're in a mess because...when the other mess hits with the new State of Illinois Building, that's another mess...that's going to be another mess, and that's another job that this man ran. We got a great artistic piece but it's not functionally proper for the State of Illinois to function in, workers have to sweat. You want a man like this to make the...sole appointments and control something? Forget about it. This man is bad...if he's left alone. Let the mayor and the Governor watch each other, maybe that's the way it should run, maybe something mutually...be agreed upon or let us assume our responsibilities as a General Assembly and the controllers of the purse and make the appointments ourself. Ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis indicates he will yield. Senator Watson.

SENATOR WATSON:

...can you tell me, Senator, when the McCormick Place was built, how much...how many dollars were State dollars and how many dollars were generated from other local units of government...preferably, maybe the City of Chicago or just exactly how much participation has the State had in this project versus the city and...do you have...do you have an answer to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I can give it to you as a percent, it's one hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

...who...who has a hundred percent participation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

The State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, now I...I didn't know that. I honestly didn't know that and that...that makes it even more reason of why that in my district we could care less about McCormick Place. I...and Jack Schaffer said it very well and it's tough to follow a...a speech such as that, but we...we could care less about McCormick Place and its success and all of it, but it is a revenue generator for the State of Illinois. It's important to the economic development of our State. So, it's important to...for my people, for the taxpayers of Illinois to have a say, I believe, in...in the policies of that particular institution. The embarrassment is not the mothballing of the...of the project to me. The embarrassment is that we're going to give them sixty million more dollars and not guarantee a control of the board. Now I...I'll have a tough time explaining to the people in my area that I...I'm sending sixty million more dollars to the City of Chicago for McCormick Place, but I'll have...I'll be able to tell them under this amendment that there's going to be some control, at least by the State of Illinois. We're going to have some...the State of Illinois as a whole is going to have a say in the manner in which this...this particular function is...is...is governed, and now that I find out that it's a

hundred percent funded by the State of Illinois, I just think in fairness to the taxpayers, to the entire State, they should have control and that's...that's all we're asking for. I think it's fairness. I think it's common sense, and it's unfortunate that the mayor of the City of Chicago and others have stonewalled this issue to the point of practically bringing this process to a hault; and I think that this amendment certainly deserves our support, and any downstater who...who doesn't support this concept and the State control probably is going to hear from the electorate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I'm having a tough time understanding what this is all about because on the one hand there were something...something going wrong at McCormick Place; whether is was mismanagement, whether it was the lack of information, I don't know. I don't have the answers but something went astray. Now who's to blame for all of that? Well, we can blame the board. Six members of those...of that board were appointed by the Governor, four were...appointed by a former mayor of Chicago and two by the present mayor. So, who's responsible? Well, we're all responsible, aren't we? Maybe we should take the Capital Development Board and let the City of Chicago run that because they are responsible for a hundred million dollars in cost overruns. So, you know, what are we doing here? What is this all about? We've got to come up with some solution to a basic problem that the State of Illinois is faced with and we can't do that on a bipartisan basis. There's no way we can do that. So, let's work together on this issue. And all the mayor wants is what he doesn't really have in the first place. He doesn't want anything more than what is presently going on at McCormick Place in terms of the construction of the board. Why...why

is he being blamed more that the Governor? They're both responsible for what happened over there. You can't blame one and not the other and that makes us responsible. So, let's do the right thing and defeat this amendment and get on with the business at hand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the only reason I am going to support the funding for McCormick Place is because it brings millions and millions of dollars back to Illinois by the...from the exhibitors and other related businesses, and if we're going to sit here and argue, well, you're not going to run it, we're not...we're going to run it and all that kind of garbage, we wasted the taxpayers money all week trying to get involved and do the right job. First of all, we wouldn't be here deciding on McCormick Place if it had been run properly. I wasn't the Executive Director, neither...was anyone here; however, there have been mistakes made, there were mistakes in judgment made and let's face it, they're made. We can't mothball this project, we need it. We need it because the more tax money that comes into Illinois, the less of a tax bite it'll be on our citizens and you know it and I know it. I think this bill is fair. You have the provision here of three and three. I'm not blaming anyone. All I'm saying, poor judgment can happen to any one of us and we've made it in this House as well...I have and all of you have. Don't think any of you is above it or below it. The point is there are six people, three and three, there is someone who can run the darn place and run it well. If he doesn't do it, there is a...a majority of four on that board who can overrule them. Let's go on with the business at hand and let's vote for this amendment and let's give it a chance. For heaven's sakes, we

wasted enough time as it is. I speak for the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 7 is really a very instrumental key in the solution of 568. Amendment No. 7 takes the power...and, Senator Watson, your question as far it's a hundred percent funded from the State for the McCormick Place is true but it's also the funding is from the tax revenue Statewide. So, Chicago and the County of Cook and the five counties in that area of the State contribute substantially for the funding of McCormick Place as we do for the proper funding of the General Revenue Fund throughout this State through taxes. The question of fairness in Amendment No. 7, it's unfair. It's unfair to the President of the Senate who is taking the political opposition of members of his own party and bringing this bill to the Floor and trying to come up with a compromise issue so both Bodies get off of dead center. You're not being fair to him nor to the mayor of the City of Chicago or the people of Cook County and that area of the State with this amendment. I don't have to go through and tell you exactly who is responsible for McCormick Place, where the appointments came from and the type of job that he did, we all know that. Senator Sangmeister conducted a very thorough hearing in conjunction with Senator DeAngelis as the co-chair, a lot of public debate, but can you criticize a board member who in good faith took the expertise of people in their respective professions and coming in with a proposal in trying to expedite the opening of McCormick Place so it can accommodate electronic convention so that the State of Illinois would not lose that type of revenue and made a judgment call at twenty-four percent of the entire picture? That's what the issue is and they made that call and they

were wrong, and now they're going to pay the price when we asked...asked them to serve as a advisory capacity, no compensation to bring in their best business expertise and make a judgment call, but over here a judgment call is a grab and this grab is absolutely wrong. It is wrong to the President of this Senate and it is wrong to all of us. I believe the President was quite correct when he mentioned Amendment No. 8, a fair and equitable presentation and to address an immediate problem. That's the one you should be voting for and I hope you would, but on this one, I hope you vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schuneman.

END OF REEL

REEL #3

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. I think most everyone has made up their mind on this issue, but it seems to me that we really ought to be looking this...at this as State legislators and not legislators from just Chicago or just our own communities. But the mess at McCormick Place really isn't anything new, this is just the current mess, and it seems to me that as a State legislator, the only reasonable position unless you happen to be directly affiliated with the Chicago political organization is that since the State pays the tab, the State ought to have control. Now that's not a very difficult concept to understand and I really think that's the essence of it. I assume most everyone has made up their mind but one other point I think ought to be made and that is that if the position of the Governor which basically has been the State ought to have control, you want the money, then the State is going to take control, that's basically the position of the Republican Party. The opposition has come from the city. Now the threat is going to be made, if you don't do it the way we want to do it, you're going to have to mothball this project, it's going to cost an extra ten million dollars. Well, if that's the case, I think our position should be Chicago ponying up ten million dollars, you know, because it means at least as much to the city in their scheme of things as it does to the State in our scheme of things. I think this is a reasonable amendment. It's time to do something about McCormick Place and you may not get another opportunity like this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Luft.

SENATOR LUFT:

Senator, it's my understanding, as I've been sitting here listening, that Amendment No. 7 is virtually the same as Amendment No. 8 which will be followed and offered by Senator Rock, and the only difference is in the permanent structure, a permanent board, to be appointed in July of 1987, am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

If the appointment by the Governor is so important and if we're so worried about the cost overruns, then why are we waiting till July of 1987 to put the Governor in control? Why doesn't your bill call for that individual to be appointed now during the construction part of this when...the obvious cost overruns have taken place? Why doesn't your amendment, if this is really so important that this man exist, why is it waiting till July of 1987, which we all hope the construction part of this program will be over with?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, the other amendment waits for July '87 also, but more specifically, there is in place a mechanism called the strong trustee to take care of the ongoing

problems including the completion of the construction. The interim board is going to function through that period of time, the permanent board thereafter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Then, if you are happy with the interim board and you are saying that your side feels safe with the interim board to follow through the construction period to ensure that everything take place on the up and up, why are we sitting here arguing over some board that will be appointed in 1987?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm not so sure I'm safe on anything, Senator Luft, but I'm not doing the arguing, you guys are. This is my amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I'm only asking you to try to convince me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS.

Well, you know, I don't know what you do but I've adopted a policy of putting a tape recorder and calling my wife every night, 'cause it's pretty difficult to explain what we're doing down here and she's either going to think I'm a liar or inept and I don't like to be called either one. For somebody to stand here and cavalierly say, well, let's wait till June 1987 and take care of this business like it was going to be so easy to do, and we're going to go back home and tell everybody that we did the job but we left one thing open because that's so easy to do then and not have to do it right

now, when we can't even do what we're supposed to do right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Mr. President, I'm not trying to be cavalier. What I am trying to do is establish in my mind the way I want to vote, and I have problems with this simply because we have no way of eliminating the interim board if they foul up. These same people could be...appointed, the way I read this, to the full board in January of '87. There's no provision if these people foul up between now and 1987 to get rid of them. There's no provisions to say that they won't be on the full board, there's a lot of problems with this. I'm just saying, why, if everybody is happy right now with the structure of the interim board, why not wait? Why not find out who's here, why not find out what problems have taken place? Why not find out if these six members that are about to be appointed are worth being reappointed, and why not of, in fact, even have them appointed as subject to confirmation of the Illinois State Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, we're getting off the track because everything in here is the same except for that permanent board. Now, if you're concerned about the ineptness of an interim board, that isn't addressed with your amendment either. Now, let's argue apples to apples. The fact is that we want to walk out of here giving sixty million dollars worth of State money and say, we have put in place a mechanism on an interim basis to deal with the problems of...completing the construction and reviewing the organization. At that time, when it is completed or their job is completed, June 30th, 1987, we will in

fact have another board in place that is permanent and the chief governance of that board...or chairman would be an official appointed by an official of the State of Illinois. I don't know what's so unreasonable when the State is putting all the money in that the State makes the choice, and we're not saying it has to be a Republican, we're not saying it has to be a Democrat. We're saying that the chief executive officer of the State of Illinois ought to name that chairman and that's all we're saying.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The following Senators have sought recognition: Fawell, Poshard, Collins, Sangmeister, Philip and Rock. Senator Fawell.

SENATOR FAWELL:

Thank you, very much, and I shall be as brief as I can. I would like to remind my colleagues that this metropolitan fair and exposition hall was built under the present Civic Center Act. There are eight civic centers in the State of Illinois at present. This is the only one that was paid a hundred percent by State money, and it is the only one who receives seven and a half million dollars...seven and a half million dollars, one-third of the budget...operating budget from the cigarette tax. Every other civic center in this State who also generate money for the State of Illinois, I might add, do not receive any operating funds whatsoever from the State, and every civic center that I have heard of in this State is also, like the civic center in Chicago, losing money. It is another governmental agency closer to the people, usually the county, that picks up those operating funds. If we build a civic center by State money and then have to turn around and operate a civic center by State money, it indeed is a State institution and we, as State legislators, as was mentioned before, should indeed be the ones that should have control over it. I vote Yes for this

amendment and anybody who lives outside the City of Chicago...is going to have a very difficult time to explain the vote to their colleagues, it seems to me, if they do not join me. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I had not planned on rising on this amendment but I feel compelled to speak, I hate to sound so parochial. I did not come to this Senate with the idea in mind that I was going to be anti-Chicago or anything of the sort; in fact, I think on many occasions I voted with the city on the things that they need and I realize the importance of the City of Chicago to the midwest as the hub of the midwest as well as to this State as a economic center. And I realize that those of us from downstate, especially from my district where unemployment is so high, that we perpetuate a myth when we say that we do not get back the amount of tax monies that we send to Springfield; we do, we get much more back than we send to Springfield, that's the truth. The fact is that we get it back to a great extent in the form of welfare which doesn't go very far to help us out. We don't get it back in terms of the kinds of infrastructure needs that we have and enough of it. Now, I have sat here for a lengthy period of time listening to the argumentations being developed on the basis of who controls the board to McCormick Place. That's not a very great concern for my constituents. What is a great concern of my constituents is 312.5 million dollars being spent on one building in this State, to be sure, a building that will generate a great deal of revenue for the State, but sixty million dollars in cost overruns to one building, three hundred and twelve million dollars more than the initial out-year funding of the entire Build Illinois Program. I

have one town right now struggling for a seven hundred thousand dollar sewer grant to save five hundred jobs, and I get a little bit tired sometimes of having to go to everybody in the General Assembly and beg and plead and cajole in any manner in which I can for a little sewer project here and there or some money to save some county roads and, yet, we so easily pass off three hundred and twelve million dollars, sixty million dollar cost overrun regardless of who controls the board. There is another part of Illinois and part of it happens to be my district. I'm voting No on this amendment, not because of the structure of the board but because there's very little equity that exists on a geographical balance or basis in this State and we need to pay a little more attention to that basis. We don't want to continue on welfare in southern Illinois. We want some sewer projects and some water projects and some roads that's going to get industry into our region so we don't have to depend upon the city and its welfare payments to the south. I would urge my colleagues to vote No on that basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you. I'm sure, as others have indicated, any further debate is not going to change anybody's mind, but I've been too long involved in this not to say at least a few words. Senator Kustra indicated the committee for the Senate to come together for a recommendation to you has worked hard, I enjoyed working with Senator DeAngelis, I think we had a fine committee; but as I suppose could have been predicted from the very beginning, when it came down to the final analysis of what we ought to recommend to you, it came down to only two items...although I want to indicate to you, in both of the amendments there are many, many good reforms that are

necessary and they're in both amendments, but it comes down to the two items, it comes down to how you're going to compose the board and, second, what are you going to do as far as the funding is concerned. From the very beginning I have always felt that it is not a legislative prerogative for us to be setting up who's going to be the czar to run the completion of the McCormick Place expansion. I felt that we should have done nothing with the board except remove the present members that are there and I think no one quarrels with that. I think anyone of any leadership position whether it be in the legislative Body or otherwise, I'm not sure, I think even the Governor once a upon a time was very close to suggesting we remove the present board members; but, you know, if you're going to have an interim board, put six people in there, put them in a room, let them elect their chairman and let them go ahead. All you got to do is put the responsibility on the Governor to pick three decent people and the mayor to pick three decent people. I don't see why we have to be speculating as to who is going to be a czar to run this operation but, needless to say, this is where we are. As far as the funding is concerned, I'm not happy with the way the funding is laid out in this amendment nor am I happy with the funding as it's laid out in the amendment that's to follow. After everything that we have heard in the committee, I can assure you that whatever money you put up there is going to be the money that's going to be needed to complete this thing. I have felt all along, from what I have heard, that we ought to give them forty million dollars and that should be the limit and I think this project can be completed with forty million dollars but was persuaded that that would not be enough and that we ought to go to the sixty million with the additional amount being approved by the Bureau of the Budget over and above that amount. I still settle that the forty million as you could see from the report that

I submitted to you and I don't think we should have moved off of that figure one dollar, but for somewhere...somewhere along the line and in the amendment to follow, it's everything over forty-five million dollars. But I really think that what we appropriate here today and authorize, I should say, is going to be spent and I think that's a mistake. If we were to act responsibly, we would give these people the forty million I think they need to complete it and then in the Spring...in the Spring, if they need additional money, let them come back to the General Assembly. I get no support from that on either side of the aisle because, apparently, everybody wants this thing to go away once and for all and they don't want to see it again. I just don't think that's entirely responsible and the other thing that I cannot understand is why the Governor of this State under any circumstances would want to get anywhere close to this tar baby. Why he would want to have his hand involved into who those people are going to be particularly after...I think he does have to bear the responsibility for the members that are there and the screw-ups that have happened that he would want to get anywhere near this thing. So it's inconceivable to me why he would want to go along with this amendment. So, all I can say to you is, I'm not happy with either amendment but certainly the one to follow is better than this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, the twenty-eight in the minority over here have been working all week to try to put together a reasonable compromise. I would suggest to you that Senator Rock's Amendment No. 8 is not acceptable to the mayor. Now, if he have changed his mind, he has done it in the last fifteen minutes. Secondly, the final board will be selected six

by the Governor, six by the mayor, confirmed by the Senate. So you downstaters will have an opportunity to ask questions and have an input on the final makeup of the board. Whether you like it or not, it's one hundred percent funded by the State of Illinois. The common sense...the rule of thumb would dictate to you when you fund it, you control it. That's true of local government, it should be true of State Government. We don't know who's going to be the Governor, I hope that Jim Thompson get reelected, I'm going to work to get Jim Thompson reelected, but we might have a different Governor, he would be appointing the chairman. It's a non-political...this should be a nonpartisan issue. The Governor should run McCormick Place, not the mayor of the City of Chicago. As you know, the city benefits some nineteen million dollars a year from revenue generated from McCormick Place. Cook County benefits some nine million dollars a year from revenue generated from McCormick Place. The record at McCormick Place, quite frankly, has not been good and I'm afraid we'll have to lay that at the City of Chicago's doorstep. The divided authority, the State finance it, the State should run it. This is a common sense amendment. You downstaters...I don't know why every downstater shouldn't vote for this. We should put this amendment on, pass it and get on with the work of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I feel compelled to rise a second time for a number of reasons and, if I can just have the attention of the membership, perhaps we can allay some of the fears that have been...first, both the mayor of Chicago and, I might add, the county chairman of the County of Cook of the Democratic Party are in favor of Amendment No. 8, so there is no

misapprehension, I have heard all kinds of stuff going on around here. The fact is that we have, along with Senator Philip, been working for a number of weeks and meeting almost interminably attempting...attempting to...effect a resolution; and the resolution really is at this moment an interim board composed of six people, three each from the Governor and the mayor, who will elect their own chairman and a trustee to ensure the completion of the project who will be reporting to the board to be appointed by the Governor, and I don't think...I dare say there's no one in this room that doesn't believe it's going to be former Governor Ogilvie and I think that choice is superb. I'm surprised the man would take that kind of a job but the fact is the choice is superb. And we keep saying sixty million dollars, somebody only wants a hundred thousand and here we are with sixty million dollars worth of State money. It's not the fact. The fact is, we're increasing the bond authorization. And the hundred percent participation which I've heard four or five times isn't accurate. We are paying the debt service pursuant to a law passed by a majority of both Houses and signed by the Governor of Illinois where Illinois is responsible for out of a fund whose revenue stream is a pop tax, we are paying part of that for the debt service on the McCormick Place expansion, as well as we are paying for ten million dollars in downstate tourism and fifty million dollars in downstate parks rehabilitation; yes, we are paying the debt service. Now up until this morning when this amendment was filed or, perhaps, more accurately...'cause Senator Philip and I have been spending an inordinate amount of time together and usually we can spend it under better circumstances but, the fact is, we are attempting to get a reasonable solution and, up until last night, the proposal had a four-three interim board, not a three-three, four-three, affording the Governor of Illinois who is a candidate for reelection absolute unfettered control

of this board and I said, as did the Speaker, don't do that, that's not fair. Let's have three-three, as both our reports on a bipartisan basis said, let them elect their own chairman and let the Governor appoint a trustee and let's have the trustee be responsible to the board and let's have board action require the vote of four, four of the six, and given the public scrutiny to which this situation has now been exposed, it seems to me only reasonable and I would expect nothing less than three stellar appointments from each of those principals and then they can work it out. Well, then, what do we about the permanent board? And you know who suggested we not deal with the permanent board at all? Because my...the first suggestion...the first draft I saw was that the permanent board would be six and six and it would take place October 1st, 1986, and I said, what about the gubernatorial election? They said, okay, make it December, and then it was pointed out, what about the mayoral election? And I said, okay, let's make it June 30, '87 or May 1st '87. But let's recognize that the 85th General Assembly is going to have to deal with this and, in our typical fashion, it won't be done until the last hours anyway so let's make it June 30, '87 and everybody said, fine; and the Governor of Illinois as the leader of the Republican party said, why don't we just leave out the permanent board, let's don't get into it, let's do what we have to do now and leave the permanent board alone. I agree to that. So when I hear on the Floor that the Republicans are standing for this, the chief Republican is not. The chief Republican is in favor of Amendment No. 8 and it's eminently reasonable, and we are now down to just partisan push-pull and we needn't be because we agree on everything else, particularly, now that as late as last night and as early as this morning, you have come down off of the four-three interim board. We're right there, we can agree on everything. Be silent on the permanent board.

Nothing is going to happen next year because the current Governor still has the pen; if we send him some outrageous plan, he can veto it. As a matter of fact, I assured him that I, as the majority leader, would not be in support of any plan with respect to a permanent board next year, that it should wait until we find out if, indeed, there will be a new Governor and I hope there will be and if, indeed, there will be a new mayor and some hope there will be, but let's leave that aside. We needn't get into that and to hang up this General Assembly...because you know as well as I, we've all been around here long enough to know we are now stuck right on the dime and we can talk and talk and caucus and caucus and caucus and it's not going to go away; and if, indeed, one or another of these plans doesn't prevail for any one of a number of reasons, it's seventy million dollars in farm aid and a hundred million dollars earmarked for common schools and some incentive for Arlington Park and, yes, indeed, additional debt service for McCormick Place, if somehow that doesn't pull enough people together to get a constitutional majority approval, then we'll go home. Sad part is we'll be back and we'll be back and we'll be back and we'll be back. Amendment No. 7, I suggest to you, has ninety-nine percent of what we agreed to, just that one little percent; and on that basis, I urge a No vote, and I'm going to ask for the adoption of Amendment No. 8 at the proper time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator DeAngelis may close.

SENATOR DeANGELIS:

Yeah, I'm obliged. Thank you, Mr. President. That was a very good closing, Senator Rock. I do have to clear up a couple of points though. Someone indicated that the problem occurred with a board composed of six by the Governor and six by the Mayor of the City of Chicago, correct, and I have

never pointed my finger at anybody on this; but they stopped a little short because the chairman was, in fact, from the City of Chicago and has been historically so, and if that person or whoever does feel that board is responsible, then that chairman cannot escape the responsibility either. I worked with Senator Sangmeister and we did work real well. Senator Sangmeister brought up something real important. The reason that this bill says up to fifty-four million, forty-five million authorized, nine million you have to come back to BOB, is 'cause I was told repeatedly, as he was told repeatedly, nobody wants to come back. But you know what, folks? We will be coming back because there's something open on this bill that yet has to be resolved. Now, when do we come back? Well, I'll tell you. We come back after the gubernatorial election and the mayoral election, but you know what, those don't bother me. What bothers me is we...we come back when the leverage is gone. So you come back to resolve a problem that you don't want to resolve today at a time in which there's absolutely no leverage to resolve but property. I don't regard this as being a Republican position or a Democratic position. I've heard more about McCormick Place, I don't even want to hear it again, and if I ever drive up there, I'll probably not want to even to look at the name; but the fact is we had a job to do and to leave that job undone because maybe somebody might think that their ego gets bruised, that somebody might think that we're changing something they don't want changed, you know, we are taking one hell of a risk. McCormick Place, Senator Poshard, is worth six Mitsubishis to the State of Illinois. Now, you guys want to shoot craps to save a little face, I don't think you're losing face. You're getting the money, you're getting the completion, you're getting the support of a lot of people here who normally wouldn't support it, and what is the hang-up? Senator Rock, I don't think I'm a bad guy for pro-

posing this. I don't think you're a bad guy for opposing it but don't think that we're obstructionists because we want a permanent solution, because that's the job we were asked to do. We were not asked to come back to this General Assembly with a report that garners enough support that perhaps somebody here would say, yes and somebody there would say yes. I didn't think that was my job, Senator Sangmeister didn't think it was his job, nobody on the committee from my side thought it was...that was the job and nobody from your side; in fact, I have to tell you, if I had to judge the criticism of McCormick Place, it probably was a heck of a lot stronger from the other side than it was from our side. But, let's wait, let's wait, wait for what? Wait for so...so we could be here till July 14th in 1987, because there won't be no leverage, we might even be here till the 1st of August; in fact, Senator Sangmeister have a resolution which may not require us to be here on June 30th, if it ever gets out of the House. The point is, that wait is a flimsy excuse. It's an absolute cover-up and I don't know how anybody in good conscience could walk back after spending the taxpayers' money needlessly for the amount of time we have and say, I'm going to come back home and leave the job undone because, you know why, 'cause some people were bothered by this. You know, we're grown-ups, we're responsible people and I think those objections are putting perfume on a pig, let's go with the truth. The fact is, we have a job to do, this does it. Does it please our side? I'll tell you, no. I have not spent some good moments in the last couple of days neither has Senator Philip and some other people, believe me, it hasn't been fun at all. We've made an effort to compromise our position; this is it, folks. I urge your support for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis has moved the adoption of Amendment No. 7 to House Bill 568. A roll call has been

requested. Those in favor of the adoption of Amendment No. 7 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 31, none voting Present. Amendment No. 7 fails. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Rock. The LRB number, LRB 8402545MRMLAM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 8 contains all the good things you heard. It is a lengthy amendment, absolutely identical in its eighty-eight pages to what was offered by Senator DeAngelis with the sole, single exception in recognition of the political reality that we cannot duck, we are silent on the question of a permanent board. This amendment is, I am told, agreed to, agreed by the principals, the staff has been working, revising and revamping. The fact is, what is necessary to accomplish the purpose, the purpose that all of us want, the orderly completion of the McCormick Place expansion. It has a three-three interim board, those six will elect among themselves a chairman and a trustee will be appointed by the Governor of Illinois, the trustee to report to the board and board action is a four to three action. It's exactly got all the reforms, same financing, same duties and responsibilities. It admittedly leaves open the question of the ultimate constitution of the permanent board and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 8 to House Bill 568. Discussion? Senator Geo-

Karis.

SENATOR GEO-KARIS:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Is this the amendment that ends up in 57 on the LLRB number?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No. It ends up in 01. It's...it's a lengthy one and...and the fact of the matter is, Senator, that...I had a list here somewhere. We went all through the fifties, I believe, both Senator Philip and I...no. This...this ends up in AM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

...will the sponsor yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will. Senator Geo-Karis.

SENATOR GEO-KARIS:

Okay. I...I'm sorry, I had to ask you twice. Under your amendment, there will be six people, three and three and then a majority of the six, is that correct? You said four and...it would four to three. You didn't mean that did you? Did you mean four to two would be the majority?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The interim board is exactly the same as proposed by Senator DeAngelis. It consists of six people, three each appointed by the Governor and the mayor. For board action,

four affirmative votes are required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Then, under Senator DeAngelis' amendment, the trustee would have the right to hire and fire and the only way he would be overruled would be by a majority of the six board...is...of the members of the six...the...the...the six members of the board, am I correct, and does that apply here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, are you still retaining in your amendment at least fifty-one percent of the six-member board to overcome any action of the trustee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, then, can you tell me, because I'm a little dense with all the machinations going around here, what is the difference between your amendment...the basic difference between your amendment and Senator DeAngelis' amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, could we have some order, please. We've been through this a dozen times. Senator Rock.

SENATOR ROCK:

The...the only difference and I reiterate the only difference is whether we deal with the question of a permanent board and who controls it. Senator DeAngelis'...amendment, as I understood it, called for the appointment of six by each, the Governor and the mayor, with the chairman to be designated by the Governor. The Governor himself has agreed to Amendment No. 8, leaving the question of the permanent board silent until June 30, 1987 or sometime before that point in time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I listened to some of the speeches on the last amendment from my downstate brethren on the other side of the aisle. They seem to be saying fie on both of these amendments and pleading the case of their regions. Going to be interesting to watch the roll calls on this. The simple fact is that this is only part of the solution. This is like signing...sending somebody a...a check for sixty million dollars and not asking them to sign the loan. We can't just have a short-range vision. I would respectfully remind my colleagues that we're talking then about a...debating the permanent session...structure of the board in the midst of a mayoral primary. Now that ought to be a lot of fun. There won't be as much trouble on this side of the aisle but those of you on the other side ought to think about it. It's after the primary, Senator Rock, I fully...appreciate that but we don't introduce bills...I think the deadline for introducing bills will obviously be prior to that and there will obviously be discussion on it. The simple fact is, Senator Rock, you noted that we came off three-four. We came off three-four because we wanted to resolve the problem. We wanted to resolve the entire problem. This proposal only resolves part of it. We've been here, all twenty-eight

Republicans have been here every day this week. I don't think the other side can say their attendance has been this good. We've stayed here because we want to resolve it, not part of the problem, not the next few months of the problem but the permanent solution. We may be part-time legislators but I don't think we ought to specialize in part-time problem solving.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. First of all, I...I listened to Senator Rock in the last discussion give us the background on this and, certainly, Senator Rock, your definition of compromise surprises me a bit. You pointed out and you are right, we wanted a four-three temporary board. We wanted a seven-five permanent board. We backed off of four-three and it's three-three, we backed off of seven-five and it's six-six with the Governor appointing the chairman. You talk about compromise, you've got it right in front of you. You had it in Amendment No. 7. The other thing...let me remind each and every one of you, we've been down the road of the, hey, let's remain silent approach to dealing with McCormick Place. That's what we did in June of 1984, when at 8:30 p.m. on June 30th, we enacted that soda pop tax and we cut our deals and we gave some downstate tourism money one direction and sent two hundred and sixty-five million north to McCormick Place and we didn't provide one legislative oversight. We didn't subject any of the spending of those dollars of the bond authorization, whatever you want to call them, to one State law whether it was the Personnel Code or the Purchasing Act or the Open Meetings Act or the Freedom of Information Act. So we've been down this course of remaining silent. Now, what we want to make sure of is that that doesn't happen again, short-term

solution must come and the long-term. This Amendment No. 8 is a bad idea, all Republicans anyway and I would suggest all downstaters...I can't believe a downstater can support this amendment and go back and try to explain it to his people. This is a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, and thank you, Mr. President. Something that I've always done in my district and I go around and I speak to a lot of different groups and everybody says, what's the difference between a Republican and a Democrat, and really basically oftentimes you can't answer. There's no real difference between a Republican and a Democrat in the courthouse or in your precinct maybe or in Washington. But I always say there's a basic difference between a Republican and a Democrat when it...come to Springfield and you know what that difference is, that's difference of control, who's in control. Now, anybody who voted Yes on that last amendment should be consistent and probably vote Yes on this amendment. Anybody who voted No on the last amendment should be consistent and vote No on this amendment, but somebody who voted No on the last amendment and turns around and votes Yes on this amendment, it's a matter of control and who is controlling that vote. And I've said in my district, and I believe it and this is an example, the difference between a Republican and a Democrat in downstate Illinois is Chicago and the control that Chicago has over that vote and we're going to see it happen in just a few...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I just want to know if that holds true for...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz, what...what...what...

SENATOR MAROVITZ:

...point of order, make a point of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right...

SENATOR MAROVITZ:

Just want to understand...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...state your point.

SENATOR MAROVITZ:

...if that holds true about someone who voted Yes on the last one and votes No on this one? Is that the same consistency there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson.

SENATOR WATSON:

I thought I explained that and I mentioned that, so I don't think it needs to have...but that's just basically the way I feel and I have no problems necessarily with the City of Chicago, but I do have a problem in when they try to control the votes and that's what is happening. And anybody who voted No on the last amendment and turns around and votes Yes on this one, it's a matter of control and we know where it is and there's no way of denying it and somebody is going to get up in a minute and...and try to rebut this, but it's a fact and you know it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

You know, I...I just wanted to get up here and...and resent the fact of saying that since I'm a city and a county of Cook County Democrat that I'm controlled by the City of Chicago. I think Phil would like to control me and...so

would my mayor and my...my Democratic leaders, but I am controlled by one factor. I am controlled by my constituency, that's how I vote and what's good for them, that's how I'm going to vote. I think it's time we get up here and start not looking around, I think a great man once said, he came down to Springfield sometime ago in the House of Representatives to speak for education; and as we look at Illinois, we don't look at it as a north or a south or a city or downstate. We look at Illinois as one thing and one issue. We look at Illinois for the basis of what it is, what we're trying to do for the State of Illinois, and to politicalize an issue on that basis is wrong. I don't look and I don't have a good farm record because I represent farmers. I have a good farm record 'cause I vote for farmers and I think it's good for Illinois and it's good for my constituency. I don't vote for coal mines in southern Illinois because I have coal mines in my district. I vote for coal mines because I think it's good for Illinois, and I think it's time now we cease this silliness that was started by a former Governor in trying to break up downstate and upstate and making it different. The people in my...district are no different than the people in anybody's district. They only want one thing, that's a job to support their family, for their kids to have a decent education and for the economy of Illinois to grow because we are betterment. So I think I resent the fact that saying I am controlled by anybody, because I am controlled by the constituents in my district and that's the way I vote; and I think that when something is wrong, it should be cured, but I don't think the wrongness should be cured by taking one...the power...the political power from one political person and putting it in the hands of another one. I think the way it should be solved is the way this bill solves it by making it mutual, by having the mayor and the Governor have equal appointments and let them choose a chairman and let

them argue until they decide who they're going have, and let them each watch each other because that's what's good for my constituents and that's what is going to save us money. So I ask for a favorable vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Mr. President,...I'd like to request a Republican Caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I suggest you discuss that with your...with your leader.

SENATOR DUDYCZ:

I did, sir. I'd like to request a...Republican Caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise? Senator Schaffer.

SENATOR SCHAFFER:

I rise to request a Republican Caucus in Senator Philip's Office immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have any idea how long it will take, Senator Schaffer?

SENATOR SCHAFFER:

I was out buying new shirts today, in the interim you might want to try that yourself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Schaffer, I...I didn't bring my checkbook. Why don't...why don't we...why don't we Recess till the hour of four o'clock. That's...it'll be a half an hour. All right. The Senate...Senate will Recess till the hour of four o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

For those of you...within the sound of my voice, we will momentarily begin. The hour of four having arrived, the Senate will come to order. When we left off, we were on the Amendment No. 8 to House Bill 568. (Machine cutoff)...right, Amendment No. 8 was offered by...by Senator Rock. (Machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, the sponsor hasn't even presented the amendment yet. I think if...probably...well, I...I will defer to Senator Rock and see whether...Senator...Senator Rock, do you...I think for the edification of the members, perhaps we ought to at least have a presentation of Amendment No. 8 to House Bill 568. Senator Rock.

SENATOR ROCK:

I hear the partisan voices wafting through the rafters and that's not unreasonable. Let me suggest, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 8 is an amendment that has been worked on for sometime by very, very many people, not the least of which was the Senate Select Committee to Investigate McCormick Place. As constituted, the amendment is eighty-eight pages and is virtually identical to Amendment No. 7, virtually identical substantively. It outlines the duties and responsibilities of an interim board, an interim board composed of three appointees each of the Governor and the mayor who will when the six meet elect their own chairman. It intends to proscribe the appointment to that interim board of any current board member. It provides for an additional sixty million dollars in bond authorization. It contains a whole list of reforms that Senator

Kustra was concerned about, freedom of information and personnel and open meetings and the whole thing. The sole, single difference is the question of the permanent board, and the question of the permanent board is deliberately...deliberately left alone. Amendment No. 8 is silent on the existence of and the makeup of and the control of the permanent board, for the reason that we do not want business as usual, we have decided that as a group, and so as a group we have opted for an interim board which interim board will be in place until June 30, 1987, and will be helped in its work by the appointment of a trustee, that appointment to be made by the Governor of Illinois immediately upon his approval of this Act. We have been sitting here all week and for the last three or perhaps four, we have been negotiating in summit meetings. We have had meetings upon meetings, almost interminably, and we have sat here all week awaiting hypothetically what may or may not happen and if it happens, what the House may or may not do and I suggest to you that it is the moment of truth. I, for one, am sorry that it took all week. It needn't have, because the Governor of Illinois agreed that we should be...silent on the question of a permanent board as did the trustee designate whom everybody knows. And I suppose we're all a little tired and a little frustrated, but at this hour to have an absolute, unadulterated, flat out turndown of this amendment seems to me to be shooting ourselves in the foot, because it accomplishes everything we want it to accomplish and it effects an agreement that was struck between the two principals who are equally responsible for the current operation of McCormick Place and for the completion of that project. Amendment No. 8 is absolutely essential to the final resolution of our business this week. I am asking every member on this side of the aisle...every member on this side of the aisle to vote Aye on Amendment No. 8. It will, I suppose, be a partisan

roll call and that's not all bad because we're all partisans, that's how we get elected and every once in awhile it comes down to a partisan roll call, sobeit. Once this roll call is over and the amendment is adopted, then we can move on to the consideration of other subject matter and ultimately the final resolution, but I suggest to you this amendment is absolutely essential and I urge an Aye vote by every member of this Chamber but in particular by every member on this side of the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to Amendment No. 8 on House Bill 568. I have not heard one convincing reason for supporting this amendment; in fact, I've heard some convincing reasons for probably going back and reconsidering the previous one. For those of you who found it difficult to vote for the last one, I would suggest it would be almost impossible to vote for this one. Senator Rock, there was some foot shooting going on but I think it was done on the last one, not on this one; and I might add to the members of the Body, it's been extremely difficult to get people to agree who basically have no vested interest here in this, but to turn around and then ask them to disappoint them when they came half way with something that none could find palatable, I think is really an insult to them, and I would like for you to consider your action because if and when we ever vote on 568 it's going to require thirty-six votes. This amendment goes on, they won't be there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Well, I...I suppose, Mr. President and Ladies and Gentlemen of the Senate, it's easy to, at this hour partic-

ularly, to make those kinds of representations. I suppose I could make the same kind of representation. If it doesn't go on, we may not get thirty-six anyway. The fact of the matter is, we have worked too hard and too long to see this whole process and the substantive work product go asunder because of some partisan pigue. This amendment represents an agreement, an agreement by the head of your party and by the chief executive of the City of Chicago, and incorporates all the things that all of us wanted, or at least as I read in the report, all of us wanted. I am again asking that you reconsider your position and that the members on this side support Amendment No. 8 unanimously, and when we get to the final roll call, at that point, every member will determine for himself how he or she is going to vote. In the meantime, it seems to me, in our best interest that we get there, so let's get there. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 8 to House Bill 568. All those in favor will indicate by saying Aye. Opposed Nay. Roll call has been requested. Senator Rock has moved the adoption of Amendment No. 8 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 29, 1 voting Present. Amendment No. 8 fails. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I respectfully request a verification of the negative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has requested a verification of

those who voted in the negative. Senators will be in their seats. The Secretary...will read those who voted in the negative. Mr. Secretary.

SECRETARY:

The following voted in the negative: Barkhausen. Bloom. Coffey. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Karpiel. Keats. Kustra. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Topinka. Watson. Weaver. Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, do you question the presence of any member?

SENATOR ROCK:

No, I question only their vote, not their presence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On a verified roll call, the...there are 28 Ayes, 29 Nays, 1 voting Present. Amendment No. 8 fails. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senators Maitland and Berman. LRB No. 8402545XXCSAM43.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Last Spring, this Legislature passed a number of...of very good...a...a number of very good programs and those very good programs needed to be funded by some new revenue streams. Among those revenue sources was the cigarette tax and we were advised at that time that on October 1st, the tax that was previously collected by the Federal Government would come off on that date. The language as we placed in that bill indicated that if the tax did not come out, we could not have the additional tax. It is now known

by all of us that that extension was granted and the Federal Government continues to collect that tax. In order to carry out not only the reform package that we passed last Spring but indeed all of the other worthwhile programs that this General Assembly strongly supported, it's necessary that we have the revenue that we lost as a result of that extension. Amendment No. 9 to House Bill 568, therefore, reinstates as of December 1st, 1985, the eight-cent tax on cigarettes. That revenue is worth nine million dollars to this State every month. That tax for an annual amount represents about a hundred and nine million dollars, absolutely necessary to carry on the programs that we passed last Spring. Let me suggest to you a couple of the changes that have been made as the bill passed in Senate Bill 730 last Spring. First of all, there was some controversy, as you recall, with respect to the inventory tax on the cigarettes...the cigarettes that were the property of the distributor at that time, an inventory had to be taken. This does not address the cigarettes that are now in inventory but rather would only tax those cigarettes that come into inventory after December 1. It further increases the credit period allowed to purchase to thirty days rather than the twenty-one days, and this is a direct benefit to the distributor. I would further indicate to you that six million dollars of this tax on a monthly basis is earmarked for the Common School Fund, similar to the way in which we handled it in the lottery bill last Spring. The remaining money will go into general revenue from which, as you know, about forty percent goes to education and the rest to other worthwhile programs in the State. Mr. President, my fellow colleagues, I believe very strongly that this tax is necessary and I would suggest that if we supported it last Spring, it is therefore necessary and prudent that we support it today. I ask for your support of Amendment No. 9.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm going to rise in opposition to this amendment. I don't think we should be fooled again as we were fooled before, and I think we should bite the bullet and decide what we really want to do about education reforms. I can agree quite wholeheartedly with Senator Maitland, Senator Berman and others that having passed the reforms we have to pay for them. The difference is we were lied to and now I say unequivocally again, we are at least trying to be fooled or hoodwinked into what appears to be a tax to cover a cost which will not, in fact, produce the dollars and that bothers me. It bothered me when the Governor told us that this would be a replacement tax, he absolutely guaranteed it. It bothered me when he came back from a meeting with the President of the United States and was told absolutely, unequivocally this would be a replacement tax of a Federal tax and they lied to us because, yes, that made sense. It didn't cost the people any more, it merely took a tax that they were currently paying to Washington and returned that money to the states where it belongs, and we were earmarking it for a most noble purpose to improve the quality of education. But what do we see now? Now we see a tax that will increase by eight cents and make it so that at least in my community it would be silly to buy cigarettes in Chicago. My God, it would be a four and a half to five dollars a carton cheaper to drive over to Indiana, a mere half-hour away to buy cigarettes for local consumption and I don't smoke them, I don't have to pay the tax, but we're imposing a tax, a tax, a tax on our consumers and not getting the job done. If it got the job done, sobeit, it's an intelligent decision by a General Assembly. But what's really going to happen? We saw what happened in other states when they merely increased the tax and, yes, we

saw in the City of Chicago and in the County of Cook what happened when they raised the tax. The volume dropped, consumers are not dumb, the volume dropped, so the monies projected were never seen. When we're done at the end of the day, we're going to be at least twenty, thirty million dollars short and we're going to be back here again voting for another tax. If we're going to do that, let's do that now, let's do that intelligently and find the money, but to say this is the solution is ridiculous. We know it caused a thirty percent drop in volume of sales when they last raised the tax. So who are we kidding? This will not get the job done and once again we'll be back here saying, we must pay for reform. Well, we must, but let's do it knowingly and let's do it intelligently and you're not talking about merely those who bring truckloads of cigarettes in; hopefully, the Department of Revenue will stop that. What we are talking about is the average worker in the factory taking a twenty minute ride and bringing back ten or twenty cartons for himself, his family and maybe a few of his neighbors and who does that hurt? Illinois jobs. Who does that hurt? Illinois taxing bodies who get the sales tax revenue. Yes, there was a effort in this bill to add a tax upon a tax. Yes, there was an effort in this bill to recognize that shortfall because now they have also said the sales tax will apply to the State tax, something new in a effort to make up to the city and county that shortfall. They know it's there, why are they fooling us once again? And to pay a tax on a tax and still, in my opinion, leave the city and county two to four million dollars a year short from where they are now just makes no sense. We're just encouraging jobs to leave Illinois by encouraging our consumers to go out-of-state in any of our border areas to buy these cigarettes because they will be enticed by about a one-third less cost, that's silly. Let us do the right thing and impose a tax that will produce

the revenue and not have to be back here a third time to do what we were promised would be the result to the first act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver.

END OF REEL

REEL #4

SENATOR WEAVER:

Mr. President, a parliamentary question. Amendment No. 9 deals with the Illinois cigarette tax. I was just...question it's germaneness to House Bill 568.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 9...this amendment seeks to raise the cigarette tax in order to provide for a funding mechanism for improving the State's educational system. The subject of the amendment, therefore, relates to the subject of the bill, the promotion of economic develop in Illinois; therefore, Amendment No. 9 is germane to House Bill 568. Further discussion? Senator Keats.

SENATOR KEATS:

I just wanted to make two fairly brief points. One, I appreciate the previous...speaker as he puffs on his cigar, I don't think those are covered by the tax; but in the Chicago region, you're paying about...paying roughly fifty-one cents now, you add eight cents, you're roughly fifty-nine cents in terms of taxes on a pack of cigarettes. Now if you were going from zero to eight, that's a big percentage; where you're going fifty-one to fifty-nine it's irrelevant, but you say we're going to lose money and I appreciate it, but in...in reality you're completely in error, 'cause even if we do lose a little bit of ground on the cigarette tax, the second largest cost under Medicaid...the biggest cost is believed to be just poor health, poor nutrition. The second largest cost it is believed to be is the negative effects from smoking. We may lose a little on the cigarette tax, but we could save a fortune on Medicaid and if we could...somehow entice a few people to quit smoking, you would save the State

a fortune and maybe we ought to add a buck and a quarter on taxes and put it all on to pay for the Medicaid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We have several speakers. Senator D'Arco.

SENATOR D'ARCO:

...is Aldo DeAngelis here? Where did Aldo go? Is he smoking his head off someplace or is he still here? Keats, you hear what I'm saying to you, pal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the prior speaker has said that people will go to the border areas...across the border to buy their cigarettes cheaper. Well, it takes gasoline to get there and that's more expensive than eight cents per...cigarette tax on a...on a package. I might point out something to you that Congress...your Ways and Means Committee and what have in Congress have said that they cannot eliminate the cigarette tax. I have polled over five hundred people in the last month, person to person, and I've asked, do you want us to raise your sales tax for education? Do you want us to raise your income tax for education? Answers were no and no. Do you want us to raise the...the tobacco tax on...on your cigarettes? I'd rather have that. Two reasons; the one that Senator Keats spoke for health; the other reason is, it's a luxury tax and a luxury item, and I think you will find if you talk to your constituency that they would rather have this kind of a raise in tax than any other, and I can...assure you, out of five hundred people that I polled not one was against raising the cigarette tax and most of them are smokers. So, I speak in favor of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Lemke.

SENATOR LEMKE:

Just a point of...how much revenue is this going to raise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Maitland indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Lemke, it...it will raise roughly nine million dollars per month.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Nine million a month?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

In this nine million dollars, is that all going into education...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well,...well, thank you, and...and again, I will respond for a second time also. They...yes, we do in the...in the bill dedicate six million dollars of that money to the Common School Fund on a monthly basis, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Where does the other three million go?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Again, as I indicated on my opening remarks, the other three million or whatever that remaining amount is, will go to general revenue from which education is also funded by about forty percent from that fund and the rest will go to other State services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, now here we go again raising taxes 'cause this is the solution. We came into education reforms and I...I believe I...I...I was out in Washington D. C. and we...and talked to some of the staff, both with the President's Office and the Senate and the...and the House, and I was advised that this tax was not coming off, and when I came back here I said...and...and we were assured by the Governor by...that the President said it's coming off. Well, I have never seen the Federal Government take a tax off. The last tax they took off was Lyndon Johnson, he took off the excise tax that was put on...on telephones for World War I and he put it back on in six months later. So, it's silly to think that the Federal Government is going to eliminate taxes, they're going to increase taxes just like everybody else wants it; but the silly part of this is, I understand that there is a supplemental bill coming in here for over three hundred and ninety million dollars to operate State Government. Why do we have to put a tax on now? Why can't we wait the...the time out, do a study how much money we need, where the money is coming from, whether it's necessary that we buy this structure or rent this structure in the City of Chicago for ten million dollars for an unemployment office? Why don't we do a good study so we can see if we're appropriating the money properly

and we got the funds and we don't have to raise taxes? See, the present government...Governor's solution to every problem...he has raised every tax in the State of Illinois sometime or the other. He is completely against taxes, yet he raises taxes. This is their issue. They keep raising taxes. This is a raise in the tax...think we should be serious about it, we should study it. If we're taking nine million dollars here and we're going to give money to the race tracks, then we're going to take money out of the General Revenue Fund to fund it, what are we doing? We're helping millionaires make bigger profits in taxing, yes, and I'll tell you who you're taxing...who do...who does the smoking? A lot of senior citizens that have been smoking all their life and it is very hard to quit, young kids that use their lunch money and if you think you're going...you're going prevent them from smoking, you're not. I mean, you're talking...you're talking raising taxes and...and lowering taxes...lowering taxes for wealthy, raising taxes for the...the middle-class and the poor, that's what we're talking here. If you think that this is a good proposal, then maybe we should put it on here and I...I think the Governor...we should also put every time they're ready to buy a pack of cigarettes...a little sign, Governor Thompson has increased your taxes again on this pack of cigarettes eight cents. We should put that forth, we should do that, but to fund education...we have the money to fund education, we have the money right now to fund education and fund the reforms 'cause it's in the budgets and I'm telling you right now, let's not do it now. Let's wait until next year when we talk about appropriations and if...if there isn't the money there, we'll find the money to do this and I think it's proper that we do it now, and I don't think it's now that we should raise taxes. This is not the time, it's not the...the place and I think we should wait until next year so we can properly look

at this question. I'm...I'm going to urge...a No vote on this question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, any tax increase vote is a tough one and I...I, like Senator Geo-Karis, have done a poll in my district on education reform. The overwhelming vast majority of the people would like to fund it through a cigarette tax. I didn't know I had that many...nonsmokers. The real question though before we impose any new tax of any kind is, do we have to do it, and is the reason we want to do it viable and necessary and legitimate? This Senate last Spring voted, I think, 56 to 2 for a major education reform package, a package, by the way, I think was...I wasn't happy with everything in it, but I think overall it was a pretty darn good work product, something we can all be proud of, something the rest of this country has taken note of, something the Illinois General Assembly has done that has gotten us a lot of very favorable comment around the country and, I might add, I think justly so. Before we vote on it, we have to make sure it's a noble cause. Well, I think it is. It's a necessary cause. And then the question is, what are the alternatives? Well, I look at the...that supplemental and I find that the vast majority of that money is not GRF and the vast majority of the GRF money requested for supplemental is income tax refunds. Well, I don't know how we don't send people income tax refunds, and I think to use that as a...well, not...not a terribly good argument. The question is, do we have enough revenue being generated without this? I've sat in the briefings, I've sat in three or four briefings, I've seen those slip charts from the Bureau of the Budget. We've asked some tough questions. I've come to the conclusion; yes, if we want to be responsible, we have to do this; yes, if we

want to keep our commitments to education. During a recent meeting of the oversight committee, I asked Superintendent Sanders if he had to cut a hundred million dollars out of the reform package where he'd do it. He just sort of visually paled. He didn't give me an answer and I don't really blame him. If we want to keep faith with those people that gave us high marks for that education package, if we want to keep faith with the children of this State whose education we are no small part responsible for and if we want to keep faith with the future of this State because we have a...a good education system for our children, I think a Yes vote is a responsible vote, a necessary vote. Let's do it now before we get sucked into an election year whirlpool and we all lose sight of what's right and just think about what's political. This is right, it's necessary and it's appropriate, and I urge a Aye favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Can we have some order, please. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of this amendment. Senator Schaffer stole most of my lines and I think that's somewhat unique that I find myself siding with my good friends Senator Schaffer and Senator Keats and in opposition to my good friend Senator Carroll on an issue involving education, but I think it's important to clarify the differences. Senator Carroll is right but there's nobody marching behind him. For...since October 1st, when the President reneged on his commitment to the Governor to allow us to raise the cigarette tax because the Federal tax was going to come off, I and others have been exploring among the members of both Houses where we can get support for an alternative tax, because there is one thing that I think was

indisputable...indisputable when we passed the reform package. Everybody that voted Aye and the two people that voted No agreed that if we're going to pass reforms, we were going to pay for them. Am I right? Okay. There wasn't anybody, there wasn't any person that didn't admit as we were debating the reforms that it was our obligation to fund those reforms and we had a beautiful vote of 56 to 2. That was a great, strong commitment. For years we've gone up and down this...the school districts of this State and heard the harangues, many of which were justified, about passing mandates without funding them and we all proudly stood up and said, these are mandates, these are reforms and we're funding them. The funding mechanism fell apart. This is the funding mechanism. It's our obligation to live up to our word. I would suggest to you that the public, our voters, regardless of party persuasion, regardless of whether they're smokers or not, expect us to vote Yes today on this issue. If you don't vote Yes today, the momentum is gone, the political posture changes and the Spring is a different ball game, and we will have reneged on our commitment to fund the reforms. This is the time, this is the opportunity. If our best projections are not there and the money doesn't flow in, then the ball is back in our court and we look again; but today, I'm not ready to say the money isn't going to be there. We have communicated with our Congress...Congressional delegation and have asked them to do something for Illinois and perhaps opt us out if there is an extension beyond the forty-five days, but irregardless of that, the public expects us to live up to our word. An Aye vote on this amendment is living up to our word for our school children in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I, too, rise in strong support

of this increase in the cigarette tax. I've been watching my mail closely, having been very much concerned with the whole educational reform package, and I have yet to receive one letter in objection to this proposed cigarette tax. In addition, we must keep in mind what research is showing us that for every increase in a tax of this size on cigarettes, seventeen percent fewer of our young people even begin to smoke. So, we are giving them a double prize, a better education and a chance at a healthier adult life style. True, sometimes we don't get rid of certain taxes, but if all goes the way we would hope with fewer people smoking, perhaps this will be a tax that will bring diminishing returns and we may, someday, perhaps with pleasure, have to look for another source of revenue for education. In the meantime, we have promises to keep. The time is now to keep our commitment for paying for an educational package that we are all very proud of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief, but I think just to clear the record, it should be pointed out in the May and June Session when we discussed educational funding and we discussed funding in the...out of the general revenue funds for the remainder of State Government, the increases for the code departments came from general revenue and the increase for education came from a pending, somewhat tenuous eight cent tax on cigarettes; and I didn't speak to the President of the United States but I did speak to Congressman Dan Rostenkowski in May and June, and I pointed out quite vividly in the Democratic Caucus in Senator Rock's Office that that funding was quite questionable, and if you wanted to do something for funding for the educational students of this State, it should have been

reversed at that time because we knew it then that the eight cent tax was going to be reimposed by the Congress of the United States. It was raised by Senator Rock to the Governor. The Governor rode with the President. He asked him a direct question and he received a direct response, if he receives this tax, he will veto it. Well, you and I know exactly what happened, he's going to receive this tax and he's going to accept it. Now, we're being asked for a questionable eight cents...an additional eight cents to bail the Governor out. What are we doing here? We're talking about a possibility of a hundred and eight million dollars of which eighty-four is supposed to be designated for education and that is questionable, and Howie is right in how much money you're going to really be raising on this issue. I don't believe that we have the answers today. I don't believe we know what the numbers are today and I don't believe what if...if...if and when this goes to the House, it's going to remain at eight cents or five cents or two cents or no cents. Look at it from your own perspective, ladies and gentlemen, you've just extended yourself on McCormick Place and that's part of this equation and it's not there. Now you're extending yourself on this equation, tenuously may I say, and I don't know if it's going to be there or not, but I will strongly...recommend at this time, this measure should be defeated, this bill should be...remain in this Chamber until we get a couple of other things taken care of and I intend to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rock.

SENATOR ROCK:

Whose amendment is this, Senator Maitland?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Rock, it's my amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

And I...and that's a fair statement and I didn't mean to put you at a partisan disadvantage. The fact is this was proposed by the Governor and his Department of Revenue understandingly. He has been speaking to this point for probably the last three weeks. And as Senator Berman indicated and as Senator Schaffer indicated, this is, indeed, a noble cause and one that I, for one, am prepared to support and have told the Governor I am prepared to support because the alternatives are not very pretty. It will somehow, in the view of many, suggest that we have reneged on our otherwise firm commitment to education and I don't think we should do that. But we have now been confronted with, in my judgment, a little bit of partisan amateurishness. An agreement is an agreement is an agreement is an agreement or a deal is a deal, as is said. I am going to stand here at this time and urge a No vote on Amendment No. 9. I think the subject matters that we have been discussing are, in the words of some of the other leaders, inextricably tied together; and unless we're prepared to vote on the package, I, for one, am not prepared to ask my members to support a tax increase of any kind even though it be a noble cause. I urge at this time a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? There being none, Senator Maitland, you may close.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I, too, am disappointed that this seemingly has become a partisan issue. I think this is quite apart from the issue we debated earlier this afternoon and I'm disappointed that it ends up the way it does. But let me suggest to the Body that...not since 1969...not since 1969 has the State of Illinois increased the tax on cigarettes. Each state and its taxing policy is judged as an aggregate and we all have different means by which we tax and when people look to your state they question whether it's a tax favorable state or not, and, indeed, we continue to be a tax favorable State. We passed this tax last Spring and tied it to the educational reform package for a reason. No other state in this nation had reacted to the criticism of "A Nation at Risk" and the other reports as did Illinois, and this is a known fact and we're talked about across this nation; and if you don't believe that, you read some of the educational publications and the business publications, and we tied it to Build Illinois and we began to move forward. Now we can pass the blame to a lot of people as to why that eight cent tax didn't come off. I can blame Congress as much as I can blame the President, but the fact of the matter is, it happened. And, Senator Carroll, no one in this Chamber understand the...understands the State revenue any more than you do, and you know what the future looks like for funding and revenue and it concerns you as much as it does me. If we delay this vote this Fall and wait until next Spring, and if at best we pass a cigarette tax or some other tax that generates this amount of revenue, we will have lost at least seventy-five million dollars; and, yes,...yes, in this amendment we dedicate the money...most of the money to the Common School Fund, but each and every one of you in this Chamber and the House members looking on know that if this revenue is not there, not only do schools lose

but all the other necessary agencies in State Government, all of them lose because this is all a part of the revenue scheme. My fellow colleagues, this is a very important vote here this afternoon. I can't go back to my district, nor can you, having said no to not only the increased funding for education but, indeed, all the other State agencies that need this revenue. I beg of you to forget about partisan politics on this issue and vote Aye on Amendment No. 9.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has moved the adoption of Amendment No. 9 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, none voting Present. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10 offered by Senators Rock and Philip. LRB No. 8402545JMLAM90.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the severability clause. If any part of the bill will be declared unconstitutional, the rest of it would still stand. It's technical in nature. Be happy to answer any questions. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has moved the adoption of Amendment No. 10 to House Bill 568. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Is the amendment germane?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The severability clause is technical in nature and is always germane. Further discussion? If not, Senator Philip has moved the adoption of Amendment No. 10 to House Bill 568. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

Amendment No. 11 offered by Senator Philip. LRB No. 8402545SJDVAM99.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is also technical in nature. It allows the amendments to be put in the proper order. Happy to answer any questions. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has moved the adoption of Amendment No. 11 to House Bill 568. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions.

SECRETARY:

Senate Resolution...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...oh, oh, oh,...just...Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Amendment No. 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am...well, the amendments, in fact, were filed. The staff indicated that you wished to withdraw them. The Secretary, at that point, did not...Senator Newhouse. Senator Newhouse.

SENATOR NEWHOUSE:

Can I take them over to talk to my handlers here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, yeah. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I...I would request that while we're sorting this out, Senator Philip and I will visit...and hopefully get back to this rather quickly. If we can just stand at ease for about ten minutes, we're going to go down and visit with His Eminence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, we have some housekeeping matters...resolutions. Can we just take those? All right, with...with leave of the Body, we will go to the Order of Resolutions. Is leave granted? Leave is granted. Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 581, 582, 583 and 584 offered by Senator Vadalabene and all Senators, and they are congratulatory.

Senate Resolution 585 offered by Senators O'Daniel, Jerome Joyce and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Berman, for what purpose do you arise?

SECRETARY:

...Senate...Senate Resolution 586 offered by Senators Berman, Maitland, Rock and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I would just ask for leave to come back to that before we adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has requested leave of the Body to return to the Order of Senate Resolution...what's the number, Mr. Secretary?

SECRETARY:

586.

PRESIDING OFFICER: (SENATOR DEMUZIO)

586. Is leave granted? Leave is granted. All right, resolutions.

SECRETARY:

Senate Resolution 587 offered by Senators Bloom, Joyce, Luft, Sommer, Welch and others.

And Senate Joint Resolution 104 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, the Senate will stand at ease for about ten minutes.

PRESIDENT:

The Senate will come to order. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President, to request a Republican Caucus in Senator Philip's Office immediately.

PRESIDENT:

That request is in order. The Senate will stand in Recess until six-thirty for the purpose of a Republican Caucus. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, first, I'd like to have a little order and...I'm rising on a point of personal privilege. About three days ago, I passed out the veteran's address for Armistice Day. During the caucuses, and I've been sitting here at my desk, several of my colleagues want to know what to do with those addresses. Are we going to be here on November 11th or do I ask for those to be returned?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is that a motion?

SENATOR VADALABENE:

Well, that was a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...I...I don't have my crystal ball right now. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. That's the information I wanted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senate will come to order. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the members and ask those who are still in their offices or on the telephone to please join us, we are...we are going to make what I hope will be an attempt to wind up or wind down our business; and by business I mean addressing the issues that ought to be addressed and we are, obviously, at something of a stalemate, at least for the moment. My suggestion is...and I well understand that the Republicans just had a caucus and Senator Philip and I had a chance to visit with the Governor. My suggestion is as an opportunity to move along, if that opportunity does not escape us, we can conclude this matter this

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evening and in my view even conclude and send to the House the supplemental appropriation request this evening. In the event we cannot, obviously, we'll be back here tomorrow morning. In order to attempt that orderly conclusion this evening, I would remind the members, if they don't already know, the House has adjourned until ten o'clock tomorrow morning because they were not prepared to wait on us this evening. We can legitimately, I think, conclude and send to the House something for their action this evening. In order to accomplish that,...two things immediately and then if we don't accomplish it, we adjourn until tomorrow. One is a motion to reconsider which I understand has been filed by Senator Rupp, that is the motion to reconsider the vote by which Amendment No. 7, I believe, lost. That is the Republican Senate version of the McCormick Place governance. I am going to, at the time the motion is put, two things; one, I'm going to ask leave that we go to that order to afford them that opportunity; and two, then I...I am prepared to speak again in opposition to that motion on a number of bases, but it...we can wait for that. At the conclusion of that vote, when, indeed, the motion to reconsider fails, as I hope it will fail, I am prepared and have filed Amendment No. 12. Amendment No. 12 is a compromise position. If Amendment No. 12 is not adopted, at that moment, I will put the motion to adjourn until ten o'clock tomorrow morning. So, with those three motions in mind, Mr. President, I suggest we, with leave of the Body, move to the Order of Motions in Writing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Yeah, thank you, Mr. President. I'd ask leave to move to...Senate Bill 568 from 3rd reading to 2nd reading for purpose of a motion...and amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip...Senator Philip has moved, with leave of the Body, to return House Bill 568 to the Order of 2nd Reading for the purpose of considering the motion and amendment. Is leave granted? Leave is granted. House Bill 568, on the Order of 2nd Reading, Mr. Secretary.

SECRETARY:

A motion in writing. Having voted on the prevailing side, I move to reconsider the vote by which Senate Amendment No. 7 to House Bill 568 failed. Signed, Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, the Chair apologizes to you...you have been pushing your speak button and apparently it is not recording either here nor on the board. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Having voted on the prevailing side on House Bill 568, Amendment No. 7, I make a motion that the vote by which House Bill 568, Amendment No. 7 failed be reconsidered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion by Senator Rupp. Senator Rupp has moved to reconsider the vote by which Amendment 7 to House Bill 568 failed. Discussion? Senator Rock.

SENATOR ROCK:

...is...is there...I'm speaking in opposition to the motion. Is there nobody speaking in favor of it...if there's nobody in favor of it, why are we doing it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Rupp.

SENATOR RUPP:

Yeah, thank you, Mr. President. I did vote No. I am going to change my vote and vote Yes. I think the reason is that there has been a lot of time spent, a lot of effort and I think it's worthwhile to make another attempt at this time. I think I would be remiss and not really responsible if I did

not make that effort, and that's why I'm voting and changing my vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Kenny Hall.

SENATOR HALL:

Oh,...that's all right, I don't...I don't need to say anything.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Further discussion? All right, Senator Rupp has moved to reconsider. Senator Rock.

SENATOR ROCK:

Everything the gentleman said I agree with, and I hope he has the same posture when we get to Amendment No. 12. It really ought to be adopted so that we can move along in an orderly fashion. My objection to Amendment No. 7, frankly, stands and I am again standing asking the members of the General Assembly in the Senate to vote No on the motion to reconsider, to vote No because Amendment No. 7 does not represent the agreement that was crafted after interminable hours of negotiation by the leaders and the principals involved with the operation of McCormick Place. We just ought not do this and there isn't any reason to do this except, I guess, a pure spirit of partisanship, and I understand partisanship, believe me, I am a partisan. This is neither the time nor the place, because before I offered Amendment No. 8, and when this motion fails, I will have Amendment No. 12 which again attempts a compromise. So, I am asking as loudly and as clearly as I can ask that if, indeed, we are to move ahead tonight and pass this legislation to the House and then deal with the supplemental appropriation requests, please, vote No on the motion to reconsider Amendment No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? There are...there are two additional lights. Senator DeAngelis' light was on first. Senator DeAngelis.

SENATOR DeANGELIS:

...thank you, Mr. President. I think we're debating the amendment rather than the motion and all we're asking for is an opportunity to bring back this amendment. I don't think that's an unreasonable request. I think in our form of democracy it ought to be granted and we ought to go through it again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rupp may close.

SENATOR RUPP:

Thank you...my...I have heard on this Floor assurance and assurance and assurance that there is just this little bit of difference between this and the other proposal, and because of there being just that little shadow of a difference, we should accept it. I would like to reverse that now and say there's just a little shadow of a difference between the other proposal and this one and I now ask you folks also to accept it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp has moved to reconsider the vote by which Amendment No. 7 to House Bill 568 failed. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 30, none voting Present. The motion to reconsider is lost. Senator Rupp.

SENATOR RUPP:

Mr. President, I'd like a verification of the No votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp has sought leave of the Body to verify the...the negative votes, Senator Rupp?

SENATOR RUPP:

...Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, would you please read the members who voted in the negative.

SECRETARY:

The following voted in the negative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones,...Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp, do you question the presence of any member who voted in the negative?

SENATOR RUPP:

Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...which Senator...which Joyce?

SENATOR RUPP:

Chicago Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Joyce did not vote. Good try. Do you question the presence of any other? All right, on a verified roll call, the...there are 28 Ayes, 30 Nays, none voting Present. The motion to reconsider Amendment No. 7 to 568 fails. Further amendments?

SECRETARY:

Amendment No. 12 offered by Senator Rock. LRB No. 8402545RLMLAM**.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Contrary to opinion over here, it is not a congratulatory amendment, and the fact that it says AM has no particular significance excepts that's a Reference Bureau designation. Let me explain to you Amendment No. 12. Amendment No. 12 is identical to Amendment No. 7 with two important exceptions. It includes the language to which Senator Marovitz earlier alluded. It says as a matter of flat prohibition that current members of the MFEA Board cannot be reappointed to the interim board. We all agree on that. No question about that. All we did was clear up the language, put it back in the way it was in there originally in every draft we had ever seen. Second change is that...in response and in an attempt to compromise, in an attempt to assuage, in an attempt to cajole, persuade, whatever you call it. Amendment No. 12, let me say so it's ineluctably clear, is that amendment that's agreed to by the Governor and the mayor and represents in all its facets what the committee at least of the Senate has said are necessary in terms of reform, and it provides for an additional sixty million dollar in bond authorization. And it...in an attempt to strike a compromise to find some common ground, I have listened and I have heard Senator DeAngelis and, Senator DeAngelis, I don't want you to go back to your district and say we haven't done the whole job, that there's a hole out there. Amendment No. 12 provides for the appointment of a permanent board on January 1,...July 1, 1987 to be composed of six members appointed by the Governor and six members appointed by the mayor and the board will select its chairman. Now let me point out, that's current law and current law also installs the mayor and the Governor as members ex officio of that board, and so in their respective wisdom, when that day arrives a year and a half from now after the interim board with the appointment of the trustee by the Governor has completed its task, with the interim board that has to act four to three, with the trustee

doing all the things that we are asking him, the former Governor, to do, at that point the Governor will appoint six and the mayor will appoint six; and I can't tell you today who is going to be the Governor and who is going to be the mayor, but whoever it is, they're both on the board, and it seems to me that those fourteen people can sit down and elect a chairman or perhaps they might even elect a cochairman, it's not our problem, shouldn't be our problem. I attempted by Amendment 8 to say, we'll deal with it later when we know more about the politics. This is essentially the same thing except it says we are reestablishing a permanent board, there's no more hole, our job is over. The only thing yet remaining is whether or not BOB is going to sign off once they reach the forty-five million dollar mark and have to go beyond that and whether or not the trustee can, in fact, complete it. This I hope...this I hope will get us off the dime. It should get us off the dime because if this amendment is rejected, I am then going to move for a motion to adjourn until ten o'clock tomorrow morning and I really don't want to do that. I ask the adoption of Amendment No. 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved the adoption of Amendment No. 12 to House Bill 568. Is there discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Once again, this is an unacceptable amendment, and very honestly, it's an argument perhaps over philosophy. We happen to think if it's a hundred percent State funded that the Chief Executive Officer of this State out to at least appoint the chairman and have control whether he be a Republican or a Democrat. That's our position. I would hope that everybody on this side of the aisle would vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, obviously, I totally agree with what Senator Philip just said. Perhaps the compromise, Senator Rock, is that we change the funding mechanism and have it half fund and...half funded by the city, half funded by the State and then your proposal probably would make a lot of sense, but until such time as the City of Chicago picks up half the freight, I think those of us in the State have a responsibility, we pay for it, we ought to run it; and we, by the way, is not a partisan we. We mean State Government. It doesn't mean Governor Thompson or Governor Stevenson or Governor Hartigan, it means whoever happens to be here in 1987 in the Mansion and in the Legislature. If the city would like to pay for half of it, I think we'd back off real fast. Fair is fair. We pay for it. This is status quo. This is the same formula that has gotten us where we are today and it ought to be rejected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Coming from outside the Cook County and the Chicago area, I don't have a great deal of interest...personal interest in McCormick Place; yet, I, like the other legislators from that area and from the other areas of the State, come down here day after day to Springfield to help resolve this problem. We read a lot about it in the Chicago press and hear about it on the Chicago radio and television stations about working out compromises and getting the logjam worked out, and day after day the news media writes the same thing that we're deadlocked down here, that we can't resolve this difficulty, and this has been a very partisan day. I don't think anybody can deny that this is one of the most partisan days that we've had down here in the Senate in the last

couple of years, and we've gone over roll call after roll call, all of them pretty partisan; and I sit here and I see my colleages on the other side of the aisle, the Senator from Whiteside County voting for funding of McCormick Place, something that I never think...thought I'd see him do and he sees me voting for the funding...of McCormick Place, something, I'm sure he never thought I'd do, and the two of us sit here and we work and we work on a partisan basis. Now is no time to continue the partisan dialogue. Now is no time to continue the partisan fighting and bickering. We got a problem, we've got a problem for Chicago, for Cook County and for the entire State. We've compromised, we've compromised and we've compromised. We've had the big five meeting. We've sat out here wondering what's going on. Now we know what's going on. We're down to the time to vote. We've got very little at stake here, very little disputing between the two sides of the aisle. The main issue, as it seems to me, is who's going to appoint the chairman. We're down to appoint the...in many ways could be considered ridiculous by the general public. We don't know who's going to be the Governor, we don't know, maybe Bernie Epton will be the Mayor of Chicago then. Be that as it may, they are the ones that are going to pick this board. Let them choose who's going to be the chairman. Let's go on with our business. Let's not keep the press down here, let's not keep the Senators and Representatives down here. We're so close, let's vote this out and go on with our business. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I don't rise directly to speak on this amendment, to say one kidding thing first. So, remember, by 1987, we could end up with a Democratic Governor and a Republican mayor and we'll be fighting the exact opposite

positions. So, partisanship is not really the issue involved. What I rise to say though is, there has been another amendment filed and, Mr. President, I appreciate your thought of saying, if we don't give you your thing, you're going to adjourn; but I say, there is another amendment filed, it's Amendment 13, for a Republican or a downstater, this an amendment that you can buy for free. It's a heck of an amendment. We'll be glad to discuss it at that time and I might say, kiddingly, Mr. President, that if you say you don't get your way we adjourn until tomorrow, if we don't get to call my amendment, I'm asking to adjourn until noon on the 20th and give you a little more time to stew. I would ask that each of you take the moment to give us the opportunity after this amendment goes down or if it should pass to review the next amendment too. We've offered you the courtesy of offering a new amendment, we expect the same courtesy for us. I thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Mr. President and members of the Senate, I hope that this...this issue carries...this amendment and I certainly hope that a number of the Republicans on the other side of the aisle join with a majority of Democrats in doing that; but if it doesn't, I think we're wasting our time by coming back tomorrow morning 'cause nothing is going to change. I think we ought to wait till next week or else call a Joint Session of the General Assembly with the Governor and all of the Senators and Representatives and let's have an open meeting instead of all these hidden meetings that keep taking place in...down in the Governor's Office as well as in the various caucuses. Let's lay it out and make it a public issue and either we're for it or we're against it, but let's get out of here or let's do the people the...business for the

people of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. You know, it really amazes me when I look at some of the legislators from the other side of the aisle and particularly some of the downstaters. You know why Chicago is second city? You want to really know why? 'Cause of the provincial attitude of some of the legislators in this Body, that's why. That's why New York is thriving. That's why New York City is the greatest city in the world, and that's why we're second because you act like Chicago is in another country, like it's not a part of this great State of ours, like you downstaters don't use its cultural facilities, it's great restaurants, it's great entertainment facilities. Who are we kidding? How many of you drive up to Chicago on the weekend and stay in one of its fabulous hotels? Who are we kidding here, ladies and gentlemen? Don't put Chicago down, it's what makes this country and this great State of ours go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senator D'Arco, maybe I can explain what I think provincialism is and what is it not. Earlier this year I was approached by the City Club of Chicago. They had an idea to break a deadlock in your city, not mine, a deadlock over mayoral appointments. I didn't care in the sense that I had nothing personally at stake, and I introduced a bill along with Senator Newhouse to try to break that deadlock and get the City of Chicago moving. They said they wanted somebody who had no ax to grind, and I introduced that bill and it didn't even receive the support of your side of the aisle,

not to mention the fact that it didn't...even receive the support of all the members of my side of the aisle. But for you to suggest that everyone over here on this side of the aisle is somehow anti-Chicago is very wrong, at least from where I sit and where I know a number of members over here sit. We don't feel that way at all. This isn't simply a question of whether we love Chicago or don't love Chicago. It's a more basic question involved here. I would have to disagree with Senator Rock, not our problem and shouldn't be our problem. As long as that facility is one hundred percent State funded, then it is, in fact, a State Government problem, and we've said it once and we've said it again, we've backed off. We have backed off of what is in print as the Republican Senate Investigating Committee recommendation that there be a four-three interim board and a seven-five permanent board, and now we're to the point where we're splitting hairs all right, but as far as I'm concerned, we have before us...had before us in Amendment 7 the best alternative for all concerned, and I don't think anybody would have...had to walk out of this Chamber with their head hanging low with that. So, you want to talk provincialism, it cuts both ways. Now is the time to vote No on this and I hate to say that because I'd like to get out of here too but not at the expense of the taxpayers of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

You know, we sit here and we talk about what's going on. It's just a bunch of political philosophies trying to take over. I look at things that are going on and they talk about State revenue. Where does eighty percent of the tax revenue of the hotel/motel funds come from? Does it come from downstate or Chicago, Cook County? Where does eighty percent of the corporation taxes come from in this State?

Does it come from downstate or Chicago? You act like this is State funded. The State funds come from Cook County, come from six city...six counties in the whole State. That's where the money comes from. Everybody...when you have a fundraiser on that side of the aisle, where do you come? What well do you come to dig...dig in? Where do you have the big successful parties? Do you have them in Springfield, East St. Louis...Rockford, or do you go to Chicago and raise your funds? Where do you go? I remember when a Congresswoman from Rockford raised their money in Chicago to run for election. It's so bad to do this, but let me tell you something, you talk about the City Club, where do they live? Out in the suburbs? Let them walk the cities of Chicago. Let them grow around...let them grow up around County Hospital, let them walk the streets with cardboard in their shoes and let them see to strive the greatness of the city. But I want to tell you something, the city will thrive and every time I come down here from Cook County, I got to beg to get my own money. I got to beg to get my people's own money. Okay? The race track funds, where do they come from? From Chicago. We got to come down here with hat in hand and beg and I'm surprised at the Republican representatives from Cook County and from the six county...area to look at highway funds. We put in the money, we get twenty-five percent of the...what we put in back to build our highways. We come down here and we beg and beg and beg. Why should we beg? Why should we in bondage? Maybe we should be like Bernie Ninstein and say let us go, let us form our own State, you know what I mean, let us form our own State. But I'm telling you right now, you can talk about the City Club and you can talk about all these great university clubs and everything else, but come in my neighborhood and go to our club on the VFW or the corner tavern and see what they feel. That's the people...that's the people that vote, and I want to tell you something, that's

the people two years ago that voted for the President of the United States and crossed party lines because he felt he was a person of their category and they voted against their own interest some...somewhat because they were almost...a lot of them out of jobs and he has put them out of jobs; but I'm telling you right now, this question is beyond political considerations, this consideration is very simple. The working people of the City of Chicago are tired of begging and pleading with this great General Assembly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke,...would you bring your remarks to a close.

SENATOR LEMKE:

...they are tired, they want something going. As far as McCormick Place goes, whether it exists or not goes, it's not going to affect their daily life, but they do not want to be told by the State of Illinois what to do and they have said this many times. Just let us do our own government and let us elect who we want...the City of Chicago as the mayor or the county board, but let us decide our destiny. When Springfield had their problem with the convention center, did we come in and say we're taking it over or anyplace else? I ask for a favorable vote for this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Very briefly, Ladies and Gentlemen and Mr. President. Since we, the...the State of Illinois is funding McCormick Place, I think we have responsibility to the taxpayers to see that the funding is done properly and done at a...the jurisdiction of the Governor. You forget that if...the City of Chicago were going to provide most of the funding, I would expect them to have the responsibility overseeing it. I think it's only fair and, therefore, I cannot support the amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Mr. President, I would just like to remind my Chicago colleagues on the other side of the aisle, ladies and gentlemen, we are State legislators, we're not Chicago aldermen, so let's act like it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I had not planned on saying anything one way or the other on this until the civic center at Springfield was mentioned by one of the prior speakers. Two big items; one is the City of Springfield, the Springfield Metropolitan and Exposition Authority happens to be the only one who has an elected...elected board subject to their constituents' vote which we just went through on Tuesday, the 5th, had seven people running for three spots. Secondly, because they are elected in answer to the...to the constituent, they're also the only one in the State who have the power to levy up to half a mill of real estate tax for its operation. That's how we operate. We haven't came...we have not came to the State to ask for an operating subsidy as McCormick Place gets without responding how, where or what they spend. Seven and a half million dollars a year from the cigarette tax go into that monster and I have no problem with helping it because it is positive, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

That's...that's the third time I've heard that figure. Is that a commitment to that figure for next year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

As you always say, anything is negotiable down here, Senator Rock. The point that was raised, let's keep apples to apples and orange to orange, let's not talk about another civic center when you're debating one of another area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly and I don't want to get into this debate, but I happen to be...I happen to have been the sponsor of the convention center here in Springfield and I sponsored the bill to give it three hundred thousand dollars for its operation. It passed the Senate and was defeated in the House. So, we did at one time, Senator Davidson, come in with our hand out to help the convention center here in Springfield. I was the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...if not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm certainly glad there are no axes to grind around here, otherwise, we'd be here all evening. Let me just make a couple of points, if you please, because there has been, unfortunately, an abundance of misinformation. The operating budget of McCormick Place, the Metropoltian Fair and Exposition Authority, and I don't have the piece of paper in front of me, in round numbers is something like twenty-six million dollars, six of which admittedly comes from the State of Illinois, four and a half from the cigarette tax and I think another million or million and a half from the parimutuel tax which the Bureau of the Budget says has to be repaid because

it was a loan and that's a different argument; but the fact is, there's twenty million dollars of revenue the State has nothing whatever to do with and the MFEA operates, at least at the moment, on a balanced budget, they're roughly, I'm told, projected probably a hundred to maybe two hundred thousand dollars in debt this year. So, to keep the canard going that this is a hundred percent State funded and therefore the State runs it, it's baloney, please, get off of that. What we're talking about here apparently is pure, absolute, unadulterated partisanship for which I have no quarrel. I was not the State chairman of the party I represent because I'm not a partisan but don't base that on misinformation. Don't say it's a hundred percent State funded and we represent this State and we're State legislators, therefore, it ought to be this way, and who knows in two years who the Governor is going to be. Well, if you're sure the Governor is going to be a Democrat, let me ask you something, as a Democrat, don't do me any favors because if there's a Democratic Governor, I'm going to tell him, as Senator Sangmeister said this afternoon, this is a tar baby, stay away from it, you don't want to get involved with this one. The fact is the amendment that I am offering has been agreed to by the Chief Republican in this State, and all of a sudden we've got a whole host of Republican leaders who want more than the Governor himself wants. I don't understand it. We're trying to settle a problem. The amendment, by the way, that Senator Keats will offer, as I understand it, installs the Governor as the chairman or his designee as the chairman of the interim board, and that really gets us back to square one. This amendment has a three-three interim board, chairman to be selected by the board, has the trustee and the provisions to which Governor Olgilvie has agreed in place and fills the hole that Senator DeAngelis was worried about, it's a six-six board, but in...July 1, 1987. This is a legitimate

effort. Please, please, I ask the adoption of Amendment No. 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of...of Amendment No. 12 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 29, 1 voting Present. Amendment No. 12 fails. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I move we stand adjourned until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Rock has moved that the Senate adjourn until the hour of ten o'clock tomorrow morning. It's not debatable. Those in favor indicate...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. The...the motion fails. Senator Lechowicz, for what purpose do you arise?

END OF REEL

REEL #5

SENATOR LECHOWICZ:

I move that we stand adjourned until nine forty-five tomorrow morning.

PRESIDENT:

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Mr. President, I move this Senate stands adjourned until nine forty-five tomorrow morning.

PRESIDENT:

You've heard the motion. All in favor indicate by saying Aye. All opposed. The Ayes have it. Senate stands adjourned until nine forty-five.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 7, 1985

PRESIDENT:

The Second Special Session of the 84th General Assembly will come to order. Reading of the Journal. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen, my colleagues of the Senate. On behalf of Senator Vadalabene, I move that the reading and approval of the Journals of Monday, November 4; Tuesday, November 5 and Wednesday, November 6, of the Special...Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Carroll. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. If there's no further business, Mr. Secretary, to come before the Second Special Session of the 84th General Assembly, Senator Carroll moves that that Session stand adjourned until the hour of ten o'clock tomorrow morning. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 8, 1985

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by Senator Kenneth Hall. Senator Hall.

SENATOR KENNETH HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Thank you, Senator. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, October 30th; Thursday, October 31st; Friday, November 1st; Monday, November 4th; Tuesday, November 5th; Wednesday, November 6th and Thursday, November 7th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

(Machine cutoff)...the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. (Machine cut-off)...Rupp, for what purpose do you arise? Oh, I'm sorry, your light...(machine cutoff)...Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

Well, Mr...Mr. President, I'd like to request a Republican Caucus in Senator Philip's Office immediately.

PRESIDENT:

That request is in order. Republican Caucus in Senator Philip's Office immediately. The Senate will stand in Recess until the call of the Chair.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Message from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 123.

(Secretary reads HJR 123)

PRESIDENT:

All right. Senator Luft moves for the suspension of the rules for the immediate consideration and adoption of House Joint Resolution 123, which is the adjournment resolution calling for us to return to Springfield on Tuesday, at the hour of noon. I am happy to report that the leadership will meet with the Governor on Monday at noon, and we have asked the...conferees on the supplemental appropriation to meet at Monday at three o'clock with the hope that on Tuesday we can take final action. Senator Luft moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 123. All in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now moves the adoption of House Joint Resolution 123. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right, if not, Senator Luft moves the adoption of the Resolutions Consent Calendar, that Calendar which starts with Senate Resolution 520 and concludes with House Joint Resolution 120. Without objection, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Any further business to come before the Senate? Any announcements? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, somehow it seems appropriate that the last thing we should do this week is my requesting a Republican Caucus immediately in Senator Philip's office. All right. That request is in order. Republican Caucus in Senate...Senator Philip's Office. In the meantime, Senator Joyce moves that the Senate stand adjourned until Tuesday at the hour of noon. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 8, 1985

PRESIDENT:

The Second Special Session of the 84th General Assembly will come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Monday, November the 4th, 1985.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Tuesday, November 5th; Wednesday, November 6th and Thursday, November 7th, of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right. You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution No. 3.

(Secretary reads HJR No. 3)

PRESIDENT:

All right. Senator Poshard moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 4 which, again, calls for the Special Session to reconvene next Tuesday...Senator Poshard moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution No. 3 which calls for the Second Special Session to reconvene next Tuesday at the hour of 12:30 p. m. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion carries. All in favor of the adoption of House Joint Resolution No. 3 indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Second Special Session? If not, Senator Poshard moves that the Second Special Session stand adjourned until Tuesday, next, twelve-thirty. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

November 12, 1985

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, October the 30th; Thursday, October the 31st; Friday, November the 1st; Monday, November the 4th; Tuesday, November the 5th and Wednesday, November the 6th, in the year 1985.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer. Mr. President...

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, November 7th and Friday, November 8th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene.

Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Top of page 2 on the Calendar, on the Order of House Bills 2nd Reading is House Bill 568, Mr. Secretary. Senator Philip.

SECRETARY:

Amendment No. 11 is offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 11. Senator Philip.

SENATOR PHILIP:

I certainly would do.

PRESIDENT:

I beg your pardon. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Is there an LRB number on this amendment?

PRESIDENT:

Amendment No. 11 has already been adopted. My understanding is that Senator Philip wishes to reconsider that. That's the technical reordering amendment and he wishes to offer it at the end.

SENATOR KELLY:

Okay.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to Table Senate Amendment No. 11, it's technical in nature. It simply puts the...the amendments in order. Hopefully, we'll reconsider this same amendment after we get everything else on to put them all back in order.

PRESIDENT:

All right. Senator Philip having voted on the prevailing side moves to reconsider the vote by which Amendment No. 11

was adopted to House Bill 568. Senator Keats.

SENATOR KEATS:

Mr...Mr. President, just a quick question...if we fool with this amendment, what does this do with any other amendments drafted that might be sitting on the Secretary's Desk?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

To my knowledge, it doesn't do a...a thing at all. We're going to put another amendment exactly like Amendment No. 11 after everything is on, it'll put everything in the proper order. So it'll be technically correct.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Is there something new on everything as to what everything is?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, obviously, we don't know what everything is. If...if you get something on that's unusual, you have to have another look at it.

PRESIDENT:

All right. Senator Philip having voted on the prevailing side, moves to reconsider the vote by which Amendment No. 11 was adopted to House Bill 568. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Philip moves to Table Amendment No. 11. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 11 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

HB 568 Amend #13

Amendment No. 13 offered by Senators DeAngelis and Philip. The LRB number, LRB 8402545RLCSAM.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 13 on House Bill 568 is the amendment that creates the governance, the financing, the reforms and the technical amendment from McCormick Place. I think everybody knows what's in this amendment. It is essentially the same thing that was introduced previously by both sides with one exception, and that is that after the interim board of three and three with the trustee, a permanent board will be established on June 30th, 1987 consisting of twelve members, six gubernatorial appointees and six mayoral appointees. It would take a vote of the majority of the permanent board or seven to take action including the election of a chairman. Be happy to answer any questions before we move for adoption.

PRESIDENT:

Any discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, I'd like to ask the sponsor a question.

PRESIDENT:

Indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Senator DeAngelis, the trustee, whom you indicate under this concept, whom would he be appointed by?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

The same as Senator Rock's amendment and my previous amendment, the Governor.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

And his responsibilities would be the same under all concepts, under Senator Rock's or under Senator Philip's and yourself?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

The same as been previously indicated in those previous amendments.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Okay. Now, you've got six appointed by the Governor and six appointed by the mayor of Chicago and from that they will select a chairman. In other words, it will require seven votes to determine who the chairman is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, but that's on the permanent board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

How is this different from what Senator Rock had proposed last week...or at least he had explained was the agreement that he had between the Governor and...and himself at least? How is this different from that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, if I recall, on Senator Rock's first amendment, there was no permanent board. On the second amendment that he offered there was a permanent board, but it did not take seven votes to elect a chairman nor did it indicate who would

choose the chairman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver, for what purpose...Senator Weaver.

SENATOR WEAVER:

Parliamentary inquiry, Mr. President. Is Amendment No. 13 which deals with...McCormick Place germane to House Bill 568?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, Amendment No. 13 to House Bill 568, this bill deals with the subject of economic development in Illinois; therefore, Amendment 13 to House Bill 568 seeks to promote the convention and tourism industries of this State by providing for the continued construction of the McCormick Place Annex. Because the subject of the amendment relates to the subject of the bill, the amendments are, in fact, germane. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Kustra.

SENATOR KUSTRA:

Senator DeAngelis, you have been over the last couple of weeks, I believe, one of the strongest proponents of a...of a strong trustee to get in there and do what is necessary to get McCormick Place moving again. I understand, although I have not read it, that there is an editorial in the Tribune this morning which suggests that the powers of the trustee are not what the Governor and former Governor Ogilvie thought they were going to be. I also think we have an answer for

that, but I guess my question, first of all, is whether or not the language which we are considering in Amendment No. 13 regarding the role of the trustee is any different at all then the language that we considered last week as we in both caucuses debated this particular approach to an interim board solution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Kustra, it is identically the same and yesterday our staff had cause to talk to Senator Ogilvie's attorney and he is satisfied that the provisions that are on this amendment are what is necessary for him to do the job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you...continuing on the line...line of Senator Kustra, but first I'd like to ask one question, whether or not your amendment reflect any of the...the alleged agreement by the four...by the Governor and the four leaders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I believe that all four leaders have signed off on that, I'm not so sure about the House. I think President Rock and Minority Leader Philip have agreed. I...I have difficulty tracking the House sometimes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. UPI would like to take still pictures. Channel 19 would like to videotape and WAND in Decatur also requests permission to videotape. Is leave granted? Leave is granted. Senator Collins.

SENATOR COLLINS:

Now, then for clarification, so that I...I guess all of

us would like to know what are we getting into. Are we now about to be made aware of what the agreement is about so that we can deliberate on it and have some...an opportunity to know what's in that agreement, or if...if you are...presenting the same amendment that you had last week? And I base it on your question, you're saying that this is, in fact, that agreement...that...that tentative agreement between the leaders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Collins, it is the same but different. The difference being what I described in the opening comments and that is the six and six with seven votes necessary to take any action or to elect a chairman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 13. For many weeks we have been arguing about the governance in particular of McCormick Place. This amendment reflects the agreement that was struck between the principals, namely, the Governor and the mayor. Former Governor Ogilvie, who as I understand it, the trustee designate and will be appointed by the Governor has also agreed. I think all hands are on board and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Roll call, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator DeAngelis moves the adoption of Amendment No. 13 to House Bill 568. Those in favor indicate by saying

Aye. Opposed Nay. The Ayes have it. Amendment No. 13 is adopted. Further amendments?

SECRETARY:

Amendment No. 14, by Senators Newhouse, Chew, Collins, Jones, Hall and Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, Senators, this is an affirmative action goals amendment. I think we all know what it's about. Just let me explain one of the rationales behind it, and I wish all of us who are interested in economic development to hear this. What is happening is that the McCormick board people have not met the affirmative action goals in the past. The consequence of which is that there are an awful lot of unemployed youngsters right within earshot of this project who ought to be working and who could be working. This affirmative action resolution is an attempt to redress that situation and let us put some young people who are not now working on the taxpayers' rolls, and I would ask for a favorable roll call on it. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse has moved the adoption of Amendment No. 14. Discussion? Senator Jeremiah Joyce. Can we break up the caucus in front of Senator Marovitz, please? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I would like a roll call on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, I plan to support this amendment but I'd like to ask the consideration of the Chair to place at least

the name of the sponsor on these amendments. I know we read off the LRB numbers, but it'd be a lot easier to identify these amendments if the name is on...on these amendments. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Newhouse. Senator Newhouse on the Floor? All right. Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Newhouse, did you pass this amendment out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Did I pass it up?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Did you pass it out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Oh, when you said pass it out, yes; it was...to the Assembly, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

All right. I have a couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Newhouse, what is the percentage dollar amount to be awarded to minority businesses in this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thirty percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, how about female set-asides?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

They're included within that goal, Senator, that's a goal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Newhouse, I think you better reread your amendment 'cause I think that excludes them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I...I...my reading is, Senator, the Minority and Female Business Acts includes females.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, as you know, I helped sponsor that Act and...they are defined differently in that Act, and if you follow the language of that Act, you are excluding them by your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, it says, "As defined by the Act." I don't how we could be...how...how it could exclude anyone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, as defined by the Act, but you're defining thirty percent for minority. The minority defined in that Act, but what you're doing is leaving the female out of that thirty percent, which then means that you have a cumulative total of whatever amount it's going to be but pretty soon you'll be running the construction industry with minorities and females.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I don't...understand your objection at all. We're...the Minority and Female Business Enterprise Act includes females, I don't understand the objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me just read you the sentence, okay? "Not less than thirty percent of the total dollar amount of contracts awarded by the authority shall be established as a goal to be awarded to minority businesses," not minority and female businesses, "as defined in Section 2 of the Minority and Female Business Enterprise Act."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, our lawyers see no conflict at all. The definition in the Act and the definition includes females. I don't understand this argument.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Fawell.

SENATOR FAWELL:

Just a question of the sponsor. Are...are we talking about ninety-five and ninety-six? It's ninety-six we're talking about on...on...on the...the LRB number was not read. Ninety-six? Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Yes, we're talking about ninety-six, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

Well, I think ninety-five would have been the correct to...to utilize, but anyway I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

What is the definition of a minority business and how will that be defined in...in trying to accomplish your goal here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I don't have the Act before me, Senator, but I...I would assume it has the same language as in past Acts which would include minority groups and females.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So, in other words, as long as there's a principal owner or someone that's involved in the business is considered a

minority, then these...these particular businesses will qualify. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, that is not the intent. Now it...it...for those kinds of businesses, there is a sanction in the law right now. I know that there has been some abuse in the past and we certainly want to eliminate that abuse, and I appreciate you bringing it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Absolutely, there's been considerable amount of abuse in this area where people just bring in a minority simply to...to comply with the Act and be able to bid on these projects. I just don't think this is a good idea to do this at this time and we're going from ten percent to thirty percent. That's a considerable jump and I just think that State dollars could be spent better. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell for a second time.

SENATOR FAWELL:

Thank you. I apologize for raising a...a second time but according to this amendment, are we talking about the thirty percent of the remaining contracts must be given to minority and female contractors for the completion of McCormick Place? Is that what this amendment is attempting to do and...and nothing else?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

That's it, Senator, that's the goal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

So we are not extending this to all State contracts, it's just for McCormick Place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

This is a McCormick Place amendment, Senator, yes, only McCormick Place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Just a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Newhouse, how many prequalified minority owned or female owned contractors are there in the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I...I really can't answer that question, because we...that's...to my knowledge, there is not such a listing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, does the board require prequalifications of bidding contractors?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I can't, of my acknowledge, answer that question. I think the answer is yes, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I was just going to say, everybody knows what this amendment is. There's no one on the Floor who doesn't know what the amendment is. You know if you're for it, you know if you're against it, let's shut up and vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and members of the Senate. I stand in support of this amendment. I think it's long overdue and since we have been in so much discourse about the McCormick Place and having served on the committee, I see the need for this to be...become a part of the total bill of the McCormick Place Center. I stand in support for it and I ask that we give a...favorable vote on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. Let me make very clear what the purpose of the bill is. We have an asset at...at 22nd and...and...the...and the expressway which is adjacent to a community with a very high rate of unemployment. We have within earshot of that facility two training facilities; one is Dunbar High School which has been a historically great training ground for trades people; the other is the Dawson Skill Center. This sits in Senator Smith's district where the unemployment rate is high. We have youngsters there who ought to be qualifying and ought to be working every day, ought to be on the tax rolls and ought to be off the rolls of those of our social services. I would urge an Aye vote with hope we get a unanimous roll call on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 568
2nd Reading
Amend. #15

All right. A roll call has, in fact, been requested. Senator Newhouse moves the adoption of Amendment 14 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, none voting Present...Amendment No. 14 is adopted. Further amendments?

SECRETARY:

Amendment No. 15 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Last week when we were all together trying to deliberate what we should do about Arlington Park, I offered an amendment for all of the breakage that is the State's share which would not impact any individual track at all be given to Arlington Park. That was not acceptable to my colleagues on either side of the aisle, so today I am coming before you with this amendment and it is the amendment...the LRB number ends with AM29, and this, of course, again, is involved with breakage and with the Race Track Improvement Fund which statutorily is established for the sole purpose of reconstruction of grandstands or any part of a race track improvement that should need it. So we are now currently asking only fifty percent of such revenues that are deposited into the Race Track Breakage Fund to go to Arlington Park. Again, I reiterate, and as I was home over the weekend it became even clearer and clearer to me what a tragedy and what an important issue the rebuilding of Arlington Park is. Again I state to you that it is a premiere track not only in the border...within the borders of Illinois and one of the main and fundamental tracks for

thoroughbred racing in Illinois but it is also an internationally known track, and to...for Illinois to lose this when we are seeking to bring in other businesses and other industries and we would let a two billion dollar industry deteriorate because of lack of rebuilding of this fine facility would be just tragic. And I say to you, for what we have done for other industries coming into this State, certainly this is a small, small amount to ask for an...an...a race track of the magnitude of Arlington Park. So I ask for your support of this amendment and at least give them half of what they were asking for. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Collins.

SENATOR COLLINS:

Senator, approximately how many dollars are you talking about and for what period of time? Are you talking about indefinite?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

2.25 million for a period of five years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

That's 2.25 million per year, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

That's correct, Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Jones.

SENATOR JONES:

Senator Macdonald, what was the profit last year of Arlington Park race track?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

I don't have those figures, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

You indicated in your opening remarks that this breakage is needed...so that the funds can be used to build race...stands and et cetera. Now if you don't know what the profit was last...last year, why should we, the members of this General Assembly, be giving this to Arlington Park?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Senator Jones, the racing board would be able to give you in detail, I do not have that particular amount of money. I know that for the first time since these owners have taken over Arlington Park there was a profit that was made. I hesitate to give you the actual dollar amount because I really do not know. I know that...over the years...the...the last couple of years, they have poured back all of the money into their Arlington Million which is now known as the Miracle Million which is an international race which has helped all race tracks in terms of advertising thoroughbred racing in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...pardon me, Senator Macdonald. Senator Jones, for what purpose do you arise?

SENATOR JONES:

No, I was asking the sponsor a question of a...of a bill she presenting to us and seems as though she doesn't know the answer. See, I'm just one of the spear carriers, I wasn't in the meetings that took place as a...as a...as a legislator to who was going...going to vote on something of this nature. If we, the members and the...I would say a fifty...fifty-seven...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Jones. If we could have some order, please. Senator Jones.

SENATOR JONES:

You see, there was no hearings on this. I...some back room deal that was closed, I think the membership should have the right to know when you're talking about giving someone some money. Now,...and we talking about eleven million dollars, that's not chump change. So, what I'm asking you and I think we're entitled to know...that is, you present a bill to us about the breakage funds going to Arlington Park. Does the breakage funds come from all the race tracks in Illinois that are going to be going soley to Arlington Park, am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

The...the breakage that would...half of the breakage goes to the tracks, all of the tracks would keep that. Arlington Park contributes about a million eight hundred and eighty thousand dollars nine hundred and forty. This is about twenty percent of the breakage; that is,...they contribute twenty percent of the breakage and they are asking for the

State's share. They were...in my first amendment, that was the share they were asking for. It does not disturb the breakage that it goes to the other tracks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 7 has also requested, out of Chicago, to...to...videotape the proceedings. Is leave granted? Leave is granted. Senator Jones.

SENATOR JONES:

Well,...well, Senator, evidently, you are presenting a bill to us that you don't know anything about which is really terrible, because we...we, the members, and I, for one, would have liked to have an opportunity to bring the...all this in to sit down to discuss so we could know exactly what's what. Actually, what you want us to do is buy a pig wrapped in a blanket, and I as a...as a legislator who represents a constituency in the State of Illinois am not accustomed to voting that way. The track improvement funds that come...that goes to all track, will Arlington Park still benefit from the track improvement funds other than this breakage that you are asking for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald.

SENATOR MACDONALD:

Of course, the track will...benefit from the...the same, equally as all of the other tracks will; and in addition to that, we are asking that they get half of the...of the State's share of the breakage for Arlington Park, half of the four and a half million dollars...or 4.5 million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, your time has almost expired. Senator Jones.

SENATOR JONES:

Gee, I...I thought I had at least ten minutes. I...well, actually...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Jones, we would be glad to come back and pick you up on the second opportunity. Senator Jones.

SENATOR JONES

...I...I will conclude because...as I indicated in my remarks, something of this magnitude should have been heard by members of this Body. I don't think any deal of this nature that was closed in some back room should be brought before the members of this Senate and have us vote on it to give...to give the people at Arlington Park the amount of money that the sponsor is asking for. I feel that as a legislator who want to vote...intelligently on the subject matter, we should know certain facts. Did...did Arlington Park make money last year? Each one of the owners are millionaires, they're not paupers. If we...how much profit did they make? Is it a corporation? Maybe the corporation lost money last year but how much salary did the four owners make, the chairman, the...the president, the vice-president and the...and the chief executive...officer? Were they paid a salary of five hundred thousand dollars a year? A million dollars at...year last year? We don't know this here, no member in here knows the exact...figures as to what's going on...on at Arlington Park; and when you talk about the breakage funds, all the tracks across the State contribute to the Breakage Fund but these funds will go directly to Arlington Park, these...half of the funds will go to Arlinton Park. And on top of it, another thing that is quite disturbing to me is what...what is happening to all the insurance money for the race track? No member in here other than maybe yourself, Senator, and maybe a couple of other individuals who sat down in a back room deal to cut this deal for Arlington Park, we, the members, have not been privy to that, and you can't even give us the answer to such but yet and still you come here and ask us to give these poor little fellows who haven't got

any money, give them all these benefits and ask us to vote for something like that. It's very...unfair to each and every...one of us on this Senate Floor, and I think this amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, for being brief. There's about one, two,...about eight or nine additional speakers. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think we better get realistic. If that track is not rebuilt, there's nine hundred jobs out on the line, there are twenty-seven hundred breeding industry jobs now at risk; and I might inform my colleague, whom I dearly love, on the other side that we're not here to insult...the sponsor of an amendment that is very critical. The amendment reduces the demand, the...request that was made by the track by half for only five years. I might also remind all of us that in support of the rebuilding for Arlington Park Race Track are the teamsters' locals, the capenters' locals, the operating engineers' locals, the laborers' locals, the glaziers, the painters' district council, ironworkers' district council, IBW and a whole flock of union organizations besides the business organizations. In...in addition, let me tell you something, the rebuilding the track will mean the...the...the existence...continued existence of another four or five thousand jobs that are springoffs from the track operations. What you don't realize, perhaps, is the fact that the track finally has come out of the red but not much, because these people who own the track at the present time, and I might say the main owner of the track lives in Illinois, plowed their money back in to improve the track and its conditions and also to...to make it more palatable for the people. I can tell you right now, when you consider the income the track

brings in to the State of Illinois for its Agricultural Fund and what have you, what we're asking here, what...Senator Macdonald...is asking here is minimal compared to what we will be taking in. I urge support of this amendment because I think it's necessary...for us to keep in mind, we need jobs, jobs, jobs and we shouldn't try to eliminate them, and I support this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Friedland. Senator Friedland. Senator Friedland at Senator Mahar's desk.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support the sponsor in her efforts to promote the continuity of nine hundred vital jobs in her area, very, very many of which are minority. You know, this twenty...a little over two million that she's asking for to help reestablish a premier track in our country, it wouldn't keep the aldermen in cigars in there, and I'm sure they spill that much about once a week in McCormick Place. So do the right thing, support this amendment, you'll feel better about it tomorrow. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I have a parliamentary inquiry. Mr. President, Amendment No. 15 deals with the horse racing industry in this State, and can we have a ruling as to the germaneness?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, House Bill 568 deals with the subject of encourage in economic development in Illinois. The amendment...Amendment No. 15, that you have mentioned, seeks to encourage the development of horse racing in this State via

various tax surcharges and breakage proposals. Because of the subject of the...amendments relates to the subject of the bill, Amendment No. 15 is, in fact, germane. Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. Well, remarks of some of the...prior speakers I think should be put in context. The question was asked how much do the principals of this operation make; I think it's safe to answer, lots, but that begs the question. The sponsor of the amendment was called the...a spear carrier and, indeed, she is, and the person making the remark has himself been called a spear carrier as we all have for our districts, and we have to put that into an economic context when we say that. And certainly there have been references to a back room deal, I would suggest that perhaps we all ought to support the amendment if only to get a picture of our colleague, Ginny Macdonald, in a brown derby and a panatela. But I think in a more serious vein, this is part of economic development and certainly there was no harm in supporting this amendment, because, as you know, it's a bicameral Legislature and the case must be made in both Houses. And it's my judgment that something that generates as much by way of jobs and the ripple effect throughout the economy of that part of our State should be supported by us, because a very important part of jobs is job retention and something that sometimes get lost...gets lost sight of in the context of Mitsubishi and other issues. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman. Senator Berman. Senator Berman, we're having trouble with your mike, at Senator Dawson's desk.

SENATOR BERMAN:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he...she will yield. Senator Berman.

SENATOR BERMAN:

All right. Senator Macdonald, last week I think I was disturbed and a number of our colleagues were disturbed that as soon as the four and half million dollar amendment on breakage went down, a press release was issued by the park saying that they're not going to rebuild. Can you tell me the position of the owners as to whether that press statement has been withdrawn? What is their position today as...as we stand now? Are they going to rebuild or they not going to rebuild?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Senator Berman, as I understand it and as I observed to one of the press corps, the gentlemen who are owners of Arlington Race Track are not politicians, they are businessmen, and I would say to you that they have stated as recently as this weekend that as things stand now there is not an incentive for them to rebuild. However, as all of us know in this Body, we...many of us will accept a lesser amount or a half a loaf. It is my hope that in passing this amendment we will certainly offer an incentive. While it was not in your hearts or in your best judgment to offer them all of the breakage, which statutorily does goes for the rebuilding of any race track that would be imperilled as Arlington Race Park is, I believe that at least we must offer these people...the owners of this track an incentive to come; and while it is only half of what the full breakage would be, the percentage of the breakage, the fifty percent breakage that goes to the State revenue, at least we are in this amendment offering them half of that amount. It will have to be their judgment at that time. This amendment had not been on this

package when we talked to them over the weekend.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman, your time has almost expired. Senator Berman.

SENATOR BERMAN:

...it was a long question to a short...a long answer to a short question. Then, Senator Macdonald, am I correct that you have no commitment from the owners of Arlington Park that even if this bill...if this amendment is adopted and passed on and signed by the Governor that they, in fact, would rebuild. Is that correct?

SENATOR MACDONALD:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald. All right. Senator Berman.

SENATOR BERMAN:

Well, let me tell you, it bothered me...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Berman, may I interrupt you for a moment? WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator Berman.

SENATOR BERMAN:

Yeah, it bothered me last week with their press release response to what I think was a fair deliberation by this Body. We have given Arlington Park...and many of us value them as an industry in this State. We passed a substantial amendment that gave them benefits to rebuild, and then when we turned...turned down a request for four and a half million dollars out of general revenue, in their pique, they issue a press release and said they're walking out of Illinois. On top of that, they come back this week with this and without even a...a fair, good faith response to say, give us this, we need this and we'll stay. I'm not prepared to vote for this unless I know what their position is going to be. So until I

know that, my vote is going to be No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this amendment. As a downstater and taking a look at this whole program, it seems to me if there's one thing we could do is in the best of the State is support this amendment. And, Senator Jones, the...my understanding is that the...the building of the...to rebuild Arlington Park would be used from the insurance money, but that insurance money can be used...to be invested any place, either in the State or outside the State and I think that's what the discussion should be about. Is it important to the State of Illinois for that...to be rebuilding Illinois and is a reasonable amount of profit...do they deserve a reasonable amount of profit? And I think that's what the question is all about. I think it's...and if we want to have...to come down to testify in Arlington Park, I would say that maybe we ought to have some of them come down and testify the McCormick Center, except I don't think we have that much time; because since I've been here for twelve years, that's what we've done is throw money at McCormick Center and it seems to have not solved the problem and, yet, something here when we see a fifty, sixty million dollar reinvestment into the State, we want to turn our backs on it. I think it's a good amendment, I think we ought to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'd like to clear up a couple of points. First of all, Senator Jones, there's nothing sinister about this amendment. The place burned down after we got out of Session. This is not a mushroom amendment kept

in the dark and fertilized, it's an open amendment. It's been discussed previously. What's different is the dollar amount. As I pointed out last week, if you have four apartment buildings and one burns down and the person is ask to rebuild at a much higher cost without getting any greater income than what the other three do, that's a serious consideration. But what I would like to add, as it happens in those apartment complexes, if one doesn't get rebuilt, there goes the neighborhood. It could conceivably be that if Arlington doesn't get rebuilt, there goes horse racing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Chew.

SENATOR CHEW:

Thanks, Mr. President. I was a little disturbed at the ultimatum that was issued by the owners of Arlington Park, 'cause I voted for the legislation that Phil Rock floated through here with good faith. But I thought maybe the people of Arlington Park would have learned a little lesson from those stupid statements that were made by the board at McCormick Place, that we just don't scare down here and maybe if they would have shut their mouths, they would of had the goodies before now. So when you issue these threats as to whether you will or will not build if we don't give you the entire State of Illinois, well, the fact is, we don't really care whether you rebuild or not, because I hear that we're going to build a track in Chicago if those millionaires do not want to build in Arlington Park. And the other thing to the gentlemen who said we were out of Session when Arlington Park burned down, well, I'd like to serve notice on you that we should not sit around here waiting for a crisis to happen in order to put some money into it. That's not what we were elected to do and since we went on record in helping a few down and out companies to revive themselves, every time you have a fire in a two-flat building, there's a group of people

running down to try and get money from the revenue fund. Well, that's not the purpose of the revenue fund, the State is not in the business of racing, because if we were to give up everything to Arlington Park and according to what they generate in taxes, one would wash out the other, so nobody is doing anybody any favor and I'm prepared to vote against this amendment, and I think that people on this side should do likewise. All...all good thinking people should do likewise and that includes the other side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, and I...I apologize for rising a second time because I've listened here to all of the speakers, but I think there's something very fundamental that this whole Body is missing in this whole debate. I don't think it's a question of whether or not the State of Illinois or we, as legislators, are to assume the responsibility for providing incentives and, yes, outright support to...or maintain businesses...or to encourage businesses to come to Illinois. But I think this whole issue has gotten out of hand here. We're not talking about that. Given the fact that no matter how crude the questions were raised by Senator Jones, those were valid questions. The question is, if whether or not Arlington Park, in fact, needs additional monies added to the insurance policy in order to rebuild that track. A question has not been answered. I don't even think it's been raised not even once among...those persons who are adamantly supporting providing support to them to stay in Illinois. It seem to be more than...than whether or not they should stay. It...it seem to be...well, it doesn't matter how much it costs no matter what our losses may be, we're not even interested in you making up our losses. We're interested in your paying us or we will seize this opportunity to get some money

out of the State for you to support us to further ensure...a...a...a greater return on our investment. And it is not a question of whether we need the money or not, it is a question of whether or not we take the insurance money and invest it in another state or whether or not we stay here in Illinois. I think that is unfair and I think that is the key issue that we ought to...seriously think about when we...before we vote on this amendment. The other...other thing that I...I would just like to clarify here for the record, someone indicated that there were nine hundred jobs. There no proof that there are nine hundred jobs out there and...and the same speaker indicated that most of those jobs were minority. Well, I think his...his figures of nine hundred jobs are probably as pathetic as they are mostly minorities, because we all know that that is not true. So I think you ought to really, really defeat this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The Chair recognizes the presence of the Attorney General, Neil Hartigan, on the Floor, welcome to the Senate. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would imagine that the only thing that really disturbs the people of Illinois that we're still in Session and, basically, we're supposed to be gone two weeks ago and, unfortunately, this debate has lasted on this subject and three or four other subjects an extraordinary length of time. But maybe it needs to be said, needs to be done, and I would hope that the people of Illinois would realize that there are members in this Assembly that are trying to address the issues as they see would benefit all the people of Illinois. The lady's amendment does exactly that and what she's trying to say that, yes, she had an amendment last week that was

defeated because this Assembly thought that the amount of money was quite excessive. It was approximately forty-five million dollars going to one track over a ten-year period of time. What this amendment does, it provides eleven million dollars in tax relief in a five-year period of time, a...a substantial difference between the two amendments and the approach; and for that reason, I...I believe this amendment should be adopted. It's a...approach that Arlington Park has justified to many members here with the packets that you received. If you had an opportunity to read it, as I did, you would see that this is the bottom line that they're looking for in relief and I would hope that they would remain in this State and provide the necessary revenue and employment that they have. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Further discussion? Senator Jones for a second time.

SENATOR JONES:

Yeah, thank you, Mr. President, and I apologize for rising a second time and to my...my good friend, Senator Macdonald, let me say this. My remarks was not intended to be personal toward you as a person, because you know the respect I have for you; but in speaking as one of the members in this Body, I feel that to intelligently vote on a subject of this magnitude, once you have the opportunity to at least question the partners and discuss this issue, I wish the minority leader and...had come to the President and you yourself appoint a special select committee to hold hearings on this issue, because it's not a question...it's not a question as to whether or not they're going to build here or go elsewhere; the question is whether this is needed for them to stay, and...and these additional dollars as has already came out in testimony that they don't need these additional dollars for them to stay in Illinois. They are

multimillionaires, you...and you did not tell us whether or not they lost money last year. From reports that I've read, they were supposedly have lost a million dollars last year, but that may be the corporation may have lost a million dollars but the owners drew their salary 'cause they have made three or four million dollars. But had we had the opportunity to look into this, then we could vote intelligently on this subject matter. I received a packet from Arlington Park. I read the packet but, by the same token, I don't believe everything that I read. I should at least have the opportunity to question this private enterprise...it's not a public enterprise, it's a private enterprise and not only will they get this money, they're going to make maybe three or four million dollars in profit off the bets that will be made to Arlington Park. And what are they going to do with their insurance money if they get this money, 'cause the insurance money is supposed to rebuild Arlington Park? What are you going to do, put it in their pockets?. I don't know this here and anyone voting on this subject matter cannot vote intelligently on this subject matter. I intend to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, not that anybody really follows the debate in this Body or the other Body and perhaps they shouldn't, but it's kind of amusing to me that we...we seem to today have a tail of two facilities, one that generates no tax money to the State of Illinois and has cost us vast sums of money that has been mismanaged, and that we see...hopefully, some hope in the future, but most of us aren't too optimistic, that's in the midst of a major disaster that they caused, that they brought upon themselves from mismanagement. On the other hand, we see another facility that has a problem that was not

of their making, that was beyond their control, a facility which doesn't normally cost the State a dime, that generates tax money, and they're asking for a portion of the breakage that they in large part or an largest part generate back. It seems like a reasonable request. It seems like a small dollar request, it's a fraction of what we're about to put in the cesspool by the lake. It is a mistake to let this facility go. Who cares...when they say they are going to go to another state? That's laughable. What they can do is they can sit on their money and sell that area for a shopping center or an industrial park and five or ten years from now it'll be developed and who will lose? Well, the State will lose. The State will lose the money that that premier race track generates and for us to sit by and let that happen for whatever motivation, and most of the motivation I detect is less than candid would be a mistake. This is a facility that will continue to generate money to the taxpayers of this State and...continue to provide funds for causes we all vote for, and without it, maybe a few people in some of the other race tracks will prosper but we as citizens of the State will not, and there's no reason in the world why this reasonable compromise should not be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Can we have some order please.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 15, and as I indicated last week when we successfully adopted Amendment No. 4, the question is one of incentive, an incentive to assure or ensure a reasonable return on one's investment; and, by the way, Senator Schaffer, it's not quite fair, in my judgment, to say that McCormick Place does not generate any tax revenue. It's been roughly estimated that, at the

moment, it's worth about forty-five million dollars in tax revenue to the State of Illinois, and with the expansion we hope, obviously, that will double because the floor space will be doubled, that's another issue. The point is, are we to afford an incentive to the rebuilding on that three hundred acres out in Arlington Park? The people of Arlington Heights, the people of the northwest suburbs have made it clear, I think, by virtue of the petitions they circulated that they want to...afford an incentive and what is the incentive. The incentive is a reasonable return on an investment, whether you're going to invest seventy million or a hundred million, one ought to be in a position, much the same, I might add, as...as the kinds of incentives which we afforded to the Mitsubishi Corporation. A little later this afternoon I hope we'll be voting on a supplemental appropriation request. Part of that request has a flat four to eight million dollars to the Department of Commerce and Community Affairs for Mitsubishi. What we said I think we said correctly last week, forty-five million dollars over ten years, that's too much. This is not at all unreasonable and this, I hope, will move the whole package off the dime and over to the House. I urge an Aye vote on Amendment No. 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Macdonald may close.

SENATOR MACDONALD:

Thank you, Mr. President. Through a tragedy that was of an enormous magnitude, the premier race track of Illinois which is Arlington Park, burned and it is true that the insurance money for that track can rebuild the track; but this is a business, a two billion dollar industry in Illinois and running a race track is a business, and without the insurance...or without the incentives other than the insurance that they have that will rebuild the track, it would be

impossible for these collection of investors to reinvest in that Arlington Park facility. The most they can make with all of the incentives that we have given them would be a little over a million dollars. I would like to read you what Arlington Park alone generated in Illinois in 1984. We cannot use 1985 because those figures are not available since the track burned in the middle of the year. The privilege tax generated to the State twelve million one hundred and fifty-one thousand dollars. The real estate tax locally generated one million two hundred and sixty-one thousand and the total was exactly that. The breakage of uncashed checks was one million two hundred and six thousand, State payroll was five hundred and forty-one thousand, sales tax, four hundred and sixty-four thousand total, sixty-six thousand locally; admission tax is a hundred and twenty-eight thousand three hundred and nineteen total. Now, the license fees were forty thousand dollars. These figures do not include the taxes that were generated by the nine hundred jobs, Senator Jones, that are at Arlington Park and with the rebuilding of the track, it will multiply and become much more than nine hundred jobs; otherwise, the Illinois AFL-CIO, the Chicago Federation of Labor, the Illinois Building Trades Conference and the Chicago Cook County Building and Construction Trades Council would not have been so strongly behind the rebuilding of Arlington Race Track. This rebuilding of this track means jobs to Illinois. When that is one of the biggest issues in our economy today is to generate jobs, to deliberately because of pique or pettiness allow this facility to leave Illinois would be unconscionable and I ask for your support. It is only half of what our original request was for them and I urge your support and your vote for this very important money as an incentive to rebuild the premiere race track of Illinois, Arlington Park Race Track.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald has moved the adoption of Amendment 15 to House Bill 568. A roll call has been requested. Senator Macdonald moves the adoption of Amendment No. 15 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, none voting Present...Amendment No. 15 is adopted. Further amendments?

SECRETARY:

Amendment No. 16 offered by Senator DeAngelis and the last four characters is AM32.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

I was going to...ask the gentleman if he would be kind enough to withdraw that one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I will be so kind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis withdraws Amendment No. 16. Further amendments?

SECRETARY:

Amendment No. 16 offered by Senator Philip. The last four characters on the LRB number is AM30.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, during the last Session, the General Assembly in its wisdom passed a bill allowing the voters of DuPage County to conceivably put on a one-quarter cent sales

tax for the purpose of City of Chicago water. As you know, our voters acted at the last election and better than two to one it passed. Unfortunately, what we did was also include the quarter-cent sales tax to apply to food and drugs. As you know...to be consistent, we ought to have it the...same as the State. What this does is remove that quarter-cent from food and drugs which we intended to be. It's some two million dollars a year. I suppose the water commission could spend it, but if there's any questions, I'd be happy to answer it. I move the adoption of Amendment No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

16.

SENATOR PHILIP:

Well, whatever it is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver, for what purpose...Senator Weaver.

SENATOR WEAVER:

Once again,...once again, Mr. President, I question the germaneness of Amendment No. 16 to House Bill 568.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Weaver, we've looked long and hard at this amendment. This bill deals with the subject of economic development. Amendment No. 17 deals with the subject...16...Amendment 16 deals with the subject of providing water for DuPage County which is necessary for industrial development. The amendment, therefore, is relevant to economic development, is therefore germane. Further discussion? If not, Senator Philip has moved the adoption of Amendment No. 16 to House Bill 568. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 16 is adopted. Further amendments?

SECRETARY:

Amendment No. 17, by Senator Rock. The last four char-

acters, AM04.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is again a technical amendment, it does three things. It allows the bond proceeds from general obligation bonds to be used by the Capital Development Board for public library facilities. It expands the purposes for which the Build Illinois bonds may be issued, and although current statutory provisions do not expressly authorize the above expenditures, we included these categories in the appropriation. This is a technical cleanup. I know of no objection and I would move the adoption of Amendment No. 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Rock has moved the adoption of Amendment No. 17 to House Bill 568. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 17 is adopted. Further amendments?

SECRETARY:

Amendment No. 18 offered by Senator Keats. The last four characters are AM50.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

END OF REEL

REEL #2

SENATOR KEATS:

I am not going to call the amendment at this time but I was going to mention, that amendment was on the Floor the other day when we adjourned and I...I didn't want to raise a lot of trouble about it right now because we sort of are rolling along; but I found it interesting that an amendment that was on the Floor was withdrawn and moved to the end of the list without ever checking with the sponsor or the members. It's an interesting procedure that we've often followed and I don't know that I accept it, but for the moment, I'm not going to make a lot of noise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Keats, there was an amendment prior to yours when Senator...of Senator Newhouse's when we adjourned so...all right. You...you wish to have this amendment considered or withdrawn? Senator Keats.

SENATOR KEATS:

Just leave it for the time being...in case the bill comes back to this reading and...the way thing's going we may hear it again on 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats...all right. Senator Keats withdraws Amendment No. 18. Further amendments?

SECRETARY:

Amendment No. 19, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. Amendment No. 19. You want to give them the LRB number, Mr. Secretary.

SECRETARY:

Last four characters of the LRB No. is AM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, there were, in fact, two amendments withdrawn that's why we are now on Senate Amendment 18.

SENATOR MAROVITZ:

Oh, so this is it. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Marovitz.

SENATOR MAROVITZ:

Okay, fine. Thank you, very much. I was under the impression it was Amendment 20 but now I understand. Okay. Amendment No. 18 essentially does...a similar thing that we did last year with the Public Utility Act, and it extends the conflict of interest provisions which are already in Senator DeAngelis' and Senator Philip's amendment. It extends that to former board members for two years after the effective date of the amendatory Act and two years after they ceased being a member of the board, so that not only would current board members not be able to have a conflict of interest or profit from contracts, et cetera, but former board members for two years would have the same restriction. We did this last year in the Public Utility Act; in fact, we even went further, we prohibited employment by members of the Commerce Commission, we're doing that here with former board members, and if, indeed, we want to really clean up the system, I think this will do that and it will...it will ensure the public that those...thus...those individuals that were members of the board during which time this crisis arose will not be able to be in a position of conflict of interest for two years from the date their term ceased. I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 18 to House Bill 568. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it.

Amendment No. 18 is adopted. Further amendments?

SECRETARY:

Amendment No. 19 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, Amendment No. 19. The LRB No., Mr. Secretary.

SECRETARY:

...last four characters, AM98.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is once again...Senate Amendment No. 11 is now Senate Amendment No. 18...severability clause and puts all of the amendments in order. Move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Philip has moved the adoption of Amendment No. 19 to House Bill 568. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 19 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Resolutions, Mr. Secretary. With leave of the Body, we'll go to that order of business. Senator Hudson, for what...what purpose do you arise? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I do have a motion filed and I wondered if you were on that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we'll get there...we'll get there directly...leave of the Body, we'll go to the Order of Resolutions. Is leave

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granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Resolution 588 offered by Senator Lemke. It's congratulatory.

589, Senator...Senator Zito. It's congratulatory.

590, by Senator Zito. It's congratulatory.

And 591, by Senator Berman and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Leave of the Body, we'll go to the Order of...of House Bills 3rd Reading. Mr. Secretary, House Bill 568.

SECRETARY:

House Bill 568.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Philip. All right...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

If we could have leave to go to the Order of Motions, I have filed a motion with the Secretary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Carroll, we have moved House Bill 568 to the...Senator...Senator Carroll.

SENATOR CARROLL:

For the specific purpose of discharging a bill from Appropriations I that was on the Order of 3rd Reading so we can put it in place to move those requests of the Governor and others for supplemental appropriations. I have caused to be filed a motion that the Senate Appropriations I Committee be discharged from further consideration of House Bill 526, and that it be placed on the Order of 3rd Reading. If we could have leave to go to that order for that purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...let's take House Bill 568 out of the record for a few moments while the discussion is...is proceeding. Take 568 out of the record, Mr. Secretary. Senator Carroll has moved to discharge the Appropriations Committee I from further consideration of House Bill 526 and that it be placed on the Order of the Calendar of 2nd Reading...3rd Reading. That is where it was recommitted from. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Bill 526 will show up on the Calendar on the Order of 3rd Reading. Senator Carroll.

SENATOR CARROLL:

Well, while the amendment is being distributed we'd like to give everybody the opportunity to glance at it for a few minutes, at that point then we will recall it to 2nd for purposes of an amendment with leave of the Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave of the Body to get back to this when the amendment is distributed? Leave is granted. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

A question of Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Is the amendment that is in the process of being...distributed the same document a copy of which has been distributed to our staff quite recently today? Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...the answer is probably yes, and I think they should look at it quickly, it should be exactly what they have seen. There are no surprises to my knowledge and it is...in line

with what the conferees had specifically approved of and nothing they had not approved of and nothing additional on which there were phone calls but not a meeting. So it is exactly what would have been signed had the House began its typing and sent over the Conference Committee report for signature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

For the record, Mr. President, there were some issues that were left open that were to be discussed basically bucked up to the leaders, and at least as late as Friday there were several versions of this particular document. So, I...I'm suggesting it puts us at a disadvantage because as far as...as far as I'm...concerned, I am unaware of any agreement that has been reached at least involving President Rock and Minority Leader Philip and His Excellency, the Governor, on some of those issues that we left open, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...the amendment I...I assume is being distributed. Senator Carroll.

SENATOR CARROLL:

Yes, I think as you'll see it, you'll see it is what the staff had received. The issue...and we can go through it more directly when we actually discuss the amendment, but the...issue of farm aid that we had left to the leadership, the leadership has gotten back to us, at least in this Chamber, and indicated that the bill that would be leaving the Senate would be the version we would be using and that was added to the...this amendment that had been left to the leadership at the Conference Committee level. It is my understanding that those other issues that we had discussed that we had suggested the leaders get back to the conferees, they have indicated that there have been no such agreements

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and those are not included and can be done at some other time if agreements are ever reached, but it shouldn't hold up everything else while we await. And, again, I would suggest as you go through them and as we get to that order of business, we can discuss it in much more detail.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Well, I understand but it...it...it appears to be...you know, it appears to be a little one sided and there are some things...well, let's wait till the bill itself is...up...we've engaged in...some degree of foreplay but it was our understanding that perhaps leadership...well, I guess what I'm suggesting, Senator Carroll is, what, no foreplay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip, are you ready to proceed? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have another amendment coming up. Evidently there has been some confusing...confusion on when...where the sales tax from the cigarette is supposed to go. Evidently what we have drafted does not put all of it in this Common School Fund. I'm going to have an amendment to change that to put the entire amount of money in the Common School Fund. So it should be up here shortly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

PRESIDENT:

All right, with leave of the Body, we'll return to the Order of House Bills 3rd Reading. House Bill 568, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I ask leave to go back to 2nd

reading for the purpose of a amendment.

PRESIDENT:

All right. Senator Philip seeks leave of the Body to return House Bill 568 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, Mr. Secretary, House Bill 568.

SECRETARY:

Amendment No. 20 offered by Senator Maitland. The last four characters in the LRB No., AM45.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Last Friday when we debated the issue of the cigarette tax, there was quite a bit of concern expressed by this Body with respect to the six thousand dollar figure that was contained in...in that amendment and there was some sentiment, I believe, to allocate as much as possible all that revenue generated by the new tax for the Common School Fund. And I belive that that's a good idea and think that that might be more acceptable, more palatable and, therefore, would move the adoption of Amendment No. 20 to House Bill 568.

PRESIDENT:

All right. Senator Maitland has moved the adoption of House...of Amendment No. 20 to House Bill 568. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of this amendment. This is what many of us have been urging since last June and July. I strongly support Amendment No. 20.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Just a quick question of the President. With the bill back on 2nd reading there were several motions filed, are you intending to come to those?

PRESIDENT:

There is only one motion filed and I...if you would be so kind as to withdraw it, we would deeply appreciate it but the answer is yes. Any further discussion on Amendment No. 20? If not, Senator Maitland moves the adoption of Amendment No. 20 to House Bill 568. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Motions in writing, Mr. Secretary.

SECRETARY:

Having voted on the prevailing side, I move to reconsider the vote by which Senate Amendment No. 17 to House Bill 568 was adopted. Signed, Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I would ask that we withdraw it, I just appreciate the courtesy of it being called. Thank you.

PRESIDENT:

You are welcome. Motion is withdrawn. Further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Carroll, should we proceed to put the amendment on 526? On the Order of House Bills 3rd

Reading is House Bill 526. Senator Carroll seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 526, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment incorporates those items that the conferees of the Conference Committee on supplemental appropriations had been dealing with over several weeks. I believe we have caused to be distributed copies so that the members are aware of the hundred and eight sections that are within this bill. Let me just say that where the Governor had asked for some one hundred and ninety-six, almost one hundred ninety-seven million of general revenue appropriations, this would now appropriate about eighty-two million of general revenue and would make the other appropriations from capital development, public utility and Federal funds. We have attempted to capture all Federal funds that are available to the various agencies of State Government and have reviewed the request of operating government with a very sharp eye and pencil to say that those that are absolutely essential because of new legislation or crises or emergency situations should, in fact, be considered and all others should be carried in the March fiction book. We, I think, had met long and hard in trying to develop a reasonable plan. It has been identified that it is quite lopsided and I agree; the Governor got about ninety percent of the money for those projects that are now being incorporated into the supplemental whether they be operating or capital. There is one

item where we must identify the legislative intent and that is the ten thousand for...use in government...Youth in Government for their meeting. That is the intent of the General Assembly that that money be used for lodging. I would answer any questions and ask for a favorable vote. Let me further identify that these are the ones that are in agreement or in which legislation has passed the Senate.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 526. Discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What Senator Carroll tells you is accurate insofar as it goes. We have worked long and hard and this does represent most of the items of agreement. However, unfortunately...unfortunately, it is unacceptable still, we don't feel that it is a particularly reasonable document. So we would ask the members on this side of the aisle to resist this amendment or if it does go on, to resist 526 at this point. Thank you.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Keats.

SENATOR KEATS:

I don't see the marina in Zion. Am I correct in missing it?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

If you'll look out the window and turn left...aside from

that, it is not in this bill, no...no. There are other member projects that are not in...in the opinion of the conferees crises are essential, and I understand that the marina may have been one of those issues. There were many members who wanted us to go to fifty-two percent of need for those on public assistance and starving. We attempted to put that in the budget, the...the Republican side said if that was in the supplemental they would not sign a report and there would be no votes. So we backed off of the demand that people who are starving be given some adequate consideration by merely going six million dollars for the people to get to fifty-two percent of need, we received no support from that side of the aisle and we said, hey, if that's the case, this is an emergency Session...if that's the case, if a true emergency, a true crisis cannot be handled...other things that are capital projects that are things like boat slips can wait a little while. There are six and a half million dollars in that account for the marina that has not yet been obligated, not a dime. The planning has not begun. Why are we worrying about something that's supposed to be constructed next October, I repeat that, next October, when planning hasn't even begun, not a dime of the six and a half million we have already given them has been obligated. Let's see what they do first by way of planning, then we can look at it when we're taking care of the whole needs of government.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I'm rather appalled to see that the loan, because that's exactly what it is, the loan of funds to the marina has been eliminated from this bill when this money is needed together with the six and a half million dollars to get the plans completed so that we can break ground the coming year. This

means a loss of a lot of jobs in my area, we have had distressed areas from the north end of my county through Waukegan, through North Chicago, which is the south end of my district, and this...this is just absolutely appalling to me because the Senator well knows that there is a need for a marina. You have Detroit that has thousands of slips. We don't have enough slips here in Illinois to accommodate the people who go out and put their boats in Wisconsin and Indiana and Michigan and spend the money there instead of bringing it here and spending it here to improve the economy here. I feel this is very wrong, very, very, wrong. And I do hope that the Senator, for whom I have the highest respect, the chairman of the Appropriations Committee, would withdraw this bill and put the amendment on for the marina. You know it means jobs and more jobs and that's the bottom line, that's what we're here for. So I do hope you will reconsider; otherwise, I will be forced to vote against this amendment.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I have to concur with Senator Carroll, and this matter was thoroughly discussed. The issue is whether you want to spend twenty million dollars for boats and boat owners or have a possibility of providing a inadequate amount of money for public aid recipients. And since we couldn't provide either...money for either project, we thought that the Conference Committee would make a recommendation that the six million dollars that presently is in the budget for planning of that marina would remain and they could obligate that money and use the money for planning, come back to the General Assembly in this coming year, not the Veto Session, not the Supplementary Budget Session but in the normal course of business when it can evaluate the whole

project again after the planning is completed. If you want to be in the same position with this marina as we are McCormick Place at twenty-four percent planning and making projections, go right ahead and do so, but I don't want to be in that position. I want to get all the planning in one hundred percent and see exactly what's involved. If you're interested in having boaters have slips for their boats, then vote this down. But I want you to go back to your people and explain that to your constituency that you vote...you did not vote a supplemental budget because you're interested in boat slips, go ahead and do so. I intend to support Senator Carroll because he's right, and I would hope that you look at it from a very practical viewpoint and vote your conscience.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator, I'm appalled and the reason I'm appalled is that what has been the eternal question that we have said...and, Senator Bloom, you and...we sat around the table up there for hours and how you can say today that the primary...thing that we should be concerned with is to take care of the poor, the needy, the sick, the elderly. It's fine for all these other things, but to sit here and say that we cannot find six million dollars out of everything that we have appropriated here to take care of fifty-two percent of need. We left here at the close of this Session with a budget of 19.5 billion dollars and all of you are aware that it takes a thousand million to make a billion. And yet, we come back here, and what does the Governor present us with? It started out with three hundred eleven million. We finally came down to where he's getting close to a hundred and ninety million dollars. Ninety percent of that is money that's going to go to be used for things around this State and we

cannot find six million dollars to take care of the poor, the elderly, the indigent, the people who have labored in the vineyards. I don't know, it's just shocking to me to think in this great country of ours today we have people who wake up, no heat in the house, no electricity; children, no food in the house, and we sit here and we're going to do all these other things that you want, buildings, refurbishing, race tracks, all these things, we're supporting those, so far we have, up to a point; but the point that happens is that we have suffered long, long, hours of trying to come to make a meeting of the minds. I'm not happy with everything in here but the point is to give in to other people and say that we have people here in this great State that we care less about because unfortunately they have lost their jobs, have other things. And remember, you can fly high today but that same thing could happen to you; tomorrow you might have to turn and be in that state. So I would say and ask everyone to support and put this amendment on this bill.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, Mr. President, I'd like to ask the sponsor a question, if I may.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

You know, our analysis here on Section 40 under Capital Development Board talks about a...a reappropriation of twenty some...some twenty-seven and a half million dollars to CDB for school construction projects. Could you explain what that is all about?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Watson. This is the amounts that we had carried forward as a reappropriations for several years for the School Construction Fund. We had downstate schools and school construction bonds to the tune of some 3.7 million on line and ready to go where the local match had been met. For a long time the City of Chicago had not taxed itself in order to match its portion of those funds that had been earmarked for that purpose. About a year ago, the city did so tax its people in order to create its match. For some strange reason in last year's budget the reappropriation, and I repeat that it was a reappropriation, that had been carried forward for about ten years was not in the budget document as submitted by the Governor. We, therefore, corrected that error both in the Chicago line and in the downstate line allocating those monies on which the locals had taxed to meet their match. The Governor vetoed that and we had attempted to override unsuccessfully and have put it back into the supplemental because once again, this was not new, fresh ideas but rather the continuation of prior commitments in that it was a reappropriation. This would allow about nine schools to be built in Chicago assuming again, which is already there, the local tax, and four schools downstate.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, Senator, I'm under the impression that the downstate schools that were in this 3.7 million are now out and they've been taken care of by another appropriation. Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

This is what's available in that account, that's what's left in the account, the 3.7, and this would allow the hun-

dred percent usage of that allocation. There are other methods of paying for it as we know, but again, this is what was available and we felt it should be used.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, just one final comment. Out of 27.5 million dollars, 23.7 million is going to school districts over five hundred thousand, which I understand Chicago would be the only school district that would qualify. And 3.7 million dollars are going to be going to everybody else. Is that correct?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Over all the years, it was a hundred million for Chicago and three hundred million downstate. Downstate has taken two hundred and ninety-seven, 296.3 million of that three hundred million; Chicago has only used this now request for 23.7. So you are right, that's what's there but that was based on a three to one downstate in favor split, three hundred going downstate, one hundred to Chicago. So...and since Chicago had never taxed itself, it couldn't ever utilize this fund. This was the first effort after Chicago had raised its tax so to do. The downstate have been taking it every year which was the original agreement.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I wonder if the sponsor would yield for a question, but before that, I'd like to just set the framework and I'd like to get the attention of the Senators on both sides of the aisle. Today we just did several things which indicate a movement off dead center. We

passed an affirmative action resolution and it was pointed out that that resolution had some problems in that the question was asked about prequalification, and I think that's a legitimate question because it means that the progress in this direction is going to be slowed down considerably. Given that as one of the facts of life, we are moving toward economic development but moving very slowly. If that's the case, then what are we going to do in the meantime? And I would put it to you that we're now not talking about charity, we're not even talking about compassion; what we're talking about is plain common sense. There has to be survival from some area and I would ask you this, Mr. Sponsor, why was the six million dollars for the...for the level of need not in the bill?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Newhouse, as I attempted to explain before and maybe I should amplify, we have on about eight occasions...requested the fifty-two percent in need, some six and a quarter million dollars to start April 1st for the rest of the fiscal year. Believing that this is in the emergency Session, that is a category that clearly that falls within. If we cannot get the level of sustenance up to just a mere fifty-two percent of what the level of need is, what are we doing here? Each time we raised that, either the Governor's Office or our colleagues from the other side of the aisle told us that was the killer upon which no bill would pass, that if we attempted to...take care of starving people, there would be no votes, no signatures and no support from the Office of the Governor. We made this request in the Office of the Governor, we made it at the conference table. We, in fact, had a version of the report that had it in and we were told point-blank there could be no Republican support for

those who were starving regardless of any other issue that was in the bill.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Then, Mr. President, I would suggest to the members of this Body that we're going to pay out more than six million dollars one way or another. We're going to pay it out in corrections, we're going to pay it out in other kinds of emergency services. To say that six million dollars that is going to be reduced from this budget is really going to be a reduction just is a contradiction in terms. It would seem to me that it makes all kinds of logic and common sense for us to put the dollars into the budget for the bare subsistence level. I think there are many in this room who have been reading that series in the Chicago Tribune that's been appearing over the past several weeks. The conditions that it describes in the City of Chicago are very, very real. And I would put it to you that the conditions that are described in Chicago are replicated in many, many other areas of this State, many areas which most of you over there do represent. It seems to me just plain logic and common sense to put this very small amount of dollars in the budget...and to talk about the building of a marina in the absence of that, it seems to me to be obscene. Thank you, Mr. President.

PRESIDENT:

Further discussion? Any further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, it's been tradition in the General Assembly that the leadership work out some of these supplemental appropriations and, quite frankly, this year it hasn't worked too well; and perhaps the reason is it's a political

year, we have an election coming down the road. If you would look at what...Senator Carroll suggests, it's about ninety percent for you and ten percent for us. I would suggest to you, Senator Carroll, that isn't even close. Now I would suggest that no Republican should support this whatsoever. Hopefully, if it's defeated, we can get together and work out something that's reasonable for both sides of the aisle. I notice DuQuoin is not in, Zion is not in, Dana Thomas House, a lot of other things that the Governor wants. I've been led to believe the second floor does not agree either. And let's sit down somewhere and work out something reasonable for everybody.

PRESIDENT:

All right. Further discussion on the adoption of Amendment No. 2? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let's set the record straight if we can, and I know it's tough to do in a General Assembly. Of the...eighty-two million, the overwhelming majority is the request of the Governor, overwhelming. I hate to give a percentage but let's call it eighty-five or ninety percent. If you look at it...and in the capital it's the same way, some eighty-seven percent of the capital requests happen to fall in districts that happen to now be represented by Republicans. I don't know if that's a coincidence or if that's just a demonstration of need; I do know those are the requests the Governor made to which we had agreed. Maybe we agreed to early to some of these but we recognize the need and we attempted to deal with those that were truly life threatening, like the fact that the Governor's Department of Public Health closed the Governor's Department of Mental Health facilities because they didn't have fire alarms, they didn't have smoke detectors, they didn't have life safety needs. Many of those

facilities happen to be in Republican districts. That did not stop us from saying, absolutely, we must, in fact, fund those rebuilding, we cannot elect the Governor...let the Governor's Department of...of Public Health close the Public...the Department of Mental Health, I'll try and get that right, of mental health's institutions even though they're both under the Office of the Governor. We also said a lot of things that members wanted should be in here and a lot of things the Governor wanted for his various departments, and we can go through them one by one, you can look over the list and see, you know, we have money in here...for example, for the downstate civic centers, thirty-two million dollars. Nobody on that side raised that issue, those are all downstate civic centers, none of them are in my area and very few happen to be in areas of members of my side of the aisle, though some are. I don't care if it's a solid gold Futura, which does not run in my opinion in a Democratic district, but in which there had been a demonstrated request and need which we, in fact, put in or Mitsubishi or on and on and on if you want to go through the list: the Wheaton County Courthouse study, the Carl Sandburg Choir, the move money to the One Sears Center, which the Governor said that that three and a half million dollars was an absolute must so that he could move an agency from one building to another on which there were no real hearings and should have been. We can go on and on and on, the Great Western Railroad right of way which is now general revenue funds where they used to be Road Fund because there was a need to use those road funds for others or whether it's grade crossing protection money, on and on and on. I think if many of the members see that we had in here, for example, the Herndon Building as capital, they'll find that most of the wish list is there. Nobody gets all they want. This is supposed to be a vetoish Session, emergencies only, and I think we'd be inclined to

pull a lot of these out if we went back to the table and start over and go with true emergencies like fifty-two percent of need and forget about some of these others. But no, we said let's get this moving, let's get that that all the conferees have agreed to before the General Assembly including the Federal funds, including saving the downstate civic centers and including some of those others, and I've only listed a few out of the hundred and eight sections that have, in fact, been included; and I repeat, in my opinion, I agree this is lopsided, it's about ninety-eight in favor of the Governor. I would ask for its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 526. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 29 Nays, the amendment fails. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

My years of legislative experience have convinced me that after this last roll call, Amendment No. 3 perhaps is not germane. It may be germane but I'd suspect it's not passable. My instincts, which have been honed to a fine edge last week sitting around doing nothing, tell me that the point has come in the appropriation's process for me to withdraw this amendment and suggest we sit down and work out a reasonable compromise that we can send to the House so that they in their all seeing wisdom can respond in an appropriate manner.

PRESIDENT:

All right. Amendment No. 3.

SENATOR SCHAFFER:

Defer to my spokesman, Senator Bloom. I withdraw the amendment.

PRESIDENT:

All right. The amendment has been withdrawn. Senator...further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Hall.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Since that other has been taken off, this is not technically correct, so I'll withdraw the amendment at this time.

PRESIDENT:

Right. Amendment No. 3 also has been withdrawn. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Well, to make a suggestion, and that would be that Senator Schaffer's amendment addressed certain issues that obviously were of concern to the administration and others. Senator Hall's amendment basically addresses the fifty-two percent of need, and perhaps...I make a suggestion that perhaps an orderly way to proceed is to have some member who voted on the prevailing side move to reconsider that particular amendment and then we put on the two amendments that follow and send it off to the House. It's a suggestion that I would proffer to the Ladies and Gentlemen of the Senate.

PRESIDENT:

Are you making the motion to reconsider?

SENATOR BLOOM:

If, indeed, the suggestion appears amenable...to...the...to reconsider he said was acceptable but I...I would make that suggestion, maybe we take it out of the record and come back to it.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Whatever you'd like, there's...you know, again, there's some ninety-five million the Governor wants plus about a hundred and fifteen in capital, I don't care if it doesn't pass. It's his government that you're not operating. Whatever your favor is go ahead and do.

PRESIDENT:

All right. Why don't we take it out of the record for the moment, Senator Carroll, and you can confer. The bill will...remain on 2nd reading having been on 3rd before. The Senate will please come to order. We're on Supplemental Calendar No. 1. Under consideration is House Bill 526, Mr. Secretary. Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Yes...on Amendment No...

PRESIDENT:

2.

SENATOR BLOOM:

...2, having voted on the prevailing side, I would move to...reconsider the vote by which that motion lost.

PRESIDENT:

All right. Senator Bloom has moved, having voted on the prevailing side, to reconsider the vote by which Amendment No. 2 was declared lost. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. On the Order of House Bills 2nd Reading, House Bill 526, Amendment No. 2, Senator Carroll.

SENATOR CARROLL:

This is the reconsideration of the amendment that we had explained before. I'd be willing to answer any questions.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 526. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 2 is adopted. Amendment No...Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Hall.

PRESIDENT:

Senator Hall on Amendment No. 3.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No...3 amends House Bill 526 in the Senate by inserting after Section 107 the following, "In addition to any amounts heretofore appropriated for such purposes, the following named sums are so much thereof as may be necessary or appropriated to the Department of Public Aid to provide income assistance at a minimum of fifty-two percent of the standard of need. For aid to families with dependent children 4.4 and for general assistance two...two million." I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Hall has moved the adoption of Amendment No. 3 to House Bill 526. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 4 offered by Senators Bloom, Geo-Karis and Dunn.

PRESIDENT:

HB 568
3rd Reading

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Amendment No. 4 appropriates the DuQuoin money and scales down the Illinois State Park money to 6.4 million. And I'd answer any questions, otherwise, move its adoption.

PRESIDENT:

All right. Senator Bloom has moved the adoption of Amendment No. 4 to House Bill 526. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Yes, with leave of the Body we'll get back to that immediately after 568. Top of page 2 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 568. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 568.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President...Ladies and Gentlemen of the Senate. As you know, we've worked long and hard on 568. Just to highlight a few things to refresh our memories, this makes technical change in Build Illinois, farm aid up...grants up to two thousand dollars per farmer, creates incentive for the rebuilding of Arlington Race Track, increases the cigarette tax by eight cents earmarked for education, authorizes general revenue to be transferred to the

civic centers and, of course, eliminates the quarter cents on food and drugs that the DuPage County Water Commission put on. Nothing is perfect, this is kind of like a Christmas tree, there's something...a little bit of something for everybody. Let's do the right thing, pass it over to the House and let them have a shot at it.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 568 as amended pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 18 Nays, 1 voting Present. House Bill 568 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading, House Bill 526, Supplemental No. 1. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 526.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the supplemental appropriation bill for this Session as previously described. It amounts to some probably eight-five million now in general revenue, approaching ninety and some hundred and forty-five million in capital and other funds. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 526 as amended pass. Those in favor will vote Aye. Those opposed will vote Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 8 Nays, none voting Present. House Bill 526 as amended having received the required constitutional majority is declared passed. Page 3 on the Calendar. If I can have the attention of the membership, the Message on those two bills will be immediately, immediately sent to the House...for their consideration. Now we have a very little bit of business yet remaining. Members have indicated and if any member has a Conference Committee report that they wished called now is the time and then we will obviously have to await House action. Top of page 3, Senator Joyce on 1109. Senator Dunn on 1962. All right. On the Order of Conference Committee Reports, the Conference Committee report on House Bill 1962, Mr. Secretary.

SECRETARY:

First corrected copy of committee...Conference Committee report on House Bill 1962.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. Conference Committee Report No. 1 as corrected on House Bill 1962 would propose that the...Abandoned Mine Land Reclamation Council be removed from the Department of...of Mines and Minerals and made an autonomous body. Change would make a substantial impact on the operation of the council or the State's...it would make no substantial change on the council or the operation of the State reclamation program. It'd allow the council to streamline its administrative operations. I'd be glad to answer any questions and I'd like a favorable roll call on Conference Committee Corrected No. 1 of House Bill 1962.

PRESIDENT:

SB 212 C.C. Report

Is there any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1962. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1962 and the bill having received the required constitutional majority is declared passed. Senator Demuzio on 212. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 212, Mr. Secretary.

SECRETARY:

First Conference...Committee report on Senate Bill 212 corrected.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you,...Mr. President. The Conference Committee Report No. 1 on Senate Bill 212 does two things. First...it makes some minor changes in the Illinois...the Telecommunications Excise Tax that we passed...the Message Tax that we passed this last Session and makes some technical and administrative revisions to that language. Secondly, I guess, and most importantly, it provides that municipalities in excess of a hundred thousand population can impose a...a referendum...a referendum approved one cent a gallon Motor Fuel Tax on retailers. As you recall correctly, this measure was before us...this last...several weeks ago. It applied only to the City of Rockford which, in fact, it only applies to now. At that time it did not have the referendum approved proposal. This, in fact, does say that if the city council makes that decision that it would, in fact, be put to a vote and, therefore, it would be only acted upon and approved by a

HB1109
C.C.R

vote of those voters in the affected area. These are the only two changes that are involved in 212 and I would be glad to answer any questions.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of the Conference Committee report on Senate Bill 212. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Is...is there any language in this Conference Committee report that relates to the Use Tax?

PRESIDENT:

Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

My handlers tell me, no, there is not.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 212. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 212 and the bill having received the required constitutional majority is declared passed. Senator Joyce, on 1109. Conference Committee report, top of page 3, the Conference Committee report on House Bill 1109, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1109 corrected.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This amends the Election Code. This is the bill that was brought up the other day and there was some controversy about it, and I feel that we've got all that worked out. And this allows...the petition circulator to indicate first and last dates of circulation or to...certify that no signatures were collected prematurely. It also adds a...technical consultant hired by the State Board of Elections to provide computerized election statistics or voter registration...data to categorize the persons...exempt from time restrictions on the length of contractual service, and it prohibits filling a vacancy and nomination sixty days after the General Primary if the vacancy results from a party failure to slate a candidate. And all of the other petitions that you have out are grandfathered in, so this won't affect that. I'd be happy to answer any questions if there are any.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of this Conference Committee report. And to those people who were concerned at the last time we brought this up, I want you to be certain that if you're currently circulating petitions, this provision will not in any way cause your petition to be challenged. Therefore, with all the corrections that have been made in this particular Conference Committee, I...I recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There's further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 1109. Those in favor will vote Aye. Those

S.B. 1452
2nd C.C.R.

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1109 and the bill having received the required constitutional majority is declared passed. Page 4, Senate Bill 1452. Senator Welch.

SECRETARY:

Second Conference Committee report on Senate Bill 1452 corrected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill does three separate things, basically. Number one, there's clean-up language to clarify the intent of House Bill 18. House Bill 18 was signed into law by the Governor which changes the Gross Receipt Tax on utilities from a five percent tax to a tax on thermal unit and kilowatt-hours. What this bill is doing is changing the...not changing the definition of gross receipts but clarifying what has been the rule of the commission in the past and making it clear in law as to which items are not to be charged...as gross receipts so that a tax would apply thereto. Number two, there's clean-up language on Senate Bill 665 and Senate Bill 730, the education reform bill, to...clarify the usage of the Telecommunication Tax as it applies to the education...funding. I might point out that the change in the Gross Receipts Tax is meant to be a revenue...revenue neutral change and was requested by one of the utilities to clarify exactly what they were to pay and to ensure the...lessening of any litigation. The third change concerns a request by the Citizen Utility Board with respect to their dates of election. The current election by the Citizen Utility Board is, I believe, January 1 or December 31

of each year. The confusion caused by the mailing of ballots and Christmas rush has led them to ask for a change of the date for the election to March 31st, a change of three months, and the current board would serve then the extra ninety days until that day pending the election of a new board. There is nothing in this amendment...concerning the Citizen Utility Board, that is the most controversial provision which was...debated in committee, that would be requiring utilities which bill by post card to provide a space for customers to indicate interest in Citizen Utility Board. That is not in this report nor or some of the many controversial aspects of the Citizen Utility Board, this is mainly affecting the elections. I'd answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of the second Conference Committee report. Any discussion? If not, the question is, shall the Senate adopt the...second Conference Committee report on Senate Bill 1452. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on House Bill 1452 and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I have just conferred with Senator Philip, that effectively concludes the business that is before us in the Senate. Now, obviously, we are awaiting House action...and our understanding is that immediately upon receipt of that bill in the House, the House sponsor has indicated he will take it up immediately. I can't tell you

when that's going to be, but the fact is, we are again...awaiting House action. So my suggestion is for the sanity and...and welfare of all of us that we can just as well stand adjourned till ten o'clock tomorrow morning, but I urge people to stick around. I truly don't have any clue as to what the House is going to do or not do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, we have one housekeeping thing to do. Mr...Mr. Secretary, resolutions.

SECRETARY:

...Resolution 586 was read into the record last week. Senator Berman, Maitland, Rock and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move to...suspend the appropriate rules for immediate consideration of Senate...Senate Resolution 586. This is the resolution that calls upon Congress in light of our action on the bill that we've just passed out of here dealing with the cigarette tax to consider and give strong consideration to exempting Illinois from any extension of the Federal Cigarette Tax. I would move the appropriate rules for immediate consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 586. Any discussion? If not, those in favor of the suspension of the rules indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Berman now moves the adoption of Senate Resolution 586. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 586 is adopted. Senator Rock now moves...any further business to come before the Senate? Senator Rock moves that the Senate stand adjourned

till tomorrow morning at the hour of ten o'clock. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned till tomorrow morning, ten o'clock.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 4, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desks. All unauthorized individuals will vacate the Floor. Our guests in the gallery will please rise. Our prayer today will be by the Reverend Jack Glen, First United Presbyterian Church of Mendota. Reverend.

REVEREND GLEN:

(Prayer given by Reverend Glen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Thursday, May the 23rd and Friday, May the 24th, in the year 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any objections? Hearing none, it's so ordered. Senator...Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that reading...and approval of the Journals on...of Wednesday, May the 29th; Thursday, May the 30th; Monday, June the 3rd, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Any objections? Hearing none, it's so ordered. Committee reports.

SECRETARY:

Senator Savickas, chairman of Committee on Assignment of Bills, reports the following House bills have been assigned

to committee:

Agriculture, Conservation and Energy - 1000, 1184, 1251, 1596, 1717, 1775, 1776, 1828, 1867, 1933, 2250, 2261 and 2426; Appropriations I - 143, 342, 418, 530, 583, 541...or 641, 651, 653, 654, 655, 656, 657, 658, 659, 660, 661, 663, 665, 666, 667, 668, 669, 670, 671, 673, 676, 677, 683, 721 and 1097; Appropriations II - 652, 664, 672, 674, 678, 679 and 1070; Elementary and Secondary Education - 375, 451, 1006, 1166; Elections and Reapportionment - 100, 1193, 2096, 2097, 2184, 2249 and 2378; Executive - 68, 950, 1224, 1246, 1445, 1466, 1502, 1571, 1642, 1801, 1959, 2004, 2079, 2418 and 2452; Executive Appointments, Veterans' Affairs and Administration - 2428 and 2429; Finance and Credit Regulations - 1912; Insurance, Pensions and Licensed Activities - 17, 60, 298, 510, 717, 968, 1142, 1284, 1624, 1667, 2125 and 2179; Judiciary I - 807, 831, 838, 1604, 1677, 1955 and 2525; Judiciary II - 463, 971, 2132, 2416; Labor and Commerce - 1263; Local Government - 49, 66, 247, 467, 548, 575, 631, 691, 1106, 1262, 1338, 1464, 1547, 1552, 1565, 1567, 1575, 1577, 1578, 1598, 1643, 1785, 1857, 1900, 1914, 2199 and 2407; Public Health, Welfare and Corrections - 1479, 1925, 2104, 2180, 2349 and 2515; Revenue - 385, 781, 997, 1202, 1277, 1395, 1680, 1685 and 2220; Transportation - 592, 940, 1340, 1341, 1371, 1855, 1901, 1980 and 2400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate...the following resolutions are all congratulatory.

Senate Resolution 314 through 330, all by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we'll go to House bills 1st readings. Is leave granted? Leave is granted. House bills 1st reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 24, Senator Jones.

(Secretary reads title of bill)

54, Senator Lemke.

(Secretary reads title of bill)

House Bill 124, Senator Lemke.

(Secretary reads title of bill)

231, Senator Lemke.

(Secretary reads title of bill)

House Bill 255, Senator Lemke.

(Secretary reads title of bill)

House Bill 290...by Senators Carroll and Lemke.

(Secretary reads title of bill)

House Bill 362, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 484, Senator Lemke.

(Secretary reads title of bill)

529, Senator Luft.

(Secretary reads title of bill)

House Bill 627, Senator Lemke.

(Secretary reads title of bill)

House Bill 725, Senator Collins.

(Secretary reads title of bill)

947, Senator Chew.

(Secretary reads title of bill)

1104, Senator Netsch.

(Secretary reads title of bill)

1110, Senator Carroll.

(Secretary reads title of bill)

1125, Senator Coffey.

(Secretary reads title of bill)

1160, Senator Netsch.

(Secretary reads title of bill)

House Bill 1182, Senator Lemke.

(Secretary reads title of bill)

1279, Senator Nedza and Keats.

(Secretary reads title of bill)

1389, Senator Netsch.

(Secretary reads title of bill)

1413, Senator Lemke.

(Secretary reads title of bill)

1417, Senator Collins and Netsch.

(Secretary reads title of bill)

1478, Senator Holmberg.

(Secretary reads title of bill)

1510, Senator Topinka.

(Secretary reads title of bill)

House Bill 1544, Senator Demuzio.

(Secretary reads title of bill)

1568, Senator Lemke.

(Secretary reads title of bill)

1645, Senator Lemke.

(Secretary reads title of bill)

1688, Senator Netsch.

(Secretary reads title of bill)

1763, Senator Netsch.

(Secretary reads title of bill)

House Bill 1880, Senator Lemke.

(Secretary reads title of bill)

1915, Senator Coffey.

(Secretary reads title of bill)

House Bill 1919, Senator Donahue.

(Secretary reads title of bill)

House Bill 1922, Senator Etheredge.

(Secretary reads title of bill)

House Bill 1924, Senator Watson.

(Secretary reads title of bill)

1939, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 1949, Senator Topinka.

(Secretary reads title of bill)

House Bill 1953, Senator Geo-Karis.

(Secretary reads title of bill)

1969, Senator Donahue.

(Secretary reads title of bill)

1979, Senator Coffey.

(Secretary reads title of bill)

2103, Senator Lemke.

(Secretary reads title of bill)

House Bill...2106, Senator Lemke.

(Secretary reads title of bill)

House Bill 2162, Senator Lemke.

(Secretary reads title of bill)

2239, Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2240, Senators Rock and Philip.

(Secretary reads title of bill)

House Bill 2303, by Senator Hudson.

(Secretary reads title of bill)

House Bill 2308, Senator Hudson.

(Secretary reads title of bill)

House Bill 2368, Senator Lemke.

(Secretary reads title of bill)

House Bill 2399, Senator Karpiel.

(Secretary reads title of bill)

1st reading of the bills.

House Bill 2436, Senator Coffey.

(Secretary reads title of bill)

House Bill 2441, Senator Etheredge.

(Secretary reads title of bill)

2442, Senator Rupp.

(Secretary reads title of bill)

House Bill 2447, Senator Donahue.

(Secretary reads title of bill)

House Bill 2449, Senator Coffey.

(Secretary reads title of bill)

House Bill 2451, Senator Dunn.

(Secretary reads title of bill)

2499, Senator Lemke.

(Secretary reads title of bill)

2521, Senator Topinka.

(Secretary reads title of bill)

House Bill 1020, by Senator J. E. Joyce.

(Secretary reads title of bill)

1850, Senator J. E. Joyce.

(Secretary reads title of bill)

1928, Senator Coffey.

(Secretary reads title of bill)

1934, Senator Macdonald.

(Secretary reads title of bill)

House Bill 1967, Senator Kustra.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to House bills 2nd reading. Page 3 is House bills 2nd reading. If any member desires to have their bill called, we'll start at the top, House Bill 81, Senator Coffey. Senator Coffey. 293? On the...on the Order of House Bills 2nd Reading is House Bill 293. Mr. Secretary, read the bill.

SECRETARY:

House Bill 293.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

HB 337 2nd Reading

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 296, Senator Bloom. 337, Senator Rigney. On the Order of House Bills 2nd Reading is Senate Bill 337, Mr. Secretary, read the bill.

SECRETARY:

House Bill 337.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, Amendment No. 1 was your amendment in committee. It's protecting the coal mining rights in the agricultural areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney moves the adoption of Committee Amendment No. 1 to Senate Bill 337. Any discussion? If not, those in favor signify by saying Aye. Opposed...Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator Rigney indicates there's an amendment...with leave of the Body, we'll...we'll return House Bill 337 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is

granted. On the Order of House Bills 2nd Reading is House Bill 337, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, what this does is to reduce the size of an agricultural area from five hundred acres down to three hundred and fifty acres.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rigney has moved the adoption of Amendment No. 2 to Senate Bill 337. Any discussion? All right. Senator Rigney has moved the adoption of Amendment No. 2 to Senate Bill 337. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 348, Senator Kustra. 360, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 360, Mr. Secretary, read the bill.

SECRETARY:

House Bill 360.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 456, Senator Marovitz. Senator Marovitz on the Floor? 555, Senator Joyce. All right, on the Order of

HB 582 2nd Reading

House Bills 2nd Reading is House Bill 555, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 555.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 4. 582, Senator Coffey. 582? On the Order of House Bills 2nd Reading, House Bill 582, Mr. Secretary, read the bill.

SECRETARY:

House Bill 582.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 605, Senator Fawell. Senator Fawell on the Floor? 772, Senator Donahue. On the Order of House Bills 2nd Reading is House Bill 772, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 772.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1175, Senator Joyce. On the Order of House Bills 2nd Reading is House Bill 1175, Mr. Secretary, read the bill.

SECRETARY:

House Bill 1175.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. To ask leave of the Body to be shown as a cosponsor of House Bill 555. I've checked with the Senate sponsor, Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've...you've heard the request. Senator Maitland has requested leave of the Body to be added as a hyphenated cosponsor of House Bill 55. Is leave granted? Leave is granted. It's so ordered. Senator Jeremiah Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I ask leave of the Body to be added as a hyphenated cosponsor to Senate Bill 522 and Senate Bill 1568.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills.

SENATOR JEREMIAH JOYCE:

I'm sorry, House bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

522 and 1568? All right, Senator Jeremiah Joyce has sought leave of the Body to add...be added as a hyphenated cosponsor of House Bills 522 and House Bill 568...1560...Senator Joyce, 1568? All right, 1568. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Resolution 331 offered by Senators Hall, Rock and all Senators, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution No. 70 offered by Senators Sangmeister, DeAngelis, Rock and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to place Senator Jerome Joyce as lead sponsor on House Bill 1000 and myself as hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis seeks leave of the Body to be...to have Senator Jerome Joyce added as a...

SENATOR GEO-KARIS:

As the lead sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...principal sponsor of House Bill 1000, so it will read Jerome Joyce-Geo-Karis.

SENATOR GEO-KARIS:

Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. It's so ordered.

SENATOR GEO-KARIS:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I am recorded as being the sponsor of Senate Bill 132 and I would like to have my name removed and the sponsor be shown as Senator Joyce Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...House Bill 132.

SENATOR VADALABENE:

House bill, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Vadalabene seeks leave of the Body to have Senator Holmberg added as the principal sponsor of House Bill 132. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Also,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute. Let's take care of this. Is leave granted? Leave is granted. It's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

House Bill 881 is residing at this particular time in License and Insurance Committee. I have talked to the chairman, Senator Jones, and would like...and have leave to have House Bill 881 rereferred to the proper committee which is Local Government. Local Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Where is it now, Senator?

SENATOR VADALABENE:

It's in License and Insurance Activities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene seeks leave of the Body to...Senator Nedza, on the same subject? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I'd like House Bill 99...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, no, wait...wait...wait, let's take care of Senator Vadalabene's. I thought...I thought you had...

SENATOR NEDZA:

No...no...no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, the bill is currently now in what committee? All right, Senator Vadalabene moves...moves to discharge the Committee on Insurance and Licensed Activities from further consideration of House Bill 881 so that the bill can be referred to the Committee on Local Government. Is...those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. (Machine cutoff)...Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you, very much. I would like to put Senator Bob Kustra as lead sponsor on House Bill 463.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Fawell seeks leave of the Body to have Senator Kustra shown as the lead sponsor on House Bill 463. Is leave granted? Leave is granted. It's so ordered. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have leave, Mr. President, to show Senator Sam Vadalabene as the chief sponsor of House Bill 1510.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka seeks leave of the Body to have...have Senator Vadalabene as the lead sponsor of House Bill 1510. Is leave granted? Leave is granted. It's so ordered. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

To make a...a motion on some revisory bills that were put

in the wrong committees. Motion on one, I move that House Bill 273 be transferred from the Committee on Public Health, Welfare and Corrections to the Judiciary I Committee and, further, that House Bill 284 be transferred from the Committee on Higher Education to Judiciary I Committee. These are revisory bills that should have been...these are revisory bills that should have been with the other thirty bills we have in Judiciary I. They're noncontroversial and I ask leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, let's take them...one at a time. Senator Lemke moves that House Bill 273 be...be transferred from the Committee on Public Health, Welfare and Corrections to the Judiciary I Committee. All right, those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so...so ordered. House Bill 273 is discharged from the Committee on Public Health, Welfare and Corrections and is rereferred to the Committee...Committee on Judiciary I. Senator Lemke now moves that House Bill 284 be discharged from the Committee on Higher Education and transferred to the Committee on Judiciary I. Is that correct, Senator? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 284 is discharged from the Committee on Higher Education and...and it will be so referred to Judiciary I. Senator Lemke.

SENATOR LEMKE:

Next, I'd like to make a motion. I move to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that House Bills 273 and House Bill 284 may be heard in committee tomorrow, on June 5th with the rest of the revisory bills....our staffs have done the analysis and I think it's...they are worked out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are you...

SENATOR LEMKE:

...all the reports.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that House Bills 273 and House Bills 284 may be heard in committee tomorrow, June the 5th. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Senator Nedza, for what purpose do you arise? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr...President. Change the sponsorship of House Bill 99 so that the bill would read Coffey-Nedza as opposed to Nedza. And also to be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza seeks leave of the Body to have Senator Coffey named as the principal, lead sponsor on House Bill 99. Is leave granted? Leave is granted. It's so ordered. Senator Nedza.

SENATOR NEDZA:

And I would also like to be added as a cosponsor to House Bill 1177.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 1177. Is leave granted? Leave is granted. It's so ordered. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Two...two more things. Would you remove my name from House Bill 1955 and place Philip-Rock a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Fawell seeks leave of the Body to have Senator Rock...

SENATOR FAWELL:

Philip-Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...

SENATOR FAWELL:

Philip and Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Philp and Senator Rock as the principal sponsors of House Bill 1955 and Senator Fawell's name be removed. Is leave granted? Leave is granted. It's so ordered. Senator Fawell.

SENATOR FAWELL:

All right. And House Bill 2125 needs to be Tabled, according to the House sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bill what?

SENATOR FAWELL:

2125.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Where is it?

SENATOR FAWELL:

It's been worked out another way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, where is the bill currently? Where does it repose?

SENATOR FAWELL:

It's...it's still on 1st reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, why don't we get the proper location of the bill and we can do it tomorrow.

SENATOR FAWELL:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay? All right, Senator Fawell, are you the sponsor of House Bill 2125? All right, Senator...she indicates yes. Senator Fawell seeks leave...it's in Insurance and License.

Senator Fawell moves to discharge the Committee on Insurance and License from further consideration of House Bill 2125 for the purpose of Tabling. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The bill is...House Bill 2125 is discharged. Senator Fawell now moves to Table House Bill 2125. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. House Bill 2125 is Tabled. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Thank you, Mr. President. I'd like to be added a hyphenated sponsor to House Bill 1567 and 1577.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 1567 and 1577. Is leave granted? Leave is granted. It's so ordered. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of May 2nd, 1985...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute, Senator...

SENATOR LECHOWICZ:

...and May 8th, 1985.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary.

SECRETARY:

Senator...Lechowicz, chairman of the Committee on Executive Appointments, Veterans Affairs and...Administration, to which was referred to the Governor's Message of May the 2nd, 1985, and May the 8th, 1985, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that we resolve ourself into Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz moves that the Senate...resolve itself into Executive...Session. It's so resolved. The Senate...will be in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 2nd, 1985, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs Administration recommends that the Senate do advise and consent.

To be a member of the Chicago Regional Port District for a term expiring June 1st, 1990, James Gidwitz of Chicago.

To be director of the Department of Public Health for a term expiring on July 19th, 1987, Dr. Bernard Turnock of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any objections? Hear no objections, the question is, does the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are 1, none voting Present. A majority of the Senators

elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of May 2nd, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advice and consent.

To be members of the Children and Family...Services Advisory Council for a term expiring January 16th, 1989, Ruth Edelman of Chicago, Rhoda Bresler of Chicago.

To be members of the Advisory Board to the Department of Conservation for a term expiring January 21st, 1991, John T. Case of Park Ridge, Arthur Janura of Palatine.

To be a member of the Illinois Development Finance Authority for a term expiring January 19th, 1987, Joe Silverberg of Glenview.

To be members of the Board of Governors for the State of Colleges and Universities for a term expiring January 21st, 1991,...could we have a little order, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen...ladies and gentlemen, we'd like to conclude here as soon as possible, if we can have some order please. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President.

To be a member of the Illinois Development Finance Authority for a term expiring January 19th, 1987, Joe Silverberg of Glenview.

To be members of the Board of Governors for the State Colleges and Universities for a term expiring January 21st, 1991, James L. Althoff of McHenry, Ray Wilson of Dundee, Wilma Sutton of Chicago.

To be a member of the Illinois State Board of Investments

for a term expiring January 18th, 1988, Marshall Burman of Chicago.

To be members of the Illinois Job Training Coordinating Council for a term expiring...July 1st, 1986, Paul Anderson of Evanston, Shirley Brussell of Chicago, Joyce Brown of Peoria, Maria Cerda or Chicago, Scott Gelzer of Chicago, Patricia King of Salem, Karen Larson of Decatur, Marie Malinauskas of Carbondale, Robert Marcusse of Peoria, John McNamara of Rockford, John Monaghen of Palatine, Janet Payne of Westville, Linda Traeger of Elgin, Bradley...Woodruff of Elgin, Robert Anderson of Moline, Charles Porter of Chicago, Sam Bernstein of Chicago.

To be a member of the Medical Determinations Board for a term expiring...June 27th, 1987, Noel M. Bass of Joliet.

To be members of the Medical Disciplinary Board for a term expiring June 10th, 1989, Vicki Bahr of Peoria, Karl Zimmer of Lincolnshire.

To be a member of the Metropolitan Fair and Exposition Board for a term expiring May 31st, 1990, Donald DePorter of Chicago.

To be a member of the Metropolitan Fair and...Exposition Board for a term expiring May 31st, 1986, Dan Webb of Chicago.

To be members of the board of the Illinois State Museum for a term expiring January 19th, 1987, Mary Ann MacLean of Libertyville, James Ballowe of Peoria, Rosalie Clark of Chicago, Donald Hoffmesiter of Champaign, George Irwin of Quincy, Jane O'Connor of Chicago, Michael Schneiderman of Chicago, Robert Waddell of Illiopolis, Sol Weiner of Evanston.

To be a commissioner on the Advisory Board of Livestock Commissioners for a term expiring January 19th, 1987, Ernest Brown of Loda.

To be members of the Oil and Gas Advisory Board for a

term expiring January 19th, 1987, John Homeier of Springfield, Richard Thomas of Olney, Ronald Van Fossan of Collinsville, Edwin Prasuhn of Mt. Vernon.

To be members of the Board of Regents for a term expiring January 21st, 1991, Jerome Bender of Rockford, Clara Fitzpatrick of Chicago, James Wright of Chicago.

To be a member of the Southern Illinois University Board of Trustees for a term expiring January 21st, 1991, George Wilkins of Edwardsville.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Are there any objections? If not, the question is, shall the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of May 8th, 1985, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Floyd...Floyd Bauman of Champaign.

Mr. President, having read the unsalaried appointment, would you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any objections? If not, the question is, shall the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz moves that the Senate arise from Executive...Session. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carries. The Senate has arisen. With leave of the Body, we have some more House bills on 1st reading now. Is leave granted to go to that order of business? Leave is granted. House bills 1st reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 157, Senator Davidson.

(Secretary reads title of bill)

House Bill 526, Senator Carroll.

(Secretary reads title of bill)

693, Senator Carroll.

(Secretary reads title of bill)

946, Senator Marovitz.

(Secretary reads title of bill)

1011, Senator Welch.

(Secretary reads title of bill)

1247, Senator Hall.

(Secretary reads title of bill)

1318, Senator Kelly.

(Secretary reads title of bill)

House Bill 1370, Senator Smith.

(Secretary reads title of bill)

House Bill 1589, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1768, Senator Luft-Poshard.

(Secretary reads title of bill)

House Bill 1918, Senator Sangmeister and Schaffer.

(Secretary reads title of bill)

House Bill 1961, Senator Schaffer.

(Secretary reads title of bill)

House Bill 2032, Senator Rupp.

(Secretary reads title of bill)

House Bill 2035, Senator Rigney.

(Secretary reads title of bill)

House Bill 2067, Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2084, Senator Philip.

(Secretary reads title of bill)

House Bill 387, Senator Collins.

(Secretary reads title of bill)

House Bill 1040, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 1260, Senators Smith, Rock and Bloom.

(Secretary reads title of bill)

House Bill...2080, by Senator Coffey.

(Secretary reads title of bill)

House Bill 2336, Senator Smith.

(Secretary reads title of bill)

House Bill 2115, Senator Maitland.

(Secretary reads title of bill)

House Bill 2454, Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, resolutions.

SECRETARY:

Senate Resolution 332, congratulatory, offered by Senators Davidson, Weaver and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Jones, for what purpose do you arise? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. To suspend the posting rules so that House Bills 94, 164, 374, 591, 623, 715, 782, 800, 949, 1306, 1411, 1833, 1871, 2414, 2422, 2443, 2444 and 2445 as well as House Bill 72, 112 and 932 which was postponed can be heard in the Senate Insurance Committee on Thursday, June 6th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved to suspend the Six-day Posting Requirement contained in Senate Rule 7C so that the following bills that he's read into the record may be considered Thursday, June the 6th. Senator Jones, would you furnish the Clerk with a copy? Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. It's so ordered. Further business to come before the Senate?...Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, I'd like to request that Senator Karpiel be added as a hyphenated cosponsor of...House Bill 2450, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

2450? Senator Macdonald seeks leave of the Body to have Senator Karpiel added as a hyphenated cosponsor of House Bill 2450. Is leave granted? Leave is granted. It's so ordered. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that on House Bill 2132 my name be removed as the chief sponsor and...and Senator Schaffer be the chief sponsor with my name as the hyphenated cosponsor...House Bill 2132.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen seeks leave of the Body to have Senator Schaffer be the principal sponsor to House Bill 2132 and that Senator Barkhausen have leave to be a hyphenated cosponsor. Is leave granted? Leave is granted. It's so ordered. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr...Mr. President. Would request leave to be added as a hyphenated cosponsor along with Senator Topinka, Topinka-Hudson, to House Bill 228.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Hudson seeks leave of the Body to be added as hyphenated cosponsor of House Bill 228. Is leave granted? Leave is granted. It's so ordered. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I might have leave, Mr. President, to have my name removed from House Bill 1547 and on House Bill 1949 to have Senator Schuneman shown as the primary sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka seeks leave of the Body to have her name removed from House Bill 1547. Is leave granted? Leave is granted. It's so ordered. Senator Topinka, on 1549? All right, Senator...Senator Topinka on House Bill 1949. What...what is your request?

SENATOR TOPINKA:

Oh, I'm sorry. Yes, Mr. Speaker, to show Senator Schuneman as the primary sponsor of 1949.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, Senator Topinka seeks leave of the Body to have Senator Schuneman shown as the principal sponsor...the lead sponsor of House Bill 1949. Is leave granted? Leave is granted. It's so ordered. Senator Rock moves...further business? Senator Rock moves that the Senate stand adjourned till noon tomorrow, June the 5th. Senate stands adjourned.

84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 13, 1985

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks. Will our guests in the gallery, if any, please rise. Prayer this morning by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND CASSIDY:

(Prayer given by Reverend Cassidy)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, November the 7th; Friday, November the 8th and Tuesday, November the 12th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

Now you've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 121, congratulatory.

PRESIDENT:

Consent Calendar. For all who are here and for those within the sound of my voice, the House will begin taking up Senate action momentarily, I am told. At the moment, we have nothing before us. So, my suggestion is that we will stand in Recess until the hour of one-thirty to afford the House

the opportunity to do that which they did not do last night. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, we would like to request a Republican Caucus at one o'clock, at which time, perhaps, we can assess what has...has or has not gone on in the House. I note that there are at least one or two Republican Senators not on the Floor at the moment, and I would ask all of the Republican secretaries who are hearing this announcement to see that all of the Republican members of the Senate are aware of a one o'clock caucus in Senator Philip's Office. Thank you.

PRESIDENT:

Republican Caucus at one o'clock in Senator Philip's Office. The Senate will stand in Recess until the hour of one-thirty, at which time we will take up whatever the House has done, one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 525 together with House Amendments 9, 62, 102, 104, 105.

PRESIDENT:

Any further business to come before the Senate? Yes, Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Mr. President, the JCAR is scheduled to meet tomorrow morning at ten o'clock and I ask leave of the Body so JCAR could have their meeting tomorrow at 10:00 a.m. in Room D-1.

PRESIDENT:

That request is in order. Senator Philip, would you like to enlighten the membership as to what has transpired?

SENATOR PHILIP:

As you're probably aware, the four leaders and the Governor have been...trying to work out a compromise. It would appear that sometime later this evening we will have something accomplished. I would suggest that we come back in at ten o'clock in the morning. I assume that we might have a Republican Caucus to explain the program and, hopefully,...hopefully, we can get on with the work of the Senate and get out of here sometime tomorrow.

PRESIDENT:

Well, the House has just adjourned until ten until tomorrow. My suggestion is...and also given the fact that Senator Lechowicz has a meeting scheduled at ten, that we come in at eleven, afford the House an opportunity to...to effect our agreement, which I am hopeful will be hammered out tonight. So, if there's no further business to come before the Senator, Senator...Senator Kelly.

SENATOR KELLY:

Mr. President, I had offered a Senate resolution which I would make a request for immediate consideration on.

PRESIDENT:

That request is in order. Resolutions, Mr. Secretary.

SENATOR KELLY:

Thank you.

SECRETARY:

Senate Resolution 592 offered by Senators Kelly, Lemke, Geo-Karis, Smith and Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate.

Senate Resolution 592 is a commemoratory resolution honoring Mary, the Blessed Virgin on the two thousandth anniversary of her birth which occurred in 15 B.C. and I have...would ask that you support this resolution's adopted and ask for a unanimous...for unanimous vote and anyone who wishes to be a cosponsor, they certainly could add their name as a cosponsor with the Secretary of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 592. Is there any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Kelly now moves the adoption of Senate Resolution 592. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 592 is adopted. Resolutions.

SECRETARY:

Senate Resolution 593 offered by Senator Karpiel, it's congratulatory.

Senate Resolution 594, by Senator Topinka, it's congratulatory.

Senate Resolution 595, by Senators Topinka and Rock, and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 596 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. What this resolution does is...is ask the Governor to ask the corps of engineers to keep the ice jams from occurring on the Kankakee River this coming year. All the corps of...engineers wants is a...an invitation to do

that. So, that...that's what this resolution does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved to suspend the rules for the immediate consideration of Senate Resolution 596. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Joyce now moves the adoption of Senate Resolution 596. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 596 is adopted. All right, any further business to come before the Senate? All right, Senator Degnan moves that the Senate stand adjourned until eleven o'clock tomorrow morning. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate stands adjourned until eleven o'clock tomorrow morning.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 13, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Second Special Session will come to order. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, November 7th and Friday, November 8th and Tuesday, November 12th of the Second Special Session, in the year of 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as placed by Senator Vadalabene. Are there any objections? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Senator Vadalabene. All right, Senator...any further business to come before the Second Special Session? If not, Senator Vadalabene moves that the Second Special Session stand adjourned until tomorrow morning at the hour of eleven-thirty. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I...I would like some information about the spear carriers...you have it...that at hand? Who are the spear carriers in the Senate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will be able to furnish you with a list, I'm sure, by tomorrow morning. Senator Vadalabene moves that the Second Special Session stand adjourned until tomorrow morning at the hour of eleven-thirty. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Second Special Session stands adjourned until tomorrow morning at eleven-thirty.

84TH GENERAL ASSEMBLY

REGULAR SESSION

November 14, 1985

PRESIDENT:

The Senate will please come to order. Members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, November the 7th; Friday, November the 8th; Tuesday, November the 12th and Wednesday, November the 13th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 597 offered by Senator Lemke, it's congratulatory.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

Mr. President, I rise to call a Republican Caucus immediately in Senator Philip's Office. There are a couple of members perhaps that are in their offices still and within the range of my voice, and if you would get to Senator Philip's Office, we may be able to expedite the process today.

PRESIDENT:

That request is in order, and I might alert the membership, our intent is to conclude our business today. Republican Caucus immediately in Senator Philip's Office. The Senate will stand in Recess until twelve-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on Senate Bill 537...excuse me...and request a second Committee of Conference to consider the differences between the two Houses in regard to Amendment No. 1, and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right. Senator Demuzio moves that the Senate accede to the request of the House and the Secretary shall so inform the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of the following bills together with House amendments:

Senate Bill 625 with House Amendments 5, 6 and 8.

Senate Bill 1449 with House Amendment No. 1.

Senate Bill 1468 with House Amendment No. 1.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed a bill with the following title, in the passage of which I am asked the concurrence of the Senate, to-wit:

House Bill 1954.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 598 offered by Senators Topinka and Hudson, it's congratulatory.

Senate Resolution 599 offered by Senator Berman, and it's a death resolution.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCZ:

Mr. President, I ask leave of the Body to be added as a cosponsor to Senate Bill 525 with the permission of the lead sponsors.

PRESIDENT:

All right. Without objection, leave is granted. (Machine cutoff)...Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Yeah,...yes, Mr. President, I'd like the record to reflect that Senator Holmberg is absent today because she is attending a legislative leaders conference at...Rutgers University.

PRESIDENT:

Record will so reflect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Resolutions. Leave granted? Leave is

SB 525 Concurrence

granted...resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 600 offered by Senators Jeremiah Joyce, Degnan, Poshard, Demuzio, Welch, Collins, Berman and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. With leave of the Body, we will begin on the...the...the...this morning's Calendar, page 2, Secretary's Desk Concurrence, Senate Bill 525. All right. Can we have some order, please. The regular Calendar, page 2, Secretary's Desk Concurrence is Senate Bill 525. Mr. Secretary.

SECRETARY:

Senate Bill 525 with House Amendments 9, 62, 102, 104 and 105.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In an attempt to get the Session rolling so that we may conclude at a reasonable hour this afternoon, the House is in the process of sending over to us about eleven items. So, in total, we have probably twelve things to consider and then our business will be concluded. One of the things, obviously, is the question of regional reciprocal banking. The House has sent back Senate Bill 525 with five amendments, and I am moving to concur with House Amendments 9, 62, 102, 104 and 105. House Amendments 9 and 62 have effectively become moot because they were incorporated in part in 102. 102 struck literally everything after the enacting clause and rewrote the bill to incorporate what we in this Senate passed in terms of regional reciprocal banking under the jurisdiction of the Commissioner of Banks of Illinois and added about a half a dozen so-called consumer protection features which met then with majority approval by the House. That's Amend-

ment 102. Amendment 104 raised the capital to a seven percent figure and 105 took the credit unions out of the ambit or the purview of this bill. I think this subject has been discussed at great length. I think if we are to recognize that Illinois and in particular the City of Chicago will be, hopefully, one of the major financial centers of the world, we have to afford the financial institutions the opportunity to provide at lower costs, better services to their customers and provide to the people of Illinois more competition. I, frankly, think that Senate Bill 525 as amended by the House does that. I would be delighted to answer any questions and I will be happy to yield to my cosponsor, Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Very briefly, we all know what the bill is, it's an excellent piece of legislation. The House added several amendments. I know some of my Republican brethren get a little nervous about some of these consumer amendments, but if you read them over, they are not unreasonable. They do make the bill more workable and as we have over the years tried to bring the Illinois banking system into a more competitive atmosphere for the benefit of the consumer. I think this is another step in making us a more competitive banking atmosphere and I think we, as a...a Legislature, should be commended for the fact that we have been willing to work with this environment and deal with the fact that the availability of capital is one of the single, most important parts of economic development. I would ask for your support as Senator Rock had done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

I'm one who likes the concept of this legislation; however, if you want to do something for the State of Illinois, you should open a proposal up to all the big banks, particularly those in New York and California and not only...and not to the small banks bordering...bordering our State which would be taking money out of Illinois rather than pumping money into Illinois. That would help the economy. That would help making loans and that would help the investments for big construction, for projects in...and many other enterprises. I really believe we ought to open the door for the entire...entire United States rather than just the small banks. We're going to take money out of our State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR CARROLL:

Mr. President, I just wondered what took it so long? It seemed to have passed the House quite sometime ago. Did they get lost walking it over here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Question of the chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your question.

SENATOR DeANGELIS:

Since this concurrence would be final passage, how many votes are required...

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the...

SENATOR DeANGELIS:

...to put...put this into law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It is my understanding that the bill has an effective date of July 1st of...'86. Therefore, on final passage on this concurrence, it would take an affirmative vote of thirty members which is a constitutional majority to...to pass. Senator DeAngelis. All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I, too, share Senator Carroll's concern about what happened to the bill. It's my understanding that it was accidentally deposited in...Speaker Madigan's checking account and has just now found its way clear. I would say that this whole debate over the banking issue has been one that has pitted people...some of us who feel as though national interstate banking is, in fact, the wave of the future and others, of course, who feel that no change should take place. What I see, and I agree with Senator Vadalabene, what we have here is compromise. We have a system that provides for regional interstate banking for now, but I think anybody who looks at the banking world today recognizes that sometime on down the road we will have to...to a full system of competition in the banking industry of national interstate banking. In the meantime, I strongly support this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 20 has requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have a possible conflict in that I do own a very small amount of bank stock in the Zion State Bank, but I never asked their opinion on this bill. I went to the other banks in my dis-

trict and they all want it because they feel that it will expand the capital and it will give it...them a chance to...to really do a better job. I, frankly, do not want to see it expanded past the six states at this time because I just don't trust the New York bankers. So I'd like to...I am rising to speak in favor of this bill. I think we need it and I hope that we all support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First, I have to state a conflict. I have a small piece of two banks and the interesting thing to me is that, one, they're on each side of the issue and the one that is supportive of 525 has not been paying dividends. But to address some of the concerns of the prior speaker, the Amendment 102 contains among other things the concept of net new funds or net new benefits. And, that is, if you want to come into this State, you have to bring something and put it on the table, something significant on behalf of the communities of the banks in which they serve. The other parts with the Donnewald amendments, the consumer protection amendments that Treasurer Donnewald has supported, make this bill a little more palatable and I see no reason why...as usual, I think we're making public policy that is probably maybe twenty-seven months out-of-date. I think we're going to have to come back and readdress the question and set the ground rules again for banks to buy each other out, but I think the...with the consumer amendments and with the policy of this State saying, if you want to come into our State and bank, you have to put something on the table. I think this should be palatable to everyone in this Chamber. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. My question is to the Secretary of the Senate and I was...I was hoping he...could inform this membership of the Senate when the Clerk of the House found this bill?

SECRETARY:

Mr. Secretary, would you attempt to respond?

SECRETARY:

I never was delivered the bill, Senator Lechowicz.

SENATOR LECHOWICZ:

Well, because we've been awaiting this bill now for about a week and a half, and I heard it was lost, and I was wondering...

SECRETARY:

It...it...it landed on my...

SENATOR LECHOWICZ:

...you don't know how it got in your possession?

SECRETARY:

...it landed on my Podium and I read it in.

SENATOR LECHOWICZ:

Did it arrive last night or this morning or...last night. Maybe that's why we were able to rectify some of these other situations. Well, very briefly, I don't have a...unfortunately, I don't have a conflict of interest. I don't own any bank stock. I said unfortunately, but...from a business standpoint, I believe this bill is long overdue. It, unfortunately, only limits it to seven states initially, but in order for Illinois to compete on the national level, we're going to have to expand the scope of this type of legislation. And I'm sure that after you see how well it works as far as an...intermediate step, that the General Assembly and the Senate in its wisdom, hopefully within a year or two,...will expand this scope and have 525 on a national basis. That's the only way you'll be able to

compete in the financial markets, not only nationally but internationally, and I concur with the adoption of...of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This may come as a surprise to many, I do not have a conflict but I do belong to one of the Christmas Clubs and...and as an advisory to...on the bank board, I...I just want to state my conflict but I will be supporting this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I haven't heard...it did come in a little late here, I apologize for that. I haven't heard too much on the other side of this issue. It is probably one that's going to go ahead, but I have failed to see where this means, really, an expansion of capital, and maybe undoubtedly things about it that I don't understand. But it seems to me that if we want to talk about in terms of a shift of capital in this country from smaller and independent banks to larger banks, then we can talk about a shift in capital, but I don't...I don't know about the expansion of capital. And far from increasing competition, I think that we may have to consider that we are doing exactly the opposite. As we move this capital into the more powerful, larger banks, we are perhaps increasing competition among them, but it seems to me that we are placing some of our smaller...our independent banks who have been traditionally those who have loaned money to local farmers, and if we're interested in the farmers plight in this county, I fail to see where this is a step in the direction that's going to help our...our hard pressed farmers. So just a few

points that we might...we might think about when we're considering this temporarily regional approach with the idea that eventually we're going to go national, concentrate our...capital in the hands of these big banks so that they can in turn, I suppose, make for...more foreign loans to third world nations and so forth and so on and eventually find ourselves in...a peril because of their inability to pay. These are just a few thoughts, and with those thoughts in mind, I will be voting No on this motion to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I...I was one of those downstaters who supported the multibank holding company legislation, and I...and I still support that in the...the regional concept of five regions that we have. But I remember the arguments from the...the community banks and the smaller banks that were concerned about destroying of local control, and I'm going to have to tell you that...and, of course, I...and mention here that I have conflict of interest and I was involved in a bank in...my local community in which that particular bank supported...they're supporting this issue and another bank that I'm involved with is supporting this issue also. But, anyway, we sold. We sold to a gentleman from St. Louis who...who currently now owns about thirteen banks in...in Region Five in Southern Illinois, and it did...and it has destroyed the local control of...of our particular bank. So...some of the...the alarmists that people thought would come about because of the multibank holding concept, and now we're going to expand it further, I think they had a legitimate concern when this was brought forth, because now we're seeing the...the capital out of the...the bank in which I was associated with in Greenville is being drained simply to go into this gentleman's coffer so

he can go out and buy more banks. And I...it's not really benefiting the people in my community, and I can tell you that even the bank officers...yes, your...your district, Mr. President,...the bank officers feel the same way. They...they see that control slipping away and the fact that the decision make...making process now is going to be made in St. Louis and not necessarily in...in Bond County and in Greenville. So some of the concerns that were brought forth before are legitimate, and the bank that I'm currently associated with is also in favor of this. So I'm...even with the pressures that I may have from the people that...business associates of mine, I think this is a bad idea, and I think the community banks have got a legitimate concern, and...and I concur with the fact that in...I'm living proof that the local control of the bank is vitally important to a community and we're going to see it slip away with this type of legislation. So I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Obviously, a significant policy change such as this will engender some strong support and, obviously, some strong opposition. Let me just say that we have attempted by virtue of the amendments that have been offered and adopted to assuage some of that opposition; for instance, you will recall, that here in the Senate, to answer for instance the objection that...raised by Senators Watson and Vadalabene, we have a provision giving Illinois banks the opportunity to opt out. They don't have to be involved. Their board can meet and opt out of the provisions of this bill if they feel in any way threatened. The fact of the matter is, we here in Illinois have the opportunity to be the premiere financial center of the midwest, and I agree, that at some point full

blown interstate will be with us and I hope it comes. But when it comes, I suggest to you that we had better be ready, and the way to get ready is to afford the opportunity for regional reciprocal interstate. It's a question of the availability of capital, Senator Hudson, and if indeed the smaller banks don't have the capital, they can't lend to the farmers or anybody else. We are trying to accumulate capital and at the same time we have said...or the House has said, there ought to be some additional things for the consumers, for those banks who want to participate. And so by virtue of House amendments, they have added free checking for senior citizens. They have added a truth in savings where there's full disclosure. They've added availability for speeded funds, they've added community reinvestment, just outlined it. The fact of the matter is, this legislation is admittedly a compromise but one that is vitally, vitally necessary to the economic growth of the State of Illinois and particularly the northern part of Illinois. Ladies and gentlemen, this is an opportunity that we ought not miss. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur in House Amendments 9, 62, 102, 104 and 105 to Senate Bill 525. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 20, none voting Present. The Senate does concur in House Amendments 9, 62, 102, 104, 105 to Senate Bill 525 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 1...Supplemental Calendar No. 1, Senate Bill 1449, Senator Welch. Mr. Secretary, 1449. Supplemental Calendar No. 1, concurrence.

SB134
2nd C.C.R.

SECRETARY:

Senate Bill 1449 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill passed the Senate 59 to nothing, I believe, on the Consent Calendar. The amendment added by the House provides an immediate effective date. What it...the bill does is increases the amount recoverable through a civil action brought under the particular Act from twenty dollars to a hundred dollars for ticket scalping at sporting events.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved to concur with House Amendment 1 to Senate Bill 1449. Is there any discussion? If not, the...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1449 and the bill having received the required constitutional majority is...is declared passed. Senate Bill 1468, Senator Maitland. All right. Supplemental Calendar No. 1, Conference Committee reports, Senate Bill 134. Senator Carroll. (Machine cutoff)...Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the supplemental appropriation Conference Committee report. It is Conference Committee Report No. 2. Basically, we had discussed this two days ago as to the majority of the items that are in the Conference Committee report. We have, in fact, provided for those emergencies of State Government, the life safety codes, the Federal funds and those items that are new law related. There were some

add-ons to that which we had discussed before that...and no deletions from what we had discussed before. Most of you have received the packet of what's included in here; in addition to...for example, BES has moved to the Sears Building. We have the 6.4 million for fifty-two percent of need. The marina is up to fourteen million. There is the purchase of DuQuoin, there is both version fundings of the farm bill. The General Assembly has put two packages on the Governor's Desk. It was a decision to send...since their funding mechanisms are different, it was the decision to send both to his desk, whichever one he signs will then be the operative one he can veto out both the other substantive and appropriation items. I would be willing to answer any questions and would ask for adoption of Conference Committee Report No. 2...other than the double appropriation, it is about a hundred million of general revenue funds as opposed to the two hundred million that the Governor had requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on Senate Bill...I'm sorry, Senator Kustra, your light was...Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Gentlemen and ladies, turn your lights on and...there wasn't any lights on when we called for the question. Senator Kustra.

SENATOR KUSTRA:

Thank you. I would just like to speak on...on this bill. I think my voting record shows that I've supported many, many appropriation's bills that have come through the appropriation's process. This is a particularly large amount of dollars, a hundred and twenty-six million dollars. I sup-

pose it's one of the largest supplementals we'll ever consider, and I just want to insert into the record my concern and the concern of at least a few people on this side of the aisle that what we're doing here is shifting the appropriation's process which normally takes place in the Spring into the Fall Session and into a time of...a time...a time period when, as we know, we've been under great strain to strike deals and get out of here. Unfortunately, we're shifting the appropriation's process minus Appropriation Committee meetings and minus the larger fiscal prospective, which we usually have in the Spring when we have to pass the budget. It is true that some of these provisions in this supplemental have already been heard in committee; in some cases, they've been killed. They're just back again and now they're about to be approved because of the fact that we are trading off one issue against the other. I believe, sincerely, that the issues in this supplemental ought to be separated. On the one hand, I want to see Mitsubishi move into central Illinois and bring jobs into the State of Illinois. On the other hand, I can give you a whole host of projects in this bill which are absolutely nonessential and which run up the supplemental to a hundred and twenty-six million dollars. That's too many dollars to be spending in this particular fashion. We should slow down, we should separate these. We should have hearings on some of these matters, and until those things happen, I'm going to have to vote No and just hope...just hope that when the Governor goes through this things...this...this...this particular bill, he'll see the pork I've seen and use that line item veto to pare this down to what will be a fiscally responsible bill. It sure ain't now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator O'Daniel. The lineup is O'Daniel, Keats, Darrow, Netsch. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I want it to be made of record that Section 93 of Senate Bill 134 appropriates two million dollars to the Illinois Development Finance Authority for loans pursuant to the provisions of the Employee Ownership Assistance Acts. These funds are for the employee buy-out of the general radiator plant at Mt. Vernon. This was my legislation and I want no misunderstanding as to the intent of...of this Section 93.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so indicate. Further discussion? Senator Keats.

SENATOR KEATS:

This is not meant as...as a derogatory comment about our...our leaders on appropriations who have labored numerous long hours under intense pressure, sometimes from us, sometimes from other groups; but when did we as the Legislature abdicate our responsibilities of looking at the budget? Senator Kustra raised the point of not only this being done in the Fall but when you look at the kind of supplementals that are coming in and when you talk about real emergency need, you have a hard time arguing almost any of them. There are a couple of legitimate need items and that's about it, but let me just give you one comparison for those who are thinking of whether or not you want to vote for the cigarette tax. Anyone who votes for this bill has got to vote for the cigarette tax. There's no way in the world you can vote against it if you vote in favor of this bill. Just as an example, there's the agreement to give 23.7 million for Hispanic schools in Chicago. I'm not arguing against it but that was not originally in the budget. Somewhere between thirty and whatever million on farm aid, a couple of million more here and there, and all of a sudden, the...the roughly seventy million that comes in on the cigarette tax went out

and we haven't even voted on the cigarette tax yet. When did we, as members, abdicate the responsibility to make reasoned judgments? This is...as I say, this is not a slap at the appropriation's people. God knows they have labored in a difficult position and many of us are to blame for the pressures that are upon them. But you really have to ask yourself if this is the kind of budgeting you want to stand for as a member of the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Is there any reason why Prescott Bloom didn't sign this? Was he unable to be located or what was the reason?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I believe...I cannot speak for any particular member, I think Senator Bloom may try and speak for himself. There were some House members also who didn't sign it. It's...it's my understanding that they may have had problems with some of the items in there such as the fifty-two percent of need, at least on the House side. I think Senator Bloom is capable of speaking for himself, and let me just identify that the vast majority of these were requests from the Governor in his supplemental budget. I agree that we should be doing the budget once a year, not four times as we were asked to do last year, but that...this will probably be the first of several budgets we're going to be asked to deal with, so that when the Governor goes to press with his budget book, it's lower than it really ought to be. That's why he's been play-

ing the supplemental game so that the numbers don't add up to as high as the real budget is. We pared out of this one hundred million of those type of requests and required them to put it in the regular budget. We pared out one hundred million that the Governor asked us to spend in general revenue dollars so that maybe a cigarette tax or other taxes are not necessary but are, in fact, in the bank.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

What was the amount of general revenue funds that the Governor requested in his supplemental?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

A hundred and ninety-six million seven hundred thirty-four thousand two hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And you brought that down to about ninety-six million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, plus that double appropriation of farm aid, but...actual ninety-seven million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And that's the total amount of general revenue funds included in Senate Bill 134?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Plus the double appropriation of farm aid, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, of the ninety-six million, how much of a reduction is that from what...if...if the Governor requested a hundred and ninety-six million, how much are we giving him of...for his programs of the ninety-six million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I would guess to say...the General Assembly added from his request about twenty-five and a half million that was not initially requested from the Governor; however, within that, six and a half million were to fund laws passed and signed by the Governor after July 1. Those requests did not officially come in on that hundred and ninety-six, but they are to implement laws that he signed and, therefore, would have, in my opinion, been on his list, plus two and a half million that was for the Court of Claims for its normal awards that he had also not asked for. So, truly, about 16.7 million of general...of...of General Assembly initiated spending requests of general revenue, and of that 16.7, 6.4 million is for the fifty-two percent of need issue. So other than taking care of the starving, we've added about ten million of general revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think some of the points that I was going to make perhaps have been made in the exchange between Senator Carroll and Senator Darrow. But I would like to underscore something and I guess I direct this in part to you, Senator Kustra, and particularly to you.

The...since the political season seems to be on, I think we ought to identify exactly what is going on here and, that is, we may be abdicating a little bit of our responsibility at the legislative level, but the real shift in the budget process is taking place at the executive level and that is taking place both on the appropriation side and on the revenue side. I think the figures have now been brought out. It was the Governor who requested in this Fall Session supplementals of over three hundred and eleven million dollars. Some of it perhaps could not have been anticipated during the regular Session, but that is not true of a very substantial amount of it. That is the rewriting of the appropriation and budgetary process, and I think one other part of it ought to be added in and that is the revenue side, and I refer specifically to the cigarette tax. One of the concerns many of us have had about that, and I realize we will be approaching that subject soon also, is not that...it's not great fun to tax cigarettes to death, some of us would love to do that. It is that the...there never, ever was a hearing on the increase in the cigarette tax and, particularly, one that followed the attempt to add eight cents on to the already very substantial Federal, State and local taxes. Now, the...the problem is not a moral one, again, I'm sure all of us would love to tax cigarettes as much as the...as they will bear. The problem is that the revenue estimates may be absolutely askew, because there is bound to be some falloff, some bootlegging and some just going across State lines, so that we are not...we don't even know what kind of a figure we're going to be talking about and, of course, it was all done in the context initially that we would not be adding on but just simply substituting to begin with. That is just another part of the equation and it seems to me that we have a...a right to expect the Chief Executive to give us a reasonably honest budget to begin with. That is not what we're getting and

that's why we're now today appropriating several hundred million dollars of supplemental appropriations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Keats made reference to the twenty-three million although it wasn't in the budget. If you...you recall, Senator, that the other day that Senator Carroll in his...speaking about the amendments to the bill that there was originally a hundred million dollars that was to go to the City of Chicago for the construction of schools and there was three hundred million that was to go to downstate Illinois. The City of Chicago could not get their matching funds until they raised the tax for that specific purpose. They have done that and I feel that I have to defend that twenty-three million dollars which we are now expending, that is a long overdue, because the schools that are concerned are...happen to be in my district and I want to defend that one line item if nothing else. Sure, there's a lot of stuff in here that you and I...and I think every member of this...this Body could find some...something to argue about; but overall, it's there, it's the package, that's what we're stuck with and that's what I will vote for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief. As it has been said, we labored long and hard over this. I don't think anybody is happy, but this was the best that we could come up with and we're at the eleventh hour now. So you might say I give that speech every year, but as it was so clearly pointed out, that when you came back...and think what a shock it was for us to see that

there was a request for three hundred and eleven million, and...been pared down. I tell you, this is the best that we could do. So I would ask for a favorable vote for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm happy...I'm happy. I think we have finally arrived to the point at which we can agree. We're not going to agree with everything that's in here, but the fact is, we don't agree with everything that's in anything. The fact of the matter is, this bill has just successfully passed the House with eighty-three affirmative votes. If we're to conclude our business today, ladies and gentlemen, I suggest to you very strongly that we adopt the second Conference Committee report on Senate Bill 134.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I also concur with the President of the Senate and the chairman of the Appropriation's Committee and the minority spokesman on the Appropriation's Committee who have worked diligently in trying to resolve a very difficult situation when the Governor requested three hundred eleven million dollars of additional revenue in a Veto Session. Basically,...the basic problem in this area is as far as which level of funding are we passing for farm aid. Is it the Senate version or the...Thompson proposal? And basically, we're...have both items included, the difference is approximately two and a half million dollars and a difference in concept in how the money is to be allocated; but it's both there, and as we all know, after we approve hopefully this Conference Committee report, the Governor still has the

authority and the responsibility to go through the items line by line and veto or...amendatorily veto or approve the respective budget items. Basically, I'm not happy with this, I don't think anyone should be happy with it. We're talking about additional revenue that is needed from the taxpayers of the State of Illinois, but it's...unfortunately, it's needed and it was adjudicated that it was necessary at this time to approve this amount of money. I wasn't too keen about allocating the amount of money that's in here for some other projects, but as a necessity to accommodate and resolve this issue, I'll stand in support of this and say that this is the best we could do at this time, and I would hope that you will concur with the work that has been presented to you and understand...and I'm sure you do, understand the immediate consequences and the future consequences of our action. And all we're saying is, it's the best that we can...can accomplish at this time with the revenue that's at hand, and I would strongly encourage an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I wasn't going to speak on this but...but Senator Lechowicz brought up the...the point about the two farm aid things. I think that it's pretty safe to assume that we'll spend six hundred thousand dollars for farmers who go nuts 'cause we don't do anything here, and we're going to spend seven hundred and fifty thousand dollars for lawyers to help the farmers that go nuts...go bankrupt and that's probably all of the money we're going to spend there. So you can...take about seventy million dollars of that and just forget it, 'cause we're not going to spend that on any farm aid in this State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just make a few comments because of the nature of the discussion we've had. When I got down here on October 2nd as we started the "Veto Session," I was pleasantly surprised to see that we had not, I repeat, not had a request from the Governor for any supplemental spending, unlike last year, where over the course of the year he asked for seven hundred million dollars. So I sent him a letter on October 2nd congratulating him for his fiscal responsibility. He responded to that letter on October 10th asking for three hundred and eleven million dollars. I, therefore, told him that, obviously, I was in error when suggesting he was fiscally responsible but that we would deal with it. The point of my letter of October 2 was to suggest that the General Assembly should have the opportunity to have its normal type hearings if the requests were going to be of anything significant. The lateness of the request for spending caused us to not act on it when we came back on the sixteenth, and instead to have a hearing in Chicago in that week between the sixteenth and the twenty-ninth when we came back. And as you'll recall, that hearing generated over a thousand people to come to the State of Illinois Center, which may be why the Governor didn't want us to have a hearing, but who came to the center to observe the proceedings and to testify. The item that generated most of them was my request for the twenty-three million in...in reappropriation for the Common School Fund for Chicago and about three and a half million for downstate. When we found that in his original budget last April to be absent, we didn't understand why, so we put it in. It was merely a reappropriation. He had vetoed it, we had attempted to override it and had been unsuccessful and, therefore, I suggested that that was an appropriate item to call the meeting for and to have his supplemental requests

debated at the same time. And that particular meeting generated over a thousand people for that program of nine necessary schools in Chicago. Senator Rock right thereafter went to the Governor and asked to get a commitment that, in fact, that would be signed and it's my understanding that over three weeks ago the Governor had indicated to him that that would be a successful request and so we moved that legislation along. It has been in all versions. That brought us to today. Again, I suggest to you that this is a hundred million under what the Governor on the 10th of October had asked us to spend in general revenue dollars. I would beg to want that he will be back to again ask for some more money and again we will not do it, in my opinion, absent some good hearings to see what the need is. Overall we believe we have accommodated those true essential requests of government, those that were absolutely necessary as we had said when we were debating the amendment to House 526 which contained most of these items. And with that, I would ask for your favorable support and remind that on...one other item of legislative intent that the monies for Youth in Government are to be used for lodging. With that caveat, I would suggest that we adopt Conference Committee Report No. 2 so that those that are truly required and the ability to capture all Federal funds be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 134. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 12, 1 voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 134 and the bill having received the required constitutional majority is

declared passed. Senate Bill 537, Senator Lemke. Senator Lemke. Senator Lemke.

SENATOR LEMKE:

Senate Bill 537...what this does is...is a Conference Committee report, it's not the original bill. What it does now is...it's...deals with the aggravated arson and...and reporting requirements to the administrative office of the Illinois courts. What it does is redefines the offense of aggravated arson and reduces the reporting of the administrative offices of the Illinois courts regarding circuit court orders. The Illinois Supreme Court in a decent decision found that our aggravated arson portion of the Criminal Code may be applied unconstitutionally against certain individuals and, therefore, declared a Statute to be...invalid. So at the request of the state's attorney, we have put in a provision that in the course of committing arson, what this provision does, it...the offense of aggravated arson will now have the requirement of...and intent, and I think it will be...held constitutional...we'll have an aggravated arson Statute in the State of Illinois. I think it's...this is a good amendment. I think it will help us enforce the law and I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Bloom.

SENATOR BLOOM:

Yes, I have a question for the sponsor on another part of the amendment on page 2. I wonder if I could have a little attention.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR BLOOM:

Senator, about lines 29 and 30, language is deleted. Now, that language says and we're...we're now over on the eavesdropping section of this bill, the eavesdropping

section. Under present law, the administrative office of the courts transmits to us, the General Assembly, a summary of the approximate nature and frequency of incriminating conversations overheard and, B, the approximate nature and frequency of other nonincriminating conversations overheard. Now, that requirement is deleted, so if someone wants to find out that information, and I know that there are professional associations that have a great deal of concern with the eavesdropping law in its present form. They have to...they would with this change have to go all around the administrative office as opposed to having a summary of the nature and frequency of the eavesdropping. That concerns me. I wonder if you can state for the record exactly why they did it. Why are they removing this requirement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, my understanding in talking to the courts, it's...it's not...what they're doing is not eliminating that requirement. What they're doing is...is eliminating some of the detailed summary of eavesdropping but there's still the reporting requirement in there to us. In other words, the current report contains the information included the county, the number of types of conversations, the types of crime investigated. What it's doing is...is having the courts not compile a detailed statement which they send to us every year in which we put on the side or dispose of and not reading it, and what they want to do is put a summary together in...in a...in less detailed report. They assured me that this would not in any way jeopardize anybody else in looking for information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

One of the...they're...you know...I have...supported, you know, a broader eavesdropping law but one of the...one of the reasons been able to do that is part of our function as legislative oversight is to make sure that we have available in summary form the language being deleted...and this really concerns me. This isn't a sandbag job. The language being deleted says, "And a summary of the information required by Subsections A and B of this Section," a summary. Now the only thing that...is available is the detailed information that is scattered all over the administrative office of the courts, and I...I submit to you, that makes it harder for us to have the possibility of any kind of oversight over this kind of operation. That's the...that's the problem I have and I'm...I would, on that basis, probably have to speak against the adoption of the Conference Committee report, because I...I really think that it seems like a minor thing to us and...but if you stop and think about it, I don't think that it...we really serve ourselves well in our oversight function. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you,...Mr. President. Senator Bloom, I would direct this particularly to you...and it's not necessarily in defense of what is here, but this was a bill, the exact number of which I've forgotten at the moment, it would have been approximately Senate Bill 343 or 345, which had been requested by the administrative office of the courts and was a bill which I had introduced at their request during the regular Session. It was changed quite a bit as it made its way through both Houses and partly as a result of the committee hearing before Judiciary II in this Chamber. I think the point that they were making is that a very substantial number of man and woman hours went into the compilation of that

material and, as I recall, even the summary was anywhere from a half to an inch thick, and their feeling was that it was just simply never used by the members of the General Assembly in that form. They maintained that they were not trying to..to bury or hide any of the information, but just simply to save money on a bookkeeping matter that they said really did not make a great deal of sense and seemed not to be terribly useful. That was the explanation and, as I recall and Senator Marovitz can comment on this, on that basis, the Judiciary II Committee and then ultimately the Senate did approve it in that form. That bill then got lost over in the House somewhere and I...I believe...I could be wrong about this, I'd lost track of it, I believe this is just a reincarnation of the provision that, in fact, had been approved originally by the Senate. And, again, it was...it was not a matter of trying to keep the information. I'm very strongly opposed to virtually any form of wire tapping and I'm certainly not of a mind to...to bury information that I think is relevant, but their's was really just a bookkeeping request as they put it to us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, just to verify what Senator Netsch said. Senator Bloom, when this bill first came up when...when Senator Netsch first introduced her bill, it was a very substantial eavesdropping bill, and the wisdom of the committee was such that perhaps we needed some more hearings on that legislation...determine the merits of it. Then the...I think the legislation was going to eliminate all the information from dissemination and we wound up with this compromise. The information will still be available so that if any...and if any member of the Legislature wants to go to the courts and get this information, in some reform, they will be able to

get it. I...I...I agree with you, I do think it will be more difficult...I do think it will be more difficult to...to discern the specifics of what we're trying to get at without a compilation of...of material, and I...and I will say that this bill today did not sail through the Illinois House. I think it...I think it was hotly debated and got seventy-two votes. So it...it is not a totally noncontroversial issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know if I can throw any light on this either, but for Senator Bloom's edification, you know, in that section you're raising, as I read it, you're still going to have to transmit to the General Assembly a report...including the information on the number of applications for orders, authorizing the use, the number of orders and extensions granted during the preceding year and all the convictions that arose, all that we...still has to be made. As I understand it, this summary that we ask for of all of those things under A and B is just a voluminous time consuming bit of work that nobody really pays any attention to. It's these other reports that if anybody is interested looks at it. You know, whether that's good or bad, I don't know. I...but I think the purpose of this is to unload from the administrative courts some of their workload that nobody seems to pay any attention to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

I think this is a good piece of legislation. I ask for its adoption. I think it's time we do need an aggravated arson law in the State of Illinois, and as...I have been assured by the...the...the Supreme Court's Administrative Office that this is not going to change anything as far as

their initial report and summary but only is going to eliminate this voluminous information, if you want, you can get statistically. I think it's...I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 537. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 537 and the bill having received the required constitutional majority is declared passed. We are waiting for the Second Supplemental Calendar which will be down momentarily. With leave of the Body, we'll continue to take care of the housekeeping chores. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 601 offered by Senator Jeremiah Joyce, it's commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 568.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following amendments:

Senate Amendment 4, 5, 14 and 15.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 1036 together with House Amendments 5 and 14.

A like Message on Senate Bill 1360 with House Amendments 3 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Supplemental Calendar No. 2 is being distributed. The Associated Press, the State-Journal Register request leave to take still photos. Is leave granted? Leave is granted. (Machine cutoff)...Chew on the Floor? All right. Supplemental Calendar No. 2, Secretary's Desk Concurrence is Senate Bill 1036. Senator Chew.

SENATOR CHEW:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Senate Bill 1036, I would move that we concur with the amendment of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, there are...there are two amendments, 5 and 14. The motion...

SENATOR CHEW:

Did you...did you want them separately or together?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, it...it's at your discretion.

SENATOR CHEW:

Put them together, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Chew has moved that the Senate concur

in House Amendments 5 and 14 to Senate Bill 1036. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendments 5 and 14 to Senate Bill 1036 accomplish two purposes, both of which, in my judgment, have no opposition. One sets up statutorily the priority usage of State airplanes. The Governor has apparently done this by Executive Order. This is...merely incorporates into the Statute what his Executive Order is. The second thing it does is something that this Chamber has already done. It winds up, winds down the World's Fair Authority and says to the authority, it's over, thank you, very much, it's over and give us the money back. So we get three million dollars back. I know of no objection and I urge that we concur with House Amendments 5 and 14 to Senate Bill 1036.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Does the money from the world's fair come back to the State General Revenue Fund or does it go to local government?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Back to the State General Revenue Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Chew moves that the Senate concur in House Amendments 5 and 14 to Senate Bill 1036. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 5 and 14 to Senate Bill 1036 and the bill having received the required constitutional majority is declared passed. WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator D'Arco on the Floor? (Machine cutoff)...Supplemental Calendar is House...Senate Bill 1360. Senator D'Arco.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 1360 with House Amendments 3 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill allows an owner or tenant within twelve hundred feet of property to request that the city demolish the property. If no action is taken on request within ninety days, the owner or tenant may institute suit to compel the city to demolish. These are buildings that have been declared by the city to be uninhabitable and are an eyesore in the city, and this is an opportunity for the owner or the tenant within twelve hundred feet of that property to obligate the city to remove the eyesore from the neighborhood. I don't know of any opposition and I would ask that we concur in Senate Bill 1360.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Channel 7...WLS in Chicago has requested permission to videotape. Is leave granted? Leave is granted. Senator D'Arco has moved to...that the Senate concur in House Amendments 3 and 6 to Senate Bill 1360. Discussion? Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 6 is the substantive change and it applies only to the City of Chicago, and what it does, as Senator D'Arco rightly pointed out, it affords an owner or tenant of a building within twelve hundred feet of any dangerous or unsafe building to, in effect, go into demolition court on their own. As the current law currently

stands, the city does that. The fact of the matter is, there are in...unfortunately, in the City of Chicago some buildings that the city just hasn't yet gotten around to. This will afford another avenue so that the neighbors can go in and say to the court, this thing has to come down. I know of no objection and I urge concurrence in the House amendments to Senate Bill 1360.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WGN has also requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. I'd...I'd like to ask a question. I don't have objection to the bill, but there are two or three technical points that have been raised that I'd like clarified for intent. The first question, someone is sueing for demolition, do they have the right to sue for damages? That is not the intent of this bill, is it, they cannot sue for damages of the building not being demolished?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is correct, they cannot.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

They can recover court costs and attorneys' fees, but they don't have any right to...for...to acquire any damages as a result...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR D'ARCO:

...only court costs and attorneys' fees, that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay, you're...you're answering part of my next question...actually, the second and third question I'll...well, let me ask the second question. In terms of costs, will this in any way increase the costs of getting any of these buildings removed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, it will not. I mean, if...if they're in demolition court they're...they're to be removed any way, so it's not going to increase the cost to have them removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay, the third question you've partially answered. If an attorney who wasn't busy on Tuesday wanted to drive up and down a street on the west side of Chicago and recruit two people to let him sue, what kind of legal fees could this lawyer get for driving up and down Kedsey on the west side of Chicago? In about ten minutes he could find four buildings, that's four lawsuits, what kind of...of legal fees could be recovered in this case? You know a smart guy could make big bucks on...on a slow afternoon doing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

If an....if an attorney is involved in a case, they could only get reasonable attorney's fees and the fees have to be approved by the court. So, you know, no attorney is going to gouge the system by driving up and down the street looking for buildings that need to be demolished.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I understand what you're saying, Senator D'Arco, but there...there is a term that...I know is rarely used but it sometimes refers to ambulance chasing attorneys. This is the slowest moving ambulance I've ever seen. There are several thousand buildings in Chicago that fit this description and anyone who says that the Chicago courts will be very careful and...in only a...a...you know, give them a twenty-five dollar legal fee is unaware of what kind of legal fees are often awarded not just in...you know, I mean, but...I'm singling out the Cook County Court 'cause this bill is limited to Chicago. Other courts could do the same thing, but this being limited you don't have that problem, say in a Madison County Court, but I'm saying, this thing could get to be a pretty good deal for a couple of connected lawyers. Somebody points out six buildings in an area, the guy is in there, he gets legal fees of a hundred, two hundred, three hundred, five hundred dollars. Who knows, we perhaps should explicitly state that this one is a real ambulance chaser if I ever saw one. I often wonder, was this drafted by the ambulance chasing subcommittee of the Chicago Bar Association or who?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

My analysis here shows that the amendment to the Municipal Code would apply to any municipality, wouldn't...is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yeah, it applies to any municipality, right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this concurrence because there's too many slum landlords that...just leave their buildings to become decrepit, being a nuisance, let them get rat infested which apply...which affect the rest of the neighborhood and no one can do anything...much about it. I think this is a good bill. There are enough...safeguards in it and I certainly speak in favor of it. We're...sick and tired of these people who want to have property and not take care of it and cause...hurt...hurt and damage to others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Two quick questions, if I may, of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Senate D'Arco or President Rock, when you refer to buildings in this amendment, does that only mean commercial buildings or residential buildings as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

It's all buildings, and let me clarify something. Phil handed me the amendment. It only applies to municipalities with populations of five hundred thousand or more.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Well, is...is the word "building" described? I can't find it in...in my copy of the amendment. Is the word "building" described in...as a...residence or commercial?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

The word building is defined in the Municipal Code and it...it would apply to...residential building...or it could apply to a commercial building as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, WAND-TV has also requested permission to videotape. Is leave granted? Leave is granted. Senator Zito.

SENATOR ZITO:

One other quick question, John. Is there any reason why...this seems like a good idea for the entire State of Illinois. Is there any reason why it was limited just to the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

That's a good question. I don't know why it's just limited to the City of Chicago. It really probably should be Statewide but later on we can do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. This is a good concept and a good idea. I...I know there's a problem in many areas in the City of Chicago where you have an abandoned building and, unfortunately, it takes almost an act of God in order to tear that building down, even with the cooperation of the court

HB 568 Nonconcurrence Amends. 4, 5, 14, 15

system. Now, under this provision, a neighbor...an immediate neighbor can go into the court and petition the court and explain the serious consequences of an abandoned building and ask that the court intervene and have this building removed. This will help...many areas in the City of Chicago and probably in suburban areas of Cook should be included and other areas of downstate, but this is a step in the right direction and I would strongly encourage your consideration for this Conference Committee report and the adoption of this Conference Committee. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, Mr. President, I...I think the bill has been discussed. Everybody seems to agree it's a good idea, and I would move that we concur with Senate Bill 1360.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Senate...the question is, shall the Senate concur in House Amendments 3 and 6 to Senate Bill 1360. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 3, 3 voting Present. The Senate does concur in House Amendments 3 and 6 to Senate Bill 1360 and the bill having received the required constitutional majority is declared passed. All right, Supplemental Calendar No. 3...Supplemental Calendar No. 3 has been distributed. Secretary's Desk nonconcurrence, House Bill 568, Mr. Secretary.

SECRETARY:

House Bill 568 with House...or with Senate Amendments 4, 5, 14 and 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...Senator Philip...Senator Rock.

SENATOR ROCK:

Mr. Secretary, it's 568, if you please. Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 568, I'm sure everyone will recall, is the bill that does a number of things. Specifically it addresses the question of the reforms surrounding the completion of the McCormick Place project, it imposes an eight cent cigarette tax effective December 1st and it incorporates the provisions of Senate Bill 1030, that is, the farm aid program as passed by this Senate. The House has nonconcurred in four amendments and while I...obviously, each of the sponsors of the amendment will have an opportunity, I hope, to speak. The proper action, in my judgment, is for us at this moment to recede from Senate Amendments 4, 5, 14 and 15 and let me explain why. One of the things that we in this Chamber attempted to do was to provide in the...within the confines of House Bill 568 a financial incentive to the owners of Arlington Park to encourage them to rebuild. When the bill got to the House, the Governor contacted the principals of Arlington Park and they decided...they decided that they wish to withdraw what the Senate had done and were willing, at the Governor's request, to begin early next year to convene a group to see what kind of relief or further incentive could and should be offered by this General Assembly. So, that effectively what we are doing is saying, we tried but the principals have now decided to delay until the first of the year. That's their decision. It was not the decision of this Senate, and what I think our...appropriate action ought to be and it will be final action. Amendment No. 4, you will recall, was the amendment that was offered by myself and Senator Macdonald and Senator Philip to provide a break in the privilege tax and to authorize the local taxing bodies the opportunity to abate local property taxes. I am moving, Mr. President and Ladies and Gentlemen of the Senate, that the Senate recede

from Amendment No. 4 to House Bill 568. This is final action and will require thirty-six affirmative votes and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm not standing to either say that we should vote for or against this bill but merely to note an objection that I and many other members have. In the last few years it seems that every time we have a sticky, controversial issue or several issues, we put them together in an omnibus bill. Many of us object to voting on issues that way, and if it comes out that we vote for this bill and pass it, it will come out that the Legislature in the State is for both of these or all of these issues, which we all know is not true. It may be easier to try to get bills passed this way, but believe me, it is not and always in the best interest of the State and it certainly isn't in the best interest of the legislators who have a right to vote on issues one by one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Newhouse...Senator Newhouse on the Floor? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I wonder if Senator DeAngelis would yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Newhouse, the maker of the motion is Senator Rock...Senator...I'm sure...with leave of the Body, Senator DeAngelis will be able to respond. Senator Newhouse.

SENATOR NEWHOUSE:

Senator, you and I discussed the affirmative action provision that presently is in this bill. Am I correct in...in...in the...in stating that the affirmative action

provision applies for ten percent of all contracts let, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Newhouse, we are only on the motion to recede from Amendment No. 4. Senator DeAngelis. All right, Senator Newhouse...Senator Newhouse, have you concluded? All right. Further discussion? Senator Rock.

SENATOR ROCK:

Well, if...if it's appropriate, and it may well be appropriate, I would...with leave of the Body, ask that the Senate recede from Senate Amendments 4, 5, 14 and 15 and then we can continue the discussion. The fact of the matter is, three of the four amendments, Amendment No. 4, Amendment No. 5 and Amendment No. 15 which was successfully offered by Senator Macdonald, you'll recall, dealt with the question of...of financial incentives to Arlington Park, and the principals and the Governor have asked us to withdraw that from consideration. We needn't consider it, as much as we would like to and as much as we did. So, I would move, Mr. President, that the Senate recede from Senate Amendments 4, 5, 14 and 15, and the subject of Senator Newhouse's discussion, obviously, is Senate Amendment 14.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. Yesterday, we had a debate on Amendment No. 14 which we sent out of here. That amendment had a requirement of thirty percent on affirmative action provisions. That amendment was taken off in the House for the reason that it did not include females in that bill, that was an inadvertent mistake and certainly one...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Senator Newhouse is entitled to attention. Senator Newhouse.

SENATOR NEWHOUSE:

...and certainly one that could have been corrected; however, that amendment failed in the House and now we have a provision coming back that has a ten percent set-aside for affirmative action. Where that...I yield to Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Newhouse, let me take it point by point. First of all, the question you asked me this morning is, what is the provision under the Minority and Female Business Enterprise Act? That is ten percent. The McCormick Place or the Metropolitan Fair and Exposition Authority has set twenty percent. So, they have doubled what the State amount is. The quarrel with your amendment was that you set aside thirty percent for minorities, and in the Act it clearly separates minorities and females and I know you were doing this inadvertently, but what you were doing is eliminating the females.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Newhouse.

SENATOR NEWHOUSE:

My point, Mr. President and Senators, is now we've gone from thirty percent down to ten percent, which, in fact, may actually work out to be five percent. So, I would not want anyone in this Body to misunderstand what it is...we're about to do. Now, it is my understanding that...that our back-up is...and I got this from the mayor's spokesman who says to me that the mayor wants this provision...this bill just as it is since it gives him a majority on the board and, therefore, that those affirmative action requirements could not only be met but can be exceeded. I would respect that, except that...for two things. One is, do we here in this Body surrender our responsibilities to our constituencies to make

certain that there is equal opportunity or do we...do we abdicate that to another body? The second is that there may...just may at some point be another person sitting in that chair who is...not quite so responsive to the needs of our constituency. Now let me tell you what's involved. What we have is a structure going up in the middle of a community that is ninety-five percent black at the very least and whose work...can I have some...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please? Senator Newhouse.

SENATOR NEWHOUSE:

...and whose work force is overwhelmingly...overwhelmingly nonminority. Let me give you some figures. The figures on the work force for the improvements we haven't even been able to unravel yet, but if we take a look at the permanent facility with the permanent jobs, let me tell you this, that of the crafts where the monies are really made in the permanent facilities, there are eighty-nine employees. Of those eighty-nine employees at McCormick Place, there are six...count them, six minorities, no females, none. If we look at the surrounding community with the unemployment rate that it has, of the eighty-six members of that work force, that is the crafts, sixty-three of those come from...not...from not just...from not in the community but from outside the city. This is what we're dealing with. So for us to assume in any fashion that either there has been good faith on the part of this institution in the past or that we can rely upon good faith in the future is simply silly, and what we will have done if we pass this bill out this way is abdicated our responsibility. I don't think there's anyone in this place who...who doesn't understand that the maximum in these cases...or rather the minimum in these cases become the maximum and that often that minimum is

not met. Right now...right now, with the standards that McCormick Place has set, it has not met the minimum under any circumstance. Even the ordinary laborer...force has not come within the purview of what they have set themselves as a minimum. So, I don't think any of us need to kid ourselves about what's going on. The facts of life are that my community is being systematically...programmed out of that work force and there's no provision on the part of this Body to make certain that something happens that is of good...that is good health for the State and for the City of Chicago. It is in...absolutely unconscionable for...in the center of that community there to be the kind of unemployment rate that there is. Now let me tell you what the dynamics are. Within ten blocks of McCormick Place...within ten blocks are two facilities for training of young people that are unparalleled. We have the Dunbar Trade School which has traditionally turned out craftsmen two generations ago but has been programmed out at this stage. There is the Dawson Skill Center within that same geographical area, none of which...none of which can train youngsters to take care of those jobs at McCormick Place. It seems to me we've got a responsibility and part of that responsibility is to build an economy in those economically depressed areas. Another part of our responsibility is to relieve ourselves of the social service burdens that come about as a result of that massive unemployment. We've been reading in the newspapers over the past several weeks about how bad this problem is. Well, I'm going to tell you, we're going...right now, vote to send a fifteen million dollar monthly payroll out of that community. That's what we're doing...that's what we're doing and we're five percent requirement for affirmative action. Seems to me, this is unconscionable. I really don't know what I'm going to do on this bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR NEWHOUSE:

...I certainly cannot in good conscience vote for this, but on the other hand, I do not want to hold up the McCormick Place construction. I want to share with every member in this Body and I want to make certain that we know exactly what we're doing. We're saying here today, in fact, that we're setting a five percent cap, that's what it is, on the numbers that we expect to come about by affirmative action. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Is this to close, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, it is not. All right, further discussion? Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Newhouse, you and I've had a pretty good dialogue on this committee and I would hate like heck to have this Body misinterpret the intention of this legislation because you have stated it absolutely incorrectly; in fact, the assistant majority leader, Carol Mosley-Brown, is the one that requested that your amendment be taken off. The fact of the matter is, the five percent number is incorrect. As I stated, the authority has a twenty percent number, but you also can't confuse minority contracts with minority employment. There are minority contracts...contractors that don't employ minorities. Now you and I sat through those hearings and one thing that was blatantly...blatantly violated is the concept of minority enterprise. Time after time, we found out that the two people that were doing real well under minority contracts are blacks who were doing well before the minority contracts and whites who weren't doing too well

before the minority contracts, because they found themselves a nice white partner. I think the whole issue of minority contracts should be reviewed at sometime in the future, but I...for the record, McCormick Place, the Metropolitan Fair and Exposition Authority, has, in fact, doubled what is the State guidelines. They even have debarment...procedure for those who don't follow it and...you know, what we have is a problem in the entire system of public bidding, and the Legislative Audit Commission is addressing that issue right now and for those members who might be interested, we will be having a hearing on the public bidding process for public buildings, but I don't want anybody to walk off this Floor saying that the Metropolitan Fair and Exposition Authority only has to do five percent minority 'cause that is absolutely incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...well, Senator Newhouse, we have Senator Topinka for a first time. Is this on the same subject matter, Senator Topinka? All right. Well, Senator Newhouse, let's stay consistent.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator DeAngelis,...you made my point much better than I could have. You're saying to me, in fact, that rather than five percent, by virtue of the fact that many of these contractors do not have the work force, we may be talking about two percent or one percent. Correct? Now if that's the fact and it is, I think you're right and I think that abuse has to be corrected, because what it means is that what we're doing is making a half a dozen millionaires and keeping thousands of young people out of work and that is absolutely wrong. So, I agree with you, you're right that there is that kind of a problem, and I suggest to you and to the Body here that by virtue of kind of problem existing, we're not talking five percent, we're

talking four percent, three percent, two percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator DeAngelis, both you and Senator Newhouse's time has expired. Senator DeAngelis.

SENATOR DeANGELIS:

Well,...as they say in the old neighborhood, I got to get the last lick. Your legislation didn't cure that problem either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka for a first time. Senator Topinka, the Chair apologizes. I wanted to...

SENATOR TOPINKA:

...not to worry...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Topinka.

SENATOR TOPINKA:

Yeah, if I might ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield.

SENATOR TOPINKA:

Yeah, sometimes things get past me here and I just wanted to clarify, does this bill authorize funding for the expansion and...and making of loans and grants for Cook County Hospital?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...there is an amendment that the Senate has already adopted. The answer to that question is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am not prepared, frankly, to argue at great length

with Senator Newhouse. The fact of the matter is that when that amendment was debated at some length in the House, I happened to sit and listen to the entire debate, and the amendment simply didn't do what the intent was, obviously. Further than that, let me suggest, that for the first time we have agreed...we have agreed on the governance of McCormick Place and, in fact, it's an agreement that was subscribed to by the Governor and the mayor of Chicago; and if, indeed, we cannot trust the mayor of Chicago with respect to the...not quota, goals, 'cause that's what the amendment said, then I suggest our trust is totally misplaced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, pardon me, Senator Rock...

SENATOR ROCK:

The fact of the matter is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

I rise on a point of personal privilege. The question of the mayor's intention is not the subject matter at all. The facts of life is that we have a responsibility and the second fact of life is, we may change mayors at sometime. So, we can't rely on that and I think we should not abdicate our responsibility. I simply want to make that correction during the course of this conversation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, you may continue.

SENATOR ROCK:

Well,...the fact of the matter is, House Bill 568 deals with some very significant issues; farm aid, as passed by this Senate; the earmarking of nine million dollars a month for the Common School Fund for the school kids of this State to live up to our commitment that we, in this Assembly, made last June; and, finally, the McCormick Place reform which

incorporates the agreement on governance that was subscribed to by the mayor and the Governor. The only way to have a final work product at this moment in time is to recede from Senate Amendments 4, 5, 14 and 15, and I urge an Aye vote on the motion to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate recede from Amendments 4, 5, 14 and 15 to House Bill 568. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 10, 5 voting Present. The Senate does recede from House Amendments 4, 5, 14 and 15 and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

With leave of the Body, can we go back to Supplemental No. 1 for Senate Bill 625?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will return to the Order of Supplemental Calendar No. 1. Is leave granted? Leave is granted. Supplemental Calendar No. 1 to Senate Bill 625, Mr. Secretary.

SECRETARY:

Senate Bill 625 with House Amendments 5, 6 and 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The House added Amendment No. 8 to this bill which repealed all other amendments and the original bill and, in effect, becomes the bill. I would move to concur in...House Bill...House Amendment No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch, are you moving to concur with only one amendment of the three?

SENATOR WELCH:

Oh, I'm moving...I'm moving to concur with all of them, but what I'm explaining is Amendment No. 8, in effect, repeals the other two amendments on there. So, I'm concurring with all amendments sequentially.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch has moved that the Senate concur with House Amendments 5, 6 and 8 to Senate Bill 625. Is there discussion? Senator Welch, do you wish to proceed on the explanation? Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, could...could I get the sponsor to divide these issues?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch.

SENATOR WELCH:

No, I...I don't think the issues...should be divided mainly because the final amendment, House Amendment No. 8, repealed the bill, Amendment No. 5 and Amendment No. 6 and that became the bill itself. So, that division, I think, would be more confusing that just to vote on the...Amendment No. 8 itself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, then I would ask the sponsor to explain the farm provision of Amendment No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I'd be glad to. The farm provision in amendment...House Amendment No. 8 is, in effect, the Governor's farm aid pro-

gram. It does two...two or three different things. Number one, it sets up...through the Emergency Farm Credit Allocation Act an extension of a bill we passed earlier this year, and what that bill will do is to allow for...of a...an interest buy-down where the debt to asset ratio is not less than fifty-five percent, extends the same bill we passed to the 1986 planting year, allows for loans for cultivating the soil and planting, raising and harvesting any agricultural or horticultural commodity and that is a...a provision which allows for interest to be repaid to the State. Another provision of the bill concerning the farm aid legislation creates a...a debt restructuring and what that purpose is is to allow the State to guarantee loans up to one hundred million dollars. The State would be liable for eighty...eighty-five percent of those loans. The guarantees can be issued only up to the amount of one hundred million dollars. The third thing that it does in providing for attorneys for farmers is to work with the Illinois State Bar Association and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, Senator...Senator Welch, pardon me. Can we have some order, please? Senator Luft,...please be in your chair. Senator Welch.

SENATOR WELCH:

Thank you. The third part allows for the Illinois Farm Legal Assistance Act which authorizes the Department of Agriculture to make grants to the Illinois Farm Legal Assistance Foundation a not-for-profit corporation created by the Illinois Bar Association. Those grants will be used to provide direct legal counseling and representation for farmers as well as other farm related legal services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I guess I'd like to ask a few more questions about this, but to...but to save some...some of that, I might explain what this is going to do and who it's going to help and the cost of it. Now, this...this plan of the Governor's and Speaker Madigan's and Senator Welch's will loan up to a hundred and fifty thousand dollars for operating for farmers who are creditworthy, who can get the money at the bank. Now, a hundred and fifty thousand dollars, Mr. President, is enough money to plant fifteen hundred acres of corn. It's enough money to plant two thousand acres of soybeans. The Federal Government in their farm programs base the feed grain programs on a six hundred and forty acre farm. In that six hundred and forty acre farm, there would probably be three hundred and twenty acres of corn. We are going five times higher than the Federal Government in helping farmers in this State. On the debt restructuring, we're taking a three hundred thousand dollar loan to a farmer who can get the money so that the bank will bring it up to date if he...owes a million dollars there, he'd...that all comes to term, that means that farmer is pretty darn creditworthy. That little package will save the farmer ten thousand dollars. The first part, the Emergency Farm Credit Allocation Act, the operating loan will save the farmer nine thousand seven hundred and fifty dollars if he's creditworthy. We're talking about a farmer who is the biggest...probably in the biggest four percent of this...State, the farmers, we're going to give him nineteen thousand seven hundred and fifty dollars an acre. Now, I submit to you that is wrong. The Federal Government doesn't do it; in fact, Jessie Helms in the farm program they're talking about now is talking about...limiting it to...to twenty-five thousand dollars a year. That would be about a two hundred acre corn farmer, but in this bill, we're going to help fifteen hundred acre corn farmers and two thousand acre soybean farmers. This program will cost twenty-three

million eight hundred thousand dollars more money than the program we just passed on that...that we passed over to the...to the House before, twenty-three million dollars more and it's going to help the farmers who are the biggest and the most creditworthy in this State. What we're going to end up doing when we pass this is let the Governor pick this program over the other one, nobody will get any money except maybe the very, very wealthy farmers who will probably contribute to that campaign of the Governor. They certainly won't help anybody on this side of the aisle, and I...I just...I think that there's something morally wrong with us doing something like this. All we're going to do for the twenty-five percent of the farmers in this State who need the money, who need the help, who have paid taxes throughout the years, who have been an asset to this community is we're going to give them enough money...to the lawyers so that they can go bankrupt and then we're going to give enough money to the shrinks so that...they can go nuts after they go bankrupt and that's the only help we're going to give to the twenty-five percent of the farmers in this State that really need help. Now I submit to you that on this proposal there is money for civic centers, and I'm asking you to hold off on those civic centers; we'll fund that, we'll come back here in January and can be funded, but in the meantime, if we give money to the farmers that absolutely don't need it in this State and ignore the twenty-five percent that do, then, I guess, they'll probably get what they expect from us is nothing. We're going to make sure that McCormick Place got funded, we're going to make sure that the lawyers there make the money, the bondsmen make the money, all the rest of the people in the...the pin stripe patronage, we've just taken very good care of them, but the twenty-five percent of the farmers in this State who really need the help are going to get absolutely nothing from us if we pass this legislation.

Now, I know it's asking a lot of some of you to...to try and hold off on that civic center legislation, but I'm going to ask you to do it anyway, because we have in this country always held the Cheap Food Policy Act and that's what we're doing again. You know, it...it just isn't right now, it wasn't just the Carter Administration that had an embargo, President Ford had some, they've all had some. From the time that...that...that people crossed the Alleghenys to land grants, that was made to produce more food for this country to bring a cheaper food policy act into this country, to make food cheaper. Well, we're doing that...sixteen percent of your budget right now goes to food, your family budget, and we're going to lose twenty-five percent of the farmers in this State that we can ill afford to lose, that budget is going to go up because pretty soon the corporations are going to take over. So it may be a tough decision for some of you, but I'd ask you to do it. I'd ask you to try and help the farmers in this State that really need the help. Vote No on this proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I'm on the Agriculture Committee and day after day on that committee I watch Senator Welch and Senator Joyce work and work together, chairman and vice-chairman, their districts are adjacent to one another, Welch goes over and campaigns for Joyce and Joyce campaigns for Welch, and now they've really...have me confused. I'm not a farm boy. I...I look at Senator Joyce and, obviously, to all of us that he's a citizen legislator and a farm boy at heart and has a great deal of knowledge on this, so when there's such a split between two Democrats and marked two Democratic leaders on agriculture, I guess we have to rely on the other citizen legislator, the other farmer in the House, Harlan

Rigney, and I wish the Minority...Speaker, Harlan, would get up and really clarify this for us so we know who the real leader is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Darrow, I...I...in all fairness, I should point out that Senator Rigney had his light on before you made that impassioned plea for his remarks. Senator Rigney.

SENATOR RIGNEY:

Well, to my friend Senator Darrow and others, I'm going to be voting for this legislation. In spite of some of the things that our agricultural chairman has said about it, I think it is basically a good piece of legislation and...and the one we really should have adopted in the first place. Let me point out to you what I feel are a couple of the major differences between this particular bill and the one that we adopted as a part of that other effort here a few moments ago. Keep in mind we are still talking about people with a debt to asset ratio that exceeds fifty-five percent. We're targeting on the same group. So, unless a farmer is in that kind of position, he is not going to receive any assistance under either one of these programs. The major difference is this, it's for those people that are in the position of being greater that seventy percent on debt to asset ratio. Under the legislation that we just voted on a few moments ago, those people would have received a two thousand dollar grant. The grant is gone out of this. What we're back to, basically, is what Senator Demuzio passed earlier this year, the idea of the interest buy-down but it's in the form of a loan. The loan must be repaid and it'll be repaid over a five-year schedule. I think that's important. I think, certainly, most farmers would have to agree that it's better to be giving a loan rather than to be giving an outright grant. So, I'm hopeful that when this reaches the Governor's Desk that this will be the piece of legislation that he will see

fit to sign, and when it comes to the appropriation for these two bills that he will give his approval to this appropriation and will...and will deny the other one. So I think finally we have some farm aid legislation that we can all be proud of. It will do something for the farmer but we're not going to be giving him an outright grant which I feel the farmers probably didn't want in the first place. So, I would urge my colleagues on both sides of the aisle to get on board in behalf of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, we heard from our two farm advisors, Senator Joyce and Senator Welch. Then, on the other side of the aisle, we heard from Senator Rigney; and this row, for some unknown reason, seems to want to have everybody have equal time, we're...we're very bipartisan here in this row and I would like for Senator Maitland to give his views.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...further discussion? Senator Netsch.

SENATOR NETSCH:

...now, here's the real farm expert standing up. The...excuse me, Deborah. I think, like Senator Darrow, there are many of us who just really aren't quite sure that we have a total grasp of the effect of these various bills and so some of us have really been listening very carefully and, Senator Rigney, I suspect quite unintentionally you said something which I think just told me how I should vote. If I heard you correctly, you said that as this part of the bill, 625, is now before us it is very similar to what Senator Demuzio had requested and passed earlier in the Session and, unfortunately, as I recall, we had set aside about twenty-five some million dollars for that program of which twenty plus million was never used. What that told some of us was

that whatever was wrong in the form of that program, it was wrong and it did not work, and so if you are saying that this is like that, then it seems to me you are sending to some of us a message that this won't work either, and I thank you very much for your clarification. I think I know how to vote now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce for a second time.

SENATOR JEROME JOYCE:

Yes, I would like to comment a little bit on what Senator Rigney said too. He said the grant is gone but the grant is back. In this bill the grant goes to the employee groups considering establishing employee owned enterprise. Now the Farm Development Authority will make grants to that organization, to any...anyone who wants to...to form an employee owned enterprise. So, we can't give grants to the farmers in the bill that's supposed to take care of farmers, but we'll give grants to the employee owned enterprise. Come on, folks, that's the speaker's program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, I would just like to say that in reference to Senator Demuzio's program of which this is...is somewhat of an extension, the Demuzio bill didn't go into effect until April 19th of 1985 which was quite late in the...in the year and it's hoped and it's already had several phone calls from bankers to the IFDA to inquire as to the availability of these loans already. This bill does change the Demuzio program to the extent that it...it changes the positive cash flow requirement to a different requirement and that is a debt to asset ratio of not less than fifty-five percent. That's a substantive change to make more people eligible for

this particular bill. I think that this is a piece of legislation regardless of who tries to take credit for it or who authored it that we should pass, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, the question is, shall the Senate concur with House Amendments 5, 6 and 8 to Senate Bill 625. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Sangmeister, would you mark me Present. Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 5, 5 voting Present. The Senate does concur with House Amendments 5,6 and 8 to Senate Bill 625 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The House is currently considering the final piece of legislation that we should deal with. There are two bills that will, I hope, come over on the same Message, 994, Senator Bloom is the sponsor. It deals with Mitsubishi initiatives and 1249 which is Senator Philip's bill which has to do with bond authorization. Once those two matters are before us and successfully concluded, we can adjourn until January the 8th. So, if you'll just stand at...stand at ease for a moment until we get the Message.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Would you permit the record to indicate that Senator Collins is absent today because of death in her family.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

While we're standing at ease for a second, I would like to make a motion to Table Senate Resolution No. 589, it was duplicate and be added as a hyphenated chief sponsor of Senate Resolution No. 588. Table Senate Resolution No. 589 and leave of the Body to be added as a chief sponsor of Senate Resolution No. 588.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Zito has moved to Table the resolution that...which currently reposes on the Senate...Resolutions Consent Calendar, to Table Senate Resolution 589. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 589 is Tabled. Senator Zito asks leave of the Body now to be added as a hyphenated cosponsor of Senate Resolution 588. Is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, just in a form of announcement, Mr. President and members of the Senate, I know that during the course of the Session we get a lot of rewards from our district and from different associations. I have been honored this morning by Senator Emil Jones to be chairman of the spear carriers for the year of 1985 and '86 and...and I appreciate that honor, Senator Jones, and I'll see that everybody gets a sharp spear.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to the Resolutions Consent Calendar. Is leave granted? Leave is granted. Mr. Secretary, has any member filed any objection to the resolutions on the Resolutions Consent Calendar?

SECRETARY:

Objection was filed with reference to Senate Resolution 589 which was Tabled. That is all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Vadalabene moves the adoption of the Senate Resolutions Consent Calendar which includes now Senate Resolution 588, 590, 591, 593, 594, 595, 597, 598, 599, 600 and 601...I beg your pardon, strike 600, just 601...599 and 601 and House Joint Resolution 121, and is there leave to add 597, 598 and 599 and 601 to the Resolutions Consent Calendar? Leave is granted. Senator Vadalabene moves the adoption of the Resolutions Consent Calendar. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. The Senate will just stand at ease for a moment. Resolutions, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 125.

(Secretary reads HJR 125)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The two bills that I alluded to, one is still in the House and the other, I am advised by the Office of the Governor that it is not immediately necessary. So, I think in everybody's best interest, I will move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 125 which is the adjournment resolution, and it calls for us to leave right now and come back on January the 8th at the hour of noon, next year and I would move to suspend the rules, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 125. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves that...the adoption of House Joint Resolution 125. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate...Senator Rock now moves that the Senate stand adjourned until Wednesday, January the 8th, at the hour of noon. Those in favor indicate by saying Aye. Opposed. The Ayes have it. The Senate stands adjourned.

84TH GENERAL ASSEMBLY

SECOND SPECIAL SESSION

NOVEMBER 14, 1985

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Second Special Session will come to order. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Before I read the Journal, I want to wish my colleagues on both sides of the aisle, whatever endeavor they are seeking, good luck and have a happy holiday. Mr. President, members of the Senate, I move that reading and approval of the Journals of Thursday, November 7th and Friday, November 8th and Tuesday, November 12th and Wednesday, November 13th, of the Second Special Session, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Vadalabene. Any objections? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried. So ordered. Holland. As per the request of the Senate President, the five members of the Committee to Review the Journals of the Special Session will be given to the Senate...Secretary of the Senate at...momentarily a little later. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution No. 4.

(Secretary reads HJR 4)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the adjournment reso-

lution for the Second Special Session which, since we concluded the business for which the call was issued in the Regular Session, the House has decided and we concur to adjourn the Second Special Session sine die. And I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 4 in the Second Special Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Rock moves to suspend the rules for the immediate adoption...consideration and adoption of House Joint Resolution 4. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator...Senator Rock now moves that the...for the...Senator...for the adoption of House Joint Resolution 4. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 4 is adopted. Senator Rock now moves that the Second Special Session is adjourned sine die. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carried.

84TH GENERAL ASSEMBLY

REGULAR SESSION

JANUARY 8, 1986

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND CASSIDY:

(Prayer given by Reverend Cassidy)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary.

SECRETARY:

Thursday, November the 7th; Friday, November the 8th; Tuesday, November the 12th; Wednesday, November the 13th and Thursday, November the 14th, in the year 1985.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Communications, Mr. Secretary.

SECRETARY:

To the Honorable President of the Senate. Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith an enclosed Senate bill which the Governor vetoed in part and reduced. Signed, Senator James Edgar, Secretary of State.

PRESIDENT:

Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 994 with House Amendment No. 4.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit.

House Joint Resolution 124, and it is congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership. The Chamber is graced today with the presence of a special guest and to introduce our special guest I'll turn the Podium over to Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We are indeed honored today to have present with us and it's my pleasure to introduce to you Miss Jilanne Klaus. Miss Klaus was recently selected Junior Miss of Illinois. Please join me in welcoming Miss Klaus to the Illinois Senate.

MISS KLAUS:

(Remarks given by Miss Klaus)

SENATOR HALL:

Thank you. We also have...her lovely parents. Now would you mind coming up, we want to make a picture. And...and she's from Belleville, Illinois, by the way. The garden spot of the world.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 602, Senator Lemke.

603, Senator Lemke.

604, Senators Demuzio, Rock and all Senators.

605, Senators Dudycz, Kustra, Geo-Karis, Mahar and Topinka.

606, Senator Etheredge.

607...608 and 609, Senator Zito.

610, Senator Kelly.

611, Senators Lechowicz, Rock and all members.

612, Senator Savickas and all members.

613, Senators Hall, Rock and all members.

614, Senator Mahar.

615, Senator Mahar.

616, Senator Dudycz.

617, Senator Dudycz.

618, Senators Rock, Philip and all Senators.

And the following resolutions are all death resolutions.

619, Senators Rock, Philip and all Senators.

620, the same sponsors.

621, Senators...Senator Weaver and all Senators.

Senate Resolution 622 is by Senator Savickas and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 623, by Senator Weaver.

Senate Resolucion 624, by Senator Netsch.

And Senate Resolution 625, by Senators Rock, Philip and all Senators.

PRESIDENT:

Executive. Introduction of bills.

SECRETARY:

Senate Bill 1490 introduced by Senator DeAngelis.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1491, Senator Rock...introduced by Senator Rock.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1492 introduced by Senator Etheredge.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1493, Senator Kelly.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1494, Senator Kelly.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1495, by Senators Topinka and Dudycz.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1496, Senator Collins.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1497, Senator Collins.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1498 introduced by Senators Marovitz, Berman, Degnan, Chew and Smith.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1499 introduced by Senator Marovitz.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1500 introduced by Senator Keats.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1501 introduced by Senators Marovitz and Lechowicz.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Right now. Senator Philip. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There'll be a Democratic Caucus in the President's Office immediately.

PRESIDENT:

That request is in order. Senator Rupp.

SENATOR RUPP:

Also be a...Mr. President, a Republican Caucus in...the...Senator Philip's Office immediately following this.

PRESIDENT:

All right. There's been a request for a Democratic Caucus in the Office of the President immediately and a Republican Caucus in Senator Philip's Office immediately. The Senate will stand in Recess until the hour of one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. With leave of the Body, Channel 20 has requested permission to videotape. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 625, Senator Topinka.

626, Senator Topinka.

627, Senator Topinka.

628, Senator Topinka.

629, Senator Topinka.

630, 631, 632, 633, all Senator Topinka.

Senate Resolution 634, Senator...Donahue.

Senate Resolution 635, Senator Vadalabene.

Senate Resolution 636, Senator Jeremiah Joyce.

Senate Resolution 637, Senator Jerome Joyce.

And 638, Senator Jerome Joyce.

And Senate Joint Resolution...106, Senator Macdonald.

PRESIDENT:

Consent Calendar on those resolutions. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill 1501 introduced by Senator Geo-Karis.

(Secretary reads title of bill)

1503, Senators Dawson, Jones and Poshard.

(Secretary reads title of bill)

1504, Senator Vadalabene.

(Secretary reads title of bill)

1505, Senators Dawson, Jones, Savickas and Welch.

(Secretary reads title of bill)

1506, Senators Sangmeister and Rock.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House, Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint

SB 994 nonconcurrence

resolution, in the adoption of which I am asked the concurrence of the Senate, to-wit.

House Joint Resolution 126, and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And House Joint Resolution 128.

PRESIDENT:

Executive. All right, if you will check...we will begin on Supplemental Calendar No. 1. All right, Supplemental Calendar No. 1 on the Order of Secretary's Desk Concurrence, Senate Bill 994, Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm going to move to nonconcur in Senate bill...Senate...House Amendment No. 4 to Senate Bill 994. It is technically flawed and we would seek a Conference Committee to have 994 read in a...in a fashion that would allow for us to properly put House Amendment No. 4 into 994 as well as to work on, I think, a technical matter that was brought to the attention of the Department of Revenue by elements in the telecommunications industry.

PRESIDENT:

All right. Senator Bloom has moved to nonconcur in House Amendment No. 4 to Senate Bill 994. Is there any discussion? Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you...thank you, Mr. President. Senator Bloom, as I understand it, the idea is to get this back in a Conference Committee so that the sequency of events can be straightened out. You do not intend to have before us today a Conference Committee report that is going to be voted on though...isn't that correct?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I am reliably informed that the Conference Committee report is prepared and, of course, it awaits the pleasure of the Senate. However, I have...I have asked that you, Representatives Hastert and McPike be given copies of that to peruse so that we all are talking about the same thing.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I just talked to one of the parties who was interested in some of the things that we were attempting to do earlier in this...in Senate Bill 994 who did indicate to me that there was no great urgency; that is, we could wait until the next time we were back here if it did not work out that it could be voted on. I mention that only because I think I understand that all of the things that are in there are what we had earlier agreed to, but it always makes everyone more comfortable, particularly on a major piece of legislation, if there is enough time for staff to be able to go through it with a fine-tooth comb. That's the only reason...I have no objection to the procedure that you are initiating.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I quite agree and made it abundantly clear to those who communicated with me that staff on both sides of the aisle should have ample opportunity to digest it. I think that staff has had some input in the formulation of the Conference Committee report, but I repeat, I strongly urge them to touch bases with you and Representatives McPike and Hastert and other interested parties.

PRESIDENT:

All right. Senator Bloom has moved to nonconcur in House Amendment No. 4 to Senate Bill 994. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Netsch, are you ready? All right. On Supplemental Calendar No.1, Conference Committee report on Senate Bill 1037, Senator Netsch.

SENATOR NETSCH:

Mr. President, staff just said could we hold a minute. There is one technical point they need to take a quick look at in the Conference Committee report. May we hold it just a moment and...

PRESIDENT:

Sure, we'll be here tomorrow. On the Order of Item Vetoes, Senate Bill 134. Senator Hall, are you ready? Motions in writing, Mr. Secretary, on Senate Bill 134.

SECRETARY:

I move that the item on page 26, lines 13 through 18 of Senate Bill 134 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Would you sound the bell, Mr. President? Thank you, Mr. President. This is support for the veto override of the 6.4 million to provide welfare...welfare grant increase. I know all of you remember while we were discussing all of these additions that there were many other things that were included in the bill such as a marina, such as race tracks and et cetera. Now what this simply meant that there are approximately eight hundred and forty-five thousand persons in this State, one of every thirteen citizens of this State each month receives some cash assistance. I looked at the

television the other day and when I saw it come on and here it had the famous singer who was singing America, and they were showing the American...they showed the flag and they showed the Statue of Liberty and they were singing from sea to shining sea. You know that when I look around this room and when I think that some year close...over nineteen years ago there are some of us who came here and there are many of you who have joined us. One of the great things about being a member of the Legislature is that you get to meet people from all walks of life, some from every nook and corner of this great State is represented right here on this Floor. And all this was asking that we live up to the American dream, that what we were trying to do is to give fifty-two percent of need; and I'm not going to stand here and take up a lot of the time because I think that Senator Netsch and others here are going to talk on this matter, and I know Senator Carroll and others. So at this time I will yield to Senator Netsch and then I'll go back to the closing of it when others have finished, Mr. President.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. There are several points to be made about the motion to override this line item veto in Senate Bill 134. The first has to do with the merits of the issue in...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Well...pardon me, Senator Netsch. Could we have some order, please. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The first has to do with the merits of the issue itself, that is the substance of the issue, and in that respect I would underscore and emphasize what I think Senator Hall has already referred to. What the

6.4 million dollars does is to prevent a sliding from fifty-two percent to fifty percent of the basic standard of need for all of those on public assistance. I would emphasize two points in that; one is, we are not talking about a standard of need that is pulled out of the air, we are talking about a standard of need that, in fact, is determined by the State, by State agencies and it's defined in terms of the minimum cash resources necessary to maintain a subsistence level of living. That is about as basic and low a standard a living as you can devise. This amount of money would maintain that standard of living at fifty-two percent rather than fifty percent...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, I understand that this motion is not on the public aid restoration, that this motion is in reference to the female and minority business grants.

SENATOR HALL:

There should be two up there...you...you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR HALL:

Which one are we...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we are...we are taking them one at a time.

SENATOR HALL:

All right. Well...okay, let's...let's back up, I was...I was confused. Yeah, we'll go to the restoration then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just...just a moment. Senator Hall, it's been suggested that we take this one out of the record and that we file a

SB 1037 2nd C.C. Report

new motion so that we can proceed in an orderly fashion. With leave of the Body, we'll take it out of the record. Take it out of the record. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, while there's a lull here. On a point of personal privilege, I would like to make an announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Could we have your attention, please. Senator Keats. Senator Bloom. Could we have some order, please. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. The American Legion has their 1985-1986 Department of Illinois Directory of office...commissions and committees. I would like for the Democrats on this side of the aisle to come over and pick one up and Senator Adeline Geo-Karis will handle the Republican side. And I would like to warn you that they're going like hot cakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis to rebut.

SENATOR GEO-KARIS:

No, Mr. President, not to rebut but to ask...all of my colleagues on this side of the aisle to come and get a booklet which has the complete mailing list of all the American Legion...no...I've got them right here...Frank. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. With leave of the Body, we will come back to the...to the item vetoes. On Supplemental Calendar No. 1 we will move to the Order of Conference Committee Reports on Senate Bill 1037. The second Conference Committee report, Senator...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1037 is...which is my bill had originally nothing to do with what is about to be its subject matter. It was the prior year EAV bill but it was a convenient vehicle in which to take care of several matters that I gather needed to be taken care of. The first and the reason why I was willing to put 1037 up for auction in a sense is that when we passed the farm bill in November, there were two I think partially unintended or unplanned for repercussions from it. One was a total inadvertence in preparing the bill, the Legislative Reference Bureau had eliminated what was believed to be an obsolete section and the effect of it was totally to withdraw the tax delinquency dates for property taxes paid in Cook County. We normally pay on March 1 and August 1, those are the dates that the delinquency starts...that authorization has effectively been eliminated and it would have a really devastating effect on the whole tax collection process in Cook County. There's absolutely no controversy that that needs to be restored. The second part that Cook County in particular had asked the Legislature to address was not a matter of inadvertence at all but something which they felt they did not have sufficient notice on. In the farm bill we changed a whole series of interest rate charges from eighteen percent down to twelve percent. Some of you may remember that it was approximately four years ago that we raised most of those to eighteen percent. The...in the case of Cook County the estimate from the county treasurer is that that provision only as it applies to the penalty on delinquent property tax...on delinquent property taxes would cost the county some 8.7 million dollars. That is a sum of money that they did not expect; it is, in effect, budgeted into the county budget, there is no way really for them to take that into account and to plan for it at the present time and so they have asked us if we could restore that. The compromise that was worked out among a

number who looked at it was to do this, to propose that the twelve percent penalty interest rate on delinquent taxes remain for all farm property throughout the State of Illinois because it was farm relief that was really the basic thrust of the bill that was passed in November but that we restore to eighteen percent the penalty interest rate on delinquent taxes for all other property Statewide; and my own personal suggestion is that we take a look at that again in the spring and see whether we need to make a permanent adjustment but that we not take the counties by surprise at this point. That is basically what 1037 was intended to deal with. At the request of the Governor's Office, it has two other provisions. One is to authorize the transfer of 3.5 million dollars from the General Revenue Fund to the Agricultural Premium Fund in order to cover all of the outstanding obligations on ag. premium which my understanding is there is not sufficient revenue to meet at the present time. The second is that it allows appropriations to be made from the Farm Emergency Assistance Fund to IFDA for payments from both the farm relief program and the payment adjustment program, or to put it more simply we passed two farm relief programs, one was the Governor's and one was "ours" and...but the appropriation could run only from ours, not from the Governor's. This would allow the amount of money, which is not being increased, to be spent from either of the programs. I'm not sure I would give the Governor that but that was at least the request that was made and I gather it was agreed to by some of those who had been involved in the process. That is what the bill does. I will answer the questions that I can. I may not be...be able to answer all of them on the Governor's part of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Discussion? If not, the question is, shall the Senate adopt the second Conference Commit-

tee report on Senate Bill 1037. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 1 voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 1037 and the bill having received the required constitutional majority is declared passed. All right...Senator Hall. Senator Hall, are you ready to proceed? All right. Supplemental Calendar No. 1, item vetoes, Senate Bill 1034, motion. I'm sorry, Senate Bill 134. Mr. Secretary, the motion.

SECRETARY:

I move that the item on page 159, lines 2 through 8, and on page 159, line 9 of Senate Bill 134 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senators Hall, Smith and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is the fifty-two percent of need and...the welfare grant increase. As I said before, that what we're simply asking is that we give people in need...whether they have to make a choice to pay rent, to pay for heat, to buy clothes and to buy shoes and other necessities of life, whether there's going to be food in the home. This is a veto that should be overridden and I'm going to yield at this time to Senator Dawn Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I...I think I've been here before but I will sort of start over again. I think there

are a couple of very basic points that need to be made about the attempted override of this item veto which is the...the public aid 6.4 million dollars in Senate Bill 134. First of all is the...the need; that is, the merits of the bill, the need for that amount of money. I think Senator Hall has already referred to that and I am sure others will. But let me just underscore one...or two points on that. What we are talking about is the amount of money that is necessary to keep the percentage of need from dropping from fifty-two percent to fifty percent. Now what does that mean? The State sets a basic standard of need for minimum subsistence for those people who are in need of public assistance. It is a minimum...subsistence level; that is, the actual definition is...let's see if I've got it here...the...to provide a livelihood compatible with health and well-being. The amount of money that we appropriate takes care of a certain percentage of that minimum subsistence standard. What we are saying is that if this 6.4 million is not included, that percentage will drop from fifty-two percent to fifty percent. Now, yes, admittedly there are food stamps and energy assistance that get added into the package and so it does not mean that all of the people who are on public assistance are going to be kept at exactly a fifty percent level, but that is still a minimum subsistence standard that we're talking about. And bear in mind that of the people on public aid, five hundred thousand are children, two hundred and fifty thousand are their parents, two hundred thousand are aged and disabled and there are about a hundred thousand unemployed adults. So, it is a...it covers all of us, it hits every district and every kind of population group. I would also point out that cost of living increases, if you want to call it that, have been effectively given to every other agency of the State including all of our employees and indeed many of ourselves at at least a five percent level. This comes nowhere close to

meeting that kind of an increase for those on public assistance. The second thing that I would like to point out to you is that the override movement is strongly urged upon us by the Campaign for Family Stability, and the Campaign for Family is another thing that really affects all of us. And if I may put it this way, this is not a group of lake front liberals if that would offend some of you, but listen to some of those who are part of the Campaign for Family Stability, the Salvation Army of Peoria, the Suburban Cook County-DuPage County Health Systems Agency, United Methodist Church, United Way of Chicago, the Child Care Association of Illinois, Catholic Charities of Joliet and on and on. These are all of the agencies that deal with the people who are our neediest and they are urging us to restore this extremely modest sum of money. The last thing that I would like to make is a point that really does not have to do directly with the merits or the need for the 6.4 million dollars and it has to do really with the legislative process and the integrity of our institutional system. When the Governor came into the Fall Session, he asked for some three hundred and eleven million dollars of supplemental appropriations. Some of that was probably quite appropriate and necessary, some of it was not and some of it was certainly not of an emergency nature. When the package was finally worked out at the very end of the Fall Session, there were items which, at the urging of the Republican side and the Governor, were kept in that by no stretch of the imagination were emergency matters and some of us voted for that supplemental appropriation knowing that there were nonemergency, nonessential items because it also included a matter such as the 6.4 million for the supplemental appropriation for public assistance. I would suggest to the Chief Executive that a deal is a deal, Governor. If you are going to...you and other members of your party are going to get some of us to vote for the things that we do not

think have to take place in a Fall Session, then you'd better not go back on what we believe is a commitment and veto out only one item, the public assistance part of the package. The marina for Waukegan or Zion, the Dana House, and I think the Dana House is a great idea, all of those other matters which are not emergency matters you approved. The only thing you cut out was 6.4 million for public assistance. I would strongly suggest that if you want any help from the General Assembly in the future, you ought not to be reneging on what we believe to be commitments. And we do believe this to be a commitment and so do all of the others who saw that money go into the supplemental bill in the fall. Governor, I would strongly urge you not to work against an override of this; and to my colleagues on the other side I would say, to a very considerable extent the integrity of our institution and our process is at stake. Please support the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Further discussion? We have in the following order, Senator Smith, Senators...Carroll, Geo-Karis and Newhouse. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members and Ladies and Gentlemen of the Senate. It has already been stated the facts about this override and I stand to strongly support the override of Senate Bill 134 and the item which embraces the general revenue on page 159 of the special budget, item two...line items of the veto of six million four hundred thousand dollars that was given and to be provided for the people who are on general assistance and those who are on welfare, aid to dependent childrens. In the Fall Session, there was a commitment that we would be able to have this amount of money providing for persons who could not help themselves but are solely dependent upon this general assistance for their survival. And we went along with some of the

things that our...the beloved Governor wanted and wanted to provide...his constituents; yet, we found that we were totally surprised that he had vetoed this commitment. I stand here this afternoon and I say to my colleagues that we as people here in the State of Illinois should never forget from whence we came, that we should not be insensitive to people who cannot help themselves. 6.4 million dollars is merely a drop in the bucket when you come to think about the luxury that is going to be offered to people who really do not need it, they need it in their particular areas of livelihood but their total sole survival is not dependent upon it. I merely stand here this afternoon to my colleagues on the other side of the aisle and those of us here on this side of the aisle, that we join in a unified effort and stand and cast our vote to override this veto so that people who are dependent upon us for their survival here in the State of Illinois will know that this legislative Body is sensitive to their very needs. I stand in support of this override.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of this motion to override as I had risen in the past to place this into various pieces of legislation. I think the record has to be clear as to what this is and what government is about. In dollars we're talking about a hundred and forty-five dollars a month maximum to reach this fifty-two percent of need to pay for rent, to pay for shoes, to pay for clothes, to pay for food, to pay for heat, to pay for everything that a person in need has to pay for other than that which other government agencies can help provide. Even if we pass this, it has been determined that we will be at about eighty-five, maybe eighty-six, maybe eighty-seven percent of the very minimum standard of need for

a person to maintain themselves, the minimum standard, nothing lavish, nothing extravagant, the very minimum that health allows at eighty-eight percent of that if we approve this cash portion. That means taking in energy assistance, food stamps and everything else, you're still at eighty-eight percent at most of the very minimum standard of need. My God, what is the cost to this State of health care for those who cannot even meet this minimum, who then become ill and fall within our public aid system of providing health care? A lot greater than the difference between what they're getting now and the hundred and forty-five dollars a month cash maximum in the highest area of cost, a hundred and forty-five dollars a month cash. A half a day in the hospital is more than what we're giving them in total. Ten minutes in the emergency room will cost more than this increase to fifty-two percent of need. And what are we talking about in total? The Governor came in for three hundred and eleven million dollars in a supplemental appropriation and does not have six million, two percent of that, to provide for those in need. What are State taxes for? People of Illinois pay tax for government to provide service. These are the people most in need. A six million dollar price tag out of a twenty billion dollar budget, a six million dollar price tag out of a three hundred and eleven million dollar request for spending, if we cannot have heart for two percent of the people...two percent of the dollars, eight hundred and thirty-five thousand people in need, then we have no business being here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I take issue at the statement that the Governor of this State approved fourteen million dollars for the new beachfront mariana in Zion with a harbor; he approved of a

loan of fourteen million dollars. And I take issue with the gentleman from the Coalition of Political Honesty who wrote letters to the editors, the Tribune of Sunday and the Sun Time saying the same thing, he ought to get his facts straight. I say this, the reason he approved a loan of fourteen million dollars which is being...going to be paid back starting 1990 to the State of Illinois at the rate of two million dollars a year is to provide not only recreational facilities but jobs, jobs which are very needed because our area is distressed in North Chicago, Illinois and in Zion, Illinois. And if you provide jobs, you can take people off the welfare rolls and put them on the payrolls. So I take issue when you...state a statement saying we approved a fourteen million dollars to be given to the marina. We did not, we approved of a loan to...create those jobs. And...I'll tell you one more thing, that shoreline, if they don't start working on it in...in next year...in this year as a matter of fact, in October, it's going to errode further and we'll...we'll have nothing to build a basis for jobs. So I say to you, the Governor should not be attacked, that's his judgment. My judgment may differ from his but I think it's wrong when we have to attack the Governor simply because he's making his own judgment on an issue just like us. My colleagues are making them on the other side and I'll make my own independent judgment on this issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let me just adopt by reference almost every speech that's been made up to this point. I'd just like to make one point for...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse, I've been attempting to get that all afternoon. Senator Newhouse has requested some

order. Can we break up the conferences. All unauthorized personnel please vacate the Floor. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I just want to talk for a moment about what happens in human terms in the event that this increase is not permitted, and as a matter of fact, this increase is not going solve all the human terms problems. What we're talking about here by and large is what's going to happen to our children. And if we do have any single obligation in this legislative Body, it's to assure that our children do have a future in this State, that they can become productive, and I say again, productive citizens of this State, that they do become contributing taxpayers and that they do become those kinds of citizens that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. Can we have some order. Senator Newhouse.

SENATOR NEWHOUSE:

Shall I start from the top?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take your pick. Senator Newhouse.

SENATOR NEWHOUSE:

What we're really talking about, Mr. President and Senators, is a plan that at minimum, at minimum, will help some of our children to survive and have a productive life. Now let me tell you what's happening right now and I think most of you know it already. Utilities are being cutoff so that heat is not available to many families with the temperature in the below zero range, I think most of us know that already. I think this is probably not restricted to Chicago nor to the County of Cook, I suspect that there are similar problems elsewhere. Now if you want to go from the human problem to the fiscal problem for just a moment. Senator Carroll pointed out the dollar cost of one visit to an emer-

gency room. We know that the flu epidemic is coming, we know that some infants will not survive that. I'm not suggesting that this fifty-two percent standard of need is a cure-all, and I'm not suggesting that for everything I've mentioned it's a panacea, it's not. But what it can do...what it can do is reduce the damage. All fifty-two percent is is a damage controlled instrument; it certainly isn't that instrument that's going to prepare our kids to compete in the top bracket of...as...as in other states to be productive as in other states. They will be because there are the kinds of supports we're talking now. I would urge us to look at the dollar amount because it is a piddling dollar amount and add that dollar amount back into the kinds of money that we're about to spend out of some nineteen billion dollars that is budgeted for this State for the next fiscal year. I would urge your support for an override of the...Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WCIA-TV has requested permission to videotape the proceedings. Is leave granted? Leave is granted. Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. It...it appears that I must assume the role of designated hitter, one I do not relish but one nonetheless we have to discharge as a part of the process. Lots have...has been made about this both in the substantive context and in the context of the process. I think two points must be said in response. One, as one who served on that Conference Committee, let me make it clear that throughout the process of putting together the supplemental appropriation the representatives of the Governor's Office said repeatedly we do not support the fifty-two percent of need; and, indeed, the practicalities of the process were such that it went in over the objections of the office. And I'd point

out that those who raise the...raise the issue of...spending this on one project or another are mixing apples and oranges as in the context of capital projects are different than operations projects. And finally, conspicuous by its absence from the comments of those who would...move to override this item reduction is the fact that we're not really talking 6.4 million dollars, we're really talking about 25.8 million dollars out of current operations. And I think that all of us...and this point was made repeatedly during the Conference Committee process when you're talking about that kind of expenditure, it is not something that comes in at the Conference Committee level. The issue had been debated in the spring in the appropriation's process, and when it was brought in to the Conference Committee level, you don't make those kinds of twenty-five million dollar expenditure commitments in a room with ten conferees, you do it in a...fuller process in the appropriation's process. So, it is not, I repeat not, some kind of slap in the face to AFDC or general assistance but it's very prudent and reasoned approach to government. And I would suggest to those who would say in a more impassioned context that we have to look at it that way if we are going to discharge our obligations, because we...all of us, I would remind you, share this concern, and during the discussions in the Conference Committee we repeatedly made that point that you do not bring this up at a Conference Committee whether it be the 30th of June, the 1st of July or at a supplemental Conference Committee, that this thing should be done out-front, openly with a fuller discussion of the context in which it happens. Therefore, I would suggest that we all of us should not override this particular item veto. Thank you.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Chew.

SENATOR CHEW:

Yes, sir. Thank you, Mr. President. Everybody knows what it is. Very few people would agree with the Governor. It seems that his veto said, the hell with the small people if they can't help themselves, so we're not going to help them. Now this Body passed this bill and sent it to him, and anybody with any compassion of what is need would have signed this bill. I cannot understand, regardless to what his messages were, his feeling on this veto. I think we, as legislators, ought to use the option that's left to us and that is when we think that the Chief Executive is wrong is to correct him as we so frequently do and override his veto, and we will be saying to the people of the State of Illinois, we are looking out after your interest as we are sent here to do; and in spite of his attitude toward these people, it's not a racial situation, it's not a black and white issue, it's a people's issue and we're here to represent people, and one of the best things we could do today would show our willingness just as we did to pass the legislation is to say once again, we're going to stand and represent these people as they should be represented because we're all they got. So, I would urge an Aye vote on 134.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think that it's been thoroughly discussed and the points have been broke...brought out, but I must say to Sena-

tor Bloom that he knows full well that the chairman of Appropriation II in the House, Representative Woods Bowman, Senator Carroll and myself repeatedly brought this up that what are you going to do about the people who cannot help themselves and to now say that it should be brought to light. Can you imagine if you wake up in a home without any heat, without any...go to bed at night hungry? Children cannot really function well in school because they don't have proper food? What we're doing today...and it's just appalling to think that here we are in this great land of liberty...it's appalling to think that we consider if you're poor, we have no time for you. It's wonderful to take care of all of these things, highways, roads and all, but our primary concern should be to take care of the poor, the indigent, the senior citizens and others who cannot help themselves. No one likes to live in poverty. There's no one on this Floor I would say that...that has their gas cut off at their homes, they don't have their children coming up worrying about food. The essential thing in life...the essential thing that we should do, as Senator Chew has so clearly stated, is to be about the business of people. Now for you to say, because it's going to cost twenty-five million, so what? What's more important than a life? Tell me, what's more important than we save a life? You spend millions. All you got to do is pick up the paper every day and they rushing to try to bring a heart to somebody or they try to bring some organs. Our first primary concern should be that we're here about the business and the people's business, and to say that we're going turn our back on them. This would be a day of infamy if we do not override this...it's human to error and the Governor has errored. Now there's no...and you cannot stand on this Floor, Senator Bloom, and say...when this bill went out of here because we put on that 6.4 million dollars. That's why it went out of here. It would never have gotten our votes for all these

other things, but the thing is that we thought at long last that we're here to look off...after the people. We spend over fifteen thousand dollars a...every year on...on a person incarcerated in an institution and we can't spend...monies to help people who are in need. We wonder why today that we got so many people in universities that cannot fill out applications, who have...read at a fourth and fifth grade level. The reason is that down somewhere somebody is failing to do that, but yet we appropriate all this money. I'm for education and I'm for all these other things, but when you think...with a budget as large as this State has had, that you could spend almost two and quarter million dollars every day for a year and you wouldn't spend a billion, and we have a budget of a...nineteen and a half billion and then come back here with another three hundred million? I don't know...I don't...it's just...I'm just flabbergasted to think, what are we doing to ourselves? You tell me that you can say that we should tell people who are hungry, wait; people who are cold, wait; people who not have the...life. What we're doing, we're raising people today who because of what they're being denied now, who will wait and grow up...there's malnutrition, it's going to cost the State much more later on. I would say to you today, I implore you, I beg of you, what we need to do is when the errors and the error was made and can you imagine if I walked over to you, Senator Bloom, and said you don't need to eat, telegraph your stomach and tell you that you're going to have some food. I'm...I'm shocked at you, Senator Bloom. I've been reading all about you in the paper. I see all the things you're running around here doing, but the point that happens is that you're telling me that you believe that you want to see people hungry, that you want to see people continue in this...I'm just shocked. I ask you, and this isn't a Republican or Democrat, this is something that we owe the people of this State. We owe the right...it's a duty, that's

SB 134 Override

why we're here and we should override this Governor's veto. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 159, lines 2 through 8, and on page 159, line 9 of Senate Bill 134 pass the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, 1 voting Present. The motion fails. All right, motions.

SECRETARY:

I move that the item on page 115, lines 8 through 14 of Senate Bill 134 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I ask for an...I ask for an override of the Governor's itemized veto. This is money for a needed police jail which will be needed in the...in the next year because they're building a new court system in southwest Cook County which is District 5 which is near Palos Hills and all the State police bring their prisoners to hold them overnight to...to trial. I think this jail is necessary so there's no overcrowding and there's no inconvenience for bringing prisoners from this area back to Cook County then back in the morning to...to the facility at the 5th District. I ask for an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and...I'm sure it wasn't me. Thank you, Mr. President and Ladies and Gentlemen

of the Senate. This is nine hundred and sixty thousand dollars direct grant to the City of Palos Hills, Illinois. We have never done it before. It may be a good cause. If you start here, every municipality in...in Illinois is going to be in here and say, the State ought to build our jails. It's a bad policy to start. I suggest we vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

That is probably true if this was a normal jail, but what we're talking about is the City of Palos Hills is...going to be enfaced with an increase in retaining prisoners because a new court in the 5th District is going to be built on a 103rd and Harlem. This facility be...will be down the road about a 103rd and Kean. What we need this facility for is very simple. The prisoners are brought here by the State police from the tollway system. They're all brought to five. They're brought as far as Harlem and...and Stevenson. They're all brought to the 5th District for detention on DWI's, sexual...abuse and waivers on the tollway authority facilities, homosexual activity on the...on the...activities on the tollway and other things like that that normally isn't in a normal village, but because they're at the foothill of 95th and...street exit of the tollway, they're brought there and the State brings everybody there. It's...it's going to overcrowd the...present jail which isn't enough to...to...to presently take care of the problems in the City of Palos Hills, but the...the jail in Palos Hills is not going to be able to accommodate these people. Either the jail is going to be a...overcrowded, the prisoners are going to have to be...arraigned, brought to...to 26th and California facility and then brought back again for...for a hearing before the judge on the preliminary. This is not something that's...that's a normal thing for a...a city or a town to be

involved in and I think it's a need emergency allegation were...appropriation and we need it now because if this new facility will be built sometime in...in the end of '86 or '87 of the new circuit court facility and this will help them to build their facility and to take care of this law, and I ask for an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the item on page 115, lines 8 through 14 of Senate Bill 134 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Donnewald...Treasurer Donnewald...have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, none voting Present. The motion fails. All right, with leave of the Body, we'll go to the second Supplemental Calendar which has been distributed. Supplemental Calendar No. 2, Conference Committee report, Senate Bill 1345, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Conference Committee report on Senate Bill 1345 is the second Conference Committee report. It deletes everything after the enacting clause at the request of the Illinois Community College Board and the Board of Higher Education. What happened...this is technical in nature, inadvertently was typed in...Fiscal Year '83 instead of '84, so that change is made. And it also provides a technical change concerning the distribution of repair and...and renovation grants from the Build Illinois Bond Fund. If there are no questions, I would move for the adoption of Conference...Committee Report No. 2 on Senate Bill 1345.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I, too, agree that this is a good bill. It's a codification change and it's been changed quite a bit and I certainly concur with the chairman and urge an Aye vote on the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Move for the adoption, please, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the Senate adopt the Conference Committee report on Senate Bill 1345. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 2 to Senate Bill 1345 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The House has just successfully passed Senate Bill 1249 with some House amendments. That will be coming over and that will reflect itself on Supplemental Calendar No. 3. The Message is not yet here, as I understand it, but the fact is that it is of some importance that we deal also with that one. So, in the meantime, I would...I would ask leave of the Body to go to the Order of Motions in Writing. We have some motions filed with respect to the rules change that Senator Philip and I have discussed and agreed upon and there are some additional motions I'm told.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, on the Order of Motions in Writing, Mr. Secretary.

SECRETARY:

I move to amend temporary Rule...5 by deleting Rule 5C and substituting in lieu thereof the following. Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The motion to amend temporary Rule Senate 5 sets up the schedule, if you will, for the 1986 semester. As you know, as we have done in the past, we have established dates certain as deadlines for conclusion of our business and we have further provided, as we have in the past, that all bills introduced and all bills pending in the Senate shall be referred to the Rules Committee and the Rules Committee shall refer to the Committee on Assignment of Bills only appropriation bills implementing the Governor's budget and administration or other bills deemed by the Rules Committee to be of an emergency nature or of substantial importance to the operation of government. The timetable...a copy has been distributed to all members. The timetable calls for April the 11th as the final day for introduction of bills and then it sets up the sequence for bills out of committee, out of the Senate, out of the House and calls for final action on 3rd reading and passage of House appropriation bills on June 25th which in the opinion of the leadership, and we met this morning, will afford us, we hope, ample time to conclude our business in an orderly fashion on or before the thirtieth day of June. The deadlines are not new to anyone. The only hitch this year is that as you well know there is a Primary Election on the eighteenth of March and Easter is early. Easter is the last Sunday of March. So after the Governor's Budget

Message and after the primary, we will effectively begin our business on the first day of April and so the deadlines established by virtue of this motion reflect that timetable. I...I know of no objection and I would move that temporary Senate Rule 5 be amended as...as set forth in the motion and request a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...oh, Senator Keats.

SENATOR KEATS:

A question of the President. You know, there are three more rules amendments. Will they be heard next? I do not expect them to be lengthy, but I assume we'll hear them, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I've been looking forward to it all day.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Mr. President, the Senate earlier passed a resolution and sent to the House that would speed up these deadlines by thirty days under a resolution presented by Senator Sangmeister and DeAngelis. Do you know what the posture is of that resolution and the chances that the House might act?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Posture in limbo, chances slim to none. The House has...has adopted, at our suggestion, the same days for dead-

lines so that our action will be concurrent and when Governor Sangmeister presents his plan again next year, it might meet with better favor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the motion just read by the Secretary, those in favor will indicate by voting Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The motion on...having received the required majority vote is declared adopted. Senator Smith, for what purpose you seek recognition?

SENATOR SMITH:

Thank you, Mr. President, I'm asking the indulgence of this Body to do me this courtesy, please. On Senate Bill 1037 when the vote was...I'm asking...I'm first...this is the first one, please. I was in conversation with someone and...and got...cast my vote wrong. I wanted to be registered as a No vote on 1037, and then when we got...I was talking to Mr. Constantine, I'm so sorry. On 1345, I would have voted Yes on that. If you'd do me that courtesy. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate. Further motions?

SECRETARY:

I move to amend temporary Senate Rule 5 by deleting Rule 5C and substituting in lieu thereof the following. Signed, Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. And in speaking to Governor Sangmeister's resolution earlier, this is sort of a hybrid. The Senate has passed a slight move up of the Calendar in the

past and passed it with fairly overwhelming majorities. What this...what this particular rules change offers is moves the schedule up one week. As you know, one of the great complaints of the membership is really the Conference Committees start in those final days and sometimes we don't quite have enough time to give the full whatever we would want. This simply says instead of starting Conference Committees the twenty-fifth, we move it up a week to the eighteenth and all the other deadlines would be moved up one week to the eighteenth. Now for some of the members who are not listening I just want to stress, numerous of you have said in various conversations, we really ought to have another week on Conference Committees, we really ought to since the whole Session comes down to the final week anyway. Perhaps we should be sure that maybe it isn't just a couple of days and that when all the major business is being done, which is in the final week of the Session, we would perhaps set ourselves up to have a little bit more time, this would give us two weeks to deal with Conference Committees and everything else would be moved up one week so that all the deadlines would be one week earlier, thereby allowing us to have two weeks for Conference Committees and so instead of doing all the business of the Senate in one week, we would have all the business done in two weeks. I would appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? While...before we call for the further discussion, the Chair would like to recognize Governor Stevenson talking to Judge Darrow on the Floor. Governor. Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this motion and I will rise in opposition to the subsequent two motions that Senator

Keats has filed unless he will agree, as I hope he will, to refer these immediately to the Rules Committee for their deliberation. This matter has not been, frankly, discussed with the leadership. I supported, as you recall, as you did as I remember, Senator Sangmeister's resolution calling for an abrupt halt to our business at the end of May. The House has not looked upon that with any favor. I suggest they will not look upon this either with any favor and I think we...we at least owe a duty and a responsibility to ourselves to be realistic. This just isn't going to cut it. What's going to happen is we'll get in mid-June and things will be all bottled up and we'll have to make a motion to amend or suspend the rules and we really ought not do that. I think the...the prior motion that was adopted overwhelmingly sets up a realistic set of deadlines or realistic schedule and one that I hope, frankly, in...in all honesty, we can...we can conform to. I don't like to stay here beyond June 30 anymore than anybody else does, but I think we have to be realistic. We are a bicameral Legislature, not a unicameral one and so we have to also take into account what the actions of the other Body are. I would urge opposition to this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, those in favor...oh, Senator Keats wishes to close.

SENATOR KEATS:

I just close 'cause I think everyone is now more aware. I think some people missed the first part. I just want to say, it's true this had not been directly discussed with the leadership, but this issue has been discussed for about the last ten years that I've been a member of the General Assembly and to be quite frank has not...the leadership has never quite listened on the issue of saying we need more time at Conference Committees. The reason I don't want to put it in the Rules Committee is because...I think we all understand

that. I don't think that needs to be explained. On the last point of being realistic, this is realistic. The entire Session takes place in roughly a week at the end of June. This at least would say the entire Session takes place in two weeks at the end of June instead of one week. I would appreciate your affirmative vote and I think come the end of June you would all be more than happy that you had given yourself a little more time to look at the business that we're dealing with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats moves the adoption of the motion read by the Secretary. Those in favor will indicate by saying Aye. Those...oh, roll call has been requested. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 25, none voting Present. The motion having failed to receive the majority...constitutional majority vote is declared lost. Are there further motions?

SECRETARY:

I move to amend...Senate Rule 43 by deleting Rule 43DIII and substituting in lieu thereof the following. Signed, Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Excuse me, could I clarify which amendment...you know, I'm sorry, I didn't catch which one it was.

SECRETARY:

Okay, it's the one on Conference Committees...members. Okay?

SENATOR KEATS:

Thank you. What this...what this does is establishes a Senate Rule that the members of the Conference Committees

should come from the committees of jurisdiction. I think we've seen occasionally that bills that went into Conference Committees sometimes came out looking slightly differently and this would at least be sure that the members of the committee, the individual members of the Senate...perhaps some of you feel strongly that you should have...at least some minor input in some of the Conference Committee action. What this says is the committee members of a committee upon which this bill went through would be on the Conference Committee. These people would at least allegedly be much better informed than simply picking a Conference Committee out of the blue. In many cases, this is done now. As you know, in the Appropriations Committee, getting on an Appropriations Conference Committee and not being a member of appropriations, your chances of that are slim or none. The same should be afforded to a member of the Judiciary Committee or should be afforded to the members of whatever committee you serve on 'cause allegedly the reason they're on...that committee is 'cause you know something about it. I would appreciate an affirmative vote and it would give the individual members more input in the final action.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock. Senator Netsch.

SENATOR NETSCH:

I had a question on this, Senator Keats. As I read it, the sponsor of the bill would not then be a member of the Conference Committee. If the...unless the sponsor happened to be on the substantive committee from which the bill...excuse me, came?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

The...in the...far as having the sponsor himself a member, that has tended to be a traditional thing and nor-

mally...I'm going on my memory, is normally he is...he or she is simply appointed as...as a member of the Conference Committee. This sets up the other members, period, beyond the sponsorship of the bill. I think what you're talking about is covered under a different rule but that has been a traditional value...here. What this would say is, you've got a sponsor and...and then you have X number of members from the specific committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom...oh, Senator Netsch.

SENATOR NETSCH:

Thank you. I think you are incorrect about that, Senator Keats, because I believe the only language that covers it now is what you have in this proposed rule and it just says, flat out, "Conference Committee members must be assigned from among those members of the committees of jurisdiction from which the bill was reported." I am not as wildly enthusiastic of...about this one as about some of the others, although I think the basic idea is very good, but I think you better go back to the drawing boards on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...Mr. President, if she is correct...if we could ask the Parliamentarian, the distinguished gentleman to your left, if that's correct, my understanding was it was not and if it's correct, I'm going to withdraw it because...

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Parliamentarian indicates that Senator Netsch is correct that...

SENATOR KEATS:

...withdraw it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Keats is wrong. So, Senator Keats will with-

draw the motion. Any...any further motions?

SECRETARY:

I move to amend temporary Senate Rule 43 by deleting Rule 43E1 and substituting in lieu thereof the following. Signed, Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Reading this word for word would be the key parts...key thing to say. "The report of a Conference Committee on a nonappropriation bill shall be confined to the subject of the bill or resolution referred to the committee." We then remove the clause that says, "but shall not be otherwise limited by the scope of the disagreement between the two Houses." Sometimes in Conference Committees, I don't know if any other members have noticed this, but occasionally a bill comes out of Conference Committee and we have a hard time recognizing the bill, in fact, find issues that some of us have never in our entire lives heard mentioned during that entire Session. What this says is a Conference Committee would be limited...would be limited to the basic scope that the bill covered. It's still fairly open-ended. It's the basic scope the bill covered. When it went through committee, anything that dealt with that bill, that area, anything within the scope is covered, but what it says is if you send a bill into Conference Committee about apples, it doesn't come out about oranges, and so it does put a limitation of subject matter...but does not limit anything other than within that subject matter, but what it says is you have to at least stick to the basic intent of the bill. What that helps to avoid is...I think you've seen sometimes an agenda suddenly comes up in the last two weeks. I'll use McCormick Place as an example. No one mentioned to us that they had a single problem and yet in the final two weeks of the Session,

without it ever having been heard in committee, without it ever having been discussed, all of a sudden it's a...it's supposed to be on the Floor and it'll be tacked on a Conference Committee report. Perhaps the individual members have some right through committee hearings, et cetera to at least be aware of what an agenda is perhaps before the last week of the Session. So, what this says is a Conference Committee is limited to the scope of the subject matter but only that limitation which is still a very broad limitation and...but says you just can't substitute things that have absolutely nothing to do with the original bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Senator...I'm yield to Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Netsch. They're not ready yet? Senator Rock.

SENATOR NETSCH:

I am.

SENATOR ROCK:

Are you ready? Are you against...

SENATOR NETSCH:

Go ahead...go ahead...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. While I'm awaiting Senator Netsch's wise counsel, I rise in opposition to this motion also. The fact of the matter is that from time to time, indeed, Conference Committee or bills are used as vehicles, much the same as we did today by fifty-two affirmative votes. We had Senate Bill 1037 sponsored by Senator Netsch, totally different subject matter, absolutely, unabashedly necessary and from time to time we have to do that. I am opposed and

have been opposed, that's why our rules are so lean. I am opposed to people who have been elected to the public trust to be in any respect circumscribed. If you got thirty affirmative votes around here as a constitutional majority, you can do what has to be done and sometimes it's necessary. This would just circumscribe our action. I do not think we have abused it at all and I think that this motion too should fail. I urge opposition to this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

I would...I would...thank you, Mr. President and Ladies and Gentlemen of the Senate. I agree with the comments made by the prior speaker. Sometimes in our headlong rush to effectuate reforms we sometimes give reform a bad name. I think in this instance and in the instance of the prior suggestion, these...this is both ill-advised and really would do a disservice to the operation of the Senate in the context of how we respond to what our constituents need or want or how we respond with some flexibility to situations that develop. This is, I think, no better than the prior motion and probably should be withdrawn. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I don't agree with Senator Rock with respect to the necessity to circumscribe what we do to some extent. I, after fourteen years, have decided we do need to put some restrictions on ourselves and that one of the problems about loose open-ended rules is that they do not always work fairly for everyone involved. But apart from the fact that he just cut my argument off at the knees by pointing out the fact that I was the sponsor of a Conference Committee report on a bill that had nothing to do with the original subject matter

of the bill, I think the problem, Senator Keats, and I...this I am very serious about is not the issue that you raised, but I suspect that you have not successfully achieved anything by this particular version. Number one, you've left the...really the...wide open loophole of subject matter of the bill, and as you know that is really the...the gaping hole through which most of these things travel, so that I'm not sure that you've achieved anything; but beyond that, it seems to me that what we really need to look at, and I promise you I will be looking at this for next year, is on some procedural protections that make sure that when we do use a bill as a vehicle, and there is no question that there are times when it's appropriate and not a matter of dispute, that the...the procedural restraints on ourselves are such that it never happen unintentionally and without full knowledge and virtually unanimous acceptance. I think that is really what we should be looking for rather than just deleting this one phrase of...of this bill, and I will devote my attention to it along with you, if you choose, before we come back to it next year, but I don't think this achieves what you want to achieve.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Keats may close.

SENATOR KEATS:

Thank you, Mr. President. Dawn, I appreciate your ringing endorsement. I want to correct one thing with...with President Rock, and I appreciate his...his comments in terms of...I believe the word you wanted was circumscribed. If we're limiting us by moving the private agenda up by three weeks, Phil, if you can't get organized three weeks earlier, I'm not sympathetic. All this does is move the deadlines up to the first part but in this case saying, if you are going to Conference Committee, all we're saying is, concede your

agenda about two to three weeks earlier. I don't think that's unreasonable and that's where, Dawn, coming back to your saying, Dawn, that...maybe I've left it a little too wide. Dawn, believe it or not, I'm trying to be a little practical. I'm trying to give us enough leeway to say, partially what Phil is saying, if we do have a legitimate problem, this gives us some leeway, but what it says is a bill that deals with apples will come out dealing with mostly apples, and so what we're trying to give some protection to the individual members and particularly protection to our constituents who are never allowed to find out what the agenda was. I mean, when was the last time you had a constituent say...that bill passed June what? And you're sitting there saying, well, it didn't go through committee that's why you never heard about it and the press never heard about, it was never a public thing. This at least puts minor limitations which are probably reasonable. I would hope for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall the motion just read by the Secretary and debated pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On...on that question, the Ayes are 7, the Nays are 23, 3 voting Present. The motion having failed to received a constitutional majority is declared lost. Okay, we have Messages from the House. Also, we have from the House the Chief of Staff and representative and point man for Speaker Mike Madigan, Mr. Gary LaPaille, the great 13th Ward Precinct Captain escorting the Governor...Governor Stevenson. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the

passage of a bill with the following title, to-wit:

Senate Bill 1249 with House Amendments 3, 9, 10 and 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Pages are distributing our Senate Calendar, Supplemental No. 3. On the Order of Senate Calendar Supplemental 3, we have for concurrence Senate Bill 1249. Senator Philip. Senator...are copies of the concurrence report being distributed to the members now. Are the Pages...are they out on the Floor distributing it? Yes. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. While we're affording the members an opportunity to take a look at what the House did to Senate Bill 1249, there are two additional motions that I'm aware of that have been filed to discharge the Committee on Executive. Senator Weaver has one and I have another...that in the interim perhaps we can go to those. They are motions with respect to Senate resolutions. Senator Weaver, I think, has Senate Resolution 629 and I have a motion filed with respect to Senate Resolution 576. Mr. Secretary, read the motion.

SECRETARY:

I move to discharge the Committee on Executive from further consideration of Senate Resolution 576 for the purpose of immediate consideration. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The motion before the Body is to discharge the Committee on Executive from further consideration of Senate Resolution 576. This, in fact, was supposed to have been done or should have been done, I suppose, at the time at which we passed the banking legislation. It calls for the

AR 623

creation of a special Senate committee to study consumer banks in Illinois. One of the things that happened to us last Session was that the bill dealing with the authorization for consumer banks was only introduced in the House, and as a result, the members of the Senate did not have an opportunity to study the issue. It is...it is of some significant importance to a major Illinois corporation, namely, Sears Roebuck, among others, and so I have submitted a resolution calling for the creation of a special Senate committee on consumer banks which will be appointed by Senator Philip and myself to study the issue and report back to the Senate. The reporting date is March 15th; obviously, we'll have to probably advance that...or postpone that, but the fact is that this is something I think that's worthy of our consideration. I would move that the Committee on Executive be discharged and that the resolution then be adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock moves the adoption of his motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Executive Committee is discharged from further consideration of Senate Resolution 576. Now, Senator Rock moves for the adoption of Senate Resolution 576. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion is adopted and the resolution is adopted. Further motions?

SECRETARY:

I move to discharge the Committee on Executive from further consideration of Senate Resolution 623 and...for the purpose of immediate consideration. Signed, Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I've spoken to the chairman of

Executive and the minority spokesman and they agree that this is all right. Now, basically, this directs the Office of the Auditor General to conduct a feasibility study concerning the public benefits of...or the alternative to a State Toxicology Laboratory. We, last year, appropriated fifty thousand dollars to the Auditor General to do this but we failed to pass the resolution for some reason or another.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves that Executive Committee be discharged from further consideration of Senate Resolution 623. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senator Weaver now moves for the adoption of Senate Resolution 623. On this we will need a roll call since it deals with the expenditure of money. Those in favor of the...the adoption of Senate Resolution 623 will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Resolution 623 having received the constitutional majority is declared adopted. Further motions?

SECRETARY:

No further motions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If everyone has already had...Senate Calendar Supplemental No. 3 distributed, they all have it on their desk, we will go to the Secretary's Desk for concurrence on Senate Bill 1249. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have not seen what the House has done. It had not been passed out on our side. I would suggest that we...we stand at ease until we have the accurate information on exactly what the House has done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The information has been passed out. We do have some paper work. We have some...some bills to introduce and some resolutions to introduce into the record. While you're checking out the information, we'll have the Secretary...we'll go...we'll go to the Order of Resolutions.

SECRETARY:

Senate Resolution 639 offered by Senator Dunn and it's congratulatory.

Senate Joint Resolution 107 offered by Senator Dawson and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 108 Constitutional Amendment offered by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive Committee. Introduction of bills.

SECRETARY:

Senate Bill 1507, introduced by Senators Topinka, DeAngelis, Maitland, Kustra, Mahar and Dudycz.

(Secretary reads title of bill)

1508, by Senator Barkhausen.

(Secretary reads title of bill)

1509, by Senators Dawson and Jones.

(Secretary reads title of bill)

1510, by Senators Newhouse, Collins, Dawson, Smith, Jones, Hall and Chew.

(Secretary reads title of bill)

Senate Bill 1511 introduced by the same sponsors.

(Secretary reads title of bill)

1512, by the same sponsors.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules...Rules Committee. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There is apparently further discussion needed on the House amendments to 1249 which is perfectly understandable. I suggest, however, that rather than keep all the members that we adjourn until ten o'clock tomorrow morning and would like to call the attention to the members that the Rules Committee will meet at nine in the Office of the President. We will stand adjourned, if the motion prevails, until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate stand adjourned until January the 9th, Thursday at 10:00 a.m. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

January 9, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by Senator Kenneth Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Thank you, Senator. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr...Mr. President, I move the reading and approval of the Journal of Wednesday, January 8th, in the year 1986, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 640 offered by Senator Newhouse and all Senators, it's congratulatory.

641, by Senator Jeremiah Joyce.

642, by Senator Jeremiah Joyce.

643, by Senator Jeremiah Joyce.

644, by Senator Jeremiah Joyce, all congratulatory.

645, by Senator Kelly, it's congratulatory.

And 646, by Senator Marovitz and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1513 introduced by Senators Lechowicz, Nedza, Rock, Lemke, Degnan and Jeremiah Joyce.

(Secretary reads title of bill)

SB 1249 concurrence

Senate Bill 1514 offered by...introduced by Senator Rock.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill 1515 introduced by Senators Dawson, Jones, Welch and Poshard.

(Secretary reads title of bill)

Senate Bill 1516 introduced by Senator Welch.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Committee reports.

SECRETARY:

The Rules Committee met at 9:00 a.m. on Thursday, January the 9th, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills.

Senate Bills 1490, 1491, 1495 and 1506.

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills to committee:

Elementary and Secondary Education - Senate Bill 1490 and 1506; Judiciary II - Senate Bill 1495; Public Health, Welfare and Corrections - Senate Bill 1491.

PRESIDENT:

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. On Supplemental Calendar No. 3 is Senate Bill 1249. I would move that the Senate do concur on House Amendments 3, 9, 10 and 12. Basically...

PRESIDENT:

All right...all right. The gentleman seeks...if you'll look on today's Calendar...on page 2 on the Calendar on the

Order of Secretary's Desk Concurrence. The gentleman has requested leave to go to that order of business for the purpose of concurring in House amendments to Senate Bill 1249. On the Order of Secretary's Desk Concurrence is Senate Bill 1249 with House Amendments 3, 9, 10 and 12. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Basically Amendment 3, 9, 10 and 12 do this, it's additional bond authority for FY '86 of a total of a hundred and fifty-five million dollars, McCormick clean-up language I believe that we agreed to during the last Session; and the third thing is IFDA and Arts Council incentive for film makers to do filming in Illinois with a thirty-five percent pickup of production cost from the State of Illinois. I...I have been told by the IFDA lawyers and the Governor's lawyers that it technically is incorrect, there is no appropriation for it. Instead of trying to knock it off over here and send it over there, it isn't going to go anywhere...anywhere. We're suggesting just leave it in there, it isn't going to do anything anyway. So I would move that we do concur in House Amendments 3, 9, 10 and 12. Be happy to answer any questions.

PRESIDENT:

All right. The gentleman has moved concurrence in House Amendments 3, 9, 10 and 12 to Senate Bill 1249. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I've been trying to find my synopsis from yesterday. I would appreciate if the gentleman would tell me specifically what Amendment No. 3 does.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Amendment No. 9 deleted everything after the enacting clause.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, that...that's...that's good, it deleted everything after the enacting clause but then what did it do? Frankly, I was...it's my understanding that this is the provision that increases the bond...obligation for the Metropolitan Fair and Exposition Authority. Frankly,...at the moment, I was interested in what House Amendment No. 3 did, not No. 9. I want to know what No. 3 does.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

...Amendment No. 9 deleted Amendment No. 3.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Is there any kind of a tax increase in...in House Amendment No. 9 or is that in House Amendment No. 12? I don't remember which one it was.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Senator, to my knowledge there isn't any tax increase at all.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Okay. Then just tell me what House Amendment 9 does first.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, basically, it...Amendment No...9 does three things. It's the bond authorization for...FY '86 for a hundred and fifty-five million dollars, it's McCormick Place language cleanup which the Bond Counsel have suggested, and it has got a House Democrat amendment on it in regard IEDA and the Arts Council regarding filming in Illinois, that through the Art Council they would give credit to film makers of thirty-five percent. The Governor's lawyers and IEDA lawyers say it's fouled up, quite frankly, and there is no appropriation for it and...and they aren't going to be using it. Evidently, the Governor's Office and the Arts Council are going to try to work something out for the next Session of the General Assembly to give some type of incentive for film makers to come...to Illinois and do something. I have no problem with that. I have a problem with this particular way they want to do it, but I think that the Governor and the Arts Council will work something out that's reasonable. We'll come back here next Session and maybe, maybe we'll do something.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So, then, I'm to...I'm to understand then by virtue if House Amendment No. 12 that we're going to be bonding for motion pictures to be produced in the State of Illinois through the Illinois Arts Council. Is that correct?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

I...we can't do that. The lawyers tell me you cannot do that, we're not going to use it. The problem is this, Senator, is that if we take it off...that amendment off here, send it back, we'll be wasting time. You can't bond anything that isn't depreciable and...and...I say...it...it is wrong,

the language is wrong, the lawyers say it's wrong. It...it's there but it isn't going to do anything and the Governor isn't going to use it anyway.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Philip, I'm looking at this and you say you're saving time. We had something yesterday that we couldn't save time. I mean, what is the...the emergency on this? We did...we...we could not give people 4.6 million to...for food and for clothes and things like this. Why is this necessary that we do that...this time? And the next thing is, you...or it includes the production of motion pictures as an eligible project which may be financed under this Act. In other words, I don't trust these things anymore, I don't trust after what happened to us yesterday. Tell me what is the emergency on this? Why can't this wait? We're going to be here, this is going to be starting a new Session. Why must we do this right now?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, of course, this was authorized back in the Spring. There are many projects for your side of the aisle like there are projects for our side of the aisle. Some of those members want those projects now and...and, quite frankly, we're going to end up doing it, why not do it now?

PRESIDENT:

Senator Hall.

SENATOR HALL:

That's exactly my point. Why can't we feed the poor, the hungry, the indigent, the elderly? Why can't we...them? It's more important to feed people than it is to make motion pictures. It's more important to take care of the people who cannot help themselves. I don't think this is a wise decision to make. We're in no hurry on this thing. When I look at this down here, I'm seeing where the total general bond authorization of the State has increased from 1.681 billion to...1.836 billion. I'm just saying I might be able to support this if it's at a reasonable time, but if we cannot take care of feeding the hungry, the poor, the needy, I cannot in good conscience support anything and tell me it's necessary that it must be done now. I'll voucher that no one on this Floor can stand up and say that they feel this ought to be done right now.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, am I to gather from the comments of the prior speaker that they want to bond public aid now? I think we ought to point out that the amendment that was put on to this bill came from your side of the aisle over in the House; and I think that the sponsor of the legislation says, look, we don't particularly care for it but if that's what they want to do, let them do it because it has no legal effect. But ultimately from the remarks of the prior speaker, we'd conclude that now we want to bond public aid grants, and I...I don't think that's really what you want to be saying.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

You know, this thing with the films is...I'm reading the language and it says we're going to pay thirty-five percent

of the cost of the projects. Isn't it my understanding like when Gulf or some of the banks or the railroads finance movies that they get a piece of the profit? Are we going to get part of the profit if we start financing? You know, I have seen in this State and I have heard criticism from many businessmen in this State over...I...it's nice to get the plant in Illinois to build Mitsubishi cars, but we spent a lot of money with uncontrollable reins on that spending and the Governor and DCCA did that. And I...hate to give them any authority without getting back some of the profits that could be made on movies just like anybody else that finance movies. They...they take a piece of the action. The other thing, Senator Philip, I'm surprised...why don't we talk about the increase in bonding authority? We're talking quite a bit of money going out for bonding and in this State one of the reasons we get into financial trouble is that we have to repay interest in the money we borrow at a later date, and we went through this for many years and when you were in the House you were...great proponent of not borrowing money and bonds and everything else. All of a sudden now, we have a bill to do this. You know, this is ridiculous. This is why we're in trouble in this State; this is why we're in trouble in this country is we're borrowing and borrowing and borrowing, before we start out our obligations are too high, we start out with a...with twenty-five, thirty percent of our budget going to pay off these obligations and they keep increasing, that's why we're in financial trouble. It's time now that we start pulling back the reins. It's time now we stop building these Taj Mahals like the State of Illinois Building and some of these other buildings that are half empty and unuseable and start pulling back the reins in State Government and start paying back the money we borrowed, and once we pay back the money we borrow, then we can look to the future. But this isn't being done. All that's being done is

to increasing and increasing taxes, and people in this State do not want taxes increased, and the tax increases are caused by these bond floats and it's costing us interest. I think we should hold this bill and we should sit down and go through these projects to see if they're very vital to the State and whether we can get along without them and whether we can use existing State facilities to use...to...to...to do some of this work, and I think that this calls either for a No vote or a Present vote and to hold it. And as far as this movie thing is, I think this is something that's tacked on and I am not going to vote for any bill wishing that the Governor is going to veto it when I know the Governor is in the pockets of the fine arts people. There's no way that this Governor is going to veto that piece. You can say what you want and I've heard this before but when it's signed it becomes law and we're stuck with it, and I think it's a bad precedent to set and I think we should vote against this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. UPI has requested leave to take still pictures. Is leave granted? Leave is granted. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I share the concerns of the prior speaker about the inoperative bonding plan for the motion pictures. Frankly, there are some things this State should be doing to encourage motion pictures, I don't know that that particular plan has any merit at all. I'm informed by our lawyers, by the Governor's lawyers and by the people of the bonding authority mentioned that that language is inoperative. I think we should take a look at the list of projects and I share the prior speaker's concerns about bonding. The simple fact is there are some things that bonding should be done for, let's talk about those projects and let's not talk about where they

happen to...to be. There's not one project on the list in my district, but I'll tell you what some of those projects are, roofs and repairs in the prisons and the mental hospitals, better health facilities in the prisons. We...the Chicago school system, renovating some of those schools that we've been hearing about. That's what we're talking about here. We're talking about things we have already authorized and committed to. I don't know how we serve anybody by forcing the people in the mental hospitals to live in buildings with roofs that leak for another month or two. I don't know how that helps poor people. I don't know how having decent facilities to clean yourself in the prisons and...stalling that for a couple of months helps anybody. Take a look at the list of projects and take a look at...as I said, none of them are in my district, but some of my constituents are in those mental hospitals, couple of them are in the prisons, some of them are in the universities. That's what we're talking about and these bonding authorizations and let's not shoot ourselves in the foot.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The...the order will be Luft, Netsch, Geo-Karis, DeAngelis, Newhouse and anybody else for a second time. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, ladies and gentlemen. I have no...problem with the raising the authorization for the projects but I think we may have been outsmarted on the motion picture part, and I know, Senator Philip, that this is not your part, it's something that you've been stuck with. But let me paint a scenario that I think could possibly happen and if I'm wrong I'm sure someone will tell me. First of all, the word appropriation was brought up and that doesn't exist because the Legislature does not appropriate money...ever for IDFA. We're out of it, once we give them

the authorization to do something then we are no longer involved in that process. Secondly, the attorneys may be right, you cannot use bonds for motion pictures. You cannot use tax-exempt bonds for motion pictures. Why couldn't IDFA sell these bonds that were not tax-exempt? They don't have to be tax-exempt bonds, unless I'm wrong; therefore, the interest rate is going to be higher and everything but what you have created then even though at a higher interest rate, you're creating a pool of money through bonds regardless of the interest rate available for motion pictures. My uneducated guess is that coming up with money to finance motion pictures isn't the easiest thing in life to do; therefore,...I even think they're called angels, these people that finance them. If we're going to be into the angel business, then what we have done, if I am right and IDFA can issue non-interest baring IRB's that don't have to comply with the Federal laws, then we have created a pool of money up to thirty-five percent without a cap to finance any motion picture that comes into this State without the Legislature even being involved in the process because, let me remind you one more time, we do not appropriate one nickel ever for the Illinois Development Finance Authority. And if I'm wrong...(machine cutoff)...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Luft...had not concluded...further discussion? Senator Netsch.

SENATOR NETSCH:

First of all, one question of the sponsor. Is that Senator Philip? Was there a debt...is there a debt impact note available for this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Unfortunately, I don't have my Statute in front of me right at the moment but that..at the very least violates the spirit of the debt impact law and I think may actually violate the letter of the debt impact law, because it is an absolute requirement that we be told the effect of our continuous increasing of bond obligation authority. The...and I say that not...because I really want to know. I mean, I...I am very concerned about the extent to which we have increased our long-term debt in this State quite apart from pension obligations and a whole bunch of other things. I think Build Illinois financed...as much as it was out of...out of...well, medium to long-term debt was a disaster and we will be sorry for it at some point in the future, sorry not necessary for all the projects but for the way that we did it. I recognize that this is presumably reflecting part of what the Legislature has already agreed to, but my understanding is that we have already appropriated two hundred and three million dollars worth of projects and...this bond authorization increase is at a hundred and fifty-five million dollars. Now, if I'm not mistaken, that means that it does not fully cover the...the amount that we have already approved; and if I'm not mistaken, that puts us right back where we were on Build Illinois where the Legislature has appropriated more than it has provided funding for and guess who then makes the decision about which is going to go ahead and which is not. It is conceivable, of course, we could come back later and fill in the gaps. It's conceivable but it is not an absolute certainty and so we have once again written a blank check, I think, to the Chief Executive and I am tired of writing blank checks to the Chief Executive. I thought it was a horrible idea under Build Illinois and I think that was demonstrated

to be so and I think it's not a very good idea now. It seems to me that what we ought to do is get a very clear matching of what is to be done, its necessity to be done out of the bonding...out of the bonding authorization and a clear matching of that with the authorization itself; and until that is done, I think some of us are very reluctant to write another blank check.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I think we ought to proceed with caution as indicated by the prior speakers; however, we are faced with somewhat of a dilemma and that is that we have projects that were already approved that are awaiting the bond authorization and we are getting hung up on two points; one not so much but the other quite a bit, and that is the issue of the films. Senator Luft, in response to your question, I cannot tell you whether IDFA can issue nontax-exempt bonds but I will tell you this, it would be rather insane for anybody to attempt to go to a governmental body for a nontax-exempt bond issue. What purpose would it serve? You can go to the open market and do the same thing. In addition to that, IDFA doesn't incur any financial liability because clearly the bonds have to be...repaid from the proceeds of the item that is being financed. My understanding is, is that these projects that are...and the film projects do not qualify for the definition of an industrial revenue bond because they are not capital projects and, therefore, it would be illegal if money were advanced to that. But I have to remind you that the money is in fact not put out by the State as an authorization to secure financing in a tax exempt market. So I don't know where we're jeopardizing anything by approving this because it appears to be blatantly illegal, but even if not, it will not do to the State what Senator

Luft has indicated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

...thank you. Thank you, Mr. President. First of all, I think Senator Hall was absolutely correct in his suggestion that for us to pass out this kind of bill authorizing expenditures of money for things that seem almost frivolous is just unconscionable; and I say this as a supporter of the arts, a long time supporter of the arts. It seems to me at some point those of us who believe that people ought to be fed and clothed and housed and those of us who believe that people also ought be off the public aid rolls that we somehow strike a balance and including the projects that we plan to construct some method by which people who are presently on public aid rolls because they're unemployed can become part of the work force. This is an achievable goal, it seems to me and it doesn't take a great deal of thought; but to continually throw money at projects about which nobody knows anything, which don't have any concrete result in terms of relieving taxpayers from the tax loads that they presently are burdened...with by virtue of the fact that social service costs are so high, it seems to me that two minutes thought could let us come up something much better than the bill that is before us now. Even as an art supporter, I cannot support this bill in its present form and at this time, and I would hope that we would hold this idea in abeyance until some such time as we've had the time to think through what it is we're doing and achieve some goals that are positive for the taxpayers of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the

Senate, I can well appreciate the concerns of the prior speaker; in fact, I voted for the override yesterday on that budget for public aid. However, what we're trying to do is get jobs and more jobs in the State of Illinois and Illinois is becoming a...to be a...a center for making movies, which means we'll attract more jobs here and take it away from California as much as we can. I think it's a good idea and I rise in support of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Philip's motion to concur in the House amendments, and I would ask those who have indicated less than favorable response to this to really reconsider their position for this reason. We spent a considerable amount of time in the last Session...or the last part of this Session arguing about and positing projects, and we came, I think, to a reasonable resolution of that. One of the projects that I know is of interest to Senator Newhouse in particular is twenty-three million dollars in authorization for seven new minority schools in the City of Chicago. Now, the fact is that absent this additional authorization, the hundred and fifty-five million dollars that this bill contains, those projects are on hold, they are stopped. It seems to me that we...we ought to be in a position...and I readily agree, I...as...as you were, I was disappointed with the vote yesterday with respect to the six million dollars for the fifty-two percent standard of need. But the fact is, that wasn't to be effective until April in any event even had we successfully overridden the veto. That issue will again be before us and I expect a better resolution than the one we had yesterday. In the meantime, there are projects for the institutions housing the mentally ill, there are projects for

schools both higher education and elementary and secondary education and we have fought the battle and we have decided what our priorities are and now we have to put our money where our mouths were. It's a hundred and fifty-five million dollars, I suggest we should not further delay this and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Hall, for a second time.

SENATOR HALL:

Thank you, Mr. President. I'm simply saying this, why do we have to do it right now? That's my point. The...the idea of trust me, I'll never forget that, trust me. The point is, yes, it's...it's wonderful, it's to say things that's going to happen, but if we can't take in consideration of now, of the street people that we have and all these other things, I'm telling you, it's a bad move for us to rush into this. We're going to to be back here, we talk oftentimes about when we were back here and that's...I'm for many of these projects but don't put a little carrot in here and then have all this other stuff...down on you. I think it's a bad move. I would appeal to you, Senator, to...to not go forward with this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm sorry to rise late in this debate but for those of our leaders who might know the answer to the question, I'm curious to know...I've only looked at the synopsis and the synopsis indicates that the authority is granted according to the same provisions used by IDFA to issue bonds for all other purposes. Am I to assume that...that there's no limit...on the amount that might be...the amount of bonds that might be issued for movie making purposes, or is that amount limited in the...in the

proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I assume, Senator Schuneman, you're asking...directing your question to Senator Philip. Senator Philip, did you hear the question? Senator Schuneman, you want to restate your...your point?

SENATOR SCHUNEMAN:

Yeah. I'm curious to know if there's any limit in the bond authorization pertaining to the production of motion pictures?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, there is...is no limit and, quite frankly, it's inoperative, it can't be used anyway and there is no appropriation for it. But you're correct, there is no limit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I don't...I don't think we'd have to appropriate anything for it as I understand it,...or Senator Luft is correct that once IDFA has the authority, they can issue the bonds. But...well,...okay, I've asked my question, I guess I've gotten the answer...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Philip may close.

SENATOR PHILIP:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. As you're aware, this is a House Democrat amendment to my bill, and very honestly, Senator Netsch, the reason you're missing the forty-seven million additional is because that is the Fall supplementals that are not in this authorization. And I'm talking about the University of Illi-

nois, the Institute for Science, Illinois Beach, Mental Health, et cetera, et cetera. It does basically three things; a hundred and fifty-five million supplemental for FAY 1986, McCormick Place cleanup and the IDFA Arts Council which is inoperative and...will never be used. It takes thirty-six votes. I would appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur in House Amendments 3, 9, 10 and 12 to Senate Bill 1249. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Last time. Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 12, none voting Present. The Senate does not concur in House...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Leave for postponed consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The gentleman has asked leave for postponed consideration. Postponed consideration is granted. Messages from the Governor.

SECRETARY:

A Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor...directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly. I have nominated and...appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and the confirmation of these appointments by your Honorable Body.

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the members...the Honorable members of the Senate, the 84th General Assembly. I have nominated and appointed the following named persons to the office enumerated below and respectfully ask concurrence in and confirmation of this appointment by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive Appointments. All right. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 129.

Senator Rock will handle the resolution.

(Secretary reads HJR 129)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Joint Resolution 129 is as...is the result of a request by the Governor of the Speaker and I to convene a Joint Session on February the 10th, at the hour of 12:15, so that he can deliver the State of the State Message. I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 129.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Rock has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 129. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The

rules are suspended. Senator Rock now moves for the adoption of House Joint Resolution 129. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 129 is adopted. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 130.

This resolution will be handled by Senator Rock.

(Secretary reads HJR 130)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

One-thirty, Mr. Secretary. House Joint Resolution 130 is the adjournment resolution. It calls for us at the conclusion of today's business to return to Springfield on February the 10th, at the hour of noon, and I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 130.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Degnan, on this point? Further discussion? Senator Rock has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 130. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 130. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 130 is adopted. Resolutions.

SECRETARY:

(Machine cutoff)...Resolution 647...offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Joint Resolution 109 offered by Senators Maitland, Donahue, Watson and Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive...Senator Maitland, do you have a motion with respect to this? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I would...would ask leave of the Body to...to suspend the appropriate rules to bypass the...the Executive Committee and ask for the immediate consideration of Senate Joint Resolution 109.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maitland, have you discussed this with the chairman of the Executive Committee?

SENATOR MAITLAND:

I really haven't, Mr. President. I think the...the resolution is a...is a noncontroversial resolution and...and if...if that's advisable, I would be happy to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...the gentleman is...is not on the Floor at this time and you know...

SENATOR MAITLAND:

I'm aware of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we've never not...not gotten into that without the approval of the...of the chairman. It would seem to me that...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think the better course is

to have this one also go to Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator Rock, I understand...your point. There is a lot of confusion with respect to the school district reorganization bill that was passed last Spring and...and primarily with the appearance of the absoluteness of the minimum size of school districts. And in debate on this Floor when we passed that bill last Spring, we attempted to clarify the somewhat ambiguous language that was in the bill, and the resolution only states that equal weighting will be given to district size, quality of education, topography, geography and all those other factors. It is a fact that the school reorganization committees are right now putting together their plans and in most cases working very diligently, but there is this concern and I've spoken to more reorganization committees around this State probably than anyone else and I've attempted to clarify this, but they still are very suspect of us and everyone else, the State Board included. And I...well, simply, we believe that this clarifies that and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland,...

SENATOR MAITLAND:

...that's the purpose of doing it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I think you're...discussing the resolution. It seems to me that I don't know of any other time that we have moved any resolutions by not having the prior approval of the chairman of the committee, and since he is not here and since this resolution is a...somewhat controversial, it seems to me that the better course of action is to allow this to go to the Senate Executive Committee. We just did that with Sena-

tor Kelly's resolution and he intended to proceed this morning and acquiesced to the request of...of the...of the president because in absence of the...of the chairman not here being this morning. Senator Maitland.

SENATOR MAITLAND:

Well, Mr. President, if...if...if that's your position, sobeit and I will have to...and be forced to accede to that. I would simply say, as I've said to Senator Rock, it is an attempt to clarify things. I think it's totally noncontroversial and...and I'm disappointed that the chairman is not on the Floor also but I...I can't control that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Executive. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

I move to discharge the Committee on Executive from further consideration of Senate Resolution 600 which deals with the high cost of interest in this State. I've talked to the chairman of Executive and talked to some people on the other side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 600. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

We work in wonderous ways. I think what's good for the goose is for the gander and this one too should find its preliminary destination in the Executive Committee. The chairman is not here, so I think we ought to give this the same assignment that we've given the previous ones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes,...the chair would like to point out, however, we are in a different posture from the perspective that the gentleman has, in fact, spoken with the chairman. Senator

Maitland, in fact, did not. So there are...there's a little...little difference here. Senator Degnan, do you wish to proceed?

SENATOR DeANGELIS:

Wait..wait...

SENATOR DEGNAN:

Secondly, this resolution is already in the Executive Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Can you tell me when it got into the Executive Committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Since November 14th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator Schuneman. All right. Further discussion? Senator Degnan has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 600, then it be advanced to...Senate resolution that it be advanced today. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Committee on Executive is discharged. Senate joint resolution is now before us. Senator Degnan.

SENATOR DEGNAN:

I move the adoption of Senate Resolution 600 which forms a subcommittee of the Senate Finance and Credit Regulations Committee to be convened to study consumer credit interest rates and to explore the need for legislative action and to be brought back to this Body by March 1st, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. My remarks should properly have been addressed to the previous issue, but I think what we're seeing here today...this particular resolution, frankly, I have no particular objection to it. However, I think the action of the Senate in dealing with Senator Maitland's motion was wrong. I understand that you may have talked to the chairman of the Executive Committee, Senator Degnan, prior to this date about this resolution but the Senate Executive Committee is made up except for a few of us peons that are on the committee of the leadership of this Senate. And I think that there are other people other than Senator Sangmeister who could perhaps speak for the majority members on that committee, and I really think that it's wrong to be considering your motion and other motions here today if you're not going to consider...give the same consideration to the motion of Senator Maitland. I, for one, am going to vote against this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Just rising as a similar comment. I'm the minority spokesman on the committee of which this subject matter would be covered and no one has discussed it with me. If we're not going to send it to that committee, maybe we ought to send to Executive. I don't see why I should be voting on this, it belongs in the Executive Committee, has not had a hearing. This is something we're going to deal with this year. I...I...I think it has some minor implications, we're going to deal with it April, May and June, it's guaranteed there will be plenty of legislation. I don't know if we need a special committee. I would ask that it just go to Executive Committee as these other ones are being asked to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right. Senator

Degnan has moved the adoption of Senate Resolution 600. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Roll call has been requested. (Machine cut-off)...Degnan, do you...all right. The question is, on the adoption of Senate Resolution 600. Those in favor of the adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 19, the Nays are 24, none voting Present. The resolution fails. Senator...further business to come before the Senate? Senator Rock.

SENATOR ROCK:

I think just with the housekeeping, the Resolutions Consent Calendar, we have effectively concluded our business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'd like to add Senate Resolution 640, 641, 642, 643, 644, 645 and 646 which are all congratulatory. Mr. Secretary, is leave granted to add those? Leave is granted. Senator Kelly now moves the adoptions of the Resolutions Consent Calendar. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate Resolutions Consent Calendar is adopted. Senator Rock now moves that the Senate stand adjourned till the hour of one-thirty, February the 10th...twelve o'clock...twelve o'clock, February the 10th. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

FEBRUARY 10, 1986

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Senator Kenneth Hall, East St. Louis, Illinois. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Amen. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, January the 8th, 1986 and Thursday, January the 9th, 1986.

PRESIDENT:

Senator Kelly. Kelly...Kelly.

SENATOR KELLY:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senators has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Kelly. No. Okay. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution...the following resolutions are all congratulatory.

648, by Senator Lemke.

649, Senator Lemke.

650, Senator Lemke.

651, Senator Luft.

652, Senator Etheredge.

653, Senator Lemke.

...654, Senator Carroll.

655, Senator Kelly.

656, Senator Berman.

657, Senator Davidson and all Senators.

658, Senator Macdonald.

659, Senator Smith.

660, Senator Mahar.

661, Senator Mahar.

662, Senator Mahar.

663, Senator Mahar.

664, Senator Mahar.

665, Senator Mahar.

666, Senators Mahar and Hudson.

667, Senator Hudson.

668, Senator Davidson and all Senators.

And Senate Joint Resolution 110 is a death resolution.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, the House has convened and they are awaiting our arrival for the purpose of the Governor's Message. The Committee on Escort will remain at the Well of the Chamber to escort the Governor. The committee is Senator Welch, Senator O'Daniel, Senator Nedza, Senator Rupp and Senator Davidson. Senator Philip, for what purpose do you arise sir?

SENATOR PHILIP:

Thank you, Mr. President. For the purpose of introducing some new Senators. We have Senator Dave Leitch from Peoria replacing Prescott Bloom, District 47. He's been a vice-president of a bank, very active in his community and Republican politics and I wish that the Senate would...would acknowledge his presence.

PRESIDENT:

Senator Leitch, welcome.

SENATOR PHILIP:

Secondly, Mr. President, we have...as you know, Senator Coffey has retired. His replacement is...is...certainly somebody not new to the legislative process, but "Babe" Woodyard has served in the House with distinction. He's a farmer, an active Republican. He'll be a great asset to us here in Springfield and we're glad to have you on this side of the aisle.

PRESIDENT:

Senator Woodyard, welcome. All right, Senator Philip moves that the Senate stand in Recess. We'll stand in Recess until the hour of one-thirty at which time we will reconvene for the purpose of transacting some necessary business. In the meantime, I'd ask the members of the Senate to, please, immediately go over to the House Chamber and meet at the front door. Senate stands in Recess until one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

If I can have your attention, the Speaker has informed me that the House has broken for a caucus, and so I have discussed with Senator Philip...obviously, whatever we are going to do today will require joint action. So, in the interest of our own sanity, we decided that we would stand in Recess until the hour of two-thirty to afford the members an opportunity to grab a sandwich, those of us who sat through that lengthy speech. Well, it was too long, now you have to, you know...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I, who enjoyed that very beautiful speech, would like to ask for...personal privilege and introduce to you Reverend and Mrs. Lyle Koffman from Mayven Township, which serves the...both Senator Barkhausen and myself, and would you join me in welcoming them here.

PRESIDENT:

Welcome to Springfield. Will our guests please stand and be recognized. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President, an inquiry. I have a Revenue Committee meeting that was scheduled for two o'clock this afternoon. Have you any suggestion as to the recessed hour that it ought to be set?

PRESIDENT:

Well, my preliminary indication, at least, is that once we return we will have approximately one hour's worth of work, assuming everything goes according to Hoyle, which you can assume it won't. Your guess is, frankly, as good as mine. How long was your meeting going to be? Why don't you have your meeting at two o'clock?

SENATOR NETSCH:

Should we start it at two o'clock and then...

PRESIDENT:

Start it at two o'clock and just plan on being back here as close to two-thirty as...well, I...I wouldn't do that either. Let me...I...I should think that you'd want to postpone it till about four o'clock.

SENATOR NETSCH:

Thank you.

PRESIDENT:

Senator Berman, for what purpose do you arise? Our prayer has been answered, Senator Berman's mike doesn't work. Senator Berman.

SENATOR BERMAN:

Thank you. It's a good thing you're my President. In keeping with your suggestion, the Joint Committee on Education Oversight Reform will reconvene at 4:00 p.m. rather than at 2:00 p.m. The reason for that is the House is also

in caucuses and it's a joint committee, so we'll resume at 4:00 p.m. in Room 400.

PRESIDENT:

Thank you, Senator Berman. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. To make the announcement that JCAR will meet at four o'clock in lieu of two o'clock as was scheduled. Thank you.

PRESIDENT:

All right, the Senate will then stand in Recess...let's say for one hour...at quarter...it's now quarter to two, we'll say quarter to three to make sure everybody gets a chance to have some lunch. In the meantime, to accommodate the...the Secretary's Office, we'll read in some resolutions. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

669, by Senator Newhouse and all Senators.

670, Senator Savickas.

671, Senator Savickas.

672, Senator Savickas.

673, Senator Netsch.

674, Senator Topinka.

675, Senator Topinka.

676, Senators Lechowicz, Rock and all Democrat Senators.

677, Senators...Lechowicz and Rock.

678, Senator Degnan.

...679, Senator Degnan.

680, Senator...Jeremiah Joyce.

Senate Joint Resolution 111, Senator Topinka.

Senate Joint Resolution 112, Senator Topinka.

Senate Joint Resolution 113, Senator Vadalabene and all Senators.

Senate Resolution 681, Senator Vadalabene.

682, Senators Chew, Jones, Smith, Hall and Newhouse.

683, Senator Philip.

684, Senator Dunn.

685, Senator Dunn.

686, Senator Dunn.

687, Senator Mahar.

688, Senators Dudycz, Nedza and Topinka.

PRESIDENT:

Consent Calendar. I see Senator Philip has returned. We will stand in Recess then for one hour and be back here, if you will please, at quarter to three and we will attempt to expedite our business.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 689 offered by Senators Luft, Sommer, Leitch, Rock, Philip and all Senators, and it's commendatory.

And Senate Resolution 690 offered by Senator Topinka and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 691 offered by Senator Collins.

PRESIDENT:

Executive. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1517, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 1518, Senator Marovitz.

(Secretary reads title of bill)

1519, by Senator Demuzio.

(Secretary reads title of bill)

1520, Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1521, Senators Maitland and Berman.

(Secretary reads title of bill)

1522, Senator Marovitz.

(Secretary reads title of bill)

1523, Senator Marovitz.

(Secretary reads title of bill)

1524, Senator Chew.

(Secretary reads title of bill)

1525, by Senator D'Arco.

(Secretary reads title of bill)

1526, Senator D'Arco.

(Secretary reads title of bill)

1527, Senator D'Arco.

(Secretary reads title of bill)

1528, Senator D'Arco.

(Secretary reads title of bill)

1529, Senator Collins.

(Secretary reads title of bill)

1530, Senator Collins.

(Secretary reads title of bill)

1531,...by Senator Collins.

(Secretary reads title of bill)

1532, Senator Welch.

(Secretary reads title of bill)

1533, by Senator Sangmeister.

(Secretary reads title of bill)

1534, by the same sponsor.

(Secretary reads title of bill)

1535, by Senator Sangmeister.

(Secretary reads title of bill)

1536, Senator Smith.

(Secretary reads title of bill)

1537, Senator Smith.

(Secretary reads title of bill)

1538, Senator Savickas.

(Secretary reads title of bill)

1539, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1540, by the same sponsor.

(Secretary reads title of bill)

1541, by Senators Dawson, Degnan, Lemke, Jeremiah Joyce, Nedza and Zito.

(Secretary reads title of bill)

1542, by Senators Dawson and Chew.

(Secretary reads title of bill)

1543, by Senators Dawson and Chew.

(Secretary reads title of bill)

1544, by the same sponsors.

(Secretary reads title of bill)

1545, by the same sponsors.

(Secretary reads title of bill)

1546, by Senators Dawson and Chew.

(Secretary reads title of bill)

1547, Senator Dunn.

(Secretary reads title of bill)

1548, by Senators...Poshard.

(Secretary reads title of bill)

1549, the same sponsor.

(Secretary reads title of bill)

1550, by Senators Rigney and O'Daniel.

(Secretary reads title of bill)

1551, Senator Zito.

(Secretary reads title of bill)

1552, Senators Lechowicz and Marovitz.

(Secretary reads title of bill)

1553, by Senators Dunn and Rigney.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Zito, for what purpose do you arise, sir?

SENATOR ZITO:

Thank you, Mr. President. With leave of the Body, I'd like to be added as a sponsor to Senate Bill 1506. I have talked to the chief sponsor.

PRESIDENT:

The gentleman has requested leave to be shown as an additional cosponsor of Senate Bill 1506. Without objection, leave is granted. Message from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede to their Amendment No. 4 to a bill with the following title, to-wit:

Senate Bill 994.

And they are requesting a first Committee of Conference

and the Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I would first like to ask leave of the Body that...that I be shown as the...as the lead sponsor on Senate Bill 994. That was a bill that was under the sponsorship of Senator Bloom.

PRESIDENT:

All right, Senator Maitland seeks leave of this Body to be shown and assume the chief sponsorship of Senate Bill 994. Any discussion? Without objection, leave is granted and it's so ordered. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. Chairman...Mr. President and Ladies and Gentlemen of the Senate. I would ask that...that the Senate accede to the wishes of the House and that a Conference Committee report...Conference Committee be appointed for Senate Bill 994.

PRESIDENT:

All right, the gentleman has moved that the Senate accede to the request of the House and that a Conference Committee be appointed. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. The Secretary shall so inform the House. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

For purposes of an announcement...for purposes of an announcement, Mr. President. The Joint Committee on Oversight of Education Reform was going to reconvene at 4:00 p.m. but because of conflicts of time schedules, the meeting will be postponed until March. We will post for the next meeting

of the joint committee. Thank you, Mr. President.

PRESIDENT:

If I can have the attention of the membership, Senator Philip and I have been in discussions with the House, just to give you an idea of what we will attempt, at least, to accomplish today so that everybody can make their plans accordingly. On the Senate Calendar, Senator Philip has indicated he wishes to go to the Order of Consideration Postponed for the purpose of taking up Senate Bill 1249. In addition to that, there will be a Supplemental Calendar once the House has taken action. We will be dealing with five additional matters; Senate Bill 147, which Senator Berman, I hope, will move to nonconcur in and send it back; Senate Bill 242, which deals with the subject matter of school consolidation which the House is currently doing something with; Senate Bill 1064, which has to do with quick take in favor of a municipality; House Bill 374, which is a technical amendment to the Cook County Pension System and House Bill 526, which will reflect the Governor's request for supplemental appropriations in favor of certain agencies. Those six matters will be, in fact, our work product when we conclude our business today; and we do intend to conclude today and will not return to Springfield until March the 5th for the purpose of the Budget Address. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. After consulting with the minority spokesman on Revenue, Senator Etheredge, and the President of the Senate, I think it behooves us to postpone the Revenue Committee meeting that was scheduled for two o'clock today until we return on March 5th. I will send out notices of the revised time when we have it established.

PRESIDENT:

If I can have you...if I can have your attention, if

you'll turn to page 2 on the Calendar...the Order of...on the Order of Secretary's Desk Concurrence is Senate Bill 147. House Amendment No. 1, Mr. Secretary.

SECRETARY:

Senate Bill 147 with House Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that the House...I'd move that the Senate nonconcur with House Amendment No. 1 to Senate Bill 147 and that a Committee of Conference be called if the House refuses to recede.

PRESIDENT:

All right, Senator Berman has moved to nonconcur in House Amendment No. 1 to Senate Bill 147. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. With leave of the Body, we'll move to the Order of Committee Reports. Committee reports, Mr. Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration, to which was referred the Governor's Messages of October the 2nd, 1985 and January the 9th, 1986, report the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October 2nd, 1985 and January 9th, 1986.

PRESIDENT:

All right, you've heard the motion as placed by Senator Lechowicz that the Senate resolve itself into Executive Session. Is there any discussion? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With the respect to the Governor's Message of October...

PRESIDENT:

Ladies and gentlemen, can we have a little order.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 2nd, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate to advise and consent.

To be a member of the board of trustees for the State Community College of East St. Louis for a term expiring June 30th, 1989, Carol A. Perry of East St. Louis.

To be members of the board of trustees of the State Community College of East St. Louis for terms expiring June 30th, 1991, Robert S. Mosley of East St. Louis,...Fayetta McKinney Page of East St. Louis and Billy Belle Weber of East St. Louis.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDENT:

All right, you've heard the request to...is leave granted? Leave is granted. Is there any discussion on these appointments? If not, the question is, does the Senate

advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. For the benefit of the membership, our two new members will be subject to an oral roll call since the board has not yet...does not yet reflect their names so that their...their vote can be properly journalized and recorded. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, please call the additional members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. The Senate does advise and consent...a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of January 9th, 1986, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Human Rights Commission for a term expiring January 19th, 1987, Saul Morse of Springfield.

To be members of the Illinois Human Rights Commission for terms expiring January 16th, 1989, Catherine Bertini of Chicago, Mathilda Jakubowski of Chicago, Howard Veal of Springfield, Randall Raynolds of Springfield, Alfred Whitley of Chicago.

To be secretary of the Department of Transportation for term expiring January 19th, 1987, Harry Hanley of Springfield.

To be a member of the Court of Claims for a term expiring January 20th, 1992, Andrew...Raucci of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules, Mr. President.

PRESIDENT:

All right, the gentleman has asked leave to consider these salaried appointments on one roll call. Without objection, leave is granted. Any discussion on these appointments? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, will you poll the additional members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of January 9th, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Agricultural Export Advisory Committee for a term expiring January 19th, 1987, Ben Liu of Lisle.

To be a member of the Export Development Authority for a

term expiring January 20th, 1988, Maurice Weiss of Lincolnwood.

To be members of the Illinois Independent Higher Education Loan Authority for terms expiring June 30th, 1992, Louise Lawson of Chicago, George Stevens of Lake Bluff.

To be members of the Mt. Carmel Regional Port District for terms expiring June 30th, 1988, Charles Boss of Mt. Carmel, Gordon Kirkman of Mt. Carmel.

To be members of the Advisory Board on Necropsy Services to Coroners for terms expiring January 18th, 1988, Charles Bilyeu of Springfield, Phyllis Jameson of Milford, Robert Matthews of Wheaton, James Radden of Belleville, James Walker of Carbondale.

To be a member of the State Soil and Water Conservation Advisory Board for terms expiring January 16th, 1989, Alvin Neal of...Golconda.

To be members of the Southwest Regional Port District for terms expiring June 30th, 1988, Wingo Smith, Jr. of Dupo, Delmar Valine of Carondelet, Fred Witte of Caseyville.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objections to a specific appointment.

PRESIDENT:

All right, the gentleman seeks leave to have the unsalaried appointments considered on a single roll call. Without objection, leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

As the question...Mr. President, will you put the question as required by our rules.

PRESIDENT:

Is there any discussion on these appointments? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, will you poll the additional members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that the Senate rise from Executive Session.

PRESIDENT:

All right, you've heard the motion as placed by Senator Lechowicz that the Senate do arise. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 693 offered by Senators Watson, Rock, Demuzio and Rupp. Congratulatory.

Senate Resolution 694 offered by Senator Watson and it's congratulatory.

Senate Resolution 695 offered by Senator Dawson and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 696 offered by Senator Dawson.

PRESIDENT:

Executive. Senator Philip, you've placed with the Clerk a resolution by you and I. Further resolutions, Mr. Secre-

tary.

SECRETARY:

Senate Resolution 696 offered by Senators...697, rather, offered by Senators Philip and Rock.

(Secretary reads SR 697)

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Basically, Senate Resolution 697 changes the reporting date on the Nonbank Bank Commission. Instead of reporting back on March 15th, it reports back on December 1 to coincide with the Federal legislation that's reporting back on the same subject on December 1. Be happy to answer any questions. Move its adoption.

PRESIDENT:

All right, Senator Philip have moved for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 697. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. Senator Philip...the rules are suspended. Senator Philip now moves the adoption of Senate Resolution 697. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is adopted. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd like to move to suspend the appropriate rules for the immediate consideration of Senate Resolution 689. This has the approval of the President of the Senate and the Minority Leader. It's being offered by myself, Senator Bloom...I mean, Senator Sommer and Senator Leitch and it pertains to our effort to ask the committee that has been asked to rename...or to name the Civic Center Authority and Peoria's Theater to have them consider the name

of Senator Prescott Bloom.

PRESIDENT:

All right, Senator Luft has moved to suspend the rules for the immediate consideration of Senate Resolution 689. Is there any discussion on the motion to suspend? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Before the Body now is Senate Resolution 689, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would now move for the adoption of Senate Resolution 689.

PRESIDENT:

All right, any discussion? Is there any discussion? If not, Senator Luft has moved the adoption of Senate Resolution 689. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is adopted. Introduction of bills.

SECRETARY:

Senate Bill 1554 introduced by Senator Smith.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1555, Senator Topinka.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1556, Senator Schuneman.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1557, Senator Topinka.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President, for the purpose of an announcement. JCAR was supposed to meet...JCAR was supposed to meet today at four o'clock from the two o'clock postponed meeting. We will now reconvene in Chicago on Thursday, February 13th, at eleven o'clock in the State of Illinois Building on the sixteenth floor. Thank you, Mr. President.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 147.

They have requested the first conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right, Senator Berman moves that the Senate accede to the request of the House for a Conference Committee on Senate Bill 147. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Ladies and gentlemen, if I can have your attention, I was just inside listening and speaking with the House people. There are...remaining five matters and it is now a question of...of the paper coming back from the House and Conference Committee reports. We have the Conference Committee report on Senate Bill 147 which is or will be in place. The House has just passed Senate Bill 242 as amended, which pertains to the subject matter of school consolidation. House Bill 374, the Conference Committee report has been filled, that's the Cook County pension bill; and House Bill 526, I understand the conferees...that is the supplemental appropriation for a number of agencies, I understand the conferees are meeting or have met and are circulating

reports. It is simply a matter of time and I have been attempting all day and part of last night to move this process along, so that's where we are. Hopefully, within the hour we will be...in a position to finish our business; and, obviously, on the Calendar is Senate Bill 1249, so...and there are only those five matters and then a death resolution in favor of our dear departed colleague and then we will conclude our business. So, I'd ask you just to kind of stay put. As soon as it comes, we're going to start moving. The Senate will come to order. The Chair has requested that the Secretary distribute the Supplemental Calendar so that we can, hopefully, conclude our business. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 526 with Senate Amendments 1, 2, 3 and 4.

PRESIDENT:

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, and 4 to House Bill 526 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 242.

Also inform the Senate that the House has adopted House Amendments 1, 12, 14, 15 and 16.

PRESIDENT:

All right, Supplemental Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1558 introduced by Senator Demuzio.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. All right, if you'll turn to page 3 on the Regular Calendar, before we get to the supplemental, Senator Philip has requested that we go to the order...with leave of the Body, to the Order of Consideration Postponed for consideration of Senate Bill 1249. Please, read again the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1249.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we adopt House Amendment No. 9 to Senate Bill 1249. As you know, we discussed this in a previous Session. I'll briefly explain it to you. It's a bond authorization for FY '86 and an...increase of four...47.5 million. The new cap would be 312.5 million. Also is the clean-up language to various tax providing for 1.55 transfer of sales tax money into Build Illinois for the tourism program. Also it amends the State Finance Act relating to the McCormick Place, increases from two hundred and sixty-five million to 312.5 for, of course, the annex. Be happy to

answer any questions. As you know, it takes thirty-six votes. I would hope we'd...over thirty-six votes.

PRESIDENT:

All right, any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I...as I recall correctly, this...this bill is...is in the same posture from that when we had left here once before, and as I understand it, it, in fact, still does provide for the bonding of film projects in the State of Illinois and I would like to ask the sponsor if...if, in fact, that is correct.

PRESIDENT:

Sponsor indicates he'll yield, Senator Demuzio. Senator Philip.

SENATOR PHILIP:

Yes, that is correct. It's inoperable and, as you know, the Governor does not intend to...use it. I spoke with him about this matter today. He says that he will meet with the four leaders and try to work something out reasonable to encourage the film industry to come here to Illinois to produce more films.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'd like to also ask you another question then relevant to the DuQuoin State Fair. Is there and how much is in this bond authorization for the DuQuoin State Fair?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Nothing.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then I should ask, where is it? I've been around here for eleven years...

PRESIDENT:

House Bill 526, coming down the pike.

SENATOR DEMUZIO:

Thank you.

PRESIDENT:

All right, any further discussion? Further discussion? Senator Philip has moved the adoption of House Amendments 3, 9, 10 and 12 to Senate Bill 1249. Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

He indicates he'll yield. Senator Hall.

SENATOR HALL:

Senator,...if I'm reading correct, it says here that the Department of Commerce and Community Affair already has...for ten years and they have a hundred and seventy-seven movies and productions in the State of Illinois. Why are we putting more on?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, this is a House Democrat amendment to my bill. There are some people on your side of the aisle would like to encourage the film makers to come to Illinois. This happens to be their program for encouraging film makers to come to Illinois. It's...it's inoperable. It's not put together properly. The...our legal staff tells us the Governor will not use it. He wants to sit down with the four leaders and work something out that makes some sense in regards to encouraging films to come here to Illinois.

PRESIDENT:

Senator Hall.

SENATOR HALL:

One other question. Senator, I'd like to know from you that...we have another bill following, House Bill 526, which we put fifty-two percent of need. Are you going to be supporting that?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, I haven't supported it in the past, I don't know why I would today.

PRESIDENT:

Further discussion? Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was one of the fellows that also had certain reservations about this bill when it originally was presented in the Senate; and when the sponsor of the bill pointed out that there were certain items that were agreed to, I took the liberty and I called the Speaker of the House and I asked him what his thoughts were on this matter, because it was brought to our attention that supposedly these matters were discussed by the leadership, and the Governor at this point in time will not be supporting the bonding provisions to promote movie making in this State. Now the Speaker informed me that there was discussions of this entire bill by the leadership and included...in that discussion was the bonding provisions for movie making in this State and that was part of the agreement. In the school that I come from, an agreement is an agreement and you abide by that agreement and you don't make any excuses about it. You explain it to the best of your ability which I believe the sponsor has done and hope

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that the membership will understand that it's something that has to be done in order to accomplish an overall goal, and I would say ninety-nine percent of the matters contained in this bill are really matters that are truly needed and this is one matter that...possibly is not maybe the best approach as we see it, but it's an approach that hasn't been used, so we really can't make a total evaluation. And for that reason, I will be supporting this measure at this time and ask that you do so as well. Thank you.

PRESIDENT:

Any further discussion? Further discussion? Senator Philip, you wish to close?

SENATOR PHILIP:

Ask for you...favorable consideration.

PRESIDENT:

All right, the question is, shall the Senate concur in House Amendments 3, 9, 10 and 12 to Senate Bill 1249. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, will you poll our new members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 5 Nays, 2 voting Present. Senate Bill 1249...the Senate does concur in House Amendments 3, 9, 10 and 12 to Senate Bill 1249 and the bill having received the required constitutional majority is declared passed. If you'll turn to Supplemental Calendar No. 1, on the Order of Secretary's Desk Concurrence is Senate Bill 242, Mr. Secretary.

SECRETARY:

Senate Bill 242 with House Amendments 1, 12, 14, 15 and 16.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I am ultimately going to be moving to concur with House Amendments 1, 12, 14 and 15 and nonconcurring in No. 16. I'd like to briefly, if I might, run through the different amendments on the bill. As most of you know there have been some real serious questions with respect to the reorganization part of Senate bill...that we passed last Spring on educational reform, and I believe this bill attempts to get at some of those problem areas and let me walk through the amendments with you very briefly. Amendment No. 12 provides that if a majority of the voters in any affected districts voting in a reorganization plan fails to approve the plan then the plan is defeated. This is simply a technical amendment. Changes "any" to "each." Amendment No. 14 addresses the delay in the life safety work on school buildings until July 1 of 1988. This was a problem for many schools that were mandated into some very radical changes in their buildings, and this will delay that process until they see whether or not they need those buildings after reorganization. Amendment No. 14 also addresses...and again technical in nature, puts ARGO in its...in its proper subregion. Amendment No. 14 also provides that the tax rates...the question of tax rate will be asked on the reorganization question. Heretofore, it's concluded that there was no language sufficient in the bill to allow the tax rate question to be asked when the referendum question was asked and this will allow for that to take place. Further, Amendment No. 15 addresses the...the minimum enrollment issues in that it takes those numbers out. And I think...Mr. President, I would be happy to respond to any questions that we might have on those three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Maitland has moved to concur with House Amendments 1, 12, 14 and 15. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you...thank you, Mr. President. I stand in support of Senator Maitland's motion. I think that there has been a lot of debate regarding the numbers in particular, and I think that many of us have indicated that what we are concerned about is some flexibility in numbers but more importantly in a delivery of quality education at an economic and taxpayer saving approach. Perhaps this will alleviate some of those problems when the numbers are removed. I would have rather have debated it during the full Session but the House saw fit to adopt this amendment, so I join in...in urging the adoption...or the concurrence in Amendments 1, 12, 14 and 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Senator Maitland, I have a question on Amendment 12. Does that mean that if...when voting on the reorganization plan, if one district votes against the plan, the plan will not go into effect in any area of the...of the...consolidation area, or does it just mean that that one particular district will then be left out of the reorganization plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator Karpiel, the...the total configuration in which that portion which voted in the negative exists would then be defeated, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

So one district could kill the whole reorganization plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...yes, Senator Karpiel, that's an issue that's been debated and it's confusing. It...it only kills that configuration, not the whole plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

When you're saying it only kills that...that configuration, what you're saying then is is that...that one district will then not be in the plan but the rest of the plan...the rest of the districts will be in the plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Again, we have an overall group of configurations in a particular regional superintendents district. Okay? You're question is, if one district votes No to their particular configuration, that effectively kills that configuration but all the other configurations that exist in that regional district, assuming that they all vote in the affirmative, will stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

END OF REEL

REEL #2

SENATOR KARPIEL:

Well, Senator Berman...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If...if I might just...if I understand the question that Senator Karpiel poses, if I reside in District A and I go to the polls in April of '87, the way it presently...exists, and my school district votes No on the plan that affects my school district, and my district votes No, that plan that was presented to me at that election is dead. Am I correct, Senator Maitland? All right, that...I believe that was your question, and I think the...the answer was broader than your question that dealt with other parts of other...in the...in the educational service region. But I think what your question was is, if one district in a plan votes No, the plan is dead for the districts that were included in that plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpiel.

SENATOR KARPIEL:

Thank you, very much. I have another question on Amendment 14. Could you read what you said before to jog my memory on what it was? It seemed to me there was a...I had a question on 14.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

14 delays until July 1, 1988 the life safety work. It also deals with the issue of...of the tax referendum; in other words, the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

So, at the time...the way I understand the bill as it presently stands is that when you form a consolidation, that the tax rate will be the highest...the same as the highest tax rate of any district in the plan. But under this amendment, you would also be...as well as voting on the plan, you would also be voting on the tax rate that you would want? Would there be a choice of different tax rates or how would that work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No...no, Senator. We were concerned that...that there wasn't sufficient language to allow in the plan the question of tax rate to be asked, and we feel that anyone who's going to be voting on a possible configuration is going to want to know what that tax rate is going to be. That's a legitimate question and we think should be a part of the referendum issue, so they will...they will ask the question, the tax rate will be thus and so in the new configuration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

And that tax rate that they would be voting on then would be the highest tax rate in that plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No, that is not correct. It will be whatever they...elect to have that tax rate, it's just like a...it's a new consolidation. It's...it's...guaranteeing and assuring what that tax...they can make that tax rate whatever they

want it to be in all areas. There will be only one choice, obviously.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR MAITLAND:

...again, that choice will be whatever the committee agrees it should be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor yield for a question? I just want to clarify something. When we passed the bill last year, Senate Bill 730, we said, if I recall correctly, that if any school district did not want to get involved with the reorganization and...and the referendum failed in that particular school district, then they were out of it. Now, do I understand that this is still the law...still what you intend by your bill here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator, we have made that very clear in Amendment No. 14 and I think we've clearly made that...Amendment No. 12, I apologize, and also we've made that I think clear in debate this evening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The reason I'm asking you is I...we don't have...those amendments on our desks, at least I don't have but that's why; otherwise, I wouldn't bother asking you. I just want to be assured that no school district of my...in my area will be forced into the plan and that's...I think you've answered my

question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Okay. So, as Senator Berman mentions, School District A votes No, now does this plan go back to the State Board of Education to try to work out any disagreements or any problems that these particular districts have, and then is it resubmitted to the...to the voters for another...another try?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, there would be an...an attempt to...to work out an agreement with...between the Reorganization Committee at the local level and...and the State board, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So then we go back to the original legislation we passed last Spring in regard to that particular issue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Senator Maitland, following up on Senator Watson's question, when the...if the first plan is voted down and goes to

the State Board of Education for a review, can they change the taxing figure that would go to the voters as opposed to the numerical quotient or the boundaries of the district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, I...your...your question was with respect to the...to the tax rate. It would...it would be...first of all,...none of the amendments, you know, change what heretofore has been a part of that bill. That issue still remains the same as it was before...change that. Your question is, if...if a reorganization plan is defeated by referendum and then once again you attempt to work out some kind of an agreement with either...within that particular configuration or one that may perhaps have...failed adjacently, then the whole question of a new tax rate or the new tax rate in that configuration obviously would be debated by those involved, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

So, if a district is formed, it's voted down but the State Board of Education feels the reason it was voted down was because the tax rate for that new district was too high, the State board could recommend to the local consolidation district to lower that rate and try it again in the second election?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I think the answer to that would be yes, they...they probably could, that would be a part of the recommendation. Now, obviously, they're going to have to look at the numbers to see if that would sustain the district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, you wish to close? Senator Maitland.

SENATOR MAITLAND:

Two points, Mr. President. First of all, to explain Amendment No. 1 which is really not now on the bill. Amendment No. 12 actually deleted that but in order to expedite our machinery here, we simply are...concurring in that amendment recognizing...that there's no content to Amendment No. 1 at this point. Secondly, I did fail in my explanation to mention the ninety-day delay in the effective...when the plan has to be submitted and I apologize for that. That is a part of...of the bill. Other than that, Mr. President, I would move to concur in House Amendments No. 1, 12, 14 and 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with House Amendments 1, 12, 14 and 15 to Senate Bill 242. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, would please call the names of the two new members of the Senate, please.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. The Senate does concur with House...with...with House Amendments 1, 12, 14 and 15 and the...Senator Maitland.

SENATOR MAITLAND:

Yes, Mr. President, thank you. I would now like to move to nonconcur in House Amendment No. 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Maitland has

moved to nonconcur in House Amendment 16 to Senate Bill 242. Those in favor indicate by saying Aye. All right. Senator...Senator, I...I...I asked if there was any discussion, apparently there is. Senator Maitland.

SENATOR MAITLAND:

Okay, I...thank you, Mr. President. House Amendment No. 16 is the amendment that...that eliminate...eliminated the mandate for the plan to include the abolition of coterminous...or...or it mandated coterminous boundaries in the configuration. In other words, grade schools had to have coterminous boundaries with the high schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Well, very respectfully, I would have to disagree with Senator Maitland and say that that is the very heart of the objection to this new consolidation bill that we passed last year. It is causing no end to problems in my district, and certainly I don't believe that there is any justifiable reason that we cannot let local school boards, the parent-teacher associations and the others to thoroughly agree that if they have a good system and want to keep it that they can. Now, I know that the answer to that will be that they have a referendum and that the people will then be able to speak out at that time in a referendum. Unanimously, in my particular district...and it affects High School District 214 which is the largest high school district in Illinois, and I would...respectfully submit to you that there is complete agreement among the schools, the parents and the administrators, even those who would gain by this particular consolidation movement, that they are opposed to this plan and they do not think that the coterminous language in this part of the bill is what they want to see. So I would ask that we do vote for...what is the amendment, Sena-

tor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No 16.

SENATOR MACDONALD:

But I would suggest that...that those members who are having the same kinds of problems that I'm having in my district very seriously consider that this is a good amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Maitland's motion to nonconcur. Many of us have heard substantial debate on the question of reorganization. Many of us felt that the hours of debate that we undertook in July and June of 1985 in the passage of Senate Bill 730, before we move so quickly to undo it, required in a responsible action a time of deliberation by the House and the Senate as to whether the question of coterminous districts is important or not. There is a substantial amount of study that shows that the best approach to a proper K through 12 program is where the high schools and the elementary schools can work together to give a uniform delivery of services all the way from kindergarten through twelfth grade, whether that be in a unit district or in a dual district. Unlike the question of the numbers...unlike the question of the numbers that in many types of debates overcame the question of the delivery of good...educational services, I would suggest to you that the question of coterminous districts has a great deal of good, sound argument behind it. Now, I'm not saying that we shouldn't look at it a second time, but what I am saying by joining in Senator Maitland's motion to nonconcur is that we, the members of the General Assembly, in the few hours or even minutes that this issue is before us today have not given it the kind of

deliberation and thought that it deserves. The question of the numbers...the more important question I would submit to you of the ninety-day extension of the submission of the plans from a June 30th deadline to a September 30th deadline makes sense so that we can address it in the Spring Session. That's the reason why I don't think we ought to throw out the issue of coterminous boundaries today. That's why I join in the motion to nonconcur, let us look at it, let us deliberate it, let us debate it, let us discuss it and reach a deliberative conclusion. We haven't had that opportunity today, that's why I think we ought to...on an oral roll call send it back to the House and do what we have to do today but nothing more and nothing less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, you wish to close? All right. Senator Maitland has moved to nonconcur in House Amendment 16 to Senate Bill 242. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Conference Committee report on Senate Bill 147, Mr. Secretary. Supplemental Calendar No. 1 is Senate Bill 147.

SECRETARY:

(Machine cutoff)...Conference Committee report on Senate Bill 147.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we adopt Conference Committee report on Senate Bill 147. The Conference Committee report strikes everything after the enacting clause and what it does is to allow the serving of liquor over at the Willard Ice Building under the control of the Department of Revenue. It's an earthshaking piece of legislation. I commend it to your favorable vote, be glad to respond to any

questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

The Department of Revenue where we collect all our taxes wants to serve alcohol. Are we going to...the taxpayers after they get the bill get to get a stiff drink? Why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Being the major spokesman for the administration on many issues, they've given me this bill. They've...there are many community functions that they want to participate...that want to participate at the Willard Ice Building and the department and the administration feel that this is responding to the request of community groups, and so I have said that it's...it's nothing but good Americanism to have a drink with the community people over at the Willard Ice Building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Schaffer.

SENATOR SCHAFFER:

Well, how can you argue against that, but I would point out maybe...maybe now and then one of those taxpayers probably deserves a free drink after what they go through in that building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in support of the Conference Committee report on Senate Bill 147. This matter was before us a year or so ago and was deleted out because we had not...yet seen the building. We...we afford the same opportunity for the State of Illinois Center, and as you and

I both know having attended a number of black tie and other functions there, it is an attempt on the part of the administration to afford the people of Illinois the opportunity to use these magnificent structures. I am told that the Willard Ice Building is absolutely gorgeous and they have a reception area, and in order to afford the people of Illinois and the various groups and organizations the opportunity to utilize it, they obviously would like the authority to afford them the opportunity to serve alcohol if they so wish. I know of no serious objection, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 147. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, would you call the roll of the two new members of the Senate.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 10, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 147 and the bill having received the required constitutional majority is declared passed. House Bill 374, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on House Bill 374.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Last Session we made certain changes to the Cook County Pension Code. In order for these

changes to be eligible for qualified plan status under the IRS Code, the plan must comply with IRS limitations. This Conference Committee report simply ensures that compliance. Be happy to answer any questions; absent those, urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I do have some concerns about this particular Conference Committee report, because in reading the analysis it seems that what this does is to provide...it's 374, House Bill 374,...that the additional language is needed to clarify that employee annuity benefits shall not exceed ninety thousand dollars a year or one hundred percent of the average salary during the highest three-year period of employment. That's getting up there and I wonder what the...why in this particular case we're changing to...to do that. Why wouldn't they do just the same as every other employee? This is just for Cook County, the rest of us have to go to a deferred compensation program which is already set up in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I think Senator Rupp's comments are more aptly addressed to the bill we passed last Senate...last Session which was House Bill 17. Let me read in total this Conference Committee. "Notwithstanding any other provisions of this Article, no benefit payable under this Article shall exceed the maximum limitations on benefits provided by 'qualified plans' as set forth in Section 415 of the Federal Internal Revenue Code of 1954 as now or hereafter amended or any successor thereto." That is simply what this Conference Committee report does. What you're addressing,

Senator Rupp, I think would more properly be addressed six months ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

I agree, but don't you also agree that this might trigger a...a rash of requests for every other pension group? This is what happens, we...we give a benefit to the outstate firemen and the next time Chicago firemen. I'm saying, you do it for them, you do it for us. I know that this...what this is needed for is by...in order to qualify this plan. It's just to qualify the plan through the IRS, but what I would like to have...this is new, this is something that we didn't know what the need was and we've just been in conversation been able to...to learn what this is. What I would like to ask for is a little delay and let's talk about it so we...so everybody can understand. There's a...there's a...there's a lot of misunderstanding about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? All right. Senator Lechowicz.

SENATOR LECHOWICZ:

I'd like to respond to Senator Rupp, if I may. As far as a hundred percent or a ninety thousand dollar lump sum, the Cook...County of Cook has had that provision for some time. In order to qualify and participate, the employee has to...have to...has to make an additional one percent contribution plus...one percent plus contribution into the retirement system. You would have to...you would have to be a hundred and ten years old in order to qualify at a hundred percent and ninety thousand dollar lump sum. Basically, you'd need thirty-five years of service...continued service and plus the additional employee participation in order to qualify...for that provision. As long as the county has been

in existence, unfortunately, no one has had the ability to provide for that type of a benefit for its employees. What Senator Degnan has pointed out is absolutely correct. The question in here is whether the IRS will approve the provisions that were passed in House Bill 17, that's the codification provisions in this 374. There is nothing to do with any additional benefits to the employees of Cook County without additional compensation of their own volition and their own contributions. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Rupp, I believe if you'd take the Conference Committee report and starting at line 25 through 33, it says that, "No age of service annuity or age and service or prior service annuity combined in excess of sixty percent of highest salary of the employee and no minimum annuity in excess of the annuity provided in Section 9-134 as set forth as the maximum in any other section of this code or related to minimum annuities for county employees included under Article IX of this code shall be payable to any employee excepting to the extent that the annuity may exceed such percent or amount under Section 9-133 and 9-133.1, providing for the automatic increases after retirement." The way I read this, I think he's limited to the...the sixty percent of the highest salary for over the four years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Well, if that's so, then why do we need all...what are we doing this for? It's already in there. What...what is this for?...all I ask, basically, is instead of talking and taking the time of the entire Body that we should have sat down and

talked about this before it coming to the Floor in the form of a conference report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco. All right. Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I may come at it from a slightly different angle. It basically says that the Cook County Pension System will comply with Section 415 of the Federal Income Tax...or Internal Revenue Code of 1954 now or hereafter amended, and I assume they mean amended by the Federal Government, not by us. And it would seem to me that while the standard right now might be ninety thousand dollars and a hundred percent, what happens if for some bizarre reason the Feds decide that it should be fifty percent and no more than thirty thousand? Do we not then have a question of abridging the pension rights of the Cook County pensionholders in direct contradiction of the State Constitution? And are we not in effect by passing this handing control of that pension system over to the IRS?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Degnan may answer that question in his closing remarks. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I am led to believe that if that were to happen, we would have to deal with it legislatively here at that moment or around that time. Again, all we are trying to do here is make certain that those changes already granted by this Body last Session are in order and can be qualified plan status under the Internal Revenue Code. I seek your help in adopting Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the

first Conference Committee report on House Bill 374. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Secretary, would you call the roll of the two...new...new members, please.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 2, 2 voting Present. The Senate does adopt the first Conference Committee report on House Bill 374 and the bill having received the required constitutional majority is declared passed. All right. House Bill 526. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 526 in the Conference Committee report is the February version of the supplemental appropriation request of the Office of the Governor and the response of the General Assembly. What the bill will now do is to provide for some operating funds for the DuQuoin State Fair for 1.2 million dollars, provide some additional refunds for the Department of Revenue for unitary corporate taxpayers of fifteen million and forty million for the individual account. It will allow BOB to pay some debt service on the Build Illinois bonds for six hundred three thousand. It will provide the compensation that we had in error forgotten to do for the four new Human Rights Commissioners that we created by law for some forty-five hundred. We...forty-five thousand, excuse me. We provided a language change in the farm aid package suggested by the Governor. We once again have taken care of various local bands and choir to the twenty-five percent maximum that the Senate established for helping them to go to specific, special areas where they can...as a tourism

promotion go. We have provided some office equipment for the Osaka trip, the Governor noticed it was absent when he was there a few weeks ago, and we have provided once again for...fifty-two percent of need for...to allow those who are unfortunately on some type of assistance to have fifty-two percent of the minimum standard so that they can survive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this and what it simply says is that this will allow people on this fifty-two percent along with the other good things that are in here that they will be able to get a twelve dollar increase, and today, you know, that doesn't even take care of that increase of the high cost of utility rates and for everything else. And as I look at this and see all the other things that we're doing and this is, as we said before, something that we should be doing, imagine that we got people today without heat, we have folks who have to decide between clothes and no clothes, food and no food, and I beg and plead with you that you do vote to adopt the Conference Committee report on House Bill 526.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 526. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Mr. Secretary, would you call the roll of the two new members, please.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted who wish? Have all voted who wish?...of course, Senator Senator Leitch is Aye. Have all voted who

wish? Take the record. On that question, the Ayes are 36, the...the Nays are 9, none voting Present. The Ayes are 36, the Nays are 9, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 526 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...awhile earlier, I spoke with the Speaker concerning the...our refusal to adopt House Amendment No. 16 on...to Senate Bill 242 dealing with the subject of consolidation. The Speaker assured me the House would take that up, I am awaiting further word. So I would suggest that we again...we have effectively concluded everything else that the Governor and others thought was necessary. We are now only awaiting the consolidation action or reaction and we should know shortly. So I'd ask you to again extend your patience and stay with us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, we have some congratulatory resolutions that...resolutions, Mr. Secretary. All right. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

All three...are congratulatory. House Joint Resolution 131, 132 and 133.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. The Senate will just stand at ease.

PRESIDENT:

Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to recede from their Amendment No. 16 to a bill with the following title, to-wit:

Senate Bill 242.

They have requested a first Conference Committee and the Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Let's just take it out of the record.

PRESIDENT:

Take it out of the record, Mr. Secretary. Further Messages, Mr. Secretary?

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 135, it's congratulatory.

And House Joint Resolution 136 which is commendatory.

PRESIDENT:

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House...Messages from the House,...Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr...Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following House Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution No....134.

(Secretary reads HJR 134)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 134 is the adjournment resolution. When we conclude our business this evening, which I assume will be very shortly, it calls for us to return to Springfield for the purpose of the Governor's Budget Message on March the 5th, at the hour of noon, and I would move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 134.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 134. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 134. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 134 is adopted. Mr. Secretary, on the Resolutions Consent Calendar, with leave of the Body, we will add all congratulatory resolutions namely...in addition to those that have already been passed out and on...and printed on your desk, Senate Resolution 690, 692,...693, 694, House Joint Resolutions 131, 132, 133, 135, 136, House Joint Resolutions...all right. Mr. Secretary, are there any...with leave of the Body, we will add those to the Senate Resolutions Consent Calendar. Is

leave granted? Leave is granted. Mr. Secretary, have there been any objections filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves the adoption of the Resolutions Consent Calendar. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolutions Consent Calendar is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Unfortunately, we ran into a bit of a substantive snafu and so we are here longer than we had figured on being here, but I think we accomplished a great deal in one day, more than one would of thought at eight o'clock this morning. As the last order of business, I propose that we memorialize our friend and colleague, Senator Bloom, with a death resolution. I would ask the members to please be in their seats and I'd ask the doorkeepers to keep the doors closed and ask all to be attentive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Joint...Senate...Senate Joint Resolution 110, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 110 offered by Senators Philip, Rock, Leitch and all Senators.

(Secretary reads SJR 110)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I know you all felt the same way that I did about Senator Bloom, better known as Boomer. He was a...in the

true sense of the word a character, a guy that always made this Body much more enjoyable. He was fun, he always had a great sense of humor. I think he was know for his nicknames. He used to call the Governor, His Tallness; he would call Senator Bowers, Popcorn; he referred to me as the Big Elephant or Pate' and he always was a great guy to be around. I know you're going to miss him the way we're all going to miss him and, Prescott, we know you're up there and looking down on us and smiling at us and you certainly have been a great asset to the Illinois General Assembly and to Illinois and to Peoria.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Shakespeare once said that death has many shadows, and I suggest, Mr. President and members, that as we collectively begin the second year of the 84th General Assembly and go about the people's work, there will be, I am sure, many shadows cast from our colleague, Prescott. The shadow of his wit, his compassion, his intelligence, his zest for life, I think will follow us through this Session; and yet if we truly remember Press with his humor and his invaluable contributions to our collective work and our individual effort, his shadow will be, I suspect, one of the joys of public service and we should always remember and emulate the special dedication that he had to the vulnerable in our community. We learned a great deal from our friend and he will be sorely missed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 110. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Philip

and Senator Rock both move the adoption of Senate Joint Resolution 110. Those in favor will all rise. The resolution is adopted. Senator Rock now moves that...any further business to come before the Senate? All right. Senator Rock moves that the Senate stand adjourned till...the hour of...of noon on March the 5th, 1986.

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84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

March 5, 1986

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend John Smith, Superintendent of Maryville Academy, Des Plaines, Illinois. Father.

REVEREND SMITH:

(Prayer given by Reverend Smith)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Monday, February the 10th, 1986.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all either congratulatory or commendatory.

697, by Senator Davidson and all Senators.

698, by the same sponsor.

699, by the same sponsor.

700, by Senator Geo-Karis.

701, Senator Lemke.

702, Senator DeAngelis.

703, Senator Lemke.

704, Senator Donahue.

705, Senator Lechowicz and all Senators.

706, Senator Davidson and all Senators.

707, Senator Davidson and all Senators.

708, Senator Zito and Rock.

709, the same sponsors.

710, Senators Kelly, Jeremiah Joyce.

711, Senator Savickas.

712, Senator Savickas.

713, Senator Savickas.

714, Senator Savickas.

715, Senator Topinka and Zito.

716, Senator Topinka.

717, Senator Rock, Collins, Zito and all members.

718 is a death resolution, by Senator Lechowicz and all Senators.

Senate Resolution 719, by Senator Smith, it's congratulatory.

Senate Joint Resolution 114, by Senator Dawson and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 115, Constitutional Amendment, by Senator Lemke.

PRESIDENT:

Executive.

SECRETARY:

Senate Resolution 620...or 720, rather, by Senator Dawson.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 116, by Senators Degnan and Jeremiah Joyce and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 721, by Senators Rock, Berman, Maitland and all Senators.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 117, by Senators Rock and Philip.

PRESIDENT:

Executive. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, Mr. President, while we have a lull here, I would like the record to indicate that Senator Nedza is absent due to illness today.

PRESIDENT:

All right. The record will so reflect, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 138.

(Secretary reads HJR 138)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 138. It

calls for us to convene in Joint Session with the House for the purpose of hearing the Governor's budget recommendation right away, and I would move to suspend the rules and ask for its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the immediate...consideration and adoption of House Joint Resolution 138. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves that...the adoption of House Joint Resolution 138. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 138 is adopted. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Could...may I move that we go to the order of business of Conference Committees before we leave?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...no...no...no...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Topinka, we'll get right back to that when we return, but I think that His Excellency is awaiting our convening with the House. The Committee on Escort from the Senate will consist of Senators Lechowicz, Dawson, Hall, Schaffer and Donahue. If those five members would meet at the front door of the House Chamber. I would ask that all members retire now to the front door of the House Chamber and we will invade the House, and I move that we stand in Recess until one-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock moves that the Senate stand in Recess till the hour of one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representative refused to recede from their amendments...from their Amendment No. 16 to a bill with the following title:

Senate Bill 242.

Further directed that the House requests the first conference and...the Speaker has appointed the members on the part of the House.

We have a like Message on Senate Bill 1010 requesting a first conference and the Speaker has appointed the members on the part of the House.

And...Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on Senate Bill 679 and requests a second...Committee of Conference to consider the differences between the two Houses in regard to House Amendments 1 and 2, and the Speaker has appointed the members on the part of the House to the second conference.

PRESIDENT:

All right. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. With respect to Senate Bill 242, I think that last month when we were here there were a number of us...and it's my understanding that the leadership had agreed to making some changes in that...in the...in the reorganization bill that we passed last Spring with respect to district size and the length of time in which the districts...the commit-

tees had to file the plan. This was an agreed to change and I think all of us enthusiastically supported that approach. That action was taken in the House and one additional amendment that was not agreed to was added on, and I had agreed to nonconcur in that...in that final amendment. I think that that was a...a break in the agreement and I felt that that should go back to the House and that amendment should come off. But I guess little did I know at that time that the issue had become too political and I found very quickly that the attempt, of course, was to get the bill into a Conference Committee...which time a proposal totally unacceptable to many of us was going to be added. And I guess to further...to further concern me was the fact that before we even had taken action here in the Senate, the Conference Committee with the signatures of the conferees already signed was presented to all members of this Body, and I...I think this is really a...a terrible thing for the legislative process. I think the media laughs at us when we do things like that and it was terribly discouraging to me and I then chose to not call the bill at that time. Subsequent to that, a news release by one of the gubernatorial candidates was circulated around this State that painted us into a...a picture of opposing educational reform, opposing consolidation and throwing literally a monkey wrench into the operation down here. All those statements, of course, were false. In addition to that, some days later on February 21st, the Speaker...in a bulletin entitled...addressed to friends of education across this State blasted both Governor Thompson and Senator Maitland for their unwillingness to call Senate Bill 242, and it mentioned only two issues that were affected and that we were against them and those issues once again were district size and extension of the time frame. Clearly what we had already agreed to and had that been the only issue before us, that bill would of passed out of here.

Well, this issue, of course, has backfired in the Speaker's face because most educational types who got this letter saw through that and had numerous letters and conversations and...and, quite frankly, the thousands of letters that they expected to get out just never did...did happen but, nonetheless, that shows you how legislation works down here when you become politicized and I'm sorry that that's happened. However, Mr. President, given the time frame in which we are in now with respect to these reorganization committees, I think the only logical course of action is to put this legislation in a Conference Committee and attempt to resolve those differences. So, therefore, at this time I would like to move that the House refuse to...or accede to the House and request that a Conference Committee be chosen for...with respect to Senate Bill 242.

PRESIDENT:

All right. Senator Maitland has moved that the Senate accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate accedes to the request of the House to appoint a Conference Committee. Senator Topinka on 879.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the House,...or Senate, excuse me,...on Senate Bill 879 the House has nonconcurred and since we would like to get this into another Conference Committee, I would like to concur with their nonconcurrence and ask that the Senate vote No so that we could indeed ask for a second Conference Committee. So, I would like to accede.

PRESIDENT:

All right. I think that...that it is correct. Technically, we have on the...on the order...on the Calendar on page 3, there is a Conference Committee report, first report,

on Senate Bill 879. Senator Topinka seeks leave of the Body to move to that order of business for the purpose of not adopting the first report so that we may be technically in the posture of adopting or considering a second report. The question is, shall the Senate adopt the Conference Committee report on Senate Bill 879. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 5 Ayes, 6 Nays, none voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House...Message from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President — I'm directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on Senate Bill 679 and request a second Conference...Committee of Conference to consider the differences between the two Houses in regards to Amendments...House Amendments 1 and 2 and the Speaker has appointed the members on the part of the House to the second conference.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I think Ken just took care of it thought, so I have no comment.

PRESIDENT:

All right. Senator Topinka has moved that the Senate accede to the request of the House that a second Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate accedes to the request of the House for a second Conference Committee. All right. Senator Carroll also moves

that the Senate accede to the request of the House that a Conference Committee be appointed with respect to Senate Bill 1010. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate accedes to the request of the House. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I'd like to move to nonconcur in House Amendment No. 2 to Senate Bill 1412 and ask for a Conference Committee.

PRESIDENT:

All right. With leave of the Body, page 2 on the Calendar, on the Order of Secretary's Desk Concurrence is Senate Bill 1412. Senator Lemke has moved to nonconcur with House Amendment No. 2 to Senate Bill 1412 and requests a Conference Committee. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and...members of the Senate. I should like for the records to show that Senate Bill 1554 will be sponsored by Senator Marovitz and I will be hyphenated sponsor on that.

PRESIDENT:

All right. The lady seeks leave to show Senator Marovitz on...sponsor of Senate Bill 1554. Without objection, leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. On March 15th and 17 of 1986 is going to be the 67th birthday of the American Legion, and the Pages are passing out a suggested address to each and every one of you. Due to the confusion, and they're going like hot cakes over here, I have

taken the position now to have all addresses passed out.

PRESIDENT:

Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you. If it's appropriate at this moment, I would like to call attention to the fact that the meeting of the Economic and Fiscal Commission will hopefully still take place, obviously, not at two o'clock, it will be immediately upon adjournment in the designated place which I believe was A-1 in the Stratton Building. It is very important because it's our first opportunity to hear why the State is suddenly going to become self-insurer on health insurance, and that is of interest to all of us. So I think we do need to...have the meeting as scheduled. Thank you.

PRESIDENT:

All right. Economic and Fiscal will meet immediately after adjournment, which I hope will be shortly. We will have a supplemental Calendar and we're going to try to move as expeditiously as possible. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

...Senate Resolution 722, Senator Dudycz.

723, Senator Zito.

...724, Senator Zito.

725, Senator Kustra.

726, Senators Welch, Lemke and Rock.

727, Senator Keats.

728, 729, 730, 731, Senator Mahar.

732, Senator Keats.

And Senate Resolution 733, by Senator Vadalabene, is a death resolution.

Senate Resolution 734, by Senator Mahar, it's congratulatory.

Senate Resolution 735, by Senators Demuzio, Rock and all

Senators and it's a death resolution.

PRESIDENT:

Consent Calendar on those resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 736, by Senators Lechowicz, Zito, Dawson and others.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 118 Constitutional Amendment offered by Senators Kustra, Dudycz and Topinka.

And Senate Joint Resolution 119 Constitutional Amendment offered by the same sponsors.

PRESIDENT:

Executive. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

And the following joint resolutions are all congratulatory:

House Joint Resolution 137. House Joint Resolution 139. House Joint Resolution 140. House Joint Resolution 141. And House Joint Resolution 142.

PRESIDENT:

Consent Calendar. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1559, by Senators Watson, Chew, Schaffer and Donahue.

(Secretary reads title of bill)

1560, by Senator Davidson.

(Secretary reads title of bill)

1561, Senator Topinka.

(Secretary reads title of bill)

1562, Senator Luft.

(Secretary reads title of bill)

1563, Senator Dunn.

(Secretary reads title of bill)

1564, Senator Dunn.

(Secretary reads title of bill)

1565, Senator Lemke.

(Secretary reads title of bill)

1566, Senator Watson.

(Secretary reads title of bill)

1567, Senators Weaver, Keats and Berman.

(Secretary reads title of bill)

1568, Senator D'Arco.

(Secretary reads title of bill)

1569, Senators Topinka, Macdonald and DeAngelis.

(Secretary reads title of bill)

1570, by Senator DeAngelis.

(Secretary reads title of bill)

1571, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1572, Senator Netsch.

(Secretary reads title of bill)

1573, by Senator Etheredge.

(Secretary reads title of bill)

1574, by Senators Kustra, Keats, Berman, Macdonald,...Mahar, Dudycz, Zito, Barkhausen and Topinka.

(Secretary reads title of bill)

1575, by Senator Jones.

(Secretary reads title of bill)

1576, Senator Kustra.

(Secretary reads title of bill)

1577, Senator Kustra.

(Secretary reads title of bill)

1587, by the same...by Senators Kustra, Topinka and Dudycz.

(Secretary reads title of bill)

1579, by the...same sponsors.

(Secretary reads title of bill)

1580, Senator Vadalabene.

(Secretary reads title of bill)

1581, Senator Fawell.

(Secretary reads title of bill)

1582, by Senator Vadalabene and Darrow.

(Secretary reads title of bill)

1583, Senator Zito, DeAngelis and Netsch.

(Secretary reads title of bill)

1584, by Senator Zito.

(Secretary reads title of bill)

1585, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1586, Senator Sangmeister.

(Secretary reads title of bill)

1587, Senator Sangmeister.

(Secretary reads title of bill)

1588, by Senator Darrow.

(Secretary reads title of bill)

1589, by Senator Barkhausen.

(Secretary reads title of bill)

1590, by Senators Fawell, Topinka, Karpiel and Mahar.

(Secretary reads title of bill)

1591, by Senator Welch and...J.J. Joyce.

(Secretary reads title of bill)

1592, by Senator Demuzio.

(Secretary reads title of bill)

1st reading of the bills.

SECRETARY:

Senate Bill 1593 introduced by Senator Welch.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1594 introduced by Senator Collins.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1595 introduced by Senators...Demuzio,...Schuneman and Maitland.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

All the bills that were read a first time will be referred to the Rules Committee. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill 1596 introduced by Senator O'Daniel.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President, for the purpose of calling a Republican Caucus, hopefully a very brief Republican Caucus, in Senator Philip's office. Any of my Republican colleagues who are not on the Floor but around a...a squawk box please get to Senator Philip's office so we can get the caucus over with.

PRESIDENT:

That request is in order. The Senate will stand in Recess for thirty minutes, quarter to four, and then when we come back we'll deal with Supplemental Calendar No. 1. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill 1597 introduced by Senator DeAngelis.

(Secretary reads title of bill)

Senate Bill 1598, by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1599, Senator Berman.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. The Senate will come to order. Resolutions.

SECRETARY:

Senate Joint Resolution 120 offered by Senators Etheredge, Kustra and Mahar.

PRESIDENT:

Executive. The Secretary has informed the Chair that Supplemental Calendar No. 1 has been distributed as have copies of the Conference Committee reports that are reported on Supplemental No. 1. With leave of the Body, we'll move to the Order of Supplemental Calendar No. 1. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 242. Mr. Secretary.

SECRETARY:

Corrected...first corrected copy of Conference Committee report on Senate Bill 242.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. The long awaited Conference Committee report on Senate Bill 242 is a...is before you and let me read

briefly through the components that are contained in that...in that report. It provides that the regional superintendent shall have authority to...postpone life safety work on a school building until July 1 of 1988. It effectively transfers Argo Community High School District into the correct part of Subregion 2 rather than Subregion 3 which it was a mistake in the original bill. It clarifies the method of computing whether or not a district from which territory is to be detached is a...in a reorganization plan shall have the privilege of voting on the reorganization proposal. It also provides that the tax rates of the new districts will be included in the referendum for formation of the new districts in accordance with the same provisions that are contained in Sections 11-A and 11-B of the school code which is the consolidation...section. It changes the initial reporting deadline for the chairperson of each reorganization committee to...to submit their reorganization plan to the State Committee from June 30th until September 30th. This was a part of the original agreement, the ninety-day extension. It removes the reference to minimum pupil enrollments. It removes references to coterminous boundaries. It requires regional committees prior to actually formulating their plans to hold public hearings within each school district. With respect to some of the other...now known as Stevenson language, it addresses those Board of Higher Education course requirements as guidelines to be followed as the reorganization committees are putting together...are putting together their plans. I, also, Mr. President, would like to...as I was not one of the drafters of the Conference Committee report, I would...would call the Body's attention to language on page 9 and page 10 of...of the package and I would like to...or on...of the Conference Committee report and I would like to read it. "After consideration of all of the other provisions of this section, the reorganization committee may in the exercise of

its discretion provide in the reorganization plan that no reorganization of school districts is required. Any such finding by the reorganization committee adopted in the final reorganization plan shall be binding upon the State." And I...I want to...to refer to debate that persisted on the Floor on the night that we passed Senate Bill 730 with respect to a question asked of me by Senator Watson. And the question was, does the plan have to provide for consolidation reorganization of school districts in the region. And my response to that was, no, if the committee feels that the district organization in the region is proper and defensible, and that was proper and defensible according to the language that was contained in the reorganization portion of Senate Bill 730, then there would be no need to file a plan and there are some areas in the State where this definitely would be...would be possible. And some language...the language that I just read to you is in this Conference Committee report and, Mr. President, with your permission I'd like to ask Senator Berman to...to comment on that language.

PRESIDENT:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Maitland calls my attention to the language on the bottom of page 9 and carrying over to page 10 of the Conference Committee report. Let me concur in his interpretation and I think that it's very important to stress that the opening language of that...namely, on page 9 line 35, it says, "After consideration of all of the other provisions of this section," carrying over to page 10. And what I...what...what my interpretation and what I think the legislative intent of that section is is that the reorganization committee after evaluating the criteria that we have spelled out in this Conference Committee report and...and in the law

as amended if they find that no reorganization is required because there is compliance with this criteria, then they can recommend that there be no reorganization; but let me add parenthetically that this is not a blank check for a committee whose districts do not comply with the criteria set out in this law to just disregard the goals set forth herein and to just say there shall be no reorganization. Further, Mr...President, I want to compliment Senator Maitland for his time and effort in this effort. I think the question of the numbers became such that they clouded the issues that we had in mind in Senate Bill 730. I think this language carries through the same intent that we had back last July and that is...educational excellence, and I stand up in support of the adoption of the Conference Committee Report No. 1.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Maitland, the paragraph you referred to on page 9 going over to page 10 refers to the final reorganization plan. Are you referring to the second plan assuming there is the first election, and if that plan is voted down then a second plan is to be drawn up, is that what you mean by the second...is that what you mean by the final reorganization plan or are you talking about the first plan?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, I...I tried to read it that way but very honestly and in...good conscience, I couldn't read it that way. I would have liked to have been able to read it that

way. This really means after the...after the...the hearings are held and everything and...and...and that plan.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Is it...is it your opinion then that we still have to go through the hearings and have a vote on a proposed reorganization plan at the...the first date we vote?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No...I...I...maybe we did a poor job of explaining that. It...it really means that the hearings are held, you know, really beforehand and...and there will be a vote.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

So my understanding then is we're going to continue what we're doing with the ninety-day delay. The...the consolidation committees will continue to meet. They will propose to reorganize every school district in the State and there will be a vote. If after that vote certain districts do not vote to reorganize, then this provision kicks in which says that, "The reorganization committee may provide in that second plan that no reorganization of school districts is required in any such finding by the reorganization committee adopted is the final...in the final reorganization plan," meaning this would be the second plan adopted, "is binding on the State committee." Is that what this means?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Then are we going to have the first vote on the reorganization plans?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

May or may not. I...think we've been...we've...we really have explained that and I...I really don't know the...the...the thrust of your question.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

What I'm talking about is the potential for two votes on a reorganization plan. I would assume the second vote would be called the final reorganization plan. Is that your understanding?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

With respect to this language, Senator Welch, I think it's generally concluded that that is not true.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Then what you're saying is they don't even have...a committee that meets and says before the first vote there's no need to reorganize doesn't have to hold a single election is what you're saying. That's the intent of this Conference Committee report.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That indeed is a possibility if, for example, they meet

all the criterion that is set forth in Senate Bill 730 and it...agree that there...you know, those districts are large enough and efficient enough in providing academic excellence, then that's...that is correct.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

So just to clarify for the State Board of Elections...or State Board of Education when they start interpreting this, final reorganization plan under this Conference Committee report means the first plan or the second plan which could be submitted to voters.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

It is my interpretation that, yes, that is the case.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, let me just ask a question. If presuming that the reorganization committee now meets...meets and considers all of the criteria and decides that in fact no reorganization is to take place, submits its plan to the State Board of Education, is there, in fact,...will there be a...a ruling from the State Board of Education, for example, to put that on the ballot for that to be...to be voted on or does that just, in fact, end all of the reorganization effort at that point upon submission to the State board?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No reorganization plan at all requires no referendum.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, therefore, there is no election and I think that was part of the thing that we were attempting to allude to during the debate...at least in the transcript of the first...of the first bill. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Let...let me clarify an earlier statement made that...that the...the plan whatever that plan or lack of plan is has to meet the criterion that are in this bill, first of all. Then if that's approved and it's agreed by both the local reorganization committee and the State reorganization committee that...that there need to be no other initiative, then there would be no vote.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then he just...opened up a different question here and that is what happens if the State reorganization...the reorganization committee, the local committee, submits to the State board the idea that there...that they have met all the criteria and there should be no reorganization, the State board rejects that and, in fact, then submits that back to the...back to the committee...then what happens?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Further clarification, first of all. If those reorganization committees locally determine that...that they meet all the criterion, that decision alone according to this component, this language is binding on the State committee.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

That means final in its totality, final. Is that correct, Senator Maitland?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That's the way I read the language.

PRESIDENT:

(Machine cutoff)...discussion? Senator Kelly.

SENATOR KELLY:

Yes, the school people that I've met with had some concerns that the extension period wasn't lengthily enough. Was there some consideration given to having more time or is this more or less was determined would be adequate time?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Kelly, this is a very critical technical area with respect to the consolidation election law, and this is the absolute maximum that we can go on the extension to meet the...to meet the guidelines or the...the given election dates of the consolidated election law; and...and I, personally,...and I think I've spoken to more groups around this State than anybody, I have heard of no one asking for any longer than ninety days and, quite frankly, I've had many of them who are really moving along quite nicely saying that, gee, we don't need any extension at all. So this, I think, accommodates most people.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, I'm just like you, I've been meeting in a lot of...with a lot of school people during...so-called recess period to discuss education and I hope...that we cleared it

up. I'm really sorry that it took away or diminished what we've been trying to accomplish on reforming education in the State of Illinois. I know a number of the people said maybe we ought to just repeal the whole...area of reorganization because of what it was done and how it was handled and why it wasn't interpreted. What about this wording, "dual versus unit...preference." Is that in here too?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

The unit district preference is out, coterminous boudaries is out.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, that's about all I have except I...I wanted to get one more reading on what Senator Demuzio...can you kind of briefly go over...your last comments about the plan itself being submitted and being...if it's rejected by the State board, where do we go from there? And also will the plan...the concerns of the...educators in my area is that they would submit a plan...the reorganization committee and if it's turned down, then the Office of Education...they would have their...their's and if that was turned down, then possibly the Legislature would enact the second recommendation. What I want to find out about, where are we at...on that particular issue? Will it be forced upon them if they do not want reorganization or consolidation?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No and let me explain. We're really talking about two different scenarios here, okay? First of all, the reorganization committee locally puts together their plan, the hear-

ings are held, they submit the plan to the State board, the State board either approves or disapproves the plan. Assuming the State Board Reorganization Committee approves the plan, it comes back for referendum. That referendum fails, then we go through the process once again and...and just like we did the first time, that's one scenario. The second one is as we have been discussing with respect to no plan at all within a particular regional superintendent's district. If they decide that no plan...no change is necessary...no change at all is necessary and they've met all the criterion that are in the original Senate Bill 730, then that decision has...that's the end of it. They have made an election and they've met the criterion that's binding on the State committee and it goes no further.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he will yield, Senator Hall.

SENATOR HALL:

Senator...Maitland, I've talked to several groups in my area and I've found no...all of them are vehemently opposed to whatever we do. Now, my question is this. You took out the numbers, is that correct? That's no...you've got an extension of time you're going to study, that's six months, right?...or not...I meant to say ninety days. Well, the problem is that many of the people tell me that there were only two or three people who really understood the resource equalizer was Representative Hoffman and Senator...our...our leader over here and the educator, Senator Berman. Now they say we come along with something nobody really understands. Why are we pushing something that everyone is opposed to? I...I just don't know what...why...why do we need it, in

other words, since we got so many people opposed to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...maybe the expert ought to handle that one but it...but, first of all, let me...let me say that I also have a pretty good understanding of the resource equalizer too, Senator Hall, but...but that's all right. Let me...let me only...let me only say that...that when you deal with...with educational issues as close as some of us do every year and agonize over the formula and a number of things, we...we see what's happening out...in the State of Illinois in those thousand school districts and...and recognizing that some of them are going to have some very difficult times maybe not right now but down the road a few years, and I...I believe both...most of the members in this body feel very strongly that we should not mandate school district reorganization, but...each one of us in this Chamber are elected by a constituency of nearly two hundred thousand people and they look to us for some...leadership and some guidance and some direction. And I think a general...gentle nudging from time to time is quite appropriate. This is not a mandate. I can cite you just as many school people who are glad we did what we did and we all voted for it.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I appreciate what you're saying. The problem is that...you know, there's...we do such strange things around here, I...I'm just wondering...I haven't found anybody in my area that wants to join somebody else. They say, leave us alone. I can remember back when I had both unit and dual districts and the dual people were up here crying all the time, then the unit people start to crying. Our intent at

one time was everybody would go to unit districts or is that what you're trying to get? Are you trying to get all of that in just one district? Is that part of this reorganization plan?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

No.

PRESIDENT:

Senator Hall.

SENATOR HALL:

That's okay, I'm...I'm still confused.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

The sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Hudson.

SENATOR HUDSON:

Senator, let's go back to scenario number one...this is where I think the confusion is in the latter part of your scenario. After we've gone through one attempt, let's say the local committee has gone up and...and the...the plan has not been approved, so it comes back and you said then we start over again to go through it again, right? The second time, now? The second time, still no success, there's nothing agreed on. Is there then...where do we go? Second time around, no agreement, what happens?

PRESIDENT:

All right. Senator Maitland.

SENATOR MAITLAND:

Senator Hudson, that's the end. There would be no second referendum...if there's not an agreement.

PRESIDENT:

All right. Is there any further discussion? Any further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Only to say, Mr...Mr. President, that...that I think we have met most of the objections. I appreciate the help from the other side of the aisle, Senator Berman in particular. We're not all satisfied with all the components but there are some reorganization committees out there that are working hard, very diligently moving toward a resolution of the problem. I hope this will assist those where there has been some confusion, and I stand ready...as I know Senator Berman stands ready to speak to any of those groups to assist them any way they can. I would move for the adoption of Conference Committee Report No. 1 to Senate Bill 242.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland has...has moved...the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 242. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. George. Have all voted who wish? We will have to take orally the two new members of the Senate who are...are not yet on the board. Mr. Secretary, would you please call those two members.

SECRETARY:

Senator Leitch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Leitch, Aye.

SECRETARY:

Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And Woodyard, Aye. Have all voted who wish? Have all voted who wish? All right. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 2,...I'm sorry, the Ayes are

48,...48, 2, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 242 and the bill having received the required constitutional majority is declared passed. All right. Supplemental Calendar No. 1, Conference Committee reports to Senate Bill 879. Senator Topinka.

END OF REEL

REEL #2

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, basically, Senate Bill 879, the second Conference Committee report, addresses itself to a lot of cleanup language, especially in the Barber and the Cosmetology Act and a few others, and it's basically a department bill and all agreed to. The part that was most controversial when we got rid of Conference Committee One, went into two was what most of you, I think, have gotten letters on which was the educational level of cosmetologists. That has been brought back to an eighth-grade level. So, that should probably answer most people's questions. I think that pretty well does it and I would just move that we accept Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on Senate Bill 879. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Mr. Secretary, call the roll of the two new members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 46, the Nays are 1, none voting Present. The Senate does...I'm sorry...on that question, the Ayes are 48, the Nays are 1, none voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 879 and the bill having received the required constitu-

tional majority is declared passed. Senate Bill...994, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill...Conference Committee Report No. 1 to Senate Bill 994 does...really it's a technical amendment. It...it makes some changes in the Public Utilities Act, it's to cleanup...technical language and most of the components in the Conference Committee report that are agreed to by both sides have already passed this...this Body in...in a couple of other areas, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I think that Senator Maitland is correct. These are, we hope, the technical amendments we have all seen before and agreed to before; and although I'm seeing this for the first time, I think there is no difference in...between this and the earlier versions that we had all agreed to. So, it should be fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the...Senator Hall.

SENATOR HALL:

Senator Maitland, would you just...I don't want to prolong the thing, but I've got a very big hang-up on all these utilities today. You say this just technical? It's not making any changes at all into them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate

Bill 994. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? We need to call the roll of the two new members.

SECRETARY:

Senator...Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted who wish? Take the record. On that question, the Ayes are 49...oh...the Ayes are 50, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 994 and the bill having received the required constitutional majority is declared passed. All right, Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive Appointments. All right, Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following...House joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution No. 145 offered by Sena-

tor Rock.

(Secretary reads HJR No. 145)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 145 is the adjournment resolution. When we conclude our business today, we will return to Springfield on Easter Tuesday, April 1st, at the hour of noon. The House has built in two perfunctory days for introduction of bills which we felt were, frankly, unnecessary. So, we will return on April 2...April 1...Tuesday, April 1st at the hour of noon and I would move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 145.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion by Senator Rock to move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 145. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 145. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 145 is adopted. Mr. Secretary, resolutions...have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will add...in addition to the printed copy, Senate Resolution 722 through 735, House Joint Resolutions 137, 139, 140, 141 and 142 which are all congratulatory or death in nature. With leave...is leave granted? Leave is granted. Senator Rock moves the adoption

of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have the attention of the members, we are, again, in the position where we are awaiting House action. We have effectively concluded what was on our Calendar. There is yet one piece of business remaining and that is a supplemental appropriation's request that I'm told will be added by House amendment to a bill and sent to us for concurrence. The latest information I have is that they are at least about an hour away from that action. So, we are, I guess, standing at ease waiting for the House to act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Senate will stand at ease.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 2 to a bill with the following title:

Senate Bill 1412.

I'm further directed to inform the Senate that they have requested a first conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right, with leave of the Body, Senator Joyce will move that the Senate accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Senate does accede to the request of the House. We'll appoint a Conference Committee on Senate Bill 1412.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with Senate in the passage of a bill with the following title:

Senate Bill 226, together with House Amendment No. 2.

PRESIDENT:

On the Order of Supplemental Calendar No. 2, we have only two items remaining and then we will adjourn until April the 1st at the hour of noon. On the Order of Secretary...on the Order of Supplemental Calendar No. 2, on the Order of Conference Committee Reports a Conference Committee on Senate Bill 1412. With leave of the Body, Senator Jerome Joyce. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Senate Bill 1412, the first part of it, the...the original bill, expands the job tax credit in the enterprise zones. This is asked for by DCCA, makes...eligible for services...people when Title II of the Job Training Partnership Act, training services for the disadvantages or Title III of the Job Training Partnership's Act. Also this would allow the Department of Central Management Services to convey certain properties in Kankakee County, right next to the Manteno Redevelopment Council, the old Manteno Mental Health Agency, as it...would be required. Now there's three hundred and seventeen acres there that the State owns and this council has been trying to bring jobs into the old Manteno Mental Health Facility and they have found some companies that would like to build a new plant, so this would be on the adjacent property, and CMS after a sufficient plan was given to them would convey that number of acres that would be needed to build that plant. It also has a reverter in it and I think we have everyone satisfied on

this. So, if there's any questions, I'd be happy to try and answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1412. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Mr. Secretary, would you please call the roll of the two members that are not listed.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1412 and the bill having received the required constitutional majority is declared passed. All right,...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. With leave of the Body, I would ask...ask leave of the Body to...in lieu of Senator Savickas to handle Senate Bill 226 as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is leave granted? Leave is granted. Mr. Secretary, 226.

SECRETARY:

Senate Bill 226 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to move to concur with House Amendment No. 2 to Senate Bill 226. This is the supplemental appropriation requested by the Office of the Governor. The membership has

been provided with a listing...detailing...eleven sections that are amended in the...total amount of money is nineteen million dollars out of which eleven million two is general revenue. I would point out that under Item Ten where it says fingerprinting, that is not quite accurate. In fact, that money, the eighty-nine thousand dollars, is an appropriation to the State police to implement that section of the law in Senate Bill 730 which this Body overwhelmingly approved last Session calling for background checks. That is the only reason for this appropriation. I know of no objection; obviously, we require thirty affirmative votes and I would solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I guess what really seriously bothers me is that once again we're back, we're placing the cost of living increase for people for fifty-two percent of need. The Governor has twice vetoed this. Now if it's going to be as a carrot to get this thing passed and then have him veto it again, that I'm...I have serious problems with this. I haven't been able to get any assurance and I would like to know from the leader over there...of course, he can't speak for the Governor only to say that how much is this going to be pursued. Now we can find monies for everything, but we cannot...and the last time...and I appreciate the help that was given on the other side, but the Governor consistently comes right back and vetoes this and...Senator Rock, I'm very glad that you explained about this other thing because there would be no way with this 1010 the...the House has refused to call that bill and I just couldn't understand why we were going to be voting to fingerprint teachers. So, I would like to know if anybody here who could say, what situation are we

going to be in again? And I guess the only one I could ask that is the leader on the other side where as the...he's the spokesman for the Governor but suddenly he's disappeared. Where is he? Where is your leader? He was on the Floor when I started. Is he doing a disappearing act? He might be if he's in there...Senator Philip. You know, it's a shame to think that in this great country and in this great State with all the money that...expended around here...when you look at this, just got through today with another budget of almost twenty billion dollars and to say that you cannot give to the people. I don't consider myself scolding all these people. I appreciate what has been given, but if we're going to have the irresponsible way that the Governor has done, it's just unfortunate and I hope he's got his mike on and I hope he's hearing and if he's going to go again and veto which is...you know, this is a very serious proposition. So, I wonder what the position is and I don't know where Pate Philip is but if there was anyone who...who operates in...of when he's gone? I see you looking, Senator Schaffer, so...would you like to comment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I don't think I'm qualified. I don't honestly know what the fate of that particular line item will be; obviously, we know the history of that. I would respectfully submit that there are another twelve or fifteen articles here that I think are necessary for the operation of State Government in the next month while we go about our duties back in the district and the various campaigns. I would respectfully suggest to as many people as possible that some of these things have been put off for a long time and we're talking about prisons, we're talking about some things that are important to a lot of people, and I would hope as I look around and

detect a few empty chairs here that everybody would get on board this roll call. We would need to pass this thing and...and go home and get about our business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall for a second time. Senator Hall.

SENATOR HALL:

Well, evidently, you can't get an answer to it. I'm certainly...I have some problems with some things I sent here. We met and when...now I think...and I hope the Governor is listening, because there's five million four hundred thousand dollars in here for a math/science academy construction to be for...for children who are super children, who are...when I look at this, there's many questions. I'm wondering how some of us are going to get...what they call...specialty children in this area...I'm...this puts me in a very awkward position and I certainly want to see that we have something of need, and I would appeal to you who are on...and of the Governor's team to please ask him that there's another day coming. Now if we come to a third veto of this item that...of course, when I'm just one person on this floor, but I tell you that I think that he needs to be appealed to to say that we...we...working and all of us are voting for this in good faith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would hope that all of us would recognize that the supplemental appropriation as presented in House Amendment No. 2 to Senate Bill 226 is as Senator Schaffer indicated pretty important. There is, Senator Hall, a transfer of some seven and a half million dollars within the public aid budget which is absolutely essential. We, in this Body, thought

that the Human Rights Commission ought to be enlarged and we are providing now for those four new commissioners in terms of the Travel and Commodity line. In addition to that, let me say that this morning I had the opportunity to again speak to the Governor about the supplemental and about the fifty-two percent of need item which I indicated we were again going to pursue. I was unable, frankly, to obtain a commitment from him that he would sign it. He did say he would consider it. I am not, frankly, optimistic, but I think it's incumbent on every one of us to be affirmatively on this roll call for that reason so that we make it ineluctably clear that we are serious about this and this battle is not over; but in the meantime, I would ask for an affirmative vote on the motion to concur with House Amendment No. 2 to Senate Bill 226.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment 2 to Senate Bill 226. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Mr. Secretary, would you call the two members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 1...I beg your pardon...the Ayes are...36, the Nays are 2, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 226 and the bill having received the required constitutional majority is declared passed. Further business to come before the Senate? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Pursuant to the adjournment resolution, I would wish everyone a happy March 18th, I hope, and a Happy Easter and I

would move that we stand adjourned until April 1st at the hour of noon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved that the Senate stand adjourned until the hour of noon, April the 1st. Senate stands adjourned.

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84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

April 1, 1986

PRESIDENT:

(Machine cutoff)...will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

(Machine cutoff)...you, Reverend. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, March 5th, 1986.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Degnan. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Communication, Mr. Secretary.

SECRETARY:

To the Honorable, the President of the Senate.

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith an enclosed Senate bill that has been vetoed in part, line item veto by the Governor, Senate Bill 226, Public Act 84-1116. Signed, Senator James Edgar, Secretary of State.

PRESIDENT:

All right. On the Calendar. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For an announcement, Mr. President. I'd like the record to show that Senator D'Arco is absent due to illness in his family. His mother is sick in the hospital in Florida.

PRESIDENT:

The record will so indicate. Senator Lechowicz, for what purpose do you seek recognition?

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave to be listed as a cosponsor on Senate Bill 1554.

PRESIDENT:

All right. Gentleman seeks leave to be added as a co-sponsor on Senate Bill 1554. Without objection, leave is granted. If I can have your attention, ladies and gentlemen, Senator O'Daniel has some honored guests that he would like us to meet this afternoon. If I can have your attention, the Chair will yield to Senator O'Daniel. We have the entire town of Teutopolis here, I think. But all of us, I think, were able to watch them on television and they are sincerely to be congratulated. UPI, by the way, would request leave to take some pictures while the kids are here. Leave is granted. Senator O'Daniel.

SENATOR O'DANIEL:

President Rock, members of the Senate, it's...it's with great honor that we have this distinguished group of...of young people here in...in the Illinois Senate this afternoon. We have the...the boys Class A championship team, the girls Class A championship team and we also have the junior high champions. They are all from Effingham County, Teutopolis. They're known as the...the wooden shoes, the T-Town wooden Shoes. They're...they're very exceptional group of young people and I feel very privileged and very honored to be representing them in...in the Illinois Senate. So at this time, I'm going to let the coaches talk to you just a...a

moment about the...the students or...or possibly introduce them. So, at...at this time, I'm going to introduce Coach Ken Crawford who taught the class...who coached the Class A boys championship team. Coach.

COACH CRAWFORD:

(Remarks by Coach Crawford)

SENATOR O'DANIEL:

Thank you, coach. Now we'll have a...a Coach Dennis Custer who coached the championship...girls basketball team. Coach.

COACH CUSTER:

(Remarks by Coach Custer)

SENATOR O'DANIEL:

Thank you, coach. Now we have the Lady Booties who were the...champion junior high girls and...we have...Coach Scott Thomas. Coach.

COACH THOMAS:

(Remarks by Coach Thomas)

SENATOR O'DANIEL:

THank you, coach. Also in...in the rear gallery to my left, they brought their government class along and their instructor, Mr. Dick Henry, back in...in the back gallery. So, we're very pleased and very honored to have you here today and we wish you the best of everything. Thank you for coming.

PRESIDENT:

Senator Rupp, for what purpose do you seek recognition?

SENATOR RUPP:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR RUPP:

Thank you, Mr. President. I would like to introduce in the President's Gallery right in back of you, the all

Moweaqua girl scout team, Moweaqua, Illinois. I'd like to have them stand up.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are either congratulatory, commendatory or death resolutions:

Senate Resolution 737, Senator Geo-karis.

738, Senator Lemke.

739, Senator Lemke.

740, Senator Dawson.

741, Senator Geo-Karis.

742, Senator Weaver.

743, Senator Mahar.

744, Senator Lemke.

745, Senator Lemke.

746, Senator Geo-Karis.

747, Senators Lechowicz, Rock and all members.

748, Senator Vadalabene.

749, Senator Holmberg.

750, Senator Holmberg.

751...751, Senators Topinka, Lechowicz and Dudycz.

752, Senator Topinka and all Senators.

753, Senator Topinka and Zito.

754, Senator Topinka.

755, Senator Topinka.

756, Senator Topinka.

757, Senator Jones.

758, Senator Kelly.

759, Senator Lemke.

760, Senator Lechowicz.

Senate Joint Resolution 121, Senator Geo-Karis.

Senate...Joint Resolution 122, Senator Maitland.

Joint Resolution...123, Senators Topinka and Dudycz.

Senate Resolution 761, Senator Dudycz.

762, Senator Dudycz.

763, Senator Dudycz.

764, Senator Dudycz.

765, Senators Dudycz and Nedza.

Senate Resolution 766 by Senator Derman, it's a death resolution.

PRESIDENT:

All right. Consent Calendar on the foregoing resolutions.

SECRETARY:

Senate Resolution 767.

Senate Joint Resolution 124.

And Senate Joint Resolution 125.

PRESIDENT:

Executive. If I can have your attention, the Chicago Tribune asked leave to take some photographs. Without objection, leave is granted. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT:

State your point.

SENATOR DeANGELIS:

...it's been called to my attention that Senator Geo-Karis just celebrated one of her birthdays. She celebrates them every other year, in the even numbered years like we do...and anybody who would like a piece of cake from Senator Geo-Karis...of...of Senator Geo-Karis' cake, please go forward and...indulge. And I'd like Geo...I would like to wish you a very happy birthday and I'm real proud that the world knows that you have birthdays.

PRESIDENT:

Senator Geo-Karis, happy birthday.

SENATOR GEO-KARIS:

Well, thank you, thank you.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, the...the beautiful cake is a real surprise for me 'cause I never denied by birthdays, I still am...am alive and kicking. But I want to thank the leadership, Pate Philips and the...the other Minority Leaders, Mr. Weaver, Mr. DeAngelis, Mr. Schaffer and Mr. Rupp, did I forget anyone, for their thoughtful gesture. And please help yourself. In case you don't know my age, I'll tell you, and I don't care who knows it. I'm sixty-eight and I don't feel any older, I'm just getting better. Thank you.

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr...President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

I am honored today to have in the President's Gallery Sergeant Paul Henley and his lovely wife, Janeen, with their two children, Christopher and Tony, from the...Waukegan, Illinois. And Sergeant Henley is a fifteen-year member of the Police Department of Waukegan. We're delighted to have them join us and they're in the President's Gallery and I would ask you to help us welcome them.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1600, by Senator Marovitz.

(Secretary reads title of bill)

House Bill 1601, Senators Topinka and Mahar.

(Secretary reads title of bill)

1601, by Senators Rock, Carroll, Davidson, Maitland, Welch, Vadalabene, Dunn, Weaver, D'Arco, Etheredge, Hall, DeAngelis, Poshard and Woodyard.

(Secretary reads title of bill)

1604, by Senators Weaver, Rock, Carroll, Hall, Woodyard, DeAngelis, Etheredge, Poshard, D'Arco, Vadalabene, Maitland, Welch, Dunn and Davidson.

(Secretary reads title of bill)

1605, by the same sponsors.

(Secretary reads title of bill)

1606, the same sponsors.

(Secretary reads title of bill)

1607, the same sponsors.

(Secretary reads title of bill)

1608 with the same sponsors.

(Secretary reads title of bill)

1609, by Senators Weaver, D'Arco, Rock, Davidson, Maitland, Welch, Carroll, Hall, Etheredge, DeAngelis, Poshard, Woodyard, Dunn and Vadalabene.

(Secretary reads title of bill)

1610, by the same sponsors.

(Secretary reads title of bill)

1611, the same sponsors.

(Secretary reads title of bill)

1612, by the same sponsors.

(Secretary reads title of bill)

1613, Senator Holmberg.

(Secretary reads title of bill)

1614, the same sponsor.

(Secretary reads title of bill)

1615, Senator Maitland.

(Secretary reads title of bill)

1616, Senator Dawson.

(Secretary reads title of bill)

1617, by Senator Watson.

(Secretary reads title of bill)

1618, Senator Etheredge.

(Secretary reads title of bill)

1619, Senator Dudycz.

(Secretary reads title of bill)

1620, Senator Dudycz.

(Secretary reads title of bill)

1621, by Senator Rupp.

(Secretary reads title of bill)

1622, Senator Watson.

(Secretary reads title of bill)

1623, by Senators Topinka and Zito.

(Secretary reads title of bill)

1624, by Senators Demuzio and DeAngelis.

(Secretary reads title of bill)

1625, Senator Lemke.

(Secretary reads title of bill)

1626, by Senators Rock and Philip.

(Secretary reads title of bill)

1627, by the same sponsors.

(Secretary reads title of bill)

1628, by the same sponsors.

(Secretary reads title of bill)

1629, Senator Lemke.

(Secretary reads title of bill)

1630, by Senator Lemke.

(Secretary reads title of bill)

1631, the same sponsor.

(Secretary reads title of bill)

1632, Senator Lemke.

(Secretary reads title of bill)

1633, Senator Lemke.

(Secretary reads title of bill)

1634, by Senator Lemke.

(Secretary reads title of bill)

1635, by D'Arco.

(Secretary reads title of bill)

1636, by the same sponsor.

(Secretary reads title of bill)

1637, by Senator D'Arco.

(Secretary reads title of bill)

1638, by Senator D'Arco.

(Secretary reads title of bill)

1639, by Senators Rock, Demuzio, Chew, D'Arco, Luft and Vadalabene.

(Secretary reads title of bill)

1640, by Senator Rock.

(Secretary reads title of bill)

1641, Senator Luft.

(Secretary reads title of bill)

1642, by Senators Carroll and Vadalabene.

(Secretary reads title of bill)

1643, Senator Vadalabene.

(Secretary reads title of bill)

1644, by Senator Vadalabene.

(Secretary reads title of bill)

1645...1645, by Senator Vadalabene.

(Secretary reads title of bill)

1646, by the same sponsor.

(Secretary reads title of bill)

1647, by the same sponsor.

(Secretary reads title of bill)

1648, by Senator Vadalabene.

(Secretary reads title of bill)

...1649, Senator Luft.

(Secretary reads title of bill)

1650, by...Senator J. E. Joyce.

(Secretary reads title of bill)

1651, by the same sponsor.

(Secretary reads title of bill)

1652, by the same sponsor.

(Secretary reads title of bill)

1653, by Senators Topinka and Zito.

(Secretary reads title of bill)

1654, Senator Holmberg.

(Secretary reads title of bill)

1655, by Senator Macdonald.

(Secretary reads title of bill)

1656, by the same sponsor.

(Secretary reads title of bill)

1657, by Senators Demuzio, Poshard and...Holmberg.

(Secretary reads title of bill)

1658, by the same sponsor.

(Secretary reads title of bill)

1659...1659, by Senator Berman.

(Secretary reads title of bill)

1660, Senator Berman.

(Secretary reads title of bill)

1st reading of the bills.

1661, by Senator Watson.

(Secretary reads title of bill)

1st reading of the bills.

1662, by Senator Welch.

(Secretary reads title of bill)

1663, by the same sponsor.

(Secretary reads title of bill)

1664, by Senator Kustra.

(Secretary reads title of bill)

1666, Senator Maitland.

(Secretary reads title of bill)

1665, by Senator Kustra.

(Secretary reads title of bill)

1667, by Senator Maitland.

(Secretary reads title of bill)

1668, by Senator DeAngelis.

(Secretary reads title of bill)

1669, by Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bills.

Have your attention, please. We have a bill here with...no sponsor name attached to. It deals with the School Code...for authorizations for criminal background checks for applicants for certified positions.

1670, by Senator Demuzio.

(Secretary reads title of bill)

1671, by Senators Karpiel and Luft.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Dawson. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 126 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Last spring the General Assembly passed legislation that created the Residential Service Authority which dealt with those hard to place young students. And due to a slowdown in our ability to put the

Authority together and get everybody organized, we are unable...the Authority is unable to meet the date when the formal process for the dispute determinations is met...was to be met. And we simply can't meet that guideline, that guideline was originally April 1st. We would like by resolution and subsequent to this by...by legislation change that reporting date to allow us a temporary process to be finalized by June 1, 1986 and the formal process finalized then by April 1, 1987. That, by way of explanation, Mr. President, I have checked with Senator Sangmeister, the...the chairman of the Executive Committee and with Senator Schuneman, the minority spokesman, and I would therefor like to ask that the appropriate rules be waived and immediate consideration be given to Senate Joint Resolution 126.

PRESIDENT:

All right. Senator Maitland has moved to suspend the appropriate rules for the immediate consideration of Senate Joint Resolution 126. Any discussion on the motion to suspend? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion to suspend prevails. Senator Maitland now moves the adoption of Senate Joint Resolution 126. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution 768 offered by Senator Dawson.

PRESIDENT:

Senator Dawson, on Senate Resolution 763.

SENATOR DAWSON:

Mr. President, I would like to extend the...the filing date for April 11th, 1986 for the Select Committee on Medicaid Fraud.

PRESIDENT:

All right. Senator Dawson has moved to suspend the rules

for the immediate consideration of Senate Resolution 768, and extension of the reporting date for the committee. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Dawson now moves the adoption of Senate Resolution 763. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The resolution is adopted. Resolutions, Mr. Secretary.

SECRETARY:

Senate...Senate Joint Resolution 127 offered by Senators Rock, Philip, Carroll, Berman, Marovitz and all Senators, and it's commendatory.

Senate Joint Resolution 128 offered by Senator Dawson, and it's congratulatory.

PRESIDENT:

Consent Calendar. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 143, 144, 145...no, 146, 147 and 148. There are four of them commendatory and one of them is a death resolution.

PRESIDENT:

Any business to come before the Senate? Any announcements? Senator Lemke.

SENATOR LEMKE:

(Machine cutoff)...because the Rules Committee has not yet exempted any bills and because of the scheduling problems of several members, the Senate Judiciary I Committee will not meet tomorrow in the morning.

PRESIDENT:

All right. Senator Netsch.

SENATOR NESTCH:

Thank you. Two announcements. One, the Economic and Fiscal Commission will meet at 2:00 p.m. as scheduled in Room 212. Two very important items of business. One is the Legislature's official revenue estimate for Fiscal Year 1987, and the second is our final chance to inquire about and look upon the proposed self-insurance for State employees with respect to their health matters. Two very important items. I would also like to add, if I might, that the Revenue Committee is scheduled to meet Thursday morning and unless we end up not being here at all, the intention is to go ahead. We have no bills...

PRESIDENT:

We...we...we will be here.

SENATOR NETSCH:

We will be here the President assures me. Again, there are two very important items of business even though there are no active bills. One is the industrial development bond cap and our experience with it this last year which undoubtedly will lead to legislation. And the second is a final update on the State's experience with the amnesty program, Senator Rock, and we will be happy to send you a final report as well. Thank you.

PRESIDENT:

All right. Any further business to come before the Senate? Any further announcements? Senator Rupp.

SENATOR RUPP:

I'd like to call a Republican Caucus immediately in Senator Pate Philip's office.

PRESIDENT:

That request is in order. Republican Caucus immediately in Senator Philip's office. For the purpose of an announcement, the Rules Committee...Senator Philip and I discussed

this earlier this morning, the Rules Committee will meet in 330 in the Office of the President. And Senator Philip and I have again this year asked Senators Weaver and Savickas to act as a subcommittee to the Rules Committee for the purpose of fending off the members. Any further business to come before the Senate? Republican Caucus immediately in Senator Philip's office. If not, Senator Demuzio moves that the Senate stand adjourned until tomorrow at one o'clock. Note the time change, one o'clock tomorrow to accommodate the Minority Leader, one o'clock tomorrow. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

April 2, 1986

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Eugene Weitzel, the Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

Thank you, Senator.

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and the members of the Senate. I move that the reading and approval of the Journal of Tuesday, April 1st, in the year 1986, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. For the benefit of the members, for your information, a Supplemental Calendar has been distributed along with a copy of a Conference Committee report. I'd urge the members to take a look at that, it is a matter of some extreme emergency and we will deal with it today. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There will be a Democratic Caucus immediately...immediately, at the State House Inn, right away.

PRESIDENT:

My...my office isn't big enough for this one. All right, that request is in order, obviously. There...we will...the

Senate will stand in Recess for approximately an hour for the purpose of a Democratic Caucus at the State House Inn. I am told by the Speaker that the House Democrats will be joining us. I urge our members, the Democratic members, to immediately go to the State House Inn and join us. We will reconvene in approximately one hour right here and continue with the Senate's business. The Senate will stand in Recess for an hour.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Bill 1672, by Senator Lemke, Kelly, Rock and others.

(Secretary reads title of bill)

1673, Senator Topinka.

(Secretary reads title of bill)

1674, Senator Kelly.

(Secretary reads title of bill)

1675, Senator Marovitz.

(Secretary reads title of bill)

1676, Senator Nedza.

(Secretary reads title of bill)

1677, by Senator Nedza.

(Secretary reads title of bill)

1678, by Senators Watson and Donahue.

(Secretary reads title of bill)

1679...same sponsors.

(Secretary reads title of bill)

1680, by the same sponsors.

(Secretary reads title of bill)

1681, by the same sponsors.

(Secretary reads title of bill)

1682, by the same sponsors.

(Secretary reads title of bill)

1983, Senator Watson.

(Secretary reads title of bill)

1684, by Senator Watson.

(Secretary reads title of bill)

1685, Senator Marovitz.

(Secretary reads title of bill)

1686, Senator Marovitz.

(Secretary reads title of bill)

1687, Senator Marovitz.

(Secretary reads title of bill)

1688, by Senator Netsch.

(Secretary reads title of bill)

1689, by Senator Lemke.

(Secretary reads title of bill)

1690, Senator Lemke.

(Secretary reads title of bill)

1691, Senator Lemke.

(Secretary reads title of bill)

1692, Senator Lemke.

(Secretary reads title of bill)

1693, Senator Lemke.

(Secretary reads title of bill)

1694, by Senator Vadalabene.

(Secretary reads title of bill)

1695, Senator Degnan.

(Secretary reads title of bill)

1696, Senator Degnan.

(Secretary reads title of bill)

1697, Senator Degnan.

(Secretary reads title of bill)

1698, by Senators Demuzio, Rock, Savickas, Chew, D'Arco,

Luft and Vadalabene.

(Secretary reads title of bill)

1699, Senators Carroll, Jones, Dawson, Berman, Kustra and DeAngelis.

(Secretary reads title of bill)

1700, by Senators Rock, Luft, Kustra, Netsch, J.J. Joyce.

(Secretary reads title of bill)

1701, by Senator Dunn.

(Secretary reads title of bill)

1702, Senator Dunn.

(Secretary reads title of bill)

1703, Senator Dunn.

(Secretary reads title of bill)

1704, Senators Berman and Maitland.

(Secretary reads title of bill)

1705, Senators Berman, Demuzio, Jones, Kustra, Maitland and Schaffer.

(Secretary reads title of bill)

1706, Luft and Sommer.

(Secretary reads title of bill)

1707, Senator Netsch.

(Secretary reads title of bill)

1708, Senator Netsch.

(Secretary reads title of bill)

1709, Senator Netsch.

(Secretary reads title of bill)

1710, by Senator Collins.

(Secretary reads title of bill)

1711, Senator Collins.

(Secretary reads title of bill)

1712, by Senator Collins.

(Secretary reads title of bill)

1713, Senator Collins.

(Secretary reads title of bill)

1714, Senator Donahue, Woodyard, Rigney, Kustra and Geo-Karis.

(Secretary reads title of bill)

1715, Senator Schuneman, Rigney, Topinka and others.

(Secretary reads title of bill)

1716, by the same sponsors.

(Secretary reads title of bill)

1717, by the same sponsors.

(Secretary reads title of bill)

1720, by the same sponsors.

(Secretary reads title of bill)

1721, by Senators Friedland, Topinka, Rigney and others.

(Secretary reads title of bill)

1722, by the same sponsors.

(Secretary reads title of bill)

1723, the same sponsors.

(Secretary reads title of bill)

1725, Senators Maitland and O'Daniel.

1726, Senator Netsch.

(Secretary reads title of bill)

1627, Senator Netsch.

(Secretary reads title of bill)

1728, Senator Etheredge.

(Secretary reads title of bill)

1729, by Senator Kustra.

(Secretary reads title of bill)

1730, the same sponsor.

(Secretary reads title of bill)

1731, by Senator Friedland.

(Secretary reads title of bill)

1732, Senator Jones.

(Secretary reads title of bill)

1733, Senator Jones.

(Secretary reads title of bill)

1734, Senator Carroll.

(Secretary reads title of bill)

1735, Senator Macdonald.

(Secretary reads title of bill)

1736, by Senators Sommer, Philip, Weaver, DeAngelis and Davidson.

(Secretary reads title of bill)

1737, Senators Etheredge, Philip, Weaver, DeAngelis, Davidson, Schaffer.

(Secretary reads title of bill)

1738, by Senator Schaffer, Philip and others.

(Secretary reads title of bill)

1739, by Senators Watson, Philip, Weaver and others.

(Secretary reads title of bill)

1740, by Senator Watson, Philip and others.

(Secretary reads title of bill)

1741, by Senator Philip, Weaver, DeAngelis, Davidson and Schaffer.

(Secretary reads title of bill)

1742, Weaver, Philip, DeAngelis and others.

(Secretary reads title of bill)

1743, Senator Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1744, Senator Sommer, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1745, Philip, Weaver, DeAngelis, Davidson and others.

(Secretary reads title of bill)

1746, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1725...repeat 1725, Senators Maitland and O'Daniel.

(Secretary reads title of bill)

1747, by Senators Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

1748, by Senator Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1749, Senator Etheredge, Philip, Weaver and others.

(Secretary reads title of bill)

1750...by Schaffer, Philip, Weaver and others.

(Secretary reads title of bill)

1751, Senators Dunn, Watson, Philip, Weaver and others.

(Secretary reads title of bill)

1752, Weaver, Philip, DeAngelis, Davidson and others.

(Secretary reads title of bill)

1753, by Senators Karpiel, Philip, Weaver and others.

(Secretary reads title of bill)

1754, by Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1755, Senator Karpiel, Philip, Weaver and others.

(Secretary reads title of bill)

1756, Mahar, Philip, Weaver and others.

(Secretary reads title of bill)

1757, Senators Woodyard, Philip, Weaver and others.

(Secretary reads title of bill)

1758, by Philip...Weaver, Philip, DeAngelis and others.

(Secretary reads title of bill)

1759, Donahue...Senators Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

1760, Weaver, Philip, DeAngelis, Davidson and others.

(Secretary reads title of bill)

1761, Senator Mahar, Philip, Weaver and others.

(Secretary reads title of bill)

1762, Senator Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1763, Senator Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1764, by Senator Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

1765, by Senator Leitch, Philip, Weaver and others.

(Secretary reads title of bill)

1766, by Senators Karpiel, Philip, Weaver and others.

(Secretary reads title of bill)

1767, Senator Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

1768, by Senator Watson.

(Secretary reads title of bill)

1769, Senators Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1770, Senator Leitch, Philip, Weaver and others.

(Secretary reads title of bill)

1771, by Senator Schaffer, Philip, Weaver and others.

(Secretary reads title of bill)

1772, Fawell, Philip, Weaver and others.

(Secretary reads title of bill)

1773, Senators Woodyard, Philip, Weaver and others.

(Secretary reads title of bill)

1774, by Senators Donahue, Philip, Weaver and others.

(Secretary reads title of bill)

1775, by Senator Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1776, by Senator Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

Senate Bill 1776, by Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1777, by Senator Sommer, Philip, Weaver and others.

(Secretary reads title of bill)

1778, by Senator Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

1779, by Senator Dudycz, Philip, Weaver and others.

(Secretary reads title of bill)

1780, by Senator Fawell.

(Secretary reads title of bill)

1781, by Senator Demuzio.

(Secretary reads title of bill)

1782, by Senator Demuzio.

(Secretary reads title of bill)

1783, by Senators Jerome Joyce, O'Daniel and Macdonald.

(Secretary reads title of bill)

1984, by Senator Jerome Joyce.

(Secretary reads title of bill)

1785, by the same sponsor.

(Secretary reads title of bill)

1786, by the same sponsor.

(Secretary reads title of bill)

1787, by Senators Kustra, Fawell and Macdonald.

(Secretary reads title of bill)

1788, by Senator Vadalabene.

(Secretary reads title of bill)

1789, by Senator Zito.

(Secretary reads title of bill)

1790, by Senator Marovitz.

(Secretary reads title of bill)

1791, by Senator Marovitz.

(Secretary reads title of bill)

1792, Senator Marovitz.

(Secretary reads title of bill)

1793, Senator Marovitz.

(Secretary reads title of bill)

1794, by Senator Darrow.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory, commendatory, one death resolutions.

Senate Resolution 767, Senator Rupp.

768, Senator Lemke.

769, Senator Jerome Joyce.

770, Senator Davidson and all Senators.

771, Senator Dunn.

772, Senator Dunn.

773, Senators Lechowicz, Lemke and Rock.

774, Senator Lechowicz.

775, Senator Berman, Carroll, Marovitz, Vadalabene and all Senators.

776, Senator Geo-Karis, Philip and Rock.

777, Senator Demuzio and all Senators.

778, Senator Topinka, Hudson and Mahar.

779, Senator Vadalabene, Rock and all Democrat Senators.

780, Senator Dunn.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Joint Resolution 130 Constitutional Amendment.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 131, a death resolution.

PRESIDENT:

Consent Calendar. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following House joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 141, 150, 151, 154, 155, 156, 157, 158, 160, 161, 162, 163 and 166, all either congratulatory, commendatory or death resolutions.

PRESIDENT:

Consent Calendar.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 152 and 153.

PRESIDENT:

Executive. Senator Kelly, for what purpose do you seek recognition?

SENATOR KELLY:

Thank you, Mr. President. I'd like to get leave of the members to be added as a hyphenated sponsor on Senate Bill 1597 with Senator DeAngelis who is the principal sponsor. I've discussed this matter with him beforehand.

PRESIDENT:

1597?

SENATOR KELLY:

Yes, sir.

PRESIDENT:

All right. The gentleman seeks leave to be added as a hyphenated cosponsor of Senate Bill 1597. Without objection, leave is granted. It's so ordered. Senator Dunn, for what purpose do you arise, sir?

SENATOR DUNN:

Thank you, Mr. President. I'd like leave of the Body to change the sponsorship on two bills that I'm the principal sponsor of, Senate Bill 1563 and 1564. Senator...it should be changed, if...if...if you will, to Darrow-Dunn, Darrow hyphenated Dunn on both the bills. Senator Darrow first and me second.

PRESIDENT:

All right. The gentleman requests leave to have Senate Bills 1563 and 1564 chief sponsor to be shown as Senator Darrow and the hyphenated chief cosponsor Senator Dunn. Without objection, leave is granted. Committee reports.

SECRETARY:

Senator Dawson, chairman of Public Health, Welfare and Corrections Committee, reports out Senate Bill 1491 with the recommendation Do Pass as Amended.

PRESIDENT:

Earlier there had been a request to go to the Supplemental Calendar for the purpose of the Conference Committee report. Senator Luft on the Floor? While we're awaiting Senator Luft's arrival, introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill...1795 introduced by Senator Berman.

(Secretary reads title of bill)

Senate Bill 1796, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President and members of the Senate...leave of the Senate to ask to be added to...as a cosponsor to Senate Bill 1491, please.

PRESIDENT:

All right. The lady has requested leave to be shown as a cosponsor of Senate Bill 1491. Without objection, leave is granted. Messages from the Governor.

SECRETARY:

A Message from the Governor, Mr. Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Any further business...to come before the Senate? Further business to come before the Senate? The Rules Committee...if I can have your attention, Senator Hall informs me...is that...is Senator Hall available? Appropriations going to meet immediately? All right. Appropriations Committee will meet immediately in Room 212; Appropriations II Committee, immediately in Room 212. Tomorrow morning, Revenue will meet at ten. The Senate will reconvene at eleven-thirty tomorrow morning. In the meantime, the Rules Committee will meet at nine, nine o'clock in the morning for the Rules Committee in the Office of the President. Revenue at ten. Further business? If not, Senator Hall moves that the Senate stand adjourned until Thursday, April 3rd, at the hour of eleven-thirty; eleven-thirty tomorrow and hopefully we'll be out of here rather quickly. Eleven-thirty tomorrow morning. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 3, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend William Oaks from the Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

REVEREND OAKS:

(Prayer given by Reverend Oaks)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and approval of the Journals of Tuesday, April 1st and Wednesday, April 2nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Just to inform the Senate that Senator Lemke will be absent today due to personal matters and health reasons.

PRESIDENT:

The record will so indicate. Committee reports.

SECRETARY:

The Rules Committee met at 9:00 a.m. on Thursday, April the 3rd, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bills 1519, 1562,...1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1626, 1627, 1628, 1639, 1698, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743,

1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778 and 1779.

Senator Savickas, chairman of Committee on Assignment of Bills, reports the following Senate bills have been assigned to committee:

Appropriations I — Senate Bills 1519, 1562, 1626, 1627, 1628, 1639, 1698, 1736, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1750, 1752, 1753, 1754, 1755, 1756, 1757, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1769, 1770, 1771, 1773, 1774, 1775, 1776, 1777, 1778 and 1779; Appropriations II Committee — Senate Bills 1602, 1603, 1604, 1605, 1606, 1607, 1609, 1610, 1611, 1737, 1738, 1749, 1751, 1758 and 1759...also 1772; Higher Education — Senate Bills 1608 and 1612.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 781 offered by Senator Collins.

PRESIDENT:

Executive. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd ask leave of the Body to suspend the posting rules for Executive Appointments for next week. As you know, it was read into the record yesterday and to suspend the appropriate rules so we could have our hearing on the 9th of April.

PRESIDENT:

The gentleman seeks leave to waive the appropriate rule with respect to posting for the consideration of the Governor's appointments in the Message that was read yesterday. Is leave granted? Leave is granted. Senator

Sangmeister, for what purpose do you arise, sir?

SENATOR SANGMEISTER:

Mr. President and members of the Senate, I understand that House Joint Resolution 152 came over from the House and was assigned by the Clerk because it was my Representative, which is fine. I would like to change the sponsorship of that to Senator Watson with me as a hyphenated cosponsor, and then I think he would like to move to suspend rules to move it forward, which I have no objection to. So, at this point, if you would change the sponsorship of HJR 152 to Watson-Sangmeister and then recognize Senator Watson.

PRESIDENT:

That request is in order. House Joint Resolution 152, the gentleman seeks leave to show Senator Watson as the chief sponsor. Without objection, leave is granted. Senator Watson.

SENATOR WATSON:

Yes, I'd like to ask now leave to discharge this motion out of the Executive Committee.

PRESIDENT:

All right, Senator Watson has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 152 for the purpose of its immediate consideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. House Joint Resolution 152, Senator Watson.

SENATOR WATSON:

Now I understand that a motion to suspend the rules is in order...

PRESIDENT:

Senator Watson...

SENATOR WATSON:

...so it can be heard.

PRESIDENT:

...Senator Watson moves to suspend the appropriate rule for the immediate consideration and adoption of House Joint Resolution 152. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. House Joint Resolution 152, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. House Joint Resolution 152 is a...is a matter in which...most of the communities in Illinois are dealing with the Clean Water Act of 1972, and what we are trying to do here is urge Congress and Federal Government to relax some of the...the standards and possibly and postpone the date of compliance. That's really, basically, what we're doing here. The reason for the emergency nature of is the fact that they're discussing this right now in Washington and we'd like to get this out there as soon as possible. Thank you.

PRESIDENT:

All right, Senator Watson has moved the adoption of House Joint Resolution 152. Any discussion? If not, all in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The motion carries. House Joint Resolution 152 is adopted. Introduction of bills, Mr. Secretary.

SECRETARY:

Senate Bill...1797 introduced by Senator Topinka.

(Secretary reads title of bill)

1798, Senators Watson and Degnan.

(Secretary reads title of bill)

Senate Bill 1799, by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1800, Senator Collins.

(Secretary reads title of bill)

Senate Bill 1801, Senator Rigney.

(Secretary reads title of bill)

Senate Bill 1802, Senator Poshard.

(Secretary reads title of bill)

Senate Bill 1803, Senator Berman.

(Secretary reads title of bill)

1804, Senator Berman.

(Secretary reads title of bill)

1805, Senator Lechowicz.

(Secretary reads title of bill)

1806, Senator Lechowicz.

(Secretary reads title of bill)

1807, Senator Sangmeister.

(Secretary reads title of bill)

1808, same sponsor.

(Secretary reads title of bill)

1809, Senator Demuzio.

(Secretary reads title of bill)

1810, Senator Degnan.

(Secretary reads title of bill)

1811, Senator Kustra.

(Secretary reads title of bill)

1812, Senator Etheredge.

(Secretary reads title of bill)

1813, Senator Demuzio.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Resolutions.

SECRETARY:

Senate Joint Resolution 132 offered by Senators Demuzio, Rock and all Senators and it's congratulatory.

PRESIDENT:

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 1814 introduced by Senator Poshard.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. If I can have the attention of the membership, the only remaining items of business are the Resolutions Consent Calendar, the adjournment resolution and Senator Luft indicated the House has already passed the Conference Committee report on Senate Bill 1064. He indicates he would like to go to that order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll move to the Order of Conference Committee Reports. Leave granted? Leave is granted. Conference Committee report, page 3 on your Calendar is Senate Bill 1064. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1064...the Conference Committee has deleted everything after the enacting clause and it responds to a request by the Village of Robbins. In order to acquire approximately seventy acres of property which will be sold to private investors who will construct a refuse derived fuel system, it's a garbage converter sometimes known as a cogeneration plant, they needed quick-take provisions or the project would be delayed approximately eighteen months. What this bill does simply is to...permit a municipality of fewer than fifteen thousand population quick-take acquisition powers where the property sought is to be used for a refuse derived fuel system if such procedures are commenced on or before June 30, 1987.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President and members of the Senate. I

rise in support of Conference Committee report on 1064. This involves a one hundred million dollar project in the Village of Robbins that will tie into part of an enterprise zone. The properties involved...and none of us are too enthusiastic for quick-take around here. The properties involved are not properties involving homeowners. They involve absentee ownership. For those of you who are familiar with the Village of Robbins and its most recent problems, you know that it is a...an extremely depressed area. They are facing severe financial problems. This truly is a...a...an answer to the Robbins problem without going to public funds, and I ask that the Senate support the Conference Committee report on 1064.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Luft, on your quick-take procedure, what effect would this have on the siting provisions of Senate Bill 172 or other environmental requirements? In particular I'm referring to an area in LaSalle County where a toxic waste incinerator wanted to come in, they promised the village a part of the take if they would let them come into the village and all of the residents were upset because they weren't given adequate notice of the proposal. What I'm wondering is what effect is a quick-take procedure going to have on letting some kind of an establishment like this come in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

My answer would be, none. This is specifically for a cogeneration plant in communities of fifteen thousand or less

and only used for a refuse derived fuel system if such procedures are commenced on or before June 30th of '87. It's my feeling and I have been told that this bill was written specifically for the City of Robbins and no one else could quite possibly even come under it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, any toxic waste incinerator is going to be able to fit in under the definition of a refuse derived system. What I'm worried about is the possibility that somebody could just allege that they would be creating a fuel system for industrial development kind of to justify the existence of the incineration plant.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

My only comment can be that there is a definition in this bill of a refuse derived fuel system and it is...defined as a facility designed to convert refuse and other waste materials into steam and electricity to be used for industrial development and other commercial purposes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Watson.

SENATOR WATSON:

Is...is there any opposition in the Community of Robbins?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

No, the village...the mayor and the village trustees were down here. They had a public hearing in the village. The properties involved are absentee ownership. No...no one in the village owns any of the properties involved and there's no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

And there is a sunset provision? And what is the date one more time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft may respond.

SENATOR LUFT:

June 30, '87.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

And you feel you've made this as restrictive as you can so it only affects the community of Robbins?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1064. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 2, 4 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1064 and the bill having received the required constitutional majority is declared passed. All

right, with leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Resolution 782 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, introduction of bills.

SECRETARY:

Senate Bill 1815 introduced by Senators Etheredge, Netsch and Davidson.

(Secretary reads title of bill)

Senate Bill 1816, Senators Netsch, Etheredge and Davidson.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right, Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we have one additional congratulatory resolution, Senate Joint Resolution 132, with leave of the Body, to add to the Resolutions Consent Calendar. It is congratulatory. Is leave granted? Leave is granted. Senator Poshard moves the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. All right, Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following House joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 159.

(Secretary reads HJR 159)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock on the adjournment resolution.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the...we suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 159. It is the adjournment resolution. When we conclude our business momentarily, it calls for us to return to Springfield next Tuesday, April the 8th, at the hour of 1:00 p.m...one o'clock. I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 159.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as placed by Senator Rock. Those in...Senator Newhouse, do you wish to speak on this? All right. Senator Rock has moved for the immediate consideration and adoption of...suspension of the rules for the immediate consideration and adoption of House Joint Resolution 159. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 159. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 159 is adopted. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd like leave of the Body to be added as...as a cosponsor to Senate Bill No. 1554 and House Bill No. 2773. I've checked with the sponsor and they've agreed to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the...you've heard the motion by...by Senator Newhouse on...being added as a cosponsor of

Senate Bill 1554 and House Bill 2773. Is leave granted? Leave is granted. So ordered. Further business to come before the Senate? I've got introduction of bills.

SECRETARY:

Senate Bill 1817 introduced by Senator Netsch.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Further...further business to come before the Senate? Senator Vadalabene has moved that the Senate stand adjourned until Tuesday, April the 8th, at the hour of one o'clock...one o'clock. Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 8, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. The Chair will yield to Senator William Mahar.

SENATOR MAHAR:

Thank you, Mr. President. It is my pleasure to introduce Reverend Paul Schwartz, pastor of St. Matthew Lutheran Church, Lemont, Illinois for today's invocation.

REVEREND SCHWARTZ:

(Prayer given by Reverend Schwartz)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and the approval of the Journals of Tuesday, April 1st; Wednesday, April 2nd and Thursday, April 3rd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR MAHAR:

I would like to introduce to the members the family of Pastor Schwartz. We have on the Floor his...his son Steve, his daughter Jennifer and his wife Linda. They're down by the Well.

PRESIDENT:

Will...will our guests please rise and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President. I would like to be recorded as a...hyphenated sponsor on Senate Bill 1700.

PRESIDENT:

Gentleman seeks leave of the Body to be shown as a co-sponsor of Senate Bill 1700. Without objection, leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 783, offered by Senator Kustra, it's congratulatory.

Senate Resolution 784, by Senator Lemke, and it is congratulatory.

PRESIDENT:

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1818, by Senator Kustra.

(Secretary reads title of bill)

1819, the same sponsor.

(Secretary reads title of bill)

1820, Senator Davidson.

(Secretary reads title of bill)

1821, by Senator Marovitz.

(Secretary reads title of bill)

1822, Senator Carroll.

(Secretary reads title of bill)

1833, by Senators Carroll and Hall.

(Secretary reads title of bill)

1824, by the same sponsors.

(Secretary reads title of bill)

1825, by Senator Hall and Carroll.

(Secretary reads title of bill)

1826, by Senator Carroll and Hall.

(Secretary reads title of bill)

1827, Senator Lemke and Fawell.

(Secretary reads title of bill)

1828, Senator Davidson.

(Secretary reads title of bill)

1829, Senator Degnan.

(Secretary reads title of bill)

1830, by Senator Kustra and Jones.

(Secretary reads title of bill)

1831, Senator Netsch.

(Secretary reads title of bill)

1832, Senator Holmberg.

(Secretary reads title of bill)

1833, by Senator Holmberg.

(Secretary reads title of bill)

1834, Senator Maitland.

(Secretary reads title of bill)

1835, Senator Maitland.

(Secretary reads title of bill)

1836, Senator Maitland.

(Secretary reads title of bill)

1837, Senator Weaver.

(Secretary reads title of bill)

1838, by Senator Barkhausen.

(Secretary reads title of bill)

1839, by Senators Jones and Chew.

(Secretary reads title of bill)

1840, by Senator Netsch.

(Secretary reads title of bill)

...1841...1841, by Senator Sommers, Philip, Weaver,

DeAngelis, Davidson and Schaffer.

(Secretary reads title of bill)

1842, by Senators Friedland, Kelly, Schuneman and Mahar.

(Secretary reads title of bill)

1843, by Senator Kelly.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr...thank you, Mr. President, for purpose of a motion. I would like to move that the posting requirements of Rule 7C be suspended so that Senate Bill 1779 can be heard in the Senate Appropriations I Committee today, April 8th, at the hour of two o'clock or as soon as the Senate adjourns its Regular Session in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Carroll to suspend the appropriate rule so that Senate Bill 1779 can be heard in committee today, in Approp. I. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended and...posting rules are suspended and the bill will be heard by the Appropriations I today. Introduction of bills.

SECRETARY:

Senate Bill 1844 introduced by Senators Watson, Rupp, Kustra, Weaver, Donahue, Regner and others...Rigney and others.

(Secretary reads title of bill)

1845, Senators Marovitz, D'Arco.

(Secretary reads title of bill)

1846, by Senator Marovitz and Lechowicz.

(Secretary reads title of bill)

Senate Bill 1847, Senators Friedland, Topinka, Mahar.

(Secretary reads title of bill)

1848, Senators Berman, Demuzio...and Jerome Joyce.

(Secretary reads title of bill)

1849, Senator Berman.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Those...those bills that were introduced go to Rules Committee. Resolutions.

SECRETARY:

Senate...Senate Resolution 785 offered by Senators Topinka and Zito. It's congratulatory.

786, Senators Marovitz, Carroll and Berman. It's congratulatory.

787, by Senator Jones, congratulatory.

...Senate Joint Resolution 133, by Senator Barkhausen and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 788, by Senators Berman and Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Introduction of bills.

SECRETARY:

Senate Bill 1850 introduced by Senators Geo-Karis, Dudycz and Karpiel.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Can we have some order, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have discussed with...if I can have the attention of the members...if you'll turn to the back page of the

Calendar where the...Senate schedule is indicated, let me outline, if I might, this week's schedule. It is, as I am sure everyone is aware, a little on the light side because the Rules Committee is still deliberating. Allow me to remind the members that Friday is the last day for introduction in terms of moving bills through this Session. Introduction can take place at any time but obviously in terms of the deadline setup adopted by this Body, Friday is the last day. At three...I know Senator Carroll is anxious to convene the Appropriations Committee meeting at two o'clock, so we will end here shortly. At three o'clock in the Office of the President there will be a meeting of the Rules Committee. Tomorrow we will reconvene...there's an Executive Appointments Committee to consider a number of gubernatorial appointments, so the Senate will convene at twelve-thirty...twelve-thirty tomorrow. And the Rules Committee will again meet at three o'clock. For the benefit of the membership, at one o'clock or approximately one o'clock tomorrow we will have a...at the request of the Vietnam Veterans' Association, we will have a Vietnam Veterans' Memorial Service here in the Senate. There is to be one in the Governor's Mansion, there will be one in the House and we...we in the Senate will have one at one o'clock. Then the Rules Committee will meet again tomorrow at three o'clock. On Thursday, the Rules Committee will meet at ten in the Office of the President. The Senate will convene at noon with the hope that those who have constituent business or district business will then be free to leave, 'cause Friday the Senate will convene at...9:00 a. m. and will remain open all day until five o'clock for the purpose of introduction of bills. The Reference Bureau indicates that there are still a couple of hundred bills that they are working on and there are a number that have not yet been introduced. So Friday, we will literally go from nine till five

but there will be no substantive issues before us, there will be no roll call votes, so the members, if indeed there's pressing constituent business, will be free to leave on Thursday afternoon. So three o'clock this afternoon for Rules, three o'clock tomorrow for Rules, ten o'clock on Thursday, and the Session will be at twelve-thirty tomorrow and at twelve o'clock on Thursday with the committee meetings otherwise as posted. And if there isn't any further business or further announcements, I would move you, Mr. President, that the Senate do stand adjourned until tomorrow, the 9th day of April, at the hour of twelve-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have a couple of additional...Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, before we adjourn, I would like to add Senator Philip and Senator Maitland to Senate Bill 1797 as joint sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the...request. Is leave granted? Leave is granted. So ordered. Introduction of bills.

SECRETARY:

Senate Bill 1851 introduced by Senators Maitland and Poshard.

(Secretary reads title of bill)

1852, by the same sponsors.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Further business to come before the Senate? If not, Senator Rock moves that the Senate stand adjourned till Wednesday, April the 9th, at the hour of...of twelve-thirty. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

April 9, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Frank O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father.

REVEREND O'HARA:

(Prayer given by Reverend O'Hara)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, April the 1st, 1986.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the reading and approval of the Journals of Wednesday, April 2nd; Thursday, April 3rd and Tuesday, April 8th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Message from the House, Mr.

Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 165, and it is congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 788 introduced by Senator Rupp, it's congratulatory.

789, by Senator Rupp is commendatory.

790, by Senators Demuzio, Rock and all Senators, it's congratulatory.

791, by Senators Jeremiah Joyce, Degnan and Senator Rock, it's congratulatory.

792, Senator Mahar, it's congratulatory.

793, by Senator Mahar, it's congratulatory.

794, by Senator Topinka, it's congratulatory.

795 and 796, by Senator Kelly, they are congratulatory.

797, by Senators Luft, Rock, Sommer and...Leitch, and it's congratulatory.

Senate Joint Resolution 134 offered by Senator Newhouse and all Senators, and it is congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1853, by Senators Karpiel and Dudycz.

(Secretary reads title of bill)

Senate Bill 1854, by Senators Lechowicz and Karpiel.

(Secretary reads title of bill)

1855, by the same sponsors.

(Secretary reads title of bill)

1857, by the same sponsors.

(Secretary reads title of bill)

1858, by the same sponsors.

(Secretary reads title of bill)

1859, by Senator Berman.

(Secretary reads title of bill)

1860, by Senator Berman.

(Secretary reads title of bill)

1861, by Senator Lemke.

(Secretary reads title of bill)

1862, by Senator Jeremiah Joyce.

(Secretary reads title of bill)

1862, Senator Degnan.

(Secretary reads title of bill)

...1863, by Senator Degnan.

(Secretary reads title of bill)

1864, Senator Degnan.

(Secretary reads title of bill)

1865, Senator Degnan.

(Secretary reads title of bill)

1866, Senator Degnan.

(Secretary reads title of bill)

1867, Senator Degnan.

(Secretary reads title of bill)

1868, Senator Degnan.

(Secretary reads title of bill)

1869, Senator Degnan.

(Secretary reads title of bill)

1870, Senator D'Arco.

(Secretary reads title of bill)

1871, Senator Mahar and...Macdonald.

(Secretary reads title of bill)

1872, Senator Berman.

(Secretary reads title of bill)

1873, by Senator J. E. Joyce.

(Secretary reads title of bill)

1874, by Senator J. E. Joyce.

(Secretary reads title of bill)

1875, Senator Rupp.

(Secretary reads title of bill)

1876, by Senators Watson and Donahue.

(Secretary reads title of bill)

1877, by Senators Chew, Smith, Jones and Collins.

(Secretary reads title of bill)

1878, by Senator Friedland.

(Secretary reads title of bill)

1879, by Senator Friedland.

(Secretary reads title of bill)

1870, Senator Luft.

(Secretary reads title of bill)

Correction, 1880.

1881.

(Secretary reads title of bill)

...by Senator Vadalabene.

1882, by Senator Netsch.

(Secretary reads title of bill)

1863, by Senator Marovitz.

(Secretary reads title of bill)

Correction, it's 1883.

...1884, by Senator Marovitz.

(Secretary reads title of bill)

1885, Senator Marovitz.

(Secretary reads title of bill)

1886, Senator Marovitz.

(Secretary reads title of bill)

1887, by Senator Degnan.

(Secretary reads title of bill)

1888, by Senator Barkhausen.

(Secretary reads title of bill)

1889, by Senator Dudycz.

(Secretary reads title of bill)

1890, by Senators Dudycz, Barkhausen and Topinka.

(Secretary reads title of bill)

1891, by Senator Dudycz, Barkhausen and Topinka.

(Secretary reads title of bill)

1892, by the same sponsors.

(Secretary reads title of bill)

1893, by the same sponsors.

(Secretary reads title of bill)

1894, the same sponsors.

(Secretary reads title of bill)

1895, by the same sponsors.

(Secretary reads title of bill)

1896, by the same sponsors.

(Secretary reads title of bill)

1897, by Senator Dudycz and Barkhausen.

(Secretary reads title of bill)

1898, by Senators Dudycz, Topinka, Barkhausen and Mahar.

(Secretary reads title of bill)

1899, by Senators Dudycz, Barkhausen and Mahar.

(Secretary reads title of bill)

1900, by Senators Dudycz, Topinka, Barkhausen and Mahar.

(Secretary reads title of bill)

1901, by Senators Mahar, Dudycz, Topinka and Barkhausen.

(Secretary reads title of bill)

1902, by the...Senators Barkhausen, Topinka, Mahar, Dudycz, Watson and Keats.

(Secretary reads title of bill)

1903, by Senators Dudycz, Barkhausen and Topinka.

(Secretary reads title of bill)

1904, Senator Vadalabene.

(Secretary reads title of bill)

1905, by Senators Poshard.

(Secretary reads title of bill)

1906, by Senator Poshard.

(Secretary reads title of bill)

1907, by Senators Poshard and Holmberg.

(Secretary reads title of bill)

1908, by Senator Poshard.

(Secretary reads title of bill)

1909, by the same sponsor.

(Secretary reads title of bill)

1910, by Senator Weaver.

(Secretary reads title of bill)

1911, by Senators Netsch and Sangmeister.

(Secretary reads title of bill)

1912, by Senator Netsch.

(Secretary reads title of bill)

1913, by Senators Netsch and Rock.

(Secretary reads title of bill)

1914, Senator Karpiel.

(Secretary reads title of bill)

1915, Senator Maitland.

(Secretary reads title of bill)

1916, Senator Rock.

(Secretary reads title of bill)

1917, Senator Rock.

(Secretary reads title of bill)

1918, Senator Woodyard, Lemke and Keats.

(Secretary reads title of bill)

1919...Senate Bill 1919, Senator Karpiel.

(Secretary reads title of bill)

1920, Senator Karpiel.

(Secretary reads title of bill)

...1921, by Senators Philip, Etheredge, Fawell, Mahar and Topinka.

(Secretary reads title of bill)

1922, by Senators Keats, Topinka, Kustra, Macdonald and Dudycz.

(Secretary reads title of bill)

1923, by the same sponsors.

(Secretary reads title of bill)

1924, Senators Lechowicz, Degnan, Lemke, Netsch, Nedza, Berman and Carroll.

(Secretary reads title of bill)

1925, by Senator Zito.

(Secretary reads title of bill)

Senate Bill 1926, Senator Marovitz.

(Secretary reads title of bill)

1927, by Senator Leitch.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Introduction of bills.

SECRETARY:

1898 introduced by Senators Philip, Vadalabene, Fawell, Macdonald, Geo-Karis.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1929, Senators Mahar, Topinka and Hudson.

(Secretary reads title of bill)

PRESIDENT:

Rules Committee. If I can ask the members please be in their seats. I'd ask the doorkeepers to please man the doors and keep them shut during this observance. I'd ask our guests and the staff to please take a seat. To Commander Landers, Commander Keller, Dorothy Lippert, Michael Ferguson

and to all of you here assembled, it is my pleasure on behalf of the members to welcome you to the Illinois Senate. It was once said that no person was ever honored for what he received, rather honor is the reward for what is given. We are gathered today to honor the one hundred and two missing Illinois residents, the POW's and the MIA's who have given more than many of us will ever understand to their State, to their Nation and to the cause of freedom. And on behalf of the members of the Illinois Senate, let me say that we share in this special tribute to the missing, for in the end we are all members of the same family, bonded together by hope, hope that our missing brothers, fathers, friends and fellow citizens will soon be with us again. I've been asked by Dorothy to thank each of you, the members of the Senate, for participating in this observance and ask also to call attention to the packet of information which has been distributed to each of the members. Dorothy suggests it might be a good idea to include some of the information in your next district news letter, because we must rededicate ourselves today to continue to do all we can to bring all the members of the family home. I look forward to the day when you and I as members of the Senate can instead meet to welcome home the hundred and two Illinois residents that we honor today. Commander Landers. Members and our guests please rise for the invocation to be delivered today by Father Victor Kaltenbach, Springfield, Illinois.

FATHER KALTENBACH:

(Invocation given by Father Kaltenback)

PRESIDENT:

Thank you, Father. If you'd please be seated. It is now my pleasure to call to the Podium, Mr. Albert Keller, Jr., the past National Commander of the American Legion. Commander.

COMMANDER ALBERT KELLER, Jr.:

(Remarks given by Commander Keller)

PRESIDENT:

Thank you, Commander. (Machine cutoff)...Lippert and Michael Ferguson will now lead the candlelighting ceremony and I'll call upon Senator Frank Watson.

SENATOR WATSON:

Thank you, Mr. President. This is a roll call of those Illinoisans that are still missing in action.

(Senator Watson reads names of men missing in action)

SENATOR DAVIDSON:

(Senator Davidson reads names of men missing in action)

PRESIDENT:

Please stand in silent prayer for these hundred and two of our family.

(Senator Rock gives prayer)

Commander Landers. The Senate stands adjourned until noon tomorrow.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 10, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will come to order. Members will be at their desks. All unauthorized guests will please vacate. Our guests in the gallery would please rise. The prayer today will be by the Reverend John Spreen, Church of the Little Flower, Springfield. Father.

REVEREND JOHN SPREEN:

(Prayer given by Reverend Spreen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the...reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, April 2nd; Thursday, April 3rd and Tuesday, April 8th and Wednesday, April 9th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Vadalabene. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Senator Vadalabene. All right...all right, committee report.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee, reports out the following resolutions...Senate resolutions and Senate joint resolutions and House joint resolutions:

Senate Joint Resolution 74, 101, 103 and 117.

Senate Resolution 411, 435, 514, 691, 695, 720 and 736 recommend adoption.

Senate Resolution 624 recommend adoption as amended.

House Joint Resolution 40, 65, 79, 80, 104 and 128 recommend adoption.

The Rules Committee met at 3:00 p.m. on Wednesday, April

the 9th, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bills 233, 1483, 1486, 1502, 1520, 1575, 1597, 1659, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1732 and 1733. Signed, Philip J. Rock, Chairman.

The Rules Committee met on ten-thirty...at ten-thirty on Thursday, April the 11th...10th, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bills 1516, 1522, 1536, 1552, 1558, 1581, 1614, 1624, 1662, 1700, 1709, 1711, 1783, 1808, 1815, 1816, 1822, 1834, 1837, 1844, 1846, 1848, 1852, 1871 and 1921. Signed, Senator Philip J. Rock, Chairman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I would like to request leave of the Body to have Senator Davidson added as the chief sponsor on Senate Joint Resolution 103 and I would be hyphenated with him...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard...

SENATOR KELLY:

...and he being the lead sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, pardon me...you've heard the request of Senator Kelly that Senate Davidson be added as the lead sponsor of Senate Joint Resolution 103 in addition to Senator Kelly. Is leave granted? Leave is granted. Resolutions. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills to committee:

Agriculture - 1783, 1837, 1848; Appropriations I -

1808, 1822, 1846; Elementary and Secondary Education - 1520, 1659, 1516 and 1522; Executive - 1502, 1581, 1624, 1834 and 1921; Higher Education - 1852; Insurance, Pensions and Licensed Activities - 1483, 1575, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1732, 1733 and 1844; Judiciary I - 1711; Judiciary II - 1552, 1815 and 1816; Local Government - 1597; Public Health, Welfare and Corrections - 233, 1486, 1536; Revenue - 1614, 1662, 1700, 1709, 1871; Transportation - 1558.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Ask leave of the Body to be added as a cosponsor to Senate Bill 1700 and Senate Bill 1875.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Joyce to be added as a cosponsor of...of Senate Bill 1700 and Senate Bill 1875. Is leave granted? Leave is granted. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Mr. President, I'd like to request that Senator Berman be added as the hyphenated chief sponsor with me of Senate Bill 1930.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Macdonald to add Senator Berman as a hyphenated cosponsor to Senate Bill 1930. Is leave granted? Leave is granted. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Mr. President and members of the Senate, I would request to be removed as sponsor...as chief sponsor of Senate Bill 1596 and that Senator Luft be added as the chief sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator O'Daniel has requested leave of the Body to remove himself as the principal sponsor of Senate Bill 1596...remove himself as the sponsor and to add...substitute Senator Luft. Is leave granted? Leave is granted. It's so ordered. Senator Macdonald, for what purpose do you arise? All right, I'm sorry. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. Chairman. I'd like...to be added as a hyphenated cosponsor to Senate Bill 1700. I've talked to the sponsor, and I would also like to Table Senate Bill 1474.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's take them one at a time. Senator Holmberg requests leave of the Body to be added as a hyphenated co-sponsor of Senate Bill 1700. You've heard the request. Is leave granted? Leave is granted. Senator Holmberg.

SENATOR HOLMBERG:

Senate Bill 1474, I would like to request that that bill be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator, where is that...where is that bill? Senate Bill 1400?

SENATOR HOLMBERG:

No, 1474. (Machine cutoff)...think it's in Rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senator Holmberg, while we're looking that up, let's...let's come back to you...Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. I would ask for leave to add Senator Marovitz as a hyphenated cosponsor to Senate Bills 1859 and 1860.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Berman to

add Senator Marovitz as a hyphenated cosponsor on Senate Bills 1859 and 1860. Is leave granted? Leave is granted. It's so ordered. All right, Senator Holmberg, Senate Bill 1474 is currently reposing in the Rules Committee. Senator Holmberg moves to discharge the Rules Committee from further consideration of Senate Bill 1474 for the consideration...for the purpose of Tabling. Those...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1474 is discharged from the Rules Committee. Senator Holmberg now moves to Table Senate Bill 1474. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1474 is Tabled. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, for the purpose, Mr. President, of...of asking and moving to suspend the posting requirements to allow the following...committees to post through noon of 4-11-86 for next week's hearings. We have assigned bills to committees and these are the following committees: Transportation, Revenue, Approp. I and Approp. II, Insurance, Jud. II and Education. So, I ask leave for that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Savickas to...to suspend the...to suspend the rules for the...on the Seven-day Posting requirement. You've heard the motion. Is there any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Savickas.

SENATOR SAVICKAS:

Also, Mr. President and members of the Senate, I would like to have Senator Dawson recorded as absent. He is in Omaha, Nebraska yesterday and today studying research on Medicaid fraud.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so indicate. Senator Darrow, for what purpose do you arise?

SENATOR DARROW:

Thank you, Mr. President. I would ask leave to add Senator Virginia Macdonald as a chief cosponsor to Senate Bill 1588.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...you've heard the request of Senator Darrow to add Senator Macdonald as a hyphenated cosponsor of...of Senate Bill 1588. Is leave granted? Leave is granted. It's so ordered. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. To ask leave of the Body to have Senator...Poshard removed as a hyphenated cosponsor on Senate Bills 1851 and 1852.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Maitland to...to have Senator Poshard removed as hyphenated cosponsors of Senate Bills 1851 and 1852. Is leave granted? Leave is granted. It's so ordered. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Yes, thank you, Mr. President. To add...ask leave of the Body to add Senator Welch and myself to Senate Bill 1700.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Zito requests leave of the Body to...to add himself and Senator Welch to Senate Bill 1700. Is leave granted? Leave is granted. It's so ordered. Resolutions.

SECRETARY:

The following resolutions are either congratulatory...we have one death resolution.

Senate Resolution 799 offered by Senator Poshard.

798, back up one here...798, by Senator Zito.

799, by Senator Poshard.

800, by Senators Geo-Karis, Philip and Rock.

801, Senator Poshard.

802, Senator Jeremiah Joyce.

And 803 is a death resolution by Senator Dudycz and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Consent Calendar.

SECRETARY:

Senate Resolution 804, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1930, by Senator Macdonald.

(Secretary reads title of bill)

1931, by Senator Sangmeister.

(Secretary reads title of bill)

1932, Senator Holmberg.

(Secretary reads title of bill)

1933, by Senator J. E. Joyce.

(Secretary reads title of bill)

1934, by Senator J. E. Joyce.

(Secretary reads title of bill)

1935, by Senator Lemke, Geo-Karis, Hall, Barkhausen, Hudson, Rock and Marovitz.

(Secretary reads title of bill)

1936, by Senators Lechowicz and Karpiel.

(Secretary reads title of bill)

1937, Senator Lemke.

(Secretary reads title of bill)

1938, Senator Lemke.

(Secretary reads title of bill)

1939, Senator Lemke.

(Secretary reads title of bill)

1940, by Senator Savickas.

(Secretary reads title of bill)

1941, Senator Lemke and Savickas.

(Secretary reads title of bill)

1942, Senator Kelly.

(Secretary reads title of bill)

1943, by Senator Jerome J. Joyce.

(Secretary reads title of bill)

1944, the same sponsor.

(Secretary reads title of bill)

1944, Senator DeAngelis and Nedza.

(Secretary reads title of bill)

1946, by the same sponsors.

(Secretary reads title of bill)

1947, Senator Mahar.

(Secretary reads title of bill)

1948, Senator Vadalabene.

(Secretary reads title of bill)

1949, Senator Vadalabene.

(Secretary reads title of bill)

1950, Senator Vadalabene.

(Secretary reads title of bill)

1951, Senators Holmberg and Rock.

(Secretary reads title of bill)

1952, Senators O'Daniel and Poshard.

(Secretary reads title of bill)

1953, Senator Mahar.

(Secretary reads title of bill)

1954, Senator Demuzio.

(Secretary reads title of bill)

1955, Senator Demuzio.

(Secretary reads title of bill)

1956, Senator Demuzio.

(Secretary reads title of bill)

1957, Senators Friedland and Hudson and Mahar.

(Secretary reads title of bill)

1958, Senator Jerome J. Joyce...Senate Bill 1958, by...by Senator Weaver.

(Secretary reads title of bill)

1959, Senator Etheredge.

(Secretary reads title of bill)

1960, by Senator D'Arco.

(Secretary reads title of bill)

1961, by Senators D'Arco and Rupp.

(Secretary reads title of bill)

1962, by Senator Leitch.

(Secretary reads title of bill)

1963, by Senator J. E. Joyce.

(Secretary reads title of bill)

1964, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1965, Senator Jeremiah Joyce.

(Secretary reads title of bill)

1966, Senator J. E. Joyce.

(Secretary reads title of bill)

1967, the same sponsor.

(Secretary reads title of bill)

1968, Senator Keats.

(Secretary reads title of bill)

1969, Senator Zito.

(Secretary reads title of bill)

1970, Senator Zito.

(Secretary reads title of bill)

1971, Senator Zito.

(Secretary reads title of bill)

1972, Senator Welch.

(Secretary reads title of bill)

1973, Senator Welch.

(Secretary reads title of bill)

1974, by Senator Poshard.

(Secretary reads title of bill)

1975, by Senator Degnan.

(Secretary reads title of bill)

1976, by Senator Degnan.

(Secretary reads title of bill)

1977, Senator Degnan.

(Secretary reads title of bill)

1978, by Senator Degnan.

(Secretary reads title of bill)

1979, Senator Degnan.

(Secretary reads title of bill)

1980, by Senator Maitland.

(Secretary reads title of bill)

1981, Senator Maitland.

(Secretary reads title of bill)

1982, Senator Maitland.

(Secretary reads title of bill)

1983, by Senator Davidson, Woodyard, Philip, Weaver, DeAngelis, Schaffer and Rupp.

(Secretary reads title of bill)

1984, by the same sponsors.

(Secretary reads title of bill)

1985, Senator O'Daniel.

(Secretary reads title of bill)

1986, Senator Mahar.

(Secretary reads title of bill)

...1987, by Senator Mahar.

(Secretary reads title of bill)

1988, Senator Watson.

(Secretary reads title of bill)

1989, Senator Kustra.

(Secretary reads title of bill)

1990, Senator Degnan.

(Secretary reads title of bill)

1991, by Senator Degnan.

(Secretary reads title of bill)

1992, by Senators Macdonald, Philip, Weaver, DeAngelis, Davidson, Schaffer and Rupp.

(Secretary reads title of bill)

1993, by the same sponsors.

(Secretary reads title of bill)

1994, Senator Collins.

(Secretary reads title of bill)

1995, by the same sponsor.

(Secretary reads title of bill)

1996...1996...1996.

(Secretary reads title of bill)

1997, Senator Fawell.

(Secretary reads title of bill)

1998, by Senator Dunn, Philip, Weaver, DeAngelis, Davis, Schaffer and Rupp.

(Secretary reads title of bill)

1999, Senator Karpiel.

(Secretary reads title of bill)

2000, by Senators Marovitz, Lechowicz, Degnan and J. E. Joyce.

(Secretary reads title of bill)

2001, by Senator Marovitz, Lechowicz and Degnan.

(Secretary reads title of bill)

2002, by the same sponsors.

(Secretary reads title of bill)

2003, by Senator Marovitz.

(Secretary reads title of bill)

2004, Senator Marovitz.

(Secretary reads title of bill)

2005, by Senator Marovitz.

(Secretary reads title of bill)

2006, Senator Marovitz.

(Secretary reads title of bill)

2007, Senator Marovitz.

(Secretary reads title of bill)

2008, Senator Marovitz.

(Secretary reads title of bill)

2009, Senator Marovitz.

(Secretary reads title of bill)

2010, Senator Marovitz.

(Secretary reads title of bill)

2011, Senator Marovitz.

(Secretary reads title of bill)

2012, Senator Marovitz.

(Secretary reads title of bill)

2013, Senator Marovitz.

(Secretary reads title of bill)

2014, Senator Marovitz.

(Secretary reads title of bill)

2015, Senators Fawell and Philip.

(Secretary reads title of bill)

2016, Senator Hall.

(Secretary reads title of bill)

2017, by Senators Barkhausen, Philip, Weaver, DeAngelis, Davidson, Schaffer and Rupp.

(Secretary reads title of bill)

2018, by Senators Leitch, Philip, Weaver, DeAngelis, Davidson, Schaffer and Rupp.

(Secretary reads title of bill)

2019, by Senator Geo-Karis, Philip, Weaver, DeAngelis, Davidson and Schaffer.

(Secretary reads title of bill)

2020, by Senator...same sponsors.

(Secretary reads title of bill)

2021, by Senator Kustra.

(Secretary reads title of bill)

...2022, by Senator Berman.

(Secretary reads title of bill)

2023, by Jeremiah Joyce.

(Secretary reads title of bill)

2024, by Senators Lemke and Geo-Karis.

(Secretary reads title of bill)

2025, by Senators Fawell, Philip, Weaver, DeAngelis, Davidson, Schaffer and Rupp.

(Secretary reads title of bill)

2026, by Senator Lemke.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

I would like to be added as a hyphenated cosponsor on Senate Bill 1558, please. I've checked with the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request as Senator Karpiel...as a hyphenated...cosponsor of Senate Bill 1558. Is leave granted? Leave is granted. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Mr. President, I'd like to be added as a hyphenated co-sponsor to Senate Bill 1700. I've spoken to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Macdonald to be added as a hypenated cosponsor to Senate Bill 1700. Is leave granted? Leave is granted. It's so ordered. Senator Mahar, for what purpose do you arise?

SENATOR MAHAR:

Mr. President, I seek leave of the Body to also be added as a hyphenated cosponsor to Senate Bill 1700 and I have the permission of the...chief sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Mahar to be added as a hyphenated cosponsor of Senate Bill 1700. Is leave granted? Leave is granted. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. On the same order, Senators Hall and DeAngelis...have asked to be added as cosponsors of the bill that I'm sponsoring, Senate Bill 1700. For those members who've not taken a look at it, I think it's an exceptionally good idea and I...I invite your cosponsorship. Hall and DeAngelis on Senate Bill 1700.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've...you've heard the request of...of Senator Rock. Is leave granted to add the members? Is leave granted? Leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I would like to request to be added as a cosponsor to Senate Bill 1700 and also I have cleared...with the sponsors of...Sponsor Donahue of...Senate Bill 1680 and 1682 and Mr. Watson, they're the two...main...cosponsors and I'd like to be added as an immediate hyphenated cosponsor to those two. Then, I would like to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute,...Senator Geo-Karis, let's...let's take them one at a time. You sought leave to be added as a...

SENATOR GEO-KARIS:

...an immediate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...hyphenated cosponsor on Senate Bill 1700. Is leave granted? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Then to...Senate Bill 1680, 8-0, and Senate Bill 1682 as an immediate hyphenated cosponsor to the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Geo-Karis to be added as a hyphenated cosponsor on Senate Bills 1680 and 1682. Is leave granted? Leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

And I've cleared it with the sponsors. And I also...I would like to be added as an immediate hyphenated cosponsor to Senate Bills 1683 and 1684, and I've cleared it with the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Geo-Karis to be added as a hyphenated cosponsor on Senate Bill 1683 and Senate Bill 1684. Is leave granted? Leave is granted. It's so ordered. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I, too, would like to be added as a hyphenated cosponsor for Senate Bill 1549.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue seeks leave of the Body to be added...added as a hyphenated...or just a cosponsor...hyphenated cosponsor of Senate Bill 1549. Is leave granted? Leave is granted. Senator Leitch.

SENATOR LEITCH:

I, too, would request leave of the Body to be added to Senate Bill 1700...as a cosponsor. I also have cleared it with the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...you've heard the request of Senator

Leitch to be added as a cosponsor of Senate Bill 1700. Is leave granted? Leave is granted. It's so ordered. Resolutions.

SECRETARY:

Senate Resolution 805 offered by Senator Watson. It's congratulatory.

806, by Senator Mahar, congratulatory.

807, by Senator Lechowicz, Rock and Degnan and all members, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 135, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, no, that one goes to the Executive. Senate Joint Resolution 135 goes to Exec. Resolutions.

SECRETARY:

Senate Joint Resolution 136 offered by Senator Rock.

(Secretary reads SJR 136)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 136 is the adjournment resolution. At the conclusion of business tomorrow, and tomorrow you will recall when we adjourn today we will adjourn until nine o'clock tomorrow morning for the sole purpose of introduction of bills. So, the Senate will remain open from nine o'clock in the morning until five in the afternoon for the purpose of affording members the opportunity to introduce

their bills, the deadline being tomorrow. This adjournment resolution calls for us to return to Springfield next Tuesday at the hour of noon when we conclude the introduction session tomorrow. So, effectively, for many of us, we will be returning to our districts today and we'll return...I'd ask you to return next Tuesday at the hour of noon. I would ask for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 136.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Senator Rock has moved for the suspension of the rules and immediate consideration and adoption of Senate Joint Resolution 136. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator...Rock now moves the adoption of Senate Joint Resolution 136. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate...Senate Joint Resolution 136 is adopted. Mr...Mr. Secretary, have there been any objections filed by the resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will add to the Senate Joint Resolutions Consent...or the...I'm sorry, to the...to the Resolutions Consent Calendar, Resolution 798 through 807 with the exception of 804 which went to the Senate Executive Committee. Is leave granted to add those? Leave is granted? Senator Welch now moves the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. (Machine cutoff)...business to come before the Senate? Senator Rock moves that the Senate stand adjourned until nine o'clock tomorrow morning, April the 11th. Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 11, 1986

PRESIDING OFFICER: (SENATOR LUFT)

The Senate will please come to order. The members be in their seats and will our guests in the gallery please rise. Senator Hall, for the prayer today.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDING OFFICER: (SENATOR LUFT)

We will postpone the reading of the Journal till Tuesday, April 15th. We will now move to the Order of the Introduction of Bills. And I'd like to announce that you...those people within...can hear me that we will accept bills in Room 407, that's the Secretary's office, until two o'clock today. So now we'll proceed with introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2027, Senator Jerome Joyce.

(Secretary reads title of bill)

2028, by the same sponsor.

(Secretary reads title of bill)

2029, the same sponsor.

(Secretary reads title of bill)

2030, by Senator Lechowicz.

(Secretary reads title of bill)

2031, Senator Nedza.

(Secretary reads title of bill)

2032, Senator Geo-Karis.

(Secretary reads title of bill)

2033, Senator Marovitz.

(Secretary reads title of bill)

2034, Senator Marovitz.

(Secretary reads title of bill)

2035, Senators DeAngelis and Berman.

(Secretary reads title of bill)

2036, Senator Netsch.

(Secretary reads title of bill)

2037, Senator Netsch.

(Secretary reads title of bill)

2038, Senator Netsch.

(Secretary reads title of bill)

2039, Senator Netsch.

(Secretary reads title of bill)

2040, Senator Netsch.

(Secretary reads title of bill)

2043, Senator Netsch...Senate Bill 2041.

(Secretary reads title of bill)

2043, Senator Netsch.

(Secretary begins reading title of bill)

Senate Bill 2042, by Senator Marovitz.

(Secretary reads title of bill)

Now, 2043, by Senator Netsch.

(Secretary reads title of bill)

2044, Senators Weaver and Rock.

(Secretary reads title of bill)

2045, Senator Fawell.

(Secretary reads title of bill)

2046, Senator Zito.

(Secretary reads title of bill)

2047, Senator...Zito.

(Secretary reads title of bill)

2048, Senator D'Arco.

(Secretary reads title of bill)

2049, Senator Lechowicz.

(Secretary reads title of bill)

2050, Senator Jones.

(Secretary reads title of bill)

2051, Senator Jones.

(Secretary reads title of bill)

2052, by Senators Berman and Jones.

(Secretary reads title of bill)

2053, by Senators Jones and Berman.

(Secretary reads title of bill)

2054, by Senators Jones and Berman.

(Secretary reads title of bill)

2055, by Senator D'Arco.

(Secretary reads title of bill)

1st reading of the bills.

2056, by Senator Welch.

(Secretary reads title of bill)

1st reading of the bill.

2057, Senator Nedza.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Rules Committee. We will stand at Recess till the hour of two, and let me announce one more time that you can introduce bills in Room 407, that's the Secretary's office. We'll stand at Recess till two.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR LUFT)

(Machine cutoff)...reading the bills...I mean, introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Earlier today, Senate Bill 2046 was introduced and we read the...an incorrect title. We will now read the correct title as follows.

Senate Bill 2046.

(Secretary reads title of bill)

1st reading of the bill.

2058, by Senator D'Arco.

(Secretary reads title of bill)

2059, the same sponsor.

(Secretary reads title of bill)

2060, by Senator Poshard.

(Secretary reads title of bill)

2061, by Senator Vadalabene.

(Secretary reads title of bill)

2062, by Senator Carroll.

(Secretary reads title of bill)

2063, Senator Sangmeister.

(Secretary reads title of bill)

2064, Senators Watson, Rupp, Topinka, Friedland and Mahar.

(Secretary reads title of bill)

2065, Senators Schuneman, Watson, Topinka, Mahar, Rupp and Friedland.

(Secretary reads title of bill)

2066, by Senators Schuneman, Rupp, Topinka, Friedland, Mahar and Watson.

(Secretary reads title of bill)

2067, by the same sponsors.

(Secretary reads title of bill)

2068, by the same sponsors.

(Secretary reads title of bill)

2069, by the same sponsors.

(Secretary reads title of bill)

2017, Senator Philip.

(Secretary reads title of bill)

2071, Senator Marovitz.

(Secretary reads title of bill)

2072, Senator Watson.

(Secretary reads title of bill)

2073, Senator Marovitz.

(Secretary reads title of bill)

2074, Senator Marovitz.

(Secretary reads title of bill)

2075, Senator Keats.

(Secretary reads title of bill)

2076, Senator Geo-Karis.

(Secretary reads title of bill)

2077, the same sponsor.

(Secretary reads title of bill)

2078, Senator Philip.

(Secretary reads title of bill)

2079, Senator Hudson.

(Secretary reads title of bill)

2080, Senator Philip.

(Secretary reads title of bill)

2081, Senator Watson.

(Secretary reads title of bill)

2082, by Senator Nedza and Dudycz.

(Secretary reads title of bill)

2083, Senator Kustra.

(Secretary reads title of bill)

2084, Senator D'Arco.

(Secretary reads title of bill)

2085, Senator D'Arco.

(Secretary reads title of bill)

2086, Senator D'Arco.

(Secretary reads title of bill)

2087, Senator Degnan.

(Secretary reads title of bill)

2088, Senator Savickas.

(Secretary reads title of bill)

2089, Senator Woodyard.

(Secretary reads title of bill)

2090, Senator Berman.

(Secretary reads title of bill)

2091, Senator Berman.

(Secretary reads title of bill)

2092, Senator Berman.

(Secretary reads title of bill)

2093, Senator Berman.

(Secretary reads title of bill)

2094, Senator Maitland.

(Secretary reads title of bill)

2095, Senator Maitland.

(Secretary reads title of bill)

2096, Senator Maitland.

(Secretary reads title of bill)

2097, Senator Jerome Joyce.

(Secretary reads title of bill)

2098, by Senator Etheredge.

(Secretary reads title of bill)

2099, Senator...Geo-Karis.

(Secretary reads title of bill)

2100, Senator Luft.

(Secretary reads title of bill)

2101, Senator Jones.

(Secretary reads title of bill)

2102, Senator Schuneman.

(Secretary reads title of bill)

2103, Senator D'Arco.

(Secretary reads title of bill)

2104, Senator Luft.

(Secretary reads title of bill)

...2105, Senator D'Arco.

(Secretary reads title of bill)

2106, Senator Savickas.

(Secretary reads title of bill)

2107, Senator Savickas.

(Secretary reads title of bill)

2108, Senator D'Arco.

(Secretary reads title of bill)

2109, Senator Savickas.

(Secretary reads title of bill)

2110, Senator Carroll.

(Secretary reads title of bill)

2111, Senator Holmberg.

(Secretary reads title of bill)

2112, by Senator Holmberg.

(Secretary reads title of bill)

2113, Senator Kustra.

(Secretary reads title of bill)

...2114, Senator Kustra.

(Secretary reads title of bill)

2115, by Senators Lechowicz, Rock, Carroll, Savickas and Nedza.

(Secretary reads title of bill)

2116, Senators Weaver, Demuzio and Keats.

(Secretary reads title of bill)

2117, Senators Demuzio and Maitland.

(Secretary reads title of bill)

2118, Senator Demuzio.

(Secretary reads title of bill)

2119, Senator Demuzio.

(Secretary reads title of bill)

2120, Senator Demuzio.

(Secretary reads title of bill)

2121, by Senator Demuzio.

(Secretary reads title of bill)

2122, Senator Demuzio.

(Secretary reads title of bill)

2123, by Senators Poshard and Berman.

(Secretary reads title of bill)

2124, by Senators Berman and Keats.

(Secretary reads title of bill)

2125, by Senator Berman.

(Secretary reads title of bill)

2126, Senator Dunn.

(Secretary reads title of bill)

2127, by Senator Degnan.

(Secretary reads title of bill)

2128, Senator Degnan.

(Secretary reads title of bill)

2109, by Senator Degnan.

(Secretary reads title of bill)

2130, by Senator Degnan.

(Secretary reads title of bill)

2131, Senator Degnan.

(Secretary reads title of bill)

2132, Senator Degnan.

(Secretary reads title of bill)

2133, by Senator Newhouse.

(Secretary reads title of bill)

2134, by Senator Newhouse.

(Secretary reads title of bill)

...2135, Senator Rock.

(Secretary reads title of bill)

2136, by Senator J. E. Joyce.

(Secretary reads title of bill)

2137, by Senators Philip and Rock.

(Secretary reads title of bill)

238, by Senator Philip.

(Secretary reads title of bill)

2139, by Senator J. J. Joyce.

(Secretary reads title of bill)

2140, by Senator DeAngelis.

(Secretary reads title of bill)

2141, by Senator DeAngelis.

(Secretary reads title of bill)

2142, Senator DeAngelis.

(Secretary reads title of bill)

2143, Senator Weaver.

(Secretary reads title of bill)

Senate Bill 2144, by Senator Philip.

(Secretary reads title of bill)

...2145, by Senators Weaver and Philip.

(Secretary reads title of bill)

2146, by Senator O'Daniel.

(Secretary reads title of bill)

2147, by Senator Mahar.

(Secretary reads title of bill)

2148, by Senator Hudson.

(Secretary reads title of bill)

2149, by Senator Degnan...2149, by Senator Degnan.

(Secretary reads title of bill)

2150, Senator Degnan.

(Secretary reads title of bill)

2151, by Senator Savickas.

(Secretary reads title of bill)

2152, by Senator Nedza.

(Secretary reads title of bill)

2153, by Senator Marovitz.

(Secretary reads title of bill)

2154, by Senators O'Daniel and Rock.

(Secretary reads title of bill)

2155, by Senators Welch and Rock.

(Secretary reads title of bill)

2156, by the same sponsors.

(Secretary reads title of bill)

2157, Senator Rock.

(Secretary reads title of bill)

2158, by Senator Hall.

(Secretary reads title of bill)

2159, Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR LUFT)

Rules Committee. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2160, by Senator Welch.

(Secretary reads title of bill)

2161, Senator Rupp.

(Secretary reads title of bill)

2162, by Senator Smith and Collins.

(Secretary reads title of bill)

2163, by Senator Collins, Smith and Holmberg.

(Secretary reads title of bill)

2164, by Senators Lemke and Berman.

(Secretary reads title of bill)

2165, by Senator J. E. Joyce and Lemke.

(Secretary reads title of bill)

2166, by Senator O'Daniel, Poshard and Lemke.

(Secretary reads title of bill)

2167, by Senators Welch and Newhouse.

(Secretary reads title of bill)

2168, by Senators Poshard, O'Daniel, Smith and Lemke.

(Secretary reads title of bill)

2169, by Senators Luft and Etheredge.

(Secretary reads title of bill)

2170, by...by the same sponsors.

(Secretary reads title of bill)

2171, by Senators Luft and Etheredge.

(Secretary reads title of bill)

2172, by the same sponsors.

(Secretary reads title of bill)

2173, by the same sponsors.

(Secretary reads title of bill)

2174, by the same sponsors.

(Secretary reads title of bill)

2175, Senator Lemke.

(Secretary reads title of bill)

2176, by Senator Lemke.

(Secretary reads title of bill)

2177, Senator Lemke.

(Secretary reads title of bill)

2178, by Senator Collins.

(Secretary reads title of bill)

2179, by Senator Collins.

(Secretary reads title of bill)

2180, by Senator Collins.

(Secretary reads title of bill)

...2181, Senator Collins.

(Secretary reads title of bill)

2182, Senator Collins.

(Secretary reads title of bill)

2183, Senator Collins.

(Secretary reads title of bill)

Senate Bill...2184, by Senator Barkhausen.

(Secretary reads title of bill)

2185, by Senators Lemke and...Barkhausen, Hall, Hudson, Topinka and Welch.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR LUFT)

Rules Committee. We will now stand at ease until four-thirty. At that time we'll finalize introduction of bills between the time of four-thirty and five o'clock. The Senate will be in Recess until four-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR LUFT)

The Senate will come to order. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2186, by Senator Demuzio.

(Secretary reads title of bill)

2187, Senator Dudycz.

(Secretary reads title of bill)

2188, Senator Dudycz.

(Secretary reads title of bill)

2189, Senator Welch.

(Secretary reads title of bill)

2190, by Senators Barkhausen, Jones, Watson, Dawson, Donahue and Welch.

(Secretary reads title of bill)

2191, by the same sponsors.

(Secretary reads title of bill)

2192, by the same sponsors.

(Secretary reads title of bill)

2192, by Senators Watson, Jones and others.

(Secretary reads title of bill)

2193, Watson, Dawson and others.

(Secretary reads title of bill)

2194, Senators Dawson, Watson and others.

(Secretary reads title of bill)

2195, Senators Davidson, Philip and others.

(Secretary reads title of bill)

2196, by Senator Geo-Karis, Philip and others.

(Secretary reads title of bill)

2197, by Senator Davidson, Rupp and others.

(Secretary reads title of bill)

2198, Senator Dunn, Watson and others.

(Secretary reads title of bill)

2199, Senator Topinka, Donahue and others.

(Secretary reads title of bill)

2200, by Senator Chew and Philip.

(Secretary reads title of bill)

2201, by Senator Topinka, Philip and others.

(Secretary reads title of bill)

2202, by Senator Topinka...Davidson and others.

(Secretary reads title of bill)

2203, Senator Topinka, Weaver and others.

(Secretary reads title of bill)

2204, by Senator Dudycz, DeAngelis and others.

(Secretary reads title of bill)

2205, Senator Dunn, Dudycz and others.

(Secretary reads title of bill)

2206, Senator Keats, Philip and others.

(Secretary reads title of bill)

2207, by Senator Macdonald, Kustra and others.

(Secretary reads title of bill)

2208, Senator Philip, Weaver and others.

(Secretary reads title of bill)

2209, by Senator Philip and Rock.

(Secretary reads title of bill)

2210, by Senator Philip, Rock.

(Secretary reads title of bill)

2211, by Senator Macdonald, Weaver and others.

(Secretary reads title of bill)

2212, by Watson, Philip and others.

(Secretary reads title of bill)

2213, Senator Schaffer, Etheredge and Topinka.

(Secretary reads title of bill)

2214, by Senator Schaffer, Etheredge and Topinka.

(Secretary reads title of bill)

2215, Schaffer, Etheredge and Topinka.

(Secretary reads title of bill)

2216, Schaffer and Etheredge...Topinka.

(Secretary reads title of bill)

2217, by the same sponsor...Schaffer, Etheredge, Topinka.

(Secretary reads title of bill)

2218, Etheredge, Topinka and Schaffer.

(Secretary reads title of bill)

2219, Etheredge, Topinka and Schaffer.

(Secretary reads title of bill)

2220, Senators Etheredge, Topinka.

(Secretary reads title of bill)

2221, by Etheredge, Topinka, Schaffer.

(Secretary reads title of bill)

2222, Senator Etheredge, Topinka and Schaffer.

(Secretary reads title of bill)

2223, Senators Topinka, Schaffer and Etheredge.

(Secretary reads title of bill)

2224, by Senators Topinka, Schaffer and Etheredge.

(Secretary reads title of bill)

2225, by Senators Topinka, Schaffer and Etheredge.

(Secretary reads title of bill)

2226, by Senators...Topinka, Schaffer and Etheredge.

(Secretary reads title of bill)

2227, by Senators Topinka, Schaffer and Etheredge.

(Secretary reads title of bill)

2228, by Senator Kustra, Philip and others.

(Secretary reads title of bill)

2229, by Senator Nedza.

(Secretary reads title of bill)

2230, Senator Degnan.

(Secretary reads title of bill)

2231, by Senators Berman and Marovitz.

(Secretary reads title of bill)

2232, by Senators Berman and Marovitz.

(Secretary reads title of bill)

2233, by Senators Berman and Marovitz.

(Secretary reads title of bill)

2234, by Senators Berman and Marovitz.

(Secretary reads title of bill)

2235, Senator Watson.

(Secretary reads title of bill)

2236, Senator Collins.

(Secretary reads title of bill)

2237, Senator Collins.

(Secretary reads title of bill)

2238, by Senator Collins.

(Secretary reads title of bill)

2239, by Senator Collins.

(Secretary reads title of bill)

2240, by Senator Collins.

(Secretary reads title of bill)

2241, Collins.

(Secretary reads title of bill)

2242, Senator Collins.

(Secretary reads title of bill)

2243, Senator Collins.

(Secretary reads title of bill)

2244, Senator Collins.

(Secretary reads title of bill)

2245, Senator Collins.

(Secretary reads title of bill)

2246, Senator Collins.

(Secretary reads title of bill)

2247, Senator Collins.

(Secretary reads title of bill)

2248, Senator Collins.

(Secretary reads title of bill)

2249, Senator Collins.

(Secretary reads title of bill)

2250, Senator Collins.

(Secretary reads title of bill)

2251, Senators Friedland and Schaffer.

(Secretary reads title of bill)

2252, Senator Watson.

(Secretary reads title of bill)

2253, Senator Marovitz.

(Secretary reads title of bill)

2254, by Senators J. E. Joyce, Lemke.

(Secretary reads title of bill)

2255, Senators Poshard, Welch and others.

(Secretary reads title of bill)

2256, Senator Demuzio.

(Secretary reads title of bill)

2257, Senator Demuzio.

(Secretary reads title of bill)

2258, Senator D'Arco.

(Secretary reads title of bill)

2259, Senator Carroll.

(Secretary reads title of bill)

2260, Senators Luft and Schuneman.

(Secretary reads title of bill)

2261, by Senators Luft and Schuneman.

(Secretary reads title of bill)

2262, by Senators Luft and Schuneman.

(Secretary reads title of bill)

2263, Senators Luft and Schuneman.

(Secretary reads title of bill)

2264, by Senators Luft and Schuneman.

(Secretary reads title of bill)

2265, Senators Luft and Schuneman.

(Secretary reads title of bill)

2266, by Senators Luft and Schuneman.

(Secretary reads title of bill)

2267, by Senator Degnan.

(Secretary reads title of bill)

2268, by Senator Carroll.

(Secretary reads title of bill)

2269, Senator Topinka.

(Secretary reads title of bill)

2270, Senator Schuneman and J. E. Joyce.

(Secretary reads title of bill)

2271, Senator Savickas.

(Secretary reads title of bill)

2272, by Senator Schuneman, Rupp and others.

(Secretary reads title of bill)

2273, by Schuneman, Philip and others.

(Secretary reads title of bill)

2274, by Senator Donahue, Jerome Joyce and others.

(Secretary reads title of bill)

2275, by Senator Rupp, Schuneman and others.

(Secretary reads title of bill)

2276, by Senators Barkhausen, Philip, Weaver and others.

(Secretary reads title of bill)

2277, by Senator Rupp, Schuneman and others.

(Secretary reads title of bill)

2278, by Senators Rupp, Schuneman and others.

(Secretary reads title of bill)

2279, by Senator Topinka, Philip and others.

(Secretary reads title of bill)

2280, Senator Schuneman...Rupp and others.

(Secretary reads title of bill)

2281, Senator...Weaver and Philip.

(Secretary reads title of bill)

2282, by Senators Weaver, Philip and others.

(Secretary reads title of bill)

2283, by Senator Geo-Karis, Philip and others.

(Secretary reads title of bill)

2284, by Senator Etheredge, Philip and others.

(Secretary reads title of bill)

2285, DeAngelis, Philip and others.

(Secretary reads title of bill)

2286, Senator Keats, Philip and others.

(Secretary reads title of bill)

2287, Senator Geo-Karis and others.

(Secretary reads title of bill)

2289, Senator Kustra, Barkhausen and others.

(Secretary reads title of bill)

2290, Senator Smith.

(Secretary reads title of bill)

2291, by Senator Karpiel, Rock, Philip and others.

(Secretary reads title of bill)

2292, by Senator Karpiel, Rock, Rupp and others.

(Secretary reads title of bill)

2293, by Senator Geo-Karis...Marovitz and others.

(Secretary reads title of bill)

2294, Senator Karpiel, Rock and others.

(Secretary reads title of bill)

2295, by Senators Kustra, Marovitz, Karpiel and others.

(Secretary reads title of bill)

2296, by Senator Kustra, Rock and others.

(Secretary reads title of bill)

2297, Senator Demuzio.

(Secretary reads title of bill)

2298, by Senators Karpiel, Rock and others.

(Secretary reads title of bill)

2299, Senator Luft.

(Secretary reads title of bill)

2300, by Senators J. E. Joyce, Demuzio, Keats and others.

(Secretary reads title of bill)

2301, by Senators J. E. Joyce, Demuzio and others.

(Secretary reads title of bill)

...2302, by Senators Watson, Dunn and others.

(Secretary reads title of bill)

2303, by Senator Davidson.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR LUFT)

Rules Committee. Further business? If not, the Senate stands adjourned till Tuesday at noon, the fifteenth of April.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

April 15, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this afternoon by the Reverend Eugene Weitzel, Director of Chaplains, St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, April the 2nd, 1986 and Thursday, April the 3rd, 1986.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

Heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading the approval of the Journals of Tuesday, April 18th; Wednesday, April 9th; Thursday, April 10th and Friday, April 11th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion car-

ries and it's so ordered. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 808, by Senator Topinka.

809, by Senator Lemke.

810, by Senators Hall, Rock and all Senators.

811, by Senator Geo-Karis.

812, by Senator Smith, Chew, Jones, Hall, Newhouse and Collins.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 813 offered by Senators...Lemke, Berman, Welch and Rock.

And 814, by Senators Holmberg, Berman, Rock, Zito, Chew and Lemke.

PRESIDENT:

Executive. Senator Hudson, for what purpose do you arise, sir?

SENATOR HUDSON:

Thank you, Mr. President. For the purpose of an introduction.

PRESIDENT:

That is in order.

SENATOR HUDSON:

It's my pleasure...Ladies and Gentlemen of the Senate, it is my pleasure to introduce a group and I have to consider them one of our most faithful visitors to our Chambers. Each year their teacher, Mr. Tom Fletcher, brings this group down so that they can visit and view the activities of the House and Senate. They represent the eighth grade class from the Thompson Junior High School...Thompson Junior High in Oswego, and these young people are all honor students in the history and government class at Thompson Junior High. Will you help

AB 1687 motion to table

me greet them at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise. Welcome to Springfield. All right. Resolutions.

SECRETARY:

Senate Resolution 815 offered by Senator Jeremiah Joyce, it's congratulatory.

Senate Resolution 816, by Senator Dunn, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I move to...to Table Senate Bill 1687. It was inadvertently drafted and improperly drafted with substance that I am diametrically opposed to and was submitted by staff without my knowledge. Therefore, I would move to Table Senate Bill 1687 and the substantive language will be in Senate Bill 2074 that I am in favor of and...and am the chief sponsor of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, Senate Bill 1687 is in the Rules Committee? Senator Marovitz moves to discharge the Rules Committee from further consideration of Senate Bill 1687 for the purpose of Tabling. Is leave granted?...all in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1687...Senator Marovitz now moves...to Table Senate Bill 1687. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1687 is Tabled. On the Calendar, page 2, Secretary's Desk Resolutions. Page 2 on your Calendar, Secretary's Desk Resolutions. If any member wishes to have their resolution called, now is the time. Senate Resolution 133, Senator...Senator Rock. Senate Resolution 347. Senate Resolution 411, Senator Kustra.

Senator Kustra. Senator Kustra, we are on page 2 of the Calendar, Secretary's Desk Resolutions, Senate Resolution 411. Senate Resolution 435, Senator Vadalabene. Senate Resolution 514, Senator Lemke. Senate Resolution 551, Senator Watson. Senator Watson on the Floor? 624, Senator Netsch. Senate Resolution 691, Senator Collins. All right. Senate Resolution 691, bottom of page 2. Senator Collins. Senator Collins, I am told there's an amendment for this resolution, is that correct?

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please? Senator Collins.

SENATOR COLLINS:

Yes, Amendment No. 1 to Senate Resolution 691 was suggested by the...by the committee and...and what it does, it simply adds...rather than a cochair, two cochairmens in a efforts to make this...this whole committee review process of the status of...of health in the State of Illinois a nonpartisan issue. And also the amendment includes to the bill HMO's in general and not just those in relationship to indigent health care in the State of Illinois, and I would ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins has moved the adoption of Amendment No. 1 to Senate...Resolution 691. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Secretary's...all right. Senator Collins, you wish to proceed on Senate Resolution 691 now? Senator Collins. All right. Senate Resolution 695, Senator Dawson. Page 3...page 3 on your Calendar, Senate Resolution 736, Senator Lechowicz. House Joint Resolution 40, Senator Darrow. All right. Top of page 3 is House Joint Resolution 40. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Joint Resolution 40 urges Congress to revise the Hill-Burton formula to allow Illinois to receive its fair share of funding for services to the disabled. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Darrow has moved the adoption of House Joint Resolution 40. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 40 is adopted. House Joint Resolution 65, Senator Lechowicz. Senator Lechowicz on House Joint Resolution 65, top of page 3. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave to bring that bill...the resolution back for an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, the Secretary does not have the...all right, do you...I'm sorry. All right. Senator Lechowicz requests leave of the Body to return House Joint Resolution 65 to the Order...all right, to have it...to have an amendment considered. Is leave granted? Leave is granted. Mr. Secretary, Amendment No. 1, House Joint Resolution 65.

SECRETARY:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 1 changes the reporting date from April of 1986 to November of 1986, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 1 to House Joint Resolution 65. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, do you wish to proceed?

SENATOR LECHOWICZ:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House Joint Resolution 79, Senator Rock. House Joint Resolution 80...no, wait a minute...79? House Joint Resolution 79. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 79 sent over by Representatives LeFlore, Madigan and Daniels memorializes Congress to extend the Emergency Veterans' Job Training Act. I know of no opposition, I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Can we have some order, please? Senator Vadalabene.

SENATOR VADALABENE:

Yes, at the proper time, I would like to go with Senate Resolution 435.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh,...we'll get...we'll get back to it. Further discussion? Senator Rock has moved the adoption of House Joint Resolution 79. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 79 is adopted. House Joint Resolution 80, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 80 also sent over by Representatives LeFlore, Madigan and Daniels, again memorializes the 99th Congress to vote favorably and pass House Resolution 1458, an amendment to the Internal Revenue Code to extend again the...the deduction allowance for expenses incurred in removing architectural and transportation barriers for the handicapped and the elderly. Again, I know of no opposition, I would solicit a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Rock has moved the adoption of House Joint Resolution 80. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 80 is adopted. House Joint Resolution 104, Senator Luft. House Joint Resolution 128, Senator Berman. Senator Berman, House Joint Resolution 1-2-8.

SENATOR BERMAN:

Thank you, Mr. President. House Joint Resolution 128 calls on the Chicago Board of Education to provide transportation service for children involved in the Permissive Transfer Program to be picked up and dropped off at their homes. The preamble and whereas clauses states the problems as far as the safety that is not presently accorded to these children. They're passed out without dissent out of the committee, I move the adoption of House Joint Resolution 128.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Berman has moved the adop-

tion of House Joint Resolution 128. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 128 is adopted. Senate Joint Resolution 74, Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Senate joint resolution urges Congress to oppose the closing of Great Lakes Naval Base as well as the O'Hara Air Force Base. It basically reads just exactly that way. I don't know of any opposition, would encourage its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Topinka has moved the adoption of Senate Joint Resolution 74. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 74 is adopted. Senator Vadalabene, when we get finished through here, we'll come right back to you. Okay, Senate Joint Resolution 101, Senator...Senator Rock. Senate Joint Resolution 103, Senator Davidson. All right. Senate Joint Resolution 103, the bottom of page 3, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the resolution we passed every year for a number of years, appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Davidson moves the adoption of Senate Joint Resolution 103. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 103 is adopted. 117, Senator Rock. Page 4...page 4 on your Calendar, Senate Joint Resolution 1164, Senator Jerome Joyce. Oh, I beg your pardon...all right. All right. With leave of the Body, we'll return to pick up Senator Vadalabene's resolution. Senator, that's Senate Resolution 435? Page 2, Senate Resolution 435. Sena-

tor Vadalabene.

SENATOR VADALABENE:

Yes, Senate Resolution 435 calls on the director of Conservation to officially change the name of Horseshoe Lake in Madison County to Karandjeff Lake. This is not the Horseshoe Lake in Southern Illinois. It passed out of the committee unanimously and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Vadalabene moves the adoption of Senate Resolution 435. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House...or Senate Resolution 435 is adopted. Senator Collins indicates that she is prepared to go on Senate Resolution 695, Mr. Secretary, if you can find that one...691, 6-9-1. Page 2...bottom of page 2 is Senate Resolution 691. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Resolution 691 creates a special task force to study and to take a look at the quality and accessibility of health care in the State of...Illinois as a result of the Federal cutback and our efforts in the Legislature to reduce hospital cost in the State of Illinois. And it also includes under the amendment we put on today HMO's and prefer provider...service organization. So I would ask for favorable adoption of this amendment. It is a statewide problem and we would like to make it a...bipartisan issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? This will, in fact, Senator Collins, require a roll call. Senator Collins moves the adoption of Senate Resolution 691. Those in favor will indicate...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 47, the Nays are none, none voting Present. Senate Joint...Senate Resolution 691 is adopted. Senator Netsch, while we're on this order of business, do you wish to proceed with an amendment on 624? Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Yes, I didn't want to call the resolution today, Mr. President, but there is an amendment. Why don't I get that on and we'll get it cleaned up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, there is a committee amendment as well as a Floor amendment.

SENATOR NETSCH:

I am advised by staff that it is the same amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to Senate Resolution 624 to accommodate Senator Netsch who was obviously late arriving. Senate Resolution 624, at the bottom of page 2, Senator Netsch on Amendment No...1.

SECRETARY:

Executive Committee offers Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch.

SENATOR NETSCH:

Thank you. This is a purely technical amendment. It corrects misspellings, it corrects capitalization and matters of that sort. It has no substantive effect at all and I would move the adoption of Amendment No. 1 to Senate Resolution 624.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Netsch moves the adoption of Committee Amendment No. 1 to Senate Resolution 624. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee...Committee

Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Secretary's Desk, it will repose there. Any other member wish at this time to proceed with their resolution? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. If no other member wishes to...to proceed on that order of business, I'd like leave of the Body to move to the Order of Senate Bills 2nd Reading. There was a lengthy amendment that was offered and adopted at my request in committee. A number of people interested in this legislation wish to have access to the amendment. The only way we can get it printed is to get it adopted and then we'll work off the amendment. I agreed in committee to hold the bill and I will do so for the next week or ten days while everybody has an opportunity to get the printed copy of the amendment and any refinements that are needed, I'd be happy to call it back for that purpose. So...if we could have leave to go to that order, I'd like to get that amendment on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will go to top of page 2, Senate bills 2nd reading. Is...leave granted? Leave is granted. Page 2 is Senate Bill 1491, Mr. Secretary.

SECRETARY:

Senate Bill 1491.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 which I offer for adoption does four or five things. This...this bill and this amendment are...attempted to address the difficulty that we incurred with respect to school and day-care employees and their obligation under the Child Abuse, Neglect and Reporting Act. The Department of Children and Family Services and the Illinois Education Association are in favor of this amendment, and I agreed with all members of the committee that I would hold the bill and I intend to do that, but I want to get it printed so that everybody has got access to it. This addresses the problem of the obligation of school and day-care employees to be part of the class that are required to report instances of child abuse and neglect, and it...it forecloses, I think, the discussion about the necessity or desirability of any fingerprinting or any other background checks. It puts some additional obligations on the department which they are willing to accept. I know of no serious opposition and I would urge the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator rock has moved the adoption of Committee Amendment No. 1 to Senate Bill 1491. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has indicated he wanted this bill held on 2nd reading after the adoption of the amendment. 2nd reading. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, Mr. President. I would move to discharge the Committee on Rules from further consideration of Senate Bill 1600 for the purpose of Tabling the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Marovitz moves to discharge the Committee on Rules from further consideration of Senate Bill 1600 for the purpose of Tabling. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1600 is discharged from Rules. Senator Marovitz now moves to Table Senate...Senate Bill 1600. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 1600 is Tabled. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Three things, I would like to be shown as...sponsor, I've talked to the lead sponsors of both of these bills, Senate Bill 2162 and Senate Bill 2163...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard...you've heard the request of Senator Hall. He wishes to be added as a hyphenated cosponsor to Senate Bills 2162 and 2163. Is leave granted? Leave is granted. So ordered. Senator Hall.

SENATOR HALL:

I would...also like to...the record to show that Senator Newhouse is absent today because of legislative business, so

the record will so reflect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will indicate.

SENATOR HALL:

Also...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...also, Appropriations II will start promptly at the time scheduled unless we run past this time which is 2:00 p.m.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR HALL:

Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Mr. President, I move that the Senate resolve itself into an Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of January 9th, 1986; February 10th, 1986; March 5th, 1986 and April the 2nd, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz, we have to read the report in. Mr. Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration which was referred the Governor's Messages of January the 9th, 1986; February the 10th, 1986; March the 5th, 1986 and April the 2nd, 1986, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved that the Senate...resolve itself into a...the Committee of a Whole. Is leave granted? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of April 2nd, 1986, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be director of the Illinois Department of Alcoholism and Substance Abuse for a term expiring January 19th, 1987, William T. Atkins of Edwardsville.

To be a member of the Illinois Liquor Control Commission for a term expiring February 1st, 1992, Irving Koppel of Skokie.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of March 5th, 1986, I'll read the salaried appointments to which

the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the director of the Department of Commerce and Community Affairs for a term expiring January 19th, 1987, Jay Hedges of Springfield.

To be a commissioner of the Illinois Commerce Commission for a term expiring January 21st, 1991, Raymond Romero of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Geo-Karis, I think you're pushing the wrong button. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of February 10th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a commissioner of the Illinois Commerce Commission for a term expiring January 18th, 1988, Paul Foran of Danville.

To be the small business utility advocate of the Illinois Commerce Commission for a term expiring January 21st, 1991, William Shepherd of Wilmette.

To be the director of the Department of Mental Health and...Developmental Disabilities for a term expiring January 19th, 1987, Ann Kiley of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you please put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will indicate...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of January 9th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be chairman of the Illinois State Labor Relations Board for a term expiring January 22nd, 1990, William Brogan of Oak Lawn.

To be a commissioner of the Illinois Commerce Commission for a term expiring January 21st, 1991, Calvin Manshio of Chicago.

To be the public counsel for the Illinois Commerce

Commission for a term expiring January 21st, 1991, Stephen Moore of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you please put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present...a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of April 2nd, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Carnival Amusement Safety Board for a term expiring January 17th, 1989, Norbert Meyer of Evergreen Park; Robert Driskill of Blue Island.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1988, Alfred Clementi of Arlington Heights.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1992, Warren Tuttle of Harrisburg.

To be a member of the Waukegan Port District Board for a term expiring on May 31st, 1991, Robert MacGruder of

Waukegan.

To be a member of the Illinois Health Care Cost Containment Council for a term expiring September 5th, 1987, Rand Wortman of Belvidere.

To be a public administrator, guardian and conservator for Macon County for a term expiring December 4th, 1989, William Mattson of Decatur.

To be the public administrator, guardian and conservator for Bureau County for a term expiring December 4th, 1989, Robert H. Shultz of Walnut.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on...one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right, you've heard the motion of Senator Lechowicz. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate arises from Executive Session. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. While there's a lull,

I'd like leave to be added as a joint sponsor to Senate Bill 2162 and 2163.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Jones to be added as a cosponsor of Senate Bills 2162 and 2163. Is leave granted? Leave is granted. So ordered. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. I've talked to the sponsors and I would like to be added as joint hyphenated sponsor on these three bills: Senate Bill 2165, Senate Bill 2168 and Senate Bill 2100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Holmberg to be added as a hyphenated cosponsor of Senate Bills 2165, Senate Bills 2168 and Senate Bill 2100. Is leave granted? Leave is granted. So ordered. Resolutions.

SECRETARY:

Senate Resolution 817 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As Senator Hall indicated, Appropriations Committee...or Senator Carroll indicated, Appropriations Committee will meet promptly at two, Rules Committee will meet in the President's Office at three and so I would, if there's no further business, move that we stand adjourned until noon tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Mr. President, I ask leave of the Body to be...to be

added as a joint sponsor to Senate Bill 1554, I've received permission from the lead sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Dudycz to be added as a hyphenated cosponsor of Senate Bill 1554. Is leave granted? Leave is granted. So ordered. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Ask leave to be added as a hyphenated joint sponsor to 2178 and Senate Bill 2182.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bills 2178 and 2182. Is leave granted? Leave is granted. Further business to come before the Senate? Senator Rock moves that the Senate stands adjourned till Wednesday, April the 16th, at the hour of noon. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 16, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery would please rise. Prayer today will be by the Reverend Anthony Tzortzis of the St. Anthony's Hellenic Orthodox Church in Springfield. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of...reading of the Journal.

SECRETARY:

Tuesday, April the 8th, 1986 and Wednesday, April the 9th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as placed by Senator Vadalabene. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have. It's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Thursday, April 10th; Friday, April 11th and Tuesday, April 15th, in the year 1986, be postponed pending arrival of the printed journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion placed by Senator Vadalabene. Indicate by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President — I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption in which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 168 and House Joint Resolution 170, and they are congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Committee reports.

SECRETARY:

The Rules Committee met at 3:00 p.m. on Thursday, April the 14th, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bills 1556, 1594, 1629, 1630, 1631, 1632, 1633, 1634, 1699, 1729, 1838, 1862, 1958, 1983, 1984, 1985, 1992, 1993, 1998, 2000, 2001, 2002, 2017, 2018, 2019, 2020, 2025, 2037, 2038, 2039, 2046, 2056, 2053, 2054, 2061, 2068, 2069, 2081, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2099, 2107, 2136, 2137, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2269, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2291, 2292, 2293, 2294, 2295, 2296, 2298, 2302.

Senator Netsch, chairman of the Committee on Revenue, reports out Senate Bill 1709 with the recommendation Do Pass.

Senator Netsch, chairman of the Committee on Revenue, reports out...same message.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

The following resolutions are either congratulatory or

commendatory.

Senate Resolution 818, Senator Rock and all Senators.

819, Senator Kustra.

820, Senator Kustra.

821, Senator Hall, Rock and all Senators.

822, Senator Woodyard and all Senators.

Senate Joint Resolution 137, Senators Weaver, Keats, Vadalabene, Fawell, Hall and others.

And Senate Joint Resolution 138, Senator Woodyard and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Consent Calendar. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I am very pleased to tell the Senate today that we have in the President's Gallery four ladies who represent the Round Lake Area Library District. We have Linda Kauffman, the treasurer, Carole Shook, the vice-president, we have Susan Thomas, the president, and we have Barbara Pfannkuche, the chief librarian. The Round Lake Area Library District represents five communities, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park and Hainesville. So, would you help me welcome our four visitors here today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests will...will...will rise. Welcome to Springfield. The gallery behind the President. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President. I would like to be shown

as a hyphenated sponsor of Senate Bill 2302.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request by Senator Vadalabene to be listed as a hyphenated cosponsor of Senate Bill 2203...2302, I'm sorry. You've heard the request. Is leave granted? Leave is granted. Senator...Senator Donahue. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Thank you, Mr. President. I, too, rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DONAHUE:

In the gallery on the other side of the aisle is a group of...Quincy school from St. Dominic's in Quincy, Illinois. I'd like to have them welcomed, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. Senator Woodyard, for what purpose do you arise?

SENATOR WOODYARD:

Thank you, Mr. President. I would cause leave to be added as a sponsor to Senate Bill 2027. I have checked with the chief sponsor of the bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Woodyard requests leave of the Body to be added as a cosponsor of Senate Bill 2027. Is leave granted? Leave is granted. It's so ordered. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Purpose of an announcement, Mr. President. I want to remind all members of the Senate...you have on your desk...and I see some of you are being healthy and eating the apple which been presented to you. Tomorrow is the Annual

Legislative Fitness Day testing sponsored by the Governor's Council on Health and Fitness and the Illinois Association of Health and Athletic Personnel. We would like all of you to participate, in the past years you have. If you're going to do the blood testing, you must have no food or no drink...from midnight on, that's why we're starting at 7:30 a.m if you want to do the blood test part of it; otherwise, just go ahead and do your normal routine and stop in and we'll be looking forward to seeing all of you there. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 167.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 823 offered by Senators Holmberg, Rock and all Senators. Congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. Chairman and members of the Senate. I stand on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SMITH:

Today seems to be librarian's day and from my area in

Chicago I'm proud to present to this august Body, Alex Boyd who is a PhD Assistant Commissioner of Chicago Public Library. Will you please stand when I call your name. Alice H. Scott who is a Deputy Commission of Library. We have Steven Cameron Newsome who is the curator from the Chicago Public Library. We have a Mamie Grady who is a part of the Chicago Library and we have Dorothy E. Lyles of the Chicago Library and we have Mary C. Mathews, a member of the Chicago Library. I'd like for them to stand and be recognized by this august Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome to Springfield. Resolutions.

SECRETARY:

Senate Resolution 824 and Senate Resolution 825, by Senator Topinka and they're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Mr. President, I'd like...leave of the Body and ask to be...a cosponsor to Senate Bill 1699, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Smith to be added as a cosponsor of Senate Bill 1699. Is leave granted? Leave is granted. It's so ordered. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I would like to be added as a cosponsor, please, on...hyphenated cosponsor on Senate Bill 1700 and Senate Bill 2100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Poshard to be added as a hyphenated cosponsor of Senate Bills 1700 and Senate Bill 2100. Is leave granted? Leave is granted. It's

so ordered. (Machine cutoff)...DeAngelis, for what purpose do you arise? All right. Can I have the attention of this Senate for a moment, please. Senate come to order. Senators Mahar and Senator Savickas have some special guests that they would like to introduce, if we can have some order please. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would like the members to join me in welcoming to our Chamber in Springfield the 1985-86 Mr. and Miss Junior Citizens of the Year. They are Adolph Schwartz from the Village of Burbank and Elizabeth Johnson from the Village of Alsip. They have a few remarks.

MR. ADOLPH SCHWARTZ:

(Remarks made by Mr. Adolph Schwartz)

MISS ELIZABETH JOHNSON:

(Remarks made by Miss Elizabeth Johnson)

SENATOR SAVICKAS:

I would also like to introduce and have you acknowledge Adolph's parents. They're up in the gallery filming the procedure here, his mother and father, and acknowledge them for a wonderful job their young son did. And also Sandy Dorgan who's with Palos Bank and Trust Company and they are the sponsors of this program that gave the children the opportunity to be exposed to all of this. So, Sandy Dorgan, thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 826 offered by Senator Jeremiah Joyce. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, Senator Vadalabene, for what purpose do you arise? Can we have some order, please. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There'll be a Democratic Caucus immediately in Room 212. Room 212, immediately, a Democratic Caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Yes, sir, thank you, Mr. President. There'll be a Republican Caucus, Senator Philip's Office immediately following the adjournment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till tomorrow morning...all right, Senator Hall, for what purpose do you arise?

SENATOR HALL:

Mr. President, Ladies and Gentlemen of the Senate, today is the last day for...okay...going to change it from adjournment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Recess for how long? All right, the Senate will stand in Recess till the hour of one-thirty. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Just a reminder that the Appropriations I Committee will be meeting in Room 212 at two o'clock sharp. We will get started at exactly two. We have a lot of agencies on the calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Senate's at Recess till one...(machine cutoff)...

RECESS

AFTER RECESS

PRESIDENT:

Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I'm sorry to do this, Mr. President, but I would respectfully request another Democratic Caucus and I would like a show of hands of those who would join me.

PRESIDENT:

Well, we...we haven't got enough here to...we haven't got a corporal's guard here. Senator Hall has a motion of some importance. All right, the Senate will come to order. As Senator Carroll earlier announced, the Appropriations Committee will be meeting at two o'clock or immediately upon adjournment. We have only one item to deal with. Senator Marovitz has indicated that there will be an advisory council briefing at three o'clock here in the Senate Chamber. I had the opportunity earlier to meet with members of this council, and I would urge all of you who are otherwise not occupied to be at the briefing. It is very, very informative and something that's of great importance. It's on the Senate Floor. On the Calendar...if you turn to page 4 on the Calendar,...Rules Committee will meet at three-thirty so that we can take advantage of this briefing or at least most of it. Page 4 on the Calendar, on the Order of Item Vetoes...on the Order of Item Vetoes, Senate Bill 226, Mr. Secretary.

SECRETARY:

I...I move that the item on page 37, line 22 through 31 of Senate Bill 226 Do Pass, the Item Veto of the Governor to the contrary notwithstanding. Signed, Senator Kenneth Hall. It was...offered to me on April the 2nd, 1986.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief. I won't take a lot of your time. I want to thank all of you on both sides of the aisle which

allowed and helped to put on this 6.4 million for the cost of living for people to bring them up...of AFDC and GA recipients to bring them up to fifty-two percent of need. Now all that this does is it actually comes out to about forty cents a day. There are around nine hundred thousand people in this great State who are below the poverty level. Now, if you just think, out of a budget that we had of 19.5 billion dollars, if you had spent one thousand dollars every day since Christ walked upon this earth, one thousand nine hundred and eighty-six years ago, you would not have spent a billion dollars. Mr. President, may I have a little order, please? May I have a little order...there's a conference going on.

PRESIDENT:

Yes. If you'll lend the gentleman your attention, please.

SENATOR HALL:

Thank you. If you had spent a thousand dollars every day since Christ walked upon this earth, and I reiterate, you would not have spent a billion dollars. To make it even and drive it home closer to you, you could almost spend two and a quarter million dollars every day for a year and you would not spend a billion dollars. And just think, in this great State that we have a budget last Session of nineteen and one-half billion dollars. Can you imagine that we cannot find 6.4 million to give to the less fortunate and it comes out to forty cents a day? I just want to cite that and it's not pointing the finger at anybody. I think that all of you...if you'd just stop...and I'm not trying to play on anyone's conscience, but this is the right way to go and the right thing to do. Now with his Message, the Governor said and, I quote, he states that appropriations for such items...and I understand that everybody is for what they get in their own area, now when they cite all the other things like math and science

academy and State fairs, he calls this investments. For example, he calls the math and science academy an investment in our children's education. The Governor managed to invest in nearly everything but that. What I'm simply saying is this, the right, fair way for us to go is to at least see that out of that budget there's an additional four hundred million more supplementary that he got. I ask you and I plead to you to override this veto. It takes thirty-six votes and it's the right way to go. Just think, people who get two to three hundred dollars a month and many of the people are walking the streets. I know we don't want to see that happen. So, with that, Mr. President and Ladies and Gentlemen of the Senate, I simply ask for an affirmative vote to override the Governor's veto.

PRESIDENT:

All right, Senator Hall has moved that the item on page 37, lines 22 through 31 pass, the item veto of the Governor to the contrary notwithstanding. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to make clear to everyone on the Floor what it is that we're being asked to vote on. This is...as been pointed out by Senator Hall, this calls for the cost of living adjustment for public aid. As the Senator has pointed out, it is...an expenditure on the order of six million dollars for the present fiscal year. What also needs to be said is that it represents an automatic increase in State spending for FY '87 of twenty-five millions of dollars. We are...in that twenty-five million dollars, I don't need to tell anybody here is not there. We are now going through the appropriations process. Just yesterday afternoon in Appropriations II, Senator Carroll pointed out that it is...it may very well be necessary for us to...to trim our budgets in

education possibly or in other areas to the tune of perhaps three...three hundred million dollars or more in order to continue to...to fund programs that we've already committed ourselves to. This is not the time to be in further increasing...making further programmatic commitments. I would ask that you vote No.

PRESIDENT:

Any further discussion? Further discussion? Senator Hall, you wish to close?

SENATOR HALL:

Thank you, Mr. President. Senator Etheredge, I want to thank you for calling that to my attention and I got the opportunity to also say that out of that four hundred million dollars additional money that we put...and he talks about public aid, do you realize that the Department of Public Aid is going to lapse eighty million dollars? Eighty million dollars, the Department of Public Aid is going to lapse, money that we gave them, and you say that we cannot give 6.4 million. Well, I'm appalled and I know when you think and ponder on this thing...and I call it to your attention again, the Department of Public Aid is lapsing eighty million dollars. Now, if they cannot find 6.5 million...again, I ask for your affirmative vote on this override.

PRESIDENT:

Question is, shall the item on page 37, lines 22 through 31 of Senate Bill 226 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 27 Nays, none voting Present. And the motion fails. Senator Demuzio for what purpose do you arise?

SENATOR DEMUZIO:

Yes, on the Consent Calendar is Senate Resolution 818.

It is congratulatory and I'm told that there's some urgency to that and I would like to move to pass that as quickly as possible.

PRESIDENT:

All right, the gentleman seeks leave to go to the Order of Resolutions. On the Resolutions Consent Calendar for Senate Resolution 818, a congratulatory resolution that is to be presented, I think, this evening. That's the...without objection, leave is granted. Senator Davidson, for what purpose do you arise...on this...on 818?

SENATOR DAVIDSON:

Mr. President, I'd like to remind all members of the Senate again, as I did earlier, tomorrow is the day for the physical fitness check down in Room 114. Starts at seven-thirty. If you do want to participate in the blood screening test, remember no food or drink after midnight...before you go down there; otherwise, they'll be glad to see you any time from 7:30 a.m. to 2:00 p.m. Thank you.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 818. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Demuzio now moves the adoption of Senate Resolution 818. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate?...resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 827 offered by Senator D'Arco. It's congratulatory.

PRESIDENT:

Consent Calendar. Further business? Any announcements? If not, Senator Carroll moves that the Senate stand adjourned

until Thursday, April 17, at the hour of 9:00 a.m, nine o'clock tomorrow morning. We will be out of here pretty quickly, I hope. Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 17, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this morning by the Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

REVEREND KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, April 10th; Friday, April 11th; Tuesday, April 15th and Wednesday, April 16th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

Point of...point of personal privilege.

PRESIDENT:

State your point.

SENATOR DAVIDSON:

I'd like to introduce to the Senate the officers and advisors of the Illinois Association of Vocational and Industrial Clubs of America who are here in Springfield for the 22nd Annual Skilled Olympics. This is where they compete against each other in their own vocational and industrial talents. They are seated in the President's Gallery.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the...adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 173 and 174 and they are congratulatory.

PRESIDENT:

Consent Calendar. Committee reports.

SECRETARY:

The Rules Committee met at 3:00 p. m. on Wednesday, April the 16th, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bill 635, 636, 916, 1320, 1488, 1559, 1570, 1574, 1588, 1661, 1714, 1873, 1874, 1875, 1881, 1910, 1912, 1917, 1929, 1930, 1942, 1944, 1945, 1946, 1950, 1951, 1955, 1957, 1961, 1988, 2044, 2057, 2078, 2082, 2088, 2100, 2109, 2116, 2117, 2135, 2143, 2145, 2151, 2154, 2155, 2156, 2157, 2158, 2159, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2271, 2300, 2301.

Senator Savickas, chairman, Assignment of Bills Committee, assigns the following Senate Bills to committee:

Agriculture, Conservation and Energy - 1588, 1929, 2109, 2117, 2197, 2198, 2205, 2207 and 2211; Appropriations I - 2156; Elementary and Secondary Education - 1574 and 2164; Higher Education - 2167; Elections and Reapportionment - 1961 and 2082; Executive - 1917, 1930, 1983, 1984, 1998, 2061, 2078, 2145, 2274, 2281, 2284, 2285, 2286, 2287 and 2288; Finance and Credit Regulations - 2116, 2136, 2300 and 2301; Insurance, Pensions and Licensed Activities - 1556, 1661, 1699, 1729, 1881, 1910, 1944, 1955, 1958, 1985, 1988, 2000,

2001, 2002, 2044, 2052, 2053, 2054, 2068, 2069, 2081, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2099, 2107, 2135, 2143, 2190, 2195, 2201, 2202, 2203, 2204, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2271, 2272, 2273, 2275, 2276, 2277, 2278, 2279 and 2280; Judiciary I - 1488, 1570, 1594, 1629, 1630, 1631, 1632, 1633, 1634, 1838, 1875, 1957, 2017, 2019, 2046, 2165, 2196, 2269 and 2283; Judiciary II - 1942, 2282, 2291, 2292, 2293, 2294, 2295, 2296 and 2298; Labor and Commerce - 1714, 2137, 2166, 2206, 2208, 2209 and 2210; Local Government - 2154, 2155, 2157, 2158, 2159 and 2302; Public Health, Welfare and Corrections - 1862, 1945, 1946, 1992, 1993, 2020, 2025, 2162, 2163, 2164, 2191, 2192, 2193, 2194, 2199, 2212; Revenue - 1912, 1951, 2037, 2038, 2039, 2100, 2151 and 2289; Transportation - 1559, 1873, 1874, 1950, 2018 and 2057.

PRESIDENT:

Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you...thank you, Mr. President. I would ask for leave to have Senator Woodyard added as a hyphenated cosponsor on Senate Bill 1848.

PRESIDENT:

44?

SENATOR BERMAN:

1848.

PRESIDENT:

1848. All right. Gentleman seeks leave to have Senator Woodyard shown as the cosponsor on Senate Bill 1-8-4-8, 1848. Without objection, leave is granted. (Machine cut-off)...reports. Senator Hall, for what purpose do you seek recognition?

SENATOR HALL:

Thank you, Mr. President. I would like to...the record

to show that Senator Chew is absent today, Thursday, 4-17, on legislative business.

PRESIDENT:

All right. The record will so reflect. Thank you, Senator. With leave of the Body, the Illinois Information Service has requested leave to film, I guess they're up in the President's Gallery. If there's no objection, leave is granted. Committee reports, Mr. Secretary.

SECRETARY:

The Rules Committee met at 9:00 a. m. on Thursday, April the 17th 1986. The following bills were unanimously recommended for...referral to the Committee on Assignment of Bills:

Senate Bill 1492...excuse me, 1529, 1551, 1563, 1564, 1589, 1601, 1671, 1805, 1845, 1925, 1935, 1937, 1972, 2003...2035, 2058, 2076, 2077, 2108, 2180, 2182, 2185. Signed, Senator Philip Rock, Chairman.

Senator Savickas, chairman of Assignment of Bills Committee...assigns the following Senate bills to committee:

Agriculture - 1925; Elementary and Secondary Education - 2035; Executive - 1805, 1972 and 2058; Insurance, Pensions and Licensed Activities - 2108; Judiciary I - 1589, 1935, 2185; Judiciary II - 1845, 2003; Labor and Commerce - 1671, 2180; Local Government - 1492; Public Health, Welfare and Corrections - 1529, 1563, 1564, 2076, 2077, 2182; Revenue - 1551; Transportation - 1601.

PRESIDENT:

Resolutions. The Resolutions Consent Calendar has been distributed. Mr. Secretary, any objections to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. If not, Senator Vadalabene will move the

adoption of the Resolutions Consent Calendar. Senate Resolution...808, 809, 810, 811, 812, 815, 816, 819, 820, 821, 822, 823, 824, 825, 826, 827, Senate Joint Resolution 137, Senate Joint Resolution 138, House Joint Resolution 167, 168, 170, and House Joint Resolution 173 and 174. Any discussion? If not, Senator Vadalabene moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 139 offered by Senator Luft.

PRESIDENT:

Senator Luft.

SECRETARY:

(Secretary reads SJR 139)

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the adjournment resolution as filed with the Secretary, be adopted.

PRESIDENT:

All right. Senator Luft has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 139. It calls for us to return to Springfield next Tuesday at one o'clock...next Tuesday at one o'clock. Senator Philip and I have called a Rules Committee meeting for eleven o'clock on Tuesday. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now moves the adoption of Senate Joint Resolution 139. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, Mr. President and members of the Senate, I would move at this time to suspend the appropriate posting requirements to allow all the committees to post through noon on Friday so that we can hear these bills that have just been assigned.

PRESIDENT:

All right. Senator Savickas has moved to suspend the rules to waive the posting requirements and afford the committees the opportunity to post for next week's committees through Friday. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Lechowicz, for what purpose do you seek recognition, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. For the purpose of an announcement. JCAR will meet immediately after we adjourn today in Room A-1, Stratton Building. Thank you.

PRESIDENT:

All right. JCAR meets immediately upon adjournment. Any further business to come before the Senate? Senate Rules Committee will meet next Tuesday at eleven o'clock. We go into Session at one o'clock. The next two weeks will be fun-filled, be ready. Any further business to come before the Senate? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Did we read in two...reports or rules today?

PRESIDENT:

Yes, sir.

SENATOR WEAVER:

Both reports.

PRESIDENT:

Yes, sir.

SENATOR WEAVER:

Thank you.

PRESIDENT:

Any further business? If not, Senator Savickas moves that pursuant to the adjournment resolution the Senate stand adjourned until next Tuesday, the hour of one o'clock. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

April 22, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of one having arrived, the Senate will come to order. The members will be at their desks. Our...wait just momentarily until we have a class that comes in. Guests in the gallery will please rise. Our prayer today will be by the Reverend Eugene Weitzel, Director of Chaplains, St. John's Hospital, Springfield. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Vadalabene...reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Thursday, April 10, 1986; Friday, April 11, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Vadalabene. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, April 15th; Wednesday, April 16th and Thursday, April 17th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as...as...posed by Senator Vadalabene. Those in favor indicate by saying Aye.

Opposed Nay. The Ayes have it. So ordered. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 828, by Senators Donahue and all members of the Senate.

Senate Resolution 829, Senator Lemke.

Senate Resolution 830, Senator Mahar.

Senate Resolution 831, Senator Mahar.

And Senate Joint Resolution No. 140, by Senator DeAngelis, all congratulatory resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

The Rules Committee met at 11:00 a.m., Tuesday, April 22, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bill 1471, 1475, 1517, 1521, 1533, 1548, 1565, 1576, 1577, 1580, 1615, 1641, 1673, 1734, 1735, 1780, 1798, 1799, 1809, 1814, 1825, 1826, 1832, 1861, 1915, 1934, 1954, 1963, 1971, 1981, 1991, 1997, 2006, 2008, 2024, 2051, 2070, 2074, 2084, 2085, 2086, 2123, 2129, 2141, 2142 and 2255. Signed, Philip J. Rock.

Senator Savickas, the chairman of the Committee on Assignment of Bills, reports the following assignments:

To the Committee on Agriculture - Senate Bill 1915 and 2255; Committee on Appropriations I - Senate Bill 1734 and 1826; Appropriations II - ...Senate Bill 1825; Committee on Elementary and Secondary Education - Senate Bill 1517, 1521, 1548,...1615, 1799, 1809, 1861, 1974, 1991 and 2142; Committee on Executive - Senate Bill 1475, 1735, 1934, 1981; Committee on Finance - Senate Bill 2084 and 2086; Committee on Higher Education - 1471; Committee on Insurance, Pensions and Licensed Activities - Senate Bill 1580, 1641, 1832, 2024, 2051 and 2141; Committee on Judiciary I - Senate Bill 1963, 2129; Committee on Judiciary II - Senate Bill 1565, 1576,

1577, 2006 and 2008; Committee on Local Government - Senate Bill 1814; Committee on Public Health, Welfare and Corrections - Senate Bill 1533, 1780, 1954 and 2074; Committee on Revenue - Senate Bill 2123; Committee on Transportation - Senate Bill 1673, 1798 and 1997.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel, for what purpose do you arise? Can we have some order, please?

SENATOR O'DANIEL:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR O'DANIEL:

I have fifty-five students from the seventh and eighth grade from Bethal Grade School in Jefferson County along with their superintendent, Kenneth McKinsey and their other instructors, and I'd like...instructors and I'd like for them to stand for recognition. They're in the...in the gallery to...in the rear to my right. Would you please stand...

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery please rise. Welcome to Springfield. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 832 offered by Senator...Nedza and all members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, can we have some order, please? Senator Schaffer. Can we have some order, please? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR NEDZA:

...thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...

SENATOR NEDZA:

Thank you, Mr. President. Leave to read this resolution.

(Senator Nedza reads resolution)

Senator Savickas, not only for myself but I think for everyone else, the best of luck.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, I have a question of Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Is it correct to assume that the bride's last name is Italian?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

It would be a presumption on my part to take any lettering of any name, any symbolism, I...the name is spelled P-o-l-i-n-o, could be Polish, it could be Italian, could be Sicilian, it could be Baraez it could be Calabrese, but...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I do believe she is Italian and I would like to point out to this Body that whenever a non-Italian marries an Italian, we...we have a term for it, it's called social climber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. I congratulate Senator Savickas. The only thing that bothers me, I didn't know he was eligible or I would have run first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza moves for the...to suspend the rules for the immediate consideration and adoption of Senate Resolution 32. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Nedza now moves adoption of Senate Resolution 832, 8-3-2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senator...Senator Leitch.

SENATOR LEITCH:

A point of personal privilege. We have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR LEITCH:

...four guests from Peoria, Don and Jerry Houk and in honor of National Secretary's Week, Tammy Lauer and Carol Krug. I'd like to welcome them to the Chambers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If our guests in the galleries would please rise. Welcome to Springfield. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit;

House Bill 681, 2590 and 2725.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right. 1st reading...1st reading.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution:

Senate Joint Resolution 139, together with the following amendment, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit;

House Amendment No. 1 to Senate Joint Resolution No. 139.

Adopted by the House, April 17th, 1986. John F. O'Brien, Clerk of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Amendment...Amendment No. 1 to Senate Joint Resolution 139. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. For the purpose of announcement, sir. We'd like to just mention this seems to be the day of congratulations and we have such an event on this side of the aisle today also. My...my seatmate and...and dear friend Senator Laura Lou Kent-Donahue is today celebrating one of her birthdays, and I can only tell the Body that she, I believe, is now over thirty. I'd like the Body...ought to offer their congratulations to Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, congratulations, happy birthday. All right. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 833.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There...there is a...for the edification of the member-

ship, there is a resolution that was laid on the desk honoring Doctor Samuel Fluker, F-l-u-k-e-r. If the member would please identify his or herself as the sponsor, we'll be glad to proceed with it.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 141 offered by Senators Rock and Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Consent Calendar. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Purpose of announcement. Mr. President and members of the Senate, I'd like to bring to your attention, on your desk is a memo from me...there's a memo from me about the Governor's Prayer Breakfast which the members of the Legislature participate in each year. It will be Thursday, May the 8th, the Holiday Inn East at 7:30 a.m. The cost is seven dollars fifty cents per person, and would those of you who are going to attend please see me between now and May the 2nd to get your tickets, 'cause we do have reserve seating at the different tables down in the front area of the event space so that you will have a good seat and have an opportunity to meet other people that are participating in it. So please see me between now and May the 2nd, get your tickets, and I've got to say it's just like when you buy TV time, cash in advance. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Purpose of a request, Mr. President. I am requesting leave of the Body to be added as a hyphenated cosponsor of Senate Bill 1-5-5-8, 1558. I have discussed this with the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Hudson to be added as a hyphenated cosponsor of Senate Bill 1558. Is leave granted? Leave is granted. So ordered. Senator Lechowicz, what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. I request that Senate Bill 2145, an appropriation bill to the Medical Center Commission, be switched from the Senate Executive Committee to the Senate Appropriations I Committee. It was routed there in error.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate Bill 2155?

SENATOR LECHOWICZ:

2145.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. Senator Lechowicz has moved that Senate Bill 2145 be discharged from the Committee on Executive and rereferred to the Committee on Appropriations I. Is...you've heard the request. Is...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senate Bill 2145 will repose in the Appropriations I. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, I'd like to ask leave to discharge the Rules Committee for the purpose of Tabling Senate Bill 1561.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved to suspend the rules for the...has moved to discharge the Rules Committee from further consideration of Senate Bill 1561 for the purpose of Tabling. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator...Topinka now moves to Table Senate Bill 1561. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have

it. Senate Bill 1561 is...is hereby Tabled. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Purpose of a request. I would like leave of the Body to be added as a hyphenated cosponsor to Senate Bill 1533, I've talked to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg seeks leave of the Body to be added as a cosponsor of Senate Bill 1533. Is leave granted? Leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like for the record to show that Senator Newhouse is absent today and tomorrow, he's in Dallas, Texas on the debate on health care. I'd like for the record to show.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. With leave of the Body, I would like to add Senator Barkhausen as a hyphenated cosponsor to Senate Bill 1913 of which I am the principal sponsor, and then I would like to make an announcement also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Netsch leaves...seeks leave of the...of the Body to add Senator Barkhausen as a hyphenated cosponsor of Senate Bill 1913. Is leave granted? Leave is granted. Senator Netsch.

SENATOR NETSCH:

Thank you. I would like to announce that the Economic and Fiscal Commission will meet at four o'clock today in Room 122-A in the Capitol Building, and the purpose of the meeting

is to review the HMO renewals and proposals which have recently been submitted to the Department of Central Management Services. Everyone is, of course, cordially invited to attend but members of the commission are urged to be there. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Two purposes, Mr. President, I would ask leave of the Body to be added as a principal hyphenated sponsor to Senate Bill 1699, I've checked with the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz seeks leave of the Body to be added as a hyphenated cosponsor of Senate Bill 1699. Is leave granted? Leave is granted. Senator Marovitz.

SENATOR MAROVITZ:

Also, for the members of the Judiciary II Committee, there will be a meeting of the Judiciary II Committee in Room 400. We will be taking a vote today on Las Vegas Nights, so Las Vegas Nights will be voted on in Judiciary II at three o'clock in Room 400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. Ask leave to have Senate Bill 2108 heard in the Insurance Committee at four o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones leave...seeks leave of the Body to suspend the posting rules so that Senate Bill 2108 can be heard in the Insurance Committee today. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The posting rules are suspended and Senate Bill 2108 will be heard today in the Insurance Committee. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1852 introduced by Senator Maitland and Berman was assigned by the Rules Committee to the...or the Assignment of Bills Committee to the Committee on Higher Education. It more properly should be in Elementary and Secondary Education, I would move to discharge Higher Education and reassign it to Elementary and Secondary,...1852.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Berman, 1852 is currently in Higher Education? All right. Senator Berman seeks...has moved to discharge the Committee on Higher Education from further consideration of Senate Bill 1852 that it might be referred to the Committee on Elementary and Secondary Education. Is there any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Committee on Higher Education is discharged from Senate Bill 1852 and it is rereferred to the Committee on Elementary and Secondary Education. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I would like to add Senator O'Daniel as a hyphenated sponsor of Senate Bill 1-5-9-6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Luft to add Senator O'Daniel as a hyphenated cosponsor to Senate Bill 1596. Is leave granted? Leave is granted. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Yes, Mr. President, I had thought that I was reflected as a joint sponsor of Senate Bill 2228. I had talked to Senator Kustra but it's not reflected in the Digest, and for the record, again, I would like to be listed as a sponsor on Senate Bill 2228.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Macdonald to be listed as a hyphenated cosponsor of Senate Bill 2228. Is leave granted? Leave granted. So ordered. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 833, by Senator Jones.

And Senate Joint Resolution No. 142, by Senator Dudycz, both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2304, by Senators Fawell, Philip and Karpiel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right. Further business to come before the Senate? Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2304, by Senators Fawell, Philip and Karpiel.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Rules. Any announcements? Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. I would like for the Digest to show on Senate Bill 2302 that it would read Watson-Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Vadalabene to...sponsorship of Senate Bill 2302 to be...Watson-Vadalabene. Is leave granted? Leave is granted. So ordered. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, just an announcement to remind everyone on the Executive Committee that we meet today at two o'clock in Room 212. We have a fairly, full agenda as you can see from the

Calendar and I'd appreciate prompt attendance so that we won't be working too late tonight. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock. Can we have some order, please? Senator Darrow.

SENATOR ROCK:

Thank you, Mr. President. The committee schedule this afternoon is rather heavy with Executive and Public Health at two o'clock, each of whom have a number of bills, and Judiciary II at three and Insurance at four. The Rules Committee will meet again tomorrow morning at 8:30 a.m. and we will commence the Session at nine so that we can afford the two committees that meet tomorrow morning an opportunity to be heard and afford the members the opportunity to properly observe the Passover Holy Day. Then we'll return to Springfield next Tuesday at one o'clock for a very, very full week of activity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till nine o'clock tomorrow morning, Wednesday, April the 23rd. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 23, 1986

PRESIDENT:

Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. The Chair will yield to Senator Donahue.

SENATOR DONAHUE:

It is my pleasure this morning to introduce Reverend Clyde Murphy of the Bethel Assembly of God Church in Quincy, Illinois, to do our prayer this morning.

REVEREND CLYDE MURPHY:

(Prayer given by Reverend Murphy)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that reading and approval of the Journals of Tuesday, April 15th; Wednesday, April 16th; Thursday, April 17th and Tuesday, April 22nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Marovitz, chairman of the Committee on Judiciary II, reports Senate Bill 1552 with the recommendation the bill Do Pass as Amended.

Senator Dawson, chairman of the Committee on Public Health, Welfare and Corrections, reports Senate Bill 1992, 1993, 2020, 2025, 2191, 2192, 2193, 2194 and 2199 with the recommendation the bills Do Pass.

Senate Bill 233 with the recommendation the bill Do Pass as Amended.

Senator Sangmeister, the chairman of the Committee on

Executive, reports Senate Bills 1502, 1581, 1624, 1805, 1917, 1983, 1984, 2274 and 2281 with the recommendation the bill Do Pass.

Senate Bills 1834, 1998 and 2001 with the recommendation the bills Do Pass as Amended.

Senate Bill 2284 with the recommendation the bill Do Not Pass as Amended

Senate Resolutions Noed. 765, 782, 787 and 804 with the recommendation the resolutions be adopted.

Senate Resolution 781 with the recommendation the resolution be adopted as amended.

Senate Joint Resolution No. 135 with the recommendation the resolution be adopted.

PRESIDENT:

Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President — I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution Constitutional Amendment, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution Constitutional Amendment No. 8. House Joint Resolution Constitutional Amendment No. 12.

PRESIDENT:

Executive.

ACTING SECRETARY: (MR. FERNANDES)

Mr. President — I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 175.

PRESIDENT:

Executive. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 834 sponsored by Senator Poshard...it's congratulatory...

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 835 offered by Senator Demuzio, Rock and all members. Congratulatory.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 144 offered by Senator...offered by Senator Luft.

(Secretary reads SR 144)

PRESIDENT:

All right, Senate Joint Resolution 144, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd move that we suspend the appropriate rules for the immediate consideration of the adjournment resolution.

PRESIDENT:

All right, Senator Luft has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 144, that is the adjournment resolution. When we conclude our business today, it calls for us to return to Springfield next Tuesday at the hour of one o'clock. Senator Luft has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 144. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now moves the adoption of Senate Joint Resolution 144. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is

SJR 22 C.A. 1st Reading

adopted. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Jones, chairman of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bill 1955, 1958, 2135 and 2143 with the recommendation the bills Do Pass.

Senate Bill 2108 with the recommendation the bill Do Pass as Amended.

PRESIDENT:

Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

ACTING SECRETARY: (MR. FERNANDES)

No objections have been filed.

PRESIDENT:

All right, no objections having been filed, the Resolutions Consent Calendar has been distributed and with leave of the Body, we'll add 834 and 835, two additional congratulatory resolutions. Senator Luft moves the adoption of the Resolutions Consent Calendar, Senate Resolution 828, 829, 830, 831, 833, 834 and 835; Senate Joint Resolution 140, Senate Joint Resolution 141 and Senate Joint Resolution 142. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The Consent Calendar is adopted. Messages from the House, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate, in the adoption of the following Joint Constitutional Amendment, to-wit:

Senate Joint Resolution Constitutional Amendment 22, together with the following amendment, in the adoption of which I am instructed to ask concurrence of the Senate...,to-wit:

House Amendment No. 1 to Senate Joint Resolution Constitutional Amendment No. 22.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd ask for the suspension...the appropriate rules for the immediate reading of the first time of Senate Joint Resolution 22 for...there was a House amendment put on it and it's necessary to read it three times in the Senate again.

PRESIDENT:

All right, the gentleman seeks leave of the Body to read House...Senate Joint Resolution Constitutional Amendment 22 having returned from the House with an amendment. Is leave granted? Leave is granted. Read the resolution, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 22 Constitutional Amendment.

(Secretary reads SJR No. 22 CA)

1st reading of the resolution as amended.

PRESIDENT:

All right, that will appear on the Calendar, Senator Davidson, on the Order of Constitutional Amendment 2nd Reading on Tuesday. All right, any further business to come before the Senate at this time? If I can have the attention of the membership, there are two committees scheduled to meet at 10:00 a.m. Agriculture will be meeting in Room 212 and Judiciary I will be meeting in Room 400. Senator Philip and I have discussed and we will ask that the Senate stand in Recess until the hour of two o'clock at which time the committee reports will be read in. There will be no roll calls taken at that point. So, effectively, we have...except for those of us who are on those committees, we have concluded our business and we look forward to four days next

week starting Tuesday at one o'clock. All right, Senate stands in Recess until the hour of two o'clock.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of two o'clock having arrived, the Senate will come to order. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

The Rules Committee met at 9:00 a.m. on Wednesday, April 23, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

Senate Bill 1049, 1514, 1666, 1704, 1705, 1706, 1728, 1804, 1841, 1854, 1855, 1856, 1857, 1858, 1913, 1920, 1931, 2022, 2040, 2042, 2047, 2087, 2101, 2104, 2105, 2106, 2169, 2170, 2171, 2173, 2177, 2200, 2231, 2232 and 2233. Signed, Philip J. Rock, Chairman.

Senator Jerome Joyce, chairman of the Committee on Agriculture, Conservation and Energy, reports Senate Bills 1588, 1783, 1837, 1925, 2117, 2197, 2198, 2205 and 2211 with the recommendation the bills Do Pass.

Senate Bills 1848 and 1929 with the recommendation the bills Do Pass as Amended.

Senator Lemke, chairman of the Committee on Judiciary I, reports Senate Bill 1488, 1570, 1838, 1875, 1957, 2017, 2019, 2165, 2196 and 2283 with the recommendation the bills Do Pass.

Senate Bill 1320 with the recommendation the bill Do Pass as Amended.

Senator Savickas, the chairman of the Committee on Assignment of Bills, reports the following assignments:

To the Committee on Agriculture, Conservation and Energy - Senate Bills 2231, 2232 and 2233; to the Committee on Appropriations I - Senate Bill 1841; Committee on Education,...Elementary and Secondary Education - Senate Bills

Noed. 1666, 1704, 1705 and 1804; Committee on Higher Education - Senate Bill 2085; Committee on Executive - Senate Bills 1854, 1855, 1856, 1857, 1858, 1913 and...1931 and 2040; Committee on Finance and Credit Regulations - Senate Bill 1514; Committee on Insurance, Pensions and Licensed Activities - Senate Bill 1728, 2070, 2087 and 2200; Committee on Judiciary I - Senate Bill 2106; Committee on Public Health, Welfare and Corrections - Senate Bill No. 1920, 2022, 2042, 2101 and 2105; to the Committee on Revenue - Senate Bill 1706, 2104, 2169, 2170, 2171, 2173 and 2177; the Committee on Transportation - Senate Bill 2047.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title:

Senate Bill 1244, together with the following amendments, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Amendments No. 2, 3 and 9 to Senate Bill 1244. Passed the House as amended April 23,...just a minute...passed the House as amended April 23, 1986. John F. O'Brien, Clerk of the House.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution:

Senate Joint Resolution No. 143, together with the attached amendments, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Amendment No. 1 to Senate Joint Resolution No. 143. Passed the House as amended April 23, 1986. John F.

O'Brien, Clerk of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft moves to...adoption of Amendment No. 1 to the...Senate Joint Resolution 143. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further business to come before the Senate? All right, Senator DeAngelis moves that the Senate stand adjourned until next Tuesday, April 29th, at the hour of one o'clock. Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

APRIL 29, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this afternoon by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND CASSIDY:

(Prayer given by Reverend Cassidy)

PRESIDENT:

Thank you, Father. Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Tuesday, April 15; Wednesday, April 16th; Thursday, April 17th; Wednesday, April...Tuesday, April 22 and Wednesday, April 23, 1986.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 836, by Senator Hall, President Rock and all members.

Senate Resolution 837, Senator Hall, President Rock and all members.

838, by Senator Jerome Joyce.

839, by Senator Geo-Karis.

840, by Senator Holmberg.

841, Senator Lemke.

842, Senator Davidson and all members of the Senate.

843, Senator Dudycz and all members of the Senate.

844, Senator Dudycz.

All congratulatory resolutions.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution 145 offered by Senator Welch.

PRESIDENT:

Executive. The Chair would like to announce that the report of the Compensation Review Board of the State of Illinois was filed in the Office of the Secretary of the Senate on April the 24th at 1:16 p. m. The Journal will reflect the fact of the filing, and under the law we have the appropriate amount of time with which to react. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A...a Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution Constitutional Amendment, to-wit:

Senate Joint Resolution Constitutional Amendment No. 11, together with the following amendment, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Amendment No.1 to Senate Joint Resolution No. 11. Passed the House April...as amended. Passed the House April 29, 1986. John F. O'Brien, Clerk of the House.

PRESIDENT:

All right. Mr. Secretary, let's hold that, I...Senator Vadalabene has not yet joined us. I'm sure he's going to have a appropriate motion. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 845 offered by Senators Lechowicz, Rock and all members.

846, Senators Lechowicz, Nedza and Lemke.

847, Senator Lechowicz, Rock and all Senators.

Two congratulatory and one death memorial.

PRESIDENT:

Consent Calendar. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

...yes, while there's a lull, I'd...I'd like to be added as a hyphenated cosponsor of Senate Bills 1981 and Senate Bills 1982. I have spoken with the sponsor.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of Senate Bills 1981 and 1982. Without objection, leave is granted. It's so ordered. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Apparently when we left here last Wednesday there was supposed to be a motion made to move a bill from Public Health into the Executive Committee and that didn't get done. So at this point, Mr. President, I would move to discharge Senate Bill 1533 from further consideration by the Committee on Public Health, Welfare and Corrections and ask that the bill be referred the the Committee on Executive.

PRESIDENT:

All right. The gentleman seeks leave to rerefer Senate Bill 1533 from the Committee on Public Health to the Committee on Executive. Is leave granted? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, hasn't this bill traditionally been heard in Public Health in past Sessions?

PRESIDENT:

...Senator Sangmeister.

SENATOR SANGMEISTER:

What?

PRESIDENT:

There was a question on your motion. Senator Weaver, repeat the question, please. Can we have some order, please.

SENATOR WEAVER:

...Mr. President, I think this bill has been heard in previous years in Public Health and I...I see no reason to change it into Executive.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, it was my understanding that this bill...this bill has not been heard in Public Health before and it was misassigned to Public Health and should have been in Executive. This bill has been introduced in the House the last several years and has always been heard in Executive Committee in the House.

PRESIDENT:

All right. Senator Macdonald, on this question?

SENATOR MACDONALD:

...yes, Mr. President. Senator Sangmeister, my problem with changing the bill at this particular point is that it has been posted in...the Committee on Public Health, and I'm the minority spokesman, as you know, and there has been a great deal of public interest. We've had...all the members have had a substantial number of telephone calls both for and against the bill and I just wonder, you know, if it's...if...if this serves the public well to change the bill at this particular point.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I was told by the representative of the Committee on the Assignment of Bills last week that it was going to be changed, and I could tell you it also has been posted in the

Executive Committee. Okay? So, our posting requirement has been met as far as that goes, and there was supposed to be a motion made after we left last Wednesday to move it into that committee and that motion never got done. But as far as posting is concerned, it is posted in the Executive Committee for today.

PRESIDENT:

Tomorrow. Senator Kustra, on this question?

SENATOR KUSTRA:

Thank you, Mr. President. I just wanted to add myself as a cosponsor of Senate Bill 1533 and I've talked to Senator Sangmeister. With leave of the Senate, I would ask permission to do so.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor of Senate Bill 1533. Without objection, leave is granted. All right. On Senator Sangmeister's motion to rerefer the Senate Bill 1533 from the Committee on Executive to Committee on Public Health, further discussion? Senator Sangmeister, you wish to make any further remarks?

SENATOR SANGMEISTER:

No, everybody that has been notified as witnesses on that bill have been told also to appear before the Executive Committee, it's the proper place for the bill and I ask for the motion to carry.

PRESIDENT:

All right. The gentleman has moved to rerefer the...Senate Bill 1533 from Public Health...from Executive...from Public Health to Executive for the purpose of hearing on Wednesday, tomorrow. Any objection? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to say because of the mental health budget, some other budgets, appropriations are going to be heard Thursday. I'd like to change the time to 9:30 a. m. instead of 10:00 a. m. That's a...we have...I've just been notified that there are going to be several hundred people in attendance and I think we ought to advance it one-half an hour. So, I'd like to give proper notice to everybody. Appropriations II will be Thursday, May the 1st, in Room 212 at 9:30 a. m.

PRESIDENT:

All right. If you take a look, top of Page 11 on the Calendar, I'll ask the Secretary to make the appropriate change. Appropriations II Committee, Thursday, May 1. Gentlemen, as the chairman has requested the committee begin at 9:30 a. m. instead of ten o'clock, nine-thirty instead of ten o'clock. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Mr. President, I...I think we...that this side had requested a roll call...on the...on Mr. Sangmeister's motion.

PRESIDENT:

Well,...Senator Philip, for what purpose do you arise? I...I didn't hear a request for a roll call, Senator Donahue...I

SENATOR PHILIP:

Thank you, Mr. President, I had the same request. I heard...the...the suggestion on this side, we would appreciate a roll call.

PRESIDENT:

Well, difficulty is that the motion, you know, we...we are on a, frankly, a different order of business. The motion has been declared carried. There was no request that I'm aware of...public request for a roll call. Discussion maybe, but nothing...nothing addressed to the Chair. Senator

Carroll, for what purpose do you arise?

SENATOR CARROLL:

Dual purpose, Mr. President, a motion. One is to suspend the Six-day Posting for two Senate appropriation bills, Senate Bill 1734 and Senate Bill 1826 which are sent...were sent to Appropriations I Committee. We would like the Six-day Notice requirement waived so that we may hear them tomorrow, April 30th. And what we would also like to do is move up the committee from ten to nine-thirty. Ag. is meeting...Agriculture is meeting in that room at eight, they expect to be done by nine-thirty. With leave, we would like to have our meeting then start at nine-thirty and have those two bills heard along with the rest of the list.

PRESIDENT:

All right. Both requests are in order. Senator Carroll has moved to waive the Six-day Posting requirement for Senate Bill 1738 and 1826 so that they may be heard in the Committee on Appropriations I, tomorrow, Wednesday, April 30, and further has asked leave of the Body to begin that meeting at 9:30 a. m. So, Wednesday's meeting, 9:30 a. m., Room 212 for Appropriations I. Without objection, leave is granted. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Oh, I...I understand that officially we have to make a motion to suspend the rules on all bills that are posted for committee this week and, therefore, I would make that motion.

PRESIDENT:

All right. The gentleman has made a coverall motion for...to waive the Six-day Posting requirement for all bills to be heard in committee this week. Any objection? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

S.J.R. 22 C.A.
2nd Reading

Thank you, very much, Mr. President. The...Judiciary II Committee which is scheduled to meet at two o'clock today has some very, very important bills up. We will meet at two-twenty in Room A-1. We'll start twenty minutes later than usual, at two-twenty, and we do have some very important bills up today. A-1, Judiciary II, at two-twenty.

PRESIDENT:

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, I'd like the record to reflect that Senator Chew is absent today because of illness.

PRESIDENT:

The record will so reflect. Thank you. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President, for the purpose of a motion. A motion for Constitutional Amendment...Senate...Senate joint resolution be read a first time.

PRESIDENT:

All right. The Secretary has read in the Message from the House about Senate Joint Resolution Constitutional Amendment No. 11. The Senator has requested that the bill be...the resolution be read a first time in full as amended. Without objection, Mr. Secretary, read the Constitutional Amendment as...with the House amendment.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution 11 Constitutional Amendment.

(Secretary reads SJR 11 CA)

PRESIDING OFFICER: (SENATOR DEMUZIO)

2nd reading. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

To ask that Senate Joint Resolution 22 as amended be read a second time, Constitutional Amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave of the Body to go to...to page 7, Constitutional Amendment, 2nd reading? Senator Davidson has made a request. Is leave granted? Leave is granted. On page 7, Constitutional Amendment Senate Joint Resolution 22. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 22 Constitutional Amendment as amended by House Amendment No. 1.

(Secretary reads SJR No. 22 CA)

2nd reading of Senate Joint Resolution No. 22 as amended by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? 3rd...3rd reading. Senator Geo-Karis, for what purpose do you arise? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President...and Ladies and Gentlemen of the Senate, I would like to...to suspend the appropriate rules in order that House Joint Resolution 12 could have a first reading today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Geo-Karis, have you discussed this with the...respective leadership? Senator Geo-Karis.

SENATOR GEO-KARIS:

...discussed it with my minority leader, Senator Philip, and I haven't had a chance to discuss it with Senator Rock...who's sitting up there. If you want to pass me...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and gentlemen, could we have some...could we have some order, please. All right. Senator Geo-Karis, for what...purpose do you rise again?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I rise for the purpose of suspending the appropriate rules in order

to give a first reading to House Joint Resolution 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Discussion? Senator Rock.

SENATOR ROCK:

Well, I...I object. I object for a number of reasons, not the least of which is that this is one of a series of House Joint Resolution Constitutional Amendments that the House has seen fit to thrust upon us with but three days remaining, technically, to be acted upon. These resolutions may have some merit. This particular one does not because we have fought this one tooth and nail for fifteen years. But the fact is some of the others may but they're properly assigned to the Executive Committee and...and they'll get a hearing whenever the sponsor requests a hearing, but I think they ought to be heard. So I object to the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Karpiel. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. If Senator Rock means what he says that they should be heard, the fact is that...in the time frame that's allowed, it would not do any good; because based on the schedule of the Executive Committee, hearing it would have absolutely no value whatsoever because the time frame necessary to put this on the ballot would have been passed. So the only way that it can be heard is the manner in which Senator Geo-Karis has made her request. And if I am wrong, I would like to be corrected, President Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Seldom do I have the audacity, Mr. President, to correct Senator DeAngelis, but the fact is he's wrong. All that

means is if you want it on the November '86 ballot it's got to be acted on by Friday. Who says it has to be on the November '86 ballot, particularly this thing? Do...do you know what this thing does? This is the infamous Totten Amendment. Representative Totten has gone on to bigger and better things, I'm not sure he's even interested any more.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I am sorry that I didn't state the obvious assumption that it was to be for this November's ballot. I realize that this amendment might have a few feathers on it, but the fact is that if it is to be heard for this particular Session to be put on the November ballot, it must, in fact, be done in the manner that Senator Geo-Karis has requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator DeAngelis, if this one happens, then there are a bunch more to get on the same thing. I have HJRCA8 which is fundamentally noncontroversial, it simply conforms our Constitution to what we're already doing as a matter of law, and I was told that it had to go to Executive and be heard like any other good, little Constitutional Amendment. I would be happy to get into all sorts of discharge motions 'cause I've got a discharge motion on another Constitutional Amendment which was bottled-up in committee that I would be delighted to have on the agenda. You join me on that and give me twenty-eight votes, maybe we can do business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...further discussion? Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Well, Senator Netsch, I would say, it's every woman for

herself on this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, this House resolution has been debated for a long time, it passed the House last week by 93 to 18. And what it does, it gives the citizens of Illinois the right to decide how much of their income they want us to spend in the two major funds, General Revenue and Common School Fund...Schools. And it...as the job climate improves and personal spending goes up, the State could spend more money. I will want a...a...a roll call on this because this is an important resolution that the people should vote on. We do have the responsibility to cut down taxes and use them wisely. And we also have the right under this resolution by...an...an extraordinary vote to change it. But for heavens sake, I think it's something that should face the public in November. I ask your...vote to suspend the rules and put this resolution on 1st reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, I think that the proper motion would be to discharge the...the committee.

SENATOR GEO-KARIS:

Can I be heard? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR GEO-KARIS:

Mr. President, I did file the appropriate motion...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR GEO-KARIS:

...to discharge the committee and put it on 1st reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Well, I...I...we're...we're going down the wrong trail here because we have a number of motions to discharge that also I'm sure can and would be filed. We should not probably have gotten to this order of business. I think, if you'll take a look, this gem was introduced in April of 1985. It is now April of 1986 and we are supposed to hurry, hurry, hurry. I think it's a mistake. I think this...this Body has operated with deliberateness and I think we ought to sustain that attitude. And so, I would hope that this motion would fail utterly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis...seems...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, we've had a year to make a decision on it and they finally made the decision in the House last week. So what harm is it to put it before the people? After all, they are the taxpayers, and let's put it on the ballot. I move to discharge the...this resolution from the Executive Committee and be heard today at 1st reading and I filed the appropriate motion for it. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Forget it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 12 and that it be placed on the Calendar...Order of 1st Reading. Those in favor indicate by saying Aye. Oh, there's been a roll call. Roll call

requested. Senator Geo-Karis has moved to discharge the committee on Executive from further consideration of House Joint Resolution 12, be placed on the Order of 1st Reading. Those in favor will indicate by voting Aye. Those opposed will vote Nay. The voting is open. Senator Geo-Karis, it will take thirty votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 17, 1 voting Present. House joint...the motion fails. Further business to come before the Senate? All right. With leave of the Body, we'll go to the order of...Senator...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Just a parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your inquiry.

SENATOR DeANGELIS:

Why does it take thirty votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am told by my Parliamentarian that Senate Rule 10 requires a discharge of the committee to take thirty votes...thirty affirmative votes. All right. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 850, by Senator Watson.

Senate Resolution 848, by Senators Topinka, Hudson, Fawell, Etheredge and Philip.

Senate Resolution 849, Senator Topinka.

All congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 850, by Senator Poshard. Sorry, 851.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Jones, for what purpose do you

arise?

SENATOR JONES:

Yeah, thank you, Mr. President. For the purpose of an announcement. I wish to inform those members of the committee and those individuals sponsoring bills...those Senators sponsoring bills in the Insurance, Pension and Licensed Activity Committee that the hearings will be held here on the Senate Floor at 9:00 a. m., at 9:00 a. m. tomorrow morning. Instead of Room 400, we'll meet here on the Senate Floor at 9:00 a. m..

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to be added as a hyphenated cosponsor on Senate Bill 1852 of which Senator Maitland is...is sponsor and I have his approval. I'd like to have leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Watson to be added as a hyphenated cosponsor...

SENATOR WATSON:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...of Senate Bill 1852. Is leave granted? Leave is granted. All right. I am...I am told that there was a resolution that was put on the Resolutions Consent Calendar that is...congratulatory that is of some urgency that needs to be adopted today. On the Order of Resolutions...Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I would move for the suspension of the rules and adoption of this resolution. It's important that it get out today. This resolution is for Mr. Jasper Garrison who will be one hundred and six years old

Thursday and is the oldest surviving member of the Spanish American War. He lives in my district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard moves the adoption of Senate Resolution 851. He moves to...all right, he moves...moves to suspend the appropriate rule in order that the resolution may be adopted today. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Poshard now moves the adoption of Senate Resolution 851. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 851 is adopted. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President and members of the Senate, I want to remind you, today was laid on your table an invitation for the Governor's Prayer Breakfast. I do need to hear from you if you're going to attend before Friday so that we will have tickets in the tables we have reserved for different members of the Legislature. So, please get them to me before Friday because we're well on the way of selling it out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I would just like leave to be added as a cosponsor to Senate Joint Resolution 120 and Senate Resolution 411, and I have the approval of the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpiel has requested to be added as a cosponsor of Senate Joint Resolution 120 and Senate Resolution 411. Is leave granted? Leave is granted. Further business to come before the Senate? Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till tomorrow, Wednesday, April 30th, at the hour

of one o'clock. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

April 30, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend Scott A. Hatfield, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND HATFIELD:

(Prayer given by Reverend Hatfield)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the reading and approval of the Journal of Tuesday, April 29th, in the year 1986, be postponed pending the arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Committee reports, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senator Savickas, the chairman of the Committee on Assignment of Bills, reports Senate Bill 1937...assigned to the Committee on Judiciary I.

Senator Jerome Joyce, the chairman of the Committee on Agriculture, Conservation and Energy, reports Senate Bills 1915, 2231, 2232 and 2233 with the recommendation the bills Do Pass.

Senate Bills 2207 and 2255 with the recommendation the bills Do Pass as Amended.

Senator Berman, the chairman of the Committee Elementary and Secondary Education, reports Senate Bills 1516, 1517, 1520, 1548, 1574, 1615, 1659, 1704, 1705, 1799, 1804, 1809, 1852, 1861, 1874, 1991, 2035, 2142 and 2164 with the recom-

mendation the bills Do Pass.

Senate Bill No. 1521, 1522 and 1666 with the recommendation the bills Do Pass as Amended.

Senator Newhouse, the chairman of the Committee on Higher Education reports Senate Bills 1608 and 1612 with the recommendation the bills Do Pass.

Senator Marovitz, the chairman of the Committee on Judiciary II, reports Senate Bills 1565, 1576, 1577, 1815, 1816, 2003, 2006, 2282, 2292, 2295 and 2296 with the recommendation the bills Do Pass.

Senate Bill No. 1845, 1942, 2008, 2293 and 2294 with the recommendation the bills Do Pass as Amended.

Senator Carroll, the chairman of the Committee on Appropriation, reports Senate Bill 1734 with the recommendation the bill Do Pass.

Senate Bill 1742 with the recommendation the bill Do Pass as Amended.

PRESIDENT:

Resolutions, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 852 and...Senate Resolution 852 offered by Senator Kelly.

And 853 offered by Senator Poshard, both congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, Senator Macdonald has requested leave for Mr. Kevin Kendregan from the Illinois Association of Park Districts are seeking leave to videotape. They're up in the gallery. With leave of the Body, no objection. Leave is granted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

For a purpose of a motion. I move to waive...I move to waive the Six-day Posting Rule in order that Senate Bill 1937 may be heard this afternoon in Judiciary I Committee in Room

A-1 immediately following the Committee on Local Government. The reason being that this bill was reported out of Rules April 17 but inadvertently was not assigned by a committee and was just assigned today. And I understand this bill is necessary in regards to the Narcotics Forfeiture Act, and I ask for this permission.

PRESIDENT:

All right. The gentleman has requested leave to waive the Six-day Posting requirement with respect to Senate Bill 1937 so that it can be heard in Judiciary this afternoon. Any objection? Without objection, leave is granted. Senator Lemke.

SENATOR LEMKE:

I also ask this...the bill to be sponsored Lemke-Geo-Karis.

PRESIDENT:

All right. The gentleman requests leave to show the sponsorship as Lemke-Geo-Karis. Without objection, leave is granted. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you, Mr. President...merely want to report to this Body that Senator Charles Chew is ill.

PRESIDENT:

Thank you. The record will so reflect. If I can have the attention of the membership...if I can have your attention, we have with us a very special guest. Mr. William Penn Mott, Jr. was selected in May of 1985 to become the twelfth director of the National Park Service. He was appointed by the Secretary of the Interior, Mr. Donald Hodel. Mr. Mott is a career park professional having joined the National Park Service in 1933 as a landscape architect working in San Francisco. He served eight years as the director of the California Department of Parks and Recreation and six years as general manager East Bay Regional Park District, and

seventeen years as the superintendent of parks for the City of Oakland. He is a native of New York City, holding two degrees in landscape architecture from Michigan State University and the University of California at Berkley, married and the father of three children. He has been described by his Secretary of the Interior as one of the most widely respected conservationists in America today with an unparalleled record of achievement. Ladies and gentlemen, it's my pleasure to introduce to you, Mr. William Penn Mott, Jr., the National Park Service Director. Mr. Mott.

MR. MOTT:

(Remarks by Mr. William Penn Mott, Jr.)

PRESIDENT:

Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit;

House Joint Resolution 176, 177, 178 and 179, all congratulatory resolutions.

PRESIDENT:

Consent Calendar. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. With leave of the sponsors, I ask leave of the...with permission of the sponsors, I ask leave of the Body to be joined as a sponsor on Senate Bill 1576, 1577, 2292, 2293 and 2296.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be added as a cosponsor on Senate Bills 1576, 1577, 2293, 2292 and 2296. Without objection, leave is granted. All right.

SJR 22 C.A. 3rd Reading
SJR 11 2nd reading

On the Calendar, on page 7,...the Chair is aware that we have a very heavy committee schedule this afternoon. There are two items of business remaining. Pursuant to an earlier agreement, we will go to the Order of Constitutional Amendments. Top of page 7 on the Calendar, on the Order of Constitutional Amendments 2nd Reading, Senate Joint Resolution 11, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 11 as amended by House Amendment No. 1.

(Secretary reads SJR No. 11)

2nd reading of Senate Joint Resolution No. 11 as amended by House Amendment No. 1.

PRESIDENT:

Have any amendments been filed, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

No amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. Senator Davidson, do you wish to proceed? Top of page on the Calendar, with leave of the Body, on the Order of Constitutional Amendment 3rd Reading, Senate Joint Resolution 22. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 22 Constitutional Amendment as amended by House Amendment No. 1.

(Secretary reads SJR No. 22)

3rd reading of Senate Joint Resolution No. 22...Constitutional Amendment as amended by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to make a statement of intent before we get into discussion of this Senate Joint Resolution 22. As the sponsor of this joint resolution, I want to make clear the intent of this Constitutional Amendment. The purpose of the amendment is to expand the type of cases in which bail can be denied prior to trial. Under current law, only capital offenses and offenses for which life imprisonment may be imposed qualify for denial of bail. My amendment adds felony offenses which carry a mandatory sentence of...imprisonment as a consequence of conviction. The phrase, "without conditional and irrevocable release" means without probation, conditional discharge or periodic imprisonment as a potential sentence if found guilty of the charged offense. My intent is to add these offenses to the list of offenses for which bail can be denied prior to conviction. The court will have to hold a hearing before bail can be denied in order to determine whether the proof is evident or the presumption great, that the defendant committed the offense and that their release pending further proceedings would pose a real and present threat to the physical safety of any person. The detail of the hearing will be flushed out by the Statutes implementing this new constitutional provision as does the current law on denial of bail. Mr. President, I move the adoption of Senate Joint Resolution 22 as amended by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Senator Davidson, is there any cost to the State of Illinois as a result of the passage of this resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

There could be a possibility because the House amendment with the agreement of all the players who were involved that any cost which would occur to a unit of local government as a result of the denial of bail pursuant to this 1986 amendment to this section will...shall be reimbursed by the State to the unit of local government; meaning that if bail was denied and the housing cost or whatever it would be would add to the cost of the local government, the State would pick up that cost as we have done in all the other Statutes we've talked about where we've laid cost on local government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

What if...what if a local judge who is elected countywide knew that if he denied bond instead of just setting an unreasonably high bond that he could get the costs reimbursed by the State rather than have the county pay the cost for that person, don't you think he would be inclined to set no bond instead of setting an unreasonably high bond so that the State, in all those cases, instead of the county will have to pick up the entire cost in those cases?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

In the hypothetical question you ask denying in relation to the judge, I'd say the answer is no, 'cause the judge would have the...the integrity of his own bench to not do such a thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I would respectfully disagree with you that if a judge is going to set a unreasonably high bail because we...we have a

dangerous situation here which the amendment calls for...a dangerous individual which the amendment calls for, rather than have the county pick it up where he would set an unreasonably high bail and if the individual couldn't make it, the...the county would have to pick up the cost, he would set no bond at all and then the State would have to pick up the entire cost and the counties will be saving a tremendous amount of money and the State coffers will be having to cough up...cough up a tremendous amount of money which I don't think you've anticipated. Now what happens as a...now, I...I know in the County of Cook, we have a very...very overcrowded jail and now with the additional penalties, the mandatory sentences, this...the new DUI that we've put in, we have a very serious overcrowding situation. What if, as a result of this amendment, a new jail would have to be built, would the State of Illinois reimburse the County of Cook for the cost of that new jail as a result of the passage of Senate Joint Resolution 22?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I'm not able to give you an answer on that 'cause I'm not sure anyone can give you an answer as you phrased the question. The fact that the bail was denied and whether the fact that you and I both know that Cook County Jail as well as a number of other jails have been in jeopardy with the Department of Corrections about expanding their jail. I don't think you can lay that on...all on what might be a denial of bail under this Constitutional Amendment, because you must remember the prosecuting attorney must make the case of the judge without...and the judge must make that decision. If he wants to deny bail for some other reason, that's not our responsibility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Just...just briefly, I think this is a great bill for the counties around the State and I think it's going to...it's going to open up the coffers of the State of Illinois, the likes of which you have no anticipation. It's going to cost the State millions and millions of dollars. Who's got the burden of proof here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The burden of proof will be set by Statute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

But on whom would the burden be placed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This is will be similar to current law, the prosecution attorney has to make the presentation to the judge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise in favor of the adoption of this...resolution. To begin with, when you have cases of armed robbery or rape which are horrible crimes, under the present law that we have the...defendant cannot be denied bail. Now, when you have repeaters, for example, of those horrible crimes, then this Constitutional Amendment, it passes and is approved by the people, then that defendant is not going to get out just like that, he's going to stay in. This is...also a good safeguard for witnesses to horrible crimes like armed robbery and rape

which are Class X offenses and do...we have to realize that what this amendment says, in effect, is that where the release of the offender would pose a real and present threat to the physical safety of any person. We've had a case recently where a rape victim was going to testify; in fact, the case happened in Kansas, and what happened the victim never made it, she was killed. Who killed her? I'll let the people decide that and the courts of Kansas. What I'm saying to you is this is a good bill to safeguard the witnesses' appearances in these horrible crimes and, remember,...X...X...X crimes...Class X...crimes like rape and armed robbery and the like do not...preclude the defendant from getting bail under the present system but can preclude a judge from giving him bail and that's what we need. We've got to protect the rights of the public from these vicious people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator D'Arco.

SENATOR D'ARCO:

Do you have a list of the offenses that would be included in this provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Just minute. It's...that list of which is in 1005-5-3 and the list number...starting with No. 2...on C No. 2, murder where the death penalty is not imposed, attempted murder, a Class X felony, violation of Section 407 controlled substance, violation of Section 9 of the Cannabis Controlled

Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Would...would residential burglary be included in that list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Yes, it would, I just didn't read you all the rest of it. F has a Class 2 or greater felony, G residential burglary, H criminal sexual assault is...provided in...Subsection E, et cetera.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Well, we heard Senator Geo-Karis talk about armed robbery and rape and she said these are such terrible crimes that the judge should be able to deny somebody bail because of the terrible nature of these crimes. And she cited some situation in Kansas about some girl who was raped by somebody and then subsequently murdered, and that's a terrible, terrible thing and we all understand how terrible it is. But now we're talking about someone who commits a felony that is on the low end of the ladder, we're talking about residential burglary. In fact, Doc Davidson, you were the one that...that made residential burglary a nonprobationable offense; and I remember when Director Lane testified that when we passed that law to make it nonprobational, eight hundred more persons were imprisoned in our penal system as a...direct result of the residential burglary change that you initiated in this Chamber. And I know it's a great thing, I know, yeah, yeah, I did it, I did it, but that's not the point. We've learned to live with that law even though I

disagree with it, but what you're doing now is making a provision that provided for these heinous crimes, capital crimes like murder and treason, you're making that provision that said that in those very, very grave and serious situations a judge can deny a person bail. You're taking that provision and applying it across the board to every felony that's in the books, no matter how serious and some of them aren't that serious. That's not right, it's wrong and we should defeat this constitutional provision with a No vote and everybody in the Chamber should do so. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

I think Senator D'Arco...enough for me. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I'm going to rise to support Senator Davidson on his proposition. I do think there are problems in this area but the current system just isn't working. We all know that what we're talking about is people that are getting...bail and then go out on the street and perpetrating crime; and I don't care if the prisons are filled to capacity, maybe that's our fault, maybe it's the counties and maybe the State's and maybe the Nation. If we're going to have criminals, we can't allow them to go out on the streets and continue to keep perpetrating crime repeatedly; not only that, but we're building up...it's becoming a common practice and government is...by turning their head is actually encouraging more crimes to occur and more of these to happen. So, I think that we should support Senator Davidson on this proposal even though there are some problems with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...well, the...the Chair would like to acknowledge the Governor of the State of Illinois who's attempting to get comfortable is in the Chamber. Welcome to the Chamber, Your Excellency. Your Excellency.

GOVERNOR THOMPSON:

As a former presiding officer, for the purposes of an announcement, my congratulations to the new chairman of the State Democratic Party.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Maybe...maybe now you'll know that twenty-nine is not greater than thirty. Thank you. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I, too, rise as a cosponsor of this legislation in support of it but I want to tell you why this Constitutional Amendment is before you today. It's because we're doing nothing more than what we should be doing here and that is responding to the people of the State of Illinois that we represent. As Senator Kelly started to say, the people of this State are...are simply tired of seeing judges that are handcuffed with people who have committed prior crimes, have a bad criminal record and unless they were being charged with a...a capital case or offense in which a life imprisonment would be imposed is the only two circumstances under which a judge could deny bail. Obviously, this is...opens it up to a lot of felony offenses; unfortunately, I would say that residential burglary is one of them and it's one thing that I think this General Assembly is going to have to...continue to struggle with. But I doubt under any circumstances that any judge is going to deny bail to someone charged with that offense because simply the court does have a right, and I think that's the important part in this resolution, when the court after a hearing...after a

hearing determines that release of the offender would pose a real and present threat to the physical safety of the person. So the safeguard is here and nobody is ramrodding or holding anybody incarcerated without good reason before they've had a chance to have a hearing on the merits of whether they are guilty or not guilty. But, again, we are responding to what the people of this State want, they want judges to be able to take a look at serious offenders, take a look at their previous record and possibly prevent them from being back out on the street committing more crimes before they are tried for the crimes for which this bail is going to be set. I think it's reasonable, I think it's good, I think it's well-worded and I think it ought to be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? UPI has ask leave to have...to take still photographs. Is leave granted? Leave is granted. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you,...thank you, Mr. President, Ladies and Gentlemen of the Senate. I've heard the proponents talk about responding to the will of the people and that's what bothers me about this proposal. We are misleading the people. They think that by passing this and putting it on the ballot and they voting for it that we will have taken a very dramatic step to making the streets safer for the people of the State of Illinois. Nothing could be farther from the truth. One of the proponents talked about the judges being handcuffed to keep dangerous criminals off the street. Well, I would suggest to you that the judges are no more handcuffed under the present constitutional proposal than they will be under this constitutional proposal. The power of incarcerating persons before trial lies with the judges. They've got the power to do it today, this bill will not make any dramatic difference in that power. If you'll look at the

people that are able to raise all kinds of money, those are the smooth, sophisticated drug dealers, you're not going to find any judge that's going to deny them bail, stop kidding yourselves. It's the poor little guy that gets arrested who will be held in jail and to whom we are denying one...one of our very fundamental rights that our forefathers provided, and that right is this, that we are innocent until proven guilty...innocent until proven guilty. Now, ladies and gentlemen, if you or your son or your daughter were picked up on a charge and they said that they were innocent, let us take residential burglary or something more serious and they had to establish an alibi. They had to establish that although somebody says it looked like that person, like your son or daughter that broke into that house, your son or daughter says, Dad, it wasn't me; Mom, it wasn't me and I can prove it. They've got to be out on bail to be able to go out and to get those witnesses to establish a defense for when the case is tried to determine whether they are guilty or innocent. Sitting in that jail, you have denied them a very, very important right, the right to establish a defense. That's the whole difference here. The judges can...post and require...the judges can require under existing constitutional law very high bonds, bonds that the criminal cannot meet if they want to impose them and they want to keep them off the street, this...does nothing. An Aye vote on this is kidding the public because...a year from now, two years from now, we'll be back here and try to expand it again because you're going to have the same situation. What you need is judges with guts under the existing Constitution, not with phony measures that are going to say something more in the Constitution that judges aren't going to...impose upon the defendants anyways and at the same time probably deny people a very fundamental right of being admitted to bail and being able to establish their innocence when the trial of their

guilt or innocence takes place. I urge a No vote. It's a tough vote to vote No, but it's the right vote, it's the courageous vote. It's the vote that our forefathers envisioned when they passed the Bill of Rights.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch. All right. Further discussion? Senator Geo-Karis, for a second time.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, my name was used in debate. I might tell my colleagues here that residential burglary is no joke, absolutely no joke; and I might tell my colleagues here that the amendment specifically calls for the proof that is evident or the presumption great before a judge can deny bail. I think we better keep in mind that we're not here to mollycoddle repeaters of vicious crimes. We're here to protect the public and I'm sure there isn't going to be a judge in his right mind who isn't going to look at all the evidence before he denies bail. But let's not kid ourselves, we have a duty here, not to protect the defendant, we're...here to protect the people who've been violated; and surely if the proof isn't evident or the presumption great, I'm sure he's going to be allowed bond but then at least the court has that additional discretion. I support this amendment and let the people of Illinois vote for it in November, because at that time there will be arguments pro and con about this amendment printed and they will be...disseminated to the people and let the people decide. I think the public of Illinois should have a right to make a decision on it, not only us, so I say let's vote for the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. First of all, I ask leave of the Body to be added as a cosponsor on House Joint...Senate Joint Resolution 22.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is...you've heard the request of Senator Lechowicz to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. So ordered. Senator Lechowicz.

SENATOR LECHOWICZ:

I've just been informed by Senator Netsch that I may be No. 45 but this...this matter should really receive the support of every member here in this General Assembly on both sides of both aisles of both Chambers. If you go back and check with the people who elect us, one of the most impressive matters on their minds is public safety, and whether it's the judiciary in Cook County or Macon County or Union County, public safety is one of their main issues; and, unfortunately, the existing...judicial system in conjunction with the interpretation of the present Statutes, repeat offenders are put out on the streets and unfortunately repeat their crimes consistently. This measure will be brought to the matters of the voters to decide whether this should be eliminated as a measure of bailable offense. Put this matter on the ballot, you'll have a tremendous outpouring of support for this measure and more stringent measures in the future. I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise, as I have risen before, in opposition to this Senate Joint Resolution 22. I don't know whatever happened to the presumption of innocence. I don't know, frankly, whatever happened to the right of an adequate defense that we afford to the accused in our society. This

is no more and no less then preventive detention and preventive detention, I suggest, flys in the face of one's individual rights. This is election year, law and order, and it's going to fly, no question about it. But I'd ask you to please consider what you're doing, because by virtue of incorporating those offenses, not only the ones that were specifically named, those offenses for which there is no conditional release, you are effectively opening up so that this General Assembly or success of General Assemblies can literally add to that list of persons who will be denied bail. It's a mistake. The present bail provision balances, I think, after many years of discussion, a Constitutional Amendment balances the rights of the individual an the rights of society. Senate Joint Resolution 22 unfortunately tips the balance badly and I'd ask you to reconsider. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'd just like to add briefly one point which I don't think has been made in all of the debate. Much has been made during the course of this discussion about what our founding fathers might have intended, but I don't think it has been mentioned that...that under our Federal Constitution we have in the Bill of Rights in the Eighth Amendment very simple language that says, "bail shall not be excessive." And using that constitutional language, the Congress has within the last few years enacted legislation which is...makes it possible to deny bail under many more circumstances then will be possible under the Constitution...State Constitutional Amendment that is being proposed here. So, if we are using our founding fathers as an example, we might want to make bail even more restrictive than we're proposing to do with this particular amendment.

And I had in fact made the suggestion last year that we simply adopt the Federal constitutional language as our own bail amendment language, but rather it was decided to proceed with this language which I think is a...a fair compromise and kind of a middle ground between that which is permitted under Federal law and...and the more restrictive bail language that was adopted as part of the Illinois Constitution in 1970. So I think this is a fair compromise. I think it will not unduly deny defendants' rights and at the same time will assure the public that is...rightfully concerned about public safety, that many of those who are out on the streets awaiting trial will not be able to commit some of the crimes that have victimized our population up to this point, and I would join those who urge passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We...we have two additional speakers, the...the lights keep...just keep coming on. Senator Collins, for a second time.

SENATOR COLLINS:

I have...I'm sorry, Mr. President, but I had waived my right to speak at first but after hearing Senator Rock saying that this measure would, in fact, fly through here because of the circumstances being an election year and, of course, law and order is always a popular issue during election time, and I felt compelled to...for the record, to speak on this issue because it saddens me to think that we would in fact impose such a drastic step simply for political reasons. And we talk about law and order, and if you believe that you can have law and order if our system of justice is unbalanced as it is today, then I am really sad to...to...to say that you're sadly mistaken. If you don't believe that our system of justice is already unbalanced, I would...would advise you to take a ride out to our penal institutions, our State correctional centers and to see who's there and you will find

probably ninety percent of those persons currently incarcerated are minorities and the poor. If you go to our county jails, you will find the same thing, and I would ask you the question to ask yourselves if whether or not the only people in this State commit crimes are the poor and the majority. And I don't think any one of you would answer honestly to yourself and say, yes, those...that is the...the group of people who commits the crime; but if in fact you impose this measure you will have more poor and minorities incarcerated, because just as one of the speakers said that in many cases because the poor have to resort to a public defender for their defense, they do not have the money for high class investigators to go out and prove their innocence, and what will happen if you incarcerate these people, they will not be given the opportunity to work for their own defense. And for that reason, you will find more of the same category of people, the poor and the minorities convicted of crimes whether or not they are guilty. This is a sad day for...if this is the way...what it takes to get the Republicans elected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman. Mr. President, I hadn't intended to speak on this bill. I was just sitting here sinking into a sort of a despondency. This bill is going to fly out, it has before and it's going to do it again. But, hark, there's a bright side to this bill. I think that by adopting this language today we will have taken a great step forward in international relations. We will have joined the Soviet Union where they believe in preventive detention. We will have...we will have joined the Third World cultures of the Middle East who believe in preventive detention. We will have...joined the countries of the Third World in the south

of us who believe in preventive detention. I think this is a fine bill. I think we ought to advertise it all over. I think we ought to advertise that Illinois has taken a great step in cementing relationships between people who couldn't live side by side previous to this day. Now,...about to follow it up though with a lot of other things. We'll have to get...forget free enterprise, we'll have to forget democracy but that's all right, we can do that, this is the first step. No problem, let's get this bill out. Let's announce to the world that we're coming through with a whole new social system, that we agree with Joe Stalin, no problem; that we agree with all the other dictators in the Middle East, no problem; that we agree with the dictators to the south of us, no problem, step one. Let's go, call this bill, get it out of here, make the announcements, go to the press, make that a party of campaigns, all of you believe it, make it a party of campaigns that you're joining the Soviet Union, that you have no problem with that kind of a present government. Tell them that you believe in what's going on in the Third World in the Islamic countries. Tell them that you believe in that, bring it out, make it public, don't hide in this Chamber, go out front, announce it on television night. Go public, go public, that's what we're doing. I'm prepared to vote No. I'm prepared to be the vocal minority, I'm prepared to say I don't agree with all those things. Oh, fellows, what you are doing to this democracy, but it's going to happen. Let's vote, I got to go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, there's a number of things touched on by speakers both for and against. I'd like to remind some of the prior speakers who opposed this, there's a little difference between here and he talked about

the Soviet Union and the Third World. There's a little item known in United States of America known as due process. This bill has due process in it. This bill will not be as restrictive as someone over there quoted our founding fathers, 'cause under the Federal law, if you're charged a Federal offense your, opportunity being denied bail is greater or more...restrictive in this bill. A little item about residential burglary that someone mentioned. Yes, I did...I was the sponsor of that bill, but there's two things you forgot to read in this. One is where the proof is evident or the presumption great the person was...the individual committed the offense, and only after a hearing in front of the court where it's proven that offender would pose a threat to the physical safety of any person. Now, you're not talking about someone that someone over there spoke about, no reasonable judge or prosecuting attorney is going to ask for denial of bail under this to someone who's not been a bad actor. What helped generate this bill was an item that happened in the Chicago area, where the judge had stated he had no choice...no choice to deny bail on a individual who was awaiting trial for battery, robbery, indecent liberty, et cetera, the bond was reduced, the individual made bail. The day before he was set to appear in court, he abducted a nine-year-old girl and did murder her as well as other individuals in a crime spree across these United States. Ladies and gentlemen, the people, the public are tired of individuals being able to make bond or bail and be out and commit another crime as serious or worse than what they've already committed. And I want to tell you, I take serious offense to the remarks by one of the Senators saying this was for political opportunity. I can't say on the Floor of the Senate what I would like to say, but the area I come from, they want their representatives to represent them on what they think is a real and present threat and, frankly, I don't need this or

anything else for publicity to get reelected. You know that and I know that, and I really take umbrage at that remark. There are now thirty-nine hyphenated cosponsors to this bill, forty-six of you voted for it to pass it when it passed October the 31st, six voted No, six voted Present. One of the individuals who voted Present on October 31st, now by his remarks is going to vote No, sobeit. This is for the people. This is time for you to do something for justice. The individual is innocent until found guilty, he has a hearing in front of the court, in front of the judge, prosecuting attorney has to prove beyond any real reason the individual committed it or is a threat to public safety. It's time for you and I to do something for the public. Please vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Joint Resolution 22 be passed and approved. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 11, none voting Present. Senate Joint Resolution 22 having received the required three-fifths constitutional majority is declared passed and approved. Further business to come before the Senate? Announcements? Senator Lemke.

SENATOR LEMKE:

I'd like to make an announcement, the Senate Judiciary Committee recessed today and will reconvene in A-1 of the Stratton Office Building immediately following the Local Government Committee hearing in that same room, approximately 4:00 p.m. Also, I'd like to have Senate Bills 635 and 636 reassigned to Insurance because that's where the insurance and tort reform bills all are, and these are to that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well, Senator, I don't think...

SENATOR LEMKE:

...stumble into my...I checked with the President of the Senate...and this is where the bill should be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR LEMKE:

So I ask for that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

They are Senate...what were the numbers again?

SENATOR LEMKE:

Senate Bill 635 and 636 should be assigned to Senator Jones' Committee on Insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Where are they now?

SENATOR LEMKE:

They are in Judiciary I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke moves to discharge the Committee on Judiciary I from further consideration of Senate Bill 635 and 636 and that they be rereferred to the Committee on Insurance. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, members of the Executive Committee, we're going to meet immediately after we adjourn here in Room 212. We have a lot of bills, I don't know if we're going to get through them this afternoon or not, but the sooner we get down there, the sooner we get started.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. Local Government Committee will begin at three-thirty in Room A-1. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Revenue Committee is going to meet tomorrow morning as well as tomorrow afternoon. I wish all of you would please note this, we will be begin at 10:00 a.m. on the Senate Floor, the Senate Revenue Committee. I think...the morning Session plus the afternoon will give us an opportunity to finish all of our work tomorrow. For those of you who are sponsors of bills in the Revenue Committee, please feel free to...in fact, I strongly encourage you to come to the Revenue Committee beginning at 10:00 a.m. on the Senate Floor tomorrow morning and you will get a fine hearing on your fine bills. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you for the announcement and the editorial. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Netsch, a question about the hearing time. You had said 10:00 a.m. tomorrow morning, your notice that I have on my desk says nine to one tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I was not aware that a subsequent notice had come out. I think what happened was that we did some checking and learned that Executive might have to hold over till tomorrow morning, and so we compromised at 10:00 a.m. If there is an incorrect notice, I'm sorry, I was not aware that that had been distributed. The revised correct time is 10:00 a.m. on the Senate Floor. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I wish to announce that Appropriation II will begin sharply at 9:30 a.m. tomorrow morning in Room 212. 9:30 a.m. tomorrow, Room 212, Appropriation I. Please be there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins.

SENATOR COLLINS:

Yes, for the purpose of announcement. The Labor Committee will meet tomorrow morning at 10:00 a.m. in Room A-1, and if you'll be there on time because I have another committee meeting at the same time, it should take us about thirty minutes to dispose of the few bills that we have. So if you be there on time, we will get out very early.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Just in this lull, Mr. President, if you could possibly put me down as a hyphenated joint sponsor of Senate Bill 2141 and a cosponsor of Senate Bill 1698.

PRESIDING OFFICER: (SENATOR DEMUZIO)

2141 and 1698? All right. You've heard the request of Senator Topinka. Is leave granted? Leave is granted. Further business to come before the Senate? Senator Rock moves that the Senate stands adjourned till tomorrow morning at the hour of one...tomorrow afternoon the hour of one.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 1, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of one o'clock having arrived,...members would be at their desks, our guests in the gallery would please rise. Our prayer this morning will be by the Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, April 29th and Wednesday, April 30th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Vadalabene. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee, reports out the following Senate bills and resolutions:

1735, 1858, 1913, 1931, 1934, and 1972 with the recommendation Do Pass.

1475, 1854, 1855, 1856, 1921, 1930, 2078, 2285, 2286 and 2288 with the recommendation Do Pass as Amended.

Senate Resolutions 813 and 814 recommend adoption.

Senate Joint Resolution 124 recommend adoption.

House Joint Resolutions 8 and 175 recommend adoption.

Senator Degnan, chairman of Local Government Committee, reports out the following Senate bills:

1597, 2157, 2158 with the recommendation Do Pass.

1492, 1814, 2154, 2155 and 2302 with the recommendation Do Pass as Amended.

Senator Dawson, chairman of...Committee on Public Health, Welfare and...Corrections, reports out the following Senate bills:

1486, 1529, 1563, 1564, 1862, 1920, 1945, 2022, 2042, 2074, 2076, 2077, 2105, 2163, 2168 and 2212 with the recommendation Do Pass.

1946, 1954 and 2162 with the recommendation Do Pass as Amended.

Senator Nedza, chairman of Transportation Committee, reports out the following Senate bills:

1558, 1601, 1798,...1873 and 2057 with the recommendation Do Pass.

1559, 1673 and 2018 with the recommendation Do Pass as Amended.

Senator Collins, chairman of Labor and Commerce Committee, reports out the following Senate bills:

1714, 2180 and 2210 with the recommendation Do Pass.

2166 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 183, 184 and...and 189.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

And House Joint...Resolutions 186 and 188.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 854 offered by Senator Lemke. It's congratulatory.

Senate Resolution 855 offered by Senators Geo-Karis, Rock and Philip, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator D'Arco, for what purpose do you arise? Senator D'Arco. All right, Senator,...move over to Senator Luft's microphone.

SENATOR D'ARCO:

Mr. President, I would like to change sponsorship on Senate Bill...2086. I'm the principal sponsor. I would like to me removed as the...as principal sponsor and Tim Degnan replaces the principal sponsor of that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator D'Arco to...he asks leave to be removed as the principal sponsor of Senate Bill 2086 and that Senator Degnan be substituted in his place. Is leave granted? Leave is granted. It's so ordered. Resolutions.

SECRETARY:

Senate Resolution 856 offered by Senator Demuzio, Rock and all Senators. It's congratulatory.

Senate Resolution 857 offered by Senator Topinka and it's congratulatory. And...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

...and Senate Resolution 858 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd like to add Senator Netsch

as a hyphenated sponsor of 2173, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of...

SENATOR LUFT:

2173.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Luft to add Senator Netsch as the hyphenated cosponsor of Senate Bill 2173. Is leave granted? Leave is granted. It's so ordered. Can we have some Pages come down to the Secretary, please. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Purpose of announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, just hold off a minute. Senator Woodyard, for what purpose do you arise?

SENATOR WOODYARD:

Thank you, Mr. President. I wish to be added as a chief hyphenated cosponsor on Senate Bill 1614. I have spoken to the sponsor of the bill about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1614?

SENATOR WOODYARD:

Correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Woodyard to be added as a hyphenated cosponsor of Senate Bill 1614. Is leave granted? Leave is granted. It's so ordered. All right, Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the adoption of the Resolutions Consent

Calendar which has been passed out, with leave of the Body, we will add House Joint Resolution 186, House Joint Resolution 188, Senate Resolution 854, 855, 856, 857. Is leave granted to have those added? Hearing no objections, leave is granted. It's so ordered. Senator Degnan moves the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Thank you, Mr. President. To add as a hyphenated cosponsor...Senator Philip to Senate Bill No. 2087.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan, would you repeat your request again, please?

SENATOR DEGNAN:

Yes. I would like to add as hyphenated cosponsor Senator Philip to my Senate Bill 2087.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Degnan to add Senator Philip as a hyphenated cosponsor of Senate Bill 2087. Is leave granted? Leave is granted. It's so ordered. Senator Rock, for what...on the adjournment resolution? We'll get to announcements in a minute.

SECRETARY:

Senate Joint Resolution 148 offered by Senator Rock.

(Secretary reads SJR 148)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, it...it is 145. Senate Joint Resolution 145. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This calls...this is the adjournment resolution. When we conclude our business tomorrow morning, we will

return to Springfield next Tuesday at the hour of one o'clock, and I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 145 and then we'll explain what tomorrow is about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved for the suspension of the rules and immediate consideration and adoption of Senate Joint Resolution 145. Discussion? None. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 145. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 145 is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have a relatively heavy committee schedule this afternoon with Finance and Elections and Insurance again to meet. Tomorrow is the last day for bills to be reported out of committee. So, it is our hope that those committee...and Revenue, I beg your pardon, Revenue at two o'clock. It is our hope that the committees can conclude their work this evening, and tomorrow morning we will convene at 9:00 a.m. for the purpose of reading in those committee reports and adjourn just as quickly as we can so that those who feel that they have to get back to their district this evening certainly are entitled to do that. We'll commence next Tuesday then at one o'clock and move, of course, to the Order of 2nd Reading on all the bills that have come out of committee; and next week, of course, is the week for the deadline for appropriation bills, and we will again, I hope, be in a position to conclude our business on Thursday. We will not be here a week from tomorrow. We'll conclude on Thursday. The appropriations' people tell me that they will be in a position to finish their work on Thursday, so that we will not be here

JR 11

Friday, May 9th...8th...9th, whatever it is, but tomorrow morning at nine o'clock. Today we have a very brief schedule. Senator Vadalabene has requested leave to go to the Order of Constitutional Amendments 3rd Reading to have that amendment read a third time and acted upon, and then we will...absent any other business, we will be in the position to adjourn until nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with...is there leave of the Body to go to page 11, Constitutional Amendments 3rd reading? Leave is granted. On the Order...page 11, Constitutional Amendment 3rd reading, Senate Joint Resolution 11. Mr. Secretary.

SECRETARY:

Senate Joint Resolution No. 11 Constitutional Amendment.

(Secretary reads SJR No. 11 CA)

3rd reading of Senate Joint Resolution No. 11 Constitutional Amendment as amended by House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Joint Resolution 11 as amended proposes to amend the Section 6 of Article X of the State Constitution to authorize exemption from property taxation of property used exclusively for veteran organizations, and I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate...shall Senate Joint Resolution be passed and approved. The question is, shall Senate Joint Resolution 11 with House Amendment 1 as...be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Joint Resolution 11 having received the required three-fifths constitutional majority is declared passed and approved. Further business to come before the Senate? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I want to remind all of those of you who do want to participate in the Governor's Prayer Breakfast next Thursday morning at the Holiday Inn East, if you want to have a seat in the area which is reserved for the legislators, please get your order and your money to me today or tomorrow morning. Tomorrow is the last day we're going be...hold any reserved seats for you. After that, you're on your own if there's anything available. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. If I could just have a moment of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and gentlemen, can we have some order, please. Senator Berman.

SENATOR BERMAN:

I just think that because of our heavy schedule we couldn't do anything that was more formal than this, but I think it's apropos for us to take just a moment, we being the Senate of the Illinois...of the State of Illinois, to recognize that today is Law Day and that we are all about passing of laws, reviewing of laws, approving them, disapproving them and that we are all very proud to live in a State and a country that is based upon laws and that we recognize this day, May 1, as Law Day in Illinois and in the United States. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your Honor, thank you. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. An announcement. The Revenue Committee will meet immediately upon adjournment in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, are you going to go to the motions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

We...we...

SENATOR GEO-KARIS:

...'cause I have filed a motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we...we are in the process of winding down. We are on the...on the Order of Announcements.

SENATOR GEO-KARIS:

Well, point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, state your point.

SENATOR GEO-KARIS:

I had Constitutional Amendment Resolution No. 12 in Executive Committee today. I was finally given a hearing after we defeated the motion to adjourn before the...the resolution was...called, then when it was heard, there was a motion to pass, seconded, duly seconded and then the chairman just adjourned surreptitiously. So, I have filed a motion to put on first reading, and...that's exactly what happened, as you all know, and I have filed that motion in writing with you and I would like to have it heard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, we are not on that order of

business. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. For the purpose of making an announcement. The Senate Elections and Reapportionment Committee will have a meeting immediately following adjournment in Room A-1. We only have a couple of bills. I'd be very grateful if the members would join us so we can move it along expeditiously. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yes, thank you, Mr. President. For the purpose of an announcement. The Insurance Committee will meet at approximately 3:00 p.m. in Room 400 instead of 4:00 p.m. We will meet at 3:00 p.m. in Room 400 at the conclusion of the committee, I believe, it's Financial Institutions Committee meeting. So, at three o'clock, Room 400, Insurance Committee meeting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would just like the record to reflect that Senator Chew is not with us due to illness and I would ask the members to remember Senator Chew in their prayers over the weekend. He is not well. And Senator Nedza is not with us today, he is in Washington D.C., at my request, on official business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

For the purpose of announcement. The Senate Judiciary I Committee will reconvene today and immediately following the Finance Committee and before the Insurance Committee to hear Senator Jeremiah Joyce's bill which...was not called in

Executive...he was in Executive Committee and could not get to the Judiciary Committee tomorrow. So, we're going to hear it tomorrow...today at...between...right...immediate...following Finance Committee hearing...on where? On the Senate Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I would like to be included, with the permission of the sponsor, as hyphenated cosponsor of Senate Bill 1798.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1798?

SENATOR POSHARD:

Yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard moves...asks leave of the Body to be added as the hyphenated cosponsor of Senate Bill 1798. Is leave granted? Leave is granted. Further business? Senator Rock moves that the Senate stand adjourned until tomorrow morning, Friday, May the 2nd, at 9:00 a.m. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 2, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. Our members will be at their desks. Our gallery...friends in the gallery will please rise...our guests. Prayer this morning will be by Senator Kenneth Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, April 29th; Wednesday, April 30th and Thursday, May 1st, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Vadalabene. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Committee reports.

SECRETARY:

Senator Kelly, chairman of Elections and Reapportionment Committee, reports out the following Senate bills:

1961 and 2082 with the recommendation Do Pass as Amended.

Senator Jeremiah Joyce, chairman of Finance and Credit Regulations, reports out the following Senate bills:

1514, 2086, 2300 and 2301 with the recommendation Do Pass.

2084, 2116 and 2136 with the recommendation Do Pass as Amended.

Senator Lemke, chairman of Judiciary I Committee, reports out the following Senate bills:

1589, 1629, 1935, 1937, 1963, 2129 and 2185 with the recommendation Do Pass.

916, 1680...or 1632, 1634 and 1711 with the recommendation Do Pass as Amended.

(Machine cutoff)...committee reports.

Senator Netsch, chairman of the Committee on Revenue, reports out the following Senate bills:

1551, 1662, 1706, 1871, 1912, 2037, 2038, 2100, 2123, 2151, 2169, 2173, 2177 and 2289 with the recommendation Do Pass.

1614, 1700, 1951, 2104 with the recommendation Do Pass as Amended.

Senator Jones, chairman of Insurance, Pensions and Licensed Activities, reports out the following Senate bills:

1575, 1580, 1661, 1699, 1716, 1728, 1732, 1733, 1832, 1910, 1944, 1985, 1988, 2002, 2044, 2052, 2053, 2054, 2070, 2087, 2088, 2092, 2093, 2190, 2200, 2202, 2260, 2265, 2273, 2275, 2276, 2277, 2278 and 2279 with the recommendation Do Pass.

Senate Bills 2000, 2051, 2081, 2090, 2091, 2204, 2263, 2271 and 2280 with the recommendation Do Pass as Amended.

And Senate Bill 1717 with the recommendation Do Not Pass.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I asked permission from Senator Watson to become a cosponsor on his Senate Bill 1559 and I would request it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1559, Senator Geo-Karis seeks leave of the Body to be added as a cosponsor. Is leave granted? Leave is granted. So ordered. Resolutions.

SECRETARY:

Senate Resolution 859 offered by Senators Lechowicz, Nedza and Lemke. It's commendatory.

Senate Resolution 860 offered by Senator Holmberg, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it's my understanding that these are both congratulatory resolutions and that there is some urgency to their passage. Senator Lemke moves to suspend the rules for the immediate consideration and adoption of two congratulatory resolutions, 859 and 860. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Lemke now moves the adoption of both resolutions. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Congratulatory resolutions are adopted. Senator Schuneman.

SENATOR SCHUNEMAN:

...I'd like to ask leave to be added as a hyphenated cosponsor on Senate Bill 1930.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Hyphenated sponsor on 1930, request by Senator Schuneman. Is leave granted? Leave is granted. So ordered. Further business to come before the Senate? Senator Lemke moves that the Senate stand adjourned till Tuesday, May the 6th, at the hour of noon. The adjournment resolution was adopted yesterday, hour of noon, May the 6th. The Senate stand adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

May 6, 1986

PRESIDENT:

Hour of one having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Charles P. Mulcrone, Cathedral of the Immaculate Conception, Springfield, Illinois. Father.

REVEREND MULCRONE:

(Prayer given by Reverend Mulcrone)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr...thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, April 29th; Wednesday, April 30th; Thursday, May 1st and Friday, May 2nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit;

House Joint Resolutions 190 and 192.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 861, by Senator Geo-Karis.

862, by Senator Smith.

863, 864 and 865, by Senator Mahar.

866, 867 and 868, by Senator Rock and all members.

PRESIDENT:

Consent Calendar. The Chair has been informed that a number of motions to discharge have been filed. With leave of the Body, we'll have those placed on the Calendar, and Senator Philip and I will determine a time at which with those will all be called. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, Mr. President, on a point of personal...privilege.

PRESIDENT:

State your point.

SENATOR DEMUZIO:

It's my understanding that over the weekend that there were several birthdays and at least one of our members was thoughtful enough to afford us some additional calories. I understand that Senator Rock...it's his...was his birthday Sunday and there is a very large cake that is in the Chamber. With no specific credit to Senator Berman, who also had a birthday on this same day, we are appreciative of Senator Rock for the cake and wish you both a happy birthday.

PRESIDENT:

Thank you, very much. That's why Senator Berman is visiting here, he's going to pay for half the cake, I'm sure. All right. If I can have your attention, I've discussed with Senator Philip the makeup of this week's Session days. If you'll turn to page 25 on the Calendar, Appropriations I is scheduled for 9:00 a.m. on Thursday morning. We intend to ask the appropriation's people to move that back to nine-thirty and so we will convene the Session at nine, Recess for the purpose of that meeting, however long it

takes, and then reconvene for the purpose of reading in that committee report. So, effectively, those who wish to get back to their district early on Thursday...assuming they don't serve on the Appropriation's Committee, will be in a position to do so. Additionally, we will start today on the Order of 2nd Reading and today and tomorrow and perhaps for a short while on Thursday, we will devote our energies to 2nd reading with the exception that Senator Philip and I have thought that perhaps we could, with the sponsor's agree, withhold any action on the...those bills that came out of Senator Jones' committee on the insurance question, for the reason that this afternoon at three o'clock, as I'm sure everyone is aware, there are five or six different task forces meeting on this question and, additionally, there will be a summit meeting with all interested parties tomorrow in the Office of the Speaker. And so it...it...it seems only appropriate to afford that summit meeting the opportunity to at least discuss what is pending, and we...you can be sure that the members will have ample opportunity to amend those bills or to call them for 2nd reading. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, I'm sorry, someone was talking to me...are we convening tomorrow at 9:00 a.m. did you say or...

PRESIDENT:

No. No, Thursday at 9:00 a.m., tomorrow we'll convene at noon.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT:

Yes. Tomorrow at noon, Thursday morning at nine. So you can make your plans accordingly. Senator Hall, for what purpose do you seek recognition?

SENATOR HALL:

You answered my question...we have Appropriation at nine but you answered that.

PRESIDENT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

To move, Mr. President, pursuant to the request of the President, that the Appropriations I Committee scheduled to meet on Thursday at the hour of nine be moved to the hour of nine-thirty. We had posted for nine, with leave of the Senate, we would like that amended to nine-thirty so it will show on the Calendar that way tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Carroll. Is leave granted? Leave is granted. So ordered. On the...page 2 of your Calendar, Senate bills 2nd reading, Senate Bill 233, Senator Topinka. 916, Senator Lemke. 1320, Senator Barkhausen. 1475, Senator Jones. 1486, Senator Dawson. 1488. 1491, Senator Rock. 1492, Senator Etheredge. All right. On the Order of 2nd...2nd Reading...Senate Bills 2nd Reading is Senate Bill 1492, Mr. Secretary.

SECRETARY:

Senate Bill 1492.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a...a technical amendment to...it does nothing to change the substance but it does correct a drafting error. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Etheredge has moved the adoption of Committee Amendment No. 1 to Senate Bill 1492. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1502, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 1502, Mr. Secretary.

SECRETARY:

Senate Bill 1502.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Thank you, Mr. President. I would like to call a Republican Caucus immediately in the Office of the...Pate Philip. Republican Caucus immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, can you give us some idea as to how much time it will take? Senator Rupp.

SENATOR RUPP:

I would say a minimum, Mr. President, of an hour.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Rupp, it's my understanding that the committee hearings are at two. Senator Rupp.

SENATOR RUPP:

Oh,...Mr. President, I would hold it for just a few minutes. We have the...these folks that should be introduced and if that's a...but I still want the caucus immediately after that and immediately after the cake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

How about immediately after the committee meeting and maybe tomorrow? Okay.

SENATOR RUPP:

No...no sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp is...withhold his request for the time being. 1514, Senator Rock...the Order of Senate Bills 2nd Reading is Senate Bill 1514. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1514.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1516, Senator Welch. Page 3 is Senate Bill 1517, Senator Lemke. Top of page 3, Senate bills 2nd reading is Senate Bill 1517, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1517.

(Secretary reads title of bill)

SB 1520 2nd Reading
SB 1521 2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1520, Senator Maitland. Senate Bill 1520, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1520.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1521, Senator Maitland. Senator Maitland, 1521?...Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1521.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 to Senate Bill 1521 is nonsubstantive in nature. It moves the Act into Article XIV of the School Code and adds an immediate effective date. Amendment No. 2 changes...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's just take them one at a time. All right,

Senator Maitland has moved the adoption of Committee Amendment No. 1 to Senate Bill 1521. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Committee Amendment No...further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Committee Amendment No. 2 changes the date for recommendations relative to the dispute determinations from April 1 of '86 to...April 1 of 1987 and also adds as a member of the RSA, the Department of Alcohol and Substance Abuse as a member of the authority. I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland moves the adoption of Committee Amendment No. 2 to Senate Bill 1521. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1522, Senator Marovitz. 1529...all right. Senator Collins on 1529, there's a request for a fiscal note. 1548, Senator Poshard. Senate Bill 1551, Senator Zito. 1552, Senator Lechowicz. Senate Bill 1558, Mr. Secretary, read the bill.

SB 1565 2nd Reading

SECRETARY:

Senate Bill 1558.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1559, Senator Watson, bottom of page 3. Senate Bill 1563, Senator Darrow. Bottom of page 3, Senate Bill 1563, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1563.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1564, Senator Darrow. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill...1564.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 4, Senate Bill 1565, Senator Lemke. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1565.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1570, Senator DeAngelis. On the Order of Senate Bills 2nd Reading is Senate Bill 1-5-7-0, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1570.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1574, Senator Kustra. All right. Senate Bill 1-5-7-4, Mr. Secretary, read the bill.

SECRETARY:

...Senate Bill 1574.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1575, Senator Jones. 1576, Senator Kustra. 1577. 1580, Senator Vadalabene. On the

Order of Senate Bills 2nd Reading, middle of page 4, Senate Bills 2nd Reading, Senate Bill 1-5-8-0. Mr. Secretary.

SECRETARY:

Senate Bill 1580.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1581, Senator Fawell. Senate Bill 1-5-8-1, Senate bills 2nd reading. Senate Bill...1-5-8-1, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1581.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor...

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd...

SECRETARY:

...yes. Floor Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell is recognized on Floor Amendment No. 1.

SENATOR FAWELL:

Thank you, very much, ladies and gentlemen. All this amendment does is make an immediate effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Welch...can we have

some...can we have some order, please. Senator Welch is recognized.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Welch.

SENATOR WELCH:

What's the existing effective date on your piece of legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Right...right now the existing...there is no date on the bill. The amendment puts in an immediate effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

If the immediate effective date takes place, does...doesn't that mean that we will have to pay off a contract that currently is in existence for testing these vehicles and how much is that contract for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I would rather do this discussion on the...on the bill when it comes up. All I'm trying to do right now is get the bill in order. That's not pertinent as far as the amendment is concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch.

SENATOR WELCH:

...I think it is pertinent if you're not going to...if you have a...if you have a date that's after the contract is in effect if it's a one-year contract, certainly it is perti-

nent, but I'm willing to postpone any questioning because I hope we can defeat the bill after you have it the way that you want it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. If I might, Senator Fawell. Senator Welch, I have the twelve-page part of the RFP that deals with the termination of the contract prior to the fulfillment of the five-year obligation. Be happy to have...let you have it if you'd like to have it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell, do you wish to close? Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill 1581. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senate Bill 1588, Senator Darrow. 1589, Senator Barkhausen. The middle of page 4, Senate Bill 1-5-8-9, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1589.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1597, Senator DeAngelis. Senate bills 2nd reading, Senate Bill 1-5-9-7, read the bill, please.

SECRETARY:

Senate Bill 1597.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1601, Senator Topinka. Senate Bill 1-6-0-1, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1601.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1608, top of...1612. 1614, Senator Holmberg. Top of page 5, Senate Bill 1614, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1614.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

The committee amendment becomes the bill and it gives preference on State contracts to a bidder whose business is in an enterprise zone and whose bid is no more than two per-

cent higher than a lower bid. It eliminates the bill's provisions regarding exemptions from the sales tax for a retailer located anywhere in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg has moved the adoption of Committee Amendment No. 1 to Senate Bill 1614. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1615, Senator Maitland. Senator Maitland on the...all right. 1624. 1629, Senator Lemke, 1-6-2-9. All right. Senate bills 2nd reading, 1629, Mr. Secretary, read the bill. Oh, you want it held, all right. Take it out of the record. Senate Bill 1632, Senator Lemke. Going to move that one, all right. Senate Bill 1-6-3-2, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1632.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke.

SENATOR LEMKE:

What this says is makes the cancellation date three days from the date of signing the contract. Right now there's no days of correcting. This would make it three days to allow

somebody to...to...to cancel their contract with a contractor. I think it's a good amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved the adoption of Committee Amendment No. 1 to Senate Bill 1632. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments? Further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1634, Senator Lemke. 1659, Senator Berman. Senate bills 2nd reading is...Senate Bill 1-6-5-9, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1659.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1661, Senator Watson. 1662, Senator Welch. On the Order of Senate Bills 2nd Reading is Senate Bill 1662, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1662.

(Secretary reads title of bill)

SB 1673
2nd Reading

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1666, Senator Maitland. Senate Bill 1673, Senator Topinka. Bottom of page 5 is Senate Bill 1673, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1673.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and...and Gentlemen of the Senate, the amendment basically eased the ability of right turns and was advocated by the Department of Transportation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 1673. Any discussion? Senator...Senator Rock, you wish to speak on...

SENATOR ROCK:

No...I...I...no, not on this subject, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 1673. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1...1 is adopted. Further committee amendments?

SECRETARY:

No...further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. Might I suggest...I've just conferred with Senator Philip, there...there will be a request again renewed for a Republican Caucus and I presume we'll also have one. So that not to delay and...and inconvenience too many who are...will be attending the Appropriation's Committee meeting this afternoon, perhaps this is a logical place to stop. We will continue tomorrow where we left off on 2nd reading and just keep going in an attempt to accommodate Enrolling and Engrossing and the members who wish to move the bills. In the meantime, we have a special guest and a House joint resolution has been sent over and...was placed on the Consent Calendar. I'd move at this time to suspend the rules for the immediate consideration and adoption of House Joint Resolution 192 which deals with the spectacular, I guess, Hands Across America project. And I'd ask the Secretary to read that resolution, then I'd move for the suspension of the rules and its immediate consideration and adoption while you...then introduce our guest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Rock. Senator Rock has moved to...to suspend the rules for the immediate consideration and adoption of House Joint Resolution 192. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. House Resolution 192, Mr. Secretary, would you read the resolution. Can we have some order, please. Just a moment, Mr. Secre-

tary. Can we have some order, please. All right. House Joint Resolution 192.

SECRETARY:

House Joint Resolution 192.

(Secretary reads HJR 192)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, we...can we have some order? We have a special guest with us today. All right. We'll adopt the resolution. Senator Rock moves to adopt House Joint Resolution 192. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 192 is adopted. We now have a special guest from Hands Across America, Jean Bradner, who is from the Illinois office and is responsible for hiring, overseeing, managing the staff and she has a very, very big job and, Jean Bradner, perhaps you could come up and say a few words to us.

MS. BRADNER:

(Remarks by Jean Bradner)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Thank you, Mr. President. We have a congratulatory resolution. I would ask that we waive the appropriate rules for immediate consideration and adoption of Senate Resolution 869, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We are...we are on the Order of...of Resolutions, let us read it in. Resolutions.

SECRETARY:

Senate Resolution 869 offered by Senator Berman, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman.

SENATOR BERMAN:

I move the appropriate rules be waived so that we can have immediate consideration. There is a dinner this week that must...at which we would like to present this resolution. We're asking that the immediate consideration be given to the adoption of Senate Resolution 869.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman, we're on that order of business. Senator Berman has moved the adoption of Senate Resolution...all right...Senator Berman moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution...Senate Resolution 869 which is congratulatory. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Berman now moves the adoption of Senate Resolution 869. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 869 is adopted.

SECRETARY:

Senate Resolution 870 is a death resolution offered by Senator Dudycz.

Senate Joint Resolution 146 is a congratulatory resolution offered by Senator Hudson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would remind everyone there is cake available before we break for the respective caucuses and urge the caucuses to be as brief as possible so that the Committee on Appropriations can meet at least close to its designated time. I'd further ask, Mr. President, that the record reflect that Senator Chew is absent again today, he is hospitalized holding his own but will not be with us, and Senator

Netsch is absent due to the illness of her husband.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Vadalabene.

SENATOR VADALABENE:

Yes, if this is the proper time, there will be a Democratic Caucus in the President's Office immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Two...two requests. Number one, I'd like to be added as a joint principal hyphenated sponsor to 869; and second announcement is the...I was asked to make this announcement. The Fifteenth Annual Gridiron Dinner is next Tuesday, May 13th, that's at the Hilton, I assume. Tickets are available from any reporter in the press box and unlike State Government there has been no increase in the price this year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz, I am told it's Wednesday, the 14th, at least someone is...all right, Tuesday, the 13th. All right. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Tomorrow morning, Mr. President,...for purpose of an announcement. Tomorrow morning at 11:00 a.m. at the Old State Capitol there will be a ceremony commemorating the days of remembrance so that we do not forget the Holocaust that engulfed Europe during the Second World War. Everyone is invited, 11:00 a.m., at the Old State Capitol tomorrow morning. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall, for what purpose do you arise?

SENATOR HALL:

I'd like to make the announcement to...to...so that

everyone who serves on Appropriation II that we're meeting twice. The first meeting is 9:00 a.m. tomorrow morning in Room 212, so I'd like to have...we can get started on time and then we'll come to Session, then we'll go back in the afternoon at 2:00 p.m. So that's tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further announcements? Senator Watson.

SENATOR WATSON:

Yes, sir. Thank you, Mr. President. I'd just like to remind the real Mr. President that this is a Bond County cake. This was made in Bond County in Senator Demuzio's district but in my home county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Who...who made the cake? Okay. Further...further announcements? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The icing on the cake is the Republican Caucus.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me for laughing. All right. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till tomorrow at the hour of noon. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 7, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this afternoon by the Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

REVEREND KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, April 29th, 1986 and Wednesday, April the 30th, 1986.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Thursday, May 1st; Friday, May 2nd and Tuesday, May 6th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right, you've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor

indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 871 offered by...Senator Macdonald.

Senate Resolution 872, Senator Topinka.

873, 874 and 875, by Senator Poshard.

And Senate Joint Resolution 147, by Senator Jerome Joyce.

PRESIDENT:

Consent Calendar. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

For the purpose of an announcement, Mr. President. Today it's the birthday of one of our colleagues. He's somewhere between forty-five and fifty years old, we can't get the exact date; but Senator Demuzio has his birthday today and he has cake and coffee in his office, and he wants all of us to join him.

PRESIDENT:

Happy birthday, Mr. Chairman. And I'm sure he's buying dinner for everyone tonight. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 193 and it's commendatory.

PRESIDENT:

Consent Calendar. All right, if I can have the attention of the membership, additional committee meetings are scheduled for this afternoon to commence...pretty much on time,

around two o'clock. In the meantime,...in my discussions with Senator Philip, we have decided to move ahead on Senate bills on 2nd reading. I would ask the members to take a look, kind of preview what...we will start with 1704 and 5 sponsored by Senator Berman and go right down the list with the exception that...given the fact that this afternoon the Speaker has convened the summit meeting on the insurance liability question, Senator Philip and I thought it better to let any of those bills...any bills that relate to that subject matter sit until the summit has a chance to discuss what is out and going. So, we will begin on page 4 on the Calendar, on the Order of Senate Bills 2nd Reading, Senate Bill 1704, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1704.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1705, Senator Berman. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1705.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading,

SB1799 2nd Reading

Senate Bill 1706, Senator Luft. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1706.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1711, Senator Collins. 1714, Senator Donahue. 1716, Senator Schuneman. 1728, Senator Etheredge. 1732, Senator Jones. 1735, Senator Macdonald. On the Order of Senate Bills 2nd Reading, the top of page 5, is Senate Bill 1735. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1735.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1783, Senator Joyce. Middle of page 5. 1798, Senator Watson. 1799, Senator Smith. On the Order of Senate Bills 2nd Reading, the middle of page 5...we're on page 5 on the Calendar, Senate Bill 1799. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1799.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

SB 1804 3rd reading

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1804, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1804.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1805, Senator Lechowicz. 1809, Senator Demuzio. On the Order of Senate Bills 2nd Reading, the bottom of page 5, is Senate Bill 1809. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1809.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio on Amendment No. 1.

SENATOR DEMUZIO:

...thank you, Mr. President. Amendment No. 1 was an amendment that was suggested in committee that, in fact, provided for a seniority system for the vocational education

program specifically for teachers. I think there was unanimity in...in committee that this amendment be adopted and, therefore, I would move its adoption.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 1 to Senate Bill 1809. Is there any discussion? Any discussion? If not, all in favor of the...adoption of Amendment No. 1 indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further Floor amendments.

PRESIDENT:

3rd reading. 1814, Senator Poshard. Top of page 6, 1815, Senator Etheredge. On the Order of Senate Bills 2nd Reading, the top of page 6, Senate Bill 1815. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1815.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1834, Senator Maitland. 1837, Senator Weaver. On the Order of Senate Bills 2nd Reading, top of page 6...page 6 on the Calendar, is Senate Bill 1837. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1837.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1838, Senator Barkhausen. 1845, Senator Marovitz. 1845...committee amendment. On the Order of Senate Bills 2nd Reading is Senate Bill 1845, middle of page 6. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1845.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Table...I would move to Table Committee Amendment No. 1 to Senate Bill 1845.

PRESIDENT:

All right, Senator Marovitz has moved to Table Committee Amendment No. 1 to Senate Bill 1845. Is there any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 clarifies some technical errors that were made in drafting Amendment No. 1. Amendment No. 2 deals with the exact same subject matter, has the exact same substance. It has to do with the...enabling the judge to consider domestic violence actions in determining whether joint custody should be terminated, and I would ask for the adoption of Amendment No. 2 to Senate Bill 1845.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 1845. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Motion carries. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1852, Senator Maitland. On the Order of Senate Bills 2nd Reading, the middle of page 6, is Senate Bill 1852. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1852.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Can I ask the staff to take the conferences off the Floor. Amendment No. 1 to Senate Bill 1852, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and

SB 1862 3rd reading

Gentlemen of the Senate. Amendment No. 1 to Senate Bill 1852 is an amendment that was agreed to in committee that delays...the bill as introduced would have delayed the implementation of these course requirements for five years. And I believe the committee, in their wisdom, suggested a three-year delay and that's what the amendment does and I would move the adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 1852. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1854, Senator Lechowicz. Top of page 7. 1861, Senator Lemke. Top of page 7, on the Order of Senate Bills 2nd Reading, Senate Bill 1861. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1861.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1862, Senator Joyce. On the Order of Senate Bills 2nd Reading, top of page 7, Senate Bill 1862. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1862.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1871, Senator Mahar. 1873, Senator Joyce. 1875, Senator Rupp. On the Order of Senate Bills 2nd Reading, the middle of page 7, is Senate Bill 1875. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1875.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1910, Senator Weaver. On the Order of Senate Bills 2nd Reading, Senate Bill 1910. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1910.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading...I beg your pardon, Senator Weaver says there is an amendment filed.

SECRETARY:

Amendment No. 1 offered by Senator Weaver...on Senate Bill 1910.

PRESIDENT:

All right, Senate Bill 1910. With leave of the Body, we return to the Order of 2nd Reading. There was an amendment inadvertently overlooked. Amendment No. 1, Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment would give the department the option to have an organizational licensee put on the parimutuel wagering at DuQuoin by contract and, hopefully, it...it gives them some flexibility so that they don't have to set up their own board and be in conflict. I thought it had been cleared with both sides of the aisle. Dick Davidson gave it to me yesterday and I filed it, and now he said he had cleared it with the other side of the aisle.

PRESIDENT:

All right, Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 1910. Any discussion? If not all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, Senator Lechowicz has returned from...I beg your pardon. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

I'm sorry, Mr. President. This was on the wrong racing bill. So, just take that out of the record and we'll get it straightened out and if you want to move it back to second, we'll hold it until we get it straightened out.

PRESIDENT:

All right, with leave of the Body, Senator Weaver

requests leave to return Senate Bill 1910 to the Order of 2nd Reading. Senator Weaver, having voted on the prevailing side, moves to reconsider the vote by which amendment No. 1 to Senate Bill 1910 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Weaver now moves to withdraw Amendment No. 1 to Senate Bill 1910. All in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is withdrawn. 1912...no. All right, with leave of the Body, we'll move back to the bottom of page 6. Senator Lechowicz has returned from the appropriation's meeting. On the Order of Senate Bills 2nd Reading, Senate Bill 1854. Do you wish these bills called, Senator...okay. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1854.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 is an amendment requested by the Department of Conservation and permits the director to have the authority to issue this type of a license. I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to House Bill...Senate Bill 1854. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading is Senate Bill 1855. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1855.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1 to Senate Bill 1855.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 1 was drafted by the Department of Financial Institutions and the Illinois Credit Union League. With the adoption of the amendment there was no opposition to the bill and I move for the adoption of the agreed Amendment No. 1.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Amendment No. 1 to Senate Bill 1855. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on Amendment No. 2.

SENATOR LECHOWICZ:

This is a cleanup amendment which was a...brought to our attention by the Legislative Reference Bureau. It corrects four erroneous citations of another Act in the Income Tax Act. I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1855. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1856. On the Order of Senate Bills 2nd Reading, Senate Bill 1856. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1856.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1 to Senate Bill 1856.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 1 which...was requested by the Department of Registration and Education which would read, "A registered pharmacist in charge shall oversee each division and no pharmacist shall be designated as the registered pharmacist in charge with the respect to more than one division." This is another cleanup amendment and I move for its adoption.

PRESIDENT:

SB 1921 2nd Reading
SB 1858 2nd Reading

All right, Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1856. Any discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, the bottom of page 6, is Senate Bill 1858. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1858.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right, middle of page 7, Senate Bill 1915, Senator Maitland. 1917. 1920, Senator Karpiel. 1921, Senator Philip. Bottom of page 7. On the Order of Senate Bills 2nd Reading, the bottom of page 7, is Senate Bill 1921. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1921.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers two amendments.

PRESIDENT:

Senator Philip on Committee Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Is...Committee Amendment No. 1 the long amendment, Mr. Secretary? Nine lines?

SECRETARY:

...yes, just about nine lines.

SENATOR PHILIP:

Okay...that's fine. Thank you. What that amendment...Committee Amendment No. 1 does would allow the...if Kane County decided by referendum to opt out of the airport authority they would still be entitled to one person appointed from Kane County to represent the airport authority. Be happy to answer any questions. I move the adoption of Amendment No. 1 to Senate Bill 1921.

PRESIDENT:

All right, Senator Philip has moved the adoption of Committee Amendment No. 1 to Senate Bill 1921. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Philip on Committee Amendment No. 2.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is strictly technical. It adds the word "a" before "upon." I move the adoption of Amendment No. 2 to Senate Bill 1921.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 2 to Senate Bill 1921. Any discussion? If

not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDENT:

3rd reading. Top of page 8. 1925, Senator Zito. 1929, Senator Mahar. On the Order of Senate Bills 2nd Reading, the top of page 8, is Senate Bill 1929. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1929.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Agriculture offers one amendment.

PRESIDENT:

Senator Mahar on Committee Amendment No. 1.

SENATOR MAHAR:

Thank you, Mr. President. Committee Amendment No. 1 allows the retailers in the State of Illinois who have had inventory of the old style water heaters prior to April 1st of 1986 to...to deplete their inventories at their will.

PRESIDENT:

Senator Mahar has moved the adoption of Committee Amendment No. 1 to Senate Bill 1929. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Macdonald on 1930. Top of page 8. On the Order of Senate Bills 2nd Reading, Senate Bill 1930. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1930.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator Macdonald on Committee Amendment No. 1.

SENATOR MACDONALD:

Yes, the...amendment dealt with...definitely five main issues, one was the county participation for this municipal waste joint action agency. The other dealt...also dealt with the election of directors, also the intangible assets; the amendment would authorize the agency to sell its intangible assets and pledge them as security for its debts. Also addressed the subject of insurance and the definition of solid waste was changed to municipal waste and that was...that's the language that we'll have to clarify the joint agency and also the agency financing was clarified in the bill. So, it was passed out of committee and I recommend its passage.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Committee Amendment No. 1 to Senate Bill 1930. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1931, Senator Sangmeister. 1934, Senator Joyce. 1935, Senator Lemke. 1937, Senator Lemke. On the Order of Senate Bills 2nd Reading, the middle of page 8, is Senate Bill 1937. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1937.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1942, Senator Kelly. On the Order of Senate Bills 2nd Reading is Senate Bill 1942. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1942.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Kelly on Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President. I move to Table Committee Amendment No. 1. I mean, we're going to offer a Floor amendment that will incorporate what was in the Committee Amendment No. 1.

PRESIDENT:

All right, Senator Kelly has moved to Table Committee Amendment No. 1 to Senate Bill 1942. Is there any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Further amendments, Mr. Secretary?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Floor Amendment No. 2 offered by Senator Kelly.

PRESIDENT:

Senator Kelly on Amendment No. 2.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. The Floor amendment that we're offering here today has two provisions in it. First of all, we are deleting the word "reasonably" and inserting the word "new" as it relates to intentional homicide, and this took care of some of the problems of some of our distinguished House members in committee that had a...a problem with the concept, so we would like to have that included to make it more direct and clarifies the language. Also, the other committee amendment which took care of the problem of the Medical Society is being incorporated in here again. This takes everything out dealing with the subject of abortion so that this does not address the subject of abortion. And I move for the adoption of Floor Amendment No. 2.

PRESIDENT:

All right, Senator Kelly has moved the adoption of Amendment No. 2 to Senate Bill 1942. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The

Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1944, Senator Joyce. On the Order of Senate Bills 2nd Reading, Senate Bill 1944. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1944.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1945, Senator DeAngelis. 1946, Senator DeAngelis. 1951, Senator Holmberg. Bottom of page 8. On the Order of Senate Bills 2nd Reading, the bottom of page 8, is Senate Bill 1951. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1951.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Holmberg on Committee Amendment No. 1.

SENATOR HOLMBERG:

Yes,...the committee amendment corrects a drafting error. The base population should read one hundred and thirty thousand rather than one hundred and fifty thousand.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of

Committee Amendment No. 1 to Senate Bill...1951. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Holmberg.

PRESIDENT:

Senator Holmberg on Amendment No. 2.

SENATOR HOLMBERG:

Amendment No. 2, a Floor amendment, is a suggestion by the Department of Revenue and it asks that the sales tax be figured on the municipal base...that it would...easier for them and...and now I present that at this time.

PRESIDENT:

All right, Senator Holmberg has moved the adoption of Amendment No. 2 to Senate Bill 1951. Any discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1954, Senator Demuzio. On the Order of Senate Bills 2nd Reading, Senate Bill 1954. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1954.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

SB 1957 2nd Reading out of the Rules

PRESIDENT:

Senator Demuzio on Committee Amendment No. 1. Take it out of the record, Mr. Secretary. 1955 he doesn't wish to call. 1957, Senator Friedland. On the Order of Senate Bills 2nd Reading is Senate Bill 1957. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1957.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Friedland.

PRESIDENT:

Senator Friedland on Floor Amendment No. 1.

SENATOR FRIEDLAND:

Thank you, Mr. President. Floor Amendment 1 clarifies when a person remains in a public building after receiving notice from the owner that they are to leave. Urge adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Could we have a better explanation of the amendment, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland, apparently some of the members were not aware of what you indicated. Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President. It was a little noisy here. The Floor amendment would...clarifies when a person remains in a building after receiving notice from the owner that he should leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

I wonder if I might ask the gentleman to take this one out of the record. We are creating a brand new crime here and nobody seems to be aware of what's going on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

I thought it was merely...it was my impression it was merely...not creating a new category but redefining it. Let's take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. Senator Friedland has requested leave to take it out of the record. Take it out of the record. Senate Bill...1958, Senator Weaver. All right, top of...middle of page 9, Senate Bill 1958. Mr. Secretary, read the bill...

SECRETARY:

(Machine cutoff)...Bill 1958.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the amendment I inadvertently explained on another bill. It would provide that the Department of Agriculture may employ a contract with or cooperate in an agreement with an organizational license of the racing board for any person having a license with the

racing board to assist the Department of Agriculture in the parimutuel wagering at the DuQuoin State Fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate Weaver has moved the adoption of Amendment No. 1 to Senate Bill 1958. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1961, Senator D'Arco. 1963, Senator Joyce. Senator Joyce, 1963. All right, on the Order of Senate Bills 2nd Reading is Senate Bill 1963. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1963.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1972. All right, Mr. Secretary, Senate Bill 1-9-7-2.

SECRETARY:

Senate Bill 1972.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The amendment does two things. First of all, it changes the effected...effective date from an immediate date to July 1 of 1987. Secondly, it allows constitutional officers the option of using the collection service or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch has moved the adoption of Amendment No. 1 to Senate Bill 1972. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1974. Senate Bill 1983, Senator Davidson. Senate Bill 1-9-8-3, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1983.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop, Senator Rock.

SENATOR ROCK:

This is part of that liability package, is it not?...it is not. Sure looks that way. Spare me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This...this bill is the bill that came from the Department of Corrections that...so that those individuals who no longer have been employed with the Department of Corrections who were called in to be a witness in relation to suits that have been filed by inmates, those individuals can be compensated for the loss of wages that would be the difference...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. He surrendered. Senator Davidson moves...all right, 3rd reading.

SECRETARY:

No...no...no...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senate Bill 1984, Senator Davidson. All right, Senate bills 2nd reading, Senate Bill 1984. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 1984.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment will put into this Act what's in the present Insurance Act where the Equality Act. Also puts into this Act what has been the...the position and the policy of the department for the last...however many years we've had group insurance. What it amounts to is State employees would have the opportunity to go to a person for health care of their choice. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 1984. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1985. 1988. Senate Bill 1988, Senator Watson. Senate Bill 1988, Senator Watson. All right, top of page...all right, bottom of page 9, Senate Bill 1988. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1988.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1991, Senator Degnan. Senator Degnan. 1992, Senator Macdonald. All right, top of page 10 is Senate Bill 1992. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1992.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1993...Senate Bill 1993, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1993.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1998. Mr. Secretary, read the bill, Senate Bill 1-9-9-8.

SECRETARY:

Senate Bill 1998.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I'd like to move to Table Committee Amendment No. 1 and it...it'll be incorporated in Floor Amendment No. 2. I move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dunn has moved to Table Committee Amendment No. 1 to Senate Bill 1998. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I offer...and move the adoption of Senate Amendment No. 2 to House Bill 1998. It does what Senate...Committee Amendment 1 did except it adds the words that were suggested in the Executive Committee to..."for official governmental functions" to...to the existing amendment. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn has moved the adoption of Amendment No. 2 to Senate Bill 1998. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2006, Senator Marovitz. 2018, Senator...2017, Senator Barkhausen. Senate Bill 2017, Senator Barkhausen. Do you...are you ready? All right, Mr. Secretary, 2017, read the bill, please.

SECRETARY:

Senate Bill 2017.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No...Amendment No. 1 offered by Senator...Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 2017 simply provides for an immediate effective date and I would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 2017. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Now, Senator Marovitz, we were holding the...part of your bills because of the insurance, but I understand that 2006 is not part of that. The Chair inadvertently passed it up. With leave of the Body, we'll return to Senate Bill 2006. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2006.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. I will overlook that oversight in view of the fact that today is your birthday. I'll chalk it up to old age. Amendment No. 1 to Senate Bill 2006...Amendment No. 1 to 2006...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, your time has almost expired. Senator

Marovitz.

SENATOR MAROVITZ:

...was agreed to by the Judiciary II Committee. Currently, an addict...a drug addict charged or convicted of a crime is eligible to elect treatment for that drug addiction under a supervised program rather than going to prison for certain crimes. This bill proposes to add more instances where an addict would be ineligible to elect treatment in lieu of going to trial. This amendment excludes residential burglary so a...an addict could still elect treatment in the case of residential burglary which the committee agreed should not be a list of those crimes that would be excluded. It's an agreed amendment and I would ask for adoption of Amendment No. 1 to Senate Bill 2006.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 2006. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Bottom of page 10, Senate Bill 2018, Senator Leitch. Mr. Secretary, 2-0-1-8, read the bill.

SECRETARY:

Senate Bill 2018.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I'm not aware of the amendment. Would you please take it

out of the record?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, let's take it out of the record. Page 11, Senate Bill 2019, Senator Geo-Karis. All right, Senate Bill 2019, Mr. Secretary, Senator Watson. Read the bill,...2-0-1-9.

SECRETARY:

Senate Bill 2019.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate,...what Amendment No. 1 does is says that anyone who knowingly transmits a false report under the Illinois Domestic Violence Act commits...the offense of disorderly conduct, and...it also...hold on just a minute...that's...that's right. Is there any question about it?...I move its...its adoption. It's all right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis has moved the adoption of Amendment No. 1 to Senate Bill 2019. Discussion? Senator Welch. Can we have some order, please.

SENATOR WELCH:

I had a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, indicates she will yield. Senator Welch.

SENATOR WELCH:

I wasn't sure I understood. Did you say that if a person

commits the offense of armed violence it's also something else?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, this amendment was given to me by the Department of Aging and what it does, it...quote, and I quote from their letter, "Any person who knowingly transmits a false report under the Illinois Domestic Violence Act commits the offense of disorderly conduct," and that's what the...gist of it is...as far as I can see. I have it here. If you want me to take it out of the record and bring it back, I'll be glad...you have any problem with it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator, why don't we take it out of the record and get it cleared up so we can...all right, let's take it out of the record. Senate Bill 2020, Senator Geo-Karis. Senator Geo-Karis, 2020. All right, Mr. Secretary, Senate bills 2nd reading, Senate Bill 2020. Read the bill, please.

SECRETARY:

Senate Bill 2020.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Mr...my Calendar indicates there's...there was to be a Floor amendment. All right,...leave to take it out of the record? Take it out of the record. 2022, Senator Berman. 2025, Senator Fawell. 2035, Senator DeAngelis. All right, Senate bills 2nd reading, in the middle of page 11, is

Senate Bill 2035. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2035.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2042, Senator Marovitz. Middle of page 11, 2042. All right, Mr. Secretary, Senate Bill 2042, read the bill, please.

SECRETARY:

Senate Bill 2042.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2044, Senator Weaver. Page 12, Senate Bill 2057, Senator Nedza. Top of page 12, 2057. Mr. Secretary read the bill, please.

SECRETARY:

Senate Bill 2057. [illegible]

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 minimizes the scope of the bill by deleting any reference to counties, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Nedza has moved the adoption of Amendment No. 1 to Senate Bill 2057. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2061, Senator Vadalabene. Senator Vadalabene. All right, Senate Bill 2061, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2061.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Committee Amendment No. 1 to Senate Bill 2061 deletes the three-fifths Senate confirmation vote of the council members and will require a simple majority instead and deletes the hundred and fifty thousand dollar funding authorization. Both of these provisions are unnecessary and should be deleted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...

SENATOR VADALABENE:

...and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Vadalabene has moved the adoption of Amendment No. 1 to Senate Bill 2061. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 2nd Reading, Senate Bill 2070, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2070.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like to Table Senate Bill 2070. It's the identical bill to Senate Bill 2087 which I am the hyphenated cosponsor with Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Those in favor of supporting

Senator Philip in Tabling Senate Bill 2070 indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senate Bill 2070 is Tabled. Senate Bill 2074, Senator Marovitz. Senate Bill 2076, Senator Geo-Karis. Senate Bill 2077, Senator Geo-Karis. Senate Bill 2078, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2078.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2078 is quick-take for the DuPage County Water Commission. Amendment No. 1 would also give the same right to acquire public property. I move the adoption of Amendment No. 1 to Senate Bill 2078.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, those in favor...Senator Philip moves the adoption of Amendment No. 1 to Senate Bill 2078. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2082, Senator Nedza. Senate Bill 2084, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2084.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

SENATOR D'ARCO:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 2084 was actually gutted and the Amendment No. 1 becomes the bill, and last year what we did was authorize bank holding companies to merge or consolidate trust making subsidiaries, but in the process we excluded trusts that were created prior to 1973 and we also excluded all land trusts. So what the amendment does is to include those trusts that were excluded prior to '73 and also to include all land trusts. It also adds a provision that says that subsidiaries of bank holding companies can...trust divisions of subsidiaries can function at facilities of bank holding companies. Those two provisions constitute the Amendment No. 1, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 2084. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 2100 2nd Reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2087, Senator Degnan. Senate Bill 2088...Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2087.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2088, Senator Savickas...Senator Rock wishes to hold it. Senate Bill 2091, Senator Berman. Senate Bill 2100, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2100.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2105, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2105.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...any committee amendments?

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. (Machine cutoff)...Bill 2116, Senator Weaver. Read the bill, Mr. Secretary. Senator, on 2108, all the insurance bills are being held. Senate Bill 2116, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2116.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a technical amendment. It said it strikes "the paragraph" and in lieu thereof adds "paragraph."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Weaver moves the adoption of Amendment No. 1 to Senate Bill 2116. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2117, Senator Demuzio. Senate Bill 2123, Senator Poshard. 2129, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2129.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2135, Senator Rock. We ought to hold that. Senate Bill 2136, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2136.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The amendment is technical. Comes from the State Treasurer's Office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 2136. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2142, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2142.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2143, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2143.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2151, Senator Savickas. Senate Bill 2154, Senator O'Daniel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2154.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I ask leave to Table Committee Amendment No. 1 to Senate Bill 2154.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You...you've heard the motion. Senator O'Daniel moves to Table Committee Amendment No. 1 to Senate Bill 2154. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The...Committee Amendment No. 1 is Tabled. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Can I ask the sponsor why he is Tabling that amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

You sure can. Senator DeAngelis. Senator O'Daniel.

SENATOR O'DANIEL:

Yes, I have a Floor amendment that more...corrects the appointment to the board as recommended by the county sheriffs that I'm planning to offer now in its place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments? Amendment...Committee Amendment No. 1 is Tabled. Are there further committee amendment?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President. Amendment No. 2 makes some changes in...in the appointments to the board as recommended by the Illinois Sheriffs' Association.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell. Well, your light is on, Senator, would you...is there any discussion? If not, Senator Poshard moves the adoption of...Senator O'Daniel moves the adoption of Amendment No. 2 to Senate Bill 2154. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2155, Senator Welch. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

I'm sorry, but I think there is another amendment to that bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

With leave of the Body, we will return Senate Bill 2154 from the Order of 3rd Reading back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2154.

SECRETARY:

Amendment No. 3 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This deletes language that the State would not...be allowed to put the minimum standards as far as space is concerned in county jails. We can't do that, that's...there is a Federal law that says we can't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Any discussion? If not, Senator Fawell moves the adoption of Amendment No. 3 to Senate

Bill...2154. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. For what purpose Senator Poshard arise? Senate Bill 2155, Senator Welch. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 2155.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. This amendment specifies that the fifteen percent amount to be reimbursed to the...for the circuit clerk is only related to personnel in the office, not the overall cost of the office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 2155. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. What this amendment does is changes the effective date from July 1, 1986 to January 1, 1987, reducing the cost by fifty percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 2173 2nd Reading

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 2 to Senate Bill 2155. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2157, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2157.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2162, Senator Smith. 2163, Senator Collins. On 2163 a fiscal note has been requested. 2164, Senator Lemke. Senate Bill 2165, Senator Joyce. Senate Bill 2166, Senator O'Daniel. Senate Bill 2168, Senator Poshard. Senate Bill 2169...2173, Senator Luft. Senate...2173...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2173.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2177, Senator Lemke. On the Order of

Senate Bills 2nd Reading, bottom of page 15, is Senate Bill 2177. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2177.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2180, Senator Collins. 2185, Senator Lemke. 2190, Senator Barkhausen. All right. With leave of the Body, we will conclude 2nd reading at that point, and when we return on Tuesday, next, at the hour of noon, we will continue where we left off with those 2nd reading bills. There is a request from Senator Marovitz...there is a request from Senator Marovitz to go to the Order of Secretary's Desk Concurrence for the purpose of dealing with Senate Bill 1244 which just within the last week or so has been amended by the House. All right. With leave of the Body, we'll move to page 24 on the Calendar, Mr. Secretary, on the Order of Secretary's Desk Concurrence, and deal with Senate Bill 1244. Senator Poshard, while the Secretary is pulling the bill, for what purpose do you arise, sir?

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR POSHARD:

Mr. President, Ladies and Gentlemen of the Senate, all of us appreciate those industries which contribute to the economic well-being of our communities. We're celebrating today in southern Illinois, the fortieth anniversary of the loca-

tion of Norge Industries in Herrin, Illinois. They're one of the largest industrial employers in our end of the State. They've been good neighbors to Herrin and to all of southern Illinois. They're excellent residents in our community. We're joined here in the Senate today by the president and vice-President, Mr. John Carpenter and John Nicholas of Herrin Industries, along with Mayor Ed Quaglia of Herrin and other members of his city council and Chamber of Commerce and we just...I would just like you to applaud their efforts and their contribution to southern Illinois.

PRESIDENT:

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. All right. On the Order...page 24 on the Calendar, on the Order of Secretary's Desk Concurrence, Senate Bill 1244. Mr. Secretary.

SECRETARY:

Senate Bill 1244 with House Amendments 2, 3 and 9.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I would move that the Senate do concur with the House amendments to Senate Bill 1244. In effect, what this bill does on final reading...and Amendment 9 is the crucial amendment because that becomes the bill and supersedes the other amendments. This bill allows the sale of alcoholic beverages at Navy Pier until 12-31, 1987. Currently...currently, wine and beer are allowed on Navy Pier, this would allow the sale of all alcoholic beverages and I would ask for concurrence.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I understand...is this just limited to Navy Pier or does it apply to all cities and municipalities?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

This is limited exclusively to Navy Pier.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

...I'm...reason I'm asking the question is because I'm checking amendment...House Amendment No. 9 in our...synopsis...in our Digest, and it just says...unless I misread this thing, it says, "Not just beer to be sold in any building belonging to or under the control of any city, village or incorporated town where more than seventy-five percent of the physical properties of the building are used for commercial recreational purposes." I mean, I...I'm not objecting to it, I just want to know if it's a little broader.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

If you read the amendment carefully, the description of the amendment applies only to Navy Pier. It doesn't mention Navy Pier by name, it applies only to Navy Pier.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

It says over navigable water, so I guess if there's another water besides that abounding by Navy Pier it could apply. That's all I want to know.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Senator...would the Senator respond to a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hudson.

SENATOR HUDSON:

Senator Marovitz, would you...am I right in understanding that what...what this bill does is to expand and enlarge the sale of alcohol...alcoholic beverages at Navy Pier, is that what we're talking about...law?

PRESIDENT:

Senator Marovitz...Senator Marovitz.

SENATOR MAROVITZ:

Well, that's pretty close. Presently...wine and beer are permissible to be sold at Navy Pier, this would expand that to all alcoholic beverages at the pier.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

I'm just wondering, Bill, if...if it is possible that in so doing we are encouraging our young people or giving them a message that going out to such places as Navy Pier...and that is not alone, I know our public parks have been...some of them have been interested in this too. But if it isn't giving them a message that, okay, go ahead and drink. Now, at the same time...anything, bourbon, whiskey, scotch, rye, you name it, you know, all those good things, but at the same time we seem to be tightening up...we're going through great...efforts to tighten up on DUI and all of that, do you see any inconsistency in doing one thing on one hand and something else on the other hand?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I really don't see any inconsistency because we're

not...we're not dealing with the age limit whatsoever, this is still only applicable to people who are twenty-one and older, which is the law in the State of Illinois. What is happening at Navy Pier is the facility is now being used, has been renovated and is being used by a number of charities and organizations throughout the State of Illinois; for instance, the...the art community is using it this...this week and a lot of facilities, charities are using the facility and need to be able to sell...would like to be able to sell to their donors and to the people at their functions alcoholic beverages. That is strictly what this is for, it is not...it is not for kids, there's not rock shows there or we're not expanding the sale of alcoholic beverages to...to juveniles. I understand your concern but that would not be applicable here at all; otherwise, I'd be opposing it.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Weaver.

SENATOR WEAVER:

Senator, I was just wondering why you had the sunset provision in...in '87?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

A very frank answer, I really don't know. It was put on in the House, I don't know why they put a sunset provision in there.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd like to ask the sponsor to

take the bill out of the record. I tried to get some questions answered on this matter by Paul Karis and he informed me to get ahold of Jackie Grenshaw who is on vacation. And I'd like to have my questions answered before we proceed on this matter.

PRESIDENT:

(Machine cutoff)...discussion? Any further discussion? If not, Senator Marovitz, you may close.

SENATOR MAROVITZ:

Can you hold on a minute, Mr. President?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Out of the courtesy for a colleague, I'll take that bill out of the record today, but I'd like to recall it tomorrow.

PRESIDENT:

Yeah, okay. Take it out of the record, Mr. Secretary. Further business or announcements? Senator Davidson. Announcements, tomorrow morning? Senator Davidson.

SENATOR DAVIDSON:

Tomorrow morning, to those individuals who are going to the Governor's Prayer Breakfast of which the man sitting in the Chair presiding over you is an integral part of the program, it's at 7:30 a. m. at the Holiday Inn East. Mayor Bill Huddnut, the Mayor of Indianapolis, past National President of the Mayors' Conference is the speaker. We'll be looking forward to all those...you who bought tickets to be present and if you want one now, I don't know that we can be able to do that or not. We...we're trying to get one for one Senator who mislaid the invitation. And...if you do, go see my secretary, we will call and we'll have to hold them for you in the door. The tickets are seven-fifty. Thank you.

PRESIDENT:

All right. We have a few housekeeping matters and then

we'll get to the rest of the announcements. Mr. Secretary, resolutions.

SECRETARY:

Senate resolution 876 offered by Senators Marovitz and Berman. It's congratulatory.

877 and 878, by Senator Woodyard and they're congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 879 offered by Senator Jerome Joyce.

PRESIDENT:

Executive. All right. Further announcements or further business? The Chair would just...like to remind the membership that tomorrow morning, to accommodate those members who have pressing business back in their district and at the request of the Minority Leader, we will start at 9:00 a. m. The Senate will convene at nine and then we will Recess for the purpose of the Appropriation Committee and reconvene after the Appropriation Committee for the purpose of reading in that report. That essentially...will be tomorrow's course of action. Senator Watson, for what purpose do you seek recognition?

SENATOR WATSON:

Thank you, Mr. President. I'd like for all of us to wish my seatmate, Cal Schuneman, a happy birthday, today is his birthday.

PRESIDENT:

Congratulations. Another year unscathed. And a Bond County cake no less. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Request leave of the Body to be added as a hyphenated cosponsor to Senate Bill 1942, 1-9-4-2.

PRESIDENT:

1-9-4-2, Senator Hudson. The gentleman seeks leave to be added as a hyphenated cosponsor. Without objection, leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate...

PRESIDENT:

We're not finished yet.

SENATOR VADALABENE:

...thank...thank you, Mr. President. The St. Louis Cardinals are...are...in the past three days are playing five hundred ball and I've got some schedules here and they're going like hot cakes.

PRESIDENT:

Maybe you can attach them to the speeches you pass out, Sam, it may help. Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Thank you, Mr. Chairman. I'd like to be...take leave of the Body and request to be added as a hyphenated sponsor to Senate Bills 1510, 1511 and 1512.

PRESIDENT:

All right. The lady seeks leave to be added as a cosponsor on Senate Bills 1510, 11 and 12. Without objection, leave is granted. All right. The Chair has been asked to remind you that the Gridiron Dinner is less than a week away, it is May 13th. I'm sure no one here wants to miss it. Tickets are going like Senator Sam's hot cakes but they are available from any member of the press corp. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I just wanted to remind everybody who's on Senate Appropriation II, we going to

reconvene right after this adjournment and we plan to get out as quick as possible.

PRESIDENT:

All right. Appropriations II will meet immediately in Room 212. If there's no further business or no further announcements, don't forget the gridiron, don't forget the prayer breakfast, we'll stand adjourned until nine o'clock tomorrow morning. The Senate stands adjourned until Thursday, May 8th, the hour of 9:00 a. m.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

May 8, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. The members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning by the Reverend Eugene Weitzel, Director of Chaplains for St. John's Hospital in Springfield. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journal.

SECRETARY:

Thursday, May the 1st, 1986 and Friday, May the 2nd, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Kelly. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carried. Senator Kelly.

SENATOR KELLY:

Mr. President, I also move that reading and approval of the Journals of Tuesday, May 6th and Wednesday, May 7th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Kelly. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carried. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President — I'm directed to inform the Senate the House of Representatives passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit;

House Bills 564, 1229, 1446, 2486 and 2528.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Committee reports.

SECRETARY:

Senator Hall, chairman of Committee on Appropriations II reports out the following Senate bills:

Senate Bill 1825 with the recommendation Do Pass.

1602, 1603, 1604, 1605, 1606, 1607, 1609, 1610, 1611, 1737, 1738, 1749, 1751, 1758, 1759 and 1772 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 880 offered by Senator Hall, Rock and all Senators. It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 148 offered by Senator Vadalabene and all Senators and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 881 offered by Senators Dudycz, Topinka, Keats, Kustra, DeAngelis and Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. (Machine cutoff)...Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President, for two reasons. First of all,

I'd like to add as a sponsor of Senate Bill 1798...I'd like to add Senator DeAngelis, Demuzio and Vadalabene as sponsors. And I'd also like to take this opportunity to welcome to Springfield the Salem seventh and eighth graders from Marion County in my district who are on the Democrat side of the...the aisle, and I'd like for us all to welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, welcome to Springfield. If our guests in the gallery would please rise. Welcome to Springfield. All right. Senator Watson seeks leave of the Body to add Senators DeAngelis, Demuzio and Vadalabene to Senate Bill 1798. Is leave granted? Leave is granted. So ordered. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I would like to ask that Senator Hudson be added as a hyphenated sponsor on Senate Bill 1942.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kelly seeks leave of the Body to have Senator Hudson added as a hyphenated cosponsor to Senate Bill 1942. Is leave granted? Leave is granted. So ordered. (Machine cutoff)...Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I would ask you to recognize guests that we have in the gallery...they are Mrs. Anita...Anita White, who is the Woman's Board of the Art Institute, Mrs. Pat Schmidt, Woman's Board of the Art Institute and Joanna Fintzel, Woman's Board of the Art Institute. They are from Senator's Rock's district and I would ask that they rise and please be recognized by the State Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, very much. Welcome to the Senate. All right. Resolutions.

SECRETARY:

Senate Resolution 882 offered by Senator Lemke, it's commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Wish to announce that the Appropriations I Committee will be having its final meeting on Senate bills on appropriations immediately upon the fall of the gavel of the Chair in Room 212. So if...as soon as possible after the gavel fall, we could have the members present we may be begin the meeting at which time we will...we have been asked to try and rehear briefly...or hear for the first time briefly the Build Illinois proposal, and then to move all the bills out of committee. So as soon as the fall of the gavel, we will convene Appropriations I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have two remaining pieces, the Consent Calendar...Senator Rock, you want to...adopt the Consent Calendar now or wait till this afternoon? All right. Resolutions.

SECRETARY:

Senate Resolution 883 offered by Senator Dunn, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. The Resolutions Consent Calendar has been printed and passed out. With leave of the Body, we will add Senate Resolutions 880, 882, 883 and Senate Joint Resolution 148. Is leave granted to add those? Leave is granted. All right, Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard moves the adoption of the Resolutions Consent Calendar. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. All right. Mr. Secretary.

SECRETARY:

Senate Joint Resolution 149 offered by Senator Rock.

(Secretary reads SJR 149)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...whoop...you want to put it up on the board? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the adjournment resolution. When we conclude our business today after the appropriations meeting, we will return to Springfield next Tuesday at the hour of noon, and I urge all the members to be prompt and present on Tuesday. We will begin on the Order of 2nd Reading and we have a good deal of work to do next week, but I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 149. When the Appropriation Committee, which will meet immediately, concludes its business, we will reconvene and read in the committee report, and then pursuant to this adjournment resolution, we will immediately adjourn. So I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 149.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 149. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 149. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint

Resolution 149 is adopted. The Senate will now...stand at ease till the call of the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will come to order. Committee reports.

SECRETARY:

Senator Carroll, chairman of the Appropriations I Committee, reports out the following Senate bills: 1562, 1626, 1627, 1744, 1746, 1767, 1775, 1776, 1777, 1779, 1822, 1826, 1846 and 2145 with the recommendation Do Pass.

1519, 1628, 1639, 1698, 1736, 1739, 1740, 1741, 1743, 1745, 1747, 1748, 1750, 1752, 1753, 1754, 1755, 1756, 1757, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1769, 1770, 1771, 1773, 1774, 1778, 1808, 1841 and 2156 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard moves that the Senate stand adjourned till Tuesday, May 13th, at the hour of noon. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 13, 1986

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Scott A. Hatfield, Grace Lutheran Church, Springfield, Illinois. Reverend.

REVEREND HATFIELD:

(Prayer given by Reverend Hatfield)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, May 6th; Wednesday, May 7th and Thursday, May 8th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives passed a bill with the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 3632.

PRESIDENT:

Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 884 offered by Senator Geo-Karis.

885, by Senator Carroll.

And 886, by Senator Mahar.

PRESIDENT:

Consent Calendar. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, while we're waiting, this seemingly being an appropriate moment, could I be added, please, as a joint sponsor to Senate Bill 1522?

PRESIDENT:

Senate Bill 1522, the lady seeks leave to be added as a cosponsor. Without objection, leave is granted. So ordered. If I can have the attention of the membership, we'll begin where we left off last week. If you'll turn to page 16 on the Calendar, we will begin with Senate Bill 2191 and continue on through and then begin on page 20 on the Order of Senate Bills 3rd Reading and we'll work till approximately five-thirty and then start again tomorrow on the Order of 2nd Reading. Senator Philip and I have again discussed that we would prefer that those proposals that relate to the insurance and liability question, given the fact that there is another summit meeting tomorrow afternoon, will be left until Thursday. We will handle...or at least attempt to amend if...if necessary on...on Thursday. All right, we'll begin on Senate...on the Order of Senate Bills 2nd Reading, Senate Bill 2191, Senator Welch. Read the bill, Mr. Secretary, please.

SECRETARY:

Senate Bill 2191.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2192, Senator Watson. 2194, Senator Dawson. 2196, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, in the middle of page 16, is Senate Bill 2196. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2196.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Davidson, 2197. On the Order of Senate Bills 2nd Reading, Senate Bill 2197. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2197.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is an amendment which is technical in nature to correct an error that Enrolling and Engrossing caught and it removes the word "amend." Move the adoption.

PRESIDENT:

All right, Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 2197. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Dunn, 2198. On the Order of Senate Bills 2nd Reading, Senate Bill 2198. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2198.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2199, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 2199. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2199.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT:

Senator Topinka on Amendment No. 1.

SENATOR TOPINKA:

Yes, the amendment comes out of the Department of Public Health and it creates the Infant Mortality Reduction Advisory Board and also amends the Family Practice Act to include medical specialties of gynecology obstretrics in the definition of the primary care physician. Basically, these are things that should have been done in the first place and are being added in now.

PRESIDENT:

Senator Topinka has moved the adoption of Amendment No. 1 to Senate Bill 2199. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2200, Senator Chew. 2202, Senator Topinka. Top of page...I beg your pardon. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

...as you know, I'm the hyphenated cosponsor with Senator Chew. He has given me a amendment, or his handlers have and with your leave...I've just filed it, if we could get back to it some time today, I would appreciate it.

PRESIDENT:

We'll do it right quick. On the Order of Senate Bills 2nd Reading, Senate Bill 2200. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip on Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of...of the Senate. Amendment No. 1 amends the Illinois Health Facilities Act. It takes out the hospital service corporations and puts in proprietary hospitals. Be happy to answer any questions. Move the adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 1 to Senate Bill 2200. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, top of page 17, Senator Dudycz on 2204. On the Order of Senate Bills 2nd Reading, the top of page 17, is Senate Bill 2204. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2204.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance and Licensed Activities offers one amendment.

PRESIDENT:

Senator Dudycz on Committee Amendment No. 1.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 represents changes in the Act which have been agreed to by the Department of Registration and Education and the Detectives' Association, and I move that Committee Amendment No. 1 be adopted.

PRESIDENT:

All right, Senator Dudycz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2204. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2205, Senator Dunn. On the Order of Senate Bills 2nd Reading, Senate Bill 2205, Mr. Secretary.

SECRETARY:

Senate Bill 2205.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2207, Senator Macdonald. On the Order of Senate Bills 2nd Reading, the top of page 17, is Senate Bill 2207, Mr. Secretary.

SECRETARY:

Senate Bill 2207.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDENT:

Senator Macdonald on Committee Amendment No. 1.

SENATOR MACDONALD:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 2207 merely addresses the concerns of the Illinois Municipal League and makes it abundantly clear that an economic impact study will be prepared following the expedited rule making by the pollution control bill and this bill.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Committee Amendment No. 1 to Senate Bill 2207. Is there any discussion? Senator Keats.

SENATOR KEATS:

Where does this amendment come from?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

The Illinois Municipal League. Ken Alderson had some question because he...the Pollution Control Board felt that the economic impact statements were still in place in...I mean, the Environmental Protection Agency felt that the...right of...the economic impact...studies were not hurt at all, but Ken wanted it articulated in the amendment in the bill, so that's all this does.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Committee Amendment No. 1 to Senate Bill 2207. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Middle of page 17, 2211, Senator Macdonald. On the Order of Senate Bills 2nd Reading, Senate Bill 2211. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2211.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Macdonald.

PRESIDENT:

Senator Macdonald on Amendment No. 1.

SENATOR MACDONALD:

Thank you, Mr. President. Amendment No. 1 is needed to remove a cloud placed on all site specific standards adopted by the Illinois Pollution Control Board for applications filed after September 9th, 1984 and all requests for site specific relief currently pending before the board. This cloud was created when a 4th District Court of Appeals here in Springfield misinterpreted the legislative intent of Section 28.1 of the Environmental Protection Act in the case of Central Illinois Public Service Company versus Illinois Pollution Control Board. In its order, the court interpreted Section 28.1 to mean that no adjusted or site specific standard could be adopted by the board unless the regulation of general applicability specified the level of justification required of a petitioner to quality for an adjusted or site specific standard. This was...was and is clearly not the intent of Section 28.1. Section 28.1 of the Act was adopted at the request of the board in order to give the board an optional rule making procedure that would be more streamlined than the existing regular rule making process provided by

Sections 27 and 28 of the Act in the Illinois Administrative Procedures Act, was never intended to replace regular rule making process. This amendment makes it clear that Section 28.1 shall not affect or limit the authority of the board to adopt, amend or repeal regulations specific to individual persons, geographic areas or sites pursuant to Sections 27 and 28 of this Act and will restore the viability of the numerous requests for site specific relief.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 2211. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just have a question...if I might.

PRESIDENT:

Will the members please be in their seats. Senator Demuzio.

SENATOR DEMUZIO:

Senator Macdonald, you're indicating that this clears up some snafu that...misinterpretation by the 4th Appellate Court. Your amendment says that...your amendment says that the board may adopt regulations specific to individual persons or...or sites. Why would we want to...why would we want to do that? Why...why would we want to make it...only applicable to just...general standard procedures for everyone rather than allowing them this new flexibility to...to do that which they wish in terms of the regulatory process with individuals or...or sites? I...I don't understand why we need to do this.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

It...Senator, it's my understanding because the...that they wanted to make it specific and they wanted this section

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clarified because of the inequity in the interpretation of the law. Now I...this is a...a...an administration bill. I'll be happy to get that answer for you before we carry this bill on to...to...in 3rd reading before final passage, if you would give me that opportunity. My staff person isn't here beside me today to give me any clarification on it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

...if...if you could get that information to us clarifying that would...would help us a great deal, because I...I still don't understand other than the court case why would we allow such flexibility to the board to do this on an individual basis or with...with a person or with the sites, so we'd like to have the information.

PRESIDENT:

All right, Senator Macdonald has moved the adoption of Amendment No. 1 to Senate Bill 2211. Any further discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Watson on 2212. On the Order of Senate Bills 2nd Reading, the middle of page 17, ladies and gentlemen, is Senate Bill 2212. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2212.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Berman, 2231. 32. 33. Top of page 18, 2271, Senator Savickas. 2273, Senator Schuneman. 2274, Senator Donahue. Top of page 18. On the Order of Senate Bills 2nd Reading, top of page 18, is Senate Bill 2274. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2274.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2275, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 2275. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2276, Senator Barkhausen. 2277, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 2277. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2277.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2278, Senator Rupp. On the Order of Senate Bills 2nd Reading, Senate Bill 2278. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2278.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2280, Senator Schuneman. Bottom of page 18, Senator Schuneman. On the Order of Senate Bills 2nd Reading, the bottom of page 18, is Senate Bill 2280. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2280.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance and Licensed Activities offers one amendment.

PRESIDENT:

Senator Schuneman on Committee Amendment No. 1.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. House...Senate Bill 2280 is the Department of Insurance proposal for lengthening the

period of time that insurance companies must give a notice of their intention to cancel or nonrenew policies, and it also provides for a period of time of sixty days in which case an insurance company must give notice if there will be a premium increase of more than fifty percent in a policy liability premium. I move adoption of the amendment.

PRESIDENT:

All right, Senator Schuneman has moved the adoption of Committee Amendment No. 1 to Senate Bill 2280. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Weaver, on the bottom of page 18, 2281. 2282. On the Order of Senate Bills 2nd Reading, Senate Bill 2282, Mr. Secretary.

SECRETARY:

Senate Bill 2282.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This is an...an error brought

to my attention by Senate Enrolling and Engrossing. It changes the word "it" to "in." I'd move its adoption.

PRESIDENT:

Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 2282. Is there any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 2.

SENATOR WEAVER:

Amendment No. 2, Mr. President, is at the request of the Comptroller's Office. It's a technical change to clarify the creation of a special fund, and I'd move its adoption.

PRESIDENT:

All right, Senator Weaver has moved the adoption of Amendment No. 2 to Senate Bill 2282. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 19, 2283, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 2283. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2283.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

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SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2285. On the Order of Senate Bills 2nd Reading, Senate Bill 2285. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2285.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator DeAngelis on Committee Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Committee Amendment No. 1 describes the corridors of opportunity that are designated, the regions they represent, the allocations of the funds for that particular region and any marketing or feasibility studies done by those corridors. I move for the adoption of Committee Amendment No. 1.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Committee Amendment No. 1 to Senate Bill 2285. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2286, Senator Keats. On the Order of Senate Bills 2nd Reading, Senate Bill 2286. Read the bill,

JB 2288
2nd reading

Mr. Secretary.

SECRETARY:

Senate Bill 2286.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator Keats on Committee Amendment No. 1.

SENATOR KEATS:

A technical amendment that was agreed on in committee.

PRESIDENT:

Senator Keats has moved the adoption of Committee Amendment No. 1 to Senate Bill 2286. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Kustra, 2288. On the Order of Senate Bills 2nd Reading, Senate Bill 2288, Mr. Secretary.

SECRETARY:

Senate Bill 2288.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator Kustra on Committee Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President. Committee Amendment No. 1 was

SB2292 2nd Reading

a technical amendment which clarified the words "the responsibilities given the director."

PRESIDENT:

All right, Senator Kustra has moved the adoption of Committee Amendment No. 1 to Senate Bill 2288. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2289, Senator Kustra. 2292, Senator Karpiel. On the Order of Senate Bills 2nd Reading, Senate Bill 2292. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2292.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Karpiel.

PRESIDENT:

Senator Karpiel on Amendment No. 1.

SENATOR KARPIEL:

Yes, thank you, Mr. President. Could I have the Clerk...Secretary please read...I have two amendments, I don't know which one is Amendment 1. Do you have two amendments or only one? All right, Amendment No. 1 is a technical amendment that was suggested by Enrolling and Engrossing.

SB 2293
2nd Reading

PRESIDENT:

All right, Senator Karpiel has moved the adoption of Amendment No. 1 to Senate Bill 2292. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Any...3rd reading. Senator Geo-Karis, 2293. On the Order of Senate Bills 2nd Reading, the middle of page 19, is Senate Bill 2293. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2293.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Geo-Karis on Committee Amendment No. 1.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Committee Amendment No. 1 amends the...page 2 by deleting lines 13 and 14 and inserting in lieu thereof the following, "Be commenced with one year...within one year of the victim attaining the age of eighteen years; however, in no such case shall the time period for prosecution expire sooner than three years after the commission," and then it also amends...and it says, "When the victim is," and then on page 2 by...by deleting lines 18 through 20 and inserting thereof the following, "Within one year of the victim attaining the age of eighteen years; however, in no such case shall the time period for prosecution expire sooner than three years after the commission of the offense." And then on page 2 line 21, by deleting "twenty-first birthday." I move

the...passage of this amendment.

PRESIDENT:

All right, Senator Geo-Karis has moved the adoption of Committee Amendment No. 1 to Senate Bill 2293. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Geo-Karis, is this...is this a...a committee amendment that we are adopting here or a Floor amendment?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe it was a Floor amendment that was given to me by the Department of...the State Police.

PRESIDENT:

We...we are, in fact, on Committee Amendment No. 1. Senator Geo-Karis.

SENATOR GEO-KARIS:

Was that a committee amendment? It was...I'm sorry, it was a committee amendment. Yeah, I take it back.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, you explained it so well, I guess...I understand it perfectly now. Thank you.

PRESIDENT:

All right, Senator Geo-Karis has moved the adoption of Committee Amendment No. 1 to Senate Bill 2293. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 2.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 simply amends Senate Bill 2293 on page 6, line 31, by deleting the word "has" and inserting in lieu thereof "have." And I move the passage of this amendment.

PRESIDENT:

All right, Senator Geo-Karis has moved the adoption of Amendment No. 2 to Senate Bill 2293. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Karpiel, Senate Bill 2294. On the Order of Senate Bills 2nd Reading, Senate Bill 2294, read the bill.

SECRETARY:

Senate Bill 2294.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Karpiel on Committee Amendment No. 1. Senator Karpiel.

SENATOR KARPIEL:

I think we ought to take this out of the record 'cause I don't have an amendment.

PRESIDENT:

Take it out of the record, Mr. Secretary. 2295, Senator

Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 2295. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2295.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2296, Senator Kustra. On the Order of Senate Bills 2nd Reading, Senate Bill 2296, Mr. Secretary.

SECRETARY:

Senate Bill 2296.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDENT:

Senator Kustra on...on Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This legislation is the child protection legislation. The amendment before us was prepared by the Department of State Police at the request of Senator Marovitz to answer a concern he had which had been expressed in situations where a defendant acts as his own legal counsel in cases involving...child sex offenses, and the amendment states that when representing himself, such a defendant may question the child directly. It has been agreed to by all parties and I would move for its adoption.

PRESIDENT:

All right, Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 2296. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2300, Senator Joyce.

PRESIDENT:

On the Order of Senate Bills 2nd Reading is Senate Bill 2300. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2300.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 1.

SECRETARY:

It's the shorter one.

SENATOR JEREMIAH JOYCE:

Yeah, that's right. Thank you, Mr. President and members of the Senate. Amendment No. 1 comes to us from the Reference Bureau. It's technical in nature and I move its adoption at this time.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 2300. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The

Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 2.

SENATOR JEREMIAH JOYCE:

Yes, Amendment No. 2 I believe was discussed in committee. The commissioner seeks to provide an alternative by allowing the State Treasurer to also invest these funds in addition to the State Board of Investment, and I move its adoption.

PRESIDENT:

Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 2300. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2301. Top of page 20. 2302, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 2302. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2302.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Watson on Committee Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 provides that only the...the appointing authority may remove a public member from the authority, and the bill in its orig-

inal form gave that opportunity only to the Governor...he gave that authority only to the Governor and he...even though he appoints four out of eight. So, what we're doing now is simply saying that whoever appointed the individual will also have the opportunity to reappoint them.

PRESIDENT:

All right, Senator Watson has moved the adoption of Committee Amendment No. 1 to Senate Bill 2302. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right, pursuant to the earlier announcement and the agreement with Senator Philip, we'll begin on Senate bills 3rd reading. I'd ask the members to pay attention. We're going to go right down the list. We'll start on 3rd reading, conclude today's business whenever we conclude and tomorrow morning at nine-thirty we will again start at the beginning on Senate bills 2nd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1492, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1492.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill does just as the Calendar indicates. It would permit the district commissioners of the Kane County Forest Preserve District to dispense beer and wine at sporting and...at sporting events and concerts. I'd be very happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1492 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 7, 1 voting Present. Senate Bill 1492 having received the required constitutional majority is declared passed. 1502, Senator Geo-Karis. Senate bills 3rd reading is Senate Bill 1502, Mr. Secretary.

SECRETARY:

Senate Bill 1502.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 1502 authorizes units of local government, school districts and community college districts to establish a plan of...of tax sheltered benefits for their officials and employees. This is similar to the law that we passed and which I sponsored last year which established the same program for State employees, and I urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1502 pass. Those in favor will vote Aye. Those

opposed will Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. Senate Bill 1502 having received the required constitutional majority is declared passed. Senate Bill 1514, Mr. Secretary. Senate bills 3rd...3rd reading is Senate Bill 1514. Read the bill, please.

SECRETARY:

Senate Bill 1514.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1514 is an amendment to the Illinois Municipal Retirement Fund Article of the Pension Code. It was suggested and brought to my attention by the fund and it provides that they will be empowered to employ their own treasurer. Currently,...historically, since 1941, the State Treasurer has been the de facto treasurer. It is purely a ministerial function. The State Treasurer agrees with this legislation. I know of no objection and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Keats.

SENATOR KEATS:

Just as minority spokesman, the bill, actually, is an excellent cleanup idea despite the fact it sounds more controversial than it is. It came out of committee on a unanimous roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is,

shall Senate Bill 1514 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1514 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1517, Mr. Secretary.

SECRETARY:

Senate Bill 1517.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is provides that the president of a subdistrict advisory council to the Chicago...Board of Education shall be a parent of a child currently enrolled and we add the word "formerly enrolled in the school within the district." This is a bill that came out of a problem that occurred with the last bill we passed, and some of the people have been serving on these district councils have been on for a while and their children have left school and they still want to serve and the parents in the area want them to serve because of their...their experience in getting around the Chicago Board of Education. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall Senate Bill 1517 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1517 having

SB 1521 3rd Reading

received the required constitutional majority is declared passed. Senate Bill 1520. Senate Bill 1521. All right, Senate bills 3rd reading, middle of page 20, is Senate Bill 1521. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Last year we created the Residential Service Authority and that was quite a...quite a change and we knew there were going to need to be some adjustments in that legislation, so we introduced Senate Bill 1521 as a shell bill and told you all that and the amendments that we now have placed on the bill do but four things. First of all, it transfers the language into Article XIV of the School Code to make it more accessible and adds an immediate effective date, and the major change is that it changes the date for recommendations relative to the dispute determinations from April 1 of '86 until April 1 of 1987, and also adds as a member of the RSA the newly created agency, the Department of Alcohol and Substance Abuse as a member of the authority.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1521 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 50, the Nays are none, none voting Present. Senate Bill 1521 having received the constitutional majority is declared passed. Senator Poshard, for what purpose do you seek recognition?

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR POSHARD:

Recognition of a guest. Mr. President, in our gallery to the rear, to my left, I have a guest from my district, Mr. Frank Caliper, who is mayor of Colp, Illinois. Frank is in the Guinness Book of World Records as the longest running mayor in the history of the United States. He has been Mayor of Colp, Illinois for fifty-seven straight years, and his son, Tom, and a member of his city council is here with him. Like to recognize Mr. Caliper.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please stand and be recognized. Senate Bill 1558, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1558.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1558 is sort of like trying to catch the horse after it's left the barn. I had an incident in...in my community where there was a...a person who tempted to use a red oscillating light to portray himself as a police officer and in fact stopped a young lady and it was a very, very unfortunate affair. As a matter of fact, she was...she was...she was murdered. An examination of the law, it indicated that a person who unlawfully utilizes a red or amber or blue oscillating light, the crime was only a petty offense up to five hundred dollars for the first and

second convictions and a Class C misdemeanor. This bill would provide that the unauthorized use of a red oscillating light would be a...a violation if that person was...utilizing that to detain another person, and it would make it a Class 4 felony of one to three years and a ten thousand dollar fine. I don't know of any...any opponents in the...in the Senate. I think everyone is pretty well aware of the...of the case and I would, at this time, ask for a favorable consideration from the Senate in reference to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I would feel remiss if I didn't at least rise in...in strong support of Senator Demuzio's bill. I think he's to be commended for putting it in. The young lady in question lives in Downers Grove which is the town where I live. I knew her and I have known her parents over a good many years and I...I can appreciate the trauma which they are still going through. Three young crazies, as the Senator has indicated, pulled this...enticed this young girl out of her car and into a corn field and subsequently there was a rape and a murder of the young...of a young girl; and if this bill...this law will serve to put some teeth into the existing Statute, and I believe that it will, it certainly deserves the support of everyone here, and again, my commendations to Senator Demuzio for introducing it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I, too, add my commendations to Senator Demuzio for this bill because we had a situation in my county except this young lady was not that unfortunate as the young lady from Senator

Hudson's county, and I think this is a well needed bill and it's about time we had it to get some of these unauthorized creeps off the streets.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I would seek...approval of the Senate for 1558.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1558 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1558 having received the constitutional majority is declared passed. Senate Bill 1563, Senator Darrow. Senate Bill 1564, Senator Darrow. Senate Bill 1565, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1565.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is requires a judge to...impose an extended term on a person convicted of an aggravated criminal sexual assault with an offender who is at least seventeen year or under. I think it's a good bill and I ask for its adoption. This is to solve a problem that occurred recently in our area. Senator Topinka and I are in Cicero and Berwyn where a man got out of jail after three years of raping a little kid and about a week later they went out and raped another three-year old...child. I think a man like this

should be put away. If we put residential burglars away, this type of person should be put away for at least thirty to sixty years. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. According to our...would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

According to our analysis, it says that there was going to be an amendment added on this which would...give this extended term...leave it with the discretion of the courts because, you know, what we're doing is we're...we're saying that any...anybody who...seventeen years or older will be automatically sentenced thirty to sixty years for this offense. Is...and...and there's absolutely no probation. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This...this would make it Class X, that's correct. And I...I...apparently there was supposed to be an amendment changing a word in here, and I don't see the amendment on the bill, so let's take it out of the record until we get that amendment. I thought the amendment was on it but...I'm sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 1570, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1570.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1570 adds the offense of knowingly filing a false request for an ambulance or paramedic to the crime of disorderly conduct. As you know,...filing a false fire alarm falls in that category and many of the other communities the paramedics and the firemen are the same people, and in many instances private ambulance services are doing the paramedic call, and I ask for your support in adding this to the crime of disorderly conduct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1570 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1570 having received the constitutional majority is declared passed. Senate Bill 1574, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1574.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill 1574 extends for an additional year the provision that elementary districts may receive a supplementary payment based on the provisions of the General State Aid Formula which was in existence prior to the Education Reform Act of last year. It has been agreed by all segments of the edu-

cation community that this provision should be extended pending studies of a new State Aid Formula. I know of no opposition and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1574 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1574 having received the constitutional majority is declared passed. Senate Bill 1580, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1580.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The changes proposed in Senate Bill 1580 will help to upgrade the quality of Illinois stallions by creating an Illinois stallion stakes. Senate Bill 1580 will also provide greater incentive for owners to race their Illinois horses in Illinois against horses raced in other states. There will be no negative...fiscal impact on the State or tracks as a result of the enactment of this legislation, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, what's...was there any agreement reached between the...the small horse breeders in this State and the large horse breeders as respects the provision in the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah,...yes, Senator Schuneman, this is a thoroughbred breeders bill rather than a standardbred.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1580 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1580 having received the constitutional majority is declared passed. Senate Bill 1581, Senator Fawell. Senate Bill 1589, Senator Barkhausen. Senate Bill 1597, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1597.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1597 amends the Aeronautics Act to delete the provisions of denying the right of eminent domain to an adjoining state or its political subdivision which is maintaining or building airport facilities in Illinois. What this basically does, it creates a reciprocal agreement between Illinois and Indiana. There's only one

airport that lies on the border. They need the ability to get some air space and this is the only way we can do it. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I also...I rise to support Senator DeAngelis on the Senate Bill 1597. This would accommodate the Village of Lansing airport in working with the State of Indiana. We...we need some...certain clearing zone area in...in Indiana and this would at least facilitate that and I would ask for your support of this...Senate bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

This only affects the Lansing Airport?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1597 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted

who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1597 having received the constitutional majority is declared passed. Senate Bill 1601, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1601.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill would basically prevent the City of Chicago ordinance on mandatory seat belts on school buses from applying to children on these school buses and school buses coming in from outside the City of Chicago. It passed out of committee with no opposition. It does not affect the City of Chicago ordinance, that stays put and applies to the City of Chicago just as it does now, but it basically exempts our suburban kids who right now cannot use the cultural aspects of the City of Chicago which their...parents pay for, of course, through tax funds as does everyone else. So, I would appreciate your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I also rise for Senate Bill 1601. As I understand, the students in my school district which is in surburban Cook County are not permitted in many instances to go into Chicago and to attend the museums and the art institute and other places like that...and...this certainly is unfair particularly to the many students who attend the grammar schools out...in

outlying areas of metropolitan Chicago. So, I commend the Senator for sponsoring this bill, very proudly support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1601 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have...have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. Senate Bill 1601 having received the constitutional majority is declared passed. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would like for you to greet a group of students here who are visiting the Illinois Chamber today who are foreign exchange students sponsored by the Rotary Clubs from throughout the world. The ones I met this morning I know were from Finland and New Zealand and West Germany and couple of other nations which I've forgotten, but I'd like for them to stand and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they stand and be recognized. For what purpose Senator Demuzio arise?

SENATOR DEMUZIO:

Well, Mr. President, while I was reaching over to...for your wishes, when I came back, I hit the wrong button and I hit...the No switch, so I'd like the record to reflect that I would have voted in...in favor of 1601 had I been voting properly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let record show that had Senator Demuzio been paying

attention, he would have voted Aye. The record will so indicate, Senator Demuzio. Thank you for taking care of my concerns there. Senate Bill 1614, Senator Holmberg. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1614.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 1614 was amended in committee so that it does not appear as it does in...in the Calendar...and this meets the objections of the Department of Commerce and...and Consumer Affairs. As it is now for enterprise zones, it gives preference on State contracts to a bidder whose business is in an enterprise zone and whose bid is no more than two percent higher than a lower bid. This is to give those small and struggling businesses within an enterprise zone a little bit of an advantage in bidding on State contracts, and I recommend its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, a question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR SCHUNEMAN:

I'm curious about what you just said about this bill. For example, if a contractor wanting to bid on a road building project in this State were to locate his headquarters in an enterprise zone, would he then be able to bid two percent more on a contract and be assured that he would get preferential treatment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

The...intent of the...of the bill is to allow them to have a preferential bid on a State contract if it falls no more that two percent. It's a very slight edge, but they would have a slight preference.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm not particularly against the concept that I think you're trying to achieve, but I wonder...I wonder if, in fact, you have achieved it. It seems to me that this...this would lay us open for the possibility of contractors and others who are bidding on public contracts to simply use this as a way of increasing their bid simply by changing, for example, their...their corporate headquarters or their office headquarters into some area which is in an enterprise zone. Is...is my...others who may know more about this bill perhaps could speak better to it than...than I, because this is my first study of it, but I'd be curious to know what your reaction is to that, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Well,...I can see where the Senator's objections are coming from. I think it is probably pretty far extended to surmise that this would be...happen. The...the benefits are to the enterprise zone. The Department of Commerce signed in in favor of the bill. They think it's the incentive that they could also use to encourage businesses to reside within the enterprise zone and to bring back those sections of cities that are failing. We want to encourage businesses to locate there, this is part of that package that will give

them that incentive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, but...to the members of the Senate, the concept of the enterprise zone was basically to allow local tax relief for organizations that would move into depressed areas, locate there, actually be members of that community and...and provide employment in that community; and I think the more that we tinker and tamper with our...with our bidding laws of this State, the...the more prone we become to all kinds of business manipulations of the bidding process. So, I would simply urge some caution about passing bills like this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Once again I mention the fact that this is a bill that came out of Rockford...a suggestion by Rockford. It has been cleared with the Department of Commerce. The Department of Revenue sees no problems with this. Those of us in...who were present at the committee hearing felt that this was just one of a series of incentives that was really needed if we were going to make enterprise zones survive, a little bit of an incentive on State contracts only for those businesses choosing to locate within the enterprise zone, and I urge its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 1614 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 18, none voting Present. Senate Bill

1614 having received the constitutional majority is declared passed. Senate Bill 1632, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1632.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does...employs a consumer to...cancel a contract for home repair services within three days after the execution of such a contract. This conforms the law as far as home remodeling to the...the same as...a contract for the sale of merchandising involving twenty-five dollars or more. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1632 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1632 having received the constitutional majority is declared passed. Senate Bill 1659. Senate Bill 1662, Senator Welch. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 1662.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is allow for the third year in a row the Department of Commerce and Community Affairs to certify up to twelve enterprise zones in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

And will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

Will you please tell me now how many enterprise zones this will bring us up to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Ah...let's see...twenty-eight, not counting the eight that were named last week, that would be twenty-eight and eight is thirty-six.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Fawell.

SENATOR FAWELL:

...according to our analysis, it's going to bring it up to a total of forty-four, forty-four enterprise zones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Look...looking...adding my figures and seeing the number on the...analysis comes to two different ones. It says there were thirty-two plus eight that were awarded, that would be forty-four, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Could you tell me where these new enterprise zones are going to be, these twelve new ones?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Welch.

SENATOR WELCH:

Well, Senator, I can give you the list of twelve. There's Pekin, Mt. Vernon, Morton, Champaign, LaSalle-Peru, McCook, Ottawa, Washington, Harvey, Macomb, Kankakee, Alton and Cairo. That's thirteen applicants and the bill would authorize, not require, the department to name up to twelve.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Welch, the names that you read off, are those current applicants or applicants from last year?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Those are current applicants, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, my concern is that...and I'm hearing it back home, I do have an enterprise zone in my district...that if we continue making all these other zones...enterprise zones, particularly when there isn't very much competition for making them zones, what value is the enterprise zone to those communities that really need it. We might as well go ahead and make the whole State an enterprise zone and then forget about going through this ritual each year. There's thirteen people applying for twelve slots. That, to me, doesn't...show very much competition. And I think if we continue doing this, we're going to find that one of these years there will be less applicants than there are slots, and then we're going to go ahead and make areas like Olympia Fields enterprise zones, because I'll put it in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, Senator DeAngelis, it's always a pleasure to defend one of the Governor's programs as I...I have to do here. This was a proposal to create forty-eight enterprise zones and what has happened is there is still a remaining number between the thirty-two that have already been awarded, the eight designated last week and the forty-eight that were authorized prior to my being a member of this State Senate. I would just say that enterprise zones give the opportunity for competition to the entire State of Illinois. The initial concept, I think, was a sound one. I think that we should go ahead and authorize the Department of Commerce and Community Affairs, in their wisdom, to decide whether to award four more zones or not this year. I'd appreciate an affirmative vote.

SB1673 3rd reading

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1662 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3,...1 voting Present. Senate Bill 1662 having received the constitutional majority is declared passed. Senate Bill 1673, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1673.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill permits the Illinois Department of Transportation to regulate lane usage on multilane highways with two or more lanes in one direction. And with its amendment it allows trucks in that capacity to make turns whenever...you know, whenever they need to and to use another lane. It was worked out over the summer by the Secretary of State's Office, Department of Transportation, the State Police, the trucking industry and the city...the Village of LaGrange where it most applicably applies. There was no opposition in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR MAITLAND:

Senator, I have one concern. I introduced legislation

last year that would allow for some variance where the Department of Transportation had been making some rulings as to what lanes trucks would travel in and what lanes automobiles traveled in. And I felt that in many cases small pickup trucks, especially the minisize pickup trucks, need not travel or be forced to travel in the lane where heavy trucks are traveling. That legislation did not reach much success in the Transportation Committee. I still think it's an...it's a reasonable approach and I guess my concern is, your bill might extend to downstate what the City of Chicago is doing on the expressways there and prohibit small pickup trucks from traveling in those so-called fast lanes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

I don't have the bill exactly in front of me, I just have the analysis. But it strikes me when we worked this out that we also...talked about the size and the weight of the trucks involved, and as I recall, it did not involve pickup trucks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

What I would only remind you, Senator, and I...those of you from Chicago can correct me if I'm wrong, but I believe the distinction is trucks must travel those right two lanes and if a pickup truck is traveling...a small pickup truck is traveling that outside lane, they are subject to arrest and are arrested. I'm just...I...I think that ought to be changed and I'm not sure that it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka may close.

SENATOR TOPINKA:

Considering that the Department of State Police worked rather diligently with us on this bill, they didn't seem to

feel that that was a problem. And since they were involved, you know, on a...on a real grass-roots basis, I think we can also kind of make them aware of this situation so that they don't create a problem for you. And if there's further need down the road to solve Senator Maitland's problem, I'm sure we can address it at that time. In the meanwhile, I think we do take care of a...a bigger type problem and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1673 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1673 having received the constitutional majority is declared passed. Senate Bill 1704, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1704.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senate Bill 1704 codifies the agreement that was reached as a basis for the settlement of the Chicago teachers' strike last September. What it does is to accelerate State aid payments for all the school districts throughout the State of Illinois. What it provides is for an acceleration from September of '86 to August of '86 in the first year and two twenty-fourths of a payment for the second year, and then it readjusts that in the third year. The impact is felt in Chicago because of Chicago's fiscal year, that September through August. I know of no opposition. I

ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1704 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1704 having received the constitutional majority is declared passed. 1705, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1705.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1705 is the product of hearings held by the Joint Committee on the Oversight of Education Reform and the bill is cosponsored by all of those Senate members. The language that we have used in the...Education Reform Act, Senate Bill 730 last year, was admittedly confusing to high schools and physical education instructors regarding the approach...new approach to allowing students to opt out of certain portions of physical education. What this bill does is to authorize, not mandate but to authorize, school boards to excuse pupils in grades eleven and twelve from engaging in...physical education if those pupils request to be excused for any one of the following reasons, which are the same three as we had previously, namely; number one, participation in...interscholastic athletics; two, to enroll in classes required for admission to college; or three, to enroll in classes required for high school graduation. Senate Bill

1705 is necessary to clarify the legislative intent behind this provision. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, this is an issue that I've been interested in for a long time and I thought we'd solved it in Senate Bill 730. But I did hear some criticize...some criticism after that bill passed that apparently indicated that some schools felt that they were mandated to excuse kids whether the kids really wanted to be excused or not, is...and...is...is that...is that the concern that you're addressing here? Obviously there's agreement on this and I'm sorry to bring it up, but I want to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes, that's...essentially the...the problem. One sentence in 730 said may and other sentence said shall and there was total confusion, this is to clarify that. Take out the shall and it's permissive with the school districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just one other point, then. Is...so that...the individual student now must request that they be excused and...and now...and that...this provides then that the school in that instance shall?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The way it will work is...it will be up to the school districts, if they wish, to adopt a policy for excusing students under these three classifications. If the school board...adopts that policy, then it's up to the individual students to request the opt out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, so then what we're doing by this bill is...is in effect putting us back to some extent where we were before in that under the old law the...the school district could not make the judgment that the kids should be excused. Now we're saying the school board can adopt a policy which obviously has to apply to all kids that they can be excused. But obviously this matter is going to be a subject of collective bargaining in the future as opposed to the State requiring that they excuse kids if they request the excuse. Is that a fair statement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I guess my honest answer is, I'm not sure, because what we are saying is that school boards by law are going to have the authority to adopt this policy. I...I'm not sure, I guess the second question would be, can they bargain away that right? I'm not sure. That's why I say, I'm not sure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I rise in support of Senator Berman's bill. My concern when this issue came up was the issue of local control. Some school boards felt that they were being forced by the Edu-

cation Reform Act to excuse students, and there seems to be a handful of school boards out there who would rather have their students take four years of physical education and do not want to excuse them. So what we're doing by this particular change in legislation is reestablishing the principle of local control. For those school boards which want to excuse their students, they may establish a policy. For those who do not and want to do things the old way, they can continue that way. And I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1705 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1705 having received the constitutional majority is declared passed. Senate Bill 1706, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1706.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Last year the Senate...passed a bill which allowed Department of Commerce and Community...Community Affairs to designate certain areas in a Federal trade zone...Federally designated trade zone as the recipient of enterprise zone credits. We forgot to put in foreign trade subzones, that's what this bill does. We also left out two of the incentives, investment tax credit and dividend deductions in that bill; and this bill simply brings us up to date on what is available and who can comply for

SB 1799 3rd reading

enterprise zone tax benefits in Federally designated zones and subzones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1706 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1706 having received the constitutional majority is declared passed. Senate Bill 1735, Senator Macdonald. Senator Macdonald. Senate Bill 1799, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1799.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and members of the Senate. Senate Bill 1799 will permanently correct the composite rate problem in the Chicago Board of Education Building Fund. In the past last Legislative Session the composite rate problem was corrected for the Fiscal 1986 extension only. It provided additional revenues of twelve million eight hundred thousand dollars to the Chicago Board of Education for Fiscal Year 1985. This present legislation will properly correct the composite rate problem for Fiscal Year 1987 and each year thereafter. It will also provide that the Chicago Board of Education with additional revenues for the year 1987 of ten million dollars and in Fiscal Year 1988 approximately fourteen million dollars. I ask for your favorable vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1799 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 1799 having received the constitutional majority is declared passed. Senate Bill 1804, Senator Berman. Senate Bill 1809, Senator Demuzio. Senate Bill 1815, Senator Etheredge. Senate Bill 1837, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1837.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1837 would designate a fifteen mile stretch of the Middle Fork River in Vermillion County as a...permanently protected wild and scenic river. This would apply to land owned by the Department of Conservation; other land along the river would not be affected unless they chose to join. If there are any questions, I'd be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1837 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. Yep. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1837 having received the constitutional majority is declared passed. Senate Bill 1845, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1845.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Last year the General Assembly passed a bill which would allow joint custody in certain situations where the parties agreed to joint custody and it was in the best interest of the child. Senator Kustra sponsored that bill along with myself. There has been a lot of instances, which I'm sure many of you would know, where the noncustodial parent makes arrangement for visitation and let's the custodial parent know that they're going to be coming over at a certain time, see the kids on the weekend, the kids get ready, the custodial parent makes plans and the noncustodial parent never shows up. The kids are traumatized, the custodial parent can't make their own plans, life is disrupted. This bill would say that in...strictly in joint custodial situations where there has been willful and repeated abuses of visitation privileges in a joint custody situation that joint custody could be terminated...in those situations where it has been willful and repeated violation of visitation disrupting the family and the kids. It also says that where there has been evidence of domestic violence that there should not be a presumption of joint custody and that that evidence of domestic violence should be taken into consideration by the judge. I know of no opposition...of this legislation by anyone and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rupp.

SENATOR RUPP:

Thank you...thank you, Mr. President. My question is,

you are talking about visitation, I think you're just telling one side of it. Many, many instances that we get reported is where the one...the noncustodial parent goes over and the custodial parent says they can't go today, they didn't give them the bath, they didn't have them dressed, I think you should have it go both ways. The way your bill...the way you explained it, it's a one way street. I think it should take care of the other side too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

...Mr. President, I'd like to ask a question of sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Kelly.

SENATOR KELLY:

Senator Marovitz, you indicated that there would be...if there was willful violations and a continuous abuse of this privilege, then the custodial parent, if they can prove it, what I'd like to know is, what do you have in the way of proof that someone has done this? Are you taking the word of...of the custodial parent or how can you tell and how many abuses are considered a...a violation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I think this...this would answer both questions. First of all, I totally agree with Senator Rupp and I totally agree with Senator Kelly's questions. The bill does deal with both sides because the bill says either party, either party's rights to joint custody would be determination, if there has been repeated and willful violations or interruption in the custody privileges. We have another bill which will even get tougher on the situation that Senator Rupp...discussed and that will be coming before the Senate

within the next week. But this bill does deal with either parent. Just like...just like any custodial determination...just like any joint custody determination, just like any divorce matter, it's all, all, a matter of evidence for the judge. And the standard that we've put in here is willful and repeatedly and that is a judicial standard and the court would determine if there's been a willful and repeated violation, either party's rights...either party's rights, and I certainly agree with Senator Rupp, could be terminated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, those of us who've had quite a few of these cases in custody have come to support this bill because it's a necessary bill. Under the current law a custody order cannot be changed for two years unless both parties agree to it or if there's evidence that the child is seriously in danger...this bill at least will show that...if there's willful and repeated abuse or failure to exercise visitation, the order could be terminated. This really deals with joint custody cases and I recommend the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

I would just solicit an Aye vote. We...we did pass the judicial...the joint custody bill last Session. This tightens it up and puts the...the...the best interest of the child first, and I think that's where it ought to be and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1845 pass. Those in favor will vote Aye. Those opposed will vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1845 having received the required constitutional majority is declared passed. 1852, Senator Maitland. Senate bills 3rd reading, Senate Bill 1852, Mr. Secretary.

SECRETARY:

Senate Bill 1852.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1852 as amended would delay the implementation of the course requirements suggested...strike that...mandated by the Board of Higher Education that would go into force as they suggested in the fall of 1990. This delays by three years the implementation of that mandate. It was my feeling and the feeling of many others that that strict a mandate imposed upon high schools this fall was simply too much and was one that they...they could not in many cases meet. So we are suggesting a delay for three years to determine, number one, if, in fact, we really want to do this. And, number two, if we do, to give schools a chance to...to...to blend in to this new mandate. The bill as originally introduced was for a delay by five years; this compresses that to three years, and I think it's a reasonable compromise and I solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. What the bill is doing

is...delaying implementation of toughen the college admission standards, which is not a bad idea but was done by the State Board without legislative okay. Looking at their standards, they probably are very reasonable. The question is, do we, as a Legislature, allow a body to completely change standards without coming back to us for an okay. Personally, I would probably have voted for their standards, but the point is, they should do it with our approval not without our approval. And if you think the Legislature should be setting the standards for admission to the universities we finance, then you would probably want to support this bill, although I even think three years is a little long, I'd go for less but I will go with the three-year compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Maitland, do you wish to close? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, just urge the Body's support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1852 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1852 having received the required constitutional majority is declared passed. Senate Bill 1854, Senator Lechowicz. All right. Senate bills 3rd reading, the bottom of page 22, is Senate Bill 1854, Mr. Secretary.

SECRETARY:

Senate Bill 1854.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1854 as amended amends an Act relating to acquisition, possession and the transfer of firearms and firearm ammunition in the Wildlife Code of 1971 to authorize the Department of Conservation to...retain the hunter's license permit or firearm owners identification card while he is hunting on department owned or managed sites. It also amends the Wildlife Code to authorize the Department of Conservation to exempt the Illinois hunting license requirement for nonresident participants and official gunners in field trials. This bill authorized the department's current practices, and with regard to these issues, I know of no opposition. It does merit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1854 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1854 having received the required constitutional majority is declared passed. All right. Page 23, Senate Bill 1855. All right. Senate bills 3rd reading, top of page 23, Senate Bill 1855, Mr. Secretary.

SECRETARY:

Senate Bill 1855.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. This bill also is a recommendation of JCAR. It would...it would do the following

items. It would amend the Credit Union Act to authorize the Department of Financial Institutions to require examinations of reports of credit unions and credit union service organizations when such examinations are necessary to enable the department to determine the safety or solvency of the credit union. It would also require fidelity bond coverage for directors and committee members and for losses caused by persons outside of the credit union as required by Federal regulations. It would also require credit unions to obtain approval before becoming involved in a credit union organization. It amends the Unemployment Insurance Act to provide that employers must notify employees that they have a duty rather than the right to report gratuities received during the course of employment as required by Federal regulations. It amends the Income Tax Act to authorize the Department of Revenue to reduce the add-back provision for charitable contributions to avoid double deductions. This bill authorizes the current practices of the Department of Financial Institutions employment, security and revenue and has no known objections. I'll be more than happy to answer any questions. If not, I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1855 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1855 having received the required constitutional majority is declared passed. Senate Bill 1856, Senator Lechowicz. All right. Senate bills 3rd reading is Senate Bill 1856. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1856.

(Secretary reads title of bill)

SB1858 3rd Reading

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, members of the Senate. This Senate Bill 1856 would amend the Pharmacy Practice Act to authorize the Department of Registration and Education to do the two following items. One, to require that a registered pharmacist must oversee each division and to prohibit a pharmacist from being placed in charge of more than one division. And two, permit prescription transfers between pharmacies at the request of the patient. This bill authorizes the current practice of the Department of Registration and Education and has no known opposition. I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you. I...no known opposition, I guess that includes the Illinois Pharmacist Association. Are they in favor of this or no position?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

They're in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1856 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55...56, the Nays are none, none voting Present. Senate Bill 1856 having received the required constitutional majority is declared passed. Senate Bill 1858. Senate bills 3rd...3rd reading is

SB 1862 3rd Reading

Senate Bill 1858, Mr. Secretary.

SECRETARY:

Senate Bill 1858.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. Senate Bill 1858 amends the Illinois Public Labor Relations Act to clarify that a fact finder does not issue written findings of fact and recommendations and serve the same on the public employer and labor organizations involved, the parties can resume negotiations. There is also no...known opposition to this bill and it merits your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1858 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1858 having received the required constitutional majority is declared passed. Senate Bill 1861, Senator Lemke. Senate Bill 1862, Senator Joyce. Senate bills 3rd reading is Senate Bill 1862. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1862.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate.

Senate Bill 1862 makes available civil recovery against vendors who perpetrate fraud on the department. This is presently the law with respect to recipient fraud. There is no opposition to this. It passed out of committee 11-0, and I ask the...for a favorable vote on Senate Bill 1862.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1862 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1862 having received the required constitutional majority is declared passed. Senate Bill 1921, Senator Philip. Senator Philip on the Floor? Senate Bill 1929, Senator Mahar. 1930, Senator Macdonald. 1937, Senator Lemke. Senate bills 3rd reading, Senate Bill 1937, Mr. Secretary, read the bill.

SECRETARY:

...Senate Bill 1937.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is...makes the standard of proof that...that the prosecution must meet in order to confiscate property of the defendant convicted of narcotics racketeering. It conforms it to the...Federal Control Substance Act, 21USC Section 848. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill...Senate Bill 1937 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1937 having received the required constitutional majority is declared passed. Senate Bill...1942, Senator Kelly. Senate bills 3rd reading is Senate Bill 1942, Mr. Secretary.

SECRETARY:

Senate Bill 1942.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senate Bill 1942 as amended closes a legal loophole which has been available in the State to a individual who may perpetrate harm to a pregnant woman, possibly kill her and also kill the unborn child; and the person who perpetrated the crime could, in fact, walk away and not be guilty of any State law. And this particular provision would now cover any child, and I'm not just talking about an unwanted baby, as the term is used, these are all wanted babies. I don't know why they're not all wanted but anyway this...certainly there shouldn't be anyone even those of...and there is nothing in this legislation that deals with abortion, we totally struck out all that provision so it has nothing to do with that. What this does is it extends protection to an unborn child and it's before viability. Up until now we've had a law which says if a child is viable, which is after three months until term, they would be protected, but between zero and three months there was no protection in the State laws for an unborn child and...this particular incident did happen where...where an unborn child in this age category was actually killed and there was...the person who perpetrated the

crime was able to just walk away. This would tighten that loophole and I would just solicit your support and be pleased to answer any questions that you might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I...I...I think I understand what you're trying to get at. My...my sister's child when she was eight and a half months pregnant was killed in a...in a car accident...be...and it was due directly to a drunk driver who hit her head-on. However,...you know, I do have some questions about the bill. If...if that is what it...all that it does, I have no problem dealing with the bill. But you stated in your comments that this has absolutely nothing to do with abortion, is that right? So, in other words, any doctor that...that performed an abortion would not be held liable under the...this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

The medical society requested that we...they...they had some concerns about the legislation, so we took out every portion that deals with abortion and we separated it so it has nothing to do at all with the issue of abortion or with doctors performing legal or illegal or any other kind of abortions. It doesn't have anything to do with abortions at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Okay, now...one other question. According to our analysis, you are talking about from the point of conception until...until the end of the pregnancy, is that right? And...and if that is right,...you know, again, I...I have to bring up, are we...is this constitutional? I'm not a lawyer and I just don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, there's been questions raised about constitutionality and that is in the Roe versus Wade that the particular law which dealt with the subject of abortion exclusively applied from the moment of what the court determined is viability, after three months. The Illinois law, and there's no doubt other states that do not have protection for an unborn child who is wanted before the three-month period for protection and for...for their safety in their...their life, so this law would cover that. As far as the example you pointed out with eight and a half months, the Illinois...current Illinois law would cover that, the infanticide law would cover that particular instance where there is a child that's eight and a half months old; in other words, from the moment of viability until term, there has already been protection. This would protect the infant from zero to three months.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Fawell.

SENATOR FAWELL:

I'm...I'm sorry but...you know, having gone through four pregnancies and not even knowing I was pregnant until I was three months along, how are you going to prove this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I guess you came up with a good example, because I don't think the Supreme Court in their greatest wisdom will ever be able to determine exactly when viability occurs. I thinks that's one of the biggest problems I have with their ruling in the Wade versus Roe ruling on abortions, so...but this...this...this doesn't have anything to do with the abortion. What it does is it says if somebody kills an unborn child that's one months old or two months old, they're guilty of a crime and they would have to be penalized. In other words, it gives the law...some law in Illinois to protect and to have the rights so no one can injure a pregnant woman and kill their child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Fawell.

SENATOR FAWELL:

Does it impose strict liability on...on the perpetrator of the...crime or whatever you want to call it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

If someone kills an unborn child that's from zero to...to term, they would be guilty...and...and would be found so if it was, in fact, proved that they were guilty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell...Senator Fawell.

SENATOR FAWELL:

One more. I'm sorry, but I...I...I'm not trying to prolong this, I'm...I'm merely trying to find out what you're trying to do. If someone is...is in an automobile accident, all right...and it...and...and...and one of the parties is injured and that party happens to also be a month pregnant or maybe a month pregnant, are we saying by this bill that we're going to send the guy who caused the accident to jail for...for manslaughter for...which is a...which is a felony

which is a...a mandatory...prison sentence, isn't it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, you might use the example of a automobile accident but I'll tell you right now, in one particularly where someone is killed and a baby inside of a mother's womb in this case would have to be a very high speed...high...violation of that driving law; and if that's the case, let me tell you, Senator, very few times that a motorist know who is and who is not in that other vehicle, and I think if someone kills an innocent human being and if...particularly if they are drinking or if they're violating the State laws by speeding, then they ought to be penalized and they ought to receive a strong penalty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen. All right. Senator Barkhausen...how about moving over to Senator Weaver's microphone. Senator Barkhausen.

SENATOR BARKHAUSEN:

I'm sure my argument will be much more cogent now that I'm using Senator Weaver's microphone. Mr. President and members and...and Senator Kelly, my...my concerns about this bill have to do with...with my belief, even though that there may be some...debate even among constitutional scholars, that the provisions in this bill dealing with voluntary manslaughter and involuntary manslaughter don't...don't require knowledge that the victim is...is pregnant. And it...it seems to me that if we're going to give by this legislation specific protection to fetus, then the defendant in order to have what I believe would be the constitutionally required proof of intent ought to...ought to be required to...to know that the...that the one victim is pregnant. And because of that, I...I suspect that this legislation is constitutionally

infirm and, therefore, feel inclined to oppose it or at least urge a Present vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator...Senator Kelly, what happens in case of the automobile accident where the mother survives and let's say she is one month pregnant and have a miscarriage? What happens then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR COLLINS:

Because you...it was my understanding...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now wait a minute...

SENATOR COLLINS:

...that you were...you...in your remarks you indicated that in case of an accident of that...that example, that if, in fact, the mother had gotten killed and then that the baby of course had been terminated through that, then this would have been...manslaughter. But what happens if the accident or the bump is very...slightly enough...just enough for the lady to miscarriage or she gets overly excited and maybe she...for whatever reason, some women are very weak during the first months of pregnancy and she looses the baby, would that apply also?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

First of all, I...I didn't use the example of an automo-

bile accident, my colleagues across the aisle did that. But I...I would say that if someone injured a pregnant woman whether by attacking them with a weapon or in the case of certainly not intentionally in an automobile, and the unborn child dies, I would think you as a mother would be certainly very concerned about that unborn child dying and I would think that even the slightest cause...whatever caused that miscarriage still wasn't done or wanted to be done by the mother, and I wouldn't think...I would think you'd be very concerned and very...you'd want...something done to the...to the person who initiated that particular violation. And I...I don't see where you have any problem with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

There were two amendments that were to have been put on the bill. Are they still on the bill. The one...exempts from the new provision on involuntary manslaughter of an unborn child acts committed during testing or treatment conducted under customary medical practice. Was that amendment...is that amendment still on the bill or was that taken off?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

No, that amendment is incorporated into the bill. There was a Amendment 1 and Amendment 2. We Tabled Amendment 1 and we incorporated Amendment 1 into Amendment No. 2 and that particular concept is now in the bill as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And the other amendment was...which was to have been offered on the Floor was to exempt medical treatment from all of the new offenses. Now is that amendment on your bill or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

The other agreed amendment...and someone just said, well, now that's an abortion bill, one of my colleagues said. It..it's obviously is not, that's exactly what we did. We took out all provisions dealing with abortion. The medical society had problems with physicians who wanted to make legal abortions and that's why we accommodated them and we took everything out on the subject of abortion, so it has nothing to do with it. The other provision you talked about, it was an amendment we incorporated, it deleted the word "knew or reasonably should have known of all the circumstances," and...and put the word in there "knew." In other words, we took out the, "reasonably should have known under the circumstances." In other words, you have to know of intentional homicide before it...you can be guilty, so it...you must know that the woman was pregnant. So I think that clarifies some of the other arguments about a accidental death occurring on the highway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, why...why did you have to find it necessary to...to repeal the Feticide Statute which was a good bill and a good law and has stood constitutional challenges?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I don't have my staff person here but we are not deleting that provisions of that law. That's...this law covers...that particular law is the same as this one, the only difference is this covers from the beginning of conception until the three-month period which is the viability; otherwise, as far as I understand, it's the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, does your bill give the fertilized egg the status of a person for purpose of criminal prosecution for death or injury of that egg?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Want to repeat that, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Does...does your bill then give a fertilized egg the status of a person for purposes of a criminal prosecution for death or injury of that egg?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

What...what it does is, it does give...it does extend that an unborn child in the first three months...I know, you're trying to use whether or not I'm giving credence that a...a person is a child from the moment of conception. What it does is, it...it doesn't in...in my opinion, it presents itself dealing strictly with the first three months as a person that would be...protected under State laws if they

were killed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't mean to belabor the point but then what you're saying to me, in effect, is that you are giving the status, are you not, to the fertilized egg as a person...you say the first three months, that...that doesn't answer my question. And I love you dearly but you still don't answer my question. My question is, do you give the fertilized egg the status of a person for purposes of a criminal prosecution for death or injury to the egg? Yes or no?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I would say that this legislation would get added emphasis to a person being in the first three months of being...being...being a person. My answer to your question is, I don't know. But what I'm saying is, this legislation would give credence to the fact that a person from conception is a person. And apparently when you talk about wanted babies, they're...they're persons, and if they're not wanted, then I guess they're not considered persons but I consider them all persons.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I have consistently been against abortion except to save the life of the mother in rape and incest cases. I do think this bill goes far afield because it would penalize the mother who was driving a car who was pregnant and ended up hitting a tree because her child...would be affected and dead. And I...I think we're going too far afield. I do have some serious

constitutional questions about this bill, and because I do, I cannot support it full-heartedly although I am in support of some of it. And I do not feel that the Feticide Statute should have been repealed as this bill would do 'cause that's an important Statute and it is constitutional and, therefore, I'm going to vote Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Lemke.

SENATOR LEMKE:

Just...just a point on the constitutionality of this...just to bring this out. The Roe versus Wade decision does not apply in this case. The court found in...in that case only as to due process. It did not preclude the states or recognize or protect the unborn child in other areas of law. In fact, Illinois for years under the Wrongful Death Act has provided for civil tort actions for injury to a fetus at any stage of its development which results in the death of the fetus after being born alive. The current feticide law...in effect since 1981 makes it a homicide to intentionally kill a viable fetus. These laws are not unconstitutional; therefore, I think this bill is...is...is in the prerogative of the states' rights and is constitutional and I think it should be a favorable vote. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, we've had...we've heard a lot of arguments, but just briefly, the...the feticide law which we presently have which has been declared constitutional and is constitutional, it's on the books and provides adequate protections. I think to extend the law this far without scienter, without knowledge in the involuntary manslaughter, the wreckless homicide situation to...to a fetus that is one to three months, it...it goes way too far, and...and I want to tell you some-

thing. We have continually debated and passed laws on this subject matter that have been declared unconstitutional. Believe me, this one will be declared unconstitutional, we'll be back here again. It makes us all look ridiculous. We have a constitutional law on the books, why don't we leave it at that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I just wanted to clear up one thing Senator Geo-Karis mentioned. This bill is for third parties. A woman...a pregnant woman cannot be prosecuted under this legislation. It's if a third party knowingly...hurts a pregnant woman to the degree that she either loses the baby or the baby is disabled or handicapped in some way when it is born. It has nothing to do with the pregnant woman driving into a tree or anybody making a mistake and pushing someone not knowing they are pregnant and they fall down and miscarry. This has to do with a third party...knows that the person is pregnant...the woman is pregnant and that then the baby is harmed in some way and I urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Kelly may close. Oh...all right...sorry, Senator Kelly. Senator DeAngelis, I did not see your light. Apparently it wasn't on. Senator DeAngelis.

SENATOR DeANGELIS:

Well, you always reluctantly look to the left side of the panel, Senator Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That happens to be your side of the panel. Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me just clear the record on one thing,

I'm...I'm not urging anybody on how to vote but let me make one thing clear. What you are, in fact, Senator Kelly, you are repealing the Feticide Statute. Which means you are now superimposing a law that probably will be declared unconstitutional and then allowing those people who clearly would be prosecuted for committing a crime where there is a viable fetus to go free. Now, I don't know why you're doing that, I don't think it's your intent, but that's exactly what you're doing. And I think it ought to be pointed out to this Body that you're killing one very good law that protects children to try to cover another part where...it's not even known whether somebody is pregnant. My wife has had four children and, believe me, she could tell she was pregnant before the doctor could but that's only because of certain symptoms. But you're really creating some real problems here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? WCIA-TV has requested permission to videotape the proceedings. Is leave granted? Leave is granted. Further discussion? If not, Senator Kelly may close.

SENATOR KELLY:

Well, I want to first thank Senator Karpiel for pointing out that this is a law which just covers those persons who knowingly, intentionally are harming a pregnant woman and that the infant is...is killed. As to Senator DeAngelis on his concept that we're liable to be loosing the...the current existing law. This law here, I feel, has a great chance of being upheld, and this has been a loophole that we've had for...ever since 1973, and I think it's time that we've done something. We can come back here in another year if...if that...if we do get into a Supreme Court battle and reestablish it, I don't think we have to. I think that this can stand on its own and I solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 1942 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 8, 5 voting Present. Senate Bill 1942 having received the required constitutional majority is declared passed. Page 24. Top of page 24 is Senate Bill 1944. Senate Bill 1951, Senator Holmberg. All right. Senate bills 3rd reading is Senate Bill 1951, Mr. Secretary.

SECRETARY:

Senate Bill 1951.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

...this bill is one of an ongoing series of bills to help Rockford following its loss of home rule. This particular bill permits a half-cent sales tax to be levied only if approved by the voters of Rockford, and the bill...the provisions of the bill specify that it would only apply to Rockford and that the money could only be used for infrastructure purposes, something that the mayor of Rockford and the city council...Republican city council at this particular time have asked for as one of their options to continue to keep the revenue situation sound in our city.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1951 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays

are none, none voting Present. Senate Bill 1951 having received the required constitutional majority is declared passed. Senate Bill 1958,...Senator Karpiel, for what purpose do your arise?

SENATOR KARPIEL:

Mr. President, on the last two bills I've been recorded as absent because my button doesn't light up. So I'd like the record to show I am voting Yes on the last two bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is your key on?

SENATOR KARPIEL:

Would somebody light my button? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Karpiel, why don't we wait till this next roll call to determine whether or not it is working and then perhaps we could run some...some tests. Senator Geo-Karis, you have trouble with your button too?

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, on Senate Bill 1942 I meant to vote Present and I wasn't looking, I apologize, and I put the speaking button on instead. So please record my vote as Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate bills 3rd reading is Senate Bill 1958, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1958.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senate Bill 1958 would authorize the Department of Agriculture to conduct harness racing

at the DuQuoin State Fair. If there are any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1958 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 1958 having received the required constitutional majority is declared passed. 1963, Senator Joyce. Senate bills 3rd reading, Senate Bill 1963, Mr. Secretary.

SECRETARY:

Senate Bill 1963.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. Senate Bill 1963 gives the State the right to have a jury trial in a criminal case. It is presently the law in thirty-six states in this country. It's the law in the Federal system. We've passed this out of here on previous Sessions with near unanimous roll calls and I ask that the Senate vote Aye on Senate Bill 1963.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate bill...or, beg your pardon, Senator Marovitz.

SENATOR MAROVITZ:

Well, just very briefly. This will get it, this will be in the forties maybe the fifties. This is a bad bill, it abrogates some individual rights that have been guaranteed for a long time and basically while you'd think it gives...it

gives somebody the right to a trial by jury, it abrogates a defendant's rights and I think it's a bad bill. It's going to fly here, hopefully, not in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce, you wish to close? All right. The question is, shall Senate Bill 1963 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 3, 2 voting Present. Senate Bill 1963 having received the required constitutional majority is declared passed. Senator Welch on 1972. Senator Welch.

SENATOR WELCH:

Mr. President, Senator DeAngelis asked that I withhold calling this bill at this moment while he obtained some additional information and he's agreed to recall it out of order at some point in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll come back to Senate Bill 1972 later in the...in the days. Leave granted? Leave is granted. Senate Bill 1983, Senator Davidson. Senate bills 3rd reading, Senate Bill 1983. Read the bill.

SECRETARY:

Senate Bill 1983.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a bill from the Department of Corrections to take care of a problem which has arisen by former employees who have left the State employment and who are out in private employment and they

have to be called back as a witness in relation to suits that have been filed by an inmate and this would reimburse them in relation to the difference in lost wages. This is...I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1983 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1983 having received the required constitutional majority is declared passed. Senate Bill 1984, Mr. Secretary. Senate bills 3rd reading is Senate Bill 1984.

SECRETARY:

Senate Bill 1984.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a bill that would allow the State...when it becomes law allow the State to become self-insured in relation to the State employees program. This would...as it is recommended and given to me and what they expect to do would expand the benefits for the State employees at a reduction in the cost of premium what we're present paying. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Davidson, how much are we estimating that we'll save going self-insured?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The figures given to me, Senator Hall, was approximately seven million dollars in reduction in the cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I certainly support this because we have one heck of a time if any of you have had to test getting with this company who was handling our insurance. So I would advocate everybody to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I also would urge support of the bill. Although the Economic and Fiscal Commission was not brought into the process perhaps as early as it should have been in terms of being consulted about the changeover, we had...we have had an opportunity to have rather lengthy hearings and discussions and consideration of the issue of turning to self-insurance on the State employees health insurance and I think that all of us, or most of us, at least, are persuaded that it is a good move. There are figures that are even higher than seven million dollars about the potential savings although there obviously are some if's involved in the first year or the first couple of years. One of the things that it does do is to enable the State, the central management services and the collective bargaining process to increase the State employees access to health

insurance. For example, the savings that are to be realized by the self-insurance program will help to finance the beginning of dental coverage which State employees have never had as part of their health insurance. There is always a certain amount of risk, I suppose, but since we're paying our prior insurers rather heavily for that risk element, it seems to me that in the long-run this is a very good move and we hope indeed it will realize the savings and the transfer of those savings into other benefits for State employees. So, I, too, would urge support of Senate Bill 1984.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? WCIA-TV has been...been granted permission to videotape, they make a second request. Leave is granted? Leave is granted. Senator Rupp.

END OF REEL

REEL #3

SENATOR RUPP:

Thank you, Mr. President. I was just wondering, in this particular case, this seems to be without question an insurance matter and I was wondering why it wasn't heard in the Insurance Committee. Any observation, anything at all, even from the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Davidson, perhaps you could respond.

SENATOR DAVIDSON:

I...I can't answer his question. The...the Committee on Assignment of Bills assigned the bill to the Exec. Committee and that's where I...went ahead and heard it. I went with the bill wherever they assigned it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you. No, I understand that, Senator Davidson, but I...but I do question sometime that particular procedure. Here's one of the big moves that we will be making as far as our health care is concerned. Self-insurance does not always work out. We had testimony right in this Chamber about a self-insurance proposal in...that they went to in Chicago and, evidently, they are having trouble just like everybody else. So it's not a panacea. This...I heard Senator Netsch use the word hope that this works out; I hope so too, but it's not just...it has to be watched, there has to be given particular attention to it, and just because if we don't make money, if we don't clear money, we will look...put an extra tax in. Insurance companies can't do that. And I think this particular difference should be kept in mind and I

hope we watch the administration of this particular bill, and this whole concept with a real good...give it a lot of attention to make sure that it is done on a businesslike procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I also would like to state for the record that I share...Senator Rupp's concerns as far as the total cost on self-insurance in the State of Illinois. When this matter was brought to our attention, Senator Netsch convened the Economic and Fiscal Commission and asked that the department come through and make the justification for the self-insurance program really after the fact; and after the fact states that we...the State of Illinois is actually subsidizing this program on the initial basis and that we have a fairly low rate per individual based upon this subsidy. But, unfortunately, I think this will come home to roost in about a year or two and then we'll know the real cost of this program. I will support this issue at this time because we have no other place to go, not saying that this is the proper approach, but I know right now that's the only approach and the cost will be coming not as a savings, as I look at this matter, although it's portrayed to be a savings; the true cost when you take a look at the true dollars and cents in a year or two, I think we'll be coming for a supplemental appropriation, but I will be voting Aye on this matter at this time for that reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Like the previous two speakers, I think that the Body should be cautioned about what we're doing here. The State of Illinois Group Insurance

Plan, I believe, is the largest insurance plan in the world, the group insurance...the largest group insurance plan in the world. And whenever there have been problems and dissatisfactions with the group insurance plan, the criticism has tended to fall upon the insurance company that's been handling it. Now, those of us that are somewhat familiar with group insurance and large groups understand that to a great extent they are all sort of self-insurance, because Blue Cross-Blue Shield has not been making any great killing out of handling this plan and the true costs have to be paid by the State of Illinois. But I think Senator Lechowicz has put his finger on something that we ought to watch and that is that now that we're going into the insurance business and we are going to be the insurance company, we'd better make sure that we got people watching our claims expense, that we've got people watching our benefit payments because if we make them too liberal for whatever reason, political or otherwise, we're going to wind up with a heck of a big cost that we have not had under our present plan. While I don't object to the principle of the State going...becoming a self-insurer, I think that we all ought to be put on notice that we'd better make sure that this is operated like an insurance plan or we're going to have big problems with the cost in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1984 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1984 having received the required constitutional majority is declared passed. Senate Bill 1988. Senate bills 3rd reading is Senate Bill 1-9-8-8, Mr. Secretary.

SECRETARY:

Senate Bill 1988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This piece of legislation was suggested by the Department of Registration and Education in which they're having a problem with applications of division to pharmacy licences. This extends the application of division to pharmaceutical license to include pharmacies whose entire service is provided to hospitals or extended care facilities, regardless of where such...whether such a pharmacy is located inside the hospital or facility. Currently, we have pharmacies that are located outside of hospitals or extended care facility that are providing these services that need to be licensed as division to pharmaceutical licenses. So I...I know of no opposition and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is...Senator Marovitz.

SENATOR MAROVITZ:

Senator Watson, what is the difference between the licensing requirements between Division 1 and Division 2 pharmacies...and are there just...is it just Division 1 and Division 2 or is there more divisions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

There are four divisions; Division 1 is a retail license and Division 2 is an institutional license. And what we're doing is expanding an institutional license so that a pharmacy located outside that institution can be licensed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Then...then I guess the question is, for that retail pharmacy that's located outside the hospital, what less requirements are on that business than around the Division 1 pharmacy located in the same place?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. This does not affect a retail pharmacy. This is only a pharmacy that provides services to an institution such as a hospital or a nursing...nursing home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So are you saying then that the Division 2 pharmacy which is the sole purview of this bill, that pharmacy can only provide service and..and is not allowed legally to provide services to anybody else except a hospital or a nursing home?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

According to the definition of a Division 2 pharmacy license, that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson, do you wish to close? All right. The question is, shall Senate Bill 1988

pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1988 having received the required constitutional majority is declared passed. Senate Bill 1992. Senate Bill 1993. Senate Bill 1-9-9-3, Order of Senate Bills 3rd Reading, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 1993.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1993 came out of the...came out of our committee with the...on the Agreed Bill List. What it does is changes the rule making provisions in the Department of Mental Health and Developmental Disabilities and their powers and duties regarding psychotropic and narcotic drugs authorized for use by the department. Currently, the Department of Mental Health and Developmental Disabilities requires the director to authorize by regulation lists of such drugs...that maybe administered in institutions under the jurisdiction of the department. Senate Bill 1993 would change the rule making provisions regarding this list of approved drugs. Legislation would require the department to...develop by rule the procedures by which it shall approve psychotropic and narcotic drugs for use in its facilities. This will bring medication more quickly that is needed by patients under the jurisdiction of the department into compliance, and I urge your support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall

Senate Bill 1993 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1993 having received the required constitutional majority is declared passed. Senate Bill 1998, Senator Dunn. Senate bills 3rd reading is Senate Bill 1-9-9-8, Mr. Secretary.

SECRETARY:

Senate Bill 1998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President and members of the Senate. Senate Bill 1998 authorizes the Department of Agriculture to operate the DuQuoin State Fair along with the Illinois State Fair. Changes are necessary in the law to authorize operation of the DuQuoin Fair and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is...discussion? Senator Hall.

SENATOR HALL:

Senator, how much is this going to cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

This year, next year...when, Senator Hall? The appropriation for 1987 propose a 1.2 million for the building and grounds and eight hundred and sixty-seven thousand for the administration. This doesn't take into account the money that will be generated by the fair. Probably the DuQuoin

State Fair won't cost as much to operate as the Illinois State Fair.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, I'm looking here at an amendment and I'd like to know what this means. It provides free space to the elected constitutional officers and the four principal legislative leaders during the State Fair. What...what is that?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

That was to, I think, legalize something that's been done in the past at the Illinois State Fair and they allow the...the constitutional officers to have free space and on the...the amendment is amended in the Senate last week...said that for governmental functions. This did not mean for campaign, as I understand, it's for governmental functions. If the Secretary of State or the Governor or Speaker of the House, the President of the Senate has a booth out there to instruct people of Illinois what their constitutional duties are, they wouldn't be charged for it. That...that's what it means.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Did the State Fair lose money last year down at DuQuoin?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

...excuse me, you say did the State Fair at DuQuoin lose money? It wasn't the State Fair, it was operated by some individuals who...who sold the fair and I suspect that they did not make money, although it was a private enterprise at that time.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Do you know how much they lost?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

No, I do not. They went broke, I think.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Sounds like a great deal. Isn't there a house on those grounds that I've read about was being renovated for the...for the Governor's use? Is that true?

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

There...there's one...there's two homes on the ground. One of them is on the grounds, one is privately owned. The other now belongs to the State of Illinois...Department of Agriculture of the State of Illinois and it's being occupied yet by the previous owner. I understand they're going to vacate 1st of June or shortly thereafter and what will be done with the building...that home, I don't know. I suspect it will be available for the people of the State of Illinois. This is a fifteen hundred acre park that we have acquired. I've...of course, there's some people in southern Illinois not very happy about us running a fair, but I think the main thing is...for the people of Illinois is that we have another

fifteen hundred acre park that will be there and available for people of Illinois and visitors to our State for a time to come...I...I think that's the main object of buying the fair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Is the Hambletonian going...continue to be run at this fair?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

We...we lost the Hambletonian about five years ago or six years ago and it's now the same three-year-old trotter's race at DuQuoin every year and they call it the World Trot. The...the Hambletonian had moved to New Jersey. We hope that maybe we'll be able to get that back within a few years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Dunn's bill. DuQuoin Fairgrounds is a very important part of our drive for economic independence in southern Illinois. I hate to speak of this as a fair because the intent is to make it a multipurpose facility. There are already events lined up for the summer and the fall that's going to bring thousands of people into southern Illinois where they're going to be spending their money on motels and restaurants and other kinds of things. We think that the tremendous number of acreage that will eventually go into what we hope will be agricultural experimental station for the university and maybe other uses of that ground is going to benefit our area tremendously. There are all kinds of uses for this

fairground and it's not just a two-week fair. So we think it's...it's a real plus for our economy and I rise in support and would encourage the membership of the Senate to support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Dunn may close.

SENATOR DUNN:

Thank you, Mr. President. I'd urge an Aye vote and pass the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1998 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 voting Present. Senate Bill 1998 having received the constitutional majority is declared passed. Senate Bill 2006, Senator Marovitz. Senate Bill 2017, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2017.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2017 will enable the Department of Alcoholism and Substance Abuse to schedule or reschedule cannabis projects; that is, to designate the purposes...legal purposes, if any, for which they may be used when such products have been rescheduled or recategorized by the U.S. Drug Enforcement Administration. The intent of this legislation is to allow such scheduling or recategorizing for products which have been or...or will be declared legal under

certain limited circumstances by the Federal Government. The practical interest in this legislation derives from the...from the product popularly known as...as Marinol, otherwise known chemically or pharmaceutically as Dronabinol or THC which, as I understand it, is frequently used and administered to...to cancer patients who are being administered chemotherapy. I know of no opposition and would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2017 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2017 having received a constitutional majority is declared passed. Senate Bill 2035, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 2035...establishes a Statewide system of direction services for handicapped persons and their families through the Illinois State Library System. As you all well know, there are many, many services available to handicapped people. Unfortunately, the handicapped people are not aware of them in most cases. What this does is allows the library system to either through a computerized system or whatever appropriate source they wish to use to list all the various services available to handicapped persons in the State of Illinois. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there a discussion? If not, the question is, shall Senate Bill 2035 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2035 having received the constitutional majority is declared passed. Senate Bill 2042, Senator Marovitz. Senate Bill 2057, Senator Nedza. Senate Bill 2061, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2061.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. This bill creates the Dioxin Poisoning Atomic Victims Advisory Council within the Department of Veteran Affairs to assist exposure victims in identifying sources of compensation, benefits, medical benefits, social service and job training on Federal and State level and in the private sector. It will evaluate medical and technical data relating to the effects of exposure on the Illinois veterans' population and will submit a report to the General Assembly recommending actions to provide relief to the exposure victims. It has a three-year sunset program July 1, '89. It's a central co-ordinating body to discriminate information and follow up on the requests of the exposure victims, and it passed out of Executive Committee 16 to nothing and I know of no...opposition to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes, sir. I'd like to ask a question, if I might.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR WATSON:

Senator Vadalabene, you said that...there's no opponents but our analysis says the Department of Veterans' Affairs is opposed to it. Why would they be opposed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

The Department of Veteran Affairs took no position on it when I produced it in Executive Committee. So...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 2061 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. Senate Bill 2061 having received the constitutional amendment is declared passed. Senate Bill 2078, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2078.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill...2078 as amended would give the DuPage County Water Commission the authority for quick-take powers for eighteen months. Amendment No. 1 also would give it the right to acquire public property. This is no different than

what we have done for the Toll Highway Authority, DCCA for the super collider, Metropolitan Sanitary District, the City of Chicago for specific purposes such as commercial blight area, business development and redevelopment. We also did the same thing here about three weeks ago for the City of Robbins. Be happy to answer any question and ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR D'ARCO:

Hey, what is the emergency? Is the water drying up in DuPage County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

I might say this, Senator D'Arco, that the Village of Naperville has stopped issuing building permits because of the lack of water. Also the Village of Glendale Heights and, I believe, Carol Streams has limited it when you can use water for sprinkling and gardening, et cetera. So there is no question of a doubt whatsoever that we have a shortage of water in DuPage County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The only problem is that if you're a...a property owner in DuPage County and this provision becomes law, DuPage County will be able to take that property and decide afterwards its value. Now, I don't know if that's right or wrong,

but it seems to me that in only the extreme most situations should a law like this apply to take the property of a person without due process of law. And unless there really is a big, big water shortage going on in some of these cities, I don't understand the necessity of passing this law at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to make two points. The first point, we've already done it for the City of Chicago Metropolitan Sanitary District, DCCA for the super collider, et cetera, et cetera. I might suggest this, we've already had one experience because we didn't have quick-take. It happened in the Village of Berkley where the water commission was going to have to put a pumping station. The man that owned the property went to the Berkley City Council, got it rezoned for multiple, our appraiser...or the appraiser they hired from Cook County appraised it a little over a hundred thousand dollars. A well...connected law firm end up defending the property in court. It cost the water commission six hundred and forty thousand dollars for that piece of property that was guesstimated at a little over a hundred thousand. So it's very, very important we have it. We're only taking it for eighteen months. It's a difficult situation and, of course, that money comes indirectly out of the taxpayers' pockets. So we've done it before, we need it, we're only going to have it for eighteen months.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 2078 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

SB2100 3rd Reading

Take the record. On that question, the Ayes are 40, the Nays are 9, 1 voting Present. Senate Bill 2078 having received the constitutional majority is declared passed. Senate Bill 2084, Senator D'Arco. Senate Bill 2087, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2087.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 2087 amends the Liquor Control Act with respect to licenses and requires repeat violators to discontinue operation of their business pending State commission hearings. Currently, pursuant to the rule of the Illinois Liquor Commission, upon posting a bond a licensee which has had its license revoked or suspended by a local liquor commissioner may resume operations. In some cases this happens five and six times a year. This bill simply says that in cases in which a licensee appeals to the State Commission, a suspension or a revocation by a local commissioner that is a second or subsequent such suspension or revocation in the preceding twelve months, he must cease operating until a verdict is rendered. Appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2087 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2087 having received the constitutional majority is declared passed. Senate Bill 2100, Sena-

tor Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2100.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2100 affects the tax increment financing provisions of the Illinois Municipal Code. And what we're trying to do since UDAG's and IRB's are in jeopardy and also the revenue sharing, we have added some areas in which the TIF could be more effective in helping redevelopers. One of those ways in 2100 is to allow the municipality to use TIF monies to pay down the interest on a developer's project. Also we're allowing a municipality to pay for development implementation and administrative costs including direct staff costs. We're changing the...we're changing also the definition of...not the definition, we're allowing vacant lands that have been partially flooded eligible for TIF and making eligible vacant land that has had no growth in EAV for the last five years. I'll try to answer any questions; if not, I would move for the passage of Senate Bill 2100.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2100 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2100 having received the constitutional majority is declared passed. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. I was going to speak on the last bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I guess your persuasive powers weren't needed on that one. Senate Bill 2105, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2105.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. If Senator Netsch wants, she can speak on this bill. It's a very important bill and I know she's going to be vitally interested in it. What it does, it amends the Hospital Licensing Act. That's about it, Mr. President. It's not too important really, it's just...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

This looks like it's got four big wheels. Could you tell me what it's a vehicle for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

It's a vehicle for another vehicle, I think. As soon as I find out what that is, I'll let you know. I don't know, to be honest with you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell. Is there further discussion? If not, the question is, shall Senate Bill 2105 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 5, 6 voting Present. Senate Bill 2105 having received the constitutional majority is declared passed. Senate Bill 2116, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2116.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This bill changes the basis for imposing fee assessments from the calendar year to the fiscal year and will allow all records to...to be maintained on a fiscal year basis in the commissioner of banks and trusts companies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...

SENATOR WEAVER:

...also it...also imposes a hundred and fifty thousand annual assessment for seven years on banks in order to build the fund's equity up to a million and a half dollars. It's supported by both banking organizations and I...if there's any questions, I'll be try...happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2116 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2116 having received the constitutional majority is declared passed. Senate Bill 2129, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2129.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. Senate Bill 2129 amends the Code of Criminal Procedure and gives the prosecution or the State the same rights now enjoyed by the defense and that is to have a criminal case removed from a trial judge on the grounds of prejudice. Allows the State within ten days after a case has been assigned to move the court in writing for a substitution of that judge on those grounds, that is that such judge is prejudice to the State. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2129 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2129 having received the constitutional majority is declared passed. Senate Bill 2136, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2136.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and the members of the Senate. Senate Bill 2136 deals with a somewhat technical matter. It comes to us...comes to us at the request of the State Treasurer, and what it will do will permit the State Treasurer to act as custodial bank for public agencies which are executing repo. agreements. And it permits the treasurer to pass through the Federal Reserve Board charges to such public agencies. There's no objection to this legislation as far as I know and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Schuneman.

SENATOR SCHUNEMAN:

Would you explain once more in...in what way this affects repo. agreements? Are the agencies buying repo agreements now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...the...the Federal Reserve Board has some requirements that must...that must be met in order for local government agencies to invest funds...local public agencies to invest funds in repo agreements. In order to do that, there are some requirements and there is a...and there's also a requirement that the treasurer...that the treasurer has to sign on that the agreements are secured. The...there are charges involved with this and the treasurer acting as custodian would otherwise have to eat these charges, and this legislation will permit him to pass through those charges to local government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 2136 pass. Those in favor will vote Aye.

Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 2136 having received the constitutional majority is declared passed. Senate Bill 2142, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2142.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Last year we passed House Bill 1086 and, if you'll recall, there was considerable confusion. The bill was called back, it still passed anyhow, the Governor vetoed it. Senate Bill 2042 attempts to clean up the things that were...I won't call them incorrect but inconclusive in House Bill 1086. This bill is a State Board of Education bill and what it does basically in the clarifying language, it allows school districts to claim transportation supervisory salary...I'm sorry, it will allow them to claim five percent of the indirect cost as part of their transportation cost. We've had considerable discussion on that. Senator Berman and I have discussed it. It's basically a cleanup to allow the implementation of a public policy position we took last year. I urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I concur in Senator DeAngelis' comments. I do want to add one other item that we have discussed. Because of the uncertainty both in the testimony by the State Board of Education people and by others as to

what...how far this clean-up language could extend, we have agreed to limit the line item appropriation for pupil transportation even under this clarifying language to the amount recommended by the State board, and that's approximately five and half million dollars and that will be built into the appropriation bill at the...at the proper time, but I think that the clean-up language is necessary in this substantive bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR KARPIEL:

In...I think it was...1086, the original bill that we passed, the intent of 1086 was to give more equity to school districts which operate their own transportation system and own their own buses, et cetera. What does this bill...now this bill says it does the same thing...I mean, the analysis says that. So I'm not...don't quite understand what this bill is doing different than 1086.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Karpiel, I agree with you that 1086 the attempt was to get equity; but what it did it, in fact, created inequality because it allowed unlimited...unlimited amount of cost. Therefore, somebody who chose to buy a garage to house buses would then receive the reimbursement for that. It didn't allow the State board any guidelines or any way of determining what the reimbursement should be, and it...and it just opened it up for everything. It was almost unimplemental the way it was written.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

So now you're saying that there are limits and that...but that the...the school districts that operate their own bus...their own transportation will be receiving more than they were before 1086?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, no or maybe. The problem is that 1086 was not quantifiable and this is where part of the debate raged. This provides more equity because it provides a formula for those school districts to receive a reimbursement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Are all school districts then treated the same, they're all have got the same formula...no matter how they operate their transportation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

They have the same formula, they may not have the same cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, this...this is of great interest to downstate school districts and one of the principals...or one of the superintendents in my area is very concerned about this particular bill. Do I understand, Senator, that the reimbursement now will be limited to five percent of a number and that that number is the total administrative expense of the dis-

trict?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...Senator Schuneman, I'm going to give you answer and you're going to have to pay close attention, 'cause I'm not so sure I understand the answer myself. It would allow districts whose indirect costs exceed five percent to receive greater reimbursement if the State average unrestricted undirect cost rate is higher.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

You were right. I don't think you told me the formula, I think you told me the intent. I...I guess what I want to know is if...if there is a limit of five percent, is that five percent applied to the total administrative cost of the district or is it applied to something else?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Could he repeat the question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

My concern is how the formula works and it's my...people have told me and I think you have said that it is...that the reimbursement is limited to five percent of something, and I want to know five percent of what.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I think I'm going to defer to Senator Maitland for the answer on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

First of all,...thank you, Mr. President. First of all, we are not changing the formula, the formula stays in place. It just simply states that for any school district who in this category are above five percent, then you use the State-wide average.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Now Senator Schuneman is thoroughly confused. Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He'll indicates he'll yield, reluctantly.

SENATOR RIGNEY:

Actually, what you're attempting to do here, as I understand the bill, is to place some limitations upon those unit districts that are providing their own transportation. Do you have any similar limits on those who are in a contractual arrangement or can they throw in everything and get reimbursed on it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Rigney, we are not putting any limits.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I have a question I might ask of the sponsor. The estimated cost pertinent to this bill is 13.2 million according to the State Board of Education or six million dollars as...apparently the Governor...some action that he took relevant to the last Session which estimated that the bill

is...would cost six million. Where does this money come from? Is this money coming out of the...the transportation system and, if so, what's the shift? Who's gaining and who's losing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...DeAngelis.

SENATOR DeANGELIS:

Well, first of all, as Senator Berman indicated, there is a bill going to be put in that will limit the amount under this reimbursement. However, if the bill would have stayed the way it was, the amount is nonquantifiable and your question would have to be asked in the same manner if it existed or without this bill. This bill actually attempts to do a better job of quantifying. But under 1086...which is currently law, we don't know what the cost would be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Okay. Now,...now I remember, this was the...this was the clarifying language that it was suggested by the State Board of Education. Okay, thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 2142 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2142 having received the constitutional majority is declared passed. Senate Bill 2143, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2143.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a recommendation of the Auditor General. The bill would change the State university's retirement system fiscal year from September 1st to July 1st, to make their fiscal year consistent with other State agencies. The bill also replaces the term "fiscal year" with "academic year." If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2143 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2143 having received the constitutional majority is declared passed. Senate Bill 2154, Senator O'Daniel. 2155, Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2155.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill grew out of a State-wide hearings held by a committee to determine how we could better fund county government. It was determined that a funding equivalent to fifteen percent of the personnel costs of each circuit clerk's office would be one way to help county government keep down real estate taxes and help them meet other financial disadvantages coming their way such as

the end of revenue sharing. The bill would go into effect January 1, 1987. The cost to the State would be 4.65 million dollars for this half of the upcoming fiscal year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

How much do we now fund, that being the State, fund the circuit clerk's office at this time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Nothing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

We have absolutely no input in regard to the salaries of circuit clerks or any of the operations of the circuit clerk's office at this time, is it...am I correct there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That's correct as far as percentages, yes. We allow them to impose a...some fees, that's about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I've been informed that there's a stipend of thirty-five hundred dollars a year paid to the circuit clerks each year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I...Senator Welch, to answer you. Do you want to ask another question, Senator Watson?

SENATOR WATSON:

Didn't we pass last year a quarter percent sales tax to enable county governments to try to get back in...in line as far as some of the funding problems they're having?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That's true, Senator, but it's up to the county to determine what they're going to do with that money and it's a voluntary program, each county can adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, that's...that's the benefit of the program is that we're enabling them to do that themselves. It's sort of a local control type of concept. I realize the problem that local units of government are having and, of course, counties are included but we're talking about 4.6 million dollars. We're talking out a precedent that's never been established. We've got further legislation coming up that's going to be more money for counties...county governments. I just don't think this is something that we need to be doing necessarily at this time and I'd suggest a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Donahue, Keats, Philip and Rigney. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

How do we know that the counties will in fact use fifty

percent above and beyond what we're already funding them? I mean, they could do a shell game sometimes like we do at the State level. How do we know that this fifteen percent will increase their budget by that much?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, we're going to figure out how much their personnel costs are for the circuit clerk's office, give them that exact amount of money; therefore, they have that additional sum in the county to spend.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

So,...I mean, we're doing this under the auspices of the circuit clerk's office but, in fact, we're really just giving it to the county.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

It's to be used by the county for the circuit clerk, yes, for those purposes of the circuit clerk's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

How many of these employees does the State hire that we have any control over whatsoever or do we set their pay scale? Are any of those employees...do we have any authority over any of them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

No, they're all county employees, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

... the equivalent to open-endedly funding by giving the money to the county, we're assuming they won't cut the budget fifteen percent and just use our's to make up. We're assuming that whatever employees they want, they'll fund the way they want to do it. In other words, it kind of a...a free gift to be administered. We give them a direction but they can go up even though we say go down, or they can go left even though we say right; and we have no control over these employees, we don't set their salaries, we don't set their benefits and we don't even direct what they do for a job, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

We in part do direct what they do, Senator, which is the purpose of this bill. The committee that was meeting throughout the State determined that many State mandates imposed upon circuit clerk offices throughout the State had, in fact, increased the cost of local government. Now many of us here are fond of standing up and complaining about mandating programs locally, and here's a chance to put our State money where out mouth is. Many of the programs through the new DUI laws require additional duties on part of the circuit clerks, and what this does is help reimburse them for part of that cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To allude to the...the possibility that there would be tax...a real estate tax reduction because of this, quite frankly, is...is ridiculous. The circuit clerk is a fee

earning office. I can only speak of my own county that, number one, that they...they take in more money then it costs them to run the office. They turn money back to county government because they make a profit and, quite frankly, it's very well run.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Having been a county auditor for eight years, I think maybe I can tell you a little about where, yes, it can in fact reduce property taxes and if you ever...in the local county, because if you ever knew how you came to what the property tax was and the level of the tax on the county budget, you would know that any income coming in, no matter what it is, has to be subtracted and therefore it...could reduce it. Secondly, I think the premise here...and if you remember last year, we even passed a bill that charges the guy going into the circuit clerk's office to pay for child support thirty-six dollar fee a year just to use that. Now, maybe things have changed but from county government I came that there were no fees that much to pay for the total operation of the office, in many cases; that's why the Constitution, in effect, sometimes eliminated the fee office. What we are trying to do here simply...and I think that Senator Rock's commission had hearings throughout the State of Illinois, that this idea didn't originate from Senator Rock or from Senator Welch, this came from the counties and those people making testimony before the commission which felt simply that a lot of the...the circuit court...clerk's office responsibilities and duties were...were...were part of the court system that we in fact mandated through the...the Legislature. And as far as the sales tax going to pay for this, if you remember when we passed the sales tax bill last year for certain counties, mainly major counties not small

counties, there had to be a corresponding reduction in the corporate general tax down to nine percent. So I...what I would like to just simply point out is that if you know the county financing this, in fact, does help your local counties, then my suggestion is that if you represent very small counties, you would want to support this measure heavily.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, my circuit clerk has visited with me about this bill and apparently there's no guarantee whatsoever that a dime of this money will ever flow into the circuit clerk's office. I think you'll find in many downstate counties there are disagreements between various county officials and county boards. That being the case, perhaps the circuit clerk could use some additional equipment and so forth, absolutely no guarantee whatsoever that they're going to get any money for their operation. I think it's a bad bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I apologize for rising a second time but the very next bill on the Calendar here, 2157, authorizes a twenty percent surcharge on fines to go into the general corporate fund of...of those counties involved. And I think this is a little more realistic approach to the problem than possibly what we're seeing here presented now. I don't...I agree that we do need to do something for the county governments, but I believe the next proposal will be the one that we ought to go with...instead of this one. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. If I might respond, first of all, to the point that Senator Rigney just made. The...I'm reading from Amendment No. 1, I believe it is, which was adopted to the bill and it specifically says, "Such State funds shall be utilized for operating expenses of the office of the circuit clerk." So it seems to me that it...it is absolutely clear that the money that is being returned to the counties is to help defray the costs of that office, and that certainly is what is intended and as I read the bill that's precisely what it said. I was just a little surprised particularly to hear your comments because, although I realize this is a...not something that is before us right now, there is a proposal which you had mentioned to me, as a matter of fact, Senator Rigney, your circuit clerk was strongly in support of which eventually might have the State really paying for the entire circuit court process including the circuit court...clerks. Now that is a proposal that has been submitted to us. We are not...no one is pushing it right now because that's obviously a fairly dramatic change in the idea from the administrative office, the courts and the Supreme Court was that it's something that ought to be available to talk about for awhile. But it does strike me that...that this bill is a very modest step but probably an important step nevertheless in that direction, and it...and what I'm hearing from all over is that the ultimate objective is one that is widely supported by a...a lot of people at the county level. And so it seems to me it would make sense to start the process gradually by passing this bill, and then that will also help to force us into a discussion of whether we want to go the more dramatic route and have the...the State really get involved in that on a much broader basis, but it seems to me this is an important first step.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Just to point out that although it's 4.6 million dollars this year, that's because it starts in January and the annual cost is 9.2 million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

My apologies for rising a second time but I simply don't agree with Senator Netsch on this particular issue. Whereas the money from the State may theoretically flow into that office, by the same token all that money that's been contributed at the local level can be withdrawn. So who are we kidding with this type of operation...we're not really doing anything to upgrade the circuit clerk's office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. It's the curious arguments that are being used against this bill, Mr. President. In committee, Senator Watson asked me if I would support the Constitutional Amendment so that the State would pay for mandated programs and I said, yes. And here, Senator, you've spoken against this bill which does just what that Constitutional Amendment would do and that is reimburse county government for programs which we mandate for them to...to fulfill. Well, not a dollar for dollar because those can't be figured out directly. It certainly has the same intention. And to say that giving more money to county government is not going to help the county reduce real estate taxes assumes that county government is totally irresponsible and spends every single dollar coming their way without any thought to what the money is spent on. Certainly this could

reduce real estate taxes; it depends on how good a county board you have. And I think in county boards in my district, they probably would reduce real estate taxes. The State Government relies upon the income tax in many ways for funding State Government. Local governments rely on the property tax. If we can supplement part of the local taxes with the State Income Tax, certainly that could reduce the local property tax. Senator Rigney says that part of the money for the circuit clerk's office could be withdrawn by the county. Well, if it is withdrawn, certainly then it could be withdrawn and the levies lowered. There's no reason why that couldn't happen. This bill certainly would help local government and that's what the purpose of this commission was to figure out how to fund local government. To vote against it is to place this bill beyond the arguments that we have had in this Senate Chamber over the past few years about mandated programs; and anyone who is hypocritical enough to vote against this piece of legislation and then support, in some fashion, a Constitutional Amendment that says we have to pay for programs we mandate on county government needs to be reminded not just by myself and other Senators in this Body but by their local press and their local constituents. I think to do so speaks out of both sides of...of a person's mouth and certainly it's something that will be remembered this coming year. So those of you who have often spoke about mandated programs and paying our share and paying county government for what we tell them to do should be voting Yes on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 2155 pass. Those in favor will vote Aye. Those opposed vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 29, the Nays 25, none voting Present. Senate

SB2173 3rd Reading

Bill 2155 having failed to receive a constitutional majority is declared lost. (Machine cutoff)...Bill 2157, Senator Rock. 2173, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2173.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2173 is a bill that was introduced by the Chamber of Commerce...the State Chamber of Commerce and asked that the Federal Income Tax return that has been amended at the Federal level, you do not have to amend the State Income Tax until one hundred and twenty days rather than a twenty-day mandate at this point. There is no opposition from the Department of Revenue that I know of.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2173 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2173 having received the constitutional majority is declared passed. Senate Bill 2177, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2177.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does, 2177, since we passed 1662 we presently have forty-four enterprise zones in the State with four left to be passed out over the next two years. What's this does is increases the number from forty-eight to sixty. If the Governor should decide to again issue twelve enterprise zones this year, then we have to make up the eight and eight for the next two years, and I think it's good bill, and I ask for its adoption.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President...didn't we discuss this issue already?...wasn't this a...a bill that was previously discussed today?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is different. This adds to the end...twelve to the end. It increases forty-eight to sixty; in other words, if Senator Welch's which...which we...if...if we passed, there will be four enterprise zones left for the next two years. What this does is adds an additional twelve to the end so that there's eight and eight for the next two years. We have two more years under the program that we set up. So what this does is set up sixty.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, why do we limit it? Why not just open-end it and be done with it?...I'd like for him to respond.

PRESIDENT:

...Senator Lemke.

SENATOR LEMKE:

Well, I think what the enterprise zone theory was set up

with is with the legislative direction of controlling the Executive Branch, and I think that's what we're doing here. But we're allowing the Executive Branch to add twelve for the last two years; yet, we didn't make up the difference to spread it over the time till the program ended. And what I'm doing here is...is if the Governor should expand his enterprise zones to twelve, for the next two years at least he'll have eight and eight, and that was the original attempt of the legislation that Senator Totten and I passed sometime ago.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

In...in a sense you're right, Senator Watson. The...what we ought to do, and I understand Senator DeAngelis has now joined in suggesting this is, just simply declare the entire State an enterprise zone, because we are rapidly moving in that direction. But...until the administration and the Legislature is ready to do that, I...Senator Lemke's bill makes a great deal of sense, because it...it just makes the mathematics work out much more evenly. And, my guess is,...why don't you offer an amendment at some stage or have somebody in the House do it just to open end it or declare the whole State one? I think we are heading in that direction.

PRESIDENT:

Further discussion? Further discussion? Senator Lemke, you wish to close?

SENATOR LEMKE:

I just ask for a favorable vote.

PRESIDENT:

The question is, shall Senate Bill 2177 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 2 voting Present. Senate Bill 2177 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, we will move now to the Order of House Bills 1st Reading. Then we will move to the Order of Secretary's Desk Resolutions, then we'll handle the Messages from the House and whatever paper work and we will then be finished for the day. We will reconvene at ten o'clock...ten o'clock tomorrow morning. I understand the Governor's summit meeting is scheduled for eleven. So we will convene at ten tomorrow morning and begin on the Order of Senate Bills 2nd Reading. All right. With leave of the Body on the Order of House Bills 1st Reading, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

House Bill 681, Senate sponsor is Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1229, Senator Hall.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1446, Senator Smith.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1954, Senators Geo-Karis and Jones.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2486, Senator Weaver.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2528, Senator Luft.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. All right, if you'll turn to page 28 on the Calendar, pages 28 and 29, on the Order...with leave of the Body, we'll move to the Order of Secretary's Desk Resolutions. Senator Karpiel, Senate Resolution...or Senator Kustra, I'm sorry, Senator Kustra on 411. All right, while we're looking for Senator Kustra, if you'll turn back to page 27, Mr. Secretary, there's been a request of the sponsor, bottom of page 27 on the Order of Constitutional Amendments. Sponsor has requested that...that the Constitutional Amendment be read in full the first time. House Joint Resolution Constitutional Amendment 8, Mr. Secretary.

SECRETARY:

House Joint Resolution Constitutional...House Joint Resolution No. 8 Constitutional Amendment.

(Secretary reads HJR No. 8 CA)

1st reading of the Constitutional Amendment House Joint Resolution No. 8.

PRESIDENT:

All right, page 28 on the Calendar, on the Order of Secretary's Desk Resolutions, Senate Resolution 411, Senator Kustra. Senate Resolution 514, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

I think there's an amendment which we're negotiating. This is the tollway bill. Okay.

PRESIDENT:

Right. Senate Resolution 514, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This bill we're going to hold...

PRESIDENT:

All right, take...

SENATOR LEMKE:

...till we get the amendment worked...I understand we have an amendment and then there's another amendment from the Tollway Authority...

PRESIDENT:

...all right, take it out of the...

SENATOR LEMKE:

...let's work out the problems.

PRESIDENT:

Gottcha. Take it out of the record, Mr. Secretary. 551, Senator Watson. Senate Resolution 624, Senator Netsch...695, Senator Dawson. 736, Senator Lechowicz. 765, Senator Lemke. 781, Senator Collins. Senator Collins, the Secretary informs me there's an amendment that's been filed. Do you wish to proceed? All right. Senate Resolution 781, Mr. Secretary.

SECRETARY:

Executive Committee offers one amendment.

PRESIDENT:

Senator Collins on Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. The amendment that was put on in the...in the Executive Committee was an agreed amendment to clarify the language in the bill so that it would be very clear that the...that the scope of this study would not be limited to those...only

those patients who were released from the State mental institutions during the time of the decentralization of those clients, and the amendment has been agreed to by Senator DeAngelis and...and the staff on the other side and this side, and I would ask for the favorable adoption of this amendment.

PRESIDENT:

All right, Senator Collins has moved the adoption of Amendment No. 1 to Senate Resolution 781. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendments, Mr. Secretary?

SECRETARY:

No...no further committee amendments.

PRESIDENT:

Any further amendments from the...any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

I'm...I'm...I'm informed that the...the proper procedure what we've needed to have Tabled...Committee Amendment No. 1 first and then put 2 on.

PRESIDENT:

All right.

SENATOR COLLINS:

We should have Tabled that amendment.

PRESIDENT:

All right, Senator Collins having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The

vote is now reconsidered. Senator Collins now moves to Table Committee Amendment No. 1 to Senate Resolution 781. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Again, no further...no...further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you. Now, this is the amendment that I explained at first and I would ask for a favorable consideration of that amendment.

PRESIDENT:

All right, Senator Collins has moved the adoption of Amendment No. 2 to Senate Resolution 781. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is adopted. Senator Collins, you wish to proceed on Senate Resolution 781 as amended? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. The purpose behind Senate Resolution 781 is to hopefully shed some light on the plight of the mentally ill in the State of Illinois. There have been a lot of discussion and a lot of complaints made about the status of many mental ill patients who are, for whatever reasons, are currently now in independent living settings and many are without any supervision at all. There's also a question as to how many of the...the so-called street people, the homeless people are among the...the

mentally ill; and there's even a greater question, how many of those persons who are currently among the street people, the people without shelter in this State are...actual residents of the State of Illinois, and there are a great number of these people wandering around in the communities...around abandoned building and also loitering around so-called shelters that suppose to provide adequate independent living settings for these people and there's a lot of questions about the quality of services being provided to those people. I feel and many people feel that it is our responsibility to protect the welfare and...and health of all citizens in this State and...particularly those patients and people who are, for whatever reason, unable to care for themselves, and I feel that it is time that we take a very close look at the plight of the mentally ill in the State of Illinois. This resolution would provide that opportunity by creating a task force which would, in fact, investigate the status, the quality of health...care and the availability of care to the mentally ill, and I would ask for favorable consideration of this resolution.

PRESIDENT:

All right, Senator Collins has moved the adoption of Senate Resolution 781 as amended. Discussion? Senator Schaffer. Well, she will be...we're asking for discussion, if there is any.

SENATOR SCHAFFER:

Well, sorry. I was just wondering what the citizens' assembly in...in this are that's chaired by Senator Kelly was doing and also, frankly,...obviously, I wasn't very happy about the Mental Health Commission being dissolved a couple of years ago. I think that was a tragic mistake and many of the concerns that Senator Collins has mentioned are very real and very legitimate and...and we are...we have at this point not been doing much. But my question is, how are we going to

staff this and how are we going to fund it and what exactly are those citizen assemblies supposed to be doing? That's somewhat of a mystery to me, I'll be honest, and maybe Senator Kelly could illuminate us.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. To Senator Schaffer, the Citizens' Council on Mental Health and Developmental on Disabilities is just getting off the ground. We are just beginning our...our sessions and meetings. We are, as you know, very underfunded and very understaffed and it's going to be very difficult at this early stage to undertake...the...what would you say, the...the requests are being made by Senator Collins for a lot of information that would require a lot of detail, a lot of review. We are concerned, our...I can speak for the members of our citizen council, in what Senator Collins is trying to address and I have apathy for the homeless, for the people that have been deinstitutionalized and sent to private living centers and are not being supervised. We know that more supervision is needed for these private settings. That's one of the drawbacks. There's advantages, maybe, to have a good quality private setting but a lot of these private settings are not of this high quality, and I think that's what Senator Collins is trying to get at. So, I think the Senator, at this particular junction, has a...a worthy resolution. I would hope and...within the next year that the citizens' council could undertake this project and not place this in the laps of the General Assembly. But at the present time, I think that we should support her resolution.

PRESIDENT:

All right, any further discussion? Senator Collins, you wish to close?

SENATOR COLLINS:

I would...just ask for a favorable consideration.

PRESIDENT:

All right, the question is, shall Senate Resolution 781 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. Senate Resolution 781 as amended is adopted. Senator Watson on Senate Resolution 551. Senator Watson.

SENATOR WATSON:

Thank you. Is the appropriate motion at this time to Table...

PRESIDENT:

That...that motion is always in order.

SENATOR WATSON:

Then I so wish to have it Tabled.

PRESIDENT:

Senator Watson moves to Table Senate Resolution 551. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Motion carries. Senate Resolution 551 is Tabled. 782, Senator DeAngelis. Senate Resolution 782, Mr. Secretary.

SECRETARY:

No amendments on 782.

PRESIDENT:

All right. On the Order of Secretary's Desk Resolutions, Senate Resolution 782, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 782 directs the Board of Higher Education, with the assistance of some other people, to present to the General Assembly a program whereby parents can under a tax exempt investment provide for the education of their children in the future. This is a con-

cept which has not been used across the country, although Michigan is currently investigating the same type of proposal. It's going to take quite a bit of work and I would like to see if the Board of Higher Ed. can come back with some recommendations to the General Assembly, because in the future it's going to require some pretty creative methods of financing college educations, and we want to encourage the parents to participate. So, I urge the adoption of Senate Resolution 782.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Senate Resolution 782. It does call for the expenditure of State funds and will therefore require a...record vote of the constitutional majority for approval. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator DeAngelis, I think the resolution actually requires or asks the Illinois Board of Higher Education to analyze the suitability of a...of a tax exempt investment plan for the State of Illinois rather than mandating them to submit one to us for our approval. I think you used that latter terminology. There are a number of us who would be very pleased to see their analysis and the results of that but are not willing at least at this point to make a commitment to supporting the idea of a tax exempt investment plan. So, I think that's just an important correction for many of us. And on that basis, I think it is appropriate that we have the study made so that we know whether it does or does not make sense.

PRESIDENT:

Question is the adoption of Senate Resolution 782. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that ques-

tion, there are 48 Ayes, no Nays, none voting Present. Senate Resolution 782 is adopted. Senator Berman on 787. On the Order of Secretary's Desk Resolutions, Senate Resolution 787, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Resolution 787 directs the Attorney General to investigate the problem of computer related crime, to hold public hearings in which the business and financial community, law enforcement agencies and computer security experts may offer recommendations for legislations to deal with the problem. Be glad to respond to any questions.

PRESIDENT:

All right, Senator Berman has moved adoption of Senate Resolution 787. Any discussion? If not, those in favor of the adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. Senate Resolution 787 is adopted. 804, Senator Etheredge. 813, Senator Lemke. 814, Senator Holmberg. HJR 65, Senator Lechowicz. HJR 104, Senator Luft. HJR 175, Senator Newhouse. Senate Joint Resolution 124, Senator Vadalabene. On the Order of Secretary's Desk Resolutions, middle of page 29, is Senate Joint Resolution 124, Mr. Secretary.

SECRETARY:

The resolution has no adoption. It's recommended...adopt by the committee.

PRESIDENT:

Senator Vadalabene on Senate Joint Resolution 124.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate joint resolution provides and urges Congress to enact

House Resolution 3747 which would provide on-the-job-training benefits for veterans, and I'd appreciate a favorable vote.

PRESIDENT:

Senator Vadalabene has moved the adoption of Senate Joint Resolution 124. All in favor...any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Watson on SJR 135. On the Order of Secretary's Desk Resolutions is Senate Joint Resolution 135. No amendments the Secretary informs the Chair. Senator Watson on Senate Joint Resolution 135.

SENATOR WATSON:

Thank you, Mr. President. This resolution was introduced the day the prisoners of war were here and had their ceremony on the Senate Floor, and it's one in which the preamble recites that Title No. 30-A of the United States Code provides for specific benefits for our nation's former prisoners of war; and currently pending in the United States Legislature is legislation which will amend this Title A to broaden the benefits of the prisoners of war suffering from long lasting illness and disorders or conditions resulting from their incarceration. I...I would ask...and I feel that we should support such a resolution and ask for a favorable vote.

PRESIDENT:

Is there any discussion? Any discussion? If not, Senator Watson has moved the adoption of Senate Joint Resolution 135. All in favor of the motion to adopt indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I didn't hear you call Senate...Resolution 765.

PRESIDENT:

It...it was called. Do you wish to go back to that

SENATOR LEMKE:

Yes.

PRESIDENT:

All right, on the Order of Secretary's Desk Resolutions, the middle of page 28, Mr. Secretary, is Senate Resolution 765. Senator Lemke.

SENATOR LEMKE:

What this resolution does is calls...the...on the Federal Government that advocates the use of domestic products and U.S. Naval and Coast Guard vessels. What we have found out is that strategic parts are being made in foreign countries and are not being made here. I found this out from people in my area, in Cicero, that are in an enterprise zone we're trying to help but they're sending these parts out to foreign countries to be made; and I think it's a wrong procedure for our government in...in regards to defense to be...relying on some other country to supply us with vital parts and, therefore, I think we should pass this resolution and ask the Department of Defense to stop this and look for local supporters since we have many people unemployed.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Senate Resolution 765. Is there any discussion? If not, all in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke.

SENATOR LEMKE:

Senator Rock, we have Senate Resolution 813 which is part of the teenage package. I would like to have leave to have that called when we call those particular bills on the Calendar when they're ready.

PRESIDENT:

All right,...

SENATOR LEMKE:

I understand there's some amendments.

PRESIDENT:

...that request is in order. Senator Lechowicz, Senate Resolution 736. The middle of page 28, on the Order of Secretary's Desk Resolutions is Senate Resolution 736. The Secretary informs the Chair there are no amendments. Senate Resolution 736, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 736 urges the U. S. Secretary of Interior, Mr. Hodell, to reinstate Lee Iococca as chairman of the Statue of Liberty, Ellis Island Centennial Commission. As you know, that probably...according to the newspaper surveys, he's probably the third most honored individual in the United States. He had the fortitude and foresight to assemble a voluntary group of individuals who had the ability to raise two hundred and thirty-five million dollars for probably one of the most worthwhile purposes that this county has seen in this decade and, unfortunately, there was a conflict of personalities, really, and Mr. Hodell had the audacity to remove him from his worthwhile chairmanship. Not only was I shocked and hurt by the fact that here's a man who took time out of his personal life and assembled probably one of the most worthwhile projects and now an oversight can be corrected. And all we're saying is that, yes, Mr. Lee Iococca, we've not only appreciated the fine work you've done for Chrysler Corporation in the State of Illinois in bringing back that industry not only in this State but throughout the country; yes, we also appreciate your fine work you've done as a volunteer in assembling this worthwhile project so all Americans can be proud of the fact that this fine individual has contributed above and beyond the call of duty. That was the purpose of Senate Resolution 736 and I would hope that this Body would adopt it.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Senate Resolution 736. Discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Keats.

SENATOR KEATS:

Senator Lechowicz, are you aware that Lee Iococca was removed at his own recommendation?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I had the opportunity of writing to Mr. Lee Iococca and I have a response from him. I did send him a copy of the resolution as well and I also encouraged that he look into the political field based upon the book that I've...that I've read. In his response to me, it was more as a matter of accommodation so there wouldn't be a difference of opinion between this...his administration as a volunteer and the request of Mr. Hodell. I think it was done more as a matter of courtesy, not that he wanted to do it.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay. Just in speaking to explain that Lee Iococca said that the two jobs were in direct conflict with each other and that one or the other should be removed, and upon his own recommendation, they removed one. He was removed and understood that. I do say due to the political tone, as you mentioned, I wouldn't mind seeing him run for office either, but if he'd run as a Republican I would like him more; but the point is, he did leave office at his own recommendation, not at someone else's suggestion. Therefore, to say, please, reinstate him, we'd have to get Lee Iococca to say he'd

change his own judgment, and if there's one thing I can say about Mr. Iococca, he does not change his mind easily.

PRESIDENT:

Any further discussion? Further discussion? If not, Senator Lechowicz has moved the adoption of Senate Resolution 736. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 65. On the Order of Secretary's Desk Resolutions is House Joint Resolution 65, Mr. Secretary.

SECRETARY:

House Joint Resolution 65 with committee...Executive offers one amendment.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr...Mr. President. I move the adoption of Committee Amendment No. 1. Basically what it did, it calls for the resolution for the Department of Public Aid to report to the General Assembly by April of 1986, and the amendment called for that being changed to November of 1986. This is in reference to Title 19 of the Federal Social Security Act requires every State operating a Medicare program to...to provide services to all children eligible for Medicaid. It...the program requires a battery of tests for children for preventive measures. The Department of Public Aid and Department of Public Health have initiated special programs to reduce infant mortality and promote health of the children. This would urge the Department of Public Aid to maximize the use of the federally early periodic screening diagnosis and treatment program. There was no opposition of this resolution in committee. It passed unanimously in the House and I would encourage that this Senate do adopt House Joint Resolution 65.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to House Joint Resolution 65. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Senator Lechowicz now moves the adoption of House Joint Resolution 65. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate? Mr. Secretary, Messages from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative...

PRESIDENT:

Hold it, Mr. Secretary, please. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

...believe, Mr. President, that there...may be an expenditure of funds on that last resolution. It would require a roll call.

PRESIDENT:

Senator Lechowicz, as the sponsor, you're certainly entitled to a roll call. Mr. Secretary, on the Order of Secretary's Desk Resolutions, House Joint Resolution 65, the adoption of that resolution has been moved by Senator Lechowicz. He had...the gentleman has suggested it may involve the expenditure of State funds and has requested a roll call. Those in favor of the adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Joint Resolution 65 is adopted. Messages from the Governor, Mr. Secretary.

SECRETARY:

A Message from the Governor, by Kirk Dillard, Director of Legislative Affairs.

Mr. President — The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate of the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully as concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

887, by Senators Etheredge and Fawell.

888, Senator Dunn.

889, Senators Topinka and Fawell.

890, by Senator Degnan.

891, by Senators Netsch, Berman, Poshard, Rock, Sangmeister and Lechowicz.

892, by Senators Kelly and DeAngelis.

893, by Senator...Senators Demuzio, Rock and all Senators.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate Resolution 894, by Senator Barkhausen.

PRESIDENT:

Consent Calendar. 894 to Executive.

SECRETARY:

Senate Joint Resolution 150, by Senators Watson and Poshard.

PRESIDENT:

Executive.

SECRETARY:

And Senate Joint Resolution 151, by Senator Macdonald.

PRESIDENT:

Executive.

SECRETARY:

Senate Joint Resolution 152, by Senators Berman, Carroll, Marovitz and Rock.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I'd move...I would move that we waive the appropriate rules for immediate consideration of...Senate Joint Resolution No. 152. It congratulates the State of Israel on its thirty-eighth anniversary of its founding, and we ask that this be considered immediately because of a function that will take place on Thursday of this week, so we would ask for immediate consideration.

PRESIDENT:

All right, Senator Berman has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 152. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Berman now moves the adoption of Senate Joint Resolution 152. Senator Berman.

SENATOR BERMAN:

Move the adoption of Senate...Joint Resolution 152...

PRESIDENT:

All right, Senator Berman has moved the adoption of Senate Joint Resolution 152. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a

point of personal privilege. The Pages have...disseminated the announcement that the North Point Marina Excursion up on...in...in the Zion...will take place on July 20, 21 and 22, 1986. Please mark your calendars for all the Senators and the Representatives, and they...they had these things distributed to the mail boxes and they had my name in the corner and they thought that that belonged to me, so this is for each one of you and we'd love to have you come.

PRESIDENT:

All right, any further announcements? Further business to come before the Senate? Ladies and gentlemen, ten o'clock tomorrow morning. We will begin right on time and start with Senate bills 2nd reading, at the hour of ten o'clock. Senator Vadalabene moves that the Senate stand adjourned until Wednesday, May 14, at the hour of 10:00 a.m. Ten o'clock tomorrow morning.

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84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 14, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning by the Reverend Oliver Zivney, Chrisman United Methodist Church, Chrisman, Illinois. Reverend.

REVEREND ZIVNEY:

(Prayer given by Reverend Zivney)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Reverend Zivney. Is that close? Zivney. Reading of the Journal.

SECRETARY:

Tuesday, May the 6th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Vadalabene. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. So ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, May 7th; Thursday, May 8th and Tuesday, May 13th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion as posed by Senator Vadalabene. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. So...so

ordered. Messages from...from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 988, 2237, 2544, 2562, 2613, 2621, 2637, 2644, 2724, 2726, 2733, 2741, 2775, 2777, 2778, 2839, 2843, 2876, 2889, 2891, 2893, 3019, 3040, 3058, 3062, 3079, 3097, 3107, 3114, 3128, 3156, 3230, 3371, 3378, 3425, 3428, 3474, 3479, 3520, 3553, 3554 and 3599.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 895 and 896 offered by Senator Jeremiah Joyce and Senator Degnan, and they're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Joint Resolution 153 offered by Senators Newhouse, Smith, Collins, Jones, Hall and Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. I ask leave of the Body to show Senator Arthur Berman as a hyphenated cosponsor to Senate Bill 1666.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Maitland requests Senator Berman be added as a hyphenated cosponsor of Senate Bill 1666. Is leave granted? Leave is granted. It's so ordered. Senator Rock, do you have an annoucement on the procedure? Senator

Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I've discussed with Senator Philip and the procedure for today, we will begin on Senate bills 2nd reading and go through all those bills and then proceed immediately to Senate bills on 3rd reading, and our plan is to work straight through today. There are a number of meetings outside the Chamber. The Governor has called a summit meeting with respect to the horse racing industry that some of our members will be attending, and then later this afternoon there's a meeting on the insurance liability crisis at the direction of the Speaker, but we will proceed right through the Calendar on 2nd and 3rd reading and work until approximately five o'clock this afternoon. Tomorrow morning there are a number of breakfast meetings and we will be pleased to play host to the Consul General of Israel, and all of you have been invited to attend a breakfast in his honor and in...in the honor of the thirty-eighth anniversary of the State of Israel tomorrow morning at...in Room 212. We will commence Session at ten o'clock tomorrow morning and given the constraints of our district offices, we will conclude our Session at one o'clock so that all members can get back where they have to be tomorrow, and then we'll come back next Tuesday at the hour of noon and begin on the appropriation bills. So, the appropriation bills will this week be held awaiting the amendments from Senators Carroll and Sommer and we'll start those Tuesday at noon and, hopefully, in the next...next Tuesday, Wednesday and Thursday be in a position to conclude our business in accordance with our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we will begin on the Order of Senate Bills 2nd Reading, page 2 on your Calendar, is Senate Bill 233. Mr. Secretary, Senate Bill 233.

SECRETARY:

Senate Bill 233.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka on Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 basically addresses the concerns that the Department of Public Health and the Illinois Hospital Association had with Senate Bill 233. Basically, what it would do, it would remove the auditing process that the Department of Public...of the Department...of Republican health, of course...Department of Public Health found to be onerous and it also made the system more workable in terms of the hospitals in...in being...being able to administer the Act. So, I would ask your favorable response to this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Topinka moves the adoption of Amendment No. 1 to Senate Bill 233. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Mr. President, I think the Senator explained the wrong amendment. That was Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka moves to reconsider the vote by which the original...we didn't adopt it? She explained the wrong amendment. Would you explain the right amendment, Senator Topinka?

SENATOR TOPINKA:

The first amendment was put out in committee and it became the bill which basically allowed hospitals to...to

provide a process whereby they would make available to families of a deceased person that should they wish to make an anatomical gift that that process could take place in an orderly and dignified fashion, and that was the amendment from the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the explanation. Is there any change in your vote? Senator Jones.

SENATOR JONES:

Yes, will the sponsor...is she moving to Table the amendment or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...she's moving to adopt the committee amendment.

SENATOR JONES:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JONES:

Senator Topinka, I know Senator Dawson and I had a...had a bill to require that the hospitals...institute said program which is also on 2nd reading and that bill was heard in the same committee which you sit. Now the amendment that you are putting on 233, is that amendment doing the same thing that is done in...in the bill that Senator Dawson and I are sponsoring?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

It's a bit more expansive in terms of allowing the hospital administrator or their designee to be able to make this approach. It basically leaves it to the responsibility of the hospital to...to decide how to do this be it in or outside the hospital's setting. It also provides that...the...the list in order of kinship as to how a person

or a family should be approached following this death. They are similar but not exactly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

The reason why I raised that question because when I appeared before committee on the bill and I noticed you did not support it, and since they are doing essentially the same thing,...you...will...are you going to support the...the other bill on...3rd reading?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Senator Jones, I always admire the fine work that you do and I'm sure we could probably work out an accommodation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, the...in addressing the amendment, I have no problem with the amendment as such. My only problem is that the...the provisions...in this amendment were...were taken more or less from another bill, the bill that Senator Dawson and I were sponsoring, the idea and concept as such; and to take them and place into your bill and then vote against the bill that Senator Dawson and I are sponsoring, you know, doesn't seem right more or less and that's the reason why I raised the question is that you're taking from one bill that's already been introduced and incorporating the same provisions and idea in your piece of legislation, and I have no problem in supporting this but I didn't want you to oppose that just so that you would be the key author of the idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Senator Jones, nobody really removed any items from anybody else's bill. The product of this particular amendment came from almost two years worth of work that involved the Illinois State Medical Society, the Illinois Hospital Association, the Illinois Department of Public Health, the Illinois Transplant Society, the Kidney Foundation, the Illinois State Bar Association and about ten other groups, and I think, you know, that...to be really honest, we could probably become joint sponsors of each other's bills very easily.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Now, on the proper explanation of Amendment No. 1...Committee Amendment No. 1 to Senate Bill 233, those in favor indicate by saying Aye. Those opposed. The Ayes have it...Committee Amendment No. 1 to Senate Bill 233 is adopted. Are there further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

This was the amendment that I, unfortunately, discussed before going back to the committee amendment; and what this does is take care of the concerns in terms of auditing the recording keeping that the Illinois Department of Public Health had and also some of the technical problems that the Hospital Association exhibited with the amendment that I...that we discussed immediately previously.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Jones.

SB 916
2nd Reading

SENATOR JONES:

Yes,...will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JONES:

Senator, could you be more explicit in tell me...telling us what you are deleting with this amendment from Amendment No. 1? Especially as to what you are deleting from Amendment No. 1 with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

We...we are deleting the monitoring system that the original amendment had placed in the Department of Public Health. We are maintaining all the religious considerations that we had worked out over the summer between the Chicago Rabbinate and the Catholic Council. Those are all intact and we've also allowed the hospital administrator...that they can notify an organ procurement agency and...and then we got rid of some of the things that they were required to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones. Is there further discussion? If not, Senator Topinka moves the adoption of Amendment No. 2 to Senate Bill 233. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 2nd Reading,

Senate Bill 916, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 916.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this amendment does in...in reality...it is the bill. It's...this is a bill that we've been negotiating for...for about a year with everybody and what it does is contains various technical changes existing...the foreclosure laws. It has new provisions requiring mortgages to be...be advised of State designated counseling agencies at least thirty-five days before a foreclosure is filed and a new provision providing State financial assistance to a narrow category of single family resident mortgages who face foreclosure due to circumstances beyond their control or are likely to be able to...within three years to resume making their full...mortgage payments. This is in areas where...such as U.S. Steel and areas where industry has moved out completely and all the homes go up for sale, we're trying to put together a provision. This bill is in effect drawn by the Illinois State Bar Association and is supported by them, and through compromises has...got the compromises with the Urban League and the State Support Center and Legal Assistance Foundation. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 916. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The amendment is adopted. Any further committee amend-

SB 1320
2nd Reading

ments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1320, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1320.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Committee Amendment No. 1, like the bill itself, is the product of the Secretary of State's Advisory Committee on Not-For-Profit Corporations...Amendment...No. 1 does a number of things that were suggested by this advisory committee. It...most...significantly, I think for us, it eliminates point of contention with the recorders and now will require a duplicate filing of a Partnership Act with the county recorders as well as with the Secretary of State. I'd be happy to further explain the amendment; otherwise, would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1320. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further committee

amendments?

SECRETARY:

No further...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Amendment...is there amendment filed by Senator Berman? Okay. I'm handling it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 2 specifically authorizes the Secretary of State to adopt rules and deletes references to the General Assembly's constitutional power to amend the law which, of course, we can do at any time, in any case and makes a small technical correction. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 2 to Senate Bill 1320. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 3 deletes duplicative language from Committee Amendment No. 1 and provides for limited derivative rights that members can bring against not-for-profit corporations as to just certain types of not-for-profit organizations. Be happy to explain it; otherwise, ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 3 to Senate Bill 1320. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

Amendment No. 4, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would inquire...the Chair as to whether Amendment No. 4 is...is, in fact, mine. I...I wasn't aware of a fourth amendment.

SECRETARY:

I...I think what has happened, Senator, is that you might have...explained No. 4 and we have No. 3 up here which is adding some new language. You want...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. While there's a little lull in the action here, I am told that this is a very significant day, obviously, in your life because this is your birthday today; and since I didn't see any cake back in your office, I thought we would do this early and afford you the opportunity to perhaps buy one for the memberships for this afternoon, but in the meantime, happy birthday.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, very much, Senator Demuzio. We do have cheesecake that Carol Higgason stood up all night baking. It's in the office. (Machine cutoff)...what purpose Senator Topinka arise?

SENATOR TOPINKA:

Yes, Mr. President, to include Senator Jones as a sponsor on...joint sponsor on Senate Bill 2279 and also to put me on as a joint sponsor of Senate Bill 1486.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Topinka. Is there discussion or objection? Hearing none, the motion is adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I want...I'm to handle this amendment for...Senator Berman...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there leave to have Senator Lemke handle the amendment...Amendment No 4 for Senator Berman? Leave is granted. It's so ordered. Senator Lemke.

SENATOR LEMKE:

What this amendment does is just...lets the...allows the common law in effect on derivative suits. This is what was agreed on in committee and I think it's a good amendment and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 4 to Senate Bill 1320. Is there discussion? If not,...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, just to...just to point out what's...going on here, I don't know that this is a major issue, but the...the...language...the language in this Amendment No. 4 is...is not the recommendation of the Secretary of State's Advisory Committee. What we're talking about here is...is derivative rights...the rights of members to bring an action against...officers and board of a not-for-profit organization where they feel the organization is being run against the interest of members, and the...with the language that had been adopted in Amendment No. 3, we were granting derivative rights to organizations that are social, number one, where the...is...is involved where the ownership or administration of residential property, such as a condominium or a co-op and the administration and operation of property...a co-op or condominium would be...would be two and three. Amendment No. 4 now, offered by Senator Lemke, would extend those rights to other not-for-profit organizations. Derivative rights are most...are most commonly asserted in the case of corporations where you have shareholders who are bringing actions against officers and directors of a corporation. The Secretary of State's Advisory Committee consisting of people who work on a daily basis with not-for-profit organizations feel that the...that the widespread granting of derivative rights in the case of not-for-profit organizations is...is...would largely be inappropriate; and as the sponsor of this bill, I am inclined to accept their advice and, therefore, would urge that this amendment not be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This amendment was discussed in committee and I suggest to the sponsor if he'd try to

refresh his memory. What this amendment says and what we had discussed in committee was that this was clarifying language that the...that the derivative rights were not being limited or...nor were any new derivative rights being created. My recollection was that John Notes agreed with that concept which is embodied in this amendment and that the committee itself that John represents was split as to whether or not this language was necessary, but it's my clear recollection that this was accepted by Mr. Notes and was drafted in accordance with that agreement. I...I'm surprised by the sponsor's opposition. Could...could you comment on that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen.

SENATOR BARKHAUSEN:

As I indicated, Mr. President, this is not an issue on which the bill should stand or fall. I...I didn't know, Senator Berman, if, in fact, it's the case that the committee was split. What...what I offered was what I was told and was under the impression was their preferred language and I don't know that they would...would strenuously object to...to your revised language which would have the common law derivative rights apply, but...because I was under the impression that their preferred language is that which I explained and...and is embodied in Floor Amendment No. 3 was the reason that I resisting the adoption of Amendment No. 4, your amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman

SENATOR BERMAN:

Well, let...let me...let me make this suggestion, let's put the amendment on, move the bill, if...we'll talk to Notes, if there's a serious problem we'll bring it back and take it off. I...I think that's the simplest way because I'm under the impression that he has no problem with this. If...if that's all right with you, we can...we'll...we'll

move ahead that way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke...Senator Barkhausen. All right, Senator Lemke has moved the adoption of Amendment No. 4 to Senate Bill 1320. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1475, Senator Jones. All right, Senate Bill 1475, Mr. Secretary.

SECRETARY:

Senate Bill 1475.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr...Mr. Speaker. This is a committee amendment. What the amendment does is delete the State Board of Education and include therein the Board of Higher Ed., and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Committee Amendment No. 1 to Senate Bill 1475. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1486. Senate Bill 1488, Senator Barkhausen. 1-4-8-8. On the Order of Senate Bills 2nd Reading is Senate Bill 1488, Mr. Secretary.

SECRETARY:

Senate Bill 1488.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I'm...I'm sorry, if...if we could take the bill out of the record for now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. 1491, Senator Rock...1516, Senator Welch. Senator Welch on the Floor? Senate Bill 1522, Senator Marovitz. 1529, Senator Collins. 1529. Bottom of page 2, Senate bills 2nd reading, is Senate Bill 1529, Mr. Secretary.

SECRETARY:

Senate Bill 1529 had a request for a fiscal note. That request has been answered.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Mr. Secretary...Senator Collins, you wish to have this taken out of the record? All right, take it out of the record. 1548, Senator Poshard. Senate bills 2nd reading, the bottom of page 2, is Senate Bill 1548, Mr.

Secretary.

SECRETARY:

Senate Bill 1548.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...sponsor indicates there is a Floor amendment. Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an amendment which came out of the committee work. It meets the approval of the Police Training Board. Essentially what it does is allows a person to receive an appointment as a county corrections officer if they've completed either the minimum standards basic law enforcement or the county correctional training course instead of having to complete both courses. This saves the county a considerable expense for those people who have had previous training in law enforcement. It is agreed to by the Police Training Board, Mr. Apa. Move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 1548. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

SB 1516 2nd reading

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Before we leave this page, with leave of the Body, we can go back and pick up...Senate Bill 1516. Senator Welch was on the Floor. I inadvertently didn't see him. With leave of the Body, we will return and pick up Senate Bill 1516. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1516.

SECRETARY:

Senate Bill 1516.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. Chairman. This is an amendment that I said I would put on when I was in the committee. What the amendment does is exempt from the requirements of the oral proficiency testing any person who provides classroom instructions to students in foreign language courses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch moves the adoption of Amendment No. 1, Senate Bill 1516. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 3. Top of page 3 is Senate Bill 1551, Senator Zito. 1552, Senator Lechowicz. 1559,

Senator Watson. 1575, Senator Jones. 1-5-7-5. Senator Jones, it's my understanding that even...this bill deals with insurance that we can move it today. Senator Bill 1575. All right, Senate bills 2nd reading is Senate Bill 1575, Mr. Secretary.

SECRETARY:

Senate Bill 1575.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1576, Senator Kustra. All right, Senate bills 2nd reading, middle of page 3, Senate Bill 1576, Mr. Secretary.

SECRETARY:

Senate Bill 1576.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1...is this yours, Senator Kustra?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra, is this your amendment that's been filed? Amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The bill makes it a Class C misdemeanor for a person to rent a motel or a hotel room to someone knowing that it will be used for the purpose of unlawful drinking by minors. The amendment comes from a proposal or a recommendation made by Senator Jeremiah Joyce in...in committee and it does two things.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra,...

SENATOR KUSTRA:

All right, we have two amendments and the other one is a technical amendment which makes uniform the penalty in the bill, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the short one is Amendment No. 1. It makes the technical changes. All right, Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 1576. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

...Floor Amendment No. 2, by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is the amendment I was discussing a moment ago. It does two things. First of all, it requires the hotel or a motel to post a conspicuous notice of this new law and, secondly, it requires the hotel and motel to change their contract effective January 1st, 1988 to include a warning that this law is now in effect. The Hotel/Motel Association has agreed to this, Democratic staff and Republican staff have seen this amendment and have agreed to it and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1588 2nd Reading

All right, Senator Kustra has moved the adoption of Amendment No. 2 to Senate Bill 1576. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1577, Senator Kustra. All right, Senate bills 2nd reading is Senate Bill 1577, Mr. Secretary.

SECRETARY:

Senate Bill 1577.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1588, Senator Darrow. Senate Bill 1-5-8-8, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1588.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. This is an amendment prepared

by the Illinois Pollution Control Board. I'm offering it on their behalf. What it does is change the legislation where we have that the fine can be...have an upper limit of one thousand dollars. We changed that to have a set fine of five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 1588. Discussion? Discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Darrow, is this a automatic requirement of the fine of five hundred dollars or is there a...a flowing amount that the department could fine the person between one dollar and five hundred?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The fine is set at five hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Does that different...differ from the current law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Other than by the amount of five hundred dollars, does

the current law allow for a sliding scale of fines or is that a flat one thousand dollars per occurrence?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

There is no current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Darrow moves the adoption of Amendment No. 1 to Senate Bill 1588. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR POSHARD:

Recognition of guests. Mr. President, I've been privileged this week to have some outstanding people from my district to visit me here in Springfield. Seated in the President's Gallery, behind you, is the forensics team from Southeastern Illinois College near Harrisburg, Illinois, which is in my district. They have been brilliantly coached this year by their coachs, Gary Allen and George Dennis, and all the individual members of the team are here. I have to tell you that they are the champion forensic team of the State of Illinois and the champion forensic team of the United States. This team went to Omaha, Nebraska and in sixty-four teams from across the country competing there, Southeastern Illinois College won the National Forensic's

SB 1559 2nd reading

Championship and I'd like to honor them at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, will our guests in the gallery please rise and be recognized by the Senate. Welcome to Springfield. All right, with leave of the Body, before we leave page 3, we will...if there's leave, we'll go back and pick up Senate Bill 1559. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, page 3, is Senate Bill 1559, Mr. Secretary.

SECRETARY:

Senate Bill 1559.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I appreciate you going back to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...just...just a moment, Frank. Ladies and gentlemen, if we could have some order this will go a lot faster. Senator DeAngelis. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Once again, I'd like to thank you for going back to this particular piece of legislation; unfortunately, I was off the Floor when it was called. Committee Amendment No. 1 simply adds an...an immediate effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Committee Amendment No. 1 to Senate Bill 1559. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee

amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, again, Mr. President. This...this amendment simply clarifies and...and straightens out some problems that were brought in...brought up during the committee hearing and clarifies the original intent of the legislation. Should an officer stop and ticket an individual soley for a seat belt violation, the charge will be dismissed if the officer had no other probable cause to stop that individual; and also, currently, requirements are by the court appearance for multiple charges arising from the same circumstances, and this amendment simply states that a violation of the seat belt law in conjunction with another violation of this code arising from the same circumstance shall not be the basis for court appearance. Move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment No. 2 to Senate Bill 1559. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 4...oh, there's another amendment? Senator Watson.

SENATOR WATSON:

Yes, there should be a...a third amendment, I believe, called a Stevenson amendment that requires seat belts on horses. Is that...

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We are...we are always obliged to go back and...page 4. Page 4, Senate Bill 1608, Senator Etheredge. 1612. 1615, Senator Maitland. On the Order of Senate Bills 2nd Reading, page 4, is 1615, Mr. Secretary.

SECRETARY:

Senate Bill 1615.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 5. Page 5 is Senate Bill 1629, Senator Lemke. All right, top of page 5 is Senate Bill 1629, Mr. Secretary.

SECRETARY:

Senate Bill 1629.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...sets up the Home Repair Regis-

tration Act. The...the amendment that we have here deletes everything after the enacting clause and certain provisions have been worked out with the retail merchants and the...Illinois Home Remodelers Association and defines home repairs and...and I think it's a good bill and I ask for...the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1629. Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, I have not seen a copy of this amendment. Could you be just a little more specific in your explanation since you are, in fact, gutting the original bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Okay, what this bill does is defines home remodeling means the repair, replacement, alteration, conversion, modernization, improvement or addition of any real property, primary design or used as a residence. Home repair could include the construction, installation, replacement and improvement of driveways, swimming pools, porchs, kitchens, garage, fences, fallout shelters, central air conditioning, central heating, boilers, furnaces, hot water heaters, storm windows, awnings and other improvements to structures and upon the land adjacent thereto. Home...home repair does not include the sale, installation, cleaning or repair of carpets, the sale of goods or material by a merchant who does not directly or through a subsidiary perform any work...or

labor in connection with the installation or application of the goods or materials, the repair, the installation, replacement or connection of any home appliances including but not limited to disposal, refrigerators, ranges, garage door openers, television antennas, washing machines, telephones and other home appliances when a person replacing, installing, repairing or connecting such home appliances are employees or agents of the merchant who sold the home appliance or landscaping. It also requires the applicant for certification to include his name, principle office and place of business, not a P.O. box; telephone number, not an answering service; any felonies for which the applicant or its officers have been convicted, any outstanding judgments...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Lemke, Senator DeAngelis is...

SENATOR LEMKE:

You wanted me to explain the amendment, I'm explaining it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think he's surrendered. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Lemke, there's a difference between an explanation and reading something. Are you going to proceed with another amendment after this one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

There's another amendment that's requested by the Illinois Home Builders which Senator Jerry Joyce has which will be...it was on this amendment...and the committee objected, so we did two separate amendments and the second amendment will take care of the Illinois Home Builders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President. You mentioned a whole long list of home repair people, including people who fix somebody's fence. As I understood what you were saying is that those...all those people on that list are going to have to be registered now and have some kind of a license or at least be registered with the Department of Registration and Education. Did I hear you correctly?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This list, I understand, was worked out with the State's Attorney and the Illinois Retail Merchants. They excluded some and some they left in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, I didn't ask who worked out the list, I wanted to know if the list that you read are the people that are going to have to register.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That is correct, anybody that's into home repair and remodeling business that...does those...providing the job is over a thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...and does this broaden the list as opposed to the way the bill came out of committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

No, the way the bill came out of committee just narrows it. This puts on the retail merchants' amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay. I...you know, I think this is...this is another ridiculous idea that the Legislature is about to get into here, and if we...if we...if we want to...beat the bill, maybe we better leave the amendment off and make it as bad as possible so nobody can vote for this turkey; but, you know, we're in the business of doing some pretty foolish things around here, but we're...we're striving for a record with this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 1629. Those in favor indicate by saying Aye...all right, a roll call has been requested. Senator Lemke, did you wish to close?

SENATOR LEMKE:

Well, it's...I...you know, I...we've been trying to work out this problem of home repair fraud in the State of Illinois for a long time. This...this...we worked with the Tribune, we worked with everybody. If...if Mr. Schuneman and Mr. Schaffer over there want to defeat it, fine, or it goes as it is. I think we have worked on this bill. We're trying to rid con artists from ripping off little old ladies and new homeowners. If this is what...these people want to protect these con artists and they want to protect Mr. Nerd who took a lady for fifty-five thousand dollars and ripped up her floor and do things like that, that's up to them. If we want to allow these people to not simply just register with this State, and we're not talking a large amount of money when they register, and I talked to the Department of Registra-

tion, they're talking about twenty to fifty dollars, and if a guy cannot pay twenty and fifty dollars and do a search in regards to his criminal record and be registered in this State, then I think we should do something...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR LEMKE:

...and I ask for adoption of this amendment. I think it's a good amendment and I think it's a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis, Senator Lemke was closing. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I want to rise on a point of personal privilege because the accusations that are made are totally unfounded and false. He's insinuating or...more than that, suggesting that anybody that opposes this is for the people that rip off the people, and I want to tell you something, if you want to know who the real rip-off artists are, pick up a yellow page directory and see all those people that are registered by the State of Illinois to do business and that's what we resent because you...legitimacy to the illegitimate operations because you're certifying them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator,....the...the gentleman...the gentleman had, in fact, closed. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, and as being a member of the committee that discussed this bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator, the...the gentleman had...had already closed...state your point. All right. Senator Topinka.

SENATOR TOPINKA:

That's all right, I withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 1629. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 24, 2 voting Present. Senate Amendment...the Senate does adopt Amendment No. 1. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Amendment No. 2 would exempt the home builders from this and also anyone who has...belonged to a home builders association that has existed for ten years, has...registered with the Secretary of State, an annual...annually...files a list with its members...of its members with R and E.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce has moved the adoption of Amendment No. 2 to Senate Bill 1629. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, and...and I admire the efforts of what Senator Joyce is trying to do and also what the home builders are trying to do; however, I would bring up what I thought was a relevant concern that we had in the committee, and that is the State should not be put into the position of becoming a membership chairman for specific organizations so that it almost forces people in home repair, remodeling or

whatever to have to become a member of an organization in order to qualify for a registration number. If you're going to be going after individuals who are less than ethical, then they should be dealt with on a one-on-one basis as opposed to letting them hide as some...you know, I mean, even the best of organizations have a few creeps that get into them, and I think in this particular case that could occur as well, and this gives just too broad of an application of a registration number and I would be in opposition from that standpoint.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator Joyce, does home builders participate in home repair contracts?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So, let me clearly understand this. All of the people who...who we are concerned about, the unscrupulous home builders, if, in fact,...home repairs, if, in fact, they pay the fee to join the Illinois Home Builders Association, they would be exempt from this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME:

Repeat the last part. I...didn't hear it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

If...if I was a home repairer, all I would have to do to be exempt from this bill, the Lemke bill, would be to register, to pay my organization dues and become a member of the Illinois Home Builders Association.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, that is true, but the home builder...I'm...in fact, I'm not for this bill. I don't think that they ought to have to register to build a home anyway. Where I come from, we have all kinds of home builders and, you know, they don't belong to the home builders association and I don't particularly think they...ought to have to register; but to make a bad bill a little better, I am putting this amendment on there. Home builders principally build new buildings and they have a very high standard of...and a very high membership selection, their standards are very high.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So,...so,...so, then maybe what you should have done was to say that those persons who are home builders who does not engage in the business of home repair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Collins.

SENATOR COLLINS:

Well, I...I rise in opposition to this amendment because what it really does, it does not make the bill better, it totally guts the bill and...and totally...just reduce the bill to nothing, because to get around the Act, all you have to do would be to pay your organization dues and become a

member of the Illinois Home Builders Association, and so...for that reason, any of the existing, unscrupulous, fly-by-night companies could basically become a member of that organization and then get around...coming under provision of this bill. So, the bill would have no teeth at all if we pass this amendment; therefore, I would ask that we defeat the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I understand what the sponsor of the amendment is trying to do and...and I don't want to condemn him for that. I simply want to point out to the membership that if you're against this bill, you probably better not adopt this amendment, because if the home builders are against this turkey, they'll continue to work against it if they're included, and I'd just as soon leave them in there, Senator Joyce. They're friends of mine and I know they don't want this thing, but then neither do the other little contractors and little workmen around the State who aren't represented here in Springfield by some big lobbying organization. They're the ones that are going to have to pay the price for this bill if...if you let out all these various entrenched lobbying organizations, and so...even though I certainly support the home builders, I'm not going to support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves the adoption of Amendment No. 2 to Senate Bill 1629. Those in favor will...roll call is being

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requested on both sides of the aisle. Those in favor of adopting Amendment No. 2 to Senate Bill 1629 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 29. Amendment No. 2 having failed to receive a majority vote is declared lost. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1634, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1634.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This is the bill suggested by the Attorney General. It creates...fraud against the elderly. What this does is...this amendment corrects the technical errors in the bill that was drafted, I...I believe. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to Senate Bill 1634. Those in favor will say Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1661, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1661.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment simply states that fire protection service that's going to be provided...under this bill is only going to affect fire protection service provided in subscription or those areas in which charge for...for that service. We're trying to clarify the intent. I move for its adoption

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 1661. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1666, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1666.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. We've been concerned in this State for sometime about the dropout rate in our elementary and secondary schools, and we were shocked to find out this spring that we have a...just a terribly inaccurate mechanism by which we determine what our dropouts in our schools...is. So, the amendment that we are offering this morning would clearly describe for us what a dropout student in the State is. I think we'll make a better...we'll be a...a much better addition and I would move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 1666. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Mr. President,...Mr. President,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I...I am in error. The first amendment was a committee amendment which was a technical amendment and I explained for

the Body Amendment No. 2 which we are about to get to.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The first amendment was a technical amendment and it was adopted. The explanation given is for Amendment No. 2. Is there discussion on it? If not, Senator Maitland moves the adoption of Amendment No. 2 with his previous explanation. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1709, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1709.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you. What Amendment No. 1 does, you know, on the Federal level, a Federal Congressman's campaign funds are taxed at fifteen percent, our's are taxed at the corporate rate of forty-six. What...that is probably unreasonable, the

Congressmen have taken care of themselves and hung us. What this says is then at the State level our campaign funds are taxed at two and a half, there's are taxed at 6.8 as a corporate rate. We do the exact same thing at the State level they do at the Federal level. The other reason being, Department of Revenue in answering the Federal rules has decided to do this, I don't think they can do this without legislative okay and it is reasonable that we be treated as someone else is treated. So it calls for equal treatment in terms of a tax existence. It legalizes something that probably has to be done and it says we are responding to the Federal issue of different levels of taxation. I would appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Keats moves the adoption of Amendment No. 1 to Senate Bill 1709. Those in favor will vote Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

Floor Amendment No. 2, by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The one that should be used then and let me read you the LRB number. You have two amendments from me, one was on the assumption that the Keats amendment was adopted, the other was not. The one we should use is LRB8409857GLTCAM02. All right? Thank you, very much. What the amendment does is to equalize the interest rate assessment on sales tax...payments between the taxpayer and the State. Right now if a taxpayer owes money on sales tax to the State, he or she or it pays at the rate of two percent a month which is twenty-four percent. On the other hand, if it turns out that the State owes money to be refunded to the

taxpayer, the State pays only at the rate of one percent a month or twelve percent per year. I...I think the...the State Chamber, the Taxpayers' Federation and a number of other people have recognized the injustice of this; and I believe without misrepresenting his position it's fair to say that the Director of the Department of Revenue also recognizes that it probably is not fair. This would equalize them both at a flat rate of one and a half percent, so that the State would have to pay the taxpayer as much as the taxpayer has to pay the State in the event that one or the other owes money. I think it is eminently fair and although it may not be the...the final resolution of all the questions of interest rates, it certainly takes care of one major inequity right now and I would move the adoption of Amendment No. 2 to Senate Bill 1709.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL:

I...I wanted to ask the sponsor but...I just got this on Senator Keats on his amendment. Did his amendment go on the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, it did.

SENATOR HALL:

Well,...I...I wanted ask either you, Senator Netsch, or this. You're talking about our political organizations. Is that what you're talking? Oh, his is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we...the amendment was adopted, we are on another amendment. You'll have a chance to speak to that on the bill. Is there further discussion? If not, Senator Netsch moves the adoption of Amendment No. 2 to Senate Bill 1709. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any

further amendments?

SECRETARY:

Senator Netsch, did you now want to withdraw this one?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, I will withdraw that one. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Are there further amendments?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1711, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1711.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...the...the...the...that...that...that amendment was, in fact, technical in nature. I move for its adoption. Was that...

SECRETARY:

No, it's identical to the Floor amendment that you have up here. Unless you have...

SENATOR COLLINS:

Then I want to Table. Okay. I move to Table that amendment then.

SECRETARY:

All right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wait...wait...Senator,...there's two extra words in the Floor amendment compared to the committee amendment. Senator Collins moves to Table Committee Amendment No. 1. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. Committee...Floor Amendment No. 1 Tables...I mean, corrects a technical error in the committee amendment. It's basically it's the same amendment but it...it...it cites the correct reference to the Juvenile Code. And I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Collins moves the adoption of...Amendment No. 2 to Senate Bill 1711. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1714, Senator Donahue. Senate Bill 1728, Senator Etheredge. Read the bill, Mr...Senator Etheredge, for what purpose...

SENATOR ETHEREDGE:

Mr. President, I wonder if I could ask leave to return to this bill. I've got an amendment in the works that I expect shortly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, we're going to run right through the bills and into 3rd reading, and I imagine if we have time at that point we will return; otherwise, we will just follow-up tomorrow morning. Senate Bill 1732, Senator Jones. Senate Bill 1733, Senator Jones. Senator Jones. Read the bills, Mr. Secretary, 1732.

SECRETARY:

(Machine cutoff)...Bill 1732.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, members of the Senate. Amendment...Amendment No. 1 is an amendment drafted by the department to deal with the third...party Administrator's Act that was passed last year. Under this amendment it only require those administrators who produce more than fifty percent of their premium to be deposited in financial institutions in the State, and I move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 1732. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

...no further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1733, Senator Jones. Read the

bill, Mr. Secretary.

SECRETARY:

Senate Bill 1733.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Amendment No. 1 is essentially the bill and it prohibits the issuance of industrial as well...life as well as industrial health and accident insurance effective July 1, 1987. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Jones moves the adoption of Amendment No. 1 to Senate Bill 1733. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Is there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We are skipping all the appropriation bills and proceeding to page 9, top of...near the top of page 9, we will...on top of page 9, we have Senate Bill 1783. Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1783.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1...offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Jerome Joyce, you have Amendment No. 1 on Senate Bill 1783.

SENATOR JEROME JOYCE:

Thank you, Mr. President. All it...this does, it adds an immediate effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...there any discussion? Senator Dudycz. No. If there's no further discussion, Senator Joyce moves the adoption of Amendment No. 1 to Senate Bill 1783. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill...Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR DUDYCZ:

Mr. President, Ladies and Gentlemen of the Senate, as you know, this being National Police Week...representatives from police departments from throughout the State attended a memorial service and the march for fellow comrades this morning in the Trinity Lutheran Church across the Street from the Capitol. Now in the President's Gallery behind you we have some special guests this morning. I am proud to introduce my fellow officers, the Chicago Police Pipe and Drum Bugle Corps

of the Emerald Society of Illinois led by their band leader Ed MacCarthy. I also understand that shortly the band will be playing in the Rotunda for your enjoyment and I would like for them to stand up and please be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. While we're on that order, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a...a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR GEO-KARIS:

I am happy to tell you that today in the President's Gallery we have the Zion Christian School which will be singing some patriotic songs for us, and I would like you all to welcome them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized and...it's my understanding we have five minutes of selected...tunes.

SENATOR GEO-KARIS:

Mr. President, under the direction of their head Mentor...Reverend Norman Schneller, yes, and we'd love to hear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There being no objection, could we have our...Zion School start our program.

ZION CHRISTIAN SCHOOL:

(Music program presented by Zion Christian School)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I want to thank Reverend Schneller and the Christian

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School...Zion Christian School and I want to introduce...our Assistant Majority Leader, John Matijevich from my district, District 61, who is up there and Representative Robert Churchill from my district, District 62 who joined us today; and, John Matijevich, I didn't know you could sing, and you, too, Bob. I'm very happy to have all of you and I hope you stay there for a minute now that you're done, because we're having a photographer, want to take a picture of you up there. Okay. Thank you, very much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you, very much, children. Now on the Order of Senate Bills 2nd Reading, Senate Bill 1798, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1798.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor Amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd Reading. Senate Bill 1805, Senator Lechowicz. Middle of page 9, 1805. On the Order of Senate Bills 2nd Reading, the middle of page 9, is Senate Bill 1805, Mr. Secretary.

SECRETARY:

Senate Bill 1805.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1814, Senator Poshard. Page 10...page 10 on your Calendar. Senate Bill 1834, Senator Maitland. Senator Netsch, for what purpose do you arise? Oh, I beg your pardon...I did skip a bill. On page 9, leave of the Body, we'll return to page 9. On 1816, Senate Bill...1816, Mr. Secretary.

SECRETARY:

Senate Bill 1816.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is an Enrolling and Engrossing...or I'm sorry, this is a Legislative Reference Bureau, a technical error that was discovered in the effective date clause. I would move its adoption. In no way does it change the substance or even the timing of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1816. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Now, page 10...page 10, 1848, Senator Berman. Senator Berman on the Floor? 1871, Senator Mahar. Middle of page 10, Senate bills 2nd reading is Senate Bill

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1871, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1871.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1873, Senator Jeremiah Joyce. Senate bills 2nd reading is Senate Bill 1873, Mr. Secretary.

SECRETARY:

Senate Bill 1873.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to Senate Bill 1873 seeks to place under the jurisdiction of the Illinois Commerce Commission taxicab drivers in the City of Chicago. I am...amenable...I am, first of all, trying to get at the deplorable condition of the operation of taxicabs in the City of Chicago. I am not locked into this or into any other amendment. I just happen to believe at this point in time this is the best way to do this. If someone else in this Chamber has a better way of improving service...taxicab service in the City of Chicago, I am...more than open to any suggestions you have. I know the

Commerce Commission is going to file a fiscal note on this, there is some cost involved in this, but the fact of the matter is, I don't know how else to do this. So I ask that the Senate adopt Amendment No. 1 to Senate Bill 1873.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jeremiah Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1873. Discussion? Senator Collins.

SENATOR COLLINS:

Senator, did we have this bill...did we...didn't we have...wasn't this...this bill in committee...defeated in committee, this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Could you just tell me what the amendment does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The amendment provides that the Commerce Commission shall determine minimum qualifications for operators of taxicabs in the City of Chicago. That is that they will...before they certify someone as eligible to operate a cab, they will determine whether or not that person can speak the English language, whether or not that person has any familiarity with the geographic territory in which he is operating, whether or not that person can operate safely a taxicab. That basically is what this amendment does. It does not intend to preclude the City of Chicago from imposing further restrictions, does not intend to take away any available revenues that the City

of Chicago may presently be deriving from these operations. If you have some other approach or anyone in this Chamber has some other approach to trying to deal with this situation, I am open to suggestions. But I've watched this thing for a decade now and it's not getting any better. I'm realistic enough to know that this legislation has a lot of opposition, a lot of power against it, and I know that...that the odds of this thing ever hitting the Governor's Desk given...the present operation of the House are...are...are...are...are long. But I think we have to do something and I think this sends a message if nothing else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, I...I can, you know, concur with the need to do something, but I would just like to know more about what this amendment does and making sure that it does not infringe upon the right of the City of Chicago to regulate taxicab drivers in the city. But if we are going to do...do this down here, I don't think it should necessarily just relate to the City of Chicago. It ought to be...if it's a State function, it ought to deal with cabdrivers any place in the State of Illinois. I...you know, before this thing go to a vote, I most certainly would like to sit down and talk with you about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I would be happy to sit and talk with you, Senator Collins. The...the...the fact of the matter is, as I understand it, the problem exists primarily in the City of Chicago. And if there are other...instances that need to be addressed with this type of legislation, it's fine by me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Smith. Would

ask the Doorkeepers to keep that door closed, if you can. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I'd like to ask the sponsor a question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Smith.

SENATOR SMITH:

Thank you. In this amendment, does this also implement...and I...may I first say I concur with the attitudes and the conduct of some of our cabdrivers today not knowing geographic location and not being able to speak the English language and...and sometimes very offensive to the rider. I go along with that. But what I am trying to find out in this also, what about the small businesses, are you taking a cap off of licenses to the...I want to get that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR SMITH:

Are you...in regulating the cab...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce...Senator Joyce...

SENATOR SMITH:

...is...is that all...

SENATOR JEREMIAH JOYCE:

That is not in this amendment, that is in the bill itself. That...the bill, which I assume we'll deal with on 3rd reading, but in...response to your question, the bill itself would cause the City of Chicago to deregulate taxicabs. That is, there...they would no longer limit...be allowed to limit the number of medallions that are issued to operate a cab in the corporate limits of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I recognize the fact that we are...what I'm asking would come up on 3rd reading because it does not deal with your...amendment. But I merely wanted to ask for information about the small businesses that this is going to kill, it's going to hurt them. And if in...if there's some way that we can talk, because I've had numerous calls from my district where people are just going to be wiped out and I'm very much concerned. So, thank you, I just wanted to bring that to... Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator, I'm sorry, I wasn't here when you...to hear part of this discussion. But I'm reading...is what I'm reading right here in the...in our Calendar at...of course, it applies to cities over five hundred thousand. And I did hear you say something about it's going to be left to the Commerce Commission. If the Commerce Commission is going to be the ones that do that, then are you not taking the authority away from the city and getting it to the State? Is that what that amendment does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, yes it does, in the sense that the State will now establish minimum qualifications for someone to operate a taxicab in the City of Chicago. To that...extent the...the legislation takes away authority that the City of Chicago presently enjoys exclusively.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator...Senator Jones.

SENATOR JONES:

Senator Joyce, are there any other municipalities across the State, do they regulate the cabs, do they set up minimum standards, could you give us that information?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I...I don't purport to be an expert on what every municipality in the City of Chicago...in the State of Illinois does vis-a-vis cab operations. I know that the City of Chicago does not establish minimum qualifications that are sufficient to provide adequate cab service and that's what...I...I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...in your remarks as you addressed the amendment and you spoke about one not being able to...to understand the English language and I can understand that. And since this amendment only deals with the City of Chicago, do other units of government in and around the City of Chicago hire persons who cannot deal with the English language to the degree wherein they can understand...the reason why I...raising that question 'cause you said to set up minimum standards and this amendment exempts all other local units of government other than the City of Chicago. So, do other local units of government have those minimum standards as such to your knowledge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

My best guess would be that they do not have the standards because they do not need them. If you don't...if you're operating a cab, it seems to me, in...in Arlington or if you're operating a cab in Winnetka and you don't know the geographic locations in Winnetka, you're probably going to soon be out of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, in speaking to the amendment, let me say this. In and around the City of Chicago as you talk about those individuals who operate cabs and anyone who's...who's been to O'Hare Airport and see all the cabs, the cabs not only come from the City of Chicago, they come from the surrounding suburbs. And if the surrounding suburb cabdrivers operate within the City of Chicago and...and most of the passengers that they would take they take them within the City of Chicago, so, therefore...therefore, if they do not have such, to exempt them would be just to penalize the City of Chicago. I...the only reason this amendment is offered is because if it was not attached to the bill, the bill would die, it wouldn't pass because no...no Representative or no Senator here will be supporting a bill that would take the authority away from their local unit of government. And to penalize just the City of Chicago when maybe one-third of the cabs that you see out at O'Hare Airport do not come from the City of Chicago, they come from the surrounding suburbs and...and...but they operate within the City of Chicago. So, this amendment should be defeated. If you're going to do something with cabs, it should be Statewide if you want to give it to the Illinois Commerce Commission and I urge this

amendment be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Couple questions,...first a comment. I...I certainly agree with...with Senator Joyce that the...the English requirements and the requirements of having knowledge about the geographical boundaries, locations, et cetera of those things within the boundaries of the City of Chicago are absolutely mandatory, necessary and there is no excuse whatsoever for their not being present under...under circumstances in which every cabdriver receives a license. There's no excuse whatsoever and we've all...we've all come into situations where cabdrivers will not know where they're going to basic places and have to ask us, perhaps take us on joy rides around the city, not be able to speak English and understand us. I...I think that's absolutely necessary. But let me ask you another question in regards to other parts of the amendment. In...on...on page 3, line 17 where we talk about all requirements established by the Illinois Commerce Commission, what might those requirements be in addition to the ones that I've just mentioned...and, of course, proper licensing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I don't know at this time and I don't particularly care if it helps improve the situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

And...I'm really asking this question 'cause I'm not sure. Is this the amendment that gives the regulatory power to the Commerce Commission and that wasn't done by the bill in its pristine form that was passed out of the committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I don't know what you're talking about, pristine form; I mean, I don't know where you're coming from. Have I smoked you out on this thing, if you're now trying to kill the thing. You...we had some private conversations on this thing, you had some mumbo jumbo and you told me who was in the pocket of the cab companies. I mean, if you're in there now too, you know, why don't we just say it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I suppose if I were I would. But I'm asking legitimate questions and I don't...and I...very legitimate questions. I agree with part of your amendment and I'm not trying to kill your amendment. Now if you don't want to...answer a very serious question I'm asking you. I mean, is this the part of the bill that gives the regulatory powers to the Commerce Commission and the bill that was passed out of commission just lifted the licensing restrictions? That's a pretty basic question, I really don't know the answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Where have you been during this debate? Haven't you been here listening?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I've been listening to every word. I'm...I'm asking you a very logical question. This amendment gives all regulatory powers to the Commerce Commission, takes it all away from the City of Chicago, what additional restrictions or requirements

do you think...do you foresee in addition to knowing the City of Chicago, which is absolutely a necessity; knowing the English language, which is absolutely a necessity; being properly licensed, which is a necessity, what other things do you think the Commerce Commission, perhaps you've had some discussion with them, might require?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, they could possibly require that there be some first-aid technics available, that an operator of a cab know what to do when someone stops breathing in his cab, that he may be able to figure out how to get him to a hospital or to call a paramedic or something like that. I'd imagine there's a whole bunch of things that the Commerce Commission could probably think up. All I'm saying here today with this amendment is that this sets minimum qualifications. The City of Chicago can go much further than this. There's nothing to preclude the city from going in way beyond these minimum qualifications. Maybe they may want to make everybody who operates a cab in Chicago bilingual or trilingual, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion for a first time? Senator Smith for...Senator Smith...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Thank you, Mr. President. At the risk of interrupting some interesting debate, I would like to introduce a group from my district, the Crystal Lake Senior Citizens, who...club who have traveled some distance to come down and watch the proceedings, in the gallery behind me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. If our guests in the gallery, please rise.

Welcome to Springfield. Welcome. The Chair will acknowledge the presence of the Secretary of State, Jim Edgar, on the Republican side. Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I'd like to direct a question to the sponsor, please. For a point of...clarification. Your amendment deals with 1874, that's in the bill...in...of 1874 which speaks in terms of the English language, the...familiarity of primary geographical locations, et cetera. Now your amendment is...is...is dealing with that, am I right? All right. That is 1874, but we have posted 1873 that deals with the regulating of licenses. Now will you straighten...will you straighten that out for me, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

My amendment is 1874. What happened is, in committee we heard 1873 and we had a rather heated...committee hearing. And rather than go forward with 1874 after 1873 passed out of committee, I simply did not call 1874. Now...my...at that time, prior to the hearing, I stated what my purpose is as I've stated here today. Now, I am not...locked into any particular position other than trying to improve this taxicab service. The point that you raised about those small cab owners is very troubling to me. And I would like to see if we could work something out...if this thing can make it out of here, work something out in the House with respect to those little people who I am now hearing from also. I am looking at the...the problem in the City of Chicago, as I see, it is Yellow and Checker, and I am trying to do something about that, you know. Whether we succeed or not, I don't know, it's very...going to be very, very difficult. I am not looking to hurt those little operators that you are hearing from and that I am hearing from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Smith.

SENATOR SMITH:

I...I appreciate your explanation and I would like to get with you at the close and see if we can work something out. Thank you, kindly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Senator Joyce, I'm sorry, but was the amendment passed out? I don't see anybody here having it on this end.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it was filed...it was passed out long ago. I believe this thing was filed...probably last week sometime, it would have been passed out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Dudycz.

SENATOR DUDYCZ:

Where can I get a copy of it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary...further discussion? Senator Jones, for a second time.

SENATOR JONES:

Yes, thank you, Mr. President. I apologize for rising a second time on the amendment but the amendment is really designed to try to usurp the authority within the City of Chicago. I sat on that committee when this bill was heard, and currently there is legislation sponsored by the city administration to deregulate the cab industry in the City of Chicago. That...that legislation had been bottled up in committee because of certain obstructionists within the city

were preventing the legislation from passing in the city council. So, as a result, now that the mayor has the power that the people of the City of Chicago invested in him, I'm quite certain that that legislation will move forward. And I discussed this with the sponsor of the bill, because the very thing that he's attempting to do is currently in the city council right now sponsored by the current administration. And the obstructionists have been more or less defeated as...as such. So for him to move forward and just...just for the sole purpose of trying to usurp the power of the city, I don't think that is in good taste and, again, the amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...further discussion? Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, if I thought the City of Chicago was going to be able to move to deal with this problem, believe me, this legislation would not be here. I've watched this thing for a...for a decade. Those people seem to be able to touch the right buttons. The City of Chicago...the legislation...as I understand, the proposed ordinance talks about a...a hundred medallions out of almost five thousand stretches out a time period. I just don't think that the city is going to be able to deal with it. If I thought they would, I wouldn't be involved in this thing. I ask for the adoption of this amendment at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of...Amendment No. 1 to Senate Bill 1873. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it, in the opinion of the Chair. There's been a...all right...there's been a request for a roll call. Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1873. Those in favor will vote Aye.

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Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 4, none voting Present. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1910, Senator Weaver. 1912, Senator Netsch. 1913. 1915, Senator Maitland. Page 11. 1920, Senator Karpiel, 1-9-2-0. Top of page 11, Senate Bill 1920. 1925, Senator Zito. 1931, Senator Sangmeister. 1934, Senator Jeremiah Joyce. On the Order of Senate Bills 2nd Reading, the middle of page 11, is Senate Bill 1934, Mr. Secretary.

SECRETARY:

Senate Bill 1934.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SECRETARY:

No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka. Oh, wait just a minute, I have one here from Senator Joyce. Amendment No. 1, by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

...know we have one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we break up that conversation.

SENATOR JEREMIAH JOYCE:

Amendment No. 1 provides that teachers and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR JEREMIAH JOYCE:

...and other school employees shall not be required to work on legal school holidays except in...emergency or...or necessity which requires them to be there for a function on a school facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved the adoption of Amendment No. 1...Amendment No. 1 to Senate Bill 1934. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question, Mr. President. Is this the...was...was this amendment adopted in committee, Senator, or are you moving this amendment on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I am moving this amendment on the Floor. We had discussion in committee as to what the amendment would be. There...and...and they had said that they would work out the language and that is what we have here before us today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, is this some kind of agreed language, Senator, or is this basically the IEA position? What do we have here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The language is agreed with respect to the language. Now

I am not going to indicate that they have withdrawn opposition to the bill. The language itself is to how to deal with those situations where you have to have people on the school property for emergencies and where you have to make...make sure that the building is kept heated. Those types of things where there are nonschool functions and the building is still going to be open on a school holiday. Those types of things, this amendment and the language of this amendment attempts to deal with that, and to that extent it's been agreed upon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President, well, apparently, what we have here then is...is a case where school management while opposed to the bill has agreed to the language. Is that a fair statement, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That is a fair statement with respect to Bernice Bloom and...the...and ED-RED...my own school districts, I am most recently informed, do not agree to this or to anything else on...on this, but I don't know if they have looked at this language. They have not signed off on it, so I...I guess we will be hearing from everybody on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President, just to make the membership alert to what's happening here. I think this bill normally, probably would have gone to the Education Committee, but as I understand the impact of this bill, what in effect it says is that all school employees...no school employees now will be required to work on school holidays and gives

significant problem to school management who may have to provide for janitors and other service type people around the school to operate a school, the engineers and all the rest. But we can discuss this bill on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President, I...I'd like to have some clarification myself, then I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sure he'll yield. Senator Watson.

SENATOR WATSON:

Thank...thank you. Why...why are we doing this? What kind of a situation would arise in which you would want this type of legislation? Can you explain that for me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The situation which is...which...provides the genesis for this legislation involved a secretary who was forced...I shouldn't say forced...ordered to come in on school holidays and work. That is, all the other employees, the teachers, the clerks, all the other people were off, and out of that came this. This is not...not meant to go beyond that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

It...it seems as though it does go considerably beyond that but I...what happens in a situation in which over a weekend let's say the Jaycee organization wants to rent the gymnasium at Greenville High School and now we can't have...the high school requires a janitor to be present and now we have a situation in which they...they won't work, are

they...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That was the purpose of the language of the amendment. This...the...holidays except in the...in the necessary or emergency functioning of a school facility. The language in the necessary or emergency functioning...of a school facility is meant to embrace that situation that you have just described.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Sponsor yield for a question? Senator, in my district we have the third highest number of students outside of the other two in this entire area. I'm going to give you...cite an example to you. When I'm saying high, the highest number of...of students. If we have...what I'm saying the District 189, and it's like Senator Watson has said, that...do you think that you fully cover that when you say that if you have any functions at the schools are not in on those days, you said necessary...what was the exact wording that you have in there? Are you covering that? What does that word say? Read that again to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Teachers shall not be required to teach on Saturdays nor shall teachers or other school employees other than...noncertified school employees whose presence is necessary because of an emergency or for the continued operation and maintenance of school facilities or property be required to work on a legal holiday. If...if...if that is not clear, we can certainly establish the...the...the legislative intent

and clear up any ambiguity in...in...in the event we are not with clear and plain language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I would appreciate that because it's kind of ambiguous. In other words, it's going to really, as I see it and maybe I'm looking at it wrong, it would create a serious problem so that's...so...get with you and maybe you can...I'll talk to them...my people...before the bill is voted on on 3rd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have two additional...speakers. Point out we're...we're bogging down here. Senator Fawell.

SENATOR FAWELL

Thank...thank you, very much. Will the sponsor yield for a...a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I guess it's really more of a...of a statement. Some of my people have just talked to me about this too. What they're concerned about is the sports events and the drama clubs and the...concerts that are held usually on a weekend when school is not taking place. If you could some way or another clean that language up so that those kinds of events will...will still...which the community wants to participate in will still take place and...and is able to...okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Joyce has moved the adoption of Amendment No. 1 to Senate Bill 1934. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka on the Floor? I am told that Senator Topinka is in a...a summit meeting. Are...are...is there leave to have Senator Joyce handle this amendment for Senator Topinka? Oh. Before we do that...leave is granted. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President, on a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the President's Gallery is...from Unity Junior High School in Tolono is teacher Mrs. June Carol and students and parents of students who are here today and will be out at Sangamon State later for the Student Historian Awards Day. We have several award winners and one duplicate award winner and I'd like them to rise and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise. Welcome to Springfield. Congratulations. All right. Leave is granted to have Senator...Jeremiah Joyce handle Amendment No. 2. All right. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 1934 provides that recruiters can receive the names and addresses of prospective high school graduates who have begun their final year of instruction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves the adoption of Amendment No. 2, Senate Bill 1934. Discussion? If not, those in favor

indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1935, Senator Lemke. All right. Senate Bills 2nd reading is Senate Bill 1935, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1935.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I just want to make for the record, this bill is strictly a...Reference Bureau bill, it will not be used for anything else. We're moving it to 3rd reading. If the Reference Bureau has not complete the recodification of the Criminal Code, then I will make a request at the end of Session to have this put on the Calendar and held till the fall until they get their...their computers together and put together the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There...there are no amendments to this bill. So...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I concur with Senator...I'm the minority spokesman on Judiciary I. This bill will stay on...on the bill...this bill will

stay on the records, rather, until we get the revisions from the Legislative Reference Bureau, and if they do not come in timely, it'll stay...will not go on with it. It will stay until...on the fall Calendar. That's the understanding we have with the Reference Bureau, because the code has to be revised.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

On the bill, Mr. President. Number one, since there is no substance to the bill whatsoever, I wonder what's the point of moving it to 3rd reading if they're holding it for amendments? That's my first question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Marovitz...

SENATOR MAROVITZ:

My second question is this, and I'd like the Body to take note of this. This bill is being held for recodification of the Criminal Code of the State of Illinois but it did not go to the Criminal Judiciary Committee. Now I can't think of anything more ridiculous than that, a bill that's going to recodify the entire criminal laws of the State of Illinois not going to the Criminal Judiciary Committee. I don't understand that at all. And I'd also like to know, what's the point of moving it to 3rd if we're holding it for an amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz, there...there are no amendments and we...the sponsor wishes to proceed and under our rules...3rd reading. Senate Bill 1945, Senator DeAngelis. Senator DeAngelis, 1945. 1946, Senator DeAngelis...1954.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Bill 1954, Senator Demuzio. Read the

bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1954.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very...thank you,...Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1954 was handled for me in a...in Public Health, Welfare and Corrections Committee, and the committee requested an amendment...which was adopted in committee actually, which deletes the requirement which allows the...of municipalities to adopt safety codes for manufactured housing. The amendment was put on 11 to nothing. I don't know of any particular controversy. I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 1954. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1955, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1955.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1957, Senator Friedland. Senate Bill 1961, Senator D'Arco. Senate Bill 1974, Senator Poshard. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1974.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is a technical amendment that provides a working definition for toxic substances. We discussed this in committee and...this was just a technical amendment to...satisfy the wishes of those people who had some concerns in committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 1974. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

SB 1991 2nd Reading

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1991, Senator Degnan. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1991.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1...Amendment No. 1 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 1991, in fact, becomes the bill, deletes everything that was previously included in the bill and says that teachers who are Armed Forces Reservists and are activated or required to enter into active military service during a school year shall continue to receive their full salary throughout that period. The person is required to remain on active duty. Normally, I understand that is...two to three weeks or two to four weeks. I also understand this may affect four or five people. Currently, the Illinois Association of School Boards has taken no position on the bill. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to Senate Bill 1991. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2003, Senator Marovitz. Senate Bill 2008, Senator...Senator Marovitz.

SENATOR MAROVITZ:

What happened to 2000?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, those bills are on the insurance and we're holding those till tomorrow.

SENATOR MAROVITZ:

I've never been told that. I...I...it was my impression that we're going to move the bill to 3rd.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, we're not...we're not moving any of those to 3rd. These are Floor...now had you been here earlier, Senator Rock had made the Floor announcement. Since there is a three o'clock summit meeting on this topic, none of the insurance bills are to be moved. This was announced when we opened the Session this morning. Senator Marovitz.

SENATOR MAROVITZ:

Go ahead.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senate Bill 2003. Do you wish to...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2003.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2008, Senator Marovitz. Senate Bill 2018, Senator Leitch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2018.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

A...this amendment has been worked out by the trucking industry and the Illinois Department of Transportation and was approved unanimously. And I know of no opposition and would move approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Leitch moves the adoption of Amendment No. 1 to Senate Bill 2018. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2019, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2019.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 1 is being proffered by...at the request of the Department of Aging. And it follows through...and I've explained it once before and, incidentally, I did clear it with Mr. Handley from the Republican side, and it says that any person who knowingly transmits a...a false report under the Illinois Domestic Violence Act commits the offense of disorderly conduct. The Elder Abuse Demonstration Act is included in the Illinois Domestic Violence Act and I move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

...is this...is this a...a...a...a committee amendment? And...could you just briefly...describe that again for me, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This...says any person who knowingly transmits a false report under this Act commits the offense of disorderly conduct under...substantive...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, I understand you're explaining the wrong amendment.

SENATOR GEO-KARIS:

I'm sorry, but there's two amendments. I'm sorry, I

apologize. Let me...oh. Amendment No. 1...I believe we amended in...in paragraph 9 on page 18...and line 18 and page 2. And on line 24 on page 2.

ACTING SECRETARY: (MR. FERNANDES)

Well, Amendment No. 1 is on page 1 by inserting after line 15 the following, "Section 2." "Section 26-1 of the Criminal Code of 1961."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, as I understand it, Amendment No. 1 simply...includes as one of the...the acts that constitute the crime of disorderly conduct the transmittal of a false report under the Illinois Domestic Violence Act, and it seems to me that, Senator, you might want to move adoption of that so we can...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Could you give me the number of the...the LRB number, please?

ACTING SECRETARY: (MR. FERNANDES)

The Reference Bureau number is LRB8408651JMCSAM01.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 2019. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment No. 2 amends the...first page of the bill by

inserting after line 15 the following, "Section...4.1, any person who knowingly transmits a false report under this Act commits the offense of...disorderly conduct under Subsection A-9 of Section 26-1 of the Criminal Code of 1961." And it also amends...on page 2 in line 27, it says...and it says paragraph 9, "Transmits a false report under Article II of an Act in relation to victims of violence and abuse. Approved September 16, 1984 as amended." And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...can you describe this as a technical amendment that corrects Amendment No. 1?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I wonder...you want to take that out of the record for a minute because the staff man is right on the outside there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 2020, Senator Geo-Karis. Senate Bill 2022...Senate Bill 2020, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2020.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...Gentlemen of the Senate, this amendment was made at the...and has been approved by...Senate Democrat staff and the Attorney General's Office and the Legal...Assistance Foundation. And this was the amendment we said we would put on when I was in committee on this bill. And it says...it amends page 2 by deleting lines 28 and 29 and inserting thereof the following, "(A) Compromise or...release any such claim for benefits provided under this Code, or (B) Waive any such claims for benefits provided under this Code in whole or in part for the." And then it makes the...it does amend the bill as we promised to amend it in committee. And I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to Senate Bill 2020. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2022, Senator Berman. Read the bill, Mr. Secretary.

END OF REEL

SB 2038 2nd Reading

REEL #3

PRESIDING OFFICER: (SENATOR SAVICKAS)

No...take it out of the record. Senate Bill 2025, Senator Fawell. Senate Bill 2037, Senator Netsch. Senator Netsch. Senate Bill 2038, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2038.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2044, Senator Weaver. Senate...for what purpose Senator Fawell...

SENATOR FAWELL:

I'm...I'm sorry, I was speaking to one of our colleagues on the other side of the aisle and I waved when my bill came up. Could you possibly consider going back?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Was it a sweet wave or...you've heard the request by Senator Fawell. She requests permission to return to Senate Bill 2025. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2025, Senator Fawell.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2025.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2044, Senator Weaver. For what purpose Senator DeAngelis arise?

SENATOR DeANGELIS:

Well, I...I would like to commend the Chair. I have noticed since Senator Savickas married, he's become less chauvinistic. Frank, keep up the good work.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate...Senate Bill...we're going to skip 2051, 52, 53 and 54 as...as per the President's request. Senate Bill 2074, Senator Marovitz. Senate Bill 2076, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)...Bill 2076.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2077, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2077.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I believe, Amendment No. 1 has CAM on the...the...the end of the line of the LRB, is that correct?

ACTING SECRETARY: (MR. FERNANDES)

Yes, that's correct.

SENATOR GEO-KARIS:

I'd like to withdraw that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis moves to withdraw Amendment No. 1 from...is that a committee amendment...to withdraw...Floor Amendment No. 1 from Senate Bill 2077. Is there leave granted? Hearing no objection, leave is granted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...and I'm substituting this amendment for Amendment No. 1 and I...we made some changes. I talked with the staff...Democrats, Mr. Marovitz, I believe it was that I talked to. He had these concerns, they have been answered. We have amended it by inserting on page 1...by deleting line 18 and inserting in lieu thereof "Three, to be the father and having been informed of being the father of the child...which was born out of," and in line six by inserting after the...rather in line 20 inserting after the word "and" the following, "Having knowledge of the residence of the child." And in line 10, inserting on page 2...by deleting line 16 rather and inserting thereof, "Three, to be the father and

having been informed of being the father of the child which was born out of wedlock." I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved the adoption of Amendment No. 1 to 2077. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you please read me the...

ACTING SECRETARY: (MR. FERNANDES)

Amends Senate Bill 2077 on page 1 in line 18 by striking "be"...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

ACTING SECRETARY: (MR. FERNANDES)

...by changing "be" to "be the" and on page 2 in line 16 by changing "three to four."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

That's a technical amendment and I move its...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 2077. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There were just two amendments, Senator Geo-Karis? All right. 3rd reading. Senate Bill 2082, Senator Nedza. Bottom of page 13, Senate Bill 2-0-8-2.

SECRETARY:

Senate Bill 2082.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I move to Table that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza moves to Table Amendment...Committee Amendment No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates there's a Floor amendment.

SECRETARY:

Well, then, it's...just minute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz must have some expressed interest in this...

SECRETARY:

Amendment No. 2 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Amendment No. 2 in...in its effect takes most of the committee amendment but also adds an immediate effective date and also acquiesces to the Illinois Press Association's amendment to offer the...or to clarify the advertising of the positions in at least one newspaper of general circulation. There are no questions, I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Nedza moves the adoption of Amendment No. 2 to Senate Bill 2082. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2086. Senator Degnan seeks leave to return to that bill a little later in the day. Is leave granted? Leave is granted. Senate Bill...Senator Degnan. Okay. Leave is granted. Senate Bill 2088, Senator Savickas. Mr. Secretary, read the bill, 2-0-8-8.

SECRETARY:

Senate Bill 2088.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka. Senator Topinka on...well, she...Senator, she's apparently in the summit meeting dealing

with racing. Senator Savickas.

SENATOR SAVICKAS:

Well, I...I know...I don't know anything about her amendment, she hasn't spoke to me about it. I do have...have an amendment on the Desk that I wish to be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, she...Senator...Topinka has filed an amendment to the bill and it seems to me that perhaps we ought to seek leave and come back when she's on the Floor.

SENATOR SAVICKAS:

Well, I would think that if she was that concerned she would have been here for this amendment stage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I do have an amendment there I would like to get adopted and after I see...speak to Senator Topinka and look at her amendment, we can always discuss about bringing it back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the Secretary indicates that there is only one amendment. That means...one...the two amendments that have been filed, Senator Savickas, both have the name of Senator Topinka. I suggest that we take it out of the record for the time being. Senator Savickas.

SENATOR SAVICKAS:

I brought this...amendment up yesterday, it should be there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Mine is just a technical amendment and it deletes the word "horse" on page...37, line 19. It was an error in drafting and was called to our attention in Enrolling and Engrossing. It's just a technical amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas moves the adoption of Amendment No. 1 to Senate Bill 2088. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. (Machine cutoff)...Savickas, we still have two amendments of Senator Topinka's to dispose with. Is it your intention to attempt to...to move this bill to 3rd reading and work...Senator Savickas.

SENATOR SAVICKAS:

My intention would be to move it to 3rd and sit down with Senator Topinka and possibly bring it back when she's around.

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. On a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the President's Gallery, school teacher Marilyn Amas from Melvin Sibley High School and a...and...and students who once again are attending the Student Historian Awards Day at Sangamon State. I'd like to welcome them to Springfield and ask them to stand and be recognized, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome to

Springfield. All right. On the Order of Senate Bills 2nd Reading is Senate Bill 2090, Senator Berman. Mr. Secretary, read the bill, 2-0-9-0.

SECRETARY:

Senate Bill 2090.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 was adopted in committee to include...Chicago along with all of the other school districts that are addressed in the original bill. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption...of Committee Amendment No. 1 to Senate Bill 2090. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Yes, this was brought to my attention by an attorney that represents the school districts to add language that would...allow the self-insurers to do the same thing that the bill originally provided. Move the adoption of Amendment No.

2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 2090. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2091, Mr. Secretary.

SECRETARY:

Senate Bill 2091.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Amendment No. 1 adopted in committee was...added the language "including all athletic and extracurricular programs" to the scope of the activities that are covered by the relationship in the maintenance of discipline by school personnel. Move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption of Committee Amendment No. 1 to Senate Bill 2091. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2092, Mr. Secretary. Senate

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bills 2nd reading.

SECRETARY:

Senate Bill 2092.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2093, Senator Berman. Senate bills 2nd reading, Senate Bill 2093, Mr. Secretary.

SECRETARY:

Senate Bill 2093.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2104, Senator Luft. Senator Luft on the Floor? 2108, Senator D'Arco. Senate bills 2nd reading, in the middle of page 14, is Senate Bill 2108, Mr. Secretary.

SECRETARY:

Senate Bill 2108.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The amendment...the amendment becomes the bill and the amendment provides that no person,

partnership or corporation authorized to practice accountancy or any of its employees, members or officers shall be liable to persons not in privity of contract with...for civil damages. This is the bill...the way that a person would be liable is if the conduct of the accountant was wilful and wanton, and I would ask to adopt Amendment No. 1 to Senate Bill 2108.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator D'Arco has moved the adoption of Committee Amendment No. 1 to Senate Bill 2108. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This was amendment...an amendment that was requested by Senator Berman and it makes the Act prospective in nature. It says that the Act would not take effect upon becoming law...or the Act does take effect upon becoming law, and it shall apply to only acts, ommissions, decisions or other conduct in connection with professional services rendered after the effective date of this Act. It's a prospective amendment. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco has moved the adoption of Amendment No. 2 to Senate Bill 2108. Discussion? If not, those in favor

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indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. 2117. Is there leave to have Senator Maitland handle that for Senator Demuzio? Leave is granted. Senate Bill 2117, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2117.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2123, Senator Poshard. Senate bills 2nd reading, Senate Bill 2123, Mr. Secretary.

SECRETARY:

Senate Bill 2123.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 15, Senate Bill 2151, Senator Savickas. Top of page 15, Senate Bill 2151. Senate Bill 2158, Senator Hall. Senator Hall on the Floor? 2162, Senator Smith. All right. Senate bills 2nd reading, middle of page 15, is Senate Bill 2162, Mr. Secretary.

SECRETARY:

Senate Bill 2162.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. This amendment was made in committee. It places the program with the Department of Public Health. It retains the program and services of the original bill and adds those currently encompassed by the Parents Too Soon Program. It reduces grants match required by our participating agencies to twenty-five percent, deletes provision requiring administrative agencies to retain no more than five percent of appropriations for administration costs. It deletes provisions requiring accident and health insurance policies or for maternity coverage to...provide coverage for any person covered under this policy. The Department of Public Health and the Governor's Office supports this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR SMITH:

...and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved the adoption of Committee Amendment No. 1 to Senate Bill 2162. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2163, Senator Collins. All right. Senate

bills 2nd reading is Senate Bill 2163, Mr. Secretary.

SECRETARY:

Senate Bill 2163.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any...amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke on the Floor? Senator Lemke.

SENATOR LEMKE:

This is amendment...Amendment No. 1? Okay, what this does is deletes reference to the termination of a pregnancy and refers instead of to a miscarriage. Amends section of home instruction of pregnant students or teen...mothers. The bill requires home instruction for three months after the birth of the child or pregnancy is terminated. This amendment would allow instructions only after the birth of the child or a miscarriage thereby not authorizing home instruction in the case of an abortion. I think it's a good amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment...No. 1 to Senate Bill 2163. Is there discussion? Senator Maitland.

SENATOR MAITLAND:

...Mr. President, thank you. I...Senator Lemke, I...I didn't quite totally understand the amendment. Would you once again explain the amendment to the Body, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is amends the home instruction section of pregnant students or teen mothers. The bill requires home

instructions for three months after the birth of the child of a...or a pregnancy is terminated. What we're doing is changing "pregnancy termination" to the word "miscarriage," so it doesn't authorize home instruction in cases of abortion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Unless I'm misinterpreting what you're saying, I think this is a rather far-reaching amendment, Senator Lemke, and I...I don't have a copy of the amendment, I don't think anyone else does. This is requiring...requiring schools to provide home care.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 2163. Discussion? Senator Collins. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Lemke, if I understand you correctly, the purpose of this amendment is to avoid this...having this home instruction or home care be provided to girls who have abortions. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is in regards to home instructions and what we're doing is eliminating the...the word "termination of pregnancy" and...so it doesn't reflect as to instructions on abortion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

If you could just read the wording again one more time. It sounded to me like it was after a miscarriage or after cessation of pregnancy or something like that, I thought you

said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this does is deletes reference to the...to termination of pregnancy and refers instead of to a miscarriage. We're...we're doing a matter of semantics because the Right to Life people do not like the word termination of pregnancy, miscarriage is a better semantic word...it doesn't do...get involved in regards to...this bill does home instructions for pregnant students or teen mothers. The bill now requires home instructions for...for three months after the birth of the child or a pregnancy is terminated. What this will do, my wording, will just change the word "pregnancy terminated" to "miscarriage."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 2163. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is...is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, for what...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

I was wondering...I believe we requested a fiscal note. I don't...it may very well have been complied with and I just haven't seen it.

SECRETARY:

You...you...you are right, Senator, and it has been complied with.

SENATOR SCHAFFER:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2164, Senator Lemke. Senate bills 2nd reading, Senate Bill 2164, Mr. Secretary.

SECRETARY:

Senate Bill 2164.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2165. Senate bills 2nd reading is Senate Bill 2165, Mr. Secretary.

SECRETARY:

Senate Bill 2165.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. The staff...can we have the file for Senator Joyce, please?

SENATOR JEREMIAH JOYCE:

...okay, I'm sorry. This amendment was agreed to in committee and it was agreed that we would put it on on the Floor. What it seeks to do is exclude the social host from long-arm jurisdiction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce moves the adoption of Amendment No...

SECRETARY:

1...yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Amendment No. 1 to Senate Bill 2165. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2166, Senator O'Daniel...Senate bills 2nd reading is Senate Bill 2166, Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 2166.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Labor and Commerce offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, the Committee Amendment No. 1 makes some...technical changes that were recommended by the Department of Conservation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel has moved the adoption of Committee Amendment No. 1 to Senate Bill 2166. Discussion? If not...Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator, does this in any way change the provision regarding the minimum wage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Not this amendment, the next one does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel has moved the adoption of Committee Amendment No. 1 to Senate Bill 2166. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, Amendment...Committee Amendment...I mean, Floor Amendment No. 2 removes the minimum wage exemption for recreational program employees and further clarifies that persons hired under this Act shall not be used...in any way displace full-time workers. This changes the...is at the request of the AF of L-CIO and the Urban League and...and others and it was promised in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator O'Daniel has moved the adoption of...Amendment No. 2 to Senate Bill 2166. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SB 2185 2nd reading

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2169, Senator Luft. I'm sorry, I skipped 2168, Senator Poshard. On the Order of Senate Bills 2nd Reading, bottom of page 15, is Senate Bill 2168, Mr. Secretary.

SECRETARY:

Senate Bill 2168.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2169, Senator Luft. Page 16,...top of page 16, 2180, Senator Collins. Senator Collins on the Floor? 2185, Senator Lemke. Page 16, Senate bills 2nd reading is Senate Bill 2180, Mr. Secretary. I beg your...2185, 2-1-8-5.

SECRETARY:

Senate Bill 2185.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Just a statement for the record. This is the annual revisory bill. We're moving it to 3rd on the suggestion from the Reference Bureau. It's the same thing we're doing with

Criminal Code and we'll keep it on 3rd until the amendment is prepared and is reviewed by staff and then we will pass the bill. So just to make a record of it, this is only a reference...bill and will not be used for anything else and should not be used for anything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senate Bill 2190, Senator Barkhausen. 2192, Senator Watson. Senate bills 2nd reading is Senate Bill 2192, Mr. Secretary.

SECRETARY:

Senate Bill 2192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Amendment No. 1 to Senate Bill 2192 adds "knowingly," so that the individual must knowingly violate. It strikes some language that was the major concern of both the medical society and other providers. It strikes language that said that denial of judicial review should be consistent to third parties. It also says that an individual has to be found guilty by a court of law instead of just simply guilty. It also says that the individual would be responsible for only court costs and not necessarily investigation costs, and it also adds language that the Department of Public Aid would notify providers of other providers that have been...accused and convicted of such a felony. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 2271 2nd Reading

All right. Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 2192. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2193. Senate bills 2nd reading is Senate Bill 2193, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2193.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2194. 2202. 2231, Senator Berman. 2231, middle of page 16. 2232. 2233. 2255, Senator Poshard...page...all right, page 17...page 17 on your Calendar. Senator Savickas, 2271. On the Order of Senate Bills 2nd Reading is...Senate Bill 2271, Mr. Secretary.

SECRETARY:

Senate Bill 2271.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...break up conferences.

SENATOR SAVICKAS:

...Mr. President, the amendment just adds the year of approval date. It adds the year, I think, 1974 after August 27th. It was a technical amendment, it was an error in drafting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved the adoption of Committee Amendment No. 1 to Senate Bill 2271. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2273, Senator Schuneman. 2276, Senator Barkhausen. Senate bills 2nd reading is Senate Bill 2276, Mr. Secretary.

SECRETARY:

Senate Bill 2276.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2279. I am told that earlier in the day that Senator Topinka had sought leave of the Body to have Senator Jones handle that and was granted leave. On

the Order of Senate Bills 2nd Reading is Senate Bill 2279, Mr. Secretary.

SECRETARY:

Senate Bill 2279.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. Amendment...Amendment No. 1 to Senate Bill 2279 deletes that portion as it relate to vision care services with the requirement in there of fifty percent or more, and it gives the director the power to...to set the limits as to what is necessary for one turning in to the vision care service. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones has moved the adoption of Amendment No. 1 to Senate Bill 2279. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2281. 2289, Senator Kustra. Senate bills 2nd reading is Senate Bill 2289, Mr. Secretary.

SECRETARY:

Senate Bill 2289.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Amendment No. 1 is a clarifying amendment. It's been offered by the Department of Revenue and approved by all parties. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra has moved the adoption of Amendment No. 1 to Senate Bill 2289. Those in favor indicate by...discussion? Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2294, Senator Karpiel. Senate bills 2nd reading is Senate Bill 2294, Mr. Secretary.

SECRETARY:

Senate Bill 2294.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The committee amendment simply adds in that a notice has to be given of a means of how to contact a child in those circumstances were the notice of a child's whereabouts is required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel has moved the adoption of Committee Amendment No. 1 to Senate Bill 2294. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2301. Mr. Secretary, Senate bills 2nd reading is Senate Bill 2301. Read the bill.

SECRETARY:

Senate Bill 2301.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, you want to handle that for Senator Carroll? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I'll...I'll handle the amendment for him but I must tell you that I am opposed to the amendment, but I will tell you what the amendment does. The amendment provides that...this is that...this is the program that Senator...that former Senator...Commissioner Harris is setting up with the banking education...foundation, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we...

SENATOR JEREMIAH JOYCE:

...Senator Carroll's amendment provides that the appropriation...that the expenses shall be funded by an annual corporation rather than a...on a continuing basis as Commissioner Harris requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Joyce, Senator...Senator Carroll is not on the Floor.

SENATOR JEREMIAH JOYCE:

Well, you know, let's...let's have a vote on it up or down...I kept it out yesterday to talk to Commissioner Harris because there were some...I was left with the impression that Commissioner Harris and Senator Carroll or someone from Senator Carroll's staff had come to some type of an agreement on this; that, in fact, is not necessarily the case. You know,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

First of all, Senator Joyce, I...I asked if leave was granted to have you handle this...amendment for Senator Carroll and...and not put that question. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I...I am...I am just telling you what I think the...the...I'm telling you what I think the amendment does. Basically, the...the...the sentiment of the Body is whether we're going to adopt it or not. I mean, it's simply do you want to have a continuing funding or do you want to have an annual appropriation with respect to this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR JEREMIAH JOYCE:

...Commissioner Harris wants to continue funding, how...Senator Carroll wants an annual appropriation, and if Senator Carroll was concerned about it, he could be here,

and I suppose if he's really concerned about it, he can take a pound of flesh somewhere along in the appropriation process against the...the commissioner. But, you know, the...I think I presented the views of both sides before the Body and I tell you where I am on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me suggest to you that, you know, when we start talking about members' amendments that have been filed to bills and we begin to handle them when they are not present on the Floor, I think we establish a very dangerous precedent. Now, we have...we have done that...awhile...awhile ago with...with...well, I guess the issue becomes moot now. All right. The...Senate Joyce has moved...wait a minute...wait a minute...amendments. Amendment No. 1 offered by Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We're delighted that you've rejoined us and got us out of this controversy.

SENATOR CARROLL:

Sorry...as you know, our elevators are not working. The issue before the Body is whether or not the commissioner of banks is subject to the appropriation's process. The bill would create a million dollar a year fund that would be absent from appropriation. We had discussed this in the Appropriation's Committee and it was my understanding that there was no objection to making it subject to appropriation. It would be a trust type fund created by assessment to the institutions similar to the other ones that the commissioner now enjoys, but like his other operating budget would then have to be annually appropriated. The bill as introduced did not contain that caveat and...and called it, as I recall, a perpetual fund outside the State Treasury and the

appropriation's process. We had discussed it in the committee. It was...I had apologized yesterday to Senator Joyce that I had thought initially was Senator Weaver's bill...since he had handled the appropriation for the commissioner, and that I was unaware of any objection from the commissioner on it. I'm...I apologize also for not having heard the debate. When I heard the discussion, I tried to get down here and ran down. It..I don't know of any objection. It should be subject to appropriation, I...nothing inconsistent with that. We did allow the commissioner a few years ago to be able to take his budget out of general revenue even though the fees the banks had paid in the past had been general revenue, so he could have segregated funds in order to try and spend more, in order to try and appropriately audit the banks. I don't think there was ever an intent to have these funds outside of the treasury or outside of the appropriation's process and to provide for a million dollars a year of unwatched funds and the amendment was merely to make it subject to appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I rise in support of Senator Joyce, the chairman of the committee's position on the amendment. This is money that is voluntarily contributed by the banks. It is a national program that it will be established in basically all fifty states. We, with a little luck, will be the regional training center for all these various bank examiners not just Illinois, and to have a program that far exceeds Illinois' limits controlled on an annually basis, I think we know could become extremely difficult. And for that reason, I would support Senator Joyce's position, saying please oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, very briefly, I'm in...in somewhat of an awkward position because I agreed to handle this bill for the...persons...that wanted the...the legislation enacted and on that...on their terms. The...there...the administrative expenses and those costs will be subject to an annual appropriation. So I think while...you know, Senator Carroll makes a...a good point with respect to keeping these things before the...subject to the appropriation process, the...in fact, the administrative costs will be subjected to that. So, I'd also resist the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you. I saw nowhere in there where the administrative costs were so subject, it's not the issue of the program. The issue is whether or not funds are responsible that are spent by State officials to the State control. Are they or are they not treasury of a State monies? Should they therefore not be subject to appropriation of the General Assembly? Nobody is denying the fact that these are like fees that the banks now pay for the operations of a commissioner of bank and trusts, separately raised funds that we now earmark and no problem with that. The issue is, as I see it, just a simple one of the responsibility for State funds being in the State Treasury and being subject to annual appropriation...by the commissioner as part of his budget as a separate line, not an issue of the fact that it'll be spent for this program. We saw recently a director do the same thing; now a former director who raised a hundred and forty-four thousand dollars outside the State Treasury to spend at his own whim. I don't believe that we should be putting ourselves in the posture of doing that. Nothing to do with the

program, I think it's a very important program for us to continue on, but I think it is our responsibility as elected officials to say that State funds run through the State fund process with an audit trail that is subject to appropriation of the General Assembly regardless of...you know, any particular agency involved. I think that's the only safeguard we've ever had as identified by that other director...former director in that other department, and I think this is just a very logical amendment that protects the members of the General Assembly as well as the Executive Branch and I would urge its adoption. I'm surprised by any opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of...Amendment No. 1 to Senate Bill 2301. Those in favor indicate by saying Aye. Opposed Nay. In the opinion of the Chair, the motion is lost. Senator...all right. Motion fails. There are two...further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, there...there are two additional...I think noncontroversial bills that we'd like to return to to pick up off of 2nd reading. Page 12 is Senate Bill 2019, Senator Geo-Karis and...is there leave to return to page 12, Senate Bill 2019? Leave is granted...as we get the bill, Senate Bill 2019. All right. Let's...let's take it out of the record for the time being, it went upstairs. Well, as I recall correctly, you were Tabling one amendment and you were going to adopt another...another...well, we're...we're going to have to wait, the bill is not physically here, so...all right. Senate Bill 2044 on page 13...Senate Bill 2-0-4-4 on page 13, Weaver-Rock, Senate Bill 2-0-4-4, Mr. Secretary.

SECRETARY:

Senate Bill 2044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Weaver.

SENATOR WEAVER:

Mr. Chairman...Mr...Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whatever.

SENATOR WEAVER:

...Secretary, it is a lengthy amendment, so you should have...it was filed a couple of days ago.

SECRETARY:

Senator Weaver, would this possibly have been the one that you picked up and didn't leave with us? Okay? All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

As soon as we...procedurally as soon as we finish the 2nd readings, we will go to the Order of 3rd Reading now. On the Order of Senate Bill 2044...

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is a rather lengthy amendment but, basically, it adds the definition to clarify the difference between wagering conducted at a track and wagering conducted at an off-track location. Secondly, it changes the distribution of the privilege tax and allows for

two new categories, basically, the grants to public museums and grants to public radio and television. If anyone has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 2044. Discussion? If not, those in...Senator...I beg your pardon, there are two lights on. Senator Netsch.

SENATOR NETSCH:

I'm sorry, Senator Weaver, did you say this is a committee amendment or it is not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

No, this is Floor amendment that Senator Rock gave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Do we have a copy of the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver, there...there are not copies distributed. Why don't we take it out of the record? Take it out of the record. Let's go to the Order of...all right, Senator Geo-Karis, we don't have your bill down here and procedurally we're going to move on to the Order of Senate Bills 3rd Reading...Senate Bills 3rd Reading, page 17, is Senate Bill 1520. Page 18, Senate Bill 1563, Senator Darrow. On the Order of Senate Bills 3rd Reading, top of page 18, is Senate Bill 1563, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1563.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr, President. Senate Bill 1563 originated from Senator Ralph Dunn's area, one of the judges down there suggested this legislation and I'm handling it with Senator Dunn. What this does is authorizes a judge to impose a term of home confinement as a condition of probation or discharge of a juvenile. So if...in appropriate cases, a judge could sentence a juvenile to home confinement...and as a form of control or punishment. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1563 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1563 having received the required constitutional majority is declared passed. 1564. Senator Darrow, you prepared? All right. Senate bills 3rd reading is Senate Bill 1564, Mr. Secretary.

SECRETARY:

Senate Bill 1564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Again, this bill is sponsored by Senator Dunn and Darrow. What this does is it allows a judge to assign a juvenile to perform public service work outside his home, municipality or township as a condition of probation. It gives the judge more flexibility in assigning work to a juvenile so that the...the work may be more appropriate...again, I know...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion...discussion? If not, the question is, shall Senate Bill 1564 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1564 having received the required constitutional majority is declared passed. 1565, Senator Lemke. Senate bills 3rd reading is Senate Bill 1565, Mr. Secretary.

SECRETARY:

Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Wasn't there a Floor amendment filed on that?...to bring it back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, it's on recall, I beg your pardon. All right, take it out of the record. 1581, Senator Fawell. 1589, Senator Barkhausen...1659, Senator Berman. 1735, Senator Macdonald. 1804, Senator Berman. 1815, Senator Etheredge. It's on recall. 1861, Senator Lemke...Senator Lemke.

SENATOR LEMKE:

Is that a recall list too? Art, did you file your...

PRESIDING OFFICER: (SENATOR DEMUZIO)

1875, Senator Rupp. 1921, Senator Philip. Page 19, Senate Bill 1929, Senator Mahar. Well, we're looking for that...first courageous soul here. 1930, Senator Macdonald. 1944, Senator Joyce...1972, Senator Welch. Senator Welch on the Floor? 1992, Senator Macdonald...2006, Senator Marovitz. 2057, Senator Nedza. 2084, Senator D'Arco. 2154, Senator O'Daniel. 2191, Senator Welch. Page 20,...sponsors indicate that these bills are on recalls. We have no amendments filed for these so...page 20, Senate...Senate Bill 2196, Senator

Geo-Karis. All right, Senate bills 3rd reading, top of page 20, is Senate Bill 2196, Mr. Secretary.

SECRETARY:

Senate Bill 2196.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill simply changes references to...to read neglected minors and makes it instead to neglected or abused minors to reflect changes made by a former Public Act, 82-223, and I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall Senate Bill 2196 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. Senate Bill 2196 having received the required constitutional majority is declared passed. 2197. Senate bills 3rd reading is Senate Bill 2197, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 2197.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this does...bill the exactly what it says on the Calendar. It...those people who own land in Illinois but don't reside here if they wish

to get a permit to hunt their land which we allow people who own and live in Illinois a right to hunt their land without a fee. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Do other states grant residents of Illinois that privilege?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I can't answer that. This was a request from the Department of Conservation in relation to complaint they'd had that the people who own the land...these are people who are Illinois landowners who wish to come back to Illinois to hunt their own land, and all they're doing is asking for this same opportunity we allow those who live here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I live up on the border by Wisconsin and occasionally we give them privileges they don't give us. I would suggest...I think...it's a good bill, I have no problem with it, but when it gets to the House you might want to put a request...a requirement in for reciprocal treatment of our citizens. Somebody owns land in Wisconsin and isn't allowed to hunt, seems hardly fair for us to grant that privilege down here if they don't wish to reciprocate. Just a suggestion for the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr...chairman...Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

...how does this affect corporate owners that would own land in our counties?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, the corporate owner would have to be an individual, this applies only to individuals. An individual landowner in a corporation...unless one person is the major owner of that corporation, I would not...say he would not qualify under this. This has to do with an individuals only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

...Senator Davidson, if I own land, on my own land, I can hunt without...I don't have to have a...a license to hunt on...on my land, do I?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Provided you...live in Illinois that's true and what we're asking for is those individuals who own land in Illinois but who would reside in another state for whatever reason, who wish to come back and hunt their own land, this would allow them to do it without a license or without a fee. The same as you and I enjoy. All we're trying to do is accommodate the people who own land in Illinois, the landowner.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I'm not sure I understand the...the purpose behind it. Is this to encourage out-of-state ownership of land, is that what you're trying to do here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

No, Senator Welch, this is a response from the Department of Conservation in response to complaints or inquiries they've had from Illinois landowners who now reside in some other state who wish to come back and hunt their own land the same same as they would be able to...to do if they lived here in Illinois...without a fee and without getting into the deer hunting permit. As you well know, if you own forty acres or more, you can hunt that...provided you hunt that forty acres only without a permit or without a license. Under the Illinois law, you can hunt your own land without a license.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Welch.

SENATOR WELCH:

Well,...there's a major difference here, Senator. If I own my own land in Illinois, I'm probably paying income tax here in Illinois in addition to my real estate tax. If you're an out-of-state owner, you pay income tax if...if you're in a border state that has the tax to that state. So you're getting the benefits of Illinois roads, benefits of the Department of Conservation, the benefits of all the departments of the State of Illinois and not paying a single cent for doing so. So, it seems to me, that we're being overly generous and if the Department of Conservation is recommending they don't want to collect these fees, you know, we'd be glad to...you know, do something with their budget if

they don't want as much money...as they have. It doesn't seem to me to make much sense to reduce the income to the State of Illinois and not get anything in return.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Well, you still have to get permit do you not, Senator Davidson?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The...the same permit you get as a landowner whether you live in Illinois or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Do you have to pay for that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

If you're a landowner and want to hunt your own land, live in Illinois, no, you do not pay for that permit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I...you know, I...this has brought up some questions that I just...I don't know...if...if you want to go pheasant hunting and you own your own land, do you have to have a license?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

If you hunt upon your own land that you own, no, you do not. But if you get off that land that you own, you would

have to have a license.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. Speaker. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Friedland.

SENATOR FRIEDLAND:

Mr. President, I'm sorry. Would the...Senator, would our fishermen...would they be treated the same way, do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This applies only to the wild law...life part of the code that deals with deer hunting only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Aren't...aren't we really talking about people who probably own farm land in...in our...in our State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I...I...I'm not sure...did you say farm land, was that question you said?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Aren't...aren't what we talking about mostly are...are people that own farms and hunt on them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

We're speaking about individuals who own farm land but who reside in another state, who wish to come back to Illinois and hunt their own land. Under the present law, they have to buy a...an out-of-state...or an...other state resident and get a permit. If they live in a state...a county, own that land where the deer permits are already been taken up, they cannot come back and hunt their own land. If they would live in Illinois, you can go hunt...providing you own forty acres or more, you can hunt that land without a permit and...and hunt it for free 'cause it's your land, but you cannot get off of your land.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

My...my point is that this land is probably income producing which we do tax and, therefore, in effect what we are saying is...is these people probably do pay taxes, do help pay for the Department of Conservation and therefore we're not extending them any privileges that, frankly, I don't understand why the...there's any question about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Davidson, people from my area don't own farm land, so...but we usually apply for deer permits. Now does everybody that applies for a deer permit in Illinois get one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

No, they do not and I've been one of those that's been denied.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Lemke.

SENATOR LEMKE:

So I look at this bill as allowing people that own land here but live in another state, foreign residents...nonresidents giving preference to permits over residents that are...rejected permits. I think this is a bad bill. I think we should just vote it down and...and forget about it. I mean,...what...I mean, there's not enough deer to go around for the people that are citizens of Illinois and, yet, we're going to give noncitizens right to kill deer without going through permits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator Davidson, does this illegal alien have to have a FOID card?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Davidson.

SENATOR DAVIDSON:

Your guess is as good as mine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator Davidson, was there a fiscal note on this bill and whether or not there was, do you happen to know what revenue is involved?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Davidson.

SENATOR DAVIDSON:

...there would be no particular increase for conservation as far as fee, but it would increase income in Illinois 'cause you would have it...people coming back to Illinois who are going to be spending their money for gas, motel, food, whatever while they're here to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, there was a indication that a fiscal note was applicable but no one...no one requested one. Senator Netsch.

SENATOR NETSCH:

All right. Why I realize it's...it's too late to insist on the fiscal note now but I...it was a serious question. I really am interested in how much revenue loss there is. I assume there must be some and if I may just comment while you are looking for the answer to that. I don't see that we are going to be gaining any money in Illinois by letting the non-residents who own property here come back to their own land because the chances are they're not going to be using...they might...buy a few gallons of gasoline but the chances are they're going to be going back to their own land and not using hotels and motels and everything else under the sun. I...I really don't see that as a serious response.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Well, two things; one, there would be no loss of income 'cause you're not getting any income anyway under the present thing. I was partly in error when I said about...the people who own land and live out-of-state. The most important thing, in response to Senator Lemke, is if you have a person resides in your district who owns three hundred acres in Sangamon County, he can't hunt his own land that he owns because he's from another county. You've got to reside on that land. All we're trying to do is help your people and my

people and anybody else who own farm land in Illinois, who...who pay taxes, real estate taxes; who pay income tax off of that, but the most important thing you forgot, ladies and gentlemen, it's their land that's feeding the deer herd. It's their land the deer is residing on. All we're trying to do is give that person who owns that land the same opportunity to hunt for free as you do for the individual who owns the land and is out there farming it, he hunts it for free. We're just trying to make it an equal opportunity to give more people a chance to hunt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Netsch, your time has almost expired. Senator Netsch.

SENATOR NETSCH:

Then why don't they come home and live on their land if they want to...I don't...really...a serious point though. I...I don't think they're paying income taxes if they are nonresident. If...and...I've just been reminded, the deer don't pay at all, we'll get them the next time around but...but, seriously, I don't think they do pay income taxes unless they live here at least six months of the year. There...there might be property taxes due but as we read...as I read the Statute, they are now having to pay a license fee on...for hunting on their property even though nonresidents. So while it may not be a staggering sum of money, there is a loss of license fee revenue from this bill and it does not seem to make any sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Poshard.

END OF REEL

REEL #4

SENATOR POSHARD:

Yes, Senator Davidson, I have a question. In terms of the competition...hold on a second, I need some clarification. In terms of the competition for deer permits, in answer to Senator Lemke's question a moment ago, if a person lives on his own land in this State and applies for a permit he has to pay a fee but he...he automatically gets that permit, right, he's not in competition with everybody else?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR POSHARD:

He doesn't have to pay the fee but he automatically gets a permit for his own land, so he's not in competition with everybody else from all over the State who's applying for that permit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

You're right, he's not in competition. The most important thing though he does not pay a fee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

I stand corrected on that, but the point I want to make is that he is...people who own their own land and live there are not competing for the deer permits with everybody else. Good. That's...that...I think that's an important thing to resolve before we vote on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Davidson may

close.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, this is a bill trying to make some equality, an equal opportunity for those people who own the land and who are paying their real estate taxes, who do have an opportunity or want to come back and hunt their land the same as those who own it and live on it, and we now let you hunt your land if you own it. Now if you want to hunt other than your own property, then you got to go through the process like everybody else, but this was allowed...you...which we allow under the Illinois State Statute, to hunt your own land without any fee and without any license, and that's all it is, all it's...it's trying to make some equitable opportunity for those people who own the land. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2197 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 10, 2 voting Present. Senate Bill 2197 having received the required constitutional majority is declared passed. 2198, Senator Dunn. Senate bills 3rd reading is Senate Bill 2198, Mr. Secretary.

SECRETARY:

Senate Bill 2198.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr...Senator...Mr. President and members of the Senate. This is an administration bill supported by the Department of Conservation and the project concept was a

component in the 1984 tourism, park and conservation proposal. It would allow a...a fund not to exceed four hundred thousand dollars, excluding the land value to a qualified bidder for development, construction and supervision of a concession complex, including a water recreational park at Fort Massac State Park. Contracts will utilize the cash incentive plan and is subject to public bidding and...have to have the written approval of the Governor following public notices. This is not an appropriation bill, it's an authorization bill. I'll be glad to answer any questions and urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Welch.

SENATOR WELCH:

Could you explain how a four hundred thousand dollar incentive is given to the bidder?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

It's...it's my understanding, Senator Welch,...this bill passed out of committee 13 to zip and you're a member of the committee...also it says that they'll accept bids at the water development complex at Fort Massac State Park for anyone who wants to enter into the bidding and it will allow the State to pay up to four hundred thousand dollars to the successful bidder for the construction and development of that...of that facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

It...it's then a State owned facility and we're contributing four hundred thousand dollars towards the building of the facility, is that basically it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

...right...it's my understanding though it'll be about a two and a half million dollar development that the...the developer will have to put in...three-fourths or so of the money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn, do you wish to close? Senator Dunn.

SENATOR DUNN:

Thank you. I...I would urge an Aye vote on passage of...of Senate Bill 2198.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2198 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present...Senate Bill 2198 having received the required constitutional majority is declared passed. 2199, Senator Topinka. 2204, Senator Dudycz. Senate bills 3rd reading is Senate Bill 2204, Mr. Secretary.

SECRETARY:

Senate Bill 2204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2204 amends the Criminal Code and Private Detective Act. It revises the schedule fees within the Act. It makes administrative changes. It was requested by the Department of Registration and Education. As you know,

the Private Detective Act was rewritten in 1983 and this bill is attempting to solve some of the administrative problems that have arisen then. Now there were some questions raised by the Detective Association. We believe that they were all addressed in Committee Amendment No. 1 which is quite lengthy, nineteen points; and as far as I know, there is no opposition to the bill as is and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Darrow.

SENATOR DARROW:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

According to our analysis, this removes service of process from...definition of private detectives and agencies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Is that correct and will this...a year or two ago we allowed private detectives to serve process, are we taking that out now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

I'm...I'm unfamiliar with that part.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, we were lobbied quite strongly by private detectives to allow them to serve process and we just enacted that legislation last year, that's why I bring that up. Also, is the liability insurance requirement deleted?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

It's my understanding that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And it also deletes the specific training requirements that we put in for private detectives?

PRESIDING OFFICER: (SENATOR DEMUZIO)

SENATOR DUDYCZ:

I'm sorry, could you repeat the question? I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well,...what I'm getting at is a...a year or two ago we allowed private detectives to serve process but we were very careful to make sure they had liability insurance and that they were qualified, and now it looks like we're changing all of that, and my question is, does this delete specific training requirements for private detectives?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

In Amendment No. 1 there were nineteen points that were brought out. This represented the changes which have addressed all the questions brought out originally by the Detective Association and they are in complete agreement with the Department of Registration and Education. I understand that all those questions have been answered in the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well,...but if I was a detective, I'd love to have the

requirements taken out, my training requirements removed, I'd be for that, and that was my question, if we are taking out the training requirements for detectives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The first twenty hours are...on the employer does not delete the training requirements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

With regard to the waiver of the firearm training requirement, it's my understanding that you waive it for former law enforcement personnel. Would this include auxiliary police officers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

You mean if you're a auxiliary...police officer in a small hick town, you don't have to take any firearm training for that position, you're exempted here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The auxiliary police officers do have to complete the training.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well,...and we are still doubling most of the license

fees?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And my last question, we're requiring the clerk of courts to report to registration and education any felony conviction for one of the licensees?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

I would say this is probably one of the worst bills that we've had in a while. I...I'm sure Senator Dudycz didn't think this up himself, but it's probably part of that Registration and Education Department that we all have trouble with. We've tried to beef up detectives and make...allow them to have some standards and liability insurance and a number of other things when we allowed them to serve process. We're going backwards on all that. Furthermore, we're putting a burden on our clerk of courts to report felony convictions of any of the licensees. I don't know...that would mean every clerk of court will have to keep a list of who's a licensed detective and...double-check it, things like that. I...I'm very opposed to this legislation. I think we ought to take a careful look at it. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

I have some more questions on this bill. What...what is the point, number one, of deleting the insurance requirement for licensees? We had these requirements on there and it was a very important purpose. Now this bill deletes those insurance requirements for licensees in a very sensitive area which is aimed at protecting the public. Why are we doing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

They are the only ones that currently are required to have insurance prior to licensure. No other occupation or profession regulated by the department has that requirement at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, we're talking about private detectives here who have guns. I mean,...and...and who deal with the public in a very sensitive area. I mean, I don't...I don't understand why we're...we've already...we've already...we already have that requirement. Why are we lowering the requirements, lessening the requirements, removing some protections for the public that we have? That's what this bill does, removes protections for the public. I don't understand the rationale for that. It...it allows...the bill also allows for a temporary permit upon loss of a license. If somebody's lost their license, why are we allowing them to have a temporary permit at the same time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The death of the licensee will allow the firm to continue

the license...maintain that license and that business for sixty days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

But what about if the licensee's permit is removed by the Department of Registration and Education? It says, "The loss of a license will allow a temporary permit to be issued." Is that just only for death?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Where is that in the bill or in the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Page 11 states, "Upon written request by a representative of an agency within ten days after the loss of a license private alarm contractor in charge of an agency, the department shall issue a temporary permit allowing the continuing operation of a previously licensed agency."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I don't...I...I don't see where that section at all refers to the death of the licensee. I think you ought to take this bill out of the record. You've got an awful lot of problems with this bill. It...it...you...there...there are some fingerprinting requirements here, you don't even have to notify the...the certificate holder of the finger-

print record. There's...there's a reason that we...we take fingerprints to see if there's a criminal record, and if you don't have to even notify the individuals regarding the record and the...the results of that fingerprint search, what's the point of having a fingerprint requirement? I think there's a lot of problems with this bill and I think you'd probably be better off to take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, I see this...the Department of Registration and Education is the one's that wants this bill. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

And the industry...and...and the industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Hall.

SENATOR HALL:

What industry?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

The alarm contracting industry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

You know, we've done...in the last Session, R and E looks like they're trying to get out of everything they ought to be

doing. Now we need to cut their appropriation. If they don't want to do the job, if we have people over there...and every time I look we had sunset...provisions came in effect, there were a lot of things...if they don't have to go through, I am for cutting their appropriation. If...if they continually come in here and want to not do the job they're assigned to, we need to cut their appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Dudycz may close.

SENATOR DUDYCZ:

Let's take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 2205, Senator Dunn. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2205.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. This bill would do away with the sunset provision of the free fishing days...given in...I believe in 1984. We issued a...a sunset provision saying that we'd have free...four free...four free fishing days...hard to say and...and...and now we're going to eliminate the sunset provision and allow it every year. I'd move for passage and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2205 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

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question, the Ayes are 53, the...53, the...the Nays are none, none voting Present. Senate Bill 2205 having received the constitutional majority is declared passed. Senate Bill 2207, Senator Macdonald. Senator Macdonald. 2211, Senator Macdonald. For what...for what purpose Senator Etheredge arise?

SENATOR ETHEREDGE:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, seated over in the President's Gallery, we have a group from Enunciation School in Aurora. I would ask that they stand in order to be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator...2212, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2212.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Bill 2212 amends the Unified Code of Corrections and it provides that recommendations of the Prisoner Review Board to the Governor be made confidential, and it further allows the board to subpoena witnesses from anywhere in the State and strikes the board review requirement of those prisoners on manatory supervised release. It does make some other certain clarifications. I know of no opposition. It passed out of committee with 11 to nothing vote. I would appreciate your positive support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2212 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 2212 having received the constitutional majority is declared passed. Senate Bill 2274, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2274.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill just simply states that if you have been a member of the armed forces and have been honorably discharged that you can...are eligible to go into the two veterans' facilities that are now located in Illinois. Right now, under current law, there is a discrepancy between the number of days service that you...need to be required to get into the Quincy home and it's different than that at Manteno. This is just simply to make it uniform and I would move for its favorable adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2274 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2274 having received the constitutional majority is declared passed. Senate Bill 2275, Senator Rupp.

2277, Senator Rupp. 2278, Senator Rupp. 2280, Senator Schuneman. 2282, Senator Weaver. 2283, Senator Geo-Karis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2283.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill amends the Cannabis Control Act and it places production of cannabis within the gradation of penalties based upon the amount, and I move for its favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...Senator Netsch.

SENATOR NETSCH:

Senator Geo-Karis, is this a bill proposed by the Department of Alcoholism and Substance Abuse?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It's an administration bill, ma'am. Administration bill and...let's see...I believe it...I believe it was. I'm not sure, but the...it may have been with the jointure of the Department of...Alcoholism...also the Department of State Police.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

All right, the...the only reason why I ask that question is that normally Senator Etheredge and I are aware of bills that come out of the department because they go through our

advisory council first and this one is just sort of a surprise. There's nothing wrong with it, as far as I know, but it's just...we had not had a chance to see it. Could I...would it be permissible to...to direct a question to Senator Etheredge? Do you...were you aware of this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

This snuck up on me too, Senator. I am informed that it's a State police bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well,...Adeline,...in the Calendar it talks about the production of cannabis. Adeline, are you listening to me or not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I apologize. I always try to listen to you, Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Now, if...if...if you find some cannabis growing in your backyard, is...is...does...does this bill make that a crime?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I...I can answer you. It says, "knowingly"...the bill says "knowingly produce...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

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Yeah, but, Adeline, the cannabis doesn't know or doesn't...you know, it just grows.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

My name is not cannabis. I'm the one who has to know it. You understand that, Senator?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Fawell. Is there further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I ask for favorable consideration on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 2283 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2283 having received the constitutional majority is declared passed. Senate Bill 2285, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2285.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 2285 is the Corridors of Opportunity and Development Act, it's a new Act, and what it does do, it allows for the formation of these councils in order to enhance and develop the very strategies necessary to develop the various segments of the Illinois economy. As we all know, the State of Illinois is a very

diverse State. In the bill, the Department of Commerce and Community Affairs is allowed to designate these corridors who make request upon the department. There is a...accompanying appropriation bills. There is an amendment on it that forces some accountability back from the department to report back to the Governor and the General Assembly who these corridors are, what they're doing, what allocation they have and what marketing and feasibility studies they've conducted. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR LECHOWICZ:

Senator, how many corridors of opportunity are contained in this bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

There's no number designated, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

If my memory serves me correctly, the Governor made this statement when he had the...both Bodies...earlier in the year in the House Chambers in reference to his State of the State Message, and he mentioned the corridors of...of opportunity in the Bloomington area with the possibility of Mitsubishi coming in and having a...maybe what you would call an automobile corridor designated for that type of industry and then we have another corridor of opportunity located on the

East-West Tollway which is a high-tech corridor; and I was wondering, since you have the person from the Department of Commerce and Community Affairs standing to your left, if you could tell us what the...where the corridors of opportunity are within the Chicagoland area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Lechowicz, I can't tell you because the area itself would have to designate itself as such and apply for a grant. It does have to have some characteristics in that corridor, but I can't define them. I know you brought up the issue of Milwaukee Avenue in committee. If it had some...some characteristics that could be defined in terms of economic development, I don't see where it would not qualify as a corridor of opportunity.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

That's my whole point, Mr. President. It is a rather vague interpretation of corridors of...of opportunity, and...and I can understand the necessity of trying to promote new industry coming into Illinois and I'm all for that, but there...there are other areas in this State who should have an accessibility to this funding mechanism, eliminating the gimmickry of a possibly public relations concept coming up with the corridors of opportunity and tying it in for monetary grants. I'm for the purpose as stated by the Governor some time ago, but I would just, for the record, state that there are other areas in this State that should be considered corridors of opportunity located within metropolitan areas of...not only the City of Chicago but other metropolitan areas as well. And I want the department to be well aware of the fact that it's my intent...whether it be Milwaukee Ave-

nue, Western Avenue, North Avenue or any other area in...within the City of Chicago, they should have the availability if they have a worthwhile program to be funded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Have a question of the sponsor. Senator DeAngelis, let me see if I understand this program correctly. The Department of Commerce and Community Affairs is going to designate certain areas in the State of Illinois, we're going to have money available to those areas to help those areas as opposed to nondesignated areas gather business and...other incentives. Is that the program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

This is a local initiative program. The areas will be designated themselves. If you look across the State you will see there are existing areas; there's some in Senator Poshard's area, there's some downstate, there are some south, there are some west, there are some in the City of Chicago. It's a local initiative program. Now, you're going to have to qualify by setting up what your specific targets are and why you're setting this up as a corridor of opportunity. There's got to be some...some program designated that involves the cooperation of labor, business, et cetera.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz, what...for what purpose do you arise?

SENATOR LECHOWICZ:

Point of order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR LECHOWICZ:

The gentleman mentioned that are corridors of opportunity

in Chicago and it's been designated. Where are they?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

There are local entities, local initiatives that regard themselves as regional economic development groups, that's what I'm referring to. I don't know who they are. I know they are...there are some in Chicago 'cause I've addressed...I've addressed groups in the southside and Senator Dawson's area that are economic development groups.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch...oh, Senator Lechowicz.

SENATOR LECHOWICZ:

Just for the record, those areas have not been designated and there are no areas designated within the City of Chicago, and that was one of my objections for these wonderful Madison Avenue techniques of corridors of opportunity but nobody can tell me exactly where they're at.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I...I...I don't understand the answer to...Senator DeAngelis, that you gave me. You said that...these areas are self-designated, but yet, you have the assistant director of the Department and Commerce and Community Affairs there. My understanding is that they have to give some approval. I just can't run out to Route 51 and put up a sign saying, "This is a corridor of opportunity." Can I? I can? I can do that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No. What you have to do is to turn around and apply to the department and fulfill the requirements that are neces-

sary to be designated as such. It is a local initiative though. We don't come out and say LaSalle-Peru is a corridor of opportunity. What you do say is that the LaSalle-Peru area has combined together, formed the local initiative and applied to DCCA to be designated as such.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

But the point is, somebody has to say to a particular area, you are officially a corridor of opportunity; otherwise, it becomes...it's like the enterprise zone, you apply...an area gets together, applies to be an enterprise zone and DCCA says you can be one, is that...that the scenario? That is true. Well, then...then let me say this, Senator, I am shocked that you would sponsor this bill. I am just shocked, because yesterday when I sponsored a bill concerning enterprise zones, you stood up and asked me to defend why we even needed them. You said they weren't necessary and that we had no business expanding the number, and then today, a similar program to help specified areas through the Department of Commerce and Community Affairs and you're here asking us to create one more program because it's a more recent proposal of this Governor. I think this is...this is pretty hypocritical. We had...we had the same...a similar bill yesterday, help from DCCA, you opposed it; today it's your bill, so now you support it. I...I think there's a contradiction here, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR POSHARD:

Senator DeAngelis, last year, over about a seventeen county area in our region we formed a regional marketing strategies group which is comprised of the executive directors of the regional planning councils, Southern Illinois Incorporated, Shawnee Development Corporation, the major groups that are responsible for economic development in the area for the purpose of coordinating the efforts of those groups and saving resources and energy in terms of developing a kind of a master...economic development plan for our area. Since those are the people that have the major responsibility for economic development or at least the direction that it goes in in our area...a question in regard to the corridor councils. That's already in place and the people that have been participating in that for a year, are those the people that are going to be designated now as members of a corridor council in...in...in southern Illinois, for instance?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Poshard, if they apply, probably, yes, because if you read the bill, it sounds that your group is exactly the kind of group that would be one of those corridor of opportunity groups.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, the point I'm making is, rather than duplicate in some areas where people are already working on this, rather than duplicate effort, it seems to me that it would be...save a lot of time and energy if the same folks were involved. The second point. In terms of the...corridors of opportunity or whatever the...the jargon is we're using, as I remember in the Governor's speech last year, in my region, for instance,

there was a river-to-river corridor and then there was another high speed corridor from like Carbondale to St. Louis. Now, in terms of the corridor councils, is that all they're going to have responsibility for or are they going to have responsibility for looking at the entire economic development scheme for a region?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

No, they will look at the...Senator Poshard, that's a good question. They're going to look at the entire picture and then try to determine what industries they're going to target and what type of marketing techniques they're going to use and what type of feasibility studies they're going to conduct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. We happen to have one of these corridors, so-called, in...in...along I-5. These...this corridor was originally developed by the industry, had nothing to do with DCCA originally. They got together and decided that they would form an association so that they could talk about mutual problems, they could talk about how they could increase their...their membership, how they could attract other industries that would be similar to there's, for...so they can feed off of each other. DCCA, I understand, finally did get involved but it was...initiated originally by the people who own the companies along that I-5. It...it has worked out extremely well for that area. My understanding is that the U of I down at Champaign is talking about a similar thing because they are doing a lot of work with agriculture, with...with microbiology. I would think that Evanston with their new...research park would...would

also be inclined to go into something like this. All DCCA does is...is assist the local industries in what they want to do. They don't come out and say, you know, this is going to be the corridor. If they want assistance, they can assist them with the marketing, with pointing out where they think they may be going wrong, giving some some of the expertise. I think it's a good bill. I...I don't even...you know, I don't understand what the questions are if...all of us have got...a number of us have got this kind of corridor and I think we ought to support the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. Senator Keats.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just one moment...for what purpose Senator Keats arise?

SENATOR KEATS:

...move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right, Senator Keats, we do just have one more speaker after Senator Collins, that's Senator Demuzio. Previous question has been moved. Senator Collins.

SENATOR COLLINS:

Senator, I'm looking at a...a synopsis here of...the staff analysis of this corridor council and I'm sincerely trying to understand what...what are you doing, and I'm...I'm concerned and I'm looking here...you said that...okay, this council would convene regional organization meetings to assist in the development of marking strategies for particular corridors...okay, and I guess I'm a little confused and I need to know...I...I see DCCA's assistant director there. What is...what...what...what DCCA supposed to be doing and what about all of the other groups that are currently being funded out there to provide for assisting potential clients

to...to go into business or to expand the business and what is the need for an additional council? How much money are you talking about being...allowed to one group in order to provide these services? And...and answer the question of how does one determine where the greatest need for the services in the State to exist?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Collins, I think you asked me about nine questions, but let me just repeat...the bill itself is designed to help those areas develop their own economic plan of action. Now, there are some areas that...in Senator Fawell's case that are opportunely located that really don't need a lot of help, but there are...a lot of other areas who at this particular point do need some help in identifying the type of industries, targeting those industries, doing feasibilities and recognizing the kind of things that can serve their communities. We are not attempting to duplicate any organizations; in fact, if an organization is in place already, we encourage them to apply for the grant. For those areas that are not covered yet but who do need that help, we would hope they would form their own councils and make application.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

But my question is, can these people qualify for a second grant who is already receiving a grant to do basically the same things that you're talking about here and they would be eligible for another grant. Now I'm...I guess the issue I'm concerned about...we're playing a lot of games in this State about money on the people of this State, about what we're doing in terms of economic development and we're not doing

anything, just as we did with the enterprise zones, nothing is happening in those enterprise zones and it doesn't matter whether we say a hundred or two hundred zones; and now we're coming back with basically the same kind of thing talking about corridors of opportunity and spending more money in terms of...all we're really doing is making some money available to some pet people to get some more contracts to do some work. There's a freeze on...hiring in the State and so you go out, you...you contract some more money out and they can hire some people. It's a game being played. Whether or not...I'm not accusing you of doing it and I know this...a lot of this kind of...this...this kind of business is promoted out there by people, special interest groups, good old nice people who are going to save the world and save the State from economic ruin and save all the poor people in this State and they're not doing anything but perpetuating their own self-interest and this is a good example of that. If the Department of Commerce and Community Affairs has some extra money for economic development, I know a hell of a lot of things that we can do with it to get some results. This most certainly is not one of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Nedza seek recognition?

SENATOR NEDZA:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would like you to meet the true power of the Savickas household, his lovely wife, Pam Savickas, who has come down here to wish him a very happy birthday. Pam, would you please stand and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She had a fifteen minute speech prepared but she'll give it tonight. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. As long as we're on the...point of personal privilege, in the gallery behind you in the President's Galley, we have Terry Keer. Terry was chosen from more than four hundred students Statewide as the winner of the Attorney General's First Annual Consumer Awareness Poster Contest. If Terry would...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would he please rise and be recognized. Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, I...I'd like to ask the sponsor a question, if I may. I understand Senator Fawell has already admitted to us that she has her corridor of opportunity and I was wondering if you could give me some idea as to the other areas that are...are going to be designated by virtue of this...of this new Madison Avenue technology?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Sorry to rise for a second time. On a point of personal privilege, I did not say we were designated. I said the people along that highway got together on their own, paid their own PR person, had nothing to do with DCCA. I was using that as an example of what can be done. We don't have DCCA money involved in our corridor, but I think that the idea works so well that perhaps, Senator, it could be taken down to your district and be used.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I appreciate that additional explanation although it certainly wasn't called for. Can you tell me, Senator

DeAngelis, how much this is going to cost and where is the appropriation bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

It's a...2.5 million dollar appropriation in DCCA's budget which is sitting in the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

And can you tell me from what pot this two and a half million or whatever it is is going to be coming from, is this State funds or is this Federal funds or which funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

General revenue funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

It's coming from general revenue so this is additional State dollars that will be increased into the Department of Commerce and Community Affairs' budget. You know, I'm sort of the notion of...along with Dawn Netsch...Senator Netsch and that is that...we ought to create a State-wide...enterprise zone and forget about all this...these little communities having to apply and perhaps we could amend into that a...an amendment that says that the entire State of Illinois is a corridor of opportunity rather than just being selective in certain areas and; frankly, I think perhaps when the selection is over, we will find that rural Illinois will not be as much a corridor of opportunity as are the most metropolitan areas where there are the most votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, rather quickly, first of all, Senator Collins, there is no other program like this in DCCA, so it is not a duplication. We are not applying grant upon grant. I want to make that clear. Secondly, the person who made reference to my opposition to the enterprise zone was not listening to my criticism. I was indicating that if we, in fact, authorize that many and there weren't going to be that many applicants, we, in fact, were going to have people appling for enterprise zone status who really didn't need it. But you know, Senator Demuzio, you hit on a very good point. This, in fact, does create...does create an opportunity for the entire State to...to be developing a marketing strategy. I come from the south suburban area, an area that's been devastated quite...quite recently by the loss of automotive and steel making jobs. We are not going to get what Beverly Fawell has in her district. We're probably not going to get what John Maitland has and we're not going to get what Glenn Poshard is going to get. But that doesn't mean we ought to pack up our bag and move our people out of our area and tell them that there's no economic opportunity, 'cause there are economic opportunities for every area in the State of Illinois if they choose...if they choose to combine with all the various people in that area and create the geography that's large enough and develop the plan and the strategy for attracting whatever is the best...the best form of economic development for that area. There's nothing hokey in this bill, there's nothing designating anything; it's for those people who think they want to combine, who see the opportunity through this strength of bringing labor, education, unions, financial institutions together so that they can, in fact, better prepare the area for the economic opportunities that exist for

them. I urge your passage of Senate Bill 2285.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall Senate Bill 2285 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 1, 1 voting Present. Senate Bill 2285 having received the constitutional majority is declared passed. Senate Bill 2286, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2286.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Looking at the last vote, I say this title looks controversial but let me tell you what...is in the bill. There's really very little in it. It's...there's nothing new or substantive. They're a group of amendments. It deals with Build Illinois. It came out of committee on a 15 to 2...bipartisan vote. It's technical changes in existing DCCA programs. One...involves the technology commercialization program. JCAR recommended a...hold harmless situation that's in it. Another list, Department of...director of the Department of Commerce and Community of Errors...Affairs establish and collect a fee system for their computers that are used to help grant applicants and JPTA programs. Third part, the small business equity revolving loan program. It amends that to clarify our position with it. DCCA's industrial training program to expand it to include job retraining, particularly important for existing Caterpillar's, John Deere's, big for Peoria...Rock Island

area, such as that, and the public infrastructure program is amended to clarify that it's a revolving fund and the Treasurer requested something...it was a reasonable amendment saying any that any securities we hold should be put in the Treasurer's hand rather than director of DCCA's. That's what's in the bill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Some questions of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR CARROLL:

I know he doesn't want to, but I'd just like to ask him some questions. One is, why did we go away from the concept of advanced technology so that now investments could be made in anything instead of just that which would promote advanced technology?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Part of it...I think you're aware we've had a great deal of problem losing some of our blue collar middle-class, whether they are IH, Caterpillar, John Deere people, whether it's Peoria, whether it's Rock Island, areas like that, this allows to retrain some of those people who are still viable employees when helped to be given new skills. So, we're saying instead of simply dealing with new business, we're trying to help some people who are here paying taxes right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

No, Senator Keats, I...I beg to differ with you. We're

not dealing with the section that deals with job retraining and plant retooling, which is, obviously, an outstanding idea for Illinois to do, but rather to the deletion of advanced technology for that which would be...an equity investment. So, now you're saying, you, who so much abhor the State involvement in private industry, are now suggesting that the State buy into all businesses in Illinois not merely those that are advanced technology but into all business. Is that now the intent that the State should buy into business and what would be the limitation of what businesses they buy into? I thought we wanted to keep the State out of the private sector and this seems to...not seems to, this does actually invite them to now be an equity investor, not merely a loaner but an actual investor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, first of all, part of what you're referring to would be disagreeing with the Build Illinois bill that passed last year, particularly our role in terms of equity investment. That passed last year. Whether I agree or disagree with you is irrelevant. That isn't what this bill initiates, that's last year, that's Build Illinois. What you're talking about is in reality a semantic change saying that in terms of technology driven industries, we can invest across the board there. It's a semantic change, it is not a substantive change. Now, I kiddingly say as an attorney, you and I know we can play semantic games all day and, of course, as an attorney, you would win. I certainly would never have the kind of knowledge that you have in this area, but it is not a substantive change in the bill. What it says is anyone within that scope, clarifying language saying we can look at more than simply one technology area, it's across the board and it does allow us to make equity investments in businesses

that do have a hard time getting going.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Senator Keats, I will not accuse you of being antisemantic; however, the issue is, I think, something new and that is allowing the State to become a partner, a controlling partner even, in business. May not be a bad idea. Sure is one to be strange coming from other things that you have proposed in the past and that is to keep us out of it; but little issues come up like who will vote at the stockholders meeting, the Governor?, subject to approval of the General Assembly? Who will sit on the board on behalf of the State's investment? Since we are no longer talking about merely loans but an equity posture, what businesses will we go into? Will we buy the U. S. Steel Plant and take it over and operate it as State Government? Will we buy Diamond-Star and say the State will now make automobiles? Where will those decisions be made? By whom? With what type of advice and consent of the legislative process and who will vote the State's stock or pay for the losses, if any?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister. No, Senator, that was a statement.

SENATOR SANGMEISTER:

Well, I think Senator Carroll has asked the same questions that we asked in committee concerning this bill and that is whether the State of Illinois wants to become an active participant in purchasing shares and in operating businesses in the State of Illinois, and I...I think that's a concept that is very surprising coming from the other side of the aisle, and we mentioned that in committee too, and I would suggest to those at least on this side that I don't think that's something we want to be doing on behalf of the

State of Illinois and would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Will the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR ZITO:

Senator Keats, can you explain to me, please,...you mentioned in your opening comments a revolving loan program. Can you explain that to the Body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

It...the public infrastructure program was left out of...Build Illinois. What this amends it to clarify...say it's a revolving fund for public infrastructure so that the money as it comes back in can continue to be used. That was a clarification. It was not correctly stated in Build Illinois so you really couldn't do it without this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

What kind of...what's the dollar amount we're talking about for the fund?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

You've got a...Senator Zito, the answer is, it depends upon the interest paid back in from the money going out. So the answer is, it is not a specific amount, it's interest coming back in. You've raised a question that my handlers are going to get us an answer on, but it has to do with the

money coming back in from interest that once it comes back in can be used again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Senator, that's not quite true and maybe you can convey this to your handlers. If...if, in fact, we're going to have a fund, a revolving fund, then we're going to need start-up money, A; and, B, the reason the fund is a revolving fund is because theoretically the money is going to come back into the fund. I want to know what kind of dollars you're talking about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, DCCA will be requesting a five hundred thousand dollar initial appropriation that will cover what you're talking about...but it's five hundred thousand initial appropriation coming through the traditional appropriation process, that is the start-up; more than that, we would still be dealing with as a Legislature.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Not to ask a rhetorical question, but why then did the Department of Commerce and Community Affairs oppose in Build Illinois the revolving loan fund for...infrastructure that was presented to this Body back...a year ago?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Senator Zito, I don't remember the sponsor of that bill. It seems to me it was a suburban gentleman who...discussed this subject, but it was a twenty-five million dollar set-up

fund. This is half a million. I think it had something to do with scale and...and I don't know why else they would have opposed a...an excellent concept such as that except it was too much money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, if it wasn't an excellent concept a year ago, it may not be an excellent today. I would also...I'm going to change gears for a second and ask you about the...the institutions...the higher education institutions that are going to be administering this program. Isn't this vaguely similar or exactly similar to the Prairie State 2000 Package and some of the job retraining and retooling bills that are already law in Prairie State 2000?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

One moment, please. There are some similarities. Now if you remember, in terms of the Prairie State 2000, although initially led by the President of the Senate, through my efforts was made...much of that package was made bipartisan. Some of this gives some specific ways to do that. It is not grossly different. In fact, that portion of Build Illinois, my memory is, I was one of the cosponsors of that specific bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

How then, Senator, is it different from the high impact training services programs that we have in this State, the HITS programs. How will this differ?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Okay, most of this money is really geared towards a specific job training where HITS is often geared more towards the education for jobs as compared to this as more a specific job, you're trained to do X and that's what the money goes for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, Mr. President, not to take the time of Body, but to the bill, if I may.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may.

SENATOR ZITO:

It's...it's...it's quite apparent, Senator, that the question...the answer you just gave me to the question is obvious that you or the handlers don't exactly understand the difference between Senate Bill 2286 and legislation that was enacted in...by this Body and the House of Representatives and that's appearing in the HITS programs in the State of Illinois, that's appearing with Prairie State 2000 and, yes, that was incorporated in the Build Illinois plan with revolving loan funds. We don't need Senate Bill 2286, Ladies and Gentlemen of the Senate. We have that in...in a number of pieces of legislation that this august Body passed through the last two or three years. I think it's redundant. I think it's dilatory and to have the Department of Commerce and Community Affairs come in now and take good ideas that were good two or three years ago and try to redraft them in Senate Bill 2286 is absurd. I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Keats may close.

SENATOR KEATS:

There were several questions raised, I'll hit a couple of...then quickly close. As an example, voting shares...we don't have voting shares in this. We do not take shares of voting. They are to protect our investment so that we do have a better ability to reclaim money that the State has put into equity loans. In terms of does the Department of Commerce and Community Affairs sometimes borrow a good idea? What's the matter with improving on a good idea? If you remember with Prairie State 2000, to the credit of the President of the Senate, when I went to him as...in those days as minority spokesman of Labor and Commerce and said, hey, Mr. Pres, there's some good points in here, would you like us to make this bipartisan with a couple of ideas we have? And he said, hey, it's a team effort and we came back with some excellent ideas, most of which were accepted, we worked together. If improving on a decent program is a fault, well, then we ought to shoot DCCA for doing it, but I have to tell you, I don't consider improving on some decent program necessarily a negative. In terms of some of the specifics in the bill, we're doing some things that JCAR recommended to...to protect our position in terms of the training for specific jobs. If you're from an area like Peoria or an area...like Rock Island or an area like Decatur or an area like Danville or certain parts of Chicago, East St. Louis, Belleville, where you've had heavy industry that you've lost and you need those guys retrained, this bill allows us to do that which some of the other things did not allow us to do. So, I plead guilty to making an attempt to improve some of the present standards we already have and would appreciate your affirmative roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 2286 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 6, 3 voting Present. Senate Bill 2286 having received the constitutional majority is declared passed. Senate Bill 2288, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2288.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill addresses the problem which the Department of Employment Security has in tracking unemployment insurance accounts which are delinquent. It gives the director of the Department of Revenue the authority to share information with the director of the Department of Employment Security on the subject of these unemployment insurance accounts thus allowing the State to do a better job in tracking them down and making sure all employers pay their fair share. I know of no opposition to the bill and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2288 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2288 having received the constitutional majority is declared passed. Senate Bill 2292, Senator Karpiel. Senate Bill...Senate Bill 2293, Senator Geo-Karis. Senate Bill 2295, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2295.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This bill is part of a bipartisan legislative package which is designed to strengthen laws which protect children from abduction, pornography and other forms of abuse. This particular bill is one which streamlines the notification of local birth certificate registrars and schools when the Department of State Police suspects that a missing child is enrolled in an Illinois school. There is in the bill...it's a new...a new Act and there is in the bill a rather detailed procedure for the tracking of this information. It also amends existing language and gives the department access to the Department of Employment Securities records during child abuse, exploitation and kidnapping investigations. Again, it's part of an agreed bill process and I know of no opposition to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2295 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 2295 having received the constitutional majority is declared passed. Senate Bill 2296, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2296.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a bill which deals with the very difficult problem of how a child shall testify in a child abuse case. What this bill does is take the same language which was in last year's House Bill 53 and it basically permits the defendant's attorney to cross-examine the child on tape and thus it avoids the confrontation problem. The bill also guarantees that the child will only have to testify once unless the prosecution determines otherwise. Additionally, the bill permits the use of closed-circuit television and screens the child witness from the defendant. Both provisions are intended to lessen the trauma of testifying for the child while guaranteeing the confrontation rights of the amendment. The bill also provides safeguards by permitting only one taping and prohibiting altering or editing of the tape. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2296 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2296 having received the constitutional majority is declared passed. Senate Bill 2300, Senator Joyce. Senate Bill 2302, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2302.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This creates the Southwestern Illinois Development Authority within the...within the boundaries of Madison and St. Clair County only. And the purpose of the authority is going to be to establish and promote commercial, industrial and recreational growth. It authorizes the authority to issue bonds and to finance development projects. It permits the counties and cities to levy taxes in support of the authority. It also gives quick-take provisions to the authority. It's sponsored by Senator Vadalabene and myself. Be glad to answer any questions. We added a amendment which changed the powers of removal of the public members which was the only opposition that I knew. We corrected that and I believe that the bill is in good shape and appreciate their support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2302 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2302 having received the constitutional majority is declared passed. Messages from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, of the 34th General Assembly, I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of this

appointment by your Honorable Body.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive Appointments. Resolutions. Senate...Senator Demuzio. Senator Demuzio. Resolutions.

END OF REEL

REEL #5

SECRETARY:

Senate Resolution 897 offered by Senators Savickas, Lemke, Degnan, Nedza, Jones, Jeremiah Joyce, Kelly and all Senators. It's congratulatory.

Senate Resolution 898, Senator Zito. It's congratulatory.

Senate Resolution 899, by Senator Mahar, and it's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar.

SECRETARY:

Senate Resolution 900 offered by Senators Smith, Chew, Hall, Jones and others.

Senate Joint Resolution 154 offered by Senator Vadalabene.

And Senate Joint Resolution 155 offered by Senators Woodyard, Watson, Davidson, Weaver and others.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Executive. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I think this basically concludes the business of the Senate today. Seems to me that a motion...I will move that the Senate stand adjourned until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any further business to come before the Senate? If not, the Senate stands adjourned until 10:00 a.m. Thursday morning.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

May 15, 1986

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this...prayer this morning by Rabbi Steve Moch, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI MOCH:

(Prayer given by Rabbi Moch)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, May the 7th, 1986.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

...yes, thank you, Mr. President. I move that reading and approval of the Journals of Thursday, May 8th; Tuesday, May 13th and Wednesday, May 14th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Message from the House, Mr. Secre-

tary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit;

House Joint Resolutions 194 and 195, both congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit;

House Bills 45,...347, 546, 913, 938, 1130, 1155, 1236, 1245, 1302, 1321, 1473, 1865, 2060, 2073, 3178, 3181, 3224, 3266, 3267, 3269, 3276, 3277, 3424, 3477, 3506, 3529, 3532, 3533, 3549, 2093, 2254, 2546, 2552, 2573, 2574, 2576, 2577, 2622, 2630, 2635, 2642, 2648, 2687, 2708, 2720 and 2735.

PRESIDENT:

Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

Point of personal...privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd like to introduce to you the Springfield Chapter of the Insurance Company...the Insurance Women of Illinois are here today to see the Legislature in operation, and also they have more

than a small interest in what we're going to be dealing with hopefully today. Would they please rise and be recognized by the Senate.

PRESIDENT:

Will our guests please rise and be recognized. Welcome. Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Thank you, Mr. President and I'd ask leave of the Body to be added as a cosponsor to Senate Bill 2042.

PRESIDENT:

Senate Bill 2042, the lady seeks leave to be added as a cosponsor. Without objection, leave is granted. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, to make a similar request. On House Bill 1467, Senator D'Arco is the principal sponsor and I've discussed the matter with him and I would like to become the principal sponsor and he's consented to that.

PRESIDENT:

1467...

SENATOR KELLY:

1467.

PRESIDENT:

...all right. On House Bill 1467, the gentleman asks leave to be shown as the chief Senate sponsor. Without objection, leave is granted. All right, with leave of the Body, we'll move to page 20 on the Calendar. If any members have been asked to pick up a House bill, please inform the Secretary. All right, Mr. Secretary, on page 20 on the Calendar, on the Order of House Bills 1st Reading.

SECRETARY:

House Bill 564, Senator Geo-Karis is the Senate sponsor.

(Secretary reads title of bill)

House Bill 988, Senators Berman and Maitland.

(Secretary reads title of bill)

2544, Senator Schuneman.

(Secretary reads title of bill)

2562, Senator Etheredge.

(Secretary reads title of bill)

House Bill 2637, Senator Maitland.

(Secretary reads title of bill)

House Bill 2644, Senator Lemke.

(Secretary reads title of bill)

House Bill 2725, Senator Schuneman and Luft.

(Secretary reads title of bill)

House Bill 2775, Senators Kelly and Watson.

(Secretary reads title of bill)

House Bill 2777, Senators Watson and Kelly.

(Secretary reads title of bill)

House Bill 2778, Senators Kelly and Watson.

(Secretary reads title of bill)

House Bill 2873, Senators Luft and Watson.

(Secretary reads title of bill)

House Bill 2889, Senator Etheredge.

(Secretary reads title of bill)

(Machine cutoff)...Bill 3058, Senator Lemke.

(Secretary reads title of bill)

House Bill 3128, Senator Jones.

(Secretary reads title of bill)

(Machine cutoff)...Bill 3230, Senator Carroll.

(Secretary reads title of bill)

House Bill 3378, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 3428, Senators Watson and Kelly.

(Secretary reads title of bill)

House Bill 3474, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 3573, Senator Etheredge.

(Secretary reads title of bill)

House Bill 3554, Senator Etheredge.

(Secretary reads title of bill)

And House Bill 3632, Senator Rock.

(Secretary reads title of bill)

1st reading of...of the bills.

PRESIDENT:

Rules Committee. Senator Luft, for what purpose do you seek recognition?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to have my name removed as a hyphenated sponsor of the fish bill...

PRESIDENT:

All right. Senator...

SENATOR LUFT:

...2725.

PRESIDENT:

...Senator Luft seeks leave of the Body to have his name removed as the hyphenated sponsor on House Bill 2725. Without objection, leave is granted. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

Mr. President, I've been advised somebody took my name and put it on the fish bill too. Can I have...have mine removed as well?

PRESIDENT:

All right. Senator Welch also seeks leave to have his name removed, if indeed he was listed. Senator...without objection, leave is granted. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr. President, those of us interested in fishing in Illinois have had a meeting this morning and we've decided that the State can do without a State fish, and so I ask that my

name be removed from that bill.

PRESIDENT:

All right. Senator Schuneman seeks leave to have his name removed from 2725. All right, with leave of the Body, the bill then will remain on the...on the Calendar on the Order of House Bills 1st Reading since nobody seems willing to assume the sponsorship. A volunteer rises among us, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, since I'm on a diet of fish and chicken, I'll take the fish bill.

PRESIDENT:

All right. Mr. Secretary, Senator Geo-Karis seeks leave to be shown as the sponsor on House Bill 2725. Without objection, leave is granted. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

I would ask...Mr. President, I would ask for leave to be shown as the hyphenated cosponsor on House Bill 3230.

PRESIDENT:

All right. The gentleman seeks leave to be shown as the hyphenated cosponsor on House Bill 3230. Without objection, leave is granted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Yes, thank you, Mr. President. I would like leave to be shown as a hyphenated cosponsor on House Bill 2528.

PRESIDENT:

The lady seeks leave to be shown as the hyphenated sponsor on House Bill 2528. Without objection, leave is granted. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President. The same type of motion on House Bill...Senate Bill 2006 to be the hyphenated joint

SB 1522 2nd reading

sponsor, with leave of the sponsor, Senator Marovitz.

PRESIDENT:

All right. Senator Carroll seeks leave to be shown as a hyphenated cosponsor on Senate Bill 2006, 2-0-0-6. Without objection, leave is granted. If I can have the attention of the membership, Senator Philip and I have agreed that the Session will conclude at one o'clock. We will begin on the Order of Senate Bills 2nd Reading and go through the Calendar. Those sponsors who wish to call their bills, obviously, will have another opportunity on Tuesday. The appropriation bills will be held until Tuesday and the recalls. There are a number of members who have filed amendments for Senate bills that have already been moved to 3rd reading, we will do the entire recall list also on Tuesday. So today we will go through the Order of Senate Bills 2nd Reading and then move right into 3rd reading and we'll work till one o'clock at which time we'll all try to get back where we belong. On the Order of Senate Bills 2nd Reading, Senate Bill 1486, Senator Dawson. Senate Bill 1488, Senator Barkhausen...1522, Senator Marovitz. Top of page 2 on the Calendar, on the Order of Senate Bills 2nd Reading is Senate Bill 1522. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1522.

(Secretary reads title of bill)

2nd reading of the bill. The...Committee on Elementary and Secondary Education offers two amendments.

PRESIDENT:

All right. Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that Committee Amendment No. 1 and No. 2 to Senate Bill 1522 be Tabled. They will be substituted by

the next amendment by the agreement of the chairman who I have spoken to on the committee.

PRESIDENT:

All right. Senator Marovitz has moved to Table Committee Amendment No. 1 to Senate Bill 1522. Is there any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Amendment No...further amendments, Mr. Secretary?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Marovitz moves to Table Committee Amendment No. 2. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Committee Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 3.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 3 fulfills a commitment that I made in the Elementary and Education Committee, number one, to eliminate the fourth year of English requirement which will no longer be part of this bill; number two, to delay the effective date to July 1, 1987 from July 1, 1986. It also reduces the time that an athlete cannot play in sports from four weeks to two weeks which is what I originally introduced it...brought it in to the...to the committee with, so it

reduces that time from four weeks to two weeks; and, finally, it fulfills a request of ED-RED, the administrators and the school boards to add the word "competitive" so that only...only those interscholastic activities which are competitive would be involved in this legislation. I know of no opposition. If...this fulfills several requests and I would ask for adoption of Amendment No. 3 to Senate Bill 1522.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 3 to Senate Bill 1522. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor?

PRESIDENT:

Sponsor indicates he'll yield, Senator Maitland.

SENATOR MAITLAND:

Senator Marovitz, you've...you've met some of the suggestions that were made in committee. I'm...I'm curious to know whether the other changes you've made and you've indicated you have complete agreement, where is the Illinois High School Association on this? Have you...have you shared these thoughts with them?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The Illinois High School Association is supportive of this amendment that we are putting on. They wanted to see the time reduced from four weeks to two weeks and a limitation on...on activities to those which are competitive activities in the school interscholastic competition.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Were they a part of the negotiation? Were they in your meetings, I mean...

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I've been meeting with the Illinois High School Association since January or February and they were part of the...the meetings on all these subject matters.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 3 to Senate Bill 1522. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and Amendment No. 3 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1529, Senator Collins. On the Order of Senate Bills 2nd Reading, the middle of page 2, Senate Bill 1529. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1529 had a request for a fiscal note. That request has been answered.

Senate Bill 1529.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1551, Senator Zito...1552, Senator Lechowicz. 1608, Senator Etheredge. Top of page 3, on the Order of Senate Bills 2nd Reading is Senate Bill 1608. Read

SB 1612 2nd Reading (Temp. notwithstanding) SB 1608 3rd reading

the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1608.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Thank you, Mr. President. What this amendment does is to reduce the grant level down to the level established in the Senate Appropriations II Committee. I would move for its adoption.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 1608. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1612, Senator Etheredge. On the Order of Senate Bills 2nd Reading, Senate Bill 1612. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1612.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Mr. President, if I could ask the question...there are supposed to be three amendments on this bill, I only have two, one has not been filed, so I'll have to ask you to take it out of the record.

PRESIDENT:

Take it out of the record, Mr. Secretary. 1624, Senator Demuzio. 1714, Senator Donahue. Middle of page 4, okay. 1716, Senator Schuneman. 1728, Senator Etheredge. On the Order of Senate Bills 2nd Reading, the middle of page 4, is Senate Bill 1728. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1728.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 1728 is the technical clean-up bill for the math and science academy. What Amendment No. 1 does is to spell out the relationship between the math and science academy and the State Board of Education. The amendment has been drafted in cooperation with the State Board.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of

Amendment No. 1 to Senate Bill 1728. Is there any discussion? If...Senator Demuzio.

SENATOR DEMUZIO:

Yeah, I just have a question. This amendment indicates that the academy now is part of the public school system in Illinois. Does that mean that there's any relationship whatsoever to them sharing in some kind of a School Aid Formula or...or...

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

No, it does not. No, it has...it does not...they're entirely separate from the State School Aid Formula and all of that.

PRESIDENT:

All right. Any further discussion? If not, Senator Etheredge has moved the adoption of Amendment No. 1 to Senate Bill 1728. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1814, Senator Poshard. 1832, Senator Holmberg. 1834, Senator Maitland, top of page 8. 1838, Senator Barkhausen. 1848, Senator Berman. 1910, Senator Weaver. 1912, Senator Netsch. 1913. On the Order of Senate Bills 2nd Reading, the middle of page 8, ladies and gentlemen, we're in the middle of page 8, having skipped most of the...virtually all of the appropriation bills. Senate Bill 1913, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1913.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 1 was requested by the Auditor General. This is the bill which provides a...a sunset mechanism for the health professions which are to sunset next year. The bill had provided that the Auditor General was to assist in any research and the Auditor General wanted to make clear that it would be done only in accordance with the procedures that bring about his participation in our work to begin with. That, of course, is an acceptable suggestion and that is precisely what Amendment No. 1 does.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1913. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2, by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 includes basically two points. One is a purely technical reference to the former Illinois...the Research Council to...and it renames it the Research Unit which is its appropriate name now. The second slightly revises the reporting dates. We realize that the...or initial one, December 31, 1986, was,

number one, just a little too compressed and, secondly, not a very good time for the reporting. It should go into the beginning of the Legislative Session. We made that February 15th and abolished the commission as of July 1 which is the end of the Legislative Session. I would move the adoption of Amendment No. 2 to Senate Bill 1913.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 1913. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1915, Senator Maitland. 1917. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1917.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1920, Senator Karpiel. 1925, Senator Zito. Top of page 9, 1931, Senator Sangmeister. 1945, Senator DeAngelis. 1946, Senator DeAngelis. 1957, Senator Friedland. 1958. 1961, Senator D'Arco. 1985, Senator O'Daniel. 2000, Senator Marovitz. On the Order of Senate Bills 2nd Reading, the middle of page 9, is Senate Bill 2000. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2000.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Committee Amendment No. 1 adopts a three-year sunset provision. The Act becomes effective...delays the effective date until January 1 of 1987 and the Act would be repealed on January 1, 1990. I...think it's a very good idea and I would ask for adoption of Committee Amendment No. 1 to Senate Bill 2000.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2002, Senator Marovitz. On the Order of Senate Bills 2nd Reading, Senate Bill 2002, Mr. Secretary.

SECRETARY:

Senate Bill 2002.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2008, Mr. Secretary. On the Order of Senate Bills 2nd Reading, Senate Bill...hold that one, take it out of the record...2019, Senator Geo-Karis. On the Order of Senate Bills 2nd Reading, Senate Bill 2019. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2019.

(Secretary reads title of bill)

Mr. President, this...this bill was read a second time on the 14th of April of '86 and Amendment No. 1 was adopted and then the bill was held on 2nd reading. So...

PRESIDENT:

Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 2. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I would like to move to reconsider the vote by which Amendment No. 1 was accepted.

PRESIDENT:

All right. Senator Geo-Karis having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 1 to Senate Bill 2019 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

I move to reconsider...I move to Table that amendment.

PRESIDENT:

All right. Senator Geo-Karis has moved to Table Amendment No. 1 to Senate Bill 2019. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 2.

SENATOR GEO-KARIS:

Amendment No. 2 should have on the LRB number AM02 at the end. Is that correct?

SECRETARY:

02?

SENATOR GEO-KARIS:

Yes. And I move the...the...acceptance of this amendment.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Amendment No. 2 to Senate Bill 2019. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2022, Senator Berman. On the Order of Senate Bills 2nd Reading, the bottom of page 9, is Senate Bill 2022. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2022.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 provides a formulary for the reimbursement to certain coterminous township districts that levy at the maximum rate for reimbursement by the State for general assistance payments. We've discussed this with the Department of Public Aid. They still have problems with the cost factor which we will address on 3rd reading, but I move the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 1 to Senate Bill 2022. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 9, Senator Netsch on 2037. On the Order of Senate Bills 2nd Reading, the bottom of page 9, is Senate Bill 2037. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2037.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 1 was requested by the Department of Revenue. The bill deals with the so-called National Bellas Hess problem and as they have pointed out, it is basically a use tax issue not an ROT issue and so some of the language that we were adding in here and also some of the preexisting language that was part of Senator Donahue's bill last Session is being eliminated from the ROT section but left in the use tax section where it appropriately belongs. I think I may later have another amendment requested by the Department of Revenue but, in the meantime, we can move this bill along. I would move the adoption of Amendment No. 1 to Senate Bill 2037.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 2037. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I could have the attention of the membership and ask that the members please be in their seats. I'd ask the staff to take the conferences off the Floor or just pay attention for a few moments. We have with us today a very special guest. The Chair would like to yield to Senator Arthur Berman for the purpose of an introduction.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, we're very honored today to have with us Ambassador Zvi Brosh who is the Consul General of Israel, stationed in Chicago. Ambassador Brosh has been with us since August of

last year, 1985, when he became the Consul General of Israel in the Chicago Office which serves eleven midwestern states. He has served for three years as Ambassador to Romania, heading up Israel's sole diplomatic mission in the Soviet block. He has also been Ambassador to Burma and Sri Lanka in 1966 to 1970 and served twice as Israel's minister of information for the United States working out of the embassy in Washington between 1970 to '73 and 1978 to 1980. From 1976 to 1978, Mr. Brosh was consul general in Los Angeles representing Israel in the seven southwestern states of the United States. Ambassador and Mrs. Brosh have a married son studying for his Ph.d in international relations at Hebrew University in Jerusalem and daughter who has just completed her B.A. in English Literature at the same university. A number of us had the opportunity by coincidence when we were guests of the Jewish Federation of Chicago last spring...last summer in going to Israel to be on the plane coming back from Israel to the United States and coincidence would have it that Ambassador Brosh was on that plane with his wife coming to Chicago to assume his duties as consul general. Ambassador, on behalf of the Illinois Senate, we're very honored to have you today in memory and commemoration of the thirty-eighth anniversary of the State of Israel. Ladies and Gentlemen of the Senate, Ambassador Brosh.

AMBASSADOR BROSH:

(Remarks given by Ambassador Brosh)

SENATOR BERMAN:

Mr. Ambassador, on behalf of the democratic institution of the Illinois General Assembly, we're very pleased to present to you as the representative of the great democracy in the Middle East, the State of Israel, upon its thirty-eighth anniversary this resolution that has been adopted unanimously by both the House and the Senate commemorating the State of Israel on this wonderful occasion.

Thank you, very much for joining us today.

AMBASSADOR BROSH:

I have to add another thank you for this resolution. Thank you, very much.

PRESIDENT:

All right, with leave of the Body, we'll return to the top of page 10 on the Order of Senate Bills 2nd Reading, Senate Bill 2044. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have the attention of the Body, a young lady from Illinois Information Service has requested permission to take some pictures on the Floor. With leave of the Body, so ordered. 2051, Senator Jones. 2052, Senator Berman. 2053. On the Order of Senate Bills 2nd Reading, middle of page 10, is Senate Bill 2053. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2053.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2054, Senator Jones. On the Order of

Senate Bills 2nd Reading, Senate Bill 2054, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2054.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2074, Senator Marovitz. 2081, Senator Watson. 2086, Senator Degnan. On the Order of Senate Bills 2nd Reading is...Senate Bill 2086, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2086.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 1.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 1 to Senate Bill 2086 deletes everything after the...enacting clause. The amendment imposes a maximum interest rate that can be charged on credit cards issued by banks or retailers. The ceiling would allow banks or retailers to issue...that issue credit cards to charge three percent over the prime rate. That rate would be imposed each January 1st and July 1st depending on the prime rate offered by the largest commercial bank in

Illinois which is the First National Bank of Chicago. I move to adopt Amendment No. 1.

PRESIDENT:

All right. Senator Degnan has moved the adoption of Amendment No. 1 to Senate Bill 2086. Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I question the germaneness of Senate Amendment No. 1 to Senate Bill 2086. The bill as introduced and read a first time is a bill to amend the Trust and Trustees Act. The amendment deletes the title of the bill and everything after the enacting clause and has nothing to do with trust. The amendment would convert the bill into an amendment to two other Acts, the General Interest Act and the Retail Installments Sales Act. The bill as amended by Senate Amendment No. 1 would then deal only with usury, the legal interest rates that may be charged and not with trust which is the subject of the original bill. I question whether this amendment is germane to this bill.

PRESIDENT:

All right. The gentleman has questioned the germaneness of Amendment No. 1. The Chair will be prepared to rule. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I wanted to make a couple of quick points on this amendment. Most of the members of the Senate...most members of the Senate are well aware what the amendment is and I don't know that we'll change a lot of minds, but I think we have to just make sure everyone realizes the amendment is being called at this time and that they may use the knowledge as they have in the past. I want to stress two things though. One is, when you're dealing with credit cards, everyone assumes the only cost of the credit card is the cost of the funds and it is true that most

of the credit card issuers borrow the funds and then relend them. If you take that as the only cost, three percent over prime probably is not an unreasonable number. But that truely is not the real cost because there's several other factors that have to be considered, not the least of which is a number of people who just flat don't pay, so the equivalent to bad loans. You have tremendous personnel cost overheads in terms of overseeing the whole system. You also have the various costs with mailing it back and forth, the advertising and promotional costs, et cetera. So if you were to take only the item of obtaining the funds, the three percent probably is not unreasonable, but when you take into the hat...fact that over half of the cost involved is not getting the funds, it is administering the program, you begin to realize that probably the figure is too low. Those are the two major points I want to make and just really to alert everyone to what the amendment is. I don't think we're going to dramatically change a lot of minds. I think most people know enough about it to know that they should oppose this particularly poor amendment and would appreciate a negative No...or negative vote.

PRESIDENT:

All right. Any further discussion? Senator Degnan.

SENATOR DEGNAN:

I'd like to answer a couple of the items Senator Keats mentioned and that is he talks about cost and they all talk about cost when they fight this bill. No one talks about profits, none of the bankers or the credit card issuers talk about profits. Secondly, Senator Keats, you mentioned this might be an extremely harsh...three percent over prime might be harsh. Is there some number you are willing to negotiate to?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Senator Degnan, I appreciate your question and I'll give you a very candid answer. I'm a great believer in market forces. When I had a couple of credit cards got too high, you know what I did with them? I cut them in half and I mailed them back. I felt I didn't like the way American Express ran their system and I haven't had an American Express card in a couple of years; only have two gas credit cards, I normally pay cash. So the answer is, I would gladly accept whatever number the market will bear. If you don't like the cost, you cancel the card, which is what I have done.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I would just have a comment after the Chair rules on the germaneness issue.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes, on the amendment, Mr. President. I found the comments of the spokesman from the other side of the aisle interesting; yet, he offered no solution. The issue is the consumer in Illinois who gets inundated with these cards is unaware of what the rate is until it's too late, and that's when the bills come in and these exorbitant rates were allowed. In my opinion, and by my vote, Illinois moved backwards a few years ago in protecting its citizens when we attempted to stop the elimination of this ceiling that was on here. Initially, we had limited the amounts of interest that institutions could charge to the consumers of Illinois and I thought that was appropriate and still do. When you have to read the fine print and find out too late that you're paying twenty-one and twenty-two percent when prime is now down to

single digit, that is absolutely unconscionable. At a time when prime was...encroaching twenty, it...it may have been acceptable that the rates had to grow that high, but we did not find the institutions bringing them back down as prime came down. They're still at twenty-one, twenty-one and a half and they can't justify that. It's just the uneducated consumer, the people of our districts, who are paying this bill. Yes, if they were given a list, which is impossible to do, of what various banks charge when you use VISA or Mastercharge or whatever, they could make an intelligent decision, and I am sure they would pick those institutions that were three or four points over prime. But that's not the case and then once they're on the revolving account, once they are paying that outlandish interest, what do they do? How do they get off? They're not offered a card then by someone else until they clean up their bill and they're paying that interest month in and month out at twenty-one percent, you can't justify that. This amendment should be adopted.

PRESIDENT:

Any further discussion? The Chair is prepared to rule pursuant to Senate Rule 38 which states that no motion or proposition on the subject different from that under consideration shall be admitted under color of amendment. Senate Bill 2086 as introduced deals with the subject of trusts, specifically concerning mergers and consolidations of trustees to land trusts and trusts created prior to October 1, 1973. Amendment No. 1 to Senate Bill 2086 deals with the subject of limiting interest rates which may be lawfully charged on bank and retail credit cards. In the opinion of the Chair, not only are the subjects of the bill and amendment not closely related to one another but also the amendment and the bill seek to amend dissimilar statutory provisions. Senate Bill 2086 amends the Trust and Trustees Act

contained in Chapter 17. Amendment No. 1 to Senate Bill 2086 amends not only a distinct Act contained in Chapter 17 but also an entirely separate chapter under the Retail Installment Sales Act. Thus, in the opinion of the Chair, the amendment is not germane to the bill and the Chair is prepared to rule that it's out of order. Senator Degnan.

SENATOR DEGNAN:

Well, thank you, Mr. President. Admittedly, this amendment amends Chapter 17, and all of us have seen countless examples of amendments being put on bills that only amend the chapter. The question here and...and we all know there...there are two things we know and that is the power of the gavel and, secondly, germaneness is used when all else fails. I appeal to your sense of fair play and I appeal to your sense of responsibility. Each one percent decrease in these charges benefits the consumers of this State by 13.6 million dollars. I appeal the ruling of the Chair.

PRESIDENT:

All right. The gentleman has appealed the ruling of the Chair. Any discussion on the gentleman's appeal? The question is, shall the ruling of the Chair be sustained. Those in favor of sustaining the Chair will vote Aye. Those opposed to the Chair will vote Nay. The question is, shall the ruling of the Chair be sustained. Those in favor of sustaining the ruling vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 16. Having failed to receive the necessary three-fifths negative vote, the appeal failing...fails and the ruling of the Chair is sustained. Further amendments?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. 2104, Senator Luft. On the Order of Senate Bills 2nd Reading, in the middle of page 10, is Senate Bill 2104. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 2104.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Revenue offers one amendment.

PRESIDENT:

Senator Luft on Committee Amendment No. 1.

SENATOR LUFT:

Is this a Floor amendment...I'm sorry,...or a committee amendment?

PRESIDENT:

Committee amendment.

SENATOR LUFT:

Would you read the committee amendment, please?

SECRETARY:

"Amends Senate Bill 201 on page 20, line 12 by changing 'after' to 'beginning with tax year ending on/or after December 31st, 1986,' and on line 19 by deleting 'courses.'"

SENATOR LUFT:

I would...I would simply move for the adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 2104...any discussion? Senator Dudycz. All right. Senator Luft has moved the adoption of Committee Amendment No. 1 to Senate Bill 2104. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. The bill originally called for a twenty-five percent deduction for job training after the...allocation and apportionment of base income. There were people that disagreed with that procedure, so what we've tried to do now, which everyone is in...agreement, Department of Revenue, is to apply a 1.6 percent deduction of cost incurred in providing job training. It removes the deduction for job training, the twenty-five...percent; permits a five-year carry-forward and the amendment is specifically extended to partners and shareholders of Subchapter S corporations, and I would move for the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 2104. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think there were some serious problems, both in form and substance with the bill as it was in committee. I think the amendment corrects most of those problems. As I recall, there may still be a slight cost to it but it will be relatively slight, and at least it does not disturb the symmetry and beauty of the income tax which was what the Department of Revenue was extremely concerned about and rightfully so. So I would support the amendment as an improvement of a bill that needed a lot of improvement.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 2104. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2135. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

...Senate Bill 2135.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 11, 2151, Senator Savickas. 2158, Senator Hall. On the Order of Senate Bills 2nd Reading, top of page 11, is Senate Bill 2158. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2158.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2169, Senator Luft. 2180, Senator Collins. On the Order of Senate Bills 2nd...2nd Reading, middle of page 11, is Senate Bill 2180. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2180.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Senator Collins. I mean...

SECRETARY:

No committee amendments.

PRESIDENT:

No committee...any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr...Mr...President and members of the Senate. Amendment No. 1 is to clear up some of the problems and concerns that several people had raised in reference to the bill. What it does, it eliminates the whole section dealing with creating the Central Corps Centers. It takes that whole provision out of the bill. It also...lowers the threshold of the age eligibility from eighteen to seventeen. It corrects some technical errors and I would move for the adoption of the amendment.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1 to Senate Bill 2180. Any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2190, Senator Barkhausen. 2194, Senator Dawson. 2202, Senator Topinka. 2231, Senator Berman. Bottom of page 11, on the Order of Senate Bills 2nd Reading is Senate Bill 2231. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2231.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2132, Senator Berman. On the Order of Senate Bills 2nd Reading is Senate Bill 2232. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2232.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2233. On the Order of Senate Bills 2nd Reading, bottom of page 11, Senate Bill 2233. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2233.

(Secretary reads title of bill)

AB 2281 2nd Reading

3rd reading...or 2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 12, 2255, Senator Poshard. 2260, Senator Luft. 2263, 65. 2273, Senator Schuneman. Middle of page 12, Senate...on the Order of Senate Bills 2nd Reading, Senate Bill 2273. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2273.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2281, Senator Weaver. On the Order of Senate Bills 2nd Reading, Senate Bill 2281. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2281.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Weaver.

PRESIDENT:

Senator Weaver on Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. This amendment deletes the authorization for fingerprints from school districts to be submitted to the FBI, and I'd move its adoption.

PRESIDENT:

Senator Weaver has moved the adoption of Amendment No. 1 to Senate Bill 2281. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I guess we have some questions about...about the amendment. I don't know whether Senator Weaver would want to hold this and talk to us about it or if you want to go ahead with it.

PRESIDENT:

Well, my suggestion is why don't we move it. I'm sure Senator would agree to call it back if necessary.

SENATOR SCHUNEMAN:

Well, in...in that case then, Mr. President, I'd like to simply point out to the Body that in the last few years there have been attempts to give school districts the necessary mechanism to check on the backgrounds of teachers, primarily to find out whether or not there have been cases of sexual abuse in the work history of that teacher either in this State or some other state. What the effect of this amendment would be is to say that in Illinois...such records can be checked only if the teacher has been employed in Illinois. And the...the effect of this amendment would be to bar a school district from doing a check on a teacher who may have worked in another state. I'd suggest to you that that's precisely probably the people that the school district ought to be checking on. And while the amendment would leave intact the ability of other local governments to do such checks, it would remove the ability of a school district to check those records. And I think the amendment should not be adopted.

PRESIDENT:

All right. Senator Weaver has moved the adoption of

SB 1612 2nd Reading

Amendment No. 1 to Senate Bill 2281. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments?

PRESIDENT:

3rd reading. We've had two requests, ladies and gentlemen, to get back to bills that were previously skipped over. Senator Etheredge on 1612. If you'll turn to the middle of page 3, on the Order of Senate Bills 2nd Reading, Senator Etheredge previously called the bill and indicated an...an amendment was missing. I'm told Senator Carroll has now filed the amendment on 1612. Mr. Secretary, with leave of the Body, we'll move to page 3 on the Calendar, on the Order of Senate Bills 2nd Reading, Senate Bill 1612. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1612.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 1.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this bill reduces the credit hour grant rates from the level established by the Board of Higher Education to the Governor's level. I would move for its adoption.

PRESIDENT:

Senator Etheredge has moved the adoption of Amendment No.

1 to Senate Bill 1612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is to take the credit hour rates down to the level that the appropriation bill will be in line with the guidelines established by the committee, and I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 3.

SENATOR ETHEREDGE:

Yes, Amendment No. 3 is a technical amendment filed at the request of the Community College Board. What it does is to clarify the fact that adverse court decisions can be paid out of current appropriations. I would move for its adoption.

PRESIDENT:

All right. Senator Etheredge moves the adoption of Amendment No. 3 to Senate Bill 1612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further

amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, continuing on, we have a request for...if I can have your attention, the middle of page 8, Senate Bill 1848. On the Order of Senate Bills 2nd reading, Senate Bill 1848. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1848.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Well, thank you. The amendment that was adopted in the...committee struck out the words that dealt with political subdivisions of the State so that this bill applied only to agencies of the State of Illinois itself. I move the adoption of Committee Amendment No. 1.

PRESIDENT:

Senator Berman has moved the adoption of Committee Amendment No. 1 to Senate Bill 1848. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Middle of page 8, on the Order of Senate

Bills 2nd Reading, Senate Bill 1912. Mr. Secretary.

SECRETARY:

Senate Bill 1912.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. The bill is the tobacco tax bill, that is, the...the tax on tobacco products other than cigarettes. The amendment does not have to do with the substantive provisions of that tax and its enforcement provisions. What it does have to do with is the use of the money once it's collected. And the bill at the current time provides that the money will be paid into the General Revenue Fund, that provision remains absolutely intact. But the amendment would...would specify that sixty percent of the money that is collected and placed in the General Revenue Fund would subsequently be transferred to the Domestic Violence Shelter and Service Fund in the State Treasury. I want to just make one point about this which is I think important for the record. As members of the Legislature know, there are two court decisions which have invalidated previous attempts to fund the domestic shelter program on a permanent basis. One was a special fee on the filing of divorce petitions, the other was a surcharge on marriage license fees; both were invalidated by the Illinois Supreme Court. This is entirely different. This is...the tax stands separate and alone, all we are saying is that we have...would like to suggest that once the money is collected, that it be used as a

revenue source, a revenue stream, if you will, to fund the extremely important domestic shelter program. It is not subject to any of the constitutional infirmaties that the two previous attempts to fund that program were. It is very much like what we did, for example, last year in Senate Bill 730 when we increased the cigarette tax, put it in the General Revenue Fund and then provided that parts of it would be transferred out to fund schools. So, it's similar to things that we have done many times in the past but I think it is...a good way to try to provide what we have always told the domestic violence shelter people they must have and that is assured revenue stream to assure that they will, indeed, be able to continue their important programs. With that, I would move the adoption of Amendment No. 1 to Senate Bill 1912.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1912. Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Rigney.

SENATOR RIGNEY:

How much money are we talking about here to earmark for this Domestic Violence Fund compared to what they were getting under the old tax system?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

We estimate that the annualized income from this tax would be in the range of ten million dollars. There is a variety of estimates, as you know, but that is probably the best one, at least as the Department of Revenue has informed us. Sixty percent would be approximately...eventually would

be six million dollars, you know, once the program got fully funded. I think, as I recall, the marriage license was already bringing in two and a half million and with the increase, I think, was...was expected to be a larger sum than that in addition to which they get some money out of general revenue funds. So, I think the...the five million dollars is a part of what, over a period of time, they would be getting from one source or another.

PRESIDENT:

Further discussion? If not, Senator Netsch has moved the adoption of Amendment No. 1...Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this apparently simply allocates the money to the domestic violence and I don't really have any problem with that, but I guess I do have a problem with the tax that seems to be coming down the line again. Last year or the year before when this bill...when the original marriage license bill was adopted I made the argument on the Floor...in fact, offered an amendment to the bill at that time changing the source of the tax from the marriage tax to a minimal alcohol tax, trying to make the connection, and I think we did, that...that abusive alcohol probably is more closely related to domestic violence than is the act of...of marriage or the act of...taking snuff for that matter or any of these other things that we're considering. Why...why do we so scrupulously avoid the alcohol tax? At that particular time that I'm referring to, the Senate, in fact, adopted that amendment and the next day there was a motion made to reconsider the action, but why don't we fund this out of the...out of some kind of an alcohol tax rather than adding more and

more taxes to just one particular industry? If you could respond.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, I would not have objected to that, and I have for a...a number of years, I think, supported increases from time to time in the alcohol tax. I think the problem is that, to the best of my knowledge, there is nothing like that pending at the present time and I had introduced this bill quite apart from the funding of domestic violence because I felt that it was really a matter of fairness as well as a matter of revenue. We tax cigarettes...to, let's see, the tune I think in Chicago of fifty-nine cents a pack now, but we do not tax the other tobacco products and have not since 1969, so I just think it ought to be done in any event, and...because there was no other available source. The people who run these programs, who do us, I think, a major service, and they are all over the State, had said, we have been told over and over we were to have a dedicated and assured revenue stream, this is the only thing available, are you agreeable to allowing this to be done, and...and because I am highly supportive of what they do for all of us, I said yes.

PRESIDENT:

Further discussion? Any further discussion? All right. Senator Netsch has moved the adoption of Amendment No. 1 to Senate Bill 1912. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?&tf'

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 10, on the Order of Senate

Bills 2nd Reading, Senate Bill 2052. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2052.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2081. On the Order of Senate Bills 2nd Reading, Senator Watson, on Senate Bill 2081. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2081.

(Secretary reads title of bill)

2nd reading of the bill. No...no...the Committee on Insurance offers one amendment.

PRESIDENT:

Senator Watson on Committee Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 was drafted by the request of the Department of Insurance and it also allows the Illinois Banking Association to form a similar trust that we are setting up primarily for the community banks of Illinois. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 2081. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

SB 1552 2nd Reading

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 2...or the middle of page 2, on the Order of Senate Bills 2nd Reading is Senate Bill 1552, 1-5-5-2, middle of page 2. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1552.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Lechowicz, on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1552, the amendment revises the bill to put it in conformity with the testimony presented at the Senate hearings which were conducted by the Judiciary I Committee. And may I just point out and put into the record the number of hours that were...Judiciary II that were spent by not only the members of that committee but the staffs of both parties in trying to put together a very worthwhile piece of legislation known as charitable gaming. And, Mr. President, to both staffs and to the chairman and the minority spokesman of Judiciary II, I want to extend my sincere thanks. The amendment incorporates certain suggestions made by the Department of Revenue that provide for a more effective administration of the Act. It provides an updated list of permitted games that can be offered by the charities in an authorized charitable games night. It also provides the licensing organization pay two percent of gross proceeds to the Department of Revenue. Gross proceeds are determined by

the amount of chips initially purchased plus any admission fees, one-half of such fees shall be distributed by the Department of Revenue to local governments. It also provides...auxiliary organizations of eligible organizations are precluded from...obtaining a license. Basically what that means that any 501C charitable organization would be eligible to get a license. It establishes a procedure so licensed providers for premises fifty-dollar fee, sponsoring organizations are exempt if they have...they use their own premises, provides more astringent control over supplyers of charitable games, products and equipment. Only volunteers, employees or members of the organization may participate in the management or operation of the games. It also provides that an opt in...an opt-out provision as far as if any organization does not care to participate within this Charitable Gaming Act, they have an...they have an opportunity to opt out of these provisions. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1552. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. We held a Judiciary II Committee...meeting, several hearings regarding this legislation, had many, many meetings with all interested parties, law enforcement officials, the Department of Revenue, the charities, the parishes, the...the archdiocese regarding this legislation, and came to this agreement which is embodied in Amendment No. 1 which most everyone concurs with. Regarding the opt-out provision, that would mean that any municipality in the State of Illinois which does not want to participate in charitable...in the Charitable Gaming Act could do so by merely opting out and

that...therefore the provisions of this Act would not pertain to that municipality. This would prevent any professionals from coming in and running the games; only volunteers of the religious or charitable organizations would be able to participate in the running of the games. Any organization would only be able to have a maximum of four charitable gaming nights a year in any facility, be it a hotel...or building would only be able to have a charitable gaming night four times a year. That would...that would prevent the existence of...of what we have now in terms of bingo palaces, that would prevent gaming palaces. Senator Lechowicz mentioned the 501C3 organizations. This is limited to 501C3, that's even more restrictive than the bingo law. We...we...we also allow an audit so that...that was at the request of the Department of Revenue, they would like to be able to request an audit from the organization, and if they do so request an audit, it must be forthcoming. There's also a two-year sunset provision in here...so that after two years we'd be able to take a look at this legislation, see what effect it's had and if it's...if the effect has been positive to be able to continue this, if not, after two years, this would be...there would no longer be legal charitable gaming nights in the State of Illinois. The two percent gross receipts would go half to the State of Illinois, half to the local municipality for enforcement of this...legislation. I think the...the...the amendment embodies just about everything that the committee and members of the House and law enforcement and everybody else has requested to make this a very tight...piece of legislation that will benefit legitimate charities in the State of Illinois, those that do an awful lot of good, help fund research for things like...like diabetes, heart disease, muscular dystrophy...multiple sclerosis, we had the City of Hope come in, and it will also benefit the parishes and the archdiocese around the State of

Illinois. I think this is a very good piece of legislation embodied in this amendment and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Question of the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Are labor unions included in this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Only if they have a 501C ruling from the...Federal Government, 501C charitable ruling. And I don't believe...I...I would believe most of them would not qualify but they could apply for a 501C.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Does this...limit any raffles that are conducted by not-for-profit organizations?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

It does not affect raffles at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Bill 1552. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Amendment No. 2 corrects two typographical errors that were contained in Amendment No. 1. On page 8...I'm sorry, page 6, line 31, by deleting "are" and inserting "area," and on page 8, line 24, by deleting "games, games" and inserting in lieu thereof, "games." So it's a correctional amendment, I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1552. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1552 as it was introduced and as it was subject to gubernatorial approval at the time he made his public announcement said that at the conclusion of the event, which is a casino night event, well regulated, I might add, under this proposal, or when the participant leaves he may cash in his chips, script or play money in exchange for currency not to exceed five hundred dollars or noncash prizes. We are dealing in Amendment No. 3 with the question of cash or noncash prizes. As the bill sits before us with Amendment

No. 1 having been adopted, it only allows noncash prizes. Now any of you who have attended casino night events, and I have attended, frankly, many of them on behalf of most of the major charitable organizations in the City of Chicago and the County of Cook, understand well, I hope, that there is a much more intense incentive to participate if, indeed, the possibility of cash prizes is alive and well. Amendment No. 3 does one thing and one thing only. It inserts in lieu of noncash, it says, "currency not to exceed two hundred and fifty dollars," as opposed to five hundred, "or noncash prizes." This amendment, I suggest, is extremely important. If we are truly serious about benefiting the private sector, the charitable sector in affording them the opportunity to raise much needed money, it just seems to me to make sense that cash prizes ought to be available. And we have specifically limited it to two hundred and fifty dollars. I don't think that's an outrageous number but I think it's one that will make this whole exercise worthwhile and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 3. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, concur with the President of the Senate that this is a very important provision, that this matter be considered and adopted. When this matter was being discussed in the Judiciary II Committee there were certain reservations as far as a dollar amount that was requested. The dollar amount at that time that was being discussed and evaluated was five hundred dollars and there was a question whether there could be a proper tracking mechanism as far as on cash, and there was a question by the law enforcement people whether they wanted to assume that type of responsibility.

This provision I think is a workable solution as far as reducing it to two hundred and fifty dollars because every parish and school that I am familiar with that have Las Vegas Nights, this is a very important provision in attracting people to come in and participate in the Charitable Gaming Act or Las Vegas Nights. I believe this is a workable solution at a reasonable dollar amount, and I would hope you would concur and move the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I apologize for rising a second time on this but I have been advised that labor might be included without being a 501C3, and I have absolutely no objection to that. But in the event that that is true, I would like to ask the sponsors if I might be permitted to allow business organizations to be included, if, in fact, labor is included without being a 501C3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, on...on that point...on that point, which is not germane really to this amendment, labor organizations would not be included if they're not 501C3 organizations qualified under the Internal Revenue Code. I don't know who told you that but they would not be included. It is our intent that they not be included, clearly, if they are not 501C3 organizations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

I just would like to probably address any further questions along that line after the amendment has been adopted or any discussion on the amendment, just the proper procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right....further discussion on...on the amendment? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, thank you, Mr. President, and I think at this point we are now clearly seeing what's going to start to happen with this legislation. It was my understanding that the reason we wanted to do this is obviously we want to help our charitable organizations, in particular our churches and schools. I think if you want to do that, this is going to allow you to go in and have a legal event that you can participate in. But when you start talking about there's a greater incentive to come in and...and play because there's going to be cash, then the people that want to support the schools and the organizations are not supporting these organizations because they want to participate on that evening and be able to take home some kind of a gift outside of cash; they now want to go there and participate for one simple reason, they want to gamble. So anyway you cut it, if you put this amendment on, what you are doing is opening up pure unadulterated gambling for charitable institutions in the State of Illinois. I don't think we want to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock has...Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the....of the Senate. Amendment No. 3 clearly says, "currency not to exceed two hundred and fifty dollars or noncash prizes." We're not foreclosing the utilization of noncash prizes, obviously, where you win television sets and radios and appliances and all that, all we're suggesting is that for some of these organizations the...the opportunity to participate and have at the end of the evening the opportunity for a

cash prize is extremely important, and I would move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the adoption of Amendment No. 3 to Senate Bill 1552. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, did you have some comment to make now before 3rd...Senator Lechowicz?

SENATOR LECHOWICZ:

Just on the point of order that Senator DeAngelis raised. In the bill in order to participate has to be 501C organization, whether it's labor, business, church, has to have a 501C3 ruling from the Federal Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, this...this is not the ordinary procedure because we have not yet moved this bill to 3rd reading, but...Senator DeAngelis, do you have a comment?

SENATOR DeANGELIS:

Well,...I'm not saying...I'm not suggesting that Senator Lechowicz is not correct. What I'm trying to do, I'm trying to cover that in the event it is not correct that we be given the opportunity either to limit it the way he says or in fact include other organizations of a similar type to be permitted to do the same thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senator Philip. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

I...I'm sorry, Mr. President, a purpose of a question. Trying to understand what Senator Rock has just done. Am I

jumping to the...conclusion you have a cap on a cash prize of two hundred and fifty dollars but on door prizes there is no cap what so...other...in other words, you could give a Cadillac car for a door prize as long as it wasn't cash?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Philip, we've...we've...we've already adopted the amendments, we've moved this bill to...to...to 3rd reading, perhaps...Senator Rock.

SENATOR ROCK:

The...the answer is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, I...I just think that...everybody ought to remember that. You could give away ten Cadillac cars, you could give away a home, you could give a trip around the world, it's a little more than two hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order...we will now...Senator Rock.

SENATOR ROCK:

Well, I...I...I denote, I hope, no sinister overtone by that remark. This...this is exactly the bill as the Governor introduced it and you and I are certainly with the Governor, are we not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will now proceed to page 12, Senate bills 3rd reading. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President. Before you get to that order of business and since we're going to adjourn at one o'clock, I do have the suggested Memorial Day addresses here and I thought maybe you would like to take them with you, and they are going like hot cakes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate bills 3rd reading, page 12, Senate Bill 233. Senator Topinka is ready, all right. Senate bills 3rd reading, Senate Bill 233, Mr. Secretary.

SECRETARY:

Senate Bill 233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. First off, if Senator Jones has not been added as a joint sponsor to this bill, I would like to add him as such...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will add Senator Jones to...as a hyphenated cosponsor of Senate Bill 233. Is leave granted? Leave is granted. Senator Topinka.

SENATOR TOPINKA:

What Senate Bill 233 does is that it allows hospitals now to designate a person on the hospital staff or outside of the hospital staff to make the option available to the family of a deceased person in order of...of kinship which is already defined by the Anatomical Gifts Act that organ transplantation is an option in this situation. Basically, this is being done so it can be brought forward to the public in a delicate way but still get the point across. Because of organ transplantation having a time limitation on just when it can occur, it's...it's figured that we can raise the rate of available organs for people who are waiting for these organs in the State of Illinois twenty-five to fifty percent just by a process such as this. It has been worked out through extreme negotiations and has been signed off

through...through the negotiations with the following associations which include the Chicago Rabbinate, the Illinois Catholic Council, the Illinois Hospital Association, Illinois Department of Public Health, Illinois State Medical Society, Illinois Transplant Society, the Kidney Foundation and about ten others. And I...you know, I'm free to answer any questions. I think we discussed this pretty fully the other day, but if not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not...discussion? Senator Hudson.

SENATOR HUDSON:

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator, is this the...same piece of legislation that I talked to you briefly about the other day regards to the option on the license?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

And I think it was your feeling at that time that it was not necessary to have the option of...let's say somebody does not care to...to donate for some reason or other, they do not have the option to so state as they apply?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Your question to me was whether or not I would amend the bill to make available on an Illinois driver's license at

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3rd Reading

this time something to say I do not wish to donate. I feel the situation is already taken care of because if a person does not wish to sign their card, there is nothing mandatory that says they have to fill out the back of a driver's license making them an organ donor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

There's no possibility, in your opinion, that some other party could make a decision that perhaps the...the victim might not want. Do you feel that that situation is protected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

After long, involved discussions with all of the groups that I mentioned, plus others, which included the Illinois State Bar Association, by the way, who has very nicely coordinated this bill, the feeling was that because of the kinship situation which is already in the Anatomical Gift Act at this moment in time this would not affect what is already in the law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson. All right. Further discussion? Further discussion? If not, the question is, shall Senate Bill 233 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. Senate Bill 233 having received the required constitutional majority is declared passed. Senator Lemke, 916 I understand is on the recall list. 1320, Senator Barkhausen. Senate bills 3rd reading is Senate Bill 1320...just hold on a second. Senate bills 3rd reading is

Senate Bill 1320, Mr. Secretary.

SECRETARY:

Senate Bill 1320.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1320 is the revised Illinois Not-For-Profit Corporation Act. It's the work product of an advisory committee on the subject in the Secretary of State's Office that has labored over the last year or two to produce this piece of legislation. We had extensive hearings on it in committee and the subcommittee entertained amendments to it. I know of no objection to the bill. It...it...part of the rationale for it is to try to follow some of the amendments that were adopted to the Business Corporation Act two or three years ago. I'd be happy to answer any other questions, otherwise, would ask for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1320 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill...1320 having received the required constituional majority is declared passed. 1475. Senate bills 3rd reading is Senate Bill 1475, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1475.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, members of the Senate. Senate Bill 1475 amends the Minority and Female Business Act to include those entities of higher education under the Act and the Act as proposed by the Governor is that ten percent of...of the contracts will be set aside for minority and female and that is the goal as set forth by the Governor. I know no objections to the bill and I ask for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

Our analysis mentions that the fiscal impact could be large. What...do you have any more specific fiscal impact than that...what...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

I received a fiscal note from the...the Department of...I forget which one it is...but the fiscal impact is about fifty thousand dollars they indicate for...the Minority and Female Business Department to enforce this Act, about fifty thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I think that the...I have a copy of the fiscal note and what the fiscal note says is that it's

about a fifty thousand dollar impact to implement this Act. And the fiscal note does not speak to what the final cost might be to...to put this program in force. Just so everybody understands what we're doing here, when the Female and Minority Act was passed last year it did not apply to the State Board of Education, the Board of Governors, to the...to the State Board of Higher Education and all those universities around the State. Now what this bill seeks to do is expand it to all those...to all those bodies, and I am sure everyone here has a different philosophy about it, we've discussed it last year and again this year but just so you know what we're voting on, this simply expands it to all those universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If...if not, Senator Jones may close.

SENATOR JONES:

Yes, to...in response to Senator Schuneman, the State Board of Education is currently included under the Act, all this does is include the units of higher education, the colleges and universities. And I have talked with the community college representatives, they have no objections to the bill. If there were problems, they said they would come to me, we'll work them out, but as it stands now, they have no problems. And if we are to include it for...for other governmental entities, I'm quite sure our universities and colleges will be more than welcome to participate in the program. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1475 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, the Ayes are 29, the Nays are 25, none voting Present. Senate Bill 1475 having failed to receive the required constitutional majority is declared lost. Sponsor requests postponed consideration. Postponed consideration. The Chair would like to recognize Blake Rodderick and the members of the FFA from Pike County who are in the gallery from my district. Welcome to Springfield. All right. Senate bills 3rd reading is Senate Bill 1516, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1516.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to point out first that the Calendar reflecting the bill is in error. The Calendar...misstates the amendment that was added to the bill yesterday. This requires, this bill, that anyone who teaches a class in a college university be able to fluently speak the English language and be able to answer questions from students and be able to participate...allow students to participate in the discussion in the English language. The amendment which was added put an exemption in there for classes in which foreign languages are taught. The purpose of this bill is that many students have contacted my office and many parents as well stating that their students have been denied their rightful education because many of the teachers that they had at some point in time in their career were not able to speak the language fluently so that they understood or could ask questions and get adequate responses. For that reason, this bill was introduced to encourage the universities to set up programs to self-police their ranks. Some universities such as the University of Illinois already have

an excellent program in effect; unfortunately, other schools have not followed suit. That is the purpose of this bill. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senator Welch, I, too, have received those calls from...from students and parents who have indicated that there are instructors in the universities who, for whatever reason, can't communicate too well with...with the students and creates a burden and I understand that. I guess my concern with respect to the bill is the same as it was as I addressed the issue in committee. There are...there is at least one institution in the State that's already attempting to address this. As I recall the bill, I believe, with the...with the exception of the amendment that was put on yesterday, before someone is hired by that university who speaks with some sort of foreign dialect they will, in fact, have to take a course in oral proficiency. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

It's...it's not a course of oral proficiency required. What we are requiring is a test to see if they are orally proficient. There's no specific remedial nature to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, is there some kind of a...a...a test now available to determine oral proficiency then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

To try to write into law a test for oral proficiency would be impossible. The University of Illinois has a structure set up in which they feel, and I feel as well, that they are able to adequately determine before an individual is put into a classroom situation whether they will be able to communicate with students.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

So the university will...will then make a determination whether or not the individual has successfully...met those standards. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Again, I...I understand the problem, but as we discussed in committee, many of the very highly motivated individuals who come here from another country have more than likely been here for some time. And...and some people come over here and very quickly learn to speak the English language in a very fluent way and...and...and lose much of their dialect and do a fine job. Another person, simply for whatever reason, just does not have the skills to do that, they may well though be a person very proficient in their field and might add much to the university. I think the university then is going to be...if they've got such a talented person here on board, they're going to look the other way probably and go ahead and hire that person. So, we're back, I think, to square one. I think you call attention to a very serious

problem, and I...I agree with that, but I think this is another area where we simply cannot legislate every single thing that we do in this State; and I think for the very reasons discussed here, I think it's going to be very...very difficult to implement, very difficult to enforce, and I am going to vote No, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President...sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dunn.

SENATOR DUNN:

...Senator, who wants this bill? Did you say students, is that...I...I notice on our...our Digest or our...poop sheet it says that all the universities are opposed to it and the support is none. Did you have any testimony for it...bill or did you think this up?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, Senator, I happen to have had that problem of having a teacher that could not be understood actually when I was at Southern Illinois University in your district. The...the bill came from students at Northern Illinois University. They're the ones who are complaining to me. But after they came up with the idea, I've heard the same reiteration of the problem from many other students who have graduated over the past twenty years and even from parents whose children have had those problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

...Senator Welch, I...I think that probably...you're

trying to throw the bath water out...baby out with the bath water in this thing. There are some professors who don't speak well, they come over from foreign countries perhaps in physicist or scientist or something and I think we'd be losing some top-notch people. I...I imagine they'd be insulted if they say you can't speak at our university unless you demonstrate that you can speak fluently. Some of we from southern Illinois don't speak too fluent English, we might even get...I think...I think perhaps the...the people that you couldn't understand when you were at Southern, and I understand you had a lot of trouble down there understanding...understanding the professors, but...but I...I think maybe they were teaching assistants. If this were amended to apply to teaching assistants...lot of foreign students come over here and after they've gotten their Bachelor's or working on it, they're hired as teaching assistants and they're the ones I think that have trouble, as I understand, coping with the English language in classes. I...I would urge a No vote on this bill too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Frankly, if you could amend this bill to also eliminate the teachers who spoke perfect English but had nothing to say, I might be inclined to support you. I have a couple of problems. One, I know my community college was interested in, in fact did hire a refugee from Poland who at the time they hired that person really did not have much English proficiency. Within a semester that person had picked up an amazing amount of efficiency, I was extremely impressed with how much he'd learned in one year, one semester. As I understand your bill, this would prohibit that type of person from...being given a chance. I recall one time hearing a tape recording of Albert Einstein in his later years. I had

a hard time understanding that man because of his rather heavy Germanic accent. Your bill would prohibit Albert Einstein from teaching in the Universities of Illinois. I don't think I want to support that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President...thank you, Mr. President and members of the Senate. I try not to make it my habit to support Senator Welch's bills this year but this is one I guess I just have to get up and say something on. I spent fifteen years in university classrooms across the State and I'm now teaching in two of them, and I've got those students you're talking about, and whether they come from my district or not, I can tell you that if those students are enrolled in a public university or college or for that matter even...private but the larger universities is where you really have the problem, and they get sent off to that intro. to chemistry or that intro. to physics or whatever it is, there's a pretty doggone good likelihood that they're going to get stuck with somebody who can't speak English. I'm really kind of astounded, I've heard three people say on the Floor of this Body that that really doesn't make any difference, give them a year or two to get used to it, throw the kids to them as guinea pigs for a year till they get good at it. I think they ought to be good at it when they walk into the classroom on the first day, and every kid ought to be able to understand what that prof. is saying. And I'm telling you, that isn't the case. I think you ought to think that over before you vote too quickly against this bill. This is a good piece of legislation, it's calling for programs. Every university in this State that objects to this bill can go to the University of Illinois, and the University of Illinois can give every other university the program which

they have working right now to bring those instructors up to snuff. I think this is a pro-American bill, we ought to vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I concur with Senator Kustra because just think of a medical professor who doesn't speak good English, can't express...himself well, and then the students listen to him, get the wrong information and they work on you later as doctors. I think it's a very good bill and I support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, thank you, and I thank Senator Kustra for his eloquent statement. The question here is what vantage point do you take when you look at this piece of legislation. Most of the opponents have spoken from the vantage point of the teacher who would be hired. I think that we have to look at it from the other direction. We have a lot of students going to these universities and some of them may flunk out and not get an education because they're stuck with some graduate student trying to work his way through college, the university is trying to save a few bucks and they have him teach some major courses that you have to have. That's the main problem that we have. And what this bill tries to do is to say to those students that, hey, you have a voice in State Government, you have the ability and the opportunity to go to college and we're going to try to protect you by giving you teachers that know how to express themselves in the English language. Certainly many teachers can speak a speech written in English for them. The problem that comes in afterwards is asking a follow-up question of that very teacher and they

cannot comprehend the question and give an answer in...in the English language. Many of the teachers that have been hired that will have to be reviewed probably should have been reviewed before for this particular...requirement, being proficient in the English language. I think it's an elementary requirement, I think it's a basic right of students in this State and it's a basic right of teachers. So, when you stand up and say, everybody's against this, well, not everybody is against it, it's just the organized groups that are against it and...and, as usual, they're trying to protect their own turf. But I think it's time that the State Senate stood up and said, we just don't represent groups, we represent people. The people we want to represent today are college students and I think they're entitled to it, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1516 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, 2 voting Present. Senate Bill 1516 having received the required constitutional majority is declared passed. I might have your attention for a moment, we have another special guest with us today, Roger Carrick, who is the British Cousul General from here in Illinois and Mrs. Carrick.

ROGER CARRICK:

(Remarks given by Roger Carrick)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate bills 3rd reading is Senate Bill 1520, Senator...Senator...Senator Philip, for what purpose do you arise?

END OF REEL

REEL #3

SENATOR PHILIP:

I would just like to thank the distinguished guest from the Commonwealth and also thank he and his people and his country for supporting our raid on Libya. It was one of the few European countries that had the courage to stand up and be counted, and they certainly haven't forgotten their American friends and we want to thank you on behalf of Illinois and the United States.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Mr. President, before the good consul leaves,...he's about to leave but while he's coming in. I would like to make note that he is a frequent visitor in my district where we have the British and the Scottish home and we're very fortunate to have Prince Philip come out and visit with us two years ago and would welcome you once again and this time please bring Mrs. Thatcher. It just goes to prove that when you put a woman in charge of government everything works well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Another subject...another subject.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp, same subject? Senator Rupp.

SENATOR RUPP:

Another subject.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, thank you, very much. I was going to add my

congratulations to the Queen but given recent publicity, I think I should leave that alone. Senate bills 3rd reading, Senate Bill...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

On a point of inquiry of the Chair, Mr. President. I have had distributed to my desk copies of amendments for Senate Bill 2263 which deals with the tort reform issue that we're all so interested in. My inquiry is whether or not those amendments have been distributed to both sides of the aisle...could you respond to that, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm not sure whether or not they have been...it's my understanding that they've been passed out to both sides of the aisle. I doubt seriously if we will be able to reach that bill today because we are on the Order of 3rd Reading. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Only then to point out to our own members that since this is a matter of considerable interest and...and one that's very technical in nature, I would urge the members to take these amendments, study them and...because apparently there will be action on them next week rather than today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm...I'm sure they'll all take them home and study them. Senator Rupp.

SENATOR RUPP:

My...thank you, Mr. President. Mine was the same thing...except that I do urge you to take these, your desk has been showered with them, but I...I would urge you to look them over over the weekend so when you come back you can...give your usual well-informed vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. A point of personal privilege. It is our good friend and distinguished Senator from Decatur' birthday today, Senator Rupp. He is thirty-nine years of age once again, he's running for reelection and I will guarantee this, he's going to...reelected. Jimmy, happy birthday.

SENATOR RUPP:

A lot more than that around the middle. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senate bills 3rd reading is Senate Bill 1520, Senator Maitland. Page 13, Senate Bill 1548, Senator Poshard. Senate bills 3rd reading, top of page 13, is Senate Bill 1548, Mr...Secretary.

SECRETARY:

Senate Bill 1548.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill has been worked out with the cooperation and support of Mr. Al Apa, the superintendent of the Police Training Board, I'd like to say that up-front. Currently, before a person can receive an appointment as a county correction's officer, he must complete a minimum, standard, basic law enforcement course and a county correctional training course as prescribed by the Police Training Board. This necessitates in most instances the person coming to Springfield and going through the regimen here for...approximately a ten-week period of time, that's at the county expense except that the counties are reimbursed for about half of

that training. This person may have already completed a two-year Associate's Degree in law enforcement or a four-year Bachelor's Degree in law enforcement and, yet, the same requirements for those people who have education and training in law enforcement are required, that they come to Springfield and complete the training. This bill would simply allow Mr. Apa or the Police Training Board to evaluate that educational experience to determine if the person can be exempt from either of these courses or if a person can be exempt from any part of the training to save the counties some of the money that they would be required to pay for this additional training. As I said it has been worked out with the Police Training Board and I would ask for a...a positive vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Just to reiterate, my...I had a daughter who got her degree in administration of criminal justice from Southern and her Masters in legal studies from Sangamon State and, indeed, a lot of these courses that they are offering at this training school are duplicates of what she had already had...I think this is a good bill and I think all of us should be on board. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, I just would like to ask Senator Poshard about Al Apa and in committee they were opposed to this legislation. Now there hasn't been any amendatory changes and, yet, at this time, he and Curly...all the others are now in support of the legislation. Is that the...the situation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SB 1559 3rd reading

SENATOR POSHARD:

Yes, thank you, Senator Kelly. The bill has been amended on 2nd reading and the amendment was drawn up with the co-operation and support of Mr. Apa. The original bill simply exempted people from training if they had an Associate or a Bachelor's Degree in law enforcement training. This allows the Law Enforcement Board now to assess that training and education to see if any part of the training may be exemptive in nature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Well, I would simply ask for a positive vote, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1548 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1548 having received the required constitutional majority is declared passed. Senate Bill 1559, Mr. Secretary.

SECRETARY:

Senate Bill 1559.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the legislation that simply clears up the intent of the seat belt bill that we passed this past year in regard to...to the enforcement of it. And it says that law enforcement officers would be pro-

hibited from stopping or ticketing an individual solely for not wearing a seat belt. We...we put two amendments on...or one...one amendment, I guess, it actually clarified two points that were brought up in the committee and it clarifies, of course, the original intent that should an officer stop and ticket an individual solely for seat belt violation, the charge would be dismissed if the officer had no other probable cause to stop that individual. And, secondly,...currently, the...what is happening the...it requires that a court appearance...if...if an individual is ticketed for two particular violations, a court appearance is required; and this amendment we put on simply says that if one of those violations is a violation of the seat belt law, that a court appearance would not be necessary. I'm sure you all recall the...the debate this past year when...when it came up on the Senate Floor and the intent of the legislation was pretty well spelled out, and I have a copy of the transcript that went on during that time where questions were asked of the sponsor, Senator Chew, concerning stopping an individual just solely for a seat belt violation and Senator Chew's response was, no, that this would not be the case. And this is what's happening in regard to the Illinois State Police. They are following that intent but, unfortunately, some units of local government and other law...enforcement officials are using this as a primary enforcement instead of secondary enforcement. Senator Chew is a cosponsor of this legislation and as you're all aware of, of course, he was the primary sponsor of the mandatory seat belt bill. So if...I'd be glad to answer any questions if there are any, if not, I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1559 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the...53, the Nays are none, none voting Present. Senate Bill 1559 having received the required constitutional majority is declared passed. 1565 is on the recall list. 1575. Senate bills 3rd reading is Senate Bill 1575, Mr...Mr. Secretary.

SECRETARY:

Senate Bill 1575.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the...of the Senate. Senate Bill 1575 allows those individuals who only sell legal expense insurance to be included in the category of limited insurance representatives and to be licensed by the Department of Insurance to sell that...one product and that is legal expense insurance. There are several categories, this would be another category that is included and I know of no opposition, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1575 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1575 having received the required constitutional majority is declared passed. Senate bills 3rd reading. 1577. 1581, Senator Fawell. Senator Fawell on the Floor? Senate bills 3rd...all right. Senate Bill...Senator Darrow, 1588. Senate bills 3rd reading is Senate Bill 1588, Mr. Secretary.

SECRETARY:

SB 1588 3rd reading

Senate Bill 1588.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 1588 authorizes the EPA to enforce certain violations...present at sanitary landfills by...administrative citations. This is identical to Senator Macdonald's Senate Bill 849 which we passed last year, she is the chief sponsor with me along with Senator Schaffer. This bill is supported by the administration, the EPA and the Illinois Pollution Control Board among others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

Senator Darrow, this was sort of controversial in...in committee slightly. Were there not another group...some of the business groups interested in putting on another amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The Illinois Manufacturer's Association were to bring me an amendment, they have not done so yet. I spoke...their concern was that this would pertain to on-site landfills. The interpretation from the EPA from going over the bill is that it does not pertain to on-site landfills. If we pass it out of here, once it gets into the House, we will again go over that. I do not want this legislation to apply to on-

site landfills. It's my intention that if that question arises we will amend it in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer. Further discussion? If not, the question is, shall...Senator Darrow, you wish to close? Senator Darrow.

SENATOR DARROW:

Yes, I...this legislation...oftentimes we receive complaints from our constituents about landfills and the fact that the landfill may be causing quite a nuisance to some neighbors, and the current procedure is to go to the Illinois Pollution Control Board and we involve the Attorney General and the Pollution Control Board, nothing seems to be done and our constituents continually are complaining to us. This bill provides a simple solution to that problem where the EPA issues a citation just like a traffic ticket and the landfill operator then will have to clean up his landfill. The good landfill operators will have no problem with it, some of our more negligent landfill operators will have to correct their procedures a little bit. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1588 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 1, 2 voting Present. Senate Bill 1588 having received the required constitutional majority is declared passed. 1615, Senator Maitland. 1629, Senator Lemke. 1659, Senator Berman. Page 13, page 14. 1661, Senator...oh, I'm sorry...Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...state your point.

SENATOR RUPP:

In the gallery, I don't know whether it's the right or the wrong one, is the...the U.S. history class brought by Lowell Swaringen from Stonington High School. Stonington is two hundred miles south of Chicago, Earlean.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Would our guests in the gallery please rise. Welcome to Springfield. Top of page 14, Senate bills 3rd reading, Senate Bill 1661, Senator Watson. 1666, Senator Maitland. 1709. 1711. Senate bills 3rd reading is Senate Bill 1711, Mr. Secretary.

SECRETARY:

Senate Bill 1711.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. The bill does exactly what the Digest said. It simply allows for...it amends the Domestic Violent Act and it allows for an order of protection in those cases where persons enters a home under the influence of drugs or alcohol and when that person poses a threat to the petitioner or to the children and that's all it does...the penalties and it also provides for...to opt that the person may enter into a program of treatment and counseling for the...the addiction in lieu of prosecution. I would be happy to answer any questions. I know no opposition and ask...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1711 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted

who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1711 having received the required constitutional majority is declared passed. 1732, Senator Jones. On the Order of Senate Bills 3rd Reading is Senate Bill 1732, Mr. Secretary.

SECRETARY:

Senate Bill 1732.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Senate Bill 1732 is the bill as amended to...to clear up a...a technical error when we created the Third Party Administrator's Act in...I mean, in 1985. And what it does is require those administrators of insurance to...if they produce more than fifty percent of their premium in Illinois to have funds deposited in financial institutions. This amendment was drafted by the Department of Insurance and I know of no opposition and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill...Senator Rupp.

SENATOR RUPP:

Just, if I might, question the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rupp.

SENATOR RUPP:

If we are waiving the bonding requirement under this amendment, my question is, is there any move off the requirement for a premium trust account where the premiums that the administrators receive in payment of the premiums they have

to be separate...put in a separate account and kept...and I think this is important whether or not it's an Illinois company or a Texas company.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The bond is removed if the plan is fully insured and that is regulated by the Department of Insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Yes, but we've...yeah, thank you, Mr. President. We've had instances where...and United Baldwin was one where there were insurance companies involved and they went bankrupt and folks have lost their money. In Illinois there were many, many citizens in the State of Illinois got caught in that one and all we want to do is to make sure that these administrators really who are sort of a collection source, a spot where the premium was sent in and they in turn forward it, we want to make sure that that is done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, in response to that. What you say is true, however,...what the department does is that they track companies in the advance to make sure that this does not happen. Now, again, this...this amendment was drafted by the Department of Insurance to clear up that particular technicality in the Act that we passed last year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp. All right. Further discussion? If not,...Senator...Senator Jones, you wish to close. Senator Jones.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1732 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1732 having received the required constitutional majority is declared passed. Senate Bill 1733, Senator Jones. Senate Bill 1735, Senator Macdonald. 1783, Senator Joyce. On the Order of Senate Bills 3rd Reading, middle of page 14, is Senate Bill 1783, Mr. Secretary.

SECRETARY:

Senate Bill 1783.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senate Bill 1783 is...was stated...was...is the Beef Market Development Act and that became law in 1983. In 1985, Congress pass the Beef Promotion Research Act and this bill is necessary to bring the Illinois law into compliance with the Federal law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...discussion? Discussion? If not, the question is, shall Senate Bill 1783 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1783 having received the required constitutional majority is declared passed. 1798, Senator Watson. 1804, Senator Berman. 1805, Senator Lechowicz. On the Order of Senate

Bills 3rd Reading is Senate Bill 1805, Mr. Secretary.

SECRETARY:

Senate Bill 1805.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1805...the Central...the Central Midwest Interstate Low-level Radioactive Waste Commission is a compact between Illinois and Kentucky for the purpose of storing nuclear waste. The Illinois Governor appoints two commissioners to the...to the commission. Presently, there is no set time for the appointed members of the commission. Senate Bill 1805 sets the term for the commission members to expire the third Monday of...of January in each odd numbered year. That term coincides inside with the term expiration of the Governor's cabinet officers. That was the purpose of Senate Bill 1805. I know of no objection, I move...and ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1805 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1805 having received the required constitutional majority is declared passed. Page 15, 1860, Senator Netsch. 1861, Senator Lemke...1871, Senator Mahar. 1873, Senator Joyce. 1875, Senator Rupp. It's not time? 1921 is on the recall. 1929, Senator Mahar. 1930, Senator Macdonald. 1935, Senator Lemke. 1944, Senator Jerome Joyce. On the Order of Senate Bills 3rd Reading,

the bottom of page 15, is Senate Bill 1944, Mr. Secretary.

SECRETARY:

Senate Bill 1944.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill...makes purse supplements available to Illinois conceived horses rather than just Illinois conceived and foaled horses, and it removes the requirement that the mare remain in the State for thirty days after foaling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Joyce, as you recall, in committee there was a great deal of discussion about what this bill would seek to do and so...just for the information of the members, a number of years ago in Illinois we established a program which was intended to encourage the development in Illinois of breeding farms for standardbred horses; and in effect what this bill does is say that from now on the offspring of horses which are conceived in Illinois but not foaled in Illinois will still be able to participate in those special purses for Illinois colts. The concern is on the part of some of the small horse breeders around this State who maintain that...that this bill will tend to hurt them badly, and the last I knew, Senator, there were still some discussions going on between that group of small horse breeders and the large

breeders in the State. Did they come to any conclusion? It appears to me that they didn't because you're proceeding with this bill and...but could you tell me what the...the status of that is?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I...I don't believe they came to a conclusion and they still have until the bill passes the House to try and reach one. But, you know, we're at the stage of the game where I feel that this would improve the standardbred horses in this State and we're the only State around here that doesn't do this, and I...I think one of the...the...the things that is...that is rather ironic about this, if...if you bring your mare from Kentucky to have it bred to a...a stud in Illinois, then you take your mare back to Kentucky and then you bring your mare back to Illinois so she can drop the foal in Illinois and then you take the mare and the foal back to Kentucky doesn't seem to make a lot of sense to me. And I...I think that...that by opening this up we would indeed improve the quality of...of...of standardbreds that...that would be racing in Illinois.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay, I simply want to make a...well, first of all, I think the...the...the case that you cite, Senator, is a rather extreme case. I don't think that's the...the norm for this kind of operation, but what I think we're going to have under this law is the artificial insemination of animals where there...probably won't have any connection to the State of Illinois, and they're still going to be entitled to the special Illinois purses and I think that's the concern of the small horse breeders around the State. I just want to bring

it to the attention of the Body and that we ought to know what we're doing here before we vote on it.

PRESIDENT:

All right. Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would just like to reiterate what Senator Schuneman said, we are attempting to improve our standard breeding program in Illinois and encourage a new industry in Illinois which has...become quite profitable. What we're doing by this legislation is weakening that program and we're weakening it where it applies to a number of breeders who are just starting out. The rich and the powerful are in favor of this Act. The others that are just starting out, getting their feet on the ground are opposed to it. I'd merely ask my colleagues if they know nothing about the Standard Breeder's Program in Illinois that they refrain from voting Yes for this legislation and learn more about it. It...this is not a partisan issue, it's just an issue whether you're for the fellows that are starting out in Illinois or Illinois businessmen who are starting standardbred programs or...or you're not, and I'd solicit a No vote. Thank you.

PRESIDENT:

Further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I suggest that some of these people are not just starting out, that they have been in this business for a long, long time. The fact that we're going to improve the quality of horses that are racing in Illinois, I think overrides the other issue and I think that that's really what this is about. We are an island now in the State of Illinois by prohibiting this, and I think that this would...would open that up, make a better quality of...of horse that will be racing in the State of Illinois

and I would solicit an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 1944 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 14, 7 voting Present. Senate Bill 1944 having received the required constitutional majority is declared passed. Senator Darrow, for what purpose do you arise?

SENATOR DARROW:

I would reluctantly ask for a verification.

PRESIDENT:

Senator Darrow has requested a verification. Will the members please be in their seats. Mr. Secretary, please read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Barkhausen. Berman. Carroll. Collins. DeAngelis. Degnan. Demuzio. Dunn. Fawell. Friedland. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Keats. Kelly. Lemke. Luft. Marovitz. Netsch. Newhouse. O'Daniel. Philip. Poshard. Sangmeister. Vadalabene. Weaver. Welch. Zito. Mr. President.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Senator Joyce.

PRESIDENT:

Senator Joyce on the Floor? (Machine cutoff)...Joyce is in the Well.

SENATOR DARROW:

Keats.

PRESIDENT:

Senator Keats is in his seat.

SENATOR DARROW:

Thank you.

PRESIDENT:

All right. The roll has been verified. The Ayes are 30, the Nays are 14, 7 voting Present. Senate Bill 1944 having received the required constitutional majority is declared passed. Ladies and gentlemen, the hour of one is a minute away. We have some housekeeping details, our friends on the Republican side have an event to which they are all cordially invited I'm sure, and we will go to the Order of the Adjournment Resolution, Mr. Secretary, resolutions. We're going to return to Springfield next Tuesday at the hour of noon, and I would urge all members, next week is the deadline week for consideration of Senate bills. We will begin with Senate bills on 2nd reading, specifically the appropriation bills, and attempt to handle those and the recall and then we will begin at the top on the Calendar and go right through the Calendar and, hopefully, conclude our business in three days, Tuesday, Wednesday and Thursday. So it's important that everybody be here Tuesday at noon. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 156 offered by Senator Demuzio.

(Secretary reads SR 156)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President...this is the adjournment resolution. I would move to suspend the rules for the immediate consideration and adoption of the...of the Senate Joint Resolution 156 which calls for us to come back Tuesday, May the 20th, at the hour of noon.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 156. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 156. All in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 900 offered by Senator Jerome Joyce, it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 901 offered by Senator Keats.

PRESIDENT:

Executive. All right, Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. If not, Senator Demuzio moves that the Resolutions Consent Calendar be adopted, Senate Resolution 884, Senate Resolution 885, 886, 887, 888, 889, 890, 891, 892, 893, Senate Resolution 895, 896, 897, 898, 899, Senate Joint Resolution 151, House Joint Resolution 194 and 195 and Senate Resolution 900. No objections having been filed, Senator Demuzio moves the adoption of the Resolutions Consent Calendar. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. All right, with leave of the Body, there's been a request to read for a second time the Constitutional Amendment on page 25 on the Calendar. Mr. Secretary, on the Order of Constitu-

tional Amendments 2nd Reading, House Joint Resolution Constitutional Amendment No. 8.

SECRETARY:

House...House Joint Resolution No. 8 Constitutional Amendment.

(Secretary reads HJR No. 8 CA)

2nd reading of House Joint Resolution 8 Constitutional Amendment.

PRESIDENT:

Any further business to come before the Senate? If not, Senator Vadalabene moves that pursuant to the adjournment resolution, the Senate stand adjourned until Tuesday, May 20, at the hour of noon. Tuesday, at noon, ladies and gentlemen, have a good weekend. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 20, 1986

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and would our guests in the gallery please rise. Prayer this afternoon by the Reverend Jack H. Glen, First United Presbyterian Church, Mendota, Illinois. Reverend.

REVEREND GLEN:

(Prayer given by Reverend Glen)

PRESIDENT:

Reading of the Journal, Mr. Secretary.

SECRETARY:

Thursday, May the 8th, 1986.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, May 13th; Wednesday, May 14th and Thursday, May 15th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 2737, 2738, 2760, 2765, 2770, 2774, 2781, 2782 and 2785.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 196 and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And House Joint Resolution 197.

PRESIDENT:

Executive. Resolutions.

SECRETARY:

Senate Resolution 903, 904 and 905, by Senator Mahar and they're congratulatory.

Senate Resolution 906, by Senator Vadalabene and it is commendatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 907, by Senator DeAngelis.

PRESIDENT:

Executive.

SECRETARY:

And Senate Joint Resolution 157, by Senator...DeAngelis

and it's congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, as per our previous agreement, we will do in this order appropriation bills on 2nd reading, then members have filed amendments and are on the recall list. I'd ask the members to take a look at the recall list, make sure the amendments have been filed and then we'll begin again on the Order of Senate Bills 2nd Reading and attempt to conclude that and then we will go to the Order of Motions. All right, Mr. Secretary, while the members are getting their papers together, why don't we move to the Order of House Bills 1st Reading. With leave of the Body,...if you'll turn to page 19 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House bills 1st reading.

House Bill 547, Senator Zito is the Senate sponsor.

(Secretary reads title of bill)

House Bill 1130, Senator Netsch.

(Secretary reads title of bill)

House Bill 1155, Senator Netsch.

(Secretary reads title of bill)

House Bill 1245, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1321, Senator Netsch.

(Secretary reads title of bill)

House Bill 2060, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 2237, Senator Marovitz.

(Secretary reads title of bill)

House Bill 2573, Senators Welch and Lemke.

(Secretary reads title of bill)

House Bill 2576, Senator Marovitz.

(Secretary reads title of bill)

House Bill 2577...Senator Marovitz.

(Secretary reads title of bill)

House Bill 2622, Senator Rock.

(Secretary reads title of bill)

House Bill 2708, Senator Maitland.

(Secretary reads title of bill)

House Bill 2720, Senator Marovitz.

(Secretary reads title of bill)

House Bill 2726, Senator Rigney.

(Secretary reads title of bill)

House Bill 2735, Senator Luft.

(Secretary reads title of bill)

House Bill 2838, Senator Rigney.

(Secretary reads title of bill)

House Bill 2876, Senator Lemke.

(Secretary reads title of bill)

House Bill 2891, Senator Topinka.

(Secretary reads title of bill)

House Bill 2893, Senator Hall.

(Secretary reads title of bill)

House Bill 3079, Senators Hudson and DeAngelis.

(Secretary reads title of bill)

House Bill 3097, Senator Marovitz.

(Secretary reads title of bill)

House Bill 3178, Senators Watson and Kelly.

(Secretary reads title of bill)

House Bill 3181, Senator Marovitz.

(Secretary reads title of bill)

House Bill 3266, Senator Demuzio.

(Secretary reads title of bill)

House Bill 3267, Senator Demuzio.

(Secretary reads title of bill)

House Bill 3424, Senator Woodyard.

(Secretary reads title of bill)

House Bill 3425, Senators Marovitz and Demuzio.

(Secretary reads title of bill)

House Bill 3477, Senator Marovitz.

(Secretary reads title of bill)

House Bill 3529, Senators Topinka and D'Arco.

(Secretary reads title of bill)

House Bill 3532, Senators Topinka and D'Arco.

(Secretary reads title of bill)

House Bill 3533, by the same sponsors.

(Secretary reads title of bill)

House Bill 3549, Senator Etheredge.

(Secretary reads title of bill)

House Bill 3599.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee on those House bills. If I can have the attention of the membership, if you'll turn to the back page, it indicates that we are scheduled to be in Session on Friday the 23rd, today is Tuesday the 20th. Senator Philip and I have discussed the possibility if not probability that we might be able to conclude our business by Thursday, and so it would not be necessary for us to be here Friday and, thus, would extend to some extent the Memorial Day weekend. That will require, obviously, the cooperation of all hands, so I would hope that today we will work until approximately six o'clock, tomorrow we will start at ten and work again until approximately six o'clock and Thursday we'll start at nine and work until...I hope, we're concluded. No one of us, in my judgment, really wants to be here Friday, so we'll do the best we can. The Chair would like to yield to Senator Luft for the purpose of an introduction of some special guests and then we will begin on page 2 on the Calendar with

House...Senate Bill 1519, Senator Demuzio and Senator Carroll and Senator Sommer. If you're ready, we'll be...go to that order very quickly. Senator Luft.

SENATOR LUFT:

Could I have your attention, please. Could I have your attention, please, please. This year in California there were sixteen States represented in a contest. These people were judged on eleven different categories ranging from and including costumes, showmanship, choreography and vocal excellence. The group that you see here behind me, and in front of me, are comprised of thirty-one singers, nine musicians and one soundman. They are from the City of Pekin. Of those eleven categories that I mentioned, they were awarded first place in five and were consequently...or consequently won the Young Americans National Imitational Performance Choir Festival in California. Would you please welcome the Pekin High School Notables. The gentleman that makes this all work, other than the students and, of course, their parents, is Mr. Don Valenta, who, believe me, contributes a great deal of his time to this organization and to the young people of Pekin and I'd like for him just to say one word to you, if you would.

MR. DON VALENTA:

(Remarks made by Mr. Valenta)

SENATOR LUFT:

Thank you, very much.

PRESIDENT:

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR HALL:

I've just been reminded that today...that a Senator by

the name of Hall is celebrating his...his thirty-second anniversary of his thirty-ninth birthday, so there's a cake up there for all to be eaten.

PRESIDENT:

Congratulations. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, I'd like to...on a point of personal privilege, if you would, I would like to announce that today we have with us some people from my district and I'd like you all to welcome John Belatine who has brought the students of Albright Middle School in Villa Park here today, and they are in the back of the room up in the gallery and if we could give them a big Springfield welcome.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. All right, if I can have your attention, Carol Fowler from WCIA-TV has requested permission to videotape the proceedings. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, top of page 2 on the Calendar, Senate Bill 1519. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...excuse me, Senate Bill 1519.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

All right, if I can ask you to keep the noise down, we can all listen to the amendments and proceed, I hope, in a rather orderly and rapid fashion. Committee Amendment No. 1, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. If we can, for a minute, to save time as we...to save time as we go through these, using the form of this being the first committee amendment, establish for the members of the Senate who may not have been aware, the guidelines that our two appropriation's committees created for the bills as they move through the Senate. What concerned the members of both committees on both sides of the aisle were the revenue projections based on the official revenue prognosticator of the State, the Illinois Economic and Fiscal Commission. While the budget book came in, based on certain assumptions, IEFC has advised us of a shortfall that could approach two hundred and sixty-seven million dollars for Fiscal '87. With two hundred and twenty million in the bank, if IEFC were right, that would mean we were bankrupt, a position none of us can allow the State to come into. The University of Illinois' prognosticating arm and others have indicated the shortfall might be only a hundred and fifty million, and again, with two hundred and twenty million in the bank projected, that hundred and fifty million puts us very much into the danger zone, gives us about four hours of spending as opposed to the two days that we need. What we have created by these guidelines, which I'll explain in a second, we hope...if they stand in full throughout the process, we in the Senate will have reduced spending by ninety-five million dollars, by taking areas of government where the spending is not needed, asking for basically a one percent productivity factor, by taking certain grant lines that realistically will not be spent and would have otherwise lapsed and reducing those so that general revenue is available to avoid any type of tax increase. We believe that with this ninety-five million dollars in savings, in a worse case scenario were economic and fiscal to be right, the State may be broke but it will not be bankrupt, and we will at least have the money in the bank to pay our bills. If, in fact,

the University of Illinois and other prognosticators at a hundred and fifty million are right, we're just slightly into that danger zone having a balance in the bank of somewhere around a hundred and seventy million. And should the budget book have been accurate, which I don't believe anybody thinks anymore, then the worst case scenario then is we happen to end up with about ninety million more in the bank than we thought which is not a terrible place to be either since we have not harmed the operation of government or the money that flows to people for services through the taxes they pay us. Basically what we have done is other than in some very critical areas we have asked operating departments of government to produce a one percent savings. We have identified to them, if they're not pleased with where we took the cuts, just get back to us and tell us where would be less hurting to take those reductions and we would make the adjustments. We have asked them to follow the type of guidelines that Central Management Systems have given us for utilities, postage, rents and so on and I've adjusted all budgets accordingly. When I say all, I mean our own, our operating branches of the Legislature, the other constitutional officers as well as the Executive Branch of government. We did not, however, and do not intend to adjust the money that goes to the Common School Fund. We believe that that commitment as part of the reforms has to be funded at the modest level that the budget book proposes. We also felt in the area of Children and Family Services that we had to have the appropriate number of caseworkers to make sure there was not abuse and neglect and, therefore, did not ask them to reduce their operating budget accordingly. And in Mental Health we recognized that there was an improper staff/patient ratio in State facilities and only nine-tenths of a percent increase to the not-for-profit care givers which was insufficient to meet their escalating costs, so we have, in fact, added money to both the

in-patient care that the State is providing by increasing the staff/patient ratio to realistic levels so we don't have any further closings because of a decertification, and we have, in fact, increased the grant levels not to what the providers asked for, six percent, but rather to a four percent increase. In the area of Corrections, we recognize that these prisons have to come on board. There is a safety and security issue and we have said just phase in the new prison in a little bit slower pattern, but we are allowing them the full gambit that they need to make sure that the society is safe and that the prison system can add...can act functionally. With that in mind, Mr. President, I will offer Committee Amendment No. 1 which would be those guidelines in the case of the Auditor General and would answer any questions.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1519. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

We had made an error in the Office of the Attorney...of the Auditor General as to the salary increases he had proposed because of the size of his agency and the fact that he's taking people in-house. It's an add back of some fifty-

six thousand and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1519. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, the middle of page 2, is Senate Bill 1562. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1562.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 1602. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1602.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers two amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 reduces the Board of Higher Education's FY '87 request to the Governor's budget

level. I move for the adoption of this amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1602. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

This is the one percent reduction that we talked about and I move the adoption of that amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1602. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 1603, Mr. Secretary.

SECRETARY:

Senate Bill 1603.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines amendment, and I'd move for the adoption of that amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1603. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 1604. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1604.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This is the retirement for...the education agencies and reduces it to the level of the funding of the Governor's recommended level. I move for the adoption of this amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1604. Any discussion?

If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1605, Senator Carroll. On the Order of Senate Bills 2nd Reading, Senate Bill 1605. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1605.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Committee Amendment...No. 1 reduces to the Governor's level and I move for the adoption...of Amendment No. 1.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1605. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

This is the Senate guidelines of one percent and I move for the adoption of this amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1605. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an income fund transfer of no dollar change. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 1605. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Vadalabene on 1606. On the Order of Senate Bills 2nd Reading, Senate Bill 1606. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1606.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II

offers two amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This reduces to the Governor's level and...one percent and I move for the adoption of this amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1606. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

Yes, on Amendment No. 2...this is the 1.4 million, the guidelines, and I'd move for the adoption of that amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1606. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have the attention, UPI would like permission...leave to take photographs. Is leave granted?

SB 1607
2nd reading

Leave is granted. Senator Etheredge on 1607. On the Order of Senate Bills 2nd Reading, Senate Bill 1607, Mr. Secretary.

SECRETARY:

Senate Bill 1607.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This is the Governor's level reduction and I'd ask for the adoption of this amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1607. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

This is the guidelines of one percent and I'd move for the adoption of this amendment.

PRESIDENT:

All right, Senator Hall has moved the adoption of Amendment No. 2 to Senate Bill 1607. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 3.

SENATOR ETHEREDGE:

Mr. President, I would ask that that amendment be withdrawn.

PRESIDENT:

Withdraw Amendment No. 3. Further...any amendments from the Floor, Mr...

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. Top of page 3, Senator Weaver on Senate Bill 1609. On the Order of Senate Bills 2nd Reading, Senate Bill 1609, Mr. Secretary.

SECRETARY:

Senate Bill 1609.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This reduces to the Governor's level and I'd move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1609. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

Thank you, Mr. President. This is the Senate guidelines amendment of one percent and I'd move for the adoption of Amendment No. 2.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1609. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?...committee...

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Hall on Committee Amendment No. 3.

SENATOR HALL:

Amendment No. 3 is the...reappropriation of the grant of forty million dollars to match...it is a ten million dollar grant and we added ten...forty million...we added ten more million to it, so I'd move for the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 1609. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Davidson, for what purpose do you arise, sir, on Senate Bill 1610? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, just so everybody will be alerted, I'm not going to move 1610 today 'cause it's the Board of Regents approp. and so people will know why the...only bill higher education is not moving is that there is a hearing being heard tomorrow morning, a subcommittee of Approp. II Committee and I will hold this until that committee has its meeting in the morning and we'll move it tomorrow.

PRESIDENT:

All right. Senator Poshard on 1611. On the Order of Senate Bills 2nd Reading is Senate Bill 1611. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1611.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the reduction to the Governor's level and I would move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Hall has moved the adoption of Amendment No. 1 to Senate Bill 1611. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 2 is the Senate guidelines of one percent and I would move for the adoption of Amendment No. 2.

PRESIDENT:

All right, Senator Hall has moved the adoption of Amendment No. 2 to Senate Bill 1611. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Hall on Committee Amendment No. 3.

SENATOR HALL:

Thank you. Amendment No. 3 is...deletes the Build Illinois double appropriation to the amount of 3.6 million and I would move for the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Hall has moved the adoption of Amendment No...Committee No. 3 to Senate Bill 1611. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1626, with leave of the Body, we'll get back to that one...on the Order of Senate Bills 2nd Reading,

Senate Bill 1627, Mr. Secretary.

SECRETARY:

Senate Bill 1627.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 1628. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1628.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the Senate guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1628. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is to fund two specific programs that were...by Senate resolution in one case and Senate bill in another, one is the teen suicide initative and the other is the U-RATE Program. It's a total of thirteen thousand. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 1628. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 1639. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1639.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment to the Office of the State Treasurer. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1639. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The

Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Demuzio on 1698. On the Order of Senate Bills 2nd Reading, Senate Bill 1698. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1698.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the one percent guideline to the Office of the Comptroller and bringing down the appropriation of general revenue for the Cusas II System by some four million dollars. I would move adoption of the amendment.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1698. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SB1734 3rd Reading

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to add to the Office of the Comptroller the payment of the expenses of the eleven-member Jail Standards Board created by Senate Bill 2154. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1698. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3, by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In our cuts we had taken out an internal auditor and some other items that the Auditor General indicated the Office of the Comptroller should have. This would bean add-back and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 1698. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 4, Senator Carroll on 1734. On

the Order of Senate Bills 2nd Reading, Senate Bill 1734. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1734.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would merely change a...an appropriation in the Gendel case to a reappropriation. It's a technical amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 1734. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Sommer, 1736. On the Order of Senate Bills 2nd Reading, Senate Bill 1736, Mr. Secretary.

SECRETARY:

Senate Bill 1736.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1736. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Etheredge, 1737. On the Order of Senate Bills 2nd Reading, Senate Bill 1737. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1737.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines amendment and I would move for the adoption of Amendment No. 1 to Senate Bill 1737.

PRESIDENT:

All right, Senator Hall has moved the adoption of Amendment No. 1 to Senate Bill 1737. Any discussion? If not, all

SB1738 3rd Reading

in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Schaffer on 1738. On the Order of Senate Bills 2nd Reading, Senate Bill 1738. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1738.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers three amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the combination of the Department of Relocation...Reallocations and the Senate guidelines of the one percent, and would move for the adoption of Amendment No. 1 to Senate Bill 1738.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1738. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Amendment No. 2.

SENATOR HALL:

Amendment No. 2 is for teen and...age, adolescents and suicide programs, and I would move for the adoption of Amendment No. 2.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1738. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Hall on Committee Amendment No. 3.

SENATOR HALL:

Thank you, Mr. President. This is an add-on for the staff of...plus nine million dollars and I'd move for the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 3 to Senate Bill 1738. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Leitch.

PRESIDENT:

Senator Leitch on Amendment No. 4.

SENATOR LEITCH:

Mr. President and Ladies and Gentlemen of the Senate, this amendment would seek to correct a dispute between the

Department of Mental Health and Public Aid which has been going on for a couple of years in which my predecessor, Senator Prescott Bloom, was working to work out, and I would ask for its approval.

PRESIDENT:

All right, Senator Leitch has moved the adoption of Amendment No. 4 to Senate Bill 1738. Discussion? Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator, we would like to know who are these people and why are we putting this now? Wouldn't it be better if we waited till the Fall?

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

The...the problem has been a continuing one and the expenses have already been incurred and, in fact, for the first time in its history last year, the Human Service Center of Peoria had to go into the hole as a result of this dispute, and so I'd appreciate it if we could take care of it now.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Unfortunate I have to rise in opposition to the amendment as well. This is actually the wrong forum for the proposal. It should really be discussed in Department of Public Aid's budget. It is services allegedly submitted to the Department of Public Aid for psychiatric reimbursement

under the Medicare and Medicaid Programs. It's my understanding that DPA, public aid, had disallowed these payments. When public aid comes over, I think that would be the appropriate time to question them to find out...in...in this specific instance, DMHDD, mental health, is not the forum that could pay the bill in any event; and if it's been disallowed by the Federal Government, first it cost us two dollars for one to pay it, if, in fact, we can't resolve the issues. So, I would ask, in effect, that the Senator either withdraw it or that we defeat it at this time and deal with it with public aid when they come over and let us ask the direct questions of them since they are the ones who are reported to us to have disallowed the payment.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

With that understanding, I will withdraw it and attempt it on the public aid.

PRESIDENT:

Very well, sir. All right, Senator Leitch amendment...has withdrawn Amendment No. 4. Mr. Secretary, are there any further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Watson on 1739. On the Order of Senate Bills 2nd Reading, middle of page 4, is Senate Bill 1739. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1739.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1739. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Watson on 1740. On the Order of Senate Bills 2nd Reading, Senate Bill 1740. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1740.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment that would also allow them a fifty percent increase in their advertising budget. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1740. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd...I'd like to have a...a greater explanation than just that if he would...in regard to the amendment. Tell us a little bit more of what it's doing.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Office of the Lottery which had significant vacancies during the past twelve months, it also asks for significant new positions. It had asked to more than double the amount that it wanted to spend on advertising, asks for various lumps sum increases for a new building and several other similar issues. For example, they were seeking to lease a building to be built to suit here in Springfield. That building was speced out by the department. The department then changed the directors and the new director came in for about a quarter of a million dollars of changes in a building not yet built and suggested that we, one, double the rent from some fifty-two thousand to a hundred and one thousand dollars and, secondly, give them the first month a quarter of a million dollars for supposedly improvements that would then belong to the State. Those improvements include windows in the building, three thousand dollars each for coffee stations around the building, moving the computer from the first floor...to the second floor for no apparent reason other than one director liked the first floor when they speced the building, the new one liked the second floor; internal stairwells, overhead doors for a delivery dock, things that should have been in the building at the time we asked that it be built to our specifications, and with that,

then say the first month we should pay a quarter of a million dollars for these improvements that will allegedly belong to the State. I don't see how the State can take a third floor window out of a building. We suggested that was an improper way to go at a time when we were building this building to our specifications and also suggested that at these times a fifty percent increase in the amount we are spending on advertising should be sufficient, that we should fill the exisiting vacancies before we add fifty-seven new positions that are just different positions even though there are twenty-one vacancies reported. If you'd like...and there's no place to put them in addition to that.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I...I hear it quite contrary to the lottery people in regard to the positions that are needed and necessary. We all know the growth of the lottery in recent years and...and the success in regard to generating revenue for the General Revenue Fund, and I think that much of what the Senator has eliminated are important positions which could result in the postponement of the subscription and...and the self-vending terminals while possibly contributing to the...the backlog of processing the resulting in prize payments and delays in effective service of the agents. I...I think we're making a mistake here in...in heading in this direction. Also, we all realize the importance of marketing to a success of anything regardless of what it is and...and that, of course, marketing in this area we're talking about advertising. These two areas are two that would generate income. We're talking about cutting money out of a budget which would ultimately generate income for the lottery and, of course, the people of Illinois and the General Revenue Fund which so direly need it. I think

it's a mistake to take this...this approach and I...I realize that we have a long way to go yet, but still, I think this is a wrong direction at this particular time.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1740. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Philip on 1741. On the Order of Senate Bills 2nd Reading, Senate Bill 1741. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1741.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers three amendments.

PRESIDENT:

Senator Carroll on Amendment No. 1...Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President. If I...if I may also by way of explanation...this bill is Build Illinois. The same will apply to the capital development new appropriation's bill. After discussions with the Minority Spokesman, the President of the Senate and the Minority Leader, we felt that we should put on the committee amendments today, move the bill to 3rd,

ask those who have filed Floor amendments to withhold them for today, have a leadership discussion, Senator Philip, Rock and others, and then bring the bills back tomorrow to deal with any Floor amendments at that time. What we have done by way of committee amendment to Build Illinois, and you will see also in capital, is to not overspend the budget as presented by the Governor. We have taken those lines that were unallocated and have allocated portions of those lump sum amounts. All of the amounts that will be identified in the three committee amendments, which are amendments that generated from both sides of the aisle in committee and were adopted by the committee, are still within the bottom line as suggested by the Governor. Those amendments that we're aware of on the Floor would also, in our opinion, if appropriately drafted, still be within those bottom lines. I personally think and I know the Republican spokespersons agree as does the leadership that this Senate must send Build Illinois and capital out of the Senate at no greater dollar amount than the way it was introduced in the book of the budget of the Governor. With that in mind, I would move Committee Amendment No. 1, Mr. President, which reallocates certain dollars and projects that are basically from the sewers, conservation sums, the nonpublic higher ed. and certain other developments, I'd be willing to go through each one of them but I think as you will see within the three amendments that were adopted in committee, it has accommodated those member requests of which the committee was aware over the six-month process, and I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1741. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, in like mind, is the rural revival program and...rural economic development, rural home mortgage program. I would move adoption of Committee Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 1741. Any discussion? Senator Vadalabene, on Amendment No. 2?

SENATOR VADALABENE:

No, not on Amendment No. 2.

PRESIDENT:

All right. If there's no further discussion, all in favor of the adoption of Amendment No. 2 indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Carroll on Committee Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 3 is like Committee Amendment No. 1 deals with certain specific programs in the area of school waste water, those types of water line extensions, et cetera. Again, I'd be willing to go through the detail. I think everyone has them. I would move adoption of Amendment No. 3.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill 1741. Any discussion? If not, all in favor

indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments, Mr. Secretary?

SECRETARY:

No further committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senators Darrow and Schuneman.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

We would ask then if the members could hold these amendments till we...can deal with them tomorrow after the leadership has met...with that understanding. It's my understanding Senator Philip will bring the bill back. He and Senator Rock will be discussing it with each of the Caucuses and members from both sides of the aisle.

PRESIDENT:

All right. Senator Darrow.

SENATOR DARROW:

Yes, I have a question for Senator Carroll. Will the amendments that we consider be decided by the Caucus? Will the members decide or will it be by leadership? What I'm getting at is will the members have some input into the amendments?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Yes. While we had known of a lot of members who had given requests to the Minority Spokesman or to myself or other members of leadership before committee, they were obviously members who had not gone that route, and we felt to be fair that everybody understand what we're trying to accomplish and work it out in a...in a concerted effort rather

than any kind of haphazard effort and each member will be...will be discussed with.

PRESIDENT:

All right, with that understanding, the amendments heretofore filed will be held. Committee Amendments 1, 2, 3 having been adopted...no further Floor amendments at this time. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I want to go on record in regards to my amendment...and I think it should be...should be explained. Yes, I did.

PRESIDENT:

All right. Amendment No. 4, Mr. Secretary.

SECRETARY:

Senate...offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Amendment No. 4 is...is a very serious and...and important amendment and it not only deals with the State of Illinois, it deals with the Federal Government. The...and the Department of Transportation, IDOT, is in support of this amendment because it includes between sixty million dollars of Federal funding for another project if we take the one million five and put it into...Build Illinois. In lieu of that, the Center Grove Road in Edwardsville would get a million...a million five, local funds would be seven hundred thousand dollars and IDOT would then be eligible for...around sixty million dollars of Federal funds in lieu of that million five, and I think that should be explained here that we're not talking about peanuts, and I think it should be explained that this amendment is urgent and very important.

PRESIDENT:

Senator, I think everybody is aware of that and I thank

you for the explanation. The idea was that the bill would be recalled tomorrow and those amendments will be offered and adopted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I want...you know, I want that assurance. I went through this process last Session and it...you know, the only people that were involved in that process were the conferees on the Conference Committee reports and I don't want to be caught in that saddle again.

PRESIDENT:

That's...that's why we have Floor votes. All right, the Senator has agreed to withhold Amendment...that amendment...that will be...with no further Floor amendments, the Order will be 3rd Reading. 1742, Senator Weaver. On the Order of Senate Bills 2nd Reading, Senate Bill 1742, Mr. Secretary.

SECRETARY:

Senate Bill 1742.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 would reduce the CDB bond authorization level to last year plus a dollar as we always do to move it along the line till we know what projects we've authorized and then adjust it at that point. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1742. Any discussion? If not, all in favor indicate by saying Aye. All

opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 would be to do likewise to the Build Illinois bond authorization program to align the appropriations and authorizations into the categories as the bill was offered to us by the Governor in the substantive spending bill, the categories themselves, and I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 1742. Any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I stand in opposition to Amendment No. 2. This amendment dismantles the Build Illinois financial plan. We now have an integrated financial package, basically a closed system that allows for the current funding of projects, borrowing in specific amounts and revenue to pay debt service. The current financial plan has been accepted by the financial community and there's no reason to reopen it now; and further, to tamper with the plan would raise questions in the rating agencies and among investors who buy our bonds. Currently we enjoy a triple A or double A rating from Standard and Poors and Moodys respectively. Providing...authorization on an incremental basis can be risky and I think that we should oppose this amendment.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1742. Further discussion? Senator Carroll.

SENATOR CARROLL:

Merely to identify, Mr. President and members of the Senate. All this amendment has done is to take the authorization level to the level of the FY '86 bonded projects plus all FY '87 bonded projects proposed by the Governor. This would not in any way impinge upon the financial stability of Build Illinois, the ability to sell the bonds or anything else; it, in fact, presumes that everything proposed in total dollar amounts will, in fact, be authorized by the General Assembly. It is merely putting it to a level where the General Assembly maintains the responsibility of authorizing the bond sales for projects it appropriates for. It is the same we do in the general bond category and to have an authorization level some four hundred and fifty million above what we intend to, in fact, appropriate really makes no sense at all. All this does is say, let's do like we do with all capital and authorize by way of capital bond sales that which we are authorizing by way of appropriation. This would given them five hundred and fourteen million dollars of authorization level and I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1742. Senator Weaver.

SENATOR WEAVER:

I would like a roll call, sir.

PRESIDENT:

...roll call has been requested. Those in favor of Amendment No. 2 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Chew...it should be in your drawer or...or...it was,

I think, taken in your absence, Senator. Will the sergeant-at-arms please make sure that Senator Chew gets a key here. Have all voted who wish? Take the record. On that question, there are 29 Ayes, 28 Nays, none voting Present. Amendment No. 2 is adopted. Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

I'd appreciate a verification of the roll call.

PRESIDENT:

That request is in order. Senator Weaver has requested a verifications. Will...a verification of the affirmative roll call. Will the members please be in their seats. Mr. Secretary, read the affirmative roll call.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Yes. Senator Weaver, do you question the presence of any member?

SENATOR WEAVER:

Senator Lemke.

PRESIDENT:

Senator Lemke on the Floor? Senator Lemke on the Floor? Strike his name, Mr. Secretary. All right, on that question, there are 28 Ayes, 28 Nays. The amendment fails. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading...Senator Philip, on 1743. On the Order of Senate Bills 2nd Reading, Senate Bill 1743. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 1743.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is a technical amendment to change it from "sewer" to "water." This is the reappropriation bill. I would move adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1743. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is also a technical amendment for the Pekin Regional Office Building. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 2 to Senate Bill 1743. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senators Philip and Vadalabene.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a request from the Governor's Office. It's five hundred thousand dollars for Granite City sewers, evidently a commitment the Governor made to Representative Wolf and Senator Vadalabene, and nine hundred thousand dollars for the Art's Council for the purpose of restoring old theaters and bandshells. Move its adoption.

PRESIDENT:

Senator Carroll...I mean, Senator Philip has moved the adoption of Amendment No. 3, Mr. Secretary, right?

SECRETARY:

Right.

PRESIDENT:

Amendment No. 3 to Senate Bill 1743. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Sommer, on 1744. On the Order of Senate Bills 2nd Reading, Senate Bill 1744. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1744.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Philip on 1745. On the Order of Senate Bills 2nd Reading, Senate Bill 1745. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1745.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 1745. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Philip on 1746. On the Order of

Senate Bills 2nd Reading, Senate Bill 1746, Mr. Secretary.

SECRETARY:

Senate Bill 1746.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Donahue on 1747. On the Order of Senate Bills 2nd Reading, Senate Bill 1747. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1747.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee No. 1 is the guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1747. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is for farm reporting in the rural area, seventy thousand dollars. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to Senate Bill 1747. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On...Senator Sommer on 1748. On the Order of Senate Bills 2nd Reading, Senate Bill 1748, Mr. Secretary.

SECRETARY:

Senate Bill 1748.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the one percent guideline for Central Management. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1748. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Bottom of page 4, Senator Etheredge on Senate...1749. On the Order of Senate Bills 2nd Reading, Mr. Secretary, Senate Bill 1749.

SECRETARY:

Senate Bill 1749.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr...Mr. President. Amendment No. 1 to Senate Bill 1749 is the Senate guideline amendments and I move for the adoption of that amendment.

PRESIDENT:

All right. Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1749. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

Thank you, Mr. President...Amendment No. 2 is the youth and community service add-on of one million dollars and I move for the adoption of Amendment No. 2.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1749. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor, Mr. Secretary?

SECRETARY:

...Amendment No. 3 offered by Senators Welch and Carroll.

PRESIDENT:

Senator Welch on Amendment No. 3.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is add the amount of 3.375 million dollars to the budget of the Department of Children and Family Services. This amendment was handed out initially...a similar amendment in the committee, it's now being offered on the Floor. What it does is increase the community service portion of the budget by 1.1 million dollars, increases the comprehensive community based services to youth by 1.16 million, increases unified delinquency intervention services by seven hundred and seventy thousand dollars and the fund for independent living skills training by three hundred and forty-five thousand dollars.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 3 to Senate Bill 1749. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr...Mr. President, Ladies and Gentlemen of the Senate. Senator Carroll in his opening remarks made a very eloquent plea for restraint. I want to call to the attention of the members of the Senate that this amendment

adds 3.375 millions of dollars to the DCFS budget which is in excess, excess, of that recommended by the Senate Appropriations Committee.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 3 to Senate Bill 1749. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 5, Senator Schaffer on 1750. On the Order of Senate Bills 2nd Reading, top of page 5, is Senate Bill 1750. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1750.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on...on Committee Amendment No. 1.

SENATOR CARROLL:

...excuse me. Thank you, Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 1 is the guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to Senate Bill 1750. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No...no further committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a technical amendment to allow...Federal administrative dollars to be used in place of GRF dollars and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1750. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1751, Senator Dunn. On Orders...of Senate Bill 2nd Reading is Senate Bill 1751, Mr. Secretary.

SECRETARY:

Senate Bill 1751.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Senate Amendment No. 1 is the Senate guidelines amendment and I move for the adoption of...of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 1 to Senate Bill 1751. Discussion? If not, those in

favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Holmberg and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Amendment No. 2 adds two half-time beginning social workers to the Dwight Correction's program. It's an amendment sponsored by the Conference of Women Legislators of both the House and Senate here in Springfield, and it's to aid the Department of Corrections there with the women who are housed there keeping contact with their families back home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg has moved the adoption of Amendment No. 2 to Senate Bill 1751. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, a question of the sponsor, if I might, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Holmberg, we talked about this in committee last week and I asked some questions and I wondered if you were able to get an answer to my questions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

...yes, I did look into the proposal with the service agency that you had mentioned and I find that is helping a great deal with placement and I think there...there is great...great hope for the future, what they're going to be able to do with problem situations. This, however, is handling both an immediate problem and is dealing with something not quite related in that we are actually helping the women of Dwight with parenting education, with keeping contact with teenage children that might be in...in trouble, with visitations of their children to them in prison and that would not necessarily be covered under the agency that you're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. As I recall, Senator, last week though you...you did discuss the area of placement of those children...of...of...of the women in...in some kind of institution in the State or some kind of a home. Did you not mention that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

That could possibly be one of the duties of the family advocates that they might assist say a private agency or someone else in taking over the care of these children. But it's one of many, many things that the advocates have to do, it's not the total responsibility that they have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Did you...did you have an opportunity to talk to the...to the executive director of...of the Residential Service Authority to find out if...if

this was covered or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Our staff had that opportunity to look into it and it is their recommendation that at this time the various duties that the family advocates have would not be covered under that program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Holmberg has moved the adoption of Amendment No. 2 to Senate Bill 1751. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments. No, wait a minute, Mr. President. Amendment No. 3 offered by Senators Poshard and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. One of the things that has been noticed around the General Assembly for quite some time is the problem of having county or regional county jails that do not have the physical capacity anymore to accommodate prisoners because of their age and the inability of local counties to...to replace those. They have...the...many of the counties of the State have gotten together to create regional concepts and to have a regional facility. What we are attempting to do by this amendment is to appropriate funds. The substantive bill moving along the process of two million dollars to make loans, not gifts but loans to counties or groupings of counties for construction of these local jails. The funds would be administered by the Department of Corrections to make sure that these new regional or county jails would, in fact, be up

to standard. And I would move adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 3 to Senate Bill...1751. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The funding for the Department of Corrections library system was one of those items that fell through the cracks in the budget making process. What this amendment does is to add a 1.24...one million two hundred and forty-five thousand five hundred and fifty-five dollars for the funding of that...of that system and we do have a Dr. Bob letter authorizing this addition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge moves the adoption of Amendment No. 4 to Senate Bill 1751. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1752, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 1752, Mr. Secretary.

SECRETARY:

Senate Bill 1752.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I

offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the...Petroleum Violation Fund for ethanol and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1752. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would be the guidelines amendment, I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 1752. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment, at the request of Senator Sommer and

Weaver, would add back some positions that BOB had cut in the survey's area. The survey's area is an area where we have attempted to even catch up, they have been way behind. We have attempted over a period of years to provide for the necessary people in geological, natural history and water and this would give them those positions even though Dr. Bob had cut them. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 1752. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This would be the adoption of the Coal Development Fund for the Department of Energy and Natural Resources for capital projects for which there will be a development of coal resources. It is a fifty million dollar increase in bond authorization as part of the rural revival initiative. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 4 to Senate Bill 1752. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No...excuse me. Amendment No. 5 offered by Senators Carroll and Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a fifteen million dollar allocation from the Petroleum Violation Fund to ENR for the energy conservation program as part of the rural revival program. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves the adoption of Amendment No. 5 to Senate Bill 1752. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

...Amendment No. 6, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 6 would reduce the reappropriation to the current May 19th known level, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of...Amendment No. 6 to Senate Bill 1752. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like for the members to listen very carefully about this amendment. This amendment deletes an appropriation of six million dollars from the Department of Energy and Natural Resources for Fiscal '87 budget. This appropriation from the Coal Development Fund for construction by Allis Chalmers of a combustion turban project in East Alton is superfluous since the project by agreement will not be started for several years pending completion of the kiln gas project in East Alton. The director of the department has assured me that the department is committed to the East Alton project, and the appropriation will be reinstated when construction is ready to begin. And I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene moves the adoption of Amendment No. 7 to Senate Bill 1752. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a historic day for Illinois. In my sixteen years here, and having researched the record for the four previous years when Senator Sam came in, it's the first time in twenty years that Senator Sam has asked not to take some money. And I would urge support of this amendment deleting, deleting, deleting for the first time in history, some six million dollars for the area of the State...that is more concrete than any others and I would urge its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Vadalabene moves the adoption of Amendment No. 7 to Senate Bill 1752. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Amendment No. 8, Mr. President and members of the Senate, is a two hundred thousand dollars add-on for...the Illinois State Museum wants to open an art gallery in the Gaylord Building which happens to be located in my district, that's why I'm presenting this amendment. It will be a facility that will feature transitional exhibitions that will exhibit art work for local artists as well as regional shows. The overall development of the art gallery will be an interpretive center during conjunction with local interest groups, all in a park-like setting on the I & M Canal and is expected to add tourist dollars to the Lockport area. And on that basis I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Amendment No. 8 to Senate Bill 1752. Discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the first we had seen of this. We don't necessarily believe it to be a bad thing or anything else but we simply haven't seen it. Would you be so kind as to discuss it before we finalize it? 'Cause you said this is a museum request, and we don't have any indication from them about it or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, this came about rather at the last minute although I did drop a copy of the amendment on Senator Weaver's desk. But, basically, as I indicated, Senator Sommer, the Illinois State Museum, we have a building in Lockport called the Gaylord Center. The building is there, it's an old historical

building. I think they want to take the top floor and they want to make a...nice art gallery out of it and...and the Illinois State Museum is going to be cooperating. There are going to be a lot of art shows up there, and like I say, the reason I'm presenting this is the Gaylord Building is in my district. It certainly will help the Lockport area, should bring in some additional tourist dollars, you know. It is a two hundred thousand dollar add-on, and if you...I would ask you this, why don't we put it on, move it to 3rd, if there's some big objections that, you know, this is a bad thing and, you know, we don't want it, then we'll pull it back. I'm not, you know, heating concrete on this thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Well, insomuch as in the Conference Committee last year, I put the Gaylord Building in there, I'd like to be informed about it and we object to it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, okay then, I am sorry about that. I...that was...that's not intentional. On that basis, I will withdraw this amendment and ask leave to bring the bill back from 3rd reading, if that's possible, after we work out our differences, if any. Is that alright? Withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Weaver...Senator Weaver indicates that is the procedure that he will adhere to. All right. Senator Sangmeister has withdrawn Amendment No...

SECRETARY:

8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...8. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1753, Senator Karpiel. Senate...Senate bills 2nd reading is Senate Bill 1753, Mr. Secretary.

SECRETARY:

Senate Bill 1753.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendments. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1753. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is for a study for the Lemont sewer lines. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment

No...No. 2 to Senate Bill 1753. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment...No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a grant for water lines and sewers. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 1753. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is for renovation upgrade of water and waste water treatment plant in the City of Effingham. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 4 to Senate Bill 1753. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd...any...amendments from the Floor?

SECRETARY:

Amendment No. 5, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is one of those instances again where the agency came to us and said that they needed some monies back, however, indicated that they understood the necessity of saving some general revenue and they found areas where it would hurt less to take the cuts. This would reallocate those General Revenue Fund reductions that we had made, provide the monies necessary for the start up of the testing program and bring the reappropriations down to the May 19th level. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 5 to Senate Bill 1753. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1754. Senate bills 2nd reading is Senate Bill 1754, Mr. Secretary.

SECRETARY:

Senate Bill 1754.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment, I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1754. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. When we had done Amendment No. 1 we had used a February 28th sheet from the Comptroller. It did not contain the second half of that month's payroll for the Department of Insurance, there were numbers that were in error. This would correct that defect and add back some two hundred and eighty-six thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1754. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1755. On the Order of Senate Bills 2nd Reading is Senate Bill 1755, Mr. Secretary.

SECRETARY:

Senate Bill 1755.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would be the guidelines amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1755. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This also, like the last bill, would be the reconciliation with the Comptroller, we had had the wrong figures. This would restore a hundred and seventeen thousand that we should not have cut and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1755. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senators Carroll and Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of Senator Lechowicz, this is to take out three positions plus a liaison and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1755. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1756, Senator Mahar. On the Order of Senate Bills 2nd Reading is Senate Bill 1756, Mr. Secretary.

SECRETARY:

Senate Bill 1756.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. This is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1756. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would remove half of the intended expansion, still leaving eleven new projects, a deletion of nine hundred and fifty-one thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1756. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1757, Senator Woodyard. On the Order of Senate Bills 2nd Reading is Senate Bill 1757, Mr. Secretary.

SECRETARY:

Senate Bill 1757.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The first would be the guidelines amendment for Department of Revenue and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1757. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 is to fund the tax increment financing program, a refund of sales taxes in the various thirty TIF districts and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of a...Committee Amendment No. 2 to Senate Bill 1757. Discussion? If not, those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. Committee...Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1758, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 1758, Mr. Secretary.

SECRETARY:

Senate Bill 1758.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 1 is the Senate guidelines, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 1 to Senate Bill 1758. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip. Senator Philip on the Floor? Senator Weaver. Senator Weaver.

SENATOR WEAVER:

He indicated he wanted to withdraw that, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, Senator Weaver...is there leave to have Senator Weaver handle this amendment for Senator Philip? Leave is granted. Senator Weaver requests that Amendment No. 2 be withdrawn. All right. Amendment 2 is withdrawn. Amendment...Amendment No. 2. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment do...does is...yes...English proficiency on amendments...7.9 million dollars is switched to general revenue funds from the Road Fund to put the budget in compliance with statutory law which states that no road funds...no Road Fund money shall be appropriated to the Department of State Police except not more than forty percent of the funds appropriated for the division of State troopers. It's an anti-diversion provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 1758. I see the lights on. Senator Weaver.

SENATOR WEAVER:

Can we have a copy of that amendment, Senator Welch?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I would ask the Secretary if they've been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, we'll be glad to distribute one if you want to take

the bill out of the record at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, the...Senator Welch indicates that if you...wish to hold the bill that he'll have it distributed...Senator Etheredge.

SENATOR ETHEREDGE:

Where are we at, Mr. President? I was going to point out what this amendment does. This...it expends almost eight million dollars more in general revenue funds, I want to make everyone aware of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's...first of all, Senator Weaver, have you been furnished a copy of the amendment? Perhaps we can...all right. So that satisfies that, okay. Senator Etheredge. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm glad, frankly, that Senator Etheredge brought that to our attention, and I'm a little appalled that the Bureau of the Budget saw fit to ignore the laws that exist or at least as is interpreted by some on this side. It appears to be an illegal diversion but one that frankly we cannot otherwise afford. So, I'm going to stand with Senator Etheredge and say, even though the Governor and the Bureau of the Budget are doing something illegal, we need the money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Approximately four or five years ago we started trying to prevent Road Fund money being used for the Judiciary and for the State police and for the Illinois Commerce Commission and everything imaginable. And what was happening was the roads in downstate Illinois were being

deteriorated, falling apart, no one could get around, and the money that was supposed to go to the road repair was going to projects...that should have been funded by general revenue funds, and we thought we had cured that. We thought for once the money that the person pays at the gas pumps would go for the roads. But here we have the administration going back to the old habit. I would suggest that any downstate legislator that does not support Senator Welch is betraying his district, is allowing his Road Fund money to go to the other areas of this State in the form of general revenue funds. They'll have to live with that vote and they'll have to live with that vote during the next election. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If...Senator Weaver.

SENATOR WEAVER:

Just a question, Mr. President, of the sponsor. I was wondering, where...where does the fine money go, that is from speeding tickets like I get and, you know...where does that money go, Senator Welch?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Welch.

SENATOR WELCH:

Your fine money is basically county revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I just wondered how much in fine money does the State police generate and to whom does it go? Does it not go to the county? And...and how much is that, do we know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, most of the money goes to the county, but I don't have an exact figure because it's county by county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, this...this has nothing to do with fines, this is motor fuel tax money and it's money that should go to pave roads downstate instead of being tossed into the General Revenue Fund where it gets doled out to projects that we usually don't end up seeing downstate. I think that this keeps the budget honest, it keeps us in compliance with the law passed in 1979, not to divert money away from roads; and I think that it's about time that we did something to protect the Road Fund, it's one of the few projects specifically beneficial to downstate and it's something that I think all downstaters of both parties should support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 1758. Those in favor indicate by saying Aye. Opposed Nay. Roll call has been requested. All right. Senator Welch has moved the adoption of Amendment No. 2 to Senate Bill 1758. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 7, 3 voting Present. The Senate does adopt Senate...Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz on the Floor? All right. Is there leave to have Senator Hall handle the amendment for Senator Lechowicz? Leave is granted. On the...Amendment No. 3, Senator Hall.

SB 1759 2nd Reading

SENATOR HALL:

Thank you, Mr. President. This is fifteen thousand dollars that for crimestoppers. These are people who come in and make reports and help to prevent crimes and get on...and it...it's the needed thing in neighborhoods and things at this time, and so I'd move for the adoption of this amendment...fifteen thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves the adoption of Amendment No. 3 to Senate Bill 1758. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1759, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 1759, Mr. Secretary.

SECRETARY:

Senate Bill 1759.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll. Oh,...Senator Hall, I beg your pardon, Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is the Senate guidelines amendment and I'd move for the adoption of Amendment No. 1...Bill 1759.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves the adoption of Committee Amendment No. 1 to Senate Bill 1759. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes

have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall.

SENATOR HALL:

This is the...veterans' scholarship of 2.6 million and I move for the adoption of Amendment No. 2 to Senate Bill 1759.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves the adoption of Committee Amendment No. 2 to Senate Bill 1759. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is the...Viet. outreach program, and I'd move for the...the...the adoption of Amendment No. 3 to Senate Bill 1759.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 3 to Senate Bill 1759. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kustra seeks leave to have that withdrawn. All right. Withdraw on Amendment No. 3. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...3rd reading. Senate Bill 1760, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 1760, Mr. Secretary.

SECRETARY:

Senate Bill 1760.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1760. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1761, Senator Mahar. On the Order of Senate Bills 2nd Reading is Senate Bill 1761, Mr. Secretary.

SECRETARY:

Senate Bill 1761.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SECRETARY:

...or two amendments, I'm sorry.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment as well as the leading certain Build Illinois projects that are carried in another bill. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1761. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Are there further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment offered on the other side of the aisle was to cut eleven of the new positions that were requested. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 1761. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1762, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 1762, Mr. Secretary.

SECRETARY:

Senate Bill 1762.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment to their operating budget. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1762. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1763. On the Order of Senate Bills...2nd Reading is Senate Bill 1763, Mr. Secretary.

SECRETARY:

Senate Bill 1763.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers seven amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a reminder to the members, we had agreed with leadership to put on the committee amendments. I asked the members to withhold offering their's till tomorrow, then Senator Sommer indicated he will bring the bill back at that time after the leadership has been able to meet with the membership. Committee Amendment No. 1 is deletes...is to delete certain GRF funded projects. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1763. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is for construction defects in certain schools. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Carroll moves the adoption of Committee Amendment No. 2 to Senate Bill 1763. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...Ladies and Gentlemen of the Senate. Amendment No. 3 is for construction defects in Mt. Olive. We give the monies...for these defects and then sue the contractors. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 3 to Senate Bill 1763. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a...a language change for the river research lab. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 4 to Senate Bill 1763. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 4 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a technical amendment to put in applied research lab instead of natural resources, technical in nature. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 5 to Senate Bill 1763. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 5 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is Monmouth School defects. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 6 to Senate Bill 1763. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 6 is adopted. Further committee

amendments?

SECRETARY:

Committee Amendment No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is for rehabilitation of the Markwood...Markwood Barracks at Quincy Veterans Home. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 7 to Senate Bill 1763. Discussion? Senator Vadalabene. All right. Senator Carroll moves the adoption of Committee Amendment No. 7. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 7 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments...Senator Vadalabene.

SENATOR VADALABENE:

Yes, again, I...Senator Sommers, I do have an amendment for this bill. Do I have the understanding, Senator Carroll, that...that you'll get back to this bill, or bring it back to 2nd so that I can offer my amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So, the Floor amendments will be withdrawn and...and simply on the recall list. All right. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Floor amendments?

SECRETARY:

No...no Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Senate Bill 1762, Senator Dudycz. Senator Dudycz on the Floor? All right, 1764. On the Order of Senate Bills 2nd Reading is Senate Bill 1764, Mr. Secretary.

SECRETARY:

Senate Bill 1764.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment for the Criminal Justice Information Authority. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1764. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1765, Senator Leitch. On the Order of Senate Bills 2nd Reading is Senate Bill 1765, Mr. Secretary.

SECRETARY:

Senate Bill 1765.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment for the Court of Claims. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1765. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1766, Senator Karpiel. On the Order of Senate bills...Senator Karpiel on the Floor? On the Order of Senate Bills 2nd Reading is Senate Bill 1766, Mr. Secretary.

SECRETARY:

Senate Bill 1766.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is for projects being reappropriated, a total of a half a million dollars. I would move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1766. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1767, Senator Dudycz. Senator Dudycz on the Floor? All right. Is there leave for Senator DeAngelis to handle that? Leave is granted. Senate bills 2nd reading is Senate Bill 1767, Mrs. Secretary.

SECRETARY:

Senate Bill 1767.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1769, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 1769, Mr. Secretary.

SECRETARY:

Senate Bill 1769.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1769. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1770. On the Order of Senate Bills 2nd Reading is Senate Bill 1770, Mr. Secretary.

SECRETARY:

Senate Bill 1770.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would be the guidelines amendment, Pollution Control Board, a reduction of almost sixty-three thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1770. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1771, Senator Schaffer. On the Order of Senate Bills 2nd Reading is Senate Bill 1771, Mr. Secretary.

SECRETARY:

Senate Bill 1771.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. Amendment No. 1 is the guidelines in adding some Federal funds. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1771. Those in favor...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1772, Senator Fawell. On the Order of Senate Bills 2nd Reading is Senate Bill 1772, Mr. Secretary.

SECRETARY:

Senate Bill 1772.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. This is the Senate guidelines amendment of one percent and I'd move for the adoption of Amendment No. 1 to Senate Bill 1772.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves the adoption of Committee Amendment No. 1 to Senate Bill 1772. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee

amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1773,...Senator Woodyard. Senator Woodyard on the Floor? Is there leave to have Senator Sommer handle that in his absence? All right. Leave is granted. Senate...Senate bills 2nd reading is Senate Bill 1773, Mr. Secretary.

SECRETARY:

Senate Bill 1773.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies...of the Senate. This is a guideline amendment, a reduction of eleven thousand. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1773. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1774, Senator Donahue. On the Order of Senate Bills 2nd Reading is Senate Bill 1774, Mr. Secretary.

SECRETARY:

Senate Bill 1774.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This, too, is the guideline amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1774. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1775, Senator Sommer. Senate bills 2nd reading is Senate Bill 1775, Mr. Secretary.

SECRETARY:

Senate Bill 1775.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1776, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 1776, Mr. Secretary.

SECRETARY:

Senate Bill 1776.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1777. On the Order of Senate Bills 2nd Reading is Senate Bill 1777. Mr. Secretary.

SECRETARY:

Senate Bill 1777.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1778, Senator Dudycz. On the Order of Senate Bills 2nd Reading is Senate Bill 1778, Mr. Secretary.

SECRETARY:

Senate Bill 1778.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies...of the Senate. This is the guidelines amendment to the Local Government Law Enforcement Officers Training Board. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1778. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments?

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1779. On the Order of Senate Bills 2nd Reading is Senate Bill 1779, Mr. Secretary.

SECRETARY:

Senate Bill 1779.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1808, Senator Sangmeister. On the Order of Senate Bills 2nd Reading is Senate Bill 1808, Mr. Secretary.

SECRETARY:

Senate Bill 1808.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of the Committee Amendment No. 1 to Senate Bill 1808. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a Comptroller reconciliation as to the increase that we're allowing for everyone, the five percent, it's an add-back of some sixty-four thousand eight hundred. I would move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1808. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1814, Senator Poshard. On the Order of Senate Bills 2nd Reading is Senate Bill 1814, Mr. Secretary. All right.

SECRETARY:

Senate Bill 1814.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, this is...this is on...on my script. I'm...I'm told that this is not an appropriation bill. Let...Senator Poshard, let's take it out of the record, okay. Take it out of the record. Senate Bill 1822, Senator Carroll. 1822, Senator Carroll. All right. Senate Bills 2nd reading is Senate Bill 1822, Mr. Secretary.

SECRETARY:

Senate Bill 1822.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor...3rd reading. Senate Bill 1825, Senator Hall. On the Order of Senate Bills 2nd Reading is Senate Bill 1825, Mr. Secretary.

SECRETARY:

Senate Bill 1825.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1826, Senator Carroll. On the Order of Senate Bills 2nd Reading is Senate Bill 1826, Mr. Secretary.

SECRETARY:

Senate Bill 1826.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1841, Senator Sommer. On the Order of Senate Bills 2nd Reading is Senate Bill 1841, Mr. Secretary.

SECRETARY:

Senate Bill 1841.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a reappropriation of the libraries from

three and a half million in the reappropriation bill. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to Senate Bill 1841. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee...Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This would bring the...the appropriation level down to the May 1st level but then also take care of those projects that were omitted and put them back in. I would move adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to Senate Bill 1841. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the latest reappropriation level figure, a

reduction of thirty-two million. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 3 to Senate Bill 1841. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1846, Senator Marovitz. Senator Marovitz on the Floor? All right. Senator...is there leave to have Senator Carroll handle Senate Bill 1846 in Senator Marovitz's temporary absence? Leave is granted. Senate bills 2nd reading, Senate Bill 1846, Mr. Secretary.

SECRETARY:

Senate Bill 1846.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SECRETARY:

No...no committee amendments.

SENATOR CARROLL:

Amendment from the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a reduction of four million seven hundred and ninety-nine thousand dollars. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 1 to Senate Bill 1846. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2145, Senator Weaver. On the Order of Senate Bills 2nd Reading is Senate Bill 2145, Mr. Secretary.

SECRETARY:

Senate Bill 2145.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2156, Senator Welch. All right. Senate...is there leave to have Senator Carroll handle that? All right. Leave is granted. Senate bills 2nd reading is Senate Bill 2156, Mr. Secretary.

SECRETARY:

Senate Bill 2156.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It is believed that if there...if the bill passes

and is signed by the Governor the start up date would be January 1 instead of July 1; therefore, this would reduce it in half for the later start up date. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of...Committee Amendment No. 1...Floor Amendment No. 1...all right, Senator Carroll moves the adoption of Committee...Amendment No. 1 to Senate Bill 2156. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you. A little earlier, Mr. President, we...I asked leave to get back to Senate Bill 1626, on the Order of Senate Bills 2nd Reading. There is a Floor amendment which I wish to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will return to Senate Bill 1626, page 3 of your Calendar. Leave is granted. On the Order of Senate Bills...2nd Reading is Senate Bill 1626.

SECRETARY:

Senate Bill 1626.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The appropriation for the ordinary and contigent expenses of the operation of the General Assembly was introduced at last year's level. This amendment would call for a slight increase, roughly seven percent lower than that most agencies and boards and commissions have been favored with, and it spreads across the lines a seven percent increase increasing the House appropriation by a half a million dollars and the Senate by roughly a half a million dollars for a total of a million dollar increase. I know of no objection. I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 1 to Senate Bill 1626. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. You've had a list of...that's been passed out of recalls. Senator Rock, we...we have numerous other requests for recalls that are not on this original list. Is it our intention to circulate a second? Senator Rock.

SENATOR ROCK:

I...I think that's only appropriate. The members wish an

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opportunity to offer...I have a list with about twenty-four on there, if there's a second list let's do a second one. Let's get them cleaned up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will move to the Order of Recalls. Senate bills 3rd reading. 916, Senator Lemke. 1589, Senator Barkhausen. On...Senator Barkhausen seeks leave of the Body to return Senate Bill 1589 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills...2nd Reading is Senate Bill 1589. Am I too fast for you, Mr. Secretary, or...

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to the Illinois Obscenity Statute provides certain affirmative...defenses for both...libraries and librarians on the one hand and newspapers on...on the other. The amendment is meant to...answer some partial objections on the part of the Library Association and the Illinois Press Association and should meet with the approval of all concerned. I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 1589. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1634...1804, Senator Berman.

On the Order of...of Senate Bills 3rd Reading, Senator Berman seeks leave of the Body to return Senate Bill 1804 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1804, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment deals with the Asbestos Abatement Act. What it does is to eliminate the date...the date of January 1, '86 for purposes of reimbursement to school districts that undertake out of their own resources, out of their own funds, the abatement of asbestos. And what we have done is by removing that January 1 date is to allow those school districts that have a problem that want to move ahead...with the abatement process to do so out of their own funds subject to an inspection by the Department of Public Health and approval of the work to be done and then they would be eligible for reimbursement as provided originally in the bill. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman moves the adoption...of Amendment No. 1 to Senate Bill 1804. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1815, Senator Etheredge. Senator Etheredge seeks leave of the Body to return Senate Bill 1815 to the Order of 2nd Reading for the purpose of an amendment. Is

leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1815, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the so-called designer drug bill or at least it...it used to be called that. This is the...because the amendment that I'm offering now...deletes any references to designer drugs and refers to them as controlled substance analogues. This is to conform with the definition, the terminology that is now being used by the Feds. I know of no objection, and I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Etheredge...moves the adoption of Amendment No. 1 to Senate Bill 1815. Those in favor will vote Aye. Those opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. 1861, Senator Lemke. Senator Berman, are you...are you going to handle the amendment? Yes. On the Order of Senate Bills 2nd Reading, Senate Bill 1861.

END OF REEL

REEL #3

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the bill that dealt with a refining of the definition and the role of the consulting teacher in the remediation process for shaping teachers up under the Reform Act. And what this amendment does is to provide that neither side can compel the testimony of the consulting teacher in the process of the...the due process hearing that supersedes the remediation period. The bill as originally introduced merely provided that the district...school district couldn't call the consulting teacher. This keeps the...the...the playing field level for both sides and says that the consulting teacher would not be a witness...for either side. I move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR KUSTRA:

Senator, just to clarify the...intent of your amendment there. Does this allow the consulting teacher to be present during the hearing and at that time if he or she so desires to add any information that they might think relevant and answer questions about whether or not they actually prepared

AB 1921 Recalled

the...remediation plan and what role they played?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Let me explain. I don't have the exact language but the question you asked can they...can they explain the plan, yes; can they explain what was done in the remediation period, yes. They cannot be called or...or...be compelled to testify by other side as to opinions as to whether the remediated teacher passed, failed, did great, did lousy, they can...they can testify as to the process but not to the ultimate decision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Berman moves the adoption of Amendment No. 1 to Senate Bill 1861. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1921, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. What this amendment does is to specify that monies returned to townships or municipalities that do opt out of the proposed authority under the...that would be established by this legislation, that those monies would be used for transportation projects. I'm not aware of any

objections and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I just had a...have a question, Senator. Since the money is going to be returned to the townships, I believe, that pass a referendum, does the money that go to the areas outside of a municipality, would that money then go to a...for instance, to the highway...township highway commissioner or a county?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

To the townships.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel. Is there further discussion? If not, Senator Etheredge moves the adoption of Amendment No. 3 to Senate Bill 1921. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2006, Senator Marovitz.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment...No. 2 prohibits paramilitary training with the intent to employ unlawfully in the furtherance of civil disorder, prohibits the teaching or demonstration to another the use, application or making of a firearm, explo-

sive or incendiary device or technique and the assemblying of two or more persons for the purpose of training with practice being instructed in the use of certain weapons. Requires that the teaching or training be done with the specific intent to employ unlawfully in the furtherance of a civil disorder before it becomes an offense, and defines civil disorder as any public disturbance involving acts of violence by assemblage of three or more people causing an immediate danger or resulting in damage or injury to persons or property. I'd ask for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Just a point of clarification, Senator Marovitz. This was legislation that we passed last year in the Senate, wasn't it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

This is legislation that passed the Senate 59 to nothing last year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

And then what happened?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

This...the legislation got bottled up in the House, it was...it was coupled with another piece of legislation, got bottled up in the House and I think that...it was a good bill last Session, nobody opposed it. Ten other states have already passed it, I see no reason why we shouldn't in its wisdom. Perhaps the House has gotten smarter on this bill,

it won't be linked with anything else.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Not having had a chance to look at the amendment, is...are you deleting everything after the enacting clause in the basic bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to Senate Bill 2006. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

Amendment No. 3, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is a...this amendment was a bill that somehow inadvertently got lost in the shuffle. It is a bill that was offered by...with the support of state...State's Attorney Daley and amends the...the...the victim's bill of rights so that notice to victims shall be made and the victim shall be given an opportunity to make a statement whenever an offender is before the court or for certain modifications of a previously entered sentence. We passed the victim's bill of rights, it said "Prior to sentencing, a victim has the right to make a victim impact statement to the judge," but there is a loophole in there that if that sentence subsequently was going to modified, the victim didn't have that opportunity.

This has happened several times, this...just to give the victim more...or his or her family the opportunity to make an impact statement if there's a modification of that sentence. A very minor change and I would ask for adoption of Amendment No. 3 to Senate Bill 2006.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 3 to Senate Bill 2006. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2090, Senator Berman. Senate Bill 2154, Senator O'Daniel.

SECRETARY:

Amendment No. 4 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, Amendment No. 4 to Senate Bill 2154 corrects some technical areas and staggers the terms of the board members.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator O'Daniel moves the adoption of Amendment No. 4 to Senate Bill 2154. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2157, Senator Rock.

SECRETARY:

Amendment No. 1 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2157 is the bill that would allow the counties to impose by their own vote a surcharge on the fees that the county clerk has to collect. Amendment No. 1 now offered states that the amount of the fee shall be a percentage equal to or less than the actual cost of the collection and in any event may not exceed twenty percent of the fine. I know of no objection. This was a recommendation of the County Finance Study Committee and I would urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rock moves the adoption of Amendment No. 1 to Senate Bill 2157. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2185, Senator Lemke. Senate Bill 2207, Senator Macdonald.

SECRETARY:

Amendment No. 2 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This is a technical amendment that clarifies that the Pollution Control Board is not required to hold economic impact hearings after the economic impact study is prepared. We had put another amendment on this bill to satisfy the Illinois Municipal League, and

this...the...the board simply wanted to ensure that hearings would not be allowed to prevent the timely adoption of regulations and that's all this amendment does. I urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Macdonald moves the adoption of Amendment No. 2 to Senate Bill 2207. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2280, Senator Schuneman.

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, members of the Senate. Senate Bill 2280 is a Department of Insurance bill that deals with notices of intention not to renew insurance policies. The department also had another bill that would require that in those cases where insurance companies are permitted to cancel insurance, they must give sixty days notice rather than thirty days notice, and we simply are wanting to put that provision into this bill. It increases from thirty days to sixty days the amount of time an insurance company has to give to an insured if they want to cancel a policy. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Schuneman moves the adoption of Amendment No. 2 to Senate Bill 2280. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

AB 2292 Recalled
AB 2293 Recalled

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2292, Senator Karpiel. Senator Karpiel on 2292? Is there any amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment No. 2 was offered in...in...in conjunction with the language the Press Association felt would be more likely to be in the bill and...rather than what it was. And so I would move for the passage of that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 2 to Senate Bill 2292. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2293, Senator Geo-Karis. Senator Geo-Karis on 2293?

SECRETARY:

Amendment No. 3 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Amendment 3 was to correct an omission that was in the prior amendment...it was left out in the bill, rather, and I move the passage of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 3 to Senate Bill 2293. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2294, Senator Karpiel. Okay, on List No. 2. Has List No. 2 on recalls been distributed? It is being distributed, it starts with Bill No. 1520, Senator Maitland is the sponsor. For what purpose Senator Marovitz arise?

SENATOR MAROVITZ:

That last bill that's still up on the board, 2294, will that remain on the recall list and be called tomorrow?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, she indicates it will remain on the list. While...while we wait...I'll tell you, while we're waiting for the Pages to distribute the second recall sheet, Senator Berman has requested that Senate Bill 2090 be recalled, it's on the Order of Recalls on our first sheet, for purpose of amendment. So on the Order of Recalls, Senate Bill 2090, Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I appreciate your courtesy. Amendment No. 1...

SECRETARY:

Amendment No. 3 offered by Senator Berman.

SENATOR BERMAN:

Thank you. Amendment No. 3 expands the Merit Recognition Scholarship Program that we started last year. At the present time, we provide to the graduating classes of our high schools to the top five percent a stipend...a five hundred dollar scholarship for each of two years to a Illinois

public institution of higher education. That's in addition to our usual program run through the Illinois State Scholarship Commission that is based upon need, the Merit Recognition Scholarship Program is based upon achievement. This amendment would expand that from the top ninety-five percent...I'm sorry, to the top five percent to the top ten percent of the students that graduate from our high schools. The expenditure will be incurred not in Fiscal '87 but in Fiscal '88 when the bill...when the program would be first plugged in because of the timing of the implementation and the cost would be 2.3 million dollars. I move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 3 to Senate Bill 2090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is...I'm sorry, Senator Etheredge,...on discussion, Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield to...for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He...he indicates he will.

SENATOR ETHEREDGE:

I'm...I'm sorry, Senator, I came in late on...on this discussion. Can you tell me what it is that this amendment does? Is this the same proposal that failed to get out of the Higher Education Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

This was proposed on another bill...by a different sponsor and came up with a 4 to 4 vote. I had touched base earlier today with the spokesman on the Higher Education Committee who indicated that he had no objection for me pro-

ceeding with this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Would you refresh my memory, please, as to what...what does this bill cost? What does it do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. I indicated before, the implementation of this program will be in the 87-88 school year and it will impact on the '88 budget not the '87 budget at a cost of 2.3 million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Is that...is that for the full...is that for a full year's funding of the program or is that for a half year?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Full year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

But there is...being a two-year program then that it...the actual expenditure for a group of students then would be twice that figure. Is that correct? I mean, when we buy into the first year's program, we're really buying in for two. Is that...is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

You lost me, take me through it again.

AB 1520 Recalled

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

That the...when we make the commitment for one year, we are in a...at least implying a commitment for a longer period of time though, are we not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The...the information I have is that this expansion is estimated to cost 2.3 million dollars in the first year and two million dollars each year after that. This is based upon the commission's...State Scholarship Commission's own estimate of Fiscal '86 spending for the old program of the five percent of the kids; making it...broadening it to two...to ten percent will cost an additional 2.3 in the first year and two million dollars for each year thereafter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Berman moves the adoption of Amendment No. 3 to Senate Bill 2090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Now, since our second recall sheet has been distributed and for your information, it begins with the Bill No. 1520. We're ready to proceed? On the Order of Recalls, the following bills have been requested to be recalled for second...back to the Order of 2nd Reading for purposes of amendment. Senate Bill 1520.

SECRETARY:

Amendment No. 1 offered by Senators Maitland, Demuzio and

Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 1 to Senate Bill 1520 addresses a problem that we face here virtually every year and that deals with those school districts that have a...for whatever reason, a dramatic growth in average daily attendance. And as most of you know, I'm sure, the way the formula plugs in, they really don't recognize any State reimbursement for those students for a period of three years. This amendment would address that problem and it...it deals with the issue by...by simply recognizing that these...for the schools that have a greater than twenty-five...strike that...greater than a five percent growth will receive reimbursement based on the difference in the average daily attendance between the preceding year in the first month of school and the current first month of school. And, again, if that enrollment, average daily attendance, is greater than...than five percent, we will compute that then and in November, hopefully, or December when the General Assembly comes back in Session will address those school districts affected by supplemental appropriation. I would add, Mr. President, that there is, as far as I know, only one school district presently would be impacted by this legislation, that's a...a school district that resides in Senator Watson and Senator Demuzio's district I believe. I'd be happy to answer any questions and move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 1 to Senate Bill 1520. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SB 1608
Recall

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1608, Senator Etheredge.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2 to Senate Bill 1608 transfers the operation of the Veterans' Scholarship Program from the Department of Veterans' Affairs to the Illinois State Scholarship Commission. In the Appropriations II Committee we went into great detail as to the lack of support and initiative that has arisen for this program in the department that it currently resides in, and it was a consensus of opinion that the Scholarship Commission under its present structure could probably do a more enthusiastic job. I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I share Senator Berman's frustration with the Department of Veterans' Affairs' decision to underfund this program, but let me suggest to you that the decision that they made did not cost one veteran one dime. It did, in fact, unfairly impact on the colleges and universities in this State, notably the community college system, but it did not affect negatively any veterans. They all got their scholarships. I would suggest that those of you who have been in this Body can remember when we transferred this program from the Scholarship Commission to the Department of Veterans' Affairs because, if my memory serves correctly, the Scholorship Commission when having been asked to make a

budget cut eliminated the veterans' scholarship because it was not based on need. Now, I think we ought to think about this long and hard. Now I think the universities should get their money and I think the program should be fully funded, but if we take this program from this department and history repeats itself, you will have a lot of veterans who were promised these scholarships very upset. And if you are interested in seeing people who have served this country get the benefits that they were promised when they donned those uniforms, I would be a little reluctant to move this out of the department that safeguards the veteran's interest into a nonsympathetic forum that has a very spotty past track record. Let's think twice about this. Those who don't learn from mistakes of the past are destined to repeat them again and again and again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise in support of this amendment because of the fact that in...within the Department of Veterans' Affairs the scholarships were lacking an advocate in that they were not being funded at the full level as is required by law as an entitlement program and, therefore, it seems totally proper that that responsibility be transferred to an organization that has in recent years, I think, been very helpfull to all of us, has been very careful to monitor the amounts of money given out in scholarships. And that's exactly what we're looking for here is an agency that will monitor these funds so that not only the veterans get the scholarships that we have promised them, but that we do not impact on our university and community college system.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Question...question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will yield.

SENATOR COLLINS:

Senator Berman, I was off the Floor when you first explained your amendment here and I...I didn't hear who...I...I heard that you were taking the...the responsibility from the Department of Veterans' Affairs but I didn't hear where you were taking this responsibility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

We're transferring it to the Illinois State Scholarship Commission. If you recall, I think you were in committee when we went through all of that debate as to where it ought to be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well...well, to the amendment, yes, I think I was one of the ones in committee who were very concerned about the fact that the Department of Veterans' Affairs had not funded those scholarships at the maximum level as they were funded to do so. However, I don't think that we're...we should, you know, take this drastic a step at this time. I think what we ought to do is to make sure that the Department of Veterans' Affairs do under the mandate and to fund those scholarships at the maximum level as they were funded to do so. I most certainly sympathize and...and felt that it was not right for them to shift part of that responsibility to the Board of...Higher Education, and most certainly I was appalled over the fact that they did it arbitrarily and with...without...I...I think legal...permission to do so. But I don't think, Senator Berman, that we should in fact

take the money out of the Department of...Veterans' Affairs. I think it ought to be very clear that that money...that those scholarships are for veterans and that it don't get confused with anything else, but I do think we have a responsibility to mandate and to monitor that that department carry out the mandate and fund those...those scholarships at the maximum level and treat their program as an entitlement program as it was intended in the first place. And, therefore, I am opposed to the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Berman's amendment and I'd just like to remind Senator Collins of one question that was asked to the director of the Department of Veterans' Affairs in the committee hearing; and that question was, if we fully fund the scholarships for the veterans and leave it in your department, will you spend that money this year, you didn't last year, will you spend it this year? And the answer was no. So even if we fully fund it and leave it in the Department of Veterans' Affairs, the same thing is going to happen again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President and Ladies and Gentlemen of the Senate, it seems to me when the Scholarship Commission had something to do with it, they practically killed the program. I feel that we are obligated to honor the commitment we made to the veterans and the way we do it, I think, is to leave it in the scholarship...in...in the veterans' commission. You must remember that if they didn't spend the money, maybe they didn't have enough applicants and maybe it hasn't been dis-

seminated enough so that people know that there are veteran scholarships available. I rise to speak against this amendment. I think we're doing a disservice to the veterans by taking it out of the veterans' commission area, and I hope that you will all agree with me and vote this amendment down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I rise in strong support of...of this amendment and I share the concerns that have been expressed by some of my colleagues, Senator Schaffer and Senator Geo-Karis in particular. I think what we are interested in doing is...is to see that all parties in this matter...their interests are all protected, both those of the community colleges and the public universities that provide the services and the veterans as well. I would suggest to Senator Schaffer that his recounting of the past history is...is a very accurate one, to be sure, but I also want to suggest that the faces on those people who serve as members of the...commission are now new and that there...is a new executive director and the attitude of the State Scholarship Commission toward the administration of this program is also new. I would urge support of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Well, thank you, Mr. President. Those of you who did not have the opportunity to hear the debate in the Appropriations II Committee, let me just share with you this fact. It was admitted by the current administration of the Veterans' Administration that they decided on their own not to promote, urge, encourage the utilization of the veterans' scholarship

program. When Senator Schaffer talks about this being...this used to be in the Scholarship Commission, that was, ladies and gentlemen, eleven years ago and there was virtually no comparison to the operation of the Scholarship Commission today when compared to eleven years ago. It was a horse and buggy operation then, today it's efficient, it...it is interested in promoting the interest as we are of the veterans. That's why we passed this program to make sure that the veterans get this benefit out of funds that we appropriate for it and not slough it off where the colleges and the junior colleges have to pick up the tab. And that's what the Veteran's Administration has in fact done...those of us that were in that committee, there were a group of veterans who, in my opinion, concurred in the judgment that the Veterans' Administration has not done justice by this program. The Scholarship Commission is ready, willing and able to carry out our intention in promoting this program on behalf of veterans. On behalf of the principal sponsor, Senator Etheredge, Senator Poshard, Senator Holmberg and others, who were there and heard this debate, I urge an Aye vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 1608. Those in favor indicate by saying...a roll call has been requested. On a roll call. Those...Senate...Berman...Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 1608. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 28, none voting Present. Amendment No. 2 having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

SB1798 Recalled

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1709, Senator Netsch.

SECRETARY:

Amendment No. 3 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 is necessary in the event that Senator Keats' goofy Amendment No. 1 stays on the bill. His dealt with the question of equalizing the treatment for State Income Tax purposes of interest or other revenue earned on campaign funds, and the Department of Revenue has requested, because there was no effective date on that which became the basic bill, that we clean up the effective date provisions. And this provides that the basic Act takes effect January 1, '87 and the changes in Amendment No. 1 would apply to taxable years ending on and after December 31, 1986. I would move the adoption of Amendment No. 3 to Senate Bill 1709.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not, Senator Netsch moves the adoption of Amendment No. 3 to Senate Bill 1709. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1798, Senator Watson.

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment strikes everything after the enacting clause and puts back the original provisions of the legislation which were agreed to by the Secretary of State, Cook County State's Attorney, the Auto and Truck Recyclers of Illinois, the New Car and Truck Dealers Association and the Licensed Auto Recyclers and Rebuilders of Illinois. As you may or may not know, there's been a...meetings going on continuously since last year in regard to problems that the recycling and rebuilding industry is having in...in implementing an Act which we passed two years ago. This is an...an effort by the various groups that I mentioned to come up with some...a solution to the problem in which...the rebuilders and recyclers have found themselves, and not only that, of course, with the Secretary of State and Cook County State's Attorney. I move for its adoption and appreciate your support and answer any questions if necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall...Senator Watson moves the adoption of Amendment No. 1 to Senate Bill 1798. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1816, Senator Netsch.

SECRETARY:

Amendment No. 2 offered by Senators Netsch and Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the bill that deals

with...very limited toward immunity for those who are involved in alcoholism and drug addiction intervener programs. The problem that we had had before was with the...those to whom the immunity would be extended. We had limited it to trained interveners. This clarifies the definition of who is a trained intervener. It was worked out by those who worked with Senator Etheredge and me on the Advisory Council to the Department of Alcoholism and...and Substance Abuse, and basically what it provides is that the...where training has been provided by an entity which sponsors, authorizes, supports, finances or supervises the training of interveners or fact reporters then someone who has had that training will qualify for the limited immunity. I think it's the...the best resolution of this problem that we've been able to come up with and I would move the adoption of Amendment No. 2 to Senate Bill 1816.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Netsch moves the adoption of Amendment No. 2 to Senate Bill 1816. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1848, Senator Berman.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Going back to Amendment 1, I want to move to reconsider the vote by which that was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Berman asks leave to reconsider the

vote by which...by which Amendment No. 1 is adopted and having voted on the prevailing side, he now makes the motion to reconsider the vote by which Amendment No. 1 to Senate Bill 1848 was adopted. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the vote is reconsidered. Now Senator Berman moves to Table Amendment No. 1 to Senate Bill 1848. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 1 is Tabled. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1 is incorporated into Amendment No. 2. Amendment No. 2 deals with the Response Action Contractor Indemnification Act and carries forth many of the issues that were in the bill as originally drafted but in a...in a more detailed way. It does not apply to...State political subdivisions only to the State. It requires...it allows indemnification only when liability insurance at reasonable terms is unavailable and provides a set aside of five percent of the State payments to be paid into a fund to help pay damages or settlements. Those are the new elements that are incorporated in Amendment No. 2 that were discussed when this bill was before the committee. I move the adoption of Committee Amendment...of Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, as I understand this bill, what...what you're doing is...is setting up the State of Illinois as an insurer. Is this the one that...that sets up the State as an insurer if insurance is not available to contractors working with asbestos? How much money is going to be required or is there an appropriation somewhere to fund this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

There is no appropriation. The...what we have done in this, if you recall the conversation in committee, we have provided for a five percent set-aside so that we can start to build a fund to determine what...if it were a independent insurance underwriting program, what kind of funds are going to be plugged in and set aside from the contracts. But there is no appropriation provided.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, okay. First of all, I want you to understand I'm not particularly opposed to this idea because I know that...that for contractors working with asbestos insurance is generally not available, and so, obviously, what we're dealing with here is a very hazardous liability. Most of the companies...I guess, all of the companies for the most part in the private sector are unwilling to take this risk. Are you telling me that...that the proposal is to take five percent of the contract price and begin to set it aside to...to create a pool?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes. We've specifically provide that five percent of each payment made under the contracts that are involved in the clean-up process shall be paid by the State directly into the Response Contractors Indemnification Fund so that there is a pool established out of that monies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

What happens if there is a loss immediately before the pool has any money?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The pool...the pool is not a cap. It is merely a fund which is established out of those contracts. The State is still the...the insurer, indemnifer of any exposure...arising out of those contracts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I guess the thing that concerns me, Senator, is that...that no one seems to be able to measure the extent of the liability that may be out there for...working with asbestos; and while I think the State probably plays a proper role in getting involved in this,...I'm wondering are we getting into some kind of a open-ended liability where we're simply going to pick up whatever liability there may be out there for anybody that's working on public buildings, cleaning up asbestos? If that's what we're doing, we may be undertaking quite a liability here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

The...actually this really...should be debated on 3rd

reading because that's the whole concept and if you want I'll get into it but I...it really belongs on 3rd. I...I would just suggest, let me put the bill into the posture and then we can debate the policy decision on 3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

I...I...I'm agreeable to that. I promise not to ask any more questions if you'll answer my last question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Berman moves the adoption of Amendment No. 2 to Senate Bill 1848. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 3 clarifies that no person that is responsible for the...asbestos or pollution or the hazardous condition can be indemnified under the provisions of this Act. Move the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 3 to Senate Bill 1848. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1875, Senator Rupp.

SECRETARY:

Amendment No. 1 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment is in connection with the Illinois Crimestoppers Act and really...all it does is clarify some of the administrative processes, and the only addition...the important part of this amendment reads that the board, meaning the Crimestoppers Program Certification Board, would provide the administrative support in the form of personnel, office space, supplies, other required resources to the Illinois Crimestoppers Program Certification Board and shall be the funding agent for operations and grants as available of the Illinois Crimestoppers Program Certification Board. That's all the amendment does. I ask amendment...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...is there discussion? If not, Senator Rupp moves the adoption of Amendment No. 1 to Senate Bill 1875. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1912, Senator Netsch.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill is the bill that would impose a tax on tobacco products not currently taxed. The...several questions were raised during the course of the hearing as well as in the circuit court opinion of sometime ago about the uniform operation of the bill given the definition of the incidence of the tax. I think there were some legitimate questions raised about this, and so at my request the Department of Revenue rereviewed the entire bill in terms of its enforcement and administrative mechanisms, and among other things suggested the change in definition of wholesaler and the change in the incidence of the tax using manufacturer's list price as the basic definition of what is to be taxed. That is a known quantity and the...the combination of these changes in terminology eliminates the uneven impact that I think conceivably might have followed from the original structure of the Act, so that I think we've met all of...those kinds of arguments that were raised initially in the circuit court decision and in the hearing. In addition, the Department of Revenue requested that certain enforcement mechanisms and penalties that are...come straight out of the State's existing ROT Act be incorporated here, because they already know how to handle and deal with those and those also are reflected in the amendment. I in no way want to represent that the Department of Revenue is supporting the bill. I've not even asked them to do that. That is a substantive judgment but what I have asked them to do is to put the bill in a good administrative enforcement structure, and they have done that for me and that is what is reflected in Amendment No. 2. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I very reluctantly rise to make a...at...at least a statement on...on this amendment. I think the time has come for the State of Illinois to stand up and be counted and not consistently relegate the Domestic Violent Shelter Fund to unstable sources. I'm afraid that this is an unenforceable tax that we are imposing here and I think that...that this shelter fund should actually be involved with the Department of Children and Family Services, and we should have full focus and not make a stepchild out of this fund. I am rising certainly to support funding and full funding and the full focus of this State to assume its responsibility for...for this particular issue, but I do not think that this is the way to go. I think it's unenforceable and I think we, again, will be coming back here in a year or so. If this isn't declared unconstitutional, it can possibly be unenforceable and we will not be receiving the money that should be received to fund the very vital issue of...domestic violence in this State. So I would have to oppose this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may close.

SENATOR NETSCH:

That...Senator Macdonald, that amendment is not involved here, that amendment went on the bill last week. We are...we've already made that decision that the money goes into the General Revenue Fund and then subsequently there is a portion of it, sixty percent, that would be retransferred to the Domestic Shelter Program in the same way that we already do with a lot of our other things. The...the soft drink money goes into the General Revenue Fund and then it all gets transferred out for Build Illinois, we do that half a dozen times. But that was already done, that is not the subject of this amendment. This amendment was drafted for me

at my request by the Department of Revenue simply to get the bill in the administrative form in which they would like to have it in order to be able to live with it if it does eventually pass. So this is...has only to do with the administrative mechanism of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The...Senator Netsch moves the adoption of Amendment No. 2 to Senate Bill 1912. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1934, Senator Joyce. Senate Bill 1955, Senator Demuzio.

SECRETARY:

(Machine cutoff)...No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Oh, Amendment No. 1, what...what this amendment does is that it...it allows a individual who is an elected officer of a Statewide teacher organization to pay both the employer and the employee contributions and get into the...the pension system as long as that person is not eligible for a pension other than the one that...that he is applying for. It would only be for one individual and I would move adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to Senate Bill 1955. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. George Thompson from the Chicago Tribune, he's a staff photographer, seeks permission to...I guess, take still photos. Is leave granted? Hearing no objection, leave is granted. Senate Bill 2025, Senator Fawell.

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is...clean-up language that was requested by the United Way and the Jewish Federation and the Catholic Charities and it has been agreed to by those three and if there's any questions, I'll be glad to explain it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Fawell moves the adoption of Amendment No. 1 to Senate Bill 2025. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2117, Senator Demuzio.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Mr. President, aren't there...there are two amendments that are filed...isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Secretary indicates one by Senator Schaffer.

SENATOR DEMUZIO:

Well, I filed one this morning that simply changed the effective date.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, I've just been told that your name was on the amendment first and then a staff person changed the name.

SENATOR DEMUZIO:

All right. Well, then, the...I would like very much to...to...Senator Schaffer to...to adopt the effective date on my amendment first and then go with yours and let me see about getting it here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We only have one amendment and it carries an effective date. Senator Demuzio.

SENATOR DEMUZIO:

All right. We're...we're in the process of bringing it down to the Secretary then. Oh, do you have it now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 2162, Senator Smith. This is for an amendment by Senator Kelly?

SECRETARY:

Amendment No. 2 offered by Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate. This bill is the adolescent health clinic's bill and this amendment would prevent the purchasing or dispensing of contraceptives at these health clinics, and I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Kelly moves the adoption of Amendment No. 2 to Senate Bill 2162. Those in favor indicate by saying Aye. Those opposed. The Ayes have

SB 1934 Recalled

it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 2200, Senator Chew...Philip.

SECRETARY:

Amendment No. 2 offered by Senators Chew and Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Yeah, I believe, that Senator Chew is off the Floor. If I might, Mr. President. Amends the Illinois Health Facility Planning Act. If an Illinois medical school may establish a new hospital as a teaching facility if such medical school is accredited by the Commission on Medical Education, the new hospital will assist in maintaining the current acceleration. I move the adoption of Amendment No. 2 to Senate Bill 2200.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Philip moves the adoption of Amendment No. 2 to Senate Bill 2200. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. With leave of the Body, we'll go back to Senate Bill 1934. Senator Joyce is back on the Floor and we have one amendment by Senator Topinka. 1934,...Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Topinka.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, basically this amendment limits the...the communication between military recruiters and graduating senior class members to educational opportunities provided by the military.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Amendment No. 3 to Senate Bill 1934. Is there any discussion? If not, all in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, in order to expedite the work of the Secretary and Enrolling and Engrossing, let me suggest that there will be another recall list tomorrow morning. We will commence tomorrow morning at 10:00 a.m. and for those who have bills or amendments still floating around, let's try to get them in tomorrow. They'll be on the list to be handled first thing in the morning. That includes, I'm told, Senate Bill 1608, by Senator Etheredge; 1612, by Senator Etheredge and 2123, by Senator Poshard. We'll handle...those are...currently on 3rd reading, we will handle those on tomorrow's list. So check with the Secretary and make sure that...that your amendments and/or bills are on the recall list. All right. Page 2 on the Calendar, we will go through Senate bills 2nd reading. 1486, Senator Dawson. 1488, Senator Barkhausen. 1491. With leave of the Body, can we get back to that one? I do have an amendment. I'll get back to that. 1551, Senator Zito. 1624, Senator Demuzio. Senator Demuzio. On the Order of Senate Bills 2nd Reading, in the middle of page 3, is Senate Bill 1624. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1624.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Carroll, 1699 is a hold. 1700. With leave of the Body, we'll get back to that, I've got an...there is an amendment filed on 1700, Mr. Secretary, is there not?

SECRETARY:

Yes, two of them...two of them, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will return to page 2,...page 2 for Senate Bill...1491. Is leave granted? Leave is granted. Senate bills 2nd reading is Senate Bill 1491, Mr. Secretary.

SECRETARY:

Senate Bill 1491 was read a second time on April the 15th and was held on 2nd reading. Amendment No. 1 was adopted. Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Does Senator Macdonald also have an amendment filed to that one? I understood she was going to go first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is she...that amendment was adopted. We left the bill on 2nd...

PRESIDENT:

That's already been adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir. All right. All right, Mr. Secretary, you want to indicate what we have there.

SECRETARY:

Okay...we adopted Amendment No. 1. Now we have in front of us Amendment No. 2, by Senator Rock. I have further Amendment No. 3, by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald on Amendment No. 2. All right. Wait a minute...

SENATOR MACDONALD:

...there's some confusion...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...just a moment...just a moment...I know, there is confusion. Second amendment was offered by Senator Rock. Senator Rock on Amendment No. 2.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I was just concerned Senator Macdonald's amendment to which I have agreed might not track. I was told it was going to be No. 2, mine can be No. 2 just as easily, it...frankly makes...doesn't make any difference. Amendment No. 2 to Senate Bill 1491 which deals with the Abused and Neglected Child Reporting Act is an attempt on our part to incorporate those changes that were suggested by the Department of Children and Family Services, the Illinois Education Association and Catholic Charities. Essentially, it says that once a report is received, there...it...it prohibits any alteration by persons in charge of the institution, school, facility or agency once that report has been filed. It further gives the Department of Children and Family Services the authority to release records to...school superintendents in other states, and it gives DCFS the authority to give to the Illinois Department of Registration and Education access to

records on their investigations of child abuse and neglect. It further provides that teacher certificates may be revoked only upon clear and convincing evidence of child abuse and/or neglect presented at the revocation hearing. We have attempted to satisfy all those individuals and agencies who were concerned with both the scope and the purport of this bill. I think there is no objection to this amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved the adoption of Amendment No. 2 to Senate Bill 1491. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, Amendment No. 3 merely defines more clearly the statement of sexual abuse, assault or molestation. And it provides that the State Superintendent of Education in cooperation with the Department of Children and Family Services shall prepare and disseminate to all public schools and nonpublic schools information on instructional materials and programs about child sexual abuse which may be used by such schools for their own or community programs. The information may also be disseminated...disseminated by the schools to the parents. It...it merely clarifies the educational aspect and I...I don't see any problem with the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald moves the adoption of Amendment No. 3 to Senate Bill 1491. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it.

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Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will return to page 3. Bottom of page 3, Senate Bill 1700, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 1700.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Committee Amendment No. 1 has now been...with the help of the Department of Revenue and a number of others has now been reworked, so I would move to Table Committee Amendment No. 1. I have placed with the Secretary Amendment No. 2 which is of the same length and...and has a few changes, and I would move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock moves to Table Committee Amendment No. 1 to Senate Bill 1700. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee...Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 is a sixty-seven page amendment which incorporates the tax increment financing provision and it renames the proposal as the Tax Increment Allocation Redevelopment Act. As you recall last Session of the General Assembly, by virtue of an amendment to Senate Bill 1156, we expanded the existing tax increment financing concept or tool to include the provision for the use of the State sales tax and the local sales tax by the local tax increment financing district. The Governor at...at my request agreed to that proposal but delayed the effective date until July of this year...to afford us, the General Assembly, and the Department of Revenue and all concerned, particularly those twenty-eight existing tax increment financing districts, the opportunity to sit down and discuss how this administratively would...would be worked out. I think Amendment No. 2, in fact, responds to the concerns of...of those in the tax increment financing districts, and I am told that the Department of Revenue has now been satisfied that administratively both the formula and the ultimate distribution are not only doable, they feel that they are totally acceptable at this moment. Tax increment financing is a...is a tool for local development that is extremely important. As of the moment, the only thing available to the local development effort is the increment and the property tax. This will afford the increment and the sales tax and in some instances the utility tax to also be used to retire the bonds which caused the redevelopment to take place in the first instance. There are a number of technical changes that have been made between Amendments No. 1 and No. 2. Suffice it to say, I hope that the...the concerns of the Department of Commerce and Community Affairs and the Department of Revenue have been satisfied. I know of no objection and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, Senator Rock moves the adoption of Amendment No. 2 to Senate Bill 1700. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. Amendment No. 3 would allow for areas commonly known as spoil banks to qualify for tax increment financing under the blighted area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Mahar moves the adoption of Amendment No. 3 to Senate Bill 1700. Discussion? If not,...Senator Rock.

SENATOR ROCK:

Well, let me just say, I've discussed with Senator Mahar his amendment. It...it expands...the eligibility in terms of the area. I have no objection. I think his motive and...and his course of conduct is a good one and I agree, and we should adopt Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Mahar moves the adoption of Amendment No. 3 to Senate Bill 1700. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 4 is somewhat similar to Amendment No. 3 in

that it is an attempt to allow a community in my district to...to take advantage of this proposal, but again, they would have to elect to do so and...and be willing to forego the revenue that would accrue to the community during this period of time, and I've discussed it with Senator Rock and would urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Again, I have discussed this with Senator Barkhausen. I am in total agreement. My own attitude is that the more communities that can take advantage of this wonderful economic development tool the better off all of us would be, and I urge the adoption of Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Barkhausen moves the adoption of Amendment No. 4 to Senate Bill 1700. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

I rise on a point of personal privilege, Mr. President. I would like for the Senate to welcome the children of the Laurel Hill School in Hanover Park, in my district, who are here in the...in the President's Gallery with their principal, Alice Ericson, parents and teachers accompanying them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if our guests in the gallery would please rise...be recognized by the Senate. Welcome to Springfield.

SENATOR KARPIEL:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Bottom of page 3, 1714, Senator Donahue. Senator Donahue, 1714. Page 4, 1716, Senator Schuneman. Top of page 4, Senate bills 2nd reading, Senate Bill 1716, Mr. Secretary.

SECRETARY:

Senate Bill 1716.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Schuneman and Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 1716 is a...is another bill that deals with a restriction on the rights of insurance companies to cancel policies, to nonrenew policies and to give notice to consumers if they plan to increase the...the renewal premium on policies. There are two amendments for this bill, Mr. President, and I plan to offer Amendment No. 2, and the effect of those two amendments will be to require that an insurance company give sixty days advance notice if they plan to increase the premium by twenty-five percent. Now there are other bills that have already been moved to 3rd reading that call for a fifty percent threshold. This is a threshold that would be considered to be more favorable to the consumer. I would move adoption of Amendment No. 1 and then No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Amendment No. 1 to Senate Bill 1716. Discussion? If not, those in favor

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indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Schuneman and Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

This is simply the amendment that changes the threshold from fifty percent to twenty-five percent. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has moved the adoption of Amendment No. 2 to Senate Bill 1716. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, page 7. Page 7, Senate Bill 1814, Senator Poshard. Senate bills 2nd reading, page 7, is Senate Bill 1814, Mr. Secretary.

SECRETARY:

Senate Bill 1814.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Many counties throughout the State are presently struggling with their ability to meet State mandates in regard to their jail facilities. Many of them are going to have to renovate or refurbish their present jail facilities,

some are going to have to build totally new jails, and this amendment sets up a mechanism to begin dealing with that problem. It creates the County Jail Revolving Loan Fund within the State Treasury to be administered by the Department of Corrections. The loan fund could accept for deposit grants, loans,...matching funds, appropriations, income from investments, State bond proceeds and so on to loan to counties at a very low interest or at...or no interest rate in order to help them meet the State mandates on these jail facilities. I would simply move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I believe this bill came through Local Government Committee. Is that correct...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's my understanding it did. Senator Watson.

SENATOR WATSON:

Thank you. We're talking about how much money initially in this, Senator Poshard?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Carroll offered an amendment this morning to the Department of Corrections' budget of two million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Do...do...do you expect this to be a one-time loan revolving fund? You establish it once and then the money that's repaid is just loaned out again or are we going to come back for an additional appropriation later or just exactly how will this be administered in...in later years, in

the out years?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Oh, of course, the money that comes back would be redistributed again, that's the idea of the revolving loan fund; but, no, two million dollars, obviously, would not be enough. There will have to be other monies generated. With all of the problems that the counties are experiencing in this one arena right now, obviously, more money will have to be appropriated through some means as we go along, but that is seed money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What are your projections for the out years, or do you have any at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Watson, I...I don't have a projection. I don't even think DOC at this point has a valid projection in terms of the amount of money it would take for the different counties that are either going to have to renovate or build new facilities in this area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr...thank you, Mr. President. One question I have...there are some counties who are right now on the verge of doing this on their own. Are there any protections as far as that's concerned because there are some instances...I remember clear back when I was mayor that we would do something, initiate something and then the next thing we heard

that the State had grabbed it as a program and providing money and help in funding for the cities and the areas that hadn't done it themselves. We had the same thing as far as the asbestos problem. The schools in Decatur have already corrected their own problem. They paid their own way. Now if we go through...as been proposed and we help pay the others, that means that the citizens from Decatur and any other community that had stepped out and did their own program are going to be required to pay twice. Now, what about in this case? Is there any grandfathering in or...and if so, what are the protections for those who are right now starting to do this on their own?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, sir. Point is well taken, Senator Rupp. The exact language in the bill dealing with your question says that counties already in the process of upgrading county jail facilities and counties that combine to construct regional jail facilities shall be eligible for loans from this fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Yeah, but suppose right now that they've...if they're under construction, they have already gone through the process of getting a loan. They had to do that before they...they...they were able to start the construction. Now suppose they've gone out and floated a bond and it's eight percent and here you're going to give other people money for no cost or a low cost. What protection do they have if...if any?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator...Senator Rupp, I think we're always going to have a situation in this State where some counties or municipalities are able to do on their own what others cannot do. To say that we can never start to help those who cannot help themselves just because others have started and proceeded, we do it all the time in all...all kinds of areas of government, that's not a valid point. We say in the bill that counties already in the process of upgrading their facilities are eligible for this revolving loan fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Yeah, how? How?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard. Whoop, whoop, whoop, Senator Poshard.

SENATOR POSHARD:

Yes, sir. They are eligible by simply making application through the Department of Corrections as any county would who has not begun the process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard has moved the adoption of Amendment No. 1 to Senate Bill 1814. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments...further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we adopted Committee Amendment No. 1. Committee Amendment No. 2, Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Committee Amendment No. 2 does two things essentially. The first thing is that all adult offenders sentenced to six months or longer should be sen-

tenced to the Department of Corrections. Those people are currently held in county jails at the expense of the county at about thirty-seven dollars and a half a day, I think is...is the figure that many counties use in our talking to them. A lot of the counties simply do not have that kind of money. This would permit anyone sentenced seventeen years of age or older to a one hundred and eighty days or more to be sentenced...or committed to the Department of Corrections. The second thing that Amendment 2 does is it permits nonviolent offenders...nonviolent offenders sentenced to confinement in a county jail to receive one day of good behavior allowance for each day of service of sentence in the county jail. Each day of good behavior allowance shall...reduce by one day the prisoner's period of incarceration set by the court. This...this is something that will help the counties tremendously in terms of...not having the additional expense of keeping nonviolent offenders that are in there on misdemeanor charges a hundred and eighty days. It would reduce that by half if they, in fact, are on good behavior terms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Is this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard. Senator Fawell.

SENATOR FAWELL:

Yeah. When you talk about sending a seventeen-year-old to...to prison...to the Department of Corrections instead of keeping them in the...in the county jail, is this mandatory

or is this...still at the discretion of the judge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

I...I guess I do not understand the question, Senator Fawell. I'm sorry, would you repeat if for me, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Okay, if...if someone is sentenced...say a seventeen-year-old is sentenced to...I see you're shaking your head, you understand the question. Is it...if a seventeen-year-old is sentenced to a...a hundred and eighty days...more than a hundred and eighty days, is it mandatory that he go to, for instance, Stateville rather than be kept in the local county jail?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Fawell, if the judge sentenced a seventeen-year-old to more than one hundred and eighty days, this bill would simply commit that person to the Department of Corrections rather than the county.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

So what you're saying in effect is that there is absolutely no discretion left to the judge if the judge decides that he's a...young seventeen-year-old and he's committed a...a residential burglary, you're still going to send them away even if the judge feels for his own safety it might be better to...to keep him in the county jail?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Point of order. Residential burglary is a felony and that is a mandatory sentence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I...I realize that and that's what concerns me, because I'm starting to hear from some of my lawyers that...by...by having it made mandatory that...that some of these young seventeen/eighteen-year-olds who...you know, got drunk or got high and...and broke in a neighbor's home are being...being sent to...mandated to be sent to jail and...and now we're saying we can't even keep them in the local county jails and that's...that's my concern.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock for...point of order.

SENATOR ROCK:

If...if, in fact, you're talking about residential burglary, it's got nothing to do with this subject matter, that's my point. If they're convicted of...of residential burglary, they're gone anyway. They...the judge doesn't have any discretion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

But this bill mandates that he...they be turned over to the Department of Corrections rather than kept in the county jail at the discretion of the judge, and...and that's what I'm concerned about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

We've had some conversation on this particular amendment and I was under the impression that there's a possibility you would strike out the language dealing with the misdemeanant and the six-month provision. Have you got any indication or any feeling that you're going to do that at any particular time along the process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, Senator Watson, I think what we indicated was that...that we were prepared to talk with the Governor's Office and see what we needed to do in order to work...to come to some compromise on the whole jail issue and we haven't been able to decide that at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay, well, I appreciate that response and...and, again, as I've reiterated on the Floor and in committee, I can appreciate the concerns and the problems that counties are having in dealing with...with jail situation and overcrowding at the...at the county level but, of course, we are experiencing that also at the State level. We're talking about building the three additional prisons, we're...it's a real concern and a real problem with the State. From what I understand, from what we've been told is that if this amendment and this...ultimately is adopted, we're talking about half the county prison population being then forced into State correctional facilities which would create even a greater burden for the State and, of course, the situation which we probably can't tolerate. So, hopefully, as

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this...Senate Bill 1814 moves along the trail, you will reassess your position on the misdemeanant situation and take that provision out. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Well, I would simply, Mr. President, remind everyone of the critical financial situation that many counties in this State are currently in in regard to their jail facilities and ask for a favorable response to this bill...to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard has moved the adoption of Amendment No. 2 to Senate Bill 1814. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

...thank you, Mr. President. I would like to withdraw that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard seeks leave to withdraw. Amendment No. 3 is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 1832, Senator Holmberg. On the

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Order of Senate...on the Order of Senate Bills 2nd Reading is Senate Bill 1832, Mr. Secretary.

SECRETARY:

Senate Bill 1832.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1834, Senator Maitland. 1838, Senator Barkhausen. All right, on the Order of Senate Bills 2nd Reading is Senate Bill 1838, Mr. Secretary.

SECRETARY:

Senate Bill 1838.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Amendment No. 1 to Senate Bill 1838 is the uniform...Revised Uniform Limited Partnership Act, otherwise known as RULPA, which...similar to the Not-For-Profit Corporation Act that we passed last week is the work product of a Secretary of State's advisory committee that has gone...has produced this legislation over the last year or two. It has been discussed with both sides and I believe agreed to. I'd be happy to answer any questions, otherwise, would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 1838. Discussion? Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, if...if I could ask for your indulgence, I think what I want to do at this point...two is just ever so slightly different from one, and I think I want to move to...to reconsider or to Table Amendment No. 1 and to...and to adopt 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 was adopted. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Vote is reconsidered on Amendment No. 1. Senator Barkhausen now moves to Table Amendment No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, the only difference between two and one is that the...that two provides for a different effective date for the 1838 prior to being amended...those sections than it does for the sections that we're adding here with the Partnership Act, and I would ask for the adoption.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 2, Senate Bill 1838. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1910, Senator Weaver. Senate bills 2nd reading is Senate Bill 1910, Mr. Secretary.

SECRETARY:

Senate Bill 1910 was read a second time on May the 7th and there were no amendments. So, Amendment...and there are still no amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, no amendments, 3rd reading. Senate Bill 1915, Senator Maitland. Page 8...top of page 8, 1920, Senator Karpiel. Senator Karpiel, top of page 8, 1920. 1925, Senator Zito. On the Order of Senate Bills 2nd Reading is Senate Bill 1925, Mr. Secretary.

SECRETARY:

Senate Bill 1925.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What the amendment that I propose does mainly is to change the provision in the bill that says, "No hazardous waste site shall be created within a

thousand feet of a...property zoned residential." What I've changed that to was "five hundred feet of the residence," and the reason being that in downstate Illinois in particular there is a great deal of property that is either not zoned, zoned agricultural or is other than residential. If we say that you cannot locate a waste facility near a property that is just zoned residential, the problem that will arise is that all of the waste facilities in suburban areas where there is a great deal of population and residential zoning is used will end up towards us downstate where we mainly have agriculture...agricultural or no zoning at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch moves adoption of Amendment No. 1. Discussion? Senator Zito.

SENATOR ZITO:

Well, thank you, Mr. President and members. Pat and I sit very closely to each other but we're not close at all on this amendment, and...Senate Bill 1925 as it came out of the committee was agreed that we needed to do additional work and so we were in weeks of negotiations over amendments to Senate Bill 1925, and now what Senator Welch attempts to do unbeknownst to the negotiators who have already with one exception agreed to delete and...and have agreed to the language that I will present in Amendment No. 2 comes in at the eleventh hour and attempts to weaken language that we've already agreed to in Senate Bill 1925. I don't know why Senator Welch wants to persist with this. We have attempted to not only concern ourselves with Cook County and the metropolitan Chicago area but certainly downstate areas as well, and I would...would ask that the members join in...in defeating this amendment so we can get on to the agreed amendment which is Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Welch.

SENATOR WELCH:

...well, there's been a...you know, the point of order here. It's been alleged that, number one, there was no discussion with Senator Zito. I discussed this with him to...two weeks ago he agreed to this. Now this amendment...in committee, the bill was passed out of committee so that there would be negotiation. The parties that happen to agree...certainly...I know of a...none other than one...one special interest group that had input into negotiations along with the original author of the amendment. So, I take umbrage at the statement that this is an eleventh hour amendment. It happens to be the first amendment filed. I disagree with the idea that this is going to help everybody, it doesn't and I think that the amendment stands on its own merit and it is something that if...isn't put on the bill ends up making a bill impossible to be utilized throughout the entire State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That was a great point of order. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I'd just like to echo Senator Zito's comments. This was a fairly controversial bill as it left committee, and I'd like to commend Senator Zito for his efforts with a group of people I didn't think would ever agree on much besides when to set the meeting for the next argument. We've made a lot of progress and the amendment that follows this that Senator Zito will offer brings a lot of people together and we are very close to having an agreed bill in a very controversial area. Frankly, this is no time to jump in the soup and mess it up; and I'm sorry if somebody didn't get involved in the negotiations, but let me suggest to you, there have been negotiations and they have been productive. I would certainly urge everyone who's interested in a responsible bill

that protects the rights of the citizens and in a responsible way that this amendment should go down and go down hard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in support of this amendment. I think that...at least what this amendment is trying to do is give the whole State an equal footing with the...with this bill...the bill is not very good to begin with, but what it...what this is trying to do is...is where there is downstate zoning in rural areas, it says that...no hazardous waste facility can be within five hundred feet of a residence. Now when the so-called compromise amendment that...Senator Zito has...when that comes out, I would like to know where the one thousand feet...of any zoned area would be. I suggest that, Senator Schaffer, while you're probably for this as...as the bill was drafted, there would be no landfill or hazardous waste facility in Cook County, now it says there will be no hazardous waste landfill or...or...what...incinerator in the collar counties as well as Cook County. So, that's how it's made it better. Now the collar counties won't have any and Cook County won't have any. So, you know, that's wonderful for you fellows, but the rest of the State is going to suffer because of it. For that reason, I would support Senator Welch's amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Zito for a second time.

SENATOR ZITO:

Mr. President and members, I apologize for rising for a second time and I think the merits of Senator Welch's amendment and the comments by Senator Joyce are well taken, but I...I don't really think in four years in...as being a member of this Body that we're in a position to do this. I have

agreed, I would like to see Senator Welch's concept added to the bill. As a matter of fact, we attempted to do that in several of the negotiations. Unfortunately, I have given my word, as any of us would, in agreements and in good faith to accept one thousand feet. I'm not happy with that but that's exactly what we've agreed to, and to move this bill forward to get something rather than nothing, I've asked that that language stay. I'm not happy with it, but I have agreed to move forward. I'm asking my colleagues now to support my position and defeat this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? Senator Hall.

SENATOR HALL:

Well, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

If...if I heard correctly when Senator Joyce was explaining or...am I to hear now that you're going to exempt the collar counties and other counties and we downstate are...are...are going to be a dumping ground for everything? Is that you're saying? If that's what's happening?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, that's the existing legislation. My amendment is trying to change that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

In what way?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard...I mean, Senator Welch.

SENATOR WELCH:

The existing legislation refers to a thousand feet but a thousand feet of property zoned residential. We don't have zoning in LaSalle County. The counties downstate, many of them that do have zoning have agricultural zoning, so you can locate anywhere in that area. What my amendment does is change that to five hundred feet of a residence. The five hundred feet or a thousand feet is...that's negotiable. I don't have a problem with changing five hundred to a thousand. What I do have a problem with is putting in the word "zoning" because what that is is a protective measure for the six...the collar counties and the Cook County, that's why we're going to end up with everything sent our way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR MAITLAND:

Senator Welch, I'm...I'm confused, I think, with respect to...to the issue of...of mandating the monitoring of...of the site by the original...by the original operator. How...how do we deal with that? The man is and the company is..is gone and there's nobody around. How...How can they monitor for thirty years?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, that's a good point, Senator, because the existing bill talked about perpetual monitoring. Obviously, if the landfill owner is gone, you're going to end up with, number one, the costs of any...any burden upon the State or if society will be borne by the real estate itself, the property will be subject to a lien. I don't know what you're going to

sell it for, but it could be subject to a lien. Obviously, if you've got an abandoned dump or someone...or a dump without an owner, the State would have to step in. But this only does it for thirty years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

What...what you're telling me then is the language really doesn't mean anything. The man may be bankrupt, gone, so perhaps two years after the closing, there may not be any response. I'm just trying to...it's a matter of semantics here I think. I don't understand the language.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Is that a question, Senator? Senator Welch.

SENATOR WELCH:

Senator Maitland, if...if you're saying if a fellow files bankruptcy after two years, can we do anything to him? The answer is no. This bill doesn't...doesn't put an exemption into the State bankruptcy exemptions that says...similar to alimony that you can't discharge this in bankruptcy. This is...that would be a different section of the State law. This...this really doesn't direct that. This talks about care of the facility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Pardon me for speaking a second time. I think the point that needs to be reemphasized that this...whatever this bill turns out to be, it is existing...it will be an expansion of the existing protections over current law. There probably are a lot of things each of us can think of that have landfill problems and I think a lot of us here have landfill problems that we would like to get into law; whether they

make sense or not in the final analysis is another question. I think the important thing that needs to be reemphasized is that Senator Zito and the various groups that are involved in this have sat down and worked out a compromise. The compromise does not include everything that Senator Zito or Senator Schaffer wanted or didn't want or any of the groups that were affected wanted, but it is a workable compromise and it has put the bill in a position where we can pass it into law and expand the protection to the citizens of the State without absolutely savaging the waste management industry in this State. This amendment, frankly, abrogates all of that progress; and while somebody may want to make it tougher, you know, you can toughen a bill to death and maybe if we want to kill the bill, this is one way. I don't want to kill the bill. I want to get what I think is a responsible compromise to the Governor's Desk and I'd hope everyone would join us in opposing this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator J.J. Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. As long as everyone is speaking a second time on this,...Senator Schaffer, it would...it would make it tougher all right, it would make it impossible in your...your district to put a landfill...and it would any other district in the collar counties where the zoning is such. I mean, it would be absolutely, totally impossible. You show me a place where there's a thousand feet from any zone...anyplace that isn't zoned. There isn't any. Every landfill and hazardous waste site from...from here on out if we pass this is going to be in...outside the collar county areas. That's what it does. That's how it makes it tougher, makes it impossible in those areas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch may

close.

SENATOR WELCH:

Well, I think it's obvious that what we have here is the suburbanites lining up against downstate Illinois. It's...interesting that the two major spokesmen on behalf of this...against this amendment are suburban representatives, and this isn't a partisan issue, this is one that basically is the suburbanites like this bill because they're sending everything downstate. If they can't send it by rail, they're going to send it by truck...and I just want to say that this amendment is going to give some protections for all the State. It's not fair that we end up being...responsible for your garbage up in Chicago. We already get enough garbage down the river. It's coming by rail and now you're sending it by truck to us downstate. It's unfair. You know it's unfair. You know it doesn't...it improves the law for you fellows, you may as well state exactly what it does and that's it helps you guys in the suburbs and it sends it to us, and anybody from downstate on either side of the aisle that votes for this deserves to have a hazardous waste dump in their area because that's what you're going get. You're going to get one, it's going to be coming soon or else your county better adopt some zoning and make the entire county residential zoing because they've already done it in the collar counties, it's been done in Cook County and if you want these dumps vote No. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch moves the adoption of Amendment No. 1 to Senate Bill 1925. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment...a roll call has been requested. A roll call has been requested. Those in favor of adopting Amendment No. 1 to Senate Bill 1925 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 19, the Nays are 25, 2 voting Present. Amendment No. 1 to Senate Bill 1925 having failed to receive a majority is declared lost. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito. For what purpose Senator Keats arise?

SENATOR KEATS:

Not yet if we got more amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. This amendment now, Amendment No. 2, is the amendment that has been negotiated over the last several weeks. It makes what I think are three substantial changes in 1925. When 1925 was originally introduced and I brought the bill to committee, I had promised that committee that if the committee, in fact, let the bill out, we would...with the proviso that we would negotiate in good faith and I think we've done that. We have had some...some weeks of negotiations with all concerned...what I thought were all concerned individuals and groups that had expressed an interest in Senate Bill 1925, and I'm happy to say now with the...the exception of no one individual or no one group is in opposition. Let me tell you the three changes that...or substantive changes that we've made in Amendment No. 2. The first would prohibit the establishment of any new hazardous waste treatment facility within one thousand feet of property zoned for residential use, that was changed substantially. Originally as introduced the...it was not only hazardous waste, it was incinerators and it also was landfills, that was appealed back. Second change it makes, it voids local government approval of plans for regional

pollution control facility but it's substantially changed after approval. And the third substantial change, it allows for a third party appeal of a permit granted to develop or operate a solid waste facility for municipal or special waste. Those are the three substantial changes that Amendment No. 2 to Senate Bill 1925 does, in fact, make. It's not as strong as I would have liked to see Senate Bill 1925 come through, but as I'd said before in addressing Senator Welch's amendment, something in this General Assembly is better...better than nothing. We have a serious problem with landfills, hazardous waste sites through...throughout the State of Illinois. Rest assured, ladies and gentlemen, that Senate Bill 1925 was not specifically introduced to protect the suburbs, as Senator Welch had said, or protect the City of Chicago. It was introduced in good faith to protect this State from becoming a larger dump site than what it already is. I would ask and move for the adoption of Amendment No. 2 to Senate Bill 1925.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

I just had a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

I'm just curious as to who...who was the parties negotiating this agreement?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

There are a number of individuals, Senator Welch, Mr. Yoho who represents the Central State Resource Center, Mr. John Thompson, a representative from the Illinois Municipal League, representatives from Waste Management and the list

would go on from there, but I think those are the...those were the key negotiators.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

No, I...I didn't hear any environmental groups and I was just curious as to...who else is on the list?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, I think the originator of the bill is, in fact, probably one of the leading environmentalist groups in the State of Illinois. The Central Resource...Resources Center and Mr. John Thompson was the originator of...of this legislation along with...Mr. Jim Yoho whose...reputation precedes him in fighting toxic and hazardous waste sites.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, I agree. This is going to reduce the number of sites in certain areas, but what other environmentalists besides Mr. Yoho had...contributed? Did the Environmental Council or the Public Action Council agree to this amendment or was it the manufacturers' amendment or was it waste management's amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, the Illinois Environmental Council was not directly involved in negotiations, but I can tell you as a fact, they support...they supported Senate Bill 1925 as introduced and certainly support this compromise amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Zito moves

the adoption of Amendment No. 2 to Senate Bill 1925. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Amendment No. 3 removes on-site facilities by adding the language, "The agency may not issue a permit for regional pollution control facility." I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

You're going to tell me the Environmental Council agreed to this amendment, removing on-site facilities?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

...I...I didn't clear each and every amendment. I can tell you that they agreed, I think, to Amendment No. 2. They agreed with my position when we spoke to them that any compromise that was acceptable to the majority would be acceptable to them. I have not run Amendment No. 3 past them but I have negotiated in good faith and to that they said, go ahead.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, who proposed the amendment? Who...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

In answer to the illustrious Senator's question, the Illinois Municipal League, among others, introduced and asked for the amendment. During the negotiation process I felt that it was something again to move this bill in the passage stage we would accept; hence, I am offering Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Zito moves the adoption of Amendment No. 3 to Senate Bill 1925. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Thank you, Mr. President. I have some local editor who doesn't know the difference between hazardous waste and garbage, so he thinks I have conflicts of interest. So, I will say, I didn't have a conflict of interest on the bill, but I did vote Present or vote my conscience appropriately. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's...standing up. Senate Bill...for what purpose Senator Jones arise?

SENATOR JONES:

Thank you, Mr. President. Like leave to add Senator Berman and Senator Luft as a joint sponsor on Senate Bill 2051.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones seeks leave of the Body to...add Senator Berman and Senator Luft as hyphenated cosponsors of Senate Bill 2051. You've heard the motion. Is leave granted? Hearing no objection, leave is granted. On the Order of

Senate Bills 2nd Reading, Senate Bill 1931, Senator Sangmeister. Senate Bill 1945, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1945.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We skipped...Senator Sangmeister is back on the Floor. On Senate Bill 1931, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1931.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. What Amendment No. 1 does is a result of discussion with judges from Cook County and throughout the State that because of the...number of DWI cases that are now coming before the Judiciary because of our change in the law, there's a necessity and a need for more associate judges throughout the State of Illinois. What this amendment would do would be to, in effect, add ninety, you would then take off the forty-one

permissive judges that are already there which would leave a net increase of forty-nine judges across the State of Illinois. If anybody is interested, I can give you the breakdown; if not, I'd move for adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, as this bill was introduced, I think that it raised...increased the number of judges in Will County from eleven to sixteen and...or twelve to sixteen, I'm not sure exactly of the numbers. I think you're increasing...by the amendment you're also increasing the number of circuit judges in two other counties, are you not, and if so, what are the counties and how many?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, number one, we're increasing only associate judges, not circuit judges. Okay? And we are throughout all of the...not all of the circuits but almost all of circuits throughout the State of Illinois...the breakout is a...a change of ninety both...that would...the permissives would, obviously, then by the Supreme Court be taken away which leave forty-nine altogether...increase.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I had the impression that you were only affecting three counties, Will County, DuPage County and Cook. Am I mistaken in that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Those are the only three single circuit counties that are affected. We are affecting some sixteen different circuits with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Somewhere I saw some numbers that indicate that in circuits of a million or more you're going to have one judge for each twenty-five thousand people. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

One associate judge, that's correct. The formula is changed and the result of that will be a...a plus of fifty-four, take away the permissives of twenty-two, would leave a net of thirty-four for Cook County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay. Just...just one more question, Senator. I have some problems with this, I guess partly stemming from the stories that I hear from attorneys in my district that the judges aren't really working full-time schedules now and that they can't find a judge when they need one and...and they're not in the courthouses, and...I guess I'm wondering why we're doing this when criticisms like that seem to be pretty common throughout the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Darrow thinks you ought to talk to him about

that. He has some feelings on whether judges are needed or not. Anyhow, you know, in any profession, whether it be the medical, the legal, accounting, whatever it is, there's always some grumbling people, but because of the legislation that we passed here, I've been advised by the Judiciary that these additional judges are needed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman. That's all? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Sangmeister, I'm very interested. I mean, where are these judges going? What about down in my area? How many are...are listed there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

I believe you are in the twentieth circuit and by my figures you get an additional associate judge.

SENATOR HALL:

How many...how many judges are you going to put here? How many are you adding?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

There is a total of one for your Judicial circuit, okay? The net result after you remove the permissive judges would be a total of forty-nine new judges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Out of forty-nine new judges, we only get one?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That's the way the formula works out. I mean, it's based on population, Senator, and down...down in your area, I presume...what other districts have you got? Have you got...outside of the twentieth, what other circuit have you got?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, what...what I'm trying to say is how did the formula...who drew up the formula? Who decided that formula...who decided that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

It was worked out through the Chicago court system in...in consultation with other chief judges throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, you know, I...I support Chicago on a lot of things, but it's awful strange now that when we have such a large concentration of people it's worked out with Chicago. What I want to know is if we're getting our fair share. I noticed down there that...we have a problem down there, I know we need...but if you're going to put that many on, I think we're entitled to more than one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR PHILIP:

And I...I...wasn't sure what you said, Senator. Are you adding ninety new associate judges Statewide? If you are, how many does Cook County get?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Philip, the breakdown is, there would be a net change of ninety; however, presently in the State of Illinois, there are forty-one permissive judges which...which the Supreme Court gives where they feel that circuit has the need for additional associate judges. Those permissive judges would obviously fall by the wayside, so the net would be forty-nine. Now as far as Cook County is concerned, you would have fifty-four changes there, take away their twenty-two permissive, you'd end up with thirty-four plus. In your circuit, which is the eighteenth, there would be fourteen, take away four permissive, they would have a net of ten in your Judicial district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Philip.

SENATOR PHILIP:

Hey, I'm not through.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I said Senator Philip.

SENATOR PHILIP:

Oh, I'm sorry. I...I've got a lot of kibitzing and coaching here behind me. Now, you're telling me that the Eighteenth Judicial Circuit is going to get two...ten new associate judges?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That is correct as compared to Cook County's...thirty-four.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

You certainly are generous, Senator, I will tell you that...how many judges work on Wednesdays? Can you find any judges there after two o'clock in the afternoon? You've got to be kidding me. What do you pay them, George? Tell us what you pay them and what their fringes are. I'd like to know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I've been advised that the associate judges are at sixty-eight thousand dollars. Now, you know, you come into a philosophical question as to what a judge is worth. The bench and particularly the bar has been concerned about many people leaving the bench, even the Federal bench, to go back into the practice of law because they can't make that kind of money, and if you want to have qualified judges on the bench, just like if you want qualified teachers in your schools, you're going to have to pay them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Well, I...I will tell you one thing, the average...and I...I'm in a very affluent area and very high-priced lawyers. The average lawyer in my county doesn't make anywhere near sixty...sixty-eight thousand dollars a year plus fringe benefits, and I will tell you one...one thing, downstate it's even worse, and I can't believe that anybody would come in and say that we need ten associate...new judges in DuPage

County. I haven't had any judge call me and make that request. I haven't talked to anybody about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, was that a question? Senator Philip. Senator Philip.

SENATOR PHILIP:

Yeah, how about trading ten new...Senators for DuPage County and I will give you the ten associate judges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That sounded like a statement. Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, Mr. President and members of the Senate. How many new judges will we get in Madison County, Senator Sangmeister?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

In your circuit, under the formula, you would get an additional associate judge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

Now, we're about...either the second or third largest county in the State and I wondered if Senator Philip would transfer some of his down there to Madison County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, I was cut off. Would that be possible with an amendment to put two or three down in Madison County that Philip doesn't want?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Why don't you go over and talk to Senator Philip about that and work out a trade. I...it doesn't make that much difference to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Philip.

SENATOR PHILIP:

Yeah, I just wanted to clear...Sam, I'll tell what's happening. We used to transfer some downstate judges into Cook County but they're too damned conservative, they never liked it. You want us to send all of those liberals from Cook County down into St. Clair and Madison, I don't think you'd like it at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, as I indicated to you, this is needed because of legislation that we've passed here. I mean, the DWI's which, of course, the associate judges handle have been piling up at an alarming rate. I've been advised by the Judiciary that this is needed. Obviously, every time you compare what Cook County is going to get, you got to remember the population and the difference, so this is all based on a population ratio which I think is perfectly fair. I think the additional judges are needed and I think we ought to adopt the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister moves the adoption of Amendment No. 1 to Senate Bill 1931. Those in favor indicate by saying Aye. A roll call has been requested. Those who wish to adopt Amendment No. 1 to Senate Bill 1931 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 18, the Nays are 35, 2 voting

Present. Amendment No. 1 having failed to receive the majority vote is declared lost. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1940...Senator Jones, for what purpose do you arise?

SENATOR JONES:

Thank you, Mr. President. Leave to have Senator Lemke added as a hyphenated sponsor on Senate Bill 2051.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones has made a motion to have Senator Lemke added as a hyphenated cosponsor to Senate Bill 2051. Is leave granted? Hearing no objection,...Senator Watson.

SENATOR WATSON:

No objection, Mr. President, but I'd like to be added as a hyphenated cosponsor myself.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you've heard that motion. Hearing no objection, Senators Lemke and Senator Watson added as hyphenated cosponsors to Senate Bill 2051. Senate Bill 1946, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1946.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The Committee Amendment No. 1 pretty much deletes most of the bill, it does keep a few things in, but I would like to advise the Body that I'm going to be moving to 3rd. There is still negotiations going on by

the various departments. It will be moved back to 2nd if there's an agreement; if not, the bill will die on the Calendar. Move for the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 1946. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...Senator Marovitz.

SENATOR MAROVITZ:

I...I would just like to make a comment and then I want to be recorded No on this amendment. One of the things this amendment does and...and correct me if I'm wrong and it's possible, that by this amendment you delete the requirement that the Department of Public Health would have to inform complainants that they're not required to give their names and addresses when reporting a complaint. That is currently the law. The department must inform complainants that it...that it's not necessary that they give their name and address when these nursing home residents file a complaint. You are now deleting that requirement from the law which allows these nursing home residents to feel safe and secure in making a complaint.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lechowicz...Senator Marovitz, I'm sorry. Well, big Ted was blocking the view there. I'm going to get an answer to your question, but the...the question is academic. The bill is not going to be moved the way it's amended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, then are we leaving it on 2nd reading?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lechowicz, in my close, I said the bill was going to be moved to 3rd and if it stays the way it is, it will die on the Calendar. If there's acceptable compromise, it will be moved back to 2nd on a recall and the agreed amendments will be put on and then it'll be put back to 3rd.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...one last question. Would one of those agreed amendments...and I'm not even sure what the nature of those negotiations are, but would one of those agreed amendments remove this deletion requirement from the Department of Public Health that you have via this amendment? Is that one of the things?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I don't know but if it does, we can duke it out at that time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I...Senator DeAngelis is a man of his word and I'd hold him at his word. I would just like to be recorded No on this amendment, clearly, because I don't believe that this requirement should be deleted and, therefore, I would ask for a roll call vote just so I can be recorded No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I want to caution Senator Marovitz, the bill does it, the amendment doesn't. The thing that you're concerned

SB 1957 3rd Reading

about, the bill did it; the amendment doesn't, 'cause the amendment deletes most of the bill. So, you may want to be recorded as a Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis moves the adoption of Amendment No. 1 to Senate Bill 1946. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1957, Senator Friedland. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

SECRETARY:

Senate Bill 1957.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Friedland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1957 adds to the definition of retail theft the offense of attempting to return merchandise for refund or credit when the merchandise was not originally paid for. The bill passed committee quite well and, you may recall, last week there was another amendment that I offered which was...in error and we subsequently withdrew that and staff has met in the interim and prepared another amendment endorsed by the Illinois Retail Merchant's Association which expands the definition of criminal trespass to land to include retail establishments and other commercial entities under the Act. Currently, state's attorneys in some jurisdictions are reluctant to prosecute a case where someone has entered a commercial establishment, remained on the premises after notice that the establishment was closing as was subsequently apprehended on those premises. Additionally, it increases this to a Class A misdemeanor and I'd urge your support of this fine amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Friedland moves the adoption of Amendment No. 1 to Senate Bill 1957. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senate Bill 1961, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1961.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Elections offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What we are about to do is attempt to change the Statute regarding election Statewide contests. As you know, the Supreme Court decided that the old law was null and void, and this is an attempt to put back into the Statute a mechanism in case there is an election Statewide contest for any of the Statewide elected offices. Amendment No. 1 sets up a procedure whereby the Supreme Court is given full jurisdiction over the contest. It sets up a mechanism for people to petition the...the...petition the Supreme Court in the event of a contest. There is a long list of procedural devices that are incorporated within Amendment No. 1. I will reiterate those if anybody decides to ask me a question on the issue. At this point, I would ask to adopt Amendment No. 1 to Senate Bill 1961.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As minority spokesman, I'd like the...my side of the aisle to know that these have been run by our legal staff and they are acceptable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Thank you. Senator D'Arco moves the adoption of Amendment No. 1 to Senate Bill 1961. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Committee Amendment No. 2 deals with a situation in which if it is decided that the Supreme Court cannot have original jurisdiction over the matter, then they would still be able to administer the election procedure in case there is a contest. And it really amounts to a severability amendment in...in the sense that it still gives them administrative powers inherent in their office to provide for the procedure in the event that they do not have original jurisdiction. And I would ask to adopt Amendment No. 2 to Senate Bill 1961.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco moves to adopt...Committee Amendment No. 2. Question...discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This, too, is acceptable to our legal staff and I would suggest we all vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco has moved the adoption of Committee Amendment No. 2 to Senate Bill 1961. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No...Committee Amendment No. 2 is

adopted. Further committee amendments?

SECRETARY:

No further...no further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Senator D'Arco.

SENATOR D'ARCO:

No, I...I think she wants that on recall in case certain things don't happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Collins seeks leave to withdraw that amendments. All right, withdraw it. Further amendments? Senator Collins, you just want to hold your amendment or you want to withdraw your amendment or...all right, she withdrew the amendment. Senate...Senate bills 2nd reading is Senate Bill 1985, Mr. Secretary. All right, 1961 is moved to 3rd reading. Senate Bill...now, on the Order of Senate Bills 2nd Reading is Senate Bill 1985, Mr. Secretary.

SECRETARY:

Senate Bill 1985.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2008. Senate bills 2nd reading is Senate Bill 2-0-0-8, Mr. Secretary.

SECRETARY:

Senate Bill 2008.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Mr. Secretary, before I proceed, is...this is the only amendment, there is no Floor amendment?

SECRETARY:

No...no Floor amendment.

SENATOR MAROVITZ:

Okay. This is...Amendment No. 1 to Senate Bill 2008 is a purely technical amendment in nature. It amends some problems in...interpretation that LRB found regarding some phrases in the...in the bill, it makes no substantive change whatsoever, and I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to Senate Bill 2008. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2051, Senator Jones. Senator Jones on the Floor? All right, with leave...let's...let's leave, we'll come back to it. Senate...2074, Senator Marovitz. 2151, Senator Savickas. On the Order of Senate Bills 2nd Reading is Senate Bill 2151, Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 2151.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 9, 2169, Senator Luft. 2190, Senator Barkhausen. Senate bills 2nd reading, page 9, is Senate Bill 2190. Mr. Secretary.

SECRETARY:

Senate Bill 2190.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 2190 is...well, the bill itself and the amendment are part of the Medicaid fraud package and the bill has bipartisan sponsorship. The amendment is an attempt on our part to expedite hearings in cases where there is evidence that...evidence coming to the attention of...of various code departments, mainly, the Department of Public Aid but also Public Health and Mental Health that...that where those departments uncover evidence that an immediate danger is posed to the public and where there is evidence that Medicaid providers are taking advantage of the system and...and defrauding the...the public

and the taxpayers that then those departments will be required to immediately notify the Department of Registration and Education of this evidence, and the Department of R & E will then be...be required to hold immediate hearings. I don't know that there is anything to prevent this kind of co-operation now between these various code departments and Registration and Education which actually does the...the licensing in the first instance and the suspension or revocation of licenses in instances of this kind, but it's a...it's a directive on our part to these departments to cooperate more closely and we hope to bring this result about by virtue of this legislation. I would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen moves the adoption of Amendment No. 1 to Senate Bill 2190. Discussion? Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2194. With leave of the Body, Senator Watson has requested leave to handle that for Senator Dawson. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 2194, Mr. Secretary.

SECRETARY:

Senate Bill 2194.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

SB 2210
2nd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2202, Senator Topinka. Senator Topinka on the Floor? 2210, Senator Rock. On the Order of Senate Bills 2nd Reading is Senate Bill 2210, Mr. Secretary.

SECRETARY:

Senate Bill 2210.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 2260, Senator Luft. Senator Luft on the Floor? Senate Bill 2263, Senator Luft. 2265, Senator Luft. Senator Kustra,...what...what purpose do you arise?

SENATOR KUSTRA:

Mr...thank you, Mr. President. I request leave to be added as the chief sponsor of House Bill 3477. I've spoken with Senator Marovitz and he has agreed to that and I would like him to join me as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Kustra to be the principal sponsor of House Bill 3477, hyphenated with Senator Marovitz. Is leave granted? Leave is granted. So ordered. With leave of the Body, we'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

908, Senator Sangmeister.

909, Senator Hall.

910, Senator Hall.

911, Senator Woodyard.

912, Senator Woodyard.

913, Senators Philip, Rock and Lechowicz.

914, Senator Jones.

915, Senator Donahue.

916, Senator Jones.

917, Senator Darrow.

918, Senator Dunn.

919, Senator Zito.

And Senate Joint Resolution 158, Senator Woodyard, it's congratulatory.

And Senate Resolution 920, by Senators Davidson, Sommer and all Senators and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 920 offered by Senator Demuzio.

Senate Resolution 921 offered by Senator Demuzio.

Senate Resolution 922, by Senator Geo-Karis, Etheredge and Lechowicz.

And Senate Joint Resolution 159, by Senators Holmberg and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Thank you, Mr. President. I was off the Floor a few minutes ago when Senate Bills 2260, 2263 and 65 were called. I am the hyphenated cosponsor of those bills. Could...could we take those bills up at this time? We've been waiting several days to...to take up that order of business, Mr. President, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I...I appreciate your concern...

SENATOR SCHUNEMAN:

...to debate this issue and we've been prepared for a long time. We'd like to...we'd like to get to that order of business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, under our rules, we...we...we've never afforded that opportunity without leave. Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Thank you, Mr. President. A Republican Caucus immediately, Senator Pate's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Democratic Caucus immediately in Senator Rock's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, you have any...

SENATOR RUPP:

Thirty minutes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

212 for the Senate Democratic Caucus. Senator Rupp in Senator Philip's Office and Senator Rupp indicates about thirty minutes. So the Senate will reconvene at six o'clock. All right. The Senate will stand in Recess till the hour of six.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr. President, I rise for the purpose of moving that we adjourn tonight until ten o'clock tomorrow morning.

PRESIDENT:

All right. You've heard the motion to adjourn until ten o'clock tomorrow. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate stands adjourned, ten o'clock tomorrow morning.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the independent colleges asked me to remind everyone that they're having their reception at the...Ramada Renaissance...the Senators are all invited to be there. Thank you.

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84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 21, 1986

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Dale Catlin, Marshall United Methodist Church, Marshall, Illinois. Reverend.

REVEREND CATLIN:

(Prayer given by Reverend Catlin)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, May 13th and Wednesday, May 14th and Thursday, May 15th and Tuesday, May 20th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 2798, 2927, 3044, 3144, 3423, 3473 and 3475.

PRESIDENT:

All right. With leave of the Body, we'll move to page 19 on the Calendar. On the Order of House Bills 1st Reading.

If any member wishes to pick up a House bill, please...inform the Secretary or the Assistant Secretary. Page 19 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 1236, Senator Hall is the Senate sponsor.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 1865, Senator Smith.

(Secretary reads title of bill)

House Bill 2093, Senator Jones.

(Secretary reads title of bill)

House Bill 2546, Senators Watson, Demuzio.

(Secretary reads title of bill)

House Bill 2630, Senator D'Arco.

(Secretary reads title of bill)

House Bill 2642, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 2733, Senator Topinka.

(Secretary reads title of bill)

House Bill 2738, Senator Marovitz.

(Secretary reads title of bill)

House Bill 2741, Senator Maitland.

(Secretary reads title of bill)

House Bill 2760, Senator Zito and DeAngelis.

(Secretary reads title of bill)

House Bill 2765, Senator Degnan.

(Secretary reads title of bill)

House Bill 2770, Senator Darrow.

(Secretary reads title of bill)

House Bill 2782, Senator Demuzio.

(Secretary reads title of bill)

House Bill 3062, Senator Poshard.

(Secretary reads title of bill)

House Bill 3156, Senators Lechowicz and Karpiel.

(Secretary reads title of bill)

House Bill 3272...3276, Senator Berman.

(Secretary reads title of bill)

House Bill 3479, Senator Woodyard.

(Secretary reads title of bill)

House Bill 3506, Senator Rigney.

(Secretary reads title of bill)

House Bill 3520, Senator Schaffer.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 160 offered by Senator Maitland and all Senators and it's congratulatory...Senate Joint Resolution, rather.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I'd like to ask leave of the Body to suspend the appropriate rules and ask for the immediate consideration of Senate Joint Resolution 160.

PRESIDENT:

All right. Senator Maitland has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 160, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Maitland on Senate Joint Resolution 160.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Joint Resolution 160 is a congratulatory resolution that congratulates

SB 1565 Recalled

the retiring president of Illinois Wesleyan University, Bob Eckley. I would appreciate the Body's support.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Senate Joint Resolution 160. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. The recall list has been passed out. We'll begin on the Order of Recalls so that we can afford Enrolling and Engrossing the opportunity to...get things in order. All right. With leave of the Body, we'll move to the Order of Senate Bills 3rd Reading. Top of page 4, on the Order of Senate Bills 3rd is Senate Bills 1565. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1565, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is deletes the word "shall" and inserts "may" which was requested by the committee. This does not mandate the court, allows the court that they may extend the term on a aggravated situation. I ask for its adoption.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 1565. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

SB 1634 Recalled

3rd reading. Middle of page 5, on the Order of Senate Bills 3rd Reading is Senate Bill 1629. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1629, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does is corrects grammatical and technical errors in...in the bill, such as changes "person" to "persons" and "has, is and perform,"..."or" and "on" I think is technical in nature according to the Reference Bureau. I ask for its adoption.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Amendment No. 3 to Senate Bill 1629. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On page 5, on the Order of Senate Bills 3rd is Senate Bill 1634. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1634, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 2.

SENATOR LEMKE:

Is this 1634?

PRESIDENT:

Yes.

SENATOR LEMKE:

Did we adopt Amendment No. 1 already? Wait,...is this amendment code SDS84S1634PAM3DW? This the one we're on now? Okay. What this amendment does is...it's Attorney General's amendment, extends the Act to repair for all residential buildings and deletes the violation of the home repair without being licensed under the home repair registration, increases the class of offense for entering into an unconscionable contract with a person over sixty years of old and...and makes several technical changes. I think it's a good bill and...a good amendment and I ask adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 1634. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 3.

SENATOR LEMKE:

Is this the amendment, SDS48...I mean...SDS84S1634PAM2VT? What this amendment does is a...a...corrects all...grammatical drafting errors according to the Reference Bureau. I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 3 to Senate Bill 1634. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2006, Senator Marovitz. 2020, Senator Geo-Karis. Senator Geo-Karis. Middle of page 13, on the Order of Senate Bills 3rd Reading, Senate Bill 2020. Senator Geo-Karis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 2020, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Berman and Geo-Karis.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2 makes two technical changes. Number one, it sets forth a time frame in which the department may not move under its subrogation rights for collection of its benefits as provided under this bill, it gives five month leeway prior to the expiration of the Statute of Limitations. And the second part of the amendment says that the determination of the benefits payable are subject to the same requirements and standards as set forth in the previous section of this...of this part of the Public Aid Code. I move the adoption of Amendment No. 2.

PRESIDENT:

Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 2020. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I concur in the...the adoption of this amendment.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to Senate Bill 2020. Any further discussion? If not, all in favor indicate by saying Aye. All

opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 13, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senator Netsch seeks leave of the Body to return Senate Bill 2037 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2037, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 2.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 was requested by the Department of Revenue. The bill is the one that deals with what has come to be known as the Bellas Hess question. They had asked that we include some language that would not in any way diminish their capacity to proceed against some taxpayers who are already in audit. And we have compromised and worked out agreeable language which says that the Amendatory Act is a declaration of new legislative intent and will be...applied prospectively but the General Assembly makes no judgement about the meaning of the terms retailer, service man or supplier maintaining a place of business in the State prior to the effective date. That takes care of our...our mutual concerns. I would move the adoption of Amendment No. 2 to Senate Bill 2037.

PRESIDENT:

Senator Netsch has moved the adoption of Amendment No. 2 to Senate Bill 2037. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The

SB 2117 Recalled

Amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2084, Senator D'Arco. 2117, Senator Demuzio. Middle of page...15, on the Order of Senate Bills 3rd Reading is Senate Bill 2117. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2117, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President, Amendment No. 1 to 2117 has to do with the incineration of garbage. It's some legislation proposed by some of the enviromental groups and people that advocate incineration of garbage that...would allow municipalities and counties if they meet certain standards and the incineration units meet certain standards to get into that business. I believe there is only one controversial portion of the amendment and it has to do with the utilities purchasing electricity generated by the...garbage units. This is proposed by the Municipal League. I would suggest to you that the rates in the bill at this point are subject...in...in the amendment are subject to negotiation and it would be my hope that the Municipal League and the utilities could sit down and work out something agreeable. And that...that is where we are on this amendment. Be happy to answer any questions.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 2117. Discussion? Senator

Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Poshard.

SENATOR POSHARD:

Senator Schaffer, have you any indication of how this amendment might affect the burning of Illinois coal?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I am told that if all the garbage in this State were burned to generate electricity it would account for two percent of the total use of electricity. Obviously these plants, you know, since there are none on line...and some of these plants would be used to generate steam, heat, not electricity, you know, for industrial use, the impact on the generation of electricity Statewide would be absolutely miniscule, and since they are primarily...the people that are promoting them are primarily located in the northern part of the State, I would think the impact on Illinois coal would be infinitesimal.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, would the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. You were talking about rates and that they were negotiable between the utilities and the Municiple League. Don't you think it goes a step further that the...that we are now setting rates by Statute for utility costs?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, we currently have provision in law, and correct me if I'm wrong, that establishes rates for people...private generators with wind generators and hydroelectric. So, this isn't a new concept. I think the thing that bothers the utilities is that we are setting a higher rate...purchase rate for them than we are for the private entrepeneur hydro-electric, for instance, owner. And I personally do not have problems with that since I think that the incineration of garbage is a step in the public interest than the demonition of the amount of stuff we have to put in landfills is certainly an environmentally solid thing to do. The degree that we do that I believe is something that should be talked about. I did not come up with these figures, and I am not prepared to defend them but I would hope that the utilities and the Municipal League would be able to...work out a compromise and certainly we'll look forward to seeing that happen.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well...if...you know, right now is it not true that under the...some Federal Statute and Federal regulations that the utilities must purchase this...this...this energy that's...that's...put out by this?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I believe that is true, and I...I don't believe that they are arguing with that portion of the amendment since I believe they are required to do it in other...I think what they are arguing with is the concept of playing a...a unit of

government, a county consortium or a municipal consortium a higher rate than they are required to pay a private generator with a...windmill. I might add that all of these things have to be under 10K generators, and while I plead no expertise in this area, I am told that those are...are not big generators. We are not talking about a large amount of electricity being generated and we aren't talking about a major impact on the rate base. You know, frankly, it's...at this point in the state of the art for these generators to be economically viable they have to get a little higher return on the electricity generated. I believe, and I'd be prepared to be corrected, it would be produced cheaper than a nuclear plant but probably more expensive than a coal fired unit, and I think that's where Senator Poshard probably got in but, frankly, we're up in...most of them are up in nuke territory anyway so that's why it is somewhat cheaper. Having said that, I think you have to say yes but those utilities already have excess capacity, they don't really need more capacity. I'm just trying to be fair on the thing. But the bottom line is we have to do something with garbage and landfills are about as popular as the plague, and I think most of us would rather see an environmentally sound generation thing and...and if it has some cost implications, I think we have to...have to look at how we handle those and this is an approach.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I'm really torn with...with this amendment. I have tried this morning without success to try to get some figures from someone who could tell us what these small generators might cost. No one seems to know, and I don't think they're even state of the art yet, I...I don't know. But I've tried very diligently to do this. And I'm...and I'm wondering, Senator Schaffer, and...and

this...this thing may well ought to move out of here and...and be subject to some negotiations on down the line, but I'm wondering really where a municipality or...probably in most instances it won't be a municipality it will be a...a countywide venture no doubt or something like that, but I'm wondering how they're going to be affected if, in fact, and you've already alluded to the fact that the cost of the generator is going to be extremely expensive for the amount of energy that it creates, but what is the municipality or the...the entity going to do, you know, if this thing...the cost is so excessive, you know, that...that it really could have an adverse effect on...on rates and taxes and cost that that entity is going to have to...to endure?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, the...the impact would not be on the rates or on the utilities particularly because they're only going to be required to purchase electricity and these are small units and they...if they work at maximum capacity, they'll generate x amount of electricity which the utilities will purchase for whatever the amount of money is. If the cost of the operation or the incinerators exceeds that, which it will, by the way, the electricity won't only...the...the pick-up fee from the person that is dropping the garbage off, probably some local government support, the three...there will be three sources of funding one of these things. Just, frankly, like there are in almost any other disposal system that's environmentally sound. The...the hope is that you can come up with a system that can be funded virtually totally by pick-up charges from customers and the cost of the revenue from selling electricity and so that the governmental involvement of a...say a consortium of municipalities or a large countywide area would be basically the administrative

and bonding responsibilities, that is the concept. As to whether or not they're state of the art, the answer is there are none in this State, at least none that I'm aware of, but there are units in other states. I recently attended a meeeting where a proposal was put together for one of these units for about twenty-four million dollars which would be bonded...twenty-four million is what I said, and that includes the whole thing which would be bonded over a twenty-year period and...and it was very close to being economically viable. The alternative is a pick-up charge that is extremely noncompetitive or a...a more reasonable return on revenue from the utilities. Those are the things that you have to play with in this, and if...if we have to go at a real low utility rate, and let's face it, the utilities have got that rate set real low to discourage independent generation either by this type of thing or wind generators or hydroelectrics, then...then you have to go to a very high pick-up fee which is...is something that makes these things unattractive. But the bottom line is that I think everyone who studied the landfilling in the last few years realizes that we don't need to put everything in the ground, that incineration is much more environmentally practical and sound and that we ought to encourage it. That's what this proposal would do, encourage incineration and encourage the environmentally sound distribution or...or removal and...destruction of waste.

PRESIDENT:

Further discussion? If not, Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 2117. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDENT:

SB 2185 Recalled

Senator Demuzio on Amendment No. 2.

SENATOR DEMUZIO:

Thank you, Mr. President. Amendment No. 2 simply changes the...the...the date from July 1st of '86 to July 1st of '87. It delays it by one year because Congress has failed to extend the Superfund Comprehensive Employment...Environment...Response Conservation and Liability Act of 1980 which would contain a duplicate provision. It simply changes the date, moves it up by one year from July 1st of '86 to July of '87. I would move adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 2 to Senate Bill 2117. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2123, Senator Poshard. I beg your pardon, Senator Keats, for what purpose do you seek recognition?

SENATOR KEATS:

I haven't got an ounce of a conflict of an interest on that amendment but simply because I have an editor who doesn't understand the legislative process, I'll announce that I voted Present on that amendment even though it has nothing whatsoever to do with me, but one term was used that might hint a relationship.

PRESIDENT:

All right...WCIA-TV, Carol Fowler, has requested permission to tape the proceedings as has Channel 20. Is leave granted? Leave is granted. 2123, Senator Poshard. 2185, Senator Lemke. Top of page 17, on the Order of Senate Bills 3rd Reading is Senate Bill 2185. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading

for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2185, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 1.

SENATOR LEMKE:

I believe this is the annual Reference Bureau amendment making all the technical changes in the laws, in the Statutes, and I ask for its adoption. I understand this is...

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 1 to Senate Bill 2185. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 2.

SENATOR LEMKE:

Okay, from a letter from the Reference Bureau, this is a...makes technical corrections in the amendment that we just put on. I ask for its adoption.

PRESIDENT:

All right. Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 2185. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Welch, on page 17. 2294, Senator Karpiel. On the Order of Senate Bills...3rd Reading, top of

page 19, is Senate Bill 2294. Senator Marovitz...is in the hall? Senate...I understand, we'll just take that out of the record for the moment. All right. On the Order of Senate Bills 3rd Reading...we're still on the recall list. I would ask the ladies and gentlemen to please...particularly those of you who have filed amendments to please let's get at it or we'll be here Saturday. On the Order of Senate Bills 3rd Reading, the bottom of page 15, is Senate Bill 2123, Mr. Secretary. Gentleman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2123, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment will put the bond authorization into the same form as Senator Weaver's other bond...authorization bill so that both would be moving at the same levels. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 2123. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator D'Arco on 2084. Bottom of page 14, on the Order of Senate Bills 3rd Reading is Senate Bill 2084. Senator D'Arco seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is

leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2084, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Again, when we passed the merger and consolidation provisions of the Trust Companies Act we have to do a little cleanup, and this is one of the clean-up provisions. It transfers Section 16 on mergers and consolidations on successor trusteeships from the Trustees Powers Act to the Trust Companies Act. And I don't know of any opposition and I move to adopt Amendment No. 2 to Senate Bill 2084.

PRESIDENT:

All right. Senator D'Arco has moved the adoption of Amendment No. 2 to Senate Bill 2084. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. WAND-TV Channel 17 also has requested permission to videotape. Is leave granted? Leave is granted. Senator Holmberg, for what purpose do you seek recognition?

SENATOR HOLMBERG:

While there is a little lull, I wonder if I might have my name added as a hyphenated cosponsor to Senate Bill 1974. I've talked to the sponsor.

PRESIDENT:

All right. The lady seeks leave of the Body to be added

as a cosponsor on Senate Bill 19...

SENATOR HOLMBERG:

74.

PRESIDENT:

...1974. Without objection, leave is granted. All right. On the...back on the recall list, on the Order of Senate Bills 3rd Reading, top of page 13, is Senate Bill 2006. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2006, Mr. Secretary.

SECRETARY:

Senator Marovitz elects to Table one amendment, I don't know which one.

PRESIDENT:

Senator Marovitz, on Senate Bill 2006.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Body. I would that Senate Amendment No. 3...to Senate Bill 2006 be Tabled. It is a different subject matter than that which was adopted in Amendment No. 2, might cause the bill some problems in terms of germaneness and, therefore, I would move, with respect to the Body, that Amendment No. 3 be Tabled.

PRESIDENT:

All right. Senator Marovitz having voted on the prevailing side has moved to reconsider the vote by which Amendment No. 3 to Senate Bill 2006 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Marovitz now moves to Table Amendment No. 3 to Senate Bill 2006. Any discussion on the motion to Table? If not, all in favor indicate by saying Aye. All opposed. The Ayes have

it. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Karpiel, do you wish to proceed on 2294? Senator Marovitz, are you ready? You have an amendment filed. 2-2-9-4. Senator Karpiel, pursuant to an agreement with Senator Marovitz, seeks leave of the Body to return Senate Bill 2294, top of page 19, to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2294, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 2 to Senate Bill 2294 is something that's been the product of an awful lot of work and would make this excellent bill a much better bill. The amendment which was previously on the bill causes considerable problems, it would criminalize and...and cause a criminal judge to hear violations of visitation and that criminal judge would not have the ability to deal with questions of child support and visitation. This bill...this amendment would decriminalize the abuse of visitation rights and add procedures to immediately enforce visitation rights in the Marriage and Dissolution Act. The judge could still punish people who disobey visitation orders through contempt of court citations. The...it...it...the clerk would set the court date between fourteen and twenty-one days after the issuance of the summons. It expedites the civil penalties and that makes this bill a much stronger bill, because to

criminalize those violations on probable cause by one party or another and bring it before a criminal judge who doesn't really have any idea what's happening in regards to the Marriage and Dissolution Act, visitation, child support and couldn't do anything really causes a serious problem. To...to...to expedite the process and bring it before a civil judge who could deal with it immediately makes this bill a much stronger bill and I would ask for the adoption of this amendment and be happy to answer any questions.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 2294. Discussion? Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I haven't had a chance to talk to Senator Marovitz this morning. The reason that I had held up on calling the bill was because I had promised him that if we could work out a...an agreement or a...an amendment which was agreed to by everyone, I would hold it up. Unfortunately, that has not happened. This bill is being sponsored actually by the Department of State Police and evidently they have been trying to work with the NOW group and other women's groups who have sponsored or...this amendment. And according to my information, they have offered to compromise with them by allowing this...these expedited civil cases and...and...but they said that if they would allow an exhaustion of the new civil remedies then the...and if that was exhaused, then the new criminal charges could be pursued. Those groups rejected that and so there has been no compromise and no agreement reached and they are opposed to this amendment. The bill is being supported by the Inspector General's Office, the Department of State Police, the PTA. And I would ask for you not to vote to put this amendment on...on my bill because it is not in the best

interest of the bill and it certainly is not an agreed...amendment.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I've gone into this very thoroughly and Senator Karpiel is absolutely right. I mean, there is nothing to be gained by putting this amendment on. I think we should try her bill the way it is without this amendment, because those of you who have done any work on visitation and for children and so forth, and I have done a considerable amount of it, know that we have to put some teeth into the law. And I think her bill has the teeth in the law and I don't think we should interfere with it...by this amendment. And I rise to speak against the amendment.

PRESIDENT:

All right. Further discussion? Further discussion? Senator Marovitz, you wish to close?

SENATOR MAROVITZ:

Yes, I do. The...the...the concept of visitation is grounded in the belief that sustaining a child's relationship with both parents is in the best interest of the child. I think we all agree with that. When visitation abuse occurs whether it's initiated by the custodial parent or the noncustodial parent it becomes very important for a mechanism to be present to allow both...both parents to work through the difficulty in a nonpunitive atmosphere. This amendment is an attempt to address the concerns raised by the drafters of the bill, but...and...and I...those concerns, which I agree with and I think we all agree with, but in a nonpunitive manner which emphasize what's best for the child. The court in this particular case, with this amendment, could modify visitation, require supervised visitation, grant

make-up visitation, order...mediation or counseling or other sanctions provided by the law. Under the existing bill the judge can't do that. The judge has no power or jurisdiction whatsoever to do any of those things which are in the child's best interest. Modify visitation, supervise visitation, grant make-up visitation, mediation or counseling, a criminal judge can do none of those things and will only cause a further polarization between the parents and damage to the child. If we...expedite the process so that a civil judge can make sure that the visitation orders are...are followed, that is in the best interest of the child and that's what this amendment does. I was closing.

PRESIDENT:

Senator Karpiel, the Senator...the Senator was closing.

SENATOR KARPIEL:

I...I realize that, Mr. President, but it seems to me that the Senator is discussing the bill not just this amendment. When...in my remarks I was just talking about the mechanics of the amendment and who said what and who was going to agree to what. I think it's unfair that he is discussing the entire bill and...and pointing out how this amendment makes the bill better if I haven't had a chance to discuss the bill. The bill does not do what he is saying that it is going to do and I don't think we should be arguing the bill, I think we should be arguing the ability of a sponsor to have a bill in the shape that he or she wants to have it in when it is called on 3rd reading.

PRESIDENT:

Would...would you mind repeating that for the benefit of Senator Philip?

SENATOR KARPIEL:

...would you like me to repeat it again?

PRESIDENT:

I would love it.

SENATOR KARPIEL:

I think that a sponsor has the...he's not listening anyway...

PRESIDENT:

Oh, he's listening.

SENATOR KARPIEL:

...he's talking over there. I think a sponsor should have the ability to have his or her bill called in the shape that he or she wants it called in.

PRESIDENT:

I certainly appreciate that. Thank you, very much. Senator Marovitz has moved the adoption of Amendment No. 2 to Senate Bill 2294. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Take the record. On that question, there are 30 Ayes, 28 Nays. Amendment No. 2 is adopted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Verification of the...roll.

PRESIDENT:

All right. That request is in order. Senator Karpiel has requested a verification. Will the members please be in their seats. Mr. Secretary, read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luff, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Yes. Senator Karpiel, do you question the presence of

any member?

SENATOR KARPIEL:

Yes, Senator Dawson.

PRESIDENT:

Senator Dawson on the Floor? Senator Dawson on the Floor? Strike his name, Mr. Secretary.

SENATOR KARPIEL:

Senator Jones.

PRESIDENT:

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name, Mr. Secretary.

SENATOR KARPIEL:

Thank you.

PERSIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Verify the negative.

PRESIDENT:

All right. The gentleman has requested a verification of the negative roll call. Will the members please be in their seats. Mr. Secretary, read the negative...vote.

SECRETARY:

The following voted in the negative: Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Karpiel, Keats, Kustra, Leitch, Macdonald, Mahar, Maitland, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver and Woodyard.

PRESIDENT:

Senator Marovitz, do you question the presence of any member?

SENATOR MAROVITZ:

Senator Woodyard.

PRESIDENT:

Is Senator Woodyard on the Floor? Senator Woodyard on the Floor? Strike his name, Mr. Secretary.

SENATOR MAROVITZ:

Is that enough? That's enough.

PRESIDENT:

All right. The roll has been verified. On the question of the adoption of the Amendment No. 2 to Senate Bill 2294, the Ayes are 28, the Nays are 27. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. If I can have the attention...if I can have the attention of the membership, additional recalls have just been filed. If you got a pencil handy; 1608, 1838, 1945 and 46, 2018 and 2081. In the interest of saving some time, I think we just ought to go ahead and do it, then we'll begin on the order of...once we finish the recalls, there are those six recalls and then the appropriation's people are proofing amendments now; there are two, four, six, eight appropriation bills to be recalled, and then we'll begin on the order of the top of the Calendar and go right straight through. Bottom of page 4, on the Order of Senate Bills 3rd Reading, Senate Bill 1608, Senator Etheredge seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1608, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 3.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. What this amendment does is to return the grant level award for the...that the ISSC would give back to the Governor's level of thirty-one hundred dollars. The purpose of this amendment is to put on the shoulders of the State Scholarship Commission the responsibility for distributing the impact of the one percent cuts across all of the higher education community and not just on the private colleges and universities.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 3 to Senate Bill 1608. Discussion? Senator Carroll.

SENATOR CARROLL:

Yes, merely to identify, as Senator Etheredge just did, that we had asked the Scholarship Commission to join with their colleagues in higher education to produce the one percent savings in general revenue that each of the institutions so graciously agreed to do and we asked each of them to identify where. Apparently with ISSC the first thought was to take the top fifty dollars off, that really hurts the poorest of people 'cause they're the ones who get the largest of awards and the privates. We have therefore suggested to them and they have agreed to spread that dollar amongst all the grant lines, we've asked for that in writing and I assume we'll get it by the end of today. This would therefore allow the cap to go up to thirty-one fifty, although most likely no one will quite get that amount 'cause each grant will have to get a little bit less but this would allow that to grow so that the poorest who go to the nonpublics will be able to be accommodated and I would urge support of the amendment.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of Amendment No. 3 to Senate Bill 1608. Any further discussion? If not, all in favor indicate by saying Aye. All opposed.

DB1838
Barnell

The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The middle of page 10 is Senate Bill 1838, Senator Barkhausen. On the Order of Senate Bills 3rd Reading is Senate Bill 1838. Senator Barkhausen seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On...the Order of Senate Bills 2nd Reading is Senate Bill 1838, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, yesterday in...in some confusion as to which amendment was which we...inadvertently Tabled an amendment that I would like to see adopted, and having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 1 to Senate Bill 1838 was Tabled.

PRESIDENT:

All right. Senator Barkhausen having voted on the prevailing side moves to reconsider the vote by which Amendment No. 1 to Senate Bill 1838 was Tabled. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Barkhausen on Amendment No. 1.

SENATOR BARKHAUSEN:

Amendment No. 1 to Senate Bill 1838 dealing with the Business Corporation Act just does a couple of very simple technical things. It, one, grants specific authority to the Secretary of State to adopt rules and regulations and, secondly, deletes a provision which specifically authorizes the General Assembly to amend the law which is obviously something we can do anyway without the specific grant of

statutory authority. I would move for the adoption of Amendment No. 1.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 1838. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Middle of page 12...top of page 12, on the Order of Senate Bills 3rd Reading is Senate Bill 1945. Senator DeAngelis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1945, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 1 would after July 1st eliminate the department's ability to calculate depreciation and include depreciation in the facilities for the purposes of calculating capital costs. This amendment has the support of the Governor's Office, the Homes for the Aging, the Chicago Council, the Illinois...Health Care Association, county nursing homes, et cetera, and the money is there, Senator Lechowicz. Thank you.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Amendment No. 1 to Senate Bill 1945. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading, Senate Bill 1946. Senator DeAngelis seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. On the Order of Senate Bills 2nd Reading, Senate Bill 1946, Mr. Secretary.

SECRETARY:

...do you know what...have we adopted only one amendment? I don't have the bill down here. Amendment No. 2 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Amendment No. 2.

SENATOR DeANGELIS:

Thank you, Mr. President. This is the long awaited, so-called agreed amendment. What it does, it makes transmitting a false report a Class B misdemeanor, provides for the discharge of a resident of a nursing home who is a physical threat to other residents or others in the facility. Number three, it requires the Department of Public Health to consult with the Long-term Care Facility Advisory Board prior to adopting rules and regulations. Number four, provides that the department connect on reports with or without identifying information. Five, provides for an exit conference with the nursing home administration in conjunction with the report. Six, requires the department to report the number of invalid reports, and last has the department combine visits whenever possible. Now, in addition to that, this strikes out the rule making authority of the department. However, I have an amendment after this that restores it.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 1946. Discussion? Senator

Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Senator DeAngelis, regarding the long awaited amendment. First of all, in regards to the Class B misdemeanor for transmitting a false report to the department. I don't have the amendment in front of me. Would you tell me if the amendment reads "knowingly" transmits a false report?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Good point, Senator Marovitz, yes, "knowingly" transmits.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

All right. Second question is...we talked about yesterday the Department of Public Health's notification to the resident that they would not have to submit their name and address when submitting a report, they could maintain anonymity; is that maintenance of anonymity and the responsibility of the Department of Public Health still in the bill?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yes; in fact, this further expands the opportunity for the department because they're not required to get that information. They can act without that information.

SENATOR MAROVITZ:

And the last question, I think, on this is that regarding the immediate discharge when a patient has been deemed to be dangerous to fellow residents or personnel, what sort of...restrictions or requirements are put in there before an immediate discharge can be made? Whose determination is it, under what circumstances, is it totally subjective,...what

standards did we put in the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I appreciate your concern on that, Senator Marovitz, but I don't believe anybody who's in the nursing home business is...is in the business to throw people out. However, you and I both know of countless instances when some of the mentally ill population is admitted into a nursing home and becomes rather violent and, in fact, harms and injures other patients. It is almost a subjective decision, but there is a right for a hearing afterwards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...the concerns that I have, and I...I share your concern about someone who...who injures patients, staff and is a danger to them. One of the concerns I have, as you know, there are also patients in many of these homes that are difficult patients to deal with, are...are...are not easy, are more difficult for staff, take a lot more time, are distasteful in one way or another, physically, medically, appearancewise or one way or another, and I'm...I'm fearful that this might be used by...by some of the less reputable nursing home people, and that is certainly a...a minority, to get rid of residents that they can find no other reason to get rid of and they might use this as an excuse because they would rather not have them in their home and they can't find another way to get them out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't know what kind of response, I guess there is a possibility that that could occur but you've got a

greater danger that if they don't have that authority of other residents getting injured. And I don't really believe that...a legitimate operator is going to be in the business of wanting to throw people out wholesale out of their nursing home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, Senator...Senator DeAngelis has moved the adoption of Amendment No. 2 to Senate Bill 1946. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This...Amendment No. 3, as I indicated in my discussion on Amendment No. 2, restores the rule making power to the department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis moves the adoption of Amendment No. 3 to Senate Bill 1946. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 14. 2081. Page 14 at the bottom...is...is 2081. Is Senator Watson on the Floor? Senator Watson on the Floor?

PRESIDENT:

All right. The only remaining recalls are the appropriation bills and it's been suggested that the appropriation staff is working on the amendments. We'll either get to them

in the order in which they appear or we'll have a list later today. Going to start on the Calendar on page 2, on the Order of Senate Bills 2nd Reading and go right through the Calendar, in order. So, I'd ask the members to please take a look at pages 2 and 3 on the Calendar and we will continue immediately into Senate bills 3rd reading. The only bills that will not be called were those that were subject to a recall today. So those of you who amended a bill today, we'll have to hold those over till tomorrow. In order to facilitate the work of Enrolling and Engrossing and for the information of the members, they worked until about four o'clock this morning on all these amendments. We will when we begin on the Order of Senate Bills 3rd Reading take the substantive Senate bills and we will skip the appropriation bills and hold those until the end of the call. They...they are still in the process of being enrolled and engrossed. On the Order of Senate Bills 2nd Reading, Senate Bill 1486, Senator Dawson. Senate Bill 1488, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1488.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen, on Amendment No. 1. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr...Mr...Mr...President...

PRESIDENT:

I beg your pardon, Senator Barkhausen.

SENATOR SCHUNEMAN:

Mr. President...

PRESIDENT:

Well, which...who wants to address this...Senator Schuneman.

SENATOR SCHUNEMAN:

Parliamentary inquiry, Mr. President. There was delivered to the...to you, Mr. President, a written parliamentary inquiry pertaining to this...this particular bill. And we would like to have a response from you on that inquiry at this time. Would you like me to repeat the inquiry?

PRESIDENT:

I don't...I don't know whether it's necessary to repeat it in full but I thinkfor the record it ought to be stated.

SENATOR SCHUNEMAN:

Mr. President, the...Senator Barkhausen advises me that he has a minor technical amendment that he wanted to attach first. Perhaps we should go to that order first.

PRESIDENT:

Why don't we do that first. All right. Any amendments...committee amendments, Mr. Secretary?

SECRETARY:

No committee amendments.

PRESIDENT:

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen on Amendment No. 1.

END OF REEL

REEL #2

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to Senate Bill 1488 does a couple of minor things. This relates to the...the Dram Shop Act and it makes it clear that insofar as we would have the Dram Shop Act apply to out-of-state individuals and entities serving liquor that we...we only mean to have it apply to...to licensed liquor servers, mainly, taverns. Secondly, it makes a change such that in order to be found liable under the Dram Shop Act one will have to have caused the intoxication of the individual in question rather than simply contributing to that individual's intoxication as the bill now reads. I would ask for the adoption of Amendment No. 1.

PRESIDENT:

Senator Barkhausen has moved the adoption of Amendment No. 1 to Senate Bill 1488. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Watson and Schuneman.

PRESIDENT:

Senator Schuneman. Senator Schuneman, are you going to state your inquiry for the record?

SENATOR SCHUNEMAN:

...yes, Mr. President. Senate Bill 1488 relates both to tortious injuries to persons and to property and to insurance coverage therefore. It also provides for the maintenance and settlement of personal injury or property damage claims against tort-feasors. Specifically, A, at page 1 in line 17 and 18, the bill provides for the joint and several liability

of tort-feasors. At page 1 in lines 32 and at page 2 in lines 3 through 5, it specifically refers to a certain type of economic loss of means of support which, as you know, is distinguishable from such noneconomic loss as the loss of consortium and pain and suffering. At page 2 in lines 26 through 33, the bill places caps on certain types of damage awards available to a plaintiff for injuries. At page 2 in lines 34 through 35 and on page 3 at lines 1 through 6, the bill requires payments for certain types of collateral sources and claims to be aggregated in determining whether or not a cap has been reached. At page 3 in lines 13 and 14, references made to a one-year Statute of Limitations governing certain categories of tort claims. At page 3, the Illinois Long-Arm Statute which provides for service of process upon tort-feasors generally is set forth. At line 33 on page 3, the Long-arm Statute specifically provides for the jurisdiction of Illinois courts where a civil defendant has been guilty of the commission of a tortious act within this State. At page 4 in lines 2 and 3, the Long-arm Statute further provides for the jurisdiction of Illinois courts in any civil action where any person has...person has contracted to insure any person, property or risk located within this State at the time of contracting. My inquiry, Mr. President, is this, would amendments to Senate Bill 1488 addressing the rights and liabilities of tort-feasors, the types of injuries which are compensable within...Illinois civil justice system, the establishment of caps on certain types of awards and other similar matters relating to the liability of tort-feasors generally, and the conditions under which they may be sued and to the types of actions or misconduct for which they are liable, be germane to Senate Bill 1488?

PRESIDENT:

Thank you. Senator Schuneman, I appreciate the courtesy afforded to the Chair, the written inquiry was delivered to

my office a couple of days ago. The Chair is prepared to rule that...that the subject of Senate Bill 1488 is the application of the Illinois Dram Shop Act to out-of-state defendants. Specifically, the bill would give extra territorial effect to our Dram Shop Act by replacing the current Act with a new Act...that expressly subjects out-of-state liquor licensees to potential liability under the Illinois Dram Shop Act and by amending the Long-arm Statute to include out-of-state persons who contribute to the intoxication of another who cause damage or injury in Illinois. The amendments would not deal...the amendments...the amendments that have been...that are the subject of this inquiry, would not deal with the application of the Illinois Dram Shop Act to out-of-state defendants; in fact, they would deal with neither the scope of the dram shop liability under the Illinois Act, nor with the jurisdiction of our courts over nonresident licensees. Instead, these amendments would affect the substantive rights of plaintiffs and defendants in all Illinois tort actions. Thus, in the opinion of the Chair, the amendments addressed...addressing the subjects outlined in your inquiry would in the opinion of the Chair not be germane to the bill and, thus, the Chair would rule them out of order. Further amendments, Mr...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr President. While we have arguments are contrary to the ruling of the Chair, as is customary I guess in these cases and we do respectfully disagree with your ruling, we nevertheless will not at this time press for any vote to override the Chair.

PRESIDENT:

All right. Further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1551, Senator Zito. 1610, Senator Davidson. On the Order of Senate Bills 2nd Reading, Senate Bill 1610. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1610.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDENT:

Senator Hall on Appropriations II amendments to Senate Bill 1610. Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment just brings it in line with the Governor's level and I move for the adoption of the amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to Senate Bill 1610. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment...or Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

Thank you, Mr. President...the Amendment No. 2 is the Senate guidelines amendment and I move also for the adoption of...of that amendment for Senate Bill 1610.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 2 to Senate Bill 1610. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any...any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 3.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a transfer amendment. There's no change in the money spent transfer for Illinois State University and Sangamon State University of...from Personal Service and Contractual to Awards and Grants and Telecommunications from...from...for ISU, and it's from Equipment of twenty-five three...three hundred to Personal Services and Award Grants for Sangamon State. Move the adoption of the amendment.

PRESIDENT:

All right. Senator Hall...Senator Davidson has moved the adoption of Amendment No. 3 to Senate Bill 1610. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Welch.

PRESIDENT:

Senator Welch on Amendment No. 4.

SENATOR WELCH:

I'd ask to withdraw that amendment.

PRESIDENT:

Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Davidson.

PRESIDENT:

SB 1834 2nd Reading

Senator Davidson on Amendment No. 4.

SENATOR DAVIDSON:

Is that the same one which...we just did the transfer amendment? If it is,...withdraw it.

SECRETARY:

Basically, it is but it's written different. Yes, basically but it's written different.

SENATOR DAVIDSON:

Okay, then just withdraw that one 'cause...

PRESIDENT:

Withdraw it. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1714, Senator...Senator Maitland, for what purpose do you arise? 1714, Senator Donahue. 1834, Senator Maitland. On the Order of Senate Bills 2nd Reading, Senate Bill 1834. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1834.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Executive offers one amendment.

PRESIDENT:

Senator Maitland on Committee Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President. First of all, it's going to be necessary for me to Table the committee amendment and...by way of a brief explanation, as you know, Mr. President, others know this has been a somewhat controversial bill that was of concern to both the Press Association and the...the Illinois News Broadcasters Association. They were still concerned with that amendment. I have met with them at length and we are prepared to offer another amendment. So,

at this time, I would...would wish to with...with...Table Committee Amendment No. 1.

PRESIDENT:

All right. Senator Maitland is moving to Table Committee Amendment No. 1 to Senate Bill 1834. Any discussion on the motion to Table? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. Motion carries. Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 2.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 2 is an amendment that I...much discussion with yesterday with the Illinois Press Association and the news broadcasters, and the...the amendment would allow for...for closed meetings where the discussion is preliminary in nature, does not involve discussion on, deliberation for or taking any final action by the corporate authorities nor involve discussion or deliberation on the expenditure of public funds and the discussion on industrial revenue bonds controlled by the government body and are specifically requested by the business entity who happens to come into that...that community. I would say to the Body that...that the Municipal League, DCCA are supporting this. The Illinois Press Association is supporting the language. The news broadcasters have taken a look at it, I can't tell you exactly what their position is but they were involved in the meeting and I would move for the adoption of Amendment No. 2.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 2 to Senate Bill 1834. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1915, Senator Maitland. On the Order of Senate Bills 2nd Reading, Senate Bill 1915. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1915.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 softens the language in the bill. As...as the Ag. Committee may recall in discussion in committee there were some concern with the fire marshal and we agreed to work with them on an amendment. This is not their amendment, it is...it is my amendment. It embraces some of their concerns, not all of their concerns, but the amendment would do...would simply allow for above-ground storage of diesel fuel and not...the gasoline still stays in regulation. So this only affects diesel fuel and it would allow for the above-ground storage of diesel fuel, and I would move for the adoption, Mr. President.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 1915. Discussion? Senator Geo-Karis. All right. Senator Maitland has moved the adoption of Amendment No. 1 to Senate Bill 1915. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1920, Senator Karpiel. 2051, Senator Jones. 2074, Senator Marovitz. On the Order of Senate Bills 2nd Reading is Senate Bill 2074. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2074.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 to Senate Bill 2074 was prepared by the Department of Public Health and the Governor's AIDS Interdisciplinary Advisory Council appointed by the Governor. Provides for written informed consent prior to submitting to a test for antibodies for the HTLV3 virus, provides for anonymity by using a pseudonym in..for the person's test name. It allows for testing in the absence of written

informed consent in certain specific instances and for the disclosure of test results to certain specific individuals. It allows minors twelve and older to submit to tests and receive counseling. Intentional violation of the Act which...which would violate the confidentiality portions of the Act constitutes a Class B misdemeanor. It complies with Federal and State regulations that require all diagnosed cases of AIDS to be reported. Basically, that's what the...what the amendment does. It is an amendment that was prepared by the Department of Public Health and the Governor's AIDS Interdisciplinary Advisory Council. I am a member of that council. We have been meeting for the last six months on a very, very regular basis. The council came down and through the graces of President Rock submitted that report and the information to this Body on the Senate Floor and was here for the entire day willing to answer questions. I understand this is a very sensitive subject, but this is the result of the experts in the field, the physicians, the...the scientists, the medical personnel who work on a day-to-day basis with this problem and feel that this is the very best way to get education, counseling and to help prevent the spread of this dread disease, and I would ask that this amendment that was prepared by DPH and the Governor's Council be...be adopted. Thank you, very much.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to Senate Bill 2074. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Berman has requested leave to go back to 2051. Senator Jones, as I'm sure everyone is aware,

he is attending a funeral. With leave of the Body, we'll go to 2051. On the Order of Senate Bills 2nd Reading, Senate Bill 2051, Mr. Secretary.

SECRETARY:

Senate Bill 2051.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you. It's my intention to Table Committee Amendments 1 and 2 and to offer Amendment No...Floor Amendment No. 3 in their...in their stead. The...the...Amendment No. 1 and 2 are both incorporated into Amendment No. 3, namely, the deletion of the insurance waiver and the question of joint several liability for municipalities. So I move to Table Committee Amendment No. 1.

PRESIDENT:

All right...all right, Senator Berman has moved to Table Committee Amendment No. 1 to Senate Bill 2051. Discussion? Senator Rupp on the motion to Table Committee Amendment No. 1.

SENATOR RUPP:

No, sir. I...but what we do have is an amendment being prepared for this bill and what I was trying to get your attention was to ask that it be held briefly so that we can do that.

PRESIDENT:

Senator Berman has...that's certainly agreeable. Take it out of the record, Mr. Secretary, we'll get back to it. 2169, Senator Luft. On the Order of Senate Bills 2nd Reading, bottom of page 2, is Senate Bill 2169. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2169.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 3, 2202, Senator Topinka. On the Order of Senate Bills 2nd Reading, Senate Bill 2202. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2202.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendment from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDENT:

Senator Topinka on Amendment No. 1.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, what we are attempting to do here with Amendment No. 1 which does, indeed, become bill is to address the rewrite of the Medical Practice Act which was last considered in its entirety in 1923. So this has been a long time in coming. The Governor charged the Department of Registration and Education, the Illinois State Medical Society and others to get into this and start looking at it, because over the years we have amended it and changed it around to such an extent it became a crazy quilt and it was time to get at it. If I might have you forbearance because it is rather...involved,

it basically falls into two parts, those that would involve medical discipline and they are rather heavy items, and I think people will be rather pleased by those because they...they do help the good doc heal himself by getting rid of the bad doc in a number of different ways, which were brought up at the Governor's press conference on Monday. And the second part would be from Registration and Education in terms of codification and incorporations, licensure and things of that sort. If I could just briefly go through some of the...the...items that are covered under medical discipline in this rewrite. It would lengthen the time frame for disciplinary investigation and action. It would allow access to medical records of public and private patients treated by those under disciplinary investigation. It would establish and deputize review panels to assist in the review of alleged violations brought before the Medical Disciplinary Board. It would involve professional organizations in the review of excessive fee or other activities of those licensed under the Medical Practice Act. It would create a medical services contracting board to provide State supervision of physician representatives...permitting physicians to fairly discuss and comment on contracts for the provision of medical services. It would grant immunity to organizations such as county medical societies which participate in fee review functions and discuss appropriateness of physician fees. It would modify the Hospital Licensing Act who oblige hospitals to aggressively search out any previous action which may have been taken against a physician's license through a mandatory contact by the hospital to the Department of Registration and Education. It would require automatic review of impaired physicians under State monitoring who remove themselves from therapy programs and why. It would grant the Medical Disciplinary Board authority to order inspection of a physician's office. It would expedite Medical Disciplinary Board review

of allegations brought by other State agencies and professional organizations...against those who are licensed under the Medical Practice Act. It would redefine gross malpractice for clear understanding and application. It would strengthen and clarify the grounds for discipline to coincide with those in...Medical Practice Act or the Federation of State and Medical Boards. I'm sorry to be taking so long but this is a rather technical and a very important type of an amendment and it will become the bill. It will allow the Medical Disciplinary Board to share information on impaired physicians with hospital medical staffs upon request. It will establish a special physician board of clinical examiners to verify clinical competence and so on. It will create a new set of disciplines. The administrative recommendations are, it will organize two medical coordinator posts. It will develop a roster of physician experts. It will improve coordination with other state and...national agencies. It will foster independent, proactive investigation by the Medical Disciplinary Board, improve communications between State authorities and ensure competent Medical Disciplinary Board investigators. There are other parts. It is voluminous and we are getting copies of this. I'm sorry it's taken so long but, as you can imagine, it's something that...that has not been rewritten since 1923. It has been a very involved process involving the talents of a lot of people and a lot of dedication. So that is the amendment.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Amendment No. 1 to Senate Bill 2202. Discussion? Senator Netsch?

SENATOR NETSCH:

Thank you, Mr. President. I rise in strong opposition to Amendment No. 1 to Senate Bill 2202 and I do wish the...our colleagues would listen for just a moment. This is not Sena-

tor Topinka's fault but this is an absolute perversion of the legislative process. I can understand, perhaps, some of the provisions that came out of the task force recommendations on the somewhat limited subject of medical discipline being allowed to come in at this stage; but what has happened here is that those involved, and I'm not even quite sure who they are...all are, have gone ahead and rewritten the entire Medical Practice Act. It has never been before a committee. I would point out that this is scheduled for sunset next year and the...Legislature should in a formal way have some input into that process. The Legislature as...through its institutional arrangements has had no input into the process. It is, I am told, a seventy-three page amendment. No one has even seen the amendment. Our staff tells me that they have not seen this version. They may have seen some earlier drafts of some parts, they have not seen this version. There has been no committee consideration, no committee hearing; this is not an emergency and it is suddenly appearing as an amendment at 2nd reading, a total rewrite of a major part of the structure of our regulation of the health professions. I think that is, as I said before, a total perversion of the legislative process and, in my judgment, the amendment ought to be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I indeed agree with Senator Netsch's observation. If you take a look at the amendment which comprises some seventy-three pages, not one page of which anybody in this Chamber has seen before now, this Act shall be known as the Medical Practice Act of 1986; and I think the point was well made that next year is the year that all the health care practitioners and health care organizations are subject to

sunset review, why in the world do we have to do this today. I can agree with Senator Topinka that perhaps a great deal of work was indeed done and I commend the task force, but the task force was simply that, a task force to make recommendations to this General Assembly for the purpose of adopting a new Medical Practice Act if, indeed, one is deemed necessary. It seems to me somebody ought to take the time to take a look at this. I, for one, am not comfortable with the fact that the Governor of Illinois had a press conference. That in...in...does not outline in any...great detail the Act under which licensed professionals are to practice their profession in this State. So I would move you, Mr. President, that Senate Bill 2202 as amended, if indeed Amendment No. 1 is to be adopted, would be rereferred to the...to the appropriate Senate committee for hearing and perhaps action in the fall at the earliest; but for goodness sake, somebody ought to had...ought to have an opportunity to at least read this thing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has made a motion to rerefer Senate Bill 2202 to the Committee on License of Insurance. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes,...in addressing both the comments as well as to you, Mr. President. I...I don't know that this is all that extensive in the...in the fact that the majority of this report is a recodification of that which already exists but puts it into proper order. The second thing is is that the Governor's task force very strongly charged that something like this come to pass, especially in light of medical malpractice legislation passed last year, where especially the trial attorney said, my God, you know, no one ever goes back to the rotten doctors who are out there, they're out there practicing every day. This does address it and I think Sena-

tor Netsch...would be...you know, well advised to note that medical discipline is not exactly a light type subject. It's addressed very thoroughly in here and it is...and it's very severe on the medical profession and dutifully should be coming forth. The other thing is that two years ago the Illinois Dental Society...before their sunset was over by two years rewrote their Act and we had absolutely no difficulty in this Chamber passing it out and it was taken care of. So just because there is a sunset provision to...a year down the road does not mean, I don't think, that we cannot address this problem now and, yes, it is an emergency because the bad docs are out there and the medical discipline is in order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion on the motion? Senator...Senator Davidson.

SENATOR DAVIDSON:

Well, two things, discussing Senator Rock's motion and then I'll have to...depending on what that prevails or fails be...asked to be recognized to make my point on the other. I would oppose Senator Rock's motion. I am one who has read this amendment 'cause it does deal with...with my other half of my livelihood and I have more than a normal interest in this. And, secondly, I think this is now...needs to be done. If you wait until next year the year that sunset would prevail upon all these different Acts, you're going to have us in a Catch-22 Session...situation; and the fact that we do need, which the medical malpractice debate last...insurance debate brought out last year, a way to get at the incompetent practitioner who has the numerous malpractice et cetera, regardless of what profession he's in that we have an opportunity to get at that individual and be able to circumvent that part of the privileged communications which we're unable to do now. This is a very vital needed thing. I would urge everyone to vote against Senator Rock's motion to rerefer to

committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer, on the motion.

SENATOR SCHAFFER:

Well, I recall a lot of fiery rhetoric last year from our friends, I guess, of the trial lawyer persuasion, I don't mean to cast that around like a curse, about the bad doctors and about how could we consider limiting liability or doing anything unless we got...our act together and went after the bad doctors. I don't see any of those people speaking right now saying this is the chance to get at the bad doctors...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator,...

SENATOR SCHAFFER:

...I wasn't referring to the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well,...this hasn't got...nothing to do with bad doc good doc or medical malpractice or any of that stuff. This is a rewrite of the Medical Practice Act which will be in effect until 1997, once it's approved. For goodness sake, is it too much to ask that we hold it till the fall, that a committee of ours...I'm not opposed to it, I don't know what's in it. How can you be opposed to something you don't know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I share your frustration with that, Senator Rock and...Senator Netsch, and I wasn't aiming at you, as a matter of fact. The simple fact though is very shortly, I hope, we're going to be talking about liability insurance and about some of the issues and I hear quite...I think quite reason-

ably expect to hear some of that same rhetoric that we heard last year; and the point I'm trying to make is that the Governor and the medical profession in this State have put a lot of effort in to trying to address those concerns. And it's somewhat hypocritical to say, well, let's...it's not a big deal, we'll study it for a few more months and then turn around in a few minutes and say, wait a minute, what about the bad doctors. I think what we have here is a very good faith effort by a profession in this State to clean up its act, to respond to legislative concerns; and while all too often we've had these half-inch documents dropped on us in the final weeks of the legislative Session and I don't like it any more than anyone else. This is a real concern and I think there were some legitimate cases where the doctors need to clean up their act and I think we ought to give them a chance to do it. I would also point out, like a lot of other things, it is a rewrite of the Act but it probably is only a rewrite of a...rewrite of only a percentage of the Act, a relatively small percentage. So it isn't as if it's a whole new document and I think we'd be well-advised to act on it this Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion on the motion to rerefer? Senator Schuneman.

SENATOR SCHUNEMAN:

I'm sorry, Mr. President, are we on the amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are on the motion to rerefer.

SENATOR SCHUNEMAN:

Oh, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch for a second time.

SENATOR NETSCH:

Well, I just...Senator Schaffer, I...I wanted to point

out to you that...and to others that it is still the Illinois General Assembly that writes the laws around here, not the Medical Society or any other interest group, and all we are saying is, we don't know what is in here. It is absolutely outrageous for a total rewrite of a major piece of legislation to be presented to us at this stage with no one, I mean no one, on this side of the aisle at least has seen one word of that amendment and...and that makes absolutely no sense. Even if we did not have sunset scheduled for next year, we still should have an opportunity to know what we are being asked to rewite and have some opportunity for input into it. It seems to me that what we are talking about is not the substance of the amendment but the integrity of the legislative process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...on the motion to rerefer.

SENATOR FAWELL:

...Senator Netsch, now you know how I felt when you threw that huge amendment at us on the utility bill last year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion?...Senator Topinka.

SENATOR TOPINKA:

Well, I think we have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Netsch, for what...what purpose do you arise?

SENATOR NETSCH:

I would like to point out, Senator Fawell, that that huge bill had had fourteen hours of hearing in a committee. It was not thrown at you on the Floor sight unseen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Topinka.

SENATOR TOPINKA:

Well, I can remember having voted on the RTA rewrite with...I think within five minutes of midnight on June 30th once and it's been working well ever since, reasonably well with the City of Chicago, of course, cooperates from time to time. However,...I mean, this particular issue I think is awfully important and I think if we go back for another year, you're putting another year out there with the bad docs out there and God knows how many patients, how many liability suits and all the things that we've considered in the past. Everything has been done and it's been done according to Hoyle with...with the Department of...of R & E very much involved, the chief of medical investigations from R & E being involved, all of the particular agencies involved who would be impacted by this and this does not seem out of line to me at all. So, I would not like to see it recommitted at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Now...we...we have another...another light on...on the motion to rerefer, Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I had not intended to speak on this but...I understand that this proposal would put into the Act the Medical Review Panel which was a subject of considerable debate last year in the General Assembly. That's the issue, you remember, the...the fight between the...the medical society and the employers of this State which was settled against the wishes of the medical society and apparently now they're trying to reverse that. But I really think that without adequate study and debate here in the General Assembly, we probably should rereview this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

A point of parliamentary inquiry. If we vote No that means that it...will not be reconsidered, is that correct? That it will...not go back...will not be rereferred?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The motion is to rerefer Senate Bill 202 to the Committee on Insurance.

SENATOR GEO-KARIS:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If you're voting Aye, you're voting in the affirmative to rerefer.

SENATOR GEO-KARIS:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, I urge all of our people on this side...particularly to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm...I'm glad I gave you that explanation. Further...further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...unfortunately, the discussion has centered around medical malpractice, good doctors, bad doctors; truely, stop for just a moment and think about what's going on here. We have a seventy-three page rewrite of the Medical Practice Act under which some twenty-five thousand people in this State practice medicine, and we don't even give it the courtesy of a five minute committee hearing. We shouldn't do this. Perhaps what's in here is excellent, I don't know, but I'm not prepared to vote Aye for something that I have not

yet even had the opportunity to read. I haven't even read the Governor's task force report which is sitting on my desk in my office. We're just going too quickly. We're going to be back here right after the November election, we have our thirty-day constitutional period, if...if...if indeed, this is as it should, be rereferred to a committee, I will ask the committee chairman to hold some hearings over the summer into the early fall and let's find out what in the world is in here, but to do otherwise is sheer folly. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved to rerefer Senate Bill...2202 to the Committee on Insurance. Those in...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it...the Ayes have it. Senate Bill 2202...all right, there's been...been a...been a request for a roll call. Senator Rock moves that Senate Bill 2202 be rereferred to the Committee on Insurance. Those in favor of his motion will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 29. The motion fails. Now on the amendment, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I've tried to explain it before in...in bringing the amendment up and if there would be any specific questions at that time, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved the adoption of Amendment No. 1 to Senate Bill 2202 again. Discussion? Senator Rock.

SENATOR ROCK:

I...I would like the sponsor to indicate to me by page

and line number where Amendment No. 1 addresses the question of incompetent medical professionals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

If you would hold one second so that we can flip through here and get it for you. Plus, the...we do have a problem in getting the copies to you because the printing press apparently has broken down in the basement. So I do throw that out to you for whatever that's worth.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well...Senator D'Arco.

SENATOR D'ARCO:

You know, I don't understand this. If we can't even look at the amendment to see what's in it, how can she proceed and ask for a vote on this amendment? I mean, that's not fair to anybody. Why don't you pull it out of the record, give us a chance at least to look at it so if we have any questions, we can ask some questions on the amendment. I mean, there are thirty-one Democratic Senators on this side, thirty of which don't have an amendment and we would like to look at it. Is that asking too much?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka, are you ready to proceed?

SENATOR TOPINKA:

Yes. The...in answer to President Rock's comment, we start on page 20 and start on line item 5 and then go down to...then we get into all the grounds which actually gets into play by play blow by blow of medical discipline, what is and what is not to be considered. It's a...rather voluminous type...area in terms of the charges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco, did you also request copies of the amendment? Senator Netsch.

SENATOR NETSCH:

Yeah, that was my point also, why I had my light on. I think as long as we are going to have to face this seventy-three page monster, we at least ought to be entitled to have copies of it and I think we have a right under the rules to demand that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch is correct, our rules call for copies of the amendments to be distributed. I would suggest that this be taken out of the record until we do have the copies and proceed with the other order that's on the Calendar. Take it out of the record. Senator Demuzio. The Order of Senate Bills 2nd Reading, Senate Bill 2255, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2255.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers three amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard. For what purpose Senator Watson arise?

SENATOR WATSON:

Inquiry of the Chair. Did we just decide now that we're going to print up an amendment...a seventy-page amendment and going to circulate it to every member on the...on the Senate Floor? Did we just make that decision?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR WATSON:

Four thousand two hundred and some pages we're going to...paper we're going to shuffle through here? Why don't we just...four...four copies of it. We don't all need one, I don't believe, do we?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator, there's going to be twenty-five thousand people licensed under this. There is nobody that has a copy of it, nobody knows what's going on with it. It's like hidden agenda and the rules call for the...amendment to be distributed. It was a proper request. The request was honored and the bill will wait until we have the copies. Senator Poshard on Amendment No. 1 to Senate Bill...for what purpose Senator Carroll arise?

SENATOR CARROLL:

I thought my hearing was wrong. Did I hear a member of the Senate suggest we should be prepared to vote on bills we are not allowed to read?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, Senator, that was the suggestion.

SENATOR CARROLL:

I can't believe it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, you've heard it and it was presented by the...the Republican side of the aisle. Senator Poshard on Amendment No. 1 to Senate Bill 2255.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a technical clarifying amendment. It makes some fine-tuning changes. It ensures the Statewide rural applicability to rural energy conservation program in the bill. It establishes the maximum rate on infrastructure loans at a rate set in the Public Corporation Interest Rate Act. It defines the eligibility for the farmers in transition program and clarifies the intent of the new Farm Agribusiness Loan Program. Move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard...Senator Watson.

SENATOR WATSON:

Well, Mr. President, I don't find a copy of that amendment on my desk. Has that been circulated? Have we got...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Those copies have been circulated and distributed...obviously, either you, your clerk, your aid or one of the Pages has taken if off when you've told them to clean up your desk. Those copies have been distributed. Senator Poshard moves the adoption of Amendment No. 1 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Amendment No. 2 and 3, I wish to Table. This morning I met with the farm credit people and our farm development authority, the Illinois Farm Development Authority and they are about to reach a compromise on...the farm credit people are cooperating with the Illinois Farm Development Act and this is a major, major boost for Illinois farmers. We are talking about some three and a half billion dollar debt that could be serviced at a substantially lower interest rate. This could save an...an average Illinois farmer some thirteen thousand five hundred dollars a year and that is enough to keep him going for another year, that would provide his living expenses. So if this can be accomplished and I think it will be by the end of the week, it will probably be the biggest single thing we've

ever done for Illinois farmers. So, with that, I would like to Table those two amendments. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce, chairman of the Agriculture Committee, moves now to Table Committee Amendments 2 and 3 to Senate Bill 2255. Is there discussion? Is there objection? Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion to Table Amendments 2 and 3 carries. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard. Senator D'Arco.

SENATOR POSHARD:

Which amendment...

SENATOR D'ARCO:

What's the LRB number on that amendment?

SENATOR POSHARD:

Oh, this is a technical amendment from the LRB, Mr. President. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 4 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I wonder if I might ask the Secretary to read the LRB number on...on that amendment, I'm not sure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary.

SECRETARY:

8410515THTCAM.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. Secretary, and thank you, Mr. President. Amendment No. 5 is the...is the amendment that would...would assure that within the department and...the State Board of Education through their agricultural unit, we continue to have education for K through twelve students in this State's elementary and secondary schools. It creates a committee of agriculturists to work with the State board to develop these programs and I would move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I just have a question of the sponsor. Is there not a...an advisory board now within the State Board of Education to recommend and work on vocational education programs? Isn't this a new precedent that we're establishing here of some sort?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Demuzio, to a degree, yes, it...it does create...there is a...an...an agricultural unit but this creates an outside board of agriculturists that will work with the State board. We see a declining involvement of agriculture in...in this State's schools and we

believe...and this was a recommendation from the Illinois Leadership Council for Agriculture Education and this will provide the...the funding and the program to assure that...that...that agriculture training is ongoing in Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I understand the politics of it, we're calling it the Build Illinois through quality...through quality agricultural plans or whatever. How much is this going to cost and what level and line of authority are they going to have with the State board? Is it a...is it something that's simply advisory in nature? Does it have anything to do with curriculum, you know, what are their responsibilities or their objectives or their goals or tell me something about it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Demuzio, yes, it would in all likelihood create a goal...a curriculum for K through twelve throughout Illinois schools. The...the...the cost, roughly, fifteen million dollars and this at this point in time is...is a guesstimate, no question about that, and that would depend upon the extent to which they became involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well,...you're telling me now that this new advisory group is going to cost us fifteen million dollars and...is that an...in an appropriation bill someplace in the General Assembly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No, Senator, it is...it is not in an appropriation bill and...and, keep in mind, I indicated to you that we are talking about a concept here, may well in fact without funding not be totally implemented in the beginning but at least it's a step in what we consider to be the right direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Okay. Well, then, Senator, just tell me, where...where are you...where are you putting in the fifteen million dollars? Is this going to into the State Board of Education's budget or in agriculture's budget or...or where's it going?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, once again, Senator Demuzio, I...I...we don't know to the extent that this is going to...to really get off the ground this year. If it enjoys the enthusiasm of the Legislature that I hope it...it does enjoy, then it will be necessary to...to find the money to fund it and it would be funded through the State Board of Education.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, we're all surprised to learn that this is part of the education reform package. Let me ask you this, is the...is this a compromise between the Farm Bureau leaders and the Governor's Office in reference to the second ag. academy? Is that what we're really doing here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I'm glad you asked that question, Senator. It's well known that I...that I oppose the ag. academy but that was not the point here at all. This...the Governor was not involved in this at all. Your staff has access to the membership on the...the Illinois Leadership Council for Agricultural Education. I don't have one of those at my desk now but I think you'll find that there's a list of...of people who you and I both have much respect for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 5 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. This is a clarifying amendment that clarifies the tuition reimbursements would be included under the Farmers in Transition Program that...it clarifies the crop diversification and...integration loan program, adjusts the guaranteed authorization with amounts available in reserved funds and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 6 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. As you know, Exon owes the State of Illinois some ninety million dollars and we have to find a mechanism to spend that money. And what this amendment does is create the Illinois Petroleum Violation Fund and in the Act it specifies the various uses for the Exon money. The money will be used for energy assistance payments and it will be..also be used for energy conservation loans and grants for programs administered by DCCA, and it would also include financing direct loans and loan guarantees to certain individuals in small businesses in the Rural Energy Conservation Act. I don't know of any opposition. It's a mechanism that is necessary and I would ask to adopt Amendment No. 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Can...can you tell us how that...are there different proportions on how that money is going to be spent through all those different programs or do you have...or is it just being put into this fund and then these different groups can access those funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

It's...this is the substantive mechanism which is...which will be subject to appropriation. So it...it will go through the appropriation process and at that time whatever monies will be allocated will be determined.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

So what you're saying is that through the legislative appropriation process, we will decide how much money goes where, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Oh, Senator Schaffer.

SENATOR SCHAFFER:

I...this is a very important subject, ninety million dollars. I don't find a copy of the amendment on my desk. I think we probably ought to have that before we vote, you know, kind of like to know what we're voting on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, were these amendments distributed? Did you check with our sergeant-at-arms to see if they were distributed? Is there further discussion about Amendment No. 7? Senator D'Arco.

SENATOR D'ARCO:

Jack, I could read the whole amendment in about two minutes. You know, it's not seventy-five pages, it's like...it's two pages.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco moves the adoption of Amendment No. 7 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Rigney and it...Senator Rigney, it is your A amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. Secretary, is this the one that starts out by deleting lines 12 through...34 and so forth?

SECRETARY:

Yes, sir.

SENATOR RIGNEY:

I would like to withdraw that amendment.

SECRETARY:

Amendment No. 8 is the one that you have marked B.

SENATOR RIGNEY:

Okay. Mr. President and Ladies and Gentlemen of the Senate, what we're doing here, this...we're passing a Rural Economic Development Act. That's what this is all about and we specifically target those counties of under two hundred and fifty thousand. That's a rather comprehensive piece of legislation and in pretty good shape until you get all the way back to page 38 at...about the end of the bill, and that's where I have a little breakdown in really what I think is the intent of the legislation. When we get to page 38, we're talking about distributing some of our road funds to units of local government. Now, let's be completely candid about what we're talking about. We're talking about an annual raid on the Road Fund of about thirty million dollars, and I'm sure in the next five years, we will not see candidates coming forward suggesting that the thirty million dollars be taken out of their road district but that's...you know, that's for another day. But in any event, what we're attempting to do here with this particular amendment is to keep within the spirit of the bill itself, and so we have prepared an amendment which says that the distribution will be made to those cities, those counties and those road districts of under two hundred and fifty thousand, which is a

considerably different distribution than the one they are called for in the original legislation. And I think in the name of rural economic development, it's only fair that it be done in this fashion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR CARROLL:

First, does this amendment and the bill now, as if your amendment was adopted as amended, change the current distribution of road funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

It changes the distribution called for in the bill of this two and a half percent of sales tax. In other words, we are pulling that two and half percent out of the Road Fund and the Road Construction Fund, we say we're going to do something different with it. We're going to give that money back to the local units of government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

So that, therefore, the distribution will be different to...units of local government in counties above two hundred and fifty thousand than it would be in counties below two hundred and fifty thousand. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, first of all, they're not getting this money now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

But they would be under the bill absent your amendment, and what you're saying is that only those that are counties under two hundred and fifty thousand would units of local government get it. Do you happen to know what counties of Illinois are over two hundred and fifty thousand in population?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

I can't quote all of those, I think there's approximately about a half a dozen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

I would think that therefore it would include Cook, DuPage, Lake, probably Kane, Will and maybe McHenry?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Possibly so but I think...you know, again, in keeping with the spirit of what this bill is all about, we are not distributing these funds here to the land of the tumbleweed and the...the home where the buffalo roam. We're...we're talking about making the major distribution through the regular formula that's going to allocate most of this money into the large urban areas, and I don't think in good conscience we can do this in the name of rural economic development.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

So,...just so that I understand it and...seventy percent of the population of the State as represented in the Senate by various members are going to be asked to give monies that they could have gotten away on the basis that their local municipalities and counties have more than enough money in their distribution in the Road Fund to do everything that their people need, so that people who represent those six counties don't want any money from distribution of Road Fund monies because the counties of DuPage and Cook and Will and so on, obviously, have enough money. My county doesn't seem to feel that way and I don't think DuPage would feel that way and I don't think Lake would feel that way, and I don't think the others that have over two hundred and fifty thousand would feel that way. I think if there's to be a distribution to units of local government, counties and municipalities that that should be a Statewide distribution and not where the sales tax generated by seventy percent is spent only in the area, as your amendment would do, of the thirty percent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong opposition to Amendment No. 8 and as they used to say, you sure can't blame a guy for trying. All the Senator's amendment does is take money otherwise due and owing to Cook, DuPage, Lake, Will, Kane, St. Clair and Winnebago County and say to the people of those counties, sorry, you're not included in this program. All of us little counties are going to take all the money. It's a heck of an idea, I wish I'd have thought of it, except I'd go the other way. I urge opposition to Amendment No. 8.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, and the former speaker, President Rock, was absolutely correct except in addition to that, all sales tax of the motor fuel tax that goes presently to those counties also would go to counties under two hundred and fifty thousand. The impact of this amendment...Cook County would cost us approximately twenty-five million, City of Chicago, approximately eight and a half million. I didn't get a breakdown for DuPage, Lake and the other five counties within the northeastern section of the State, but I would strongly recommend that this is a raid of a tremendous magnitude and should be soundly defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Rigney, I'm ashamed of you. Tell me how would you have the nerve and the audacity to do that for me and the rest of us over here? It's a shame, you want to take money away from St. Clair County along with everybody else? Convince me that I should vote for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr....thank you, Mr. President. Mr. President, the intent of this legislation is to...the intent of the bill, I should say, is to rightly focus upon some of the problems of rural Illinois, and one part of the bill that leaves the sales tax portion of the motor fuel tax at the county level is going to help a lot of those counties. We do not in the process want to harm or take away from Cook County or DuPage County or Will or any of the other counties that are above two hundred and fifty thousand. I don't think this

is a good amendment and I have to oppose this amendment. We have to come time and time again and ask Chicago and suburban people for their assistance for rural programs. We're asking for their assistance for this one, but we don't want to penalize them in the process and this is a bad amendment in that respect.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Rigney, would you further amend this bill to include population under two hundred and fifty thousand and legislators that are under five-foot six?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Is it true, Senator, that by your amendment you're going to be taking the money out of my county which is more than two hundred fifty thousand?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Senator Geo-Karis, let's not misunderstand where the money is coming from. The money is coming from the Illinois Road Fund that you and I supposedly are here protecting. So now the question is, okay, we're going to rip some out of that Road Fund...the amendment that I agreed not to call was

simply going to strike the whole section out of the bill and leave the money where I think it correctly belongs in the Illinois Road Fund. But, you know, if we're not going to do it that way and we're going to call this rural economic development and...call your attention to the synopsis on the bill, rural economic development, I think in the name of rural economic development we're...we ought to be very careful of where we spend these funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. Sponsor, I happen to have some rural areas also and I'm...I'm not so sure that your amendment would help my rural areas; as a matter of fact, it will not, but I do feel that there should be a more equitable distribution. So I'm just wondering about the tenacity and the audacity of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. I...I think this is a great amendment. Now, the reason I think it's a great amendment is because we're going to be voting on a bill of Senator Zito's that's going to send all the garbage down to those rural counties and we're going to need the...that money to fix those roads so you guys can get the garbage down to the small towns in Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rigney may close.

SENATOR RIGNEY:

Really, I guess, I've perhaps said it all. I think the issue is pretty clear. This is a Road Fund rip off bill and so I guess, you know, in the name of the rip off of the Road

Fund, let's be completely candid about it. Let's be honest and straightforward. I remember we had a...an ag. bill here this last year, we were going to help out downstate farmers, and you remember what happened when we made a Christmas tree out of it, there were a lot of other amendments that got put onto that including legislative pay raise that got tacked on to that kind if legislation in the name of helping the Illinois farmer. Well, we are supposedly, under this bill, helping rural Illinois. Let's stick to the spirit of the law and let's adopt the amendment. I'd ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney moves the adoption of Amendment No. 8 to Senate Bill 2255 and has requested a roll call. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 21, the Nays are 32, none voting Present. Amendment No. 8 having failed to receive a majority vote is declared lost. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 9 offered by Senator Maitland.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Amendment No. 9 creates within the Department of Agricultural the Bureau of Agricultural Development and this was in the...in the Governor's Executive Order of a year ago and we choose now to put it in the Statutes, and I would move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator, you said if I loved the other one, I'd love this one. You want to run it by me one more time? I...I don't have a copy of it, quite frankly, so if you could just run...run me through it again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I would be ever so happy to, Senator Demuzio. This creates within the Department of Agriculture the Bureau of Agriculture Development and this was talked about and discussed at length a year ago and, again, was in an Executive Order and it does really three things. It...it...first of all, to identify research and evaluate the feasibility of agricultural products and facilities designed to diversify and integrate the agricultural industry, that's number one. Number two, to assist new agricultural industrial facilities in arranging financing for their operations and, three, to coordinate marketing efforts to attract new agricultural industries to Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, estimated cost on this one is about another million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

No, sir, it isn't...it isn't that much. I think in the neighborhood of three hundred thousand dollars was the figure that was suggested last year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator, I don't have any objections to what you're doing but, you know, one of your guys used to say a million here and a few hundred thousand there, you know, all begins to add up; and I just want to know how we're going to fund all this...all this...meritorious types of activity we are doing today, so I don't have any objections to the amendment going on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. 9 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 10 offered by Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I think a lot of folks are going to like this amendment...a completely different subject, so

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we're shifting gears here. What we're talking about is our treatment of small municipalities by the various regulatory agencies of State Government. So, what we have done...I think you will recall here several years back, we passed some legislation that said small businesses must be treated separately by the various regulatory agencies of State Government, have special consideration by those agencies. All we have done under this amendment is to extend this same type of protection to small municipalities. Many times a lot of these regulatory agencies and the...and the rules that they have promulgated really don't fit for small communities in the State of Illinois. So, we are defining a small municipality as any municipality under five thousand population or one that employs fewer than fifty people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rigney moves the adoption of Amendment No. 10 to Senate Bill 2255. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 2263, Senator Luft. 2263, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2263.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Committee Amendment No. 1, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. For the last few weeks we've

been sitting, myself in particular, in meetings with Speaker Madigan in an attempt to reach a compromise on tort reform and other issues...relating to the insurance crisis. One of the suggestions in attempting to deal with joint and several liability was a modified version. That version we adopted, one that we think may wind up being the final version, in committee and was consistent with legislation that has been passed in other states, the one closest to us, Indiana, then there's Louisiana, Oregon, Pennsylvania and Nevada and Texas; and what we have done is provide that each defendant is jointly and severally liable for the entire amount of the judgment awarded the claimant except that a defendant whose fault is less than that of the claimant is liable to the claimant only for that portion of the judgment that represents the percentage of fault attributed to him. In layman's terms, if a suit is filed by an individual for a hundred thousand dollars and the jury or judge rules that the plaintiff is fifteen percent at fault and the plaintiff has filed against two defendants, one defendant is liable for ten percent, the other...defendant liable for seventy-five percent, that defendant liable at ten percent, which is less than the plaintiff's fault can only...the plaintiff can only recover that ten percent or in this case would be ten thousand dollars. This is a modified version, as I said earlier, of joint and...several liability, and I would now move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I rise in opposition to the adoption of Committee Amendment No. 1. The whole concept of what this package of bills was intended to do is to make some significant changes in our system of tort liability in this State. I think what Committee Amendment No. 1 does is simply

make a change that may be cosmetic but have little or not affect on the system. Not being attorney, I'm sometimes not sure exactly what some of these things will do but I have discussed the affects of this particular amendment with people who are experts in the field of governmental insurance and the governments are, of course, the one segment of society that are...that are greatly affected by this deep pockets theory and they tell me that...that this amendment will do absolutely nothing. I talked to one claim person who indicated to me that out of several hundreds of cases, like three hundred cases, there's not a single case where this particular provision would ever apply and I think the probably with the amendment is that it is not strong enough. There are other amendments that will be offered for this bill which will abolish the doctrine of joint and several liability. I would urge the members to reject this amendment and approve later amendments. Now we're not in the business here of...opposing all of the amendments that Senator Luft will be offering, there are a couple of them that we're...that we agree with and...and there's...substantially what we're trying to do, this isn't one of them. We urge opposition to Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RUPP:

In the example that you're giving, Senator Luft, suppose that I were the one that you said I would not have to pay anything. Suppose I were just one percentage point more at fault that that plaintiff. How much would I be exposed for?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

You'd be exposed, the way I understand it, for that percent. I did not say that you were...nobody was not liable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Well, that's...that's not quite correct because under joint and several liability, just that one percentage point would make me responsible in the example that you gave for something like ninety percent, so here I have gone through the process in court and have been adjudged to be...say six percent at fault and yet, according to what you're doing here, I could be called on to pay not only what I have been adjudged responsible for but the main one, the highest percentage. I could be required to pay that entire percentage. Now we also...just to...I hate to repeat what Cal Schuneman said but it's worth repeating. We kept hearing during the presentations that this never happens...never happens...never happens and when I asked, well, if that's so, if it never happens, then what's so important about holding on to it. I think we should defeat this amendment and consider the others as they come up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it's important on this amendment and I think...I presume on the amendment that will be coming in a few minutes regarding joint and several liability, to understand what we're...being asked to do; and Senator Luft's Amendment No. 1, the committee amendment, should be understood to be a compromise position. In debating joint and

several liability, the issue is a relatively simple one, should the person who was hurt walk away with less than the compensation that a jury and judge has determined that that injured person should receive or should the full compensation to which that person is entitled be paid for by one or more of all the defendants. Now joint and several liability is not something new, it has been in the American common law for decades and decades, and it has been the social policy decision of the courts of this State and most of the courts of the country that when a person who has been injured is entitled to compensation that they should go away with all of their compensation, and the people that contributed to some extent to that injury shall bear the cost of that injury, and that's what the existing law does. It says that when a judge and jury have determined that a person has been injured, if one or more of the defendants are at fault at all, it is better that the people that were at fault shall pay the plaintiff rather than the plaintiff should go home with less than they are entitled to. That's the whole theory between joint and several liability. Now this amendment says that in weighing those types of policy decisions we're going to modify it somewhat and the...this amendment says we're going to take an arbitrary...an arbitrary recommendation, and we're going to cutoff; where one of the defendants is equal or more liable than the plaintiff, they're going to be part of the contributing elements to allowing the plaintiff to go home with what the court has said the plaintiff is entitled to. Now what we're saying here is this, the person who is liable less than the plaintiff won't have to pay more than what he is responsible for. But I would suggest to you...what I would suggest to you, ladies and gentlemen, in the hearings that have been held by both Houses and by this Body over a long period of time, I would suggest to you that we have been sold a bill of goods, and let me give you some specifics. I

and others on both sides of this aisle have repeatedly requested of people that came forth for specifics, case numbers, the names of the parties, claim numbers and dollar amounts involved in whence joint and several liability has caused a great injustice. How often does it happen? What is the frequency? What is the dollar amount? Now let me tell you, I had a gentleman in my office that was from one of the major insurance carriers in this State and I asked him to...to give me the specifics on where one of their insureds as a result of joint and several liability had to really pay a substantially higher amount than their portion of the liability, and I said go back over two or three years and give me the numbers and the cases. You want to know what I got back from that gentleman? I got back one case. One case, ladies and gentlemen, in which their insured who should have paid twenty-five thousand dollars wound up paying thirty-seven thousand five hundred dollars. One case from the major insurance underwriter...insurer in this State. Now I can tell you this, if there were hundreds or thousands that impacted millions of dollars, that would have been on my desk and it wasn't...and it wasn't. I have asked cities, I have asked private insurers, tell me the facts where joint and several liability have, in fact, not the academic theories, not the...the stories that we hear, give me the cases and, ladies and gentlemen, they have not been forthcoming. Now I don't like to try to hold the ocean back, this is a compromise amendment. I don't think the facts support this anymore than what you're going to hear later on about an abolition of joint and several liability. This is a compromise position, that's the...the nature of the process down here, compromise. This makes more sense from a compromise point of view than abolition. I urge an Aye vote on Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. In regard to the last speaker and...Senator, I think part of the problem is the fact that there's the potential for loss, maybe not necessarily that there's been the cases that you're trying to cite or necessarily that there have been that many, but there's that potential and the insurance industry has got to deal with that. They have to make a decision on whether they're going to offer insurance and that's part of the problem is simply availability and we're seeing the market dry up in many cases, especially units of local government. It's not necessarily that there's been that many awards probably, I don't know, but there is that potential and that's what the industry is concerned with. I'd like to ask the...the sponsor, if I might, a...a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Thank you. And I...he probably mentioned this when he opened up the discussion, but I'd like for him to reiterate 'cause this is an important issue. Would...would you please explain to me one more time what...what happens when a unit of local government, or anyone for this matter, is considered one percent liable? Will they ever be...or what percentage of the award will they be responsible for if they are one percent liable?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

That depends, Senator, on what degree of fault has been assessed the plaintiff, the person suing. So, if...under this bill, for example, that the plaintiff has been assessed fifteen percent at fault, if there are two defendants and one...the defendant you're talking about is assessed one per-

cent fault, he would pay one percent. Under the existing law, if he were deep pockets, you could get all one hundred percent from him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, let me ask you...this is supposedly a compromise. Where...where are units of local government on this, the townships and the municipality and the park districts?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Luft.

SENATOR LUFT:

They have their own bill. It's Senator Jones' bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

This...this will affect units of local government, won't it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

It's my understanding that Senator Jones' bill deals with the Local Government Tort Immunity Act which this does not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

So, I'm to assume it has no impact on...on local government whatsoever.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

If we do not adopt any legislation such as Senator Jones' bill, then this would affect it. If we adopt Senator Jones' bill, it does not affect it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, thank you. I understand that this really doesn't address the problems of units of local government even if...I don't know how it's going to affect them after that remark, I have no idea what ultimately will happen, but I think we're all experiencing a...and we've all seen at the local level, we're hearing from...regardless of whoever it may be, all units of government are simply having a tremendous amount of problems with this, and the injustice of it all is the situation in which...someone can be one percent liable and...and end up being a hundred percent responsible for the award. I understand that you addressed that in the...in...somewhat but simply doesn't really solve the problem. I think that we should vote No on the amendment and then adopt further amendments. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, like those members that have previously spoken, I have sat in on a number of the hearings dealing with this and other matters on which we've heard testimony relating to the insurance crisis, and one of the things that has been clear is that for all of those organizations and entities that have been seeking relief from the problem it...it appears clear, particularly from having sat in on some of the so-called summit sessions in the last couple of weeks, that there is more interest in abolishing, hopefully, the doctrine of joint liability than there is in any of the other proposed changes that have been put forward. So it seems to me that if we are to...to take a serious approach to this problem, that the very least...the very least that we ought to be doing is abolishing joint liabil-

ity. Senator Berman, in his remarks, said that to him...the proposition is clear when we're looking at the question of joint liability and that is whether a victim ought to be able to recover; and I would say, perhaps looking at the...at the question from a slightly different angle that...that to me and perhaps to some of us on this side of the aisle, the proposition is equally clear and that is, should a defendant have an obligation to pay proportionately more than that defendant is found to be at fault and is...obligated to pay by a judge or jury. As a matter of simple justice, the answer to that proposition would be seem to be no. If I am injured, yes, I may be looking for someone against whom I might recover but, indeed, should I be able to recover against a...an individual or an organization who is not at fault; again, I say the answer should be no. So, it seems to me, ladies and gentlemen, that if we really are to be serious about the insurance problem...and as I say, I sat in on these hearings and I heard a lot of testimony that apparently went over the heads of...of at least some of the other members who may be...may have been sitting in on some of the same hearings. I heard a witness come forward from the City of Chicago and cite a number of cases and attach a specific dollar figure to what joint liability means to the City of Chicago, and those members who were representing that entity here would seem to me if they want to bring about some relief for the taxpayers in their city, they at a minimum ought to be voting to abolish joint liability. I think Senator Schuneman in his remarks on this amendment hit it on the head, it...that it, indeed, is purely a cosmetic approach to the question of joint liability than if...in fact, by the end of this Session, we are called upon to compromise, there are forms of compromise that would be far more meaningful than...than this very cosmetic proposal that is being put forward at this time. There would, for example, be the option

of the initiative that is going to be on the ballot in just a couple of weeks in California that would limit joint liability to economic damages only, excluding there...thereby pain and suffering, that would be potentially a fairly meaningful compromise. This is not. It is designed to...to perhaps let a few members off the hook, to let them go home and say they did something about the problem when, in fact, this proposes to be...to do absolutely nothing and I feel that this amendment should be rejected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I...I rise to voice the same concern about this amendment that my colleagues have. I think we ought to be about the business of abolishing joint and several and I don't think this amendment is going to do that. I'm interested in Senator Berman's historical analysis of the doctrine of joint and several liability and I think he was accurate to a point, but I don't think, Senator Berman, you really went back far enough to explain the full impact historically of joint and several. It's no accident that the word "joint" is in the title "joint and several liability," because if you really want to go back in the common law, you will find that joint and several liability only affected defendants who acted in concert. There was no recovery if defendants did not act in concert. What happened is somewhere in the early part of this century, the American courts started liberalizing that doctrine. I would suggest it's because those American courts wanted to become Legislatures instead of courts. We, in this Legislature, ought to be about the business of deciding who should get how much money when either they're aggrieved or when they are poor or whatever, but I don't think it's the job of the courts to do that. In the common law...the

English common law agrees with that position, and so we have now liberalized this so-called doctrine of joint and several liability so much so that it doesn't even bear the respectability of its name anymore that we simply apportion dollars to people regardless of guilt or fault. That doesn't make any sense. That's the reason why we ought to reject this amendment and get on to an amendment that will, in fact, abolish joint and several liability and take us back to the English common law if that's where you want to go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the second time, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I heard the word used that this was a compromise. We have been involved in many, many meetings and today was the first time I actually saw this particular item. Evidently the governmental units have not seen it either. I think we might be able to get up when our amendments come through and we could claim that they were compromises too, but it's pretty difficult to make a compromise just on one side and that's what I feel had been done. The second question addressed to Senator Berman. The thing that puzzles me...I'm not an attorney, sometimes I'm glad, sometimes I'm sad, but it seems to me that here we have in a case, the same case, the same court, the same judge or the same jury and that decision comes down and part of it assesses fault and part of it assesses a total amount of damages. Which has the most weight? To me, I think it's equal...I think it's equal. So why should we be willing to just push aside one section of that decision and say that you have to...because you have the money pay for my share of the loss that I cannot cover? I can't understand that. I don't understand how we can decide which part of one decision in the same case overrides the other. I think they're equal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Amendment No. 1 and it is admittedly...admittedly a first step but one I think that's very meaningful. And, Senator Rupp, I'm sure that members of your side of the aisle have, in fact, been invited and have, in fact, participated in the summit meetings that were organized by the Office of the Speaker, they've been almost interminable and I know, as a matter of fact, having attended one or two that some of your members have been present and I applaud them for that, and that's really where this discussion is taking place, frankly, because all the parties are there and this is an attempt to reflect what is being discussed; and I think one other thing that we ought to bear in mind because we have totally, in my judgment, lost sight of the fact that what we are dealing with is the taking away of rights that an injured person currently enjoys, an injured party, one who has admittedly been injured, one who has been admittedly been injured as the result of the negligence of another or more than one, and that's the point. And, Senator Barkhausen, you couldn't have been more wrong. Nobody who is not at fault is assessed damages. There is fault and that fault was the proximate cause of the injury to this injured person. Any one of the eleven million four hundred thousand in Illinois who get injured as the result of another person's negligence has a right to recover. Bear that in mind as we go through this whole discussion. Let's don't worry about the insurance company and let's don't worry about the major manufacturer and the businessman, let's keep an eye on the injured party because that injured party could be very well be a member of your family or mine and they have rights, and before we willy-nilly take away those rights, we better know what we're doing, because why are we taking away these

rights? 'Cause the insurance company won't make insurance available or somebody is paying too much, and yet we have no specific, definitive, documented evidence that if, indeed, we take away rights of an injured person, of an injured citizen, if, indeed, we take away rights, what's the result? Will the result be availability? Will the result be affordability? We don't know. It's been done in other states and other states have the same exact problem that we are confronted with here in Illinois, even though they've abolished, limited, curtailed, taken away rights of injured people. We ought to be very, very careful. And what we are saying here is we're willing to effect a compromise. We're willing to say that even though you who are at fault and that your action, your negligence caused injury to another, you're not going to be totally liable, you'll be comparatively liable in accordance with your degree of negligence and fault, and I think it's a reasonable, workable compromise. I urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. There's been three words used that I find a little difficult to understand and I guess it depends on definition. One Senator said that this legislation or this amendment was not significant. Another said that it was cosmetic. Another referred to it as really not a serious approach to joint and several liability. Let's go back to my original example of the plaintiff who was found fifteen percent at fault, the defendant found ten percent at fault and another defendant at seventy-five percent at fault. And let's pretend for a second that your neighbor, worth a half a million dollars, is Defendant No. 1, at fault ten percent. Under the law today, the plaintiff can get him for

absolutely everything he has. Under this bill, all that they could come up with that he would have to pay is ten percent of the ward. So, in fact, it is a significant amendment. It is not cosmetic and it is a serious approach to an attempted compromise, and I did not say it was a compromise, I said it was an attempt at compromise. So, under my scenario, you ask your neighbor, who's Mr. Ten Percent here, whether this is significant. You ask the insurance company who is insuring Mr. Ten Percent if this is significant, if it's cosmetic or it's serious. I would move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft moves the adoption of Amendment No. 1 to Senate Bill 2263. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. A roll call has been requested. All those in favor of adopting Amendment No. 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 28, none voting Present. Amendment No. 1 to Senate Bill 2263 having received the majority vote is declared adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, just a minute. Before we call that, we do have a presentation. We have Senator Jerome Joyce here for the presentation.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would like to take this opportunity to introduce to you the Bishop McNamara High School from Kankakee and its principal, Father Erwin Savela and Coach Rich Zaninna, who...with there three A championship football team. Father Savela, make it brief, Father, no

sermons.

FATHER SAVELA:

(Remarks made by Father Savela)

RICH ZANINNA:

(Remarks made by Rich Zaninna)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. Just a comment to Senator Joyce as he's...I wish I could have had the opportunity to say this while he was still up there and while the school was still there, but the...the team that that fine group of boys beat was Olympia High School where my son played football, but congratulations anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we are on the Order of Senate Bills 2nd Reading, Senate Bill 2263. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This is another attempt at compromise and what we're trying to do with this amendment is deal with frivolous suits. And the amendment is based on Rule 11 of the Federal Rules of Civil Procedure which also deals with, obviously, frivolous suits, and what we're simply doing is that it allows sanctions against the defendant's insurance company as well as the attorney involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft has moved the adoption of Amendment No. 2. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Is this...could I check the

amendment number, please, the LRB number 8411092DAMRAM01? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary indicates that that is the number. Senator Schuneman.

SENATOR SCHUNEMAN:

Mr. President and members of the Senate, this is an attempt by the sponsor to deal with an important issue and while we had...and do have other language that we would somewhat prefer, frankly, we don't think this is something that we ought to be arguing about, and I would suggest that the members on this side of the aisle support Senator Luft's amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I would concur in Senator Schuneman's remarks, but I would ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator...Barkhausen.

SENATOR BARKHAUSEN:

Senator Luft, if I can ask you...just for a moment on...if you could...we could take a look at page 2, beginning lines 16 and then 17 of the bill. I just have a question about legislative intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft...

SENATOR BARKHAUSEN:

If you...if...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Barkhausen.

SENATOR BARKHAUSEN:

Looking at that section, Senator, it...it says if a

pleading motion or other paper is signed in violation of this section, and I understand that this language, I think, is...is adopted from the proposals that have been made by some of the groups concerned about frivolous suits, but to my own mind, I define that language in violation of this section to be slightly vague and I...I wonder if what is meant by that language is that...in addition to being signed, all pleadings and motions and so forth have to be well-grounded, in fact, and warranted by existing law and good faith and...and if they're not so grounded or so warranted, then they're in violation of this section. Do you think that's what that means?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and to the members of the Senate. I stand on a point of perfect...personal privilege, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SMITH:

I'm proud to present to this august Body today a school from my district, the Mollison School. It's located at 4415 South King Drive and we have the instructors with them, Miss Loften, Miss Smith, Jones and Talbet. I'd like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise...recognized by the Senate. Welcome to Springfield. All right, further discussion? Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 2263. Those in

favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Again, an attempt at compromise and...the subject matter in this case is punitive damages. What we do with this amendment is leave it to the discretion of the trial judge to limit...punitive damages and to determine whom such damages should be pay...paid. There were other bills that mandated certain limits and everything. In this case, we leave it to the discretion of the judge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Luft has moved the adoption of Amendment No. 3. Discussion? Senator Schuneman...

SENATOR SCHUNEMAN:

Well, I yield to Senator...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...or Senator Rupp. Senator Rupp.

SENATOR RUPP:

...one question I would like to ask, as far as punitive damages are concerned, isn't that, Mr. Sponsor, the same as a fine? Isn't that the same type...this is a...a punishment type part of the...the...the circumstances?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

It's my understanding that punitive damages are designed to punish or deter other misconduct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

That's what I was getting at, that it is, it's a fine basically for some malicious...or some act that should not have been...should not have occurred, and it just seems like here we have one part of our Criminal Code where a fine goes to a plaintiff. In every other instance, I believe the fine goes to the court or some other governmental unit. Our suggestion is going to be that these punitive damages, they can still be awarded, but they go into a fund in the Department of Rehabilitation Services in order to take care of those who are injured. That's going to be our suggestion later on and I think that should be considered. It seems like for us to just permit the judge to decide, and there are a couple of things that he's going to be able to decide; one, he's going to be able to decide if any is...of this punitive damage award is given to the rehab. services, he's going to determine the percent of the award paid to the attorney without regard to the contingency fee arrangement, except the judge can't increase it anymore but he can award and the judge is going to decide it. I think it's...again, we've heard instances here where we think we should make the laws, not the courts. I think that's the...the weakness in this. I think we are the ones who should decide punitive damages go to the Department of Rehabilitation and not up to someone else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? There are several...indications of...several speakers. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President, will the sponsor yield for question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Sponsor, at the present time, the court...the judge can decrease the amount of punitive damages. So, that's not

really the gist of your amendment, is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Yes, it is, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I submit...Mr. President and Ladies and Gentlemen of the Senate, a judge can reduce the judgment, can reduce the punitive damages part of the judgment now without any legislation to do so, but I think what you're going to is the fact for the rehabilitation service, is that it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

No, we allow the judge the discretion of awarding a percentage or whatever he sees fit to go to DOR...or...or I'm sorry, Senator, or any other entity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, in addition to supporting the remarks of Senators Rupp and...and Geo-Karis,...I was...note also that the ICIC proposal and others similar to it that have been made all contain some form of limitation on punitive damages, and I feel...I think most of us on this side of the aisle feel that...that any proposal dealing with punitive damages that does not to one degree or another impose some kind of a cap is a, again, meaningless or cosmetic remedy. I believe the ICIC proposal would...would limit punitive damages to an amount equal to compensatory damages. If we are to vary that proposal somewhat, certainly we can think of other possibilities whether it's a...a dollar amount that

would adequately compensate those who were most seriously injured or perhaps be a figure that would be some sort of a multiplier of compensatory damages, but...a punitive damages remedy without a cap of some kind...is, indeed, extremely meaningless and, therefore, I think we should reject this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's interesting also on...when we talk about punitive damages. Punitive damages, ladies and gentlemen, I would submit to you, if you pass this one or you pass the one that...that even abolishes it or gives it to the Department of Rehabilitation Services, it's not going to mean a nickle off of your premiums to your insureds, because, number one, punitive isn't even covered by your insurance policies. All right? Now keep that in mind. The insurance companies that talk about punitive damages don't pay any money for punitive damage awards. Let me tell you what punitive damages does. It delivers a message by twelve, honest, independent jurors that the defendant has so violated the rules of society that punishment should be imposed. Let me give you one example. There was testimony in California regarding the Ford Pinto gas tank. That jury determined that the business decision that Ford Motor Company made that involved...and I might be wrong on my numbers but I think it was like four bucks and fifty cents to change the position of the Pinto gas tank resulted in a number of flaming deaths to people that bought the Pinto, and Ford Motor Company made the business decision that they didn't want to spend four bucks to change the position of the gas tank. That jury decided that millions of dollars should be assessed as punitive damages. Now let me comment to you about the amendment that I believe is going to

be coming in a few...in a little while...I was going to say few minutes, I'll...I'll withdraw that, a little while that gives the entire punitive damage award to the Department of Rehabilitation Services. Let me tell you what the problem is and I address this to my good friends and colleagues on the other side of the aisle that talk about self-help and self-enterprise and keeping government out of the individual initiatives. You're not going to get...let me back up. Under their proposal, it's my understanding that no part of a punitive damage award will go towards attorneys' fees. Now what you're going to do with...with that is this, in order to prove a punitive damage account...award or account requires substantially more work on behalf of the plaintiff's attorney. If you agree with me, and I think you have to in...for example in the...Pinto case and other cases and in particular in cases of toxic waste and indifference by industry to the best interest of society, there is a purpose served by punitive damages. In order to keep that socially redeemable purpose of punitive damages and allow that to be presented to the jury, you have to compensate the people that are putting that issue before them. That involves attorneys' fees...that involves attorneys' fees; otherwise, there's no incentive to go to the trouble and the work to present that to the jury. This amendment, again, is a reasonable compromise along the socially redeemable purpose of punitive damages and, ladies and gentlemen, they're not often imposed, they're rarely imposed, they have no significant...no significant impact on the cost of doing business in this State, none...none. The amount of the awards are infinitesimal. You're making a very important mistake if you reject this amendment and abolish punitive damages and take away the incentive for proving punitive damages. I urge an Aye vote on the compromise Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, what do you understand the purpose of punitive damages to be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

I answered earlier that I feel that it is the attempt to deter or punish misconduct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Why should the fine...if that's what...I think we can agree that it's some kind of a fine or punishment that's leveled on...leveled against the wrongdoer, why should that award go to the injured party when the injured party has already been made whole in the civil case?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

First of all, we make allowances in this bill for...it does not have to go to the injured party. We let the judge determine what percentage goes to the injured party and what percentage could go to another cause. Secondly, if there are no punitive damages, what incentive is there for anybody not to pursue a wreckless course?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, I think you've...I think

you've made our case. The problem with the amendment is that it allows the court to continue the practice of awarding punitive damages to the person who has already received the compensation awarded by the court. And our approach to this is that if...if punitive damages are to be assessed, and no doubt there are cases where they should be assessed, that those damages should go to the public good, not to enrich the party who has already been made whole. Now I think Senator Berman made a point about legal fees and, you know, somewhere along in this process, perhaps, there should be some reasonable attorney fees allowed for prosecuting a...a punitive damages case, I'm not sure about that; but I think that the problem with the amendment that Senator Luft is offering is that it allows the court discretion to continue the same practice that has caused punitive damages to be so criticized in the past, and, frankly, an awful lot of us are losing confidence in what the courts are doing and the direction in which they're going, and I think that it's time to take that discretion away from the court and tell them what should be done with punitive damages.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I...I'm a little baffled by what Senator Schuneman means by making somebody whole, because when the court or a jury awards punitive damages, the conduct of the defendant is so outrageous, it is so blatant and so disproportionate to the injury that the judge is saying you've got to pay more to this plaintiff that has sustained this grievous wrong in harm because you almost intentionally committed this grievous act. It almost borders on being criminal. That's why you have to pay those damages. It has nothing to do with making him whole, you can never make him whole, but you've got to pay the price for your conduct

and what you did was absolutely wrong. It wasn't a question of mere negligence, it was on the verge of intentional wrongdoing, that's why you've got to pay. And thank God that you're not one of those plaintiffs that have to suffer that grievous injury.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I would only point out that we are, once again, trying to have a compromise amendment dealing with punitive damages and to point out, in fact, perhaps the compromise and the change in the system as it exists today is that we do allow the judge or the jury the discretion to distribute punitive damages for the public good, and I would move for the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft moves the adoption of Amendment No. 3 to Senate Bill 2263. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Been a request for a...a roll call...the question is, Senator Luft has moved adoption of Amendment No. 3 to Senate Bill 2263. Those in favor of the adoption of Amendment No. 3 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 28, none voting Present. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4,...and I have been asked to read the LRB number...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is this a committee amendment?

SECRETARY:

...no these are all Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Mr. Secretary.

SECRETARY:

LRB 8411092DAMRAM05.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Very simply, Mr. President, Amendment No. 4 would allow admission into evidence of collateral source payments...payments as evidence. This is insurance payments and any other awards that may be forthcoming to the plaintiff.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 4. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. While we have a different version of the same idea, I think that the two versions are close enough that we should agree with Senator Luft's amendment. So, I would urge support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft has moved the adoption of Amendment No. 4 to Senate Bill 2263. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Floor Amendment No. 5...excuse me, by Senator Luft. And it's LRB 8411092DAMRAM04.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Since the last four amendments went on in order, I don't think this amendment is necessary and then would...would now ask leave to withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft seeks leave to withdraw Amendment No. 5...Amendment No. 5 is withdrawn. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senators Rupp and Schuneman. LRB No. 84110924CM1AM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rupp, are you handling the amendment? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment deals with the joint and several liability problem. Basically, there have been a lot of arguments pro and con on this. I do believe that the weight, however, should be given to the fact that...a court case decides the amount and the proportion of fault and also I think we heard mentioned here proximate cause and the fact that the...those who are...the inference was that...those who have the higher percentage of fault basically bear the proximate cause label too. I think...if I...am not an attorney again and I apologize for it, but...not really...not really, I almost choked on that, but I also believe that if I were just at a one or two percent fault, I am also part of the promixate cause. So, the argument about promixate cause, I think, does not carry too much weight. But I do believe that the proposal that we have bring...brought forth in this is a much more fair arrangement than the previously adopted amendment, and I ask that it be...this amendment be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp has moved the adoption of Amendment No. 5. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I suggested to Senator Savickas that he may want to

renew his bill that would allow legislators to take the bar exam, because after this debate today, I think we're all going to be experts on tort law. I want to partially restate but look at...in a little more depth what this amendment would do as far as the rights and obligations of citizens of Illinois. And let me give you a couple of clarifying points and I think Senator Rock corrected Senator Barkhausen in a comment...I don't think Senator Barkhausen really meant to say that a person who's not at fault pays something that they aren't obligated for. Joint and several liability doesn't cost anyone who is not a contributor to an accident...to an injury anything. You have to be a participant and have some degree of fault in order to be subject to joint and several liability. Now, what joint and several liability is...is a process to determine on a social level who is best able to, one, chase parties who are at fault for the collection of a judgment and, two, where somebody that's at fault cannot pay and somebody else that's at fault can pay, who should bear the loss, the person who has been injured or the person who has contributed to the injury? That's the issues in joint and several liability. Just as...in aside Senator Kustra talked about joint and let me tell you that joint liability is today the same because we are talking about people who together...together, jointly, in concert, in some degree have contributed to the injury that the plaintiff has been awarded damages for. For example, I'm walking on my way to church, or synagogue, Senator Carroll, and two cars collide in the intersection and one of those cars veers off of the impact and hits me while I'm walking on the sidewalk, and my injury is worth five hundred thousand dollars. One of the defendants is twenty-five percent at fault and the other defendant is seventy-five percent at fault. The reason for that percentage...and this is a typical case, I want you to know. There's a big argument between the two drivers as to whether

one of the lights was green or one of the lights was red, and the jury hears both sides and they decide that somebody ran the red light, that's the guy that's seventy-five percent at fault, but the other one was speeding to fast and should have watched out and they're twenty-five percent at fault. Now the person that's twenty-five percent at fault has a five hundred thousand dollar liability policy and the person that's seventy-five percent at fault has only a hundred thousand dollar policy. If this amendment passes and my injury is worth five hundred thousand dollars, I will be able to collect a hundred and twenty-five thousand dollars because the person that was seventy-five percent at fault has only a hundred thousand dollars of assets available; in other words, they've only got a hundred thousand dollar policy, they should pay three hundred and seventy-five thousand dollars but they're only going to pay a hundred thousand. The person...I'm sorry, I gave you the wrong number. The person that's twenty-five percent at fault should pay a hundred and twenty-five thousand, so that I will wind up receiving a hundred and...plus a hundred and twenty-five...two hundred and twenty-five thousand dollars. I will go home receiving only two hundred and twenty-five thousand dollars for an injury that cost me five hundred thousand. Now, the question is, should the person that was twenty-five percent at fault pay anything more than a hundred and twenty-five thousand dollars? And my answer to you is, from a socially...from a social policy point of view, the answer is yes and I'll tell you why. If that car hadn't been in the intersection and if that accident...wouldn't have happened, I would not have been injured. It's just that simple. If the two cars didn't cause that accident and I had not been hurt, there'd been no issue. The fact that there were two cars that contributed to a situation that caused my injury, I should not have to bear the loss. One or both of the responsible parties that con-

tributed to that accident, I didn't, they did, they ought to make me whole. Now, if the...if both of them can't add up to...half a million dollars, that's the breaks of the game, but if both of them, one way or another can, that makes me whole. What you're doing by this amendment is shifting the responsibility...the responsibility from those who contributed to the accident to the plaintiff who did not contribute to the accident and that's the issue. And let me ask those of you who want to debate this subject, don't bring into the debate the question of the...contribution of the negligence of the plaintiff because it has no role...it has no role in joint and several liability. It plays no point in it. You're only debating here as to whether somebody who is responsible should pay more than their share. That's the issue and the decision is, does the person who was hurt and not contributed to his injury should he bear the loss or should the person that contributed to the injury pay more than their loss? And there's arguments on both sides. I suggest to you the more socially acceptable policy, the fairer policy, the more humane policy, the policy that spreads the risk and saves, I would point out, the taxpayers an awful lot of money because if it...if the plaintiff is not made whole, it winds up on public aid and other types of taxpayer funded programs. The person that has contributed to that injury should be the one that pays along with others that have contributed to that injury. I urge a No vote on Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

END OF REEL

REEL #4

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have probably attended as many meetings with the various interested parties as anyone presently in the building, and I think there is a good faith effort on all sides to effect a compromise that will hopefully satisfy the...the needs that...that are obviously there and at the same time protect the rights of the injured party. And, again, I harken back, and don't forget we are dealing with the rights of the people we represent when they are injured due to the negligence of another. Elimination of joint and several has a devastating effect on the ability of the injured plaintiff to obtain compensation for injuries that he didn't cause, it was caused by the negligence of another. We are working toward a compromise, and I suggest to you that Amendment No. 5 should be rejected for a number of reasons. This is not any attempt at a compromise, this is a flat out statement that we're just abolishing this right that you as...a injured party have, we're just taking it away from you. And secondly, if I have the right amendment, which is LRB number 01 on the end, I'd like to point out particularly to the members on my side of the aisle because I am asking each and every one of them to vote to reject this amendment, obviously because of the substance, obviously because of the continuing effort of the compromise, and you can be sure we'll be voting on this subject matter in one form or another again; but more than that, as a technical matter, Senator Rupp's amendment now deletes everything after the enacting clause. So with one fell swoop he is deleting the prior four amendments that Senator Luft is...is...has put on, couple of which were agreed to. I don't think that's fair. I think we can argue

about whether or not joint and several ought to be abolished without deleting everything else that's involved. But to have this amendment at this time is in bad faith, irrespective of the substance, and the substance...we're going to argue about for a long time, because, again, why are we taking away a right of an injured party? What's the quid pro quo? What's the social good? The social good is, we hope, lower insurance premiums. Is it a fact? We don't know, because I read some of those letters that the Governor has received and it said, well, we can't really tell you because we're subject to antitrust and we can't act in concert; I don't know if it's going to reduce premiums. And I sat in my office in Chicago and talked with a number of representatives of the insurance industry in this State and they were truly in good faith unwilling to say categorically, yes, the rates will go down. So you have to balance. What in the world are we doing if we're not assured of the result? And I think by virtue of this amendment, Amendment No. 5, which deletes all that we've done so far and says this is what we want, we're taking away this right with no assurance that we're going to come to the proper conclusion. I urge rejection of Amendment No. 5, and ask everyone on this side, in the spirit of ultimate compromise, as a responsible legislator, vote No on Amendment 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have several speakers. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. A few weeks ago when I became the sponsors of both 2260 and 2263 dealing with tort reform in the State of Illinois, I tried to put myself in a position of effectuating change that did not satisfy any special interest group but hopefully the people that we're supposedly here to represent. My decision at that time was also to sup-

port Amendment No. 5, which if you will note on Senate Bill 2260 I am the sponsor of Amendment No. 1 which does the same. During this whole process I have tried to be fair, up front, and inform absolutely everybody involved, or at least those that I thought were involved, of what I was attempting to do, what I was doing with these bills and where we were attempting to go. I think that I have been acceptable to every compromise that exists. But now, today, we come up with this, striking everything after the enacting clause...everything after the enacting clause. Not one individual came to me and said, Dick, we don't like your first four amendments, we're going to wipe them out with Amendment No. 5. Nobody said that to me. You stood over there and said that two of my amendments were good amendments, and now you're striking them out. That is not fair at all, and it only goes to show you why we need lawyers, why we need insurance companies and why we need strong laws to protect ourselves, 'cause we can't even trust ourselves, we need help, and you just lost me, I'm not on your side anymore on this. You do not strike other people's amendments without talking to them and...everybody here has been around here long enough to know at least some definition of fair, and apparently there are still those that don't. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

George Thompson from the Chicago Tribune, a staff photographer, requests permission to take still photos. Is leave granted? Hearing no objection, leave is granted. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The arguments of the two previous speakers about fairness are entirely misplaced, and I...I don't know whether you're serious in those arguments or not. You want to talk about fairness, Senator, you are the sponsor of a bill which did all these things that we're ask-

ing for in these amendments. It was your people on your committee that struck everything out of those bills and made them lifeless, we're trying to put some more life back into these bills. When the bills were to be called last week, you wouldn't call them. When the bills were to be called this week, you wouldn't call them. We had our amendments drafted and ready to go on the basis that we thought the bill was going to be debated. And that's the only reason that it contains the language which would delete the enacting clause. I think you know, as we know, that there are amendments...Republican amendments following which put back into the bill those very things that we've agreed to. So if anybody is persuaded by this righteous anger over some unfair practice, that's a bunch of garbage. As to the issue...we have all either attended hearings or we have heard from our constituents that we need to abolish and get away from the doctrine of joint and several liability. You've heard from local governments, they want this abolished. That's what this amendment does. This is the deep-pockets theory. Now, I want to...I want to cite a case to you to prove how this really works. This is an Illinois case, it involves a woman who was driving a car who was intoxicated. It was proven in a blood alcohol test at the hospital, she had from 1...or .137 to 152 blood alcohol at the time of the accident. She ran a stop sign and...and T-boned another car. Whose fault is it? She was seriously injured. Whose fault was that injury? Well, she claims it was the fault...apparently the other...she claims that it was the fault of the township who owned the sign, the stop sign that she ran. And that stop sign was apparently about twenty percent off from the way it should have been, either tilted to the side or tilted forward, and that...that she claims that that's the reason she ran the stop sign and...and caused the accident. I ask you again, who caused the injury? Think about it. She brought

suit against the township for millions of dollars. It was a small township and they had...they didn't have very much insurance, they only had three hundred thousand dollars insurance. What do you think the award...how do you think the award came down? Who do you think had to pay? Of all...of all entities, the county had to pay because the court held that counties somehow have jurisdiction over township highways. Now, you're all legislators, you know to what extent counties really control township roads, don't you? The jury in that case awarded a total judgment of three million one hundred and sixty-two thousand dollars. The county that had umbrella liability insurance sufficient to pay the claim was required to pay two million seven hundred and eighty-seven thousand dollars. Now that's the judgment; obviously, that case is going to be appealed because it seems to be completely unfair. This is the essence of what we're talking about here. You get...you get results which have nothing to do with fairness. This doctrine should be abolished, and if we want to...if we want to compromise on something, and I'm willing to compromise, but I think we all have to realize that we're dealing with a House Chamber who will not even hear any of these bills, they won't permit them to be debated. And in all due credit to the President and to the majority, you have finally allowed a debate on this issue and we thank you for that. But that's not happened in the House and it's not likely to happen there. So if we want to pass something out of here that is meaningful at all, you've got to support this amendment. I urge the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. One of the previous speakers made a remark that the insurance industry has not come forth and said that their rates will decrease in regard

to elimination of joint and several liability. And several meetings that I've attended, and I was in one with a group from the Country Companies, and they said that if elimination of joint and several liability and also some tort immunity was established that they would get back into that insurance...provide that insurance and that's one of the big problems we have simply now is availability. If we provide some relief for these people and create more of a positive market for them, availability increases and with availability naturally comes cost reductions. I have a letter here from the Allstate Insurance industry from the president of the company, Richard Haien, I believe his name is, and I'd like to just read a statement that he mentions in his letter to the Governor, "If the present court...imposed pure comparative negligence law is changed to a modified system and the deep pocket of joint liability is eliminated, we will expand our writings of many classes of commercial liability insurance. We will reduce our rates in particular for most commercial...commercial automobile liability insurance by three to eleven percent and for municipal liability insurance by five to ten percent." So I think we are seeing a commitment from the industry that they are willing to gaze into a crystal ball, which is really unfair for us to ask them to do, but gaze into a crystal ball and say, we will be reducing rates and we will try to make availability and affordability of insurance more readable to units of local government and to small businesses throughout this State. I think this is a good amendment and I believe it needs to be adopted. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'll try to make my remarks brief in light of the fact that much of this debate took

place also on the earlier amendment. As a point of clarification I want to point out that I did not say...or certainly did not mean to say that...that joint liability...potentially imposes liability on one who is...is not to any degree at fault. I said or meant to say that it imposes liability in greater proportion and to a greater extent than a party is found to be a fault and then posed the basic question as to whether that was fair. One of the earlier speakers on the other side conceded that there are, indeed, different ways of looking at this question and, in fact, there are. But rather than looking at...at the issue solely from the standpoint of the rights of the consumers, and I would not for a minute say that we ought in any way to lose sight of...of the importance of the rights of the consumers, but the job of us, as legislators, is, of course, at all times and particularly on an issue of this kind to try to balance the various interests in society; and in...in looking at the rights of victims or...or the rights of consumers I think we ought to apply as broad a definition as we possibly can in determining...or defining what we mean by consumer. We have had involved in the various discussions on this issue IPAC which seems to take it upon itself to be the...the sole spokesman for the rights of the consumers but consumers in this sense are only being defined as victims. Well, consumers are also...are they not, taxpayers who are paying higher taxes because of the insurance bills being assessed to units of government? Consumers are also, are they not, purchasers of goods and services, all of us and our citizens who are paying higher prices because of escalating insurance premiums? And also I think it needs to be pointed out that this is just not a question of how this issue affects insurance companies, for more and more of our entities in society nowadays by choice or necessity are self-insured; and without regard to how any remedy dealing with joint liability affects insurance companies or

the ability of insurance companies to lower prices, we have to recognize that a remedy of this kind doing away with joint liability will significantly affect the payouts not only of insurance companies but of entities that are self-insured. As I mentioned in my earlier remarks on the previous amendment, all of those who are interested in some kind of meaningful solution to the insurance problem agree that any kind of a solution that we might come up with begins, and I emphasize begins, with the approach that is taken by this amendment, the abolition of joint liability. And I urge the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra. Senator Rupp.

SENATOR RUPP:

...close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No, your...your light was on for speaking. I'm sorry. Senator D'Arco. Senator Zito. If there's no further discussion, Senator Rupp may close. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the...Senate, I would like to point out to one of the prior speakers who said that if he got hurt five hundred thousand dollars worth and the other...party had only a hundred and twenty-five thousand, he could only get that. We also have written in most of our policies underinsurance to provide, if I understand correctly, for insurance to cover some of our injuries past the amount of policy that the fellow has who hits us. So, I think perhaps this amendment should be considered.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we call on Senator Rupp to close, we'd like to recognize the distinguished Speaker of the House of Representatives, Michael Madigan, is in attendance today. Senator Rupp may close debate.

SENATOR RUPP:

Thank you, Mr. President. I'm...I'm real glad to hear that we're finally coming to a...an atmosphere of fairness,...that's...that's fine, it's great to hear that. Also great to hear about that spirit of ultimate compromise, we're looking for an example of it. I assure you, there was no bad faith in anything that we on this side did. I think you folks knew that we had to prepare these amendments this way, we do have four more. I think that you should realize that this basically is the first of the five amendments that we will have, and this is the start to reply and to respond to the various groups and I would imagine that every member on this Floor has had numerous calls, a lot of pressure. This is what we're talking about, we're at the door right now, this is the bill, this is the start. The ICIC group put the pressure in it, the Chamber has had their share, various business entities have been in it, individuals, governmental units. Now, are you not going to respond? I think you know that there are thousands and thousands of people out there with a problem with their insurance. When I was in the insurance business, I remember we used to have trouble placing a...a long-haul truck that carried gasoline or...or propane. That's not the problem now. Every corner store, park district, governmental unit is having the same problem. I would like to quote just the Mayor of New York City, they for the most part, you know, are self-insured, and the liability crisis that the state...different localities and school districts had the same problem as we are having here. The City of New York realizes the problem and it's become evident to them because they've had extraordinary increases in their own tort liability payments over the last several years. They've looked at these trends carefully, and I am quoting the mayor, "We have looked at these trends carefully, and based on our experience, we believe that this crisis is

one caused...ultimately by the current system of tort law and the manner in which damages are determined against municipalities. A lot has been said about the fact that the insurance industry has helped to bring about the crisis. I think we're beyond that point now. There's fault, there's a lot of fault, there's enough fault to go around, everybody can have their share of fault. But those factors, when you consider the situation, our situation,"...and this is still the mayor and I'm quoting him, "as a self-insured entity simply cannot explain the dramatic five-fold increase in the city's tort payments and the average cost per case since 1979, and precisely because we are self-insured, we can measure the increase in our liability and give you figures that illustrate our mounting cost in a way that is completely separate from the issuance or...or issue of insurance premiums. New York City, since 1977 when they paid out 24.2 million in personal injury cases at an average settlement of seven thousand one hundred and twenty-seven dollars. In 1985 that twenty-four million figure rose to a hundred an fourteen million and the seven thousand dollar figure rose to thirty-one thousand." I urge you to remember that you have been contacted on this, there are thousands of people looking to us for some help. And really what I would like to do is to ask that you vote for this and that you give us an example of that fairness and ultimate compromise attitude that you're talking about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Amendment No. 5 to Senate Bill 2263 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Mr. President, having voted on the prevailing side, I move to reconsider the vote by which Amendment No. 5 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Schuneman votes to reconsider the vote. Senator Geo-Karis moves to Table that motion. All those in favor indicate by saying Aye. Those opposed. The Ayes carry it, the motion carries. Further amendments?

SECRETARY:

Amendment No. 6 offered by Senators Schuneman and Rupp. LRB No. 8411092RCMLAM02.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. For...Mr. President, first of all, before I proceed with this amendment, for the information of the members, there was never any intent to...delete those issues which we had agreed to. There are amendments coming which would reinstate the collateral source rule and the frivolous lawsuits issue which we had agreed to. So, there's no intent on our side to...to delete that from the bill. This amendment would adopt as the policy of the State of Illinois modified comparative negligence. And I'm sure that the attorneys in our...particularly the trial lawyers who are members of this Body will debate this...the technicalities of this issue. But for those of us who are not trial lawyers, I'd like to explain this issue as I know it. Prior to about 1981 in this State, the...the doctrine of liability, in effect, worked this way, that if you were injured in an accident and you had contributed to that accident; in other words, if you were somewhat negligent yourself, then theoretically you were barred from recovering anything from the other people who perhaps were more negligent than you were. There were arguments for a long time

that that sometimes resulted in unfair...results in the court, and I think probably those arguments were justified. But the Illinois Supreme Court in about 1981 threw out that old contributory negligence method in the State and adopted what is known as pure comparative negligence. Now I submit to you that that's the name but it's really not as pure as we might think. But in effect what our courts do now is try to assess a percentage of liability to each of the parties that are involved in an accident. Now many, many times that's very difficult to do but this whole change in our liability system has never been adopted by this Legislature, it's never been ratified by this Legislature, it was a change brought about by the court. And according to one report...forgotten the name of the publication, the...well, I guess here it is, "The Illinois Jury Verdict Report" showed that gross awards in tort cases outside the Chicago area more than doubled in the period just after this change in law was adopted by the court. The same thing happened in...in Cook County courts, that is, there was a dramatic increase, about a thirty-seven percent increase in Cook County courts. And this gives rise, in my opinion, to a lot more litigation than we had under the other system because now there is great argument about whether you were thirty-seven percent liable or if you're twenty-five percent liable or if you're sixty percent liable. There...there is...a great deal to be argued about the comparative fault of the various parties. What this bill does is adopt in Illinois a system which works well in other States. This is a modified comparative negligence bill. It's the same kind of law that is in effect, as I understand it, in Wisconsin. There are some thirty-eight states in the United States that have some form of modified comparative negligence. And, in effect, what this one says is that if you are more at fault than the other party, then you can't collect from the other party. And we think that this is a

better system than the one that is presently in effect in Illinois. And we would urge adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BERMAN:

Senator Schuneman, do you have any information as to what...amount of decrease in premiums will result if we pass this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Senator, as you know, insurance companies are required under model bills recommended by the National Association of Insurance...Commissioners to file certain documents with each of the states. The information that you asked for, to my knowledge, is not available from anybody because I don't think that there's anyone who...who requires or does that kind of reporting. It's interesting that the...that the trial lawyers constantly ask for information which they know is not available and is...is...is not required by any insurance department in any of the states. And, so the answer to your question is, no, I can't quantify exactly what this would do. I can only tell you that those people who are in your own profession but who represent the defense side of the bar argue that this is a needed change and would...would have a significant effect on claim costs. Now when you reduce claim costs, then you reduce the price of insurance. But I can't quantify it any more than perhaps you could quantify in your own practice how this would affect...what happens.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right. I...I would just suggest to you, ladies and gentlemen, that in any process in order for us to go home and tell our constituents, and I'm talking about the business people and the citizens of Illinois not just the insurance companies, that we've done something meaningful for them, if we're going to change the laws so that injured people lose some of their rights, there ought to be a quid pro quo, something that the businessman and the citizens of Illinois are getting in exchange. Senator Schuneman says he can't specify how much, if at all, premiums are going to decrease by changing this comparative negligent or pure negligent rule. But let me just give you an example from the previous debate on the previous amendment that Senator Watson cited. He said that Allstate in their letter said, "That with joint and several liability being abolished Allstate would reduce their premiums three to...three to eleven percent on commercial automobile rates." Let me tell you something, if you go back to your businessman whose premium this year was increased two hundred percent and tell them that you've passed a bill that's going to reduce their premium eleven percent so that they only have a hundred and eighty-nine percent increase, he'll ride you out of town and vote for your opponent. It's a sham, we ought to require insurance companies to say what, in fact, they're going to do to roll back premiums not from this exaggerated level of inflated premiums, but from what it was last year or the year before when they quoted...when they quoted those premiums that were paid...without the duress of the present system to make us pass a lot of laws that will increase their already exaggerated profits and take away the rights of injured people. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise to do something we normally don't bother to do. This particular piece of...this particular amendment deals with a court decision, Elvis versus Rebar, and that's the major portion of it. This problem was not caused by this legislative Chamber or the House or anyone else, this is a doctrine made up by the Illinois Supreme Court. I just...for the fun of it, I'm going to read you a few things from the decision, you sort of want to puke as you read it. The Supreme Court says we're replacing one concept with another. Let me just quick hit a few of their highlight comments in a five to two decision. First of all,...they're saying an Arkansas study...this is how they're justifying and then I'll come back to the changes, "An Arkansas study showed that the adoption of comparative negligence prompted no drastic change in court burden." Our Supreme Court is saying that this particular piece here would not change the court burden. A trained orangutan is aware that this has dramatically affected the burden. Secondly, it said, "Defendants claims that the adoption of..." I'm reading word for word from the court decision, this isn't my interpretation, I'm reading them word for word. "Defendants claimed that the adoption of comparative negligence would escalate insurance rates to an unbearable level. This has not been found to be the case." That's the Supreme Court speaking. Let me give you now their explanation for why they did this. "In each case the court found that contributory negligence is a judicially created doctrine which can be altered or totally replaced by the court which created it." In other words, they're saying, the Legislature never did this, this wasn't their idea, the representatives of the people have said,...but the courts in each case have made it up on their own; therefore, they

should continue to make things up on their own. "Defendants point out that since 1976 six bills were introduced in the Illinois Legislature to abolish the doctrine of contributory negligence. In each case the bills failed to pass." They interpret, they being...they interpret the failure of each bill to pass as a sign of the General Assembly's desire to retain the present status of the rule which was not this particular situation. Another conclusion may be drawn, however, as pointed out by Justice Ward in his dissenting opinion. Justice Ward in attempting to change the entire position said, "It can be argued that the Legislature's inaction in this area is attributable to its feeling that it's more appropriate that the court set the law." Justice Ward said we refused to pass these bills, therefore, we meant the court should do it. Now how many times when you have failed to pass a bill were you calling the courts saying, gee, I don't want to do this, you do it. This is your Supreme Court saying that we are too stupid to realize that when we fail to pass a bill that that means we didn't want the bill. They're saying because we failed to pass a bill, we really wanted it. Continuing in their own opinion, "The court says there are however times when there exists a mutual state of inaction which the court awaits action by the Legislature and the Legislature awaits guidance from the court." When does the Legislature wait for the court to tell us how to pass a law? If they have a role it is after the legislative process, not during the legislative process. They say, "It is the imperative duty of the court to repair the injustice and reform the law to be responsive to the demands of society." That is our function, is not a function of the court and yet our Supreme Court says it is. In dissent two of the Justices, Underwood and Ryan, say, and in separate dissents say, "The decision...that the decision to change is best left to the General Assembly," Justice Underwood is saying. The fact does

not, however,...well, wait a minute..."There are other reasons to refer to legislative action," he explains and he gives a list. "We can see no practical benefit to be gained by the traditional break from the common laws tort fault methodology that the pure comparative negligence rules require." In other words, he's saying, what are you guys doing? He says its analog is for the majority to cite the introduction and consideration of these six bills and saying there's no reason to believe, as the majority...suggests, that the absence of legislation doing so should be viewed as indication the Legislature is waiting for the court to do it instead. I could go on with some more but he says, "I would respectfully suggest that the members of the General Assembly are far better situated than the members of the court to...determine what is socially desirable." Justice Ryan also points out in another dissent, "I am bothered by the idea that no more than four individuals, four members of this court, can radically change the fabric of law that will here and after govern the conduct of eleven million residents." I could go on and on with some of the courts, but what we're saying is, hey, this is a big problem, no one in this Legislature caused that problem. Without exception, we have said this is a problem, we don't want it done this way, and we have refused to gum up the process by making this the law. So the court then says, well, fellows, you are too dumb to govern this State, we'll do it for you. Anyone who does not support this amendment is saying, I'm too dumb to be a legislator, I'll let the court do my job for me, even though the court admits that they had no legislative right to do this, it was done because they thought, in their wisdom that was so much greater than ours, that this should be the law of the State of Illinois. How you could sit there and say, okay, gang, let's run with the court when they even admit in their own decision that this is not the intent of the people of

this State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, it's interesting, Senator Keats, that you should...bring up the question of legislative prerogative and cite the example of the Elvis versus Rebar decision as I suppose just one example where the Supreme Court tread in a little heavy on what might be considered a legislative prerogative. In fact, back in 1981, when I was starting out as a member of the...General Assembly and serving on the House Judiciary Committee, we were at that very...at the very time that the Elvis versus Rebar decision was handed down from above, as it were, considering legislation that would have adopted that which was imposed by virtue of judicial fiat, that is, the pure comparative negligence doctrine. And there were some of us, perhaps a majority at that time, in the Legislature who agreed that the contributory negligence rule in place at that time was somewhat harsh but who also had misgivings about the adoption of a pure comparative negligence standard. And, in fact, many of us would then like to have seen the passage of legislation which then proposed to do exactly what this amendment would accomplish which is to go to a compromise solution, if you will, a modified comparative negligence doctrine that allows the plaintiff to recover except where the plaintiff is more liable than a particular...more responsible for an injury than a particular defendant. So I suggest that this...this is a good compromise, it respects the rights of victims to recover other than those who are largely responsible for their own mishaps. And I urge the adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I was truly enhanced and entranced with the call to arms for legislative prerogative. Not an hour ago we were subjected to something handed down from the...Illinois Medical Society and weren't even allowed to read it. Now we're worried, for goodness sake, about a five- year- old Supreme Court decision. Remember that when we get back to 2202. I resent, as a legislator, and I don't think I'm too dumb, I resent the fact that the Medical Society walks in here with a seventy-three page amendment and says swallow it. Let me talk about comparative fault. If I have a lack of do care for my own safety, that is not a tortuous act, but if you have a lack of care about me, that's tortuous. And what we're saying by virtue of Amendment No. 6, if I am negligent halfway and you injure me by your negligence halfway, I recover nothing. That doesn't make a lot of sense. It sure doesn't make a lot of sense after I heard the sponsor say, well, we don't know what impact it's going to have on the rates. Why in the world are we doing this? What is the purpose of this exercise? Why are we taking away rights of injured people if we don't...can't document the result we're going to get? I don't understand it. We are going through an exercise here just stripping, literally stripping away rights of injured people and we're not sure we're going to get the desired result. And what's the desired result? A lower insurance premium and more profit for the casualty companies. Their stock has only risen sixty percent in the last six months, that's not enough, they need more. So let's hurry up, let's stampede and let's just take away as many rights as we can. This is not the most pernicous amendment, I'll speak to that one when it's offered but this is equally bad. If I don't have regard for my own safety that's my business, but if you injure me, that's also my business and I

ought to be compensated for it. I urge a rejection of Amendment No. 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Schuneman may close.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Rock, I...I know you're busy over there a lot of times and you may not have heard what I said. I didn't say that I didn't know whether this would...result in a reduction in rates or not, I'm confident that this will result in a reduction of rates. What I said was that I couldn't quantify that reduction. And let me speak just a moment to...to that problem. Insurance companies are required today to set their rates for policies on which claims are going to be paid perhaps next year, the following year, maybe in some instances twenty years later. So setting insurance rates is a prospective business. It's a very difficult...science, particularly when you don't know what the court rulings are going to be. And when the court changed from a contributory negligence system to a comparative negligence system that was something that the courts hadn't expected. And I think another reason for insurance companies to be reluctant to tell us today how much they're going to reduce rates is the simple fact that the trial lawyers are going to challenge every one of these amendments in court. There will be a constitutional test and it may go on for some time before anybody really knows what the law in Illinois will become. And I submit to you that if you were asked to project what your rates are going to be under those conditions, you'd be somewhat reluctant to make positive and definitive statements too. We do have statements made by Allstate, CNA, the Kemper Group, I think all of them appeared with the Governor in making statements which, in effect, said that insurance would become more available if we pass these

amendments. Some of them went so far, Allstate and some of the others, to actually quantify what they thought the reductions would be. Now I'm not sure where...where all you...folks were or where you've been that you haven't heard about any of those statements, but you keep saying over and over that the insurance industry won't say how much they're going to reduce premiums. Some insurance companies have, in fact, said precisely that, even though it's a very difficult...science and a difficult thing for them to project into the future. I think Senator Keats made a good point, and that is that the court took this upon themselves and there have been efforts in this General Assembly to try to get us to ratify the decision made by the court and we have been unwilling to do it. In other words, we've never given the stamp of approval to what the court decided, and I think it's time that we adopt in Illinois a system which will send a signal to local governments who are having great difficulty getting insurance, to small business having great difficulty getting insurance, and to those major employers in this State who are self-insured, no insurance company involved there, that we're going to do something about turning the direction of the court system in the State of Illinois. That's really what this entire issue is all about. Are we going to be...have our society run by the courts or are we going to have it run by the legislative bodies and the law set by these bodies? I'd urge adoption of this very worthwhile amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested. On the passage...adoption of Amendment No. 6 to Senate Bill 2263, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 18, 2 voting Present. Amendment No. 6 having

received the required majority vote is adopted. Further amendments?

SECRETARY:

Amendment No. 7 offered by Senators Watson and Schuneman...and Senator...Schuneman and the LRB number is LRB8411092RCM1AM03.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the collateral source evidence amendment which we did discuss earlier. There is some differences between this proposal...and Senator Luft's proposal that was offered before, but it does make the provision that collateral source will be admissible evidence in determining the...the award. Now the difference between...I believe, between Senator Luft's and this particular approach would be that the evidence of such payments or services shall be considered by the jury or the court or the judge. I believe Senator Luft said it may be. I think that there's no problem with this necessarily and the fact that it should be a...a fact of admissible evidence in the court, and I would urge its adoption and would ask...answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I find it interesting that a colleague of mine who many times stands up and talks about...personal initiative and self-help and the rights of individuals should offer this kind of an amendment. And let me explain to you why. Let me tell you what this amendment does. If I take out of my pocket and buy health insurance...medical insurance for myself and that insurance pays my hospital bill, a hospital bill that has been incurred as a result of somebody else running me over, this amendment says

that the wrongdoer is going to get the benefit of the...of the bill that my insurance paid. And what we are doing is saying those of us who take care of ourselves, who pay for our own expenses, and either personally or through our work or collective bargaining or other kinds of insurance where we have benefits that we have negotiated for or paid for, those benefits are going to accrue to the benefit of the wrongdoer. He's going to get the benefit of what I paid for. That is exactly opposite to what most of us think is the way society ought to operate. I'm going to urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, I think that people should be aware, I and some other people on this side would not be voting for this amendment if it was going to take money out of the pocket. All it's saying...originally the way this amendment was put together, as I understand it, it would have taken the money out of your pocket that you'd paid insurance premium. My understanding is now this can only be entered as evidence that you have received some insurance. It doesn't remove any of the payment, doesn't remove any of the part of you...your settlement that you...or judgment you may collect. Because I want to tell you, if it was going to remove what you had coming for what you have paid premium on on your own private policy, I wouldn't be in support of it and I'm supporting this amendment. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator Watson, are you...introducing an amendment that says that I'll be worse off by having had the foresight to get insurance because I will not be reimbursed for my payment? Is that what your amendment does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

No, sir, it does not at all. It in no way requires a judge or a jury to reduce the award. It does not require it at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

...you mean to tell me that...in personal injury cases the evidence...receive will receive payment for service and other collateral. In other words, that...I just don't understand how all of a sudden...and all of us have to come up here and say the poor insurance companies and the way that they're treating people today, and I listened to all this on the Floor. And it's to a point now to where poor people have a problem getting insurance. In many areas where I am they all run out and refuse to insure people, and now we come along to say that even though you...if you do have insurance that you're not going to be able to recoup the payments. You know it's shocking, I...I just don't understand how you...how you could introduce an amendment like this, how you could be doing these things. I wonder what's happening to us today. Everybody I hear talk about the poor insurance company, what about the poor people? You know, there's one thing about these insurance companies, they make millions and millions, they keep two sets of books, they...if you...if you get payment against them, what in the world do they do? They tie it up, they complain about lawyers but yet they got all

high-priced lawyers. They take you to court, they draw all the interest off of the settlement...it's a dirty shame here today that we would stay here in this Senate and not look after the welfare of the people that we're supposed to be representing. If you're wealthy, everything is okay. It's going to be tough for people to get insurance. I got areas in my district where...where the insurance companies refuse to even come in, and here we come along now and try to make it even...even tougher...for if you do have some insurance to even get reimbursed on your premiums. This is so unfair, I...I just don't understand, I'm just shocked to think that you'd even do this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'm not sure what the protracted debate is about on this particular issue since when substantially the same amendment was offered by Senator Luft it was adopted on a voice vote. The simple point has been made that only...that...that collateral sources will only be introduced as evidence and that no setoff of an award by the amount of insurance will be required. And with that in mind, I...I think we can be sure that plaintiffs will still be adequately and fairly compensated for their injuries, but where there is insurance coming in from...from a outside source that judges and juries ought to be mindful of that without being required to...to reduce awards accordingly. It's a good amendment and we should adopt it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President, members of the Senate. I must say, I'm a little confused at this point because I've been listening to the other side of the aisle, and I...I hear

you in this great dilemma over how are we going to compensate these poor people who get injured. What is the social good, Senator Rock said, what's to be served if we're going to abolish joint and several liability? Your concern clearly was to compensate people for their injuries. So here's an insurance system, as I define insurance it's a way to compensate people for their injuries; and now all we're saying is that a judge and a jury ought to be able to take into account another insurance plan so somebody doesn't collect twice. I think what you're really saying is you think insurance is an investment plan. If you buy insurance, you have the right to collect on that policy and whatever other policies you're entitled to no matter how high they stack up. That isn't what insurance is all about. This bill in no way...in no way affects the right of an individual to collect compensation for injuries, but it does say that a judge and a jury ought to know what else that client is going to get. I don't know what is so unfair about that unless, as I say, you think insurance is some kind of an long-term investment plan where in all cases you get back what you put in. I don't think that's the way we define it in this country.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think this issue has gotten pretty confused. Essentially this is the same thing that you voted for on Senator Luft's amendment. There are admittedly a couple of minor differences which we really don't think are important, and, frankly, I offered just a few minutes ago to Senator Luft that if you'd rather have his language than our language, that's no problem with us or anybody else I think. So, you've already voted...you've already adopted this amendment once. It simply says that such evidence can be introduced in court. It...it certainly doesn't

say what one of the other speakers indicated that...that the ward is going to be reduced, that will be...continue to be up to the court.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to Amendment No. 7 and I've heard four people now say they're substantially similar to what Senator Luft offered, wrong. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

"Evidence of services of any kind from collateral sources made or provided," what does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR ROCK:

That I'm a quadriplegic and I'm receiving some therapy, that evidence has to go in?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Senator, where are you on...on the amendment? What...what line is that, page number?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

That is on line...my...my copy of the amendment, 16, 17, 18.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I would say the answer to that is, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, that's one substantial difference that was not covered in Senator Luft's amendment. It seems to me that if I have been injured as a result of your negligence and I am now receiving therapy, that's supposed to be admitted into evidence as some setoff as an expense? The other thing that I question is it says, "substantially certain to be made." In other words, we're admitting into evidence the possibility that I'm going go get some...some other money from somebody else. I don't have it. Senator Luft's amendment said, "You can allow...admit into evidence proof of collateral source payments that have been made or which have become payable." This one says, "substantially certain to be made," big difference, big difference. And thirdly, it says, "Shall be considered both by the trier of fact and on appeal, shall be." Substantial difference. If...if you're willing, I'm willing, we'll take this amendment out and put Senator Luft's amendment in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I believe that's agreeable. I believe we'll be glad to do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson wishes to withdraw Senate...Amendment No. 7 to Senate Bill 2263. Senator Schuneman.

SENATOR SCHUNEMAN:

A...on a parliamentary inquiry, Mr. President. Does Senator Rock intend to introduce that as a separate amendment or are we going to amend this on its face?...we...we had a lot of amendments and it's easy to...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR SCHUNEMAN:

...get it mixed up.

SENATOR ROCK:

Well, my...my suggestion is that the amendment that was wiped out by virture of Senator Rupp's amendment ought to be physically copied and reintroduced. That's the only way I see to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Do you want us to do that, Senator? We...we will be glad to do it, I'm...just so we know who's going to do what.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman, you've got the responsibility. Senate Amendment No. 7 from 2263 has been withdrawn by Senator Watson. Are there further amendments?

SECRETARY:

Amendment No. 7 offered by Senators Rupp and Schuneman, LRB No. 8411092RCM1AM04.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

What number amendment is this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, would you read that again?

SECRETARY:

The LRB number is 8411092RCM1AM04.

SENATOR RUPP:

Thank you, Mr. President. This amendment deals with the punitive damages and basically I will read the exact wording in the amendment. "Punitive damages may be awarded only if the plaintiff proves by clear and convincing evidence that

the defendant acted or failed to act with actual malice or with intentional and reckless disregard for the safety of others. Punitive damages shall not be awarded in an amount greater than the compensatory damages awarded for economic loss. All amounts awarded as punitive damages shall be paid to the State of Illinois Department of Rehabilitation Services for the sole purpose of providing services to disabled children, youth and adults." That's the extent of the amendment, I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If you recall our debate when Senator Luft had a similar...had a punitive damage amendment, I tried to make the point that punitive damages, number one, has no impact on an insurance crisis because insurance policies don't cover punitive damages, that's number one. Number two, they are rarely imposed and they're usually imposed when there has been such a terrible assault on the reasonableness of an act by a defendant that a jury is outraged...outraged. But I've given you the example of the..of the four dollar and eighty cent situation business decision by Ford Motor Company in the location of the Pinto gas tank. The problem with this amendment is that there is a limit here saying that you can't impose punitive damages that exceed the economic loss. Ladies and gentlemen, you're making a terrible mistake if you vote for this amendment. There are rare but there are existing situations where a jury should have the power to slug that defendant because of what they've done to society. And when you say that it can't be more than the economic loss, you're taking away that power of that jury, that jury that's there to speak for you and for me after evidence has been introduced by both sides in a ...in a court case. You'd be

taking away one of the most effective tools...effective tools that our society has to deliver a message that a person or a company should not operate in that manner. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President, I'll be brief. Just to that first point that Senator Berman just discussed. First of all, of course, this bill does not abolish punitive damages, number one. Number two, I believe you were on record as saying at least twice now that this bill will have no impact on the liability insurance crisis. And I beg to differ with you, it does have an impact on the liability insurance crisis because the very threat of punitive damages as they have been imposed in courts across this land in the last five years in many cases will force settlements where there shouldn't be settlements, at least at that point. And so I don't know how you can stand up and say that it has no impact. Of course these punitive damages are at least a threat of punitive damages has an impact when two parties are sitting down trying to reach an agreement. My feeling is that because too many of those settlements have been...extraordinarily high or the jury awards have been high, one of the reasons for that is the threat of the punitive damage which no one can predict. So what we're suggesting here is that we limit it in some reasonable way. I would also suggest that plaintiffs attorneys like punitive damages because it fits right in with their contingency fee system but we'll discuss that at another time. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. I rise in opposition to Amendment No. 7, pointing out only that the question of punitive damages really has little or no impact on this whole debate on the whole problem. If you find me an insurance company in this State who'll write insurance to cover the possibility of punitive damages, I'll...I'll be delighted. They don't, they can't, they won't. More than that, the whole theory of punitive damages is a bugaboo for corporate America, corporate Illinois, if you will, and that's what we're dealing with here, because we are saying to a corporation by virtue of this threat, you'd better be careful for the health and welfare of the people of this State. Not too very long ago two Illinois plaintiffs recovered a punitive damage award in the amount of something like twenty million dollars which has since, by the way, been reduced by a judge, as is his right. But the fact of the matter is it delivered a strong message to that corporation who in their lust for profit changed, tinkered with the nutrition formula for baby food and caused the...the dismembering, if you will, of two youngsters. And they were sued and they should have been sued, 'cause the evidence showed that they changed the composition of this chemical formula for profit. They took out some of the expensive ingredients and substituted without telling anybody, without warning anybody. But that's what corporate Illinois, corporate America does, they're...they're out there someplace and nobody's got a handle on them. The handle...the handle are the threat of punitive damages. And now we're saying...totally aside from the question of the liability crisis, now we're saying, okay, corporations, here you go. As long as we're in this thing, we're going to give you everything you want, Merry Christmas, corporate Illinois. I vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rupp may

close.

END OF REEL

REEL #5

SENATOR RUPP:

Thank...thank you, Mr. President. Just briefly, punitive damages are actually a fine, a punishment for misconduct and punishment for misconduct should be a...a function of a public law enforcement and not a private litigation problem. I ask for a favorable vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp moves the adoption of Amendment No. 7 to Senate Bill 2263. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 21, 1 voting Present. Amendment No. 7 having received the majority vote is declared adopted. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senators Schuneman and Rupp and the LRB No. is 8411092RCM1AM05.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. There's been a lot of talk on this bill about the conflict between trial lawyers and insurance companies, and although certainly the things we're talking about have an impact on insurance companies, I think you all know perfectly well that they have not been the leaders in the demand to get tort reform. The leadership has come from the business community of this State and from units of local government. This particular amendment seeks to make some changes in...in the products liability law as it applies to manufacturers, wholesalers and retailers involved in

making products available to consumers in Illinois, and I think to a...very real degree has to do with the jobs issue in Illinois; because to the extent that manufacturers in particular do not manufacture in Illinois, out of a concern that they're not sure what our courts are going to do and that they're going to constantly expand doctrines of legal liability as they apply to manufacturers, those manufacturers might tend to have...to allow those products to be made in foreign countries where the manufacturers are not so easily chargeable in lawsuits as are Illinois manufacturers. In a recent magazine article, I read about a man who had a heart attack while trying to start a lawn mower, in a suit against the manufacturer, he argued that pulling the starter rope required excessive effort, a jury ordered him a million dollars in damages plus...plus interest. And I think this is a...this is kind of a key phrase to avoid further litigation, the company settled the case out of court. I happened to have been involved in a number of cases exactly like that where insurance companies trying to defend cases become so jittery about what the courts are going to do that if it appears to them that they're getting any kind of a compromise at all they may jump at it and settle the case, and I submit to you that part of that problems stems from the fact that nobody can predict what the courts are going to do. The only thing we can tell for sure is that they have been constantly broadening the liability law. In another case, an Oregon jury awarded Ford Motor Company to pay one and a half million dollars to the estate of a woman who was killed when a runaway horse that she hit crashed through the roof of her Ford, and although Ford argued that the case was one in a million that...no car roof could...could withstand such an impact, nevertheless the jury found the auto maker liable...Ford is now appealing that ruling. In effect, this amendment...and I'm sure the opponents are going to want to discuss the

details but, in effect, this amendments seeks to strike some kind of a balance between what the courts have done in the area of product liability and the interest of manufacturers and ultimately the interest of consumers, because in order to be a consumer in Illinois you got to have a job and we have seen the exodus of a lot of jobs...out of Illinois, some of them arguably are leaving because manufacturers are faced with huge products liability problems. I would urge adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman moves the adoption of Amendment No. 8. Discussion? Senator Holmberg.

SENATOR HOLMBERG:

Yes, I think we all know that product liability legislation is perhaps needed, perhaps most likely at the Federal level, but I'd like to share with you a communication I had from a group from my local bar association, both plaintiff and defense lawyers, on this particular amendment. They felt that of all the amendments being presented today, this was far and away the most poorly drafted and far too complicated to apply to jury trials; for example, the state of the art provisions as drafted can be read to me and that an alternative design must be in actual use by others in the industry before it can be presented as an acceptable alternative by a plaintiff. And this would enable an entire industry to insulate itself from liability even where the technology for the safety device is well-known and the cost is not unreasonable, and that modification requirements for a failure to warn case is both confusing and so complicated that accurate instructions on the law would be beyond the comprehension of the average juror. So what you're talking about here is complicating the law rather than helping in a case of good product liability legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, members. I rise in support of this amendment. In some respects I agree with Senator Holmberg in that maybe they should be treated at the national level, but, at the same token, it does not allow a distributor or a manufacturer to be devoid of liability. In fact, if they...if a distributor should have known that a defect or danger exists, he's still liable. A manufacturer who is...just because he's in compliance with industry practice does not make him devoid of liability. And it adds objective standards and let me read you what the objective standards is and I don't think this is complicated at all. The...the objective standard is, "Users of ordinary skill and judgment." That seems to be very plain, very clear to me. It goes on to say, "Those who reasonably might have expected to use the product." I think this is a good bill. I think it allows for...it continues to allow for a tremendous amount of latitude by the Judiciary and the legal community in this State of Illinois. It does apply a certain amount of common sense. I urge your support of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, it's a...it's a long afternoon and I appreciate...this is...this is one of the worst, frankly, that I have seen and it's again happy birthday, merry Christmas, corporate Illinois. This one says...unbelievably says, "In a product liability action based on negligence, breach of expressor, implied warranty or strict liability in tort in which the plaintiff"...the plaintiff now is this person who has been injured, we keep forgetting about that, but "Where the plaintiff is seeking recovery for damages claimed to have resulted from the formula or design of a product, the defend-

ant shall not be liable unless the...plaintiff can prove by a preponderance of the evidence in addition to the other facts"...the other facts I assume being that I was injured, I was injured as a result of the use of this product or the car blew up or the lawn mower backed up over my foot, you can't recover unless...unless you can prove that an alternative formula or design was available at the time of manufacturer. That makes every injured plaintiff an engineer. Silly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, Senator Schuneman may close.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, in response to the previous speakers, Senator Holmberg, the...the...the amendment may not be perfect, like a lot of things we do around here, and I...I certainly wouldn't want to claim that this is perfect, but I tell you, it's a heck of a lot better than not doing anything and I think that the manufacturers in Rockford and elsewhere in this State expect us to do something. Now if we're going to get any action at all out of the House, we need to put some...some strong language over there. This may be too strong; if it is, then before it's ultimately adopted by this Body in our wisdom we will modify it, but I think we need to go on record that we are going to support changes in products liability law in Illinois; and if you want to go on that record, now is the time to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has moved the adoption of Amendment No. 8. Those in favor indicate by saying Aye. Opposed Nay...opinion of the Chair, the Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senators Rupp and Schuneman. LRB No. 8411092RCM1AM06.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment deals with the contingent fees for attorneys and personal injury actions. Basically...I'll read right from the bill a portion that changes is that "In all actions brought on account of injury to the person or death, the calculation of the total contingent fee for the plaintiff's attorney or attorneys shall be limited to the plaintiff's compensatory award and shall not exceed the following amounts; thirty-three and a third of the first one hundred and fifty thousand of the sum covered...recovered, twenty-five percent of the next eight hundred and fifty thousand, twenty percent of any amount recovered over one million and for purposes of determining any lump sum contingent fee any future damages recovered by the plaintiff in periodic installments shall reduce to a lump sum present cash value." I ask for an approval of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator D'Arco.

SENATOR D'ARCO:

...Senator Schuneman and Senator Rupp, I know you guys are in the insurance business, why...I think now...I...I know you're out of the business, right? You were in the business, now you're out of business...that's why you're offering all these amendments...anyway, why...you guys get paid on a percentage basis...you get a commission on the percent of premium, right? You know, maybe we can keep the premiums down if we lower your percentage a bit; you know, instead of like you get ten percent of the total amount of the premium or something, well, maybe you'll only get three percent or four percent. Maybe that way they can charge less premium dollar by lowering, you know, the percent of commissions that you get. Are you willing to go for that one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Question of the sponsor, one of them, both of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Indicate they will both yield. Senator Berman.

SENATOR BERMAN:

My analysis says that this prohibits any attorney fee being paid out of punitive damages. Is that in this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

It doesn't yet...thank you, Mr. President. Doesn't mention it quite that way, it...it says shall be limited to the plaintiff's compensatory award. So the answer is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

All right. Just to refresh your memory, when we're talking about the purpose and the importance of delivering a message through punitive damages and, of course, this may be moot after the last amendment or two, but I think that, again, you're...we're making a mistake. You want to allow that plaintiff and his attorney to be able to show the social injustice, the social egregiousness, the social harm that the defendant has done by his...total disregard of the safety of people that use his product or the action of that defendant. If you don't allow the attorney to share in that award, there is no incentive in our court system to prove that kind of wrongful act and you're hurting yourself and you're hurting society by this kind of an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...I only want to respond to...to Senator D'Arco's question. Senator, our...our commission income since this insurance crisis has come upon us has been reduced about twenty-five percent. I'm talking about across the board, total gross commission income. While insurance companies have been charging dramatically higher premiums, our income, in fact, has been going down. So, our commission income has not been cut...or has been cut much more significantly then what is being suggested by this amendment; not only that, I'd say that...that probably the average commission income on the kind of liability insurance we're talking about here, commercial liability, would probably average about eleven percent and, you know, we'd be willing to go with that if the attorneys want to go with eleven, why, seems fair to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait...wait a minute...wait a minute. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Well, eleven percent, that...but that's renewed every year. I mean every time...every time a premium is paid, you get eleven percent. You know, when a...when a lawyer goes to court and gets a judgment for somebody, that's a one-time event, okay? So you guys live off those premiums...all your lives, you know, as long as the company is in business. So that eleven percent accumulates over the years, that turns into a...a lot of dollars, so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Just to get this back to what relationship this particular bill has to the liability insurance crisis. Recently the U. S. Attorney General issued a report on the affordability and the availability of insurance in this country, and one of the things that that report found after looking at a whole range of cases that have had high jury awards is that two-thirds of the cost of a lawsuit in this country many times are transaction costs. They are costs that go to the lawyers, both plaintiff's and the defense, what's left over, that other third, goes to the victim, the people that all you folks are trying to watch out for. What we're really saying here is that when jurors are interviewed they admit that they calculate into the award the present contingency fee system which lawyers use, they know exactly what the lawyer has to take away. So you increase the award to make sure the lawyer get...gets what they think is deserving, but in the meantime, you've increased the whole award and you've knocked it out of whack. This system...this contingency system fee is justified by the plaintiff's bar as a way to let the poor consumer, the injured, get into court, take the...the lawyer will take the cases that other folks will not. I suggest to you that this is one bill anyway that really doesn't divide itself along the lines of lawyers versus nonlawyers, and I have a clipping that I...I'm going to read just one quote from Florida. The Florida State Bar Association, the last I heard, they represent lawyers in the State of Florida, they came before the Florida Supreme Court with a proposal and guess what, folks? Their proposal was just about the very same proposal you're looking at here today. The lawyers of the State of Florida asking the Supreme Court to limit their own contingency fees and the gentleman speaking for the Florida Bar saying, "It is time

for the Supreme Court to step in and set a fee limit that would protect consumers' share of judgments and their access to the courts." Isn't that an interesting argument? We've been told heretofore that somehow this system is designed to protect consumers, and now we have a substantial body of lawyers in one state which is confronted with the same problem we are telling us that adopting the very system we have before us in the bill will protect consumers' share of judgments and their access to the courts. I think I'm going to vote with the lawyers on this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This train is rolling, I know, but I'm going to vote No on Amendment No. 9 for two reasons and...and again, we're forgetting about the injured. We are now having great sport at the expense of the lawyers, again, has nothing, in my judgment, nothing whatever to do with the insurance liability availability or affordability question. What we could do but what this amendment doesn't do, why don't we put a limit on the defense lawyer's fees? That's one of the reasons the courts are clogged up, those gentlemen and ladies work on the clock so much an hour and the case goes on for one year, two years, three years, four years, five years, six years and the clock keeps ticking and all of a sudden you've got these horrendous attorneys' fees for corporate Illinois and corporate America. They don't care, the insurance company pays them. The most important aspect of the contingent fee arrangement is that it affords to those who otherwise could not afford access to the system. The injured party who in many instances cannot afford access to the court, enters into an agreement. If there's a recovery, if we prove what has to be proved and then prove that the defendant is in fact negligent and his negligence caused my

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injury, you'll recover. If you recover, the fee will be taken out of the recovery but nothing to do with insurance liability. Have fun. It's already been declared unconstitutional, by the way, so you are just building in to whatever ultimate proposal you wish to vote upon a provision that is admittedly unconstitutional. It's a mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

An extremely quick comment, the President offered an excellent suggestion. He said, why don't we put a cap on the fees on both sides; you draft it, we'll vote for it, we're with you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rupp may close.

SENATOR RUPP:

Thank you, Mr. President. Just request a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rupp moves the adoption of Amendment No. 9 to Senate Bill 2263. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No...9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10, by Senator Schuneman and Rupp. LRB No. 8411092RCM1AM07...Senator Schuneman and Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Where's my handlers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we get the handlers down here, please?

SENATOR SCHUNEMAN:

Oh,...is this...is this 07...

SECRETARY:

Yes, 07, Article VII.

SENATOR SCHUNEMAN:

We're going to Table this amendment, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't you just withdraw it?

SENATOR SCHUNEMAN:

Why don't we? I withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman has...sought leave to withdraw Amendment No. 10...Amendment No. 10 is withdrawn. Further amendments?

SECRETARY:

Amendment No. 10 offered by...Senators Schuneman and Rupp and this is the same except 08, all right? LRB number is the same except 08.

SENATOR SCHUNEMAN:

That for this...

SECRETARY:

Yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR SCHUNEMAN:

I don't know how that happened, we withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Schuneman seeks leave of the Body to...withdraw...take your time, Senator, we...we may...end up being here Friday if things proceed as we have been. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Could we have the number of that amendment again?

SECRETARY:

LRB 8411092RCM1AM08.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

We'll go with that one. Yes, thank you, Mr. President. This amendment would seek to establish caps for noneconomic damages. Mention was made earlier today about English common law, and while not a lawyer, I know that it was a...a principle of that legal system that there were some injuries which could not be measured in dollars and cents and some injuries which could not be compensated by dollars and cents; for example, a death, pain, loss of a companion, those things which...to which you really can't establish a price tag. The courts have increasingly been awarding greater and greater amounts for these noneconomic, unmeasurable kinds of damages and what this amendment seeks to do is cap those damages. We're not going to eliminate the damages, you're still going to be able to collect for how badly your head hurts, but someone in Whiteside County isn't going to collect a hundred thousand dollars and someone in Cook County a million dollars for the same kind of headache because those are things that you can't really measure. What this seeks to do is put a limit...a cap on noneconomic...and please remember that, because the...the opponents of this are going to try to point out to you that you are taking all kinds of rights away from people and you're going to deny them things. What you're...what you're doing by means of this amendment is saying that since these are things that...that are not really measurable anyway, that the top limit that can be awarded should be set forth in the Statute and this particular amendment calls for a two hundred and fifty thousand dollar cap. There have been caps suggested by many bodies including the President's task force recently which suggested a cap of a hundred thousand dollars, and that's the essence of the

amendment. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. During the medical malpractice debate last year, those of us who sit on the Judiciary Committee had an interesting opportunity. There was a child that came forth with his parents and there was a lawsuit pending alleging negligence in the delivery of that child. Let me put into perspective, that child...it's alleged, and let's say that they can prove it, that child is blind, and I apologize for this analogy but let us say that it is your child that is blind and let's not talk about medical malpractice, let's talk about you're walking across the street with your child...carrying your child that's one year old and a guy runs through a red light and injures your child and for the rest of that child's life that child is going to be blind and confined to a...to a bed and can't work and can't walk and can't talk and can't see. And the actuarial tables tells us that that child's life is going to be seventy-five years, that that child can live for seventy-five more years and we're talking about pain and suffering. We're talking about disfigurement, we're talking about disability. Those are your noneconomic losses and we're saying, ladies and gentlemen, that because of the guy that ran that red light and what he's done to your child and mine that the cost, the value of that pain and suffering, that disability, that disfigurement should be less than ten dollars a day for the life of that child...ten dollars a day for the life of that child. That's what we're going to pay that child under this bill for...being a vegetable, that's what this amendment is. I can't understand anybody...anybody that would vote Aye to place that kind of a value on that child being a vegetable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 10 is probably, in my judgment, the single most pernicious, perverse and I, for one, am going to request a roll call. This amendment is aimed specifically at the poor and at the young 'cause you're dealing with noneconomic. Noneconomic, what does that include? Physical pain, loss of enjoyment of a limb, fright, nervousness, grief, anxiety, worry, mortification, shock, humiliation, indignity, embarrassment, apprehension. For a youngster who's been paralyzed, the only compensation for a lifetime without play comes, yes, from noneconomic damages. For a person who has been hideously disfigured receives literally only noneconomic damages to ameliorate the humiliation and the embarrassment. Pain and suffering are something that are shared by all of us irrespective of economic status, but what about a poor folk, somebody who is poor and who is injured as a result of the negligence of another? Noneconomic damages, frankly, are the principal source of compensation for a reduced life span or the loss of physical capacity, because that poor person didn't have a job. Where's his economic loss? That's the measure, economics; let's forget about the poor people and the young folks and the injured, economics. And I suppose two and hundred and fifty thousand dollars sounds like a lot of money, but as Senator Berman pointed out, figure it out, over the lifetime of a youngster who's paralyzed...and there are many of them I hope you know who have been so because of the negligence or the utter disregard of another they spend the rest of their lives and we're going to say to them, that's it, three thousand a year, two thousand a year, that's all you're going to get. Shameful, absolutely shameful. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

This is probably the most crass thing that can happen to an individual. Mr. Schuneman, when I was a boy scout, I was taught that...an Indian saying, you walk in the shoes of that person and I don't think you ever walked in the shoes of a injured person or even tried to help them along. I don't think you'd ever want to...to know what a blind person has to go through the rest of his life not being able to see or a kid that's five years old going to school having other kids ridicule him. And I say this, if this is the cruelty of your party to the lame and the disfigure and the protection of corporate executives, like Harvester, where they can...waive millions and dollars and loans to protect the...and put a price tag on pain and suffering, the pain to me is...might not be as great as the pain to you but it's there and I have no way of evaluating it and this system came about for a very...simple reason. In the old days, if somebody did you harm, you did them harm, an eye for eye. So if they blinded you, you went out of your way and you blinded them, and we came up with the tort system to kind of compensate somebody for the wrong that this...wrong person has done, the wrong that he's done, the wrong thing you're talking about; this isn't an innocent person you're talking about, the innocent person is the guy that's suffering. The guilty person is the guy you're trying to...protect, the guy that can afford it and this is a mental condition and there's no way of evaluating mental things. It's just as cruel as what you're doing here and putting a figure and price tag on a person but this is the crassness of big business, because if a car is worth three thousand dollars, a person should be worth three thousand dollars. And I'm saying this, being a grandfather of a disabled child, this is the most crass thing you can do, not

to me, but to everybody and I'm telling you right now, this is going to hurt you much and I'll go around in my district and use this vote against me. I'll go around in my district to every one of those people that came down here and I'll go around with my grandson and show to them, what is his pain and suffering worth because some doctor screwed up in giving him oxygen. What is his pain and suffering? What is his pain and suffering? How do you evaluate that? My kid has got to be walking around...my grandson. The suffering my daughter goes through every day, that's worth something for you? For two hundred and fifty thousand dollars, give them nothing; take the two hundred and fifty thousand dollars 'cause we don't want it. I learned that a long time ago, I don't want you rich people's money and I don't need it. I grew up with cardboard in my shoes and I never got a dime from the State, I never got a dime from the government; and I'm here saying that I got a lot of grief and this was taught by my mother who got nothing from the State and got no income, nothing. We worked day in and day out, my brothers and I, we delivered newspapers and we had the pain and suffering of being poor; but it's more pain and suffering to get something from somebody that wants to make it to you and come around with a basket on Thanksgiving Day and say, here, buddy, have a Thanksgiving dinner on me and screw you the other three hundred and sixty-four hour days of the year, bleeding you and bleeding you and bleeding you, trying to say, you are nothing, you are nothing in society. You are a price tag and you're worth two hundred and fifty thousand dollars if I hurt you. That is wrong and this is a bad amendment. This is the worst thing that you can do. You're not helping anybody here, the only people you are helping is a Hitler, philosophy of big business, saying every man is valued at a price. No man has a price on his life, no man has a price on his pain and suffering and no man is ever

valued. Your value is unassessible and what a twelve-man jury gives you whether it's two dollars or two million dollars is not what you feel your life is worth. You're...you're better off not getting a dime...not getting a dime because it...you're better off, and I say to you, we don't want two hundred and fifty thousand dollars for a grandson. I don't care if we get anything for my grandson, I just want him well. I don't want him going through pain and suffering and I don't want any other children...any other children in this State to have us as crass individuals tell them, you're...you're only worth two hundred and fifty thousand dollars and this drunk can go out and cut off your legs or this drunk can make it...impair you and make you blind and you got to go through this. If that's what you want, then you vote for it; you vote for it and you stand up in society and try to stand up and represent that...the people that we try to help. These are people that are going to be on our doles, if we don't give them money, the State is going to pay him and it's going to come out of all of our pockets. So why not let the wrong person pay and let the innocent person get from the wrong person instead of getting from all of the rest of us...people. I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I understand that many of us feel strongly about these issues and it's not easy to discuss them dispassionately. Many of us feel that...that we ought to be passing out of the Senate a strong bill perhaps without feeling any particular attachment to the figure of two hundred and fifty thousand dollars. Let me just simply point out that which many of us are already aware that there are states that have adopted language of this kind. In the medical malpractice area, for example, the States of Califor-

nia...and Kansas and Maine and...and South Dakota have all adopted caps, two of them at the two hundred and fifty thousand dollar level in the medical malpractice field. Beyond that, Maryland and Minnesota, both states with Legislatures controlled I believe by the Democrats and with Democratic Governors, have recently adopted caps in all personal injury cases of three hundred and fifty thousand dollars in the case of Maryland, four hundred thousand dollars in the case of Minnesota. So what we are proposing here is not something that is particularly novel. As has been pointed out, the Justice Department even recommended a level of a hundred thousand dollar cap and this is, of course, two and a half times more generous than that. As I say, none of us I don't think are stuck on a...on a figure for a cap of two hundred and fifty thousand dollars, we do figure...feel that...that some sort of limitation is important, not only for its own sake, but in order to make the business of trying to predict liability which is probably the greatest single reason that insurance costs have gone up the way they have...that business more certain and predictable and I urge the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I've listened to most of the debate today with a great deal of interest and I...I guess there's something here that concerns me that hasn't been talked about yet, and that's the process of the legal system in this country...in this State and what we're doing with that. Now, as I understand it, and I'm not a lawyer, if I have a cause for complaint against another individual, I can take that to the courts for redress, I can have a lawyer to prosecute for me, the person whom I'm prosecuting can have a lawyer to

defend him and those two people can interview a long list of people as long as it takes to get twelve objective people to decide my case. If I'm a prosecuting attorney, if I'm a defense attorney, I can throw out anyone whom I do not feel is objective, and I may throw out people whom I do feel is objective but may be detrimental to my particular argumentation. And it seems to me that what we're doing with the system that has served us so well for so long in this country entrusting twelve individuals to be objective about the facts of a case, and that's really the basis for our whole system of jurisprudence, isn't it? That we put everything in the hands of those people to make a fair and honest decision about the particular facts of this case. I've always thought that that's what we're about but it seems to me that what we're doing here now, especially with this amendment, we're saying you don't have the sensibility after listening to the facts and after being carefully chosen by both sides and agreed upon by both sides, you do not have the sensibility or the good judgment to determine not only the rightness or wrongness of the case but whether, in fact, remuneration to an individual for loss is appropriate. Now that to me goes to the very heart of our system. What are we about as a people if we're not about trusting twelve objective people which both sides have chosen to determine the case and to determine what the case should bring to the injured party. I think this is a bad amendment. There are some things that maybe we need to change about our tort system but this isn't one of them, because this takes away from the judgment of people which we have entrusted our legal system to and I'm against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman may close.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The...the essence of the argu-

ment for this amendment is whether noneconomic damages should be open-ended as they have been, and as I listen to the...to the arguments here, I was reminded that for many jurors the passionate arguments of a trial attorney come to them for the first time. And it seems to me that if I heard those arguments the first time, I might be more persuaded than I was today listening to this debate, because we've heard them many, many times here. But I think the essence of what we're doing here is deciding whether or not we're going to have any limit on damages that cannot be measured in an economic way, and for persons to...to raise the issue on the Floor of this Senate about the impossibility of putting a price tag on the health of a relative, of course, you can't do that, we all know that. And I don't think we ought to be challenging here the affection that any of us have for our family...members, that's something that's personal to each of us. But I think we also have to come to grips with the question of whether or not we're going to send a message out there that we're...we're not satisfied with what I consider to be a runaway court system and...so this is your chance to...to vote for some kind of a limit. Now I don't know two hundred and fifty thousand dollars is right and maybe it won't come back to us that way, but at least in this case we can show that we believe that there ought to be some limits on noneconomic damages. I...I urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, a roll call has been requested. Senator Schuneman has moved the adoption of Amendment No. 10 to Senate Bill 2263. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 31, none voting Present. Senate Amendment No. 10 fails. Further amendments?

SECRETARY:

Amendment No. 11 offered by Senators Luft and Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, I am told there are seven addition amendments to this bill. Hope everyone brought their knapsacks. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Is this the frivolous suit amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...just...just a moment. The notation on the amendment indicates that it is, Mr. Secretary,...read the LRB number.

SECRETARY:

Yes. LRB No. 8411092DAMRAM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. It's my understanding this is the identical amendment we had adopted earlier on and then struck...with Amendment No. 5. It pertains to frivolous suits and I think is agreed upon by all parties. So I would move for the adoption of Amendment No. 11 to Senate Bill 2263.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion?...Senator Rupp.

SENATOR RUPP:

Thank...just to urge that...a Yes vote on this agreed amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, now we got our directions, okay. Senator Luft has moved the adoption of Amendment No. 11 to Senate Bill 2263. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted. Further amend-

ments?

SECRETARY:

Amendment No. 12 offered by Senator Keats. LRB No. 8411092RCM...1AM10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I will be extremely brief. This is the contribution among joint tort-feasors. Last year this was Senate Bill 779 sponsored by Senator Dawson and Senator Friedland, passed the Senate on a vote of 38 to 11 with roughly a dozen Democrats, it was a bipartisan vote. In a couple of quick sentences, workmen's comp. is a no-fault. One of the reasons that...an employee receives benefits even if his injury was caused by his own stupidity or recklessness, we agreed that he would get these benefits without anyone asking any questions. And, with that, in order for an employee even if it's his own fault to receive benefits, the employer said you can only sue me under workmen's comp. That was the agreement in 1913, that has been the law of Illinois for seventy some years. Recently the Supreme Court, not the Legislature, the Supreme Court changed the law and said you can now come around and have a third party sue your employer. What it basically is doing is undermining the concept of...of workmen's comp. being a no-fault. If there's one thing this Legislature should stand for it is the fact that injured workers will receive benefits regardless, the no-fault concept that workmen's comp. has to be protected, this does it. We didn't change the rule, the Supreme Court did, it went out on a bipartisan 38 to 11 vote last year and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Keats has moved the adoption of Amendment No. 12 to Senate Bill 2263. Those in favor

indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 12 is adopted. Further amendments?

SECRETARY:

Amendment No. 13 offered by Senator Leitch. The LRB No. is 8410092RCM1AM12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. Chairman, Ladies and Gentlemen of the Senate. I, too, will hope we be very brief. This amendment addresses a very serious problem especially as it impacts the six hundred weekly and daily small newspapers in Illinois, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Leitch has moved the adoption of Amendment 13. Discussion? Senator Rock.

SENATOR ROCK:

Only to ask the gentleman what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

What this does is remove punitive damages in liable suits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

...that's what I thought it did...absolutely incredible. What has this to do with the "insurance crisis?" Zip. There's no insurance for punitive damages in any event. So what we are saying, effectively, we have already said merry Christmas and happy birthday to corporate Illinois and now we are saying merry Christmas and happy birthday to press Illinois. Write anything you want, utter disregard for the facts of the truth, write whatever you want, no way to get at

you. I vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Leitch, is...is this the results of a...an award that's been given down in St. Clair County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I wouldn't say it's directly a result of that specific award, but one of the problems...has occurred especially since the late 70's is increasingly punitive damages have become the target as opposed to general damages and, as a result, we are finding very extensive...not only awards being given but it has resulted in a skyrocketing of liable insurance costs to the extent that, as an example, the Hoopeston Chronicle which has two thousand circulation has to now carry a five million dollar liable coverage. The Litchfield News-Herald which has fifty-five hundred circulation is up over ten million dollars. The Daily Calumet which is twelve thousand has ten thousand, and so what has happened is that as a result of the problem in the insurance crisis as a whole, what has occurred is that there's been such a distortion which were it to be directly done would be a gross violation of the First Amendment. And so the First Amendment is...is under threat by...by virtue of the problems of insurance and that's wrong and...and this would...this would cure that problem very successfully.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I just want to be sure I'm straight on your amendment. In other words, you're telling...a newspaper can print...defame your character, make all kind of false statements against you, and you are saying that even though they know...that's...untrue that there should be no punitive damage could be awarded? Is that what you're saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

No, what I'm saying is is that...is that the awards should be given under the compensatory damages and under the general damages as...as was the case until very recently and until some very large awards started to totally distort this whole system that we've had and had worked successfully for so many years, that until 1974, the highest amount ever upheld by the Supreme Court was about four hundred eighty-five thousand. In recent years some of these punitive awards have gone into the tens of millions of dollars which has then caused this tremendous increase in insurance and has totally messed up the system to the point where this...this kind of change makes a great deal of sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, all I can say, this is a very, very bad amendment and it should really be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would just rise to speak against this amendment mainly because in a liable suit the main source of damages is going to be punitive damages. It's very difficult to quantify the damage suffered from liable,

and to say that there's no punitive damages is, in effect, to say that there is practically no liability whatsoever for reckless disregard of the truth and that's what you're doing with this amendment. It seems to be it's a...it's an amendment to help a specific class cut out from all the rest, it may be unconstitutional and I think that we should vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I rise to speak in favor of...this amendment, Mr. President and Ladies and Gentlemen of the Senate, because...because...wait a minute. If you prove a case of liable in the first instance, you should be able to get a good judgment and...what this does, if I understand it correctly, it eliminates the punitive damages. I don't see anything wrong with this. I speak in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? Senator Leitch, you may close...whoop...whoop...whoop, one more speaker. Senator Rock.

SENATOR ROCK:

Well, I...I apologize, Mr. President, for rising for a second time but there has been some intramural discussion on this side as to what the amendment does. With...with all the paper trail that we've had before, some have...let me just read this for you so that everybody is really clear on what this baby says. "No punitive, exemplary, vindictive or aggravated damages shall be allowed in any case in which a plaintiff seeks damages by reason of liable, slander or defamation of character against a reporter or news media." That's absolute sheer, unadulterated license, and I would suggest that all of us start immediately to form our own newspaper and we can have one hell of a field day.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

I have a question of the sponsor. You know, how...how do you separate and just segregate that class of people for...to be totally immune to any liable suit? How do you do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Well, first of all, I don't think they are totally immune because I think under the general damages and the compensatory damages people are able to recover. Second of all, the most important aspect of this has been that the...the great awards and the perversion of this whole system has resulted in a circumstance where many of these over...twenty-five percent of these six hundred weeklies and dailies in Illinois don't even carry insurance because it's either not available or they can't afford it, and so that then in turn is having a chewing affect on the ability of these weeklies and...and dailies to serve their communities, so that...what we're weighing here is the importance of the First Amendment and...and it makes sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Collins.

SENATOR COLLINS:

So...so let me...let me kind of get this straight, you're really not protecting the media, you're really...trying to protect the insurance industry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

No, what I'm trying to protect is the ability of us all to enjoy the benefits of a strong and free press. I might also point out that this language is the same...the same language that was used to protect doctors and...and lawyers in

malpractice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Collins.

SENATOR COLLINS:

No, you...you...you're actually...with this amendment you're not...you're not protecting our right to enjoy a strong and free press. What you're really doing is totally demeaning and destroying...whatever hopes of credibility that's left to have a free press in this country. That's what this amendment does, 'cause what you're saying that we're giving them license to do whatever hell they want to do and there's nothing a poor citizen have to...to defend themselves against that. And that is most certainly not indicative of a strong and free press because the press first have to be respected and have some credibility and reliability before it is worth anything, and that's what you're doing is destroying that by this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Leitch may close.

SENATOR LEITCH:

I would simply ask for a favorable approval of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, a roll call has been requested. The...Senator Leitch has moved the adoption of Amendment No. 13 to Senate Bill 2263. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. That probably is the record. On that question, the...the Ayes are 9, the Nays are 46, none voting Present. Amendment 13 to Senate Bill 2263 fails. Further amendments?

SECRETARY:

Amendment No. 14 offered by Senators Watson and Luft and

the LRB No. is 8411092DAMRAM05.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the collateral source evidence amendment that Senator Luft had offered earlier and we had adopted, and I believe this is pretty well agreed now. Move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves the adoption of Amendment 14 to Senate Bill 2263. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 14 is adopted. Further amendments?

SECRETARY:

Amendment No. 15 offered by Senators Berman, Sangmeister and Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I yield to Senator Lemke, he will handle this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

What's the LRB number?

SECRETARY:

LRB No...no, it...it doesn't carry an LRB number. It carries a Senate majority number. SDS84S2263PAM14DM.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

With a parliamentary inquiry, Mr. President. Inasmuch as Amendment No. 16 relates to Chapter 73 dealing with the

Insurance Code and inasmuch as Senate Bill 2263 in its original form dealt with Chapter 70 in this Illinois Revised Statutes, and inasmuch that all of the...the...the original bill and all of the amendments that we have discussed thus far relate solely to questions of tort and to personal injury, and inasmuch as the Chair in its earlier ruling today dealing with Senate Bill 1488 took what many of us would regard as a...as a rather restrictive view of germaneness in that it...the Chair ruled out of order amendments on these same subject matters to a bill that also dealt with the question of personal injuries, I would ask the Chair to determine whether, in fact, Amendment No. 16 is germane and would further request the Chair to...to rule in Amendment No. 16 as nongermane and therefore out of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Senator. Senate Bill 2263 unlike Senate Bill 1488 was originally designed to address the purported insurance crisis in Illinois. Its subject includes any measures reasonably designed to increase affordability and availability of insurance in Illinois. The amendment relates to the subject of the bill and is therefore germane. I might add that we have already considered and adopted as amendments to Senate Bill 2263 a broad range of measures including ones to address the so-called frivolous suits to restructure tort, the tort law generally and to provide a new Act relating to product liability. The amendment is germane. Senator Lemke.

SENATOR LEMKE:

What this amendment is, it's a simple...very simple amendment. It says, "No insurance company which issues or has in effect a policy of insurance to which Section 143-11 shall apply...apply shall charge as a premium more than the premium which is charged in 1984 for the same policy of insurance." What this is, this amendment is very simple. It's like the rainbow...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Schuneman, for what purpose...

SENATOR LEMKE:

...and this is the pot at the end of the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

A point of order, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SCHUNEMAN:

You...you ruled but did not give the Body any opportunity to...to consult with you in your ruling, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I had the highest...

SENATOR SCHUNEMAN:

...and I'm sure you intended to do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...consultation right...to my left.

SENATOR SCHUNEMAN:

Well, can I point out, Mr. President, that contrary to your ruling, Senate Bill 2263 as introduced, as far as I can tell, doesn't mention the subject of insurance. There's no mention of insurance, what it mentions is the...the Illinois Comparative Fault Act and similar to the ruling...if...if the Chair is going to be consistent, Mr. Chairman,...Mr. President, I think you must rule that this amendment is germane...or not germane since your previous ruling of this very day was that same ruling on...on a very comparable issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, you and I both know that Senate Bill 2263 was designed to address the...the question of the insurance liability crisis. I have made a ruling that, in fact,

it is germane. Senator...Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Just...thank you, Mr. President. Just to agree with Senator Lemke when he started out and said this is a simple bill. I think what we should do...I asked if they would entertain an amendment to it to also freeze attorneys' fees and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator, we...we're on...Senator Lemke on Amendment No. 15.

SENATOR LEMKE:

You know, Senator Rupp, this is a...this is...this is what we're trying to do here and trying to keep the insurance industry honest that they're going to reduce premiums or at least this is going to keep premiums at the same place it is in '84...until we see how these bills work and...and...and see what we can do. But as far as freezing attorneys' fees, we already did that. We cut attorneys' fees, should we cut insurance premiums? That was my other suggestion. My suggestion was originally...and when I got into this idea was to put a sunset law on this in three years; therefore, if we are taking benefits away from one person, then we should give benefits to another person...that's what we're talking about. We're trying to benefit people that pay insurance premiums on their liability insurance, that's what...that's what you're trying to...this bill...this amendment is so germane to this particular bill that there's no question about...we're talking about liability. This amendment goes right to the liability section of the Insurance Code. It talks about liability. It talks about it, why should the insurance industry get off the hook? It's a war always between business and labor, consumers versus business, but the insurance company just stands back there. The last time we tried to

help business was workmen's compensation, business and labor had to get together and sue the insurance industry to get a rate reduction, and they admitted...and insurance companies admitted they overcharged eighteen percent. I wonder what they really overcharged? So, therefore, I think it's a good amendment. I ask for its...I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved the adoption of Amendment 15. Discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in very strong support of Amendment 16. I...and I also think that it is germane because it gets to the real heart of the so-called claim around here. Now, it is my understanding that the reason we have this problem is because the insurance industry fails to provide insurance in these cases because of the so-called elements of risk involved and...and losses. And just as Senator Lemke said, every time there is a crisis dealing with the insurance, be it worker's compensation or whatever, we spend hours and months and days and weeks coming up with so-called solutions and all of those solutions seem to come down to hands off of the insurance industry. Everybody must pay except the insurance industry, which is probably one of the most richest industry in this country and, yet, every time there is some so-called losses, all of it comes out of the hide of the poor and those people who are least able to pay the costs. And so if there is any fairness at all,...sitting here today and listen to repeatedly arguments and debates about fairness and...and...and...and changing the system and making it more equitable to all people...concerned. But never once have there been anything and there's no intention on the part of that...side of our aisle to bring...come to grips with the reality of what's really happening. I would suggest that

this is an easy way out, because I see what we need to do to deal with the problem of assessibility of insurance in...in the State availability is to just say that if you do business in this State, you must provide adequate coverage for the citizens of...to protect the...the...the citizens of the State of Illinois, be it through local units of government or be it through whatever means, there need to be coverage if you doing business and you will write that insurance at a reasonable rate and, if you don't like it, go to another state. I say this is a good amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

END OF REEL

REEL #6

SENATOR WATSON:

...Mr. President, that's a great attitude we just heard from there. Gee. Let me ask the...the sponsor, if I could, a...a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Okay, so we're here in 1986 and you're saying now that we're going to roll back prices to 1984. Is that...is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Lemke. Senator Lemke.

SENATOR LEMKE:

That's...that's...yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Is there anywhere in here where it says the insurance company then must offer that policy? What happens if they decide to, as the previous speaker said, leave Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I don't think the insurance industry is going to leave Illinois. I don't think they're going to leave any state. I think...they made big profits. If you'll look at their corporate returns in 1984, they made big, big profits and they ain't going away...they ain't going away, and I don't think they're going to leave. So, I...I think it's just a question. We're not...we're not telling them to automati-

cally reduce rates. All we're doing here is freezing at where...where the crisis was allegedly supposed to start after and that's what we're doing. And we're doing all of these reforms. We just want to make sure to keep the insurance industry honest, that they're going to reduce premiums.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

I don't...I don't believe what he said was quite correct. If...if the rates are higher now, we are going to be reducing rates and mandating those reductions to the 1984 level. Isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I guess this would be kind of a mandate, indirectly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

It's...it's very direct. Anyway...part of the issue, besides affordability is availability. I mean, that's as much a problem as the cost. There's people that are willing to pay the cost but simply can't get the insurance. Now what...this type of approach is...is ludicrous and I don't think that we...we or anyone on this Floor who supports this can go back home and say, well, we solved the problems of availability of life...of casualty and...and liability insurance by...mandating the insurance companies roll back their prices to the 1984 level, I...I think is...is a...is a terrible approach. This...this should get about as many votes as that...the liability on the...the press...gets more than nine why it's a...it's a winner...it's a real loser. Vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I think that what the sponsors of this amendment are doing is trying to take a shot at the insurance industry and, frankly, I am in the mood to do that too, but what you're doing...what you're really doing is taking a shot...or aiming at the insurance industry and shooting your consumer in the foot, your small business people, units of local government who now find that insurance is unavailable. Your...your amendment doesn't...address the availability of insurance. What it says is that the insurance company who in 1984 was charging, say a ten thousand dollar premium and reinsuring the risk at a...maybe two thousand dollar premium, now this year has to charge a ten thousand dollar premium when reinsurance may be costing them eight thousand dollars; and, you know, this is...this is a completely silly suggestion and I...it may be offered with tongue in cheek, I'm not sure, but...you know, I think we'd all like to do something to show our displeasure with the insurance industry but don't do this. This will...this will work against your consumers.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank...thank you, Mr. President. I do...I think we're...we're looking at this problem. I don't think there's any question that we've established that there are two parts to this problem; one is price and one is availability. This thing certainly is not going to do one thing to improve the availability. I think it's interesting to note that...and it just came out that...in the last day or two, West Virginia is right now back in special session because five...they...they did some things like this and five major companies withdrew from the state. So, for anyone to get up and say they are not

going to do it, they will do it, they have done it, maybe we can settle it in November if you want to come back to a special session.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Back several years ago when I was still active in the tubing business, I had a gentleman call me and ask me for a quote on a particular product, and I gave him a price and he said, your price is too high, and he gave me the price that he had been quoted by a competitor. So, I, out of somewhat insipidness said, well, why don't you buy it from him? He said, he doesn't have it. I said, well, hell, if I didn't have it, I'd give it to you for nothing. Well, I think you're going to have the same effect right here. Why don't you just lower it to zero, because if it's not available, it doesn't really matter what the price is. But I do have a question of the sponsor as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he'll yield.

SENATOR DeANGELIS:

Based on the way I read...and I have to cover myself by saying I'm neither a lawyer or an insurance man. Based on the way I read the amendment, however, product liability and general liability insurance is generally based on dollar volume. Now this says that the premium shall not be...the premium shall be the same as the premium was in '84. Now if my dollar volume goes down, are you precluding me from having a lower premium or are you going to have that company raise the rate? The other one is, what are you going to do about companies that are doing more volume? Because you're talking about premium here, you're not talking about rate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, we're talking about a rate that insurance companies charge per thousand, and we're talking about a rate, no matter if your volume goes up, you will be charged so much per thousand for insurance. We're talking about being charged a 1984 rate, not the 1986 rate. So, if your dollar and volume goes up, your premium is going to go up, that's natural 'cause it'll go up...it would have went up under 1984 rates. This is not going to freeze premiums. This is going to set the premium for that particular type of insurance and that particular volume at 1984 rates where it was alleged that the insurance crisis started. This is...and if you...if you decrease in volume, your premium is going to go down in volume because premiums are based on thousands, and I speak from this, Aldo, on a very experienced level. I used to be house counsel for USF and G and I can tell you about the insurance premium business 'cause I've been involved in many lawsuits when I was representing them for ten years, so...I know what the deal is. They charge per thousand...they charge a rate per thousand and we're talking about being charged the 1984 rate per thousand; and if any industry...any big industry decides to move out of Illinois because they don't like we have here, that's not going to happen and I'll tell you why it's not going to happen, because as they pull out of states, then Congress is going to act and there's one thing that the insurance industry doesn't want and that's Federal control and being put under the antitrust laws. They have that exemption. And I'll tell you this, if they start pulling out and refusing to give local government insurance coverage, they refuse to come into a state and write...that's a great violation of antitrust law, and I think they're going to lose themself in a big lawsuit and I think the Federal Government will step in and pass some legislation which they don't like. So, I...I think that this is a good amendment and this just

brings the insurance companies into the pie where they haven't been in this...in this negotiations. I ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator DeAngelis, you asked for...you asked a question. Senator Lemke, obviously,...takes a little time in answering that question. Senator DeAngelis.

SENATOR DeANGELIS:

And he didn't answer the question either. In fact, we ought to really amend this to include an AIDS test along with it. Senator Lemke, this is such an extensive amendment that it's five...five...four lines long and if you'll read it it says, "Shall charge as a premium." Doesn't say a single thing about rate, "Shall charge as a premium." Now, the other thing...difficulty with it is what if you have a new company coming in...but it does not say rate, it says premium. And as a point of personal privilege, Senator Sangmeister and I both agreed that whichever of us...one of us goes to Congress, we will deal with those Federal issues on insurance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'd just like to make a quick legal point on top of more general and perhaps more important point that this amendment would clearly aggravate the availability problem. But the legal point is that as I read this amendment that it would seem to be an unconstitutional impairment of a contractual obligation. If you view an insurance policy as a contract between the insurance company and insured and you're...you're saying that an existing policy set with a premium established at 1986...or 1985 rates which may be different than those which were in force in 1984, then by imposing a legislative fiat that the rates have

to be rolled back to 1984, we would thereby be impairing that contractual obligation which establishes rates at 1985 or 1986 levels. So, apart from all the other problems which this...amendment would entail...on top of that, I believe it's unconstitutional and for all these reasons ought to be rejected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. All of a sudden we come to where we have to be worried about the poor insurance companies, shed crocodile tears for them. I'll tell you what, the availability...I live in a city right now where I pay close to eight hundred dollars more for my car insurance than if it were garaged outside of that city. These insurance companies come in, they force all of the people who...who are brokers in that town, if they want to use their policy, a city of fifty-five thousand people in the City of East St. Louis, they got two insurance companies now because these insurance companies have refused to insure these people. Now, I don't know why all the worry and concern all of a sudden is about these insurance companies. I consider them barrons, what they do they make all this money and, as I told you before, as soon as you get some claim against them, what do they do? They either tie the money up or they go into some case and what they do is send you a notification. I have a lady right now that had the storm tear her roof off and what did they do? They came out and found out that they didn't give her enough money and she asked to...and what did it do, she got a notice yesterday that they're going cancel her insurance. I'll tell you, these people are ruthless. We need to do something about them. There's no need of having a place in this town...everybody...or in this State, everybody is...and

entitled to have insurance, but all of a sudden we're so worried about these insurance companies. I remember back here when one insurance company made a big statement in the paper that they had made fifty-five million dollars profit in the first six months and the next six months they made thirty-eight thousand dollar profit and they put a statement out that they lost...I mean, thirty-eight million and they put a place in the paper that they've lost seventeen million because they made fifty-five million in the first...no one says anything about that. We need to deal with these people and I think that's...we're going in the right direction.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. I heard some comments on the other side of the aisle that what we're doing here is shooting the consumers in the foot, and I'll tell you something, if we...if anything is shooting the consumers in the...in the foot, it's the first several amendments that we put on this bill. And let's be honest about this. Those are the amendments that have been most harmful, most hurtful to the consumer is the people that...I've heard some people on the other side of the aisle say that you're...you're concerned about. If we were concerned about them, we wouldn't have put those amendments on the bill in the first place. I also heard some comments on the other side of the aisle that some states have done this before and seen insurance companies pull out. Well, it's nice to use examples of other states, but let me give you some examples of other states. If you take a look at the other states that passed the same amendments that you put on this bill earlier today and take a look at what effect that had on the rates and the availability of insurance in those states, you'll find that they have the same crisis and the same increase in

premiums that we have in Illinois without those amendments. So, these amendments that you put on...aren't going to do any good for those people that you say you're concerned about, they're not going to do any good about the premiums and the availability. At least with this amendment...at least with this amendment, we are saying, okay, we've put these harmful amendments on, but we're going to be damned sure that it's going to affect the rates.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Most of this debate is as if Amendment 15 were the entire bill, and let me just suggest to you, ladies and gentlemen, that this amendment makes the entire bill fair...fair, and I tell you, those of you who are concerned about your business people and your voters back home, I don't see how you cannot vote for this amendment. Let me tell you why. All that this amendment says is as follows. It says that back in 1984, liability insurance companies who are in the business of writing liability insurance policies estimated that a policyholder should pay a certain premium and that that premium was based upon an exposure...based upon an exposure that the underwriters of those companies said that they could be subject to punitive damages, that that policy could be subject to no setoff for collateral sources, that they would be subject to a deep-pocket theory because joint and several liability was in force, that they...that the pure comparative negligence was the law in Illinois, not a modified comparative fault; that there as a open blank check product liability law, not a modified one and that all of the attorneys' contingent fees had no cap on them. Under that circumstance, the insurance companies quoted a premium for liability insurance in 1984. Now, we're saying that if

2263...Senate Bill 2263 passes and the insurance company is going to write a liability policy in which there is no exposure for punitive damages, that you can't...you may not have to collect for collateral source, that you've eliminated joint and several liability, that you now have a modified comparative fault threshold of fifty percent, that there's a new product liability that cuts down the exposure for product liability lines, with that much more favorable climate in Illinois, we want you insurance companies to charge not below but at the same price that you pay...that you quoted this insured for a greater liability in 1984. That's all we're asking. That's what we're saying by this amendment which is part of this bill which is giving them what they're asking for, a better climate, a more predictable jury system, a more predictable court system, and we're saying, we're willing to pay you what you quoted with higher exposures in 1984. That's what our voters expect us to do, ladies and gentlemen. That's all this amendment on this bill does. It says, we're giving you a better climate and we just want you to give us not even a reasonable break. We'll let you charge the same things you charged in 1984. This is the heart of the whole insurance crisis from the point of view of the consumer. It requires a Yes amendment on Amendment No. 15.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lechowicz. If not,...if not, Senator Lemke may close.

SENATOR LEMKE:

I just ask for an adoption of this amendment which says that all the things that we're doing to reform, this will guarantee the people what's been promised them, at least, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves the adoption of Amendment No. 15 to Senate Bill 2263. Those in favor will indicate by saying

Aye. Those opposed. The Ayes have it. A roll call has been requested. Those who wish to adopt Amendment No. 15 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, none voting Present. Amendment No. 15 having received the majority vote is declared adopted. Senator Lemke.

SENATOR LEMKE:

(Machine cutoff)...side, I make a motion to reconsider.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Lemke moves to reconsider. Senator Berman moves to lie that motion on the Table. All those in favor indicate by saying Aye. Those opposed. The Ayes have. The motion carries. Further amendments?

SECRETARY:

Amendment No. 16 offered by Senators Schuneman and Rupp. And the LRB No. 8411092SJDVAM01.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No...what is this...15?

SECRETARY:

16.

SENATOR SCHUNEMAN:

Amendment 16 is the severability clause. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, Senator...Senator Schuneman moves the adoption of Amendment No. 16. If there's no discussion...Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates...

SENATOR BERMAN:

This is a severability clause or a non...if part of the bill is found to be unconstitutional, what happens to the bill if your amendment is adopted?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

The balance of the bill is...is law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

All right, I rise in opposition to this amendment and I...and it's...it's technical but it's important, especially in relation to the last amendment we adopted. Part of the argument...and I think the reason that everybody that voted Yes voted Yes is because within the total context of House...Senate Bill 2263 taken as a whole, we've made tort reform...dramatic tort reform and we've...we've delivered reduction in premiums for our voters. If you vote for this amendment,...if you vote for this amendment, you may lose...you may lose the reduction in premium and still have tort reform. That's why this amendment has to be defeated. If you voted Yes on the last one, you got to vote No on this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Question of Senator Berman. Senator Berman, are you admitting that this last amendment was unconstitutional?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

No, not at all. All I'm saying is that we look at this

as a total package and that's the way it should...should remain.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lemke.

SENATOR LEMKE:

This I think we should vote No because if...say the beginning of the bill and all these amendments we put on to help the insurance industry are...declared unconstitutional, then it'd be...it'd be wrong for us to roll back the insurance premiums. So, I mean,...see, we can talk about constitutionality and everything else, but this is a joint package and your side of the aisle made it that way. You went out and told everybody you're going to cut premiums. We did it. Let's cut premiums. That's what we're doing. We're...we're not cutting, we're just rolling them back...ball game. I'm not asking...the support is...the last amendment to vote No. This has to stay together. It has to guarantee to the people that there's no severability, that...if one part of the bill is declared unconstitutional, then the whole bill...and we start all over, but we can't have one part go and the other part go, and we can...we can...as lawyers, Art and I can argue over what's constitutional and what isn't, we can go all day long and we don't know what's...that's the courts decision. I hope we don't take that power away. So, I ask for a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Carroll.

SENATOR CARROLL:

Just a question of the sponsor. Is this amendment joint and several then?

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Schuneman may close.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I think silly time has arrived here. Of course, the amendment is the same amendment that we attach to almost all significant legislation that we adopt in this Body. I don't think there's anybody here who seriously thinks there's going to be a challenge to the...to the insurance part of this question. What's going to be challenged is the question of joint and several liability. Did you vote for that? What's going to be challenged is the question of modified comparative negligence. Did you vote for that? Well, if...if any part of either one of those issues is ruled unconstitutional, the sponsors would...or the opponents would have you believe that the whole bill will be unconstitutional. Now I'm told by staff that we probably don't need this anyway, that the...that the law...that the Statute already contains the same provision but it's common practice in the Senate and the House to attach these amendments to...to significant bills so that the court will not unintentionally undo everything that this Legislature has done. We really ought to attach this to this bill if we're going to attach it to anything we do. I move adoption of the report...of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman moves the adoption of Amendment No. 16 to Senate Bill 2263. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 29, none voting Present. Amendment 16 having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 17 offered by Senator Rupp. LRB No. 8411092RCM1AM11.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What this amendment does really is just renumber the several articles consecutively in the order in which they appear. That's all this amendment does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rupp moves the adoption of Amendment No. 17 to Senate Bill 2263. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment 17 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Before we move it to 3rd reading, I would just...for your information, Senate Bill 2263 took four hours on 2nd reading for passage to 3rd. 3rd reading. On the Order of Senate Bills 2nd Reading, Senate Bill 2265, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2265.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, would you please be quiet. We're looking for possible amendments. No...no further amendments? 3rd reading. With leave of the Body, we will go back to page 2 on Senate bills 2nd reading. We have Senate Bill 2051, Senator Berman. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

I'm sorry, Mr. President, but was 2265 moved to 3rd?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It was moved to 3rd reading.

SENATOR LUFT:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 2nd Reading, Senate Bill 2051, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2051.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you. We'd got into this earlier and I think it was...somebody asked that we pull it out because of other amendments. We adopted in committee Amendments 1 and 2 and I will move to Table those because it...both of those are incorporated in Amendment No. 3. So, I move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Berman moves to Table Committee Amendment No. 1. Is there objection? Hearing none, the motion carries. Amendment...Committee Amendment No. 1 is Tabled.

SECRETARY:

Committee Amendment No. 2...Oh, I'm sorry. Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I move to Table Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion...Senator Berman moves to Table

Committee Amendment No. 2. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment...Committee Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senators Jones and Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. If everybody has been concerned about the exposure of your municipalities, this is the bill that you want to pay attention to and I think that you want to support. Amendment No. 3 does several things. First of all, it apply...it...it adopts a modified doctrine of joint and several liability for local public entities and employees. It...it states that joint and several will only...will apply only to defendants who are equally or more at fault than other defendants. So that this...the five percent situation that we've all heard about with the barriers and the...the town that puts up those barriers would not apply because there would be other defendants that would be substantially more at fault than the city. So this would eliminate joint and several for those situations that involve the local municipalities. Secondly, it deletes the provision whereby under existing law when a municipality buys insurance they waive the standard of wilfull and wanton misconduct as to their...standard of liability. This says that wilfull and wanton misconduct shall be the basis...the only basis upon which you can recover against a municipality even when the municipality has bought insurance. The third part of this

amendment is regarding the exposure for the people that volunteer for our...Senator Jones called it the little league amendment, the people that run the little leagues, this immunizes them as to their liability for injuries that result from those type of volunteer exposures arising out of...the...sports that are conducted not-for-profit and strictly as a community activity. I move the adoption of Amendment No. 3. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No...Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Could we have a little bit more explanation on your joint liability for local governments...what you're talking about there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Yes, I'll be happy to. The amendment says that joint and several liability as relates to local public entities will only apply to those defendants who are equally or more at fault than other defendants. So, that if you have the situation that the cities have told us about, that the drunk driver careens over the...the barricade and causes a million dollars of damage to the plaintiff and the jury finds that the city was five percent responsible because they put the barricade in the wrong place but the drunk driver was ninety-five percent responsible, this amendment says that the city will only pay five percent of that judgment, that the drunk would...could not...or the plaintiff could not collect the other ninety-five percent against the city.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you. I do...it does sound familiar now. That's the one we defeated on the other bill. That's what we...rejected on the other bill. Isn't that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR RUPP:

I thought it was a little bit familiar but I wanted to make sure that...and that the people here who are going to vote on this realize that this is one that we have already rejected on...on a broad basis and now you're just trying to apply it to local governments. I don't think we should accept this amendment that way.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Well, I...I...so much...discussion has gone over the...the dam since we looked at that. I...I'm not sure, but let me suggest to you this,...this happens to be a Senate bill and the bill that we just got done with happens to be a Senate bill. I would suggest to you that with the uncertainties...we've heard that word today, the uncertainties of what's going to happen in the House, if you want to protect your municipalities, you...you ought to vote for this notwithstanding what you did on the other bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

I'd just like to know why. Why should I do that? What...what that's going to do to protect them when I'm...when I'm exposing them, basically,...since we don't know what they're going to do over there, they might accept this and then there we go.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Well, if...I will just tell you this, that with the...if...if 2263 never sees the light of day again and you don't pass 2051, you've done...in effect nothing for...for your municipalities. It's better to be safe than sorry and I'm just telling you that, you know, from the point of view of your municipalities, this is an Aye vote. You can go home and explain to them all about 2263 but that...in the posture it is, you may never see that bill again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rupp. No...

SENATOR RUPP:

No, I...I better not say what I was thinking...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Good. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President and members of the Senate, I think we're getting into the same kind of...of action that we took on Senate Bill 2263. What Senator Berman is offering here is another modified version of joint and several liability and, of course, local governments have been asking that we abolish the doctrine of joint and several liability. Now this Senate has already voted to do that for everybody including governments. Now what Senator Berman is asking us to accept is...a less effective amendment as it affects units of local government. Now there will be following this amendment another one offered by members of our side of the aisle that would strike everything after the enacting clause and again enact the abolition of joint and several liability as it applies to local governments. So, I really think we ought to...we should not adopt this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

All right, let...Ladies and Gentlemen of the Senate, this...I believe it's fair to say that this will be the only opportunity that you will have to address one issue that all of your municipalities are in favor of. That is not the issue of joint and several liability, but in this amendment is the change in the standard of negligence that applies to municipalities; and what I mean by that is this, under the existing law, if they take out insurance, if they are found to be ordinarily negligent, the insurance must pay. This says that they do not have to have that standard, they can have a standard...a higher standard wilfull and wanton negligent even if they take out insurance. That is an element that has not been addressed before that your municipalities want and need. In addition, the other part of it is just another approach to joint and several liability, but...but the element regarding the standard of negligence is an important one. I urge an Aye vote for Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman moves the adoption of Amendment No. 3 to Senate Bill 2051. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senators Rupp and Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What this amendment does, it does eliminate basically right out on top the joint and several liability for municipalities. It deletes the provisions in the Counties Act and the Local Government Tort Immunity Act that require an insurance company to waive the immunities provided to local public entities. It deletes the provision to maintain property in a reasonable safe condition

and to conduct inspections for the purpose, to provide traffic signs which weren't of unsafe condition and it adds "agent and volunteer" to the definition of employee when applying the immunities granted under the Act. It expands the definition of injury to include civil rights injuries when applying the immunities granted under the Act. It expands the definition of local public entity to specifically include a library systems, intergovernmental agencies and not-for-profit corporations conducting public business. It exempts public employees from punitive damage awards. The expanded immunities include that the municipalities are not liable for injury caused by providing information verbally or through library materials, not liable...they are not liable either for injury based on the condition of public property...unless it's proven that the public entity had sufficient notice of an unsafe condition. They're not liable for the effect of weather conditions on traffic signals or ways adjoining the public streets or sidewalks. They're not liable for injuries occurring when a person participates in a hazardous recreational activity and voluntarily assumes the risk of such participation. Public entity is still liable, however, if they fail to warn a participant of a known dangerous condition which is not basically inherent to that part of the activity. They're not liable for injury occurring in lakes or rivers adjacent to but not owned to the local public entity, and I might explain here that the reason these might appear to be somewhat definite is that they all attend and...and...and face to some particular questions and possibly cases that have...where cities have been found to be held liable. They are not liable or will not be held liable for an injury occurring while in pursuit of an escaping prisoner. They're not liable for failure to provide rescue services or for delays or failure to respond to request for services including police, fire, ambulance, rescue or other

emergency service. They're not liable for injury caused by the negligent operation of a vehicle when responding to emergency calls unless the person injured was totally without fault or the emergency vehicle was operated with wilfull and wanton...misconduct. It raises the duty of care from a standard of...negligence to wilfull and wanton misconduct in the following situations; there are two, where injuries resulting from conditions of public property used for recreational purposes and injuries resulting from failure to summon medical care for a prisoner.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

I won't burden the Body with going through questions and answers between Senator Rupp and myself. Let me merely state that there are some provisions in here that probably don't make any difference, but there are some in here that...some provisions in this amendment, ladies and gentlemen,...and by the way, the amendment strikes everything after the enacting clause so the benefit that you've just provided to your municipalities in the previous Amendment No. 3 is taken off. That alone should cause you to vote No on Amendment 4. But let me tell you what this...what Amendment 4 does and if you listened to Senator Rupp carefully there is no city or village or municipality in Illinois if this amendment is passed into law that will ever have to inspect any of its traffic lights, it will never have to repair any of its streets, it will never have to caution their policemen or firemen that when they go through a red light in an intersection with their sirens blasting that they should slow down at all, they won't have to, they can just go raring though...roaring through; and if you happen to be in that intersection and you get hit by that emergency vehicle, you can't sue. That's what this amendment does. That's what was

explained by Senator Rupp. Now, ladies and gentlemen, I represent a couple of municipalities in my district and I got to tell you that my responsible elected officials in those communities don't want this kind of a blank check that Senator Rupp is giving to them. This is more than they need. It's more than they want. I don't know who brought this together, but I will tell you this, it's irresponsible because it says, any municipality, you can do anything you want and we can't sue you. I urge a No vote on Amendment 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator...Senator Watson.

SENATOR WATSON:

Well, just a clarification, Mr. President. I understand that those provisions were taken out. Is that...do you know of that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Which ones? I've been told that some of them have been taken out since I got this listing, but I can't tell you which ones. Which ones were taken out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I understand that Section 3-105 dealing with weather conditions, traffic signals and all was taken out of the...out of the amendment. It is no longer in it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

I apologize for standing. In the explanation, he said that a municipality shall not be responsible for weather conditions. All right? Now, that's what he said.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

I was trying to apologize too. He had his turn, I apologize, I made a mistake. That's the first time. I think there was once in nineteen...let's see...seventy...seventy-two, I think it was, but I'm sorry...sorry.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Well, I...I accept your apology but I'm not sure what you're apologizing for. Would you care to state...would you care to state again for our...all of our edification what's in this amendment? When...when will municipalities not be liable when they are liable today? Would you please restate that then?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp, did you hear the question?

SENATOR RUPP:

I will...I will defer to those who have worked on it more recently than I did.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Yeah. Thank you. Yeah, we just...okay, is this in or is it out? Where's the amendment that we have...okay. Revision of Section 3-104, Chapter 85, paragraph 3104, that provision in one of the original amendments that you may have there, Senator Berman, was taken out and is not currently in our amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Mr. President, I renew my question from either Senator

Watson or Senator Rupp, under what circumstances in this amendment will a municipality not be liable where they are liable today? Would they please elaborate exactly when...what benefits does the municipality gain from this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson. Senator Rupp indicates he can answer that.

SENATOR RUPP:

While...while he's looking, I can tell you one thing that they'll gain, Mr. Berman, is the...the joint and several will be eliminated, if you want to know one thing, and that's the main thing that's in there. I said that I...I would...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Watson.

SENATOR WATSON:

This is to respond to the immunities...the immunity question that Senator Berman had in regard to units of local government. The unit of local government immunity expansion says that they will not be liable for injury caused by providing information verbally or through library materials. They will not be liable for injuries occurring when a person participates in a hazardous recreational activity and voluntarily assumes the risk of such participation. They will not be liable for injury occurring in lakes or rivers adjacent to but not owned by the local public entity. They will not be liable for failure to detect or solve crimes or failure to delay in responding to reports of crimes or failure to identify criminals. They will not be liable for an injury occurring while in pursuit of an escaping prisoner. They will not be liable for failure to provide rescue services or delays or failure to respond to requests for services including police, fire, ambulance, rescue and other emergency services. They will not be liable for injury caused by the negligent oper-

ation of a vehicle when responding to emergency calls unless the person injured was totally without fault or the emergency vehicle was...operated with wilfull and wanton misconduct. They will not be liable for any rights or contributions sought by a third party if the injured employee has been compensated under the Workers' Compensation or Workers' Occupational Disease Act. I understand that those are the provisions that the...list of immunities will cover, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Well, we understand that there's a possibility the wrong amendment has been distributed, and we'd like to know from the Secretary if we can get a LRB number on it...on the amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...you made copies and had them distributed to all the members? Senator Watson.

SENATOR WATSON:

Not I. No, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

My suggestion is, why don't you Table Amendment 4, file the right one and let's talk about what we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we just...why don't just withdraw this amendment. Withdraw this one...all right, Senator Watson seeks leave to withdraw Amendment 4. Leave granted? Leave is granted. Further amendments?

SECRETARY:

Floor Amendment No. 4 offered by Senators Rupp and Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Now are we talking about virtually the same amendment, is that correct? All right, let's read the LRB number.

SECRETARY:

LRB number is 8411246RLKSAM01.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp or Watson, who...who's...Senator Watson.

SENATOR WATSON:

Okay, this is the correct amendment that we wish to discuss at this time and it does contain the items and the immunities in which I just mentioned. If you'd like for me to go through that again, I will be glad to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

All right. Thank you. Ladies and Gentlemen of the Senate, let me...let me point out two things that are in this amendment that I've just got to tell you I don't think a responsible public official of any of our municipalities needs, wants or deserves. Two...two points; number one, they are not liable for the failure to respond to an emergency call...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...pardon me, Senator Berman. Ladies and gentlemen, could we have some order please? Senator Savickas. Senator Savickas, could we break up that conference. Senator Berman.

SENATOR BERMAN:

Thank you. As Senator Watson explained it, this amendment says that you can't hold a municipality liable for failure to respond to an emergency call. Now, Ladies and Gentlemen of the Senate, let me give you a hypothetical. I hope it's only a hypothetical. There's an emergency in the house, your wife...your spouse is choking. You pick up the

phone and you call 911, and the person that picks up the phone who's an employee of the fire department or the police department of your municipality happens to have...happens to have had a few too many drinks or is busy talking and they pick up the phone and they lay it down and they don't listen to that 911 emergency call and your spouse dies. Ladies and gentlemen, you can't sue that municipality...you can't sue that municipality. That's what you explained. Are you telling me this is not in this amendment? I thought that Senator Watson explained this as...what I'm addressing as being in the amendment. Now, he's saying it's not in the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

What he says is quite true. I did read that and...but it is not a provision in the amendment. That is not a provision in the amendment in regard to emergency vehicles. We took that...that part out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman. All right, Senator Rock. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I...I would seriously request that the gentleman pull this amendment. This is awful. I mean it is truly awful. I think every one of us, irrespective of party, House, side of the aisle are all attempting to...to do something favorable toward units of local government, municipalities, counties. This is awful. You are virtually giving every city and county in the State virtual...a free ride. They're not liable for anything, and that's not what you want to do, I'm sure. I mean, this...this puts the...the...not only the municipality, this one...applies also to security police who are under contract,

for goodness sake, and it...allows the firemen to...to drive rescue equipment irrespective of the rights of the pedestrian or people in general. I really, truly don't believe you want to do this, and I'd ask you seriously to pull it. We're...we're...we're discussing this ad nauseam, we're getting nowhere fast and...and I'm sure that once you read this thing, you're not going to want to do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, what's your pleasure?

SENATOR WATSON:

I ended up with this hot potato, looks like...well, what...what we're trying to do and...and what has happened here is various special groups, the park districts, municipalities, townships, counties have gotten together and have come up to...with what they feel is a solution to the problem of...of liability insurance at the local level. This was...amendment was an attempt to address that. These are provisions that they have offered and they...we...they came with an...amendment first of all which we thought was too broad and we asked them to revise it. We went back and they came up with this amendment. I think it's a reasonable approach to trying to solve a problem of...units of local government. If you want to vote it down, let's...let's vote it down, but it's an attempt to help our people at the local level. If you don't like it, sobeit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp. Senator Rupp.

SENATOR RUPP:

I will withdraw the motion. I won't subscribe and say amen to all our accusations and all the innuendos. This is...I apologize again, that's twice in...boy, that's...that's...I'm getting to be a habit...I'm sorry, but...we did take what was given to us, we were trying to come up and answer some of the questions that the municipal-

ities had and in the rush of things evidently some things are not quite in order and I apologize for it. We will take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Rupp is the principal sponsor of the amendment and I assume Senator Watson is yielding to his request. Take it out of the record. All right, if...I beg your pardon. Senator...Senator Rupp has requested...Senator Rupp requested leave to take it out...to withdraw...withdraw the amendment. Senator Rupp.

SENATOR RUPP:

Okay, we'll withdraw the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Rupp seeks leave of the Body to withdraw Amendment No. 4. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 3, Senate bills 2nd reading is Senate Bill 2202, Mr. Secretary.

SECRETARY:

Senate Bill 2202.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, thank you, very much, for coming back on this order of business. We're going back now to the Medical Practice Act which we had discussed earlier in the day.

The amendment has been passed out. It's been on everybody's desk for four hours, and I assume, because everybody here is rather ambidextrous, as we were listening and voting on tort reform and various other things, we were also looking at this. In answer to what was President Rock's question when last we discussed this roughly four hours ago, we have made available to you, and I can go through it but it's rather lengthy, all the medical disciplinary grounds that you sought in terms of page and line item, that has been made available to the Democratic staff; however, there are roughly forty-five of these. I can go through some as you may see fit. They are extremely strong. They do go after the bad doc to just...affectionately use a phrase that's kind of quick, but I would...if there's any questions, I'll be happy to answer them. I...I do have people here who can be of help as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rock.

SENATOR ROCK:

Well, I intend, for the benefit of all concerned, to renew my motion tomorrow, irrespective of whether this amendment gets on. I think this is terrible and I'll tell you why...one of the reasons why. I don't know how many have read the report...the Governor's report on the Medical Society Task Force. Question number one, are all twenty recommendations of that task force included in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes. The twenty...the twenty recommendations from that medical task force are included in the bill, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

So that I...I can be sure that registration and education

is granted the statutory authority to issue a subpoena for inspecting a physician's office. That's in here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

All right, it's been brought to my attention, among other things, that the Act does away with Section 44-112B of the previous Act, and in the view of some who have studied it rather quickly over the last four hours, it appears to be unconstitutional on that basis. Is there a different group of people being licensed under this Act than under the current Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No, the same group of people is still being licensed and there are three groups which would be doctors, osteopaths and chiropractors. They are the same groups that are currently licensed under the Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Are naprapaths currently licensed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

No they are not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, then I...I would also point out that last Session on Senate Bill 879 we had a Conference Committee report which created the Voluntary Medical Services Contract...Contracting Act, which, as you will recall, the AFL-CIO among others was violently opposed to it. As a matter of fact, when you called that bill for passage, it received five...repeat five affirmative votes in this House...in this Chamber; and yet, that exact language is contained in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Because you did ask as to whether or not the recommendations of the Governor's task force are in this, that's recommendation number four to involve professional organizations in the review of excessive fees or other activities of those licensed under the Medical Practice Act; and there is a reason and that is because there are complaints about excessive fees, and it was felt by the Governor's task force, which had quite a good group of people involved here, that that should indeed be reviewed as part and parcel of what would not be good medical practice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, let me reflesh...refresh your recollection when we discussed the Conference Committee report on Senate Bill 879 because one of the groups that was violently opposed to that provision, in addition to the AFL-CIO, was your friends. I've been listening about them all day, the insurance industry is violently opposed to this provision. The industry argues that the proposal would allow physicians to exert pressure on other physicians to enter into lower cost contracts. Price fixing is what they called it, and they're opposed to it and as one who is a strong advocate of the

insurance industry, frankly, I'm appalled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yeah, not being particularly an advocate of any industry, if I...which I mean...other than just trying to keep it in business and keeping jobs in the State, this in no way can be interpreted as collective bargaining or in trying to...force people into price fixing or union ratification or close shops, they bring physicians to the bargaining table to discuss fees and it becomes more and more prevalent as more and more physicians are on a salary and they...it's...it's...it's like any other method where you just bring information to the table. In no way is it binding. In no way can a price be fixed. It is strictly of an advisory nature just to hear more opinions on the subject.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I had listened with...with great interest and had voted affirmatively when our late colleague, Senator Bloom, put into...put in the preferred provider legislation. This provision, obviously, would affect those contracts under that legislation, would it not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Only insofar as discussion, that the...any type of advice or review or information...does not have to be accepted. It just merely puts it forth on the table as another option.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well,...you know, this can go on and on and prob-

ably...the point I'm making is one that that legislation received five affirmative votes in this Chamber. This is something that, obviously, should be discussed in a committee where all these questions can be answered. I'm not prepared to argue the substance at this moment. The fact is, somebody ought to be aware of this. Tell me about page 20. Does this legalize abortion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

This repeats current and extistent language in the Medical Practice Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Tell me about page 27 with the respect to the admissibility question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Are you referring to gross negligence? I mean, what line...where do you start?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, I'm suggesting that where it says, "No such rule shall be admissible into evidence in any civil action except for review of a licensing or other disciplinary action." What does that mean? That this kind of...this kind of Illinois Medical Society rule as to what constitutes proper practice of medicine is no longer admissible in the court of law when your dealing with a question of malpractice. Is that what you're saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

According to my handlers here, it is currently department rule and it is in effect at this moment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Tell me what the current makeup of the board is. Page 31.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

(Machine cutoff)...be in...it's current language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

This is the way the board is right now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

As I said when I spoke to the amendment four hours ago, that this particular bill...you know, had the malpractice...the...the Medical Practice Act has not been recodified, cleaned up, put together, all the buggy whips taken in and out since 1923, so much of it is exactly the same as what we have not except tightened up to reflect the...the processes that have impact on this...you know, for over seventy years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Is the...is the board makeup as proposed in this amendment the same it is...as it is currently?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, then maybe we ought to talk about changing it. This is the disciplinary board to get out the bad docs. I heard that four or five times four hours ago. And the fact of the matter is, four of the...four of the members of the board are a quorum, they can do everything and five of the members of that eight-person board are, guess what, doctors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, President Rock, I realize that, but, one, this gives more powers to the disciplinary board. You can put as many good people as you want to on a board, but if you give it no power it...it really is...is kind of flaccid, and I would like to point out that, for instance, funeral directors have a board as well wherein the whole board which takes care of all funerary practices are all funeral directors. So, I don't know that this necessarily holds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

And finally, having labored long and hard, as I'm sure they did, the medical society now has Amendment No. 2. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator Rock is obviously a speed reader or else has had some good staff help. I have looked at these seventy-three pages and part of the problem, and this is process rather than substance, is that there is no way to tell what is new and what is a repeat of the existing law because it is a brand new Act, nothing is underscored. It is all here in its pristine form and we're supposed to absorb all of this and know exactly what we have or have not changed, whether it does or does not make sense, without it ever having been through committee or had any kind of a hearing at all other than this very brief exchange just now. That is the point that I was making earlier. We should not be doing something like this without any opportunity for members at large to have an idea of what is going on with respect to this major piece of legislation. And for that reason, too, I would oppose the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Keats.

END OF REEL

REEL #7

SENATOR KEATS:

I just want to raise a couple of points right now that are loosely related to this amendment. We're saying bringing out this amendment now and this is a major amendment. Hey, this is early, normally these come out June 28th at about ten-fifteen. I'm amazed that it's this early and it can even go through House committees. I mean, I'm...I'm impressed by the fact that we had...he had six weeks to look at it, that is probably a record. Now, I do have to say in sympathy to the President's comments, since I have supported his position on numerous times, when I raise these exact points around the 1st of July, can I rely on a consistent judgment at that time to say maybe we shouldn't be bringing these things out at the last moment? When the five-man Legislature goes to work, we're excluded, we don't hear what's going on, and those bills are often much longer than seventy-two pages and were not a year in the making, and you don't have six weeks and another Chamber to take a look at it. I also bring up one last point, the Medical Disciplinary Board has a lot of docs. How many lawyers are on the...the Lawyers Disciplinary Board? Is that a group of...of laymen? I don't know, I'm just asking out of interest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...since it's a question that goes on into...Senator Davidson, further discussion?

SENATOR DAVIDSON:

Mr. President and members of the Senate, I want to say here as provided that if there is a possibility of a conflict on your vote you're going to cast, you should announce that conflict. Since the adoption of this amendment to this bill will have governance over myself and the other members of my

profession, I do have a conflict. I also want to say that I am going to vote Aye on this bill. I've gone over it very closely, as I'm sure other people have, and particularly by the learned questions that was asked by our President. The only one change on the examining committee was done, under the present law...those people when they're appointed there is no term, they're appointed to serve whenever or whomever would be Governor would ask for their resignation or they resign. This does put a specific number of years for them to serve which I think is a good, good thing. The rest of the bill has many good things in it. It gives an opportunity for those who need to be disciplined and who are in the health care field, particularly an M. D., a D. O. or D. C., that we have an opportunity to remove that individual's license, to remove that person who may be a hazard to the public, and as it should be. We should be able to get at that individual and under the present law we have a very difficult situation of doing that. And being one who has set on our ethics committee dealing with my members, I want an opportunity to hold someone who is not giving his best care and ability of care of the public for us to take that person out of practice be he or she whomever they are. And that's what is really the guts part of this bill. And I would urge everybody to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. It's my pleasure to announce to the members of the Senate that Illinois has a new coalition. I have a letter from...from the coalition, and the members of this coalition are the Illinois State AFL-CIO, the...the Illinois AFSCME, the Illinois UAW, the State Chamber of Commerce, the Associated Employers of Illinois, the Illinois Manufacturer's Association, the Illinois Retail

Merchant's Association, Illinois Hospital Association, Illinois Life Insurance Council, and the Blue Cross and Blue Shield. They have addressed a...a letter to the members of the General Assembly dated today asking us to oppose the provisions contained in this bill, the medical services contracting board proposal. And in their letter they say that these provisions are especially onerous to the members of our coalition for the following reasons; number one, the provision contained...the provisions contained in the physician contract review bill would slow the process of instituting a PPO. Secondly, the provisions of the informed physician legislation would allow representatives of county units, that is county medical societies, with at least thirty percent of the counties' physicians to legally with antitrust immunity discuss charges and contract terms and conditions of PPO contracts and any other contracts thereby effectively setting prices. And the third reason is that all contract offers to physicians would be subject to review severely undermining the competitiveness of not only PPO's but health maintenance organizations and similar arrangements which present...which presently function effectively and competitively without physician contract review. They ask us to oppose this legislation which has not been openly debated prior to this time. I rest my case, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, you're...you're a lawyer now? All right. Further discussion? Senator Topinka may close.

SENATOR TOPINKA:

Yes, and...and, of course, these groups have a right to oppose as...as any other group would. However, I do bring out the point that these groups on the whole have never opposed...well, some have and some have not, but a great majority have never opposed mandatory collective bargaining for groups. This, as I said, is a matter of just bringing

people's opinions to a table and not even having to be regarded other than just listening to them. I think the position is grossly overstated. I appreciate Senator Schuneman bringing it up and I don't...you know, he's merely the vehicle for this. But I would disagree with the position they're taking because this is not price fixing, it is not binding and it has nothing to do with collectivization nor should it adversely impact on the PPO.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There has been a request for a roll call. Senator...Topinka has moved the adoption of Amendment No. 1 to Senate Bill 2202. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 25. Amendment No. 1 to Senate Bill 2202 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, this is...this is, I don't think should be any problem for anybody. It is strictly typographical errors, commas, quotation marks, whatever and those things that have been cleaned up by the department. This does not touch on anything substantive in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka moves adoption of Amendment No. 2. Discussion? If not, those in...Senator Rock.

SENATOR ROCK:

Well, my recollection is that there...there was a deletion...substantive deletion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

It's my understanding that there is no substantive deletion, it is strictly typographical. Wait...whoops...wait...excuse me, it was a wrong citation of an area of the law, they just got it into the right area of the law. Sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well,...let me ask then about page 38 where you delete lines 33 to 35 and insert in lieu of...thereof something else?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Oh, it was a wrong citation, it was the wrong Act that was being referred to that was being modified.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka has moved the adoption of Amendment No. 2. Further discussion? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Page 3, Senate bills 3rd reading, Senate Bill 916, Senator Lemke. All right. On the Order of Senate Bills 3rd Reading is Senate Bill...916, Mr...Senator Lemke, for what purpose do you rise?

SENATOR LEMKE:

We're going to hold this bill, I understand that...they're supposed to be still in negotiations, let's

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see what happens. So we got tomorrow to do it, tomorrow I'm going to call the bill. We've been working on it for two years negotiating with everybody and I think we should give them another day to see if they can get things together before we vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 1491, Senator Rock. 1519. All right. Is there leave for Senator Carroll to...to hold...to handle that? Okay. Senate Bill 1519, Mr. Secretary.

SECRETARY:

Senate Bill 1519.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you,...thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1519 is the ordinary and contigent expenses of the Auditor General subject to the guidelines amendment that reduced by one percent and followed the other guidelines for Personal Services. I'd be willing to answer questions and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1519 pass. Those in favor will vote Aye. Those opposed will...vote No. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1519 having received the required constitutional majority is declared passed. 1520, Senator Maitland. On the Order of Senate Bills 3rd Reading is Senate Bill 1520. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1520.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Bill 1520 as amended does two things. First of all, it makes the same adjustment in the transportation formula in the enterprise zone language that we did with the corporate personal property tax adjustment. This was an oversight when this language was put in and this recognizes the transportation formula and the recalculation of the assessed...the...the EAV. Secondly, the amendment we put on the bill yesterday deals with those school districts that have a growth of over five percent in...in one year. And...and this, as I mentioned yesterday, will address a...a school district that affects Senator Demuzio and Senator Watson's district. We will calculate this based on the difference of the enrollment of the first month of the current school year and the...and the year preceding. That difference will be what the calculation will be based upon assuming it is over five percent. There was a reason for doing it on a one-month basis only, and that was to assure that when we come back in in November in the Veto Session we can address a supplemental appropriation. I'd be happy to respond to any questions you might have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1520 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1520 having received the required constitutional majority is declared passed.

1522. Senate Bills 3rd reading is Senate Bill 1522, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1522.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 1522 is the no pass, no play legislation which has been amended, and with the amendment now has the support of the...superintendent of the State Board of Education, IEA, the school administrators, the school boards, ED-RED, the Chicago Teachers Union. I have been meeting with the Illinois High School Association and our staff has been meeting with them for the last six months in an attempt to work out something to provide an...an incentive and nothing punitive to send a very loud and clear message that academics are first and athletics are a very important second...and extracurricular activities are a very important second. We met for about six months, finally reached what was an agreement and unfortunately, the agreement never got voted on by the members of the IHSA. An increasing number of states throughout the country are linking athletic eligibility to academic status. This...this first began in Texas. I must say very clearly that the Texas law is much too tough, it's much too punitive, I don't agree with it, and our bill is very, very reasonable, and it does send a loud and clear message. We move the effective date of the bill back one full year so it does not affect the 1986-1987 school year, begins with the...1987-'88 school year and...and only affects competitive competition. This would be sports and, for instance, a band competition, a debate competition, et

cetera. This is consistent with our school reform efforts of last year which is...we took the leadership role on. What this bill does specifically is...it says that at the end of a grading period if you are failing one of the core courses, the courses required under the School Code for graduation, at the end of the grading period you must...you will be suspended for a two-week period. The coaches came to me and said, these kids need to practice. Sometimes we're the only ones, the coaches, who have a handle on these kids, we want them to practice during the suspension period. We changed the bill so the kids can practice during this period so that he can stay in shape, the...the coach can have a handle on these kids and...and encourage them to get their studies back up. The two-week period is not punitive at all. The other change that we made, the IHSA not long ago increased the credit hour requirement to be eligible for athletics and extracurricular activities to twenty hours. Many of the schools...high schools in the State then increased the PE credits so that they could get around this increased requirement, and we just say that PE hours can't be used in computing whether you have the requisite hours to be eligible for athletics. I think it's a good bill, it's been worked out, it's a compromise. Most everyone involved in education is supportive of it, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have several speakers. Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. Senator Marovitz, without question, introduced this legislation with...with all good intent and I understand that, and I also appreciate his willingness to work with...with the groups and attempt to work out a reasonable compromise. But let me just recite to the Body a couple of concerns that I have with respect to the bill. I mentioned this point in committee and

I think it's a real, real issue. Keep in mind that...that we do have some young people around this State that don't have the God-given talents to be outstanding students in the academic area, they don't really do well at all in that area, and I think we need to challenge these young people and make sure that they do everything possible to do well in academics. But, unfortunately, in some areas we do have people who have God-given talents as athletes and do a good job, and this is the only thing that's keeping them in school. And I want those of you...I want those of you to listen very carefully who are from an urban area because this affects you, I think, quite dramatically. Those students, perhaps the only thing keeping them in class is their ability as...as an athlete, and we work diligently with them to keep them in school. School isn't only academics, it's extremely important but those athletes are also contributing and they're being educated through that endeavor. So keep that thought in mind, it is a real, real issue. Secondly, the IHSA has had in force a policy dealing with students who are passing or failing in school, it's been in place. The IHSA has been policing itself. In case you don't know it, the IHSA is made up of principals across the State. And I just question very seriously, my fellow colleagues, whether or not this is an appropriate place for the General Assembly to be. Should we really be legislating issues like this? I don't, Senator Marovitz, really consider this a part of the reform package. I think this is outside of that and I think we need to look at that very carefully. I would say finally, that we will probably be back dealing with this issue again because the IHSA regulations will plug in here anyway. So I think we are creating what may be a very serious problem. Please keep these thoughts in mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Along the...the line of what Senator Maitland was indicating about some of the urban school areas, I think that we should consider that fact that many of these school districts do not have the same equal educational opportunities that they do in some of the other more affluent, well-funded areas and that legislation like this may at least temporarily be adverse to students from these schools. Hopefully, what we did last year in educational reform and what will be passed on to all the schools in the State from that reform legislation will have a great affect upon raising the...and elevating the level of education, the level of...the teachers and the institutions themselves. I'm going to support this proposal; however, I'm concerned that they might be...and it should be noted, as Senator Maitland did, that it might be adverse to some of the students from those areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I...I rise to echo some of the concerns that...that Senator Maitland has expressed. I...I've heard a long list of people who are supposedly in favor of the bill. I know that the principals of the north suburban area, that's from the City of Chicago all the way to Wisconsin, have met on this bill and there's not one principal of a high school in north suburban, Cook, Lake, whatever that entails, that's in favor of this bill. I was also told by those people that they doubted seriously that many of you from downstate would find your principals overwhelmed by this bill. I think we have to take a look at it. I know that the sponsor has good intentions. First of all, it affects only core courses. So right off the bat, your varsity athletes aren't really going to be

that affected by this bill anyway. They have finished their core courses at least by the time they're seniors, if not by their second semester of junior year. So you haven't affected them at all by this piece of legislation. You have hit the freshmen and the sophomores real hard and maybe that's what you want to do. I've got a freshman who plays sports and I hope he doesn't find himself in this situation, but as far as I'm concerned, this isn't a positive way to induce a kid to get involved in sports. Secondly, it singles out interscholastic athletics. I mean, if we're going to address the subject of kids being better students, then what about the pom pom girls? What about the cheerleaders? What about the...the kids in the newspaper? Student government? There's a long line of extracurricular people. And they're all in there and it's a good thing they are. You see what kind of influence I have on this Floor, I say it, it's done. The third thing is that the grading period...the...the grading periods...there's three grading periods in some...in some schools. And my principals tell me that that creates a real problem, where two or three...it's not just at the end of the term. It's mid-term and the end of the...and the end of the semester. I think that creates a real hassle for the schools. I think what we...what we're doing here is trying to stick our nose into school's business where they already have rules that deals with these things. Secondly, at least three major studies show that the schools that have the best interscholastic athletic programs have the highest overall grade points. So what we're doing is going after the kids and the schools in a sense that are doing the best job of integrating athletics and...and studies. The question is, how does this get at the kids who don't participate in any extracurricular activities. Those are the kids, quite frankly, who have the grading problems, it's the kids who don't get involved. We're penalizing the kids who are really

doing their best to try to keep those grades up. And I don't think one F and only one F should bar a kid from participating in a sport when we already have rules on...on the books that deal with this. I would suggest that you look this one over and give it a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussions? Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I want to make it clear in the first instance that I don't disagree with what is the philosophy behind this bill and that is to induce youngsters to...do more in the study of the subjects in their curriculum. The problem is that what we have, whether we like it or not, is a punitive measure that doesn't do anything to induce youngsters to get into the learning process. And what is equally disturbing about it is that we're looking at a field in which this had traditionally been circumvented. I don't think there's anybody in here who doesn't know of institutions where youngsters get artificial grades to keep them on the team. It's unfair to them because it gives them a false sense of where they go, and as a consequence, what we do is get kids who not only come out of high school not reading and writing, we get college graduates who come out not reading and writing. I suspect many of you have heard about the single case of a college graduate who went to Marvel Collins School in the City of Chicago to learn how to read and write and we got too much of that, so that what we are doing here is dealing into a system that's already gotten perverted. College athletics are a major scandal. If we look at what's happening on that scene where, as a matter of fact, all we're doing in college is using college as a farm system for the NBA and the National Football League. They don't stand the cost of a farm system just as baseball does.

We all know that in college you can fire the president of any institution, you cannot fire the coach if he has a successful career. So we're just piling on here, it seems to me, a perverted situation from which we ought to try to construct something that would be helpful to these youngsters. Nothing is being said here about the support mechanisms that will give them the opportunity to do what we want to do. Now let me tell you this, you take a look at the demographics and we're losing kids by the time they get to high school, we're not picking them up. They're choosing high school to drop out. We're losing these kids at six, seven, eight and nine years old, that's when they're gone. And to say that this is going to induce them to study is plain nonsense. If they haven't learned to read and write by the time they're in high school, they're certainly not going to come off a football field at the end of a three-hour practice and go sit down somewhere and learn how to read and write. That just doesn't make any sense at all. I don't think that we ought to pass this legislation out. I think we ought to look at what a real solution is and provide these youngsters with the underpinning that will make them educated men and women and that will produce for us in the State of Illinois some taxpayers. That's what it means in the long-run. But I'm telling you this, that if we continue to encourage uneducated youngsters to stay in school for the purpose of participating in...in...in...in...in...in athletics, what we're going to wind up with is a group of young people who come out of school frustrated with little or no future and who are the fodder for making the kind of headaches for this social system that we don't need to have. I think we ought to hold this bill somewhere, figure out how to come to grips with the real problem; and the real problem is providing incentives, the real problem is providing hope, the real problem is adding to these kids a dimension they don't presently have and

athletics without education is not it. I think we ought to hold this bill then and take a serious look at what we can do to produce solid citizens for the State of Illinois. I vote No on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator Marovitz, in committee I raised the same objection to this legislation that has been...expressed here by most of the previous speakers. And I would like to know...I heard you said that you had met with a lot of different groups and you had eliminated most of the objections in this bill, but I really want to know, have you attempted to address the problem of providing adequate support systems and mechanisms to ensure that children that who had been for whatever reason denied adequate and opportunities and quality education so they could, in fact, be able to read and write and have a fair chance to...to...to make passing grades...that is once they get to high school, that...that you would not be penalizing them? We talked about not being punitive to the...punitive to these people, but unless you come up with some kind of support system so that if you...and a monitoring system to ensure that if, in fact, that this child is failing, at some point in time you would know that before...that the child fails a test. So that...that there should be something happening and taking place prior to the testing period that would give this...a child an equal chance to...to...if they're falling back on their grades and if all possible or adequate tutoring and supervision so that they can, in fact, pass whatever tests are necessary for them to

compete. Have you done anything in...with this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, Senator Collins, first of all, we're not talking about A's, B's, C's or D's, we're talking about merely passing...merely passing the courses that are required by the Board of Education and required for them to pass before they graduate anyway. So they can't graduate unless they pass these courses anyway. It seems totally inconsistent and incongruous to say to some student, well, you have to pass these courses to graduate but you don't have to pass them to play baseball, football or basketball, that's okay. We don't care if you pass English, that doesn't make any difference. This is at the end of the grading period and...and somebody will know...that student, that teacher will know during that grading period if that...if that kid is falling down and if he needs some extra help. It is not punitive, it's not keeping him off for a semester or for the season or for four weeks, as I originally had, it's keeping him off for two weeks. He can practice with the team, the coach who has a hold on him will be able to...to encourage this kid to buckle down to get back on the team. If...if athletics are the only reason this kid is staying in school...and I'm wondering now what our high schools are for, are they for education or are they minor leagues? You know, are they...are they for...for...for the minor leagues for the pro sports or...or for colleges? It seems unbelievable to me that anybody who wants their constituency to better themself and to prove themself and to be...an independent and productive part of society would say, well, my kids can't make it, and so we ought to let them play sports even though they're flunking English and flunking science, that's okay as long as they can play football. I don't really think that makes a lot of

sense that we're keeping them only...off for only two weeks, they got to pass these courses anyway to graduate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins...

SENATOR COLLINS:

Senator, I think...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...you...you've almost exhausted your time.

SENATOR COLLINS:

...no...no...I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

...I think you've missed the point. I don't...I am not opposed to the basic concept of what you're trying to do. I agree with you. The problem is that you are cutting out some...a lot of kids in...in the urban areas who have been, to no fault of their own, denied access to a quality education to the point that by the time they get in high school they're unable to read, as Senator Newhouse said. And there are many kids that once you provide the incentive and once they can find something that will motivate them to keep them in school, be it athletics, be it...be it debate or be it whatever, drum and bugle corp or whatever, if you provide...if you say to them on one hand, now, if you put forth a concerted effort and you pass, you will stay, you can participate in that...that activity. But recognizing the fact that you do not have the fundamentals, the basics that you did not get back there in first, second, third, forth, fifth, sixth, seventh and eight grade, we will...we are willing to help you. So that when...if the kid went in to high school and you tested that child to see where that child was and you knew that here is a child who is now, four, five grade levels behind a high school level, yet this child has great aptitude

and potentials for some kind of athletic ability that's been demonstrated, and so we're starting out from day one, we're going to allow you to participate in the sport of your choice but at the same time you can't read, you can't write, and...for a time certain we will provide you with the necessary tutoring to make sure that you...by the time test time come you can qualify to pass your exam. If you didn't do that, you're...you are unfair, you are unfair, and that's what's wrong with this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I find myself in a somewhat unusual position, supporting one of Senator Marovitz's bills, it may surprise him. This issue got a lot of notoriety in my area and a lot of publicity, and because I knew there was legislation introduced, I included it in my last puplic opinion poll in my district. And, as I said, it got some of our schools that established these policies on their own and that was what got the thing rolling in the local press. I was amazed to find eighty-seven percent of my constituents, and we've counted over two thousand, support the concept of no pass, no play; eleven percent oppose it, two percent are undecided. I think you'll find your constituents believe this is a good idea, and while I admit some of those arguments have validity, the bottom line is the kids are in school to learn, not to bounce a basketball.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I speak in support of this and I suppose the biggest reason I do is...is just watching TV and...seeing more than one athlete at about age thirty-two or thirty-five who's

basically burned out now after having been in the pro's and somehow having gotten through college and having gone through high school and wherever he comes from and somehow or other just never having gotten an education through the whole system, and now they're burned out and the big bucks are not forthcoming anymore and they don't know what to do because they've never been trained adequately how to think in just core subjects. I don't know that this is going to answer all the problems but it's a darn good start, and I would commend Senator Marovitz and I would hope that we would vote Yes on his bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Well, thank you, very much, Mr. President. The people that have talked to me and I have talked to some people from many of your districts who have come down, Senator Darrow's district came down, there were presidents of the school board and principals, and when they began talking to me, they started talking about things that were not in the bill. And when I...when I heard Senator Kustra talk about the people that were opposed to it, I can probably guarantee you that those people don't...did not understand what this bill was about, 'cause a lot of false information was disseminated and a lot of things were disseminated about the bill that was originally introduced which was put in as a foundation piece of legislation and substantially changed after meetings with the IHSA. After I talked to the people in Senator Darrow's district, they supported the district and said, well, how could anybody oppose this? How could anybody oppose saying, yes, extracurricular activities are important but first comes education, first comes academics and then comes extracurricular activities. I think that's very important. When...when we...when I heard from some of my colleagues in

the innercity talk about these kids who were athletes and maybe that's all they have, well, I think that does a disservice to those kids. To say, well, you're an athlete and you may not be able to pass your courses but as long as you're an athlete, we're going to let you go. First of all, those kids got to pass those courses to graduate. And number two, the NCAA under Proposition 48 has just increased their requirements to be eligible to play in college both testwise and gradewise. So those same kids that Senator Collins and Senator Newhouse were talking about, they're not going to be able to graduate high school, they're not going to be able to play in college anyway because of these new increased requirements. I do think it's inconsistent to say you have to pass this basic core course, this English course, to graduate but you don't have to pass it to go out and play baseball, basketball or football. And I'm concerned about these kids and that's why I reduced the time limit that they're off to two weeks, just two weeks. It's not punitive in nature, it's a bill that will create an incentive for these kids to say, okay you're going to practice with us, you're going to stay in good shape, you're with the team, you're with the coach, just get your grades back up to passing, you don't have to get a C, you don't even have to get a D, you just have to pass the course that you need to graduate. I think this is part of the school reform package. This sends a loud and clear message, and I think that...let me tell you something, this is an election year, I, frankly, would love to run against somebody who votes against this bill because I think the...vast majority of the people, as Senator Schaffer said, want to make sure that these kids put academics first and then the important part of the school curriculum, extracurricular activities and athletics, second. I urge your support of this important piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1552 3rd Reading

The question is, shall Senate Bill 1522 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 14, 2 voting Present. Senate Bill 1522 having received the required constitutional majority is declared passed. Senate Bill 1552, Mr. Secretary. Senate bills 3rd reading, Senate Bill 1552. Senator Lechowicz, 1552. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Charitable gaming type fund-raisers have been popular among our churches, parochial schools and public charities in Illinois for many years. Until recently, law enforcement...ignored the current law which prohibits such events. Now these organizations have turned to us for help. We must not turn our backs on them. In passing Senate Bill 1552 we can send two messages to the citizens of Illinois. The first is our commitment to charitable organizations, our desire to ensure that funding will be available for all of the community services they provide. The second, that we will not allow the infiltration of professional gamblers into charity gaming. Many of our churches, parochial schools and public charities depend upon income from charitable gaming events to underwrite their tuition costs, community services and public assistance programs. Many health related organizations depend on such events to finance important research and medical studies. It is these not-for-profit organiza-

tions that have been hardest hit by cuts in Federal funding, inflation and stagnancy in our State economy at the same time the underfunding of educational and social services at the State level has placed more demands on these types of organizations. We have an obligation both to these organizations and to society to provide at the very least a means for these groups to achieve some level of economic stability, for without charitable gaming legislation the cost of supporting many worthwhile programs will fall back on the taxpayers or else these valuable programs will receive no funding at all. Without such legislation, our charities and our communities will suffer. But there is another message that we must send to the citizens of Illinois. We must tell the people of this State that we will get tough on violations of this new legislation. This legislation calls for State control, requires criminal background checks of participants and provides for tough penalties for those violating the law. The proposed law contains very strict administrative and enforcement provisions. Only legitimate charities as recognized by the Internal Revenue Service 501C3 as not-for-profit organizations would be eligible to participate. This legislation is very conservative as it only allows for cash prizes up to two hundred and fifty dollars, that's half as much as we allow for bingo nights. It also limits the number of times charitable games may be held in one facility to four times a year as well as the number of times any one organization can operate charitable games to four per year. It also restricts the use of personnel used in events to bona fide members of the charitable organization. This will ensure that no professional gamblers begin to infiltrate charitable gaming. This legislation as amended sends a message to the criminal elements that we will not tolerate violation of this Act. By requiring tough enforcement mechanisms and the...stepped up law enforcement efforts, we have shut the door to criminal

elements, but at the same time it allows us to ensure that our charitable organization will not have to close their doors to the lack offunds. I strongly urge your support to Senate Bill 1552.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, very much, Mr. President. We did hold hearings in the Senate on this and came up with what I think is...is an excellent package, a very tightly drawn package. Senator Lechowicz explained it very well. There's a couple of other provisions. First of all, there's an opt-in...opt-out provision, excuse me, so that any municipality who does not want to participate in charitable gaming nights can merely opt-out and, therefore, the...the purview of this legislation would not be effective for that municipality. Again, no professional help would be allowed, only volunteers for the charity or parochial organization. This is more...much more restrictive than bingo. There is no 501C3 restriction in bingo and there is in this legislation so it's only legitimate not-for-profit organizations. There'll be no bingo palaces and Las Vegas palaces because we have restricted any facility to only four Las Vegas nights a year and any charity can only have a maximum of four a year. There's probably some questions right now about what the position of the Cardinal is, and I think I'd be remiss if I didn't mention that. Yesterday the Cardinal had some conversations with people and issued a fifteen-page statement, part of..part of one page of that statement dealt with Las Vegas nights. The Cardinal today at three o'clock in the afternoon held a press conference to clarify his position on charitable gaming nights, and the Cardinal was asked specifically and said specifically he is in favor of this bill, and while he would like to see the emphasis for contributions to

the parishes not come from bingo and Las Vegas nights, in the future he knows that realistically the parishes need this money, the parochial schools need this money and he encourages...the passage of this legislation, and that as a result of a press conference that occurred at three o'clock today. I think this is a good piece of legislation, it's very tightly drawn. We have a sunset provision in it in two years, so if the legislation is not working well, it will be off the books in two years. Finally, the Department of Revenue asked for an audit and that is in the legislation. I think this is a good bill and deserves everyone's support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think, you know...tomorrow we're going to start using the clock. Further discussion? Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President. I believe the matter has been discussed quite thoroughly. Appreciate your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1552 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 13, none voting Present. Senate Bill 1552 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, I think on that happy note, I think we've done enough for today. We'll start again tomorrow morning at nine o'clock. There are, I am told, about ten appropriation bills that are subject to recall for purposes of an amendment. We'll start there and then we'll start with Senator Luft's

bill and do as much as we can. I don't want to be here on Friday either but it may be necessary. So,...we've got two hundred bills on the Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, we got a couple of housekeeping things here we'll just go ahead and take. All right. Senator Rock has moved that the Senate stand adjourned until tomorrow morning at nine...nine o'clock. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Just...thank you, Mr. President, I've been meaning to do this for the last couple of days. Can we change sponsorship? I'm the chief sponsor of Senate Bill 546, I would like to remove my name completely and add in its place Senator Vadalabene. Senate Bill 546, and...ask leave of the Body to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Zito to have his name removed as the sponsor of Senate Bill 546 and have Senator Vadalabene substituted in his place. Is that...leave granted? Leave is granted. So ordered. Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

Same reason, Mr. President, to change sponsorship of House Bill 2839. I'm the chief sponsor, change that over to Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, 2839? Senator Rigney, 2839? All right. Senator Rigney seeks leave of the Body to remove himself as the chief sponsor of Senate Bill...of House Bill 2839 and substitute Senator Weaver. Is leave granted? Leave is granted. So ordered. Senator Rock now moves that the Senate stand adjourned until tomorrow morning at nine o'clock. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 22, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. Our...members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning will be by the Reverend Jack Glen, First United Presbyterian Church of Mendota. Reverend.

REVEREND JACK GLEN:

(Prayer given by Reverend Glen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Hudson.

SENATOR HUDSON:

Mr. President, I move that reading and approving...reading and approval of the Journals of Tuesday, May 13th; Wednesday, May 14th; Thursday, May 15th; Tuesday, May 20th and Wednesday, May 21st, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Hudson. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. It's so ordered. All right, with leave of the Body, we'll roll over to House bills 1st reading which...all right, Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 562, 1043, 1699, 2313, 2549, 2578, 2580, 2582, 2599, 2625, 2709, 2878, 2879, 2974, 2975, 2976, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2990, 2991, 2992, 2994, 2995, 2996, 2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3035, 3036, 3050, 3090, 3091, 3092, 3115, 3255, 3257, 3343 and 3528.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 923, Senator Macdonald.

924, Senator Jeremiah Joyce.

925, Senator Davidson and all Senators.

926, Senator Dunn.

927 is Senator Carroll and it is a death resolution.

928, Senator Davidson and all Senators.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 929 offered by Senators Lechowicz, Philip, Carroll, Schaffer, Jeremiah Joyce and others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, with leave of the Body, we will go to page 19...19 on your Calendar. House bills 1st reading. House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 1473, Senator D'Arco is the Senate sponsor.

(Secretary reads title of bill)

House Bill 2073, Senator Poshard.

(Secretary reads title of bill)

House Bill 2687, Senator Welch.

(Secretary reads title of bill)

House Bill 2927, Senator Lechowicz.

(Secretary reads title of bill)

House Bill 3044, Senator...D'Arco.

(Secretary reads title of bill)

House Bill 3371, Senator Karpiel.

(Secretary reads title of bill)

House Bill 2552, Senator Demuzio.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 199 and 200, and they're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 930 and 931, by Senators...930, by Senator Zito and 931, by Senators Zito, Philip and Fawell, both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. With leave of the Body, we'll go to the Order of Senate Bills 3rd Reading, page 2 and later in the morning, we'll return to the Order of Recalls. Page 2, Senate bills 3rd reading, we left off yesterday...we'll begin on Senate Bill 1562. Senate bills 3rd reading, bottom of page 2...is 1562, Mr. Secretary.

SECRETARY:

Senate Bill 1562.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. For the past few years we've been appropriating dollars for job training but those job training dollars for the most part have been used as market-

SB 1565 3rd Reading

ing tools to attract new industry into the State of Illinois. What we're trying to do with Senate Bill 1562 is to appropriate four million dollars to augment existing programs to fund...grants to established businesses in the State of Illinois, such as Caterpillar Tractor, who are upgrading through technology their jobs. This money is designed to train the present employee in the factory for the future job. There is no opposition that I know of to DCCA. I've been in communication with them, and if, in fact, they addressed this in their appropriation bill which is on its way over here, I will more than likely not proceed with this bill in the future; but at this point, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1562 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. Senate Bill 1562 having received the required constitutional majority is declared passed. 1565, Senator Lemke. On the Order of Senate Bills 3rd Reading, bottom of page 2, is Senate Bill 1565, Mr. Secretary.

SECRETARY:

Senate Bill 1565.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is imposes an extended term sentence upon an offender who...who molests a minor. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall Senate Bill 1565 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. Senate Bill 1565 having received the required constitutional majority is declared passed. 1576, Senator Kustra. Senator Kustra on the Floor? 1581, Senator Fawell. Senate bills 3rd reading, top of page 3, is Senate Bill 1581, Mr. Secretary.

SECRETARY:

Senate Bill 1581.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is exactly what the...what the Calendar says. It is the repeal of the auto emissions testing bill that we passed. I'd like to give you briefly some...some facts. The cost to the State this year...the appropriation that was put in by the EPA is twenty million dollars. Only fifteen percent of the cars are failing the test and the question is, is it worth fifteen million dollars for what we are doing when most of those cars will then turn around and get a waiver. The pollution...is set at .125 parts per million, that's supposed to be the magic figure as far as ozone is concerned. Last year Cook County was only out of compliance by literally four hours by .143 which is a .018 parts per million out of...out of compliance. Lake County was only out of compliance literally by three hours. The EPA in...in Washington insists that we count...for every hour that we are out of compliance, they insist that we count it

as a day, but the figures that I have received and the days that I have received from our EPA, which is the figures the U.S. EPA uses, literally called for four days out of compliance, not seven days...four hours out of compliance. Over the last ten years the air quality in Illinois has...has improved dramatically. Our own EPA fought to keep us out of this for the last ten years. The...the...number of the studies that have been used for this figures have been discredited. I think we all know what the bill is all about. I would appreciate a favorable vote. I will be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR FAWELL:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and gentlemen, this morning we will begin using the clock because of the extraordinary number of bills that we have on the Calendar and at the suggestion of Senator Weaver. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President, first, I'd like permission for my name to be withdrawn as a cosponsor to this bill, because it was put on really without my knowledge when everyone was put on and I'd like for my name to be removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson requests leave to have his name withdrawn as a cosponsor of Senate Bill 1581. Is leave granted? Leave is granted. It's so ordered. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I rise in opposition to this bill. Granted, part of the statements made are true as far as compliance. Granted, we passed this bill, and I know it very

well, had been the one who wound up with his bill...being amended into it and spent many long hours with Senator Savickas and...and Roger Keats and et cetera in negotiations over this bill. Now it sounds great saying that only...only those counties that would be out of compliance would lose motor fuel tax...Federal motor fuel tax, but, ladies and gentlemen, you better listen to what I'm going to say to you 'cause the thing they forget to tell you is that the amount comes off of the top first...off the top first from what the Federal Government would send back. That correspondently reduces the amount in every county...the gross amount that every county which is in compliance would have available. So, don't be misled by saying the only parts of the State being affected are those counties which would be out of compliance if this bill would become law. I urge you all to vote in opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. I think Senator Davidson probably made the argument I was going to make, but I still would like to ask the sponsor one question, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will...she will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

In committee, Senator Fawell, there was a dollar figure totally put on this that may be lost to the State of Illinois regardless of how and where it's going to be lost. As I recall in committee, there was some testimony from DOT, I think, that it was around six hundred million. Do you have any...any more current figures or was that figure correct in your opinion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

No, it wasn't. The...the loss is a hundred and ten to a hundred and thirty million in the FY '84 road program minus the twenty-one that it would cost to...to put this program in...in effect; however, if we can...the...the figure that we are using to be in compliance is the U.S. EPA figure which is in the rules and the regs, and what I am trying to work on, very frankly, is to get the U.S. Administration and the U.S. EPA to look at these figures and make some common sense out of them. To be out of compliance just four hours by .018 parts per million and spend twenty-one million dollars does not make any common sense. And it just seems to me that if we pass this bill, at least out of the Senate, we'll get someone to listen. The White House is starting to listen now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate. I rise in support of this bill and I'm proud my name is on it. You know, it's unbelievable that we will sit here and try to force something on people as long as our community is not being affected. Can you imagine in this State...if we going to have emission control, let's have it all over the entire State. Here you have one area of a section up in the Chicago and...and Cook County area and then for three hundred miles there's no pollution, and then it comes down to St. Clair and Madison County. Now the most unreasonable thing about this is that some people on one side of the street their cars will...pollute; on the other side of the street, they do not pollute. This does not take in consideration that the thousands and thousands of people that come into an area where I live for work, their cars don't pollute, they stay there all during the day. As long as the...car is garaged in

some other place, they don't pollute. Another thing is very, very unfair...Mr. President, can we have a little order, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, this will go a lot faster today if we could have some order. Senator Hall.

SENATOR HALL:

What is happening...can you imagine that if an area pollutes for one hour, it's considered a whole day? Now it's just wrong. I've never seen in all...almost twenty years of my time in this Legislature that some people will sit here and want to force emission testing control on other areas because it doesn't affect their area. It's just wrong. And I'll tell you something else, the EPA admits that even if we did this as a question of whether or not we will be in compliance is very, very strange that every time you're putting something on some people, then comes in how much money is the State going to lose? The concern should be on everybody sitting on this Floor, is it fair, is it right, should we have two standards in this State? It's wrong. And I'll tell you this, right now, in an area where I am, because some people have written and said that they will not come to different stations where they're set up is that they're now going to have mobile units running around in those areas to test the emission control from the tailpipe of some cars. The people in that area who...who doesn't have to go under this are appalled to think that this Legislature here would set up a double standard in this State. It's really wrong and I'll tell you this, that you're going to find one of the greatest violations, that people are going to refuse to do this. Now don't come and come up with throwing about how much money the State is going to lose and what the Federal...well, who in the devil is the Federal Government? We're all the Federal Government. This State of Illinois is not getting back from

Washington what they should get back from the money that they send. I...I've never...it's unbelievable that you could pass a law in this State to say that one segment of the population...now we have an interstate going through there. These big trucks and all pass through that area, they don't pollute because they're not in a designated area; yet, they're in there, there out of there...I just can't understand how anyone would sit on this Floor and say that this is...they've got to admit it's a bad law, they got to admit it's discriminatory and...trucks going to St. Louis and trucks going everywhere else do not pollute. Buses because they're garaged elsewhere do not pollute. It's just wrong and I'm telling you this, if we don't change this law, we are going to have one of the greatest catastrophes, we're going to be...people fighting in the streets because they object to this kind of stuff, and then you come around and going to say the Secretary of State can...can refuse to give them this license...people who do not live in Madison and St. Clair County go through here, live in that area and many of them in there if they're in a different zip code. It's just so wrong and I appeal to you that now is the time. If we...we sit around here and we talk about this. Now don't go and tell me about it's going to cost us some money...here you got a firm that came in here who's got a contract and then they jumped up here when the bill was up saying it's not going to cost us anything, the States going to pick it up, they're going to test your cars free, but what about the poor person who comes there and they send them someplace else to spend two or three hundred dollars for some correction?...and I'll tell you this, that unless we change this law...and I'm proud to have my name on this, and I'll tell you that what's going to happen is that people are refusing right now to go to that and many of them in different areas. It's so wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I don't see how we can understand to have a bill like this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We have at least eight additional speakers on this bill. Senator Macdonald.

SENATOR MACDONALD:

Well, because the last speaker really more or less said what I wanted to say, I wanted to also get up to support this particular bill. I think that the...administration of this particular issue and...and the testing is absolutely ridiculous when you think that we are doing it by zip codes, that that is one of the...the prime factors in determining where the testing shall be done in this State. It's unfair and unwarranted and I think the Federal Government ought to know and hear; after all, it is the people who are going to be paying for this testing, it will not be the State, the State is the people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I ask leave of the Body to be added as a cosponsor to Senate Bill 1581. I think this program that we passed out of here is the craziest thing that I've ever seen since I've been in the General Assembly. I mean, it just...if someone ever came to this...came to us with this program and sat in your office and said, we're going to put a...a program in such as this, you'd say, you got to be crazy. I mean, this thing makes absolutely no sense whatsoever. We watered the thing down and...and maybe initially there might have been some merit to it. What we passed out of here is just absolutely crazy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I'll try to keep my remarks very brief. I stand in strong support of Senate Bill 1581 and would ask leave of the Body to be added as a hyphenated cosponsor on the bill, if I may. I think that Senator Fawell has to be commended for her research and study of this particular measure. I think that what she has proposed here has been well reasoned. Her objections are, I think, cautious, well thought out and justified. I'm under the impression that...would the...the...the variance that...she mentions, the Federal variance here is so slight that by the time these testing stations are put into place and cars are lined up by the thousands and sitting there, some with idling motors, we're going to add more to the pollution and the atmosphere in that area up there than we could conceivably have without them. If this bill does nothing else but this...and I will close, if this bill does nothing else but send a message to the Federal Government that we are getting tired of having the heavy hand of Federal bureaucratic regulation placed upon us for insufficient reasons, at least they will get that message, that message will be brought to them. What will happen to this bill in the House, nobody knows. But I think it's an effort that we can...we are well justified in embarking upon and I would urge each and every one of you to give it some thought and give it an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I realize that it's not particularly popular to make this point but there is a pollution issue involved here. Admittedly, this piece of...the original piece of legislation got watered down and skewed up by the time it passed the General Assembly; that was no fault of

those who started the process. It had to do with some interests that...came to bear on it as it made its way through, but the basic proposition was sound; and quite apart from the enormous amount of money that apparently would be lost, it seems to me that we ought to remember that there still is a huge majority in this country who believes that we really ought to clean up our air, our water and everything else that we've been polluting all these years. This is a very small piece of it admittedly, but it does have a matter of principle involved. Parenthetically, I would add that I'm...we may be the only ones in the Body who have already received our notice to show up with an automobile for the emission testing. We did it. It took, I think, all of three minutes. It was not painful. There was no waiting line, I guess because nobody else is complying and it really is not that big a problem, at least at this stage. It is a matter of importance that we not forget about the fact that we are trying to clean up our air and keep it clean. That is what we are leaving to future generations, if, indeed, we do. This is a small piece of that puzzle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President. I have a question of Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR KELLY:

In relation to this subject.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR KELLY:

All right, maybe I'll...maybe I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

...maybe I'll ask the question of the sponsor and I think Senator DeAngelis might be the only one that can answer it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly.

SENATOR KELLY:

I'd like to find out in...in the south suburban area, Chicago Heights has a testing site for emissions and I would like to know in relationship to Senator DeAngelis' office where is that testing site located?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell yields to Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Right below my office. No. It's at...I believe it's 193 Halsted Street.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, I...I just would like you to tell me in relationships to blocks. I mean, most of these streets, Senator, in the southside of Chicago and the south suburban area has a number like where I am, 17050 Lincoln and things like that, but in...relation to that address a...a number of people in the south suburban area are not familiar with Chicago Heights and that particular address. Now it's on Halsted, which is a very prominent street, but it's...it's...I...I'm just concerned that...in fact, the Tribune had an article about three or four days ago indicating that on the northside that there was a site that was very difficult to find. My concern is that this is a bad start right off the bat to have a location that is difficult for people from other communities other than Chicago Heights to be able to find, and if you're not

going to make it convenient, then it's going to be a program that people are going to be opposed to. That's my only question, Senator, so I thank you. I would...I'm not finished. Thank you. I just want to say that a concern I have had from the beginning of this program is for those individuals with low incomes who are driving around, an older vehicle and maybe can't afford to have another vehicle, and particularly in the suburban area where you can't even get around to shopping centers, where you can't do anything without a car, I think it's very detrimental; and I am going to support this proposal, and I would also ask leave to be added as a hyphenated cosponsor of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Kelly has sought leave to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. Further discussion? Senator Geo-Karis. Ladies and gentlemen, I don't wish to cut anybody off, but you're getting pretty close. Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President...Mr. President and Ladies and Gentlemen of the Senate, I'm going to read you a quick paragraph from one of my constituents, Robert Brooks from Waukegan, who has studied this completely. He says, "Dear Senator Geo-Karis. Chrysler recently recalled three hundred and forty-four thousand cars for emission problems caused by poor gasoline, over which the public has no control, and yet, your EPA people insist on blaming the public for this in the emissions test...testing program. This is simple insanity. What is it going to take to get this matter handled by you and your associates? The State EPA must assure that proper gasoline is sold to the public before the public is blamed for something it can do nothing about." And I can quote from the "Ward's Engine Update Magazine," May 1st, 1986 edition which has stated that the fuel...situation is so bad that that's why

Chrysler had to recall the cars. I think that's where the answer lies, not in this...not in opposing this bill. This bill is a good bill because even the EPA spokesman at the committee meeting said that...he states that even if...Illinois proceeds with the prior program, there is no guarantee the State will be in compliance with the U.S. EPA standards and I think we should send a message to Washington that this whole bill...that we're trying to repeal should never have passed to...to begin with, because it was just based on absolutely stupid regulations and zip codes and what have you. Like Senator Hall says, across the street, you're bound with it; on the other side of the street, you're not. And I speak in favor of the bill and I ask...everyone to support it.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Just briefly, I...I happen to live in...in the Madison County area similar to the situation of Senator Hall. Now, you know, it...it surprises me that there's tens and tens of thousands of trucks and tens and tens of thousands of cars going through Madison County to their homes in the exempt areas and the trucks going through from St. Louis, Missouri hauling their...their wares, and why we were cited and the other areas of the people surrounding Madison County who work in St. Louis are exempt from...from the testing. We didn't cause this...and...and I really believe that...that the fairness of this is not real. I can't understand why our counties with such heavy traffic is being selected as one of the counties for this emission testing. I support Senator Fawell in this bill because it's not a realistic bill and I also support Senator Fawell for personal reasons.

PRESIDENT:

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is that notorious...nothing more than a...a ridiculous and notorious auto enema bill. We ought to vote Aye on this and flush it over to the House.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you. I'd just like to point out that yesterday the Governor of this State said that business follows transportation, and if we end up losing the six hundred million dollars for roads that is projected by passing this bill, obviously, according to the Governor's logic, we are going to hurt business in the State of Illinois. Seems to me we did a lot of voting yesterday to try to help business in the State and this seems to reverse it. The only way I see that we can keep the President from cutting off road funds to Illinois if we pass this is probably by hiring Michael Deaver to represent us in Washington.

PRESIDENT:

Further discussion? Further discussion? Senator Fawell may close.

SENATOR FAWELL:

Thank you...thank you, very much. I just would like to mention a couple of other things; number one, any of you who have got constituents with Fords that were built in...in the early 1980's, you had better warn them that if they are idling more than five minutes in the line, the catalytic converters will not work, because the gasoline goes around the catalytic converters to prevent a burnout and it will be necessary for them to restart their cars once they start getting tested. If they don't do it, they will not pass the test. Those of you who have constituents with General Motors

cars, let me warn you that if you...if they do happen to turn their car off and start their car up, they will not pass because they have the opposite problem. I think that this whole program is...is...does not make any sense. I think we ought to send a...a strong message to Washington. I think we ought to tell Washington that this does not make any sense, they ought to look at our figures and come up with some kind of program that does make some kind of sense. They ought to let us out of this. We have been progressively going down every single year because the old cars that have been causing the problems are automatically getting off the road, and I certainly ask us...and solicit an Aye vote for this bill. Thank you.

PRESIDENT:

Question is, shall Senate Bill 1581 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 11 Nays, 1 voting Present. Senate Bill 1581 having received the required constitutional majority is declared passed. Senator Barkhausen on 1589. On the Order of Senate Bills 3rd Reading, Senate Bill 1589, Mr. Secretary.

SECRETARY:

Senate Bill 1589.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1589 would make a slight change in the way that the prosecution of obscenity cases now proceeds. Under existing law, under the Obscenity Statute in the Criminal Code as it presently exists, a prose-

cutor...in addition to showing that certain materials fall within the definition of obscenity has to prove that the average person applying contemporary, adult community standards finds that these materials meet that definition, but the community standards now are...are...must be...community is defined as being the entire State, and what we are trying to do here is to change State to county so that the...a juror in trying to apply his or her own community standards can...can apply his or her own experience rather than...having to reach beyond the breadth of his or her own experience and look to the entire State to determine what...what obscenity might be. I emphasize that this in no way changes the definition of obscenity as now in our current Statute. Last year, you may recall, we updated the definition of obscenity to comply with the Miller versus California U.S. Supreme Court standard and this in no way changes that, it just makes a slight procedural change in the way that obscenity cases would now be prosecuted. We adopted a couple of amendments to the bill to satisfy concerns of the Library Association and the Illinois Press Association. Those groups have now withdrawn their opposition. I'd be happy to answer any question; otherwise, would urge your favorable roll call.

PRESIDENT:

Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I do have to rise in opposition to this. If you liked the last bill, you ought to be voting No on this bill. If you think it's unusual to try and test a car by zip code, go try and test obscenity by county. County to county to county there would be a change of standard. It's probably one of the most ludicrous things we could do to stop obscenity. The Appellate Court in Illinois has indicated already that the uniformity must be a Statewide standard. I think

none of us would want a national standard, but the national courts have identified Statewide standards are the way to go. Can you imagine the First Amendment cases that would be brought county by county by county as we try to determine as you crossed a road whether or not a piece of material was obscene. To think that you'd have to test a car on one side of the street or the other, you'd have the same test for every piece of literature ever thought to be obscene depending on which side of the county line road you were on. The number of cases would mushroom, the number of decisions would be ridiculous and more importantly, the law would be struck down. The court has said that we must apply in order to have any type of First Amendment that could, in fact, deal with the issue of obscenity and getting rid of obscenity. We must have a Statewide community standard. We do have a Statewide Criminal Code and I think that as long as the states have been given the rights to have Criminal Codes, they must be Statewide in jurisdiction. So, I would suggest to you, were a bill like this to ever be signed into law, we would be back here next year doing what we just did, as Senator Fawell so well pointed out, saying that you cannot have ludicrous lines that are impossible to enforce; and I would suggest we defeat it now instead of having to come back with egg in our face later and change the law again.

PRESIDENT:

Further discussion? Any further discussion? Senator Barkhausen, you wish to close?

SENATOR BARKHAUSEN:

Well, in response to Senator Carroll and in closing, the good Senator on this issue anyway is...is dead wrong. Neither the U.S. Supreme Court or the Illinois Supreme Court have ever said that an obscenity standard must be proved on a Statewide basis. In fact, in U.S. versus Hamling, 418US87, the court said that a...a juror is entitled to draw on his

knowledge of the views of the average person in the community from which he comes for making the required determination. The Miller...meaning Miller versus California, the Miller holding that a state could proscribe obscenity in terms of a Statewide standard did not mean...did not mean that any such precise geographic area is required as a matter of constitutional law. So, as a matter of fact, U.S. Supreme Court decisions allow states to determine whether the community standard is to be a Statewide standard or a more local standard, and we are exercising here the discretion that the U.S. Supreme Court gives us in trying to pass this particular measure. Neither, I would point out, has the...as you mentioned an Illinois Appellate Court decision, well, in fact, the Illinois Supreme Court has said that the only reason that a Statewide standard has been held to apply is because that is what the Statute...the Statute presently requires, not any common law decision on the part of the Supreme...Illinois Supreme Court or any other court but only because our Statute now requires that; but, of course, it is up to us, the Legislature, to determine what the Statutes require, and because it is so difficult to prosecute obscenity cases where a jury has to reach beyond the experience of his or her own community and his or her own county, we are now making it just slightly easier without changing the definition of obscenity in any way for juries to base their determinations on the breadth of their own experience in their own counties. The proposal is strongly supported by groups concerned about these matters, by the Illinois State's Attorneys' Association, and I, again, urge a favorable roll call.

PRESIDENT:

All right, the question is, shall Senate Bill 1589 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 45 Ayes, 9 Nays, none voting Present. Senate Bill 1589 having received the required constitutional majority is declared passed. All right, if I can have the attention of the Body, now that we are all here and anxious to proceed, the next bill is subject to the recall. We'll go to...with leave of the Body, go to the Order of the Recall List. Everybody's been passed...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Just if...if I had been present, I would have voted Yes on 1589. I was called out and apparently nobody voted my switch.

PRESIDENT:

The record will so reflect. If you'll turn to the recall list, there are twenty-four members who have amendments that they wish to be offered. To afford our people in Enrolling and Engrossing an opportunity not to work all night, we'll get to that order right now. Senator Newhouse, are you ready on your amendment to 1602? All right, on the Order of Senate Bills 3rd Reading, Senate Bill 1602, Mr. Secretary. Senator Carroll, on my behalf, asks leave of the Body to move that bill back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1602, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This...this amendment reallocates general revenue funds to bring back up to the Governor's level some dollars that were taken out. These dollars would have represented some dollars from Senate Bill

626 which passed out of here but were folded into another program. We're putting those dollars back in and I know of no objection to it.

PRESIDENT:

All right, Senator Newhouse has moved the adoption of Amendment No. 3 to Senate Bill 1602. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1629, Senator Lemke. Senator Lemke, on the recall list, 1629. Senator Lemke.

SENATOR LEMKE:

What this amendment was...

PRESIDENT:

All right...wait a minute...

SENATOR LEMKE:

I think we should hold this...

PRESIDENT:

...Senator Lemke, do you wish it called or not called?

SENATOR LEMKE:

Think we better...just...put it back on...

PRESIDENT:

Forget it. Okay. 1698. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1698, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical amendment. It's...it's a title change because of the other items we've added to the bill. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 4 to Senate Bill 1698. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 8, Senator Philip on 1741. Senator Philip seeks leave of the Body to return 1741 to the Order of 2nd Reading for purposes of an amendment or amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1741, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senators Darrow and Schuneman...yes, Darrow and Schuneman.

PRESIDENT:

All right,...Senator Darrow on Amendment No. 4.

SENATOR DARROW:

Thank you, Mr. President. What this amendment does is add two hundred thousand dollars for the Henry County Fair Association for permanent improvements including water and sewage construction and repairs and two hundred thousand dollars to the Knox County Fair Association for water and sewer construction and repairs. I'd ask for adoption of the amendment.

PRESIDENT:

All right, Senator Darrow has moved the adoption of Amendment No. 4 to Senate Bill 1741. Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Unfortunately, I have to rise in opposition to Senator Darrow's amendment, not because the Henry or Knox County Fairs may not be in need of this money; in fact, I believe they are, this is just not the proper forum. The State has said consistently for several years now that it is not in the business of building county fairs with State funds and that they have consistently, therefore, rejected any State funds used for this purpose. I think it's, therefore, a useless act on...our part to attempt to provide by appropriation monies that cannot be spent for that or any other purpose and, therefore, do not think we should adopt the amendment.

PRESIDENT:

Further discussion on Amendment No. 4? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, again, briefly and certainly not aimed at the...the sponsor. It has been a chronic problem in relation to fairground...repairs. There are numerous fairgrounds around the State, many of which need endless repairs, and in the last number of years the General Assembly as a policy has stayed away from that due to the fact that the...the ultimate obligation we would inherit out there is...is probably extremely large and there are, indeed, now local mechanisms for funding these things. So, at this point and time, I suspect we'd be opposed too.

PRESIDENT:

Further discussion? Senator Darrow, you wish to close?

SENATOR DARROW:

Thank you, Mr. President. Well, the Knox County Fair is in Knox County which is in Senator Schuneman's area, so I don't have a whole lot invested in that. The Henry County Fair is in a portion of my district...a slight portion, the rest is in Senator Schuneman's district. So, I assume that

the majority of votes for this amendment will be coming from Senator Schuneman and his colleagues on the other side of the aisle. I would ask for the adoption of this amendment. I think we're breaking into a new area here that would benefit all of downstate Illinois.

PRESIDENT:

Question is, the adoption of Amendment No. 4. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 21, the Nays are 27. Amendment No. 4 fails. Further amendments?

SECRETARY:

Amendment No. 5, by Senators Woodyard and Weaver.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. This amendment appropriates 1.4 million dollars for a watershed treatment project located approximately half in Senator Weaver's district and approximately half in my district. This amendment is certainly supported by...and the project supported by the State's Soil/Water Conservation District Board, the Vermilion County Soil/Water Conservation District and Bureau of the Budget, and I would...urge its adoption.

PRESIDENT:

All right, Senator Woodyard has moved the adoption of Amendment No. 5 to Senate Bill 1741. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Fawell.

PRESIDENT:

Senator Fawell on Amendment No. 6.

SENATOR FAWELL:

Thank you, very much. This is just a technical...amendment substituting "library systems facility" and deleting "public library facilities."

PRESIDENT:

Senator Fawell has moved the adoption of Amendment No. 6 to Senate Bill 1741. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 7 is various projects that are within the categories of sewers, highways and school conversions similar to what we had done on Amendment No. 2, adding some additional projects. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 7 to Senate Bill 1741. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Sommer.

PRESIDENT:

Senator Sommer on Amendment No. 8.

SENATOR SOMMER:

Mr. President and members, this adds...as the previous amendments, some additional projects and rather modest amounts considering what it could be.

PRESIDENT:

Senator Sommer has moved the adoption of Amendment No. 8

to Senate Bill 1741. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was an additional project worked out with the Federal Government on the issue of water erosion with the corps of engineers, and I would move adoption of Amendment No. 9.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 9 to Senate Bill 1741. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 10, by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 10.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a technical in nature amendment to change the lump sum categories so that at the end of the day we are basically within the dollar amount suggested by the Governor utilizing those lump sum categories and making it for...instead specific projects. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 10 to Senate Bill 1741. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 11, by Senator O'Daniel.

PRESIDENT:

Senator O'Daniel on Amendment No. 11.

SENATOR O'DANIEL:

Mr. President and members of the Senate, this amendment appropriates seven million six hundred thousand dollars from the Build Illinois Bond Fund to the Department of Transportation to construct an extension of FA 160 from Clay City southward to the City of Fairfield.

PRESIDENT:

Senator O'Daniel has moved the adoption of Amendment No. 11 to Senate Bill 1741. Any discussion? Senator Carroll.

SENATOR CARROLL:

Unfortunately, Mr. President, once again, I must rise in opposition. This would be the...both the inappropriate place to place a road project and, again, it's a county road in which there's no State involvement, there's no category within Build Illinois that would, therefore, be allowable to fund it. I understand the problem and that's why when we attempted to put this in at half the amount last year was vetoed just because we cannot use State funds for county...for county roads unless the county wants to cede jurisdiction to the State. So, again, while it would be nice if we could get it done, there is no category and...we would again just be wasting time trying to put it in. I would have to oppose it for that reason.

PRESIDENT:

Further discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, we would take the same position in opposition to this at this time.

PRESIDENT:

Senator O'Daniel, you wish to close on Amendment No. 11?

SENATOR O'DANIEL:

Yes, Mr. President, this...this amendment completes the...the extension of FA 160 from Mattoon to Fairfield. The road was...from Mattoon down to Clay City was built several years ago and...and this extension would service as a...a very productive agriculture area and also an area where there's a lot of oil production and also would service several small communities. I think it's very badly needed and I appreciate your support.

PRESIDENT:

Question is the adoption of Amendment No. 11 to Senate Bill 1741. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 10 Ayes, 34 Nays, none voting Present. The amendment fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Mr. Secretary, hold on just for a moment...that bill may have to remain on 2nd reading. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Apparently, Amendment No. 5 is technically incorrect as compared to what it was explained to do. Having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 5 was adopted.

PRESIDENT:

All right, Senator Carroll has moved to reconsider the vote by which Amendment No. 5 to Senate Bill 1741 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Before the Body now is Amendment No. 5.

SENATOR CARROLL:

I would move to Table.

PRESIDENT:

All right, Senator Carroll moves to Table Amendment No. 5 to Senate Bill 1741. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 5 is Tabled. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 6, on the Order of Senate Bills 3rd Reading is Senate Bill 1743. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1743, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Schaffer.

PRESIDENT:

Senator Sommer on Amendment No. 4. Take it out of the record, Mr. Secretary. On the Order of...Senate Bills 3rd Reading, middle of page 6, Senate Bill 1748. Senator Sommer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of Senate Bills 2nd Reading, Senate Bill 1748, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on Amendment No. 2.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 adds eighty-five thousand six hun-

dred dollars for the payment of expenses associated with the Vito Marzullo intern program. When the fine alderman retired in the city council, the Governor made a very sterling address to the membership of the city council extolling the virtues of Vito Marzullo's tenure within the City of Chicago and the State of Illinois as both...as a State Representative and...as an alderman, and as...in his closing remarks he made mention of the fact that in order to show a sincere sense of gratitude, he would have a Vito Marzullo intern program. This provides the funding to what the Governor has stated, and I move for its adoption.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Amendment No. 2 to Senate Bill 1748. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Bottom of page 6, on the Order of Senate Bills 3rd is Senate Bill 1753. Senator Karpiel seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of Tabling an amendment. Senator Karpiel...leave granted? On the Order of Senate Bills 2nd, Senate Bill 1753, Senator Karpiel.

SENATOR KARPIEL:

Well, thank you, Mr. President. No one has spoken to me about this but I'm assuming I'm supposed to Table Amendment No. 4.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Mr. President, thank you. Having voted on the prevailing side, I would make that motion that the vote by which Amend-

ment No. 4 was adopted be reconsidered for purposes of Tabling. This was put into EPA as a...a general revenue fund's appropriation. We have now put it into where it appropriately belongs, into a capital account. The project is accommodated but not with general revenue as it would have done in...in this bill. We have taken care of it in a previous amendment to another bill; so, having voted on the prevailing side, I would move to reconsider the vote by which Amendment No. 4 was adopted.

PRESIDENT:

All right, Senator Carroll having voted on the prevailing side moves to reconsider the vote by which Amendment No. 4 to Senate Bill 1753 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Carroll now moves the adoption of amendment...I mean, to Table Amendment No. 4. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have. Amendment No. 4 is Tabled. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Middle of page 7, on the Order of Senate Bills 3rd Reading is Senate Bill 1763. Senator Sommer seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1763, Mr. Secretary.

SECRETARY:

Amendment No. 8 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene on Amendment No...Senator Carroll.

SENATOR CARROLL:

Thank you. As cosponsor with Senator Vadalabene, somehow

mysteriously the priorities list skipped over the fourth priority project going well beyond that in priorities, and Amendment No. 8 is two hundred and ninety-four thousand for an art and design facility planning at SIU-Edwardsville. I would move adoption of Amendment No. 8.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 8 to Senate Bill 1763. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senators Maitland and Davidson.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. The same explanation as Senator Carroll just mentioned for the previous amendment. The...the priority list was skipped over on ISU's Fell Hall remodeling and also on Sangamon State's health/science building. I would move for the adoption.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 9 to Senate Bill 1763. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 10 offered by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 10.

SENATOR DAVIDSON:

This is the restoration of the monies to...for the fairgrounds to...final completion of the electrical and water and sewer work. I move the adoption of the amendment.

PRESIDENT:

Senator...Senator Davidson has moved the adoption of Amendment No. 10 to Senate Bill 1763. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 11, by Senator Davidson.

PRESIDENT:

Senator Davidson on Amendment No. 11.

SENATOR DAVIDSON:

Question of the Secretary. Is that 1.3 mil for the Dana Thomas House? I wish to withdraw that amendment, Mr. President.

PRESIDENT:

Withdraw the amendment, Mr. Secretary. Further amendments?

SECRETARY:

Amendment No. 11, by Senator Keats.

PRESIDENT:

Senator Keats on...Senator Keats wishes to withdraw that amendment, Mr. Secretary. Further amendments?

SECRETARY:

Amendment...Amendment No. 11, by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 11.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 11 deals with the old revenue building and is to change the source of funds to Capital Development Bond Funds. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 11 to Senate Bill 1763. Any discussion? If not, all in

favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 12, by Senator Rock.

PRESIDENT:

That's Senator Jones' amendment, I believe. Senator...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 11 would be for the Chicago State University and CDB funds to build a much needed dorm. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 12 to Senate Bill 1763. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 13, by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on Amendment No. 13.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment 13 deletes thirty-one million dollars in bond funds to rehabilitate 160 North LaSalle. The project is deleted because plans for the renovation do not appear to be specific. No cost benefit analysis has been distributed that would support the need for this project. I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 13 to Senate Bill 1763. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 14, by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. This deletes a hundred and twenty-five thousand in bond funds to plan a new Chicago-Read Armory. There are presently fifty-two armories under its jurisdiction...of the State presently. It is doubtful that another armory is needed, and I move for the adoption of the deletion of a hundred and twenty-five thousand.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Amendment No. 14 to Senate Bill 1763. Discussion? Senator Keats.

SENATOR KEATS:

I want to ask a quick question. Which armory is this again? I don't have a copy of that. I'm just questioning because we've been trying to build National Guard Armories. Please fill me in.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Chicago-Read. It'd be a new facility located on the northwest side. We only have the Northwest Armory now, Broadway and another one in a very close proximity. There is fifty-two armories presently in this State.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I was going to say, I'm aware, but of those...I think the fifty-one or fifty-two, over thirty of them were built somewhere between 1492 and 1510, in very poor condition and, of

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course, the Broadway Armory we spent a lot of work redoing. We're trying to get some of these armories into the regions where members of the guard live and there is a large number of guard members who live in that area, and it also makes it easier to recruit new members from that area. We're...now these we're deleting, where do they come from? Seems to me these are matching funds that the Feds will match us about four to one.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I wish it was the case, Senator Keats, but, unfortunately, it is a hundred and twenty-five thousand out of bond funds. No matching funds from the Federal Government for this purpose at all. And let me just point out to you, as a former member of the Illinois National Guard, as a former company commander who did spend a lot of time at the Northwest Armory, I...if you take a utilization factor of all the armories in this State, they should probably utilize in a more efficient manner; and for this reason, I move for the adoption of the amendment.

PRESIDENT:

All right, Senator Lechowicz has moved the adoption of Amendment No. 14 to Senate Bill 1763. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Maitland on 1834. Middle of page 9, Senator Maitland seeks leave of the Body to take Senate Bill 1834 back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1834, Mr.

Secretary.

END OF REEL

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REEL #2

SECRETARY:

Amendment No. 3 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 3.

SENATOR MAITLAND:

Mr. President, I believe I'll have to Table an amendment first. Okay...all right. I believe...I believe this...this...this amendment will track, I think there's no problem. Mr. President, yesterday we amended the...the Open Meetings Act with some language that was accepted by almost everyone and I explained the...the amendment...the agreed to amendment properly; but when I had taken the amendment to LRB, I gave them the wrong information and, therefore, one point was left off and...and point number four was left off of the amendment and it's a very critical part of the amendment and I, therefore, would move for the adoption of Amendment No. 3.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Amendment No. 3 to Senate Bill 1834. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 11, Senator Macdonald. Senator Macdonald. Senator Macdonald for the third time, no. Top of page 15, Senator Demuzio on 2117. Senator Demuzio seeks leave of the Body to return 2117 back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On

the Order of Senate Bills 2nd Reading, Senate Bill 2117, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, we...we have adopted two amendments. Senator Schaffer's amendment was Amendment No. 2, I believe, Mr. Secretary? Pardon, No. 1?

SECRETARY:

We have...I have two amendments on the bill, I don't...

PRESIDENT:

That's what he's asking. Which...which was sponsored by Senator Schaffer? We don't...we don't know that.

SENATOR DEMUZIO:

All right. Well, actually, what we want to do is we want to move to Table both amendments and we have a different amendment that...then at that point tracks with...with everything. So having been on the...

PRESIDENT:

All right...Senator Demuzio having voted on the prevailing side wishes to reconsider the vote by which Amendment No. 1 to Senate Bill 2117 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Demuzio now moves to Table Amendment No. 1 to Senate Bill 2117. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Amendment No. 2, Senator...I mean, Senator Demuzio has moved to reconsider the vote by which Amendment No. 2 to Senate Bill 2117 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is reconsidered. Senator Demuzio now moves to

Table Senate...Amendment No. 2 to Senate Bill 2217. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment...Amendment No. 3 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Senate...Senate Amendment No. 3 simply now...is a amendment that tracks, which is identical to Senate Amendment No. 2, changing the...the date by which the fire marshal could collect from July 1st of '86 to July 1st of '87. I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 3 to Senate Bill 2117. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to point out to the members that the one amendment that was just removed from the bill is the one that I placed on it yesterday that had to do with incineration of garbage. There apparently is a great deal of bad information floating around on this, particularly that it somehow affects Illinois coal which is laughable and ludicrous; but I don't propose to jeopardize Senator Demuzio's bill, and perhaps we can get these issues cleared up and address this at another time. But I just wanted to let everybody know that that amendment is no longer on Senator Demuzio's bill and, hopefully, we can get the bad information straightened out and move ahead later.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 3 to Senate Bill 2117. Any discussion? If

not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2191, Senator Welch. On the Order of Senate Bills 3rd Reading, middle of page 16, is Senate Bill 2191. Senator Welch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd, Senate Bill 2191, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Yes, I'd...I'd like to ask the Clerk the LRB number. Is that...

SECRETARY:

LR...LRB 8408926SLJWAM02.

SENATOR WELCH:

All right. This amendment has been worked out with the Department of Public Aid and the Illinois State Support Center to clarify that the Department of Public Aid shall use data concerning the medical services the recipient has received rather than goods and services they are currently receiving, and allows recipients to change providers once they have been restricted. Now the recipient shall receive a written notice setting forth the reasons for the restriction of their card. This has been worked out with all of the parties involved in this package of bills. I'd vote for its adoption.

PRESIDENT:

Senator Welch has moved the adoption of Amendment No. 1

to Senate Bill 2191. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Welch.

PRESIDENT:

Senator Welch on Amendment No. 2.

SENATOR WELCH:

Thank you, Mr. President. This amendment we attempted to work out an arrangement but negotiations have fallen through and due to a cork in the legislation, I'd ask that Amendment No. 2 be laid on the Table.

PRESIDENT:

I'm sorry, Senator Welch, I was distracted here. What...what was your motion?

SENATOR WELCH:

It was a motion to lay the amendment on the Table.

PRESIDENT:

Why don't you just withdraw it?

SENATOR WELCH:

All right, then, I'll withdraw it.

PRESIDENT:

...motion...that...has been withdrawn. Any further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2294. Senator Karpiel in the hall? Oh, Senator Karpiel is not here to call the bill back. We'll get back to it. Senator Collins on 1529. Middle of page 2, on the Order of Senate Bills 3rd Reading, Senate Bill 1529. Senator Collins seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate

Bills 2nd Reading, Senate Bill 1529, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Collins.

PRESIDENT:

Senator Collins on Amendment No. 1.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 is to...in response to some of the concerns about the monies for the infant lab schools being taken out of existing monies allocated for child care from the Federal Title Twenty Social Security Act. And what we've done here is just to eliminate all reference to that Act and...and...and just...simply says that the board would establish guidelines and procedures for reimbursement for child care payments and a sliding feed scales for a recipients of public aid, and I would ask for the adoption of Amendment No. 2.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 1, Mr. Secretary?

SECRETARY:

Yes.

PRESIDENT:

To Senate Bill 1529. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1743. Is Senator Schaffer in the hall? Yes. Senator Philip seeks...on the Order of Senate Bills 3rd Reading, Senate Bill 1743. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted.

On the Order of Senate Bills 2nd Reading, Senate Bill 1743, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 4.

SENATOR SCHAFFER:

Mr. President, this amendment simply removes twenty million dollars that was appropriated from a Build Illinois Grant to the City of Chicago for their Urban Development Action Grant Program. Frankly, they haven't demonstrated a comprehensive plan to spend these dollars, and until we see such a plan, I think it would be imprudent to appropriate them.

PRESIDENT:

All right. Senator Schaffer has moved the adoption of Amendment No. 4 to Senate Bill 1743. Any discussion? Senator Collins.

SENATOR COLLINS:

I'm sorry, you said that you were taking away some money from the City of Chicago?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Just twenty million. I don't have any problem but this is for a program that we have not seen any plans for, and I think it's only reasonable for us to ask them to get the plans to us and tell us what they're going to do with the money. That's all we're requesting; not against it once they get some sort of a reasonable plan.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, will you...will...I...I didn't hear what you said

this money was for, for what plan? I'm sorry, I don't have the amendment. Could you just tell me?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

It simply deletes the money...the twenty million dollar line item for the Urban Development Action Grant Program, it's part of the Build Illinois Program. We haven't seen any comprehensive plans, we haven't...we don't know what they're going to do with the money and I think it's just a...you know, I don't know whether we're filling in the lake or building a statue or another addition to McCormick Place. I don't know what they're doing with the money. May be all well and good but until they tell us what they're going to do with it, at least in...in a general planning format, I think it's imprudent to appropriate the money.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

You know, Jack, I...I just think it's silly to get into a hassle about it now. I'm sure that we can work it out and a plan will...will be submitted to you shortly. So, you know, I...I don't see the problem right now. I think it will be taken care of if you just relax a little bit for a couple of days and maybe next week we can work it all out.

PRESIDENT:

Further discussion? Further discussion? Senator Schaffer, you wish to close?

SENATOR SCHAFFER:

I...I'm absolutely lay back on the issue, I'm just saying, let's...show us a plan and how it's going to be spent and I don't have any problems with it. It's an appropriate thing and an appropriate amount of money in terms of the big picture. I just...I wouldn't ask you for twenty million

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dollars from my area without giving you a plan and I don't think you want to do that to us. It's that simple.

PRESIDENT:

The question is the adoption of Amendment No. 4 to Senate Bill 1743. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 12 Nays. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. On the Order of Senate Bills 3rd Reading, Mr. Secretary and members, middle of page 9, is Senate Bill 1834. Senator Maitland has informed the Chair that it is necessary to Table one of the amendments that was adopted. Senate Bill 1834 on the Order of 3rd Reading, Senator Maitland seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of Tabling an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 1834. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, I apologize for the confusion. It is necessary for me to Table Senate Amendment No. 2 to Senate Bill 1834...therefore, I would move to Table Amendment No. 2.

PRESIDENT:

All right. Senator Maitland having voted on the prevailing side has move...has moved to reconsider the vote by which Amendment No. 2 to Senate Bill 1834 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The motion carries. The

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vote is reconsidered. Senator Maitland now moves to Table Amendment No. 2 to Senate Bill 1834. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Further amendments, Mr...

SECRETARY:

No further...no further amendments.

PRESIDENT:

3rd reading. Now those of us who are on the recall will not have these bills called until later, I hope everybody understands, to give the clerical folks a chance to put it in order. Senator Karpiel on 2294. On the Order of Senate Bills 3rd Reading, Senate Bill 2294. Senator Karpiel seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2294, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senators Karpiel and Marovitz.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. First, I would like to have leave to Table Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Having voted on the prevailing side, Senator Karpiel moves to reconsider the vote by which Amendment No. 2 is...Senator Marovitz.

SENATOR MAROVITZ:

Unfortunately, Senator Karpiel did not vote on the prevailing side. However, it was my amendment and having voted on the prevailing side, I would move to Table the vote by which Amendment No. 2 to Senate Bill 2294 was adopted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel indicates her sorrow in making your motion, Senator Marovitz. Senator Marovitz having vote on the prevailing side moves to reconsider the vote by which Amendment No. 2 to Senate Bill 2294 was adopted. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now Senator Marovitz moves to Table Amendment No. 2 to Senate Bill 2294. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senators Karpiel and Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

All right, thank you, Mr. President. Amendment No. 3 is the agreed amendment that we mentioned yesterday, all parties have signed off on it. It provides for an expedited procedure for enforcement of court ordered visitation in cases of visitation abuse, and I ask for your approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Karpiel moves the adoption of Amendment No. 3 to Senate Bill 2294. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. We have gone through the list on our recalls. We will now go to the Order of Senate Bills 3rd Reading on page 3 and...and start with...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I think there's a bill 916 for a recall. It was on the list but I think it was added to the list.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's not on our list, Senator. Senator Rock.

SENATOR ROCK:

Well, my suggestion is, I think there are a couple of other members at least have indicated to the Chair that there may be further amendments. Why don't we...we'll get a second list and we'll do it later this afternoon...it's always better to have something in front of one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, on page 3, Senate Bill 1603, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1603.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This is an appropriation of eight hundred and sixteen thousand a hundred and fifty dollars, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...1603 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. Senate Bill 1603 having received the constitutional majority is declared passed. Senate Bill 1604, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1604.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...for what purpose Senator Smith arise?

SENATOR SMITH:

I wanted to be counted with 1603 as a vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let the record so indicate. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This is an appropriation of eighty-two million two hundred and seventy thousand seven hundred dollars to the Universities' Retirement System. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1604 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1604 having received the constitutional majority is declared passed. Senate Bill 1605, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1605.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the operations of the Board of Governors in an amount of a hundred and eighty-three...million nine hundred thousand, less than the Governor's request and I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1605 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1605 having received the constitutional majority is declared passed. Senate Bill 1606, Senator Vadalabene. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1606.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. As amended, Senate Bill 1606 contains two hundred and three million from all funds for Southern Illinois University fiscal operations and grants, 5.2 million less than the Board the Higher Education's recommendation and 1.4 million less than the Governor's budget. Appreciate a favorable vote and I'm still being conservative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1606 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56,

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3rd reading
SB 1608
3rd reading

the Nays are none, none voting Present. Senate Bill 1606 having received the constitutional majority is declared passed. Senate Bill 1607, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1607.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill appropriates two hundred and ninety-four million nine hundred and eighty-six thousand seven hundred dollars to the State Scholarship Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1607 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1607 having received the constitutional majority is declared passed. Senate Bill 1608, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1608.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill which sets the maximum grant award level for the State Scholarship Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1608 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1608 having received the constitutional majority is declared passed. Senate Bill 1609, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1609.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This is an appropriation to the University of Illinois for five hundred and fifty-five million and six hundred and sixty-five thousand dollars. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1609 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1609 having received the constitutional majority is declared passed. Senate Bill 1610, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1610.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a hundred and ninety-six million two hundred and eight thousand eight hundred dollars for the Board of Regents' annual budget. Move the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill...1610 pass. Those in favor vote Aye. Those opposed vote No. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1610 having received the constitutional majority is declared passed. Senate Bill 1611, Senator Poshard. Read the bill, Mr. Secretary. For what purpose Senator Demuzio arise?

SENATOR DEMUZIO:

...while there's a lull in the action, a point of personal privilege. Standing behind me is the President of the State FFA, Charles Shoan, and perhaps, with your permission, while we're fixing the machine he can say a few words, if...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He's got about a minute.

MR. CHARLES SHOAN:

(Remarks by Mr. Charles Shoan)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Congratulations. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave of the Body to be added as a chief cosponsor on Senate Bill 2294 and Senate Bill 2042. I've discussed it with the sponsors and they have no objection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. On the Order of Senate Bills 3rd Reading, Senate

AB1612 3rd Reading

Bill 1611, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1611.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and members of the Senate. As amended, Senate Bill 1611 contains 200.7 million for the community college boards and the State community colleges Fiscal Year '87 operations and grants. Recommend its approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1611 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1611 having received the constitutional majority is declared passed. Senate Bill 1612, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1612.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this is the bill which...establishes the credit hour grant award rates for the community colleges for next year. I would move for its approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall

SB 1624 3rd Reading

Senate Bill 1612 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1612 having received the constitutional majority is declared passed. Senate Bill 1615, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1615.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland

SENATOR MAITLAND:

Thank you, Mr. President. Senate Bill 1615 deletes some...obsolete provisions in the section and, very honestly, it is a...it is a formula shell bill. Senator Berman and I each have one of these and I would appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If...if not, the question is, shall Senate Bill 1615 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting...or 3 voting Present. Senate Bill 1615 having received the constitutional majority is declared passed. Senate Bill 1624, Senator Demuzio. Senator Demuzio.

SECRETARY:

Senate Bill 1624.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of

the Senate. 1624, frankly, is a shell bill. It is the continuing process of the Audit Commission to bring about a single State Purchasing Act. This bill would like...we'd like to move it along over to the House, an identical House bill is on 2nd reading in the House. It's my understanding that there is another hearing to be held at least next Tuesday, I think, in Springfield; and if possible, if we can come to some agreement, we may end up with a bill in June but I think for the most likely we'll probably have extended hearings and probably not have any formative action until November. So at the moment it is, in fact, a shell bill and I would ask for the affirmative support just to keep the process rolling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I concur with Senator Demuzio. The fact is that we are a long way from getting a uniform Purchasing Code. We have been working on it for about two years and in all probability nothing will be done until next fall, but we need to have these bills in place when that happens.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1624 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 1, 3 voting Present. Senate Bill 1624 having received the constitutional majority is declared passed. Senate Bill 1626, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1626.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended, Senate Bill 1626 appropriates for the ordinary and contingent expenses of the operation of the General Assembly nineteen million four hundred and eighty-two thousand dollars for FY '87, an increase of six percent over the FY '86 expenditure. I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1626 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1626 having received the constitutional majority is declared passed. Senate Bill 1627, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...1627.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1627 appropriates five million three hundred thousand dollars for the...district office expenditures of both the House and the Senate members. The Senate, as you recall, receives thirty-seven thousand dollars annually and the House receives twenty-seven thousand dollars. I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1627 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1627 having received the constitutional majority is declared passed. Senate Bill 1628, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1628.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1628 as amended appropriates ten million four hundred thousand dollars for the FY '87 budget for the legislative support agencies, those twelve agencies that do the work for the...of the General Assembly, including Economic and Fiscal, Legislative Reference. I know of no objection, I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1628 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1628 having received the constitutional majority is declared passed. Senate Bill 1629 was on recall. Senate Bill 1629...no...Senator Lemke. Senator Lemke.

SENATOR LEMKE:

We're trying to work out an amendment on this. Can we pass this and we'll get back to it...leave to get back to it

SB 1634 3rd Reading

later.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1634, Senator Lemke. Read the bill, Mr. Secretary. Senate Bill 1634, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1634.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Criminal Code, creates the offense of home repair fraud and aggravated home repair fraud which is fraud against the elderly and prescribes penalties upon conviction. I think we've all talked about this many times and the news media has concentrated on...including the Tribune, in investigating this matter. I think it's a good bill. We have worked out...out some of the problems with it and have made it into a better bill and I think it's great to protect our senior citizens and make a crime of aggravated home fraud, but I also think it's a good bill to get after the Willy Nerds and the...all these other people that rip off the elderly and rip off homeowners. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Lemke, this bill is not the registration or licensing bill, this simply establishes certain categories of fraud for home repairs, is that basically what it does?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

This bill deals only with the criminal part of home repair fraud, not with registration, that's 1629.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill applies to single-family residences and it's...it does...it is a good bill to prevent some of this recurring fraud. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President and Ladies and Gentlemen of the Senate, this is the bill that was strongly...supported by both Chicago newspapers. The sponsor took the time and effort to make sure that the sad occasion that transpired in Chicago would not have happened throughout this State. This really deserves your full support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, the question is, shall Senate Bill 1634 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1634 having received the constitutional majority is declared passed. Senate Bill 1639, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1639.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1639 as amended is the appropriation for the ordinary and contingent expenses for FY '87 of the Office of the State Treasurer. The total is five hundred and seven million dollars. The operations budget, obviously, is only three million since the Treasurer is charged with the payment of debt service. I know of no objection. It has been subject to the one percent cut and I would move for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1639 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1639 having received the constitutional majority is declared passed. Senate Bill 1659, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1659.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1659 makes certain technical changes. It's actually a vehicle bill to address any changes later on that we may want to do with the School Aid Formula similar to the measure that we recently just passed for Senator Maitland. I ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall

Senate Bill 1659 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1659 having received the constitutional majority is declared passed. Senate Bill 1661, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1661.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This legislation amends the Illinois Insurance Code and it requires that all fire insurance policies for home...homeowners outside of a tax supported entity have a two hundred and fifty dollar minimum charge for fire service calls. In other words, this is in an area that has a subscription fire department service in which people subscribe or pay annually a service fee for it, these people will have a two hundred and fifty dollar service charge required on their insurance policy. The insurance industry is supportive of this. It's legislation that has resulted from a problem that developed in...in my home county that a fire...a local fire department under a subscription type policy responded to a call...or did not respond to a call and, unfortunately,...received a considerable amount of bad publicity as a result of it. But what this will do is simply say if you have fire insurance, then you've got a...two hundred and fifty dollar minimum service charge for fire service. I know of no opposition, I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Hall.

SENATOR HALL

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Is this...is this Statewide, Senator Watson?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, it's Statewide implications but it's in only those areas in which a subscription type fire department is involved. It's not a fire...it does not affect those areas protected by fire protection districts or a tax supported municipality.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

...when you say subscription, are you talking about volunteers? Are they volunteers...see, we have...communities out our way have volunteer...like Midway and those places, they're volunteer. Would they be considered subscriptions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Not necessarily, a fire protection district can still be a volunteer district. So it wouldn't necessarily be a subscription department.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall Senate Bill 1661 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1661

SB 1700 3rd Reading

having received the constitutional majority is declared passed. Senate Bill 1666, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1666.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senate Bill 1666 does just exactly what it says in the summary, and in addition, it does restore the Auditor General's authority to perform the annual compliance audit. And, finally, as a result of much discussion during committee with respect to the way we determine the dropout students in the State, Amendment No. 2 does describe a new program that the State board shall follow for determining dropout students in Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1666 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1666 having received the constitutional majority is declared passed. Senate Bill 1698 was recalled this morning, so we will skip that. Senate Bill 1700, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1700.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill...1700 is the Tax Increment Allocation Redevelopment Act. It...it is...as everyone knows, I am sure, an expansion of the tax increment financing provision that is currently the law to provide a State component, namely, the increment...incremental State sales taxes. It also provides for the use for industrial purposes of any local utility tax. There are currently twenty-eight TIF districts in existence, we have established 1984 as the base year for calculating the incremental growth. We have posited that each of the existing districts will have the opportunity to be afforded a four percent incremental growth. The Department of Revenue and the Department of Commerce and Community Affairs have worked hand in hand with our staff and with the members of the committee to put this bill together. It's been amended three times. Senators Barkhausen and Mahar, I believe, have put an amendment on. I know of no objection and I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 1700. Up in suburban Cook County, as a result of the growth and development of large regional shopping centers, many of our suburban communities have really been hard hit and our downtown businesses in those suburban communities have found it very difficult to compete. Many of those communities including the community which I represent, DesPlaines, are trying to rebuild those downtown areas and one vehicle they are using is tax increment financing. This particular piece of legislation would go a long way to helping those communities rebuild and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. If I might add one word of support for Senate Bill 1700. It does what a lot of the legislation that we pass here does not do or, perhaps, more accurately, it does not do what a lot of the legislation that we pass in fact does. It does not really take away from the tax base. It doesn't do a great deal of shifting a burden of taxation from one group to another. What it does do is reallocate who will have the benefit of the tax whether it be the property tax which has always been the base of tax increment financing or now the sales tax and in limited cases the utility tax, so that it accomplishes what we all hope a lot of our development programs and incentive programs will accomplish without at the same time putting in a extra heavy burden on other parts of the tax paying public. I think it is one of the more inventive, creative and, hopefully, useful tools that has been devised; and while this is always a...a little bit risky to expand a program like this, I think these are...important and highly defensible add-ons to the TIF concept, and we trust will make it even more useful than it has been in the past.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senate Bill 1700. We find in...in Rockford as a medium size city in Illinois that this is one way that we can help ourselves rebuild. So often the programs that the State passes are for smaller cities or for Chicago, and we in turn in Rockford must turn time and time again to the Federal Government for special programs that are gradually being cut back. It's a very impersonal system when

we must go to Congress and...and to Washington for some of these grants. This is one way that we can help ourselves and it's the way that the State can say, we care about you and we are going to help you to help yourself. I advocate strong support of this particular piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I invite all members to be cosponsors. This is an innovative program that...one that is particularly acute right now, because with the current proposals pending in Congress to limit the use of...of bonds for redevelopment, obviously, some program like this is necessary. The TIF allows public works programs to really literally pay for themselves. I think it's an excellent program and one that I am proud to have been associated with, and I would solicit your favorable support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall...Senate Bill 1700 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1700 having received the constitutional majority is declared passed. Senate Bill 1709, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1709.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill as originally intro-

duced did only one thing which was to raise from twenty dollars to fifty dollars the monthly eligibility limit for filing utility tax returns on an annual rather than a quarterly basis. This is something that we do from time to time and, in effect, reflects inflation over a period of years, I don't think there's any controversy about that at all. The second part of the bill, and I hope Senator Keats is on the Floor, I see he has just returned, is Senator Keats' amendment which deals with the income tax treatment under Illinois law of the...any income earned by political committees and I will be happy to defer to him for further explanation of that. The third part of the bill equalizes the interest rate to be paid by the taxpayer and the State on sales tax returns; that is, when the taxpayer is determined to owe additional money, the taxpayer currently is charged two percent a month or twenty-four percent a year, when the State is found to have more money than it was entitled to in sales tax returns, it pays only one percent. That struck a number of us including a number of people in the business community as eminently unfair and, as a matter of fact, I think the Department of Revenue agrees this would equalize both groups at one and a half percent. That issue is still under some negotiation, I think, and there may be some change in it as time goes by; but I think, in the meantime, we should keep it in here to provide a means of further negotiation. If Senator Keats would like to explain his part of the bill, I defer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I guess he doesn't wish to explain anything. The question is, shall Senate Bill 1709 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 3, none voting Present. Senate Bill 1709 having received the constitutional majority is

declared passed. Senate Bill 1716, Senator Schuneman. Senate Bill 1728, Senator Etheredge. You'll have to bear with us a little, we are having problems with the printer. The new printer is on its way. 1728, Senator Etheredge.

SECRETARY:

Senate Bill 1728.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the math and science academy clean-up bill. It corrects some of the omissions that were made in the...the things that we omitted in the legislation when it passed out of here a year ago. It identifies the...the pension system in which the academy employees will pay. It lists among the powers of the board explicitly the power to lease and purchase property and also establishes a consultative and reporting requirement between the board of the academy and the State Board of Education. I am aware of no opposition. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1728 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1728 having received the constitutional majority is declared passed. Senator, it still hasn't helped the machine any. Senate Bill 1733, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1733.

SB 1734 3rd Reading

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I ask leave to have...1733 rereferred to the Senate Insurance Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, the motion carries. Senate Bill...1733 will be rereferred back to the Insurance Committee. Senate Bill 1734, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1734.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is 1.1 million dollars for the claims out of the Gendel case. It's a reappropriation. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1734 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none...and 1 voting Present. Senate Bill 1734 having received the constitutional majority is declared passed. Senate Bill 1735, Senator Macdonald. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1735.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This merely changes the Racing Board members' term of office to end July 1st of...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Zito.

SENATOR ZITO:

Sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR ZITO:

Senator Macdonald, just a...quick question, why?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

I...is my mike...it wasn't...I wasn't through with my discussion yet. The reason is that the law was changing...it hasn't...been reflected yet to update the law. So it's just putting the law...the requirement into conformity of the law which was left out. It's actually a vehicle bill, we have had no response from the summit meeting for racing and...and we are going to send over this bill over to the House so that they can have as many alternatives as they please when...when the issue comes forward.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Might this, in fact, later come back in the form of something for Arlington Park?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, it will probably come back...with...if...if they use it, there are other bills also that I imagine are going over to the House and they'll probably...initiate in the House. So it's a possibility that it could come back as the racing bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1735 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present...1 voting Present. Senate Bill 1735 having received the required constitutional majority is declared passed. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Thank you, Mr. President. In coming back to my seat from the telephone, I voted No...which sometimes is a miracle. However, I wanted to vote Aye and I want the record to show on 1709 that I wanted to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate that your halo is still intact...Senate bills 3rd reading, Senate Bill 1736, Mr. Secretary.

SECRETARY:

Senate Bill 1736.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is reduced fifty-four thousand eight hundred dollars pursuant to the guidelines

AB 1738 3rd Reading

established by the committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1736 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 1736 having received the required constitutional majority is declared passed. Senate Bill 1737, Mr. Secretary.

SECRETARY:

Senate Bill 1737.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr...thank you, Mr. President. This bill appropriates one hundred and thirty-one million four hundred and seventy-nine thousand four hundred dollars to the Department on Aging. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall Senate Bill 1737 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1737 having received the required constitutional majority is declared passed. Senate Bill 1738. On the Order of Senate Bills 3rd Reading is Senate Bill 1738, Mr. Secretary.

SECRETARY:

Senate Bill 1738.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this bill appropriates six hundred and forty-six million four hundred sixty-six thousand four hundred dollars for the Department of Mental Health. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1738 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1738 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1739, Mr. Secretary.

SECRETARY:

Senate Bill 1739.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the budget for the Abandoned Mine Lands Reclamation Council. It's seventeen million three hundred and fifty-seven thousand nine hundred dollars, took a sixty-seven thousand two hundred dollar drop from the introduced level but we'll be satisfied with this. Appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Have all voted...discussion? If not, those...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all...have all voted who wish? Have

all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1739 having received the required constitutional majority is declared passed. Page 6, Senate Bill 1740. On the Order of Senate Bills 3rd Reading is Senate Bill 1740, Mr. Secretary.

SECRETARY:

Senate Bill 1740.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I believe the Secretary said this is the Illinois State Library appropriation, it's actually the lottery.

SECRETARY:

The lottery, I'm sorry, yes.

SENATOR WATSON:

That's...that's fine, it's the lottery. This is...current level of funding is three hundred and ninety-four million thirty-one thousand six hundred. Committee Amendment No. 1 reduced the...the budget from the...introduced level by seven million five hundred and twenty-two thousand five hundred. We...naturally weren't very happy or satisfied with that but we feel that this...we may see this budget again before it's all over. So I'd be glad...and appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall Senate Bill 1740 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays

are none, 1 voting Present. Senate Bill 1740 having received the required constitutional majority is declared passed. 1741 was on the recall list, we'll get back to it a little later. 1742, Senator Weaver. On the Order of Senate Bills 3rd Reading is Senate Bill 1742, Mr. Secretary.

SECRETARY:

Senate...excuse me...Senate Bill 1742.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the adjustment to the General Obligation Bond Act and I think it's an increase of six dollars. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1742 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1742 having received the required constitutional majority is declared passed. 1743 was on the recall list, we'll get back to it. 1744. On the Order of Senate Bills 3rd Reading is Senate Bill 1744, Mr. Secretary.

SECRETARY:

Senate Bill 1744.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill is unchanged from

the introduction level. It remains at sixty percent of payout.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1744 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1744 having received the required constitutional majority is declared passed. 1745, Senator...all right. On the Order of Senate Bills 3rd Reading is Senate Bill 1745, Mr. Secretary.

SECRETARY:

Senate Bill 1745.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1745 is the Judicial Inquiry Board. It was introduced at three hundred and forty-eight thousand, it's been reduced some nine thousand five hundred, the current level is now three hundred and thirty-eight thousand six hundred. Be happy to answer any questions and ask your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1745 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the...take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1745 having received the required constitutional majority is

declared passed. All right. The printer...the printer did not function properly on that Senate Bill...all right...all right, it will not be necessary for us to take another vote. All right. On the Order of Senate Bills 3rd Reading is Senate Bill 1746, Mr. Secretary.

SECRETARY:

Senate Bill 1746.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1746 is the budget for the Office of the Governor, six million seven hundred and nineteen thousand. Be happy to answer any questions and ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1746 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. Senate Bill 1746 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1747, Mr. Secretary.

SECRETARY:

Senate Bill 1747.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the Department of Agriculture. The level is at fifty-one million two hundred and seventy-four thousand three hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Carroll.

SENATOR CARROLL:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I hate to slow down the process a minute but there is concern because of the Ag. Premium Fund and, Senator Donahue, if you know, what is the amounts now in the Ag. Premium Fund and are we using GRF instead of Ag. Premium when we should be using Ag. Premium?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Can we take this out so I can get the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

...there's twenty million nine hundred and twenty-four thousand four hundred dollars for Ag. Premium Funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Then you're suggesting there's sufficient amounts to fund all that Ag. Premium is being asked to fund and there won't have to be a general revenue transfer later?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

That request has been provided for in the budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll. Senator Donahue.

SENATOR DONAHUE:

The Governor has proposed that in his budget request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Are you saying then that he has proposed using general revenue funds to...feed into the Ag. Premium Fund because the Ag. Premium Fund is short?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

They tell me that the tables in the back of the budget book reflect those figures.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I...I hate to do it but I...that doesn't answer the question. I mean, are...is there funds in the Ag. Premium Fund or are we going to be asked to shore that up with general revenue funds and then...we know that the budget book was inoperative when printed, they even admit that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

There are not sufficient funds in the Ag. Premium Fund at this time and we will...we have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Just how much, so we can, you know, for the record understand what we're going to have to do with general revenue? Any ballpark? Go ahead,...try.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

The back of the budget book reflect ten million dollars that will have to be put in by general revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...thank you. Ten million dollars is the figure that general revenue is going to have to supplant the Ag. Premium Fund. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. I've...I've just got some problems with this budget, not particularly to the sponsor but it just seems to me when we look at...at what we're doing here, the Entertainment Fund for the fair...for the State Fair in Springfield and then for the new State Fair in DuQuoin, we...we...we're appropriating more than a million dollars for that, and we're appropriating five hundred and fifty-five thousand dollars for our foreign offices for ag. exports. Now something is wrong there, folks, when we're in so much trouble in this State in agriculture and we're appropriating twice as much money for entertainment at the State...the two State Fairs now as we do to export our products to try and promote exporting our products overseas. We're also taking twenty-one jobs out of the animal health laboratories in...in animal area; I guess that's where they're coming out of and that doesn't seem right either. Also, along the same line as the...as the entertainment expense and the farm stress, we've spent six hundred and three thousand dollars last year. This year it's coming in at eight hundred and thirty-eight thousand dollars, that's up thirty-four percent. I think we'd be better off helping out farmers and there wouldn't be so much stress; perhaps, we ought to be spending as much money over-

seas trying to promote our products as we are trying to help the farmers who are in stress because they can't sell their products. A hundred and fifteen thousand dollar of that...dollars of that go to radio and T.V. spots so we can convince the world that we're doing all this stuff to help our farmers. You know, it's...it's all show and no go here, folks. We've been talking with the farm credit people in St. Louis and they say we're in more trouble than we were during the Great Depression, and all the while this is going on, our Department of Agriculture, I don't know that they've talked to anybody in the farm...with the farm credit banks. The people at the farm credit banks that I've talked to have said they haven't talked to them. Now...this is...this is just wrong. Our Department of Agriculture needs to...to wake up and pull its head out of the sand and find out what's going on around here and get involved in it a little bit. So, Senator, when you're sponsoring the budget, I would hope that you would relay that message to them. Thank you.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Seeing as I...seeing...would the sponsor yield for a question? Seeing as I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates that she will yield to your question. Senator Fawell.

SENATOR FAWELL:

Thank you. I'm not from a rural community and I...and our county fair doesn't get any...any funds from the Ag. Fund, but my children have gone to some of these affairs and they always have to pay for the entertainment. Do the...do the people pay for the entertainment eventually or do you get the money back that way or...or how does that work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

The entertainment funds are only at the State Fair, not for your local county fairs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Fawell, are you finished? Senator Fawell.

SENATOR FAWELL:

No, I meant...I meant, you're putting some money out for entertainment, do you get that back then through the ticket sale?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Yes. I mean, you have to put the money to get the entertainment in, but then they're charged admission and...and fees to see that entertainment and that money comes back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, have...have you concluded? All right. Further discussion? Senator Donahue may close.

SENATOR DONAHUE:

Well, I...I'm sure that we could have discussions similar to this on a lot of our budgets, and I realize that the farm community and the agriculture industry in this State needs help and we're trying in many ways to do that. To put it all on the backs of the agriculture budget, I don't believe is the way to go. Senator Joyce mentioned something about taking twenty-one jobs out the animal health. In discussions in committee, I understand that those twenty-one jobs are not the actual inspectors but they are within that actual department, some clerical and whatever. The one million dollars for the entertainment is, as I said in response to...Senator Fawell, is for up-front money and that they are paid admission to see that entertainment and that money does come back. The decision for the DuQuoin Fair was not Department of Ag., that was put under them from a legislative decision. So, they have the responsibilities of those fairs like they do with the State Fair. I think that this is a...a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...Senator...Senator Lechowicz, did you wish to...yes, she was closing. All right. Senator Donahue.

SENATOR DONAHUE:

Thank you. So, I would just move for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1747 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58,

the Nays are none, none voting Present. Senate Bill 1747 having received the required constitutional majority is declared passed. 1748 was on the recall from this morning. 1749, Senator Etheredge. Senator Etheredge, 1749. On the Order of Senate Bills 3rd Reading is Senate Bill 1749, Mr. Secretary.

SECRETARY:

Senate Bill 1749.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. This bill appropriates two hundred and sixty-eight million nine hundred and thirty-three thousand five hundred dollars for the OCE of the Department of Children and Family Services. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1749 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1749 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1750, Senator Schaffer. Mr. Secretary, read the bill, 1750.

SECRETARY:

Senate Bill 1750.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This bill appropriates one hundred and ninety-six million six hundred and eighty-nine thousand dollars for the Department of Employment Security. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1750 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1750 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1751, Mr. Secretary.

SECRETARY:

Senate Bill 1751.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Senate Bill 1751 appropriates four hundred and twenty-nine million two hundred and eighty-five thousand for the '87 O and C expenses of the Department of Corrections. I'd be happy to answer any questions if I can. I move its adoption...or passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1751 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1751 having received

the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1752, Mr. Secretary.

SECRETARY:

Senate Bill 1752.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. 1752 appropriates a hundred and thirty-two million eight hundred and sixty-four thousand eight hundred dollars to the Department of Energy and Natural Resources. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1752 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1752 having received the required constitutional majority is declared passed. All right, Senate Bill 1753 was on the recall list this morning. We will get back to it. Page 7, Senate Bill...1754, Senator Sommer. Top of page 7, Senate bills 3rd reading is Senate Bill 1754, Mr. Secretary.

SECRETARY:

Senate Bill 1754.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this has been reduced by three

hundred and eighty thousand dollars from the level of introduction pursuant to various guidelines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1754 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1754 having received the required constitutional majority is declared passed. Senate Bill 1755. On the Order of Senate Bills 3rd Reading is Senate Bill 1755.

SECRETARY:

Senate Bill 1755.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1755 is the funding for the ordinary and contingent expenses of the Department of Labor. It is two hundred and seventy thousand dollars eight hundred dollars less than...introduced, and the total amount is...where is it...three million eight hundred ninety-four thousand two hundred dollars, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1755 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1755 having received the required constitutional majority is declared passed. Senate

bills 3rd reading is Senate Bill 1756, Mr. Secretary.

SECRETARY:

Senate Bill 1756.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 1756 appropriates twelve million fifty-eight thousand seven hundred dollars for the budget of the Department of Nuclear Safety.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1756 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 1756 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1757, Mr. Secretary.

SECRETARY:

Senate Bill 1757.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. 1757 is the OCE for 1987 for the Department of Revenue as amended in the amount of one billion four hundred and eight million eighty-four thousand six hundred dollars. Glad to answer any questions or move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill

SB 1759 3rd Reading

1757 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1757 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1758, Mr. Secretary.

SECRETARY:

Senate Bill 1758.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is an appropriation of a hundred and fifty million five hundred and seventy-five thousand nine hundred dollars to the Department of State Police.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1758 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1758 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1759, Mr. Secretary.

SECRETARY:

Senate Bill 1759.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. The...Senate Bill 1759 is the ordinary and contingent expenses for the...Department of Veterans Affairs. It was introduced at thirty-one million two hundred and fifty-three thousand two hundred dollars. It has been increased to thirty-three million three hundred and seventy-four thousand three hundred dollars. I would hope for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1759 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1759 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1760, Mr. Secretary.

SECRETARY:

Senate Bill 1760.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is an appropriation of seven million five hundred and seven thousand six hundred dollars to the Commissioner of Banks. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1760 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1760 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1761, Mr. Secretary.

SECRETARY:

Senate Bill 1761.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 1761 appropriates two million six hundred and seventy-nine thousand seven hundred dollars to the Office of the Bureau of the Budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1761 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 voting Present. Senate Bill 1761 having received the required constitutional majority is declared passed. Senate Bill 1762. On the Order of Senate Bills 3rd Reading is Senate Bill 1762, Mr. Secretary.

SECRETARY:

Senate Bill 1762.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this the operation's portion

of the Capital Development Board, and pursuant to the guidelines, it's reduced ninety-one thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1762 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 1762 having received the required constitutional majority is declared passed. 63 was on the recall list. Get back to it. 1764, Senator Dudycz. Senator Dudycz. All right, on the Order of Senate Bills 3rd Reading is Senate Bill 1764, Mr. Secretary. Senator Dunn, for what purpose do you arise?

SENATOR DUNN:

I hit the wrong switch on 1764. Had I voted right, I'd have voted Yes instead of No. Let the record show.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I think you meant 1762.

SENATOR DUNN:

63. Whatever it was just passed. I voted wrong once.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...it's hard for the Chair to determine, but I think you're talking in terms of 1762. Is that correct?

SECRETARY:

Yes...

SENATOR DUNN:

Capital Development Board. I don't want to lose anything for the DuQuoin State Fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the record will indicate your remarks.

SECRETARY:

Senate Bill 1764.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

...yes, Mr. President. Senate Bill 1764 as amended provides twelve million four hundred and thirty-seven thousand dollars for funding for the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority, a reduction of eighty-eight thousand nine hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1764 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1764 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1765, Mr. Secretary.

SECRETARY:

Senate Bill 1765.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Mr. President and members, this bill appropriates seven million ten thousand four hundred dollars to the Court of Claims, and I would appreciate its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1765 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 54, the Nays are 1, 3 voting Present. Senate Bill 1765 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1766, Senator Karpiel. 1766, Mr. Secretary.

SECRETARY:

Senate Bill 1766.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1766 appropriates seven hundred eighty-four thousand seven hundred dollars from the Environmental Protection Trust Fund to the EPA Trust Fund Commission for FY '87. The..reappropriates two hundred and fifty thousand for a grant to the City of Chicago as the State's share of cost for water line extension improvements in Maryland Manor, appropriates money for the study of ground water in northern Illinois for a grant to support the development of hazardous waste treatment and a hundred thousand dollars to support waste recycling projects, and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question, is shall Senate Bill 1766 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1766 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1767, Mr. Secretary.

SECRETARY:

Senate Bill 1767.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1767 makes an appropriation of thirty-six million eight hundred and forty-eight thousand four hundred dollars to the Metropolitan Fair and Exposition Authority for its corporate purposes and for debt service, and I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1767 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 5, 4 voting Present. Senate Bill 1767 having received the required constitutional majority is declared passed. Page 8, on the Order of Senate Bills 3rd Reading is Senate Bill 1769, Mr. Secretary.

SECRETARY:

Senate Bill 1769.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. Senate Bill 1769 appropriates seven million six hundred and sixty-seven thousand seven hundred dollars to the Illinois Arts Council.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill

1769 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. Senate Bill 1769 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1779, Mr. Secretary.

SECRETARY:

Senate Bill 1770.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Yes, Mr. President and Ladies and Gentlemen of the Senate. This bill appropriates one million two hundred thirty-seven thousand five hundred dollars for the operation of the Pollution Control Board, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1770 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 1770 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1771, Mr. Secretary.

SECRETARY:

Senate Bill 1771.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this bill appropriates two million nine hundred and sixteen dollars and...nine hundred sixteen two hundred dollars for Prairie State 2000. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1771 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the...Ayes are 58, the Nays are none, none voting Present. Senate Bill 1771 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1772, Mr. Secretary.

SECRETARY:

Senate Bill 1772.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. The...this is the ordinary and contingent expenses for the Prison Review Board of eight hundred and fifty-five thousand two hundred dollars, a reduction of twenty-nine thousand eight hundred dollars, and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1772 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1772 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 1773, Mr. Secretary.

SECRETARY:

Senate Bill 1773.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. Senate Bill 1773 is the OCE of 1987 for the Property Tax Appeals Board in the...as amended in the amount of seven hundred and eighty-eight thousand one hundred dollars. Be glad to answer any questions or move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1773 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1773 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1774, Mr. Secretary.

SECRETARY:

Senate Bill 1774.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senate Bill 1774 provides the

funding for the ordinary and contingent expenses of the Commissioner of the Savings and Loan. The level that it's at currently is one million two hundred and thirty-three thousand three hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1774 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. Senate Bill 1774 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1775, Mr. Secretary.

SECRETARY:

Senate Bill 1775.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is OCE for the State Employees' Retirement System. It is unamended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1775 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1775 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1776, Mr. Secretary.

SECRETARY:

Senate Bill 1776.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the appropriation for the General Assembly retirement at sixty percent of payout. Is is unamended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Welch.

SENATOR WELCH:

Yes, I'd just like to say that in view of recent articles about felons who were former members of the General Assembly, I think that we should send a message to the retirement system about the way the payout is going and that certain individuals should not be entitled to pensions. I think that this is something that hasn't been addressed by this Body and is something that should be, and I think this is a good opportunity to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Well, I'm appalled to hear a fellow member that he'd like to mess with our retirement. Maybe that you people who don't want to have retirements ought to not run for office. At a time like this you get up and say that you want us to vote No against our pension and our retirement? You got to be out of your mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1776 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays

are 1, none voting Present. Senate Bill 1776 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1777, Mr. Secretary.

SECRETARY:

Senate Bill 1777.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the amount of the State contribution to...to achieve a sixty percent payout level for the retirement of the judges. It's approximately ten million dollars unamended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1777 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1777 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1778, Mr. Secretary.

SECRETARY:

Senate Bill 1778.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1778 makes appropriations to the Local Governmental Law Enforcement Officers

SB 1798 3rd Reading

Training Board of seven million two hundred and seventy-one thousand three hundred dollars, a reduction of twenty-seven thousand six hundred for its Fiscal 1987 ordinary and contingent expenses and I ask for an affirmative vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1778 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1778 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading appears Senate...Senate Bill 1779. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1779.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senate Bill 1779 appropriates three million one hundred and seventy-seven thousand and eight hundred dollars to the Public School Teachers' Pension and Retirement Fund of Chicago. I ask for affirmative vote.

PRESIDENT:

Question...any discussion? If not, the question is, shall Senate Bill 1779 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1779 having received the required constitutional majority is declared passed. Senator Watson, 1798...on the Order of Senate Bills 3rd Reading, the

bottom of page 8, is Senate Bill 1798. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1798.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay. Thank you, Mr. President. This particular piece of legislation is a result of ongoing meetings with various groups throughout the State, the Secretary of State, Cook County State's Attorney, the Auto/Truck Recyclers of Illinois, the New Car and Truck Dealers Association and the Licensed Auto Recyclers and Rebuilders of Illinois. This is an agreed piece of legislation by all those particular parties involved. A situation resulted from some legislation that we passed a couple of years ago which pretty much crippled the recycling and rebuilding and salvage industry in Illinois. What we are trying to do with this piece of legislation, which is really quite lengthy, but we're trying to help satisfy some of the burdens that this industry has in regard to paper work and other...other particular items. One particular thing that needs to be read into the record is the...in regard to the term "identification number." This...this particular piece of legislation includes a definition of identification number, and we'd like for the record to show that the sponsors and the proponents intend that the definition means "a specific grouping of numbers and letters in a series which are placed on a vehicle or an essential part by the manufacturer or a governmental authority for the purpose of identification of that specific essential part or vehicle." It does not mean symbolic names, trademarks or logos placed on a vehicle or part which prima-

rily add to the aesthetic appearance of the vehicle or part. As I mentioned, this is a piece of legislation in which Senator Degnan is the hyphenated cosponsor. It's been agreed to by the various groups involved and they're trying to clear up some of the problems of their industry. I'll be glad to answer any questions.

PRESIDENT:

Is there any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Weaver.

SENATOR WEAVER:

Senator Watson, since we passed the legislation a few years ago, the State has probably lost in the neighborhood of some twenty, twenty-five million dollars. Is this going to correct that problem?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

In what way have we lost twenty to twenty-five million dollars?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Well, most of the rebuilders have not gotten the opportunity to rebuild in Illinois. All these cars have been going to Illinois...or to Missouri, Indiana, Wisconsin. Is this going to help bring back that rebuilding and resale...reselling of vehicles that have been in wrecks...is it going to help that situation?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

SB 1804 3rd reading

Yes, sir, that's the intent of the legislation. That's one of the problems we had was once this legislation was enacted a couple of years ago, we...we crippled the industry to the...to the point that many people simply got out of the business, and as a result, that type of work was going to neighboring states and we did lose a considerable amount of money as a result of it. So, yes, sir, that's...that's the intent and, hopefully, it will provide some relief.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall Senate Bill 1798 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1598 having received the required constitutional majority is declared passed. All right. On the Order of Senate Bills 3rd Reading, Senate Bill 1804. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1804.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1804 does, in effect, two things. Number one, it deletes the January 1, '86 deadline for reimbursement for corrective action taken by school districts to abate asbestos, and it specifies that the...that if there is reimbursement under this provision that they cannot get duplicate funding under any CDB grant. The essence of the bill is to allow school districts that have an asbestos problem that have resources of their own to expedite their

inspection and allow them to move ahead and still qualify for reimbursement down the line under the Asbestos Abatement Act. Be glad to respond to any questions.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Thank you. This is my annual question that I ask of you in regard to this issue. If a school district has already provided that relief, already done the work and completed, and they are going to be included in this provision. Thank you...respond to that. That's a question...

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 1804 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1804...having received the required constitutional majority is declared passed.

SECRETARY:

Senate Bill 1808.

PRESIDENT:

All right, bottom of page 8, on the Order of Senate Bills 3rd Reading is Senate Bill 1808. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1808.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is the State's attorneys' appellate prosecutors' appropriation. As amended, it appropriates three million two fifty six two hundred which is a reduction of two hundred and fourteen thousand six hundred or a 6.2 percent reduction from the level that it was introduced and move the adoption.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1808 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1808 having received the required constitutional majority is declared passed. Top of page 9, on the Order of Senate Bills 3rd Reading, Senate Bill 1809. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1809.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1809 simply affords the same protection to teachers in the vocational education joint programs that are currently enjoyed by their counterparts in...in the collective bargaining process. I don't know of any opposition and I'd ask for your favorable support.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1809 pass. Those in favor will vote Aye. Those opposed

SB 1814 3rd Reading

will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House...Senate Bill 1809 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1814. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1814.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Many of our counties now throughout the State are struggling with their ability to meet State mandates in regard to upgrading or...renovating their jail facilities. In many cases, some of these counties have to build their own new jail facilities. This bill would set up a medium to deal with this problem. The bill creates the County Jail Revolving Loan Fund within the State Treasury to be administered by the Department of Corrections from which local governments could borrow money at little or no interest in order to renovate or build these jail facilities. The second thing that the bill would accomplish would give over to the Department of Corrections all adult offenders sentenced to six months or longer, and the third thing it would do would permit nonviolent offenders sentenced to confinement in a county jail to receive one day of good behavior allowance for each day of service of sentence in the county jail. Would move for the passage of the bill.

PRESIDENT:

All right, any discussion? Senator Watson.

SENATOR WATSON:

Thank you. I'd like to ask the sponsor a question, if I might.

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Senator, we have no problems with your revolving loan fund even though it's not necessarily in the budget and it's a problem that we're probably going to have to deal with later. We have no problem with your good behavior provisions, but as we've discussed, we have a...a real problem in the implications that this is going to have with the Department of Corrections and the increase in prison population that's going to result of this legislation. Can you tell me how many prisoners now in county facilities will be forced on the Department of Correction as a result of your legislation?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Watson. According to our estimates, there would be approximately five hundred misdemeanants that are currently incarcerated in county jails that will be given over to the Department of Corrections.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I don't see on here where this...when this bill takes effect. When will that happen?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Watson, it would be January 1, 1987.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, can we build a new prison by January 1st, 1987 to house the five hundred inmates that you're going to be forcing on the Department of Corrections? I mean, is that feasibly possible to do that by...in that short of period of time?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Watson, up until two years ago...you know, those...anyone sentenced to thirty days or longer was sentenced to the Department of Corrections, and what we did essentially is put the overcrowding of prisoners on the...on the backs of the counties now and off of the back of the State. We have...three new prospective prisons, I think, right now in the offing for the State. I don't know how soon they can be built, but I guess I would consider the counties to have the greater part of the overcrowding right now as opposed to the State.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I'd...I'd have to agree with that to the point that there is certainly a problem the counties are having, but as you know and as you are a member of the Governor's State Detention Standard Task Force that's going to be looking in to county jail problems and recommendations of what we can do, I think that we would be in the best interest of waiting until that particular group comes forth with their recommendations before we start...forcing these particular misdemeanants on the Department of Corrections, and there's no doubt about the fact that we have created a problem for the counties, and how we've created that problem is simply here in the...on the Floor of the General Assembly voting for more

and more law enforcement matters in which we're incarcerating more and more people for whatever offense it might be. We have to share in that burden and that responsibility. It's certainly not the problem and the fault of the Department of Corrections that much of this has happened, but I do think that we are going to create a tremendous burden for the Department of Corrections. I think that...although I can support a...a vast majority of your legislation, this one particular issue in here is a real red herring and I think we ought to vote it down. I think a No vote is appropriate. Thank you.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I'm...I'm really surprised, Senator Watson, it seems to me that it was just a couple of years ago that you and I and others were opposed to the counties housing these same individuals; and now you are suggesting that simply because the counties now house these misdemeanants or whatever they are in this bill, that now they're going to be somehow or other be transferred to the Department of Corrections. So, I guess, you know, you've sort of changed your position over the last two years. I haven't changed mine. I still think that it's a State responsibility and certainly should not be the responsibility of the county.

PRESIDENT:

Further discussion? Any further discussion? Senator Poshard, you...may close.

SENATOR POSHARD:

Thank you, Mr. President. Senator Watson, I do appreciate the Governor's task force and, as you indicated, you and I both serve on that presently, because this is a problem that has to be dealt with and I'm glad the Governor is...is paying attention to that. We have had a group meet-

ing throughout the State now for nearly a year...the County Study Finance Committee and in just about every meeting this problem was brought up as...as a very real problem to our counties. I don't know...I...I guess I have some reservations about a transition to the State level because I don't want overcrowded prisons either, but this is breaking the back of the...of the counties, and as you said, the other two provisions of this bill are solid, the revolving loan fund and the good-time behavior. So, I would ask for a very positive vote on this.

PRESIDENT:

Question is, shall Senate Bill 1814 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 11 Nays, 1 voting Present. Senate Bill 1814 having received the required constitutional majority is declared passed. If I can have your attention, we will be replacing the printer for the electronic score board. To afford the electrican and the Secretary and the Assistant Secretary the opportunity to do that, we'll move, with leave of the Body, to the Order of Recalls. There are...Senators Lemke, Geo-Karis, Woodyard and Dudycz have filed amendments. If they would be ready. Senator Dudycz in the hall? I just saw him. Okay. All right, the Secretary has informed the Chair that we think the machine is...has been replaced and we hope it's in proper working order. Senator Etheredge, if you'd...top of page 9, on the Order of Senate Bills 3rd Reading is Senate Bill 1815. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1815.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is the bill that we used to refer as the "designer drug bill." It is...we have changed the phrase now to the...the "controlled substance analog bill" because is the terminology now being used by the...by the Feds in Washington D.C. But what the bill does is to close the...loophole which currently exists in our controlled substances section of the Statutes and it makes those people who manufacturer, sell, possess these controlled substances...or these substances subject to the same penalties as the controlled substances that they're essentially equivalent to. I would be very happy to respond to any questions; if there are none, I would ask for a favorable roll call.

PRESIDENT:

Is there any discussion? If not, the question is, shall Senate Bill 1815 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1815 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senator Netsch, Senate Bill 1816. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 1816.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill, like the preceding one, is sponsored both by myself and Senator Etheredge and

joined by Senator Davidson and is the work product of the Committee on Legislation and Regulations of the Dangerous...of the Illinois Advisory Committee on Alcoholism and Substance Abuse. This particular one was initially suggested to us by one of the members of our committee, Judge Wolfson of Cook County. It provides a limited, and I repeat, a limited immunity for those who were involved in the intervention process. Some of you may be familiar with the fact that a number of hospitals, private associations, schools and others have developed programs to try to help people who are, indeed, addicted to alcoholism or drugs before they get into very serious difficulty. It is a...a highly successful process. It does involve laypeople and there have been some threats of...of lawsuits to be filed because it's obviously an extremely delicate matter. This is a...as I...mentioned before, a very limited immunity for those who are involved in the intervention process, and we do require that they be trained so that someone can't just walk in from the street and claim that they are an intervenor and entitled to the same immunity. It has been carefully reviewed by the our committee. We would be happy to answer questions; if not, I would solicit your support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1816 pass. Those is favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1816 having received the required constitutional majority is declared passed. Senator Carroll, on the Order of Senate Bills 3rd Reading is Senate Bill 1822. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1822.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the awards bill that winds through the process. It will be amended in the House to reflect any latest approved awards. It is now at one million nine hundred and forty-one thousand two hundred. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1822 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 1822 having received the required constitutional majority is declared passed. Senator Hall, on Senate bills 3rd reading, Senate Bill 1825. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1825.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1825 appropriates twenty thousand dollars to the Department of Mental Health and Development Disabilities to study equipment needs at the community base agencies. I would ask your most favorable support of this

bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1825 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1825 having received the required constitutional majority is declared passed. We had a little trouble with LIS receiving faulty information. All right, Senator Hall, if you would please...you were the recipient of 58 affirmative votes with that splendid explanation. If you'd...question is, shall Senate Bill 1825 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 1825 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 1826. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1826.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is purportedly for a study of appropriation lapses by the Board of Higher Educations...a midsize car, and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the

SB 1838 3rd Reading

question is, shall Senate Bill 1826 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1826 having received the required constitutional majority is declared passed. Senator Holmberg. Senator Maitland, you were on the recalls. Senator Barkhausen. On the Order of Senate Bills 3rd Reading, middle of page 9, is Senate Bill 1838, Mr. Secretary.

SECRETARY:

Senate Bill 1838.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 1838 deals both with the Business Corporation Act in one small respect and also revises the Uniform Limited Partnership Act in accordance with recommendations made by a Secretary of State's advisory committee. I know of no opposition to this bill, although it is quite technical and I'd be happy to answer any questions. I would, otherwise, urge your favorable roll call.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1838 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate Bill 1838 having received the required constitutional majority is declared passed. Senator Sommer, 1841. On the Order of Senate Bills 3rd Reading, Senate Bill 1841. Read the bill,

Mr. Secretary, please.

SECRETARY:

...Senate Bill...

PRESIDENT:

41...1-8-4-1. Sure. Senator Marovitz, you ready on...I'm...Senator Sommer, I'm sorry, we...physically, it seems to be misplaced. We'll get it in a hurry here. With leave of the Body, we'll get right back to that one. On the Order of Senate Bills 3rd Reading, Senate Bill 1846. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1846.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. I know. 1846 is the bill that originally appropriated 4.8 million to...to the authority...the Metropolitan Fair and Exposition Authority for its corporate purposes. The appropriation is now also included in Senate Bill 1767, so we amended this bill down to one dollar. Obviously, this bill will come back and we will see it in another form and I would ask for a favorable roll.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1846 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 2 Nays, none voting Present. Senate Bill 1846 having received the required constitutional majority is declared passed. Senator Sommer, we have found your large bill. It was in a...a drawer of its own. On the Order of

Senate Bills 3rd Reading, Senate Bill 1841. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1841.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the Capital Development Board construction reappropriation. These are all the projects that we approved in pervious General Assemblies that are not yet done.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 1841 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, 1 voting Present. Senate Bill 1841 having received the required constitutional majority is declared passed. Senator Berman, on 1848. On the Order of Senate Bills 3rd Reading, the bottom of page 9, is Senate Bill 1848. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1848.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This the Response Action Contractor Indemnification Act. The purpose of this is to provide a means whereby the

State will be able to utilize the resources of what is called response action contractors in cleaning up hazardous materials including asbestoes and other hazardous waste. What this does is to require the determination by the director of the Department of Insurance that liability insurance is just not available to these contractors. In that event, it...it provides that five percent of any contract entered into by the State with these contractors are set aside into an indemnity fund and that the State stands in the shoes of an insurer for the action taken by these response action contractors. Be glad to respond to any questions. Appreciate an Aye vote.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Some questions of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Berman, I...I raised some of these issues the other day and I...I still am wondering about them. The first question in my mind is how far we...how far the term "State agency" goes? I...on the second page of the bill it refers to "State agency" meaning the Environmental Protection Agency or any other department or agency of the State of Illinois. Does the scope of that include local school asbestos cleanup?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, it does not.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Could you explain a little more fully then the types

of...of projects that would be covered under this?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes, if...if the...if the EPA, for example, has...the State EPA has to contract for the cleaning up of a hazardous waste site, they...they're covered by the bill. If...I would say Emergency Disaster Agency has to rush in and get something done utilizing these kinds of contractors that specialize in hazardous situations, that's covered. It's the...the legislative intent of this definition, and we did amend the bill to address this, we're talking about the State of Illinois as the contracting body only.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, so...I guess my next question would be, does the State of Illinois at the current time place an insurance requirement upon those contractors to furnish a certificate of insurance, and if so, what is the amount of the insurance required to be furnished?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I believe that what the contracting agencies presently do is that they...they require as part of their bid process liability coverage to be...available to the contractor. I'm not sure that that's a statutory requirement, that's a bidding requirement that exists. The problem is and the reason the bill has come to us is that there is a nonavailability of liability insurance to these contractors, especially in the area of asbestos and other hazardous material.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator and members, please understand, I'm not trying thwart what you're doing here. I...I realize that this is a problem that has to be dealt with. I think that hazardous material handling and the pollution liability coverage is simply not available. It's not only an Illinois problem, it's a national problem and it's probably going to get worse rather than get better. The problem is the open...the open-endedness of trying to insure pollution hazards. I think that you will find, Senator, if you check with these agencies, that they require now of the contractors that the contractor furnish a certificate of insurance for a stipulated amount of liability insurance, and my real problem with your bill is that your bill does not put any kind of limit on the amount of liability that the State is assuming. If an insurance company were the insurer, they would limit the amount of insurance that they would provide. That's the system I think we're using now, and it seems to me that what you're doing by virtue of this bill is simply giving a contractor an unlimited amount of liability insurance. I think that's wrong. I think there ought to...if you'll excuse the term, I think there ought to be some caps in this bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Berman, do you wish to close?

SENATOR BERMAN:

Thank you. I recognize Senator Schuneman's concern. I think that we are faced, however, with the realistic problem and we've tried to build in some of these safeguards in the bill. Number one, if there's liability insurance available as determined by the director of the Department of Insurance, this bill will have no effect whatsoever. We're talking about the need to utilize these people in hazardous situa-

tions...situations that are hazardous to the welfare of the citizens of the State of Illinois. If it...if they cannot get liability coverage, the job has to be done, this is a method by which...these contractors will be available to be used by the State. I solicit your Aye vote.

PRESIDENT:

Question is, shall Senate Bill 1848 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, 3 voting Present. Senate Bill 1848 having received the required constitutional majority is declared passed. Senator Davidson, for what purpose do your arise?

SENATOR DAVIDSON:

Point of personal privilege, sir.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would like to present to the Senate a class...a class...fourth grade from the Blessed Sacrament Grade School here in Springfield who have Sister Louise and Mrs. Harris with them; but more important, they really came down here to see how one of their classmate's mother's boss behaves on the Floor. One of the mothers happens to work for Senator Rupp, so I want Senator Rupp to be on his best behavior.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to the Senate. Top of page 10, on the Order of Senate Bills 3rd Reading is Senate Bill 1861. Read the bill, Mr. Secretary.

END OF REEL

REEL #4

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1861.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends and precludes either the school district or an unsatisfied teacher from calling a consulting teacher to testify with regards to an opinion of performance or the rating of the teacher under remediation in any dismissal hearing. Last year the General Assembly in...in the school reform package created an...an evaluation process for all teachers. Teachers must now be evaluated by qualified administrators at least once every two years. Under the current law, if a teacher is rated unsatisfactory, he or she is placed in...in a one-year...remediation...program. As part of the new evaluation law, we created the role of consulting teacher to work with the principal and the unsatisfied teacher during the year of remediation. In the school reform law we stated the consulting teacher shall provide advice to teachers rated unsatisfactory and shall participate in...in developing the remediation program for that teacher. What this bill does will encourage teachers in Illinois rated superior and excellent to volunteer as consulting teachers and not be fearful that what they're told by the teacher in trouble...they have to give an opinion on and it...'cause the job of...of evaluating teachers should be the administrator and their principal and not...not the consulting teacher. That's what this bill does.

SB 1873 3rd Reading

PRESIDENT:

Any discussion? There any discussion? If not, the question is, shall Senate Bill 1861 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1861 having received the required constitutional majority is declared passed. Senator Mahar. On the Order of Senate Bills 3rd Reading is Senate Bill 1871. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1871.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President, members. Senate Bill 1871 allows specified property that was damaged or destroyed by fire...it was formerly a race track to qualify as a blighted condition under tax increment financing. It received...unanimous...support in the Committee on Revenue. It's supported by the Civic Federation and I know of no opposition.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1871 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1871 having received the required constitutional majority is declared passed. 1873, Senator Joyce. On the Order of

Senate Bills 3rd Reading, Senate Bill 1873. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1873.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, thank you, Mr. President and members of the Senate. We have had some discussion with respect to Senate Bill 1873 on 2nd reading. Basically, I am trying to deal with the problem of taxicab service in the City of Chicago. As a premise, I start with the idea that Yellow and Checker with their monopoly on this situation are resistant to any meaningful change. There is some criticism with respect to the bill that it precludes the city from being involved in the licensing and the revenue aspect of this, that it will preclude the city from being involved in the safety regulation of...of taxicabs, that is simply not the case. There is a concern that I have talked about with Senator Smith and that is that the little operator in the City of Chicago will be hurt if this legislation is passed into law. I have indicated to her that I, too, share that concern. I have had an occasion to talk with some of these people. I have represented to her that in the event this bill passes out of this Chamber and goes to the House that we would work together and find an amendment that would be agreeable to deal with that situation. And in the event that we could not reach such an agreement, we would not proceed with the legislation. We are talking about the operation of taxicabs in the City of Chicago by people who cannot speak the language, by people who do not know where they are going, by people who are operating taxicabs that are not safe and fit for the roads of the

city. Be happy to answer any questions.

PRESIDENT:

Any discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I share the concerns of our sponsor in reference to this issue, and I understand the need for some changes to be made to protect the safety and welfare of the citizens who rides cabs, not only from the City of Chicago because many of the cabdrivers or cab owners don't necessarily live or it's not regulated through the City of Chicago, but I do think that in addition to the concerns of the little cabdriver, there's even a greater concern and that is the denial of the right of the City of Chicago to regulate its own cabdrivers. And I think that that is something that the city is working progressively toward doing. It is not a very easy solution to the problem. It is a problem that have existed over the past forty years and there's a need for broad citizens' input before any real measure reforms...effective reform can take place...in this area. The city has made a commitment that they will, in fact, do so as...as rapidly as speed would allow them to do so. And I would hope that in talking with the sponsor that if this bill, in fact, passes to the House, that he would allow this bill...or leave this bill on 2nd reading until such time that the city...had an opportunity to resolve the problem itself, because they've shown a commitment and a willingness to do so. And for that reason, I would ask for a No vote on this bill.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

Has this thing been amended in any way to take out the provision that the Commerce Commission would be responsible for this activity?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The amendment provides that the Commerce Commission shall set minimum qualifications for a person before he will be certified as being eligible to operate a cab.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, as I recall the bill from committee, the Commerce Commission is the one that really was going to be responsible here for this activity. It passed from the city to the Commerce Commission. I really don't know that we want to place the Illinois Commerce Commission in the business of regulating taxicabs in any city...regardless of whether Chicago or really anywhere in the State of Illinois. There are some functions, I think, that correctly belong at the local level, and I think maybe I share your frustration although I don't have to ride taxicabs, obviously, in the City of Chicago on a daily basis; but to suddenly say that we're going to reverse this procedure and we're going to shift this away from Chicago and shift it to the State level, I...I certainly question as to whether or not we want to put our Illinois Commerce Commission in that kind of a position. Furthermore, I think there would be a cost to the State to...to do something of this kind. Our staff analysis has indicated it might be anywhere from a quarter to a half a million dollars to get involved in this process. I think even though perhaps it's not functioning well in Chicago, I don't think we want to shift it here to Springfield.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank...thank you, Mr. President. I would have gladly voted for this bill five years ago, ten years ago, Senator. I think it's rather untimely at this stage. I think that the...the present administration has some notions about the problem and I think the present administration is about to make some moves. I think we ought to give it a chance to do that. If the State gets into the business of regulating taxicabs in the City of Chicago, the State might as well get in...in the...position of regulating...taxicabs all over the State of Illinois. If that were the bill, I might even consider voting for it. But under the present circumstances, I think this is untimely. Why don't we just hold it a bit?

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, I stand in support of Senator Joyce's bill because it seems quite apparent...and especially those of us who use taxicabs in the city and can see at first hand that the problem exists, and not only does it exist, it would seem that the City of Chicago really can't handle this problem. So I think we're doing them a favor by...with Senator Joyce's bill to maybe help them out on this. I think it's a very good idea.

PRESIDENT:

All right. With leave of the Body, Mr. Thomas Selly from the Chicago Tribune has requested permission to photograph the proceedings. Is leave granted? Leave is granted. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill. It's very, very

strange that all of a sudden now we come up to where we want to change from the city and give it to the Commerce Commission. We're not too happy with the Commerce Commission now, that's why there's been a bill floating around here to make them elected. The Commerce Commission...and to put more additional things on them when we see that all of us have had some problems with the Commerce Commission, I don't understand why you would come at this time to try to put the State in more business of trying to take care of regulating taxicabs. It's a wrong move and I don't care what you say, that if you're going to do something like that, the next thing you'll want to do, you'll want to have it operating over the entire State. I think this bill...if you can...with it, I think it ought to be defeated.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor...Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Weaver.

SENATOR WEAVER:

Senator Joyce, is it not true that those who are regulated by the Commerce Commission pay for the operation of the Commerce Commission? And I would presume that if the Commerce Commission were going to regulate taxicabs, the taxicab owners would be assessed a fee for that regulation?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That is correct.

PRESIDENT:

Further discussion? Senator Jones. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have a question for the

sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Joyce, our staff analysis here says that the City of Chicago issues four thousand six hundred taxicab medallions which are necessary to operate a cab in the city. Now twenty-one hundred are given to the...are being controlled by the Yellow Cab Company, twenty-one ninety-three are being controlled by the Checker Cab Company and one hundred are given to the Flash Cab Company. That leaves two hundred and seven medallions for independents, is that correct?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yeah...well, I don't know if that's exactly correct, but those are the people...those...that remaining number that is not controlled by Checker and Yellow, those are the operators that we are concerned about when I talked about my conversations with Senator Smith.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

But is that true that the Yellow...Cab Company controls twenty-one ninety-three and Checker or...twenty-one hundred and...Checker Cab Company controls twenty-one hundred and ninety-three of those medallions?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Approximately four thousand are controlled by Checker and Yellow.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, in that case, I stand in strong support of this bill and urge an Aye vote.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

...thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES:

Senator Joyce, in transferring this power to the Commerce Commission, will you...will this legislation prohibit the City of Chicago from levying a tax on the operators of cabs?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The city could still license...and...in the sense of licensing, they can assess a fee that is...closely related to the cost of licensing.

PRESIDENT:

Senator Jones.

SENATOR JONES:

But, I mean, does the city have the power to levy a tax per se?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I...I don't believe...I don't believe the...I don't believe this legislation precludes the city from levying a tax.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, could you tell the Body how much revenue would this

cost the City of Chicago? I know at many of the major hotels in the city that is not only used by residents of the City of Chicago but from people from throughout the State and throughout the...the country, and I know they have certain parking privileges for taxicabs and et cetera wherein the city does levy a tax. So, could you tell us how much revenue the city will lose if this legislation pass?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This legislation does not contemplate any diminishment in the present revenues that the city is receiving...from taxi-cab operators.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, in...in response and to the members of the Body, looking at staff analysis, and I assume that is correct, that this measure transfers the power to operate, to license and tax and regulate taxicabs in...in...in...in the City of Chicago. So if all that power is shifted away from the local units of government to the State and you don't know...you can't tell us how much revenue it's going to cost the city, because the city will still, I presume, want to have those cabs available at the various hotels and convention centers in the City of Chicago and they have a special...no parking and...and taxicab zones for cabs which they levy a tax to the...the cab operators for, so,...this is a preemption of home rule, Mr. President, I wonder how many votes it'll take to be...be required to pass this legislation?

PRESIDENT:

The Chair is prepared to make that ruling. As a matter of fact, it is preemptive and it...will require an extraordinary majority, it will require thirty-six affirmative

votes. Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President, I'd like to ask the sponsor a question, if I might.

PRESIDENT:

Sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

Our analysis refers to...and I think you did in...in your opening remarks, about cabdrivers that have no geographic knowledge and have limited amount of speaking English...speaking vocabulary. How will your bill affect that in regard to getting more cabdrivers that have a...more knowledge of what's going on in the area?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

There would be some...I...I would assume that the...that the Commerce Commission would set up some type of a screening operation, and that probably could be done through an application indicating the person's familiarity with the...with the city either by background or by acquired knowledge.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I think that's an excellent idea. Last week I was in Chicago and I had a nice tour of O'Hare Airport as we went around and around and around and the meter kept ticking and ticking and ticking as this guy was trying to find Butler Aviation Center, and they had no idea where it was and...and limited knowledge of the language, and I think if this has got any impact on that, that's an excellent idea, and I think this is...deserves support.

PRESIDENT:

Any further discussion? Further discussion? Senator

Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I tried to resist from talking because I've got a bad cold, but this is something that is touching into the area where I live and where I represent. The speakers from the other side have quoted their favor about the persons who are driving cabs and who are not eloquent in the English language and sometimes they do not know their geographic location, and this is a hindrance...because I've been a...a product of that too myself. But there is a stipulation to me that's a little bit deeper than that for I represent people who have cabs on the south side of the City of Chicago. They do not maintain the membership like the Yellow Cab of twenty-seven thousand...twenty...twenty-seven hundred and the Checker Cab about fifteen hundred which totals about almost three thousand cabs or more. But they are people whose livelihood is predicated upon the two or three cabs that they own or association that has a hundred cabs but each of the drivers own the cab themselves and use their medallion and this is their livelihood. And I'm fighting for those people, those people have a right to an existence, they have a right to make a living as well as these large cab companies who have a monopoly. The insurance on these people would be tyrant, and...and they would take a cap off and anybody could open up and have a cab. This would result in prostitution, in gambling and a lot of undercover things; and so I'm asking that you do not pass this bill, that you think in terms of the whole rather than in just...in the...the very few. And so I'm asking you, please, do not pass this bill, 1873, leave this to the City of Chicago, let them pass out the medallions, let the people pay to the City of Chicago rather than to our State. You're talking about you don't have this in the State and the State can't do this and the State can't

do that. Let the State take care of the State and let the cities take care of their own selves. And I think you to please vote against this bill.

PRESIDENT:

Any further discussion? Is there further discussion? Senator Joyce, you wish to close?

SENATOR JEREMIAH JOYCE:

Very briefly,...Senator Smith, as I...as we've talked, I share your concern, I have represented to you that...this bill if it makes it on its way through the House, we will find an amendment to deal with that problem. I have come before the Senate and I have said that I am amenable to any amendment which will make this legislation better. We are trying to get at a problem that is perverse and a problem that has gone on for ten years; and yes, Senator Newhouse, five years ago or four years ago or seven years ago or whatever, you know, it was not dealt with, it should have been. We can deal with it today and I ask for your support.

PRESIDENT:

The question is, shall Senate Bill 1873 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 14, 2 voting Present. Senate Bill 1873 having received the required constitutional majority is declared passed. 1875, Senator Rupp. Senator Karpiel, for what purpose do you seek recognition?

SENATOR KARPIEL:

Thank you, Mr. President, on a point of personal privilege.

PRESIDENT:

Yes, state your point. Senator Karpiel.

SENATOR KARPIEL:

I would like to introduce the Winfield Middle School from Winfield, Illinois. They're in the gallery up there, they're constituents of mine, and they're accompanied by Joe McHaley and various other chaperones. Please give them a good Senate welcome.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield. On the Order of Senate Bills 3rd Reading is Senate...Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

I think it is absolutely appropriate that we welcome back to the Senate Chambers one of our former colleagues, Senator Bill...Wild Bill Morris, former Senate member, former Mayor of Waukegan and now a LaSalle Street you know what. We're delighted to have him back.

PRESIDENT:

Welcome back, Mr. Mayor...Senator. On the Order of Senate Bills 3rd Reading, the middle of page 10, is Senate Bill 1875. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1875.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President...In no way is this bill an effort to curb or in any way restrict the excellent record and development that has come about in these crimestopper programs. It's an effort to aid and help foster. And what we're doing is permitting judges in their...judgment as part of a defendant's sentence to require reimbursement to a certified local crimestopper's program for any reward that was paid out in connection with the defendant's crime. There

will have to be a certification, there is...was an amendment to...to do that in order to set up the necessary administrative...arrangement. And that, actually, as I indicated,...crimestoppers has been helpful, we do want to encourage it, we feel this bill will do it.

PRESIDENT:

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I hate to rise and speak against a...adjacent Senator's bill, but this, on the face of what he says, sounds great. But all the crimestopper activity, the president, the board of directors and members, the chief of police, those in my area which composes a very active crimestopper, we...from this program on a volunteer basis, the individuals within this Sangamon and Menard County have donated the money which has funded this which has made available. We have solved numerous serious crimes including two murders and one individual who had been an escaped felon for over twelve years that was identified and arrested through this crimestopper program. And they all...all are opposed to trying to put State Government...or put the judge to levy something for...to make someone pay back at all. They want to leave it as it has been, and as we have said in the past, we don't want State Government any more involved or large...necessary. This is a program that is working very, very well on a voluntary basis, and I urge all of you to vote against it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rupp may close.

SENATOR RUPP:

Thank you, Mr...thank...thank you, Mr. President. As much as I hate to oppose a...a member of this Body and adjacent to, we have had some input. The Department of State

Police gave us the amendment. We're not in any way, as I said, attempting to hurt, we're attempting to help. One of the problems that they've talked to me about is the funding of it. This is an attempt to help with that, there's nothing compulsory, we have asked for no changes in their operation. It's just an attempt to help, and I think that the Senator in his remarks has been a little bit...failed to probably get the right approach to this problem. I ask for a...a Yes vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1875 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 4, two voting Present. Senate Bill 1875 having received the...required constitutional majority is declared passed. Senate Bill 1910, Senator Weaver. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1910.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This is a shell bill on horse racing, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1910 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1910

having received the constitutional majority is declared passed. Senate Bill 1912, Senator Netsch. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1912.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is, indeed, a bill which would impose a State level tax on all of the tobacco products which are not currently taxed. As most of you know, we already impose a very heavy tax at the State level and, as a matter of fact, at the local level in many areas on cigarettes. We do not tax cigars, chewing tobacco, snuff and other such tobacco products at all. We did attempt to do that in 1969, that particular law was invalidated. For some reason it was not appealed and we have not gone back to try to do it again. My basic reason for introducing the bill is one of fairness. It seems to me that if we are, indeed, going to tax cigarettes as heavily as we do, and I am all for that, by the way, that we should impose something comparable on the other forms of tobacco. This bill achieves that result. It is different in its incidence, it is imposed at the distributor level, that was at the request of the Illinois Department of Revenue because it makes their administration and enforcement much easier. Indeed, the whole enforcement mechanism really was drafted for me at my request by the Department of Revenue. The bill in its present form meets the one valid...or potentially valid constitutional objection that was recorded in the 1969 Circuit Court Opinion, which in every other respect was a dreadful opinion, but we have met that by producing a result that...that does result in uniform

taxation, so that is...no longer a problem. The enforcement mechanism, as I said, was proposed by the Department of Revenue and it satisfies their concerns. There are twenty...I think it's twenty-five other states which impose a tax on other tobacco products including Wisconsin which imposes virtually the...the identical tax that is involved here. I think there is no question that it is a legitimate source of revenue and it certainly evens up the taxing structure of the State. The amendment that was added after the bill was introduced provides to the section that says that the tax money will go into the General Revenue Fund, that after it goes into that fund sixty percent of it will be transferred out to the Domestic Violence Shelter Fund. That was done at the request of those who represent the domestic shelter programs. They have been told over and over again, unjustly so, I suspect, but nevertheless been told, that they need to show a revenue stream, a guaranteed source of revenue. They have had two prior ones invalidated, the divorce fee and the marriage license tax, this is the only thing that they saw available to help provide a source of revenue. I make no suggestion that there is any connection between a tax on tobacco products and domestic violence, if I worked hard enough, I might be able to think one up, but that is not the suggestion at all. It meets only their request that they be able to satisfy the administration and others in the appropriation's process that they provide a source of revenue for their programs. I think most of you know the importance of those programs, almost all of you have shelters in your districts. They are extremely effective and there is a very crying need for more of them. This would help to meet that concern also. I would be happy to answer questions. I would strongly urge...and then let's be sort of blunt about it...I realize nobody wants to vote for a tax increase this time. It seems to me that this is the one that all of you

can in good conscience vote for for two reasons. One is that among most of our constituents I think you will find that they...the constant cry is, why don't you tax tobacco more? That is the source of...that ought to be the source of revenue for the State. This, in part, meets that concern. The other thing is that we do already tax the other major use of tobacco, and it seems to me absolutely fair that we impose something comparable on the noncigarette tobacco, that is what this bill accomplishes also. I genuinely believe it is the one tax that...that all of us can support without any retribution, indeed, in many cases, congratulations from our constituents.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What I would like is some...maybe a...a more firm statement or something. The folks who have come to me...we don't...we don't have any question about the needs and the desires and the...the things we should do in the domestic violence area, but I...I wonder as to whether or not these folks have not been...told either maybe not written guarantee but the inference is that this is going to give them additional money if this passes. I don't believe that's automatic, but that's the impression that some of them give me. I still think this money is going to have to go through our appropriation process, and...this was compared to me about the arrangement we had on passing the lottery. We told educators that they were going to get the first, what, forty million dollars? Well, that's great, except when we finally got into it, we might have given them that forty million dollars but we looped...lopped off forty million dollars on the other end. The other thing that I've had, folks come to me, some in education, and they also are looking for some help and some additional dollars in edu-

cation through this same tax. And I just wish that there would be some way that we could...oh, if we're going to fund these things, let's fund them and let's not bother to tie it with something else. I think that's a...a false way to get the money. If we put the tax on, put the tax on and then leave open the...the way we're going to put the money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I voted for this bill as a member of the Revenue Committee and I intend to support it again on the Floor here, and I'd like to explain my reasons why. First of all, this particular bill was a recommendation of the 1982 Governor's Task Force on Tax Reform. Secondly, I...I think that Senator Netsch has made a good point. I send out my questionnaires to constituents every year and I'm always amazed when I ask that question about what taxes would you encourage me to vote for, and when I get to the cigarette and the liquor tax, it's always somewhere in the neighborhood of sixty-five to seventy-five percent of the folks who want me to vote for increased taxes in that area. In this particular case, I don't think it really even qualifies as a tax increase or I'm not even so sure I would call it a new tax as much as it is an extension on a tax that is already imposed. Every time city...the tobacco manufactures and distributors argue in this General Assembly against some kind of limitation on their business or on their products, they always point out, rightly so, that the tax on cigarettes goes into the General Revenue Fund and then it is used for Medicaid or whatever other health problems occur for our constituents as a result of using these products. Well, the fact is, there is no tax on cigars and pipe tobacco and chewing tobacco and, therefore, there is no contribution from the tobacco industry into that General

Revenue Fund which takes care of those people which later develop the obvious health problems. There's one other issue that I think is important here if I can single out just one of the products that we're attempting to extend this tax to and that's chewing tobacco. That has become, as you all know, a big fad today among our young people. Probably because of some local sports heroes who like to run around with a lump in the side of their jaw, that's become fashionable. Just the other day my kid, who's on a baseball and...and football team, came home from high school to tell me that this particular proposal actually came up in the locker room of his high school. You know, it's interesting, but we know that our taxes that we impose on people here in this State serve not only as revenue raisers, they serve as symbols. They serve as symbols of the values we wish to share and impose on our constituents. I think what we want to do here is to send a message, a message to our young people that we really don't place a very high premium on the use of these products. We already send that message as far as cigarette use is concerned. Why wouldn't we want to extend that message to a real problem area, young people using this stuff which eventually causes serious health problems? And lastly, of course, it is a revenue raiser, at least five to ten million dollars, whatever it is. Aside from what it's going to do for the Domestic Violence Fund, I suggest to you that the way we spend in the last few days of this Session, we're going to need those dollars just to balance the budget, and this is a very good way to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may...Senator Karpiel.

SENATOR KARPIEL:

Well, thank...thank you, Mr. President. I've been kind of agonizing on this bill because I know that the domestic

violence shelters...do need funding, but, frankly, I don't quite understand the whole genesis of this bill. First of all, we start out with a tax increase bill, or...or a tax extension, as my colleague says, or...tax equity or whatever you want to call it, and then we decided in an amendment to...to fund the domestic violence shelters with sixty percent of the revenue raised from this tax. I, frankly, as a member of the advisory...board of a domestic violence shelter, having been very close to the...this...these shelters and this issue for many years, don't like to see the domestic violence shelters constantly be the poor stepchild. If we can appropriate millions of dollars for an arts council, which of course is...a very good thing to have but certainly I don't think in quite the same way that a domestic shelter is; if we can appropriate money for teenage pregnancy...programs, Parents Too Soon, we have all kinds of programs and services in this State that we appropriate money for without having to constantly try to find some kind of a revenue source and then later find it unconstitutional I think next year we should just put money in the budget for this, maybe shift a few things around and cut out some other monies and we don't need to raise taxes to do it, we should still find money for domestic violence shelters.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President, I think we ought to call it the Jesse Helms tax. Every time an agriculture budget comes up in...in the United States Senate, he manages to kill it but keeps the tobacco allotments in...in place. So we ought to just tax this and call it...name it...for Jesse Helms.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR GEO-KARIS:

Isn't this bill essentially the same as that of a bill that was...enacted in 1969 and it was held unconstitutional in Cook County? In...in the courts of Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

It started out that way. The changes that were put on by amendment at the...at my request, the Department of Revenue rewrote the...incidence of the tax and the administrative and enforcement provisions, they dramatically changed the only valid constitutional point I could find in the 1969 decision, which was a lack of uniformity in the incidence of the tax. That has been corrected by the amendments that were put on the bill several days ago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

But still, are you not taxing interstate commerce?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, we're not taxing interstate commerce, we are taxing products which move in interstate commerce, but so do cigarettes, so does virtually everything else that's subject to the sales tax in the State of Illinois. So that there is no direct burdensome tax on interstate commerce. It is no different from the tax that is imposed on almost any other product that crosses the State lines, and I would just add to that to confirm it that as I indicated there are twenty-two

other states which have a tax the incidence of which is virtually identical to this one, that is, at the distributor level and not one of them has been invalidated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, I have a legal opinion here that indicates that the...the tax can be a different amount depending upon whether the person who brings the product into Illinois sells it at...at wholesale or at retail. And if it is sold at retail, the tax is twenty percent of the cost to the person who pays the tax; that is, the importer pays twenty percent of the cost of the product. If the importer wholesales a product to a job or a retailer, the tax is twenty percent of what the job or retailer pays to the wholesaler. Now, if that is true, where are we at?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Senator Geo-Karis, that's what I was just explaining a few moments ago. The bill in '69 and the earliest version of this one did have that potential problem. That has been changed. The tax now falls on the manufacturer's list price. We have eliminated the language and the provisions which at least potentially allowed a different level of taxation depending on the system of distribution. This is all gone now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I want to respond directly to Senator Karpiel, because one of the major concerns that we ought to have if...if it's not, indeed, shared is that the funds for the

activities of the domestic violence shelters are absolutely essential. Now, we have tried two different taxes or fees, if you will, both of which have been found to be unconstitutional, unfortunately. The fact is, this is the only tax bill in town. This is,...as the sponsor indicated, taxing or bridging the gap or closing a loophole or whatever you want to call it; and when she put the amendment on to earmark sixty percent of the proceeds for the domestic violence program, I, for one, signed up, because...I want everybody to be aware that one way or another there's going to be money for that program, and we simply have to agree that it's absolutely essential, and if, indeed, we can't earmark new revenue, we're going to have to eat into the old revenue and rearrange some priorities. So, I would urge the members to carefully take a look and vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch may close.

SENATOR NETSCH:

It is the closing of a loophole, it is a matter of tax fairness, it helps to fund a program that we all are strongly committed to. Let's snuff out domestic violence and vote Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1912 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 25, 6 voting Present. Senate Bill 1912 having failed to receive a constitutional majority is declared lost. Senate Bill 1913, Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1913.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Senate Bill 1913 is the bill that is designed to put into place a mechanism for reviewing the whole list of health care professions and the social work profession, all of which are scheduled to sunset next year. It follows the same pattern as the Joint Committee on Public Utility Regulation with all of the members, both legislative and public appointed by the leadership. It has specific reporting dates and it has an expiration date, that is, a sunset date of its own, so that its sole purpose is to undertake a responsibility which is already in the Statute Books that requires the Legislature to look again at the long list of health care professions and decide whether they should be continued, modified or whatever, and if we do not undertake that responsibility, all of the licensing of those professions expires at the end of 1987. This would provide the mechanism for the review of those; as I say, it's similar to what we have done since we abolished the Sunset Commission several years ago. Be happy to answer questions and would solicit your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

If I may ask a question of the sponsor. Is...is this covered in law now or is this something new, I honestly don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...the answer is both yes and no, Senator Topinka, let me explain why. The law currently is on the books that requires all of these professions to sunset at the end of

1987. There also is still on the Statute Books the basic responsibilities of first the Executive Branch and then the Legislative Branch to make recommendations as to whether or not they should be continued, modified or allowed to expire. All of that basic sunset law, if you will, still is on the Statute Books. What we did a couple of years ago when we were in a frenzy of abolishing commissions, we suddenly abolished the Sunset Commission which was our legislative agency for doing that review for us, so that we have the responsibility on the Statutes but we do not have the mechanism. That is why last Session we created a special joint committee on public utility...regulation which was the...really the substitute for sunset.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

So, if that's the case, on every issue that comes up then, one of these will have to be created, to take the place of what the commission used to do as a...as an umbrella?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

We have two choices, either for those that are still on the sunset schedule, and of course all the health care professions are still on the sunset schedule, we would have to do a temporary joint committee, like the one that is proposed here and the one that we did on public utility regulation; or, at some point, if the Legislature decides to look into the question again, it may want to reestablish a permanent committee to carry out that function because it is a statutory responsibility that we have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

So then the answer to that last question is, for every area of endeavor, for instance, like utilities, now health, and something else down the road, we will have to create one of these to make it work?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Only if it's scheduled for sunset, yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Netsch...may close. Senator...the question is, shall Senate Bill 1913 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 4, none voting Present. Senate Bill 1913 having received the constitutional majority is declared passed. Senate Bill 1915, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1915.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Janice Stewart of Channel 20 requests permission to tape the proceedings. Is there objection? Hearing no objection, permission is granted. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senate Bill 1915 as amended would allow for the above-ground storage of diesel fuel...in...in this State. Currently, there is a farm exemption and this would extend that exemption to diesel fuel for the...small trucking companies and...and...and businesses of...of that kind. I have further agreed that when this bill reaches the House, if it's successful here, that we will put

a limit on the size of the tank of twenty-five hundred gallons.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1915 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1915 having received the constitutional majority is declared passed. Senate Bill 1917, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1917.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1917 is nothing more nor less than a clean-up bill. Currently, if the Speaker and I call a Special Session, there is a procedure established whereby the Secretary of State notifies all the members of the time and...and date of the Special Session. When the Governor, however, calls one, there is currently nothing in the law that suggests how we are to be notified. Now the fact is, in the past, the Governor has been kind enough to send telegrams, make phone calls. All this says is that...the Secretary of State upon notification from the Governor that he is calling a Special Session shall take whatever reasonable steps are necessary. I know of no objection, and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? The question is, shall Senate Bill

SB 1921
3rd Reading

1917 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take...the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1917 having received the constitutional majority is declared passed. Senate Bill 1921, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1921.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1921 amends the Fox Valley Airport Authority. It basically allows Kane County by referendum to get out of...out of the Fox Valley Airport Authority. If they would decide by voter...to get out, that money would go back to the respective taxing bodies. It has three amendments, the first amendment always allows Kane County to have a representative on the airport authority board even if they do opt out. Second amendment was...strictly...technical, and the third amendment, we'll call the Senator Etheredge amendment for lack of a better description, and at the request of the three mayors on the other side of the river, they would like to...if they do opt out, they would want that money that is returned to the respective taxing bodies to be earmarked for highways, roads and bridges. I have no objections to that. I'd be happy to answer any questions and hope for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1921 pass. Those in favor will vote Aye. Those

opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 1 voting Present. Senate Bill 1921 having received the constitutional majority is declared passed. Senate Bill 1925, Senator Zito. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1925.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 1925 as amended now strengthens local siting approval laws as reflected in Senate Bill 172 of 1981 in Chapter 111 1/2 of the Illinois State Statutes regarding hazardous waste sites. Senate Bill 1925 had three, I think, substantial changes. The first would prohibit the establishment of any new hazardous waste treatment facility within one thousand feet of property for residential use. The second, it voids local governmental approval plans for...regional pollution control facility that are substantially changed after approval. And three, it allows a third-party appeal for a permit granted to develop or operate solid waste facility for municipal or special waste. We have worked on Senate Bill 1925, as...well you know, when we talked about it on 2nd reading. It started out extremely tough on hazardous waste sites and landfills and toxic waste sites to...be able to go around local siting. And so we thought that as long as Chapter 111 1/2 was there that we'd add several other provisions, and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I rise in support of this bill. I think that Senator Zito is to be commended for some pretty good negotiations. We've been able to...amend the bill, I think, to make it a much more reasonable document. And my impression is that we've pretty well eliminated the opposition with the possible exception of some of the waste management people who don't want anything under any circumstances at any time, and I guess that's understandable from their point of view. The simple fact of the matter is that the landfills in the State, most of them, the old ones were poorly designed, poorly located, and are being phased out fairly quickly. And that most of us are going to see landfill applications in our area almost regardless of where we live. And we need to see that those landfills are properly located, that there is local...input, local concerns can be expressed and that the people have a right to be protected against the imposition of a landfill which is...forever in their areas unless it's in an appropriate fashion and an appropriate location. I think this is a good bill, I think it's a good compromise and it merits the support of all of us.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Yes, Senator, for the record, when this bill first started out it...it had about twenty or thirty different areas of which you were...had made some substantial changes. And I'd like to know...you said that most of the people had...had agreed to the provisions in this bill. But I...I have a lot of amendments here, and...and due to all of the

confusion, but for the record, it was my understanding in talking with you that this bill dealt primarily with hazardous waste. For you to just...articulate briefly just those points that's covered in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, thank you, Mr. President. I think I articulated those points when I opened. The three substantial changes it makes, and I'll go through it again. Number one, it would prohibit the establishment of any new hazardous waste treatment facility within one thousand feet of property zoned for residential use, that adds to Chapter 111 1/2. It also voids local governmental approval of plans for regional pollution control facility that are substantially changed after approval. We've changed the word from "significantly" to "substantially," that's the change we've made there. And number three, it allows...allows for a third-party appeal of a permit granted to develop or operate a solid waste facility for municipal or special waste. Currently, only the granting of permits for hazardous waste disposal facilities may be appealed. So, those are the three substantial changes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Does...have you...does the local municipalities, have they taken away their objections to the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, if...if you're speaking in terms of the Illinois Municipal League, they have; but with Amendment No. 3, they worked diligently in negotiations and I think now the Illinois Municipal...Municipal League is not in opposition. I'm

not so sure they ever were.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, I...I rise in opposition to the bill simply because there still exists a lot of confusion about what's in it. And I...I think if people don't understand what's in the bill, then they ought to be given the opportunity when we're talking about local units of government...when you talk about disposing of waste, I think all of us have a responsibility and all of us are committed and care about making sure that whatever we do that we protect the...the safety and well-being of the citizens of the State of Illinois. But in addition to that, we have to also be concerned about the cost and what are we going to do with the waste...and who's going to bear that responsibility. And so, for that reason, I feel that local government should have broad input into whatever we going to do...and...and it's my understanding that...at this point that that input has not taken place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

I'd like to just get a little further into the third-party aspect...can...can you define a third party, is it...can it come from anywhere in the State or anywhere...in the appeal...on who can appeal?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Senator, I'm looking for the exact language. It's my understanding that it can only come from that area and I'll give you the definition of that area in a second.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Let me read to you the language, it appears on page 38 of the bill. "A third party other than permit applicant or agency may petition the board within thirty-five days for a hearing to contest the issuance of the permit."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

So, what you're saying, it can be from anywhere?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Unless the board determines that such petition is...frivolous or that the petitioner is so located as to not be affected by the permitted facility.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator...oh, Senator Donahue.

SENATOR DONAHUE:

So, if...if they decide that this person has no...the landfill has no affect on them or the site has no affect, that it wouldn't be...they're not...they're frivolous, okay, defined as frivolous. Okay? He's shaking his head yes, all right. One other question, is it...prospective in nature as far as the landfills, it doesn't affect any landfills that are already in existence in the State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

I...I need to make that point verbally, no, it's...it's

hazardous waste facilities...sites, but it would also grandfather everybody else in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Donahue, are you through? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President...you know, I...I...I appreciate the sponsor's concern and the...I'm sure he is doing this in...in good faith. My...problem with this is...if we start doing this and saying, I don't want this thing located in my back yard or my district or my part of the world, that's fine, but stop generating waste there too then. Because what we're doing here is...is we're tricking everybody and the place where most of the waste is generated is never going to have any of it, they're never going to have to deal with it. And what I...what I think is going to happen is that we are eventually going to legislate that only the poorest county in the State with the least amount of...of revenue and knowledge...to deal with this are the ones that are going to have all of it...and that's not right. We should have legislation that is across the board for everybody and we should all have a fair share of our own garbage and our own hazardous waste. This is not doing that, this is saying that Cook and the collar counties won't ever have to have any. And sure, it's hazardous waste this time but you're going to find out how easy this is, so we'll make it garbage next time. And you can pass it 'cause you probably got the votes. If you all gang up on the rest of the State and then we can all gang up on...everybody else and...and the people with the least ability to...to deal with this are going to be stuck with it, and that's just not fair. The Governor has a task force that has come up with some recommendations that I think are...are going to be very good. They're going to have everyone paying for the waste they generate and it's going to be much more equitable than...than this way. I appreciate the sponsor's

concern about his district and...and we all have that concern, but...but let's not get into this game of...of saying, well, you know,...we've got the votes and we can push it off on somebody else, 'cause on the next issue, you know, you won't have the votes and we'll push something else off onto you. So I don't think this is the...the right kind of legislation for us to be...to be dealing with, and I'd appreciate a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. A question...of the Chair. Since it appears that much of this is going to start telling local communities just what they are supposed to do, I'd like a ruling from the Chair as to how many votes this is going to take and whether there is any preemption in it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We'll get that for you in a minute while we have other questions to be answered. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. As I said yesterday when I had my own amendment to this bill that failed, this bill is going to result in a transfer of...of waste...hazardous waste from one county to downstate. This is creating, apparently, a corridor of opportunity that we don't really need downstate, and I, too, would urge an Aye...a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, I apologize for rising a second time, but as I understand this legislation, there is nothing that forces downstate Illinois to accept this waste. Am I right on that, Senator Zito? So we...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Zito.

SENATOR ZITO:

Absolutely.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

So we, in downstate, still can accept or reject whatever we want to take, and it...it could be presenting a problem for the collar counties rather than resolving a problem for the collar counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Senator, you're absolutely correct. I...I fail to understand what the comments are about this being a Cook County bill. It's apparent that Cook County for the most part is opposed to this. And now we have downstaters too that I think are misinformed that are indicating that it is a Cook County bill to push all the waste downstate, it's not that at all. What it says, Senator Donahue, is what you have said that locals should be given the right whether to accept or reject hazardous waste facilities. Now, if we stand firmly...and...behind Senate Bill 172 of 1981, in Chapter 111 1/2 of the Illinois State Statutes now, that says locals should have a right, locals should have input to accepting a hazardous waste facility or not, regardless of where it is in the State of Illinois, then I think you can support this legislation. But if you're under some other interpretation of what Senate Bill 1925 does, then I...I think you're misinformed and misconstrued.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. I also want to voice my voice of concern in this area. I believe that we fund the Pollution Control Board to address this problem...very serious problem and evaluate and make a recommendation and really to take a vote on situations as serious as this. We've given them certain instructions, recommendations, advice, and now we're saying, we have the expertise, we'll totally disregard the Pollution Control Board and their...review authority. This matter has not been reviewed by the Pollution Control Board, it should be, that's their domain and these are the people that we're looking to to make this type of a decision. I don't believe this prolongs in our responsibility without the recommendation from the Pollution Control Board, and for that reason, I'm going to be voting No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I just wanted to say a couple of things, one to the previous speaker. As we have moved through these Pollution Control Board hearings, we have discovered some problems in the law. We...discovered some areas where the public interest was not addressed by the current law. That is what this bill as amended attempts to do. And to the downstate argument that somehow because we don't have a lot of agricultural zoning and everything is supposedly zoned residential in our area that that somehow forces stuff into the downstate areas, let me suggest to you, my district...well over two thirds of my district is still zoned agriculture. And the last five applications for...garbage dumps, whatever you want to call them, have been in agricultural areas. That particular argument is totally invalid in the collar counties. That is not the...the...believe me, the...the landfill operators may not be brilliant but they aren't totally stupid, they aren't trying to put landfills in residential neighborhoods. They

may be trying to put them too close to residential neighborhoods but they aren't stupid enough to come into an area that's zoned R. They're still out in the area and most of the collar counties there are plenty of spots, whether they're the right spots, but zoning-wise they're still there, and even in Cook County there's still plenty of spots located. So I think that argument is specious. I don't know what that agenda is but it is not based in fact, and I think the bill as amended is a solid responsible response to the problems that all of our constituencies have had or will have in the next few years when the landfill questions pop up in your districts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

END OF REEL

REEL #5

SENATOR SOMMER:

Just a question, if you will yield. How does this affect nonhazardous waste operations particularly garbage dumps?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Zito.

SENATOR ZITO:

Senator, I think only in third-party appeal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

All of the provisions that were currently...or previously in there concerning duration of care after it was closed and all that, all of that is gone, correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

For the second time now, we have Senator Collins and Senator Welch. Senator Welch.

SENATOR WELCH:

I'd just like to answer two points brought up by speakers on the other side who spoke twice. The statement that you have zoning in some collar counties that isn't all residential is true. The point to be made about that zoning is this; downstate, most of the counties don't have zoning, the county boards do not intend to enact zoning whether it be to keep out...hazardous waste dumps or not. Your county board would have an easier time of going out and zoning residential with the opportunity of the Zoning Board of Appeals to change that back in the future to agriculture or any other use than what ours since we don't have zoning to begin with...Senator Donahue also brought up the question, how does this...what affect does this have on counties refusing to accept these

dumps? The...the...the effect it has is this, Senate Bill 172 remains intact. What this bill does is put in another barrier that applies only to those counties that have zoning, so that if a person wants to locate a dump, he's going to have to face Senate Bill 172 and local siting requirements wherever he goes. However, each county is going to have to fight that dump on an individual basis. So, as Senator Jerry Joyce said, the...the counties that don't have very much revenue and can't afford to hire an attorney who is a specialist, a county...like Putnam County that has a...a state's attorney who is part-time, he can't mount a large enough objection to a major landfill coming into the county when they try to locate a site. So the extra barrier put in is what makes it more likely that the...hazardous waste sites will be located downstate than in the collar counties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. Further discussion? If not, the ruling from the Chair is...Senator Rupp. Senator Rupp. Senator Rupp had sought the ruling from the Chair. For your information, Senator Rupp, this bill does not deny or limit home rule authority. Local siting authority now exists and nothing in the bill curtails it; thus, the Senate Bill 1925 is not preemptive and will require only thirty affirmative votes for passage. Senator Zito may close.

SENATOR ZITO:

Thank you, Mr. President. I'll be as brief as I can but I have shared the concerns of Senator Joyce and Senator Welch. I'm afraid that Senate Bill 1925 though still as...as...as amended still contains a local siting provision under Senate Bill 172, the process that requires any new landfill be consistent with any local plans. We're not changing any of that. We're not saying with Senate Bill 1925 that now poor counties will have more landfills, will have more hazardous waste sites. Those poor counties had a prob-

lem...have a problem now, they had it before 1925 and they may still have it after. What we're saying is that we want to have more control locally on what happens in this State and not have the State EPA or the Pollution Control Board, as Senator Lechowicz has said, but we want to work with those but we want locals to have input to that process. I've introduced this bill and worked with people from Jefferson County, St. Clair County, Will County, McHenry and, obviously, Cook, because in my home town, in the Village of Melrose Park, we had this problem several months ago and we still have it today where a company from West Germany decided that they were going to come into Melrose Park without ever talking to any of the locals. We've got to stop that in Illinois; we've got to stop it, yes, in all one hundred and two counties and we've got to stop it in every municipality that does not want...does not want to accept a hazardous waste facility. I ask for your vote on Senate Bill 1925. It's been a long effort of compromise and we...we would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1925 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Would ask for postponed consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question, the Ayes are 25, the Nays are 27, 5 voting Present...Senator Zito has requested postponed consideration of Senate Bill 1925. Is there objection? Hearing none, his motion carries. Senate Bill 1929, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1929.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Last year, legislation was passed and signed into law that required that energy efficient hot water heaters be installed and sold in the State of Illinois after June 1st. Unfortunately, some retailers in the State have not had the opportunity to deplete their inventory and what this bill does is allow them to do so if an inventory prior to April 1st.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Is there discussion? If not, the question is, shall Senate Bill 1929 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1929 having received the constitutional majority is declared passed. Senate Bill 1930, Senator Macdonald. It's on the recall. Senate Bill 1931, Senator...no...it's...it's off the recall list. Senate Bill 1930, Senator Macdonald. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1930.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1930 amends the Intergovernmental Cooperation Act and is intending to provide the organizational and financing mechanisms which will permit

a number of cities and villages in the north and northwest Cook County to form a joint action agency to provide waste...disposal facilities for residents in the area. The bill is patterned largely after this...an Act which was passed which authorized joint action water agency for the same municipality. This legislation will enable the northwest suburban municipal joint action...consortium of northwest suburban governments. The differences between the sections in the water joint action agency and the proposed municipal joint action...water agency are minimal. This bill passed out of committee with a unanimous vote. There were some questions and I would be happy to answer any questions and, if not, I would ask for the passage of this bill. It is imparative that this bill passes because we are...of course, like every other area, we are running out of disposal sites and so we are...and we do need time...lead time to put the capital for...up for the bonding. So I would ask for your approval as you have done in the past for the joint action water agencies for the same area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1930 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present...or 1 voting Present. Senate Bill 1930 having received the constitutional majority is declared passed. Senate Bill 1931, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1931.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

S.B. 1934 3rd reading

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. As you know, we had discussion of this on 2nd reading and the amendment was defeated to put in the judges for Cook County, so it's back into its pristine form. This affects only one county, Will County, where established as a new single circuit last time around by your decision here and now we're asking that we maintain a...a number of sixteen associate judges for Will County and that's all it does. It's...the amendment was defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1931 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1931 having received the constitutional majority is declared passed. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Thank you, Mr. President. I'd just like to recognize my seatmate presently, Mr. Earl Washington, who is the valedictorian of the Earl...(machine malfunction)...the Earl School students are sitting in the gallery just behind me and I'd appreciate it if the Senate would take a moment to recognize them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. Senate Bill 1934, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1934.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Before we begin, Senator Luft and Senator...Vadalabene seek leave to be added as a cosponsor on Senate Bill 1934.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 1934 provides that no school employee shall be required to work on legal school holidays except those situations where the employee's presence is necessary because of an emergency or for continued operation of the school facility. This continued operation language, in order to...to be certain we do not have an ambiguity here and we are dealing with language that is not clear and plain, the continued operation language is meant to deal with those situations where the school is held open for nonschool purposes and maintenance people and people such as this are required to be on the premises. We're trying to get at with this...with Senate Bill 1934 those situations where secretaries, et cetera have been required to come in and work on school holidays. I'll be happy to answer any questions. There's also an amendment on this bill which provides that recruiters may have access to the addresses of seniors for the purpose of sending material to them relative to educational opportunities and for that specific reason only. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

...thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Just for legislative intent, this bill is not...is not for teachers, for instance, who are going to have band concerts nor is it for teachers who are to put on plays nor is it for coaches and that type of activity that involves other days besides school days or...or evenings or this type of thing. Could you answer that question for me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That is correct, Senator Fawell.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor. Senator, I'm not certain just...just which school employees are going to be affected by this bill. As I read it, the amendment says that teachers shall not be required to teach on Saturdays nor shall teachers or other school employees be required to work on a legal school holiday. I'm not sure who that means. I assume that it would be secretaries, administration office employees and perhaps cooks and that sort of thing, but I...the question comes into my mind if...if the office, for example, is far behind in their work and they need to...they need to work to catch up, that this bill precludes the possibility that the administration could ask them to stay and do that apparently. Is...is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

If that was not an emergency situation, then all...then...then you are correct, Senator. Teachers presently are covered by this language, holidays and Saturdays,

that is...that presently is the law. We are bring into that all other school employees and we are providing an exemption and that exemption is to...emergency situations or for the continued operation of the facility, and the continued operation embraces those situations that Senator Fawell is concerned about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Is a continued...would the continued operation and maintenance of school facilities include instances where the school is used for community activities, not really school related but outside community activities where the school facilities are rented or given to some community...unit.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

One of...one of my gripes, Senator, is that the people can't use the school buildings that they paid for. School districts sort of have a condescending attitude about making the facilities the taxpayers paid for available to them on occasion. One of the legal holidays that might fall under the purview of your Act is an Election Day. Now, an awful lot of us have schools that are used for polling places. I have a feeling, unless there's something here I don't know about, that we will be told that those schools are no longer available for polling places because we passed a law that prohibits from them requiring the janitors to be around to...be around to open the door and close the door and sweep the halls or whatever janitors do on Election Day. Are we

effectively cutting off the use of school buildings for polling places? That's my first question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

There...there is nothing in this Act that would say if the janitors in a district didn't want to work on an Election Day that was a legal school holiday that the school district would be allowed to not let us have a polling place? This won't jeopardize us in any way, shape or form?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I was not privy to all the discussions which took place between the people who put this bill together and those who initially indicated some opposition or some concern on the basis of...of some of the things that we are talking about right now. All of this was meant to come in under the term "continued operations," so that if the Boy Scouts or if the...a neighborhood group is putting on a play in the school, these types of things would not...it...it is not contemplated that these types of activities are within the language of this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Would that include the school districts that make the high school gyms available for volleyball leagues or basketball groups of...not students but other people that come in that...you know, the school districts don't like to do that,

'cause you have to unlock the door and lock the door and these people are only taxpayers anyway and it really bugs me. I don't want to be told down the road, Senator, you voted for...you guys passed the law, that's why we can't...we can't let the Cub Scouts use the building and that's why the Jaycees can have it and, you know, we keep passing these school holidays left and right, there are more and more days this is covering. None of these groups are going to be negatively impacted on then...then...who are we impacting on? What good does the bill do? What's it do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, the genesis of the bill was...those situations where it was felt that secretaries were being put on...imposed on in the sense of being told, you come on in on...even though the school...it's a school holiday, you come on in here and work anyway. Those are the situations that this legislation is...is trying to get at. So, those...the matters that you are talking about, Senator, the building...the facility being held open to the public and all that, that was the basis upon which ED-RED had some strong opposition to this. This language is supposed to deal with that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR WATSON:

Under current law, how are these people compensated that come in...on a holiday?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The teachers are compensated on an annual basis...so they don't come in on a school holiday. If you are talking about the...the secretaries, they have the annual...they have an salary, they're just not given the holiday in some...in some cases.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

You mean they're not compensated for time and a half or double time for working on a...on a holiday?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The...the matters...which were...the cases which were brought to our attention in two school districts in the State, there was no compensation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, in my district, we have some...a number of teachers as well as people who work in custodial service and all and they are not full-time employees, they're automatically off on...they...they do not get paid like the rest when...vacation or during the time that any holiday appears. Now...and I'm wondering that these people who are not there and some of them may be secretaries but they're not full-time, that if they want to work them...would this bill prevent them from being able to work on that day?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This...this bill says you cannot require them to work on school holidays.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Another thing on these record things here, what is the...the school administrators in general? I see here that they're going...there's something in here says about recruiters, that they don't have to go through the career counselors and events and all things like other people. They're allowed to be given the names of these students and they can contact them? Why couldn't...they have to follow the same procedures everybody else?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator Topinka can speak to that in a minute, but there are other...other people presently getting that information; and as I tried to make clear, it is...that information is to be given and used only for the...the purpose of providing the senior with information on career...or educational opportunities that are available, nothing more than,...maybe...Senator Topinka.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Senator Joyce, and to address Senator Hall's concern, you know, by amendment we have limited to educational opportunities. I would also point out, and I have done this through legislative research, that thirty states already have some form of this, not to mention that by congressional

intent, and I can cite you the...you know, the public Act, it dutifully notes that state...or secondary schools are asked to be in compliance with the access of armed forces recruiting personnel to secondary educational institutions on the release of data and I'll be happy to show you that. So if it would be congressional intent that this be done and this was done in 1982 and thirty states have it, what we're basically trying to achieve is educational scholarships for kids who otherwise might not be able to get to college, and I would think that in your area and my area and a lot of areas around the State that would be very helpful.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I...I have one other question and that's in line with what Senator Schaffer asked you. You are definitely sure that this will not interfere in any way because we use schools in my district...where the voting machines are located and all, that this won't prohibit these people from coming in on those days or whenever elections are set. Sometimes we have them on Saturday, sometimes we have them on Tuesdays and you are absolutely certain now that this wouldn't prohibit anything like that. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That's correct, that would come in under the definition of continued operation. The...Election Day is not a holiday within the meaning of school holidays. There are twelve holidays and Saturdays...Election Day does not fall into that definition, but if it...if it did...if it did or to deal with the elections that you have on Saturday, that would be within continued operations and this would not be applicable.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have no objection to the bill as originally it was introduced. My concern was with the addition of Senator Topinka's amendments to this bill, and if you recall, that amendment...permits military recruiters to receive the names and addresses of prospective high school graduates who have begin their final year of instruction. Nowhere do we presently have that information available. Basically, the current law provides that a record of any release of information must be made and kept as part of the student's record and subject to the access procedures outlined in the Act. Many school administrators are concerned about the release of such information. Their view is that recruiters like colleges and universities should go through school career counselors and events geared for...career days at school. Colleges and universities do not have access to such records nor do such organizations as the Peace Corps, Vista and et cetera. With Amendment No. 3, she tried to correct that but she really didn't. She said that military recruiters may...only use the names and addresses of prospective high school graduates to supply those graduates information relative to educational opportunities available through this service in the armed forces, but it does not...it does not...guarantee the safeguard of that information being retained there. What the recruiter may do with that information nor any penalties provided if it is misused is not contained in Amendment No. 3. Now maybe you don't think this is an important matter but you talk to any parent that has a student in high school and the students raise questions of them, why in the world are we getting bugged by somebody...when we've applied and made application to the selective service system as required, why are they going to be harassed by anybody else? I, for one,

don't believe that they should be. I don't believe that the safeguards are contained in Amendments 2 and 3, saying that the military recruiters, yes, you can contact them for educational purposes but you can...what...who am I going to say what he's going to do with that information after he does that? He could pass that along to anybody he wishes and there is nothing in this bill to prevent that from happening. I, for one, am going to be voting No for that reason.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, in...in partial response to Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It wasn't a question.

SENATOR TOPINKA:

I'm sorry, you want to ask me a question? No, he doesn't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce, you may close.

SENATOR JEREMIAH JOYCE:

Well, I think we have tried as...as...as...as best we could to..to meet the concerns of those people who initially voiced some problems with this legislation. Now, I...I...at...at first blush, the military thing, the idea of the names of the seniors going out and being given out names and addresses was...was of some...was of some concern to me also, but I think the way we have amended this legislation, we're talking about addresses, we are talking about only educational opportunities. I don't see any problem at all with that. I think it's...it's beneficial to a large number of students and, on that basis, I ask for your support on Senate Bill 1934.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1934 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 20, 3 voting Present. Senate Bill 1934 having received the required constitutional majority is declared passed. Senator Lechowicz, for what purpose do you arise? A verification has been requested. Will all the Senators please be in their seats. Senator Lechowicz has requested a verification. Will all the Senators be in their seats and will the Secretary read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Carroll. Chew. Collins. D'Arco. Darrow. Davidson. Degnan. Demuzio. Dunn. Fawell. Holmberg. Jeremiah Joyce. Jerome Joyce. Kelly. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Rigney. Sangmeister. Savickas. Schaffer. Smith. Topinka. Vadalabene. Weaver. Welch. Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz, do you question any of the affirmative vote?

SENATOR LECHOWICZ:

Yeah. Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Carroll on the Floor? Senator Carroll. Strike his name.

SENATOR LECHOWICZ:

Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz on the Floor? He's standing in the back of the Chamber.

SENATOR LECHOWICZ:

Kind of a fast count, so...I had a tough time following it. Senator Friedland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland. Senator Friedland voted No.

SENATOR LECHOWICZ:

That's the right vote. I have no further questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary. There are 31...Ayes, 20 Nays, 3 voting Present. Senate Bill 1934 having received the required constitutional majority is declared passed. Senate Bill 1935, Senator Lemke. Read the bill, Mr. Secretary. Senator Lemke.

SENATOR LEMKE:

This bill, I'm...I'm asking leave to have this bill put on the Calendar...held on the Calendar till next fall. This is the bill for the recodification of the Criminal Code by the Reference Bureau. I talked to President Rock and I talked...I think we all talked on this before. What we want to do is have this held till the fall so when they do the recodification we can put it on the bill and pass it and...and have no problems. So I want leave to...the bill to be held.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is leave granted? You've heard the motion. Is leave granted? Hearing no objection, leave is granted. Senate Bill 1945, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1945.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1945 as amended

simply follows the normal accounting procedures of determining depreciation for the purposes of determining capital costs on nursing homes. I urge its approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR ROCK:

All right, why now are we getting into the rate setting business?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

I thought we always were.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...then we have a difference of opinion. What...what...what is the estimated cost of this provision?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Rock, we don't have one because the department has not given us one, but the department is neutral on this; and, from what I understand, whatever the cost would be the monies are there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, our indication, at least as introduced, was sixty-two million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

The bill that was introduced, Senator Rock, was simply a vehicle bill to...to force some negotiations on this particular topic. I don't have that number as far as the bill that was introduced but the bill has been amended severely.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well,...as...my information was that the department as introduced was opposed because of the sixty-two million dollar additional cost. It's obviously unbudgeted. I'm not sure, frankly, what their opinion is now with...since Amendment No. 1 has been added, but the fact is, in...in the past, the department has opposed specific changes or limitations with respect to the rate setting process. That's why we have, I think, administrative rules and that's why we have a Joint Committee on Administrative Rules to...to let them do this kind of thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Rock, the department at this particular point is neutral. I do have to point, however...point out, however, that they have used different...methodologies in determining this and what we're saying, why don't we use the right one and that's the accounting one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I...I'm not going to stand and argue, I...I just...I...I think it's a mistake for us to get into this business of...of suggesting how the rates are set; and I'm sure that if I were the department and you were the sponsor,

I, too, would be neutral. I'm...you know, that's fair.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, I'm reading where the Department of Public Aid opposes the bill. Have they changed their...you put an amendment on that...was it changed now as...these homes are...big thing now on...on nursing homes and I'm certainly want to be sure that they're getting adequate service, adequate money to carry on the right things. Now is this and...well, who asked for this, I would like an answer. Who asked for this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, a bunch of people did but basically the nursing home operators because some of them are being reimbursed differently than...others. What we're doing here is simply saying that when you calculate depreciation for capital cost purposes, you're going to use the regular depreciation schedule.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Are you going to make it equal...throughout the entire State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, depreciation is depreciation is depreci-

ation, not only in the State of Illinois but across the country. Yes, sir.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Frankly, I rise in support for this bill and, my...my reasoning is, in the past all too often we've seen when the department decides they want to contain costs rather than come up with a rational program, they just redefine one of the parts of the formula to diminish dollars. Now, I understand budget tightening as much as anyone else but think it ought to be done on a more rational basis than that; and to the degree that this bill will eliminate that kind of a slipshod behavior, I think it probably merits our support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Geo-Karis...I mean, Senator DeAngelis may close. They all look alike. You may close.

SENATOR DeANGELIS:

After that, just a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1945 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1, none voting Present. Senate Bill 1945 having received the constitutional majority is declared passed. Senate Bill 1946, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1946.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1946 as amended and the two Floor amendments are in fact the bill does the following. Under the Nursing Home Act, it makes transmitting a false report a Class B misdemeanor. Two, it provides for the discharge of a resident who is a physical threat to other residents or others in the facility. Three, requires the Department of Public Health to consult with the Long-term Care Facility Advisory Board prior to adopting rules and regulations. Four, provides that the department can act on reports with or without identifying information. Five, provides for an exit conference with a facility administrator in conjunction with the report. Six, requires the department to report in their annual report to the General Assembly the number of invalid reports; and seven, directs the department to combine on-site visits and inspections whenever possible. I...be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the bill, although there's one technical aspect of the bill that concerns some of our colleagues and that had to do with the physical violence. The Attorney General is prepared to continue to work with this bill and if the bill is fortunate enough to enter into the House, we can expect some amendments onto the bill into the House to deal with that specific subject matter. It would further categorize as to what would be physical violence, so therefore the same unruly patients that are really not physical just cantankerous and ornery would not be placed into that type of a category and just indiscriminately taken out of the...the nursing facility. Was...with those provisions in mind, I rise in support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Well, reluctantly I rise in opposition to this bill and I think you ought to hear some of the things that...that are...some of the truths about this bill. The Illinois Nurses' Association is against this bill, the Alzheimer's Association is against this bill and let me tell you what the problem with the bill is so you know very definitely before you vote what is happening here. This bill would allow involuntary transfer because of risk to...physical safety to others in a nursing home, involuntary transfer, automatic transfer, get rid of somebody in a nursing home without any hearing...without any justification hearing. The fact is, we don't need that because that is in the current law. The current law permits an emergency transfer of a resident who presents a risk of safety to himself or other residents. That's the current law. Okay? This bill...adds that if it's a risk only to staff or visitors. It's pretty tough to conceive of a situation where you couldn't transfer somebody under current law because they are a...a risk to the health or safety of himself or other residents but because they're a risk to the staff only. Now, what...what this bill will likely do, there are a lot of patients in nursing homes who are inconvenient and difficult to treat such as those with alzeheimer's disease, and this would give an excuse for many of those nursing homes to get rid of these people without justification. They could use this procedure to move up Medicaid patients and to bring in private pay patients. This amendment which is a major amendment never went through the deliberative process in committee and I think short-circuits the process that we have, but most importantly, it poses a real risk to nursing home residents who can summarily without

justification be taken out of nursing homes. If they pose a danger to themselves or other residents, today, under current law, they can be removed involuntarily. That is the current law. We don't need to extend that any further. Again, the Nurses' Association, the alzheimer's disease people are against this and the nursing...and the...and the Nurses' Association, people who work in the homes on a day-to-day basis and perhaps might be subject to some of the conduct...the adverse conduct by these residents, they're against this bill. So if you're trying to protect those other staff, the people who are the staff are against this bill. This is a bad, bad idea. I think you're jeopardizing the...the...the health, the...the welfare and safety of the residents and there's no need to pass this extension of the current law.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I also would oppose it and add only one thing, I think Senator Marovitz has made most of the points. The legal assistance people who work with a lot of those who are involved in this process also oppose this, and I do think it is absolutely fair and accurate to say, Senator DeAngelis, that except for maybe an incident here or there, there was no case made, that is, there was no major case made for this kind of change. And in view of the fact that those who are most concerned about the...the people we ought to be most concerned about and that is the residents in the nursing home, it seems to me that the bill ought not to pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...was that a question, Senator? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. I rise in support of this legislation. I...I listened to the comments of the...one of the earlier speakers and one of the points that...that he was making in regard to the...nurses being opposed to the bill, I can tell you that I personally have talked with a group of nurses today who are very much in support of this bill. So I...I think this is a good bill and I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition and for pretty much the same reason. I am particularly concerned with the advent or at least the surfacing of the alzheimer's patients. We have more than...we're told more than a hundred thousand in this State, many of whom are in these nursing homes and this would afford, it seems to me, the opportunity in those tragic instances to literally discharge involuntarily these folks with...with not the proper safeguards. And I'm not sure why we're doing that and to my friend, Senator Nedza, I will say...I, too, believe in the good faith effort of the sponsors and...and I'm sure there will be an attempt to try to work it out. I, frankly, am...am more comfortable with attempting those kinds of negotiations right here. I think we are frankly more reasonable and responsible, and...to let this thing get out of here in its present shape, I'm simply afraid of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis may close.

SENATOR DeANGELIS:

Thank you, Mr. President. First, on a note of personal privilege, I would like in the balcony behind me, nurses who support this bill, one who is a vice-president of the Illi-

nois Nurses' Association. So would they please stand and be recognized. I think that might clear the record on some statements that were made during the course of the debate. Secondly, I, too, am concerned, Senator Rock, I...solicited on our side, if you'll recall, for joint sponsorship on all your alzheimer's bills last year and got every member to sign on for those bills. Alzheimer patients tend not to be violent, they tend to be forgetful and I don't think that there's any intent to do that. You know, I think in this General Assembly sometime we make the assumption that whoever is in a business is an evil person; and I agree with you, there are some evil people in this business, but I can't fathom anybody being a...in a business to throw people out of the place of business they do business at. What has been forgotten here is that day after day many of the residents of nursing homes are endangered. I don't know of a single nursing home in my area that does not have MI patients mixed in with geriatric clients; and, yes, Senator Marovitz, there is a procedure for that, it takes twenty-one days and I'm going to tell you twenty-one days there can be a lot of damage done to other patients. As far as the nursing homes being able to do this with reckless abandon, the department can write up rules and regulations on this. So, therefore, they can't do it and, in addition to that, hearings can be held afterwards and I'm certain that the department can do something about those corrupt operators who are just throwing people out on the street. But I really believe that we have...some responsibility to ensure that the other people who are in there be safe and, by the way, that's only a small part of this bill. I did agree that if there could be something worked out, we would work out in the House and, Senator Rock, I did in fact ask the people that opposed to come up...with some language; granted, it was not a long notice and I'm sure that if they come up with something that acceptable, it can

be done. So I urge your support for Senate Bill 1946.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1946 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 17, 1 voting Present. Senate Bill 1946 having received the constitutional majority is declared passed. Senate Bill 1954, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Can we have leave to come back to this one shortly? Thanks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio seeks leave of the Body to allow him to return to Senate Bill 1954 in a few moments or a little longer. Is leave granted? Hearing no objection, leave is granted. Senate Bill 1955, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1955.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't know of any opposition to Senate Bill 1955 prior to its amendment. It amends the Downstate Teachers' Pension Article of the Pension Code and would, in fact, allow the...the board to establish a health insurance reserve account. It would allow the TRS Board to transfer up to twenty million dollars from the investment earnings which would be above the four percent, and it would delete the six million dollar limitation that is currently on the amount the

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system may spend on...on the health insurance plan. In addition to that, by virtue of Amendment No. 1, we allowed elected officials of teachers' organizations to become a member of the system providing that they pay back not only their share but also the employer's share of employee contributions, and it would only apply to two elected officers, namely, the two of the...of the largest teachers'...teachers' organizations in Illinois. So, at this moment, I don't know of any opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Mahar.

SENATOR MAHAR:

Sponsor yield to a...to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAHAR:

Senator, could an organization force its officers to become members of a...of the teachers' retirement system?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I don't believe that they can, no. The answer is no.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar...is there further discussion? If not, the question is, shall Senate Bill 1955 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1955 having received the constitutional majority is declared passed. Senate Bill 1957, Senator Friedland. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1957.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland. Senator Friedland. Senator Friedland.

SENATOR FRIEDLAND:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1957 amends the Criminal Code to add to the offense of retail theft the representing of merchandise that has been lawfully obtained in order to get a refund on it when, in fact, the property has not been lawfully obtained. It's...additionally, it's be amended to expand the definition of criminal trespass to land to include retail establishments and other commercial entities under the Act. It's supported by the Retail Merchant's Association and I'd urge your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1957 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 1957 having received the constitutional majority is declared passed. Senate Bill 1961, Senator D'Arco. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1961.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill creates a mechanism for Statewide election contests. As you know, in 1982, the Stevenson-Thompson contest wound up in the courts, and the

Supreme Court declared that the 1977 law was unconstitutional because it created a three-judge panel. This bill provide...this bill eliminates the three-judge panel and gives jurisdiction to the Illinois Supreme Court in its stead. The bill, other than that provision and the provision that says that once the Supreme Court initially determines that an actual recount should be conducted for a Statewide office, then the actual recounting of the ballots will be supervised in the hundred and two counties by a circuit court judge in each county who would then report their findings back to the Supreme Court, other than those two major revisions of the old law, the bill is substantially the same as the 1977 law. I don't know of any opposition to the bill. It's a good bill. It may be necessary and I ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, I don't why we're allowing the Illinois Supreme Court who have no expertise in elections whatsoever to do a Statewide recount. If we will look at the past primary and some of the decisions the circuit judges have made, and I will give you one example, allowing polling places to stay open till ten o'clock in the evening, is an absolutely ridiculous thing for a court to do. And if you would look at the records of the court, whether it's DuPage County or Cook County, their records of what they have done in regards to these elections is...is unbelievable, and I suggest to you the Supreme Court has no expertise in elections whatsoever. The State Board of Elections ought to be doing the recounts, not the Illinois Supreme Court, the Appellate Court or the Circuit Court and...and I kind of feel strongly about it and we ought to kill this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell. That argument...Senator Fawell.

SENATOR FAWELL:

...if this...I'd just like to have an agreement. If this bill does pass, will you make...will you guarantee that it...nothing else will be added to it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yes, I...nothing else will be added to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. I share Senator Philip's concerns about certain decisions by certain...certain court...circuit court judges concerning allowing polling places to be open for two to three hours after the official time to close the polls. That was a decision made by a circuit court judge. You know, I disagree with that decision...as well, and I'm not here to say it was a good decision. But that doesn't mean that, you know, you...you throw out the whole provision for an election law to determine Statewide election contests because one circuit court judge made a bad decision. I mean, the fact is that this bill says that it's the local judge within that county that's going to review the ballots from that particular...the particular precincts in that county. Who is closer to the situation than the local judge in the county where the ballots are going to be counted? And the bill does provide that the judge can ask for the advice from the local election board authority if he does have questions about the proper election procedure. The problem is not in the recounting of the ballots, the problem is in the constitutionality of a bill that's going to be

upheld. That is really the essence of the problem. This is a good attempt to solve a potential problem that may be created in any Statewide election contest if two offices get involved in a recount. That's all it does. The mechanism is sound, it's prudent and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1961 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, none voting Present. Senate Bill 1961 having received the required constitutional majority is declared passed. Senate Bill 1972, Senator Welch. Senate bills 3rd reading is Senate Bill 1972, Mr. Secretary.

SECRETARY:

Senate Bill 1972.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. In view of the fact that a task force is currently meeting to determine exactly how a collection bill should take shape and determining just how the process that I introduced in my bill should eventually be enacted into law. I'm asking that this bill be held on the Calendar till the fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Fall of '86? Senator Welch has sought leave to hold this bill. Leave is...is granted. I'd like to point out that we have, oh, a little over one hundred bills left to go on 3rd reading, so...Senate...bottom of page 11, Senate bills 3rd reading, Senate Bill 1974, Mr. Secretary.

SECRETARY:

Senate Bill 1974.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would require in-service training programs to be developed in the schools for the safe and appropriate handling of materials containing toxic substances for those people who handle those substances in the school. This could be accomplished quite easily at the regular teacher institutes in the fall or the spring. Currently, the State Board of Education runs four or five of these seminars in different areas of the State, and this could easily be expanded to local teacher in training...in-service training seminars. I'd move for passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

...thank you, Mr. President. A question of the sponsor, if he'll answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Poshard, this bill, of course, was around last year and we debated it some in committee and I believe the...the bill stayed there last year and I...I know that...that we describe in...in one of your amendments the...the...the substances that would be...that would be involved here. Give us some idea how many...how many different substances we're talking about, would you, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Maitland. It would include substances that are on the toxic substances disclosure list. There are many substances on that list, of course, but there are only a few such substances that would be used in the particular materials for cleaning and so on that school personnel would use. It would not include training in all the substances on that list of course, but...but things such as acids, asbestos, cyanides, vinyl chloride, things that might be found in cleaning substances in the schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Well, we're...we're talking about substances though other than cleaning materials, I believe; for example, paints, that is to say, paints used in...in...in art classes, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, it would include any...any substance which might contain dangerous chemical agents. Some of those, of course, are covered in Senator Welch's bill last year on the art supplies and so on, any remaining substances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, your time has almost expired. Senator Maitland.

SENATOR MAITLAND:

Thank you, so much, Mr. President. Senator Poshard, just about every elementary teacher's locker has a number of art supplies in it; so, I mean, this would extend to, obviously, to teachers and noncertified staff, is...is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, it may, I don't think that's the intent. The intent is...is to deal with those people, custodians and maintenance people and so on who may come into contact with these substances more often and, you know,...there's a possibility that students...children may be coming into contact with these substances if they're left around and if people do not know how to adequately handle them. So the intent is not to train everyone in the school system in regard of the substances but, if necessary, if the substances exist, that may be necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, but...but...but the bill simply applies...or applies to personnel in the district who work with such materials, so we're talking about virtually every certified and noncertified person in the school district. First of all, now listen folks, this is important. I...I've tried to support this bill, I really have, but it just extends itself so far. I think this was part of the discussion a year ago and then we go on to say, "on a regular basis," but...you know, we don't define what a regular basis is. And..and, finally, I would say and you can respond, Senator Poshard, then when I...when I conclude with...with this question, do we have any idea what the cost of this would be for...for local school districts? I just...this almost seems open-ended and I'm really concerned about it and I..I think the bill ought to be rejected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Well, I'd like to ask a question. Did he respond to that question of Senator Maitland's about the cost, that's what I was going to ask. I'd like to know what the costs are. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

That's difficult to determine, I've worked in schools all my professional life. In-service training seminars are a regular part of every school system. This could be included in regular teacher institutes which are required by State law for teachers to attend as an optional session that they might attend or a required session that they might attend in a one or two hour training session. State Board of Personnel are currently available that could perform this kind of in-service training or be trained to perform it in local school districts. I don't anticipate that it would cost the local school districts much at all. I can't give you an exact figure on that but I see it as a regular part of normal in-service training activities for any school district. Why would we want to subject our children or anyone else who works in those districts to the possibility of coming into contact with...with the substances that might damage their health and not make them aware of how to...how to handle those substances? I don't understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

END OF REEL

REEL #6

SENATOR WATSON:

Thank you. The issue isn't necessarily the intent of what you're trying to do, the issue is who's going to pay; and, of course, we have a State Mandate's Act, we have a situation in which we have provisions that the State will pay for such mandates such as this. Have you exempted the State from this or where are we at in regard to the Mandate's Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

No, we haven't exempted the State from this. Again, I have to repeat, there is no reason why this cannot be included in regular in-service training activities at each local level where teachers are taught on curriculum, on evaluation, on everything else. This would not take a tremendous amount of time. You know, if we're talking...right now, the State Board of Education, just based on the current seminars that they put on each year, they put on about four to five training seminars per year in this area, but those are only in a few areas of the State. Based on past seminars, they estimate that these workshops could run anywhere from five to three thousand dollars each if they put them...if that's the kind of workshop you wanted all over the State. We're not suggesting that. We're suggesting that people be trained in the local district where they are, by local personnel from the Department of Health...of Public Health or the State Board of Education who are on staff and on payroll already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So, the State's going to pay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard. Senator Poshard.

SENATOR POSHARD:

Well, it...according to staff, it does not fall under the...the State Mandate's Act because the cost is too small.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to point out that last year this Legislature passed the Toxic Art Supply Act of 1985. That Act says that students between...kindergarten and sixth grade will not be exposed to toxic art supplies in schools, and those students from grades seven to twelve...the supplies used must clearly be labeled so that they know what they're using. That recognition on the part of this Legislature was a major step forward in keeping children from being injured in this State. That Act has been hailed by both industry, schools and the art community itself and was signed by the Governor of this State with much fanfare in Chicago last year. What this bill does is a logical extension of that Act. In order to ensure that children are not exposed to chemicals, we have to make sure that those using chemicals know how to use them, know how to advise students not to enhale the substances, not to use them or eat them or do anything else with them that may cause them injury. The exposure for a period of time to certain chemicals in itself...and breathing those chemicals can cause permanent lung damage, it can cause liver damage; and when you have people as small as children in seventh grade, it exacerbates the problem and that's what this Act is about. It includes other personnel because other personnel may not know the seriousness of the cleaning fluids that they use, they may

leave them laying around and that is the main purpose of this bill. The...the monetary effect is going to be minimal, it's mainly to make sure people are aware of the effects of chemicals that they should already know about in order to hold the jobs they currently have. That's why the State's Mandate Act doesn't apply because it's a lot of common knowledge involved here, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. In touring the nursing homes in my particular district, the executive directors there in each case pointed out to me the strict requirements for their maintenance people to take very good care of cleaning fluids so that nursing home residents would not be exposed or would accidently consume some of these toxic materials. We have the same kind of situation in schools, particularly elementary schools, where children could accidently come in contact with these toxic substances. Certainly we need to train school personnel as much as nursing home personnel in a very similar situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Yes, thank you, Mr. President. I do not consider this bill to be either too costly or too cumbersome to employ in the State. I think we owe our children the fact that we're interested in...in preserving their health and we can't be too careful in this area of...toxic substances. So, I would move for passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1974 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26. Senate Bill 1974 having received the required constitutional majority is declared passed. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Let's verify the affirmative votes, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has requested a verification. Will all Senators be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

Excuse me. The following voted in the affirmative: Berman, Carroll, Chew, Collins, D'Arco, Darrow, Davidson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, do you question the presence of any member?

SENATOR MAITLAND:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR MAITLAND:

That's enough.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Mr. President, I voted but...and...but my switch isn't working.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on a verified roll call, the...the Ayes are 29, the Nays are 26, none voting Present. Senate Bill 1974 having failed to receive the required majority is declared lost. Senator Poshard. Senator Poshard requests consideration postponed...postponed consideration. Page 12, 1985, Senator O'Daniel. Senate bills 3rd reading, top of page 12, Senate Bill 1985, Mr. Secretary.

SECRETARY:

Senate Bill 1985.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Senate Bill 1985 creates the Illinois Local Government Risk Management and Pool Insurance Act. It creates a risk management division within the Department of Insurance to...to provide assistance to units of local government. There are currently about ten such pools in the State operating as an alternative to purchasing conventional insurance. This bill encourages the growth of such pools by offering risk management, advice and financial assistance for the first five years of the operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question...Senator Rupp.

SENATOR RUPP:

Yeah, I would like to know there...just what this is going to cost and if there has been any discussion with the Insurance Department. I don't know that our Insurance Department is set up to...to operate an insurance company. Has the money been appropriated to start this? Where does the funding come from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Actually, we haven't asked for any appropriation, it's just setting up the plan and these will be loans and I...it depends on...the kind of participation in the program as to what it would cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you...thank you, Mr. President. I...I think what we're doing again, we're getting into another business. There are concerns, there are consultants, there are firms that...that do this. We don't have any risk management people on the staff and that's what it takes, and it looks to me that we're getting into this...into the insurance business without telling the department what they have to do and we really are telling them to go dig a ditch but you can't have a shovel. I think we ought to see if they're able to do the job first before we get into this. Have you had any discussion with the department, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. Senator O'Daniel.

SENATOR O'DANIEL:

No, we haven't had any discussion with the department, but this is just setting up a revolving loan fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman...Senator Rupp...Senator Rupp.

SENATOR RUPP:

Yeah, just this morning...I'd like to ask the sponsor a question. If this is going to impact on this ruling that was just put out this morning, Justice Simon delivered the opinion of the court, "Local public entities are granted certain

immunities from tort liability by the Local Government and Governmental Employees Tort Immunity Act," and so forth, "but such immunities are effectively waived where the public entity is protected by a policy of insurance issued by an insurance company covering alleged liability. The Inter-governmental Risk Management Agency an alternative to conventional commercial insurance is a risk management pool in which only Illinois...municipalities may participate."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator O'Daniel.

SENATOR O'DANIEL:

We're going...we're going to help them...retain their immunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

In fact, what...what we're concerned about, it might be making the department an actual insurer, actually putting us in the insurance business. That's a step that I don't know that we are quite ready for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR SCHUNEMAN:

Senator, there are...there are several of these pools operating in Illinois right now, and one of them that I...that I know is operating and providing risk management service is the pool that's operated by the Municipal League. Are you trying to put them out of business for some reason or what are we trying to do here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, ladies and gentlemen, we are effectively bogged down here. Senator O'Daniel.

SENATOR O'DANIEL:

This will just be assisting the new ones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, can you give us some examples of...of which new ones are...I honestly don't know what it is you're trying to do here, because it seems to me that we've got a number of these pools already established and I really don't know who it is you're trying to...to help by means of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

We will be trying to help anyone in their first five years of existence, and if I remember, yesterday afternoon you were talking about us shooting ourself in the foot when we put...rolled back the price of insurance, so these...these pools may become very popular if...if the insurance industry does leave the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I just want to point out to the Body that we have an Insurance Department that's trying to cope with a...with a real emergency in the State. Now this is the first of...of several bills that are going to be coming now which are going to require the Department of Insurance to get into...to all kinds of additional activities. I don't think any of them provide any money to the department to do what we're going to be mandating that this...the department...the...the activities that they are supposed to perform. If you'll talk to insurance commis-

sioners, not only our own but those from other states in the United States, their overriding concern is whether or not we're going to have insurance company failures...failures of insurance companies and they're trying to keep their...their people and their resources committed to the examination of insurance companies that are in trouble; and for us to...to...expect the department to get into an area of creating pools when there are already, I think, sufficient pools in governmental insurance esspecially, it just seems to me to be going in the wrong direction, and I...I really think it's a bad idea. You got a great sponsor but sorry about the idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm a little concerned with the nonplussed attitude being exhibited on the other side. All this bill says is that we are asking the Department of Insurance to afford some technical expertise to those units of local government who otherwise can't obtain insurance and wish to pool. Fact of the matter is, there are about two hundred and twenty municipalities in this State that are members of one pool or another or perhaps the same one for that matter, but you and I well know there are fourteen hundred municipalities and there's more than six thousand units of local government all across this State. We've got more units of local government than any other State in the...in the country, and all we're saying is, as an alternative, we are going to encourage the formation of these kinds of pools and afford to those units of local governments, about which I heard a great deal of concern yesterday when we literally attempted to abolish any liability they might have at all, we're now trying to encourage them that there is another alternative and that the State

Department of Insurance, our regulatory agency, will, in fact, be of some technical assistance to these units of government who serve, I hope, the same constituency that the department does. I don't see anything wrong with this. Every time we try to do something other than abolish liability, all of a sudden the industry and its representatives and those who speak on their behalf get all excited. This doesn't take away from anybody anything. All it says is that our department is going to help do this, help accomplish this purpose. No gun to anybody's head, you don't have to do anything, nobody has to do anything. But what we're saying to the park districts and the library districts and the mosquito abatement districts, why don't you get together and try this and our department will give you some advice. That's all. You don't need a fifty-man staff to give advice, for goodness sake, they're doing it right now. I had a gentleman in my office this morning representing a trade association that has spent a good deal of time, he related to me, with the Department of Insurance and its experts talking about whether or not they could form one of these pools. We don't have any provision in the law for nongovernmental units, but for goodness sake, it's a matter of giving advice, that's all it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

Mr. President, I would just appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1985 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, none voting Present. Senate Bill 1985 having received the required constitutional

SB 1991
3rd reading

majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1991, Mr. Secretary.

SECRETARY:

Senate Bill 1991.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1991 as amended does exactly what the Calendar says. It provides that a teacher whose reserve unit has...is activated during a school year and is required to enter military service duty shall continue to have a full salary paid to him while on active duty. I'll be happy to answer the questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I rise with some concern with respect to Senate Bill 1991. I guess, first of all, I'm curious to know how many...how many teachers might be affected by...by the first part of...of the bill? This, of course, presently now, the...the school boards could allow this if they want to just simply mandate...or doesn't simply, it mandates them now to do it. You have any idea, Senator Degnan, of how many...teachers might be affected by this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

My information is last year this would have encompassed five people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

It would...would involve five people that would have continuing...their tenure would continue then while this individual was serving as the president of an organization. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

...I don't think I got the answer to my question, did I?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan. Senator Maitland, why don't you restate your question? Senator Maitland. All right, Senator Degnan.

SENATOR DEGNAN:

I believe you're talking about the first part of the bill that...I am led to believe we deleted but I now learn we did not delete. That...the answer then is one person.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I want to make that clear because that was not in your description of the bill, and I want to make clear that everybody understood that we were granting tenure to an individual while they were serving as president of an organization. Secondly, with respect to the second part of the bill, I...I guess the thing that concerns me here, folks, and once again, listen, this is a...is...is probably a...a...you know, a popular thing to do, but...but what we're doing here is we are asking the school district to continue to pay the teacher while the teacher is on some kind of training program with...in all probability a reserve unit, that's the first cost. Second cost is the substitute teacher who comes in and

has to be paid also and...and then the person who's on leave continues to...to...to generate the teaching salary plus the salary that he receives as being a member of that unit, and I...I really question whether this is the...the right approach to do. It's my...it's my belief that usually with respect to jury duty and those kinds of things that the...the difference is what's paid, and I don't believe this does that and this is not only double dipping, it's almost triple dipping and I think we need to be concerned about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have one question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator Degnan, are there any other public employee groups that have this privilege other than your proposal to...for the teachers?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

My understanding is all State employees have the right to take a military leave and be paid for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

You're saying that the teachers are the only ones excluded at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I...I don't know if they're the only ones that are...I

know the State employees are afforded this benefit. I know the City of Chicago employees are afforded this benefit. I don't know other groups.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

...are you talking about...are you talking about the National Guard or are you talking about...like the Army Reserve or are you talking about both?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I'm talking about both.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

So, that if there was an emergency and the National Guard was called out for sandbagging a river...river or...the...the...the Army Reserve was called out to fight whoever, we would pay them. That's...that's the gist of your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

That is correct, if it happens during the school year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, it seems to me that if we're going to have a National Guard and we're going to ask these people to serve,

I don't understand why in the world we wouldn't support this. You know, that's a...that's a logical thing to do if we're...if we are training these men to...to take care of us in an emergency, then when the emergency arises, it seems to me that we should, in effect, continue to pay for them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Maitland for a second time.

SENATOR MAITLAND:

I apologize, Mr. President, I don't do this very often; but keep in mind, this is when a unit is called up on active duty and there's no limit, folks, there's no limit. If the Illinois National Guard is called to go to Nicaragua, and they're there for two years, you'll pay that teacher's salary. Now that...again, that may be a...a nice thing to do, but that's an extremely expensive thing to ask to have happen. I wouldn't feel so bad if this was for a reserve training or something like that, but this thing has...once again, no limit on it and that's what you're voting on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Watson.

SENATOR WATSON:

Well, thank you...once again, I'd like to know who is going to pay? Is this State Mandate's Act exempted here or...local school boards or who's paying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

We are talking about last year five people for two to three weeks. We do not address the State Mandate's Act because the cost is so minimal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Watson.

SENATOR WATSON:

Okay. Well, under the situation in which we had five people last year, who paid, school boards or the State, under your provision?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

School boards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Thank you, Mr. President. I think the comments about double dipping are a little far-fetched, and I also believe if we're placed in a position to assign the Illinois National Guard to Nicaragua, we're in pretty big trouble. I urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 1991 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 11, 2 voting Present. Senate Bill 1991 having received the required constitutional majority is declared passed. 1992. Senate bills 3rd reading is Senate Bill 1992, Mr. Secretary.

SECRETARY:

Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege. In the President's Gallery there are ninety students and nine teachers from the Avon School at Round Lake, Illinois which is serviced by the...by Senator David Barkhausen and myself, and I ask you to welcome

them here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise, welcome to the Senate. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. On a point of personal privilege. I'd like to recognize the St. John Elementary School from the 17th Legislative District, their parents and teachers here are visiting us in Springfield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, welcome to the Senate. They are all standing in the gallery. Senate Bill 1992, Mr. Secretary.

SECRETARY:

Senate Bill 1992.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank...thank you, Mr. President. This bill...merely updates the Public Aid Code to reflect changes enacted previously in the Statutes. So, I'd urge adoption of this bill...passage of this bill. There was supposed to have been an amendment that was given to me earlier but it has not developed and we'll pass the bill on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 1992 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1992 having received the required constitutional majority is declared passed. Senate Bill 2000. On the Order of Senate Bills 3rd Reading

is Senate Bill 2000, Mr. Secretary.

SECRETARY:

Senate Bill 2000.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Yesterday we passed...what some might consider tort reform. This is insurance reform and this is the bill...that is the key to insurance reform. It is the bill that is the key to affordability in what has been termed an insurance crisis. This is the bill which would regulate the insurance industry. As all of you know, the insurance industry in the State of Illinois...we are the only State in the nation with a totally unregulated insurance industry. This bill requires the Department of Insurance to approve or disapprove premium rate increases or decreases of fifteen percent or more. It requires certain specific financial data to be reported to the department. So, it strengthens the reporting requirements, makes them more specific and more detailed and requires data to be specific to Illinois as well as to other...to the United States. Other states have had regulatory bills and some may say there has been no...no effect on premiums. The fact is, other states haven't had this form of regulation, a prefiling bill; majority of states...most states do not have this form of insurance regulation and this bill will go a long way towards dealing with the insurance crisis and the insurance industry. Other states have tort reform similar to what we passed yesterday and those same states still have an insurance crisis. I would be happy to answer any questions, but I think the key to this thing is, if an insurance company is going to ask for increases over

fifteen percent, which they say are justifiable, what is wrong with telling that insurance company, fine, we'll give you that increase, just justify it, show us why you need that increase, give us specific data, claims data, closed claim files, the kind of data that you need to justify that you have that increase? If the increase is justifiable, what's wrong with saying, fine, you'll get it, just justify it? That's what this bill does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, Mr. President. On a point of personal privilege, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR MAITLAND:

In the gallery behind you, seated in the...Bloomington High School accelerated history class and their instructor, Stan Otto, and I'd like them to stand and be recognized by the Senate, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized by the...welcome to the Senate. All right, discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. One thing I would like to point out is that I really, deeply believe...strongly believe that this bill is no longer needed, and I...I do think that the sponsor should seriously consider taking it out since yesterday in Senate Bill 2263, through the efforts of Senator Lemke and Senator Berman, the rates are now frozen anyway, so there is absolutely no need for this, but arguing on the point, I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rupp.

SENATOR RUPP:

Could you tell me, Senator, just about how our rates in Illinois compare with other states?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I think we have some documentation right here and I'll...I will be glad to...to give it to you as soon as the documentation comes to my desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

...well, in the interest of saving time, I don't...I'm...it's an academic thing. It's...really should be of particular interest that Illinois rates are pretty much in the middle of the range for each of the rating categories. Isn't that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I would agree.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

So that might indicate that...a lack of a rating control bill like you're talking about or having one really is of no affect on the rates when you look all over the country.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, Senator Rupp, with the tort reform that we passed yesterday, Illinois' insurance rates should be the lowest in the country.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Well, I'll agree that there should be some lowering effect but I don't have a...again, I'm not an attorney, so I don't have a crystal ball to tell what's going to happen next week or next year, but you now and I know that there should be and there ought to be if no other influences or factors contribute that there will be a reduction. You know that. We've had companies indicate it. They've written it. They've spoken it verbally, their chief executive officers, that there should be. No one can guarantee it, but I think Illinois without this rating bill is doing as well or better...in fact, better in many categories than some of the states like...maybe I should ask you the experience in...I think it's Texas...Texas would be one, what the experience is...is in Texas and North Carolina compared to Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I haven't examined the specific systems in Texas and North Carolina, and without examining those systems, I couldn't...I couldn't give you a definitive answer; but you have said that we don't...we don't have a crystal ball and you're exactly right, we don't have a crystal ball, that's the problem...with tort reform we don't have a crystal ball; with this insurance reform bill, we will have a crystal ball and know that there won't be any increases over fifteen percent without the justifiable statistical evidence to guarantee that those increases are...are meritorious.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

It's always amazing, Mr. President, that in the legal

business, you know, there's no crystal ball, but in the insurance business, everybody knows it...knows the insurance business because they have a policy...and that's not enough to know the insurance business. I have a will too but that doesn't mean to say that I'm a lawyer...and that's what I feel sometimes on the insurance business and on this Floor particularly. Those who...I think we should respect more often those who have some background in it. We listen to the people in agriculture and give them credit and we listen to you attorneys, but when it comes to insurance, everybody is the expert because they have a policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

If we listened to the lawyers, we wouldn't have passed tort reform yesterday. Now, let's be consistent. You say we listen to the lawyers, the lawyers weren't in favor of those bills yesterday and we told you what...what devastation that would have upon the people, the...the...the defendants, the injured, the hurt, the harmed. We told you what effect that would have, you didn't listen to us. Now you're saying, well, we didn't listen to you lawyers yesterday but just have faith in us in the insurance industry, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Let's...let's...let's proceed. Senator Rupp, your time has expired. We'll be glad to come back to you. Senator DeAngelis, for a first time.

SENATOR DeANGELIS:

Thank you, Mr. President. Sometime ago a scientist was given a grant to determine the impact on a grasshopper when its legs were taken off. So, the scientist put the grasshopper on the ground and said, jump and the grasshopper jumped three feet. He brought the grasshopper back, took one leg off and said, jump and the grasshopper jumped two feet.

He continues this on till the grasshopper wouldn't jump anymore and the scientist concluded that the more legs you take off a grasshopper, the harder...the harder his hearing gets. And I think we're doing the same thing with this. You know, several years ago we had a crises on workers' comp., and if you recall, I sponsored a bill which created open rating which...for a couple of years was held up in committee and it finally passed. All of a sudden the crises disappeared. In all the conversation we heard yesterday, we did not hear one mention of a crises in workers' comp.; and along with that, the rates fell. Now, we're going to try to create the kind of artificial market system and, Senator Marovitz, I have no problem with getting lower insurance rates, but the fact is that we have found out that rating, in fact, created windfalls for insurance companies because it reduced competition, it guaranteed profit, it didn't provide for any efficiencies; and now we're coming back again to assist them that to begin with created the first insurance crises we had in the State of Illinois. I really don't understand it, I think we ought to determine what really caused that grasshopper to quit jumping instead of the loss of hearing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. It's really interesting to me that the other side of the aisle wants to regulate and change laws in order to circumscribe and circumspect all of the interest in the court system that people are involved with, but when it comes to doing some type of regulating of the insurance industry, we can't do that. I mean, we have to stay clear of...regulating the insurance...industry because they're the sacred cow in Illinois. I mean, they don't want mandatory insurance. You hear that, Senator Rupp? Huh? They...I mean, they don't...they don't want mandatory insur-

ance, you know, because that's something that is bad for the industry, whatever that means. It's bad for the big companies. They don't want to be regulated period. Illinois is the only State in this country that is not regulated by anybody. That is unheard of. And you know what the real problem is? The small businessman...he comes to me because I'm a legislator and he says, Senator D'Arco, they just raised my premiums two hundred percent, three hundred percent. I can't afford it. I'm going to go out...I'm going to go out of business. What can you do about it? Well, this is the answer, because they can make a reasonable profit without getting prior approval from the insurance department. They can raise their rates without getting prior approval but, hey, when it goes beyond what is reasonable, let's take a look at it, let's see if it's justifiable for you to raise those rates that high. This is the real answer to reform of the insurance industry. This will put the insurance...industry on notice that we really mean business in Illinois. We're really going to protect the small consumer in Illinois and this is the vehicle that's going to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Just very briefly, the sponsor says that...that this will solve the insurance crisis in Illinois. That's ridiculous. Other states that have laws very, very similar to these...he makes the point that this is somehow different; well, it may be a little bit, but the concept is used in many states and those states have an insurance crisis. If you pass this bill today, I assume that...that the rates have to start somewhere and that they're going to start at today's rates. This doesn't require anybody to roll any rates back, but what it does do and will do, and I'll tell you this, it will serve notice on the

insurance industry that Illinois is no longer a free market, and perhaps insurance companies ought to...ought to devote their resources to expanding in some other state where they do have a free market. It'll do that and I don't really think you want it to do that. There's another curious thing that you're doing here, Senator. We have a problem in general liability in this State; that is, liability insurance for businesses, basically. You know, I don't think we got a problem in workers' compensation but you're going to put that under price control now. As far as I know, we don't have any problem...as far as I know, we don't have any problem in the availability generally throughout the State in buying personal automobile insurance. Now, Senator Jones is going to argue about that, but generally in this State automobile insurance is available. We don't have any problem in this State about homeowners insurance, that's generally available. So, now what...and...and it's available in a very competitive market. Companies are...are aggressively competing for that business, and I can tell you this, if you want me to quote your homeowners insurance renewal, and by the way, that's not a bad idea, I can give you a half a dozen prices depending upon the various companies, depending upon the way you maintain your home, depending upon how old your home is, it's a very competitive business. Now, apparently the Senator wants to...to do away with all of that. He's not going to allow the same kind of competition that we've had in those areas. So, this bill, in effect, goes way beyond the scope of the problem that we have in Illinois which is in general liability and would include everybody. Now we heard in the...Senator Jones conducted a...a hearing here on the Senate Floor when the Select Committee on Insurance had a meeting or was it...I guess it was the Insurance Committee, and State Farm testified that this particular problem that's got the attention of everybody really doesn't affect them

very much because I think it only represents, what, six percent or eight percent of their total business. The rest of their business is in homeowners and automobile and that sort of thing. Now, this bill would put...that under price control. I tell you, it's the wrong thing to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Actually, some of the information about what we've done and what other states have done, there are now fifteen states that have "that old-fashioned prior approval system," and the figures show that they are no better off today than our open competition in Illinois. I...I...it's interesting to note that...and I remember the vote very well when we talked about opening completely the rating on workmen's compensation. I remember the vote very well and I'm wondering why at that time Senator Marovitz voted to take off the rating. Certainly,...I think I heard the reasons for taking off the rating then was to increase the competition, to improve the situation, it would provide additional businesses in Illinois, an additional incentive for business to come to Illinois, more jobs, it was going to cure everything. Now, you're up on your feet, Senator, saying that the cure-all is going to be to put rate control on. I can't quite understand that change because...and if you are as alert as you usually are, your first question will be to me, Senator Rupp, how come your's was the only No vote up there on the other and the way you're talking now? 'Cause I was the only No vote on getting rid of all the...the rating, and the reason I did at that time was that I felt that we were heading for just this cycle type thing and we were heading for a...a wild cycle. I said it would take four years, it didn't, it took two years...as I say,...so if you were sharp, you would throw that back at me, but I'd like to

know why you changed your mind.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in very strong support of Senate Bill 2000. When I first came here, I had a mandate from the citizens of my district to do something about or to attempt to do something about the discriminatory way of which rates are charged for insurance and as for property and automobile insurance in the State; and so, I began to meet with various groups across the State, I've been involved with this struggle long before I came to the Senate, and we put together what I thought was a very comprehensive bill dealing with rate control. The bill, in my judgment, was, in fact, better than this because it did embrace the concept very strongly of open competition while it also had a degree of monitoring and rate controls built in. It was based on the premise of a file and use system. While this bill is a more stricter and more strenuous type bill which requires prior approval, I think it is better that we do something than nothing. The time most certainly has come in this State that all of us must realize that if we are going to solve the insurance crisis in this State, that we must...whatever we do, embark upon a course of action that is based on a premise of...of basic fairness to all concerned and not only just to the insurance industry in the State; and everything that we've done yesterday, was, in fact, very lopsided because it did not take into consideration the needs, the concerns and even compassion of those persons impacted and affected most by problems caused in the State due to the lack of insurance or inadequate coverage of insurance. And so I say that while this may not be the best bill in the world, it is a good start. Illinois is, in fact, the only State in this country which does not have any form of

regulations over the insurance company as it pertains to rate. I commend Senator Marovitz and those who worked on this bill, and if it doesn't work, we have an opportunity to come back, amend it again and make it work; but I say that we should not leave this Senate this Session without a sincere effort to bring about some kind of controls to the insurance industry in the State of Illinois and, therefore, I strongly support and I ask all of you to support Senate Bill 2000.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. After listening to testimony for several hours on the Senate Insurance Committee as well as the Senate Select Committee on the Affordability and Availability of Insurance and when I talked to many of the carriers, representatives in Springfield as it relates to regulation, most of them opposed; some said they would favor it if you put sunset legislation in. The insurance industry, as most of you know, indicated that we are caught in this...in this dilemma because they said that the tort liability laws are so outrageous that they have no choice but to raise premiums; however,...however, between the year 1979 and 1984 was the year which they testified to during that period of time they had what you call a price war, and the rates supposedly had dropped consistently during that period of time till it got to the point wherein those who were underwriting the risk in Illinois found themselves in a dilemma. Ladies and gentlemen, that is poor business management. Without any regulatory laws as it relates to property and casualty insurance, they were in a position to do whatever they so desired just so long as they could corner that piece of the market. If this bill had been law, they could not have reduced rates fifteen, twenty percent, thirty percent because the Department of Insurance would have looked

at that particular company and said, why are you reducing these rates at...to that low level. So, we are caught in the position now where certain lines of insurance...people...businesses have to pay one hundred, two hundred, three hundred, four hundred percent increase in premium. Ladies and gentlemen, by the very nature of some of the business that do business in the State of Illinois, they must have insurance. There is no justification for any rates being increased that high, and those who have sat on...on the committee, on both sides of the aisle, heard the same testimony and that was for certain lines of businesses. We had some businesses come before this committee and indicated that they have never had a claim, no claim whatsoever, but yet and still they were being faced with paying exorbitant rates for their...their property and casualty insurance. We talk about the personal line of insurance, and sure enough, State Farm did testify that that corner of the market as it relates to property and casualty was a very, very small portion, maybe about six percent; but if we do not solve this problem today, that personal line item as...personal line of business as it relates to homeowners insurance and automobile insurance, we'll be faced with the same problems that we have with the property and casualty. So, this bill serves a twofold purpose. It will prevent the companies from engaging in what you call a price war. If they want to reduce the premiums more than fifteen...fifteen percent, they would have to justify it; if they want to increase more than fifty...fifteen percent, they would have to justify it. I cannot see no reason why any legislator will oppose this legislation. If you are concerned about the people in your respective districts, if you're concerned about those businesses who had their premiums increased fifty, seventy-five, a hundred, two hundred, five hundred and even in some cases one thousand percent, then you would vote for this bill. It's a good

piece of legislation and...it should receive unanimous support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Yesterday, as a matter of fact, or in the course of the length...rather lengthy discussion on tort reform...and really this question that we're all involved in is a question of is it insurance reform or tort reform, and I suspect that as with all things this complex it's somewhere in the middle. We're going to ask both sides, each side to move a little bit, to do something a little different than they're doing currently. Yesterday we heard...with great aplomb that some of the industry has said, if you do this and this and this and this, we're probably going to lower our rates anywhere from three to eleven percent. This legislation doesn't even kick in until there's a proposed fifteen percent increase or decrease. So, I suggest to you, this is not as harmful as it would have...those on the other side would have us believe; and more than that, how in the world can you go back to your constituency and your district this weekend and suggest to those people who sent you here in good faith that, yes, I'm making a serious effort to address this problem and leave the insurance industry totally...totally unregulated? There has to be some movement. There has to be some hook so that when a company wants to raise a premium three and four and five and six hundred percent, somebody ought to be able to say, hey, hold it, you can't do that unless you can justify it; and if you can justify it, that's a different story. The fact of the matter is, at the moment they don't have to justify anything to anybody. They're doing just exactly what they want, and Senator Jones was quite correct and those of us who have listened and studied know full well that in the early 1980's

and the late '70's there was an all out price war, it was like a war at a gas station that we've all witnessed. Everybody was undercutting, attempting to get a share of the market so they could invest those premiums. The...the return on premium and premium dollar investment in those days was eighteen, nineteen, twenty percent, they were having a field day and all they want to do is get a bigger and bigger share of the market and every one of them will admit that they were drastically undercharging for the risks that they were insuring, and now they're trying to make it up and they are making it up all in one or two years with horrendous increases and we sit around here with no hook. We are not able to even say to them, hey, stop, what are you doing? All this says is if you want to raise your rates fifteen percent or more, come in and tell the department why and how. I don't think that's unreasonable, and if we're going to effect a compromise, we had better send to the table more than one set of issues. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In 1969, Representative Pete Miller introduced a bill in the House eliminating the review of rates by the director insurance. At that time he was the chairman of the Insurance Commission, and a member who was serving as a director of insurance came from Allstate Insurance. As long as I've been here in the General Assembly, except for the current director of insurance, it's always been a man who came from...from the insurance industry. Say it exactly the way it is, for the first time, that is not the case. The President pointed out the...inadequacies and the price wars that was conducted within the insurance industry in the '70's but the interest rates at that time were twenty and...and

twenty-one percent. So they were making money but they were also redlining in the City of Chicago where you couldn't get insurance. People in my neighborhood who in good faith and conscience maintained their homes when it came up for renewal were denied, and only through absolute political effort and clout that they were able to get insurance when we got hold of the director of insurance in their budget and explained the facts of life to them. That isn't right and it shouldn't happen. It shouldn't happen in my community or in any community in this State but it did happen. If any bill that should be supported, it should be this one. You talk about having a review procedure, you're talking about why industry is leaving this State, read your mail as I do. When you talk to a businessman and he writes to you and he tells you what his premiums were last year and what they are this year and they're having a difficult time getting that insurance...ask John Washburn a number of times, I've called him and asked him to intercede in behalf of business people in my community because of the escalating rates of insurance and they could'nt get insurance. Now, we're talking about a fifteen percent review factor long overdue, really merits your support. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. First of all, workmen's compensation is specifically excluded from this legislation. I'd like that to be very clarified. Tort reform yesterday applied to personal lines. If there were no problem in the personal lines, why did tort reform yesterday apply to personal lines? This also applies to personal lines, homeowners, automobiles, just as yesterday's legislation regarding...tort reform did the same. I think the

question is, do we really want the rates to come down? This is...this bill is the key to affordability. I've heard a lot of rhetoric on the other side of the aisle, talk out of both sides of your mouths. Let me tell you something, everybody knows that the insurance crisis is the number one issue in the Legislature, and a lot of people are looking to hammer people on both sides of the aisle on how they're going to vote. If you're looking to hammer some of the target districts on this side, well, let me tell you something, I want to see you go back home, on the other side of the aisle, and try to justify to your voters...your electorate when you tell them that you voted against something which all...all it said was when the insurance companies want to increase rates over fifteen percent, we just want them to justify it, give us the statistical data. I want you to tell your voters that you really want rates to come down when you don't want the insurance industry to come in and tell us why they have to raise their rates, open their books, tell us why, if it's justified, we'll give it to you. Go back to your voters and tell them that. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall Senate Bill 2000 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 23, 1 voting Present. Senate Bill 2000 having received the required constitutional majority is declared passed. For what purpose Senator Marovitz arise? Senator Marovitz.

SENATOR MAROVITZ:

Having voted on the prevailing side, I move to reconsider the vote by which 2000 was passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz moves to reconsider the vote by which 2000 was passed. Senator Lemke moves to lie that motion on

the Table. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Senator Lemke's motion carries. Senator Davidson is here with a presentation. So, if we'll just stand at ease for about two minutes.

SENATOR DAVIDSON:

Mr. President and Ladies and Gentlemen of the Senate, it is my pleasure to present to you the first National Champion of the Golden Gloves Light Heavyweight from Illinois since the 1950's. I want to present to you an individual who we hope to go forward as prior people light heavyweight champions such as Mohammed Ali and Spinks and some others to the Olympic Championship and then on to whatever he wants to do. I'd like to present to you, Mr. Harvey Richards, from Springfield, Illinois, the National Champion in the Light Heavyweight Division of the Golden Gloves...two weeks ago and his coach, Mr. Howell. Harvey.

MR. HARVEY RICHARDS:

(Remarks made by Harvey Richards)

SENATOR DAVIDSON:

Harvey, we're going to have to delay giving you the engraved...resolution because we have a little item called...about two hundred bills and a lot of amendments yesterday, and the girls worked till four o'clock this morning and we did not get the resolution printed, but we will get it to you; and I want to wish you well in your bid and invitation into the Olympic team and wish you well, and it's been my pleasure the past couple of years to also present the gold medal to Harvey as the champion of his weight division of Prairie State Games which are held in Champaign and if he's not down at the Olympic tryouts, I expect to have that honor and present it to him again in Champaign on July the 20th. Harvey, it's great to have you here and congratulations on and outstanding...do you have it...

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Senate Bills 3rd Reading, we have Senate Bill 2002, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2002.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This is the...the other part of the insurance reform package. Senate Bill 2002 creates a local public entity facility for excess insurance providing coverage after the first two hundred thousand dollars of liability up to ten million dollars. It creates a governing committee to oversee operations, specifies that no State funds...no State funds shall be used to support the facility and...assesses insurers for initial funding of the facility. This bill is the one that addresses the question of availability...availability for municipalities, for park districts, for school boards, for school districts and for municipally run day-care centers. It is the second part of the package which is true insurance reform and addresses a very key question. As we all know, there were two questions, affordability, which we just addressed by 2000; availability, which we hope to address by 2002, and I ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Why did you exempt home rule?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Because they are generally, not always but generally the larger insurers and it's easier for them to...to...to work out a self-insurance plan which is what the City of Chicago, in fact, does have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

But there's a lot of...of cities that are home rule, I mean, twenty-five thousand is not a...a large...you know, it's not the City of Chicago and...and by exempting...I mean, you're saying that they can't join this pool?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The other ones that are not home rule are required to join. Those that are home rule may join if they...if they...if they would like. They are not required by this legislation to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

I would just briefly ask for an affirmative vote to...to finally address the question of availability for...public entities which heretofore have had trouble getting insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2002 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 23, none voting Present. Senate Bill 2002 having received the required constitutional

majority is declared passed. 2003, Senator Marovitz. Senate bills 3rd reading, Senate Bill 2003, Mr. Secretary.

SECRETARY:

Senate Bill 2003.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I hope that the other side of the aisle will take the pins out of the red switches now. This has nothing to do with insurance. This bill allows for child abduction to betried in any case, in any form in which the victim has traveled. Cases were brought to our attention by the State's Attorney of Cook County in which there has been child abduction throughout the State of Illinois, the child is brought to O'Hare Field where they leave with the...abductor and once apprehended, the trial always has to occur in Cook County without this legislation and that would be a great hardship on the custodial parent whose child has been...abducted. This bill would allow the trial to be either in Cook County where the child left the State or in the county where the child resided. I know of absolutely no objection to this and I would ask for a affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Marovitz, it's noted in our analysis that the Illinois Association of Women opposes this bill. Could you tell me why or has that been cleared up?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

All I can tell you is that the women's organizations were the ones who wanted this bill, so I think that would be incorrect. The women's organizations are the ones who wanted this bill. They're the ones, in many cases, who...who are subject to the...to the child being kidnapped from them. They have to go through the hardship throughout the State of Illinois of always coming to Cook County where the...generally where the abductor takes the child out of state. This would allow that trial of the abductor to be in their home county.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, Senator.

SENATOR HOLMBERG:

In the gallery above me, I have some students from my home district with their instructor, Kevin Locket, from the Christian Life Center.

PRESIDENT:

Would our guests in the gallery please rise and be recognized. Welcome to Springfield. Any further discussion? Further discussion? Senator Marovitz, you wish to close? If not, the question is, shall Senate Bill 2003 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2003 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2006. Read the bill, Mr. Secretary.

END OF REEL

REEL #7

SECRETARY:

Senate...Senate Bill 2006.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill prohibits paramilitary training with the intent to employ unlawfully in the furtherance of civil disorder. We passed this bill 59 to nothing last Session, ten other states have already passed this bill. It makes the teaching or demonstration to another the...of the use application or making of a firearm explosive or incendiary device or technique or the assembling of two or more persons for the purpose of training with practicing with or instructed in the use of certain weapons illegal. It requires that the teaching or training be done with specific intent to employ unlawfully in the furtherance of civil disorder, that's the offense and...I would ask for...for the Senate to support this legislation as we did last Session 59 to nothing.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2006 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2006 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2008. Read

the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2008.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. This bill was requested by the State's Attorney of Cook County pursuant to negotiations with many parties. It involves certain delays in holding an...adjudicatory hearing and proceedings under which the Juvenile Court Act would suspend the running of the hundred and twenty day period in which the hearing is to be held. Presently, that hearing has to be held within a hundred and twenty days and this would allow certain totaling of that period, and I would ask for its adoption.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2008 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 2008 having received the required constitutional majority is declared passed. Senator Leitch. On the Order of Senate Bills 3rd Reading, Senate Bill 2018. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2018.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President and members. This is a Department of Transportation bill and makes several noncontroversial changes. One thing it does is in Section 11-1202 of the Vehicle Code, it was recently amended and the word "abandoned" was inadvertently omitted. So the law needs to be changed so the Illinois Commerce Commission can erect exempt signs at abandoned railroad crossings. In addition, it adds into Illinois law some Federal Motor Carrier Safety Act regulations to make them consistent with Illinois law, and it further requires some...that the Commerce Commission notify the Department of Transportation when insurance is granted or...or...receded in self-insured status of a motor carrier...I don't think it's controversial and I ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, Senator Leitch, I know this is your first bill...but first...nonappropriation bill and we missed the appropriation bill which probably should have examined a lot closer than we did. Now, you're going to abandon how many of our rail crossings in our districts that we are concerned with that will get farmers' products to market? What exactly are you doing to the good people of this State?/

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Please don't be too rough on me, as you can tell, this is the centerpiece of my legislative program this year. But...there are school buses who presently have to stop at railroad tracks which have been abandoned and that that's an unsafe practice and ought to be remedied immediately.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

What additional liability will these school districts incur on the passage of this bill? Will they be able to get insurance and how do you know for sure that those tracks have really been abandoned?

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

I've been assured that they will be able to get insurance and there are no undue burdens imposed on the districts of Illinois schools.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 2018 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. Senate Bill 2018 having received the required constitutional majority is declared passed. Congratulations. Senator Geo-Karis. On the Order of Senate Bills 3rd Reading is Senate Bill 2019. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 2019.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and...and Gentlemen of the Senate, this bill provides thay anyone who knowingly transmits a false report under the Illinois Domestic Violence Act commits the...offense of disorderly conduct and this is...relates to

the elderly abuse. It...any person who knowingly transmits...a false report on it and tries to protect the elderly and it amends the existing immunity provision in the Act relating to victims of violence and...and abuse to provide immunity to persons reporting in good faith the abuse of an elderly person. I ask for your favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2019 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 2019 having received the required constitutional majority is declared passed. Senator Geo-Karis. On the Order of Senate Bills 3rd Reading is Senate Bill 2020. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2020.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill amends the Public Aid Code, gives the department the authority to recover from a liable third party the cost of benefits provided to a recipient or past recipient and, I might say to you, there was an...an amendment put on it by Mr. Berman which we accepted and makes the bill even better, and I move for...the successful passage of the bill.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2020 pass. Those in favor vote Aye. Those opposed will

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 2020 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, bottom of page 12, is Senate Bill 2022. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2022.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The purpose of Senate Bill 2022 is to correct an injustice that exists in the rules and regulations of the Department of Public Aid. This bill deals with general assistance which, as many of you are aware, is essentially funded by the levy of a one mill tax...maximum one mill tax in our local townships. The interesting rules of the Department of Public Aid say that if a township levies that one mill and pays up to a certain maximum amount of money that the department sets forth, and in the case of the larger communities,...it might be like a hundred and fifty-four dollars a month to their general assistant recipients, the department will reimburse that township under a certain formula. Let me give you the specific example of Evanston that I represent, and if the City of Evanston...allocated a hundred and fifty-four dollars a month to its general assistance recipients and levies the one mill tax, the department would reimburse Evanston about four hundred and fifty thousand dollars. Because the township board and supervisor in Evanston determines that the person can't live on general

assistance with the standard of living and the cost of living that we have in Evanston, Evanston, in fact,...pays two hundred and ninety-four dollars a month to that...general assistance recipient. The anomaly is that we don't get any reimbursement from the Department of Public Aid. We don't...not only get what we would have gotten at a hundred and fifty-four, we get zero. It doesn't make any sense. The bill...this bill says that if a township pays...levies that one mill tax and determines by its own...determination that they're going to pay more out of their own local tax dollars for general assistance, this bill requires the department to reimburse us what we would have gotten if we were just at the department's level. Now, the department when the bill was originally introduced gave me some figures that the cost to do this Statewide would be astronomical. So what we have done is to amend the bill just to address the principle of the...of the issue, and so what we have done by the amendment is to address just a limited number of townships, one, two, three, four, five, six in number, that would be reimbursed under the amended bill. This happens to be six townships that are coterminous...the boundaries of the townships are coterminous with the cities in which they reside, and the staff of the Department of Public Aid indicated to me that this did make some sense because these are cities or...or towns in which the cost of living is essentially higher than in the rural parts. And in the words of the staff of the Department of Public Aid, this is as good a measure as any other to bring this bill into a very modest cost item and the cost of this bill would be seven hundred and eighty-three thousand one hundred and ninety-five dollars. I'll be glad to respond to any questions. I think it's an important principle to say that we should not be penalized because we want to use our tax dollars for the benefit of our general assistance recipients.

PRESIDENT:

Any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Very reluctantly, because I certainly do see the merits of this particular bill. It is merely a...a matter of fiscal responsibility and the Department of Public Aid has raised objections because they just say they cannot afford this particular bill at this time. So I would have to reluctantly oppose this bill.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I was away from my desk and I didn't get to hear all the explanation, but is there any particular area of the State that this is aimed at or who's going to benefit?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, Senator Watson, as I indicated, what I tried to do was get it paired down with some rationale to a very modest amount, and...the townships that will be assisted here is Freeport Township in Stephenson County, Alton Township in Madison County, Zion Township in Lake County, Macomb Township in McDonough County, Bloomington Township in McLean County, Evanston in Cook County and there are two others that would qualify but because of their caseload they won't get any money but they would be included in this, Oak Park in Cook County and Urbana-Cunningham Township in Champaign County. The reason for this limited number is, again, to...to address the principle of the item and keep it within a very modest cost.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, obviously, these are townships then...that have expended all their general assistance dollars and they're asking for assistance from the State.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

These townships have levied the...the one mill real estate tax, their caseloads cause their total cost to exceed what the one mill results in, and what we're asking under this bill is for the State to reimburse them as if they paid their general assistance recipient the level that the State recommends even though they're spending their own tax dollars to give their citizens a little higher benefit.

PRESIDENT:

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield? Senator Berman, now if you're levying...these townships are levying up to the maximum, to a mill, is...they should be then kicked in to becoming a receiving township. Is the reason that they are not a receiving township because they've...they give more to the recipients than Public Aid Code?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

That's the main reason for the bill, but let me in...in total clarity. There are other issues in what we have tried to do, for example, there are...a long list of rules in the Department of Public Aid regarding employee salaries and hours of work for the employees. We've eliminated that element from the bill; in other words, we're not giving reimbursement for what they call administrative costs, because I don't want to get into that debate. We're only asking under

this bill for partial reimbursement for the financial assistance and the medical assistance. The administrative costs are out of the bill, they're not included, so that your question...the answer to your question under this bill is, yes, the only reason they're not reimbursed this amount is because they're paying more money.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Well, then, why are these townships giving more money than the rest of the townships in the State and then expect to get reimbursed for it?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

For...for example, in...in Evanston, our...our township board determined that it's a higher cost of living than what this...Department of Public Aid would allow. We pay our recipients two hundred and ninety-seven dollars a month; if we had to abide by the department's rules, we could only pay them a hundred and fifty-four. I want reimbursement on a lesser dollar amount but as if we paid a hundred and fifty-four. That's all I'm asking for, I don't want...I don't want...the State to pick up our generosity. I just want...the same amount as if we caused our people to go hungry at a hundred and fifty-four. They can't pay any rent in Evanston at a hundred and fifty-four dollars a month.

PRESIDENT:

Further discussion? There's one light still on. Senator Karpiel, have you concluded?

SENATOR KARPIEL:

Well, yes, if I understand this correctly,...and...and my seatmates here are...are confusing me. If you're saying...in one breath they're telling me that the reason that you're

asking for money is because you have such a tremendous case-load, that's not what I thought you were saying. I thought you were saying that you give more money to your recipients than the guidelines because the cost of living is a lot higher in Evanston. Is it also a lot higher in Bloomington?

PRESIDENT:

Senator Berman.

SENATOR KARPIEL:

...we have a very high cost of living where I live too and we're following the guidelines.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

That's a decision that your local board...made. In Bloomington, their board decided that...that the amount that ought to be paid for general assistance is a hundred and eighty-six dollars and sixty-six cents. This bill will give Bloomington part of the money that they would have gotten from the State if they decided to pay only a hundred and fifty-four, part of the money, but their local tax dollars is going to pay their general assistance recipients a hundred and eighty-six sixty-six. That's what their local elected officials decided was necessary to keep their people on general assistance.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 2022 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 14, none voting...1 voting Present. Senate Bill 2022 having received the required constitutional majority is declared passed. Bottom of the page, 2025, Senator Fawell. On the Order of Senate Bills 3rd Reading, Senate Bill 2025.

SB 2037
3rd Reading

Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2025.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you...thank you, very much. This is a bill...which will allow our state's attorney in cooperation with the local municipalities in the area to establish a center that will facilitate the interviewing and ease the trauma of a child who has been a victim of child abuse or sexual abuse. This legislation will allow the state's attorney to accept funds from the State, Federal and philanthropic funds. We have been working with the agencies and United Way has been acting as our spokesman, and I believe we have satisfied all questions on this bill now, and I will be happy to answer any questions.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 2025 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 2025 having received the required constitutional majority is declared passed. Top of page 13, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 2037. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2037.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 2037 deals with what has come to be known as the National Bellas Hess issue. It is the fact that all states which have a sales tax and a use tax are having great difficulty in collecting all that is really due to them because of interstate sales and particularly mail-order and catalog sales. I think we recognize that in the end this probably requires a national solution, and, as many of you know, the National Conference of State Legislatures and others are working in that direction; but, in the meantime, we believe that we can expand the capacity of the State of Illinois to collect use tax that is legitimately due to it and this bill is an effort in that direction. Basically what it does is to provide where advertising is placed in Illinois and is intended to be disseminated particularly to consumers in this State that the advertising agency will, in fact, serve as a agent for the person who is making the sale into the State only for the purpose of providing a presence or a nexus with State of Illinois. That will then allow the Illinois Department of Revenue to go after that interstate sale...seller. I think that my cosponsors who are Senators Holmberg, Donahue, Friedland, DeAngelis and Rigney are all very conscious also of the importance of this problem. I suspect many of you have had letters from some of the Illinois based retailers who have said that they are being hurt badly by this enormous amount of interstate sale that is basically tax free where their sales are not tax free. I do not represent that this addresses the problem fully. I do not suggest that we will necessarily be able to reach all of the mail-order catalog sellers into the State, but we believe that it does extend the department's capacity to do what it would like to do. I will be happy to answer questions and would solicit your support.

PRESIDENT:

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, as Senator Netsch knows, I opposed the bill in committee, I was the only person who did so; and without belaboring the point, just wanted to...to point out that we are, in my opinion, flying in the face of constitutional law in that the U. S. Supreme Court ruled in what is referred to as the National Bellas Hess versus Illinois Department of Revenue case that a tax of basically this kind is unconstitutional. There is a slight variation between a tax which the State attempted to impose which was declared unconstitutional in that case and the tax embodied in this legislation, but...but only in that this legislation attempts to find some sort of a required "nexus" in the fact that out-of-state mail-order retailers are advertising in Illinois. The rationale for the...for this nexus requirement is that in order to...to satisfy due process requirements, we are supposed to be able to find that a retailer is receiving some benefit from the State, and I simply question whether...whether in...an out-of-state retailer's advertising in this State would be...would be construed to convey a benefit on a particular retailer. Because I feel that...that this particular tax will meet the same fate of...the previous legislation in the Bellas Hess case, and...and because in addition to that, I would point out that this kind of tax to be collected in potentially all fifty of the states by the Illinois Department of Revenue would be extremely difficult to administer and collect, I oppose the bill.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, to follow up what Senator Barkhausen said. The National Associ-

ation of Tax Administrators representing the directors of revenue from the fifty states recognize that this issue cannot constitutionally be solved at the State level, and they're...they're proposing that Congress pass legislation to equalize sales tax collections on mail-order companies. Passage of this bill will undoubtedly result in immediate legal challenges which means more money to be spent for the State of Illinois defending it. So I rise to speak in opposition to the bill on the basis of its...unconstitutionality.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, will Senator Netsch yield to a question?

PRESIDENT:

Indicates she'll yield, Senator Vadalabene.

SENATOR VADALABENE:

Yes, does this provide only for mail-order purchases?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, it's not directed specifically toward that. What it adds to the definition of doing business in the State of Illinois this language, "Placing one or more commercial advertisements in this State which are intended to be disseminated primarily to consumers located in this State; secondarily, disseminated to bordering jurisdictions including advertising appearing exclusively in Illinois editions or sections of a national publication." What all of that means is that we...we are talking about people who are selling across state lines, but we're talking about those who have, in our judgment, entered this State by dint of their heavy advertising and their use of advertisers who indeed are located in the State.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, let me give you an example what I'm referring to. Say, for instance, someone from Missouri comes to Illinois and buys some furniture. We have to collect the sales tax to...to pay to the State of Illinois. Say that I go to Missouri and buy furniture and don't pay sales tax and then he delivered in Illinois, would this prohibit that type of a sale?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, nothing prohibits the kind of sale. Right now, in theory, if you went into the State of Missouri, purchased furniture and brought it back to the State of Illinois, you are due to pay a use tax to the State of Illinois. That is the law now and it has been there for a long, long time. In fact, many of those sales are not really effectively colllected and that, of course, has been one of the major gaps. That is a little bit different from what we are talking about here. We are particularly aiming at those who have a presence outside of the State, heavily sell and advertise into the State but get away with not paying the sales tax whereas your retailers in your community do have to pay the sales tax. We're trying to help the Illinois based retailers.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I think the...the point has been made, it's our own Illinois retailers who are disadvantaged by these out-of-state mail operations who don't have to pay sales tax. All we're trying to do is take care of that situation. I never have under-

stood the argument that some use on this Floor that the courts are going to find it unconstitutional; therefore, we shouldn't do it. We're legislators, not judges, we've got an attempt here to solve the problem. We ought to be for this piece of legislation. If somebody wants to challenge it in court, that's their right; but for now, let's try to help out our own Illinois businesses. An Aye vote is what you want to do on this one.

PRESIDENT:

Further discussion? Senator Netsch, you wish to close?

SENATOR NETSCH:

Yeah. I...thank you, Mr. President. I would like to make a couple of points. One is that I would like to mention that the bill was drafted for me by the Comptroller who has been very supportive of it. Secondly, I would like to say in response, particularly to Senator Barkhausen, that we believe that there is a base within the Supreme Court decisions for this particular language. It does not reach all mail order, all catalog sales, undoubtedly, but it does involve an agency theory and there is some support in the Supreme Court decisions for that. I would also note that the State of California has already enacted almost identical legislation and there's several other states which have enacted similar legislation or are contemplating it. The amount of sales tax lost to this State probably is in the neighborhood of sixty to...to ninety million dollars. This bill clearly is not going to reach all of that but it will help the Department of Revenue reach some of the out-of-state sellers who are selling in the State, not paying the use tax and really hurting our retailers in the process. They believe that it will be of...although they're not taking a position on the bill formally, they believe that it will fortify their ability to go after some of those out-of-state retailers. We think it will help all of our Illinois based retailers, and I

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would solicit your support.

PRESIDENT:

The question is, shall Senate Bill 2037 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 4 Nays, 1 voting Present. Senate Bill 2037 having received the required constitutional majority is declared passed. 2038, Senator Netsch. On the Order of Senate Bills 3rd Reading, Senate Bill 2038, Mr. Secretary.

SECRETARY:

Senate Bill 2038.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill also was requested by the Comptroller's Office and what it attempts to do is to codify and clarify exactly who is entitled to the interest on tax monies that are collected. And very simply what it says is that if a tax is locally imposed, the local units of government are entitled to any interest on that tax even though it may be held for awhile by the State of Illinois. There are some court decisions which go in that direction and this in a sense is a confirmation of that but it has been a long, arduous process. It also makes clear that where the...the tax is a State imposed tax, the State is entitled to the interest. It's a fairly simple division, an eminently fair one and I would solicit your support for Senate Bill 2038.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 2038 pass. Those in favor will vote

Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2038 having received the required constitutional majority is declared passed. Senator Marovitz on 2042. On the Order of Senate Bills 3rd Reading, top of page 13, is Senate Bill 2042. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2042.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Senate Bill 2042 amends the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act and expands the coverage that we passed a few years ago to allow relief for senior citizens...low-income senior citizens for diabetes and arthritis drugs. This is an optional program that helps eligible circuit breaker claimants pay for medication for chronic illnesses...currently, cardiovascular...medicines are the only ones that are included and this expands it to diabetes and arthritic medicines. They would have to give up their circuit breaker money to be eligible for relief under this program. This bill is the number one priority for senior citizen organizations throughout the State of Illinois. It's a widely held misconception among the public that people over sixty-five don't have to worry about health care because they're covered by Medicare but, in fact, twenty...only...nearly twenty percent of the income of those over sixty-five is spelled...is spent on health care. This is a very important piece of

legislation. It's an optional program, they do have to turn in their circuit breaker money. It's supported by the following organizations, the Metro Seniors in Action, the...Chicago Senior Senate, the UAW Retirees and the Machinists Union Retirees, the Arthritis Foundation, the Diabetes Foundation, the Southside Homeowner's Association of Peoria, Champaign County Health Care Consumers, the Coles County Health Care Consumers, the Silver Bells of Madison County, the Lessie Bates Neighborhood House of East St. Louis, the St...St. Clair County Health Care Association and I would solicit your support.

PRESIDENT:

Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. As minority spokesman of the Health, Welfare and Corrections Committee, I, again, reluctantly rise to oppose this particular piece of legislation. This bill will cost the State over 3.2 million dollars and the department just says that they absolutely cannot afford this at this particular point with that kind of a fiscal impact. So, as I say, I do have to stand in opposition to this bill.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, thank you, Mr. President. Senator, as Senator Macdonald just mentioned, it has a fiscal impact of 3.2 million. What does the current program cost the State of Illinois?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I'm glad you asked that question, Senator Watson. We were...we were able to get some of the latest figures from

the Department of Revenue, the Pharmaceutical Assistance Division. The program has cost so far less than it was projected. Between July 1st of 1985 when the program started and April 15th when we got our figures, nine thousand and thirty individuals participated in the program. They submitted a hundred and twenty-two thousand and ninety-seven drug claims for a total payment of two million seventy-five thousand dollars. Now to calculate the net cost to the State, you have to subtract the seven hundred and twenty-two thousand dollars paid by the participants, that's eighty dollars each, in order to get into the program, giving up their circuit breakers; so they had to pay seven hundred and twenty-five thousand dollars to get into the program, that leaves a net cost of one million three hundred and fifty-three thousand dollars for the program so far. Five million dollars was budgeted for this program for Fiscal '86; it's only cost so far a million three hundred and fifty-three thousand and five million was budgeted. So we've got three hundred...three million five hundred thousand dollars left or, let's say, three million certainly in excess...far in excess of what was budgeted for this program in and of itself.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you. One of the reasons why, of course, is people have been registering since that particular date of July 1st of 1985, and the program has had a delay of several months in regard to people that are applying and then ultimately get their cards. So, I don't know if we can use these figures as a true basis as what the program is going cost; but the reason I asked the question that I did is because 3.2 million doesn't seem like...a...a large figure in regard to the medication you're covering, because arthritic medication especially has got a...much of which has a tremendous price tag

and we're opening this to all medication, from what I understand, dealing with arthritis. Is...is that correct, Senator?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I'm not sure what your question is.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Regardless of the...the medication and the cost, if it's to deal with arthritis, it's going to be available on the program.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Arthritis medications and diabetes medications will be available through this program.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

...thank you, Mr. President. I just wanted to underscore the...the importance of the financial figures, because as the original sponsor of this law, we...we...we were given just all kinds of wild estimates about what it was going to cost and that it was going to bankrupt the State and we did, indeed, limit it with that mind. It...even at the delayed beginning phase of it, it has cost so much less than any of the wild estimations that were made, and what we said at the time was that we will give it a chance to get started, if it goes modestly which it certainly has, then that is the time to begin to add other important elements...medical elements to it; and bear in mind, that no one can participate unless they give up their eighty-dollar supplemental grant. And,

so, that is an important off-setting factor to begin with. I just don't think the costs are going to run amok and it is extremely important to senior citizens.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. We've heard a lot of talk about dollars. We're really talking about a lot more than dollars here today, we're talking about survival in this bill. Arthritis and diabetes are chronic diseases, not acute or short-term ailments. Because of the wonders of modern medicine, more of our citizens can live long and comfortable lives if they can afford the proper medication and that is a big if. That's why this is the number one priority for senior citizens in the State of Illinois. This only affects people whose incomes are fourteen thousand dollars and less. Now if we were here to care of our people and to show some sympathy and...empathy for people on low and fixed incomes who want to live and need to live a productive life but need some stabilizing medication for that, that's what this program is all about and I solicit your Aye vote for this program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2042 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On thay question, the Ayes are 56, the Nays are 1, none voting Present. Senate Bill 2042 having received the required constitutional majority is declared passed. 2044, Senator Weaver...on the Order of Senate Bills 3rd Reading is Senate Bill 2-0-4-4, Mr. Secretary.

SECRETARY:

Senate Bill 2044.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, members of the Senate. 2044 would amend the Illinois Horse Racing Act to permit each track eligible to conduct intertrack wagering to establish within thirty-five miles of its racing facility two additional facilities. Now, this is a very limited form of the bill that we passed here in the Senate last year. It...out of the five tracks that we have in the State of Illinois, it would allow two facilities within thirty-five miles of those tracks. Now we've been concerned about revenues, we've been concerned about this morning in the Ag. Department about the Ag. Premium Fund. With full implementation of 2044, it would increase the net gain to the State of approximately twenty-one and a half million dollars. Now this would mean an additional ten million seven hundred and sixty-six thousand dollars to the Ag. Premium Fund and another million eight hundred thousand to the Breeder's Fund. My main concern in horse racing and the revenue that it brings to the State is that which goes into the Ag. Premium Fund to support all those activities Statewide that are supported by the Ag. Premium Fund, and I think all of you know basically what those are. If there are any questions, I'll be try to...I'll try to answer them. These facilities would be under the control of the Illinois Racing Board. They would establish the rules and regulations by which they operate. If there's any questions, I'd be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I, too, rise in strong support of Senate Bill 2044. As Senator Weaver so accurately pointed out, last year this Senate passed to the House a innovative plan calling for off-track betting. This is not off-track betting, this is an extension of intertrack wagering. We, as you recall, some three years ago afforded the opportunity to simulcast races whereby now we can go to an Illinois facility and see, for instance, the Kentucky Derby and the Preakness and have the opportunity to place a wager. In addition to that, we have now by virtue of intertrack allowed facilities that are down, that is to say that they don't have live races, the opportunity to simulcast the races at another track and afford the convenience to the patrons. All this would do would afford each of the existing facilities the opportunity to have two facilities within a thirty-five mile radius and certainly not closer than ten miles to an existing facility. I think it's a good idea, one that will expand the handle and when the handle expands, the State benefits. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. On the two facilities, is there any definition as far as the size of the facility and where it's supposed to be located?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, certainly, they'd have to be within thirty-five miles of the track and not closer than ten miles from any

other track. Also the...the rules and regulations will be...would be promulgated by the Illinois Racing Board as to size, hours of operation, et cetera. All...everything would have to be approved by the Illinois Racing Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I was...my question was relating...has anybody given any thought, will they rent former theaters where they can accommodate say, for example, eight...eight thousand people or is it going to be smaller facility? Has that been discussed at all or is that going to be strictly to the Racing Board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I have not heard any discussion on it, Senator Lechowicz, I...it would be up to the judgment of the Racing Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Weaver may close.

SENATOR WEAVER:

Well, I think there's certainly been great concern from many of us as to how we're going to supplement the loss to the Ag. Premium Fund for extension service and all the State fairs, the county fairs throughout every county in this State. This year probably we're going to have to come up with a subsidy of somewhere around seven million dollars. Now we just can't continue to see horse racing deteriorate in the State of Illinois. There's many jobs involved and I...I don't think any of us argue with that which the Ag. Premium Fund supports. So, this is my only concern. I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2044 pass. Those in

favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...the record. On that question, the Ayes are 35, the Nays are 16, 4 voting Present. Senate Bill 2044 having received the required constitutional majority is declared passed. 2051, Senator Jones. Senate bills 3rd reading, Senate Bill 2-0-5-1, Mr. Secretary.

SECRETARY:

Senate Bill 2051.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. This amendment is...this amendment was debated thoroughly yesterday and I'll go over it briefly again. What it does is adopts a modified doctrine of the joint and several liability and...it...joint and several liability would only apply to those defendants who are equal to or more than fifty percent at fault. Also it has...incorporated...in here is the Not-for-Profit Sports Liability Limitation Act, and what that does is exempt those persons from...from being sued who are participating in non-for-profit sports. This is more or less the Little League amendment and it also...is incorporated in here is the...the waiver that is abolishing the joint and...wait a minute...it...it...it abolishes the portion that is related to...local units of government having to waive their...their liability and their immunity as it relate to insurance. So these three portions are incorporated in this piece of legislation, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

The amendment that you put on the bill, or whoever put it on for you, said it deletes the language that requires an insurance company to waive immunities that are available to the county or local government. So, in other words, are you saying in this...this amendment that the insurance can cover itself well and...I don't quite understand it. I thought you said you were going to help local governments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, actually what it does is that under this amendment the insurance companies can use the immunities that local governments have, as it stands right now, they cannot.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, if we're going to protect the local governments, I don't think we should take away some of their rights that they have already under the Statutes. I'm going to speak against this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, I don't think your bill is a bad bill, but I do want to point out some hypocrisy based on some of the rhetoric from the other side. When is negligence not negligence? I guess it isn't negligence if you're doing something for nothing. Now, you can be a Little League coach and have

a five-foot nine-inch fast ball thrower who can't hit the side of a wall and beans a kid and that's fine...and almost kills her, that's not negligence. The point is that negligence is always negligence, but what you're trying to do is redefine it because you know there are some abuses in that system that might impact on some other people, and you don't want it to impact on people who do things for charitable or for no compensation reasons. The law should be the law for everybody. A victim is a victim and ought not to be...matter where that person is injured or what the cause of that injury is. The fact of the matter is, negligence is negligence and yesterday we got brutalized time after time about our indifference to victims. Now today you're wiping out a whole category of people who can become victimized, because you're now defining the law as saying, you don't have any rights at all, Jack, 'cause you can't be a victim 'cause we don't recognize them. Shame, shame, shame.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I think there was a little bit of confusion from Senator Geo-Karis' remarks. We are not taking away in any...in any form whatsoever certain benefits that municipalities had; in fact, by this bill we are expanding them. Let me just try to explain it a little bit. Under the existing law, a municipality cannot be held liable for ordinary negligence if they are self-insured. You have to prove willful and wanton negligence, a higher standard; but the law presently says that if you go out, city and you buy insurance, by buying the insurance you waive the protection of the wilful and wanton standard and if the claimant can prove that the city was just ordinarily...negligent, the insurance company must pay. That's the existing law. What Senator Jones' bill does is to say that wilful and wanton is

the only standard under which a city can be held liable whether they have insurance or not. That's what the amendment says, that's...I put that amendment on yesterday in...in Senator Jones' absence. So that what you're doing is expanding the protections available to your municipalities under this bill compared to the existing law. I won't get into the question regarding Senator DeAngelis but merely to say that there are many categories of functions; paramedics, we give them a certain status; peer review committees in the Medical Society, we give them a certain immunity; here, we're giving the Little League operators a certain immunity. There's nothing unique about that and I think that Senate Bill 2051 deserves your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? For a first time, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I was glad to have that explanation by Senator Berman, but I think he was only addressing the...the volunteer organizations, were you not, Senator? Or let me...let me pose the...pose a question, if I may. The...as the bill was originally introduced, what it did was...was give the immunities in the Act to governments whether or not they had insurance, and then you deleted that provision and put something else back in. And I guess my question is whether or not that was put back in. Okay...okay. I...and I would like...I'd like to just make this point, if I may, there are a lot of bills flying through here that create all kinds of self-insurance pools and funds and all that, and I...and...and a lot of stuff that could be considered anti-insurance legislation and...and, frankly, I understand that very well. But I'm not sure what the future is going to hold for protecting governments in Illinois, you know, whether we really can do it through all these pool

mechanisms or not; but unless we pass something like this provision, we're going to effectively eliminate all private insurance from writing coverage for governments in Illinois. Now to some extent the insurance companies have done that to themselves, and I understand that, and I...I'm mad at them too for that, but...if, in fact, you are giving some...some of those immunities to the insurance companies, then I...I believe that that will have the effect of bringing some of them back into the market, and...and so to the extent that you're doing that, I think you're doing a...a right thing here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I...listening to Senator Berman's explanation, then I'll stand corrected because if the...all I wanted to be sure is that the local governments are more protected by this bill than not more protected and he assures me it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President. In response to the other part of the bill as it relates to the Little League, for example,...as the law now stands...and many of us do these things, like I'll sponsor a lot of Little League baseball teams and just being the sponsor as it stands right now, I can be...be liable for such. So we're talking about will...so...but we're talking about wilful and misconduct on...on the part as it relate to this amendment. It does not...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...wait a minute. Senator...Senator DeAngelis, Senator Jones was closing. Senator Jones.

SENATOR JONES:

...it does not deal with...it...it deals with wilful misconduct as well, they are not immunized in this piece of legislation. So I think it's a very good amendment. If we are to take care of those persons like myself and others who want to do things to help people then I don't think we should be liable as such, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2051 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2051 having received a...a constitutional majority is declared passed. 2052, Senator Berman. Senate bills 3rd reading is Senate Bill 2-0-5-2, Mr. Secretary.

SECRETARY:

Senate Bill 2052.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. If you liked the last bill, you'll love this one. The genesis of this bill are repeated calls that I received that I'm sure are duplicated by each one of you from people and businesses that have said to you that they've had...liability insurance policies for years and years, and they never had a claim and, suddenly, they're either not renewed or their premiums go through the ceiling. This bill says, let me read it to you, it's very short. It says, "After a...after a policy of insurance has been in...effect...in effect or renewed for five or more years and no claim has been filed against such policy, the company that

issues that policy may not cancel or nonrenew such policy or increase the premium of such policy by more than ten percent except under the following conditions" and these conditions are very important, "if any of the following occur, this prohibition about nonrenewal or a ten percent increase doesn't apply. "Number one, nonpayment of premium. Number two, the...the policy was obtained through...material misrepresentation. Three, any insured...violated any of the terms and conditions of the policy or," and this is the key one, ladies and gentlemen, "number four, the risk originally accepted has measurably increased." Now, what that's...means is this, simply put, I take out a policy on my car, I have my policy for five years, I'm the only driver, nothing has changed. I've been paying those premiums, there's never been a claim, they can't refuse to renew me and they can't increase me by more than ten percent; but suddenly, I apply to them and I've got my teenage daughter that wants to drive my car. This bill doesn't affect that. They can refuse to renew me, they can refuse...they can cancel me or they can up me by two hundred percent because the risk has increased. That's what this is about. This is what your...your constituents complain about. I...I urge an Aye vote on 2052.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President...this...all...this sounds great, you know, and the idea that we're going to protect people but one of the things I think you might be fostering by this is an awful lot of four-year term policies. Is it...suppose we have a policy, does it have to be five consecutive years? If we have it and drop it for one year and then take it, do we get another four years where we can cancel? And then when you limit the increase in the premium to ten percent would you also consider an amendment limiting

the losses...the increases in losses to ten percent? Don't you think that would be...if you're going to limit one end of it, how can you possibly not consider limiting the other side of it? It's just...it's a...it's a...it's a double thing...there are two things. In order to pay the losses, we have to have the premiums, and if the premiums only go up ten percent then let's put a limit on the increase in the losses to ten percent. Don't you think that would be fair?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I noticed the sponsor was laughing and enjoying himself as he presented this...this amendment...or this bill...this...ranks right up there, Senator, with the amendment you put on yesterday that would roll back prices to the 1984 level. I was thinking as you were kidding about it and I was watching,...I heard somewhere...something to the effect that when I make a joke, it's just a joke,...when the Legislature does it, it becomes a law; and I think this is a prime example of that...the problem, of course, with this is that had this been in effect when the...when the liability crisis hit Illinois, we would have had massive nonrenewals of insurance policies. Now, we didn't have that this time, we had...we had a lot of nonrenewals but they were not massive, they were not across the board and, believe me, we would have had that because the problem was that insurance company underwriters in writing liability insurance were pretty uneasy about writing anybody. Now if you had a law like this on the books, the first thing they would have done would be to go through and see who they

couldn't get off...who they couldn't nonrenew and, of course, that would have been anybody that had been insured more than five years; but believe me, if they had any anybody who had been insured less than five years, they would have immediately nonrenewed those policies. But, anyway, we're on a roll here. I guess...I guess this is the day to punish the insurance industry but, for goodness sakes, don't expect that this is really anything that is going to work to the benefit of consumers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Well, I...I appreciate the comments of the last speaker but let me tell you, I am very serious with this bill and the people that call me are serious about it. And when you talk about that there have been a lot of nonrenewals but they haven't been massive, let me tell you, if I'm not renewed, that's massive. If you're not renewed, that's massive, because we're talking about one on one. If a guy can't get...if my businessman in my community can't get renewed and he hasn't had a claim for five years, that's massive to that businessman and that's the kind of complaints I hear about. And I'm saying by this bill and I hope that your Aye vote says the same thing, that when the insurance companies set their premiums which they have the right to do without limitation and they've been doing that for five years and there hasn't been a claim, there's an obligation established between that insurance carrier and that insured and this bill says they've got...they can make a reasonable profit, they set the amount of the premiums, they can even make ten percent which means over a five-year period, they can increase the premiums fifty percent and there hasn't been one claim paid on that policy, they've got to keep me in force. That makes sense to everyone of your voters, I hope it makes sense

to you. I ask an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The questions is, shall Senate Bill 2052 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. Senate Bill 2052 having failed to receive the required constitutional majority is declared lost. 2053, Senator Jones. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

I would respectfully ask the President and the members to please start the time clock so we don't go over the debate. We got...still a long way to go yet this evening and I would respectfully ask, let's start the time clock we have in the Senate rules so everyone will have the same advantage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, thank you, very much, for the suggestion. We'll take it under advisement. We've been attempting to do that all day but there are certain members that...on the Order of Senate Bills 3rd Reading is Senate Bill 2053, Mr. Secretary.

SECRETARY:

Senate Bill 2053.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...thank you, Mr. President and members of the Senate. Senate Bill 2053 creates the Illinois Insurance Development Act. It authorizes the director of the Department of Insurance to enter into the reinsurance contract for classes of...which...for which insurance has been determined to be

unavailable. This...this bill attempts to address one of the major causes of insurance unavailability, the restricting foreign...market...insurance market...reinsurance market, that is, the Lloyd's of London who...refuse to reinsure...certain classes of risk of business. This bill will offer reinsurance to both small businesses as well as local units of government. The director of the Department of Insurance will determine the eligibility for reinsurance under this Act and the director will be required to appoint a nine-member advisory board. Ladies and Gentlemen of the Senate, one of the major...give me a little order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...just...just a moment.

SENATOR JONES:

Ladies and Gentlemen of the Senate,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...just...just...just...just a moment, Senator Jones has asked for some order, we can be quiet. Senator Jones, you may proceed.

SENATOR JONES:

Yeah, thank you, Mr. President. During the testimony that we heard before committees...before our respective...Insurance Committee and the Committee on the Affordability and Availability of Insurance, one of the problems that the industry testified to was that the reinsurance market was drying up, especially the Lloyd's of London and others. They were not reinsuring certain risks in the United States. So after hearing that testimony over and over again, we felt that here in Illinois we can solve that problem. It would not cost the taxpayers one dime, the premiums will set up the fund, the director will appoint the nine-member advisory board and we're talking about classes of risk that must have insurance; for example, day care in Illinois, which find it very, very difficult to get insurance and because they

can't reinsurance. So it is our obligation within...in the State of Illinois to make that available to the people of this great State. So this is what this bill does. It creates the Illinois Insurance Development Act. It creates the Act wherein small businesses as well as local units of government would have an opportunity to be insured and this sets up the Reinsurance Act, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The clock is on. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I'll talk fast. First place, there has not been a real need demonstrated that we need a pool in this. There is already in the Department of Insurance a voluntary market assistance program and that has been responding...exceptionally well and those are the reports we have. I would like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rupp.

SENATOR RUPP:

Would you explain Section 10, please, which is right on the bottom of the...page 9 of your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Senator, I believe you are...you're...you're pretty swift and I believe you are a little ahead of me, you talking about the next bill. This bill only contains six pages. I'll get to that bill next.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Fine, thank you, I'll wait.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Some questions of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator,...you are apparently by this bill putting the State of Illinois into the reinsurance business, as I...as I read this. Would this reinsurance be available to insurance companies in...in...who might be interested in writing risks in Illinois? Is...is that your concept?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Correct, but when you said...when you said they're putting the State into the business per se we're not using any State dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, whose dollars are you going to use, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

This would come from the premiums.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Oh, I guess I didn't understand that. Well, that's where they all come from, Senator, is from the premiums ultimately. But what...what this bill seeks to do now,...you say that...that you're going to set up a reinsurance company that will provide reinsurance for those risks or for those classes of insurance which are not available in Illinois. Now, the classes of insurance that are not available are primarily in

the area of pollution. No insurance companies today that I know of want to insure pollution hazards. They think it's too..entirely too risky and they're not willing to...to risk their...their money to provide that insurance. Many companies...most companies, in fact, aren't willing to insure day-care centers because of the problem of...of the sexual abuse that came to light. Many companies won't provide long...long-haul trucking insurance. I can go on and on with the list and...but the list would be only those kinds of liability insurance that insurance companies consider to be absolutely the worst risk, those are the ones that are not available in Illinois. Now you're going to set up a reinsurance company operated by the State of Illinois to provide reinsurance for the very worst risks in the State, for the...for the most hazardous risks that there are in the State, that's what would come to your pool. What you're seeking to do here is something that Lloyd's of London has said, no, we don't want to do. American General Reinsurance Company has said, no, we don't want...we can't afford to do that and every other...major reinsurance company operating in the United States has withdrawn from these markets, but now Illinois...the State of Illinois and government employees and bureaucrats and all of the...all the rest of that are going to run a reinsurance pool. You know, we're whistling Dixie here. This...I know what you're trying to respond to 'cause I heard those same comments, but...sorry, this isn't going to work.

END OF REEL

REEL #8

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

...thank you, Mr. President. Since this fund, Senator Jones, is going to operate basically on a cash basis, what's going to happen is that it's going to create a large unknown and unfunded liability for the State and for future generations of taxpayers. Now this proposal sunsets in 1989 and what will happen to those claims that have not yet been finalized or yet reported? We are putting the State into a situation where we might be called on down the lane fifteen to twenty years to come up with some payments on this thing. There's absolutely no limit as to what we're doing and to what exposure we're placing the taxpayers of the State of Illinois. So to say that it's not going to cost anything is a little bit wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones may close.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. If this legislation was law today, many of the carriers who...who claim they cannot get the reinsurance or the...the reinsurance from the foreign markets, this bill will induce them to come back into the State of Illinois and do business. The legislation has a three-year sunset provision in there. And I listened to my very distinguished colleague Senator Schuneman, who so adequately and so skillfully tried to influence the Body that this bill is going to insure all the very, very bad risks in the State of Illinois. That is not the case. As he said and I said and other members said, the problem that we seem to have in the reinsurance area is that

certain markets cannot be reinsured. Truckers have been driving along these highways for many, many years, truckers have been driving and never had an accident before, as Senator Berman pointed out, but all of a sudden, they can't get any insurance. There has been no drastic increase in accidents as far as truckers are concerned, there have been no drastic increase as far as suits are concerned, but all of a sudden they decided they don't want to write that business anymore. There has been no drastic suits and awards as it relate to day-care...centers, but yet and still the market decided...insurers decided they wanted to pull out of the market. By the very nature of these businesses...by the very nature of these businesses to operate they must have insurance. We are not creating a tremendous liability for the people of this State that the future...generations will have to pay for. The...the director of the Department of Insurance will enter into contracts for reinsurance for these risks that the director has determined cannot get insurance on the normal market. And so, with that, Mr...Mr. President and members of the Senate, I ask for a favorable vote along these lines, 'cause if we want to solve the problem, we must make it available to those persons who need insurance and this will induce the insurance companies to come into Illinois and write business and we will not have the crisis that we currently have. I ask for a Yea vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall Senate Bill 2053 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 27. Senate Bill 2053 having failed to receive the required constitutional majority is declared lost. 2054, Senator Jones. Senate bills 3rd reading is Senate Bill 2054, Mr. Secretary.

SECRETARY:

Senate Bill 2054.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Senate Bill 2054 creates the mandatory assigned risk pool. It requires all property and casualty insurers to participate in the pool and creates a board of directors to administer the plan. The purpose of this bill is to deal with the availability problem in the State of Illinois. It will require all insurance carriers licensed to do business in the State to participate in the pool based on their volume of business in the property and casualty line. Currently, the Department of...of Insurance has a volunteer program along this line, and the insurance carriers are...are participating on a voluntary basis, but the problem is that it's voluntary. We do not have enough persons participating...enough of the carriers participating wherein those persons who need insurance can go get insurance. So, by establishing this law, the...the director of the Department of Insurance will establish a nine-member board of directors, will require the board to submit to the director a plan for its operation, and whereby the availability problem that currently exists in the State of Illinois, which the...is currently being operated on a voluntary basis, if it's good on a voluntary basis, then it should be good on a mandatory basis, and therefore, this bill is introduced to solve that problem, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...Rupp.

SENATOR RUPP:

Thank you, Mr. President. One of the questions that I

have, this bill requires that the entire Act is repealed three years after it becomes law. Now, suppose I put a policy in there two years from now, two and a half years from now, what happens? The Act is going to...you know, they're going to act, but it's not going to be able to cut it off at a certain time like that. But if it goes out...three years after it becomes law, what's going to happen to the claims that are pending? What's going to happen to the policies that are still in force? Then the other question, I'll ask both of them, Mr. President, if I might, at the same time, is your Section 10 which is on page 9...actually, you say this...how much is this going to cost the State of Illinois? It's going to cost us a lot because what Section 10 does, and it's a little bit astounding, that it permits the insurance company to deduct from their tax liability any assessments which they have to pay to this pool. That's a tremendous exposure that we have, have any idea how much...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...I...I can't give you a figure on that because that is dependent upon how many will participate in the pool,...and actually what the assessments are. But...but on the first...on your earlier statements as such as it relate to what's going to happen to the policies that are written, the policy will always remain in effect, there is no liability to the State as such. And...only thing the bill does is, after a three-year period, they'd no longer have to participate in the pool but the policies that's written by those carriers who are participating in the pool will remain in effect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

...thank you, Mr. President. I...we've...we've all heard

an awful lot about insurance and tort liability today and...and I just got a promise out of somebody. They...they told me that if I wouldn't speak very long on this bill, they'd vote against this bad bill, so I'm not going to speak very long. It's a bad bill, vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

That's one way to do it, I guess. I think I see the scenario here, Mr. President. I believe that...and I've heard on this Senate Floor from various individuals that the insurance industry is such a lucrative market and such a lucrative thing that what we're doing is regulating this industry to the point where everybody is going to get out of it, and now the State of Illinois will get into the business and they're going to be the ones that are going to...benefit from the lucrative profits from the insurance industry. I think...I think...I think I see what's happening here, and I...I guess we're going to just underwrite our total General Revenue Fund by...by the profits from such things as we see here today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones may close.

SENATOR JONES:

It amazes me as I listen to the opponents on the other side of the aisle when they state their objection to this piece of legislation. This bill simply codifies what the director of the Department of Insurance is currently doing. If it is good on a voluntary basis, then it's good on a mandatory basis. If...if the program is working...if the program is working as good as they say it's working, then we will not have all these businesses out here trying to get insurance. We would not have truckers, we would not have day cares out here trying to get insurance. On the voluntary

basis one can be out of business by the time some insurance company voluntarily decides they want to insure them. So this bill, Senate Bill 2054, which creates the Illinois Lifeline Liability Insurance Pool Act, all it does it...it expand on the assigned risk pool to include property and casualty, and if you're concerned about those businesses in your community who testified before this committee and...and the House committee as it relate to the availability of the insurance, then you would...support this legislation. If you support what Director Washburn is attempting to do, then you would support this legislation. And so I ask for a Yea vote on 2054.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2054 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. Senate Bill 2054 having failed to receive the required constitutional majority is declared lost. 2074, Senator Marovitz. On the Order of Senate Bills 3rd Reading is Senate Bill 2074, Mr. Secretary.

SECRETARY:

Senate Bill 2074.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the bill that was the work product of the Department of Public Health and the Governor's AIDS Interdisciplinary Advisory Council. It provides for written informed consent before submitting to a test for the virus,

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for anonymity by using a pseudonym or code name for the person tested, allows for testing in the absence of written informed consent in certain specific incidents, intentional violations of the confidentiality, the provisions of the Act carry with it a Class B...misdemeanor. The important thing that the council and the Department of Public Health discovered is that it's crucial that an atmosphere of anonymity and confidentiality be protected so that people...are willing to come in and be tested and be counseled at the same time. This is the only way that we can get the information and...and education necessary to the high risk group, the...the IV drug users and the gay population. Only with confidentiality will they come in. I know this is a sensitive subject, but this is the work product of the medical community, the scientific community and the Governor's council and the Department of Public Health, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2074 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting present. Senate Bill 2074 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2076, Mr. Secretary.

SECRETARY:

Senate Bill 2076.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill expands the definition of unfit person to include an unmarried father who fails to establish paternity or make a reasonable effort to contribute financially for the birth or raising of the child. I might tell you that the Illinois Department of Public Aid is for this bill. And it also provides for evidence required for a father to overcome the presumption of intention to forego parental rights. And I...I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones, can we break up that...caucus on the Republican side. Discussion? If not, the question is, shall Senate Bill 2076 pass. Those in favor will vote Aye. Those...opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. Senate Bill 2076 having received the required constitutional majority is declared passed. Page 14, 2077, Senator Geo-Karis. Senate bills 3rd reading, is Senate Bill 2077, Mr. Secretary.

SECRETARY:

Senate Bill 2077.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...Senate, this bill amends the Adoption Act to provide for the elimination of the requirement of obtaining a consent to the adoption of a child from the father of a child born out of wedlock if the father has failed to maintain or attempt to maintain contact with the child or the person having custody of the child or pay for the birthing cost and provide for natu-

ral support of the child. I move for a....a favorable roll call. It's supported by the Department of Public Aid, and...I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall...Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Hall.

SENATOR HALL:

Senator Geo-Karis, what does it mean, "has failed to maintain or attempt to maintain contact with the child...and other provisions"?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It means that...once he has been informed of being the father of the child which is born out of wedlock, and he has knowledge of the...residence of the child and doesn't do anything about it, and he's...he is the father, have been informed of being the...the father of the child...which was born out of wedlock, he doesn't do anything about it; in other words, he has to be notified and he has to have the knowledge of the residence of the child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? If not, the question is, shall Senate Bill...I beg your pardon, Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I...I think I agree with what you're trying to do, but is there a court determination?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...if I may quote from the bill...yes,...it would have to be a court determination,...definitely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Newhouse.

SENATOR NEWHOUSE:

Then, in effect, the court would make...would...would...would hear evidence and make a determination that this father was neglectful of whatever it was that's required. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not,...the question is, shall Senate Bill 2077 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56...57, the Nays are none, none voting Present. Senate Bill 2077 having received the required constitutional majority is declared passed. 2081, Mr. Secretary. Senate Bills 3rd reading, 2081.

SECRETARY:

Senate Bill 2081.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is a...an effort by the banking associations to provide and create a risk retention trust for the purpose of providing property and casualty insurance coverage, director and officer liability coverage, such things for their association member banks. This will be allow their...the associations to do this. We do this, of course, for the...municipalities, they have this opportunity to do so now. As you all know, the...the insurance crisis

has hit the banking institutions, and we're just going to allow their associations to set up this...risk retention trust. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall Senate Bill 2081 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. (Machine cutoff)...voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 2081 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 2082, Mr. Secretary.

SECRETARY:

Senate Bill 2082.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill would allow each election authority in Illinois to appoint a precinct board of administration for each precinct within its jurisdiction for the registration and canvassing of voters and to assist with the preparation and...and the conduct of elections. There was an amendment to the bill...the bill is permissive, but there's an amendment to the bill that took the county clerks out of the bill and a request by the Illinois Press Association to advertise for the positions in at least one newspaper of general circulation in whatever county would adopt this...this form. This is the same bill that keeps getting bogged...that this Body passes out and gets bogged in the House of Representatives. We passed it in '79, '80, '85, and with your assistance, once again in '86 to see if we can get...off of dead center

and...have them adopt this. Any questions, I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...Fawell.

SENATOR FAWELL:

Thank you, very much. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will. Senator Fawell.

SENATOR FAWELL:

This is all this bill is going to be and it's going to stay in its pristine form, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

This is what it is, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

As minority spokesman on this committee, I would like to assure the members of our committee, of our side, that this is a...a good bill and we should be for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2082 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2082 having received the required constitutional majority is declared passed. 2084, Senator D'Arco. On the Order of Senate Bills 3rd Reading is Senate Bill 2084, Mr. Secretary.

SECRETARY:

Senate Bill 2084.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What this says is...it says that all trusts...it applies specific provisions of all trusts regarding mergers in succession of trusts to those created before 10/1/73 and also to all land trusts created before 10/1/73. It also provides that bank holding companies that merge and consolidate trust making subsidiaries...do not have any problem in creating a new trust making subsidiary if a new bank holding company buys or acquires the stock of a former bank holding company. It also provides that mergers and consolidations be transferred from the Trust and Trustees Act into...the...the Trust Companies Act. And I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats. Senator Keats on the Floor? Senator Keats on the Floor? If not, the question is, shall Senate Bill 2084 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2084 having received the required constitutional majority is declared passed. 2-0-8-6, Senator Degnan. 2-0-8-8, Senator Savickas...Senator Savickas. On the Order of Senate Bills 3rd Reading is Senate Bill 2-0-8-8, Mr. Secretary. There will be no demonstrations.

SECRETARY:

Senate...Senate Bill 2088.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Mr. President, Ladies and Gentlemen, the bill I am about to present to you will provide to the State approximately twenty-seven million new dollars. The bill I would present to you would to replenish the decreasing agricultural fund by thirteen and a half million dollars. The bill I would present to you would replenish the decreasing funds given to the various civic centers by thirteen and a half million dollars. The bill I would present to you would provide needed jobs in depressed areas such as...Peoria and Cahokia Downs. And I have secured a commitment from the Cahokia Downs area to spend over seven million dollars to rehabilitate Cahokia Downs, create nine hundred new jobs, and various ancillary and contractual services. I have...secured a commitment in the depressed area of Peoria where a new facility would be constructed in the approximate sum of fifteen to eighteen million dollars and which would also provide the needed nine hundred new jobs and contractual services. The bill I present to you protects existing tracks and allows them the privilege, if you will, to continue their commitment to the horse racing industry. The bill I present to you would provide new dollars for the horse breeding industry which they cannot now provide themselves, which includes the thoroughbred and standardbred horses. The bill I present to you would create a new industry in Illinois, an industry which is the fifth largest spectator sport in the country. The bill I present to you would offer a new recreational facility. But, ladies and gentlemen, unfortunately, the opponents to this bill have provided much misinformation to you. You received a handout or a few handouts today on your desk that states that as many as fifty thousand greyhounds and a hundred thousand jackrabbits are killed each year by

this sport. In the last ten years there have only been two hundred and thirty-five thousand greyhounds registered in the United States. In 1985 alone, there were only twenty-seven thousand two hundred and twenty-four greyhounds born and registered in the United States. If the figures you received were correct, the greyhounds would be extinct. According to the handouts that were presented, there would have to have been over six hundred thousand greyhounds born in the last ten years and this is absurd. The dogs chase artificial lures on the tracks and I can't find no facts to support the loss of a hundred thousand rabbits do to this sport. I think this figure was pulled out of a hat. The biggest killer of greyhounds is canine...virus and cancer, and the biggest killer of all dogs is the humane society. The Illinois Department of...Conservation or Hunter Harvest survey statistics estimate that one million three-hundred thousand rabbits were killed by hunters with their dogs in 1983 and that these statistics are increasing each year with this year's estimates considerably higher. Additionally, over four hundred and fifty thousand racoons and another million three hundred thousand squirrels were shot to death by hunters using dogs, not greyhounds because greyhounds aren't allowed to hunt in Illinois, using dogs to track and corner them. And as many of you know, when they go coon hunting, the dogs track them, put then in a tree, shine the light in their eyes, blind them, and the hunter shoots them to death. According to Doctor Bramwell of the Department of Agriculture, the humane society and animal shelters destroyed eight hundred and sixty-four thousand cats and dogs in Illinois and 20.1 million of these same animals nationwide in 1984. You may be interested to know that these helpless animals are killed by decompression chambers and carbon monoxide poisoning after only seventy-two hours of begging for their lives in a shelter. And this is the same society that calls this bill

inhumane. The bill I present to you prohibits the use of live lures in training of the greyhounds, and last year we passed Senate Bill 86, and we passed it 59 to nothing, which makes it a Class IV felony and a fifty thousand dollar fine to allow greyhounds to chase any live lure. And it seems strange that this State sold over three hundred and thirteen thousand five hundred and fifty-seven hunting licenses for seven dollars and fifty cents each authorizing the killing of small animals such as rabbits, racoons and squirrels, to mention a few of the...animals. We talked to the number one greyhound trainer in the United States and he uses what is called a jack-o-lure system which is similar to a fishing reel set up to run the dog three hundred yards towards an artificial lure on the end of it. All states that have greyhound racing use artificial lures. These accusations are mentioned in generalities but I have yet to see any names of anyone using these types of methods to kill these animals. The bill I present to you requires that anyone who owns or trains dogs that race in Illinois, whether he or she is present or not, must be licensed in the State by the Illinois Department of Agriculture. Because of the many misconceptions, I would like to give this Body an opportunity to be fair, to be deliberate, and to be well-advised. And I will delay presenting this matter to you until you have had an opportunity to verify the truthfulness of the opposition. I will within the near future bring this matter to you for a full and complete debate. And now, Mr. President, I would take the bill out of the record.

PRESIDENT:

All right. Take it out of the record, Mr. Secretary. Ladies and gentlemen, on that note, I think we ought to revert to the recalls, get...so that our...our clerical folks can get home early tonight. And then we have some housekeeping matters, Messages from the House. Let me just advise

you, if I can have your attention. I've spoken with Senator Philip. The plan is to come in at nine o'clock tomorrow morning, start immediately where we left off, Senator Berman assures me that his first bills are relatively noncontroversial, and we will go right on through and finish hopefully by noon. The schedule will be altered for next week. We will come in only one day, and that day is Wednesday. The House will only be in one day next week. They're in a perfunctory in Rules Committee on Wednesday. We will come in only on Wednesday. The Rules Committee will meet at eight-thirty tomorrow morning. There are less than a hundred bills in the Rules Committee at this moment. If some are felt to be of an emergency nature, we'll try to post them for next week or some of them for next week. Senator Vadalabene also has a motion on a noncontroversial...resolution to appoint the committee to write the explanation of the proposed Constitutional Amendment. Sam, why don't we do that right now. Senator Vadalabene, with leave of the Body,...

SENATOR VADALABENE:

Yes, thank you, Mr. President and members...

PRESIDENT:

Senate...Senate Resolution, what's the number, Sam?

SENATOR VADALABENE:

Senate Joint Resolution 154. I have discussed this with the chairman of the Executive Committee, Senator Sangmeister, and with the minority...spokesman, Senator Schuneman, and they have agreed that...to move that the Committee on Executive be discharged from further consideration of Senate Joint Resolution 154 and that the rules be suspended for the immediate consideration of Senate Joint Resolution 154.

PRESIDENT:

All right. Senator Vadalabene has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 154 for the purpose of its immediate con-

sideration and adoption. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. Senate Joint Resolution 154 is discharged. Now before the Body is Senate Joint Resolution 154, Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. The State Constitution requires that the General Assembly prepare a brief explanation and arguments both for and against any proposed Constitutional Amendment. Senate Joint Resolution 154 creates a joint committee to prepare such explanations and arguments for and against the Constitutional Amendment for the veteran's property tax exemption which will be presented to the voters in the November 1986 Election. And I would appreciate a favorable vote.

PRESIDENT:

All right. Senator Vadalabene has moved the adoption of Senate Joint Resolution 154 to set up the committee to write the explanation for the Constitutional Amendment. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, none voting Present. Senate Joint Resolution 154 is adopted. Senator DeAngelis on a similar motion on a resolution. Senator DeAngelis.

SENATOR DeANGELIS:

Yes, I would like leave to...

PRESIDENT:

Wait a minute now...

SENATOR DeANGELIS:

...to...

PRESIDENT:

All right. Senator,...why don't we wait till we get there, we're not there yet, okay? Then...at that moment, we'll do it...properly. All right, if I can have your atten-

SB 916 Recalled

tion, you have a copy of the recall list, there are only one, two, three, four...four bills involved. So if we can ask your indulgence and your attention, we can handle this with some dispatch, I hope. On the Order of Senate Bills 3rd Reading, Senate Bill 916, Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 916, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

...is that the amendment that changes the word "make" to "may"?

SECRETARY:

Right.

SENATOR LEMKE:

We're going to withdraw that amendment, I understand that's...we don't need this amendment.

PRESIDENT:

Withdraw that one. Amendments, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDENT:

Senator Lemke, on Amendment No. 2.

SENATOR LEMKE:

Is that amendment SDS84S916PAM2SM?

SECRETARY:

Yes, sir.

SENATOR LEMKE:

Okay, this is a punctuation...technical amendment, I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 2 to Senate Bill 916. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Geo-Karis.

PRESIDENT:

Senator Philip, with leave of the Body, will handle that for Senator Geo-Karis.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this amendment does, it places the...administrative authority over the Illinois Homeowners Mortgage Counseling Law in the Illinois Homeowners Emergency Assistance Law in the Department of Financial...Institutions instead of DCCA. Move its adoption.

PRESIDENT:

Senator Philip has moved the adoption of Amendment No...what, Mr. Secretary?

SECRETARY:

3...Amendment No...I'm sorry.

PRESIDENT:

Amendment No. 3 to Senate Bill 916. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Lemke.

PRESIDENT:

Senator Lemke on Amendment No. 4.

SENATOR LEMKE:

What Amendment No. 4 does is...is an amendment that the Department of Revenue suggested, that says, "Funds of the Homeowner Emergency Assistance Revolving Fund from the income

tax generally...in for the taxes of unemployment benefits." I think it's a good amendment, and I ask for its adoption.

PRESIDENT:

Senator Lemke has moved the adoption of Amendment No. 4 to Senate Bill 916. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 1629 is still a hold, Senator Lemke? 1741. On the Order of Senate Bills 3rd Reading, Senate Bill 1741. Senator Philip seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of Tabling motion...or a motion of some sort. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1741. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate...by way of explanation, we acted a little precipitously when we had moved to Table Amendment No. 5 thinking it was technically incorrect, we have learned that we were wrong. Therefore, I would move to take from the Table Amendment No. 5 for purposes of then passing...or adopting Amendment No. 5.

PRESIDENT:

All right. Senator...Senator Carroll has moved to take Amendment No. 5 from Senate Bill...1741 from the Table for the purpose of consideration of its adoption. All in favor of the motion to take from the Table indicate by saying Aye. All opposed. The Ayes have it. Now before the Body is Amendment No. 5 to Senate Bill 1741. Senator Carroll.

SENATOR CARROLL:

And I would move that we do adopt Amendment No. 5. This

was a...an EPA project, we were taking funds from something that needed not be reappropriated and spending it on another project. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 5 to Senate Bill 1741. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of Senate Bills 3rd Reading is Senate Bill 2204. Senator Dudycz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendments. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading, Senate Bill 2204, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Dudycz.

PRESIDENT:

Senator Dudycz on Amendment No. 2.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 clarifies the language being added in Section 14 of the Act which allows a licensed agency to continue to operate for a period of sixty days after the unexpected loss of the licensed agent in charge. This amendment makes it clear that such allowance shall not be made if the loss of the agent in charge is the result of disciplinary action taken by the department. It also deletes added language which originally specified that anyone found to be working as an employee of an unlicensed agency would be guilty of a Class A misdemeanor. That section has been

deleted completely. And it specifies the process for hiring and registering emergency employees who have not previously obtained permanent employee registration cards from the department. And I ask for your favorable consideration.

PRESIDENT:

Senator Dudycz has moved the adoption of Amendment No. 2 to Senate Bill 2204. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Dudycz.

PRESIDENT:

Senator Dudycz on Amendment No. 3.

SENATOR DUDYCZ:

Thank you, Mr. President. Amendment No. 3 corrects and clarifies the language being added to Section 28 of the Act which waives the twenty-hour firearm training course for those employees who are also employees of a law enforcement agency. The...Amendment No. 3...specifies that employee...or clarifies that the employee is also employed as a law enforcement officer as defined in theIllinois Police Training Act, and I ask for your favorable consideration.

PRESIDENT:

Senator Dudycz has moved the adoption of Amendment No. 3 to Senate Bill 2204. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate

the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 201 and 202, both congratulatory.

PRESIDENT:

Consent Calendar. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 1459, 2529, 2587, 2828, 2864, 2937, 3025, 3043, 3072, 3078, 3089, 3182, 3200, 3222, 3261, 3290, 3300, 3340, 3349, 3394, 3422, 3431, 3480, 3512, 3518, 3550, 3551, 3552, 3555, 3573, 3574, 3584 and 3585.

PRESIDENT:

Resolutions, Mr...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

The purpose of changing the sponsorship of House Bill 3058 from my name to Senator Degnan's name.

PRESIDENT:

All right. The gentleman requests leave to...to change the sponsorship of House Bill 3058, show Senator Degnan as the Senate sponsor. Without objection, leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 932 offered by Senator Kustra, it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 933 offered by Senator DeAngelis and it's congratulatory.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, thank you, Mr. President. I would like to waive the appropriate rule for the immediate consideration of Senate Resolution 933, it's congratulatory and it is needed for this weekend.

PRESIDENT:

All right. Senator DeAngelis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 933, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator DeAngelis now moves the adoption of Senate Resolution 933. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is adopted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 934 offered by Senators Berman, Carroll and all Senators. It's congratulatory.

935, by Senator Jones, it's congratulatory.

936, by Senators Jones, Chew, Collins, Smith and Newhouse. It's congratulatory.

Senate Resolution 937, by Senator Newhouse and all Senators is a death resolution.

PRESIDENT:

...Consent Calendar.

SECRETARY:

Senate Resolution 938, by Senator Carroll.

And Senate Resolution 939, by Senator Luft.

PRESIDENT:

Executive. Senator Carroll, for what purpose do you

arise, sir?

SENATOR CARROLL:

On Senate Resolution...what was it, 938?

SECRETARY:

938.

SENATOR CARROLL:

If that's the one...SDS84SR061/DM.

SECRETARY:

Yes, sir.

SENATOR CARROLL:

If I may, Mr. President, I'd like to waive the appropriate rules for immediate consideration and adoption. This amendment deals with Senate Bill 1699, the...commonly referred to as the CHIPS bill. What the agreement was between the parties...I don't want to say proponents and opponents, since now everybody is trying to work together on a solution to the problem of comprehensive health insurance, was that we would waive the appropriate Senate rules as to the deadline for consideration of that bill, create a Senate select committee as we had done with hospital cost containment, have that select committee meet over the summer, advised by a technical advisory panel made up of members of the insurance industry, consumer groups, Governor's Office, Department of Insurance, Department of Rehabilitation Services, Attorney General and others and report back to the General Assembly no later than November 15th, 1986, hopefully, with a solution on how to handle a comprehensive health insurance plan. That is the essence of the resolution. I would therefore ask that the rules be suspended for immediate consideration and adoption.

PRESIDENT:

All right. Senator Carroll asks leave of the Body to suspend the rules for the immediate consideration and adoption of Senate Resolution 938 incorporating the agreement

with respect to Senate Bill 1699. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Carroll now moves the adoption of Senate Resolution 938. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, no Nays, none voting Present. Senate Resolution 938 is adopted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 203.

PRESIDENT:

With leave of the Body, Senator Demuzio will handle that for me. It's a congratulatory resolution sponsored by the Speaker which is sponsored by Senator Philip and I over here congratulating, I think, the Attorney General of Brazil. Senator Demuzio moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 203. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of House Joint Resolution 203. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate? Any announcements? Any comments for the good of the order? Senator Hall, with pleasure, moves that the Senate stand adjourned until nine o'clock tomorrow morning. Please, if we can be on time, we'll get out early. Nine o'clock, 9:00 a. m., the Rules Committee will meet at eight-thirty in the Office of the President.

Nine o'clock tomorrow morning. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 23, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. Members will be at their desks. Guests in the gallery will please rise. Our prayer this morning by Rabbi Barry Marks,...Temple Israel, Springfield. Reverend.

RABBI BARRY MARKS:

(Prayer given by Rabbi Marks)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move that reading and approval of the Journals of Tuesday, May 13th; Wednesday, May 14th; Thursday, May 15th; Tuesday, May 20th; Wednesday, May 21st and Thursday May 22nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Geo-Karis. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So...so moved.

PRESIDENT:

Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am asked the concurrence of the Senate, to-wit:

House Bills 2685, 2821, 2898, 3032, 3042, 3065, 3135, 3162, 3192, 3217, 3271, 3298, 3309, 3396, 3503, 3513, 3667...3567, 3590 and 3596.

PRESIDENT:

With leave of the Body, we'll move to page 9 on the Calendar on the Order of House Bills 1st Reading, Mr. Secretary.

SECRETARY:

House Bill 562, Senator D'Arco is the Senate sponsor.

(Secretary reads title of bill)

913, Senator Barkhouse...Senator Barkhausen.

(Secretary reads title of bill)

938, Senator Poshard.

(Secretary reads title of bill)

1043, Senator Jones.

(Secretary reads title of bill)

1302, Senator Berman.

(Secretary reads title of bill)

1699, Senator Hall.

(Secretary reads title of bill)

2254, Senator Marovitz.

(Secretary reads title of bill)

2313, Senator Marovitz.

(Secretary reads title of bill)

2529, Senator Karpiel.

(Secretary reads title of bill)

2549, Senators Topinka, Nedza and Luft.

(Secretary reads title of bill)

2574, Senator Poshard.

(Secretary reads title of bill)

✓2578, Senator Carroll.

(Secretary reads title of bill)

2580, Senator Carroll.

(Secretary reads title of bill)

2587, Senator Berman.

(Secretary reads title of bill)

2648, Senator Barkhausen.

(Secretary reads title of bill)

2774, Senator Jones.

(Secretary reads title of bill)

2878, Senator Sangmeister.

(Secretary reads title of bill)

2879, Senator Luft.

(Secretary reads title of bill)

2998, Senator Rigney.

(Secretary reads title of bill)

2999, Senator Rigney.

(Secretary reads title of bill)

3035, Senator Davidson.

(Secretary reads title of bill)

3036, Senator Jerome Joyce.

(Secretary reads title of bill)

3040, Senator Luft.

(Secretary reads title of bill)

3050, Senator Etheredge.

(Secretary reads title of bill)

3072, Senator Degnan.

(Secretary reads title of bill)

3089, Senator Rock.

(Secretary reads title of bill)

3091, Senator Berman.

(Secretary reads title of bill)

3092, Senator Davidson.

(Secretary reads title of bill)

3115, Senators Kustra and Netsch.

(Secretary reads title of bill)

3144, Senator Kelly.

(Secretary reads title of bill)

3182, Senators Davidson and Holmberg.

(Secretary reads title of bill)

3255, Senator Carroll.

(Secretary reads title of bill)

3257, Senator Carroll.

(Secretary reads title of bill)

3290, Senator Degnan.

(Secretary reads title of bill)

3343, Senator Carroll.

(Secretary reads title of bill)

3422, Senator Davidson.

(Secretary reads title of bill)

3431, Senator Hall.

(Secretary reads title of bill)

3473, Senators Davidson and Philip.

(Secretary reads title of bill)

3475, Senators Netsch and Philip.

(Secretary reads title of bill)

3480, Senator Mahar.

(Secretary reads title of bill)

3512, Senator Geo-Karis.

(Secretary reads title of bill)

✓3518, Senators Netsch and Kustra.

(Secretary reads title of bill)

3551, Senator Etheredge.

(Secretary reads title of bill)

3552, Senator Etheredge.

(Secretary reads title of bill)

3585, Senator Topinka.

(Secretary reads title of bill)

House Bill 2621, Senator Rupp.

(Secretary reads title of bill)

House Bill 2983, Senator Etheredge.

(Secretary reads title of bill)

Okay,...House Bill 2983...was not picked up by Senator Etheredge. Instead it was House Bill 2995, Senator Etheredge.

(Secretary starts to read title of bill)

2995, Senator Etheredge.

(Secretary reads title of bill)

House Bill 2987, by the same sponsor.

(Secretary reads title of bill)

House Bill 3000, the same sponsor.

(Secretary reads title of bill)

House Bill 3001, Senator Geo-Karis.

(Secretary reads title of bill)

3002, same sponsor.

(Secretary reads title of bill)

House Bill 3006, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 3090, Senator Etheredge.

(Secretary reads title of bill)

House Bill 3261, Senator Nedza.

(Secretary reads title of bill)

...3300, Senator Lechowicz.

(Secretary reads title of bill)

1st reading of the bills.

House Bill 3555, Senator Mahar.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2582, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3340, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3573, Senator Lemke.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2974, Senator Fawell.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2988, Senators Fawell and Woodyard.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 3528, Senators Donahue and Woodyard.

(Secretary reads title of bill)

House Bill 3019, Senator Jerome Joyce.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Committee reports, Mr. Secretary.

SECRETARY:

The Rules Committee met 9:00 a.m. on Friday, May the 23rd, 1986. The following bills were unanimously recommended for referral to the Committee on Assignment of Bills:

House Bills 1321, 2544, 2552, 2573, 2630, 2644, 2735, 2839, 2873, 3181, 3230, 3378, 3474, 3477, 3479, 3506, 3520 and 3632.

Senator Rock, chairman, Rules Committee.

PRESIDENT:

Ladies and Gentlemen of the Senate, Senator Philip and I have determined that we're going to leave as quickly as possible once we conclude our business. We start in the middle of page 4 where we left off yesterday on the Order of Senate Bills 3rd Reading, Senate Bill 2090, Mr. Secretary.

SECRETARY:

Senate Bill 2090.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2090 is in...was introduced at the request of ED-RED, the suburban school district consortium, and I don't think there was any problem with the way the bill was originally introduced. All it did was to expand the provision regarding the tort immunity levy so that it covered

property damage judgments entered against school districts. There was two amendments that were added. I will get to the...to one of them in just a second. The other one that we added the other day, again without any problem, I believe, was expanding the merit recognition scholarship from the top five percent of our high school graduates to ten percent. There was an amendment that was added that allowed for the cost and claims and...and the wages and salaries of employees connected with any self-insurance program of schools to be covered by this levy. The Taxpayers' Federation, Doug Whitley, pointed this out to me yesterday that he had some problems with this. In discussing it with Senator Maitland and with others that were involved with this amendment, I've indicated that was not necessary and with that...consent, this amendment was not part of the original proposal. And I've indicated that this will be removed in the House of Representatives, and that was, I think...that's Amendment No. 1 that was...that was adopted on the Floor. So, with that understanding, I would ask for a favorable vote on...on Senate Bill 2090.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 2090 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 14, 2 voting Present. Senate Bill 2090 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2991. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2091.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President.

PRESIDENT:

Might I ask the ladies and gentlemen to please settle down. Remember, it's Friday and you, too, can be here on Sunday, Senator Watson. Senator Berman.

SENATOR BERMAN:

Thank you. This is part of the ED-RED package and it includes the...the Chicago Board of Education in its...in...as it was amended, and it provides that the relationship of in loco parentis which gives a certain status to the teachers and instructors in our schools would include all athletic and extracurricular programs. I solicit your Aye vote on Senate Bill 2091.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2091 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2091 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2092, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2092.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Senate Bill 2092, another one of the...part of the package by ED-RED and the Illinois High School Association, is a...would allow self-insurance or insurance pools to enter into reinsurance agreements for the protection of its members. I solicit your Aye vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2092 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are one, none voting Present. Senate Bill 2092 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2093. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2093.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you. This the fourth of the package. This bill provides, at the request of the Illinois High School Association and ED-RED, that...it clarifies that a public agency such as a school district may use its funds to pay self-insurance pool costs. There was a question as to the previous language, that has been clarified by Senate Bill 2093. I ask your favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2093 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

SB 2108 3rd Reading

wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 2093 having received the required constitutional majority is declared passed. Senator Luft. On the Order of Senate Bills 3rd reading, Senate Bill 2104. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2104.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2104 addresses the job training deduction for income tax purposes. Originally we applied a twenty-five percent deduction after the allocation and apportionment of base income; however, the Department of Revenue objected to that. There was a meeting of all concerned and everyone agrees that we should now apply a credit of 1.6 percent of training expenses to the income tax. This is not to the personal property replacement tax, only to the income tax. The bill specifically extends the...the credit to partners and shareholders of the Subchapter S corporations. I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2104 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present...1 voting Present. Senate Bill 2104 having received the required constitutional majority is declared passed. Senator D'Arco. On the Order of Senate Bills 3rd Reading, Senate Bill 2108. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2108.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 2108 provides that no person or partnership or corporation authorized to practice accountancy or any of its employees, partners or members shall be liable to persons not in privity of contract with the accountant. There is a longstanding tradition within this country and many court cases indicate that an accountant is not liable to persons other than his own client, and there is longstanding court cases that indicate that this is the way the law is represented for...for the most part. There is a question about third parties who are not in privity of contract with an accountant, and this clarifies the position that an accountant will not be liable to those...third parties unless it is wilful and wanton conduct, but he will not be liable for simple ordinary negligence. I don't know of any opposition and I would ask for a favorable vote.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, what constitutes wilful and wanton negligence on the part of a...an accountant?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Fraud...I...you know, he really has to be in cahoots with...with somebody to fraudulently represent...an accounting statement that truly does not reflect the actual assets of a corporation.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm...I'm simply going to raise some concerns that I have and...and I guess those legal people in our Body can...can take up on them if...if you haven't seen this bill before, but...I suppose the bill stems partly from the liability insurance crisis, but I'm concerned...I have a concern about a...an...a potential investor, for example, who might want to look at the...at the annual statement of a corporation, and if there are what I might consider to be flagrant errors in that...in that CPA certified statement, as I understand your bill...

PRESIDENT:

Senator Schuneman, excuse me. Might...might we have...give the gentleman your attention, please. All the conferences, I'm sure, can be best handled elsewhere. Senator Schuneman.

SENATOR SCHUNEMAN:

...thank you, Mr. President. As I understand your bill, what it says is that if I make a financial judgment based upon and reliance upon the certified statement of the accountant that I have no recourse against that accountant since I don't have a...a direct contract with him, and I have a concern about that and I simply want to raise it for those of you who are attorneys and more into these issues than I am, perhaps you can respond but I...this seems to me that we might be going a little bit...a little bit far.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, the...the problem is that, you know, an accountant is hired by somebody to do his books and there is a myriad of potential investors out there, hundreds of thousands of people. Now, you know, are you telling me that he's going to be liable to each one of those persons because he innocently made a mistake? I mean, to me that...that...that just isn't right. You know, we could argue about it but...it just isn't the way it should be.

PRESIDENT:

Further discussion? Any further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I think Senator D'Arco's point is well taken, especially in an era when plaintiffs' attorneys seem to be out there groping for defendants. They look for people to add to the lawsuits and here's an attempt to limit the liability of people only in such a small way so as to restrict liability so that...a CPA is liable to his client but not to those folks who might happen to read what he has done but in no way have any financial or contractual relationship with that person. I think this is a good bill.

PRESIDENT:

Further discussion? If not, Senator D'Arco, you wish to close?

SENATOR D'ARCO:

Yes, thank you, Mr. President. I would ask for a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 2108 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

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56, the Nays are none, none voting Present. Senate Bill 2108 having received the required constitutional majority is declared passed. Bottom of page 4, on the Order of Senate Bills 3rd Reading is Senate Bill 2117. Read the bill, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2117.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2117 is now back in its original form of introduction. Senator Schaffer and...and I had put an amendment to 2117 at the request of the Municipal League but there was some...confusion at least on the part of some people and, therefore, we have...have Tabled that amendment and, therefore, this bill is simply, I think, noncontroversial. I know of no opposition. It corrects legislation that was passed last Session which required the Environmental Protection Agency to collect an air pollution site fee from any site which had to obtain an air pollution operating permit. The provisions of that...legislation last year were not intended to apply to approximately four thousand service stations in Illinois which previously had been required by the EPA to install these expensive Stage II vapor recovery devices which are commonly...known as drop tubes. As drafted, this would exclude only those service stations which had installed air pollution control equipment from the original provisions of the Act and would not apply to any other site required or be permitted by the agency. I know of no...no known opposition and would ask for your support.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

There were...there was a Floor Amendment 1. Is that still on the bill?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

No, that...that amendment was...was...was Tabled, Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Was Floor Amendment 2 Tabled also?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Floor Amendment 2 was Tabled and as...as a result of the Tabling of those two amendments, Amendment No. 3 was added which simply extended the effective date...not the effective date but the effect...the effective date because of the Resource Recovery Act by one year to 1987.

PRESIDENT:

Senator Geo-Karis. Further discussion? Any further discussion? If not, the question is, shall Senate Bill 2117 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 56 Ayes, no Nays, none voting Present. Senate Bill 2117 having received the required constitutional majority is declared passed. Top of page 5, on the Order of

Senate Bills 3rd Reading, Senate Bill 2123. Mr. Secretary, read the bill, please.

SECRETARY:

Senate Bill 2123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. There are several school districts throughout the State who are voluntarily presenting referendums...who are voluntarily presenting referendums to their districts this fall for consolidating with neighboring districts. They have buildings which are old and, according to the State Board of Education, are on the verge of being condemned. These districts are in need of assistance in meeting the cost of any new buildings which the consolidation might mandate. There are other districts in the State who simply cannot meet the life, health and safety standards of the State...Board of Education, and these schools also need assistance in upgrading their buildings to meet these standards. This bill increases the general obligation bond authorization for the School Construction Fund by sixty million dollars, with ten million designated toward existing school districts for capital facilities and fifty million...excuse me, to school districts formed after July 1, 1986, for capital facilities and assistance in capital program planning. This would provide matching funds which would be anywhere from twenty to seventy percent of the building project depending upon the needs and the ability of the district to generate local funds. I would move for favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I rise somewhat reluctantly on Senate Bill 2123 to oppose it. As everyone in this Chamber knows, we have put forth an initiative in an attempt to encourage school districts around the State to...to reorganize, and the sponsor has a very real problem in his area of the State, and I...and I understand that and I...I've got concern about that; but we also in talking with school districts around the State are finding that if they are going to reorganize that, very honestly, none of the buildings that they have would accommodate the school district reorganization, and can the State, as they did once before, come in and assist, and we're agonizing over a mechanism to make this happen. Clearly, many of these areas, such as Senator Poshard's, will not be able to...to build those buildings without help. But it seems to me, Ladies and Gentlemen of the Senate, that we're going to have to put together that criterion to determine how we really allow these school...to access this Act or not access it. I think we may be a year or two years premature. I'm not sure, Senator, how the delay in the life safety mandate that we passed this year of two years will help you. I rather think that it will, so it may give you some time on this one. But the fact of the matter is, if you look at the formula that determines under the Capital Assistance Act how we allocate this money, it's still based on the wealthy districts versus the poor districts, and those districts who are wealthy or, in other words, have a high assessed valuation per student have all this property wealth but they, too, have the same problem that Senator Poshard has in his district. They don't have the money and they can't generate the money to build the new buildings if they're needed. I respectfully request to this Body that we perhaps delay an attempt like this for a year or two until we really have an opportunity to sit down and deal

with the whole school building funding issue. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This bill was assigned to the Revenue Committee perhaps inappropriately but it does mean that we had an opportunity to look into it with some care, and I would strongly support it and point out, by the way, that it did pass out of the Revenue Committee 6 to nothing, so there was no objection after all the arguments were heard there. I understand what Senator Maitland is saying, but it seems to me that we're...there are really two things involved here; one is that we have tried to encourage, indeed, some might say we tried to mandate, consolidation at one point...a highly controversial issue. Here is a...an area where they are desperately looking for the opportunity to consolidate, and according to Mr. Hull, the regional superintendent of schools, who was one of our witnesses, it will allow these three small unit districts who want to consolidate to do so. It will be a K through 12, obviously, because it will be a unit district and...but they cannot do it without some help, and it seems to me that rather than...I understand, we have to have some long-range planning, but...but it makes absolutely no sense for us to thwart an area that is trying to do the very thing that we were trying to encourage everyone to do and that was to look at their circumstances and if they possibly could do it in a more efficient manner, to go about doing it. So, I...I just think it's not fair to ask them to wait for two or three years while we try to work out problems of other parts of the State. The other school district that was involved in this bill, as I understood it, was in Harrisburg and this is a somewhat different circumstance, it is already a unit district, a possibility and...and I don't think this was an assurance that there might be a couple of

other smaller districts that might be able to join in with it, but the main problem there was that the building itself was condemnable. They cannot wait two or three years. They are in a building that has got to be replaced. Again, it seems to me that...that this is part of our obligation at the State level to help those school districts which are trying to do some of the things that we have asked them to do, and I think we really owe it to them to allow this bill to be approved so that they can proceed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Do you have any idea what it would...the savings would be if you did manage to consolidate? I mean, I assume that's one of the reasons you're doing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Fawell, thank you for that question. First of all, let me point out that this bill isn't peculiar only to my district. There are many districts across the State that are in the same position. Obviously, I'm carrying the bill because some of the districts in my area approached me as well as the State Board of Education. So, it would apply to any area of the State and the procedure for application would be that any school district could apply for these matching funds to the State Board of Education. They would make up a priority list of school districts who would be able to access these funds based upon the need of the district and the ability of the district to raise their own local monies. The

extent to which the savings would...occur would simply be...in my...in...in my instance, in the three school districts here that want to consolidate, they estimate that to renovate the buildings, to bring them up to standard, they're old, dilapidated kind of buildings, it would cost them as much to do the four buildings that would be involved as it would to build a new building. So, the savings would be whatever the cost of the new building would be...in actuality.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, I have a...a somewhat similar situation in...in my district in Villa Park. We have a very old building...but we have...we are either going to have to gut the center of the building for two million dollars or we can build a new building on the same site for two million dollars, and...you know, it just seems to me that at...at times around here we get a little bit carried away and...and try and save pennies and...and in the long-run spend an awful lot of dollars doing some pretty foolish things. I...seems to me it's a pretty good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is simply a...a bill to attempt to help those districts who by virtue of voluntary consolidation will have to build new buildings to accommodate that consolidation or to help those building...districts who currently cannot meet the safety standards for their students to come up to par. I think it's a good bill. I think it deserves our consideration and I'd appreciate a positive vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2123 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 20, none voting Present. Senate Bill 2123 having received the required constitutional majority is declared passed. 2135, Mr. Secretary. Senate bills 3rd reading is Senate Bill 2135.

SECRETARY:

Senate...Senate Bill 2135.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The purpose of Senate Bill 2135 is to afford the organization licensees the opportunity, if they wish and with the approval of the Racing Board, to supplement the prize for the super bet. Every one of us, I think, plays the lottery. We particularly play it when it's worth forty million dollars or fifty million dollars. All this says is that in order to play the super bet, the organization licensee can supplement it and say, if you play this bet, it's worth twenty-five thousand dollars as opposed to a thousand dollars. I know of no objection. Doesn't cost anybody anything. This is the organization's money and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2135 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the

Ayes ae 54, the Nays are none, none voting Present...Senate Bill 2135 having received the required constitutional majority is declared passed. 2145. On the Order of Senate Bills 3rd Reading is Senate Bill...2145, Mr. Secretary.

SECRETARY:

Senate Bill 2145.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This makes an appropriation of a hundred and five thousand nine hundred dollars to the Medical Center Commission for the Chicago Technology Park Development parking facility. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2145 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2145 having received the required constitutional majority is declared passed. 2154, Senator O'Daniel. On the Order of Senate Bills 3rd Reading is Senate Bill 2154, Mr. Secretary.

SECRETARY:

Senate...Senate Bill 2154.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Senate Bill 2154

amends the Unified Code of Corrections. It creates the Jail Standard Board to oversee county jails and municipal lockups. Local jail oversight is currently the function of the Department of Corrections. Senate Bill 2154 attempts to shift that responsibility to a Statewide board consisting of local and State officials, and the Governor has...would control seven of the eleven appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. There was some opposition to this in committee primarily because the Governor has appointed a task force to look into county jail situation, and I realize that this is something that's somewhat divorced from that but still we are trying to make an effort to address the problem at the local level. I think that this may be a duplication somewhat of efforts and possibly...cost that really isn't warranted at this time. So, I would urge a No vote. It's probably going to fly out of here but I do think it's a bad idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, Senator O'Daniel may close.

SENATOR O'DANIEL:

Hearings were held all over the State for more than a year with the County Finance Study Group and at all meetings the jails were the number one concern. The...the local people wanted more input into the...the type of facility they had and the operation of it and...and this board would tend to give more local control, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2154 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 19, none voting Present. Senate Bill 2154 having received the required constitutional majority is declared passed. 2156, Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 2156, Mr. Secretary.

SECRETARY:

Senate Bill 2156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Welch.

SENATOR WELCH:

I'd like to pass that bill by.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. 2157. On the Order of Senate Bills 3rd Reading is Senate Bill 2157, Mr. Secretary.

SECRETARY:

Senate Bill 2157.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2157 is an amendment to the Counties Act and it authorizes the county boards of the respective hundred and two counties, if they so wish, to impose a surcharge...to represent the cost of collecting the fees and fines collected by the circuit court. One of the things that we did was we had a number of hearings across the State with respect to county government, and the complaint that we heard was that we have mandated, we, the Assembly, have mandated that the

counties collect these fees and fines and we have not provided any administrative costs. What this says is that the county board, if they wish, can impose a surtax, a surcharge on the fees and fines collected equal to or less than the cost of the collection but not to exceed twenty percent of the actual fine. I don't know of any objection. It's an attempt on our part to afford the counties the opportunity to...to reimburse themselves for the duties that we have mandated upon them, and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, question is, shall Senate Bill 2157 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 2157 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2158, Mr. Secretary.

SECRETARY:

Senate Bill 2158.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the second bill in the series that Senator Rock had just explained to you. Now, the current law requires that a fee of twenty dollars in counties of less than one million population and forty dollars in counties of more than one million population be collected prior to the issuance of any certificate of purchase as a result of a tax foreclosure sale. The fees are currently deposited in an

indemnity fund, the total amount determined by the governing body; however, the fund may not be less than five...than fifty thousand dollars or one...or .03 percent of the total EAV whichever is greater. Any amount above this minimum requirement may be deposited in the General Fund. The purpose of the General Fund and Tort Liability Fund are the same; that is, to satisfy judgments against the county. This bill is a...is another in a series of sponsored by county finance study groups. The bill will provide more revenue for the General Fund of counties that utilize a Tort Liability Fund. I ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2158 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1,...none voting Present. Senate Bill 2158 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2162, Mr. Secretary.

SECRETARY:

Senate Bill 2162.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. The purpose of Senate Bill 2162 which is part of the Senate Democratic initiative addresses teenage issues is to provide for the establishment of a comprehensive and coordinated approach to prevent initial and repeated adolescent pregnancies and to address more effectively the consequences of adolescent

parenting. Senate Bill 2162 attempts to integrate existing State programs and funding for existing State and Federal adolescent pregnancy programs including Parents Too Soon. This approach has been implemented in Connecticut, Maryland, New York and in Wisconsin. As amended, Senate Bill 2162 will do the following. It authorizes the Department of Public Health in conjunction with the Adolescent Pregnancy Prevention and Parenting Service Board created by the Act to review community service projects, plan design to prevent adolescent pregnancies or provide services to pregnant teenagers and approve the disapproving funding of such plan. It will describe the type of services and programs that qualify for grants, such as, programs that address male adolescent responsibilities for their sexual activity and for parenting, peer persuasion projects, young parent programs, parental involvement programs, school dropout prevention programs, adult roles...model programs, et cetera. It will give priority to the projects that meet certain objectives. It will establish a seventy-five percent to twenty-five percent funding mechanism; however, the Department of Public Aid may waiver the twenty-five percent matching fund. It will define the powers of the Adolescent Pregnant Prevention and Parenting Service Board. When this bill, 2162, came out of committee, it passed out 11 to nothing; and in support of this bill, the Department of Public Health, the Department of Children and Family Services, the Illinois Catholic Conference and the Chicago Urban League and the only opponent that we had was the Eagle Forum. I ask your consideration for this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. Senator Smith's

bill...we did adopt an amendment which I offered and...and it was successfully adopted which would prevent the...at these health clinics the dispensing of contraceptives, and also I had a question about abortion counseling at these clinics, and I have been advised that there is provisions in the State laws which...prohibit the abortion counseling. And what I'm asking the sponsor, is that, in fact, the intent of this legislation that there will not be contraceptives nor abortion counseling in these clinics that are being established?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

That's right, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith may close.

SENATOR SMITH:

I merely want to bring to your attention that teenage pregnancy and the associated problems has cost the citizens of Illinois an estimated eight hundred and fifty-three million dollars annually and more than two hundred dollars per household annually. Individual citizens pay their own pocket...out of their own pocket or through taxes at least six hundred and ninety-eight million dollars every year or eighty-two percent of the eight hundred and fifty-three million dollars. The eight hundred and fifty-three million dollars covers children born to teenagers during the past five years. Due to the cutoff for children at the age of five, all of the very substantial schooling costs and most of the social cost of teenage pregnancy problems are excluded from this figure. I merely want to say that in conclusion that we will prevent teenage pregnancy and assist teen parents, we will also fight the problem of low educational achievement, unemployment, welfare dependency if we pass this

legislation. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2162 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present...Senate Bill 2162 having received the required constitutional majority is declared passed. Senate...Senate bills 3rd reading, Senate Bill 2163, Mr. Secretary.

SECRETARY:

Senate Bill 2163.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 2163 is a second bill in the series of the Democratic initiatives to respond to one of the most critical social problems that's facing this country today and, most certainly, one of the most critical problems that's facing our teenage youth. It is a program which is designed to respond to the crisis problems of teen pregnancies among our teenagers in the State. It repeals the existing Sex Education Act and it...institutes a new Act of human growth and development, and it is a comprehensive program designed to teach...help young people to...first of all, to understand consequences of early pregnancies and the impact of early pregnancies on their entire life. It is to teach responsibility, self-esteem, how to make decisions, understanding of psychological and emotional transition of adolescents, the whole reproduction...repercussion of adolescent sexual activities and, of course, family life skills in regard to

parenting. The bill is designed to encourage local input from parent. It creates an advisory board who is responsible for assisting and determining the curriculum and reviewing such curriculum. It provides for grants to eligible teen mothers for child care payments so that they can, in fact, continue their education once a girl has become pregnant or have...have a child. It provides for a provision of services of in-home care so that the kids will not fall behind in her curriculum if for some reason she is unable to attend school while she is pregnant or immediately following her pregnancy up until three months. I think it is a very good start in response to the need to address this critical problem in our society. I will not propose that this bill will cure all of the problems, but it most certainly is a giant step in that direction. I will be happy to answer any questions; if not, I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I would suggest the membership ought to listen up a little bit on this one. This repeals the Sex Education Act and implements a whole new concept, a much broader involvement by the State Government and by the school districts in sex education. I don't think I have to mention to my colleagues that this is a controversial subject. I recall a number of years ago sharing an office with Senator Glass and he put a bill in that just changed about six words on this bill and they...Reference Bureau made it a mandatory sex education program instead of an optional. I think you'll recall, Senator Glass got the pickle that year at the Press Gridiron Dinner because for two weeks we got nothing but phone calls, letters, delegations. He eventually Tabled the bill and public apologized for ever uttering the words. My major concern with this bill is that it gets us into a lot of

areas that we have never been...we...in a governmental sense, have ever been. It appears to me to be a solution aimed at addressing local problems that are localized and severe...I'm not saying they aren't Statewide, but in certain parts of the State they are much more severe and would...appear to me to be applying a rather radical approach aimed at those concentrated areas that have severe problems but applying it on every school district in the State. I am not comfortable with many of the provisions of this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Point of order, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SCHUNEMAN:

We're trying to debate an important issue here and...it really sounds like someone opened the hen house door. I think we ought to give the gentleman a little order, if we might, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Schuneman, I agree, that's why I've been banging the gavel. So, I...I...I'm sure the...the members appreciate your admonishment. Senator Schaffer.

SENATOR SCHUNEMAN:

Well, Mr. President, if...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

...if I may...if I may, sometimes we tend to ignore the banging of the gavel, but I really think we ought to pay more attention to what's going on there, and I thank....I thank you for your efforts, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Get the staff conferences off the Floor. Senator Schaffer.

SENATOR SCHAFFER:

Let me suggest, Senator Schuneman, I don't know if anybody's opening the hen house door but I think we are about to open Pandora's Box. I have some real concerns. I think we could go through this bill line by line and I think you would similarly be concerned. I don't say there isn't a problem. I'm not...I don't have my head...stuck in the sand. There is a problem. It's a big problem. I would suggest to you that we have a lot of programs in this State, I think of the Parents Too Soon Program. We have programs in place. This, in my mind, is overkill and it gets us into some areas that I don't think government belongs or should be. Having said that, I...I also say I'm totally sympathetic to those parts of the State that have these problems and...to agree that they have local programs that address solutions that are acceptable and...locales. I have no problem with that. Let us not go this far. We do not have any business in some of these areas. We have programs in place. This is overkill and this is a roll call that will be remembered around this State in...most of our constituencies because it could create a tremendous burden on our education community and get us into some things that I think most of the citizens, at least in my district, have serious questions about the State being involved with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There further discussion? Senator Macdonald.

END OF REEL

REEL #2

SENATOR MACDONALD:

Thank you, Mr. President. I just want to extend and...and elaborate a little bit more on what Senator Schaffer has just said. Certainly, I think all of us would be remiss if we deny that there was certainly a...a problem, but we really should not be mandating our schools and our various areas of this State to go as broadly into this remedy as this particular bill mandates. It...it just...we have passed sweeping...education legislation last year in Senate Bill 730 and I...I just think that this...this bill really does go too far, and I think that local areas that have these severe problems ought to be allowed to recommend and to solve their own problems. And I just don't think that we can go into all of the extensive programs that are suggested in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Just to set the record straight, I've talked with the Pro-life people, I've talked with the Pro-Family people. We have put an amendment on here and what we're saying when we went to the Supreme Court in 1979 when we denied public aid funds for abortion, we said that we will do what is possible to help the parent...the young parent and...and the parent that didn't have a father through the stages after she has the baby. This bill does that. This bill provides home instruction for three months after the birth of a child or a pregnancy termination. We have a growing problem in the State of teenage pregnancy. We have a growing problem of family people failing to...to work with their children

because of the work...workload of...both...both parents. This, we have to stand out on and do. We have had to make one of two decisions in this State. I am against the one decision of using public aid funds for abortion. I am not against any decision to help these young teenage mothers through the three months after the baby is born in home instructions or what may it be. If this is a problem in education, Senator Schaffer, then those educators you're talking about are not doing their job, and they should do their job and we, as a State, must put programs together to help these mothers...teenage mothers after the child is born and that is what this bill is trying to do. If it isn't stretched towards something we're not doing and something that maybe we shouldn't tread on, there is nothing in this world we shouldn't tread on, there's things that we should do to try to help people and this bill helps teenage mothers after a baby is born. And I stand on this bill because I think it's the right thing to do. We cannot tell people in our lifetime that you can't have an abortion but we will...we can tell them if you don't have that abortion and you don't do it voluntarily, we're going to help you, we're going to give you instructions. We're going to tell you how to rear that baby so that baby does not become another responsibility of society and that's what this bill does and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Everybody is worried about this being a State mandate to local school districts but, let me tell you something, all this says is that the district shall provide a course of sex education and maybe those are buzzwords and they don't use those exact words, they talk about human growth and development; but what we're talking

about and if you read the bill it says that no pupil shall be required to take this course if he gets...if the parent of the pupil files a written request with the school to exempt that student from the course. So the parents of the...of the student decide if this student is going to take this course in the school. Now, that's a good idea. We're...we're putting the choice on the parent, not the school; the school isn't saying, you got to take this course, the parent makes the decision whether the school...whether the student should take this course or not. And what this bill says is, look, there is a crisis in America, babies are having babies in America and what are we going to do about it? Are we going to sit back and just let them continue to have babies or are we going to try to do something to help these kids understand what is going on? And all this bill says is that for children who have children, let a school provide facilities for that child's child to get the proper education and nutrition while that child is going to school. That's not a bad thing, that doesn't affect ninety percent of the school districts in this State, but it is a crisis in Chicago and we're not asking anything more than we be allowed to implement this program, that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator,...Senator, could...we'd like to introduce the Governor on the Democratic side of the aisle. Governor Thompson, our...he's on the right side of the aisle now. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. That's about it. You know, I really...I mean, that's about it. It's a good bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. A point of...personal privi-

lege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR WATSON:

There's a school group in the President's Gallery from Vandalia in my district, sixth, seventh and eighth grade class of student council members and I'd like for the Senate to welcome them to Springfield. They're here with their teachers, Tim Sommers and Donna Hayes, and I'd like for you to welcome them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, maybe I'm a little old-fashioned but, first of all, I hope that we can have a course of training at home for the parents of these youngsters before they become pregnant and what have you. Second of all, if we...mandate any more programs on our schools, what's going to happen to our taxes? I mean, there's...we...we can't keep mandating things and not paying for them, and I do feel that perhaps the intention is good but I also think there should be another avenue, and I think perhaps we ought to dedicate ourselves to educating the parents of these potential parents and helping them out there. Instead of making...instead of having schools teach education, we are now going to have schools do what, raise families in the schools? Is that what we really want to do? Maybe I'm a little old-fashioned, but I don't feel that I want to support this bill by mandating more programs that we expect the school districts to pay and have our constituents say, why.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR KELLY:

Senator Collins, a similar question to what I had asked to Senator Smith. Is there abortion counseling within this...anywhere or...and, if so, is it your intent that there is not abortion counseling...legislative intent not to have abortion counseling as part of this program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

There is no abortion counseling in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

And that is your legislative intent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Thank you. Well, I think...Senator Geo-Karis made a very valid point on the...the parents. As I read this legislation, it seems like a great idea. We're repealing the Sex Education Act, which I don't think has done anything, particularly between that and the dispensing of the birth control pills, we've had multitudes of teenage babies born and certainly a lot of problems that go along with it. However, I think there is time in the House to maybe incorporate some

other aspects to this legislation, but parents...the biggest complaint that they had about the Sex Education Act and what was going on is that they were not being informed about what's taking place in their schools, and I think that's one of the...concepts or one of the aspects that's missing from this legislation. I know it's a difficult area. I happen to think that we have to do something to...because we do have such a...an accelerated problem and I'm going to support this legislation, but I do...would hope the sponsor would be amenable if we have a chance to pass it to the House to have an amendment or two where we could have some parent involvement in this program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 20, Janis Stewart, seeks permission to tape the proceedings. Is leave granted? Hearing no objection, leave is granted. Is there further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you...thank you, Mr. President. A couple of points that I'd like to make that I...perhaps haven't been made, I...I really am concerned. Senator Collins, do you by...by repealing the...the other Acts in total, could you tell the Body what this does with the...with the Sex Education Advisory Board? Does this also abolish that board?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, but there is an advisory board for human growth and development curriculum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Are you telling us that there...in addition to the school district...individual school district boards there is also a State advisory board? Could you tell us where that is in the

bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

No. What it is is to give more local input, each of the school districts at the local level would...would create their own advisory board.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

All right, you are telling us then that we are doing away with the State advisory board...the Sex Education State Advisory Board that was created by this Body, be nothing at the State level and we'll only have...each school district will be mandated...will be mandated to...to form a human growth development advisory committee to develop the curriculum in each school district of this State. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

They can opt out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Could you tell us where they can opt out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Each...they are...they are currently...let me first...let me clarify something and let me just read from the fiscal note that you have...from the...the...the Office of Education because there's a lot of confusion here. The basic courses that we are offering in here are already mandated and he...and then let me just quote, "The course requirements is

currently required under the Clinical Health Problems and Comprehensive Health Education Act and should not involve any additional cost to school districts." These courses are already basically...mandated at this point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, I'm quoting from the bill, okay? The bill says, "Each school board shall appoint a human growth and development advisory committee," and it goes on. Now...now tell me where that says they can opt out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Each parent...the parent of the...of...any child can opt out. What they have to do, they have to first...the...the curriculum have to be...reviewed by the parent before the curriculum is put into effect by the board. The board must prevent...present the basic outline of these courses to the parent and to this advisory board at the local level for approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, Senator, that's fine and you've taken some time but you haven't answered the question. The point is, you indicated that...that you were talking about...students. I'm talking about school boards, and the fact of the matter is, every...every district in this State will have an advisory committee and every advisory board across this State will work with the school to put in place a program. They're mandated to do that whether or not they want to do it or not, correct? Thank you. Next...thank you. With respect to...to the grants, and I...and I...Senator, I am painfully concerned

about this problem also and I'm trying to..to find a way in which we can deal with it, but it concerns me with, for example, School District 299 which obviously is the largest school district...in the State, fifty percent of this revenue will in fact come from general revenue sources. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

And the other fifty percent will then come from local sources, and I'm wondering if you have a guesstimate with respect to just that one school district alone what the cost might be?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...I apologize, would you repeat your question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

From a...from a fiscal point of view, I'm curious to know what the cost of this might be; for example, fifty percent of the money comes from the General Revenue Fund, the other fifty percent comes from the local effort. I'm curious what that cost might be with just one school district, 299.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Now, I'm informed that the grant...the section on the grants...section is not mandatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Then...then what you're saying is it may well all be a local cost.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Okay. Based on...based on the bill, if they wish to contribute the money, they can; if not, they don't have to. It's like any other grant program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, I'm sorry, Mr. President, but you told me that the grants aren't necessarily...the grants come from the State and what we're saying, we may or may not appropriate the money to the State Board of Education that may from that then issue grants to the school districts. We may not do that, so that's zero money. Now, you're telling me that the school may not fund it also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

The State monies are...they've already put the money into the budget.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well,...okay. To another subject, I...do these grants also then include the maintenance of child-care centers also? Is this all a part of the grant?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Okay, folks, this is an expensive little item. I would ask just one further question, Mr. President, if you would allow me. Senator, again, I'm concerned about the issue also. How does Senate Bill 2163 relate or blend with a bill that's on the Calendar that we'll be discussing later today, that bill being Senate Bill 1529?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

To my knowledge, it's not related at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, I...I don't believe...maybe we're quite accurate on that and I think the Body really needs to take a look at this issue and...and perhaps deal at it...with it another time, and I would...would recommend defeat of Senate Bill 2163.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Collins may close.

SENATOR COLLINS:

Thank you, Mr. President. Let me try and respond again to some of the concerns raised by the...the opponents of this bill. First of all, the basic courses offered in this..this bill, the curriculum, suggested courses are already requirements under the existing Clinical Health Problems and Comprehensive Health Educational Act. The...the...there was another statement made that we are going too far, this...this

Body, and...and treading on territories in areas of which we've never done before and, therefore, we think that...for that reason that we should not enact this...this legislation. I think that's the basic crux of the problem and why we have the problem today, because no one, it is like some kind of sacred cow, is willing to stand up and say, enough is enough. It is time that someone assumed the responsibility and bite the bullet to deal with the problem of teen pregnancy in this State. Teen pregnancies does not only affect the child or ruin the life a young girl, but we have to be concerned about what happens to that unwanted child for the rest of that child's life. What about the complications and the health problems, the other types of social problems that we have to pay for because we did not have the courage enough to stand up and say, yes, it is our responsibility and we must take charge in the absence of adequate...parental control from the parent, because that's basically what is needed and what the problem is all about. We talk about Parent Too Soon, Parent Too Soon does not and let me repeat, again, does not, address the critical issues outlined in this bill. This bill focus is not on what happens after the girl so much have a baby but it is designed to prevent them from ever getting pregnancy...pregnant. That is the issue and that is where our emphasis ought to be. If, in fact, the school districts, the...the...the homes, the churches are falling short of what...for whatever reason of addressing this problem, then we must attempt to do it ourselves, because we have the responsibility and we are the ones will determine who will pay the costs and pay the price if we do nothing at all. I think this legislation is a great step in the direction and it sends a very clear message that the citizens of Illinois is willing, first of all, to recognize and accept the basic reality that teen pregnancy and adolescent sexual activities does exist in this State, and it exists to the extent that it

is causing a problem which is threatening the whole social fibers and economic fibers of this State of Illinois and we have a charge and a responsibility to protect the overall welfare and health and safety of the citizens of this State of Illinois. This bill is a charge in that direction and I will ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 2163 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 28, 2 voting Present. Senate Bill 2163 having failed to receive a majority vote is declared lost. Senate...Senate Bill 2164, Senator Lemke. Read the bill, Mr. Secretary. Oh,...I'm...Senator...Senator Collins, I'm informed you asked for for...postponed consideration on this bill? Senate Bill 2164, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2164.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Mr. President, can I have leave also to have Senate Resolution 813 be handled with this? This is a similar...it's...it's in conjunction with this bill and I had leave before to have it called when it was up in resolutions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You...you heard the motion. Senator Lemke requests leave of the Body to hear Senate Joint Resolution...what is it 813?

SENATOR LEMKE:

...Senate Resolution 813.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senate Resolution 813 to be heard and voted on in conjunction with Senate Bill 2164. Is there objection? If not, leave is granted. Senator Lemke on the bill first, the resolution second.

SENATOR LEMKE:

What Senate Bill 2164 and Senate Resolution 813 deals with is teenage suicide in the State of Illinois which is a growing problem in the State. What Senate Bill 2164 does, requires the Department of Mental Health and Developmental Disabilities to establish an adolescent and teen suicide prevention program, authorize grants to model...to model programs retiring teacher institutions in...in-service training programs on the detection of suicidal behavior youth and intervention procedures. I think this is a good concept, because in this country and in this State, suicide rates have been growing astronomically. I think it's time we get involved to solve this problem. Alone in certain towns of...in Illinois in the last eighteen months, the problem has...particular bad in the Villages of Arlington Heights, Buffalo Grove, Elk Grove Village, Inverness, Lake Zurich, Mount Prospect, Prospect Heights, Rolling Meadows, Schaumburg, Waukegan and Wheeling and have a...and these...these...these areas have an extraordinary higher teenage...suicide rate. And I think living in a environment where every student is expected to be...the next Einstein where achievement and success pronounced to be the norm results in pressures...on some youths finding it intolerable and their only way out is sometimes through the tragic method of suicide. I think it's about time we come and do something about this problem. It's a growing thing I know amongst teenagers and a concern in high school seniors. They have seen too many friends talk about it or attempt to do it because they've failed to achieve. So I ask for your favor-

SB 2165 3rd reading

able consideration of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 2164 and Senate Resolution 813 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 2164 and Senate Resolution 813 having received the majority vote is declared passed. Senate Bill 2165, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Bill 2165 will do the following if enacted. It will provide that anyone who advertises in Illinois media that they have a drinking age under the age of twenty-one, anyone would be guilty of a misdemeanor. It also...provides that the...that the...in our school education program that there be included instruction on the problems of driving under the influence. It also...extends the Long-arm Statute with respect to dram shop to persons...the tavern owners who cause intoxication would then be liable in Illinois courts for resulting damages under dram shop. And it, finally and most importantly, I think, provides that persons under the age of twenty-one who are convicted of driving under the influence would be precluded from receiving a restricted driving privilege for one year upon conviction. In addition to that, the Secretary of State is empowered to provide restricted driving

privileges after the one-year period for a time...up to the time that the person is twenty-one years...becomes twenty-one years of age. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

In what way are you extending or changing the Dram Shop Act?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

The dram shop is extended in...to the effect that a tavern operator and...in an adjoining state who causes the intoxication of someone who then causes injury would be...or has done injury would...would be liable for that damage. Illinois courts have held that it was not within the...of the Illinois General Assembly when we enacted dram shop to extend jurisdiction beyond our borders. It was brought out in committee that there is possible problems...constitutional problems with this. It's kind of a tossup at this point, we're going to go forward with it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you. A question of the sponsor relating to the first part of the bill which is the ban on advertising and...and I guess I...number one, I've got some concern about whether there is...whether it is fundamentally valid; but...but I'm not quite sure what it is reaching, Senator Joyce, because you are prohibiting any person licensed either

in this State or another state to advertise that another state has a lower drinking age, and I guess my first question is, I'm not quite sure why someone...presumably a bar that is licensed in this State would want to advertise that the drinking age is lower in another State. What would that gain them or are you talking about something beyond...in any event, just try to explain what you're...what you're trying to reach?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, let me just preface this by saying, this may be moot...hopefully this will be moot in the...because Wisconsin is moving forward, and we are trying to address that situation where Illinois residents are being lured across the...the State border to obtain...for the purpose of drinking and we have...I can read them to you, the staff has prepared all kinds of statistics here with respect to drunk driving and with respect to result in fatalities associated with teenage intoxication on our borders, comparing our borders where...with where we border states that have lower drinking ages as opposed to states that do not and et cetera, et cetera. It's trying to get at that, Senator Netsch, and so...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, I understand the problem of having states with different ages, that's not..and that...and that's serious one I...I grant you. I think my...my concern is only in the context of this particular section which attempts to prohibit advertising under these circumstances, and I...I guess I was trying to figure out what it really is directed at, because I can't imagine why someone who is licensed in this State would

say, gee, get out of this State, go someplace else because you can get liquor at an earlier age. That is one part of it, and then while I'm asking a question, let me ask you the second question. I'm not an authority on...on commercial First Amendment to problems, but...because what you are prohibiting here is not unlawful; that is, assuming Wisconsin retains its lower age, it is not unlawful for someone under age to drink in the State of Wisconsin, and...what strikes me is that you may be prohibiting the advertising of a lawful activity and, in that case, I would think there would be some very serious First Amendment questions. Has that been addressed?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I didn't hear the second part...part of...of what you were saying, but the...I think you're misreading this...this Statute...this proposed...the language here in that it is any person who...who advertises, it's not a...it's not a tavern owner, it's any person would be guilty of a misdemeanor who advertises that there is a lower drinking age in another state. So in terms of how you're trying to figure out why would an Illinois tavern operator place an ad, I mean, that's just...that's just not the case not whether or not that's...you...you know, you agree with that or whether or not that's...you have some other problems with that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, I...I understand that, and I guess again my...I just was trying to...and..and this was not a...a confrontational question, Senator Joyce, I was just trying to figure out who does advertise in Illinois that you can drink at a lower age in the State of Wisconsin? Was there...are

there circumstances where that has been happening?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, Senator Schaffer, can handle that. He has some of those advertisements in his community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I'm...I'm perfectly willing to get an answer from whatever source and this really is a question, I just can't quite figure out what it's addressed to. I would like to...if Senator Schaffer would address that point, I would like to be able to repeat my second question to Senator Joyce which had to do with the First Amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Senator Schaffer is on board to speak next, so...Senator Schaffer.

SENATOR SCHAFFER:

Well, I'm not sure I like being referred to as whatever source. Let me assure you that there is advertising, particularly in the northern part of the State, my district and the districts around me that abut the Wisconsin border, that is put in publications aimed at young people advertising the availability of liquor, special events,...not liquor, their law up there isn't...I don't think the hard stuff qualifies but basically advertising and pushing the lower drinking age to college type kids that are underage, high school type kids. There are publications that you will see these ads in advertising particular establishments or events with a clear intention of encouraging our young people between nineteen and twenty-one and regrettably younger to get up into Wisconsin because of the lower drinking age. And let me suggest to you, while...drinking between nineteen and twenty-one in Wis-

consin is not illegal, the side effect, which is what I think we're trying to get at with this bill, which is coming back into the State in an intoxicated state and driving an automobile is clearly illegal and that is what I believe this bill is aimed at. Someone...a nineteen or twenty-year-old wants to go up to Wisconsin and have a few beers and not drive a car on...in a...state of intoxication, I don't think we particularly care. What we object to is the obvious attempt to get them to drive up, drink and regrettably in many cases to an excess and drive back through. We had another fatality up in my area this last weekend. I dread this time of year simply because I know my papers are going to be filled with tragedy after tragedy caused by this problem, and to the extent that this bill maybe not in a major way but in a...in a...in some way can prohibit this type of activity. There's one other thing you might get a...well, I won't say chuckle, it's not really funny. Many of the establishments also have handouts last year at least not only telling you where to drink and under...their lower age but also suggesting routes on how to get home and to avoid our police nets. I'm happy to say we have intercepted those documents and they are no longer valid routes; in fact, we'd like to see you come down those routes at...late on Saturday night, we're waiting for you. But that type of advertisement is made available to the young people and I think this bill addresses a very real problem, and my...the ultimate answer is our friends in Wisconsin to recognize the need for twenty-one drinking age at least...at the very least as it applies to out-of-state residents. But this bill is a positive step and about the only thing I think we can legally and constitutionally do at this point other than continue to step up our law enforcement on the border, which regrettably becomes more necessary everyday. I rise in support of this bill and I hope I've answered your question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No, I...I'm not arguing about the issue, I agree, it is a very serious one and, as a matter of fact, I even supported the twenty-one age drinking ban in this State, so that's not my problem. My concern is whether this section, not the other parts of the bill but this section does anything or whether it is kind of an empty gesture because it doesn't really reach anything that can be done and I have a dual question. I don't see how...Illinois is going to be able to reach anyone who is based in Wisconsin and does not come into this State with a criminal prosecution. I mean, we're not allowed to go up there and arrest someone and drag them back to the State of...of Illinois, that is the one side of it. The second is, in terms of...of what is being banned, I think what you are banning is something that is not...literally illegal in the State of Illinois, and I believe a prohibition on advertising something that is not illegal has very serious if not fatal First Amendment questions. That was my only concern whether this section really does anything because it is trying to do things which cannot be done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. Senator Schaffer, have you concluded your remarks or was that just an answer to a question? He's concluded. Okay. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I share many of the comments of Senator Schaffer, our counties are the counties most often affected there in northern Illinois; and if I could further elaborate 'cause I've looked into some of this a little bit, Senator Netsch, that one of the things we are not doing is prohibiting advertising, that we are not doing that with this bill. What we are doing is saying that you may not advertise

that you have a younger...or a lower drinking age as part of that advertisement, and we have done this historically in what we say we may do with liquor advertising on television and magazines and...and so forth. And so we are...we're going after a section, we believe, in the law that we may be perfectly safe with. The other problem with the dram shop legislation, although we've had difficulties with it in the...in the past, we are now going with language that the court has recommended; and we realize how vital this is as we take a look at the statistics and know that the fatalities are coming down in the rest of the State but not in those northern counties, that this is absolutely a critical issue and this is a very good piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, I invite the press to go and see the gin mill signs on the borders of Antioch and what have you, 'cause my district abuts Wisconsin. I think this is a good bill and I...I rise to speak in favor of it because we've had plenty of casualties coming from the borders of Wisconsin and their horrible advertising.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BARKHAUSEN:

Senator Joyce, just quickly to try to establish another point of legislative intent. One...one aspect of the bill, from what I can tell appears to say if someone under the age of twenty-one is...is convicted of DUI that their license

shall be revoked for one year and that...but then after that period that they shall automatically be limited to a restricted driving permit that limits their driving between the hours of 5:00 a.m. and 9:00 p.m. up until they're twenty-one years of age. In other words, if someone was sixteen or seventeen years old and was convicted of DUI, for four or five years thereafter they'd...they'd have to drive on a RDP no matter what their other driving record and since, obviously, a lot of our youngsters are driving...wanting to hold down after-school employment and so forth, that would possibly seem to be a little bit harsh.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

My understanding...let me check here,...my understanding is that after that one-year period that...that's at the discretion of the Secretary of State as to whether or not they will be given that and whether or not that restriction will apply all the way up until they're twenty-one years of age. Let me...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Barkhausen, for legislative intent, that is...your representation of that is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well,...Ladies and Gentlemen of the Senate, I...you know, as much as I've had an interest in this...in this legislation and as much as I support most of the provisions in this bill, let me just take half a second here to express some misgivings about this particular provision. It would appear to be...it's on page 7 of the bill, Section D, I guess

it's...6205 that we're dealing with; and what the bill says is, "Upon the expiration of one year after the date of revocation, Secretary of State may, if satisfied that the person reapplying will not endanger the public safety, issue a restricted license permitting the licensee to operate a motor vehicle only between the...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen, would you just...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Wait...we were...I was proceeding...I was proceeding with the understanding that that was discretionary on part of the Secretary of State. What I..what I would represent to you, we would get an amendment and place it on there to change that language to leave the Secretary of State with the discretion on the restriction after the...after the expiration of the revocation period.

SENATOR BARKHAUSEN:

Well, that's fine, I...I...I was simply going to point out that the bill seems to allow the Secretary of State discretion only as to the issuance of this RDP, but the Secretary of State would not seem to have the discretion up until the time the underage driver is twenty-one to restore full driving privileges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. This...this bill, obviously, does address a very important problem. Just a question of the sponsor. Senator Joyce, in the current DUI law, are there any varying provisions depending on age as...as...as you would have under...under this legislation in terms of penalties?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...my only...well, one of...one of my concerns with this bill...and, of course, I'm going to support it, it is important and it is needed, and perhaps Senator Netsch is a far more knowledgeable constitutional scholar than myself might address this, that...the question of whether or not we can distinguish solely on the basis of age the penalty which would be incurred under this legislation, I think might present constitutional problems. Now, certainly...the bill is meritorious and I know what you're trying to get at and I hope we can get at it with this; but I just wonder maybe...Jerry, maybe you've asked somebody in the Secretary of State's Office or someone else if we distinguish strictly on the basis of age, the penalty, the...the mandatory suspension. Is there any precedent for that and...and do you think that presents any constitutional problem?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

We went through the hearing and they...and they indicated that that would not be a problem in terms of...if you're talking about equal protection type of situation.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, the last question is, this...this does not deal with the social host type situation but only deals with the tavern owner. Is...is that correct?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

That's...that's correct.

PRESIDENT:

Further discussion? Any further discussion? Senator Joyce, you wish to close?

SENATOR JEREMIAH JOYCE:

Well, just very briefly, with respect to the...with the points raised by Senator Netsch, the courts have said that when we are talking about limiting free speech, in those situations involving liquor there is not as...not as close a scrutiny with respect to the chilling effect aspect. The...Section 2 of the Twenty-first Amendment of the United States Constitution gives great authority to the states in the area of liquor. We believe that this is...is constitutional. Much of it hopefully will not be needed if Wisconsin moves forward. The matter that Senator Barkhausen has raised, we went through a hearing under the impression that this was a discretionary factor involved in the Secretary of State and the reissuance of the restricted license. I will prepare an amendment and give that to the House sponsor and we will see this back here I'm sure. So I ask for your support on Senate Bill 2165.

PRESIDENT:

The question is, shall Senate Bill 2165 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2165 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2166. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2166.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Senate Bill 2166 creates the Illinois Youth Conservation Corps. and the Illinois Youth Recreation Corps. It authorizes summer employment of youths through these programs by the Department of Conservation and by local programs designed to provide summer recreational opportunities for children. I think this is a very good bill. You know, there's nothing that creates children more of a problem than idle time on their hand and I...I think this goes a long ways to address that issue.

PRESIDENT:

Discussion? Senator Holmberg.

SENATOR HOLMBERG:

...on another matter following this...this bill.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the House. I think that it would be well to advise our members of a few things concerning this measure, and with all due respect to the very fine sponsors of the...of the bill, I do rise in opposition. The bill was heard in Labor and Commerce Committee and I would bring these things to your attention about the measure. It is the...the...conservation corps....the Illinois Conservation Corps. which originally the bill addressed and still does, although the title of the bill has changed by Senate Amendment No. 1, I believe, is part of the...the conservation corps. concept is part of the Build Illinois bill that we...that was passed by this Body, and the Conservation Corps. has...the Department Conservation Corps. which...came into being as a part of the Build Illi-

nois program has already received 1.75 million dollars. The Department of Conservation is hiring over six hundred sixteen- to eighteen-year-olds for summer work already. The department already has thirty-seven full-time workers who will supervise the workers during the...the young workers during the summer months, and the Conservation Corps. created by Build Illinois, was appropriated two hundred and fifty thousand dollars in grants to local government for similar type work at local levels. So I think it is fair to remind the Body that what we're doing here is...appears to be a duplicate of programs already in place. Sometimes I am inclined to feel that if we institute a program that has the germ of a good idea to it, we feel that more is better, so we institute...one program and then we overlay that with another one which duplicates the work, so we embroider on these programs as we go along. So I will suggest to you, ladies and gentlemen, that this program will involve cost that we're not in a position, I don't think, at this point, considering what we're already doing, to support...there's an interesting thing too; of course, originally there was a minimum wage exemption in the bill, that has been struck out so that disadvantaged youths all have to be paid minimum wage or over. And another interesting provision in this bill is that with a...with the putting on of the payroll of the disadvantaged youths, even the recreation program or in the Conservation Corps., no matter how many they may have or what work they do, in no way can...can that...that work result in a reduction of overtime work of regular employees. That seems to be part of the bill, so the cost is...there's no savings involved. It's...it's...it's all on the cost plus side of the ledger. So I simply cite these things so that you will give it some thought. I think the intention...I think it's well-intentioned but I would caution you against the expense, the duplication. It's a program, I think, that

really is unnecessary.

PRESIDENT:

Further discussion? Senator O'Daniel may close.

SENATOR O'DANIEL:

Yes, in...some response to Senator Hudson. You know, the Conservation Corps. was here long before Build Illinois came along and also it operates at the Governor's discretion, anyway, and the...the reason the...the amendment was put on so it wouldn't displace any full-time employees that work for the Department of Conservation. I think this is a good bill and I think we should be concerned about helping young people become productive citizens instead of wards of the State, and I would appreciate affirmative vote.

PRESIDENT:

The question is, shall Senate Bill 2166 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 18 Nays, none voting Present. Senate Bill 2166 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, 2168, Senator Poshard. On the...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I've been informed by our staff that we have to take a...a vote on Senate Resolution 813, that it was...that the roll call was just on the bill, 2164.

PRESIDENT:

Who...who...by whom have you been informed? Everybody says everything is fine.

SENATOR LEMKE:

Well, the staff came up to me. Okay. That's...that's okay, fine.

PRESIDENT:

All right...stay loose. On the Order of Senate Bills 3rd Reading, Senate Bill 2168. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...Senate Bill 2168.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. The intent of this bill is to recognize the efforts of teenagers who are working within the community to curb some of the problems faced by their peers, examples of programs in which these students may be working are the Students Against Drunk Drivers programs, other peer persuasion type programs. This bill would require the Citizens' Council on Children to administer an annual U-RATE recognition awards for teen...excellence program to recognize these youths for their involvement. I know of no opposition to this bill and I move for its passage.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2168 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 2168 having received the required constitutional majority is declared passed. 2180, Senator Collins. On the Order of Senate Bills 3rd Reading, Senate Bill 2180. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2180.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. 2180 is the same bill that we passed last year, the House and the Senate, and went to the Governor's Desk. It is an effort to address the serious problem of teen unemployment in the State of Illinois. What I've done this year is to...hopefully, to...an attempt to answer some of the concerns raised in reference to the bill in the Governor's Veto Message and from others that had some concern in committee is to take out the sections of the bill dealing with the central corps. areas, and...and originally we had...the bill was based under I think a Pennsylvania Statute that had a job corps. which they had central corps. areas located throughout the state, and so we took those sections out of the bill so that persons participating would not have to leave their place of residence for the training, and we left it up to the discretion of DCCA to establish rules, regulations and policies by which this program would be administered. Now, I do know that there was...some concern about this program was a major duplication of the existing Job Training and Partnership Act...programs under the Job Training Partnership Act but that is not true. This...this bill is really attempting to address a...a problem that for many people that would not necessarily be involved and seeking employment under the exisitng child...employment and training programs in the State of Illinois. I'll be happy to answer any questions; if not, I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was just wondering how much this program...new program was going to cost.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Last...last year we had asked for an appropriation of three million dollars and that...that request will still be for this year.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Is the money in the budget?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

It's not in there but we intend to put it in there.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I guess, I have two objections. One, I don't know how we're going to fund it, we're having a hard time now. I...I know that Senator Carroll and others are trying to cut ninety some million out of the existing budget and some of us feel that's probably not an imprudent activity. This is a three million dollar unbudgeted add-on that duplicates existing programs, including Prairie State 2000 which is aimed in this area, and the Conservation Corps. that are in the budget and appropriated. I won't argue that there isn't need. There's...may very well be need but I don't believe we have the money for this and I believe it is duplicatory and should be resisted. I urge a No vote.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Well, thank you, Mr. President. I rise again, as I did before, I hope with better results. Senator Schaffer, I

think, has hit the...hit the nail on the head but what I had to say before I must say again only in spades this time. This is a duplicative program and I think it would be well for everybody to understand what...what exactly we're already doing in this area. The Department of Employment Security is already involved, there's money there. DCCA is providing money in support services along these lines, Prairie State 2000 Authority received three million for job training. The Illinois Conservation Corps. under Build Illinois is providing 2.75 million for summer jobs for youths and it just seems to me, as Senator Schaffer has mentioned, that we're already essentially doing what Senator Collins wants done. The idea is not a bad idea certainly, but why layer upon layer? The taxpayers are eventually going to have the impact of this and there's one further point and I'll close, but this whole program which comes back like the tulips in our gardens every year, it is...it's a perennial and...Senator Collins has to be commended for her...her tenacity and her persistence, but it does replicate the old...replicate in some way the old CETA Program which didn't...which never did what it was supposed to do in its approach to job training and so forth, and here we go again and we wonder why the...why government continues to grow and our...governmental expense continues to grow and taxpayers continue to become increasingly irate about the things we do down here. So I don't think this should be a partisan matter here today. I think we ought to just think about it from the standpoint of sound fiscal policies here, do what has to be done, but let's not overdo it. I...I really, on both sides of the aisle, would suggest a No vote on this bill.

PRESIDENT:

Further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, thank you. Let me respond to the last statement of

sound fiscal policy. It would appear to me that sound fiscal policies of the State would be designed to reduce dependency of those persons who are currently dependent on government for their means of livelihood, because...and other social programs because that is where the bulk of the budget goes, and until we do that, then we going to continue to have a need to keep increasing taxes and increasing the State's budget. That's what this bill is all about; yes, we have a lot of programs but if they we're doing the job that this bill is...in the area that this bill is attempting to do, then we wouldn't still have the...the same high unemployment for the chronically employed for this category of people. We're talking about youth and most of these people have dropped out of school, not in any kind of job training programs and will never qualify for a job training programs because they don't...meet minimum standards for enrollment in those traditional type programs. So this bill is designed to address that issue and...in the area where I live on the west side of Chicago, we're still looking at somewhere about thirty percent unemployment in this category of people. Those people are dependent upon the...taxpayers to support them, daily or monthly. They receive their checks, their food stamps and their other allowances and other types of social services, in addition to that, those are the persons who usually end up into the penal institutions and that is why you have to build more prisons right now. It is crazy to talk about...sound fiscal policies as long as we tend to ignore that category of people and...and...and don't engage in programs and prioritize our spending to the point that it would address that whole issue so that these people can become self-reliance and self...supporting and not relying on government and, therefore,...and become productive citizens and taxpayers and, therefore, we can, in fact, reduce spending in the State of Illinois. I think this is a good idea

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and I'd ask for a favorable roll call.

PRESIDENT:

The question is, shall Senate Bill 2180 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 27 Nays, none voting Present. The sponsor requests that further consideration be postponed. So ordered. On the Order of Senate Bills 3rd Reading, Senate Bill 2185, Mr. Secretary.

SECRETARY:

Senate Bill 2185.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Senate Bill 2185 as amended is the 1986 Revisory Act prepared by the Legislative Reference Bureau. The 1986 Revisory Act is consistent with previous revisory Acts and charts no new territory. Article I contains general provisions explaining the nature of the bill. Article II...page 2 through 1073 deals with public Acts of the '84 General Assembly. Three hundred and forty-seven sections were amended in 1985 by two or more public Acts. The changes made by the multiple amendments to each section are combined into a single version of each section. At the end of each section is a list of the public Acts that amended this...the section. Seventy-eight sections added in 1985 are...renumerated to achieve...numerical order within specific Act. The renumbering is shown by underscoring and striking the public Act sources of the section being renumbered are cited at the end of...of each section. I ask for adoption of this bill.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2185 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2185 having received the required constitutional majority is declared passed. Senator Barkhausen, 2190. On the Order of Senate Bills 3rd Reading, Senate Bill 2190. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2190.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2190 is the first of a series of bills that will follow...coming out of the special Senate Task Force on Medicaid Fraud. Senate Bill 2190 basically provides for a expedited mechanism for various State code departments, particularly the Department of Public Aid, to provide notice to the Department of Registration and Education both in situations where the departments have reason to believe that a...a medical vendor of one kind or another poses an immediate danger to the public and also relevant to the Medicade context in situations where the department has reason to believe that the vendor is defrauding the Medicaid system. Know of no opposition to the bill, would be happy to answer any questions and would otherwise urge a favorable roll call.

PRESIDENT:

Any discussion? Senator Welch.

SENATOR WELCH:

I just have a question of the sponsor.

PRESIDENT:

Question of the sponsor. Senator Barkhausen indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Barkhausen, in your...in your amendment to the bill on page 10, you make an exception...extend an exception to the Freedom of Information Act. Could you explain how you are extending the exception and the legislative intent of doing that?

PRESIDENT:

(Machine cutoff)...Barkhausen.

SENATOR BARKHAUSEN:

I think the answer to that is is because it's a matter of ongoing investigation and the notice being provided by the departments...various departments to the Department of Registration and...and...and Education are simply allegations and not conclusive findings. And I think it's a feeling that if...if it's just a matter of an allegation which ends up being unfounded, that's not desirable to have that subject to public disclosure under the Freedom of Information Act.

PRESIDENT:

...further discussion? If not, the question is, shall Senate Bill 2190 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 2190 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2191, Mr. Secretary.

SECRETARY:

Senate Bill 2191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

END OF REEL

REEL #3

SENATOR WELCH:

Thank you, Mr. President. This bill is another in the package of bills designed to prevent any further fraud in the public aid recipients...in the State of Illinois. What this bill does is when the Department of Public Aid determines that a recipient is abusing his or her green card privileges and incurring excessively disproportionate expenses for medical services or goods, that medical assistant privilege may be restricted to a designator...designated provider. A periodic review would be held to determine if the usage of the green card has decreased to a statistically legitimate level which would then warrant the full restoration of privileges of the green card.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2191 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2191 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2192, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I...this is another one of those pieces of legislation involving Medicaid fraud and I...I think we'd be remiss if we didn't mention that this whole concept was initiated by Senator Prescott Bloom and the work that he did in the Chicago...undercover work with the Department of Public Aid. He is the...was our...more or less our spokesman on this committee when it began and, of course, his unfortunate and untimely death...resulted in a situation which we're going to carry on what he brought forth. So, I think that should be mentioned. Senate Bill 2192 is one in which we identify and try to put a hault to the corporate veil situation in which people who obtain benefits after termination, and we have a situation in which a corporation is established, let's say a drugstore, a pharmacy is established under one name and the corporate certificate is issued and the individual is then convicted of public aid fraud, goes across the street and establishes another drugstore under another name, another corporate entity. What we're trying to do is identify and put a halt to that type of a situation. This legislation is an effort to do so and I, again, know of no opposition but I'll be glad to answer any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2192 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2192 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2193, Mr. Secretary.

SECRETARY:

Senate Bill 2193.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Another one of the pieces of legislation dealing with Medicaid fraud and provider fraud. It's Senate Bill 2193 and this is a situation in which creates an offense for public aid wire fraud. It'll make a penalty of a Class IV felony and the situation is now that the department has to go into Federal Court, this will enable them to go in State court and make it more enforceable. Be glad to answer any questions; otherwise, ask for your vote.

PRESIDENT:

Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

He indicates...

SENATOR HALL:

What is wire fraud?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

It is the use of telephone, wire, radio or television.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Television? How...how do you do that over television?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, in the form of advertising, possibly, erroneously over TV. This is more or less following the Federal guidelines in regard to wire fraud. This is pretty much their

language that we're implementing it...into ours.

PRESIDENT:

Further discussion? If not, the question is, shall Senate Bill 2193 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2193 having received the required constitutional majority is declared passed. 2199,...you wish to handle the...the next one, 2194? With leave of the Body, Senator Watson will handle 2194. On the Order of Senate Bills 3rd Reading, Senate Bill 2194, Mr. Secretary.

SECRETARY:

Senate Bill 2194.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This establishes the same provisions that we just did for wire fraud for mail fraud...the use of U.S. mails or private mail, package or delivery of services or systems as part of a plan, scheme or design to obtain public aid benefits unlawfully. Same provisions as we just established for wire fraud, we want to do for mail fraud.

PRESIDENT:

Question is, shall Senate Bill 2194 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2194 having received the required constitutional majority is declared

passed. Bottom of page 6, on the Order of Senate Bills 3rd Reading, Senate Bill 2199. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2199.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this amends the Family Practice Residency Act and includes doctors of obstetrics or gynecology in the definition of "primary care physician," and it makes technical changes in the provision requirements for residency and scholarships. I don't know of any opponents to the bill.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 2199 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 2199 having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 2200,...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I'm sure everyone is aware, Senator Chew is not with us today. I would ask everyone to remember him in your prayers. He is not a well man. He has given me authority to handle 2200. In my judgment, it should be held and I would ask that it be held.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Page 7, 2202, Senator Topinka. Same motion? All right, on the Order of Senate Bills 3rd is Senate Bill 2202.

SECRETARY:

Senate Bill 2202.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this bill rewrites the Medical Practice Act which is something that has not been done for seventy years and I think we've discussed it. I am free to answer questions at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am sure everyone is now well aware that this is an absolute, complete rewrite of the Medical Practice Act, in addition to which included in this technical rewrite, good doc, bad doc, all that stuff, is literally price fixing or collective bargaining for physicians which this Body turned down flat cold last year, rightfully so. All I'm suggesting...there may well be some really good recommendations in this bill, no quarrel; but a seventy-three page amendment having been laid on our desks less than a week ago, it seems to me we deserve better and better treatment. I will move you again, Mr. President, as I did the other day, to recommit Senate Bill 2202 as amended to the Committee on Insurance and Licensed Activities for its deliberation, and I will pledge to you as one who will be willing to support...an effort in the fall once the bill has been heard, once the provisions have been discussed, as is only right. We,

yesterday, passed out of here the creation of a Sunset Committee to review all the licensure, one of which, obviously, is the Medical Practice Act. We needn't headlong rush into this thing. Give us some time. Nobody is opposed. Just give us some time. Give us some courtesy. I would move to recommit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to recommit Senate Bill 2202 to the Committee on License and Insurance. So, on the motion to recommit, discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, I would...disagree with that motion at this time. You know, originally...that we have had difficulty in trying to get the amendment to the Floor because it is extremely technical. The Department of Registration and Education has worked in conjunction with the Governor's task force on this and found the problems to be so severe in terms of what has happened in terms of the good doc, bad doc situation and the various problems that are out there and acting directly in light of what has come out of the Governor's Task Force on Medical Malpractice, not to mention and...this I can't explain at all, why the...the whole rewrite of the bill has not occurred since 1923 and when you stop and think how medicine has changed from...seventy years. I mean, we're...the other day we argued organ transplants and here we have things that go back to 1923. It is a very severe, an emergency situation and I don't think at this time since it has had task force input on this, which has been...which has had hearings on the situation, that the Department of Registration and Education which has been working on two years on this, plus the majority of the bill has not been changed from...from the original, there have been some additions and it definitely and most positively does not include price fixing. It does include a voluntary effort, which was men-

tioned first day out on this Floor and there's never been any effort to hide that front, to have doctors discuss fees but not on a mandatory nor...nor binding basis with their employers and the employers have every right to reject or not every listen if they...if they wish to. It is a strictly voluntary method, from the same group, especially from the left side of the aisle, that has brought us mandatory collective bargaining for teachers, policemen, firemen, public employees and just about anything else that can have...you know, mandatory collective bargaining. This is a voluntary effort and should not be confused with that nor does it have an impact on...preferred provider organizations. That stays intact. And I would like to see the bill discussed and put into effect and gotten on the Calendar and dealt with as a 3rd reading bill and I would oppose this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are several...on the motion to recommit, there are several individuals who have indicated they want to speak. Senator Keats.

SENATOR KEATS:

(Machine cutoff)...on the motion, I would offer the President of the Senate a fair deal. If you would agree with us to send back any bill that comes out after June 25th that has not had committee hearings in this Chamber, I would vote to recommit this, but I have this feeling come June 25th, as I have for the nine years prior to this one, that I will occasionally see something that none of us ever saw before in our lives. Were it not for the fact that this bill will have House committee hearings and were it not for the fact there will probably be a Conference Committee on it, I would agree to recommit as...as should be done. But based upon normal performance, if you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, for what purpose do you arise?

SENATOR KEATS:

...commit everything after that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, I...I'm attempting to answer the gentleman's question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh.

SENATOR ROCK:

He admits that I'm right. Now, he's looking for some...kind of cop-out. You well know that what happens after June 25th is usually discussed widely in the media, for sure, this one snuck up on us. Even the media was caught unaware. Now, June 25th, 26th, 27th, July 1, everybody knows...no, don't use that. You know I'm right in your heart.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Keats, I'm sorry for interrupting. Senator...Senator Keats.

SENATOR KEATS:

If you would listen to you, I only have a stone, not a heart. But I would say to you, you know in your heart that if you would agree to do it...from the 25th on, I would be with you. If I am being questionable, I merely say that I am being consistent, unlike some others. But I do say the press was aware of this, they had meetings that they've been talking about a year and the House will yet see it, but I'd still gladly will step back from my hypocrisy if you will be fair with us and send those ones too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion on the motion to recommit? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr...President and members of the Senate. This bill did...was...this bill was heard in the Senate Insurance Committee...and I rise to support the motion for one basic reason. The bill was only let out of committee with the sole purpose of dealing with the obsolete language on the Medical Practice Act, only. I believe the minority spokesman, Senator Rupp, had objected to the bill going out but we were assured they would only deal with cleaning up obsolete language in the bill, and I am one and I think other committee chairman should realize this one point is that when you let a bill out for one particular purpose and that purpose only, that that...the amendment will deal only with that particular provision which the sponsor said it would deal with, but if...from what I understand, the amendment goes even further than that, and since the amendment goes much further than that and the minority spokesman and myself...and he should rise to speak to this point, this bill should be recommitted because the...the word was not kept with the Body and is such that the amendment changes the actual intent of what the bill was supposed to do. So, I rise in support of the motion to recommit the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion on the motion to recommit? Senator Davidson.

SENATOR DAVIDSON:

I'll yield to Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. All right, Senator Davidson yielded to Senator Rupp. Rupp indicated he didn't...Senator Davidson.

SENATOR DAVIDSON:

Well, the only reason I yielded to Senator Rupp was that the chairman of the committee spoke directly to the minority spokesman on that committee and I thought he wanted to answer

that before I had my say; if not, I will have my say right now, Mr. Chairman...Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp, what is your pleasure?

SENATOR RUPP:

It doesn't make any difference when I answer it. I think in addition to the...what he...what Senator Jones said, it was also the task force report was going to be included in our examination of it. Isn't that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, now we're getting into...Senator Jones.

SENATOR JONES:

We...we agreed that the bill would go out and you objected to the bill going out and...and I...and the sponsor indicated that it just would deal with the obsolete language in...in the Medical Practice Act. So, since that was the agreement as such, then if the amendment is going to change that, then any bill in the future that would be let out of the committee can only be amended in the committee, but...but when the...when the sponsor changes that and include other language in the bill and the amendment, then the word was not kept in good faith and I...I suggest that we support the...Senator Rock's motion to recommit the...the bill because the word was not kept with you and myself as it relate to this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? All right, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in opposition to the motion to recommit. This is a bill that came out of...what's been the task force has been working for a long time in relation to this, particularly the task force on medical disciplinary problems. This is one of the answers,

the only answer we have to be able to get at what we sent...passed and is now law under the Medical Malpractice Insurance last year was we said we would make available those individuals to the disciplinary board that are a chronic offender under the malpractice who...who apparently are not doing their job as they should, at least to the customary and usual standards in all of the three of the professions involved in this Act, and this is the only way by taking this bill and passing it and sending it on...for it to become law...way we have to be able to get at those offenders, and that, among many other things, the bill did need to be rewritten. I've dealt with this Medical Practice Act in my entire career as a chiropractic physician which is now thirty-three years, and I...I would urge all of you to resist the motion to recommit and let's pass this bill out of here on 3rd reading so we can get on to getting at living up to what we said last year when we passed the medical malpractice, those individuals who were a problem we would be able to get at and have the disciplinary board take action against.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we have at least three additional speakers. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Again, it seems to me that not everyone is being fair about what this bill does at the moment, and that, I think, is absolutely essential. You've got no right to obfuscate what's going on here. It does not just incorporate the recommendations of the Governor's Task Force on Medical Discipline, which I gather are very extensive and fairly dramatic and probably ought to have some consideration, but at least there was some knowledge that that task force was at work. Instead, someone has taken the opportunity to do what we are directed by law to do next year

and that is rewrite the entire Medical Practice Act, and it's a question of there may be some good things in it, there may be things that ought to be done that are not done, there may be some bad things in that part of the Act, but it is insane, it is absolutely insane and a perversion of the legislative process to take that major responsibility and to do it in the guise of just sort of tacking it on to an amendment that is offered for the first time on 2nd reading and is so extensive, and because it is all new, you can't even tell what is new and what is not new. That is what we are talking about. There may well be good parts of this that will be pulled out in the rewrite of the Medical Practice Act, but we've got a right to look at them and spend some time thinking about not just whether they make sense but whether there ought to be other things done when the Medical Practice Act is rewritten. This is a perversion of the legislative process and it ought not to be allowed to continue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, as a potential pervert, an inquiry of the Chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir, state your inquiry.

SENATOR DeANGELIS:

How many votes does it take to recommit a bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The motion to recommit will take thirty votes to prevail. Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Is that your own ruling or is that the Rules of the Senate? I'm not...

PRESIDING OFFICER: (SENATOR DEMUZIO)

That...that...that is the...those...those are the Rules of the Senate but those are the same rules that I operate

under, so...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't profess to be a parliamentarian, but I thought it took only a majority of those voting to recommit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. One thing I think the members ought to know and that is that this bill had no hearing at all in the committee. And for those of you that didn't hear me, I want to say it again, this bill has had no hearing. What happened was that the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait a minute. Senator...Senator Schuneman, hold...can we have some order, please. Can we take the staff conferences off the Floor. Can we have some order. Senator Schuneman.

SENATOR SCHUNEMAN:

...what happened was that the committee chairman and the minority spokesman had some kind of an agreement as to what...which bills were going to be put out on an Agreed Bill List. That day in...in the Insurance Committee, there were over ninety bills that were disposed of and those of us on the committee weren't too thrilled, Mr. Chairman, with some of the way it was handled, you know that, and we had a big hassle about it in committee; but this bill never had a committee hearing and I think if it's being used for some purpose now that the committee chairman and the spokesman did not agree to, then really maybe some agreements aren't being kept on it, and so we ought to consider that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall, on the motion to reconsider.

SENATOR HALL:

Thank you, Mr. President. Would the sponsor yield for a question? What's...what's the hurry, Senator Topinka? Here we are at the...well, I'll just...go ahead, I know how I'm going to vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right, Senator Rock...Senator Topinka, do you wish to speak on...on the motion?

SENATOR TOPINKA:

Only insofar as...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, only insofar that it was our understanding in the Insurance Committee where we did indeed have ninety bills that day, allegedly all of them having a hearing...and I can remember Senator...Senator Schuneman and Senator Rupp both objecting rather vehemently that all those tort reform bills that were in there were not getting an adequate hearing. This bill here is probably getting a better hearing on the Floor than we are getting even in that committee. I would like to note too that the physical therapy people who did...a similar rewrite to this...are attempting to merely change the sunset date. So, we're playing pretty fast and loose with sunsets. This is pretty well...well and...and out there and publicized and I'm...as I say, I'm more than willing to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, on the motion to recommit, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What I'm imagining is that...is if we had a situation right now where there was a proposal to do some disservice or some harm or some restriction to the medical people and that particular proposal had

not had a full hearing, even before the committee and on the Floor, I don't think that I could do that to the medical society or anybody else; and so, for that matter, I am going to support this resolution because if I can't to it to it...to them, I...I have difficulty doing it for them and so I will vote for the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock may close on the motion to recommit.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think it's all been said. The fact of the matter is, this is a very, very heavyweight amendment. Nobody's had a chance to look at it and that's all we're asking. I urge an Aye vote on the motion to recommit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to recommit Senate Bill 2202. Those in favor of the motion will vote Aye. Those opposed will vote Nay. The...the voting is open. The motion will require thirty affirmative votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the motion...the motion to recommit fails. Senate Bill 2202, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, and thank you, very much, for allowing me to go forward with this and...and I do this because I think you have a very, very fine bill here, not because of my involvement but because of the involvement of many good people who have tried to address probably one of the single, biggest concerns that have been brought out of all the discussions that we've had for the past few years on medical malpractice. It is...it's a serious problem and according to the Department of Regis-

tration and Education is much more serious than, you know, we have thought; and because of the people who have come together to have put together this rewrite, which I stress again, has not been touched since 1923...there are things as old...just buggy whips in here and...that...that have just been cleaned out and added to this, have been forty-five provisions on medical discipline that are the hardest hitting I have ever seen in terms of what it does to bad docs to get them off the street, right on down to such things as subpoena powers right into the doctor's office, which I think is just something incredibly critical; communications networks between other departments so that when something goes wrong in one place, we can get it all together and go after the bad doc right away instead of going through the bureaucratic jumble that now exists. Because the bill is...is so old and has not been rewritten in such a long time and as people amend things onto it, it gets to be jagged, it gets to be a crazy quilt. This streamlines it and makes it work. There is also a provision in here that involves hospitals; before a bad doc could now get on to a hospital staff a hospital staff would...or a hospital would have to check to make sure that...that this person...that this doctor was...was not in some kind of arrears in...in being a bad doc...in...in being involved in malpractice or some other difficulty. It goes after things like the baby doc medical schools and their graduates. These have been given play over the airwaves and in the media because these...these are little one-horse operations putting out medical graduates that wouldn't know the difference between a...a liver and a nose, and they're out there, goes after them. It does have the provision that says that hospitals or employers would have to at least listen to their doctors in terms of fees and that works on two fronts. It works on the front now that we can't get at, of overcharges by doctors and there are those out there that are

doing that and, likewise, to put out doctors' concerns in terms of what their salary would be, especially now that more and more doctors are salaried employees. There is nothing binding about that discussion; if the employer wishes to walk away from it, it is over. There is nothing mandatory about it. It is not collective bargaining, and I stress again, it does not adversely affect the preferred provider organization which I advocate and would continue to do so. If there are any questions, I'd be happy to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Collins.

SENATOR COLLINS:

Senator, I would just like to know, given the fact that you said that...that this Act has not been rewritten in the last thirty or forty years, I think you said,...seventy...seventy years, I would like to know...and...and we have not had the time and the public hearings on it from you to go over each deletion and each change that you've made in the rewrite of the Medical Practice Act, chapter and section.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Topinka.

SENATOR TOPINKA:

All right, if I may...and I will try and do this as quickly as possible because it does get very, very involved. Do you want the page and line item as well? Page 3, line 13, "Now substantive change regard...pardon me...I'm sorry, oh, that...typographical error, sorry about that. Page 3, line 13, "No substantive change regarding confidentially...confidentiality of peer review records."

Page 5, line 12, "Gives Medical Examiners Committee authority to immediately...suspend conditional licenses when conditions have been violated." Page 6, line 20, "Cleans up medical education language to reflect current Department of Registration and Education practice and increases residency training requirements for graduates of other than U. S. or Canadian medical schools from one to three years." This is consistent with several other states. Page 6, line 34, "Requires that medical degrees conferred be recognized for licensure in the...jurisdiction in which it was attained." Page 7, line 23, "Requires as a condition for licensure that clinical clerkships be performed in compliance with the Hospital Licensing Act." Page 7, line 31, "Clarifies who qualifies for license to practice without drugs or operative surgery." It does not make a substantive change but reflects the ongoing interpretation of the Act. Page 12, line 3, "Gives Medical Examining Committee the authority to immediately suspend conditional temporary certificates for residency programs." Page 17, line...27, "Provides that all fees collected under the Act go into the Medical Fund as licensing fees and fines." The following changes are recommended by the Governor's Task Force on...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Just a minute, Senator. For what purpose Senator Sangmeister seek recognition?

SENATOR SANGMEISTER:

Let's move the previous question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion by Senator Sangmeister. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. There is one...two speakers that were on before...question was moved, that was Senator Davidson, Collins and Rock. Senator Collins.

SENATOR COLLINS:

I don't...I don't want to just know what you did, I want to know the difference between what was and what is now proposed, because, see, in this amendment there's no underlined...I don't know what's old language, what's new language, what's...I don't even know how to...to follow this to...to determine what you've done, and when you flip through talking about page 1, line this and that, nothing is underlined in here. I want to know a comparative analysis of the...of the new rewrite of the Medical Practice Act to the old Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

...yes, Senator Collins, what I'm reading are the changes. Anything I am not reading is the same.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Tell me what it was before you changed it also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

If I have to read...I'll have to read the whole bill to you, if that would be the case and then tell you exactly where it stops and starts...I think this...this will probably do what you're trying to get at, ma'am.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

No, it will not get at unless you can tell us because we...there...there have been no hearings, there's no underlined language to determine what's old and what was stricken and what's new. In this amendment...and unless you tell us what it was, then tell us what it is, then we don't

know what it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

I can give you some cross-referencing...I...I don't know if it's going to make much sense, but I will tell you...I can start it and if you want to go that route, but, again, I would suggest that what I'm reading would be a far more definitive way in...in saying what it does because that which is not here remains exactly the same.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Okay, you don't have to do it. The lady answered my question and also she gave the reason why we should not vote on this bill today because she doesn't know nor will we.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, as it is by Statute and Constitution, and if you're going to have a...possible conflict on a bill that's being passed that's going to affect you, you have to declare your conflict, and since this does change and remodel and rewrites the Act which governs the practice of which I'm licensed to practice under, I do declare I have a conflict. I am...want to say that I'm going to vote Yes on this bill. I would urge all of those of you to vote on this bill with a Yes. This is a very important thing that we have been working on. It gives a tool for the disciplinary boards to be able to get at the individuals who have been creating the bad image and not giving good care to the public so we can remove them from practice by...revocation of their license. Secondly, it indemnifies the members of the committees who have to sit in judgment of

their own professional people and as it should be and...they are the ones who know whether the person is doing good or bad care. This is a good bill and I urge all of you to vote for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The...I think that the opposition to this bill stems from the statements by the opponents that somehow there is the possibility of price fixing or an antitrust exemption in the bill. Now the sponsor says that's not the case. I have a real concern about it and I would like to direct a question to her after reciting what...what I understand to be the problem. Your local gas station guys can't get together and fix prices. They can't even get together and talk about prices. Every segment of our business community is subject to antitrust attack if they get together with their opponents or other providers of that service and talk about prices, but apparently there's a glitch or an opening in the Federal law that allows some exemptions, and those exemptions can occur when there is a special state law passed for the public good or some public purpose and that public purpose, as I understand it in this case, was the PPO and the HMO and all these other methods that we have...have legalized here to try to get at...at the rapidly escalating cost of medical care. Now the sponsor says that this is not an exemption to the antitrust, but I would refer to page 60 of the bill...of the amendment, line 8 and I'd like to ask a question about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR SCHUNEMAN:

Okay? That is Section 2.5 and it says, "Representatives of providers may get together and discuss various things

including but not limited to rates of payment for the provision of medical services." Now why...if...if you don't want to talk about rate schedules, why is that in there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

I didn't say in my discussion that there would not necessarily be a discussion of rates, but the provider at no time had...is obligated at all to either listen, accept or...or get involved with this at all. It is just there as an option and...and certainly if they choose to do so, it is not a binding thing unless they chose to do so. The provider has full control just as they do now. What we are trying to encourage is some exchange of discussion and that is what this option does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I think that answers my question. The bill allows doctors to get together and talk about prices. Now, you know, insurance agents can't do that; gas station owners can't do that, hardware store operators can't do...that, they're subject to prosecution under Federal antitrust laws and...and the question is whether or not at this late stage in the Session we ought to allow doctors to have that privilege, and on...it's on that basis that I'm going to vote against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka.

SENATOR TOPINKA:

In any type of a discussion such as that, we also get into either prices or rates or fees because it is the way to get at the problem of overcharging which right now we cannot get at. An overcharging, although I suppose you cannot call

it malpractice per se, is something that generates public complaint and this gives the State if...you know, or the provider the opportunity to get into that aspect of the discussion. Furthermore, it gives the doctors the ability to discuss more than price, it gives them the opportunity to discuss any aspect of the...of a contract...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Well, Mr. President, I...I didn't ask a question. She answered the question I asked. Is she...is the sponsor closing now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

She indicates she is not. Senator...Senator Schuneman. All right, further discussion? Senator Rock.

SENATOR ROCK:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I just hope and truly I hope...I'm surprised, frankly, that Senator...Topinka wishes to proceed, but I just hope the roll call is essentially the same. This should not receive a majority affirmative vote from this Senate, not because it's bad, there are some provisions that are terrible, and this Senate, last year, gave five affirmative votes to a very substantive part of this proposal, five, and to be ramroded through here is just simply a mistake. I would hope that those who are reasonable and rational will vote No or not vote and let this go back to committee where it belongs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Topinka may close. Oh, wait a minute, Senator Darrow. Senator Darrow.

SENATOR DARROW:

It's my understanding that the motion is Do Pass. I

would make a substitute motion that this bill be exempted from the rules and that hearings be conducted and in three weeks from now we hear this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow has moved...to suspend the rules to allow Senate Bill 2202 to be exempted from the...from the rules for a period of...three weeks, is that...was that right, Senator...Senator Darrow? Any specific day? Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

I move to Table that motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Darrow has moved to suspend the rules to allow Senate Bill 2202 to...the...the deadline to be extended by three weeks. Senator Topinka has moved to Table. The move to Table is nondebatable. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, how many votes will this take to pass?

PRESIDING OFFICER: (SENATOR DEMUZIO)

In...in order to Table, it requires a majority of those voting on the question. All right, on the motion of Senator Darrow to...all right...the motion is to Table Senator Darrow's motion to extend the deadline for Senate Bill 2202, so those in favor of Senator Topinka's motion to Table Senator Darrow's motion will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Ayes are 19, the Nays are 30. The motion fails. Senator Darrow, on your motion to extend the deadline. Senator Darrow.

SENATOR DARROW:

The arguments have been that there has not been time...sufficient time for adequate hearings or debate on

this matter...and there's some validity to that. However, we don't want to put this bill in committee and tube it forever and ever; therefore, I suggested that we extend the deadline for three weeks and, hopefully, committee hearings can be held or some more input put into this position and that was the basis of my amendment...or my motion, and I would again ask that the appropriate rule be waived for the extension of the deadline as it pertains to Senate Bill 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Darrow to extend the deadline. Discussion? If not, the question is,...Senator Davidson.

SENATOR DAVIDSON:

...Mr. President, I speak opposition to that motion. This is a replay of what we just went through a while ago and it just a different form, 'cause three weeks for this bill to get out of here if this would prevail is not going to allow any time for this bill to be heard or...be subject to the deadline over in the House and, consequently, this...this motion is the same motion that Senator Rock made in...in different form to tie this bill up, and I would urge everybody to vote against this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...would point out that the motion is not debatable in...in...Senator Topinka. All right, the motion of Senator Darrow is to...to suspend the rules to allow Senate Bill...dealing with the deadlines, Senate Bill...2202 to be heard...brought back before the Senate in...in a three-week period. So, on the motion to suspend the rules to afford the extension of the deadline on Senate Bill 2202, those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. It will take...thirty affirmative votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that motion, the Ayes

are 31, the Nays are 23, none voting Present. The rules are suspended. Senator Topinka.

SENATOR TOPINKA:

Can I have a verification of that vote, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka has asked for a verification. Senator Topinka, of the affirmative roll? Senator Topinka, of the...Senator Topinka, are you wishing to verify the affirmative roll?

SENATOR TOPINKA:

The...the affirmative roll...or the...yeah, the affirmative votes, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All members will be in their seats. Senate Topinka has asked for a verification and the...the Secretary will read the affirmative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Collins, D'Arco, Darrow, Degnan, Demuzio, Etheredge, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Lechowicz, Leitch, Lemke, Luft, Maitland, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Rupp, Sangmeister, Savickas, Schuneman, Smith, Vadalabene, Welch, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka, do you question the presence of any member on the...voted in the affirmative?

SENATOR TOPINKA:

Is Senator Jeremiah Joyce here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce...Senator Jeremiah Joyce on the Floor? Strike his name.

SENATOR TOPINKA:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco on the Floor? He is on the Floor.

SENATOR TOPINKA:

Senator Marovitz, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is in...just arrived on the Floor. Senator, do you question the presence of anyone else?

SENATOR TOPINKA:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas is standing right here in front of you, waving to you. All right, Senator...

SENATOR TOPINKA:

That'll be all. Thank you, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right, on that...on that question, the Ayes are 30, the Nays are 23, none voting Present. The motion of...of Senator Darrow's is...is approved. On the Order of Senate Bills 3rd Reading, page 7, is Senate Bill 2204, Senator Dudycz. All right, on the Order of Senate Bills 3rd Reading is Senate Bill 2204, Mr. Secretary.

SECRETARY:

Senate Bill 2204.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. While we are in this fine spirit of cooperation, we'll proceed with 2204 which is an administration bill that was requested by the Department of Registration and Education. As you know, the Private Detective Act was rewritten in 1983 and this bill is an attempt to solve some of the administrative problems that have arisen

since then. Now the bill as amended does the following. It deletes service of process as an exclusive function of the detectives and security contractors. It deletes the statutory requirement for general comprehensive liability insurance. It allows for a continuation of agency operation after loss of licensee in charge. It specifies the process for hiring and registering employees who have not previously obtained a permanent employee registration card from the department. It deletes the requirement that an employer must be notified when all employee fingerprints checks show a record. It deletes the requirement that the department routinely issue temporary registration cards to employees who have not been...fingerprinted. It raises license fees and adds other administrative fees which have been agreed to by the industry. It revises current requirements for basic twenty-hour training and specifies that such training shall be certified by the employer, and it provides for automatic revocation of a license among...upon proof of conviction of a felony. I'll be more than happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you...thank you, Mr. President and members of the Senate. You are deleting a requirement that the department notify the employer if an employee's fingerprints don't clear the fingerprint check. So if that fingerprint check comes back and shows a criminal record, you are deleting the requirement that the employer be notified. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Marovitz, the bill deletes the requirement that the department notifies the employer if an employee's fingerprints don't clear the fingerprint check. The depart-

ment notifies the employee if his...if his fingerprints don't clear since the department has no way of knowing who the employer is when the employee applies to the department for the card and they do not have to identify the employer in order to get...a card from the department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, your amendment, Amendment No. 2, allows...an agency to employ a person without a registration card...without a registration card under certain circumstances; if the application for card is submitted, if the agency exercises due diligence and if the agency maintains a separate roster of pending applications. Well, under that circumstances...under that set of circumstances where a person can be employed without a registration card, how can you then delete the requirement that under that set of circumstances that employer is not notified that there's been a...a...that there's been a criminal background check and that the results have shown that there is a...that there is a...a problem with the...individual's criminal background?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. If we can have some order, we can just move with dispatch here. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. This is for a period of only ninety days and when the employee fills out the application, the employer's name or address is not on there, so the department does not have any way of identifying who the employer is or will be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

During that ninety-day period, if the check has been made and if they find that there's a criminal background, that employer should be notified under that set of circumstances. Why would you delete that if there's been a check, if they find there's a criminal background and they know about it, why shouldn't they have to notify them during this ninety-day period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

The...my handler...tells me that since they do not know who the employer is, they have no way of notifying them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...I...with all due respect, that answer is not accurate because in the set of examples that I gave you, they do know who the employer is. Under that example that I gave you where you...the agency is allowed to employ a person without a registration card if an application for card is submitted, the agency exercised due diligence and they maintain a separate roster of pending applications, they know who the employer is. So, what you're saying is, we know who the employer is, we know that the person has a criminal background, but we're not going to notify the employer that he has a criminal background. That doesn't make any sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

No, Senator Marovitz, what I'm saying is that the employee knows who his employer is, the department records do not show on the application who the employee...who the employer is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...under the set of circumstances that I gave you, the...the department does know who the employer is, under that set of circumstances. The second part of the bill, which I think everybody in the Chamber ought to listen to, this is...you know, a couple of years ago...a couple of years ago we passed a bill having to do with machine guns and the press picked it up and we were all very embarrassed about what we passed. There's a very important provision in this bill which deals with the safety and security of the people who elect us here that's being taken out of this, and that is the requirement that there be...liability insurance for those people covered under this Act. Right now, today, there is a requirement for liability insurance for people under this Act, those people who care guns. Those people who carry guns have to have liability insurance today. You are taking that requirement out of this bill, and I think that impacts greatly on the health, welfare and safety of the people that elect us here; and I want to tell you something, I think this is going to come back to haunt us, those who vote Yes on this bill...this could be one of those bills that was like the machine gun bill and if you really want to protect the...the safety of people, you ought to maintain the fact that they have to carry liability insurance. They have it today, why would you take that requirement which guarantees the safety of people away from those people?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I think one thing the Body ought to be aware of here is that this is a rewrite, and like many rewrites, never perfect. The issue has to really be are we better off doing nothing than taking something albeit a

bit imperfect and move it forward. Senator Marovitz, you talked about the machine gun potential of this bill. There is some machine gun potential without any. Let me give you one example. Under current law, if an employer has an emergency, an act of God or an earthquake, requiring security services, he is going to have a tough time getting people if we don't change what exists in law today; and if you want to talk about a potential machine gun situation, God forbid that something like that happens and we find out that the person couldn't do anything because the good old State of Illinois said you can't. I think we ought to move this bill along and try to work out some of the differences, but I don't think we ought to turn around and destroy something completely because we don't like one paragraph or two paragraphs. I don't know of...of too many situations here in Springfield where I have voted for a bill that I was totally and completely happy about, but if I felt it did something a little bit better than what currently existed, I would vote for it and I would ask the Body to do the same thing on this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz, for a second time.

SENATOR MAROVITZ:

Well, I...I hate to...to rise again a second time, but on...for...on two points. Number one, on page 3 of your amendment...page 3, line 8, you talk about the maintenance of a separate roster of the names of all such employees whose applications are currently pending with the department and submits such roster to the department on a monthly basis. So there you have the department knows who the employees are. They know who the employees are. It's right in your own amendment and still you're saying, we know who the employees are, we know they have a criminal background but we're not going to let that employing agency know that these people

have a criminal background, that's number one. Number two, Senator DeAngelis addressed a problem that, well, not every bill is perfect. You're talking about allowing people to have guns and no liability insurance, a requirement that they have today. Now, this was brought to the attention of the sponsor one week ago. Subsequent to that, another amendment was drafted. All they had to do was correct that problem by the subsequent amendment that they put in and that we adopted and then we'd have maybe not a perfect bill but a bill that doesn't...that alleviates that problem which impacts on public safety. Today, in emergency situations, the people are able to handle it, they have liability insurance and there has been no danger to the public exhibited by any of these examples. This bill is not only not a perfect bill, I think it's a bill that creates...creates havoc and is dangerous to the public welfare and safety, and it could have been corrected by an amendment over the last week. It wasn't corrected. That...leads me to believe that the sponsors of the bill and the department don't want to correct this problem at all, and to let this bill out of here knowing that we're not going to correct this problem and we're going to let people have these guns and not have liability insurance, let me tell you something, that's a dangerous situation and not one that the voters throughout this State are going to appreciate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, just the fact that my name was mentioned in debate. You know, yesterday we passed a bill that you could put a kids eye out and there's no liability let alone liability insurance. Now, in this bill it doesn't say you don't have liability, it says you don't have liability insurance, and I really resent someone with a cavalier attitude of...saying it's okay to put a nine-year-old kids eye out and nobody has

any liability and don't carry any insurance...yes, Senator Marovitz, you voted for the bill, 55 to nothing that passed, and today we're concerned because they don't have insurance. I'm going to tell you, there's still liability even if there isn't insurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, ladies and gentlemen, at...at this rate, we have two full pages to go. We will be here till midnight. Senator Dudycz may close.

SENATOR DUDYCZ:

Thank you, Mr. President. Senator Marovitz, Senator...DeAngelis was correct when he said that what we're trying to do...I'm going to rephrase it, but what we're trying to do is trying to unscrew what you guys screwed up three years ago. The department regulates thirty-six professionals with thirty Acts. To answer your question on the insurance, every profession has its tools and its equipment. Where the private detective has his gun, the doctor has his scalpel and the barber, he has his shears and the pharmacist has his drugs and so on. An argument can be made that the misuse or abuse of his gun can result in death. The same argument can be made for a doctor's mistakes in the operating room or a barber's scissors or his razor, they also may result in death. Even the architect or the engineer, if he misuses or abuses the tools of his trade, a faulty design, that may result in death. Remember the Rosemont Horizon tragedy a few years ago. Of the thirty-six professions regulated, only the embalmer is unable to kill his client. But unlike the private detectives, the others do not have the Department of Registration and Education imposing insurance requirements on them; and yet, who can say that all similar businesses they all need the same insurance irregardless of their size or the number of their employees? Should the private detective obtain the same insurance that an alarm

company has? I think not. Senator Marovitz, maybe we should make insurance monitoring a requirement of the Department of Registration and Education, but if we do, then let's do it across the board for all of them; but until we do, I suggest we bring the private security profession in line with all the rest under regulation of the Department of Registration and Education, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2204 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open...Kenny...Mr. Secretary. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 22, 3 voting Present. Senate Bill 2204 having received the required constitutional majority is declared passed. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Request a verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has requested a verification of the affirmative roll call. Mr. Secretary, would you read those who voted in the affirmative. The members will be in your seats.

SECRETARY:

The following voted in the affirmative: Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hudson, Jeremiah Joyce, Karpiel, Keats, Kustra, Leitch, Macdonald, Mahar, Maitland, Nedza, Philip, Rigney, Rupp, Schaffer, Schuneman, Sommer, Topinka, Watson, Weaver, Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, do you question the presence of any member who voted in the affirmative?

SENATOR MAROVITZ:

Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver on the Floor? Senator Weaver is at the back of the Democratic Chamber.

SENATOR MAROVITZ:

Senator...Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn is in his seat.

SENATOR MAROVITZ:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce on the Floor? Strike his name. Senator Marovitz, is that...all right. On that...on that roll call, there...on the verified roll call, there are 29 Ayes, 22 Nays, 3 voting Present. Senate Bill 2204 having failed to receive the required constitutional majority is declared lost. Senate Bill 2207, Senator Macdonald. On the Order of Senate Bills 3rd Reading is Senate Bill 2207, Mr. Secretary.

SECRETARY:

Senate Bill 2207.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and members of the Senate. Senate Bill 2207 would amend the Environmental Protection Act to authorize the expedited pass-through of Federal regulations related to the industrial waste water pretreatment program. If Illinois does not get the approval for the pretreatment program, the Federal agency is authorized to withhold Federal grants and other elements of the State's water pollution program. It could also withdraw from Illi-

nois authority to operate the national pollution discharge elimination system. We've...we put an amendment on the...this bill to satisfy the Municipal League and a further one to satisfy the Pollution Control Board, went out of committee...with a unanimous vote and I would ask for your approval of Senate Bill 2207.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2207 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 2207 having received the required constitutional majority is declared passed. 2210. On the Order of Senate Bills 3rd Reading is Senate Bill 2210, Mr. Secretary.

SECRETARY:

Senate Bill 2210.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would like the Chamber to recognize my advisor is with me, the Minority Leader of the House of Representatives. He's always welcome in this Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

As the House Minority Leader. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 2210 is the sixteen-wheeler. It's a vehicle for the unemployment insurance agreement which I understand yesterday, from the Office of the Governor and

from the head of the AFL-CIO, was, in fact, effectuated. The language is being drafted. Currently, Senator Collins and Senator Keats and all concerned will receive copies of the language. In the meantime, we have to move the vehicle over to the House and I would ask a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2210 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. Senate Bill 2210 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2211, Mr. Secretary.

SECRETARY:

Senate Bill 2211.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This bill amends the Act to change the time limit for Pollution Control Board action on nonfederal variances and permit appeals from ninety to a hundred and twenty days consistent with various Federal programs. Reason for seeking consistency in the time limits for variances and permit concern in the meeting of ninety-day deadline in itself and the administration problem caused by the inconsistencies between ninety and a hundred...twenty-day deadlines for State and Federal programs. This was also an agreed bill on the list and I ask for your approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill

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2211 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...54, the Nays are none, none voting Present. Senate Bill 2211 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2231, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

(Machine cutoff)...2231.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 2231 and the next two bills have been the basis for ongoing discussions with a number of State agencies and...and the Federal Government regarding the problem of lake shore erosion on the north side of Chicago up through Evanston and the north shore. These bills will probably not be in this shape when they emerge from the House, but they are the basis upon which ongoing discussions are being used for cooperation between the city, the State, and the Federal Government regarding our serious problem of lake shore erosion. I have discussed this with the minority spokesman on the Environment Committee as well as the Chair, and we would ask that these bills be voted out...from this Body to continue our discussions...addressing this problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I'd just like to...to make one question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicate...indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

As you just stated that these three bills will probably not be back in this same shape, can we have some assurance

from you that if we do not work out a solution that these won't be passed out of the House as they are?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

They will...they will either not emerge from the House or they will have some amendments. You will see them before they would leave.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor. My district has the largest amount of privately owned shore land. As you're aware, most people in my area and the other areas around us, kiddingly, would just as soon not have any assistance. May we rest with assurance on your good faith that if you wish to deal with the problem there in Chicago or...whatever, that you'd not be fooling with north of that city limit, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No. You and I have discussed this and I recognize the concerns of your constituents which are substantially different than my constituents' problems and we will not be impeding upon your people's prerogatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR GEO-KARIS:

Is this...is this similar to the coastal zone management bill that we defeated in the past which affects the shore

SB2232 3rd Reading

line not only of Chicago but goes all the way to the shore line at the...northern line of the State? I mean, this gives the Department of Transportation what authority? I don't have a copy of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Senator, this is not the coastal zone management bill. What we have been...what we have been discussing is essentially how we can...involve the State in the problem that exists essentially from Bryn Mawr Avenue on the north up through the Evanston, Chicago, boundary regarding the unique problems of that erosion. It is not a...a vehicle in any means to reinstate the lake shore problems that the coastal zone management legislation had.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Then I have your assurance that it is nothing like the control factors where the State would...overlap every municipality that was on the shore line, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

You're correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2231 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. Senate Bill 2231 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 2232, Mr. Secretary.

AB 2233 3rd Reading

SECRETARY:

Senate Bill 2232.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WAND-TV has requested permission to videotape. Is permission granted? Leave is granted. Senator Berman.

SENATOR BERMAN:

This is part of the same package and same explanation of the...as the previous bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2232 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. Senate Bill 2232 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2233, Mr. Secretary.

SECRETARY:

Senate Bill 2233.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Same explanation, it's the third bill of a three-bill package.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2233 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50...51, the Nays are none, 1

SB 2255 3rd Reading

voting Present. Senate Bill 2233 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 2255, Mr. Secretary.

SECRETARY:

Senate Bill 2255.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is an attempt to help the rural areas of Illinois in addressing some very pressing problems which affect the economy of those areas. The main thrust of the bill is to give a new focus and direction for rural economic development in a period of change and transition. Mr. President, it's estimated that nearly one-third of Illinois farmers have not and will not continue to survive in agriculture. Many agriculture related businesses have closed or had their work place reduced permanently throughout the State, indeed, throughout the entire midwest. Rural manufacturing firms which once dotted the rural landscape ten years ago are gone or are leaving. For example, garment, textile and shoe manufacturing once provided employment for thousands in small rural communities, many of those are now gone. We have established a debt restructuring loan program, and rightly so, because many farmers needed it just to stay in business, but we have to face reality. Even with these loans many farmers will not survive. This bill provides a different focus, a different direction for the farm community. It promotes an entrepreneurial farm economy by emphasizing crop diversification and vertical integration loans, supporting industries which would process agricultural products grown in

Illinois, turning them into value added commodities. It would focus on the need to address serious infrastructure problems in rural communities which make it impossible for these communities to pursue industries which may locate there and makes it extremely difficult for the transportation of agricultural products to market. It would promote coal and other natural resource exploration and marketing, it would encourage energy conservation and the development of alternative energy systems projects. It would help retrain through the University of Illinois extension service displaced farmers and other agriculture related workers for different job possibilities and job opportunities. It would promote the concept of regional jail facilities and provide incentives to those counties who would build such a facility saving local taxpayers millions of dollars. It addresses the need for a new emphasis upon agriculture education in our schools, recognizing new needs for educating our youth in a transitional agriculture economy. It leaves the sales tax portion of the Motor Fuel Tax in the county where it is generated to be spent at the discretion of local authorities in upgrading a severely deteriorating county and township road system. Mr. President, this is a comprehensive bill addressing many problems of the rural economy, but more important than any particular provision of the bill, it represents a decided change and addition to our approach, broadening our scope of assistance to include more than just a loan program and promoting a diversified entrepreneurial farm economy. I think it's a good bill, and I...I would ask for a positive response to the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in strong support of this. I think that in the time that we're in right now

and the changing of rural America, this is something that very definitely needs to be addressed. We have...we're all aware of the plight of the farmer, but we are also seeing that same plight come down upon anyone in rural Illinois as well as the rest of the country, and this will make Illinois a...a leader...in the midwest, and it's something that very definitely needs to be done, and I would urge everyone's support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of this legislation. There are a couple of things that...I do question in regard to some of the weatherization and...the alternative energy sources, but for the most part, I do support this legislation and hope it passes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR NEWHOUSE:

I'd like to recognize the class from the Beasely School in my district, they're up in the gallery directly behind me. I wonder if we'd ask them to rise and be recognized.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they rise and be recognized. Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Very briefly, and Mr. President, Ladies and Gentlemen of...the Senate, there's no doubt that the need is there in

AB 2263
3rd Reading

downstate counties. I thoroughly support the passage of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Well, thank you, Mr. President. I would just ask for a positive roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 2255 pass. Those in favor will vote...oh, wait, before we...just for the record, this bill would increase the general obligation bond authorization for the purpose of rural economic development and, thus, pursuant to Article IX, Section 9B of the Illinois' Constitution will require thirty-six affirmative votes for passage. The question is, shall Senate Bill 2255 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. Senate Bill 2255 having received the constitutional majority is declared passed. Senate Bill 2263, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2263.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I think this bill has probably...probably been debated more than any bill this Session. What I will do is simply tell you what subject matter is incorporated in the bill; if there's any questions, I will try to operate...I'll tell you what's not in here, it's quicker. We abolish joint and several liability, we adopt a

modified comparative fault system, we put limitations on punitive damages, in Illinois Product Liability Act, we address contingent fees for attorneys; we adopted an amendment on frivolous suits, we adopted an amendment on contribution of worker's compensation, collateral source, we froze the premiums at 1984 levels on insurance and that's what we did. If there's any questions, I will try to answer; if not, I would ask to proceed with a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Two days ago I stood on this Senate Floor and voted for an amendment to this legislation. I've since considered that vote, I have talked to my constituents and I regret having voted the way I did, and that amendment was a severability amendment offered by Senator Schuneman. I wish that I would have voted to adopt that severability provision, because part of this bill may be unconstitutional. Other votes I cast that day I have no regret over. I will tell you this, that today I am going to vote against this bill, Senate Bill 2263, and it's not the old political trick, vote one way on the amendments and another way on the bill. Reason for that is, that the votes I cast with regard to joint and several liability, the vote I cast with regard to punitive damages, I plan to continue to vote the same way. But other provisions such as comparative negligence, products liability, collateral source, those provisions I feel are too damaging to the defendant, they take away too much, they are unfair. And based on that, I feel that this legislation should not be passed. This was a good piece of legislation, it accomplished its purpose. Roll calls were taken, we had to account where we were so that the negotiators could go back to the negotiating table, this has been accomplished.

But I feel if we pass this bill, it will only cause more havoc, it may cause...some of our constituents not to be able to obtain insurance,...it will definitely harm some of our constituents. I, therefore, will be voting No, and I would solicit other negative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Well, I rise in support of this legislation. We all know that the insurance crisis is real; it's real for our businesses and it's real for our units of government. It's affecting each and every one of our constituents either directly or indirectly. We can't place the blame on any one entity, but the fact is that there is a serious problem with our legal system or tort system, if you will. I have some statistics that I'd like to relate to you in regard to railroads which I think tell a pretty clear story. The railroads are self-insured, and these statistics are from the years 1979 to 1984. Accidents per track mile are down ten percent, accidents involving employees are down thirty-one percent, car loading accident claims are down fifteen percent, and grade crossing accidents are down forty-five percent. Despite the fact that the accidents are down, claims paid for personal injuries in crossing accidents are up eighty-three percent during that same period. The claims are substantially higher because of the tort system or legal system that has in recent years encouraged the frivolous suits, these have produced these high damage awards. This legislation is not and assault on the legal system, it's an assault on the abuses of the system. I have strong support for this legislation, I would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. As Senator Luft said, we had long, long debate on this, some four or five hours the other day, and I'm sure every member knows what's in here. As to the severability clause, I simply want to put into the record, Mr. President, as I did the other day, that there is a general severability clause in Illinois Statute now, and so we did not persist in trying to get that...that amendment adopted to the bill because we feel that we can rely on that general clause. I would hope that the members who supported these individual issues at the amendment stage would not now take the position that they've done their job, because I think as far as we are concerned, we haven't done anything unless we pass a bill. To show your support for an issue by writing a letter to somebody or by voting for an amendment and then voting against the bill doesn't really accomplish very much. So, I would urge the members to support this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, I...I've spoken with several members over here and there's at least one, Senator Luft informs me there's not everything in this bill that he likes and there certainly isn't everything in this bill that I like, but I think just to keep the process going that I'm going to support this because I imagine that we'll have a different bill by the time it comes back on June the 30th.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Many things in this bill are very unconscionable towards the injured party, and if this bill was going to be the final thing, I'd probably vote No. But...but since the House has

refused to act and there's no bill before us or will be before us in June, this is the only ball game to try to do something to reform insurance in this State. I think that we are being dubbed and I think business and labor is being dubbed against each other again by the insurance industry who are going to collect the large profits. I am going to vote for this bill only on the condition since the House has refused to do anything, we will probably have this back in June and we'll have a final product and try to do something that's equitable to both sides, not just to one. Therefore, I'll vote for the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I just want to address one issue that Senator Schuneman raised, and I would suggest for the record that the general severability clause that's in the Statutes would not apply in this particular case because it is the specific action of the Legislature in discarding and...and voting down a specific severability clause which was offered in an amendment purpose...in an amendment form that it is our intention of this Body that there not...that the general severability clause in the other parts of the Illinois Revised Statutes, not apply to this...to this bill. And that, therefore, either the...the...if any one part of this bill is determined to be unconstitutional that the entire bill fail, and that was the action taken as interpreted by me and I think that that is what the record should reflect. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President, and prior to speaking on this subject matter, I would like to take the opportunity to

recognize the students from the Brennan Elementary School in Chicago and their teachers John Jones and Mary Jo Muse. Let's give them all a nice Senate welcome.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will they rise and be recognized.

SENATOR JONES:

Thank you, Mr. President. And addressing Senate Bill 2263, unfortunately, I was not here to hear all the debate that took place on this issue; however, I intend to vote Present on the legislation because I do not want the...the impression to be given that the Senate...approves all the measures that have been incorporated in 2263. We heard a lot of testimony, we know that...this is not the final product as such, but to vote Yes and just send it over to the House and that vote may be interpreted that we support the entire concept that is in this bill. So, I intend to vote Present on the bill, and hopefully...if it does get over to the next Chamber, we will still have an opportunity to work on this very serious matter that is affecting the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not...if not, Senator...Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Mr. President and members, I think...it's important to try to respond to Senator Berman's point about the severability provision. I'm aware of the action that this Body took the other day when that severability amendment was presented. However, in the absence of specific language expressing legislative intent that severability not apply, that I think we should be aware and we would want any court certainly to be aware, as I'm sure attorneys before any court would point out, the language in Chapter I, Section 1032 entitled "Severability" which says, if I may beg your indul-

gence for just a quick minute, that if a provision is ruled invalid, and here I quote, "Such invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid application or provision, and to this end the provisions of each Act enacted after the effective date of this amendment are severable unless otherwise provided by the Act." Well, there is no language in the bill before us which expresses a legislative intent...specific legislative intent that the severability provisions not apply and, therefore, they clearly would apply regardless of what the previous speaker has said on the subject; and, of course, he's not the sponsor of the bill and that would have even less impact on legislative intent.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I apologize for rising a second time, but I think that the record on the amendment that Senator Schuneman offered and was defeated was very specific because the debate on that amendment indicated and the vote confirmed that it was the intention of this Body that if, for example, one part of this is invalid that the entire bill can...could not be given effect without the invalid application or provision, in the section that Senator Barkhausen has just read. It was specifically stated in debate on that amendment that it was the intention of a majority of people voting on this...in this Body that the entire bill including the tort changes and the rollback of premiums was to be viewed as a total bill. Now we...we are just debating for the record here, and...I'm not sure that this is all...isn't going to be moot anyway, but I think that it's important for the record if this winds up in court on this bill that it be very clear that we did indicate in accordance with Section 1032 of Chapter I of the Illinois

Revised Statutes that it was our intention that the bill be taken as a whole.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...all the arguments that have stated are...that this bill will be coming back. Senator Luft, do you wish to close?

SENATOR LUFT:

No...thank you, Mr. President, we could just move on with the roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats, for what purpose do you arise?

SENATOR KEATS:

You've been ignoring the light for some time. There are several technical points, and I want to stress, from what Senator Berman is saying, I appreciate his comments. If you read the Rybar decision, which is basically one of the ones we're having to deal with, the one I read from the other day, the Supreme Court very clearly said in the 5 to 2 majority opinion that legislative intent...inaction...inaction does not...signify intent. The Supreme Court very clearly, in writing, no question about it, in six cases said, inaction by the Legislature does not signify intent. What we are in reality doing is attempting to override court problems. The problem is not caused by the Legislature, the problem is caused by the court, and may they realize it is our intent to clean up the mess they have made.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, unless you fellows want to go through another four hours and every member wants to get up and speak their piece again, we'll never get out of here today. Obviously, the intent of this is coming back for discussion after the House action, if the House does it. Does anyone else want to speak on it? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I...I need to speak because of the double shot that was given by Senator Berman. The...I was the...I was the sponsor of the amendment, and in my remarks on that amendment the record will clearly show that when objection was raised, I made the point that we were relying upon the general Statute, and the record should show that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, now we have Senator Carroll, Sangmeister, Joyce, Netsch, Joyce, Degnan, Lechowicz, Zito and Marovitz that wish to speak on this. Now does anyone else want to play around with this? Senator Zito. Senator Zito. Senator Zito.

SENATOR ZITO:

I'll yield to my colleague who's making a point, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Nedza.

SENATOR NEDZA:

Thank you, Mr. President. The sponsor of the bill had already closed and asked for a roll call of the remarks. Is the Chair going to continue to allow everybody to speak after he has...now is he going to have another opportunity...

PRESIDING OFFICER: (SENATOR SAVICKAS)

I tried to offer a...yelling Senator to my left, Senator Keats, who wanted to get his input into this discussion, so it's for the record. The question is, shall Senate Bill 2263 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 7, 2 voting Present. Senate Bill 2263 having received the constitutional majority is declared passed. Senate Bill 2265, Senator Luft.

SECRETARY:

Senate Bill 2265.

(Secretary reads title of bill)

AB2271 3rd Reading

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 2265 deals with cancellation notices, it deals with property and casualty insurance. Currently, a fifteen days notice of cancellation is required during the first six months of a policy in effect and thirty days after that. This bill requires fifteen days notice in the first two months and sixty days after that. Also, currently, thirty days notice of nonrenewal is required but no specific notice is required for a premium increase. This bill does not...increase the nonrenewal notice but does require thirty days notice for premium increase of fifty percent. It allows coverage to remain effective until replaced and allows insured to collect earned premiums for extension period at lower rates. I'd ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall 2265 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 2265 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2271. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2271.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

AB 2263
Sen. Welch's vote

Yes, Mr. President and members of the Senate, Senate Bill 2271 mandates that four out of the nine members of the Public Health Advisory Board have been affiliated or have HMO experience. The purpose of it is to have someone on the board that knows what the health maintenance organizations are about. The director of the Department of Public Health appoints these members. There is a question on the termination date, and if there is a problem with this, I'm sure they'll amend it in the House and send it back. It's very simple and that's...that's...

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2271 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2271 having received the required constitutional majority is declared passed. Senator Welch, for what purpose do you arise, sir?

SENATOR WELCH:

Mr. President, on 2263 my switch didn't work and I wish to be recorded as voting Yes.

PRESIDENT:

The record will so reflect. On the Order of Senate Bills 3rd Reading, bottom of page 7, Senate Bill 2273. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2273.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a bill worked out

between the...Illinois Department of Insurance and the Farm Mutual Insurance organizations in the State. It creates the Farm Mutual Insurance Act of 1985. It repeals the old Farm District Mutual Insurance Act which has not been updated for many, many years. I think there is no opposition to the bill that I know about. It has nothing to do with our current tort liability problems. I would urge adoption of the bill, be willing to answer any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2273 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Bill 2273 having received the required constitutional majority is declared passed. Top of page 8, on the Order of Senate Bills 3rd Reading, Senate Bill 2275. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2275.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Senate Bill 2275 provides that pursuant to a liquidation proceeding the director of insurance may permit holders of claims made policies to exercise a right to purchase an extended discovery period coverage with respect to such policies, includes a claim presented during an extended discovery period on a claims made policy within the scope of a covered claim. I ask for...affirmative vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate

Bill 2275 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2275 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, top of page 8, is Senate Bill 2276, Mr. Secretary.

SECRETARY:

Senate Bill 2276.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2276 is another administration bill from the Department of Insurance which also is noncontroversial. It does two things; it requires those who wish to incorporate as an insurance company deposit a hundred thousand dollars which is currently a fifty thousand dollar requirement in cash or securities with the director in order to be able to incorporate. Secondly, it allows members of boards of directors of mutual companies to meet by conference telephone. I urge a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2276 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2276 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2277. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2277.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Mr. President, Senate Bill 2277 adds a new section to the Insurance Code and requires all insurance companies to furnish loss information to the first named insured upon written request or to be accompanied automatically with any notice of cancellation or nonrenewal. I ask a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2277 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2277 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2278. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2278.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Mr. President, Senate Bill 2278 adds a new section to the Insurance Code that requires property and casualty insurance companies to notify the director of insurance thirty days in advance prior to the wholesale cancellation or nonrenewal of policies which will result in a substantial reduction of a

particular line of business for these companies. That does not mean if they were going to cancel just my policy, they have to give me that, but if they are going into and...planning on going out of an entire class of business. Ask a favorable vote.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2278 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2278 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2279. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2279.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, this bill basically amends the...the Vision Service Code and it's...it does something which I think is kind of unique. Last year we passed some bills on this, and because in the order of the way they were signed, one unfortunately repealed some of the provisions of the other. And in order to get that all back into form, this is what this does. Also, we have an amendment on here by Senator Jones and I'm not a hundred percent sure what this is and he's not on the Floor, but I'll give it my best shot. It would require that the majority of practitioners, optometrists in Illinois who are eligible or would be...would have...agreed to become participating practitioners in the...in a vision service

plan.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2279 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2279 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2280. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2280.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the Department of Insurance bill dealing with the notice of cancellation and notice of large premium increase by an insurance company. This bill provides that if an insurance company wants to raise the premium more than fifty percent, they've got to give a sixty-day notice to the policyholder. The insurance companies are still opposed to this bill. They maintain that they can't give that kind of a notice. We think that it ought to be somewhere around that sixty-day period and we're proceeding with the bill...and I would urge your adoption.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2280 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting

Present. Senate Bill 2280 having received the required constitutional majority is declared passed. 2282. On the Order of Senate Bills 3rd Reading, Senate Bill 2282. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2282.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This bill makes four changes in the FOID Act. The first one is it changes the definition of mental hospital, changes...the word "currently valid" instead of "previously," exempts tranquilizer guns used by veterinarians; and finally, it allows them to use excess money for...to upgrade facilities in the processing program. Appreciate a favorable roll call.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2282 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2282 having received the required constitutional majority is declared passed. Senator Kustra, 2289. On the Order of Senate Bills 3rd Reading, Senate Bill 2289. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2289.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a Department of Revenue clean-up bill. It does four or five things. It repeals the income tax deduction for gang crime control contributions, it expands the definition of unitary, it extends the corporate extension period for filing of taxes from six to seven months, and it deals with the enterprise zone tax credit for partners in Subchapter S corporations. There's also some other technical changes. The only opposition to the bill that I am aware of has been worked out. Senator Marovitz had some concern about the gang crime control deduction being withdrawn, and DCCA has agreed not to oppose an attempt to put some funding into that program when the DCCA bill gets over here from the House. I know of no opposition and I urge for its adoption.

PRESIDENT:

Any discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, just to clarify. Last year we passed the gang crime package here and we had some very tough sanctions, sticks against kids who sell drugs and bring weapons into the schools. We also provided a...a carrot, some programmatic assistance, one of which was a grant program for programs in the community aimed at preventing gang crime and one was a business deduction for businesses that make contributions to gang crime...prevention programs. The...this would delete that business deduction and it has been agreed to as long as there is some funding for the grant program which never was funded. I think we have some agreement now that some funding will be put into the DCCA bill to allow grants for antigang programs. This has been discussed with the chairman of appropriations, with people from the Governor's Office and with DCCA, and with that agreement, I would support the legislation.

SB2292 3rd Reading

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Kustra has certainly accurately represented what is in the bill. The most controversial provision was the one that Senator Marovitz has just referred to. I would like to just point out one thing, that in one provision which does slightly redefine unitary to permit a group of interrelated businesses who are entirely members of businesses in...within the State of Illinois, that is, who do business within the State of Illinois, are henceforward to be allowed to be considered as a unitary business. That is a change in law, it will probably have some effect...negative effect on revenue, probably very modest or we hope fairly modest. In any event, it certainly makes sense because it treats more...if you accept the basic unitary concept, it...it treats fairly Illinois businesses and does not extend the privilege, if it is one, only to those who are from out of State. So I think it is a justified provision in any event.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall Senate Bill 2289 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2289 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2292. With leave of the Body, Senator Rupp will handle that for Senator Karpiel and myself. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2292.

SB 2293 3rd Reading

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill creates the Habitual Child Sex Offender Registration Act and requires a person convicted two or more times for sexual assault to a victim under eighteen to register with local law enforcement agencies upon release from prison or probation. The offenders have thirty days to register, if they intend to reside in that area for more than thirty days. The registration information is confidential and it's not to be made public, and to back that up there was a...amendment...Amendment No. 1 was just a technical amendment. Amendment No. 2 imposed a penalty of a Class B misdemeanor, six months and up to five hundred dollars fine for anyone dispersing registration information to unauthorized persons. I ask for a...an affirmative vote.

PRESIDENT:

Discussion? If not, the question is, shall Senate Bill 2292 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question there are 55 Ayes, no Nays, none voting Present. Senate Bill 2292 having receive the required constitutional majority is declared passed. Senator Geo-Karis, on the Order of Senate Bills 3rd Reading, Senate Bill 2293. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2293.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

SB 2294
3rd reading

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill...last year the General Assembly extended the Statute of Limitations for child pornography by an additional three years. Senate Bill 2293 similarly extends the Statute of Limitation for other sex crimes against children including indecent...solicitation of a child, soliciting of...of a juvenile prostitute and et cetera. And this...extension is expanded to the following offenses when the victim is under eighteen years of age; criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse and aggravated criminal sexual abuse. Now this...the current...also the current penalty for indecent solicitation of a child is a Class A misdemeanor which is inconsistent with penalties for other sex crimes against children and this bill raises it to a Class 4 felony. And it also...let's see,...well, there's some other things in it and I think you all know the bill because there were...some amendments made, and I ask for a favorable vote from this Assembly unless you have any questions.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2293 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 2293 having received the required constitutional majority is declared passed. Senator Lechowicz, on the Order of Senate Bills 3rd Reading, Senate Bill 2294. Bottom of page 8 on the Calendar. All right. With leave of the Body, Senator Lechowicz will handle this for Senator Karpiel. On the Order of Senate Bills 3rd Reading, Senate Bill 2294. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2294.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. The Calendar is in error, it should be Senator Marovitz.

PRESIDENT:

All right. Senator Lechowicz yields to Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...you, very much, Mr. President and members of the Senate. This is also the last bill in the kids' package. It creates the offense of unlawful custodial interference, it makes it a...child abduction to attempt to lure a child into a motor vehicle in a...for unlawful purpose. The new offense is directed toward incidents where the custodial parent deprives a noncustodial parent of the right to visitation. Peace officers are authorized to issue...for violators to notice...to appear in court. We worked this out so that there is an expedited civil remedy, worked this out with Senator Karpiel and the department so they can get into court quickly...to expedite this serious problem of visitation. I think its a good bill and would ask for your support.

PRESIDENT:

Discussion? Senator Donahue.

SENATOR DONAHUE:

Real quick. Thank you, Mr. President. There is an amendment on there that I know Doris was very concerned about, has that...been taken care of? Okay. I do...we just wanted to check.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

The amendment is on the bill and was an agreed amendment. We took off the...the criminal penalty and made it a...expedited civil process. She agreed to that, the State Police agreed to that, everybody agreed to that.

PRESIDENT:

All right. Question is, shall Senate Bill 2294 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none Voting Present. Senate Bill 2294 having received the required constitutional majority is declared passed. Top of page 9, on the Order of Senate Bills 3rd Reading, with leave of the Body, Senator Demuzio will handle these. Senate Bill 2300. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank...thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2300 like...unlike its companion to...next is a bill that I think is virtually...controversy free. The...2300 would establish the Illinois Bank Education Foundation to provide for continuing education for professional training for an examination of employees of the commissioner's office, would create a five-member board of trustees to oversee the foundation, would create the Illinois Bank Examiner's Education Fund. I don't know of no

known...controversy in this...this particular piece of legislation. I would ask for your support.

PRESIDENT:

Discussion? If not, the question is, shall Senate Bill 2300 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 2300 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Senate Bill 2301. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 2301.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. 2301 is...is the companion...appropriation bill to 2300. It, frankly, creates the...the Illinois Bank Examiner's Education Foundation and provides for that continuing appropriation solely for the continuing education and professional training activities...in the mechanism that we already passed in 2300. There's been some concern that has been expressed I know by some members virture to the fact that this is, in fact, will be a continuing appropriation without...coming to the General Assembly for a specific...authorization and for a specific appropriation. That has met with some objections, but perhaps by passing this bill over to the House, there can be some continuing negotiations between the appropriations' chiefs as to how we should proceed with funding the mechanism established in 2300; and at this time, I would ask for the support of the Senate to continue that process.

PRESIDENT:

Any discussion? If not, the question is, shall Senate Bill 2301 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none...1 voting Present. Senate Bill 2301 having received the required constitutional majority is declared passed. If I can have your attention, we'll turn back to page 2. We have turned the corner, we have remaining, page 2, page 3, and the top of page 4,...and then we'll be...free again, Lord. 916, Senator Lemke. On the Order of Senate Bills 3rd Reading, the middle of page 2, is Senate Bill 916. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 916.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this does...bill does, is amends the Code of Civil Procedure relating to Acts that created a new Illinois Foreclosure Act. This is...a product of the Illinois State Bar Association's mortgage committee that they have worked on for four years. Our staff has started working on this for over a year and a half, and they have come up with a bill that I've been told by experts in...in the mortgage foreclosure bill which...be the model Act in the country that the other states are looking to...to adopt what we have written. The other...there's another provision that's wanted in regards to an answer to a foreclosures in high...high areas of unemployment cause such as Republic Steel and Caterpillar where they lay off two, three thousand people and they have no way of

getting help to...assist them in...in their mortgages and so forth. But I think this is a bill that's very good. We have worked and worked hard...on this bill and I think it's a...a bill that's...much needed in this State to remedy the situations of mortgage foreclosure. It'll also, with this bill, make our mortgages competible with...nationally so we can discount the mortgages off and have more mortgage money come into the State of Illinois. I ask for a favorable adoption.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Has...have all the objections been worked out now, have you...the last I heard the banks and savings and loans still had a lot of questions about this...has that been resolved?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

The provision they have objection to is the...last part of the bill which deals with assistance in mortgage foreclosure...we...in counseling. We have tried to remedy that situation with Senator Geo-Karis and I. We talked to several of the savings and loan people which I consider one of the prominent area...savings and loan people in my area, Clyde Savings, and they have no...they said that...their objection was to DCCA handling the program and they preferred somebody with financial backing to handle this program. Senator Geo-Karis offered that amendment to take care of those objections, and they said they could live with that part of the bill because the first part of the bill is...the best thing for them which will make their mortgages better saleable and

discountable in the national market.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you Mr...Mr. President. A couple of questions of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

...Committee Amendment No. 2, did that not substantially change the original bill?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Committee...Committee...Committee Amendment No. 2 is the whole bill because what it was is a product...we originally...when the bill came in in our committee, there was many objectionable clauses such as...as cutting the redemption period down to three months, so what we did in committee action is, we struck everything after the enacting clause and came up with a new amendment which is...which was an amendment that they put together, the staff...of a...of a...of the bill which incorporates and cleans up a lot of the objectionable languages that were in there by Fannie May. I've got a letter here dated April 29th from the Fannie May who...who is the largest Federal national mortgage buyer, they agree with the bill. They think it's...it's a good bill and they said that more Illinois mortgages will be bought by them because of this bill, and that's what we're aiming at.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

How does this affect FHA loans and Farm Home Administration loans?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

According to the staff, it doesn't in any way affect federally...Federal FHA loans.

PRESIDENT:

Senator...

SENATOR LEMKE:

..the Federal Government handles those.

PRESIDENT:

...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I know we're probably prohibited, but the biggest single problem in my district is the constant boarding up of FHA homes that were mortgages issued by FHA. Now, the last thing in the world that a lender wants to do is to foreclose. Under this bill, are they forced into foreclosure?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Their options remain just like their contract is. And just in answer to...if you want something as far as the Federal...on page 76 you...in lines 27 to 29, "The mortgage does not secure a loan made by or insured by the United States Federal Housing Administration or Farm Home Administration." This is an exception to this bill because the Federal Government has their own provisions to help on foreclosure.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, quite often we pass bills that pretend to help the consumer when in reality they harm them. For instance, Senator Netsch had a bill a couple of years ago on repossessions of automobiles or installment loan reposses-

sions that turned out to be worse than what the banking practice was because it forced the bank to take action at a certain time, and what I am concerned about here is that in the process of trying to help people, we're going to force lending institutions to take actions that they normally might not take to protect their own interests. And I have not read the bill, but I see a lot of objections there, and normally...objectors would not...financial people would not object to somebody who is paying off somebody else's loan because they would still have the loan active. And I'm trying to figure out what the heck the objection is.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I have two questions of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

I'd like to know if...in Senate Bill 916, are we imposing a de facto stand foreclosure requiring extensive notice to the borrower in establishing a Statewide network of counseling offices for borrowers? That's question number one.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

The only provision on the...the person that's making the mortgage, the person with the money in foreclosing, is, in...if you look in the analysis, counseling a relief provisions imposing...only one obligation and that's to give counseling notices that there's...there's...there's mortgage foreclosure counseling available by the State. That is the only provision in there. That they do...they do now, they send out a letter when they foreclose, they send out a letter

telling them they're going to foreclose. This will only add an additional paragraph in there that there is...there is State...counseling available...in...in case of foreclosures. This is the only requirement of the...of the savings and loans or the banks.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. My second question, would this create a State assistance program that would provide publicly funded mortgage payments for up to three years?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Yes, only for a small group of people. We're talking about a group of people such as in the Caterpillar incident or in the Republic Steel incident or an incidence where there's a layoff in that particular town because of a...in economic condition. That is the only...area where this...where the...where...where this provision provides. It's a very limited, small area, and I think it's part of us in economic development when an industry does leave to help everybody, because not only do the consumers suffer, so does the mortgage company when they have to foreclose on a thousand mortgages in that town because of lack of payments. I think we, as a State, should assist those financial institutions to recover from this program. And this does not cost them anything, the money that...that is financing this is coming out of the tax that Illinois puts on unemployment benefits. And I think it's a...a good bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Based upon that response, I

would like to know whether the...then do the Illinois bankers want to create this contractual relationship between the State and a lender? Are they in favor of this bill as amended?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

If you would look at page 69, lines 23 to 27, "Nothing in this...part 18 shall proclude a mortgage from accelerating the maturity of the indebtedness secured by a mortgage seeking any other remedy authorized by the mortgage or realizing or any security not subject to the mortgage." This makes...any financial institution not obligated under this...provision.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Doesn't answer my question though, Mr. President. My question was, does the Illinois Banking Association want a contractual relationship between the State and the lender? Are they...are they in favor of Senate Bill 916 as amended?

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I cannot speak for the Illinois Bankers' Association. If you, Mr. Lechowicz, wants to speak for the Illinois Bankers' Association, I would say do that. But I am speaking for a bill that we have worked on and tried to work out problems for. I do not know what the Illinois bankers' position is, it's very simple, they haven't come forth till the last minute, they have not participated in the negotiations. What do I know what they want, they haven't...our staff on both sides of the aisles have worked and worked and worked, drafted this bill,...eighty-two pages, worked with the law-

yers that worked...that foreclose mortgage for these financial institutions. This is their product. This is the lawyers for the banks and the savings and loans project. Now, would the lawyers for insurance companies that defend them would write a bill that would hurt insurance companies? I say not. This bill...I would say, by their lawyers, is their bill and it's to their benefit to have this bill.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just...this is a new type of relationship being contractual...between contractual people and lenders, and that's the reason why I raised the question. According to the information I received, unfortunately, amendments that they were seeking were not addressed and for that reason they are opposed to Senate Bill 916 as it appeared on the Floor a couple of days ago. I know the bill was brought back...on a second recall and three or four amendments were added, and I question whether there were...were there grievances addressed by those amendments. And if the answer is no, I'd like for you to say it is no. If they didn't respond, I'd like to be restated as...as they didn't respond. And if they're...if they're against the bill, it should be stated they're against the bill or for the bill or no position on the bill, that's all I'm asking.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I really don't know their position, but I know Senator Geo-Karis had...had a meeting with some of the mortgage for the savings and loan people the night...and she offered the amendment which they had suggested. So I assume that this met some of their...their objections. I have not heard any

other objections. The bill was called back for amendments, there was no...other amendments offered except the four that we put on there. So, I don't know...what their position is.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this bill was a bill that was jointly sponsored by Senator Lemke and the late Senator Bloom. We had extensive hearings on it, we made...extensive amendments. I might tell you that I did meet with some of the folks from the savings and loans institutions the other night, their main objection was they did not want DCCA to be handling any loans involved in this bill, they'd rather have Financial Institutions, and I did put the amendment on to provide that it would the Department of Financial Institutions to do so rather than DCCA, 'cause they felt that Financial Institution's Department had more experience. I might tell you that this bill here...the homeowners under this bill who are facing foreclosure are provided financial assistance up to three years. Only...homeowners have defaulted through no fault of their own are eligible. And I might tell you also that the...if the mortgage payments are delinquent, the mortgage company must send a notice prepared by the Financial Institutions to the homeowner listing local credit counseling agencies. This notice must be sent at least thirty-five days prior to the filing of a foreclosure action. If the candidate doesn't want to do anything about counseling, the...the mortgagee who holds the mortgage can go ahead with their foreclosure. This is a very good bill and it was ironed out after many, many hearings, and I...I...I support it and I ask your...to support...the support of the whole Senate. It's a...a conscionable bill, it does not take anything away from the mortgagees, the ones who give the loans; in fact, it's a help

to them 'cause they can go right ahead with their mortgage foreclosure if after thirty-five days nothing is done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Congressman DeAngelis.

SENATOR DeANGELIS:

Well, I apologize for rising the second time, but the sponsor has done very little to clear the confusion. And I don't think he ought to get indignant about questions 'cause...there are those of us who are trying to support this bill, and to get rightously indignant, I don't think is quite appropriate. I have two questions of the sponsor, if he chooses to respond.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke, you do not have to respond. Senator Lemke.

SENATOR LEMKE:

I will respond to any question, but if Mr...says I'm getting indignant, I can't understand why, you know, unless he's trying to make me the fool, like he always tries to do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, he's...he's got a campaign going for Congress, Senator. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, does this in any way affect the secondary market for mortgages?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I'm...I'm reading...I'm going by the basis of a letter from Fannie May, which is the secondary market, they support the bill. They are the largest buyers of...of...of discount mortgages in the country and in the State of Illinois. I think it's in your staff analysis if you want to see the letter, it's right here...so...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeAngelis:

My second question is, where is the money coming from for this program?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

We have an amendment, if you look at it, I think it was Amendment No. 3 or 4, which came from the Department of Revenue which removed their objections to this position...to their...and explained the department's position. Where the money is coming from is...is...is a special revolving fund from taxes. Originally, it was coming from a tax on unemployment compensation benefits. Illinois is one of the few taxes...few states that tax unemployed workers, okay? So this money is the...we had twenty-two million dollars out of unemployed benefits, this program is going to cost five million dollars out of that twenty-two million. I mean, in...in the way the Department of Revenue, they didn't want to not set up a special account so they put the...the amendment on that they suggested to create this revolving fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Oh wait...all right, that helps, 'cause I thought it was still coming from the unemployment. The letter that...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR DeANGELIS:

...the letter that you...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Another...explanation. This money that we loan to pay off this mortgages...the State has a lien...a secondary lien, and they get their money back when the guy starts working and everything...or the building is...is sold. So they have a lien, they're not actually loosing. This is similar to what we did in Chrysler. We took a lien on their property, and we're guarantor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it's not quite similar 'cause we never lent the money to Chrysler. The letter that you...that I just saw, Senator Lemke, is dated April 29th, which is prior to the amendment. And I think a lot of the confusion on this bill arises on the fact that the amendment became the bill. Now this letter stated April 29th, when the bill was amended, which was the first question I asked you, which completely rewrote the bill, I'm going to ask my question again. Does this bill affect the secondary mortgage market?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

No, it does not, and that letter you had is the...the amendment, the eighty-two...page amendment that we had, Mr. List had submitted that to the Fannie May people and that's the approval of that amendment...of the bill. That's what I'm told by Jeff List, I'm told by my staff, and...I would accept it as the truth.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

I think this is good bill and I think it's something we need in this State and I think we should help in these tight

situations. And I think it will also make our mortgages a model in any place as far as foreclosures. I know the states of Iowa and Missouri and other places are looking to copy what we have...drafted here. I ask for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 916 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 17, 2 voting Present. Senate Bill 916 having received the constitutional majority is declared passed. Senate Bill...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I think it's not many times in the Senate that we thank people, but I think we should thank and...and praise both staffs from the Senate Judiciary...Steve Morrill and Mr. Wallin, that have worked hard to come up with this solution and work out this compromise. So, I...I think it's great for us to do. I also, at this time, make a motion to reconsider.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves to reconsider. Senator Geo-Karis moves to lay that motion on the Table. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senator DeAngelis.

SENATOR DeANGELIS:

Well, just on a...a measure of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, wait...what kind of measures, Senator?

SENATOR DeANGELIS:

Well, I think that a bill like this...sure it's written up by lawyers, but a bill like this ought to go to Financial Institutions...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR DeANGELIS:

...and I think it would sure clear up a lot of these questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator, we do have other business here. Senator Barkhausen, Senate Bill 1488. Read the bill, Mr Secretary.

END OF REEL

REEL #5

SECRETARY:

Senate Bill 1488.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Senate Bill 1488 is similar to...in part similar to Senator Joyce's Senate Bill 2165 that we considered a little while ago, although his bill does more things than this one does. Like Senator Joyce's bill, although no specific mention was made of it at the time, my...my bill is soley in response to an Illinois Supreme Court decision of...of last fall Wimmer versus Koenigseder which...in which the court found that there was no duty owed to a plaintiff who was...who was killed in Illinois after the driver of the car in which she was a passenger had been drinking in Wisconsin. Part of the reasoning for the court's decision was a finding that there was no legislative intent that the Illinois Dram Shop Act have...extraterritorial impact in the State of Wisconsin. In addition to amending the Illinois Dram Shop Act in order to provide evidence of such intent, the bill also amends the long-arm provisions of the Civil Practice Act in order to provide an intent on our part that these long-arm provisions be given application in a...in a situation of the kind that arose in the Koenigseder case. Be happy to answer any of the questions, otherwise, would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question

is, shall Senate Bill 1488 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1488 having received the constitutional majority is declared passed. Senate Bill 1491, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1491.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1491 is an amendment to the Abused and Neglected Child Reporting Act and, essentially, what it does, it installs as persons under the definition responsible for child's...the child's welfare, school employees, child-care facility employees and volunteers in both of those institutions. What has happened and the reason for this bill, the bill was prompted by the fact that there was a difference of opinion between the State Board of Education, the Attorney General, the Senate President and the Department of Children and Family Services as to whether or not school employees were to be subject to the Child Abuse and Reporting Act in terms of...a...a criminal prosecution that was happening in the County of Cook. I felt they were covered, the department felt they were covered, the Attorney General felt they were covered, the State Board of Education, frankly, did not and so the department had been reluctant to act. This bill was introduced with the full approbation of the department. There have been various amendments. I know of no objection with the sole objection being from the department director;

currently, he's a little concerned about the necessity for formal versus informal investigation. I don't consider that a...a handicap to this bill. I think it's long overdue and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1491 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1491 having received the constitutional majority is declared passed. Senate Bill 1529, Senator Collins. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1529.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1529 will give you another opportunity to do something to try and assist young girls who get pregnant to go on with their education so that they can go on to become self-reliant and not end up on welfare and their children for the rest of that child's life. This bill does not deal with sex education at all and let me tell you why the necessity of this bill. Several years ago we passed and it was signed into law a bill that said that any girl who gets pregnant and have a baby prior to the compulsory age...school attendance age of sixteen must, in fact,...must attend school; if not, they would be subject to the truancy laws unless...unless they could, in fact, justify from their doctor some physical, mental...I mean, emotional reason why she would not be able

to attend school. Now let me tell you the problem with that. In many areas where we do not have infant child-care facilities...free-standing infant child-care...facilities and in areas where day-care homes cannot meet the license requirement, then there is no way for this...for the girl who does not have the support systems at home or in the community to comply with that law that we passed and it is now public Act. What this bill does is very simple. It is limited to only...only those schools already existing for pregnant girls and let me tell you a little about that. There are many girls who's...who is able to continue in the public school system while pregnant and even after pregnant, but there are some girls with other complicated problems who cannot for whatever reason cope into the regular school setting. So these schools are as an alternative to that and that is where the lab schools would be. It is not indefinite, it just says at least one semester after, the girl has the baby, and let me tell you why that's important. Because currently now that girl must return back to that school, but if she does not have anyplace to leave this infant child, that cannot happen, and once this girl which is in that high risk category who will probably never continue her education and will always end up on public aid and will probably have another baby in order to increase her income, and that child will end up on welfare and the cycle continues from generation to generation. So all I'm asking that we experimental with...experiment with the lab schools for these girls and for labs and they already exist in schools, and I would be happy to answer any questions; if not, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Since this bill has been amended, I'm not sure exactly

what the costs for this program are and who would be picking them up. Could you enlighten me on that...one of the questions?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

What...what we did, we amended the bill so it could be very clear that the...the board could, in fact, develope rules and...and guidelines by which the districts can, in fact, request direct payments from public aid eligible students from the Department of Public Aid. In other words, these girls already qualify if they are public aid eligible for child-care allowances, and those allowances will either be paid directly to the school districts in which these schools are located or through the girl's...I mean, grant. And it also provides for a sliding fee scale for those girls who's not public aid eligible but should, in fact, be paying for some cost of the care; otherwise, we'll be paying for cost of this care.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further...Senator Schaffer.

SENATOR SCHAFFER:

Pardon me, I'm being hit from both...how much money was it going to cost?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR SCHAFFER:

I didn't hear a dollar figure, I missed that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

The fiscal not was on the title...when it was under the title...one...I mean, Title Twenty and it did not have a definite amount because they couldn't determine how much.

First of all, you'd have to know how many children you're talking about, how many was eligible and so on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, apparently, it's somewhere between zero and infinity. My...next question is what prohibits a school district from establishing this program right now on its own?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

I'm not aware of anything that would prohibit them from doing it at this point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think that, in fact, is where the bottom line is. I made a decision a number of years ago that we just mandate too darn much stuff here. We have a program here that we have no idea what it would cost and would only get school districts reimbursed for public aid qualified clients and, presumably, there are some...if you'll pardon me for sounding cosmopolitan, there probably are some people...young ladies and...with this type of problem who aren't on public aid. I don't think everybody who has this kind of problem is on public aid. I'm reliably informed a substantial number of them aren't on public aid. If it's a good idea, and it very well may be a good idea, then I would suggest to you that the public in the area that wants this done should prevail upon their local school district to establish this program and to find a funding mechanism. I don't think we should be inflicting these programs on the school districts. I think...the...the power should flow in the other direction. The locals should go to the school districts and say this is

a substantial problem in our community; therefore, a program of this nature or something similar to it should be adopted. Clearly, there are districts in this State where this is a major problem and those districts should respond by appropriate means; in other districts, it may or may not be, we don't need to mandate this thing. We don't know how much it would cost and I, frankly, think it's an idea that is...probably has merit but should be done on the local level, not from on high, from all of us great thinkers in Springfield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Collins may close.

SENATOR COLLINS:

Let me just briefly respond to his...his concern. First of all, this bill as amended does apply to those persons who are not public aid recipients, who would ordinarily be paying for child care and they would pay for the cost of this care, under the bill as it is amended now. The State board is not mandating anything, it would be just establishing guidelines for those districts who currently operate schools for pregnant girls so that they can have an infant lab school and a curriculum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1529 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 28, none voting Present. Senate Bill 1529 having failed to receive a...a constitutional majority is declared lost. Senate Bill 1576, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1576.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. This is a bill...this bill and the bill that follows is a bill that is designed to address a problem which, I guess, in some part results from another law we passed a few years ago which imposes criminal liability on parents who have underage drinking parties at their homes. Apparently, what's happened is that...at least some of these parents have discouraged their children from having those kinds of parties in their homes and now at least in...in my area and some other areas around Chicago, those parties are being conducted at local hotels and motels. Last year in my community one underage youngster was killed after leaving one of those parties sometime in the middle of the night, obviously, intoxicated, took three with him who were badly injured. What this bill does is impose a criminal liability on an adult who would knowingly rent a room for the purpose of unlawful drinking by minors. This bill was suggested to me by the hotels and motels who we contacted and the community groups who tried to find a way to deal with the problem and...and deliver a message. I'm confident that this will play a small role anyway in discouraging parents, in some cases, and older brothers and sisters and...and others from helping their...their sons and daughters and friends, whoever they are, find these rooms, signing them up and then of...of course, later on having to deal with the problems which result. As I said, this has the support of the Hotel and Motel Association in Illinois, it also has the support of the Statewide PTA. I know of no opposition to the bill. Senator Joyce joins me in sponsoring it and has suggested a couple of amendments, one of which will require the hotels and motels to provide a notice...post a notice so that people will know when

they...sign up for a room that there is such a requirement now. And, secondly, the contract which an individual will sign also must contain the language stating that this is now the law. Both of those suggestions have been accepted by the hotel and motel people. I would be more than happy to answer any questions. 1576 is the bill that deals with criminal liability, the bill that follows deals with civil liability.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I, too, have received a phone call from the priests at Immaculate Conception in Elmhurst who told me they were doing...they were having exactly the same problem. I was the original sponsor of the...of the original bill that made it a criminal offense for the...civil offense for the...the parents and it has seemed to work. I think this, too, will work and I would suggest your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1576 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1576 having received the constitutional majority is declared passed. Senate Bill 1577, Senator Kustra. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1577.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. This is again the same bill.

This just extends dram shop liability to the same adults that we've covered with the criminal liability, and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1577 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1577 having received the constitutional majority is declared passed. Senate Bill 1602, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1602.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As amended according to the Senate guidelines, Senate Bill 1602 appropriates 42.6 million dollars for the Board of Higher Education FY '87 operation and, of course, the grants. I know of no objection. I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...the question is, shall Senate Bill 1602 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Take...take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1602 having received the constitutional majority is declared passed. Senate Bill 1629, Senator Lemke. Senator Lemke. Senator Lemke. Senator Lemke.

SENATOR LEMKE:

My button isn't on. At this time, I'd like to make a motion to have this bill held on the Calendar till the fall. I understand there's some objections in downstate Illinois about registration. We want to hold some hearings this summer and see if we can come up with a...amendment to kind of satisfy everybody in the State of Illinois. I think it's a good piece of legislation. I commend the Tribune for pushing this legislation. I think we should not let this idea die and I think we should carry on through the summer and have some hearings, and see if we can come up with a...a remedy to this serious problem in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? If not, the motion carries. On Senate Bill 1698, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1698.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

This is the appropriation for the Comptroller. As amended, it appropriates 48.4 million, a reduction of 4.8 million below the introduced level but still an increase of 9.9 million or twenty-nine percent over the Fiscal Year '86 budget. Would ask for your approval.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1698 pass. Those in favor...vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 1698 having received the constitutional majority is declared

passed. Senate Bill 1716, Senator Schuneman. Senate Bill 1741, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1741.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1741 as amended is the appropriation for Build Illinois, three committee amendments...Floor amendments, a total of three hundred and sixty-eight million four hundred and nine. Happy to answer any questions and ask you for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

I...I really don't remember, is this the one that we cut out a lot of that money from the city? Is this the bill that we did that? I...I'm not asking for an explanation but...we did that yesterday and was this the bill that we did it to? I think it was...Senator Schaffer's amendment, as a matter of fact. Twenty million, I think it was.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

I believe that is in Senate Bill 1743, the next bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1741 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 1741 having received the constitutional

majority is declared passed. Senate Bill 1743, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1743.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1743 as amended is also Build Illinois, two committee amendments, two Floor amendments, a total of two hundred and eighty-eight million one. Happy to answer any questions and ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1743 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 2 voting Present. Senate Bill 1743 having received the constitutional majority is declared passed. Senate Bill 1748, Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1748.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the budget for the Department of Central Management Services. It's reduced to about three and a half million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1748 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1748 having received the constitutional majority is declared passed. Senate Bill 1753, Senator Karpiel. Senator Sommer is going to handle that bill? On 1753, read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1753.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members. This is the budget for the Environmental Protection Agency. The various guidelines were applied to the agency itself. Some projects were added in the project area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall Senate Bill 1753 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1753 having received the constitutional majority is declared passed. Senate Bill 1763, Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1763.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

SB 1834 3rd Reading

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the budget for new construction for the next year of anything that's not highways, I suppose; and, in addition, various members have added...added and subtracted as they saw it...saw fit, and it's early...it'll go to the House and they'll do some more and it won't be finalized until a Conference Committee in late June.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall Senate Bill 1763 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none...1 voting Present. Senate Bill 1763 having received the constitutional majority is declared passed.

PRESIDENT:

Senator Holmberg, 1832. 1834, Senator Maitland. On the Order of Senate Bills 3rd Reading, bottom of page 3, is Senate Bill 1834. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1834.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1834 as amended addresses some concerns that I had with respect to the Open Meetings Act. The bill, as you may recall, was the subject of some debate in committee, and I continued to work after committee with the Illinois Press Association, with the Illinois...Municipal League, with DCCA and others, and I think that we have

arrived at some language that will allow for, I believe, a tightening up of the Open Meetings Act with respect to economic development. Without question, the way the Act is written now, I think it causes many to go behind the scenes and do some negotiation or at least some discussion on economic development; for example, when an entrepreneur is interested in coming into a community, he will to circumvent the Open Meetings Act, I believe, go to the Chamber of Commerce, the city manager, the mayor and discuss a concept in that community and then the mayor will call the various council people and discuss it, all to keep it, I believe, away from the media and allow for this concept to be discussed. It seems to me much better to allow those interested parties to sit down in a closed meeting in full view of everyone, they wouldn't know that it was going on, to talk about this concept and that's what we're trying to do here. I believe city officials would feel better about it. I believe the media would feel better about it, and I believe the taxpayers, the people who are really being affected would...would feel better about it. I appreciate very much the assistance of the Illinois Press Association on this issue. I have talked at length with the Illinois News Broadcasters' Association, Bill Miller, who all of you know. They do not support this position, but I do appreciate their involvement in this; and I believe this is the best possible package that we could arrive at, and I would solicit your support.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, will the sponsor yield for some questions?

PRESIDENT:

Sponsor indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

Yes, I'd like to commend Senator Maitland for doing the outstanding job he always does in trying to bring about a consensus, but just to get a little bit of legislative intent on this, if...if you don't mind and we've discussed this, if I could ask you a few questions. Now, under the amended bill, governmental bodies could hold closed meetings as long as the discussions were preliminary in nature. Now, could you tell me what preliminary in nature means?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, I believe when individuals come into a community, they may not always know exactly whether the community even wants them to be there. They may be...may have been attracted to the community for a particular reason, but they don't know how interested the community might be in...in finding a location for them, and it's best, it seems to me, just to talk with them and find out if they even want them in the community. And this is what we mean by preliminary nature, discuss a concept only.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

So, that I'm clear now, the discussions would go no further than...than like generalities such as the assets of a community which would be something like good water supply, good schools, good transportation facilities and things like that. All right? They...they wouldn't include any specific incentives or offers by the corporate body to the business entity of providing any specific incentive offers or tax breaks by that governmental body, is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct, except to say that the entrepreneur may ask the community, the mayor, the city council is there a blighted area where we might...or where you might desire to establish a TIF or an enterprise zone. Now, those are things that are already in place but...so you're not really discussing new incentives, they're already incentives in place there.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

There would be no discussions among members of the governmental body on making any land purchases on behalf of the business entities. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct and that's one of the purposes of this bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Likewise, there would be no informal votes taken among members of the corporate body on what incentives or offers that would be made to the business...entity? Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Would the corporate body have to conform to other provi-

sions of the Open Meetings Act, such as giving advance notice to the media of such meetings and keeping written minutes of the closed meeting?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, it is my understanding that there are no minutes kept in...in the closed meeting, and I...I would stand corrected if I am wrong but I don't believe...believe that there is.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Then the bill is not intended to allow a public body to discuss any possible transactions or deliberate any public action but merely to provide a forum to a business entity for initial discussions on community assets. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is absolutely correct.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

And this is not a question of legislative intent, it's...it's just, I suppose, something that confuses me having come out of a...of a press background. I...when we're talking about Open Meetings Act, which is so relevant to...both municipalities and the press, I'm at a loss to understand why the Illinois Press Association agrees with you and the Illinois Broadcasters' Association disagrees with you and the Associated Press disagrees with you. I would think that they would all be coming in at...with one feeling on this because the media is the media the media. What was the

problem?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I'm...I'm not really sure, Senator Topinka, except to say that the Illinois Press Association came to me very early on and worked with me on...on the changes to the bill. The News Broadcasters' Association didn't even call me...until after they made their position known at a...at a conference in northern Illinois a few short weeks ago and; it's my understanding, that the AP just a day or so took action against it but no one...none of those two agencies had...had come to me prior to the bill.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President, Ladies and Gentlemen of the Senate, I'm a municipal attorney and I think this is a very good bill because these preliminary discussions are necessary; otherwise, you're not going to help economic condition of your areas if you don't have these preliminary discussions in closed session, 'cause it might involve...relating to properties. So if it does that and people hear, ah, ha, they're going to there, the property prices will be jumping up. I think this is a very good bill and I speak for it.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I was troubled by the bill in committee and I think was the only one who did not vote for it. I concede, Senator Maitland, that both your Amendment No. 3 which I believe is now on the bill and this statement of legislative intent helps a good deal. But let me express why I will still be voting No although not an outraged No,

and that is that I am troubled most of all by the earliest part of the exception that you are drawing here, "That portion of meetings of the corporate authorities of a municipality where economic development proposals and proposed location or relocation of a business entity are discussed," and then you go on into the qualifications that you've put on it. The...what worries me is the enormous breadth of the expression "economic development" which as we know in this Body now covers virtually everything under the sun, and the fact that it is separate and the proposed location or relocation of a business entity, which it seems to me could also be extremely broad in terms of what its coverage would be, so that even with the qualifications you have put on, I...I am troubled that we are opening a major gap in an area where I think, more than in many other areas, the public does need some protection through access to early stages of...of negotiation. So, for that reason, I will be voting No.

PRESIDENT:

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senator Maitland, I don't mean to rise and take the time of the Body but I'd like to ask you a question if...I understand what you're trying to accomplish and for that I commend you, but aren't these negotiations...if...if we want to attempt this rather than open it up to a public meeting which I think the residents need some input, shouldn't these preliminary meetings probably be held with city planners, city managers, maybe some...some officials on the zoning board or the planning boards? Why...why aren't these...what prohibits these preliminary meetings from going on now?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Two responses, Senator...Zito. First of all, you got to understand that those...those are all taking place now. The mayor, the city manager, obviously, will always contact these people because these are the planners of...of the community and they are involved now outside...outside the media, outside the...the meeting anyway. What we're saying is that in this closed meeting, those people too can be brought into that meeting to advise, again, on a preliminary basis, whether or not this is even a feasible action to take.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

...I'm sorry, Senator, but I just fail to see the need for the bill then. If...if, in fact, these preliminary negotiations are going to go on with the city manager or the city planner and then that city manager or city planner is going to report to the entire board or the mayor in day-to-day correspondence at the...at the village hall or the city hall, what's the need for the entrepreneur who has met with them privately and then that individual giving a report back to the mayor or the board? What's the need then for the legislation?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, you brought in the planners, there's nothing to say that that couldn't continue to take place outside. What I am saying and the purpose of the...of...of the amended bill is to...is to make sure that you include all of the elected officials in this...in this preliminary planning. Right now, they're excluded because they're going outside of...of the purview of the bill and...and...and...and making discussion...having these discussions on concept.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, just to the bill then, Mr. President. I...I can understand what Senator Maitland is trying to accomplish but several communities in my district honestly have been burnt by...the residents have by this exact process where entrepreneurs had come in...and one, in fact, was Senate Bill 1925 which I introduced which had to do with the hazardous waste site that came in, and there were some negotiations going on with the city manager and the city planner and...and the entrepreneur had met with several officials and, all of a sudden, the residents of the community have found themselves not involved in the negotiation, that I, honestly, think they should have been involved in and...and I'm going to vote Present. I understand your position but I...I just think this is the wrong approach.

PRESIDENT:

Further discussion? Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Leitch.

SENATOR LEITCH:

What is the definition of economic development as it pertains to this bill?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, Mr. President. I would assume that...and I hadn't...obviously, hadn't thought about this question; economic development, I would assume, means as it addresses itself to an entrepreneur who is coming into the community, the...the discussion, the...desire on...on his

part to...to bring into the community some kind of business entity that will...will improve the economic climate of that community, will...will...will help the...the....the community economically.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Would this strictly be limited to private enterprise? All manner of public enterprise and schemes and ideas are...are described as economic development and, I, too, am concerned about the breadth of that definition.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have one question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Maitland, will this bill allow the Mayor of Chicago and the Chicago City Council to meet behind closed doors?

PRESIDENT:

Probably never happen, John,...Senator Maitland.

SENATOR MAITLAND:

...thank...thank you, Mr. President...if...if they are discussing...if they are discussing issues contained in 1834 in the preliminary...in the preliminary way in which we discussed in that bill, yes, it could.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, I'm sorry, Senator, I must join Senator Zito in voting Present in that case.

PRESIDENT:

Any further discussion? Further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Only to say...Mr. President, thank you, very much. Only to say that...that this is an attempt really to...to bring together in an orderly form what all...already is going on behind closed doors without anybody knowing what's going on. I believe this is a taxpayers' bill. I believe this tightens up the Open Meetings Act and I would appreciate your support.

PRESIDENT:

The question is, shall Senate Bill 1834 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 11 Nays, 12 voting Present. Senate Bill 1834 having failed to receive the required constitutional majority is declared lost. Senator DeAngelis, for what purpose do you seek recognition?

SENATOR DeANGELIS:

Just a point of personal privilege. Today we have among our Body someone celebrating a birthday, a birthday which he does not wish to disclose, but I am informed by statisticians that he is older than perhaps eighty percent of the clients he services, Senator Stan Weaver, dear loved senior member.

PRESIDENT:

Happy birthday, Senator Weaver. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Just rather rapidly, I've been advised that there will be an Executive Committee meeting next week and I need to waive the appropriate rule for posting because there isn't sufficient time in order to hold that meeting and I so move that that rule be waived.

SB263 e.e.R.

PRESIDENT:

All right. Senator Sangmeister has moved to suspend the rules to waive the...appropriate rule for posting requirement so that the...his committee can meet next Wednesday. Is leave granted? Leave is granted. So ordered. Now, if you'll walk through with me, 1935 was held; 1954, the sponsor requests that it be held; 1972,...2057, 2086 and 2088 were all held at the request of the sponsor, as I understand it. We have two remaining items of business. If you will...the Governor's Office has requested that we move to the Order of Conference Committee Reports, top of page 22. There's a Conference Committee report on Senate Bill 263 that is some of...is of some importance and some necessity and some emergency to the administration. Then if the sponsors desire, we will go to the Order of Consideration Postponed. Senator Davidson has a...a resolution to set up a committee to write the arguments pro and con for his Constitutional Amendment. We have some housekeeping and that should be it. All right, with leave of the Body, we'll move to the Order...page 22 on the Calendar. Conference Committee report on Senate Bill 263, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 263.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Conference Committee report on Senate Bill 263 does three specific things. It's in relationship to the Illinois Farm Development Authority, know of no opposition. Specifies in the law that interest rates will be adjusted annually which was the intent of the old original legislation, so this is a technical change which is being required by the Farm Development Authority's legal counsel. Secondly, it extends...allows the IFDA to extend the fourteen

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month liquidation period on collateral for lenders in the case of bankruptcies or extenuating circumstances. This was a major concern to the respect of lenders in Illinois. And, thirdly, the current Illinois law does not exempt the guaranteed portion of this loan from the State's bank lending limit, and for small rural banks, it's essential that the State guarantee be exempt from their lending limits so that they can service their larger customers. The Commissioner of Banks Office has recommended the..the third portion of the...the change and that is the extending of the limit...lending limit and, it seems to me, that there is no opposition to the Conference Committee report as...as I know it and I would ask for its adoption.

PRESIDENT:

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 263. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 263 and the bill having received the required constitutional majority is declared passed. All right, ladies and gentlemen, with leave of the Body, we'll move to the Order of Consideration Postponed. As I understand it, there are only four bills; 1475, 1925, 1974 and 2180. If the sponsors wish to proceed, we will proceed; otherwise, we will wrap up our business. On the Order of Consideration Postponed, Senate Bill 1475. Senate Bill 1925, Senator Zito. On the Order of Consideration Postponed is Senate Bill 1925. Read the bill, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1925.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I appreciate your patience with 1925. We have met throughout the latter part of the day yesterday and this morning. I think we have ironed out the differences now of 1925 and would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Welch.

SENATOR WELCH:

Yes, Senator Zito has promised to amend this bill when it gets to the House to eliminate the word "zoning" from the restrictions and, therefore, I would urge affirmative vote.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. All I know is we appropriated a million three hundred thousand dollars to the Illinois Pollution Control Board to review such critical matters as...are contained in Senate Bill 1925. That one word change will not change my vote on this matter. I know that the issues are complex. I believe that the understanding of 1925 is a good faith effort but, unfortunately, it was not a good faith effort reviewed by the Illinois Pollution Control Board and, for that reason, I will still be opposed to 1925 in its present form. Either you're going to let these issues be addressed by the respective bodies that we give the money to to...and their expertise or we can start deciding every and...each issue here on this Floor. I, for one, believe that government works best with the expertise that's available to it that is not contained in 1925 and I'll be voting No.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was going to say I think the bill was good and I think that the change that has been suggested should reassure my downstate brethren that those of us from the collar counties and the Cook County suburbs are not trying to inflict anything on them. As I said, it really didn't have a lot of impact in...at least my area. I think the bill still contains some very important safeguards in the relationship between a local area, local people and the Pollution Control Board when we start siting these things. Those people that have had this problem in their district and the sitings know of the deficiencies that exist in the current law. I'm not saying this is perfect, there are some of us that might go actually a little further in a few areas, but I think it's a reasonable compromise and should be allowed to go forward.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

Might it be that the process of recovering methane gas inasmuch as it is ignitable, could that be looked upon, therefore, as being hazardous and...covered by this bill?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Senator, it is not, and I understand that that has been circulated this morning by one of the groups that stand in opposition to this. That is absolutely not the case and let me...let me just further, Senator Rigney, if I can, explain

to you what had happened. When we...when we discussed this legislation with the group that has indicated that information to you, we removed probably seventy to seventy-five percent of the sting from this bill and took it out at their bequest and then they said that we would remain neutral. Now when they realize that we probably at postponed consideration stage can pass this piece of legislation, they're circulating facts that honestly are not true. That...your...in answer to your question, no.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, what is it about the bill now that will specifically allow for this?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Well, the thrust of the bill now says that we will not locate a hazardous waste facility within one thousand feet of a residential dwelling, as it will read after we take out the word "zoning"..."zoned."

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

What about the one that's out there already?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

It is not retroactive, it's only new construction.

PRESIDENT:

(Machine cutoff)...discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Just a question...

PRESIDENT:

Sponsor indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Are you...by doing that, Senator Zito, are we not going back to an amendment that we defeated here?

PRESIDENT:

Senator...

SENATOR DONAHUE:

I mean, Senator Welch's amendment?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

We really compromised on a compromise, Senator. We...the...Senator Welch's amendment changed the word "zoning" but he also said five hundred feet. I requested that it remain at a thousand to make it more...more stringent and we agreed on that, so that's been agreed and worked out. We're going to remove the word "zoning" because I understand that downstate counties don't have that terminology, but we wanted to keep the thousand foot residential dwelling. So that's what we have agreed to.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

So we will, in fact, have another opportunity to address this issue if it's amended in the House, it will come back?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, it needs to amended in the...in the House and that's what we agreed to.

PRESIDENT:

Further discussion? Senator Collins. Senator Zito, you wish to close?

SENATOR ZITO:

Only to tell you that we did in good faith negotiate, there's still some people that are unhappy but the thrust is to Senator Lechowicz's comments as well. I know that the Illinois Pollution Control Board and the EPA and other agencies are discharged with the responsibility of doing this and, yes, we do pay them State money but let's think about where we get the money. It's the taxpayers and, for that reason and for this bill, we want to continue to make sure that local control is given in all hazardous waste sites, and I ask for your affirmative vote.

PRESIDENT:

The question is, shall Senate Bill 1925 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 16, 1 voting Present. Senate Bill 1925 having failed to receive the required constitutional majority is declared lost. Senator Poshard...apparently hold. Senator Collins, hold. Senator Davidson, for what purpose do you seek recognition?

SENATOR DAVIDSON:

Mr. President, I seek to have the Executive Committee discharge from Senate Joint Resolution...I don't know whether it's 161 or 162, they didn't give me the correct number yet, in relation to the committee which...

PRESIDENT:

Well, hold it...hold it, it's not...it's not read in yet. My fault, we'll...we'll get there. The adjournment resolution will call for us to return to Springfield on Wednesday at one o'clock, Wednesday...next Wednesday at one o'clock, I hope everybody has a nice weekend. Committee reports.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills to committee:

House Bill 3181 to Elementary and Secondary Education; Executive - House Bills 2544, 2552, 2573, 2839, 2873, 3230, 3474 and 3632; Insurance, Pensions and Licensed Activities - House Bill 3378; Local Government - House Bill 2630; Public Health, Welfare and Corrections - House Bill...Bills 2644, 3477, 3520; Revenue Committee - House Bills 1321, 24, 35...or 27, 35 and Transportation Committee - 3479 and 3506.

PRESIDENT:

Senator Jones, for what purpose do you seek recognition?

SENATOR JONES:

The purpose of an announcement, Mr. President. The Senate Insurance Committee will meet on Wednesday, May 28th at 9:00 a.m. to deal with subject matter, the rewrite of the Medical Practice Act. I suggest that all members who want to appear before that committee to deal with this all-important subject to be there, notification will be sent out. Again, we will meet at 9:00 a.m., Wednesday morning, Room 400 and all person interested, I would suggest that you be there to testify.

PRESIDENT:

Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, Mr. President. I'd like to be listed as a hyphenated sponsor on the following Senate Bills: Senate Bill 1049, 1634 and 2019 and the following House Bills also, hyphenated sponsor, 2477, 3300, 3573, 3477 and 2891. Thank you, Mr. President.

PRESIDENT:

Congratulations, you've just written your brochure. The gentleman seeks leave to be added as a cosponsor...shown as cosponsor. Is leave granted?...Senator Marovitz, will you provide the Secretary with that list so we can properly journalize it? Leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President. For a purpose of an announcement. I have the suggested address for Memorial Day, I ordered sixty-five of these and I have sixty left and they're going like hot cakes.

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Two things...Mr. President and Ladies and Gentlemen of the Senate, I would like to add as an immediate cosponsor to Senate Bill...to House Bills 3001 and 3002, Senator Emil Jones, and I also would like to withdraw my name as sponsor of Senate Bill...I mean,...House Bill 3006 and substitute in my place, Senator Woodyard. 3006, substitute Mr. Woodyard.

PRESIDENT:

All right. The lady seeks leave to substitute Senator Woodyard as chief sponsor of Senate Bill...House Bill 3006 and seeks to...add Senator Jones as the hyphenated cosponsor on House Bills 3001 and 3002. Without objection, leave is granted. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you, very much, Mr. President. I would like to place Senator Laura Donahue as the lead sponsor of 2988; right now, I am.

PRESIDENT:

House bill?

SENATOR FAWELL:

I'm sorry, House Bill 2988.

PRESIDENT:

House Bill 2988, the lady seeks leave to substitute Senator Donahue as the chief sponsor. Is leave granted? Leave is granted. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

...thank you, Mr. President. I would like the record to

show that I meant to vote Yes but inadvertently voted No on Senate Bill 2076.

PRESIDENT:

2076, the record will so reflect. Senator...

SENATOR HUDSON:

...and one...another thing, Mr. President. On Senate Bill 2162, I did not get to my switch; had I, which I meant to do, I would of voted Yes.

PRESIDENT:

I think you ought to chastise your seatmate. The record will so reflect. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I seek leave to make changes in the sponsorship of two House bills, the first one being House Bill 3000, I would like to drop...be deleted as the principal sponsor and I would like to have Senator Donahue shown as the principal sponsor of that bill.

PRESIDENT:

All right. The gentleman seeks leave to...to...substitute Senator Donahue as the chief sponsor on House Bill 3000. Without objection, leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

On House Bill 2987, I seek leave to add Senator Geo-Karis as a hyphenated cosponsor.

PRESIDENT:

All right. The gentleman seeks leave to add Senator Geo-Karis on House Bill 2987 as cosponsor. Is leave granted? Leave is granted. All right, Mr. Secretary, we're ready. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate

the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 500, 1332, 1675, 1676, 2044, 2279, 2596, 2601, 2693, 2734, 2796, 2866, 2868, 2885, 2958, 2969, 2971, 3017, 3018, 3046, 3059, 3061, 3074, 3075, 3080, 3081, 3141, 3145, 3175, 3187, 3346, 3412, 3476, 3484, 3521, 3525, 3527, 3530, 3543, 3548, 3587, 3588, 1477, 2409, 2537, 2612, 2688, 2784, 2977, 2993, 3015, 3093, 3165, 3205, 3214, 3228, 3251, 3253, 3263, 3351 and 3482.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 161 offered by Senator Davidson.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd move that the rules be suspended for immediate consideration for Senate Joint Resolution 161. This has to do with creating the committee which writes the pros and cons for the Constitutional Amendment on the bail bond which we have now ready to go to the voters on November the 4th.

PRESIDENT:

All right. Senator Davidson has moved to suspend the appropriate rule for the immediate consideration and adoption of Senate Joint Resolution 161. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The...the rules are suspended. Senator Davidson now moves the adoption of Senate Joint Resolution 161. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 940, by Senators...Senator Dudycz and all Senators.

941, 942, 943, 944, 945, 946, 947, by Senator Jones.

948, by Senator Lechowicz and all members.

949, by Senator Savickas.

950, by Senator Barkhausen.

951, by Senator Barkhausen.

952, by Senator Barkhausen.

953, 954, 955, 956, 957, 958, 959, 960 and 961, by Senator Jones.

PRESIDENT:

Consent Calendar. All right, resolutions, Mr. Secretary. Senator Poshard, I hope, will handle the...adjournment resolution.

SECRETARY:

Senate Joint Resolution 162 offered by Senator Poshard.

(Secretary reads SJR 162)

PRESIDENT:

All right. Senator...it's Senate Joint, Mr...yeah, thank you. Senator Poshard has moved to suspend the rules for the immediate...consideration and adoption of Senate Joint Resolution 162. It is the adjournment resolution. It calls for us to return to Springfield next Wednesday at the hour of one o'clock. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Poshard now moves the adoption of Senate Joint Resolution 162. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Mr. Secretary, any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right, with leave of the Body, we'll also add Senate Resolutions 940 through 961, and Senator Poshard will move the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. All right, no further business to come before the Senate? If not, Senator Topinka moves that pursuant to the adjournment resolution the Senate stand adjourn until next Wednesday, the 28th day of May, at the hour of one o'clock. The Senate stands adjourned. Have a nice weekend everybody.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 28, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend Frank Grady, Paris Presbyterian Church, Paris, Illinois. Reverend.

REVEREND GRADY:

(Prayer given by Reverend Grady)

PRESIDENT:

Thank you, Reverend. Mr. Secretary, reading of the Journal.

SECRETARY:

Tuesday, May the 13th, 1986 and Wednesday, May the 14th, 1986.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Tuesday, May 13, 1986; Wednesday, May 14th, 1986. Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

Okay, you've heard the motion placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, May 15th; Tuesday, May 20th; Wednesday, May 21st; Thursday, May 22nd and Friday, May 23rd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Any

discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Committee reports.

SECRETARY:

Senator Sangmeister, chairman of the Executive Committee, reports out the following House bills:

House Bills 2544, 2839, 2873, 3230 and 3474 with the recommendation Do Pass.

House Bills 2552 and 2573 with the recommendation Do Pass as Amended.

Senate Joint Resolution 155 recommend adoption.

Senate Joint Resolution 159 recommend adoption as amended.

Senate Resolutions 879, 881, 894, 900, 907, 921, 922 and 939 recommend adoption.

House Joint Resolutions 183, 184, 187 and 197 recommend adoption.

The Rules Committee met at 1:00 p.m. on Wednesday, May 28th, 1986. The following House bills were unanimously recommended for referral to the Committee on Assignment of Bills:

House Bills 1556, 2582, 2878, 2974, 2987, 2988, 2995, 2998, 2999, 3000,...3001, 3002, 3006,...3035, 3050, 3072, 3090, 3091, 3092, 3255, 3257, 3473, 3475, 3512, 3528 and 3599. Senator Rock, chairman.

PRESIDENT:

Senator Savickas, for what purpose do you arise, sir?

SENATOR SAVICKAS:

Well, Mr. President, while we're on this order of business, I would move to discharge the Committee on Local Government from further consideration of House Bill 2630 and ask that the bill be rereferred to the Committee on Insurance, Pensions and Licensed Activities. It's...it is a pension bill and was inadvertently assigned to Local Government

because it amended the Municipal Code.

PRESIDENT:

All right, the gentleman has moved to discharge the Committee on Local Government from further consideration of House Bill 2630 and asked that the bill rereferred to the Committee on Insurance, Pensions and Licensed Activities. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 523, 1945, 2564, 2579, 2581, 2583, 2700, 2712, 2714, 2757, 2794, 2815, 2816, 2819, 2820, 2850, 2871, 2882, 2917, 2946, 2966, 2989, 3033, 3096, 3101, 3133, 3152, 3157, 3158, 3166, 3191, 3206, 3207, 3213, 3262, 3302, 3328, 3347, 3348, 3449, 3468, 3498, 3522, 3531, 3536, 3591, 3598 and 3605.

PRESIDENT:

Resolutions.

SECRETARY:

The following resolutions are all congratulatory witn the exception of one.

Senate Resolution 964, by Senator Rock and all Senators...962, I'm sorry.

963, by Senator Lemke.

964, by Senator O'Daniel.

965, by Senator Lemke.

967, by Senator Kustra and all Senators...Senator Kustra's resolution was 966.

967, by Senator Vadalabene and all Senators.

970, by Senator Davidson and all Senators.

971, by Senator Kelly.

972, by Senator Hall...Senator Rock and all Senators.

And 973, by Senator Jones.

PRESIDENT:

Consent Calendar, Mr. Secretary.

SECRETARY:

Senate Resolution 974 offered by Senator Jeremiah Joyce.

PRESIDENT:

Exec. All right, I'll ask the members to please be in their seats. I'd ask the doorkeepers to pay particular attention. We will call the Session to order for our Annual Memorial Day Program and the Chair will yield to Senator Sam Vadalabene. Senator.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate and guests in the gallery. We are proud to assemble today for our Annual Senate Memorial Day Program. Memorial Day is a most sacred national holiday in our United States of America, and it is a day when we honor our departed men and women of our armed services, and it is a day we also honor our living men and women who have served and are now serving in our armed services. So, please join together in this program of reverence and respect for both the living and the dead. It is now my pleasure to introduce our honored guests, the Honorable David Knox, deputy director of the Illinois Department of Veteran Affairs; the Honorable Thomas R. Jones, assistant director of the Illinois Department of Veteran Affairs; the Honorable David V. Hardwick, director of the Illinois Department of Veteran Affairs; Colonel Carl O. Johnson, Jr., Public Affairs Officer to the Adjutant General; Command Sergeant Major Gordon Schrishahn; Captain John F. Ferguson, Naval Liaison to the Adjutant General, USNR; Richard M. Eslinger, the Assistant Adjutand General for Air;

Brigadier General William E. Doris, ILARNG, the Assistant Adjutant General for the Army and Lieutenant General Robert F. Coverdale, U. S. Air Force, retired, director of the Division of Aeronautics, Illinois Department of Transportation. Let's give them a good hand. Also with us today is the 114th Regiment, Illinois Volunteer Infantry, Headquarters Company of Springfield, Illinois, Captain John Satterlee, Sergeant William Barrows, Corporal Charles Carnoliff, Private Joseph Kissel, Private Michael Rhodes and Private Shawn McClain. Let's give them a good round of applause. And in the President's Gallery, along with Commander Henry White of the Combined Veterans' Association. Let's give them a good hand. We will now open our program with the Presentation of the Colors by the Color Guard of the 114th Regiment, the Illinois Volunteer Infantry, Headquarters Company, Springfield, Illinois, followed by the Pledge of Allegiance to our Flag and the opening prayer. So, Senators and guests, please stand. Color Guard, advance and present the Colors. Hand salute. Ready, two. Senator Karpiel will lead us in the Pledge of Allegiance to the Flag of the United States of America. Senator Karpiel.

SENATOR KARPIEL:

(Senator Karpiel leads Pledge of Allegiance)

SENATOR VADALABENE:

The open prayer will be given by Senator Hall. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

SENATOR VADALABENE:

The Color Guard will post the Colors. Senators and guests, please be seated. General John A. Logan, a native of Murphysboro, Jackson County, Illinois, was a Major General in the Civil War. He was three times Commander in Chief of the Grand Army of the Republic as well as a United States Senator

and member of the House Representatives from Illinois. General Logan is credited with establishing this national holiday, originally called Decoration Day, but later changed to Memorial Day. Senator Emil Jones, Jr. will read General Logan's Order for the First Memorial Day. Senator Jones.

SENATOR JONES:

(Senator Jones reads General Logan's Order for the First Memorial Day)

SENATOR VADALABENE:

Senator Joyce Holmberg will now read the poem "A Star in God's...Window," written by Reverend Eugene M. Denner, Almoner National of the Forty and Eight. Senator Holmberg.

SENATOR HOLMBERG:

(Senator Holmberg reads "A Star in God's Window")

As we observe Memorial Day in this month of 1986, may we remember the great sacrifice our comrades have made over the years so that we might enjoy the freedoms that are ours. May we remember the valiant deeds they have performed for this great United States of America. May we join our fellow Americans across this great land in paying our respects and tribute for a job well-done. May we also remember their families and loved ones that their personal needs may not go unattended, but that we may take care of our own in love and esteem. Help us to remember those suffering pain and distress in homes and hospitals across this land. May we continue to join hands in working together for this common cause of helping them in their needs. May we share the love and concern of our fallen comrades as we share the meaning of our freedoms with our children and fellow citizens in this Memorial Day Program today.

SENATOR VADALABENE:

Senator Adeline Geo-Karis, who served as a Lieutenant Commander in the United State's Naval Reserve...during World

War II, will now read "Why Memorial Day." Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. Chairman.

(Senator Geo-Karis reads "Why Memorial Day")

On Memorial Day, let's pay grateful tribute to those who lived and died so courageously for their country, and let...let us not forget Captain Fernando Rebus Dominci and Captain Paul Lawrence when their F1-11 bomber exploded off the cost of Libya last month because these two Air Force Captains join more than six hundred and fifty thousand other American men and women who have died in combat since 1776. It is truly a time to remember.

SENATOR VADALABENE:

Bugler Steve Hall and drummer Joseph Richiusa of the 114th Regiment, Illinois Volunteer Infantry will play the...the "Battle Hymn of the Republic."

STEVE HALL AND JOSEPH RICHIUSA:

(Steve Hall and Joseph Richiusa plays the "Battle Hymn of the Republic")

SENATOR VADALABENE:

William J. Aker is a ninety-four-year-old, self-taught poet. He was born and raised on a farm in Waterloo. Aker saw service in the Army, first in the Quartermaster Corps in Texas in the Border Patrol under General John J. Pershing in 1916 and 1917 and later in World War I as a...Warrant Officer in France. When Aker was a patient at the Geriatric Research Educational Clinical Center at the Wadsworth Veterans' Administration Medical Center in...Los Angeles, California, the nurses discovered his talent after he dedicated a poem to them called "A Salute to the Nurses." He was asked by the VA to write a commemorative poem for veterans everywhere on Memorial Day. Aker said he had just the thing and after flipping through a well-thumbed black scrapbook of his poetry, he...retrieved and updated a poem he had written in

1941 called "Memorial Day." Senator Smith, will you read the "Memorial Day" poem?

SENATOR SMITH:

(Senator Smith reads "Memorial Day")

SENATOR VADALABENE:

Is it traditional that the poem "In Flander's Field" be recited on Memorial Day. Senator Judy Topinka will present the poem "In Flander's Field." Senator Topinka.

SENATOR TOPINKA:

(Senator Topinka reads "In Flander's Field")

SENATOR VADALABENE:

Senator John A. Davidson, the Senate Minority Leader and a...Navy Veteran of World War II, will now introduce our guest speaker. Senator Davidson.

SENATOR DAVIDSON:

It is with pleasure I introduce to you Lieutenant General Coverdale, the present director of Aeronautics for the State of Illinois, and as one who always kids him, we of the real Air Corps, the Navy Air Corps, are glad to welcome you of the other Air Corps. General Coverdale.

LIEUTENANT GENERAL ROBERT COVERDALE:

(Remarks made by Lieutenant General Robert Coverdale)

SENATOR VADALABENE:

Thank you, General Coverdale. We are indeed honored to have you as our guest speaker and we are proud to have you as a member of the Illinois State Government team in your responsibilities as director of the Division of Aeronautics, the Illinois Department of Transportation. Again, thank you, very, very much. Senator Philip J. Rock, President of the Senate, will now present the closing prayer, so please stand.

SENATOR ROCK:

Thank you, Mr. President. Let me congratulate both General Coverdale, and on behalf of all of us, let me congrat-

ulate Senator Sam Vadalabene and former Senator Bob Mitchler for allowing us this opportunity to remember. And now let us pray.

(Prayer given by Senator Rock)

STEVE HALL AND JOSEPH RICHIUSA:

(Steve Hall and Joseph Richiusa play "Taps")

SENATOR VADALABENE:

The Color Guard will now retire the colors. Hand salute. Ready, two. Thank you, Senators and guests for your participating in this Annual Senate Memorial Day Program and thank you, President Rock, for authorizing this Annual Memorial Day Program. This concludes our program. There willl be a five minute Recess until our guests can leave the Senate Chambers.

PRESIDENT:

The Senate will come to order. Committee reports, Mr. Secretary.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

Agriculture - 3475, 3512 and 3528; Appropriations I - 2878, 2974, 2988, 2998, 2999, 3000, 3006, 3035, 3255, 3257 and 3473; Appropriations II - 2487,...or 2987, 2995, 3001, 3002, 3050, 3090, 3091, 3092; Higher Education - 3599; Judiciary I - 2582; Local Government - 3072.

PRESIDENT:

Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCZ:

Point of personal privilege.

PRESIDENT:

State your point.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In the visitor's gallery behind us we have some spe-

cial guests this morning. We have with us the seventh and eighth grade students from the Messiah Lutheran Elementary School in Chicago and their teacher, Mr. Louis Kuehm, and we also have four winners of the 7th District Northwest Chicagoland's Land of Lincoln Essay Contest, with their parents. We have Coleen Schultz, Tom Wandolowski, Josephine Concialdi and Michelle Moran and I would like for our guests to please stand and be recognized.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

To ask leave to be listed as the lead...hyphenated sponsor along with Senator Joyce on House Bill 3548.

PRESIDENT:

3-5-4-8. Gentleman seeks leave to be listed as the hyphenated sponsor of House Bill 3548. Without objection, leave is granted. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, thank you, Mr. President. I would like included as a hyphenated cosponsor on House Joint Resolution 197, Senator Ralph Dunn.

PRESIDENT:

Gentleman seeks leave to be added as the hyphenated cosponsor of House Joint Resolution 197. Without objection, leave is granted. If I can have your attention, if we can keep the noise down momentarily, Senator Woodyard has a special guest. Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. Not only were we inspired by the opening of our Session today by a prayer from Reverend Frank Grady from my district in Paris,

Illinois, but we do have a special guest here on the Floor that I would like to introduce and, hopefully, with your indulgence, could say a couple of words, a Rotary Exchange Student from McLean, New South Wales, Australia, and if Brad could...Mr. Brad Denim and if he could say a couple of words, he might be able to tell us how to get to Australia on a very cheap tour. Brad.

PRESIDENT:

Will our...our guest please feel welcome. Welcome to Springfield. Yes, sir.

BRAD DENIM:

(Remarks by Brad Denim)

PRESIDENT:

Thank you, welcome to Springfield. All right, with leave of the Body, we'll move to page 3 on the Calendar...to page 3 on the Calendar, on the Order of House Bills 1st Reading, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 45, Senator Demuzio.

(Secretary reads title of bill)

House Bill 1459, Senator Schaffer.

(Secretary reads title of bill)

1477, Senator Marovitz.

(Secretary reads title of bill)

2044, Senator Marovitz.

(Secretary reads title of bill)

2409, by Senators Rock and Berman.

(Secretary reads title of bill)

2596, Senator Lemke.

(Secretary reads title of bill)

2599, Senator O'Daniel.

(Secretary reads title of bill)

2625, Senator Fawell and Lechowicz.

(Secretary reads title of bill)

2688, Senators Carroll and Hall.

(Secretary reads title of bill)

2709...by Senator Lemke.

(Secretary reads title of bill)

2734, Senator O'Daniel.

(Secretary reads title of bill)

27-37...2737, by Senator Marovitz.

(Secretary reads title of bill)

2784, Senator Berman.

(Secretary reads title of bill)

2821, Senator Savickas.

(Secretary reads title of bill)

2828, Senator Maitland.

(Secretary reads title of bill)

2864, Senator Maitland.

(Secretary reads title of bill)

2885, Senator Demuzio.

(Secretary reads title of bill)

2937, Senator Demuzio.

(Secretary reads title of bill)

2958, Senator Sangmeister.

(Secretary reads title of bill)

2971, Senator Berman.

(Secretary reads title of bill)

2975, Senator Sommer.

(Secretary reads title of bill)

2976, Senator Sommer.

(Secretary reads title of bill)

2977, Senator Sommer.

(Secretary reads title of bill)

2978, Senator Donahue.

(Secretary reads title of bill)

2979, Senator Dudycz.

(Secretary reads title of bill)

2980, Senator Schaffer.

(Secretary reads title of bill)

2981, Senator Schaffer.

(Secretary reads title of bill)

2982, Senator Schaffer.

(Secretary reads title of bill)

2983, Senator Maitland.

(Secretary reads title of bill)

2984, Senator Fawell.

(Secretary reads title of bill)

2985, Senator Maitland.

(Secretary reads title of bill)

2986, Senator Leitch.

(Secretary reads title of bill)

2990, Senator Mahar.

(Secretary reads title of bill)

2991, Senator Davidson.

(Secretary reads title of bill)

2992, Senator Schaffer.

(Secretary reads title of bill)

2993, Senator Sommer.

(Secretary reads title of bill)

2994, Senator Watson.

(Secretary reads title of bill)

2996, Senator Schaffer.

(Secretary reads title of bill)

2997, Senator Kustra.

(Secretary reads title of bill)

3003, Senator Dudycz.

(Secretary reads title of bill)

3004.

(Secretary reads title of bill)

That's Senator Mahar.

3005, Senator Karpiel.

(Secretary reads title of bill)

3015, Senators Carroll and Hall.

(Secretary reads title of bill)

3017, by Senator Carroll.

(Secretary reads title of bill)

1675, Senator Netsch.

(Secretary reads title of bill)

1676, Senator Netsch.

(Secretary reads title of bill)

3002, Senator Degnan.

(Secretary reads title of bill)

3059.

(Secretary reads title of bill)

3018, Senator Luft.

(Secretary reads title of bill)

3043, Senator Lemke.

(Secretary reads title of bill)

3061, Senator Berman.

(Secretary reads title of bill)

3074, by J. E. Joyce.

(Secretary reads title of bill)

3075, Senator Berman.

(Secretary reads title of bill)

3078, J. J. Joyce.

(Secretary reads title of bill)

3093, Senators Carroll and Hall.

(Secretary reads title of bill)

3114, Senator Darrow.

(Secretary reads title of bill)

3135, Senator Woodyard.

(Secretary reads title of bill)

3141, Senator Berman.

(Secretary reads title of bill)

3145, Senator Lemke.

(Secretary reads title of bill)

3165.

(Secretary reads title of bill)

3187, Senator Berman.

(Secretary reads title of bill)

3192, Senator Watson.

(Secretary reads title of bill)

3200, Senator Maitland.

(Secretary reads title of bill)

SECRETARY:

...2535, Senators Newhouse and Smith.

(Secretary reads title of bill)

3269, Senator Fawell.

(Secretary reads title of bill)

House...3394, Senator Fawell.

(Secretary reads title of bill)

3513, Senator Fawell.

(Secretary reads title of bill)

3596, Senator Fawell.

(Secretary reads title of bill)

3222, Senator Lechowicz.

(Secretary reads title of bill)

3227, Senator Berman.

(Secretary reads title of bill)

3228, Senator Berman.

(Secretary reads title of bill)

3251, Senator Demuzio.

(Secretary reads title of bill)

3253, Senators Carroll and Hall.

(Secretary reads title of bill)

3268, Senator Vadalabene.

(Secretary reads title of bill)

3271, Senators Rock and Schaffer.

(Secretary reads title of bill)

3309, Senators Maitland and O'Daniel.

(Secretary reads title of bill)

3346, Senator Newhouse.

(Secretary reads title of bill)

3349, Senator Lemke.

(Secretary reads title of bill)

3351, Senator Demuzio.

(Secretary reads title of bill)

3476,...Senator Donahue.

(Secretary reads title of bill)

3484, Senator Lemke.

(Secretary reads title of bill)

3503, Senators Holmberg and Netsch.

(Secretary reads title of bill)

3525, Senator Barkhausen.

(Secretary reads title of bill)

3543, Senator Degnan.

(Secretary reads title of bill)

3550, Senator Berman.

(Secretary reads title of bill)

3587, Senator Darrow.

(Secretary reads title of bill)

3588, Senator Lemke.

(Secretary reads title of bill)

PRESIDENT:

All those bills will be referred to the Rules Committee. House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 523, Senator Lechowicz.

(Secretary reads title of bill)

House Bill 2579, Senator Berman.

(Secretary reads title of bill)

House Bill 2581.

(Secretary reads title of bill)

House Bill 2583, Senator Berman.

(Secretary reads title of bill)

House Bill 2700, Senator Dunn.

(Secretary reads title of bill)

House Bill 2757, Senator Luft.

(Secretary reads title of bill)

House Bill 2815, Senator Marovitz.

(Secretary reads title of bill)

House Bill 2850, Senator Topinka.

(Secretary reads title of bill)

House Bill 2917, Senator Netsch.

(Secretary reads title of bill)

House Bill 3096, Senator Poshard.

(Secretary reads title of bill)

House Bill...3207, Senator Berman.

(Secretary reads title of bill)

House Bill 3302, Senators Lemke, Topinka, Lechowicz and Geo-Karis.

(Secretary reads title of bill)

House Bill 3328, Senator Netsch.

(Secretary reads title of bill)

House Bill 3349, Senator Newhouse.

(Secretary reads title of bill)

...that was House Bill 3347 instead of 49.

Now, House Bill 3449, Senators Luft and Kustra.

(Secretary reads title of bill)

PRESIDENT:

Rules Committee. The Rules Committee will meet on Tuesday, June 3rd, at the hour of eleven o'clock. When we conclude our business, which I hope will be shortly, we will reconvene at...on Tuesday, June 3rd, at the hour of noon. There are a couple of members...Senator Philip, for what purpose do you seek recognition, sir?

END OF REEL

REEL #2

SENATOR PHILIP:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Keats is not here today because of the flu.

PRESIDENT:

The record will so indicate. If you'll turn to page...pages 16 and 17 on your Calendar, on the Order of Secretary's Desk Resolutions, we will handle the resolutions that the members wish to handle and then we will move immediately to Supplemental Calendar No. 1 for an emergency appropriation and that will conclude our business effectively. On the Order of Secretary's Desk Resolutions, Mr. Secretary, Senate Resolution 814.

SECRETARY:

Senate Resolution 814 and there are no amendments.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Senate Resolution 814, by this, the Senate requests the Wisconsin Legislature to increase the drinking age to the age of twenty-one in order to reduce the frequency of DUI's and accidents involving Illinois youths who cross the border to drink. This resolution's adoption today is needed to bring additional pressure to bear upon the Wisconsin Legislature to change the state's drinking age from nineteen to twenty-one. It is in the second week of a Special Session. It's been called back into...Special Session just to deal with this problem. The Governor of Wisconsin needs all the help he can get as he has faced defeat last week by trying to get a change in the law, and we would like to give him the support

that he needs at this very critical time to pass that particular bill this week. Although the Statewide number of alcohol related deaths in Illinois has decreased since 1980 when we restored the drinking age to twenty-one, in the six counties bordering...Wisconsin, they have increased by twenty-five percent. I think almost every Senator in this Legislature who...has a district bordering Wisconsin is on this particular resolution. We are also, by doing this and helping Wisconsin to change its law, helping the Illinois State Police to get back to doing the job they were hired to do. They've done a terrific job with DIU's, but it takes a tremendous work force to keep up the border patrol. The time is now. The lives of our young people are at stake. By passing this resolution today, the Illinois Senate will be sending our fellow legislators in Wisconsin the important message that we believe in life.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Resolution 814 be adopted. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. Senate Resolution 814 having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Resolutions, Mr. Secretary, is House Joint Resolution 175.

SECRETARY:

House Joint Resolution 175 and there are no amendments.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. House Joint Resolution 175 urges the governing board of Northeastern Illinois University to name the Center for Inner City Studies after

the late Ron Williams. As chairman of Higher Education, I had the opportunity to know Ron Williams very, very well. There are three reasons why I would suggest this amendment ought to pass. One is that he made a major institution out of Northeastern Illinois University. The second is that this Institution, the Inner...Center for Inner City Studies under his leadership blossomed on the south side of the City of Chicago. But the third reason is the most important, and that is this, Ron Williams added a...added a...Ron Williams added a spiritual dimension to that institution that's unforgettable. Those of you who knew Ron know that he succumbed from a cancer of the brain. You also know, many of you, that almost until the day Ron died, with brief intermissions, he was at his post at Northeastern Illinois University providing the same kind of leadership that he provided over the years. It is this kind of spiritual dimension that adds to the university, and under those circumstances, I think it would be most appropriate to name this center after Ron Williams. I would ask for your favorable support.

PRESIDENT:

All right, Senator Newhouse has moved the adoption of House Joint Resolution 175. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. With leave of the Body, I would like to be...I would request that I be added as a hyphenated cosponsor of this resolution, and let me say that having worked with Ron all the years that he was the president of this institution, the main campus being in my district, this was really and outstanding and quality guy. What he did throughout his life was something...is something that will always make that institution proud and, most importantly, the courage he...he displayed to all once he developed this brain cancer and his abilities to lead that body, both in terms of faculty and

student, in times of great pain to himself were really an inspiration that kept that institution going. As Senator Newhouse indicated, he was at his desk on a regular basis at a time when I'm sure it was not easy for him to be there, and I had many meetings with him during that time at his office, was with him just few days before he succumbed to this terrible illness and think it would be most fitting that we take that which he was most proud of, and that was the Center for Inner City Study, and have it named in his memory. I think that would do a tribute to the center, a tribute to the university and a tribute to the State of Illinois, and would urge support for the joint resolution.

PRESIDENT:

Senator Carroll seeks leave of the Body to be added as a hyphenated cosponsor of House Joint Resolution 175. Without objection, leave is granted. It's so ordered. Question now is the adoption of House Joint Resolution 175. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. House Joint Resolution 175 is adopted. All right, ladies and gentlemen, the final order of business will be the Supplemental Calendar. I ask you to turn your attention to Supplemental Calendar No. 1. Copies of the Conference Committee report have been distributed, the Secretary informs the Chair. With leave of the Body, we'll move to the Order of Senate Calendar Supplemental No. 1, Conference Committee report on Senate Bill 174, Mr. Secretary.

SECRETARY:

Conference Committee report on Senate Bill 174 with House Amendment No. 1.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The effects of Conference Committee report is that it deletes the title and everything after the enacting clause and then provides for the following FY '86 supplementaries. In order to recoup some Federal funds we have until June the 2nd. If we do not get this bill out here today that we will pass the deadline and we would lose a total of fifty-four million three hundred and sixty thousand dollars in the Road Fund. Along with that, that there's been a language change in several of the items that have been suggested by the Governor. As you see on each of your desks you have...in Sections 1 through 12, and I would ask for your most favorable support for this resolution.

PRESIDENT:

All right, Senator...

SENATOR HALL:

I mean, Conference Committee.

PRESIDENT:

...Senator Hall has moved the adoption of the Conference Committee report on Senate Bill 174. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 174. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 174 and the bill having received the required constitutional majority is declared passed. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President. For purposes of a motion to move three bills amongst the Appropriations' Committee, if I

could. That House Bill 2988 having been assigned to Appropriations I be rereferred to Appropriations II, and that House Bill 3001 and 3002 that had been assigned to Appropriations II...that the Appropriations II Committee be discharged and they be rereferred to Appropriations I.

PRESIDENT:

All right, Senator Carroll has moved that House Bill 2988 be rereferred from Appropriations I to Appropriation II. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Carroll further moves that House Bills 3001 and 3002 be rereferred from Appropriations II to Appropriations I. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. A point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR WATSON:

I'd like to make an announcement, if I might. I guess I'm athletic director this year. Next week we will start practice for the Annual House-Senate Softball Game and the following week we're going to have a game with the lobbyists and so we want to get ourselves prepared for that, and any...so bring your equipment next week and get prepared for the lobbyists on the 12th of...of June. And, also, next Wednesday evening we have our annual tennis tournament provided for by Bob Walters and the Southwestern Illinois Industrial Association and those interested in playing in the annual tennis tournament next Wednesday night need to see myself or Art Berman. Thank you.

PRESIDENT:

Senator Berman has indicated he's ready. Senator

Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

On a point of personal privilege, Mr. President.

PRESIDENT:

State...state your point, sir.

SENATOR SCHUNEMAN:

Last Saturday in...in DeKalb at Northern Illinois University a...a dedication ceremony was held at which time the College of Law Library at Northern Illinois University was dedicated to the memory of our late Senator, David Shapiro. Several members of the Senate were in attendance, and for those of you who were not aware that this was going to happen, I wanted you to become aware of it and to tell you that the...law library at that school is...is a fine library. It is, I think, a very fitting tribute to our former colleague and friend, Dave Shapiro, and I think that he would have been very proud and pleased at this action by the board at Northern and the Governor who took part in the ceremony.

PRESIDENT:

Thank you. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I would like Senators O'Daniel, Dunn, Demuzio, Rupp and Luft be included as hyphenated cosponsors on House Bill 3096.

PRESIDENT:

Gentleman seeks leave to add the aforementioned as cosponsors of House Bill 3096. Without objection, leave is granted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I would like to have leave to be shown as a hyphenated sponsor of House Bill 3480.

PRESIDENT:

3480. The gentleman seeks leave to be added as the hyphenated cosponsor of House Bill 3480. Without objection, leave is granted. Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

Thank you. Mr. President. I'd just like to bring to the Senate's attention that on Monday of this week our esteemed Minority Leader had another birthday. If he were on the Floor, I'm sure we could give him a good hand.

PRESIDENT:

We can give him a hand anyway. Happy Birthday, Senator Philip. Senator Marovitz, for what purpose do you seek recognition?

SENATOR MAROVITZ:

Ask leave to be added as a hyphenated sponsor to House Bill 2917.

PRESIDENT:

2917? 2-9-1-7, the gentleman seeks leave to be added as the hyphenated cosponsor. Is leave granted? Leave is granted. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, on House Bill 3036 it should read Demuzio-Jerome Joyce. With leave of the Body, I'd like to make that change.

PRESIDENT:

3036, show Senator Demuzio-Senator Joyce as the sponsors. Without objection, leave is granted. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Would you please put Senator Fawell on as a hyphenated cosponsor with me on...on Senate Bill 3513 at his request?

PRESIDENT:

Hold it now, that...that's a little difficult. You want Senator Vadalabene? Where is he? No,...whom do you wish to be a cosponsor?

SENATOR FAWELL:

I'm adding Senator Fawell on...Senator Philip on. Been a long weekend. Senator Philip on as a hyphenated cosponsor with me on House Bill 3513.

PRESIDENT:

3513, the lady seeks leave to add Senator Philip and maybe Senator Vadalabene, but you got to talk to him...hold it, Sam, don't...don't... you know...as a hyphenated cosponsor...without objection, leave is granted. Senator Geo-Karis, for what purpose do arise?

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I would like to be added as a cosponsor to House Bill 2917, if I may.

PRESIDENT:

2917, the lady seeks leave to be added as a cosponsor. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

...975, a congratulatory resolution by Senator Dudycz and all Senators.

976, a congratulatory resolution by Senator Topinka.

And 977, a death resolution by Senator Marovitz.

PRESIDENT:

Consent Calendar.

SECRETARY:

978, by Senators Jerome Joyce and Senator Donahue.

PRESIDENT:

Executive. All right, Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right, Senator Vadalabene then would move the adop-

tion of the Resolutions Consent Calendar. That is Senate Resolution 962, 63, 64, 65, 66, 967, 68, 69, 70, 971, House Joint Resolution 204 and 205, and Senate Resolutions 972, 73, 75 76 and 977. All in favor of the adoption of the Resolutions Consent Calendar indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Further business to come before the Senate? Any announcements? Senator Watson.

SENATOR WATSON:

Just one other, Mr. President. The suggestion has been made that we try to schedule the campfire girls for our softball game next week and so we're going to be working on that very closely. Okay?

PRESIDENT:

Senator DeAngelis has got his jogging shoes on, I see he...he's ready or will be ready. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This week we also...we also observed the birthday of another one of our colleagues who has taken his birthday in such a distressful way that he...he is hiding out because he doesn't want us to acknowledge it. In addition to that, I understand that he is undergoing some cosmetic surgery over the weekend. Senator Pate Philip, probably the youngest looking forty-year-old guy I ever saw.

PRESIDENT:

Senator Philip celebrates a birthday almost as often as Harry Cary, every week. Any further business? Further announcements to come before the Senate? If not, Senator Vadalabene moves that pursuant to the adjournment resolution the Senate stand adjourned until Tuesday, June 3rd, at the hour of noon. Next Tuesday at noon. Rules Committee will meet at eleven. Senate stands adjourned. Have a good weekend, everybody.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 3, 1986

PRESIDENT:

The Senate will please come to order. Members be at their desks. Would our guests in the gallery please rise. Prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Mr. Secretary.

SECRETARY:

Thursday, May the 15th, 1986.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senators have corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that reading and approval of the Journals of Tuesday, May 20th; Wednesday, May 21st; Thursday, May 22nd; Friday, May 23rd and Wednesday, May 28th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Committee reports.

SECRETARY:

The Rules Committee met at 11:00 a. m. on Tuesday, June the 3rd, 1986. The following House bills were unanimously recommended for referral to the Committee on Assignment of Bills:

House Bills 2060, 2549, 2562, 2625, 2688, 2726, 2757, 2770, 2775, 2777, 2778, 2815, 2879, 2917, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2990, 2991, 2992, 2993, 2994, 2996, 2997, 3003, 3004, 3005, 3019, 3032, 3036, 3043, 3079, 3165, 3178, 3182, 3253, 3300, 3302, 3346, 3422, 3428, 3476, 3480, 3525 and 3548.

Submitted by Senator Rock, chairman, Rules Committee.

PRESIDENT:

Senator Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

Mr. President, to seek leave to replace Senator Jerome Joyce as the lead sponsor on House Bill 3548, and that it further be sponsored by Schaffer-Joyce-DeAngelis. I've talked to Senator Joyce and Senator DeAngelis on this and it's agreed.

PRESIDENT:

All right. The Senator seeks leave to have himself as the chief sponsor of House Bill 3548, also with Senator Jerome Joyce as hyphenated and Senator Aldo DeAngelis. Without...without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 279 offered by Senator DeAngelis. It's congratulatory.

Senate Resolutions...280, by Senator Davidson and all Senators.

That's not 279, that's 979.

Senate Resolution 980, by Senator Davidson and all Senators. It's congratulatory.

Senate Resolution 981, Senate Resolution 982, and Senate

Resolution 983, by Senators Demuzio, Rock and all Senators, and they're congratulatory.

PRESIDENT:

Consent Calendar. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Karpiel is not here today because her son is graduating from high school.

PRESIDENT:

The record will so indicate. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. For purposes of adding hyphenated sponsors, please. I'd ask leave to add Senator Kustra to House Bill 2819 as a hyphenated sponsor, Senator O'Daniel to House Bill 2873 as a hyphenated sponsor, and Senator O'Daniel to House Bill 2735 as a hyphenated sponsor.

PRESIDENT:

All right. You've heard the request. Without objection, leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolutions 984 through 994, all offered by Senator Jones, all congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate...Senate Joint Resolution 163, by Senator Woodyard and it's congratulatory.

And 164 also is congratulatory, by Senator Woodyard.

...163 and 164, Senate Joint Resolutions.

PRESIDENT:

All right. Consent Calendar.

SECRETARY:

Senate Joint Resolution 165, by Senator Woodyard

And...Senate Joint Resolution 166, by Senator Jones.

PRESIDENT:

Executive. If I can have the attention of the membership. If you'll turn to page 4 on the Calendar, on the Order of House Bills 1st Reading, those members who have agreed to sponsor a House bill that is on the Order of 1st Reading, please indicate to the Secretary. Time is perilously short for consideration of these bills, and I know they're all emergencies. With leave of the Body, we'll move to page 4 on the Calendar. Mr. Secretary, on the Order of House Bills 1st Reading.

SECRETARY:

House Bill 1945, Senators DeAngelis, D'Arco and Dudycz.

(Secretary reads title of bill)

2590, Senator Schuneman.

(Secretary reads title of bill)

House Bill 2613, Senator D'Arco.

(Secretary reads title of bill)

House Bill 2693, Senator Watson.

(Secretary reads title of bill)

House Bill 2724, Senator Schuneman.

(Secretary reads title of bill)

House Bill 2816, Senator D'Arco.

(Secretary reads title of bill)

House Bill 2819, Senators Luft and Keats.

(Secretary reads title of bill)

House Bill 2820, Senator Hall.

(Secretary reads title of bill)

House Bill 2871, Senators O'Daniel and DeAngelis.

(Secretary reads title of bill)

House Bill 2969, Senator O'Daniel.

(Secretary reads title of bill)

House Bill 2989, Senator Sommer.

(Secretary reads title of bill)

House Bill 3042, Senator Rupp.

(Secretary reads title of bill)

House Bill 3046, Senator Demuzio.

(Secretary reads title of bill)

House Bill 3048, Senator Luft.

(Secretary reads title of bill)

House Bill 3065, Senators Keats and Jeremiah Joyce.

(Secretary reads title of bill)

House Bill 3081, Senator Rupp.

(Secretary reads title of bill)

House Bill 3101, Senators Carroll and Hall.

(Secretary reads title of bill)

House Bill 3133, Senators Hall and Carroll.

(Secretary reads title of bill)

House Bill 3152, Senator Hall.

(Secretary reads title of bill)

House Bill 3157, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3162...Senators Vadalabene.

(Secretary reads title of bill)

House Bill 3166, Senator Carroll.

(Secretary reads title of bill)

House Bill 3175, Senator Savickas.

(Secretary reads title of bill)

House Bill 3191, Senator Hall and Carroll.

(Secretary reads title of bill)

House Bill 3205, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3206, Senators Hall and Carroll.

(Secretary reads title of bill)

House Bill 3217, Senator Degnan.

(Secretary reads title of bill)

House Bill 3298, Senator Savickas.

(Secretary reads title of bill)

House Bill 3348, Senator Lemke.

(Secretary reads title of bill)

House Bill 3396, Senator Carroll.

(Secretary reads title of bill)

House Bill 3423, Senator Holmberg.

(Secretary reads title of bill)

House Bill 3468, Senator Rupp.

(Secretary reads title of bill)

House Bill 3521, Senator Watson.

(Secretary reads title of bill)

House Bill 3527, Senator Rupp.

(Secretary reads title of bill)

House Bill 3574, Senator Keats.

(Secretary reads title of bill)

House Bill 3598, Senator Demuzio.

(Secretary reads title of bill)

House Bill 3605, Senator Philip.

(Secretary reads title of bill)

House Bill 2564, Senator Jones.

(Secretary reads title of bill)

House Bill 3591, Senator Mahar.

(Secretary reads title of bill)

House Bill 2635, Senator Lemke.

(Secretary reads title of bill)

House Bill 2882, Senator Lemke.

(Secretary reads title of bill)

House Bill 3262, Senator Lemke.

(Secretary reads title of bill)

House Bill 3080, Senator Jeremiah Joyce.

(Secretary reads title of bill)

House Bill 3224, Senator Zito.

(Secretary reads title of bill)

House Bill 3482, Senator Poshard.

(Secretary reads title of bill)

House Bill 1332, Senator Demuzio.

(Secretary reads title of bill)

House Bill 2712, Senators Hall, Smith, Jones, Chew, Newhouse.

(Secretary reads title of bill)

House Bill 2714, by the same sponsors.

(Secretary reads title of bill)

House Bill 2966, Senator Carroll.

(Secretary reads title of bill)

House Bill 3412, Senator Donahue.

(Secretary reads title of bill)

House Bill 3567, Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 3584, Senator Fawell.

(Secretary reads title of bill)

House Bill 347, Senator Watson.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee.

SECRETARY:

House Bill 2898, Senators Netsch, DeAngelis and Demuzio.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. (Machine cutoff)...resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 995, by Senator Smith.

996, by Senators Fawell and Etheredge.

997, by Senators Fawell, Philip, Topinka and Etheredge.

998, by Senators Fawell, Philip and Etheredge.

999, by Senators Fawell and Etheredge.

1000, by Senators Fawell, Philip and Topinka.

1001, by Senator Kelly.

And 1002, by Senator Berman.

PRESIDENT:

Consent Calendar, Mr. Secretary. Senator Maitland, for what purpose do you seek recognition?

SENATOR MAITLAND:

Thank you, Mr. President. I ask leave of the Body to show Senator Jerome Joyce and Senator Geo-Karis as a cosponsor, House Bill 3200.

PRESIDENT:

House Bill 3200, the gentleman seeks leave to show Senator Jerome Joyce and Senator Geo-Karis as cosponsors. Without objection, leave is granted. Committee reports, Mr. Secretary.

SECRETARY:

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following House bills to committee:

Agriculture - 2060, 3019, 3036 and 3548; Appropriations I - 2625, 2688, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2986, 2990, 2991, 2992, 2994, 3003, 3004, 3005, 3165 and 3253; Appropriations II - 2983, 2984, 2985, 2993, 2996 and 2997; Elementary and Secondary Education - 3182 and 3422; Executive - 2549, 2815, 3043; Insurance, Pensions and Licensed Activities - 3032; Judiciary I - 3302; Judiciary II - 3300 and 3525; Local Government - 2726, 2778, 3079, 3178, 3428; Public Health, Welfare and Corrections - 3346 and 3476; Revenue - 2757, 2770, 2879, 2917, 2562...and 2917; Transportation - 2562, 2775, 2777 and 3480.

PRESIDENT:

All right. With leave of the Body, we'll go back one more time. House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 2781, Senator Jerome Joyce is the Senate sponsor.

(Secretary reads title of bill)

House Bill 2785, Senator Marovitz.

(Secretary reads title of bill)

House Bill 2798, Senator Topinka.

(Secretary reads title of bill)

House Bill 3498, Senators Fawell and Kustra.

(Secretary reads title of bill)

House Bill 3212...or 3214, Senator Jones.

(Secretary reads title of bill)

House Bill 3530, Senator Jones.

(Secretary reads title of bill)

House Bill 3531, Senator Jones.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Further business to come before the Senate? Any announcements? Senator Carroll.

SENATOR CARROLL:

Appropriations I Committee meeting...is scheduled for two o'clock. If we can get the attendees there a litter bit earlier, we'd like to start a little bit earlier. And it was set for two, but if we can get there within the next half hour, we'd like to get started.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, ladies and gentlemen. I...they...I'd like to make the announcement that the Appropriation II will meet at 9:00 a. m. sharp in the morning, 9:00 a. m. sharp.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to be shown as the hyphenated sponsor on House Bill 3346. I have permission of the sponsor.

PRESIDENT:

3346, the gentleman seeks leave to be shown as the hyphenated cosponsor. Without objection, leave is granted. Senator Leitch.

SENATOR LEITCH:

Thank you. I'd request to be shown as a hyphenated cosponsor of House Bill 3157, please.

PRESIDENT:

3157. The gentleman seeks leave to be shown as the hyphenated cosponsor, House Bill 3157. Without objection, leave is granted. Senator Jones.

SENATOR JONES:

...thank you, Mr. President. The Insurance, Licensed and Pensions Committee will not meet today. It is on the Calendar for a meeting but there will be no meeting today of the Insurance, Licensed and Pension Committee.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, I'd like to make an announcement that we will have a softball practice this evening at five o'clock...from five to six o'clock, and it will be at the baseball field...the high school field, which is two blocks west of the Stratton Building where we usually practice.

PRESIDENT:

All right. Appropriations I, very shortly, within an half an hour, Senator Carroll requests. Softball practice at five. Appropriations II, tomorrow at nine o'clock. The

Rules Committee will meet in the Office of the President at ten o'clock tomorrow morning. We'll go into Session at noon for a very short period of time, and then we will adjourn until next week. No further business, further announcements, Senator Demuzio moves that the Senate stand adjourned. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I'd like to have leave of the Body to be shown as a hyphenated sponsor on House Bill 2785.

PRESIDENT:

2-7-8-5, House Bill 2785, gentleman seeks leave to be shown as the hyphenated cosponsor. Without objection, leave is granted. If there's no further business, Senator Demuzio moves that the Senate stand adjourned until Wednesday, June 4, tomorrow, at the hour of noon. Ladies and gentlemen, tomorrow at noon. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 4, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery please rise. Prayer this afternoon by the Reverend...Kevin Vann, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND VANN:

(Prayer given by Reverend Vann)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, May the 20th, 1986.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I now move that reading and approval of the Journals of Wednesday, May 21st; Thursday, May 22nd; Friday, May 23rd; Wednesday, May 28th and Tuesday, June 3rd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Welch, for what purpose do

you arise?

SENATOR WELCH:

Mr. President, having spoken with the sponsor of Senate...of House Bill 3033, I would ask leave to be named hyphenated cosponsor to that bill.

PRESIDENT:

All right, gentleman seeks leave of the Body to be added as the hyphenated cosponsor on House Bill 3033. Without objection, leave is granted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. A sponsorship change. As the first in line on House Bill 2898, I would like to shift the sponsorship so that it reads Demuzio-DeAngelis-Netsch. I come at the end of the line instead of the first of the line.

PRESIDENT:

Senator Demuzio, to justify that move. Senator Demuzio.

SENATOR DEMUZIO:

I think...when she presented the rule...the bill in Rules yesterday, the damage was already done.

PRESIDENT:

All right, 2898, Senator Netsch seeks leave of the Body to show Senators Demuzio-DeAngelis-Netsch as the Senate sponsor. Without objection, leave is granted. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR POSHARD:

Mr. President, in our gallery to the rear, I'm honored to have visiting the Capitol today a junior high class of Goreville Junior High School, along with their teacher and sponsor, Mr. Wade Hudgens, and several of the parents and

teachers of that school. Would like to recognize those...those class...that class from Goreville Junior High School.

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Mr. President, I seek leave of the Body to be added as a hyphenated cosponsor of House Bill 3513 and I've received permission of the chief sponsor.

PRESIDENT:

Gentleman seeks leave of the Body to be added as the hyphenated cosponsor on House Bill 3513. Without objection, leave is granted. Senator Etheredge, for what purpose do you seek recognition?

SENATOR ETHEREDGE:

Thank you, Mr. President. I seek leave to make a change in sponsorship on House Bill 2889. I would like the sponsorship to read Friedland-Macdonald-Etheredge.

PRESIDENT:

2889, the gentleman seeks leave to show Senators Friedland, Macdonald and Etheredge as the hyphenated cosponsors in that order. Without objection, leave is granted. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, I'd like leave to ask to be added as a joint sponsor of House Bill 3271 and have the permission to do so.

PRESIDENT:

All right, 3271. The lady seeks leave to be added as the hyphenated cosponsor on House Bill 3271. Without objection, leave is granted. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, Mr. President, change sponsorship on two bills. House Bill 2782 should read O'Daniel-Demuzio, and I would...to seek leave of the Body to...to make that change and then I have another.

PRESIDENT:

All right, the gentleman seeks leave of the Body to show Senator O'Daniel as the lead sponsor, Senator Demuzio as the hyphenated cosponsor on House Bill 2782. Without objection, leave is granted. Senator Demuzio.

SENATOR DEMUZIO:

House Bill 3096, that should read Poshard-O'Daniel-Dunn and et al.

PRESIDENT:

All right, gentleman seeks leave to show Senator Poshard as the lead sponsor on House Bill 3096 along with Senators O'Daniel, Dunn and...and Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

I...I made a mistake. That should be O'Daniel-Poshard...Dunn...Demuzio.

PRESIDENT:

Okay, House Bill 3096...one more time, gentleman seeks leave of the Body to show Senator O'Daniel as the lead sponsor with Senators Poshard and Dunn as the hyphenated co-sponsors. Without objection, leave is granted. If we can have your attention, we have with us in the Senate today some special guests and the Chair will yield to Senator John Davidson. Senator.

SENATOR DAVIDSON:

All you people who are in the sound of my voice who are not present don't know what you're missing 'cause I have some delightful individuals for...you could be looking at if you were present. Mr. President and members of the Senate, it is my pleasure to present to you the International Champions of

Small School Cheerleaders for United States. They were triple winners and they won the international competition in April of 1986 in Chicago, Illinois. I want to present to you the cheerleading squad from Kincaid, Illinois, which happens to be in my district. Girls. And Mrs. Moore, their director, will introduce the girls to you. Mrs. Moore.

MRS. MOORE:

(Introduction of cheerleading squad)

SENATOR DAVIDSON:

Girls, we want to congratulate you on an outstanding job. You already have the Senate resolution which the Senate passed for you last week congratulating you on being the International Champions. We're delighted to have you here and present you to the Senate so we can show the rest of those boys, particularly those from that small town called Chicago, that we downstate small schools do have talent. Thank you for coming.

PRESIDENT:

...Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Donahue is with the Governor in her district announcing some prison sites today.

PRESIDENT:

The record will so indicate. If I can have your attention, just for the information of the members who have not yet been approached, I guess is the proper word, Senators Macdonald and Smith are in charge of the Tag Day. It's for a worthy cause. So, treat them kindly, Senator Rupp, when they approach you with...okay. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bills 1st reading.

SECRETARY:

House Bill 500, Senator Sangmeister.

(Secretary reads title of bill)

2279, Senator Welch.

(Secretary reads title of bill)

House Bill 2612, Senator DeAngelis.

(Secretary reads title of bill)

House Bill 2798, Senator Dawson.

(Secretary reads title of bill)

House Bill 2946, Senator Weaver.

(Secretary reads title of bill)

House Bill 3025, Senator Philip.

(Secretary reads title of bill)

House Bill 3033, Senator Luft.

(Secretary reads title of bill)

House Bill 3158, Senator Rupp.

(Secretary reads title of bill)

House Bill 3213, Senator Rock.

(Secretary reads title of bill)

House Bill 3536, Senator D'Arco-...Topinka.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right, with leave of the Body, we'll go to the Order of...of...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Thank you. I'd like to be put on as a hyphenated cosponsor of House Bill 3271 and House Bill 1446. I have permission from the sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Fawell...3271 and...what was the other one, Senator Fawell?

SENATOR FAWELL:

1446.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And 1446. You've heard the request. Is leave granted? Leave is granted. It's so ordered. All right, with leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Resolution 103...or 1003, 1004, 1005, 1006, all congratulatory, by Senator Jones.

Senate Resolution 1007, congratulatory, by Senator Mahar.

1008, congratulatory, Senator Topinka.

And 1009, congratulatory, by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1010, by Senators Rock and Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, Committee reports.

SECRETARY:

The Rules Committee met at 10:00 a.m. on Wednesday, June the 14th, 1986. The following House bills were unanimously recommended for referral to the Committee on Assignment of Bills:

House Bills 523, 564,...787, 913, 988, 1446, 1447, 1865, 1945, 1954, 2073, 2409, 2486, 2537, 2546, 2574, 2581, 2622, 2642, 2648, 2700, 2708, 2714, 2724, 2725, 2734, 2741, 2782, 2820, 2821, 2828, 2871, 2937, 2958, 2989, 3017, 3018, 3040, 3044, 3058, 3062, 3065, 3074, 3075, 3093, 3096, 3115, 3128, 3145, 3156, 3157, 3187, 3217, 3266, 3267, 3269, 3271, 3272...76, 3298, 3309, 3328, 3340, 3343, 3349, 3394, 3396, 3423, 3431, 3468, 3503, 3518, 3521, 3527, 3543, 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3567, 3573, 3584, 3591 and 3605.

Senator Savickas, chairman of Assignment of Bills Committee, assigns the following bills...House bills to committee:

Agriculture - 2073, 3527, 3567; Appropriations I - 2989,

3093, 3343; Elementary and Secondary Education - 988, 2700, 2734, 2741, 2828, 3018, 3062, 3074, 3145, 3187, 3550; Executive - 2537, 2622, 2725, 2821, 3017, 3044, 3065, 3075, 3156, 3269, 3396, 3431, 3543; Finance - 2782, 3276; Higher Education - 3266, 3267; Insurance, Pensions and Licensed Activities - 523, 1945, 1954, 2486, 2820, 3298, 3423, 3468, 3518; Judiciary I - 1446, 2409, 3157, 3271, 3340; Judiciary II - 913, 2581, 2648, 2714, 3349, 3573; Local Government - 564, 2546, 2574, 2642, 3040, 3058, 3128, 3217, 3549, 3551, 3552, 3553, 3554, 3555 and 3584; Public Health, Welfare and Corrections - 1477, 1865, 2958, 3521, 3591, 3605; Revenue - 2871, 2937, 3096, 3115, 3309, 3328, 3394, 3503; Transportation - 787, 2708 and 2724.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...all right, with leave of the Body, we will move to the Order of Secretary's Desk Resolutions, page 7. Apparently, there is some urgency to this...to this request. Is leave granted? Leave is granted. On the Order of Secretary's Desk Resolutions, page 7, Senate Resolution 907. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Resolution 907 urges Congress and the President to recognize June 21st, 1986 as Save America to Industry and Jobs Day. The resolution basically acknowledges the joint effort of labor and business in making us the greatest industrialized nation in the world, and I would like for it to be considered now so that it can get to Washington before I do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sounds like an announcement or a pronouncement. All right, Senator DeAngelis has moved the adoption of Senate Resolution 907. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 907 is adopted. Senator Dunn, for what purpose do you

arise?

SENATOR DUNN:

Thank you, Mr. President. I'd like to be shown as hyphenated cosponsor of House Bill 3018. I have permission of the principal sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Dunn, seeks leave of the Body to be added as a hyphenated cosponsor of House Bill 3018. Is leave granted? Leave granted. It's so ordered. Resolutions.

SECRETARY:

Senate Resolution 1011 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right, with leave of the Body, we will return to the Order of Secretary's Desk Resolutions. Is leave granted? Leave is granted. Senator Barkhausen has made a request for Senate Resolution 894. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members of the Senate, Senate Resolution 894 is a resolution that has been requested by the Waukegan Regional Airport which has been seeking from the Federal Aviation Administration for early approval and funding for an air traffic control tower. There have been some recent incidents that highlight the need for this tower. I should...also add that the Illinois Congressional Delegation has been united in seeking the FAA's approval of this application, and the resolution has passed the Executive Committee. Because appropriations are now pending in Congress and being considered, the early adoption of this resolution would be very helpful and I, therefore, urge the Body to pass this resolution. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Barkhausen moves the

adoption of Senate Resolution 894. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 894 is adopted. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, if I could, I wanted also to ask that Senator Geo-Karis be added as a hyphenated cosponsor on the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen has requested that Senator Geo-Karis be added as a cosponsor of Senate Resolution 894. Is leave granted? Leave granted. It's so ordered. If there are members who wish to pick up any additional House bills on 1st reading, there are eleven left on the Calendar. Today would certainly be the appropriate day to...to do that before we...before we depart. So, take a look at House bills on 1st reading, there are eleven bills that are remaining there and if you wish to pick one up, now is the time. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. For the purpose of a couple of announcements. First, I would...I would ask that the...Senator Chew's absence be...be noted. He is, obviously, absent this week due to illness and we wish him...wish him well and a speedy recovery. Senator Luft is also with Senator Donahue and the Governor. Apparently, a prison facility has been announced also in his district. So, with leave of the Body, we...he can be added to the roll call when he returns shortly to Springfield. Additionally, the...there will be distributed a new schedule for next week and I would like the members' attention to the extent that...if you look on the back page of the Calendar, the week of the tenth, we had originally scheduled four days of Session, the tenth, eleventh, twelfth and Friday the 13th. We have, based on Rules Committee activity, determined that we can probably do

our work in an expedited fashion on three days; but in order to do that, we'll require that a couple of the committees meet on Tuesday morning before the Session begins. The Session will begin, according to the adjournment resolution, at noon, next Tuesday, but there will be committees scheduled for Tuesday morning, Tuesday afternoon, Wednesday, morning and afternoon and, Thursday, morning and afternoon, with the hope that it will not be necessary for us to be here on Friday the 13th. So, I would ask your indulgence, take a look at the schedule, plan your week accordingly; and those who are members of those committees that are scheduled to meet on Tuesday, it's, obviously, important that they make an effort to be here earlier and try to get that done to alleviate or obviate the need to be here on Friday. The Rules Committee will meet on Tuesday morning at eleven-thirty and the committees are scheduled...I think Finance is scheduled for ten o'clock on Tuesday morning. That schedule will be distributed shortly. I hope it meets with everyone's approval and I...if anybody wishes to be here on Friday, they're certainly welcome to be here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the...the request of Senator Rock. Is leave granted? Leave is granted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

A point of information. I've been hearing everyone's...two people have been absent because they're with the Governor on a prison site. I read in the paper where my area was selected for the prison site. Evidently, I didn't get the telephone call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, there may not have been room on the helicopter, we don't know. All right, resolutions.

SECRETARY:

Senate Joint Resolution 167 offered by Senator Rock.

(Secretary reads SJR 167)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 167 is the adjournment resolution. When we conclude our business today, which will be, I hope, very shortly, it calls for us to return to Springfield, in Session, next Tuesday at the hour of...of noon. Now the schedule is being passed out. The committees that were scheduled to meet at 10:00 a.m. on Tuesday morning are Elections, Revenue and Finance, then we will commence Session at noon and then Appropriations I and Insurance will meet. Given the action of the Rules Committee, the...the only committee that has an extraordinarily...heavy load is the Executive Committee, and I've already discussed with Senator Sangmeister the fact that Exec. will meet at nine o'clock on Thursday morning and, hopefully, in a three-hour period we can handle those matters that have been assigned to the Executive Committee. In addition, I'd like to remind the members on both sides of the aisle that Senator Philip and I along with many others are honorary...are honorary cochairman of a tribute that will be held this evening to State Treasurer Jim Donnewald honoring him for his many years of service...in the best interest of the public of the people of the State of Illinois, his service both in the House and the Senate and as a constitutional officer. I would hope that all of us would make an effort to be there at five o'clock this evening to pay tribute to Jim Donnewald. With that, I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 167.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock has moved to suspend the rules

for the immediate consideration and adoption of Senate Joint Resolution 167. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 167. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 167 is adopted. Resolutions Consent Calendar, Mr. Secretary, have there been any objections filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will add three additional congratulatory resolutions to your printed copy that has been passed out. The additions are Senate Resolutions 1007, 1008 and 1009. With leave of the Body, we will add those. Leave is granted. Senator O'Daniel now moves the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. Further business to come before the Senate? Senator Rock.

SENATOR ROCK:

Thank you. Given the committee switch, Mr. Chairman, there is one bill that was misassigned, House Bill 3032 and I would move that the Committee on Insurance be discharged from further consideration of House Bill 3032, and ask that that bill be rereferred...reassigned to the Committee on Revenue which will meet on Tuesday morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Rock that House Bill 3032...that the Committee on Insurance be discharged from further consideration of House Bill 3032 and that it be assigned to the Committee on Revenue. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Bill 3032...committee is discharged and has been

referred to the Committee on Revenue. All right. Further business to come before the Senate? All right, Senator Rock now moves that the Senate stand adjourned till June 10th at the hour of noon. Senate stands adjourned.

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84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

June 10, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend James S. Barge, Westminister Presbyterian Church, Springfield, Illinois. Reverend.

REVEREND BARGE:

(Prayer given by Reverend Barge)

PRESIDENT:

Thank you, Reverend. Reading of the Journal.

SECRETARY:

Wednesday, May the...21st, 1986.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Thursday, May 22nd; Friday, May 23rd; Wednesday, May 28th; Tuesday, June 3rd and Wednesday, June 4th, in the year of 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion car-

ries and it's so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolutions 206, 207, 208, 209 and 210, all either commendatory or congratulatory.

PRESIDENT:

Consent Calendar. Committee reports.

SECRETARY:

Senator Netsch, chairman of Revenue Committee, reports out the following House bills:

House Bill 1321, 2735, 2757, 2871, 2917, 2937, 3096, 3115, 3309, 3503 with the recommendation Do Pass.

2770, 2879 and 3328 with the recommendation Do Pass as Amended.

Senator Jeremiah Joyce, chairman of the Committee on Finance and Credit Regulations, reports out the following House bills:

2782 with the recommendation Do Pass.

1556 and 3276 with the recommendation Do Pass as Amended.

The Rules Committee met at 1:00 p.m. on Tuesday, June the 10th, 1986. The following bill...House bills were unanimously recommended for referral to the Committee on Assignment of Bills.

House Bills 1130, 1229, 1467, 1675, 2254, 2564, 2579, 2590, 2612, 2621, 2738, 2785, 2798, 2816, 2819, 2889, 2898, 3025, 3080, 3089, 3101, 3133, 3162, 3191, 3192, 3200, 3207, 3213, 3222, 3262, 3351, 3371, 3449, 3574, 3596, 3598, 500 and 1473.

Senator Savickas, chairman of the Assignment of Bills

Committee, assigns the following House bills to committee:

Agriculture - 2621, 3207, 3598; Appropriations I - 3101, 3133; Appropriations II - 3191; Elementary and Secondary Education - 3080, 3089, 3200, 3351; Executive - 2564, 2898, 3222, 3371, 3449; Judiciary I - 3596; Judiciary II - 500, 2579, 2785, 3262; Labor and Commerce - 2798; Local Government - 1467, 2738, 3025, 3162, 3371; Public Health, Welfare and Corrections - 1229, 1473, 2612, 2816, 3213; Revenue - 1130, 1675,...2590, 2819; Transportation - 2889, 3192 and 3574.

PRESIDENT:

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes...thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to suspend the...the...appropriate rules so that the bills that are being read into the record today ought to...can be heard in the respective committees. So I would move that the posting requirement be...be waived for those bills to...in order to...for them to be heard.

PRESIDENT:

All right. Senator Demuzio has moved that the appropriate rules...with respect to the posting requirement be waived so that the bills that were read in can be heard in committee this week. Any discussion? All right, without objection, leave is granted. It's so ordered. Senator Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I ask leave of the Body to be removed as one of the sponsors on House Bill 3032.

PRESIDENT:

All right. The gentleman seeks leave to remove his name from...as the sponsor of House Bill 3032. Without objection, leave is granted. If I can have your attention, UPI would...has asked leave to take some photographs. Without

objection, leave is granted. We have...gentlemen and ladies, if I can have your attention for only a moment, we won't be in very long because the committee schedule is pretty heavy this afternoon, but we do have with us some very special guests who have been declared winners in the State of Illinois Nutrition Poster Contest and I would ask Senators Lemke and Ralph Dunn and John Friedland to...Senator Lemke, you...wish to proceed? If we can have your attention, these young people you're about to meet are...are three of seventy-nine hundred youngsters from across the State who participated in a poster contest with respect to nutrition that was offered by the Department of Public Health and I will yield to Senator Lemke for the appropriate introduction.

SENATOR LEMKE:

I think that...you know, to start this ceremony, it'd be proper to start with the youngest of the group and I think Senator Friedland represents that area, would you like to present your...

SENATOR FRIEDLAND:

Mr. President, Ladies and Gentlemen of the Senate, I'm proud to introduce to you my constituent, Dana Simmick, of Lake in the Hills in the 33rd District, who won top honors in the category...Kindergarten through second grade. She's a first grader in the Lake in the Hills Elementary School and where she entered a contest. She won a special plaque, a...a Schwinn bicycle and a T-shirt, and the title of her work was "Always Eat a Balanced Meal and You'll See How Good You'll Feel" that won top honors and...thank you, very much.

SENATOR LEMKE:

I think the next category is between the third and fifth grade and that is from my district and I'd like to present to you, Jenny Lucas from Palos Hills, she's here with her father, Adrian and mother...mother, Rosanne and her two brothers, Christopher and Matt and her school teacher, Sue

Kinsulic. So...she won first place and she did a great job and one of the eight thousand participants. Would you like to say hello, Jenny?

JENNY LUCAS:

Hello, everyone.

SENATOR LEMKE:

The next constituent is from Senator Ralph Dunn's area and I'll have Ralph present that student.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. I'd like to present to present to you...a young man from Columbia, Illinois from the 58th District, Daren Otten, O-t-t-e-n, he and his parents, Mr. and Mrs. Robert Otten, are here from Columbia. Daren was a sixth grade winner of a poster contest of the national...the Statewide poster contest and won a bicycle and T-shirt and all the accolades that go with it...Daren, say hi.

DAREN OTTEN:

Hello.

SENATOR DUNN:

Thank you, Mr. President.

PRESIDENT:

Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you, Mr. President. I request permission to...be removed as principal sponsor of House Bill 3044 and that Senator Lechowicz be designated the principal sponsor of that bill.

PRESIDENT:

All right. The gentleman seeks leave to remove himself as the chief sponsor of House Bill 3044 and be replaced by Senator Lechowicz. Without objection, leave is granted. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

It has been cleared with the sponsors and I would like to be added as a hyphenated cosponsor of House Bill 3520.

PRESIDENT:

3520, the lady seeks leave to be added as the cosponsor. Without objection, leave is granted. Senator Mahar, for what purpose do you arise, sir?

SENATOR MAHAR:

Mr. President, a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR MAHAR:

I have some constituents from my district here today from Orland Township, they're representing the Orland Township Youth Commission. They're here for tonight's Governor's Home Town Awards and they're looking forward to a first place award, and I would ask that they be recognized by the Senate and they're seated in the gallery directly behind me.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. Like to...like to have leave of the Body to be shown as a hyphenated sponsor on House Bill 3-3-2-8, 3328.

PRESIDENT:

The gentleman seeks leave to be shown as the hyphenated sponsor on House Bill 3328. Without objection, leave is granted. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER;

Mr. President, two purposes; one to be listed as the lead sponsor on House Bill 2733 and to be listed as a hyphenated cosponsor on House Bill 1332.

PRESIDENT:

All right. The gentleman seeks leave to be shown as the chief sponsor...lead sponsor on House Bill 2733 and a hyphenated cosponsor on House Bill 1332. Without objection, leave is granted. Senator Karpiel, for what purpose do you arise?

SENATOR KARPIEL:

Thank you, Mr. President. I'd like to be added as a co-sponsor on House Bill 3520, I've checked with the sponsor.

PRESIDENT:

All right. The lady seeks leave to be added as a cosponsor on House Bill 3520. Without objection, leave is granted. (Machine cutoff)...Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to have leave of the Body to have Senator Sam Vadalabene listed as the principal sponsor on House Bill 5-2-3...

PRESIDENT:

All right. The gentleman...

SENATOR LECHOWICZ:

...523.

PRESIDENT:

...the gentleman seeks leave to have Senator Vadalabene shown as the principal sponsor on House Bill 523. Without objection, leave is granted. All right, resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 169 offered by Senators Kelly and DeAngelis, it's congratulatory.

PRESIDENT:

Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I

would like to make a motion to suspend the appropriate rules for the immediate consideration of Senate Joint Resolution 169 which Senator DeAngelis and I are jointly sponsoring. It's a congratulatory resolution for a teacher who has served thirty-seven years and...retiring teacher in Lansing School District in our district, and we'd like to have it moved to the House as expeditiously as possible.

PRESIDENT:

All right. The gentleman has...seeks leave to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 169. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senators Kelly and DeAngelis now move the adoption of Senate Joint Resolution 169. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1011, by Senator Lemke, it's congratulatory.

1012, by Senator Geo-Karis, congratulatory.

1013, by Senator Keats, it's congratulatory.

1014 and 15, by Senator Mahar, they are congratulatory.

And Senate Resolutions 1016...1017, 1018, 1019, 1020 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1035, all by Senator Jones and they are congratulatory.

1034 was the last one in that group.

1035, by Senator Smith is congratulatory.

1036, by Senator Smith is congratulatory.

PRESIDENT:

Consent Calendar. If I can your attention, a gentleman from the Chicago Tribune...or the Chicago Tribune staff photographer wishes to take photographs also. Without objec-

tion, leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1037, by Senator Sangmeister.

PRESIDENT:

Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the adoption of the following joint resolutions to-wit:

Senate Joint Resolution 168, together with the following amendment, House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Can we have some order, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I'm sure everyone is aware, the House adjourned...instead of till Tuesday they adjourned until Thursday of this week. So Amendment No. 1 merely changed the adjournment resolution and I would move that the Senate concur with House Amendment No. 1 to Senate Joint Resolution 168.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, Senator Rock has moved that the Senate concur with Amendment No. 1 to Senate Joint Resolution 168. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1, the Senate does concur. All right, Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to add Senator

O'Daniel as a hyphenated sponsor to two bills. Those bills being House Bill 2819 and 2873.

PRESIDING OFFICER: (SENATOR DEMUZIO)

2873, was the last one?

SENATOR LUFT:

That's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft has moved that Senator O'Daniel join him as a hyphenated cosponsor of Senate...of House Bills 2819 and 2873. Is leave granted? Leave is granted. So ordered. All right, leave of the Body, we'll go to House bills 1st reading...House bills 1st reading, Mr. Secretary.

SECRETARY:

House Bill 2685, Senator Philip is the Senate sponsor.

(Secretary reads title of bill)

House Bill 3522, Senator Geo-Karis.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think the...the report read by the Secretary, I think, we, inadvertently missed House Bill 3175. With leave of the Body, we'll make the appropriate change. The committee schedule, as I'm sure everyone is painfully aware, is pretty heavy both this afternoon and tomorrow morning. So I would move at this time that the Senate stand adjourned until Wednesday. We will reconvene...because of the heavy committee schedule on Wednesday morning, we will reconvene tomorrow at the hour of one o'clock, one o'clock tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Carroll, for what purpose do you arise?

SENATOR CARROLL:

If I might, Mr. President, for purposes of an announcement. As to the Appropriations I Committee, inasmuch as the hour is now two-fifteen, if everybody could please be there in attendance at two-thirty, we will start promptly at two-thirty, that gives you all a few minutes to get back to your office and get down there. So Appropriations I will convene at two-thirty sharp. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...all right, committee reports.

SECRETARY:

House Bill 3175 was discharged from Rules and was assigned to the Committee on Higher Education.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Also, I would like to inform the members and have the record reflect that, again, Senator Chew is not with us due to illness.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further business to come before the Senate? This afternoon, Senator Carroll has made his announcement relevant to the Appropriations Committee. The Insurance Committee is also scheduled for two o'clock according to the Calendar. Senator Jones, you have an announcement?

SENATOR JONES:

Yes, thank you, Mr. President. The Insurance Committee will meet promptly at two-thirty or two-thirty-five, you get there, we have some very important bills. So we'll try to get you out of there early.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? If not, Senator Rock moves that the Senate stand adjourned until Wednesday, June the 11th, at the hour of one o'clock. The

Senate stands adjourned.

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84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 11, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Rudolph Shoultz, Union Baptist Church, Springfield, Illinois. Reverend.

REVEREND SHOULTZ:

(Prayer given by Rudolph Shoultz)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Mr. Secretary.

SECRETARY:

Thursday, May the 22nd; Friday, May the 23rd; Wednesday, May the 28th; Tuesday, June the 3rd and Wednesday, June the 4th, in the year 1986.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move now that the reading and approval of the Journals of Tuesday, June 10th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion car-

ries and it is so ordered. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

...for the purpose of...seeking...leave of this Body to reassign two bills...Senate...or House Bill 3075 from...Jud...Jud. I to Elementary and Secondary Education, and House Bill 2473 from Appropriations, since it's a substantive bill, to Executive, so they can be heard tomorrow. It was from Approp. I to Executive.

PRESIDENT:

All right. The gentleman seeks leave of the Body to discharge 2473 from Approp. I and reassign it to Executive. Okay. And House Bill 3075 to be discharged from Judiciary I to Elementary and Secondary. Any discussion? Senator Davidson.

SENATOR DAVIDSON:

...I thought you said 24, it should be 3473 on...from Approp. I to Exec. I happen to be the sponsor of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, this...the number I have is typed on the note from Senator Davidson, 3473.

PRESIDENT:

Okay. 3473. All right. You've heard the motion. All in favor indicate by saying Aye. All opposed. The Ayes have it. So ordered. Committee reports, Mr. Secretary.

SECRETARY:

Senator Jerome Joyce, chairman of the Committee on...Agriculture, Conservation and Energy, reports out the following House bills:

2073, 2621, 3019, 3475, 3512, 3527, 3528, 3567, 3598, with the recommendation Do Pass.

2060, 3036, 3207 and 3548 with the recommendation Do

Pass as Amended.

Senator Carroll, chairman of Appropriations I Committee, reports out House Bill 3165 with the recommendation Do Pass as Amended.

Senator Newhouse, chairman of Higher Education, reports out the following House bills:

3175, 3266, 3267 and 3599, with the recommendation Do Pass.

Senator Jones, chairman of Insurance, Pensions and Licensed Activities Committee, reports out the following House bills:

3298, 3378, 3423, with the recommendation Do Pass.

523, 1945, 2486, 2630, 2820 and 3468 with the recommendation Do Pass as Amended.

Senator Lemke, chairman of Judiciary I Committee, reports out the following House bills:

1446, 2254, 2582, 3157, 3271 and 3596 with the recommendation Do Pass.

2409, 3302 and 3340, with the recommendation Do Pass as Amended.

PRESIDENT:

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, I...I...wanted to get leave to move House Bill 3133 from Appropriation I to Appropriation II, this is the Department of Correction.

PRESIDENT:

All right. The gentleman seeks leave of the Body to rerefer House Bill 3133 from the Committee on Appropriations I to the Committee on Appropriations II. Without objection, leave is granted. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. I've discussed this matter with Senator Luft, the chief sponsor of House Bill 2819, and I'd like to be added as a hyphenated cosponsor of that bill.

PRESIDENT:

All right. The gentleman seeks leave to be added as a cosponsor on House Bill 2819. Without objection, leave is granted. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Thank you, Mr. President, to be added as a cosponsor to House Bill 2819. House Bill 2819, request to be added as a cosponsor.

PRESIDENT:

All right. Gentleman seeks leave to be added as a co-sponsor on House Bill 2819. Without objection, leave is granted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave of the Body, we'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1038 offered by Senator Rock and all Senators. It's congratulatory.

1039 and 1040, by Senator Berman, they're congratulatory.

1041, by Senator Vadalabene, it's congratulatory.

1042, by Senators Kustra, Etheredge and all Senators, and it's congratulatory.

Senate...Resolution 1043, by Senator Zito, it's congratulatory.

1044, by Senator Kustra, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And 1045, by Senators Nedza, Rock and Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Message from the Governor.

AB 1200 concurrence

SECRETARY:

A Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly. I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive Appointments. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Yes, thank you, Mr. President, just for the purposes of an announcement. The Transportation Committee will start promptly at two o'clock, and I'd request all the members to be prompt so we can get out of there in a hurry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will go to the Order of Secretary's Desk...Secretary's Desk Concurrence. Page 9...page 9, Secretary's Desk Concurrence, Senate Bill 1200, Mr. Secretary.

SECRETARY:

Senate Bill 1200, with House Amendments 2...with House Amendment 2 only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Ladies and gentlemen, can we have some order. We are about to conduct some business here. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move that the Senate nonconcur with House Amendment No. 2 to Senate Bill 1200. I've discussed this

with Senator Philip. As you know, the Governor has called for a meeting tomorrow with the four legislative leaders and...in his office with respect to the...insurance-liability crisis. There is some talk that Senate Bill 1200 would...would then be in a position to be used as a possible Conference Committee for the purpose of resolving that. So we are just merely sending it back to the House...and they can adopt or call for a Conference Committee or not. I would move to nonconcur with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Rock has moved to nonconcur with House Amendment 2 to Senate Bill 1200. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right. Senator Rock, for what purpose do you arise? Can we have some order.

SENATOR ROCK:

Thank you, Mr. President. Before we break to go to committee, on the Order of Secretary's Desk there are a couple of resolutions that are joint resolutions which...of which I am the sponsor and I'm sure some others who have requested that we get to that order. With leave of the Body, I'd ask that we get there so that we can send these joint resolutions over to the House so that if and when they ever come back they might be in a position to deal with them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we will remain on the Order of Secretary's Desk, Resolutions. House Joint Resolution 104, Senator Luft. House Joint Resolution 183, Senator DeAngelis. House...Senator DeAngelis. Page 8, House Joint Resolution 183 urges Congress to...keep the Federal Government from...all right. House Joint Resolution 184, Senator D'Arco. House Joint Resolution 189, Senator Karpiel. 197, Senator Poshard. Senate Joint Resolution 101, Senator Rock.

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Joint Resolution 101 is cosponsored by Senator Philip and myself and it calls for the creation of a council on the revision of the Illinois Constitution. As I'm sure all are aware, every twenty years we are required by Constitution to reexamine that Constitution. This would lay some of the necessary groundwork. It calls for the appointment of twenty members, five by each of the four legislative leaders for the purpose of examining and recommending what changes, if any, are necessary to our Illinois Constitution. I know of no objection. I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All...Senator Rock, I...I am told that it may...require a roll call because of the expenditure of money. Discussion? Senator Marovitz. No...no further discussion? Senator Rock moves the adoption of Senate Joint Resolution 101. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Joint Resolution 101 is adopted. Senate Joint Resolution 117, Senator Rock. Senate...Joint Resolution 117, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I am sure you are aware, in 1987 we will celebrate the two-hundredth anniversary of the signing of the United States Constitution. There has been a committee to commemorate the United States Constitution already formed...by the constitutional officers and the Illinois Supreme Court. This resolution merely ratifies their action and will encourage and...and does invite legislative parti-

cipation. Again, I know of no objection. The committee is in existence, it consists of forty-five people including the constitutional officers. And I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. Senator Rock has moved the adoption of Senate Joint Resolution 117. Those in favor indicate by saying Aye...all right. Senator Rock has moved the adoption of Senate Joint Resolution 117. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Joint Resolution 117...is adopted. Senate Joint Resolution 155, Senator Woodyard. Senate Joint Resolution 159, Senator Holmberg. Senator Holmberg, Senate Joint Resolution 159, bottom of page 8. Senator Holmberg.

SENATOR HOLMBERG:

...Senate Joint Resolution 159 is...is jointly sponsored by Senator DeAngelis and myself. This problem was brought to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Holmberg, I am told that this is to be...amended, there is an amendment filed.

SECRETARY:

Amendment No. 1...was...recommended in committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Yes, it was omitted who the...resolution should be sent to, a copy of it. And...it now states that a copy of this preamble and resolution be presented to the Governor and to the director of the Bureau of the Budget for distribution to those State agencies that contract with human service

providers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg has moved the adoption of Committee Amendment No. 1 to Senate Joint Resolution 159. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further...committee amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There are no further amendments. Senator Holmberg may proceed on Senate Joint Resolution 159.

SENATOR HOLMBERG:

Yes. This resolution was brought...to us on behalf of United Way Services of Illinois. One of the problems they're running into as the State contracts with their various service providers is the increased cost of insurance premiums that have to be taken out of their administrative costs. This merely asks that the State take this into consideration as contracts are awarded. It's to raise the consciousness of...of the State in awarding those contracts during these times of...of very high insurance premium rates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Holmberg has moved the adoption of Senate Joint Resolution 159. Discussion? Senator Holmberg has moved the adoption of Senate Joint Resolution 159. We will take a roll call. Those in favor indicate by saying...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. Senate Joint Resolution 159 is adopted. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President...having checked with the lead sponsor, I'd ask to be added as a joint principal hyphenated sponsor to House Bill 2798.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...you've heard the request of Senator Marovitz to be added as a hyphenated cosponsor of House Bill 2798. Is leave granted? Hearing no objection, leave is granted. All right. With leave of the Body, we'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1046 offered by Senators Lechowicz, Lemke, Nedza...and Jeremiah Joyce and Degnan and also 1047 by the same sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

Senate Resolution 1048 offered by Senator Watson and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Further business to come before the Senate? Senator Hall, for what...Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I'd like to announce that Appropriation II will begin if we're finishing up our business? Are we on the verge...are we going to finish up?

PRESIDING OFFICER: (SENATOR DEMUZIO)

This is the last order of business, Senator Hall.

SENATOR HALL:

All right, that...would...would the members of the Appropriation II Committee please assemble in Room 212...at 2:00 p.m. as scheduled. We want to start right on time so we can all get out at a reasonable hour.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Purpose of announcement. The Labor Committee will also meet promptly at two o'clock. We only have one bill, and if you go immediately after this Session to A-1, we can finish our business within ten minutes, I'm sure, because I do have another committee meeting on...on appropriation this afternoon. So, please, be on time so that we can get out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. By way of announcement, the Revenue Committee will meet tomorrow, Thursday, at two o'clock or immediately following Session in Room 212. We have, I believe it is, six bills on the agenda including one that is looking for a sponsor. But it should take us, probably a...couple of hours, but in any event, we will meet tomorrow and it will be in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, I guess if all else fails, you'll have to be the sponsor, is that correct? Further business...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. State your point.

SENATOR GEO-KARIS:

Sometime ago we distributed these little cards to each of the Senators. This is the North Point Marine Excursion inviting the Senators and the House members on...for July 20, 21 and 22, 1986, in Zion Winter Harbor area, Illinois, for

fishing, swimming, hayrides, golfing, great America. Mark your calendar, please bring your family. If you...haven't received this, we had it put in your mailboxes, please let my office know and we'll get all the information for you. We'd love to have you join us. Thank you, you were there before, we enjoyed having you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...all right, Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask leave to be added as a hyphenated sponsor to House Bill 3396.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Luft to be added as a hyphenated cosponsor of House Bill 3396. Hearing no objection, so ordered. Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Thank you, Mr. President. I'd like to remove myself as a sponsor of House Bill 3032.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan seeks leave of the Body to withdraw as a cosponsor of House Bill 3032. Is leave granted? Leave is granted. Senator Sangmeister, for what purpose do you arise?

SENATOR SANGMEISTER:

Just a reminder that Executive meets tomorrow morning at nine o'clock and those Senators that had resolutions up, they will not be heard. Each of your offices should have heard individually from mine. The reason that we are cancelling out all of the resolutions is because we've got so many bills. We've got to get the House bills out this week, so your resolutions will all be rescheduled probably for next week.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kelly, for what purpose do your arise? Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. Ask leave to add Senator DeAngelis as a hyphenated sponsor to House Bill 2879.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Luft seeks leave to add Senator DeAngelis as a hyphenated cosponsor of House Bill 2879. Leave is granted. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till Thursday, June the 13th at the hour of one o'clock. Senate stands adjourned. (Machine cutoff)...the 12th.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 12, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Eugene Weitzel, Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND EUGENE WEITZEL:

(Prayer given by Reverend Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that reading and approval of the Journals of...of Tuesday, June the 10th and Wednesday, June the 11th, in the year of 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator O'Daniel. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Committee reports, Mr. Secretary.

SECRETARY:

Senator Collins, chairman of Labor and Commerce, reports out House Bill 2798 with the recommendation Do Pass.

Senator Dawson, chairman of Public Health, Welfare and Corrections, reports out House Bills 1473, 1477, 1865, 2612, 2644, 2816, 3213, 3346, 3520, 3591 and 3605 with the recommendation Do Pass.

House Bills 2958, 3476, 3477 and 3521 with the recommendation Do Pass as Amended.

House Bill 1229 with the recommendation Do Not Pass.

Senator Nedza, chairman of Transportation Committee, reports out the following House bills:

787, 2562, 2724, 2775, 2777, 3192 and 3506 with the

recommendation Do Pass.

3479 and 3480 with the recommendation Do Pass as Amended.

Senator Degnan, chairman of Local Government Committee, reports out the following House bills:

564, 2574, 2642, 2726, 2778, 3025, 3040, 3072, 3079, 3128, 3217, 3371, 3428, 3549, 3551, 3552, 3553, 3554 and 3584 with the recommendation Do Pass.

1467, 2546, 2738, 3058, 3162, 3178 and 3555 with the recommendation Do Pass as Amended.

Senator Sangmeister, chairman of Executive Committee, reports out the following House bills:

2537, 2564, 2725, 2821, 3017, 3043, 3044, 3065, 3156, 3222, 3473 and 3632 with the recommendation Do Pass.

2549, 3396, 3431, 3449 and 3543 with the recommendation Do Pass as Amended.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1049 offered by Senator Rock and it's...it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1050 and 1051 offered by Senator O'Daniel, and they're both congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1052 offered by Senator Jones. It's congratulatory.

PRESIDENT:

Consent Calendar. If I can have your attention, we have with us today in Springfield a special guest and the Chair

would yield to Senator O'Daniel for the introduction.

SENATOR O'DANIEL:

Mr. President and members of the Senate, it's with great pleasure that I introduce to you this afternoon a very lovely, talented young lady. She's the 1986 Miss Illinois County Fair Queen and she hails from Effingham. They not only have exceptional basketball players in Effingham County, they have very beautiful young ladies. She's accompanied here today by Viola Suits from the Bureau of County Fairs, Dick Lake, the Illinois Association of Agricultural Affairs; Merle Miller, the Illinois State Fair Manager and her proud parents, Roger and Cheryl Stevenson, and also she has a...has a brother up in the gallery, Clay. So, it's with great pleasure that I...I give you this afternoon...the 1986 Illinois County Fair Queen, Sarah Elizabeth Stevenson. Sarah, say a few words.

MISS ILLINOIS COUNTY FAIR QUEEN:

(Remarks made by Sarah Elizabeth Stevenson)

SENATOR O'DANIEL:

Thank you, Sarah. We're very proud of you.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 170 offered by Senator Demuzio.

(Secretary reads SJR 170)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you,...thank you, Mr. President. Senate Joint Resolution 170 is the adjournment resolution. It calls for us at the close of business today to return next Tuesday, June the 17th, at the hour of noon. I would move to suspend the rules for the immediate consideration and adoption of this resolution.

PRESIDENT:

All right, Senator Demuzio has moved for the suspension of the rules for the immediate consideration and adoption of Senate Joint Resolution 170. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 170. All in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolutions 1053 and 1054 offered by Senator Dunn. They are congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1055 offered by Senator Donahue and all Senators.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. I have the opportunity to read a resolution and I'd like you all to...to listen and pay attention, if you could. Senate Resolution 1055.

(Senator Donahue reads SR 1055)

Thank you, very much.

PRESIDENT:

All right, Senator Donahue has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1055. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Donahue now moves the adoption of Senate Resolution 1055. All in favor indicate by saying Aye. All

opposed. The Ayes have it. The resolution is adopted. Mr. Secretary, have any...any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right, no objections having been filed...we have also added Senate Resolution 1049, 1050, 1051, 1052, 1053 and 1054 to the list that has been distributed. No objection having been filed, Senator Vadalabene moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. If there's no further business to come before the Senate, you're all aware, I am sure, that there are three committee meetings yet this afternoon. After discussing with the minority leader, we determined that we will stand in Recess until those committees have transacted their business so that we can read in those committee reports and, thus, the bills will show up on the Calendar when we return next Tuesday. We'll start next Tuesday at noon on the Order of House Bills 2nd Reading and go right smack dab through the Calendar. So, I'd ask you to please be present and prompt. We will be in four days next week, Tuesday, Wednesday, Thursday and Friday. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Just an announcement. The Revenue Committee will meet promptly...that is promptly at two o'clock in Room 212. I am aware of the fact that there are some conflicts because Education is meeting at the same time; in fact, I'm on Education too, but we need to have enough members there to transact our business. I do not think it will take a very great deal of time, but two o'clock promptly, Room 212.

PRESIDENT:

All right. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. The Judiciary II Committee will meet promptly at two o'clock in Room A-1. I have met with the Republican spokesman, and if we all get there on time, we can get our business done within an hour, an hour and a half. We have some important bills and I would hope everybody would be there as promptly as you can, two o'clock...(machine cut-off)...A-1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. For purpose of an announcement. The Committee on Elementary and Secondary Education will meet in Room 400 at two o'clock sharp. Hope everybody will be present.

PRESIDENT:

All right, those three committees will be meeting at two o'clock sharp. In the meantime, the Senate will stand in Recess until the hour of four-thirty. Hopefully, by that time the committees will have transacted their business and...I'd ask the chairman to make sure that the committee clerks get their reports in and we can...otherwise, we'll see you next Tuesday at the hour of noon. Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of four-thirty having arrived, the Senate will come to order. Committee reports.

SECRETARY:

Senator Marovitz, chairman of the the Committee on Judiciary II, reports out the following House bills:

500, 913, 2579, 2648, 2714, 2785 and 3573 with the

recommendation Do Pass.

2581, 3300 and 3525 with the recommendation Do Pass as Amended.

Senator Netsch, chairman of Revenue Committee, reports out the following House bills:

2590, 2819, 3394 with the recommendation Do Pass.

1130 and 1675 with the recommendation Do Pass as Amended.

Senator Berman, chairman of Elementary and Secondary Education Committee, reports out the following House bills:

988, 2741, 2828, 3074, 3075, 3080, 3089, 3181, 3182, 3200 and 3422 with the recommendation Do Pass.

3062, 3187, 3351 and 3550 with the recommendation Do Pass as Amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves that the Senate stand adjourned till Tuesday, June 17th, at the hour of noon. Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 17, 1986

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Robert Wise, Our Savior's Lutheran Church Missouri Synod, Springfield, Illinois. Pastor.

REVEREND WISE:

(Prayer given by Reverend Wise)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, June 10th; Wednesday, June 11th and Thursday, June 12th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit;

House Joint Resolutions...211, 212, 213, 214, 215 and 217, two of which are death resolutions, the others are congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 1056 offered by Senator Kelly, it's

HB 500
2nd Reading

congratulatory.

1057, by Senator Rupp, it's congratulatory.

1058, by Senator Lemke is congratulatory.

1059, Senator Kelly is congratulatory.

1060, by Senator Lemke is a death resolution.

And 1061, by Senators Dunn and all Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1062 offered by Senator Poshard, it's congratulatory.

And Senate Resolution 1063 offered by Senators Lechowicz, Rock and Carroll, and it's congratulatory.

PRESIDENT:

Consent Calendar. All right, if I can have the attention of the membership, we are going to begin on the Order of House Bills 2nd Reading, the top of page 4, and proceed numerically through the House bills on 2nd reading. The schedule will be that when...tomorrow there are committee meetings in the morning, we will be on the Floor from approximately noon until six o'clock. On Thursday there's also a committee meeting at 9:00 a.m., we'll be on the Floor from ten until six and, at that point, we'll make a judgment about Friday. My guess is we will be here Friday morning and hopefully we'll be able to conclude our business early enough so that we can all enjoy the weekend. We will not be here Saturday or Sunday. Monday is the last day to consider...under our rules, the last day to consider House bills on 3rd reading; hopefully, by Thursday, we will have that situation well in hand. On the Order of House Bills 2nd Reading, top of page 4, House Bill 500. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 500.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 523, Senator Vadalabene. On the Order of House Bills 2nd Reading, House Bill 523. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 523.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance, Licensed Activities offers one amendment.

PRESIDENT:

Senator Vadalabene on Committee Amendment No. 1.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 523 provided alcoholic liquor rather than just beer to be sold at any pier belonging to a municipality extending into a lake or stream. It also allowed the Illinois Liquor Control Commission, members of the local License Appeal Commission to receive one hundred dollars per day compensation. Committee Amendment No. 1 to House Bill 523 deletes all provisions of original bill except for amendments to Beer Industry Fair Dealing Act, and I move for its adoption.

PRESIDENT:

All right. Senator Vadalabene has moved the adoption of Committee Amendment No. 1 to House Bill 523. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there fur-

HB 1467
2nd Reading

ther amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 564, Senator Geo-Karis. On the Order of...House Bills 2nd Reading, House Bill 564. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 564.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 913, Senator Barkhausen. 988, Senator Berman. On the Order of House Bills 2nd Reading, House Bill 988. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 988.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1130, Senator Netsch...1321, Senator Netsch. 1446, Senator Smith. 1467, Senator Kelly. On the

Order of House Bills 2nd Reading, bottom of page 4, is House Bill 1467. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1467.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDENT:

Senator Kelly on Committee Amendment No. 1.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This amendment is the product of hearings held by a Senate subcommittee on municipal annexation last fall and has been an agreed amendment by the township officials and the Illinois Municipal League. I want to thank my...especially colleague Senator Frank Watson and the respective staffs of both the Republican and Democratic...democrats in helping us to achieve this compromise. It permits for these townships and the cities to annex and coterminously into these townships. It does have a referendum proposal built into it, and...under the...proposal, for ten years the cities that are going to annex these properties will give these funds to the township officials. It's a...it's a compromise...and achieved. I would ask for your favorable support.

PRESIDENT:

All right. Senator Kelly has moved the adoption of Committee Amendment No. 1 to House Bill 1467. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 1473, Senator D'Arco. On the Order of...House Bills 2nd Reading, House Bill 1473. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1473.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...1477, Senator Marovitz. Top of page 5, 1675, Senator Netsch. 1865, Senator Smith. 1945, Senator DeAngelis. Top of page 5 on the Calendar. 2060, Senator Geo-Karis. On the Order of House Bills 2nd reading, middle of page 5, is House Bill 2-0-6-0, 2060. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2060.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDENT:

Senator Geo-Karis on Committee Amendment No. 1.

SENATOR GEO-KARIS:

Committee Amendment No. 1 was made at the suggestion of the Department of Nuclear Safety and I move for its adoption.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Committee Amendment No. 1 to House Bill 2060. Any discus-

sion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2073, Senator Poshard. On the Order of House Bills 2nd Reading is House Bill 2073. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2073.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2254, Senator Marovitz. 2409. 2486. 2537, Senator Newhouse. 2544, Senator Schuneman. Bottom of page 5, on the Order of House Bills 2nd Reading is House Bill 2544. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2544.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...Watson, 2546. Top of page 6, 2549, Senator Topinka. 2552, Senator Demuzio. 2562, Senator Etheredge. Top of page 6, on the Order of House Bills 2nd Reading is House Bill 2562. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2562.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2564, Senator Jones. 2573, Senator Welch. On the Order of House Bills 2nd Reading, the middle of page 6, is House Bill 2573. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2573.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

Senator Welch on Committee Amendment No. 1.

SENATOR WELCH:

Thank you, Mr. President. The committee amendment that was offered makes House Bill 2573 similar to a Senate bill that passed out of here near unanimously. It merely changes the ages that are...utilized for determining when a person is a juvenile.

PRESIDENT:

All right. Senator Welch has moved the adoption of Committee Amendment No. 1 to House Bill 2573. Is there any

HB2574 2nd Reading

discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2574, Senator Poshard. On the Order of House Bills 2nd Reading, in the middle of page 6, is House Bill 2574. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2574.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2579, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 2579. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2579.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

AB 2581
2nd reading

3rd reading. 2581, Senator Berman. On the Order of House Bills 2nd Reading, House Bill 2581. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2581.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDENT:

Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President. Committee Amendment No. 1 was suggested by the State's Attorney of Cook County. It allows hearsay evidence to be introduced under specific cases involving the testimony of the child. It also corrects a previous provision so that it's in compliance with the rest of the bill dealing with the presentation of this testimony upon the motion of the prosecutors, and changes from seven to ten years the time for which the tapes under this videotape process are to be impounded. Move the adoption of Committee Amendment No. 1.

PRESIDENT:

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 2581. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2582, Senator Lemke. 2590, Senator Schuneman. Top of page 7 on the Calendar. 2612, Senator DeAngelis. On the Order of House Bills 2nd Reading, top of page 7, is House Bill 2612. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2612.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Floor Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. When House Bill 2612 came to the Senate, Representative McNamara pointed out that the bill was flawed. Floor Amendment No. 1 redefines developmentally disabilities for planning purposes. I urge the adoption of Floor Amendment No. 1.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of Amendment No. 1 to House Bill 2612. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, top of page 7, on the Order of House Bills 2nd Reading, House Bill 2590. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2590.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2621, Senator Rupp. On the Order of House Bills 2nd Reading, top of page 7, is House Bill 2621. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2621.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2630, Senator D'Arco. 2642, Senator Joyce. Top of page 7. 2644, Senator Lemke. 2648, Senator Barkhausen. 2714, Senator Smith. 2724, Senator Schuneman. Read the bill, Mr. Secretary. On the Order of House Bills 2nd Reading, House Bill 2724.

SECRETARY:

House Bill 2724.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2725, Senator Geo-Karis. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

I understood there was an amendment for 2724, Mr. President, a Floor amendment that should be up there.

PRESIDENT:

All right, why don't we...why don't we take a few minutes and get all these amendments in order, let's do that. Anybody has amendments, I wish they would bring them up to the Secretary so we can get them properly filed. All right, with leave of the Body, we'll return 2724 to the Order of 2nd Reading. I understand an amendment has been filed with the Secretary. On the Order of House Bills 2nd Reading, House Bill 2724, Mr. Secretary. Any...any amendments from the Floor?

SECRETARY:

...Amendment No. 1 filed by...offered by Senators Philip and Schuneman.

PRESIDENT:

Senator Philip on Amendment No. 1.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Floor Amendment No. 1 is...is a EPA clean-up amendment. When we passed the emission laws for automobiles we listed the zip codes that were out in various counties, DuPage, St. Clair and Madison. What has happened since that time some of the municipalities have had...their own zip code; in other words, before they were included with another municipality, they get a little larger, they've got a new zip code number. So they would automatically be included because they're not named. What this does is take those municipalities and...and include them so they will not be in the emission area. I'll be happy to answer any questions and I move the adoption of Floor Amendment No. 1.

PRESIDENT:

All right. Senator Philip has moved the adoption of

Amendment No. 1 to House Bill 2724. Is there any discussion? Senator Hall.

SENATOR HALL:

...will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

...Senator, as you know, my area is included like your area. Now, when you saying you taking some of those out so that they will not be included. Now, tell me what you're taking out, will you please?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

All right, I will give you the three zip codes that are taken out of your area, Senator, 62026, 62220, 62222. I've been led to believe that's the SIU-Edwardsville campus in Madison, at St. Clair and Belleville and...St. Clair and Belleville. As...as you know, we did it by zip codes.

PRESIDENT:

Senator Hall.

SENATOR HALL:

That's what I understand, you...all this about zip codes, that's what makes it so ridiculous. Are you...are you telling me now that you're taking out part of...of Edwardsville, the SIU campus...you're taking out the campus at SIU and you're taking out some places in Belleville and leaving the other counties there? How did you arrive at doing that? Who figured that out?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

In the...in the first place, they were never meant to be in, Senator. As you know, not all of Dupage County is in,

not all of...Madison and St...Clair County are not in. Those areas were not...they were not recommended by the State or the Federal Government to be in. Now they've got new zip code numbers, so we're just excluding them. So they're not in, they do not have to be tested. You ought to be for it, it ought to make your constituents happy.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, there's no way that we could be happy with that because what's that simply doing is taking us...an area that surrounds another area in my area...and excludes them. Well, I'm...I'm going to oppose it anyway but...it's just wrong the way this thing is being handled.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank...thank you, Mr. President. Again, were there some areas taken out of Cook and/or DuPage, Lake, et cetera, the northern...northern part? We simply could not hear what you were suggesting over here or is it only in the East St. Louis area?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

My information tells me it is just DuPage, Madison and St. Clair Counties, the only counties that are affected. There has...there's not been a recommendation from the State EPA to take anybody else. I am taking their recommendations, not mine.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

And I assume their recommendations with respect to these

particular zip codes would not be forthcoming unless they did not in any way endanger the State's compliance with the Federal guidelines and the available funds. Is that correct?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Any...any new zip code that would be created would...if it was in DuPage County or St. Clair County would automatically be in because they have not been excluded.

PRESIDENT:

Any further discussion? If not, Senator Philip has moved the adoption of Amendment No. 1 to House Bill 2724. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Geo-Karis, 2725. On the Order of House Bills 2nd Reading, the bottom of page 7, is House Bill 2725. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2725.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. If I can have the attention of the membership, seated in the gallery above the Democratic side of the aisle is a dear friend, Anita Madler, and some others with forty girl scouts from Western Springs. Will our guests in the gallery please rise and be recognized by the Senate.

Welcome to Springfield. Senator Rigney on 2726. On the Order of House Bills 2nd Reading, the bottom of page 7, is House Bill 2726. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2726.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2735, Senator Luft. On the Order of House Bills 2nd Reading, House Bill 2735. Read the bill, Mr. Secretary.

SECRETARY:

...House Bill 2735.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2738, Senator Marovitz. 2741, Senator Maitland. Top of page 8, 2757, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 2757. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2757.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Luft.

PRESIDENT:

Senator Lemke, could you move over a little bit? Senator Lemke. Senator Moral, would you take that conference off the Floor? Senator Luft on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 1 puts a maximum ten-year period that the property can be eligible for this program.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 1 to House Bill 2757. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President...Amendment No. 2 provides that a...no more than a total of three model homes at the same time within a ten square mile area will be subject to the assessment provisions of this section of the Act.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 2 to House Bill 2757. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2770, Senator Darrow. On the Order of House Bills 2nd Reading, the middle of page 8, is House Bill

2770. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2770.

(Secretary reads title of bill)

2nd reading of the bill. The...the Revenue...Committee on Revenue offers one amendment.

PRESIDENT:

Senator Darrow on Committee Amendment No. 1.

SENATOR DARROW:

Thank you, Mr. President. Under the legislation the House passed over to us there was a question of whether Illinois Print Shop would be prohibited from printing lottery tickets. This opens it up to clarify it so that our own Illinois printers can print our own lottery tickets. I'd ask for the adoption of the amendment.

PRESIDENT:

All right. Senator Darrow has moved the adoption of Committee Amendment No. 1 to House Bill 2770. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Darrow.

PRESIDENT:

Senator Darrow on Amendment No. 2.

SENATOR DARROW:

Thank you, Mr. President. This amendment opens it up further so that the Illinois printing business can also print lottery tickets for foreign governments. It's my understanding Canada may have some lottery business for our printers.

I'd ask for the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Darrow has moved the adoption of Amendment No. 2 to House Bill 2770. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Kelly on 2775...wait just a minute, we have a special guest. If I can have the attention of the membership, Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I'd just like for you to meet Miss Schaumburg, Lori Beth Hayden, who is competing now in the Miss Illinois Pagent in July. Last year she was a finalist and this year, of course, we're hoping she takes the whole thing. Please welcome her.

PRESIDENT:

On the Order of House Bills 2nd Reading, the middle of page 8, is House Bill 2775. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2775.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2777, Senator Watson. 2778, Senator Kelly. Senator Kelly. Oh, there you are, okay. On the Order of House Bills 2nd Reading is House Bill 2777. Read the bill,

Mr. Secretary.

SECRETARY:

House Bill 2777.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2778, read the bill, Mr. Secretary. On the Order of House Bills 2nd Reading, 2-7-7-8.

SECRETARY:

House Bill 2778.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2782, Senator O'Daniel. On the Order of House Bills 2nd Reading, bottom of page 8...everybody turn to page 9, get ready. Bottom of page 8, House Bill 2782. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2782.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 9, 2785, Senator Marovitz. 2798, Senator Dawson. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

I'm handling...I'm handling that bill for Senator Dawson. I...handled it in committee and I'm handling...

PRESIDENT:

All right, with leave of the Body...on the Order of House Bills 2nd Reading is House Bill 2798. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2798.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2816, Senator D'Arco. On the Order of House Bills 2nd Reading, House Bill 2816. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2816.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2819, Senator Luft. What? Top of page 9...middle of page 9. On the Order of House Bills 2nd Reading is House Bill 2819. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2819.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2820, Senator Hall. On the Order of House Bills 2nd Reading is House Bill 2820. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2820.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDENT:

Senator Hall, Committee Amendment No. 1.

SENATOR HALL:

...do we have that?

PRESIDENT:

Would somebody be kind enough to send the committee amendment over to Senator Hall?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This Amendment No. 1 that...it includes other than residential purposes in the definition of manufactured housing. It prohibits any unit of local government from regulating manufactured housing except for certain zoning and other regulations. It exempts home rule units of more than two million population that have enacted a local code. I move for the adoption of this amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2820. Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What I question on this, it seems like there's...and we have been talking about this and pushing it back and forth but it's still in the bill and part of the...or this amendment and it reads "No unit of local government including any home rule unit may in any way within the scope of this Act limit or license manufactured housing." To me that's a definite intrusion into the home rule area. Also which indicates to me that it's a definite intrusion was the maneuver to take out Chicago, anyone over two million in order to soften the voting on that, but I do ask that the...is it proper right now to ask that...the number of votes required for this amendment or do you wait until the bill is...

PRESIDENT:

The...the question of the adoption of amendment is a simple majority. Upon passage that question would be properly addressed and will, in fact, be answered. All right. Senator Hall has moved the adoption of Amendment No. 1 to House Bill 2820. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2821, Senator Savickas. 2828, Senator Maitland. On the Order of House Bills 2nd Reading is House Bill 2828. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2828.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland on Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President. The committee in their wisdom suggested a three-year sunset on this bill, I agree and, therefore, move the adoption of Amendment No. 1.

PRESIDENT:

Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 2828. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2839, Senator Weaver. 2871, Senator O'Daniel. On the Order of House Bills 2nd Reading is House Bill 2871. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2871.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

HB 2879 3rd. reading

3rd reading. 2873, Senator Luft. On the Order of House Bills 2nd Reading, House Bill 2873. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2873.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 10, 2879, Senator Luft. On the Order of House Bills 2nd Reading is House Bill 2879. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2879.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

Senator Luft on Amendment No. 1.

SENATOR LUFT:

Thank you, Mr. President. This is a rather lengthy amendment. It reduces from two thousand to one thousand full-time jobs saved before the...in the high impact business when the...before the local utility tax can be abated. It extends the high impact businesses to subzones of a foreign trade zone, increases from three to four the number of additional enterprise zones that may be created and incorporates Senate Bill 2286 into House Bill 2879. Senate Bill 2286 is technical in nature, has eleven provisions. I will not read those unless someone asks what all eleven of them are or any of them; otherwise, I'd move for the adoption of the amend-

ment.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 1 to House Bill 2879. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 simply changes from twelve to thirteen the number of enterprise zones that may be awarded this year.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 2 to House Bill 2879. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2917, Senator Netsch. On the Order of House Bills 2nd Reading is House Bill 2917. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2917.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDENT:

Senator Netsch on Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. This amendment was initiated in part by the pharamacists and in part by the Department of Revenue, and it takes care of two problems that each had with respect to the Pharmaceutical Assistance Act. In one case, the department wanted a delay on the evaluation and implementation of the report that it's required by Statute to do that is reflected in here. The pharmacists wanted a clarification of what constitutes reasonable cost and also an adjustment in their authorized dispensing fee to that which they believe will be the public aid level when the appropriation's process is done this year. At least they have put it at three-sixty and that is approximately where public aid is now. I think those things are reasonable and I would move the adoption of Amendment No. 1 to House Bill 2917.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 2917. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Well, there's another...there is another amendment to

HB 3017 2nd Reading

this bill that has not come up from the Reference Bureau yet, and I wonder if the sponsor would hold the bill on 2nd reading until the...the amendment comes up from the Reference Bureau.

PRESIDENT:

Sponsor indicates she'll bring it back. 2937, Senator Demuzio. 2958, Senator Sangmeister. 3017, Senator Carroll, middle of page 10. On the Order of House Bills 2nd Reading is House Bill 3017. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3017.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is a technical amendment allowing the court to assign a designee for some technical meetings. It is requested by the court and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 3017. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3019, Senator Joyce. 3025, Senator Philip. On the Order of House Bills 2nd Reading, House Bill 3025.

HB3044
2nd reading

Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3025.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3036, Senator Demuzio. 3040, Senator Luft. On the Order of House Bills 2nd Reading, the bottom of page 10, House Bill 3040. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3040.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3043, Senator Lemke. 3044, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 3044. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3044.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3058, Senator Degnan. 3062, Senator Poshard. 3065, Senator Keats. On the Order of House Bills 2nd Reading, the middle of page 11, is House Bill 3065. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3065.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3072, Senator Degnan. On the Order of House Bills 2nd Reading is House Bill 3072. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3072.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3074, Senator Joyce. 3075, Senator Berman. On the Order of House Bills 2nd Reading is House Bill 3075. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3075.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

H.B. 3096 2nd reading
HB 3079 2nd reading

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3079, Senator Hudson. On the Order of House Bills 2nd Reading, the bottom of page 11, is House Bill 3079. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3079.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3080, Senator Joyce. 3096, Senator O'Daniel. On the Order of House Bills 2nd Reading is House Bill 3096. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3096.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3115, Senator Kustra. 3128, Senator Jones. On the Order of House Bills 2nd Reading is House Bill 3128. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3128.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

HB 3162
2nd reading

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3156, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 3156. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3156.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3157, Senator Lemke. 3162, Senator Vadalabene. On the Order of House Bills 2nd Reading is House Bill 3162. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3162.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDENT:

Senator Vadalabene on Committee Amendment No. 1.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. On Committee Amendment No. 1 to House Bill 3162, I would like at this time to file a motion to Table that amendment.

PRESIDENT:

All right. Senator Vadalabene has moved to Table Committee Amendment No. 1 to House Bill 3162. Any discussion on

the motion to Table? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene on Amendment No. 2.

SENATOR VADALABENE:

Yes, thank you, Mr. President. Floor Amendment No. 2 to House Bill 3162 removes a provision allowing nonhome rule cities to raise their sale tax to...by referendum. A bill is in the House giving this authority to the City of Rockford and I am removing this provision to ensure passage...and I am removing this provision to ensure passage of the basic bill which must pass and be signed by the Governor before September, and I move for its adoption.

PRESIDENT:

Senator Vadalabene has moved the adoption of Amendment No. 2 to House Bill 3162. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3165, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 3165. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3165.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers seventeen amendments.

PRESIDENT:

All right, if we can have your attention, there are seventeen committee amendments and I understand three or four Floor amendments. If we can keep the noise level down, we can all understand what is going on here. Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We can move quite quickly I believe through them and I don't think there's any controversy. This is the fifth and hopefully last of the supplemental appropriation requests of...Fiscal Year '86 spending which would bring the total over the budget book to some eight hundred and nineteen million dollars. We had to because of the way in which they come in separate them into various amendments 'cause of the agencies involved. And Committee Amendment No. 1 is to bring the appropriation down, take out of it that which was passed in the fourth supplemental appropriation. I would move adoption of Committee Amendment No. 1.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is to convert the DCCA

request to a transfer within lines. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Carroll, Committee Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 3 is to make the guardianship and advocacy a transfer item within their lines. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 3 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDENT:

Senator Carroll, No. 4.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 4 is for the fire marshal. It is a technical language...change of no dollar impact. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 4 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes

have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDENT:

Senator Carroll on Committee Amendment No. 5.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The request of the Department of Mental Health and Developmental Disabilities. This is a transfer to pay for a court settlement. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 5 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDENT:

Senator Carroll on Committee Amendment No. 6.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for a...this had been added in the House for a specific contract for which we are still awaiting a State police report. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 6 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 7.

PRESIDENT:

Senator Carroll on Committee Amendment No. 7.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a result of the State being...the State having declared Union, Pulaski, Alexander Counties disaster areas. This is for disaster repairs. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 7 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 8.

PRESIDENT:

Senator Carroll on Committee Amendment No. 8.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for the Edgewood sewer improvements as per final agreement with the EPA, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 8 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 9.

PRESIDENT:

Senator Carroll on Committee Amendment No. 9.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to finish the year in paying for the Digests for the Reference Bureau and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 9 to House Bill 3165. Any discussion? If not,

all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 10.

PRESIDENT:

Senator Carroll on Committee Amendment No. 10.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for home services for Department of Rehabilitative Services as per Doctor Bob's request, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 10 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 11.

PRESIDENT:

Senator Carroll on Committee Amendment No. 11.

SENATOR CARROLL:

Thank you, Mr. President. This and the next six, I'll explain each as we go through, are the one-fourth of spending for high school band trips as we have done out of tourism monies in the past. Committee Amendment No. 11 is Marion High School. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 11 to House Bill 3165. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 12.

PRESIDENT:

Senator Carroll on Committee Amendment No. 12.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is likewise for Laraway High School to Washington D.C.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 12 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 13.

PRESIDENT:

Senator Carroll on Committee Amendment No. 13.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for the portion of one-fourth of their expenditures for the Joliet High School to Tokyo. I'd move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 13 to...House Bill 3165. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 14.

PRESIDENT:

Senator Carroll on Committee Amendment No. 14.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a similar request for the Marion High School to go to Knoxville. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee

Amendment 14 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 15.

PRESIDENT:

Senator Carroll on Committee Amendment 15.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for Freeport High School to Vancouver, British Columbia. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment 15 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 16.

PRESIDENT:

Senator Carroll on Committee Amendment No. 16.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Pinckneyville High School to Orlando, a similar one-fourth of the expenditure. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 16 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 17.

PRESIDENT:

Senator Carroll on Committee Amendment No. 17.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for Rich Central to also go to Tokyo. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 17 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 18 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 18.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is to bring down the amounts in the Racing Board to the levels they suggest they will really need for the end of the year and to add back that contract for DMH that we finally got a report on. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of...of Amendment No. 18 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 19 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 19.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the fire marshal. Where there were Federal

HB 3175
2nd reading

funds that would not flow until the next fiscal year, we've have taken it out of this supplemental and we'll put it into the new budget. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 19 to House Bill 3165. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 20 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 20.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a...a...an amendment which transfers six hundred and seventy-six thousand dollars among several lines in the budget of the Department of Children and Family Services. I would move for its adoption.

PRESIDENT:

Senator Etheredge has moved the adoption of Amendment No. 20 to House Bill 3165. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas on 3175. Bottom of page 12, on the Order of House Bills 2nd Reading, House Bill 3175. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3175.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

HB 3178
2nd Reading

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 13, 3178, Senator Watson. On the Order of House Bills 2nd Reading is House Bill 3178. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3178.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDENT:

Senator Watson on Committee Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 simply changed the...the word "banks" to "financial institutions" whose deposits are insured by an agency or instrumentally of the Federal Government. The reason for this is to allow savings and loans, credit unions who do have trust agreements to participate in this process, and I know of no opposition and it...of course, also protects those people who are involved in the...the contract because it does say that they have to be insured by the Federal Government. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Committee Amendment No. 1 to House Bill 3178. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

HB3181
2nd Reading

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3181, Senator Marovitz. On the Order of House Bills 2nd Reading is House Bill 3181. Read the bill, Mr. Secretary.

END OF REEL

HB 3192
2nd Reading

REEL #2

SECRETARY:

House Bill 3181.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3182, Senator Davidson. 3187, Senator Berman. 3192, Senator Watson. On the Order of House Bills 2nd Reading is House Bill 3192. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3192.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3200, Senator Maitland. 3207, Senator Berman. 3213. 3217, Senator Degnan. On the Order of House Bills 2nd Reading, the bottom of page 13, is House Bill 3217. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3217.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 14, 3222, Senator Lechowicz. 3230, Senator Carroll. Pass over. On the Order of House Bills 2nd Reading is House...don't pass it over, I understand you. On the Order of House Bills 2nd Reading is House Bill 3230. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3230.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3267, 3271, 3276, Senator Berman. 3298, Senator Savickas. 3300, Senator Lechowicz. 3302, Senator Lemke. 3309, Senator Maitland. 3328, Senator Netsch. Bottom of page 14, 3-3-2-8. 3340, Senator Lemke. 3346, Senator Newhouse. 3351. 3371, Senator Karpiel. 3378, Senator Vadalabene. Hot dog, somebody is paying attention. On the Order of House Bills 2nd Reading Is House Bill 3378. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3378.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3394, Senator Fawell. 3396, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 3396. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3396.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment agreed to was to...to bring down the projects for authorization to the level of appropriation to add to it the GO bonds and for the new school districts and to take out those attempts to appropriate money in an authorization bill. And I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3396. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Welch and Luft.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment does is it enacts an authorization for the Metropolitan Fair and Exposi-

tion Authority to refund its existing bonds. The bonds issued by the Authority had come to three hundred and twelve million dollars to pay for the cost of the project. Today's bond market, according to the bond proposals that have been received, indicates that the State could save 1.3 million dollars a year in annual debt service payments. This amendment requires that the money saved out of that one million dollars per year be appropriated from the Build Illinois purposes fund. The effect is to reallocate debt service savings to allow the State to expend more in projects without incurring additional bond costs or additional interest payments.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 3396. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, I just got a copy of this amendment and I'm not going to use this for any dilatory purpose, but I understand the Authority is going to propose something that allows them to refund it. And I'm wondering why the State of Illinois wants to enlarge its bonding by three hundred million dollars when the same thing could be done by the Authority and it does not, in fact, impact upon the State of Illinois. I'd like to have an answer to that.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, it's my understanding the Authority is doing the refunding and what we're doing is authorizing them to go ahead and reissue the bonds.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I'm sorry, I did not...I thought the State of Illinois

was doing the refunding.

PRESIDENT:

All right. Further discussion?

SENATOR DeANGELIS:

Wait...hold.

PRESIDENT:

I beg your pardon, Senator DeAngelis.

SENATOR DeANGELIS:

I have an...an explanation from your...side of the aisle that says, "Authorizes the State to refund an additional three hundred million."

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, you have a different...explanation than the staff gave me. Mine says, "Authorizes McCormick Place and Metropolitan Fair and Exposition Authority to refund its existing bonds." So, I'm not sure...I don't think that's our analysis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it is your analysis; however, what is your LRB No. on that amendment?

PRESIDENT:

Mr. Secretary, the LRB number.

SECRETARY:

It doesn't have, it's a...it's a SDS number.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

It that the Students for a Democratic Society number?

PRESIDENT:

No. Senator Welch.

SENATOR WELCH:

Well, there's a number that's SDS84H3396PAML-JPH. Is that what you're referring to?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I'm sorry, Mr. President, I'm...discussing the next amendment.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 3396. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 3.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 3 authorizes the State to refund an additional three hundred million in General Obligation Bonds. It's a request by the Bureau of the Budget due to favorable conditions existing in today's market. Amendment No. 3 also requires the Governor before he enters into any agreements for the delivery of professional services with reference to an intent to refund GO bonds and Build Illinois bonds, he must first give public notice soliciting proposals for professional services. Such notice...must be published twice in a newspaper in general circulation in the State with the second notice at least ten days before the Governor expects to select a provider. The notice must include a description of the work to be accomplished and the notice must contain a description of the factors that will be considered by the Governor or BOB in selecting the provider. Copies of every proposal for delivery

of professional services submitted in response to the notice shall be submitted by the Bureau of the Budget to the four legislative leaders. Persons submitting a proposal for the delivery of services must disclose each individual having a beneficial interest of more than seven and an half percent of such entity, names of officers and directors and the name of any person that will benefit financially from the contract. Persons that have provided professional services related to recommending the issuance of a refunding bond are prohibited...from performing any work with respect to the...refinancing.

PRESIDENT:

All right. Senator Luft has moved the adoption of Amendment No. 3 to House Bill 3396. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, thank you, Mr. President, questions of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Luft, this does not include the McCormick Place bonds, correct?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Huh...no.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Is the language...on the RFP's and the service contracts identical to the language that currently exists in the Metropolitan Fair and Exposition Authority?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDENT:

Further discussion? If not, Senator Luft has moved the adoption of Amendment No. 3 to House Bill 3396. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3422, Senator Davidson. 3423, Senator Holmberg. On the Order of House Bills 2nd Reading is House Bill 3423. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3423.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3428, Senator Watson. On the Order of House Bills 2nd Reading is House...bottom of page 15, House Bill 3428. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3428.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

HB 3477 3rd reading

PRESIDENT:

3rd reading. Top of page 16, 3449, Senator Luft. 3468, Senator Rupp. 3473, Senator Davidson. 3474, Senator Geo-Karis. 3475, Senator Leitch. On the Order of House Bills 2nd Reading is House...middle of page 16 is House Bill 3475. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3475.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Leitch and Philip.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Yes, this amendment simply requires consent of the owners for placing property on historic designation rolls, and I know of no opposition and would request approval.

PRESIDENT:

Senator Leitch has moved the adoption of Amendment No. 1 to House Bill 3475. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3476, Senator Donahue. 3477, Senator Kustra. On the Order of House Bills 2nd Reading, House Bill 3477. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3477.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDENT:

Senator Kustra on Committee Amendment No. 1.

SENATOR KUSTRA:

Thank you, Mr. President. Amendment No. 1 which was added in committee is somewhat of a technical amendment. It adds the word "unsolicited funds" to the...the bill.

PRESIDENT:

All right. Senator Kustra has moved the adoption of Committee Amendment No. 1 to House Bill 3477. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDENT:

Senator Berman on Amendment No. 2.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 2...provides that services for homeless youth...for which child-care facilities and foster family homes shall be included in their...licensure provisions and also adds shelter and independent living for homeless youth to the child welfare services provided by DCFS. I move the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator...Berman has moved the adoption of Amendment No. 2 to House Bill 3477. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Not on this one, I'm waiting for you.

PRESIDENT:

All right. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3477. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3479, Senator Woodyard. On the Order of House Bills 2nd Reading is House Bill 3479. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3479.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Transportation offers one amendment.

PRESIDENT:

All right. Senator Woodyard on Committee Amendment No. 1.

SENATOR WOODYARD:

Thank...thank you, Mr. President. Committee Amendment No. 1 simply added additional...land transfers. This is the annual land transfer bill by the Department of Transportation and added some to that.

PRESIDENT:

All right. Senator Woodyard has moved the adoption of Committee Amendment No. 1 to House Bill 3479. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3480, Senator Mahar. On the Order of House Bills 2nd Reading is House Bill 3480. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3480.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Transportation offers two amendments.

PRESIDENT:

Senator Mahar on Committee Amendment No. 1.

SENATOR MAHAR:

Thank you, Mr. President. This also is a IDOT land conveyance bill. Committee...Amendment No. 1 is a department amendment that adds an additional six parcels.

PRESIDENT:

Senator Mahar has moved the adoption of Committee Amendment No. 1 to House Bill 3480. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Mahar on Committee Amendment No. 2.

SENATOR MAHAR:

This adds a parcel in Henry County.

PRESIDENT:

Senator Mahar moves the adoption of Committee Amendment No. 2 to House Bill 3480. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have

it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3503, Senator Holmberg. On the Order of House Bills 2nd Reading, the bottom of page 16, House Bill 3503. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3503.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 17, 3506, Senator Rigney. On the Order of House Bills 2nd Reading is House Bill 3506. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3506.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3512, Senator Geo-Karis. Senator Geo-Karis, going once, twice, three times. On the Order of House

Bills 2nd Reading, House Bill 3512. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3512.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on Amendment No. 1.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 1 deletes the right of power of condemnation that was set forth in that bill. And I move the passage of this amendment.

PRESIDENT:

All right. Senator Geo-Karis has moved the adoption of Amendment No. 1 to House Bill 3512. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3520, Senator Schaffer. On the Order of House Bills 2nd Reading, House Bill 3520. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3520.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No...Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3521, Senator Watson. On the Order of Senate Bills 2nd Reading is Senate Bill 3521, Mr. Secretary.

SECRETARY:

Senate...House Bill 3521.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This amendment which...replaces the original language of the legislation has been drafted in cooperation with the Department of Public Health, Public Aid and...the Governor's Office and representatives of all four staffs. The amendment restricts in accordance with the Parks decision which was a decision that was filed by a private individual against the Department of Public Health...or pardon me, Department of...against the community mental health, I beg your pardon, and Dr. Patavick when he was...director. Anyway, the parents of children of those particular facilities cannot incur liability for charges other than mental charges...medical charges not related to the handicap. This bill simply makes the Parks decision and the education for all handicapped children...applicable to State facilities. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson moves the adoption of Committee Amendment No. 1 to House Bill 3521. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted.

Further committee amendments?

SECRETARY:

No further...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 3525, Senator Barkhausen. House Bills 2nd reading is Senate Bill 3525, Mr. Secretary.

SECRETARY:

House Bill 3525.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I want to first move to Table the committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen...Senator Barkhausen.

SENATOR BARKHAUSEN:

We have a Floor amendment that is a substitute for the committee amendment. It has been discussed and cleared with the other side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen...all right...all right...all right...Senator Barkhausen moves to Table Committee Amendment No. 1. Discussion? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is...is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members,...the Floor amendment which we're proposing here is similar to the...to the other amendment, only it...keeps the...the burden of proof on the State to prove the absence of an affirmative defense in this bill once the issue has been raised by the defendant. I know of no opposition, would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Barkhausen moves the adoption of Amendment No. 2 to House Bill 3525. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 3527, Senator Rupp. On the Order of House Bills 2nd Reading is Senate Bill 3525, Mr. Secretary.

SECRETARY:

Senate...House Bill 3527.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senate Bill 3528, Senator Donahue. All right. On the Order of House Bills 2nd Reading is Senate Bill 3528, Mr. Secretary.

SECRETARY:

House Bill 3528.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3543, Senator Degnan. On the Order of House Bills 2nd Reading is Senate Bill 3543, Mr. Secretary.

SECRETARY:

House Bill 3543.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Committee Amendment No. 1 adds two members to the sheriff's merit board, sets their terms of office and deletes everything else from the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan...moves to adopt Committee Amendment No. 1 to Senate...House Bill 3543. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3549 2nd Reading

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3548, Senator Schaffer. 3549, Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 3549, Mr. Secretary.

SECRETARY:

House Bill 3549.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 18, House Bill 3550, Senator Berman. House bills 2nd reading is House Bill 3550, Mr. Secretary.

SECRETARY:

House Bill 3550.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Berman on Committee Amendment No. 1.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 clarifies the language regarding the receipt of grants and donations for the Summer School for the Arts. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman has moved the...the adoption of Committee Amendment No. 1 to House Bill 3550. Discussion? If not,

those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3551, Senator Etheredge. House bills 2nd reading is House Bill 3551, Mr. Secretary.

SECRETARY:

House Bill 3551.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3552. On the Order of House Bills 2nd Reading is House Bill 3552...Mr...52, Mr. Secretary.

SECRETARY:

House Bill 3552.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3553. On the Order of House Bills 2nd Reading is House Bill 3553, Mr. Secretary.

3rd reading. House Bill 3554. House bills 2nd reading is House Bill 3554, Mr. Secretary.

SECRETARY:

House Bill 3554.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3555, Senator Mahar. 3567, Senator Jerome Joyce. On the Order of House Bills 2nd Reading is House Bill 3567, Mr. Secretary.

SECRETARY:

House Bill 3567.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3573, Senator Rock. House Bill 3584, Senator Fawell. Senator Fawell. House bills 2nd

HB3596 3rd reading HB3591 2nd Reading

reading is House Bill 3584, Mr. Secretary. Read the bill.

SECRETARY:

...House Bill 3584.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3591, Senator Mahar. On the Order of House Bills 2nd Reading, the bottom of page 18, is House Bill 3591. Mr. Secretary.

SECRETARY:

House Bill 3591.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3596, Senator Fawell. House bills 2nd reading, top of page 19, is 3596, Mr. Secretary.

SECRETARY:

House Bill 3596.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This amendment merely mandates that the judge assess the fee that is authorized by the county board and I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3596. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. House Bill 3598. All right. House bills 2nd reading is House Bill 3598, Mr. Secretary.

SECRETARY:

House Bill 3598.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3599, Senator Newhouse. On the Order of House Bills 2nd Reading is House Bill 3599, Mr. Secretary.

SECRETARY:

House Bill 3599.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

HB 3605 2nd Reading

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3605. On the Order of House Bills 2nd Reading is House Bill 3605, Mr. Secretary.

SECRETARY:

House Bill 3605.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3632. With leave of the Body, we'll go to the Order of Resolutions. Leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I would like to be added as a sponsor of House Bill 2816.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 2816, Senator Vadalabene seeks leave of the Body to be added as a cosponsor of House Bill 2816. Is leave granted? Leave is granted. So ordered. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 1064, by Senator Kustra.

1065, by Senators Topinka and Zito.

1066, Senator Topinka.

1067, Senator Maitland.

1068, Senator Maitland.

Senate Joint Resolution 171, Senators...Savickas, Lemke and all Senators.

HB 1556 motion

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

And Senate Resolution 1069 offered by Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. There are two motions in writing that are filed here by the Secretary...with the Secretary. Will...leave of that...leave of the Body, we'll go to that order of business to pick up those two motions, Mr. Secretary.

SECRETARY:

Motion in writing. I move to suspend the rule for the purpose of removing House Bill 787 from the Order of House Bills 3rd Reading and placing it on the Order of House Bills 2nd Reading. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would just move for the adoption...of the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft has sought...has moved to return House Bill 787 from the Order of 3rd Reading to the Order of 2nd Reading. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion...is adopted. Further motions? It's on the Order of 2nd Reading. Motions...further motions?

SECRETARY:

Motion in writing. I move to suspend the rules for...for the purpose of having House Bill 1556 removed from the Order of Consideration Postponed, placed on the Order of House Bills 2nd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. With leave of the Body, Senator Keats I know is otherwise occupied, this...these two motions concern themselves with bills that were rereferred to committee. They are now being used for an entirely different purpose than that for which they were introduced. So, it's only appropriate that they be placed on the Order of 2nd Reading for the purpose of an amendment and I would so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to suspend...Senator Keats?

SENATOR KEATS:

Go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Rock has moved to suspend the rules for the purpose of having House Bill 1556 removed from the Order of Consideration Postponed and placed on the Order of House Bills 2nd Reading. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Thank you, Mr. President. I have cleared it with the sponsors and I would be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR MACDONALD:

...ask to be hyphenated cosponsor of House Bill 3477 and hyphenated cosponsor of House Bill 3521.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Macdonald to be added as a hyphenated cosponsor of 3477, House Bill, and House Bill 3521. Is leave granted? Leave is granted. So ordered. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

A...permission of the Senate to become cosponsor of House Bill 3044. I have spoke to the sponsor and it's agreeable to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Davidson to be added as a hyphenated cosponsor of House Bill 3044. Is leave granted? Leave is granted. So ordered. Senator Rock.

SENATOR ROCK:

All right. Thank you, Mr. President. There is a pretty heavy committee schedule this afternoon both in Appropriations I and the Executive Committee; also, tomorrow morning, Appropriations II and the Executive Committee. So I would move you that we stand adjourned until noon tomorrow at which time we will start again on the Order of House Bills 2nd Reading and go right through the Calendar, and, if indeed, we can get to 3rd reading, we will certainly do it. The more work we can get done this week, obviously, the less we have to do next week.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Sangmeister?

SENATOR SANGMEISTER:

Yeah, thank you. Just to announce that...there has been some resolutions added since the last posting to be heard tomorrow in Executive Committee. They are 1037, 1045, 1046 and 1047. Also there has been one filed today that needs to have the appropriate rule waived for posting and that is Senate Resolution 1069, which I understand is Senator Nedza's. So, at this time, I would move that the appropriate rule be suspended on the posting of House Resolution...Senate Resolution, I'm sorry, 1069.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Sangmeister to...suspend the appropriate Senate rule in order

that Senate Resolution 1069 can be heard tomorrow in Executive. On that...on that request, Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just like to know what the subject of this resolution is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

You understand we're going to hear this, all we're doing is suspending the rule so it can be heard tomorrow. But the resolution is...on O'Hare International Airport...let's see, the bottom line of the resolution says to...that there be a committee appointed. You know, I haven't looked at this either, all I'm doing is getting it out for...but it's to appoint a committee composed of six members of the Senate, three by the President...and three by the Senate Minority Leader, yourself,...to, I presume, study the problem at...O'Hare Airport. Senator Nedza is not on the Floor but we're getting into the content of the resolution. All I'm doing is getting it...ready for hearing tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I just wondered what so was important. Now I know what it is, it's what we call a stroke job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion on the motion? Senator Hall, do you wish to be recognized on this...motion? Senator Hall, all right.

SENATOR HALL:

No...I have...announcement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, when...Senator Sangmeister has moved to suspend the

appropriate rule in order that Senate Resolution 1069 can be heard in the Executive Committee tomorrow. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended and the resolution will be afforded the opportunity to be heard tomorrow. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as far as stroke job is concerned, I was told that you had approved that over on that side; but in addition to that, the committee meets tomorrow morning at ten o'clock, and this afternoon at three o'clock, and I have not been told that that time has changed, the Executive Committee will hold a hearing on the review...the Compensation Review Board's recommendations on salaries. That will be in Room 400 at three o'clock this afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further business? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Purpose of an announcement. Appropriations I will meet at three o'clock in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President. I just want to make sure that everybody who's on Appropriation II, we're going to meet promptly at nine o'clock tomorrow. I hope everybody will be there. We got a heavy schedule and we...so please be in Room 212 at 9:00 a. m. tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? Senator Rock has moved that the Senate stand adjourned until tomorrow, June 18th, at the hour of noon. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 18, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the gallery kindly rise. Prayer this afternoon by the Reverend Mary Catherine Pierce, Gibson City and Elliott United Methodist Churches, Gibson City, Illinois. Reverend.

REVEREND MARY CATHERINE PIERCE:

(Prayer given by Reverend Pierce)

PRESIDENT:

Thank you, very much, Reverend. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, June the 10th; Wednesday, June the 11th and Thursday, June the 12th, in the year 1986.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journal of Tuesday, June 17th, in the year 1986, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Committee reports, Mr. Secretary.

SECRETARY:

Senator Carroll, chairman of Appropriations I Committee, reports out the following House bills:

House Bill 3343 with the recommendation Do Pass.

House Bills 2625, 2688, 2878, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2986, 2989, 2990, 2991,...2992, 2994, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3035, 3093, 3101, 3253, 3255 and 3257 with the recommendation Do Pass as Amended.

Senator Sangmeister,...chairman of Executive Committee, reports Senate Joint Resolution No. 144 with no recommendation.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. Now that it has been read in by the Secretary, I believe a motion is in order to move Senate Joint Resolution 144 from the Secretary's Table to the Secretary's Desk Resolutions on the Calendar.

PRESIDENT:

All right, you've heard the motion as placed by Senator Sangmeister. It concerns Senate Joint Resolution 144 and he's asked leave, pursuant to direction of the committee, that it be placed on the Order of Secretary's Desk Resolutions. Without objection, leave is granted. Resolutions.

SECRETARY:

Senate Resolution 1070 offered by Senator Geo-Karis. It's congratulatory.

Senate Resolution 1071 offered by Senator Savickas, Lemke, Rock and all Senators, and it's congratulatory.

Senate Resolution 1072 offered by Senator Savickas...Senator Savickas and Rock and...and all Senators, and it's congratulatory.

Senate Resolution 1073, by Senators Lechowicz and all

Senators, and it's a death resolution.

PRESIDENT:

Consent Calendar. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I ask leave of the Body to be listed as the principal sponsor of Senate Resolution 1069. Senator Nedza is presently listed as the chief sponsor. That was done in error. It should be Senator Lechowicz.

PRESIDENT:

All right. Gentleman asks leave to be shown as the chief sponsor on Senate Resolution 1069. Without objection, leave is granted. All right, if I can have your attention, as we...Senator Degnan, for what purpose do you arise?

SENATOR DEGNAN:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

State your point, sir.

SENATOR DEGNAN:

Like to introduce to the assembled Senators some constituents of Senator Jeremiah Joyce, my brother, Bob, and his family, my mother, Bernice Degnan.

PRESIDENT:

Welcome to Springfield. Will our guests please stand and be recognized. All right, the procedure will be, we will start on page 12 on the Calendar on the Order of Senate Bills...2nd...House Bills 2nd Reading, page 12 on the Calendar. We will go through, I...I hope, all the House bills on 2nd reading and then we will move to House bills on 3rd reading and we'll work until approximately five-thirty. House bills 2nd on page 12. Once we go through the seventy-two or seventy-three House bills on 2nd, we will then

HB 787
2nd reading

revert to the Order of House Bills 3rd Reading, final passage, which begins on page 3. So, I'd ask those members who have bills in position to please be ready. With leave of the Body, we'll move to page 12 on the Calendar, on the Order of House Bills 2nd Reading. I'd ask the members to please open up their Calendars. If Senators Luft, Barkhausen, Netsch, Smith, Marovitz, Keats, Netsch, Netsch, Smith, DeAngelis, Marovitz...at the bottom of page 12, on the Order of House Bills 2nd Reading, House Bill 787. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 787.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Luft.

PRESIDENT:

Senator Luft on Amendment No. 1 to House Bill 787.

SENATOR LUFT:

Thank you,...thank you, Mr. President. The subject matter of Amendment No. 1 to House Bill 787 is the supplemental licensing. The original intent of the supplemental license was to allow licensed automobile dealers to conduct business within their market area. Unfortunately, the supplemental license has been used to allow individuals to go anywhere in the State of Illinois, hold weekend sales, permanently leave the area and not to be available to answer consumer inquiries regarding vehicles sold at the location. What we're doing with Amendment No. 1 is to amend the Illinois Vehicle Code and provide that the Secretary of State shall not issue a supplemental license outside the relevant market area of any licensed dealers.

PRESIDENT:

All right, Senator Luft has moved the adoption of Amendment No. 1 to House Bill 787. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senators Luft and Davidson.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

I'd ask leave to withdraw that amendment, please.

PRESIDENT:

Withdraw that amendment, Mr. Secretary. Senator Barkhausen on 913. Senator Luft, there is another amendment on 787. Are you aware of that? All right, with leave of the Body, we'll return 787 to the Order of 2nd Reading. I'm sorry, I made a mistake. When he withdrew that amendment there was already a third one filed. So, this will be Amendment No. 2 to House Bill 787, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by Senator O'Daniel.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

...thank...thank you, Mr. President and members of the Senate. This bill really cleans up House Bill...this amendment, House Bill 178, the tarpaulin bill, and it changes the violation from a moving violation to an equipment violation.

PRESIDENT:

All right, Senator O'Daniel has moved the adoption of Amendment No. 2 to House Bill 787. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

HB 1130
2nd reading

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. 913, Senator Barkhausen does not wish to call. 1130, Senator Netsch. 1-1-3-0. On the Order of House Bills 2nd Reading, the top of page 13, is House Bill 1130. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1130.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Revenue offers one amendment.

PRESIDENT:

Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. Committee Amendment No. 1 is really the text of House Bill 1155 which was not permitted out of the Rules Committee. I think seven of the provisions...or...or...three or four of the provisions are...are very technical points that were requested by the Illinois Department of Revenue, a matter of conforming some penalty provisions that had gotten confused over a period of time and so forth. I really don't think they are of particular controversy. There is one provision that is quite substantive that...that a number of people here are interested in, including Senators Rigney and O'Daniel, and that is the provision which kind of redefines the cost against which the private used car tax...sales tax, if you will, will be extended. The situation is thus, that if two private individuals exchange automobiles, the Department of Revenue had interpreted our used car tax, our private vehicle tax, as requiring them to assess the sales tax against the full price market value of both, so that if I trade you a ten thousand dollar Cadillac and take in return a seven thousand dollar

HB 1556 2nd Reading

Buick or whatever, the...each of us is paying...or...or each is paying tax on the full amount, the ten thousand dollars and the seven thousand dollars instead of the difference between the two. I don't think that is what anyone thought would be the case. There have been instances and this is in part designed to correct that. The other provisions, as I indicated, are quite technical and requested by the department. I would move the adoption of Amendment No. 1 to House Bill 1130.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Committee Amendment No. 1 to House Bill 1130. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1321, Senator Netsch. 1446. 1477, Senator Marovitz. 1556, Senator Keats. On the Order of House Bills 2nd Reading is House Bill 1556. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1556.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance and Credit Regulations offers two amendments.

PRESIDENT:

Senator Keats on Committee Amendment No. 1.

SENATOR KEATS:

Thank you, Mr. President. Several days ago I had distributed to every member of the Senate copies of Committee Amendments 2 and 3 with a note from me telling you what they were and then a letter from the Commissioner of Banks on his personal stationery with the seventeen points that are covered, and if anyone has any questions, I'm glad to answer them but this is a rewrite of the Reciprocal Bank Holding Company Act of last year. These are technical changes. They are supported by all the various banking groups but I'm more than willing to answer any questions anyone has but would appreciate affirmative roll call...

PRESIDENT:

All right, Senator Keats has moved the adoption of Committee Amendment No. 2 to House Bill 1556. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Committee Amendment No. 3.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This is a technical amendment. The second amendment...as occasionally happens, had several technical flaws, some spelling, et cetera, this corrects them and there's nothing in here but technical, numbers and spelling.

PRESIDENT:

All right, Senator Keats has moved the adoption of Amendment No. 3 to House Bill 1556. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1675, Senator Netsch. On the Order of House Bills 2nd Reading, the middle of page 13, is House Bill 1675. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1675.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDENT:

All right, Senator Netsch on Committee Amendment No. 1.

SENATOR NETSCH:

Thank you, Mr. President. The bill deals with an acceleration of the local sales tax monies that are due to our local units of government. The amendment simply synchronizes some dates that were referred to in this process, again, requested by the Department of Revenue to clarify the acceleration dates. It's fairly technical. I would move the adoption of Amendment No. 1 to House Bill 1675.

PRESIDENT:

All right, Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1675. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDENT:

3rd reading. 1865, Senator Smith. On the Order of House Bills 2nd Reading, the bottom of page 13, is House Bill 1865. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1865.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Senator Smith on Committee Amendment No. 1...no committee amendments. Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 1.

SENATOR SCHAFFER:

Mr. President, Amendment No. 1 has to deal with the...to do with the subject of copayments. It would make the copayment concept mandatory instead of optional and move it from one dollar to...let's see...I'm trying to get my...at least one dollar...up...up to fifteen percent of the cost for drugs and three dollars to fifteen percent of the total cost for outpatient and clinical services.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 1865. Any discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I just recently got some information on this. Senator Schaffer, I've been told that this amendment is unnecessary because the department presently has the authority to institute copayment by rules. Is that a true statement or false?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

...they do have the authority but there's a maximum and this increases the amount.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

You'll have to excuse me from reading from a...a sheet that I have here because I just received this and we wanted to get some clarification. It is also stated that your amendment would cause incredible hardship to recipients needing medical services. "Those receiving aid to families with dependent children and general assistance presently are receiving fifty percent of the standard of need. Half of the interim assistants...recipients of aid the aged, blind and disabled receive less than general assistant recipients. And many families and recipients must already spend down their income to very low levels in order to receive that medical assistance. So, in fact, they do not pay for the assistance they receive." What is your response to that?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'll read my script. No,...I think I already have, to be honest with you. Frankly, those problems, I think, could be addressed by the rule making authority of the department.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well,...from what I've been able to gather at this late date with your amendment that it's an overkill from what I can see and I would ask everybody to...you know, take a good look at what this amendment does and...before accepting it.

PRESIDENT:

All right,...further discussion on Amendment No. 1? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Senator Schaffer. Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, I would like to know, is this amendment now...does it mean that you and your colleagues on the other side of the aisle is ready for an amendment to raise the public aid recipients up to the standard...of fifty percent of the standard of need?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

A separate issue completely, Senator.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Well, I...I don't think...you know, it is not a separate issue. You're talking about increasing their budget and you're talking about an increased need for them to expend revenue that they don't have. So if we are going to do this, then it...it stands to reason that we are going to increase them up if we are now below funding them at the standard of need as...as established by this State. Then if you are going to increase the use and the need for them to have to pay out money, it is common sense that now we're ready to...to bring them up to at least the fifty percent of the standard of need which most certainly does not respond to the critical need of ADC recipients, and...due to the fact that they are currently now on a flat grant system, where in God's name will they ever get the additional money? Maybe it seems

like one dollar or two dollars doesn't mean very much to you, but I can assure you, there are many times where ADC recipients and other people on fixed income, a dollar is an awful lot of money because it will get a loaf of bread when the food stamps run out or it will get some medicine, over the counter kinds of things...to....to put on sores for their children that they can't get through prescription drugs and it will buy an additional pair of socks for a kid to go to school. So, a dollar is important. Three dollars is...is very critical to their budget.

PRESIDENT:

All right, Senator Schaffer has moved the adoption of Amendment No. 1. Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and to members of the Senate. I listened to my colleague on the other side seeking to present a...a resolution...I mean an amendment to this bill...of 1863 which is dealing with the very poor, those who do not have any aid whatsoever and those who are working poor seeking to survive and to remove themselves from the public aid rolls, and now he says that if they have any medical problems with their children that they are supposed to pay to the hospital as a copayment...to the hospital and they are...expected to pay the bill even though they don't have money. I'd like to know, where does he think that they are going to get the money to pay these bills? You're going to keep mothers who have sick babies from seeking any type of medical aid whatsoever and you don't seem to be very careful about them. Now the Department of Public Aid says that they currently do not ask for copayments, and if that is the case, why are we increasing the amount expected to pay when they don't do it now? And then the next thing, you talked about when the mother has a sick baby, possibly on a Sunday, and has an emergency that she wants to go to the hospital. If she does

not know what the case is or what her sick...the child's sickness is, she's expected to pay for that treatment to the hospital. I think that that's...excuse the vernacular of the street, and I do not curse, but I think that this is a damnable thing to say to a very poor person who is seeking to raise ourself by our bootstraps. You're trying to keep people from...that needs medical need from going to the hospital and it is said that the true measure of a society is how we treat the unfortunate people. I understand that this same issue came up five years ago, Senator Schaffer, and it was defeated in committee as a Floor amendment as it was a Conference Committee...report, and at that time, Senator Totten was handling this issue. I don't think that it is very wise for you to ask people who do not have to ask them to do the impossible. I say to this Body, please, if you have any sensitivity about you at all, to help these mothers who are trying to help themselves. They don't want to stay on public aid. Who wants to stay...but their situation because of all these cuts that we're getting, because they can't help themselves, they're trying to help themselves and here you are trying to make it harder for them. What goes around comes around. These mothers cannot afford it...they want to help themselves, and I ask that you please, please, of all mercy...if we want to help these people to help themselves and get off of welfare, I ask that you disregard this amendment and let the bill go as it is, 1865. Thank you, sir.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a couple of questions if I could, please.

PRESIDENT:

...sponsor indicates he'll yield.

SENATOR WATSON:

This doesn't at all inhibit a public aid recipient from going to the doctor's office and providing for medical care to their...and we're...we're just talking about emergency room. Isn't that right?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

...that is exactly the thrust of that portion of the amendment. People should go to the doctor, not to the emergency room. A doctor's call is twelve to twenty dollars, an emergency room is seventy-five bucks an hour. When there's no cost differential, when it's just as cheap 'cause you aren't paying anything, you'll go to the emergency room and nick the taxpayers for seventy-five; whereas, if it's just a matter of a regular, normal type situation, you'll go to the doctor's office and save the taxpayers money. All we're saying is that if you go to the doctor's office, we aren't asking you for a copayment, but if you're going to go to the emergency room and...and let's face it, the...the statistics indicate an awful lot of the emergency room is pretty mundane, normal kind of stuff that could be accommodated in regular doctor's calls that you and I would make if...if we were...if we had the choice. We need to encourage the appropriate uses of those limited resources we have available and that's the purpose of that concept...that portion of this amendment.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

So, your opinion is, we're going to save a considerable amount of money in regard to something like this and with the fiscal situation that we have in our State, this is a responsible amendment. Do you agree?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, obviously, I do and that's the purpose of the amendment is to prevent overutilization and drugs, and I refer back to the publicity of our departed colleague and we know about the drug utilization. When it's free, nobody cares, get as much as you can, that's human nature, it's human nature in my part of the State, it's human nature in any part of the State. Our concern has been that the department while they've had the optional power to go to copayments has not. We're trying to send them a message. I'm willing to negotiate on the dollar and three dollar amount to go back to what we had originally, but the fact is the department thus far has not chosen to implement copayments for whatever reasons they have, and if we can send them a message with this legislation, then I think it's a good step in the right direction.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well,...excuse me, I was off the Floor when you initially brought the amendment out. What is the copayment for a...a prescription in a drugstore?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

It's a...at least one dollar to fifteen percent of the total cost.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, I think this is...personally, a good amendment. As a pharmacist and...and someone who sees the abuses of this daily in the drugstore where people will literally bring in

bags of bottles of prescriptions and say fill them up when they know that they aren't responsible for the payment is a real situation that's happening out there every day. I see no reason in asking these people to pay something for the medication that they're receiving. And I know another situation that's very real...at least in my community is that the public aid recipient will go to the emergency room knowing full well they don't have to wait necessarily as long as they have to wait in a doctor's office and they know that they'll get immediate care and they'll...immediate consideration. The idea that we're taking something away from these people is not necessarily...true. I think that we're...all we're trying to do is ask them to be somewhat responsible. I don't see any problem with this whatsoever. I'd urge your support.

PRESIDENT:

Further discussion on Amendment No. 1? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Would the sponsor yield to a question, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

...according to our...my staff and in my reading...my hasty reading of this amendment, I don't see the limitation to emergency room services. Did you represent that this related only to emergency room services?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

It's my understanding here that it...that that portion of the amendment is limited to the emergency room...the other portion related to drug sales. So, I...I don't want to say that, you know, it...it was just emergency room because it's copayment for that and then a copayment for drug sales also,

but it's my impression that no...no copayment shall exist for...okay, pardon me, the...the language should...that...that I thought was there, it says that "No copayment shall exist for medical room...encounters which are for medical emergencies." Obviously, if that person is brought in in an ambulance, I'm not accusing them of being an overutilizer, but if they come in, you know, for a...a bottle of cough medicine that they could have gotten at a doctor's office...you know, on a regular appointment for twelve dollars as opposed to seventy-five, I think we have a right to discourage that kind of activity in...in...in all parts of the State, I'm not singling out any particular area.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

That...that wasn't the point I was making, Senator. I thought I understood you to say that this bill related only to emergency room services and not to the normal services received in a doctor's office, clinics and so forth. And if they...if you said that, I don't read the bill that way and I'd like to have that clarified.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

The amendment that I'm talking about dealt with emergency rooms services which would be a three dollar copayment charge. The existing law references a one dollar copayment charge for a medical call. In other words, if you go to a doctor for a normal thing, there's a one dollar copayment; if you go to an emergency room, it's a three dollar copayment. What we're trying to do is put an incentive in to encourage use of regular doctor's appointments as opposed to emergency services, that portion...the doctor's portion is nothing I'm amending, that's why I was stumbling over here.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I'm...I'm sympathetic with your...your idea of limitation on abuse of the emergency room and the use of the emergency room only for emergency purposes, but am I correct in saying to you that this bill isn't limited to that and, as a matter of fact, a copayment is required under this bill for ordinary medical services. Is that correct?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

A...a copayment under the current legislation is for regular medical services a dollar. All this bill does...all the amendment does is amend the current law to say that emergency room instead of being a dollar would be three dollars, so, obviously, you save two bucks if you make a...regular appointment with your doctor; and it also goes on to say if you have a real medical emergency, this doesn't affect you. And I think it's a reasonable proposal and reasonably drafted.

PRESIDENT:

All right, the question is the adoption of Amendment No. 1. We have five or six individual Senators who have sought recognition. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Very honestly, there's two reasons why we should support Senator Schaffer's amendment. One is the Federal cutbacks and, of course, we're three hundred and eight million dollars short on revenue this year I believe, and why shouldn't people on...public aid pie for the part of the cost. No reason whatsoever. It may slow them down a little bit going to the doctor every fifteen minutes. We all ought

to give this a good Aye vote.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you. Question for the sponsor. Senator Schaffer...

PRESIDENT:

...Senator Schaffer indicates he will yield, Senator Marovitz.

SENATOR MAROVITZ:

...Senator Schaffer,...what is the position of Director Coler and the Illinois Department of Public Aid on this amendment?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

It is not...it is not their amendment and to the best of my knowledge, they have no position.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

What about the Illinois Hospital Association?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Same statement.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

What about the Illinois Medical Society?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Same statement.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

...I may be in error but it's my understanding that the...both the medical society and the hospital association are not supportive of this amendment...are not supportive of this amendment and I really think this amendment is not well-founded. I don't think it's in the best interest of the recipients in need and I think it's somewhat insensitive and I would urge opposition to this. The people who are the experts in the field are not supportive of this, including the director of the department most...most affected. So, I think we ought to rely on the experts and oppose this...this amendment.

PRESIDENT:

All right, further discussion? Further discussion? We have a couple of members who indicate they wish to speak for a second time. Senator Collins.

SENATOR COLLINS:

Yeah, I...I apologize but...but I have to respond to something that Senator Schaffer said in reference to the emergency part. It is my understanding in reading this amendment that you're saying that if, in fact, that a mother takes her child...if a child gets sick at night...any night, not just on the weekends or Sunday, and because this mother is not a doctor, she is not trained to determine just how ill this baby may be and...and, believe it or not, I am a mother and I can understand when a little child, a baby gets sick that it is not always easy to determine the severity of that illness, but if, in fact, that that mother knows that she have to take...if she takes this baby into the emergency hospital and that...for whatever reason that it is not serious enough that she could not have waited till the next morning, she may be inclined not to take this child to the doctor at all. That is why probably that you don't get any

support for this kind of idea from the professionals because what we're going to end up on our hands is counting next year how many babies died because the mother decided that she rather stay at home with this child and wait until tomorrow morning rather than taking this child to the hospital tonight, and I'm going to tell you something, I don't think none of us want to play God here because that's what we're going to end up doing. We ought to defeat this amendment as it was before.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Senator Schaffer, you know, you shouldn't be doing this. You really shouldn't and I'll tell you why. It's been said and...and it's been said correctly, when there is a...medical emergency, as a layman, as an individual, I don't know for sure if it's...a medical emergency or not. When I bring my child to the emergency room, I don't know if it's a true emergency or not, I'm not in the position to know. I'm not a doctor. I'm not a nurse. I can't make that decision. Now, according to your bill, it says that the department or appropriate medical personnel determines by justifiable medical standards that it is not an emergency, the copayment comes into effect. I've got to be penalized because I'm trying to do the best thing in the interest of the person that I'm trying to help, it may even be me and what am I confronted with and who does it affect? It affects people on the fringes of poverty, not just the poor, it affects people who are trying to get out of poverty, the working poor people who don't get grants from the department but do have medical assistance. It affects...these people and what do they have to come up with? Up to fifteen percent of the total cost. That's a lot of money to somebody who is on the fringes of poverty. This is a bad amendment,

Senator Schaffer, and it should be soundly defeated.

PRESIDENT:

All right, further discussion? Senator Watson, for the second time.

SENATOR WATSON:

Thank you, Mr. President. I do apologize for rising a second time but I think this point needs to be made. Unfortunately, I think health care ultimately in this...in this country is going to be available only to the very wealthy and only to the poor simply because...and for...for what Senator Collins mentioned is...is quite true. The...the...the middle-class America isn't going to take their child to emergency room and pay a hundred and fifty dollars to have that child looked at. They're going to wait until the next day because they're...they simply can't afford it and what we've got now is a situation in which the very poor receive public aid and the very wealthy, of course, can afford it. The middle-class America is simply getting squeezed out of quality health care, and I...I understand what she's saying but I think it's a real dilemma that we're going to have face in the future and I still think it's a good amendment and should be adopted. Thank you.

PRESIDENT:

Question on the adoption of Amendment No. 1...for the second time, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I, too, stand...I'm sorry to stand for a second time but I...have to say...answer to Mr...or Senator Watson. He said that it...actually if his child was sick, he would wait until the next day. If your child is sick, you want everybody in the world to come to your aid at that particular time. I say these are women who are trying to get out of public aid, their jobs are very low paying jobs, they have asked that they receive Medicaid to

help their children get a grant to do this, but in the process and their children become sick and they have to go to the emergency room, their child is gaping, he's...his eyes is...and you're going to stand there and say I'll wait until the next day and go to a doctor and many of them do not have money to go to a doctor, their only relief is to get to an emergency room, then they go there...and because they do not know what the trouble is with their child, you're going to say you have to pay for this. Public aid and...and...and...public hospitals are to serve people and this is what you're supposed to do. This is insensitive for you to even stand up and offer an amendment of this sort, to say that a person even...they're just...just...just barely making it and some of these mothers don't even have jobs but they have children. If that bill...hospital bill is...five thousand dollars, they're going to have to pay fifteen percent...where are they going to get it? And we must remember that all poor people are not of one ethnic group, they are of all ethnic groups and they fall by circumstances and these things are something that they didn't ask for but is something that happens in the...in the natural life of...of life. I think that this is bad legislation and what goes around will come around. We are supposed to serve people and not try to make it hard for them to survive in our society. I think it's bad legislation, this...this amendment and I certainly hope and pray and ask this august Body if you'll be kind enough to vote against this amendment.

PRESIDENT:

All right, Senator Schaffer may close.

SENATOR SCHAFFER:

Well, I'm...you know it's...it's always difficult to be fiscally responsible and it's always difficult to make some judgment calls of this type. Let me suggest we're trying to accomplish three things by this amendment. One, we're trying

to get the department to implement a program that this Legislature passed and the department has thus far ignored, the concept of copayment. Two, we're trying to put a more realistic copayment in, and by the way, it's by rule of the department and...frankly, the department's past track record indicates to me that they would be most lenient by...in all of their rules and what was an emergency and on what amount was charged over the minimum, and their past track record would say they declare everything an emergency and it stays...stay with a minimum but they might get the program going. The other two things we are trying to address; one, we know, we had a pharmacist stand up here and say it and we've all heard it in our district about public aid recipients coming in for their free pills, bottle after bottle after bottle of taxpayer paid for pills. I don't begrudge anybody any medicine they really need, but other people who pay taxes need medicine and they ought to have some money to buy their medicine. We're just saying there ought to be a little bit of thought gone in to when you go in for those hundred free pills for...that are worth a buck sixty a piece. We're also trying...the third thing is we're trying to encourage people to use doctors' offices instead of emergency rooms. I would be the first to admit, this will amaze people, but I also have children and I've had to make judgment calls on whether to take the child to a doctor or to the emergency room and...couple of times I've run into the emergency room and...and maybe in a medical sense we could have debated whether it was an emergency and I admit that and I paid for, it by the way. I paid for it. I wrote the check and...and maybe having somebody write a little...much smaller check than I had to write or...or come up with a couple of bucks and think about it a little bit would make sense. We all know from our hospitals that they complain constantly that their emergency rooms are being used for normal day-to-day care

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instead of true medical emergencies. If the bill would accomplish nothing else but shifting people to where they should be. And I'll tell you I...I don't speak for anymore than one vote on this Senate Floor, but I'll tell you this, if we can pass this and put this concept into law, I believe it'll save a lot of money and I would be willing to see that money go right back into the public aid budget to fund that cost of living thing that you're...a cause that everyone's always wanted or to do something for the homeless. Why not set some priorities in public aid? Why stop...why throw money away on pills that aren't necessary, emergency calls that are unduly expensive? Why not save some money? And I'll tell you, we can track if this amendment passes and we save money and I'll join with you on the other side to see that that money is used to do something about the homeless or additional cost of living increases. Why waste money when there are higher priorities within this own...own budget? I...ask for the approval of the amendment.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 1 to House Bill 1865. Those in favor of the amendment will vote Aye. The opposed will vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 26 Nays. The amendment fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Senator DeAngelis, on the Order of House Bills 2nd Reading, bottom of page 13, is House Bill 1945. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1945.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Licensed Activity offers one amendment.

PRESIDENT:

Senator DeAngelis on Committee Amendment No. 1.

SENATOR DeANGELIS:

Thank you, Mr. President. Committee Amendment No. 1 to House Bill 1945, which by the way is a bill which amends a lot of different Acts under the supervision of the Department of Registration and Education, adds the Detectives Act to Committee No. 1. It was pretty well discussed in committee. It was adopted with the provision that several other amendments that will be offered on the Floor be presented. So, I urge for the adoption of Committee Amendment No. 1 to House Bill 1945.

PRESIDENT:

Senator DeAngelis has moved the adoption of Committee Amendment No. 1 to House Bill 1945. Any discussion? If not, all in favor indicate by saying Aye...I beg...Senator Marovitz.

SENATOR MAROVITZ:

I am...for the record, this is the...this is the amendment that we had some problems with before. It has been cleaned up and we have taken a look at it and we are supportive, but for the record,...and I spoke to Senator D'Arco about this, it is our intent...and I wish Senator D'Arco were on the Floor because I think he's got the specifics, that the amount of insurance required by the departments rules and regulations be a hundred/three hundred?

PRESIDENT:

That's...that's the next amendment.

SENATOR MAROVITZ:

Oh...oh, is that the next the amendment?...I'm sorry.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Committee Amendment No. 1 to House Bill 1945. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2...Senate Amendment No. 1 to this bill deleted specific training requirements for all private security employees. This amendment deletes the specific courses only for employees who serve as guards. So, basically, the Department of Education is in support of this amendment. It corrects that oversight and I...move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Amendment No. 2 to House Bill 1945. Any discussion? If not, all in...Senator D'Arco.

SENATOR D'ARCO:

Is this the amendment on the liability?

PRESIDENT:

No.

SENATOR D'ARCO:

Okay.

PRESIDENT:

Senator Lechowicz moves the adoption of Amendment No. 2

to House Bill 1945. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis on Amendment No. 3.

SENATOR DeANGELIS:

Thank you, Mr. President. It was suggested by members of the committee that the provision require a liability insurance be reinserted into the bill, that's one part of this amendment. The other part regards the sharing of information regarding those people whose fingerprints were submitted under the provisions of this Act. I move for its adoption.

PRESIDENT:

All right, Senator DeAngelis has moved the adoption of Amendment No. 3 to House Bill 1945. Discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Will the sponsor yield to a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES:

Yeah, Senator DeAngelis, on the amendment...I know we discussed this at length in committee and the bill was let out with the purpose for having...an amendment placed on here as it relate to insurance, and as I pointed out to the committee, I want the Body to know what we are doing with this amendment as it relate to insurance. Could you tell this Body how many companies in this State write insurance for detectives?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I have been informed, Senator Jones, that approximately twenty companies nationwide write this kind of insurance.

PRESIDENT:

Senator Jones.

SENATOR JONES:

I...I...I said how many companies in the State of Illinois...in the State of Illinois issue this type of insurance for detectives?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, I don't know.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, let me...since you don't know, let me inform you that I believe that it's possibly only maybe one place in this entire State that one can get the type of insurance that this legislation calls for. Now, I know what the intent of the sponsor is but with this amendment what you're doing in...in effect is locking many persons who may want to receive a license for a detectives out of...out of...getting their license. They would not...they'd be prohibited from getting their license because they would not be able to get their insurance, and I don't know of any other license that we issue in the State where we make this type of requirement, especially where the insurance is very difficult, almost impossible to get, and I know many persons in Chicago that have private...that have passed exams for private detective license...licenses, but they cannot be licensed because they can't get the insurance...they can't do the work. So, placing this amendment on only locks in those few that are really there but it would prohibit practically anyone else

from...receiving their license from the State of Illinois to do business as a private detective. This is a bad amendment and the amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I thought it was a good amendment and what...the discussions we had on the amendment, where it provides for liability coverage in the amendment, it doesn't specify the amounts or the limits of liability and for the particular amounts of insurance. So, I am told by the department's representative that they will comply with the old Statute as far as the amounts and limits. And let me just say that under the old Statute, there is required one hundred thousand dollars of liability insurance for each person, three hundred thousand for each occurrence for bodily injury and fifty thousand for property damage. I mean, the consensus of the Senate is that those amounts be the amounts that the department by rule specifies as the amounts required in order to obtain a license from the department. We are told by the department that it's better to do it by rule and we agree with that, but we want it in the record that those are the amounts we agreed to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have a question of...for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

Senator DeAngelis, I sponsored 2204 and it sounds like de'ja'vu exactly...what Senator Marovitz agreed upon...what he wanted in my bill. Is this correct or what? Now I...I

see Senator Jones is opposing it and I...I cannot understand it. This sounds like what you wanted and we're giving you what you wanted, now your colleague is opposing it. That's directed to Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis.

SENATOR DeANGELIS:

Well,...it was the wishes of the committee that I present this amendment and I'm abiding by those wishes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, you're waving your finger...finished?

SENATOR DUDYCZ:

Yeah, I'll...I'll wave to Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, Senator Dudycz has...has pretty well put it on the line. This is...this is the correction that we on this side of the aisle wanted. This, in my opinion, does correct that affirmity in the...in the previous legislation. I am supportive of this amendment. I can't speak for my colleague, but I am supportive of this amendment, intend to support it. I think it's a good idea and I think it is wrong to...to...to omit the liability requirements for those people carrying a gun and jeopardize the health, welfare and safety of...of others of our citizens. I'm supportive of this. I think that Senator D'Arco made it very clear about the insurance requirements and the amounts, and I think this deserves a green light.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Jones for a second time.

SENATOR JONES:

Yeah, thank you, Mr. President. In regard to my remarks

on the...on this amendment and what was discussed in committee, I don't know what this side of the aisle agreed to as far as the amendment. We agreed...I know I agreed to let the bill out for the purpose of dealing with an amendment, but I did point out these problems with this particular amendment and if you had a personal agreement with the sponsor, that's your...your agreement. All I wanted the Body to know is that what they are voting on with this amendment and this amendment is virtually locking people out of the business. We agreed people should have insurance, but how in the hell you going to get the insurance if it's not even being offered to you in the State of Illinois? And that's...that's the problem with this particular amendment, and if you had an agreement, I didn't know anything about it, I happened to chair that committee but I know it was discussed as such, but your agreement does not cover every member in...in this...on this side of the aisle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator DeAngelis may close.

SENATOR DeANGELIS:

I move for the adoption. Senator Demuzio, just to a...for the record. Senator D'Arco, the department has agreed to do what you asked by rule...so we have that on the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator DeAngelis has moved the adoption of Amendment No. 3 to House Bill 1945. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment is adopted...further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2254, Senator Marovitz. 2409,

Senator Rock. Page 14, 2486, Senator Weaver. On the Order of House Bills 2nd Reading, top of page 14, is House Bill 2486, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait a minute....wait a minute. Take it out of the record. 2537, Senator Newhouse. 2537. On the Order of House Bills 2nd Reading is House Bill 2537, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2537.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2546, Senator Watson. Senator Watson on the Floor? Senator Watson on the Floor? 2549, Senator Topinka. On the Order of House Bills 2nd Reading is House Bill 2549, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2549.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, I would ask at this time to Table the committee amendment and then seek a Floor amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka moves to Table Committee

Amendment No. 1 to House Bill 2549. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, Floor...the Floor amendment basically does what we did in the...well, it does exactly what we did in the committee amendment but it also adds a technical part of the bill which came after we had the committee work on this from the Secretary of State's Office involving...some...the...the words were not correct in terms of how to incorporate and we have incorporated that into this amendment. So, it covers what we did in the...in the Executive Committee plus the technical change from the Secretary of State's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka has moved the adoption of Amendment No. 2 to House Bill 2549. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2552. Is there leave to come back to that one? Leave is granted. House Bill 2564, Senator Jones.

2582, Senator...Lemke. 2630, Senator D'Arco. 2642, Senator Jerome Joyce. On the Order of House Bills 2nd Reading is House Bill 2642, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2642.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of this amendment is to clear up a...a problem in the Election Code. A city in my district is trying to change from a commission form of government to a commission city managerial form. They received a letter from the State Board of Elections telling them that they couldn't, they had to first change to an aldermanic form of government and then to a city commission with the city manager form of government. What this amendment would do would be to clarify within the Statute that you could, in fact, go directly from a commission form of government to a commission with a city managerial form. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch moves the adoption of Amendment No. 1 to House Bill 2642. If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 2839 3rd Reading HB 2741 Second reading

3rd reading. 2644, Senator Lemke. Page 15, 2648, Senator Barkhausen. 2714, Senator Smith. Senator Smith, 2714? Page 15. I'm sorry, 2714 on page 15. House Bill 2738, Senator Marovitz. Senator Marovitz on the Floor? 2741, Senator Maitland. On the Order of House Bills 2nd Reading, House Bill 2741, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2741.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. Amendment No. 1 would do...amend the School Code with respect to the school district which annexed the territory in one or more entire other school districts. This has been part of a...an ongoing problem. It was in a bill that we had that had a section that wasn't liked and...and we'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland. Senator Dunn has moved the adoption of Amendment No. 1 to House Bill 2741...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2785, Senator Marovitz. Senator Marovitz on the Floor? 2821, Senator Savickas. 2839, Senator Weaver. On the Order of House Bills 2nd Reading is House Bill 2839,

Mr. Secretary.

END OF REEL

REEL #2

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2839.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment would allow the Board of Trustees at the University of Illinois quick-take powers for a period of eighteen months in Champaign County. I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 2839. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2937, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2937.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

HB 2958 3rd Reading.

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2958, Senator Sangmeister. On the Order of House Bills 2nd Reading is House Bill 2958, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2958.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. The committee amendment permits the Comptroller from deducting from funds held by the State Treasurer under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act in order to recoup monies owed to the State. I move for the adoption of the committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister has moved the adoption of Committee Amendment No. 1 to House Bill 2958. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

HB 3089 2nd Reading

SENATOR SANGMEISTER:

Yes, in 1983, the General Assembly passed and the Governor signed the Voluntary Payroll Deduction Act and we know it needs some clean-up changes to make that effective and that's what this amendment does, and I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister moves the adoption of Amendment No. 2 to House Bill 2958. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3019, Senator Joyce. 3-0-1-9...House bills 2nd reading, House Bill 3-0-1-9, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3019.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3043, Senator Lemke. Page 16, 3058, Senator Degnan. Senator Degnan, 3-0-5-8? 3062, Senator Poshard. 3074, Senator Jeremiah Joyce. 3080, Senator Jeremiah Joyce. 3089, Senator Rock. House bills 2nd reading, the...middle of page 16, is House Bill 3-0-8-9. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3089.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3115, Senator Kustra. On the Order of House Bills 2nd Reading is House Bill 3115, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...3115.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3182, Senator Davidson. House bills 2nd reading is House Bill 3182, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3182.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3187, Senator Berman. House bills 2nd reading, House Bill...3187, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3187.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and

HB 3207 2nd Reading

Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. The committee amendment deleted the regional initiatives and kept the bill in line with what we had passed in Senate Bill 730. I move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 3187. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3200, Senator Maitland...Senator Maitland seeks leave of the Body to add Senator Demuzio as a hyphenated cosponsor. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, top of page 17, is House Bill 3207. Senator Berman, 3-2-0-7...page 17, House Bill 3207, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3207.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Commerce and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 1...Committee Amendment No. 1 addressed several of the concerns raised by the Environmental Protection Agency, the Attorney General and

LRB on their cleanup. It clarifies the liability as to the response action contractors under the provisions of this bill. I'd move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is...the...Senator Berman has moved the adoption of Committee Amendment No. 1 to House Bill 3207. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3213, Senator Rock. House bills 2nd reading is House Bill 3213, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3213.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3222, Senator Lechowicz. House bills 2nd reading is House Bill 3222, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3222.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB3267 3rd Reading HB3271 3rd Reading

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3266. Is there leave to come back to that one? Leave is granted. House Bill 3267. Is there leave to come...House Bill 3-2-6-7, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3267.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3271, Senator Rock. House bills 2nd reading is House Bill 3-2-7-1, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House...House Bill 3271.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. Floor Amendment No. 1 was agreed to by the Department of Public Aid. It deletes the language regarding the court's jurisdiction of...of the administrative process regarding the payment of child support. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of...Amendment No. 1 to House Bill 3271. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3276, Senator Berman. House bills 2nd reading is House Bill 3-2-7-6, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3276.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Finance offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This amendment was requested by the Treasurer, was discussed in committee. We adopted in committee what many of us agreed that the language...it was too broad. I have Amendment No. 2 which tightens up the language as to the rule making power of the Treasurer. So, at this point, I would move to Table Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved to Table Committee Amendment No. 1 to House Bill 3276. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This is the language that merely authorizes the Treasurer to provide by rules and regulations the effective administrative performance required under the...pursuant to the Illinois Administrative Procedure Act. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3276. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3298, Senator Savickas. 3300, Senator Lechowicz. On the Order of House Bills 2nd Reading is House Bill 3-3-0-0, Mr. Secretary, read the...

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3300.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 deleted everything after the enacting clause and it provided in House Bill 3300 everything that was contained in Senate Bill 1552 which was the Charitable Gaming Act, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to House Bill 3300. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3302, Senator Lemke. Page 18...page 18, 3309, Senator Maitland. House bills 2nd reading, House Bill 3309, Mr. Secretary. Read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3309.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you,...very much, Mr. President. This amendment was one we talked about in committee. We thought it was drafted in error, we found out later that it was not, it is technically correct. It's nothing more than a technical amendment. I would move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has moved the adoption of Amendment No.

1 to House Bill 3309. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3328, Senator Netsch. Senator Netsch on the Floor? 3340, Senator Lemke. 3346, Senator Newhouse. Senator Newhouse, 3346? House bills 2nd reading is House Bill 3346, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Newhouse and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Take it out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. House Bill 3351, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3351.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...wait, take it out of the record too, there's a committee amendment. Take it out of the record. House Bill 3371, Senator Karpiel. House bills 2nd reading is House Bill 3371, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3371.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3394, Senator Fawell. House bills 2nd reading is House Bill 3-3-9-4, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3394.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill...this amendment is really a technical amendment. It merely tells the requirements and conditions that the special assessment liens can be added on. I'll answer any questions if so desire.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3394. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3422
2nd reading

Senator Keats. Senator Keats on the Floor? Senator...Senator Keats on the Floor? Senator Fawell, Senator Keats is not on the Floor. Senator Fawell.

SENATOR FAWELL:

What this amendment does is it allows the police departments to collect parking tickets with subpoena power.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell, Senator Keats is not on the Floor, his amendment is here. Why don't we just take this out of the record and come back to it later? Senator Fawell.

SENATOR FAWELL:

All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll take it out of the record. Take everything out of the record.

PRESIDENT:

On the Order of House Bills 2nd Reading, the bottom of page 18, House Bill 3422. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3422.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Fawell and Philip.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This takes...this amendment takes care of a...a problem we have in...in Villa Park with a school. It allows them to spend the health and safety measures bond money for building a building which if they remodel the present building would actually cost more,

it costs less this way. I'll be glad to answer any questions if you'd like to...

PRESIDENT:

Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3422. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 2nd Reading, House Bill 3431, Senator Hall. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3431.

(Secretary reads title of bill)

2nd reading...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

...hold that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. House Bill 3449, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3449.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The amendment creates the

Department of the Lottery. The Governor intended to create the Department of Lottery by Executive Order No. 2 issued in 1986; however, he did not file it with the General Assembly by the April 1st deadline. So, therefore, we have to amend this bill creating the Department of the Lottery. It simply transfers all functions and powers of the Department of Revenue Division of the Lottery to the newly created Department of the Lottery, and I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Darrow.

SENATOR DARROW::

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR DARROW:

Where in the bill does it specify that the members who are...or that the employees of the Lottery Department are to be under civil service?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

The analysis that I have said the rights...says, "The rights of lottery employees are protected by this amendment; collective bargaining agreements, pensions and annuity plans are transferred in full force."

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

But that doesn't say anything about new employees who are coming in. How are we to know we aren't...creating a patronage army?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

We don't.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...further discussion? Senator Luft moves the adoption of Amendment No. 1 to House Bill 3449. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3468, Senator Rupp. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3468.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Time-share was supposed to be a...a great big thing, but we put through this Time-share Registration Act last year. We created a special Time-share Registration Fund, and to date, only approximately three thousand dollars has been collected in that fund. And the Department of Registration feels that it's not really economical to maintain that separate fund and they are requesting that that Time-share Registration Fund be dissolved and all the monies collected in this Time-Share Act be deposited into the Real Estate License Administration Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

...thank you. Committee Amendment No. 1 contains a tech-

HB3473
2nd Reading

nical correction to specify that aiding or abetting an individual in disregarding or violating the provisions of the Act as well as the actual Act of disregarding or violating the provisions should be considered grounds for discipline.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rupp moves the adoption of Amendment No. 1 to House Bill 3468. Those in favor vote Aye. Those opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Yeah, thank you. That actually is what I explained before, I'm sorry, but what it is is just eliminating the Time-Share Registration Fund since it did not prove that there was enough need for it and including that in the Real Estate License Administration Fund. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Rupp moves the adoption of Amendment No. 2 to House Bill 3468. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3473, Senator Davidson. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3473.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and...Ladies and Gentlemen of the Senate. This amendment deals with the distribution of grants to local tourism and convention bureau by the Department of Commerce and Community Affairs. As you know, the department at this point puts out to the counties that have a convention bureau some three million dollars a year, one-third to the City of Chicago and two-thirds downstate. This also would include any county that has had a thirty percent increase in the last three decades. It would probably include according to U.S. census DeKalb County, DuPage, Jackson, Kane, Kendall, Lake, McHenry, Will and Winnebago. Move the adoption of Amendment No. 1 to House Bill 3473.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Philip moves the adoption of Amendment No. 1 to House Bill 3473. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3474, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3474.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, if Amendment No. 1 has the LRB ending number of 1AM05, it's a technical amendment. 1AM05 and it's...just correcting some technical language and I move its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Geo-Karis moves the adoption of Amendment No. 1 to...House Bill 3474. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. Amendment No. 2 is a land transfer between the Department of Conservation and the Vermilion County Conservation District. The appraisals have been done. The State of Illinois actually will gain about seventy thousand dollars in this land transfer and I would move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Woodyard moves the adoption of Amendment No. 2 to House Bill 3474. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3476, Senator Donahue. House...read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3476.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Public Health, Welfare and Corrections offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This amendment is simply the one that the charitable organizations around the State have asked be added and it is for unsolicited funds, and that's what the amendment does and I would move for its adoption or its acceptance.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Donahue moves the adoption of Amendment No. 1 to House Bill 3476. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3548, Senator Schaffer. House Bill 3555, Senator Mahar. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3555.

(Secretary reads title of bill)

2nd reading of the bill. No...the Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

HB 3573
2nd Reading

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Committee Amendment No. 1 conveys from the Department...from the State of Illinois to the Kane County Forest Preserve the Illinois Prairie Path.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Mahar moves the adoption of Amendment No. 1 to House Bill 3555. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2...no more...no further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Committee Amendment No. 2 removes eminent domain and condemnation from...from the bill at the request of...of the committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...Senator Mahar moves the adoption of Amendment No. 2 to 3555. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further Floor amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3573, Senator Rock. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3573.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3632, Senator Rock. We have a request and I understand an understanding from Senator Demuzio to go back to House bills 2nd reading and pick up House Bill 2546, 2552 and 3266. With that understanding, on the Order of House Bills 2nd Reading, House Bill 2546, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2546.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Local Government offers Amendments Nod. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio...Senator Watson. Could we break up that conference, Senator Keats. On Committee Amendment No. 1 to House Bill 2546, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Committee Amendment No. 1 authorizes the Office of the State Fire Marshal to administer a...a grant program for the establishment of fire protection districts. The problem that we have in this State is...in the area of fire protection is one in which we need to emphasize and hopefully develop more at the local level fire protection service by fire protection districts. This would establish a grant program of five hundred dollars for applying fire protection districts which would offset their cost of establishing that particular district. It would pay for

such things as legal fees and drawing of the map or whatever...they so wish and it's an incentive to try to get more fire protection districts established in Illinois. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Watson moves the adoption of Amendment No. 1 to House Bill 2546. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the Committee on Local Government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

On Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio on Amendment No. 2.

SENATOR DEMUZIO:

Committee Amendment No. 2 is an amendment that was adopted that said that in the...if a majority of the votes that are cast in an incorporated area...or a territory proposed as a fire protection district is in favor of forming the district, then the municipality shall be deemed an organized district even though a majority of the votes cast in the...unincorporated areas are not in favor of the proposition. So I would move adoption of Committee Amendment No. 2. I don't know of any opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is on the adoption of Amendment No. 2. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2552, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2552.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Executive offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, on Committee Amendment No. 1, it was requested that...by the committee, would delete the requirement the garnishment shall have priority all over...all other except Federal or State taxes and child support payments and makes other deletions. I move...adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 2552. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. Secretary...or Mr. President. The...Amendment No. 2 is an...is an amendment that's necessary in order to correct which...what we suspect is an...unintended aspect of the Comptroller's offset power. The limit on offsets would apply only to personal income. It would simply add a principle of fairness to this particular circumstance which already applies everywhere else. I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 2 to House Bill 2552. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3266, Senator Demuzio. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor? Senator Demuzio.

SENATOR DEMUZIO:

Why don't we take this one out of the record, there's another amendment coming for this one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Also, we had a request by Senator Smith to return to the Order of House Bills 2nd Reading on House Bill 2714. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 2714. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2714.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Also on Order of House Bills 2nd Reading, House Bill 1477, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1477.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, Senator Savickas, we also had leave to go back to House Bill 3351. That was the one that...inadvertently was left on your...off your list, it's noncontroversial. So I would...ask leave of the Body to return to House Bill 3351.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing none, we'll return to House Bill 3351 on the Order of 2nd Reading. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3351.

HB 500 3rd Reading

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

This is a committee amendment. It simply adds the requirement that a public hearing be held before the board by resolution before any excess transfer bond proceeds requested by the committee. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 3351. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. Since there are no further requests, we will now proceed to the bottom of page 3 on the Order of House Bills 3rd Reading. On the Order of House Bills 3rd Reading, at the bottom of page 3. On the Order of House Bills 3rd Reading, right out of the box, House Bill 500, Senator Sangmeister. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 500.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. Since we passed a residential burglary bill of Senator Davidson's some years ago, there has been...which has been

good legislation, but there has been some problem as far as...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Can we have a little order in the room here. The Senators are having a hard time hearing. Break up the conferences. Let's have the...in the back...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Yes, on a point of order, I'd ask the staff to please recognize the fact that we're now on 3rd reading as opposed to 2nd reading. So that all those conferences with respect to amendments can certainly wait until we conclude our business and, if need be, we'll have the doorkeepers lock us in. But I think it's...it's only fair that those who are presenting bills have an opportunity not only to hear themselves but to let us hear them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, it was even brought to our attention by the Illinois Supreme Court in a number of cases that there's...there should be a better definition to the dwelling house. We are having people prosecuted for residential burglary for breaking into...into unoccupied buildings such as garages. Therefore, very simply, we have redefined dwelling to mean a house, apartment, mobile home, trailer or other living quarters in which at the time of the alleged offense the owners or occupants actually reside in or their...in their absence intend within a reasonable period of time to reside. So that still covers, in my opinion, the vacation home; you intend to reside in that and if you burglarize that, you would still be committing residential burglary, but it tightens up some of these cases where we got old abandoned buildings around our garages and stuff that...that that would not be residential burglary. I don't think there's any opposition to the bill.

I'll be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

...I'd like to ask a question on the substance of the residential burglary section perhaps. Does it state in the residential burglary section that conviction on a first offense where there is no prior record necessitates a mandatory sentence?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

...I presume this is for the sake of the record because as the chairman of the Judiciary Committee, you're well aware the answer to that is yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I guess this is for the record, I would...I would love to see this bill taken out of the record and brought back to 2nd reading for this reason, and I'm not opposed to the substance of the...of the legislation, but there's...there is a case which I...I suppose everybody in this Body ought to be aware of, where a young man who was about to enter the Marines took a radio from a drug dealer's house and he...and that young man was convicted of taking that radio from this drug dealer's house now faces a mandatory prison sentence of four years, cannot go into the armed forces, the drug dealer was let off on probation and because of this section and the mandatory...sentencing on...on a first offender with no prior record, this young man faces four years in prison and, in effect, perhaps, the traumatism of his entire life and I...I think that there's portions of this section that are...are terrible, are erroneous, are not

well-thought-out and that we as a Body would be better off amending so that situations like this don't happen again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill, had been one who was the architect of that bill also one who was called by an individual involved which Senator Marovitz just alluded to...the one item he forgot to tell you, yes, that's what the young man did but he also broke a window to enter and do that, so he did it with some forethought. I think this is a good definition and which needs to be corrected which we, unfortunately, did not catch when we passed the original bill and I urge everybody to vote for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Yes, well, we could get into a big discussion on the original legislation and even as a former prosecutor I do at times have some second thoughts about what we did there, but in the long-run I still think it's good legislation. One thing is for sure, we do not have the votes on this Floor or the Floor of the House to change it, so this bill has no amendments on it. It's...clean as I described it and it would go to the Governor's Desk if you pass it, so it's not subject to any further amendments. So...and I doubt very much whether the Governor will amendatorily veto in some of the things that were discussed here, so I would hope that he would sign it. So I would move for passage of House Bill 500.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 500 pass. Those in

favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 500 having received the constitutional majority is declared passed. House Bill 564, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, this bill passed out of the House by a hundred and ten votes and it amends the Illinois Municipal Code to authorize municipalities to...to have...to enter contracts for a term of years not to exceed the term of the mayor or president then holding office and...and requires the corporate authorities when utilizing such multi-year contracts to include in the annual appropriation ordinance for each fiscal year an appropriation sufficient to pay the amount which for the terms of the contract should become due and payable during the current fiscal year. The reason for this bill is the...the intent of it is to improve municipal planning, stability of services and cost incentives and such as...which would apply in four areas, employment of outside professional...consultants like engineers and et cetera, municipal managers and services...prevention of services...directly related to...to the prevention, identification or eradication of disease, and the fourth, provision of data processing equipment and services and I urge the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 564 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 564 having received the required constitutional majority is declared passed. House Bill 988, Senator Berman. House bills 3rd reading is House Bill 988, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 988 is the bill from the State Board of Education dealing with the procedures involving the ballot printing and the elections of...school board elections. Also provides a...a provision in there regarding the Christian Science practitioners. It...it is a technical clean-up bill dealing with the issues that have been raised in previous school board elections as to the powers of the State Board of Elections. Be glad to respond to any questions, solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 988 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 988 having received the required constitutional majority is declared

HB 1467 3rd Reading

passed. 1467. 2060, Senator Geo-Karis. On the Order of...of House Bills 3rd Reading is House Bill 2060, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2060.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this is a bill that was recommended to us by the Nuclear Safety Department. It amends the Illinois Low-Level Radioactivity Waste Management Act to define "broker" as the person who takes possession of low-level waste soley for purposes of consolidation and shipment. And...we amended it in the committee in order to...allow the...to...add a provision to allow the department to receive the money from grants to either the Low-Level Radioactive Waste Facility...Development and Operation Fund or the Low-Level Radioactive Waste Facility Closure...Post Closure Care and Compensation Fund. I urge the passage of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 2060 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2060 having received the required constitutional majority is declared passed. Now, with leave of the Body, we'll return to House Bill...1467. Senator Kelly, in fact, was on the Floor, I just didn't...I didn't see him. Is leave granted? Leave is granted. House bills 3rd reading is House Bill 1467, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1467.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. On Senate...on House Bill 1467, I, first of all, would like to ask leave to have Senator Watson added as a hyphenated sponsor on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Kelly to add Senator Watson. He...all right, he...I am told by the Secretary he already is but leave is granted. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. As I mentioned previously on the amendment, this bill is the result of hearings which we held last fall by a Senate Subcommittee on Municipal Annexation and we arrived at a...an agreement between the township officials and the Illinois Municipal League. Under this bill it permits cities to automatically annex adjacent and coterminous city and township properties unless the township being annexed wishes to exercise a referendum provision. It also gives...which was a accommodation provided by the cities and villages up...a ten-year period they will provide the...the real estate taxes to the townships being annexed as an incentive for...of the annexation. I will be pleased to answer any questions you have; otherwise, I want to thank especially Senator Watson and also the respective staff of the...for the Democrats and Republicans in helping us to achieve this compromise, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion?...Senator Welch.

SENATOR WELCH:

I had a question of the sponsor. If...if one township annexes a township next door, do they utilize the higher tax rate of the two or how does that work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yeah...whichever tax rate is currently in effect, it'll be continued the same way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The...the predator township then had that tax rate as the...the moving township, that tax rate is the one that applies for all taxes, is that what you're saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Yes, whichever township that the adjacent...adjacent township. One moment. Whichever one it is...whichever township it is is the one that ends up being assessed, whichever one they go into.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, you are providing then that in order to avoid one township's residents having a higher tax rate imposed upon them through annexation, they would have to take the affirmative action of requesting a referendum on the annexation? Is that their remedy?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, in certain cases there would be a referendum, in other cases there wouldn't, it all depends. It is a...an option which is available. If it's more than the one percent, then they have the option of having a referendum.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rock.

SENATOR ROCK:

Senator Kelly, I'm aware of the work that your subcommittee was involved in. I have two questions. One, did...does House Bill 1467 as now amended deal with the question of the redistribution of the local share...of the sales tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

No, it doesn't, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

All right, thank you. The other question then is...my understanding is that the Urban Counties Council had some serious question about the...the perennial problem of the hole in a doughnut annexation. Does this legislation deal with that question at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

They did during our hearings announce their...their..they're not supporting this legislation, but when we had our committee hearing last week they did not come

in to testify, so I'm not sure how strong that opposition is. I...we felt...the committee felt it was pretty weak.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Kelly may close. Senator Kelly, you may close.

SENATOR KELLY:

I just ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1467 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 1467 having received the required constitutional majority is declared passed. House Bill 2073, Mr. Secretary. House bills 3rd reading, House Bill 2-0-7-3.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2073.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2073 would empower the Department of Energy and Natural Resources to operate an office of coal marketing to cooperate with DCCA for the promotion and marketing...of Illinois coal both domestically and internationally. This would give the department specific statutory direction to work with the Department of Commerce and Community Affairs to do that. Energy and natural resources has the major responsibility for the promotion of coal projects in the State and this office is needed to...to further promote the use of coal for prospective industries

which might be moving into the State of Illinois. I'd ask for your favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 2073...pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2073 having received the required constitutional majority is declared passed. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I just would like to put forth that we should thank the Illinois Education Association who's having their hot dog luncheon today, and we are passing out right now from them some hot dogs which they sent over because we cannot get over to their little foray. So thank you, IEA.

PRESIDING OFFICER: (SENATOR DEMUZIO)

How many hot dogs?

SENATOR TOPINKA:

Enough for everybody and I don't know where the beer is in response to Senator Rupp. Someone else will have to handle that end.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. House bills 3rd reading, House Bill 2573, Senator Welch. Senator Welch on the Floor? House Bill 2573? Page 5, House Bill 2574, Senator Poshard. Senator Poshard on the Floor? House Bill 2579, Senator Berman. House bills 3rd reading is House Bill 2-5-7-9, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2579.

(Secretary reads title of bill)

3rd reading of the bill.

HB 2581 3rd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2579 requires the state's attorneys appellate office to conduct training programs for state's attorneys, assistant state's attorneys and law enforcement officers on techniques and methods of eliminating or reducing the trauma of testifying in criminal proceedings for children who serve as witnesses in such proceedings. This is one of a series of bills aimed at the problem of prosecution and minimizing the trauma to children who are victims of sexual abuse. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 2579 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2579 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2581, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2581.

(Secretary reads title of bill)

...3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill on a related subject deals with the availability of videotaping of children twelve years or younger who are victimized by sexual crimes. The bill was amended

to...provide as to the state's attorney being the only party that can agree to these presentations and also provides for the impoundment of these tapes from...for ten years following the time that it was taken. Be glad to respond to any questions, urge your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, he indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Berman, we...we saw a couple of different versions of this same proposal last year and went back and forth with it before and after the Governor amendatorily vetoed it. Can you tell me whether this version provides for cross-examination during the videotaping?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

This bill does not. The bill requires that the child would be present at the time of the trial, and according to the House sponsor that would be...that would give the defendant the opportunity for cross-examination at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...the objection...members of the Senate, the objection that some of us had to the...this form of this proposal last year was that the absence of the right to cross-examine the child during the videotaping means that the...the child can be subjected to...to having to testify twice, once during the videotaping itself and then again during the trial. If the

child is called as a witness or if the tape is used, then the defense at that point would have a right to...to cross-examine the child. So in terms of...of trying to spare a young child from the trauma of having to appear in court by use of...of this videotaping instead, the...this proposal really does not seem to accomplish that objective because of the failure to grant the right to cross-examine during the videotaping itself and will, therefore, arguably result in more trauma for the child than would be the case under existing law. For that reason, I would suggest either that the bill...bill be amended or that we oppose this proposal in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

The rationale I believe is...is as follows and I think it makes sense again from the point of view of minimizing the trauma to the child. This bill...and what will happen I believe, in most of the cases, when the defendant and the...and the prosecutor see what the videotape testimony of the child alone involves, you may find a plea bargain situation at the time of trial which eliminates any requirement that the child, in fact, be cross-examined, because in many of these situations, if the child's testimony is very strong, you're going to have a defendant that's going to try to plea bargain something...at the time of trial. If the child's testimony is very weak, you've got the prosecutor that will probably want to work something out. In either event you will see by the videotape without subjecting the child to cross-examination just how strong a case or weak a case that you have. If it's a case that both sides don't want to plea bargain on, then the child and within the framework of the constitutional rights of the defendant will be able to cross-examine that child as he should be at the time of trial, but

that will be the...the last resort as far as traumatizing the child. I think the bill makes sense. The purpose of all of these is to, A, safeguard the right of the defendant but also minimize the tramua to the child. I ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2581 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 12, 1 voting Present. House Bill 2581 having received the required constitutional majority is declared passed. 2590 is to be amended. 2612, Senator DeAngelis. House bills 3rd reading is House Bill 2612, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2612.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 2612 as amended...and I might point out to the Body that the amendment substantively changes the bill. I don't know if any of you read the analysis on the original bill, it was somewhat horrifying. However, the sponsor of the House, Representative McNamara, had advised me the bill needed to be amended; and the bill now just simply says that we will include in the definition of developmentally disabled those people that are mentally and physically impaired but only for the purposes of planning for the Governor's Planning Council. I think Mental Health is behind it. There's really no opposition now and I urge that we vote Aye on House Bill 2612.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2612 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House BIll 2612 having received the required constitutional majority is declared passed. House Bill 2621, Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2621.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. The analysis or the little synopsis tells the whole story and authorizes the Department of Conservation to convey an easement in Spitler Wood State Park. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2621 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2621 having received the required constitutional majority is declared passed. House Bill 2724, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2724.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 2724 was introduced in the House for the purpose of clearing up a problem dealing with the truck testing lane in Bureau County. Apparently, there's some plan to...for the present operator to sell that...lane. The Department of Transportation would not allow under the current rules the new owner to operate that lane, and if the lane were lost, there would be no testing for large trucks in three downstate counties. Apparently, the problems have been worked out in House Bill 2724 and I know of no opposition to that part of the bill. The bill was also amended yesterday by Senator Philip to correct the exemptions for those zip code areas that are not included within the emission testing area of the State. I would move for your support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Where is Senator Fawell on this bill now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, her light is on. Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. In answer to your question, let me explain, you know, what zip codes we're talking about. Carol Stream is the...is one of them. Carol Stream originally had the Wheaton Post Office and it was...it was exempt as a member of the Wheaton Post Office. They subsequently got a post office of their own, which means they also got a zip code of their own, which means all of a sudden they were being thrown into this testing. It...it...it has nothing to do with the bill that we passed here. That is still over in the House and we are not exempting anything that shouldn't be exempted. It's just that there were certain small problems

like this, getting a new post office, that type of thing and...so, therefore, I'm in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

What...what about some of these other zip codes in Dupage, 60189, 60174, 60505? And to...whose Senate district are...are these...if I may ask?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Yeah, let me...let me tell you where...where they are. 60189 is...is Wheaton but it's the post office boxes and...and they are already exempt. 60174 is St. Charles but the small portion of St. Charles that is in DuPage County but it is also exempt...along with St. Charles. 60505 is DuPage but it's the Aurora section, because part of Aurora spills over in DuPage, Aurora is exempt and so is this. 62026 is Madison, SIU-Edwardsville, the college. 62220 is St. Clair,...Belleville and 62222 is St. Clair, Belleville which are already exempt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

This is like the baseball game, we got hot dogs and popcorn. I...I only care about Aurora. You seem to know everything about the bill, Senator. Well, let me ask you this. If I was to give somebody the four or five zip codes that make up my Senatorial district, do you think that we could work out the same type of deal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

If...if I can join you with my district, I'd be more than

happy to work with you on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

In answer...in...in answer to part of your question, Senator Joyce, the EPA made some changes in my area and told everybody except me. I don't know to whom they've talked and...well, no, I...and I just want to say that I appreciate the minority leader on the other side's position because he was under the impression...but this is the kind of thing they operate around here. They do things and they change things in people's area. They don't pay you the courtesy of even mentioning to you that they're making some changes. As...as you know, the zip code is the most ridiculous thing in the world to have something that...where cars pollute by zip code. It's unreal and I'm getting the battery of lawyers together because I'm going to file suit against the whole thing anyway, because I think it's...it's really unconstitutional to discriminate the way they're doing. You live on one side of the street, your car pollutes; you on the other side, if you in a different zip code, you don't pollute. But I just wanted to tell you that this is some of the EPA and it's not Federal, it's our local people doing it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schuneman may close.

SENATOR SCHUNEMAN:

Thank you, very much, Mr. President. Just in case there is some misunderstanding, this bill will not exempt any areas from the emission testing that were not intended to be exempted in the original legislation. It's simply the fact that in that original legislation those communities that were exempted were listed by zip code. Now the post office has changed some zip codes and that automatically puts some areas

in that were never intended to be in. So in order to remove them, we've got to do it in this way. There's nothing...nothing bad about this...this amendment at all. I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2724 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 2724 having received the required constitutional majority is declared passed. House Bill 2725, Senator Geo-Karis. Do you wish to proceed with this bill? All right, the lady...says she's serious. House Bill 2725, Mr. Secretary, read the bill.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2725.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, Ladies and Gentlemen of the Senate, this bill is directed to conduct a Statewide election in the elementary schools for the children to select the State fish from six species of fish indigenous to the waters of Illinois nominated by the Department of Conservation; and for the legislative intend...intent, rather, I would like to state that it's directed to all the school children of all...elementary schools. And I think it's great to have our youngsters participate in government, 'cause I know if I were a young kid and I was given the privilege of voting on a State fish, I would feel very honored and very privileged and I'd feel I...I was really belonging to the Governor...government. So, I think this is a great educational item for the children and I urge its favorable passage.

PRESIDENT:

Any discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate...I wonder if the sponsor would yield to a question?

PRESIDENT:

Indicates she will yield, Senator Vadalabene.

SENATOR VADALABENE:

...from time to time those of us who have served in the Legislature always come before this Body with legislation

that we feel is our biggie. Senator Geo-Karis, would you consider your term in the Legislature as this being your biggie?

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Vadalabene, if there's anything to talk about being biggie, it is I. So all I can tell you is that I think it is a biggie because I'm the biggest kid at heart, and I want my other kids to have the privilege of acting their government just like I do.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

This is a parliamentary inquiry to the Chair. What is the emergency involved in House Bill 2725, and could you explain to me under what part of the Rule, I think it's rule 5, it falls?

PRESIDENT:

The Parliamentarian will...get us a copy of Rule 5 as amended and the Chair will be delighted to address your question.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor. Are the members of the Currency Exchange Subcommittee who meet with Senator Weaver qualified for this?

PRESIDENT:

The...the Chair will answer that one, only some of us. Senator Geo-Karis.

SENATOR GEO-KARIS:

It all depends if they're considered a species of fish.

PRESIDENT:

The way Weaver plays it, you better believe it. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I want to commend Senator Geo-Karis for taking on the burden of handling this emergency legislation to...to bring the school children of Illinois into our...into the Democratic process in this State. I have some news that I think...that will warm the hearts of our...of our downstate colleagues, for I jumped the gun a little bit on this legislation and conducted a poll a couple of weeks ago on my wife's first grade class in Lake Bluff. With some materials that were kindly given to me by the Department of Conservation we selected six nominees. If I can remember, they were the...the salmon, the trout, the perch, the catfish, the carp and...I'm leaving...I'm leaving one out but...no, not the bluegill...not the bluegill. But...I was...I was half expecting and really hoping that...that my young constituents there on the shores of Lake Michigan would be partial to our native species, other the...the salmon or the...perch, but that was not to be, and out of the twenty-one young voters, the catfish swept to victory netting nine out of twenty-one votes. So, although my polling...technique might not pass muster with George Gallop or Lou Harris, I immediately issued a press release notifying by constituents that I had appeared before my wife's first grade class to discuss major issues pending before the General Assembly including, most importantly, the selection of a State fish and that based on these...based on this early poll that I was projecting the catfish in a landslide.

PRESIDENT:

The answer to Senator Netsch's inquiry, my understanding was and is that this was a measure proposed by the administration...our...our...the Department of Conservation. Apparently, this procedure takes awhile to set up and they have

to...I don't know how they do it with the kids but the kids get a chance to vote. Senator Geo-Karis to close.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I believe my colleague...my very worthwhile colleague on the other side must remember when she was a youngster, at least I do, and...she voted for it in committee, I was very grateful; and I might tell you, Mr. President, Ladies and Gentlemen of the Senate, I think it's time we stopped...we quit carping and voted for the children.

PRESIDENT:

The question is, shall House Bill 2725 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, none voting Present. House Bill 2725 having received the required constitutional majority, declared passed. On the Order of House Bills 3rd Reading, the bottom of page 5 is House Bill 2726. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2726.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

House Bill 2726 allows those downstate forest preserve districts throughout all of the downstate area to be able to issue revenue bonds. This privilege is now limited to those districts with over twenty-five thousand population. This legislation was sought by the Byron district in...in my Senate district, they are close to major population areas, and they feel that given the opportunity they would like to

be able to issue revenue bonds.

PRESIDENT:

Any discussion? There any discussion? If not, the question is, shall House Bill 2726 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, 1 voting Present. House Bill 2726 having received the required constitutional majority, declared passed. Senator Luft on 2735. On the Order of House Bills 3rd Reading is House Bill 2735. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2735.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2735 is designed to benefit a business located in the State of Illinois that expends sizable sums on payroll costs and has relatively little property and few sales in the State. In an attempt to do that or accomplish that we permit a taxpayer whose payroll factor exceeds two hundred and fifty percent of the average of his property factor and his sales factor to elect to exclude the payroll factor in apportioning business income to the State. If the election is made, the taxpayer...must be apportioned to Illinois by multiplying his business income by a fraction, the numerator of which is the sum of the property and the sales factor and the denominator which is two, ordinarily it would be three, which will be reduced if one of the remaining factors is zero. It also mandates that if this election is decided upon by a corporation beginning in taxable year 1987, that corporation must continue the exclusion

for the following nine years, and it requires an election to exclude the payroll factor made by unitary business filing a combined return to be either based on a calculation using the payroll property and sales factors of the entire unity group and binding on all members of the unitary group.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Of all the special interest tax rewrites that I have every seen in the Illinois General Assembly, I think this one is probably at the very top of the list. It is so bad that I think we actually did not pass it one year, it has been tried on several occasions. It is designed basically for four large multistate corporations in the State of Illinois because they are the only ones who come under the formula, and that is not my information, that is from the Department of Revenue. And those four companies will have...will realize a...eighty-four percent reduction in the corporate taxes owed the State of Illinois, from 6.4 million to one million. That is all that will be benefited. It has nothing to do with jobs, it has nothing to do with economic development, it has nothing to do with the business climate of the State of Illinois; it has to do with reducing the taxes of four large companies of whom the most prominent and the one that has particularly pushed for this bill is formerly Standard Oil now Amoco. We know the name of one of the other companies to be benefited, Household Finance; we do not know the other two because tax information is confidential and it is only when those who are the beneficiaries make known their interest and why they are interested that we have come to know that. It is...I mean, I know we should rewrite the Tax Code every year to take care of one group or another group, and I realize that double weighting of sales is about to come up again and I realize that double weighting of sales

is going to pass the Senate just as it passed the House by very substantial votes probably. But this, folks, really is a little bit too much. To rewrite the Tax Code to take care of the tax liability of only four companies, I think is really pushing what we have always objected to on the part of Congress just a little bit too far at the State level. It is probably the worst tax policy I have ever seen and it is certainly the most outrageous piece of special interest legislation I have ever seen in the revenue area.

PRESIDENT:

Further discussion? Any further discussion? Senator Luft, you wish to close?

SENATOR LUFT:

Thank you, Mr. President. Let me point out, and the good Senator should know this, that we have exemptions for the ethanol industry in the State of Illinois which to the last of my knowledge there was three corporations producing ethanol. And I think a few years ago we passed legislation for refineries that changed the way we tax the byproducts of the refinery system. I don't know how many refineries there are in the State of Illinois but my guess is there aren't that many. If you go through the whole Tax Code or the structure of the State of Illinois you will find, in fact, that it may be a special interest Tax Code. The only thing that I want to point out here is that we're dealing with payroll, and if these people have a great number of people on their payroll, that means they're paying income tax to the State of Illinois, those employees. And we want that to happen. So I would suggest to you that if there are corporations in this State who feel that they need tax relief to continue doing business in this State, then we should afford them that opportunity. And I would hope that we would get a favorable roll call on this vote...

PRESIDENT:

The question is, shall House Bill 2735 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 9 Nays, none voting Present. House Bill 2735 having received the required constitutional majority is declared passed. Top of page 6. On the Order of House Bills 3rd Reading is House Bill 2757. Hold. 2770, Senator Darrow. On the Order of House Bills 3rd Reading, top of page 6, ladies and gentlemen, is House Bill 2770. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2770.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. What House Bill 2770 does is authorize and allow our...local radio, TV stations, newspapers to advertise out-of-state lotteries. What's occurred is that along the borders of Illinois where they have lotteries, such as in my area where they have the Iowa lottery across the river, our...newspapers, radios and TV stations are unable to advertise the Iowa lottery. This would allow them to do so. Already the advertising is coming into our area from the Iowa news media and the Iowa TV and radio. This would generate a little more revenue to the State of Illinois.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2770 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

wish? Take the record. On that question, there are 51 Ayes, 1 Nay, 3 voting Present. House Bill 2770 having received the required constitutional majority is declared passed. Senator Kelly, on 2775. On the Order of House Bills 3rd Reading is House Bill 2775. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2775.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate. House Bill 2775 is a clean-up bill which was requested by the township officials which allows interest on certain township highways bonds to be issued at a rate of interest permitted under the Public Corporation Interest Rate Law. Presently, it's at five percent, this would make it uniform with the other bonding authorities. The bill was passed in the House by a vote of a 109 to 1, and I would solicit your favorable support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 2775 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 2775 having received the required constitutional majority is declared passed. Senator Watson, hold...Senator Kelly, 78. On the Order of House Bills 3rd Reading is House Bill 2778. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2778.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, members of the Senate, for your support on...last bill, 2775, and also this legislation is another township official legislation. What it does is, it eliminates the forty-five dollar maximum per diem for road commissioners and it let's the board set the rate. It also was passed by a vote of 101 to 8, and I would appreciate your support.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House...I beg your pardon, Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Would the sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEROME JOYCE:

Is...is there a cap on this...or they, is it up to the discretion of the board?

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

It's up to the discretion of board, they would set the rate.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I...I really don't...I think we ought to put a cap on it. But...

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Well, it's up to the board of trustees, they are elected officials and they would be responsible for doing something if it wasn't proper.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall House Bill 2778 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 5 Nays, 3 voting Present. House Bill 2778 having received the required constitutional majority is declared passed. Senator O'Daniel. On the Order of House Bills 3rd Reading is House Bill 2782. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2782.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, House Bill 2782 deals with the...Uniform Commercial Code. It provides that a section, township and range description and the name of the record owner if other than the debtor shall satisfy the legal description. Last year Senate Bill 699 amended the Uniform Commercial Code with respect to financing statements covering growing crops. This has created quite a...a problem to the banking industry and farm customers, and...the banking industry is...is supporting House Bill 2782 and other supporters are the farm organizations and the Attorney General's Office. And the intent of...intent of House Bill 2782 is basically to revert the current law back to pre-1986 status.

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I have talked to the Attorney General some time ago and they didn't take any position on it. This bill amends a law that I sponsored last year to protect people because sometimes some of these banks just levied their liens on the whole property instead of on the particular property...which was concerned. This bill says, for example, that...a...a legal description is sufficient if it just says a section, a quarter section. A section is six hundred and forty acres. For example, a...a quarter section is a hundred and sixty acres. A farmer could own two or three twenty-acre parcels within the same quarter section. The farmer might give a security interest on the corn on one of the parcels but not on the beans in the other. But this bill would not require the lender to differentiate between parcels. My bill protected the farmers last year and what this bill will do will give a...just a...an open-end permission to some of these banks to be careless with their legal descriptions. My bill simply said meets and bounds description or other legal description which should have been sufficient. But because a...a few banks decided they didn't want to be bothered with being more particular and fair and giving proper descriptions when they put a...a lien on this property, all of a sudden they came through with this bill. I think this is a bad bill, I think it does a disservice to the farmers, and I say that sincerely because I have nothing to gain except trying to see to it that we don't make it a broad description. And this bill says, for example, quarter section, a quarter section is...a hundred and sixty acres; so if the farmer only has a crop on twenty acres, all of his property is liened automatically. I...I urge...to vote against this bill if you want to help the farmers.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you...thank you, Mr. President. I rise in support of the bill. Contrary to the remarks of the last speaker, I think that...that this bill is badly needed by the farm borrowers throughout the State of Illinois, because what, in fact, happened as a result of the law that we passed last year, many attorneys for banks were telling the banks that they had to insert in their financing statements very, very detailed descriptions of the land on which crops were grown. Now that's contrary to the long-standing procedure in the banking business in Illinois of referring in general ways to Bill O'Daniel's farm by...by saying that it was located in such and such a section of a township and most any loan officer could prepare a financing statement. The way the current law is being interpreted by some attorneys, it requires very minute descriptions of land and that's running up the cost to the borrower who is the farmer. And I think this is a step in the right direction and I would urge support of the bill.

PRESIDENT:

Further discussion? Any further discussion? Senator O'Daniel, you wish to close?

SENATOR O'DANIEL:

Yes, Mr. President, this doesn't do anything to be detrimental to farmers. All it does is...is doesn't make it quite so hard for lenders to identify...crops that they have...have a lien on. And it seems that...that Senator Geo-Karis' bill probably done an overkill on what we were trying to do last year and this bill passed out of the House 112 to nothing. Appreciate a favorable vote.

PRESIDENT:

The question is, shall House Bill 2782 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, 1 voting Present. House Bill 2782 having received the required constitutional majority is declared passed. Senator D'Arco on 2816. On the Order of House Bills 3rd Reading, bottom of page 6, is House Bill 2816. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2816.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What it...what this bill does is to provide that for autistic children the Department of Mental Health do a study to identify their needs. Autistic children are a little different than other developmentally disabled population in the State and their needs are different, and they're all lumped together...within the same context, and there is a need to separate these children from the others. And all we're requesting here is that the department study this problem and try to effect some type of a solution. That's all the bill does. There's no appropriation with it, it's simply needed in order to help these children...in...in their...situation. And I would...ask for a favorable vote.

PRESIDENT:

Discussion? Senator Lemke.

SENATOR LEMKE:

I am going to vote for this bill even though I have a conflict of interest. Since my grandson would benefit from this program, I am going to vote Aye, I just want to make that conflict known.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall House Bill 2816 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 2816 having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 2819, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2819.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I am sure that most of us have been lobbied on this bill, and those of us that have been here a couple of years have had this passed before us. In effect, what a corporation has to do in determining their tax liability to the State of Illinois is to find their overall property, payroll and sales factors and attribute those that are located in the State of Illinois...or the payroll and sales in the State of Illinois to the overall factors and divide that by three. What we're doing with this bill is to allow...or what we hope to benefit those businesses domiciled in the State of Illinois by doubling the weight of the sales factor; therefore, we'd be using property, payroll, sales factor plus sales factor again, and divide that figure by four. I will try to answer any questions or listen to any criticism of any other member.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

I...I appreciate your request for my comments, Senator Luft, since I am the only one, I am sure, who will criticize the bill. This is double weighting of sales. It is, I suppose it's fair to say, the trendy thing to do although there are only a few states that are trending in this direction. It is still true that of some three-forths of the states adhere to the traditional and well-accepted single weighting of all three of the factors for determining corporate tax liability. It is being heavily lobbied, as I think Senator Luft indicated, by certain Illinois corporations. It is heavily opposed by other Illinois corporations. It is, like other things that we have occasionally done, insane tax policy because for one thing it pits part of the Illinois business community against another part and in the long-run it seems to me that that really does not do any good. I would point out that...just a couple of points, and this is simply for the record, I understand the bill is going to pass but I...I think this...important to get this on the record because someday we will want to reexamine this. One is that the revenue loss to the State is not monumental, it is estimated to be by the Department of Revenue about thirteen and a half million dollars a year which is not inconsequential, it would pay for a few of our favorite programs, but it is not a...a staggering revenue loss to the State at the present time. It could get much larger than that depending on a set of conditions. But...the important thing to remember about that I think is that that is the net loss, because what it...what it reflects is the fact that there are losers in Illinois; that is, Illinois companies who pay Illinois taxes who will be paying some twenty million dollars more in income tax than they do right now, and there are the gainers who will be paying some thirty-three million dollars less. So,

in fact, there is a very large sum of public revenue involved and part of it balances out the other part and the...those who gain, that is whose taxes will be reduced, obviously, are the ones who are pushing for the bill and they are, obviously, the ones who are going to prevail. But bear in mind the fact that some of your companies in this State are going to be taxed at a higher level and that total amount based on current projections is some twenty million dollars more in State corporate taxes. The other thing that I think is important to remember, and this was a point that was made by the Department of Revenue in its opposition, I repeat, opposition, to House Bill 2819. And let me just read their summary paragraph. "The benefit of House Bill 2819 is...excuse me, is clearly not targeted to companies with headquarters in Illinois. In fact, thirty-four percent of the companies with Illinois headquarters would pay more taxes under this bill. The proportionate tax decrease for companies who are winners under this bill is greater for non-Illinois companies than for Illinois companies." So, I think it should also be clear...you should be clear that the bill that you are voting on, much more so than in other states that have...adopted double weighting, helps some Illinois companies but does not help them in the same proportion as is true in some other areas. So we are paying a very heavy price for this form of tax relief. In the short-run, there is no question that Caterpillar and a few others will have their taxes...probably have their taxes reduced. In the long-run, if Illinois does this, it is going to be widely adopted by lots of other states that have not yet done it and you then lose the advantage, because what one state loses another picks up. And in the long-run it is not going to be beneficial to Illinois business, it is not going to be beneficial to Illinois corporations; and I suspect what it means is that someday Congress is going to take over the definition

of how we can apportion income for purposes of State corporate taxes, and I have a sneaking suspicion that that is not what everyone in this Chamber would like. Short-term, it helps some, it hurts a lot; long-term, I think it hurts everyone including the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Just briefly, I rise in strong support of this legislation. I think it puts Illinois on parity with most of the states surrounding geographically our boundaries. And that, I have heard from members of the other side of the aisle, is an extremely important matter in attracting businesses to our State. And if, indeed, we're trying to attract business to our State and help the creation of jobs in our State and emphasize those businesses where jobs are a priority, that really is something that I think this bill will do, not only in the short-term but in the long-term. If we're going to try and compete with the states around us, most of whom have a form or this identical legislation, we need to do that. And I think that's...that's why this bill is...is...is urgent right at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke. Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I...I missed some of what Senator Netsch had to say because I just got onto the Floor. In an ideal world, maybe this isn't the best piece of legislation for a state to consider; but we don't live in an ideal world, we live in a regional economy, an economy which has all of our neighbors trying to take action to do what they can to attract major industries. We sit here in Illinois in the middle of these surrounding

states, all of them having done something very similar to what we are about to do here. The choice it seems is clear, it's to do nothing and send a message to industries in this State that we really don't want to compete with our other fellow states or to act now to keep the industry we have and send that message out there that we're interested in more. The only sensible vote is an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Briefly, Mr. President, Ladies and Gentlemen of the Senate, I concur with Senator Kustra because I think we have to keep in mind that the businesses and industries that have a large payroll and property investments in Illinois are the ones we should protect more than anyone else. And like Senator Kustra says, we have a good base for them, we can invite other business and industry from other States to join us. And I certainly speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I think a few facts should be brought out, I oppose this bill. Many of you got the...information sheet, there's fifty-seven hundred and some odd...industries or business in Illinois which are going to lose under this double weighting bill. I have approached the people supporting this that let's look at some possibility of a number not to put on their bill, we can find another one of a number of those businesses who have substantial number of employees in Illinois to give them an option. You know, let's not forget that though they may not be based in Illinois, there's a number of companies who have thousands of employees; in fact, there's three which I happen to just know offhand each one have better than ten thousand employees

in the State of Illinois, a substantial number of people who are affected. But overall there's fifty-seven hundred and some businesses affected. The Taxpayers' Federation have been a very good source we've all relied on in the past. I intend to vote No on this bill and I think all of you should look at the same situation or at least make sure that we have an opportunity, give an option to those companies with a number of employees on another bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We argued this at some great length last year, and as you'll recall, when it passed out of here over the strong objection of some of us, the Governor did, in fact, veto it and then we argured about whether or not we should override the veto. But as I recall the veto message, two points were I think, really the basis of that. One is that it would undermine the uniformity among the states. Fact is, there is no more uniformity. And why should we not help as we can help our Illinois companies when there is not...I mean, it's nice to be a purist and stand for uniformity across the country, the fact is thirty-five other states, some of whom are in direct competition with us, have already done this. What...you know, the other is, obviously, that there is some revenue loss. And the figure bantied about last year was twenty-two million. My understanding is that although the Department of Revenue still stands opposed and I suppose justifiably on the basis of, you know, uniformity and revenue loss, but the revenue loss is significantly less than that figure which we had last year. They have recalculated or calculated more closely, and so the revenue loss is significantly less. I think it's something we ought to do. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President, I'll try to be brief. The director of the Department of Revenue when he testified in committee in opposition to this bill admitted that corporate Illinois should be concerned about what's happening in the other states and the lack of uniformity in addressing this...situation. And the problem that really hits hard with corporate Illinois is that virtually every state that surrounds us addresses this situation in some way except us, we are the island. What the director would like to do is to sit down and have meetings with the revenue directors of the other states, or this is his proposal, and tell them that they are wrong and they should be like us and we should come to some degree of uniformity, which means, if, in fact, that he can convince those directors, they have to go back to their state legislators and ask them to increase the taxes on their own corporations. Now that just isn't going to happen. I cannot see five or six legislators raising the corporate taxes on those individuals. My theory is, and I think it should be ours, is let's pass this bill, let's get a big number of votes up there so the Governor could consider putting us on an equal plane with the surrounding states, and then let's let the director of Revenue try to create some meetings and come to some agreement of uniformity. But until that happens, we're going hat in hand with nothing. So I would urge a Yes vote on House Bill 2819.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall...House Bill 2819 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, 1 voting Present. House Bill 2819 having received the

constitutional majority is declared passed. House Bill 2820, Senator Hall. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2820.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill includes other than residential purposes in definition of manufactured housing. It prohibits any unit of local government from regulating manufactured housing except for certain zonings and other regulation. It exempts home rule units to more than two million population that have enacted in a local code. Now this amendment is proposed by an industry that wants to come into Illinois and expand its operation. The Manufactured House and Mobile Home Safety Act was enacted in 1975. It requires the Department of Public Health to regulate the safety of manufactured housing; however, the Act does not apply to municipalities that enact their own manufactured housing code. No municipality in the State has yet enacted its own code. This bill would allow manufactured housing producers to comply with a uniform code promulgated by the Department of Housing rather than several varying municipal codes. Now, truthfully, it does include the definition of manufactured housing units designed for residential, commercial, hotel, motel, educational, industrial purposes. It prohibits any unit of local government from limiting or licensing manufacturing but it also allows this, it allows units of local government to establish and enforce; A, land use and zoning requirements; B, performance and base fire code requirements; C, building setbacks requirements; D, side and rear yard requirements and, E,

property line requirement. It also allows units of local government to regulate; A, location of...of units, foundation of units and installation of on-site utilities. It does exempt home rule units of local government with a population of over two million that have enacted a local code. I would ask your most favorable support of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would like to start out by saying that I'm not questioning in any way the quality of the work done by this particular concern. But we've heard here bills that we're questioning why we should pass a bill when this was going to benefit four Illinois companies. Now this bill would benefit one company, an Ohio company, it's not even an Illinois company yet. But the main objection to this particular approach is that this company wants us to change our...our home rule history as far as the control of housing is concerned. This is housing, they are attempting to convince us that it's the same as and just as good as every other type of housing; yet, they need and want special treatment. I don't think it should be given that. Two things,...one I'd like to read and it's...it's very definite. It's, "Prohibits local governments including home rule units from licensing manufactured housing." Now it does go on to say it exempts from the provision any city that has this safety code. But I would like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR RUPP:

...didn't I understand you, Ken, to say that...Senator Hall, that no city has as yet enacted a code?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

According to my information, it says that so far, that no municipality in the State has yet enacted its own code.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

That would mean that...and the way the exemption for Chicago reads, is that if any city adopts a safety code that is equal or greater to those promulgated by the Department of Public Health, and since Chicago is a municipality and has not yet even have a safety code, then that means that their safety code is a lot less than an apartment and they are no longer exempt, and neither can Chicago hide behind this two million population figure. The other question I have is that I would like to ask for a ruling from the Chair, since this is a definite preemption, no question, it's self-evident that it's an impingement on home rule, the number of votes that would be required to pass this particular bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp, while we...check that out, we'll hear from Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I can tell you as a municipal attorney that Senator Rupp is absolutely right. This bill takes away the police power of the municipalities to pass certain ordinances which would protect the public. And I certainly...do not feel that this...bill is in the right position at all. I know that the Municipal League is also an opponent of this bill. And I ask you to vote against it because I think you will be doing an injustice to various municipalities who are involved with the police power of safety for their people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

I think I'm going to amaze Senator Hall, I'm actually going to rise in support of one of his bills. I think these manufactured homes...and I would suggest to you this doesn't affect a company, it affects an industry, some of which is located in this State. Manufactured homes are very much a part of the housing future of this country. The simple fact of the matter is that many of our municipalities have codes that were drafted a considerable number of years ago and just don't...manufactured housing does not work in those places and the attempts to change these codes are...well, frustrating to say the least. I think it should be pointed out that there are vested interests who...are well served by obsolete building codes that require archaic practices that drive up housing costs. Even with interest rates down where they are today, I think the people of this State, a lot of people are going to be unable to afford housing when this type of option is not available to them. I think this manufactured housing is going to be a major part of housing in this country and that this bill will go a long way to making this type of housing available throughout the State. And I think, frankly, it's a good bill and in spite of my reluctance to impinge on the local powers of the unit...units of government, I have personally witnessed three or four of them being real recalcitrant in this area for reasons that I could find no good justification and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I...I hope we take a...an awfully close look at this piece of legislation. We established in the 1970 Constitution a concept of home rule which gives our cities the ability to govern themselves. And that, of course, includes the most

important power of all and that's the zoning power. And if you take a look at this bill, I...I can't agree more with what Senator Schaffer says about some of the problems in some municipalities regarding overly strict zoning codes, but now you're going in exactly the opposite direction. This is no compromise, ladies and gentlemen. You are saying, in the bill it says, no unit of local government may license or limit manufactured housing. Now, the communities around where I represent and the village board which I sat on did have a zoning code and they had the right to limit the kind of housing that they wanted into that community. Maybe in some areas some people think that's too strict and maybe there ought to be some other way of dealing with this problem, but to say in this General Assembly that across this State we are going to allow no city anywhere in Illinois to in any way limit or license manufactured housing, which in some cases may...may be very quality housing, in some cases you and I know it ain't so much quality, not like the kind of quality that the...that the building trades have put up over this century. Take an awfully good look at this but I don't think we want to go this far.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I...I just...a question of the...I would just question the ordinances like in...I know in certain towns in my area like Cicero, Lyons and other areas, they prohibit mobile home parks. I know the City of Chicago has their prohibition when they say Chicago is not...exempt, Chicago prohibits any use of mobile homes whatsoever in their town, it's against the city ordinance. You know, I mean, they talk about manufacturing housing, that was the wording I think they put...I think this all came about right after end of...of World War II because of the use of box cars and certain things

for...for homes. And Chicago, I think, put a prohibition in. I know the town of Cicero had a mobile park, they put a prohibition there to get rid of it, Lyons and other community in my area. How would this affect those...that...those types of ordinances, say you can't have...you can't have any type of manufacturing housing in the city limits or the village limits?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall, do you wish to answer that?

SENATOR HALL:

Well, Senator Rupp is absolutely correct when he says that...about the home rules, but the bill specifically says, "Nothing in this section shall apply to home rule units of local government with a population greater than two million persons that have not enacted a local manufactured housing safety code." Now if Chicago did not do that, then...that the bill is...is definitely says now as far as zoning requirements. You're wrong when you say about zoning requirements. The bill does allow this, it allows units of local government to establish and enforce land use and zoning requirements. It does not take away zoning requirements. B, it allows units of local government to establish permanent base fire code requirements; C, building setback requirements; D, side and rear yard requirements and property line requirements. And it also allows units of local government to regulate location of units, foundation of units and installation and on-site utilities. This does not affect zoning and...and...so I want to make that absolutely clear. So it does not take away the zoning requirements of any municipality or local government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Well, I'm not interested in whether you can...I know

local governments can regulate but I want to know if this...this bill would directly prohibit...I know it doesn't...it doesn't affect the City of Chicago but I want to know if this bill prohibits certain towns like the town of Cicero, the town of Lyons, which is...ten thousand population, these type of towns that have grown and do not want mobile homes in there any more, they want residential property and they have put restrictions for fire reasons and so forth and they just said, we're prohibiting any trailer parks. I mean,...and that's what we're talking about and that's not just in...I don't even know if these areas, I think maybe Senator Philip could tell me, I think Elmhurst prohibits mobile homes. I mean, they...they used to have them, I know they're not there anymore and they keep prohibiting because of fire ordinances, zoning ordinances, and I...and I...I...and I want to know if this...if it...this...this bill would restrict local governments from passing an ordinance that says, we don't want any mobile home parks in our...in our...in our boundaries. I mean, you know, does that take away that local government right? I don't see that in the bill and the way it looks to me, they can...they can regulate, they can zone and say where they can be but they can't directly prohibit them. And if they want to prohibit them altogether, then they should be allowed to prohibit them all together. I mean, I don't think a...a guy that has a...a home that's worth a hundred thousand or fifty thousand wants a...a mobile park...a mobile...a...a trailer put on the lot next to him. But I...I...I, you know, if they want to have a park altogether that's in an area where it's a mobile home park and...and they allow it, fine, but...we have certain areas like that too in Sterling Estates but they're not in the local...they're...they're their own government. And I mean this to me seems to prohibit the villages or towns such as Cicero and Lyons and...in areas like this, McCook,

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that do not want mobile homes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, I assume that was a statement. We have four more speakers that wish to...Senator Hall.

SENATOR HALL:

Well, my understanding and in reading the bill, it definitely says that what Senator...the question he had asked and that it's definitely that this bill adheres to that, but to keep down a long...dissertation and going over this thing that I'll ask that this be taken out of the record till I can sit down and confer with these people and then...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record.

SENATOR HALL:

Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 2828, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2828.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2828 as amended would allow a unit district to dissolve and become a dual district if the adjacent high school district is...is a...a dual district. And this bill was...was prompted by a school district in Livingston County that has a very small high school, want to reorganize, send their high school students to a...another high school. But because we have no mechanism now to allow them to send the...to dissolve and send those students to a

dual district, a high school district, this legislation is necessary. It...it would allow the...elementary district to stand as an elementary district and would allow then the high school students to be annexed to an adjacent high school district. I stand ready to ask any questions that you might have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2828 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, 1 voting Present. House Bill 2828 having received the constitutional majority is declared passed. House Bill 2871, Senator O'Daniel. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2871.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, House Bill 2871 authorizes the Department of Revenue to refuse to issue or following due process to revoke the certificate of registration, permit or license of an applicant for or holder of such a document who fails to file a return or pay the tax, the penalty or the interest on the return or the financial assessment of tax required under any Tax Act administered by the Department of Revenue. The purpose of the bill is to enhance the Department of Revenue's enforcement capabilities. It is consistent with recent efforts to tighten up the enforcement of the tax laws. And I don't know of any opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2871 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2871 having received the constitutional majority is declared passed. House Bill 2873, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2873.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2873 is intended to extend the life of existing Illinois oil fields by adding a definition of enhanced recovery method to the oil and gas conservation district which would clarify the authorization for using secondary and tertiary methods of recovery. Present...Illinois law clearly allows compulsory...unitization for secondary recovery operations but does not clearly allow tertiary recover operations. Therefore, House Bill 2873 to properly affect the process defines and includes reference to the enhanced recovery method in the State Statutes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2873 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2873 having received the constitutional majority is declared passed.

HB 3017 3rd Reading
HB 2879 3rd reading

House Bill 2879, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2879.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2879 as amended brings foreign trade zones and subzones under the exemption if designated by DCCA, the enterprise zone law, increases from three to four the number of enterprise zones that DCCA can award outside the regulatory application cycle, increases from twelve to thirteen the number of enterprise zones that can be awarded this year. For the State and local utility tax exemption, we lower from two thousand jobs saved to one thousand jobs saved and there are a number of technical amendments which I will read if anyone would like to hear, there's seven of them; otherwise, I'll try to ask...answer specific questions on the technical...amendments to this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2879 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2879 having received the constitutional majority is declared passed. House Bill 2917, Senator Netsch. Read the bill, Mr...no, take it out. House Bill 3017, Senator Carroll. House...Senator Carroll, do you wish 3017? Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3017.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a request of the Supreme Court. The Constitution vests the general administrative authority in the court and the court appoints an administrative director and staff. Several of these...of these powers over the years have been designated to the administrative office incorrectly and this would replace those back into the court itself, partially based on the change of the administrator. I would be willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3017 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 3017 having received the required constitutional majority is declared passed. 3025, Senator Philip. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Just a point of personal privilege, if you don't mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR WATSON:

I would just like to...to warn my fellow Senators that Jessie White is on the Floor and on the softball game, and I'd just make sure you get plenty of runs when...negotiate well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Which one is he? House bills 3rd reading is House Bill 3025, Senator Philip. All right, House Bill 3025, Mr. Secretary.

SECRETARY:

House Bill 3025.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3025 amends the Illinois Public Library District Act, authorize the board of trustees of a tax supported public...library of a township, municipality or county to convert the library into a public library district, requires the approval of a conversion by the corporate authority of the township initially or county. In effect, what this does is allow the public library district to levy their own tax. It will not be levied by the township. Happy to ask any questions, proponents are Schaumburg Township, Illinois Library Association and the Office of the Secretary of State's.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Is this legislation...allowing for a levy without a referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

No. All this does is, instead of the township doing the levying for the library district, the library district will do their own levying. What...what happens in these districts is that the library district levies the tax but the township puts it on the...does it, and what happens is everybody think that's a township expense, it is not. It is the public library expense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Maybe our staff analysis is inaccurate then, but it looks to me, at least the way I interpret it, that at the present time would require a front-door referendum for this type of a tax and it appears like we are circumventing that under this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I...I...I...that...that is incorrect. To form the new district, the...the corporate board would do it. It hasn't got a thing to do with the levy whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

If this same procedure was tried under current law, a referendum would be required, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Yes, I believe that is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I certainly intend to support Senator Philip.

Anytime we can avoid the voice of the people, I'm for that, I guess, holy smoke. It just...it's refreshing every once in a while to hear from the other side that they try all these power plays without the voice of the people being involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We're just trying to follow the...the Chicago lead about doing these types of things. But this has been a recommendation from the Illinois Library Association, the Schaumburg Township and the Illinois Secretary of State. And all it does is...allow a township not to levy the tax and have the library district...levy the tax. That's all it's simply changing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3025 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 11, 1 voting Present. House Bill 3025 having received the required constitutional majority is declared passed. Page 8, House bills 3rd reading is House Bill 3040, Senator Luft. House bills 3rd reading is House Bill 3040, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 3040.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3040 increases the

threshold for...sanitary district contracts not subject to bidding requirements from four thousand to ten thousand and reduces the notice requirement from twenty-one days to fourteen days. The increase in the contract threshold is necessary so that sanitary districts can continue to provide vital and essential public services without undue expense and delay. Last year, for example, the North Shore Sanitary District was forced to delay critical maintenance work because a component part of a large piece of equipment used by them cost more than four thousand dollars and, therefore, had to be put out for bid. This bill does not apply to the Metropolitan Sanitary District, only downstate sanitary districts are affected and these sanitary districts have not had their threshold raised since 1969, and the reduced notice period still is four days longer than notice required set forth by the State Purchasing Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3040 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 8, none voting Present. House Bill 3040 having received the required constitutional majority is declared passed. 3044, Senator Lechowicz. Senator Lechowicz on the Floor? No, it's on recall. 3065, Senator Keats. On the Order of House Bills 3rd Reading is House Bill 3065, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

House Bill 3065.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

What the bill basically does is if two towns who have a joint agreement to help each other during a we'll call it a crisis situation, let's say it's the employee from Town A is lent to Town B, his benefits, pay, et cetera are what Town A was. Now that we have collectively bargained agreements in many cases, you really need to kind of spell out who's responsible and all it says is if the employee is an employee at Town A, even when...in this joint agreement, he's working for Town B, his benefits, his vacation, his retirement, everything is the same as Town A because these were voluntary assistance agreements and you don't want to put the employee to the point where he doesn't really know, you know, what his pay is et cetera. This simply clarifies that then the employee is considered an employee of the town that he works for even if he is being lent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Welch.

SENATOR WELCH:

I'm...I'm just curious as to why that wouldn't be the law now. If somebody is...is loaned out to another agency, the master-servant rule is that the original master continues to control...or is responsible for the servant. Is there a case or something changing that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Under master-servant...I don't quite want to get into that doctrine. These are not masters and servants, these are public employees and public servants who are not necessarily in...in shackles. What you've come into is because of the...because of the written contracts, what you have to do is set up a State situation. This is common practice today in most cases. As we have collectively bargained agreements now, those people feel it's just a good idea to have it in writing so that you don't end up with a situation where you have a written contract where the guy's in...in A and he goes to an outfit that doesn't have it and, therefore, would receive lesser or different benefits. What it does is, it's actually a protection for the employee. It's not really management, it's an employee bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Further discussion? Question is, shall House Bill 3065 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3065 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3072, Mr. Secretary.

SECRETARY:

House Bill 3072.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. This is the annual valida-

HB 3079
3rd reading

tion...this is the annual validation process for those appropriations and tax...levy ordinances for Cook County and the Cook County Forest Preserve. We have adopted these since 1966. This puts in place Fiscal Year 1984.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3072 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 3072 having received the required constitutional majority is declared passed. House bills 3rd reading, 3075, Senator Berman. Senator Berman on the Floor? 3079, Senator Hudson. On the Order of House Bills 3rd Reading is House Bill 3079, Mr. Secretary.

SECRETARY:

House Bill 3079.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3079 does exactly what the Calendar states it does. It amends the Illinois Public Library District...District Act providing that territory annexed to a public library district by ordinance without referendum may be disconnected from such district by a front-door referendum. This came out of the House 110 to zip and I think was on our Agreed Bill List. I know of no opposition. Would appreciate your affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3079 pass. Those in favor will vote Aye. Those

H.B. 3096 3rd reading

opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3079 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3096, Mr. Secretary.

SECRETARY:

House Bill 3096.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, House Bill 3096 would exempt from the State use and occupation taxes on coal exploration, mining, off-highway hauling, processing, maintenance and reclamation equipment costing more than two hundred and fifty dollars. It would also exempt replacement parts and equipment costing two hundred and fifty dollars or more. The exemption would not apply to any motor vehicle required to be registered under the Vehicle Code. The current law...current law that we have now already exempts newsprint and ink, farm machinery and equipment, farm chemicals, oil field exploration and drilling machinery and equipment, most railroad equipment used in interstate commerce and manufacturing equipment and equipment used in manufacturing, processing, fabricating and refining. Coal...the coal industry is one of the...the largest industries we have in this State, a lot of unemployment, we're at a competitive disadvantage with Kentucky and Indiana, they both have exempted these taxes. We're competiting with western coal and I think it's past time that we should give coal some consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

3096 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 7, none voting Present. House Bill 3096 having received the required constitutional majority is declared passed. 3128, Senator Jones. 3156, Senator Lechowicz. Senator Lechowicz, 3156. House bills 3rd reading, bottom of page 8, is House Bill 3156, Mr. Secretary.

SECRETARY:

House Bill 3156.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3156 is a work product of the Joint Committee on Administrative Rules. It requires by law to act on proposed rules within forty-five days after the State agency submits notice to the committee. In many cases, due to the scheduling of joint committee meetings, this leads to a situation where less than one week is available for the review of the rules. Because many rule makings which the joint committee rules are complex enough and result in a great deal of public comment and controversy...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me,...Senator Lechowicz, pardon me...

SENATOR LECHOWICZ:

...more time is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, I beg your pardon. Senator Geo-Karis has just been awarded first prize or something here. Senator Geo-Karis, why don't you just hold it up so we can all take a

HB 3162
3rd reading

look at this...monstrosity...oh, I'd throw that one back. Senator Lechowicz, you may proceed. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Because many rule makings which the joint committee reviews are complex and often result in a great deal of public comment and controversy, more time is sometimes necessary for a complete review. Currently, this is done by agreement...between the agency and the joint committee. This bill will formalize the practice and allow the agency and the joint committee to extend the review process to a period of ninety days which will allow sufficient time for an adequate review for all proposed rules. That's the purpose of House Bill 3156. It passed overwhelmingly in the House. The vote was a 112 to nothing and I would hope that it would receive a similar vote in the Senate. Be more than happy to answer any questions; if not, I move that we do adopt 3156.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3156 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3156 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3162, Mr. Secretary.

SECRETARY:

House Bill 3162.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate.

As you recall yesterday, Floor Amendment No. 1 to House Bill 3162 removed a provision allowing nonhome rule cities to raise their sales tax by referendum. Also a bill in the House giving this authority to the City of Rockford is in the House. Now, to the bill itself, there's no new building authority. The first provision of House Bill 3162 as amended makes clear that bonds mandated by the EPA to meet EPA requirements do not fall within the city...depth limits and the second provision restores language mistakenly removed by House Bill 1517 last year. When dropping various county property tax levies, the emergency service levy...the emergency services levy was dropped for counties and cities. Last year's bill swapped county property taxes for a new quarter-cent sales tax. Nonhome rule cities lost their civil defense tax by a mistake in drafting. This provision is supported by the Municipal League and the Taxpayers' Federation, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

On the authorization that a municipality can levy a tax not to exceed .05 percent of the equalized assessed valuation, is there a referendum on that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No, it's technical; however, the amendment reinstates authorization for the .5 percent emergency services and disaster levy municipalities, that was accidently taken out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, is this a tax increase without referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Again, I'll have to repeat, they already had this authorization. What we're doing is putting the civil defense authorization back that they formerly had. And it's supported by the Taxpayers' Federation and the Municipal League.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...Senator Vadalabene, do you wish to close?

SENATOR VADALABENE:

No,...roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, the question is, shall House Bill 3162 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 16, 3 voting Present. House Bill 3162 having received the required constitutional majority is declared passed. Page 9, House bills 3rd reading, House Bill 3181, Senator Marovitz. Oh, 3165? All right. Page 9,...top of page 9, House bills 3rd reading, House Bill 3165, Mr. Secretary.

SECRETARY:

House Bill 3165.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Why thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the fifth and hopefully last of the

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supplemental requests of the Governor since the budget book of a year ago. This would now put us a total of eight hundred and nineteen million dollars over the spending request he had made in that budget of March of a year ago. This supplemental is for the various departments and transfer bills as requested by the Bureau of the Budget, plus some of the bands that we get requests for that are within the formula that we have created. It is...this one adds another 3.4 million dollars of general revenue and 15.6 of others which, as I said, puts the general revenue some eight hundred and nineteen million dollars over the March budget book f a year ago. I would answer questions and seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3165 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3165 having received the required constitutional majority is declared passed. 3181, Senator Marovitz. All right, on...House bills 3rd reading is House Bill 3181, Mr. Secretary.

SECRETARY:

House Bill 3181.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. Speaker. Senate...House Bill 3181 requires the State Board of Education to award diplomas to students who complete alternative education programs under certain conditions. School districts are permitted, in fact,

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to issue diplomas to students for work performed in alternative educational settings. Under State law, community colleges don't have similar authority to issue alternative education diplomas to those students that are in their programs, and this corrects that problem by allowing approved programs at community colleges and possibly other settings to award diplomas. The bill passed the House a 108 to nothing and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall House Bill...all right, Senator...question is, shall House Bill 3181 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3181 having received the required constitutional majority is declared passed. All right, on House Bill 3178...leave of the Body to go back to that. I was under the impression that that was on the recall list. The Calendar was in error. So, with leave, we'll return to House Bill 3178, Mr. Secretary.

SECRETARY:

House Bill 3178.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This...authorizes municipalities, road districts and townships to borrow from banks and savings and loan associations provided that the amount borrowed is repaid within one year. We have put an amendment on it which allowed for a...agreement...trust agreement and contracts between the Department of Transportation and contrac-

tors to be filed with a financial institution whose deposits are insured by an agency or...or instrumentally of the Federal Government. The provision now says "a bank," so what we're doing is just expanding that and protecting the depositor that they will be insured. I know of no opposition. It passed the House 100 to nothing and is supported by the Municipal League, township officials and Illinois bankers. Appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, would the...would Senator Watson yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Vadalabene.

SENATOR VADALABENE:

Why are we expanding this power to nonhome rule units?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Why are we expanding this? Is that the question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, why are we expanding this power to nonhome rule units?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I'm not quite certain that this affects home rule units but the reason for this is to allow a cash flow situation to occur at the local government level and to hopefully alleviate any additional expenses that might occur as a result of having to go with the anticipation warrants or other means of

finances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah, first of all, where did you get the amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The...the amendment came from the Illinois Savings and Loan League.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene

SENATOR VADALABENE:

...has the Department of Transportation seen it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, they have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

That's fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson, since there's a controversy here, you may close.

SENATOR WATSON:

Do you support this, Sam? That's all right. I'd appreciate a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3178 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3178

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3rd Reading

having received the required constitutional majority is declared passed. 3192, Senator Watson. Got a heavy streak here. House bills 3rd reading is House Bill 3192, Mr. Secretary.

SECRETARY:

House Bill 3192.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is identical legislation to...which we passed out of the Senate and is now in the House in regard to trying to help the...the salvage and rebuilders of the State in regard to automobiles. As you recall, we...several years ago we passed legislation affecting the chop shop industry, and as a result of...of that legislation, it had a tremendous negative impact on...on the rebuilders and recyclers and salvage industry of this State. What we're trying to do here was bring the various parties together who were involved in that and that includes the Cook County State's Attorney, the Secretary of State, the auto and truck recyclers of Illinois, the new car and truck dealers. It's an agreed bill. From what I understand there is absolutely no opposition and I would, again, appreciate favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Will the Senator yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Degnan.

SENATOR DEGNAN:

Senator Watson, is this identical to the Senate bill we

passed out earlier and it's agreed to by the Secretary of State, Cook County State's Attorney and Chicago Police Department?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3192 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3192 having received the required constitutional majority is declared passed. 3217, Senator Degnan. House...Senator Degnan, 3217? 3230, Senator Carroll. Senator Carroll on the Floor? 3230. Sorry to cut into your press conference, but...on the Order of House Bills 3rd Reading is House Bill 3230, Mr. Secretary.

SECRETARY:

House Bill 3230.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that because of a potential conflict in at least one of the townships with their meeting versus the observance of a religious holiday, this allows them to transfer that date of the meeting by public law, and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

3230 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3230 having received the required constitutional majority is declared passed. 3378 is on recall. 3396 is on recall. 3423, Senator Holmberg. Senator Holmberg on the Floor? Senator Holmberg. On the Order of House Bills 3rd Reading, the bottom of page 9, is House Bill 3423, Mr. Secretary.

SECRETARY:

House Bill 3423.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. This bill exempts from the Act that was passed last year about storage hot water heaters those hot water heaters with a capacity of twenty or fewer gallons designed expressly for the use in RV vehicles. This bill is needed by a company in...in our community who is manufacturing these. ASHRAE standards currently exempt such small hot water heaters. What we do need is to reaffirm this exclusion in State law and I ask for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3423 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3423 having received the required constitutional majority is declared passed. Page 10, House bills 3rd reading is House Bill 3428, Mr. Secretary.

SECRETARY:

House Bill 3428.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This provides that a board of township trustees of any township may appropriate up to three hundred dollars from the township treasury for the purpose of putting an old and neglected graves and cemeteries in a cleaner, more respectable condition. The annual appropriation may not be over three hundred dollars, and the reason for this, of course, is that many cemeteries in the areas throughout the State are being neglected and this will give the townships an opportunity to help upkeep those particular cemeteries. Move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, would the...would Senator Watson yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will. Senator Vadalabene. Indicates he will yield. Senator Vadalabene.

SENATOR VADALABENE:

Yes, as a former director of the Funeral and Burial Trust Division, I do want to ask this question because I'm familiar with the Cemetery Care Act. Does this mean, Senator Watson, that five people could show up in an annual town meeting and appropriate any amount they wanted?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

No, the township trustees must do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, could five people do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

If they're trustees.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

All right, in the summary, "The amount appropriated shall not exceed three hundred dollars unless a larger sum is authorized by the township electors at the annual or special meeting." What does that mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

They can approve it but the trustees must act on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Five people could do it also, according to your bill, or less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

It could be done at the annual town meeting but it still would be the trustees that would have to make the final action.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

But also the people who show up at the town meeting could do it. Six, five, four, three, whoever shows up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I would imagine that's true then, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, let me address the bill then. Senator Watson has just agreed with what I just said which means that those people showing up, five people or less could to go to any amount that they want and so you ought to be careful, we don't want to hurt the taxpayers or the townships.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson may close.

SENATOR WATSON:

Well, thank you. Of course, it's the...the voters, the residents of that township which may...may do this and if they so wish, then that's the voice and the will of the people. I don't see any problem with this. What we're trying to do is just accommodate some of the cemetery districts throughout the State that are having a problem with upkeep, giving them a source of revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Karpiel, Senator Watson was closing. Senator Watson.

SENATOR WATSON:

I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3428 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that ques-

tion, the Ayes are 54, the Nays are 1, none voting Present. House Bill 3428 having received the required constitutional majority is declared passed. Senate Bill 3475,...House Bill 3475, Mr. Secretary.

SECRETARY:

House Bill 3475.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill simply transfers the Jubilee College property to the Historic Preservation Agency so that the renovation can be completed. I know of no opposition and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall House Bill 3475 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...Ayes are 56, the Nays are none, none voting Present. House Bill 3475 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3477, Mr. Secretary.

SECRETARY:

House Bill 3477.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This

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bill authorizes the Department of Children and Family Services to provide training programs for foster care and adoptive care services. It creates the Department of Children and Family Services Training Fund to make disbursements for such purposes. Due to the decreases in Federal funding, the department is increasing its efforts to maximize Federal dollars where possible and this bill attempts to do that. I know of no opposition to the bill and I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3477 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3477 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3479, Mr. Secretary.

SECRETARY:

House Bill 3479.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. This is the annual Department of Transportation transfer...land transfer bill. The total I have as amended with the Senate amendment is one hundred and five thousand one hundred and fifteen dollars. I'd be glad to answer any questions or ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3479 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted

who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3479 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3480, Mr. Secretary.

SECRETARY:

House Bill 3480.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Like the last bill, this is a Department of Transportation land conveyance bill. There is eleven parcels in eight counties from around the State that are affected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is,...House Bill 3480 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3480 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3503, Senator Holmberg. Senator Holmberg on the Floor? House Bill 3506, Senator Rigney. House Bill...all right, House bills 3rd reading is House Bill 3506, Mr. Secretary.

SECRETARY:

House Bill 3506.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 3506...the subject here is the short wheel base semis that are used in the construction industry. In the Highway Act of '83 we actually grandfathered the older the trucks to carry seventy-two thousand pounds. What we're doing here is extending this grandfather clause to trucks that will be manufactured up through the year of 1990. The original cutoff on this was 1984. This bill is supported by the Department of Transportation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3506 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3506 having received the required constitutional majority is declared passed. 3512 is on the recall list. 3520, Senator Schaffer. 3521, Senator Watson. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Where did you get 3512 was on the recall list?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...I beg your pardon. There is an amendment that's been filed...I beg your pardon, 3512.

SENATOR GEO-KARIS:

...it was...yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, do you wish to proceed on 3512? I'm sorry, they...they marked my...all right, on the Order of...House Bills 3rd Reading is House Bill 3512.

SECRETARY:

House Bill 3512.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, it's my understanding that Senator Joyce had filed an amendment to this bill and...obviously, it is your prerogative that if you wish not to recall the bill, you may, in fact, proceed. Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe...Mr. President, I did talk to Senator Joyce and he said he was not going to go ahead with...Senator Joyce, if you want me...I'll take it out of the record until we see him. All right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, I...I made that suggestion to you before we got back on this order of business...it's up to you now to decide what you want to do. Senator Geo-Karis.

SENATOR GEO-KARIS:

I talked to Senator Joyce earlier today and he said it's okay but not to put it on...I didn't even he had filed it or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, what is your will?

SENATOR GEO-KARIS:

Well, if...I can proceed with the bill because I...I've given you my word, I did talk to him...I'm not giving you stories.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am just a facilitator here. I am not the keeper of the word or anything. Senator Geo-Karis, you may proceed.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the...of the Senate, this is the...the bicycle trail bill, establishes the Prairie Trail Authority to coordinate and maintain a system of pathways and bicycle trails within DuPage, Kane, Lake, McHenry and Will County and the provisions for eminent domain was taken out of it by amendment, and I ask for a favorable

roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer. All right. Further discussion? If not, the question is, shall House Bill 3512 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3512 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 3520, Mr. Secretary. 3-5-2-0.

SECRETARY:

House Bill 3520.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a bill on behalf the the Illinois Department of Public Aid. It amends the Public...Aid Code section in the work fair area to require that a maximum number of hours for mandatory work not exceed a hundred and twenty hours, makes several other technical changes so that the work fair language in the several sections are consistent. I know of no opposition, there's no...fiscal impact and the department is in support of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Having some years ago passed some law concerning work fair as far as townships are concerned, I didn't see this on the Calendar, but I presume that this bill will affect town-

ship work fair programs as well. Is that correct or incorrect?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

That is my understanding, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

By that you mean it is your understanding that it will affect the...all right, well, then my next question would be...let's see a hundred and twenty hours per month. What...what's all of a sudden the need for a limitation? Is there some abuse in this area that we have to limit it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, this is a recommendation of the department's advisory committee on general assistance...apparently the guidelines that they've come up with in the various areas are the thirty hours a week or a hundred and twenty a...a month. This gives the recipient time to seek employment. There's no one in the State requiring more than thirty hours a month and I think there was a feeling on the part of the department that they wanted to have the various work fair programs consistent. I'm not aware of any of the townships or anyone that has any opposition of the bill. It's floated through here without resistance. I'm unaware of anything bad. I, obviously, supported your bill and think it's a great concept.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3520 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3520 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3521, Mr. Secretary.

SECRETARY:

House Bill 3521.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene. Senator Vadalabene, Senator Watson has another bill. Senator Watson. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This piece of legislation was introduced primarily because of the Department of...of Mental Health in a lawsuit which a...a decision was made several years ago, in 1983, the Parks versus Pavavoc Case in which an inequity developed in regard to the parental liability of developmentally disabled children in community placement facilities versus those children who were in State operated facilities. All this legislation does is bring some...consistency to the language and says that those people that are in...those developmentally disabled children who are in State facilities will not...no longer be responsible for parental liability except in the area of medical costs not associated with the handicap. I know of no opposition. We amended the legislation to take care of some of the problems that various staff and other individuals had...Department of Public Aid was involved in that as was the Department of Mental Health. What we're doing is trying to establish the consistency before we have another lawsuit in regard to residents of a State facility. I'd move for its adoption and appreciate the support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, discussion? Senator Watson, you managed to filibuster just in time to have Senator Vadalabene get back to his seat. Senator Vadalabene.

SENATOR VADALABENE:

Yes, this is a good bill and I rise to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall...shall House Bill 3521 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3521 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3525, Mr. Secretary.

SECRETARY:

House Bill 3525.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the same or similar to Senate Bill 2017 which passed this Body unanimously a few weeks ago, and it again provides for...it's a recommendation of the Department of Alcoholism and Substance Abuse and provides an amendment to the Cannabis Control Act so that...products that are...or cannabis related products that are rescheduled under Federal law so that they can be used in a medical context...can then be rescheduled and authorized for very limited purposes under our Controlled Substances Act. Again, it's the same bill we passed here a few weeks ago and I would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rupp.

SENATOR RUPP:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR RUPP:

I would like to remind some of the men who are here that they probably...well, we had some problems, used to with some of the Senators pushing other people's buttons and here...Nega is here for ten minutes and he already just pushed my button green, so I want the record to show that I also would have voted green. Welcome, Wally.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Chair recognizes Senator Walter Nega. Discussion? If not, the question is shall House Bill 3525 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3525 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3527, Senator Rupp. 3527, Mr. Secretary. All right, take it out of the record. House Bill 3528, Senator Donahue. House bills 3rd reading is House Bill 3528, Mr. Secretary.

SECRETARY:

House Bill 3528.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate...House Bill 3528 allows the Illinois Department of Agriculture to inspect and regulate the federally

registered meat and poultry people. Passed out on the Agreed Bill List in committee. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3528 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the...56, the Nays are none, none voting Present. House Bill 3528 having received...required constitutional majority is declared passed. House Bill 3543. House bills 3rd reading is...is House Bill 3543, Mr. Secretary.

SECRETARY:

House Bill 3543.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3543 as amended increases the Cook County Sheriff's Merit Board from three to five members and sets terms for those members.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3543 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 3543 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3549, Mr. Secretary.

SECRETARY:

House Bill 3549.

(Secretary starts to read title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. The sponsor wishes to have it taken out of the record. 3550. 3551. Senator Etheredge, 3551? House bills 3rd reading is House Bill 3551, Mr. Secretary.

SECRETARY:

House Bill 3551.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill does just exactly what the synopsis indicates. It does legalize and validate the appropriations and tax levy ordinances. If there are no questions, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3551 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3551 having received the required constitutional majority is declared passed. 3552, Mr. Secretary. House bills 3rd reading, House Bill 3552.

SECRETARY:

House Bill 3552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This bill does two things. It does give the forest preserve districts an additional month to prepare their appropriation ordinance and, in addition, it also authorizes the creation of a landfill expense fund which is designed to pay the environmental cleanup that may be necessary following the closure of a landfill. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3552 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3552 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill...3553, Mr. Secretary.

SECRETARY:

House Bill 3553.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...synopsis is correct on this bill and it does make the statutory language contained in this bill consistent with the language which already exists in the tax levy session and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3553 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none

HB 3567 3rd Reading

voting Present. House Bill 3553 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3554, Mr. Secretary.

SECRETARY:

House Bill 3554.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill provides that in those instances where forest preserve districts with boundaries that lie within two or more municipalities made by ordinance, they like to be governed by the County Building Code and it...includes some notification provisions. I'd be happy to respond to any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 3554 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3554 having received the required constitutional majority is declared passed. Top of page 12. We'll get to the end of 3rd reading and we will adjourn till tomorrow. Top of page 12, on the Order...Senator Joyce. On the Order of House Bills 3rd Reading is House Bill 3567. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3567.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill requires programming companies to...this is for satelite dishes. It requires programming companies that deliver scrambled satelite television programs to ensure that unscrambling devices are provided at a reasonable cost to persons who are not served by cable television. This is for people who, obviously, do not have cable but have a dish and the...they are scrambled and this just makes sure that they can buy the...unscrambler at a reasonable price.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 3567 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 3567 having received the required constitutional majority is declared passed. Senator Fawell. On the Order of House Bills 3rd Reading is House Bill 3584. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3584.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. The analysis in the Calendar is...describes the bill. It just prescribes new...fees to be charged by circuit clerks for various cases and it's for counties under a million. I'll be glad to answer any questions.

PRESIDENT:

HB 3591 3rd reading

Any discussion? If not, the question is, shall House Bill 3584 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, 1 voting Present. House Bill 3584 having received the required constitutional majority is declared passed. Senator Mahar. On the Order of House Bills 3rd Reading is House Bill 3591. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3591.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. House Bill 3591 would allow units of local government to accept funds to include State, Federal and philanthropic funds for the purposes of fulfilling the directives of the Abused and Neglected Child Reporting Act. I'd be happy to entertain any questions.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 3591 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3591 having received the required constitutional majority is declared passed. Senator Fawell, on the Order of House Bills 3rd Reading is House Bill 3596. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3596.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

...thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. All this bill does is say that the fees that we collect...the county clerk collects for the child support will be placed in a special fund to be used for the Child Support Act which is why we passed the bill originally to begin with and that the...judges must collect...have those fees in the support order if the county board designates these fees are to be collected.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 3596 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3596 having received the required constitutional majority is declared passed. Senator Demuzio. On the Order of House Bills 3rd Reading, House Bill 3598. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3598.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

This bill should have been on the Agreed Bill List. It just simply sets forth the conditions under which a buyer, commissioned merchant or selling agent of farm products takes such product...products subject to a security interest and

HB 3605
3rd Reading

it's agreed to by all of the farm community and the financial community and I think both sides. I would ask for your support.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 3598 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3598 having received the required constitutional majority is declared passed. Senator Newhouse on 3599. And Senator Philip on 3605. Senator...with leave of the Body, Senator Weaver will handle that. On the Order of House Bills 3rd Reading is House Bill 3605. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3605.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This merely establishes a new fund, the Self-Sufficiency Trust Fund. If there's any questions, I'll try to answer them.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 3605 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3605 having received the required constitutional majority is declared passed. Chair is happy to report that we today passed sixty-one out of eighty-five

bills that were on the call. Monday is looking better all the time. We will finish the housekeeping here. We are effectively through for the day. We'll come in at noon tomorrow, do 2nd reading, recalls and back on 3rd reading. By...mid-tomorrow afternoon we'll be able to make a judgment as to whether or not we have to be here at all on Friday. My guess is, at the moment, no, but we'll see tomorrow. I...I just don't know what else is out there. And for those of us who want to be here, we will be here and Saturday and Sunday and...Aldo, you and I, we'll be here. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - I am directed...the Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named person to the office enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I ask leave of the Body to suspend the appropriate posting rules so Mary Ann Koppel be...can be included in tomorrow's call in the Executive Appointments Committee which is the Message the Clerk just read.

PRESIDENT:

All right, that request is in order. The gentleman seeks leave to waive the posting...posting requirements so that Mrs. Koppel's confirmation can be taken up tomorrow. With leave of the Body, it's so ordered. Senator Luft, for what

purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I would ask leave to add Senator Davidson as a hyphenated sponsor to House Bill 787 and Senator Welch as a hyphenated sponsor to House Bill 2879.

PRESIDENT:

All right, gentleman seeks leave to add Senator Davidson to...as a cosponsor of 787 and Senator Welch as a cosponsor on 2879. Without objection, leave is granted. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Purpose of an announcement...Executive Appointments, Veterans' Affairs and Admininstrative...Administration will meet tomorrow morning at nine o'clock in Room 212. That's Executive Appointments, tomorrow morning at nine o'clock in 212. Thank you.

PRESIDENT:

Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

For...thank you, Mr. President. For purpose...also of an announcement that there will be a...the baseball game is tonight between the House and the Senate. I'd ask that our Senators would be there as early as possible so we can get some good practice in, and wish us good luck.

PRESIDENT:

You are wished good luck. Don't practice too hard. You expand the risk. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. An announcement. The subcommittee of the Senate Executive Committee that is going to consider and review some of the proposals for allocation of the Exxon funds will meet tomorrow morning beginning at 8:30 a.m. in Room 400. There are three official subcommittee mem-

bers, Senators...Demuzio and Schuneman and myself and anyone else is most cordially invited to be there with ideas or comments.

PRESIDENT:

Committee reports, Mr. Secretary.

SECRETARY:

Senator Sangmeister, chairman of Executive Committee, reports out the following Senate resolutions and Senate joint resolutions:

Senate Joint Resolution 150 and Senate Resolution 902, 974, 978, 1045, 1046 and 1047, recommend adoption.

Senate Resolutions 929 and 1009, recommend adoption as amended.

Senator Hall, chairman of Appropriations II Committee, reports out the following House bills:

House Bill 2985 with the recommendation Do Pass.

House Bills 2983, 2984, 2987, 2988, 2993, 2995, 2996, 2997, 3050, 3090, 3091, 3092, 3133 and 3191 with the recommendation Do Pass as Amended.

PRESIDENT:

Senator Lechowicz, for purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. On the Calendar, on 3rd reading, is House Bill 3044. I ask leave of the Body to bring that matter back for 2nd reading for the purpose of an amendment.

PRESIDENT:

Well, we...we have a whole list of recalls which we will get to tomorrow, truly.

SENATOR LECHOWICZ:

Thank you.

PRESIDENT:

Thank you. Senator Lemke, for what purpose do you arise, sir?

SENATOR LEMKE:

Oh, I'd like to...the House sponsors request to change the sponsor on House Bill 3145 to read from Senator Lemke to Senator Marovitz.

PRESIDENT:

3145, the gentleman seeks leave...where is that? Is that 2nd reading. Oh, it's in...it's still in committee. Gentleman seeks leave to show Senator Marovitz as the chief sponsor on House Bill 3145. Without objection, leave is granted. Senator Berman, for what purpose do you arise, sir?

SENATOR BERMAN:

For two things, Mr. President. First, I'd ask for leave to be added as a hyphenated sponsor on 2917. I've checked with the principal sponsor, Senator Netsch.

PRESIDENT:

All right, gentleman seeks leave to be added as a cosponsor on House Bill 2917. Without objection, leave is granted.

SENATOR BERMAN:

And tonight is the...we have a busy athletic schedule. Tonight is also the Annual Tennis Tournament, eight o'clock at the Springfield Racket Club. Everybody's invited. Bring your racket, racketeers.

PRESIDENT:

Bring your...yeah...for those of you who have a racket, bring it. Resolutions, Mr. Secretary. That will conclude our business.

SECRETARY:

The following resolutions are congratulatory.

1074 offered by Senators...Lechowicz, Rock, Degnan and others.

...1075, Senator Barkhausen.

1076, Senator Dunn.

1077, Senator Lemke.

1078, Senator Berman.

1079, Senator Smith.

And...Senate Joint Resolution 172, by Senator Macdonald is a death resolution.

PRESIDENT:

Consent Calendar, Mr. Secretary.

SECRETARY:

Senate Resolution 1080 offered by Senator Lemke.

PRESIDENT:

Executive. If there's no further business to come before the Senate, no further announcements...the ball game at six this evening, Executive Appointments at nine in the morning, we'll start Session at noon, we'll do 2nd reading, recall and 3rd reading. If there's nothing further, Senator Hall moves that the Senate stand adjourned until Thursday, June 19, at the hour of twelve o'clock noon. Senate stands adjourned.

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HB 913
2nd Reading

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 19, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arised...arrived, the Senate will come to order. Our members will be at their desks. Our guests in the gallery will please rise. Our prayer today will be by the Reverend John Fearon, St. Bernardine's Church, Forest Park, Illinois. Father.

REVEREND FEARON:

(Prayer given by Reverend Fearon)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, June 17th and Wednesday, June 18th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Kelly. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried, so ordered...we will start on the Order of House Bills 2nd Reading...when we begin here promptly, House bills 2nd reading on page 10. We will proceed through...that order of business and then we will take up recalls. Senator Barkhausen, are you ready to proceed? All right. On the Order of House Bills 2nd Reading is House Bill 913, Mr. Secretary.

SECRETARY:

House Bill 913.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen. Senator Barkhausen. All right, apparently, you're unplugged...use Senator Weaver's mike. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 1 to House Bill 913 is a technical amendment to update the Criminal Code in light of the...of the new language of House Bill 913 which passed unanimously in committee. I know of no opposition to the amendment and urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 1 to House Bill 913. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 2 is identical to Senate Bill 632 which passed this Chamber overwhelmingly last year which partially to some small extent would...would broaden the application of the Illinois Death Penalty Statute to make it potentially applicable in...in situations where the murder is committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life. We...had a debate on this bill last year but, as I say, it did...it did pass overwhelmingly with I believe forty-five votes. Be happy to answer any questions, otherwise, urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, you want to briefly reiterate that amendment again. There were some members that indicated

they'd like to hear it again. Senator Barkhausen.

SENATOR BARKHAUSEN:

As I say, I'd be happy to answer any questions, Mr. President. It...the amendment proposes to add as an aggravating factor to the Illinois Death Penalty Statute a ninth aggravating factor and that is that the murder was committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life and there is a little bit of additional language. As I said, it's identical to Senate Bill 632 which passed this Chamber overwhelmingly last year. The language is borrowed from State Statutes on the death penalty in Texas and Florida which have...the constitutionality of which has been upheld.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 2 to House Bill 913. Discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I...will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

I'm sorry, I just walked on the Floor, Senator Barkhausen. This is identical to what you attempted last year, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It is, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Again, I'm sorry,...what happened last year?...where

did...where did this die last year over in the House?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

A House committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, speaking to the amendment, again, I think my objections were then and they certainly haven't changed and I think this is an awful broad definition. I think we're putting the old Statute in jeopardy, was the same argument I made the last time and I really don't think we ought to be doing this, and I would urge a No vote on the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? All right, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

As Senator Sangmeister indicated, we did have this debate last year and...and I responded to the questions raised about...possible unconstitutionality of it by pointing out that in a couple of cases, I could point to a Florida case, Smith versus State, and again this language here is...is very close to if not verbatim to the Florida Statute. The Florida Supreme Court upheld the language of that Statute and certiorari was denied meaning that implicitly the...U.S. Supreme Court sustained the constitutionality of that language. So I think the concerns about constitutionality are...are answered by pointing to that court case and another one, Gent versus State, also a Florida case. It went up where certiorari was denied in the Supreme Court. So I'd urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved the adoption of Amendment

No. 2 to House Bill 913. Those in favor indicate by saying Aye. Opposed Nay. The opinion of the Chair, Senator Barkhausen, the Nos have it. Senator...Senator Barkhausen has requested a roll call. Senator Barkhausen has moved the adoption of Amendment 2 to House Bill 913. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 9, 1 voting Present. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Amendment No. 3, Mr. President, is...deals with the...somewhat controversial subject of wire tapping. The...Amendment No. 3 is...is identical to Senate Bill 2291 sponsored by Senators Karpiel, Rock and the entire Senate leadership. It is part of the package that was offered by the Illinois Inspector General and the State Police. It would permit the use of electronic surveillance into very limited category of crimes, those dealing with...homicide and a category of child abuse offenses. The amendment would allow a chief judge to authorize the use of electronic surveillant...surveillance without the consent of the individuals involved upon proper application in a murder investigation and against persons suspected of committing a specified crimes against children, as I said. Current law allows court authorized eavesdropping only when one party to a conversation consents. There is not any provision currently for electronic surveillance. This places law enforcement in a tough position, for you can imagine that there would be very few and probably no situations where one of the

parties is going to consent to the eavesdropping on...in on a conversation. This bill contains the most restricted approach to electronic surveillance that has been proposed among the several proposals on this subject in the last three years. The list of offenses where the new procedure could be used is extremely limited. Outside of homicide cases only certain offenses against children are covered. There are many procedural hoops that an applicant for electronic surveillance would have to go through in order to obtain permission; thus, the new procedure will only be authorized in the most serious cases where there is strong indication that crimes are being committed and even then there are all kinds of procedural safeguards built into this Statute. I would urge the adoption of the amendment and be...and offer to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator D'Arco.

SENATOR D'ARCO:

You know,...this isn't the way to change the Illinois law regarding eavesdropping, that's been the law for...as long as I can remember. This bill would open the door and allow eavesdropping to the extent that it would be totally consistent with the Federal approach to eavesdropping which is totally contrary to the Illinois approach to the problem. We are proud in Illinois of our eavesdropping law because it prevents dupes disguised as informers from allowing innocent citizens to be...to have their conversations overheard without their consent. That's what our law is all about, the right of privacy is involved in this amendment. We are violating the individual's right of privacy with this amendment and Illinois stands proud and behind their law as it is today because it protects the individual against eavesdroppers, that's what our law is all about. And what this amendment does is change our law radically and it opens the door not

only for murder, not only for child molestation, but it will change the law entirely because this is the door opener, the first instance and it will be repeated again and again. This is a horrible amendment and nobody in this Chamber should vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I heard through the speaker that my name was used in vain. I did not ever agree to cosponsor a bill that called for this kind of electronic eavesdropping, and I suggested to the Inspector General or whoever conceived this idea that it was ill-conceived. And, as a matter of fact, as an administration bill it was let out of Rules but, as a matter of fact, it was held in Senator Marovitz's committee at my request. I think this amendment is ill-advised and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Yeah, Senator, I...I'm just...I'm amazed that you would come in with things like this as a nonlawyer, but I'm just thinking, if...if...if we want to have a police...(machine malfunction)...if we...if we...if we want a police state and that looks like it's beginning to start that, you're already wired you to see what's going on right here. But the thing is that it's...it's a shame today that we have this kind of amendments and things start to coming out here. Now my understanding was that these...these bills did not get out

and here they come in and start to putting amendments on on the Floor. This is a terrible way to go something about this. No one is safe, you'll get so that you'll be afraid for anyone to walk up to each other. This is a terrible way to go, Senator, and I would ask you to please withdraw this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

I might...thank you, Mr. President. I wonder if the sponsor would yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Newhouse.

SENATOR NEWHOUSE:

Does...does the introduction of this amendment have anything to do with the upcoming summit conference between America and Russia?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Absolutely none, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I'm sorry to hear that, Senator, because I was going to vote for it in case that it was because it seems to me a great preface for us to get together around the big brother concept, and I would applaud you if that were your purpose, but if that isn't your purpose, I'm afraid I'll have to vote against this bill. But if you are saying that in a sense of brotherly cooperation or sisterly cooperation that this nation would emulate Soviet Russia in...in its big brother concept of eavesdropping on conversation and so forth, I think it's a fine idea but if that's not the idea, I'm afraid

I'll have to vote against it. Could you assure me that is the idea?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

(Machine cutoff)...this has nothing to do with big brother as a...in fact, it's a much less restrictive version than that which is already Federal law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Well, Senator, I...I think that we ought to abide by Federal law whatever it is, but if we go on the books in this State as authorizing the taping of conversations between clergymen and their constituents and between legislators and their constituents, I think we've gone a little bit overboard. This is a bad piece of legislation. I would urge everyone to vote against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President and members, let me just point out a couple of things in...in closing and answer some of the concerns that were raised. First of all, preceding in...in this fashion by an amendment is...is not my first choice. There have, as I said, been several proposals on this subject over the last few years, none of them have really gotten a hearing in committee. Several of them have been promised hearings in subcommittees and none of those hearings have come to pass; hence, resort to a...what...what I consider a...as I say, not my first choice as far as the procedural mechanism is concerned in...having this bill considered. The other measures that have come before this Body have been offered by Senator

Sangmeister in the form of Senate Bill 957 and Senate Bill 634 which I sponsored last year which were the same as...or similar to proposals that were made by the Chicago Crime Commission and by the Cook County State's Attorney. And all of those proposals were...more encompassing, more elaborate, less restrictive and without some of the procedural safeguards contained in this bill. In addition, they applied to a much broader category of crimes. As I say, this particular proposal is limited to the crime of homicide and a...category of...of child abuse offenses. All of us, I know, are perhaps more concerned about this class of offenses than...than maybe we are some others; hence,...hence, we think it's important that we allow this type of procedure to be available to our law enforcement personnel to sharpen our attack against these most heinous criminals. As I said, Federal law already permits a more relaxed form of electronic surveillance not only for the type of crimes contemplated here but for a much broader range of crimes. So I'm only proposing to do by this amendment that which is already the law to an even greater extent at the Federal level to give our law enforcement personnel in this State the kind of tools that they really need and they've told us for years that they need in order...to combat these types of crimes as effectively as they might. And for those reasons, I urge the adoption of the...of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 3 to House Bill 913. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 26, 1 voting Present. Amendment No. 3 fails. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Verify the negatives.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has requested a verification of the negative vote. Will all the Senators be in their seats. The Secretary will read the negative votes.

SECRETARY:

The following voted in the negative: Berman. Carroll. Collins. D'Arco. Darrow. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce...rather Jerome Joyce. Kelly. Lechowicz. Luft...Macdonald. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Savickas. Smith. Vadalabene. Welch. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, do you question the presence of any of the members who voted in the negative? Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name.

SENATOR BARKHAUSEN:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas on the Floor? Senator Savickas on the Floor? Strike his name.

SENATOR BARKHAUSEN:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name. Senator Jones has returned to the Floor so you may restore him to the roll call.

SENATOR BARKHAUSEN:

Senator...Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name.

SENATOR BARKHAUSEN:

That's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Mr. Secretary. Senator Barkhausen, are you...have you concluded? All right, Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Request a verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has requested verification of the affirmative vote. Senator Lechowicz is been...is back on the Floor, so please restore him to the negative column. Senator Rock has requested a verification of the affirmative vote. Mr. Secretary, read the...those members who voted in the affirmative.

SECRETARY:

Barkhausen. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Hudson. Karpiel. Keats. Kustra. Leitch. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Watson. Weaver. Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, do you question...

SENATOR ROCK:

Senator Davidson on the Floor? Oh, welcome to our side, Doc.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson is on the Democratic side.

SENATOR ROCK:

Senator Dudycz on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz is on the Floor.

SENATOR ROCK:

Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland is on the Republican side near his desk.

SENATOR ROCK:

Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka is not on the roll call.

SENATOR ROCK:

Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman on the Floor? Senator Schuneman. Strike his name. Senator Rock, do you question the presence of anyone else?

SENATOR ROCK:

I would like to question the presence of Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Watson on the Floor?

SENATOR ROCK:

Senator Watson, I'm just going to question your presence all the time...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Watson is here.

SENATOR ROCK:

...nothing personal, all right? Senator Etheredge on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge is on the Floor.

SENATOR ROCK:

Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce is on the other side of the aisle.

SENATOR ROCK:

Is this a trade, we...we get Davidson and they get Joyce? Is that the idea? That's very nice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, just a moment, Senator Savickas has returned to the Chamber he's at...at the rear of the Chamber, restore his name to the negative roll call.

SENATOR ROCK:

Senator Maitland on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland is in his seat.

SENATOR ROCK:

Senator Keats on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats on the Floor? Senator Keats on the Floor? Senator Keats? Strike his name. All right, Senator Keats was in...Senator Keats is on the Floor. All right, Senator...Senator Rock.

SENATOR ROCK:

I don't see...is Senator Weaver on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sitting in his seat.

SENATOR ROCK:

Oh, that's...that's why I didn't see him. How about Senator Woodyard? Is he on the Floor? He's on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

In his seat. Senator Rock, have you concluded? All right, on that, there are 25 Ayes and 25 Nays, 1 voting Present and the Amendment No. 3 fails on a verified roll call. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 1321
2nd Reading

3rd reading. House Bill 1321, Senator Netsch. Senator Netsch, 1321? House bills 2nd reading is House Bill 1321, Mr. Secretary.

SECRETARY:

House Bill 1321.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch:

SENATOR NETSCH:

Thank you, Mr. President. The amendment that is being proposed to House Bill 1321 is, in fact, the content of Senate Bill 2158 which passed the Senate 55 to 1 just recently and, like so many other bills, was held up over in the House. It was a recommendation of Senator Rock's...what's its name?...County Finance Study Group and, basically, what it does is to allow a unit of local government, an municipality in particular, which has set up a tort liability fund to be freed from the purposes of having to set aside a part of every tax foreclosure sale in an indemnity fund. The purposes of the two funds are exactly identical. They're to make sure that there's money there to pay these indemnities, but if you're already doing it through a more formalized tort indemnity fund there is nothing to be gained by requiring that the foreclosure money be set aside and, in fact, if we add this provision it will be possible for those units of local government to use that money for general purposes. I would move the adoption of Amendment No. 1 to House Bill 1321.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 1 to House Bill 1321. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 1446, Senator Smith. House bills 2nd reading is House Bill 1446, Mr. Secretary.

SECRETARY:

House Bill 1446.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz. Senator Smith, do you wish to handle that for Senator Marovitz? All right, is there leave granted? Leave is granted. Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate...Amendment No. 1 makes three changes. First, children will only have to wait five months instead of ten months to receive the first month of support due them. And, item number two,...orders for withholdings will be in dollar amounts instead of percentages for the convenience of the employer. And, three, parents can obtain a certified copy of their order of withholdings from the circuit clerk...court clerk to send to a new employer. These were requested by the Cook County State's Attorney, they support this amendment and also the Illinois Task Force on Child Support. I ask the adoption of this amendment.

HB 2409 2nd Reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Smith has moved the adoption of Amendment No. 1 to House Bill 1446. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is there leave for Senator Smith to handle that? Leave is granted. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Amendment No. 2 merely allows the Illinois Department of Public Aid to contract with private attorneys to collect support for women who are no longer on AFDC, and this is supported and approved by the Department of Public Aid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith has moved adoption of Amendment No. 2 to House Bill 1446. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2409, Senator Rock. 2409. House bills 2nd reading, House Bill 2409, Mr. Secretary.

SECRETARY:

House Bill 2409.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the...amendment that was offered and adopted unanimously in committee had to do with exclusive possession of the residence and it had to do with the question of venue. I know of no objection. I would move the adoption of Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Committee Amendment No. 1 to House Bill 2409. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

I have two amendments on 2409. One's from Senator Marovitz, the other has no name.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would ask if the gentleman is not here that the amendment be withdrawn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The gentleman is, in fact, not here. The amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2486, Senator Weaver. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President and members, if I...just...if I could just take a quick moment to introduce Pam Vesley and her Girl Scout troop in Wildwood, Illinois, sitting above the Chamber in the back of the Chamber and ask them to be recognized and welcomed by the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise and be recognized by the Senate. Welcome to Springfield. House Bill 2486, Senator Weaver. House bills...2564, Senator Jones. All right, bottom of page 10, House Bill 2-5-6-4, Mr. Secretary.

SECRETARY:

House Bill 2564.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Top of page 11, 2582, Senator Lemke. House bills 2nd reading is House Bill 2-5-8-2, Mr. Secretary.

SECRETARY:

House Bill 2582.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 2644
2nd reading

3rd reading. Senator Lemke, I have a Floor amendment listed on my Calendar here.

SECRETARY:

We don't have that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...all right, there is no amendments then. All right. Further amendments?

SECRETARY:

No amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. House Bill 2625, Senator Fawell...all right, we're holding the appropriation bills, Senator Fawell. House Bill 2630, Senator D'Arco. Senator D'Arco on the Floor? House Bill 2644, Senator Lemke. 2644? House bills 2nd reading is House Bill 2644, Mr. Secretary, read the bill.

SECRETARY:

House Bill 2644.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is the amendment agreed to by the hospital association and the firemen's...which talks about failing to provide notification of a immunity for a...or a liability for a particular disease or paramedic, you bring somebody back to life. I think this is a good amendment. I think it's worth adopting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 1 to House Bill 2644. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Luft. Senator Lemke.

SENATOR LEMKE:

That,...I talked to Senator Luft, since we got Senate Amendment No. 1 on, we're withdrawing this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft on the Floor? All right, withdraw the amendment. Further amendments?

SECRETARY:

No further...no, wait a minute, sorry...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...probably is another amendment.

SECRETARY:

Amendment No. 2 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The LRB?

SECRETARY:

LRB 8407752EGCHAM06.

SENATOR LEMKE:

Okay, this is the amendment that the Department of Public Health wanted. I think it's a compromise between the...firefighters and the public health. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 2644. Discussion? If not, those in favor

indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2648, Senator Barkhausen. House bills 2nd reading is House Bill 2-6-4-8, Mr. Secretary.

SECRETARY:

House Bill 2648.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Thank you...this...this is a very limited amendment and what it says is that if mandated under Federal law using the LEADS Program which is the State police computer, you can check the background of reserve or National Guard members who will have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, Senator Keats. Can we have some order, please? This process will go much quicker if we have some order. Senator Keats.

SENATOR KEATS:

...who have access to the arms' rooms. It's not a big thing but it does technically allow it and I've got the...explanation from the police why it needs to be done, there's no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats has moved the adoption of

HB 3036 2nd reading

Amendment No. 1 to House Bill 2648. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2738, Senator Marovitz. 2785, Senator Marovitz. 2821, Senator Savickas. House bills 2nd reading is House Bill 2-8-2-1, Mr. Secretary.

SECRETARY:

House Bill 2821.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 14...page 14, House bills 2nd reading. All right. On the Order of House Bills 2nd Reading is House Bill 3036. Senator Welch, for what purpose do you arise?

SENATOR WELCH:

I would ask that I have leave to handle the amendments for House Bill 3036 and also ask that the sponsorship be changed from Demuzio-Jerry Joyce to Welch-Jerry Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has sought leave of the Body to be the chief lead sponsor of House Bill 3036, so it would read Welch-Joyce-Demuzio. Is leave granted? Leave is granted. House Bill 3036, Mr. Secretary.

SECRETARY:

House Bill 3036.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. All right, Senator...Senator Joyce on Committee Amendment No. 1.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would like to Table...or I'd move to Table Committee Amendment No. 1 because it is technically incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to Table Committee Amendment No. 1 to House Bill 3036. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further...committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch has sought leave to offer that amendment. Senator Welch.

SENATOR WELCH:

Thank you. I'd ask leave to handle all the amendments marked Demuzio and handle those as Welch amendments. This amendment begins by deleting the entire bill but then reenacting the same bill...reinstating the original provisions of the bill and making them in accord with this amendment. What this amendment does is prohibit the introduction of contaminants into sewage works from any nondomestic source. It requires the adoption of regulations identical to the United States Environmental Protection Agency regulations to implement provisions of the Federal Water Pollution Con-

trol Act. It requires the Energy and National...and Natural Resources Agency to file an economic impact study with the Pollution Control Board after regulations under the section are adopted. It also exempts the Pollution Control Board from conducting hearings on the economic impact study. Variance and conditional permits are deemed granted the Pollution Control Board fails to act upon a petition within one hundred and twenty days rather than ninety days. It also authorized that the Pollution Control Board to adopt regulations specific to individual person or sites.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Welch.

SENATOR WELCH:

It also delays the imposition of the underground storage tank fee from July 1 of '86 to July 1 of '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Will the...sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Where...who wants this amendment?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The administration does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

The department?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The Environmental Protection Agency, yes, and the Pollution Control Board and the ENR.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. That was my question, I wanted to make sure this was the ENR amendment, okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? If not, Senator Welch moves the adoption of Amendment No. 2 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. This amendment delays the imposition of a hazardous undergound storage tank fee from July 1 of '86 to July 1 of '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 3 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This amendment permits rather than requires an economic impact study of regulations implementing the Federal Water Pollution Control Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 4 to...House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. The bill as it is now prohibits new sanitary landfills in a county between four hundred thousand and five hundred and fifty thousand population, that is Lake County. This amendment removes that provision. I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Joyce moves the adoption of Amendment No. 5 to...House Bill 3036. Senator Geo-Karis.

SENATOR GEO-KARIS:

Would you...would you repeat that, please, I'm sorry, I was tied up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I would repeat it. As the bill is now, this bill would prohibit a new sanitary landfill in Lake County. This bill...this amendment removes that provision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, will the...the...the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Why are you removing Lake County from it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I would...I respond with a question. Why do you think that Lake County should be so special that they not be eligible for a landfill when all the other counties in the State are?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Because we have an awful lot of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR GEO-KARIS:

We have them, you don't...have them.

SENATOR JEROME JOYCE:

Well, then, I would suggest we pass this amendment 58 to 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, ladies and gentlemen...Mr. President and ladies and gentlemen, I'm rather surprised because my colleague on the other side and I have always been pretty concurrent on landfills and...we do have...we have several landfills in Lake County and I think this amendment should be voted down. I think what you're doing in effect is making an example out of my county when we have landfills. We have a whole flock of them but there are a lot of other counties that don't have any. So I think it's only right that this amendment be stricken. I don't think you're fair to my county and I'm rather surprised.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...

SENATOR GEO-KARIS:

...the sponsor of the bill...in fact, the sponsor of the bill happens to be Representative Matijevich from Lake County and when he sent this bill over, that provision was in there that we don't have any more landfills in Lake County.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEROME JOYCE:

Well, thank you, Mr. President. I...you know,...if everybody did this, then where would we put a landfill? And I...and I think this is...this is one of the reasons that a bill that is coming up a little later on is...is being brought about because of...you know, we...everyone feels they have to protect their...their county or their district from any type of landfill. Well, you know, if we do this fairly and if...if we make these landfills safe and equitable for all, we don't have to have this type of legislation. So, you know, I...I think it's just eminently fair that we all go into this equal and not pass some bill that says everybody gets one but me. So I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves the adoption of Amendment No. 5 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No...Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I...I ask for a roll call vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis, are you joined by any others? Senator Geo-Karis being joined by the appropriate number of Senators

seeks a roll call vote on Amendment No. 5 on its adoption. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 17, 1 voting Present. Amendment No. 5 having received the majority vote is declared adopted. Any further amendments?

SECRETARY:

Amendment No. 6, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this amendment says is that after a final decision on a permit denial appeal, it requires the applicant for that permit to follow the current rules and regulations upon reapplication or further permit request proceedings.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

I would rise in opposition to this amendment as far as...as I understand it, you have to go through the whole process and then after that decision is made, you have to go back through it again under the new regulations. You're being taken to court under certain provisions and then you appeal it and you go through it and then you have to go back and have a whole new set of rules as you're judged that time. I think this is a wrong...and I would hope we would oppose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch wish to close?

SENATOR WELCH:

Well, what this says is that if a person goes and gets a

permit in 1980 or 1981, stays in court for five years and then goes back to put the landfill into operation, they have to comply with the rules as of 1986 as passed by us here in the General Assembly. I don't think that's asking too much of an operator to comply with what the Legislature says should be the law of the land. So I would move adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All those in favor will...of adopting Amendment No. 6 to House Bill 3036 indicate by saying Aye. Those opposed. A roll call has been requested...a roll call has been requested. Will the members please be in their seats. On the adoption of Amendment No. 6 to House Bill 3036, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, 1 voting Present. Amendment No. 6 having failed to receive a majority vote is declared lost. A verification has been requested. Mr. Secretary. A verification of the roll call has been requested. Senator Welch requests a verification of the negative vote. Will all the members please be in their seats. Mr. Secretary, will you please read the negative votes.

SECRETARY:

The following voted in the negative: Barkhausen. Davidson. DeAngelis. Donahue. Dudycz. Dunn. Etheredge. Fawell. Friedland. Geo-Karis. Hudson. Jones. Karpiel. Kustra. Lechowicz. Leitch. Macdonald. Mahar. Maitland. Philip. Rigney. Rupp. Schaffer. Schuneman. Sommer. Watson. Weaver. Woodyard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch, do you question any of the negative vote?

SENATOR WELCH:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Jones on the Floor? Senator Jones? Strike his name from the record.

SENATOR WELCH:

Senator Rigney.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney. Senator Rigney. Is Senator Rigney on the Floor? Senator Rigney has returned to the Floor.

SENATOR WELCH:

Senator Dudycz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz is standing in the aisle.

SENATOR WELCH:

Senator Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson has just returned to the Floor.

SENATOR WELCH:

Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland. Senator Maitland is standing on the side.

SENATOR WELCH:

Senator Weaver.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver is in his seat.

SENATOR WELCH:

...Senator...no, she's not on the board. That's it, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Mr. Secretary, will you give us the count? On that...on a verification of the roll call, there are 27 Ayes and 27 Nays. The amendment having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 7, by...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Welch, for what purpose do you arise?

SENATOR WELCH:

I was going to handle the next amendment for Senator Jones that's all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 7, by Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch for Senator Jones.

SENATOR WELCH:

What this amendment does is prohibit the sale, lease or transfer of any commercial property which is serving or has served as a storage site for hazardous material without...written notification to the Environmental Protection Agency prior to the transaction. It requires the Environmental Protection Agency to inspect the site, determine whether the...whether hazardous waste is present and notify the potential buyer, lessor or transferee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I just have one...a couple of questions. Should I ask Emil now? All right. Senator Jones, can you give us a...what is this in reference to?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

If you recall the news in Chicago as it relate to the Dutch Boy Plant which is located in my district, they took that property and donated that property to Good Will, and

Good Will held the property for a certain period of time and...decided to have the building torn down. They were completely unaware of all the hazardous waste in the tanks. They were not aware of the lead in the building and et cetera, and with this amendment this would clear up that type problem because they would no longer be able to donate, sell or lease property without first...without first getting a certificate inspection from the EPA.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, one more. How long do you think this inspection would take and how do you define hazardous waste or...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, it...to the first part of your question, how long the inspection would take, that depends on the size of the property and how large it is and...to what extent they are dealing with hazardous waste. And the second part of your question is what do I...define hazardous waste, well,...any company that is having chemicals or...or...that produces hazardous waste and for a while they would have to temporarily store such things on their property and those companies who are identified by EPA, they'd know this already and, as a result, the EPA know what companies and who has similar type chemicals. And if the company is using hazardous waste or using chemicals that produce hazardous waste and that particular company go ahead and violate this...the...this Act, then they themselves will be in violation 'cause they know that they are using chemicals that produce hazardous waste. You follow me?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

And all you have to do, Emil, is just indicate your...by your head, the EPA is aware of this amendment and the...and the language in there? He's indicating yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Jones moves the adoption of Amendment No. 7 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a amendment proposed by the Pollution Control Board. The amendment establishes that in an appeal to the Pollution Control Board, the board will not find a violation nor levy a fine for a violation of the administrative citation procedure, if the board finds that the violation was due to uncontrollable circumstances. The circumstances could include, as an example, a prolonged rain, extremely low temperatures or a wildcat strike, all out of the control of the landfill operator. Such circumstances are taken into account by the board in normal enforcement hearings, but without this addition, the board would not be able to consider them in the...administrative citation program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Welch moves the adoption of Amendment No. 8 to Senate Bill...or House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Any further amendments?

SECRETARY:

Amendment No. 9, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

This is another amendment proposed by the Pollution Control Board regarding the board's authority to authorize bond issues for sewer treatment plant improvements. What it does is...the Pollution Control Board has has the power under the Act to authorize bond issues without referendum for sewage treatment plant construction or system improvements since it came into existence on July 1, 1970, the power being used less than six time in that period and mostly at the request of local officials. In these cases a previous referendum is lost to the outcome of a referendum was considered hopeless. The power to order bond issuance without referendum by its various existence serves to get the attention of municipal and sanitary district officials to deadline since requirements of rules. Not having the power means that cities and sanitary districts will have to be sued in a court and a court order obtained. Expensive litigation to obtain that court order could be avoided by retaining the power to order bonds issued without a referendum. I move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

In this amendment there is a provision that allows for a...there is no referendum involved in the issuance of these bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

No, it...what...what this does is restores the bill to the original...original language of the Act which allows

for...when a city does not go ahead and issue bonds or hold a referendum, the Pollution Control Board or EPA goes to court to get a court order, the judge...orders them to issue the bonds, then the city has to pay the added cost of the legal expenses to do so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I'm more than aware of the problem. I have many communities in our area that are trying to meet compliance with the Federal Clean Water Act and I understand the problem, but I would just let the members know that this amendment does contain a provision that is...that in essence will effect a nonreferendum.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch, would you wish to close?

SENATOR WELCH:

Just briefly. It...it effects it to the extent that it returns back to the existing law is my understanding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Well, I...I'm sorry, then...well, then, what...what is it right now then, Pat? What are we...what are we going back to? I mean, you...you just explained what you're going back to what it is now? What happens now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, right now, the...the cities can be ordered. They...they shall issue a referendum, once you go court...they shall issue a bonding...they shall issue bonds by order of the court. What the bill does is change that and this amendment goes back to the existing law that the EPA or

Pollution Control Board can go to court and get the court order. It encourages them to do it more often than they are doing; in the past they've done it six times. What the Pollution Control Board is saying is, we're going to do this anyway and to avoid taking all these cities to court and to avoid the additional fees, the language requested in this amendment goes back to giving them the authority to enter an order requiring municipalities to comply with the Federal Clean Water Act by 1988.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's been very clear, Senator. Senator Welch moves the...adoption of Amendment No. 9 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10, by Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you. This amendment initiated by the Pollution Control Board is basically a technical and clarifying change in the Act. It apparently is not substantive but merely clarifying with the exception of one provision. The amendment states that Section 28.1 of the regulation shall not be construed to affect the Pollution Control Board's authority regarding site specific regulations. This is meant to advise the courts as to how the section of the law is to be interpreted when the court has lawsuits before them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Since this is very confusing, I would say that, just to my members on this side of the aisle, this is a clarifying amendment. It is a good amend-

ment and I would support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch moves the adoption of Amendment No...I mean, No. 10 to House Bill 3036. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. If you'll just pay attention for a few moments, Senator Degnan has a group of girls here that he wishes to introduce to the Legislature. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I am the designated hitter for Senator Topinka today who cannot be with us and I'm proud to introduce the Morton High School Girl's Softball Class AA 1986 State champions. The team enjoyed a 38 and 0 tournament record, a record for the season. They were selected the number one team by both the Chicago Sun-Times and the Tribune. We have several all-State selection,...Sun-Times and Tribune players of the year, assistant coach Art Kasak is with us, Jeff Norris, assistant coach and the athletic director of Morton, Larry Smith. Art Kasak would like to introduce some of the players and talk about the team.

ART KASAK:

(Remarks by Art Kasak)

SENATOR DEGNAN:

This...this is a true bipartisan team. They represent areas of this State that are represented by Topinka, Lemke and Degnan. Congratulations, coaches and players. Senator Geo-Karis.

END OF REEL

REEL #2

SENATOR GEO-KARIS:

Mr...Senator...Degnan and Ladies and Gentlemen of the Senate, First of all, I want to congratulate the team and second to tell the team that the reason Senator Topinka is not here today is her father is having serious surgery, and third of all, would you like to play in place of the Senate team next year against the House? 'Cause we need you badly.

SENATOR DEGNAN:

Well-taken. Congratulations girls, let's do it again next year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of House Bills 2nd Reading, House Bill 3043, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3043.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This amendment says that civic centers authorized as civic center authorities certified as eligible for State financial support...between 1-1-8-4 and 1-1-8-7 shall retain interest earned on State monies granted to them. It creates the West Frankfort Civic Center Authority and permits the Herrin and Jefferson City Civic Center Authorities to issue General Obligation Bonds,

referendum approval required and exempts from the Illinois Grant Funds Recovery Act certain appropriations to the Department of Commerce and Community Affairs. This bill was inadvertently left in Senate Rules. It passed the House 105 to 6. So, I would ask for adoption of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

A...a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KEATS:

Are these State subsidized ones or are these just simply allowing them to do it local authority, no State money, no State anything, right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, they are State subsidized ones. The...ones that have already been approved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce moves the adoption of Amendment No. 1 to House Bill 3043. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

Which amendment is this? This is...

SECRETARY:

This is...S...SDS84H3043PAM3-JPH.

SENATOR LEMKE:

HB 3058 2nd Reading

Just for the State's attorney appellate, okay. What this amendment does is authorize the State's Attorney's Appellate Service Commission to disburse funds up to counties as per capital basis. This is similar to a bill that was in Judiciary II Committee and which had adjourned promptly, and I was...when I was in Education Committee, it passed out of Rules, and we ask for its adoption. Similar to House Bill 33 not 49.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 2 to House Bill 3043. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3058, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3058.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I would move to Table Committee Amendment No. 1, I have a second amendment that is much cleaner language.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan moves to Table Committee Amendment No. 1. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Committee Amendment No. 1 is Tabled. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 2 to House Bill 3058 amends the Land Titles Act, deals only with the Cook County Torrens Act and affords additional time for tax purchasers to complete the necessary title search. This will not affect redemption rights of taxpayers at all. It is requested by the Cook County Recorder of Deeds to smooth his work load.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Degnan moves the adoption of Amendment No. 1 to House Bill...No. 2 to House Bill 3058. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3062, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3062.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Elementary and Secondary Education offers one amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Currently, the State Board of Education is required to issue an annual report on certain information regarding latchkey programs in the State. This amendment would provide that the State Board of Education require in that annual report information on the number of independent contractors that are used by school districts to operate these latchkey programs. Passed out of the committee with no opposition and I would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Poshard moves the adoption of Amendment No. 1 to House Bill 3062. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...amendment does is...is put Senate Bill 1861 that...for some reason failed to get out of the House committee because it talks about public hearings and due process, and I assume that the reason it didn't get out is because it...they think it was a vehicle for amending Chapter 110 on tort reform. And I ask for the adoption to put this into this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Could we get an explanation of this. I'm not saying we're for it or against it, we'd just like to know what it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this does is the same as...as 1861. What it does is allows districts and teachers that are subject to dismissal hearings are precluded from compelling the testimony of a consulting teacher at such hearings either as to the rating process or for opinions as performance for the teachers upon recommendation. This is that counseling we set up and the counseling teacher doesn't want to be a stool pigeon.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

That's...that's okay, I'm with you, I just wanted to know what it was. Thanks.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke moves the adoption of Amendment No. 2 to House Bill 3062. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

...Amendment No. 3 would require that nontenured teachers fall within the teacher evaluation procedure set up in Senate Bill 730. According to the IEA this does not expand the rights of nontenured teachers but merely brings in within the same evaluation structure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If...Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator O'Daniel, in...in Senate Bill 730 I'm sure you understand the provisions of the evaluation process. That...and the way we deal with tenured teachers. Does...does all of that evaluation process then immediately fall back in to the nontenured teachers that are being evaluated?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

This doesn't have anything to do with the tenured teachers, this...this is just a very simple amendment that would afford the nontenured teachers the...the same requirements.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That...that's exactly what it...it says. And...and there is a certain prescribed procedure we go through with tenured teachers if they receive an unsatisfactory evaluation. My question once again is, does the same procedure phase in for the nontenured teachers if we're going to evaluate them, yes or no?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, I think it does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

...is that a solid yes or yes, I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Now it's a solid yes.

SENATOR MAITLAND:

Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator O'Daniel moves the adoption of Amendment No. 3 to House Bill 3062. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3074, Senator Joyce. House Bill 3080, Senator Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3080.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator...Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

(Machine cutoff)...mine.

SECRETARY:

Want to withdraw this? Amendment No. 1 offered by Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment is identical to Senate Bill 1974

which we debated on this Floor at some length before. It requires school boards to provide training programs on hazardous materials to school personnel who work with those materials...many employees of school districts...of school districts work with hazardous material...in their daily course of work, janitors and so on, and this would simply provide in-service training opportunities whereby the school boards would have consultants or in-service training personnel make these people aware of how to handle these materials. It's strictly related to safety factors within the school environment. I would move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR MAITLAND:

Senator,...a question. Do you have any idea the frequency of the in-service training, daily, weekly, monthly, yearly, biyearly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, thank you. I...I envision this, myself, as simply being incorporated into the normal routine of in-service training that any school district is required to provide for their school personnel throughout the year. Usually, that takes place in teacher institutes which happen...on...on at least...twice a year basis. It should take no more than...than an hour long training by a State board consultant or some other professional consultant, perhaps, to enlighten these people on how to handle hazardous

materials within the school environment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator, is this both certified and noncertified?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

All right, then if we are concerned about the classroom teacher who is dealing with toxic paints and...and whatever else the art department may have, that may require one type of in-service training; and then as we deal with the janitors and...and the other noncertified people, that would then, in fact, require another type of training, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, as in the course of...of every administrative decision in a school, as you know, we have to use discretion in terms of the people that we incorporate in the different kinds of training. For the classroom teacher, a bill has already been passed, as you know, to help those people receive appropriate training in the handling of toxic materials in the classroom. It may be that in some school districts those certified personnel may also come into contact with other things in the course of gym or physical education training or whatever, I don't know, but this would not exclude them if they needed to also be included with janitors or whomever else in the system may be handling these toxic materials.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

I'm wondering, Senator, do we have any documented cases where either certified or noncertified people have in some way suffered as a result of not going through some training to...to know how hazardous some of these materials might be? I...I...what I'm trying to find out, we debated this issue once before and I think the bill's on...on postponed consideration, and I...I don't think the Body really is convinced that there's a need for this. And...if there's a way that I could support it, you know, I'd be happy to but I...I don't have any indication of that at this point.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Maitland. I have a letter here from...some school personnel to the Environmental Protection Agency...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Can we have a little...order. Could we break up those conferences. Senator Keats.

SENATOR POSHARD:

...Senator Maitland, suffice it to say that there have been inquiries to the Environmental Protection Agency by some school districts inquiring...asking the EPA to explore toxic use in high school laboratories and how those things may be dispensed with properly and how they may be...affecting...laboratory chemicals may be affecting certain people in their use...in the schools and so on. So that inquiry has been made. But I don't...you know, I think your question begs the question, do we always wait until an accident happens before we act? Are we always reacting to these situations or are we proactive? Do we...do we look at some-

thing in advance and anticipate the possibility of an accident and then act accordingly? I think this is one of those situations where we need to be proactive in our stance and not reactive.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, you know, I know...I guess...I guess the point is, this General Assembly simply can't be all things to all people, we just...we just can't be. I mean, if we do this, then we need to do something else and there's accidents can happen all the time. All of us went through chemistry labs, all of us survived with perhaps a burn or something like that and...and we survived. The fact of the matter is, there are no documented cases where...where...where there's been serious injury as a result of these chemicals or if training would have eliminated that...that accident. I think probably what we ought to do with this amendment is...is do the same thing we did with the original bill, defeat it by two or three votes and...and let it go down and maybe evaluate this situation next year. I think the amendment ought to be defeated.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. One of the things that I found out pertaining to this bill is very related, I think, to a tour I made of our nursing homes back in Rockford where they're dealing with older people that may not be as familiar as they should be with toxic materials; and as part of our code of regulations on those nursing homes, any hazardous materials left standing in the hallway, in a room or anything can create a citation against that nursing home. They consider that so severe that they will not approve them on that

site inspection. We're dealing here with children in schools who need to be protected in the very same way from hazardous materials in a classroom, in a hallway. We need to protect them as much as we do our senior citizens. To me, this is a very obvious kind of protection, one that fits the times and our sense of awareness of toxic substance. And I believe this amendment should be put on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. I would ask for an affirmative vote on this bill. I...I honestly do not see why this bill becomes such a point of contention among us. It requires very little, if any, additional monies at all. In fact, the personnel who could administer this in-service training are already in place either at the State board level or at the local level among community or school personnel. I don't understand why this bill raises such contention when it's brought up here. It seems to me that it states the obvious. I've been involved in many teacher training institutes over the past fourteen years, I've seen...sessions presented on everything from fly and bait casting to basket weaving which seem entirely incredible to me. I don't understand why a session which deals with a very serious appropriate topic is of such concern. I would ask for your favorable vote on this...amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A roll call has been requested. Will all the members please be in their seats. Those in favor of adopting Amendment No. 1 to House Bill 3080 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 20, none voting Present. Amendment No. 1 to House Bill 3080 hav-

ing received the majority vote is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3157, Senator Lemke. Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3157.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3200, Senator Maitland. House Bill 3266, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3266.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Amendment No. 1, in fact, should be...committee amendment because the...it was suggested by the committee; but since it's Floor Amendment No. 1, what Amendment No. 1 would do would limit the use of the Board of Governors Cooperative Computers Center to any public or private col-

lege, university, governmental, public or private, not-for-profit agency. There was a...a clarification that was asked for to assure that access to the Board of Governor's Cooperative Computer Center and this amendment, in fact, clarifies the access. I would move for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 3266. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3298, Senator Savickas. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3298.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop...Senator Savickas, my Calendar indicates a Floor amendment. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President,...there is to be an amendment. It hasn't been developed yet. The parties are meeting, I just spoke earlier with Jim Houlihan representing the fire alarm people...with Rich Walsh. They haven't decided on the wording yet. They want to move the bill and leave it on 3rd and

we'll bring it back once they settle on what it should be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further amendments? Further amendments?

SECRETARY:

No...no...no amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. House Bill 3302, Senator Lemke. House bills 2nd reading is House Bill 3302, Mr. Secretary. Read the bill.

SECRETARY:

House Bill 3302.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Judiciary I offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Committee Amendment No. 1. Can we get Senator Lemke the file, please. Senator Lemke.

SENATOR LEMKE:

What this does is strikes everything after the enacting clause and makes it similar to Senate Bill 1634 which is a bill that passed out of the Senate 57 to nothing. This is the home repair fraud bill. We worked out all the problems here in the Senate and did all the work, and I think the bill should be in the same language as ours and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved the adoption of Committee Amendment No. 1 to House Bill 3302. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 3328, Senator Netsch. House bills 2nd reading is House Bill 3328, Mr. Secretary.

SECRETARY:

House Bill 3328.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr...President. The bill is the Illinois State Collection Act of 1986. It is the bill that deals with the collection of debts owed to the State. Amendment No. 1 is a...was a fairly extensive one that...that was the product of the negotiations of the Comptroller's Office, the Attorney General's Office, the Department of Central Management Services and the Auditor General; and basically it incorporates their revisions to make it, in their judgment, more workable. Probably the main thing that it does is to create an accounts receivable fund for the Comptroller. My understanding is...in fact, my knowledge is that all of those parties agreed to the substance of this amendment and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Committee Amendment No. 1 to House Bill 3328. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 2 is purely technical. It eliminates the doubling up of the words "to compliance with any other Statute." They were repeated twice in the section by accident and this would remove it. I would move the adoption of Amendment No. 2 to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved...

SENATOR NETSCH:

...House Bill 3328.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the adoption of Amendment No...

SECRETARY:

2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...2 to House Bill 3328. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Amendment No. 3 was requested by the Department of Revenue and basically what it does is to take the Department of Revenue out from under the new law and

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restore them to where they were before. They have their own authorization to deal with debts and the language that allows them to do that was, we believe, inadvertently stricken in the bill as it made its way through the legislative process. It did not satisfy anyone involved and the department asked to be restored to their previous position. We all agree and, again, this has the approval of all of those involved, the Department of Revenue, the Comptroller, the Attorney General's Office and is also...was agreed to by the Governor's Task Force on Accounts Receivable. I would move the adoption of Amendment No. 3 to House Bill 3328.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch has moved the adoption of Amendment No. 3 to House Bill 3328. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3340, Senator Lemke. House bills 2nd reading is House Bill 3340, Mr. Secretary.

SECRETARY:

House Bill 3340.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Judiciary I offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What Committee Amendment No. 1 does is...is...amends the place to build on its proper place in the Illinois Revised Statute. This would create a new Statute in the book and I don't think we need a new Statute. This...this passes the...the cause of action under Chapter 110. I ask for its

adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Committee Amendment No. 1 to House Bill 3340. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

My understanding...move to Table this, the amendment sought by the Chicago Title and Trust. This is tehnically flawed and will be replaced in the technical correct Floor amendment which will be Floor Amendment No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved to Table Committee Amendment No. 2 to House Bill 3340. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is Tabled. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Committee Amendment No. 3, we move to Table. This amendment is a version of a Mortgage Foreclosure Act and...which is not reflected by the...any of the agreements that have been reached over the...bargaining table in...therefore, I ask to be Tabled.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved to Table Committee Amendment No.

3 to House Bill 3340. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment number...Committee Amendment No. 3 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senators Topinka and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move to withdraw committee amendment...no, I'm sorry, Floor amendment...Floor Amendment No. 1...Amendment No. 4 with the provision that if Committee Amendment No. 3 is put on there again, I would like to reinstitute Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I have no qualms about that because I don't think you'll see the light of day of...Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Amendment withdrawn. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does, it was the amendment that replaces Committee Amendment No. 2. It's a technical corrected version of the...of...of a problem that Chicago Title and

Trust...sought...sought...sought out in the bill and this corrects the problem and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves the adoption of Amendment No. 4 to House Bill 3340. Discussion? If not, those in favor indicate...by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What's the...LRB on this? We...up and down with all these amendments.

SECRETARY:

8410726DJCHAM05.

SENATOR LEMKE:

Okay, this is the amendment which was talked about in the committee and wasn't ready. What it does is makes a change and specifies in Section 2005, "Certain rights not affected, no judgment enter pursuant to this article shall affect the rights of any bona fide purchase or mortgage, judgment, credit or auto lien holder arising prior to the date of which the transcript, certified copy or memorandum of such judgment is filed in the office of recorder deeds or register of title." This is an amendment...requested by the City of Chicago. Ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has moved the adoption of Amendment No. 5. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah,...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

I'm a little confused. What's the difference between this amendment and the previous amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This amendment amends the original bill...that was flawed when it came from the House. This has nothing to do with the Mortgage Foreclosure Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill had nothing to do with the Mortgage Foreclosure Act and that wasn't my question either. I would like to know the difference between this amendment and the previous amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Okay. That amendment we adopted already, this...this one should be 06, he's right, he's correct. Yes...I...I thought we...you should have...let me...LRB8410726RLKSAM06. You got that amendment?

SECRETARY:

We just adopted it awhile ago. Now we're on 05.

SENATOR LEMKE:

Well, they're in different places.

SECRETARY:

That's the way...

SENATOR LEMKE:

I'm sorry, well...let me explain the problem then, apparently the amendments got mixed up. So Amendment No. 4 is the amendment I just...recited in regards to the Chicago Title...what Chicago Title and Trust wanted. Amend-

ment...this amendment is what the City of Chicago wants and it should be explained as follows. It amends Section 2002. If the refund is not made it shall be recoverable in civil action from the person who received the compensation, benefits or remuneration or from anyone who knowingly aided such person obtaining the compensation, benefits or remuneration. Before the action is instituted pursuant to this Act, the State or local government unit shall make a good faith attempt to collect amounts owed to it by using informal procedures and methods. I ask for...adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. Senator Lemke has moved the adoption of Amendment No. 5 to House Bill 3340. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator...

SECRETARY:

...No. 6 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was also discussed in the committee. What the amendment does is to delete the...the second party, the person that was described in the original bill as aiding and abetting. Noboby was able to adequately describe who that person is, so we've taken it out of the bill, give the city what they originally asked for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the ques-

tion...the...Senator Berman has moved the adoption of Amendment No. 6 to House Bill 3340. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3346, Senator Newhouse. House bills 2nd reading is House Bill 3346, Mr. Secretary.

SECRETARY:

House Bill 3346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, let's come back to that, I don't have the amendment here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Newhouse, we...do you wish...do you wish to proceed? You want to...you want to take it...all right. Take it out of the record. House bill...House Bill 3394, Senator Fawell. House bills 2nd reading is House Bill 3394, Mr. Secretary.

SECRETARY:

House Bill 3394.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This is basically a technical amendment, it merely tells how the liens will be placed on the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

...next amendment, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell has moved the adoption of Amendment No. 1 to House Bill 3394. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

This was requested by a local municipality. It allows their local police officers on duty time to deliver some summonses for them on duty time. There doesn't seem to be any opposition whatsoever and I'd appreciate its favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats has moved the adoption of Amendment No. 2 to House Bill 3394. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 17, 3431, Senator Hall. Senator Hall on the Floor? House bills 2nd reading is House Bill 3431, Mr. Secretary.

SECRETARY:

House Bill 3431.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on...Executive offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Committee Amendment No. 1, Senator Hall. Committee Amendment No. 1 on House Bill 3431. Senator Hall.

SECRETARY:

Senator Hall. It's, "To the Department of Revenue which shall distribute the awards in annual lump sum payments."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. There was...in the bill it was not written who were to be the people that would distribute it and the amendment simply assigns that to the Department of Revenue to handle the distribution of the funds. I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3431. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No Floor amendments, 3rd reading. House Bill...well, with leave of the Body, we'll return to page 16, House Bill 3346. Senator Newhouse indicates he's ready to proceed. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3346, Mr. Secretary.

SECRETARY:

House Bill 3346.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Newhouse and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This amendment clears up a funding problem. The funds were...the funds under the bill would appear to becoming from the Department of Public Aid. This amendment clarifies this so that the department could receive those funds directly, and I would know of no objection. Would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse moves the adoption of Amendment No. 1 to House Bill 3346. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it...Amendment No. 1 is adopted. Further amendments?

HB 3548 2nd Reading

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. 3rd reading. Page 17. House Bill 3548, Senator Schaffer. House bills 2nd reading is House Bill 3548, Mr. Secretary.

SECRETARY:

House Bill 3548.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Commerce and Energy offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. Chairman, I believe the first one is a committee amendment...a short one? Big one.

SECRETARY:

It's got Joyce and Welch's name on it.

SENATOR SCHAFFER:

Is it J. J. Joyce?

SECRETARY:

Yes, I'm sure it is. And it's three and a half pages long.

SENATOR SCHAFFER:

Oh, no...okay. Is that...I believe that one needs to be Tabled, he said, looking over at the chairman who is much more knowledgeable on that particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr...Mr. President. I would move to Table...Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved to Table Committee

Amendment No. 1 to House Bill 3548. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Schaffer, Jerome Joyce and DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr...President and members of the Senate, this amendment basically strikes the Act and recreates the bill and it is the Illinois Solid Waste Management Act, I think most of the members are familiar with this. This is the compromise program that's been worked out by industry, environmentalists, the Governor's Office, Senator Joyce, Senator DeAngelis and I and others have been involved in this process. It is a rather lengthy amendment. It sets a...a list of priorities in terms of the way we dispose of waste in the future to minimize the use of landfills. The bill...the amendment in its present form will need to be amended further and we will have to bring it back sometime next week, but I think Senator Joyce and others agree that we would prefer to get it...this on today and then we will bring it back in the future for consideration of other amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

Senator Schaffer, I've been given some information that the...we have non-for-profit groups who are getting in to the recycling business and they're doing this with funds from the State. Is that true...in this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

A portion of the revenue that would be raised through this Act in the form of a...I'll call it a tipping fee on...garbage would be used among other things to encourage recycling and one of the things that...one of the groups who potentially could benefit from that would be the not-for-profit groups that do have recycling programs throughout the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, the problem that...we have some recycling groups down there that they are in this business now, and they're saying if the State is going to come along and give revenue to others to get into the business it's jeopardizing their business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, let me suggest to you that the not-for-profits are very big in this already and that the bill does not specifically provide that the...additional State funds, some of which would be used to develop markets for recyclable products...recycled products, it...it doesn't give either group preferential treatment, they would all qualify for grants and both the for-profit and not-for-profit recyclers would poten-

tially benefit from this Act. So I don't know who you're dealing with but the...all of the recyclers that I know of are quite enthusiastic about the Act including some for-profit recyclers. We're not trying to preclude anybody from recycling, we're trying to encourage everybody, profit and not-for-profit. So I...I don't perceive that as a problem, and I...I'm not sure who has talked to you, but if they would like to get in contact with either Senator Joyce or myself or...and we'll put them in touch with the people who can explain the program and my guess is they'll be pretty enthusiastic about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yes, I would appreciate that we would get together and talk about this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Senator Hall, to further clarify that. Amendment No. 3 that is coming is supposed to clarify that existing businesses must be given equal consideration to...to other ones. So, and I would also like to make sure that we have leave to bring this bill back from 3rd to 2nd on Monday. Is leave...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has requested that we...you know, leave to bring this back on Monday. Is leave granted? Leave is granted. Senator Schaffer moves the adoption of Amendment No. 2...to Senate...to House Bill 3548. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. We will now...we have now proceeded through the Calendar of House bills 2nd reading. Passed out and on your desk is a list of bills that have been specifically requested to be recalled. Is...Senator Vadalabene on the Floor? Senator Vadalabene, do you wish to have 523 brought back? All right. Senator Vadalabene seeks leave of the Body to return House Bill 523...all right, on the Order of House Bills 3rd Reading, recalls. Senator Vadalabene has requested leave of the Body to return House Bill 523 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 523, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, the amendments should say Senator Schuneman and Senator Vadalabene, and I am in support of this amendment and I now will yield to Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I appreciate Senator Vadalabene bringing this bill back. My amendment is for the purpose of changing the description of bodies of water in the bill from...a building which is located upon a pier extending into or over the waters of a commercially navigable lake or river. Actually, the amendment simply adds the word "or river" and is intended to assist the Liquor Control Commission and a business in my district in continuing their liquor

liability...or their liquor license. So, I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Schuneman has moved the adoption of Amendment No. 2 to House Bill 523. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 1473. Senator D'Arco on the Floor? 1477, Senator Marovitz. All right. Senator Marovitz seeks leave of the Body to return House Bill 1477 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 1477, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 1477 merely changes the effective date to April 1st, 1977. This was requested by the department and we've complied with that. It's merely an effective date change. I would ask for adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 1477. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2544. Senator Schuneman seeks leave of the Body to return House Bill 2544 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House Bills 2nd reading, House Bill 2544, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. What this amendment does is allow the...Adjutant General to convey any property under his control, any realty, to a local unit of government. At the present time, he can only convey it to the State Government or Federal Government. This would allow an armory to be transferred to a municipality if necessary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. As I understand it, this amendment is...a necessity for the City of Rock Island in some of their negotiations and we have no objection to...that attachment of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow moves the adoption of Amendment No. 1 to House Bill 2544. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2562, Senator Etheredge. House

HB 1473 Recalled

bills on 3rd...House Bill 2562, Senator Etheredge seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Now on the Order of House Bills 2nd Reading is House Bill 2562, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, Amendment No. 1 amends House Bill 2562 on page 1, in line 17 by deleting "loan" and inserting in lieu thereof "target."

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator O'Daniel has moved the adoption of Amendment No. 1 to House Bill 2562. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. With leave of the Body, Senator D'Arco is now on the Floor, let's...let's go back and pick up 1473, if there aren't any objections. Is leave granted? Leave is granted. On the Order of House Bills 3rd Reading is House Bill 1473. Senator D'Arco seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1473, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment would create an Executive Task Force on Nursing Homes. The department, of course, is involved in the quality of long-term...nursing care and it will be composed of members of the General Assembly, representatives of State agencies and local governments, nursing home facilities' residents and the general public. The purpose of the task force would be to study the delivery system of nursing home care and make recommendations concerning rates, reimbursement and quality of care. I think everybody knows that the nursing home industry...is in need of being looked at by the General Assembly and that's what this amendment does. And I would move to adopt Amendment No. 1 to 1473.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator D'Arco has moved the adoption of Amendment No. 1 to House Bill 1473. If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2, by Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment provides for agreements to be entered into by mental health and the Department of Corrections for processing and expediting public aid applications and general assistance for residents who are scheduled for release. The department is currently implementing...the Public Act which...which requires expeditious processing of applications for AABD. And this amendment is the mechanism to allow the expeditious...process to take effect. And I would move to adopt Amendment No. 2 to 1473.

HB 2741 Recalled

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Macdonald.

SENATOR MACDONALD:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Macdonald.

SENATOR MACDONALD:

Senator D'Arco, where is...what is the department's position on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Neutral. They don't have a position on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco has moved the adoption of Amendment No. 2, House Bill 1473. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. House Bill 2741. Senator Maitland seeks leave of the Body to return House Bill 2741 to the Order of 2nd Reading for the purpose of an amendment. Is that correct, Senator Maitland? Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2741, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I would like to Table Amendment No...withdraw it, let's just withdraw it, okay.

HB 3044 RECALLED

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland seeks to withdraw Amendment No. 2. Amendment was withdrawn. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Just to check the LRB numbers. Is LRB 8408316THTCAM02?

SECRETARY:

Right.

SENATOR MAITLAND:

Okay. This, Mr. President, is an amendment that...that deals...continues to deal with the issue of...of detachment of certain areas of a school district into another one. And what this amendment does is sets up a mechanism whereby the pupils in the territory that will be included in the State aid claim with the district annexing the territory instead of the State aid claim of a district losing the territory. Currently, the...the district that is losing the students is just required to pay the other district and this simply...eliminates that and allows the receiving district to include them in their claims and we believe it to be a much cleaner...cleaner...mechanism.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland moves the adoption of Amendment No. 2 to House Bill 2741. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3044. Senator Lechowicz seeks leave of the

Body to return House Bill 3044 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3044, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 was an amendment that was recommended by Senator Weaver in the Executive Committee and at the request of Senator Weaver was drafted by our staff. It would allow the board or the...or the parties involved to seek a court order for a thirty-day extension of the hundred and twenty day election requirement, would allow all parties to extend the...hundred-and-twenty-day period if mutually agreed. This was based upon a question that was asked in committee if the matter was pending in court. It's been discussed, approved by him and Senator Netsch. And I move for the...you...you wanted this amendment. That's right. And I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

...question of the sponsor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

We are extending election deadlines a hundred and twenty...we don't have a copy of the amendment. Could...I apologize that I just couldn't quite catch what you meant by that. I don't know that we want to extend election deadlines a hundred and twenty days. Please reexplain.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

This has nothing to do with our election...guidelines. This deals with State and local labor relations boards when they have to come back with a response to the...grieved party. And initially it was...the bill called for ninety days, we extended it to a hundred and twenty, now we're giving them an additional thirty days after that or a total of a hundred and fifty days before they have to respond. And that's all this amendment does and that's all the bill does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lechowicz has moved the adoption of Amendment No. 1 to House Bill 3044. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3187, Senator Berman. Senator Berman on the Floor? Senator Berman seeks leave of the Body to return House Bill 3187 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3187, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you. This dealt with the truancy amendment and it's been worked out between the interested groups...educational groups on this. What it does is to eliminate the lowering of grades for nonacademic reasons as a specific prohibited action which a school district may take

against a truant. It's...was requested and supported by the...by ED-RED, IASA, ISB and I move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3187. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading...with leave of the Body, we will come back to 3267. Is leave granted? Leave is granted. House Bill 3309. Senator Maitland seeks leave of the Body to return House Bill 3309 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3309, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. This is really a minor amendment. The...the assessor in...in...in Cook County came to us and was concerned about the possibility that the language that we had...had drafted in 3309 would not allow them if they leased a landfill to a producer of methane gas, for example, to tax that methane gas. And all parties agreed that this amendment was all right. This will allow them to do that and I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the...Senator Maitland has moved the adoption of Amendment No. 2 to House Bill 3309. Those in

favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3378. Senator Vadalabene seeks leave of the Body...Senator Vadalabene...seeks leave of the Body to return House Bill 3378 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3378, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 3378 is a technical change to put the Subsection C into conformity with another section at the...of the License Act. Specifically, this amendment only adds uniformity to the reciprocal licensing provisions. Only two words are deleted "after examination" and adds an initial. And I move for the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 3378. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. The next bill on your Calendar is 3396. Senator Carroll has indicated that he does not wish

to recall that bill and, therefore...3474, Senator Geo-Karis. On the Order of...of Recalls is House Bill 3474. Senator Geo-Karis seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3474, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This amendment is an exchange of quitclaim deeds to property between the Decatur Park District and the Lincoln Trails Boy Scouts. What it is, the...the ground was originally given to the Boy Scouts on...to be used for a camp as long as it was...it was for their use. At the end of it, the will...the original granting of the property indicated that would then go to the park board. That's the need and that's the use of this particular amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...Senator Rupp has moved the adoption. Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis. Further...Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, I don't want to interrupt but we did have an amendment on 3396 that was on the recall list and when this is done I would like to discuss that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion on this amendment? Sena-

tor Carroll.

SENATOR CARROLL:

Yes, a concern and question of the sponsor. In...the general rule in park district land conveyance, they cannot convey unless it's a swap of equal value. This changes it to allow them to give away land. It's my understanding...first of all, that's somewhat of a dangerous precedent to do where public lands are being given away. Secondly, while I recognize that this is limited to Decatur, at least our staff indicates that as of this morning the Decatur Park Board has taken no action yet. So aren't we ahead of the game in authorizing a giveaway of publicly owned lands even to a worthwhile group is still a giveaway of publicly owned lands when the publicly owned landholder has not taken any action to so give away?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

...I think there is a little bit of confusion. It's not going...it's not publicly owned, the Lincoln Trails Council Boy Scouts is transferring it to the public body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

I thought the Act was to authorize the district to convey certain lands to the council. It's a conveyance from the park district to the council.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

May I read this part of the bill? "Whereas the consideration for the use of said real estate by the Lincoln Trails Council of the Boy Scouts of America was the abandonment of the use by the Lincoln Trails Council of the Boy Scouts of

America of certain real estate located in Decatur Township, Macon County, Illinois, which lands were deeded to the Lincoln Trails Council of the Boy Scouts of America with the conditional gift over to the Decatur Park District in the event the Lincoln Trails Council of the Body Scouts of America abandoned its use thereof." The Boy Scout Lincoln Trails Council has now set up a new camp down near Pana, they are willing to abandon this and they have actually abandoned the use of this and this is a...merely a device and an okay for that conditional gift to be passed to the...Decatur Park Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Rupp, I hate to disagree with you since it's your district, but as I read the amendment the preamble says the Decatur Park District. And I'm reading on page 1 of the amendment, line 8 where the Decatur Park District holds title...to the land and has continuously since April 15th, 1926. So it's park district land that the park district is conveying or leased. If not, then the amendment is defective. But it sure says...and it says on page 2, line 16, the president and secretary of the park district are hereby authorized to execute a quitclaim deed conveying this to the Boy Scouts. So it's the park district giving it to the Boy Scouts and, again, in general, park districts cannot give land; they can swap land, they can sell land but they cannot give land. This is a giving, and it's...of equal concern to us is the fact that, at least as we understand it, based on their calls to us, that the park district has not taken any action to so give.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Who do you think is doing the giving?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't know any of them, but I read in the amendment that it's the park district, that 's the way the amendment reads. "Whereas the Park District of Decatur holds title to certain lands," and then goes on to say the president and secretary of the park district are authorized to execute a deed to give that land, that's what it says.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

That is the exchange that you are looking for. It's a...it's an exchange of quitclaim deeds.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, Senator Rupp, that's not the way this reads. Other than...it is not an exchange. I mean, we had heard at one point that maybe before 1926 the Boy Scouts Council may have owned the land and gave it to the park district sixty years ago. The park district has owned it for sixty years. They're not trading something now for something they got sixty years ago. This reads, and that's the unfortunate part of it, that the park district is to give the land away and the park district has yet to take that kind of action. Why are we authorizing the park district to do something that they have not yet said they want to do?

PRESIDENT:

Senator Rupp.

END OF REEL

REEL #3

SENATOR RUPP:

As a...Mr. President, as a courtesy to the sponsor, let the bill go to 3rd, but I would like to be able to call it back after we have a chance to explain this.

PRESIDENT:

I think that's fair. The...the bill is on 3rd, Senator Rupp, and there will...there will be another recall list, Senator Rupp, so you will have time to discuss it. As a matter of fact, there is another recall list. We will get to it. Senator Geo-Karis, for what purpose...

SENATOR GEO-KARIS:

If I...if I understand correctly, then on the...3474, Senator Rupp was withdrawing his amendment at this time and the bill is back on 3rd reading. Is that right?

PRESIDENT:

The bill is on 3rd reading.

SENATOR GEO-KARIS:

Okay, thank you.

PRESIDENT:

We'll take it out of the record. The bill remains on 3rd reading. There will be another recall list. We have been through the first recall list. The suggestion of the Chair after conferring with the minority leader...I'll get...is that we will now move to the Order of House Bills 3rd Reading. We have one other recall. Senator Demuzio asks leave to get back to 3267. Before we get to that order of business, Senator DeAngelis has a point he wishes to make. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. We had an amendment...I had an

HB3267 Recalled

amendment on a bill that was on recall. Now, I'm going to ask Senator Carroll...perhaps he was not aware that I had an amendment; therefore, he chose not to call this because the other people who had the amendments didn't want it called, or is he not going to grant me the courtesy of trying to put that amendment on?

PRESIDENT:

Well, the question of calling or recalling is up to the sponsor. My suggestion is that you talk to the sponsor. On the Order of House Bills 3rd Reading is House Bill 3267. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3267, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Demuzio and Davidson.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

...Mr...Mr. President, thank you. The amendment is...is similar to Senator Davidson's House Bill 3267 which passed the Senate 56 to nothing. This simply would afford...1984...I'm sorry, Senate Bill 1984, which would afford the Central Management Services to pay the claims from the Health Insurance Reserve Fund for our health insurance plan and I know of no opposition and move its adoption.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 3267. Discussion? Senator DeAngelis, on the amendment?

SENATOR DeANGELIS:

Just on a point of personal privilege in just a minute.

PRESIDENT:

Yes, sir. All in favor of the adoption of the amendment

HB 787
3rd reading

indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator DeAngelis.

SENATOR DeANGELIS:

Well, Mr. President, we're still on the Order...we're still on the Order of Recall...

PRESIDENT:

If I can have the attention of the Body, please. Senator DeAngelis.

SENATOR DeANGELIS:

...we're still on the Order of Recalls and I thought I addressed a question and I did not receive a response other than...

PRESIDENT:

No, the Chair responded that the question of a recall is up to the sponsor. Nobody can force the sponsor to recall the bill and so my suggestion was you talk to the sponsor. Senator DeAngelis.

SENATOR DeANGELIS:

I would like to direct a question to the sponsor through the Chair then whether...since we're on the same order of the business...as to...whether he would like to be discourteous or would grant me the privilege.

PRESIDENT:

Sponsor indicates he will not yield. On the Order of House Bills 3rd Reading, bottom of page 3...on the Order of House Bills 3rd Reading, bottom of page 3, is House Bill 787. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 787.

(Secretary reads title of bill)

HB1130
3rd reading

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. What we are doing with House Bill 787 is an attempt to eliminate a problem that the new and used car dealers in the State of Illinois have seen fit to change, that is dealing with the supplemental license that is issued to people in the State of Illinois. There are presently people going throughout the State of Illinois setting up shops in every city, selling fifty, sixty or seventy cars and then leaving. To prevent that, we're saying in House Bill 787 that the Secretary of State shall not issue that...supplemental license to...any Illinois dealer outside a franchise market area, and it requires the application for the supplemental license to be submitted at least ten days prior to the date of sale.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 787 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 787 having received the required constitutional majority is declared passed. Senator Netsch, top of page 4, 1130. On the Order of House Bills 3rd Reading, the top of page 4, is House Bill 1130. Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 1130.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Most of what is contained in House Bill 1130, which I should point out now also includes what used to be in House Bill 1155, is relatively technical and I think it's fair to say that a very large part of it was either requested by or worked out with the Department of Revenue. I might call attention to two points...or a couple of points. One is that it does...or we had previously created an Office of Appraisals which was a subagency within the Department of Revenue which was...intended to try to help some of the downstate assessors with somewhat more complex pieces of property. The Department of Revenue had never liked the idea and did not think it worked very well and never really used it. Again, some of the downstate areas requested that this be revitalized and it was finally worked out with the Department of Revenue in a form that is acceptable both to the county assessing officials and to the department itself, and it should be a device for providing some help to downstate assessors who may be faced with fairly complicated pieces of property where they really need a little bit of extra experience from others to be able to do the job adequately. One other provision, again, that I wanted to call attention to that was added by amendment...and particularly Senator O'Daniel and Senator Rigney...gentlemen, would you please be quiet. Senator O'Daniel and Senator Rigney, the bill does now include the provision that met a problem the two of you, among others, had encountered where two private individuals exchanged cars and the department had been requiring that the so-called used car tax, the...private vehicle tax...sales tax, be paid on the full value of each of the two cars rather than on the difference between the two. This makes it clear that it is to be paid only on the difference between the two. There are other provisions which deal with penalty parts of the Department of Revenue's enforcement

HB 1556 3rd Reading

mechanisms, but I...I think it is fair to say that everything else is pretty technical. I would be happy to answer any questions; if not, I would solicit your support.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1130 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 54, the Nays are 1 and none voting Present, and House Bill 1130 having received the required constitutional majority is declared passed. Senate Bill 1473 and 1477 are on the recall list. We'll proceed to House Bill 1556, Senator Keats. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 1556.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

Senate Bill 1556 was a bill from last year we took off postponed and while it is a technical bill, it is a very major technical bill. It is a clean-up Act for the regional reciprocal banking bill and a series of other issues that the Commissioner of Banks has spent months working out with the various banks in the State, the various banking groups, et cetera. All the banking groups took part, everyone agrees and they all support the bill, but I still would like to mention a couple of the provisions because just 'cause all the banking groups agree does not necessarily make a good law, that's our position to take. What it cleans up is the definition of main banking premises, it sets us in...in

accordance with Federal regulations on certain...of the capital to asset ratios of seven percent, decides where the seven percent applies, gives us a...a review of the convenience...or description of the review of the convenience and needs performed by the Federal Reserve Board. It sets up five separate sections in...of what used to be one section which makes it much easier to work with, gives us the...the reciprocity comparisons, omits certain language that doesn't belong there. I could answer any questions you'd like. Several days ago I sent you a...a form that had the two amendments involved and seventeen paragraphs explaining what was in it. If you've got any questions, I'm glad to answer, but I...I don't think it's controversial.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question, yes.

PRESIDING OFFICER: (SENATOR LUFT)

He indicates he'll yield.

SENATOR WATSON:

What is your definition when it talks about seven percent capital? What is the definition of capital?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

The definition of capital...hang on a second...one of the original problems...you know, the definition of capital came back to European and foreign banks have totally different definitions, and so they came back with...let me find the section for you...okay, we're tying it to the Federal Reserve Bank's definitions, I could read you the more specific part, but we are using the Federal Reserve's definition.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Are you through, Senator Watson? Senator Watson.

SENATOR WATSON:

I would like to have that definition. What makes up capital under the Federal Reserve definition?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Keats.

SENATOR KEATS:

Let me thumb through the pages and I'll have it for you in just a second here. Okay, it's Section 3.02867, starting from the top...I'll read the part that is no change, then I'll...I will say which parts are changed. "For any bank holding company with the ratio of total capital to total assets of less than seven percent as measured," now this part is new, "and applied in accordance with regulations of the Board of Governors of the Federal Reserve System." Then again, this part is new, "In effect on the date of the filing of the application with the Board of Governors of the Federal Reserve System," now going back to what's existing law, "to acquire direct or indirect ownership or control by purchase of stock, merger, consolidation, acquisition of assets or otherwise of any Illinois bank or banks," now again, not going back to new wording, "if the application for such acquisition is filed on or after July 1st, 1986, provided that the total capital and the total assets to ratio requirements of this paragraph," that being Paragraph 6, "and of the succeeding paragraph," that being Paragraph 7, "shall be applicable only to a bank holding company which is directly acquiring such direct or indirect control of any Illinois bank or banks and shall not be applicable to any bank holding company of which acquiring company is a subsidiary." Or number seven...again, now this part is no longer new, this is existing law, "For any bank holding company with a ratio of total...okay...the answer to the question is, the exact Fed-

eral Reserve standards...off the top of my head, I do not remember them, but part of is...lost, that is part of it, I know that, just personal knowledge, but I cannot give you the...their definition off the top of my head, but the question you're asking, part of that is. I...I remember that, just personal knowledge.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Any further discussion? If not, the question is, shall House Bill 1556 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 53, the Nays are none and none voting Present, and House Bill 1556 having received the required constitutional majority is declared passed. Next bill on the Calendar is House Bill 1675, Senator Netsch. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 1675.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Netsch. Senator Netsch.

SENATOR NETSCH:

...I have it now. Thank you, Mr. President. If I might at the outset, Senator Collins had asked if she could be added as a hyphenated cosponsor of House Bill 1675.

PRESIDING OFFICER: (SENATOR LUFT)

Is there leave to add Senator Collins as a hyphenated sponsor to 1675? Leave being granted, Senator Collins will be added as a hyphenated sponsor to House Bill 1675.

SENATOR NETSCH:

Thank you. To the substance of the bill. It represents an accommodation...between and among the Department of

Revenue, the Municipal League and the City of Chicago and it is supported by them and a number of the other groups who are obviously well affected. It deals with the...an acceleration of...or an advancement and acceleration of the sales tax revenues that are collected on behalf of local governments, and basically it provides for a...an advanced distribution of those, a one-time major acceleration in March 1987 which will involve some fifty to sixty million dollars for the municipalities and counties on whose behalf the State collects the sales tax and thereafter it will be phased...worked into a regular schedule. I should point out that this will obviously be of considerable help to municipalities in their cash flow...plans. It does not involve any increase in money available to them. It is just an acceleration as we have done with respect to some of our State taxes from time to time. There is no State money involved. This is all money that is collected and kept in a separate fund for the units of local government to begin with. So, we will in no way be affecting the cash flow problems of the State of Illinois, but we will be of great help to our municipalities. I would be happy to answer any questions, and if not, I would solicit your support on House Bill 1675.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 1675 pass. Those in favor vote Aye. Those...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, none voting Nay, none voting Present. House Bill 1675 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is House Bill...1865, Senator Smith. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 1865.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. House Bill 1865 is better described as the keep working mothers working Legislature, for it is a small change in the State Medicaid Program to extend the length of time that former AFDC families can receive health care once they have secured employment and have stayed on the job for at least thirteen months and often longer, realizing at the same time that the primary beneficiaries will be children who would otherwise have no health benefits even though their parents are working. Currently our program provides for nine months of Medicaid after the maximum time limit for receiving AFDC to supplement extremely low paying jobs have been exhausted. Congress has provided an option for states to extend this limit to...by six months, which is what this bill does. Nine states have already established this option. The only person eligible are working parents and their children who were once AFDC recipients and whose income is extremely low, that's...minimum wage or slightly higher and who do not have employment paid health benefits. The Chicago Tribune stated in its article about..."That the number of ex-welfare families who fit this category is so small that the total annual cost to the State is estimated at only two hundred and forty thousand dollars and half of that is paid by the government, but any...disincentive to be self-supportive no matter how narrow its impact should be revised." That was quoted in the Chicago Tribune. And so I say that all of us who talk about...with our constituents know that the greatest, single concern about our State welfare program is that we need to

get more people off the welfare rolls. The greatest fear that any of us would have as parents is to have a sick child with no health benefits. This bill only begins to address the problem of the medically uninsured among working people. It makes a small step towards helping people to get off welfare. It is only a...this is the only bill pending in the Senate that would make policy changes to encourage people to take jobs. It probably does not go far enough, but it certainly takes a step in the right direction. Mr. Chairman and members of the Senate, I encourage your favorable support.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I reluctantly have to rise opposing this particular piece of legislation. The department is very much opposed to this concept. While it is a small beginning, it may be just exactly that and it not...is only what this particular bill might do but what precedent it might be starting for the future. At this particular time, the department feels there is just no way that they can comply with this and the estimated number of families are just exactly that, it is an estimated number and we have no assurance of exactly how much this increase will be. While the estimate is...the estimate is two hundred and forty-one thousand dollars with a matching grant from the Federal Government, we still are unsure at this point and the department has registered strong opposition to this piece of legislation.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

She indicates she'll yield.

SENATOR KUSTRA:

Senator, could you clarify just what the cost of this is? I...again, recognizing that we don't know the cost down to the last dollar, I have something on my desk; in fact, the Tribune article which you referred to, the Tribune editorial in favor of your bill, says two hundred and forty thousand dollars, but I have a note here that lists the State cost as a hundred and twenty thousand dollars. Is that because half if it is reimbursed by the Federal Government?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Smith.

SENATOR SMITH:

Yes, but first let me say that any up-front costs will be immediately saved when families who we help with health care do not quit their jobs to go back on AFDC to get...needed health care. You're saving money there. We want to pay for health care for a sick child rather than to see its mother quit her job and go on cash...go on cash assistance and return back...return to Medicaid. The specific answer to your question is that the department estimate as many as six hundred families will be eligible for an annual cost of two hundred and forty thousand dollars in the Medicaid budget, half of the cost is paid by the Federal Government. If we can help these mothers to stay on their jobs, you are saving the State money when you can take these women off of welfare and it's not for the rest of their life, it's only for a short time, that's all it is. We're trying to help mothers to help themselves, to help them to become independent. You don't want to maintain...you're talking about your welfare rolls are increasing, increasing, increasing and when you have a program that's going to help them to help themselves and get off of welfare, then you want to fight it. That's all we're asking.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Any further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President and Senators, I...among those who are in this Body have a great deal of respect for Greg Coler who is the director of the Department of Public Aid and I recognize his dilemma. His dilemma is that he's fooling with a series of figures that somehow he must fit into the program that's before him and his job is not to project what might be coming down the line over the next ensuing months during the term of this fiscal year, but it's clear that one thing is going to happen and that is that if we do this, we'll go back into the punitive mode of punishing people who are trying to help themselves, and I don't think we want to do that. The second thing we're doing is this, if we look at this from a cost benefit ratio, certainly we can understand that it's going to cost us a good deal more when a family goes off a payroll and back onto the public aid rolls in the course of a sickness. The person who goes back onto the rolls at the intervention of that sickness is likely to stay on those rolls and that's where the cost to us is going to occur. So it would seem to me that the better logic would be to look at the short-term dollars we might have to spend...might have to spend and think about the long-term dollars we won't have to spend provided we keep working mothers working. That's the thrust of this bill. I hope we all consider it in that way and I would cast an Aye vote and ask that we all do the same.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Smith, do you wish to close?

SENATOR SMITH:

Thank you, sir. I merely wish your favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

All right, the question is, shall House Bill 1865 pass. Those in favor vote Aye. Those...opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 32, 18 voting Nay, none voting Present. And House Bill 1865 having received the required constitutional majority is declared passed. Next bill on the Calendar is House Bill 1945, Senator DeAngelis. Okay, on the Order of 3rd Reading is House Bill 2537, Senator Newhouse. Read the bill, please, Mr. Secretary.

SECRETARY:

House Bill 2537.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This provision, I think we all know about. It provides for the General Assembly to be able to make interim payments in the event that our budget...that our affairs are not settled by July 1. It means that...that public aid recipients will not then be off the rolls or without monies for an intervening period of time and I think it's a good idea and would ask a...favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Newhouse, I watched the debacle last year and I...I think I shared your frustrations. My concern is that if that particular technique was to be used again this year, they'd use the Department of Mental Health or DCFS and next

year there'll be a bill in for a continuing resolution for those departments. I have no objection to...I...I am sympathetic to what you're trying to do. I just think it is a horrible precedent. We have watched our friends on the Potomac with their continuing resolutions and they get to the point where they don't pass budgets, everything goes for months and years on continuing appropriations. This is one thing I would not suggest that the Legislature should emulate Washington on. It is a...an understandable reaction to a bad situation but it is a horrible precedent and one that I think could lead this Legislature and this State down a road that we ought not travel.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator D'Arco.

SENATOR D'ARCO:

Senator Schaffer, you're right, it is a horrible precedent, but what we're trying to do is correct the situation where a horrible precedent was created in the first place. I mean, if you remember, it was the House Republicans that held the bill hostage that created a situation where we can't have that occur anymore and we can't trust those House Republicans to do the right thing. I mean, we all know that they are prone to do some very irrational things in the House and this is just one of them. So, we've got to take corrective action and that's what we're doing.

PRESIDING OFFICER: (SENATOR LUFT)

Did you wish to reply, Senator Schaffer?

SENATOR SCHAFFER:

I can't argue with your logic on the House Republicans. I would only point out to you there's only one force worse, that's the House Democrats.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to get leave to be added as the hyphenated sponsor of this...

PRESIDING OFFICER: (SENATOR LUFT)

Senator Kelly seeks leave to be added as a hyphenated sponsor to House Bill 2537. Is leave granted? Leave is granted. Is there any further discussion? If not, Senator Newhouse to close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I would hope that the fears of the Senator do not come to fruition, but if they do, it will be the fault of this Legislature. I would hope instead that this would be a spur under the saddle of this Legislature to get the business done promptly so that we won't go into the mode of continual appropriations. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LUFT)

Question is, shall House Bill 2537 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 27, the Nays are 27, none voting Present. House Bill 2537 having failed to receive the constitutional majority is declared lost. The next bill on the Calendar, 2544, is on recall. Excuse me, Senator Newhouse.

SENATOR NEWHOUSE:

Postponed consideration, please.

PRESIDING OFFICER: (SENATOR LUFT)

Postponed consideration of House Bill 2537. The next order of business, House Bill 2544 is on recall. We will proceed to House Bill 2546, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2546.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. The original legislation simply stated that under current law a fire protection district which annexes to a municipality...that provides fire protection services must file a petition with the circuit clerk. All we are doing...circuit court. All we are doing is saying that the county clerk must also receive that same petition. We added two amendments in committee; one which established the grant program for fire protection districts. This was a maximum grant of five hundred dollars to propose fire protection districts to enable them to offset some of the costs of drawing the maps, legal fees, whatever...and the reason for this is try to establish some incentive for local units of government or local areas to establish fire protection districts. We are under the impression and feeling that fire protection district is the best way in which to establish fire service and fire protection for the citizens. This would, hopefully, be an incentive for that...that particular area. Second amendment which was offered by Senator Demuzio in...in committee authorizes incorporation of fire protection districts under a situation in which we have a municipality and an unincorporated area voting on a fire protection district and the unincorporated area does not pass or fails to support the fire protection district, the municipality area would then become a fire protection district without the...the support of the outside area. The reason for this was a situation that came up in my home county and in Senator Demuzio's area which a...a fire call was received by a local fire department and they did not respond because they were...the people involved were not members of a subscription

fire department. The...the reason was is because the fire protection district failed a couple of years ago but passed in the community. What we're trying to do here would simply say that the community would become a fire protection district if they so wish. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 2546 pass. Those in favor vote Aye. Those...opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 55, none voting Nay, none voting Present. House Bill 2546 having received the required constitutional majority is declared passed. On the Order of 3rd Reading is House Bill 2549, Senator Topinka. The next order of business, on the top of page 5, is House Bill 2552, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2552.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 2552 is the...from the Office of the Comptroller. It would authorize the...the Comptroller to intercept or deduct from income tax refunds delinquencies in...those individuals who are delinquent in repaying either their student loans or other financial obligations. There are a couple of technical amendments that were added. I know of no opposition and would move its...for adoption.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall...I'm

sorry, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think this is a good idea because people who take money from the State and don't want to pay it back when they've had advantage of...of that money, I think is bad news and I hope that they will continue to...to go ahead with this bill and be signed into law. I think it's good. Good bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

That's good. Senator Demuzio, do you wish to close? No, not at all? Okay. If not, the question is, shall House Bill 2552 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2552 having received the required constitutional majority is declared passed. House Bill 2573,...Senator Welch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is a bill to require the flagging of birth records of children who are missing. It's similar...in fact, it's identical to a bill that Senator Kustra sponsored earlier in the Session. This bill passed out of the House 112 to nothing. It requires when new students are enrolled they have to be accompanied by a certified copy of the student's birth certificate. Records including birth certificate are to be flagged when they are requested by a noncustodial parent. The person requesting the flagged

records are brought to the attention of the Department of State Police and local enforcement agencies are also notified.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2573 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 54, none voting No, none voting Present and House Bill 2573 having received the required constitutional majority is hereby declared passed. House Bill 2574, Senator Poshard. No. House Bill 2590, Senator Schuneman. No. House Bill 2642, Senator Jerome Joyce. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2642.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This prohibits municipalities with a population of less than a million from increasing vending machine license fee...fees without a notice and a public hearing. They have to give a thirty-day notice of...of a public hearing. Also it clarifies that a city governed under a commission form of government can make the transition directly to a city managerial form without having to revert back for a period of time to the aldermanic...form.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2642 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the

record. On that question, the Ayes are 55, no Nays, 1 voting Present and House Bill 2642 having received the required constitutional majority is hereby declared passed. House Bill 2714, Senator Smith. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2714.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2714 is...creates the Experimental Probation Challenge Program Act. It charges the board of the city colleges of Chicago to establish and to administer the program. It authorizes judges to require participation in the program as condition...probation and the program is to be funded by the State. The program is limited to counties with populations of over two million people, which Cook County. The House Bill 2712...well, that's not a part of this, but I would like to read to you what Justice...Eugene Pincham quoted about this new Act. That the probation challenge...instituted under the auspices of his courts has been found to be viable and necessary and he...our...our support to the implementation of this program as it would benefit the taxpayer to help on the outside rather than support on the inside. This will help to keep these young men out of jail but will give them an opportunity to further...and to make their lives much better. I...

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? Senator Barkhausen. Is your mike...I guess his mike...

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will.

SENATOR BARKHAUSEN:

Senator Smith, is...is this part of the ongoing State program whereby the State provides support for an intense...or intensive probation services?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

This...yes, it is but it's...it's manned by the State colleges...

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is this only for the City of Chicago?

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator Smith.

SENATOR SMITH:

It'd been a pilot program, at this particular time, I think it's manned...started in the City of Chicago but it's eventually going to permeate the entire State of Illinois.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is there an appropriation that's tied to this measure?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

There is a...appropriations that's anticipated of two hundred and fifty thousand dollars but it's not in this particular bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is...is there another bill that that appropriation is presently part of?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

As I understand, yes, there's supposed to be an appropriation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The reason, Senator Smith, that I asked that last question is because I'm told the appropriation bill didn't get out of Rules, so I was wondering if it was part of another appropriation bill at this time.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

I understand that...that the appropriation has been...attached to another piece of legislation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I don't mean to quibble at excessive length about two hundred and fifty thousand dollars, but we have a lot of bills and particularly when we get to the Order of Appropriations we'll be considering a number of add-ons and we all know there's going to be a budget shortfall. I would simply point out that there is an existing State program whereby the State provides support for an intense probation services and supervision; and I'm not sure given our monetary situation whether this new program is warranted at this time, and for that reason, would urge opposition to the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator...okay, you had...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

She indicates she will.

SENATOR LECHOWICZ:

Senator, who would be responsible for this probation creation challenge program?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

The...the board of the city colleges of Chicago is charged with the responsibility of developing and administering the program, providing its facilities for the program and setting reasonable rules and it's already in operation through the Harvey College in the City of Chicago, they're viable.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Does that...is that part of the program with the...presiding judge's office? Because I though the probation department is with the...it's out of the Supreme Court of the State of Illinois and it goes to the presiding judge of Cook County as far as the probation officers within Cook County. Now we have a...a separate section of the junior college board?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

It's under...it's under their operation. It requires the board of the city colleges of Chicago to hire the program director and who in turn hires the education coordinator,

counselor supervisor, psychologist and administrator and the board shall set their prospective salaries, but you have such participants now that are actually working with this program, Judge R. Eugene Pincham, you have the Reverend Harold E. Baliey who is the director of probation challenge out of the campus of...Olive Harvey College and he's also a probation officer, and then you have...Joseph DePaul who is chairman of the probation challenge. It's well-fortified, it's well-organized and it's doing a tremendous job in helping these young men to stay out while on probation rather than to go back into the prisons, and this is something that they need.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, is this a pilot program now that we're trying to make into a law as far as creating this probation challenge? Has this been a pilot program within the City of Chicago and you're trying to formalize it?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Smith.

SENATOR SMITH:

Yes, it is...was a...a pilot program but they have...ongoing hoping that they could continue and then expand and...this to the whole State of the...of Illinois. And the judges...your judges are very much in favor of this because it's going to help them to help these young men to stay out of jail. Yes...yes.

PRESIDING OFFICER: (SENATOR D'ARCO)

Right. Any further discussion? If not, Senator Smith to close.

SENATOR SMITH:

I just ask for a favorable vote, please.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall House Bill 2714 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish to vote on this bill? This bill requires thirty votes to pass. How are we doing? Not too good, someone said. Okay, take the record, Mr. Secretary. It's a tie vote. On that question, the Ayes are 27, the Noes are 27, 1 voting Present and Senate Bill 2714 having failed to receive the required constitutional majority is declared lost. Yes, Margaret.

SENATOR SMITH:

Mr. President, put this on postponement.

PRESIDING OFFICER: (SENATOR D'ARCO)

Postponed consideration.

SENATOR SMITH:

Yes, thank you.

PRESIDING OFFICER: (SENATOR D'ARCO)

2757. House Bill 2757, Senator Luft. No. 2777, Senator Watson. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2777.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Current law, which took effect January 1st of this year, permits surplus funds and a special road improvement fund to be transferred to the regular Road Fund. That particular legislation was flawed and this legislation now provides that no...there was no means of reactivating this...the levy for subsequent needs, that was the reason it was flawed. So, this legislation provides for that mechanism. I know of no opposition. It was introduced

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and supported by the township officials of Illinois, passed the House with 107 to nothing vote. It was on the Agreed Bill List in Local Government Committee and I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? If not, the question is, shall House Bill 2777 pass. Those in...favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On that question, the Ayes are 53, the...No...none voting No and none voting Present and House Bill 2777 having received the required constitutional majority is hereby declared passed. I think there's a hold on the...2798. House Bill 2820, Senator Hall. Senator Hall, you want to call 2820? We are...you want to call 2820? No. 2839, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

...House Bill 2839.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 2839 deletes some obsolete language such as the Board of Trustees of the Illinois Industrial University and also, more importantly, provides for a quick-take by the board of trustees for a period of eighteen months in Champaign County. If there's any questions, I'll be happy to try to answer it.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Welch.

SENATOR WELCH:

Just a question of the sponsor. What is it that the university is going to use the quick-take provision to

acquire...

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Weaver.

SENATOR WEAVER:

Well, basically, Senator Welch, there are several properties in the north campus area around the area of the Beckman Institute that they've been negotiating with for quite sometime, and I understand that there's some exorbitant prices being asked, that they can't get together in and if they can't get together with them before construction time comes along, they wanted this short period of time for quick-take. I personally don't like quick-take but sometimes we've allowed this for designated periods of time to solve some immediate problems to move on with projects.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Netsch.

SENATOR NETSCH:

...I'm sorry that was the same question, I wanted to know the project.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any other discussion? If not, the question is, shall House Bill 2839 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 52, 2 voting No, none voting Present and House Bill 2839 having received the constitutional...required constitutional majority is hereby declared passed. House Bill...yes, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I just want to note for the record that I pushed the wrong button. I meant to push No, and I pushed Yes instead on House Bill 2917.

PRESIDING OFFICER: (SENATOR D'ARCO)

The record will reflect your intention. House Bill 2958, Senator Sangmeister. 2917, it's on the recall list. 2937 is on the recall list. 2958, Senator Sangmeister. 2958. No? No. 3019, Senator Jerome Joyce. Senator Jerome Joyce. 3075, Senator Berman. Wait a minute. Hold it. Hold it. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

...I apologize, Mr. President. I...the bill that I wanted to be reported as voting No is 2839 and I gave you the wrong number earlier.

PRESIDING OFFICER: (SENATOR D'ARCO)

Okay, we'll change it.

SENATOR GEO-KARIS:

I want to be...recorded as No.

PRESIDING OFFICER: (SENATOR D'ARCO)

You want to vote No on 2839. The record will so indicate. They...they're taking me away now, Adeline.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, page 7, House bills 3rd reading, House Bill 3075, Mr. Secretary.

SECRETARY:

House Bill 3075.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a...accounting and budgeting process bill for the Chicago Board of Education. It expands upon a bill that we passed last year and what it does is deletes the limitation that the board's budget estimate of accrued tax levy not exceed a sum equivalent to the school district's equalized assessed valuation times the maximum tax rate. It further

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3rd Reading

deletes the requirement that the board's tax levies for textbooks and playground purposes not exceed the board's estimated tax levies as found in the budget and eliminates the requirement of a...budget appropriation for the loss and cost of collecting taxes, deferred collections and abated taxes. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...discussion? If not, the question is, shall House Bill 3075 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. House Bill 3075 having received the required constitutional majority is declared passed. 3111...3115, Senator Kustra. Senator Kustra. House bills 3rd reading is House Bill 3115, Mr. Secretary.

SECRETARY:

House Bill 3115.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill...House Bill 3115 is a technical amendment to the Telecommunications Excise Tax Act which we passed as a part of the education refrom package. Basically, what happened after that Act passed is that the State, the Department of Revenue and the telecommunications industry got together and agreed that the State intended to tax only those calls which either originated or terminated in Illinois. Unfortunately, the law which we passed to deal with that was written incorrectly and so this bill removes the "in this State" language from Section 3 and inserts it at the proper place in Section

4. I know of no opposition to the bill and ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I concur in everything that Senator Kustra said about House Bill...3115. I think I might just add one small correction. I think we really understood when we first passed the Telecommunications Excise Act that it was intended to reach only those communications that either originated or terminated in the State of Illinois, because if I remember correctly, I think I made that explanation even though I was not the sponsor of the bill on the Floor. So, I think this really does literally confirm what we thought we had done all along, and I also would...solicit support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3115 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3115 having received the required constitutional majority is declared passed. 3128, Mr. Secretary. House bills 3rd reading is House Bill 3128.

SECRETARY:

House Bill 3128.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. House Bill 3128 permits persons bidding on...on local units

of government purchase orders or contracts in excess of ten thousand dollars that they may deposit a bid by...adequate surety as...approved by the purchasing agent of that local unit of government. It's another form of deposit and when that government asks for a...a deposit in good faith, this is a form which they may use along with the other cash and...and checks that may be required. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3128 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3128 having received the required constitutional majority is declared passed. 3182. On the Order of House Bills 3rd Reading is House Bill 3182, Mr. Secretary.

SECRETARY:

House Bill 3182.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what it says on the Calendar. This is a...technical part for the State Board of Education. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3182 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none

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3rd Reading

voting Present. House Bill 3182 having received the required constitutional majority is declared passed. 3187 is on the recall list. 3207, Senator Berman. 3-2-0-7. Middle of page 7. House bills 3rd reading is House Bill 3207, Mr. Secretary.

SECRETARY:

House Bill 3207.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill similar to but improved upon a...a bill that we'd previously passed out of the Senate. This bill addresses the need to provide indemnification for State response action contractors. These are the people that are called in to clean up dangerous and toxic emergency situations pursuant to State contract. What we have done by the amendment to this bill is to provide that no contractors would be covered under this bill who, in fact, create the problem that they are called in to eliminate. Number two, that the...indemnification is limited to State funded contracts only. Number three, that the Attorney General is to conduct a defense in the most...in the best interest of both the State as well as the contractor, and we have put in the requirement that the bill will not be operative unless the director of the Department of Insurance determines that regular liability coverage is not available out in the marketplace. Be glad to respond to any question and request your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

First a statement followed by a question. We passed the last bill out and I...I voted for it myself. The other day when I was reading the...the Wall Street Journal they had an article about Johns-Mansville has just come out of bankruptcy and...and asbestos cases have been fairly major. They're just appointing a bunch of trustees and they're estimating their liability as...at least 2.8 billion dollars it's going to fall on someone. I...my question is, do we have any comprehension of what liability we may be accepting? I mean, Johns-Mansville...I mean, the whole company went into bankruptcy and now you have Federal trustees being appointed, just announced the other day. Art, do we got any idea of what kind of money we're guaranteeing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The...the honest answer is, no, we don't. And I think we got into this a little bit when the Senate bill was before us. The problem that we have confronting us, and I think we've addressed it as best as we can, and it's a...it's a judgment call. These are emergency situations. The...the...the dangerous situation has to be cleaned up. Nobody's going to clean it up, period, unless they are covered by liability insurance that they can buy in the marketplace or the State is going to act as their insurance carrier. This is the second option. The State is acting as their insurance carrier. The...if there is insurance available, this bill won't take effect; if there's no insurance available and the State decides that the exposure from the risk has to be assumed in order to clean up this dangerous condition, then the State enters into that contract, and it's a judgment call by the people that have to decide whether these dangerous conditions have to, in fact, be cleaned up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

...is there any way we can put some kind of caps or limitations on this? I mean, this could be billions of dollars. I mean, it could get to be down right interesting on this and none of us know, could we perhaps put some limitation on our liability? I mean, we're at the stage today where we accept all, and let me stress all liability, and I know we have defined this as best as we can, as you were saying, but somewhere...I...I mean, I just think we got to start being...this could be billions and we're saying, we accept all liability, period. That's a lot of money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There is probably some technical method, for example, don't hire anybody outside of State Government, do it all in-house and then put a cap on the State's liability. They could do that today. They don't need a bill to do it. But that's not what this bill is. The bill is, if I've got to go outside of my in-house people, outside of my employees, I can't get anybody unless they're going to be covered, and...and this is the...a...it's not an ideal situation but it's one that they...that we have to live with under the existing conditions out in the marketplace.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Some questions of the sponsor, if he will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this is pretty much the same discussion we've

had on this issue before and I share some of the concerns of...of Senator Keats. I'd like to ask you a couple of questions about the State's liability. On ordinary tort liability, am I correct in understanding that...that in those cases...for example, in automobile accidents involving State vehicles and that sort of thing that those cases are now settled in the Court of Claims?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Not necessarily. If a...if a State employee is driving a car and runs you over and I'm your attorney, if I want to go against the State, I have to sue in the Court of Claims, but if it's...but I have an option. I don't have to sue the State. I can sue the guy that drove the car and sue in the circuit court and collect whatever I'm able to collect. Now that's why under State Statutes we provide I think it's a million dollars coverage that the State will indemnify that driver; otherwise, you wouldn't have any drivers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I suggest that perhaps there could be a mechanism maybe similar to that in this instance, because I...I...also have a concern that what we're doing, in effect, is making the State of Illinois an insurer of last resort for...the only problem is that...that if we were operating an...an insurance company, we would be underwriters and would limit somehow the amount of insurance that we would provide a contractor; and under the terms of your bill, as I understand it, there are no limits, and I...and I...I expressed that concern to you before and I...I thought based upon our comments that you were not adversed to trying to work out some kind of limitation or finding a solution, but apparently

that hasn't happened and...and, consequently, I'm...I think this is something we ought to look at very carefully.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. In response, we brought up...I brought up and...and I think you did too with Gary Crites who represents the contractors that we're dealing with, and...and their answer logically was this. They don't know what their exposure is; therefore, they're not willing to...to put a cap on this bill as to what the State is going to indemnify them...for. They're not stonewalling us. I can't say what the exposure is, neither do they; and if we set any arbitrary amount too low, you're still not going to have these contractors available to us. I think...I think the bill is in as good as shape as we can expect it to be under the circumstances. If something develops and we find a better way where we can still get these guys and put a million dollar cap or a two million dollar cap, I'm all for it, but the...the response that I got was, they don't know what the exposure is, they're not willing to put a cap...an arbitrary cap on because then the bill won't work. I think it's a difficult solution to a very difficult problem, but I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3207 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 9, 8 voting Present. House Bill 3207 having received the required constitutional majority is declared passed. 3217, Senator Degnan. Senator Degnan on the Floor? Senator Degnan on the Floor? Page 8...page 8, 3222, Senator Lechowicz. House

bills 3rd reading is House Bill 3222, Mr. Secretary.

SECRETARY:

House Bill 3222.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

END OF REEL

REEL #4

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3222 has a twofold purpose. One, it allows the Secretary of State to subpoena witnesses and secure evidence for other states on alleged violations of security laws at the request of the Secretary of State and it increases the license and renewal fees for special sales from twenty-five dollars to seventy-five dollars for the city clerk. That fee has not been changed since 1959. That's the purpose of 3222. Be more than happy to answer any questions; if not, I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3222 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 3222 having received the required constitutional majority is declared passed. 3276, Senator Berman. House...that's on the recall. 3300, Senator Lechowicz. I beg your pardon. (Machine cutoff)...Berman. All right, on the Order of House Bills 3rd Reading is House Bill 3276, Mr. Secretary.

SECRETARY:

House Bill 3276.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. This bill was requested by the State Treasurer and what it states is that no institution approved as a depository for State monies shall be disqualified soley because of its acquisition by another institution. And we added by amendment the power to make and provide for rules and regulations necessary for the effective administrative performance of the duties by the State Treasurer. I solicit your Aye vote. I know of no opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3276 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3276 having received the required constitutional majority is declared passed. Now, 3300, Senator Lechowicz. House Bill...House Bill 3309 is on the recall list. Is there leave to get back to 3351? Leave is granted. House Bill 3371, Senator Karpiel. House bills 3rd reading is House Bill 3371, Mr. Secretary.

SECRETARY:

House Bill 3371.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3371 is a very simple bill which amends the Library System Act. It increases the basis for the annual per capita grant from $1.293 to a $1.233...that sounds like a decrease, it's the other way around, I'm sorry, that's a misprint of what I'm reading. The current figure per capita grants is $1.233 and the proposed per capita grant

is $1.293 and they are changing the area grants from...per square mile from $43.2461 to $45.3944. This bill passed out of the House 112 to nothing. It was on the Agreed Bill List coming out of committee and it is supported by the Secretary of State, Illinois Library Association, I would like your support also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not,...Senator Watson.

SENATOR WATSON:

Just a comment and maybe a question, Mr. President, thank you. It says in our analysis that seventeen million dollars is the appropriation and cost of this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well,...ah, that's what it says, that's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, do you...have no further questions on the seventeen million? Senator Karpiel.

SENATOR KARPIEL:

The money is in the...the Secretary of State's appropriation budget...it's in there already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The one that's on 2nd reading now, it's in there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel. Senator Karpiel, do you wish to close? Senator Karpiel.

SENATOR KARPIEL:

No, I would just like your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3371 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. House Bill 3371 having received the required constitutional majority is declared passed. 3422, Senator Davidson. Senator Davidson on the Floor? All right, House bills 3rd reading is House Bill...I'm sorry, 3-4-2-2, Mr. Secretary, 3422.

SECRETARY:

House Bill 3422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, I thought you were asking for a recall. Take it out of the record, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, we're going to make a note of this one...take it out of the record. 3449, Senator Luft. House bills 3rd reading, top of page 9, House Bill 3449. Mr. Secretary.

SECRETARY:

House Bill 3449.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 3449 increases from twenty days to one hundred and twenty days the length of period in which a change in Federal tax liability must be reported to the Department of Revenue. And it reduces from two percent to 1.25 percent the interest rate assessment a taxpayer for underpayment on sales tax has to pay which is effective January 1 of 1987, and as amended in committee,

this bill now creates the Department of the Lottery. It transfers all functions and powers of the Department of Revenue Division of Lottery to the newly created department. I would be happy to ask any questions; otherwise, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3449 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54...55, the Nays are none, none voting Present. House Bill 3449 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3468, Mr. Secretary.

SECRETARY:

House Bill 3468.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill touches on two Acts, the Dental Practice Act and the Real Estate License Act. It does increase the fees, the renewal fee for a dentist license goes from fifteen dollars to thirty dollars. As far as the Real Estate License Act, the main thing is that it adds in there that grounds for discipline now includes aiding or abetting any other individual, partnership or corporation in disregarding or violating any provisions of the Act. And the third was the...by amendment from the Floor, was the elimination of the Real Estate Time-share Registration Fund and putting that into the Real Estate License Administration Fund. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...any discussion? The question is, shall House Bill 3468 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3468 having received the required constitutional majority is declared passed. 3476, Senator...Donahue...3503, Senator Holmberg. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

You passed...3474 up again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there's...there's an amendment.

SENATOR GEO-KARIS:

No...no, there's no amendment, it was withdrawn. It was withdrawn by Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me just put it to you this way. We are on House...we will go back and....and pick up House Bill 3474. Senator Geo-Karis wishes to have that bill called irrespective of Senator Rupp's amendment that I have that is filed here...I understand you have now withdrawn it. House bills 3rd reading is House Bill 3474, Mr. Secretary.

SECRETARY:

House Bill 3474.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and...Ladies and Gentlemen of the Senate, this...the...this bill provides that the Lake County Forest Preserve District shall convey approximately thirty-five acres of property to the Department of Conservation for the

purpose of developing the North Point Marina on Lake Michigan. This bill also provides that the Department of Conservation and the Vermilion County Conservation District are transferring property within each other. The Department of Conservation will receive 350.95 acres and...and...and the...the...Vermilion County Conservation District will receive two hundred and sixty-six some acres the Department of Property. I ask for favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3474 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 3474 having received the required constitutional majority is declared passed. 3476, Senator Donahue. All right, House bills 3rd reading is House Bill 3476, Mr. Secretary.

SECRETARY:

House Bill 3476.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is...simply takes care of the checkoffs that we have with the various funds and it also deals with the unsolicited private funds that can be...put into these different...I don't want to keep saying funds, but they're different checkoff accounts. It's...I know of no opposition whatsoever and I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

3476 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3476 having received the required constitutional majority is declared passed. House Bill 3503. 3503 is on recall. 3527, Senator Rupp. House bills 3rd reading is House Bill 3527, Mr. Secretary.

SECRETARY:

House Bill 3527.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. What this bill does is amends the Grain Dealer's Act and Public Warehouse and Warehouse Receipts Act. It stipulates that if grain is transferred from one warehouse to another, the recipient warehouse must comply with the provisions of the Grain Insurance Act. And it clarifies and is basically is what they're trying to do is that the accounts receivable from the sale of grain are considered a liquid asset when determining adjusted debt to adjusted equity ratio between a grain dealer and grain warehouseman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall House Bill 3527 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 3527 having received the required constitutional majority is declared passed. Senator Geo-Karis. Senator Geo-Karis,

it...it's better to lobby your bill before instead of after. House bills 3rd reading is House Bill 3550, Mr. Secretary, read the bill. All right. It's...it's on recall. 3555 is on recall. Page 10, 3573. 3599, Senator Newhouse. House bills 3rd reading, page 10, 3599. Mr. Secretary.

SECRETARY:

House Bill 3599.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. House...this bill exempts delinquent student loan funds received by the State Scholarship Commission from private collection firms employed by the State from the State Offices and Employees Money Disposition Act. Now, what this really does is place the monies in such a posture that those collection agencies can get paid on time. This has nothing to do with the collection of the funds, it has to do with the timeliness of the payments to the collectors. I know of no objection, I'll answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall House Bill 3599 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3599 having received the required constitutional majority is declared passed. All right, with leave of the Body, let's...we'll return to the bottom of page 7...bottom of page 7 is 3217. Is leave granted? Leave is granted. House bills 3rd reading, bottom of page 7, is 3217. Mr. Secretary.

SECRETARY:

House Bill 3217.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3217 would authorize the Chicago Park District to...issue an additional twenty-six million dollars in bonds which will be used by the museums to complete the second half of a ten-year program of renovation and new construction begun in 1983 and scheduled to be completed in 1992. The money will be used totally for capital improvements at the eight museums and will be matched dollar for dollar by the museums from private contributions and donations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If we could get some Pages down here in front to pass out the second recall list. All right. Discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. First of all, I apologize, I had people talking here...to...with me. I didn't hear your explanation, but did you mention in there that we're increasing a tax levy without referendum or are we doing that from .12 to .15, the rate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Well, there will be a tax increase with the bond authorization, correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So it's an increase without a referendum?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Senator Degnan, have you got Senator Netsch's okay to fool with the park district?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I..I haven't discussed this with Senator Netsch, she might want to say a word on the issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think she's conveniently busy. Senator Keats.

SENATOR KEATS:

One last serious question, we had a battle with the park district several years ago where they issued bonds and the bonds went for the museums and they kept the interest. It set an interesting precedent that capital...or the principal and interest were unrelated. There's a Judge Nick Buah decision, nobody in the entire history of the world ever thought that interest paid upon principal was unrelated to the principal until Judge Buah came up with that, he's a real wizard sometimes. If we have this same situation, these bonds do generate interest 'cause they'll be sold immeidately, they will...generate interest, do we get another Buah decision that the bonds go for one thing and the interest is sort of

AB 3473
Recall

pocket change for an unrelated...I mean, that's...it's an...it's a novel interpretation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan.

SENATOR DEGNAN:

I don't know Judge Buah's feelings on the matter today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Could we say for intent...if anyone is interested, could we say for intent that the interest follows the principal as it does in any other negotiation any...at any other time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall House Bill 3217 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 15, 1 voting Present. House Bill 3217 having received the required constitutional majority is declared passed. We are now...you've now been passed out the second recall list...second recall list has now been passed out. With leave of the Body, we will go to the Order of Recalls. Leave is granted. Recalls. All right, on the Order of House...on Recalls is 2644, Senator Lemke. Senator Lemke on the Floor? 2917, Senator Netsch. All right, 2937, we'll get back to that in a minute. 3396, Senator Carroll. Senator Carroll on the Floor? 3473, Senator Davidson. Senator Davidson on the Floor? You know...all right, Senator Davidson seeks leave of the Body to return House Bill 3473 to

HB3549 Recalled

the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3473, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment I'm offering for Senator Topinka who's unable to be here since her father had spinal surgery this morning, and what it amounts to is to protect archaeological artifacts of historical value from any State land is currently a Class C misdemeanor and punishable by a citizen sentence of not more than thirty days. This increases the penalty for removing those artifacts of either historical or archaeological value. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment...Amendment No. 2 to House Bill 3473. Is there discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I noticed Senator Carroll is not on the Floor and maybe he would like for me to have...take his bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, I'm sure that he'll send a written notice down if that's the case. 3549, Senator Etheredge. On the Order of

House Bills 3rd Reading is House Bill 3549. Senator Etheredge seeks leave of the Body to return that bill to the Order of 2nd Reading for purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3549, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 raises the ceiling from fifteen hundred to three thousand in regards of forest preserve park districts and I believe fire protection in regards to purchasing. Happy to ask any questions, move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall...the question...Senator Philip has moved the adoption of Amendment No. 1 to House Bill 3549. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3555. Senator Mahar seeks leave of the Body to return House Bill 3555 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 3555, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Committee Amendment No. 1 conveyed the...to the Kane County Forest Preserve District the Illinois Prairie Path and it's...according to the Department of Conservation this was technically flawed. So I would like to move to Table Committee Amendment No. 1 and replace it with Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar moves to Table Committee Amendment No. 1 to House Bill 3555. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is Tabled. Further...further committee amendments? Amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Yeah, this...this makes the...the conveyance technically correct according to the Department of Conservation. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, now, Senator Mahar, Committee Amendment No. 2 is still attached. You wanted that...you wanted that on? And this is Amendment now No. 3. So Senator Mahar has moved the adoption of Amendment No. 3 to House Bill 3555. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The...Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Netsch, are you prepared on 2917? All right. The...Senator Netsch seeks leave of the Body to return House Bill 2917 to the Order of 2nd Reading for the

purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 2917, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the Pharmaceutical Assistance Act and if this amendment which adds medicines prescribed for arthritis is added on, it will make the bill identical to...except for the amendments that we've previously added to Senate Bill 2042 which we had previously passed out of the Senate by an overwhelming majority and I would move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch moves the adoption of Amendment No. 2 to House Bill 2917. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading.

PRESIDENT:

Middle of page 6, on the Order of House Bills 3rd Reading, House Bill 2937. Senator Demuzio seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2937, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 would allow those individuals who pay motor fuel taxes to accept...allow...for the Department of Revenue to either allow a credit or a refund for those individuals who have either overpaid or...or have fuel tax loss of revenue or whatever it may be. We already do this for sales tax, this will just afford the motor fuel taxpayers the same option. I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 1 to House Bill 2937. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, if I can have your attention for just a moment, I'm sure everyone understands that Monday is the deadline for House bills on 3rd reading. When we adjourn which will be shortly, we will reconvene at ten o'clock tomorrow morning, we...ten o'clock tomorrow morning. We will be finished with our business, I am sure, as Senator Philip and I have discussed, by noon so you can make your plans accordingly. But anyone who wishes to move a House bill that is currently on 2nd reading to 3rd reading, tomorrow is the day with the exception, obviously, appropriations. So tomorrow we will do House bills 2nd reading, recalls, if any, and move to 3rd reading for a brief period of time. Monday we will reconvene at the hour of noon and since it is the substantive bill deadline, we will work until our work is completed. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Like the record to indicate that Senator Topinka is not here today, her father is being operated on; hopefully, if everything goes well, she will be here tomorrow.

PRESIDENT:

The record will so reflect. Senator Demuzio.

SENATOR DEMUZIO:

Yes, there will be a meeting in your office tomorrow morning at nine o'clock for the Democratic Senators to discuss the health insurance options that are coming up before the end of the month.

PRESIDENT:

Yes, we have an Executive Committee report to advise and consent to the Governor's nominees if Senator Lechowicz wishes to go to that order of business. Then we will do some housekeeping in terms of resolutions and Messages from the House, then we will adjourn until ten o'clock tomorrow morning. We will conclude our business by noon. In the meantime, the Democrats will meet in my office at 9:00 a.m. to discuss the question of health insurance for those of us who have to survive next week I guess. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. A Republican Caucus immeidately after adjournment, Senator Philip's Office.

PRESIDENT:

All right, there will be a Republican Caucus in Senator Philip's Office immediately after adjournment. Once we conclude with Senator Lechowicz's committee report, we will handle the housekeeping and we will adjourn. Senator Poshard.

SENATOR POSHARD:

Yes, thank...thank you, Mr. President. Mr...Mr. President, I'd like to state for the record that I inadvertently hit the wrong switch on House Bill 3096, it's a bill which I

cosponsored. I inadvertently voted No, I would have voted Yes and I'd just like to state that for the record.

PRESIDENT:

All right. The gentleman wishes to...3096, the record will so reflect, Senator Poshard. Committee reports, Mr. Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Messages of October the 17th, 1985; January the 9th, 1986; May the 13th, 1986; May the 14th, 1986; June the 11th, 1986 and June the 18th, 1986, reported the same back with the recommendation that Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate resolve itself to...into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of June 18th, June 11th, May 14th, May 13th, January 9th of 1986 and October 17th of 1985.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate now resolves itself into Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of June the 11th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Pollution Control Board for a term expiring on July 1, 1989, John Carl Marlin of Urbana, Bill Forcade of Chicago, Walter J. Nega of Chicago.

To be a member of the Illinois Education Labor Relations Board for a term expiring on February 1, 1990, Gerald Berendt of Evanston.

To be a member of the Illinois Education Labor Relations Board for a term expiring February 1st, 1992, Edna Krueger of Elgin.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 14th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be Public Administrator for Cook County for a term expiring December 4th, 1989, Thomas S. Chuhak of River Forest.

Mr. President, having read the salaried appointment, will

you put the question as required by our rules.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 13th, 1986, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be assistant director of the Illinois Department of Public Health for a term expiring January 19th, 1987, Paul Martin O'Connor of Chicago.

To be the Illinois State Fire Marshal for a term expiring January 19th, 1987, Thomas Bestudik of Springfield.

To be chairman of the Illinois Liquor Control Commission for a term expiring February 1st, 1992, Albert D. McCoy of Aurora.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

Any objection? Is there any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of January 9th, 1986, I'll read the salaried appointment to which Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the...Senate do advise and consent.

To be a member of the Illinois Human Rights Commission for a term expiring on January 19th, 1987, Debra Nesselson of Glencoe.

Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June 18th, 1986, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Lottery Control Board for a term

expiring July 1, 1989, Mary Ann Kopple of Skokie.

Mr. President, having read the unsalaried appointment, will you put...the question as required by our rules.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June the 11th, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Health Facilities Authority for a term expiring June 30th, 1993, John P. Dailey of Peoria.

To be a member of the Illinois Housing Development Authority for a term expiring January 9th, 1989, Chunghee Kimberly Kang of Oak Brook.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one...roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. Is leave granted to consider those on one roll call? Leave is granted. Any discussion? If not, the question is, does the Senate advise and consent to the nom-

inations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of May 13th, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the State Banking Board of Illinois for a term expiring January 1, 1990, William C. Gooch of Elmhurst.

To be members of the Advisory Board to the Department of Insurance for a term expiring January 19th, 1987, Laura P. Sullivan of Bloomington, Elroy C. Sandquist of Chicago.

To be members of the Mt...Carmel Regional Port District Board for a term expiring June 30th, 1987, Morris Burkett of Mt. Carmel, Larry D. Hodgson of Mt. Carmel.

To be a member of the Mt. Carmel Regional Port District Board for a term expiring June 30th, 1988, Kenneth D. Saxe of Mt. Carmel.

To be members of the Illinois Export Development Authority for a term expiring January 16th, 1989, Scott K. Heitmann of Northfield, Jung Y. Lowe of Glencoe.

To be members of the Rehabilitation Services Advisory Council for a term expiring January 14th, 1991, Robert McCann of Park Forest, Daniel H. Sidmore of North Aurora.

To be members of the Illinois Labor Management Cooperation Committee for terms expiring January 1, 1987, Wilfred G. Stewart of Wheeling, Wilbur W. Freitag of Jacksonville,

Edward F. Brabec of Chicago, James S. Di Matteo of Northlake, Gary R. Dorn of Iverness.

To be members of the Illinois Labor Management Cooperation Committee for a term expiring July 1, 1988, James K. Ward of Morton, Dale F. Benson of Decatur,...Lillian F. Lynch of Rolling Meadows.

To be members of the Guardianship and...Advocacy Commission for a term expiring June 30th, 1987, Patricia L. Taylor of Northbrook, Robert A. Washington of Chicago.

To be members of the Guardianship and Advocacy Commission for a term expiring June 30th, 1988, Carol Madison of Edwardsville, Frank J. Uvena of Flossmoor.

To be a member of the Illinois Development Finance Authority for a term expiring January 19th, 1987, Terrence O'Brien of Northfield.

To be members of the Illinois Development Finance Authority for a term expiring January 16th, 1989, Howard G. Kaplan of Morton Grove, Michael D. Malone of Marion, Wilbur W. Freitag of Jacksonville, Donald R. Davidson of Chicago.

To be the public administrator, guardian and conservator for Kane County for a term expiring December 4th, 1989, Henry J. Banser of Aurora.

To be a public administrator, guardian and conservator for Alexander County for a term expiring December 4th, 1989, Mark S. Johnson of McClure.

To be a public administrator, guardian and conservator for Hamilton County for a term expiring December 4th, 1989, Craig E. Miller of McLeansboro.

To be a public administrator, guardian and conservator for...DuPage County for a term expiring December 4th, 1989, John W. Darrah of Addison.

To be a public administrator, guardian and conservator for Rock Island County for a term expiring December 4th, 1989, Wallace H. Koenig of Taylor Ridge.

To be administrator, guardian and conservator for Pulaski County for a term expiring December 4th, 1989, Barbara J. Bode of Mound City.

To be a public administrator, guardian and conservator for Montgomery County for a term expiring December 4th, 1989, Frederick D. Floreth of Litchfield.

To be a public administrator, guardian and conservator for Calhoun County for a term expiring December 4th, 1989, Barbara K. Long of Hamburg.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDENT:

All right. The gentleman seeks leave to consider those nominees on one roll call. Leave is granted. Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, regarding the Governor's Message of October 17th, 1985, the Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate reject the Governor's nomination of Carol Mackey to be a member of the Joliet Regional Port District Board for a term expiring June 1, 1991. Will you put the question as required by our rules.

PRESIDENT:

Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the Chair.

PRESIDENT:

State...state your question, sir.

SENATOR DeANGELIS:

How is the chairman asking you to put the question?

PRESIDENT:

The gentleman has asked that the question be put as required by our rules, and under the Senate rules, our rules require that the question be placed in the affirmative. The question will be, does the Senate advise and consent to the nomination just made. If...if one wishes to follow the report of the committee, one would vote No or vote Present, I guess. Senator DeAngelis.

SENATOR DeANGELIS:

I would like to ask the chairman for the matter of public record why there's opposition to this and I would also like to have read a letter that was submitted to him that I had asked a copy of objecting to this appointment.

PRESIDENT:

The gentleman indicates he'll yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just point out that any member who has asked me as the chairman of Executive Appointments, Veterans' Affairs, Administration to hold...or to try to get additional information on any salaried or unsalaried person that the Governor recommends to this Body to be confirmed, I have always honored on both sides of the aisle. Unfortunately, the Joliet Port District Authority has had some controversy, the controversy being that a person was nominated and recommended and they question whether this person is a Democrat or

not. And Senator Sangmeister came to me quite explicitly two or three times, and he asked if I could intercede with the Governor and his staff and ask that that person's name be withdrawn and replaced by another person from that area who could serve in that capacity. I have tried my upmost to accomplish that goal without...going through this procedure that we're going through now. Yesterday, I've contacted three or four different individuals in the Governor's staff, I tried to contact the Governor directly and ask that he withdraw this individual's name and resubmit another individual. Senator Sangmeister came up to me on the Floor yesterday and asked me what my intentions were, and I told him what we were trying to accomplish, he agreed with that. As of this morning, when the committee started, I ask the Governor's people if they've had any direction. They said they had none...none, and for that reason, they would continue and we would have to proceed with the hearing on this unsalaried individual. And as each and every one of us know, the unsalaried individuals do not have to appear in committee. Senator Sangmeister persisted and he requested that this motion be given as it was given in committee and on this House Floor, and as a member of this Body, I will honor his request and I'd hope you do so as well. Let me point out to you that the Will County Democratic State Central Committee wrote him a personal letter and I'll put it into the record...I asked the staff to give you a copy of this letter this morning, Senator, and if you haven't received it as of now, I apologize. It says, "Dear George. At the recent May 12th meeting of the Executive Committee of the Will County Democratic Organization the appointment of Carol Mackey as a Democratic board member of the Joliet Port Authority was again discussed. It was the consensus of all the board members that we should, as an organization, do whatever possible to block confirmation by the Senate of Mrs. Mackey's appoint-

ment. It is the feeling of this board that Mrs. Mackey's signature on the registration list of the Republican Caucus does not...does indicate that her loyalty is not with the Democratic Party as would be expected of a Democratic appointee to a vacancy on the Port Authority. Also, her appointment was made by the Republican County Board Chairman with no input from the Democratic County Chairman or, for that...matter, from any Democrat at all. Mrs. Mackey's husband, Ted Mackey, was a Republican officeholder and it is the feeling of the Executive Board that being a Democrat must be backed by more than just saying you're a Democrat. Whatever you can do to block this appointment will be appreciated by all true Democrats in Will County. If you have any questions regarding this matter, please feel free to contact me. Sincerely, Leroy VanDang, Chairman, Will County Democratic Central Committee." I believe the letter is self-explanatory and I would hope that this side of the aisle would support a member who...in good faith has asked that this person be removed and another person be resubmitted for consideration. That has not been done; for this reason, I'm asking the Democrats on this side, vote No.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, I appreciate the letter, Senator Lechowicz, and in no way is my objection a reflection of the way you run the committee, because you have, in fact, in the past done what you said except...in this case, we are not talking about...putting somebody on hold. We're actually talking about rejecting somebody. Now, this letter was sent to you and I would like to dispute one element in here. Are you aware of the...the manner in which this person has voted in the last six primaries?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

No, I'm not. I don't know if she voted absentee or if she voted at the...at the polling booths or whether she was in town, but I will tell you this, I do respect the chairman of the Will County Democratic Central Committee and I do respect Senator Sangmeister.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't want to imply that this is...disrespectful to anybody but in this letter and I just got it and I'm reading from it, it says, "The feeling of the Executive Board that being a Democrat must be backed up with more than just saying you're a Democrat." I have to tell you, this person voted in the last six primaries Democratic. We on the Republican side were prepared to vote today for someone who is being cast as a Republican who has never voted Republican in a primary. So to say that this person is not a Democrat by this document is totally untrue.

PRESIDENT:

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President. Well, this is an unpleasant thing to have to do. I have known the Mackey family probably all of my political life and, of course, when Mrs. Mackey's husband was the Will County Democratic Chairman, she certainly was voting in Democratic Primaries but, Senator DeAngelis, you really ought to tell the whole story and that is the switch was approximately two years ago when her husband was convinced by the Republican Party to run as a Republican and did so. She went into a Republican Caucus and voted in that Republican Caucus for her husband. Since then, there has been one Democratic Primary and I presume she voted

in that Democratic Primary as you would if your confirmation was before this Body at that very time. So the last vote in the Democratic Primary means nothing, the Mackeys have switched parties, it's simple as that. It's just like I say, I've tried through the Governor's Office to make this a pleasant thing. Give us a name of somebody else that's a little bit less suspect. You can imagine how any...how would your organization feel if Jack Davis who, for example, is the Republican County chairman all of a sudden switched and ran as a Democrat? Some of you may like that, but...but, Senator DeAngelis, you are not to comment on that and I don't think you ought to either. But if that were to happen to your party, how would your central committee feel about it? So it's...just that simple and I'm sorry that it has reached this standpoint. We've asked for another nominee and I haven't even suggested a name, but the Governor's Office failing to have done that, I'm asking at least the people on this side either to vote Present or not to vote on this confirmation.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think, Senator Sangmeister, you ought to check the record and what our illustrious Governor has done. There are some so-called Republican appointments where those persons have never voted Republican in any primary and, in fact, are voting Democratic. The criteria in my past experience is twenty years down here was the person's voting record, that was the only thing we ever based people whether they were R's or D's was their voting record, nothing else. Whether the letter from Republicans or Democrats or whoever it was, it was the record speaks for itself, and the only record we should pay any attention to is how that person votes in the

primary.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor of the nomination will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 26 Ayes, 13 Nays, 9 voting Present. A majority of the Senate having failed to give their advice and consent by record vote, the Senate rejects the Governor's nomination of Carol Mackey to be a member of the Joliet Regional Port District Board. Senator Lechowicz.

SENATOR LECHOWICZ:

...I move...thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDENT:

You've heard the motion as placed by Senator Lechowicz. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does now arise from Executive Session. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege. There was a packet left on each of your desks relative to the marina outing for the Senators and the..the House members for the 19th, 20th...the 20th, 21st, 22nd of July at the Northpoint Marina in Zion area. So in it are the instructions for your hotel reservations and everything else. The packet has everything. If you have any problems, see me. We will hope you all come.

PRESIDENT:

Thank you, Senator. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1081 offered by Senator Smith, it's

congratulatory.

1082, by Senator Rigney, it's congratulatory.

1083, by Senator Dunn.

1084, by Senator Dunn.

1085, by Senator Dunn, all congratulatory.

1086, by Senator Karpiel, congratulatory.

1087, by Senator Donahue, it's congratulatory.

1088, by Senator Schaffer and all members, it's congratulatory.

Senate Resolution 1089, by Senator Sommer and all Senators and it's congratulatory.

Senate...Senate Resolution 1090, by Senator Zito and it is congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Any announcements? Any further business? Ladies and gentlemen, we will reconvene at ten o'clock tomorrow morning. Senator Philip and I assure you we'll be out of here by noon. Ten o'clock tomorrow morning. Republican Caucus immediately in Senator Philip's Office and I would ask the Democrats to meet in my office tomorrow morning at nine o'clock. No further business to come before the Senate, Senator Vadalabene moves that the Senate stand adjourned until tomorrow morning at the hour of ten o'clock. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 20, 1986

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND W. P. WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and approval of the Journals of Tuesday, June 17th; Wednesday, June 18th and Thursday, June 19th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has passed bills with the following titles, together with House amendments:

Senate Bill 415 with House Amendment 1.

Senate Bill 1063 with House Amendment 3.

...Bill...1552 with House Amendment 1.

Senate Bill 1837 with House Amendment 1.

Senate Bill 1993 with House Amendment 1.

Senate Bill 2035 with House Amendment 1.

Senate Bill 2173 with House Amendment 1.

Senate Bill 2197 with House Amendment 2.

Senate Bill 2288 with House Amendment 1.

Message from the House by Mr. O'Brien, Clerk.

Mr. President — I am directed to inform the Senate the House of Representatives has passed the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolutions 219, 220, 221 and 222, all of which are congratulatory except for one which is a death resolution.

PRESIDENT:

Consent Calendar. If I can have your attention, the order of business will be as follows. We'll move to House bills 2nd reading and those who have substantive bills that they wish moved, today is the day. Then there has been a recall list already prepared. We'll go to the Order of Recalls and the Secretary informs me that additional amendments are being filed. So, we'll handle the recalls and if we have time enough, we'll do some of the appropriations that appear to be without contention. They appear to be agreed amendments. We will...Senator Marovitz, page 10...if you'll turn to page 10 on the Calendar. Page 10, middle of the page, on the Order of House Bills 2nd Reading. I hope I needn't remind everybody that Monday is the deadline for House bills on 3rd reading, non appropriation House bills on 3rd reading. So, when we adjourn today, we will come back Monday at the hour of noon and begin on the Order of 3rd Reading. 2254. On the Order of House Bills 2nd Reading, Mr. Secretary, is House Bill 2254. Read the bill, please.

SECRETARY:

House Bill 2254.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 1.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Excuse me. Amendment No. 1 to House Bill 2254 makes three changes in the area of child support that we have worked on with the Department of Public Aid and which have been approved by the department. First of all, the amendment authorizes the Department of Public Aid to establish by rule a child support amnesty program for responsible relatives who owe child support. This has nothing to do with forgiveness of dollars. It has to do with criminal prosecution. The program would allow IDPA to suspend specific enforcement actions and will provide actions which must be taken by responsible relatives to avoid future enforcement actions. The program has been tried in other states, California and Maryland most notably, and has worked very well there. It also clarifies the attorney fee section in Chapter 40 providing that prospective attorney fees where one party lacks sufficient financial resources in post-decree matters and gives the court discretion to award attorney's fees and child support enforcement actions brought by the Department of Public Aid. It repeals language which mandated circuit courts to collect a thirty-six dollar fee from the obligor for the collection and distribution of child support. The circuit courts throughout the State asked for this. It doesn't affect Cook County but the other circuit courts did not want this mandate and so we took this out of the bill. I would ask for the adoption of Amendment No. 1 to House Bill 2254...Amendment No. 2, excuse me...Amendment No. 1...1.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 1, Mr. Secretary, to House Bill 2254. Is there any discussion? Senator Fawell.

SENATOR FAWELL:

...thank you, Mr. President. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, did you tell me that...that this repeals the thirty-six dollar fee that the clerks can collect outside of the...the County of Cook?

SENATOR MAROVITZ:

It repeals the language which mandated circuit courts to collect a thirty-six dollar fee from the obligor. The circuit court clerks did not want this limitation. The limitation, therefore, will only hold to Cook County. This is at the request of the circuit courts throughout the State of Illinois. Their feeling is they weren't getting the money anyway and they want the leeway to charge whatever is necessary and for the money to come directly back to them. This is at their request.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Senator, are you aware that I have a bill on the Floor that the Association of County Clerks brought to me that asks for language that said that they...that they may charge up to thirty-six dollars and that the judges will be mandated if the county boards pass a resolution saying in effect that they are to collect fifteen dollars, thirty dollars, thirty...up to thirty-six dollars...that the judges are mandated then to put that into the order and that's what the

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clerks asked me to do?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I'm not aware of what the clerks asked you to do. All I can tell you is that I was contacted by them, they asked us to put this in this legislation; obviously, it wasn't in there before and I'm sure after we adopt this we will...we can make a phone call and find out which they prefer...which they want. This is what I was asked to do. I'm following their instructions. I'll make the commitment to you that if this is not what they want, I'll take this out of the bill.

PRESIDENT:

Further discussion? Is there any further discussion? If not, Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 2254. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 2486. On the Order of House Bills 2nd Reading is House Bill 2486, Mr. Secretary.

SECRETARY:

House Bill 2486.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Insurance, Pension and Licensed Activities offers one amendment.

PRESIDENT:

Senator Weaver on Committee Amendment No. 1.

SECRETARY:

Senator Weaver, I could...I could read a portion. "Upon application the board shall issue a license to the Illinois Department of Agriculture for the conduct...

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PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

That adds in the DuQuoin Authority to the bill and I'd move adoption.

PRESIDENT:

All right, Senator Weaver has moved the adoption of Amendment No. 1 to House Bill 2486. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator D'Arco on 2630. On the Order of House Bills 2nd Reading is House Bill 2630. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2630.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Insurance, Pensions and Licensed Activities offers one amendment.

PRESIDENT:

Senator D'Arco on Committee Amendment No. 1.

SENATOR D'ARCO:

Thank you, Mr. President. This increases the tax multiplier for the Chicago Park District to 2.0. That is over a period of time from 1986 through 1991. It really is much less than the other municipal systems of Chicago and Cook County and the sanitary district, and there is no opposition to the amendment and I move to adopt Amendment No. 1.

PRESIDENT:

Senator D'Arco has moved the adoption of Committee Amendment No. 1 to House Bill 2630. Any discussion? Senator Watson.

SENATOR WATSON:

Thank you. I...I was under the impression that we were not in the business of establishing multipliers. I thought that the Department of Revenue did that. Can I ask a question as to how we can get involved in this process?

PRESIDENT:

Sponsor indicates he'll yield. Senator D'Arco.

SENATOR D'ARCO:

The multiplier is already in place. You know, it...it's just a question if increasing the...it's a question if increasing the multiplier according to a schedule. You know, we...we do it all the time.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I was under the impression he said was increasing the multiplier which is established by the Department of Revenue based on assessed valuation of various counties. It may be different in Cook County but in our area it changes from year to year, and it's trying to equalize assessed valuation throughout the State, and I don't know how we can stand on the Floor here and all of a sudden decide that we're going to increase a multiplier to a...a level of two for Cook County and park district...and just simply the park districts. I don't understand this.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yeah, this isn't the real estate tax multiplier, this is the multiplier for employee contributions...

PRESIDENT:

Under the pension system.

SENATOR D'ARCO:

...so it's a...in the pension system. It's a different multiplier. And actually, I made a mistake, it's not increased to 2.0, it's being increased to 1.6 in 1991.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

When you explained it was a pension, I was about to ask how this was germane to a pension bill, it sounded like a multiplier bill, but one quick question on it, is it funded? Are we just increasing...is this a funded pension increase or is this an unfunded pension increase?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

You know, we're...we're not increasing the...the pensions. We're not allocating an increase for some aspect of the pension system. All we're doing is scheduling an increase in the tax multiplier for the system. So, I mean, if you're asking, does it have an effect on the unfunded liability of the system, it...it has a very negligible affect. I don't think it would increase that aspect of the system that much.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator D'Arco has moved the adoption of Committee Amendment No. 1 to House Bill 2630. Senator Keats.

SENATOR KEATS:

Negligible or not, that does sound like a...a tax increase without a referendum. Maybe I'm misunderstanding 'cause I...we don't really have copies of this but it does sound like a tax increase without a referendum even if it's a

small tax increase without a referendum. I'm...I mean, that's what we're trying to get at.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

This...this bill will, in effect, by raising X amount of dollars actually have a positive impact on the unfunded liability of the system. It will actually decrease the unfunded liability of the system because it's going to raise...it's going raise maybe four...four or five million dollars. The original bill was raising it to two, this is lowered to 1.6, so it will actually decrease the unfunded liability of the system.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Mr. President and members of the Senate, the increase in the tax multiplier would just be for the purpose of eliminating the employer deficiency contribution, and it just brings it up into level with par with the municipal employees' contribution. It's just saying, for ten years the park district had not increased their multiplier, the other pension systems have gone up and it's causing a deficit in the employer contribution portion and...they're just trying to raise it to make it equal with the municipal funds...municipal...Chicago Municipal Employees' Fund and make it at the same level as their tax multiplier.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

See the...Senator, the other...the other system...you take the municipal system, the multiplier is 1.69 for Chicago municipal employees. For sanitary district employees the multiplier is 2.34. So, this multiplier being 1.60 and that's

after a schedule...in 1991. So, it's really a very modest increase in the multiplier. Right now, it's 1.10 and it'll go to 1.60 in '91, so it's a...the other systems are higher than this system will be in '91.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

I...I don't have philosophic disagreements on that side of it, it doesn't sound unreasonable, but it does appear to be a nonreferendum tax increase. That's all we're trying to get at. Is that a yes or no? Is that a nonreferendum tax increase...which is what it appears to all of us and what the language says.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, I thought...yesterday, Pate Philip put a nonreferendum tax increase for the library board. So, what...you know,...and...and this is such a modest increase it's...it's negligible.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

I'd just like to remind Senator Keats that we have never had a referendum on a tax multiplier for a pension system. Never, since I've been here twenty years.

PRESIDENT:

Senator Keats. All right. Any further discussion? If not, Senator D'Arco has moved the adoption of Committee Amendment No. 1 to House Bill 2630. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senators Jones, Chew, Collins, Newhouse, Hall and Smith.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the this...of the Senate. Amendment No. 2 to Senate Bill 2630 is the South Africa divestment amendment. Amendment No. 2 prohibits any financial system or pension...fiduciary from investing in any firm or financial institution which has a ownership, interest or outstanding loans to the Republic of South Africa, a South African corporation or any company for the purpose of investing in South Africa. It deems divestments not to be...of fiduciary duty as relate to the trustees. The purpose of this amendment is to prohibit any Illinois tax dollars from...Mr. President, it's very difficult to hear.

PRESIDENT:

Your point is well-taken. Ladies and gentlemen, we ask that we take the staff conferences off the Floor. We are on an amendment. Amendment No. 2 to House Bill 2630, Senator Jones.

SENATOR JONES:

This amendment will prohibit any Illinois tax dollars from being invested in firms or corporations owned by the Republic of South Africa to support the only country on the face of this earth that practices racial discrimination and racial hatred. This amendment will...will require that all funds currently invested in South Africa to be...divested within a three-year period and those funds can be invested in the Illinois market and...and stimulate the economy in Illi-

nois. It will also...it will also amend the Trustee Act and...and wherein the trustees if they so desire to divest, they will...it would be a breach of their fiduciary duty to take the funds out of South Africa. As it stands right now, if they were to do that, there would be a breach of their...of their...the fiduciary duty and they could be held accountable as such; but we, in Illinois, should not be taking our tax dollars, sending them over to South Africa and have those same dollars being used to oppress people. So,...and if we are for what we say we are, if we are for the Illinois Constitution, then you will vote for this amendment because this amendment is in the spirit of the Land of Lincoln, the State of Illinois and I ask for a Yea vote.

PRESIDENT:

All right, Senator Jones has moved the adoption of Amendment No. 2 to House Bill 2630. Discussion? Senator Keats.

SENATOR KEATS:

A question or two of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Keats.

SENATOR KEATS:

First, does this amendment apply from the effective date of the bill forward or does have a retroactive...'cause we don't have a copy of the amendment. It is retroactive or does it apply from effective date forward?

PRESIDENT:

Senator Jones.

SENATOR JONES:

It is retroactive in the sense that all firms that are currently invested in...in South Africa must be taken out with...over a three-year period.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Okay, so it is retroactive. My...my...my second question would be directed to the specific sponsor of the bill. Would he be willing to hold this bill on 2nd reading so that we might draft an amendment that would set...that we would disinvest from all countries that are violating human rights of that comparable standards which would then make it very reasonable. This amendment would be quite reasonable if we had amendments that said every country that violates human rights at these standards, we would not trade with them and we would not have these investments in those countries. In that case, this would be a very reasonable amendment and I would gladly support it.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Senator Keats, there is only one country on the face of this earth that practices racial...discrimination by its government...by the government of that country and that country is the Republic of South Africa.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Wait a minute. Have you been to the Chicago City Council? What do you mean there's only one governmental body that practices racial discrimination? Just come to the Chicago City Council and try and tell me that that's fair and equal opportunity for all.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

...thank...thank you, Mr. President. One...would like to ask the sponsor a... question to clear up. Senator Jones, you came to me and said what you were going to do was to have the amendment so written and so prepared that it would start from

today forward, that there would not...that's what you told me...don't shake your head no, that's what you did and that's when I told you that that was a good, reasonable, satisfactory approach to it. We...we talked about it. Now does this go back and say that we have to immediately or is it in any investment that we make and our pension funds make from today forward?

PRESIDENT:

Senator Jones.

SENATOR JONES:

The...the amendment state that any funds that are currently invested in firms doing business in South Africa, that those firms must divest that...those investments over a three-year period and any future funds cannot be invested in...in funds or...or in corporations or...in corporations owned by the Republic of South Africa or any financial institution in this State or across this country that has an interest in South Africa.

PRESIDENT:

If I can have your attention, UPI has requested permission to take some photographs. Without objection, leave is granted. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. May I ask that the sponsor take the bill out of the record or this amendment out so that we...we do not have a copy of it, so we can look and see what...what the reading...the actual wording is? It's contrary to what we were told and so I would like a chance to...to read it. I would like to have the...the bill held up for a few minutes so we can look at it.

PRESIDENT:

All right, that request is in order. Make sure, Mr. Secretary or sponsor, that copies are distributed. We will...with leave of the Body, take it out of the record and

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leave it right where it is and we will get back to it when copies have been distributed. All right, with leave of the Body, we'll move on and we will get back to Amendment No. 2 to 2630. For the moment, take it...yeah, with leave of the Body, we'll just leave...leave it as is and we will move on with the understanding that we will get back to it. 2738, Senator Marovitz. On the Order of House Bills 2nd Reading, House Bill 2738. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2738.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Local Government offers one amendment.

PRESIDENT:

Senator Marovitz on Committee Amendment No. 1.

SENATOR MAROVITZ:

Committee Amendment No. 1 to House Bill 2738 is the agreed amendment between...on the DUI clean-up bill. It's...been prepared by the Secretary of State's Office and corrects technical inconsistencies that occurred in the bill as we originally passed it. One of the most important provisions would allow the Secretary of State to issue the judicial driving permits as of January 1st, 1987, and I would ask for adoption of this agreed amendment.

PRESIDENT:

Senator Marovitz has moved the adoption of Committee Amendment No. 1 to House Bill 2738. Discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just want to ask the sponsor a question.

PRESIDENT:

Sponsor indicates he'll yield, Senator Kelly.

SENATOR KELLY:

...Senator Marovitz, can you tell me...is this the amended version that will take out the law that I had sponsored last year concerning...in the area of DUI's where the information is given on the DUI's to the court and to the police departments? Before...this was passed a...the information could only be obtained from a hospital if there was an order from the court, and I had brought up a personal instance where an individual and his wife, who were very close friends of mine, were killed in an automobile accident by some young people that were...had drugs and were drinking, and it...it turned out, to make a long story short, that they only received a hundred dollar fine and they didn't even get a punch on their ticket or anything else, and the reason was they couldn't get this information or the information wasn't provided to the court. So, we passed a bill last year to do something about that. Is this...is this eliminating that provision?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Yes. In answer to my colleague's question, the provision that we passed last year which was, in fact, as Senator Kelly has explained it was not interpreted that way by the courts and by the Secretary of State's Office and it was being misinterpreted. So, that provision was taken out and I have a representative here from the Secretary of State's Office. This bill is going to...is going to be worked on further over the weekend and we will put that provision back in correctly so that it can't be subject to misinterpretation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

Okay, then what you're saying that if six months or a year from now or at least after the Governor would sign new

legislation, if someone had caused an accident and were under the influence and they were rushed to a hospital, which is number one to save their life and life safety, would that information then be sent to...what the amendments...whatever you're going to do to change this, would it be then available to the courts and to the prosecuting state's attorney or whomever else might want the information?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

It will be after we put the corrective language in over the weekend.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill...2738. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the...Senate. Amendment No. 2...corrects a...a...problem that was brought to our attention by members of the bar in...in terms of the judicial driving permit which will take effect on January 1st. This would correct the problem in the...in the interim that was brought to their attention so that during the waiting period there would not be a problem

with the issuance of the judicial driving permit, and I would ask for adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to House Bill 2738. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2785, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2785.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Amendment No. 1 to House Bill 2785...I think it should read, Mr. Secretary. Amendment No. 1 to House Bill 2785 incorporates the speedy trial provisions into the Juvenile Court Act, makes the effective date of the hundred and twenty day...adjudicatory provision January 1 of 1938, to give the...the applicable bodies time to gear up for this; makes the effective date of the service of summons immediate and represents an agreement between the children's advocates and Cook County State's Attorney's Office to allow time for

the backlog in juvenile court to be put back into place and the procedures which facilitate compliance within the law to gear up. This is an agreed amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 2785. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Once a juvenile is ordered into sheltered care, it can be months or even years before a...a child's permanent status is adjudicated by the court. Instead of a...a commitment for such a period...a prolonged period to public or private institutional care, Amendment No. 2 would allow that the child be kept in the care of a relative or guardian if the court finds it appropriate and preferable while adjudication of the charges are still pending. It would give standing solely to a person not accused of neglect or abuse to seek such action by the court and I would ask for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to House Bill 2785. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3074, Senator Joyce. House Bill

3200, Senator Maitland. House Bill 3632, Senator Rock. We have gone through House bills 2nd reading...we have gone through House bills 2nd reading. We will now return back to House Bill 2630. The amendments have been distributed, hopefully, have been digested. Senator D'Arco. Senator Rock, it's...I've been informed that the amendment has not been received by many of the members yet. Senator Rock.

SENATOR ROCK:

Yes, I...I'm sorry, I was unaware of that. We had copies over here. Why don't...why don't we go to the Order of Recalls and...and whence the amendments...we'll get back to it, I assure you before...close our business today. Let's go to recalls.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Recalls we have House Bill 913, Senator Barkhausen. He wishes House Bill 913 brought back to the Order of 2nd Reading for purposes of amendment. Is leave granted? Hearing no objection, leave is granted. On the Order of House Bills 2nd Reading, House Bill 913, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Amendment No. 4 is doing a few different things. For one thing, it...it knocks out the basic bill that we originally considered in committee and the reason for that is twofold. One is that Senator Sangmeister's bill, Senate Bill 522, which had...originally seemed to have been buried in a House committee has been resurrected and I'm now told that it's on 3rd reading and is going to pass, so in that sense, the original bill is somewhat duplicative . At the same time, there is some concern coming from

both...strangely enough, both from some state's attorneys and also from...some public defenders and the State Appellate Defender are concerned that what we...originally proposing to do with this bill is...is too novel and has unpredictable consequences. We were proposing to do away with the...the existing crime of voluntary manslaughter and instead create a first degree and second degree murder and with appropriate direction as to how the burden of proof was to be imposed. In addition to that, we are adding two provisions, one to the nonprobational offense section of the Criminal Code and the other to the extended term...provision of the sentencing section of the Criminal Code to...to be directed towards drunk driving offenses where more than one individual is killed...where there is a conviction for killing more than one individual in a...in a reckless homicide case, those crimes would be or could be nonprobational, and also under the extended term provisions of the Criminal Code where a...a defendant is convicted of killing more than one individual in a drunk driving incident, the court would have the discretion to impose an extended term up to five to ten years. In other respects, the bill is the same as it was at the time it was...after it was amended yesterday. I'd be happy to answer any questions and would otherwise urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, could we have some order, please. Senator Keats, can we break up the caucus. All right, Senator Barkhausen has moved the adoption of Amendment 4. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Senator Barkhausen, let me see if I can get this right 'cause you're...you've...you have stricken much of the language that was in the bill and added an amendment. Is this the amendment dealing with...involuntary homicide and reck-

less homicide?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The...provisions of the amendment that are directed towards reckless homicide, voluntary manslaughter and involuntary manslaughter are found on page 9 of the amendment and again on pages 12 and 13, again having to do with...with making this category of crimes fall into the category of nonprobational offenses and on pages 12 and 13 eligible for extended term sentences.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I'm not sure that we're talking about the same amendment. Before we address it, I want to...and I think the members ought to be apprised of that. The amendment that I'm...that I'm looking at is a three-page amendment with the change on page...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,..Senator Marovitz...

SENATOR MAROVITZ:

...3. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Marovitz, hold on. Ladies and gentlemen, we can move with a great deal of dispatch this morning and complete our business in a prompt manner if we have some attention. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President...I'm looking at a three-page amendment, Senator, with...with the corrections...the...the new language on page 3. Is that the amendment we're addressing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, the amendment I have is...is thirteen pages and I think what has happened is that the amendment you are looking at was an amendment that had originally been filed and was then withdrawn, and the thirteen-page amendment incorporates two separate amendments that were shorter in length, I think the three-page amendment you're referring to and perhaps one other. One of those...one of those...three-page or shorter amendments had to do with nonprobational offense and the other one had to do with extended term sentencing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...I would...I would request that the sponsor temporarily take this bill out of the record so that this amendment can be distributed. It is a very, very, very important subject matter, somewhat controversial. I think the members ought to be apprised of that. I think the amendment ought to be distributed, just as the previous one at Senator Rupp's request, and I know that none of our members have seen it and are requesting...are asking questions about it. Could we take this bill out of the record with leave to get...to get back to it today?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Barkhausen. Senator Barkhausen is indicating...affirmative. Senator Marovitz, there's no guarantee we'll get back to it today. With leave of the Body, we will attempt to get back to it today. All right? All right, leave is granted. Recalls is 1477. Senator Marovitz seeks leave of the Body to return...Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Yeah, thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I've noticed that we've skipped over House Bill 3632 again. There are some Republican amendments filed and I'm wondering if the sponsor of that bill is going to let us hear those amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Philip, it's...we're not skipping over anything. We are on the recall list. We're going right down the line and 3632 is not on the recall list. Apparently, there must be a second list that I guess has been...oh, Senator Philip.

SENATOR PHILIP:

Yeah, we skipped it on 2nd reading, Mr. President. I'm just wondering if we're ever going to get to that bill or we're ever going to have a chance to put some reasonable amendments on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Philip, why don't...you have a telephone, why don't you telephone over to the other side of the Rotunda there and perhaps we can find out. All right, on the Order of Recalls is House Bill 1477. Senator Marovitz seeks leave of the Body to return House Bill 1477 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 1477, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Amendment No. 2 was requested by the Republicans. It changes the line item from one fifty to one hundred and twenty-five, and it's agreed, I understand. We've agreed to...to reduce the amount and I would ask for

HB 2409 Recalled

adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 1477. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2409, Senator Rock. 2574, Senator Poshard...wait a minute. I beg your pardon. Senator Rock on House Bill 2409. On the Order of Recalls, Senator Rock seeks leave of the Body to return House Bill 2409 to the Order of 2nd Reading of the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2409, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 2 to House Bill 2409 has been worked on by the bar and modifies a problem that was brought about in Judiciary Committee which most of the members were concerned about. This new language further safeguards the rights of respondents to seek termination of exclusive possession orders granted in emergency and interim orders of protection by requiring the court to hear the request within fourteen days. In addition, the rights of the respondent are further protected by prohibiting the court from continuing such a hearing beyond the fourteenth day unless both parties agree. This is relative to exclusive possession of the marital home. I think it is exactly what the

HB 2644 Recall HB 2574 Recalled

committee asked for and I would ask for adoption of Amendment No. 2 to House Bill 2409.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Marovitz moves the adoption of Amendment No. 2 to House Bill 2409. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2644, Senator Lemke. On the Order of House Bills...on the recall sheet, we have 2574, Senator Poshard. You're the sponsor, Senator..do you wish to bring it back? Senator Poshard seeks leave of the Body to return House Bill 2574 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is almost identical to a...an amendment that we put on House Bill 3036 yesterday. There seems to be some doubt as to whether or not...the status of that particular piece of legislation; therefore, we wanted to put Amendment No. 1 on this bill. What this will do will make it clear that Section 28.1 of the Pollution Control Board will not affect or limit the authority of the board to adopt, to amend or repeal regulations specific to individual persons or geographic areas or sites pursuant to Sections 27 and 28 of the Act and restore the viability of the numerous requests for site specific relief, and that is relevant to a situation

in my legislative district with the Coffeen Coal Mine. I'd...I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Macdonald. Can we have a little order...we break up some of those conferences.

SENATOR MACDONALD:

Thank you, Mr. President. I just rise to strongly support the amendment. I am a hyphenated cosponsor of the amendment and I...I want it understood that this provision is a provision that went out of here on a bill that is being kept hostage, I guess, in the House. So, I strongly recommend...acceptance of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves the adoption of Amendment No. 1 to House Bill 2574. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2644, Senator Lemke. Senator Lemke seeks leave of...of the Body to return House Bill 2644 to the Order of 2nd Reading for purpose of amendment. Is leave granted? Hearing no objection, leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senators Luft and Lemke.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke...or Senator Luft.

SENATOR LUFT:

...thank you, Mr. President. Could I ask the Secretary, please, since I...at one point had two amendments filed, that I make sure that I'm offering the right one, could you please read the number?

SECRETARY:

...SDS84H2644PAM3-PD.

SENATOR LUFT:

That's correct. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

This bill amends the...or the amendment, I'm sorry, amends the Emergency Medical Services System Act. As it is right now, the interpretation of the Act is that anyone driving or operating an advanced life support mobile intensive care system has to be or must be a paramedic, specifically on an ambulance. What we were trying to do with this amendment is to simply say that a nurse who is qualified and a doctor who is qualified can also be that and not necessarily anyone that is a just a paramedic. I would move for the adoption of Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft has moved the adoption of Amendment No. 3 to House Bill 2644. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What I'm told by staff is we put Amendment No. 2 on which deals in infant mortality for the Department of Public Health that I have to Table amendment...I'd like to Table Amendment No. 2 and put this amendment on so it tracks with the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke having...having voted on the prevailing side moves to Table Amendment...

SENATOR LEMKE:

It deals with infant mortality, I believe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke having voted on the prevailing side moves to reconsider the vote by which Committee Amendment No. 2 was adopted. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered...the amendment is reconsidered. Senator Lemke now moves to now Table Committee Amendment No. 2. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What Amendment No. 4 does is the same as...Amendment No. 2 only it tracks in...it tracks in the bill. It's the same amendment Department of Public Health wanted and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke has moved the adoption of Amendment No. 4 to House Bill 2644. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2917, Senator Netsch. On the Order of House Bills 3rd Reading is House Bill 2917. Senator...Netsch seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House

Bill 2917, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And hyphenated Netsch. Senator Netsch to explain the amendment.

SENATOR NETSCH:

Yeah, thank you, Mr. President. I...when...yesterday when I put the amendment on and I said that it conformed the bill to...Senate Bill 2042 as it passed the Senate, it did not in one respect not dealing with...or dealing rather with the subject of diabetes rather than arthritis. We have corrected it so that it does exactly track the language. That is what this amendment does and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch moves adoption of Amendment No. 3 to House Bill 2917. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3036, Senator Welch. 3422, Senator Davidson. All right, on the...Senator Davidson seeks leave of the Body to return House Bill 3422 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3422, Mr. Secretary.

SECRETARY:

Amendment No...excuse me...Amendment No. 2 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. What this amendment does is to change in the School Aid Formula...it changes the maximum weighting under Chapter 1, formerly Title 1, from the present .625 level. It reduces that to the maximum of 6.0...or pardon me, .60 weighting. Now, the...the reason I'm introducing this amendment is in an effort to achieve greater equity in funding for our school districts around the State. School districts in...in my area, for example, have been negatively impacted by the workings of the School Aid Formula over the last...last several years, and the changing of the weighting...the Chapter 1 weighting would distribute some additional funds to those schools where the taxpayers have been contributing at very high levels, very high percentages and receiving relatively smaller monies back from the...from the State of Illinois. So, I would be very happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge has moved the adoption for...discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in obvious opposition to Amendment No. 2 and I would ask the gentleman to reconsider. My understanding is that the Governor has requested that a group be convened...that a group be convened for the purpose of discussion of possible formula changes in an attempt to be more equitable. This is hardly equity when you just literally lift six or seven million dollars out of the allotted share to the City of Chicago and I don't know where it goes, I suppose you just distribute it elsewhere, but this is hardly equitable. Formula changes are...have in the past been negotiated, the Governor has asked for the group to reconvene, as I understand it. I have asked Senator Berman to represent

this side and Senator Demuzio, and I think this is premature at best, and I would ask the gentleman to please withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, thank you, very much. I...I appreciate...the comments; however, I think that this is a suggestion that...that has some merit and I would...I would like for us to explore it. So, I...I am not willing to withdraw the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Collins.

SENATOR COLLINS:

Well, yes, thank you. I...I was going to just...echo Senator Rock's remarks...and before he asked to ask you if you would, you know, be willing to take this...amendment...out of the record at this time...this is a...a very serious issue and to ask...this Body to...to pass an amendment to just automatically take this money from the City of Chicago...you're not just talking about City of Chicago, we're talking about East St. Louis, but it is in violation of the regular intent of the Title 1 money in the first place. So, without carefully considering what you're doing and coming up with the formula, with input from everyone so that the...the burden will not be put on those people that can the least afford it and also that would violate the original intent of the money in the first place, I don't think we should do this right now and it's unfair to do this. So, I would suggest that you please take the...the amendment out of the record at this time and...and wait for the Governor's task force to take a...a better look at it and to give us an opportunity to sit down with you and have some input into...if, in fact, that you're trying to be fair about an equitable distribution of the funds. I have no objections

to being...any formula that's going to be fair, but at the same time, you can't take the money and use it for something that it was not originally intended for. For that reason, I...we should either defeat this amendment if he won't take it out of the record.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Senator Etheredge, usually it's a very simple procedure for the State Board of Education to...in regard to any formula changes to put this in their computer and run out a profile sheet for each one of us on our districts and how this would affect the particular school districts within our political divisions. Could you hold this until we get that kind of information from the State Board of Education so we can make some sort of intelligent decision about this?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Well, Senator, I...I have a copy of such a print out and it's being examined now and I certainly would be very happy to make this available to you, if you want to...if...if you would want to pursue it.

PRESIDENT:

Senator Poshard. Oh, I beg your pardon. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I would...I would want to echo the sentiments of my colleague, Senator Collins. And I'd...I'd like to say for the Senator that...I...I...I know very well that your intent is not to pit the at-risk youth on the one hand from the gifted on the other, but I'm...I'm terribly afraid that that's the bind we might wind up in.

They're both very, very important to this Illinois Legislature and Illinois economy. The at-risk youth are so numerous nowadays that it...it just puts some of us in a terrible dilemma in trying to make a rational decision about where those dollars ought to be allocated. This is certainly not to negate the importance of what it is that you want to do...not at all, and I'm sure you understand that, but at the same time, it does put us in a terrible bind when we look at the loss of talent that is...that we currently face; and if we look at...from a marketing standpoint what the market is for education, which is the total brain power of a community, and we know we're losing forty, fifty, sixty percent of it on one end of the spectrum and then to speak about putting some dollars into, say, two five percent on the other end, it becomes a very difficult choice, which I'm sure you understand. I would hope that you would withhold the...for the moment until we have a chance to get some further information.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Well, you know, here we go again. We had a specific request of the House sponsor and the Senate sponsor of this bill to put this bill out of Rules on an emergency basis specifically to take care of a problem in the Springfield district. Now, all of a sudden, here we are, we're talking about formula revisions at the same time that we don't even know what the funding levels are going to be and the discussions downstairs have yet to even begin. I think Senator Rock's suggestion is a good one, Senator Etheredge, that we take this thing out of the record, talk about it over this weekend, have our discussions with the...the Governor's Office in the summit on Monday, and then, perhaps, be in a better position to make a decision as

to what we're going to be able to do on Monday. As it is now, this thing has never been discussed with anyone, has not been before a committee. It just seems to me that we ought to save ourselves a lot of aggravation and a lot of hard feelings by proceeding with this amendment right now. It just seems to me that we ought to give it the weekend and you still have the opportunity to it on Monday.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm very disturbed by...not only this amendment but what I think it seems to indicate. Many of us that toil in the labors of the formula to try to do equity throughout the State have indicated that any major changes in the formula we're going to wait until next year in order to allow the State Board of Education, the Citizens' Council on School Problems, the...the Republican School Formula Caucus, the Governor's Office and others to be able to evaluate what ought to do...be done with the School Aid Formula in light of the sunset provision for next September of '87; and throughout our committee debates in this Session, Senator Maitland and I and the other members of the Education Committee have been very, very careful to beat back or keep in committee any types of major...and I would say even minor but meaningful changes in the School Aid Formula. Now here we are on June 20th with an amendment that is a major revision in the formula. This amendment takes six million dollars out of Chicago. It takes over a million dollars out of East St. Louis and the people that might be saying, yea, I can assure you don't have children in either of those school districts. I wouldn't allow, as chairman of that committee, if I have anything to say about it, an amendment to go through that committee that would have precipitously taken money away from

your school districts and I would expect the same courtesy back. I'm rather surprised at the...person that's sponsoring this amendment, a gentleman for whom I have great respect and usually is not one of the more partisan or one of the more geographically partisan people on this Floor; and I've got to say, Senator Etheredge, I think you've been sucked into a position that compromises your reputation in this area. There are people that I would expect to put this thing forward at this time, you're not one of them and you're being used, you're being used to get a roll call on crass political move so that some of our downstate legislators have to make the decision between what appears to be a politically wise move versus a legislatively and morally correct move. Legislatively and morally, a No vote should be given on this amendment. Some people from outside of East St. Louis and Chicago because of an election year can't take that position without substantially jeopardizing the political posture of their campaigns, and it's a shame...it's a shame, Senator Etheredge, that you're using the children of the two poor school districts, Chicago and East St. Louis, for crass political motives on this roll call. I thought that the Senate was above those kinds of actions, and you're allowing yourself to be used for just that purpose. I say to my colleagues, both...on both sides of the aisle, I ask you to...rise above politics. Some of you cannot, I understand, vote against this amendment, you may have a tough race, your press or public may not understand a No vote, but I've got to tell you that I think there are enough people on this Floor that can do the proper thing, the moral thing, allow those people whether it be in the Governor's Office or the State Board or those of us that are going to be working intensely between now and next spring to try to do the right thing as far as the School Aid Formula is concerned. This is not the right thing. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

END OF REEL

REEL #2

SENATOR MAITLAND:

Thank you, very much, Mr...President and my colleagues in the Senate. This...this is a difficult amendment for a lot of us to support. I supported very strongly...very strongly the initiative suggested by the Governor last fall that directed an additional fifty million dollars to the City of Chicago in settlement of that strike that was absolutely needed. It was an innovative way in order to pump money into the Chicago school district into a new fiscal year under our current fiscal year in State Government and it appeared to be a very good program. We suffered downstate a lot of criticism because of that and it was criticism that was not justified, and we explained to our constituents what we did and that downstate schools were not going to lose any money, that's the point we made. No one denies that School District 299 doesn't need their money and somehow we're going to come up with that fifty million dollars to make that happen, have to do it or school won't open this fall. But let me also tell you, my colleagues in the Senate, that two-thirds of those kids live elsewhere and we have to worry about them also. And, Senator Berman, let me tell you something whether you know it or not or whether you're...ready to recognize it or not, we have some rural school districts that are hurting badly and those kids also are being denied access to State dollars and those are my constituents and I'm concerned about them. Somehow we've got to find the money. Now we have dedicated ourselves to the proposition that the reform package is going to be fully funded this year and that still resides in that bill. And let me say to you, my friends from Chicago, you do very well in that reform package in a number

of those areas, extremely well, and you should and you will. This is not final passage, we have several days here yet. This is the only way we can say we have to find that money that was supposed to be in the formula that is not there that will benefit our school districts also. We're with you, not against you. So help us as we go into this negotiation, give us the tool to deal with the issue and this is but one attempt, and I urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I apologize for rising a second time but let me just suggest that we may well, Senator Etheredge, want to consider taking this out of the record and dealing with it on Monday. I'm not so sure the numbers are going to be any different on Monday but at least people will have had the opportunity to examine the printout and to...if you will, examine their conscience. We had a lengthy discussion about the formula in the Rules Committee and it was frankly determined that both Senators Maitland and Berman would have vehicles available to them because...both are considered by this Body with justification, as being fair individuals to deal with the formula question. To all of sudden take a bill which was requested to come out of the Rules Committee because it dealt with a single school district and a problem that that district had and now utilize it for a major formula change simply is not kosher. And if we're to throw the gauntlet down, I'll consider it thrown down and we'll have one heck of a week next week. In the meantime, I think we could all be better served if this were taken out of the record with the full understanding that if you wish to pursue it, we can pursue it on Monday, 'cause we're just going to tie things up here pretty badly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Do I have the assurance of the President of the Senate that we will have the opportunity to debate this matter fully on Monday and then to vote, because I...I think it is a good proposal. I have been...it has been...I've been accused of being insensitive to the needs of the...of those students who have fewer advantages than others. I think my...record demonstrates the opposite; in fact, I represent large numbers of disadvantaged students and also rural districts as well. And I think I am very familiar with the problems that are inherent in the present School Aid Formula, and I am prepared to...to do what is in my power to see that there is a more equitable distribution of the State aid dollars than...than currently exists. I think it's important for us to...to pursue this matter. There have been some who have said that...that this is a new idea, they haven't had the opportunity to view it...to see it before. I would suggest that this amendment has been floating around all week. I would also suggest that the computer printout that shows the impact that this amendment has has also been available to staff on both sides of the aisle so that...quite frankly, I don't know why we can't...are not in the position to pursue it today. But I...with your assurances, Mr. President, that we will have the opportunity to discuss fully this matter on Monday and with the further assurance that we can continue the progress of this House Bill 3422 that it...it...whether this amendment goes on or not on Monday, then I will withdraw it at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you and you do have that assurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. A question of the Chair. Now, Monday is the deadline day, so will...this will be on 2nd reading. Will we have the opportunity to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's...we've taken it out the record, that means it goes back to 3rd reading. It...3rd reading...that's...all right, well, it's taken out of the record. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just a parliamentary question, Mr. President. It is our current rule, I believe, that if a bill is amended, it cannot be voted upon on that same day on 3rd reading and...and what are we...not only on this bill but other bills that I think are going to be in the same posture, how are we going to handle that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, I think our rules are explicit that we, in fact, can amend a bill that's on 3rd reading, bring it back, have intervening business and then proceed.

SENATOR SCHUNEMAN:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, we've got that handled. All right. House Bill...recalls, 3503, Senator Holmberg. Senator Holmberg seeks leave of the Body to return House Bill 3503 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3503.

SECRETARY:

(Machine cutoff)...No. 1 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment to House Bill 3505 is an opportunity for those employers...major employers who would be impacted by the double weighting sales tax on their income tax that we passed out of here last...earlier this week. What this would amount to, it does not hurt anyone...does not hurt anyone who would benefit under House Bill 2819. What it would do, is those employers in the State...those major employers who have five thousand employees or more would have an option to minimize their income tax liability by having the option of either using the present law or the option which was given under 2819. And it affects several major employers in the State of Illinois, the figure five thousand was arbitrary, I just picked it out. The Department of Revenue says there's about...I think two hundred plus companies that do have that, that's including those which are not-for-profit hospitals and et cetera, which don't pay any tax, they were unable to break it out into a more finite detail. I'd move the adoption of Amendment No. 1 to House Bill 3503.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson has moved the adoption of Amendment No. 1. Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Well, looks like here we go again doing something with our Tax Code. Now, apparently, the last action that we took when we adopted the double weight concept, the net effect when they balance winners against losers is probably somewhere between, I think, like four and nine million dollars. What's going to be the cost of this particular maneuver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I cannot give you a definitive answer at this time. The Department of Revenue has been running the figures, and when they did it yesterday, there was a difference in the FNI and A numbers between what they had and what the Bureau of...of...of Employment Security told them in relation to part. So they are redoing it to see what the...difference was in these to try to come up with a figure. I will have it for you Monday, I cannot give it to you at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, I'm quite concerned about what the loss is going to be in revenue because, as I recall from the earlier debate on the subject of double weighting, the winners are going to walk off with something like upwards of about thirty million, the losers were going to lose something in the range of about twenty million or a little more. So, now, if there aren't going to be any losers, everybody is going to be a winner, looks to me like the price tag is somewhere going to be approaching that thirty million dollar figure. So I think we better realize that this is a very serious amendment that we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

It is a very serious amendment and I'm sorry that I can't give you what you asked for because of that...in...in information. The only thing I can say, you want to look at the positive side of it. If you've got a company that's got forty-four hundred or forty-five hundred employees in the State of Illinois that conceive by their tax experts it would

be advantageous to go over five thousand in employees, you're going to have five hundred new employees working in the State of Illinois and certainly more than going to make up for any loss of revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I reluctantly rise in opposition to this amendment; in fact, one of the four parties that's going to benefit from this, I can see right outside my office window. The point is though that, Senator Rigney, if you're concerned about what this is going to cost, this sucker is going to put perfume on the biggest pig in this Session. The price tag on this is not going to be what this is, it's going to be what the bill is which is about a hundred and six million dollars. And, Senator Davidson, I really would ask you not to do that to us because I think you might well...you might well be creating the lubricant to pass something that we're all going to regret, and what's going to far more impact this General Assembly than the favor or the preferential treatment you're going to be giving those employers who I greatly appreciate being in Illinois. But we ought not to be putting this amendment on this bill because I'm afraid we are perfuming the pig.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson, you may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd appreciate a favorable vote on this amendment. We passed special legislation earlier this week besides the double weighting. I think we passed a piece of legislation that went out of here that gave a substantial break just to two companies. All I can say to you is the name of the game is to try to make a favorable climate to keep employers in this State so our

people who are employees have an opportunity to work, and that's what this amendment is all about and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson has moved the adoption of Amendment No. 1 to House Bill 3503. Those in favor will indicate by saying Aye. Opposed Nay. The opinion of the Chair, the Ayes have it. Amendment No. 1 is adopted...Senator Rigney.

SENATOR RIGNEY:

Could we have a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Rigney, are you...3rd reading. On the Order of Recalls is...is House Bill 3550. Senator Berman seeks leave of the Body to return House Bill 3550 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bill 2nd reading, House Bill 3550, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is the...summer school for the arts bill. The amendment was worked out with the people from the Governor's Office as well as the proponents of the bill. What it does is to delete the provisions requiring development of residential internships for practicing teachers of the arts, deals with the administration of the school. Move the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, Senator Berman has moved the adoption of Amendment No. 1 to House Bill 3550. Discussion? Senator Maitland. All right. Further discussion? Senator Berman has moved the adoption of Amendment No. 2 to House Bill 3550. Those in

favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, 3rd reading. With leave of the Body, we will return to the Order of House Bills 2nd Reading and pick up House Bill 2630. Is leave granted? Leave is granted. On the Order of...Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Senator D'Arco asked that we move this bill to 3rd reading and he will bring it back Monday once the amendment of Senator Jones is printed and distributed and digested. But he, at this point, would like to move it to 3rd and bring it back Monday for amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jones, you have an amendment filed here. Do you wish at this point then to withdraw that amendment and...Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I do have two amendments filed, will be 1 and 2, so we'll withdraw those amendments with the agreement that the bill will be brought back, and Senator Rupp has something he wants to say...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Yeah, basically, what...is doing...you know, I appreciate the approach. Senator Jones is withdrawing those two amendments, another one is being prepared which will make it that the effect is not retroactive, it will be from today forward and that is what we are going to consider Monday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

HB 913 Recalled

SENATOR RUPP:

I do feel that perfectly free in...in...in asking that not just our side support it, I think it's important enough that both sides support that concept.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well,...Senator,...sorry. Senator Jones has...has requested to withdraw both amendments. Is leave granted? Well, leave...both amendments are withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, 3rd reading. All right...all right, before we leave this recall...first recall list, there is House Bill 913. Senator Barkhausen indicates he's ready. Senator Marovitz. All right, with leave of the Body, we'll return to the first recall list and pick up House Bill 913. Leave is granted. Senator Barkhausen seeks leave of the Body to return House Bill 913 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? All right, leave is granted and House bills 2nd reading is House Bill 913, Mr. Secretary.

SECRETARY:

Amendment No. 4, offered by Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, when we were on Amendment No. 4 a little while ago there was some confusion because the amendment had not been distributed and, apparently, an earlier amendment that had been withdrawn had been...distributed. I guess I should start by offering to answer any questions but, very briefly, the amendment...Amendment No. 4 again takes out the original bill both because it duplicates

another bill which is at passage stage in the House, Senator Sangmeister's Senate Bill 522, and also because there is some...apparently some difference of opinion as to the desirability of the original bill in the first place with both some prosecutors and some criminal defense attorneys in the State Appellate Defender's Office and, apparently, also the Bar Association expressing some misgivings about the original bill. In addition to that, beyond what the amendment yesterday accomplished, there are two additional changes both addressing a situation where a defendant in a drunk driving accident is convicted of...of killing as a result of that accident more than one person. By separate provision...in this amendment we would make that potentially a nonprobationable offense and also eligible for extended term sentencing. Again, would be happy to answer any questions and would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen has moved adoption of Amendment No. 4. Discussion? Senator Marovitz. Senator Keats, can we break up the caucus that you have there. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, first of all, I want to point out that this doesn't just affect in terms of the penalties...this does not just affect drunk driving. This affects involuntary manslaughter, reckless homicide, and that portion of the amendment makes no sense at all. There's no logical...basis for that being in the amendment. First of all, in the case of involuntary manslaughter and reckless homicide, there is no intent to kill inherent in those penalties and, consequently, allowing the...allowing this to be an aggravating factor would not in any way allow a deterrence or...or provide a deterrent to the crimes of involuntary matter...involuntary manslaughter or reckless homicide. In...in no way would it

provide a deterrent, there's no logical reason for saying that there should be an aggravating factor where more than one person is killed. Certainly, this is a tragedy and it's probably a difficult vote for people to...to vote against, but there's no logical basis for it at all to say that in a case of reckless homicide where there is no intent what...whatsoever to kill, that we're going to make this an aggravating factor. And, to me,...I don't think the amendment is well thought out. It's populous to nature but I really don't think it's something that makes a lot of sense. The law on this subject matter is good. The fact that more than one individual is killed is...is a greater tragedy but the fact is by increasing the penalty and making this an aggravating factor isn't going to be any deterrent. There's no intent in this...in this...inherent in these crimes to kill and I think it's a...it's...it's a bad idea. It should be defeated and has no basis whatsoever in logic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

I was pleased to hear too that Senate Bill 522 was resurrected. I think it's a long time we get voluntary manslaughter back where...or not back but get it on track as a first and second degree murder and all the other things that are encompassed in that legislation, but you are backing your amendment...referring back to voluntary manslaughter again. What...if 522 goes to the Governor's Desk, how is it going to relate to this amendment? I'm not sure, I...if you have any thoughts on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yeah, I think you're correct, Senator Sangmeister, that if he was to sign say Senate Bill 522, that this would probably require an amendatory veto in that it does make reference to voluntary manslaughter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, all right, if this...if this passes to his desk, then I would hope he would do that. Although I think Senator Marovitz kind of hit it on the head, the old classic law school case of involuntary manslaughter where the flowerpot was knocked off the third floor and hits an individual and kills them on the sidewalk below, whether that would be one person or two persons or three persons, why would you want to make this an additional aggravating factor that would rule out probation? You don't really have to answer that, I...you know, I just don't think it makes sense. But I...what I do want to go back to is again and ask you that question, as I recall last week, didn't your amendment go on on this murder as a calculated...committed...didn't that go out on another bill? That's a question I'd like answered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, Senator Barkhausen.

SENATOR BARKHAUSEN:

It went on this same bill yesterday, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR BARKHAUSEN::

...so the bill is presently in...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop, Senator Barkhausen.

SENATOR BARKHAUSEN:

...in the form...that incorporates that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister.

SENATOR SANGMEISTER:

I see, I didn't look at the beginning of the amendment. In other words, this amendment has strict...has stricken everything that has happening and this is it now, this is the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, just again, I...you know, everyone pretty well knows where I come from on these matters but at the same time I really think, Senator Barkhausen, for about the fifth time I would say to you that every murder is a cold, calculated and premeditated manner and I really think to put that in as a...as a death penalty aggravation, that even the most conservative court is going to say, you know, that does not belong there and you're now making all homicides death penalty cases, and I think we're jeopardizing the Statute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President and members, to address...the...first of all, the two additional provisions in this amendment that haven't already been in the bill. I think Senator Marovitz and Senator Sangmeister both make some good points, and I think there is an argument for...for keeping the law the way it is with regard to...to multiple convictions as a result of one incident for voluntary manslaughter...voluntary man-

slaughter and particularly reckless homicide. On the other hand, we have to recognize that there would be prosecutorial disscretion to only charge...to only attempt one...the conviction of more than one individual only in the appropriate cases, and I...I...my guess is that you would most often see this in the...in the most serious kind of reckless homicide case perhaps most...often as a result of drunk driving. Also with regard to the extended term sentencing, it must be realized that...that those sentencing provisions are optional with the court and would not be resorted to in every case. As to the addition of the aggravating factor in the death penalty Statute, as Senator Sangmeister points out, that has been a...a debate that we've hashed through before. There is a difference of opinion as to whether there may be grounds for finding that additional factor unconstitutional. As I pointed out earlier,...that the language is taken is kind of a hybrid from death penalty Statutes in both Florida and Texas which in cases that have gone all the way up to the U.S. Supreme Court have been judged to be constitutional. And for those reasons, I don't feel that there is any grounds for...for fearing that the language may be in this case found unconstitutional at some future time; and for all of these reasons, Mr. President, I would urge the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen has moved the adoption of Amendment No. 4 to House Bill 913. Those in favor indicate by saying Aye. A roll call has been requested. Senator Barkhausen moves the adoption of Amendment No. 4 to House Bill 913. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 15, none voting Present. Amendment

No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...3rd reading. We now completed the first recall list. Senator Maitland has sought leave to go to the Order of House Bills 2nd Reading for the purpose of moving a bill. Leave is granted. House bills 2nd reading is House Bill 3200. It is on page...page 14, House bills 2nd reading, House Bill 3200. Mr. Secretary.

SECRETARY:

House Bill 3200.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland...any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, let's go to the second...leave of the Body, we'll go to the Order of...Recalls, the second recall list has been passed out. Senator Jones on the Floor? Senator Jones is on the Floor. On the Order of Recalls is House Bill 2564. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2564, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 1 to House Bill 2564 states that the department

shall receive the funds appropriated from the Petroleum Violation Fund and this is the vehicle bill. This is just a amendment to keep the bill alive and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones moves adoption of Amendment No. 1. Discussion? If not, those in...Senator Schuneman. Senator Schuneman, just turn your light on. Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, sir,...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I don't have a copy of the amendment. What's the amendment do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The amendment does just what I says is that it...it strikes everything that's in the bill and states that the department shall receive the funds...the Exxon Funds as appropriated from the Petroleum Violation Fund. I know you are on that subcommittee in Exec. and you heard this bill when...when it was in the Exec. Committee. This is just a vehicle bill more or less to...to handle the funds and keep the bill alive, and this was...all this does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Senator Schuneman, I was invited at the last minute to have a discussion with some Senate-House members and members of the administration just a...a few minutes ago. You should have been invited and I'm sorry you were not to just begin to find out where everyone was on the use of the Exxon money. I think it is not finally resolved yet, but, in any event, I

think Senator Jones is correct that this bill is intended to be a vehicle if we need substantive language and there is no decision yet about what is needed or in what form, but it is just there in case we need it in order to ultimately carry out any agreement if there is indeed a...an agreement, a consensus on the allocation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you. I...there seems to be a certain amount of confusion, I don't think I've got any problem with this. I was invited to participate in that meeting and other...I think there were some Republican members there, and so I have no objection to the amendment as long as we're all in agreement with the program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there other discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, is it...is it your intention then later on...I guess on Monday, perhaps, if there is some agreement struck over the weekend to bring this thing back and amend it at that point, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I, along with Senator Schuneman, were part of the package this morning...and I...I don't exactly know what took place this morning versus what we heard about yesterday, and I would hope that some of the concerns that we've expressed are still...those that are viable options and they have not cer-

tainly been discounted and I'm not sure...Senator Jones is even privy to those.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I have not been part of the discussion but if you were in the Exec. Committee at the time that this bill was heard and you heard the explaining as to why we have this bill. Just in the event we need substantive language to deal with whatever agreement come out of those summit...summit...meetings, this bill...will be available for the substantive language if necessary.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I was there, Senator Jones, and perhaps I should request to be...join you as a hyphenated cosponsor of this bill so that we might help guide its progress together.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, I know my distinguished colleague of downstate have the upmost trust and faith in me and he...he so care to join me, he can.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Welch. Senator Jones may close.

SENATOR JONES:

Yes, I move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones moves the adoption of Amendment No. 1 to House Bill 2564. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

HB2958 Recalled
HB2741 Recalled

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2741, Senator Maitland. Senator Maitland asks leave of the Body to recall House Bill 2741 back to the Order of 2nd Reading for purpose of amendment. Hearing no objection, leave is given...Mr. Secretary.

SECRETARY:

Amendment...Amendment No. 3 offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Some weeks ago this Body passed out Senate Bill 1852 which delayed by three years the implementation of the Board of Higher Education mandates for college entrance in the year of 1990, and that bill has come up against some problems in the House with respect to some amendments and this simply is all the bill does. It is Senate Bill 1852.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 3 to House Bill 2741. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 2958, Senator Sangmeister. Senator Sangmeister asks leave of the Body to recall House Bill 2958 back to the Order of 2nd Reading for purposes of amendment. Hearing no objection, leave is granted. Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, when we put on a Floor amendment, apparently, we raised some problems with the Comptroller's Office and other people, and we're going to have to Table an amendment that was put on and we're going to have substitute this amendment in its place. So I believe there was a committee amendment, we want that to stay on the bill. Now I think it's...what is it, Mr. Secretary, Floor Amendment No. 1 or is it called Amendment No. 2 that I want to Table? It's the Floor amendment that I want to Table. Is that considered Amendment No. 2 or...

SECRETARY:

It would be...

SENATOR SANGMEISTER:

...Floor Amendment No. 1, what is that?

SECRETARY:

...No. 2...

SENATOR SANGMEISTER:

Okay, so...

SECRETARY:

...do you have the LRB?

SENATOR SANGMEISTER:

Yes, I believe I do.

SECRETARY:

I...I will read what I would say was the one you want to Table.

SENATOR SANGMEISTER:

Yes, go...

SECRETARY:

LRB 8409198JMCSAM01.

SENATOR SANGMEISTER:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Having voted...

SENATOR SANGMEISTER:

Mr. President, I now move...I'm sorry, I move to Table that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister having voted on the prevailing side on the adoption of Amendment No. 2 to House Bill 2958 moves to reconsider the vote by which it was adopted. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Now Senator...Sangmeister wishes to Table Amendment No. 2 to House Bill 2958. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Amendment No. 3, by Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

All right, now this amendment puts everything in conformance with everybody. I'll be happy to answer any questions that they have may. On the payroll...reductions we are reducing from twenty-five hundred employees to fifteen hundred is the main change in here. If anybody has any questions, be happy to talk to them about it; if not, I would move for the adoption of now Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WEAVER:

Senator, I was just wondering is...with that limitation on numbers, there are some that have monthly checkoffs and it's on a continuing giving situation. Would this abolish that ability to have a continuous giving for..regardless the number who have signed up?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Although there seems to be some confusion about this continuing giving, that is not the intent of this and this does not do it. This just...lowers from fifteen hundred to twenty-five hundred those that have previously contributed to be the threshold, but it does not change any policy that they presently have. And I've cleared that with the Comptroller's Office and this also takes care of the other problem that you came to see me about. Everybody, I think, Senator Weaver, is on basis with this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Sangmeister moves the adoption of Amendment No. 3 to House Bill 2956. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3062, Senator Poshard. Senator Poshard asks leave of the Body to recall House Bill 3062 from the Order of 3rd Reading to 2nd Reading for purposes of amendment. Hearing no objection, leave is granted. Senator Poshard...or Mr. Secretary.

SECRETARY:

Amendment No. 4, by Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This amendment has been approved by the sponsor, Senator Poshard, also by Senator Maitland and by Senator Berman. When we adopted this amendment, I believe yesterday, there was incorrect language in the amendment that we adopted. This simply removes that language. I'll try to explain it if anybody wishes but, as far as I know, there is no opposition to this at all and it's been cleared by everybody.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Luft moves the adoption of Amendment No. 4 to House Bill 3062. Those in favor will indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3340, Senator Lemke. That concludes our second list on recalls. Senator Rock.

SENATOR ROCK:

...if there's any housekeeping that has to be done or ought to be done, we can certainly do that; otherwise, I'd move that we stand adjourned until noon on Monday. And I would ask all the members, Monday is the deadline and we will continue to work until we have finished the call or finished the Calendar as the members see fit. If they don't wish to call their bill, obviously, we're not going to force them but we will conclude our business on substantive bills on Monday including recalls. So I would ask everybody to be here at noon on Monday sharp and we'll get started and work till we're finished.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...any business yet? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Purpose of an announcement. JCAR will meet Monday at 10:00 a.m. in Room A-1 at the Stratton Building. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Just to ask leave of the Body to be shown as a hyphenated cosponsor of House Bill 3550.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Hearing no objection, leave is granted. Is there further business to come before the...there are resolutions yet that are on the Secretary's Desk. There are some paper work and some business and also the adoption of the adjournment resolution. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like leave to be shown as a...a cosponsor of House Bill 913.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Senator Lemke.

SENATOR LEMKE:

I'd like to...leave to have the sponsorship of...House Bill 3340 be shown as Lemke-Geo-Karis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Resolutions Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 1091 offered by Senator Donahue, it's congratulatory.

1092, by Senator D'Arco, it's congratulatory.

1093, by Senator Vadalabene is the death resolutions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. Mr. Secretary, has there been any objections filed to the Consent Calendar on Resolutions?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, Mr. Secretary, we do have additions. We have House Joint Resolution 219, 220, 221 and 222, Senate Resolutions 1091, 1092 and 1093. Are there objections to any of these?

SECRETARY:

No...no objections, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard moves the adoption of Senate Resolution Consent Calendar. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. Resolutions Consent Calendar are...are adopted. Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, to ask that Senator Dudycz be added as a hyphenated cosponsor to House Bill 913.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objection, leave is granted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from Amendment No. 2 to a bill with the following title.

Senate Bill 1200.

And they have asked for a Conference Committee and the Speaker has appointed the members on the part of the House.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill with the

following title.

House Bill 3162, Senate Amendment No. 2.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the...the Senate the House of Representatives have concurred with the Senate in the passage of bills with the following titles together with House amendments:

Senate Bill 602 with House Amendments 1 and 2.

Senate Bill 1558 with House Amendments 1, 3, 4 and 5.

Senate Bill 1666 with House Amendments 1 and 2.

Senate Bill 1917 with House Amendment 1.

Senate Bill 1988 with House Amendment 1.

Senate Bill 2018 with House Amendment 1.

Senate Bill 2105 with House Amendment 1.

Senate Bill 2177 with House Amendment 1.

Senate Bill 2185 with House Amendment 1.

Senate Bill 2210 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose Senator Rock seek recognition? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Simply to request that on House Bill 2820 that is presently Senator Hall's bill, the cosponsorship for myself and Senator Schaffer be added with the acceptance of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You heard the motion. Hearing no objection, leave is granted. Senator Barkhausen.

SENATOR BARKHAUSEN:

Pursuant to the request of Senator Geo-Karis, Mr. President, I would also ask that she be added as a hyphenated co-sponsor on House Bill 913.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no objections, leave is granted. Is there further business to come before the Senate? If not, the Senate will stand adjourned until Monday morning...or Monday at noon, the 23rd of June. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 23, 1986

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Frank J. O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father.

REVEREND O'HARA:

(Prayer given by Reverend O'Hara)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Tuesday, June 17th; Wednesday, June 18th; Thursday, June 19th and Friday, June 20th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Poshard. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 223 which is commendatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate

the House of Representatives has concurred with the Senate in the passage of the following bills, together with House amendments:

Senate Bill 937 with House Amendments 2 and 4.

Senate Bill 1491 with House Amendment 1.

Senate Bill 1814 with House Amendments 1 and 2.

Senate Bill 1815 with House Amendment 1.

And Senate Bill 1856 with House Amendments 1, 2, 3, 4, 5, 7 and 9.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1094 offered by Senators Rock, Philip and all members and it's congratulatory.

...Senate Resolution 1095 offered by Senator DeAngelis and it's congratulatory.

PRESIDENT:

Consent Calendar. All right. The Senate will please come to order. As I'm sure everyone aware...is aware, today is the deadline for House bills 3rd reading. If you'll look on the Calendar, we will go from the bottom of page 3 to the bottom of page 10. A recall list has been passed out. If the sponsor wishes to recall the bill, that's his or her business; otherwise, the...all the bills will be called in order. Secretary informs the Chair there has been one additional bill to be placed on the recall list, 3058, so if you just add 3058 to the bottom of that list. And any other member that has a bill they wish recalled, if you'd just indicate it, we'll certainly accommodate. We will do 3rd reading...House bills on 3rd and when we reach the bottom of page 10, we will then go to the Order of Recalls and take the bills in the order in which they were...in numerical order. Bottom of page 3. On the Order of House Bills 3rd Reading is House Bill 523. Read the bill, Mr. Secretary.

HB 913 3rd Reading

SECRETARY:

House Bill 523.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President and members of the Senate, I have staff here that says that...this amendment that has to be on this bill...

PRESIDENT:

Senator Sam.

SENATOR VADALABENE:

Yes, we'll have to pull it out of the record.

PRESIDENT:

All right. Take it out of the record, it'll go on the recall list. 913, Senator Barkhausen. On the Order of House Bills 3rd Reading. I'd ask the members to please...get ready. If you'll turn to page 4, Senators Netsch, Smith, D'Arco, Marovitz, DeAngelis, Marovitz,...Weaver, Schuneman. Bottom of page 3. On the Order of House Bills 3rd Reading is House Bill 913. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 913.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 913 about which we had some discussion when the bill was amended last week now and...in its condition here on 3rd reading does three things. One, it adds to the sentencing provisions for homicide an additional aggravating factor making defendants in certain

HB 1321 3rd Reading

homocide cases eligible for the death penalty. This additional aggravating factor...would require that a murder has to be committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life by unlawful means in order for a particular murderer to be eligible for the death penalty. As I've said before, the language is borrowed from...from Statutes in other states which have been tested in the courts and found to be constitutional. So, I believe that any arguments about the constitutionality...of this language can be answered by pointing to these other cases. In addition to this death penalty provision, the bill does two additional things. It makes voluntary manslaughter, involuntary manslaughter and reckless homocide where there are convictions for killing more than one individual both...applicable...or makes the mandatory imprisionment provisions of the Sentencing Code applicable to those crimes, and it also makes these defendants eligible for extended term sentencing which would be optional with the criminal court judge. I'd be happy to answer any questions and would otherwise ask your support for this bill.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 913 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 3 Nays, 1 voting Present. House Bill 913 having received the required constitutional majority is declared passed. Top of page 4. Senator Netsch, 1321. On the Order of House Bills 3rd Reading is House Bill 1321. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1321.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 1321 in its original form was requested by the Department of Revenue to take care of a technical matter that was not taken care of last year. And what it does is to set up the...the procedures for the Department of Revenue to possess and contract to sell property which has been seized by the State police from delinquent income taxpayers. What it does really is to conform the seizure provisions of the income tax identically to those that we had already passed with respect to the sales tax. The other part that was added by amendment the other day is the text of Senate Bill 2158 which this Body passed by a vote of 55 to 1 earlier in the Session and which did not survive the Rules Committee process in the House. It was a recommendation of the...County Finance Study Committee which had reported to Senator Rock and which had been set up by Senator Rock, and basically what it says is that if a county has established a tort liability fund for indemnification that it does not also have to collect the fee that the law currently requires it to collect from purchases of land at tax foreclosure. That amount was under existing law required to be put into an indemnity fund. It makes no sense to have duplicate indemnity funds, this would allow the counties basically to relieve the...the fees from the foreclosure sales for general county purposes so long as they already have covered the subject matter of the indemnity fund. I don't believe there's any quarrel about this procedure, and I would solicit your support for House Bill 1321.

PRESIDENT:

Is there any discussion? Any discussion? If not, the

question is, shall House Bill 1321 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. House Bill 3821 having received the required constitutional majority is declared passed. Senator Smith on 1446. On the Order of House Bills 3rd Reading, the top of page 4, is House Bill 1446. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1446.

{Secretary reads title of bill}

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1446 merely requires the Department of Public Aid to give first priorities to the establishment, collection and enforcement of current support, and the second priority is that the collection and enforcement of the past due support owed to the family. This bill puts into the Statute the Federal priorities. These priorities are to ensure that children will be able to climb out of poverty, to ensure that families get off of public aid and stay off public aid. House Bill 1446 says that in Illinois children come first. I ask for your favorable consideration.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall House Bill 1446 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes...52 Ayes, no Nays, none voting Present. House Bill

HB 1473
3rd Reading

1446 having received the required constitutional majority is declared passed. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

Something was wrong with my...switch and had I been...had it been working, I would have voted...Aye on 913 and on...I believe, was it...there's was another bill that we called...1321. I would have voted Aye on those two bills.

PRESIDENT:

The record will so indicate. If I can have the attention of the Body, Paterny and Barnett and Associates have requested permission to shoot some film, with leave of the Body if leave is granted. Senator D'Arco, 1473. On the Order of House Bills 3rd Reading is House Bill 1473. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1473.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What this bill does is to remove the deadline of September 19th in current law for the policy in relation to consideration of earned income of general assistance recipients. That policy seems to be working in that it provides that the first seventy-five dollars of earned income assistance cases comprise that portion of earned income that is not included in the amount of eligibility for our general assistance grants. The department thinks it's working and it is working and they want to remove the deadline. Another part of the bill would amend the Public Aid Code to create a...an...an Executive Task Force on Nursing Homes. There are problems with nursing homes and

this task force would look into it. Another part of the bill provides that when people become eligible for public aid from...when they're incarcerated, there is an eligibility mechanism that the department can use to determine their eligibility. That...that's what the bill does. I don't know of any opposition and I ask for a favorable vote.

PRESIDENT:

There any discussion? Any discussion? If not, the question is, shall House Bill 1473 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. House Bill 1473 having received the required constitutional majority, declared passed. Senator Marovitz on 1477. On the Order of House Bills 3rd Reading is House Bill 1477. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1477.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 1477 authorizes a shelter increase to be made under the Aid to the Aged, Blind and Disabled Program. It requires the Department of Public Aid to increase the maximum shelter from ninety-seven to a hundred and twenty-five dollars per month for an individual living alone and allows a homeless person to receive a shelter payment. AABD, the Aid to the Blind and Disabled is the only assistance program administered by the Department of Public Aid which is not a flat grant like general assistance is; instead, each

cash assistance is based on need. The Department of Public Aid has set amounts of maximum assistance for particular needs...such as ninety-seven dollars for shelter, eleven dollars and eighty cents for utilities. If an AA&D recipient lives with one person, the recipient receives less, as they should, only forty-eight dollars and fifty cents for...for rent and half for utilities, five dollars and ninety cents. The shelter standard has not changed since 1973. At that time, the shelter was increased from ninety to ninety-seven dollars, a seven dollar increase. Interim assistance is that part of the Aid to the Blind and Disabled Program which pays elderly blind and disabled people cash assistance while their application for Social Security benefits is pending. Once the Social Security Administration approves this application, the Department of Public Aid is reimbursed...reimbursed for the interim assistance provided. Yet, many of these disabled people are receiving less than an able-bodied person under general assistance. Eighty percent of the dollars come back from the...from the Federal Government. House Bill 1477 provides a twenty...twenty-six dollar shelter increase for half of the interim assistance caseload and a fourteen dollar increase for those sharing...households. It becomes effective April 1st, 1987. They asked us to change the effective date, we complied and changed the effective date. The initial cost of the increase will be about 1.17 million. The department will receive reimbursement for those recipients who are certified for the SSI program and presently eighty-three percent of interim assistance recipients are certified. So the Department of Public Aid will get...reimbursed for this eighty-three percent of the cost. After reimbursement by the Feds, the cost of the increase will be about a hundred and ninety-eight thousand dollars which the department would have to expend anyway for GA programs. I'd be happy to answer any questions, but remember,

Ladies and Gentlemen, this is...now we're talking about priorities, this is aid to the blind and disabled and most of the money is reimbursed by the Federal Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Now there are several speakers. We have got a long way to go today, so let's attempt not to...you have to use the timer. Senator Watson.

SENATOR WATSON:

Thank you. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

You mentioned the amendment which changes the effective date to April 1st, 1987. That's unusual, why...why are we doing it April 1st, '87?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The cost of the program...the...the program was lowered by two million dollars by a later effective date and that was the request of the department, so we changed the effective date to...to change and lower the cost of the program by approximately two million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Okay, that would be for this current...or for Fiscal Year '87. What would be the cost of the program in Fiscal Year '88?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...I'm...I have the initial cost. I'm...I'm looking in my notes for the...for the Fiscal '88 costs, I'll get that

back to you before we close.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I just noticed that our analysis says that the increased costs for the next Fiscal Year'87 without that effective date was going to be 6.4 to 12.7 million dollars. And then you mentioned that it's going to roll back with the Federal dollars coming in to a hundred and ninety-eight thousand dollars as the only cost that the State might incur. I...I can't imagine how we can go from 12.7 to...to two hundred thousand dollar cost with simply changing the effective date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I don't know where they got these costs, this is the first time I've heard that...that's way, way, way out of line. Eighty-three percent of whatever we spend is reimbursed by the Federal Government. This is just while these people, these indigent, the...the...the blind and disabled, while they're waiting for their Social Security benefits and until they get reimbursed, until we get reimbursed by the Federal Government. Eighty-three percent of...of these dollars are reimbursed by the Federal Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will you break up the conferences. Senator Donahue.

SENATOR DONAHUE:

Yes, Senator Marovitz, under this program,...it's very complicated for a lot of people to understand this, but while these recipients are waiting and their cases are pending,

does the public...does public aid help in any way in a legal assistance as these...cases are pending before the Federal Government?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, they do. They are provided attorneys to help see that they get reimbursed by the Feds, that the dollars are coming back from the Federal Government for the Social Security Administration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Are the legal fees for these attorneys paid for out of Public Aid for these recipients through this same type of funding?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Do we have a cost figure on...on all this costs...and on what it...what it costs Public Aid to recoup this money that you say we always recoup?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Last year was...the cost was...for seven hundred and fifty cases was seven hundred and fifty thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

So, it's roughly about a hundred dollars a case an attorneys receives for recouping this, is that what you're saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...let me just say this. There is no extra cost for attorneys' fees. This comes out of the money that we're reimbursed by the Federal Government. This is not cost over and above that, it comes out of the reimbursement by the Federal Government. It is not funded by the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So in other words, the cost to the State of Illinois would not go up as a result of a...of a complainant going to an attorney in order to try and get that fee from the Federal Government. The cost would not go up, it is borne...it is not borne by the State of Illinois, it comes out of that Federal reimbursement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator Donahue.

SENATOR DONAHUE:

Well, I...I think that there's a lot of inconsistency in what you're saying, Senator Marovitz, and what our staff is saying to us. We're saying that there are a lot of hidden costs involved in this that are not reimbursed by the Federal Government, it is an add-on cost, and I would just rise in opposition to this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Well, first of all, let me tell you some of the kind of people who are served by this, and these are people who are waiting for their checks from the Federal Government,

it's...it's an existing program. These are people with severe liver disease, brain tumors, epilepsy, neurological brain disorders...these are the kind of people that we're serving. Interim assistance recipients need a shelter increase; ninety-seven dollars is not enough to find a decent shelter especially when the utility allowance is only eleven dollars and sixty cents. These recipients are those who suffer from heart disease, brain tumors, cancer, rheumatoid arthritis and other debilitating diseases. They have special needs, and a fourteen-year wait for a shelter increase is far too long...fourteen-year wait for any shelter increase. We shouldn't be turning our backs on them and I think that's where the priorities of the State Legislature ought to be. This bill provides a meager increase, a hundred and twenty dollars...a hundred and twenty-five dollars for shelter is not extravagant. For most recipients this increase means they'll receive a hundred and fifteen or a hundred and thirty dollars per month, total. Many townships, both receiving and nonreceiving, benefit from having recipients go from GA to interim assistance, but the recipients don't, because they get a cut in general assistance. The Legislature really has to help those in need. After thirteen years we must increase shelter allowance and assure that homeless recipients receive a shelter allowance. I think this bill will determine where the priorities of the Legislature are. Sure, it's an election year, people out there are taking a look at tough decisions that we have to make. Where are our priorities? Are they with the people who are indigent and have no dollars at all, who are blind and disabled, have brain tumors, epilepsy, those kinds of things and are just waiting for their money from the Federal Government? We're providing this interim assistance. Ladies and gentlemen, the Legislature all ought to be voting green on this. This tells you something about the sensitivity and the priorities of the General Assembly.

HB 1945
3rd reading

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate...or House Bill...House Bill 1477 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 26, none voting Present. Senator Marovitz. Senator Marovitz seeks postponed consideration. Postponed consideration, Mr. Secretary. All right. 1945, Senator DeAngelis. Senator DeAngelis. On the Order of House Bills 3rd Reading is House Bill 1945, Mr. Secretary.

SECRETARY:

Senate...or House Bill 1945.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1945 contains many administrative changes in the Professional Service Corporation Act, the Barber and Cosmetology Act, Detection of Deception Examiners Act, Collection Agency Act, Nursing Act, Optometric Act, Podiatry Act, Roofers Licensing Act and the Detective Security and Private Alarm Act. Now the majority of this bill is noncontroversial. There was an amendment that was put on and that was the Detective's Act. We have since then amended the amendment so that...to take care of most of the objections. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. Senator...would you restate your question, I...I didn't hear it.

SENATOR DeANGELIS:

I didn't...I didn't have any questions, Mr. President, I was trying to explain the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, apparently you're doing a very bad job, you want to start over.

SENATOR DeANGELIS:

Well, I'll tell you, I'm going to send back this chicken soup with the pepper in it that I was just eating before that time. Okay. House Bill 1945 contains various administrative changes suggested by the Department of Registration and Education. Included in these changes are changes to the Professional Service Corporation Act, the Barber and Cosmetology Act, the Detection of Deception...Detection of Deception Examiners Act, the Collection Agency Act, the Nursing Act, the Optometric Act, the Podiatry Act, the Roofers Licensing Act and the Detective Security and Private Alarm Act. All these changes have been agreed upon except an amendment that was added on for the Detective Act. Then we further amended that Detective Act...amendment to include some changes that were suggested by some of the opponents. I will be more than happy to answer any questions on House Bill 1945.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Discussion? Senator DeAngelis, I want to advise you, you also exceeded your time but you did a good job on that. If not, the question is, shall House Bill 1945 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1...53, the Nays are 1, none voting Present. House Bill 1945 having received the required constitutional majority is declared passed. 2254, Senator Marovitz. House bills 3rd reading is House Bill 2254, Mr. Secretary.

SECRETARY:

House Bill 2254.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 2254 authorized the Department of Public Aid to establish by rule a child support amnesty program...for responsible relatives who owe child support. The program would allow the Department of Public Aid to suspend specific enforcement actions and will provide actions which must be taken by responsible relatives to...avoid future enforcement actions. This program...this amnesty program has been tried in California and Maryland, worked...worked very well...they've gotten...a lot of money...child support money where there have been arrearages and the money hasn't been paid by...by giving them amnesty from enforcement. It also...in...in regards to...the no-fault divorce period where there's a unilateral agreement, it reduces the waiting period from six months to thirty days where both parties agree. Where there's a...rather a bilateral agreement, where both...where only one party wants the divorce, there's still a two-year waiting period that is not touched at all. But where...where both parties agree, the waiting period is reduced to thirty days. This is still the only ground for divorce in Illinois where there is any waiting period at all. And we still have a waiting period...to my knowledge...this has been checked through with everybody and I know of no...organized opposition. I would solicit your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. To...with respect to the orig-

inal bill, you are suggesting that the no-fault...a no-fault divorce now that the parties are required to live separate and apart only for thirty days instead of six months?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

In the no-fault divorce legislation parties have to live separate and apart for two years and they still have to live separate and apart for two years. Where both parties agree that they want the divorce, both parties agree, the way that works today they sign...they sign something that says we've lived separate and apart for six months, we agree to the divorce, we want to move on. This lowers that six-month period where both parties agree to thirty days. What's happening is a practical matter, people are signing these things fraudulently and...and not living separate and apart, if they're agreeing anyway, so we're lowering it to thirty days. This bill passed without any opposition in the House; and, as a matter of fact, there are eleven other fault grounds in Illinois, none of those fault grounds in Illinois have any waiting period whatsoever. This still retains the two-year waiting period. Where one party does not want the divorce, there is still a two-year waiting period.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator Rock.

SENATOR ROCK:

Current law, however, says it's got to be six months. I mean, that's a minimum recognition to this irrevocable bond that these two people have made. Six months is not too much to ask.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, if I...in...in the House there was no...no opposition whatsoever. When you say six months isn't too long to ask, in the other...in the other eleven fault grounds in Illinois, under the same marriage contract, there is no waiting period whatsoever, zero. Here, where one party objects, doesn't want the divorce for any reason, whether it's property or wants to stay together or the children, there's a two-year waiting period, as there should be. Here, where both parties say, we can't get along, we agree to disagree, we're going...we're going to reduce the waiting period in that particular case from six months to thirty days. Frankly, I don't think there should be any waiting period at all where both parties agree.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Senator Rock.

SENATOR ROCK:

Well, all I'm suggesting, Senator Marovitz, and...and the fact that it came out of the House at all doesn't have any impact; particularly if it came out unanimously, that's the worst endorsement I've heard. When we installed in this State the whole idea of no-fault divorce, the idea was...because you were standing right where you're standing now and I was objecting at that time, and you said we have fault grounds and everybody lies about it, so why don't we just have no-fault. Nobody has to tell a lie. And we said at that point, it seems to me, that the two-year and the six-month provision were at least reasonable, recognizing the fact that marriage is some kind of a...a commitment. Now you're saying, listen, my wife and I decide the whole thing is over in thirty days, the hell with it. You know, why don't we make it a week? Make it a couple of hours, then we can have week-end alliances.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...well...well...Senator Rock.

SENATOR ROCK:

Well, I guess my bias is showing and I hope it's showing. I was opposed and was one of the few that was opposed to the whole idea of no-fault divorce anyway. Now we...we are just walking every Session further and further down the road, pretty soon it's going to be every twenty minutes, you don't agree, wipe it out, it's over. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KELLY:

...Senator Marovitz, where did the concept of thirty days come up? I know Senator Rock just mentioned one week. Where did you come up with a thirty-day concept? Why...why did you use that particular time element?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I didn't come up with the thirty days. Let...let me refresh your memory and perhaps correct the President. When we passed this bill out of the Senate, no-fault divorce, there was no waiting period. There wasn't a six-month waiting period, there was a two-year waiting period where...where...where one party wanted a divorce and the other didn't. That was a...two-year waiting period where it wasn't agreed by both parties. Where both parties agreed, this Senate passed the bill with no waiting period whatsoever, not one week, not two weeks, not thirty days, not six months, no waiting period. The House...and now perhaps the wisdom of the House is...is growing. The House put the six-month waiting period on there. The House and the bar

associations have...and all groups that I know of, there is no organized women's lobby or anyone else...opposed to this, have said, this six-month waiting period where both parties agree isn't working. All they're doing is signing a document where both parties agree. Theoretically there's no waiting period, because both parties will sign a document that says, we agree, we've been living separate and apart for six months, we want the divorce. We both agree to it, we're both knowledgeable and the court will...will...will take that, that is the best evidence, and that is where this comes from.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

All I asked was one short question, where did you come up with the thirty days, but that's all right. I...I guess I'll just speak on the issue. I think the two-year period that we have now of separation is more than an adequate way...you know, marriage is something sacred and it's something that should be protected, and I think that the ones that will get damaged the most by a change of this nature is the family and the children. It's too convenient, there will be too many families that will just...thirty days...one partner in...in the marriage could actually cause the other partner very easily, during a thirty-day period, to be very depressed and agree to a divorce. And I think that we should try to...continue to have some respect and continuation of the...of marriage. And this particular bill is just wide open. You might as well eliminate the marriage arrangement if you're going to end up passing this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. First of all, I'd

like to tell some of the people that have been coming to my desk that that amendment that was placed on this bill for the thirty-six...thirty-six dollar fee does not have to be on this bill. In fact, it's probably going to have to be amendatory vetoed off. So, if that's what your concern is, don't worry about it. Second of all...Senator, there is...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we break up some of those conferences and have a little order here.

SENATOR FAWELL:

...there...there are a couple of...of very strong women's groups who are against this bill. Maybe they haven't talked to you but they sure as heck have talked to me, and...I...I agree...with everything that...that Senator Rock and Senator Kelly have said, this is absurd, what do we even bother with the ceremony for if we're going to continue doing this?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Just listening to the debate, it sounds like we're getting into a discussion about no-fault divorce and the merits of it. But it's my understanding that one of the grounds for divorce is no-fault divorce, so you really are talking about an issue that this General Assembly has already decided is the law of the land. Now if you want to talk about your philosophy about whether people should get divorced or not, we can do that in the Rotunda, but that's not what this bill is about. This bill says where two people agree to a divorce, let them have their divorce and don't clog up the calendar with unnecessary delays, that's all this bill says. Now we can talk about women's groups, we can talk about religious groups, we can talk about all kinds of people opposed to divorce on a no-fault level, but that's not what the two people that are going to get the divorce are thinking

about. They're thinking about how they're going to resolve their personal problems in an amicable way, that's what they're thinking about. The philosophical issues are out the door to them. They want to resolve their personal differences and get on with their lives and that's what this bill does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, we can make mistakes in this Legislature, I have done my share. But, you know, marriage is supposed to be a...a sacred obligation and I think the fact that they can get a divorce in six months if they both agree should be sufficient. I don't know that it's wise to reduce it to thirty days, particularly when there are people....children involved. When someone is going through the traumatic status of a divorce and someone can be easily persuaded, you know, let's get it over with, I'll do this and that, I don't think people are really right and conditioned. And I think that we should leave it the way it is, six months, and I, therefore, rise to speak against it. The more I think about it, the more I feel the six months should stand. We may have had different opinions in the past, but I can tell you, from the experience I have had in clientele, they need more than a month to condition themselves to a divorce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you. Senator Geo-Karis just actually stated the...the most critical point in...that I was going to bring up and that is, what happened to the children in cases of parent making a decision at the spur of the moment, a moment of passion, of anger to say that I'm going to get a...divorce

and out of anger the other spouse says, yes, I agree, let's go get a divorce? Now that's absolutely irresponsible on our part to allow that to happen. And unlike many of the other speakers, I am a proponent of no-fault divorce, and I think I am a cosponsor of the measure; as a matter of fact, I had a bill in to do basically the same myself. But what I would like to know from the sponsor at this point...from a historical perspective of this measure, it is my understanding that through some...from a technical standpoint, for whatever reason, there was no waiting period in the first...when we first passed the first law. That was...well, that was not the intent that I thought that...that the bill had, that there would be no waiting period. Then last year, did we not come back and put in a six-month...waiting period?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, Earlean, you got it wrong again. The bill as originally passed was debated at great length on this Floor, at great length. And there was a two-year waiting period...where both parties did not agree, there was a two-year waiting period. That's about the longest waiting period of any state in the nation. Where both parties agreed, there was no waiting period. That's the way the bill passed the Senate, that's the way it was explained. It...the six months came when the bill went over to the House. In their debate, they put on a six-month waiting period where...even where both parties agreed to the divorce, they put on a six-month waiting period. Okay? This bill emanated with Representative Slater in the House who in dealing with...with many organizations and the bar associations have said the six-month waiting period where both parties agree is ridiculous. People are signing their agreements and saying we...we...we've lived separate and apart, so that's where it

came from, it came from the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So...you're saying that John and I...I can go home and say, John, for whatever reason, I'm angry with him, I want a divorce. He said...we can argue and he said, well, okay, yes, I do too, boom, we can get a divorce...if we had ten children, I don't know...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, Earlean, today, under current law, without this bill, under that same set of circumstances that you just gave me, if you went home to John and said, John, I want a divorce and John said, yeah, I want a divorce, today, you could get a divorce in one day. In one...without this ground, you could...you could get a divorce in one day. If you both agreed and you both wanted a divorce, you could get a divorce immediately in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins. No. Senator Lemke.

SENATOR LEMKE:

The problem that we have with the thirty-day period is going to be what...what happens with the children? What's going to happen if this bill had a...post-decree counseling program for the parents in regards to their actions with the children, maybe the court would be in the proper...proper status to know who to award custody to. In a thirty-day case, sometimes the children are traded off as a...a pawn in the divorce and, really, they're given to the wrong person. And the pressure is put on for...for monetary reasons or because some guy happens to be excited and wants to get a divorce. I think that this is not the time for this type of

a period. Unless we can work out some type of program similar to what they have in Colorado where there is post-decree divorce, I...I don't think we should be giving a short divorce in thirty days. I think that there's certain things that the courts have to take in consideration and I think one of the main considerations which is forgotten in many divorces is the children, and I think that is important and I...therefore, I'm going to oppose this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, I too, am concerned about the children in any divorce, I think that should be the number one concern with anyone. In some cases where there is tremendous bickering and hostility and belligerency and sometimes physical abuse, those same children are better off getting out of that hostile household than they are staying there for a long period of time. And who's to say that these same kids are not going to be in a difficult position whether the waiting period was six months or two months or whatever it is? The fact is, both parties agree. And if both parties agree that they want out, with or without this bill they're going to get a way out. They'll either sign that they've been living separate and apart for six months or they will perjure themselves on the stand regarding the existing fault grounds and they'll get a divorce in one day, and anybody who doesn't know that that happens in the State of Illinois just doesn't know the facts. Any parent who's going to barter regarding their children and custody of the their children, well, let me tell you something, that's not much of a parent in the first place. That can happen whether your waiting period is thirty days, six months or two years. If you got a parent that doesn't give a

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damn about his kids, it doesn't matter if your waiting period is thirty days or six months. His or her priorities should be kids in the first place. The fact is, people are lying about how long they've been separated. This only applies to where two people agree, we can't make it anymore, it's not in our best interest to stay together, it's not in the best interest of the kids. If one of those parties has any doubts, there's a two-year waiting period. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2254 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 5, the Nays are 48, none voting Present. House Bill 2254 having failed to receive a constitutional majority is declared lost. House Bill 2409, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2409.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2409 as amended is the recreation and reconstruction of the Illinois Domestic Violence Act of 1985. This is the work product of a joint committee of the Illinois and Chicago Bar Associations in conjunction with the various women's organizations. They have put together a new draft. There was a technical amendment that was Committee Amendment No. 1 to conform a provision to the already existing Criminal Code. Then there was a Floor amendment offered by Senator

Marovitz, again, in conjunction with the bar association groups that...that drew up this bill to clear up some ambiguity. The fact of the matter is, the Domestic Violence Act is expanded and clarified. It is a total rewrite incorporating what this General Assembly did two years ago in expanding certain of the definitions. I know of no objection and I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2409 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2409 having received the constitutional majority is declared passed. House Bill 2486, Senator Weaver. It's on recall. House Bill...2544, Senator Schuneman. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2544.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 2544 is just clean-up language actually. A couple of years ago the City of Kewanee purchased from the State of Illinois a tract of land to use for park purposes. The deed for that property contained a reversionary clause and now in the intervening time the city has found some other land which they would like to exchange for the land that they bought from the State. They can't do that unless the State agrees to give them a quitclaim deed. And so House Bill 2544 was introduced to allow the State to do that. The bill has also been amended at

the request of Senator Darrow to allow the Adjutant General to negotiate with local units of government pertaining to...property owned by the guard. As far as I know, there's no opposition to the bill and I would urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2544 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. House Bill 2544 having received the constitutional majority is declared passed. House Bill 2549, Senator Topinka. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2549.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, first off, the bill was amended so that it no longer reads the China development bill. It has been amended to read the East Asia development bill and it was heavily amended in the House so as to get DCCA's approval. What it does is creates and provides within DCCA the East Asian Development Advisory Board of Illinois for the purposes of identifying markets in East Asia for Illinois businesses and to assist those businesses in arranging marketing and financial assistance for the sale of their goods and services to East Asia. The board would be appointed by the Governor and confirmed by the Senate and it would be consistent of persons recognized in finance, international trade, business management, economics and construction. The object of that exercise being to get

people who are skilled in these topics out there so as to benefit our trade missions which have been going over there. They would not be entitled to any compensation. The board is also asked to work with the Agency for International Development, the Department of State, the World Bank, the Export-Import Bank and the Illinois Humanities Council. And that is it, and I...I will answer any questions or better yet appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2549 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 2549 having received the constitutional majority is declared passed. House Bill 2562, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2562.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen...of the Senate. This bill is permissive legislation designed to encourage or to induce farmers to participate in...with township government and county government in the use of natural snow fences during the winter time. I would be very happy to answer any questions. If there are none, then I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2562 pass. Those in favor will vote Aye. Those

opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2562 having received the constitutional majority is declared passed. House Bill 2564, Senator Jones. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2564.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. House Bill 2564 is the vehicle bill for the Exxon funds in the event that substantive language is needed after the negotiations have been completed. All the bill does is...is amend the department of...no, it...it lets the department of...let's see...department may receive the funds from the Petroleum Violation Fund and those funds are the funds that have been awarded to the State of Illinois as soon as negotiations are completed. Then if there is substantive language needed, this bill would be available and I move for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2564 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question, the Ayes are...take the record. On that question, the Ayes are 26, the Nays are 29, 1...1 voting Present. House Bill 2564 having failed to receive a majority...Senator Jones has...asked leave to put House Bill 2564 on postponed consideration. Hearing no objection to that motion, leave is

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granted. House Bill 2574, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2574.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2574 authorizes municipalities which operate natural gas systems to form joint municipal natural gas agencies for the joint planning, financing, owning and operation of facilities relating to natural gas. According to the Illinois Municipal Utilities Association, House Bill 2574 would result in the following benefits. Due to larger purchases, local utilities may make lower cost natural gas available to their consumers. A municipality may have access to more than one gas pipeline and the Illinois gas reserves could be developed for municipality use under this bill. This bill does not permit municipal gas agencies any type of taxing power but does permit them to borrow money and issue revenue bonds. During the 83rd General Assembly the exact, similar legislation was passed to allow...municipalities to form joint municipal electric power agencies. This would extend the same privileges for joint municipal gas agencies. It's a good bill. I know of no opposition. I would...ask for its passage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Donahue.

SENATOR DONAHUE:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DONAHUE:

Well, I'm just sitting...I...I was just reading through our analysis and I...and I don't mean to raise any questions really, but it says the agency has the right to...eminent domain without public hearings and to...is...is that true? I'll ask that first.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

One other question. Does...is there any referendum involved with these bonds or anything like this...I mean,...is there any front-door referendums?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

These are revenue bonds. This is the same general eminent domain that is issued to every other local agency or local government. It already is accorded to the electric...agencies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall House Bill 2574 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2574 having received the constitutional majority is declared passed. House Bill 2582, Senator Lemke. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2582.

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(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is provide for the communication of information concerning missing children among law enforcement personnel and agencies, requires the Department of State Police to deposit unexpended I-SEARCH Grant Funds into the Missing and Exploited Children Trust Fund. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2582 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2582 having received the constitutional majority is declared passed. House Bill 2590, Senator Schuneman. House Bill 2644, Senator Lemke. Read the bill, Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

House Bill 2644.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this bill does is requires every hospital to develop and adopt a protocol for the notification of paramedics and ambulance personnel who have provided or are about to provide emergency care of life supporting service to a patient who has been diagnosed as having a dangerous, communicable or infectious disease. The notification shall not include the name of the patient or any information contained in the notice shall be considered a...should...shall be considered a confidential medical record. This is to notify...our paramedics and our ambulance drivers who assist people that may have AIDS or hepatitis, mostly hepatitis because it's...it's curable and they would like to have this bill for that basis.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Further discussion? Senator Watson.

SENATOR WATSON:

Thank you. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Senator, how will this affect downstate hospitals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

The hospital association and the firefighters have worked out an amendment. Their amendment is on there. It will affect...according to them, this is the amendment they wanted and we put it on there and I think the hospital associations have now signed on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, but how does it affect downstate hospitals?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

If a particular person was brought into the hospital and had AIDS or...hepatitis, the hospital would notify them. There's no...there's no penalty provision in here, it's just a licensing problem with the...their hospital license. And I...this is what the hospital...association wanted and there's a...no criminal penalty I mean, and this is what they...they worked out with the...with the firefighters and I don't see any problem for the hospitals.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Well, I understand that there is a charge of...a fine, so there is some cost involved, but I understand what you're trying to do here. The only thing...and the problem I have is that...I see in our analysis it says the hospital "shall" and we're always talking about cost containment and trying to force down the cost of medical care but...every time we do something like this, somebody has got to pay and it'll be our local hospitals who in turn have to pass that cost on to the patients that are served by that particular hospital. So,...I

mean, not that I have a real problem with this, but I just think we ought to be aware of...some of the things that we do up here and the impact it has on our local community hospitals. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

I ask for this...piece of legislation for the protection of those paramedics and ambulance drivers who go to the assist and unaware of what type of disease the person they're saving the life has. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2644 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2644 having received the constitutional majority is declared passed. House Bill 2648, Senator Barkhausen. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2648.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would first ask leave to have Senator Rupp shown as a hyphenated cosponsor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there objection? Hearing no objection, leave is granted.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 2648 would allow

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a...a judge in a...in a criminal case to provide as a condition of probation conditional discharge or supervision to order that a defendant reimburse a local crimestopper program for expenses...incurred by the program in connection with the prosecution of the defendant's case. The amount imposed as a fine cannot exceed the maximum fine otherwise provided for a particular offense. The bill was amended to accommodate a request of the National Guard to allow a commanding officer of a military installation containing an armed storage facility to request information from the Department of...from the...Division of State Police, the Department of Law Enforcement on the identification of a person who is seeking or has sought access to such an armed storage facility. I would be happy to answer any questions and would otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2648 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 2648 having received the constitutional majority is declared passed. House Bill 2738 was put on the recall list. So, we will go to the top of page 6, House bills 3rd reading, we have House Bill 2741, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2741.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2741 allows for when the

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question of...of a new district is asked that there will be no limit on the amount in each one of the various funds. Currently, they are locked into a statutorily mandated level and that it takes subsequent legislation if, indeed, it is necessary to raise those rates and this would eliminate that provision. Secondly, it also allows for school districts involved in annexation of entire school districts to an existing district are entitled to the same supplementary State aid computation as we organized school districts are allowed. You may recall, that legislation was passed two or three years ago. Amendment No...the...the second amendment allows for...when there is an...a...a detachment from one school district to...to another school district that...that the pupils in the territory will be included in the State aid claim of the district annexed in the territory instead of the State aid claim of the district losing the territory. Currently, under the law, they are required to...to...to make payment. This allows for that account to be in...in the...in the formula. And finally, Amendment No. 3 is the components that were included in Senate Bill 1852 which allowed for the delay by three years of the implementation of the Board of Higher Education's course requirements for entrance into college...in the of fall of 1990.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2741 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2741 having received the constitutional majority is declared passed. House Bill 2757, Senator Luft. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2757.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2757 is designed to offer an inducement to builders...of...that construct model homes to be used as sales tools for new homes. It proposes to eliminate the property tax on the model home; while it is being used to sell other homes, the property tax on the lot continues. As amended, we provide that no tract or lot of real property shall he eligible for this program for a period of more than ten years and we limit to a corporation, individual or sole proprietor or partnership three model homes at the same time within a ten square mile area subject to the assessment provisions of the section.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR FAWELL:

We're...we're talking about taking model homes off the...off the tax rolls? Is that basically what we're...we're talking about doing...the real estate tax rolls?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

For a period of...of up to ten years?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

A maximum of ten years, that's correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Do we have any idea of what this is going to cost the municipalities and...is the State going to have to come up with this money? I mean, are we...have we exempted ourselves out of the...the State Mandate's Act?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

In the House there was the question of did this apply to the State Mandate's Act and the question was, yes with a cost figure of approximately ninety thousand dollars per year; however, we have a new note from...on the State Mandate's Act and there is a possibility of this being under the fifty...thousand dollar threshold which then would not apply. It's very difficult. We have two questions; one...or two answers, yes on one with a cost figure of maybe ninety thousand per year and no on another one because they can't decide whether it will be over the fifty thousand threshold or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KUSTRA:

Senator Luft, I don't object with what you're trying to do here. I guess I do have one question. A lot of times in

my area the model home is also used as a sale's office. So, you have sale's people using it as place of business. If it's used in that capacity, is there anything in your bill that would...exempt that particular use from your exemption because I don't why a sale's office shouldn't pay property taxes if it's, in fact, a place of business.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

To be honest with you, I'm not certain. But the argument was in committee was, is this a model home with somebody living in it or is it, in fact, a business office? And if you remember correctly, they said, yes, that there would be a...more than likely a room or two rooms in there with an office for someone to come in and sit down and use...for the most part...anyway to some degree as a business office.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

First of all, I apologize, I wasn't in committee that morning because I wasn't down here yet...what...the situations I'm familiar with, you...you may have three or four or five model homes, only one of which is used as a sale's office, so the...the...homebuilder would still gain the benefit if you provided for an exclusion or an exemption. I guess my problem with this bill is that there isn't any such exemption that I can see provided, so in the case of the one home where you would be using it as a business office, you're letting them off the hook to pay property taxes too. I don't think that's equitable for the rest of us who are paying property taxes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I rise in support of this bill. I think this really isn't going to cost anyone anything. All it's going to do is encourage developers to build homes and...and give them a little bit of a break on...on their tax until they...they sell the thing. I think this is a good bill and think it should be passed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I, too, rise in support of House Bill 2757. We have all known the problems the homebuilders have gone through in Illinois. This would encourage them to build homes on speculation...to have model homes to sell those homes on speculation and in the final analysis, you know who really pays for that property tax, it's the poor guy that buys the house because when they finally get around to selling it, they have to add in those costs...along with their other costs to the selling price.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in opposition to the bill. I do appreciate the fact that the sponsor added two limitations on the availability of the assessment break to the form in which it was presented in committee where it was pretty much wide open, but I...I still think it's just filled with loopholes and potentials for...abuse, in addition to the one that Senator Kustra pointed out that I think has not really been adequately answered yet, and I would also suggest that I think it has a particularly peculiar way of operating in the one...county which lawfully utilizes classification in...in Cook County. It seems to me that there just is no real reason for...in effect, assessing downward the...the model home or the...the model home itself in contrast to a

lot of other perfectly valid uses of property that may have even more economic benefit; and with the lack of tightening of the availability of it, it seems to me that it's really a very dangerous precedent and on balance a very bad idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

A question, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR JEREMIAH JOYCE:

This would operate in what fashion in terms of a large development? In other words, if you had a development that was...I...I go out and I buy ten acres that's zoned...R-4 zoned, whatever and I have it...I have it rezoned to a higher use...a more valuable use and then I start putting foundations in the ground. How does this operate? Does...does...is...is all of the...the underlying property that has foundations, does that now retain its assessed valuation based on the previous zoning, the...the...the less valuable zoning?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

I'm not so sure I understand your question, Senator. If a developer comes in to develop a large tract, he is limited to three model homes at the same time within a ten square mile area subject to the assessment...now you understand that. Your question is...or does that answer?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I'll be very brief. I think

in a depressed economy or a business such as the homebuilding association that this is really a minor way that we can help them and they estimate that only twenty-five of these homes are built per year, and as I alluded to earlier, if they max out the cost under the Mandate's Act would be only ninety thousand dollars a year which no one really thinks that we would get to that and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2757 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 2, 4 voting Present. House Bill 2757 having received the constitutional majority is declared passed. House Bill 2785, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2785.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate bill...House Bill 2785 requires the court to hold an adjudicatory hearing within a hundred and twenty days of a demand by any party on petitions alleging a minor to be delinquent in either of...authoritative intervention, addicted, neglected or abused. When a minor is held in detention or sheltered care unit, the hearing has to be held within ten judicial days of commitment if he's alleged to be delinquent...in need of intervention, addicted or within sixty days of commitment. Once a juvenile is ordered into sheltered care, it can be months or even years before the child's permanent status is adjudicated by the court.

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Instead of committing that child for such a period to the public or private institutional care, this bill would allow that the child be kept in the care of a relative or guardian if the court finds it appropriate and preferable while adjudication of the charges are pending. It would give standing solely to a person who is not accused of neglect or abuse to seek such action by the court, and the hundred and twenty day speedy trial provisions would be added to the bill...the effective date of the hundred and twenty day provision is January 1st of 1988. I know of no opposition, solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2785 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2785 having received the constitutional majority is declared passed. House Bill 2820, Senator Hall. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. I'd like to have leave of this Body to change the lead...from...to Senator Keats over there instead of myself on 2820.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You...you've heard the motion. Is there objection? Hearing no objection, the motion carries. On House Bill 2820, Senator Keats. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2820.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. What House Bill 2820 has done is...Senator Hall has asked me to...to explain it and to handle it for it some questions. What the bill does is it sets up a manufactured housing system to allow some of these builders who actually work in Illinois. We have and have had for...since October of 1975, the Illinois Manufactured Housing and Mobile Home Safety Act. It has been very difficult for a manufactured housing manufacturer to operate in Illinois because of our tremendous diversity within the local government zoning requirements. What this does is...it still allows municipalities to do the basic zoning, it can do all the setbacks, can do...I could read you the whole list of requirements, side and rear yards, property lines, et cetera, but what it does is it makes it easier to produce the housing on that one location. I think everyone knows that manufactured housing costwise is quite reasonable, and if we are to talk about new housing for people in Illinois, we've got to get at a cost people can afford. Let me give you an analogy, if you think about it. This is a manufacturing concept, no different than a General Motors, no different than a GE. Do we say to General Motors that you have to manufacture one type of car in one location and another type of car in another location? No, we don't since they're a manufacturer...we set the code comparable for all the cars. We don't tell General Electric to make one type of toaster in Chicago and another type of toaster in...in Champaign-Urbana. Well, this is a manufacturing concept, the exact same thing and all we're saying is that in terms of a basic structure, you can make it the same everywhere. All the other local zoning requirements are completely in place and are no way affected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This is the same bill we've had some debate on before. The question, basically, has not changed. I think that as far as many of us are concerned, there's really no question, perhaps, as to the quality of the work, we're not...impinging on that at all. What we are wondering about though is...I think the sponsor read off those parts of the control, shall I say, that are going to be permitted for the cities to do. He did not read off that the local taxing bodies are going to set the tax. Who does that, Senator Keats?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...are...if you're referring to property taxes, they're established based upon...with equalized assessed valuation balances off what the assessor does in terms of appraised value.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

But doesn't this bill specifically say and point out, as you were doing, the parts of this that are given back to the cities to control? All the other parts are left in. That's the approach that you gave me. You said these are the things that the cities can control. There was no mention about taxes and as far as...any...any other part of it is concerned, this control of housing has long been the province of the local governing units. To take it away is an impingment on the home rule situation. I ask also at this time for a ruling from the Chair as to the number of votes that would be required to pass this particular bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, our Parliamentarian has informed me that under

Article VII, Section 6 of the Illinois Constitution, House Bill 2820 will require thirty-six affirmative votes for Senate passage. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator...Rupp is absolutely right. What this bill is endeavoring to do is take away the rights of the municipalities in determining what kind of structures they should have as to whether they comply with all their ordinances, and I think this is a bad precedent. It...it...violates the police powers of the municipalites and I certainly urge a No vote on it, and I'm rather surprised to see it coming from the other side, 'cause I don't think that my colleague who's sponsoring the bill now would like to have any kind of housing imaginable put up in Kenilworth or Evanston or Wilmette. I think that his municipalities will want to control just what's going to go on and I think it's a bad precedent to take it...the right away of the police power, the right away...which is the right away of the municipalities to determine what kind of structures they should have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

Senator Keats, does this bill...does this bill allow the manufacturer to do the own inspection and do the own certification that this meets the plumbing and electrical, et cetera standards or do they have a nonpartisan, professional certification group certify that this has met all the uniform building code standards?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Part of that is not addressed, but many of the codes, particularly performance based fire code requirements, et cetera, those are not changed, so I...I'm...I'm not a hundred percent sure I've got the question. Most of those are not addressed which would not change it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

No, I understand you're not changing. I want to know, is the manufacturer doing the...the on-site inspection themselves and certifying it meets the standards rather than having a...a nonpartisan professional certification group do it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

Under the existing code...now this is not a change, this is the law today and let me read it to you and I think this answers your question. This is the law today, this is not this bill. "Code compliance certificate means the certificate provided by the manufacturer of the...that warrants that the manufactured...manufactured housing unit or mobile home complies with the applicable code," et cetera. Based upon that Section M of the existing code would I think say...but that's the law today, this bill does not in any way deal with that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

That's not my question. I understand what the law is today, but like...let me give you an example, Wausau Homes which are recognized and accepted here because during the manufacturing, the inspection and certification of the uni-

form code that's being...being met is done by an outside professional group who does the inspection; and I understand from this bill, you're allowing the manufacturer of the housing to do their own on-site inspection.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

I'm...I'm rereading the amendment again and...and, Doctor Davidson, I understand what you're saying, but...it doesn't say that. I'll...I'll be glad to show you the wording, that isn't what...remember this whole Act that we're talking about in reality is a change of about twenty lines. I think what you're saying is the law today, and I'll show you the...the roughly twenty lines we're talking about. I cannot find that in the bill. So if it's there, that would be someone's interpretation, that is not what it says in writing though.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson. Senator Weaver.

SENATOR WEAVER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WEAVER:

Senator Keats, how many cities in the State of Illinois have dealt with manufactured housing as far as rules and regulations, building codes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

October of 1975, when the present Act was passed, it authorized any municipality to do it and none...none have at this point. They are free to do it. They have simply not done it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver. Senator Nedza.

SENATOR NEDZA:

Yes, thank you, Mr. President. In response to Senator Davidson's question, I think maybe I can clarify that a little, Senator. From what my understanding, this particular bill addresses...the code that is being addressed in this it the Building Officials Conference of America, which is BOCA, which is a minimum code that is applied across these United States. You'll find that most municipalities have codes that are more stringent than the BOCA codes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

In response to...to Senator Weaver's, I think, question which is my basic concern as to why we should not at this time enact any State laws, we have not had enough experience factors and experience data to make a definitive decision as to what kind of rules should be established...uniform rules at a...at the State level; and for that reason, I don't think that we should move on passing this bill at that time until we have had enough experience with manufactured housing in the State of Illinois to make some intelligent decisions as to what kind of uniform rules that's necessary to ensure some kind of unanimity in terms of the overall...regulations for...the housing industry. I am very concerned, this bill leaves too many questions open in terms of...of...of...of...of...of...of the building regulations, the code regulations in the various units of...local municipalities. Zoning laws, those questions are not clearly defined and...and maybe even to the point of...of...of just who...as...the questions raised by Senator Davidson as to whether or not we want this industry to regulate itself. We just don't know at this point, and for that reason, I think we should defeat this bill or that the sponsor should recom-

mit this bill back to committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel. We have two other Senators for the second time that are seeking recognition, Senator Geo-Karis and Senator Rupp. Senator Geo-Karis.

SENATOR GEO-KARIS:

I apologize, Mr. President and Ladies and Gentlemen of the Senate, for speaking a second time, but let me point out something to this Assembly. The Manufactured Housing and Mobile Home Safety Act was enacted in 1975 and required the Department of Public Health to regulate the safety of manufactured housing; however, that Act does not apply to municipalities that enact their own manufactured housing codes. Now, Senator...Nedza was right, because if you notice what it allows the unit...units of local government to do, it does not allow the units of local government to set their own standards and the quality of the materials put into those manufactured homes. This bill has been put forth here at the request of an Ohio company and...and I...I think we better take a look and see how we can help our own people, and the...the only way we're going to help our own people have good standards is by letting the municipalities make the decision and not take away the right from the municipalities to decide as to the quality of the type of building to be put in their municipalities. And I certainly urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank...thank you, Mr. President. I would like to have the sponsor who has a copy of the bill to read for the benefit of the Body that portion, I think it's on the bottom of page 2 which states what the policy of the State shall be in reguard to manufactured housing. I believe it says that it's

going to be the State who will control this from now on. That is a radical departure from what it has been over all the years. It's been a local...responsibility. Many cities have not perhaps come up since we put this last bill in to change their code, but over the years...I remember when I was mayor, we did address this. There were many problems, we found trailers where they had taken wire when they're putting in the electrical wiring and just wrapped it around a...a heat pipe, things like that. That's why we have come back and that's why it's so important to have the control locally so that we can check them before they are finally finished. I last...would...repeat my request to have the sponsor read that part about the change to being State policy from now on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Keats may close.

SENATOR KEATS:

I thank you, Mr. President. I ask everyone to listen for a moment 'cause several things have been said that although well-intentioned are not accurate. If you'll listen, I will gladly correct several of these...several in particular. First of all, on the inspector issue, there will be third-party inspectors. The builders do not certify themself, it's a third-party inspector; and while that is not in writing, it comes from another part of the Act and so I'm just clarifying that and it...it's not amended, it's staying as is. Let me give a couple of things. The taxing power, this does not...deal with the Revenue Code. Property taxes are totally...local function, so this would have nothing whatsoever to do with property taxes 'cause that's a local function and is under the Revenue Code and is not covered in the Manufactured Housing Code; therefore, this amendment would not state it. Concerning taking care of local companies. There are about two dozen of these manufactured housing companies

certified in the State, five of which are Illinois based companies. It's not as if none of them are Illinois companies, they're Illinois companies, they're no different than many other manufacturers, and I want to stress this concept of manufacturing. We don't tell General Motors to build eighteen different cars, we don't tell General Electric to build twenty different toasters, we don't tell all these different companies to build all these different manufactured products by different standards. The point of manufacturing is to hold down the cost by doing things the same. Why should GM have one standard set, who's a manufacturer, where some of these industries, many of which are Illinois based companies, would have a different standard set? They're all manufacturers. So, I would stress that idea and saying these codes are not high, I mean, you know, they meet the Florida codes which require a hundred and twenty-five mile an hour wind protection. Also, one of the major manufacturers has committed the first year this passes they will put in ten multifamily housing projects in Illinois, that's about two million dollars per; half a million dollars of on-site local work, and so by that, that comes out five million dollars of local work from one company just for local Illinois subs...subcontractors; and what the home rule unit still have the power to do, and this is what people keep missing, they enforce land use and zoning requirements, for...based fire code requirements, building setback requirements, site and rear yard...side and rear...rear yard requirements and property line requirements, units of local government having home rule have the authority to regulate all these various units, et cetera. All we're saying is manufacturers should be treated like manufacturers. The rest of the things said, although well-intention, in many cases just don't apply. I'm not saying they aren't good arguments, they just don't happen to apply to this bill...in that case, I would solicit an Aye

vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2820 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 19, 1 voting Present. House Bill 2820 having failed to receive the constitutional majority is declared lost. House Bill 2917, Senator Netsch. Senator Netsch. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2917.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 2917 relates to the Pharmaceutical Assistance Act which the General Assembly passed, I believe it was two years ago. Originally we limited it to cardiovascular medicines. As you know, the pattern is such that those who are income eligible for the circuit breaker program are permitted to participate in this program; and it is, of course, designed for people who have particularly heavy medical bills as a result of their sometimes old age...infirmities, but in order to participate, they must waive or in effect turn in their eighty dollar supplemental grant, which is also available to those who are income eligible on the same standards. The bill in its present form would extend the Pharmaceutical Assistance Act to those who are in every other respect eligible, who are suffering from diabetes and are therefore able to...get insulin and other diabetes related drugs and from arthritis. There is also a provision that was worked out between the

Department of Revenue and the pharmacists which redefined the reasonable cost which is part of the basis of the Act and I think was...as I understand, it was satisfactory to everyone. Also somewhat extended the period for reporting and established the...the fee to be paid to the pharmacists at three sixty which it was believed would be the fee to be set for public aid before the end of the fiscal year. I would be happy to answer any questions; if not, I would urgently request your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR WATSON:

There was another provision that was passed out earlier in regard to similar type of legislation which also added arthritic drugs and this does not include that. Is that correct? And if not, where is that particular piece of legislation at this time?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

No. As I explained, as introduced, the bill dealt only with diabetes. As amended on the Floor, it also extends to the arthritic drugs. So, in that respect, it is in the same form as the earlier Senate bill that we passed several weeks ago.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Then I'm correct in saying it is diabetic and also

arthritic. Okay. What...our analysis...it only refers to the diabetic cost...of 3.2 million. Do you have any idea what the cost might be and also will those costs reflect the people that are already in the program that are receiving the heart medication, of course, those people won't have to reapply. So, can you give us those figures?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I do not have an exact cost for the arthritic part of it. The fiscal note that was put on the earlier bill, that is the Senate bill, was a little bit confused in that respect. It but a 3.2 million dollar cost and was...to be perfectly honest, I wasn't quite clear whether it covered both parts or only one part, that was not entirely...as I say, clarified. I have found in my old files when we first passed this bill a few years ago that...some statistics that we had at that time on the basis of which of we had agreed that we would start out with cardiovascular and then just slowly add things as we went along, and somewhat interestingly, these statistics showed that of the percentage of sixty-five and over population who have chronic conditions, 16.12 percent had chronic heart conditions and only ten percent chronic arthritis conditions. I might have guessed that that would not be so, but these were figures that we had obtained at that time. The cost of the program to date, as you know, has been extremely modest and my guess is that, at least initially, it will be very modest also for this. I mean, just...that's simply based on experience, but to give you an exact, accurate dollar figure, I'm sorry, I do not have it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, thank you, Senator, and...as far as the practicing

pharmacists out in the field, this has been an excellent program, one in which has been well-received. Initially, there was a problem in getting people signed up and...and bureaucratic problem in getting all that done but, basically, it's been a good problem for pharmacists...or a good program for...for pharmacists. I do have a...naturally have a conflict of interest and I will be voting my conscience, but appreciate the sponsor answering the questions. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch wish to close?

SENATOR NETSCH:

I think the...my...in closing, might I say that I had forgotten earlier to add Senator Holmberg as a hyphenated sponsor, and Senator Berman also would like to be added as sponsor and I suspect before we fininsh, a lot of the rest of you might want to also. This is a...a building on a block that we all well established several years ago. I made it clear when we first passed this bill that we would add to it. We would add to it fairly gradually. I think this is a responsible add-on. It does deal with two of the major conditions that beset older people on a chronic basis and, again, if our experience with the cardiovascular gives us any guidance, I don't think it is going to be inordinately expensive, although it's going to cost something, but it is extremely important to elderly people who are on fixed incomes. I would urge your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House Bill 2917 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 3, none voting Present. House Bill 2917 having received the constitutional majority is declared passed. House Bill 2937,

HB 2958 3rd Reading

Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2937.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President and Ladies and Gentlemen of the Senate, House Bill 2937 is a bill that would reduce from three to two years the length of period in which a sales taxpayer would be in compliance to be exempt from the bonding requirements and this is a situation where you have motor fuel taxpayers that currently bonding companies are not willing to write the bonds and the...because of the insurance crisis. The Department of Revenue indicated that simply by extending or reducing the number of years would be a reasonable compromise and they have no objections. Amendment No. 1 also applied to the sales tax allowing individuals...at least diesel fuel taxpayers who have been issued a tax credit to be able to apply that during the current quarter rather than in the succeeding quarter and...I don't know of any opposition to either...either proposal and I would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 2937 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2937 having received the constitutional majority is declared passed. House Bill 2958, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2958.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. The Calendar is accurate in...what the original bill did. It is to allow direct deposit of payments for general assistance and ADC directly into a bank or a savings and loan institution, which I think is a good law. Amendment No. 1 which was put on in the committee disallows garnishment of circuit breaker payments, and the third amendment, which was a Floor amendment that was put on, states that a qualified organization for State payroll deduction is reduced when twenty-five hundred to fifteen hundred employees. I don't know of any problem with either of the amendments or the original bill. Would be happy to answer any questions if you do have any; if not, move for a favorable roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

According to our analysis, this is supposed to cost about three million dollars. Why would it cost that much? Do you have any idea?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I have no idea either. I don't think there's any cost involved in this. Like I say, the original bill...all

it does is all the ADC and general assistant checks to be mailed directly to the bank or savings and loan that the recipient may want it mailed to. That certainly isn't going to cost any three million dollars. The postage, whether you send it directly to the individual or to the financial institution, can't be any different, so I have no idea where that's coming from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 2958 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Aye are 51, the Nays are 6, none voting Present. House Bill 2958 having received the required constitutional majority is declared passed. Page 7, 3019, Senator Joyce. House bills 3rd reading, top of page 7, House Bill 3019, Mr. Secretary.

SECRETARY:

House Bill 3019.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...the Beef Marketing Development Act became law in 1983. In 1985, Congress passed the Beef Promotion Research Act and this bill is necessary to bring the Illinois law into compliance with the Federal law, and I'd ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3019 pass. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3019 having received the required constitutional majority is declared passed. 3036 is on the recall list. 3043, Senator Lemke. House bills 3rd reading is House Bill 3043, Mr. Secretary.

SECRETARY:

House Bill 3043.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is...it...it allows for the...State Mandate's Act due process of mandates which concern the administration of justice that they are reimbursed to local governments...and the effective date of this Act and makes some technical changes. It also adds the...Senator Joyce's amendment for civic centers and grants...certifying as eligible for State financial support between January 1st, '84 to January 1st of '87 to retain interest earned on the State monies granted to them, creates the West Frankfort Civic Center Authority, permits Herrin and Jefferson Counties Civic Civic Authorities to issue General Obligation Bonds, referendum approved, and exempt from the Illinois Grant Fund Recovery Act certain appropriations to the Department of Commerce and Community Affairs. It also authorizes the State's Attorney's Appellate Commission to disburse funds to counties on a per capital basis as reimbursed for the cost of various criminal justice activities. I ask for favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this seems to establish a special State mandate's provision that applies only to matters of due process. Could you...define a little bit for us what all would be included within this mandate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Yes, the State's Mandate Act defines a...a due process mandate as the following, "Administration of justice, notification and conduct of public hearings, procedures for administration and judicial review of actions taken by local government bodies and protection of the public from malfeasance by local government officials."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I rise in opposition to this bill. According to our analysis, the fiscal impact of this bill is estimated to be more than twenty million dollars per year. I think many of us in this Body voted for a State Mandate's Act a few years ago which has been largely ignored by the General Assembly. We found ways of...of getting around it. Now the sponsor seeks to establish a special State mandate's provision that applies only to issues pertaining to due process, and while some of these issues perhaps are worthwhile, I think it's a mistake to establish a special category for State mandates and I would urge opposition to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a point of...of information, Mr. President. Inas-

much as this bill calls for General obligation Bonds, doesn't it take thirty-six votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm...I'm sorry, Senator, I didn't...I didn't hear you.

SENATOR GEO-KARIS:

Inasmuch as this bill provides for General Obligation Bonds, doesn't it require thirty-six votes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, can I see the...Senator Lemke.

SENATOR LEMKE:

This does not call for State General Obligation Bonds. According to this, it calls for the civic centers to issue General Obligation Bonds by referendum only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis, I'm told that it does not pertain to the issuance of bonds, only to the disbursment of the interest and, therefore, would, in fact, require only thirty votes. Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, on that point, I'm not tuned in completely to the amendment, but as I understand the civic center bonds, those bonds are authorized and sold by the State of Illinois and I would think that if, in fact, this amendment increases the authorization, that it would...that the bill would require an extraordinary majority.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We'll get right back to you in a second. Senator Jerome Joyce. Senator Joyce.

SENATOR JEROME JOYCE.

Well, yes, this...this amendment to the bill is not the amendment selling the bonds. What...what...the basics of premise behind the amendment dealing with the civic center is that they can keep the interest that they make on money that was granted to them in the past, either through civic centers

or through DCCA. And, in fact, the...the not-for-profit group at Manteno, Illinois and that...where they changed the Manteno Mental Health Center received a grant and they would have to...if we don't pass this legislation, the State gets the interest on that...that money and the same thing applies to civic centers and that's the...the basic premise behind the...that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I...I'd like to concentrate on the original bill rather than the amendments for a moment. As I read this,...as I read this bill, if in our deliberations, Ladies and Gentlemen of the Senate, we determine that a certain procedure such as a...a hearing in court or notification to a defendant or a procedure involving a local administrative procedure requires any kind of expansion...expansion so that our citizens are afforded due process, we, as a Legislature, won't be able to pass that bill unless we pay a hundred percent of that increased cost. Now let me suggest to you that in the abstract that may sound fine in State-local relationships, but part of the judicial system and part of the administrative system of our government of Illinois is a combination of funding, both locally as well as State, and I think that there are times when we find that in order to protect the rights of our citizens that there has to be certain provisions passed in certain bills. And I think that this original provision in this...legislation unduly handcuffs us to make sure that all of the citizens of Illinois are safeguarded in due process procedures at the local level. So, I would suggest to you that notwithstanding some of the questions raised about the amendments, I think the basic bill is flawed. I think it's the wrong approach to take. It severely limits our discre-

HB 3044
3rd reading

tion as a General Assembly and I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? All right, Senator Geo-Karis, in response to your question, House Bill 3043 does not increase the State's authorization to issue General Obligation Bonds but...it rather deals with who is entitled to the interest on those bonds issued by the State for civic center authorities. And extraordinary...an extraordinary majority is not required and House Bill 3043 will require thirty votes for Senate passage. Senator Lemke may close. Senator Lemke.

SENATOR LEMKE:

I ask for favorable consideration of this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has...the question is, shall House Bill 3043 pass. Those in favor indicate by saying Aye. Opposed Nay. The Ayes...the question is, shall House Bill 3043 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 29, none voting Present. House Bill 3043, the sponsor requests postponed consideration. Postponed consideration, Mr. Secretary. 3044, Senator Lechowicz. House bills 3rd reading is House Bill 3044, Mr. Secretary.

SECRETARY:

House Bill 3044.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. House Bill 3044 as amended would require the State...a local board relations to order an election within a hundred and twenty days of a petition being filed and if after hearing upon petition of a public employer, the board determines there is a need to resolve that question of which organization represents a bargaining unit. However, the board or parties involved are allowed to seek a court order for a thirty-day extension of the hundred and twenty day election requirement. All parties if they mutually agree may extend a...hundred-and-twenty-day period without seeking a court order. That's all House Bill 3044 does. I seek your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3044 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. House Bill 3044 having received the required constitutional majority is declared passed. 3058 is on the recall list. 3062, Senator Poshard. House bills 3rd reading is House Bill 3062, Mr. Secretary.

SECRETARY:

House Bill 3062.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As amended, this bill provides for a study by the State Board of Education on the status of latchkey programs in Illinois. Additionally, it precludes either school districts or unsatisfactory teachers from calling the consulting

teacher to testify with regards to opinion of performance or the rating of the teacher under...remediation in any dismissal hearing. This language was originally contained in Senate Bill 1861 and passed from the Senate without dissent. The bill also establishes that all public school teachers not covered by last year's reform be evaluated each year. This ensures that all nontenured teachers are evaluated. The purpose is to ensure that we are evaluating the new teacher so that both the school district and the teacher will know how they're doing. It only seems fair to evaluate all of our teachers. This bill does not require that nontenured teachers be covered by the same evaluation instrument that was passed regarding tenured teachers. I would just ask for favorable consideration of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Poshard, I...I followed your explanation and I believe that the explanation, perhaps, might be a little bit different than the explanation we got when this bill was amended on 2nd reading. Is...is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

No, I don't think it is different, Senator Maitland. Thank you for the question, but I think what we indicated on 2nd reading, in the amendment, was that the same process for nontenured teachers would be used as a...is used for tenured teachers but not necessarily the same evaluation instrument

has to be employed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I specifically asked a question on 2nd reading, would we use the same components for evaluation that were contained in Senate Bill 730 when it passed out of this Body last year? And to that question, I had an affirmative answer, which would mean to me that...then as you evaluated those nontenured teachers, you would use the same process which would mean that if it was necessary to remediate the teacher, there would be a subsequent year of...of...I mean, if a...if a tenured...nontenured teacher did not get a favorable evaluation, then there would be a year of remediation, and that all is contained in 730 and, obviously, if it was necessary to follow all of that, you might get beyond tenure. And, again, I have to ask the question, would you please separate out the parts that are going to be used and the parts that are going to be used.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, as I understand it, the process that would necessarily be used for tenured teachers, because they've been there longer and have more experience, may differ from that than would be used for a nontenured teacher in that it would maybe not need to be so lengthy and so specific. If I understand the remediation process,...an administrator may sit down with a tenured teacher and determine from among a number of different categories of evaluation all kinds of logistical things, did they get to school on time? is their room clean or do they have proper discipline? what kinds of particular study aids do they use? how do they teach in terms of their methodology and so on. That may be exten-

sive in terms of a tenured teacher, and once the agreement is reached in terms of a...an outline for that teacher to remediate over the next year, that's fine. That same process may not necessarily need to be used as...extensively with a nontenured teacher who's only been there for a year. You may not need to get into that involved an evaluation, and all we're saying is...is that the instrumentation, the evaluation instruments used for nontenured teachers need not necessarily be the same as for tenured teachers. The process may, indeed, be similar but the evaluation instruments may not necessarily be the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Again, for clarity, Senator, it is my understanding...and the language is very simple and it simply says that a nontenured teacher will be evaluated at least once a year. This means that none...none of the components contained in Senate Bill 730 then would apply to the evaluation of nontenured teachers. Is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Forgive me, Senator Maitland, I was speaking with staff as you were speaking, but as I understand it, the process may be the same as for a tenured teacher but it also may differ for a nontenured teacher. It depends upon the needs of the particular district in evaluating those teachers at whatever point of experience they're teaching.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I'm...I'm...thank you, Mr. President, I'm...I'm sorry, Senator, but...but there is some confusion on this, I'm...I'm

sure. I...I...I really have, I guess, no problem of valuating a nontenured teacher. I think that perhaps is good if...if the school wants to do that, now they will be mandated to do that, that's fine, but...but permit me to indicate to you a concern that I have in that if this teacher is in the second year of nontenured status and receives an unsatisfactory evaluation, there are certain things that have to happen to an individual who is being evaluated with respect to the following year, and, you know, you're not going to extend tenure to an individual like this, I don't believe, and it concerns me somewhat.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

I think, Senator Maitland,...I guess I'm not specifically sure of the question you're asking but the evaluation and remediation procedures for tenured and nontenured teachers are in separate sections here. They do not necessarily have to apply one to the other.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maitland.

SENATOR MAITLAND:

Well, thank you,...Mr. President. And, okay, Senator, I believe that what we are saying is that we will simply evaluate a teacher, a nontenured teacher, simply to help that teacher improve upon his or her skills and there will be no real extension of tenure based on what's contained in 730. It's simply an evaluation and that's it, separate section, totally unapplicable to Senate Bill 730.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, that is exactly correct. Forgive me if I didn't understand the thrust of your questioning. There is

no intent here whatsoever to keep a teacher on another a year simply to fulfill an evaluation procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If we keep up this pace, we're going to be here all night. Further discussion? Senator Poshard, do you wish to close? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I would simply ask for a favorable response to this bill. I think it is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3062 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3062 having received the required constitutional majority is declared passed. House Bill 3080, Senator Joyce. On the Order of House Bills 3rd Reading is House Bill 3080, Mr. Secretary.

END OF REEL

REEL #3

SECRETARY:

House Bill 3080.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 3080 ensures a duty-free lunch period of thirty minutes for full-time noncertified school personnel. Under present Illinois law, the teachers are provided with this lunch period and under Chapter 48, Section 8C of the Illinois Revised Statutes, other nonteacher employees have this lunch break provided by law. This group does not and...under House Bill 3080, we will put them in the same position as teachers and other employees. Be happy to answer any questions and I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

I will make this very brief but I have received four phone calls so far from nonpersonnel employees who do not want this bill, because they don't take a lunch hour so they can get out earlier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Watson.

SENATOR WATSON:

Thank you...thank you, Mr...President. Just to follow along that, what happens in a case...in a situation where an employer and employee want to make such an agreement where

they would like to get of early and take that...and work through their lunch hour? What happens in a case like that under your bill here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I assume reason prevails.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Someone said law supersedes reason. I...I...I don't look at this as a reasonable approach, Senator. I...we gave...we gave the...the teachers and the bargaining units collective bargaining, don't they have this locally? Can't this...be something decided locally? Why do we have to come to Springfield to...to establish legislation such as this which will, I think, create more of a hardship on the employee, now I'm talking about the individual who's working than it is going to be a benefit. I...I just think that if this is something that ought to be done, it ought to be done locally and let them decide it locally than...than coming here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I believe the Body should look at this bill very carefully as already articulated by the two previous speakers. We're talking here about noncertified people, first of all, and let me present to you another possible problem. What about the secretary who for whatever reason has to maintain...or has to be in the office during the lunch hour on...on an occasion once in a while to answer the...phone, respond to different problems that are...that are taking place in the school? If you have a locked in State law, as we are doing here right now, she

simply would tell her supervisor, whoever that is, superintendent, principal, who...or whoever, when he made an unusal request on a given day to be there to go fly a kite, State law says she doesn't have to do it. Now, the point was very clear...clearly made by Senator Watson. We...we have given them collective bargaining, I believe that...that this is an area where we should not be dealing and we're creating some very serious problems here for the...daily operation of the school, and I urge would resistance of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Well, these are the only people in the State of Illinois that are not ensured a thirty-minute lunch break. I mean,...these employees that you are talking about, that you are so concerned about, these four employees in DuPage and these employees that Senator Watson knows about, I mean, if their concern is that they have a different schedule and they are not going to be able to maintain that schedule because they will be forced to sit down and take a thirty...minute lunch break, I mean, I can't in my wildest imagine a supervisor and an...and an employee in that situation that will not be able to accommodate themselves to this situation. These are the only employees in the State of Illinois that are not ensured a thirty-minute lunch break. I ask for your support on House Bill 3080.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3080 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, 1 voting Present. House Bill 3080 having received the required constitutional majority is declared passed. Page 8...turn to

HB 3089 3rd Reading

page 8 now on your Calendar, 3089, Senator Rock. House bills 3rd reading, top of page 8, House Bill 3-0-8-9. Mr. Secretary.

SECRETARY:

House Bill 3089.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is...House Bill 3089 incorporates two changes that were thought necessary by the State Board of Education. It would include in the Math and Science Equipment Loan Program that this General Assembly authorized in 1985, it would include instructional materials and, further, it changes the Vocational Equipment Program to a grant program and deletes the requirement of loaning...heavy equipment. It simply makes it a grant program. I know of...the only opposition I'm aware of comes from an educational group, it was heard in committee. The State board feels that if we are to implement these two programs for which we have appropriated some twenty-five million dollars that these changes are absolutely essential, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3089 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3089 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3157, Mr. Secretary.

SECRETARY:

HB 3175
3rd reading

House Bill 3157.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, 3157?

SENATOR LEMKE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill...makes any device used in obtaining utility service without paying full charge or by tampering with any meters...as to cause inaccurate measurement of utility services prima facie evidence of the crime of...unlawful interference with public utility services. It enhances the penalty. I think it's a good bill, I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3157 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3157 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3175, Mr. Secretary.

SECRETARY:

House Bill 3175.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, members of the Senate, House Bill 3175 authorizes city colleges of Chicago to make a transfer

from working cash funds to the Educational Purposes and Building Maintenance Purposes Funds under certain circumstances. Also, there was a provision put in in the House that requires a majority vote in the total territory petitioning for a new community college district rather than a majority vote of each city, village and unincorporated area within the proposed district. What it basically does, it allows the city colleges of Chicago upon a resolution by the board to switch from a full...a...basis of accounting for the recognition of local property tax revenues to a basis of accounting which parallels the...generally accepted principles of the National Council on Governmental Accounting, Interpretation No. 3. That's the basis of the bill and I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Savickas, does this mean that an area that currently is not in a community college district can be brought into that district if the rest of the people choose to bring them in rather than they themselves choose to go in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I didn't hear your question, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR SAVICKAS:

I understand this...this...portion of it was put in by Senator Maitland's Representative and he could probably speak

to this a lot better than I can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...DeAngelis.

SENATOR DeANGELIS:

Well, let me ask my question again. Does this mean...I have a portion of my district that currently does not reside in a community college district. Does this bill mean...not anymore? Well, then, what the heck does this do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

As I said, Senator, this particular portion of the bill that you're concerned about was put in by Senator Maitland's Representative to answer a problem evidently in his area. If Senator Maitland is there, he...maybe he can address this particular portion of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, from what I understand, the question that I asked has been covered. Maybe Senator Poshard can enlighten us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Senator...DeAngelis, it's my understanding, I could be wrong about this, but did we not pass a bill last year which put every area of the State under a junior college jurisdiction? I thought we did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator

DeAngelis.

SENATOR DeANGELIS:

Well, I can tell you, there's a part of my district that's not under the community college district. It might have passed the Senate and then it didn't go all the way through, but...well, what the heck does it do? Can anybody explain it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, everybody is pointing at everybody else. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. It's my understanding that under the Community College Act presently, to...to form a new district, the...the referendum has to pass in both the unincorporated and the incorporated areas of the proposed district. This amendment, as I understand it, changes that to allow for simply a majority of those voting in the affirmative to affirm the new district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Chair would like to acknowledge the presence of the Attorney General of...of Illinois, Neil Hartigan. Welcome to the Senate. The former Treasurer, Jerome Cosentino, is also on the Floor. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I would move its...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm not cutting...I...I thought that the gentleman had...had asked a question. So...apparently, he has not. Senator...further discussion? Senator Keats.

SENATOR KEATS:

Yeah, I...I just would ask a question of the...or a favor of the sponsor. I mean, this provision in terms of...of throwing...community college district even though certain portions are dramatically against it. I have areas of mine

that have voted as often as nine times against community college districts. This would force them in against their own will. Some people are saying that bill passed last year. My understanding is it passed the Senate and failed in the House and did not come back out of the House. Okay. Are you sure...could...could we ask you just to check that? Could we hold up long enough to check that to make sure this is not a new law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we're going to be here all evening. Senator Rock.

SENATOR ROCK:

No, I was the sponsor and was present at the signing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I'd forgotten some of the bad bills you had sponsored, Mr. President. Okay, with that, then, I would simply say to all of us who over the years have said to some of our community college districts that this perhaps ought to be optional, this is a provision that...that does make that even tougher for those who would like to leave it optional. Some of the rest of the bill wasn't so hot either, but that part is a major one that I think somebody should be watching.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would just say that this is a good bill. It does clean up the language and I would urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3175 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 44, the Nays are 9, none voting Present. House Bill 3175 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3187, Mr. Secretary.

SECRETARY:

House Bill 3187.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate...House Bill 3187 as amended expands upon the provisions dealing with chronic truancy that we passed in Senate Bill 730 last year. This defines the chronic truant, also defines...gives the definition for truant minor, provides for the lowering of grades if necessary in dealing with these truants; and the bill is supported by the School Board Association, the PTA and the Truants Alternative Network. Be glad to respond to any questions and solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3187 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3187 having received the constitutional majority is declared passed. House Bill 3200, Senator Maitland. House Bill 3213, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3213.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3213 affects to my knowledge only one residential facility in the State of Illinois and that is a residential facility called Little City. It has to do with the severely and profoundly developmentally disabled adults. This resolution as contained in 3213 is the result of an agreement between the Department of Public Health and the Department of Mental Health, both departments support this legislation. I know of no objection and I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3213 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3213 having received the constitutional majority is declared passed. House Bill 3266, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3266.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 3266 as amended will allow any public or private college or university to...or governmental agency or public or private not-for-profit agency to use the Board of Governors cooperative computer center. The Board of Governors and the Board of Higher Edu-

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cation are in support of this legislation and have a 4.9 million dollar appropriation which is in the BOG's appropriation bill which is Senate Bill 1605. I know of no opposition and would ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3266 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3266 having received the constitutional majority is declared passed. House Bill 3267. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3267.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

House Bill 3267 does...as amended does three specific things. It removes the limitations on the Board of Regents, the Board of Governors and Southern Illinois University to accumulate reserves in amounts no greater than their deductible portion of insurance. House Bill 1115 or the Public Act 84-10 authorized the creation and operation of a self-insured reserve for the Board of Regents and for the Board of Governors and...and SIU. Secondly, it would empower the Board of Regents, the Board of Governors and Southern Illinois University to self-insure. And, third, it would allow the Department of Central Management Services to administer any self...insurance program that's selected by the State. Appropriations for the self-insured health plan shall be from the Health Insurance Reserve Fund, and the appropriations for the self-insured program would go directly to Central Manage-

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ment Services, and Central Management Services estimates that the State would save about twenty million dollars by self-insuring the health plan. The Department of Central Management Services, the Board of Governors, the Board of Regents, SIU and the Board of Higher Education are in support of 3267 and I would ask for your support here today also.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3267 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. House Bill 3267 having received the constitutional majority is declared passed. House Bill 3271, Senator Rock. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3271.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3271, sponsored by Senator Schaffer and myself, is an administration bill from the Department of Public Aid sponsored in the House by Representative Vinson. Essentially, it brings the Illinois child support enforcement proceedings into compliance with Federal law and makes a couple of other technical changes. The fact is, if we are not in compliance, we could stand to lose up to five percent of our otherwise reimbursable funds which in this case would amount to roughly twenty million dollars. Senator Berman had some concern about procedural due process with respect to some respondents that was accommodated in Amendment No. 1. I know of no objection and I would again solicit a favorable

roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall House Bill 3271 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3271 having received the constitutional majority is declared passed. House Bill 3300, Senator Lechowicz. House Bill 3302, Senator Lemke. Senator Lemke, 3302? It's on the recall list, all right. Senate...House Bill 3309, Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3309.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 3309 is legislation that was sponsored in the House by...by Representative...Frederick and is sponsored in...in the Senate by Senator O'Daniel and myself. And what it does, it was an attempt to..to...to make the assessing of coal more uniform around the State. Current law requires for the assessment of all coal under land whether or not it's developed or not. This puts in place a new sophisticated formula to assess that coal that is developed coal and also would prohibit the assessment of coal under land owned by an individual as long as the lease...as long as there is no lease to any other company by that landowner. There are a number of counties where there is...substantial amount of coal and where there will never be any intention of mining that coal and, therefore, that absolutely should not be assessed for...for tax

purposes. If on the other hand, there is an attempt to lease this coal, then that's quite another thing and it will fall subject to the formula. I stand ready to answer any questions you might have, would appreciate support of House Bill 3309.

PRESIDENT:

Any discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I'd like to ask the sponsor a few questions.

PRESIDENT:

Sponsor has indicated he...yield, Senator Watson.

SENATOR WATSON:

Okay. In...on the bill,...well, I have a copy of the amendment so I'm not sure exactly where it is in the bill, but on the amendment, page 7, we make some changes in regard to population figures. We change it from three million to two hundred thousand. Can you tell me why we're doing that?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator Watson, I apologize, I...I wish you would have asked me that question earlier. I don't have a copy of the bill before me, so I don't...I...I don't know the reason for the reduction.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay. Well,...you don't have a copy of the bill in front of you then? On...if you can respond to that previous question, fine, I'll go ahead here with the next question. On page 8, line 22, they talk about undeveloped coal reserve economic value. I would like to know what economic value means and how is that determined?

PRESIDENT:

(Machine cutoff)...Maitland.

SENATOR MAITLAND:

Well, Senator Watson, it's my understanding that that was...a...a number that was arbitrarily picked by those who...who developed the...the bill and the formula. This is an effort by the Illinois Coal Association, Illinois Farm Bureau and others and that was an economic value that was just...that was assigned to the coal.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I'm sorry, I didn't quite follow the answer. Were you...were you answering the...the two hundred thousand to three million or the economic value?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I was obviously answering the economic value.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, economic value is...is a crucial thing in regard to the assessed valuation that we have at the local level. Now, I don't know how many of you are aware of this...the impact that this is going to have on your particular counties, but the Coal Association people have been kind enough to...to work with me and supply me with information in regard to the negative impact it's going to have on...on assessed valuation. And I've got a list of the counties that are negatively affected, it's some thirty-five, forty counties on the basis of what the coal industry has provided me and...and the counties that are most negatively affected are Washington is the number one county, the number two county, unfortun-

ately, is Bond; number three is Fayette, number four is Franklin, number five is Montgomery, number six is Lawrence, number seven is Gallatin and number eight is Hardin. And then the list goes on and on from there and what we're doing, although I can understand with the intent of the legislation what...what they're trying to establish to do, we're continually eroding that tax base that units of local government depend on at the local level. Our school districts, our counties, our townships, our cities are all going to be negatively impacted in those particular counties that...as I mentioned, the coal industry has supplied me. Now, it's not every county in the State but in my district every one of my counties, again, according to the information that is provided to me by the coal industry, is negatively...affected and I would imagine that some of your districts are felt...are going to feel the same impact. So we're going to be eroding the local tax base at the local level by passing such legislation. Even though I applaud what the sponsor wishes to do and I understand the intent of this legislation, we can't continue to erode that tax base and expect units of local government to supply the services that are necessary...to people of our area.

PRESIDENT:

...further discussion? Senator Demuzio. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. In some ways, I guess I'm a little bit surprised to hear what Senator Watson had said because the...I raised questions in committee about the impact of this bill. It does seem to me that it is the opening shot clearly in something not unlike the farmland assessment process that we went through even to the point where, as I recall, trying to read the original version of the Farmland Assessment Act it was incomprehensible and at least to me, a Chicagoan, I read the version of...this coal assessment

provision and I had great difficulty in following its intricacies, but that is unfamiliarity I guess with the subject matter. One of the things that...but going back in history though, the...there's no question that as important as the Farmland Assessment Program was to the farming community, it did have an impact on...on land values, on assessment...on assessed valuation base and, ultimately, on the amount of the money available to local units of government, and that was presumably known and one of the prices that people were willing to pay. I suspect...I suspected at least that this bill would have something of the same effect although, I must say, we were told that its purpose was to phase down assessments in counties with coal in reserve...not presently being mined and to increase tax assessments in counties with active coal mining operations which would suggest, indeed, that there would be some winners and some losers among the counties. The...I...I don't think we ever really got an absolute, clear-cut answer to the question, to what extent is it going to "erode" the tax base for purposes of local government financing. The only thing I would add to that is that some of those who were involved in putting together the bill did indicate that to a very considerable extent, the end result of what is being proposed here was actually being done in a lot counties to begin with and that to an extent maybe not totally but to an extent, we were in...codifying what had become common practice. Now that may not be a totally adequate answer. This...this is a long discourse just saying that I think we are opening up something very important. I'm not sure that we fully know...where it is leading but I think on balance, it is probably worth taking the plunge and doing corrections later on.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

...thank you, Mr. President. I think there was one purpose to this bill that has not been mentioned either and that is that apparently some of these counties and areas are using different methods of assessments and this, in fact, would create some uniformity in the manner in which coal reserves are assessed. And, Senator Watson, I think that the Department of Revenue was going to take a look at the way some of them are currently doing it, you are correct, 'cause of them are absolutely understating or being underassessed, and the department was going to start looking at that and I think it's to create uniformity more than anything else.

PRESIDENT:

Further discussion? Further discussion? Senator Maitland may close.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I would mention to you once again and I appreciate those who have...have risen to the occasion to support this legislation. It must be understood that in most of these underdeveloped counties where coal is not now assessed nor will it ever be assessed, the law now says that it must be assessed. Currently, I believe there are at least...there are two perhaps three counties that are assessing land in counties where it is under...underdeveloped. Now the point that Senator Watson makes is legitimate in some of those counties but it is not a revenue loss because they are not now assessing. Further, one should say, that in those counties where there are leases for coal and where coal is being mined, there is an increase in assessment and, in fact, the...the Illinois coal industry will pay higher taxes as a result of this bill. Senator DeAngelis made it very clear, this is a bill to attempt to make it unified across the State. I think it's good legislation, the Taxpayers' Federa-

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tion, the Farm Bureau, the Illinois Coal Association and others have risen to support and put together this language and I think it's a good bill, would ask your support of House Bill 3309.

PRESIDENT:

The question is, shall House Bill 3309 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. House Bill 3309 having received the required constitutional majority is declared passed. Senator Netsch, 3328. On the Order of House Bills 3rd Reading, the middle of page 9, is House Bill 3328. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3328.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 3328 would create the Illinois State Collection Act of 1986. It was...or it was worked out in response to the Auditor General's report which was issued in December of 1985, pointing out some major problems with the collection of debts and claims due to the State of Illinois. Some of it, I think, is a...a strengthening in the codification of existing practices, some of it is new in the way of practices. Without going into every detail of how it works, I think I could say that it has...in its present form, it has the approval of the Comptroller, the Attorney General, the Auditor General, the Department of Revenue, Central Management Services and I think virtually all of the State agencies who have had an opportunity to look

at it. We believe that it will provide for a much neater and more effective ability of the State primarily through the Comptroller's Office and the offset program and the creation of an accounts receivable fund by the Comptroller to collect the large numbers of delinquent State debts. I would be happy to answer questions, if not, I would urge your support.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 3328 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3328 having received the required constitutional majority is declared passed. 3340 is on the recall list. 3346, Senator Newhouse. On the Order of House Bills 3rd Reading is House Bill 3346. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3346.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senator...Senators. House Bill 3346 creates a five-member Rheumatic Diseases Treatment Authority under the Department of Public Aid. This...this authority is necessary in order to distribute funds that come from the Federal Government, and as a result of the reduction of the Federal budget, some State funds are require. The Department of Public Aid asked for an amendment and that amendment has been placed on, Amendment No. 1, which allows the authority to receive funding as all other authorities and advisory boards, and it deletes a...a requirement that it be

a line item in the Department of Public Aid. I know of no objection to the bill and I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 3346 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3346 having received the required constitutional majority is declared passed. 3351, Senator Demuzio. On the Order of House Bills 3rd Reading is House Bill 3351. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3351.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you,...Mr. President. This is a simple bill that it certainly...it allows the...the school board any excess bond proceeds to be transferred by board resolution to the operations or the building or the maintenance fund. The amendment was put on in...a suggestion of the committee that...it added a requirement that that transfer could only take place after a public hearing held by the board and by resolution. I would ask for your support.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 3351 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay,

1 voting Present. House Bill 3351 having received the required constitutional majority is declared passed. Senator Vadalabene on 3378. On the Order of House Bills 3rd Reading, House Bill 3378. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3378.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 3378 amends the Real Estate License Act to change a function of the sponsor cards. Current law provides that each licensee must have been issued a sponsor card by the sponsoring broker and must carry the card along with a wallet card which is a facsimile of the licensee's license. This bill provides that only licensees will only carry the wallet card or the sponsor card but not both. The synopsis is correct in terms of what the bill does. The Illinois Realtors' Association and the Department of R & E and Education have agreed to this proposal, and I would appreciate a favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 3378 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 3378 having received the required constitutional majority is declared passed. Senator Fawell, 3394. On the Order of House Bills 3rd Reading, the bottom of page 9, is House Bill 3394. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3394.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill allows municipalities to enforce the collection of their taxes including the use of subpoena power and...and creation of liens on property located within the municipality. This is a Municipal League proposal, with the amendment as a clean-up language which specified the kinds of liens. I know of no opposition. There is another amendment that was placed on by Senator Keats which allows police officers to serve summonses for parking violations. I have...if...there's no questions, I would solicit an Aye vote.

PRESIDENT:

Any discussion? If not, the question is, shall House Bill 3394 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3394 having received the required constitutional majority is declared passed. (Machine cut-off)...of page 10...top of the last page, as a matter of fact, top of page 10, on the Order of House Bills 3rd Reading, 3396, on the recall. 3422, also on the recall. 3431, Senator Hall. On the Order of House Bills 3rd Reading is House Bill 3431. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3431.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3431 provides an additional thirty-five hundred dollar annual stipend to be paid to every county treasurer from the State General Revenue Fund. This does not apply to any county which is a home rule unit. The total amount of this is that it will run three hundred and fifty-three thousand dollars in counties that are required to pay the salaries of the treasurer. The...the amendment that went on is that this fund should be appropriated to the Department of Revenue for distribution to county treasurers. Now, why is this necessary is that under the new duties that we have as the general members of the General Assembly, that we have...requires a content form from the propertyowners, trustees, powers of attorneys to afford change of the address. The County Treasurer's Association cites several instances of increased duties as a result of State legislation. Also, it requires a separate listing on tax bills from money paid to library districts. The county treasurer must now invest the one-fourth cents sales tax if imposed by the county, and also requires county treasurers to notify lienholders upon their request of notices of judgment on tax sales. I would ask most favorable support for this modest increase.

PRESIDENT:

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Question of the sponsor, please.

PRESIDENT:

Indicates he'll yield, Senator Karpiel.

SENATOR KARPIEL:

Senator Hall, I have a letter here from a recorder in...one of the counties in my district which asks for me to support an amendment on this Senate Floor, the one that got lost in the confusion of the Executive Committee to support a stipend for the county recorders. Is there such an amendment? Have...I don't think we've put that...have we put that on already, no?

PRESIDENT:

Senator...Senator Hall.

SENATOR HALL:

Senator, in answer to your question, that by the time that it came...time that...the sponsor in the House did not know about it and I did not know about it, and between the two different Bodies there, the treasurers and the county clerks were not able to get together so that we just decided that we'd better go ahead and put this on. There were many people on both sides who would liked to have seen that on that but...just were not able to get together among themselves.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Senator Hall. I know that in committee it...it got confused, but I have the letter, she says that the amendment is going to be proposed to House Bill 3431. I understand that's an error, it's going to be proposed on another bill. Thank you.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I simply want to point out a few things about the bill and about what we have been doing as the General Assembly. I think most of us believe in the...in the philosophy

that the counties and local units of government ought to be responsible for enacting their own salary levels, but the General Assembly has in a variety of ways gotten itself involved in county government in setting salaries. First of all, if you recall, we adopted a stipend for the county clerks and the reason that we did that supposedly was because of the consolidated elections bill. Then we put additional work on circuit clerks and we adopted a stipend for them. Now, the treasurers are here with this bill and, believe me, the recorders will have some reason that the State should grant a stipend to them and I suppose coroners will then be the only ones left out and that we probably ought to do something for them. I'm not sure what we're going to do with this dilemma but we're into the business and I simply want to point that out. For those of you who may not know what your...what the treasurer of the counties receive, that is the counties that you represent, I just had distributed to the members a list of the current salaries of all the county treasurers, this was supplied to me by the Association of County Treasurers.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, there was some comments relevant to an amendment for the recorders of deeds or the recorders and, Senator Karpiel, I was under the impression when I went to committee that there was some kind of an agreement between the recorders and the treasurers that they would accept this amendment on Senator Hall's bill. Unfortunately,...apparently, they have forgotten to talk with the sponsor and Senator Hall had indicated that he wished to have this bill in its form just to afford the treasurers the opportunity for the...for the increase. I don't know what bill the recorders are coming on. I don't know if there's

any additional vehicles that are out and around, but I suspect that before the Session is over, we'll see it somewhere. But, for the most part, I wanted to explain the fact that that amendment was not discussed. Senator Hall has indicated that he wants this bill in this form and that is one of the reasons that I did not proceed with it in committee.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I just wanted to rise in support on this bill. If you recall, last year we had a great deal of controversy and did not pass a bill that would have raised county officials' salaries at the local level, and I believe the explanation that was given by most was that the counties were in financial hurt. Well, we also have given them some additional revenue if they chosen to take it, but going back to that initial logic, for the bottom line is that we want qualified people. I know the county treasurer in my area handles, I think, some sixty to seventy million dollars in tax funds a year and makes less than we pay a State highway...a senior State highway employee and he's senior governmental employee. If this is the way the General Assembly wishes to go, and apparently it is because we've rejected the other alternatives, I would like to say, let's...let's get on with it and I agree with Senator Demuzio, we'll see other bills for the other offices but, apparently, that's the way we want to go and let's be consistent.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I think it ought to be pointed out that I'm not against this stipend, but it certainly does not mean that the county boards are going to give these county treasurers an...an additional thirty-five hundred

dollars. It has to be appropriated in...in the county ordinance and...and the county board has to act on it. So just because we're giving it to the county does not mean that the county treasurers are going to get a thirty-five hundred dollar raise.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, point of order. I believe that issue was brought up...I apologize for speaking a second time, but I believe that issue was brought up in committee and the testimony there was to the effect that the...that the stipend is paid directly to the county officer and does not go through the county board at all. I think the only control that the county board might have at that time that having recognized that the treasurer will get a direct stipend, the county board might then decide not to give as much raise to the county treasurer, but the money does go directly to the county treasurer and there's no requirement that the treasurer share that money with other employees in the office who may also have had their workload increased.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

I don't want to be speak a second time necessarily except that in some litigation in one of my counties, the county board reduced that which the county was paying because thirty-five hundred dollar stipend was given to the county clerk.

PRESIDENT:

Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Just ask for a favorable roll call.

PRESIDENT:

The question is, shall House Bill 3431 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 5 Nays, none voting Present. House Bill 3431 having received the required constitutional majority is declared passed. If I can have your attention, the new recall list...or the recall list has now been redone so it's legible. I'd ask you all to take a look and add 3473 which is the next bill, Senator Davidson wishes to take off an amendment. So just put 3473 on the recall list also. 3503, Senator Holmberg. On the Order of House Bills 3rd Reading is House Bill 3503. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3503.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3503 provides that the investment tax credit for placing in service qualified manufacturing mining and retail property be applied against the State Income Tax rather than the Personal Property Replacement Tax for property placed in service on or after January 1st, 1987. And if you remember, it was amended last week by Senator Davidson to give some protection to those companies who were hurt by the double weighting factor, those manufacturing companies that have over five thousand employees. Allowing the Illinois investment tax credit to be taken against the regular income tax rather than the replacement income tax could increase replacement tax distributions to local taxing districts by some forty million to fifty million dollars. As a result, distri-

butions to downstate taxing districts could be from nineteen million to twenty-four million dollars higher than under current law. Distributions to Cook County taxing districts could be 20.7 million to 25.8 million higher than under current law. Statewide municipalities receive approximately twenty percent and school districts receive fifty-two percent of the replacement tax distribution, and by...moving this tax from one area to the other could result in an increase in downstate replacement tax allocations of between four and five million to municipalities and between ten million and thirteen million to school districts. My own county alone and several of you have part of Winnebago County in your area and we have...distributed a sheet from last year...if you remember, this was Senate Bill 249 last year which passed this Body very handily, went to the House, passed there also, was vetoed by the Governor and failed on a veto override. Winnebago County, because of the fact that...factors in this bill are...are doubling as of July 1st, would receive anywhere from one and a half to 1.9 million dollars. Now that includes the county, the Municipality of Rockford and its school districts. Your particular areas would find like increases. There was a problem in committee in that the Economic and Fiscal Commission report gave the maximum amounts under absolutely optimum standards of what we might lose. They have since revised that as to what the potential is which brings it pretty...pretty close to what they were saying last fall, and the credit could cost between forty to fifty million dollars. But we're what talking about is rather than a loss a transfer to the people that were supposed to get it in the first place, the school districts and the municipalities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? We...we...we've now hit a little snag. We've got about five or six speakers. Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I hope everyone is bright eyed and paying attention to this bill because I think we'll have to say that this is the budget buster for the 1986 Session. The Economic and Fiscal Commission has estimated that the original impact of this bill could be as high as a hundred and six million dollars and then we adopted that double weighting provision and, in effect, kind of took care of all of those losers under the original legislation that we passed; and depending upon whether you want to figure just Illinois employees or all employees of these larger companies, we're probably adding another fifteen to thirty million dollars. Roll it all together and...you're talking about a bill here that's probably going to cost the State of Illinois about a hundred and thirty million dollars. We seem to be saying that there's a hundred and thirty million dollars that we don't need that we'll be able to fund education and all those other good things here in the next week without having that hundred and thirty million dollars in the till. I think that is ridiculous on its face and I think we have no other choice other than simply to...to vote No on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As Senator Rigney has confirmed, this bill has two very distinct parts, and to prove that I'm a contortionist, I'm going to stand up and speak strongly in favor...excuse me...of the first part of the bill which is the investment tax credit, and then I'm going to turn around and speak strongly against the second part of the bill which is the amendment that Senator Davidson put on it, and sometime before the roll call is taken, I'll figure out which way I vote as a result of that. But let me make a couple of points about it. One, the investment tax credit

provision is not a new tax break for anyone. The investment tax credit has been on the books for a period of...I believe it's now four or five years, we've actually postponed it a couple of times, it's been around that long. The...we, the Legislature, passed it, the Governor signed it. The only question there is who is going to pay for it? And the argument that I have made going back to the time that we first passed the investment tax credit is that if we think it is a good idea, if we believe that it is a good economic development incentive, and I would add parenthetically I have considerable doubt about that but if we do believe that, then we ought to have the courage to apply it to our own State level tax, that is, the State Corporate Income Tax, we ought not to take it all out of the hides of local governments. And that is what we are doing by extending it to the...replace the Corporate Personal Property Replacement Tax Fund. That makes no sense, that makes us look as if we do not know what we are doing...as if we do not know what we are doing or are insensitive to the repercussions. At the very time when local governments are being hurt by Federal cutbacks, by the prospective denial and cutoff of Federal revenue sharing, by a lot of other things, we have no right to continue to make them pay for an economic development tool that we tell them is a good idea and they never had a chance to participate in. So, in that sense, the...the investment tax credit switch is a very good idea and it is absolutely right and should be done. The problem is Senator Davidson's amendment and, in a sense, Senator Davidson, you proved my case, I guess, on the double weighting of sales that the Legislature passed almost unanimously a couple of weeks ago. The argument that I made then is that we make one little change to accommodate one small group of Illinois' corporations...or corporations who do business in Illinois and then they don't...another group feels that they didn't get full benefit, so they come back

and ask us to rewrite the Corporate Income Tax to take care of them. We've now taken care of all of those who wanted it one way with the unitary bill of a couple of years ago. We took care of Amoco the other day, we took care of Caterpillar and its friends the other day with double weighting and now all of those whose taxes are going to be increased as a result of double weighting have come in and said, gee-whiz, you know, you've taken care of every other big corporation in the State of Illinois; now, you got to take care of us and so it goes. And next year if we've left anybody out, if anybody conceivably has been left out, next year they will be back and find a way to rewrite the Corporate Tax Formula to make sure that they get their taxes reduced as a result, but the difference is that this time we're beginning to talk about big money. We don't know, we don't have a final figure, we know that on the double weighting we computed that the losers would be paying in an additional thirty-three million dollars, and so somewhere between thirteen and a half which is the cost of double weighting and thirty-three million is the cost of...the Davidson amendment to 3503. That is big money, we're no longer...talking about just taking care of little bitsy problems for little bitsy corporations. We are talking about big tax breaks for big corporations. I think that is really the...the ultimate in writing the code to take care of individual companies and their problems. So the amendment is a horrible idea, the shift of the investment tax credit is a great idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill so there can be no misunderstanding 'cause there was some question about the over five thousand employees applied to companies in Illinois or throughout the

nation. This, for legislative intent, applies only...only to those companies which are here in Illinois with five thousand or more employees. What it amounts to is fifty-four companies that have five thousand or more employees in the State of Illinois. The Department of Revenue estimated...we're talking about fifteen million dollars so that that part...someone said thirty or thirty-three million throughout the nation doesn't apply 'cause it applies only to the State of Illinois. All we're asking is those companies who have that kind of employment in the State of Illinois be able to be given the option, it does not harm, does not take away anything from any company that got benefit under 2819 which you all generously passed. All this says is the company will be able to weigh the option and do one or the other. Also, it could be a stimulant for those individual companies which have forty-five hundred or forty-four hundred, that if they want to raise their employees' number to over five thousand dollars if they could get some kind of a tax break, we certainly would more than accomplish a gain if we put that many more people in Illinois to work. This is a good bill and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Netsch, I think you said it correctly, you may yourself...been personally contorted but there are some real...other contortions on this that are utterly amazing, it's...absolutely incredulous. You know, the Economic Fiscal Commission, which you are the chairman of, which I've heard you repeatedly defy the Governor on suddenly has in a period of a week decided to downgrade its cost by fifty percent. Amazing contortion, amazing. Then Senator Holmberg, in order to convince the public that she's helping schools, comes out with this docu-

ment that tells how much more the schools are going to get out of this fund. Then Senator Davidson puts his good ole' perfume on the pig amendment to sweeten this sucker up and, I want to tell you, this is really a real...it borders on a swindle. I mean, we're going to lose a hundred and eight million dollars. Now, this cockamamie stuff in this letter about, well, all companies aren't being taxed; therefore, they're not going to take the credit. Well, Senator Netsch, they will take the credit at some time and if they stay unprofitable enough, we don't have to worry about the revenue loss 'cause they won't be here, but they will be taking the...the credit and the revenue loss will be there. You know, we're talking about a tremendous credit crunch, and it really disturbs me because a couple of the sponsors here are the sweethearts of the educational community, always telling them what...how we're going to fund them and give them all these dollars and then cavalierly dissipate away a hundred and eight million dollars. I'll tell you, I'll be very disappointed if this bill passes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. To your surprise, I am rising in support of Senator Netsch, the chairman of the Revenue Committee. I won't restate much of what she said but, as Dawn once said, she did once support me on a bill. Well, Dawn, we're in a place I'm now returning the favor; of course, it took eight years but I am returning the favor. This bill...the particular amendment that is being mentioned, let me give you...Dawn has explained revenue sources, people say it will cost thirty million et cetera. I won't go into that, I'll...I'll talk a little philosophy on it 'cause you've heard that and I don't want to just keeping restating things. We just passed Senate Bill

2820 the other day, the double weighting of a sales factor. We did not do it 'cause it was great tax policy, we did it is because in other states around us our companies were being penalized in Michigan, Ohio, Indiana, et cetera. So we had an uneven playing field and we leveled the playing field for our companies. What we've now done with this amendment is saying, we will now make the playing field uneven again. We will now go back to taking care of a company from Michigan, Ohio or Indiana; yet, they will not go home to Michigan, Indiana or Ohio and argue on behalf of our companies. So what we have done is when we double weighted the sales factor, which was not the best taxing policy, we did it as a response mechanism to try and protect major Illinois employers and minor Illinois employers. This undos everything we did the other day and now again puts our companies at that disadvantage, because these other companies will not reciprocate in their home state, not that some of them were unwilling, it just isn't going to happen. So we lose thirty million, we make the playing field uneven for major Illinois employers and we say to ourselves, for what reason? If what we really want to do is be sure that our tax policy at least treats people evenly, you sort of had to support 2820, you really have to...oppose this. I'm not really excited about opposing this bill, I'd like to support it, but when you lose...thirty million dollars and while losing thirty million stick it to your own home base companies, that is a difficult vote to defend and, for that reason, I'm going to vote No.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. It seems to me as I listen to the debate on this bill, if there was ever a bill that is right for an amendatory veto, this is probably going to be the bill, 'cause there is no way that I

doubt the Governor can live with both provisions of this particular bill. Now, Senator Netsch mentioned the fact that the amendment gives big tax breaks, big dollars to big corporations; well, the biggest amount of dollars in this bill is the original bill. It's the hundred and six million as I have it before me from the Illinois Economic and Fiscal Commission, and I've already heard some of you tell me that that could even go higher. So if you're worried about the tax base of this State, I guess that's the first thing that you have to deal with; because while the amendment may cost upwards to thirty million, it doesn't look anything like the hundred and six million that the original bill deals with. So I...perhaps...what I'm saying is that I'm a contortionist too, Senator Netsch, only for the opposite reason that you are. I think we ought to go ahead and pass this bill, send it to the Governor. I don't think this State can afford the original tax investment credit legislation, but I do think there's nothing wrong with this State supporting one of its largest corporations that has more employees, most...more of our constituents than anyplace else, we have every bit, I think, of a right to stand up and vote in support of them and that's what we're doing by trying to make their load a little lighter...any other message is going to send their business elsewhere as we have seen happen so often. So I would support this bill on an Aye vote and I'm afraid next...sometime over the summer, the Governor is going to have to make a decision on how he wants to clean it up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator O'Daniel.

END OF REEL

REEL #4

SENATOR O'DANIEL:

Mr. President, members of the Senate, I rise in support of this bill. Some of the previous speakers have said it would cost general revenue a hundred to a hundred and eight million dollars. Well, that's assuming that we don't create any new business, employ any more people. But I think if we're going to be competitive with other states in this nation, we're going to have to offer incentives to industries and...and get people back to work here in the State of Illinois. Everywhere we go over our district, business people...they beat us over the head with the fact that...that we don't offer any incentives to bring business and jobs and industry into this State. I think this is a good bill and it should be passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this bill. This bill...helps two major plants in my district that are Electromotive and one of the General Motor's plants. And I kind of had some qualms about doing it until the other day I seen a sign on a car at a...festival in Brookfield which I thought was very attractive. "Are you hungry? Eat your foreign car." That's what it said, and that's what we're talking about here. We should help major business in this country such as General Motors and Ford and other people to come back to Illinois and not leave here instead of running over to Japan and Korea and wasting millions of dollars, we can't even save two thousand jobs at Electromotives. We pick up thirty-five hundred jobs and we lose two thousand. We're not doing anything to help existing American industry, we're going and sending over.

Our Federal Government is buying strategic parts for vessels and...and missiles and what have you from foreign powers, and they're the only one making our strategic arms. This isn't right. We have Americans that are out of jobs and we have to save American industry, that comes first. And if we can get American industry in Illinois, I'll take it before Japanese or Chinese or anything else...because that's the way to go, it's the American way, it...builds the power. It builds us as a country, builds us as a State. I get tired of going to veterans' posts and seeing jobs laid off because they laid off at Electromotive and yet they say we're buying foreign parts and cars. Our industry is going overseas. We don't need their business, they need us. We should do something to help our business and if they're large, such as General Motors, we should do something to keep them in Illinois, and that's what this bill does. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? For...all right. Senator DeAngelis, for a second time.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President, I apologize. I...I think one thing ought to be cleared up. I've heard some dialogue about helping business, and the investment tax credit is not an issue here, Senator O'Daniel, that is existing law, this does not change it. What it does, it shifts where the investment tax credit is credited to. As far as helping the three or four other companies that we're talking about, you're talking about spending a hundred and eight million dollars of current revenues to do that, an awfully expensive proposition. And if you really want to do that, I would suggest that that amendment find itself on something else which I am sure will be floating around here before the end of the Session. But to turn around and spend a hundred and eight million dollars to get tax relief to a couple of companies is

not economic development, it is sheer insanity, because at some point we're going to have to make up a hundred and eight million dollars. And where are you going to get the hundred and eight million dollars from? Those very same people that you today decided to give that tax credit to...the...the break in the tax...the manner in which they're taxed. So now we're going to add contortionists...we're going to take contortionism and add slight-of-hand to it. You know, let's wake up, folks, this is awfully bad public policy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

For the second time, thank you. Part of it's a matter of...personal privilege since...the...my name and the name of the commission was taken in vain a number of times, but let me first just make a point on the second part of the bill. The...all of the speeches that I have heard, Senator Kustra and others, about helping Illinois business, that was the argument that was used to pass the double weighting of sales which was House Bill 2819. That is why all of you except two of us voted for that bill. Now what we are saying by giving every taxpayer of a certain size an option is, gentlemen, compute your taxes, your Illinois Corporate Income tax, and whatever formula reduces your taxes the most, whatever formula produces the least level of taxation, you are permitted to have that formula. That is the worst possible kind of tax policy and that is precisely what the local option does and it does have a high net loss to the State in income. The other side though that I would like to just mention because so much has been said about the cost of the investment tax credit, it is absolutely correct, the investment tax credit is in place. The only question is whether it comes out of State funds or out of local funds. The...the commission staff did not do any slight of hand. We asked them to take

another look because the figure that we saw in committee was much higher than any we had heard before. They were able, as their own supplemental note says, to get some information from the Department of Revenue which they had not had available before. They recomputed the cost of the investment tax credit shift on that basis and determined not that it is likely to cost a hundred and...six million dollars but that the cost of the initial credit would be between twenty-five and thirty million and the cost of the additional credit could be between fifteen and twenty million. Now that is not an...inconsiderable sum of money, I agree. But again, the investment tax credit is in place. That policy decision has been made. The only question is whether we foist it on to our local units of government or have the courage to pay for it out of our own tax base. That is a very, very, important principle and a very important message to the units of local government who are going to be coming to us with...pleas in the next few years for additional help. I don't think that we ought to continue to foist the investment tax credit on to them, we really ought to have the courage to pay for it ourselves.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm going to be very brief. We've heard a lot of discussion about tax policy but I think there's one thing we ought to remember about this bill. What this seeks to do is give tax benefits to Illinois employers, that's true, but it's not the corner gas station, it's not the little guy that runs the hardware store, these tax benefits are given only to the very largest companies in Illinois. I'm not saying we should never help those companies but we should not...help them at the expense of the other employers in Illinois. And I think that's what we're about

to...to do in this bill. I think the bill should be defeated, it's too costly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Holmberg may close.

SENATOR HOLMBERG:

Thank you, Mr. President. On June 30th or thereabouts, two-thirds of you will go back to your districts to campaign for reelection. On July 1st, the investment tax credit that has been taking away from municipalities and school districts up to twenty-five million dollars will double. The law says that the factors may double on the 1st of July. So by the best estimate that we can get from the Economic and Fiscal Commission, we're talking about forty to fifty million dollars. How many of you are talking about amounts like that for the cities, for the school districts, for the school district in Chicago? Where are we going to find those funds? Those funds have been in existence for the schools and municipalities until this Body a few years ago chose to transfer them out. Now at a time when revenue sharing is ending, when we have the problems of Gramm-Rudman, when various kinds of bonding for cities are no longer going to be in existence, now is the time to transfer the revenue back. Certainly it will...transfer it out of general revenue, but in an election year perhaps there are some other things that we should not enact, and perhaps it would be better for us to have a bake sale for a few of those extra pork barrel projects and give back the money to education and to municipalities. The kinds of monies you would be bringing back would be equivalent to the tax amnesty windfall. The difference would be that this money is rightfully the money of the school districts and municipalities and would be returned to them every year. With any school formula change it is very difficult for some of your districts to get what they really deserve. In many areas, like ED-RED, the Municipal League,

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IEA, Chicago Board of Education, Illinois Association of School Boards, City of Chicago are saying this is the way to go. With some kinds of formula changes what do you get to bring home? Zip. With this, you are bringing back to your districts what they...what is rightfully theirs, it's much easier than a tax increase, all you need to do is give very light pressure on your green light and vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3503 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, none voting Present. House Bill 3503 having received the required constitutional majority is declared passed. 3548 is on the recall list. 3549, Senator Etheredge. House bills 3rd reading is House Bill 3549, Mr. Secretary.

SECRETARY:

House Bill 3549.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill raises the threshold for formal competitive bidding for forest preserve districts, park districts and fire protection districts. In some instances, these thresholds have not been changed for eight to ten years, so the...what this bill does is to recognize the impact of inflation on prices over this length of time. I'm not aware of any opposition and I would ask for a favorable roll call if there are no questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3549 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3549 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3550, Mr. Secretary.

SECRETARY:

House Bill 3550.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill that creates the Illinois Summer School for the Arts. The bill is a program as amended that will encourage public and private participation in scholarship funds for the students that would attend a summer program that will concentrate on the...development of the artistic talents of our school children throughout the State of Illinois. It will be on a competitive basis with soliciting applications from throughout the State of Illinois. There is estimated to be somewhere between three hundred and four hundred participants and the bill has been amended after concurrence with several of our established charities so that there is no competition by the school with them and also with the Governor's Office regarding the administrative procedures set out in the operation of the school. Be glad to respond to any questions. Solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

I'm...I'm not arguing against...the bill strongly, I'm just saying, you notice how these budgets can kind of go up? Remember the Arts Council budget once went up ninety-five percent in one year? This is a merely hundred and fifty thousand this year, seven hundred and fifty thousand the next year, thirteen million the next year. I'm just saying somehow we start these programs at reasonable costs and the next year or three years later, they bankrupt us. I'm not saying it's not a bad program, it's probably a decent program. But when you start running up costs and you just say, what will we do? I mean, one year boost, this thing goes up six hundred percent in one year. I take it back, five hundred percent in one year. That's the first year's increase is five hundred percent. What will it be the next year? After awhile you have to start to say, it's a nice program, the cost is not unreasonable, but boy, three years from now it's going to eat us alive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I rise in support of House Bill 3550. Last spring when we were debating the subject of education at length, there were a number of academies that were talked about. We passed out of this Body the Math-Science Academy, which, of course, was a residential academy. But those of us who debated this issue were concerned about the thought of all the other academies that were being considered. This seems to me to be a compromise, it utilizes some unused services that are available throughout the summer. In addition to that, these best and the brighest of the art students will be paying part of their own tuition and this is something else that is extremely important. I think this is an excellent bill, it's a good suggestion, a good proposal and I rise in support of House Bill 3550.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Senator Keats, I would suggest to you that three years from now you can handle my appropriation bill, I like the way you estimate figures. But I don't think you'll have to, because the way this is structured we're not going to get anywhere near the kind of demands that you anticipate. I would suggest that you go back home, talk to your constituents, because some of the greatest impetus for this program comes from your district. And I solicit an Aye vote from all of the other fifty-eight districts in this State. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3550 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 voting Present. House Bill 3550 having received the required constitutional majority is declared passed. 3555, Senator Mahar. House bills 3rd reading is House Bill 3-5-5-5, Mr. Secretary.

SECRETARY:

House Bill 3555.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The Calendar...description in the Calendar is accurate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we break up the conference...in front of Senator Mahar. Senator Watson, Representative Ronan.

HB 3573
3rd Reading

SENATOR MAHAR:

The bill as amended does three things. First of all, it exempts property owned by forest preserve districts, by special assessment of other units of local government and it exempts them from annexation without consent to the district. This is exactly the authority that is enjoyed by the Cook County Forest Preserve District and this legislation would extend it to the other ten county forest preserve districts around the State. And, finally, it conveys from the State of Illinois to the Kane County Forest Preserve District that property...or that fifteen miles of former railroad right of way that is now known as the Illinois Prairie Path.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3555 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3555 having received the required constitutional majority is declared passed. We're down to our very last bill now on page 10, then we're going to go to the recall list, so would...advise the sponsors to get ready. House Bill 3573, Mr. Secretary.

SECRETARY:

House Bill 3573.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3573 is a new Act and it would require every circuit court...every circuit to establish pretrial...a Pretrial Services Agency, which agency would be accountable

to the chief judge to assist the court in determining the appropriate terms and conditions of pretrial release, namely, bail. The Supreme Court is mandated under this legislation to pay one hundred percent of the costs that the circuits would...would incur and they are to be reimbursed...the circuits would be reimbursed monthly based on a plan and a budget approved by the Supreme Court. This legislation has the support, obviously, of the court system, the Illinois Probation Officers, the State's attorneys, the John Howard Association and the ACLU. And it is particularly appropriate, as was pointed out in the Tribune editorial which supported unqualifiedly this legislation, that given the fact that we will have in November the bail amendment up for consideration by the people and everybody reasonably expects that it will overwhelmingly be approved, that pretrial services are very timely, it's something that probably should have been done awhile ago but given the fact now the tendency is to hold people either with no bail or a higher bail, this decision really ought to be made based on information that can be gathered only by an agency such as this. The fiscal note...I'm told that the House sponsor has added...or had introduced legislation calling for an amount of roughly seven million dollars for the first fiscal year based on, I think, the Washington D. C. system which has been in operation for a number of years and is highly regarded in the criminal law circles, and that cost is about two million dollars and Illinois has about three times the court calls so they multiplied it out and came up with seven million dollars. I would be happy to respond to any questions; if not, I would solicit a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3573 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted

who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, none voting Present. House Bill 3573 having received the required constitutional majority is declared passed. All right. Now we are now going to proceed to the...the recall list. The revised...rerevised recall list. We will begin with 523. On the Order of Recalls. Senator Vadalabene, are you...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to remind the membership that today is the final day under our rules for consideration of these bills, so that as we finish the recall list, we will then go back and call those bills for passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene seeks leave of the Body to return House Bill 523 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 523, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senators Lechowicz and Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 would provide a hundred dollar per day compensation for a...Illinois Liquor Control Commission member of a local license appeal commission, he would receive that compensation. The provision was contained in the bill as it passed the House but it was deleted by Senate Amendment No. 1. This would correct that oversight and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 2486 Recalled

All right. Discussion? If not, the...the...Senator Lechowicz has moved the adoption of Amendment No. 3 to House Bill 523. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House Bill 2486. Senator Weaver seeks leave of the Body to return that bill to the Order of...of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 2486, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Amendment No. 2 does four things. It reduces the privilege tax to the level applied to the downstate tracks, it establishes authority for a race track eligible to conduct intertrack wagering to establish two additional locations to conduct intertrack wagering. It contains provisions necessary for the State operation of...DuQuoin State Fair and it requires fingerprints of all applicants for occupational licensing from the Racing Board. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver has moved the adoption of Amendment No. 2. Discussion? If not, those in favor of Amendment No. 2 to House Bill 2486 indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

HB 2630 Recalled

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. House Bill 2630. Senator D'Arco seeks leave of the Body to return...House Bill 2630 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2630, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Jones, Chew, Collins, Smith, Newhouse and Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. This is the South...Africa divestment amendment. After discussion last week with the minority spokesman on the Pension and Insurance Committee, we decided to make this...this amendment prospective rather than...rather than divest all funds that are currently in South Africa. Let me read you the words of the amendment. "After the effective date of this amendatory Act of 1986, invest or deposit any pension funds in any firm, corporation, agency, association or unit, bank or financial institution, or in any stocks, securities or other obligations thereof, which invests in or has ownership and interest in property or has an outstanding loan to the Republic of South Africa, a national corporation or other corporation organized under the laws of the Republic of South Africa and...or a company for the purpose of investment in the Republic of South Africa, until such time as the United Nations certifies that that system of racial discrimination, commonly known as apartheid, is abolished." This is a prospective amendment, what the amendment says in essence that we will not no longer take Illinois dollars to support a racist regime for the purpose of using those monies to suppress its

people. The previous amendment, as I...for study...was withdrawn because it required the...the divestment of all funds currently in the Republic of South Africa, but this amendment will prohibit any Illinois tax dollars that we pay into the pension systems from being used by that government to use to suppress its people. And I ask for a favorable vote on Amendment No. 2 to House Bill 2630.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I rise in favor of this. I think the original program was going to be...oh, was going to be detrimental to our pension funds. I think this is a good way to work it out, and I do call for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm somewhat surprised at the previous speaker, but I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Jones, you are using a economic device for a political end. My question is, upon whom do the unfavorable economic consequences of disinvestment fall?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, in answer to your question,...and I don't agree with you using it for a political end. I don't think the...people in...in this State will want to be recipients of tax dollars that would be used for the purpose of killing and

suppressing people. Now you ask me who will it fall upon. It will fall upon the racist regime of the South African Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

That's all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, it is these tax dollars and other tax dollars across the country that is holding that government afloat. So, therefore, these funds...these tax dollars would no longer be used for that purpose. That government thrives off of the investments made by corporations in this country, and without our tax dollars, they would no longer be able to use; because those corporations who have businesses in South Africa when they realize that their American dollars will be dried up, they themselves will force that government to end that apartheid situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I...I don't think that answer can go without some amplification. First of all, the economic consequences will fall on our retired school teacher or retired person. I don't care if it's prospective or not, Senator Jones, that doesn't make it any better. Okay? Now, secondly, it will fall on some of those corporations that are there. Third, what you've remarkably forgotten are the people that are employed by those corporations 'cause disinvestment creates less investment, less investment creates less facilities, less facilities creates less jobs. And I'm not so certain that those companies are even going to be hurt because the

stock that is owned is not owned by the company, it is owned by individuals, pension plans, other people who own that stock. Companies don't derive a nickel from the stock sold unless it's a new issue. I think the thing that I find most reprehensible about this kind of tactic is that it really doesn't help the people that you're trying to help. I have a very strong feeling that South Africa will abandon apartheid if it doesn't go into revolution and then nothing will be left. It would be almost facetious to embark on a plan like this and then find the people that you're trying to help not being able to help themselves once they gain control because nobody wants to invest in that country. But I think the thing that I find most corrupt about this kind of thing, it is the last cry of the liberal movement which for a long time has placed the burden of liberalism on somebody else. It's like Ted Kennedy with his great legislation while he sits in his comfortable five million dollar compound in Massachusetts insulated from the rest of the world while his rental properties of the Merchandise Mart and the Design Center in Washington make tremendous amounts of money. This is not a good economic device but, worst of all, it's not a very good political device.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A couple of questions of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNENAN:

Senator, is it your hope that by adoption of this amendment that we would discourage companies from investing in South Africa?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Senator, it's not that I have a hope, what I would like to see happen is that not only do the State of Illinois divest its funds but any other state and some states and some university pension systems across this nation has...have already divested funds...from the Republic of South Africa. If it were not for the investments of this country, then you would more than likely not have that situation wherein our dollars are help keeping that...government strong wherein it...it can...oppress its people. So it is my intentions that if we pull our dollars out, other states would do likewise and the people there would have a better opportunity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

On page 3 of your amendment it says, "Nothing in paragraph 4 of Section B of this section shall be construed to be a breach of fiduciary duty on the part of a trustee." Why is that in there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

That is in there more or less to...to let those trustees of the pension system know that...these funds can be divested and they would not be in breach of their...the Fiduciary Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, very much. I...I agree with the answer certainly to the second question. Let me respond to...some of the points made by the sponsor. If we're trying to send a message to companies that they shouldn't invest in South Africa, I think we're a little late. You know, they...they

watch TV, they know what is going on in that country. And I don't believe that American industry is aggressively...investing in South Africa anymore. Fact of the matter, they're all apparently running around trying to save their...their bottom line right now and...and hoping that that country doesn't go into revolution and total collapse which would of course mean significant loss to those companies and to those people in Illinois who depend upon our pension funds. A few years ago this Senate, in its wisdom, adopted a bill that was intended to improve the yield on our pension funds. We gave the trustees the...the board of investments of this State a new charge and we told them that from now on their activities would be...would be judged by the prudent man rule which is a rule that is generally applied to banks and trust companies and other fiduciaries handling monies of other people. We did that so that we could increase the earnings for people expecting pensions from the State of Illinois. Now what you're saying is, we want you to follow the prudent man rule except in the case of South Africa, don't invest in any company that's got anything to do with South Africa, and even though that's not prudent, we're not going to sue you for that. Now, that's, in effect, what that...what that second portion of that amendment says. I'd like to point out once again to the...to the members of the Senate that no matter how you feel about apartheid in South Africa that, in effect, what you're doing by means of this amendment is saying to the State Board of Investments, you will not be permitted to invest in about half of the fortune five hundred...companies in this country. Now I think we all support the collapse of apartheid...we all want something to be done about the...the injustice to the people in South Africa, but whether or not we want to take that out of the hide of retired teachers, retired State employees through their pension system is an entirely different matter. And I

think this...I think this amendment is just as bad as it would be...or nearly as bad as it would be if we required immediate divestiture. Because what we're doing is saying to the people that are serving on the State Board of Investments, don't make good investments anymore, don't buy stocks and bonds of those companies that are...are listed and rated as some of the very best investments in the United States.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, can you bring your remarks to a close, please?

SENATOR SCHUNEMAN:

Yes, sir, I will. I think the...the amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We have five additional speakers and I...would admonish the members to be brief. Senator Rock, you wish to...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My concern, and it's a concern, Mr. President, that I have expressed before, and I'm not so sure, Senator Jones, that the language that...that you have added to this amendment as opposed to one we considered earlier really accomplishes the purpose. The problem that I have is that I am ex officio a member of the State Board of Investment and, as such, responsible for five billion dollars worth of investments; and the section that you are amending says, "A fiduciary with respect to a retirement system or fund established under this code shall not," and included in the list of shall nots is, obviously, shall not invest in any firm...that has an ownership in or has any loans with...or does any business with, apparently, the Republic of South Africa. Then you say later on, "However nothing in paragraph 4, subsection B," which is the divestiture section, "shall be construed to be a

breach of fiduciary duty on the part of a trustee." I don't think that's effective and I would...ask the sponsor to respond to that. In other words,...are...are the members of the State Board of Investment overseeing five billion dollars worth...one, I suppose I've seen lists...where companies like Coca Cola, some of the major corporations in America, in fact, have some investments in or some ownership in and do some business in South Africa. So my presumption is that we now have to go down that list, we as trustees, and excise all those...investments, certainly not prospectively invest any further in those even though the investment counselor might say, gee, it's an awful good investment...you know. My duty as a trustee is to try to get a maximum return on the invested dollars, and short of that, I'm...I'm not particularly personally concerned about a lawsuit because at the moment I'm almost judgment proof anyway. But the fact is, I presume then that someone who is...has some standing, an annuitant, could come in on one side or the other and say, hey, Mr. Trustee, you are not obtaining maximum return because you're now not investing in some of the major corporations; or, on the other hand, someone could come in and say, hey, you forgot about X company, don't you know they do some business with South Africa? I guess my question is, how do you...how do you...how do you respond to this dilemma? The...morality question, the philosophy, I...I can deal with, I'm...I'm a little more in the real world. What's it going to cost us and when it cost us something who's responsible for it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, in...in response to...Senator Rock, in answer of his question, you asked that same question last year as relate to the responsibility of the trustees...as relate to

getting the best investment for the dollar; and, on the other hand, you say that you are concerned about the problem. Well, what you are saying in essence is that you do not have faith in the Illinois economy, you do not have faith in the Illinois government as far as the businesses that are doing business in this country. And what you are saying in essence is that even if that country be...be it Russia, be it Poland, be...be...be it Afghanistan or you name it, if they were doing those things to the people, you're not going to withhold the funds. Now, I...I believe the first paragraph on page 2, Section 4, take care of the...the...the part as it relates to the trustees as far as relieving them of any responsibility and...and getting the best policy for the investment. However, just as a backup to satisfy what you wanted last year, I included that section in here that nothing in paragraph 4, subsection of this section shall be...be...be construed to be a breach of fiduciary duty. Now that was put in there to satisfy your concerns along those lines. And...in answer to your question, sure it is a problem but I don't think it would be a problem on this Floor if it was Poland or Sweden or...or Europe as far as pulling those funds out. This is the only country on the face of this earth that practices apartheid and...and to be concerned about the best possible investment and not be concerned about the lives and the...and the welfare of the people of that...of that country, I don't think that we should be standing here arguing and quibbling over...over a few million dollars if you're really concerned about the people there, you would support the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, those protestations to the contrary notwithstanding, I'll support the amendment if I feel if it's in the best

interests of what goes on around here. The fact of the matter is, there are a number of companies...and we have also, I might add, taken a position on the State Board of Investment that where we can, where we can justify the kind of return we ought to be getting, we would emphasize, if you will, investment in Illinois companies which I think is a good thing for us. The fact is there are some companies in Illinois who do some business in South Africa. And we are now again apparently constrained by virture of this proposal to say, hold it, sorry about that, we're not going to invest, we don't care where you're located, we're not investing in it. I...I just think this thing has...has major ramifications and it can't be so lightly dismissed. Do you have any idea what the...Mario Cuomo has been quoted as saying that the divestiture in New York costs or will cost in excess of two billion dollars. What's it going to cost us here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

...Senator, you indicated that you are an...an ex officio member of that board. I'm...I'm quite certain that we are talking about approximately three hundred million dollars at this particular...and it won't cost us, these would be the funds that we are not going to invest in corporations doing business in South Africa.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the House. This is always a rather...Ladies and Gentlemen of the Senate. It's a difficult question to speak on for fear...at least in my heart, for fear in some way of being misunderstood. I tried to make a point last year, I guess it was, on this issue that one does not have to believe that apartheid

is a good idea, which I don't happen to believe it is, to at the same time think that under the circumstances divestiture in businesses doing business in South Africa is a good idea. I don't think that it is a good idea and I have tried to make the point and I suppose have a...maybe a global concern here which may not be germane to State affairs. But it seems to me that what we are seeking perhaps inadvertently, and, Senator Jones, I certainly don't accuse you in any way of this, but there is a movement afoot in this country that seems to reason that if we can bring the government of South Africa to its knees or in fact abolish it completely that somehow the black people in South Africa will be benefited thereby; and I simply don't believe that because I think that if that government comes to a total collapse either through revolution or whatever means, there will be a vacuum created into which something is going to move and that something, as I understand it, may very well be Marxism. The Marxist, the Communists, the Socialists have a very large interest in South Africa and, believe me, that is one of their targets. And we will see perhaps South Africa go the way of Cuba or go the way of Nicaragua or go the way of other countries where we have seen one government brought down because it was...oppressive only to be replaced by another government that is even more...oppressive. And I'm going to close by simply saying that in my opinion as we move in this direction...and, Emil, I think I understand where you're coming from, I really do and I know you're sincere, but I think what we are apt to do is to encourage those forces that want to see this vacuum in South Africa with the idea of another form of government there, Marxism, I think, I'll be honest about it; and if that happens, then we will have abolished one form of oppressive government where there is some chance of reform, and I believe there is if we can keep American interests there, I think they will help bring about changes in

South Africa, but we will have replaced that with another form, perhaps as we look back over the years with another form of government, Marxism, in which...or from which there is little or no hope of reform, because once entrenched, they simply don't reform. That's oppression and that will be oppression for black and white and it will be there to stay. So, for those reasons, I don't think that divestiture at this point is a good idea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have six additional speakers. Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I rise in very strong support of Senate bill...Amendment No. 2...I mean, this amendment to...Senate...House Bill 2630. Last year I sponsored the same resolution...amendment and at that time there was some complaints about needing to do the same things that Senator Jones tried to do this time in order to clear up some of those complaints. But before that, Senator Jones had the original bill which calls for total divestment and at that time there were some concerns that we ought to make it prospective. And so each time we attempt to satisfy the...the concerns and...of the membership, we come back and only to find that new objections emerge and I think that's where we are now. The reality of the situation is that the State of Illinois should, in fact, do something or attempt to do something just as some of the other local units of government, states, and even I might say, the President of the United States has began to sound as though he is rethinking his whole position on the issue of divestment in South Africa. And let me just say briefly to one of the speakers...said...indicated that if, in fact, that we do this and if, in fact, that the majority take over of that country, the question he raised is whether or not they will be equip-

ped to carry on and to manage the affairs of their government. Those same questions was raised during the time of...when they were talking about freeing the blacks in this country from slavery. The Southerners pretended that if...that we were better off the way we were and that if, in fact, that we were given our freedom that we would not be able to manage the affairs of our families and support and take care of ourselves. And I think that that analogy go...same for the majority of people in South Africa. I think it is time that we stand up in this State and go on record. Maybe this amendment won't have a great deal of impact but at least Illinois is saying that we are in total opposition of the oppressive type of government in South Africa and we want to go on record as saying that maybe we can't do as much...have as much impact as we would like, that we can't stop apartheid in...in South Africa but at least we can impose minimum economic sanctions. Economic sanctions does work, it most certainly worked in terms of black Americas in our struggle for our civil rights. It was economic sanctions that moved and awakened this country to the reality of equal rights and equal justice under the laws for black America, and I think we ought to say these things to South Africa and pass this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The Chair is using the timer just simply as a means for the members to have some idea as to where they are with their remarks. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. This is an...an emotion laden question and it produces agony on all sides. I think it's well worth the time that we take to debate an issue such as this despite the pressures of time for other kinds of things. I think we have to begin to look very hard

at some historical failures on the sides of an awful lot of interests. I am sure you are right, Senator, that there is a real danger that Marxism may fill that vacuum, and I think that we have to look at ourselves to determine whose responsibility that was. If we look at our historical failure to support a kind of leadership that would have engendered not a rearrangement of a social system but if we look at the way that that social system was imposed upon black South Africa, if we look upon the way in which we stood aside and watched how the Europeans divided those Third World continents and proceeded to take the natural assets that belonged to the people who lived in that country and convert them to their own usages; if we look at that kind of record and suggest that that kind of record is justified by the present type of government that...that exists in South Africa, if we look at those surrounding nations and...and recognize the facts of life, and that is that the Marxist have been hard at work over there for a long period of time and they have produced some results based upon the failure of our system to do what it ought to have done and that was to, first of all, see that justice was done in the first place, and having not done that to have been as busy prostitising in those countries as were our enemies; but instead, we had regimes that gave us the likes of Idi Amin and others of that ilk whose job was simply to be the thugs that suppressed the members of that society while the European societies...while the European societies took out the natural resources of that country and the profits went...went elsewhere and the people who lived in that country were kept under the thumb of something...of something resembling slavery. Well, you know, the dice...have been thrown, it's time to call in the bets. The fact is that we should move swiftly, yes, but part of that movement ought to be to say very firmly to the government of that country what it is that we stand for. And if we have

the moral...if we have the moral courage to stand for what we represent to the world that we represent, then our record on democracy ought to be...and we ought to be able to understand and be judged upon that basis, but the fact is, we haven't done that, and if we don't begin to do something very quickly, I'm afraid you're right, Senator, that the Marxist are going to be there. Now we need to deal with that directly and one of the ways to deal with that directly is to get tough right now and talk divestment. If we go on the theory that no one in that country has the moral strength and courage that...not...that there is not a sufficient number of people of stature in that country who are prepared to say that, yes, we ought to create a system in which all people are equal, we ought to create a system in which all people have a voice in government...the revolution right now is on but the revolution now is coming from just the opposite side, it's not democracy it's something else again. It's another kind of political oppression. You know what's happening there and we know what's happening there. The press has been completely suppressed. The press has been suppressed for the reason that the detention process, the official killing of people including children is horrendous and they do not now want the world to see that. Are we going to participate in that cover-up process? I don't think any of us want to be part of a cover-up of something as vicious as what is going on there. We're admitting, as a matter of fact, in all this debate that this thing is hideous beyond belief. And yet we say, let us not take any measure to disturb a kind of system that certainly is not advocated by our Constitution, advocated not by our system of government nor supported by anything that we purport to be involved in. So, yes, it's hard, it is. The question is, is it fair? And I would suggest to everybody on this Floor that we need to swallow hard and take the moral and ethical position, take the position

that we purport to represent to the world, that we believe in fairness, that we believe in justice, that we believe in the equality of man. We got to start somewhere, folks, and I would suggest to you that this is a minor way to begin that process. I would suggest we all ought to vote Aye on this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, I'll be brief. There's been some fine things said and I won't try to reiterate...and repeat what has been said. But we're very proud to say that we believe in the American way and we know that the government of South Africa is not going to get any better; all you have to do is look...all of us look at television, we see people with sticks, children, we see people come up in armored vehicles, tanks. Imagine that here you are with a stick or a spear trying to fight a tank. I certainly don't want the money that I have invested in the State of Illinois in a pension fund to be used to snuff out the lives of any people regardless of race, creed or color. I believe that that money should not be used for that and if we as good Christian people, which we say we are, and I believe that most of us are, that we cannot be more concerned about the interest that our money is going to draw than the lives of people that we see snuffed out every day, I would just appeal to you that we should pass this amendment, and I'd urge your favorable support for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

While I agree with what the opponents have said, I'm going to take a slightly different tact from many and follow some of the technical problems Senator Rock had raised. Let

me just give you a couple of examples of the internal problems of this amendment. Who decides who is or is not free? The United Nations. Have you ever heard the term "kangaroo court"? The United Nations is the same group that declared Zionism racism. The United Nations is the same group who has regularly been anti-Semitic, anti-free speech, pro-police state, defensive of Iran, Libya, pro-one-party state, anti-democracy. This is the fine group who will make the decision of when this country is being run correctly. This is the group that couldn't find it in its heart to criticize Idi Amin in Uganda, could not criticize Afghanistan and never knew the Gulag Archipelago existed. This is your kangaroo court. Roughly a hundred sixty members, roughly a hundred thirty of those hundred and sixty members vary between one-party states and totalitarian dictatorships. This is your court who this amendment says is deciding. You have to think about some of those things a little bit when you're trying to put the amendment in perspective. A second side, how much investment...American investment is there is South Africa? A little less than ten percent of their capital investment. Who are most of those employees? Of those outside countries who are invested in South Africa, the highest percentage of black employees are American companies, overwhelming majorities, I forgot the exact numbers, but it's seventy, eighty percent of the employees are black. That's why Senator Philip sent around a letter from Mangosuthu Buthelezi who's the elected Chief Minister of the, what's called Qua Zulu, we would translate that in American to Zululand, but it's Qua Zulu, home of the Zulu and to quote him, "They speak as if they have our mandate," his....this is an elected leader of six to seven million people and he says he is against disinvestment. Who are those leading the charge in favor, have any of them ever been elected to an office? I meet many of them in the Council of Churches and

Bishop Tutu, who I respect, and Bishop Tutu has admitted he's a Communist although the press forgets to...to say that. The Bishop admits it, he's an honest man; he's not dishonest, he publicly admits he is, our press just never seems to notice that, but he's up-front about it. What group were they ever elected to represent? And his...and as Mangosuthu Buthelezi says, they speak as if they had our mandate. What mandate did they speak from? And, when he concludes by saying all they achieve is more suffering and retarding whatever little progress blacks would achieve within these...multinational corporations. It's this last gasp for liberalism to quote someone else's phrase, I'm a liberal and I'm so much smarter than you are that even though you're going to sit there and starve, I know you're better off even though you're starving to death 'cause that's okay 'cause I feel good and you starve. That's a heck of a deal. We feel good, some American liberal says, it's okay for a black guy who used to have a job in South Africa and used to support his family, it's okay if he and his family starve or if they do without a job 'cause it didn't hurt him, but boy he feels good. The practical sides of this amendment, you use a kanagroo court, number one; you accept as spokesman people who've never won an election anywhere; and third, you do so much more harm than you do good that if you ever tried to balance this in the weights of justice, you would come out on the short end.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is one of those issues that strain at both our head and our heart. But I would like to remind the members of this august Body about some of the words that one of our great Americans, Doctor Martin Luther King, spoke when he was imprisoned in the Birmingham Jail. He had these words to

say, he said, "I know that the laws of Alabama say that I can't eat in a public restaurant. I know that the laws of Alabama say that I can't send my children to the best public schools available. I know the laws of Alabama dictate to me where I can ride on public conveyance. They tell me where and how I am able to vote. But there is a higher law, a higher principle to which I must subscribe and to which I am guaranteed those freedoms just by virture of being a human being." It seems to me that more than any economic investment or any economic principle at stake here there is a higher principle, a higher law at stake, and that law is the law of justice and equality. The law which we have always stood for as Americans, and wherever that principle, wherever that law is being violated anywhere in the world, it seems to me that we should be speaking out in whatever way we can, to whatever extent we can to say that this is not something we favor, this is not something that we stand for. This amendment doesn't say we're going to divest everything that's presently invested in South Africa, it says in the future. Let's take a look at where we're going and find another equally good place to invest our money; but at the same time, it stands, in my judgment, for what we stand for as a people. I think it's a decent amendment and I think it should be passed and I would hope that we would support it. Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? For a first time, Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

On page 2 of your amendment, you say that on the effective date...top line, number four...of this amendatory veto,

may continue...my continue...the violation may continue for a period not to exceed three years from such effective date, during such three-year period the fiduciary shall annually file on or before January 1 and so forth.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, hold...just a moment. Senator...Senator Jones.

SENATOR JONES:

Senator, that was the amendment that called for total divestment. That amendment was...was withdrawn, we have a new amendment. Say any...any future investments. We're dealing with future investments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Is this the one that is page 2 on the bottom, paragraph 4, is that the new one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I am troubled, very troubled, because certainly I am against apartheid. What troubles me is, what about the black people who have jobs in American firms and American companies in Africa? Once the Americans leave there, wouldn't the Chinese or the Japanese or the Indians...I mean, Indians from India would come in and take over, would they have a better standard than Americans? I'm troubled, do you...have you any information about that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Jones.

SENATOR JONES:

That really amazes me. In response to you, Senator Geo-Karis, I'm quite certain that the blacks there in the event the Americans do pull out and there is a revolutionary war there that they would be quite capable of managing their affairs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I just seen your amendment now which you say is the current amendment. I wonder if I could have...look it over.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why...why don't we...there's a couple of other speakers, why don't we come back to you, Senator Geo-Karis. All right...further discussion? All right. For a second time, Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I...I rise on a second time because there were several things said that I think need a response. There was some talk about a police state and the police state that...that is incipient, the police state that will take over once this...this government falls. And the facts of life are that we have a police state right now, there's no question about that. There's detention without charge...for...for months; there is presently all kinds of...of...well, they're going in...they're going into the house by night, they're crashing the doors down. So...there's nothing new about that, we have a police state and we're supporting that police state right now. The question about the blacks who work and the question of what's going to happen to them. Well, we aren't talking about it and what we're saying is the reason blacks are working in South Africa is because it's cheap labor. That's the rationale behind that. And that cheap labor isn't going to go away

and the need for that cheap labor isn't going to go away. They're doing work that no one else is going to do. They're going down into the mines for pennies a day, mining for pennies a day, gold and diamonds. Can you imagine the kind of profiteering that goes on there, that's not...that...the...the...the economy is dependent upon them going into the mines, mining that gold, mining those diamonds, those very expensive kinds of a profit making kinds of industries that are going to have to measure up and take some...and take some further steps. One of the reasons, of course, is the economy is based upon that very cheap labor and the very high profits. I know that a couple of the Senators from this Body have been to South Africa at the invitation of that government. As a matter of fact, I asked one of them if he could arrange for a trip for me to go there and we never heard from that again. I'd like this Body to understand that the National Conference of State Legislators has been trying for over a year, over a year, to put together a trip to South Africa, and the reason why it has not been successful is because that open government will not permit the members of that delegation to select the sites where they want to go. That's what kind of government we're talking about, make no mistake...make no mistake, don't talk to me about open government, don't talk to me about police state, because open government does not exist and a police state does, a police state in which they have killed children in full view of television cameras. But when they realize the public relations mistake that they made, not the moral mistake that they made, what they did was simply ban the press, and this is what we're supporting. It's going to take some tough measures to cure this cancer and it is a cancer. And the fact is that if this government does survive, if it does, there's still going to be a blood bath in that area, you can't avoid it. The communications are too...communications

are too open nowadays, people there are beginning to understand how people live elsewhere, the unrest isn't going to go away. The best thing we could do for the population there is to cut this cancer open now, cut it open cleanly and have a situation available in which a strong open, open, open government to all people can exist. That's our obligation and I think our obligation is consistent with this amendment...and with this...resolution, we ought to go forward with it.

PRESIDENT:

Further discussion? Senator DeAngelis.

END OF REEL

REEL #5

SENATOR DeANGELIS:

Well, I...I think it ought to be pointed out, some people have equated this...these economic sanctions with the same type of economic movements we had in the civil rights movement. Well, let me refresh this Body and they...those who have made those comments should know better than I, but if you'll recall, those sanctions or boycotts were put on people who would not employ blacks or who chose to serve them in segregated facilities. Now, I concur with that, but in this case, you're putting a boycott on the people who are doing the hiring. As far as the gold interest and mining interests, those are not American companies, Senator Newhouse, that's not where it's going to apply. The companies that it applies to are GM and other companies who produce products, and, granted, the wages are not the greatest in the world, but let me tell you, in comparison to some of the other ones, the economy of the surrounding nations, the one problem South Africa has is the majority of the people that are there had migrated there. They weren't there and one of the reason that the people are so adamant about not changing is the people who have been there want to preserve that system, right or wrong, but you're not aiming that gun at the right people, that was my point at the beginning. You're going after the people who could help the situation and you're, in fact...as the old expression says, when a man hits a dog with a stick, the dog bites the stick. Get the man, Jack, don't bite the stick.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

I apologize for rising the second time, but I...I think that we need to just stop here and take note to what we're saying, all of the debate that I've heard, those in opposition to this amendment; and I want to ask you to ask yourselves one basic question, those of you who are concerned about the soundness of the investments of the Pension Fund and giving those investors the...the discretion to invest in any sound, good investments that's going to yield a profitable return on our pension funds; now, if that is all that you have to be concerned about, I would like to ask you this question, would you be as adamant about that investment if it was invested in illegal drug pushing in this country, because I can tell you they can make billions of dollars out there if they were investing in that, and that's the way I see what is happening right now in South Africa; if, in fact, you invest those dollars over there, it is the same kind of injustice, it is a violation of the fundamental principles and laws of the State, it is the violation of our moral principles of this country and those that we have perpetuated over the world. So, if, in fact, that you feel that the dollars is more important and the return on those dollars is, in fact, the issue, then I suggest to you, let them invest in the drugs on the street, because that's exactly what you're doing. You're perpetuating and promoting...killing and the wasteful use of lives in South Africa.

PRESIDENT:

Further discussion? Senator Jones may close.

SENATOR JONES:

Well, thank you, Mr. President. After listening to the remarks made by my colleagues on this all-important amendment, and to you, Senator Newhouse, the...NSCL, if they go to South Africa, you cannot go as a black man, maybe Senator Philip would take you as honorary white man, but you can't go as a black man to South Africa, that's the policy of that

particular government. And to those of us who are concerned about the void that would be left if the American corporations pull out of South Africa, well, we did the same thing with Cuba if you recall. It was the American corporations down there that helped suppress the people under the...the Batista regime working them for ten cents, twenty cents an hour and when the people revolted, and they did revolt, then you end up with the type of government that you have there now. So, we should not be so concerned as we say we are about the void being left there. Those of...of us who are ignorant of history are doomed to repeat it, and if you are...if you ever read the American Declaration of Independence, it tells you right there, whenever that government becomes so oppressive, it is your duty as a citizen to abolish or destroy that government. So, if we are so hung up on what's happening in South Africa and we're so hung up about dollars, but you're not hung up about the people as you claim you are hung up about. You talk about those corporations pulled out...hiring blacks, but let me tell you one thing about history. During the Civil War, you had many blacks who fought on the side of the South. So, I'm not surprised about that letter that Senator Keats talked about that Senator...Philip's had. During the boycott in Selma, Alabama, there were many blacks down there who opposed the boycott because they would be hurt. Well, you still got some of those Negroes around, just like that one that sent the letter over here; but if we are concerned about the moral principles that we...we stand for, you would support this amendment. You would be up speaking for it, because you wouldn't want your dollars to be invested in corporations or invested in South Africa to you...be used to kill innocent babies and women and children and people. If you support the Constitution of this great State, then you will support this amendment. So, that's not...that's not playing games with this issue. The taxpayers of this State

and the annuitants, the pensioners don't want those blood dollars but don't come using scare tactics about this amendment. The IFT, Chicago Teachers' Union, the...the AFSCME Union and many more support divestment but don't use the scare tactics about you're going to lose money. You're not concerned about money because if it was in a...in Afghanistan, if it's in Russian, if it's in Poland, in Israel, you name it, you'd be the first one to stand up and say let's get our monies out of there. So, let's stop playing games with this issue and give me a Yea vote on Amendment No. 2 to 2630.

PRESIDENT:

Question is the adoption of Amendment No. 2 to House Bill 2630. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 25 Nays, none voting Present. Amendment No. 2 is adopted. Further amendments, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Now, we're going to find out how strongly we feel. What this amendment says is basically the same thing except the designated countries involved, the decision is not made by the United Nations, it's...it's made by the Committee for the Free World, and the decision is based upon discrimination against the citizens or any portion of its population. What this says, similar to the previous amendment, we will not trade with any country that is found to be unfree, that discriminates against its citizens or any portion of its population, so if they're picking on one group

and not all, they still would be covered. So, what we're doing is saying, if we wish to disinvest, which is a decision if we choose to make, it's fine, but we'll treat everybody the same instead of singling out one country who certainly has an abominable human right's record but their record is certainly no worse than numerous other members of the United Nations. This says, okay, let's not trade with any of the bad guys. We limit ourselves to trading with the good guys, we limit our pension funds only to the good guys, that's all the amendment says.

PRESIDENT:

Senator Keats has moved the adoption of Amendment No. 3. Discussion? Senator Jones. I beg your pardon, Senator D'Arco, he's the sponsor.

SENATOR D'ARCO:

Yeah, thank you, Mr. President. I...I had no knowledge of this amendment. I brought the bill back because Senator Jones had the disinvestment amendment on, but...you know, I understand it now, there's another...amendment after this that addresses the Northern Ireland question and then...you know, we'll probably address the terrorist question and...by the time we're done, we'll probably be...be here till midnight, so, you know, Keats, why don't you withdraw the amendment and let us go home on time or something?

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Well, Senator Keats, could you tell me in your amendment who is the Committee for the Free World?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Headquartered in the United...it's headquartered in New York, similar to the United Nations. The Reference Bureau

felt that this group was probably the most representative of any of the groups that...that would decide who should be. We're relying upon the Reference Bureau's judgment as this being the most reasonable group. Their standards are based upon human right's violations within their countries.

PRESIDENT:

Senator Jones.

SENATOR JONES:

...Senator Keats, could you tell me of all the countries on the earth, other than South Africa, which one practices apartheid?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

The City of Chicago's City Council.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, that tells me how seriously you are about this amendment, because there's only one country...of all the nations that practices apartheid...that government does, I'm not talking about individual people, I'm talking about its government does that; and to make mockery of that tells me what you really feel about the rights that you have in this amendment, and I would suggest that you do what Senator D'Arco said, let's pull it out of the record because you're not sincere.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, this is the first time...I've been here twelve years, this is the first time that the...Reference Bureau has...has legislated for this Body. I'm...I'm really surprised. Who in the Reference Bureau decided that the Commit-

tee for the Free World was the...this positive...choice to make this decision?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

To be quite frank, I don't remember the name, although I...if I might respond back, you felt a group that said...that said Zionism was racism was a great group, group that didn't believe in free speech...state defended Libya and Iran, you thought that was a good source. I find it interesting you should question any source when you have a group that thought Uganda and Idi Amin were good guys, your a judge.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. It's obvious what's going on, if you can't kill it one way, you kill it another. I...and I'd...I have no real suggestions how we get out of this dilemma. We're going to be here for the next four hours on this...on a bunch of crazy amendments that have nothing to do with the subject matter. Is...is...let me ask the...the Chair a question. Is...is a question of germaneness to the amendments that are proceeding from here, Mr...Mr. President?

PRESIDENT:

Well, Senator Newhouse, the Chair will be constrained to rule that the amendment is germane, it amends the same chapter and section as did Amendment No. 2. Further discussion? Senator Newhouse. Senator D'Arco.

SENATOR D'ARCO:

Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 2 dealt with a specific question and we voted on that question and we voted some of us to oppose the amendment and some of us to support the amendment. Now, we're...we're

talking about...an amendment that addresses a problem that is go general in scope nobody has any idea what we're talking about. We understand there are problems in South Africa, but to say to prohibit trade because the policies of a country are unfair to America, I mean, that is so general in nature nobody knows what it means. Now let's...let's be fair about it, you lost on Amendment 2, why don't you just take the loss with dignity and grace, sit down and quit trying to do something that just has no appeal to anybody in their right mind.

PRESIDENT:

All right, any further discussion? If not, Senator Keats may close.

SENATOR KEATS:

I appreciate...you...appreciate that, Mr. President. In closing, I'll raise one or two points. I appreciate the comments of the sponsor of the bill. I...I'm...I'm sorry to hear he's only offended by murder in one country. I'm offended by genocide anywhere. I'm offended by genocide in Afghanistan. You know, if you're the kid who gets blown up with those little bombs they drop for the kids to play with in Afghanistan that the Russians drop, if that doesn't offend you, maybe we should ask questions about how easily you offend. I'm offended by genocide anywhere in the world. This is a specific question that deals with...if our trading policy is to be limited to those countries that live up to our standards, then that's fine, and I can live with that without an ounce of trouble. If the issue is human rights, then let's say human rights for everyone in the world is of identical value. One person's human rights should be as important as the next and to somehow say, gee, this country's human rights are less important than that country's human rights. I am offended to say that I am less concerned about one person than I am about another. I'm as offended by genocide in one place as another, I'm...as offended by the

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lack of human rights in one country as in...as another. Freedom should be a term that we apply evenly, and I would appreciate your affirmative vote.

PRESIDENT:

Question is the adoption of Amendment No. 3 to House Bill 2630. Those in favor of Amendment No. 3 will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 19 Ayes, 28 voting No, none voting Present. The amendment fails. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 4 offered by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce on Amendment No. 4.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Amendment No. 4 would direct the fiduciary to consider discrimination...ethnic and religious discrimination in Northern Ireland before they make a decision to invest funds doing business there. While Northern Ireland certainly hasn't received the attention that the Africa...South Africa has received in recent months, discrimination there is severe. This gives us an opportunity to go on record and say that we are concerned about it, and I ask for your support.

PRESIDENT:

Any discussion? Any discussion? If not, all in favor of the adoption of Amendment No. 4 indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3036, Senator Welch. On the Order of House

Bills 3rd Reading is House Bill 3036. Senator Welch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3036, Mr. Secretary.

SECRETARY:

Amendment No. 11 offered by Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This amendment is similar to one I offered last week on this bill. We've been doing some negotiating. We now have the Environmental Protection Agency in the position of being neutral on the bill. In addition, the...Illinois Environmental Council is now in support. What the amendment does is to clarify the law which is now subject to dispute as to what law applies for a permitted waste facility when that facility's permit is brought into court for a lawsuit. Currently, the confusion which exists with the law has led to further litigation beyond the initial lawsuits. The amendment will clarify this...the source of the confusion and make it clear that the law that applies is the law in existence at the time the lawsuit ends, and I would move for adoption of this amendment.

PRESIDENT:

All right, Senator Welch has moved the adoption of Amendment No...

SECRETARY:

...11.

PRESIDENT:

...11 to House Bill 3036. Discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I appreciate the sponsor's comments, but this amendment...it is the same lan-

guage as it was the last time that it failed on a verified roll call at 25/25?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I don't think there was a verified roll call. It was 27 to 27, as I recall.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

I think that's...we did verify...but my question would be...my...my objection to it is the same and that is that we are trying to change the rules in the middle of the game. It's an equity question. If business has filed for a permit and been denied and they take it to the Court of Appeals, then what is the purpose of changing the rules in the middle of the game?

PRESIDENT:

Further discussion? Senator...oh, I...I thought that was a statement. I beg your pardon. Senator Welch.

SENATOR WELCH:

The questions that have been posed should be stated in the reverse; that is, what if a company is awarded a permit and they are brought into court and then after years of litigation they seek to enforce that permit? The question then...then arises, which is currently going on in the State and the lawsuit is, what law applies when they try to act upon their permit? Is it the law at the time in 1980 or '32 whenever the permit was awarded or is it the law that's been passed by the Legislature in most recent actions being the will of the people in more recent days, and the purpose of this is to clarify so that there won't be continuing litigation trying to determine which law applies. This amendment will state that the law at the time of the litigation ends is

what applies.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I am troubled, too, Senator Welch, by...by the amendment and I...you know, we've had a...a two-year long process here where this decision has been under...under appeal and what we're saying here is that we have to go back, make a...make a reapplication for the appeal...reapplication, make a new application subject to...to the...the rules that are in place now, and I think that's the objection that we have and...and I just simply don't think that this is proper or correct.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

My understanding of this amendment is that if...if I am a company...say, Company A, I appeal a decision, I was told in 1980 to...to do something, got a permit and I go all the way through the appeal situation and I agree to do this, finally, in 1985. Now, in 1985, all of a sudden there's...whole new set of rules, then I've got to go under the 1985 set of rules? Is that what you're telling me? You got to start all over again?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

You have to comply with the rules in effect when you're trying to effectuate your permit, yes.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

In effect...couldn't I be in court the rest of my life then by the time I appealed that one, I could get up into another set of rules in 1990. I mean, you know, it just seems to me we ought to not change the rules in the middle of the stream, that's sort of...

PRESIDENT:

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, as far as changing rules in the middle of the stream, what we're doing is saying that every year we come down here and pass new environmental laws, we're changing the rules in the middle of the stream. What we're saying is people have to comply with the law as the Legislature enacts at the time they start to develop that permit, to start putting in their toxic dump. I think that this legislation is going to clarify the law, number one; number two, it's going to result in less litigation because right now every time there is a lawsuit in which there's a denial of a permit, there is then a lawsuit to determine after a permit is awarded what law applies. Do you go back to the law at the time you applied or is it the new law? This amendment will clarify that and I'd move for adoption of the amendment.

PRESIDENT:

All right, Senator Welch has moved the adoption of Amendment No. 11 to House Bill 3036. Any further discussion? Roll call has been requested. Those in favor of Amendment No. 11 will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nays, 1 voting Present. Amendment No. 11 is adopted. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

I do apologize because the hour is late, but I'd like to have it verified, please.

PRESIDENT:

Senator Donahue has requested a verification. That request is in order. Will all the members please be in their seats. Mr. Secretary, read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Senator Donahue, do you question the presence of any member?

SENATOR DONAHUE:

Senator Dawson.

PRESIDENT:

Is Senator Dawson on the Floor? He's on the Floor. He's in the Well, Senator...

SENATOR DONAHUE:

Just walked in. How 'bout that?

PRESIDENT:

Yes.

SENATOR DONAHUE:

Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name, Mr. Secretary.

SENATOR DONAHUE:

Senator Netsch.

PRESIDENT:

Senator Netsch is in the telephone...

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SENATOR DONAHUE:

...whoops, there he is. Thank you, Mr. President.

PRESIDENT:

All right, the roll has been verified. There are 29 Ayes, 27 Nays, 1 voting Present. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. The Chair made a mistake. I...I was working off a different list...an earlier list, I skipped 2738. So, if we'll revert to page 5 on the Calendar, at the bottom, House Bill 2738. Senator Marovitz seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2738, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 3.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 3 merely makes technical changes to put this DUI clean-up bill in line with the agreement made with all parties. It is...clarifying language only, and I would ask for the adoption of the amendment.

PRESIDENT:

Senator Marovitz has moved the adoption of Amendment No. 3 to House Bill 2738. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz on Amendment No. 4.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Amendment No. 4 merely clarifies a problem that has occurred in Cook County regarding the cost of any professional evaluation after a conviction, and the amendment clarifies that the cost shall be paid by the individual required to undergo the evaluation. I would ask for its adoption.

PRESIDENT:

All right, Senator Marovitz has moved the adoption of Amendment No. 4 to House Bill 2738. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Middle of page 7, House Bill 3043, which is currently on the Order of Consideration Postponed, Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd, House Bill 3043, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this amendment does in this bill is to take out the mandate programs for due process which some of the members objected to. I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 3 to House Bill 3043. Any discussion? If not, all

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in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Back to consideration postponed, Mr. Secretary. 3053, Senator Degnan. On the Order of House Bills 3rd Reading, middle of page 7, is House Bill 3058. Senator Degnan seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3058, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Degnan.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 3 is actually a rewrite of an amendment previously adopted as Amendment No. 1. I think...it's clarifying language. I'd like to move...having voted on the prevailing side move to reconsider Amendment No. 1 and then Table that amendment.

PRESIDENT:

Secretary informs the Chair that Amendment No. 1 has already been Tabled.

SENATOR DEGNAN:

Does the bill contain an amendment now? Amendment No. 2 I want reconsidered then.

PRESIDENT:

All right. All right, Senator Degnan having voted on the prevailing side now moves to reconsider the vote by which Amendment No. 2 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. Senator Degnan now

moves to Table Amendment No. 2 to House Bill 3058. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 3.

SENATOR DEGNAN:

Thank you...thank you, Mr. President. Amendment No. 3 now is the committee amendment. That amendment which was adopted in committee is suggested by the Cook County Recorder of Deeds, affects Cook County and has Torrens system only and smooths the process and the workload in the Cook County Recorder of Deeds Office.

PRESIDENT:

Senator Degnan has moved the adoption of Amendment No. 3 to House Bill 3058. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 4.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No. 4 provides a thirty-five hundred dollar annual stipend to be paid to the twenty-one elected county recorders not including Cook for additional duties required by the Department of Revenue. The total cost to the State of this amendment is seventy-three thousand five hundred dollars.

PRESIDENT:

All right, Senator Degnan has moved the adoption of

Amendment No. 4 to House Bill 3058. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 9. Senator Savickas seeks leave of the Body to return House Bill 3298 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3298, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Would the Secretary read the LRB number? There's been...in the last hour four different amendments on...they're trying to resolve this problem.

SECRETARY:

LRB8410526RCLMAM10.

SENATOR SAVICKAS:

Wait. Is that LM or ML?

SECRETARY:

That is ARCHLAM10. Okay?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President and members of the Senate, House Bill 3298 as amended tried to address and hopefully addresses the concerns raised by the alarm contractors, the AFL-CIO and the mechanical specialty contractors. Hopefully, this amendment clarifies the current law to require only contractors to be licensed or registered and it would exempt electricians and

other employees from the burdensome process of registering and being...fingerprinted. The amendment also extends the grandfathering period of the law to December 31st of this year for those electrical contractors and changes the years of experience necessary from three to two. I think that this one may change it down to one. We passed this bill out of committee with the understanding that these parties would continue negotiations. They have been meeting; hopefully, this is the amendment that will resolve the problems that they've expressed. I'm not sure that R and E is totally responsive to this amendment, and the last talk...I don't know if all of the parties are very happy with the amendment, but it's the only one we have...if nothing else, we would like to get it on, send this back to the House, if there is a problem, they can work it out; if not, it will pass and it will resolve what we originally hoped for. I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption...of Amendment No. 1 to House Bill 3298. Any discussion? If not,...Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I'm not...I just received the analysis of your amendment and I'm not sure that your amendment addresses my issue, but I...I've received some mail from people like Amway distributors who sell alarm systems to homeowners, and they make the argument that they should not be required to be licensed because homeowners sometimes buy these alarm systems and install them themselves. Does this amendment...or the bill, for that matter, address that issue?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

No, I'm informed it does not address that issue, but that was in part of...evidently the problem or the discussion.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

I'm sorry, I didn't hear what you said. It was not part of the discussion?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

That's my understanding because that wasn't originally considered as part of the problem. The problem dealt with those that are installed and...sell and maintain these systems...

PRESIDENT:

...Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, I understand that, but could I just ask you...I...I think these people raise an...a valid request in that there are many homeowners apparently in Illinois who would like to buy some kind of alarm system for their home and install it themselves. Now they may not be as sophisticated, they may not be as good as a professionally installed system, but it seems to me that...that we're going in the wrong direction if the State requires that every Amway distributor, for example, be a licensed burglar alarm installer if they simply sell those pieces of equipment, and I would ask that somewhere along the line we give some consideration of those people.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator Schuneman, I...I guess you're right. This issue was brought up last year and evidently it addresses in the Act...the present Act those retail outfits, like Radio Shack or whatever, maybe Zayre's, that sell retail through an outlet, they are exempted from this provision. Evidently the problem with Amway is that they are...sell through catalog and that is not mentioned in the Act. I guess there's no problem with trying to get them in. An amendment was offered last year...I understand, but no one really picked up on it and no one pursued it.

PRESIDENT:

All right, further discussion? If not, Senator Savickas has moved the adoption of Amendment...Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Just so the Body knows what we're talking about here, the Amway distributors are not selling through catalog, they're selling through people who go out and actually make calls in the home selling other home products; and so, I'm going to come over and talk to you, Senator, and see if there's some way we can work it out.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 1 to House Bill 3298. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas.

SENATOR SAVICKAS:

Mr. President, while I am up at the mike, I would like to take this opportunity to just comment that my seatmate...his wife is in the gallery...his wife, Dianna, his daughter,

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Stephanie, his parents and her parents, and they are celebrating twenty-four years of wedded bliss. Twelve years ago when I first met Senator Demuzio, I didn't think his wife would ever last that long with him, but I...she must have a great big heart.

PRESIDENT:

Happy anniversary and will our guests in the gallery please rise and be recognized. Top of page 9, on the Order of House Bills 3rd Reading is House Bill 3302. Senator Lemke seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Leave is granted. On the Order of House Bills 2nd, House Bill 3302, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Lemke and Geo-Karis.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this bill does is amends the Home Repair Fraud Act to put it in conformity with the Senate version that's in the House and also adds the text of 1632 which passed out of this which allows the three-day cancellation provision for home repair contractors which was passed out of the Senate, I believe, with over 50 votes. I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 2 to House Bill 3302. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 3rd Reading is House Bill 3340. Senator Lemke seeks leave of the Body to

return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3340, Mr. Secretary.

SECRETARY:

Amendment No. 7 offered by Senator Lemke.

PRESIDENT:

Senator Lemke, Amendment No. 7.

SENATOR LEMKE:

The thick amendment or the thin amendment?

SECRETARY:

Pardon?

SENATOR LEMKE:

Is this the...the big amendment?

SECRETARY:

Yeah, this is the thick one.

SENATOR LEMKE:

What this amendment does is amends House Bill 3340...creates the...the Illinois Mortgage Foreclosure Act which integrates existing Statutes in Illinois case law and some new provisions in comprehensive foreclosure law. Also, the Illinois Home Mortgage Counseling law which creates a system of a certified not-for-profit counseling agency to assist delinquent borrowers in working with their lenders and which would not be funded with State monies and, three, the Illinois Homeowner's Emergency Assistant Act which creates a temporary four-year...program if funded by a separate appropriation would exist...would assist many borrowers in...in default due to a change in their financial condition such as a...huge layoff at Caterpillar or steel mills. I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amendment No. 7 to House Bill 3340. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, a point of parliamentary inquiry. Is this germane?

PRESIDENT:

Yeah, the Chair is prepared to rule, Senator Topinka, that the amendment is germane. Both the bill and the amendment deal with Chapter 110. Senator Topinka.

SENATOR TOPINKA:

I'll settle with that and work off my amendments.

PRESIDENT:

Thank you. All right, Senator Lemke has moved the adoption of Amendment No. 7 to House Bill 3340. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 8 offered by Senator Lemke.

PRESIDENT:

Senator Lemke, Amendment No. 8.

SENATOR LEMKE:

What this does is amends the bill...or moves the requirement that counties...reimburse the Office of the State's Attorney Appellate Prosecutor for services rendered in...assisting state's attorney in handling tax objection cases. What this is is a bill...represents a bill that...3583 that didn't get out of Rules because of the time period and...and I...it passed the House 103 to 9. The State's Attorney's Appellate Prosecutor...program says that this creates a bookkeeping problem. There's only about eight or nine throughout downstate Illinois and doesn't affect Cook County or the larger counties, and I think it's a good amendment and I think it'll...save the State some money in the long-run. I ask for its adoption.

PRESIDENT:

All right, Senator Lemke has moved the adoption of Amend-

ment No. 8 to House Bill 3340. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 9, by Senators Topinka, DeAngelis and Keats.

PRESIDENT:

Senator Topinka on Amendment No. 9.

SENATOR TOPINKA:

Yes, Mr. President, I would like to withdraw Amendments No. 9 and 10 at this time so that we might proceed to 11.

PRESIDENT:

All right. Two amendments have been withdrawn. Mr. Secretary.

SECRETARY:

Amendment No. 9 offered by Senator Topinka, Keats and DeAngelis.

PRESIDENT:

Senator Topinka on Amendment No. 9.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, what Amendment No. 9 is it now?

PRESIDENT:

It is 9, yes, the other two having been withdrawn.

SENATOR TOPINKA:

...first of all, it is the kind of fat amendment that you have here and I want everybody to know because of its size it is not the Medical Practice Act, that's for starters and I'm sure everybody will be happy about that...it is not, even though it looks similar in size, I just wanted to clarify that before anybody would be concerned at its size. The second thing is what it actually does, and it basically deletes from the bill the counseling services as well as the general assistance services for lending which the previous

amendments that Senator Lemke put on this bill did. I admire Senator Lemke for what he's trying to do here by reinstituting the Mortgage Foreclosure Act which I think everybody is in agreement on of all the groups that are involved in lending, but considering this particular part that we are trying to amend out is opposed by such groups as the independent community banks, the Illinois League of Savings Institutions, the Illinois Association of Realtors, the Illinois Savings and Loan Commission, the Illinois Mortgage Bankers, Household Finance, Homebuilders Association, Department of Commerce and Community Affairs, the Illinois Department of Revenue, Illinois Credit Union League and Citicorp, I think there still has something left to be desired here. What it...what it ultimately wishes to eliminate is the ability of putting basically almost a public aid welfare program into lending into the private sector. Philosophically, I happen to be opposed to that. The State of...of Pennsylvania has a similar program. It's already at around seventy-seven million two hundred and fifty thousand dollars and counting which it has impacted on the state there and I think we set up a bad precedent. So, my amendment seeks to eliminate that part leaving just the Mortgage Foreclosure Act in Senator Lemke's bill.

PRESIDENT:

Senator Topinka has moved the adoption of Amendment No. 9 to House Bill 3340. Well, so do a lot of people. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, this is probably one of the best concepts that we've considered in sometime. In areas of the State with high unemployment, individuals are losing their homes due to mortgage foreclosures. Individuals who have worked all their lives and paid taxes now find themselves on unemployment,

unable to make their mortgage payments. My area still has an unemployment rate of ten or eleven percent. These folks are having a difficult time keeping up with the mortgage, keeping up with the food on the table, clothing for their children. My regret is that we haven't had this bill sooner...that we haven't had this program, and the way it is funded is through the tax on unemployment compensation. There's now a tax on...unemployment compensation, those funds will be going into a pool and used to help these individuals with their mortgages. It is a good portion of the bill. It is needed in Illinois, perhaps not in Senator Topinka's area but in the other pockets of unemployment, other pockets that have not yet recovered. I think that anyone who has any compassion for the long-suffering, unemployed factory worker should consider voting against this amendment and for the legislation as drafted by Senator Lemke. Thank you.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I am I guess trying to address Senator Topinka's amendment in relation to Senator Lemke's previous amendment for the state's attorneys and the appellate prosecutor. Evidently, Senator Topinka's amendment strikes everything after the title which strips the amendment we just adopted of Senator Lemke's and throws that out of kilter...Senator, could you address that portion of your amendment?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, it does take that part away as well, because we did not know that that amendment would be forthcoming or covering that particular aspect. We are going specifically after the assistance and the counseling services that are involved in

the Mortgage Foreclosure Act, which, by the way, does not tie into...is not tied into unemployment compensation.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, I...I could see some of the merits of Senator Topinka's argument but she's just...just killed a...a bill that I think is very helpful to all of our state's attorneys in all of our counties, and I think we should probably defeat her amendment.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise also in strong opposition to Senator Topinka's amendment and would really like to make just one point of many that could be made. I think I heard her refer to the provisions...the so-called relief provisions...the foreclosure provisions as a welfare program and I...that is absolutely so far from the truth. What the provisions are designed to do is to reach those people who...as matter of fact, have probably never been on welfare in their lives but who because of the economic ups and downs in this State may be having a temporary difficult time in meeting their mortgage payments. They are people who have an interest, they have a home, they have a stake in the community and they've been paying on their mortgage, but...for whatever reasons, economic reasons they are not able fully to satisfy it at this moment in time. What this is intended to do is to provide a means whereby there will not be foreclosure, they can continue to be stable members of the community and homeowners. It gives them up to three years to get back on their feet, and if they are not back on their feet in that time, then the law will take its course in terms of foreclosure. These are they very working people that all of us have

recognized to become a new part of the economic problems in this country and particularly in our State, and to suggest that it's a welfare program to try to help people to maintain their homes in a manner that in no way, shape or form denies the financial interests what is coming to them is...is just inaccurate. It seems to me that anyone who represents working people ought to be very strongly in support of Senator Lemke's bill and opposed to this amendment that would eliminate one of the crucial parts of that bill.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, I hold in my hands here legislative position from the Illinois Bankers Association, dated 19th of June, 1986, telling us that they strongly support the bill before Miss...Senator Topinka's amendment, so I don't know where she gets the information that they're opposing it. I've got it right in my hands.

PRESIDENT:

Further discussion?

SENATOR GEO-KARIS:

As long as...my I finish? As long as the...Department of Financial Institutions was involved with it, that's what they wanted and that's what's in there, and under this letter they tell us that this bill does not allow the State...State agency supervising these programs, meaning the Department of Financial Institutions, to promulgate any rules or regulations that would affect lenders except for the forms or notice to be sent or unless some other Statute already provides for such regulations. So, I don't understand.

PRESIDENT:

Further discussion? Senator Collins. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. As...as I understand it, what we've just done is abolish an Act that would establish a civil cause of action against persons who obtain or assist in obtaining public benefits by a fraudulent means. Is that your purpose, Senator?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

No, we did not do that. Doesn't affect that at all.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, as...as I read your bill, it deletes everything after the enacting clause which, in effect, does just exactly that. Is that what you intended to do?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

If you'll look on page 63, line 33, it should address that issue. No, it is not our intention and, no, it should not be reading that way.

PRESIDENT:

All right, further discussion? Further discussion? Senator Topinka, you wish to close?

SENATOR TOPINKA:

Yes, if I might.

PRESIDENT:

I beg your pardon. Senator Lemke. All you have to do...that's why those little switchs are...

SENATOR LEMKE:

I thought it was on...okay. I...I rise in opposition to this amendment. This amendment destroys everything in the bill and it's a position of...of one thing. I heard state-

ments that the Department of Revenue was against this. They have withdrawn their opposition. The Governor's Office has became neutral on this...this...this matter. My understanding...I got a...we passed out some letters from the mortgage bankers which the biggest mortgage banker, Fannie Mae...June 20th of 1986, who states...states that this bill...no way effects mortgage banking; in fact, makes the discount mortgages greater. The bill that's drafted deletes everything after the enacting clause which takes away come causes of actions for other people, and I think that this amendment destroys the whole concept of what we're trying to do in the State of Illinois and that is to make Illinois mortgages saleable outside of Illinois to mortgage bankers in the discount business. It's my understanding in talking to people that are in this business that with the present bill that...as we have it drafted and have amended it to 3340, this will be the model Act in the nation, this will be a progressive bill, this will be a bill that will lead Illinois forward; it will improve the home building, it'll improve the sale of houses, it will...it will improve housing in the State of Illinois and that is what we're trying to do, and the position is here is a very simple position, it's an institution in this State that wants to be conservative and be against something that does not in any way affect them financially. It does not in any way...affect the savings and loan industry financially, and if you're talking about Household Finance, those people that charge thirty and forty and fifty percent interest and bleed people because they can't...their lien is going to be stopped when the...when the guy gets in financial trouble, is that who we're trying to protect, those people that can legally charge...in this State? That's who you're talking about protecting? Fine. You do it. You...vote with Household Finance that legally bleeds people and charges them excessive interest on automo-

biles, who puts them in this trouble under mortgages. They are the outfits that are doing it and if you want them, fine, vote with them, but I think that this is progressive in the State of Illinois. It's progressive for the savings and loans as well as the banks. It's progressive for the people and it will help us get rid of these problems that we have in the State of Illinois when we have high unemployment because of big layoffs like Caterpillar and the steel mills. It will preserve those little savings and loans in those areas, not Tallman, not First Federal, it will save the little savings and loans that have these mortgages in the...in these communities downstate, that's what this bill is going to do. It's going to allow them to collect some money so they don't have to foreclose on two thousand people at once, that's what it's going to do, and I think this is a good bill and I ask for...a No vote on this amendment.

PRESIDENT:

All right, any further discussion? If not, Senator Topinka may close on Amendment No. 9.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I...I appreciate Senator Lemke's argument. I realize he has a kind heart and he gets very emotionally involved in his bills. Let me try and address this as objectively as possible, not because we're supporting any particular group or that any particular group is going to make money off of this, but let's look and see what this can do and, indeed, it would be progressive but it would progressively get this State into the hole. One problem that this legislation that...in this...the...the Lemke legislation right now does not address and which our amendment takes into consideration is FHA mortgages which supply sixty-nine percent of all mortgages in the State. Sure the Illinois Bankers' Association is in support but they only have about seven percent of the

mortgages, they're not a primary lender in this State. Let's go on a step further. This legislation would provide subsidies to individuals because of first, second and even third mortgages. They no longer have any equity in their home. Because of that, ultimately, insurance companies have a tendency not to write insurance for those...for those premises with third and fourth mortgages and they'll deny coverage. Then, we get to the point of, would it restrict out-of-state investment and residential loans, and that it would do as well. It would eliminate lending to marginally qualified borrowers, and let me suggest that it...the legislation as it sits without this amendment doesn't even begin to identify just who this applies to. So, as a result, anybody...not just the head of the household who's unemployed but anybody could apply for this; for instance, if any of us here lose our next election, we would qualify and I think that's, you know, peaches, but, gees, how far do want to take this? There are no borders, there are no boundaries, it just goes on and on. Again, the State of Pennsylvania is a state that has legislation similar to this. It has the only program of this type. It has seen a tremendous expansion of this program. It's already got a...a caseload of fifteen thousand cases and counting, it's experiencing extensive delays in evaluating circumstances of unemployment, underemployment, medical, marital and other problems, and current applications are running at four hundred and fifty per month. Currently, the Pennsylvania program has, again, and I cite cost, seventy-seven million two hundred and fifty thousand of state tax revenue and it is climbing. Eight million has already been identified as lost and uncollectible by that state. Now I think Illinois should look at this. It's a great idea and I think everybody wishes to be charitable, but somewhere, somehow, someone has to put up the tab for this and I would encourage the passage of this amendment. It is fair and it

is decent.

PRESIDENT:

Senator Topinka has moved the adoption of Amendment No. 9 to House Bill 3340. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 22 Ayes, 32 Nays, none voting Present. Amendment No. 9 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Carroll, on the top of page 10 is House bill...on 3rd reading, 3396. Senator Carroll seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House bills 2nd Reading, House Bill 3396, Mr. Secretary.

SECRETARY:

Amendment No. 4 offered by Senators Carroll, Welch and Luft.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. While the recall list had shown several people suggesting amendments, I want to thank them, other than a technical one to follow, the others, it is my understanding have been withdrawn by their sponsors; and I thank Senator DeAngelis and Senator Sangmeister for working with us in an attempt to agree to and work out that portion that deals with McCormick Place in a sensible manner that accomplishes the purposes of the General Assembly without in any way inhibiting the board or the board's counsel from rendering

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the type of opinions that are necessary in order to issue bonds. This particular amendment would add the language suggested by the attorneys for the board to authorize the refinancing of the outstanding bonds providing those will be on parity with the other already existing bonds and requiring the board to work with the Bureau of the Budget and to advise by copies the refinancing plan to the four legislative leaders as soon as practical after the issuance. I would move adoption of Amendment No. 5.

PRESIDENT:

All right. All right, Senator Carroll has moved the adoption of Amendment No. 4 to House Bill 3396. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 5 is technical. It puts the section numbers in consecutive order.

PRESIDENT:

All right, Senator Luft has moved the adoption of Amendment No. 5 to House Bill 3396. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, on the Order of House Bills 3rd Reading, top of page 10, is House Bill 3422. Senator Davidson seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave

granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3422, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Etheredge.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the amendment which we discussed at some length last week...last Friday shortly before adjournment. It reduces the weighting for the...Chapter 1 students from .625 to .60 and during that discussion while there were some who supported the idea and...and, in fact, I think that there are a majority of us here on the Floor who are...in...in support of the amendment, there were a number of people who spoke very vehemently against...against this amendment. I continue to think that the amendment is a good one, that it does represent a step toward greater taxpayer equity. There's not a school district within my legislative district that's not conducted at least one tax referendum with...over the last five years. There's one district in particular that has conducted five separate referenda. It took them that many referenda in order to...to increase their...their taxes a bit so that they could maintain their educational program. I submit to you, ladies and gentlemen, that they...that the present school formula as it works, as it is in operation now does not equitably...distribute the State's funds to the various school districts. I think that we need to pass legislation which would change the Chapter 1 weighting. However, the...House sponsor of this bill has made a specific request that I withdraw this amendment at this time. He was courteous enough to extend me the opportunity to try to put this amendment on. At one...at one time, he felt it was a good amendment but...however, I have determined out of cour-

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tesy to the House sponsor to withdraw this amendment at this time, but I would like for us to remember this idea; remember, please, that there is a need for equity...greater equity in the distribution of...of State funds as we review the school funding formula over the next year. I ask to withdraw this amendment, Mr. President.

PRESIDENT:

All right,...gentleman has asked that the amendment be withdrawn. That request is in order. Are there further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Schaffer on 3548. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Since there was no amendment placed on 3422 and it's in shape for final passage, could we pass it or do you want to go back through the whole...

PRESIDENT:

Well, we'll...we'll go through the whole list. Everybody is evenhandedly treated around here. I didn't put it on the recall list. All right, Senator Schaffer seeks leave of the Body to return House Bill 3548 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3548, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senators Schaffer, Jerome Joyce and DeAngelis.

PRESIDENT:

Senator Schaffer on Amendment No. 3.

SENATOR SCHAFFER:

If I might, is that the amendment I checked a little

while ago? I want to withdraw that amendment, please.

SECRETARY:

Amendment No. 3 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer on Amendment No. 3.

SENATOR SCHAFFER:

Is this the amendment we just filed? All right. There are several amendments floating around, I want to make sure we're...we're on the right wavelength. This is the Governor's solid waste management proposal that I think many of you have heard about. It...when we were in committee at...committee of the...and during the hearings, we came up with three problems that were in the bill, and I told the committee members we would address those three problems, and we have done that plus several others...that were of much smaller, technical nature. Specifically, the major problem was that the tipping fee we were going to impose might be a hardship on some companies that did not...that were in a contract and could not pass it on. We have attempted to solve that by exempting those companies and we discover it's not very many that are locked into a contract without a trapdoor...an existing contract. In addition, we have exempted those people who dispose of their own waste in an appropriate manner on-site; and we have also tightened up the language on the local charge that could be brought so that that money could be used only exclusively by the local municipality or county for those things that relate directly to the landfill such as monitoring, not for building new courthouses or city halls or other things. In addition, we have attempted to deal with another issue which came up in the course of the deliberations that has to do with special waste. I think some of the members may have heard a little bit about that, particularly from the Illinois Manufacturers' Association. What we've done is authorize that the...the EPA to go over this special waste category and

remove those things that are not, in fact, hazardous or a special waste if it's appropriate; if it's not appropriate, they stay that way. The language has been worked out. It's a compromise that I believe all sides involved can...can live with. We have not heard from everyone on this subject and not everyone has signed off; obviously, the language is...has been hammered out in the last few hours and they haven't had a chance. I think it would be...reasonable to predict that this may end up in a Conference Committee and that we will see it again, but that...we have attempted to address all of the problems we could at this point and...and to keep everyone as happy as possible while keep it a meaningful proposal and...bill. Be happy to answer any questions.

PRESIDENT:

Senator Schaffer has moved the adoption of Amendment No. 3 to House Bill 3548. Discussion? Senator Joyce.

END OF REEL

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REEL #6

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I don't have a problem with this but some people may and...in the area of the special waste, and...if that bothers you, there is another amendment that can be floating around that will...does not deal with the special waste problem. We have for some time now had a special waste classification in this State and it is felt that there is...right now we've had an argument between Waste Management and...and the...and the...okay, and the Environmental Council and...and the Manufacturers' Association. So and...and that is about the special waste issue, but as Senator Schaffer said, I think it's safe to...be assured that this...this will be back in a Conference Committee and...and we can deal with that later. So, I would...I would urge an Aye vote on this amendment.

PRESIDENT:

All right. Senator...Schaffer has moved the adoption of Amendment No. 3 to House Bill 3548. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Finally, the final bill on the recall list, House Bill 3473. Senator Davidson seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of Tabling an amendment. Mr. Secretary. I don't know. How many are on there?

SECRETARY:

There are two...two amendments.

PRESIDENT:

...Senator Davidson...Senator Davidson wishes to reconsider and Table Amendment No. 2 to House Bill 3473. Senator Davidson.

SENATOR DAVIDSON:

Mr. President...voted on the prevailing side, I move to reconsider the vote for which Amendment No. 2 is adopted and then move to Table Amendment No. 2...Floor Amendment No. 2 to House Bill 3473.

PRESIDENT:

All right. Senator Davidson having voted on the prevailing side moves to reconsider the vote by which Amendment No. 2 to House Bill 3473 was adopted. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The...vote is reconsidered. Senator Davidson now moves to Table Amendment No. 2 to House Bill 3473. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and Amendment No. 2 is Tabled. Further amendments, Mr. Secretary?

SECRETARY:

No...no further amendments.

PRESIDENT:

3rd reading. All right, if I can have your attention, we will now go down the recall list and call these bills for final passage. The Chair's record indicates that there are thirteen bills yet to be called, there are four on the Order of Consideration Postponed if the sponsors wish to go to that business and that will conclude our business for today. On the Order of House Bills 3rd Reading, House Bill 523. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 523.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 523 contains several provisions. This bill was amended in the House to provide the master distributors comply with the provisions of the Beer Industry Fair Dealing Act. The bill also expands the right of a municipality to sell beer in...a municipal own recreational buildings located on...rivers, and the bill also authorizes a one hundred thousand dollars...one hundred dollars per diem for the State Liquor Commissioners, the two members who serve on the Chicago License Appeal Commission and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicate he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator, has the Illinois Wholesale Beer Distributors withdrawn their objection to this bill which had earlier some part about a person who had two retail...could move beer from one to the other and which would...get a distributor having to be responsible for...out-of-dated beer that they didn't sell in the first place?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, as I understand this, Senator Davidson, this...this bill does not have anything to do with what you just said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, I'd like to ask the Senator a question along that same vein. Does...Senator Vadalabene, does this have anything to do with the...well, master distributors...does it allow for individuals to become distributors as opposed to the wholesalers now, because there was opposition from the wholesalers that they would not...that they would have too much competition within their industry from...from new...many new people in this industry. Is that what this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, it does not amend the definition of wholesaler at all in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Then it doesn't permit individuals to become distributors the same way as wholesalers are now then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Uno momento.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That means just a minute. (Machine cutoff)...Vadalabene.

SENATOR VADALABENE:

Yes, if an individual becomes a wholesaler, then he also can become a master distributor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? All right. The question is, shall House Bill 523 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

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are 51, the Nays are 5, none voting Present. House Bill 523 having received the required constitutional majority is declared passed. House Bill 2486, Mr. Secretary. House bills 3rd reading, House Bill 2-4-8-6.

SECRETARY:

House Bill 2486.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President, members of the Senate. House Bill 2486 as amended would reduce the privilege tax down to the level of the downstate tracks. As you remember, in Senate Bill 1469 which passed last fall, we lowered the tax for the downstate tracks. This would bring all tracks in at the same level. It would establish the authority for a race track to conduct intertrack wagering, to establish two additional locations for the conduct of this wagering. It would contain provisions necessary for the DuQuoin State Fair operation as it relates to...to the State, either contracting for or conducting parimutuel wagering there. It would require fingerprinting of all applicants for occupational licenses from the Racing Board. Now just to give you a little history about horse track revenues. The State of Illinois has suffered a decrease in revenues from horse racing, back in '83 we were getting 68.5 million dollars a year and it's estimated this year that our revenues will be fifty-four million dollars or a decrease of fourteen million dollars. Now the horse racing in the State of Illinois it's estimated for this year that the distribution of that fund would go to the Ag. Premium Fund in the amount of twenty-two million, metro exposition buildings, 14.8; fair and expo., 3.1 million; Illinois standardbred, 1.6; thoroughbreds, 2.1; Track

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3rd Reading

Improvement Fund, 3.5 million and veterans' rehabilitation, 1.5 and an estimated 5.3 million to the General Revenue Fund. Also in the provisions would be from the off...intertrack betting would be a provision for 1.6 percent of the wagering to go to the municipalities in which that facility is located. It's estimated that this would bring in 16.8 million dollars to the municipalities and 4.2 to the county at a .4 percent distribution. The results totally would be an increase of...in revenues to the State of twelve million dollars and twenty million dollars to the local governments. If any of you have any questions, I'll be...I'll try to answer them for you; if not, I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2486 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator...take the record. On that question, the Ayes are 50, the Nays are 7, none voting Present. House Bill 2486 having received the required constitutional majority is declared passed. All right. House bills 3rd reading is House Bill 2630, Mr. Secretary.

SECRETARY:

House Bill 2630.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, 2630.

SENATOR D'ARCO:

Thank you, Mr. President. Senate Bill 2630 provides that the tax multiplier for the Chicago Park District shall be increased to 1.6 over a period of about five years. There is also an amendment on this bill that we just debated about

disinvestment of our pension funds from American companies doing business in South Africa. I think the amendment was debated, it got...it got 31 votes and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Just a reminder that the original part of the bill has a...a nonreferendum tax increase. So it's a tax increase without any referendum whatsoever which is what the basic bill is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Yours is the bill that has the amendment of Senator Jones', is it not, which provides not for disinvestment but not for future...but it provides for no future investment in South Africa. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, ladies and...Mr. President, Ladies and Gentlemen of the Senate, I certainly rise in...in favor of...to speak in favor of the bill because as long as the amendment that went on House Bill 2630 provides for future noninvestments in

HB 2738 3rd Reading

South Africa and doesn't affect the present investment considering that we have all those pension bills, and certainly I...I happen to be one who's against apartheid, I certainly support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the question is, shall House Bill 2630 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, 1 voting Present. House Bill 2620 having received...2630 having received the required constitutional majority is declared passed. All right, House bills 3rd reading is House Bill 2738, Mr. Secretary.

SECRETARY:

House Bill 2738.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 2738 permits county boards to authorize by ordinance a fee of up to thirty dollars to be added to all fines for DUI violations. It is also the DUI clean-up bill which has been negotiated...and agreed to by all parties, members of the bar and the Secretary of State's Office. Among other clean-up portions of the legislation, it permits the Secretary of State to use the same criteria for issuing a restricted driver's permit after revocation action as he currently can do after suspension. It reiterates that the judicial driving permit can only be issued to provide transportation for employment or medical purposes to relieve undue hardship when no other means of transportation is reasonably

HB 3036 3rd reading

available. And I think, perhaps, most importantly, it says that effective 1-1-87 the judicial driving documents will actually be issued by the Secretary of State rather than by the court. I would ask for adoption of this DUI clean-up legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

It's my understanding that you're increasing the court cost on a DUI to thirty dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

No, that's not correct. That...this bill authorizes up to thirty dollars for a surcharge after a DUI conviction...authorizes...it's not...there's nothing...there's no mandatory add-on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall House Bill 2738 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2738 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3036, Mr. Secretary.

SECRETARY:

House Bill 3036.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill does quite a few things, there are ten or eleven amendments put on it. First, the bill prohibits the...introduction of contaminants into sewage works from any nondomestic source. It requires the adoption of regulations identical to the United States Environmental Agency regs. to implement provisions of the Federal Water Pollution Control Act. It also requires Energy and Natural Resources to file an economic impact statement to the Pollution Control Board after regulations under the section are adopted. It exempts the Pollution Control Board from conducting hearings on the economic impact study. Variances and conditional permits shall be deemed granted if the Pollution Control Board fails to act upon a petition therefore within a hundred and twenty days instead of ninety days. It authorizes the Pollution Control Board to adopt regs. specific to individual person or sites, delays imposition of the underground storage tank fee from July 1 of '86 to July 1 of '87. An amendment to that permitted rather than required an economic impact study of regs. implementing the Federal...Water Pollution Control Act. The amendment also requires the applicant to follow current rules and regs. upon reapplication or...further permit request proceedings. It also prohibits the sale, lease or transfer of any commercial property which is serving or has served as a storage site for hazardous material without written notification to EPA prior to the transaction, the EPA then will inspect the site. It also requires the Pollution Control Board...this is a Pollution Control Board amendment that requires upon finding that the person appealing for the administrative citation as shown if the violation resulted from uncontrollable circumstances to adopt a final order which makes no finding of violations

HB 3058 3rd Reading

and to...impose no penalty, such as an act of God. Further, the PCB amendment empowers the Pollution Control Board to authorize bond issuances without referendum for sewage treatment plant, construction or system improvements. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Just to say that I do rise in support of this. It does have many good things in it and, hopefully, that the...with the last amendment on it, we can clean that up in Conference Committee. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3036 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the...54, the Nays are none, 3 voting Present. House Bill 3036 having received the required constitutional majority is declared passed. 3043 is on the consider postponed list. 3058. On the Order of House Bills 3rd Reading is House Bill 3-0-5-8, Mr. Secretary.

SECRETARY:

House Bill 3058.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 3058 as amended now does three things. First, it permits the county board of any county to provide an additional charge of one dollar for filing every instrument, paper or notice of record. That

money is to be used soley for the Cook County...for...I'm sorry, for that county's recorded documents storage system. Secondly, it changes the Torrens process in...which is applicable only in Cook County to afford additional time for the certificate purchaser to complete the memorialization without any way of affecting the rights of the owners of the real estate. And, thirdly, it provides a thirty-five hundred dollar annual stipend to be paid to twenty-one elected county recorders in the State of Illinois by the Department of Revenue. Again, the total impact of that part of the bill is seventy-three thousand five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3058 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 2 voting Present. House Bill 3058 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3298, Senator Savickas. All right. House bills 3rd reading, 3298, Mr. Secretary.

SECRETARY:

House Bill 3298.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the amendment we just adopted regarding the burglar alarm contractors evidently is the whole bill, and I would...since most of their concerns have been answered, I would move its passage and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3298 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3298 having received the required constitutional majority is declared passed. Senator Lemke. House bills 3rd reading is House Bill 3302, Mr. Secretary.

SECRETARY:

House Bill 3302.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this...bill does, it sets up the Home Repair Fraud Act in the State of Illinois to get after the...unscrupulous contractors. I think it's a good bill, it's similar to 1634 and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Lemke, you say it was similar to the bill we sent out of here. I've...just advised that on...on recalls or 2nd reading, somehow you put an amendment on here that says anyone who goes and...and purchases home building materials has three days within which to change their mind concerning that purchase. Now, I know we have legislation on the books in Illinois and Federal law that where somebody solicits you in your home, and I think that's good, I think you ought to have a cooling off period whereby high-pressured salesmen come to your house and try to sell you something, you ought to be able to reconsider it. But I'm not so sure when I go into a retail establishment or a lumberyard and I decide that I'm

going to buy, for example, cabinets for my kitchen, that within three days I...I ought to have the right to disavow that contract. I think there's really no reason for that where I voluntarily do that; and my question to you, is that the situation? Let's take that factual situation where I go in and buy some kitchen cabinets for my home. Do I now have three days within which to disallow that contract?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...page 5, on paragraph 2, on line 169, where you're looking at, a sale of home repair services, it doesn't apply to kitchen cabinets. This is similar to 1632 that passed out...way over...fifty some votes. It just gives it three...for home repair services involving a hundred dollars or more. It's nothing to do with the purchase of cabinets. So, I mean, the lumber company doesn't...doesn't lose out in regards to cabinets. It's only home repair services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then, if I go into the lumberyard and I say I want some new kitchen cabinets and I order them...and also I say, by the way, do you have anybody who's going to install those cabinets and he comes out to my...I...I mean, that person would then be coming to my home. Does that still allow you then to disavow that contract because the party who's selling them to you will also furnish you a carpenter who will install them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That doesn't apply where the consumer goes out to the lumberyard and buys the cabinets. It only applies when

this...the...the seller who's selling the home repair services goes to the...the...the...the...the company. If those cabinets are put into that house, they still have their mechanic's lien, but this is where the contract is with the guy that's doing the home repair services, he's the seller. It's not where the consumer goes into the lumberyard and buys cabinets or goes into Sears.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if I understood that right then, whether you're purchasing cabinets or services, as long as you go into an establishment, whether it be retail, wholesale or whatever, and you make your contract there, whether it be for the material and/or the services that this law does not apply. Is that your legislative intent?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Our legislative intent is to allow a consumer to cancel a home repair service contract with a contractor. If he makes...if the person goes in and makes the contact, the consumer, then...then...they can't...they don't have three days. It's where the seller of the services contacts the lumber company or the supplier, it's not where the consumer does. If you read the language in the paragraph, it's there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Several of the trade associations...or a particular trade association contacted me and...I think one of their concerns was that...that the wording of the amendment might in fact allow a consumer to void a contract for repair of, for example, an air conditioner or somebody...the homeowner calls up and...and orders repair to the...air conditioner, there has been contact between the consumer and the contractor and that in that instance, perhaps, the consumer could avoid the contract after three days. I'm not sure whether that's the case or not...I'd like to also give you another example. In the case of, for example, a windstorm, not uncommon for homeowners to call contractors immediately after windstorms and ask them to come do...or emergency repair on their homes, could they then within three days avoid the contract and not owe anything under the terms of that amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

No, that's not the case in emergency situations. We put that clause in for...in...in there for the contractors. This was part of the agreement on 1632. It says, "In a separate written, signed...a written agreement...writing signed by the consumer waive such cancellation rights because of emergency situation requiring that home repair contract to commence work within the three-day period." So that was put in there to exclude that type of situation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, then, in that instance, the contractor if he wants to protect himself must then require the consumer to sign a contract and waive the consumer's rights? Is that...is that how you have this thing structured?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is...this is structured similar to what we did with wage assignments on...on notes and so forth, that there has to be a separate agreement of waiving it; and I'm sure that in emergency situations there will be a waiver agreement, that is in there. We...we did that in consumer contracts where they were attaching wage assignments on the bottom in a perforated condition, that we...we said that has to be a separate agreement to waive it so the guy knows he's waiving his rights. We have done this in many situations and I think this was put in with...this is their language...this is the language they wanted in 1632. So, therefore, we put the bill identically like 1632 that passed out of here and put it in this bill, because I think that a consumer should have a three-day period and when he buys a house, he's got a five-day period to cancel the real estate contract which is of a great...a lot more money than we're talking about here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, thank you, Mr. President. I...to address the bill, I'm going to vote against this bill. I think there are enough questions about it and I was just informed that...that the bill, in effect, does apply if a home appliance is repaired by someone who did not originally sell that home appliance. So repair people who, for example, might respond to a homeowner's call could, in effect, as I understand it, avoid that contract and not be required to pay the bill if the bill is over a hundred dollars, and I think we better be careful about passing this kind of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. First of all, I...I don't know where the sponsor gets the idea that everybody has somehow jumped on board this thing and is now in total agreement. The fact is, there was...there was an agreement prior to the adoption of this amendment; and with the adoption of this amendment, Senator Lemke, you lost some of your supporters. I mean, they happen to be standing outside the hall right now wondering what went wrong. Now maybe your intention is to throw this thing into some kind of a Conference Committee and add something to it later but, the fact is, this is not the bill that everyone was agreed to a few hours ago. Now, as to the question here, there is no doubt...language reads, "The consumer may avoid the contract or transaction by notifying the seller within three full business days." That means that that small businessman can go out and order the parts, he could even begin the work and then the consumer can come in and say, on second thought, I don't really think I want to go through with this thing and that small businessperson is out. Your point about the emergency situation is not very well taken because, let's face it, once a contractor starts going into people's homes asking for special clauses, letting them out in a three-day period, they're going to look very suspect, they're not going to be able to pull that off anyway. I don't think that's a realistic approach to dealing with this problem. This was a good bill and I think it's unfortunate this amendment is added because it now makes it a bill that is just anti-small business, and I don't think in the meantime it's going to do much for the consumer either. I'd suggest a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

This language is the same language of a bill that passed out of here 55 to nothing, 1632. It's identically the same

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language that we agreed to in committee by...by all those contractors and retail merchants concerned. This is only where the seller of home repair services goes out and solicits the consumer. It does not apply where the consumer solicits the home repair service. It also has the waiver section in it. This is a good bill. This is a bill to allow people to...can get out of an unconscionable contract which we've seen last week where there's been indictments of seven more people on home repair frauds. It's a bill that protects honest businessmen where a consumer walks into a business and there was no agreement that I know of, the agreement was on 1632 and this was the agreement. If there was an agreement in the House, I'm not privy to that 'cause I wasn't invited to that by either the Attorney General or the Speaker or the sponsor of the bill or anything. I know this, that 1632 there was an agreement and if those people have backed off of that agreement and try to double deal me in the House, they are the culprits and this does not in anywhere...hurt small businessmen. This helps consumers who are solicited by people that knock on their door and if we want to get rid of consumers, we get rid of them, and this was part of an agreement. That's why we haven't called the registration bill yet. This is something we want to set up and this is a good bill, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3302 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 21, 4 voting Present. House Bill 3302 having received the required constitutional majority is declared passed. House Bill 3340. House bills 3rd reading is House Bill 3340, Mr. Secretary.

SECRETARY:

House Bill 3340.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is the bill that we discussed just a little bit previously. What it involves is the Mortgage Foreclosure Act, the...the appellate prosecutor provision and the right of action of local governments to recover from people that defraud...are paid wrong...wrongfully or defraud local governments out of...of money. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3340 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, none voting Present. House Bill 3340 having received the required constitutional majority is declared passed. Senator Lemke...Senator Lemke having voted on the...prevailing side moves to reconsider the vote by which 3340 passed. Senator Carroll moves to Table. Those in favor indicate by saying Aye. THe motion is Tabled. House Bill 3396. On the Order of House Bills 3rd Reading is House Bill 3396, Mr. Secretary.

SECRETARY:

House Bill 3396.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. 3396, House Bill, as now amended is your bond authorization bill for Build Illinois, capital projects, school construction and the refinancing of McCormick Place. It is basically at last year's level plus a dollar as we have done that...other than in the McCormick Place case as we have done that...we have moved it along the process until we know what capital there actually is. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to 3396 for several reasons. First of all, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Does this bill reduce the bond level authorization for Build Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

For Build Illinois...Senator Carroll.

SENATOR DeANGELIS:

Does this bill reduce the bond authorization for Build Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator DeAngelis, it does, as the authorization bill at this stage of the proceedings has done for a decade or better and that is to take last year's level plus a dollar and move it in the process, as I had indicated in my opening remarks, so that at that point that we have an appropriation, we will have an authorization that tracks. This is consistent with what we have done with the other authorization

bills in the past and does this for capital, school construction, particularly downstate schools, and Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Senator Carroll, in the manner in which the...and I concur that McCormick Place ought to be refinanced, the money ought to come to the State. However, in your method,...in your trickle down...in the Carroll trickle down system, I think it's been short-circuited to omit the opportunity for the downstate parks and tourism to get that savings. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator DeAngelis, I believe you will find that that is the same as in the Purposes Fund and the savings go to the Purposes Fund. Purposes Fund is, in effect, that which pays for what's available on an annualized basis, and here the savings go into that fund so they can be used for build projects. And I might remind you, Senator, and do as you wish, this right now is the authorization bill that is alive in the process and I would hope gets moved along so that we can authorize capital downstate schools and build. The others apparently did not get out of House Rules, not because of any action on my part, I thought they should have but this is all that seems to be alive at this point which is why, in fact, we have everything in here so that we can have an authorization bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Question of the Chair. How many votes will this require since it isn't authorization?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I believe thirty-six.

SENATOR DeANGELIS:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll, you wish to close?

SENATOR CARROLL:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. Were it to be the will of the other side of the aisle that there be no authorization, sobeit; it would seem to me that the vast majority of the projects, not counting the McCormick Place refinancing, which is the request of that board and its trustee, former Governor Ogilvie, that the vast majority are projects suggested by the Governor, his administration, and both in terms of capital projects, downstate school constructions and the theory of Build Illinois are...are authorizations that are necessary. Now we recognize that this does, in fact, bring down Build Illinois to the level appropriated at this stage and they could probably do without that since they had authority. They could not, however, do capital at any point that they run out of the existing authority which will be very shortly; and should the Governor's Office therefore decide that capital in this State is not important or downstate schools are not important, that's fine, that's their decision. It is the only authorization bill left which is why we try to include all categories. It's the only one alive on the Calendar, and in normal operations, it would go through and end up in conference at the level of appropriations that were expected to be signed or moved in the fall as we have done in prior years. But if it is the will of the Governor that there be no capital, sobeit, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3396 pass. Those in

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favor will vote Aye. Those opposed will vote Nay. The voting is open. Senator Savickas. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 20, none voting Present. House Bill 3396 is...by declared lost. House Bill...Senator Philip. All right. Senator Mahar. Senator Mahar's light is on. Is...(machine cutoff)...bills 3rd reading is House Bill 3422, Senator Davidson. House Bill 3422, Mr. Secretary.

SECRETARY:

House Bill 3422.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the bill does exactly what it says on the Calendar. It had been on the recall list for the opportunity of an amendment being offered. The sponsor of the amendment at the request of the House...the sponsor of this bill asked for that amendment to be withdrawn. This is the same shape it's been in for a number for days. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3422 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. House Bill 3422 having received the required constitutional majority is declared passed. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, Mr. President, I voted Yes on this bill, my light is

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on but it never did record it on the board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...it is...it is now...on that question, the Ayes are 49, the Nays are 8, none voting Present. House Bill 3422 having received the required constitutional majority is declared passed. 3548,...Senator Schaffer, are you ready? All right, House bills 3rd reading is House Bill 3548, Mr. Secretary. Whoop, Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

What about 3473?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we'll get there momentarily, it's not on the list yet. House bills 3rd reading is House Bill 3548, Mr. Secretary.

SECRETARY:

House Bill 3548.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, this is the waste...Solid Waste Management Act that has been put together by the Governor's Office and a number of the interest groups involved in this, it has bipartisan support. It establishes some priorities in disposal of solid waste. First priority would be waste reduction and reuse and recycling, then incineration, then last, and...and, hopefully, not to...to any large degree landfilling. It would propose over a year and a half to generate some ten million dollars a year in a tipping fee that would be used to do a number of things to develop a comprehensive Statewide policy for the disposal of solid waste. I think many of us have seen the problems

created by existing landfills and the controversy in...in most parts of the State when one tries to establish a new...landfill. What we're hopefully going to be able to do is through this initiative come up with some alternatives to landfills and see that those landfills that are built in the future are constructed in the appropriate manner and the appropriate places. It does...it also allows local governments to impose some tipping fees for their expenses that relate directly to landfills. In the amendment we adopted a few minutes ago, we attempted to resolve as many of the controversies as we could, and I think we have kept our word with the...the promises we made in front of the Ag. Committee, and we've resolved those I think to the best of our ability. I think the chances of this bill not ending up in a Conference Committee are approximately equal to the chances of my waking up tomorrow morning with a full head of hair. So, I think you will see it again, although I think the bill is already in pretty good shape and I'm sure we will have another opportunity...as we work on some of the unresolved problems. I'd be happy to answer questions; if not, appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3548 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 2 voting Present. House Bill 3548 having received the required constitutional majority is declared passed. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, on House Bill 3396, I voted Yes, my light was on Yes here, the light on the board was Yes, the roll call was No. This is about

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the fifth time in the last three days this has happened to me on this light.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...I'll have the electrician take a look at it. All right. Senator...Senator Poshard, I am told that the printer skipped one and, therefore, when everything is moved up on the sheet, it is recorded correctly. So you will be recorded correctly according to the printer. Now, Senator Davidson, do you...are you ready...are you ready to go? All right, on the Order of House Bills 3rd Reading is House Bill 3473, Mr. Secretary. (Machine cutoff)...Bill 3473, Mr. Secretary.

SECRETARY:

House Bill 3473.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the bill you all been looking for, as I understand it. This is the last bill up for passage today. I would...this bill does exactly what it says in the Calendar. What we had to do was recall and Table an amendment that had been put on earlier last week which people thought was agreement which was an error and the bill does exactly it says. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Point out that this is the last bill on 3rd reading. We will go to the Order of Postponed Consideration momentarily for those of you who are ready to...to part. Discussion? If not, the question is, shall House Bill 3473 pass. Those in favor will vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 58, the Nays are none, none voting Present. House Bill...3473 having received the required constitutional majority is declared passed. All right, on the Order of Postponed Consideration, turn to page 21 in your Calendar. Senator Newhouse will be the first one up. With leave of the Body, consideration postponed, House Bill 2537, page 21, Mr. Secretary. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this...House Bill 2537 is the provision that has been explained here before. It's a provision that would again would...would...would make it possible for the...for public aid recipients to receive a...their awards in those instances where the General Assembly has not acted in time for those dollars to be available on a continuing basis in ordinary circumstances. It's a...it's a...it's a bill to provide for the extraordinary circumstance and there is some opposition but I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? Senator...Senator...all right, discussion? Senator Rock. While we are waiting, let me give you the other order of...of business. We...House Bill 2714 is next, followed by House Bill 1477, 2564 and 3043. All right, further...all right, further...further discussion? If not, Senator Newhouse,...you may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, the...the opposition to this bill is that we don't want to get into a situation where we have continuing appropriations. My suggestion to this Body is that what we're talking about is the unusual case...the unusual case, not an unusual case, it's the unusual case where some people who badly need these funds will be permitted to...to have those funds available for that short period of time, and it isn't very long normally,

between the appropriations that should have been passed in the regular course of this General Assembly's action but have not. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2537 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 25, 1 voting Present. House Bill 2537 having failed to receive the required constitutional majority is declared lost. House Bill 2714. Senator Smith, are you ready? The Order of House Bills Consideration Postponed is House Bill 2714. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. House Bill 2714 creates the Probation Challenge Act Program. This is when young men are...are called into court for the amount of crime that they have committed, nothing like murder or anything very badly, but it...are given an opportunity to...to make up for the wrongs that they have been done...that has been done. The judge will take them and put them on probation, and while on probation, they are schooled by the judge, they are taught how to live a better life and given opportunity to make recommends...retribution for things that they have been doing. It's a good program, the Olive-Harvey College is backing it, Judge...Eugene Pincham is one of the judges that are counseling to these young boys, and they have had some very good experiences and results out of this project. And, so, I'm asking you that if you find favorable to please give these boys an opportunity to become better citizens in our society.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

2714 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish?...have all voted who wish? All right, have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25, none voting Present. House Bill 2714 having received the required constitutional majority is declared passed. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. A verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip has requested a verification of the affirmative roll call. Will all members be in their seats. The Secretary will read those who voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Topinka. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, do you question the presence of any member...voted in the affirmative?

SENATOR PHILIP:

...Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name. Senator Philip.

SENATOR PHILIP:

Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka on the Floor? Senator Topinka on the

Floor? Strike her name. Senator Philip, do you question the presence of any other member? All right, on a verified roll call, the...the Ayes are 29, the Nays are 25, none voting Present. House Bill 2714 is declared lost. House Bill 1477, Senator Marovitz. On the Order of Postponed Consideration is House Bill 1477. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 1477 authorizes shelter increase to made under the Aid to the Aged, the Blind and the Disabled Program. It requires the Department of Public Aid to increase the maximum allowance from ninety-seven to a hundred and twenty-five dollars a month for an individual living alone and allows a homeless person to receive a shelter payment. As I mentioned before, about eighty-three percent of the dollars expended for this program come back from the Federal Government, and this really is only for destitute individuals and disabled individuals. It is not a GA program but a program for...for the blind and disabled and I think where the priority should be. I don't want to take up too much time of this Body, but I think voting Aye on this bill puts...puts the Legislature exactly where it should be and shows the people of the State of Illinois where our priorities are. For those people who have no funds and are waiting for social security benefits, this is an interim program that is refinanced by the Federal Government to the State of Illinois and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator...Senator Topinka, welcome back, you were sorely missed a few minutes ago. Senator Watson,...I think...anticipating your first question and that is that 1477 is not on your printed Calendar on the Order of Postponed, but it was...it was taken up earlier today and that is the reason we gave you the advance list of those bills that

would be called. There is no supplemental on postponed consideration. Senator...Senator Watson on 1477.

SENATOR WATSON:

Well, I was just simply going to ask that it is not on the Calendar and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It is...well,...Senator, it is on page...it's on page 4 of your Calendar. It was...it was postponed consideration today, it automatically goes to the postponed consideration order of business and it joins those other bills on postponed consideration that had been previously...had action taken prior to today. Senator Watson. All right,...further discussion? The question is, shall House Bill 1477 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 26, none voting Present. House Bill 1477 having received the required constitutional majority is declared passed. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. Verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has requested a verification of those members who voted in the affirmative. If all members will be in their seats, the Secretary will read those who...members who voted in the affirmative. Mr. Secretary. (Machine cutoff)...Philip, for what purpose do you arise?

SENATOR PHILIP:

I just...simply suggest take Senator Lechowicz off and we'll forget it. I mean, he's not here, he hasn't been here all afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, procedurally, we are...we are in the posture of...being on the affirmative roll call and the...and the Secretary will read those who voted in the affirmative. He may pop up...after all, Senator Topinka, just popped up. I don't know where these people go all the time. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Dunn. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Philip, do you question the presence of any member who voted in the affirmative?

SENATOR PHILIP:

Senator Lechowicz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Lechowicz on the Floor? Senator Lechowicz on the Floor? Strike his name. On that verified roll call, there are 29 Ayes, 26 voting Nay, none voting Present. House Bill 1477 is declared lost having failed to receive the required constitutional majority. All right, House Bill 2564, Senator Jones. House bills postponed consideration is House Bill 2564. Senator Jones. Senator Jones, what's your pleasure? All right, next case. House Bill 3043, Senator Lemke. Senator Lemke on the Floor? All right, House Bill 3-0-4-3, Senator Lemke.

SENATOR LEMKE:

This bill we explained before except that we deleted in Amendment No. 3 the original provisions of the bill that

talks about due process mandates concerning administration of justice subject to State hundred percent reimbursement. The bill now is only the reimbursement to counties...to the State's Attorney Appellate Service Commission and the Civic Center Authority for West Frankfort and Herrin and those other towns. I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Joyce...Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Well, I...just to emphasize that it...it also exempts from the Illinois Grants Recovery Act certain appropriations of the Department of Commerce and Community Affairs, that was Galesburg Hospital in Manteno last year also as well as the...the civic centers in...in Aurora, Bureau County, Collinsville, Herrin, Knox County, LaSalle, Ogle County,...Orland Park, Pekin, Rockford and Rosemont. I, too, would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall House Bill 3043 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 20, 3 voting Present. House Bill 3043 having received the required constitutional majority is declared passed. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

A verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has requested a verification of the affirmative roll call. The Secretary will read the members who voted in the affirmative. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Collins. D'Arco. Darrow. Dawson. Degnan. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Schuneman. Smith. Vadalabene. Watson. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, do you question the presence of any member? Senator Philip.

SENATOR PHILIP:

...I don't have any questions at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On that...on a verified roll call, the Ayes are 31, the Nays are 20, 3 voting Present. House Bill 3043 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I think we've done a good day's work in accordance with our Rules. Ten o'clock tomorrow morning we will...begin on the appropriation's bills on 2nd reading. I move we stand adjourned till ten o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that the Senate stand adjourned till Tuesday, June the 24th, at the hour of ten o'clock. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 24, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks. Will our guests in the please rise. Prayer this morning by the Reverend Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

REVEREND VICTOR KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and approval of Journals of Tuesday, June 17th; Wednesday, June 18th; Thursday, June 19th; Friday, June 20th and Monday, June 23rd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of the following bills...Senate bills with...together with House amendments:

Senate Bill...233, House Amendment 1.

943 with House Amendment 1.

1320 with House Amendments 1 through 8.

1517 with House Amendment 2.

1564 with House Amendments 1 and 2.

1565, House Amendments 1, 3 and 4.

1570, House Amendments 1 and 4.

1576, House Amendment 1.

...1612, House Amendment 1.

1624, House Amendments 1 and 2.

1634, House Amendments 1 and 2.

1673, House Amendments 1, 2, 3, 6, 7 and 8.

1700, House Amendment 1.

1706, House Amendment 1.

1709, House Amendments 1 through 4.

1711, House Amendment 1.

1728, House Amendment 2.

1783, House Amendment 1.

1799, House Amendments 1 and 2.

1809, House Amendments 1, 2, 4 and 5.

1838, House Amendments 1 through 4.

1845, House Amendments 1 and 6.

1855, House Amendments 1, 2 and 3.

1858, House Amendments 1 and 2.

1931, House Amendments 1, 2 and 3.

1934, House Amendments 1 and 2.

1942, House Amendment 1.

1946, House Amendment 2.

1957, House Amendments 1, 2, 4 and 5.

1991, House Amendments 1, 2, 4 and 8.

2003, House Amendments 1 through 4.

2017, House Amendments 1 and 2.

2020, House Amendments 5, 6 and 7.

2076, House Amendments 1 and 2.

2077, House Amendment 1.

2091, House Amendment 1.

2100, House Amendment 2.

2108, House Amendment 4.

2129, House Amendment 2.

2165, House Amendments 1 and 3 through 8.

2191, House Amendments 1, 2 and 3.

2192, House Amendment 1.

2193, House Amendment 1.

2194, House Amendment 1.

2196, House Amendments 1 and 2.

2212, House Amendments 1 and 2.

2271, House Amendments 1.

2255, House Amendments 1, 2, 3 and 8.

2283, House Amendment 1.

2285, House Amendments 1 and 3.

2292, House Amendments 1, 2 and 3.

And 2293, House Amendments 1, 3 and 4.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 98.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to recede from Amendment No. 2 to a bill with the following title, to-wit:

Senate Bill 1200.

I'm further directed to inform the Senate that they request a first conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right, Senator Vadalabene will...with leave of the Body, will move...in place of Senator Rock that the Senate acceed to the request of the House for a Conference Committee. All in favor of the motion to acceed indicate by saying Aye. All opposed. The Ayes have it. The Senate does acceed to the request of the House. If I can have your attention, we will begin on page 4...when we begin, on the Order of

House Bills 2nd Reading and go right down the line on the House appropriation bills that have been subject to Senate...are subject to Senate amendment. Then we...we...we will move to page 12 on the Calendar and go through the Order of Secretary's Desk Concurrence and Secretary's Desk Nonconcurrence. I'm sure we will be able to conclude our business right around five o'clock, so those of you who have plans to make...Senator Berman's got his tennis court reserved, but we'll plan on concluding our business approximately 5:00 p.m. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1096 offered by Senator Topinka. It's congratulatory.

1097, by Senators Topinka and Zito, congratulatory.

Senate Resolution 1098, by Senator Woodyard, congratulatory.

1099, by Senator...Vadalabene, congratulatory.

1100, by Senator Mahar, congratulatory.

And 1101, by Senator Lemke and it is congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Senator DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

Mr. President, I wonder if it would be proper for me to ask for the suspension of the rules and have Senate Resolution 1095 be adopted. It's congratulatory. It's for the doctor who delivered me and he is retiring this weekend.

PRESIDENT:

You want a roll call on that one, I suppose.

SENATOR DeANGELIS:

I...I told him he better never hit me again, too.

PRESIDENT:

That request certainly is in order. Senator DeAngelis has moved, with leave of the Body, to go to the Order of

Senate Resolutions for the purpose of the immediate consideration and adoption of Senate Resolution 1095. Senator DeAngelis has moved to suspend the rules for the purpose of the immediate consideration of Senate Resolution 1095. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Now before the Body, Senate Resolution 1095, Senator DeAngelis.

SENATOR DeANGELIS:

I would like to move for the adoption of that very proper resolution.

PRESIDENT:

Senator DeAngelis has moved the adoption of Senate Resolution 1095. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

For the purpose of an announcement, Mr. President. If the members and everyone within my voice would...would listen, tonight at Lanphier Park is Senate President Phil Rock's Night. The pre-game ceremonies are at six forty-five and the game is seven. The game is between the Springfield Cardinals and the Peoria Chiefs. The tickets are only two dollars. They should be bought in advance because if they are bought in advance, the proceeds go to the Maryville Academy for Children. So, if you have a desire or need for tickets, I hope you would either contact Danny Day, Nancy Fritzsche or myself.

PRESIDENT:

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. I would like to have leave of the Body to have Senator Geo-Karis shown as hyphenated sponsor of Senate Bill 1570. 1-5-7-0 so she can get her

press release out.

PRESIDENT:

That a House bill?

SENATOR DeANGELIS:

...Senate bill...

PRESIDENT:

Senate bill, all right. Gentleman seeks leave to have Senator...Geo-Karis added as a cosponsor of Senate Bill 1570. Without objection, leave is granted. My understanding is that the...we are rounding up people with amendments to the appropriation bills. We will begin approximately in fifteen minutes. We'll just stand at ease for a few minutes. All right, Senators Hall and Carroll and Sommer and Etheredge and Schaffer and et al, if we're ready, we will begin. We will begin at the top of House bills 2nd reading and handle the House appropriation bills that are subject to Senate amendments. Tomorrow is the deadline for the final passage of House appropriation bills. Then, if time permits, we will move to the Order of Secretary's Desk Concurrence with the understanding that will conclude our business at approximately five o'clock so that those members who have other meetings...I'm told that the insurance summit meeting has been rescheduled for five o'clock this evening. On the Order of House Bills 2nd Reading, 2625, Senator Fawell. Senator Fawell on the Floor? 2688, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 2688. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2688.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would reduce the appropriation to make it into a potential bill to be used later in the Session. It would reduce it down to a dollar and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2688. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Sangmeister on 2878. On the Order of House Bills 2nd Reading is House Bill 2878. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2878.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 on this and the other bills will be the guidelines amendment that will bring the office down to the level that had been set by

the committee when we were dealing with the Senate bills and deletes a...a certain permanent improvements. I would move adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill...2878. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2974, Senator Fawell. 2975, Senator Sommer. On the Order of House Bills 2nd Reading is House Bill 2975. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2975.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment, a cut of some seventy-one thousand three hundred. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2975. Any discussion?

If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Fawell has rejoined us from her meeting. Senator Fawell, you wish to pick up 2625? Middle of page 4, at the top, on the Order of House Bills 2nd Reading is House Bill 2625. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2625.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment and...and giving the monies necessary for judges and the adjustments of EDP. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2625. Any discussion? If not, all in favor will indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee Amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As we have done with other agencies where there were some problems in the way we had allocated the guidelines and they needed some monies in certain lines, they have identified for us some less harmful cuts in order to replace some monies they felt they needed more strongly; therefore, Floor Amendment No. 1 would make those dollar changes as a reallocation and have no other dollar impact. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2625. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 2974. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2974.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment for military and naval, a reduction of some hundred and ninety-six thousand. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 1 to House Bill 2974. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Sommer on 2976. On the Order of House Bills 2nd Reading, House Bill 2976, Mr. Secretary.

SECRETARY:

House Bill 2976.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment for the Commerce Commission, let me add that we have been attempting to resolve a difference. They've been trying to do some reallocations. We think that is being drafted now; however, it is not ready, so I would suggest we adopt Amendment No. 1

and ask the sponsor for leave to bring it back later for the other amendment when and if it's ready, and I would move adoption of the guidelines amendment, Committee Amendment No. 1.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2976. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 2977. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2977.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is to double the appropriation so that Senator Sommer will have a vehicle bill available. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2977. Any discussion? If not,

all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 5, Senator Donahue on 2978. On the Order of House Bills 2nd Reading is House Bill 2978. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2978.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment and, in...addition, adds some Federal dollars and makes a transfer from the Fire Prevention Fund. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2978. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...on Committee Amendment No. 2 is to add grants for the organizing expenses of fire protection districts, five thousand dollars. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 2978. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Dudycz on 2979. On the Order of House Bills 2nd Reading is House Bill 2979. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2979.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a guidelines type amendment. It transfers three million from the Dramshop Fund

to the GRF. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2979. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Schaffer on 2980. On the Order of House Bills 2nd Reading is House Bill 2980. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2980.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is a guidelines amendment and, in addition, eliminates an attempt to make FY '86 payments in FY '87. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2980. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amend-

ments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 2981. On the Order of House Bills 2nd Reading is House Bill 2981. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2981.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2981. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Schaffer on 2982. On the Order of House Bills 2nd Reading, middle of page 5, is House Bill 2982. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2982.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriation I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As in the last one, this labor relations board is subject to the guidelines amendment. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2982. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Maitland on 2983. On the Order of House Bills 2nd Reading is House Bill 2983. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2983.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II

offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guideline committee that the Senate has put into effect, and what it does, it deletes the funding for four of the eight positions. I move for the adoption of Amendment No. 1 to House Bill 2983.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2983. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Fawell on 2984. On the Order of House Bills 2nd Reading is House Bill 2984. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2984.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This is the guidelines commit-

tee and it eliminates legal fees and I'd move for the adoption of Amendment No. 1 to House Bill 2984.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2984. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would add back the funding for three positions that they now have on board that they had originally told us were vacant and this would, therefore, fund them for the next fiscal year. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2984. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

I beg your pardon, Senator Jones. Okay. 2985, Senator Maitland. On the Order of...I beg your pardon, 3rd reading. On the Order of House Bills 2nd reading is House Bill 2985. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2985.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Leitch on 2986. On the Order of House Bills 2nd Reading is House Bill 2986. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2986.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the transfer of nineteen million dollars to the Loan Guarantee Fund and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2986. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Etheredge on 2987. On the Order of House Bills 2nd Reading is House Bill 2987. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2987.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This is the guidelines amendment and it eliminates rent until the agency knows where they will go. It also eliminates legal fees, out-of-state travel nonauthorized GRRF grants. I move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2987. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Now that the agency has gotten together with...CHS

and determined what the rents will be and certain other fees, we...have suggested that those be added back in Amendment No. 2. I would move its adoption.

PRESIDENT:

All right, Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2987. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Donahue, 2988. On the Order of House Bills 2nd Reading, bottom of page 5, is House Bill 2988. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2988.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers eight amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Committee...Amendment No. 1 is the guidelines committee for the Department of Adjustments and I move for the adoption of Committee Amendment No. 1.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2988. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Sponsor of the amendment or the sponsor of the bill?

SENATOR JONES:

Sponsor of the amendment.

PRESIDENT:

Sponsor indicates he'll yield, Senator Jones.

SENATOR JONES:

Senator Hall, could you tell us how many vacancies...the Department of Conservation had...vacant positions?

PRESIDING OFFICER: (SENATOR LUFT)

(Machine cutoff)...Hall.

SENATOR HALL:

Thank you. The...as of this date, February the 28th, Senator Jones, there were two hundred and fifty-five.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

You say as of February the 28th? What about as of...June the 1st when we did...the staff did the analysis, how many vacancies did they have?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Well, we're checking on that, Senator Jones, I'll get you that figure. We don't have that exact figure right now.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

Well, the reason why I'm asking the question 'cause you...you have the guidelines amendment and I don't...I would like to know what's in the guidelines amendment...what was taken out and if you funded any of the vacant positions and how many months funding did you give those positions?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

For the vacant positions, we gave them eight month's funding, Senator Jones.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

But you don't have the total number of...of positions that were vacant and how many you are funding for FY '87?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

That was based on the February figure and we based that on that figure, and we will get the one for June as soon as it is available.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Hall moves...for the adoption of Amendment No. 1 to House Bill 2988. All those in favor signify by saying Aye. All those opposed Nay. The Ayes have it. Amendment No. 1 to House Bill 2988 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 2 adds one hundred and three dollars and twenty-two cents for typesetting and Build Illinois signs. I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? If not, Senator Hall moves for the adoption of Amendment No. 2 to House Bill 2988. All those in favor signify by saying Aye. All those opposed Nay. The Ayes have it and Amendment No. 2 to House Bill 2988 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR LUFT)

Committee Amendment No. 3, Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 3 reduces the House add-ons. I move for the adoptment of Amendment No. 3.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? If not, Senator Hall moves for the adoption of Amendment No. 3 to House Bill 2988. Those in favor signify by saying Aye. Those opposed Nay. Amendment No. 3 to House Bill 2988 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Thank you. Amendment No. 4 adds seventy-five thousand for Lockport Gaylord Building. I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? If not, Senator Hall moves for the adoption of Amendment No. 4 to House Bill 2988. All those in favor signify by saying Aye. All those opposed Nay and Amendment No. 4 to House Bill 2988 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 5 adds two hundred and fifty thousand dollars to the City of Sycamore recreation area, and I'd move for the adoption of...of Amendment No. 5.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall moves for the adoption of Amendment No. 5 to

House Bill 2988. All those in favor signify by saying Aye. All those opposed Nay. The Ayes have it. Amendment No. 5 to House Bill 2988 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Amendment No. 6 is the Schaffer Fox-Chain O'Lakes operation money to the tune of seventy-five thousand dollars and I move for the adoption of Amendment No. 6.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall moves for the adoption of Amendment No. 6 to House Bill 2988. All those in favor signify by saying Aye. All those opposed Nay. Excuse me, Senator Hall...I mean, Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR LUFT)

He indicates he will.

SENATOR JONES:

Senator Hall, these last series of amendments including this one, are these all add-ons?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall...I mean,...yeah, Senator Hall.

SENATOR HALL:

Yes, they're add-ons, Senator Jones.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

They are not falling within the purview of the one percent guidelines that you stated earlier?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

No, Senator, they don't fall within that purview.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Jones.

SENATOR JONES:

So,...so,...so, then...therefore, then what you're saying to us, in essence, then that there is no one percent guideline as such.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

The Senate guidelines are in operation, Senator Jones. There is a one percent in all operations of this department.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? If not, Senator Hall moves for the adoption of Amendment No. 6 to House Bill 2988. All those in favor signify by saying Aye. Those Nay and...Amendment No. 6 to House Bill 2986 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 7.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

This is to publish...Amendment No. 7 is to publish and...distribute outdoor...distribute "Outdoor Highlights" and special lines and that's two hundred and twenty thousand dollars.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Hall, this is...this is an additional add-on. Can you tell me, is this a...what all takes place in

this publishing and the distributing of these "Outdoor Highlights"? Why...why is this an add-on? I get this at my office now. Why are we putting in another two hundred and twenty thousand? Has this got anything to do with any continuing appropriation or anything other than...just this magazine?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Yes, Senator Demuzio, this is the money that comes for selling magazines.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Selling what magazine? The magazines I get come into my office are, in fact, free. Why are we...why are we putting in two hundred and twenty thousand dollars for magazines that...that are now going to be up for resale, if that's what you're telling me?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

It's probably a courtesy that they send them to your office, Senator, but they do charge for them, that was the understanding that our committee was given.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Then why isn't it in their regular budget? Why is this an add-on?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Well, I...I just don't have that answer. Now the depart-

ment was the one that we can certainly get that answer for you...I'll be happy to ask them, but we just didn't have it our hand. Senator Etheredge, would you...be a...maybe you can answer that question.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This...this is an add-on; however, it would be...compensated for by additional revenue that would be generated through the sales of the various publications, the Highlights being only one of those publications, but there are...there are others as well that would generate an amount of revenue that would be equal to the additional expenditure that you see here.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Mr. President, if this is now going to be established in some kind of a revolving account, then is the appropriations process in the...in the Senate...do we still have the...the control over that appropriations process? I mean, if we're selling these magazines, it's now coming into a revolving account...are they coming back to the Legislature each year for approval on what they do?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

You're absolutely correct. They must come back every year for the Legislature...or the Senate to reappropriate, Senator Demuzio.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

It's my understanding that there are many other states around in the Great Lakes region where this is getting is to be a very costly, costly enterprise. You know, you just keep getting more and more and more freebies and less and less those who purchase the magazine. I...I would suggest to you that those who are concerned about this one ought to watch this one because this one might be a great expense for an awful long period of time into the future.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Thank you,...Senator, I assure you that we will be looking into that.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Hall moves for the adoption of Amendment No. 7 to House Bill 2988. All those in favor signify by saying Aye. Those opposed Nay. Amendment No. 7 to House Bill 2988 is adopted. Any further amendments?

SECRETARY:

Committee Amendment No. 8.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall.

SENATOR HALL:

Committee Amendment No. 8 is the Nongame Checkoff Fund, a hundred and twenty thousand dollars. I move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Hall moves the...for the adoption of Amendment No. 8 to House Bill 2988. All those in favor signify by saying Aye. All those opposed Nay. Amendment No. 8 to House Bill 2988 is adopted. Any further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR LUFT)

Any amendments from the Floor?

SECRETARY:

Amendment No. 9 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is an amendment which would reappropriate six hundred thousand dollars to the DuPage County Forest Preserve District in order to...to fund an ongoing project, projects that we had funded in the previous year. I'd be happy to answer any questions you have about this project, but it is a reappropriation and the six hundred thousand dollars is the amount of money that is needed in FY '87 to carry on the projects.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? Senator Etheredge moves for the adoption of Amendment No. 9 to House Bill 2988. All those in favor signify by saying Aye. Senator Demuzio, you seek recognition?

SENATOR DEMUZIO:

Yeah, I sure do. I...thank you, Mr. President. I'm looking at these next several amendments here and, you know, they're pretty substantial. Senator Etheredge, if this is a reappropriation, why is it not in the reappropriation bill? Why are we messing around with it in this bill? I...I don't understand the process here, maybe...

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

It...it was originally in that bill at a...at a million and a half dollars and there were some questions raised about what part of the project...how...what part of that money would actually be required to continue the projects in FY '87

and...so that we're offering this amendment. We've now determined that figure to be six hundred thousand dollars, so that's the reason it is appearing here in the form of a Floor amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Is there any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, again, I mean, you know, here goes another six hundred thousand dollars in the conservation budget. It seems to me, you know, there's three or four additional...more amendments coming up here that are in the millions, so...want to point it out to everyone.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Rock. Any further discussion? If not, Senator Etheredge moves for the adoption of Amendment No. 9 to House Bill 2988. All those in favor signify by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 9 to House Bill 2988 is adopted. Any further Floor amendments?

SECRETARY:

Amendment No. 10, by Senator Philip.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 2.55 million, Build Illinois Bond Fund, Department of Conservation to match with the DuPage County Forest Preserve for acquisition of land for flooding and recreation. Move its adoption.

PRESIDING OFFICER: (SENATOR LUFT)

Any discussion? If not, Senator Philip moves...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I heard Senator Philip's explanation. I think he's obviously drafted the amendment to the wrong bill. This bill is Department of Conservation, he's seeking Build Illinois funds. While technically that may not be a hundred percent incorrect, it is clearly not the intent of the General Assembly to have Build Illinois spread all over the world, although there are some who think it should be. This project, if at all, should be part of the allocation of Build Illinois funds and not an addition thereto by putting it within the...Department of Conservation's budget. We should be dealing with Build Illinois as Build Illinois, and I do not believe we have the additional funds available to start adding to these various budgets things that have not been at least approved by the second floor. To the best of my knowledge, at this stage, this has not. I would suggest the minority leader may be able to get it that way but not at this point in this budget and if so in Build and I would urge opposition to the amendment.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Hall.

SENATOR HALL:

Well, I...I just wanted to...reiterate what Senator Carroll has said because at this present time that we haven't seen any indication that this was to be included.

PRESIDING OFFICER: (SENATOR LUFT)

Any further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's what we call insurance. Who knows what's going to happen to Build Illinois over in the other Chamber? Maybe you have a crystal ball, I certainly don't, Senator.

PRESIDING OFFICER: (SENATOR LUFT)

All right, Senator Philip moves for the adoption of Amendment No. 10 to House Bill...2988. All those in favor

signify by saying Aye. All those opposed Nay. There's been a request for a roll call by Senator Demuzio. All those in favor of Amendment No. 10 to House Bill 2988 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 30, the Nays 25, none voting Present. Amendment No. 10 to House Bill 2988 passes...is adopted. Any further amendments?

SECRETARY:

Amendment No. 11, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this amendment does is reduce expenditures by a million dollars GRF and four hundred and fifty-one thousand dollars in grant funds for a total of one million four hundred and fifty-one thousand dollars.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Hall.

SENATOR HALL:

Well, I want to alert everybody on this side that this amendment would delete all the Democrat projects. Now if we're going to come to this...that we just had one go on as assurance, but now for this amendment goes on, it means that every one of your projects are being deleted and I'd like to call that to your attention on this side of the aisle. So, I have to oppose this amendment, Senator Etheredge.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Well, I was just going to ask Senator Etheredge if he'd read...read a list of the projects he's deleting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...the Illinois Conservation Corporation, that's one million dollars GRF, then there are four others that are grant...grant monies; the Pope County...boat ramp, the City of Hennepin recreation area, the City of Peoria recreation area and the Moline Sports Complex. Those four projects total four hundred and fifty-one thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

I believe it was, Senator...it was Peru and not Peoria, Senator Etheredge, unless you want to delete both Peru and Peoria? You said Peoria, your amendment says Peru.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I beg your pardon, I...I misread this. Peru is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Well, I...I think that we...by introducing the amendment, we've got some attention directed to...to some of these projects and I think we've accomplished one of our objectives. I would withdraw the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge has...withdraws Amendment No. 11. Further amendments?

SECRETARY:

Amendment No. 11 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I'm tentatively offering this amendment since this was a request from the administration to restore...a cut we had made in the budget and that is for the expansion of Shedd Aquarium. We do have the Doctor Bob verbal suggestion and the Governor's request that we do add back this money. It's for five million dollars and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 11 to House Bill 2988. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2989, Senator Sommer. On the Order of House Bills 2nd...Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

Would ask leave to hold this till the end of the appropriation's bill and move it at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sommer has sought leave to hold this bill till the end of the process. Leave is granted. House Bill 2990, Senator Mahar. House bills 2nd reading is House Bill 2990, Mr. Secretary.

SECRETARY:

House Bill 2990.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No...Committee Amendment No. 1 to House Bill 2990. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Mr. President and Ladies and Gentlemen of the Senate, Committee Amendment No. 2 is to add the funds necessary for the Illinois homeowners assistance law that's going through the General Assembly, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2...Committee Amendment No. 2 to House Bill 2990. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2991, Senator Davidson. On the Order of House Bills 2nd Reading, House Bill 2991, Mr. Secretary.

SECRETARY:

House Bill 2991.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is the guidelines amendment. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 2991. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 2 deletes the add-ons of the House that were general revenue in source and reduces some of them to last year's level. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 2. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee Amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to Table Committee Amendment No. 3. Committee Amendment No. 3 had dealt with the...the Fitzpatrick House and a swap of funds so that they could finish it. The department has now advised Senator Sangmeister they do believe they could do it within the existing lines. I would, therefore, move to Table Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves to Table Committee Amendment No. 3. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 3 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 4 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, popping up again. I would like to see restored one hundred and twenty-five thousand dollars to the Hoffman Tower Historic Site in the Village of Lyons which is now...it started life in my district after redistricting and wound up in Senator Lemke's district. It's felt by the department that this would finish the work that we have done on this property which is one of a handful of historic sites in Cook County owned by the Historic Preservation Agency. It has a direct impact on the economic development projects that are currently going on in that area, and why I would like to see it restored at this time is it not only completes the

project but if the money is not restored at this time, current construction will have to stop and, as a result, will have to be started up again assuming that further monies can be found down the road. It will cost an additional thirty thousand dollars if start-up costs have to be accommodated. It has received strong support from the Cook County Forest Preserve District on whose property it sits, and we'd like to see it done in time for the Lyons Centennial, so I would move for its restoration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this amendment. This particular project is in my district and it's been a project that's been going on for about twenty years in restoration, and if we...cease getting the money now, it could end up having the building decay a little bit more and will cost more in the future. It's a program that we have set up and have tried to work over a period of time, and I think this money should restored and I rise in favor of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka has moved the adoption of Amendment No. 4 to House Bill 2991. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Amendment No. 5, by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Amendment No. 5 restores two permanent staff members for Jubilee College for the amount of forty-one thousand two hundred and ninety-six dollars. We've instructed...at Jubilee College which is now a

historical site to be open for the public's use. They must have people to staff it and this restores two staff positions to do that. The total amount, forty-one two hundred and ninety-six dollars. Move the adoption of Amendment No. 5.

PRESIDENT:

All right, Senator Davidson has moved the adoption of Amendment No. 5. Discussion? Senator Carroll.

SENATOR CARROLL:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this and I think Senator Davidson is slighly in error in the way in which he posed the issue. These are not positions that were in the budget. This was an add-on by the House of people to staff permanently a college paid for out of State funds and not within the submission of the budget by the agency, and I would urge that we defeat this amendment.

PRESIDENT:

All right, further discussion? Any further discussion? Senator Davidson.

SENATOR DAVIDSON:

Part was not in the budget, but I understand, Senator Carroll, that the Bureau of the Budget had sent a memo up saying that these two position were approved for additions to the budget. That was the information given to me and I would like to see the amendment go on. If that...information is in error, then the Governor can take corrective action. I'd appreciate a favorable vote.

PRESIDENT:

Question is the adoption of Amendment No. 5 to House Bill 2991. Those in favor indicate by saying Aye. All opposed. Opinion of the Chair, the Noes have it. The amendment fails. House Bill...any further amendments, Mr. Secretary?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. House Bill 2992, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2992.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a guidelines amendment for the Civil Service Commission. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2992. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. House Bill 2993, Senator Sommer. On the Order of House Bills 2nd Reading is House Bill 2993. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2993.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator...Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. I move for the...Amendment No. 1 is the guidelines...and it's technical and I move for the adoption of Amendment No. 1 to House Bill 2993.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2993. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Watson on 2994. On the Order of House Bills 2nd Reading is House Bill 2994. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2994.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is a guidelines amendment for the Department of R and E. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee

Amendment No. 1 to House Bill 2994. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Etheredge on 2995. On the Order of House Bills 2nd Reading, the middle of page 6, is House Bill 2995. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2995.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers four amendments.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Committee Amendment 1 is the guidelines and the vancancies phased at eight months, new phased in at nine months, postage rate hikes eliminated as...third cost and undefined special demonstration projects. It deletes the House amendment which had substantial bill that failed at fifty-two percent of need and was delayed until May 1. I move for the adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2995. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

Thank you, Mr. President. It...Amendment No. 2 adds Domestic Violence Shelter Funds. We placed that back in and that is at a million dollars. I move for the adoption of that amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 2 to House Bill 2995. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Hall on Committee Amendment No. 3.

SENATOR HALL:

Well, we're asking for that...Amendment No. 3 be Tabled because the substantive bill failed and, therefore, I move for the adoption of that amendment.

PRESIDENT:

All right, Senator Hall has moved to Table Amendment No. 3...Committee Amendment No. 3 to House Bill 2995. Any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDENT:

Senator Hall.

SENATOR HALL:

This adds the cuts unavailable to the Federal money to a tune of three hundred thousand dollars and I'd move for the

adoption of that amendment.

PRESIDENT:

Senator Hall has moved the adoption of Amendment No. 4 to House Bill 2995. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 5, by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 5.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the amendment we have worked out with the department to make some adjustments in their operations, adding back some monies, making some transfers to allow them to keep on board those people they have, in fact, taken from the Bureau of...Department of Employment Security and to allow them to hire vacancies on a phased-in level and pay for those who are already on board in the various lines. In addition, they have suggested to us a decrease in general assistance because they believe the caseload will not need anywhere near the money that was in the line and I would move adoption of the amendment.

PRESIDENT:

All right, Senator Carroll has moved the adoption of...of Amendment No. 5 to House Bill 2995. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Leitch.

END OF REEL

REEL #2

PRESIDENT:

Senator Leitch on Amendment No. 6.

SENATOR LEITCH:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is the same amendment that I had offered for the community mental...or the mental health budget and was advised to put on the public aid budget. It seeks to reimburse the Human Service Center in Peoria for some already expended grants and I'd ask for...approval, please.

PRESIDENT:

All right. Senator Leitch has moved the adoption of Amendment No. 6 to House Bill 2995. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Etheredge.

PRESIDENT:

Senator Etheredge on Amendment No. 7.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this amendment does is to delete fifteen million one hundred dollars general revenue funds, and what we are doing here is...would be to delete the increase from fifty percent to fifty-two percent of the standard of need. The...the bill as it sits right now does increase the standard of need to fifty-two percent beginning the first of April, 1987. The impact of this amendment is to pull that...to maintain the standard of need at the current level.

PRESIDENT:

All right. Senator Etheredge has moved the adoption of

Amendment No. 7 to House Bill 2995. Discussion? Senator Hall.

SENATOR HALL:

Well, here we go again, we right back to this...where we've been spending all this money, putting projects and programs and everything imaginable. Now when it comes to giving people who are in...in need...this would reduce the fifty-two percent of need. Imagine, you are still forty-eight percent away. We ought to be giving them one hundred percent, but here we are today with all these fancy programs and all these fancy...and here we just simply want to give the poor, the indigent, the elderly and these are the people that need it the worst way and now here's an amendment to delete that. And I urge vociferously that we defeat this amendment by voting No.

PRESIDENT:

A number of members have indicated they wish to be heard. Senator Woodyard, for what purpose do you arise, sir?

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. On a point of personal privilege. In the balcony, I have as guests today a group of young teenagers, the Clark County Teenage Republican Organization accompanied by the county treasurer, county clerk and supervisor of assessments. Welcome to Springfield.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome. All right, the question...the question before the Body is the adoption or nonadoption of Amendment No. 7. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am surprised by Senator Etheredge's amendment. We, as a State, tax our people to provide for the needs of

the citizens of Illinois. What we have attempted to do by way of the prior amendments is to say on May 1st, ten months into the fiscal year, three years later we will finally move those most in need up to merely fifty-two percent of the federally determined standard of need. We're talking about less than twenty-five dollars per case. Even the department has said this is a critical issue. Even the department has said this is an area where monies need to be spent; if we don't do it here, we're going to be doing it more elsewhere, either we're going to have more people in need of medical care or some other form of assistance because we're not even willing as a State to say, we're willing to take those most in need and merely provide fifty-two percent of that standard. What a shame if we don't do this and we're talking about...about six and a quarter million dollars for this fiscal year of general revenue funds, because half of what we spend, the Federal Government will, in fact, send us a check and give that money back, half of what we spend to merely meet fifty-two percent of the federally suggested standard of need. If we can't do this with the monies that people pay in taxes, we shouldn't be doing anything and I would urge defeat of the amendment.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I think Senator Carroll said it all and I'm really a little surprised and I...I thought, Senator, a few minutes ago, you...you introduced a...an amendment that you withdrew, Senator,...Senator, okay...you introduced an amendment a few minutes ago because you...you told us that you wanted to raise the...our level of awareness of the kind of...of initiatives that were introduced and interjected into this budget, some that you felt was unnecessary, okay? I agree with you but there's some

others also, but I don't think that none of the amendments that we've put forth here through committees or on the Floor is as critical or essential as this amendment and we ought to stop playing games. I...I...we've been trying to give these people...or bring these people up to the Federal standard of need which is...already below subsistence, I would consider, for three years now and we have been unsuccessful in doing so while at the same time, we have passed a lot of those kind of projects that you said that you were against, because I'm sure that you probably felt that it was not a priority and to some extent not good use of the State's dollars at...at this time of...of a critical shortage in...in...in State resources. I agree with you but I think that if we...reprioritize our priorities that and...and...and examine our conscience that we can clearly find enough money this time to do this. This is a good time to do it. This is an election year and I think all of us want to get out there and represent ourselves before the citizens of the State of Illinois as being fair and...and using their money wisely and properly, their tax dollars, and to do that would be to reject this amendment and allow those people to have that twenty-five dollars because it can, in fact, buy a winter coat or a couple pair of shoes for those children on...on AFDC. I think we should defeat this amendment.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Would the sponsor yield to a question, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator,...I know that your objective is to attempt to save money for the State and not to punish people, I under-

stand that. If...if that is the objective, I'm curious, following Senator Carroll's line of thinking, if we've ever done any kind of analysis of what the alternative costs are to us, for example, people simply aren't going to sit and starve and we...when we talk about fifty percent of standard of need, apparently, some dollars have to come from some place else. That leaves at least two avenues that could be possibly very costly to this State, one is the...criminal route and we're already spending millions of dollars for facilities simply to house the people who have taken that course of action as a means of survival. There is a second which is the underground economy which sort of borderline, it may not be exactly criminal, but certainly they're untaxed dollars and they are dollars that show some entrepreneurial bent for people who cannot become entrepreneurs because the dollars is just not there to do that. I wonder if it would not be more logical for us to do some study of what the actual costs are to the State in the absence of a subsistence level for the people who are presumably temporarily on the rolls. My second point would be this, if we assume that public welfare is a temporary arrangement with the motive for getting people out of that mold and into a mold where they become contributing citizens and taxpayers, if that is our objective, then it seems to me that what we need to do is make the dollars that we presently put into that system of a sufficient volume so that people can make that move. That's a quantum leap for people who have nothing, you can't go from nothing to entrepreneurship; you can't go from nothing to contributing. There must be some base line that makes sense in order for that to occur. I don't know if you can do that at this stage, but it seems to me that at least that ought to be a part of the thought; and if that's a part of a thought, it seems to be on the other side of the aisle that we might want to support a fifty-two percent of standard of need which

is not really saying very much at all. But if that...fifty-two percent can function so as to relieve the burden of some of those people on the roll, then it seems to me that's well worth the investment. Now, by way of experience, when the Legislative Advisory Committee got into its work, what we purposely did...purposely was to attempt to make it possible for people to come off the public aid rolls and we were successful to an extent. It cost dollars to do that, but the ultimate result was that the State brought back dollars into the coffers that more than made up for that temporary investment. It seems to me that of our...and I would hope that the members of this Senate Body think very carefully about the adoption of this amendment and I hope it would be defeated to give us the opportunity, but, again, look at the situation and try to come to some kind of logical conclusion as to how to really solve the problem. I would ask...a No vote on this amendment.

PRESIDENT:

Further discussion on Amendment No. 7? Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

Thank...yes, I do, Mr. President. In regard to the remarks of my colleague, Senator Newhouse, I do not have an answer as to what additional costs the State may incur as a consequence of a...maintaining the standard of need at the present level as opposed to increasing it to...to fifty-two percent. I...and I would suppose that there probably is no...no answer to that question, but your suggestion, Senator, that a study be made, I think, is an excellent one and I would be very happy to join with you in that; obviously, that's...that's something that is going to take place over several months' time, I'm sure, in...in the future. But I would welcome the opportunity to sit down and talk with you about that to see if we could define some parameters...some

objectives for that study that would enable that to go forward. I think the time is...is...is past due for that.

PRESIDENT:

Well, Senator Newhouse, Senator Etheredge was attempting to close. Senator Newhouse.

SENATOR NEWHOUSE:

I think he was answering my question, Mr. President. Then I'm...I'm sorry if that...that question turned into something else, I do apologize for that. But I simply want to suggest that in the interim, it seems to me that the more logical course would be to hold at fifty-two percent of standard of need until such time as we're able to make the kind of investigation that is necessary and I would urge that that be done.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

In reply, I would call your attention to the fact that the bill as it stands now calls for the standard of need to be increased on the first of April so that...I think that there is...there is ample time for us to carry on a study and, if need be, if the decision is made that it...we should move forward with an increase that we would have ample opportunity to do that after we return after the first of the year. Meanwhile, I think that this amendment which would maintain the standard of need at the present level should be passed. I think one of the things that is worthy of repetition here, a point which has not been made in our discussion today although it has been made in past discussions, is that the...the figure fifty percent...or fifty-two percent of need is somewhat misleading, more than a little misleading in fact. It suggests...fifty percent suggests that we are helping those that we have defined as...as in need at only half of what we have also...determined it takes a...a person in

need to live at a minimum standard...of living; in fact, that is not true. The fifty percent determination...when that determination is made it does not count all the benefits that we provide to those in need. It does not, for example, include food stamps. It does not include the...the health care support that is given. It does not include the energy assistance and the weatherization grants. Actually, when you add all of those additional grant monies to those that are measured in the fifty percent standard of need, you get a figure that is in the eighty percent range. I think...also a point that has not been yet made today but I think it is very important, the enactment of the bill as it stands now is committing the State in Fiscal 1988 to a continuation of that fifty-two percent standard of need and the total cost of that in Fiscal '88 are...in the neighborhood of fifty million dollars. I would suggest to you that what we ought to do is carry forward with the study over the next...next nine months or try to arrive at some of the answers to the questions that have been raised by Senator Newhouse but, in the meanwhile, enact...or accept this amendment.

PRESIDENT:

The question is the adoption of Amendment No. 7 to House Bill 2995. Those in favor indicate by voting Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 30 Nays, none voting Present. Amendment No. 7 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. If I can have your attention, we have a special guest and the Chair will yield to Senator Sam.

SENATOR VADALABENE:

(Machine cutoff)...your heart out. I wasn't going to say that and I did anyway. Thank you, Mr. President and members of the Senate. For years I've been telling you that Madison County has many attributes and I think that some of you had doubted me. Today I brought with me one of our best attributes to prove it and I'd like to introduce to you Kimberline Thorp from...from East Alton, Miss Illinois National Teenager. Kimberline is from East Alton and won the State title June 4th at the Millikin University in Decatur, and Kimberline now goes to the national competition in Atlanta where, hopefully, she will be crowned by the reigning Miss National Teenageer...Rhonda Culleson, who is from Senator Rupp's territory, Decatur, Illinois. We are very fortunate, members of the Senate, to have both of these young ladies with us today, so give them both together a hearty welcome and we'll hear from the reigning Miss National Teenager, Rhonda Culleson, from Decatur first.

MS. RHONDA CULLESON:

(Remarks by Ms. Rhonda Culleson)

SENATOR VADALABENE:

And now I would like to present to you Miss Illinois National Teenager from East Alton who will, hopefully, bring back the national title to us in Illinois. Kimberline.

MS. KIMBERLINE THORP:

(Remarks by Ms. Kimberline Thorp)

SENATOR VADALABENE:

And last but not least, the parents of...Kimberline, Mr. and Mrs. Thomas Thorp, let's give them a hand. That ends the ceremony and in the twenty years that I've been in the Senate, this has to be the highlight of my life.

PRESIDENT:

All right, on the Order of House Bills 2nd Reading, Senator Schaffer on 2996. On the Order of House Bills 2nd Reading is House Bill 2996. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2996.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers six amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1. I beg your pardon, Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. Committee Amendment No. 1 is the guidelines and it adds basically to Health Service Grants to five hundred thousand dollars, and these are the organ transplants down from one million dollars. I move for the adoption of this amendment.

PRESIDENT:

All right. Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2996. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Hall on Committee Amendment No. 2.

SENATOR HALL:

This is the Amendment No. 2 and what it does is that it's an interim study in the House so we should Table Amendment No. 2, and I move for the adoption of that amendment. That's grants for adolescents.

PRESIDENT:

All right. Senator Hall has moved the adoption of Committee Amendment No. 2 to House Bill 2996. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amend-

ments?

SECRETARY:

Amendment No...Committee Amendment No. 3.

PRESIDENT:

Senator Hall on Committee Amendment No. 3.

SENATOR HALL:

This is the newborn screening program for detection of congenital adrenalin hypoplasia operation money. So I move for the adoption of that amendment.

PRESIDENT:

Senator Hall has moved the adoption of Amendment No. 3 to House Bill 2996. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDENT:

Senator Hall on Committee Amendment No. 4.

SENATOR HALL:

Amendment No. 4 increases Local Health Departments' Grant to a million forty-five and I'd ask for the adoption of that amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 4 to House Bill 2996. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDENT:

Senator Hall on Committee Amendment No. 5.

SENATOR HALL:

Committee Amendment No. 5 adds grant money from SBE to DPH for Parents Too Soon employment related. So I move for

the adoption of that amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 5 to House Bill 2996. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDENT:

Senator Hall on Committee Amendment No. 6.

SENATOR HALL:

Thank you, Mr. President. Committee Amendment No. 6 is technical. It places House amendments in the proper place. I move for the adoption of Amendment No. 6.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 6 to House Bill 2996. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 7 offered by Senators Collins, Hall and Carroll.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 7 transfers 84.1 thousand dollars to the Department of Public Health Information Network from the

Basic Health Service Grant Line as...the department requested. And what it does, the entire Public Health Information Network line is then moved to Operations from Grants. It also reappropriates from GRF the FY '86 infant mortality funds is reappropriated in '87 and this represents the unexpended balance of FY '86, and I would move for its adoption.

PRESIDENT:

Senator Collins has moved the adoption of Amendment No. 7 to House Bill 2996. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...Rigney, are you ready on 2998? On the Order of House Bills 2nd Reading, House Bill...I beg your pardon. Senator Rigney.

SENATOR RIGNEY:

Mr. President, I've been asked to hold this temporarily and I was wondering if we can come back to it at the end of the roll call...2998 and 99.

PRESIDENT:

You certainly may, that request is in order. Senator Hall, for what purpose do you arise?

SENATOR HALL:

You have skipped 2997.

PRESIDENT:

Well, I...I skipped it only because there are amendments pending and the gentleman who has the amendments is not present. I was just doing him a courtesy, he will be back shortly. Senator Donahue, how about 3000? On the Order of House...we'll get back...Senator Kustra, I assure you, we'll get back to 2997 quickly. On the Order of House Bills 2nd

Reading, House Bill 3000. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3000.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amendment and in addition thereto makes certain language changes that are technical in nature. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 2 is to break out the lump sum of operations. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 3000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 3 is a adjustment within the lines of no dollar impact but changes some fundings from other sources, general revenue funds, to make sure that we can capture maximum Federal dollars and I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 3 to House Bill 3000. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3001, Senator Geo-Karis. On the Order of House Bills 2nd Reading is House Bill 3001. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3001.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

...Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is the guidelines amend-

ment and deleting the vast majority of those positions added by the House over the budget as introduced and deleting those that...would have been added by substantive language that had failed in the House. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3001. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, was that the one that I had recommended removing?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Geo-Karis, this is part of what you recommended removing, the rest is in the next amendment that you recommended removing.

PRESIDENT:

All right. Senator Jones on Amendment No. 1.

SENATOR JONES:

Yeah, thank you, Mr. President. Senator Carroll, in that guidelines...amendment, did you take additional monies out or just one percent?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

One percent across the board reduction and...and then took those monies that the House added over and above the budget as introduced by the Governor, took not all but most of those additional positions that the House had added over

and above the budget as introduced and then those also added that were by...that would have been needed by substantive legislation, which legislation failed in the House.

PRESIDENT:

Senator Jones.

SENATOR JONES:

...according to the explanation of the staff here, you took out additional sixty-three thousand dollars which was the pay raise for employees which is a contractual pay raise.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, Senator Hall...I'm sorry, Senator Jones, I think you will find that those were pay raises over and above the guidelines set by the Executive Branch of government. We've reduced all budgets down to that level, to the level of pay raises provided for so that there was uniformity. Several budgets came in over that in some of the lines and we've just reduced those down under the guidelines.

PRESIDENT:

Senator Jones.

SENATOR JONES:

So...in other words, then, if these are contractual pay raise...I mean, by contractual by union agreement, these pay raises when you do that, the net effect of this would be that you will be eliminating positions in the agency, if these are pay raises that were by agreement with union contract, am I...am I correct?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Jones, your theory is correct, your practice is wrong. The amount that we have brought each budget of government down to is the amount that...of the pay raises

negotiated for. We have, in fact, funded the agreement that had been reached by the Executive Branch of government and the unions involved. So...we have funded the union agreement.

PRESIDENT:

Senator Jones.

SENATOR JONES:

So in doing that analysis on...on this one percent, then you...what you are saying in essence that the one percent...there is no dollar amount taken out over...over and above the one percent.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

No, that's not what I said. I said there is the one percent across the board and the other guidelines that we have established for all agencies of State Government, and we have taken out positions that were either for substantive law that failed or that have been added over and above the requested of the department as introduced. In this case, to the best of my recall, the only guideline that was imposed across the board et cetera that was of any impact were for pay raises over and above that which had been negotiated under the union contact agreement.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, this is the first time in listening to all the amendments...to all the other agencies and department, when you explained the one percent on all the other amendments, all you indicated that there was one...one percent Senate guidelines. This is the first time that I've heard that you said you're going...above that amount...above that one percent to take out another category. I never heard that men-

tioned as it relate to any other agency that you dealt with thus far.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I can either do it in closing, if there are no further questions, let me just explain. If I had said that, Senator Jones, or implied that, I apologize, that's a way of shorthand, what we have said was the guidelines amendment. The guidelines amendment as established by both Appropriations II and Appropriations I was both a one percent general reduction and to bring such things as rent, utilities, phone, pay raises, vacancy factors into line so that there was uniformity in all the departments. There were some departments who put in for postage increases that we don't think are ever going to happen from Congress. There were some who put in for...you know, for telephone costs greater than CMS has told us they would be, probably merely because they didn't get the information from CMS prior to our budget submission. So the guidelines amendment...was to create uniformity in all of them and included in that was the one percent reduction, and then if I hadn't explained that before, I apologize.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3001. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

And this, Mr. President, in response to what will prob-

ably be the first question which is...Senator Geo-Karis, this would, in fact, at Senator Geo-Karis' request remove the other four positions that were added by the House over and above that requested by the department through the Bureau of the Budget and the submission of the bill, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 3001. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDENT:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I just want to have it clear in my mind, because I'm a little confused and it doesn't take much to confuse me at this point. Now, do I understand that the forty-nine additional positions that were added by amendment in the House have been removed?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I hate to add to your confusion but the number was forty-three and six, and separate you're correct, with the adoption of this Amendment No. 2, yes, the forty-nine add-ons will be deleted as you requested.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, I...just wanted to make sure, thank you, so much.

PRESIDENT:

All right. Senator Carroll has moved the adoption of

Amendment No. 2 to House Bill 3001. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

(Machine cutoff)...Geo-Karis on 3002. On the Order of House Bills 2nd Reading, House Bill...bottom of page 6, is House Bill 3002. Read the bill, Mr. Secretary. I'm sorry, House Bill 3001, no further amendments, 3rd reading. On the Order of House Bills 2nd Reading, House Bill 3002. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3002.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment including new positions. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3002. Is there any discussion? If not,...Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor tell me what the guidelines amendment contains?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Not to add to your confusion, Senator Geo-Karis, this is the one percent across the board reduction in general revenue funds. The total reduction is thirty-three thousand four hundred. It would bring...all their lines into order eliminating one of the requests for a new position, phasing in another at nine months' funding and keeping the pay raises within the guidelines as set by the union agreement, signed by the Executive Branch.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3002. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Top of page 7, on the Order of House Bills 2nd Reading, Senator Dudycz on 3003. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3003.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a guidelines amendment, a reduction of some sixty-seven thousand nine hundred dollars, keeping the pay raises within those agreed levels and applying the one percent where necessary. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3003. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3004, Senator Mahar. On the Order of House Bills 2nd Reading is House Bill 3004. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3004.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment, I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee

Amendment No. 1 to House Bill 3004. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Mahar.

PRESIDENT:

Senator Mahar on Amendment No. 2.

SENATOR MAHAR:

Thank you, Mr. President. This amendment appropriates a hundred and five thousand nine hundred dollars to the Medical Center Commission for a temporary parking facility...or a parking lot rather, to serve the Chicago Technology Park Development.

PRESIDENT:

Senator Mahar has moved the adoption of Amendment No. 2 to House Bill 3004. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Karpiel on 3005. On the Order of House Bills 2nd Reading is House Bill 3005. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3005.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment for the Racing Board and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3005. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President. This is a technical amendment, a language change and to allow them to adjust where the reductions would come from, of no dollar impact but to adjust those cuts to less harmful ones. I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Amendment No. 2 to House Bill...Committee Amendment No. 2 to House Bill...3005. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Woodyard on 3006. On the Order of House Bills 2nd Reading is House Bill 3006. Read the bill,

Mr. Secretary.

SECRETARY:

House Bill 3006.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First amendment is a guidelines amendment and I would move its adoption.

PRESIDENT:

Senator Carroll moves the adoption of Committee Amendment No. 1 to House Bill 3006. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of the agency, this amendment was adopted to bring them down to the statutory required amount and I would move their adoption...I'd move adoption of the amendment.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3006. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. (Machine cutoff)...Davidson on 3035. On the Order of House Bills 2nd Reading, in the middle of page 7, is House Bill 3035. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3035.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers two amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the constitutional officer guideline amendment which brings down everything but the one percent, and I, again...as we did in committee, appreciate the cooperation of the Secretary of State and the other constitutional officers in helping solve the general revenue crisis that we are facing. This would reduce his budget by some three million plus dollars and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3035. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. At the request of the Secretary, this is an additional funding for the handicapped services listing as required under Senate Bill 2035 and I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 3035. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 3.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. After discussion further with the Office of the Secretary of State, there was a request to replace some of the reductions and restore certain of the Road Fund and GRF monies. I would move adoption of this amendment.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Amendment No. 3 to House Bill 3035. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4, by Senator Degnan.

PRESIDENT:

Senator Degnan on Amendment No. 4.

SENATOR DEGNAN:

Thank you, Mr. President. Amendment No...Amendment No. 4 appropriates the sum of one hundred thousand dollars to the Office of the Secretary of State for the purpose of making a grant to the Cook County Research and Evaluation Project for a study of the effect that arrests for driving under the influence of drugs or alcohol has on the Cook County court system. I move its adoption.

PRESIDENT:

Senator Degnan has moved the adoption of Amendment No. 4 to House Bill 3035. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. 3050, Senator Etheredge. On the Order of House Bills 2nd Reading is House Bill 3050. Read the bill, Mr. Secretary, 3-0-5-0.

SECRETARY:

House Bill 3050.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This is the reduction of appropriation to one dollar and I'd move for the adoption of this amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3050. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have

it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3090 and 91 will be held till the end of the call. Senator Berman along with Senator Schuneman and Jones, I guess, are down at the insurance summit and will be back shortly, we hope. 3092, Senator Davidson. On the Order of House Bills 2nd Reading is House Bill 3092. Read the bill, Mr. Secretary. 3-0-9-0 and 9-1 will be held till the end or till later. 3092, Mr. Secretary, read the bill, please.

SECRETARY:

House Bill 3092.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment 1.

SENATOR HALL:

Thank you, Mr. President. This is the Senate guidelines, it reduces Retirement to sixty percent of payout. I move for the adoption of the Amendment No. 1.

PRESIDENT:

All right. Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3092. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Bottom of page 7, Senator Carroll on 3093. On the Order of House Bills 2nd Reading is House Bill 3093. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3093.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This cuts the suggested appropriation for this newly created awards program from employee suggestions in half, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3093. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. The bottom of page 7, 3101. On the Order

of House Bills 2nd Reading is House Bill 3101. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3101.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Unlike the last one, this one doubles the appropriation from one dollar to two so we'd have a bill alive to use for later, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3101. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No...further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. House Bill 3133. On the Order of House Bills 2nd Reading, the top of page 8, is House Bill 3133. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3133.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SENATOR HALL:

Thank you, Mr. President. This simply reduces it down to a dollar to keep it alive, so I move for the adoption of Amendment No. 1 to House Bill 3133.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3133. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, House Bill 3191. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3191.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations II offers one amendment.

PRESIDENT:

Senator Hall on Committee Amendment No. 1.

SECRETARY:

Thank you, Mr. President. This is the Department of Mental Health and Space Needs Repairs, so that's the reduction of one dollar and I'd move for the adoption of this amendment.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 3191. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 3253. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3253.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment is shorter than the title read by the Secretary. It is a language change only and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill...3253. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 3255. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3255.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the constitutional officer's guideline for the Office of the Attorney General and, as with the others, we thank him for its cooperation. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3255. Any discussion? If not, all in favor indicate by saying Aye. All opposed . The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 3257, Senator Carroll. On the Order of House Bills 2nd Reading is House Bill 3257. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3257.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers one amendment.

PRESIDENT:

All right, Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Our coequal branch of government, the Supreme Court has also identified the issue of revenue shortfalls and is therefore...in working through this and the other amendment had indicated their willingness to help solve that problem. This would be the guidelines amendment to the court's system and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 3257. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We saw that it was necessary to start the probation officers and the downstate counties and we have put in here to start them on April 1st and do some other...modest changes requested by the courts, and I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of...of Amendment No. 2 to House Bill 3257. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, House Bill 3343. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3343.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Senator Carroll on Committee...

SECRETARY:

No,...no committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. All right, we'll go back and pick up the six bills that we skipped over. It appears that the amendments, if any, are ready or we're as ready as we'll ever be, today at least. So, if you'll turn to the bottom of page 5 for House Bill 2989. On the Order of House Bills 2nd Reading, the bottom of page 5. We have only five bills left on this order of business and we will...or six...five or six. We will go through these and then we'll move to the Order of Concurrence and Nonconcurrence and, with a little luck, we can conclude a lot earlier than five. On the Order of House Bills 2nd Reading, House Bill 2989. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2989.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers six amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the guidelines amendment deleting several House add-ons, et cetera. I would move its adoption of Amendment No. 1.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2989. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a...an amendment required under...to fund the community based organizations in the gang crimes area, an addition of a hundred forty thousand dollars. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 2 to House Bill 2989. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On Committee Amendment No. 3, Senator Carroll.

SENATOR CARROLL:

Yes, Mr. President, Ladies and Gentlemen of the Senate, this was a request of the...of a member in committee. Though adopted by committee, that member was going to answer any questions that might arise. I don't see the member present and I would yield to Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a substantial deletion to monies that would otherwise be due and owing to the city, and I would move to Table Committee Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, you've heard the motion. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Amendment No. 3 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 4 is the funding necessary for the municipal clerks' training institute at the University of Illinois, an addition of five thousand dollars. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Committee Amendment No. 4 to House Bill 2989.

Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was a request from the other side of the aisle to reduce certain operating lines further than the first amendment did and there's some corrections later. I would move adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Committee Amendment No. 5 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Committee Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is for an area in Rockford on a Kinnikinnick, I can't say it, Soccer Field. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 6 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

Amendment No. 7 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a technical clean-up amendment to, in effect, amend Amendment No. 1, make it technically correct. I would move its adoption, has no dollar impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 7 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is...a negotiated figure of a million dollars for the Emergency Employment Development Act which we passed last year and had not had funded in the original introduction of the legislation. I would move adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you've heard the motion. Is there any discussion? If not, Senator Carroll moves the adoption of Amendment No. 8 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 8 is adopted. Further amendments?

SECRETARY:

Amendment No. 9, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 9 is for additions necessary asked for by the department in the film office. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 9 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 9 is adopted. Further amendments?

SECRETARY:

Amendment No. 10, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Following the tradition we unfortunately had long established, this is one-fourth of the funding to send eighteen to Orlando for a tournament. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Carroll moves the adoption of Amendment No. 10 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 10 is adopted. Further amendments?

SECRETARY:

Amendment No. 11, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a negotiated amount of four hundred thousand

dollars for the community action agencies. I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding that they asked for twice as much as...as this, and I was wondering if there's a possibility in conference, if we get to conference, that this might be able to be taken up?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

As Senator Demuzio knows, anything is open to discussion in conference, that which is in, that isn't, that which was never even heard of before. And, again, this was an effort to give them something when originally there were several members who didn't want to give them anything, but this is a first effort move and, obviously, it will be discussed should the bill get to conference.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

No,...Senator Carroll just explained it to me.

PRESIDING OFFICER: (SENATOR SAVICKAS)

What a difference a word makes. Senator Carroll moves the adoption of Amendment No. 11 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 11 is adopted. Further amendments?

SECRETARY:

Amendment No 12, by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This amendment appropriates two million nine hundred and

fifty thousand dollars for grants for the enterprise zones. I believe there's some forty zones in the State in existence or...I think there's twelve being created this year. Last year we funded several of them, this year we're attempting to have an even policy throughout the State. These enterprise zones would become a very vital tool in our drive for economic development and they affect districts throughout the State, in all of our districts virtually, both political parties.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Yes, I must rise in opposition to this amendment. It sounds like I'm the one supporting the administration and not the other side of the aisle. This was not a request that came from the administration. This is three million dollars or just shy thereof of general revenue funds that are clearly not available. This was an effort in the House to do likewise. We may have, in fact, further harmed ourself by allowing, if the administration does, every area of the State to become a enterprise zone so that no one will, in fact, contribute any taxes to the State. I would just remind Senator Schaffer of a letter Doctor Mandeville said to me..sent to me on the 18th of June in which he says in part, "Fiscal Year 1986 general revenue funds are now projected to total ten million five hundred thirty thousand dollars...I'm sorry, ten billion five hundred thirty million dollars. At this level, we now believe the fiscal year will be ninety-seven million dollars down." What that means is ninety-seven million dollars less than the Fiscal '86 budget was projected to be. In addition thereto, he goes on to say, "As it relates to Fiscal '87, that impact of the '86 revenues being short affects '87 as well as do their revenue estimates," and, therefore, he says, there is a principal revision in the 1987

fiscal year at revenue estimates and that they will be down one hundred ninety-seven million dollars for...Fiscal '87 from the amount they claimed in the budget book. Clearly they have asked us not to increase spending in as many lines as we can avoid it and this is one, I think, clearly, we could avoid. This is three million of general revenue that just isn't there, isn't in the budget, isn't the request of the department and I would suggest we defeat it at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, if there's no further discussion, you may close.

SENATOR SCHAFFER:

Well, I think Senator Carroll and his stirring letter from Doctor Bob reenforce the need for this particular appropriation because, obviously, those downturns in State revenues reflect problems in the Illinois economy. And I think we'd all agree that these enterprise zones are in large part the answer to the revitalization of many areas of the State, and I would just ask the membership to remember the enterprise zones that affect their areas and the good the work that they have done and the good work that they can do. I believe this is...something we should reach...that should reach the Governor's Desk and, frankly, at that time, if he feels it's not a priority, I would defer to his judgment. But for us to close the door on something that is so important to the economic development of this State, at this point, I think, would be shortsighted and I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer moves the adoption of the Amendment No. 12 to House Bill 2989. Those in favor indicate by saying...Aye. Those opposed. The Nays have it. The...further amendments?

SECRETARY:

Amendment No. 13 offered by Senator DeAngelis.

END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis. Amendment No. 13. Mr...Senator Carroll...or Senator DeAngelis on Amendment No. 13. Senator DeAngelis on Amendment No. 13.

SENATOR DeANGELIS:

Well, somebody is seeking recognition over here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On Amendment No. 13, Senator DeAngelis. Senator Schaffer,...for what purpose do you arise?

SENATOR SCHAFFER:

When I closed the debate on...that last amendment, I asked for a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

When you closed and asked for a roll call, there were no five Senators that joined you in that request, it was an individual request. We had the voice vote, the vote...

SENATOR SCHAFFER:

I think I had five.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...showed that the amendment failed.

SENATOR SCHAFFER:

I saw a whole bunch of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

They joined after the...after the roll call...after the voice vote. Senator, you indicate that you requested a roll...a roll call, you didn't indicate there were five people that joined you in that request. And I cannot take it upon myself to determine that your request means five others have joined you. Amendment No. 13, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Is that the one that just says

DeAngelis or is this the one that says DeAngelis-Kelly?

PRESIDING OFFICER: (SENATOR SAVICKAS)

This one says DeAngelis' Enterprise Zone.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 13...can I get a different number than that...appropriates seventy-five thousand dollars to the Chicago Heights Enterprise Zone. Last year, Chicago Heights was one of the few areas that did not receive a DCCA grant for the enterprise zone. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

I could say, Senator DeAngelis, but I'd never get it out with a straight face, why should we go with only one? But in any event, we would oppose this at this time and I would urge its defeat.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis, if there is no further discussion, you may close.

SENATOR DeANGELIS:

Yes,...as far as I'm concerned, there's only one I'm interested in...and pending...if the ruling of the Chair is unfavorable, I would like to request a roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair has noted that there are...appropriate number of Senators seeking a roll call vote on this amendment...should it pass. Senator DeAngelis moves the adoption of Amendment No. 13 to House Bill 2989. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? All vote...take the record. On that question, the Ayes are 28, the Nays are 25, none voting Present. Amendment No. 13 having received a majority vote is declared adopted. Amendment No. 14, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Is this the one that says DeAngelis-Kelly? Okay.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It says...DeAngelis Institute for Public Policy.

SENATOR DeANGELIS:

It's my understanding the Chair is to be neutral in its comments...

PRESIDING OFFICER: (SENATOR SAVICKAS)

You asked the Chair, I am reading...

SENATOR DeANGELIS:

...I noticed a particular bias...

PRESIDING OFFICER: (SENATOR SAVICKAS):

...I am reading what I have in front of me.

SENATOR DeANGELIS:

...particular bias in the description of some of these amendments. And I'll tell you, Frank, with an Italian wife, watch yourself. Amendment No. 14 appropriates thirty thousand dollars to the Institute for Public Policy and Administration at GSU in cooperation with the township officials of Illinois and the Department of Commerce and Community Affairs to continue conducting the seminars on local government. This pays a very small cost of the overall program. It's been an extremely good program. It's helped the General Assembly because that institute has informed our public officials on what their roles are, how we interface with them and how to more effectively and efficiently do their jobs. And I move for the adoption of Amendment No. 14 on House Bill 2989.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator...Kelly.

SENATOR KELLY:

Thank...thank you, Mr. President. I also am proud to join Senator DeAngelis in supporting Amendment No. 14 to

Senate Bill...to House Bill 2989. This is a very worthy program, it's...Paul Green, one of our professors at Governor State University has taken a lead role in this program and it's with the township officials of Illinois and the Illinois Department of Commerce and Community Affairs. And I would ask for your support of this thirty thousand dollar appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator DeAngelis moves the adoption of Amendment No. 14 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 14 is adopted. Amendment No. 15, Senator Karpiel. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Amendment No. 15 grants thirty-five hundred dollars to the...a grant to the Old Town Hall Group, Incorporated, for the relocation expenses of the Wayne Township Old Town Hall Building. I appreciate your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll. Senator Karpiel moves the adoption of Amendment No. 15 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 15 is adopted. Further amendments? Further amendments?

SECRETARY:

Amendment No. 16 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I would ask that that amendment be withdrawn.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion of Senator Etheredge. Hearing no

objection, leave is granted. Further amendments?

SECRETARY:

Amendment No. 16 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President...Amendment No. 16 appropriates fifteen...fifty thousand dollars to the Village of Homewood for a planning grant that will go towards the restoration of a regional performing art center.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Yes, Mr. President, members of the Senate. We would oppose this at this time also because were there to be this type of an effort made for any of the villages, cities or towns of Illinois that is an appropriate function of Build Illinois and should be done in that format. To just give a grant of fifty thousand dollars at a time when money is short just doesn't make sense, 'cause if it's not going to go that way it's not every going to get built. And I would urge the defeat of the amendment at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there...further discussion? Senator Mahar.

SENATOR MAHAR:

I'd like to close.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You may close.

SENATOR MAHAR:

Thank you, Mr. Chairman. I don't think it's unusual for this Body to...I think there's a precedence for this type of a...this type of a grant. As I say, it's something that is regional in scope, it will not only benefit the Village of Homewood but also there's certainly the districts of Senator

DeAngelis and Senator Kelly. And I would like to have a roll call. I've been joined by five of my colleagues.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair so notes. Senator Mahar moves the adoption of Amendment No. 16 to House Bill 2989. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 24, none voting Present. Amendment No. 16 having received the majority vote is declared adopted. Amendment No. 17. I'm sorry, Mr. Secretary, further amendments?

SECRETARY:

Amendment No. 17, Senator Mahar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

...thank you, Mr. President. Amendment No. 17 appropriates two million dollars for the site preparation of the south...bank of the Cal-SAG Canal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, I oppose this as a two million dollar...two million dollar General Revenue Fund add-on of monies that are just not available for a particular area of a canal that has to be done. Just is not two million dollars of general revenue available. This was not in the Governor's budget...and I think that if those members wish to try and come out of here with a balanced budget, we have to start looking at these, especially the ones that start adding up to two million dollars of general revenue funds that are just not available and I believe that this would clearly fall in

that category and we should defeat the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Mahar may close.

SENATOR MAHAR:

I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar moves the adoption of Amendment No. 17 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Nays...the Nays carry. The amendment is defeated. Further amendments?

SECRETARY:

Amendment No. 18, by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is a restoration at the request of the administration. It adds a hundred and sixty-four thousand dollars and allows them to close the Sao Paulo, Brazil Office to foreign trade and open the Tokyo Office...real estate and rentals are very expensive in Tokyo we discover. It also restores funds for their satellite network...program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sommer moves the adoption of Amendment No. 18 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 18 is adopted. Further amendments?

SECRETARY:

Amendment No. 19, by Senator Sommer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, this is a fifteen thousand dollar add-back in the office of the director for materials for presentations

basically made when they're attempting to entice employers. This, again, was requested by the administration as an add-back.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Sommer moves the adoption of Amendment No. 19 to House Bill 2989. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 19 is adopted. Further amendments?

SECRETARY:

Amendment No. 20, by Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

This amendment adds two hundred and eighty thousand dollars to the Regional Tourism Council's Program that would require the local councils to...have to ante-up matching money before they would get anything. It's an attempt to promote tourism at the regional level within the State. I think many of you have been contacted. I don't see him on the Floor but I know Senator Sam has been contacted, and this is the amendment, Senator Sam, wherever you are. I think, frankly, it's a good idea. Again, it's one that would generate local dollars into a program that I think would generate a great deal of State revenue...I'd appreciate a favorable roll call...roll call...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...joined by...

SENATOR SCHAFFER:

...joined by several people, I hope.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, members of the Senate. The problem is that this is a two hundred and fifty percent

increase in this line. Nobody has ever objected to the Regional Tourism Council as being at a level of funding, but they have a two hundred and fifty percent increase in this line at a time when we are adding millions to tourism promotion downstate as well as within the City of Chicago, just doesn't seem something we can afford. We did not cut out the Regional...Tourism Councils, all we said is, we will hold them to the spending levels they have had for the last couple of years. This, again, was not in the Governor's budget and I think a two hundred and fifty percent increase is something we just cannot afford.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Schaffer moves the adoption of Amendment No. 20 to House Bill 2989. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 20, none voting Present. Amendment No. 20 having received the majority vote is declared adopted. Further amendments?

SECRETARY:

Amendment No. 21, by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a request of various members of the Senate to help fund business development areas within their legislative districts that have colloquially been called part of a can-do network. Some are within and some are without the network. These are various local...business and economic development groupings that go out and attempt to create business within their areas. This is something that we did, in fact, fund last year and there have been several others

who've come in. This is obviously less than the request that was made, but I would...move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

...a question of the sponsor, it's just a quality control question. I've heard numerous people mention that working with a can-do sort of...umbrella group, to be quite frank, is a waste of money and really accomplishes virtually nothing. There are those who like...can-do groups in Chicago are a little more than a waste of the taxpayers' dollars. Could you defend their performance a little bit or are these criticisms fairly accurate?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Since I am not familiar, Senator Keats, nor do I believe are you, with each and every one of these groups, we did do what I believe the Legislature should do and ask the Senators of the area or if necessary the House members of the area to decide whether they feel their particular business development groups are worthwhile groups. Some members said, no, they're not and some said, yes, they are, and that's how we then developed this list. It was not the wish list that we got from the House that just said everything to everybody but about sixty-percent of that wish list that has been identified by Senators as groups that they feel are very strong in providing business and...and...opportunities to their communities and working strongly with your small and medium-size business in trying to produce a better business climate in their areas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 1 to House Bill 2989.

Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 21 is adopted. Further amendments?

SECRETARY:

Amendment No. 22, by Senator Lechowicz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 22 doesn't affect any dollars at all. It specifies that the...Chicago's portion of the Convention and Tourism Bureau Grants will be awarded to the Chicago Convention and Visitor's Bureau, and the dollar amount that we're talking about is a million dollars which is already provided in the budget, all we're doing is transferring the authority. And I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 22 is adopted. Further amendments?

SECRETARY:

Amendment No. 23, by Senator Savickas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendment No. 22, Senator Savickas. I'm sorry, 23...Amendment 23. The board was wrong.

SENATOR SAVICKAS:

Mr. President and members of the Senate, this is a reappropriation fifty thousand and a new appropriation of fifty thousand. And this is for economic development projects being conducted by the Highland, North Beverly, Rightwood and Ashburn Development Corporation. I would move

its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas has moved adoption of Amendment No. 23. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 23 is adopted. Further amendments?

SECRETARY:

Amendment No. 24, by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Amendment No. 24 appropriates two million nine hundred and forty-nine thousand dollars for the enterprise zones. It's not the same amendment, we're on an economy move, it's a dollar less. And, I'd be happy to go into the same debate. I think it's something that we should get to the Governor's Desk for his consideration. These enterprise zones are very important. And in case I don't get a chance, I realize the Chair has changed, but I would like to request a roll call and I believe I am joined by several Senators. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has moved the adoption of Amendment 24. Is there discussion? Senator Carroll.

SENATOR CARROLL:

A dollar less makes it just slightly better. It's still terrible, it's...it's still money that just isn't available and Senator Schaffer knows it. If he wants to try and hang some people out, that's his right. He knows the money isn't there and he knows it hasn't been spent and he knows that it hasn't been asked for by the department or the Governor, and we're down some hundred and ninety-seven million dollars for Fiscal '87 as well as ninety-seven million for Fiscal '86. It just ain't there, it's poof. I think we ought to oppose

it and be responsible members of the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, attended the function, the briefing, if you will, that was held at the Sangamo Club some weeks ago by the Enterprise Zone Association, a very loose-knit association but apparently effective nonetheless. There has been in this State a great deal of competition to be designated an enterprise zone or have an area designated an enterprise zone. And now, in addition to that, we are being asked to, one, designate an area as an enterprise zone; afford all the tax breaks and incentives and other things attended thereto and more than that, give them money. Just give them money. Now, it...it seems to me at some point we just have to slow down and say, wait a minute, what are...what are we about here. If an area is indeed worthy of being designated an enterprise zone there has to be, it seems to me,...at a minimum, there ought to be some local initiative. First we're going to designate and...and...give all kinds of breaks, and now we're going to give them money too? This is simply...we...we just ought not do this. 'Cause once you start, you're never going to wean them off of it. If it's two million this year or whatever the number is, it's going to be four next year and eight the year after that, and we are in the process in this General Assembly of increasing the number of enterprise zones from thirty to forty-eight at last count. This is a mistake because you're going to have every one of them in here next year for double the amount of money. If this will allow them to hire one staff person each, next year they'll have two. All we're paying for is staff salary and you and I both know it. There ought to be some local commitment, some local initiative; absent that, perhaps they ought not be an enterprise

zone. And I would urge the defeat of Amendment 24.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I normally do not disagree with the President of the Senate because of fear, but in this case, I do have to disagree with him. In most instances the brunt of abatement is borne by that enterprise zone. Now granted, they don't do the abatement for no reason at all. These are basically depressed areas who are willing to give up a lot to get somebody in there. The biggest beneficiary of people coming into an enterprise zone is not local government, it is, in fact, the State of Illinois. So to give them something to assist them in the marketing, the promotion and the sale of that concept and getting people in there is of benefit to us and it is not a program designed to enhance the payrolls of local governments. For those of you who may have had to walk clients through an enterprise zone, you'll find out that that local government gives up as much as eighty percent of its local property tax the first year. Some of them even give a hundred percent back. The State still collects the income tax from the people that are employed there, they collect the sales tax, et cetera. So, I don't think it's such a cavalier move to invest sixty thousand dollars in each one of these zones to help them do the program that we put upon them or the opportunity we put upon them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Schaffer may close.

SENATOR SCHAFFER:

I...have to agree with Senator Rock, I've seen many of these things start out this way and his fears are not without founding, I can't argue against that. Let me suggest to you, I'm not familiar with the workings of all the enterprise zones in the State. I am familiar with the workings of

several. And every one of them is committing a lot more dollars in their revenue, that I'm aware of, than what we're asking here. But we have created a lot of hoops for them to jump through so that they can reduce their local taxes and fees and...and give special considerations to create jobs in this State. I don't think it's inappropriate for us to become involved in...at least in a small way, funding some of their operations. Let me suggest to you, that...I...I like to think I live in the real world, at least a reasonable percentage of the time, and I recognize that by the time this bill is signed into law that if this figure is adopted today, it probably won't be this figure. All I'm saying is that I'd like to see the negotiations go forward in the Conference Committee, with the Executive Branch to see if it's possible for us to give these much needed economic tools a shot in the arm so that they can continue to do the kind of good work that some of them have done very effectively for us. I'd like to see them get the tools to do the job right. This amendment, I think, will keep those negotiations going and I'd appreciate a favorable roll call. And I think I'm joined with several members again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is...Senator Schaffer has moved the adoption of Amendment No. 24 to House Bill 2989. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 16, none voting Present. Amendment No. 24 having received the majority vote is adopted. Further...amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 6 is 2997. 2997, Senator Kustra. On

the Order of House Bills 2nd Reading is House Bill 2997, Mr. Secretary.

SECRETARY:

House Bill 2997.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The...Amendment No. 1 is the guideline, cuts 1.7 million house and adds on for the home services a million for...1.2 million for FY '86 obligation, cuts a hundred and ninety-six down for two hundred...dollars for unknown adult abuse and neglect sites. So I move for the adoption of Amendment No. 1.

PRESIDENT:

Senator Hall has moved the adoption of Committee Amendment No. 1 to House Bill 2997. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The Amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 2.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a reallocation of Federal Vocational Rehabilitation Fund dollars to allow for a new Federal grant pro-

gram for the transition and support...unsupported employment projects. It is a...of no dollar change but allows for Federal dollars. I would move adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2997. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3, by Senator Demuzio.

PRESIDENT:

Senator Demuzio on Amendment No. 3.

SENATOR DEMUZIO:

Yes, this is an add-back of two hundred thousand dollars for salaries for the teachers at the Illinois School for the Deaf at Jacksonville. These school teachers have fallen increasingly behind the public school teachers in the...in recent years. And, give as an example of that, the current year the average salary increase for public school teachers outside of Chicago is eight percent, ISD got four percent. I know there was some questions relevant to that, but these individuals have...have done a...a terrific job; as a matter of fact, their average public school teacher's salary in Illinois is twenty-seven thousand one ninety and the average teacher's salary at ISD is twenty-one thousand...two ninety-three. It seems to me that we ought to bring them up to the public...school teachers' level and I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 3 to House Bill 2997. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes,...will the sponsor yield?

PRESIDENT:

He indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I note that the proposed salary increase that...that this two hundred thousand dollars would provide for is nine and a half percent. Now isn't that twice the salary increase that has been given to other State employees?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Etheredge, let me just point out, I...I think the point I just made was that the...the average teacher's...public school teacher's salary this year is twenty-seven thousand one ninety, the average teacher's salary at ISD is twenty-one thousand two ninety-three. All this seeks to do is to bring them up to the same level as the public school teachers by virtue of the fact that they have as much if not more training than public school teachers do in Illinois, and if that's out of line with the other increases, this is simply to...to bring them up to the level of...of everyone else so that they can be on a par and start at...start this year along with everyone else.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

The school for the visually handicapped is also in the same community, is it not? Didn't the faculty members at that institution receive only five percent?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, that is...I...I think that...excuse me...I think that is correct. There are currently negotiations that are taking place with ISD and it seems to me that this is...their

contract has already been signed, this contract is in negotiations, it seems to me that this is the proper time to do it.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

It appears...it...it would seem to me...you know, I'm not totally out of sympathy with your efforts to bring salaries up to comparable levels within the public schools, but in this particular instance, I...I have to oppose this amendment because it...it would appear to me that we have to...if we're going to deal with each of these faculties at these...these State institutions, both of them in the same community, then I think we ought to be treating them the same way. So I...I would rise in opposition to this amendment.

PRESIDENT:

All right. Further discussion? Any further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, Senator Etheredge, I'm frankly surprised to hear you say that you're opposed to this amendment for school teachers at the...at the School for the Deaf. If you want to raise the level of salaries for the visually impaired while they have a contract, I'm for that; but we have willy-nilly sent money all over the place today, and it just seems to me that two hundred thousand dollars is certainly not out of line and I move adoption of Amendment No. 3.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 3 to House Bill 2997. Those in favor indicate by saying Aye. Opposed No. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Rigney,...on 2998. Middle of page 6, on the Order of House Bills 2nd Reading is House Bill 2998. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2998.

(Secretary reads title of bill)

2nd reading of the bill. Committee on Appropriations I offers twelve amendments.

PRESIDENT:

Senator Carroll on Committee Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is the guidelines amendment, in addition thereto, breaks out the line item as we have done in the past and a language change. Again, we thank the department for working with us in attempting to resolve this budget and to establish the guidelines in a way in which would not be harmful. I would move its adoption.

PRESIDENT:

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2998. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Carroll on Committee Amendment No. 2.

SENATOR CARROLL:

By way of explanation, Committee Amendments 2, 4, 5, 9, 10 and 12, I will move to Table on the basis that they are technically incorrect and we will have a Floor amendment to replace 2, 4, 5, 9, 10, and 12. So, at this time, I would

move to Table Amendment No. 2.

PRESIDENT:

Senator Carroll moves to Table Committee Amendment No. 2 to House Bill 2998. Discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 2 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 3.

PRESIDENT:

Senator Carroll on No. 3.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 3 is a technical amendment which would exempt downstate transit districts from the Governor's release process. I would move its adoption.

PRESIDENT:

Senator Carroll has moved the adoption of Committee Amendment No. 3 to House Bill 2998. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDENT:

Senator Carroll on Committee Amendment No. 4.

SENATOR CARROLL:

I would move, Mr. President, to lie that amendment on the Table.

PRESIDENT:

Senator Carroll has moved to Table Committee Amendment No. 4 to House Bill 2998. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment No. 4 is Tabled. Further amendments?

SECRETARY:

Committee Amendment No. 5.

PRESIDENT:

Senator Carroll on Committee Amendment No. 5.

SENATOR CARROLL:

As indicated before, Mr. President and members of the Senate, I would move to lie Amendment No. 5 upon the Table.

PRESIDENT:

All right. Senator Carroll has moved to Table Committee Amendment No. 5 to House Bill 2998. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Committee Amendment No. 6.

PRESIDENT:

Senator Carroll on Committee Amendment No. 6.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment would delete the MFT distribution funds to the City of Chicago, and I would defer to Senator Lechowicz.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 6.

SENATOR LECHOWICZ:

Move for the adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Committee Amendment No. 6 to House Bill 2998. Discussion? Senator Newhouse. Senator Lechowicz...indicates he will yield. Senator Newhouse. Senator Lechowicz. Senator Newhouse.

SENATOR NEWHOUSE:

Well, what does that amendment do, Senator?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

It deletes the MFT distribution to the City of Chicago.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

The...I heard that. Is there a dollar amount?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Should be about fifty-two million dollars.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Is there a reason for that, Senator?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Yeah, we can't get an answer how it's spent.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

I'm sorry, I didn't hear that.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

We can't get an answer how it's spent.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Could you explain a little more, Senator. Who did you...inquire from?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I believe the money goes to streets and sanitation. There's a gentleman by the name of John Halpin who's been requested to answer our Appropriations Committee...the...how the money is spent...the motor fuel tax funds that are received by the department, and we don't have an answer. And if you want an answer, we'll remove the money, and when we get the answer, we'll put the money back.

PRESIDENT:

All right. Senator Lechowicz has moved the adoption of Amendment No. 6 to House Bill 2998. Senator Collins.

SENATOR COLLINS:

Well, Senator...question of the sponsor please.

PRESIDENT:

He indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, did you attempt to talk with any of the other people that represent the city administration? You know, just because we couldn't contact one person doesn't mean that you should just take the money out...for that reason alone. You know, if that's the case, we probably wouldn't appropriate anything around here to any area because that...that can be said for many of them...many times. You know, if the director of a...of a...commission or a department failed to respond but there are other people here representing the city administration that...that we could have...you could have talked with I'm sure.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I've been talking about this matter since February of 1986, today is June the 24th of 1986. We still don't have an answer. And, believe me, I think that we will have an answer, and I know that the motor fuel tax funds are used hopefully for the purpose that it's given, but until we get a

response from the department, I can't answer that question in total. And, basically, it's never been audited, so I'm hoping that the department will say, yes, we comply with the State and these are the guidelines that we use. That has not happened.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Jones.

SENATOR JONES:

Sorry to ask this question, Ted, but you say you want the Department of Streets and Sanitation or someone in that department asked about the expenditure of MFT funds?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That's correct.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Do you know...or do you have knowledge as to what MFT funds are used when they are sent to local units of government?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, Mr. President, I didn't understand the question.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Do you know all the departments in the City of Chicago

that receive MFT funds or do you know what MFT funds are for?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

I believe I know what MFT funds are for and I think I know the departments that received it. I know who's responsible for motor fuel tax funds coming from the State to the city, and since a majority of it is used in streets and sanitation of the fifty-two million dollars, and it's in public works and it's in sewers. I'm well aware...where the money goes, I'm just wondering whether it's used for its proper purposes. And I don't think it's unusual to...in our forms from our...from our respective appropriations committees, if you're asked a question whether it's a department head, whether it's the Governor's Office, whether it's a...other elected official that...they respond to the forms, nothing unusual about it. I think I know where the money goes, the question is whether it's used properly, I don't know.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well,...if you're familiar with the Chicago...City...City of Chicago City Council Finance Committee who has to sign off on these funds, all you have to do is ask your friend, Alderman Burke and he will give you that information. But if you just putting this amendment up here to try to force the city or force the...any particular department within the city just to give you information, that information is readily available to the City Council Finance Committee. The chairman of the Finance Committee is the one who signs off on these funds for their proper use, and when you say one individual in one department...asked a question as it relate to these funds and so forth and everything, I don't think no one individual speaks for the City of Chicago. And if you really wanted

this information, all you had to do is ask the chairman of the City Council Finance Committee and it will be readily available to you. I don't think we should be playing around with the money that goes to the City of Chicago for its road program, for its sewer program just because one has a personal vendetta, it doesn't make sense, and this amendment should be defeated.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Lechowicz, every municipality in the State of Illinois and the counties in the State of Illinois have an annual audit of motor fuel tax funds. Are you saying that the City of Chicago and Cook County does not have an audit annually of the use of...motor fuel tax funds?

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

That issue will be addressed with a resolution that I have pending. But to answer your specific question, Senator Weaver, that fund has not been audited by DOT into the City of Chicago. And to answer Senator Jones' question, I...I raised the question with my good friend Alderman Burke and I raised this question also with Dan Kubasiak who is the person in charge on a day-to-day basis of the Finance Committee for the City of Chicago. They could not respond to my question whether the money is used properly of motor fuel tax funds that come into...from the State of Illinois to the City of Chicago. They came up with an audit by Cooper's and Lybrand and they were asked to audit the parameters and the...total dollar figures coming into the City of Chicago. The detail of that audit, I will address to this Body when the resolution is before us. It is not contained in Amendment No. 6.

I think it's long overdue that...if you're asked for a...an accounting as far as how you're spending the money, whether it's DCCA, whether it's the Governor's Office or whether it's the City of Chicago of the motor fuel tax funds, I think this Body, each and every one of us, should have the opportunity to review the matters that come before returned back to our committees and saying, yes, we received this money and this is the purpose that it is used for and this is how it was spent. That's the purpose of Amendment No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. And I apologize for speaking a second time on this issue. And when the...when the sponsor of the amendment indicated that he wanted to know whether the funds are being spent properly as such, any funds that is used by any city department must be signed off by the...the City Council Finance Committee chairman. And he in turn designate where those monies go. The...each department head must come to him. So when your good friend told you that he didn't know where the money was going, then evidently he didn't know what he was doing when he was chairman of finance. Alderman Burke is a very skillful person and he did a very in-depth analysis as to where those funds go. So for you to stand before this Body and say that the money is not being spent properly, if...if Alderman Burke didn't know whether the funds were being spent properly, then how would you know whether or not they have been spent properly? If he wanted to give you that information, he could have easily given it to you. But for one person in the Department of Streets and Sanitation, you said...you made a statement that he said he doesn't know where the funds are going, those funds go for many particular purposes. It could be in the sewers, it could be in the residential street program with

legislation that we passed to take care of streets in Mount Greenwood, Morgan Park and in your respective community. They go for several purposes. But for you to put this amendment on just to take money out of the City of Chicago for your own political purposes, it doesn't make sense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we break up the conferences. Further discussion? Senator Collins.

SENATOR COLLINS:

...oh, yeah, question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, your lights on. Senator Collins.

SENATOR COLLINS:

Okay. I'm sorry, but...Senator, did you say you had a resolution in addition to this amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

In fact, I'm sure that Senator Jones' last speech just passed my resolution. But we'll get to that at a later...later moment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well, again, I just say that we should defeat this resolution...I mean this amendment, and I'm sure that the message is very clear, that someone will most certainly get to you and explain to you...try and answer the questions so we can move forward right now and kill this...amendment and go on and...and don't take this money away from the City of Chicago because we desperately need the money and we're kidding ourselves to say that...that this is something that we can...can do to the city without some real serious impact on that city. So, I...I just suggest you...you've made your point, and it's

very clear and I agree with you that any of us should be able to get information that we request in the Appropriations Committee from any department or local unit of government about the expenditures of finances, because that is our charge and our responsibility. But I don't know, like I said, who you've been asking, and based on Senator Jones questions, apparently you have not been, you know, asking the right source or something, you haven't received the information; but I can assure you, the information will be forthcoming. So, I would just say let us...defeat this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lechowicz may close.

SENATOR LECHOWICZ:

I think the issue is quite clear, Mr. President...Ladies and Gentlemen of the Senate. Basically, the issue is whether both appropriations' staffs are going to have the input and to ask the questions that are necessary that are raised by the membership of the Appropriations Committee of whether the money is actually spent for the purpose that it's received. And if...no matter whoever it is, if they don't have the courtesy to complete our forms and to respond to us, the only way you can really get a direct answer is by a very severe measure. This is not the end of this Session. This matter will be before us, when it goes back to the House there's going to be a Conference Committee appointed. I'm sure that...I know for a fact...there will be motor fuel tax funds coming into the City of Chicago, which they're needed, but let's make sure that they're needed and they're used in the proper vein. Until we get that answer, I'm asking for a Yes vote on Amendment No. 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 6 to House Bill 2998. Those in favor indicate

by saying Aye. Opposed Nay. Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No. 7...Committee Amendment No. 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a projects' amendment that we had adopted in committee. I would move its adoption here on the Floor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved adoption of amendment...Senator Carroll.

SENATOR CARROLL:

It's of no dollar impact, it's a Grade Crossing Protection Fund item and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 7 to House Bill 2998. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 7 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Because of a tragic incident in southern Illinois, we've had to move a bike trail and, therefore, the Vadalabene Trail has to be rerouted. This amendment would accommodate the Vadalabene Bike Trail. And I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Committee Amendment No. 8. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have

it...Committee...Committee Amendment No. 8 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 9.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

As I had explained before, I would move to lay that amendment on the Table, we have a replacement amendment coming up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves to Table Committee Amendment No. 9. Is...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 9 is Tabled. Further committee amendments?

SECRETARY:

Committee Amendment No. 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would also move to lie Committee Amendment No. 10 upon the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves to Table...Table Amendment No. 10 to House...Committee Amendment No. 10 to House Bill 2998. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment...Committee Amendment No. 10 is Tabled. Further committee amendments?

SECRETARY:

Committee Amendment No. 11.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a reallocation of capital development funds for repair and reconstruction of the Lake Charleston Dam and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No....Committee Amendment No. 11 to House Bill 2998. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 11 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would also move to Table Committee Amendment No. 12.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves to Table No. 12...Committee Amendment No. 12 to House Bill 2998. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 12 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 13, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This strips the add-ons in the House but, however, then corrects the defects by reallocations of a...of amendments that we just Tabled on the Floor; to wit, Amendments 2, 4, 5, 9, 10 and 12. So all those items are now handled in an appropriate way as a reallocation of funds. And I would move adoption of Amendment No. 13.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 13. Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

Could you kind of explain what you mean by reallocation, some language I'm not familiar with?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you. Senator Rigney, what we have attempted to do here and...and, again, with the assistance to which I, again, want to really thank the Department of Transportation for their cooperation. Where at all possible, now that we have allocated funds amongst the various districts, the highway districts in the State of Illinois, where there are funds requested by members as highest priority within that district, we are taking from that allocation and suggesting that these are the projects that we would like to see the work actually done on from within the allocation to that district. So that if, in fact, those projects are done, they fall within the dollar amounts that are available; and if...and if the Governor decides not to, the district still has the money available.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

If I understand this correctly, I think there's about twenty-three million dollars, give or take, that's a part of this amendment. And you're saying then that none comes out of any other district, that any allocations of this kind are completely within the budget of that particular district...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR RIGNEY:

...without exception?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute. Senator Carroll.

SENATOR CARROLL:

Two things; the twenty-three number you're looking at is what we cut which were House requests over and above the budget. Okay. And that twenty-three million we have deleted as being over the budget. The requests we were able to get from our members are from the allocation to that district only. And no, there is no borrowing or yes, you're right, there is no borrowing from any other district. It is within the budget for that district as an allocation of that district's money, nobody is getting into anyone else's pocket.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll has moved the adoption of Amendment...Amendment No. 13. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 13 is adopted. Further amendments?

SECRETARY:

Amendment No. 14, by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you. This is absent dollar change, a transfer fund from Commodities to Contractual Services at their request and at the request of the Comptroller, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 14. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 14 is adopted. Further amendments?

SECRETARY:

Amendment No. 15, by Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is to restore the monies taken by the House for the funding of the Washington Office. This is a request of the Department that the Washington staff is necessary to keep the Federal highway dollars flowing, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment 14. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 14 is adopted. Further amendments?

SECRETARY:

Amendment No. 15, by Senator Sommer...yeah...Amendment No. 16, by Senator Sommer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Purpose of the record. The last amendment adopted was Amendment 15 which was the Washington Office. The one before that was the transfer, No. 14.

SECRETARY:

Right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, we are familiar with working with your amendments. Further discussion? All right. Senator Sommer, on Amendment No. 16.

SENATOR SOMMER:

Would you withdraw that, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sommer seeks to withdraw Amendment 16. Amendment is withdrawn. With leave of the Body. Amendments...next amendment.

SECRETARY:

Amendment No. 16 offered by Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President...Amendment No. 16 is the State's share for a terminal construction in...Willard Airport in the amount of three million five hundred and sixty thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Weaver has moved the adoption of Amendment 16. Discussion? Senator Carroll.

SENATOR CARROLL:

Just a question of the sponsor. We have asked for a letter from the Governor on this one, we understand he had a press conference on it this week, at some point, that he was in support of this amendment but we have not gotten the usual Doctor Bob on it. On other occasions, we have been told we should follow his press releases rather than the letters that flow. Sorry about that, Mr. President. And we...you know, we happen to catch the press release on this one, we don't always monitor his press. But we were wondering if a Doctor

Bob letter has forthcome or is forthcoming, and if this is that same project that he announced in the press that he supports which sometimes means he does and sometimes means he doesn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver, it'll probably pop up sometime, right? Senator Weaver.

SENATOR WEAVER:

I haven't received it either, but I'm sure that it will be forthcoming, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved the adoption of Amendment No. 16. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 16 is adopted. Further amendments?

SECRETARY:

Amendment No. 17, by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I would like to withdraw. I thought that was No. 18, but...is this the one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...when...

SENATOR TOPINKA:

...I...I would have run you 18 through...24.

SECRETARY:

We...we...we had one withdrawn, see...

SENATOR TOPINKA:

Well, maybe that's 17 through 23 then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

You have 17 through 23 right now.

SENATOR TOPINKA:

I...mine are all in sequence, so if...I would like to withdraw my amendments, that order, 17 through 23.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka seeks the...leave of the Body to withdraw Amendments 17 through...17, 18, 19, 20, 21, 22, 23 and...23. Is leave granted? Leave is granted. Further amendments?

SECRETARY:

Amendment No. 17 offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Can I just check the number of...of...the LRB number to make sure this is the one that I would like to go on? SDA84H2998SAM10C. Right? Okay. This basically is within the allocation of the budget...reallocation for resurfacing and related improvements on 35th Street from Austin Boulevard to Central Avenue in the Town of Cicero for six hundred and one thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka has moved the adoption of Amendment No. 17. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 17 is adopted. Further amendments?

SECRETARY:

Amendment No. 18, by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Amendment No. 18 to House Bill 2998 appropriates five hundred thousand dollars or so much thereof as may be necessary for the widening of Taft Street to a 170th Street in the Village of South Holland. You've got a two...a four-lane road going into a two-lane road. We

want to make it four lanes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis has moved the adoption of Amendment No. 18. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, obviously, we haven't seen this amendment. I don't know if it's been distributed or anything else, and unlike the others that have been...focused around, I would either ask him to withdraw it or allow us the opportunity. And unlike the other amendments, as in Senator Topinka's case, this is not a reallocation but additional funds. There is no money available in the Road Fund for...to so do. And I would ask that it either be withdrawn or that the amendment be distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, what's your pleasure?

SENATOR DeANGELIS:

...I just...did file the amendment correct, so I think I'm given the choice between...lethal injection or...or the...or the...no, they weren't done in committee... or the electric chair. May I ask the chairman of the committee in the event monies become available that this be considered in conference? Thank you for your generosity, Chairman Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

So...so...so, Senator, which....which did you choose, lethal or the electric chair? All right. Senator DeAngelis seeks leave of the Body to withdraw that amendment. Amendment is withdrawn. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 2999, Senator Rigney. House Bills 2nd

reading is House Bill 2999, Mr. Secretary.

SECRETARY:

House Bill 2999.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations I offers two amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is...the Committee Amendment No. 1 would reduce the reappropriation level to the now known number as we always do, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved the adoption of Committee Amendment No. 1 to House Bill 2999. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move to lie Amendment No. 2 on the Table. These are the paratransit dollars. We did not know that they had...had substantive authorities to spend the money for the...handicapped and impaired for paratransit service. We have now found that they do have that authority, and I would therefore move to...move to lie Amendment No. 2 upon the Table.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved to Table Committee Amendment

HB 3090 2nd reading

No. 2. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is Tabled. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. We will now go over to 3090. House bills 2nd reading, page 7...middle of page 7, is House Bill 3090, Mr. Secretary.

SECRETARY:

House Bill 3090.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 is a...reduces Operation by 1.17 according with our one percent budget cut. I move for the adoption of Amendment No. 1 to House Bill 3090.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Hall moves the adoption of Committee Amendment No. 1 to House Bill 3090. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen. Committee Amendment No. 2 reduces the grants reflecting Superintendent Sanders' recommendation for allocation of the Governor's budget. I move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amendment No. 2. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 2 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 3.

SENATOR HALL:

Committee Amendment No. 3 is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...is Senator Berman's. It adds a hundred and fifty thousand for the Illinois Summer School for the Arts. Move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall moves the adoption of Committee Amendment No. 3 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 3 is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg. Senator Hall.

SENATOR HALL:

Thank you, Mr...President. This is Senator Holmberg's, it adds fifty thousand for adult literacy, also known as a

grant to the Rockford District No. 205. Move for the adoption of that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Hall moves the adoption of Amendment No. 4 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Any amendments from the Floor?

SECRETARY:

...Amendment No. 5 offered by Senators Rigney and Watson.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, what we're attempting to do here is to add back twenty thousand dollars that was cut from the budget for this high school program that...what we're doing here is the intern program. As I understand, there are approximately seventy-eight high school students throughout the State of Illinois that...in fact, they have already been notified that they were approved for the program and now we're...under the original budget, we're going to take twenty thousand dollars out of that program which simply means that we couldn't...have the program at the level that we had planned. As I understand, the use...part of this money, at least, to pay people here in Springfield who provide room and board for these young people during the semester that they are working here in the Capitol. I think it was a mistake to take this twenty thousand dollars out of the budget and I ask that it be restored.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Well, thank you. I'd also like to rise in support. We're just trying to...return the level of funding to the hundred and thirty thousand which it was during this past year. As Senator Rigney mentioned,...commitments have already been made in regard to this. I hope that we'll get a favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Rock.

SENATOR ROCK:

Yes, I...I've spoken with Senator Watson about this. I agree, this is a reasonable amendment. I would also urge its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney moves the adoption of Amendment No. 5 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 5 is adopted. Further amendments?

SECRETARY:

Amendment No. 6, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What this amendment would do would be to reduce the proposed level of funding for the bilingual programs by two...two million eight hundred and sixty-six thousands of dollars. It would do so by...it would take that money out of the new category of less than twenty students. It would reduce that to one-half of what groups greater than twenty are...would propose to receive. I would just point out that the bill as it stands now contains some very significant funding increases for the bilingual program. Even with the adoption of this amendment, there is still a very significant

increase in funding for this program and I think that's important for everyone to understand, that the amendment does not contemplate a reduction in funding for bilingual, it still leaves a very significant increase in funding for those programs. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I rise in opposition to Amendment No. 6, as I will with 7 and 8. Committee Amendment No. 2, you will recall that when we discussed this in committee, we had suggested to Superintendent Sanders that the House action was simply unacceptable, we could not simply afford it. And we asked the superintendent to get together with the "education experts" and refigure the allocations, which he did. And admittedly, there is an increase in bilingual as there is, frankly, in virtually every mandated categorical program across this budget. This further reduction, in my judgment, is unwarranted, unnecessary and simply should not...we shouldn't do it. And I would urge opposition to Amendment No. 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

END OF REEL

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SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I also rise in opposition. This amendment addresses and reduces money for those children that need bilingual education in which the number of students are less than twenty. Now, in most of the schools up my way where you have bilingual programs, you have substantial numbers and they are over twenty kids. Last year with the reform package, we made a commitment to address those areas where you have...a number of children that require bilingual education and their numbers are...less than twenty in a class. Now this impacts, I would point out, I think it's a million dollars in Chicago, but it's almost two million dollars, a million eight I think is the figure, in downstate. Now I think what you're doing is taking a substantial step backward for those small clusters of foreign speaking children. I think you're hurting kids that we made a commitment to try to address...to phase them in to our educational system by addressing their bilingual needs where there are small clusters of those kids, and it's more of your districts than mine. I urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

Ladies and Gentlemen of the Senate, I believe this amendment to be a responsible one. It is...even though it does represent 2.9 million dollars, almost, a decrease in the proposal of...funding, I want to point out that it...nevertheless, still what remains in the bill represents a very significant increase in funding for these programs. A

year ago at this time when we were debating the school reform package that was contained in Senate Bill 730, we talked about the bilingual programs and the impact of the passage of 730 on...on those programs. The information that was made available to us at that time was that we could make this change in regard in the way we serve the smaller groups of bilingual children without significant increase in demand on the...on the tax dollars. What we have found is that that has not been the case, that actually what is...has been proposed prior to my amendment is almost a doubling of the State support for bilingual programs. So, I...I would urge an Aye vote on this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 6 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Nays have it. Roll has been requested. Senator Topinka is leading the charge. All those in favor of the adoption of Amendment No. 6 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays...the Ayes are 24, the Nays are 27, none voting Present. Amendment No. 6 having failed to receive the majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 7, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Amendment No. 7 would reduce by 9.7 millions of dollars...General Revenue Fund monies that would be appropriated to the preschool. What this amendment does, the...is to continue the present level of funding for the preschool programs, the level that has been established over the last six

months of this fiscal year. The funding that we provided for FY '86 was...has been spent over the last six months time, so that even with the enactment or the adoption of this amendment, we would still be doubling the amount of money that would...that we would be spending in the preschool programs. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, again, as I indicated, I rise in opposition to Amendment No. 7 and let me just, again, give you a...a little history as we discussed in committee. We were confronted with the fact that again this is a program that was part and parcel, and I might say a big part, of the reform package, and we appropriated and will spend in FY '86 nine million dollars. We attempted during the Fall Session...or the earlier Session this year to appropriate additional monies, and as a matter of fact, the State Board of Education has requested an increase to fifty-eight million dollars, if we could afford it. The Governor said, holy smoke, we can't afford that much. We will increase the program to the extent that we can and, hopefully, cover, I guess, twenty-five percent of the youngsters who could be covered if the program was full-blown, and so we will appropriate this year twenty-seven million dollars. The House had it up at fifty-eight eight and we said we simply can't afford to do that, and so what we...when we asked the State Board, you know, give us your best judgment, get together with all the education folks and let's find out where we are, and we have attempted to provide a four percent increase across...all the mandated categoricals and now they have a nine million dollar cut on this one simply seems to me to be unwarranted. And, again, I urge opposition to Amendment No. 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. May I suggest to my friends on the other side of the aisle that...if you test...ask for a roll call on this, I'm going to send this roll call to the editorial offices of the Chicago Tribune, because if there was one program that they campaigned for, editorial after editorial after editorial, it was the early childhood program. We've started on it. The appropriation level that this came out of out of Appropriations II was what we felt was necessary in order to annualize...annualize the amount that we spent last year. It was not the dramatic increase that the Tribune editorial requested; it is an...it is continuing at the level that we had last year. Senator Etheredge will be a cutback of that program. Now I've just got to tell you that it doesn't make political sense to undercut this program. It has been editorialized, testified to as being one of the cornerstones of any long-range improvement for the quality of education in Illinois and I strongly urge...and I ask for a roll call, Mr. President. I strongly urge a No vote on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Senator Etheredge, if you...will remember that while all this discussion was going on and...and both speakers previous are exactly right, you know that we...we're trying to be responsible and I would ask you to withdraw this amendment because what would be doing is just undercutting the things that we sat there in the committee with the sponsor of the bill and with Superintendent Sanders. So, please, take that into consideration. If we had tried to fund that as what as come, there would be no way that we'd have anything going for education like we should do.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

That's...Jack, over the microphone I won't say it that way. It's always interesting how a year later memories fade. This particular program, if you remember, had significant opposition last year, would not have passed the Legislature had it not been at the end thrown into the overall education package. This was opposed dramatically by parents' groups throughout the State for many of the reasons we're now seeing today. One complaint was the State would eventually be turned into a giant day-care center, something we were all scared to death of. We also said the cost...you guys have no idea what the cost of this program will be and we're going from three to nine to fifty-eight million in one year. Last year, that's exactly what people were saying, and here we are now a year later coming back and saying, oh, well, it was so popular last year. No, it wasn't popular last year. I wouldn't have passed last year if it had not been made an intricate portion of the overall education reform package. Everything that's being said today exactly bears out what the opposition last year said and why this would not have passed last year. To now suddenly pretend that this program is sancrosanct when it only got through by slight of hand to begin with, somehow perhaps misrepresents the position taken. This program...if they're talking going from whatever figure you want to talk nine million to fifty-eight million, I want to tell you, if it's fifty-eight million after one year, if it continues to grow at that rate, it's going to be a half a billion by...the year after that. And it may be that the Tribune editorialized in favor of it, but this program is not the program they editorialized in favor of. It was the concept they editorialized in favor of. This specific program wasn't what they favored. With that, I would say, let us not

misrepresent the position, let us remember that this is exactly why this bill would not have passed last year and this program is turning into exactly what parents' groups throughout the entire State said it would turn into, State mandated, State funded day care. I don't think that's what we wanted and just look at the cost escalation, from nine to fifty-eight million in one shot and it wasn't even nine last year. Let's take a look at it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, state your point.

SENATOR ROCK:

I...I wish he would not bring his fight with the Tribune to this Floor. Whatever you and the Tribune have going, that's your business. It is not fifty-eight million. The bill as it stands before you has an appropriation to annualize this to twenty-seven million. Senator Etheredge seeks to cut that in half, and...and I would also beg to differ...we made a conscious decision, this didn't slip through anybody. We have in excess of a hundred thousand youngsters in this State who are "educationally at risk" and by virtue of this program, we have started to provide services to a roughly twenty thousand of them; and if you think this General Assembly was prepared to abandon in excess of a hundred thousand kids who are at risk, I beg to differ. We knew exactly what we were doing and we said we would service all of them as soon as we could afford it, and we are incrementally aiming at it. So don't discount this program. This was an integral part of that reform package, and without it, that package would have been at risk.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Last year I was one of those that...had little faith

in this program. I was looking upon it as a program for the rich Republican household in the suburbs of Chicago and in DuPage County. Those Republican ladies would like to get out once in a while and not be tied to their children, so they put them in day care and it was a boon to the Republican Party and the yuppies of the Republican Party, and I was not in favor of it. Now as time goes by and it becomes part of our educational community in my district, I discovered this program was not a babysitting program. A woman called me whose child was born three months premature, who had some learning problems, at-risk, and she went through this program, enrolled her child and the child is now able to adjust in a kindergarten. Another woman called me whose child had a speech impairment and it was...having difficulty socializing, went into this program and made great progress. This is not babysitting, this is not day care, this is education. And when you say we're increasing it, of course, we're increasing it, we're annualizing it. Last year it was for a portion of the year, a portion of the funding. We're annualizing it so more children can take care of this worthwhile program. Granted, if you in the suburbs and you in the wealthy suburbs want to have it used as a babysitting day-care service, fine, sobeit; but we, in western Illinois, use it for the education of our children. Go ahead, try to cut it, but all you're doing is hurting the children. I don't think you want to do that and I'd ask for a defeat of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Assembly...I...of the Senate. I would just make this one comment to remind us that one of the greatest costs that we have in education right now is for remediation of basic

skills, reading, writing, arithmetic, that sort of thing. All of the research that I have ever read in the fourteen years that I've spent in education points to the fact that for every dollar that we spend in early childhood education, preschool, full-day kindergarten, for every dollar we spend, substantial dollars are saved in not having to remediate those children as they go on through the lower elementary grades. That's why I think this program is important and that's why I think we should fund the early childhood, the preschool programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Keats for the second time.

SENATOR KEATS:

Only to correct the President's corrections. The fight with the Tribune is Art's fight with the Tribune, not mine. I get along real well with those guys. I get along well with the Sun-Times, too, it's my Pioneer Press I have trouble with. But let us correct just one thing being said, annualizing the appropriation. It was nine million. If you annualize it, it's eighteen million, but we're going for twenty-seven, so we're fifty...fifty percent above annualizing, the State board wanted fifty-eight; and so what the Senate President was saying is substantiating the point we're making, each year these types of programs will increase dramatically out of proportion to what had been the original promise. If you remember back in the 1960's in Washington we had something called the start of the great society, and in a bipartisan effort many people today have all kind of said, gee, we promised things we couldn't deliver and we're sorry. Many Democrats and many Republicans say the same thing today. This program is a classic example. It was nine million the first six months, then...based on that would have been eighteen million but we're asking for twenty-seven million,

the State board wants fifty-eight million. I mean, you just start adding those dollars up and just remember what happened to all those programs. And I do beg to differ with the President when he says this is an integral part of the program. Not an integral enough part for at the end when we passed the final program, it could not have passed muster on its own without the fact that it was demanded that it was part of the program, and if you remember carefully...there were an awful lot of Republicans who voted for the program and a group of your downstate Democrats who wouldn't have gone with the program, wouldn't have gone with this if it had not been demanded that it become part of the integral...or the larger program. So, I correct the President's corrections and I appreciate his kindness of giving me this opportunity to do so.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

Ladies and Gentlemen of the Senate, this is not a bad vote. What we....you have the opportunity to reduce the spending for the preschool program, you still...end up annualizing it at a total of eighteen millions of dollars. I would ask for a roll call and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Question is, shall House...Senate...shall Amendment No. 7 to House Bill 3090 be adopted. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 29, none voting Present. Amendment No. 7 having failed to receive a majority vote is declared lost. For what purpose Senator Etheredge arise?

SENATOR ETHEREDGE:

I...I would request a verification of the negative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge has requested a verification of the negative votes. Will all the Senators please be in their seats and will the Secretary please call the negative votes.

SECRETARY:

The following voted in the negative: Berman, Carroll, Collins, D'Arco, Darrow, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge, do you question any of the negative votes?

SENATOR ETHEREDGE:

Senator Zito.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Zito on the Floor? Senator Zito. Strike his name. Do you question...

SENATOR ETHEREDGE:

Senator Netsch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch is standing in a caucus in the back. Do...do you question...any further Senators?

SENATOR ETHEREDGE:

Senator O'Arco.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco is in conference in the back...do you question any further...

SENATOR ETHEREDGE:

No. No, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On that question, the Ayes are 28, the Nays are 28, none

voting Present. Amendment No. 7 having failed to receive a majority is declared lost. Further amendments?

SECRETARY:

Amendment No. 8, by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Having failed twice now in a row to reduce some expenditures, I'm proposing to increase them in...in this amendment. What this amendment does is to add two and one half million dollars into the line item which funds the reimbursement for programs of the gifted around the State of Illinois. What is being proposed in the bill as it stands now is a two hundred and fifty thousand dollar increase from approximately six and a quarter to six and a half million dollars for gifted program reimbursements. I think what we're talking about here is a portion of the...of the State's educational program that we have neglected for far too long. I think there...it is easy to establish the fact. If you look at the funding levels for this program over the last several years, you can see very quickly that this is the...the...stepsister in our educational program, and I would strongly urge your support for this well-deserved two and a half million dollar increase for the gifted programs.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Well, I...I would ask the gentleman if he'd consider withdrawing this one, and I say that for this reason. We have afforded vocational ed., adult ed., gifted, textbooks, orphans a four percent increase on the basis...over last year on the basis that that is what we can reasonably afford and what the Governor can reasonably sign. Now, I for years have

been...as many of you are an advocate of gifted education, have attempted to raise it to the best of our ability year after year after year, but if you start throwing money at this budget, we are going to find ourselves in the same position that the House found themselves in, six hundred million dollars over what anybody could reasonably expect the Governor to sign, and we simply ought not do that. If we've decided that four percent is a reasonable increase and the superintendent has said that is not unreasonable, it's certainly not what they want but it is not unreasonable, and it is within reach of the Governor's pen so he does not have to be constrained to...to reduce all these lines, why don't we leave it there? Just...if...if you...if you would be kind enough to withdraw this; otherwise, I have to stand in opposition to it. I think it's a mistake. You start raising this line, we're going to raise them all and we'll be right back where the House started and that's a mistake.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman. Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Just a moment ago I was up here saying these things get out of hand. Now, there it was nine million for a program that we said, hey, you know, you start it, you're going to get eaten alive. Here's one, it's only two and a half million. Phil, we're saving you six and a half million. This was a program we were committed to long ago. This is a program we have been funding for sometime. This is a program for the kids who are supposedly gifted, supposedly are needing additional help. If you're going to talk about the academic excellence side of educational reform, this is the academic excellence side of education reform. A moment ago, you felted an increase of nine million more than the offer was reasonable. Now, of course, I hate to chide the President 'cause in a minute I'm probably going

to have to come back and ask him for something, but a minute ago the nine million seemed fair for a program that we all said was going to be out of line; now, it's two a half million for an older, established program that we have underfunded for years and this is the whole side of academic excellence. I would solicit an Aye vote for the amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I have difficulty keeping up with Senator Keats, obviously, because he is consistently inconsistent. One of the next amendments will take and transfer three million dollars out of the early childhood into the truant line as recommended by the State board. It has, in fact, administratively...they did last year. So, the annualization figure, in fact, is correct in the final analysis once we get through with it, but this one...it just seems to me...I...I'm not even sure you understand the impact of it, it's not going to serve anymore children, just going raise the per capita reimbursement for those kids already in the program, and it's a laudable thing and we...at some point, we ought to do it. This is not that point and I'd...so I'd renew my request that the gentleman withdraw this one. There is money that...that we will be attempting to add by amendment almost of an equivalent amount for the math-science academy, and in my judgment, that's what this...these exercises are all about and we're prepared to offer some money to that institution and we're going to have a lengthy discussion on that one; but this one simply ought not be done, because if you're going to do it for this line, then I want the same kind of an increase in textbooks and somebody else wants the same kind of an increase in vocational ed. and somebody else wants it in adult ed., all of which are justified and all of which are unaffordable...unaffordable. I'd ask you to withdraw it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I, too, stand in support of this amendment. You know, we just put in...what was it? Twenty-seven million? I don't have my file here on...on what the budgets are for the...or for the different line items, but I believe we increased the bilingual education by fifty percent this year. We just put in twenty-seven million for preschool. Senator Rock just said that in the coming amendment we are going to transfer three million dollars to a truancy program. Now that's all well and good to be supporting programs for the children at risk, for special ed., for truants, for vocational ed. and for preschool, but when do we get to putting in real money for those few children in this State who are truly gifted, not just in math and science, but creative subjects such as art and music? The truly gifted of this State are getting short-changed all the time. Let's not forget what Topfole said when he wrote in 1867, or whenever it was, about public education, "How eventually in this country," he said, "it would reduce all education to the mediocre or the medium," and that I'm afraid...looks like what's happening if we are not going to be putting money into the programs for our truly gifted children. I don't have any more gifted children in my district than anyone else does, and so I'm not doing it for any kind of a personal or parochial reasons except that I know that I...that our gifted children get bored in school if they're not being challenged, if they don't have some special programs. I can't think of a...group that we should be supporting more than these. And I ask for your support of this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Hall.

SENATOR HALL:

Well, I...thank you, Mr. President. I'll be brief. I want just to reiterate again that we sat there...all of us on that committee realized that we would like to do more. The point is, is where with...are the funds? I don't like to...I got a lot a calls for gifted and I've always supported gifted, but at this time we just do not have the monies to do it and we're supposed to be responsible.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. It's with great reluctance that I stand up to argue against more money for the gifted because I and a number of you, have always been champions of that program, but I think it's important to recognize that we are fooling somebody in this process. We are serving the maximum number of children eligible for that program at the present time under the present allocation. Now one of the things that we did in order to try to act responsibly was to take the Governor's level of appropriation bottom line and ask the State Superintendent to allocate that money. If you recall, he gave us three levels...an answer at three levels. The present level was level one...fifty million dollars more than that was a level two, that was about a hundred and ninety million, and then there was a four hundred or a three hundred and some million dollars, that was at the House level, that was level three. The level that the bill sits at now for gifted education was the level recommended by the superintendent under the allocation at both level one and level two. Senator Etheredge is trying to appropriate money as if we could spend the money that the House appropriated. I would love to, you would love to, it ain't there. Now, I've got people sitting up in that balcony who've been tugging on my sleeve regarding adult education and I've given them the same answers that our friends, Trevor Steinbeck and

the others who are our friends, and the gifted have asked for the same thing, why can't we give more money? Well, if we're going to add the increase at that bottom line, I'm all for the gifted and the adult and the other good programs that we have funded year in and year out. You're conning somebody if you're going to say that you're going to do two and a half million more for the gifted, because the money isn't going to be spent at this level, and I'm not sure why we're going through all of this tonight...or today for this. There isn't...you're not proving that we are less supportive of gifted because we're not taking money that isn't there and putting it into a line item. You're not going to be able to prove that, and that's just not the case. So, I think if you're going to be responsible...and the people that I hear always screaming about responsible fiscal approach are the people on the other side of the aisle. Let me suggest to you, this is the time; otherwise, within a half an hour everybody that represents another one of those categorical line items is going to ask you why you didn't take care of them. We put the bill out at a realistic, affordable level. This takes it out of kilter. I don't think it's fair either to those gifted kids or to the people that run those gifted programs to con them into this kind of an amendment. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, very much. I suppose there never really is a good time to increase the funding level for programs for the gifted. This is the sixth spring that I've sat down here and we have not made any significant increases in the funding levels for that program over that...that period of time. There have been increases but they have been all too small.

I think it's important that we now make a statement, as members of this Senate, that gifted education is a priority of ours so that those who have put together this bill as it stands now will get the message that gifted education is important. We have a...an amendment coming down the line here, it's already been referred to that would transfer over three million dollars into truancy programs. Truancy programs are important. I've got some that work up in my area that...that do an important educational service, but just think about that, we're going to increase our spending for truancy programs over three million dollars if we put that amendment on...actually it's a transfer, I beg your pardon, but we would transfer money into that program and we have now twenty-five percent of gifted students that drop out of school. Many of the gifted students are truants, if you will, because the educational programs that we provide for them through our low levels of funding are insufficient to challenge them and encourage them to stay in school and fully realize their potential. I think it is a disgrace of this State that we have not spoken out earlier on and asked for significant increases in the funding level for...for gifted educational programs. Ladies and gentlemen, I would ask for a roll call and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, just to clear...clarify. I asked the gentleman on three occasions to withdraw this. If, indeed, there's going to be a roll call, I suggest to every member on my side that they vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 8 to House Bill 3090. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted

who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. Amendment No. 8 having received the majority vote is declared adopted. Further amendments?

SECRETARY:

Amendment No. 9 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Oh,...yes, Mr. President and Ladies and Gentlemen of the Senate, this is a...an amendment which would reduce spending 1.1 millions of dollars. It would remove the funding for Project DELTA. I would just point out to the group that the...that funds have been appropriated over the last couple of years but they have not been spent. So, I...I would suggest that...that...that we delete this line item.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Well, I'm opposed to this one too and this one I'm going to ask everybody to oppose, without question. This is a project that I think is...is good. We have appropriated before, we ought to appropriate again. The House cut this out. The superintendent asked us that it be replaced and I agree and it ought to say in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Let me take a moment of your time to explain what Project DELTA is...and the sponsor, I don't think was fully aware when I walked over to him earlier. Three years ago, at the insistence of a number of parents of handicapped children, I brought DMHDD and the State Board of Education together and addressed a problem that most

of you are very aware of. When you have severely disturbed kids, we don't have in-state facilities for them. We send them to Maine, Texas, Colorado, all over and we pick up the tab with some very expensive tuitions. I said, why don't we try to get together between you two State agencies and get a Illinois residential facility for these severely disturbed children. That is Project DELTA. At one point it was called the Henry Horner Project, and I'm not sure why they changed names but they changed names. They couldn't get their acts together for the past two years. This year, early on, after the first of the year, I sat down again with both agencies, the directors, and I said, look, I'm...I'm tired of trying to do something that I and a number of parents think are important and the Bureau of the Budget would think is important because we can save some money, if you can't get this thing together, let's forget about it. They conferred, they came back, they said, yes, we can overcome the interagency problems, we'll do it this year, and there's the money, again, this year. I take them at their word. It's important. It's important not only fiscally because we will save more than we're going to spend with saving and cutting down some of these out-of-state tuitions, but even more importantly, you've got a facility that we're going to have whereby parents can see these children while they're being treated instead of sending them out to far away places where they loose the parental contact. It's an important project. Both DMHDD and the State board have signed off. I urge that this amendment be opposed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

I...I would just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves the adoption of Amendment No. 9 to House Bill 3090. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays...the Ayes are 18, the Nays are 30. Amendment No. 9 having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 10 offered by Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a transfer. There's no net increase or decrease. What we're doing is taking three and a half million dollars from the early childhood program, which will still keep it at an annualized basis, and transferring it to the truants' program because of the underfunding even under the allocation as it came out of the Senate Appropriations to address the...the truants' program that we had started last year. I solicit your Aye vote for this interline transfer, no net increase or decrease.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Berman moves the adoption of Amendment No. 10 to House Bill 3090. Those in favor will...say Aye. Those opposed Nay. The Ayes have it...Amendment No. 10 is adopted. Further amendments?

SECRETARY:

Amendment No. 11 offered by Senator Newhouse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. Senators, you will recall that there was a measure in this Legislature for a

no-pass, no-play provision for high school athletes. I think it's a good idea, but as a matter of fact, I opposed it on this Floor for the reason that...it appeared to me that we were attacking...we were punishing kids rather than helping them; and the purpose of this is to take a look at that whole situation to see how we can, as a matter of fact, accomplish the end that is to be accomplished but at the same time provide the kids with the supports that will influence them to do what's needed and that is the purpose of this amendment. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR MAROVITZ:

Senator Newhouse, as the sponsor of no-pass, no-play, could you explain to me how this...explain to me the ramifications of this amendment? How the fifteen thousand dollars would be spent? Is there a committee...a subcommittee...of the Senate...of the joint House-Senate, exactly how...how would this work?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Those details haven't been worked out, Senator. We want your input into it and input from the Senate as to how it should be done.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I guess a procedural question which perhaps the President could answer if he were to make any remarks. If we

were to set up a joint House-Senate committee or subcommittee, could that be done just by the passage of this or does that need separate...legislation? Does that need a resolution, a sense of the Senate, a sense of the House...if we're going to put this on, I'd like to know exactly what's going to be done with it, because we did pass that bill by an overwhelming margin with bipartisan support here; unfortunately, it got bogged down in the House, and President Rock and...has indicated...why some things get bogged down in the House, but I'd like to know exactly how this is going to work...passing a...putting this on the bill and appropriating fifteen thousand dollars is fine if we know what's going to happen, but I'm not sure what this means.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I've just been informed by my handlers that there is a procedure for this, and that procedure is there'll be requests for proposals from...from organizations who have the expertise to do this, those proposal would be evaluated and the selection will be made from that group.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...if that's the case, then I would stand in opposition to this. I don't see the...the need to spend fifteen thousand dollars to...to contract for outside agencies to do a study of something that we are elected to do ourselves. That's what elected officials are for. We go before the voters every two or four years, and the voters determine if we're doing our job. That's what we're here for. We passed school reform. This is consistent with school reform; we didn't...go for any outside study where we have to...we have

to appropriate dollars, that's what the legislative process is for and I think each one of us is...is designated and delegated to do that. I think we can do that without appropriating fifteen thousand dollars to outside people...whom they are, none of us know, to do our job for us; and for that reason, I think I'd stand in opposition to this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, although I appreciate Senator Newhouse's attempt to look into this problem, I would have to concur with Senator Marovitz, having been a joint sponsor on that bill, because it would seem, you know, at a time that we're trying to save money and keep the budget in order that we're going way and a...and abounds. I realize fifteen thousand in terms of some of the monies that are spent around here is kind of small but you can nickle and dime yourself to death when we have standing committees...who can create subcommittees at any given time to do this just within normal protocol and budgetary considerations; and on that basis, I think we're quite capable of handling this job, and I would stand in opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let's...let's make one thing clear, I'm not...I'm not asking nor...nor championing the spending of fifteen thousand dollars. What I am trying to do is to resolve a problem that exists, and the problem that exists is just this. If we're talking about support for the kids in the high school, and that's what I presume we're talking about, then someone needs to do a study of some kind.

I don't have the time, maybe you two do have the time, I don't know. I don't have the staff, maybe you do have the staff, I don't know. There's no staff that currently exists that can devote the time to do this, and if we're serious about it, and I think you...you...you...profess to be, then you ought to be able to come before this Body with the information that we need and so far, it isn't forthcoming. So, you know, up or down that's just the way it goes. It's a suggestion that I thought was workable and a suggestion that it seemed to me to be perfectly logical. So, I would just ask for an Aye vote and whichever way it goes, Stromboli.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, do you want a roll call vote on that?

SENATOR NEWHOUSE:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the adoption of Amendment No. 11...to House Bill 3090, those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 13, the Nays are 30, none voting Present. Amendment No. 11 to House Bill 3090 having failed to receive a majority vote is declared lost. Further amendments?

SECRETARY:

Amendment No. 12 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In order to get to a...level playing field, this would reduce the appropriation for the math-science academy down to zero. We had left it in at a amount equal to that which we fund all other students and all other institutions. I...this is done merely so that the other amendments will

track. It's my understanding that Senator Rock and others have amendments to offer that will deal with math-science...excuse me. In order to let those track, we must do this and I would move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Well, will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator Carroll, just to make sure that I understand...you are indicating that there will be another amendment following...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President. Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You could have said that very easily. Is there further discussion? If not, Senator Carroll moves the adoption of Amendment No. 12 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 12 is adopted. Further amendments?

SECRETARY:

Amendment No. 13, by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's Senator Poshard, Amendment No. 13. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

In...in regard to Senators...Senator Carroll's amendment, staff has just informed me that the later amendment will not track unless your amendment is Tabled.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

If we may, while Senator Poshard is proceeding on his, let us check that. It was our understanding that the exact opposite was the case.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Amendment No. 13 has Senator Demuzio's name on it. Senator Poshard,...Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This would add fifty thousand dollars to the State Board of Education budget for grants to support the agriculture education program which was Senator Maitland's bill which passed out of this Senate overwhelmingly. It's...it's monies to start up the program this year with the hope that in succeeding years many more funds will be there for a much broader program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Poshard...Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Just to chat...to...to tell the Body that you may recall that originally...that there were fifteen millions of dollars in this program and, obviously, that simply could not be funded this year. That...that funding level was reduced to five million and then was taken out in the Senate committee. Senator Poshard and I feel very strongly that, obviously, the bill is going to go to the Governor's Desk. We're hopeful that he's going to sign it, it's going to be necessary to do some preliminary work between now and next spring to put this program in motion, and I would urge the Body's support of this fifty thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard moves the adoption of Amendment No. 13 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment No. 13 is adopted. Further amendments?

SECRETARY:

Amendment No. 14 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank...is this the three and a half million dollar number? Thank you. Before proceeding, I'd like to have an answer to Senator Etheredge's question as to whether or not this tracks properly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Senator Etheredge was correct. I would, therefore, having voted on the prevailing side, move to reconsider the vote by which Amendment No. 12 was adopted for purposes of then Tabling that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Any objection? Hearing no objection, the motion carries. The vote on which Amendment No. 12 passed is reconsidered. Now, Senator Carroll moves to Table. Senator Carroll.

SENATOR CARROLL:

The appropriate motion would be to allow me to withdraw the amendment rather than Tabling...oh, then the numbers are bad? Move to Table.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll, if you'll just listen to the Chair and run...run the Appropriations Committee, we'll run the Chair. Senator Carroll moves to Table Amendment No. 12. Those in

favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Further amendments?

SECRETARY:

Amendment No. 14 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 14 concerns itself with the math-science academy, which also was enacted by this Body as a part of the educational reform. It was felt that our students ought to have the opportunity to excel and be exposed to excellence in math and science and so we're going to set up this super school, if you will. It is moving along and I understand that...from testimony in the committee that some two hundred and sixteen youngsters from across the State have been accepted as first-year students in the math-science academy. And the question was asked in committee, what's this going to cost? It was one of the things that was unfortunately not fully discussed at the time we discussed the math-science academy in the beginning. We did talk at one point when the first two hundred and fifty thousand dollars was requested that we...simply ought not do it, shouldn't be done because we can't afford it. All the school budgets of the eleven hundred school districts across this State were strained to the breaking point and we just simply couldn't afford to do this. Then we were persuaded that, well, we...we had better be able to afford to do this because it's something that's long overdue, and if we are to be truly competitive and our youngsters are to be truly competitive...an academy like this ought to be set up. And the question was never fully answered as to how it was to be paid for. Are the kids going to pay tuition? Were the school districts who sent these youngsters going to contribute much

like they do for special ed., so that there would be a contribution from all the sending districts? Going to set up a special district, a special tax levy? How are we going to pay for it? Lot of silence on that question and, all of a sudden, here we come down the pike with a request, originally, that was considered in the House of some six million dollars for the first year operation. Now all you have to do is divide two hundred and sixteen kids into six million dollars and you get an idea of the cost per student, and I argued in committee, wait a minute, what are we doing? Why don't we take that same per pupil, per student guaranteed amount times the number of kids and that came out to about four hundred thousand dollars, because in this State, with all the youngsters from across the State, we guarantee nineteen hundred plus as a guaranteed minimum State contribution. Not enough. I think we have made a commitment, yes, to the creation of and the operation of a math-science academy. A number of the members are not pleased, frankly, that the youngsters who applied from their districts, for whatever reason, were not accepted or acceptable, that there seems to be a geographic disparity between the...the acceptees or the first enrollees, I don't know how we sort that out, that's not the problem. The problem is, and I mentioned to the Governor as...as late as this morning, that this is something we had better rethink because in one fell swoop, by virtue of a House amendment, we are appropriating...or would have been appropriating more to this school, which will start in September, than we are to the entire gifted program. Now, Senator Etheredge has just bumped up the gifted program to nine million, so where...he's covered that base, but the fact is that we are taking two hundred and sixteen youngsters and saying, well, you are truly special and so we'll spend twenty-five or thirty thousand dollars apiece on you to educate you. And where's that coming from? You know where it's

coming from. It's coming at the...at the...I guess at the cost of other programs from across the State. Now, I think, again, we have made a commitment. We had better get this school off the ground. And so, Amendment No. 14 would appropriate three and a half million dollars to allow the school to open, to have some significant staff support, to provide for faculty, to make sure there is an outreach program which is the second part of this and to suggest very, very strongly that this dialogue is not over, that we had better come back here in the fall or certainly at the beginning of the next General Assembly and seriously think through how in the world we are going to fund this academy. I don't, frankly, think it's a bad idea to have the sending districts, much like we do with special ed., pay part of the cost or why not even have some of the students contribute tuition? This is a residential program. This is room, board and tuition and we're going to do it in one fell swoop. Well, I am prepared to say that we in the Assembly have made a commitment, the Governor has made a commitment, let's fund it to the extent that we can to get it up and going but let's don't go crazy. In February, the consultants on this project suggested a eight and a half million dollar annual budget for this school. The board of trustees pared it down to 6.6 million, and the State board and its staff worked on a budget around 5.8 million, and then at the request of the State board and at...at the request of the...some members, at least, of the Appropriations Committee, budgets of five million, three million and two million were also worked. I'm prepared to go with three and a half million, that's half the original request, on the basis that we will come back and we will discuss this. If you make the full commitment...I suppose they'd like ten million. You make that kind of a commitment, we're stuck with this forever, and I don't think we want to do that. I urge the adoption of Amendment 14.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I rise in support of this...of this amendment. Senator Rock has described, I think, well the...the history of the...various efforts to develop a budget for this institution. I would like to point out something that has...has not yet been mentioned but which I think is terribly important and something which I believe all of us here can understand. The budget requests that have been submitted by the board of trustees of this institution are really made up of two parts. The first part is the...are the costs that are associated with the operation of the institution over the next fiscal year and serving those two hundred odd young men and women from all over the State of Illinois, but in addition, there is another very important cost that is associated with this institution and those costs are...are derived from the fact that this is a brand new institution. It is...there are certain costs that are associated not with the day-to-day operation but...with simply the opening of the doors of the academy, costs that are...are necessary...to provide the...the chairs in the classrooms, the teachers' desks and all of those other...other kinds of expenses which are really one-time expenditures. The only quarrel I have with this amendment is while it does adequately address the operational costs of the academy over the next year, that it does not adequately provide for those start-up costs for...for the academy. In regard to the three and half million dollars to serve these two hundred some odd kids, I would suggest to you that there are other residential schools here in the State of Illinois which we pay for out of our tax dollars, institutions that are somewhat similar in size, and...that you will find when you investigate, as I did, the cost of

operating those schools, they're at least fifty percent greater than what is being proposed as the operating costs for the math and science academy. I would submit to you that the operational costs that are...that have been projected by the board of trustees are not out of line...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further...

SENATOR ETHEREDGE:

...I support this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JONES:

Senator Rock, does this amendment add three million to the bill or is it...this...amendment taking three million out of the bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

This amendment adds...adds three and a half million dollars over what the committee has already added.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Well, I...I rise reluctantly to oppose the amendment. Last year when we talked about education reform in the State of Illinois for all the students...and a couple of weeks ago when I received a computer printout of those students who would be offered admission to this math-science academy, to my dismay and shock for a school district and it's public schools which represent more than twenty-five percent of the

total school enrollment, and when I looked at the private and parochial schools in the City of Chicago, I was shocked to find that out of two hundred and fourteen students, only nine students in the City of Chicago proper would be offered admission to this school. I was under the impression that the school was for all students across the State of Illinois, and if they...if the students in the City of Chicago are not going to be afforded the opportunity to participate in this math-science academy as we indicated that it would be for all students, then I don't see why we are just...we are appropriating this money. I, for one, cannot stand here and vote for a...a piece of legislation or appropriation and I don't care if it's three million, one million or one dollar, if it's not going to be fair and open to all the students. I looked at some of the names on the list that I received, many of the names came from the same identical family. So, before we appropriate money for a math-science academy, I think we must have some fairness about this. There is no way in the world that you're going to have a open competition, open enrollment and have...all students have an opportunity to participate and...and the biggest district in the State of Illinois, the City of Chicago, only have four percent of the total student enrollment. So, it...the math-science academy must not be for all the students of the State of Illinois but only for a select few which does not include the City of Chicago. I must vote No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. As a co-sponsor of the original bill, I think some of us are...are missing some of the points of why this academy was originally put forth by Doctor Leiderman. Dr. Leiderman is the director of Fermi Lab, and Fermi Lab right now is in the process of

trying to get the superconductor-supercollider for this State. If we are successful in that venture, this will bring anywhere from four and a half to six billion dollars worth of work to the State of Illinois, and it will make us the capital of scientific research in this area, not only for the United States but for the world, but someway or another we have to guarantee that we are going to have someone who knows what to do with this thing if and when it is built in our State. For us to be sitting here quibbling about pennies or even millions of pennies and possibly putting something like this in jeopardy is crazy. I don't know, Senator Jones, where these children are coming from. I have not even seen the list. I'm not even sure there's anybody in my district who's going to go to this academy. I do know that there is an outreach program that will teach other teachers how to teach math and science. That is the one area that we are lacking as far as teachers are concerned. This is a step...a small step, beit, but a good step in the right direction. I think we all ought to be on board for the future of the State and I suggest we all vote Yes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

I apologize for rising a second time, ladies and gentlemen, but Senator Jones raised, I think, some very important...a very important question and I...I think that we need to...to speak to it. This is, indeed, a...an academy for all. I think one of the things that...that we need to understand is that the work...it...for any new project, it is difficult to...to communicate with the folks out there and to tell them about this new opportunity. In many schools the...the word was...all schools received the word, by the way. In some instances, unfortunately, the word did not...did not get circulated as we confidently expect that it

will in...in future. But I think that if you look at the...the demographics of that first class, you will find that they are broadly representative of the State of Illinois and also of the people that make up this State of Illinois. I would point out, Senator Jones, so I'll...unfortunately, there are only nine youngsters from the Chicago public schools. We hope that there will be far more than that in future, but I would at the same time point out that there were five students from...from the East...East St. Louis area. It just...it...it happened that the...that the people down there seem to seize this opportunity and...and dig in and...and get some highly qualified young people who applied and they were accepted, and I'm confident there are many people just like that in Chicago and, hopefully, over the next several months we will communicate with them and...and get them enrolled in the academy.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock may close.

END OF REEL

REEL #5

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, I move the adoption of Amendment No. 14. It's...it's 3.1 million dollars in addition to the four hundred thousand that the committee saw fit to appropriate for the purpose of the Math-Science Academy and, Senator Fawell, we're...not really quibbling. What I'm asking...and I think Senator Jones' question is not inappropriate, it was asked in committee and not answered, frankly, to the satisfaction of the committee members and the gentleman from the board and the gentleman from the staff indicated that there would be further information forthcoming as to where...what the geographic distribution of the applications was and how the final decisions were made as to who was accepted. I think that's a legitimate inquiry. My question...my inquiry and my concern is that...that we forever...I mean, this is a fait accompli, we have...authorized the..the start-up of this math-science academy and I think we have a right to question how it's to be funded. There...if...you'll recall, as I do, the Floor debate when we were debating the math-science academy, Senator Etheredge said in no uncertain terms some State support would be required, some, s-o-m-e, not s-u-m. Now I don't know, you know, corporate endowment, whatever, we'd better get cracking; but if you...think you're going to come back here year after year after year and have us pay the entire operation of this academy, then I suggest that we have to rethink the whole education spending program. We don't even do this for the State supported universities, for goodness sake. I urge the adoption of Amendment No. 14.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock moves the adoption of Amendment 14 to House

Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment 14 is...Senator Jones requests a roll call. Senator Jones, what's your...the Ayes have it. The motion is adopted. Amendment No. 14 is adopted. Further amendments?

SECRETARY:

Amendment No. 15 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, what this amendment would do would be to increase the funding for the math and science academy from the three and a half million dollars to...to five million dollars. The impact of this amendment is to provide the...a million and a half dollars for start-up costs for the math and science academy. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Rock.

SENATOR ROCK:

Well, again, I'd ask the gentleman to withdraw this one. It took me awhile to persuade people that three and a half was appropriate, now,...two minutes later, we're...we're up to five on top of the three and a half, that's eight. You know, give me a break. I...I think this one ought to be, if you will, withdrawn. We can talk about it but...three and a half...you know, I've got the same printout...or not printout, the same information from the Board of Trustees as do you, three and a half seems to me to be appropriate. We'll be back here in the fall, we'll be back here next year, some of us; hopefully, there'll be more on this side than there are, but nonetheless, we'll be back here. And...you know, enough is enough, I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, I...in my earlier remarks on Amendment No. 14, I...I tried to...to indicate my concern that while that amendment provided an adequate operating level that there was not adequate money there to provide the start-up cost. With the statement that Senator Rock has just made that we can continue to...to talk about the start-up costs, needs, I would withdraw this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further amendments?

SECRETARY:

Amendment No. 15 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you. Amendment No. 15 is an amendment that I spoke with Senator Weaver about which would add a hundred thousand dollars to begin a study for the rural government finance study policy initiative, and is...probably belongs in the Board of Higher Education budget but I would move its adoption and perhaps in conference we could move it over there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator Demuzio moves the adoption of Amendment No. 15 to House Bill 3090. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Amendment 15 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3rd reading. House Bill 3091, Senator Berman. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3091.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Appropriations II offers two amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Committee Amendment No. 1, Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The State Board of Education budget...House Bill 3091, this is the...Amendment No. 1 is our amendment that we reduced the grant to reflect...recommended...recommendation for the Governor's budget. I move for the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Hall has moved the adoption...Committee Amendment No. 1 to House Bill 3091. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 2 adds eighteen thousand dollars for a ten thousand dollar supplemental payment and eight thousand dollars for the Elementary District Formula One, adds three thousand five hundred dollars for this purpose for a total line of eleven...eleven thousand five hundred thousand. I move for the adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Committee Amend-

ment No. 2 to House Bill 3091. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Amendments from the Floor?

SECRETARY:

Amendment No. 3 offered by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentlemen of the Senate, what...what this amendment does is to reduce the..the add-on which was just put on by Amendment No. 2. Amendment No. 2 added eighteen million dollars, not eighteen thousand dollars but eighteen million dollars, eight million of which went to the alternative elementary formula and another ten million supplemental to the Chicago public schools. What this amendment...Amendment...No. 3 does is to take out the ten million dollars which Amendment No. 2 would send to...to Chicago. I should say to you that the acceptance of this amendment would put this bill in the form recommended by the State Board of Education. Now, we have made references earlier on in our discussions to the importance of adhering to the recommendations that...that came from the State board. This...the two amendments that are now on this bill have increased spending ten million dollars beyond that recommended by the State Board of Education and all of those ten million dollars go to the Chicago public schools. So I would be happy to respond to any questions and if there are none, I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Etheredge misspeaks and maybe if we had the math and science academy add English, we could get better answers. No, that's not correct, Senator Etheredge, and let's go back through this a little bit. The superintendent was asked to allocate monies, some two hundred and fifty million dollars, because that is the amount the Governor said was available for the increase for elementary and secondary education. He was also asked to help the Governor honor his commitment that the Governor had made through his chief of staff, Jim Reilly, to provide one hundred million for downstate schools and fifty million for the Chicago Board of Education. We were reliably informed, as you will recall from the discussion in committee, that those at the meeting felt that the formula divided one-third Chicago, two-thirds downstate and the confusion became apparent when it was determined that if you add up all the grants, that is approximately what happens but that's not how the formula works. In order to get to the fifty million dollars within the formula, the State board advised us they would have to come up with a number of some two hundred and seventeen million when a hundred and fifty million was available maximum within the formula. So what the superintendent recommended was a hundred and forty-two million dollars in the formula, one hundred and twelve of which, twelve more than...twelve more than the agreement, one hundred twelve of which went to downstate districts but only thirty million to Chicago even though the commitment was fifty; and it was therefore the recommendation that ten million be added to the Chicago schools outside the formula to allow forty of the fifty million that was committed to be funded. We are still ten million short of the Governor and his Chief of Staff Reilly's commitment to edu-

cation in Chicago. That was monies he committed in order to settle the strike, and even though they were confused that those monies could be added to the formula, one hundred downstate and fifty Chicago, we not only honored their commitment to downstate but added twelve percent to it and then added ten million which is only eighty percent of the committent to Chicago. You are seeking to take that ten million from the school children of Chicago and I think it is inconsistent to talk about new and expanding programs, math-science et all, when you are not willing to maintain a system in Chicago. The Governor's commitment was so that there would be funding for the two years of the contract to avoid a strike, that was the commitment that was made to keep the schools open. So you are suggesting two hundred and seventeen children can be educated in a math-science academy, but some four hundred thousand children will go uneducated because you are not willing to honor the commitment your Governor made or even eighty percent of it, although we are giving a hundred and twelve percent of the commitment that was made to downstate. You can't steal ten million from the Chicago public schools which will be closed, you cannot dishonor the commitment that was made by the second floor, and I think this amendment should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I think there are some players missing, I...there are two people that should be on this Floor that I just don't see. Kirk Dillard and Zac Stamp should be on that side working against this amendment, and I just don't see them. Kirk, where are you? Zac, where are you? This amendment seeks to make the Governor a liar. I can't believe that it's being offered by the minority spokesman on Appropria-

tions to discredit the word of their Governor. I just can't believe they want to do this and I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. It's, I guess, disappointing that at this time of the year we always get into a situation where it appears as though there are those who are opposed to downstate schools and there are those who are opposed to the Chicago school system. I think most of us feel very strongly about the education of all kids across this State, but I think the Body should know...I think the Body should know that with the hundred and forty-two million dollars that resides now in the formula, Senator Carroll, this is the distribution that would have been there no matter how you played the game. Clearly, truly, the Governor made a commitment of fifty million dollars to the school, and we understand that, no argument there at all; but the fact of the matter is, if you look at some figures that have been broken out, for us at least, we find that an addition to the thirty-one million dollars that 299 gets from the formula, there is also an additional increase of about fourteen million dollars through some of the categoricals outside of the reform package. Now, you can't walk away from this, it's a fact of life. It's there and it should be there and we agree, but the point is, if you're going to talk about equity, and we have to do that as we debated this issue the other day on this very Floor on the Title I Amendment, folks from Chicago, come down and visit our schools downstate as I have visited for two days, two solid days your school system and have recognized the problems that you have and they're there. But in downstate rural school districts today, we're

cutting programs, we're flatly cutting programs because the money isn't there to fund the education of those young people, so it's a problem that we both share. The fact of the matter is, we are, in this amendment, at least for the time being, pulling back from that ten million dollars. Let us sit down and talk about the problems that face all kids across this State. We know that it takes the fifty million dollars somehow applied to honor that contract. I would submit to you that the money is there now. I urge support of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra, for what purpose do you arise? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I just wanted to point out to Senator Berman that Zac Stamp has reported for duty over here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, I renew my request and ask the gentleman to withdraw this amendment, much the same as I will ask Senator Carroll to withdraw the next amendment 'cause the next amendment deletes eleven million, and that's the alternative formula that we have put in to get to some equity, some parity among the school districts. And, Senator Maitland, I think it's fair to say that there are programs unfortunately being cut all over the State including the City of Chicago and that's not good. But, again, when we discussed what can we do responsibly...when the House sent this bill to us it was six hundred million dollars out of reach, just simply out of reach, and we said no, that is not the responsible thing to do and so we began paring down and patching up and we asked

the superintendent, allocate for us, will you, please? We understand the Governor's commitment, I want to honor the Governor's commitment, but in order to reach that fifty million dollars in the formula, you know better than I that it's going to take a heck of a lot more than the hundred and forty-two million, closer to two hundred and forty million for Chicago to spin out and get fifty million of that. So we're attempting to make an accommodation as best we can under an...admitted limited amount of resources. Let me suggest that this amendment ought to be withdrawn. I'll ask Senator Carroll to withdraw the next one and we go on with our business, because I think you will find, particularly now with the math-science academy back in, even with the addition to gifted that we are within reach and the Governor can sign this legislation without unnecessarily impairing the allocations that have been made by the superintendent and by people educational that he talks to and that you talk to more...than I talk to. We're within reach. Just withdraw this one and we'll withdraw...I'll ask Senator Carroll to withdraw the...eleven million dollar deletion, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Keats.

SENATOR KEATS:

Not answering the President's question, as you can see there's a conference going on. A group of us, some Republicans and some Democrats, have discussed something and we're asking from Senator Berman or Senator Maitland...or whatever, for those who wanted to vote for the funding formula we promised last year, which amendment is that? We're having a little trouble tracking these amendments 'cause we don't have copies of them and we're trying to be cooperative and not demand copies of everything. Which amendment do we vote for if we want to vote for what we committed last year, that's sort of...I know there are a lot of Democrats, as you

know we've discussed a lot of Republicans. We're having a hard time figuring out which amendment that is 'cause...'cause we don't have the copies.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, let me suggest, I'm not sure which one you vote for because you've already voted for that one. You do not vote for three or you do not vote for four, that undoes it, it unravels it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Etheredge, do we have it unraveled? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Mr. President, I believe we do have it unraveled. With the understanding that Senator Carroll...will withdraw his amendment, I will withdraw this one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge seeks leave of the Body to withdraw Amendment No. 3. Is leave granted? Leave is granted. Amendment No. 3 is withdrawn. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Carroll and Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll seeks leave of the Body to...to...seeks leave of the Body to withdraw Amendment No. 3. Leave is granted. So ordered. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will now move to the Order of the...Resolutions Consent Calendar. There is a...a resolution that has some urgency that needs to be passed today. So with leave of the Body, Resolutions Con-

sent Calendar, Senate Resolution 1094. (Machine cut-off)...Rock.

SENATOR ROCK:

Thank you, Mr. President. Well, I can...if I can have the attention of the membership, I...I think we have done a good day's work. There is a summit meeting on insurance scheduled for five, there are a number of other meetings, so I'm going to suggest when we conclude this resolution which is sponsored by Senators Philip and Lechowicz and myself in honor of our friend, Gene Moats, and that's the reason for the urgency, we want to get it up to Chicago so it can be presented to him, he's being honored, that we will...effectively give the Secretary the opportunity to read in House Messages, but we will effectively adjourn until ten o'clock tomorrow morning so it'll give everybody a chance to start fresh. Senate Resolution 1094 is just that, it commends our friend Gene Moats for his years of dedicated service to the people of Illinois in the labor movement. He is being honored, I believe, by the...the Israeli Labor Coalition, I guess is the right word, well-deserved honor and I would move to suspend the rules for the immediate consideration and adoption of this congratulatory resolution and that...I think I indicated I wished all members to be cosponsors, it's well-deserved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has sought leave to add all the members of the Senate. Is leave granted? Leave is granted. All right. Senator Rock now moves to...suspend the rules for the immediate consideration and adoption of Senate Resolution 1094. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves for the adoption of Senate Resolution 1094. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution...1094 is adopted. We have two...some

paper work remaining, on the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

The...the following resolutions are all congratulatory.

Senate Resolution 1102 offered by Senators Kustra and Fawell.

1103, by Senator Kustra.

1104, by Senators Marovitz, Berman and Carroll.

And 1105, by Senator Dunn.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Consent Calendar. All right, Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of...Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 198 and 224.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Executive.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the House...the Senate the House of Representatives has concurred with the Senate in the passage of bills with the following titles together with House amendments.

Senate Bills 1519, House Amendment 1.

1562, House Amendment 1.

...or 1602, House Amendment 1.

1607, House Amendment 1 and 2.

1610, House Amendment 1.

1611, House Amendment 1 and 3.

1628, House Amendment 1.

1639, House Amendment 1.

1698, House Amendment 1, 2 and 3.

1737, House Amendments 1, 3, 4, 5, 14, 15, 16, 17, 18.

1738, House Amendments 1, 2, 3, 4, 8, 9, 12, 13, 14.

1739, House Amendment 1 and 2.

1740, House Amendment 1 and 3.

1747, House Amendment 1, 3, 4, 6, 7, 9, 10.

1748, House Amendment 3, 5, 6, 8, 9, 11,...10 and 11.

1749, House Amendments 1, 2, 3, 4, 5, 6 and 8.

1750, House Amendment 1.

1751, House Amendments 2, 3, 4, 6, 8, 9, 11.

1752, House Amendments 1, 2, 3, 4, 5, 8, 11, 12, 13, 14, 18, 21 and 22.

1753, House Amendments 1 through 30, 32, 33, 34 and 35.

1754, House Amendments 1 and 2.

1755, House Amendment 1.

1756, House Amendment 1, 2, 3, 4, 5, 6.

1757, House Amendment 1 and 2.

1758, House Amendments 1, 2, 3, 4, 5 and 6.

1759, House Amendments 2, 3, 4, 5, 6, 7, 8 and 9.

1760, House Amendments 1 and 3.

1761, House Amendment 1.

1762, House Amendment 1.

1763, House Amendments 1 through 16, 19, 20, 21, 22, 23, 25, 26 through 36, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66 and 67.

1764, House Amendments 2 and 4.

1765, House Amendment 1.

1766, House Amendment 1.

1770, House Amendment 1.

1771, House Amendment 1.

1772, House Amendment 1.

1773, House Amendment 1.

1774, House Amendments 1 and 3.

1775, House Amendment 1.

1778, House Amendment 1 and 2.

1808, House Amendments 1, 3, 4 and 5.

1822, House Amendments 1, 2 and 3.

1841, House Amendments 1, 2 and 3.

And Senate Bill 2042, House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? All right. Senator Hall moves that...Senator Luft, what purpose...

SENATOR LUFT:

Thank you, Mr. President. For one final announcement, if you don't mind. Just as a reminder, tonight is Senate President Phil Rock's Night at Lanphier Park, it's the Peoria Chiefs who are the Chicago Cubs and the...the Springfield Cardinals who are obviously the St. Louis Cardinals. There's a pregame ceremony at 6:45 and the proceeds go to the Maryville Academy for Children. In case you don't know where Lanphier Park is, it's on Ninth Street and North Grand. Tickets are two dollars. Ninth and North Grand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And the tickets are compliments of Senator Luft...they're two dollar tickets, how many did you purchase? The question was asked over here by Senator Rupp, I think.

SENATOR LUFT:

I bought one for me and Bill Holland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business? Eleventh and North Grand. Senator Luft, Eleventh and North Grand. Further business? Senator Rock, for what purpose do you arise? Can we have

some order, please, can we break up the conference.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As we conclude, we will reconvene at ten o'clock tomorrow morning and begin on the appropriations' bills and then move to the Order of Concurrences. In the meantime, the gentleman who will benefit from this evening's festivities and, believe me, it will be festive, the Cubs should beat the Cardinals with ease tonight, I'd like to introduce to this Body a man who needs no introduction, he comes every year at the beginning of Session, my friend, Father John Smith, the Superintendent of Maryville. Father.

FATHER JOHN SMITH:

(Remarks by Father John Smith)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you, Father. All right, Senator Netsch moves that the Senate stand adjourned until tomorrow morning, Wednesday, June the 25th, at the hour of ten. That's the first thing you've passed all day. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

June 25, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Gay Crede, United Methodist Church, Williamsville, Illinois. Reverend.

REVEREND GAY CREDE:

(Prayer given by Reverend Gay Crede)

PRESIDENT:

(Machine cutoff)...you, Reverend. (Machine cutoff)...of the Journal, Mr. Secretary. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the reading and approval of the Journals of Tuesday, June 17th; Wednesday, June 18th; Thursday, June 19th; Friday, June 20th; Monday, June 23rd and Tuesday, June 24th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Message from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in their amendments to the following House bills:

House Bill 1321 with Senate Amendment 1.

2785, with Senate Amendments 1 and 2.

3351, with Senate Amendment 1.

3525, with Senate Amendment 2.

And House Bill 3549 with Senate Amendment 1.

PRESIDENT:

(Machine cutoff)...Barkhausen, for what purpose do you arise, sir?

SENATOR BARKHAUSEN:

Mr. President, on a point of personal privilege. While we're at ease, I'd simply like to introduce Leonard Enes who is a constituent of mine from Grand Wood Park. He is down here with the Lake County and Cook County 4-H Clubs. I'd ask the Senate to welcome him.

PRESIDENT:

Welcome. Will our guests in the gallery please stand and be recognized...or he's right there. Welcome.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 1106, by Senator Topinka.

1107, Senator Topinka.

And 1108, Senator Topinka, all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. We'll start on page 3, House bills 3rd reading. Senator Fawell, 2625 and then we will proceed right down the Calendar...there are...I think six bills on the Order of Recall, we will skip them and take them at the end of the call. On the Order of House Bills 3rd Reading, House Bill 2625, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2625.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. This bill is for the State Board of Elections and it has been reduced by six hundred and fifty-five thou-

sand nine hundred dollars, and it is at a four...four million five hundred and thirty-four thousand nine hundred dollar...level. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2625 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. House Bill 2625 having received the required constitutional majority is declared passed. Page 4,...page 4 on your Calendar is House Bill 2688, Senator Carroll. Mr. Secretary, House Bill 2-6-8-8.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2688.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is now a vehicle bill. I would suggest we pass it so that it can be placed in conference in case...as has happened before, there is a need. It is now for one dollar and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2688 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 4, 1 voting Present. House Bill 2688 having received the required constitutional majority is declared passed. 2878, Senator

Sangmeister. House bills 3rd reading is House Bill 2878, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2878.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the State Appellate Defender's ordinary and contingent expenses and the Senate reduced it two hundred ninety-four thousand, and as passed by the House, the appropriation was five million one hundred and twenty-five thousand. The appropriation as you're voting on today is four million eight hundred and thirty-one thousand two hundred dollars and I move for passage of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2878 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3, none voting Present. House Bill 2878 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2974, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2974.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. This bill is for the Department of Military and Naval and it comes in at eight

million five hundred and thirty-two thousand five hundred dollars. We reduced it a hundred and ninety-six thousand five hundred dollars and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2974 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. House Bill 2974 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2975, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2975.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill has been reduced seventy-one thousand dollars by action of the committee and I would move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2975 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2975 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2976...is on recall. House Bill 2977. 2978, Senator Donahue. House bills 3rd reading is House Bill 2978, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2978.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE.

Thank you, Mr. President. This is the fire marshal's...ordinary and contingent expenses and it is at the level of six million five hundred and eighty-six thousand nine hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2978 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2978 having received the required constitutional majority is declared passed. 2979. House bills 3rd reading is House Bill 2979, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2979.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. 2979 provides for the ordinary and contingent expenses for the Liquor Control Commission and provides for a three million dollar transfer from the Dramshop Fund into the GRF, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2979 pass. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 2979 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2980. House Bill 2981. On the Order of House Bills 3rd Reading, the bottom of page 4, is House Bill...2-9-8-1, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2981.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

This bill would appropriate seven hundred and twenty-six thousand six hundred dollars. It is down some twenty-six thousand nine hundred dollars from introduction in the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2981 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2981 having received the required constitutional majority is declared passed. House Bill 2982, Senator Schaffer. House bills 3rd reading is House Bill 2982, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2982.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this bill appropriates one million four hundred and two thousand six hundred dollars. It is down some nine thousand three hundred from introduction in the Senate. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2982 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2982 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2983, Senator Maitland. Is Senator Maitland on the Floor? 2984, Senator Fawell. House bills 3rd reading is House Bill 2-9-8-4, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2984.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is for the Guardianship and Advocacy Commission. It is for three million two hundred and thirty-four thousand five hundred dollars, a reduction of a hundred and thirty-seven thousand five hundred dollars and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2984 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2984 having received the required constitutional majority is declared passed. 2985...Senator Maitland on the Floor?...House bills 3rd reading is House Bill 2985, Senator Maitland? House bills 3rd reading, House Bill 2985, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2985.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2985 is one of the few that has been unchanged in the House in the amount of twenty-two...two hundred and twenty-one thousand seven hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Chicago Tribune has requested leave to take still photos. Leave granted? Leave is granted. Further discussion on Senator Maitland's 2985? If not, the question is, shall House Bill 2985 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2985 having received the required constitutional...majority is declared passed. Senator Maitland, how about 2983? You want...all right, with leave of the Body, we'll go back and pick up 2983. Is leave granted? Leave is granted. House bills 3rd reading, House Bill 2-9-8-3, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2983.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. House Bill 2983 has been reduced by a hundred and fifteen thousand six hundred dollars. It now is in the amount of two million one hundred and eighty-seven thousand four hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2983 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2983 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2986. 2987 is on the recall list. 2988, Senator Donahue. All right. House bills 3rd reading is House Bill 2-9-8-8, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2988.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2988 is for the Department of Conservation. It is...after Senate action, it's a one...a hundred and twenty-nine million six hundred and eighty-one thousand two hundred dollars. There's a difference of eight million one hundred and fifty-five that the Senate has added on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill

2988 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. House Bill 2988 having received the required constitutional majority is declared passed. 2989 is on the recall list. 2990, Senator Mahar. House bills 3rd reading is House Bill 2-9-9-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2990.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 2990 does, in fact, make the appropriation for the ordinary and contingent expenses of the Department of Financial Institutions to the amount of three million nine hundred forty-nine thousand four hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2990 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. House Bill 2990 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2991, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2991.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the annual appropriation to the Historical Society Preservation Agency, eleven million nine hundred and sixty-four thousand eight hundred and ninety-one dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2991 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2991 having received the required constitutional majority is declared passed. House Bill 2992, Senator Schaffer. House bills 3rd reading is House Bill 2992. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2992.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, the Civil Service Commission appropriation is for three hundred and seventy-four thousand three hundred dollars down some ninety-three hundred dollars from Senate introduction. Appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2992 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2993 having received the required

constitutional majority is declared passed. House Bill 2993, Senator Sommer. 2994, Senator Watson. House bills 3rd reading is House Bill 2994, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2994.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 20 has requested permission to tape the proceedings. Is leave granted? Leave is granted. Senator Watson on 2994.

SENATOR WATSON:

Thank you, Mr. President. House Bill 2994 is the appropriation for the Department of Registration and Education. The introduction amount was eleven million four hundred and fifty-nine thousand, we reduced that a hundred and twenty-two thousand seven hundred dollars to a final figure of eleven million three hundred and twelve thousand nine hundred dollars. I'd move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2994 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, 1 voting Present. House Bill 2994 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2995, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2995.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriation...for the Department of Public Aid and it appropriates three billion four hundred and two billion...million five hundred and thirty-five thousand four hundred dollars. That represents a reduction of fifty-five million two hundred and forty-six thousand five hundred dollars from Senate introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2995 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, 5 voting Present. House Bill 2995 having received the required constitutional majority is declared passed. House Bill 2996. House bills 3rd reading is House Bill 2-9-9-6, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2996.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, the appropriation for the Department of Public Health is two hundred and fifteen million six hundred eighty-eight thousand nine hundred ninety dollars, an increase over introduction in the Senate of some one million six hundred and seventy-seven thousand dollars. Be happy to discuss the add-ons, if not, appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2996 pass. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. House Bill 2996 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2997, Senator Kustra. House bills 3rd reading, House Bill 2-9-9-7, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2997.

(Secretary reads title of bill)

3rd reading of the bill.

SENATOR KUSTRA:

Thank you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Kustra.

SENATOR KUSTRA:

...thank you, Mr. President and members of the Senate. This is the appropriation for the Department of Rehabilitation Services. There were three committee amendments, the first one eliminated House add-ons. The second one reallocated some Federal dollars for a new Federal grant program and the third one, introduced by the presiding officer, is a amendment that restores the two hundred thousand dollar House add-on which provides for a 9.5 salary increase for teachers at the Illinois School for the Deaf. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2997 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted wish? Have all voted wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2997 having received the required constitutional majority is declared passed. 2998 is on the

recall list. 2999, Senator Rigney. Senator Rigney, are you ready? House bills 3rd reading is House Bill 2999, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2999.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I got an inquiry of the Chair. What...Mr. President, inquiry of the Chair. How did 2998 get on the recall list? I didn't request that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we're skipping it anyway for the moment. 2999, Senator Rigney.

SENATOR RIGNEY:

Yeah, Mr. President, I thought the sponsor made the decisions as to whether things went on the recall list...is that true?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR RIGNEY:

All right, we'll do 2999 and...we'll do 2999; apparently, there's no controversy with that. This is the reapprop. bill for the Department of Transportation in the amount of one billion eight hundred and sixty-five million hundred and fifty-one thousand, an overall change from the bill as it came from the House in the amount of two hundred and fifty-six million ninety-two thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis. Your light is on, Senator DeAngelis. All right. If there's no further discussion, the question is, shall House Bill 2999 pass.

Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1. House Bill 2999 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3001, Senator Geo-Karis. House bills 3rd reading is House Bill 3-0-0-1, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...3001.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. This will go much quicker if we pay attention. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, House Bill 3001 is the budget for Department of Human Rights. It reduces it by five hundred and forty-six thousand three hundred dollars and it makes other...deductions, totaling seventy-eight thousand five hundred...eight dollars and I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3001 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, 1 voting Present. House Bill 3001 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3003, Senator Dudycz. House bills 3rd reading is House Bill 3003, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3003.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 3003 reduces sixty-seven thousand nine hundred dollars from the Industrial Commission's appropriation for a total of five million six hundred and twenty-nine thousand eight hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3003 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none...1 voting Present. House Bill 3003 having received the required constitutional majority is declared passed. 3004. House bills 3rd reading is House Bill 3004. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...3004.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. House Bill 3004 appropriates nine hundred and seventy-six thousand nine hundred dollars for the ordinary and contingent expenses of the Medical Center Commission. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3004 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. House Bill 3004 having received the required constitutional majority is declared passed. 3005, Senator Karpiel. Senator Karpiel, 3-0-0-5. House bills 3rd reading, the bottom of page 6, is House Bill 3-0-0-5, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3005.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Bill 3005 provides for the ordinary and contingent expenses of the Illinois Racing Board. The...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator...Senator Karpiel. Ladies and gentlemen, can we have some order, please. Can we break up the staff conferences. I can hardly hear the speaker myself. Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The total appropriation is for nine million four hundred twenty-four thousand one hundred dollars which is a change of five hundred thirty-seven thousand one hundred less than it came over from the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3005 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 2 voting Present. House Bill 3005 having received the required con-

stitutional majority is declared passed. Page 7...page 7, top of page 7, House bills 3rd reading is House Bill 3006, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3006.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. This is the annual OCE of ESDA. It's in the amount of eighteen million seven thousand three hundred dollars, a reduction of twenty-four thousand five hundred dollars. I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3006 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3006 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3035. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3035.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, members of the Senate, this is the annual appropriation of the Secretary of State's Office, a hundred and eighty-four million five hundred and nine thousand one

NB 3090. 3rd reading

hundred dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3035 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3035 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3050, Senator Etheredge. House bills 3rd reading is House Bill 3-0-5-0, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3050.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill appropriates one dollar to the State Board of Education. This represents a reduction of three hundred and eighty-five million eighty-five thousand one hundred and ninety-nine dollars since Senate introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, discussion? If not, the question is, shall House Bill 3050 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. House Bill 3050 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3090, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3090.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3090 appropriates one billion two hundred and forty-one million five hundred and sixteen thousand dollars in general revenue and Federal funds to the State Board of Education for the categorical reform and operations of that board. This level is a decrease of some one hundred and nine million dollars from the way the House sent it to us. This Body added ten amendments...total of which was some five million dollars. The two big ticket items, obviously, were the three and a half million dollars for the math-science academy and two and a half million for an increase in the gifted reimbursement program. I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3090 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3090 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 3091. Mr. Secretary, read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3091.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3091 appropriates one billion eight hundred and forty-five million four hundred and fifty thousand dollars in common school funds for the General State Aid Formula. It's an increase of eight and a half percent over FY '86 appropriations. Included in here is eleven million dollars for the supplementary payments to the elementary school districts and ten million dollars supplementary payments to the Chicago School District 299. Three million six hundred and fifty thousand is appropriated for summer school payments and eight...eight hundred and sixty thousand dollars for consolidation costs. The appropriation reflects the level of two thousand sixty-four dollars and twenty-three cents per pupil. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator, would you answer a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Karpiel.

SENATOR KARPIEL:

Senator Berman, is there anything in this appropriation that deals with the provisions that were in Senate Bill 2700 that did not...or House Bill...I think it was Senate Bill 2700 that did not get passed out of committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well, what...is the State board planning on doing about

reimbursing those school districts who have already provided the services and are not now getting reimbursed for those services?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There was a bill that was introduced, it didn't come out of committee and what we've got to do is make a substantive change in law in order to accommodate them. I...I don't think it's going to be done this Session. We'll take a look at it next spring.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Well, I don't understand why there has to be a substantive change in law 'cause from what I understand, the State board was paying...for those of you that aren't aware of what I'm talking about, I'm talking about like orphanage or in...in the case of my school district, it...it goes over to the St. Charles Correctional Center and...and they teach the...the kids over there and they're not getting reimbursed by the State board for providing the teachers' services over there. They were until the State board changed their way of funding or of reimbursing the school district. I don't know why a substantive change is necessary. It would seem to me the State board could either change back their way of reimbursing or somehow or other provide for reimbursing these people for teaching over there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I have no argument with the merit of the proposal. Realistically, we're talking about a...a gap in payment that goes back ten years. We're talking about three million

dollars, I believe, roughly...five million dollars. This is not the year to make up for a...error that was made ten years ago. We'll make up for the error eleven years ago...next year. It...the money for that which is a...to a principal in an over...in a...in something that was done back in 1976 and '77 ought to be done when we've got enough money to take care of everything else. This...this is not the year.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Well, I'm not going to continue the debate here but it would seem to me that we are providing money this year for new programs that we're just initiating and expanded programs, and it would seem to me that this could be the year to not do that and pay back the debt that we now owe the school districts.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Question for the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Rupp.

SENATOR RUPP:

Did you take the money out for the projects in the agriculture thing? Our galleries are filled with youngsters who are involved in agriculture. Do I understand that you have taken five million dollars out?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The questions that you're raising were addressed...should be addressed at the previous bill. This is the General State Aid Formula. The previous bill...dealt with the categorical grants and that has already been approved by the Senate.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

I'm looking at our analysis on 3091 and it says Committee Amendment No. 1, by Senator Carroll removes five million dollars from agricultural education. That's what our analysis says right here.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The House had five million dollars in Senate...in House Bill 3091. That money was taken out of 3091 and fifty thousand dollars was put into 3090 for that program.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

I...I sort of...I think we ought to look again at this particular thing. The absolute biggest industry that we have in Illinois is agriculture and, yet, you're giving fifty thousand dollars for training for these people going into it.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I couldn't agree with you more on the importance of agriculture to the State of Illinois. What I am saying to you, however, Senator Rupp, is that the line item dealing with this issue was in the bill that you just voted Aye for at a level of fifty thousand dollars. Now, I don't think that it would serve your constituents well or for you to serve them well for us to get into the debate on that line item, which I'll be glad to get into with you right here, as to the...the background and the reasons for why that was placed in 3090 as opposed to 3091. I think that many of us recognize that the problem with the question of the attention, not the funding

but the attention given to agricultural education is not here in the General Assembly but back home in those local school districts that you are so proud of defending. They've dropped the ball in my opinion.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

I'm wondering what ball they had to drop if you have fifty thousand...I...I would like to...and I'm sorry to ask for this but I would like the explanation, and I think it's deserved, why we are...as far as this is concerned doing this to the most important industry. We're not training people for it. Every other business that...of this sort, you...you...you absolutely stress the fact that we need the training. Do you think this is an easy thing? They have to have training too and I think that we are being absolutely wrong in not leaving this five million dollars in here and don't...if it's in this bill, I'd like the answer. I'd like you to go and tell us why this is...is being treated this way and I...and for blaming the local people, it's just like saying you folks in Chicago didn't do right because you didn't have the money, that's the case here. You give them...you give us the money and we'll get the training going properly.

PRESIDENT:

Senator Rupp, I just direct your attention to the bottom of page 7, House Bill 3200. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. As the sponsor of Senate bill...House Bill 3200 along with Senator Demuzio and as the sponsor of the amendment which contains also the same language in 3200 that was passed by the House yesterday, will be back over here for concurrence tomorrow, I rise in strong support of the issue

to which Senator Rupp is addressing his remarks, but the concern we've had all along is that the program came in here in March, was presented to us. We saw it, we liked it, we supported it and this Body passed that bill out on 2255...Senate Bill 2255. The fact of the matter is, to carry out this program when it's eventually phased in will cost fifteen million dollars; but also, the fact of the matter is, there is no program yet this year. The bill has to go to the Governor, be signed, the committee will be selected and work in conjunction with the State board to put together a K through 12 ag. program. Now the way we do things around here is for the State board to have in place the program, put it in their budget, bring it to the General Assembly next spring where we'll...where we will then pass on it, but to put the original fifteen million dollars as suggested in now simply would be nonproductive. We have placed money in that bill to allow the State board to begin to put the program together. We're strong supporters, it'll be here next June and we'll seek...seek your support then.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Are you indicating that we don't do just what you said we don't do, that we don't put the money up before a program is organized and set up? We do it all the time...all the time we do that and I just...and you know too that here...I don't care whether it's 2252 or what bill number it is, I think we should finance and get this thing going. We waited another year now, some of these youngsters will be out of school. I just think we ought to address it now and if we have to take time to do it and hold the bill and amend it back in...this came off this bill, Senator Berman, so let's put it back on.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Since...since this...I...I agree...I concur with Senator Rupp, I don't think the removal should have taken place, but is there any assurance that you can give us that the removal of the five million dollars for agricultural education is going to be put back in in some other bill? What are we going to do about it? Are we going to do nothing? I represent farm areas myself and I'm rather concerned.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The allocation of the...money that was in 3090 is the amount of money that was determined to be necessary in order to move the program forward based upon the passage of the substantive bill, 2255. That is what has been appropriated for. It is...if you appropriate anything more than what has been in that bill, you're not going to be able to spend it based upon the time line of getting a meaningful program plugged into those schools. Now, you know, this is a nice election year. Senator Rupp has some constituents in the balcony, I applaud him for taking that kind of a position, but it's not...it has not been...it has not been...it was not removed for any purpose of undercutting an important segment of the educational program or the...agricultural industry of the State of Illinois.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Did you say we have a small appropriation in House Bill 3090? I see the...the analysis of 3090, I see fifty thousand

dollars for GRF funds for adult literacy in Rockford. Is that the appropriation you're talking about?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, there is a line item in there. Amendment No. 15 is what was put on yesterday for that fifty thousand dollar agricultural education program.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Do I have your assurance, Senator Berman, that the...the small amount that has been put in is simply to start it out and that you will be coming back to help this fund in the future, because I think it's very important?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Let me tell you that you have...people that have even a greater commitment and interest...than I, the minority spokesman on the...on the Education Committee has spoken and indicated his concurrence in this bill...the bills that he has sponsored to move this program forward, and we are in support of that, nobody is trying to undercut agriculture in Illinois.

PRESIDENT:

If I can have your attention, WAND TV-Channel 17 has requested permission to shoot some film. Is leave granted? Leave is granted. Senator...further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I just want to echo what Senator Maitland has said on the other side of the aisle. Senator Rupp, if you wanted to address this problem yesterday

when we had the amendment, that was certainly an opportunity...opportune time for you to...to do whatever you wanted to do. The fact of the matter is is that we have a start-up program, we'll be back here in January. We have to honor our commitment to elementary and secondary education that we made last year and to higher education and we're having trouble doing that. So let's put the fifty thousand dollars...or if we go to conference, there's some other vehicle bills around here. If we don't go to conference on this bill, then we can continue to negotiate and I think that's the kind of agreement that most of us have...have been hoping that will take place between now and June 30th. But to get into a contest over this at this moment seems to me is...flies in the face of what we are attempting to do for vocational education in Illinois, and there's not been a stronger person in this Chamber for vocational education than what I have been.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Only...to respond to the point that was made about the seniors that are now in agricultural programs and they will be...denied access to this program. Senator Rupp, the fact of the matter is, these seniors could not access that program because it simply would not be in place and that simply is not a true statement.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

I appreciate all this Monday morning quarterbacking, it's real easy. We've been sitting here for years and we've been talking for years about help in the agricultural end of the education process. So now we start but, that's great, we got the start and I can't do anything else except vote for the

start, but I do think that some of you should be ashamed what you're doing about taking this money out of it. If you don't think that would give a start to it, it surely would. I just think that it's...a little bit shameful to be doing this.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Berman, you wish to close?

SENATOR BERMAN:

Ask for your affirmative vote.

PRESIDENT:

The question is, shall House Bill 3091 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3091 having received the required constitutional majority is declared passed. If I can have your attention, we have a couple of special guests and the Chair would yield to the chairman of the Senate Committee on Veteran Affairs, Senator Sam Vadalabene. Sam.

SENATOR VADALABENE:

Thank you, very much, President Rock and members of the Senate. We have with us this morning the State Commander of the American Legion, Commander Paul Breese who will say a few words. Commander.

COMMANDER PAUL BREESE:

(Remarks by Commander Breese)

SENATOR VADALABENE:

And now for a...just a few words, I would also like to...introduce Executive Director of the Amvets, Norman Bess.

MR. NORMAN BESS:

(Remarks by Norman Bess)

PRESIDENT:

I want to direct your attention to page 7. Senator

DeAngelis, for what purpose do you arise, sir?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President. In the...

PRESIDENT:

State...state your point.

SENATOR DeANGELIS:

...in the gallery to the left up there we have Miss Ruth Johnson of the Christian Community. Ruth, would you stand up and be recognized. She's visiting us today.

PRESIDENT:

Welcome to Springfield. Thank you. The middle of page 7, on the Order of House Bills 3rd Reading is House Bill 3092. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3092.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is three hundred and nine million nine hundred and ninety-eight thousand five hundred dollars. It's a reduction of two hundred and six million six hundred and sixty-five thousand six hundred dollars. My seatmate and I have just saved you half a billion dollars in the last five minutes. Appreciate a favorable roll call.

PRESIDENT:

The question is, shall House Bill 3092 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 3092 having received the required constitutional majority is

declared passed. Senator Carroll, 3093. On the Order of House Bills 3rd Reading is House Bill 3093. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3093.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is for the new employee suggestion award program. We cut the request in half. I would ask for a favorable roll call, it's two hundred and fifty thousand.

PRESIDENT:

Any...any discussion? Any discussion? If not, the question is, shall House Bill 3093 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3093 having received the required constitutional majority is declared passed. 3101, Senator Carroll. 3133, Senator Hall. 3191, I understand is on the recall. Top of page 8, 3253. 3255. On the Order of House Bills 3rd Reading, House Bill 3255. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3255.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. This is the ordinary and contingent expenses for the Office of the Attorney General. It is now some one hundred forty-four thousand dollars below last year's expenditures. We reduced it a hundred and twenty-two thousand. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 3255 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 3255 having received the required constitutional majority is declared passed. 3257. On the Order of House Bills 3rd Reading is House Bill 3257. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3257.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is for the ordinary and contingent expense operations of the Judicial Branch of Government. We reduced it by some five million dollars, it is a hundred and forty-two million dollars. I would ask for a favorable roll call.

PRESIDENT:

Any discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. Many of us from both sides of the aisle have been discussing the fact that the Supreme Court is the only State agency not audited by the Auditor General, the Auditor General being someone we specifically

tell to audit. Many of us do not understand why the Supreme Court feels that they are above the law that affects every other body within this State. When the Auditor General is sent to audit and report back to us on how funds are appropriated, I think it is not unreasonable that the people of this State who we represent should be aware of how the funds are spent. The Supreme Court has a private fund that they use on their own, they have made trips to Europe, they don't even deny they've made trips...the Supreme Court does not even deny that some of their members have made trips to various locations based on these funds. The funds are totally unaudited, we do not know how those funds are spent. The Auditor General's specific function is to get this information and, yet, the Supreme Court refuses to allow him to audit all their funds. For that reason, of course, he does not audit the rest of the funds, 'cause as he says, if you're the auditor, you don't have the auditee telling you what funds you can and cannot audit and how it should be run; for that reason, he refuses to audit the rest of their funds, a position perfectly reasonable. I think and many of us who have discussed this agree in a letter recently sent by Senator Netsch and Senator Macdonald specifically stressing this point of saying, this should be...this body should be audited just like every other agency so that you as the elected representatives of the people know what it is that money is being used for. The Supreme Court will allege that some of this money is not State funds; yes, that's partially true, but the point is, they demand that that money be paid which makes it the same as any other fee anyone else pays which makes it the equivalent to a State fund. State money brought in in fees is considered a State fund. The Supreme Court says money they demand in fees are different than any other fees and, for that reason, I think it is important that we support the Auditor General and demand an audit of the

Supreme Court funds and hold up their appropriation until they agree to be treated like every other agency. Boy, did I just get the President mad, here he is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, thank you, Mr. President. There isn't any question but that we are obligated really to fund the third branch of government and that's what 3257 represents. Let me just point out for those of you who have not closely followed the controversy that the funds to which the gentleman is referring are the Attorney Registration and Disciplinary Commission, all of us who are licensed attorneys submit an annual fee for the self-policing of our profession. The Supreme Court has taken the position that as an equal but separate branch of government, the legislative audit is not appropriate in that respect. Now the Auditor General got on his high horse and said, well, gee, if I can't look at that fund, I'm not going to look at any. That is really not only inappropriate, it's a little dumb in my opinion. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Keats.

SENATOR KEATS:

I appreciate what the President is saying but the Supreme Court is being blatantly hypocritical. They say their other State funds should be audited and the Supreme Court has sort of put up a shield to sue the Auditor General to make sure he audits these other funds, but the Supreme Court says fees collected here are State funds, fees we collect are not State funds. It is an interesting interpretation and I think until those funds are audited, we should at least hold up the appropriation until we get some okay for the Auditor General to do his functions to represent the people of Illinois to

protect us from this sort of action.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. On the substance of it, Senator Keats' position I think is absolutely correct. The Supreme Court is wrong about this and one of the these days we'll get that resolved, but I don't think in the interim it makes any sense to play games with the whole appropriation process. It is involved in litigation that is currently pending; unfortunately, it's the Supreme Court who will have the final say on it which, you know, I admit is a real problem, but...but I think we really...cannot play...the system has to continue to function and eventually I think the right point of view which is that all of those funds are subject to audit will prevail, and I think that's how it ought to be resolved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I agree with Senator Keats on the issue of the audit. I have agreed on that consistently since the issue first arose about nine years ago and, in fact, on occasion have put in amendments to the Supreme Court budget that it can only be spent on the Supreme Court portion of the budget only after it's been audited. I happen to believe those are public funds and they...I agree with the auditor that he...the Auditor General that even though the Supreme Court has asked him to come in and audit the other accounts, the Auditor General cannot and should not do that 'cause he could not legally give an audit opinion in his opinion if he has not audited all funds. The problem, however, is much greater

than that as we know, and let me say, several of the divisions within the court are very concerned. They would like to be audited already; they want to know if they're doing anything wrong and correct it which is one of the things the Auditor General reports always give us, that is corrective advice; and many of them are very concerned because of the length of years that has taken place since the last audit, some little things like are all the chairs in place and they don't know and the auditor generally comes up with some very good ideas on quality control and other such items. However, the total appropriation is the operation of the court's system, not just the Supreme Court, and it's the circuit court in Cook and...the other hundred and one counties and the appellate courts and all the divisions and the Probation Department and all else that goes into a hundred and forty-two million dollars. So, while I agree with Senator Keats on the issue of the audit, I do believe we have to continue the operation of the coequal branch of government and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3257 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 7, 8 voting Present. House Bill 3257 having received the required constitutional majority is declared passed. 3343. House bills 3rd reading is House Bill 3-3-4-3, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3343.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the annual appropriation for the Crime Victims' Compensation Fund. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3343 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. House Bill 3343 having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Before we get to the Order of Concurrence,...allow me to suggest that we go back to the beginning. I am told that the amendments that the staffs have been working on are...are, in fact, ready to go. We might as well pick those up and...and get them out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll return to...I am told that there are at least six bills, 2976, 2987, 2989, 2998,...3002, 3191. With leave of the Body, we'll return to the Order of...page 4, House Bill 2976, Senator Sommer.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 4, 2976. All right, Senator Sommer seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2976, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As a result of the new legislation we had passed last year dealing with utility reform and telephonic transmission reform, there were additional staffs necessary that the House had apparently cut. We had not dealt with it in our guidelines. This would be an add-back and transfer for that purpose. I would answer questions and ask for adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 2976. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 5, 2987, Senator Geo-Karis. Senator...Senator Geo-Karis seeks leave of the Body...I beg your

pardon. All right, 2987. Senator Geo-Karis seeks leave of the Body to...2989? Well, 2987, Senator Etheredge. Senator Etheredge. What...what...what is your pleasure, Senator Etheredge? We are apparently ready to proceed on the Order of 3rd Reading, if...if you...all right, he wants it out of the record. Do...do you want to pass it? All right. On the Order of House Bills 3rd Reading is House Bill 2987. Senator Etheredge? All right. House bills 3rd reading, House Bill 2987, Mr. Secretary...read the bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2987.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I...we haven't seen any amendments on...on this. So, let's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

There are none. We are ready to proceed on 3rd reading. Senator Etheredge.

SENATOR ETHEREDGE:

On 3rd reading. All right. This is the appropriation's bill for the Department of Alcoholism and Substance Abuse. It appropriates sixty-four million nine hundred and twenty-one thousand seven hundred dollars, which is a reduction of seventy-nine thousand three hundred since Senate introduction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Let me just explain maybe for the record and then to...either add or eliminate to the confusion. There had been a request for additional funds for the study for the

consortium on alcohol and substance abuse. We had done some in Amendment No. 2. It has now been identified by DASA that they could fund the rest of it out of their existing appropriation. There was no reason to tie their hands by adding anything or anything else, so that's why the amendment was not offered and we are, of course, in total support of the budget as suggested by Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall House Bill 2987 pass. Those in favor will vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2987 having received the required constitutional majority is declared passed. Senator Leitch, I skipped over 2986. No. 2989, Senator Sommer. Senator Leitch. Senator Leitch, for what purpose do you arise?

SENATOR LEITCH:

Yes, Mr. Chairman, we're waiting for an amendment for 2986 that pertains to the Exxon thing, so I'd like leave to hold that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 2989, Senator Sommer. Senator Sommer seeks leave of the Body to return House Bill 2989 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2989, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 25 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is as a result of the request of the Bureau of the Budget on revolving funds for their EDP services. I would move adoption of Amendment No. 25.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 25 to House Bill 2989. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 25 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 26 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment is technical in nature only. It is a cleanup of no dollar impact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the...adoption of Amendment No. 26. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 26 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 27 offered by Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is a...amount of twelve thousand dollars which is slightly less than the one-fourth part of what the costs would be for the Illinois Chamber...Orchestra for the expenses to perform at the Lincoln Center at our...at Radio Center in New York. The orchestra director was chosen the outstanding young conductor in worldwide competition in Indianapolis this April and the orchestra has been invited to perform to...in Lincoln Center

and will be on national television promoting Illinois and this is out of that band fund which we have done. Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson has moved the adoption. Senator Carroll, for discussion?

SENATOR CARROLL:

Just...Senator Davidson, if we could, we won't oppose it now, but we've had some problem on what this orchestra is. We've had no detail on it whatsoever. The other items we have funded out of these have been basically school programs. We don't know if this is or isn't and we need some explanation...and, fine. Thank you...it will be provided, fine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Davidson has moved the adoption of Amendment No. 27...further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 27 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 28 offered by Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment would provide nine thousand two hundred and fifty dollars to the Imperials...Dundee Imperial Scots Band that will perform at Klondike Days in Alberta, Canada. I urge your favorable consideration of this...been reduced by substantial amounts from the original request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

No, that's fine. It...it falls within the same category as the other bands we've done and we would be supportive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, those in...all right, Senator Friedland has moved the adoption of Amendment No. 28 to House Bill 2989. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment 28 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 29 offered by Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This amendment appropriates the sum of two million dollars to the Department of Commerce and Community Affairs for a grant to the City of Palos Heights for the site preparation and further development of a currently undeveloped portion of land, some forty to forty-five acres in...in size along the Cal-Sag Canal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar has moved the adoption of Amendment No. 29 to House Bill 2989. Discussion? Senator Carroll.

SENATOR CARROLL:

Well, I hate to accuse Senator Mahar of being dilatory, but this is the same amendment that was Amendment No. 17 yesterday that failed, Mr. President, and I would ask for a ruling as to whether it would be in order to use the identical amendment. Amendment No. 17 failed yesterday, it is now reappearing in identical form as Amendment No. 29.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

I would suggest that this amendment is not exactly the same. You can compare it with the one that was introduced yesterday, it's not exactly the same amendment, and I don't mean by the number either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar, could you describe for the Chair in what respects that it differs from the amendment from yesterday? Senator Mahar.

SENATOR MAHAR:

...the wording is entirely different.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, it's...it's the same project as described and the same dollar amount, same location, same verbiage as the dollars described in the amendment yesterday which had been offered in the House at one point, and it's exactly the same on which the issue was decided yesterday in the negative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of parliamentary inquiry. I mean, is there any particular rule that says that a similar type of amendment cannot be introduced at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, I think the question was as to whether or not the germaneness as to whether or not the identical amendment that was offered yesterday and failed could be reoffered again at this time.

SENATOR GEO-KARIS:

Well, is there a rule that a similar amendment cannot...that's what I'm saying, it cannot be offered at this...I don't know of any such rule.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

I think he's entitled to ask for a...vote on his amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we haven't denied him that opportunity yet...Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Yesterday, we were amending an amendment. Today...if you'll compare the two, you'll see this is an amendment to the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Carroll.

SENATOR CARROLL:

I think Senator Mahar may be getting different instructions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Mahar.

SENATOR MAHAR:

Can we hold this for a moment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Well, Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. The amendment has been changed to appropriate one million dollars to the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is there leave to...to have the amendment amended on its face? I understand that has been done. Is leave granted? Leave is granted. Now, Senator Mahar moves the adoption of Amendment No. 29. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 29 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. (Machine cutoff)...House reading...House bills 3rd reading,...page 6. 2993, Senator Sommer. Oh, Senator...2998, Senator Rigney. Senator Rigney on the Floor?

Senator Rigney, what is your pleasure in regards to 2993? Senator Rigney.

SENATOR RIGNEY:

Mr. President, I'd like to call it back to 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney seeks leave of the Body to return House Bill 2998 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 2988, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 18 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon, 2998, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This was a request by the Department of Transportation. In the reappropriation they had...reduced...a particular Public Transportation Technical Studies line because there had originally been no request from any locals to receive that money. They recognize now that they needed a hundred thousand dollars that they had asked us to take out of the reappropriation, they need it as new appropriation money and that was discovered in the last twenty-four hours or so. This amendment, at the request of the Department of Transportation, would be to add back, in effect, that hundred thousand dollars but make it a new appropriation for technical studies and I would its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves the...Senator Carroll...Senator Carroll, was this your...all right, Senator Carroll moves the adoption of Amendment No. 18. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 18 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. 3000, Senator Donahue. Senator Donahue seeks leave of the Body to return House Bill 3000 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, House Bill 3000, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 4 offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 4 to the Department of Mines and Minerals is a lump sum amount of two hundred and ninety-one...thousand dollars seven hundred dollars to the Mine Permit Review Program. This is Federal funds and it just indicates that to the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Donahue moves the adoption of Amendment No. 4 to House Bill 3000. Discussion? Question is,...those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 4 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Page 7, 3101. 3133. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, I think...one of my bills is...3302, is that what you...there's an amendment I think that Senator Carroll has and you almost skipped over it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I beg your pardon, I'm...I...I missed one. All right, with leave of the Body, we will go back to 3002. Senator...Geo-Karis, I want to thank you for pointing that out to me. With leave of the Body, we will return to 3002. Senator Geo-Karis seeks leave of the Body to return House Bill 3002 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading, 3002, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As we had done with other departments, the Department of Human Rights had a preference as to where they would like to take their cut and where they would need their money. This is a reallocation of no dollar impact but allows them to reallocate to...to suit their needs. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves the adoption of Amendment No. 2 to House Bill 3002. If no...no discussion, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Now, 3101, Senator Carroll. 3133, Senator...3191, Senator Hall. Senator Hall seeks leave of the Body to return House Bill 3191 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is...House Bill 3191, Mr.

Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 3191 appropriates one dollar to do...to DMDD for a study of space needs. This is a vehicle bill. I move for the adoption of that...hold it just a minute.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I stand corrected. Amendment No. 1 is already on there, this...Amendment No. 2. This appropriates a hundred and forty thousand dollars for GRF to DCA for a grant to the East St. Louis Area Development Authority. I move for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the adoption of Amendment No. 2. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Yes, will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, you and I had a conversation about this a few...a few moments ago and I just want to make sure I understood correctly. Did you indicate to me...I understood you to indicate to me that this was going to go into a Conference Committee, that we would...and that we would talk about this appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I don't know what's going to eventually happen to their budget, you know. I have no way of knowning what happens around here, but I'll be happy to talk at any time, Senator, but I can't guarantee what's going to happen, so I just want to place this amendment on. This was in before and I just wanted to ask...that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator,...then I would appreciate some additional explanation as...as to how this appropriation would be used.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

It's the same level of funding as last year, Senator, and that's the way...it's the same level of funding that we passed out of here last year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

What do we use this money for, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

It's for economic development, Senator,...it's appropriated to the Department of Commerce and Community Affairs for economic development of the ordinary and contingent expenses of that department.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Did...did we use the money last year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Yes, the department itself indicated that that hundred and forty would be used.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall has moved the...Senator Etheredge.

SENATOR ETHEREDGE:

Do they...does the department give this in the form of a grant to the East St. Louis Development Council? Is that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

You're absolutely correct and that's the way they do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Hall, why is this in the mental health budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

We just changed it to a DCCA appropriation, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Now, wait. You are taking money in the mental health budget for DCCA?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

No, this was a vehicle bill and...that...we just moved it over into that fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, we just did the DCCA budget about four minutes ago. Why didn't it go in that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I just had them to draft it for that...at that time, I just asked them to draft it for that and that's why it was done, Senator. I...I just had them to...since mine was a vehicle bill, I said draft it and put it in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I think we've got enough bills floating around. We really don't need anymore.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall has moved the adoption of Amendment No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further...further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, we...we will now start right over from the top and go right back down the Calendar. We're going to go right back down the Calendar on 3rd reading. Page 4, House Bill 2975, Senator Sommer. Beg your pardon,...we did pass that bill. My Calendar was in error. House Bill 2976, Senator Sommer. House bills 3rd reading, House Bill 2976, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2976.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

After the restoration of some...some of the cuts, this bill is still substantially down from what it was sent to the...sent from the House to us. Most of the money that was deleted was for new initiatives and new employees, and I would ask your support on the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is shall House Bill 2976 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 2976 having received the required constitutional majority is declared passed. House bills 3rd reading is House Bill 2977. Sponsor indicates No. 2980, Senator Schaffer. House bills on 3rd reading, bottom of page 4, House Bill 2980, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2980.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this bill is for an appropriation of one million two hundred and ninety-two thousand two hundred dollars. The reduction in the Senate was one hundred and twenty-two thousand five hundred. We have created some very

serious problems with this agency but the decision has been made to try and work out our differences in the Conference Committee and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2980 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 2980 having received the required constitutional majority is declared passed. Page 5, 2986, Senator Leitch. Still waiting. 2989, Senator...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Just to identify on...on 2986, with permission of Senator Leitch, we will ask permission that that be held for later in the day. It...it has been indicated that if there is a solution quickly forthcoming on the Exxon monies...the distribution, that we would amend it onto this bill and then be able to move it back to the House for concurrence. So, with leave of the Body, if we could come back to that order of business a little bit later in the afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is leave granted? Leave is granted. We'll come back to it. (Machine cutoff)...2993. All right, I beg your pardon, 2989, I skipped over it again. Senator Sommer, 2989. House bills 3rd reading is House Bill 2989, Mr. Secretary.

SECRETARY:

House Bill 2989.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the DCCA appropriation. It is down some sixty-five million as it came from the House due to the fact that the House put on eighty some amendments, most of which we haven't adopted. We would anticipate that this will now go to conference because they will want some input into the amendment process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall House Bill 2989 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. House Bill 2989 having received the required constitutional majority is declared passed. Page 6, House bills 3rd reading is House Bill 2993. Sponsor indicates he wants that held. 2998, Senator Rigney. House bills 3rd reading, middle of page 6, is House Bill 2998, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2998.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, this is the current year allocation for the Department of Transportation in the amount of one billion seven hundred and eighty-two million four hundred and fifty-five thousand four hundred dollars. This represents a change downward from the way it came from the House...approximately seventy-five million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2998 pass. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. House Bill 2998 having received the required constitutional majority is declared passed. House bills 3rd reading, House Bill 3000, Senator Donahue. House bills 3rd reading is House Bill 3000, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3000.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. The figure here is six million twenty-eight thousand four hundred dollars. The increase that has been added on to this is all Federal funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 3000 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. House Bill 3000 having received the required constitutional majority is declared passed. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCZ:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DUDYCZ:

Mr. President and Ladies and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Dudycz. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Mr. President and Ladies and Gentlemen of the Senate, we have some special guests in the visitors gallery this afternoon. We have members of the Ukrainian-American Youth Association and their parents. The...our guests are residents from Senator Nedza's district. I would ask for our guests to please rise and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, would our guests in the gallery please rise. Welcome to Springfield. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

On a point of personal privilege, Mr. President. I have the pleasure of introducing Dennis Walsh from the 4-H Club from Antioch, Illinois, one of my constituents. He's in one of those two galleries and hope that you welcome them here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests will rise and be welcomed by the Senate...in the gallery somewhere. Senator Geo-Karis, are you prepared on 3002? All right. House bills 3rd reading, House Bill 3002, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3002.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the...House Bill 3002 relates to the ordinary and contingent expenses of the Commission on Human Rights as amended, and I move its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall House Bill 3002 pass.

Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. House Bill 3002 having received the required constitutional majority is declared passed. House bills 3rd reading, page 7, 3101, Senator Carroll. 3133, Senator Hall. Senate Bill 3191, Senator Hall. House bills 3rd reading is House Bill 3191, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3191.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The bill does exactly what it says on the Calendar and I'd move for the adoption...passage of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. For some reason, I have a feeling that this bill is...is an orphan nobody wants to adopt, and when you force adoption, you can create some abuse and I think this one could be seriously abused if it gets adopted. Probably abused with a veto. I urge opposition to this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I would point out, we just discussed this...amendment a few moments ago and the sponsor was kind enough to answer a number of questions. It is not

an appropriation to the Department of Mental Health and Developmental Disabilities, it's now an appropriation to...to DCCA, and it is for a hundred and forty thousand dollars for economic development that DCCA did not include in their own budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...the Governor signed this appropriation last time and what this does...it's at the same level of funding that it was at the last time; and evidently, the gentleman on the second floor thought it was a good piece of legislation, and I am certain that it's...it's going to be used in the same good manner that it was before. This means jobs and things into areas that are depressed. We often talk about we want to find places that where we can stimulate some interest and this will certainly do that. So, at this time, I'd ask for a...a favorable support on this bill. Everybody on here should be on support of trying to bring people up and see that they're on jobs instead of trying to get some other form of relief.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...

SENATOR HALL:

Ask for this appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...question...question is, shall House Bill 3191 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 27, none voting Present. House Bill 3191 having received the required constitutional majority is declared passed. Senator

Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

I would request a verification of the affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has requested a verification. Will all the Senators be in their seats. The Secretary will read those who voted in the affirmative, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Carroll, Collins, D'Arco, Darrow, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Rupp, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, do you question the presence of any member who voted in the affirmative?

SENATOR ETHEREDGE:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce is on the Floor sitting at...to my left.

SENATOR ETHEREDGE:

Senator Nedza.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza on the Floor? Senator Nedza on the Floor? Senator Nedza? Senator Nedza is on the Floor. He's to my left.

SENATOR ETHEREDGE:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse. Standing right behind me on the Podium.

SB 415 non concur

SENATOR ETHEREDGE:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas is...just walked in the door. They just pop up, don't they? All right, on that question, the Ayes are 30, the Nays are 27. On a...none voting Present. On a verified roll call, House Bill 3191...having received the required constitutional majority is declared passed. (Machine cutoff)...page 8...on page 8 is House Bill 3253. Okay, we are now successfully concluded our business on 3rd reading. We will now move to the Order of Secretary's Desk Concurrence. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. If I can direct the members attention, we will begin at page 12, right at the top. My only suggestion is that the two staffs...have indicated that it might be better to hold the appropriation bills till tomorrow or later today. My suggestion is we go right through the substantive bills on the Order of Concurrence and we'll get to the appropriation bills after the staff has had a chance to fully analyze them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Secretary's Desk Concurrence we have Senate Bill 233, Senator Topinka. Senate Bill 415, Senator Degnan. Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. I move to nonconcur in Senate Bill 415 and ask the House to recede from Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan moves to nonconcur in House Amendment No. 1 to Senate Bill 415. All those in favor indicate by saying...Senator DeAngelis.

SENATOR DeANGELIS:

Yeah,...thank you, Mr. President. May I ask why the sponsor refuses to concur?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Yes, you may ask. I did not like the House amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Guess that's it, Senator. Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Well, it looks rather innocuous to me, but maybe he got up grouchy this morning, I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is that a question, Senator or...Senator Degnan moves to nonconcur in House Amendment No. 1 to Senate Bill 415. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 602, Senator Etheredge. Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, I would move to concur with the House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Etheredge moves to concur with House Amendments 1 and 2. Is there discussion? Senator Netsch.

SENATOR NETSCH:

Yeah, I think it would be helpful, Senator Etheredge, if you explain what the amendments do and so on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR NETSCH:

I have not...had a chance to look at them all yet.

SENATOR ETHEREDGE:

Senator, I have...I've just been running through the papers here...excuse me, just a minute.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, do you want to study that and we'll go on to the next order? Senator Etheredge.

SENATOR ETHEREDGE:

Yes. Senate...or pardon me, the first amendment reduces the amount of accelerated sales tax payments certain large retailers must pay, reduces that from a hundred and ten percent of the prior year's liability to a hundred and five percent, that's the first amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the second amendment?

SENATOR ETHEREDGE:

The second amendment...permits the Department of Revenue to share certain information regarding used car sales with persons it contracts with to determine the validity of selling price reported on returns, and the intent of that amendment is straight...pretty straightforward.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Senator Etheredge, on the second amendment, what you're doing is you're providing a list of values for automobiles for reporting the sales tax for used car sales between individuals. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

That's correct. It...the...what is provided is the selling price on the return, the vehicle identification number, the year, the make and model name or number of the

vehicle, the county code, the purchase date and the mileage, that information so that these things can be tracked.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The list of values that's going to be provided...this is going to be provided publicly so that when a person sells a private car they have to be close to that value when they report the sales tax, is that the purpose?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

...this information is not distributed publicly but it is made available to those that the department is contracting with.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, I...I had not finished before. I...I...I did not have anything on the first amendment, that's what I was looking for, Senator Etheredge; and as I understand it, it does have a cash flow impact on the State because it does change the threshold under which the quarterly payments are made, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, I'm informed that it...it...it would have a nine million dollar tax impact.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

And that is a nine million dollar cash flow affect on Fiscal Year '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, we...I think you...you've put it well. It is a cash flow impact. We collect the money. It is just that there would be a delay in its...collection and so that that would...that nine million dollars would be collected in Fiscal '88 instead of Fiscal '87.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Again, just for the record, because anything that takes money out of next year's budget, even though we get it eventually, is a little bit scarry at this moment in time. Why are we doing this? That is, in what...to what was it a response?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I would assume that it was in response to the...the request of those people who have the obligation of collecting and reporting this...this tax on behalf of the State, Senator. I am...I'm sorry I can't tell you more than that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

...what I was looking for...was there a particular problem that the change in the threshold really was a...a reaction to which would legitimize it, if you will?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I'm...I'm sorry, I didn't hear that question, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

I...it may be a repeat, but what I had said was, was there a particular kind of problem that had developed with the prior threshold that really necessitated changing it in this fashion which does, in fact, have a cash flow impact on next year's available...available revenues?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

It is a...what is being proposed here in this amendment, I think, is a follow-up of action that was taken a couple of years ago in...in connection with the...the STEP Program and we...we made some changes at that time that reflected, I think, what was in the best interest of all concerned given those...that economic setting, but now the economic setting has improved and they now feel that this change would be in order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well, I...I'm not suggesting in any way that it is unreasonable from the perspective of those who would be benefited by it. I...I just think that we ought to have the record clearly show that this may not be as tough a year as the one in which the acceleration was initially introduced, but it is a year in which there is a tightness of revenue and this does, in fact, have a cash flow affect on the available funds for Fiscal Year '87. I...I don't see any particular problem with the reporting of the data on the used car sale, and I assume that will help us enforce it since we're not doing terribly well on that tax.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Etheredge

moves to concur in House Amendments No. 1 and 2 to Senate Bill 602. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 602 and the bill having received the required constitutional majority is declared passed. Senator Topinka is back in her seat and popping up and...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

A point of personal privilege. I'd like to introduce some people in the President's Gallery, if we can take the time. From the Concerned Women of America, Susie Wyberg and with her daughter, Kirsten; Deborah DeVaughn, from Channel 38 and with the...Concerned Women of America and Ruth Johnson, the assistant principal at the Amelia Earhart School in Chicago and they're with our good friend, Reverend Norman Schneller of the Concerned Christians Americans. I ask for their...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. Senator Topinka has also risen and seeks leave of the Body to go back to Senate Bill 233 for the purpose of concurrence in House Amendment No. 1. Is there any objection? Hearing none, leave is granted. On the Order of Concurrence, Senate Bill 233, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, thank you for going back to 233. I would ask for concurrence. The amendment is basically just a change in the effective date which is needed by the Secretary of State's Office in order to put out the publications which are required in the bill on organ transplants. That's it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lemke.

SENATOR LEMKE:

I...I'm not against the House amendment, but I'm...I think this bill should be in a Conference Committee because I think that when we put on...Senate Amendment No. 2, we didn't fully want to do this. I don't think that we want to delete the prohibition from the...we prohibit the person who makes the determination of whether somebody is dead to...also be the solicitor of the organs. I don't think we want to do that. I mean, I think that is wrong. I mean, I don't want to...I...I should be a...if we're going to allow it, then there should be a second opinion of another doctor, but I don't think I want my doctor determining that I'm dead and then go out and sell my organs for fifty thousand dollars to somebody...make a fifty thousand dollar fee. Maybe it's not going to happen but it's going to happen someday and we're going to have egg in our face, and I think it's a wrong thing to do. I think there should be a second...physician involved here so this could be done. I...I just think it's a bad amendment and I think we should put this bill in Conference Committee and revise this to...to protect ourself from some embarrassment when some unscrupulous doctor, like Blickman or somebody that was in the clinics, is operating to make money. I think it's a bad amendment and I think this bill should go back to the drawing board and taken out and put something else to control this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Topinka may close.

SENATOR TOPINKA:

Yes, I would ask for concurrence. As I said, this amendment is strictly the effective change of the Secretary of State...publication which the bill requires. Also, I would note that there is a Federal law that precludes the selling

of organs, so it's quite stiff at this point. The bill has been agreed to by some fifteen to eighteen organizations, including religious ones as well, so I would ask for a concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 233. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 15, 1 voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 233 and the bill having received the required constitutional majority is declared passed. Senate Bill 937, Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I would ask leave to become a chief joint sponsor of Senate Bill 937 and handle it since Senator Dawson isn't here today.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the request. Hearing no objection, leave is granted. On the Order of Concurrence on Senate Bill 937, Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Senate Bill 937 as amended changes the Illinois Emergency Employment Act slightly. The suggestions are from the Department of Commerce and Community affairs. The amendments that have been added broaden the areas eligible for these benefits. Originally it was the area that has the highest unemployment in a service delivery area. This broadens it to all areas experiencing high employment in the service area. It also covers the situation where an employee works for, say, three months and then leaves the employment, the employer is not penalized for that. I would move that we concur with the House amendments

to Senate Bill 937.

PRESIDING OFFICER: (SENATOR SAVICKAS)

These are House Amendments No. 2 and 4, Senator Darrow. Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. Will the...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Senator, according to our analysis, this conference bill will include not only dislocated workers, disadvantaged youth and adults but also unemployed summer youth. Is...is that true?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

It possibly could include them, but...remind you, under this Act, it is up to the employer to choose who he wishes to hire for long-term employment and I don't...don't foresee any employer hiring someone for one or two months. They want long-term employment. By the time a employer goes through the rigamarole of setting up the accounts and withdrawing the...the different benefits...it just does not pay for short-term employment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Does it also delete reference to the employee repayment of funds for employees who do not actually continue employment past the six-month period?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Yes, that was what I explained. You don't want to penalize an employer. For example, the way the legislation now reads that's on the books, if an employer was to hire someone and after three months that person walked away and quit, the employer would be penalized and I...we didn't feel that that was fair to the employer to be penalized for someone quitting work.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

We...do we have any idea what...what this is going to cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The appropriation that we passed out...of here this morning was one million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr...thank you, Mr...thank you, Mr. President. Senator Darrow, you allowed your bill to be stripped and this amendment became the bill, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

The bill that I adopted this morning was Senator Dawson's bill and evidently it was stripped over in the House and this amendment placed on. Senator Dawson was in favor of that move by the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I might point out to the Body that that bill that

was put on here did not enjoy universal appeal in the House itself and apparently received no recognition in the Senate 'cause it was not allowed out of Rules. Now I'm not going to say this amendment which is the bill is a bad bill, but I don't know that I'm prepared to determine what the impact of making these fairly serious changes are and I just have some real serious questions about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Darrow may close.

SENATOR DARROW:

At the present time, we've enacted the Illinois Emergency Employment Act. It's on the books. We're funding it at one million dollars. The changes in Senate Bill 937 are the recommendations of the Department of Commerce and Community Affairs. It broadens the amount...the areas of the State that would be eligible for these funds. For example, in my own district, the way it was originally drafted, Rock Island County would be the county that would be available for these funds not the other counties in the service delivery area. We're broading it so other counties would be available throughout the State of Illinois. Secondly, we're trying to change it so that the employer would not be penalized for the employee who walks off the job. I think these are good changes. I...I think we can live with these changes. They're for the benefit of the State and the benefit of the employer, and I would ask for...concurrence with Senate Amendments 2 and 4 to Senate Bill...or House Amendments 2 and 4 to Senate Bill 937.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Darrow...the question is, shall the Senate concur with House Amendments 2 and 4 to House Bill...I'm sorry, to Senate Bill 937. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

SB 1063 concurrence

voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 6, 10 voting Present. The Senate does concur with House Amendments 2 and 4 to Senate Bill 937 and the bill having received the required constitutional majority is declared passed. Senate Bill 943. Senator Zito seeks leave of the Body to handle that for Senator Dawson. Is leave granted? Leave is granted. Senate Bill 943, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. House Amendment No. 1 was attached to Senate Bill 943 and it made two substantial changes, the first of which changed the law...by effecting one of four criteria under the eligibility for a loan. Presently, an applicant must have worked full-time as an RN for at least one year in order to be eligible...Senate Bill 943, now would permit an applicant...requiring that applicant to have at least one year of permanent legal residency in Illinois. The other change to the baccalaureate assistance law would be to stagger the terms of the members of the Nursing Assistance Advisory Council. This would ensure that some experienced members remain on the council as new members are appointed. I don't know of any opposition and would appreciate concurrence to House Amendment No. 1 on Senate Bill 943.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 943. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 943 and the bill having received the required constitutional majority is declared passed. Senate Bill 1063, Senator Luft.

House bill...I'm sorry, Senate Bill 1063, Senator Luft.

SENATOR LUFT:

Thank you, Mr...President. I would move that the Senate concur in House Amendment, I believe, No. 3. That amendment strikes everything after the enacting clause and literally includes Senate Bill 2289 that passed this Body, sponsored by Senator Kustra. I will read the summary of what Senate Bill 2289 did, which is now Amendment No. 3, "It repeals the income tax deduction for a business making a contribution to a certified community based organization, applies the enterprise zone investment tax credit to partners and to shareholders of Subchapter S corporations, permits partnerships subject to the Personal Property Replacement Income Tax Act to deduct evaluation limitation amount that represents gains from transaction enter into prior to 7-1-79, allows a farmer making estimated income tax payments to disregard the...January 15th deadline and all subsequent deadlines for such payments if by March 1st that farmer has paid the entire amount of his tax due for the year, permits a group of persons who derive business income only from Illinois to qualify as a unitary business, allows an additional month to file an income tax return to a corporation that has received a filing extention, prohibits using net operating loss carry-forwards from...tax years prior to 1986 in calculating...net loss for tax year 1986 and subsequent...years...tax years, allows adjustments to the taxable income of a trust or estate for an amount permanently set aside for charity," and makes a few technical changes. I would try to answer any questions or Senator Kustra could maybe answer any questions; otherwise, I would move that we concur in House Amendment No. 3 to Senate Bill 1063.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Senator Luft told it like it is. It was the Department of Revenue's clean-up bill and there is no opposition that I know of. I urge a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Just...everybody will just calm down, we will all be afforded an opportunity to speak. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I don't, basically, disagree with what Senator Kustra just said. It is, in fact, the Department of Revenue's clean-up bill, but it is not just technical. There are...a few substantive provisions, and for the record, I want to mention only two. One is a slight revision in the unitary filing provisions involving, obviously, the corporate income tax which does extend to...residents whose business income is derived solely from Illinois the same benefits that are afforded certain other unitary businesses. This was not done in any of the original versions of the unitary compromise. I would have to say I think it is certainly eminently fair, and because the corporation has to meet the definition of a unitary company to begin with, it is not opening the door other than to those who are doing business solely in Illinois to whom it had been closed in the first place. That will have a...a slightly negative impact but probably very slight on State revenues. I think it is fair to say that that is balanced by the one other provision that should be noted and that was an elimination of the deduction that was provided in Senate Bill 209 which we passed last session. That allowed businesses that contributed to certain antigang activities to have an income tax deduction. The Department of Revenue is quite right, that is not the appropriate way to achieve that. It has now been achieved in the proper way and Senator Marovitz assures me that there is a grant in this

SB 1320 Concurrence

year's appropriations. I assume that that will remain there as a matter of good faith and this provision then is absolutely correct; and I think, other than that, everything else is fairly cleanup, technical, not of enormous substantive import.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I just want to point out what House Amendment No. 3 says and...and I think there might have been an error in the language here and I think maybe we ought to clarify for legislative intent. It says here, "Deletes everything in the bill and amends the Illinois Income...Tax Act, the award...the Act awarding income tax deductions to businesses for...for contributions to promote gang control." I don't think they mean to promote gang control and this is...I just...I'm sure that that's not the purpose of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall the Senate concur with House Amendment 3 to Senate Bill 1063. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 3 to Senate Bill 1063 and the bill having received the required constitutional majority is declared passed. Senate Bill 1164, Senator Joyce...1244, Senator Marovitz. Senator Marovitz on the Floor?...1820, Senator Barkhausen. Okay, page 12, in the middle, Secretary's Desk Concurrence is Senate Bill 1320, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, it is my intention to ask

concurrence in House Amendments 1, 3, 4, 5, 6, 7 and 8 and to seek nonconcurrence in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, Senator Barkhausen moves to concur with House Amendments 1, 2, 3...Senator Barkhausen, I apparently wasn't paying attention. Senator Barkhausen.

SENATOR BARKHAUSEN:

...in essence, I want to concur in all amendments except House Amendment No. 2 and to noncur in House Amendment 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. All right, Senator Barkhausen is...the motion...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Have I got the right...Amendment 2 says, "Any director or officer of a not-for-profit corporation who receives more than a hundred thousand per year in total compensation is expected to file a government ethics statement." Is that what Amendment 2 does? I...am I looking at the right spot?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

That's right, Senator Keats, and that is the amendment that I am seeking to have us nonconcur in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Barkhausen moves the...the question is, shall the Senate concur with House Amendments 1, 3, 4, 5, 6, 7 and 8. Those in favor will vote Aye. Those opposed...will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 3, 4, 5, 6, 7 and 8 to Senate Bill 1320. Senator Barkhausen now moves to nonconcur in Amend-

ment...House Amendment 2 to Senate Bill 1320. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 1468, Senator Maitland. 1491, Senator Rock. Bottom of page 12, Secretary's Desk is Senate Bill 1491, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1491 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will move this Body to concur with House Amendment No. 1. It requires clear and convincing proof that a licensee has caused a child to be abused before his or her license may be revoked. That is currently the standard of proof in licensure hearings before registration and education. The fact is, this just explicitates and codifies what is the current practice. It's an amendment that I agree with and I would urge that the Senate concur with House Amendment No. 1 to Senate Bill 1491. This is the expansion of the Child Abuse, Neglect and Reporting Act. I know of no objection and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1491. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1491 and the bill having received the required constitutional majority is declared passed. 1517, Senator Lemke. Senate Bill 1517, Mr. Secretary.

END OF REEL

SB 1552 non-concurrence

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, wait...wait a minute. Senator Lemke.

SENATOR LEMKE:

...we want a nonconcurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, when we get there. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1517 with House Amendment 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I ask for a nonconcurrence in...in the...in the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke moves to nonconcur with House Amendment 2 to Senate Bill 1517. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 13, 1552, Senator Lechowicz. Senator Lechowicz on the Floor? Senator Lechowicz, top of page 13, charitable games? All right, top of page 13, Secretary's Desk is Senate Bill 1552, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1552 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the House...or the Senate does not concur with House Amendment No. 1, and I'd like to have that

matter go back to the House and see if they would withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved to nonconcur with House Amendment 1 to...to Senate Bill 1552. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House.

PRESIDENT:

(Machine cutoff)...the Order of Secretary's Desk Concurrence is Senate Bill 1558, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1558 with House Amendments 1, 3, 4 and 5.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. When Senate Bill 1558 left here it was a bill that simply provided that a unauthorized person who...uses a red oscillating light would be guilty of a...of a Class 4 felony. It has now come back to us including that measure but also one that includes the so-called repeal of the sign and go law which...it was in effect from July the 1st of 1970 through January 1st of 1984. It's my understanding as it is now that once a Illinois resident, a motorist has been stopped to...for a traffic violation that he, in fact, could simply sign on the back of the...of the...sign the ticket and request his so-called court appearance. Now, the repeal will require that the driver's license or cash or security or other deposit be posted in order that the court may have sufficient collateral, I guess you could say. The fact of the matter is, I guess, in 1985, there were a hundred and thirty-four thousand and twenty-two cases that were entered and only eighty-four thousand and eighty-three that were cleared, and the Secretary of State's Office is

apparently processing and receiving suspensions on an annual rate of approximately two hundred and forty-seven thousand per year of those individuals who, apparently,...who have just simply put the ticket in their pocket and...and have not gone to...to court. It is simply repealing and putting this back where we were. Apparently, it is supported by the circuit clerks, the Secretary of State; and if there's any discussion, I'll attempt to respond.

PRESIDENT:

Is there any...I beg your pardon. Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I don't have any problem with the repeal of the stop and go provision, but in discussion with the Secretary of State people, I inquired as to whether or not we still have in effect in Illinois a law that allows a motorist to pay their bail or a traffic ticket through the use of a credit card. Is that...is that still in effect?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'm advised that we have never had that procedure in...in Illinois. Other states do have it but we apparently do not.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it was my understanding, that one of the last years that Representative Ebbesen served in the Legislature that that law actually passed and was signed but, perhaps, I'm mistaken about it. It seems to me that some procedure of that kind might be recommended since we're going to do away with the stop and go provision.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I'm advised and I remember that there are, in fact, bond cards, for example, that various insurance companies afford the motorist the opportunity to have in their...their...their wallet or their possession. I'm advised by the Secretary of State's Office that the provision to which you talk to is that the State police have indicated that they've never had that...that provision for utilization of credit cards.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3, 4 and 5 to Senate Bill 1558. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. The Senate does concur in House Amendments 1, 3, 4 and 5 to Senate Bill 1558 and the bill having received the required constitutional majority is declared passed. Senator Darrow on 1564. On the Order of Secretary's Desk Concurrence, Senate Bill 1564, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1564 with House Amendments 1 and 2.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. We can just consider House Amendment No. 2 because House Amendment No. 2 deletes everything after the enacting clause including House Amendment No. 1. This original legislation which Senator Dunn and I sponsored together broadened the authority of a judge so that he could have a juvenile work beyond the township limits or beyond the unit of government limits as a part of his reha-

bilitation. What the...what the bill in its present form with House Amendment No. 2 does is reinstate the prohibition against requiring a minor to preform public service work outside his county of...residence as a condition of probation or discharge if that minor resides in Cook County. Basically, what we're doing is applying Senate Bill 1564 to areas of the State other than Cook County. I would move we concur with House Amendment No. 2 to Senate Bill 1564 and I...I suppose we should concur with House Amendment No. 1 to Senate Bill 1564 also.

PRESIDENT:

All right. Senator Darrow has moved concurrence in House Amendments 1 and 2 to Senate Bill 1564. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1564. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1564 and the bill having received the required constitutional majority is declared passed. Senator Lemke on 1565. On the Order of Secretary's Desk Concurrence is Senate Bill 1565. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1565 with House Amendments Nod. 1, 3 and 4.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

We move to nonconcur and ask for...have it go in a Conference Committee.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

We want to nonconcur.

PRESIDENT:

I see, all right...I beg your pardon. Senator Lemke moves to nonconcur in House Amendments 1, 3 and 4 to Senate Bill 1565. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator DeAngelis on 1570. On the Order of Secretary's Desk Concurrence is Senate Bill 1570, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1570 with House Amendments 1 and 4.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate do concur with House Amendments No. 1 and No. 4 to Senate Bill 1570. The bill created a new crime on false requests for emergency medical services, and in it the penalty was a Class 4 felony. The House changed it to a Class A misdemeanor, that was Amendment No. 1. Amendment No. 4 are...is basically the elements of Senator Geo-Karis' bill which deals with elderly abuse, and I would urge that we concur with that also.

PRESIDENT:

All right. Senator DeAngelis has moved concurrence on House Amendments 1 and 4 to Senate Bill 1570. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 4 to Senate Bill 1570. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 4 to Senate Bill 1570 and the bill having received the required constitutional majority is declared passed. 1576, Senator Kustra. On the Order of

House...Secretary's Desk Concurrence is Senate Bill 1576. Mr. Secretary.

SECRETARY:

Senate Bill 1576 with House Amendment No. 1.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the bill that establishes criminal liability for adults who rent rooms to minors for the purpose of underage drinking parties. In the Senate Committee, we added two amendments; one which would require the hotel to post the notice requiring people of the law and another amendment which would require the hotel and motels to include this statement of the law in their contracts. Over in the House there was objection raised to these two amendments by the Hotel-Motel Association. I would rather not back off but agreed to back off so we'd get this bill through and get it into law. So it's with some reluctance but I do move to concur in Amendment No. 1 to Senate Bill 1576.

PRESIDENT:

All right. Senator Kustra has moved concurrence with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1576. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1576 and the bill having received the required constitutional majority is declared passed. 77, Senator Kustra. On the Order of Secretary's Desk Concurrence is Senate Bill 1577. Mr. Secretary.

SECRETARY:

Senate Bill 1577 with House Amendments 2 and 3.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the bill that extends dramshop liability to adults who rent rooms to those underage for drinking party purposes. The...amendment which was added does two things. It adds the saving clause to the Dramshop Act to protect causes of action which accrue before the effective date of the Act and, let's see, that's the first amendment. I guess the second amendment adds an effective date upon becoming law. I'd move concurrence with this amendment.

PRESIDENT:

All right. Senator Kustra has moved concurrence with House Amendments 2 and 3. Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicate he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, you indicated that the bill would extend dramshop coverage. Do you mean the requirements of the Dramshop Act could be applied to the operator of a hotel or a motel, not...I'd like to know what this means.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

It...it is under the Dramshop Act but the language does not hold the hotel or motel owner responsible. It holds the adult responsible for any damages which occur as a result of that adult renting a room for someone who is underaged, who then does damage as a result of a party or whatever. No

liability for the hotel or motel owner whatsoever.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, my question is, whether there's liability under the Dramshop Act.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I guess I'm not following your...your...your question then. Not...not as the Dramshop Act is...is written for tavern owners, for example. We're talking about holding adults responsible for the damages that would occur from their renting a room for one of their children or whoever.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, I...I'm late in getting at this, I realize this...this is late in the ball game. My concern is this, that there may be the operator of a motel or a hotel or an owner of a...motel or hotel without a bar and without dramshop insurance to protect him under that specific liability that's imposed upon him under the Dramshop Act. And when you mentioned Dramshop Act, that triggered the question in my mind whether or not you were extending that specific liability to apply to these instances.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

I do understand your question. No, this does in no way extend dramshop liability to the hotel or motel owner.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate concur with House Amendments 2

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and 3 to Senate Bill 1577. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 2 and 3 to Senate Bill 1577 and the bill having received the required constitutional majority is declared passed. If you'll turn to page 14...top of page 14, Senator Etheredge on 1612. On the Order of Secretary's Desk Concurrence, top of page 14, is Senate Bill 1612. Mr. Secretary.

SECRETARY:

Senate Bill 1612 with House Amendment No. 1.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate concur in House Amendment No. 1. What the amendment does is to shift responsibility for the administration of the Veterans' Scholarship Program from the Department of Veterans' Affairs to the Illinois State Scholarship Commission. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator...well, we'll start with the ladies. Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Isn't this the very thing that the Veterans' Commission...the veterans' organization have objected to? Haven't they said to leave that with the Veterans' Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I have received a letter from the American Legion with that request, yes, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So...what you're doing then is not complying with the American Legion request. Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that is...that is the case. However, I have received requests to go forward with this amendment from other sources and...and, quite frankly, I found the arguments on the other side of this issue more compelling.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I'm not convinced about the arguments from the community colleges on this. I think the American Legion has a good point in it and I would ask the Senator, with that amendment, that if he would either withdraw the bill from the record or else put it in a Conference Committee, because I do feel that the Veterans' Commission should have a chance to operate and I...I don't think we've given them enough of a good chance. I do feel that they should be honored far more than the request of the community colleges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you. I, too, rise in opposition to the acceptance of this amendment. We have had conversation from both sides

of this and I think this is a veteran's scholarship. I think it should remain in the hands of the veterans' organization, not to be taken out and placed into some other thing with the other scholarships. You know, there have been some inferences in the past about how some of the scholarships on that side have been handled, so maybe, perhaps we ought to examine the possibility of shifting all the scholarships to the veterans, maybe both sides are wrong, but I don't believe that at this time we should make a change and take veterans' scholarships away from veterans' organizations and their control in our...in our department. I ask that the sponsor...ask for and set up for...reject this and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, we've defeated this once already, I guess we're going to have to do it again. I would respectfully remind everyone that originally the Scholarship Commission had this program and when budget times get cut...got tough, they decided the one group that they didn't feel was deserving were the veterans. So they just killed the whole program, and then the hue and cry that followed wit that and led to this program being transferred to the Department of Veterans' Affairs. I know it'll be pointed out that we have a whole new board, but I ask, is there a veteran on that board on...I'm unaware of one. The simple fact of the matter is, that the Department of Veterans' Affairs has errored gravely as has the administration in allowing the department to get away with playing the financial game they had; when they had to make a two percent cut, they just took it out of this fund, gave the scholarships out and shorted the colleges which was wrong. And now...I guess to some degree we should be faulted for allowing them to get away with that. I think

we need to take steps and see that the Veterans' Department is never allowed to do that again. I think we have the wherewithal in the Legislative Branch to get that kind of a commitment and...and this program will go forward. The simple fact is that the veterans...I don't...I think will remember with dismay what happened to the...their program when the Scholarship Commission had it. No one from the Scholarship Commission has told me they want this authority. I think this is not a good idea and I would suggest to you that this is one of those issues that you will hear when you go home from all of our friends in the veterans' organizations, if we, in fact, thumb our noses at those who have served in this manner; and I would urge a rejection of this amendment once and for all, and I would also urge all of us to join together perhaps in a lettter to the Executive Branch saying that we will not tolerate that kind of budget chicanery again and...that the...the department ought to be stopped by the bureau and by the Governor's Office from ever trying that sneaky stunt again. But that is the answer and, Senator Etheredge, you need a rifle and you're using a nuclear bomb.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the motion to concur. I find it interesting...the previous speaker suggested that we send a letter, I don't think a letter is necessary. We had testimony in the Appropriations II Committee that pointed out that the Department of Veterans' Affairs messed up dramatically in taking care of the veterans regarding these scholarships, and I think that they have forfeited their right to continue to supervise this program. It's a scholarship program that ought to be handled the same way that other scholarships are

handled with an efficient operation which we do have in the Illinois State Scholarship Commission. You'll be doing more for the veterans by putting it into the professional hands of the Scholarship Commission than allowing it to remain in a place where the veterans were denied access to the money that they ought to have when we passed this program for veteran scholarships. So I stand in support of the motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

I, too, rise in support of this particular amendment. I was present in the Appropriations Committee where we heard testimony of only eighty percent funding of the scholarships for veterans. I think we cannot let that continue. If there were some problems at one time with the Illinois Scholarship Commission, I'm...of the opinion from what I have heard that those things are no longer present, that everything is being run very efficiently. This is an entitlement program. The scholarships must continue, let's give it to somebody who's minding the store and right now that's the Illinois Scholarship Commission. We want the veterans to have those scholarships and we want them at full funding, and I believe this is the way to do it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats...I mean, Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President, members of the Senate. I rise in support of the amendment. I think we have to do what's best for veterans right now, this year, next year and in the future. Previous reference was made to the fact that once upon a time the Scholarship Commission had this program and didn't handle it well, twelve years ago, whatever it was. Well, anybody who's been around here a few years ago knows that the administration of the Scholarship Commission back in

those days was not very good, it was miserable, but under the leadership of Larry Matejka, the Scholarship Commission is probably one of the best run agencies in this State. And so we ought to place this program where veterans can be served best, and that is in the Illinois State...Scholarship Commission and that's why we ought to vote concurrence on this matter.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

SENATOR VADALABENE:

...yes, thank you, Mr. President and members of the Senate. I just want to say briefly that I'm between a hard rock and whatever you want to call it on this issue. I happen to come from a...the home town of SIU-Edwardsville where the veterans have been admitted to the college and the Department of Veteran Affairs has not paid for their tuition. And, on the other hand, for the past twenty years, I've been handling legislation for the veterans who support...who do not support the...the scholarships going to the Scholarship Commission. I'm going to vote with the veterans even though my college in Edwardsville...your college is being penalized. However, I want it to be known that the Department of Veterans' Affairs if they take Jack Schaffer's recommendation and do something about it, maybe this will alarm them to the extent that we're not going to tolerate it anymore. But the universities are suffering, the veterans are not...I don't know what they're doing with the money but they're not giving it to the colleges, and I think that that should be investigated and see what happens, but I'm going to vote against the proposal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I...I'm going to rise against this for the very simple

reason after talking to many veterans, veterans who will construe this as a move to take away their benefits. They have already...are very skeptical of what's going on in Washington and they're very skeptical that in 1989 the GI Bill ends and they're very skeptical that this is ever going to be passed. They have construed this as a move, most veteran organizations as to eventually mold these scholarships into the Scholarship Commission and then eventually mold the program out. That's what they have construed and you're not going to sell it any other way, and I've talked to veterans' groups and they are willing to go after the Department of Veterans' Affairs to get this thing straightened out so the program is handled. But every time a department does something wrong, we can't just start taking things away and putting it somewhere else and start guessing about it. I think this properly...belongs in the Department of Veterans' Affairs 'cause it concerns veterans in this State, and if we mix this up in the Illinois State Scholarship Commission and we happen to get in trouble there and they start wanting to shift the money from the veterans' program into the other scholarships, you will see a...a lot of veterans not too happy. Therefore, I think this should stay where it's at, we should work...if we need to pass a...whatever we have to do, Appropriations Committee to go after the Department of Veteran Affairs to make sure that this program is properly administered, and I'm sure that the Governor will go after his director to get this properly administered too; therefore, I...I urge an Aye...a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have supported everything that the vets. have ever brought in twenty years that I've been here, but the reason

this was introduced, if you could be present and heard what had happened to veteran scholarships, the executive director of the junior colleges came in and he testified strongly against the handling of these scholarships. We're doing what we feel is best for veterans, we're not opposed to...many of these people just because they got the name veteran, but it was the veterans is the one that are suffering; and that's why under...strong scrutiny from questions of the members of that committee, if you could hear what happened, they just took it upon themselves to not pay off these scholarships. The veterans are the losers and that's why this originated. I'm going be supportive of this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Very briefly, the...the...the question which is before us I believe is the scholarships for veterans. Now, I think the...the Veterans' Affairs Commission errored. If they make a mistake, as Senator Lemke had mentioned, somebody makes a mistake, there's a lot of departments that make mistakes, shall we then take everything away from that particular department and give it to somebody else? I don't think so. I think that the suggestion by Senator Schaffer to straighten out their act will be one which would be justified. Veterans have been taking care of veterans. Is the question their scholarships or the community college budgets? And I think that's not the question before us. It's scholarships for veterans and I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I'd just like to reiterate a conversation in the Appropriations Committee at the

time we were discussing this. I asked the...the director of the Department of Veteran Affairs directly, if we commit full funding to the scholarships next year, will you spend that amount of money on the scholarships next fiscal year, '87? And his response was no, no commitment to do that. So, Senator Schaffer, have you been informed by the Department of Veteran Affairs that they have changed their mind on that commitment now because we put the...the question to them directly and the response was, no, they would not commit to spending the money even if we gave it to them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer, that was a question.

SENATOR SCHAFFER:

Well, the problem we relate to and I think...it's possible that some of the members don't understand the exact situation. First of all, no veteran lost anything; it was the colleges, particularly the community colleges that were shorted. The veterans all got their scholarships, attended school, they didn't lose a thing, no veteran suffered. The problem was, in that relatively small department when the Governor's Office came down and said we want a two percent cut, that if they had tried to take the two percent out of the other line items excluding the multi-million dollar...whatever the total appropriation for the scholarship is, they would have, for instance, had to practically close down the Quincy Home. The problem is not just with the department, it's also with the administration. You can't ask...it's one thing when you have a...a huge department and a huge...we talk hundreds of millions of dollars like the Scholarship Commission, they've got a little room to maneuver and that department...that line item has to be exempted from these two percent and one percent or three percent cuts that come down. So it isn't just the department, it's also the Governor's Office, they have to have the mathematical

intelligence to understand that that is an impossibility. If...if you eliminate the whole rest of the department, you...you know, you...you almost wipe them out if he can't take that. That's why he said what he said. But the point is, we can't let the Governor's Office and the department do that again, and...and, frankly, the only way I know to do that is to get a commitment from the Governor's Office per se; because if...if...if they come down and ask for a two percent from that department, he has to close the Quincy Home, close the LaSalle Home or one of those other facilities to do this. To answer your question, I don't have a commitment. I've talked to the Governor's Office and I think they understand the problem and I think they're sympathetic and I think we can get a commitment, but the bottom line is that the people that want to change this, in fact, are really trying to shift it to the Scholarship Commission and I don't know...I don't question the intent of any my colleagues in either Chamber, but I know that the veterans view this as the first step in taking their scholarship away from them, the one they earned, and they paid a high price for that scholarship and we ought not to give them the impression that we are now going back on our word.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I'd like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DUDYCZ:

Senator Etheredge, was this amendment at the request of the Illinois Scholarship Committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

No, it was not at the request of the State Scholarship Commission.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

Can you tell me if there are any veterans on the Illinois State Scholarship Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I do not know the background of the people who serve on that commission. I would be astounded if there were not some veterans however, simply because it's a...it's a board of some size and...and I would expect veterans to be there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCZ:

How many members are on the commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

I believe that there are nine, Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I am absolutely appalled at the rhetoric I am hearing on this concurrence motion. First of all, let us all stand and be proud that Illinois is the only State in the United States that gives all veterans scholarships. So this conversation about jeopardizing those scholarships is hogwash. The issue we're talking about is compatibility and efficiency. Now, if we were to...fragment the various scholarships, we would have none of them in the

Scholarship Commission because there's only one scholarship for scholarship and that's the academic scholarship and we would probably put that into the Gifted Students Program. We have a National Guard Scholarship, should we put that in the National Guard Commission? We have one for needy students, should we put that in public aid? Come on, fellows, wake up and smell the coffee. This is efficiency and I have to tell you, if there's any scholarship that I've had any trouble with in my district, it's been the veterans' scholarship with the colleges and, Senator Schaffer, with some of the students also. I urge that we support this concurrence motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

This is a...a legitimate question. There are really only two type veteran scholarships; one is this, the other is the National Guard Scholarship that is administered by the Scholarship Commission. Now, my memory of the Scholarship Commission in the last few years...administration of the...the National Guard Scholarship Commission is, let's merely say, questionable. They always run out of funds, they always over commit and the National Guard members are often in problems and...with that scholarship; in fact, they keep putting a limit on that scholarship saying, you know, this year we allocate X number of dollars. The only trouble is when the Legislature passed this law, we never said they could do that. It was a grant program saying if those people would serve us in the Guard, they would get this scholarship. The Scholarship Commission at that time having a bunch of liberals didn't believe in service to their country and kept limiting it and damaging it. What I'm going to ask, if they've continued to do that with the National Guard Commission Scholarship, then in that case, we shouldn't give them this one too. If they've cleaned up their act, well, then

they have a legitimate ground that we might trust them to manage this scholarship. Could I get an answer to that question 'cause, I mean, honestly, I...I'm asking that as a sincere question. That's not a slur, that's just a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further...discussion? Senator Geo-Karis for the second time.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I apologize on speaking a second time. I am a veteran, I will be benefiting by these scholarships but there are a lot of veterans who can...benefit. As Senator Keats mentioned about the National Guard Scholarship, I have a letter here dated June 12, 1986, from a gentleman who's the coordinator of Veterans' Affairs at Parkland College in Champaign, Illinois. And he points out that the Scholarship Commission is responsible for...administering the Illinois National Guard Scholarship, and this scholarship has been inadequately funded in the past and the schools have had to bite the bullet in these instances. But we passed the veteran scholarship for veterans and I think when the veterans...rather the...Scholarship Commission Board has nine members and none of whom is a veteran, I think it behooves us to stay with the Veterans' Commission. I think we should give them a chance to get their act together, as Senator Schaffer says, and I certainly speak against this bill because I don't think it's fair. I'm not going to have the Scholarship Commission just ignore the veterans, they have been ignored in the past and I think it's high time that we remember our responsibility when we created the Act for the veterans' scholarships.

PRESIDING OFFICER: (SENATOR SAVICKAS)

For a second time, Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm sorry to rise on a...for the second time but, Senator Geo-Karis, could you read the first paragraph of that letter you alluded to that's written on the Parkland College letterhead and find out what the gentleman does? Okay. No...no...no, that's what...what he really does.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I think some of us are perhaps guilty of short memories or completely ignoring some of the past debate on this Floor. I remember that we were talking about the committee itself, the Scholarship Committee, not too many years ago and how inefficient it was and, I think, didn't we have to get rid of the director? Didn't they also move? Wasn't there a period when the scholarships under the regular Scholarship Commission weren't even being put out? I think that we at that time expressed and understood and...and did show some understanding. I think it's a...this time we should have some back. I think we should leave it with the veterans.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the motion to concur and, obviously, as we've heard for the last fifteen minutes, some of my friends are for this and some of my friends are against this. The fact is, it is a scholarship program and who better to administer it than the Scholarship Commission? As a matter of fact, if you'll back up a page on Senate Bill 1607, one of the House amendments provides seven million dollars for next fiscal year for veterans' scholarships. Now there isn't any intent on anybody's part to in any way diminish, impair or take away any rights or benefits enjoyed by

veterans. The difficulty we've had is that the department poorly administered the program and, as a result, the receiving schools, the community colleges and the colleges, have been shortchanged because the department in addition to the shortchanging refused, and I underline refused, to come in for a supplemental to pay that bill. Now there have been assurances made by the Scholarship Commission that they will not hesitate...they have not hesitated in the past to come back to this General Assembly and say, hey, we had more students than we figured on, we need more money. The whole point of it is we invoked the scholarship, we put the scholarship into place to pay the schools; schools aren't getting paid, it doesn't make any sense. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

If there's no further discussion, Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The purpose of this motion to concur in the House amendment is to protect the scholarship program for our veterans. If you review the recent history and forget the...I think...when people talk and criticize the State Scholarship Commission, they're talking about something that happened twelve years ago...twelve years ago. What I'm talking about now is something that has happened several times in the last few years...in the last ten years, not once, not twice. The...every time the Department of Veterans' Affairs has asked to balance their budget, they have balanced it out of this program by making reductions in this program. The purpose of this concurrence motion is to protect the funding of that program for our veterans who eminently deserve this kind of support. I think the program deserves good, efficient...administration. I am confident, I am satisfied the State Scholarship will provide that administration. I urge

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you to vote Yes on this motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1612. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 17, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1612 and the bill having received the required constitutional majority is declared passed. Senate Bill 1624, Senator Demuzio. Senate Bill 1634, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

I move...I would move to concur in the House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On both of them, Senator?

SENATOR LEMKE:

On both amendments, yes, 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Keats.

SENATOR KEATS:

Just seeking an explanation, it doesn't look controversial, but I just think an explanation on these is a good idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

What this is is...is...this bill is similar to 3302 without the three-day cancellation clause. The penalties are...are the same. That's the only thing it does. There's no three-day cancellation clause in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell. Is there further discussion? If not, Senator Lemke may close.

SB 1673 Concurrence

SENATOR LEMKE:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1634. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1634 and the bill having received the required constitutional majority is declared passed. Senate Bill 1666, Senator Maitland. Senate Bill 1673, Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, on 1673 I would move to concur with Amendments No. 1, 2, 3, 6, 7 and 8 which are all, it is my understanding, agreed to by the various transportation agencies involved, and I'll be happy to answer any questions specifically if anybody would liked to get into any one of them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No...Senator Rock.

SENATOR ROCK:

Just a question. Is...is...do I read House Amendment No. 1 correctly that we are exempting some vehicles from weight limitations?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Yes, we are exempting...putting...well, we're...we're...clarifying the existing law regarding the weight limitations on garbage haulers and tow truck operators for a very simple reason. When they get stacked up and

packed in and/or when they are carrying a car, it would indeed make them heavier even though you're adding something to this that would normally not be in the weight of the vehicle. IDOT supports that as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, then...then if you will also explain Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

This is basically an extension of what is currently in place for Cook County which came out of the inimitable Lincoln Towing situation of a while back, and it...this amendment does not, therefore, affect Cook County which has already taken care of itself on this front. And it would require private property owners to post notice on parking lots which would let the vehicle owner know where his or her vehicle has been towed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

This is the Sangamo Club amendment, as I understand it, is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Some circles it has been referred to as the Sangamo Club amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Senator Topinka, I remember when we passed this towing

legislation...in fact, I remember sponsoring it, we put it under the Commerce Commission and...the Commerce Commission rules and regulation which apply to all towers in the State of Illinois which have to be licensed stipulate that there has to be posted a sign of a certain size, at a certain location as to no parking, who's towing and where the car goes to. Isn't that the present law and maybe it's not?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Topinka.

SENATOR TOPINKA:

Yes, it is currently in the Vehicle Code but applicable only to Cook County and you are not in this amendment. This makes basically what is going on in Cook County applicable to the rest of the State which is maybe where you were going to originally.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

...you mean to say that the...the current law and...and when the Illinois Commerce Commission regulating towers and relocators does...the Commerce Commission does not regulate and license outside of Cook County?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Not for private property towing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR HALL:

Senator Topinka, I didn't get your explanation for Amend-

ment No. 1...if...am I right when I hear you say that you're making exceptions to trash haulers and things, that they could exceed the weight limit?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Currently, the way the law reads, it is applicable to an empty garbage truck or a tow truck. When you put garbage into a garbage truck, it makes it heavier than the basic truck; likewise, when a towing truck is towing a car, it makes it heavier. IDOT supports this because otherwise we...it becomes very difficult to tow cars or haul garbage.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Well, I mean, we've got weight restrictions and now we're going to come along and let somebody...break that law, legally break that law? If I...if I have to applied by one part of it, then I don't understand why that wouldn't apply to everybody. The law either covers for all or none, that's what I'm trying to get straight. Why would we have such a law to allow a certain person, if they go in and they weighed and they saw you're overweight, so therefore you must be given a ticket. But here comes another group to say, no, we won't give you a ticket because we make exceptions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Let me ask you a question. Are we going to grandfather in all of those tow truck owners that had licenses that the Commerce Commission indicated that some years ago that they didn't have to apply for a license any longer but that if, in fact, they were ever going to be required to be licensed again that they would automatically be grandfathered in, are

we doing anything with them?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

At this point, this still does not require anybody to be licensed. It just spells out the requirements for licensure should they wish to go that route.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

There's currently a opinion that is being requested of the Attorney General. My synopsis says that this amendment is going to settle this dispute between the towing association and the professional tow truck operators by allowing those tow...towers or wreckers the option to apply for a license issued by the Commerce Commission. What if he had a license previous? Are you...are you saying that those individuals...now, we're not...we're currently not enforcing this current law, is that correct, prior to this legislation passing?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

That is correct, but if you are already licensed, you remain licensed. This does not affect current licensure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I would like to ask the sponsor to take this out of the record for a moment because I...I think that there's an awful lot of people in this Senate that are going to be affected by this particular piece of legislation, I hope for the betterment, but I am still confused about those individuals who...who...who want to be grandfathered in that

are out there running around the highways under some agreement that says that they won't be ticketed because there's currently a...a cease order to prevent those individuals from being arrested...I'd like to know more about this before we proceed. I think we may be compounding the problem, I'm...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she'll yield.

SENATOR LUFT:

Senator Topinka, is this amendment an agreement between the two towing groups that were on opposite sides of the issue that Senator Demuzio is talking about? Is this not the agreement that they have come to and everybody is now happy?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

They are in...both in agreement as is the Illinois Commerce Commission with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, frankly, I don't care about the two associations nor I...do I care about the Commerce Commission. I want to know...I've got people in my district who had license previous who can't get them now but they have a letter from the Commerce Commission indicating that if they were ever required...to be licensed again that they would automatically get them back, they wouldn't have to go through a hearing process. Does that what this does? And if it doesn't, I...I would like for you to take it out of the record so we can fully discuss it.

SB 1700 concurrence

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Topinka may close.

SENATOR TOPINKA:

Yes, considering that all the parties to this have...have been in agreement as well as the Illinois Commerce Commission, those...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, all the parties, meaning whom? What happens if you don't belong to either one of those associations? Who represents those parties, the Commerce Commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka.

SENATOR TOPINKA:

Senator Demuzio, it is my understanding that if these people are licensed now, they retain their license. This does not impact on current licensure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I'm asking you for a common courtesy to take it out of the record for a few minutes and see if it resolves my problem, if it doesn't,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Topinka has agreed to take it out of the record for a few minutes. Take it out of the record. Senate Bill 1700, Senator Rock. Senator Rock.

SECRETARY:

Senate Bill 1700 with House Amendment No. 1.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would just call your attention to the fact

that...Senate Bill 1700 is the tax increment financing law. I know a number of amendments were talked about, both in House committee and on the House Floor. One amendment was actually adopted, it was offered by Representative Vinson and it changed only the provision with respect to the distribution of the surplus. And it says, "We had the distribution going first back to the State on the annual surplus. This changes it to the extent that it will be distributed proportionately to the State and the participating municipality." Apparently,...Representative Vinson and some of the House members felt that that was fairer to the municipalities. I have no...no reason to disagree with that and so I'd move to concur with House Amendment No. 1 to Senate Bill 1700.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1700. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1700 having received...the Senate does concur in House Amendment No. 1 to Senate Bill 1700 and the bill having received the required constitutional majority is declared passed. Senate Bill 1706, Senator Luft. Mr. Secretary.

SECRETARY:

Senate Bill 1706 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that we do concur with House Amendment No. 1 even though parts of this amendment I think will be vetoed by the Governor simply because parts of this amendment have already through other legislation gone to the Governor's Desk, I believe on Senator

Lemke's enterprise zone bill. That part being that we increase from forty-eight to sixty the number of enterprise zones that DCCA may certify between now...or 1983 and '88 and we increased to number thirteen the number that could be expanded in...between 1986 and subsequent years. The major part of this amendment though is to allow grantees under the Illinois Grant Funds Recovery Act and civic centers receiving State monies between January '84 and January of '87 to keep the interest earned on that State money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1706. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1706 and the bill having received the required constitutional majority is declared passed. Senate Bill 1709, Senator Netsch. Senate Bill 1711, Senator Collins. Mr. Secretary.

SECRETARY:

Senate Bill 1711 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. Amendment No...I move to...to...No. 1...what the amendment does, it takes out the provisions of the bill as it passed the...passed the Senate that addresses the issue of allowing the...the judge to remand the person to a drug and...and alcohol abuse counseling program as an alternative to being convicted or going to jail. And most of the people involved with the issue thought that it had already been taken care of in...in the current law, and because of the major revisions

in the Domestic Violence Act that it would be probably more feasible at this time that we delete that whole division so that...provision so that it wouldn't cause any conflict and confusion with the new Act, and I would concur with that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR FAWELL:

I...Senator, are you sure that this...does remain in the law, because I know my judges use this portion of the law quite frequently when they have some young man who has committed a crime and is high; in fact, I just got a phone call on one the other day that...that exact thing happened. It...are you sure it's still in the law someplace?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

...yes, you know, from...staff indicated that it is. I had the same major concerns but the people dealing with domestic violence, everybody tend to think that it is...if it's not there...the judge have the discretion to do that anyway if it's not there and if it does not work, we can come back next year and...and...and try to do something about amending it. But, at this time, I'd like to go on and concur with the amendment to...if, for whatever reason, to just...you know, get down confusion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 to Senate

SB 1799 Concurrence

Bill 1711. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1711 and the bill having received the required constitutional majority is declared passed. Senate Bill 1728, Senator Etheredge. Read the bill, Mr. Secretary. Senate Bill 1783, Senator Joyce. (Machine cutoff)...the bill, Mr. Secretary.

SECRETARY:

...Senate Bill 1783 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the Beef Marketing Act that we passed. The amendment that I move to concur with is at the request of the Dairy Association. House Amendment No. 1 allows any dairy co-op within...with at least fifty Illinois members...to be...to have representation on the Milk Promotion Board. Currently, only six organizations are allowed to have members on that board and this would increase that, and I would move to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1783. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1 and the Senate does concur in House Amendment No. 1 to Senate Bill 1783 and the bill having received the required constitutional majority is declared passed. Senate Bill 1799, Senator Smith. Mr. Secretary.

SECRETARY:

Senate Bill 1799 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move to concur with Amendments 1 and 2 for Senate Bill 1799. The...Amendment No. 1 allows the Chicago Board of Education to levy their building tax at the maximum rate for 1986 only. And Amendment No. 2 allows the school districts to contact with non-for-profit organizations to conduct summer staff development programs institutes, and allows the...pupils who live within one and a half miles from the school but experience safety habits due to vehicular...traffic to qualify for grants under the Parental Transportation Grant Program. I move for the adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1799. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish?...take the record. On that question, the Ayes are 39, the Nays are 16, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1799 and the bill having received the constitutional majority is declared passed. Senate Bill 1809, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1809 with House Amendments 1, 2, 4 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

I move to nonconcur with Amendments 1, 2, 4 and 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio moves to nonconcur in House Amendments No. 1, 2, 4 and 5 to Senate Bill 1809. All those in favor

indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1814, Senator Poshard. Senate Bill 1815, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1815 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate concur in House Amendment No. 1. There...there are two parts to...this is the designer drugs bill, by the way. The first part of the amendment is technical in nature, it adds the words "or analogue" in...in each of the controlled substance violation amounts. And the second part provides an exemption from the controlled substance violation provisions for the manufacture, possession or distribution of a substance under an approved new drug application or an exception for investigation under the Federal Food and Drug Act. I would move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1815. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1815 and the bill having received the required constitutional majority is declared passed. Senate Bill 1837, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill...1837 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendment No. 1. House Amendment No. 1 just adds some land in Vermilion County Conservation District to the bill. If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? If not...Senator Rock.

SENATOR ROCK:

My understanding was that this was going to be held for a day or two...we were visited yesterday, were we not, by that contingent from Vermilion County and their bags full of petitions from forty thousand residents of that county saying, this is not such a hot idea?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Well, Senator Rock, the Vermilion County Conservation District asked for this and in the original bill, any property owner along the river may become a part of the scenic river where their land is...and it's an option open to any landowner. Now I think those petitions you referred to were probably a couple of years or ten years old.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

I'll tell you, they dumped them all on my table right in my office, they didn't look ten years old. I guess the concern that the residents have, and perhaps Senator Woodyard or someone from over there is probably more familiar than I, the concern is about the proposed reservoir is it not?...and that...that this designation, if we do this, the...the appar-

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ent attempt at least at the reservoir construction is fore-closed, at least that was the concern that was expressed to me. Now, we have been...it seems to me this question of reservoir or nonreservoir has been before this Assembly for the last ten or twelve years and we seem to fight back and forth. I'm...I'm confessing my ignorance, sir. What I'm suggesting is that, given the anxiety that those folks have, my understanding was...and I directed them immediately to your office and I hope they got there with forty thousand petitions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Maybe...fortunately, they didn't get there, Senator Rock, but this cannot...this reservoir cannot be built in the future. The...there's Federally designated preserves there, it's just...the cost benefit ratio is not there. There are thirty-seven other suggestions as to water supply for the City of Danville and any one of those is much more economical than damming up this river. Now, I don't care about the amendment, they can come on next year, the year after, but they...they voted to become a part of it...in the conser-vation district and so I'm just trying to accommodate them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amend-ment No. 1 to Senate Bill 1837. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 1 and 9 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1837 and the bill having received the required constitutional majority is declared passed. Senate Bill 1838, Senator Barkhausen. Read the bill, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate...Senate Bill 1838 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members. I move that the Senate concur in House Amendments 1, 2, 3 and 4, all of which relate to that portion of the bill dealing with the Revised Uniform Limited Partnership Act. These are all fairly technical amendments. There is no opposition. I'd be happy to explain them, otherwise, would move for concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1838. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1838 and the bill having received the required constitutional majority is declared passed. Senate Bill 1845, Senator Marovitz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1845 with House Amendments 1 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I would move that the Senate do concur with House Amendments 1 and 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WELCH:

Amendment 1 says in order to change custody from joint custody, the proof...that amendment is out? My synopsis says it's...in. It's out by Amendment 6. All right. That's all I had.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Marovitz. If not, the question is, shall the Senate concur in House Amendments No. 1 and 6 to Senate Bill 1845. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 6 to Senate Bill 1845 and the bill having received the required constitutional majority is declared passed. House Bill 1855, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1855...or Senate Bill 1855 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Move that we...that we concur with House Amendments 1, 2, and 3 on Senate Bill 1855. Amendment No. 1 would require the Secretary of State to provide by rule the standards to be followed by a lien holder in order to obtain a certificate of title for...for a repossessed vehicle. That was a JCAR recommendation. Amendment No. 2 also is a JCAR

recommendation, entitles a spouse and surviving spouse to receive the senior citizen's reduction in their registration...eligibility of claimants of reduced motor vehicle registration fees. And the third amendment would provide Israel Bonds in which credit union may invest may not be guaranteed by U. S....by the U. S. Government the same as it is provided for other bonds for other nations. I move for the adoption and the passage of...Senate Bill 1855 as amended with concurrence in 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2 and 3 to Senate Bill 1855. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56...57, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1, 2 and 3 to Senate Bill 1855 and the bill having received the constitutional majority is declared passed. Senate Bill 1856, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1856 with House Amendments 1, 2, 3, 4, 5, 7 and 9.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. These are also...Amendments 1, 2, 3, 4, 5, 7 and 9 are additional JCAR bills that have originally passed out of this Chamber and amended to make it a more concise version. Basically, Amendment No. 1 is requested...JCAR requested that amendment. It does retain the original provision of the bill regarding the Pharmacy Practice Act. Amendment No. 2 requires the department to provide information in writing to persons seeking public

assistance about all benefits provided under the Public Aid Code, is also a JCAR amendment. Amendment No. 3...with respect to the regional investigation of complaints of rights, violations of eligible persons, the commission may direct another regional authority to conduct the investigation if a conflict of interest arises. Amendment No. 4 deletes the requirement of multidivision of pharmacy...of a pharmacist in charge of each division...this was according to JCAR. The amendment is agreed...between R and E and the Hospital Association. Amendment No. 5, according to JCAR the amendment was agreed to by the Department of R and E and the Illinois Pharmaceutical Association. Amendment No. 7 requires pharmacies to include facts and comparisons of the Modern Drug Encyclopedia...any current condominium approved by the Department of R and E. Amendment No. 9 amends the Act regarding the R and E services and alcohol abuse and substance and various administrative functions of the agency involved by requiring the standards to be established. This again is a JCAR amendment. And that explains Amendments 1, 2, 3, 4, 7 and 9. I move that we do concur with those amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3, 4, 5, 7 and 9 to Senate Bill 1856. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 2, 3, 4, 5, 7 and 9 to Senate Bill 1856 and the bill having received the required constitutional majority is declared passed. Senate Bill 1858, Senator Lechowicz. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1858 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that we do concur with House Amendments 1 and 2 on Senate Bill 1858. Amendment No. 1 provides that a violation of a recognized standards of arbitration by a hearing officer shall be grounds for removal from the master list of a hearing officer as maintained by the State Board of Education. Amendment No. 2 is a technical amendment deleting from Amendment No. 1 a reference to the State Board of Educationrules. The State Board of Education is in agreement with this amendment and I move that we do concur in...Amendments 1 and 2 on 1858.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1858. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 1858 and the bill having received the required constitutional majority is declared passed. Senate Bill 1917, Senator Rock. Read the bill, Mr...Senate Bill 1931, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1931 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. The House took Senate Bill 1931 and added three amendments onto it. The motion is to concur in the amendments. The

first amendment reduced the original request of a minimum of...of sixteen judges...associate judges for a single county and cut it down to fourteen. I'm not extremely happy about that, but if that's the House's judgment, I would accept it. The House also added on...in Amendment No. 2 an increase for the court reporters for the State of Illinois...increasing their pay starting July 1st, 1986 from thirty-three thousand two-fifty to thirty-five thousand two-fifty, and then on...July 1st of '87 to increase that thirty-seven thousand two-fifty. To the best of my knowledge, this is...as you know, this is the substantive legislation, I have not put in any kind of an appropriation for it. I don't know whether anybody over in the House is not, but I think that that pay is justified for court reporters in the State of Illinois and would concur in that amendment. Also, there was an amendment put on for the Seventeenth Circuit which is Winnebago and Boone Counties. This is Amendment No. 3 which would give them two additional associate judges and setting their minimum for a two-county area and it affects only those two counties to be a minimum associate judges of ten. Those are the House amendments, I would move we concur in them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR BARKHAUSEN:

Senator Sangmeister, you...you answered one of the questions I had with regard to...Amendment No. 3 as to which counties that particular amendment would affect; you say, apparently, that it's Winnebago and Boone. And then, I guess as a result of House Amendment 1, there has been a reduction in the minimum number of associate judges, was that sixteen

before, and now it's down to fourteen and does that represent a change over the existing law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

That is correct. We asked for sixteen and they have reduced it down to fourteen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Is there currently a...a minimum number of associate judges required for single county circuits and...and if so, what is the current minimum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

There is none...currently. This would establish it at fourteen rather than sixteen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR SANGMEISTER:

The only county that affects, Senator, is...is mine, Will County, it's the only other single county circuit. The other two are...are...DuPage and Cook and, obviously, they got far in excess of that in associate judges.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

How many do you have in Will right now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

We have twelve associate judges. This would raise it two more to fourteen, which we need.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen. Senator Nedza.

SENATOR NEDZA:

...question to the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR NEDZA:

Senator Sangmeister, I...you're probably the expert on this, but reading this Amendment No. 2 where you have increased the salaries to thirty-five...thirty-seven...but then it increased the pay of the part-time court reporter from thirty-six to seventy-five dollars per half-day. That's...eight hour day, that's more than twenty dollars an hour. Is that the norm which would be...happens in the courthouse, as I, you know...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

This is not my amendment; as you know, it was put on in the House. Whether that's reasonable or not, I suppose you have...what do you want to compare it to, you have carpenters that make more than twenty dollars an hour. A court reporter has certain skills. As a lawyer, of course, I would say that those skills are well worth that...there would be people who would differ.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

My question is similar to that of Senator Nedza, I think. It seems to me we raised the salaries for court reporters

last year, if I remember correctly, and that was considerable controversy. Now we're going from thirty-five thousand to thirty-seven thousand. I really don't know...Senator...what...what kind of...what kind of workload...how many hours a week would a court reporter work in a typical work week?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well,...you know, the courts do not run on uniform hours...so it could vary. I...there is weeks when trials go on for a long period of time...where it could be maybe forty...forty-five, fifty hours a week, there maybe some where it's twenty hours a week, depends upon...how much that particular court wants to labor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I'm...I'm...they do...they work when the court is in session and then, of course, they have the transcribing that they have to do when this court isn't in session, I'm just trying to get some idea. I...I know that their skills have to be something greater than usual secretarial skills, but by the same token, this does seem to be a pretty...pretty high salary for someone in that...in that range. Are these minimums that we're enacting here or are...are we setting the pay scale and...then I'll ask one other question. Is the total impact of this bill in its present form 1.69 million?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

To answer the first question, these are maximums, the minimum by Statute is six thousand dollars and the salary is set by the court administrator with the Supreme Court is my

understanding. However, as you know, if they're not at maximum when the maximum is there, they're very close to it so we're not kidding anybody; but the bottom in the Statute is six thousand dollars, these would establish the maximums and it's up to the administrator of the courts to work out a program with the Supreme Court as to actually what they're to be paid. Your second question as to total cost is, is my...analysis shows that the part-time reporters would be three hundred and seventy-nine thousand and...1.3 million for the regular reporters, a total then for both of one million six hundred and seventy-nine thousand dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. In the event that the concurrence motions fail, the bill would go on to conference, correct? Oh, no, first you would ask the House to recede from their amendments?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR DeANGELIS:

I have a recommendation for the sponsor. I think...some of us are in favor of all of the stuff, some of us are in favor of just some of the stuff, it might be advisable to split the question on the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis has asked for a division...Senator Sangmeister...

SENATOR SANGMEISTER:

I have no objection to that. If you'd like to take each one of these amendments and divide the question, that's perfectly acceptable to me and I would ask that the Chair do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The Chair will so...do so. Senator Keats.

SENATOR KEATS:

Having talked to many individuals who deal with some of the downstate courts, I...I don't want to get too heavily into the court reporter thing, but as a couple of downstate attorneys said to me, he said, hey, court reporters make more than the lawyers sitting down here. I'm not going to argue that point. I want to come back to the next one where we're coming back to the number of judges, et cetera. Has anyone ever done a productivity study in some of these courts where we're adding some new judges? I mean, there's an hour requirement and you get time and again, you'll get judges who say to you quietly, you know...you know in some circuits you got some guys who put in eighteen hours a day. I mean, there's no question there's some hard working judges out there. And to quote one of them in Cook County who said, and this is a Democrat in Cook County, it's not a partisan issue, he said, hey, I wouldn't have to work eighteen hours a day if I could get some of these guys to work four. Somewhere before we start adding judges, could we somewhere add some standards that says some amount of work expected, some amount of time expected? We just continually add judges and we ask no questions about the time they're working. Would it be unreasonable, say, let's hold this thing up long enough and maybe add a little productivity standards? Say, if we're going to add judges, we have to prove that they're doing something. 'Cause, you know, judges will say to you, and I got to believe they're saying the same thing to you, that there's a certain part of that Judiciary who's, I think the term is being carried. Usually they say it to me with more graphic terms, but we'll just call it being carried. Is there any way we could hold this up long enough to get some form of productivity standard in? Then I do have one other question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if you're going to get into the productivity of the judge...for...you got to remember also, they are a separate branch of government, Senator, I think you're well aware of that. I don't think there's any way that we can start talking about the productivity of judges, at the same time be careful we don't get a Supreme Court decision that wants to look at our productivity. So I cannot concur in that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

If you remember, we're part time and it's particularly obvious to some members that we're part time...unlike the judges who are full time. A productivity measure is based upon full-time employment; although I do have to say, I've often wondered what we would do with a productivity study for three or four of our members. Coming back to the next question, in terms of the cost. You say you haven't put in an appropriation. What happens if no one passes an appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I think we're wandering here. If we split the question, we ought to take the first amendment first and I think Senator Keats is now addressing the second amendment. So why don't we go down the line and go amendment by amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Keats, will you acknowledge that admonishment?

SENATOR KEATS:

Could you get him to say that in American this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On Amendment No. 1, further discussion? If not...Senator D'Arco.

SENATOR D'ARCO:

Is No. 1 the associate judge amendment? No, it...it reduces it. Oh...okay...no...no...from the original request. Okay. I just wanted to...I just wanted to...Senator Keats, turn around a minute. You see this? You see that? Wait...a minute...hold it...hold it...hold it. You see this? Can you see this? That is the number of cases that one judge is handling in one month on his call. That's...two hundred and eighty cases...two hundred and eighty cases he's handling. You know what the recommended amount is by the bar associations? Seventy-five...seventy-five. You think this judge is overworked?

PRESIDING OFFICER: (SENATOR DEMUZIO)

But Senator D'Arco still has the Floor.

SENATOR D'ARCO:

And there's...and there's forty more criminal judges like him with the same number of cases on their calls. So, you know, maybe we're the ones who are...over...not overworked, maybe it's not the judges.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, have you concluded?

SENATOR D'ARCO:

Yeah, I'm done...I'm done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

How many of those are continuances and they're just riding the Calendar and they really aren't taking anything? How many are old cases that he really does nothing with? When you look at the number of cases, as you and I well know,

in certain of those courtrooms the overwhelming majority are just continued until the calendar builds up, looks...the bar association says seventy-five; well, that's a nice recommendation but...what are the...caseloads in other courtrooms? You're saying here's one, let's talk about the whole State, let's talk about which one of these circuits, let's talk about how many of these cases are presently operating, how many are continued just 'cause the lawyers couldn't get around to doing their homework to be ready for the case? How many are continued due to the convenience of the lawyers involved? How many are...continued because of the convenience of the judge and how many hours did that judge put in on...on each case and how many are plea bargained so that he really has virtually no time commitment whatsoever. I could give you some very impressive statistics if you don't ask tough questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Sangmeister may close.

SENATOR SANGMEISTER:

Gee...you never...you never know what's going to bring out the best in everybody. This is, you know,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Or the worst.

SENATOR SANGMEISTER:

I think this is going to be a whole discussion of the Judiciary for the State of Illinois. What this simply does is...is...is...is reduces from sixteen...the first amendment reduces from sixteen to fourteen the amount of minimum...the minimal amount of judges for a single circuit county, that's all it does. I would ask a favorable...role call on Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with

House Amendment 1 to Senate Bill 1931. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, none voting Present. The Senate does concur with House Amendment 1 to 1931. Senator Sangmeister on Amendment No. 2.

SENATOR SANGMEISTER:

All right. Now Amendment No. 2 is the increase in pay for the full-time and the part-time court reporters. I don't know...again it's an...an increase from thirty-three two-fifty to thirty-five twenty and then in 1987 to thirty-seven two-fifty, increases the part-timers from thirty-six dollars a half-day to seventy-five dollars a half-day. I would move that we...accept House Amendment No. 2 to Senate Bill 1931...that we concur in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall...Senator D'Arco.

SENATOR D'ARCO:

No. I want to point out to the Body that the amount of money that they are actually paid is in the appropriation bill. This is not the actual amount of money that's set by Statute. The amount that's actually paid is in the appropriation bill itself and not the maximum number that's specified in this amendment. It's the truth, I'm telling you the truth.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

All right. Well, you know, all vote your conscience on this. I...you know...of course, when the lawyers speak for the court reporters, it's probably...an inborn feeling that

they deserve this. These are very professional people. I personally think the raise is in order, and, again it's not a raise, it's...it's setting a maximum. And what Senator D'Arco said was true. So...vote it up or down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is,...question is, shall the Senate concur with House Amendment 2, Senate Bill 1931. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 27, 2 voting Present. Amendment No. 2...Senate nonconcurs with Amendment No. 2. Senator Sangmeister.

SENATOR SANGMEISTER:

I don't have to move for them to recede, that goes back over there automatically for their...consideration. Is that correct? Okay, let's go to Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Nonconcurrence on 2. Amendment No. 3, Senator Sangmeister.

SENATOR SANGMEISTER:

All right. This was put on again, obviously, in the House, and this would apply, as I understand it, to two county circuits and there's one, Winnebago and Boone which would give them...they now have eight associate judges...and two permissive, and would lock it in at...at ten. So...I would move that we concur in that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Holmberg.

SENATOR HOLMBERG:

I rise in support of this particular amendment. I have met on frequent occasion with the chief judge in the Winnebago County Circuit and the increased workload has made them ask the Supreme Court for permissive judges just to be able

to handle it. And, as you know, this is not always a permanent thing, and they are asking particularly with the new DUI convictions and the type of workload that we have been giving them that this be made a permanent addition for these two northern counties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Is there any way to justify this amendment we could see some kind of caseload comparison? I mean, just to give us a feel. Senator D'Arco brought out a sheet that...I appreciate it because I...it makes people realize how far behind some of the Cook County cases have become. Could we get...have you got anything that would give us any comparable comparison for the area? I mean, if we need them, we need them, but somehow we ought to justify them. If a judge says I'm overworked, that's nice; well, I think I'm overworked too. What we're saying is, could we get something that would justify them to show the caseload or workload increases, et cetera?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I...I don't have all the answers for that circuit up there either but I'll tell you this, according to my analysis they have eight present judges and two permissive so they've got ten already. All you're doing is locking in the two permissive judges they already have. Now you don't get permissive judges from the Supreme Court unless you need them. So, apparently, the workload has to be there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall Senate concur with Amendment No. 3 to Senate Bill 1931. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

AB 1934 Concurrence

Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 13, none voting Present. The Senate does concur in Amendment 3 to Senate Bill 1931. Senate Bill 1934, Senator Jeremiah Joyce. Senator Joyce. I mean...I'm sorry. Mr. Secretary, 1934.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1934 with House Amendments Noed. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I move that the Senate do concur in House Amendment 1 and 2 to Senate Bill 1934. Senate Bill...House Amendment No. 1...deletes the provision which allows recruiters to have access to the names and addresses of prospective high school graduates. The House would not go along with that, and...I, somewhat reluctantly concur with it...House Amendment No. 2...provides that residency within school districts shall not be considered in determining employment or compensation, retention, promotion, assignment or transfer. It does not apply to cities having a population exceeding five hundred thousand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce has moved to concur with House Amendments 1 and 2. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I would thank Senator Joyce for at least reluctantly concurring with...Amendment No. 1, because I would ask for a nonconcurrence. This amendment I had asked Senator Joyce to put on here in the Senate and it involves getting the military to be able to...to go to school districts, get their graduation list so as to make available their scholarship information and limited therein to scholarship information. We just got through quite a big discussion awhile back on

scholarships and veterans and how important all this is, and now we are literally cutting off the ability of numerous youngsters to be able to avail themselves of scholarships provided by the Federal Military as well as the State Military in the form of the National Guard. There are some school districts now which do not even allow our military to be able to come in on career days just to be able to share this information for the ability of...of further academic pursuits. The same people that are making available these scholarships are exactly the same people we were honoring just a couple of weeks ago in a very exalted Vietnam Veterans' Parade. We sit here and talk about veterans'...legislation every day and are very supportive, and now at the very source of all this where we can make available these kind of scholarships to kids who in some cases may not have any other opportunities to go to college, we shut them off. And I would ask this Body to look very closely at this and not concur with Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka, the...the question is on Amendments 1 and 2. Further discussion? If not, Senator Joyce may close. Whoops...Senator...

SENATOR JEREMIAH JOYCE:

Well, once again I...I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

I would ask for a division of the question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, that...that certainly is in order. Division of the...of the question has been requested. Senator Joyce, on Amendment 1?

SENATOR JEREMIAH JOYCE:

Well, I...I have no problem with the division. I

SB 1942 Concurrence

would...I would simply say with respect to Amendment No. 1 that...my colleagues in the House tell me that there is no support over there for the material...for the matter that was contained in the....that was deleted by Amendment No. 1. So I would ask that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1934. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 17, none voting Present. The Senate does concur with Amendment 1...House Amendment 1 to...Senate Bill 1934. Senator Joyce on Amendment 2.

SENATOR JEREMIAH JOYCE:

I ask for a concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall...shall the...Senate concur with House Amendment 2 to Senate Bill 1934. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the...take the record. On that question, the Ayes are 36, the Nays are 19, none voting Present. The Senate does concur with Amendment No. 2...and now concurring with House Amendments 1 and 2, the bill having received the required constitutional majority is declared passed. Senate Bill 1942, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1942 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This bill creates the offense of intentional homicide of an unborn

child. The amendment, House Amendment No. 1, is a technical amendment and it merely changes the language, "Section 81-22 of this chapter" to "Section 2 of the Illinois Abortion Law of 1975 as amended." This is final action, that's all it does. Senator Hudson, Senator Lemke and I would very much appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not,...if not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1942. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, 1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1942 and the bill having received the required constitutional majority is declared passed. Senate Bill 1946, Senator DeAngelis. Mr. Secretary, 1946.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1946 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1...I'm sorry, it's Amendment No. 2...to Senate Bill 1946. When Senate Bill 1946 left the Senate, although it passed, there were some discussion regarding some difficulties some members had regarding the involuntary transfer. I pledged to do whatever possible to work that out in the House. Apparently an agreement has been worked out, all parties to my knowledge have signed off, and that's what Amendment No. 2 to House Bill 1946...Senate Bill 1946 does, and I urge that we concur with it so we can have final passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor. Could you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Berman.

SENATOR BERMAN:

I was...contacted over the weekend by some people involved with the Illinois Citizens for Better Care. Have they signed off?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr. Berman...Senator Berman, I don't know that they have or they haven't, but I would have a feeling if they saw it they would. I don't know if they were involved in the negotiations. This came up, you know, fairly late. We have moved about as far as we can with it to ensure that nobody is getting booted out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise to second Senator DeAngelis' motion to concur. The rather lengthy discussion we had on the Senate Floor before the bill left here concerned itself, as I'm sure everybody is aware, with the question of a person in a nursing home who for one reason or another would be involuntarily discharged with...apparently without recourse. I congratulate the Senator, I think this amendment is...makes this bill much improved and I intend to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate concur with...House Amendment 2 to Senate Bill 1946. Those in favor will vote Aye. Opposed will vote Nay. The voting

SB 1957 concurrence

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 2 to Senate Bill 1946 and the bill having received the required constitutional majority is declared passed. Senator Vadalabene has a special guest that he would like to introduce at this time.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Today, again, we are privileged to have with us here on the Senate Floor an outstanding American and a citizen of Illinois who received two Silver Awards and three Bronze Stars, an outstanding individual, truly a great guy, Tom Stack, who was the chairman of the Vietnam Parade in Chicago this year. Comrade Stack.

TOM STACK:

(Remarks given by Tom Stack)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Bottom of page 19 is Senate Bill 1957, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1957 with House Amendments Noed. 1, 2, 4 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to...move to concur in House Amendments 1, 2 and 5 and nonconcur in Amendment 4. Amendment...House Amendment...1...rewrote the bill a little bit, maintained the original intent but tightened the language to exclude any possible innocent parties. Amendments 2 and 5 add a provision to the Criminal Code to create an Act to disqualify Nazi war criminals from receiving various benefits authorized by the State. And I'd urge your support in these three amend-

ments and to nonconcur in Amendment 4, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Friedland has moved to concur with House Amendments 1, 2 and 5. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would...I am inquiring about Amendment No. 2 specifically, and I'd just ask that the gentleman explain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland on Amendment No. 2.

SENATOR FRIEDLAND:

House Amendment 2, as I mentioned, created an Act to disqualify Nazi war criminals from receiving any benefits authorized by State law. I guess...a...Nazi war criminal is an individual against whom United States Attorney General has filed a final order of deportation on charges that the individual lied on his immigration papers about past associations with the Nazi Government in order to seek entry to this country...the small category that this might affect would be denied benefits such as homestead exemptions...reduction in fees of various licensures and so forth.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

This, I take it, would deny all the State benefits while the appeal is pending, is that the idea?

SENATOR FRIEDLAND:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Friedland says that's correct. Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Our analysis states that the person who are...persons who are subject to deportation orders. Is it that they're subject to the deportation order or has there been a hearing and a determination made of the substance?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland. The Chair will acknowledge the presence of the Governor of...Governor Thompson and Secretary of State Edgar on the...on the Floor. Your Excellency. Senator Friedland.

SENATOR FRIEDLAND:

There would have...I'm informed there would have had to been a hearing because it would be a final order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

With regard to House Amendment No. 1...are we eliminating a residence from criminal trespass to real property? In other words, if you enter a residence under those circumstances, is it still trespass to real property?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

No, we're not, Senator, there's another section in the existing law that deals with that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur...with House Amendments 1, 2 and 5. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, 2 voting Present. The Senate does concur with House Amendments 1, 2 and 5 to Senate Bill 1957. Sena-

tor Friedland now moves to nonconcur in Amendment 4 to Senate Bill 1957. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 20. Page 20 is Senate...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your...

SENATOR FAWELL:

Sam, I noticed you returned to your seat immediately after the last introduction, and yesterday after you introduced the two Miss Illinois's you disappeared all day. What happened?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Fay, this is Sam. When Miss Teenager Illinois embraced me up on the Podium yesterday, I looked over at you and my heart dropped. I really didn't know what to do. But I really tell you, Fay, I've hugged you and she hugged me and there sure is a difference...and I still love you, Fay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sometimes, Senator Fawell, it's better not to know. All right. We are on page 20, Senate Bill 1988, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1988 with House Amendments No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate concur with House Amendment No. 1 to Senate Bill 1988. House Amendment No. 1 deleted everything after the enacting clause and came up with an agreed amendment that was worked out between

the Department of Registration and Education, Pharmacist Associaton, Department of Mental Health and the Illinois Hospital Association. The amendment clarifies the pharmacy divisions more clearly in regard to the intent of the legislation. The amendment also creates a fifth division to act as sort of a catchall for various pharmacies that are enacted and...and involved in Divison 2 and 3. I move for its adoption and appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1988. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1988 and the bill having received the required constitutional majority is declared passed. Page 20 is Senate Bill 1991, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1991 with House Amendments 1, 2, 4 and 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move to concur with House Amendments 1, 2, 4 and 8 to Senate Bill 1991. House Amendment No. 1 provides for leaves of absences to local association presidents of...State teacher organizations who serve as the bargaining agents to attend meetings concerning educational reform as directed by the State superintendent, a regional superintendent or a local superintendent. House Amendment No. 2 eliminates any disincentive for teachers to serve in military reserve units by ensuring that there is not a pay reduction if their unit is called into action during

the school year. House Amendment No. 4 does two things, requires school districts to transfer any unofficial records and transcripts from one school district to another. This ensures an orderly transition of students, and also House Amendment No. 4 requires that course work time in summer school be the same as during the regular school year as recommended by the North Central Accreditation Association. House Amendment No. 8 deals with the Chicago Board of Education submitting its financial plan and budget to the finance authority at least sixty days prior to...commencement of the relative fiscal period. I move adoption of...I move concurrence on those four House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I would like to ask that we'd have a division of the...of the question on...on this particular motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has requested that we have a division of the question, certainly in order. No...no objection? Senator Maitland. Senator Degnan.

SENATOR DEGNAN:

I move concurrence to House Amendment No. 1 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Maitland, is it your desire to...each amendment to be on...it's your desire for each amendment. All right. Senator Degnan has moved to concur with amendment...House Amendment 1. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I rise to oppose House Amendment No. 2 to Senate Bill 1991. I think if the Body would...would carefully look at this amendment...I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

No...no...no...no, wait a minute, we're on...we're on House Amendment 1, Senate Bill 1991.

SENATOR MAITLAND:

That's what I said.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I thought you said Amendment 2, I beg your pardon.

SENATOR MAITLAND:

I beg your pardon, I...I'm speaking on House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...well, I am correct. Senator Maitland.

SENATOR MAITLAND:

Mr. President, you usually are correct. Thank you, very much, Mr. President. I rise in opposition to Amendment No. 1 to House Bill...Senate Bill 1991. I think the Body will...if the Body will notice what the amendment says, it speaks to the issue of a...local association president...be given a leave...a paid leave of absence as the individual attends a meeting. It also becomes apparent to me that it's very necessary that the individual teaching in that particular area in that school is the one who really needs to go to the meeting, that's what the meeting is all about. So this, in effect, doubles the cost to that local school district for those attending that meeting. And I would, therefore, rise in opposition to Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. If not, Senator Degnan may close.

SENATOR DEGNAN:

Well, I don't think the amendment says that two people have to go, to correct Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, now Senator...Senator Maitland.

SENATOR MAITLAND:

Well, I didn't say that; but the fact of the matter is, they both may go, and if each one...if...if the school district wants the person who teaches in that area to go, they also have to allow the association president to go, that's what the amendment says. That's mandated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Collins. Senator Collins.

SENATOR COLLINS:

Are we on Amendment...are you...did you do Amendment No. 8 yet? I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, there are only...no, we did not, we...we have separated the question, we are on Amendment No. 1. Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

I move...I move to concur in House Amendment No. 1 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendment 1 to Senate Bill 1991. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 17, none voting Present. The Senate does concur with House Amendment 1. Senator Degnan, on House Amendment 2.

SENATOR DEGNAN:

House Amendment 2, as I explained earlier, does two things, it eliminates any disincentive for teachers to serve in the military reserve units by ensuring that there is not a reduction in pay if their unit is called into action during the school year...I'm sorry, it does one thing and that's what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...all right. The question is, shall the Senate concur with House Amendment 2 to...to Senate Bill 1991. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does concur with Amendment...House Amendment 2 to...Senate Bill 1991. Senator Degnan on Amendment No. 4.

SENATOR DEGNAN:

House Amendment No. 4 to Senate Bill 1991 does two things. Hello. Requires school districts to transfer any official records and transcripts from one school district to another and requires that course work time in summer school be the same as during the regular school year as recommended by the North Central Accreditation Association. I move the adoption of House Amendment No. 4 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Degnan has moved to concur with House Amendment 4. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I object to Amendment No. 4, and let me speak only to the issue of summer school. In most instances where summer school is taught, there is a reduction in the total number of hours that are required for that particular course; and the reason for that, obviously, in...in summer school there is less time, but you have been able to get by with less total hours in a course because of the concentrated and the condensed factor of...of the time period in which that course is offered. I am concerned that if we put this kind of a provision on, we may well, in fact, eliminate the ability to offer some of those summer school courses. And I think we really ought to take a look at this.

This really creates some very serious problems and...and I...I think we ought to...reject this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I wanted to clarify one of your statements because it seems to be...at...at variance to what my analysis says. According to your statement, the summer school classes would conform to the recommendations of the North Central Association. My analysis indicates that the summer school classes would have to meet the same number of hours when offered during the summertime as they meet when they are conducted during the regular academic year, and there's quite a difference between those two statements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

My information is, and let me read it, "Requires that course work time in summer school be the same as during the regular school year as recommended by the North Central Accreditation Association." Are you saying that's an incorrect statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

...excuse me...just a moment here. My understanding of the...of the North Central Association...I...I think that their question that...the difference that we're having, Senator, probably relates to the fact that the North Central Association has...has different standards. I think there is

a minimum...a minimum standard to which most of the accredited high schools...I presume all of the accredited high schools now...now meet. But the...the words that...that you use...I think the...the important thing that you said...we can forget the North Central Association, the important thing that you said was that the classes offered during the summertime would have to meet the same number of hours when there...as when they're offered during the regular academic year. I just want to point out that if we enact this legislation, it effectively kills summer school programs. It will effectively...kill summer school programs in our schools. So I...I think we want to think about this before...before we support it. Right now, in...in the schools back in...in my area, the students who are taking a class go to...attend these classes for a half a day for...for six to eight weeks. If we're going to have them meet minute for minute summer school and during the regular academic year, we're going to have them going eight hours a day and we're going to have them going all summer long. I submit to you that the...the way the schools now offer these courses are in conformity with the minimum requirements of the North Central Association. I really don't think that we ought to be about the business of...of enacting this. I think this is a bad move and it ought to be rejected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Fawell.

SENATOR FAWELL:

Just a point on personal privilege. Before he leaves, I think we should congratulate our former colleague Pete Miller whose birthday is today and he's...old. Happy birthday, Pete.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Miller. Is there further discussion? If not, Senator Degnan may close.

SENATOR DEGNAN:

Well, this concept...as House Bill 2279 passed the House a 101 to 13 earlier this Session, I think it's a good idea. I move to concur in House Amendment No. 4 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 4 to Senate Bill 1991. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 20, none voting Present. The Senate does concur in House Amendment No. 4 to Senate Bill 1991. Senator...Senator Degnan on...House Amendment No. 8.

SENATOR DEGNAN:

I move to concur with House Amendment No. 8 to Senate Bill 1991.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Senator, according to our staff analysis here, it says the Chicago Board says the sixty-day increase is in error. What...according...according to the staff analysis, they're saying that the sixty-day increase is in error, that the original House bill...in...in their legislative package shortened the time period from forty-five to thirty days, and...and I just wanted to ask the question, have you talked with them about this at all?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

I think you are correct, Senator. I think there is language being drafted to properly address this amendment on another bill, but rather than bounce this thing between

Houses, I would move to concur with this amendment and I know another amendment to straighten this forty-five to sixty...or sixty rather to the forty-five is going to appear on another bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendment No. 8 to Senate Bill 1991. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 16, none voting Present. The Senate does concur in House Amendment...No. 8 to Senate Bill 1991 and the bill having received the required constitutional majority is declared passed. Senate Bill 1993, Senator Macdonald. Read the bill, Mr. Secretary.

END OF REEL

REEL #5

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1993 with House Amendment 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I move that we do concur in Amendment No. 1 which is technical in nature and was requested by the department. The amendment makes technical changes. It says that the director...that the department rather than the director is responsible for listing the approved drugs and it also provides that the approved drugs shall be listed and distributed to all department facilities. I move the concurrence of this amendment. It's Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1993. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1993 and the bill having received the required constitutional majority is declared passed. Senate Bill 2003, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2003...a bill for an Act to...I'm sorry, with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do not concur in House Amendments 3 and 4 to Senate Bill 2003 and that a conference...the bill be sent back to the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz moves to nonconcur in House Amendments No. 1, 2, 3...and...go ahead, Senator Marovitz...Senator Marovitz.

SENATOR MAROVITZ:

3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You want to concur in 1 and 2...is there any discussion? The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2003. Those in favor indicate by voting Aye. Those opposed. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 2003. Now, on Senate...on House Amendments 3 and 4, Senator Marovitz moves to nonconcur in House Amendments 3 and 4 to Senate Bill 2003. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 2017, Senator Barkhausen. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate...Senate Bill 2017 with House Amendment 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the bill that makes available for certain therapeutic purposes...certain products that have been prohibited under the Cannabis Control Act when the Federal Government has rescheduled them and permitted their use under limited circumstances under the Controlled

Substances Act. The House put on a couple of technical amendments and I move that we concur in House Amendments 1 and 2. There's no opposition to them. I'd be happy to explain them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just a...clarifying question. There is an amendment that was added in the House relative to cannabis and the growing of cannabis. I thought it was on Senator Geo-Karis' bill and I want to make sure that it is not on this bill. Is it, in fact, not on your bill...having to do with the growing of cannabis?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

No, there's certainly nothing of that kind in this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2017. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 2017 and the bill having received the required constitutional majority is declared passed. Senate Bill 2018, Senator Leitch. Senate Bill 2020, Senator Geo-Karis. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2020 with House Amendments 5, 6 and 7.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the...2020...House bill...Senate Bill 2020 has three amendments. One, it allows the...Amendment No. 5 allows the Illinois Department of Public Aid to contract with private attorneys in personal injury proceedings. Amendment 6 allows a beneficiary to compel the department to dismiss its action or control over the case to an attorney of the beneficiary's choosing and this action shall not affect the department's lien under the section...Amendment 7 amends the Nursing Home Care Reform Act to increase the membership of the Long-Term Care Facility Advisory Board by three people. I move the concurrence of these...these amendments to Senate Bill...2020.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Keats.

SENATOR KEATS:

I...I would appreciate a...a...more of an explanation on...on hiring private attorneys in personal injury actions. I'm not saying it's a bad idea, I'd just sort of like it explained so I know what it means.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis...while Senator Geo-Karis is looking for that, let's...you...you have it Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Keats, this amendment is in my bill and the amendment...my bill originally provided for...I think Senator Berman remembers, for...certain subrogation rights where there are judgments obtained by certain people on public aid. Yes, and I think I'm going to ask my friend, Senator Berman, to explain it, Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, friend, Senator Berman.

SENATOR BERMAN:

Thank you, friend, President; friend, Senator Geo-Karis; friend, Senator Keats. The department by this amendment is saying that in addition to staff attorneys in-house, that they ought to have the authority to utilize private attorneys to collect the benefits that have been paid out by the Department of Public Aid where there's been an accident involved. It expands their resources in order to collect the monies that the department wants to get back where there is a lien and subrogation rights under an accident case involving a...a recipient...a recipient of public aid. It is similar to what the department has...been authorized to do in the collection through private attorneys of unpaid child support under AFDC cases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have some concern about Amendment No. 5 for the reason that this is a relatively new initiative of the department to provide attorneys for those welfare recipients who can pursue a cause of action for personal injury, and I don't have any particular problem with the retention of a private attorney, obviously, but I wonder why...as opposed to the child support enforcement procedures, why in this procedure the Attorney General's Office is not involved at all?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This has nothing to do with the child support proceedings. This is simply on personal injuries and I think I've satisfied your query and I'm sure I've satisfied Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...Senator Keats is more easily satisfied than I. You certainly haven't satisfied me. What...what I...my only reference to child support enforcement was the procedure. When the department hires attorneys to pursue child support enforcement, they are deputized as Deputy Attorneys General for that purpose, to pursue the State's interest and the Attorney General has some right of approval or disapproval over those individuals who are, in fact, working at the behest of the department. This amendment doesn't involve that procedure and I wonder why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Rather than delay the proceedings, since the delay was started by my colleague on this side, I want to take it out of the record and I'll take care of him later.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...take it out of the record. Okay, Roger. Well, we want to thank Senator Keats for pointing out all those things in that bill. All right, page 20, Senate Bill 2035, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2035 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate do concur with House Amendment No. 1 to Senate Bill 2035. The amendment simply puts in better form and better language what the original bill did, and I would urge that we concur with that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

No, I withdraw my...I just was going to ask a question, but apparently it isn't...not a major change, so...thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. Just as a matter of clarification. Some of us don't have...photographic memories or total retention. When you talk about this is a minor change in the original thing, could you just briefly identify what the original bill did?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Be more than happy to, Senator Netsch. The bill as introduced required that the nineteen regional libraries have on file in a computer tape all the services available to handicapped persons. The bill was actually written in lay language. I helped draft it. When it went to the House, they...they wanted to add their legal imprint to make it more effective and that's essentially what they did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the House...or shall the Senate concur in House Amendment 1 to Senate Bill 2035. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 2035 and the bill having received the required constitutional majority is declared passed. Senate Bill 2042, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2042 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I would move that the Senate do not concur with House Amendment No. 1 to Senate Bill 2042. It was incorrectly drafted by LRB and the Department of Revenue and, unfortunately, has to be sent back and sent to a conference so that a correction can be made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves that the...to nonconcur with House Amendment 1 to Senate Bill 2042. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 2076. Senator Keats, you helping out on this one too? Bottom of page 20 is Senate Bill 2076, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2076 with House Amendments Noed. 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 2076 has two amendments from the House. Amendment 1 changes the method of...manifesting evidence of intent to forego the father's parental rights, stipulates intent shall include the father's commencement of legal proceedings to establish fair intention within thirty days of the child's birth or a good faith effort to pay a reasonable amount of financial support for either the birth or as maintenance of the child. This bill is supported by the Department of Children and Family Services and...Department of Public Aid. I move the concurrence of both...the second amendment is a technical amendment, it changes two inverted words. So, I move the concurrence of both amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I think we'd better take a look at this bill here. This is a pretty substantial change, Senator Geo-Karis, and in effect, rewrites the entire bill, House Amendment No. 1, regarding paternity. First of all, as I understand it, there's no provision in the legislation for notifying that father. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, that's not true and not to my knowledge. We had a provision for notification in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

My understanding is that House Amendment No. 1 which, in fact, becomes the bill does not make any provision at all for notification of the father. Okay? Now, let me ask...it says that an unmarried father would...would forego his parental rights if, one, he fails to commence paternity proceedings within thirty days of being informed that he may...may...is or may be the father or, two, if he fails to make a good faith effort to pay a reasonable amount of expenses related to birth and to provide financial support of the child. Let...let me ask you a question. What is...what is the problem with the current law that necessitates us to make this wholesale change without going through the committee process and without giving anybody a chance to take a look at this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I may answer, the next bill will bring that in that you're...talking about. The reason for these changes is

because it has been difficult to have adoptions. You have some father who never cares about the child and then just comes around when he feels like it, nothing is done for the child, it can prevent an adoption that should take place. We're trying to protect the children. That's the purpose of these bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Fawell. Senator Fawell.

SENATOR FAWELL:

I...I think if you will look in the analysis of...of 2077 you will find that that particular requirement is put back into the law...into the Statutes. Apparently, somebody caught it over there in the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you. Senator Geo-Karis, when...in the amendment it says the father must be...must make a good faith effort to show that he is the father and you say he's to be informed. How is the father to be informed of...of such?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I think we have to look at the...the reasonableness; of course, if he doesn't get any proper notice of...if there's mail sent to him and he receives it and doesn't respond, that's information. I mean, the...the courts are going to take that into consideration, Senator. They're not going to just say any kind of notice by telephone or anything like that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, the reason why I raised that question...and I know what you're trying to get at; however, you may be creating more of a problem in doing this than you're trying to protect the child, but if that father hasn't received proper notice such as...through certified mail or a sheriff notice, what could conceivably happen if this legislation becomes law is that child could be placed up and given up for adoption and that father could come back in years later and say he was not notified as such, there would be no proof whatsoever that that father had proper notification and, as a result, the child then is placed in jeopardy of going back to that father. So, you're trying to protect the child but I believe in this instance you're doing the child more harm by opening up a Pandora's box.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I may respond, it says to...on to commence legal proceedings to establish...his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within thirty days of being informed that he is the father like...or the likely father of the child or...after being so informed where the child's not get...within thirty days of the child's birth or, two, to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide for a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances including the financial condition of both parents and provided that the ground for termination provided in the subparagraph and to...shall only be available with the petitions brought by the father...by the mother or the husband of the mother...the husband or the mother. What I'm saying to you is, the court is not going to let this consent

just go bye-bye. There has to be adequate proof to the court that the...that every reasonable effort has been made to notify the father.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Karpiel. Senator Marovitz.

SENATOR MAROVITZ:

Well, a couple of things. First of all, Senator Fawell brought something to my attention in the next bill. The next bill deals with...with adoption. This bill deals with foregoing parental rights and while a...the notice provision was put into the adoption legislation which is the next bill, 2077, it was not put into...2076 in the bill which would abrogate parental rights. What I'm concerned about, Senator Geo-Karis, and maybe I'm wrong, but I haven't had really time to look at, it's the first time we're...we're seeing this entire revision here; and in...in Amendment No. 2, not under number one but under small two, it says, "To make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child." Now, there is no time limit there. If we're trying to speed this up so we can allow for adoptions, which I think, is a very good idea, in the second portion of that bill which would abrogate parental rights, there is no time limit in which that father has to make a good faith effort to pay reasonable amounts for the birth of the child or support of the child. So, that seems to be a tremendous loophole. At what point do we say, well, he hasn't made this effort, so, therefore, we're going to...he's going to abrogate all of his parental rights?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Two things, one is at the beginning of the paragraph it says if he's been informed...within thirty days of being

informed and the other part is...in the next bill it has up to six months...the child has to be up to six months of age of the child. So, the two bills are companionate. This what I'm trying to tell you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Let me...let me...the two bills are similar but they are not companions, let me just say that, and we're...we're dealing with 2076. If we pass this bill, this goes to the Governor's Desk. The next bill deals with adoption. This bill...bill does not deal with adoption, it deals with abrogation of parental rights, that's a separate and distinct subject matter. What I want to know is, there is no time frame on the small two here. I'm not...I'm not disagreeing with what you're trying to do and I think Director Johnson has done a terrific job and...and...and has the best of intentions here. What I'm trying to say, is this properly drafted, is it tight or are we opening up some loopholes here that may cause us some serious problems in the future? That seems to be the case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't think we're creating loopholes. What we're doing, in effect,...what this is showing an element of unfitness on the part of that parent who doesn't give a darn about the child. I mean,...well, that's what it says. If you read the whole amendment, it's in there. It's very...I think it's very succinctly stated, and I'm not kidding you...I'm not sponsoring this just to make noise, I think we need it. Those of us who've done adoptions know how important this is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I know you're...I know you're serious and I know the House sponsor is serious and I know that Director Johnson is...is very serious...first of all, this is a...this a bill that abrogates parental rights that didn't go through the committee process. Okay? This...this amendment was added, it becomes the bill, it is...it is basically the bill and...and...and was added in the House. Now there are no standards in the second part of this amendment. You're going to abrogate the entire parental rights of somebody, you have standards in number one, you have thirty days, very good, but in number two, there are no standards whatsoever. It is very vague. There's no time frame. There are no standards. Shouldn't we tighten this up before we take away a father or mother's...well, a father, probably,...take away their entire parental rights? Shouldn't that be tight?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This amendment does not become the bill. This only takes a change in lines 14 through 19 on page 3, and...hold on a minute...and the...it deletes...just a second...it replaces parts of it but I do think that the bill the way it stands is going to be a help to adoptions because it's going to be a help to show whether or not this father is unfit, it's a form of unfitness.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Well, thank you, Mr. President. I regret having to continue in this line of questioning but I...I'm reading the amendment and I am disturbed because what we are saying here is that if the father cannot prove...and the burden is upon him, if the father cannot prove that he has made a good faith

effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, his parental rights can be terminated. I think that that's a pretty severe penalty imposed upon somebody who, A, may not know even where the courthouse is; B, you're imposing upon that person the burden of proof regarding his ability to...to pay for expenses which in most of these cases weren't even incurred by the...by the mother. They may have...they were probably incurred by some public aid agency and we're going to terminate his parental rights because he can't prove that he was able to pay public aid back. I think that's very dramatic and far too damaging to a father's rights as to his child just because of a question of a few dollars, and I have not worked on this bill, it's the first time I'm looking at it, but to me it seems that you're...you're imposing a very dramatic penalty on an unsophisticated clientele regarding only the payment of money, and because of the payment of money, you're terminating his rights to his child. I can't support that kind of an approach.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we have at least four additional speakers. Senator Lemke.

SENATOR LEMKE:

I think this bill should be in conference, Adeline. I...I just see some problems with this. The other problem as Art brought up...you know there's a lot of people out there, even though we passed a new Paternity Act and...decriminalized things, I still think it's a crime to have...they might have had a child while they were married or they might have a child...out of wedlock and...and these guys are still afraid that they're going to be prosecuted and we still have a Criminal Code that makes it a crime for fornication and adultery and...and this is a big thing,

and...and I think the burden should be on the...not on the guy to prove but the...the person that...that...the burden should be on the person that says he is an unfit. I mean,...in no way in...in...justice system does a guy have to prove he's unfit, he's fit. We assume that every father is a fit father and just because he fails to pay some money, I mean, there's a lot of circumstances that are involved and I think what we should do is the guy should be brought in court...we...we gave them a Collection Act, he should be brought in court and he should be forced to pay. I think that would help us the easy way, but to...ruin somebody's rights in regards to their...their...their son or their daughter, I think is wrong. I mean,...we should be very careful in interferring with natural parents. We should be very, very careful and I...I think this bill we should put into conference and try to work out some of the difficulties.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

I rise for this purpose; first of all, the guy who doesn't care about his kid, I...I have no sympathy for, but I...rather than go on and belabor it, I would like to divide the question and I will nonconcur with the first amendment and ask for concurrence on the second amendment which is a technical amendment, it changes two inverted words.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, why don't...why don't you just nonconcur on both and...

SENATOR GEO-KARIS:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

All right, let me just...retract what I said. Let me nonconcur in both in order to track this right, and may I just say, I should...we should not be concerned about having the woman...for heaven sakes, if he's not going to take care of his kid, we're going to just give him a free ride constantly? No. I move to nonconcur, but right now, you're boiling me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves to nonconcur in House Amendments 1 and 2 to Senate Bill 2076...nonconcur in House Bill 2076. Those in favor indicate by saying Aye. Opposed Nay. Ayes have it. Secretary shall so inform the House. Motion carries. Twenty-one...page 21, Senator Geo-Karis, same motion? Wait a minute...

SENATOR GEO-KARIS:

This is the next bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Top of page 21, Senate Bill 2077, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2077 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

This is Amendment 1 to Senate Bill 2077. This is an amendment that further...defines the circumstantial requirements relating to adoption of a child born out of wedlock as the requirements pertains to the father's knowledge of the birth and maintenance of a...of...of a relationship with the child. If you look...it's one...Amendment 1, and it certainly provides for a notice in Amendment 1 and...I...it provides that...to show that...there has to be a showing of the father of the child born out of wedlock when the following circumstances apply; one...A, that he has been informed that

he is the father of the child; B, that the child has been placed for adoption when under six months of age and, C, the father has failed to do at least one of the following; one, openly live with the child for a continuous period of at least one-half of the length of the child's life prior to...prior to placement for adoption unless prevented from doing so by the mother or any other party and, two,...Roman Numeral II, openly holds themself out to be the father of the...the child under such a period or, three, pay a fair and reasonable sum in accordance with his means for the medical, hospital and...nursing expenses incurred in connection of the mother's pregnancy with birth of the child or, four, to be the father of a child born out of wedlock where the following circumstances applied, where he has been informed that he is the father of the child and where the child who's adopted...been a legal custody petitions for adoption for at least six months since birth and where the father has failed to make payments toward the support of the child of a fair and reasonable sum according to his means, and...or...and either the father has failed to visit the child at least monthly when physically and financially able to do so and not prevented from doing so by the person or agency having lawful custody of the child and, two, that the father has failed to maintain regular communication with the child, et cetera. I think that this is a good amendment and I move for the concurrence of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary, you want to put it on the board. Senator Geo-Karis has moved to concur with Amendment 1. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

...I...I concur with the intent of this. I have one serious question and I don't know the answer and you need to point it out to me and I discussed it, I think,

with...briefly with Senator Fawell. What about the requirement that the father be informed of the birth of the child and the residence of the child? Can you show me where that is that the father would have to be informed of the birth of the child and the residence of their...of...of the child and that there be returned receipt acknowledging the fact that he has, in fact, been informed of the matters in the...in the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The inform part was the part I put in at your suggestion, if you'll recall...it was in there, the father...where the father has been informed that he is the father of the child. All right? Now, the court is going to take care...take cognizance of everything. The receipt...this has...it's going to have to be sufficient receipt before the court. No court is going to go just on the word of someone, you know it and I know it. I know my courts don't. There has to be some absolute proof of notice.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Well, we're writing the law here, so let's...let's...let's take a look at the bill and say, since we're writing the law, what requirement of notice are we going to demand before we tell a father that child has been adopted and you lose all your rights? I'm not disagreeing with what you're saying, I'm just trying to make sure that there is notification. I...I...Adeline, if a father is not interested in a child, I want to take away his rights, I agree with you, but at least I want to know that he's been informed and has made an informed decision not to be interested, not pay, not to acknowledge, whatever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

If you read the bill in its an...entirety with the amendment, I think you...it should...it should satisfy it...satisfy you because what we're trying to do is help...children be adopted when the father of the child doesn't care, and all we're asking here is...and I'm saying it again, there is...he has to be notified of the residence of the child.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

All right, I'll...I'll...I'll simply ask you the question. What page and line number do the notification provisions in the bill sit on? I mean, exactly where is it? We're not talking about the substance of the bill or your intent, I'm talking about a page and line number where there has to be a standard of notification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

If you want me to state for the record, the intent is that he has to have adequate notification either by certified mail, return receipt requested or by publication whichever...is applicable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I...I think I can bring this thing to an end. Adeline, I think everybody in this Chamber probably agrees with the intent and the substance of the legislation. My suggestion to you, as a lawyer...speaking as a lawyer and to a lawyer, is that you nonconcur, put the bill in conference, put the

notice requirement in the law, it'll be tight, it'll be safe, the bill will pass, it'll go to the Governor and he'll sign it and everybody will be protected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will Senator Marovitz tell me what he considers adequate notice?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Sure, I...I...I will tell you. First of all, there should be a signed returned receipt that...that...that the father has, in fact, received notice that there's been a birth and where the location of his child is. A return receipt requested will be a very simple thing to put in the legislation. That would satisfy me and I think make this a very tighter law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

And when we can't find the father, what do I do?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

If...if you cannot find the father after due diligent attempt and a...and a passage of a certain period of time, that's...that's a different story. We can put that in the legislation after...after there has been...diligent attempts to locate that father at his last known address, last place of work; we have this in other...other parts of the law, we ought to put that in a bill where we are taking away all the rights of the father. That's all we're saying, we're not arguing with what you're trying to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Under the present law, as you and I both know, when their can't...the father can't be found or he's no...not located, there's publication...publication notice has to be made through the papers, you and I both know that. So, I'm saying to you, and I've said it for the record, there has to be adequate notice, either by certified mail, return receipt requested to the father at his last known address or...I'll say it right now, but I'm giving you the legislative intent right now, and I'd like to move for concurrence on this because I think we're going too far afield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, for what it's worth, I think there's an awful lot of concern here for the unmarried father. I remember when I first came down here if...I think I'm correct on that, the law was that he had absolutely no rights at all. If the child was born, it could be put up for adoption and you didn't have to get the consent of the...of the unmarried father. All of a sudden, we're awfully concerned about these individuals, ninety percent who after the happy night is over really don't want to be found anywhere when they find out that the young lady is now pregnant and they may have to support her when that child is born; in fact, most of these people are hiding so that they can't be found. All of a sudden, we're absolutely concerned about this young man who is now a father and...if he's that proud of his child, I suggest that he follow the requirements that are involved here, run in and establish a paternity suit for yourself so that you are the father. Back in my county, ninety-nine percent...or ninety-nine and three-quarter percent of the cases,

you're trying to find the guy to pin paternity on him. Let him run into the hospital and pay the medical bills. Let him go to the...to the young lady's...parents and say, hey, that's my child, I want to pick up all these medical expenses. What's all this concern for the unmarried father? It's time that we made and put into society a means by which these children can be adopted and put into a home where some father and mother really wants them, and I think we ought to concur in this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I don't purport to compete with the distinguished lawyers on...on this Senate Floor, but, as Senator Marovitz pointed out, the law is what the bill reads, and if...if...if she's really...if Senator Geo-Karis is really concerned about the child, then she will put this bill in Conference Committee...because what could conceivably happen is a father did not receive proper notice as such, that child goes up for...I mean, adoption, that father comes into court and that father can get that child because he was not properly notified as such. Now we all agree that the father of a child...if he doesn't want to take care of the child, this is good legislation. We agree with the intent and for the Senator to refuse to put the bill into a Conference Committee to clear up that problem, the judge is going to rule as to what the law says, and what the law says is that...that he does not have to receive a certified mail...mail...proper notice should not be given. Why don't we spell it out in the bill so that you can protect the child? If you want to protect the child going for adoption, you will put that in the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I heartily concur with Senator Sangmeister's remarks. I have already set it forth for the record that there should be adequate notice either by...by a...by certified mail, return receipt requested or publication when they can't find them, and I might tell you right now that no court is going to deprive a father of any rights, even though he hasn't looked after the kid, unless there is adequate notice, and I move for concurrence of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with House Amendment 1 to Senate Bill 2077. Those in favor will vote Aye. Those opposed Nay. The voting is open.

PRESIDENT:

All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 1 Nay, 11 voting Present. Senate Bill...the Senate does concur with House Amendment No. 1 to Senate Bill 2077 and the bill having received the required constitutional majority is declared passed. 2091, Senator Berman. On the Order of Secretary's Desk Concurrence is Senate Bill 2091. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2091 with House Amendment 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment that I move to concur in merely provides that the student's...eligibility for participation in gifted education programs shall not be conditioned upon race, religion, sex, handicap or any other factor other than the student's identification as gifted or talented. I move

AB2100 Concurrence

the...concurrence in House Amendment No. 1.

PRESIDENT:

Senator Berman has moved concurrence with House Amendment No. 1. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2091. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2091 and the bill having received the required constitutional majority is declared passed. Senator Luft on 2100. On the Order of Secretary's Desk Concurrence is Senate Bill 2100. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2100 with House Amendment No. 2.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to nonconcur in House Amendment No. 2 and ask the House to recede from Amendment No. 2.

PRESIDENT:

All right. Senator Luft has moved to nonconcur in House Amendment No. 1 to Senate Bill 2100. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2129, Senator Degnan. On the Order of Secretary's Desk Concurrence is Senate Bill 2129. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2129 with House Amendment 2.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. House Amendment 2 contains many of suggested legislative changes suggested by State's Attorney Richard Daley of Cook County. Those include amending the juvenile court's speedy trial provisions which was passed out of the Senate earlier this Session by Senator Marovitz on a vote of 57 to nothing. Also the State's right to a jury trial similar to something passed out 48 to 3 by Senator Jeremiah Joyce earlier this Session, and the Narcotic's Forfeiture Act sponsored and passed by Senator Lemke 54 to nothing earlier in this Session. What Amendment No. 2 also includes and is not part of State's Attorney of Cook Counties legislative package is a reference to Section 9 which repeals Section 4 of the Juror's Law and eliminates categorical jury exemptions. For that reason, I move to nonconcur, ask the House to recede from Amendment No. 2 to Senate Bill 2129.

PRESIDENT:

All right. Senator Degnan has moved to nonconcur in House Amendment No. 2 to Senate Bill 2129. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Joyce, 2165. 2173, Senator Luft. On the Order of Secretary's Desk Concurrence is Senate Bill 2173, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2173 with House Amendment No. 1.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate not concur in House Amendment No. 1 and ask the House to recede from that amendment.

PRESIDENT:

All right, Senator Luft moves to nonconcur in House

Amendment No. 1 to Senate Bill 2173. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2177, Senator Lemke. On the Order of Secretary's Desk Concurrence is Senate Bill 2177, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2177 with House Amendment No. 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this...bill does is increases the number of enterprise zones that the Governor can make this year to...from...to thirteen...from eight to thirteen. It also extends the...creates sixty enterprise zones to make up with the ones that we have increased the amount of enterprise zones. It also has in there grants for labor management committees or projects that will promote labor...management and relations matters. Matching grants may provide as much as seventy-five percent of the program operating costs for the first year. This is a...I understand, the recommendation by...Department of Community and Commerce Affairs. I ask for...its adoption.

PRESIDENT:

All right, Senator Lemke has moved concurrence in House Amendment No. 1 to Senate Bill 2177. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2177. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2177 and the bill having received the required constitutional majority is declared passed. Senator Lemke, for what purpose do you arise?

SB 2165 concurrence

SENATOR LEMKE:

Apparently, my...I didn't...I didn't press my switch. If I had, I would have voted Yes on 2177.

PRESIDENT:

Record will so indicate. Let's back up and go to 2165, Mr. Secretary, please. Senator Joyce is back with us. On the Order of Secretary's Desk Concurrence, Senate Bill 2165, 2-1-6-5, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2165 with House Amendments 1, 3, 4, 5, 6, 7 and 8.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I ask that the Senate do concur with House Amendments No. 1, 3, 5, 6, 7 and 8 to Senate Bill 2165 and that the Senate do not concur with House Amendment No. 4 to Senate Bill 2165.

PRESIDENT:

All right, Senator Joyce has moved concurrence in House Amendments 1, 3, 5, 6, 7 and 8. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Senator Joyce, since we had had some discussion about this bill at the time it passed the Senate, could you...state what Amendment No. 4, which I believe is the one for which you're asking nonconcurrence...what that amendment does?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I am asking nonconcurrence with Amendment No. 4 in order that this matter be placed in a Conference Committee...for other purposes, I would be concurring with it, that

is the provision which prohibits any person from advertising in any Illinois media that another state has a lower minimum drinking age than Illinois, that takes that out and that was taken out at the insistence of a substantial number of House members and taken...and I will be concurring with that or would be agreeable to that at a later date for the purpose of having the bill passed in the House, but at this point, I'm asking nonconcurrence so that this matter go to a Conference Committee.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Does House Amendment No. 8, in your opinion,...I discussed this with you or your staff, is that resolved...do you think the question we were talking about earlier regarded eligibility for a restricted driving permit after a certain period of time for those under the age of twenty-one?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

House Amendment No. 8 to Senate Bill 2165 was initiated by your discussions, and I think you have been privy to most of the conversations and communications with the Secretary of State's people on that matter and, yes...the answer to that is yes.

PRESIDENT:

All right, Senator Joyce has moved concurrence in House Amendments 1, 3, 5, 6, 7 and 8. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3, 5, 6, 7 and 8 to Senate Bill 2165. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with

SB2185 Concurrence

House Amendments 1, 3, 5, 6, 7 and 8 to Senate Bill 2165. Senator Joyce now moves to nonconcur in House Amendment No. 4 to Senate Bill 2165. All in favor of the motion to nonconcur indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2185, Senator Lemke. On the Order of Secretary's Desk Concurrence is Senate Bill 2185, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2185 with House Amendment 1.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

This is the 1986 Legislative Reference Bureau Revisory Act, and the amendment that was put on in the House was a technical amendment, contains no additional...nonsubstantive changes and was...that were discovered by the LRB after the bill was...was introduced. I ask for favorable consideration.

PRESIDENT:

All right,...Senator Lemke has moved concurrence with House Amendment No. 1 to Senate Bill 2185. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2185. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2185 and the bill having received the required constitutional majority is declared passed. 2191, Senator Welch. On the Order of Secretary's Desk Concurrence is Senate Bill 2191, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2191 with House Amendments Noed. 1, 2 and 3.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move to concur in House Amendments No. 1, 2 and 3. These amendments are to the public aid reform package that we have passed out of the Senate earlier in the year and there's several bills coming up on the same package. The bill that I handled, 2191, initially dealt with amending the code to authorize restriction of access to medical care recipients who use...whose use of such aid is excessive or abusive. Amendments added by the House...Amendment No. 1 authorizes the Department of Public Aid to select a primary care provider if after a reasonable period of time the recipient fails to do so, allows the recipient to change providers if primary care provider wants to withdraw from the obligation, requires the Department of Public Aid to establish procedures for such instances of...of withdrawal, requires the Department of Public Aid to inform the recipient prior to the restriction of the reason for the restriction and details on how he or she should appeal that decision. It allows the recipient accessed information on which the decision was made and requires an evaluation after one year to determine if the restriction will end. This amendment was the result of negotiations between the Legal Assistance Foundation, the Illinois State Medical Society and the Department of Public Aid. Amendment No. 2 merely deletes an extraneous word in the bill, the word being "an," A-N. The third House amendment requires the...Department of Public Aid to ensure that once a primary care provider decides to withdraw from their obligation, that the recipient is provided medical care until the Department of Public Aid or the recipient designates another primary care provider; the recipient, from the date of the withdrawal, shall have continuous and unrestricted access to medical care, and I would move adoption...concurrence with these amendments.

PRESIDENT:

All right, Senator Welch has moved concurrence with House Amendments 1, 2 and 3 to Senate Bill 2191. Discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2191. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 2191 and the bill having received the required constitutional majority is declared passed. Senator Watson on 2192. On the Order of Secretary's Desk Concurrence, the top of page 22, is Senate Bill 2192, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2192 with House Amendment 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that we concur with House Amendment No. 1 to Senate Bill 2192. This is the corporate...veil legislation in regard to the public aid fraud efforts that were put forth by the late Senator Bloom. The...the effects of the Amendment No. 1, which was a technical amendment, allowed for cross-reference to other sections of the Public Aid Code which also dealt with vendor fraud, a clarified provision of the reinstatement of benefits or payments to those...entities prohibited from receiving such benefits or payment due to the termination or suspension because of fraud. This gives the department the opportunity to come back in and reinstate someone who has been suspended.

PRESIDENT:

All right, Senator Watson has moved concurrence with House Amendment No. 1 to Senate Bill 2192. Discussion? If

not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2192. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 2192 and the bill having received the required constitutional majority is declared passed. Senator Sommer, for what purpose do you arise, sir?

SENATOR SOMMER:

Mr. President, a matter of personal privilege.

PRESIDENT:

State your point.

SENATOR SOMMER:

I'd like to take the opportunity to introduce to the Body...or reintroduce, Senator Cliff Latherow, who left us some years ago and still looks like he did then.

PRESIDENT:

Cliff, welcome back. Senator Watson on 2193. On the Order of Secretary's Desk Concurrence is Senate Bill 2193, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2193 with House Amendment 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you. This is another one of the public aid fraud measures that passed the...the Senate unanimously and was amended in the...in the House and I would like to move that we concur with House Amendment No. 1 to Senate Bill 2193. The original legislation provided that a defendant could escape liability if he or she could show that no part of the communication was made, transmitted or received within Illinois. It was his burden to prove. The amendment removes

that burden of such a showing that the defendant and instead says simply that the State must allege and prove that the communication was made, transmitted or received within Illinois. I move for its adoption.

PRESIDENT:

Senator Watson has moved concurrence with House Amendment No. 1. Discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2193. Those in favor will vote Aye. Opposed vote Nay. The voting is open...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2193 and the bill having received the required constitutional majority is declared passed. Senator Watson, are you going to handle 2194? On the Order of Secretary's Desk Concurrence is Senate Bill 2194, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2194 with House Amendment 1.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

This particular piece of legislation dealt with mail fraud where the...the previous one dealt with wire communications. This does the very same thing that I explained on the last legislation only it deals with mail fraud instead of the wire communications.

PRESIDENT:

All right, Senator Watson has moved concurrence with House Amendment No. 1. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2194. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2194 and the bill having received the required constitutional majority is declared passed. Senator Geo-Karis on 2196. On the Order of Secretary's Desk Concurrence is Senate Bill 2196, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2196 with House Amendments No. 1 and 2.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Senate Bill 2196 has two amendments on it. Amendment 1 provides that...adds a provision to the bill relating to...regional youth planning commissions and juvenile detention homes, and Amendment No. 2 requires that regional youth planning service areas, local boards and local service areas be reviewed every four years. I move these passages of these amendments and the concurrence of the bill.

PRESIDENT:

All right, Senator Geo-Karis has moved concurrence with House Amendments 1 and 2 to Senate Bill 2196. Discussion? Senator Keats. Your light...he reconsidered, you know. If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2196. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2196 and the bill having received the required constitutional majority is declared passed. Senator Davidson. On the Order of Secretary's Desk Concurrence is Senate Bill 2197, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2197 with House Amendment No. 2.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move we concur in House Amendment No. 2. Amendment No. 2 adds the word "lead" in front of "BB" so that the correct...they interpret what the BB would be and then adds "steel shot trace number two" or something like that but it...it has to be changed so that the steel shot which is now required by the Federal lawsuit about not using lead shot in certain areas of the water fowl hunting that this shot...this steel shot would be legal to use. I move the...that we concur.

PRESIDENT:

All right, Senator Davidson has moved concurrence with House Amendment No. 2. Discussion? Senator Netsch.

SENATOR NETSCH:

A...a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

I'm not clear whether we are...to sort of put it bluntly, making it easier to shoot deer with big things or more difficult.

PRESIDENT:

Bambi is watching. Senator Davidson.

SENATOR DAVIDSON:

Has nothing to do with shooting deer. This has to do with the use of steel shot which is mandated by the Federal Court for water fowl shooting, and this was a bill that gave the only vehicle to correct that item which was found when the Federal Court laid it down, and this is the request of the Department of Conservation so that steel shot of this

AB 2212 concurrence

diameter can legally be used by goose and duck hunters in those counties which is mandated by Federal Court to use steel shot.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 2197. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, 1 voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 2197 and the bill having received the required constitutional majority is declared passed. Senator Watson on 2212. On the Order of Secretary's Desk Concurrence is Senate Bill 2212, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2212 with House Amendments Noed. 1 and 2.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Amendment No. 1 provides that a preliminary hearing to revoke parole need not be held when the revocation is based on the new criminal charge and the court finds probable cause on the new criminal charges. The provisions of these amendments...or this amendment, No. 1, was suggested by the...was suggested by the Department of Corrections, and it also provides that an inmate of a State penal institution may only change his name by filing a petition. We have problems within the correctional system of inmates changing their name literally weekly and this way they'll have to do it by court order instead of by common law. Third provision of Amendment No. 1 says that...provides for former employees of the Department of Corrections who are called as defendants or witnesses in

civil...proceedings shall receive reimbursement for travel expenses, per diem and attendance fees, and this reimbursement shall apply in the event of the Attorney General certifies that the former employee is reasonably required to attend such proceedings. Oftentimes a former correctional officer employee gets called after he's left the Department of Corrections...as a place of employment and gets called for a lawsuit or whatever. This allows them to reimburse that particular individual. Amendment No. 2 provides that an order of discharge from...parole becomes effective upon entry rather than receipt of the order, and this amendment was suggested by the Prisoner Review Board, and I would suggest that adopt and concur with House Amendments 1 and 2 to Senate Bill 2212.

PRESIDENT:

All right, Senator Watson has moved concurrence with House Amendments 1 and 2 to Senate Bill 2212. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 2212. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2212 and the bill having received the required constitutional majority is declared passed. On the order of Secretary's Desk Concurrence, Senate Bill 2255, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2255 with House Amendments No. 1, 2, 3 and 8.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to concur with House Amendments 1,

2, 3 and 8. Amendment No. 1 incorporates provisions designed to aid the Farm Development Authority in establishing a secondary market for its guaranteed loan program. Amendment No. 2 was prepared by the Department of Energy and Natural Resources. It's designed to bring the rural energy conservation part of this bill into compliance with the allowable uses of the Exxon funds. Amendment No. 3 deletes the provision that we had in the original bill which would have left the sales tax portion of the motor fuel taxes at the county level for use on county and the municipal and township roads. It deletes that portion of the bill. And Amendment No. 8 provides for a gubernational appointment of a thirteen-member advisory council of ag. related interests to advise the State Board of Education with appointment subject to advice and consent of the Senate. This brings this bill into compliance with Senator Maitland's bill for the Ag. Education Program Development. I would move for concurrence in these amendments...passage of the bill.

PRESIDENT:

...all right. Senator Poshard has moved concurrence with House Amendments 1, 2, 3 and 8 to Senate Bill 2255. Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Senator Poshard, on...House Amendment No. 2 that deals with the Exxon money, can you give me what the level or what the eligibility is for this program within this bill?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Senator Donahue, there's a committee that met just this morning. I think Chief of Staff Riley, with Senator Schaffer and Senator Netsch and I think Representative McPike and others met to discuss the provisions and the distribution of the Exxon funds and that was agreed to. At present, none of the Exxon funds will flow through this particular provision in this bill. They will be divided up according to the wishes of that committee this morning. Additional monies which may come down the pike would be funded through this bill later, but that's another...for another time.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well, my only concern...and the reason I raised this is that...with the dictates from the courts that these have to be used for low incomes that if we use some median and all this fangled formula that I have just heard about, we may not be eligible for that and I was just questioning that.

PRESIDENT:

...Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Donahue. The...the whole purpose of this amendment was to bring us into Federal compliance for the use of those funds should they be available through this particular section and that's what this amendment does.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3 and 8 to Senate Bill 2255. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2, 3 and 8 to Senate Bill 2255 and the

bill having received the required constitutional majority is declared passed. 2271, Senator Savickas. 2283, Senator Geo-Karis. Senator Geo-Karis, going once. On the Order of Secretary's Desk Concurrence is Senate Bill 2283, Mr. Secretary.

END OF REEL

REEL #6

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2283 with House Amendment 1.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, House Amendment 1 deletes everything after the enacting clause and amends paragraph 708 in the...Chapter 56 1/2 to provide that a person guilty of illegal...cultivation of cannabis should be punished on the basis of how many such plants were produced or possessed. Paragraph 709 was also amended to facilitate the charging of persons engaged in large scale production under the conspiracy provisions. These provisions allow for a more reasonable penalty schedule rather than a present Class A misdemeanor regardless of the size of the operation. I move the passage of the bill.

PRESIDENT:

All right. Senator Geo-Karis has moved concurrence with House Amendment No. 1 to Senate Bill 2283. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2283. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2283 and the bill having received the required constitutional majority is declared passed. Senator DeAngelis, 2285. On the Order of Secretary's Desk Concurrence, the bottom of page 22, is Senate Bill 2285. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2285 with House Amendments Nod. 1 and 3.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

...thank you, Mr. President. I move that the Senate concur with House Amendments No. 1 and No. 3 to Senate Bill 2285. 2285 is the corridors of opportunity bill. The House as their price for passage determined we ought to make some regional distributions. I had a time with one-third of the money going to the City of Chicago provided that they have an economic development council in place and they match with either funds or in kind contributions, the remainder to go throughout the State evenly distributed and there is a limitation of two percent...I'm sorry, three percent for administrative costs. I understand that DCCA and the Governor's Office has concurred with the House's action and I would urge the rest of this Body to do so also.

PRESIDENT:

All right. Senator DeAngelis has moved concurrence with House Amendments 1 and 3 to Senate Bill 2285. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator DeAngelis, what do I do in the downstate areas where we have regions rather than cities, then what happens?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, the bill calls for regions rather than cities except in the case of the City of Chicago.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I haven't read the bill, but I...looking at the

synopsis here, it says that...requires that DCCA funds be allocated on the basis of one-third to cities over one million in population and the remaining two-thirds to cities under one million in population, requires cities over one million in population to match received funds. I don't see where it says anything at all about regions.

PRESIDENT:

(Machine cutoff)...Demuzio.

SENATOR DEMUZIO:

I...I am...I am told that...that it does, in fact, say regions rather...okay. How...do the regions have to be bound together by some agreement in order to have the population in...in order to qualify under your amendment now or can individual cities do it or both?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Both, they do have to have a council, however, in order to do so.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So the corridors of opportunity include Carlinville and Roodhouse and Whitehall, separate or in aggregate?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, and Gillespie, which also has a very high Italian population.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you for pointing that out. What is the appropriation for these corridors of opportunity?

PRESIDENT:

...Senator DeAngelis.

SENATOR DeANGELIS:

2.5 million, Senator Demuzio.

PRESIDENT:

Senator...Demuzio.

SENATOR DEMUZIO:

How is that to be distributed? Is there some formula by which that is being distributed?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, a corridor has to make application. The City of Chicago allocation would be one-third of that amount provided they have an economic development council in place or councils. The rest of the groups, it would be spread out evenly in terms of population. So I would imagine that anybody who would qualify would be eligible for those funds if they meet the criteria.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

So, you have corridors of opportunity all over Illinois and no one is excluded, is that correct?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

If they qualify, that is correct, sir.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Holmberg.

SENATOR HOLMBERG:

Senator DeAngelis, our Digest states that this amendment deletes the provision permitting groups involved in a corridor council to be active in any more than one council. I know in our area we're already actively pursuing both the automobile corridor and the tourism corridor. How would that be done under the provisions of this bill?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I have to answer that off the top of my head, but what I think they're saying is we don't want two groups in the same area. But you can include anything in your corridor that you want to, you're not limited to just calling it an automotive corridor. You can include whatever you want to in terms of what the economic opportunities for your area might be, but I don't think we want to duplicate two councils in the same area.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

So what you're saying is that although we have two different goals, that we could combine both of those into one council and operate out of that council.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, you are requiring cities over one million to...in order to qualify for this funds to match. Is that a fifty percent match or what...what percentage?

PRESIDENT:

(Machine cutoff)...DeAngelis.

SENATOR DeANGELIS:

There isn't a...a specific amount; however, I...that was put in there to ensure that there be a council in place, that this not come because of this money. In other words, there'll be something there to begin with.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

No, you know, like the bill before, we...we're passing a law here. If you going to say that they have to match, it ought to be an amount designated. Then I have another question. You said the...in kind or...I guess,...in money that they can match. If you're not...suppose cities under one million, then there's another question...so...so...so actually what we're saying, Chicago would be the only city that...that would have to come with the matching...you can't even tell us whether it's fifty-fifty, forty-sixty fifty,...no, ninety-ten or what, you know.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

The department may require some of those other...but you've got to remember, in some of those...other areas, some of these councils have not been set up. Senator Collins, I believe this had been worked out with the Economic Development Council in the City of Chicago. The...the amount of match is discretionary, the department may require so much more, so much less.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

That's some of my problem with this...this whole bill

here is because everything seem to be...you know, discretionary. I...I'm looking here when it says...DCCA may require a corridor council to provide matching or in kind contributions on a case-by-case basis. Now, either...either we are going to require matching and everybody should match and it ought to be a designated amount, and we're going to allow matching on a...cash basis or an in kind basis based on some specific criteria. I don't see that here. You know, we shouldn't just do this so arbitrarily and...how are we to determine a basic of fairness here and we're not...setting any standards for DCCA to go on to make sure to ensure fairness of the distribution of these funds.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, the issue of fairness is...can provoke a lot of arguments, but the department has to report back annually. We went through that at the beginning, there was a concern about how loosely written this was at the beginning. The department does have to report back a lot of this information. If it's deemed that the department is being somewhat unfair or heavy-handed or whatever, that will come out. In the instance of the City of Chicago, there is, in fact, some mechanism there already that's performing this and their contribution will be counted as part as that in kind; but you have to remember, in some other parts of the State, they don't have this kind of an elaborate setup for economic development. I don't think you could set a number, as you couldn't for Chicago, on what that number should be. I have a good amount of faith in the department and I think it will be handled well, and if it isn't handled well, next spring we'll sure let them have it.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Senator, but you're missing my point. You...you must set some standards for match. If it's fifty-fifty or what, you...you must set...whether or not that fifty percent then is...is...is broken down in forty...you know, ten percent in kind and...and forty percent cash, that's another story. But you must set some match...some way to determine what the match would be.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support for a concurrence with the House amendment on this bill. In many areas of the State planning services for economic development are splintered among many groups, local planning agencies, regional planning commissions, local industrial councils, chambers of commerce and so on. This bill...this amendment would allow those different groups to coordinate their services, to coordinate their activities to establish common goals and objectives where a region based around maybe several different so-called corridors of opportunity, and it would just simply unify as one voice to speak for a region in terms of determining what the priorities for development of that region are. It's a good bill, I would...I would move for concurrence. I think it will mean a lot not just for those in the city but downstate as well.

PRESIDENT:

Further discussion? Any further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, this is a new program, I'm sure there are some questions. I think it will work real well and I urge our concurrence with House Amendments, I believe, 1 and 3.

SB 2288 Concurrence

PRESIDENT:

The question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 2285. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 2285 and the bill having received the required constitutional majority is declared passed. Senator Kustra on 2288. On the...top of page 23, on the Order of Secretary's Desk Concurrence is Senate Bill 2288. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2288 with House Amendment 1.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. House Amendment 1 to Senate Bill 2288 is Senate Bill 2104, sponsored by Senator Luft, which we passed out of here with a 55 to nothing roll call. It was hung up in the House Rules Committee. The bill was requested by Caterpillar Tractor and what it does is provide that job training expense shall be treated as a credit, currently it's treated as a deduction, beginning with tax year 1986. The credit shall be 1.6 percent of the training expenses and shall be passed on through partnerships in Subchapter S corporations. The credit may be carried forward for five years. There is language in the bill which restricts the job training expense deduction to amounts paid on behalf of persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois. The fiscal impact is expected to be approximately equal to the existing deduction under current law. I would move that we concur with House Amendment No. 1 to Senate Bill 2288.

SB2292 concurrence

PRESIDENT:

All right. Senator Kustra has moved concurrence with House Amendment No. 1 to Senate Bill 2288. Discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 2288. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2288 and the bill having received the required constitutional majority is declared passed. Senator Karpiel on 2292. On the Order of Secretary's Desk Concurrence is Senate Bill 2292, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2292 with House Amendments Nod. 1, 2 and 3.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to concur in House Amendments No. 1, 2 and 3 to Senate Bill 2292. Senate Bill 2292 as it went out of the Senate created the Habitual Child Sex Offender Registration Act to require a person convicted two or more times for sexual assault of a victim under eighteen to register with local enforcement...law enforcement agencies upon release from prison or probation. House Amendment No. 1 provides that the court will certify that a person is a habitual child sex offender prior to receipt by the Department of Corrections. Additionally, the amendment provides that a habitual child sex offender will be notified of the duty to register by an official of the place of...confinement or his designee. Amendment No. 2 is essentially the same as Senate Bill 2295 which was the bill which created an Act which provided for

SB2292 concurrence

prompt notification of local birth certificate registrars in schools when the Department of State Police has reason to believe that a missing child is enrolled in an Illinois school. And Amendment No. 3 makes several changes in the Habitual Child Sex Offender Act which were agreed to. It...defines the habitual child sex offender to include only those persons who have a second felony conviction after July 1, 1986, for certain felony sex offenses. The first conviction could have been out-of-state...or it could have been a number of years ago, but the second conviction has to be only after July 1, 1986. The duty to register applies only to that second conviction in Illinois after July 1st, and I move to concur and ask your support.

PRESIDENT:

All right. Senator Karpiel has moved concurrence with House Amendments 1, 2 and 3 to Senate Bill 2292. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2292. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 2292 and the bill having received the required constitutional majority is declared passed. 2293, Senator Geo-Karis. On the Order of Secretary's Desk Concurrence is Senate Bill 2293, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2293 with House Amendments Noed. 1, 3 and 4.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment 1 adds the clarification that school districts are

not included within a requirement for government agencies with access to criminal history records to...to submit fingerprints to the FBI. Amendment 3 adds in a clarifying amendment to clearly describe the type of acts covered by the...term "child pornography." And Amendment 4 is a...technical amendment to House Amendment No. 3 and I move the concurrence of these amendments.

PRESIDENT:

All right. Senator Geo-Karis has moved concurrence with House Amendments 1, 3 and 4 to Senate Bill 2293. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Question on...Amendment No. 1, Senator...two questions. The bill originally said that the superintendent of the school district would be the one that could ask for the criminal history. Now you've changed that to the president of the school board. What's the rationale for that, superintendent of the school district is the one involved in the daily ongoings with the...with the...with the schools and the educational process, not the president of the school board.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

My understanding is that the LRB made the change...in order to come into conformance with the other bills, is that right?...with other legislation that's passed relative to the same things.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Okay, well, more importantly,...in Amendment 1, on page 3, your amendment...reads this way. "State agencies and units of local government not including school districts authorized to have access to criminal history record informa-

tion by this section shall submit fingerprints to the FBI." That's all it says, what fingerprints? Whose fingerprints? For what...the amendment is...totally silent.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

The Department of State Police, it is supporting the concurrence of these amendments, all three of them, and the Inspector General, Jeremiah Margolis, is also supporting the concurrence of these three amendments, feel that they can work with this and that would...to me, it would seem...be the...the person who might be the one that may be involved and I might tell you that this Amendment 1 is supported by the IEA.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Senator Geo-Karis, this bill went through my committee, I am a hyphenated sponsor number two. I am in favor of the legislation. What I am telling you here is this was not on the bill as it came out of the Senate and you are saying here that the agencies shall submit, not discretionary, shall submit fingerprints; and in your amendment it doesn't say whose fingerprints, what fingerprints, the fingerprints of the president of the school board, the fingerprints of the Republican candidate for Comptroller, whose fingerprints? It doesn't say anything.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

My understanding that the school districts are not included within the requirement for government agencies with access to criminal history records or to submit fingerprints to the FBI. I'll repeat it again.

PRESIDENT:

Please.

SENATOR GEO-KARIS:

It's a good bill, we...which is supported. Let's concur with the amendments and let the changes be made by the Governor to make any corrections, for heaven sakes.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

I certainly hope, or maybe I don't hope, that when you're campaigning in the fall that you explain yourself a little better than what's happening here. We agree on the substance, I'm with you; but the fact is, what they've added in the House, in its infinite wisdom as our...our great President would say, is that the school...the agencies must submit fingerprints, period. They don't say anything about whose fingerprints, what fingerprints, why there's no discretion. I mean, the fact that it's a good bill and...that's great. We passed it in the Senate, no objections. Okay? They made a mistake in the House, they made a terrible mistake in the House. Okay? Let's correct it, that's all.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

All this is is for reporting to the FBI. I move for the concurrence and let's hope it's not your fingerprints or mine. I move for the concurrence of these three amendments.

PRESIDENT:

Senator Geo-Karis has moved concurrence with House Amendments 1, 3 and 4. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3 and 4 to Senate Bill 2293. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, there are 40 Ayes, 5 Nays, 8 voting Present...the Senate does concur with House Amendments 1, 3 and 4 to Senate Bill 2293 and the bill having received the required constitutional majority is declared passed. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 173 offered by Senators Sangmeister and Vadalabene.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President, members of the Senate. This resolution...as you know, we passed two Constitutional Amendments for which we have to prepare arguments to be placed in the...every...with the county clerk then...and who puts them out to all of the voters so you know what you're voting on this fall. One of them was the veterans' property tax exemption amendment and the other was the bail reform amendment. I believe the first one that we're talking about is the property tax exemption. Well,...the way we had that worded is we were supposed to report today and we don't have time. So what this resolution simply does is extend the date for reporting to June 30th, 1986, which is next Monday, and I think the proper motion at this time is to suspend the rules for the immediate consideration and adoption. We're not discharging any committee, as I understand it. Okay, so that's the motion...are we taking these one at a time, I take it?

PRESIDENT:

Yes.

SENATOR SANGMEISTER:

All right.

PRESIDENT:

All right. Senator Sangmeister has moved to suspend the rules for the immediate consideration and adoption of Senate

Joint Resolution 173. Discussion? Senator Davidson.

SENATOR DAVIDSON:

Just a second.

PRESIDENT:

All right. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Sangmeister now moves the adoption of Senate Joint Resolution 173. It merely defers the reporting date for the Constitutional Amendment arguments until June 30. All in favor of the adoption of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Joint Resolution 174 offered by Senators Sangmeister and Davidson.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you. Now this joint resolution...joint resolution refers to the bail reform amendment, and we're just asking that the same time be extended for it till...now, wait a minute, I'm looking at this and, all of a sudden, I see June 28th on here. What...why are we...I...no one...why are we going only to the 28th on this one and the 30th on the other? I should be asking myself that question.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I've been advised we're closer to our report than I thought we were, so the 28th, apparently, Senator Davidson, that's going to be enough time the way it looks? All right, so we're going to extend that one until June 28th, 1986, and I move the adoption of the joint resolution.

PRESIDENT:

All right. Senator Sangmeister has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 174. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Sangmeister now moves the adoption of Senate Joint Resolution 174 deferring the reporting date on the bail amendment arguments until the 28th day of June. All in favor of the...all in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

(Machine cutoff)...Resolution 1109 offered by Senators Demuzio, Rock and all Senators, it's congratulatory.

1110, by Senator Lemke is congratulatory.

1111, by Senators Zito, Rupp and Davidson and it's congratulatory.

1112, by Senator Degnan, congratulatory.

1113, by Senator Savickas, it's congratulatory.

1114, by Senator Barkhausen and it's congratulatory.

1115, by Senator Woodyard and it's congratulatory.

1116, by Senator Carroll and it's congratulatory.

1117 and 1118, by Senator Degnan and they're congratulatory.

1119, by Senator Davidson and all Senators.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd like to ask the suspension of the rules immediate and consideration of Senate Resolution 1119. It's in relation to Montgomery County which has started a brand new county fair and that event takes Friday and I'd like to have it be presented. They would like to...read it in their Better Government Day activity on Friday.

PRESIDENT:

All right. Senator Davidson has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1119, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Davidson now moves the adoption of Senate Resolution 1119. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate...Senate Resolution 1120 offered by Senators Rock, Collins, Welch, O'Daniel, Poshard, Lemke and all Senators.

PRESIDENT:

Senator Luft. With leave of the Body, he'll handle that for me. Put it...

SENATOR LUFT:

Thank...

PRESIDENT:

...on the board.

SENATOR LUFT:

...thank you, Mr. President. I ask leave to suspend the rules for the immediate consideration of Senate Resolution 1120.

PRESIDENT:

All right. Senator Luft has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1120, it is a congratulatory resolution. The person to be congratulated...the party starts tonight,...hopefully, we'll get it up there. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Luft now moves the adoption of Senate Resolution 1120. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted.

All right, Resolutions 1109 through 1118 will be placed on the Consent Calendar. Mr. Secretary.

SECRETARY:

Senate Resolution 1121 offered by Senator Jeremiah Joyce.

PRESIDENT:

Executive. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the adoption of their amendments to a bill with the following title.

House Bill 3036.

I am further directed to inform the Senate the House refuses to concur with the Senate, in the adoption of Amendments No. 7 and 11.

And a like Message on House Bill 523. They refuse to concur with Senate Amendment No. 2.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 225, 226, 227 and 228, all congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Senator Maitland, for what purpose do you arise, sir?

SENATOR MAITLAND:

Thank you, very much, Mr. President. To ask leave of the Body to ask...to suspend the appropriate rules and...and ask for the immediate consideration of House Joint Resolution 223.

PRESIDENT:

House Joint 223? All right. Senator Maitland has moved to take from the Consent Calendar House Joint Resolution 223 and asked to suspend the appropriate rule for the immediate consideration and adoption. Senator Maitland moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 223. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. On the Order of Resolutions is House Joint Resolution 223, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Again, this is a congratulatory resolution. It's necessary to get it to Bloomington by tomorrow morning, and I would ask for the Body's support.

PRESIDENT:

All right. Senator Maitland has moved the adoption of House Joint Resolution 223. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right, if I can have the attention of the Body, earlier today it was indicated when we were on the Order of House Bills 3rd Reading that we would get back to...if Senator Leitch requested, get back to House Bill 2986 on the middle of page 5. Senator Leitch, you wish that bill called? All right. On the Order of House Bills 3rd Reading is House Bill 2986. Senator Leitch seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2986. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Philip and Lechowicz.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It appropriates 74.8 million dollars for the first year of the Exxon refund. Move the adoption of Amendment No. 2.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 2 to House Bill 2986. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I would suggest, Mr. President, that the amendment is not in proper order because it includes substantive language in an appropriation bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

...thank you, Mr. President, Ladies and Gentlemen of the Senate. The Reference Bureau has indicated to us that it's in order.

PRESIDENT:

Well, the Reference Bureau doesn't rule, however. Further discussion? If not, the Chair is prepared to rule, Senator Philip, that the amendment as presented does attempt to place substantive language in an appropriation bill in violation of Article VII, Section 8D of the Constitution. The language of the amendment on the first page does more than limit the purposes for which the appropriated money may be spent. It seeks to limit the scope of a wholly substantive Act, the Energy Assistance Act; and because the amendment would place a substantive provision in this appropriation bill, the Chair is ruling that it is out of order...the spontaneity is real good, huh? Okay. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Sommer.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President...Mr. President and members, this amendment, I believe and have been led to believe, is the amendment that outlines the agreement reached among all of the parties as to Exxon. It is silent as to Section 7 unlike the previous amendment.

PRESIDENT:

I beg your pardon, this is Amendment No. 3. I understand under our rules, even though 2 was out of order, it was, in fact, properly presented and it will remain as Amendment No. 2. So this is Amendment No. 3. Any discussion on Amendment No. 3? Senator Netsch.

SENATOR NETSCH:

I think Senator Sommer is correct that it has excluded the language that was substantive that was in the prior amendment. I would just like to indicate for the record that although I was a participant...more than a participant in the negotiations, this does not reflect my judgment of what ought to be done with the Exxon money. I thought the proposal that it be divided forty million to help subsidize the twelve percent program and seventy-five million minus the necessary administrative costs to take care of weatherization for all low income people was the appropriate and proper division of the money. This goes much beyond that and at least does not reflect my judgment of how it ought to have been done.

PRESIDENT:

All right. Senator Sommer has moved the adoption of Amendment No. 3 to House Bill 2986. The opinion of the Chair is that it is in order as opposed to Amendment No. 2. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Leitch, we'll get right back to that after some intervening business, if that's your pleasure. Resolutions, Mr. Secretary. With leave of the Body, we'll move to the Order of Resolutions for intervening business.

SECRETARY:

Senate Resolution 1122 offered by Senator Rigney and it's congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. All right, with leave of the Body, we'll revert to the Order of House Bills 3rd Reading. The Chair had previously promised Senator Leitch we'd get back to that bill before the close of business. This will be the last order of business for today, and I might say that Senator Philip and I have decided that we will reconvene at one o'clock tomorrow afternoon. As I'm sure everyone is aware, the funeral of Attorney General William Scott is at eleven in Chicago and I understand a number of us will be attending. So we'll convene at one o'clock tomorrow and we will begin on the Order of Concurrence and handle, I hope, whatever is left, particularly the appropriations. On the Order of House Bills 3rd Reading is House Bill 2986. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 2986.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is the forty-nine million dollar appropri-

ation for the Illinois Farm Development Authority and as was just done a moment ago also has the Exxon...the Governor's position on the Exxon distribution, and I'd appreciate a favorable roll call.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2986 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. House Bill 2986 having received the required constitutional majority is declared passed. Further business to come before the Senate? Any announcements? If not, Senator Hall moves that the Senate stand adjourned until Thursday, June 26th, tomorrow at 1:00 p.m., one o'clock tomorrow, ladies and gentlemen. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

June 26, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...hour of one o'clock having arrived, the Senate will come to order. The members will be at their desk, our guests in the gallery will please rise. Our prayer today will be by the Reverend Doctor Roger Rominger, First United Methodist Church, Springfield. Reverend.

REVEREND ROMINGER:

(Prayer given by Reverend Rominger)

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Tuesday, June 17th; Wednesday, June 18th, and Thursday, June 19th; Friday, June 20th; Monday, June 23rd; Tuesday, June 24th, and Wednesday, June 25th, in the year of 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Vadalabene. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to a bill with the following title.

House Bill 2546 with Senate Amendments 1 and 2.

A like Message on House Bill 2573 with Senate Amendment 1.

A like Message on House Bill 3043 with Senate Amendment 3.

A like Message on House Bill...3266 with Senate

Amendment 1.

On House Bill 3422 with Senate Amendment 1.

And on House Bill 3475 with Senate Amendment 1.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate, to wit:

House Joint Resolution 172 and 218.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. The Chair would like to make an announcement that...very shortly, we will begin on the Order of Secretary's Desk Concurrences and go right down the Calendar, including the appropriations bills, so...(machine cut-off)...Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies of the Senate...Gentlemen of the Senate too. Information, what is going to be our format today?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our format, Senator Hall, is that we are within moments...momentarily, we'll...beginning on the Order of...page 8 of your Calendar, the Secretary's Desk Concurrence. We will go right down the Calendar, including the appropriations bills and we hope that we can conclude...that order of business today and afford the members an opportunity to have dinner this evening, perhaps, maybe around nine or ten, depending upon on what time we get started. Senator Hall.

SENATOR HALL:

Well, if we...we just may as well...if we're going to nine or ten, we just may as well make it midnight, so...thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SB 1607 Concurrence

(Machine cutoff)...leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1123 offered by Senator Woodyard and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I would move to suspend the appropriate rules for immediate consideration of this resolution. This resolution does have to be in Charleston over the weekend and, it's my understanding, the lady being honored is very near death and I would move for the adoption of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Woodyard has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1123 which is congratulatory. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Woodyard...Woodyard now moves the adoption of Senate Resolution 1123. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1123 is adopted. Is Senator Marovitz on the Floor? Senator Maitland. Is Senator Maitland on the Floor? All right, we'll go to page 8, on the Order of Secretary's Desk Concurrence. Leave of the Body to come back to 1519? Leave is granted. 1562, Senator Luft. All right, 1602, Senator Rock. 1607, Senator Etheredge. On the Order of Secretary's Desk Concurrence is Senate Bill 1607, Mr. Secretary.

SECRETARY:

Senate Bill 1607 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, I...move to concur in the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Etheredge has moved to concur with House Amendments 1 and 2. Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Will the gentleman kindly explain the amendments?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, Senator, there are two House amendments. Amendment No. 1 increases the appropriation by...just a little over seven million dollars, that is the amount that's necessary to fund the Veterans' Scholarship Program. And Amendment No. 2 increases the appropriation by eight hundred and twenty-five thousand dollars, that is...that is a Federal...that's Federal pass-through money to fund the Carl D. Perkins Scholarship Fund which will be starting during this next fiscal year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1607. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Senator Sangmeister. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51,...excuse me, the Ayes are 52, the Nays are 1, none voting Present. Senate Bill 1607 having received the required constitutional major-

SB 1673 Concurrence

ity is declared passed. (Machine cutoff)...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Can we have a little order in that corner?

PRESIDING OFFICER: (SENATOR DEMUZIO)

With Senator Keats over there, I don't think it's possible. All right, it's my understanding...Senator...it's my understanding that the...the appropriations' people have requested just a few more minutes before we finally get started because there's a meeting. Senator Maitland, are you ready to go on a substantive bill with Senate Bill 1666? Okay. Senator Topinka,...Senator Topinka, how about 1673? All right, with leave of the Body, we'll...we'll go to page 9. On the Order of Secretary's Desk Concurrence is Senate Bill 1673, Mr. Secretary.

SECRETARY:

Senate Bill 1673 with House Amendments 1, 2, 3, 6, 7, 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate, if you'll recall, yesterday I took this out of the record at the bequest of Senator Demuzio. He had a problem which I would like to note was not really related to this bill, but as a bonus, the problem was solved as well. So I foresee that he may very well be a supporter of this very good bill now and I would encourage a concurrence on Amendments 1, 2, 3, 6, 7 and 8. I don't think anybody is in difficulty; as we explained, it does not affect Cook County, the City of Chicago already does this. Everybody is pretty well signed off.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Senator Topinka, I'd like to ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates she will yield. Senator Kelly.

SENATOR KELLY:

Senator Topinka, can you tell me if this has to do...it seemed to me like if someone had their vehicle towed by a local gas station or something that that became a problem under legislation that passed last year at...some individuals. Does this have anything to do with the towing of private automobiles by towing...'cause you were talking the other day with this or...somebody raised a point that there were two different towing factions involved. Well, some individuals like to do their own towing or they like to ask their local gas station to tow their vehicle, and I want to find out if there's been anything which will permit that to be continued.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I don't think this affects them in any way. You know, again, we get back into licensure. If they're not, they're not; if they are, they are.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, it seemed like the...there was a provision under the legislation which allowed for vehicles to be towed by...by local gas stations. A lot of gas stations, you know, tow vehicles. I want to make sure that we're not doing anything to prevent them...I know we're...we're interested in getting licensures but a lot of these private gas stations...are not licensed like these licensed...what do you call them...vehicle movers are. So...that's the one I'm concerned about is the little gas stations, is that taken care of? Is there going to be anything in here which will prevent

a gas station from towing a vehicle?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

...it does not affect them at all; I mean, they can continue their businesses...unfettered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I believe there was some question on Amendment No. 1 initially when this bill was brought up in reference to the elimination of weight restrictions on garbage trucks. Could she...could she explain Amendment No. 1 and Amendment No. 7, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

We are not discussing the elimination of weight restrictions. The ultimate weight restrictions are retained, but what IDOT needed to clarify was the ability for garbage trucks and tow trucks to be able to function over and above their normal weight.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Does Amendment No. 1 exempt garbage trucks and tow trucks from the weight limitation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes...no, they have to continue to remain under eighty thousand pounds. It does not go over that, which I believe is also the Federal limit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

What about Amendment No. 7?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

That is basically, as we understand it, a technical change which was...requested by one of your Democratic members in the House, and that states that if a mailing address is a post office box number, the address listed on the driver's license record may be used to verify the residence. The Secretary of State has no problem either with the amendment. So we do feel that it...it just does the job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Does that mean an individual then can have a post office box number as his mailing address on his driver's license? Is that what this amendment does?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

I don't think so and it certainly would not be my intent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, what does this amendment mean then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The amendment basically allows the Secretary of State's Office to verify a residence if we do have a mailing address as a post office box number. However, again, I would state this was put on by a Democratic member in the House and I

merely allow them to use this bill as a vehicle, we'd probably have to go back to them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I really don't care who put it on in the House. It says "If the mailing address is a post office box number, the address on the driver's license record may be used to verify residence." My question is, if a post office box number is listed as a residence on a driver's license, does that mean that's the verification of it? It's crazy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

The answer to that is, no, this does not encourage, ask for or want post office box numbers. It would check out that...it would give the Secretary of State's Office the ability to check that post office box number as to a residency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Topinka may close.

SENATOR TOPINKA:

I...I think we've covered every problem that can possibly be and then, as I say, a few bonus ones for constituents as...as a byproduct. All of these amendments have been agreed to by the respective agencies. They take care of problems in clarification of the law, also in terms of towing which has been a consistent problem. I would ask for a concurrence on all of these amendments as...as I brought up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has moved that...the question is, shall the Senate concur with House Amendments 1, 2, 3, 6, 7 and 8 to Senate Bill 1673. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? George. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 10, 1 voting Present. The Senate does concur in House Amendments 1, 2, 3, 6, 7 and 8 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Savickas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...leave of the Body, we'll go to page 8, Secretary's Desk Concurrence to Senate Bill 1519, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1519 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This is the annual appropriation for the Auditor General. House Amendment 1 simply reallocates dollars from one category to another. There is no increase in the dollar amount as it left this Body, and I would ask that the Senate concur with House Amendment 1 to Senate Bill 1519.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1519. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1519 and the bill having received the required constitutional majority is declared passed. Senate Bill 1562, Senator Luft. Senate Bill 1602, Senator Rock. Senate Bill 1607, Senator Etheredge. This is done? Senate Bill 1610, Senator...Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

I believe we could have leave to do 1602, if there could be leave in the absence of Senator Rock to concur in Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll seeks leave of the Body to handle Senate Bill 1602 in lieu of Senator Rock. Hearing no objection, leave is granted. Senator Carroll on Senate Bill 1602. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1602 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move that we do concur in House Amendment No. 1. It did some reversal of action in the Graduate Student Fellowship Program. I believe it's now all agreed to and I move that we do concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1602. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1602 and the bill having received the required constitutional majority is declared passed. Senate Bill 1610, Senator Davidson. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1610 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I move that the Senate concur in House Amendment No. 1 to Senate Bill 1610. It reduces the total appropriation by twenty-seven thousand six hundred dollars out of general revenue. I move that we...concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1610. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1610 and the bill having received the constitutional majority is declared passed. Senator Nedza, for what purpose do you seek recognition?

SENATOR NEDZA:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR NEDZA:

I'd like to have the Senate welcome back an old colleague of ours, Senator John Merlo, who's trying to seek his seat again. Jack.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Merlo, welcome back. Senate Bill 1611, Senator Poshard. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1611 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senate Bill 1624, Senator Demuzio. Senate Bill 1628, Senator Rock-Philip. Senate Bill 1639, Senator Rock. Senator Carroll, would you like to

handle this for Senator Rock?

SENATOR CARROLL:

Yes, with leave of the Body, I would like to handle the Office of the State Treasurer and...and move that we do concur in Amendment No. 1 which deals with interest payments and principal payments, the new number that has just come in...I would that we do concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll asks leave of the Body to handle Senate Bill 1639 and its amendments in lieu of Senator Rock. Is leave granted? Hearing no objection, leave is granted. Now Senator Carroll seeks the passage of Senate Bill 1639...what amendment? House Amendment No. 1. Is there discussion? Hearing no discussion, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1639. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to House Bill...Senate Bill 1639 and the bill having received the constitutional majority is declared passed. Senator Carroll also seeks leave of the Body to handle Senate Bill 1628 in place of Senator Rock. Is leave granted? Hearing no objection, leave is granted. On the Order of Senate Bills...Secretary's Desk Concurrence, Senate Bill 1628, Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1628 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the legislative support agencies. As the

bill was traveling through the process, we've been able to identify what needs there are in the various support agencies for equipment and et cetera. The House added that by Amendment No. 1 and I move that we do concur in House Amendment No. 1 to Senate Bill 1628.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1628. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1628 and the bill having received the required constitutional majority is declared passed. Senate Bill 1666, Senator Maitland...Senate Bill 1673, Senator Topinka. Senate Bill 1698, Senator Demuzio. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1698 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Why don't you take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. All the way...Senate Bill 1709, Senator Netsch. Senator Netsch, 1709? Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1709 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

If I might, Mr. President, I'm going to move to nonconcur in all of those amendments. The reason being that we want

the bill into a Conference Committee. Its good provisions are going to show up elsewhere and the bill will probably end up just sitting on the Calendar...excuse me, until fall. So that...if there's anything in 1709 that anyone likes, apart from Senator Keats' goofy amendment, it will...it will show up in another bill. I'm sorry, Senator Kustra, I did not have time after Kean and I went through this this morning to get back to you and sort of go over it, but I will do that instantaneously. In any event, I would move to nonconcur to...with all four of the amendments on Senate Bill 1709.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch moves to nonconcur in House Amendments No. 1, 2, 3 and 4 to Senate Bill 1709. All those in favor indicate by saying Aye. Those opposed. The...Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1728, Senator Etheredge. Senate Bill 1737, Senator Etheredge. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1737 with House Amendments 1, 3, 4, 5, 14, 15, 16, 17 and 18.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to nonconcur in all the House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge moves to nonconcur in House Amendments No. 1, 3, 4, 5, 14, 15, 16, 17 and 18 to Senate Bill 1737. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1738, Senator Schaffer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1738 with House Amendments 1, 2, 3, 4, 8, 9,

12, 13 and 14.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I would like to move to nonconcur in Amendment No. 3 and to concur in Senate Amendment...or pardon me,...House Amendments No. 1, 2, 4, 8, 9, 12, 13 and 14.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, we will take the vote on the...the concurrences first...is there discussion on concurrence? Senator Carroll.

SENATOR CARROLL:

By way of explanation for the ease of some of the members, since this is the first one it's coming up on. We have been meeting with both sides of the aisle and both sides of the Rotunda. We do believe that in taking this action, the concurrence in House amendments, in this case, House Amendments 1, 2, 4, 8, 9, 12, 13 and 14, would be final action for the Senate, that the House would then recede from the amendment to which we nonconcur. This will be happening several times in the future, we hope, and it's the hope of the...of the normal conferees in approp. to avoid Conference Committee on as many bills as possible. So even though we'll...there will be a nonconcurrence motion, we believe in those cases, the House will ultimately recede; therefore, we have to vote by record vote on concurrence which would then be our final action. I would join Senator Schaffer in the motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1, 2, 4, 8, 9, 12, 13 and 14 to Senate Bill 1738. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1, 2, 4, 8, 9, 12, 13 and 14. Now Senator

Schaffer moves to nonconcur in House Amendment No. 3 to Senate Bill 1738. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

(Machine cutoff)...I wasn't at my desk and I wanted to vote Yes on 1738.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The record will so indicate.

SENATOR SMITH:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1739, Senator Watson. Senate Bill 1740, Senator Watson. Senate Bill 1747, Senator Donahue. Senate Bill...read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1747 with House Amendments 1, 3, 4, 6, 7, 9 and 10.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move to concur with House Amendments 1, 3, 4, 6 and 10 and to nonconcur on House Amendments 7 and 9.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

We are in disagreement on this particular motion. Amendment No. 10 is some five million additional dollars for DuQuoin. When we started on that, we had agreed to a number of three and a half million which is the way in which it left the Senate. It was my understanding with the Office of the Governor this morning that they were in accord on the three

and a half million level. As of about an hour ago, I don't know if they've transmitted that message, in which case the...we would nonconcur in Amendment 10 and they would recede. But this...otherwise, would add some five million dollars more for DuQuoin which is above the level that, at least as of this morning, they had agreed to in their call to me. So I think the motion would be to nonconcur in No. 10 and maybe you want to check it, I don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

I have a question about a different amendment. Senator Donahue, Amendments...are any of these amendments reducing the amounts for soil and water conservation districts? If so, by how much and, if so, what particular districts?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. From my notes here, Amendment No. 6 restores the money cut by the Senate Amendment No. 1 and it restores about thirty-six thousand dollars in Ag. Premium funds. So there are no cuts.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Explain Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Amendment No. 3 increases the grants again to soil and water conservation districts to fund the education pilot project in LaSalle County, your district, Mr. Senator.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

My State Rep. was over here wanting to know what happened, so I thought I'd ask. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I want to address Senator Carroll's concern about Amendment No. 10...Senator Donahue moved to concur. Now I think that's a good idea. As I read it, Senator Carroll, it returns a million eight to the...to the DuQuoin State Fair out of a Senate cut of 2.19 million. And...and...so, I...I don't think that's a five million dollar addition, it's only a million eight, returns the...it's still about three hundred thousand dollars less than the Department of Agriculture asked for and out of that, why, as I understand it, eight hundred and fifty-five thousand will be for Operations; Entertainment, six hundred and sixty-three thousand; Repairs and Maintenance, three hundred and thirty-six thousand. This adds to a million eight and I would support Senator Donahue in the motion to concur. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Carroll.

SENATOR CARROLL:

Yes, to explain to Senator Dunn, it is a 5.4 million dollar request for this new State Fair. We had it leave the Senate as 3.2 million of new money for the DuQuoin Fair, a figure that as of this morning was agreed to with the Office of the Governor. This amendment would...would bring it back up to 5.2 million for this additional State Fair of monies that are just not available and it's, again, a growing project, well beyond what anybody thought it was going to be, 5.2 million of general revenue funds. We said 3.2 million is enough and, in fact, this morning they said 3.2 million is

enough, but here is another two million dollars...or a million eight of general revenue funds for a State Fair...a second State Fair, to give them up to 5.4 million dollars of general revenue funds that are just not available. You may not, Senator Dunn, have read the letter Doctor Handeville sent me that said that we are going to be a hundred and ninety-seven million dollars short in general revenue funds for next year, and we are, in fact, going to have to trim budgets. Here is an additional growth of 5.4 million dollars to which we have said and I...I repeat, as of this morning they had agreed to 3.2 million dollars to be spent but, no, somebody wants to spend two million more that just ain't there, and I think we have to oppose Amendment No. 10.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Mr. President, I would ask for a division of the question as to Amendment No. 10.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's your prerogative, division will be afforded. You...we will call the vote on each Amendment separately then. Senator Hall.

SENATOR HALL:

Well, I'm certain...would the...Senator yield? Senator Dunn, I'm sure you remember that...that was originally one...a 5.4 million and, you know, we cut it back to 2.2. Now, if you're going to put that back in, you're right back to where you were. You...you understand what we're talking about, I'm sure.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I'm curious to the sponsor. With all of this funding in the DuQuoin State Fair,

what have you, are we going to be able to fund the county fairs at the level that we passed the bill last year at Representative...or Senator Woodyard, who was Representative then in...in the...in the House and he sponsored the bill and I sponsored it here. Are we going to be able to fund that...that at...at all those levels?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

This does not cut that at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I know it doesn't cut it, but...you know,...there's not enough money in the Ag. Premium Fund to fund them, I'm sure of that. How do you propose...are we going to shift money from the General Revenue Fund to the Ag. Premium Fund to make sure those county fairs are funded at...at that higher level?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

As far as I know that recently there has been a ten million dollar shift from General Revenue to Ag. Premium Funds to cover those responsibilities.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

All right, that ten million dollars is soley to cover that...those...that responsibility?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

It's there to take care of the shortfall in the Ag. Pre-

mium Fund.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

But is it there soley to do that? I mean,...you know, we use the Ag. Premium Fund for everything in the world, and...and I'm just worried that when we come around to the county fairs, we're going to forget what the Ag. Premium Fund is all about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

I couldn't agree with you more, Senator Joyce, and all I can tell you from my knowledge of this is that that ten million dollars is there to take care of the shortfalls in the Ag. Premium Fund, and I will join you in anything that we can do to make sure that those fairs are funded.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

I'm just informed that the ten million dollar bailout did not pass.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Joyce.

SENATOR JEROME JOYCE:

...yes,...that means that if...if that did not pass, ag. premium has to pick up everything...the DuQuoin Fair, the county fairs, everything and...I...there won't be enough money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue, you want to answer that?

SENATOR DONAHUE:

Well, all I can tell you is that you know as well as I do how things work down here and that ten million dollars is

absolutely essential to the Ag. Premium Fund, and I know I support it and I think with you that we can be able to make that ten million dollars into the transfer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Well, it...you know, you and I may be able to do things over here but it...the bill never got out of the House. It was introduced in the House and never got out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

That's the purposes of Conference Committees, I think. There are a lot of times that we differ with the House and the Senate have different opinions on a lot of things but that doesn't mean we always loose.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you. I would suggest we wait on DuQuoin then until we find that ten million dollars.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Mr...Mr. President, Senator Welch asked for a splitting of the question. The Chair very cavalierly acknowledged that. I do believe that that prerogative rests with the sponsor and I think you ought to address the sponsor as to whether they want to split that question or not.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'd like to remind Senator DeAngelis that the Chair is never cavalier in its attitude towards decisions, that if he would read Senate rules and especially Senate Rule 39, if you

would take the time out instead of jumping up and down, you would see that any Senator has the right to ask for a division of the question. Senator, spend a few moments, sit down, relax, read...read your book. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Thank you, Mr. President. I guess I would just like to ask Senator Donahue if there might be a possibility of taking this out of the record until we clarify with the Governor's Office as to whether or not they agree on the 3.2 or the five?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

I think that's an excellent idea, Senator...Poshard, let's take it out of the record.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senator DeAngelis, have you studied your homework? Are you ready to...Senator DeAngelis.

SENATOR DeANGELIS:

I...I think that the Chair could reproach a member without such editorial comment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senate Bill 1748, Senator Sommer...Senate Bill 1749, Senator Etheredge. Read...Senator Etheredge.

SENATOR ETHEREDGE:

...Mr. President, I wonder if we could take this out of the record for a few moments here while we clarify one issue and then come back to it later today?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson has...asked leave to return to Senate Bill 1739. Is there objection? Hearing no objection, on the Order of Concurrences, Senate Bill 1739. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1739 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the appropriation for the Abandoned Mine Reclamation Council and the House added two amendments. Amendment No. 1 added eighteen thousand dollars for the purpose of funding an audit for the Auditor General's Office. Committee Amendment No. 2 restored eight thousand six hundred dollars cut in the Senate in Contractual Services line item in order to fund photocopy repair of four thousand dollars, a computer software of one thousand six hundred dollars and office space lease for three thousand dollars. The final appropriation is seventeen million three hundred and eighty-four thousand five hundred dollars for a twenty-six thousand six hundred dollar change from the introducted level...introduced level. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

We join in the motion to concur in House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1739. Those in favor will indicate by voting Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1739 and the bill having received the constitutional majority is declared passed. Senate Bill 1740, Senator Watson. Senate Bill 1748,

Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1748 with House Amendments 3, 5, 6, 8, 9, 10 and 11.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, I'd move to nonconcur in all of the amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer moves to nonconcur in House Amendments No. 3, 5, 6, 8, 9, 10 and 11 to Senate Bill 1748. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1750, Senator Schaffer. Senate Bill 1751, Senator Dunn. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1751 with House Amendments 2, 3, 4, 6, 8, 9 and 11.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. Senator...Mr. President. Committee amendments...I'd like to...move to concur in Committee Amendments 2 and 8 and nonconcur in the other amendments. Amendment No. 2 deletes four million dollars for the County Jail Revolving Fund and Floor Amendment No. 8 in the House adds seven hundred and twenty-four thousand reappropriation for the East St. Louis Work Relief Center. I'd like to concur in those two amendments if I could.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Yes, we had a question, we had assumed that there were

going to be some other concurrences and you are suggesting, Senator Dunn, to nonconcur in which amendments, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

3, 4, 6, 9 and 11. Senator Dunn has moved to concur in 2 and 8 only. If there's no further discussion, the question is, shall the Senate concur in House Amendments No. 2 and 8 to Senate Bill 1751. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The Senate does concur in House Amendments No. 2 and 8. Now Senator Dunn moves to nonconcur in House Amendments 3, 4, 6, 9 and 11 to Senate Bill 1751. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1752, Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1752 with House Amendments 1 through 5, 8, 11, 12, 13, 14, 18, 21 and 22.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move that the Senate nonconcur in all House amendments.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver moves to nonconcur in House Amendments No. 1, 2, 3, 4, 5, 8, 11, 12, 13, 14, 18, 21 and 22 to Senate Bill 1752. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1753, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1753 with House Amendments 1 through 30, 32 through 35.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to concur in House Amendments 1 and 21 and to not concur with the rest of the amendments on...House amendments on Senate Bill 1753.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR DARROW:

Would you explain your reason for not concurring with these amendments? It would appear that most of these are EPA amendments that help our various communities, and I think that we all have quite a bit of interest in this bill and, yet, you're just being very selective in your concurrence.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

Well, Senator, first of all, let me say that there are also some projects in here that are in my district that are coming out and, as you probably know, I was not involved in the decision making on which amendments to concur on and not to concur on. So I can only assume that the reason all of this was taken out is because the money just simply isn't there, and...you know,...there's just not the money there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Carroll.

SENATOR CARROLL:

(Machine cutoff)...amplification of Senator Karpiel's great discussion, she's right,it was...House sent it loaded up with thirty-five million dollars of general revenue funds

that just aren't there. The two amendments she has sought concurrence in are the operation portion of the budget. It is the hope that we can eliminate that from any further discussion. We recognize there will be a project's bill of this and everything else at some point in the future, and this would strip out all of those so that they can be dealt with and we can get the operating budgets out of here. So I would join her in the concurrence motion on 1 and 21 which are the operational portions and the nonconcurrence in the projects.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 2...No. 1 and 21 to Senate Bill 1753. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Vote me Aye, Senator. Take the record. On that question, the Ayes are 53, the Nays are none. The Senate does concur in House Amendments No. 1 and 21 to Senate Bill 1753. Now, Senator Karpiel moves to nonconcur in House Amendments No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34 and 35. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary will so inform the House. Senate Bill 1754, Senator Sommer. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1754 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I move to concur in Amendments 1 and 2. The House added back some of the monies that the Senate had cut, about half of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1754. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1754 and the bill having received the required constitutional majority is declared passed. House Bill 1755, Senator Karpiel. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1755 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Karpiel.

SENATOR KARPIEL:

THank you, Mr. President. I move to not concur with House Amendment No. 1 on Senate Bill 1755.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment...I'm sorry, Senator. Senator Karpiel moves to nonconcur in House Amendment No. 1 to Senate Bill 1755. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1756, Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1756 with House Amendments 1 through 6.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would move to concur on House Amendments Noes. 1, 2, 3, 4 and 6 to Senate Bill 1756 and to nonconcur in House Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

(Machine cutoff)...Senator Mahar, if you could explain the amendments, I believe we would ask that...there be a division of the question. If you could briefly explain the amendments you're seeking to concur in.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Okay. House Amendment No. 1 restores two hundred and eighty-eight thousand eight hundred dollars; two hundred and thirty-three thousand two hundred in other...in other funds and fifty-six thousand six hundred in GRF, restores vacancies cut in the Senate and partial funding for several new initiatives, transfers a hundred thousand in EDP from the Radiation Protection Fund to the Nuclear Safety Emergency Preparedness Fund. Amendment No. 2 reappropriates seven hundred and thirty thousand five hundred for the...decontamination of the LPI facility in Ottawa. House Amendment No. 3 reappropriates one million seven hundred and fifteen thousand eight hundred dollars NSEP for equipment for emissions monitoring systems at Dreden and Zion Nuclear power plants and for a mobile lab. Committee Amendment No. 4 restores a hundred and twenty-two thousand six hundred in other funds for vacancies cut by the Senate in miscellaneous parts of the new initiatives. And Amendment No. 6 restores seventy-five thousand dollars for various equipment and expenditures.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? (Machine cutoff)...Carroll.

SENATOR CARROLL:

We would join in the motion for concurrence on House Amendments 1, 2, 3, 4, and 6 and...there may be another

motion on No. 5 in a moment, but as for now, we would move to...we join in the motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR HALL:

Senator, what are...dedicated phone lines, what are those?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Which...which amendment is that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

That's in Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar. Senator Mahar.

SENATOR MAHAR:

Told that's just part of the new initiatives.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

We'll get back to each other on it, I mean, I know it's one of them fancy names, I guess, given to something in there.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate concur in House Amendments No. 1, 2, 3, 4 and 6 to Senate Bill 1756. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted

who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1, 2, 3, 4 and 6. Now, Senator Mahar moves to nonconcur in House Amendment No. 5 to Senate Bill 1756. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Senate...the Secretary shall so inform the House. Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Having voted on the prevailing side, I'll move to reconsider the vote by which we just nonconcurred. I believe the handlers are changing the game plan on Amendment No. 5.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you are correct, after having voted on the prevailing side, you can move to reconsider the vote by which the Senate did nonconcur in Amendment No. 5. All those in favor of that motion indicate by saying Aye. Those opposed. The Ayes have it. The motion to reconsider is adopted. Now, on Amendment No. 5, have the handlers taken charge of the...Senator Carroll.

SENATOR CARROLL:

The issue here is something that both of us challenged, both sides of the aisle on this side of the Rotunda, as an additional funding for a Statewide public workshop on the effects of radon gas. We have been well-informed by our resident expert in the Senate, Senator Etheredge, on what radon gas is and on...on...we're not sure what you can do with a public workshop. Unfortunately, the House informs us that this was one of their task forces and one of their recommendations. I'm not sure what the...what the task force results would be and what public workshops on the effects of radon gas would do, I just thought that there had been some discussion of leaving it in and awaiting to hear from the other side what their preference is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I just wondered if, you know, we had any of this radon gas in Carlinville. I...I never heard of it, don't know what it is, but it's five hundred thousand. So if someone could enlighten...enlighten me as to what it is, I...I sure would like to know...what we're spending a half a million dollars for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have two people that wish to enlighten you, one is Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President. I probably have the same question that you do, Senator Demuzio. What...what does five hundred thousand dollars for workshops in regard to radon gas do. That's the problem that I...perhaps it's best we nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. It is true that radon gas is radioactive and I...but the question...I will raise for the third time, do we really need five hundred thousand dollars to...to hold a series of workshops? I certainly would move to nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Well, it seems to me that this may be a reasonable appropriation here. We have a problem dealing with gas emanating from the ground that is causing health problems. Now how are you going to find out what those problems are? It seems to me that this may be a wise expenditure of money for a change.

I just saw one of my State Representatives over there next to Mr. Etheredge and he may tell you that we have radon gas up in Sycamore, Illinois, up in DeKalb County. It's also up in Boone County and if you look at the reports of the department, you'll find that it exists pervasively throughout the suburbs and throughout much of the State of Illinois. So while you're voting...down...while you're voting down something that you don't know anything about, the purpose of putting the money in the budget was to find something out about it. So it...it's kind of a head in the sand attitude, I would think.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Welch, you never cease to amaze me. If we're going to put five hundred thousand dollars at this time when we really do not know and for this...it's just sure good sense to say, hey, let's look into this. If we need it, okay, but five hundred thousand dollars to me seems very exorbitant and I think at this time we should not do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sommer.

SENATOR SOMMER:

Mr. President, in response to Senator Welch, the amendment is for Statewide public workshops on the effects of radon gas. Wouldn't it be best if you wanted to study radon gas to commission a study by qualified scientists around the country to determine the effects, to determine where it exists? Public workshops...what...what does that mean? How does that solve the problem?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Welch.

SENATOR WELCH:

Well, I'd be glad to respond to that question. People are worried about what radon gas is and what it does. You know, we have other programs to warn the public that don't really work too well such as our nuclear power plant...early warning system which just had a complete breakdown a few weeks ago. What we had there was a complete cover-up of what was going on at the LaSalle Plant. Here we have a matter that there is something known about...about it, there is something known that radon gas does create health problems. People are going to be very concerned, they're going to be worried. When you have public workshops, the idea is that people in the know come up before the public, you have hearings throughout the State, the public is then informed instead of just have something done in the...in the laboratory. So, you know, there probably is radon gas in Carlinville, for that matter, to one of the previous speakers, and I would hope that we could try to warn those people back in Carlinville so that they do not suffer any adverse health effects.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. Seeing as we happen to have...be lucky enough to have a...a gentleman with his doctorate in geology, why don't we have him...have a workshop and tell...the rest of the Senators what in the world we're talking about.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the question is on Senator Mahar's motion. He moves to nonconcur in House Amendment No. 5 to Senate Bill 1756. Those in favor will indicate by saying Aye. Those...a roll call has been requested and...he is trying to persuade Senator Zito to join him in that request. Are...are you joined by any other Senator, Senator Welch? He's persuaded

Senator Joyce and Senator Jones. We need three more. Senator Netsch has joined them and Senator Sangmeister. Five Senators have sought the roll call vote on concurrence of Amendment No. 5 to Senate Bill 1756. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? This is for nonconcurrence on...take the record. On that question to nonconcur in the adoption of Amendment No. 5 to Senate Bill 1756, on a nonconcurrence motion, there are 36 Yeas, 17 Nays, none voting Present. The motion to nonconcur prevails and the Secretary will so inform the House. Senate Bill 1757, Senator Woodyard. Read the bill, Mr. Secretary.

END OF REEL

SB 1759 conc. & non conc.

REEL #2

SECRETARY:

Senate Bill 1757 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr...thank you, Mr. President and members of the Senate. I would move to concur with House Amendments No. 1 and No. 2 to Senate Bill 1757 which is the annual OCE of Department of Revenue. Amendment No. 1 removes the total of 1.594 million dollars, removes nine automobiles and a computer mainframe conversion. Amendment No. 2 adds a hundred and sixty-seven thousand dollars for...in addition...in additional funds for the...Senate Bill 1700 which is the tax increment financing bill that we passed out of here a day or two ago, and so I would move for concurrence in Amendments No. 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1757. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1757 and the bill having received the required constitutional majority is declared passed. Senate Bill 1758, Senator Weaver. Senate Bill 1759, Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1759 with House Amendments 2 through 9.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will move to concur in House Amendments 2, 3, 4, 5, 6, 8 and 9 and move to nonconcur in House Amendment No. 7. I do so reluctantly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House...House Amendments No. 2, 3, 4, 5, 6, 8 and 9. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 2, 3, 4, 5, 6, 8 and 9. Now, Senator Donahue reluctantly moves to nonconcur in House Amendments No. 7 to Senate...Senator Donahue.

SENATOR DONAHUE:

Let me just clarify that it's House Amendment No. 8 that I am reluctantly moving to concur on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator.

SENATOR DONAHUE:

Number 7 is fine with me...to nonconcur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...let the record so that the President was in error in enumerating the numbers. The Senate did concur in House Bills No. 2, 3, 4, 5, 6, 7 and 9...8 and 9. Senator Donahue.

SENATOR DONAHUE:

You were not in error, sir. I just didn't want you to say I reluctantly move to nonconcur on No. 7, that was your error.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, you were reluctant on No. 8. So, we did concur on...

SENATOR DONAHUE:

You did, yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

God bless you. Now, Senator Donahue wholeheartedly moves to nonconcur in Amendment No. 7...House Amendment No. 7 to Senate Bill 1759. All those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House...we will take a...few moments for a break here. We...Senator Kustra has some guests here that he would like to introduce to the Senate. One, I understand, is a...one of our beauty contest winners. Senator Kustra.

SENATOR KUSTRA:

Thank you, Senator Savickas. If I could have your attention just for a moment,...we're getting our practice doing this, you see. Last week when Senator Vadalabene had an opportunity to introduce one of his constituents to you who had won a pageant, Senator Fawell turned green with envy and I came to her rescue and suggested that we might be able to find somebody in her area and my area from the northern end of the State who had also won such an accomplishment, and I have with me today Cara Vollum who is Miss Illinois, representing Illinois in August in Hawaii at the Miss American Coed Pageant. The only reason why I'm involved in this since this is actually Senator Fawell's constituent is because I served as a judge on this...in this pageant, and it was my job to pick the winners and I...will only add that the records of the judge will show that I chose the winners and those that came in second, third, fourth and fifth in the exact order they came in, and I can say that I was one of the votes that...that selected Cara as Miss Illinois. It's the first time I ever had an...experience like that and I will have to say that...as we see these things from the Podium, I don't think we appreciate just what these young people go through, how talented they are, the incredible kinds of scho-

lastic and talent competition they must go through. For two days we interviewed and interviewed again and again every girl in the pageant. They came from all over the State of Illinois and it's with a great deal of...of pleasure that I not only announce that Cara Vollum is going to represent Illinois, but also, I might add, that our colleague, Senator Poshard, had a niece competing in that competition and his niece was judged Miss Photogenic in the pageant, Andrea Fareola; as a matter fact, she's from my district. But anyway, we have with us today the Vollum family, Cara's mother and father, Peter and Carol, and Mark, her brother, and I think it would be appropriate now to hear just for a moment from Cara, and we should wish her well, of course, as she goes off to try to win the national title for us. Cara.

CARA VOLLUM:

(Remarks made by Cara Vollum)

SENATOR FAWELL:

Sam, eat your heart out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. I'm delighted to have with us today former State Representative Charles Campbell...Chuck Campbell from Danville, Illinois, who was one of our colleagues from the House. He's here with us today and would you join us in welcoming him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Welcome back, Chuck. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, as a point of personal privilege, is Senator Kustra on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on the Floor? Senator Kustra. Senator Vadalabene is wanting to know whether or not you're here. Senator Vadalabene.

SENATOR VADALABENE:

...yes, I'd like to ask him a question. Senator Kustra, I've been involved in many, many things, how do you become a judge?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on the Order of Secretary's Desk, page 11, Senate Bill 1760, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1760 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. I would move that the Senate concur in House Amendments No. 1 and 3 to Senate Bill 1760.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver has moved to concur with House Amendments 1 and 3 to Senate Bill 1760. Is there discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 3 to Senate Bill 1760. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 3 to Senate Bill 1760 and the bill having received the required constitutional majority is declared passed. Senate Bill 1761. On the Order of House...Senate Bills on...Secretary's Desk Concurrence is Senate Bill 1761, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1761 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. Senate Bill 1761 is the appropriation for the Bureau of the Budget. Although from time to time I suspect some...raid on gas in that area, I'm going to move to concur on House Amendment No. 1 to Senate Bill 1761.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1761. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to...Senate Bill 1763 and the bill having received the required constitutional majority is declared passed. Senate Bill 1762. Secretary's Desk is Senate Bill 1762, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1762 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the operating expenses of the Capital Development Board. The only change from the House is the placement in here of seven allusive employees who...who plan things for parks...last couple of years we've been arguing back and forth who they belong to, whether it's these folks or conservation and now they're in here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Sommer, you move to...you move to concur? All right. Senator Sommer...the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1762.

Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The...the Senate does concur with House Amendment 1 to Senate Bill 1762 and the bill having received the required constitutional majority is declared passed. 1763. On the Order of Secretary's Desk Concurrence is Senate Bill 1763, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1763 with House Amendments 1 through 16, 19 through 23, 25 through 36, 38, 39, 40, 42 through 48, 52, 54 through 62, 64, 65, 66, 67.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to nonconcur in all of these amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer moves to nonconcur with House Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17...no, there is no 17...16, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66 and 67. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. Senate Bill 1764, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1764 with House Amendments 2 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move that the Senate concur

with House Amendments No. 2 and 4. Amendment No. 2 restores sixteen thousand two hundred GRF cut in the Senate by adding seven thousand two hundred to Contractual Services and nine thousand to Telecommunications line items and committee...or House Amendment No. 4 separates funding to the Illinois Criminal Justice Information Authority between Awards and Grants and Programmatic Assistance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate concur with House Amendments 2 and 4 to...to Senate Bill 1764. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendments 2 and 4 to Senate Bill 1764 and the bill having received the required constitutional majority is declared passed. Senate Bills...Secretary's Desk is Senate Bill 1765, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1765 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Yes, thank you, Mr. President, members. I'd move that we nonconcur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Leitch has moved concurrence of House Amendment 1...move nonconcurrence. Discussion? All right. Senator Leitch has moved to nonconcur with House Amendment 1 to Senate Bill 1765. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1766, Senator Karpiel. Senator Karpiel on the Floor? Well, before we

leave that page, with leave of the Body, let us return to Senate Bill 1758. 1758, Senator Carroll. With leave of the Body, we will turn to...to Senate Bill 1758 before we leave this page. Is leave granted? Leave is granted. On the Order of Secretary's Desk Concurrence, Senate Bill 1758, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1758 with House Amendments 1, 2, 3, 4, 5 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate concur in House Amendments No. 1, 2, 5 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate concur with House Amendments 1, 2, 5 and 6 to House Bill 1758. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendments 1, 2, 5 and 6 to Senate Bill 1758. Senator Weaver.

SENATOR WEAVER:

Mr. President, I would move the Senate nonconcur in House Amendment 3 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Weaver has moved to nonconcur with House Amendments 3 and 4 to Senate Bill 1753. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Karpiel on the Floor? All right. Page 12. 1770, Senator Leitch. Top of page 12, Secretary's Desk Concurrence is Senate Bill 1770,

Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1770 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. Chairman, members. I would move that we nonconcur in House Amendment No. 1. It's fifty-five thousand dollars that was added back in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch has moved to nonconcur with House Amendment 1 to Senate Bill 1770. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1771, Senator Schaffer. On the Order of Senate Bills...Secretary's Desk Concurrence is Senate Bill 1771, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1771 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I would move to concur with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has moved to concur with House Amendment 1 to Senate Bill 1771. Is there discussion? If not, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill 1771 having received the required constitutional majority is declared passed. Senator Fawell on the Floor? Senator Fawell on the Floor? 1773,

Senator Woodyard. House bills 3rd reading...I'm sorry, House bills on Secretary's Desk Concurrence is Senate Bill 1773, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1772 with House Amendment 1...1773 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, 1773, Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. I would move to concur with House Amendment No. 1 on Senate Bill 1773 which is the Property Tax Appeals Board annual OCE. It restores three thousand dollars in Personal Services and reduces Travel by thirteen thousand three hundred and I would move for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1773. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1773 and the bill having received the required constitutional majority is declared passed. Senator Donahue. Senate Bill 1774, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1774 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. On Senate Bill 1774, I would move to nonconcur on House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves to nonconcur with House Amendments

1 and 3 to Senate Bill 1774. Is there discussion? If not, those in favor indicate by saying Aye. Opposed...Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1775. Mr. Secretary, Senate Bill 1775.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1775 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to concur. The House added thirty-three hundred dollars to this budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer has moved to concur with House Amendment 1 to Senate Bill 1775. Is there discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1775. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1775 and the bill having received the required constitutional majority is declared passed. Senate bills...Secretary's Desk, Senate Bill 1778, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1778 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move that the Senate nonconcur with House Amendment No. 1 and that we concur with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, would you restate your motion?

SENATOR DUDYCZ:

Yes, Mr. President, I move we nonconcur with House Amendment No. 1 and we do concur with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, why don't we take up No. 2 first. That's...Senator Dudycz has moved to concur with House Amendment 2 to Senate Bill 1778. Is there discussion? If not, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 2 to Senate Bill 1778. Senator Dudycz now moves to nonconcur with House Amendment 1 to Senate Bill 1778. Discussion? If not, those in favor of that motion indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Senate Bill 1808, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...Senate Bill 1838...1808 with House Amendments 1, 3, 4 and 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister. Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I was prepared to concur, but I've been told by the chairman of the Appropriations Committee that...what, the House members have been over...I guess everybody is in agreement that we not concur in these matters, so...yeah, except the sponsor is right, but...are you...you telling me that all four...well, I guess then the motion will be to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Sangmeister has moved to nonconcur with House Amendments 1, 3, 4, 5 to Senate Bill 1808. Is

there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 1814, Senator Poshard. Senate Bill 1814, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1814 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I would move to concur with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard has moved to concur with House Amendments 1 and 2 to Senate Bill 1814. Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I understand the provision about the six-month misdemeanant provision is out. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

That's correct, Senator Watson. That is taken care of in Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? All right, Senator Poshard has moved to concur with House Amendments 1 and 2 to Senate Bill 1814. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1814 and the bill having received the required constitutional majority is declared passed. 1822, Senator

Carroll. Senate bills...Secretary's Desk is Senate Bill 1822, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1822 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that we do concur...that we concur with House Amendments 1, 2 and 3. This is the Court of Claims annual awards building. These three amendments are now the awards up-to-date that have been signed off by the appropriate number of Court of Claims judges so that the awards as decided by the court and signed by the judges could, in fact, be paid. So, I would move that we concur with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll has moved to concur with House Amendments 1, 2 and 3 to Senate Bill 1822. Is there discussion? If not, those in favor indicate by saying...if not...question is, shall the Senate concur with House Amendments 1, 2, 3 to Senate Bill 1822. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2, 3 to Senate Bill 1822 and the bill having received the required constitutional majority is declared passed. 1841. Senate bills, Secretary's Desk Concurrence, Senate Bill 1841, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1841 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move to nonconcur on House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer has moved to nonconcur with House Amendments 1, 2 and 3 to Senate Bill 1841. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Page 13, Senate Bill 2018, Senator Leitch. House bills, Secretary's Desk, top of page 13, Senate Bill 2018, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2018 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President. I will be moving to nonconcur in this amendment. In the House an amendment was put on which would have...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon...pardon me, Senator Leitch. Can we have some order, please. Senator Leitch.

SENATOR LEITCH:

Thank you. The amendment that we are about to, I hope, nonconcur in is an amendment which would have created a Detroit-to-Chicago fast speed rail program. It's my understand that a number of questions have arisen pertaining to the State's liability...potential liability about this project, and so I will move to nonconcur and expect the House will recede from it as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch has moved to nonconcur with House Amendment 1 to Senate Bill 2018. Is there any discussion? If not, those in favor indicate by saying Aye. Opposed Nay.

The Ayes have it. Motion carries. Secretary shall so inform the House. 2020, Senator Geo-Karis. All right, Secretary's Desk Concurrence is Senate Bill 2020, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2020 with House Amendments 5, 6 and 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I think we've got it resolved and I'd like to move for concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved that the Senate concur with House Amendments 5, 6 and 7 to Senate Bill 2020. Discussion? Discussion? Senator Kelly, for what...Senator Kelly.

SENATOR KELLY:

Yes, Mr. President. I'd like to ask the Senator if she would just explain what...what she's attempting to do here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm sorry. I'd like to move to nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved to nonconcur in House Amendments 5, 6 and 7. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House...Senate Bill 2105. Mr. Secretary, 2105.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2105 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. House Amendments 1 and 2...I would move to concur. House Amendments 1 and 2 adds a repre-

SB 2271 concurrence

sentative of a proprietary hospital to the Illinois Health Facilities Planning Board. This does not create another seat on the board but merely fills a vacancy because health service corporations no longer qualify to be on the board. I don't know of any opposition and I would move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco has moved to concur with House Amendment 1...House Amendments 1 and 2 to Senate Bill 2105. Discussion? If not, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 2105 and the bill having received the required constitutional majority is declared passed. Senate bills...Secretary's Desk is Senate Bill 2108, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2108...with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move to nonconcur with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco has moved to nonconcur with House Amendment 4 to...4 to Senate Bill 2108. Discussion? Senator...Senator Vadalabene. Your light is on. All right. Senator D'Arco moves to nonconcur with House Amendment No. 4 to...Senate Bill 2108. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. 2210, Senator Rock. Senator Rock on 2210. 2271, Senator Savickas. All right, Secretary's Desk Concurrence, middle of page 13, Senate Bill 2271, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2271 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, House Amendment No. 1...my understanding of it anyway, it would establish a trauma center designation process in Illinois and the amendment provides for different levels of trauma center designation. It gives the State injunctive power against undesignated hospitals that claim to be trauma centers, and the bill has the support of the Illinois Hospital Association and the Illinois Department of Public Health. As I understand, it was put in at the...Public Health Department's request. I would move that the Senate does concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Savickas has moved to concur with House Amendment 1 to Senate Bill 2271. Is there discussion? If not, those in favor indicate by...if not, those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 2271 and the bill having received the required constitutional majority is declared passed. We will now go back to the beginning and start over and go right back down the line again. If you move over...turn back to Secretary's Desk, page 8 on your Calendar, start at the beginning on the Concurrence Calendar and then we will go to the nonconcurrence...Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

There's a resolution in there...Senate Resolution 1110 which we'd like to have. I thought this would be the appro-

priate time to...to go to Order of Resolutions to have this immediate...commendatory and an anniversary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why don't you just hold it until we get down this order of business and we'll come back to it. Okay, Senator? Is leave granted? Leave is granted. We'll come back to it. Okay. On the Order of Secretary's Desk Concurrence is 1611, Senator Poshard. Okay, on the Order of Secretary's Desk is Senate Bill 1611, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1611 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I would move to nonconcur in House Amendment 1. I think that's already been put in in another place, and I would move to concur with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, then...let's start with the motion on concurrence.' Senator Poshard has moved to concur with House Amendment 3 to Senate Bill 1611. Is there discussion? Senator Etheredge. All right, not on this question. All right. Further discussion? If not, the question is, shall the Senate concur with Amendment...House Amendment 3 to Senate Bill...Senator Etheredge.

SENATOR ETHEREDGE:

I beg your pardon, Mr. President. I do have a question on the motion on Amendment No. 3. As I understand it, this is an appropriation but that there is no substantive language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Etheredge, I think that may be true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Then I would ask that you move to nonconcur...since the money we could not...couldn't spend the money. I...I see Senator Carroll has his hand up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Etheredge, we have learned since we last met on this when we agreed with you, there being no substantive language we should not do this, that, in fact, there is substantive language. The Governor signed into law last year what was then Senate Bill 730. Unfortunately, I don't have the Public Act number, but it was signed into law as part of the educational reform package, and the reform package included the authority to have the community college do some work in high school drop-out prevention. So, the substantive authority, according to the House, does exist as part of the reform package.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I wonder if...if you would take this out of the record for a few moments so that we could review this situation with you and gather some additional information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

I would be happy to do that, Senator Etheredge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. All right, I...before we leave that page, let...let us return to 1468,

Senator...1468, Senator Maitland. All right. Secretary's Desk Concurrence, Senate Bill 1468, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1468 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1468 was the original Chicago speed-up bill that we had here last year and when it went to the House, as you may recall, it was doctored up with a rather extensive amendment. Most of the components of that amendment now have in other bills passed out of this General Assembly; therefore, my motion will be to nonconcur in House Amendment No. 1 and our hope is the bill will go back there, the House will recede and then this bill will be the bill that causes the Chicago speedup in State aid payment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, Senator Maitland has moved to nonconcur with House Amendment 1 to Senate Bill 1468. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Page 9, Senate Bill 1666, Senator Maitland. 1666, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1666 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1666 will be used, hopefully, in conference to do two or three things, all of which are noncontroversial. Among them will be the language to take care of the additional year of hold-harmless for the

elementaries and, therefore, once again, my motion would be to nonconcur in House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland has moved to nonconcur with House Amendments 1 and 2 to Senate Bill 1666. There discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right, with leave of the Body, 1698...leave to have Senator Carroll handle that? All right, leave is granted. On the Order of Secretary's Desk Concurrence, Senate Bill 1698, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1698 with House Amendments Noed. 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On Senate Bill 1698, I would move that we do concur in Amendment No. 1 and 3 and that...that would be final action. I would then move that we nonconcur in No. 2. It's my understanding the House will recede from that, but for now, concur in Amendments 1 and 3. This allows the Comptroller some additional funds for the...CUSA system and would ask that we do concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate concur with House Amendments 1 and 3...Senate Bill 1698. Discussion? If not, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 1698 and the bill having received the...all right, and we do concur in House Amendments 1 and

3. Senator Carroll on the motion to nonconcur on Amendment No. 2. Discussion? All right, Senator Carroll moves to nonconcur in Amendment...House Amendment No. 2 to Senate Bill 1698. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1728, Senator Etheredge. 1737, Senator Etheredge...oh, I'm sorry, we've already taken that. Page 10, Senator Watson on 1740. 1747, Senator Donahue. Senator Donahue on the Floor? Senator Donahue on the Floor? 1749, Senator Etheredge. 1749. All right, Secretary's Desk Concurrence is...is Senate Bill 1749, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1749 with House Amendments 1, 2, 3, 4, 5, 6, 8...and 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

(Machine cutoff)...thank you, Mr. President. I move to concur in all the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has...has moved to concur with House Amendments 1, 2, 3, 4, 5, 6, 7. Discussion? All right. I'm sorry. Senator Etheredge has moved to concur with House Amendments 1, 2, 3, 4, 5, 6 and 8. Discussion? If not, the question is, shall the Senate concur with House Amendments 1, 2, 3, 4, 5, 6, 8 to Senate Bill 1749. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 2, 3, 4, 5, 6 and 8 to Senate Bill 1749 and the bill having received the required constitutional majority is declared passed. 1750, Senator Schaffer. House bills 3rd reading...I...I mean, House bills,

Secretary's Desk Concurrence is Senate Bill 1750, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1750 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I would move to concur in House Amendment No. 1. End of discussion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer has moved to concur with House Amendment 1 to Senate Bill 1750. Discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. With the Gramm-Rudman cutbacks, the quad-city area lost their...analyst for unemployment figures...this amendment would put it back in; however, we lost the analyst because of a lack of Federal funds and, unfortunately, this amendment appropriates Federal funds that really don't exist. What we'll have to do is come back and find some general revenue funds somewhere, but we might as well concur with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer has moved concurrence of House Amendment 1 to Senate Bill 1750. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does...the Senate does concur in House Amendment 1 to Senate Bill 1750 and the bill having received the required constitutional majority is declared passed. Bottom of page 10 is Senate Bill 1755, Senator...Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I would like to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel, could we just...just hold up a second. (Machine cutoff)...Senator Karpiel is recognized on Senate Bill 1755.

SENATOR KARPIEL:

Thank you, Mr. President. Having voted on the prevailing side, I would now like to reconsider the vote by...by which that bill was passed and move to nonconcur...I mean, move to concur, rather, with House Amendment No. 1 on Senate Bill 1755.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Karpiel having voted on the prevailing side moves to reconsider the vote by which House Amendment No. 1 was nonconcurred with. All right, those in favor indicate by saying Aye. Senator...Senator DeAngelis. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Senator Karpiel now moves to concur with House Amendment 1 to Senate Bill 1755. Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

No, I want...personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 1755. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. Senate Bill 1755 having received the required constitutional majority...on that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1755 and the bill having received the required constitutional majority is declared passed. Senator

DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR DeANGELIS:

In the gallery right behide us we have Dr. and Mrs John Morton and Ricky. Dr. Morton has been recognized nationally by the Valley Forge Freedom Foundation as one of the outstanding teachers. He also teachs a course in economics to teachers. I would like for the whole group to stand up and be recognized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery will please rise and be recognized. The group of three. Page 11. Senator Karpiel on 1766. Senate...Senate...all right, Secretary's Desk, bottom of page 11, Senate Bill 1766, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1766 with House Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to concur with House Amendment 1 on Senate Bill 1766.

PRESIDENT:

All right, Senator Karpiel has moved concurrence with the House amendment to Senate Bill 1766. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1766. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1766 and the bill having

received the required constitutional majority is declared passed. Top of page 12, Senator Fawell on 1772. On the Order of Secretary's Desk Concurrence, Senate Bill 1772, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1772 with House Amendment 1.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I ask for concurrence on House Amendment No. 1 which is...and I would ask for a favorable vote.

PRESIDENT:

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Will the sponsor yield to a question? Is this the amendment that replaces the automobile that was taken out by the Senate?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Yes.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, wasn't the automobile replaced because it didn't meet the guidelines that...didn't have over fifty thousand miles on it?

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

This is your amendment for...in the House for your people.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

In that...by way of explanation, Mr. President and members of the Senate, Senator Lechowicz is correct that at the time they filled out their forms with us, it had something like fifty-two thousand miles. They had indicated that they were putting on something like thirty thousand miles a year; by now, it's up to sixty some odd, and by the time they intend to have the replacement car, it will be well over the guideline.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1772. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1772 and the bill having received the required constitutional majority is declared passed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Point of...personal privilege, Mr. President and Ladies and...Gentlemen of the Senate.

PRESIDENT:

State your point.

SENATOR GEO-KARIS:

I'd like everyone here to meet the very charming and lovely wife for our...of State Senator David Barkhausen, Sue Barkhausen, who is sitting in his chair...from Lake County.

PRESIDENT:

Sue, welcome to Springfield.

SENATOR GEO-KARIS:

She...she has made a marked difference on him.

PRESIDENT:

All right, page 13. Let's go to the Order of Nonconcurrence. We'll run through those quickly. If I can have your attention, on the Order of Secretary's Desk Nonconcurrence, the motion will be to recede from the amendment which would be tantamount to final passage or to refuse to recede and ask that a Conference Committee be appointed. On the Order of Secretary's Desk Nonconcurrence, House Bill 523, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 523 with Senate Amendment 1 and...no, Senate Amendment 2, I'm sorry.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. Amendment No. 2 would allow the sale of beer at...at certain marinas, including the Windfield Marina in Fulton, in Senator Schuneman's district. I understand that this amendment has been put on another bill. So, at this time, I move that the Senate recede from Senate Amendment No. 2 to House Bill 523.

PRESIDENT:

All right, the gentleman is moving that the Senate recede from Senate Amendment No. 2 to House Bill 523. Is there any discussion? There any discussion? All right, the gentleman has moved that the Senate recede from Amendment No. 2...Senate Amendment No. 2 to House Bill 523. Any discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 2 to House Bill 523. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The Senate recedes from Senate Amendment No. 2 to House Bill 523 and the

bill having received the required constitutional majority is declared passed. Senator Netsch on 1321. Senator Marovitz on...House Bill 2785. Senator Welch on House Bill 3036. Senator Vadalabene on House Bill 3162. Senator Demuzio on House Bill 3351. Senator Barkhausen on House Bill 3525. On the Order of Secretary's Desk Nonconcurrence, the middle of page 14, is House Bill 3525, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3525 with Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I would ask that we refuse to recede from Senate Amendment 2 to House Bill 3525 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR LUFT)

You've heard the motion. Senator Barkhausen moves that the Senate refuse to recede from the adoption of Amendment No. 2 to House Bill 3525 and that a Conference Committee be appointed. All those in favor...signify by saying Aye. Those opposed Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House. House Bill 3549, Senator Etheredge. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3549 with Senate Amendment 1.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and members, I move that the Senate not recede from Senate Amendment No. 1 and request a Committee of Conference.

PRESIDING OFFICER: (SENATOR LUFT)

All right, you've heard the motion. Senator Etheredge moves that the Senate refuse to recede from the adoption of

Amendment No. 1 to House Bill 3549 and that a Conference Committee be appointed. All those in favor signify by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House of the failure of Amendment No. 1 to 3549.

PRESIDENT:

Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 2061 with House Amendment 1.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 2642 with Senate Amendment No. 1.

And House Bill 3058...refused to concur with the Senate in the adoption of Senate Amendment 4 to House Bill 3058.

PRESIDENT:

Secretary's Desk. All right, with leave of the Body, we'll go back to the Order of Secretary's Desk Nonconcurrence. Middle of page 13 is House Bill 1321. Mr. Secretary, House Bill 1321.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1321 with Senate Amendment 1.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1321 and that we request a Conference Committee.

PRESIDENT:

All right, Senator Netsch has moved that the Senate refuse to recede from the adoption of...Senate Amendment No. 1 to House Bill 1321 and that a Conference Committee be appointed. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 3340 with Senate Amendments 1, 4, 5, 6, 7 and 8. Nonconcurred in by the House June 26th, 1986. John F. O'Brien, Clerk of the House.

PRESIDENT:

Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Mr. President and members of the Senate, I would rise and seek leave to have the Committee on Executive discharged from further consideration of House Joint Resolution...198, it's the sunset review House joint resolution, and placed on the Calendar on the Order of Secretary's Desk Resolutions for consideration.

PRESIDENT:

All right, you've heard the motion as placed by Senator Savickas on House Joint Resolution 148. He's moved to discharge the committee from further consideration and asked that it be placed on the Calendar on the Order of Secretary's Desk. Any discussion? Senator Schuneman. 198, I beg your pardon. Senator Schuneman.

SENATOR SCHUNEMAN:

I...this is the first I've heard of this, Mr. President. What's the...what's the nature of the resolution?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator Schuneman, the resolution was introduced and assigned to Executive. It came over here, I imagine, two or three days, ago...four days ago and...the basic summary is that it creates the Joint Committee on State Regulation of Professions and Occupations and the committee is composed of eight legislative members and four public members appointed proportionately by the four principal legislative leaders, and the committee shall review and recommend action on those regulatory Acts scheduled to be repealed on 12-31 of '87. The...the House sponsor is Speaker Madigan, the Senate sponsors are Savickas and Netsch, and...that's the basic joint resolution.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

I wonder if the gentleman will take it out of the record for a minute so we can at least talk about it. I...we may not have...we may have no objection, but I guess at this point we would like to talk about it.

PRESIDENT:

Take it out of the record, Mr. Secretary. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

To go to the Order of Resolutions to suspend the rules to have a commendatory...a congratulatory resolution adopted, Senate Resolution 1110.

PRESIDENT:

All right, Senator Lemke has moved to suspend the rules for the purpose of considering Senate Resolution 1110 which

currently resides on the Consent Calendar. It is a congratulatory resolution and has to be moved rather quickly to accomplish the purpose. All right, Senator Lemke has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1110. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Lemke now moves the adoption of Senate Resolution 1110. All in favor of the adoption indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any further business to come before the Senate? Any announcements? For the information of the members of the Senate, the House has indicated they will be calling the resolution on the Compensation Review Board recommendation at approximately four o'clock and so we have effectively concluded our business for today. We will read...or finish the paper that the Secretary has and then we will be adjourning until noon tomorrow, twelve o'clock noon on Friday, and tomorrow we will be in a position to determine the weekend schedule. Let me just say that Senator Philip and I conferred with the other two leaders, we will be in Session this weekend but not for...it appears, not for very long, be we will be here both days because the conferees, particularly on Appropriations, will have to be meeting. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1124 offered by Senator Schaffer. It's congratulatory.

1125, by Senator O'Daniel. It's congratulatory.

And Senate Joint Resolution 175, by Senator Degnan and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

And Senate...Senate Resolution 1126, by Senator

Sangmeister.

PRESIDENT:

Executive. All right, any further business to come before the Senate? If not, Senator Vadalabene moves that the Senate stand adjourned until Friday, 27th day of June, at the hour of noon, noon tomorrow. Senate stands adjourned. Early tea time. Yeah, all right.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 27, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer this morning will be by the Reverend Rudolph Shoultz, Union Baptist Church, Springfield, Illinois. Reverend.

REVEREND RUDOLPH SHOULTZ:

(Prayer given by Reverend Shoultz)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Tuesday, June the 17th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion by Senator Vadalabene. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries. It is so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, June 18th; Thursday, June 19th and Friday, June 20th; Monday, June 23rd; Tuesday, June 24th; Wednesday, June 25th and Thursday, June 26th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the...excuse me, you've heard the motion as posed by Senator Vadalabene. Those in favor indi-

cate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and so ordered. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the adoption of their amendments to the bill with the following title:

House Bill 1446.

I am further directed to inform the Senate that the House has refused to concur with Senate Amendment No. 1 and on House Bill 2688, they refuse to concur with Senate Amendment No. 1.

And on House Bill 2839 refuse to concur with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY:

Senate Resolution 1127, by Senator Vadalabene. It's congratulatory.

1128, by Senator Mahar. It's congratulatory.

And 1129, by Senators Karpiel, Friedland, Savickas and all Senators. And it is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

PRESIDENT:

The Senate will please come to order. Messages from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 180 which is sponsored by Senator Donahue in the Senate and House Joint Resolution 181 which is sponsored by Senator Welch in the Senate.

PRESIDENT:

All right, with leave of the Body, we'll move those to a special order of business on a Supplemental Calendar. Those are the two resolutions that called for disapproval of the Compensation Review Board Report. Senator Philip and I have agreed that today would be the appropriate time to take up those resolutions and we will do so. So, with leave of the Body, Mr. Secretary, those two resolutions will be moved immediately to the Calendar, placed on the Order of the Secretary's Desk. Leave is granted. Resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 1130, by Senators Sommer and Davidson.

1131, 1132, by Senator Topinka.

1133, by Senator Barkhausen.

1134, by Senator Jerome Joyce.

And Senate Joint Resolution 176, by Senator Topinka.

PRESIDENT:

Consent Calendar. If I can have your attention, there has been some discussion between Senator Philip and I with respect to the weekend schedule and I know that it's of interest to the members. Let me just suggest that we will work this afternoon, given what's on the Calendar and the meetings that are currently...meetings that are currently going on. I had to delay the Conference Committee because the...some of the Governor's representatives indicated they wished to have another...they're meeting currently in the Governor's Office. There will be a meeting in the Governor's Office tomorrow with respect to the subject of horse racing and I've asked Senator Vadalabene and Senator Philip has asked Senator Weaver to speak on behalf of the Senate. When

we conclude our business this afternoon, which I expect will be approximately four o'clock, we will reconvene at ten o'clock tomorrow morning and handle whatever needs to be handled, and then we will reconvene on Sunday at 7:00 p.m., and then we will reconvene on Monday at ten o'clock and, hopefully, adjourn for the semester and go immediately to the Governor's House for his end of Session party. No, it's Monday. There is a party tonight, that's not the end of Session party. So, ten o'clock on Saturday and then 7:00 p.m. on Sunday and then ten o'clock on Monday. And by that time, we should have it all, hopefully, put together. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There will be a Democratic Caucus in...in the President's Office immediately. A Democratic Caucus in the President's Office immediately and we will reconvene approximately at two o'clock.

PRESIDENT:

That request is in order. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Republican Caucus, Senator Philip's Office immediately. We will be five minutes shorter than you.

PRESIDENT:

Terrific. All right, the Senate will stand in Recess until the hour of two o'clock. Republican and Democratic Caucus immediately. We'd ask all the members to be prompt. It shouldn't take but a...(machine cutoff)

RECESS

AFTER RECESS

PRESIDENT:

Senator Luft, for what purpose do you arise, sir?

SENATOR LUFT:

Thank you, Mr. President. I would like for the record to show that Senator Chew is absent today because of illness. Also, that Senator...Senator O'Daniel is due as a result of...or, I mean, absent as a result of a death in his family.

PRESIDENT:

The record will so reflect. All right, if I can have the attention of the Body, we have a number of requests. WAND-TV Channel 17 has requested permission along with Channels 3, 7 and 20...and WCAI-TV. I guess that covers them all. If...with leave of the Body, leave is granted. Senator Welch, for what purpose do you arise, sir?

SENATOR WELCH:

Mr. President, I would ask that we move to Senate Calendar Supplemental No. 1 Secretary's Desk Resolutions for House Joint Resolution 181.

PRESIDENT:

That request is in order. With leave of the Body, we'll move to Supplemental Calendar No. 1. Mr. Secretary, House Joint Resolution 181. The Senator also seeks leave to consider both resolutions; as I understand it, they are identical. House Joint Resolution 180 will be considered with 181, with leave of the Body. Leave is granted. On the Order of Secretary's Desk Resolutions, Supplemental Calendar No. 1. House Joint Resolution 181, Senator Welch. I'd ask the staff to take the conferences off the Floor. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Joint Resolution No. 181 and House Joint Resolution 180 are resolutions which recommend that the Legislature reject the recommendations of the Compensation Review Board. The Compensation Review Board has recommended pay raises of 9.7 million dollars over two years. Eighty...eighty-six percent of those 9.7 million dollars in raises will go to Judicial pay increases. The raises include raises of seventy-one thousand eight hundred dollars for cost

of living increases effective July 1, 1986, which end up being increases on top of salaries not even being paid to constitutional officers of the State of Illinois. Mr. President, there are basically three reasons why we should reject the recommendations of the Compensation Review Board. Number one, there is a budget shortfall in the State of Illinois of at least three hundred and four million dollars and we are scrambling to find needed revenue. Secondly, the priorities of the State of Illinois are set by the Legislature, and I don't believe this is the priority that we should set in this tight budgetary year. Third, the annualization of cost of living increases has come about by institutionalizing the Compensation Review Board. These three reasons, I believe, are sufficient enough to recommend an Aye vote on these resolutions. And I would move for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved the adoption of House Joint Resolution 181. Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a cosponsor or a sponsor of an identical resolution, I, too, would rise in support of this resolution. I do not think that at this time we can...we are doing this in the best interest of our constituency. I would just ask for an Aye vote on these resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Hall. Senator Hall. Senator...all right, Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to these resolutions. I think it's important to note that the cost...and there have been dollar figures that have been bantered about, but the cost of the proposed pay raises, which are four and a half percent

next year and five percent the year after, as it affects the General Assembly is two hundred and forty-five thousand dollars next year and five hundred and thirty-two thousand dollars the year after. I think that in my experience of eighteen years in the General Assembly the...I have not found at any time any substantial number of my constituents who have voiced any objection to a reasonable increase for State employees or a reasonable increase for their State Legislator. This falls very much so into that category. The total amount that we receive out of that is very, very small, each of us can form our own opinion as to the Executive and Judicial Branch, but I think it's important to note that our portion of this total cost is nominal, minimal, very, very insubstantial, a quarter of a million the first year and a half a million the second year. I urge a No vote or a non vote on these resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I don't really know that there's a lot of discussion that's necessary on this. When we established the Compensation Review Board, we asked them to make recommendations to this Assembly which we within thirty Session days have the opportunity to approve or disapprove. The moment of truth is with us. I frankly feel, as I have said publicly at the time the report was issued, that these raises are eminently justified, it is merely a cost of living increase. And even this morning, a national executive group said that middle management was deserving of a nine percent, this is a long way from nine percent. I urge a No vote on House Joint Resolution 181.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. One of the most difficult things we do in the General Assembly is vote for pay raises. And it's not so hard, very honestly, to vote for pay raises for other constitutional officers. The most difficult thing is to vote for our own pay raise and there's nobody else here to do it but ourselves. You're talking about a 2.5 percent...per year for four years. In my judgment, that's not a gigantic amount of money. I wish there was another way of doing it. I wish we could put our pay raises off to somebody else, to some other body, to the Executive Branch, the judges, but we can't, it's ours to do. Well, it's only seven million dollars a year in a budget of about twenty billion, not a large amount of money. I certainly would encourage everybody to vote No on this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close. Whoop...Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, hold it...

SENATOR GEO-KARIS:

...point of parliamentary...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Geo-Karis.

SENATOR GEO-KARIS:

...the...the two resolutions are going to be...considered at the same time, is that correct? 180 and 181?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...I was not on the Floor but I am told that leave of the Body was, in fact, granted to hear...to have a simultaneous vote on House Joint Resolution 180 and 181. Senator

Welch may close.

SENATOR WELCH:

Mr. President, I would urge an affirmative vote in order to reject the recommendations of the Compensation Review Board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch has moved the adoption of House Joint Resolutions 180 and 181. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 30. House Joint Resolution 181 and 182 having failed to receive the required constitutional majority or thirty affirmative votes is...has failed. All right. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I would ask you now that we move to the Order of Secretary's Desk Nonconcurrence and we'll go right through the Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, page 9 on your Calendar, Secretary's Desk Noncurrence is House Bill 2546, Mr. Secretary. Senator Watson, you're first out of the box. Secretary's Desk Nonconcurrence, House Bill 2546.

SECRETARY:

House Bill 2546 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 9,...can we have some order, please. We are on the Order of Secretary's Desk Nonconcurrence. House Bill 2546, Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I guess the proper motion would be to...to nonconcur...I move to nonconcur with House action and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson moves...

SENATOR WATSON:

Refuse to recede. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson moves to refuse to recede from House Amendments 1 and 2 to House Bill 2546 and that a Conference Committee be adopted. All in favor indicate by saying Aye. Opposed Nay. The...the Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2573, Senator Welch. Senator Welch. Mr. Secretary...all right, Senator Welch...I'm sorry, Mr. Secretary.

SECRETARY:

House Bill 2573 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Mr. President, I would move to recede from this amendment. What happened was the Senate changed the bill to be like the Senate bill. The House sponsor prefers it to remain like the House bill as he started out. So, I would ask that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Welch moves that the Senate refuse to recede from the adoption of Amendment...Senate Amendment No...all right,...can we have some order, please. I can hardly hear myself think. Senator Rock.

SENATOR ROCK:

I would just ask the members when we recede from a Senate amendment or Senate amendments, this is final action. So, I'd ask you to please be a little more attentive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Welch, would you...Senator

Welch.

SENATOR WELCH:

After hearing from the House sponsor, I would ask that we refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch has apparently changed his mind. Now we're refusing to recede. Senator Welch moves that the Senate refuse to receive...recede from the adoption of Senate Amendment No. 1 to Senate Bill...to House Bill 2573. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2642, Senator Joyce...Jerome Joyce. 2642, Mr. Secretary.

SECRETARY:

House Bill 2642 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Welch, could you take your conferences off the Floor, please. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would refuse to recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Joyce moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2642. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right, and a Conference Committee will be appointed on House Bill 2642, House Bill 2573 and House Bill 2546. House Bill 2785, Mr. Secretary.

SECRETARY:

House Bill 2785 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate refuse to recede from House Amendments No. 1 and 2...from Senate Amendments No. 1 and 2 to House Bill 2785 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz moves that the Senate refuse to receive...recede from the adoption of Senate Amendment Noes. 1 and 2 from House Bill 2785 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3036, Senator Welch. Senator Welch. Senator Welch on the Floor? House Bill 3043, Senator Lemke. Bottom of page 9, House Bill 3043, Mr. Secretary.

SECRETARY:

House Bill 3043 with Senate Amendments...Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move to recede from Senate Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ladies and gentlemen, it will go much quicker and faster if we have some order. We ask that you take your conferences off the Floor. All right, Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Senate Amendment No. 3 was the one which removed the provision in this bill that apparently would have cost some twenty million dollars to implement, and the Senate has already spoken on that issue and I'm curious to know why the Senator is now moving to...to recede from our position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The sponsor of the bill asked me to recede from the amendment and I am going along with the House sponsor...but that's what you...you...you are accurate, Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah, okay, thank you, very much. Mr. President, I'd simply like to call the attention of the Senate that this action on which we have already spoken and ask you to be alert for the Conference Committee report in case it comes back with this language back in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver has requested some order. Ladies and gentlemen, can we have some order, please. Take your conferences off the Floor. Senator Lemke.

SENATOR LEMKE:

I persist in my motion to recede from Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I had my signals mixed up here. Actually, what the...what the sponsor is doing is asking the Senate to recede from an amendment which was put on this bill the other day that would take out the objectionable provisions and that's something that we should not do. What...in effect...this is the bill, you remember, that would require the State to pick up a hundred percent of any of the...the mandates that we place upon the Criminal Justice System, and I don't think we should recede from this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Weaver on the Floor? All right, Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate, I rise in opposition to this motion to recede 'cause it...what it was just stated by Senator Schuneman, if this would pass, if we did vote recede, this is final passage, this is going to lay upon the State to a hundred percent pay all mandates under the Criminal Justice System. Now if you want another ploy on how to send State money to the counties, this is it. I'm not saying that counties may not need some help, but with the financial crunch you're all saying that the State Treasury is in, you're opening up a bag of worms that...that's unknown for what cost could be, and I urge all of you to vote against this motion to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I participated in the debate the other day that caused us to take out this...the portion of this dealing with the mandate. I don't think we ought to back off of that position. There are things that both local government and the State should participate in; our Criminal Justice System is one of them, it's both local dollars and State dollars and by making it a hundred percent mandate program, we're picking up a...the total cost and I don't think we should be put in that position. I urge a No vote on the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

I ask for a favorable adoption of my motion to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke...the question is, shall the Senate recede

from Senate Amendment 3 to House Bill 3043. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 20, the Nays are 34, none voting Present. The motion fails. Senator Lemke, do you have another motion? Senator Lemke.

SENATOR LEMKE:

...the other motion is that we not recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves that the Senate refuse to recede from the adoption of Senate Amendment 3 to House Bill 3043 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...there...there have been several...several inquiries of members who have, in fact, requested roll calls of the House joint resolutions that were just acted upon. The Secretary informs me that it, in fact, did skip one, so you'll have to move everybody up one to determine their...their actual posture. Yeah, everything is correct in the Journal and on the computer, the printer just made a little skip.

PRESIDENT:

Senator Degnan on 3058. Top of page 10 on the Order of Secretary's Desk Nonconcurrence, House Bill 3058, Mr. Secretary.

SECRETARY:

House Bill 3058 with Senate Amendment No. 4.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendment No. 4 to House Bill 3058 and ask

HB 3340 nonconcurrence

a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Degnan has moved to refuse to recede from Senate Amendment No. 4. Discussion? Senate...Senator Degnan...moves that the Senate refuse to recede from the adoption of Senate Amendment No. 4 to House Bill 3058 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3162, Mr. Secretary.

SECRETARY:

House Bill 3162 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I'm holding 3162.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. Senator Lemke. Senator Lemke, House Bill 3340. Middle of page 10...Mr. Secretary, Secretary's Desk Nonconcurrence, House Bill 3340.

SECRETARY:

Amendments No. 1...Senate Amendments No. 1, 4, 5, 6, 7 and 8 to House Bill 3340.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I move not to recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 4, 5, 6, 7, 8 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Davidson, 3422. All right, House bills, Secretary's Desk

Nonconcurrence, House Bill 3422, Mr. Secretary.

SECRETARY:

House Bill 3422 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move we not recede from Senate Amendment No. 1 to House Bill 3422 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3422 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Aye have it. The motion carries and the Secretary shall so inform the House. 3475, Senator Leitch. With leave of the Body, we will now proceed to the Order of Secretary's Desk Concurrence. I'm told that Senate Bill 2061...Senator Vadalabene, are...you ready to proceed? All right, on the...on the Order of Secretary's Desk Concurrence is Senate Bill 2061, Mr. Secretary. Page 9.

SECRETARY:

Senate Bill 2061 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Vadalabene, pardon me. Ladies and gentlemen, I know the House members must...have nothing else to do at the moment, but...we welcome you here, but please take your conferences off the Floor. Senator Vadalabene.

SENATOR VADALABENE:

Yes, at the outset, I would like to have Senator Jones be a hyphenated cosponsor of Senate Bill 2061.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Vadalabene to add Senator Jones as a hyphenated cosponsor or a cosponsor of Senate Bill 2061. Is leave granted? Leave is granted. It's so ordered. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. Amendment No. 1...House Amendment No. 1 to Senate Bill 2061 establishes the Vietnam War Veterans' Day a commemorative holiday on March 29th of each year. On March 29th, 1973, was the day the U.S. troops were officially withdrawn from Vietnam. A commemorative holiday does not require banks, schools or businesses to be closed...a commemorative holiday does not require banks, schools or businesses to be closed. On commemorative holidays, teachers and students are to devote a portion of the school day to study and honor the occasion. This amendment also makes a technical clean...clean-up change in regard to Lincoln's birthday. It does not change anything else, and I move to concur with the House amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is...is there discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 2061. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that...take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 2061 and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. I have assumed, with leave of this Body, sponsorship of Senate Bill 2200 along with Senator Philip. Senator Philip and I, after some lengthy discussion and with leave of the Body, I'd like to move to that order of business for the purpose of Tabling that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock seeks leave of the Body to go to the Order of Senate Bills 3rd Reading, on page 3, for the purpose of Tabling the bill. Is leave granted? Leave is granted. Senator Rock now moves to...to Table Senate Bill 2200. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Bill 2200 is Tabled. Senator Leitch, for what purpose do you arise?

SENATOR LEITCH:

Thank you, Mr. President. I would ask that House Joint Resolution 227 be considered, that we suspend the appropriate rule and adopt the resolution. These folks are leaving tomorrow and the House sponsor requests this courtesy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, I am told that this is a congratulatory resolution...

SENATOR LEITCH:

Yes, it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...that it is needed today. With leave of the Body, we'll go to the...is...it's my understanding that House Joint Resolution...227, a congratulatory resolution, is on the Consent Calendar. With leave of the Body, we will go to that order of business to take up that specific resolution. Is leave granted? Leave is granted. On the Order of...of the...of the Consent Calendar is House Joint Resolution 227. Senator Leitch moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 227. Those in favor indicate by saying Aye. Opposed Nay. The

Ayes have it. The rules are suspended. Senator Leitch now moves the adoption of House Joint Resolution 227. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 227 is adopted. With leave of the Body, now we'll go to the Order of Secretary's Desk Resolutions. Secretary's Desk Resolutions. Start on the...at the top of page 6 and proceed right through. Senator Rock. Senator Rock..with...all right. Senate Resolution 411, Senator Kustra. Senator Kustra on the Floor? Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Thank you. I'd like to ask to be added as a cosponsor, if I may, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Of...

SENATOR SMITH:

...leave of the Body...on Senate Bill 2061, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House bill?

SENATOR SMITH:

Senate Bill 2061.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith seeks leave of the Body to be added as a cosponsor of Senate Bill 2061 and add Senator Demuzio. Is leave granted? Leave is granted. It's so ordered. Now, we are on the Order of Resolutions. Senator Kustra on the Floor? 514. Senate Resolution 514, Senator Lemke. All right, Senate Resolution 514, Senator Lemke...oh, I'm sorry, Mr. Secretary.

SECRETARY:

Amendment...Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...what this amendment does is...is what was happening in the...in the...was brought up in the...in the Executive Committee when it was heard, it deletes all reference to IDOT and directs the Tollway Authority to study the need for noise barriers between I-90 and I-94 restricting the area. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Lemke, I apologize. You do not...I do not have a copy of the resolution, but did you amend this on the Floor to include the things that we had requested in committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That's what our staff did, yes. It restricted the area from I-90 to I-94 instead of the whole tollway system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke, I'm told that it does, in fact, involve the expenditure of money; therefore, a roll call will have to be taken. The question is on the adoption of Senate Resolution 514...all right, Senator Lemke moves the adoption of Amendment No. 1 to Senate Resolution 514. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senators Topinka and Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

SR 514 Amend

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this amendment would ask that the...the Highway Authority whenever it advertises any work for bid to send notices to each State Senator and Representative from the affected area or areas specifying the project's nature, location, expected cost, commencement, completion date. Basically what the Illinois Department of Transportation now does in terms of policy, we would be asking the tollway to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka has moved the adoption of Amendment No. 2. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, are you ready to proceed? All right. Senate Resolution 514, Senator Lemke.

SENATOR LEMKE:

I ask for the adoption of Senate Resolution 514 which calls for the tollway to do a study in regards to noise along the tollway in regards to residential area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is on the adoption of Senate Resolution 514 as amended. Those...those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 15, none voting Present. Senate Resolution 514 having received the required majority vote is adopted. Senate Resolution 624, Senator Netsch. 695. 720. 804, Senator Etheredge. Senator

Etheredge, 804? Senator Etheredge. Senator Etheredge, 804? 879, Senator Joyce. 879, Senate Resolutions? All right. Senate Resolution 879, middle of page 6...middle of page 6, Mr. Secretary, 879, Senate Resolution. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. What this says is that it directs the Department of Nuclear Safety to just make a study of the incident in Chernobyl and to make comparisons with Illinois nuclear reactors to see if they can preventa similar nuclear accident in Illinois, also dealing with the evacuation plans we have in Seneca, a town in...in my district. The last...a couple of weeks ago, they...they were not notified of a...of an...an accident and...at the Brookfield Station for some sixteen hours after it happened, and I would like our Department of Nuclear Safety to make some comparisons and report back to us on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. It's my understanding that the Department of Nuclear Safety agrees that it's probably a good idea to conduct this study, and while they may have some reservations about exactly how it ought to be done, we stand in support of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is on the adoption of Senate Resolution 879. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Resolution 879 having received the required majority vote is adopted. 881, Senator Dudycz. Senate Resolution 881, Mr...Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 881 urges the Soviet Union to make full restitution to the people of Ukrain and other countries who will suffer direct or indirect health hazardous from this nuclear accident at Chernobyl and that the United States demonstrate its compassion for the Ukrainian people by offering medical teams and medicine. The Senate Resolution 881 is an exact duplicate of a House resolution sponsored by Representative Kulas and which received unanimous support, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Dudycz has moved the adoption of Senate Resolution 881. Those...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 881 is adopted. Senate Resolution 900, Senator Smith. Senator Smith, Senate Resolution 900. I beg your pardon. I'm...I am told that there is an amendment to this. Senate Resolution 900, Mr. Secretary.

SECRETARY:

Amendment No. 1, by Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. Amendment No. 1 to...Senate Resolution 900 amends Senate Resolution...by deleting lines 13 and 14 and inserting the following "Winnie Mandela" and in line 15 by deleting "three" and inserting "two" and in line 16 by deleting "four" and inserting...deleting that...what we're eliminating in this...resolution is to recognize the African National Congress as the legitimate representative of the country's blacks. This was asked to be done in committee. The heart of the resolution is that we urge Congress and the President of the United States to encourage South Africa to, one, free

Nelson Mandela and lift the ban on his wife, Winnie Mandela; and two, which becomes...three which becomes two, is to impose stricter economic sanction as a means to speed the process of peaceful negotiations and, four...three...which is now three, establish framework for political discussions which can lead to a peaceful settlement with the black majority and be it further resolved that a suitable copy of this preamble and resolution be presented to the President of the United States, the President of the U.S. Senate, the Speaker of the U. S. House of Representatives and each member of the Illinois Congressional Delegation. I think that it is imparative that our Senate go on record as joining other legislative bodies across this country in expressing our concern for the plight of South Africa and the...and report to our...to our government and Congress...asking that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith, we are on...

SENATOR SMITH:

...they will free them...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We are on the adoption of Amendment No. 1.

SENATOR SMITH:

...are you on the adoption of that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, ma'am.

SENATOR SMITH:

Okay, thank you. Well, the adoption is that we would eliminate item two, which I first read.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This resolution was approved by the minority members of the Executive Committee with the understanding that a...that an amendment would be offered

and, of course, it has now been offered but we've not had an opportunity to really look at it and put it together with the resolution. I would ask Senator Smith to take this bill out...or this resolution out of the record for a few minutes until we've had an opportunity to look at it. I have no objection to adopting the amendment and then getting back to it; if...if we could proceed that way, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith, the gentleman has suggested that we adopt Amendment No. 1 and he has requested that...after that adoption that you take the resolution out of the record in order that you might confer on the resolutions that's in the...in its entirety after amended. Senator Smith.

SENATOR SMITH:

I...Mr. Speaker and members of the Senate, I agree, I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Smith has moved the adoption of Amendment No. 1 to Senate Resolution 900. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. With leave of the Body, we'll come back to that later in the...oh, I'm sorry, there...there is another amendment. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, it'll...it'll repose back on the Calendar. 902, Senator Keats. Senate Resolution 902, Senator Keats.

SENATOR KEATS:

The resolution urges, doesn't mandate anything, urges Illinois business and State Government not to purchase from terrorist nations, such as, Iran, Lybia, Syria. Again, it urges, does not mandate and does say that we...makes a state-

ment that we do not intend to trade with terrorist nations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Keats has moved the adoption of Senate Resolution 902. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate...oh, I'm sorry, I didn't...Senator...Senator Joyce, I didn't see you. Senator Joyce. All right, Senator Keats has moved the adoption of Senate Resolution 902. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 902 is adopted. With leave, we'll come back to 921 in a minute. Senate Resolution 922, Senator Geo-Karis. All right, there's leave to go back to Senate Resolution 921. Leave is granted. Senate Resolution 921, Mr. Secretary.

PRESIDENT:

On the Order of Secretary's Desk Resolutions, Senate Resolution 921, Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Resolution 921 makes a request of the EPA to conduct a feasibility study regarding the implementation of a waste water facilities revolving loan fund for our State to be submitted to the General Assembly by January the 1st of 1987. The Federal Clean Water Act would require communities to achieve compliance with discharge and...by July the 1st of 1988, and since the U.S. EPA and the Illinois EPA have required communities to develop municipal compliance plans which define their compliance and financial needs and since the Federal and State Grant Assistance Program is not expected to be available for many of these communities across our State that must be forced to upgrade their facilities and that the reauthorization of the Clean Water Act is expected to include a new provision for capitalization of State revolving funds to provide some relief for current and long-term community needs; therefore, this resolution, at the request of the Illinois EPA, is...is request-

ing a study to determine the feasibility...regarding the implementation of a waste water facilities revolving loan...program for our State and that requires that the study would be submitted to the General Assembly by January the 1st of 1987. Frankly, I think this may, in fact, be one of the most important things we do this...this Session since many of our communities are faced with these demands by both U.S. EPA and...in the Illinois EPA and I would move its adoption.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Senate Resolution 921. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. We join with Senator Demuzio in urging adoption of this important resolution. It affects every district in the State of Illinois. We think it's a good idea.

PRESIDENT:

Question is the adoption of Senate Resolution 921. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Resolution 921 having received the required constitutional majority is declared adopted. Senator Smith, I'm informed by the...the Chair has been informed that Senator Schuneman and others are satisfied with respect to Senate Resolution 900. If it's your wish, we'll go right back to it. On the Order of...Secretary's Desk Resolutions, Senate Resolution 900. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. Inasmuch as I have already explained, I merely would ask for the adoption of this resolution.

PRESIDENT:

All right, Senator Smith has moved the adoption of Senate Resolution 900. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Top of page 7, 929, Senator Lechowicz. On the Order of Secretary's Desk Resolutions, Senate Resolution 929. All right, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by the Executive Committee.

PRESIDENT:

Senator Lechowicz on Committee Amendment No. 1.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1 stipulates that the audit shall be a compliance audit and limits the scope of the audit to only those funds appropriated to the Department of Transportation, Commerce and Community Affairs and Revenue, deletes the requirement that the Auditor General investigate such funds, requires the audit to be submitted by April 1st, 1987 rather than December 1st, 1986. I move for its adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Committee Amendment No. 1 to Senate Resolution 929. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

All right, we'll have some intervening business, Senator Lechowicz, and get right back to you. Senate Resolution 939, Senator Luft. Senate Resolution 974, Senator Joyce. On the Order of Secretary's Resolution...Secretary's Desk Resolutions, Senate Resolution 974, Mr. Secretary.

SECRETARY:

No...no committee amendments.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. Senate Resolution 974 would send a clear message to those who would seek to impose a city income tax in the City of Chicago upon those who earn a wage or a living in the City of Chicago, the people who reside in the suburbs and the people who reside in the city. As I explained in the Executive Committee where there were no dissenting votes, this is the wrong tax, this is the wrong time, this is the wrong place; and to come at this time and say to the people who are considering locating businesses in the City of Chicago, people who are considering locating in the City of Chicago that they are going to be hit with another tax at some future date, I think, is bad mistake and I would ask that this Body adopt Senate Resolution 974 and deliver a very clear message.

PRESIDENT:

All right, Senator Joyce has moved the adoption of Senate Resolution 974. Discussion? Senator Kelly.

SENATOR KELLY:

Yes, Mr. President, I'd like to get leave to be added as a hyphenated sponsor on Senate Resolution 974.

PRESIDENT:

All right, the gentleman seeks leave to be added as a hyphenated cosponsor. Is leave granted? Leave is granted. Further discussion? Senator Netsch.

SENATOR NETSCH:

I...will the sponsor yield for one question, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

...I...I assume...I don't have a copy of the resolution

in front of me and I just want to make sure that in the ending provision where it usually says and that a suitable copy be sent to thus and so that it say "and a suitable copy be sent to the members of the Illinois Senate and the Illinois House," because it is only by authority of the Illinois General Assembly that the city or...or any other city can impose an income tax. So, I'm not quite clear why we are passing a resolution telling ourselves that we ought not to do something that only we can do in the first place. So, we do ask that a...a copy be sent to ourselves, right?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, that's the whole purpose of the resolution. The whole purpose of this resolution, Senator Netsch, is to give those...to tell those people who are suggesting that they are going to come here in six months and seek a city income tax that they are not going to get it. We are going on record saying we will not do that. So, those business people who are thinking of locating in Chicago, those...those people who are...are...are looking at the economic situations in the City of Chicago will know that they can locate their business in Chicago, that they will not get socked with a tax; those people who are considering relocating out of the City of Chicago because of the present economic situation, because of statements such as...are coming forth from the city council and from the mayor's office that they are going to be socked with another tax, they will understand that we are on record we are not going to authorize the City of Chicago to impose a city income tax. That's what the resolution says. I clearly understand that the city cannot do it without our approval.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Yeah, I...I don't think we ought to do it right now either, as a matter of fact, so I'm not arguing the merits of it. I just am not quite sure what we accomplish by doing this because at the same moment that we can adopt a resolution saying, gee whiz, we oughtn't to do this, we could change...that is any time the Legislature changed its mind, like next year or the year after or any other time, it could simply do it. I mean, the resolution...doesn't bind us and I'm not...sure that we really have accomplished anything other than to say, you know, go away and don't bother us this year. That...that is not a question, by the way.

PRESIDENT:

I understand. Further discussion? Senator Lemke.

END OF REEL

REEL #2

SENATOR LEMKE:

...I'd like to have leave to be...added as a hyphenated joint sponsor.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of Senate Resolution 974. Without objection, leave is granted. Senator Collins.

SENATOR COLLINS:

Yeah...let me...let me for real...for clarity of this resolution and I have the same basic concerns, I'm trying to find out what the sponsor is...what are we doing? You know, are we just going through the formalities here...some formalities, because there's no way that you can tell me, as a citizen and as an elected representative, that I cannot come here at any time and introduce some legislation calling for the authorization of an income tax in the City of Chicago or any other city in this State. You just can't do that with a resolution. So I don't know what you're doing.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

(Machine cutoff)...you, Mr. President. I ask leave to be added as a cosponsor of this resolution.

PRESIDENT:

The gentleman seeks leave to be added as a cosponsor of Senate Resolution 974. Without objection, leave is granted. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the

Senate, people are getting tired of being taxed to death. I think this is a very worthwhile resolution and I think it's a very necessary resolution, and I'd like to see...in fact, I'm going to sponsor a resolution saying that no local government will be able to have an income tax, and I don't know how...far I'll get with it...if I can't do it by resolution, I'll do it by bill. I think it's a good resolution and I speak in favor of it.

PRESIDENT:

Well,...Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

You cut me off and...

PRESIDENT:

I did not cut you off; you said, I don't understand what you're doing. I didn't take that to be a question.

SENATOR COLLINS:

...but he didn't answer my...he didn't my question.

PRESIDENT:

That is not the...the Chair's definition of a question. Senator Topinka.

SENATOR TOPINKA:

Yes, just a question of the sponsor, please.

PRESIDENT:

Question...or the sponsor...

SENATOR TOPINKA:

Yes, does this also affect suburban Cook County?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it certainly does. The proposed...the...the proposal that...that comes from the mayor would tax anyone who is making a living or earning an income in the City of Chicago.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, it's an outstanding idea. Can...may I have leave to be added as a cosponsor, please?

PRESIDENT:

The lady seeks leave to be added as a cosponsor as does Senator Geo-Karis. Without objection, leave is granted. Senator Jones.

SENATOR JONES:

Thank you, Mr. President...will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Jones.

SENATOR JONES:

...Senator Joyce, does this resolution preclude the Village of Arlington Heights from imposing a local tax?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

No, but if you would like to prepare an amendment that would encompass that notion, I'd certainly support it.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Does this resolution preclude the Village of...or the town...City of Springfield or City of Peoria or City of East St. Louis from imposing an income tax?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I'm not aware of the mayors of those cities...proposing city income taxes. If they are,...you know, and...someone wants to put an amendment on which would deal with that, I would not have any objection, Senator Jones.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, could you read to the Body the resolve clause of the resolution?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Could you read...I don't know what the resolve clause of the resolution says, could you read that?

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well,...maybe the Secretary could read it to you, Senator Jones.

PRESIDENT:

Mr. Secretary, if you please.

SECRETARY:

(Secretary reads SR 974)

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, you know, I...I notice many persons across the...across the aisle and to all parts of the...the State jumped on...on the resolution, you know, they all jumped on the City of Chicago, but I noticed that the resolution doesn't preclude their...local units of...government from increasing where they would tax if they so desire. So this...it's a self-serving resolution, and I don't think that we...we, the members of the General Assembly, should be telling local units of government that if they need to raise revenue, then they must get the revenue. It's very self-serving, it should be defeated.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Basically, when this matter was heard before our committee, I asked at that time to be listed as a chief co-sponsor; and the reason for...or I believe the importance of it is that the City of Chicago and its administration has proposed the idea twice now of imposing a city income tax much to the chagrin of not only to the business community but also to the people who work in the City of Chicago from all areas of the northeastern section of the State of Illinois. The mayor of Springfield nor the mayor of Arlington Heights, Rollington Park or any other mayor, to my knowledge, has not proposed a city income tax. That issue has been proposed and discussed in the City of Chicago. That was the reason of genesis of this Senate resolution, that's why at that time, I asked to be listed as a chief cosponsor because the magnitude and the impact affects not only Chicago but the surrounding residents of the...of that section of the State and the business community, and I think that this resolution should be adopted overwhelmingly. Thank you.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Joyce, you wish to close?

SENATOR JEREMIAH JOYCE:

Very...very briefly. You know, this proposal does impact my community, it impacts the City of Chicago. It does have...some effect, it tells those people up in Chicago to try to find some other revenue sources. If revenue is needed, find some other revenue sources. We do have a responsibility, Senator Jones, because we have the authorization of...to...to allow this or to permit this income tax. I ask the adoption of 974.

PRESIDENT:

All right. The question is, the adoption of Senate Resolution 974. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 5 Nays, none voting Present. Senate Resolution 974 having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Resolutions, Senate Resolution 929. 929, Mr. Secretary.

SECRETARY:

Senate Resolution 929 with...with...Committee Amendment No. 1.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 929 asks for a compliance audit in three areas for the City of Chicago; money that is received from the Department of Transportation, money that is received from the Department of Revenue and Community Affairs...Commerce and Community Affairs. Basically, as it was pointed out in committee, there was a compliance audit that's required of every other municipality in this State. The magnitude of the City of Chicago, they have one person assigned to do a compliance audit supposedly on all this money coming into the City of Chicago. Such financial audits are not intended necessarily to demonstrate compliance with State grants and they should. Grant reporting compliance with State requirements is generally audited at the discretion of the State granting agency and to the extent deemed appropriate by the agency. That's the fact of life when the City of Chicago and the Finance Committee hired Coopers and Liebrand, they hired them for the specific purpose of trying to get additional bonding authority for...from the New York

bonders. Unfortunately, a compliance audit, as you and I know it, has not been conducted in the City of Chicago over the past twenty years. This situation is long overdue and that's the...purpose of 929. I strongly recommend that this Body adopt and vote on...behalf of 929.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. The question is, shall the Senate adopt Senate Resolution 929. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. Senate Resolution 929 is adopted. 939, Senator Luft. Senate Resolution...no,...978, Senator Jerome Joyce. Senate Resolutions 978. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No wait a minute...I beg your pardon. We'd better read...978.

SECRETARY:

...Senate Resolution 978...and no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

All right, thank you, Mr. President. Last year, we...we passed Senate Bill 1021 which...required the Commerce Commission to study the...implementation of promotional rates used by a public utility for its industrial and commercial customers. What this resolution does is call on the ICC to include in its study of promotional rates the possibility of removing the minimum take required to qualify so that such rates will be available to a greater number of small businesses. What this does is just lower the amount of kilowatt

hours they have to use to...for an incentive for small businesses to locate. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Resolution...Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I would just like to rise in...in support of this resolution. I think the study would...would be an...excellent opportunity to help small business in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Joyce moves the adoption of Senate Resolution 978. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 978 is adopted. Senate Resolution 1009. Mr. Secretary.

SECRETARY:

Senate Resolution 1009 with...Executive Committee offers one amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Committee Amendment No. 1, the adoption of which I will move, changes the numbers to reflect the fact that the lottery is now in excess of one billion dollars annual, it's 1.3 billion their estimate is, and it made a couple of other word changes in the text after consultation with the lottery officials. I know of no objection, I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock moves the adoption of Committee Amendment No. 1 to Senate Resolution 1009. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it.

Committee Amendment No. 1 is adopted. Further committee amendments?

SECRETARY:

No further committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolution...I'm sorry, amendments from the Floor?

SECRETARY:

No...no further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...we'll come right back to it with some intervening business. Senator...Senate Resolution 1045, Senator Rock. 1046, Senator Lechowicz. Senate Resolution 1046, Mr. Secretary.

SECRETARY:

With...no amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 1046 urges President George Dunn and the County Board of Commissioners, Richard J. Daley and the State's Attorney's Office of Cook County and Judge Harry Comerford, the Circuit Court of the 1st District of the State of Illinois to study and report a night court to be established in Cook County for cases involving acts of vandalism by juvenile offenders. This is an area that's been discussed quite candidly and openly in the northwest section of the City of Chicago and the southwest section, and both communities have strongly recommended an urge that a juvenile night court be established who's tried to...stop the act of vandalism and juvenile delinquency that's unfortunately occurring in those communities. That's the purpose of 1046. I know of no objection, came out of committee 17 to nothing and I think it merits your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

...thank you, Mr. President. I ask leave to be added as a cosponsor of Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz seeks leave of the Body to be added as a cosponsor. Is leave granted? Leave is granted. Further discussion? Senator Lechowicz moves...Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

When do this...is there any reporting requirement...back to us on...on this, Senator Lechowicz?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

No, sir, just urging them to establish this court in Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, okay, I thought if it took it after November, you might want to include Joe Matthewson's name under...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Maybe ten years from now that may be possible but not in 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz has moved the adoption of Senate Resolution 1046. Those in favor indicate

by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1046 is adopted. All right, with leave of the Body, we'll return to Senate Resolution 1009. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would also ask leave of those members who have asked me to...for leave to be cosponsors, Senators Jones and Smith. This is a resolution concerning itself with the State lottery. And specifically what we are asking the Economic and Fiscal Commission to determine and to report back to us is the impact of the lottery on the poor and the working poor. There were some allegations that the poor who purchase tickets are not aware really of what impact there will be in the event that they win with respect to their general assistance or public assistance and food stamps and other benefits. There was some concern about the advertising and marketing with respect to the lottery. There is some concern about future practice. I have met with the lottery officials, I have met with the...director of the Department of Public Aid, all of whom, I might say, are willing to cooperate and provide the information necessary so that this General Assembly will have a thorough study of the advertising and marketing practices, the practices and policies of other states that have lotteries so that we can get a pretty good overview of what happens and, hopefully, put a lot of these concerns and...and worries to rest. We've asked the Economic and Fiscal to do it expressing that we expect the full cooperation of the State lottery and the Department of Public Aid and all departments of...of State Government. I don't think there is any objection to this. We've asked that the report be submitted to the Assembly by December 1,...1986, and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, I'd like to get leave to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request of Senator Kelly to be added as a cosponsor. Is leave granted? Leave is granted. Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President. I, too, would like to be added as a cosponsor, if...if I could.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request of Senator Dunn to be added as a cosponsor of Senate Resolution 1009. Senator Collins has made a similar request. Senator Poshard, Senator Smith and if you will just give the Secretary your name down here, he will automatically just add it to you. With leave granted...and Senator Netsch. We will...

SENATOR NETSCH:

Yeah, thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...just a moment, we...those individuals that I've just read into the record will be afforded the opportunity to be cosponsors. Senator Netsch, on this question.

SENATOR NETSCH:

Thank you. I just wanted to make a point for the record. I'm strongly in support of the objective of this study and, as I indicated to Senator Rock in the committee and subsequently, I hope that...I know that he has now requested that we have the full cooperation of the lottery and the Department of Public Aid which the Economic and Fiscal Commission, which I cochair, will certainly need. There are still some parts of the study that are going to be a little bit difficult for us to do in terms of our resources and I hope that everyone will be reasonably patient and understanding about

that, but we will do our very best to produce the information that is requested because I think we all agree that it is very important information. It's just that some of it is a little hard to come by and we may need a little extra help from other parts of State Government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock has moved the adoption of Senate Resolution 1009. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Resolution 1009 having received the...the required majority vote is declared passed. Senate Resolution 1004, Senator Lechowicz. I'm sorry, Senate Resolution 1047.

SECRETARY:

...Senate Resolution 1047, no committee amendments.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 1047 is the recommendation that was given to us by the Auditor General the early part of this month when he gave us a summary and report Digest on the feasibility study of the State toxology laboratory. In that summary of a very detailed report, the recommendation...that's contained in 1047 was contained on page 8, and it's asking...the Auditor General requested that in order to really complete the first overview, it would be necessary to conduct a program and management audit of all the State's laboratory services. That was the recommendation and the report we all received. I thought it was an excellent idea. It came out of committee 17 to nothing and I move for its concurrence...adoption.

PRESIDENT:

Senator Lechowicz has moved the adoption of Senate Reso-

lution 1047. Any discussion? If not, those in favor of the adoption will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Resolution 1047 having received the required constitutional majority is declared adopted. If I can have your attention, Representative Panayotovich has...accompanied by a very special guest that I would like the opportunity to introduce. Sam, will you...it is my pleasure to introduce to you the Consul General of Yugoslavia who is visiting the General Assembly today, Mr. Bahrudin Bijedic.

MR. BAHRUDIN BIJEDIC:

(Remarks by Mr. Bijedic)

PRESIDENT:

House Joint Resolution 104, Senator Luft. HJR 183, Senator DeAngelis. HJR 184, Senator D'Arco. HJR 189, Senator Karpiel. You got to pay attention in this business, Aldo. HJR 189, Senator Karpiel. On the Order of Secretary's Desk Resolutions, House Joint Resolution 189, Mr. Secretary.

SECRETARY:

House Joint Resolution...189 with no amendments.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Joint Resolution 189 petitions the President and the Congress of the United States not to limit the eligibility of the nation's veterans to VA health care benefits and to provide adequate funding to the Veterans' Administration to enable it to continue to offer state of the art medical care to those veterans who are eligible for and need and apply for such care, and I ask for your support.

PRESIDENT:

Any discussion? There any discussion? If not, Senator Karpiel has moved the adoption of House Joint Resolution 189. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Poshard on 197. On the Order of Secretary's Desk...Resolutions is House Joint Resolution 197. Mr. Secretary.

SECRETARY:

With no committee amendments.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 197 urges the Governor and the Illinois congressional delegation to oppose Congressional House Resolution 4567 which would impose severe economic hardships on the coal production of the State of Illinois. The U.S. House of Representatives is currently considering House Resolution 4567 which attempts to solve the acid rain problem. This could cut Illinois coal production by up to two-thirds of the 1985 production levels, costing the State about four thousand mining jobs and could cause a six hundred million dollar loss to the State's economy. Illinois in the past few years has significantly reduced air pollution from coal at a cost of hundreds of millions of dollars to electric utility customers, and the State of Illinois has invested over fifty million dollars in research and development projects designed to reduce this kind of pollution. We think this is the path to go down to develop new clean coal technology so that we do reduce whatever sulfur content escapes into the air. The Governor has made a trip to Washington in regard to this task already, and we would urge you to support this resolution.

PRESIDENT:

Any discussion? Is there any discussion? If not, the

question is the adoption of House Joint Resolution 197. Those in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator DeAngelis, 183. On the Order of Secretary's Desk Resolutions, House Joint Resolution 183, Mr. Secretary.

SECRETARY:

...House Joint Resolution 183 and no committee amendments.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Joint Resolution 183 urges the House and the Senate to oppose...the U.S. House and Senate to oppose the contracting out of positions such as guards, elevator operators, messengers and custodians which are restricted to veterans' preference eligibles in Federal agencies.

PRESIDENT:

Senator DeAngelis has moved the adoption of House Joint Resolution 183. Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. A question to the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

I have the...the strange feeling, Senator DeAngelis, that the...your resolution really flies in the face of what I thought was one of your major commitments and, that is, to the privitization of government services because this would, in effect, say that the United States Government should not do that which you have been a strong advocate in this General Assembly. Could you just explain that to me?

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

I intend to vote No.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

That explains it.

PRESIDENT:

All right. Senator DeAngelis has moved the adoption of House Joint Resolution 183. Any further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Top of page 8,...(machine cutoff)...Joint Resolution 150, Senator Watson. Mr. Secretary, on the Order of Secretary's Desk Resolutions is Senate Joint Resolution 1-5-0.

SECRETARY:

Senate Joint Resolution 150 with no committee amendments.

PRESIDENT:

All right, Senators Watson and Poshard. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Senate Joint Resolution 150 requests the Attorney General to allow the recommendations of the Governor's Task Force on Detention Standards to be presented before pursuing lawsuits against the various counties in the State of Illinois that aren't complying with State and Federal standards in regard to county jails. I'll be glad to answer any questions and move for its adoption.

PRESIDENT:

All right. Senator Watson has moved the adoption of Senate Joint Resolution 150. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Joint Resolution 150 having received the required constitutional

majority is declared passed. Senate Joint Resolution 155, Senator Woodyard. Senator Jones, I am told that you have a motion with respect to a resolution as soon as the Secretary can...(machine cutoff)...we finish this motion and resolution and the...a little bit of paper that's left there, we will effectively have concluded our day's business. Okay. Mr. Secretary, read the motion, please.

SECRETARY:

I move to discharge the Senate Executive Committee from further consideration of Senate Joint Resolution 166 and to have that resolution placed on the Calendar on the Order of the Secretary's Desk Resolution. Signed, Senator Jones.

PRESIDENT:

...all right, Senator Jones on the motion.

SENATOR JONES:

Yes, thank you, Mr. President. I talked to the minority spokesperson and the chairman of the committee and the minority leader as it relate to this motion, and the bill was voted on, not based on the resolution but on...a procedural matter and I was not there at the time, so I ask for a...a favorable consideration of this motion.

PRESIDENT:

All right. Senator Jones has moved to...to discharge the Committee on Executive from further consideration of Senate Joint Resolution 166. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Joint Resolution 166 is now discharged. Senator Jones, you wish to take it up? Senator Jones seeks leave of the Body to immediately take up Senate Joint Resolution 166. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I...I do have an amendment...one amendment to the resolution and what the amendment does is allow the superintendent of education to appoint a

designee for the committee to make other...make other nonsubstantive changes. I move for the adoption of the amendment.

PRESIDENT:

Senator Jones has moved the adoption of Amendment No. 1 to Senate Joint Resolution 166. All in favor of the...any discussion? Senator Barkhausen on Amendment No. 1. All in favor of the adoption of the amendment indicate by saying Aye. All opposed. The Ayes have it...Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

Senator Jones on Senate Joint Resolution 166. We'll give them just a minute to look at the amendment; in the meantime, we'll go back, with leave of the Body, to Senate Joint Resolution 155. Senator Woodyard has rejoined us.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I do apologize being off the Floor for a moment. Senate...Joint Resolution 155 is one of the resolutions proposed by the Illinois Coal Caucus and urges the Federal Congress to recognize the significant contribution that the Illinois bituminous coal industry has made as well as continue to urge support for the coal kiln gas projects, and I would urge adoption of the resolution.

PRESIDENT:

All right. Senator Woodyard has moved the adoption of Senate Joint...Senate Joint Resolution 155. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Joint Resolution 166, Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Senate Joint Resolution

166 sets up a...a joint committee on the secondary and elementary school sports for the purpose of looking at the recruitment, practice, training, the academic standards of sports in elementary and high school. It calls for the appointment of a seventeen-member committee composed of three persons each appointed by the legislative leaders, and four public members to be appointed, as well as one member to be appointed by the State Board of Education. The State Board of Education would also provide the necessary staff to look into the entire parameters of sports in our elementary and secondary schools, and this committee to report back to the...the General Assembly no later than January the 14th, 1987, and I move for its adoption.

PRESIDENT:

All right. Senator Jones has moved the adoption of Senate Joint Resolution 166. Those in favor...any discussion? If not, those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. Senate Joint Resolution 166 having received the required constitutional majority is declared passed. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1135 offered by Senator Demuzio, Rock and all Senators, it's congratulatory.

Senate Resolution 1136, by Senator Lemke is congratulatory.

...Resolution 1137, by Senator Jones is congratulatory.

Senate Resolution 1138, by Senator Savickas is a death resolution.

PRESIDENT:

Consent Calendar, Mr. Secretary.

SECRETARY:

And Senate Joint Resolution 177, by Senator Woodyard.

PRESIDENT:

...Consent Calendar.

SECRETARY:

And Senate Joint Resolution 178, by Senator Jeremiah Joyce.

PRESIDENT:

Executive. Senator Barkhausen, for what purpose do you arise, sir?

SENATOR BARKHAUSEN:

On a point of personal privilege, Mr. President. As some of the members may know, it happens to be the birthday of one of our members, the little giant from Freeport, Senator Harlan Rigney, who we're told is celebrating his 30th birthday. We have a small presentation for him, whoever is responsible for that,...outside the Chamber here in the back on the Republican side, if...if they would now come forward, may not have quite enough candles in it.

PRESIDENT:

Senator Rigney, happy birthday.

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, I certainly want to thank you and I want to say that you've really made my day; in fact, my friend, Aldo, said one thing I've got to look forward to, I won't get any more ugly as the years go by. So, thank you, very much.

PRESIDENT:

You're welcome. Senator Marovitz, for what purpose do you arise, sir?

SENATOR MAROVITZ:

Thank you, very much. I would ask leave of the Body to be added as a principal hyphenated sponsor to House Bill 3346.

PRESIDENT:

The gentleman seeks leave to be added as the principal hyphenated sponsor of House Bill 3346. Without objection, leave is granted. Senator Welch.

SENATOR WELCH:

Mr. President, having spoken with the sponsor, I would ask leave to be substituted as the chief sponsor of Senate Bill 2117 and ask that the bill read Welch-Maitland-Demuzio.

PRESIDENT:

Senate bill?

SENATOR WELCH:

Senate Bill 2117.

PRESIDENT:

Senate Bill 2117, the gentleman wishes to substitute sponsors and have the bill read Welch-Maitland-Demuzio. Without objection, leave is granted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in their amendments...Senate amendments to the following House bills.

2986, 2988, 2989, 2991, 2998, 3050, 3165, 3191 and 3257.

A Message from the House by Mr. O'Brien, Clerk.

I'm directed to inform the Senate the House of Representatives refused to recede from their amendments to the following Senate bills and have requested a first Committee of Conference, and the Speaker has appointed the members on the part of the House.

Senate Bills 1320, 1809, 1931, 1957, 2003, 2042, 2076, 2100, 2165, 2173.

PRESIDENT:

All right. Senator Demuzio moves that the Senate accede

to the request of the House on the foregoing bills. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 230, it's a death resolution.

House Joint Resolution 231, it's a commendatory resolution.

And House Joint Resolution 234 is a congratulatory resolution.

PRESIDENT:

Consent Calendar, Mr. Secretary. Senator Mahar, for what purpose do you seek recognition?

SENATOR MAHAR:

Mr. President, I would move that we suspend the appropriate rules to...for immediate consideration of a congratulatory resolution, Senate Resolution No. 1100.

PRESIDENT:

All right. The gentleman seeks leave to move to the Order of the Consent Calendar for the immediate consideration of Senate Resolution 1100, a congratulatory resolution. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Mahar on Senate Resolution 1100, just congratulatory? Senator Mahar moves the adoption of Senate Resolution 1100. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further business to come before the Senate? Senator Philip.

SENATOR PHILIP:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to remind the Senators that the Governor has invited us over to the Mansion for a reception tonight, entertainment, beverages and the spouses are invited, plus the employees, secretaries and the staff.

PRESIDENT:

Seven o'clock sharp, huh? Further business to come before the Senate? Any further announcement? If not, Senator Vadalabene moves that the Senate stand adjourned until Saturday morning, Saturday, June 28th, the hour of 10:00 a.m., ten o'clock tomorrow morning. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 28, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of ten o'clock having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery...will please rise. Our prayer this morning is by...will be by the Reverend Gerald Nichols, First United Methodist Church, Springfield, Illinois. Reverend Nichols.

REVEREND NICHOLS:

(Prayer given by Reverend Nichols)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene. Reading of the Journal.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, June 18th; Thursday, June 19th, and Friday, June 20th; Monday, June 23rd, and Tuesday,...June 24th, and Wednesday, June 25th, and Thursday, June 26th, and Friday, June 27th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Vadalabene. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. So ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to recede from their amendments to the following Senate bills:

Senate Bill 415, 1517, 1552, 1565, 1666, 1709, 2020 and 2129.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of the following joint resolution together with House Amendment No. 1.

Senate Joint Resolution 101 with House Amendment No. 1.

A Message from the House, Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am asked...to instruct...to the concurrence of the Senate, to-wit:

House Joint Resolutions 127, 171, 232 and 233.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The House joint resolutions just read by the Secretary referred to the Executive Committee. Message from the House.

SECRETARY:

On the Message from the House that I read just recently on...on...on Senate bills, the House was requesting the first conference and the Speaker has appointed the members on the part of the House on the following Senate bills:

415, 1517, 1552, 1565, 1666, 1709, 2020 and 2129.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Luft moves that the Senate accede to the request of the House...and Conference Committee be appointed. It's...it's my understanding that Secretary's Desk Nonconcurrence...leave, we'll go to that order of business, page 8, handle just the appropriation bills for the moment. We will begin on page 8, House Bill 2688, Senator Carroll. 2688.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we nonconcur...I'm sorry, that we do not recede from Senate Amendment No. 1 and ask the House for a conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Mr. Secretary,...2688, let's read it in, House bill.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2688 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves that the Senate refuse to recede from the adoption of Senate Amendment 1, and that House Bill 2688...to House Bill 2688 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2986, Senator Sommer. Senator Sommer.

SENATOR SOMMER:

Mr. President, could I have leave to move that in absence of Senator Leitch?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes. Senator Sommer requests leave of the Body to handle House Bill 2986. Is leave granted? Leave is granted. Mr. Secretary, House Bill 2986.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2986 with Senate Amendments Noed. 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move that the Senate refuse to recede from Senate Amendments 1 and 3 and request a Conference Committee of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 3 to House Bill 2986 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2988, Senator Donahue. Senate...all right. House Bill 2988, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2988 with Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move...I would move to...refuse to recede from Amendment No. 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Donahue.

SENATOR DONAHUE:

Yeah, I'm still...I refuse to recede. I may have the wrong amendment, but I refuse to recede from any of them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue moves that the Senate refuse...to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 and that a...to House Bill 2988 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2989. House Bill 2989, Mr. Secretary.

SECRETARY:

House Bill 2989 with Senate Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President, I move that the Senate refuse to recede from all amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 to House Bill 2989 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion

carries and the Secretary shall so inform the House. 2991, Senator Etheredge. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I would seek leave to handle this bill in the absence of Senator Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge seeks leave to handle House Bill 2991. Leave is granted. House Bill 2991, Mr. Secretary.

SECRETARY:

House Bill 2991 with Senate Amendments 1, 2 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I move that the Senate refuse to recede and...from Senate Amendments 1, 2 and 4 and request a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Etheredge has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 4 to House Bill 2991. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 2998, Mr. Secretary.

SECRETARY:

House Bill 2998 with Senate Amendments 1, 3, 6, 7, 8, 11, 13, 14, 15, 16, 17 and 18.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr...Mr. President, I move that we do not recede and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney...moves that the Senate refuse to recede

from the adoption of Senate Amendments 1, 3, 6, 7, 8, 11, 13, 14, 15, 16, 17 and 18 to House Bill 2998 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Page 9...page 9, House Bill 3165, Senator Carroll. House Bill 3165, Mr. Secretary.

SECRETARY:

House Bill 3165 with Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, thank you, Mr. President. The House apparently didn't like our amendments, but we did. We will refuse to recede from Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 and ask them to sit down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves that the Senate refuse to recede from the adoption of the...amendment...Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 to House Bill 3165 and that a Conference Committee be adopted...appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Hall, 3191. House Bill 3-1-9-1, Mr. Secretary.

SECRETARY:

House Bill 3191 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

What...just hold that for a moment and come back...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. (Machine cutoff)...Hall.

SENATOR HALL:

I would refuse to recede and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 3191 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill 3257, Mr. Secretary.

SECRETARY:

House Bill 3257 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we refuse to recede from Senate Amendment No. 1 and ask the House to confer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves that the Senate refuse to recede from the adoption of Senate Amendment 1 to House Bill 3257 and that the...a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House.

PRESIDENT:

All right, the Chair's understanding is that there are no bills on the Concurrence Calendar that anybody wishes to call today. On the Order of Nonconcurrence, we will go through the Order of Nonconcurrence. Senator Smith on 1446. On the Order of Secretary's Desk Nonconcurrence, House Bill 1446. Mr. Secretary.

SECRETARY:

House Bill 1446 with Senate Amendment No. 1.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I will recede from Senate Amendment No. 1.

PRESIDENT:

All right. Senator Smith has moved to recede from Senate Amendment No. 1 to House Bill 1446. Senator Smith.

SENATOR SMITH:

I merely ask...I'll explain the amendment. Amendment No. 1 to Senate Bill 1446 was that it made three changes. Number one was that children would only have to wait five months instead of ten months to receive one month of support due them. Number two orders withholding would be in dollars amount instead of percentages for the conveniences of the employees. And number three, parents can obtain a certified copy of their order withholdings from the circuit clerk to send to a new employer, and they would not concur so I...recede to Senate Amendment No. 1.

PRESIDENT:

Senator Smith has moved that the Senate recede from Senate Amendment No. 1 to House Bill 1446. Any discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1446. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 1446 and the bill having received the required constitutional majority is declared passed. Senator Weaver on 2839. We're on the top of page 8. Top of page 8, on the Order of Secretary's Desk Nonconcurrence is House Bill 2839, Mr. Secretary.

SECRETARY:

House Bill 2839 with Senate Amendment No. 1.

PRESIDENT:

Senator Weaver on Senate Amendment No. 1.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 and request a Committee of Conference.

PRESIDENT:

All right. Senator Weaver has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2839 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 3036, Senator Welch. 3162, Senator Vadalabene. Top of page 9. Hold. 3266, Senator Demuzio. On the Order of Secretary's Desk Nonconcurrence is House Bill 3266. Mr. Secretary.

SECRETARY:

House Bill 3266 with Senate Amendment No. 1.

PRESIDENT:

Senator Demuzio on Senate Amendment No. 1.

SENATOR DEMUZIO:

Thank you, Mr. President. I...I move that the Senate refuse to recede from the adoption of Senate Amendment No. 1 and that we request a Conference Committee.

PRESIDENT:

All right. Senator Demuzio has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3266 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 3351, Senator Demuzio. 3475, Senator Leitch. On the Order of Secretary's Desk Nonconcurrence is House Bill 3475,

Mr. Secretary.

SECRETARY:

House Bill 3475 with Senate Amendment No. 1.

PRESIDENT:

Senator Leitch on Senate Amendment No. 1.

SENATOR LEITCH:

Thank you, Mr. President. I would move that we not recede from this amendment and ask a Conference Committee be appointed, please.

PRESIDENT:

All right. Senator Leitch has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3475 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1139 offered by Senators Sommer, Jeremiah Joyce, Leitch and all Senators.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this resolution suggested by Senator Jeremiah Joyce and others requests the President of the Senate to recommend...or to appoint a committee to recommend...an appropriate memorial to our departed colleague, Senator Bloom.

PRESIDENT:

All right. Senator Sommer has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1139. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Sommer now moves the adoption of Senate Resolution 1139. All in favor of the resolution indi-

cate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. The Secretary informs me that the Resolutions Consent Calendar has been distributed. In accordance with our rules, we are to do this weekly, and whether we realize it or not, it is the end of the week. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. Senator Vadalabene then moves that Senate resolution...the Resolutions Consent Calendar containing Senate Resolution 1096, 97, 98, 99, Senate Resolution 1101, 02, 03, 04, 05, 06, 07, 08, 09, Senate Resolution 1111, 1112, 13, 14, 15, 16, 17, 18, 1122, 24, 25, 27, 28, 29, Senate Resolution 1130, 1131, 1132, 33, 34, 35, 36, 37, 38, Senate Joint Resolution 171, 172, 175, 176, 177, House Joint Resolution 225, 226, 228, 230, 231 and 234 be adopted. All in favor of the adoption of the Resolutions Consent Calendar indicate by saying Aye. All opposed. The Ayes have it. The Calendar is adopted. All right. Any further business or further announcements? Any further business to come before the Senate on Saturday, June 28th? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President...immediately after adjournment there will be a Democratic Caucus in Room 212. Immediately after adjournment, a Democratic Caucus in Room 212.

PRESIDENT:

All right. Democratic Caucus immediately in Room 212. We are going to adjourn very quickly. Further business? Further announcements? If not, Senator Vadalabene moves that the Senate stand adjourned until Sunday...we'll come back tomorrow night at seven o'clock, tomorrow evening at 7:00 p.

m. Senator Rupp.

SENATOR RUPP:

Republican Caucus immediately, Pate Philip's Office.

PRESIDENT:

All right. Republican Caucus immediately in Senator Philip's Office. Democratic Caucus immediately in Room 212. The Senate stands adjourned until tomorrow night at 7:00 p. m. Have a nice weekend.

JUNE 28, 1986

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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 29, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of seven o'clock having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Our prayer this evening is by the Reverend Martin Serber, St. John's University.

REVEREND MARTIN SERBER:

(Prayer given by Reverend Serber)

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...is from Collegeville, Minnesota. Reading of the Journal, Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Wednesday, June 18th and Thursday, June 19th; Friday, June 20th; Monday, June 23rd; Tuesday, June 24th and Wednesday, June 25th; Thursday, June 26th and Friday, June 27th and Saturday, June 28th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as...as posed by Senator Vadalabene. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carried and so ordered.

SENATOR VADALABENE:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House.

SECRETARY:

...excuse me, Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 1945 with Senate Amendments 1, 2 and 3.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their amendments to the following Senate bills, and they have requested a first Committee of Conference and the Speaker has appointed the members on the part of the House.

Senate Bills 1737, 1748, 1752, 1753, 1763, 1774, 1778, 1808, 1841, 2018 and 2108.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Savickas moves that we accede to the request of the House on the...on the resolutions...or the Messages just read...read by the Secretary. So ordered. All right, with leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Resolution 1140, by Senator Fawell and all Senators. It's congratulatory.

Senate Resolution 1141, Senator Fawell and all Senators. And it's congratulatory.

Senate Resolution 1142, by Senator Smith. It's commendatory.

Senate Resolution 1143, by Senator Topinka. It's congratulatory.

Senate Resolution 1144, by Senator Vadalabene. It's congratulatory.

Senate Resolution 1145, by Senators Netsch and Rock and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1146, by Senators Geo-Karis and Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. (Machine cutoff)...get some more Pages down here to pass out the supplemental Calendar, we might be able to proceed. When the Pages finish passing out Supplemental Calendar No. 1, we will start at the top and go straight down. Senator Carroll will be the first...the first Conference Committee report. Senator Carroll on the Floor? All right. All right,...Supplemental Calendar No. 1, we'll start on the Conference Committee reports. Senator Carroll on the Floor? All right, with leave of the Body, we'll come back to 2688. Leave granted? Leave is granted. On the Order of Conference Committee Reports is House Bill 2986, Mr. Secretary.

SECRETARY:

House Bill 2986 first Conference Committee report with...on House...Senate Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Channel 20 has requested permission to tape the proceedings. Is leave granted? Leave is granted. Senator Leitch. No? Senator Sommer.

SENATOR SOMMER:

Begging your pardon, Mr. President, would it be possible to hold...just for a few minutes till we get all our paper out here on the Floor for our members? It won't take very long.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer, just on...on this bill or on the entire...on the entire Calendar, all right. Well, with leave of the Body, let's just...take it out of the record. Senator Sommer. All right. All right, Supplemental Calendar No. 1, Conference Committee reports is House Bill 2688, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2688.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. First Conference Committee report on Senate...on House Bill 2688 would reinstore the statutory amount necessary for the funding of McCormick Place, the debt service appropriation et al, and I would move adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Senator Carroll, I apologize, I was walking off the Floor. Could you repeat that, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I said it fast enough where you wouldn't have probably caught it if you weren't walking around. This is the statutory appropriation for McCormick Place including the debt service on the bond issue and the 4.8 as required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2688. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 16, 4 voting Present. The Senate does adopt the first Conference Committee report on House Bill 2688 and the bill having...received the required constitutional majority is declared passed. House Bill 2986, Senator Leitch. You ready? All right. House Bill 2986, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President. This is the ordinary appropriation for the Illinois Farm Development Authority and it also includes the agreement for the Exxon oil overcharge settlement expenditure and I'd move for its approval.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President, you'll note that the Conference Committee report does not include the Senate Republican signatures, that's because we asked that the Governor's Office review this report and determine whether it correlated with the agreement they made. It does, but in the meantime, the thing went to the printers and we simply were unable to sign. We do agree with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2986. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on...on House Bill 2986 and the bill having received the required constitutional majority is declared passed. House Bill 2988, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2988.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses of the Department of Conservation and it is at the level of one hundred and twenty-one million five hundred and eighty-eight thousand four hundred dollars, and I would move the Senate adopt the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I have a...will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will. Senator Lechowicz

SENATOR LECHOWICZ:

I notice in the Conference Committee report you've provided seventy-five thousand dollars for renovating the Gaylord Building in Lockport under House Bill 2988. Also in Senate Bill 1752, which we haven't addressed yet, we have a hundred and fifty-two thousand seven hundred and forty-seven dollars out of GRF for operating the Gaylord Art Gallery at the Gaylord Building in Lockport. Is that building presently owned by the Department of Conservation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would ask if Senator Sangmeister could respond to your questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

My understanding is, I'm not sure, Senator Lechowicz, whether it is right now, but it...it's owned by a not-for-profit corporation if it isn't. Okay? And I think their

intent is to transfer that building to the Department of Conservation or to that...what's that other, Historic Site Preservation Council? One or the other it's going to go to, that was what I was told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lechowicz.

SENATOR LECHOWICZ:

That answers one question. My second question is the one million dollars added to the 1.4 million appropriation for the Illinois Conservation Corps, does that mean that we're going to give them 2.4 million dollars then for the Illinois Conservation Corps and to what area does the corps address itself to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

...Senator Carroll, are you wanting to respond to that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue yields to Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, that's part of the teen program we had established as the Senate initiative and that is, in fact, a million added for teen gang crime prevention, et cetera, et cetera, et cetera, the Democratic package.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

This money is for the Illinois Conservation Corps. Now, I know the one that I'm familiar with is...covers the...the southern Illinois counties and that was for the hiring of people during the summer in the State parks, and I'm just wondering if...either the analysis is wrong or the explana-

tion is wrong, one of the two.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

If he can hold a second, I'll try and get him the exact reference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Both items are correct, Senator Lechowicz. It is, in fact, the conservation corps and it is part of the teens in trouble initiative of the Senate Democratic Caucus and was put on in the House, but it does go, in fact, to the conservation corps for teens-in-trouble hirings.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates she will yield. Senator Darrow.

SENATOR DARROW:

Are all the funds appropriated out of general revenue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Could you repeat that? I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Darrow.

SENATOR DARROW:

Are the funds for these projects from the General Revenue Fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Not totally, no, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Is the five million dollars for the Shed Aquarium in Chicago general revenue funds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Capital development funds, Senator Darrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Has the Governor signed off on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I...don't speak for him. I don't know. Senator Carroll is holding his hands up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I've been accused of speaking for him on occasion on this Senate Floor of late. In this case I believe I can, it was in his budget. So that, therefore, I would assume that he has signed off on it since he introduced it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2988. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference

Committee report on House Bill 2988 and the bill having received the required constitutional majority is declared passed. House Bill 2991, Mr. Secretary.

SECRETARY:

House Bill...Conference...first Conference Committee report on House Bill 2991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the annual budget for the Historical Preservation Department. It has twelve million two hundred and forty-three thousand two hundred and ninety-one dollars. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. The two staff people at Jubilee College in Peoria County...the two staff people in Peoria College, Jubilee County, do we normally do that for any other college in this State...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR LECHOWICZ:

...so we can keep the facility open seven days a week?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

It's not a college, Senator Lechowicz, this is a historical site that goes back to 1800's. It's been given to the

Department of Conservation and in the split between Conservation and Historical Preservation Department, the Jubilee College was put in under the historical part. It was also...was in that same transfer was to be open seven days a week, and this is for two staff people so it can be open seven days a week. It is not an operating college whatsoever.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Just a...a question of the sponsor. On the Illinois Humanities Council, who are they and what do they do and why are we paying them with State funds to do something?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, the Illinois Humanities Council is a council created by the act of legislation and it has to do with encouraging those individuals who have ability...in the artistic fields to be encouraged to develop and develop more artists and artistic individuals from the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2991. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. House Bill 2991 having received the required constitutional majority is declared passed. House Bill 3165, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 3165.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is, in fact, the supplemental appropriation. We added certain other supplemental appropriations to it, five hundred thousand for...as agreed for the Chicago Convention and Visitors Bureau FY '86 monies which we had pulled out of the bill originally as well as some other specific funds for the Industrial Commission so they can meet their payroll of a few weeks ago and a transfer in the Human Rights Commission so they can meet their payroll and five thousand dollars for the Department of Corrections to correct an error of omission in their FY '86 budget. I would move adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

When we add this five hundred thousand dollars to the Tourism Promotion Fund, how much will that give them altogether now, do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Fawell, to my recall, that is their appropriation in total for FY '86. This is the supplemental for '86 that we had deleted from the bill earlier in the process and are now putting back. It's my recall, and I will check it, that this is the total of their appropriation for FY '86.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

And does that come out of the General Revenue Fund or is that part of the...the tax or is that...is the tax...hotel tax additional money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

That's the Tourism Promotion Fund funded by the hotel/motel tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson. Senator Keats.

SENATOR KEATS:

Question of the sponsor or...maybe in this case Senator Carroll. Now the...Chicago Convention and Tourism Bureau, is it true the reason they're out of money is 'cause they've got so many guys on the payroll that they're no longer meeting the obligations that we gave them the money for? When we set up that fund,...when we set up that Tourism/Convention Fund...convention...and that money to go there, the money came from hotel tax and it was agreed the money would be used for tourism enhancement. I think anyone who's ever read a newspaper would be well aware that the...and, Senator Carroll, you could probably give me the percentage...it's like fifty or seventy percent of the money now goes simply to pad payrolls of people who have nothing whatsoever to do with bringing in convention. Have I hit the wrong budget on that or...I'm just knee-jerking on the wrong budget then. Okay? But let me know when we get to the one where we're padding a payroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Carroll, you wish to close? Senator Carroll.

SENATOR CARROLL:

Yes, Senator Keats, you just voted for all those that the

Governor put in where you're padding the payroll. In this case, I believe we have solved that problem by putting the money where the legislature had intented it to be and that is the Convention and Tourism Bureau...Chicago Convention and Tourism Operation as opposed to the one that was getting the funds. That was not the one where the people were going out and getting conventions and tourism and so on. There were two competing groups. This is the correct one that I think you would want it to go to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 3165. Those in favor will...will vote Aye. Those opposed Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 3165 and the bill having received the required constitutional majority is declared passed. House Bill 3257, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 3257.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses of the operations of the court system including the Supreme Court. This went to conference in order to make some corrections to the...what we thought had been an agreed amendment and we had created some problems in some of the different little division offices, then that impact of this add to the hundred and forty-two million dollar budget is two hundred seventy-four thousand. I would ask for adoption of Conference Committee

Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

This is the unaudited Supreme Court budget? These are the funds that go to the Supreme Court and they are the only group that isn't audited, this is the money?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is that a question, Senator Keats?

SENATOR KEATS:

A question, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 3257. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 15, 4 voting Present. The...the Senate does adopt the first Conference Committee report on House Bill 3257 and the bill having received the required constitutional majority is declared passed. 1758, Senator Sommer. All right. Conference Committee reports is House...Senate Bill...Senate Bill 1748, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1748.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the Conference Committee

adjusted this...this bill slightly in the revolving funds and that's all they did from the level it left the...the House and Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1748. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1748 and the bill having received the required constitutional majority is declared passed. Senate Bill 1752, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1752.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the operations of the Department of Energy and Natural Resources. First Conference Committee report comes up with a figure of seventy million five hundred and ninety-seven thousand five hundred dollars. If any one has any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1752. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1752 and the bill having received the required constitutional majority is declared passed. Senate Bill 1753, Mr. Secre-

tary.

SECRETARY:

First Conference Committee report on Senate Bill 1753.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Senate Bill 1753 is the operating budget for the...for the EPA...IEPA and what the Conference Committee...did is to put in some of the projects that were taken out in the Senate, and the total budget now is two hundred and forty-three million three hundred and thirty-eight thousand one hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

One question, if I may, Mr. President. In this Conference Committee report is three million one hundred and fifty thousand dollars for the Effingham Water Treatment Plant out of GRF, and I was wondering is that our State policy now, we're going to be funding GRF funds for water treatment plants? Because maybe we need one for Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

I understand that perhaps you ought to check with your side of the aisle on the answer to that, that's the way they wanted it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1753. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none

voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1753 and the bill having received the required constitutional majority is declared passed. All right, page 2 on your supplemental Calendar, Senate Bill 1774, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1774.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the funds for the commissioner of the savings and loans and the Conference...Committee report is at one million four hundred and eighty-three thousand one hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1774. Those in favor will vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1774 and the bill having received the required constitutional majority is declared passed. Senate Bill 1778, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1778.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move the Senate adopt the first Conference Committee report on 1778 which is for the Police Training Board for

a total of seven million two hundred and eight-six thousand one hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1778. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1778 and the bill having received the required constitutional majority is declared passed. Senate Bill 1808, Senator Sangmeister. Senator Sangmeister on the Floor? Senate Bill 1808, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1808.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take...Senator Sangmeister, do you wish to proceed? Senator Sangmeister.

SENATOR SANGMEISTER:

We have found an error in the Conference Committee report and there's going to have to be a new one drafted. So, I don't know whether we're...we're just dumping the first Conference Committee and asking for a second or whether we pass and have a new one...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we just take it out of the record and...

SENATOR SANGMEISTER:

All right, then we'll come up with a corrected one rather. Is that correct? All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. 1841, Senator Sommer. Senate Bill 1841, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1841.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the capital reappropriation. We ultimately adopted House Amendment No. 1 and House Amendment No. 3 and did not adopt No. 2. These are basically previous projects and these two amendments we adopted make language changes. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1841. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1841 and the bill having received the required constitutional majority is declared passed. All right, with leave of the Body, let's go to the Order of Resolutions while we are...while we are waiting. Resolutions.

SECRETARY:

The following resolutions are all congratulatory unless so stated.

Senate Resolution 1146, by Senator Savickas.

...okay, that would be...Senate Resolution 1147, Senator Savickas.

Senate Resolution 1148, Senator Smith.

1149, Senators Geo-Karis, Barkhausen, Macdonald and Keats.

1150, Senator Newhouse and all Senators.

1151, Senator Topinka and Etheredge.

Senate...1152, Senator Rupp.

1153, Senator Jeremiah Joyce.

1154, Senator Dunn.

1155 is a death resolution, Senator Topinka.

And 1176...or 1156, Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 1158, by Senators Davidson, Philip, Sangmeister and all Senators...1157.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. With leave of the Body, we'll return to the Order of Supplemental Calendar No. 1, the very first page, Secretary's Desk Nonconcurrence is House Bill 1945, Mr. Secretary.

SECRETARY:

House Bill 1945 with Senate Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate does not concur...does not recede from Senate Amendments No. 1, 2 and 3 and ask for a Committee on Conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 1945 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Leitch, for what purpose do you arise?

SENATOR LEITCH:

Thank you, Mr. President. If I'm in order, I would like to offer a motion to reconsider House Bill 2986. Senator

Carroll, I believe, is in accord as is Senator Sommer. There's some confusion about a provision in the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator Carroll.

SENATOR CARROLL:

I think the purpose, Senator Leitch, is to...in effect, hold that Conference Committee report here. We may not have to revote it again, I'm not sure...there's a concern over one of the terms. If it's okay, then, fine. Is it better just to ask that it be held or to just make the motion to reconsider and not act on the motion or we can just make sure that it stays within the control of the Secretary, if that's all right, and act on it later if we have to rather than confuse the record further.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR CARROLL:

...our preference would be, I think now, if we just physically keep possession until it's been resolved rather than further confuse the record. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The request is that the Secretary just simply physically hold the Conference Committee...in our possession...the Message. All right. The Chicago Tribune has requested leave to take still photographs. Is leave granted? Leave is granted. (Machine cutoff)...leave of the Body, we will go to the...to the ordinary Calendar...back on the Calendar. Page 7, Secretary's Desk Concurrence. Senator Luft will be on 1562. On the Order of Secretary's Desk, top of page 7, is Senate Bill 1562, Mr. Secretary.

SECRETARY:

Senate Bill 1562 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that we do concur in House Amendment No. 1 to Senate Bill 1562. It simply changes one word from "retain" to "retrain," it corrects a misspelling.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with...in...House Amendment 1 to Senate Bill 1562. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Joyce. Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur in House Amendment 1 to Senate Bill 1562 and the bill having received the required constitutional majority is declared passed. Senate Bill 1740, Mr. Secretary.

SECRETARY:

Senate Bill 1740 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

I move to concur with House Amendments 1 and 3 to Senate Bill 1740. This is the appropriation for the State lottery. I understand everything has been worked out. There's no problems with this and it's agreed and I'd appreciate your favorable roll call. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones. Discussion?

SENATOR JONES:

Yes, I'd like to know what the amendment does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll apparently has the answer. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I may assist Senator Watson. Amendment No. 1 was for...we had cut all the new lottery field people. Amendment 1 adds back about two-thirds of those for six-months and Amendment No. 3 was a reduction in the Advertising line by an additional two million. They had originally asked to double it, we had given them like a fifty percent increase. This brings them down to about a twenty percent increase over FY '86 in the Advertising line. So, it's a reduction of two million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Watson...the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 1740. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 1740 and the bill having received the required constitutional majority is declared passed. Page 8, Secretary's Desk Nonconcurrence, with leave of the Body, we'll move to House Bill 3162, Mr. Secretary.

SECRETARY:

House Bill 3162 with Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I refuse to recede and will ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved that the Senate refuse to recede from the adoption of...Senate Amendment 2 to House Bill 3162 and that a Conference Committee be appointed.

Discussion? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Further business to come before the Senate? Senator Berman moves that the Senate stands adjourned till tomorrow, Monday, June the 30th, at the hour of 10:00 a.m. Ten o'clock tomorrow morning. Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 30, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend James Ebbers, Illinois Conference of Churches, Springfield, Illinois. Reverend.

REVEREND EBBERS:

(Prayer given by Reverend Ebbers)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Mr. Secretary. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, June 18th; Thursday, June 19th; Friday, June 20th; Monday, June 23rd; Tuesday, June 24th; Wednesday, June 25th; Thursday, June 26th; Friday, June 27th and Saturday, June 28th and Sunday, June 29th in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the adoption of their amendment to the bill with the following title:

House Bill 2630, they concurred in Senate Amendment No. 2. Further directed to inform you that they have refused to concur with Amendments No. 1 and 4.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1158 offered by Senators Rock, Davidson and all Senators and it's congratulatory.

PRESIDENT:

Consent Calendar. All right. With leave of the Body, Senator Sangmeister has asked that we go to the Order of Conference Committee Reports. On the Calendar on the bottom of page 8, if you'll take the regular Calendar...a supplemental has also been distributed which we will get to shortly. But on the regular Calendar on the bottom of page 8, with leave of the Body, we'll go to the Order of Conference Committee Reports, Conference Committee report on Senate Bill 1808. Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1808.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President. It's been brought to my attention that because of the error in the report and some changes to be made that the House has already turned down the Conference Committee report, so I believe the appropriate motion at this time would be that we not...

PRESIDENT:

The motion is in the affirmative, but you would request a negative response to the motion.

SENATOR SANGMEISTER:

Okay. So we'd...so that we'd move to adopt...Senate Bill 1808 and ask for a negative...vote.

PRESIDENT:

All right. Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee

HB2630 Nonconcurrence

report on Senate Bill 1808. In favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 20 Ayes, 10 Nays, none voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Sangmeister requests the appointment of a second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave of the Body, we'll go to the yellow Supplemental Calendar No. 1, the yellow sheet. Supplemental Calendar No. 1. Supplemental Calendar No. 1, Secretary's Desk Nonconcurrence. House Bill 2630, Mr. Secretary.

SECRETARY:

House Bill 2630 with Senate Amendments 1 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would refuse to recede and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco has moved to refuse to recede. Is there discussion? Senator D'Arco moves that the Senate refuse to recede from the adoption of amendments...Senate Amendments 1 and 4 to House Bill 2630 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senator Rigney on the Floor? All right. Supplemental Calendar No. 1, Conference Committee report, House Bill 2998, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2998.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

SB 1320
1st C.C.R.

Mr. President, I've only had just a moment to look at this report...concerning the Department of Transportation. There were a few more projects that were added in as a result of the Conference Committee. I understand that the Department of Transportation is satisfied with the operations budget and I ask for acceptance of the Conference report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2998. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2998 and the bill having received the required constitutional majority is declared passed. 3340, Senator Lemke. 1320, Senator Barkhausen. Senator Barkhausen on the Floor? Secretary's...all right, on the Supplemental Calendar No. 1 is...is Senate Bill 1320, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1320.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I move that the Senate adopt Conference Committee on...Conference Committee No. 1 on Senate Bill 1320. It results in the removal of an...a House amendment that had been objected to by a number of not-for-profit organizations that would have required the disclosure of...financial disclosure and filing of ethic statements by all those paid over a certain salary by not-for-profit corporations. I move for the adoption of this report. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? (Machine cutoff)...Darrow.

SENATOR DARROW:

Thank you, Mr. President. As usual, the members on this side of the aisle don't have an analysis. I...I...as usual, for June 30th, they haven't caught up...with us yet. Would the maker of the motion explain this more fully exactly. What have we taken out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Darrow, the bill came back to us with an amendment on it that would have required all officers and employees of not-for-profit organizations paid in excess of a hundred thousand dollars to file ethic statements the way public employees do. And most of us felt that it was inappropriate to impose this kind of requirement on members of the private sector for no good reason. And that...and that portion of the bill was removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1320. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1320 and the bill having received the required constitutional majority is declared passed. Conference Committee reports, Senate Bill 1737, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1737.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate adopt the first Conference Committee report on Senate Bill 1737. This is the appropriation bill for the Department on Aging. It recommends the...or it would appropriate a hundred and thirty-one million seven hundred thirty-eight thousand seven hundred dollars, and that figure...is about a quarter of a million dollars higher than it was when this bill originally passed out of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask the sponsor some questions, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Yeah, is it my understanding that the rather controversial formula in terms of distribution is in this bill? And is that...is that formula locked into law or does that still have to go to JCAR?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, there is no formula in this bill at all. The appropriation bill does not speak to the formula issue at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Would you explain to me the part about holding various area agencies and...that we have by thirteen in the State of Illinois, the...the provision for what is hold harmless, what

does that mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Take our conferences off the Floor. Senator Etheredge.

SENATOR ETHEREDGE:

Let me respond to that question and then I see that...I would then yield to...to Senator Carroll, because I...I...he's given me the signal that he would like to elaborate on this issue too. But the hold harmless provision, essentially what that does is to that additional sum of money, the eight hundred and sixty-one thousand dollars...had been allocated to assure that those agencies would not receive any less money that they'd received during the present fiscal year as a consequence of the formula change. And with that, I would defer to Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President,...Gentlemen of the Senate. Senator Topinka, the issue of rules was discussed; however, there is nothing in the law in the appropriation bill particularly that deals with the issue of rules. That is something that they must propose, put in the register and submit to JCAR. It is my understanding that they intend to do that. The issue there, of course, is the rural factor being added to the formula as a factor for which they will fund. That will be something that will be debated in JCAR. The bill as introduced, however, would have allocated the money amongst the planning and service areas as if the formula had passed; therefore, you had certain winners and certain losers. What we did in the appropriation's process was to leave those planning and service areas that would be winners alone. We did not add to those winners additional funds as others had suggested but left them as winners. We then took all those

who would be losers, and that added up to eight hundred and fifty-one thousand dollars, and allocated eight hundred and fifty-one thousand dollars so that they are held harmless. So there are no losers, there are some winners if this formula change goes in and that's...will be debated in JCAR and anyone who received an amount last year will, in fact, receive that per capita amount this year by the dollars added in the...in this Conference Committee report. Suburban Cook, for example, goes up about a half a million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

One more question to Senator Carroll. Is this, therefore, a one shot deal in terms of the allocation for this year, and will that...hold harmless now be part and parcel of future consideration, or is this just being done to kind of make winners and losers kind of comfortable at least for this particular year pending the formula?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

As you know, as far as the appropriations go, nothing is binding on future General Assemblies. It is the intent that this be this year's hold harmless. It is the hope that this is a one-year issue. It is our feeling at least, those who were conferees and I think those who were involved in the issue, that this be resolved at JCAR as to any formula and any final resolution come out of those rules through JCAR.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I think those of us who have...have aging...agencies inside of Region 2, which is from Kankakee all the way around the...City

of...of...of...the County of Cook and includes all the collar counties, should realize, number one, they have...there has been some movement by the department in the right direction in the fact that they have, indeed, started now in 1986 to use the 1980 census, and I commend the department for realizing that perhaps six years late, that this is 1986 and instead of using the 70 census they should use the 80 census. However, by using the formula that they have at present with the thirteen percent rate for the rural communities and excluding...Senator Joyce I think you should be interested in this, excluding counties such as Kankakee and...and not counting them as rural communities, again, Region 2 is not getting their fair share. I would hope that this would be a one time thing and that by next year JCAR would realize that it is indeed those people in my county and in counties similar to mine such as in Will and Kankakee that are not getting their fair share and that we've got the people that supposedly are being taken care of by this kind of appropriation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is a crucial issue for those of us residing in the more urban and populous parts of this State. This particular appropriation involves a...a formula...a...formula which includes a couple of things that concern us greatly. First of all, I'm not against a factor of fifteen percent for rural areas as long as somebody is willing to tell me what the basis is for that factor, and I don't think the Department on Aging has yet explained whether or not you can justify fifteen percent; maybe it should be ten percent, maybe it should be five percent, but we haven't had a justification for the fifteen percent that is now used as a way to throw extra money to the

rural areas. Secondly, and...and just importantly, I think we have to deal with the...with the question of how many citizens in the urban areas are served versus the rural areas. I just talked with...with Senator Etheredge and I know this has been a concern of his. There is no doubt in my mind that those of us who...who represent urban areas are concerned about the density of the population up in those areas and the extent to which services are provided. Now one of the questions that we have had is the extent to which the...the urban areas get the number of programs and services they deserve. At the present time, we just don't feel like we're getting the money we need and the only way we're going to get that money is to have a second look at the fifteen percent weighting formula and a look at census data. Right now, the census data used to determine how...how many elderly people are served is the 1980 census data. All right? The problem with that is that we know in Cook County the number of elderly has risen substantially since 1980 but we're still using 1980 census data. So our agency people tell us, not only in Cook but in DuPage, anywhere where you've had these dramatic increases, that we ought to be using 1985 census data which projects the number of elderly that have been added to the rolls since eighty and eighty-five. Now I checked with Senator Etheredge and...and he tells me, he's concerned about this also, the department isn't sure at this time that they can use projections. So they have guaranteed us that they're going to go to their counsel and they're going to do their level best to try to use the projections of census data for 1990 instead of the old '80 data. I simply cannot continue to go along with this program from year to year as long as the citizens of Cook County continue to be shortchanged by outdated census data and a rural factor of fifteen percent which isn't justified. If you justify it to me, I'm all for it, but that hasn't happened yet. Until that

happens, I express the same concern that Senator Topinka has expressed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Can we have some order, please. There's no sense in proceeding unless we have some order. The noise level is just too great this morning. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I have a question for whomever is capable of answering it. Where did the idea of changing the formula come from? Or from whom did it come?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It's my understanding, even from a discussion this morning, while the department may say it was manna from heaven, it came from the department, and it is a proposal that they will now...they now know they have some problems with and they intend to...I mean, their only solution is to take it to JCAR anyway. But Collins and Otwell say that this was their proposal to add this rural factor. I don't know that there are any Federal requirements to do so, I can't answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, however, we have provided through the appropriation in such a manner as if JCAR had accepted this, correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Not truly. They had come in with an allocation by area that allows them that flexibility should it happen. We have, in fact, allowed those who would have...to have at least the allocation, so that's the upper limit of what they can get

and then have held harmless those who would be a loser. So, if it goes through the money is there, the issue was, do we take it away from those who would have been winners and come back in the fall. I don't think there was any feeling that that was an acceptable solution at this point either. Unfortunately, you know that when those see they're getting more and you take it away, they think you hurt them and at this point they cannot spend that more until JCAR passes it.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I think the answer to my question was really, yes, you have provided for it as if it had gone through because the money is there if it goes through. So it would seem to me that the only way we can protest this right now is to defeat this Conference Committee report and make them reevaluate their position, because if we approve it, we ain't going to get another lick, Jack.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Carroll.

SENATOR CARROLL:

I have no real objection if that's your intent. I don't think you're going to accomplish what you want, however, 'cause then you go back to their original appropriated amount which did it anyway for the seven winners and all you've done is hurt your region and those others who would be losers 'cause they would no longer be held harmless. This does not impact what they're ultimately going to spend until they get JCAR approval. I don't see how you can accomplish your goal, which is to get the rules not changed, by using the dollar vehicle, 'cause all you end up with is more losers and your own being bigger losers than they would be now because of the proposal as presented. If you went back to last year's allocation...for example, everybody loses compared to

this year's proposal 'cause there were increases on a per capita basis for most of the regions, and those that were not...those that were decreased, we added the money to keep them at last year's allocation, per capita level. So I think you actually defeat your purpose by doing that. I think the issue has to be...resolved. Right now, they're under the old formula; so until they get JCAR approval, there's nothing they can do about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Carroll, I don't enjoy shooting myself in the foot or any other places of my body; but if I took the total amount of dollars that you have appropriated in this and left it to the old formula, would not...we all gain?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR DeANGELIS:

Or did you...did you lower the amount you're spending from last year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Absent the added money in the Conference Committee report it would be a...a loss. The eight hundred thousand in the Conference Committee report is what you want to hold you harmless. If you take that back out, then you've lost money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I hate to prolong this...this...discussion, but where is the winner's money at? Is that not in the...I want to divide up the winners and put it back where it was before.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

The...original proposal had the winners' money...and took it from the losers. The Conference Committee report leaves the winners potentially alone assuming JCAR and then holds harmless the losers by giving them what they would have gotten last year on a per capita basis. If we strip that out, then they've allocated to the winners and they've taken from the losers. So you add...if you strip out the eight hundred and fifty thousand added in the Conference Committee, then you've got real losers under their allocation. This is, I think, better for you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President, a question of Senator Carroll, if I could, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

How...and...and I apologize if...but how can Department on Aging...are they doing this through a rules change without legislative approval?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

In effect, yes, but let me caveat that by saying we all know now that they have to go to JCAR and so do they. Let me just say in a very negative sense that agency in the past has presumed things that have never come to pass. And they...that's what they did in their budget's submission, they just assumed, look, if they say that this should be the new rule everybody is going to say, oh, yeah, that's fine. Last year they tried this in another area as well, the

not-for-profits doing the inhome health care and we stopped that as well. And...and very honestly, I think that's what they did here. They said, here's a new rule and that's what we're going to do, and they submitted their budget accordingly and I think now they see that that rule change is very likely not going to happen. But that's how they submitted it and you know...Quincy, West Central Illinois Region 6 would have lost money on a per capita basis on their proposed rule. We have added that money to hold them harmless so that they get last year's per capita by this addition in the Conference Committee report. And I would urge those of our members who are on JCAR to look very critical at this rules change because of the impact it has on the concentration of seniors and that's the bottom line issue. Those who have more seniors are really hurt by this new rules change, as I see it, and I think as a lot of people now see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, Ladies and Gentlemen of the Senate. I...in...in closing, I would just reiterate...several of the points that have already been made. The issue of the formula is not yet etched in stone. I think there are many of us, myself included, as well as some of the...all...many of the prior speakers have expressed their concern about this formula. I continue to be concerned about it. But it was evident in our discussions in Conference Committee the other day we were not going to resolve some of the issues...the complex issues that had been raised at that time and then once again this morning. We are, however, we are going to have the opportunity to make an impact on the direction that formula takes...over the next several weeks as...by working through the department and then after preliminary rules are promulgated working through the JCAR process. And I think that's

where we should now direct our attentions. I would...ask for an...an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1737. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 15, 7 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1737 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Bill 1931, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1931.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. If you're looking...if you're looking at your...supplemental Calendar, it's a little misleading on there. Everything that was in the bill was taken care of except one thing. If you...if you recall, we had discussion here about pay raises for the court reporters, and that's what this Conference Committee is all about. There was some concern, as I understood it, the last time it was on the Floor about the part-time court reporters going from thirty-six dollars a half-day to seventy-five dollars. That has now been reduced from thirty-six dollars a half-day to sixty dollars a half-day. So, it's been decreased. We did not change anything as far as the full-time reporters are concerned. They would still go from thirty-three two-fifty to thirty-five two-fifty and then in July 1st of '87, to thirty-seven two-fifty. Again, I

tell you those are maximums, the minimum by Statute is six thousand dollars, but as we know generally the maximum will be looked at, and of course that's the whole purpose of this. But, again, this is the pay increase for the court reporters for the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. My copy of the Conference Committee report is not signed, so those of you on this side of the aisle who may wonder what our position was, as Senator Sangmeister said, the...fee for the...or the pay for the part-timers was taken down from seventy-five dollars a day to sixty dollars a day and the pay increase for full-time court reporters amounts to only two thousand dollars in...per year in each of two years. I did sign the Conference Committee report as did Senator Karpiel, so we would urge adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

No, I...I...I think Senator Sangmeister wants to...make a clarifying point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

I...I don't know which copy Senator Schuneman was looking at but everybody on that Conference Committee signed that report except one House member.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it...you're absolutely correct, and that...that was the intention of my remarks if I didn't make myself clear. But the copy I have isn't signed, George, apparently the

wrong one was circulated. I wanted to make the point we did sign.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I think I'm with you, I'm...just my analysis is different than the Conference Committee report I have. The judge stuff is out, it's nothing but the court reporters, right? I'm with you, no problem. I'm just making sure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Mr. President, on the previous question my light did not work and I wish to be recorded Aye on Conference Committee Senate Bill 1737.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so indicate. Further discussion relevant to the Conference Committee report on Senate Bill 1931? If not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Yes, just to clarify what I believe maybe is being clarified to Senator Keats right now. The other two amendments were concurred in on the judges and went over, that...that part of it is over, we're only talking about the court reporters. Okay? This is the court reporters...increase in maximum that they may receive and would urge a favorable adoption of Conference Committee Report No. 1 on Senate Bill 1931.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1931. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are

50, the Nays are 7, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1931 and the bill having received the required constitutional majority is declared passed. While we're waiting for the next supplemental Calendar, we'll move to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1159, by Senator Jeremiah Joyce, congratulatory.

And Senate Resolution 1160, by Senator Donahue, congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Kustra, for what purpose do you arise? Wait a minute...Senator...hold it...hold it. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. While we're at ease here for a minute, I would like to take this opportunity to introduce someone to all of us. Those of us who have had some spare time on our hands over the weekend, some of us found our way out to New Salem and we took in the Great American People Show, which is a group of young people who just do a fantastic job of putting together some Lincoln plays. Over the weekend I had an opportunity to do so and I know some of the rest of you did also. We have with us in the President's Gallery one of the players of the Great American People Show together with his parents and a friend, all of whom are constituents of mine, along with my parents. So, I'm going to ask them all to stand up. Doug Ladendorf is one of the players, his mother and father, Don and Jerry Ladendorf; their friend, Mrs. Larsen, and my mother and father. Will you all stand up and say hello.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will our guests in the gallery please rise. Welcome.

We'll just stand at ease a minute. The...just for...an announcement purposes. We...we will begin again approximately at two o'clock. By that time Supplemental Calendar No. 2 ought to be...finished and distributed so that we can begin on Supplemental Calendar No. 2 about two o'clock. So, we'll just stand at ease till two...2:00 p. m. Again, passing out Supplemental No. 2 momentarily. We'll get two Pages down here in front. Two Pages. Supplemental Calendar No. 2 is being passed out. When we begin on supplemental Calendar...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was off the Floor before at a meeting in the Governor's Office. I wonder if...with leave of the Body, if we could move to the regular Calendar. I have two matters that I am prepared to take up immediately on Secretary's Desk Concurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will return to the regular Calendar, Secretary's Desk Concurrence, page 7. Is leave granted? Leave is granted. Senator Rock, is that on 2210? Senator Rock.

SENATOR ROCK:

1917. Senate Bill 1917 and Senate Joint Resolution 101 I'm prepared to deal with. I think both are without controversy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the Order of Secretary's Desk Concurrence is Senate Bill 1917, Mr. Secretary.

SECRETARY:

Senate Bill 1917 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1917 is a technical change to the General Assembly portion of the Statute. The four leaders have met and we are discussing the possibility of a district office allowance increase which I think most members would welcome and so I would move that we not concur with House Amendment No. 1 and request a Committee of Conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rock has moved that the Senate nonconcur with House Amendment 1 to Senate Bill 1917. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Joint...Senate Joint Resolution 101, Mr. Secretary. All right. Senate Joint Resolution 101, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 101 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You'll recall that we sent out of this Body Senate Joint Resolution 101, we sent it out unanimously. It had called for...us to set up a committee to look at the bicentennial of the United States Constitution. The House amended it to reflect more closely that they wish to have a committee of fifty appointed by the Joint Committee on Legislative Support Services, two of whom...will be the Governor and the former President of the Constitutional Convention. I don't know of any objection. It calls for us to reconvene...members to give the General Assembly its advice with respect to whether or not there should be a Constitutional Convention under the Constitution. I would urge a favorable roll call.

HB 1321
1st C.C.R.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate concur in House Amendment 1 to Senate Joint Resolution 101. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Joint Resolution 101 and the resolution having received the required constitutional majority is declared passed. All right. With leave of the Body, now we'll return back to the Order of Supplemental Calendar No. 2...Supplemental Calendar No. 2 is House Bill 1321, Mr. Secretary.

SECRETARY:

House Bill 1321, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 1321 is...is virtually like a committee bill at this time. We have included in it a number of provisions that were in a variety of bills which were very widely agreed upon. I think it comes to about four or five things...six things including the basic bill, and let me just briefly describe them. The basic bill, House Bill 1321, included the Department of Revenue's requested provisions which dealt with the seizure provisions for...sales tax...amounts owed and it conformed them to those already in the Statutes for other provisions. I think there is no controversy about that. The second part of the bill is an amendment that was added in the Senate which was a recommendation of President Rock's Finance Committee...Local Government Finance Committee, whatever its name was. And what it did was to authorize a municipality which already has

a tort immunity fund to be excluded from the provisions which required that a...the penalties on foreclosures be put in a separate fund which, in fact, has exactly the same purpose. In other words, the two funds were basically duplicative and instead of having the county have...or the municipality have to tie up its money in a fund which it already has covered, we allowed it to ignore that...made perfect good sense. Now, in the Conference Committee report we have also added three provisions that were in Senate Bill 1709. One is the provision which allows in fact, which really requires the Department of Revenue to provide space on income tax forms for school district...for school districts by name and number, and I would particularly call Senator Maitland's attention to this. This is something that we have been wanting to do, the language is now agreeable to the Department of Revenue. It will apply only to individual taxes but it will be the basic information that we need for future school purposes, so that's extremely important. A second provision which was requested by the retail merchants, I think is...is perfectly fair. What it provides is that if someone has been in total compliance with the sales tax remittance laws for a continuous period of two years and there is a nonfraudulent...nonfraudulent, I repeat, failure to file their return for one period that they are not going to be subjected to the heavy penalties. A third provision which was in Senate Bill 2173 and a number of other bills, as a matter of fact, would reduce the interest payment when taxpayers have failed to file their...to get all their money paid on time, this is not the...the heavy penalty provision. Right now the State pays the taxpayer one percent when the State, in effect, keeps your money for a period of time, but if you keep the State's money for a period of time, you pay two percent. This reduces that interest assessment for underpayment on sales taxes to one and a quarter per-

cent...per month. The final provision is something that the business community had strongly urged upon us in a...several bills that were pending at an earlier time and it deals with a subject that I'm sure grabs you all with great glee, it's known as subpart F income, and what it does effectively is to exclude it from a practice and procedure that it was being subjected to by the Department of Revenue in a manner that the business community considers fair. It will have probably a revenue impact at some point but we have made it prospective, that is the taxpayers cannot go back and redo any of their returns for prior years, and that we think is a fair compromise. So, I believe I have covered all of the myriad things that are a part of this bill. If there are any questions, I would be happy to answer them; if not, I would request your support of the first Conference Committee on House Bill 1321.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President, just to reiterate what Senator Netsch has said. She has fairly and accurately represented this bill. Most of this bill we have seen before in various parts, and especially for those on this side of the aisle, there are some things in here that have been requested of the business community and we're very interested in and some other things that are just plain old good government as only Senator Netsch knows how to deal with. So I would suggest an Aye vote on this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Yes, thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator...Senator Kelly. If we could have some order we...so we can understand and hear what's going on. Senator Kelly indicates that he wishes to ask Senator Netsch a question. She will yield. Senator Kelly.

SENATOR KELLY:

Senator Netsch, can you tell me under that portion dealing with the schools on page 20, you indicate the school district's name and number. Will, in fact, the tax form be returned if the person filing it out, the taxpayer, doesn't put that information down?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I think the answer is, no. The last sentence provides "Failure of the taxpayer to insert such information shall not invalidate the return." It is obviously intended to encourage taxpayers to do it themselves because it is something of a problem for Department of Revenue, that's one of the points that we've had in dispute over a period of time, but it will not invalidate the return and the bill is very clear in saying that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you. And also you mentioned unit school districts. Does that apply to dual as well as unit, that term?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

It covers high school districts and unit districts and it does not cover elementary districts, and if I am not mistaken, that may have been at the request of the Department of Revenue. There may have been some problem about that. Hold

on just a second. Any...in any event, Senator Kelly, this was the compromised language that was worked out with the Department of Revenue so that they could accomplish our basic objective but accomplish it without being subjected to an administrative nightmare, and I believe it was their request to leave out the elementary districts and get it only for high school districts and unit districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate concur...all right. The question is, shall the Senate adopt the first Conference Committee report with respect to House Bill 1321. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1321 and the bill having received the required constitutional majority is declared passed. House Bill 2546, Mr. Secretary.

SECRETARY:

House Bill 2546, first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The Conference Committee on House Bill 2546 really doesn't make much of a change in the original intent of the legislation. The original intent amended the Fire Protection District Act and provides that a petition to prevent territory which is annexed by a municipality from being disconnected from a fire protection district by operation of law must be filed with the county clerk as well as the appropriate circuit clerk. We're just adding the county clerk in this particular case. We amended the legislation in the Senate to authorize the Office of the

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State Fire Marshal to administer grants to areas not located in fire protection districts or incorporated areas which provide fire protection services and these grants shall not exceed five hundred dollars. Also we added...Senator Demuzio added Senate Amendment No. 2 which provides that if a majority of votes cast in municipality in territory proposed as a fire protection district is in favor of the proposition, the municipality shall be deemed an organization district even though majority of the votes cast in the unincorporated territory outside a municipality are not in favor of the proposition. It also authorizes another referendum to be held one year after a referendum was defeated, current language says two years. The...the Conference Committee report just makes...technical changes and changed...takes three words out of Senate Amendment No. 2, "are portions thereof," they removed and that should clarify the intent of the legislation. Be glad to answer any questions or move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2546. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2546 and the bill having received the required constitutional majority is declared passed. 2100, Senator Luft. House bills...I'm sorry...Supplemental Calendar No. 2 is Senate Bill 2100, Mr. Secretary. 2100. Senate Bill 2100.

SECRETARY:

First Conference Committee report on Senate Bill 2100.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3340 Conf. Comm. Rpts.

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate adopt the first Conference Committee on Senate Bill 2100. The report permits a municipality to pay interest cost incurred by a...developer in preceding years when insufficient funds existed for such payment in a special tax allocation fund. It also exempts obligations issued to finance TIF projects from the general interest rate law, and it also eliminates provisions making ineligible for TIF vacant land that has had no growth in EAV, equalized assessed valuation, for the last five years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2100. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 2100 and the bill having received the required constitutional majority is declared passed. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, there'll be a Democratic Caucus in Room 212.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

We've had a request to get back to 3340 and then we'll go to caucus. I just wanted the members to...to be alert that on Supplemental No. 2 there is listed Senate Bill 1200. The copies, the Secretary informs me, are available. So, my suggestion is that after we handle 3340 that the Pages would

then distribute those copies so that the members...Senator Philip has indicated that the Republicans also will have a caucus, we'll be able to take those pieces of paper to the caucus with us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WAND-TV has requested permission to videotape. Is leave granted? Leave is granted. With leave of the Body, we will go back now to Supplemental Calendar No. 1, it's your yellow sheet that was passed out earlier this morning, Supplemental Calendar No. 1 is House Bill 3340, Mr. Secretary.

SECRETARY:

House Bill 3340, first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What 3340 is is a bill that we passed and there was a technical error where they failed to take out some language, that language has been removed. This deals with mortgage foreclosure...they...failed...to delete three lines out of one section when they deleted out all the rest. It was inconsistency. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 3340. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 3340 and the bill having received the required constitutional majority is declared passed. Now, Senator Rupp, for what purpose do you arise?

SENATOR RUPP:

Thank you, Mr. President. Republican Caucus, Senator Pate Philip's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, a Democratic Caucus in Room 212 immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Allow me just to suggest that we wait just a moment while these reports are being passed out because the subject matter to be discussed in the caucuses...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I think they have...

SENATOR ROCK:

...that proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...I think we have the Pages now that are passing out...2100 or 1200 rather, Senate Bill 1200. And then, Senator Rock, we'll reconvene at...(Machine cutoff)...thirty. All right. The...the Senate will stand at ease until the...will stand in Recess until the hour of four-thirty. Four-thirty. (Machine cutoff)...for the Democrats, Senator Philip's Office for the Republicans.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will come to order. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate

the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 1734 together with House Amendments 1, 4 and 6, and this is on Supplemental No. 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Illinois Information Service has requested permission for a TV crew to shoot film. Is leave granted? Leave is granted. Supplemental Calendars 3, 4 and 5 have been passed out. We will begin here momentarily on Supplemental Calendar No. 3. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate and those within the sound of my voice, let me suggest that at five o'clock we will begin with Supplemental Calendar No. 3, Senators Davidson, Lechowicz, Maitland, Geo-Karis, Marovitz, and then do No. 4, Senators Welch, Leitch, Degnan and Sangmeister. And that might be an appropriate time then to break for some dinner and we will then come back and attempt, at least, to handle more business. More reports are being circulated and filed, Senator Philip and I will again have to meet with the Governor at some point. So, if we can get 3 and 4 out of the way, we can hopefully enjoy a dinner hour and then come back and conclude our business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...resolutions.

END OF REEL

HB 3422 1st C.CR.

REEL #2

SECRETARY:

Senate Resolution 1161 offered by Senator Sangmeister, it's congratulatory.

Senate Resolution 1162, by Senator Topinka, it's congratulatory.

Senate Resolution 1163, by Senator Dunn and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1164 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Senator Davidson on the Floor? Senator Davidson on the Floor? All right. With leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Resolution 1165 offered by Senator Smith, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Supplemental Calendar No. 3, Conference Committee reports. House Bill 3422, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 3422.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please. We are now beginning on Supplemental Calendar No. 3. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I'd move that we adopt Conference Committee Report No. 1 on House Bill 3422. The bill is exactly as we sent it out of here from the Senate

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with the amendment which we put on it, plus we had to go to Conference Committee to correct a technical error that was flawed in the law we passed last year dealing with asbestos removal in schools. And this item as defined in this Act takes care of that flaw. I'd move that we concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 3422. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 3422 and the bill having received the required constitutional majority is declared passed. Senate Bill 1552, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1552.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1552, I move that we adopt the first Conference Committee report on Senate Bill 1552. This is the Charitable Gaming Act. The bill is similar...almost exact as it passed this Chamber some time ago. The only difference is we tried to...incorporate some suggestions that were given to us by members on the other side of the aisle and also in the House in reference to a...requiring...allowing fraternal groups, Lion's Clubs to create a charitable organization to allow that spin-off charity to obtain a license if the fraternal organization has been in existence within a State five years. It would provide that auxiliary organizations of a licensee are not eligible for a license. It provides for

bona fide charitable religious and educational groups are authorized to conduct up to four charitable games a...a year. The Department of Revenue has the responsibility of licensing the fund-raising events. The bill includes restrictions on eligibility and gives the Department of Revenue the requisite powers to ensure enforcement. This law sunsets September 1, 1988. Also in the Conference Committee, the Department of Revenue stated that they needed an additional amount in order to provide the necessary safeguards within this bill, so what we did is we provided that the...each licensee shall pay three percent of the gross...proceeds to the Department of Revenue. Such funds are earmarked for the Gaming Law Enforcement Fund. Two-thirds of the monies in the Gaming Law Enforcement Fund shall be appropriated to the Department of Revenue, Attorney General, Department of State Police and one-third of the monies in the fund to be granted to units of local governments for law enforcement purposes. That's basically the only difference in this bill as...as a Conference Committee report and as was originally passed by this Chamber.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Lechowicz, as I think as you know, the...the perhaps remaining bone of contention here is whether we have effectively provided a vehicle for the...several civic organizations, I think specifically of the Jaycee's and the Lion's, who traditionally use the casino night mechanism as a charitable fund-raiser in the suburban and downstate portions of the State. The major hang-up appears to be whether or not a, let's say, Jaycee organization even forming a separate corporate structure solely related to charitable purposes could qualify for a 501C, if I have my numbers and alphabet in the right sequence...Federal classification or permit,

whichever it is. Your staff and several of the people I've talked to have told me they believe they can, and that's the best information I have today. If, in fact, as this bill moves through the process and the Governor's Desk, we find out subsequent to its passage that by some quirk in Federal regulation a group such as the Jaycee's or the Lion's is precluded, would you support our efforts to get an amendatory veto to clarify this situation so those groups are not excluded?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I thought I made myself quite clear in my opening remarks. Senator Schaffer, you were in the negotiations on this bill when it was in Conference Committee. At that time, I stated both in the Conference Committee and to you on the Floor that it was our intent to try to...accomplish your objective. We let this matter lie with the Department of Revenue and have them come up with the necessary language that they felt comfortable with in order to provide the Lion's Club and the Jaycee's their opportunity to...participate in charitable gaming. So my answer to you is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Senator Lechowicz, under that same area, what about the Chamber of Commerce? I know in...my area there was a concern that be...extended this privilege to certain labor organizations but to...not to the Chamber of Commerce. And will my Chamber of Commerce in the south suburbs be able to participate in this program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. In response to Senator Kelly's inquiry, the Chamber of Commerce would not be provided because they would not qualify for a 501C3 designation from the Federal Government, nor do labor organizations, and that has also been rectified...under this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Can we have some order, please. Take your conferences off the Floor. Like to proceed in an orderly manner. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is probably one of the major bills of the Session and underwent tremendous scrutiny over the last six months in several hearings in the Judiciary Committee. We met with members of both sides of the aisle, House and Senate, both sides of the Rotunda and I think this is a very, very tightly drafted bill. Senator Schaffer did bring up a problem. As we negotiated last week, we've tried to correct that problem and still keeping the bill tight, I think we've done that. Remember, there is a sunset provision in this bill so that if as the process goes on and the ramifications are seen, if changes need to be made we can make those changes or clean up...cleanup needs to be made, the Governor can make that clean up in an amendatory veto process. But I think this is tight. We don't want to see a tremendous proliferation of these games but only the use of these games for the religious and charitable and civic purposes for which the bill has been designed. I think this bill will do that, will alleviate a problem and will allow many of our institutions around the State to pick up the needed revenue to serve their charitable purposes, and I would solicit an Aye vote for this important piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Question of the sponsor. Senator Lechowicz, as I understand it, the bill is identical to the Senate bill that was passed earlier, which means that in addition to all the nice, tightly drawn provisions it does permit a cash prize of up to two hundred and fifty dollars. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct, but I...that's one-half of what's available right now in bingo. Bingo, right now the cash prize is five hundred dollars; under this provision it's two-fifty, we're going to see exactly how it works. There's a sunset provision that this bill expires September 1st, 1988. We're hoping that...especially with the Department of Revenue having the responsibility of policing this matter, I don't believe we're going to have any complications...of awarding cash prizes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. The...the answer is, yes, that it does still have that provision. I...I wish that were not there, I think the bill in all other respects has been very tightly drawn which is very good. I think many of us do not have an objection at all to allowing this kind of...of procedure to go on so long as it is...tightly controlled. As a matter of strong personal preference, I wish you had not left in the cash prize opportunity because what I fear is that next year it will be five hundred dollars and...and it will keep going up, and then we really begin to authorize a kind of gambling and

I think in the end we will...we would regret that very much. I gather though there have been numerous opportunities for this to be corrected and it just simply is...it's going to be this way or not at all, and I guess for the moment I give up. But I think I will...be reminding those who are likely to be suggesting an increase in the level in the next couple of years that, in effect, I think we were told two hundred and fifty is perfectly all right and that is the limit. And I think that at the very most that should be the limit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, we're not going to proceed until the noise level goes down. If you want to go to dinner, the way to speed up the process is to conduct your conferences quietly. Senator Lechowicz may close. Wait a minute, I beg your pardon. Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Mr. President and members, I just want to say for the benefit of our side of the aisle, in case there are any doubts, that while there may be some misgivings over the cash prize provision that this does represent, at least in part, an initiative from the Governor's Office and some members on our side of the aisle as well as the concern of members on the other side. And so, unless people have strong misgivings about gambling or about cash prizes even at a relatively minimal two hundred and fifty dollar level, I would urge all members to support this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lechowicz may close.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's absolutely correct that this measure was brought about because of the closing of a Las Vegas Night at St. Patrick's High School in the City of Chicago, and the Governor visited that school approximately ten days after the

closing and heard the plea of the Christian brother...father...brothers who teach over there in reference to the amount of money that this type of a provision supplied the school in order so they would be able to keep their tuition costs at a reasonable level. But it was not only the St. Patrick's High School that was affected but a lot of other parishes and other...and other schools in our area and a lot of charitable organizations in other portions of the State. And for that reason, this bill was originally drafted and sought the support of this Chamber which it did receive. Now in order the...for the two hundred and fifty dollar cash prize, there has to be a certain amount of incentive for these people to come in and spend their time and money at a charitable event, and that provision was needed after much debate and discussion with a lot of the people. This bill...this Conference Committee deserves your support and I would hope you'd vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1552. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 7, 2 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1552 and the bill having received the required constitutional majority is declared passed. Senate Bill 1666, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1666.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen

of the Senate. Senate Bill 1666 in addition to doing what it did when it left this Chamber does a number of things and let me describe for you the components briefly, if I might. First of all, it authorizes community college district to combine monies from its funds for investment purposes to join other community colleges or school districts for joint investment programs. This provision is now allowed to school districts and it...it should be allowed for community colleges. It also extends for one year the hold harmless for elementary school districts. You may recall last year, with the changing of the formula, elementary schools were hurt quite badly and, therefore, we provided for a hold harmless for one year and we are extending that...hold harmless for one more year. The funding for this provision has already passed and is on the Governor's...is on the Governor's desk. It also makes some technical changes with respect to the statement of economic interest for candidates for boards of education of new school districts. It also picks up a...a provision that we passed out of this Chamber last year that deals with the level beyond which it is necessary for the Chicago Board of Education to require bids. The original bill was an increase to twenty-five thousand dollars, this raises it from, I believe, five thousand to ten thousand dollars. In addition...in addition, it also adds the language that has been around this Chamber for some time with respect to the purchase of parishable food stuff and parishable beverages and indicates that that will not be a bidding...that will be apart from the competitive bidding process. I'd be happy to answer any questions that you might have and...if there are none, I would move that the Senate do accept the first Conference Committee report of Senate Bill 1666.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the

Senate adopt the first Conference Committee report on Senate Bill 1666. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1666 and the bill having received the required constitutional majority is declared passed. House Bill 2020, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2020.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move the concurrence...recommend the...that the Senate concur in House Amendment 7. The House receded from its House Amendments 5 and 6 and the only thing before us is the House Amendment 7. I move for its concurrence on Senate Bill 2020.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 on Senate Bill 2020. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 2020 and the bill having received the required constitutional majority is declared passed. Senate Bill 2042, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2042.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do adopt Conference Committee Report No. 1 to Senate Bill 2042. The only change made was a technical change in the effective date, there was two different effective dates and we had to consolidate them so that there was one effective date, no mistakes. That was the only change and I would ask for adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I believe your bill went out...when it went out before with both the...medicines for...may I address the sponsor? Your bill...that's the one about the medical...and it included the arthritis stuff? Good, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2042. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,...the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 2042 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 4...Supplemental Calendar No. 4, Welch, Leitch, Degnan and Sangmeister are up on this one. All right, Supplemental Calendar No. 4, House Bill 2573, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2573.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill 2573 was a bill that required flagging of birth certificates and school records of missing children. The Conference Committee report has the Senate Democratic Teen Initiative regarding Youth Conservation Corps, the Merit Recognition Scholarship Program, the Teen Recognition Award Program and home instruction for teenagers in suicide prevention. In particular, the Conference Committee report changes the date for flagging of birth in school records for reporting purposes from eighteen to seventeen years old and requires the Department of State Police to notify other states of reports of missing children in Illinois but born in the other state. A second provision was a Senate bill that passed out of the Senate, Senate Bill 2166, but was held on 3rd reading in the House creating the Illinois Youth Conservation Corps and the Illinois Youth Recreation Corps authorizing the summer employment of youth through these programs by the Department of Conservation and by local programs designed to provide summer recreational opportunities for children. The third bill, Senate Bill 2168, passed out of the Senate, was held in the House Executive Committee creating the Citizens' Council on Children to administer an annual U-RATE Recognition Award for Teen Excellence, program designed to recognize Illinois youth for their involvement in...systems or community service, promote and assist locally sponsored youth service programs and to encourage the organization of such programs in other communities. A third program is Senate Bill 2164 which was also passed out of the Senate but held on 3rd reading in the House, a suicide prevention program requiring the Department

of Mental Health and Developmental Disabilities to establish a five-year adolescent suicide prevention program which provides research and data on adolescent suicide, public education material, production and distribution in conjunction with other public agencies and private sector and training programs involving students, parents, teachers, school administrators, mental health professionals and others. Another provision is Senate Bill 2167, provides that effective July 1 of 1987, students in the ninetieth percentile and above are eligible for the Merit Recognition Scholarship Program as opposed to the current law which is ninety-fifth percentile and above. And, fourth, Senate Bill 2163 with the controversial provisions removed amends the home instruction section for pregnant students providing that before the birth of a child, a physician certifies that the pregnant student is unable to attend class or three months after birth or a miscarriage such instruction is provided. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. As the sponsor has indicated, this is the reincarnation of a number of Senate bills and I would simply call your attention to the various bills that are now contained within this one. The first one that he mentioned was Senate Bill 2163 which failed to pass the Senate. Another one that is included here is the...is Senate Bill 2167...and I'd like to address a question of the sponsor, if I may, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, this is the bill that would provide scholarships to the very brightest of our students in Illinois and I think

it's a laudable idea, but there are a lot of laudable ideas around that aren't funded. Is there an appropriation somewhere for this extra...looks like two and a half or three million dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Not for this year, Senator. The bill...the effective date was changed to next year, July 1, 1987, on that particular legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. My purpose in...in speaking is simply to point out to the members that if you have an interest in some of these other bills, for example, the Illinois Conservation Corps and some of the other ones that we've mentioned, that you should be alert to this bill because this seems to be the omnibus bill in some respects.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Senator Welch, is there...is there anything in here about the sex education in these home programs at all? I know that's where we ran into a problem on the Democrat teen package legislation we had previously. Is that incorporated in here or was that left out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

That has been removed, Senator Kelly.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this Conference Committee. I think it's a good bill, and as far as the provisions that are in 2163, that bill has been tamed down. What we're doing here is three months after the...the baby is born, the...for three months after, the...the...the unwed mother gets her high school instructions by correspondence course in the mail. That's what we're talking about in this bill and I think...and we're talking not about sex courses, but we're talking abut reading, writing, arithmetic and allowing them to complete their education in high school. I think it's a good bill. I think that even the cost that we pay, if it costs us a few million dollars...in the long-run, we will save quite a bit of money, that expense of the loss of our...probably our most valuable asset in Illinois are teenagers and children in this State, and I rise in support of this. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Demuzio. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I apologize for raising a...or for speaking a second time. Representatives from the Department of Conservation have just informed me that the youth recreation program which is a part of this proposal is an entirely new program. It's not been funded before and nobody knows where the money is going to come from, and I would ask my colleagues to reject this first Conference Committee report. The fact of the matter is, there was no conference, what happened was that the majority members of the committee simply wrote a report and asked that it be signed and there was no discussion of these issues. I think the issues should be discussed and no doubt part of this bill can be approved, but I think the first committee report should be rejected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. I...I did find out one thing and I...I think, Senator Welch, you did indicate that the funding for the merit scholarship now in this Conference Committee report has been delayed by one year. So, I guess, I would just suggest that we ought to just wait and do this next year, that would be my...my comment on that issue, although I think it's no doubt something that we should one day, but my major area of concern deals more with the issue that Senator Schuneman was talking about with respect to Senate Bill 2166 or the former 2166. You know, we have...we have been very much involved in...in JTPA, that is...an initiative that...that I think, I'm pretty sure, covers this...this same area in one fashion or another and...and, again, this kind of a program is a laudable program but I'm not sure that you want to continue to overlap programs that we've already got. And, I guess, number one, I would ask you to respond to the question, is this an overlapping with current JTPA, because I think it is and we have reason to believe that it is? And, secondly, then, let's try to tie a fiscal cost to this program and we've not done that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator Maitland, let me just say that there has been an appropriation for this program and that's 2.4 million dollars that has already passed out of the Senate. Secondly, let me point out, Senator, that there may be some conservation programs currently in JPTA that take care of some of the youth of the State of Illinois, but I think that if you would think back to the time when you were between age sixteen and eighteen, you would like to have had these programs available so that you could have been involved, and I think that if all of us thought back to that time, certainly this is a

worthwhile adventure, I think, on behalf of the youth of the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, for not answering my question. This is an important issue, Senator Welch, and it's not to be taken lightly. The fact of the matter is, there is a program in place that deals with this issue, without question. You are suggesting a new program for this General Assembly and although you think there is an appropriation for it, there is not an appropriation for it, absolutely is not. I am reliably informed by conservation that there is not an appropriation for this program. Now, let's get serious about the answers and give us a straight answer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, I'll be glad to give you a straight answer. The answer is this was the Governor's program to begin with and we're just adding a million dollars to it. So there's 2.4 million dollars already appropriated. So it's not a...a brand new program in addition to existing JPTA programs. I would point out, in addition, that those who are talking about the problem with education, the idea behind the education of teenagers who are pregnant is to make them aware of what they're missing in class when they're staying home having the baby so that when they get back to class they haven't lost as much time as they would otherwise. I think that these are programs that all have been debated here in the Senate and each one has had a...a hearing and, for that reason, I would move for adoption of the first Conference Committee report on House Bill 2573.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on Senate...on House Bill 2573. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 25, 2 voting Present. The Conference Committee reports...I'm sorry, the Senate does adopt the Conference Committee report on House Bill 2573 and the bill having received the required majority vote is declared passed. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. I think we should verify the affirmative votes, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request for a verification of the affirmative vote has been made by Senator Maitland. Will all the Senators please be in their seats and will the Secretary please read the affirmative roll.

SECRETARY:

The following voted in the affirmative: Berman. Carroll. Collins. D'Arco. Darrow. Dawson. Berman. Demuzio. Hall. Holmberg. Jones. Jeremiah Joyce. Jerome Joyce. Kelly. Lechowicz. Lemke. Luft. Marovitz. Nedza. Netsch. Newhouse. O'Daniel. Poshard. Sangmeister. Savickas. Smith. Vadalabene. Welch. Zito. Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland, do you question any of the affirmative vote?

SENATOR MAITLAND:

Senator Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Luft...Senator Luft is sitting with the Pages.

SENATOR MAITLAND:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Jones...

SENATOR MAITLAND:

Hi, Emil.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No further questions? Mr. Secretary. On affirmative roll call, there are 30 Yeas, 25 Nays and the bill is declared passed. House Bill 3475, Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President.

SECRETARY:

House...House Bill 3475, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

I would like to move that we not accept the Conference Committee report and that we appoint a second committee, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you do need a roll call on that and Senator D'Arco.

SENATOR D'ARCO:

Well, I...I suggest that we oppose that motion and do accept this Conference Committee report. It's my understanding,...we've been working for a very long time with the Governor's Office on the distribution of the Exxon money. Now, it's my understanding...and if I'm wrong, correct me, Senator, but it's my understanding that this is the agreed amendment between everybody concerned on how this money is to be distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...

SENATOR D'ARCO:

And I don't know what the problem is but, you know, I...I just don't know.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

It's not my purpose to tamper in any way with the Exxon language. There's another unrelated amendment that needs to go on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well,...I was going to raise the same question. The...what you're saying, Senator Leitch, is that you have no intention of adding, subtracting or otherwise revising the language that deals with the distribution and...of the Exxon money and the creation of the fund. Is that what you're saying?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

That...yes, that's correct. Why don't we...you want to take this...yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz. Oh, I'm sorry, Senator Netsch.

SENATOR NETSCH:

Would...would you like to give us a hint of what you are planning to put in here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

I'd like to, Senator Lechowicz may be able to speak to this. As a favor to Senator Lechowicz, I'm doing

this...deferring that. I would defer to him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I had my light on for some time. He's absolutely correct, it has nothing to do with the Exxon provisions within the Conference Committee report, but the...the section of the Statute that this amends would help my friend, Clyde Choate, which I intend on trying to help him with...thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco, would you wish to answer?

SENATOR D'ARCO:

This is great, this is terrific.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, the question is, shall the Senate adopt the first Conference Committee report. Senator D'Arco, do you wish to take over the Chair? The question is, shall the Senate adopt the first Conference Committee report to House Bill 3475. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Senator Lechowicz.

SENATOR LECHOWICZ:

A point of order, Mr. President. The gentleman requested that the...a second Conference Committee be...be assigned. That was not his motion as far as to...to accept the first Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, you have to get rid of the first Conference Committee report.

SENATOR LECHOWICZ:

Fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That has to lose before you can have a second one unless there's some shenanigans going on.

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SENATOR LECHOWICZ:

Unless there's a....unless there's...yeah, but you can do it by a...voice vote as well.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You need a record vote, Senator...take the record. On that question, there are 8 Yeas, 27 Nays, 13 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Leitch has requested a second Conference Committee be appointed. Senate Bill 415, Senator Degnan. Read the bill, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 415.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. First Conference Committee report on Senate Bill 415, the House recedes from House Amendment No. 1 and the additional language allows courts to resolve court proceedings concerning exemptions for 1985 and preceding assessment years when an application is made for an exemption for 1986 or later assessment years. It also requires...certificate of error to be issued when a property owner is granted an exemption for an assessment year and neglects to file for exempt status for the subsequent assessment year, even though his property is eligible for exemption during such a year. It also declares that an application for tax exemption or the granting of an exemption does not affect the right of a governmental agency to seek a judicial determination regarding the tax status of the property during the period when eminent domain proceedings were pending. It also revises the Farmland Assessment Formula. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the

Senate adopt the first Conference Committee report to Senate Bill 415...Senator Maitland, I'm sorry.

SENATOR MAITLAND:

Thank you, very much, Mr. President. We were anticipating some questions on this bill and...and we simply don't want it to fly out of here without a...an explanation of the last point that Senator Degnan made, and I...I would not feel right about that and...and that just shouldn't happen. This bill does contain some rather detailed revisions in the farmland assessment bill, and you may recall that some years ago,...strike that, two years ago, we did pass legislation out of this Chamber that placed a ten percent limit up or down on the EAV of farmland across this State, and...and that worked well and it was done for a purpose. It was because of rapidly declining farm income, the EAV on farmland was going down dramatically and we were very concerned about...local units of government and...in particular, we were concerned about the loss of revenue to schools. And the farmers across this State agreed to place this ten percent limitation on and that's fine, but it has created a number of problems with respect to some counties across the State and to be as simple as we possibly can be in describing the legislation, it does generally four things. It, first of all, removes that ten percent cap that I mentioned to you earlier. It provides for a one-year modified hold harmless instructing the State Board of Education to pay those losses that exceed ten percent to any of the school districts which lose property tax revenues resulting from the removal of the current ten percent farmland EAV cap. Thirdly, it freezes the 1987 farmland EAV at 1986 levels and no hold harmless is provided for this year of...of the freeze. And then for 1988 and thereafter, it imposes a cap on the annual increases or decreases in the EAV per acre based on the soil productivity index, and we are convinced that...that after we pass through

this period and the farmland assessment bill is finally implemented accurately and by placing this ten percent cap on the PI instead of the EAV, this will...will provide for the stability both for...for the local units of government and also will protect those property owners who have been adversely affected. Let me further say that a number of property owners in a number of these counties who have had their assessed valuation affected adversely because of the assignment of a factor have found that although their farmland was accurately assessed, once the factor was applied, those taxes have increased...the EAV has increased dramatically and those taxes are being paid under protest and that can have a very adverse, detrimental effect to school districts, we simply don't want that to happen. This...this language in this bill is the product of...of quite a number of hours of...of...of work between the Farm Bureau, the Department of Revenue, the State Board of Education and others and I would attempt to answer any questions that you might have on this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, let's get it in order. We have Senator Netsch, Senator Berman, Senator Poshard and Senator Joyce. Senator Netsch.

SENATOR NETSCH:

Thank you. For the moment, Mr. President, I was sharing the same concerns as Senator Maitland, this is by no means a merely bill. It is a relatively dramatic restructuring of a part of the farmland assessment and I believe also that it should simply not go by unnoticed. I would say also for the record, I have no particular problems with the other part of the bill which deals with the exemption of property and some procedural matters relating to that. They seem...they seem perfectly fair to me. The...for those of you who have the IEFC orange memo...the Economic and Fiscal Commission memo

which explains it, I would suggest you do look at it, perhaps, at least look at the table on page 6 and the map on page 7 because it does show the...both in percentage terms and in geographic terms those areas where there will be a reduction in the certified average equalized assessed valuation per acre in assessment year 1986, and the chart then attempts to show the impact and I think any of you who live in any part of the State, for that matter, ought to look and be sure you understand that this bill is going to have a fairly important impact on some areas of your State. It is not an inconsequential piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senator Maitland, based upon your best expectations, would you tell me what this bill will do to the School Aid Formula to the needs of rural school districts for funds and where that money is going to come from; and, three, the impact on the State and the impact as viewed by, let's say, the urban and suburban county...school districts in Chicago and suburban Cook. Could you comment on those, for next year and the year after when the hold harmless is plugged in and then are eliminated and what...what you think is going to happen?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Berman, with respect to the hold harmless, that affects the...the...the drop in the EAV for that particular...for those particular school districts. So there is a drop in EAV and we're going to hold those districts harmless with respect to local revenue. Now, the question with respect to the formula and how it will affect the formula, obviously,...and we don't know exactly

what our formula is going to do down the road, because you and I are both working on that, but, obviously, if that assessed valuation does go down in...in those districts that ultimately...ultimately there is a...a...a slight...will be a slight distribution...redistribution of those dollars because EAV goes down and that lowers the assessed valuation per student so obviously there is a...there is a...a shifting here of...of revenue. I would say to you that...based on our projections for...for...for that year of hold harmless, the Department of Revenue has indicated that the loss in revenue is something in the area of 2.7 million dollars. Now, we can't be exactly accurate on that figure for obvious reasons but that is their best guesstimate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Now, as I understand it, that 2.7 million, assuming that that would be the figure, that's the amount that we would have to appropriate on a separate line item to fund the hold harmless for FY '87? '88, so that would be in the appropriation next year. What happens...assuming that the formula doesn't change, and...that's the only way we can ask these questions, what happens the year after the hold harmless is taken off, as I understand it, and if farmland values continue to decrease, what happens then?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Obviously, if there is no...if there is no reappropriation or a continuation of the hold harmless, there is no question but what those school districts will be affected adversely. The point that we have to continue to remind ourselves of is that...that, in fact, that property is now...in many of those districts is now being

dramatically over assessed with an inaccurate implementation of the farmland assessment bill. So we're simply trying to get back to where the farmland assessment bill really should be; obviously, if farm income goes up into the early 90's, then this procedure would reverse.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Well, you're not going to make a pledge that you're not going to introduce a bill to cut it back at that time. That was a facetious question. You said that this was with...discussions with Department of Revenue, Economic and Fiscal and...and the school board...State Board of Education. What's the views of the school districts downstate that would be affected by this? Are they...have they signed off? Is this a...the...the worst...the best of a...of a bad deal or the worst of good deal?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Senator Berman, they...they have not signed off without question, but they are also terribly concerned about the fact that because of the inaccurate assessments that are taking place in most of these counties, that tax is being paid under protest, there is no question about that all in many counties...and...and I forget the number of cases that...that there are but...but it's a large number and they're concerned about that potential loss of revenue because clearly...clearly, the farmland assessment bill as it's being implemented in those counties, it's as...not doing what it's supposed to do according to Statutes and they would probably have a pretty good leg to stand on. So better they get the accurate, proper amount of money whatever that might be rather than get...get none at all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill reluctantly. I have to say for the record though that it does pose a dilemma for some of us from deeper southern Illinois. If you live in the counties in which I represent or Senator Watson or Senator Dunn, Senator O'Daniel's, Senator Woodyard and others and you look at the figures in terms of the revenue from local property taxes that will be deprived to the...to the counties, this is a most important bill, because these are the counties which are suffering by and large the most from local revenue production. They have the highest rates of unemployment, they generate the least property taxes now. They have all kinds of problems in terms of local roads, jails and so on and now this bill will further decrease those tax revenues. I have no doubt though that the bill is good for the State as a whole and it corrects an inadequacy in our present farmland assessment procedures. Senator Maitland, can you just answer this question for me? In your judgment, would this lend further impetus to the abolition, I should say, of...of using property taxes to fund our local school systems in this State?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

That's a...thank you, Mr. President. Thank you, Senator Poshard. I...I guess my response would be, and you've heard me speak on this subject before, that I think that there needs to be as we move into the new formula revision and funding of education some thought given to other forms of...of revenue...I think what this will do for sure is to make people more aware, especially in those counties that

you've just mentioned, for the need to try to find other means by which we fund education. We are not trying...and you understand this, I know, we are not trying to deny those schools revenue. That's not the intent of this at all, but, clearly, in many of those areas, property tax does bear a major portion of the burden and I guess the answer to the question is it makes people think more about how...how much and how important real estate tax, is to the funding of education.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Well, just for my purposes, at least, I...I would state that...I think it does that and I'm, in fact, happy in that sense that it does, because I think it's time that we looked at some other methods for financing public schools in this State. I don't think the entire...or the cost should be borne in the manner in which it is right now by property owners in the State. And, secondly, I think it...lends further impetus to the contention that I've made for some time that the State is going to have to help some of these counties who simply cannot generate the revenues to help themselves, and I hope that we look forward to that time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I'm just going to editorialize a little bit on this. I...I was one of the original sponsors of this bill back in '75 or six whenever and I...I'm not so sure that we haven't completely gotten off on the wrong foot. At the time, it was very urgent and we needed to do this and now we...we sit here with farmland prices so depressed and...that...that we are now artificially inflating the tax that these farmers who can't afford to pay

any tax at all are having to pay to keep our schools open. In other states schools are in serious trouble and their formula will click in as it would here if we didn't have this program, and it would help those areas. Here, we're...we're relying more on a local tax that is...it's creating a false sense of security. What we have in this State is a...is a tremendous...tremendous problem and farm organizations, Farm Bureau, I think everyone is afraid to admit how bad the problem is. We hear last...well, this week actually, that we are now importing more agricultural products than we are exporting. Maybe we ought to let some of our small rural schools go down the drain and, then,...then, maybe our Congress would come up with a farm program that was worth a damn, but as it is, we keep propping things up and people keep saying, well, it really isn't so bad. Well, it's horrible and we'll keep tampering with this bill forever and ever and ever as long as we're in this situation. Those schools are in trouble because the area where they come from are in trouble, and if we don't wake up to that fact and tell our congressional delegation and tell Congress that agriculture has to get back on its feet, we're never going to get anywhere. So I think this is just a...another little game we're playing to convince everyone that things aren't so bad down on the farm. Well, things are bad down on the farm and I think perhaps we're missing the boat here by not showing people how bad they really are.

PRESIDING OFFICER: (SENATOR SAVICKAS)

No further discussion, Senator Degnan may close.

SENATOR DEGNAN:

Thank you, Mr. President. I move the adoption of Conference Committee Report No. 1 to Senate Bill 415.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 415. Those in favor will

vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays and the Senate does adopt the Conference Committee report to Senate Bill 415 and the bill having received the required constitutional majority is declared passed. Senate Bill...Senate Bill 1808, Senator Sangmeister. Read the bill, Mr. Secretary.

SECRETARY:

Second Conference Committee report on Senate Bill 1808.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

This is the ordinary and contingent expenses for the state's attorneys appellate...whatever it is. We finally got this one in order, although Senator Keats came over and talked to me about it and we've cut that appropriation of the Supreme Court, Senator, to 3.2 million dollars from seven million and I think everything else is in accord now. If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats.

SENATOR KEATS:

...the question of the sponsor being, at this point, no one has yet even explained...forget the seven million, no one has yet been able to explain what the 3.2 million goes for or even if it's a new program. Is this a new program or an old program, who we're reimbursing and what...what does the program do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, again, this was put in...in this appropriation so I'm not an authority on this, but this is the bill that Sena-

tor Rock handled in the Senate and the...the legislation creates a new agency to be...to be supervised by the Supreme Court. As I understand it, there will be investigation...it'll be an investigation agency under the jurisdiction of the chief judge of each circuit who will have people that will go out and investigate whether or not these people ought to be released on bond. It probably will be a help to the Constitutional Amendment that Senator Davidson and I co-sponsored, because there will be a necessity for more investigation so judges are better informed as to who should be released on bail. That's the whole idea, expensive one, I might say. It's going to cost a lot more than this next year, but I think it's something we probably ought to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay, we're saying it's 3.2 million this year and admitting it's a lot more next year. It's...we're investigating before we let them out. Isn't that what the...don't we have a whole parole board that deals with that? Isn't someone else supposed to present this evidence or are we dealing strictly presentencing...strictly presentencing, give me...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Sangmeister.

SENATOR SANGMEISTER:

As I understand this program, Senator, it has nothing to do with presentencing. This is prebail, this is after you're arrested and you cannot make bail. Now, there'll be these people under the jurisdiction of the chief judge that will make an investigation for the chief judge and make a recommendation as to whether or not this particular individual is safe to put out into the community. This is prior to any conviction of any kind, this is to deal with bail.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

How much are we saying this will cost next year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

...I'm not sure, but I talked to the administration...administrator of the court system and they estimate probably it could be five to six million next year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats. The question is,...further discussion? If not, the question is, shall the Senate adopt the first...second Conference Committee report on Senate Bill 1808. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 15, 1 voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 1808 and the bill having received the required constitutional majority is declared passed. All right, with leave of the Body, there's a couple of matters on the...back on the regular Calendar that need to be expedited. Secretary's Desk's Concurrence, with leave of the Body, we'll go to page 7. Secretary's Desk...Concurrence is Senate Bill 1624, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Bill 1624 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that the Senate not concur with House Amendments 1 and 2 on Senate Bill 1624.

PRESIDING OFFICER: (SENATOR DEMUZIO)

HB 3036 Nonconcur

All right. Senator DeAngelis moves that the Senate refuse to recede from the adoption of...all right, Senator...Senator DeAngelis moves to nonconcur in...in House Amendments 1 and 2 to Senate Bill 1624. Discussion? Senator Netsch.

SENATOR NETSCH:

Senator DeAngelis, do I understand that the...that we're going to put this over till the fall, the Procurement Code, I think...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR NETSCH:

...that would be helpful to explain that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator DeAngelis.

SENATOR DeANGELIS:

It is the plan to carry it over until the fall, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis moves to nonconcur with House Amendments 1 and 2 to Senate Bill 1624. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Let's drop down on page 7 to Secretary's Desk Nonconcurrence to House Bill 3036. Secretary's Desk, bottom of page 7, Nonconcurrence is House Bill 3-0-3-6. Mr. Secretary.

SECRETARY:

House Bill 3036 with Senate Amendments 7 and 11.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Mr. President, I would refuse to recede from Senate Amendments 7 and 11 and ask that a Committee of Conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved to refuse to recede from the adoption of Senate Amendments 7 and 8 to House Bill 3036 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. I am told...Senator Poshard...I am told that there are two additional matters on the Secretary's Desk Concurrence that we could handle here, and with leave of the Body, on page 7 of your regular Calendar is Senate Bill 1611. Secretary's Desk Concurrence, with leave of the Body, we'll move to that order of business is Senate Bill 1611. Mr. Secretary.

SECRETARY:

Senate Bill 1611 with House Amendments 1 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Mr. President, I move to nonconcur in House Amendment 1. That's a hundred and fifty thousand dollar GRF appropriation for a grant to the Illinois Arts Council, which I understand has been taken care of in another bill, and I move to concur on House Amendment No. 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard, why don't we take the concurrence on Amendment...House Amendment 3 first. Senator Poshard?

SENATOR POSHARD:

Yes, thank you, Mr. President. House Amendment 3 adds two million dollars for the High School Drop-out Prevention Program at city colleges of Chicago. As I understand it, the substantive legislation for this was passed last year in the educational reform bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 3 to Senate Bill 1611...Senator

Maitland.

SENATOR MAITLAND:

I...I'm sorry, Mr. President. Would...would you give me a brief explanation again, Senator Poshard?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Senator Maitland. House Amendment 3 adds two million dollars for a High School Drop-out Prevention Program at the city colleges of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, we're doing it because we passed the substantive legislation last year for this. As you know, in the City of Chicago, we have a substantial drop-out rate among our young people, the attrition rate there is higher than anywhere else in the State. We need to keep these young people in school, obviously, for many reasons so that they're not out on the street engaging in crime, so that they have the kinds of training that they need to eventually get a job and this simply would speak to that need in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

...I'm sorry to delay this, but is there a program in place or is just...is this just a two million dollar grant that goes to the city without any strings attached?...I'm sorry, but we'd just like to know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Maitland, I don't know, maybe someone else here can speak to that issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

END OF REEL

REEL #3

SENATOR ROCK:

Thank you. To answer Senator Maitland's question, the substantive language per se has not yet passed. City colleges and the Community College Board indicates to us they can do it even absent that substantive language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, okay, thank you, Senator Rock. I wonder if you could also respond to the question as to what...what the money is going to be used for. Is there a program in place or is it just a grant to be used as...as they see fit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

It's going to be used...according to that material that Senator Smith passed out to every member the other day, it will be used for that probation challenge program and that...that program can be put into the community college system just like every other program is put in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well,...well, only to say...and I...again, it's tough to oppose programs like this and I know I come off as being very negative. I'm not negative on the program, but this is something that we're confronted with...at least I'm confronted with for the first time tonight, I guess, and I...I...I think we ought to run this through the normal budgeting procedure and...and come with it next spring and...and go, and if

I...you know, I just believe that's what we should do and I think we ought to reject it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard may close.

SENATOR POSHARD:

Well, thank you, Mr. President. I can understand Senator Maitland's concerns about some of the logistical problems with this, perhaps; but the fact is,...I guess the question I would ask is how can we not afford to put this money there? You know of the problems that we have in the cities with our young people and the...rates that suffered there in our schools. I think this is a good expenditure of our funds and I would move for passage of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment 3 to Senate Bill...1611. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 19, 3 voting Present. The Senate does concur with House Amendment 3 to Senate Bill 1611. Senator Poshard on Amendment 1.

SENATOR POSHARD:

Mr. President, I move to nonconcur on Amendment 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Poshard moves to nonconcur with House Amendment 1 to Senate Bill 1611. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senate Bill 1747, Senator Donahue. Mr. Secretary, 1747, Senate bill.

SECRETARY:

Senate Bill 1747 with House Amendments 1, 3, 4, 6, 7, 9 and 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I would move to concur in House Amendments 1, 3, 4, 6, 9 and 10. And to nonconcur on House Amendment 7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, we will...we'll take up the subject of the concurrence first. Discussion? Senator Carroll.

SENATOR CARROLL:

Just to explain. You are now moving to concur...seeking to concur on building an ag. lab at the grounds of the Galesburg Mental Health Center? Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

As you know, Senator Donahue, that's Amendment 9. Amendment No. 10 is the additional almost two million dollars for the...of general revenue funds for the DuQuoin State Fair over and above the 3.2 million we have given them already. On Amendment No. 9 it was felt that there was absolutely no need for an agricultural laboratory on the grounds of the Galesburg Mental Health Center and we would very strongly resist that amendment and seek to divide the question on that. On Amendment No. 10, I know there are members who want to speak to that issue of the additional funding for DuQuoin and I think, therefore, we would ask for a division of the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Well, I...I would...it is my understanding that the Chair...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the division is, in fact, in order. I assume, Senator Carroll, you want 1, 2, 3 and 6 on their own merits and then 9 on its own merits and then 10 on its own merits. Is that correct? 1, 3, 4, 6 would be the subject of the...part of the division. Okay. So on...on the issue of the concurrence of...of Amendments 1, 3, 4 and 6, Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I would move that we concur on those four amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. The old question again, where is the Ag. Premium Fund money in this, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Well, Senator Joyce, I asked them if they'd hold this and they said, no, that they wanted to run with it; and...I would like to see this held until we were sure about the ten million dollars later, but we were told that we needed to run with it, Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue, there appears to be some agreement that maybe you...perhaps you ought to hold it. It's at your leisure, Senator Donahue. All right, take it out of the record. Take it out of the record. With leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Joint Resolution 179...offered by Senators Davidson and Sangmeister.

And Senate Joint Resolution 180 offered by Senators Vadalabene and Rupp.

These will be on our No. 6 Consent...or Supplemental Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Those two resolutions incorporate the text of the constitutional explanation that will be forwarded to the voters. Let me suggest that...Mr. Secretary, that copies ought to be distributed for every member. We will take that up when we return. I suggest, Mr. President, that the Senate stand in Recess for two hours for the purpose of affording the members an opportunity to get a bite to eat; and when we come back, I might say, we will move immediately to the Order of Supplemental Calendar No. 2 which contains Senate Bill 1200, and then we will carry on through the other calendars as they become available. So, we'll come back at eight-fifteen and begin on Senate Bill 1200. Move we stand in Recess till eight-fifteen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...just hold that for a minute. All right, resolutions.

SECRETARY:

Senate Resolution 1166 offered by Senator Jones. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, Senator Rock has moved that the Senate stand in Recess till the hour of eight-fifteen. Senate stands in Recess.

RECESS

AFTER RECESS

AJR 180

PRESIDENT:

All right, the hour of eight-thirty having arrived, the Senate will reconvene. We'll begin...Senator Davidson, how 'bout with you and Senator Vadalabene so we can get these Messages over to the House. If you'll turn to Supplemental Calendar No. 6 while we are awaiting the members reassembling. We'll begin, with leave of the Body, on Supplemental Calendar No. 6, on the Order of Secretary's Desk's Resolutions. Senate Joint Resolution 179, Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, Senate Joint Resolution 179, by myself and hyphenated cosponsor of Senator Sangmeister is the necessary resolution relating to the Constitutional Amendment that will be on the ballot November the 4th in relation to bail bond, and this is the implement resolution. It gives the purpose of the amendment, gives the...shape of the ballot that will be mailed out by the Secretary of State to every registered voter, gives the arguments in favor of the proposed bail amendment, it also gives the arguments against the bail amendment as it...we all know our Constitution calls for. I would move the adoption of Senate Joint Resolution 179.

PRESIDENT:

All right, Senator Davidson has moved the adoption of Senate Joint Resolution 179. Is there any discussion? If not, those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Joint Resolution 179 having received the required constitutional majority is declared adopted. On the Order of Secretary's Desk Resolutions, on Supplemental Calendar No. 6,

is Senate Joint Resolution 180. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. This is a resolution we are required to adopt to provide for the form of the ballot and for arguments in favor of...of and in opposition to the...the proposed Constitutional Amendment regarding the Veterans' property tax exemption. The resolution has been distributed and I move for the adoption.

PRESIDENT:

All right, Senator Vadalabene has moved the adoption of Senate Joint Resolution 180. Is there any discussion? Any discussion? If not, those in favor of the adoption of the resolution will indicate by voting Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Joint Resolution 180 having received the required constitutional majority is declared passed. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President — I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 2117 together with House Amendments 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 20, 21, 23, 26, 27, 28 and 30.

PRESIDENT:

Secretary's Desk. With leave of the Body, we'll move back to Supplemental Calendar No. 5. On the Order of Supplemental Calendar No. 5, on the Order of Secretary's Desk Concurrence is Senate Bill 1734, Mr. Secretary.

SECRETARY:

Senate Bill...Senate Bill 1734 with House Amendments 1, 4

SB1200
1st C.C.

and 6.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we do not concur with House Amendments 1, 4 and 6 and ask that a Committee on Conference be appointed.

PRESIDENT:

All right, Senator Carroll has moved to nonconcur in House Amendments 1, 4 and 6 to Senate Bill 1734. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right, if I can have your attention, UPI has requested permission to take some still pictures and WCAI-TV has requested permission to videotape. Without objection, leave is granted. All right, with leave of the Body, we'll move to Supplemental Calendar No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...with leave of the Body, we will return to the Supplemental Calendar No. 2...Supplemental Calendar No. 2 is Senate Bill 1200, Senator Rock. Wait a minute...all right, Mr. Secretary, Senate Bill 1200.

SECRETARY:

First Conference Committee report on Senate Bill 1200.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Can we break up the conferences. Senator Savickas. All right, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to move the adoption of the...first Conference Committee report on Senate Bill 1200. Senate Bill 1200 is that proposal containing twenty-seven specific different articles dealing with the subject of tort reform and insur-

ance regulation. Perhaps, Mr. President and ladies and gentlemen, it might be a good idea to put Senate Bill 1200 in this conference proposal in some perspective. You will recall, I am sure, because members of this Body participated fully, that some months ago we set up a joint Senate committee between the Committees on Local Government and Insurance and asked them to go out and hold some hearings and find out, if they could, the extent of the problem with respect to the affordability and availability of liability insurance particularly as it related to local governments, because all of us were aware and somewhat appalled that counties and park districts and municipalities were confronted with the fact that they were uninsurable or that the insurance that was offered to them was unaffordable, and so that committee, a committee of this Body,...

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rock, hold on a minute.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Now, we just had a...small break, we are now back and we are on the Order of Supplemental Calendar No. 2, Senate Bill 1200. We'd like to have some order, if we might. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. And after the members of...the joint members of that committee from both sides of the aisle met and discussed, it was pretty apparent that something had to be done. Something has to be done this Session. And as a result, between the first of January and the close of filings, fifty plus different legislative proposals were introduced in this Chamber dealing with this subject all the way from prior approval of rates for the insurance industry to dramatic and substantive changes in the civil jurisprudence

of this State. And the Senate Insurance Committee held hearings and all those bills were assigned to that committee, and to their credit, the members of that committee under Senator Jones sorted those out and came to the Floor with a number of bills that we debated at some great length, you will recall, in this Chamber. The Floor debate on amendments to 2263 lasted some four and and a half hours not so very long ago, and when the bill arrived in the House, as with the other House bills, it was determined by the House Caucus that they would engage in summitry, and so the Speaker, utilizing his good office, called all the various interest groups together and said, let's try to negotiate this out, and there was joint participation, both sides of the aisle, both Houses, in those summit meetings. This Chamber was represented by Senators Jones and Luft and Berman and Senator Schuneman and Barkhausen and others and that winnowing out process has been going on for probably six weeks, and then last week at the request of the Governor, the participants literally moved to the Governor's Office because the Governor, too, is of the belief that something has to be done this Session. And we had meetings, individually and collectively, over late Thursday night and Friday and Saturday and Sunday and, yes, this morning at nine o'clock. When the conferees got together in Room 212 and we heard the proposal outlined and we also heard the response from business and industry and the public sector, the trial bar, the hospital association, we afforded, I hope, the opportunity to react, not at any great length, I might suggest, because as I said this morning when I chaired that committee, remember, please, it is June 30 and it is late in the Session and remember, please, that the members have been dealing with this issue, we are not at square one, and so, please, don't talk to us about what is not in this proposal because I will readily admit there are a lot things that are not in this proposal. Prior approval of rates is not in this

proposal, but let's talk about what is in here, and I think, ladies and gentlemen, if you take a look at what is in here, you will agree, as the House did just an hour ago by a vote of 76 to 41...ten of your Republican colleagues joined with sixty-six Democrats and that bill just got out of there 76 to 41 because the Conference Committee on Senate Bill 1200 does, in fact, incorporate significant reform in the civil jurisprudence of this State in Articles I through VII, and in Articles VIII through XXVI it has a whole host of measures aimed at the insurance industry with which, by the way, they do not disagree and to which in the main they have agreed to afford our Department of Insurance the opportunity to really get the kind of...information it should have and to suggest to the insurance industry that they ought not arbitrarily and peremptorily cancel without notice or terminate a line, and those...measures...those things are in there and there is no rate regulation in there. In the concern that local government has, the park districts, the municipalities, the counties, just read if you will Article I. Article I is the Tort Immunity Act and the local governments and their representatives insofar as I know are pleased and well they should be, because their problem is addressed and responded to. And then we get to the business interests and their representatives came before the conferees this morning and said, well, we can't agree with this because it doesn't go far enough. It just is not enough for us and so we wish you to throw the whole thing out, perhaps we'll have better luck in the second Conference Committee or in the Special Session or next year. Well, again, remember, please, that this is June 30, almost 9:00 p.m. and if there's any great hope being held out for Conference Committee No. 2, I suggest to you that the House just an hour ago responded to that hope with seventy-six affirmative votes for Conference Committee No. 1, and what have we done to answer some of the concerns of the business

community. We have modified joint and several liability, modified it to a great extent. Thirty-five other states in this United States of America have unfettered joint and several liability, so we will be in the minority. We will take a doctrine that's been in our jurisprudence for a couple of hundred years and dramatically modify it. We will reinstate modified comparative fault. We will impose a collateral source rule that will afford a deduction for medical expenses from the final award. We will install the essence of Federal Rule 11, for those of you who are lawyers, in attempt to deal with the problem of frivolous lawsuits. There are frivolous lawsuits, in case you don't know that, and there are also frivolous defenses, and so the court system is somewhat clogged because of these and this will deal with that. We have addressed punitive damages. We have made significant concessions in the area of tort law and at the same time, I suggest to you, that every one of us who votes affirmatively can as we should be justifiably proud that we have not thrown out or trampled upon willy-nilly the rights of the injured plaintiffs, the rights of the people in this State. We respect the rights of the injured person to recover from those who have inflicted harm on him or her by virtue of their negligence, and that's a system to which we subscribe and one that we're not going to quickly do away with just to lower an insurance rate. I suggest to you, if you take a look at the provisions of Senate Bill 1200, there is a multitude of good and I suppose you could stand and say, well, it's nice but it doesn't go far enough. This is admittedly a compromise but one that respects that unspoken part of the equation, because for eight weeks I have been arguing with and listening to the representatives of big business and small business and the insurance industry and nobody ever talks about the injured party. They talk about the unaffordability of insurance, the unavailability of insur-

ance. We've talked about insurance company profits, we've talked about insurance company losses, but nobody has address the rights of the injured party, and those rights are protected, they are protected and we should be proud that we're protecting them. Ladies and gentlemen, I urge an Aye vote to adopt the...Conference Committee report on Senate Bill 1200.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Point...parliamentary inquiry first. I refer to the sponsor of the bill on...to page 15 at the bottom, Section 9-105 which says, "The board of a local taxing entity may...may"...it goes on, "issue General Obligation or Revenue Bonds without referendum." Point of parliamentary inquiry, doesn't it take thirty-six votes as long as we're referring to General Obligation Bonds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, every time we've had General Obligation Bonds, we've had a requirement of thirty-six votes, and this troubles me. If this provision were out of this bill, I could vote for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

You're not going to get off that easily. Our Constitution specifies that we...when we are increasing the bonds that we authorize with the full faith and credit of the State of Illinois, yes, indeed, it takes an extraordinary majority

because we are putting the full faith and credit of the State behind that obligation. This doesn't do that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to urge rejection of this first Conference Committee report. We're all familiar with the issue. This is the big issue of the 1986 Session. We've all talked to the people back home. We've all heard from our businesses and from our governments and when all is said and done, if you look at this bill and study it closely, I think you have to come to the conclusion that we can do better. The business community demands that we do better, the Illinois economy demands that we do better. The Illinois business community has been crying for tort reform. Now, we've talked about a lot of things around here...but many of them do not have to do with tort reform, so I want to speak now about two particular issues which bear entirely on the question of tort reform. What we have before us is a creature of the Speaker of the House. The Speaker of the House has allowed no public debate until tonight on this issue. He has carefully protected the interest of the trial lawyers. He has insulated the members of the House from having an opportunity to offer amendments and to have a free and open debate and, Mr. President, once again, I'd like the recognize you for having allowed this Body a free and open debate on this subject that's so important to all the people back home in our district. I think that there are two major problems with this particular Conference Committee report and they are in two areas. One is in the area of the doctrine of joint and several liability and the other is in the area of collateral source. Now if you've been reading your mail, if you've been listening to the folks at home, you know that what they want

us to do is repeal the doctrine of joint and several. Early in the negotiations the Speaker of the House, through his Representatives, indicated that repeal of joint and several could not be discussed. That was taken off the Table and in effect they said to the business community, come back with some offers, give us something else. The business community came back with a modified doctrine of joint and several very similar to what the voters adopted in California in a referendum just a few weeks ago. Once the business community did that, the Speaker of the House took it off the Table. He then came back with this particular version of a modified joint and several. In effect, what he's doing is saying that if you are less than twenty-five percent liable, then you would not be subject to joint liability. The problem is in determining the percentage of liability. The business community feels that that is not strong enough. They are asking for a higher threshold as a minimum. The other area that needs particular attention, and I think this one is very important, and that's the area of collateral source. In effect, what the trial lawyers are offering in this report is a twenty-five thousand dollar deductible. Now I submit to you that that kind of a collateral source rule will probably not affect more than maybe five percent of all the cases in Illinois. So, you're doing absolutely nothing for the great bulk of lawsuits that are filed in Illinois if you adopt this collateral source rule. There's a better way to do all this. We can raise the threshold on joint and several. There are a number of other suggestions on collateral source that would be better, that would give some relief and I think would be acceptable to the business community. This is the first shot out of the box by the Speaker of the House. We should send this back, have the conferees enter into some real negotiations and come out with a better version. We can do that, but we can only do it if we reject this particular report.

This problem is not going to go away. We ought to do the best we can to solve it tonight. I urge a rejection of this report and further negotiations. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of the first Conference Committee report of Senate Bill 1200. Let me tell you why. I stand here tonight as...in a posture that I have tried to take ever since this issue was presented to us early this year. I was approached by friends on both sides and the trial lawyers and in the insurance industry regarding taking a strong position on one side or the other, and the position that I tried to stake out for myself and the one that I want to talk about tonight is the position not on behalf of the insurance industry and not on behalf of the trial lawyers but rather on behalf of my voters who are similar to your voters, the people that have to buy insurance, that have to get insurance, that have to pay those premiums and on occasion may be involved in injury cases, and I think that Senate Bill 1200 as before us is in the true sense of a Democratic process a reasonable solution to address all of their concerns in a reasonable way. On the point of view of...of meaningful changes in the tort system, let me point out to you that we've addressed something that a lot of people felt should be changed and that is modified comparative fault; and sometimes these fancy titles mislead the public, but what that means in simple language is that if I'm involved in an automobile accident with another guy and I am more than half at fault, I cannot collect anything. A lot of people felt that that's the way the system ought to work. This makes that system work that way. If I'm more than half at fault, I can't collect. Number two, we've talked about the problems of cities, park

district, municipalities. We've addressed their problems in a way that they, in their opinion, feel that they are reasonably satisfied. Now I said reasonably satisfied. Nobody's happy, nobody's overjoyed, but they're reasonably satisfied. They feel that they can go back to their taxpayers, our voters, and say that we've addressed the problems of the cities and the park districts and the school districts as relates to injury liability. Now what we've also done in this bill is to respond as best as we can to the question of the guy that's out on the street that has to buy insurance. Now that's the person that most of us represent, the buyer of insurance, and what my voters have said to me is, Berman, I don't understand a lot of this tort law and I'm not sure I understand what it means if we regulate the insurance companies, I want to know are my premiums going to be...decreased and will I be able to get that insurance policy that they denied me from getting earlier this year or late last year? That's what my day-care centers have said to me, Berman, I can't get coverage because I'm now a day-care center. Berman, I can't coverage because they found asbestos in my ceilings. Berman, my premiums have been increased five hundred percent, says one of the cities in my district, and I've never had a claim against my insurance. That's what one of my cities said. And my answer is, voters, with those complaints, this bill responds to that within the arena of negotiations and let me spell that out a little bit. I've had the privilege of sitting on the select Senate committee. I was one of the summiteers. I sit on the Insurance Committee and I've heard testimony till it's coming out of our ears, and the one thing I have not heard is the question that my voters and your voters asked me, am I going to save money on my premiums if you pass a certain bill? And, ladies and gentlemen, I have not heard that answer from anybody. Let me tell you what the Governor heard. The Governor sent out letters to all the

insurance companies in Illinois and said, if we pass the insurance industry's package which dealt with elimination of joint and several liability and a substantial high threshold collateral source rule and the comparative negligence and other things, how much will you cut your premiums? The answer...and I believe, if I'm not mistaken, and I see the director on the Floor, correct me if I'm wrong, but one of the major insurance carriers in this State said that if we passed that whole package, they would cut premiums between three and eleven percent. Now I'm not going to mention the name of that company, but I've got to tell you that when I went home that following weekend and talked to my business people, they laughed at me. Their premiums have...been raised seventy percent, a hundred and thirty percent, two hundred and ten percent; and if I passed the whole insurance industry's package, I'm going to come home with a reduction of three to eleven percent. They said, Berman, don't come home. So that what we have here, ladies and gentlemen, I believe is a good faith attempt to operate in the dark because we have had no one, no one on the opposite side, no one in the insurance industry that has said we will roll back these giant increases, we will roll back these multiple hundred percent increases, that we will make available to day-care centers, we haven't said that they're going to cover asbestos, we haven't heard any of those kinds of commitments, pledges, promises and, yet, they aren't happy with 1200. Well, ladies and gentlemen, we operate in the arena of negotiations and that means good faith on two sides. If somebody...the trial lawyers give something, we expect the insurance industry to give something back. My voters say to me, Senator, you haven't told me anything that's going to mean money in my pocket or an insurance policy in my drawer. Therefore, ladies and gentlemen, I suggest to you that in the absence of a meaningful dollar or percentage commitment of

reduced rates or a meaningful promise of availability of insurance that has been taken away that this is a meaningful good, faith effort. It addresses joint and several liability. It addresses collateral source. It...it substantially will cut down the small automobile and the big automobile case where somebody's over fifty percent liable. Let me talk for just a minute, and then I'll close, on joint and several liability that everybody talks about. We've heard that the trial lawyers started off at ten percent, industry wanted forty percent; then they went at twenty-five percent and the industry now, somebody says, wants thirty-three percent, and I was listening very careful...carefully to my friend, Senator Schuneman, he didn't give a percentage, and I'm not sure anybody is ready to give a percentage; but, ladies and gentlemen, I've got to tell you this, I tried to study this issue very carefully because I could find no one in all of industry that was able to put a quantified amount of dollars of what joint and several liability in the past has cost the insurance industry. I have a constituent who has been one of the leaders in the negotiating team on behalf of the industry. I have great respect for them...for him. He is an excellent defense counsel. I talked to him. I said, what does this cost you and your clients to have unlimited joint and several liability? He said to me, he can't tell me, "but it plays a role," I listened to him very carefully, he's a smart fellow. He says it plays a role in the negotiating process. Now, ladies and gentlemen, that's the best and probably the most honest answer I can get. I asked one of the large insurance...carriers in this State to document to me in...in a letter the exposure that his company that pays millions of dollars in claims a year, what...give me the name of the cases that joint and several liability has impacted on them in the past three years. You know the answer I got? I got a letter back that told me that this substantial insur-

ance...carrier in one case had to pay out thirty-seven thousand five hundred dollars instead of what they would have otherwise had to pay of twenty-five thousand dollars. Twelve thousand five hundred dollars on a claim from one of the major underwriters in this State. To me, ladies and gentlemen, that is not fact, that is not evidence upon which to throw out Senate Bill 1200 which picks an arbitrary figure, twenty-five percent for joint and several liability. Nobody can tell me what thirty-three will do. Nobody can tell me what forty will do. Nobody can tell me what twenty-five or ten will do. It's an attempt to address a problem. In a year or two or three, we'll see if these numbers are meaningful. Nobody can stand up and say they are not because nobody can stand up and say that they are. Let's give it a chance. It's an attempt to address a problem and we're still going to go home, I'm embarrassed to say, without telling our voters that their premiums are going to be lowered or that the insurance is going to be available. This is a reasonable solution to a terrible problem. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think a great deal of discussion you're going to hear tonight, I guess particularly from this side of the aisle, is that this bill doesn't go far enough. Let me suggest to you there is one section of this bill that perhaps goes a little further than it ought to. I refer again to that section that Senator Geo-Karis mentioned a little earlier in the debate. As I read this section, it is a...an ability for the local governmental units to institute a bond without referendum for the purpose of entering into agreements with other units of government to create reserves for this type of liability question. This, as I read it, is a tax increase without referendum, an authority we're going to give

all sixty-five hundred units of government of this State without referendum. Now, doing a little fast math after talking, I admit, to a couple of my park districts on the kind of tax rate they would like to have had for this purpose, if one assumes that the other taxing bodies would just seek half the rate that they were tossing at me, at least, in my case, in my area, it looks to me like a twenty-five to thirty-three and a third percent increase in property taxes without referendum. I don't think that's what our constituents had in mind when they told us to come down here to Springfield to solve the problem. I've heard some of our friends from the farm area lament the plight of the farmer. They will be the hardest hit by this provision and this...clearly, if I were a park district and I had my choice between paying for insurance out of a general fund or just creating this reserve with unlimited tax increase without referendum, I know what I would do. Now I'm not against the concept of the units of government being able to work together to set up these kind of reserves, but I think they ought to go to the taxpayers and the voters first. There ought to be a referendum procedure attached to this. Let me suggest to you that...Senator Berman has pointed out, and I can't argue with his logic, that we have no promise that tax...or that insurance rates will go down. This section is a promise that tax rates will go up as certain as the sun will rise tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. I'd just like to say a word about the people that are of great concern to me and these are the people who work for a living and the people who aren't working for a living anymore. I'm talking about the steel worker on the southside of Chicago who no longer has a

job, who's looking around, who's spent a lifetime...a lifetime raising a family, perhaps a car, garage, a house pretty much paid for, who all at once finds himself unemployed, very few savings, insurance rates out of sight, cannot afford insurance, basic insurance, so that any kind of a reversal would leave this family completely exposed; a family that's spent a lifetime trying to make just the basic requirements, a family that simply would like to leave their progeny something in their wake, a home, a few savings, things of that nature. Let's talk about that, because what that individual is faced with are soring rates, unexplained cancellations, uneven and discriminatory rate settings which cannot be explained. We owe that ordinary person, that working person, that formerly working person in Illinois something better than what we've done in this bill. I have the utmost respect for the President of this Senate and those who worked on this...or call it a bill for...out of courtesy, who worked on this bill. The facts of life are though that I will vote for this bill. I will hold my nose and vote for it. I will vote for it for two reasons. One is that a number of people for whom I have great respect say to me that...this is the best piece that we could come away with from the bargaining table at which we sat, a bargaining table that threatens that if this bill doesn't pass, that what comes down afterward will be worse than what you see now. What I see now is a bill that not only affects that individual, but if you look at some of the other institutions in my district, and I suspect most of you have some similar institutions in yours, I'm talking, for example, like the small hospital and I've watched them close over the past five years. I have three in my district right now who threaten to close their doors. What that means is limited health care service in districts that very much need them. That's part of the fallout. The saving grace in this bill for me, if there is a saving grace, is

that there is some notion that somewhere down the line, we'll begin to look over the shoulders of these companies and into their books to get some notion as to whether or not what they say to us is a fair rate is, in fact, a fair rate. I have no notion how that's going to work out. None of us do. It's a start. A start in the direction that may be healthy. So, what I would say to this Body tonight is this, that there is a likelihood that Senate Bill 1200 will go out of here. I would hope that once this bill goes out, if it does, that it is simply the start in an examination that must be an ongoing examination, an ongoing examination that will assure those whom I represent that at some point they might get a fair shake. And one more comment I'd like to make and that is this, we talk about tort reform, and I would agree that tort reform is a good objective. Let me say secondly that I'm a lawyer. I am a lawyer and I know that the only way that many of my clients would be served is that there are some lawyers who are prepared and willing to take a case on a contingency fee which they may or may not collect, let it wind its way through the courts for six, seven, ten years on the proposition that somewhere down the line they will collect a fee for themselves that will be representative of what they get back for that client of mine who could not pay for those services. So, I salute those lawyers, may their tribe increase; as a matter of fact, sometimes I wish I could practice the same kind of law, but they earn their dollars and are entitled to them. They are entitled to them because the people that they represent collect the major portion of whatever those dollars are, and I don't know who wants to play God and decide what it's worth when a person loses a limb or limbs. I don't know who wants to play God and decide what it is worth when a person gets an injury from which they will never recover. I don't know how you measure that. So, you say a million dollars is too much. Well, I certainly wouldn't do it for a

million and you wouldn't either. So to take that out on the case of those who have no protection other than the protection that is...that is offered by those who are willing to sacrifice a good deal of time on behalf of those clients. So I want to make clear that from my perspective that is not what I would consider a major objective of tort reform. A major objective of tort reform ought to be bringing about some kind of balance that would ensure that the injured...that the injured would have assurance of some reasonable settlement in the event of the injuries that they sustain, and I will tell you there is no such device in existence. Insurance companies want to protect the stockholders and make dollars. They drive very hard bargains. No part of what they do has anything to do...has nothing to do with the human suffering involved. You get off as cheaply as you can. If our job here in this Legislature is to represent a constituency made up of people, of people who vote, of people who pay taxes, of people who support this common will by their sweat, then we have an obligation to them, an obligation that goes far beyond the insurance companies that we talk so much about and who are an artificial device in this economy and can go out tomorrow morning and be replaced by someone else, the human equation is not replaceable. We owe something to them. I want to congratulate the President and those who worked so hard to try to bring about some equity and some equity is all we got. The chart for the future ought to be to attempt seriously on both sides to come to some kind of conclusion that makes sense to our constituency. I will vote Aye for that purpose and in the hope that that is what we do. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

President Rock, you were complimented with the opening comments on the manner in which you conducted this in this Chamber and I, too, want to compliment you; however, of all the proposals that came from this Chamber, how many of them found themselves in this report in the form that they left this Chamber?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

My...my recollection is...and that...that's going back to the conferees' meeting this morning that I think...and Senator Jones may be in a better position to address that, but I think there are probably four Senate bills incorporated in this bill, Senate bills that successfully negotiated in the Senate and went to the House and that were added into this provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, I'm referring specifically to Senate Bill 2263 which was the one that had all the amendments on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, that's not one of my favorites. You'll recall, I voted No on that piece of legislation, but my...my recollection is that the article with respect to frivolous suits was substantially similar to...the provision in 2263 as amended as was collateral source...those two in particular strike me...and...and comparative...comparative fault, I believe...modified comparative fault.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't think the collateral source was close to what's in this bill. I don't pretend to be an attorney but I can read. I...if you want to go back to how you voted, I'll be very happy to take the same roll call on this that we had on 2263. You vote No and I vote Yes and then those who voted Yes will vote No and those who voted No will vote Yes. I think President Rock...one of the problems with this bill is that the bill that came out of the Senate was the result of a Democratic process. It went over to the House and the House sought to change that process. Now I have no difficulty with dealing with that, but to describe that as a compromise would be like saying that the...the deliberations of the Illinois Senate in a negotiating table with the Ayatollah Khomeini would be a subject of a compromise, that's precisely what happened here 'cause we had one person there that deemed to hold all the bills and then proceeded to come out with something that was described as a compromise when the things that we passed out of this Body in a Democratic fashion never found themselves on that compromise, and I don't know how you can describe that as a product of compromise or of any process that we in this Body would want to accept. So, from the standpoint of the process, this bill is flawed. But secondly, I am absolutely convinced that the crises with the insurance industry is contrived, but I am also convinced that our society is far too litigious. I don't see anything in...in this bill that's going to take care of my first concern and I don't see anything in this bill that's going to take care of my second concern. So, what we're going to end up doing is voting on a bill which violates the method by which we in the Senate do our business and than produce an end product that's not going to do anything. I just think

there ought to be a better way of doing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I think we debated long enough, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke, we have Senators Watson, Jones, Barkhausen and Collins. There's been a suggestion that we put the timer on. Senator Watson.

SENATOR WATSON:

Yes, sir, and thank you, Mr. President. I'd like to ask the sponsor a question, if I might.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Watson.

SENATOR WATSON:

On page 25 of the Conference Committee report, lines 4 through 7, this paragraph states, "Notwithstanding the provisions of Section 2-1117 in any medical malpractice action as defined in Section 2-1704 based upon"...beg your pardon, "based upon negligence, any defendant found liable shall be joint and several liable." Can you tell me what that means and why is that provision included in the Conference Committee report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That provision means that as respect causes of action based on medical malpractice, they are not covered by this proposal and they're not covered for a very simple reason. We, last year, if you'll recall, agonized over the question of medical malpractice and there was never any question on this Floor, in the House, in subsequent Conference Committees that the subject of medical malpractice is, was and always

has been treated differently than the rest of tort action, and it just is excluded and will be dealt with separately as it has been in the past and will be in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, thank you. I...I appreciate that response and it does seem unfair that we're going to exclude the hospitals who are trying to deal with a situation right now in which we're all concerned with and that's the cost of health care, and they are suffering as much as anyone else is in regard to insurance costs and availability; and to exclude them from joint and several liability, I think, is a mistake and I...for that reason and others, I'm going to be voting No. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I rise in support of Senate Bill 1200. As...as was stated by the Senate President, this Body...this insurance committee, the Task Force on the Availability or Affordability of Insurance held many hours of hearings in Springfield and the City of Chicago. We heard the lawyers for the plaintiffs, the lawyer for the defense over and over and over again until finally I understand what a tort-feasor really is. But the question that my constituents constantly ask me, and those were the business people as well as the consumer...that working person, Senator Newhouse, what about my insurance rates or can I get insurance; and time after time after time, we posed that question to the insurance industry. In some instances we were told if we follow the coalition's package and abolish all the rights of the injured party, that is, to abolish joint and several liability, it may be six or seven

years before any effects of the rates will be known in the State of Illinois. They kept giving us the excuse that...it's like Lloyds of London, the reinsurers who will not insure the American market, that we must do something about joint and several liability. We are not about ready to take the rights of the poor working people, Senator Newhouse. I am concerned about the hospitals, but not one hospital had came before this committee and say that that was the problem. We know why hospitals are having problems because they no longer can fill the beds when cost containment is here and a person is healthy so instead of staying twenty-one days, they may stay five days, we understand that. But if you're concerned about that working person, if you're concerned about him having his rights, then you will support Senate Bill 1200. It doesn't have all the things we want in there. We passed a rate control bill which called for collection of data, Senate Bill 2000. That bill is still over in the House. But looking at the situation and realizing that you still must collect the data in order to be able to determine the rates. Well, that collection of data is in this bill and I see the director of the Department of Insurance staff and he and I talked on this issue, because once we collect the data, then you will be able to determine whether or not an insurance company writing business in the State of Illinois who decides they want to cancel the insurance because of lost claims and collection of data may show that he's wrong. Not one time, as Senator Berman pointed out, when we asked about the rates, when we asked about the availability, will that be made to our consumers and those businesspersons that are part of the coalition that have written the letters, and when I asked them if we give you what you want, will your insurance rate go down? They could not answer that question because they know themselves that it would not be as such. Senator DeAngelis, I...when you talk about what did we pass...what

did we pass, all you have to do is look at your seatmate, Senator Schuneman. There are several bills in here that we passed in the Senate overwhelmingly, Article VIII, loss information; Article IX, termination of a line of insurance; Article X, cancellation and renewal; Article XI, claims made extension. Several pieces of legislation is corporated within this bill. We held the hearings. We didn't agree on everything, but we attempted to compromise and that's what government is all about. If you are sincere about doing something about the problem, you'll vote for this bill, but let's not give no frivolous excuse talking about raising taxes and so forth, because you ask those persons that are pushing the other proposal, they will tell you that they cannot guarantee you that your rates will go down. So, if you're sincere about doing something about the problem that this Body has had the opportunity to deal with, to deliberate on, you'll vote for Senate Bill 1200 and I urge a Yea vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

END OF REEL

REEL #4

SENATOR BARKHAUSEN:

Mr. President and members, I think one of the things that has frequently been lost sight of in the debate that we've had on the whole insurance problem over the last several months is that it wasn't but slightly more than a year ago when we attempted to address the problem of rising...insurance premiums in the medical malpractice field that we passed a very sweeping of series of changes in our negligence laws as they affect medical providers of one kind or another, and if I could take just a brief second to remind the Body what we did. We're talking in this package about some changes in the rule regarding collateral sources, and if you remember, last year we passed a...in the medical malpractice area a fairly strong collateral source rule that provides for a setoff for a deduction for a hundred percent of medical benefits and fifty percent of...of income coming in from third-party sources, and in a whole host of other areas, including restrictions on...attorneys' fees, structural settlements or installment payments for awards over two hundred and fifty thousand dollars and in the area of punitive damages which in the medical malpractice area were completely eliminated, we made all kinds of changes that aren't even being talked about here. So, I think we need to ask ourselves whether we're willing to make needed and necessary changes only where a very influential group of our citizens, physicians and other medical providers, where their interest is at stake or whether we're willing to do it also for a whole broad range of other individuals and entities in interest in our society. I, frankly, would not want...I would not want to admit to myself, let alone to any of you, let alone to any

of the representatives of the interest gathered here, let alone to rank and file citizens back in my district and throughout the State, that I was willing to roll over and make changes...sweeping changes in our negligence laws only where the interests of perhaps the most influential group in this State were concerned but where there were other rank and file interests, perhaps, that didn't speak with as strong a voice or carry, quite frankly, as much political clout, we weren't willing to take that same step to bring some relief to the rising insurance costs that they experience as well as medical providers' experience. So, I think we need to ask ourselves just as searchingly as we can whether our decisions in this Body are going to be made solely with regard to the...the political standing of the interest group that's affected by those changes or whether we are going to apply rules of law across the board for all interest and parties regardless of their influence, regardless of their standing and regardless of the representation that they may or may not have here in Springfield; and I would hope that...that when we ask ourselves and each other that question, we will decide that rules of law ought to apply equally to everyone and that we, therefore, ought to take another look at this Conference Committee report and see if we can't move in the direction...ever so slightly in the direction of some of the changes that we made last year in the medical malpractice field so that everyone in this State will stand with an equal footing when his or her or its interests are affected in the courts of law in Illinois, and for these reasons, I urge the rejection of this Conference Committee report and ask that all of us try and do a little bit better, I'm sure we can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I

rise in support of Senate Bill 1200 for the reasons so well articulated by President Rock and the other proponents of this legislation. However, unlike Senator Rock, I find it very difficult to cast my vote in favor of Senate Bill 1200 without, for the record, responding to the cry of the majority of my constituents. One of the speakers mentioned about all of those persons who participated in the debate and deliberations throughout the many hearings on this issue, but I can assure you that fifty percent, at least, of my constituents were not a part of those deliberations, not because they didn't want to be, it is because for many of them, they could not be. That is why they elect Earlean Collins from the 9th District to speak and to be their voices when they cannot be there or here. One of the most critical parts of this bill that disturb me is the part, of course, that has been mentioned by several other people and that is the absence of any type of rate regulations. For seven years I worked very closely with my ex-husband in the House of Representatives here who devoted his entire life to fighting the injustice in the insurance industry, redlining and discrimination in the City of Chicago and...in other areas in this metropolitan areas in the State and to no avail; and so, when I came here about nine years ago, I took up that challenge, and year after year I introduced some form of rate control which year after year was defeated, and so this year when the rate reform legislation was introduced, I delighted in sending out a questionaire in my quarterly report and informing my constituents that for the first time a ray of hope was imminent, that they may, for the first time, get some relief for the high insurance rates, and I sent out in that quarterly a response, a tear-off, and their response...the overwhelming response was we want lower insurance rates, we cannot afford them. Now, for some of the great parts of this bill, the affordability of insurance for our little day-care centers,

our small businesses, our local units of government, those entities are very important but far less important to that fifty percent of my constituents who have to work for a living and for some of the reasons that Senator Newhouse articulated in his remarks here earlier. Each of us have a responsibility to represent our districts to the best of our abilities, but most of all, we should...our actions here should reflect the interest of those who sent us here; and for that reason, I will continue this struggle so that next year I will amend section...I will amend Chapter 73 and a new paragraph section under Section 14310A to make sure that once that data is collected and that it...it is clearly evident that an insurance company's rates are excessive and that the profits are excessive, that at that point in time that the Department of Insurance will have the authority to make some adjustments and lower those rates. That is what I had hoped to take back to my constituents and I'm sorry that it is not here, but I would vote for this bill because this is all and the best that those who worked on it so hard could do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was privileged to serve on the Senate Select Committee on Insurance, and as I listened to testimony it became evident that public and charitable functions were grinding to a close because of the high cost of insurance premiums. As I sat there I could envision cities of silence, cities without movement. What this bill and its provisions will do is once again allow children to use their parks, allow board members to serve without fear on the boards of institutions and agencies, allow public officials to have relief from the threat of unrestricted liability, allow local governments to function once more, their public emergency

vehicles available to help those in need. If this bill passes, the swings in the park will no longer be still, public vehicles will once again move in our streets. This legislation may not do everything that each of us wants, but it will continue the services we have so long come to expect in all of our communities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Generally speaking, I think that the House and Senate have been fair, objective Bodies. I don't always agree with the outcome, but I would say in most cases, we've given all issues a public hearing. This is the first time in my twenty years in the General Assembly that that has not happened, and I must compliment Senator Rock because in the Senate we introduced the bills, they went to Rules Committee, they went to the proper Senate committees, they had public input, input from every Senator and we had Floor debate, and in my judgment, we passed some tort reform. And then what happened when they got over to the House, the Speaker arbitrarily decided...the first time in my twenty years anyway, to stonewall all of those bills that we deliberated and we had public debate on...in the House. Not one bill was let out of House Rules Committee, never a committee hearing, never public debate, never input from members of the House of Representatives. Can you remember anything like that in twenty years of legislative process? Then what does he do, he decides to have the hearings in his office, convenes those hearings in his office, run and operated and controlled by who? The millionaire trial lawyers...the millionaire trial lawyers. They put this bill together. They drew this bill up. They passed this bill out of the House. This is what you're voting on. You think it's going to help the little

guy? Come on, you've got to be kidding me. You know, the word is out, the trial lawyers have intimidated the other side of the aisle, they're all going to vote for it, it's going to pass. I hope the second floor has some courage. I hope he's got some backbone. I hope he does what I hope the twenty-eight Republicans will do, stand up for the little guy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Five states in this country have abolished joint and several liability in total. You'd ask yourself is there an insurance crisis in those states. The answer in each and every one of those five states is, yes, there is an insurance crisis in those states where joint and several has been totally abolished. We have a modified joint and several system here where if the plaintiff has the majority of the fault, there will no liability, there'll be no payment. I agree with my friend, Aldo, that this crisis is a manufactured crisis. It is very definitely a created crisis, a crisis created by the industry. The essence of the legislative process, my colleagues, is the art of compromise. Over the last six months I don't think I've seen one piece of legislation in the twelve years that I've been here that has been the result of greater compromise than this piece of legislation. Neither side is happy. Neither side got what they wanted but it is in the public's best interest. I'm not totally happy with this bill. I don't think anybody should be totally happy with this bill. I'm not happy that Illinois will remain the only State in the country with a totally unregulated insurance industry, the only State in the country. Back when we had the medical malpractice crisis in the 70's, we tried to get information out of the insurance

industry, they refused to open their books. During this entire crisis when we tried to get closed claim files and information justifying that...the increases, we were not able to get that information. It is my hope that with Article XXV of this legislation, as a result of Senate Bill 2000 which the Senate passed, that we will be able to get that information out of the insurance industry. This is a reasonable, practical approach to a very serious problem. It concerns me that the insurance industry has not been willing to come forth and say, if you pass this bill, if you give us tort reform, if you change the tort system, as we are doing by this bill, Senate Bill 2000, we will guarantee you a corresponding reductions in premiums. Let me tell you, ladies and gentlemen, and I hope that...the people around the State will listen, if there is not a reduction in premiums, there is only one industry to look at and that is the insurance industry because we have made substantial reductions, substantial compromises and there should be substantial reductions in premiums. If there is not, Senate Bill 2000, which will regulate the insurance industry in the State of Illinois, stands ready to resolve that problem. I hope we don't need Senate Bill 2000. I hope this will resolve the problem of availability and affordability. It should. If it doesn't, each and every one of us ought to come back here and say, we took a stand, we compromised, we performed the essence of the legislative process and the industry refused to cooperate. This is the last chance for all of us and it's the last chance for the insurance industry, because the next time we come back here...the next time we come back here, it will be to regulate the insurance industry because that is where the problem was created.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Final speaker, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. We keep hearing, I don't know how many times in this discussion, that this is an insurance crisis, and believe me, there's enough blame to go around, the insurance companies, the attorneys and we as the public, but I would like to have some folks recall that right at that desk they are doing our hearing in the Senate...on the Senate Floor our summit committee. The Corporation Council from the City of Chicago stood there and when he got done, I asked him, I said, to make it clear, I want to make sure I understood you, I'd like to ask you three questions. One, have you had an increase, as you indicate, in the number of claims? And his reaction was, yes, an almost unbelievable number increase. And I said, have you had an increase in the size of the awards? And the same answer, yes, it was tremendous. Then I said, I'd like ask you one more question, and...yes, sir, and I said, tell me, and I already knew the answer, I said, what company...what company handles your insurance program? And you know what the answer was? We don't have an insurance company. We're self-insured. Now, don't you think that possibly, just slight...slight possibility that New York City is the same way, they don't have any insurance company involved. General Motors doesn't have any insurance company involved. What are you going to do for those people? You going to contact the insurance companies and start...curtailing them or putting controls on them. What about those folks who don't even use an insurance company? Doesn't that sort of indicate maybe that there might be a little question as to this theory that there's a great big conspiracy on the part of the insurance companies? That's not so. Everybody else is at fault. I just think that we ought to give this a good solid look. I think that for us to keep blaming the insurance companies...yes, they have had faults, no one questions that. I think the problem with the insurance companies right now is that finance people are

running the insurance business instead of insurance people. But I would like to have some reaction or some comment, some reaction from the sponsor or from Mr...Senator Marovitz as to how come they keep blaming the insurance companies...have any answer that these people who don't have anything to do with an insurance policy are having the same problems. Could I have some comment or reaction? Oh, I guess Marovitz is too busy right now loving up over there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. Senator Rock may close. Can we have some order. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Rupp, I will attempt to respond and I'd like to respond, with the indulgence of the Body, to a number of things that have been said. I will be as brief as possible, but I think for the record a couple of things have to be said. Senator Geo-Karis and Senator Schaffer are overly concerned, I suggest, with respect to the nonreferendum issue because it is nothing more or less contained in the Conference Committee report on Senate Bill 1200 than a restatement, literally a restatement of the current law. Currently, there is already unlimited taxing power to create a tort judgment reserve pool. It's there now. And what we're doing, literally, is we are clarifying and further clarifying that bonds issued for tort judgments may be GO or revenue bonds, but it's not a...it's not a change in the current law. And we have further expanded that to allow joint bonding programs that, obviously, creates a bigger pool and will have a higher return on the investment of that pool than would an individual little account. I think it's a good thing and it's the restatement of the current law. And let me suggest to Senator DeAngelis that, yes, indeed, I will readily admit that we as a people are much too litigious, and how do we

counteract that? I suggest that the article that concerns itself with frivolous lawsuits will go a long way toward curtailing that. And I further suggest and in partial response to Senator Rupp, you and I have both read enumerable documents which illustrate the fact that the insurance industry and its profit and loss is cyclical, and there was a time not too many years ago when the...interest rates were extraordinarily high and the companies engaged, literally, in a price war, not unlike a gasoline price war that we see currently going on in some areas of our State, where they wanted to grab a bigger and bigger and bigger piece of the market, a share of the market, and so they were quickly gathering all their premium dollars and investing them at eighteen and nineteen and twenty percent and were charging too little, admittedly, for the risk they were insuring; but come 1985 and particularly 1986, brother, they're making it up in a hurry, because they are now attempting to limit their exposure because the return on their investment is not significant enough. And the beauty of it is we don't even know what the...profits and losses are. I, for one, in my rather simplistic approach, was appalled to find out that dividends paid to stockholders and every property and casualty stock on the market has gone up dramatically, I hope you know. I didn't realize that dividends paid to shareholders were written down as underwriting losses. That's a little too esoteric for me. I really thought a profit was a profit and a loss was a loss, and if you were paying your shareholders, that's a profit, now it's an underwriting loss. We don't have that information yet, but under this bill, we're going to get it. They're going to have to disclose those kinds of numbers so that we can make a reasoned judgment and we can say, yes, indeed, there is a crisis. We can't make that now. We have to take their word for it and it's awfully difficult to take the word of an industry when their stock is going up

dramatically and the dividends that they pay to their share-holders are increasing. And, Senator DeAngelis, let me just suggest to you that if you're concerned about the collateral source rule about which you admit not to be too familiar, the one that's in here is the one that was...is tougher than...tougher than the one that we sent out of here on 2263. All we did there was say that they had to consider it. This is a deduct, you don't get the money, it's deducted from the award. And, Senator Watson, we did exclude medical malprac-tice from this collateral source rule. You know why? 'Cause we've got one. The Supreme Court just said it was okay and it's tougher than this one, so we left it alone. And to Senator Schuneman and...and Philip, let me just say, I'm almost chagrined. You're giving the Speaker too much credit. I will confess to you I had something to do with this Confer-ence Committee report. Now that's the honest truth. I helped write it and all I've heard is that you didn't like what the Speaker did over there, so that somehow makes it bad and you're still arguing about what's not in here. I suppose we could argue for the rest of the year about what...what we haven't done this year or last year or what we may not do next year. But let me just suggest to you that I don't care if it's Conference Committee Report No. 1, 2, 3, 4, 5, 6, 7, 8, 9 or 10, there will not, as long as I stand here, be caps on the recovery of an injured individual. There will not be an abolition of joint and several liability in any report as long as I have something to do with it. I will never apolo-gize for protecting the rights of the injured party and you shouldn't apologize either. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is...the question is, shall the Senate adopt the...the first Conference Committee report on Senate Bill 1200. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Have all voted who wish? Last chance. Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 23, 5 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1200 and the bill having received the required constitutional majority is declared passed. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The verification of the affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has requested a verification of those that voted in the affirmative. Will all members be in their seats. The Secretary will read the affirmative votes.

SECRETARY:

The following voted in the affirmative: Berman, Carroll, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Hall, Holmberg, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, O'Daniel, Poshard, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, do you question the presence of any member that voted in the affirmative?

SENATOR PHILIP:

No, it would appear they're all here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On a verified roll call, the question is...on the verified roll call, there are 30 Ayes, 23 Nays and 5 voting Present. The Senate does adopt the Conference...first Conference Committee report on Senate Bill 1200 and the bill having received the required constitutional majority is declared passed. Senator Marovitz.

SENATOR MAROVITZ:

Having voted on the prevailing side, I move to...reconsider the vote by which Senate Bill 1200 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz moves to reconsider the vote. Senator Lemke moves to Table. Those indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. Okay, and we'll return now to the Supplemental Calendar No. 6. Supplemental Calendar No. 6 is House Bill 2989. Senator Sommer says no. House Bill 3043, Senator Lemke. Senator Lemke...wait a minute. 3043? Mr. Secretary, House...House Bill 3043.

SECRETARY:

First Conference Committee Report on House Bill 3043.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this Conference Committee report does is...leaves the bill in the way that we passed the...out of the Senate by taking out the original contents of the bill and only leaving in our two amendments, one authorizing the State's Appellate...Service Commission to disburse funds to counties on a per capita basis, and the other one was the civic center authorities to certify eligibility for State financial supports for West Frankfort, Herrin, Jefferson County Civic Centers. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the bill that originally contained the language that would have established a one hundred percent State mandate for civil justice matters in counties, and while that particular language has been taken out, the sponsor did amend the bill before it left the Senate the first time to allow the State's Attorney's Appel-

late Prosecutors Office to receive and disburse State monies to counties to reimburse those counties for the cost of various criminal justice activities. What I think this means, Mr. President, is that this language sets up the mechanism whereby a later appropriation can be put into place to fund this program even though we are not going to mandate a one hundred percent State reimbursement, and I would simply oppose the bill on the basis of that language. If you're in favor of...or if you're opposed to setting up and funding this program, then I think you should join me in opposing the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This also helps a bunch of people who are interested in the civic...centers, Aurora, Bureau County, Collinsville, Herrin, Knox County, LaSalle, Ogle County, Orland Park, Pekin, Rockford, Rosemont and it also says that any one of these civic centers or any one who had...grant money by DCCA does not have to pay the interest back on that, and for that reason, I would urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Schuneman for a second time.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I just rise to suggest that...as I told Senator Joyce earlier, I have no objection to this particular provision and I'm sure that if the Conference Committee comes back approving this, that I'll be in support of it, but I do rise in opposition to the other provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SB 1957 C.C.R. #1

SENATOR LEMKE:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on House Bill 3043. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 20, 3 voting Present. The Senate does adopt the first Conference Committee report on House Bill 3043 and the bill having received the required constitutional majority is declared passed. Senator Lemke moves to reconsider the vote by which House Bill 3043 was adopted. Senator Lechowicz moves to Table. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion to Table is approved. All right, if you'll turn over on the...the back side of Supplemental Calendar No. 6 is House Bill 3525. Senator Barkhausen, are you ready? 3525. On the back of page...Supplemental Calendar No. 6, cannabis. Mr. Secretary, House Bill 3525.

SECRETARY:

House Bill 3525, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I've no idea what this is. Out of the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, take it out of the record. House Bill 3549, Senator Etheredge. House Bill...I'm sorry, Senate Bill 1763, Senator Sommer. Senate Bill 1809...Senator Savickas on the Floor? All right, is there leave to come back to that in a few minutes? Leave is granted. Senate Bill 1957, Senator Friedland. Supplemental Calendar No. 6, back page, Senate Bill 1957, Mr. Secretary.

SB 1809
C.C. Report

SECRETARY:

First Conference Committee report on Senate Bill 1957.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. These...the...this first Conference Committee report adds language suggested by the Attorney General to define odometer fraud, when one tampers with the speedometer, and it revises the Crime Victims' Assistance Act, and I'd urge your favorable consideration of this measure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1957. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1957 and the bill having received the required constitutional majority is declared passed. Senate Bill 2129, Senator Degnan. Senator Degnan on the Floor?

PRESIDENT:

On the Order of Supplemental Calendar No. 6, Conference Committee report on Senate...let's get this started and then we can talk about it...on Senate Bill 1809, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1809.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Bill 1809 is a collage, I guess, of everything that's left in the education area for

the Session. I will attempt to brief, at the same time cover all of the points that are covered in the Conference Committee report. It...one, deals with the excess bond proceeds, which was House Bill 3351, which permitted school boards to transfer excess bond proceeds to their operations and their building and maintenance fund. That provision now also applies to the City of Chicago. We passed out a bill similar to that in the...in the Senate this Session. The dismissal hearings would provide the downstate school districts the same that is applicable now and is in effect for Chicago school district which would permit both parties involved in a teacher dismissal hearing to engage in prehearing discovery procedures. It will provide also in the open meetings that subject of the meetings of the governing boards of special education, joint agreements, cooperatives that these...that these boards are subject to the provisions of the Open Meetings Act. There is also a referendum on social security and Medicare coverage to the extent that the Federal law would allow for coverage. School districts shall make social security and...Medicare...withholdings for teachers available only upon approval of a referendum by the teachers and that is permissive, I am told, by Federal law. Submission of the Chicago Board of Education budget which was similar to a...Senate Bill 3074 which Jeremiah Joyce had here in the Senate which would provide for the SBE to submit its financial plan and budget to the Finance Authority no later than thirty days, which is currently forty-five days,...before the beginning of the school year. In the gifted, the remedial and the summer school it would change the dates from June 15th to July 15th for the payment of claims under the gifted remedial program. Curriculum study would require the State Board of Education to conduct a study of courses in grades seven and eight and categorize them as effective or elective courses and to report those results to the General Assembly.

In the area of vocational education, it would permit public school counselors and administrators to participate in the vocational instructor practicum program established by Senate Bill 730. It would provide also for...beginning 1987-88 academic year that the State Board of Education will award five hundred scholarships to qualified high school students who desire to become teacher education majors at public institutions of higher learning in Illinois. It will change the special education calculations allowing for the daily enrollment to...to be the calculation used in determining the...the cost for special education facilities and also would, in fact, require that after...June 30th of '87 that school buses...that they would have to have passenger seat backs of a height of twenty-eight inches, which is currently twenty-four. This section does not apply to school buses that are registered in other states and operate in Illinois on a regular basis. Physical education permits rather than require school districts to include health education in the physical education program, and also, finally, provides voter approval for school consolidation propositions. It's rather lengthy in nature. I would move adoption of Conference Committee Report No. 1 to Senate Bill 1809.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of the Conference...first Conference Committee report on Senate Bill 1809. Discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Demuzio, on page 12 of the Conference Committee...report, you referred to prehearing discovery. You are allowing the State Board of Education to promulgate uniform

standards and rules of procedure for the hearings and you have at a minimum four different requirements. I've had inquiries from my district concerning these...discovery procedures. Are these to be the same...of the same scope as the Civil Practice Act in regard to lawsuits or are they to be less comprehensive in scope?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

I will yield to my attorney, Senator Berman...but I am...to Senator Berman.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. We've had a considerable amount of discussion this...in this day on this. It is my understanding, number one, that the discovery procedures set forth here will not be as extensive as the civil...Code of Civil Procedure. For example, there is nothing in here that calls for virtually unlimited depositions. You'll notice that that's not specified. It says at a minimum. I doubt if the State Board would adopt that kind of approach, they could; I don't think they will. So, that, for example, is one time-consuming discovery procedure that is not specifically spelled out here. What we've tried to do is to allow some reasonable notice to the teachers as to what the basis for the...of the evidence will be, but let me also add that there's some confusion between what Chicago does, what the State Board ought to be able to do and what is fair in these processes and, timewise, economical. I think we'll have an opportunity between now and next spring to see if this works and fine-tune it perhaps at that time.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Welch.

SENATOR WELCH:

...I have another question of Senator Berman, if he would respond.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman.

SENATOR WELCH:

Senator Berman, you have...number four, the minimum requirement is production of relevant documents. Is it your intention that if one party objects to what documents are relevant that the hearing officer will then decide on the basis of a motion whether certain documents have to be provided and as well whether certain interrogatories have to be answered?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman.

SENATOR BERMAN:

Senator Welch, you're...you're too good a lawyer and you're asking too good a question. My answer is, I don't know. Unlike a regular courtroom where you have a continuous judge sitting to respond to motions, the hearing officer doesn't have that same capacity, so that's part of what I called for in the fine-tuning. I'm not sure how these are going to work. So, I'm...I'm not able at this point to give you...a definite answer.

PRESIDING OFFICER: (SENATOR D'ARCO)

WBBM requests leave to videotape the Senate proceedings. Is leave granted? No objection, leave is granted. Senator Fawell.

SENATOR FAWELL:

Thank you...thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

Sponsor indicates he'll yield.

SENATOR FAWELL:

Does this...discovery rule cover both tenure and nontenured teachers?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

All right, my advisor indicates that is a procedure that is applicable to a tenured teacher situation.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Fawell.

SENATOR FAWELL:

For, in other words, if a...if a teacher is...is on probation and he is...is waiting to...attempting to...a first-year teacher and for some reason or other she doesn't make the grade or they can't use her, she will not have the right to go through all this process?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, the advice I have that this entire section that we are amending here only refers to tenured teachers. There is a separate set of criteria for teachers that have yet to receive...to receive tenure and, therefore, it is dealing with those that are...in...already tenured teachers within the system.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I'm sure that my remarks will remain hollow, but I'll say them one more time. I know it's the last night. I know that there are Conference Committee reports which contains all kinds of goodies in them. Please take a look at this Conference Committee report. You've got in this Conference Committee report three or four proposals which this Senate has

never seen. In some cases, I'm not so...sure they've even been seen by the House. One of them, the one that we were discussing moments ago, deals with that very delicate process of special education. Now I can't even tell you why my people back home have already called and objected to this simply because of the fact that there hasn't been time to see it, it is a brand new proposal, it's been considered nowhere in this legislative Body, not in committee, not on 2nd reading, and finally, when we get a Conference Committee report that is designed...so we're told and so we tell our constituents to work out the differences between two bills, we see that it is a vehicle for brand new legislation. I don't even think it's necessary to go into any of the merits or demerits of this Conference Committee report or the individual matters within it. You're all going to go home and you're going to find out from your school districts or your school teachers or your PTA's that you did something wrong and you know why it's going to be? Because this came at the last minute without proper deliberation. Let's vote No, send it to a second Conference Committee report, take out the junk and let them come back.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr President. Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR MAITLAND:

Senator Demuzio, with respect to...to the referendum that could be requested by...by the teachers, I wonder if...if you could describe for us...keeping in mind we understand the mandate now with regard to...to employees hired after the magic date of April 1, 1986, but with respect to those who

are...are employees prior to that date, what would be the...what would be the impact upon...upon the school district and...and how...how could they derive the money to pay for the extra cost?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Of course, as you know, Senator, the...with respect to Section 10-20, the Federal Social Security and Medicare withholdings that currently the...the current Federal law does, in fact, allow such coverage and that school districts shall make social security or Medicare withholdings or both for employees that were subject to the Article XVI and XVII of the Pension Code only upon the approval of a referendum applicable to such employees. The individual impact to...to respective school districts, I guess, would have to be measured on an individual basis.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

I...I believe you were referring to the employees who...who are...are hired after that date though. Is that not correct?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, as I interpret your question, it is applicable to school district teachers that are hired after a specific or a certain date. I...I...unfortunately, I didn't hear the...total extent of your question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland. Can we have some order, please...

SENATOR MAITLAND:

I'm...I'm sorry, Senator, the...the referendum applies to

the...to those who...who...who don't fall under the law and my point is...that would be a greater number of individuals, obviously, and my point is, this is a tremendous...if the teachers would...in fact, vote in favor of Medicare coverage, that, in fact, would be a rather sizeable cost and I'm asking you, how do we pay for this?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, Senator, that is a...a cost that is borne by the local respective school districts. I suspect I could ask the same question of every program that we've passed out of here in reference to Senate Bill 730 or those programs that we didn't fully fund this year or...or that kind of...of answer.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Could you tell me how this would affect the employee's share?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, I...I am told by my advisor here that this, in fact, would be determined after we have an opportunity to see precisely what takes place in the...in the referendum process.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

I do very much appreciate that answer. Next question. Could you tell me what might be the cost of the provision with respect to the seat belt...heights...with the...the...the back heights? What kind of a cost is

involved there?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

I am told that that estimate is 1.8 million dollars paid for from State sources.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Per year?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

I...I think it's a one-time cost, I think.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Well, I think it's on...on...on buses purchased after a certain date. So, it's obvious any bus that's purchased after a certain date will be...will have these particular seat back heights. Is that not correct?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Yes, that...when I referred to the 1.5 million dollars would be the up-front, first-time cost of those buses that were purchased after 6-30 of '87.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

All right, then I'm wondering then is this an ongoing thing for a here to eternity or is this just the first year and then it becomes a...a...an additional cost of the school district?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it would be an ongoing cost, but the 1.5 million would be for those buses to bring them in compliance with this provision.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

And...and, obviously, there is no...approp. for that, so that...that...that is a...that is a problem. Next question. I'm wondering about the...the amendment that affects Section 11A and 11B. Could you tell us why that is...that deals with school district reorganization. Now I'm...I'm aware of the fact that that puts it...in somewhat the same conformity as the reorganization part of 730. I wonder why we're doing that in 11A and 11B?

PRESIDING OFFICER: (SENATOR D'ARCO)

Sit down. Sit down. Senator Demuzio.

SENATOR DEMUZIO:

Because...first of all, in...in reference to your question relevant to the...the buses and the cost. The fiscal impact is not until next fiscal year, so, therefore, there is no specific cost this year. In terms of the school consolidation proposition, there were numerous legislators that were interested in those provisions in the House and precisely that is why that this provision has been added in this bill.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

Thank you. And finally, with respect to the physical education part of...of the bill, and this is, I guess, for clarity more than for anything else. As you know, very vividly, health education was to be taught in conjunction

with P.E. in 730...in conjunction with P.E. in 730. How have we altered that in this amendment?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

All right, instead of requiring physical education in grades nine and ten, we are making it permissive.

PRESIDING OFFICER: (SENATOR D'ARCO)

I thought you said finally. Senator Maitland.

SENATOR MAITLAND:

Well, I'm almost to the final finally. What...what would happen...in other words, they can teach health education in any year in high school. Is that correct?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, in Section 27-5 we are dealing with the physical education that is required...was required in...in grades nine and ten. That was made mandatory. We are changing that to make it in...in grades nine and ten permissive.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, finally and...is this the finally finally? No. Senator Maitland.

SENATOR MAITLAND:

So then...so then where do they teach health then if it is not caught in conjuction with P.E.?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

We are not demanding physical education, we are...oh, we're changing the curriculum to the extent that it is then permissive.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland.

SENATOR MAITLAND:

So, where is it taught, Senator? That's the question.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

All right, Senator Maitland, I...I...I think I understand the thrust now of your...of your question. What we are dealing with here is making physical education permissive. You are asking specifically where the health course is taught. The...it is its...its own separate identity in the curriculum process and, therefore,...so, therefore, the health instruction just simply takes place regardless of what we're doing here with this permissive section.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Maitland to wind it up.

SENATOR MAITLAND:

...and...okay, thank you. And finally, there some real reasons why we...why we required that in physical educations last year, Senator Demuzio. You remember that discussion. I think this is a departure from the...the intent that we had in...in 730; and let me just say then in closing, Mr. President, and thank you for your indulgence, I agree with Senator Kustra. There are a number of things in...in this Conference Committee report that cause some very serious problems to school districts from the...from the discovery procedure clear through all the other components of this Conference Committee. I think those of you who are paying very little attention to the debate on this bill should really, really look at what you're doing here. You are imposing some very serious and critical mandates upon some school districts and we ought to reject this Conference Committee report and send it back for a second conference.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Kenneth Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

He indicates he will yield.

SENATOR HALL:

Just for clarification, Senator Demuzio, when you're saying here on page 16, Section 2917, and you refer to passenger seat backs, is...is that seat belts? Is that what seat backs are? What...what are seat backs?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Demuzio.

SENATOR DEMUZIO:

No, it is...it is...it is not a...a seat belt. It...it is one that requires the...the height of the school...in school buses of the passenger seats to be a height of twenty-eigth inches rather than twenty-four. It has got nothing to do with seat belts.

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator Demuzio to close.

SENATOR DEMUZIO:

Well, thank you, Mr. President. There is, in fact, a collage of things in this. I will point out, however, that in the area of school district consolidation, for those of you that are interested in that issue, that it, in fact, strengthens it; but I guess the most important issue that is contained in this legislation is the fact that we are currently going to roll over about eighteen million dollars in the...in the gifted remedial summer school, and I think by changing that date from June 15th to July 15th that that picks up eighteen million dollars in additional dollars for school districts in Illinois, and simply on that basis alone, I would move for the adoption of the first Conference Committee report to Senate Bill 1809.

PRESIDING OFFICER: (SENATOR D'ARCO)

SB2129
1st C.C.R.

The question is, shall the Senate adopt the first Conference Committee Report on Senate Bill 1809. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 34, the Nays are 21, 1 voting Present. And the Senate does adopt the Conference Committee report on Senate Bill 1809 and the bill having received the required constitutional majority is hereby declared passed. Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR D'ARCO)

State your point.

SENATOR DeANGELIS:

In the gallery behind me are Mr. and Mrs. Doggett, some good friends from back home and the father of Enrico Doggett, one of our leaders in the City of Chicago Heights. I would like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR D'ARCO):

...please stand and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you...for the purpose of an announcement. I...these just arrived. They came out of the State Treasurer's vault, the suggested address for Independence Day...and they're going like hotcakes.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Put one on my desk, Sam, will you? All right. Senate Bill 1957...Senator Friedland. We...we did it already. Senate Bill 2129, Senator Degnan. Read the Conference Committee report, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2129.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on Senate Bill 2129 is familiar to this Body. It includes five items and is exactly the same except for two minor changes as we addressed several days ago. It includes giving the State a right to substitute judges, which passed out of this Chamber 53 to nothing. It includes juvenile court's speedy trial provisions, which passed out of here 57 to nothing. It includes the State's right to a jury trial for felony narcotics offenses only, which passed here 48 to 3. It includes the Narcotic's Forfeiture Act, which passed this Body 54 to nothing. And last but not least, it eliminates the categorical jury exemptions which has been rejected by this Body in the past and which I am not in favor of. This provision was forced into House Amendment No. 2 by Representative Cullerton in the House and I believe the Governor shares our opinion of the idea and will act appropriately. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I would like to reiterate what...what my colleague on the other side has said. If you will note, that Conference report was not signed by any Republican Senators. And it is because of the fact that that...that item is in there that our good friend sitting in the press box will be placed instead in a jury box and we wouldn't have the pleasure of their company. So I would suggest to you we vote down and bring it back to the Conference Committee.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lemke.

SENATOR LEMKE:

The question on this bill is not the original content, the question is whether we should eliminate the process of exemptions. If the secret...if we want to have a fair deliberation in the jury, I don't think we want...anybody in the press to be there to reveal what was said in the jury room. The expressions that are made by people in argument, in comments, only if they fairly deliberate. And I don't think that if you're a doctor you want a Melvin Belli or a Phil Corboy sitting on your jury. And I don't think if you're a Melvin Belli or a Phil Corboy you want a bunch of doctors suing...sitting on your jury if you're suing for malpractice. I don't think it's the time to just wipe out all jury exemptions. I don't think police officers should be taken off and allowed to serve on jury. I don't think legislators...I don't think we should have the Governor. I mean, there's certain things that we should consider but the way is not to completely eliminate this. And the question with the press is, I don't think there will be any judges that will put a member of the press on or a lawyer or anybody else on these juries. But...call down, they'll be impaneled and they'll sit around and wait because it's their civic duty and they will not be put on these panels. I think the time is to...to...to reject this Conference Committee report and I'll tell you why. Everything that's in this bill we have put into Senate Bill 1565, that has been on the Table, we can vote for that and the burden will be on the House if they don't call that bill. And if the House Chairman of the Judiciary Committee wants to let people out of jail early that rape children the second time and not put them under Class X, if he wants to reveal things, if he doesn't want us to confiscate on narcotic's forfeitures, if that's what he's trying to do; if he doesn't want us to have a jury trial on

cases involving narcotics and felony charges, if that's what he wants to do, then let the burden be on him. But that Conference Committee report has been filed and we can vote on it today and we can hold this and ask for a second Conference Committee if it's necessary. But the only way we can quit this nonsense that goes on between the House and the Senate Judiciary Committee and to tell the liberal House Judiciary Committee that we want law and order legislation and we do not want them to invent ways to kill it is to reject this Conference Committee report, either abstain from voting or vote Present or No.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate. I would like to just address one section of this bill which has been attacked by Senator Degnan and Senator Lemke. It's a bill that I carried in the past, and I think if we argue fairness and if we argue law and order, then you have to guarantee something that is constitutional and that is right to a jury of one's peers. At this moment in time there are twenty-six groups who have been exempted from jury service for no other reason other than the fact that their special interest group has had the clout to get them out of jury service. The current exemptions and peremptories exist under this bill so that any attorney not desiring to have them on a jury can remove them as such. Also, too, I would like to note that, yes, doctors are excluded but the nurse that cleans the bedpans, she's not. And the dentist is excluded, but the dental hygienist who cleans the teeth, she's not. And, likewise, when we talk about the press, these exemptions are so archaic that they don't even cover the broadcast medium, they just cover the print media. So right now, any of you broadcasters out there are perfectly

liable to be called in for jury service and you will not be exempted unless again you...you are under the direction of an attorney's peremptory. This isn't a fair bill, you can't go into court, the lottery now is so constricted with the people who have been removed from jury service that the same people are called in over and over and over again. And it especially zeros in on those who don't have powerful lobbying groups and who don't belong to some of these protected occupations such as those who are retired, so our senior citizens get called over and over again, those who really and truly need jury exemptions because they may be too infirmed to be able to get to that jury. And I think in fairness and in providing what is our constitutional right that this should be part and parcel of this bill and that...and deserves, you know, some decent...attention. And on that basis, I would encourage an Aye vote.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Jeremiah Joyce.

END OF REEL

REEL #5

SENATOR JEREMIAH JOYCE:

Well, thank you, Mr. President, members of the Senate. There is some truth in what Senator Topinka has said but I think we are losing sight of the fact that we are...these exemptions while they may come in part from interest groups they also stem in part from efficiency, efficiency in the administration of our...of our court system. And to summon a group of people that we know will not be selected...or very likely will not be selected to be members of the jury just doesn't make any sense. Now whether this group is too large, this...this exclusion is too large at the present time is another question. The fact of the matter is...is that there are groups in here that will not be selected. Members of the press will not be selected. What the House sponsor has in mind, I don't know. He runs this thing by us, he runs this thing by us again, he runs this thing by us again. Does he have a particular grudge with someone, you know, let him straighten that out, but to put it on this bill and put this bill in jeopardy makes no sense at all. And I am going to vote No on this...committee report and hopefully we will get this legislation back without this proposal on here and we'll be able to send it to the Governor.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR D'ARCO)

Sponsor indicates he will yield.

SENATOR DAVIDSON:

Does this Conference Committee report contain House Bill 327 which we defeated very soundly here in the Senate a few

weeks or a few months back?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Degnan.

SENATOR DEGNAN:

I don't know what House Bill 327 is, maybe you can explain it to me and I'll give you the answer.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

All the...removing all the exemptions of people who presently are not called for jury duty.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Degnan.

SENATOR DEGNAN:

That is correct. House Bill 377, I believe, was defeated last Session by a vote of 27 Ayes, 25 Nays and earlier this year was held in Senate Rules.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson.

SENATOR DAVIDSON:

That's correct. I stand corrected when I said 327 rather than 377. Ladies and Gentlemen of the Senate, I would recommend a No vote on this bill. Many of the items which may be said why some different people should be put on a jury list rather than be exempted. I think the people who are exempted in the Statute was written in there for a purpose. In relation to the media, that is not print media, all you have to do is amend the Statute if that's a problem. I don't know of anyone in the news media that's been taken as a jury member but I do know that a number of people were exempted by Statute that if this is removed and the jury commissioner or the attorneys for the defendant or the plaintiff allowed that individual to be seated, you're certainly going to disrupt a lot of the normal process either in government or in business

while these individuals are serving on a jury. And I agree that I am torn between what is everyone's constitutional duty to serve on a jury, but by the same token, we must make sure that government and business and just normal everyday life works in an orderly fashion; and to remove these people from exemption of the jury where they could be tied up weeks on end and see their business or government or whatever they're involved go down the drain, I don't think is good government. I would urge all of you to vote No and let's get this item out of this Conference Committee, it's been defeated a number of times and it needs to be defeated again.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have been in contact with the representative of the Governor's Office, I'm as sensitive as you are. Some of these provisions that have been discussed, the Governor has agreed to amendatory veto. Instead of sending it back to the House and never know what's going to happen, I would suggest that we just vote for it and let the Governor do his good work.

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator Degnan to close.

SENATOR DEGNAN:

Well, thank you, Mr. President, thank you, Senator Philip. Senator Lemke is correct when he says the four items that we have passed out of here before are now contained in a Conference Committee on Senate Bill 1565. But I would suggest that 1565, without the Mr. Cullerton jury...elimination will not see the light of day in the House. I am again assured that the Governor is of the same opinion as most of this Body and would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2129. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 23, the...the Nays are 25, 7 voting Present and the Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Degnan, do you wish a second...a second Conference Committee report? He indicates he does. Senator Barkhausen, House bill...Conference Committee Report 3525. Senator Barkhausen.

SECRETARY:

First Conference Committee report on House Bill 3525.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the first Conference Committee report on House Bill 3525 does a couple of different things. It makes a technical correction in House Bill 3525 as it passed this Chamber unanimously so as to allow the Department of Alcoholism and Substance Abuse to schedule cannabis derivatives under the Controlled Substance Act when the Federal Government has done so. Now, in addition to that, it includes what was House Bill 3290 which passed the House almost unanimously and was the same as House Bill 1567 that passed the Senate 56 to 1 last year. What that particular bill did was to amend various Acts to provide that there shall be added to every fine imposed for a criminal offense or traffic violation an additional penalty of four dollars for each forty dollars of the fine imposed; at the same time, the bill reduces the Drivers Education Fund surcharge on traffic fines from five dollars to four dollars for each forty dollar fine imposed. In addition, the bill provides

for the allocation of these fine monies for narcotic offenses to various units of government. This bill has been requested by the circuit clerks and has been the subject of past debate. I know of no opposition and would urge the adoption of the report.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR D'ARCO)

The sponsor indicates he will yield.

SENATOR LECHOWICZ:

What's the...what's the position of the Clerk of Cook County on this issue...circuit court clerk, Morgan Finley?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Without really knowing specifically, Senator Lechowicz, I...I would guess he supports it in that I'm told the Circuit Clerks' Association supports it, but I...I...no one...has had any direct conversations with the office that I know of.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

What would be the revenue impact then for the County of Cook and City of Chicago with the adoption of this Conference Committee report?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

It...it would increase the...the revenue somewhat.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

...that's really not an answer. What...what are the projections on that? You mentioned some figures in reference to the number...the change in the...the amount of dollars going into the units of local government in the county. Would you repeat that and...how it applies...in Cook County?

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen. Calm down, leaders, calm down.

SENATOR BARKHAUSEN:

...as I mentioned, Senator Lechowicz, it increases the penalties for criminal offenses and traffic violations four dollars for each forty dollars. Looking at the...at the past schedule, there was a more graduated rate of surcharges such that there was...four dollar fine for up to sixty dollars, and then from sixty to eighty dollars six dollars, and then from eighty dollars to a hundred dollars, it was eight dollars and then over a hundred dollars, the surcharge was ten dollars. So the...the surcharge will rise more rapidly as the level of the fine increases and...and, therefore, it...only stands to reason that there would be a...I would think a fairly significant increase in...in revenue,...perhaps not overwhelming, but I...I can't give you an aggregate figure of...of what it will mean to the...to Cook County or any other county in the State.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. And what's the breakdown on the surcharge? How much goes to the city, how much goes to the county, how much to the State?

PRESIDING OFFICER: (SENATOR D'ARCO)

(Machine cutoff)...Barkhausen.

SENATOR BARKHAUSEN:

As I understand it, it...it depends on what unit of law enforcement is responsible for filing the charge. There is a specific breakdown with regard to that portion of the bill dealing with narcotics offenses and I can give you that information...currently, when a person is convicted for a drug related offense, twelve and a half percent of all fines are paid to the Department of Alcoholism and Substance Abuse. Under this bill, the...and...and I guess it has not been specific in the past what happens to the remaining eighty-seven and a half percent. Under this bill, that's spelled out in that where a seizure is made by differing units of local government, fifty percent of the fine shall be allocated among units of local government and thirty-seven and a half percent shall be allocated to the county's General Corporate Fund; where the seizure is made by Chicago law enforcement personnel, the court levying the fine shall allocate eighty-seven and a half percent of the fine to the city. If the seizure is made by law enforcement personnel representing differing units of local government and one of those units is Chicago, eighty-seven and a half percent shall be allocated among the differing units of local government. But as I say, with regard to the...to the more common fine, the four dollars for every forty dollars that we were talking about before, the...the fine would be allocated the way it is now based on...on which division of law enforcement is responsible for bringing the case and prosecuting it.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, any discussion? Any more discussion? Senator Barkhausen to close.

SENATOR BARKHAUSEN:

I would simply ask for a favorable roll call on the adoption of Conference Committee No. 1 on House Bill 3525.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall the Senate adopt the first Confer-

ence Committee report on House Bill 3525. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 53, the...1 voting No, 1 voting Present. And the Senate does adopt the Conference Committee report on House Bill 3525 and the bill having received the required constitutional majority is hereby declared passed. Senate Bill 2300, the first Conference Committee report. No...oh, I'm sorry, we're on concurrence, I'm sorry...I'm sorry. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of amendment to a following House bill.

House Bill 913 with Senate Amendments 1, 2 and 4.

And a like Message on House Bill 3473 with Senate Amendment No. 1.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title.

Senate Bill 2300 together with House Amendment No. 1.

Those bills are all on Calendar...Supplemental No. 7.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, with leave of the Body, we will proceed to Supplemental Calendar No. 7, Secretary's Desk on the Order of Concurrence. Senate Bill 2300, Senator Jeremiah Joyce.

SECRETARY:

Senate Bill 2300 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. I move that the Senate do concur in House Amendment No. 1 to Senate Bill 2300. House Amendment No. 1 passed out of here with a 53 to 0 vote. It was Senate Bill 2116 that was held in House Rules and I ask for concurrence at this time.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is...any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2300. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, the Ayes are 57, the Nays are none, those...voting Present are none. And the Senate does concur in House Amendment No. 1 to Senate Bill 2300 and the bill having received the required constitutional majority is hereby declared passed. Senate Bill 2117, Senator Welch. Is...is...a hyphenated cosponsor of Senator Maitland. No, no, no...Senator Welch here? Senator Welch on Senate Bill 2117. On the Secretary's Desk on the Order of Nonconcurrence, House Bill 913, Senator Barkhausen.

SECRETARY:

House Bill 913 with Senate Amendments 1, 2 and 4.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President, I recommend that the Senate refuse to recede from Senate Amendments 1, 2 and 4 to House Bill 913 and would ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR D'ARCO)

...Senator Barkhausen moves that the Senate refuse to recede from the adoption of the amendments to House Bill 913

HB 3473 Refuse to Recede

and that a Conference Committee be reported. All in favor say Aye. All opposed say Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate...I mean, House Bill 3473, Senator Davidson. Senator Davidson. Read the bill, Mr. Secretary, 3417...3473.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 3473 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson on Senate Amendment No. 1.

SENATOR DAVIDSON:

Mr. President, I...I move that the Senate not recede from Senate Amendment No. 1 to House Bill 3473 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Davidson moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 3473 and that a Conference Committee...be...be appointed. All in favor say Aye. All opposed say Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right, on Supplemental Calendar No. 7, Conference Committee reports. House Bill 2785, Senator Marovitz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...2785, first Conference Committee report.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move...I...I would ask the Secretary to correct the scoreboard. I would move that the Senate do concur...adopt Conference Committee Report No. 1 to House Bill 2785. This deals with the time limit for adjudicatory hearings in...in juvenile court. It's an agreed amendment. It also specifies events which will...that, and I would ask

SB1565 E.E.R.

for adoption of Conference Committee Report No. 1 to House Bill 2785.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right. Any discussion? Any discussion? The question is, shall the...Senate adopt the Conference Committee report on Senate Bill 2785. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 53, the Nays are 0, those voting...none voting Present. And the Senate does adopt the Conference Committee report on...what is it?...House Bill 2785 and the bill having received the required constitutional majority is hereby declared passed, first Conference Committee report. House Bill 3058, Senator Degnan. Is Senator Degnan here? House bill...Senate Bill 1565, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1565, first Conference Committee report.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is identically what Senate Bill...2129 does but takes out the...waiving of jury exemptions. It also provides for...provisions for extended term sentences upon offenders who are at least seventeen years of age and...crime committed and who has...convicted of aggravated or criminal assault where the victim is under the age of...at the time of the commission of the offense. I think it's a good bill and I ask for its adoption.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1565. Those in favor vote Aye. Those opposed

AB2173 1st C.C.R.

vote Nay. The voting is open. Take the record. No, hold it...have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, the Ayes are 57, none voting...no...none voting none...none voting Present. And Senate Bill 1565 having received the required constitutional majority is hereby declared passed. Yeah, it's okay. Senate Bill 2173, Senator Luft. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 2173, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate concur in Conference Committee Report No. 1 to Senate Bill 2173. The House amendments permits a five-year carry-forward of the coal research utilization investment credit beginning with 1987 tax year. It also subjects a public institution of higher learning that operates a hotel to a...municipal home rule ordinance imposing a hotel tax and makes penalties for failure to file a sales tax return on time inapplicable when failure is nonfraudulent and has not happened in...in the two preceding years.

PRESIDING OFFICER: (SENATOR D'ARCO)

All right, any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference...first Conference Committee report on Senate Bill 2173. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. And Senate Bill 2173 having received the required constitutional majority is hereby declared passed. Senator Degnan. Okay. We will go to the Order of Motions in Writing for the purpose

of House...for the purpose of House Bill 3475 on a reconsideration motion. With leave of the Body, we will move to the Order of Motions in Writing. Is there any objections? Hearing none, leave is granted. Mr. Secretary, read the motion.

ACTING SECRETARY: (MR. FERNANDES)

(Machine cutoff)..voted on the prevailing side, I move to reconsider the vote by which House Bill 3475...which a Conference Committee Report No. 1 on House Bill 3475 failed, and it's signed by Senator Leitch.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President and members. We have agreed to not attempt to put on the amendment that we had earlier been discussing, and so we would just be leaving the bill as it originally came to us in its first Conference Committee report, and I would having voted on the prevailing side move to reconsider the defeat of that first Conference Committee report.

PRESIDING OFFICER: (SENATOR D'ARCO)

The motion is to reconsider the vote by which the first Conference Committee report failed. All those in favor say Aye. All those opposed say Nay. The Ayes have it. The motion carries and the vote is reconsidered. Now, on the question to adopt the first Conference Committee report on House Bill 3475. Senator Leitch.

SENATOR LEITCH:

...thank you, I'd simply move approval of the first Conference Committee report.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Berman.

SENATOR BERMAN:

There's been some things that have intervened, would the

sponsor please describe what this is now?

PRESIDING OFFICER: (SENATOR D'ARCO)

(Machine cutoff)...Leitch.

SENATOR LEITCH:

...yes, this report simply returns it to the first committee report which includes the substantive language for the Exxon agreement, which has not been changed other than the agreement, if that's the direction of your question and it does some other relatively minor things.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Berman, do you wish to respond? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Exxon language is, I think, quite acceptable. It creates the Exxon Oil Overcharge Settlement Trust Fund which is a statutory incarnation of getting the money into a fund where it can be used. It allow...it really accommodates the agreement that the Governor had made with the city that they could still use their local agency...the city agency to take care of the weatherization program and, in all respects, is...is quite innocuous of any of the other things that were talked about for a long period of time. And so I would concur in an affirmative vote on the Conference Committee report on House Bill 3475.

PRESIDING OFFICER: (SENATOR D'ARCO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Just as a point of information, the vote that this first Conference Committee report was denied was a roll call vote and you took a...we moved to reconsider the vote by which it was first denied. I think we need a roll call on that because there was a roll call initially and a denial. If you want to check with the Parliamentarian, I'll...I think I'm correct on that issue.

PRESIDING OFFICER: (SENATOR D'ARCO)

Well, the...the vote was to reconsider the vote by which the first Conference Committee report failed and we do not...our...rules do not require a roll call vote on that question. The voice vote did carry and the motion to reconsider was...was adopted and was so moved, and now we are on the question of adopting the Conference Committee report. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. On that issue, I also want to move the adoption of the Conference Committee Report No. 1 on House Bill 3475. It does three items, it creates the Exxon Oil Overcharge Settlement Trust Fund and briefly outlines the standards for implementing...contract of the Illinois Home Weatherization Assistant Program. It authorizes the Historic Preservation Agency rather than the Department of Conservation to offer cash incentives to develop a concession complex at Lincoln's New Salem State Park. Basically, the important portion of the Exxon Refund Program has been thoroughly worked out to everyone's satisfaction, and I want to commend...Senator Leitch for his courtesy that he extended to me and possibly offering that this matter be further amended. I want to also thank the staffs 'cause we found another vehicle, and I would hope that the Body would now concur with the adoption of this Conference Committee at this time. Thank you, very much.

PRESIDING OFFICER: (SENATOR D'ARCO)

Any discussion? Senator Leitch to close.

SENATOR LEITCH:

Thank you. I'd simply ask for approval.

PRESIDING OFFICER: (SENATOR D'ARCO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 3475. I'm sorry...House Bill 3475. Those in favor vote Aye. Those opposed vote Nay.

The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. And House Bill 3475 having received the required constitutional majority is hereby declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The conferees on Build Illinois are currently meeting. There are a number of other conferees meeting. Rather than have us sit around and wait for that paper, my suggestion is...and I have spoken with the Speaker, he will be doing the same in the House is that we stand adjourned until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR D'ARCO)

The Senate...any further...any announcements? If not, Senator Rock moves we stand adjourned. Hold it, wait a minute. All right, we will complete some paper work. We will go to the Order of Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 1167, by Senator Zito.

1168, Senator Lemke.

1169, Senator Lemke.

1170, Senator Lemke.

✓1171, Senator Lemke.

And 1172, Senator Lemke, all congratulatory.

PRESIDENT:

Those resolutions will be placed...pardon me, placed on the Consent Calendar. If there's no further business to come...I beg your pardon.

ACTING SECRETARY: (MR. FERNANDES)

1173, Senator Carroll.

1174, by Senators Welch, Carroll, Schaffer, Poshard and Etheredge.

PRESIDENT:

Executive Committee, Mr. Secretary. Further business to come before the Senate? If not, we've already been moved that the Senate stand adjourned until ten o'clock tomorrow morning. Thank you all for a good day's work. The Senate stands adjourned, ten o'clock tomorrow morning.

END OF REEL

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84TH GENERAL ASSEMBLY

REGULAR SESSION

JULY 1, 1986

PRESIDENT:

The hour of eleven having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by Senator Kenneth Hall, East St. Louis, Illinois. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Reading of the Journal, Mr. Secretary. Senator Smith.

SENATOR SMITH:

Thank...President and members of the Senate. I move that the reading and the approval of the Journals of Wednesday, June 18th; Thursday, June 19th; Friday, June 20th; Monday, June 23rd; Tuesday, June 24th; Wednesday, June 25th; Thursday, June 26th; Friday, June 27th; Saturday, June 28th; Sunday, June 29th and Monday, June 30th, in the 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1175 offered by Senator Lemke. It's congratulatory.

PRESIDENT:

Consent Calendar. If I can have your attention, there are a number of members who have indicated they wish to discharge the Committee on Executive from further consideration of certain resolutions. If you've got a pencil, I'll give you the numbers. House Joint Resolution 198, Senator Savickas. House Joint Resolution 218, Senator Netsch. House Joint Resolution 232, Senator Topinka. Senate Resolution

1146, Senator Geo-Karis. Senate Resolution 1126, Senator Sangmeister. Senate Resolution 1174, Senator Welch. I think in order to get the proceedings started we...that's as good a place to start as any. (Machine cutoff)...repeat those numbers so that there's no...copies, I think, have been distributed of virtually all of these so that no one should be caught unawares. House Joint Resolution 198, Senator Savickas. House Joint Resolution 218, Senator Netsch. House Joint Resolution 232, Senator Topinka. Senate Resolution 1146, Senator Geo-Karis. Senate Resolution 1126, Senator Sangmeister. And Senate Resolution 1174, Senator Welch. House Joint Resolution 224, Senator Welch. (Machine cut-off)...Senator Savickas. Mr. Secretary. House Joint Resolution 198, Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would move that...Committee on Executive be discharged from further consideration and House Joint Resolution 198, which is a Sunset Review Committee bill, be placed on the Order of the Secretary's Desk for consideration today.

PRESIDENT:

...do you wish to immediately consider it?

SENATOR SAVICKAS:

Yes.

PRESIDENT:

Yes. All right, Senator Savickas has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 198 for the purpose of its immediate consideration. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Savickas has spoken with people on this side of the aisle. We have no objection to the motion.

PRESIDENT:

All right, motion is to discharge the Committee on Executive from further consideration of House Joint Resolution 198. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. Motion carries. On the Order of Resolutions is House Joint Resolution 198, Mr. Secretary.

SECRETARY:

House Joint Resolution 198 with no amendments.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, House Joint Resolution 198 would create the Joint Committee on State Regulation on Professions and Occupations. The committee is composed of eight legislative members and four public members appointed proportionately by the four principal legislative leaders, and the committee shall review and recommend action on those regulatory Acts scheduled to be repealed on 12-31 of '87. I would move its adoption.

PRESIDENT:

All right, Senator Savickas has moved the adoption of House Joint Resolution 198. Is there any discussion? If not, those in favor of the adoption will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Joint Resolution having received the required constitutional majority is declared passed. Senator Netsch. Senator Netsch, we are at your complete disposal. House Joint Resolution 232, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would ask to discharge the Executive Committee for House Joint Resolution 232 which basically asks the State

Board of Education to consult with coaches, teachers and principals throughout the State to study and report on or before December 31st regarding student participation in interscholastic competition and how that would be affected if a student's academic performance falls...below a certain level. I would also like to hyphenate, at this time, Senator Newhouse onto this resolution that Senator Jones and I have. This basically looks at the no-pass no-play provision of the IHSA as well as related activities, and I would ask your support.

PRESIDENT:

All right, Senator Topinka has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 232. Any discussion on the motion to discharge? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and House Joint Resolution 232 is now discharged. On the Order of Resolutions is House Joint Resolution 232. Senator Topinka seeks leave of the Body to add Senator Newhouse as a cosponsor. Mr. Secretary, HJR 232.

SECRETARY:

House Joint Resolution 232 with no committee amendments.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

I think I've pretty well explained it and I would just ask for your support.

PRESIDENT:

Any discussion? If not, the question is, shall House Joint Resolution 232 be adopted. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. House Joint Resolution 232 having

received the required constitutional majority is declared passed. Senator Geo-Karis, Senate Resolution 1146. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Resolution 1146 simply states that units of local government should not be authorized to impose an income tax, and I ask that the rules be suspended so that I can have immediate consideration on it.

PRESIDENT:

All right, Senator Geo-Karis has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1146 for the purpose of its immediate consideration. Any discussion on the motion to...to discharge? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Resolution 1146, Mr. Secretary.

SECRETARY:

Senate Resolution 1146 with no committee amendments.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this resolution simply states...for the benefit of the Assembly that units of local government for their own economic health and in the best interest of the residents shall not be authorized to impose an income tax, and I move for the favorable passage of this resolution.

PRESIDENT:

Any discussion? Any discussion? If not, all in favor of the adoption of Senate Resolution 1146 indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senate Resolution 1126, Senator Sangmeister. Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Mr. President, I move to discharge the Executive Committee for the immediate consideration of Senate Resolution 1126.

PRESIDENT:

All right, Senator Sangmeister has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1126. Any discussion on the motion to discharge? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, only to inquire what the resolution is, Mr. President. We haven't seen it.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Forgive me for that, for of all people that I shouldn't have...it's...I thought that you had a copy and this one had been approved by both sides. What this is, Senator Schuneman, is a resolution directed to the State Board of Education asking that they...they are now coming up with a program for...on vocational education that certain vocational education of schools are to be put into certain regions. In Will County, and that's the purpose of this resolution, we have five schools that are presently in a region and they would like to stay as a separate region and not be forced into some other region, and all the resolution states is that...we would ask the Board of Education to take that into consideration...the State Board and not force them into a region they may not want to join.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

We have no objection to the discharge motion, Mr. President.

PRESIDENT:

All right. Senator Sangmeister has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1126 for the purpose of its immediate consideration. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. On the Order of Resolutions is Senate Resolution 1126, Mr. Secretary.

SECRETARY:

Senate Resolution 1126 with no committee amendments.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, well, the resolution does as I explained to it and...and the resolving portion of that resolution, it just says to the State Board of Education that they would ensure that the individual school districts can adequately meet the education for employment needs of their students through their own local programs shall not be required to...come participates in a regional system. So, it's...obviously, being a resolution does not mandate them. Due to that, it's a request that this particular district, in fact, that has five good schools that have operated for many years with their old vocational be able to establish their own region or keep this group of schools together.

PRESIDENT:

Discussion? Senator Keats. Senator Maitland. All right. Senator Sangmeister has moved the adoption of Senate Resolution 1126. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Welch on Senate Resolution 1174. Mr. Secretary...oh, Senator Welch on the motion.

SENATOR WELCH:

Yes, I move to discharge the Executive Committee of

Senate Resolution 174. Move for a suspension of the rules and for immediate hearing on this resolution. This resolution concerns the Senate Appropriations Subcommittee on Northern Illinois University's expenditures on the president's home.

PRESIDENT:

All right, Senator Welch has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1174. Discussion on the motion to discharge? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. Senator Welch did ask that we support his motion to discharge and we told him that we would prefer not to do that. What he's seeking here is an audit by the Auditor General, and while I have no particular objection to an audit being conducted, I think that it would be proper to have at least a committee hearing on this issue. Now, this can be handled either by having a committee hearing of the Senate Executive Committee and, of course, we're too late for that now, or the Senator could go before the Legislative Audit Commission at their next meeting which will be July 17th and present the issue there, and I...I really think that we should avoid asking the Auditor General to get into audits unless there's been some kind of committee hearing in the Senate before we take that action. So, it's strictly on that basis that we ask that this motion not be approved.

PRESIDENT:

Further discussion on the motion to discharge? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. To reaffirm what Senator Schuneman said,...actually, Senator Welch, you do not have to be present before the Audit Commission, you can give it to any one member of that commission to introduce; and I know what you're doing here is not unique, but what I see lately

is a...proliferation of a lot of these resolutions and the questions that we asked before the Audit Commission basically involve the cost of doing the study, is there any evidence that would trigger the study...and also, which is even more important, is the time frame in which it has to be done. The Auditor General does not have a number of bodies that are just waiting for resolutions to come through, and what then happens, we have to contract it out and what ends up happening is that it increases the cost. If you want to...if you choose to, I would suggest that you give it to some member of that committee and it'll be presented on July 17th when we have our next meeting.

PRESIDENT:

Further discussion on the motion to discharge? Senator Welch may close. I beg your pardon, Senator Joyce...

SENATOR JEREMIAH JOYCE:

My light on?

PRESIDENT:

It is.

SENATOR JEREMIAH JOYCE:

Thank you.

PRESIDENT:

I thought it was on your resolution.

SENATOR JEREMIAH JOYCE:

No,...okay. Well, I think enough is enough on this thing...you know, you...you have taken this...you have taken this matter and you have driven this guy out of...out of office. If you think that there is some substantial wrongdoing here, take it to the local state's attorney...you know, I...I think that, you know, what's involved here has probably gone on at every university and...and...and a number of other State facilities in this State. This man is no longer the president. You know, I think you're using this thing for politics and I think it's wrong, and I think we

should end this now. You know, you're going to harass this guy through the whole summer? If you have something...if they have something there, they have a local state's attorney. Let's knock it off. I say that we...that we vote against discharging this resolution.

PRESIDENT:

Question is the motion to discharge the Senate Executive Committee from further consideration of Senate Resolution 1174. Further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

Just let me say, this is one of the few cases that in...that in reference to your statement that no investigation was held, there was an investigation and there was a misappropriation of money found. So, I agree with you, let's limit all audits to where there's an investigation by a Senate committee, but here we had the investigation and here the committee agreed unanimously, a bipartisan committee, that we should go ahead and have the audit. So, I don't see how that argument bears any weight. So, I would urge that we discharge the Senate Executive Committee of Senate Resolution 1174.

PRESIDENT:

Question is the motion to discharge the Senate Executive Committee from Senate Resolution...further consideration of Senate Resolution 1174 seeking its immediate consideration before this Body. Those in favor of the motion to discharge will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 19 Ayes, 31 Nays and the motion fails. Senator Davidson on 1157.

SENATOR DAVIDSON:

Mr. President, Senate Resolution 1157, I move to discharge from Exec. Committee for immediate consideration. This

SR 1121

resolution asks the Department of Public Health and the State Board of Higher Education to jointly convene the summit meeting in which they invite all public and private colleges, each university presidents, athletic team managers, coaches, et cetera to declare a war on this drug situation. This came out of the tragic death for Len Bias and we all know that young athletes pay attention to their peers and people who are outstanding athlete, and this...I think it's time for us to apropos to add some movement that we get something done.

PRESIDENT:

All right, Senator Davidson has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1157 and is asking its immediate consideration. Discussion on the motion to discharge? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Davidson...Mr. Secretary, Senate Resolution 1157.

SECRETARY:

Senate Resolution 1157 and...and it has no committee amendments.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd ask for a favorable vote.

PRESIDENT:

The question is the adoption of Senate Resolution 1157. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question there are...50 Ayes, no Nays, none voting Present. Senate Resolution 1157 is declared adopted. Senator Joyce, on 1121. Mr. Secretary, Senate Resolution 1121.

SENATOR JEREMIAH JOYCE:

Yes, Mr. President, I move that the committee be dis-

charged...that Senate Resolution 1157 be discharged and placed on the Calendar...immediate consideration.

PRESIDENT:

21...

SECRETARY:

It's in...

PRESIDENT:

All right. Senator Joyce has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1121. Any discussion on the motion to discharge? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Now before the Body on the Order of Resolutions is Senate Resolution 1121. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President. Senate Resolution 1121 urges all firms doing business in...Northern...Ireland in which Illinois Pension Funds are invested to comply with fair hiring practices and puts us on record as deploring the existence of ethnic and religious discrimination in Northern Ireland. We passed...we passed an amendment similar to this and I ask your adoption.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Senate Resolution 1121. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. House Joint Resolution 224, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would move that the Committee on Executive be discharged from further hearing on this resolution, that the rules be suspended, then it be held for immediate...brought to the Floor for immediate hearing. This resolution names the bridge going over the Illinois River

after Abraham Lincoln.

PRESIDENT:

All right, Senator Welch has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 224. Discussion on the motion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, we have carefully scrutinized this resolution, and to be brutally honest with you, we can't find anything wrong with it. So, we...we would approve the motion.

PRESIDENT:

Question is the motion to discharge the Committee on Executive from further consideration of HJR 224. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. On the Order of Resolutions, House Joint Resolution 224, Mr. Secretary.

SECRETARY:

House Joint Resolution 224 with no committee amendments.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Three towns in my area right around the Illinois River where this bridge is being built met and appointed delegates and they decided nine out of ten to name it after...name the new bridge...the longest bridge in the State of Illinois after Abraham Lincoln, obviously, a nonpartisan group, even though that is a Democratic area. I would point out though to the members on the other side that in 1864 President Lincoln ran on the...I believe it was the Union Party ticket...kind of a fusion ticket along with a Democrat. So, I know that that may influence some votes over there and actually that's kind of the reason why I got involved in this because it may inure to the benefit of

Andrew Johnson as well. So, I would urge adoption of this resolution.

PRESIDENT:

Question is the adoption of House Joint...Resolution 224. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. House Joint Resolution 224 having received the required constitutional majority is declared adopted. Senator Netsch on HJR 218.

SENATOR NETSCH:

Thank you, Mr. President. I would move to discharge the Committee on Executive from further consideration of House Joint Resolution 218.

PRESIDENT:

All right, Senator Netsch has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 218. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. On the Order of Resolutions is House Joint Resolution 218, Mr. Secretary.

SECRETARY:

House...House Joint Resolution 218 with no committee amendments.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Joint Resolution 218 would authorize a Select Joint Committee of the Illinois General Assembly on Housing in Illinois consisting of eight members, evenly divided, two each by the President of the Senate and Minority Leader, the Speaker of the House and the Minority Leader with the idea that it would begin to explore where the State should be going in terms of support of or nonsup-

port, I suppose, of low and moderate income housing in view of the very dramatic changes that have take place in terms of Federal programs. I think it is a problem that everyone including the Illinois Housing Development Authority recognizes is very serious and we need to have a somewhat more considered and less hurried opportunity to look at the State's role. That is the point of the resolution and I would move its adoption.

PRESIDENT:

Senator Netsch has moved the adoption of House Joint Resolution 218. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 1 Nay, 1 voting Present. House Joint Resolution 218 having received the required constitutional majority is declared passed. All right, if I can have the attention of the membership, we will now move to the Order of the Calendar. We are making every legitimate attempt to conclude our business today and by my estimation, there are still five or six appropriation bills outstanding though in the main agreed to. There is a bond authorization provision and there are probably a half a dozen other matters that members and/or the Executive think to be important. So, we are down to less than a dozen things to do. We will do what we can do on the Calendar and at that point take a break for lunch. I would point out, also, you have been...distributed Supplemental Calendar No. 1 which contains Senate Bill 1747, it is also on the main Calendar. The reason for the supplemental is a clerical error. There was some confusion yesterday as to whether or not amendments had been concurred in or not concurred in. The Supplemental Calendar No. 1 accurately reflects the status of that legislation. No amendments have yet been concurred in by record vote. Senator Geo-Karis, for what purpose do you...

AB2210 concurrence

SENATOR GEO-KARIS:

Mr. President, I think you mentioned Supplemental No. 1.

PRESIDENT:

Right.

SENATOR GEO-KARIS:

Is that the 30th of June or July 1?

PRESIDENT:

No, I'm happy to inform you it's July 1.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT:

And it will be all day. We'll move to the Order of Secretary's Desk Concurrence. Again, let me refer to you...you to the fact that Senate Bill 1747 is now contained on Supplemental 1 and it is accurately reflected on Supplemental 1. Senate Bill...2117, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, on the Order of Secretary's Desk Concurrence is Senate Bill 2210. Senator Rock, 2210? 2210, Mr. Secretary.

SECRETARY:

Senate Bill 2210 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will move to concur with House Amendments 1 and 2. This is a bill that is some...of some major interest to the business community and to the members of organized labor. House Amendment No. 1 represents the agreement with respect to the Unemployment Insurance Act that was reached earlier this year by representatives of labor and business. Essentially, it will increase the benefits to those recipients by some nineteen million dollars. It will allow the State to continue to repay its unemployment insurance debt which cur-

rently has a balance of about a...a billion dollars due and owing and we expect...be in a position to repay the debt by 1988 and it will increase tax revenue by approximately nineteen million. So, it is an absolute, in my judgment, offset. Benefits are increased at a reasonable level and the revenue is there with the agreement of the business community to pay for those increased benefits. I know of absolutely no objection to this and I would move that the Senate do concur with House Amendments 1, which represents the agreement, and House Amendment No. 2, which was a technical Reference Bureau amendment to clean it up. I would move that we concur with House Amendments 1 and 2 to Senate Bill 2210.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I think anyone who has a phone call to make or...needs to get their shoes polished, or something like that, this would be a good time. I've been asked to read into the record two pages of legislative intent on this bill and I will read very fast, but perhaps you might want to take a little break. The change to Section 217 is designed to codify...I'll talk very fast...to codify existing administrative practice which treats individuals involved in the direct selling business as independent contractors and not as employees of the company supplying them products for the purposes of this Act. The amendment to Section 235 extends the taxable wage provisions of the current Acts through 1987. This means that employers will pay contributions on the first eighty-five hundred in wages paid to each of its employees through 1987. Section 401 is modified to make several changes to the benefits paid to unemployed workers. First, this bill extends for another year the 1983 provisions related to the percentage of a claims...claimant's prior average weekly wage which will be replaced through

unemployment insurance benefits and the provision using the two high quarters of wages to determine the average weekly wage of the claimant. These percentages remain at forty-eight percent for single individuals, fifty-five percent for an individual with a nonworking spouse and 62.4 percent for the individual who has dependent children. Secondly, the bill increases the maximum benefit available in this State by increasing the Keystone Statewide average weekly wage to three hundred and fifty dollars for 1987. This will produce a ten dollar increase in the maximum weekly benefit for a claimant with dependent children. Thirdly,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Karpiel.

SENATOR KARPIEL:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Perhaps, maybe you ought to go a little slower. There's several lights on now that...apparently there must be some questions that you're...

SENATOR KARPIEL:

I think they probably all would like to shut me up somehow, and so would I.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel...may continue.

SENATOR KARPIEL:

Thirdly, the provision effecting the minimum weekly benefit amount are left as they currently exist. Three hundred and thirty-five dollars will still be used as the base from which the minimum weekly benefit is calculated. The period of time over which overpaid benefits can be recouped by reducing future benefit payment was increased from three years to five years in Section 900. In order to effect claimants in 1987, this provision had to reference benefits which were overpaid after December 31st, 1983. Section 1402 is

amended to provide for the excusing of late payment penalties for small employees who for the previous twenty consecutive calendar quarters had made their payments on time. The changes to this section also increase the penalties for a willful failure to...to pay contributions to the greater of four hundred or sixty percent of the contribution to the department. Section 1405 is amended to extend its current provisions unchanged through 1987. Section...I'm very tired of this...Section 1500 is amended to extend most of its provisions unchanged through 1987; however, one provision has been changed in this section for 1987. New employers will be required to have incurred liability for the payment of contributions in at least three calendar years before they can experience...be experience rated. The benefit rates transfer provisions of Section 1501 which allow an employer of a claimant who had voluntarily quit to transfer tax liability to the employer who hired the person have been changed to...so as to extend the chain of employers eligible to transfer benefit wages to include the last employing unit which is also a base period employer. Section 1503 is amended to eliminate the provison allowing two-year experience rating of new employers and returned to the three-year standard. This amendment also changes the method of calculation of the denominator of the benefit wage ratio for 1987. The denominator will now be equal to the total wages subject to the payment of contributions rather than focusing on timely payment and posting of those wages; otherwise, this section extends the agreement for one year beyond its current expiration date. Section 1506.1 is altered to provide for the extension of the contribution rates currently in effect through 1987. Section 1506.2 is modified to extend the increase in the university contribution rate for 1987. Section 1508 and new Section 1508.1 create new time limits under which the Department of...Employment Security must

operate and notify employers of its decisions of determinations if it intends to hold an individual employer liable for contributions. In essence, the department is required to issue timely notices to an employer who has followed department procedure. The department is foreclosed from taking any action other than cancellation of benefit wage charges if the employer has not been sent a notice specified in Section 1508.1 within the time limit also specified there. Section 1508.1A3 uses the term "determination" to refer also to decisions issued under Section 702 relating to sufficiency of an employer's protest. Section 2100 is modified by this bill to allow the department to draw a benefit check only when the account has sufficient funds to cover the check. Section 2201 is amended to reference new Section 2201.1...almost through. Finally, new Section 2201.1 requires the department beginning in 1988 to pay interest to employers who have overpaid their unemployment insurance contributions. This section requires the department to issue quarterly notices of credit balances and to pay refunds of those balances within ninety days of the refund claim or pay interest at 1.5 percent per month. This bill represents a fair balance between business, labor, administrative and legislative interests. Thank you and I do apologize.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel, henceforth, we'd appreciate it if you would adhere to the same time limits as the rest of the members...further discussion? Senator Kustra, your light is on.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor. Senator Karpiel, we had a tough time catching the second page of that. Could read over the second page for us, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President. I agree with what Senator Karpiel read. Tucker Olson is a very thorough young man and it accurately reflects the agreement that was entered into by the representatives of the business community and organized labor. This is one that should have a unanimous roll call and I so urge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 2210. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 2210 and the bill having received the required constitutional majority is declared passed. All right, on the regular Calendar,...leave of the Body, Conference Committee reports, page 8. Senator Sommer on 2989. 3058, Senator Degnan. Conference Committee reports, middle of page 8, is House Bill 3058, Mr. Secretary.

SECRETARY:

This is a corrected Conference Committee report on House Bill 3058, the first conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Yeah, thank you, Mr. President. Conference Committee Report No. 1 on House Bill 3058 is essentially the same as passed out of this Senate earlier with Senate Amendment No. 4. The House now concurs in Senate Amendment No. 4 which was the thirty-five hundred dollar per annum stipend to twenty-one county recorders throughout the State. In addition, the bill contains House Bill 562 which made several changes relating to the condominium law including authority for two or more condominium associations to form an insurance pool.

S.B. 1517 2nd C.C. Report

This bill passed out of the House 111 to nothing and it was held in Senate Rules. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Question of the sponsor, Mr. President, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Are all twenty-one recorders now in this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

All twenty-one, correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate...question is, shall the Senate adopt the...the first Conference Committee...the corrected Conference Committee on House Bill 3058. Those in favor will vote Aye. Those opposed Nay. The voting is open. The voting is open. Kenny, the voting is open. Have all voted who wish? All right. Have all voted who wish? Have all voted who wish? Take...take the record. On that question, the Ayes are 49, the Nays are none, 4 voting Present. The Senate does adopt the first corrected Conference Committee report on House Bill 3058 and the bill having received the required constitutional majority is declared passed. Page 9, Senate Bill 1763, Senator Sommer. On the Order of Conference Committee Reports, page 9, is Senate Bill 1517, Senator Lemke. Senator...Senate Bill 1517, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1517.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Well,...before we begin here, there are

three Conference Committee reports on this page that we will take. Senator Lemke...2003 is Senator Marovitz and 2108, Senator D'Arco. So, if the members can be advised that that is the procedure where we are going. Senate Bill 1517, Senator Lemke.

SENATOR LEMKE:

What this Conference Committee...retains the original bill which allows former...parents of former students to be on the advisory councils. It also has the provision for high-backed seats excluding seat mountings or seat belts. It has the teenage suicide package in as...amended to...to fit the language that was objected to by the Eagle Forum and it establish...is the Proprietary School Financial Assistance Program. I ask for adoption of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR KUSTRA:

Senator, would you reiterate, again, this does have the proprietary school, not the...the for-profit school language in it and do you know how many million dollars the first year that program will cost us?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I will refer to Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

This won't cost us anything because it requires a sep-

arate appropriation that is not being appropriated this year. So, you know, you got to understand that proprietary...this...this bill doesn't take any funds out of the State Scholarship Commission. You know, whether it's for private, independent universities or what...for whatever purpose, it does not take any money out of the State Scholarship Fund. It requires a separate appropriation in order for them to qualify for a grant, and then...and then, there's a ten percent cap on the amount of available funds that can be expended anyway. So, this bill is so limited in scope that there is absolutely no reason to not vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President. I appreciate Senator D'Arco's comments, and so it's a separate appropriation, it's...it's my understanding that whether it's this year or next year, we're going to be talking about an additional twenty to thirty million dollars. It's going to have to come out of someplace. There's no doubt about it. If you don't think it's going to come out of the scholarship commission's budget, fine, but it's going to come out of the General Revenue Fund or someplace, somewhere and that's going to eventually...as people size up the size of the school budget in higher education, it's going to eventually impact on private universities and colleges in this State. We have in this State a delicate balance between our public and our private schools. Our private schools deserve our support and every year they come in here and every year we have difficulty giving them what they want. The for-profit schools, which this amendment is designed to address, the only schools in the State of Illinois right now where enrollment is growning, you hear cries of cutbacks in public education and you hear cries both in the...in the private sector, in the

public sector, but when it comes to the for-profits, the beauty culture schools, whatever they are, their enrollment is growing. Also, let me point out one very important distinction between what we call the for-profit schools and all the rest of the schools that we try to take care of in this General Assembly. Those for-profit schools, no matter where they reside in the State of Illinois, qualify for JPTA funding, the Job Partnership Training Act funds. Now none of the other schools which we appropriate funds to can get those monies but the for-profit schools can. I would suggest to you that as much as we might think we should help for-profit schools, with enrollments growing and with assistance coming from the Federal Government which our other schools, our private college and universities cannot get under JPTA, we ought to be using the scarce resources we have for our Loyola's and DePaul's and Northwestern's and MacMurry's and Illinois College...whatever it is, those are the schools that are asking us year after year to save what precious few resources we devote to private education for the legitimate not-for-profit school. If these students want to go to these for-profit schools, wonderful, but we simply don't have the resources to provide for it right now and we ought not to support this Conference Committee report as a result of it.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator...Senator D'Arco.

SENATOR D'ARCO:

You know, to...to address what Senator Kustra is talking about, let...let me try to reiterate what this is all about. These people...even though they're eligible for Pell Grants from the Federal Government, job training funds from the Federal Government are not receiving those grants from the Federal Government because of the limited availability of those funds. These...this population is the population that has been excluded from receiving the grants from the Federal

Government, and that's the population that we are trying to address in this bill so they do qualify and become productive people in our society and get them off the welfare rolls. That's what we're trying to do. We want to put people to work as secretaries, as computer operators, we want to put people in a productive manner so that they get off the rolls, that's what this bill is all about. Everybody is eligible to receive funds. The problem is they're not receiving the funds and there's a cap on the amount of the award in this bill. It's only eighteen hundred dollars. Now I say we give this a chance. Let's not...let's not say to these people, you are not a part...you are not a part of the State scholarship process because these funds only go to designated universities. That's not the way we should do this. These kids are in a different social strait altogether. They're not part of the population that goes to independent universities. They can't afford to go to independent universities. We've got to give these kids a chance to show them that we care about their futures and that they can become productive members of our society. This is a good bill. It does require a separate appropriation. We are not appropriating any money this year. We've got time to work on this problem. We've got time to put these kids into the right system so that they can become productive members. Don't discount these people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman. Mr. Chairman, I rise reluctantly to oppose this measure at this point for the reason that I'm very much concerned with the population, that is, purportedly the target of this legislation, but it seems to me that, first of all, this is a legitimate purview of the Higher Education Committee and the idea deserves some exposure in that committee. There certainly is some legitimacy

to the notion that there is a need for the training that's required here. No question about that. The question is, which pocket do you take it out of? Now the fact that the dollars are not going to be appropriated this year means that this can wait another year until it's had the proper inspection and...and a thorough going over so that we can find out where the dollars do come from. I would suggest to this Body that we need some additional higher education dollars, that we don't need to dip into the pot that presently exists and that's what this bill is going to eventually do; and the problem is not the limited number of institutions that it envisions at this stage, the problem is the plethora of institutions that will be involved a year from now, two years from now, five years from now. There is a need for a growth in this area. There's no question about it, but that growth ought to be anticipated by this legislative Body prior to going into it. So, reluctantly, I suggest to this Body, we ought to turn it down at this juncture and come back here over the next year and look at this problem very carefully and recommend that...to the Legislature what ought to be done to train a pool...Illinois potential taxpayers that we desperately need but let's do it in an orderly fashion. I would suggest a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to this Conference Committee report. I...I regret that there has been some misinformation having been circulated throughout this Chamber in the last two...two...two week...two days, and I don't believe that Senator...I know that Senator D'Arco has not been a part of that, but I think there are some comments being made that, number one, the Scholarship Commission was

in favor of this, that they drafted the language, that they'd signed off, and those comments have been made to me and that simply is not true. It has also been stated by some that the Independent Federation of...the Federation of Independent Colleges and Universities in this State are supporting this bill and that is not true. It's my understanding that there was an agreement last year on this issue, but this is not the same draft, this not the same language, it's totally different. The...you may recall, last year the cap was a thousand dollars and it was for a two-year program minimum; now the cap is eighteen hundred and a one-year program can qualify. So, to clear up that misinformation...and again, Senator D'Arco is not a part of that misinformation. I think, also, we must understand that these same programs in many areas are offered in this State's community college system, and if there was to be a logical extension of the grants for individuals in this State, it should be to the community college system, that should be the next step, but we don't have the money to do that either. It simply is not there. This is a bad proposal. It's one that should...be rejected and I suggest a defeat of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to this proposal, and without belaboring...the point and I think we...other prior speakers have made the point in regard to the cost. I think the...another important point that I want to emphasize...that this proposal is a very radical change from the present programs that are reimbursed through the State Scholarship Commission, and it even is a very significant difference between the support to the proprietary institutions that we've talked about in this Body in...in years past. This pro-

posal would make it possible for students enrolled in programs...not just those approved by the State Board of Higher Education but also those...approved by the...the State Board of Education which approves programs that are not degree oriented and that may...may be significantly shorter than two years in duration. So, what is being proposed is a very radical departure from the present, and I suggest that before we jump off this cliff that we ought to take a step back and spend some time analyzing this...this proposal and what it means down the road, not only to the taxpayers of the State but...but to all the educational institutions, the colleges, the universities and the proprietaries included. I would urge a No vote.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

You know, let...let me...let me say this to you now, because in a way I think we've got our priorities a little screwed up. We have, you know, a great university system throughout this State and we send our kids to college and they get out of college and then they qualify for a job on the basis that they've been able to get through college for four years, and because of that, business people and corporations hire them because of the fact that they feel they've had...have the potential to do a good job and I...and that's fine...that's fine, I don't have any problem with that. But what about these kids that live in the ghettos? What about these kids that are trying to get out of the ghetto and they go to one of these schools and this is the only opportunity they have to learn secretarial skills, to learn how to run a computer, to learn how to do an accounting sheet so they can run a business at...at some point in their lives, to learn...how a cash register operates? What about these kids? Don't they have a right to exist and to be and to function

just like the rest of the middle-class of this country? Don't do this to these kids. Give these kids a chance. They deserve a chance, just like my kids and your kids deserve a chance. You don't know how tough they got it in that ghetto. You don't know what it's like there. Pass this bill for these kids.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I'm going to rise to support the Conference Committee report on Senate Bill 1517 probably because I'm a product of a technical high school and I believe in...in this area, and I'm concerned that a number of universities that we are talking about cannot provide this type of education that these young people are seeking in these...in these areas. You know, not everyone is made to become a...a doctor or an attorney or a CPA or...a lot of these other areas; others are very skilled with their hands and are good in the mathematics that was pointed in the computer areas, and this fills a void that I think it is missing in these universities and I don't think that a lot of students that would go into this may not be able to pass their entire curriculum at the university level where they could pass and become a very successful human being in their working life in these proprietary schools. So, I'm proud to support this. I do think it will help a lot of the people in the lower income area and those that...that need this type of...of...of help. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr Chairman and...Ladies and Gentlemen of the...of the Senate. I stand in full support of this legislation because I have in my district women who are deprived

of the opportunity of going to many of the schools whereby the ordinary young girl or boy would go to school. I have a young mother in my district who is going to a college of...same nature seeking to better her condition so that she can move out of the CHA and get a better apartment for her and her family. I think that if these young people have made mistakes and they're trying to better themselves, I think it is only right that we who are legislators here in this Assembly give them an opportunity. As the saying...if I can root, let me root; if I can't root, then let me die, and I do not think that we have the...the privilege to take the advantage away from people who want to help themselves. You talk about people on welfare, you talk about people who do not wish to do better, these are people who are seeking to become viable citizens and taxpaying citizens here in our State, and I think that we should go and stand by this legislation and give everyone an Aye vote on this piece of legislation. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Newhouse for a second time.

SENATOR NEWHOUSE:

Yes, Mr. President, I do rise for a second time and I apologize for having to do that, but the tenor that the debate has taken is unfortunate because what is being anticipated is if...is the child of the person who's going to get the training. If we're talking about the child who's getting the training, that's one kettle of fish. The beneficiaries of this legislation offhand is not going to be that child, it's going to be the professional institutions that are backing this bill who want the dollars. I don't mind them having the dollars. I think that they ought to have the dollars if they provide the service, but what we've done here is gone around the Higher Education Committee which is put together for the purpose of hearing just this kind of matter. My

committee is concerned about this problem, absolutely is concerned. Our concern, however, is that we put together the kind of training program that produces the result that everyone here is talking about. There is certainly no guarantee that under this program those results would have been...would...would be produced. If we look at the performance of some of these institutions we're talking about and the way they take the dollars away from these poor kids that we're talking about, you might find that a disaster story. We certainly don't want to...want to repeat that. What we do want to do, it seems to me, is talk about a level of training that is not exactly higher education, that is not certainly elementary-secondary, but falls within the higher ed...purview. We ought to take a look at this notion as it's been expressed, we ought to have the input of all the institutions that will impact on, we ought to understand what it's going to mean in the appropriation's process as to where these dollars are going to come from. Right now what we're talking about is eventually taking the dollars away from higher education, taking them away at a time when the pressures on the dollars in higher education are absolutely intense. It may be that we want to decide to do that, but let's do it in a deliberative fashion. There's been no hearing on this...let me clarify one thing, there was an agreement made a year ago. I'm not really sure that what we're talking about is that agreement. Were it that agreement, I might have to take another kind of position, but in the absence of that up-front kind of conversation that would legitimize that, in the absence of the...Scholarship Commission having the opportunity to...to agree...to deal with question, I don't think we ought to move it...at this time. It isn't that it's a bad idea, it's not a bad idea. It's an idea that hasn't been thought through and it's an idea that has not gone through the process.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. I couldn't agree more with Senator Newhouse and the statements he just made. We've heard testimonies that sound like that this is some kind of relief program. If it's a relief program, it's for the proprietary schools, the people that own them. Those young people that are going to those schools, it's a worthwhile thing, it's something that we ought to discuss. If we had a lot of money in our State Treasury and in our Scholarship Fund, it's something we might want to address, but I couldn't agree more with Senator Newhouse. This bill should be heard in the Higher Education Committee, should be discussed, we should hear testimony from...Scholarship Commission, from the proprietary schools, from the private schools or...or from the...private and not-for-profit schools. This is not the time to do this. This is a silly time of year...July the 1st when we're always bringing up some bad bill, think maybe everyone will be half asleep and we can get it through. I would urge a No vote on this also. Thank you.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I've listened very tentatively to the pros and cons of the previous speakers in regard to this bill. Senator Newhouse is in error when he says this is not a productive system. I had the opportunity to sponsor this legislation on two different occasions. On two difference occasions, I sponsored this...legislation and I took a tour of these proprietary schools in Chicago...in the City of Chicago, and one of our outstanding colleagues here on...a former colleague was

Senator Arthur Gottschalk. Now all of us has his respect and he brought down a contingent of those pupils in those schools. At the end of their...at the end of their education, practically every one to a person had a...had a job as soon as they graduated from the schools. I happen to have a college in my home town, in my district. I don't feel that my college has been cheated ever since I've been up here and I don't think that we should take the position...to deprive these people of an education. They work days...they go to school at nights; they work nights, they go to school in the day time. They're spending their own money to get this education. It's not money going into the private institutions, it's money going into the private institutions to help these people find a job who can't get one anywhere else unless they have these proprietary schools in Chicago. I disagree with all the opponents. This is a good bill and these people should be helped. I don't have any proprietary schools in my district, but I sure as hell want to support those who...who do have a proprietary school.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator D'Arco for a second time.

END OF REEL

REEL 02

SENATOR D'ARCO:

Let me clarify something so you understand what's going on here. The discussions last year about this bill weren't about some esoteric reality about whether this is a good idea or not, the discussions were about whether or not the cosmetologists should be included in the proprietary school concept to apply for the funds. That's what this controversy was all about. Whether or not procedurally there is something wrong with the way this bill arrived at this point in this Chamber, you can argue, yes, procedurally it should have gone to the Higher Education Committee, but everybody knew what the bill was about. Everybody knew what the bill did last year as well as this year and, in fact, the bill was modified and toned down a lot, but the argument about the bill was whether or not the cosmetologists should be in the bill. Now that's what this controversy is all about, and that's not enough reason to kill the bill. The concept is too good for that. This is a good bill and you should vote for it.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I rise in support of the first Conference Committee report, and not to be redundant but many young people choose not to go to a four-year institution or the two-year college and they should have that privilege and have that right, and I know many persons in my district attend those schools. I had a secretary who attended a proprietary school for secretarial training as such. Many of the lab technicians, many of these

programs are good to help our people. Court reporters is another area. So, everyone does not choose a four-year or a two-year institution to go to school. They should have that right. If we're going to take care of funding for those...for the four-year institutions through our Scholarship Commission, if we are committed to all students in our schools, then you would support this bill. Give equal opportunity to all...to all of our students, not to a select few who choose a four-year academic...career at a major institution or a two-year institution. If they decide to go to a...a proprietary...school to get some special skills, to further their education for employment, we in this legislative Body should be behind them one hundred...hundred percent. I don't know what all the fighting is about on this issue, but if you're concerned about education, you're concerned about getting young people into the employment area where they would have the necessary training, then you would support this bill. So,...should be no debate as to why we should do this. It didn't come on the eleventh hour. It's been around here for more than three years, as I know of. So, my good friend, Senator Dunn, let's get behind the children and support this bill on July 1.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LUFT)

He indicates he...will. Senator Fawell.

SENATOR FAWELL:

The real sponsor. Senator, I note, unfortunately, that there are a number of other provisions in this bill. I do happen to have a proprietary school in my district by the name of DeVry and because of that school, I have consistently

voted for funding those schools, because I realize that those students are not only desirable but, frankly, my corporations are lining up to get them as soon as they get their degrees, and they are good schools; but along with this bill, you have added several other bills. My first question, you have added the bill that says that all the buses, after a certain time, in this country...all school buses must have a certain height to their seats. We have defeated that...and...and I have been told that it has been...passed the House and the...and the Senate. So, it is redundant, but it is an expensive program that we are talking about, and I voted against it. We also have the conservation...which I've also been told has passed out. Is this bill basically...boils down to the proprietary schools or all...rest of this bill that I've been reading for the last half hour been passed in other bills and I don't know about it?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lemke.

SENATOR LEMKE:

Well, if you recall, Senator Welch had a bill that incorporated the teen package that passed the Senate into a House Bill called 2573. This report was filed prior to that time. What we're doing here that we haven't done already is, number one, the school council problem; number two, the proprietary school...school situation and, number three, a amendment which is wanted by the Department of Children and Family Services which is very...important to them to clean up the mess as far as day-care bus drivers. In other words, they have certain requirements they want which they can enforce against day-care bus drivers. So, the other measures we voted on and passed, and they have passed both Houses, I would assume that the Governor will choose which bill to sign or which bill to amend or amend both bills, that's his discretion. So, I think the problem here is whether we decide

to vote on the three proposals in this bill that have not been passed by this Body.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

All right, then...then I have another question. There are proprietary schools and there are proprietary schools. The schools that I have no problem supporting are the ones, indeed, that are supported by the State Board of Education; and I gather from this bill, these are the kinds of schools that you are talking about. You are not talking about the kinds of schools, for instance, that you can go for six weeks, learn how to drive a truck and then...and then walk away from that, not because anything particularly wrong with those schools, but that's not the kind of school you're talking about. Is that right?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lemke.

SENATOR LEMKE:

We're talking about the schools that are approved and accredited by the Illinois State Board of Education and the Illinois State Scholarship. Senator Smith gave me a list of those schools. If you're interested in which schools they are, I can read them all, DeVry is one of them and Airco, they're all approved in regards to welding and auto, fine arts, appliance repairing, medical-dental assistants, medical...court reporting and so forth. These are all schools I recognize as being some of the top schools in...in this type of education. I think they have survived and...and I think they're very fine schools, 'cause I can remember growing up as a youngster, after World War II with all the schools that were popping up and taking Federal money, these schools have survived and they're very good schools and I have seen the products of these schools in many of the businesses in my

area.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Fawell.

SENATOR FAWELL:

Is it your intention then to limit these schools to the ones that are approved by a State Board of Education? In other words, they will not be the kind that will go into business for a month, a year, two years and...and then some way or another find out a way of going out of business.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Lemke.

SENATOR LEMKE:

That's true, we want them to be approved by the State Board of Education or the higher education. This...this is the schools we're talking about. This is what the bill's restricted to.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I apologize for rising the second time, but I want to clear up or make sure that we have an understanding with respect to a statement that I made in my...in my debate. I indicated to you that it had been brought to my attention that the Scholarship Commission was, in fact, favoring this legislation and that simply is not true. Further I said...I said that...that they had...and...and for that reason had drafted the bill. Well, the fact of the matter is, the people supporting this concept did go to the Scholarship Commission and asked them to draft the language so as...if it passed, then they would be able to administer it, that's what the record should state, the Scholarship Commission does stand...does not have a position on this bill, do not favor this bill, but they did, in fact, draft the language, so...if it did pass, they could adminis-

ter it.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Etheredge. Senator Etheredge. I'm sorry. Senator Lemke, you wish to close?

SENATOR LEMKE:

Yes. I think that in Illinois...and it's time that we start looking forward and looking into progressing, that we cannot just be a State that's...is a service State that...educates engineers and doctors and lawyers and you name it. There's other people out there we must...educate. And as I grew up in the City of Chicago and around the Cook County Hospital, I watched business come into the area of Illinois and they used to say...used to be the saying in those days that you come to...if you couldn't get a job in Chicago, you couldn't get a job anywhere. It's getting to the point that you can't get a job in Chicago and industry is not coming here because we don't have people trained in robotics or computers. It's...it's...it's a great incident to know that when they decided to build the new auto factory in this part of the State, that the manufacturers of that plant have...had to bring in people from Japan to set up the robotics and the...and the other sophisticated equipment and teach people how to run that equipment and bring people over to run the equipment. We had nobody. We had nobody to compete in robotics. We have no schools in robotics in this...State. In fact, there's been a bill laying on the Calendar for two years...by Senator...by Representative Vinson to set up a robotics school in Illinois and nobody has taken it to sponsor it and try to get it through here to...to set it up at the University of Illinois. There's no initiative to this, and I know a lot of people from higher education and private schools and they feel the same way. There are students and people, not just kids, adults, unwed mothers, veterans that cannot comprehend the daily activity

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of going to higher education and they want to work and they want to support their families. I've seen too many incidents of people that could only get a job at McDonald's making three and four dollars an hour that have gone into these schools and now are making eight and ten and eleven dollars, and that unwed mother is able to support her child and not be a dependent on this State and can frown at the welfare worker that tells her she can't have a new bedspread or she can't have this or if...if her father buys her a...a piece of jewelry, she can't own it or she can't have a piece of...she's on her own. She is a worthwhile person and it's time that this bill passes and it's time that Illinois starts progressing like the other...some of the other states in this country to get business here and give them a...give them an asset that they're willing to take and that's well-trained people that can do the work that's necessary with their hands and not just with their minds. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LUFT)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1517. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 27, the Nays are 23, 2 voting Present, and the Conference Committee report having failed to get the require three-fifths vote is not adopted and the Secretary shall inform the House. Senator Lemke requests a second Conference Committee, please. On the Order of Conference Committee Reports is Senate Bill 2003, Senator Marovitz. Senator Marovitz in the Chamber? Next on the Calendar is...on the Order of Conference Committee Reports is Senate Bill 2108, Senator D'Arco. Senator D'Arco.

SENATOR D'ARCO:

Hello.

PRESIDING OFFICER: (SENATOR LUFT)

I'm sorry, read the...read the report, please, Mr. Secretary.

SECRETARY:

Second...first Conference Committee report on Senate Bill 2108.

PRESIDING OFFICER: (SENATOR LUFT)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. 2108 when it left this Chamber provided that a...a third party who is not in privity with a CPA, the CPA would not be liable to that...third party for certain negligent acts. The conference...there was a problem with that...at least some people thought there was a problem, and the various mortgage companies and bankers got together with the CPA's and they came up with some new language which indicates that a CPA is not liable to a third party unless he is notified by this client that his work is being done for a specific individual...the third-party person. And he is notified of that...and it also provides, however, that he sends a copy of such notification in writing or similar statement to those persons identified in the writing or statement. This is a good reasonable compromise to this bill and I don't know of any opposition to it and I would ask that we adopt the first Conference Committee report on Senate Bill 2108.

PRESIDING OFFICER: (SENATOR LUFT)

Any...

SENATOR D'ARCO:

Oh, there's also...there's also a provision in here providing for liability insurance for permanent carnivals in the amount of not to exceed five hundred thousand dollars.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

He indicates he'll yield.

SENATOR MAITLAND:

Senator D'Arco, several days ago the Department of Agriculture was somewhat concerned about the bill that...that was...the amendment that was originally on this bill. Has that addressed all those problems as far as you know?

PRESIDING OFFICER: (SENATOR LUFT)

Senator D'Arco.

SENATOR D'ARCO:

...I don't really know. I...I assume so, I really do, but I don't know.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 2108. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, the Ayes are 51, the Nays No, none voting Present. And Senate Bill 2108...or the Senate does adopt the Conference Committee report on Senate Bill 2108...and the bill having received a required constitutional majority is declared passed. We'll now return...Senator Marovitz is on the Floor, we will now return on the Order of Conference Committee Reports back to Senate Bill 2003. Would you please read the report, Mr. Secretary.

SECRETARY:

Conference...first Conference Committee report on Senate Bill 2003.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Senate Bill 2003 would allow prosecution for child abduction in any county which the child was taken. In other words, what happens in many of our counties throughout the State of Illinois, there will be a child taken and they will go to O'Hare and they will leave the jurisdiction of the State of Illinois from O'Hare Field; heretofore, when that child and that abductor is...is found, the trial must occur in the County of Cook. And the mother of that child who may live in southern or central Illinois will continually be inconvenienced and have to come to the County of Cook and try that case. This would allow...allow prosecution either to be in the County of Cook or in the County of the residence of the...of the child and the parent with...with custody. This also authorizes the Supreme Court to establish a program to reduce trauma for child witnesses in sexual offense prosecutions and creates...creates the Probation Challenge Act in Cook County. It authorizes local agencies and governments who are authorized to have criminal records to submit fingerprints that they already have in their position to the FBI. This was at the request of the State Police who said this was very important. It places the Firearms Owner Identification Fund into the...into the treasury at the request of the State...Police and requires victims of crime to be notified if a sentence has been reduced so that they can make a victim impact statement. And I would ask for adoption of Conference Committee Report No. 1 to Senate Bill 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, from my point of view, this Conference Committee report has some desirable features to it, but, Senator Marovitz, one feature of it that you didn't mention that I haven't really focused on, and I wonder if you

would yield to answer a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

It has to do with the provision which, I think it's in your analysis, apparently changes the...the law with regard to...the use of deadly force by a law enforcement official. According to your analysis, it says that...that currently a...the police are authorized to use deadly force against a person committing or attempting any...forceable felony whether or not the offender actually causes or threatens great bodily harm, and this would somehow change that so that deadly force could only be used in situations where an offender was committing or attempting a forceable felony in which he inflicted or threatened great bodily harm. I'm not sure that I appreciate that distinction and I wonder if you could explain it and even offer an example of what we're attempting to...change here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Yes, thank you, very much, Senator Barkhausen. This came at...from the Supreme Court...from Supreme Court cases and at the request of the Supreme Court. An example might be a purse snatching case where somebody snatched a purse and ran away and the...the...the offender was shot in the back. It was the Supreme Court's feeling that there should be a threat of bodily harm before...before deadly force was used, this is at the request, and that's why this was put in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

What happens to a police officer in a...in a disciplinary sense...or what would happen to a police officer if he were

to use deadly force say in...acting in...in haste and on the spur of the moment in attempting to apprehend a criminal, if he were to use deadly force in a situation where...where it would now be allowed where a forceable felony is being committed...but then if we were to do away with...with the provision...allowing the use of deadly force even in cases where there may not be an infliction or a threat of great bodily harm? Would...would this lead to police officers being disciplined in these kinds of situations?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Well, this is something that the Supreme Court has already established is the law of the land. In that particular case, there would be an internal investigation and a possible civil remedy for violations but that is what's going to occur today because the Supreme Court has established the law of the land.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

So, are you saying that we are...we are doing here by Statute what the Supreme Court has already done by common law...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR BARKHAUSEN:

...or are we...are we simply...are we following up...when you said it was a recommendation of the Supreme Court I...you know, they put out an annual report where they make recommendations to the Legislatures. Is this simply a recommendation or have they...handed down a case where they've declared this to be the common law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

This is directly from case law passed by the Supreme Court, not...not a recommendation that they've come out in the report but case law and this is just codifying the existing case law. If that officer was acting in good faith, I'm sure there would be no problem but it would be an internal matter as it would be now or a civil matter as it would be now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much. Much of the...much of the material in this legislation was at the request of the State Police and the Supreme Court and to help those mothers and custodial parents where there has been abduction of the child. I would ask for an affirmative vote of Conference Committee Report No. 1 to Senate Bill 2003.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2003. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 9, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 2003 and the bill having received the required constitutional majority is declared passed. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Mr. President, ask leave of the Body to have Senator Degnan added as a hyphenated cosponsor on Senate Bill 2165.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...you've heard...heard the request to add Senator...Degnan on...as a hyphenated cosponsor of House Bill

2165. Is leave...Senate Bill...Senate Bill 2165. Is leave granted? Leave is granted. Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1176 offered by Senators Lechowicz, Rock, Demuzio and all Senators and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. It appears now that we only have about twelve or thirteen items remaining. The conferees have informed me that with respect to the appropriations they are pretty much in agreement. We have scheduled a meeting with the Governor at two o'clock, so I'm going to suggest in order to move the paper that the...we can take a lunch break and...I'm going to suggest the Senate stand in Recess until three o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved that the Senate stand in Recess until the hour of three o'clock. The Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House from Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask

the concurrence of the House to-wit:

House Joint Resolution 236. It is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to concur with the Senate in the adoption of their amendments to House Bill 2486, Senate Amendments Noes. 1 and 2 and this will appear on the next supplemental Calendar under nonconcurrence.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to recede from their amendments to the following Senate bills and ask a Committee of Conference be appointed, and the Speaker has appointed the members on the part of the House.

Senate Bills 1734, 1624 and 1917.

PRESIDENT:

The House has requested that we accede to their request for a Conference Committee on Senate Bill 1734 which is Build Illinois, 1624, Senator Demuzio and Senate Bill 1917 which is the General Assembly. On 1734, 1917 and 1624, Senator Demuzio would move that the Senate accede to the request of the House, a Conference Committee be appointed. If I can have the attention of the members, the House has just taken a dinner Recess...well, allow me just to try to explain where we are. As I...as I read this, there are about a half a dozen appropriations yet outstanding...not the least of which is Build Illinois, which has been agreed to but it's a question now of circulating it among the conferees for signature and obviously affording the members the opportunity to see the copy once printed. They claim that that will take in

excess of an hour and a half. In addition to that, there are probably less than ten substantive bills either in terms of a House amendment coming back to the Senate or more likely Conference Committees. So we are down to less than twenty items, in my judgment. I have conferred with the Minority Leader and then I conferred with the Speaker, it is our intent to conclude our business tonight. So we...we, too, will be working straight through so we don't have to be here tomorrow. If I can suggest that we go through the Calendars that we have currently, then we, too, will break for dinner and try to expedite the movement of the paper. We have the regular Calendar and then we have Supplemental No. 1 and then we have Supplemental No. 2 and then we have Supplemental No. 3, and there are seven or eight items. So, if I can suggest that we just go through it, those who wish to call the bills, fine; if you don't, that's fine too. At some point we will make the determination that we have done what's necessary for the orderly operation of government and we will go home. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, I'll be making one or two more announcements in regard to the...Independence Day speech. I just received another shipment...they're going...they're going like hot cakes.

PRESIDENT:

That's the alternative, Senator Sam, we could just all stay here and you could read it to us. On the Calendar on page 8...all right, page 8 on the Calendar. On the Order of Conference Committee Reports, House Bill 2989, Senator Sommer. House Bill 3549, Senator Etheredge. Senate Bill 1763, Senator Sommer. Supplemental Calendar No. 1. On the Order of Secretary's Desk Concurrence, Senate Bill 1747, Senator Donahue. On the Supplemental Calendar No. 1, on the Order of Secretary's Desk Concurrence is Senate Bill 1747,

SB2076 1st C.C.R.

Mr. Secretary.

SECRETARY:

Senate Bill 1747 with House Amendments 1, 3, 4, 6, 7, 9 and 10.

PRESIDENT:

Senator Donahue. Supplemental Calendar No. 1. One...one item on it. Senator Donahue.

SENATOR DONAHUE:

Mr. President, I apologize, but we still haven't located the ten million of the...for the Ag. Premium Fund and Jerry Joyce is going to have a fit again, so maybe we better just hold it one more time. I apologize, take it out of the record.

PRESIDENT:

Sure, that's fine, we'll be here tomorrow. Supplemental Calendar No. 2, Senate Bill 2076, Senator Geo-Karis. On the Order of Conference Committee Reports, Supplemental Calendar No. 2, Senate Bill 2076, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2076.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, we recommend that the Senate concur in House Amendments 1 and 2 and the addition to the conference report was that increases the notice a punitive father must be get...must get before evidence that he intended to forego his parental rights that may be used to find him unfit, and specifies...spells out specifically legal steps he must take to assert his parental rights. I...I urge the concurrence and the...passage of this report.

PRESIDENT:

Any discussion? Is there any discussion? If not, the

SB 2165 C.C. Rept.

question is, shall the Senate adopt the Conference Committee report on Senate Bill 2076. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 1 Nay, 2 voting Present. The Senate does concur...does adopt the Conference Committee report on Senate Bill 2076 and the bill having received the required constitutional majority is declared passed. Senate Bill 2165, Senator Jeremiah Joyce. With leave of the Body, Senator Degnan. On the Order of Conference Committee Reports, Supplemental Calendar No. 2, Conference Committee report on Senate Bill 2165, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2165.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. The first Conference Committee report on Senate Bill 2165. In that report the Senate concurs in House Amendment No. 4 which repeals...which removes some advertising restraints in the bill, also some new...added language as a result of the concern of several dram shop attorneys who reviewed the bill after House passage. The bill is substantially similar to Senator Barkhausen's bill. I move adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2165. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting

Present. The Senate does concur...does adopt the first Conference Committee report on Senate Bill 2165 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No...3. Senate Bill 1917, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1917.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I will move the adoption of the first Conference Committee report on Senate Bill 1917. This is a bill which passed out of this Body calling for proper notification in the event of a Special Session, came back with a technical House amendment which the Conference Committee report has us recede from and adds language to increase our district office allowance effective July 1, by eight thousand dollars annually. This is a subject matter that I know is of interest to many of the members. We...Senator Philip and I have discussed this at great length with the Speaker and the Minority Leader. It is something that I feel the members of the Senate are due and owing and I would urge the adoption of the first Conference Committee report on Senate Bill 1917.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1917. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 13, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1917 and the bill having received the required constitutional majority is

declared passed. All right. Channel...we have a request that Channel 11-WTTW in Chicago wants to shoot from the...from the President's Gallery, videotape, I assume. Is leave granted? Leave is granted...third Conference Committee report, Senate Bill 2018, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2018.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President, members. Senate Bill 2018 is a Transportation Department bill which in its original form made a number of technical changes, the likes of which were not to require school buses to stop at abandoned railroad crossings and things of a similar nature. It passed out of here 54 to nothing. Later there was a controversial issue as far as putting on a high speed rail...authorizing a high speed rail between Detroit and Chicago. This would confirm our removal of that. But the most significant thing about this bill is it contains the substantive language for an RTA program which does three major things. The first thing it does is it clarifies the ability of the RTA to bond up to fifty million dollars for self-insurance purposes...pooling purposes. The second thing it does is it provides five million dollars for an RTA security program. Such security would be in the CTA. It's anticipated that they would be contracting with the...the City of Chicago for a City of Chicago Police Unit and it...otherwise permits contracting with private agencies. And the third thing that it does is provides four and a half million dollars for handicapped transportation. It does not increase the bonding authority but does clarify that fifty million of that bonding authority can be used for the bonding of the...for the self-insured insurance pool. I believe there's bipartisan support for it

and I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Darrow.

SENATOR DARROW:

It's my understanding that the appropriation for these grants was in the Department of Transportation budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

It was in House Bill 2998 which has already been approved, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Prior to your joining this Body, it was my understanding that legislation we passed would have provided that the RTA be self-supporting and they wouldn't have to come back down here with their hand out. Why are we now giving them a 9.5 million dollar total grant appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I'm not thoroughly conversant with the history of the RTA but I've spent some time visiting with them and they describe very serious insurance problems, very serious security problems and very serious needs in the area of handicapped transportation and I believe it's an appropriate expenditure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Well, is Peoria also going to receive a portion of a grant and are the other downstate mass transit authorities going to receive similar grants or is this just for the RTA?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I...I believe that this enables other downstate transportation units to also participate in the...in insurance pooling self-insuring but not in this pool.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

But...but are the downstate mass transit units going to receive a similar grant or are we just helping Chicago and Cook County and not...and the surrounding counties and not the rest of the State? We've gone over this year in and year out and I thought we had solved the RTA problem and they wouldn't be coming back all the time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

This vehicle does...or this legislation does not include additional funding for downstate units.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. My questions to...question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

My questions too go to this grant program, do I understand there is over nine million dollars that...that is available to the RTA out of the Transportation Fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

The five million for the security program is coming out of general revenues and is also authorized to come out of the Transportation Fund. Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, Mr. President, I...I have problems with this. One...one of the...only way, really, that we can get any money to fix up downstate roads, as I understand it, is out of the Transportation Fund. And we've had problems over the years of diverting money out of those funds and...and the fund dries up. And I have a little problem with this whole process unless...unless it's just a matter of my not understanding what's being done. But as I understand it, they've taken the money out of the...in effect, the Downstate Transportation Fund to...to provide monies for the RTA; and the RTA, as was earlier pointed out, is supposed to be a...self-financing project now, and I...I think this is moving in the wrong direction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senator Poshard and I have a...a bill that's been floating around here trying to get out of Rules and now hung on a Conference Committee someplace in the House which would have created the language for downstate transit districts to benefit in the area of paratransit, it is not moving anyplace. And then we are faced with this kind of an appropriation for the mass transit system in the Chicago region, and I think there are many of us here that do not think it fair that the two things have not moved simulta-

neously.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, as the spokesman on transportation, I, too, am a little disturbed about Senate Bill 2018. I realize what happens around here in the closing days of the Session. First of all, the appropriation was a part of the DOT budget that I handled here on the Floor, but like a lot of other things that happens in the appropriation process, it was something that came on late, came on in Conference Committee, something that I really didn't have a chance to participate in. Now we have Senate Bill 2018 which is really the enabling legislation for that appropriation. You know, our Transportation Committee, like a lot of others, was not particularly overworked this year. We had, I think, only one hearing on Senate bills and one hearing on House bills and we never heard this subject at all. It never became a part of the process, and that disturbs me a great deal to think that here we are on July 1 and here's a brand new subject, a nine million dollar appropriation for something that never cleared the Transportation Committee at any time that we were meeting. We had ample time to deal with it and we were denied that opportunity and, for that reason, I'm going to have great difficulty finding it in my heart to be able to support this Conference Committee report. In fact, I do not recommend concurrence in that report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Senator Leitch, I know we discussed this, but for...for the record, could you please explain to us, am I correct to assume that 2018 will, in fact, allow the establishment of a permanent bus security

unit within the Chicago Police Department to patrol the CTA buses?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Yes, it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?

SENATOR LEITCH:

I might add...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

...to answer one of the other points raised in debate, that it doesn't do us downstaters any good to have the CTA and to have the RTA an unsecure place to ride. We...we have a stake in seeing the RTA be successful. If the RTA is not successful, then more people don't ride it and it further aggravates a very serious transportation problem in the City of Chicago. And so, while I am in total sympathy with a need for those of us downstate to participate in this funding, I don't find it uncomfortable at all to be supportive of the security issue. I would also say that it's very...very rational and very logical for those of us to attempt to participate in the handicapped situation as well. But in...in the City of Chicago and in the RTA what...what one finds here is the alternative is...is not an acceptable alternative. If this is an alternative to have...have to otherwise go out and...and refit buses and...and do things which would...accommodate the handicapped people who rely on this for transportation and I'm persuaded is a very cost effective way to proceed, which is not to say that it shouldn't also apply to those of us downstate but it certainly is a rational thing for the RTA.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? There are seven additional speakers. Senator Schaffer.

SENATOR SCHAFFER:

I...I know this will disappoint Senator Rock who probably at this point in the deliberations was truly looking forward to me to give one of my historic anti-RTA speeches along the lines of shoulder to shoulder was...that was always my favorite one. I didn't...win on that one either. It won't surprise most of the people who are familiar with the RTA history that this is about five percent of their original agenda. You'll notice that I have signed this Conference Committee and I have done it for a couple of reasons. The major components of this are the bonding authority for their liability insurance. They have a tremendous problem on liability insurance and they had a problem long before anybody else did. You'll recall the old story about the CTA bus with ten people on it that hit a telephone pole and by the time the police got there there were forty-three people on the bus. Well, that's not all humor, as a matter of fact, they have a big problem. This does not increase their bonding authority at all, it allows them to use some bonding authority they had for this purpose, which means that some capital projects down the road may very well be precluded. We've authorized this type of procedure in...with other units of government...seems in order. The 4.5 million dollars for the paratransit, the handicapped money is similar to 4.5 we appropriated last year of which I am told they have only expended about nine hundred thousand. They have...address, frankly, by Federal mandate more than State, but by mandate, the paratransit question. They came down here, as they are accustomed to doing, with their hand out...they didn't get much. The 3.5 for security, well, they have a big security problem. I would suggest to everybody that to the best of my

knowledge the negotiations have not included the Executive Branch and that there is no commitment at the Executive level to spend any of this money. It would seem to me we could kill this and be here tomorrow, I...I'm really looking forward to Senator Vadalabene's speech; or we can proceed and in this year of tight fiscal...calamity why we can let the Executive Branch decide whether he wants to...to fund this. I have a suspicion without wanting to second-guess the gentleman on the second Floor that this may not be the highest priority he can come up with. But as I pointed out in the course of the negotiations, they came down here looking for a lot more and they didn't get away with too much, and I have a feeling what's in this bill is going to be trimmed back pretty dramatically by the Executive. I'm inclined to support it. One of the things that I think Senator Sangmeister and I learned a long time ago is that RTA bills very seldom come back any better than they start.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under this bill, the RTA has the bonding authority and can borrow as much money as it wants to borrow and to issue negotiable bonds or notes under Section 4.04 on page 16. There's no provision that I can see for a referendum. Is there any referendum provision for it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

No, it's my understanding that the cap on the bond authority is four hundred million dollars, that they've

already issued somewhere in the vicinity of a hundred million, ninety million perhaps, and that what this does is make clear that they can bond for this insurance pooling purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Under Senate Bill 1200 that was passed by this House last night,...on pages of, I believe it was fourteen and fifteen, or was it sixteen, I'm sorry, page sixteen...the bottom, it says that "The board of a local taxing entity may issue General Obligation Bonds." Now is the RTA a local taxing entity, can you tell me that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I don't think so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

You don't...know is there...the staff person around to tell us whether or not it's a local taxing entity?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Leitch.

SENATOR LEITCH:

I don't know, I...I would point out that...that...that the points that you are describing I think are already law. That the...the changes are those underlined in the Conference Committee report and are therefore the ones that issue here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The reason I'm bringing it up...Mr. President and Ladies and Gentlemen of the Senate, is that if Senate Bill 1200 is signed into law by the Governor and if the RTA is a local

public entity or local taxing entity, it will have the right to issue General Obligation Bonds without referendum and this is just something I am pointing out to all this Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...DeAngelis.

SENATOR DeANGELIS:

Well, I hate to come in late on the scene but a couple of points ought to be cleared up. The Assistance Repair Transit is not new, fellow Americans, it's in the bill already, it has been in. All that's being done now is being extended from '86 to '87. It's not a new concept, it's always been there. In regards to the downstate, we're amending the RTA Act. If you other guys want to be included in the RTA, we'll be happy to include you but I don't think most of you want to. And that's why you're not in this. The third thing, you know, I just happen to live in an apartment in Springfield in front of one of the major traffic routes, and I want to tell you, I wish to hell I had the buses you have in Springfield in my RTA district. Those are some of the finest looking buses I have ever seen. And you ought to come up to my area and see...see some of those things, half of which are usually towed around by a tow truck. I...I don't know why we get into this kind of fight. Somebody said the Road Fund, well, I would like for those people to kind of look once to see what Region I contributes in motor fuel taxes and what Region I gets back in road funds. Now if we want to regionalize everything, that's fine with me, 'cause, boy, I'll tell you, in suburban...Cook County we're going to come out like bandits. But what we're trying to do here is to provide a program to create a secure system to do grants that we've already done in the past. And Senator Geo-Karis, the RTA's taxing is a one percent sales tax, it's not a property tax where they would go back and levy. And that tax is authorized by this General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Our analysis says that this was a pilot project for one year and now the RTA is back for more funds for the next year. And it also states that our staff requested a detailed explanation of how the RTA spent the funds that were given to them last year, and so far, the RTA has refused to supply us with that information, why is that? That's a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I couldn't...I couldn't hear the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The question is, why has the RTA refused to supply us with information in regard to a detailed explanation of why and how they spent the money last year? I can't understand why they won't tell us where the money has gone and why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

(Machine cutoff)...that...that was requested, but I would only say that...and I...I know it is unfortunate that it came up in the eleventh hour through this process instead of going through the normal process, that's no doubt regrettable. I would only observe that in the last forty-eight hours as I've visited with them, I've found them to be most...most forthcoming and willing to answer whatever question might be...might be arising.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson. Further...Senator Watson.

SENATOR WATSON:

Thank you. Well, I think it's unfortunate they have refused to cooperate in just supplying us simple information on how they're spending our money. It's their money also but it's simply a...a diversion, as what was mentioned earlier, from the Road Fund. I'd like to also ask this question, is who has these security contracts? Who had them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

I don't know. I understand there's some history where...over the past few years there have been some very unsatisfactory...attempts to make this system more safe and that one of the major motivations for this thing at this time is to try and cure some of the problems that...that did occur in the past.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Well, the other side must have a different Conference Committee report from their staff...analyst than we do, because, basically, our analysis of this Conference Committee report says it creates a self-insurance risk pooling arrangement and liability coverage for the RTA, CTA, Metro and Pace. It establishes a self-insurance trust bonding authority, continues a project established last year where...where the RTA provided the State grant to all commuter boards to enhance policy security, maintains the paratransit project for the RTA established last year for the...mobility limited. This proposal would provide that each of the four entities would participate in a self-insurance trust to cover injuries and damages resulting from catastrophic occurrences. If anyone who has gone through as much time and deliberation as we had as far as

with the insurance crisis, not only in this State but in this nation, would...would agree that if anything is needed in public transportation, it is the ability of self-insurance. It also creates the self-insurance arrangement. The RTA expects to finance this project with the sale of debt obligation. How else are you going to do it? It's the only way to do it. The provision regarding membership on the suburban board were also attempted last year but were deleted in last...last year's Conference Committee. Currently, mayors of various communities serve on the board by virture of being mayor. This change would allow a former mayor to serve, presumably in place of the current mayor. Basically, ladies and gentlemen, this is a good Conference Committee report. I can't see...unless our analysis is totally different from yours, but everything I see, it's needed. And I'd strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I...I'm a little surprised with all the rhetoric with respect to the Regional Transportation Authority. The grant was discussed in the Appropriations Committee and as Senator Rigney rightly pointed out, the paratransit grant has in fact been reappropriated for this fiscal year to provide those services to the...those persons whose mobility is limited. The only thing this does...and the fact of the matter is, we don't have to do it right now, we could do it in the fall. But Mr. Skinner who is the chairman of the board apparently decided, well, we've got to do something on our self-insurance program, we've got to get some muscle behind the self-insurance program, and I agree with that, why don't we do this at the same time because there's no objection to

it. And the only thing we're doing is we are saying for that limited grant of money, last year it was nine hundred thousand dollars, for that limited grant of money we are taking it out of the fare box recovery ratio that we fought so long and hard around here to get, because we didn't feel last year it was fair to ask the transportation authority to embark on a new program to help those with limited mobility and at the same time charge that against their fare box recovery ratio, 'cause this Assembly said you have to get so much out of the fare box before you get the State grant. Shouldn't be any objection to this. The only part that I find that could be objectionable is something I don't think anybody is quarreling about and that says the department "may," not "shall," "may" make grants to help with security. And I'll tell you, anybody who has ridden a bus or a train or an EL in...in the County of Cook and most particularly in the City of Chicago should welcome this. And it's not simply that big a ticket item. I think this year's discretionary grant will total about three million dollars. We...we are fighting truly about something we should not be fighting about. Everybody should be in favor of this bill and I urge an Aye vote on the adoption of the Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Leitch may close.

SENATOR LEITCH:

Thank you, Mr. President. I simply would say I'm a downstater and there's little direct interest in me in seeing the RTA solve its problems, but at the same time there is an interest. I think that all of us have an interest in seeing that system work. It doesn't benefit us to have an...an unsafe, unapproachable, unusable system in the RTA. It doesn't benefit us throughout the rest of the State to have handicapped people who need help not be able to get it and get the transportation to which those of us otherwise are

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entitled and ought to have. And so I would simply urge an affirmative roll call and urge those of you who do more directly benefit in the collar counties and in Cook County to join me in voting for this Conference Committee report. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2018. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 17, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 2018 and the bill having received the required constitutional majority is declared passed. Let's go...with leave of the Body, we'll return to the regular Calendar, today's regular Calendar, page 7...page 7 on your regular Calendar, Secretary's Desk Concurrence...is Senate Bill 2117. Your regular Calendar, page 7, Secretary's Desk Concurrence, Senate Bill 2117, Mr. Secretary.

SECRETARY:

Senate Bill 2117 with House Amendments 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 20, 21, 23, 26, 27, 28 and 30.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'm going to move to both concur and nonconcur. I'm moving to concur on Amendments 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 21, 23, 26, 27 and No. 30.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch that's all but 4 and 21, is that correct?

SENATOR WELCH:

It's all but No. 20 and 28. You weren't even close.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Why don't we take the concurrence first then. You're...you're going to move to concur...you want to restate your motion, sir? Senator Welch.

SENATOR WELCH:

I'm moving to concur in House Amendments No. 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 21, 23, 26, 27 and 30.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Amendment No. 1 is a comprehensive amendment that rolled in a number of amendments in the original bill on House Bill 3036 that we passed out of here a few days ago. Amendment No. 1 deleted everything in this bill after the enacting clause, added a provision amending the Chemical Safety Act to...exclude from coverage certain classes of releases. It also provided that certain remedial actions may not be used as evidence of negligence or...culpability, authorized local response agencies to suggest certain additions to response plans and other changes. It amends the Enviromental Protection Act to exempt certain retail liquid dispensing facilities from payment of the air pollution permit fee, requires the owner and operator of certain sanitary landfill sites to monitor such sites and abate any problems related to gas, water or settling for a period of at least five years after the site is closed. The next provision; making the issuance of bonds to pay for necessary sewer repairs subject to the approval of the local governing body is later removed in another amendment, requires that a closure performance bond be directly related to the design and volume of the entire waste disposal site, provides that no unit of local government shall be liable for any injury resulting from its exercise of authority pursuant to a delegation agreement with the Illinois EPA unless the injury is caused by willful and

wanton negligence, provides that insurance policies may provide for the nonpayment of claims which are barred, it deletes language relating to the system of Federal clean air regulations and authorizes the...the board to adopt site specific rules...a change of motion here, Mr. President. We're moving to nonconcur on Amendment No. 1...No. 20 and No. 28 because of a problem with drafting the Conference Committee report. So everything I just read to you...you can...that...remember that when we get to the nonconcurrence. So...do you want me...I'll start with Amendment No. 2 which we are now concurring with. This...this amendment changes the date for the fee for the underground storage tanks from July 1, 1986 to July 1 of '87. Specify...No. 3 specifies procedures for enforcement of violations pursuant to administrative citations. No. 4 provides that the Department of Energy and Natural Resources shall determine whether to conduct an environmental impact study with regard to regulations identical to Federal regulations. House Amendment No. 8 deletes the provision relating to the issuance of bonds to pay for necessary sewer repairs returning it back to the original Statute as it exists today. House Amendment No. 10 deletes a reference to Chapter 111 1/2 relating to the passthrough of Federal Clean Air Act regulations and the associated permit program. House Amendment No. 11 provided that if the board finds that a person appealing from an administrative citation has shown that the violation resulted from uncontrollable circumstances, it shall adopt the final order which makes no finding of violation and impose no penalty. No. 14 adds a provision amending the Gasoline Storage Act to prohibit municipalities from establishing standards for underground storage tanks which are different from those of the Office of the State Fire Marshal. No. 18 amends the Chemical Safety Act to require that Emergency Services and Disaster Agency establish procedures for notifying residents

of a geographical area affected by an incident requiring an emergency response action. No. 19 requires the Pollution Control Board to adopt regulations by September 1, 1988 for the purpose of classifying special waste. No. 21 amends an Act in relation to the management of low-level radioactive waste prohibiting the granting of a license for facilities to handle low-level radioactive waste away from the point of generation in Illinois until a regional management plan has been adopted. No. 23 creates the Metro-East Solid Waste Disposal and Energy Producing Act. No. 26 exempts storage facilities licensed on the effective date of this amendatory Act from prohibition on accepting low-level radioactive waste generated in a place other than the place of treatment. No. 27 adds provisions amending the Criminal Code in the Chicago Sanitary District Act to provide for seizure and forfeiture of mobile equipment used in midnight dumping. And No. 30 includes treatment facilities other that sites or facilities of which the State is performing certain remedial actions within definition of regional pollution control facility. I would move for a concurrence on those amendments, Mr. President.

END OF REEL

REEL 03

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. My handlers tell me that this is the procedure that we're taking to put this into conference, am I right on that, Senator Welch?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's correct, Mrs. Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I just...I'm just a little leery of this, this is such a major piece of legislation right now that I'm just nervous about doing it. Okay...why...one question of the sponsor. Why are we concurring on all these amendments, why are we just nonconcurring on the two that we all have a problem and send it to conference?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, is that a question posed to me? Well, the...the gentleman has every right to make whatever motion he wishes on his legislation. He has moved to concur in some and nonconcur in others, and we have taken the practice that if we wishes to have an affirmation of the Senate on concurrence of certain amendments, he's entitled to that privilege. Senator Welch.

SENATOR WELCH:

We were requested by the sponsors in the House to concur in these amendments making the Conference Committee report easier to draft so that they would just recite those amend-

ments instead of having to enroll and engross all of the amendments all over again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Thanks, Vic. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The timer is on.

SENATOR KEATS:

...when you...when you have a bill with twenty some amendments, twenty-eight or something like that, how many of these amendments ever went through a committee? How many of these amendments were on bills that were defeated? How many of these amendments were bills that died in Rules, but more importantly, how many of these...how many of these amendments have any of us ever seen before? I mean, I've got to admit some of them don't look real familiar. I mean, hitting the midnight dumpers is a heck of an idea and I'm not arguing it, but how many of these twenty-eight amendments has anybody ever seen in a committee hearing or in public or is this all a behind the scenes deal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Welch.

SENATOR WELCH:

Senator, most of these have been kicking around here for four years at least. Let me...let me point out a couple of things. House Amendments 1, 2, 3, 4 and 8 and 11 and 20 were Senate amendments to House Bill 3036, so those we have voted on and heard of before. The existing language...adoption of the Clean Air Act regulations is new as is the language establishing standards for underground storage tanks which differ from the fire marshal's, that is new. There is some new stuff here but almost all of it is requested by the administration, as far as I can see. An amendment that I

requested was one that I'd been introducing for four years and a pesticide amendment I believe is...is not going to be concurred in, so that...even though it's new will be debated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

What you're really s then, the majority of the amendments aren't really part of the committee process, they're just kind of something worked out. I...I mean, I just...okay,...I mean, if there's one thing we've been arguing about, we're just beating on the RTA bill and the same thing, all this stuff comes up at the last minute. I'm not telling you some of these amendments aren't pretty good amendments. I'm just kind of saying, hey, you know, it...it...it's July 1st and...and, you know, we've been in Session since January.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Woodyard.

SENATOR WOODYARD:

Senator, on Amendment No. 2, I believe that's correct, on exemptions...on administrative citations under this 31.1...and I apologize, I do not have the Conference Committee report here in front of me, our analysis indicates that there would be exemptions on administrative citations under people who operate under a 31.1 Section, what kind of a landfill is that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's the...the reference to an on-site generator of...waste.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard. Senator Woodyard.

SENATOR WOODYARD:

...then this would be a...a manufacturer, somebody like that that has a...a landfill on their own land and they're the...the only generator to that landfill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch:

SENATOR WELCH:

Yes, it's an on-site producer, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you. In that same light, what is the maximum penalty for that administrative citation on those not exempted?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The maximum is five hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Okay...okay. Thank you, Mr. President. It's my understanding, that...that...that there has been an agreement reaped on this bill; obviously, the motions that...to concur will be final passages of those and those are legitimate questions, but for the Body, it's my understanding,...an agreement has been reached between the environmentalists and business and everybody is on board...the Conference Committee report has been drafted, so on the motion to nonconcur would be appropriate to support that motion and send this bill to conference.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Due to a mistaken opinion by someone in the House, I've been advised now that we do want to concur on House Amendment No. 1. So, in order to draw the Conference Committee report and have it back in time, we are now moving to concur on House Amendment No. 1 together with the other amendments I stated. So we will only be nonconcurring on 20 and 28. So I'd be glad to explain Amendment No. 1 further if anybody would...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, Amendment No. 28 amends the Illinois Pesticide Act to provide that nothing in this Act shall preempt local regulation of commercial...nonagricultural application or storage of pesticides.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...

SENATOR GEO-KARIS:

We...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Geo-Karis, pardon me. Senator Welch.

SENATOR WELCH:

We are not...that is not part of this motion. We are only concurring on the...amendments other than 20 and 28. I think that your argument would be better on the motion to nonconcur in which you would argue a...for a No vote, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...I might as well finish now. I hope that you will include it when you have your conference report, because we have had instances where these pesticides have caused a lot of bad health, people have been in intensive care. So I do feel there should be local control over them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch, you may close and perhaps you might restate for the record your intentions on the concurrence on the amendments. Senator Welch.

SENATOR WELCH:

And my apologies to the Body for the confusion there, this is a very detailed bill. The motion is to concur on House Amendments No. 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 21, 23, 26, 27 and 30. This bill has been the subject of a great many days of negotiation. All of these amendments were subject to debate in the House and, in fact, that's what held up most of these amendments for several days was because the length of the debate. So I would move to concur in those amendments stated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...the question is, shall the Senate concur in House Amendments 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 21, 23, 26, 27 and 30 to Senate Bill 2117. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 7, 6 voting Present. The Senate does concur in House Amendments 1, 2, 3, 4, 8, 10, 11, 14, 18, 19, 21, 23, 26, 27 and 30 to Senate Bill 2117. Senator Welch on nonconcurrence.

SENATOR WELCH:

Yes, Mr. President, I would move to nonconcur on House Amendments No. 20 and 28.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch moves to nonconcur in House Amendments 20 and 28 to Senate Bill 2117. All those in favor indicate by saying...Senator Geo-Karis.

SENATOR GEO-KARIS:

I...I am opposing the nonconcurrence on Amendment 23 on the grounds that I stated earlier.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...I beg your pardon. Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I was wondering if the sponsor would divide the issue. I think some of us do support 28, kind of like to see that concurred in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito, for what purpose do you arise?

SENATOR ZITO:

To comment on the nonconcurrence of Amendment 28.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Do you seek to divide the question also? Senator Zito.

SENATOR ZITO:

Seek to make a comment, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, just...we are at the leisure of Senator Welch at the moment. (Machine cutoff)...right, Senator Schaffer has sought to divide the question and to...Senator Schaffer.

SENATOR SCHAFFER:

I'm reliably informed that that issue will come back in the Conference Committee, so rather than delay the process, why don't we just get our motion and get going.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? There's all kinds of lights on. Senator Fawell.

SENATOR FAWELL:

I have a question on...on Amendment 20, I wonder if the

sponsor would yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question on Amendment 20. Senator Welch.

SENATOR FAWELL:

Is this amendment the amendment that says, in effect, that if somebody goes through...all...goes through the process, denied...an appeal...I mean, denied an application, goes all the way through the process, finally gets the application and...and is this the amendment that says that you've got to go back now and start all over again with the new rules and regs. that we have put in since that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's correct, Senator, and that's why I'm moving to nonconcur with that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

So your point is that we are now going to be able to allow somebody to apply for a permit, get all the way through the process and then be able to go under the...rules and regs. that he originally applied under?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, this is nonconcurrence, Senator. I'm moving to take that out of the bill and...take it to a Conference Committee. So that will not...that as stated in the existing bill before you will not appear in the same fashion in the Conference Committee report. So...you want it out, if you vote to nonconcur,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

SENATOR WELCH:

...it will be out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Why don't we just...further discussion? Senator Joyce. Jerome Joyce. All right. Senator Welch has moved to nonconcur with House Amendments 20 and 28. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. (Machine cutoff)...right, leave of the Body, we'll go to the Order of Resolutions. Resolutions.

SECRETARY:

Senate Resolution 1177, by Senators Fawell, Philip and Topinka, it's congratulatory.

Senate Resolution 1178, by Senator Donahue, it's congratulatory.

Senate Resolution 1179, by Senator Topinka and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. On the Order...all right, Senator Carroll, for what purpose do you arise?

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Last night in my temporary absence at a Conference Committee, we had put in a resolution that was inadvertently sent to Executive as opposed to being immediately considered and adopted. I would, therefore, move you, Mr. President, that Senate Resolution 1173 that the Committee on Executive be discharged so that the resolution can be immediately considered and adopted. This is the resolution consistent with our discussions with Central Management Systems on asking the Auditor General to review the process and procedures involved in the lottery building as agreed to by CMS and those in the Appropriation's Committee. This resolution would accomplish that goal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1173. On that...Senator DeAngelis.

SENATOR DeANGELIS:

Could we...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I'm not trying to be dilatory, but I'm looking for...I had that copy of that resolution this morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, actually we're on a resolution...on the...on the motion to discharge. Senator DeAngelis.

SENATOR DeANGELIS:

Well, you know, normally when we discharge, we approve. If you want...I'll wait till my comments after...go ahead, discharge it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if...Senator Carroll indicates if you have some...some comments that...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I thought it had been approved. Senator DeAngelis, I thought it had been approved. This was consistent with what was agreed to that would be done and that it takes a resolution to ask the Auditor General to do this study. The Auditor General requested us to do it this way...and then this was consistent with what CMS had asked us to do or we had agreed to do by mutual agreement. I know of no problem with that, if there is one,...okay...thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Karpiel. Senator Karpiel's light is on...Senator Karpiel on the Floor? (Machine cutoff)...Keats,

you have an awful long arm there. Senator Carroll moves to discharge the Committee on Executive from further consideration of Senate Resolution 1173. Discussion? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Committee on Executive is discharged. Senator Carroll now moves for the immediate...suspension of the rules and consideration of Senate Resolution 1173. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Carroll now moves the adoption of Senate Resolution 1173. Is there...discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, there...there is some ambiguity. Senator Carroll, I'd like to ask you one question, if you'll answer. Is there an agreement with Director Tristano to do this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR DeANGELIS:

...'cause if not, I would like to have the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

...the thing held.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, it was Director Tristano's request that we have the Auditor General look at this side of it. It...we have to do it by resolution which he and I had never discussed but he asked us to ask the Auditor General, we made that request. Auditor General came back and said we have to ask by resolution. This is the way to do the resolution and then that is...that is what Director Tristano asked us to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Carroll, you don't have to do it by resolution. You can, in fact, file a resolution with the Legislative Audit Commission at that time. Okay? So there's other ways.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we're...we're all aware of that. Senator Davidson, on the discussion on the resolution.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of the resolution. This was a...an agreement was worked out between Central Management Service, Senator Carroll, all the players involved. They have no problem, they say they can withstand any kind of a audit investigation the Auditor General want to do and that was the agreement and I would urge everybody to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate...is on the adoption of Senate Resolution 1173. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt Senate Resolution 1173. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I move to discharge the Executive Committee from further consideration of House Joint Resolution 172. I checked with the President and the minority leader. I checked with the chairman of the committee, Senator Sangmeister and the spokesman, Senator Schuneman, and I would renew my motion to discharge Executive Committee from further

consideration of HJR 172.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Marovitz moves to...to discharge the Committee on Executive from further consideration of House Joint Resolution 172. Those in favor indicate..in...in order for it to be considered immediately. All right. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 172 is discharged from the Committee on Executive. Senator Marovitz.

SENATOR MAROVITZ:

I move to suspend the...appropriate rules for the immediate consideration of HJR 172.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 172. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Marovitz now moves the adoption of House Joint Resolution 172. Discussion? If not, those...Senator...discussion? Senator Keats.

SENATOR KEATS:

...I was just asking what it was. I'm just asking for somebody to tell me what this thing is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

(Machine cutoff)...very much, Mr. President. Just briefly, this is a resolution...HJR 172 began in the House, obviously. It has to do with the making of a movie regarding John Wayne Gacey and the reenactment of that heinous crime. There are many families who were victimized by that crime and this resolution deals with the opposition of...of the State of Illinois from cooperation in the making of that movie in the State of Illinois, prohibits the offering or allow-

ing...and this is again a resolution, prohibits offering or allowing any technical, financial or administrative assistance on the part of the State to any individual or corporation who would be making a movie for profit reenacting a capital crime while the perpetrator of the crime is still alive. And we remind all labor unions and ask them to refuse to participate in the production as well as local governments from...prohibiting from spending public funds for the production of...of this type of movie which reenacts this heinous crime and would relive some terrible memories for many families in the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt House Joint Resolution 172. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 172 is adopted. Senator Rock. Could I have your attention, please.

SENATOR ROCK:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. I have just been informed that the first draft of the agreed Build Illinois bill has just surfaced. It is being proofed and then will be circulated and then printed for all the members. In the meantime, we do not have any pieces of paper in front of us. So my suggestion is we Recess for the purpose of grabbing a bite to eat and I'd ask the members to...please be back at eight o'clock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that the Senate stand in Recess till the hour of eight o'clock. The Senate stands in Recess till 8:00 p.m.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. It is still Tuesday, July

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1, and we are still trying. Supplemental Calendar No. 4. We have Senators Barkhausen, DeAngelis and Lemke, and I would ask that they afford us the opportunity to let us know if they wish those matters called. In the meantime, we'll return to the regular Calendar on page 8, on the Order of Conference Committee Reports, 2989. 1763. Supplemental Calendar No. 1, Senate Bill 1747. (Machine cut-off)...Barkhausen. All right, we have gone through the regular Calendar again and Supplemental 1 again. Calendar 2 is completed, Calendar 3 is completed. We are now on Supplemental Calendar No. 4, on the Order of Conference Committee Reports,...there is a Conference Committee report on House Bill 913. Mr. Secretary.

SECRETARY:

The first Conference Committee report on House Bill 913.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the first Conference Committee report on House Bill 913 contains but one provision of the bill that had three different features as it passed the Senate as amended. The one remaining provision in the bill is that which would permit a court to impose an extended term sentence in cases where a defendant is convicted of voluntary manslaughter and...involuntary manslaughter or reckless homicide in which the defendant has been convicted of causing the death of more than one individual. I'd be happy to answer any questions. The reason for this legislation is the particular concern that arises in reckless homicide cases involving DUI offenders where there is a conviction for killing more than one individual. I would move for the adoption of this first Conference Committee report on House Bill 913.

PRESIDENT:

All right. Senator Barkhausen has...has moved the adop-

tion of the Conference Committee report on House Bill 913. Is there any discussion? Senator Netsch.

SENATOR NETSCH:

A question of the sponsor, because I don't have the text of the underlying law in front of me. When...our analysis indicates that it is an aggravating factor. Is this then one of the...those that is listed in...in the...in the list of aggravating factors that determine whether a sentence should be more or less severe or...or is it a mandatory aggravating factor if you know...if my question is clear.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...it is not a mandatory factor, it...it is discretionary with the court as to whether to impose an extended term sentence under these circumstances.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, that answers my question. I just wanted to be clear about that.

PRESIDENT:

Thank you. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

On the same subject, Senator Barkhausen, involving the rationale where there have been multiple deaths from a reckless homicide. Obviously, there has been no intent in those situations so the...the increased penalty would not serve as a deterrent. What then is the rationale for the increased penalty where there has been multiple deaths where there has been no intent and, consequently, there will be no deterrent factor?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

...I believe, Senator Marovitz, that the thinking is that the courts would be most apt to impose an extended term sentence in cases where the defendant's behavior has been especially wanton and, otherwise, the sentence probably would not be imposed but, of course, that would be discretionary with the judge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

In the same example, couldn't that same defendant's example be wanton, just as wanton, without the killing of...you know, without multiple deaths?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I suppose that it could be hypothetically.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator...Senator D'Arco.

SENATOR D'ARCO:

Thank you...Mr. President, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR D'ARCO:

Senator Barkhausen, let's assume that a...a person is...is intoxicated driving down the street and he is speeding at some exceedingly high rate of speed, ninety miles an hour or whatever, and he hits another vehicle with two persons in the vehicle and he kills both persons. I think now, under your bill, if there were only person in the...in the vehicle, he would be guilty of involuntary manslaughter but because he killed two persons...I'm listening to Senator

Lemke here which...he will be guilty of homicide more or less, because the aggravated factor would kick in at that point and the extended term provision would kick in. Now, what's the logic of that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator D'Arco, the...the crime itself would not change unless there was a particular intent to kill, then, of course, there would...there would be homicide. But in the situation as you describe it, the court might in that situation decide to impose an...extended term because of the behavior as...as you describe it might be found to be particularly wanton. I...I'm using this word "wanton," this is not in the...in the bill, but the...the language of the bill simply says that...that an extended term sentence can be imposed for these three crimes, it doesn't mention homicide. It says voluntary manslaughter or involuntary manslaughter or reckless...reckless homicide; we're not talking about...murder or first degree murder, these three..three crimes, voluntary manslaughter, involuntary manslaughter or reckless homicide where more than one individual is killed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, excuse my choice of words when I said homicide, because you are absolutely correct. He wouldn't be guilty of homicide, he would still be guilty of involuntary homicide, but the extended term provision would kick in even though there was no intent to kill the other individual in the vehicle. And what I'm suggesting is that it is...inappropriate to penalize him greater without the intent to commit homicide when, in effect, he is involved although reckless...although extremely reckless and he should be penalized for his conduct

in an automobile accident. Why...why penalize him to the extent where a...the effect of it is to say, look, you can go out and kill somebody with intent and get the same penalty as this individual who involuntarily killed someone without intent. That's the effect of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

Mr. President, just to respond to the last point that...was made and I, perhaps, should know this off the top of my head but if you kill somebody with intent, I...I know that the potential sentence there is greater than it would be under this bill which would, as I understand it,...increase the possible sentence in a...in a reckless homicide...the DUI situation where...where a defendant is convicted of killing more than one individual and an extended term sentence is imposed, the sentence, I believe, could...could go up to five to ten years. So the sentence would...would certainly not be as great as it is in the...in the case of an intentional homicide. It is...it is only because we are as...as serious as the Legislature has been on record as...as being about the...the crime of DUI and these other situations where as a result of particularly reckless and wanton behavior on the part of a defendant that more than one individual is killed, that it is felt that this extended term sentencing provision ought to be available to be imposed on these particular defendants and...and, for these reasons, Mr. President and members, I would move for the adoption of this first Conference Committee report on House Bill 913.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on House Bill 913. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all

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voted who wish? All voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 913 and the bill having received the required constitutional majority is declared passed. House Bill 1914, Senator DeAngelis. I...I'm sorry, 1945, Senator DeAngelis. Read the bill, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1945.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1945 when it left the Senate had only two amendments. It has...collected a few more since then and let me go over them very quickly. In the Conference Committee report, Article I excludes the membership campgrounds from regulation under the Illinois Real Estate Time Share Act. This change reflects current department policy. Article II implements a charge of perjury for an individual who signs a fraudulent document. In other words, when you make application for licensing, you will be required to do the very same thing that you do on your income tax, et cetera. It also clarifies the type of actions for which an individual deemed to be in charge of a license agency which may be held responsible. It's got the electrical contractor provision which was on another bill which grandfathers...them in to install fire alarms. It removes a proposed exemption from the registration requirement for clerical employees who do not have access to confidential client information, amends the Physical Fitness Service Act, prohibits contracts from requiring payments in excess of an average of twenty-five hundred dollars a year; and Article III allows the Department of Insurance to expend monies from the Insurance Financial Regulation Fund for the purpose of

collecting data on insurance premiums, income costs and expenses as mandated in Senate Bill 1200. Be happy to answer any questions. If I...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. In...on...in Article II, Section 8, Subsection A, there's a provision that says that, "No contract for physical fitness services shall require payment of a total amount in excess of the average of twenty-five hundred dollars per year." Now, it's my understanding, you know, let's say that...that you want to sign up for some physical fitness course,...you want to quit smoking and you want to get in shape and you go to this gym and they want to sign...what?...and you want to sign up for this course and they tell you, okay, look, I'm going to sign a contract with you for five years or so, and for the first year you can pay five thousand dollars and then we'll average it out over the next four years, so that after a period of five years, the average is less than twenty-five hundred dollars. Now you get disenchanted with this rigorous, tough physical fitness course that you signed up for and you say, gee whiz, I don't want to go anymore, I...I'm not inclined to do this anymore, I would like to cancel my contract. And the guy goes, wait a minute, you know, you signed up for five years and you've got to pay...you got to pay this money up front which you...you know, you've got to pay over a period of time and you can't cancel the contract. Now, you know,...this is like the dance studio schemes that were going on years ago where they would sign you up, get you to pay an exorbitant amount of money up front, sign you on a contract and then even though you got disenchanted with taking these dance lessons, you still had to pay over a period of years. And I...what I'm saying to you, Aldo, is that this is a bad provision in this Conference

Committee report. It shouldn't be in here, it was defeated in the Executive Committee and there's no reason for it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand to oppose the first Conference Committee report and I...as was suggested to me, I guess, twenty-eight times last night, this is...this is a subject for a second Conference Committee. There are things in here that I am prepared to agree with, Article I, without question. Then we get to Article II, I don't know where it came from. I can remember sitting in the Executive Committee when this was voted down virtually unanimously and I don't know what it's doing in here, and I don't have any problem with the insurance component. I don't have any problem with the detectives component, but why this in here, mistake, and I...stand opposed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR JONES:

For a point of clarification, Senator DeAngelis. On page 5 of the Conference Committee report, it appears that the director has the authority to certify the amount of money to be transferred from the Insurance Financial Regulatory Fund to the General Revenue Fund. Is the director limited in this certification of money...to the collection of data for property and casualty companies pursuant to the Illinois Insurance Cost Containment Act?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Then would this exemption...money exceeding one hundred thousand dollars at the end of fiscal year in the Insurance Financial Regulatory Fund must be transferred to GRF?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just clarify some of the comments that were made by Senator D'Arco and President Rock since I was a member of this Conference Committee and I also was a member of the Executive Committee where I voted against that bill in Executive Committee as far as the open-endedness on physical fitness or health centers. What this Conference Committee is recommending, and if you would check it with not only the report that you have but...anyone of our staffs, it was our understanding that this amends the Physical Fitness Service Act to...to change the maximum payment from twenty-five dollars...twenty-five hundred per year to an average of twenty-five hundred per year. By setting the maximum as an average of twenty-five hundred per year, there...this report seems to allow fitness centers more flexibility in yearly prices; for example, under the current law with a four-year ten thousand dollar contract, the center must charge twenty-five hundred dollars each year. Under this report, this

center could charge any price in any given year as long as the total does not exceed ten thousand dollars. It increases that financing period to three years from two years and that was the difference of what the...this report is recommending in comparison to what the bill stated, the open-ended bill that was killed in Executive Committee. What we're doing here is we're increasing the financing period from two to three years. The total contract and the contract as far as the time that a person has to review it and to reject it has not been changed, and if you want to check with Dave Menchetti on the other staff, we reviewed that provision and, for that reason, we thought that it would be more beneficial, helpful to the people that are...belong to this physical fitness program to have them...have the increased time in financing so they can participate at a lower level, that's the only change. The bill that was killed in Executive Committee is not contained in this report. All this contains...in...report in that respective subject matter is increasing the finance period to three rather than two years. Thank...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator D'Arco.

SENATOR D'ARCO:

Senator Lechowicz, I understand the intent of...of what you...of what you are saying and I agree with you. The problem is that when they add the words "an average of twenty-five hundred per year," that can imply that the contract could be over an extended period of time of more than one year so that they can...you know,...so that it does become open-ended. That's the problem. You know, if you could limit it to a one-year contract of not more than twenty-five hundred dollars, we would be in agreement with you, but this doesn't limit it to...a one-year contract. The contract can be more than...the contract can be for more than one year,

that's the problem and if we go to a second Conference Committee report, I think we can work it out and, you know, there won't be any problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kelly.

SENATOR KELLY:

I just want to ask Senator DeAngelis to withdraw his...the motion. Let's go to another conference report. Would you withdraw that, Senator? I think Senator D'Arco, Rock and...and also Lechowicz are right on target. This is a open-ended charge and I would ask you to...to withdraw your motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator DeAngelis may close.

SENATOR DeANGELIS:

Well, we have a short little problem, the House passed this quite awhile back. I do want to apologize to the Body and when I get my time, counterpart in the House, Menchetti, I'm going to use a machete on him 'cause I asked him what the hell was in this Conference Committee report and this was never even brought up; in fact, Senator Rupp got caught the same way too. Now, what I would like the Body...I don't mind going to a second one, but I'd like to hear the objections right now on any other part except this to the bill. Is anything else objectionable to the Body?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I just want to reiterate what Senator DeAngelis said and...I hate to take up the time of the House...or the Senate. This matter passed 101 to 7, I...believe me, it's strictly on the financing of...from two to three years. This is not the bill that was in Executive Committee. I really

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don't see anything absolutely horrendous on this bill and I think we should move with the Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator DeAngelis.

SENATOR DeANGELIS:

...well, let's just run it once and see what happens.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. The question is, shall the Senate adopt the Conference Committee report on House Bill 1945. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 21, none voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I would move for a...a slower gavel...a second Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You'll have both, Senator DeAngelis. Senator DeAngelis asks...requests a second Conference Committee be appointed. Just like to recognize the distinguished Speaker of the House of Representatives on the Floor visiting and...with the common Senators, Representative Michael Madigan. House...Senate Bill 1517, Senator Lemke. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1517, second Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

We are now on this...Senate Bill 1517 back to the original bill without proprietary interest and other things, and we have only added the language that DCFS wants, and that's

to amend the Child Care Act to require all drivers who...transport requirements of school bus drivers. They include drivers must be twenty-one years of age, possess a valid driver's license, no suspensions or revocation in the past three years, must be physical competent and certified by a medical examination, no more than two violations in a twelve-month period and not being convicted of reckless driving, DUI, manslaughter or reckless homicide. I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the...the question is, shall the Senate adopt Conference Committee report on Senate Bill 1517. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1517 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Lemke, for what purpose do you arise?

SENATOR LEMKE:

I believe there's a resolution up there for the Ross family. I have to move to expend the rules as a congratulatory...do you have it up there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, everything is on the Consent Calendar. Has...has it been up here?

SENATOR LEMKE:

I don't have a number for it, no...so now I got an LRB number, is it on there?

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...you come up and check with the Secretary, give him the number. Senator Rock.

SENATOR ROCK:

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Thank you, Mr. President. Just so everybody is aware, I'd rather not have everybody go stray. We are all anxiously awaiting the printed report on Build Illinois and I'm told it's about fifteen minutes away and nothing will be done until everybody has an opportunity to view that, nothing of substance. Then I think we are down to about four or five appropriations that are necessary for the operation of this government, and if anything else happens in the meantime, that's fine.

PRESIDING OFFICER: (SENATOR SAVICKAS)

So if we'll just stand at ease for about ten minutes.

PRESIDENT:

The Senate will please come to order. With leave of the Body, we'll move to Supplemental Calendar No. 5. (Machine cutoff)...maybe before we get to No. 5 to suggest that No. 6 reflects the presence of the long awaited Build Illinois report. So I would ask the members to pay attention to Supplemental 6 and the report that's being distributed. On the Order of Supplemental Calendar No. 5, under the Order of Conference Committee Reports is a Conference Committee report on House Bill 2839. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2839.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate adopt the first Conference Committee report on House Bill 2839. This report recommends that the House concur in Senate Amendment No. 1. So this puts the bill as it left the Senate.

PRESIDENT:

All right. Senator Weaver has moved the adoption of the Conference Committee report on House Bill 2839. Is there any

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discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2839. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 5 Nays, 2 voting Present. The Senate does adopt the Conference Committee report on House Bill 2839 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports is Senate Bill 2129, Senator Degnan. Mr. Secretary.

SECRETARY:

This is the second Conference Committee report on Senate Bill 2129.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 2 to Senate Bill 2129 contains everything that was voted 57 to nothing in Senate Bill 1565 last evening. In addition, it contains language to eliminate all existing categorical exemptions for...jury duty except for the press. The Illinois Press Association which had a problem with it earlier this week has now withdrawn their opposition. I'm also required to read by way of legislative intent a short statement. "Regarding the State's rights to a jury in felony narcotic's cases, this is a further recognition of the State's compelling interest in the prevention of societal problems created by drug trafficking, addiction of use, adults increase in the incidence of crime to maintain such addiction and the control of such trafficking and sale by youth gangs and organized crime." I move adoption of Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Lemke.

SENATOR LEMKE:

I am going to reluctantly support this bill. But I think the Body should fully know the reason why I am supporting this bill. We passed out a bill here, Senate Bill...1565, 57 to nothing. Fifty-seven Senators in this Body voted for this bill for law enforcement. And a particular chairman of the House Judiciary Committee didn't have the decency to even file the bill or have it heard. That particular chairman of the House Judiciary Committee, I suggest that people look and see what type of law practice he has and see who he represents, and see what's concerned here, what we're talking about in 1565. We're talking about aggravated assault, people that rape minor children. We're talking about confiscating of narcotics, we're talking about jury trials and felony narcotic's cases in criminal court. And that bill was not even the decency that it'll be allowed to be filed...be filed. And I would suggest to the press that they should look into his credentials and look into see what type of...law practice he has and who he's standing for. That's what we're talking about here. And if legislators are going to do this, then I would suggest that they be looked at very carefully for what they're doing. I come from a community of law enforcement people and law-abiding people. We do not believe in tolerating drug pushers or people that rape children for the sake of putting and abolishing of jury exemptions because we want them people that get these jury exemptions that come to us for political favors. That's what this is about...elected officials who want political favors to get them exempt from jury duty, whether it's a doctor or a lawyer or what have you. I was told before on this bill that the Governor of this State would veto this part of the bill, I hope he still does. Because the truly intent of the House person is to look to get political favors done for individuals, that's what it's all about. Whether you're a

newspaperman or whether you're a doctor or a dentist or a chiropractor, then you come to them. But the hours is getting late, and we put this measure in here for a very simple reason. My people are tired of seeing rapists of children get off and walk the streets at an early state and come out and rape again. My people are sorry to see their children sold narcotics, heroin, cocaine or whatever it is and see the waste of manhood and womanhood in this State, but a...or chairman of the House Judiciary Committee could give a damn about these kids and could give a damn about crime because he's looking for political patronage and favors from individuals. That's what this is all about. I am going to vote for this reluctantly, but I said this to him and I say it to you, I would sit here till hell freezes over until 1565 was called because no one man has the power to do this in this State. And if it's tolerated, it will...continue on. It's time you in the press look at this situation and look at what lawyers are doing in the way of practicing law and who they represent and what they're doing here in Springfield. I am tired as a lawyer to be accused of having ambulance chasers and greylords, and I am tired of seeing lawyers come here for their own do. We do not come here for the benefit of ourself, we come here to represent the people we speak for. And I speak in my district for six thousand families that are...law enforcement in this State. And I come to speak for my father who was in law enforcement as a police sergeant. And I come to speak for myself, an individual that grew up what we call now the ghetto around County Hospital. And I was tired of...seeing my...my friends, ten and twelve years old, being sold narcotics. And I was tired to see some of my friends'...sisters and...and cousins raped by individuals and yet to see the guy walk the streets. That's what this is about. And that's what this bill is about. And if it's you in the press should expose what's going on here in this par-

ticular situation and that exposure should come and look at who's holding up 1565 in the House, who will not even let the bill...be filed and passed this Body 57 to...nothing in the Senate. That's what it's about. The time has come that in this State...criminals must go to jail and must be kept there when they continue to commit what I consider a heinous crime and that is selling narcotics to children and raping children. They should be put away and they should be left there. They shouldn't be left to walk the streets, and everything they make and gain should be confiscated from those individuals...confiscated. And no one should have the right or the power to go to the jury commissioner and get people exempt from juries, that should be the judicial power, that should be the challenge of the lawyers and the defendants and the plaintiffs in those cases. That's what that should be about. And no political elected officials should have any say in that and it shouldn't be done. If we're going to remove juries...or...exemptions, then the only time those people should be excused is not when a politican calls a jury commissioner to get an exemption but when that individual goes in and gives a legitimate excuse of his own and that commission that we have set up exempts them for the reason and postpones his service until he's able to serve. Therefore, I'm going to vote Aye. But I'm telling you this now, that this will not be tolerated again in this General Assembly to have one individual hold up a particular piece of legislation and not even allow it to be filed in the House of Representatives. If that is what the power is in this Body, then I think we should look at the evaluation of that power. I think in the Senate we have always been fair on hearing bills, they've always been given a hearing, and if not right away, they were given a hearing in...in a Conference Committee or in a...in a study committee, and we try to work out a solution and we try to work out a problem. But to have a

bill held, not even filed,...that's not even filed, it can't even be called, that is wrong. And I have asked the Speaker and I am demanding of the Speaker that this bill be filed and this bill be passed. And I take the Governor at his word that the jury exemptions part of this bill will be amendatory vetoed. And then, too, we can get down to the real business of the State, putting away drug pushers and putting away trial rapists. Therefore, I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor has indicated he will yield.

SENATOR DUDYCZ:

Senator Degnan, page 6 of...the Conference Committee report, could you explain to me the reference to the eavesdropping devices, the section that was deleted and the section that was placed in, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Degnan.

SENATOR DEGNAN:

Senator, I don't have that report in front of me, maybe you could read it to me and I'll try to explain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Yes, it's line 18, "In January of each...January of each year the state's attorney of each county in which eavesdropping devices were used...pursuant to the provisions of this article"...the next six lines were crossed out. Later on it was added, "with respect to each application for an order authorizing the use of an eavesdropping device or an

extension thereof made during the preceding calendar year." Do you want me to read the deletion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Degnan.

SENATOR DEGNAN:

Senator, that only removes the reporting requirements that judges now must make and places those reporting requirements, I am told, with the state's attorney. Has no other affect on eavesdropping except reporting requirements.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

How about the section on page 9 where it's method of trial?...it's my understanding that the state's attorney wanted the right to a jury trial in all cases and this has been reduced to strictly for the Illinois Controlled Substances Act or the Cannabis Control Act. Why has it been restricted to strictly to these two...sections?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

It's a compromise, Senator. It's for felony narcotic's cases only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Do you know who insisted on this compromise?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, I don't, but I know that the...concept of state's right to jury has been around here a long time and unsuccessfully tried to be addressed in the House several times.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Do you know if that's the same individual that Senator Lemke was referring to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Degnan, one of the prior speakers alluded that the Governor would amendatory veto the part about the exemption which would remove from the present Statute those different professions and occupations, et cetera who are exempt from jury duty. Is this a fact or is this a...a presumption on...someone's part?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Senator, I made that statement yesterday on...on 2129, I cannot make that statement today, but that is up to the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Then the...prior speaker who...who stated that...does he have information that...that you don't have, and I, frankly, do not remember what you made a statement about that

yesterday. If you would care to reiterate that what you said yesterday, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I don't think the prior speaker has information I don't have. If you want to go through yesterday's dialogue on the bill, I'll be happy to do so. But if your question is, do I have an agreement with the Governor to strike out the jury portion of this bill, I do not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Thank you, Mr...President. Under the circumstances, I opposed this bill yesterday based on the removal of that part. But I believe that with the legislative intent that's been said here on the Floor and with the...I'm certainly sure the Governor is listening...with the fact that the number of people who could be harmed in their profession and their occupation regardless of what this questionnaire says about being excused, I am certain he will use his amendatory veto pen with judgment and care and remove this part. The rest of this bill is a very, very good bill and I will remove my objection and vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Mr. President and...and members. I want to rise in support of this bill while expressing some of the same misgivings with regard to the removal of exemptions for jury service. I...I, too, hope that the Governor will work his will on this bill in a way that will alter and remove that portion of this Conference Committee report. I must say that I share Senator Lemke's frustrations with the way the House

and certain individuals in the House sometimes operate and appreciate that the process here works a lot more democratically, with a small d, than it does in the House, where at least here a person can get his or her bill called, and that is not often the case in the House. Having said that I think there are provisions in this bill which have been long sought by the law enforcement community know they don't go far enough, particularly with...regard to the state's right to a jury trial. But this is at least a beginning and I think it's something that we can and ought to achieve at this point, and I would urge the adoption of the Conference Committee report.

END OF REEL

REEL #4

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Thank you, Mr. President. I move the adoption of Conference Committee Report No. 2 to Senate Bill 2129.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 2129. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 2129...does adopt the second corrected Conference Committee report on Senate Bill 2129 and the bill having received the required constitutional majority is declared passed. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to recede from their Amendment No. 20 and 28 to a bill with the following title:

Senate Bill 2117. They have asked...for the...Committee of Conference and the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock moves that we accede to the request of the House on the Message just read. Senator Rock.

SENATOR ROCK:

...thank you, Mr. President. On Supplemental No. 6 is, of course, a bill that...that we're all interested in...allow

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me to suggest, as I had suggested earlier today, to all the members and particularly to Senator Philip that everyone should have an opportunity to read it, find out if they're pleased or not pleased. So, with leave of the Body, I'd ask that we go to Supplemental No. 7 for House Bill 1945 and Senate Bill 2117.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, leave of the Body, Supplemental Calendar No. 7. Supplemental No. 7, Conference Committee reports, House Bill 1945, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill...1945.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 1945 which we shot down the first Conference Committee report a little while ago now has in it everything it had before less the amount...less the provision for the Physical Fitness Service Act which prohibited contracts from requiring payments in excess of an average of twenty-five hundred dollars per year, and I think we discussed the rest of it; however, I'll be happy to answer any questions if anybody has any, if not, I would move that we adopt Conference Committee Report No. 2 on House Bill 1945.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jones.

SENATOR JONES:

Yes, thank...thank you, Mr. President. To spell out legislative intent, Senator DeAngelis, on page 4 and 5 of the Conference Committee report on House Bill 1945, it appears that the director has the authority to certify the amount of money to be transferred from the Insurance Financial...Regulatory Fund to the General Revenue Fund. Is the

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director limited to this certification of money or cents for the collection of data from property and casualty companies pursuant to the Illinois Insurance Cost Containment Act?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Then with this exception, money...money exceeding one hundred thousand dollars at the end of the fiscal year in the Insurance Financial Regulatory Fund must be transferred and deposited in the General Revenue Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on House Bill 1945. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on House Bill 1945 and the bill having received the required constitutional majority is declared passed. Senate Bill 2117, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 2117.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This Conference Committee report contains several additions to the concurrence we just engaged in several hours ago on Senate Bill 2117. In particular what this bill does is change the definition of toxic substances in the Worker Right-to-Know Act by increasing the number of toxic substances from some eight hundred to twenty-three hundred by incorporating new Federal definitions in Federal Statutes into Illinois law. In addition, to make the...the list of chemicals more available for inspection, they are to be...made available rather than published at the department itself rather than publishing them which became quite burdensome. The amendment clarifies that rules to implement the administrative citation...provision must be adopted pursuant to the Administrative Procedure Act. It requires any new regional pollution control facility which has never obtained a local siting approval to obtain such approval after a final decision on appeal. This particular new amendment tightens up the amendment which we took off...Amendment No. 20 off the previous...the same bill that came here previously. It also allows the local government to charge applicants for siting review a reasonable fee to cover the cost incurred by the local government in the siting review process. This is to correct a recent court case decision in Lake County to overturn such an attempt on grounds that it preempted the State law. I would be glad to try to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Just as..as far as I know on this piece of legislation, it's very complicated. I have the assurances of the business groups, the Environmental Protection Agency, the Pollution Control Board, they're all on board. I would move

for its...its passage and its support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

...the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator Welch, would you give me back that reference about Lake County? Did I hear you say something about Lake County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, Senator Geo-Karis, what I said was that a recent court case in Lake County overturned an attempt by Wauconda, Illinois, to charge fees for...to an applicant for a siting review...to cover the costs incurred by the local government in the siting review process. As you know, in order to determine whether a...a dump should be located, a decision has to be made about where it's going to be, testimony has to be taken about why it's in that area, sometimes geological surveys have to be taken, that's very expensive. The court said you can't charge those fees. This would change that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, thank you for your answer...Mr. President, and Ladies and Gentlemen of the Senate, rather to belabor the point, this conference report was to include House Amendment 28 which would have amended the Illinois Pesticide Act to provide that "nothing" instead of "actual preempt" local...regulation of a commerical nonagricultural application or a storage of pesticides. But I guess, for the time

being short, I'm not going to quibble about it, although I do feel it's an important thing and should have been in this bill. I will support this bill, but I'm telling you right now, we're going to have to do something about these dangerous pesticides in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I'm just reading...Senator Welch, I have a few questions. I'm just reading this bill and...of course, in our area, I'm very much concerned about when you mention the word MSD. Okay? Because in our area we have all these sludge ponds and areas...and Lyons Township has become the dumping area. So, I want to know specifically when you say MSD, does this apply to the Metropolitan Sanitary District of Chicago in any way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, MSD refers to material safety data sheets not Metropolitan Sanitary District.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Does this bill in any way permit the Metropolitan Sanitary District to have dumps and dump sludge without holding public hearings in the areas where they plan to do this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, if they want to create a new landfill, a new dump site, they have to go through the siting procedures for...formerly Senate Bill 172 of a few Sessions back. They can't suddenly dump sludge where they couldn't in the past. They could continue to dump it where they are dumping it now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...if that is true, then I am going to vote against your bill, because under that particular bill, the people downstate exempted sanitary districts along the Des Plaines River which is my area and, therefore, they're not under the siting provisions and they can dump wherever they want to, and that is wrong. We're tired of the smell, we're tired of the dumping and it's getting to the point where it's even getting in congested areas like Cicero and Berwyn and something must be done about this and, therefore, I can't vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, Senator Lemke, the answer to your question is one word, no. This doesn't do any of the things your concerned about. This doesn't repeal anything, it doesn't give them any additional powers; in fact, it tighten ups...it tightens up the law in several areas on that kind of operation. I would suspect that if...if...and I know the hour is late and we don't need to get into minute detail, but if you could analyze this bill in...in depth, I think you would find you would be very happy with it from the perspective you've just...enumerated. I think, frankly, there are many good things in this bill and a...couple of the things relate to issues that were not finalized in 3548 and I rise in support of it and think it should go to the Governor's Desk as quick as we can get it there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. I, too, rise in

support of Senate Bill 2117, the Conference Committee report, but I would be remiss if I didn't say that I was somewhat disappointed that we took out House Amendment No. 28 which dealt with the pesticides. Senate Bill 2117 makes...substantial changes, but this amendment struck me as being one of the least important amendments; yet, it was the point of controversy and discussion and, hence, now we're back with another Conference Committee report and this Conference Committee report unfortunately has stripped House Amendment No. 28. House Amendment 28 simply gave the same provisions or powers to nonhome rule communities that home rule communities in this State right now are afforded and that's some regulation over pesticide...pesticides. I think we need to deal with this problem too in the future and I would have liked to have seen it dealt with in House Amendment No. 28, but it isn't in here and I think...it...it's still a good bill to support; hopefully, we'll come back and address that Amendment 28 in the future, but I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch,...the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 2117. Those in favor will vote Aye. Those opposed Nay...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 3 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 2117 and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. Before we get to Supplemental 6 and, again, I'd ask all of you to take a look. I...I would

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prefer that the report...or the talk on Build Illinois be as short as possible. Everybody take a look. We have a matter on Supplemental No. 5 that my friend, Senator Weaver, would like to get to and I also would like to address that, and if he's willing and able, so am I. On Supplemental No. 5 on the Order of Nonconcurrence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to the Order of Supplemental Calendar No. 5 Nonconcurrence is House Bill 2486, Mr. Secretary.

SECRETARY:

House Bill 2486 with Senate Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendments No. 1 and 2 on House Bill 2486.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. And I know this is a voice vote and I know this is a little unusual, but allow me to suggest to you what's happening to us in the Senate. We should with justifiable pride refuse to recede from Senate Amendments 1 and 2. I have been badgered all day and House members have a committee...Conference Committee report already drafted that they have thrown at us and said, this is it, folks, take it or leave it and they are attempting in their own feeble way to apparently help...an industry that is vital to our State, and let me suggest to you what the Governor of Illinois said on the 26th day of June, as he spoke to the Chicago Tribune, as he always does, he said, "The brass ring is coming by one

more time. I think folks in the racing industry better start thinking of the greater good of the industry and less...less of their individual tracks and their individual good and their individual bargaining positions and get together, that includes everybody," he said. Now the report, Mr. President, that was thrown at me on a take it or leave it basis said, in essence, nothing...nothing will be done for the racing industry in this State until and unless Mr. Duchossios and the principals are happy. Answer is no. We should refuse to abandon what this Senate has done by an overwhelming majority vote. To do anything less, we'd be less than honest with ourselves. Last year, at the request of Senator Macdonald, at the request of Senator Philip, we afforded the opportunity, the incentive to rebuild...and it was rejected out of hand by the House, and now we are subject apparently to the House's whim. Well, I'll tell you what, we should refuse to recede. We'll send this to conference and we'll let the House finally, maybe...maybe get to a vote. It's about time they voted on something that was important. We should refuse to recede. I rise in support of Senator Weaver, as I always will.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver moves to...that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 2486 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Mr. President, let me suggest now that we ought to be about the essential business of government, namely, the appropriations, so that government can keep operating. In that respect, I will ask Senator Carroll to move a House bill out of committee which can be amended and sent to the House

for its deliberation, and then I'm going to request that the Senate sponsors will call the appropriations for the Department of Agriculture, Capital Development Board, the Department of Commerce and Community Affairs, bond authorization, all those things that are necessary for the operation of government. It is now July 2nd and I'd like the record to reflect that so everybody reflects their per diem, Mr. Secretary, thank you, very much. And those reports that have been filed, I would ask leave of this Body to have the Secretary reflect that that these are now July 2nd reports instead of July 1st. The fact of the matter is, we have dillied and dallied too long. We have some substantial business to do. We have some serious budget requests before us. In my judgment, the budget requests have been agreed to and we will begin to move and move we had better. If Senator Philip is willing, we will either move to Supplemental No. 6 or we will move to a motion to discharge House Bill 3253. We'll give people more time on Build Illinois. Let's move to 3253 and then we'll go back to Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that we discharge the Committee on Appropriations I from further consideration of House Bill 3253...or I'm sorry, it's on the Calendar under the Order of 3rd Reading...I would ask that it be brought back to the Order of 2nd for purposes of amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go to the regular Calendar. Senator Carroll has requested House Bills 3rd reading, House Bill 3253 to be returned to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd

SB 1734 1st C.C.R.

Reading is House Bill 3253, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that we adopt Amendment No. 2. Amendment No. 2 is for certain necessary and essential appropriations, essential for the continuation of the State's operation during the next fiscal year. It is a ten million dollar transfer from general revenue funds to the Agricultural Premium Fund. In years gone by we used to do it the other way, but this is the transfer from GR to Ag. Premium. In addition, there is a two million dollar increase for planning for Mt. Sterling and Canton Correctional Center projects, to increase the amount you will see later in CDB, the amount they say...say is necessary. Next, there is the two appropriations to handle the special fund for Charitable Gamings Act as those funds come in and, finally, the cost to the Department of Insurance for administering Senate Bill 1200. I would move adoption of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3253. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we will now return to the Order of Supplemental No. 6. Supplemental Calendar No. 6, Conference Committee report is Senate Bill 1734, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1734.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we do adopt Conference Committee Report No. 1 on Senate Bill 1734. As everyone knows, this is the appropriation for the Build Illinois for this coming fiscal year. Hopefully, everyone has had a chance to read it. Let me just identify that this has been a bipartisan effort, equal in nature of the dollars that have been allocated amongst the...the General Assembly bodies and amongst the parties within the General Assembly bodies. There has been...the Governor has reduced his allocation to this point and time down to a level of two hundred and seventy from the level of three twenty-six he originally introduced it so that we can bring it down to the level of appropriation he has requested. We have agreed with him that that will be further trimmed to the level that will...that had appeared in the budget book. That will be done on parity amongst the parties and amongst the Chambers and amongst his own projects as well. It will be by agreement of all those who participated in the process. So, in fact, we will have an appropriation that can be signed into law, projects expended and released within the limits set by the Governor and by the General Assembly and not have the fiasco that went through last year of overappropriating and having all kinds of reviews later and some members very upset at what had happened during a "release" process. This will give us a Build Illinois that will, in fact, build Illinois and I would urge adoption of Conference Committee Report No. 1 and try not to read all the sections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

I'm wondering what the rationale was for...Senator Carroll, for leaving...or cutting the grants to soil and water conservation districts by a million dollars. That was a commitment made by the Governor, as you well know. That money was used last year. That's not just a rural issue, that's a...a rural and urban issue and I think that's a tremendous cut. I'd like you to respond to that, if you would, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, you might be surprised at the answer. Senator Carroll.

SENATOR CARROLL:

That was a cut by the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Senator Carroll. I thank the Governor for letting those of us who are supporting him let us...letting us know on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1734...whoops, I beg your pardon, Senator Netsch's late light. Senator Netsch.

SENATOR NETSCH:

...my light has been on. Thank you...I...this is one question that involves particularly this bill but this and

several others to follow. Senator Carroll, with this authorization of some four hundred and thirty-seven and a half million dollars in bonding, which is for all practical purposes general obligation bonding even though it is not literally so, and the CDB, what will the State's total authorized expenditure...of bonds be next year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Netsch, I would prefer...I'm sorry, I cannot answer that instantly. When we get to, however, 3396, the bond authorization bill which will be up momentarily, we can answer that as to CDB. As you will recall, we had authorized some nine hundred and thirty some odd million in Build Illinois last year in bond authorization, although the sales to date are about a hundred million. My recall of the spending plan for this year is somewhere in the very low hundred millions for sales this year; unfortunately, we gave them full authorization in that category when we passed Build Illinois although this original bill would have brought that down for build. In capital, I can either answer that then or...if you want to wait a second, I may be able to even get it now, but that will be on the call on House Bill 3396. It may be a more appropriate question then.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1734. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1734 and the bill having received the required constitutional majority is

declared passed. Senator Carroll, you ready...Senator Rock.

SENATOR ROCK:

Allow me to suggest, Mr. President, that we move now to the Order of the Regular Calendar and deal with House Bill 3253.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll return to the regular Calendar. Leave granted? Leave is granted. Page 4...we've had intervening business. House Bill 3253, Mr. Secretary, House bills 3rd reading.

SECRETARY:

House Bill 3253.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you. First, Mr. President, I would move that we suspend Senate Rule 5C so that we can have the time limits waived as to the dealing with appropriation bills so that House Bill 3253 may be heard this evening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll has moved to suspend Senate Rule 5C so that House Bill 3253 may be passed this evening, July the 2nd, extend the deadline for the 3rd reading and passage of House appropriation bills. Is there discussion on that? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Rules are suspended. The deadline is...is also extended. Senator Carroll.

SENATOR CARROLL:

I would then move you, Mr...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...thank you, Mr. President. I would move you then that we Do Pass House Bill 3253 as amended. This is the one we just amended with the four items I had identified, one being doubled, the monies for the Ag. Premium Fund, for the correctional center projects, for the new...Charitable Gamings Act and for the Department of Insurance cost administering Senate Bill 1200, and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senator Joyce, we found our ten million.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, the question is, shall House Bill 3253 pass. Those in favor will...will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate...let's see the...House...House Bill 3253 having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would now ask leave of the Body to move to Supplemental Calendar No. 1 to deal with the ordinary and contingent expenses of the Department of Agriculture.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will now move...proceed to the Order of Supplemental Calendar No. 1. Leave is granted. On the Order of Secretary's Desk Concurrence is Senate Bill 1747, Mr. Secretary.

SECRETARY:

Senate Bill 1747 with House Amendments 1, 3, 4, 6, 7, 9

H.B. 3396 recalled

and 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the Department of Ag., and I would move that we concur in all amendments. They are House Amendments No. 1, 3, 4, 6, 7, 9 and 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate concur in House Amendments 1, 3, 4, 6, 7, 9 and 10 to Senate Bill...1747. Those in favor indicate...those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does concur with House Amendments 1, 3, 4, 6, 7, 9 and 10 to Senate Bill 1747 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. One of the issues that has confronted us, obviously, is we have now approved and are about to approve, I hope, when we get to the Capital Development Board budget, the question of the amount of the authorization or the authorization level. My suggestion, Mr. President and Ladies and Gentlemen of the Senate, is that we have a House bill that, unfortunately, went down to defeat. It was House Bill 3396 and I will ask one who voted No, and I did not, to move to reconsider so that we can reconsider and amend that bill to reflect the agreement that our conferees have had with the Executive to move the bond authorization to the level necessary to effect the projects that we are all interested in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move to suspend Rule 40 for the purpose of extending the deadline for making the motion to reconsider the vote by which House Bill 3396 lost from the following legislative day to within nine legislative days following the losing vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Weaver. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Rule No. 40 is suspended. Senator Weaver.

SENATOR WEAVER:

Having voted on the prevailing side, I move to reconsider the vote by which House Bill 3396 lost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Weaver, having voted on the prevailing side, moves to reconsider the vote by which House Bill 3396 lost. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered on House Bill 3396. Senator Weaver.

SENATOR WEAVER:

Well, I would move to bring House Bill 3396 back to the Order of 2nd Reading for the purpose of an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll.

SENATOR CARROLL:

I think as the sponsor I should make that motion to bring it back for purposes of the record and...and would so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we don't want to disappoint Senator Carroll. I'm...Senator Carroll has moved to bring House Bill 3396 back to the Order of 2nd Reading for the purpose of an amendment.

Is leave granted? Leave is granted. On the Order of House Bills...3396, on the Order of 2nd Reading is Senator Carroll...any amendments?

SECRETARY:

Amendment No. 6 offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 6 would be the amendment that would adjust the authorization level for the categories of bonds that the State holds other than the category of Build Illinois...excuse me, to a level sufficient to handle a reasonable level of construction in this State. It is a...a total increase, Senator Netsch, of two hundred and thirty-seven million six hundred and sixty-eight thousand sixty dollars, bringing us up to seven hundred and sixty-six...016,072 as a total. This is through the various categories we are adding some almost fifty three million for higher ed., sixty-four million for correctional facilities which would be an authorization for the construction of one and the planning of a second and the other work necessary to be done on the other State facilities, some...almost thirty million dollars in recreational facilities, some twenty-seven million dollars in mental health facilities, some fifty-seven million dollars in State agency buildings around the State and some 1.6 million in water resources, plus four million dollars to the Secretary of State for the libraries. That would be the adjustments made for the current level of authorization of bonds and that, again, would bring it up to 766,016,072.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. Obviously, this bill was

defeated once before and I was just curious why...why did it go down and is that language that was so objectionable, is that in there now or...could you...explanation of that, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

...I voted for it, so I don't know why it went down, but no, the...the language that I think some people found objectionable is no longer in there, and that language was to bring the Build Illinois authorization level down to the type of numbers that these are to be in line with current appropriations. That is not in the bill now. It is still at the original level passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. In further answer to Senator Watson's question, the bill that was just sent over from the House, which is Senator Poshard's bill, contains an element...that, frankly, was not agreed to. It is an element about...I suppose we'll fight. It is an element I support but one about which we'll fight. This one reflects the agreement between the conferees from the House and the Senate and the Executive, and that's the one we're going to send to the House and ask them to accept. The other one, we can fight about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. What I'm trying to find out is how much authorization we are going to be giving for the sale of bonds for the next fiscal year and if anyone has any information how many bonds we are actually likely to sell

next year. While I don't have a final figure on what we sold during this last year, I do know that it was the highest, if you include Build Illinois which, again, is for all practical purposes, general obligation bonding with our regular CDB bonds and we are on the verge, my friends, of bonding ourselves into oblivion and one of these days, we're going to have to stop and pay some attention to what we are doing. We are building up enormous debt service requirements for the future and we are in the process of bonding everything because it's an easier way to do it. It seems to me it is extremely bad policy, very dangerous and really not fair to a lot of people who come after us. But factually, what I would like to know is what is going to be the sale of bonds next year, Build Illinois plus regular general obligation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Senator Netsch. The best I can answer you is to say we are increasing the authorization, as I had indicated before, in the area of nonbuild Illinois by two hundred and thirty-seven million six hundred and sixty-eight thousand sixty dollars. The authorization in Build in the past...of last year was just under nine hundred and fifty million. It is my best recall that they sold the hundred million of Build last year, that it's my recall that they intend to sell somewhere around a hundred and twenty million of Build this year. The book which I've never considered a sacrosanct document, nor do they, has indicate, and it's usually in error, that they had intended to sell three hundred and forty million of General Obligation Bonds for Fiscal Year 1986 that just ended and they intend to likewise sell three hundred and forty million of General Obligation Bonds in Fiscal Year 1987. What Doctor Bob will actually do, I doubt that even he knows, I surely don't try to, but they have indicated that they would

sell up to three hundred and forty million of GO, some of which, obviously, is within the level of current...authorization and some would be allowable because of this increase we are now making, and somewhere around one twenty, I believe is the figure for Build. And I hate to be the one who has to vouch for Doctor Mandeville.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll moves the adoption of...of Amendment No. 6 to House Bill 3396. Senator Rock. All right. Senator Carroll has moved the adoption of Amendment No. 6 to House Bill 3396. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 6 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Rock.

SENATOR ROCK:

Yes, for intervening...business, I'm asking that we move to the regular Calendar on page 8 and 9, if the sponsor is willing, and take up the ordinary and contingent expenses of the Department of Commerce and Community Affairs and the Capital Development Board for which we have just shored up the bond authorization.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will go to the regular Calendar, page 8, House Bill 2989, Senator Sommer. House...Conference Committee reports, page 8, is House Bill 2989, Mr. Secretary.

SECRETARY:

Conference Committee...first Conference Committee report on House Bill 2989.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this report has been laying on your desks for two or three days, perhaps you've had a chance to examine it. It reflects the desires of various members of the General Assembly to have the Governor address concerns of theirs. The...the bulk of the report amounts to people suggesting various projects for the Governor's evaluation. Be happy to...respond to any questions about any items therein.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Sommer, you're moving to concur in all the amendments, is that correct? All right, on the adoption. Okay. Senator Sommer has moved the...the question is, shall the Senate adopt the Conference Committee report with...on House Bill 2989. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee report...first Conference Committee report on House Bill 2989 and the bill having received the required constitutional majority is declared passed. Page 9 on your Calendar, Conference Committee reports is Senate Bill 1763, Senator Sommer. Senate Bill 1763, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1763.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Thank you, Mr. President and members. Again, this has been on the desks for a couple of days. It basically reflects the Governor's capital proposals for the next fiscal year and additionally proposals suggested by various members of interest to them and their districts. They're hoping to

get a chance to present these to the Governor and I'd be happy to respond to any inquiries concerning any of the items.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1763. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1763 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think now is the appropriate time that we move to the Order of House Bills 3rd Reading and go to House Bill 3396.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, you have a motion? All right, with leave of the Body, we will go to the Order of House Bills 3rd Reading. Is leave granted? Leave is granted. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Yes, I would move that we adopt House Bill 3396...I'm sorry, on the Order of 3rd Reading that we waive the rule under Rule 5C so that it can be considered...waive the rule as to the appropriation's deadline.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll moves to suspend Senate Rule 5C so that House Bill 3396 may be passed this evening and that is to extend the deadline for 3rd reading and passage of House bills. Those in favor indicate by saying Aye. Opposed

Nay. The Ayes have it. Motion carries. House bills 3rd reading, Mr. Secretary.

SECRETARY:

House Bill 3396.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Now as this bill...as just amendment...axis would be the authorization for bond categories...other than Build. It would bring it up to that seven hundred sixty-six million dollar level. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Could we have the courtesy of an explanation of this McCormick Place refinancing that our thing talks about? We're talking about arbitraging which is...needless to say, a questionable governmental financing principle.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Keats, as you well know, this is technically not arbitraging but rather taking a...a bond that is currently out there at a interest rate that was appropriate at the time but taking advantage of the fact that rates have gone down and refinancing that issue at the now lower rate. The refinancing would cause us to save at least a million dollars per year in debt service for the years of the term of the bonds, and we have provided by this Act that that million dollars a year in savings be transferred to the Purposes Fund for Build Illinois so that the savings and interest of the taxpayers

can be used for the pay-as-you-go portion, the Purposes Fund of Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I appreciate that data. I...I well understand. What I'm trying to figure out is the Construction Fund flip-flop method. Could somebody explain that? I well understand the other part. That's the part I don't understand. I have now read about four times the Construction Fund flip-flop method of financing...and it doesn't make an ounce of sense and, as you well know, this is a subject I know a bit about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll, if you'll explain flip-flops, maybe we can get moving. Senator Carroll.

SENATOR CARROLL:

I would hate to say, but I think Senator Keats is the expert on flip-flops in Illinois and I would defer to his judgment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Carroll, I...oppose this and I think I ought to speak up in support of what you have done...precisely what we wanted done with this. Senator Keats, that flip-flop is an option. Chapman and Cutler has called and said it is a...an operable option. The Bureau of the Budget says it is; however, it is in there as an option because if it can be used, it can present a little bit more of a savings than the other one, but it will be looked at very closely. The money will come back to us. It is not going to McCormick Place.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? If not, the question is,

shall the...shall House Bill 3396 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 3,...4 voting Present. House Bill 3396 having received the required constitutional majority is declared passed. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, on page 7 of the regular Calendar, on the Order of Concurrence there is Senate Bill 1728. I would like the opportunity to move to nonconcur in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge has...has sought leave to return to the Order of Secretary's Desk Concurrence, page 7 on the regular Calendar. Is leave granted? Leave is granted. Secretary's Desk Concurrence is Senate Bill 1728, Mr. Secretary.

SECRETARY:

Senate Bill...1728 with House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, I move to nonconcur in House Amendment No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Etheredge moves to nonconcur in House Amendment 2 to Senate Bill 1728. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. Senator Carroll, for the...for the...wait a minute...Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill 2123 together with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Carroll, for the real State of the State...Senator Carroll.

SENATOR CARROLL:

Boy, are we...no...yes, ladies and gentlemen, under Article VIII of the Constitution of the State of Illinois, Section 2, the Finance Act Part B. We are, in our opinion, required to declare that the...under that article the General Assembly by law shall make appropriations for all expenditures of public funds of the State, appropriations for a fiscal year shall not exceed the funds estimated by we, the General Assembly, to be available during that year. It is our guesstimated opinion that at this point and time we have appropriated from all funds some 20.5 billion dollars of which some 10.76 billion is General Revenue Fund appropriations now sent to the Governor, assuming that the House takes the action we have. There was two hundred and eighty-eight million dollars in the bank at the close of business on the 30th of June this year, up some sixty-eight million from the projections that were in the budget book of last year. In addition thereto, the budget as presented by the Governor and the requests of the Governor, the other constitutional officers, the other branches of government and those statutorily required would have been some one hundred and thirty million dollars over the budget book as presented. We have, however, trimmed that by some twenty-five million net, net, net after all that we have done and have come in historically some twenty-five million under the requests of those of the

courts, the Executive Branch and Statutes and will, therefore, be presenting him in general revenue funds, ten billion seven hundred and sixty million, which, in our opinion, is within the revenues available to the State of Illinois taking into consideration revenue projections and the available balance. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with...with leave of the Body,...the Chair would like to...all right,...with leave of the Body, we'll go to the Order of Resolutions and the Chair will yield for a...momentarily to Senator Vadalabene. Oh, Mr. Secretary.

SECRETARY:

Senate Resolution 1180 offered by Senators Rock, Luft and all Senators.

SENATOR VADALABENE:

Is this on? Yes, I would like to have your attention, please, 'cause we do have somewhat of a crisis here and we got to get this resolution out of the way before something happens here on the Senate Floor; and, Beverly, eat your heart out.

(Senator Vadalabene reads SR 1180)

And I must warn you, the baby is due today. Congratulations, Cindy, and we all wish you the best.

CINDY HUEBNER:

(Remarks made by Cindy Huebner)

SENATOR VADALABENE:

Are there any other pregnant women on staff? I didn't want to say that...I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's it, get the hook. All right,...Senator Vadalabene moves the adoption of Senate Resolution 1180. Is there...is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1180 is adopted. Senator Rock.

SENATOR ROCK:

Mr. President, while we're on the Order of Resolutions, I wonder if we could go to the adjournment resolution. I'd like to adopt that. Then we have Supplemental Calendar No. 8 and then I'd ask the members to please remain close while Senator Philip and I confer with the House and with the Governor and see what yet remains. As far as I am concerned, we have...once we deal with Supplemental 8, we have finished the necessary business of government.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 181...offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SECRETARY:

(Secretary reads SJR 181)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This is the resolution...when we conclude our business, I hope very shortly...within an hour that we will return to Springfield on November the 6th at the hour of noon, and I would move for the suspension of the rules and the immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the suspension of the rules and immediate consideration and adoption of Senate Resolution...Senate Joint Resolution 181. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 181. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 181 is adopted...we have one more resolution that we ought to

just...resolutions. All right,...no...Senator...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I now ask leave to move to the Order of Supplemental Calendar No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will go to the Order of Supplemental Calendar No. 8. House Bill 3191, Mr. Secretary.

SECRETARY:

House Bill...the first Conference Committee report on House Bill 3191.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall...whoops, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a...appropriation bill that is catchall in nature. Some of these are duplicate appropriations which we have truly attempted not to do throughout the process; however, 'cause of some delays, this became necessary. I know it's just been distributed. It's about a dozen or so items. Let me quickly list them, if I can. This would be a duplicate appropriation of the Charitable Gamings Act as we identified in a previous bill. This would be 2.75 million for Rend Lake Marina, one million one for the Arts Council, fifty thousand dollars for the State's attorney's appellate prosecutors, public labor relations; five hundred thousand dollars for DuPage County Forest Preserve land acquisition, twenty-five thousand for a Glen Ellyn choir trip to Europe, a hundred and sixty-five thousand dollars for minority interns at the Board of Governor's, two hundred and seventy-five thousand dollars for a computer bank for unemployed workers, three hundred thousand dollars GR for a DuPage County business procurement center, two million dollars for the...of GR for the State

Lottery for contractual services, five hundred thousand dollars for School Construction Fund for Monmouth School Lincoln Trail addition, five hundred thousand dollars School Construction Fund for Monmouth School Sangamon Addition, one million dollars school construction for Gallatin School construction, two million dollars of CD funds for the new prisons which we had taken care of in another bill as well, two hundred thousand dollars of general revenue for coal marketing, three hundred and seventy-five thousand dollars of general revenue for Warren Township temporary relocation of its school, ten million dollars for Ag. Premium which we've already done, two hundred and fifty thousand for probation, three hundred and twenty-four thousand dollars for insurance reform which we have also already done. And this is Conference Committee Report No. 1. I would be willing to answer any questions that may be left and I ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think Senator Carroll has just gone through this. We might take a little bit of time, particularly since...at least for the folks over here on this side of the aisle, you're just now getting a copy of the...the summary here, and...and I'm looking at my summary now for the benefit of the members here so that you can see what has...what is duplicated in this bill that we have already approved in House Bill 3253. The first two items, Sections 1 and 2, represents a...a duplication of the items that were in 3253; Item 16 which represents the planning and site improvement money for the Mt. Sterling and for Canton Correctional Centers, Item 19 which is a tranfer for the State Comptroller and then the last item, Item 21 which is the appropriation for the Department of Insurance. Yes, all of those things

which I've just listed are duplicative of the items which we have earlier approved in House Bill 3253. Now in addition, all the other things that you see on the summary sheet are new that we are now seeing for the first time...and you...as you look through this, you may see some things that you might want to ask some questions about. I...I notice there...here's a million...a million dollars General Revenue Fund for the Arts Council, another hundred and ten thousand for the Arts Council, Items 4 and 5; and Items 13, 14 and 15...Senator Carroll, I would direct this...this question to you. The money for the...Community Unit School...that...there are two five hundred thousand dollars grants to those...to that school district, plus a grant to the Gallatin School District for a million dollars, isn't that money duplicated else...haven't we also given additional grants to those same school districts earlier on through Build Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

It is my understanding the answer is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

So that these are not duplicative, these are in addition to sums that we have appropriated elsewhere.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

If both are signed, that would be correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, I would ask...my members over here to...to look at

some of these other items, perhaps there may be additional questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I...I share some of the same concerns that Senator Etheredge has suggested and I...Senator Carroll, I...I think that every member of this Body ought to...to very carefully look at perhaps the issue that I brought up in the Build Illinois issue some...some moments ago with respect to a twenty-five percent cut in the grants in soil and water conservation districts. Now many of you, I know, would suggest this is a completely rural issue...a completely rural issue. I want you to look at...want you to look at the fact that soil and water conservation districts are made up of both rural and urban areas and the impact upon a great number of the members of this General Assembly. I think we took a rather substantial cut...a twenty-five percent cut. I would have gladly given up some of my projects in Build Illinois for this had I known this...this was going to take place, and I think then to look at this bill and see some of the...quite frankly, pork that's here, I think we ought to take another look at this and perhaps reject this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the first Conference Committee report on House Bill 3191 and looking, if you will, Senator Maitland and Senator Etheredge and others, there are admittedly some duplications, because, frankly, at the eleventh hour, I changed the game plan and decided that the House

was dilatory enough, long enough and we were going to get moving. So we have two million dollars to implement Senator Lechowicz' bill on the Charitable Games Act, we have agreed to two million additional dollars for the study of the new prisons...or for the planning I should say, the ten million dollars to the Agriculture Premium Fund, the three hundred twenty-five million dollars for insurance reform contained, I might proudly say, in Senate Bill 1200. In addition to that, there are a number of other items that are of some substantial importance to members of both the House and the Senate, and some of those items were, frankly, not subject to agreement prior to the eleventh hour, as always happens. I am convinced, I am sure, as I'm sure Senator Philip is sure, that the Chief Executive who wields the final pen is well aware of where the agreements are and what ought to be done, but I think we would do ourselves a disservice on July 2nd to turn down a bill like this. We're certainly never going to get to a second report on this kind of stuff. There is admittedly some...there are admittedly some things in here with which I don't agree, but I sat in the Governor's Office, as did Senator Philip, and there were some things that we did agree to and those things ought to be reflected on what finally turns up on his desk and I am convinced, as I have been in the past, that the gentleman on the second floor is well able to sort it out. I think this bill ought to be passed and that will effectively conclude our business for the ordinary and necessary operation of government and we can then go home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

END OF REEL

REEL 05

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Of course, Senator Rock is absolutely correct, this is the last appropriation, I think. The Governor has not agreed to all of it, there's a good part of it that he's going to amend out, so let's do the right thing and get out of here and vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll may close.

SENATOR CARROLL:

My only comment would be to Senator Maitland. If you think it's pork and you're from my district, you got to vote No; on the other hand, if it's chicken, as has been described by both the President and Minority Leader, then the correct vote would be Aye, and I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 3191. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 16, 3 voting Present. The Senate does not adopt the first Conference Committee report on House Bill 3191. Senator Carroll.

SENATOR CARROLL:

Would ask you to inform the House and ask that a second Committee on Conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll requests a second Conference

Committee. Senator Rock.

SENATOR ROCK:

I...I would just ask...we've already passed the adjournment resolution, allow us, if you will, about twenty minutes to confer with the House and the Governor and find out...in...in my opinion, we have concluded our business, but let's just wait and...there are members who have Conference Committee reports circulating and we want to make sure everybody gets a shot at what they want. Okay. If you'll just wait about twenty minutes we'll be...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President. While you're waiting for those twenty minutes, I just received a final shipment...of the suggested Independence Day speech, and they're going like hot cakes, so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Fawell for what purpose do you arise?

SENATOR FAWELL:

Sam, that isn't going to be called little Sam, is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I didn't hear what Senator...what Bev said, but I would like to make a comment. Bev passed my desk two times today and never stopped either time, and...ever since she's been on the Podium with Senator Kustra there seems to be some type of separation between her and I. And before I head south, I'd like to know for sure whether we have a separate maintenance or not so that I can start out anew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, perhaps you can confer...privately. The Senate

will stand in Recess.

RECESS

AFTER RECESS

PRESIDENT:

The question was asked, where are we? Allow me to answer the question. In...in my opinion, we have three bills yet to consider...momentarily. 3191, which we talked about a little earlier, is a bill which appropriates some money the House has passed and, frankly, has us...asked us to pass. I understand that 3266 and 3058 will be on a supplemental Calendar. They've also asked to do this, Senator Poshard. (Machine cutoff)...that...we...has the House adjourned yet? They're getting close. 3058, by the way, Senator Degnan, that's what we're waiting on. The House has not sent the Message yet so we can...we do the best we can but we can't...you know, we only can do what we can. Ladies and gentlemen, we're trying truly...to expedite the movement. Senator Philip will shortly announce that the Governor still cordially invites you all to his house because we are going to conclude. One of the things we have to do is have a motion that only a true politician can make. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, thank you for the compliment. Having voted on the prevailing side by which Senate...House Bill 3191 was lost, I move to reconsider the vote by which it lost.

PRESIDENT:

Thank you. Senator Geo-Karis has moved to reconsider the vote by which House Bill 3191 failed. All in favor of the motion to reconsider indicate by saying Aye. All opposed. Thank you. Motion prevails. Ladies and gentlemen, if you please. We have just reconsidered our earlier vote on the

Conference Committee report...first Conference Committee report on House Bill 3191 which the House has adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll on 3191.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. On House Bill 3191 as revisited, let me explain the posture that may be slightly different than it was in when we last asked everyone to look this over. At the time we did it a few moments ago, we had also passed legislation that would have appropriated the following items and had asked the House to do likewise. That was some little over two million, almost two million one, to enforce the new Charitable Gamings Act out of their funds. That was some two million dollars needed, a million apiece, for the...planning of the two new prisons, one at Mount Sterling and one at Canton. That was ten million dollars transfer from general revenue funds to the Agricultural Premium Fund to make up for the desperate shortfall that is in the Ag. Premium Fund so that we could, in fact, fund DuQuoin and fund the county fairs. That was, in fact, the monies necessary for the insurance reform laws of Senate Bill 1200. In addition, there...those items that we passed the House killed by roll call, and those bill...that bill is now dead in the House, I think it got something like forty positive votes. This bill includes those items plus the monies necessary for completion, a reappropriation, at Rend Lake, the million dollars for the Arts Council, fifty thousand for the State's attorney appellate prosecutor, the DuPage County Forest Preserve Land Act, a choir, the Minority Interns Program, the unemployed worker's computer bank at Governor State University, DuPage County Business Procurement Center, the additional two million dollars for contracts for lottery advertising, the two additions at...for school construction at Monmouth School and

the construction at Gallatin School, two hundred thousand for coal marketing, three hundred and seventy-five thousand for Warren Townships temporary relocation and two hundred and fifty thousand for probation challenge. The difference between the two is the ones I just mentioned; the ones that we deemed absolutely essential for the operation of government in an orderly fashion, the House chose to send elsewhere by record vote. Therefore, we suggest that this Conference Committee report be adopted. It includes that which is necessary and, very honestly, some which some people may think is not, that can be taken care of at a later date by another person. And I would urge adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? The Chair would like to acknowledge the presence of His Excellency, the Governor, who has...graced us with his presence to witness this historic event. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I attempted to indicate before,...we passed or...or amended a House bill with a Senate amendment that, frankly, the House rejected, because we had four or five things that we felt were absolutely essential for the operation of government. Now I am not prepared to stand here and defend or suggest to any of you here that everything in here is essential for the operation of government. What I am prepared to stand her and say is that the gentleman on the second floor is prepared to sort this out. In order to expedite the process, I, again,...truly, I ask an Aye vote. This is extremely important in terms of whether we can get the House out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Do you want to vote on that? All right. Further discus-

sion? Senator Carroll may close.

SENATOR CARROLL:

Thank you, roll call. (Machine cutoff)...Philip.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, it's getting late, we've been here a long, long time. The Governor has agreed to use that veto pen on some of these things that both sides of the aisle don't agree on, and let's stand up and do what's right and let's have a big green vote up there.

PRESIDING OFFICER: (SENATOR DEHUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 3191. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. The Senate...does adopt the first Conference Committee report on House Bill 3191 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I ask leave of the Body to go to Supplemental Calendar No. 9.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Is...is...is leave granted? Leave is granted. On the Order of Supplemental Calendar No. 9, House Bill 3266, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 3266.

PRESIDENT:

First Conference Committee report, supplemental Calendar,

House Bill...3266. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The first Conference Committee report on House Bill 3266, I think I'll...I'll be brief because I don't believe there's anything in here that's controversial. When the bill left here it provided that any public or private college or university or governmental agency or public or private not-for-profit agency was afforded the opportunity to use the Governor's...the Board of Governor's Cooperative Computer Center. We've added language in here that expands the membership of the Prisoner Review Board, the Property Tax Appeal Board, Court of Claims, Horse Racing Board and the DES Board and a review and two...by adding two members respectfully to those...to those boards or commissions, and also to amend and create the Illinois Health Care Cost Containment Council Studies Fund. I know of no opposition. I would move the adoption of the first Conference Committee report to House Bill 3266.

PRESIDENT:

Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 3266. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 1, none voting Present. The Senate does adopt the Conference Committee report on House Bill 3266 and the bill having received the required constitutional majority is declared passed. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 3058 and request a

second Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 4, and the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard moves that the Senate accede to the request of the House. With leave of the Body, while we're momentarily waiting for that supplemental Calendar to come down, if you'll all take a look through the Resolutions Consent Calendar and make sure there's nothing controversial there. Mr. Secretary, have there been any...objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney, for what purpose do you arise?

SENATOR RIGNEY:

...Mr. President, I was wondering if we might have a little explanation of Senate...Resolution 1143. I thought that looked a little controversial.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You're kidding. Well, Senator Rigney, I...I'm told it deals with some walrus at a zoo. Perhaps it is controversial, I don't know, you'll have to...ask Senator Topinka. Well...having no objection...Senator Geo-Karis. All right. Having...beg pardon?

SENATOR GEO-KARIS:

Not on...not on that resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, all right, Senator Poshard moves that...the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, point of parliamentary inquiry. There are a number of us who are very concerned about the race track bill, House Bill 2486. Aren't we going to act on that conference report tonight or are we here for nothing? We're very concerned. The horse racing industry is concerned. I'm concerned for my district where a...a track is supposed to be...other tracks are concerned. We have spent many hours worrying about this, trying to work together and what is going to be done? Why isn't it being called tonight...or today I should say?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me look in my crystal ball and see what I have for you. Senator Rock.

SENATOR ROCK:

The lady's question is well taken, Mr. President. And as I referred to earlier, let me refer you to a article in the Tribune of the 26th where the Governor of our State said, "The brass ring is coming around one more time. I think folks in the industry ought to...better start thinking of the greater good of the industry and less of their individual tracks and their individual good and their individual bargaining positions and get together and that includes everybody." I will suggest to you, Senator Geo-Karis, that this Senate, with the help of Senator Topinka, Senator Weaver, Senator Vadalabene has passed enumerable measures to help Illinois racing, and the House of Representatives in their absolute audacity has said to the Senate of Illinois, we don't like it; and as a result, we have done in this Session what is necessary for the ordinary operation...necessary operation of State Government and I refuse, for one, to be harnessed by the House of Representatives. We're ready to go home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have heard the...the explanation by our President of the Senate. I regret...very deeply regret that we couldn't go into this matter and as you tell me, if it's the fault of the House, I regret that even more because it's not just for my area, I'm not being provincial. This report would have helped all the tracks in Illinois, and I feel very bad that we haven't accomplished any conclusion on it at this Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, for what purpose do you arise?

SENATOR BARKHAUSEN:

Mr. President, if I may, just very briefly,...just second the concern that Senator Geo-Karis has because...in part because I admit it's a partially parochial concern in that this new track is to be located in Lake County and I least of all would want to take direction from the House, but it appears what they have sent over does at least contain the all-important reduction in the parimutuel tax which is of concern to the entire racing industry; and Senator Rock aptly...aptly made the point that what we should be doing should be benefitting the entire racing industry, and certainly a reduction in the parimutuel tax would...would do that. So, it would seem to me that we at least ought to try to go away from this Session having it at a minimum, taken that first step to help this all-important industry in Illinois; even if what is in the package isn't entirely what we might want, we ought to at least be satisfied that we are taking these first initial steps to help all the industry and to provide the incentives that will bring this crown jewel of Illinois racing to...to our State and...and to our own County of Lake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Senator Barkhausen and Senator Geo-Karis, I could not agree more and I will yield at any given time to Senator Weaver, because Senators Weaver and Vadalabene and Joyce have passed bills out of this Senate fifty-four, fifty-five, forty-seven affirmative votes to help the racing industry in Illinois and then we are confronted with the absolute unadulterated audacity of the House. They did not leave any one of our bills out of the Rules Committee. More than that, they throw a Conference Committee report at us when a Conference Committee has not even been appointed, and it says on page 30, that all of this that has been done through thirty pages of this report will take place only...only after issuance of all construction and building permits necessary to begin construction of a race track in a county with a population of more than four thirty but fewer than five hundred thousand inhabitants. Now, give me a break. Everybody in the world knows this is Lake County. Everybody in the world knows that we want Mr. Duchossios, who is a friend of mine, by the way, to do that, and I really believe he has the best interest of the State of Illinois in his heart. He is a good person for Illinois racing, but I will be darned if the Illinois General Assembly is going to pass a bill to provide substantial tax breaks, tax incentives, if you will, and be subject to the local permitting process where we are subject to...whatever we do are subject to the issuance of construction and building permits by whom? Lake County? I don't even know what town that is...within Lake County. Adeline, tell me what town it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I'd

be very happy to inform you. It's in Newport Township in Lake County, and I'm not being provincial because the tax breaks that were going to be available would have applied not only to that track, would apply to all the tracks. For example, there's a reduction that would have been on January 1, 1988, the privilege tax on horse racing from six percent average to a flat three percent and so forth. Now, just a minute,...a point of order...I'll answer your point of order. All I can say...all I can say is we spent a many, many hours here and I think my...my county is entitled consideration because it would have provided seven...this track would have provided seven thousand jobs for Illinoisans, not just Lake Countyans, and I do think that we should put aside petty differences and do something constructive and if we can have a premiere track.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Weaver. Senator Rock.

SENATOR ROCK:

Well, I...I'll yield to Senator Weaver. I do want to answer Senator...Senator Geo-Karis...I agree with you. That's what I'm saying. What offends me is that there are four or five Senate bills that we sent to the House virtually unanimously and they ignored them, and we are now on July 2nd, as everybody well knows in our party, in a minority position because it takes an extraordinary vote; and so there are certain people in the House who have said, hey, no way, and I refuse to be held hostage by those people and so the answer is no, and I can go through all the pages of this report and point out what I think are the deficiencies because I can point to the legislation that you and I and Senator Macdonald and Senator Weaver and...and all kinds of us supported to encourage the rebuilding of Arlington Park, and I will say to Mr. Duchossios publicly that I applaud his effort. He is a grand man and a friend of mine and he is an

Illinoisan and he is in the best interest of Illinois racing, but I will suggest to you also that when the Governor of Illinois says last week that we're going to get together and get the industry together and the industry doesn't agree, then we are simply kidding ourselves, because they do not agree and we are not, frankly, with this report...now I don't even know if this is the last report and I apologize for that. This is the last one I got from the Governor's Office, but it...to me is unacceptable and I hope to the conferees that I will appoint.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I don't...I don't know how we got into this. Senator Weaver.

SENATOR WEAVER:

Mr. President, I don't know how we got into it either, but let me say that a great many of us worked a lot of hours to try to do that which would make the racing industry in Illinois a healthy industry. Most of us here have no concern for racing other than that which it supports through the franchise and the other horse racing taxes. Let me say this, those of us concerned with the health of horse racing in Illinois will be working over the summer to try to come to some consensus that will be fair to one and all who are interested in horse racing. Horse racing is a big industry in Illinois. It provides a lot of jobs. Horses eat a lot of oats, they eat a lot of hay, that's good for the farmers. We're interested in the farmers, we're interested in building jobs but let me reiterate, we'll be working on it all summer and maybe next fall we can come in and pass something that's fair to one and all. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Let me, first of all, on behalf of the great Governor of the great State of Illinois, invite you all over to the Mansion for an after session party, and secondly, compliment Senator Rock on the organization of the Senate...the scheduling of the Senate and the cooperation we have had from the other side. We certainly appreciate that, you're one of the good guys; and without further ado, I would move that we adjourn sine die.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Rock.

SENATOR ROCK:

Senator Philip and I, in fact, get along very well and...and from time to time we don't agree, but I hope we can disagree and continue to disagree without being disagreeable. The motion will be, Mr. President, that we will stand adjourned until November the 6th. I wish all candidates, particularly on this side of the aisle, extremely well and I wish all of you the best. Your cooperation has been superb, your attitude is good and I think we have done some substantial good for the people of Illinois. I congratulate you all. I move we stand adjourned, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves that the Senate stand adjourned till November the 6th at the hour of noon. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

November 6, 1986

PRESIDENT:

The hour of noon having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Hugh Cassidy, Blessed Sacrament Church, Springfield, Illinois. Father.

REVEREND CASSIDY:

(Prayer given by Reverend Hugh Cassidy)

PRESIDENT:

Thank you, Father. Reading of the Journal.

SECRETARY:

Wednesday, June the 18th; Thursday, June the 19th; Friday, June the 20th; Monday, June the 23rd; Tuesday, June the 24th; Wednesday, June the 25th; Thursday, June the 26th; Friday, June the 27th; Saturday, June the 28th; Sunday, June the 29th; Monday, June the 30th; Tuesday, July the 1st and Wednesday, July the 2nd, all in the year 1986.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Communication from the Secretary of State.

SECRETARY:

Communication from the Secretary of State.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named person to the offices enumerated below and

respectfully ask concurrence in and confirmation of this appointment by your Honorable Body. Signed, James Edgar, Secretary of State.

PRESIDENT:

Committee on Executive Appointments. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory with the exception of two which are death resolutions, and they are the last two that I will read.

Senate Resolution 1181, Senator Lemke.

1182, Senator Lemke.

1183, Senator Lemke.

1184, Senator Lemke.

1185, Senator O'Daniel.

1186, Senator Topinka.

1187, Senator Topinka.

1188, Senator Topinka.

1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, all by Senator Topinka.

1200, Senator Carroll.

1201, Senator Lemke.

1202, Senator Alexander.

1203, Senator Keats.

1204, Senator Rupp.

1205, Senator Rock.

1206, Senator Rock.

1207, Senator Savickas.

1208, Senator Kelly.

1209, Senator Kelly.

1210, Senators Smith, Newhouse, Collins, Jones and Alexander.

1211, Senator Macdonald.

1212, Senator Macdonald.

1213, Senator Macdonald.

1214, Senator Macdonald.

1215, Senator Demuzio and it's a death resolution.

And also 1216, Senator Demuzio, Rock and all Senators and it's a death resolution.

PRESIDENT:

All right. Those resolutions go on the Consent Calendar, Mr. Secretary.

SECRETARY:

Senate Resolutions 1216 offered by Senator Topinka.

And Senate Resolution 1217 offered by Senator Rock.

PRESIDENT:

Executive. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1219 offered by Senator Vadalabene, it's congratulatory.

1220, by Senator Vadalabene, it's congratulatory.

1221, by Senator...Senator Degnan and it's congratulatory.

1222, by Senator Degnan, it's congratulatory.

1223, by Senator Degnan, it's congratulatory.

1224, by Senator Zito, it's congratulatory.

Senate Resolution 1225, by Senator Zito, it's congratulatory.

Senate Resolution 1226, by Senator Hudson and it's congratulatory.

And Senate Joint Resolution 183, by Senator Degnan and it's congratulatory.

(Machine cutoff)...Resolution 1227, by Senator Dudycz and it's congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1228 offered by Senator Fawell, it's

congratulatory.

Senate Resolution 1229 offered by Senator Mahar and it's congratulatory.

PRESIDENT:

Consent Calendar. Messages from the Secretary of State.

SECRETARY:

A Message from the Secretary of State.

To the Honorable President of the Senate.

Sir - In compliance with provisions of the Constitution of the State of Illinois, forwarding herewith the enclosed Senate bills as vetoed by the Governor together with his objections.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President, if I might, to move that instead of reading all of these Messages that we simply...dispense with the reading of the Messages and ask that they be Journalized instead.

PRESIDENT:

All right. You've heard the motion to dispense with the reading of the Veto Messages and...request that they be Journalized. All in favor of the motion to dispense with the reading indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered, Mr. Secretary. Senator Demuzio.

SENATOR DEMUZIO:

Yes, also I would like the record to reflect that Senator Welch is absent today due to illness.

PRESIDENT:

The record will so reflect. Introduction of bills.

SECRETARY:

Senate Bill 2305 introduced by Senator Dudycz.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1230...and 1231, both congratulatory offered by Senator Lechowicz.

And Senate Resolution 1232, it's a death resolution offered by Senator Lechowicz.

PRESIDENT:

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I'd just direct the members' attention to the back page of the Calendar so they can take a look at the schedule. Very shortly we will be adopting the adjournment resolution, we'll come back to Springfield on November the 18th, at the hour of noon, and we are scheduled for November 18, 19 and 20 and then again on December 2, 3 and 4. So I hope the members will make their plans accordingly. Additionally, Mr. President, I've spoken with Senator Philip. We have a number of resolutions on the Consent Calendar that the members are anxious to have adopted, and rather than hold everyone, perhaps we could dispense with the formal presentation of the Consent Calendar and I can move the adoption of those resolutions as you read them, and then we can have the adjournment resolution and we can be on our way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request of Senator Rock to waive the...the...adjournment resolutions from being passed out. Is leave granted? Leave is granted. Senator Rock now moves the...for the immediate consideration and adoption of the Resolutions Consent Calendar. Those in favor indicate by

saying Aye. Opposed Nay. The Ayes have it. The motion is adopt...Senator Rock now moves the adoption of the Resolutions Consent Calendar. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolutions Consent Calendar is adopted. And in that motion we will add, Mr. Secretary, Senate Resolutions 1181, 1216...I'm sorry, through 1216 and Senate Resolutions 1219 through 1232 and Senate Joint Resolution 183 for the record. Resolutions.

SECRETARY:

Senate Joint Resolution 182 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SECRETARY:

(Secretary reads SJR 182)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 182. When we leave today, very shortly, we will return to Springfield at the hour of noon on November the 18th, and I would move to suspend the rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 182, the adjournment resolution. Those in favor indicate by saying Aye. Opposed Nay. The...Ayes have it. Rules are suspended. Senator...Senator Rock now moves...Senator Geo-Karis on the adjournment resolution? Senator Rock now moves the adoption of Senate Joint Resolution 182. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 182 is adopted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. Chairman, just a point of information, because I've been busy chatting with everyone here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's all right.

SENATOR GEO-KARIS:

Since I...since I am the most cheerful loser you'll ever find around here, I...I'd like to know when we...adjourn today...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, wait a minute...wait a minute...wait a minute...ladies and gentlemen, can we have some order. This is the second concession speech? Senator Geo-Karis.

SENATOR GEO-KARIS:

No, I made my concession speech and I also told you...the most cheerful loser you'll ever find around here. All I'm saying is...I understand if we adjourn today we come back the 18th, is that correct? Is that 18th and 19th or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, if you'll turn to your Calendar, on the...the inside of the back page it gives the schedule for the Veto Session. We are scheduled to come back the 18th at noon and then the remaining six or seven days are...are so listed. Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, very much, Mr. President. I appreciate you informing me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till November the 18th, at the hour of noon. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 18, 1986

PRESIDENT:

Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield, Illinois. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

I wonder if I could ask the members to just remain standing for a moment of silence. We will, of course, have the death resolutions, but today two of our...former colleagues were buried, Senator John Knuppel of Petersburg and Senator John Grotberg of St. Charles. Thank you. Mr. Secretary, reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr...Mr. President. I move that the reading and approval of the Journals of Thursday, November 6th, in the year 1986, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Thank you, Mr. President. I'd like for the record to reflect that Senator Vadalabene is absent today due to illness.

PRESIDENT:

The record will so reflect and I wonder if the Chair could have leave to...a number of the members are en route from...former Senator...Congressman Grotberg's funeral. I wonder if we can have leave to add those members to the roll

call when they...when they finally make it here. Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1232 offered by Senator Holmberg.

1233, by Senator Holmberg.

1234, by Senator Holmberg.

1235, by Senator Holmberg. All congratulatory.

Senate Resolution 1236, by Senator Lemke. Congratulatory.

Senate Resolution 1237, by Senator Sangmeister. Congratulatory.

Senate Resolution 1238, by Senator Vadalabene. It's a death resolution.

Senate Resolution 1239 and 1240, by Senator Kelly. They are congratulatory.

Senate Resolution 1241, by Senator Demuzio, Rock and all Senators. And it's a death resolution.

Senate Resolution 1242, 1243 and 1244, by Senator Dunn. They're congratulatory.

Senate Resolution 1245, by Senator Dunn, and it's a death resolution.

PRESIDENT:

Consent Calendar, Mr. Secretary. If I can have the attention of the membership, on page 14 and 15 of the Calendar...on pages 14 and 15 of the Calendar, there have been motions filed to override total vetoes, item vetoes to restore item reductions and to accept...specific recommendations for change. Most of the sponsors or the originators or the signers of those motions have indicated they wish to proceed tomorrow. Is there any member who has a motion on pages 14 or 15 who wishes to proceed this evening? When we adjourn we will reconvene tomorrow at noon and I presume we will work the entire afternoon, so...all right, on the order...is there any further business to come before the Senate? Senator

Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I might...calling the attention of the members to page 2 of the Calendar...if I can get leave of the Senate to go back to the Order of Senate Bills 2nd Reading. When we had adjourned last...in early July we had passed a resolution giving specific permission to waive the general date requirements for the...for Senate Bill 1699, the comprehensive health insurance program. We will be prepared tomorrow with an amendment that we believe resolves the issue and would seek to be able to pass it at that time. With leave of the Senate, we would like to move the bill today from 2nd to 3rd reading, bringing it back tomorrow then...to then amend it and, hopefully, to pass it. The technical advisory panel had its meeting just a few moments ago in Room 212 and has basically approved a draft which will be distributed. There are some suggested changes from affected industries that are being incorporated into a later draft and we would amend it tomorrow. With leave, Mr. President, I would like to yield to Senator DeAngelis, who I believe will second the motion that we go to that order of business for that purpose. Senator DeAngelis.

PRESIDENT:

All right, Senator Carroll has...sought leave of the Body to...to go to the Order of Senate Bills 2nd Reading for the purpose of taking up Senate Bill 1699. Discussion on that point? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would urge that we do that. Most of the objections that I've been confronted with by members from our side have been answered, and I think we ought to go about doing this and tomorrow we will have the amendment and we can discuss it in further detail.

PRESIDENT:

All right. On this point, Senator Geo-Karis.

SENATOR GEO-KARIS:

Not on the point, but I would...like to ask leave of the main sponsor to be added as a hyphenated cosponsor of the bill...

PRESIDENT:

All right, Senator...Senator Geo-Karis asks leave of the Body to be shown as a cosponsor of Senate Bill 1699. Without objection, leave is granted. Senator Joyce, on this point?

SENATOR JEROME JOYCE:

No.

PRESIDENT:

All right, with leave of the Body, we'll move to the Order of Senate Bills 2nd Reading, Mr. Secretary. On the Order of Senate Bills 2nd Reading, top of page 2 on the Calendar, is Senate Bill 1699. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1699.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. Senator Joyce, for what purpose do you arise?

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would move to...nonconcur on Senate Bill 1164 and ask that a...on...House Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDENT:

All right, with...if...if I can have the attention of the membership, on the bottom of page 6, with leave of the Body, we'll go to the Order of Secretary's Desk Concurrence, bottom of page 6. Senate Bill 1164. On the Order of Secretary's Desk Concurrence is Senate Bill 1164. Senator Joyce moves to nonconcur in House Amendment No. 1 to Senate Bill 1164. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Further business to come before the Senate? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I had spoke to one of the leaders on the Republican side, Roger Sweet. I would like...and the President...I would move to suspend the appropriate Senate rules in order that the Committee on Local Government be discharged from further consideration of House Bill 1540 and ask that the bill be placed on the Calendar on the Order of 2nd Reading. House Bill 1540 would amend the Municipal Code and it would allow the City of Chicago with the approval of the council and the Chicago Transit Authority the power of eminent domain in a narrow corridor for the Southwest Rapid Transit Line. We put the bill back in committee awaiting Congressman Lipinski's ability to get the funds from the Federal Government. In a letter to all of us today he has indicated that that has been accomplished. The funds from the Federal Government are available. The State's funds have been available since February and we would like to move and help Congressman Lipinski move this Southwest Rapid Transit Line ahead. If there are any questions on...on this concern, we will be there to answer them on 2nd reading and...at this point, I would move its discharge and placed on the Calendar on 2nd reading.

PRESIDENT:

All right, Senator Savickas has moved to discharge the

Committee on...move to suspend the rules to discharge the Committee on Local Government from further consideration of House Bill 1540 and asked that bill be placed on the Calendar on the Order of House...2nd Reading. Discussion on that motion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'm...Senator Savickas, I'm sure that...as this bill moves on it will have very limited application. Is that...can you give us that assurance?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, I can give you that insurance. In fact, that was one of the purposes that it was put back, also to redefine and define the narrowness of the corridor to which...the powers would apply and it will be a...the real estate people have been in, evidently they are satisfied; if not, we will assure you on the definition and define the narrowness of that corridor so...this will serve that Southwest...Transit Line.

PRESIDENT:

All right, Senator Savickas has moved to discharge the Committee on Local Government from further consideration of House Bill 1540 and asked that the bill be replaced on the Calendar. The Secretary informs me that technically it will be replaced on the Order of 3rd Reading from whence it came, so you'll have to call it back and amend it and...all right, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. All right...with leave of the Body, Channel 20 and Channel 17 have asked leave to shoot some film. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1246, by Senator Topinka. It's

congratulatory.

1247, by Senator Geo-Karis. It's congratulatory.

1248 and 1249, by Senator Lechowicz and it...they're congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. Further business to come before the Senate? Is there any further business to come before the Senate? All right, any further business to come before the Senate in the Regular Session? If not, Senator Carroll moves that the Senate stand adjourned in Regular Session until Wednesday, November the 19th, tomorrow, at the hour of noon. Noon tomorrow for the Regular Session, ladies and gentlemen.

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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION

NOVEMBER 18, 1986

PRESIDENT:

Message from the Secretary of State, Mr. Secretary.

SECRETARY:

To the Honorable members of the Senate of the 84th General Assembly.

Enclosed is a copy of a Proclamation issued by Governor James R. Thompson calling a Third Special Session of the 84th General Assembly. Signed, James Edgar, Secretary of State.

State of Illinois, Executive Department, Proclamation.

(Secretary reads Proclamation)

PRESIDENT:

All right. Pursuant to the Governor's Proclamation, the Third Special Session will please come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution No. 1 offered by Senator Demuzio.

(Secretary reads SR No. 1)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. Senate Resolution No. 1, in fact, does as...Secretary indicates...adopts the temporary rules of the Senate of the Third Special Session of the 84th General Assembly. I would move adoption of Senate Resolution No. 1.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution No. 1. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution No. 2 offered by Senator Demuzio.

(Secretary reads SR No. 2)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senate Resolution No. 2 indicates that we would adopt the standing committees and the same membership and the same officers that has...been read by the Secretary. I move adoption of Senate...Resolution No. 2.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution No. 2. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 3 offered by Senator Demuzio.

(Secretary reads SR No. 3)

PRESIDENT:

Senator Demuzio on Senate Resolution No. 3.

SENATOR DEMUZIO:

Senate Resolution No. 3, Mr. President, ladies and gentlemen, indicates that the Senate is now...constructed in terms of a majority being present and informs the House that we are ready for the transaction of business. I move adoption of Senate Resolution No. 3.

PRESIDENT:

All right. Senator...Demuzio has moved the adoption of Senate Resolution No. 3. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary?

SECRETARY:

Senate Resolution No. 4 offered by Senator Demuzio.

(Secretary reads SR No. 4)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Senate Resolution No. 4 indicates that we notify the Governor that we are ready to do business. I would move adoption of Senate Resolution No. 4.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution No. 4. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 5 offered by Senator Demuzio.

(Secretary reads SR No. 5)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Senate Resolution No. 5 establishes the Journals so that each member may be informed as the transaction of...of business pursuant to the...the same as we've had in the past. I would move the adoption of Senate Resolution No. 5.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution No. 5. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions?

SECRETARY:

Senate Resolution No. 6 offered by Senator Demuzio.

(Secretary reads SR No. 6)

PRESIDENT:

Senator Demuzio on Senate Resolution No. 6.

SENATOR DEMUZIO:

Senate Resolution No. 6 establishes the committee by which the Journals may be approved. I would move the adoption of Senate Resolution No. 6.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Senate Resolution No. 6. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Mr. Secretary? Any further business to come before the Third Special Session? Further business to come before the Third Special Session? If not, Senator Demuzio moves that the Third Special Session stand adjourned until Wednesday, November the 19th, at the hour of 12:30 p. m. Twelve-thirty, Mr. Secretary. Senate now stands adjourned until noon tomorrow in Regular Session.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

November 19, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon having arrived, the Senate will come to order. Members will be at their desks. All unauthorized persons will please vacate. Our guests in the gallery will please rise. Our prayer this morning will be by the Reverend John Spreen, Church of the Little Flower, Springfield, Illinois. Father Spreen.

REVEREND JOHN SPREEN:

(Prayer given by Reverend Spreen)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that reading and approval of the Journal of Thursday, November 6th; Tuesday, November 18th, in the year 1986, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Kelly. Are there any objections? If not, so ordered. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has adopted the following joint resolutions, in the adoption of which I am instructed to ask concurrence of the Senate to-wit:

House Joint Resolution 237, it's congratulatory.

238 is congratulatory.

240 is a death resolution.

And 241 is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 1250 offered by Senator Berman, congratulatory.

Senate Resolution 1251, Senator Lechowicz, congratulatory.

Senate Resolution 1252, by Senators Hall, Rock and all Senators and it's congratulatory.

Senate Resolution 1253, by Senator O'Daniel, it's congratulatory.

Senate Resolution 1254, by Senator Maitland and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Introduction of bills.

SECRETARY:

Senate Bill 2306 introduced by Senators Schuneman, Philip, Weaver, DeAngelis, Davidson and others.

(Secretary reads title of bill)

2307, by the same sponsors.

(Secretary reads title of bill)

2308, the same sponsors.

(Secretary reads title of bill)

2309, the same sponsors.

(Secretary reads title of bill)

2310, the same sponsors.

(Secretary reads title of bill)

2311, the same sponsors.

(Secretary reads title of bill)

2312, by the same sponsors.

(Secretary reads title of bill)

2313, by the same sponsors.

(Secretary reads title of bill)

2314, by the same sponsors.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. All right, with leave of the Body, we'll go back to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolutions...1255 and 1256 offered by Senator Fawell, both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1257 and 1258, by Senator Berman, both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Berman, for what purpose do you arise?

SENATOR BERMAN:

Mr. President, on 1257, 1258 and there was one that was read earlier, will those be adopted today on the Consent Calendar?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Berman, we are here tomorrow. It's my understanding that they will be on the Consent Calendar for tomorrow.

SENATOR BERMAN:

Okay, I meant today or tomorrow. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes.

SENATOR BERMAN:

Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we'll go back to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

...Senate Resolution 1259 offered by Senator Jeremiah Joyce.

(Secretary reads SR 1259)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I think the resolution as read is explanatory and I would move for its adoption at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves the adoption of Senate Resolution...all right, Senator Joyce moves for the suspension of the rules for the immediate consideration and adoption of Senate Resolution 1259. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Jeremiah Joyce now moves the adoption of Senate Resolution 1259. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. All right, WCIA-TV, Channel 3 has requested permission to videotape the Senate proceedings. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1260 offered by Senators Keats, it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Rock, for what purpose do you arise? Could we break up the conferences? Could we break up the conferences on the Floor? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I'd like the record to reflect, with leave of the Body, that Senator Vadalabene is absent today due to illness. And, in that respect, I would call for a Democratic Caucus immediately in Room 212, probably take...we can Recess till about one-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Rupp.

SB 1516 Override

SENATOR RUPP:

Republican Caucus, Senator Philip's office right away.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. So the...Senator Rock has moved that the Senate Recess till the hour of one-thirty. Democratic Caucus in 212, Republican Caucus in Senator Philip's office. The Senate will stand in Recess till the hour of one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. If I can have the attention of the membership, we will begin on page 13 of the Calendar and we will proceed with motions in writing as they pertain to gubernatorial action. So it will be pages 13, 14 and 15 and 16. We will go right down the line, then we will go back on the regular Calendar and then we will handle any motions in writing that have subsequently been filed. The bottom of page 13 on the Calendar, Senator Welch, are you prepared to proceed? On the Order of Motions in Writing to Override Total Vetoes, there's a motion in writing with respect to Senate Bill 1516, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1516 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 1516 is the English proficiency bill. What this bill does is require that classroom instructors in universities in the State of Illinois be able to fluently speak the English language. The structure requiring them to do so is that the governing boards of each university system set forth a program

requiring a test of some sort to be left to the...to the university governing system analyzing the ability of each classroom instructor to speak the language fluently. The bill passed the Senate with forty-five votes this past spring, it passed the House with, I believe, eighty-six votes. The Governor vetoed the bill. I take issue with the Governor's veto for many reasons. One of the reasons that he cited was that requirements of the bill would...sacrifice concepts and facts for clarity of punctuation and grammar. The bill speaks not at all to punctuation and grammar, only about proficiency in speaking the English language. It doesn't make sense to have classroom instructors who cannot speak the same language as the students they are instructing. It's a basic right not just of students to be able to have teachers they can understand but also of parents who many times foot the bill. The Governor has also cited several instances of individuals who would not be allowed under his interpretation of this bill to lecture in classrooms. I believe that his examples are spurious at best because these individuals would be allowed in the classrooms. The bill allows the standards to be set by each university system. Certainly, Heney Youngman and Victor Borge would be allowed to speak, there's no problem with that. Henry Kissenger and Zbigniew Brzezinski have a lot to offer, they're not precluded. Other instructors, however, who cannot speak the language would be required to either have an interpreter or not be allowed to speak in class. It doesn't do much good to have someone standing before a class of students and not being able to communicate with them in a language they can understand. That is the essence of this piece of legislation and that's why I'm moving for a vote to override the veto of this Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel 17 and Channels 25 have requested

permission to videotape the proceedings. Is leave granted? Leave is granted. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

I, frankly, don't think we're debating whether these instructors speak English or not. I happen to have some connection, an alumni of Northern and I was at a function we had there recently with Senator Welch. I was talking to some of the instructors and some of the students who were at my table about this problem, and...all of the instructors...and I recall when I went to school I had a lot of instructors who were foreign-born and they all spoke English. Now some of them spoke it with very heavy accents, some of them were very difficult to understand and that is what we're really talking about. I don't know any university system in the State that has non-English speaking teachers. It's the proficiency, it's the understandability or whatever phraseology you want to have. In any...initial debate last year I commented and I...I believe that my analogy, which I note had not been rejected although it was in the Veto Message so I will use it again, was that I've heard tapes of Albert Einstein, a very...heavy German accent, very difficult to understand, clearly one of the most brilliant men of this century; and I continue to argue that this bill would prevent Albert Einstein from being an instructor in one of our public universities. I think our universities have an obligation to see that our teachers are able to communicate and I think they by and large look up to it. I was intrigued at the resistance of my university faculty friends who are English-speaking, American-born citizens to this bill. They were very hostile about this, they felt this was not a good measure and that...fact that it worked against the betterment of our university system and was a slap in the face at any of our ethnic and foreign-born instructors who have made a major contribution. I think the Governor's veto is very much in

order. I commend him for having the courage to fly in the face of this jingoistic, if you will, piece of populace garbage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I don't think I've ever been accused of sponsoring or speaking for jingoistic legislation. I stood up and spoke in favor of this bill last spring. I did it with substantial and direct experience working with college students and teaching in the college classroom at a number of institutions across the State. Since this bill passed, I have had a chance to work with students, at least at the University of Illinois, I can give you the names of courses. Senator Schaffer, I wish it was as easy as you said it was. I wish it were simply the case of a few...faculty members who have some kind of difficulty getting their message through with English in a case of an accent here and there. It is much more than that, we are talking about teaching assistants. Teaching assistants who are hired by these universities for their expertise mainly in Math and Science, and that's where you find the grossest violations. In some case...cases that I can give you, the instructor cannot speak English. In one particular case where a group of students went to the university into the department and complained, the Department of Mathematics told thirty students, look, this is a math course, it deals in numbers and symbols, it's not important that English be the spoken word in that classroom. Well, I've heard from the parents of those students, today we heard from some students from Eastern Illinois University; I asked them, is this a problem in your school? They said not only it is a...is it a problem at the teaching assistant level but professors at the full associate and assistant level also in

some cases have this difficulty. I don't think this is a slap at anyone's heritage or ethnic derivation. I think it is an attempt to give people what they pay for. When you pay tuition, hard earned dollars and you put them down there on the line, I think that students and their parents have the right to be spoken to and lectured to in a classroom in English; English that makes sense and can be understood by the average student. In too many classrooms across this State that is not happening today. All this bill does is require those universities to set up oral proficiency exams. I don't know how we could oppose this, there's nothing jingoistic about it, it makes good sense. It's simply a vote for taxpayers and people who are paying those tuition bills. I urge an override of Senate Bill 1516.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...the Chair would like to point out we've got a long way to go today, there's several lights on. Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I don't think probably there's a legislator on this Floor who hasn't been contacted by one of their constituents with respect to this issue. And, Senator Welch, I...I truly believe that...that your intent here from the very beginning was an honorable one and one that attempted to address some concerns that you have. Now, Senator Kustra, I would suggest to you that no matter what we do here today nothing is going to change, the problem is still going to be in place. There are no definitions, we don't know what oral proficiency really is. I would suggest that by calling attention to this problem, and we have done that both now and last spring, we will be making universities more aware of...of a problem that, yes, Senator Kustra, those who have paid their tuition expect to be understood, that they have a

right to be understood and...and...and...and learn from that instructor. That simply has to be done but this is...I view it a...an attempt to...to once again overregulate, overlegislate and, honest to goodness, folks, it's not going to do one single thing. The problem will still be there and I would urge opposition to this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this bill. It's a very important issue in...I think in...in our society of having teachers coming to this land and not speaking English. We are not talking about people like Einstein that speak with an accent. We're talking about people being proficient in the English language. When I get a phone call from a particular teacher and the message is left and I call back on the phone and some lady in a foreign language answers says, wait, I'll get my daughter and then to find out that this is the instructor who's teaching students can't speak English on the telephone in an accent, I have to talk to her twelve-year-old daughter to...her to interpret, I don't think this is the type of teachers we...we should have. And I don't think anywhere in the world can an American go or an English-speaking person go and teach class in English and not in that language in that country unless there's an American institute or something there. But I know down in South America or...or Mexico, the teachers all speak Spanish and if you're an American student, you better learn that language. I know in Poland it's the same way, you better learn Polish if you want to go to a Polish university; otherwise, there's no teachers there to teach in English. So I...I rise in support of this bill and I think the Governor is completely wrong, and I think it's a necessary bill especially in...in our community and the ethnic community. We're not saying people that speak

with...accents are bad, we're saying people that don't speak at all shouldn't be teaching and that's what we have. I...ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I would like to comment to...to Senator Maitland. In his district there's a school that one of my constituents goes to that could not understand the instructor and my constituent happened to be my daughter, and everyone in the class had tremendous difficulty with that and it's a...it was a math class, very complicated one. And it just seems to me that we certainly ought to override this...piece of legislation...the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in support of the motion to override the Governor's veto of Senate Bill 1516. I don't think it's any secret to anybody that the Governor from time to time makes mistakes, this veto was a mistake. What we are saying, Senator Maitland...we're not trying to overregulate, what we are establishing is the public policy of this State, and we are establishing the public policy on the...for the benefit of those who otherwise have nowhere else to go. What in the world is a college student to do with a teacher that he or she can't understand? If you complain too vocally, that same teacher is...got the opportunity to...to grade you accordingly, and so as a result, there are very few complaints, unfortunately, except to people like us. I think this makes eminently good sense, perhaps that's why everybody is afraid of it, it just makes...it's too logical; but I think as a

matter of public policy we ought to say to the students and to the parents who are paying for those students, we're going to give your son and daughter an opportunity at least to understand. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close. Senator Welch may close.

SENATOR WELCH:

Thank you. Let me first start with the Einstein quote that I let go earlier in the spring without rebuttal. When Albert Einstein went to school in Germany, I'm sure that he had fluent German teachers; otherwise, he wouldn't have become as brilliant as he was, you know, he could have just ended up old Al Einstein, a garage mechanic, had he faced the same problems students in Illinois face. I think that that is a red herring, but let me just say during the past year we have made universities aware of this problem and it's about time they become aware of it. They should have been aware all along, but for them to say now that, well, we'll take care of it, leave us to our own device, the Legislature has pointed this out, this happened and has been happening for twenty years, this isn't a brand new problem that just came about in the last few years because of the Governor's trips to Japan to bring back economic development. This has gone on for years. And a few months ago I spoke to an instructor at Northern Illinois University who teaches English as a second language, and what she told me was that after my bill passed...her class contained very many classroom instructors who could not speak English, the day after the Governor vetoed this bill half the class dropped out. Those instructors recognized they don't speak English fluently, but when the bill was vetoed they thought they could get by with it again, they though it would be a return to the status quo and that's something that the students and parents of students in

the State of Illinois can't afford. One of the interesting things during the last two months, a student came up to me who was very much in support of the English fluency bill and he was a blind student, and he said, Senator, I just cannot understand what these professors are saying. Being blind he couldn't read the professor's lips, he only could rely upon his hearing ability and he was having a great deal of trouble. Students are entitled to better than that, the State of Illinois is entitled to better than that and I think we in the Legislature must set the tone for what we teach in our colleges, and one of the basic rights of all students and all parents is that classroom instructors speak the same language as those students they are instructing. I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1516 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 11, none voting Present. Senate Bill 1516 having received the required constitutional three-fifths vote is declared passed. Page 13, bottom of page 13 is Senate Bill 2037. All right. Page 14, 1734, Senator D'Arco...Senator D'Arco.

SENATOR D'ARCO:

I'm not going to call that bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay.

SENATOR D'ARCO:

A point of personal privilege, if I might.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR D'ARCO:

SB1738 override

On your desk you'll find a book called, "You Got To Want It" by Dick Void. He's the premier workout guy in Illinois. You didn't get your book? You didn't get a book either? All right, I got...I got some in the office, but you should read it. I think...especially the Republicans because after those dirty campaigns against us, you want to work out all that anxiety and frustration and this will help you do that, Pate, are you listening? This is good for you guys, so pay attention, read the book and start working out and you all will be in better shape including you, Aldo, remember that...don't hand...I don't want that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...the...the question has been raised Senator D'Arco if you are not the ghost writer of this...this book. Senate Bill 1738, Senator Dudycz. Senator Dudycz on the Floor? Senate Bill 1738, Senator Hall. Senator Hall, do you wish to proceed?

SENATOR HALL:

All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Page 14. All right, read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 4 line 22 through 32 of Senate Bill 1738 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We are in the middle of page 14...or at the top of page 14, Senate Bill 1738, Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Budget after veto the Governor eliminated all legislative add-ons and reduced each line item by three percent. Staffing that facilities would be below five percent, the department's original budget at the funding level. A two

percent reduction included in the March budget and at three percent reduction imposed by the Governor's budget shows the legislative initiative and projects vetoed by the Governor. It is important to note that the reorganization budget actually the '87...GRRF appropriations after...veto total only 575.4 million. The executive request budget address community grant cuts the Governor backed off on part of his community cuts by restoring the three percent cut and adding an extra one cent...percent cost of living increase to bring the COLA levels up to two percent or...and so what is needed at this time is that there's just simply not enough money for these people to operate. So I would ask your most favorable support in overriding the Governor's veto on Senate Bill 1738.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If we could have...keep the noise level down, we could conclude our business much more quickly and more promptly. Discussion? Senator Fawell.

SENATOR FAWELL:

Just a...a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

The Governor did restore the cuts for the community mental health, right? And so that's not included in this veto, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

You're right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, at some point, I think we should talk about the

restorations that have been made or will be made by supplemental appropriation in the DMHDD budget. I know that Representative Young and Senator Hall are very sincere in this request, but I would suggest that...that the add-backs that have already been agreed to are probably as far as we can go at this point. We begin again in January and I think a new program such as this should probably be considered then. I think we all know it can't get off the ground and...while I particularly admire Representative Young and Senator Hall's dedication to this problem, I think we'd be well-advised to not override at this point.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr...thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition to this motion. I would just point out that this is an add-on to the department's budget. It is an...item which the department itself did not think was sufficiently high in priority to warrant inclusion in the budget. I'd suggest that we're having a hard enough time paying for the cost of the mental health services that have been identified as a high priority. So I would ask that you reject this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Thank you, Mr. President. The Governor did make some restorations and even the department may say but from the people who are...are affected by this are telling us today that still the restoration wasn't enough, and you know what a problem we have here today with all these different agencies and with cuts. I simply want you to do the humane thing to see with all the money that we have around here and when it comes to something that has to do with the little people, it

seems all of a sudden that we cannot find the money. This is a worthwhile project and it certainly should have remained as we passed it out originally. I would ask that you would give a most favorable support to this...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the...shall the item on page 4 lines 20 through...22 through 32 of Senate Bill 1738 pass the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 26, none voting Present. The item on page 4 lines...22 through 32 of Senate Bill 1738 having failed to receive the required three-fifths vote is declared lost. Senator Hall, do you wish to proceed on 1751? 1752, Senator Leitch. Senator Leitch on the Floor? All right. The middle of page 14 is Senate Bill 1752, the motions...Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 11 and 12, lines 35 and 1 through 6 of Senate Bill 1752 Do Pass the item veto of the Governor to the contrary notwithstanding. Signed, Senator Leitch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch.

SENATOR LEITCH:

Thank you, very much, ladies and gentlemen. This is not a budget buster. This is a fifty thousand dollar amount that is urgently needed to help us in the central Illinois area to get a handle on implementing a program to deal with the sultation problem of Peoria Lake and the Illinois River. It enjoys bipartisan support. I don't know why in the world it was vetoed to begin with. We started out asking for a hun-

dred and then cut it back to a fifty thousand dollar number, and as a retiring member, I would very much appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the item on page 11 line 35 and the item on page 12 lines 1 through 6 of Senate Bill 1752 pass, the...the...the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 6, none voting Present. The item on page 11 line 35 and the item on page 12 lines 1 through 6 of Senate Bill 1752 having received the required three-fifths vote is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Request a verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. There's been a request for a verification of the affirmative vote. Members will be in their seats. The Secretary will read those who voted in the affirmative. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Barkhausen. Alexander. D'Arco. Davidson. DeAngelis. Degnan. Dudycz. Fawell. Friedland. Geo-Karis. Holmberg. Jones. Jeremiah Joyce. Karpiel. Keats. Kelly. Kustra. Lechowicz. Leitch. Lemke. Mahar. Maitland. Nedza. O'Daniel. Poshard. Rigney. Rupp. Savickas. Schaffer. Schuneman. Smith. Sommer. Topinka. Watson. Welch. Woodyard. Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, do you question the presence of any member who voted in the affirmative? Senator Rock.

SENATOR ROCK:

Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Friedland on the Floor? Senator Friedland on the Floor? Strike his name. Senator Rock.

SENATOR ROCK:

Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas on the Floor? Senator Savickas on the Floor? Strike his name.

SENATOR ROCK:

Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Jones on the Floor? Senator Jones on the Floor? Strike his name. Senator Rock. All right. Mr. Secretary. On that...on that question, the Ayes are 34, the Nays are 6, none voting Present. The item on page 11 through...line 35 and the item on pages 12 lines 1 through 6 of Senate Bill 1752 having failed to receive the required three-fifths vote is declared lost. 1753, Senator Mahar...1753, Senator Poshard. On...Mr. Secretary, Senate Bill 1753, read the motion.

SECRETARY:

I move that the item on page 16 lines 32 through 35 of Senate Bill 1753 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Environmental Protection Agency bill. The particular line item deals with additional work on the sewer systems in Herrin, a town in my district that supports about three major industries. A lot of people from all

over my area work in those industries and this 1.2 million dollar override would help Herrin complete their sewer systems to support these industries and keep the jobs in our area. I'd ask for affirmative vote here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

A quick question, if you would add a few more in, you got a lot of friends who wouldn't mind helping you out if you'd add more than one sewer in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the item on page 16 lines 32 through 35 of Senate Bill 1753 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 25, none voting Present. The item on page 16 lines 32 through 35 of Senate Bill 1753 having failed to receive the required three-fifths vote is declared lost...the next order of business, Senate Bill 1753. Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 17 lines 10 through 14 of Senate Bill...1753 Do Pass the item veto of the Governor to the contrary notwithstanding. Signed, Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, members of the Senate. This amendment appropriates three million one hundred and fifty thousand dollars in the General Revenue Fund to the...from the General Revenue Fund to the Environmental Protection

Agency for the purpose of making a grant to renovate and upgrade the water and waste water treatment plant in the City of Effingham. The...their present plant is operating at full capacity and until it is upgraded there will be no new industry locate there and no expansion of...of present industries, and there is a lot of industry showing...interest in locating in...in Effingham County. The community has one of the better transportation systems in...in downstate Illinois, and I feel that if we can appropriate money for golf courses and marinas on Lake Michigan and all, we should be able to find some funds for our infrastructure in downstate Illinois and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the item on page 17 lines 10 through 14 of Senate Bill 1753 pass the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, none voting Present. The item on page 17...page 17 lines 10 through 14 of Senate Bill 1753 having failed to receive the required three-fifths vote is declared lost. All right. With leave of the Body, we will...all right,...with leave of the Body, we will return to the top of page 14, motions in writing, override item vetoes. Senator Dudycz was off the Floor. Senate Bill 1738, Mr. Secretary. Whose motion is that, Mr. Secretary? All right, read the motion.

SECRETARY:

I move that the item on page 2 line 33 through 35 to Senate Bill 1738 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is that Senator Dudycz and...and Carroll? Senator Dudycz.

SENATOR DUDYCZ:

...yes, thank you, Mr. President. I request leave the Body to add Senator Carroll as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted to add Senator Carroll as a hyphenated cosponsor of the motion? Leave is granted. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. The requested funds for this item were requested to make structural changes at the new Horizon Center for the developmentally disabled in Chicago. Now these changes would include enlarging doorways, washrooms and classrooms for wheelchair-bound students, the...the multiply handicapped students so that they may have full access to all programs and facilities...in the center. Right...right now there are currently fifty-four multiply handicapped students at the new Horizon Center and their ages range from three to thirty-one and many of them are wheelchair-bound. I strongly urge the members especially those on...on this side of the aisle to vote for the restoration of these funds and I'd like to defer to Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have cosponsored Senator Dudycz's request that the monies, the Governor's item veto to the contrary notwithstanding that we override that item veto. I believe the Governor also is in error in this limited amount. This is capital necessary for severely handicapped to allow a joinder of the various buildings so that in fact these adolescents

can move around the facility and, therefore, enhance their ability to be trained, to be educated, to be...rehabilitated. I don't believe he understood the need and necessity for this three hundred thousand dollar capital improvement and, therefore, join Senator Dudycz in this request.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Further discussion? Senator Dudycz, do you wish to close? The question is, shall the item on page 2 lines 33 through 35 of Senate Bill 738...1738 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. The item on page 2 lines 33 through 35 of Senate Bill 1738 having received the required three-fifths vote is declared passed. (Machine cutoff)...Carroll, for what purpose do you arise?

SENATOR CARROLL:

By way of explanation, if I could, Mr. President, members have asked. I had filed several motions on this same bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...well,...wait a minute...hold on a second. Senator Carroll, just give us a moment.

SENATOR CARROLL:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR CARROLL:

...it's a commentary to explain why we are not calling the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Carroll for his commentary.

SENATOR CARROLL:

Thank you. The...several items that the Governor had

vetoed in the Department of Mental Health and Developmental Disabilities have been a concern of the majority of the members of the Senate, mainly those that would have kept three of the institutions certified and open by having an appropriate staff/patient ratio which the bill as signed by the Governor would not have had and also to provide the necessary funding for the not-for-profit agencies that do the rehabilitation and training. We have been in negotiations with the Department of Mental Health and Developmental Disability and with the Office of the Governor and the Bureau of the Budget and believe that we have reached an agreement that will, in fact, keep those institutions open and provide the necessary funds basically beginning January 1st for those providers of care. That will be handled in a supplemental appropriation that we will deal with during the December Session; and, therefore, rather than attempt to override or successfully override the veto of the Governor which was based on full year funding, everyone involved felt it was smarter to negotiate a compromise that in fact would be released and spent, so we will not be calling the motion so that we can then effectively deal with it by way of agreement of all parties during the supplemental process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

So, Senator Carroll, it's my understanding then that you will not be calling any motions on...

SENATOR CARROLL:

1738.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...on 1738 on the order of...of business of restoration, is that correct?

SENATOR CARROLL:

That is correct, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, just to alert the members that...we are going to

the item...reductions. We will begin on the middle of page 15 with Senator Welch. Senator Welch, when...when we get there, just a moment, we have a technical problem here. Senator Jeremiah Joyce, for what purpose do you arise?...Senator Joyce.

SENATOR JEREMIAH JOYCE:

An inquiry of the Chair, Mr. President. If we have filed a motion but it is not on the Calendar, is it the intention of the Chair to go to that matter...

PRESIDING OFFICER: (SENATOR DEMUZIO)

It's...it's my understanding that any motion that has been filed will in fact be called even though it has not...hasn't been printed or distributed. Senator Rock. All right. We are now ready to...to proceed...we will be going to page 15, middle of the page, restoration, Senate Bill 1749, Mr. Secretary.

SECRETARY:

I move that the item on page 17 line 33 of Senate Bill 1749 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. Senator Welch. Senator Welch.

SENATOR WELCH:

Yes, thank you, Mr. President. Should I proceed with this override?

PRESIDING OFFICER: (SENATOR DEMUZIO)

At your pleasure.

SENATOR WELCH:

Thank you. Ladies and Gentlemen of the Senate, this override cut one million five hundred forty-nine thousand six hundred dollars in general revenue funds from the Department of Children and Family Services. In particular, the provisions that were cut dealt with prevention services of...or community services, programs which organize community

self-help groups for delinquency prevention and neighborhood development using the model of the youth service pioneered by a Clifford Shaw and the Chicago area project. Funding for this community service program is supplemental by the self-help efforts of neighborhood residents both by the working as volunteers and...in raising local and private funds. If we do not override this veto what will happen is that the...Community Services line for the department's budget will be left at only six-one hundredths of a percent greater then what we spent in 1986, and I think that that would be a tragedy, and I would move for an affirmative vote to override the veto of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the item on page 17 line 33 of Senate Bill 1749 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all...have all voted who wish? We would ask our guests in the gallery to please refrain from any applause. Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The item on page 17 line 33 of Senate Bill 1749 having received the required majority of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. All right. On the Order of Senate Bill 1749, Mr. Secretary, read the...additional motion that's filed.

SECRETARY:

I move that the item on page 18 line 4 of Senate Bill 1749 be restored the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Could we...could we have some order, please.

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This line item would override and restore one million six hundred eight-five thousand seven hundred dollars to the Comprehensive Community Based Service to Youth Grant line item for the Department of Children and Family Services, bringing it to...as passed by the General Assembly level of seven million six hundred ninety-one thousand and three hundred dollars. If we do not pass this, we will end up with seven-tenths of a percent less than we spent in Fiscal Year 1986. Most of the people here, as you can already gather, are here on behalf of this bill and urge support for this override for this restoration of money...from the Governor's veto and I would move that we restore those funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the item on page 18 line 4 of Senate Bill 1749 be restored...I beg your pardon, Senator DeAngelis, I did not see your light. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Just a point of clarification. Senator Welch, what...what monies are these, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The general revenue funds, the Governor cut the budget for this line item from...he cut money that I had added in a supplemental amendment back in the spring, that was cut out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I know it's...it's...that's what it is, but what's the purpose of the money? That's what I'd like to

know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The purpose of this particular item is for diversion services, comprehensive community...based youth services program, supporting the development of community based youth service networks which provide a variety of services to trouble youth. In particular, they include crisis intervetnion, counseling, shelter care and other programs to design to reunite families. These programs provide a network of youth services throughout the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Sorry for asking again. What...I thought the previous item was that line item.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The previous line item was for prevention services which included community self-help groups organizing for delinquency prevention and neighborhood development. It's a different line item of the budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

And how much is this one for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

This one is one million six hundred eight-five thousand seven hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Fawell. Senator Mahar...did you...Senator Fawell.

SENATOR FAWELL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Are you talking about...is this the money for the fifteen hundred boards, is that what you're talking about?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Yes, it is, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

And...and the money before that also went to the fifteen hundred boards?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, that was a different line item and a different group of individuals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Where did the three million dollars go if it's not to the fifteen hundred boards?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Welch.

SENATOR WELCH:

Let me try to explain the difference, if I can, Senator. The first item that we just passed is based on a as requested source of funding. As agencies...groups request this money

from the State they are funded. The second line is the fifteen hundred boards that you refer to, those go direct to those boards.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Fawell.

SENATOR FAWELL:

So this is actually more for the administration of the fifteen hundred boards, is that...is that where it's going?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

No, it's...it's not administration. It's basically for increased services for crisis intervention, counseling, shelter care, those items. It's not administrative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Channel...Channel 20 has sought permission to tape the proceedings. Is leave granted? Leave is granted. Any further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you...thank you, Mr. President, Ladies and Gentlemen of the Senate. I think as a matter of helping to clarify the situation here and specifically the question that was just posed by Senator Fawell, this is an unbudgeted add-on. This was not an item which was included in the department's original budget and I think everyone should be clear on that point. I would ask for a No vote on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, thank you, Mr. President. I would urge that the members read a document that was placed on their desk recently by Gordon Johnson, the director of the Department of Children and Family Services, titled "The Governor's Task

Force on Homeless Youth." The result of this task force study was that they found that significantly lacking are emergency shelter, especially for pregnant teens; employment and education assistants, outreach drop-in centers, access to medical treatment and independent living programs. The report went on to say the youth service system provides an insufficient array of services for homeless youth under eighteen years of age and hardly any help for young adults eighteen through twenty. The recommendation of the department was to go on and create funding through legislation for implementing this program and all of the requirements. The director who in the spring said he had other priorities for that same money that I added to the budget now comes out with this task force report which, in fact, supplements my request for that money to be added to the budget. He has in fact proved my case with the report that you have sitting on your...on your desks, and I would urge a favorable vote on this restoration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 18 line 4 of Senate Bill 1749 be restored, the item reduction to the...of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 2, none voting Present. The item on page 18 line 4 of Senate Bill 1749 having received the required majority vote of Senators elected is declared restored, the item reduction of the...the Governor to the contrary notwithstanding. On the Order of...motion filed...another motion filed with respect to Senate Bill 1749, Mr. Secretary.

SECRETARY:

I move that the item on page 18 line 6 of Senate Bill

1749 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This particular line item would override and restore one million thirty-five thousand four hundred dollars in general revenue funds to the Unified Delinquency Intervention Services Grant line bringing it to its...as passed by the General Assembly level of two million one hundred eight-one thousand two hundred dollars. The unified delinquency...intervention service is an alternative to incarceration which in effect saves the State money. This...this UDIS program serves as a last resort program to keep twice adjudicated delinquents out of the Department of Corrections. The program provides in-home counseling and job training to these youths. Services provided to youth in this category costs approximately six thousand dollars a year under this program while the Department of Corrections incarceration costs an average of over twenty-five thousand dollars per year for each youth, a savings to the taxpayers of a great amount of money, and I would urge that we restore this money to the budget of the Department of Children and Family Services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Discussion? If not, the question is, shall the item on page 18 line 6 of Senate Bill 1749 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 24, none voting Present. The item on page 18 line 6 of Senate Bill 1749 having failed to receive

the...the required majority vote of Senators elected is declared lost. Senate Bill 1749, Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 18 line 11 of Senate Bill 1749 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Chicago...pardon me, Senator Hall. The Chicago Area Project request permission to film from the gallery. Is permission granted? Permission is granted. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This motion to override that I have filed is for the Department of Children and Family Services '87 budget. It involves the line for Independent Living Skills Grants Program on page 18 line 11. The override would restore only three hundred and eighty-three thousand dollars of the GRF to this line, bringing it to as passed by this General Assembly to the level of six hundred and sixty-nine thousand dollars of the Governor's veto. Now this was to eliminate an add-one sponsored by Senator Welch and the balance was to impose a three percent cut. The program is targeted to homeless youth age twenty and under to provide service to facilitate their living independently. This is a well-deserved...and this is something that all of us should support. I ask your most favorable support of this Senate Bill 1749 amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the item on page 18 line 11 of Senate Bill 1749 be restored the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

Take the record. On that question, the Ayes are 25, the Nays are 28, none voting Present. The item on page 18 line 11 of Senate Bill 1749 having failed to receive the required majority vote of Senators elected is declared lost. Page 16, Senator Hall, do you wish to proceed on that motion?

SENATOR HALL:

No, hold it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On page 16, we'll now move to the motions in writing to accept the specific recommendation of...for change, Senate Bill 1951. Senator Holmberg, are you ready to proceed? All right. Mr. Secretary, the motion with respect to Senate Bill 1951. Read the motion.

END OF REEL

REEL #2

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1951 in the manner and form as follows. Signed, Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Yes, the amendatory veto of Senate Bill 1951 which was a bill passed to allow Rockford which had lost its home rule powers to go to referendum for a possible sales tax increase for repairing infrastructure, the veto merely makes technical corrections suggested by the Department of Revenue to make it easier for them to assist the city in its collection process and puts it in line with already collected taxes that the Department of Revenue is taking care of. This specifically affects Rockford, and I move to accept the specific recommendations of the Governor.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1951 in the manner and form just stated by Senator Holmberg. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1951 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Poshard. On the Order of Motions in Writing to Accept the Specific Recom-

mendations for Change, there's a motion filed with respect to Senate Bill 2-2-5-5. 2255, Mr. Secretary.

SECRETARY:

I...I move to accept the specific recommendations of the Governor as to Senate Bill 2255 in the manner and form as follows. Signed, Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Rural Economic Development Act. It's a multifaceted Economic Development Act for the rural communities of the State. There was much discussion and debate with the members of the Governor's Office over the specific parts of the bill and I think we arrived at a reasonable compromise. I know that's in your analysis and if there are specific questions about any part of it, I'll be happy to answer them; otherwise, I would move to accept the specific recommendations of the Governor.

PRESIDENT:

Any discussion? Senator Netsch.

SENATOR NETSCH:

Just one question, Senator Poshard. Is there very much left of the bill once the Governor got through rewriting it to suit his own purposes?

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, I...I think there's quite a bit left of it. Many of the major things in the crop diversification and vertical integration loan programs, much of that money has already been taken up; the Regional Correctional Facilities Act which will be implemented in January. Other things which pertain specifically to rural Illinois are in there, so we were

pleased with what we were able to come out with.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 2255 in the manner and form just stated by Senator Poshard. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 2255 having received the required constitutional majority vote of Senators elected are declared accepted. All right, with leave of the Body, we'll move back to the Calendar. Any motions that have been filed will be taken up before the close of business today, Mr. Secretary, so let's...we'll...we'll move through the Calendar and deal with those matters that the members wish to and then we'll go back to the Order of Motions...(machine cut-off)...turn to page 2 on the Calendar, on the Order of Senate Bills 3rd Reading is Senate Bill 1699. Senator Carroll has sought leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of Senate Bills 2nd Reading is Senate Bill 1699, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Carroll.

PRESIDENT:

Senator Carroll on Amendment No. 1.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This, as I think we all know, is the amendment we briefly discussed yesterday which would be the comprehensive health insurance plan. Let me just say by way of thanks and procedure, as you will recall, in June we amended our rules

so that we could hear this bill now. We amended it by creating a task force and panel to review this very complicated procedure of what should be within and how should we pay for a comprehensive insurance plan that would, in fact, allow insurance to be paid for by those who are currently unable to receive it because of a...an existing or preexisting condition, whether that condition be heart, diabetes, kidney dialysis or some crippling disease or others. As part of that, Senator DeAngelis, Kustra, Berman, Jones and Dawson joined with me in chairing subcommittees on different parts of this issue, subcommittees to which we invited in members of the insurance industry, the consumer industry and anyone else we could find who had demonstrated an interest on any side of this issue. Each of those subcommittees met over the summer and fall and made recommendations back to the full panel, which recommendations were then incorporated into the amendment that is now before you. This amendment, we believe, addresses the need of Illinois to allow people to afford with dignity the opportunity to acquire, to buy, to pay for comprehensive health insurance. It'll allow these people no longer to go bankrupt in order to maintain their health. Twenty-two percent of the bankruptcies filed in Illinois in 1985 were the result of the soring hospital and health care costs that we allow to take place. Let me say that we have established a mechanism for funding that I think is appropriate and adequate. We have provided that the rate shall be one hundred thirty-five percent of the standard or individual rate that is currently being charged in Illinois. Those funds will be into a pool that will then be administered and pay claims against the fund. We have the normal six-month waiting, another detail that I am willing to go into but I think you all have a packet of information about the content. We have delayed the effective date of the law till July 1, so that the Governor will then appoint the panel

of industry and consumer to create the mechanism by which to administer the plan, and then six months later the plan would go in effect which will be the first day of January of 1988. Our experience in the eleven states that have already enjoyed the benefits of this type of plan tell us that with a hundred and thirty-five percent of standard rate base there should be no loss to the plan for several years out. Then, there is the possibility that the income into the plan will be less than the outgo, and we have provided that were that to happen, general revenue funds of the State of Illinois would make up that shortfall. We strongly believe that the setoff, the transfer, the savings in public aid and in aging will more than account for that shortfall, and let me give you an example. A person today who is on a MANG-type plan, who is medically indigent but capable of working is required to spend down to a level in order to get coverage from public aid; coverage they are now getting that we, the taxpayers of Illinois, are paying for. That same person would be allowed to buy the insurance as part of the spenddown and get off of the MANG program, become gainfully employed because now they would have insurance, start paying taxes again to the State and not using public aid monies to pay for this insurance coverage, the actual bills to the hospitals and doctors and clinics and other type of services needed. Those savings have been estimated to be greater than the projected shortfall. We also know on the Federal level there is legislation pending that says every employer who does not join a state plan and pay into a state plan would lose their Federal tax credit, currently ten percent, by not joining a state plan. That law is pending in Congress with strong support from the insurance industry, small business and others in an attempt to get it passed. With three billion dollars of premium being written in Illinois today, that ten percent credit or three hundred million would be much greater than any

potential deficit in the plan. So, were that to pass in a Congressional session, then we would have the opportunity to assist the businesses of Illinois by then allowing them to ask for an assessment into this pool which would be much less than what they would lose if we had not created the pool. With that, Mr. President, to explain the amendment...I believe is sufficient and we'll have other comment from...on passage stage and I would be willing to answer any questions. I would offer Amendment No. 1 to Senate Bill 1699.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 1699. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Some questions of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Carroll, the...the last time we saw this bill the funding mechanism was to be provided by insurance companies doing business in the United States and...or in the State of Illinois, and, of course, the concern was that that...the cost would simply be loaded on to private insurance buyers. Now the funding mechanism has been changed in this, has it not?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

The basic funding mechanism has always been the premium paid by the insured. There is...there was in an earlier draft an assessment on the insurance companies for any shortfall. As compared to the premium dollar paid, the shortfall, if ever, is a small percentage; and, yes, we have changed where that shortfall would come from, as I explained earlier.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

So the basic funding mechanism, Senator, is...is going to be the premiums paid by people buying these policies, is that correct?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

That is correct and let me just add...to be clear, Senator Schuneman, that even before...part of the funding even under the earlier versions, which were versions for discussion purposes and for the subcommittees to work from, had a tax credit in there of State taxes anyway so there was always a general revenue backup.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

So then I assume that you, as the sponsor of the bill, and the...the Attorney General and others are committed to the idea that whatever shortfall there may be will be funded out of general revenue as opposed to loading it off onto the insurance community or the business community. I'm...I'm thinking in terms of this bill going back and forth between the two Chambers and wondering if this is a commitment on your part to fund it this way...so a simple yes or no answer, I guess.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I'm sorry, maybe my comments before were confusing. Absolutely. It is the intent of this sponsor and the other members that this be the funding mechanism. My other comments were related to three, four or five years from now if Congress changes the game and they...and the business com-

munity asks us to assess them so that they can save some money by being in this pool, then three, four or five years from now we will look for that. As this is going through the General Assembly, we are committed to the general revenue funding. Were the House to tinker with that, it will be in conference, our votes will be there to have the general revenue backup.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

I have several concerns about the way the bill is written and...and let me preface this by saying, I think you're...I think you're doing something worthwhile here and...and I...I don't want to be an obstructionist because I think there are people who need this program. My concern, however, is that the program may be a little broader than we can afford and also there...there is no cap on what the State might be required to pay. One of the things I notice, if my...if my analysis is correct, is that contrary to...to most insurance plans, there's no limit of any kind on mental treatment and psychiatric treatment. Now it's a common practice in...in most group policies and...and most private policies that there is some kind of limit on that exposure. I see no such limit here and I'm concerned about people who, frankly, get hooked on psychiatrists and simply stay hooked on them.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

There's been some very specific changes from the earlier drafts, Senator Schuneman. There is, in fact, a limit on the mental health portion in the final draft that's before you...in what's actually Amendment No. 1. There's a forty-five-day limitation on in-patient coverage, there is a...basically a sixty-four dollar chargeable against the

policy limit on an out-patient basis, eighty percent of...of eighty dollars. It is, therefore, limited and there are other limits within the plan as well that deal not just with mental health but with...what you can, in fact, charge against the plan.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

As I understand the...the valuations...the actuarial figures that have gone into this, they're now projecting that at a rate of a hundred and thirty-five percent, there will be some twenty-three thousand participants in the plan. Is...is that right? Are your figures based on...on those numbers?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Two things. Senator Schuneman, first on the last question, let me refer you to page 12, section 16, "The first fifty percent of professional out-patient visits for diagnostic and treatment of mental and emotionally disordered rendered up to a maximum." Okay? Secondly, page 12, item 16...secondly, yes...let me say...no one knows yet, but economic and fiscal did a projection that said by 1992...92-93...Fiscal Year '92, there could be twenty-two thousand eight hundred.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I think that...we probably had sufficient debate here and I have some amendments that follow that I...I hope the members will pay some attention because this seems to be an idea which whose time has come but I think we ought to be a little bit careful about what we're enacting here today in that we don't adopt a pro-

gram that's richer than we can afford.

PRESIDENT:

I'm sorry. Senator Schuneman, have you concluded? All right, further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Question of the sponsor.

PRESIDENT:

Sponsor...Senator Carroll. Senator Carroll. Sponsor indicates he'll yield, Senator Holmberg.

SENATOR HOLMBERG:

Senator Carroll, in a previous session of this Legislature, I attempted to pass a piece of legislation which would have allowed handicapped children with preexisting injuries and illnesses to be adopted by families who really wish to adopt them but they were prevented from obtaining insurance. What has happened and many organizations have reported this to me is that those children then remain on the public aid rolls, remain in orphanages and are not part of many of our Illinois families. Would this piece of legislation take care of that particular concern on their part?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Absolutely.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Carroll has moved the adoption of Amendment No. 1 to Senate Bill 1699. If there's no further discussion, all in favor of Amendment No. 1 indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 2.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Amendment No. 2 provides that there will be a limit on the amount of money that the State will put into this plan. Frankly, Senator, I'm not at all comfortable with the numbers that we have seen and I would like to see some kind of cap put into the bill. Now, I apologize to you because I'm sure you're wondering where the amendments are and, frankly, they got here about two minutes ago and so...we should furnish you with a copy of these amendments. Do you...you don't have one probably now.

PRESIDENT:

Mr...Mr. Secretary, will you read the amendment?

SECRETARY:

Amendment No. 2.

(Secretary reads Amendment No. 2)

And all...the other two amendments are likewise except for seventy-five and one hundred percent.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

So, basically, what the...what the amendment says, Senator, is that if the numbers are right and if we're going to have twenty-three thousand people included in this system and they're going to pay premiums of about twenty-five million dollars which...which is the way it calculates, then if the total cost and claims paid out amount to, say, thirty-seven million dollars, then the State is going to pick up half of the premiums paid. Now you just said a few minutes ago that this plan is intended to be self-supporting and that it's intended that the premiums are going to pay the cost, and all this amendment says is that if you're wrong, then we're going to put a limit on what the State will pay. The...the limit will be fifty percent over and above what the premiums are.

That's what the State's cost would be.

PRESIDENT:

All right, Senator Schuneman has moved the adoption of Amendment No. 2 to Senate Bill 1699. Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President...I will rise in opposition to this and the next two amendments that are an effort to allegedly put a cap on the amount of expenditures of general revenue dollars and let me explain why. You know, we went through this in other areas of health care costs where most people...Senator Schuneman and others, were diametrically opposed to caps. Suddenly caps sound good. I don't understand the dichotomy, but let me say more. Here's the real issue. Yes, this is new. Yes, we have no experience factor. Yes, we are basing this on projections by our prognosticating agency, economic and fiscal, and, yes, we have no idea whether they're right or wrong. We surely don't want to hamstring ourselves now for something that may happen, may happen, may happen three, four or five years out. We have no idea of knowing but we'll be here and were that to happen, this like anything else, two things will happen; one, we can always amend it and, two, it is still subject to annual appropriation of the General Assembly. We have the power year in and year out to appropriate or not appropriate and were it to get out of hand, we would have...we could, A, amend the law on the substantive or, B, just deal with it by appropriation; but more importantly...more importantly, I believe, Senator Schuneman, if you want it to work, this kills it. If you want it to be available to people, this assures you that the panel cannot set a rate with any level of comfort that an administrator would administer that people could buy into and pay premiums for because they don't know if it's going to be available the next year for something

over which we have no knowledge or control, and let me give you an example. What if, for example, the savings in public aid are greater than the potential deficit? If we could track dollar for dollar what we are not spending in taxes for public aid recipients now who would not be public aid recipients when CHIP passes because they can...instead of having a spenddown, they can buy the policy and go back to work, people who are no longer mobile because of job discrimination because of a handicap or a kidney dialysis or a heart condition or cancer or arthritis or whatever, those dollars we can't track, but those are general revenue dollars we're paying now that could be greater, significantly greater than the cap you're placing on this. My point is that within our fiscal budget today, were this five years from now, it could be a total wash, and we believe it will be. It doesn't mean we won't be funding the deficit, we will, but we won't be funding public aid. It'll be a wash, a transfer but done in the budgetary process. So, to put a limit on it now says to these people, stay on public aid. It also says the following. If we are correct, as all believe, that there will be Federal legislation that allows industry into our pool, every employer of Illinois will save significant dollars by contributing into this pool that you will not allow under this type of a cap and therefore they will lose their ten percent tax credit, hundreds of millions of dollars, because they cannot buy into this pool because we have capped it, through one form or another an unacceptable approach. I think it's silly now to even...be discussing it. We know it's a couple of years out. We have a delayed effective date and most important of all, we have created a panel that will be the oversight of this pool made up of industry representatives appointed by the Governor, other representatives appointed by the Governor and they will report back to us; and if we find at that time that this is getting out of hand, they will, in

fact, say to us, place some kind of limitation on. There will also be members of the General Assembly who will be oversighting this. So, as we gather an experience factor, that's the time to deal with it, not now, and I would oppose the amendment.

PRESIDENT:

All right, question is the adoption of Amendment No. 2 to Senate Bill 1699. A number of members have indicated their desire to be heard. In the meantime, a Mr. David Pasoli has asked leave to take some pictures from the gallery. Without objection, leave is granted. Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I am a principal cosponsor of this bill and have been for some time. I had another bill similar to this one which was eventually merged into this piece of legislation. I intend to vote for this bill on 3rd reading. About the only thing that I can agree with Senator Carroll on regarding his previous comments is the fact that, yes, this is a new program; yes, it's a new experience; yes, we are charting new ground. It seems to me that when we in this General Assembly embark on a brand new program, generally speaking, we try to start out modestly. We try to start out in a fashion that we can feel our way along and see if a program works and then later expand it. What Senator Schuneman is proposing here is a reasonable amendment to a good program. What I'm afraid of is that if we do not adopt Senator Schuneman's amendment and if this program does get out of hand and if the General Revenue Fund finds a much more significant drain on it because of this program than what is estimated that a good number of those people that we are promising assistance to today will not be served that way either, and so what we ought to remember is that this program was never offered as a guarantee to every last uninsurable in the State of Illinois

that they would have insurance. This insurance is going to cost, ladies and gentlemen, it's going cost a lot and for us to say no more then...it cannot cost the State of Illinois more than half of the whole program, it seems to me is a very reasonable proposition. If we want this program to work in the long-run, then we'll back up and take a small step now by the adoption of Senator Schuneman's amendment.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Thank...thank you, Mr. President. Like many of my fellow members over here, I'm looking for an excuse to support the bill and while the program is an excellent idea and the funding sources we're discussing, we've cleaned up all of that, but this program is about to have the same problem that so much of the great society legislation has. We're going to promise everything...either we're going to fund it and take care of it and then, as Senator Carroll is mentioning, a couple of years down the road we may discover, whoops, we can't afford that and at that point we will then cut back and we will leave the people going, wait a minute, you promised but now you're not doing it. With an amendment such as this that sets at least a reasonable limit to talk about, people realize, wait, this is not an unlimited program, there are certain parameters within which we have to work. We don't allow anybody to inflate the various rates here and there. This sets a workable limit people can look at and say, I've been promised this much and then we can...look at this and say we can probably deliver this amount. One of the great mistakes we make on major social programs is we say we're going to do everything and then years later we discover we can't and it ends up not working and then we've made a fool of ourselves again by over promising. That's the point of this amendment to at least put reasonable limits. We've got

several years before this program takes effect. Remember, this program does not take effect next 1 January, it's a couple of years down the road. As we start to get the experience, we may decide the fifty percent is...is wrong. We might want to say forty percent, we might say sixty percent, but if you set a limit in now knowing that we've got a couple of years potentially to change it, we have set a reasonable limitation, people know we're reviewing the program, know we're trying to promise something we can deliver, that's what this limit does and I think with the amount of time we have to perhaps change in the future, we might be able to pinpoint a little more closely the exact amount, but at least now, we haven't promised the sun and delivered very little.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in reluctant opposition to this amendment, but I have a question of the sponsor first.

PRESIDENT:

Sponsor indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

If the losses exceed fifty percent of the premium paid, what happens to the program?

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, if...if we're going to operate an insurance program in the State of Illinois, we do what any other insurance company operation does and that is design a program and design premiums within a framework that we can afford. Now, I don't think it's going to be very difficult for people with insurance expertise to design a program on which their losses

can run up to as much of...as a hundred and fifty percent. Most insurance programs are designed with the idea that...that the total cost of operating the insurance program would be about ninety-eight percent of the premiums. What we're saying here is that...that the total costs...including claims and operating expenses could be as much as a hundred and fifty percent. I think that, in fact, adoption of this kind of an amendment now gives a good guideline to the people that are going to be designing the program.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I assume that your answer then is that the...you would reflect that at a higher premium cost.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that's part of it and I think another part of it might be to look at some of the benefit...benefits that are provided under the program.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I read the amendment and I would like to support it because I would not like to see the State paying any more money that it should. However, when you look at the workability of it and...and it is...I...I saw it rather quickly 'cause I don't have a copy of it, it's a two line amendment, but I don't know whether you would do this retroactively, prospectively when you make the determination. For instance, are you going to take the...the premiums on a cumulatively basis? You have much more insurance expertise than I have, but you know there's a collection period before any premiums are paid. Are you going to do this by fiscal

year or by quarter or by what period? I mean, I...your attention is very good. The difficulty that I find is how do you implement it...and I don't know that you're going to make this group any more responsible by putting that in there because, hopefully...hopefully, we are going to select those people that administer this program that are responsible and we'll do everything in the way of cost containment and...so I mean...I don't really understand how you're going to implement it...that...and that is a question.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, it is my intent that the...the cap would be considered as an annual cap. That is the total premiums collected during a fiscal year or a calendar year would then be considered with the total losses of that year and that that's how the cap would be applied. Now you make a valid point in that you haven't had much time to look at this amendment, but I would make the point that...there's nobody on this Floor, aside from maybe a couple of people or three people, who've seen your amendment and I think this whole thing is being done too rapidly. We don't know for sure what we're doing and we ought to take a little time. We don't have to do this until next year.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, let me indicate my opposition a little further. I...I appreciate your trying to answer the questions on how you're going to implement it. The fact is that the loss experience in this area shows historically a much larger loss than fifty percent of the premium. Now,...and the costs that are reflected by the Economic and Fiscal Commission reflect a loss ratio of about four hundred and fifty percent. So, we

know that in the event this cap is put on, the program would become unworkable because you also have the question of marketability. There is a point at which people will not buy insurance...cannot buy insurance and will then, in fact, go on the same system that we have right now. The question that was trying to be addressed with this bill is that we recognize a societal problem and as a societal problem, we feel that the risk ought to be spread across society rather than be targeted to the insurance companies or the small business person who would have to pay the additional costs either in government or in premiums to offset for the care that is currently being given and being paid for by others. I happen to serve on a hospital board and we are rather magnanimous in stating the amount of charitable work we do; however, we then turn around and adjust our rate base to reflect that generosity we've done the previous year by taking those costs of medical services that we have indicated as being charitable and raise the room rates and other costs to reflect that charity. I think if we're going to address the issue, we ought to do it and accept it as a societal problem, absolutely...absolutely try to control the cost, but I think this amendment might very well kill the bill because there are people up there who are going to, in fact, say, well, who is going to pick up the difference and those are the very same people we've trying to work with to reach an agreement, and I don't really want to resurrect that kind of opposition again.

PRESIDENT:

Further discussion on Amendment No. 2? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Question of Senator DeAngelis. I think you mentioned that economic-fiscal indicated that the loss ratio would be four hundred and fifty percent. Didn't you just say that, Senator? Why are we setting the premium at only one hundred and thirty-five percent? That would mean

that there's a difference between the one hundred and thirty-five and four hundred and fifty and that's a tremendous difference. We're not even looking realistically at the...at the problem. And the other figure that I question...we've heard that there will be twenty-three thousand people involved in this thing; yet...and I already showed this to the Attorney General. His last paragraph, the first page, says, "It's not only unfair but intolerable that 1.2 million Illinois citizens who incur a disability or a...disease through no fault of their own are denied insurance." Twenty-three thousand and this says 1.2 million. I think we deserve some...or some time anyway to work out that little difference and the little difference on the hundred and thirty-five and four hundred and fifty percent.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to address some of the comments and my friend, Senator Kustra, in particular as a co-sponsor of this bill. The problem with this amendment and the next two is that it doesn't make sense in relation to what we're trying to do at this time. This is not a social program that we're going to go in and build a building and we know the costs and we're going to say we're only going to spend two million dollars and we're going to bid a contract to bid...to build a two million dollar building. That's not this program. We're saying to people in Illinois that cannot get insurance that the State is going to stand behind and give you an insurance policy that you can walk into Dr. X's office and say, I need this service, here's my insurance policy, you're going to get paid by me or by the State of Illinois, here's my policy. That's this program. Now you either like that program or you don't like it, but this

amendment doesn't fit that program because if you like the program you cannot prospectively cap your exposure by saying how much you're going to spend. When you give that disabled person a policy, you're saying that if they pay the deductible and they pay the coinsurance, the State of Illinois is going to pay the bill. That's the promise that we're giving to them under this insurance policy, and if the costs of that policy exceed our projections, we can correct it prospectively, we'll change the policy in the future. You can't cap it by the appropriation process; otherwise, no doctor is going to serve that patient because they don't know whether the State of Illinois is going to stand behind and pay that service. That's the difference between putting a cap on the cost, what you're trying to do here, and putting a cap on the policy provision. Now, we've adopted in this amendment, the original amendment, a board, just like a board of directors of an insurance company, that will set the guidelines regarding the deductible, the coverage, the people that are entitled to the coverage, et cetera; and once that's set, any bill that's submitted under that program has to be paid. The credibility of the State of Illinois is behind that policy. If we don't like it, we can change it in the future, but you've got to stand behind our promise to pay when the policy is issued. That's why I've...I suggest to you that this amendment is not timely. This argument is not timely. In 1988, six months after the program is in force; 1989, a year after the program is in force, that's the time to look at the costs of this program; otherwise, nobody...nobody is going to honor this policy, nobody is going to provide the benefits that we're saying are going to be available to these disabled people because we're capping our exposure. You can't do that at the same time that you issue an insurance policy. Now, the sponsor of this bill...of this amendment is an expert, in my opinion, in the insurance business, and I

suggest to you that you can't issue an insurance policy and provide benefits and say, but if those benefits go beyond X dollars, we're not going to pay you. That's not the way insurance works. You've got to state in the policy what the benefits are, and in this policy, under Amendment 1, the benefits are stated. If we don't like it, change the policy benefits later on, but you can't cap through another method how much you're going to spend overall, and that's why I urge a No vote. If you vote Yes on this, you are, in fact, saying we don't want to give you the program. If you want to give them the program, you've got to vote No on this amendment.

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you...thank you, Mr. President. I rise in strong opposition to Amendment No. 2. You know what this reminds me of? This reminds me of the weatherization program for the poor and the utilities at that time were saying, listen, this program is going to cost us a hundred million dollars and even though it's a well-intentioned program, this thing is going to put us out of business. The fact is that after a year on that program, the utilities have bore the expense of about nine hundred thousand dollars throughout the entire State of Illinois. And this program reminds me of the same kind of logic that was used when they're talking about these tremendous shortfalls that everyone is going to experience. Number one, nobody knows what the shortfall is going to be, nobody can predict what the shortfall is. I don't care what economic and fiscal says. They don't know what the loss experience is going to be on this program. You've got people with preexisting conditions that are healthy individuals, that are going to...live long, healthy lives. You're not just talking about somebody that's terminally ill. You're talking about healthy human beings with preexisting condi-

tions who can't get jobs because they can't get insurance from their employer. Those are the people you're talking about here. Where's your sense of justice? Where's your sense of humanity? Don't scuttle this bill. This bill is important for all those people who are productive human beings and contribute to the economy of the State of Illinois. Vote against this amendment.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I note with interest that one of the figures I've seen, I think Senator Carroll used it in debate earlier, was projected twenty-three thousand people that would be in this program. Frankly, I think that...that figure dramatically understates the need and I...I think there is a real need. My guess is that there are a couple of thousand people in my legislative district alone. Now, I'm just talking about the people that have been through my office or the problems that I'm aware of. If you multiply that times fifty-nine, and figure they're figuring on...twenty-three thousand, this program could be four times as expensive as the proponents argue. Maybe it is a good expense. Maybe in the long-run we do save money, but...I don't see Senator Berman on the Floor. When is a good time to put a cap on a program if it isn't at the beginning? If this particular version of a cap is unworkable, what is a workable cap? Should there not be a ceiling? Should we sail into this thing? How many of you have even seen a copy of this thing? What, seven of us on the Floor have copies of it, have you ever seen it? We're going to vote on something that costs two hundred million dollars and casually reject even the concept of a cap? If this concept doesn't work, I say to the proponents, find us a concept that does so we know that we aren't mortgaging the future of all of our State programs, of education, of correc-

tions, of mental health. Let's find a workable cap if this isn't workable. We need to have some safeguards to see that this program however necessary or well-meaning doesn't sink everything else that this State has to do and it has that potential. If you don't have a...if you don't like this cap, what's a good cap?

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I obviously must take strong objection to the comments of Senator Schaffer, Senator Schuneman and others and maybe it's time for some better explanation because I think they have muddied and confused the issue, and I don't say they did so for any...reason, I think they are just confused. First of all, the amendment is inoperable, it's ineffective, there is no way of knowing what years you're talking about, it would not have the impact of a cap. That's beside the point. I think we are debating now the issue rather than the language of the amendment and it is a clever way to scuttle the program. It is a clever way to say we don't want a CHIP program, and let me tell you why. If we do not have the full faith and credit of a program to stand there, there won't be one. You cannot get anyone to provide services absent knowing that there'll be money there to pay it. If it gets, as Senator Schaffer suggests, out of hand, answer is simple, you've got a board there, change the coverage, change the deductibles, change the annual spending that's required, change the cap that's there on the amount you can recover under the program but you cannot change the funding source and have a policy. It would be the equivalent of Blue Cross when we had it saying and when you spend so much, I no longer pay the bills. Well, you might get coverage in January, February and March, but you better not get sick in October,

November or December because nobody is going to take care of you if the policy says we're not going to pay if you get sick in October, November or December. That is totally illogical. The other thing illogical in this approach now, absent the ability to go out and see what the experience is, and that's why the delayed effective date, what do we save in public aid expenses? Public aid thinks they're pretty significant. So do I. So do most others. We don't know and that is not factored in. Therefore, it means...sure there's a benefit to the State, it'll spend less dollars the year this goes into effect because we won't spend general revenue on it and we won't be spending on public aid, we think, and therefore, there won't be coverage and people will be uninsured or it will be so expensive to the State 'cause all we've done is taken them out of the pool and put them back on public aid or made them bankrupt first and then put them on public aid. That makes no sense. That is not economically sound for the citizens of Illinois or for our tax base. Since you haven't even put into this, what about public aid savings where it's a wash and no expense to the State, this is illogical. It's merely a way to say, you don't want a CHIP program. If you don't want it, vote against it. Don't try and scuttle it this way. I would urge defeat.

PRESIDENT:

Question is the adoption of Amendment No. 2 to Senate Bill 1699. Senator Schuneman may close.

SENATOR SCHUNEMAN:

Thank you...thank you, Mr. President. Wrong, Senator Carroll. Absolutely wrong. This is not an attempt to scuttle the bill. I recognized this probably before you did that there's a need out there for this sort of thing and I support the idea, but I also support the idea that the State not go broke paying for something that we can't afford to pay for. Now, no insurance would be available under this system until

January 1 of 1988. That's more than a year away. It's plenty of time to do the planning that needs to be done and the designing of a program that can be afforded by this State. The thing that I think...has been done here is to design a program which is probably richer than we can afford. Now, we've all heard all the horror stories about the claims that are going to come in under this plan, and I don't want to get into that issue right now because I think you all know what they are. The only thing I'm seeking to do by this amendment is to put a cap on what the State will spend, put it on now so that the people that design the plan will have some idea bout the framework within which they will be operating. Now there are insurance actuaries all over the place who can give you credible information. I'm not sure...well, I think...I think economic and fiscal went to some insurance actuaries to get some of their information, but a...a program can be defined, can be devised, we can vote on this next year and all I'm saying to you now is that we ought to have some kind of a cap. Now, in your opening remarks, Senator, you told us that this...the basic funding for this plan is to come from the premiums that are paid, and all I'm saying is if you're wrong that the premiums won't support the plan, then let's limit the amount of what the State will pay to fifty percent of all the premiums that are taken in and I think that's a realistic approach, and I would ask for support of the amendment.

PRESIDENT:

All right. Senator Schuneman has moved the adoption of Amendment No. 2 to Senate Bill 1699. Those in favor of the amendment indicate by saying Aye. Opposed. Roll call has been requested. Those in favor of the adoption of Amendment No. 2 will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

there are 20 Ayes, 30 Nays. Amendment No. 2 fails. Further amendments?

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman on Amendment No. 3.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I withdraw Amendment No. 3.

PRESIDENT:

Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 3 offered by Senator Schuneman.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

I'd like to withdraw that amendment, Mr. President.

PRESIDENT:

All right, also withdrawn...

SENATOR SCHUNEMAN:

No, no...no, no. I'm sorry. I want to call the last amendment. I was confused on the numbers.

PRESIDENT:

Well, if you withdraw one, the number just...the number remains static. So, your last one will now be Amendment No. 3.

SENATOR SCHUNEMAN:

Okay, I'd like to call that amendment.

PRESIDENT:

All right, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Schuneman and, Senator Schuneman, this is the one hundred percent.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is the same amendment. All it says is that if you don't want to cap it, if you don't want to accept a cap of fifty percent of the premiums, then cap it at a hundred percent of the premiums. Move adoption of the amendment.

PRESIDENT:

Senator Schuneman has moved the adoption of Amendment No. 3 to Senate Bill 1699. Discussion? Senator Carroll.

SENATOR CARROLL:

Let me just briefly say while there may be some...what sounds like logic in that, the issue is still the same and that is we don't know yet and we don't know now and it would again make it...it's the wrong approach. The approach is to change the coverage and not to say November, December no insurance is available. The fact of the dollars isn't impacted by that nor again the input of public aid dollars saved and everything else that goes with it. It again has the wrong impact; even though it might sound good, it is also not clear what, in fact, period of time you're talking about. We have to oppose this as well. Now is not the way that...this is not the way to do it or yet, let the board come back to us with a recommendation once they've been constituted if they think there's going to be that type of a shortfall.

PRESIDENT:

Any further discussion? Further discussion? Senator Schuneman, you wish to close on Amendment No. 3?

SENATOR SCHUNEMAN:

Thank you, Mr. President. Only to say this, that I would rather see a plan established under which the managers of that plan if they see that there's going to be a shortfall would come back to the Legislature and say we think there's going to be a shortfall, we need some more money and we're

going to make this kind of change in the plan in order to try...to stop the plan from going in the red any more. Under your proposal, Senator, none of those safeguards are in there. What happens is if they pay the money out then the Legislature pays the bill. I think this is a reasonable approach and I would ask for your adoption of the amendment.

PRESIDENT:

All right, Senator Schuneman has moved the adoption of Amendment No. 3 to Senate Bill 1699. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 21 Ayes, 26 Nays. Amendment No. 3 fails. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Carroll, do you wish to try to get back to that today?

SENATOR CARROLL:

Please.

PRESIDENT:

All right, with leave of the Body, we'll get back. If you'll take a look...the Secretary has distributed Supplemental Calendar No. 1. There are one, two, three, four, five, six motions with respect to gubernatorial action that have been filed. The members wish an opportunity to proceed on those. In addition to that, then we will go back to Senate 1699 and then there are four additional motions that have been filed and that will effectively conclude our business for today. All right, if I can have your attention. Before we move off the regular Calendar, Senator Maitland has a bill that he wishes to bring back for the purpose of an amendment. If you'll turn to page 4 on the Calendar...page 4 on the

Calendar, with leave of the Body, we'll move to the Order of House Bills 3rd Reading. On the Order of House Bills 3rd Reading is House Bill 3200. Senator Maitland is seeking leave of the Body...Senator Maitland is seeking leave of the Body to return House Bill 3200 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3200, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to House Bill 3200 deletes everything after the enacting clause and inserts the...the language contained in the amendment and it is...the amendment actually is...is technical in nature. It is...it's an amendment that was suggested to us by the Illinois Farm Development Authority and it...it allows for the entrance into the secondary market for one thing, and then also it does clarify...it does clarify that the State is responsible for that eighty-five percent that we are obligated for under the Debt Restructuring Act. It is technical in nature only and I would seek your...approval of this amendment.

PRESIDENT:

All right, Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 3200. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Maitland, you wish to get back to

that today? All right, with leave of the Body, we'll get back to that one too. All right, let's move, with leave of the Body, to Supplemental Calendar No. 1, that's Senators Keats, Sangmeister, Jeremiah Joyce, Marovitz, Luft and Lemke. With...all right, on the Order of Supplemental Calendar No. 1, Motions in Writing to Override Item Vetoes, there's a motion in writing filed, Mr. Secretary, with respect to Senate Bill 1753.

SECRETARY:

I move that the item on page 17, line 26 through 29 of Senate Bill 1753 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Keats.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. This is...this is four hundred thousand dollars for a sewer project in Northfield that is on the EPA's list, but it was put in ahead of time by a House member. Could you do me a favor and not make it too embarrassing and just give me a little help? Thank you.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, I'm...I'm sure that Senator Poshard and Senator O'Daniel have listened very intently to your debate and that we will summarily deal with this as...in...in a proper manner.

PRESIDENT:

All right, question is, shall the item on page 17, lines 26 through 29 of Senate Bill 1753 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 12 Ayes,

26 Nays, none voting Present. The motion fails. Motion with respect to Senate Bill 1808, Mr. Secretary.

SECRETARY:

I move that the item on page 4, line 18 through 25 of Senate Bill 1808 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDENT:

Senator Carroll on Senate Bill 1808.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to restore the funding of this item veto. Let me explain briefly. The Governor reduced the appropriation associated with a Statewide pretrial service agency. What's involved in this was in an effort to create a procedure for children facing trial as witnesses, we created substantive law, funded the court and funded the local prosecutors through the State's Attorney's Appellate Prosecutors Commission. While the Governor changed the effective date as to the Supreme Court, and that's why no motion to override as to that, he did sign into law the sections that deal with this particular funding and in order for us...and his message, therefore, is in error. He said that he did not sign it into law effective now. He was in error. He had. He had already signed it into law. This would provide the funding so that the prosecutors could, in fact, have the training so that when a kid has to testify, they can work with that child to avoid much of the trauma that has become associated with these trials and many of these...unfortunately these are all your cases of child abuse where the emotional needs of the child have to come first. The Governor took out that money thinking it was in the next fiscal year but he had signed this portion of the law into effect now, so the money needs to be funded now and I would, therefore, move that we fund the line item, the Governor's

veto to the contrary notwithstanding.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 4, lines 18 through 25 of Senate Bill 1808 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 19 Nays, none voting Present. The motion fails. Motion in writing with respect to Senate Bill 1759, Mr. Secretary.

SECRETARY:

I...I move that the item on page 2, line 12 of Senate Bill 1759 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. This seeks to restore approximately two hundred thousand dollars to the Vietnam Veterans' Outreach Program. That money to be used for jobs, for counseling and for other programs that are involved in this. Initially, upon looking at the veto, it was suggested that we proceed via supplemental, and several of these veterans have been down here involved in conferences and negotiations as to the feasibility of doing that. That process while it has not broken down has reached a point where they can receive no assurances as to what the final outcome will be. Ordinarily Senator Vadalabene would be here to handle this. He is not here today. I have been asked by these veterans to carry this program. Two hundred thousand dollars while it is a substantial amount of money, it is not relatively speaking to the way we vote on dollars around here a lot of dollars. I know that this is out of our ordinary

course. I think that this vote is probably very close. I would ask that those of you who feel you are locked into some philosophy with respect to the veto process see if you can look into your hearts to make an exception and vote to restore these funds. I ask for an Aye vote.

PRESIDENT:

Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, I've had the same veterans' organization lobbying me, and the Governor's Office still feels the same way about the two hundred thousand dollars, and I would suggest this is a compromise. Now I have not talked to the Governor personally, I have talked to Jim Reilly and suggested this, that the Governor issue an Executive Order suggesting that a person in the Department of Veterans' Affairs, one in Chicago, one in Springfield, one in East St...Louis, wherever they decide, is responsible for that specific issue whether it be agent orange or veterans' jobs and we could publish a list of those offices, who's responsible and, hopefully, that would satisfy most of the veterans' group; or the other thing that I suggested to the second floor was perhaps in their budget, the department's budget, we might be able to find seventy-five or a hundred thousand dollars to put together a program for veterans. I say, I do not have the commitment from the Governor. I have talked to Jim Reilly. He said, Pate, I think that is a...either one of those are reasonable proposals and as soon as the Governor comes back we will try to work something out.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in full support in the override of the

Governor's veto. This State just a few months ago was...was honored and seen probably the largest, single demonstration since the victory parades of World War II when the Vietnam Veterans came and marched in the City of Chicago in behalf of recognizing finally the contributions that these people played in the role and the history of the United States, and now here we have saying that, no, I'm sorry, even though you came in and you participated and there's a question on orange...on agent orange and a number of other physical problems that are attributed to their service of the United States, we come in and we reduce the amount of money for some very worthwhile programs that this Assembly passed. We can't have it both ways. If you were proud to be an American and you were proud to serve in the United States services in Vietnam and you supported the people that served in that conflict, now you say you can't afford the amount of money that we appropriated under this General Assembly? A mere two hundred and seventeen thousand dollars we're talking about. Let's be realistic. The only commitment that we have is a commitment between God and ourselves and our fellow man. These people deserve this type of appropriation and I would strongly encourage an Aye vote.

PRESIDENT:

Further discussion? Senator Lemke.

END OF REEL

REEL #3

SENATOR LEMKE:

I rise in support of this, and the reason being, every day I get up I go down past a few houses and look at a Vietnam Veteran who is in a wheelchair and needs this kind of guidance; and I think we have stand back too long in this State and in this country and fail to recognize the veterans of Vietnam. When these veterans came home from Vietnam they had to...they had to duck and hide and nobody cheered them, but we did it this June and honored them with a parade in Chicago and it was a people's parade. And I don't think the money here is worth one person being disabled in Vietnam. I think we must put this money into help these Vietnam Veterans, it's very, very important. I can't see the callousness because of budgetary reasons to deny this money. We must help veterans, we must help them get on the right side, and we must forget what happened to them with the Jane Fonda people when they came home and they were...on. It's time this State stands up as a Legislature and recognizes that these people that got shot at and wounded in Vietnam deserve this money and deserve recognition and deserve help. And we might as well forget about the people in...that represent Jane Fonda. I ask for an Aye vote.

PRESIDENT:

Further discussion? Further discussion? Senator Joyce, you wish to close?

SENATOR JEREMIAH JOYCE:

I do not disagree with the suggestion of Senator Philip, but the fact of the matter is that that is only a suggestion, the Governor has not signed on to that. These men have come here and they have been in this Chamber and we have pledged our support and...tried to express our gratitude, and I don't

SB 522 Acc. Recommend of the Gov.

see why we should be put in the position of saying no to them on this. If, in fact, that is a realistic approach that has been suggested by Senator Philip, the House...the House will have this matter, and the Governor will have time to act between the time we act today and the time to...the House acts. So once again I would just ask that you look into your hearts and see if you can deviate from the present philosophy and vote Aye on this.

PRESIDENT:

The question is, shall the Item on page 4...no, page 2, I beg your pardon, shall the item on page 2, line 12 of Senate Bill 1759 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor of the restoration will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 Nays, none voting Present. The item on page 2, line 12 of Senate Bill 1759 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. On the Order of Motions in Writing to Accept Specific Recommendations for Change, there's a motion filed with respect to Senate Bill 522, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 522 in the manner and form as follows. Signed Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. I would move that we do accept the Governor's specific recommendations for change. Senate Bill 522 creates the offense of second degree murder and eliminates the

offense of voluntary manslaughter. The Governor in his Veto Message makes the bill apply only to deaths after 1-1-87 and makes other technical changes in terms and names only. And I would ask that we do...concur with the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the...all right, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 522 in the manner and form just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 522 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1706, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1706 in the manner and form as follows. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to move that we accept the specific recommendations by the Governor for the changes in Senate Bill 1706. What the Governor did was eliminate a civic center's authority to retain interest on monies disbursed to by the State under the Metropolitan Civic Center Support Act and also eliminated the part that increased from two to four the number of enterprise zones DCCA may certify during economic...emergencies and made various other technical corrections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpiel.

SENATOR KARPIEL:

I'm sorry. Thank you, Mr. President. As a matter of record I would just like to say that my vote on 1759, I believe, 59, I inadvertently pushed the wrong button. I would have liked to have been recorded as Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so reflect. The...further discussion on Senator Luft's motion? If not, the question is, shall the Senate the specific recommendations of the Governor as to Senate Bill 1706 in the manner and form just stated by Senator Luft. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1706 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 2177, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 2177 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What the Governor's amendment did was make a technical change to conform this Senate Bill 2177 to House Bill 2879 in regards to the two...to the...increase from two to four the number of enterprise zones DCCA may certify as economic emergencies. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to

Senate Bills 2177 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 2177 having received the required constitutional majority vote of Senators elected are declared accepted. All right. With leave of the Body now, we will return to the...to the...Calendar...return to the Calendar as of this morning. We will...on the Order of...of Senate Bills 3rd Reading, page 2 on your original Calendar is Senate Bill 1699, Mr. Secretary.

SECRETARY:

Senate Bill 1699.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just say first some thanks again. The process which worked which brought about this bill would not have been possible but for the able chairmanship of the various subcommittees of Senators DeAngelis, Berman, Kustra and Jones, and the able assistance of our general counsel, the Attorney General of the State of Illinois, Neil Hartigan and his staff. This, as we all now know, is the comprehensive insurance plan that would provide needed insurance for people who can afford to pay. It is, in fact, a new day for our State; it is, in fact, an important step forward to providing jobs with dignity to those who have heretofore either been unable to find jobs because of a medical condition or...unable to move jobs for a better job because of the real

fear of losing what coverage they had by then being declared to have a preexisting condition. This is, in fact, an important step for the State to take because it does say that we recognize that people can have the assurance of being able to maintain their life style, being able to maintain what few assets they've been able to garner, like homes and all; and merely because they have had a medical condition inflicted upon them by no choice, they can still be a productive part of society, move forward, move forward as an aid and adjunct to the other citizens of Illinois who have contributed so long and hard towards the greatness of this State. I don't think it necessary to say more but to say thank you also to the hundred and fifty organizations that have signed up in support of this legislation as it has moved through the process. And I would urge all my fellow members to join us in this important step to let people move on and move on with dignity.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, first of all, I'd like to commend Senators DeAngelis and Senator Carroll with the...and their committee for doing the work they did on it. There's no question this bill helps the middle-class American because the too poor can get Medicaid and Medicare, the too rich can afford to pay their own...health problem...health insurance problems and...and medical costs. And it's about time that we did take the lead because we all know there are people who are trying to work and yet they won't be hired because they have no...no health insurance and what have you. So, I speak in favor of the bill and I urge a favorable consideration by all of us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. First of all, I would like to remind the members that a good number of years ago there was an organization created nationwide called Communicating for Agriculture, and the gentleman who heads up that organization is the fellow who went around to the various states like Minnesota and Wisconsin and eventually Illinois and attracted a few of us that were concerned about the problem of the uninsurables in health care. What I find interesting is that obviously with a name like Communicating for Agriculture, he was thinking primarily about farm families. So, for those of you from rural areas it's kind of interesting to note that the real genesis of this program, whether it's in Illinois or in Minnesota or wherever, comes from individuals who are really concerned about depressed economies in rural America and how we were going to deal with it. I think that the point that Senator Geo-Karis made is...is well said, this is a program for the middle class. I come from a suburban constituency who often complains that they're passed by as we dole out benefits to everybody else. Well, here's a program for those folks who are, in fact, paying their taxes, they're paying their income and their sales taxes, they're putting those monies in the General Revenue Fund and regularly we draw on that General Revenue Fund for other people, but this affects those folks who are uninsurable, whether it's diabetes or a heart condition or whatever the...the ailment and allows them to access health insurance. Now we should add one caveat as we all run for the headlines and the media, and that is that not everyone who has those problems will be able to avail themselves of this program, because I read straight from the fact sheet distributed by the Attorney General, "Participants pay one hundred and thirty-five percent of a calculated average individual rate for coverage and must meet their deductibles in

twenty percent coinsurance." Thus, participants are expected to make a significant contribution to the cost of care. I think significant ought to be underlined. Anybody who walks away from this General Assembly after passing this bill and offers this program as some kind of a salvo for all the problems that exist out there in health care is just kidding the folks out there who have these problems, because, unfortunately, depending on your situation, not everyone will be able to avail themselves of this program under its current conditions. I would have preferred that we adopted Senator Schuneman's amendment because I think that gave us some protection against a runaway program which once we get it started I'm afraid will be very difficult to put any breaks on but we couldn't. I think we should make a small first step but we should continue to remind our constituents that they better have the money to come up with those premiums 'cause they're going to be high premiums and not everybody out there is going to be able to afford them. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This bill has been pretty much debated because the amendment was discussed. I would like to point out, however, that ten states have enacted similar legislation, eighteen other states are contemplating it. I think the bill brings Illinois out of a...a very dark period of not being concerned about those people who are gainfully employed and who stand the risk of losing everything they've worked for or who live in the fear that in the event they would get further disabled or ill that they would have to rely on public aid and destroy everything they've worked for. I would like to commend particularly all the affected interest groups because there were many that were involved in this

and the effort of all those people. I would also like to assure members of this Body that there's no intention to let this program run wild; there is, in fact, a mechanism in this bill to create a responsible...responsible advisory committee that will look at this, and I am hopeful that our appointees will reflect that sense of responsibility. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. While I would much have preferred to have some kind of cap in this bill and I would much prefer to have us wait until we know more about what's in here, I'm going to vote for the bill. I think that it...it fills a need in our society, and there are indeed people out there who cannot buy insurance and who need to buy insurance. I'd...I'd like to reiterate one of the things that Senator Kustra said, however, and that is that when you look at the premiums that are going to have to be charged, which apparently are going to be about eleven hundred dollars per year per individual, approximately that, that people once having paid those premiums and then who have to pay a five hundred dollar deductible and then meet another four hundred dollar cost before they get into the coverage, not everyone will be able to afford this. But I don't think we should stand in the way of...of a good program even though it may not have everything in it that...that I'd like to see there. So I'm going to vote in favor of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President, members of the Senate. Not to belabor the point that this legislation has been thoroughly debated, but as a participant...as a...and as a co-

sponsor of this bill, I'm glad to see that we have mostly all the members of the Illinois Senate on board as regard this legislation. We know it is not a perfect piece of legislation but it is something that has been debated over many, many hours, there are many participants who had their input trying to solve a very, very serious social problem and this is a social problem. And...if there are problems with the legislation we still will have time next year to deal with necessary amendments to it to...to make necessary changes if we find that it is not working as we want it to work. But it is a step in the right direction, it solves a social problem in the State of Illinois, and I want to commend the Attorney General and the chief sponsor, Howard Carroll, for putting that many hours into this bill to make this possible for all the people of the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 1699 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 1699 having received the required constitutional majority is declared passed. All right. Leave of the Body, now we'll go to the Order of House Bills 3rd Reading, bottom of page 4, is House Bill 3300. I am told that there is an amendment for that...and then we'll come back to House Bill 3200. So, with leave of the Body, we'll go to the Order of House Bills 3rd Reading, House Bill 3300, Mr. Secretary. Senator Lechowicz seeks leave of the Body to return House Bill 3300 to the Order of 2nd Reading for the purpose of an amendment...is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3300, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senators Lechowicz and Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment makes three...three revisions to the Charitable Games Act. It provides veteran organizations will become eligible for charitable games license, the bet limit is increased to fifty dollars for games within the...participants may only win merchandise and the five dollar bet limit will remain intact for games allowing participants to win cash, and it eliminates the sunset provision in the bill. I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz has moved the adoption of Amendment No. 1...to House bill...I beg your pardon,...House amendment...Senator Lechowicz has moved the adoption of Amendment No. 2 to House Bill 3300. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Leave of the Body, now we will return to the Order of House Bills 3rd Reading and take up House Bill 3200, Mr. Secretary. House Bill 3-2-0-0.

SECRETARY:

House Bill 3200.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3200 as amended...and I explained this in the amendment process but just...just let me say briefly that it does clarify the State's commitment to the original thirty million dollar loss reserve fund and states that that thirty million dollars is a general obligation of the State. There was some question as to whether or not this was, in fact,...explained accurately and...and, again, it's a technical amendment and I would urge support of House Bill 3200.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall House Bill 3200 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The bill...House Bill 3200 having received the required constitutional majority is declared passed. On the Order of House Bills 3rd Reading is House Bill 3300, Mr. Secretary.

SECRETARY:

House Bill 3300.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3300 as amended now will permit veterans' organizations to participate in the bill that we passed earlier this year as far as Charitable Games Act. As you know, many veterans' organizations were under the impression that they would be able to participate and raise money for their organizations with the Charitable Games Act. 501C3 was the

key provision in the bill that it was originally passed. With the passage of 3300 as amended, the wording in it now would state that...any organization...any...the term qualified organization shall also mean any post, organization of past or present members of the Armed Force of the United States or any auxiliary unit or society thereof or a trust or foundation for any such post, organization organized and conducted on a not-for-profit basis with no personal profit to anyone as a result of its operation and which is exempt from Federal income taxation under Section 501C19 of the Internal Revenue Code. This would provide qualified organizations, veterans' organizations to participate in Charitable Gamings Act or Las Vegas Nights. Many of you probably during the campaign heard and listened to the plea of these organizations to be included in this legislation. The leadership met this morning and hopefully with the agreement of this Body will pass House Bill 3300 as amended which provides for this type of organization participation. I encourage an Aye vote on House Bill 3300 as amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of House Bill 3300. During this past November election and after we came out of Session, for some reason I was as misinformed as many of my constituents, because I thought when we passed the Las Vegas Night that we also included the VFW, American Legion, et cetera. Well, I found out before the election from the largest VFW post in the State of Illinois which happens to be in Bensonville, Illinois, my district, that we did not include them and they were prohibited from having a Las Vegas Night. So, of course, I started calling around and Senator Lechowicz and I worked out this amendment. It does the job, it's certainly

going to make all the veterans' organizations throughout the State of Illinois happy and pleased and there's no reason why they shouldn't be entitled to a Las Vegas Night too, for a lot of good causes. So I would hope that we'd see a lot of Aye votes up there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I have a couple of questions. Senator Lechowicz, does this mean we won't have to put the Constitutional Amendment on it so they can have the money to pay for their VFW halls that's just been beaten three times?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, that really is not addressed in 3300, but I supported that Constitutional Amendment, maybe this will help them a little bit as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

So did I, and I...but I think maybe after three tries in a row we ought to cool it until we figure out how to pass it for awhile. My question...my serious question is that if you...if I read your language correctly, we still have not included groups such as the Lions and the Jaycees. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct. Basically, we're going to try to address that, the Lions and the Jaycees and the fraternals next year, I would imagine.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, you know, it's job security for all of us, I guess, we just keep putting bills in. But I rise in support of the bill, I think it is a...a good step, I think that these groups will handle this responsibility well. I have normal concerns that there are liable to be a few bad actors in...in any barrel. But I...I think eventually we are going to have to address the Jaycees and the Lions. In my part of the State it isn't the churches or the veterans' groups that run the Las Vegas Nights; frankly, it's the Jaycees and the Lions. But I'm smart enough to know that the passage of this bill, hopefully by a big margin, will make my job all the easier next year. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lechowicz may close.

SENATOR LECHOWICZ:

I'd really appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 3300 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 2, none voting Present. House Bill 33 having...3300 having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I think that all that remains are four or five additional motions that have been filed. I'd ask the members to stay put, we've got about another twenty minutes work and then we'll be concluded until nine o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we will go to the remaining motions that we have. Mr. Secretary.

SECRETARY:

I move that Senate Rule 5C be waived with respect to House Bill 132, that the Senate Committee on Revenue be discharged from further consideration of House Bill 132 and that the bill be read a second time and placed on the Calendar on the Order of 3rd Reading. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I think the first proper motion would be to move to...for leave to be substituted as the sponsor in place of Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we can...we can...we can do that. Senator Lemke has requested leave of the Body to...to remove...to remove Senator Holmberg and to add Senator Lemke as the principal sponsor of House Bill 132?

SENATOR LEMKE:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there...is leave granted? Leave is granted and it's so ordered. Senator Lemke now moves to suspend Rule 5C and asked that House Bill 132 be discharged from the Committee on Revenue and advanced to the Order of 3rd Reading. Senator Philip...Senator...Senator Philip.

SENATOR PHILIP:

Yeah, I...I have a question. Normally when we do these unusual things, at least we have the courtesy of talking to the leadership on either side of the aisle. I have no idea what this bill does, what they're going to do with it or how, when and why. And I certainly would like to...like to find

out what's going on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I...I...I thought they talked to the leadership. What this bill is going to be used for is to try to come up with some kind of enterprise zone program to save the General Motors Plant in Willow Springs. We can't...they're meeting tomorrow at DCCA and...and we have to move this to get it in position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Am I to assume that the Governor's Office is involved in the negotiations or are we just winging it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

DCCA is meeting tomorrow in the Village Hall of Willow Springs and working out some type of arrangements. We may not need this bill, but if we don't move it, this is the only vehicle around and I will not move it for any other reason but that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. If not, Senator Lemke has...has moved to suspend Senate Rule 5C...and...and...for the purpose of discharging House Bill 132 from the Committee on Revenue and asked that it be advanced to the Order of 3rd Reading. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Lemke now moves to discharge House Bill 132...to...to the Order of...House bill...all right, Senator Lemke has moved to discharge House Bill 132 from the Committee on Revenue and asked that it be placed on the Order of 2nd Reading in order

that it may be read a third time. Objections? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Mr. Secretary, House bills 2nd reading is House Bill 132.

SECRETARY:

House Bill 132.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Further motions, Mr. Secretary?

SECRETARY:

I move to suspend Senate Rule 5 and that the Committee on Revenue be discharged from further consideration of House Bill 313 and that it be placed on the Senate Calendar on the Order of 2nd Reading. Signed, Senators Demuzio and Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, is there leave to have Senator Watson handle that? Leave is granted. Senator Watson.

SENATOR WATSON:

Thank you,...thank you, Mr. President. This particular bill, House Bill 313, is in the Revenue Committee sponsored by Senator Donahue. I have talked to Senator Donahue and both Senator Netsch and Kustra concerning what we want to do with this particular piece of legislation, have no objection, and I would like to ask for...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson requests that the sponsorship of House Bill 313 read Demuzio, Watson and Donahue. Is leave granted? Leave is granted. So ordered. Senator Watson now

moves to suspend Rule 5C in order that House Bill 313 may be discharged from the Committee on Revenue and brought to the Order of 2nd Reading. Discussion? Senator...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Rule 5C is suspended. Senator Watson now moves to discharge the Committee on Revenue from further consideration of House Bill 313 and that it be brought to the Order of 2nd Reading. Is leave granted? Leave is granted. So ordered. Mr. Secretary, you want to read that bill a second time.

SECRETARY:

House Bill 313.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Further motions?

SECRETARY:

(Machine cutoff)...move that Senate Rule 5C we waived with respect to House Bill 2815 and that the Senate Executive Committee be discharged from further consideration of House Bill 2815 and the bill be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. In regards to this motion, not only did we check with the chairman of the Executive Committee, Senator Sangmeister, we also checked with Senator Schuneman...relative to this legislation. This is

the...Health Club Physical Fitness Service Act. This amendment would delete the five thousand dollar maximum contract amount, set the maximum contract amount at an average of twenty-five hundred dollars a year for a maximum of two years and allow...increase the payment time from two years to three years. Everyone has been checked with and I...from what I understand, there is no objection to this. And I would ask the adoption...well, I would ask for the passage of this motion first.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion?

SENATOR MAROVITZ:

Discharge the committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Marovitz has moved that...to suspend the appropriate Senate Rule 5C in order that House Bill 2815 can be discharged from the Committee on Executive and be placed on the Calendar on the Order of 2nd Reading. Is..those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Marovitz now moves to discharge the Committee on Executive from further consideration of House Bill 2815 and be placed on the Calendar on the Order of 2nd Reading. Is leave granted? Leave is granted. All right, further motions? Senator Marovitz.

SENATOR MAROVITZ:

I believe there's an amendment...that's been filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,. we'll handle that when...when we get there. We've just now discharged it and put in on the Order of 2nd Reading. We...we are not on the Order of 2nd Reading at the moment. Senator Marovitz,...do you wish to proceed with the adoption of the amendment? All right. On the Order of...with leave of the Body, we'll move to the Order of House Bills 2nd Reading. House Bill 2815, Mr. Secretary.

SECRETARY:

House Bill 2815.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

In the...in the current bill there's a five thousand dollar maximum contract amount. This amendment would change that five thousand dollar contract amount and in effect reduce it so it would be a twenty-five hundred dollar average with a twenty-five hundred dollar maximum in any year. So, if...if it were a year and a half it would be twenty-five hundred plus a...plus a fraction of twenty-five hundred. The bill retains the increase in payment years of contract from two years to three years. And I would ask for the adoption of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 2815. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, we have no objection to the amendment as we understand the amendment, but as I read it, it deletes five thousand dollars and says that in lieu thereof it will be an average of twenty-five hundred dollars per year for a maximum of two years. So that doesn't necessarily mean it's got to be twenty-five hundred dollars a year, it could be five thousand...okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Marovitz moves the adoption of Amendment No. 1 to House Bill 2815. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. Leave of the Body, we'll go back to motions...in writing. Mr. Secretary.

SECRETARY:

I move that...to suspend Senate Rule 5C and that Senate Committee on Rules be discharged from further consideration of House Bill 3522 and that it be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I just would like leave to...of the House to...discharge and bring it back to...to the Floor for 2nd reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis, your motion is to suspend Rule 5C and that the Senate Committee on Rules be discharged from further consideration of...of the House Bill 3522 and that it be placed on the Calendar on the Order of 2nd Reading.

SENATOR GEO-KARIS:

Is there any objection?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is that...is that correct?

SENATOR GEO-KARIS:

Yeah. If not, I wonder if...since my guide is not on the Floor, can we just take this on tomorrow? There any objection?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, I just got a phone call. All right. Senator Geo-

Karis has moved to suspend Rule 5C and that the committee...Senate Committee on Rules be discharged from further consideration of House Bill 3522 and that it be placed on the Order of...the Senate Calendar on the Order of 2nd Reading. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves to discharge the Committee on...on Senate Rules and that House Bill...3522 be placed on the Order of the Senate Calendar on 2nd Reading. Those in favor of that motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted. Further motions in writing?

SECRETARY:

I move that the Senate Executive Committee be discharged from further consideration of Senate Resolution 1217 and that the resolution be placed on the Calendar on the Order of the Secretary's Desk. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 1217 addresses the controversy between the Independent Federation of Flight Attendants and Trans World Airlines and very simply resolves that the members of the State Senate support the Independent Federation of Flight Attendants in its dispute with TWA by urging TWA to bargain in good faith to reach a fair contract settlement and that while conducting State business we will utilize another airline for the duration of this labor dispute. I think the flight attendants deserve our expression of support, and so I would move to discharge the Committee on Executive from further consideration and ask that the Senate resolution be considered immediately and voted upon once we get it to the Secretary's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Fawell on...on Senator Rock's motion to discharge? Senator Fawell. All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Rock,...do you know of another instance when the Senate...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Schuneman, I'd like to get to the merits of the legislation once we get it in the proper position.

SENATOR SCHUNEMAN:

Okay...okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock moves to...to waive...all right, moves to discharge the Senate Executive Committee from further consideration of Senate Resolution 1217 and that it...and it would be brought to the Order of Secretary's Desk. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. Motion is carried. Senate Resolution 1217 now reposes on the Secretary's Desk. Senator Rock, you wish to take that up? Senate Resolution 1217, Mr. Secretary.

SECRETARY:

Senate Resolution 1217, and there are no committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Senate resolution very simply says that the members of the State Senate support the Independent Federation of Flight Attendants and urge TWA to bargain in good faith to reach a fair contract settlement. There are a number of whereases and preambles, but that in essence is what this resolution does. I think it's just an expression of support on behalf of the Independent Federation of Flight

Attendants and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator...Senator Fawell on this...on this motion.

SENATOR FAWELL:

Thank you, very much, Mr. President. I have been asked to be a cosponsor of this resolution which I have gladly done. I think if you will read the resolution you will see the fairness of it. It is not fair for the union to go and ask the men to take a fifteen percent cut and then turn around and ask the women to take a forty-five percent cut because "they are not breadwinners of their family." As we well know eighty percent of the women nowadays are indeed breadwinners or contribute to the support of their families. This is not fair. I think in all fairness we should be willing to support these women in something that on the face of it is...is just not right. And I think I can put my record against anyone in this...in this Assembly as far as being probusiness, but I think in this particular instance they are dead wrong and I think we ought to all be on board and...and say yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Hudson.

SENATOR HUDSON:

Senator Rock,...the flight attendants themselves, do they have a...a union...I gather they have a union representing them but they are unhappy with the union resolution of the...this particular problem. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I...I think they're unhappy with TWA because TWA is utilizing, as Senator Fawell pointed out, a double standard. They said to the male personnel, take a fifteen percent cut and they said to the female personnel, you take a forty-five percent cut. That...all we're doing is urging them to bargain in good faith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson.

SENATOR HUDSON:

I gather there is a union position involved in this, however. I mean, are we being asked as a legislative body, this being the Senate, State of Illinois, to do something to involve ourselves in what might be considered a...a labor question in this case or whatever. Is this a little unusual for us to be doing, has this happened before? Is it really our business? I guess these are my questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, my recollection is, it has happened before. We have gone on record in support of, for instance, positions taken by labor unions, namely AFSCME. What we are...all we are saying here is that we are expressing our support for the position that women employees and men employees ought to be treated equally and thus urging TWA to bargain in good faith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Hall.

SENATOR HALL:

Well, I rise in support of this. Anytime that any group would ask some people to take a forty-five percent cut when others only take fifteen percent, it's just dead wrong. I'm in strong support of this thing and I think everybody on this Floor should be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock moves the adoption of Senate Resolution 1217. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1217 is adopted. I would...the Chair...the...the Chair would like to chastise the members in the gallery, no applause, please. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 243, and it is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Senator Luft,...I...well, Senator Luft, it's my understanding that you have a motion that you...oh, tomorrow. Okay, we'll hold it till Friday. Resolutions.

SECRETARY:

Senate Resolution 1261 offered by Senators...Barkhausen, Philip and all Senators except Senator Dudycz. It's congratulatory.

Senate Resolution 1262, Senator Keats, congratulatory.

1263, Senator Zito, congratulatory.

And 1264, Senator Davidson and all Senators and its congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. With leave of the Body, we'll go to the introduction of bills. Introduction of bills.

SECRETARY:

Senate Bill 2315 introduced by Senators Geo-Karis,

Lechowicz, Philip, Weaver and others.

(Secretary reads title of bill)

Senate Bill 2316, by Senators Barkhausen, Lechowicz, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

Senate Bill 2317, by...introduced by Senators Dudycz, Lechowicz, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Rules. Senator Dunn, for what purpose do you arise?

SENATOR DUNN:

Thank you, Mr. President. I'd like to be...leave of the Body to be added as a hyphenated cosponsor of House Bill 313.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Dunn has requested leave of the Body to be added as a hyphenated cosponsor of House Bill 313. Is leave granted? Leave is granted? So ordered. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, I think we have pretty much effectively concluded our business. Nine o'clock tomorrow morning, Senator Philip and I have agreed that we would come in at nine o'clock tomorrow morning with the hope that we will be swiftly concluding our business. So all that remains is to open and close the Third Special and we're...we're effectively concluded today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, nine o'clock? All right. Senator Rock moves that the Regular Session be...we adjourn until nine o'clock tomorrow morning. Senate Regular Session stands adjourned.

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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION

NOVEMBER 19, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Third Special Session will come to order. Reading of the Journal, Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the Journal of Tuesday, November 18th, in the year 1986, in the Third Special Session be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Kelly. Are there any objections? If not, those in favor indicate by saying Aye. Opposed Nay. So ordered. Any further business to come before the Third Special Session? All right. Senator Rock moves that the Third Special Session stand adjourned till tomorrow morning at the hour of nine-thirty.

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84TH GENERAL ASSEMBLY

REGULAR SESSION

November 20, 1986

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Eugene Weitzel, Director of Chaplains at St. John's Hospital, Springfield, Illinois. Father.

REVEREND WEITZEL:

(Prayer given by Reverend Eugene Weitzel)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the reading and approval of the Journal of Thursday, November the 6th; Tuesday, November 18th and Wednesday, November the 19th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I don't know...if it has been noted in the record or not but Senator Virginia Macdonald has had surgery and has been absent because of illness since...before Tuesday.

PRESIDENT:

The...the record will so reflect. Thank you, Senator. Senator Demuzio.

SENATOR DEMUZIO:

The same order of business. Senator Vadalabene is not with us today because he is absent because of illness and I'd

like the record to so reflect.

PRESIDENT:

The record will so reflect, thank you. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1265 offered by Senator Keats, it's congratulatory.

Senate Joint Resolution 185 offered by Senator Schaffer and all members and it's a death resolution.

PRESIDENT:

Consent Calendar. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd ask to refuse...that the Senate refuse to accept the Conference Committee report on House Bill 1103 and ask for a second Conference Committee to be appointed.

PRESIDENT:

All right. The gentleman seeks leave to go to the Order of Conference Committee Reports, that's the middle of page 7. Middle of page 7, Conference Committee report on House Bill 1103. The question is, shall the Senate adopt the Conference Committee report on House Bill 1103. Senator Keats.

SENATOR KEATS:

Since we don't have a copy of the Conference Committee report we're rejecting...is there some game plan...perhaps we could be illuminated as to this game plan.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

The game plan is to use this as a vehicle to deal specifically with domicile insurance...life insurance companies in the State of Illinois. Life insurance companies in the State of Illinois elect their directors all at once; for

example, if there was a meeting of a life insurance company today and there were six directors on that life insurance company board, they would all be elected today making them very ripe for a takeover. What we will try to do with this bill is stagger the election of life insurance...company board members exactly the way we do with liability insurance companies.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Just...thank you, very much. Just as long as I know what the game plan is, thanks.

PRESIDENT:

Any further discussion? Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, just a question of the sponsor. I understand the purpose that you're talking about here but can't...can't an insurance company do this now without...we're...we're going to pass a law that requires them to do it or...or are we going to make it optional?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

It will be made optional and they cannot do that now.

PRESIDENT:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee...the first Conference Committee report on House Bill 1103. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 18 Ayes, 2 Nays, none voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House.

Sen. Darrow's remarks + comments of fellow Senators

Senator Luft requests the appointment of a second Conference Committee. (Machine cutoff)...Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Mr. President, with leave of the Body, I'd like to go to the Order of Secretary's Desk Nonconcurrence on page 7 is House Bill 3351 and move to nonconcur and ask that a Committee of Conference be appointed. For the edification of the membership what that would do is to resolve a problem that is in Senator Rock's district and that's the only game plan with this bill that I'm aware, and I would move to nonconcur with House Bill 3351.

PRESIDENT:

All right. Senator Demuzio has moved to nonconcur...

SENATOR DEMUZIO:

Page 7.

PRESIDENT:

All right. Senator Demuzio has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3351 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Senator Darrow, for what purpose do you...arise?

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, as many of you know, I will be sworn in as a circuit judge December 1st, so this will be my last day in the Illinois State Senate. When I announced I was running for judge, a number of people talked with me and said, well, won't you miss the action down in Springfield and being a Senator? And I said, well, I'm not going to miss the trips and the travel.

I've stayed in almost every motel in Springfield, they all smell the same, bug spray. I'm tired of eating out at restaurants where you always get the green salad with the orange French dressing. Those things I won't miss, but what I will miss is the colleagues and the friends that I've made over twelve years in the Illinois General Assembly. And I think that the members of the Illinois General Assembly are very much underrated by their constituents and by the people of the State of Illinois. They don't realize the work and the strain and the stress we go through down here. Year after year as we come down in the spring refreshed, it always seems that one of the happiest days is when we leave home to come down to Springfield to start up again, and one of the happiest days is July 1st when we leave here and go back home. They don't realize that when we go home from this Chamber on a Thursday or a Friday, our work is not done, that we are having phone calls at home, that on Sunday nights it's not uncommon to be called and have to discuss legislation. When we go home from this Chamber we get home and the first thing our wives want to do is go out to eat when the last thing we want to do is to go out to eat; they want to go out and have a good time, and we want to stay home and have peanut butter and jelly sandwiches. I could go on and on and on but we all know what it's like. I think that if the people of the State of Illinois realized the stress and strain of this job they would realize that we're worth much more than the salary that we've allowed ourselves to receive, and while I'm on salaries, let me say that for years I've disagreed with Art Berman on a certain point, I've consistently voted against judicial pay raises, but I think I was wrong on some of that, I'm glad I have to review that. So as I'm leaving I'm leaving with mixed feelings, I'm going to miss all of you, you're all my friends. I...I really enjoyed working down here but I'll be coming back, I plan to see Pate

Philip's Gridiron Dinner this spring and a few other events. So, thank you, very much, for your friendship and your favors over the years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall, for what purpose do you arise?

SENATOR HALL:

Well, thank you, Mr. President. I just want to say to the judge, I know he appreciates why I'm known around here as pay raise Hall, and what I'm planning on doing is attaching our pay raise to the judges' pay raise 'cause their's will continually go up and I hope that we have ours go up the same time his does. Judge, I'm sorry to see you leave, 'cause you one of the best.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I had the pleasure of serving with the newly elected Judge Darrow in the House as well in the Senate, and I think he will do a very credible job. I'm going to miss him because every now and then I could wangle a Democrat vote out of him for us when he was here in the Senate and in the House. And I just told him I just wanted one promise from him, that he would be fair to all Republicans as well as Democrats who came before him, and I feel he will even though he says, no, I'm not; but he will, because if you don't I'm going to come down there and kill you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones.

SENATOR JONES:

Thank...thank you, Mr. President and members of the Senate. I feel a little sad to see my former seatmate in the House and colleague in the Senate leave. We've had some great times together and when you first came to the House and

you sat next to me, I really improved on his voting record. I hear him realize how liberal he had become once he got sworn in as a member of the House. But Clarence has been a great friend, his wife and his family, and as I told him the other evening if I ever have the occasion to appear in his court, I don't want justice, I want mercy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. I'm sorry to lose my seatmate but my loss is the...the judiciary's gain but, Adeline, getting back to what you're saying that he maintains his word, prior to his...his election, I said, Clarence, you become judge, I'll become your bailiff; he says, that's fine. I walked on the Floor yesterday and I says, well, congratulations, when do I start? He says, well, he says, I have a little different viewpoint now; he says, you're going to have to shave your head so we fit the television script of Night Court. God's speed, I'm not shaving my head, you're going to have to look for another bailiff.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Resolutions in order that the resolutions can get on the Consent Calendar. Leave granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1266 offered by Senators Rock, Philip and all members, it's a death resolution.

Senate Resolution 1267 offered by Senators Leitch, Luft and Sommer, it's a...it's...congratulatory resolution.

Senate Resolution 1268, by Senator Kustra, it's congratulatory.

Senate Resolution 1269, by Senators Kustra and Keats and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Consent Calendar. All right. On the Order of Motions in Writing, Senator...Senator Leitch. Senator Leitch. Senator Leitch. Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 11 line 35 and page 12 lines 1 through 6 of Senate Bill 1752 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Leitch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. For the edification of the members, we are on item reductions, bottom of page 11 on Senate Bill 1752. UPI has also requested leave of the Body to take still pictures. Is leave granted? Leave is granted. Senator Leitch, on your motion.

SENATOR LEITCH:

Well, thank you, very much, Mr. Chairman, Ladies and Gentlemen of the Senate. And I'd...also especially like to thank Phil Rock for his support on this. This is an item we briefly discussed yesterday and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Only to concur in Senator Leitch's request that we do concur in this. It's very important to our area and would ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the...all right. The question is, shall the item on page 11 and 12 line 35 on page 11 and lines 1 through 6 on page 12 of Senate Bill 1752 Do Pass,the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. All voted who wish?

Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, none voting Present. The item on page 11 line 35 and the item on page 12 lines 1 through 6 of Senate Bill 1752 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. (Machine cut-off)...on the Order of...of Resolutions, the...the adjournment resolution, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 186 offered by Senator Rock.

(Secretary reads SJR 186)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 186. It is the adjournment resolution. When we conclude our business today, which will be momentarily, it calls for us to return to Springfield on December the 2nd...Tuesday, December the 2nd, at the hour of noon, and I would move to suspend the rules and ask for the immediate consideration and adoption of Senate Joint Resolution 186.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've...you've heard the motion. Senator Rock has moved to suspend the...the rules for the immediate consideration and adoption of Senate Joint Resolution 186. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution 186. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 186 is adopted. All right, Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 239 which is a congratulatory resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. On the...with leave of the Body, we'll go to the Resolutions Consent Calendar. This morning it was passed out, at least three pages. There have been some additional congratulatory resolutions that have been added this morning, specifically...Senate Joint Resolution 185, House Joint Resolution 239, Senate Resolution 1265, 1266, 1267, 1268 and 1269. With leave of the Body, to add those. Leave is granted. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jones moves the adoptions of the Resolutions...Consent Calendar. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate Resolutions Consent Calendar is adopted. Further business to come before the Senate? We've got a couple of Messages from the House...housekeeping. Message from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I'm instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 242.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed a bill with the following title the Governor's specific recommendations notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bill 787.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further business to come before the Senate? Senator Rock moves that the Senate stand adjourned till December the 2nd, at the hour of noon. The Senate...we...we haven't formally adjourned yet. I haven't said we've adjourned. All right, it's my understanding that there are still some actions that are being taken in the House and Messages need to be read in when they come over. So, with leave of the Body, we will just simply...the Regular Session will simply just stand at ease. That will be the only business that we will conduct and when we receive the Messages from the House, at that point, we'll have them read into the record and then we will formally adjourn. Any objections? All right. So these first...Senator Rock moves that the Senate stand in Recess subject to the call of the Chair.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Senate will come to...to order. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President _ I'm directed to inform the Senate

the House of Representatives has passed bill with the following title, the veto of the Governor to the contrary notwithstanding.

House Bill 2735 and also House Bill 3431.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has passed the items attached, the veto of the Governor to the contrary notwithstanding to the following House bills:

2989, 2995, 3090, 3191.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has restored the original amounts to House bills with the following titles, the Governor's reductions notwithstanding:

House Bill 2988, 2989, 2995, 2996, 3090.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives accepted the Governor's specific recommendation for change to the following House bills:

House Bill 913, 1130, 1321, 2549, 2621, 2648, 2757, 2785, 2917, 3025, 3044, 3157, 3207, 3340, 3346, 3479, 3394 and 3573.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further business to come before the Senate? If not, Senator Watson moves that the Senate stand adjourned until December the 2nd, at the hour of noon. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION SESSION

NOVEMBER 20, 1986

PRESIDING OFFICER: SENATOR DEMUZIO

The Third Special Session...all right, the Third Special Session will...will come to order...the hour of nine-thirty having arrived. Senator Smith, the reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and approval of the Journal of Tuesday, November the 18th; Wednesday, November the 19th, in the year 1986, of the Third Special Session be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: SENATOR DEMUZIO

All right, you've heard the motion as read by Senator Smith. Is there any objections? If not, it's so ordered. Introduction of bills.

SECRETARY:

Senate Bill No. 1 introduced by Senators Schuneman, Philip, Weaver, DeAngelis and others.

(Secretary reads title of bill)

And a bill No. 2, by the same sponsors.

(Secretary reads title of bill)

Senate Bill No. 3, by the same sponsors.

(Secretary reads title of bill)

And a bill No. 4, by the same sponsors.

(Secretary reads title of bill)

Senate Bill No. 5, by the same sponsors.

(Secretary reads title of bill)

Senate Bill No. 6, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 7, by the same sponsors.

(Secretary reads title of bill)

Senate Bill 8, by the same sponsors.

(Secretary reads title of bill)

Senate Bill No. 9, by the same sponsors.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: SENATOR DEMUZIO

Rules Committee. All right, resolutions.

SECRETARY:

Senate Joint Resolution No. 1 offered by Senator Rock.

(Secretary reads SJR No. 1)

PRESIDING OFFICER: SENATOR DEMUZIO

All right, Senator Rock, on the adjournment resolution...the adjournment resolution calls for us to return on December the 2nd at the hour of...of twelve-thirty. Senator Rock moves that the...for the immediate suspension of the rules and consideration...Senate Joint Resolution No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator...Rock now moves the adoption of the adjournment resolution, Senate Joint Resolution 186. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 1 is adopted. Further business to come before the Third Special Session? If not, Senator Rock moves that the Third Special Session stand adjourned until December the 2nd at the hour of twelve-thirty. Third Special Session stands adjourned. We are now going to...to...await the House Messages, so the Senate will just stand at ease subject to the call of the Chair.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX
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NOVEMBER 20, 1986

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84TH GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 2, 1986

PRESIDENT:

The Senate will come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Father Victor Kaltenbach, St. Patrick's Catholic Church, Springfield, Illinois. Father.

REVEREND VICTOR KALTENBACH:

(Prayer given by Reverend Kaltenbach)

PRESIDENT:

Thank you, Father. Reading of the Journal, Mr. Secretary.

SECRETARY:

Thursday, November the 6th and Tuesday, November the 18th, in the year 1986.

PRESIDENT:

Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Nedza. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator Nedza.

SENATOR NEDZA:

Mr. President, I move that reading and approval of the Journals of Wednesday, November the 19th and Thursday, November the 20th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Nedza. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 244.

PRESIDENT:

All right. House Joint Resolution 244, Executive Committee, Mr. Secretary. House Joint Resolution 245, Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 1270, by Senator Carroll.

1271, by Senator Holmberg.

1272, by Senators...Demuzio, Rock and all Senators.

1273, by Senators Demuzio, Rock and all Senators.

1274, by Senator...Demuzio, Rock and all Senators and it's a death resolution.

Senate Resolution 1275 and Senate Resolution 1276, by Senator Zito and they are congratulatory.

Senate Joint Resolution 187, by Senators Geo-Karis and Davidson and it is congratulatory.

PRESIDENT:

Consent Calendar. If I can have your attention, there has been a supplemental Calendar distributed to reflect six additional motions in writing that have been filed. There are five motions in writing that were filed earlier and that appear on the Calendar. So, if you'll turn to page 12 on the Calendar. The motions will be called in the order in which they appear, so I'd ask the members...Senator Hall has a motion. Senator Poshard has a motion. Senator Barkhausen has a motion. Senator Poshard has another as does Senator Berman. And then on the supplemental Calendar it's Senators

Lechowicz, Senator Lemke, Senator Newhouse and Senator Luft. Senator Nedza, for what purpose do you arise, sir?

SENATOR NEDZA:

Point of personal privilege, Mr. President.

PRESIDENT:

State...state your point.

SENATOR NEDZA:

Mr. President, Ladies and Gentlemen of the Senate, I would like to present to this august Body a new member of our...of our Senate, the...the new seatmate...my new seatmate, Senator Dennis Jacobs, who also is the Mayor of East Moline, Illinois. And I would like this Body to welcome our new Senator.

PRESIDENT:

Senator Jacobs, welcome. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1277 offered by Senators Rock, Philip and all Senators and it's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 1278 offered by Senator Sangmeister.

PRESIDENT:

Executive. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, would the record show that Senator Macdonald is recuperating from surgery and...will be gone because of illness.

PRESIDENT:

The record will so reflect. Senator Nedza, for what purpose do you arise?

SENATOR NEDZA:

Thank you, Mr. President. An announcement that the

HB 3207 Gov. Recommends. of the Veto.

record should reflect that Senator Savickas is absent today because of an illness in his family.

PRESIDENT:

The record will so reflect. Thank you. All right. If I can have the attention of the membership, if you'll turn to page 12 and 13 on the Calendar, we will begin on the Order of Motions in Writing as filed and then we will move from the Calendar to the supplemental Calendar. Secretary advises me there will be a second supplemental. So those of you who have motions to be filed, we would appreciate if you would get them in so that they can appear on the second supplemental. Senator Hall on House Bill 3431. Senator Poshard on 3191. Senator Barkhausen on 3191. Senator Poshard on 3090. Top of page 13, on the Order of Motions in Writing, there's a motion in writing been filed with respect to House Bill 3207, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3207 in the manner and form as follows. Signed, Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. If you recall, this was the bill that addressed the problem that the State had in regarding response action contractors. These are people that are called in to clean up emergency situations with hazardous waste spills and other types of emergency situations. As the bill was passed out of the General Assembly in the spring there was no limitation on the indemnification of these contractors. Conference between the sponsors and the Governor's Office, what has been done with this amendatory veto is to put in the same dollar limit that we now have for the State regarding the operation of our...State owned and

operated trucks and that's a two million dollar limit both as to indemnification and that there cannot be any excess seeking of recovery against the response action contractors. I move the...that we accept the Governor's amendatory veto.

PRESIDENT:

All right. Senator Berman has moved that the Senate accept the specific recommendations of the Governor. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Yes, Senator Berman, just a point of clarification because I'm not sure that I entirely followed you, although I'm sure your explanation was, as always, lucid. You're saying this two million dollar amount, is it...is it a deductible amount or is the...is the State only indemnifying up to the two million dollars and then the contractor would be liable for any judgment or exposure over two million dollars?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Let...let me state it so...rather than in a response. There is...under this bill the limitation of the State's liability for any single occurrence is two million dollars. It is not a deductible, that's the State's cap of its liability and there cannot...if there's a judgment hype, for example, of three million, the extra million is not collectible against the contractor. So there's a two million dollar cap both exposurewise and indemnificationwise.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

So, one way or another, this legislation has the effect of totally indemnifying the contractor or, in...in any case, immunizing him? Thank you.

HB 3044
Specific Recommendations of the Governor

PRESIDENT:

Senator Berman. Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This bill, if the members will recall, is intended to solve a problem, and the problem is that...that the contractors who we want to clean up some of these problems in the State are unable in most instances or many instances to secure private insurance to cover that. Senator Berman is trying to solve that problem and I...I applaud that effort, but during the Spring Session one of the things I wanted him to do was put a limit on the amount that the State would have to pay. The Governor has now done that and I think the bill is in a posture that we should support.

PRESIDENT:

Any further discussion? Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Roll...(Machine cutoff).

PRESIDENT:

The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3207 in the manner and form just stated by Senator Berman. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 3207 having received the required constitutional majority vote of Senators elected are declared accepted. All right. If you'll turn to Supplemental Calendar No. 1. Supplemental Calendar

No. 1, motions in writing to accept the specific recommendations for change, there's a motion in writing with respect to House Bill 3044. 3-0-4-4, Mr. Secretary, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3044 in the manner and form as follows. Signed, Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3044 that the Governor recommended...his amendatory veto requests a January 1, 1987 effective date. As you recall, the bill would require the State or local Labor Relations Board to order an election within a hundred and twenty days of a petition being filed if after hearing upon petition of a public employer the board determines there is a need to resolve a question of which organization represents a bargaining unit. However, the board or the parties involved are allowed to seek a court order for a thirty-day extension of the hundred and twenty day election requirement. All parties if they mutually agree may extend the hundred and twenty day period without seeking a court order. The only thing that the Governor amendatory veto requested that the effective date be moved to January 1, 1987. I move that the Senate do concur in the amendatory veto.

PRESIDENT:

All right. All right. Senator Lechowicz has moved the Senate accept the specific recommendations of the Governor as to House Bill 3044. Is there any discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3044 in the manner and form just stated by Senator Lechowicz. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. The specific recommendations of the Governor as to House Bill 3044 having received the required constitutional majority vote of Senators elected are declared accepted. Supplemental Calendar No. 1, there's a motion in writing filed with respect to House Bill 3157, Mr. Secretary, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3157 in the manner and form as follows. Signed, Senator Lemke.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

House Bill 3157, the Governor recommendation was to use the words, "rebuttable presumption" instead of "prima facie evidence." There's no substantial difference in standards, it's just a play of words between lawyers. The Governor felt that the prima facie evidence standard was unconstitutional and other lawyers feel that it isn't, but it makes no substantial change. I ask for its...adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. Discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to...Senate Bill...House Bill 3157 in the manner and form just stated by Senator Lemke. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3157 having received the required constitutional majority vote of Senators elected are declared accepted.

HB 3340 Spec. Recommds. of the Gov.

3340, Senator Lemke. House Bill 3-3-4-0, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3340 in the manner and form as follows. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I recommend that we go along with the Governor's action which deleted the Illinois Homeowners Emergency Assistance Law and the Illinois Homeowners Mortgage Counseling Law. I disagree with his reasoning but...we worked hard and long on the mortgage foreclosure bill and I don't want to see it defeated just because of a disagreement over some finances, and I think that this proposal can be put back in next year. So I ask for favorable consideration of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3340 in the manner and form as just stated by Senator Lemke. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3340 having received the required constitutional majority vote of Senators elected are declared accepted. 3346, Senator Newhouse. House Bill 3346, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3346 in the manner and form as follows. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

HB 3573 Amend Veto

SENATOR NEWHOUSE:

Thank you, Mr. President. House Bill 3346 creates the Rheumatic Disease Treatment Act. It is...it was initially under the Department of Public Aid and it should more properly belong in the Department of Public Health. This is the recommendation of the Governor, and I move to accept that recommendation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3346 in the manner and form as just stated by Senator Newhouse. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3346 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 3573, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3573 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3573 when we first considered this legislation last year passed this Chamber by a vote of 54 to 2. You'll recall that what 3573 did was it required or mandated that each circuit in the circuit court system establish a Pretrial Services Agency. The purpose of that agency is to do background investigative work prior to the judge being required to set bail. I'm sure you're aware that we passed

in this State Senator Davidson's Constitutional Amendment to afford the judges the opportunity to deny bail in certain instances. And it was felt that this service is absolutely essential to the proper working of that judicial discretion. The Governor made only two changes in House Bill 3573. He restricted its application to felonies, serious crimes; and secondly, he delayed the effective date until July 1 of next year so that the bill will have no fiscal impact this fiscal year. I agree with both those changes and I would urge that we accept the Governor's specific recommendations with respect to House Bill 3573.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3573 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed will vote Nay...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1 voting Present. The specific recommendations of the Governor as to House Bill 3573 having received the required constitutional majority vote of Senators elected are declared accepted. Resolutions.

SECRETARY:

Senate Resolution 1279 offered by Senator Berman. It's congratulatory.

1280, by Senator Keats. Congratulatory.

1281, by Senators Barkhausen, Geo-Karis, Schaffer and Keats. Congratulatory.

1282, by Senator Karpiel and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Consent Calendar. (Machine cutoff)...get some Pages down in front. Get some Pages down in front to distribute...the

second supplemental Calendar. The Supplemental Calendar No. 2 is being distributed and as soon as it has been distributed to all members' desks we will begin on that order of business. All right. Supplemental Calendar No. 2 has been distributed. Motions in writing, override of item...item vetoes. Senator Sangmeister on House Bill 2939. House Bill 2989, Senator Mahar. All right. On the Order of...Override Item Vetoes is House Bill 2989, Mr. Secretary. Senator Mahar's motion.

SECRETARY:

I move that the item on page 45, line 3 through 8 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This...this total amount is for five thousand dollars. It is a partial appropriation to fund...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon...pardon...pardon me, Senator Mahar. Could we have some order, please. Can we break up the caucuses. Senator Mahar.

SENATOR MAHAR:

Thank you. The...some of this request is for five thousand dollars. It is to partially fund the Municipal Clerks' Training Institute held annually at the University of Illinois. This institute in mandated by the State and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the item on page 45, lines 3 through 8 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote...vote Aye. Those

opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 3, none voting Present. The item on page 45, lines 3 through 8 of House Bill 2989 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. 3090, Senator Maitland. On the Order of Override Item Vetoes is House Bill 3090, Mr. Secretary.

SECRETARY:

I move that the item on page 21, lines 28 through 29 of House Bill 3090 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Maitland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House did restore this item two weeks ago and the Governor has, as...as I understand it, agreed to putting the 1.5 million dollars back in. The program does this. This is the program that allows vocational educational instructors to go out into the work force and...and learn new job technology while they're out in the work force and in some...in some cases the entrepeneur, the...the owner of the business, may pay part of the grant but this would provide for up to two thousand dollars for this...for this training. And I would...would appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Well, ladies and gentlemen,...I think we...are all anxious to conclude our business and most of the members I can tell...can hardly hear. So until we have some order...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. Can you tell us what this...motion will cost? What's the cost on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator...Marovitz, 1.5 million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

This was not in the budget, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

The...that is correct. It was...was vetoed by...by the Governor. It was in, of course,...this was one of the components of...of Senate Bill 730, you may recall, and...was...was in, of course, then the Board of Education's budget but was not in the Governor's budget. But he now has subsequently agreed to support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz.

SENATOR MAROVITZ:

Let...let me just clarify that. The Governor...reduced this appropriation or vetoed this, right? Okay. And now he's gone back on that and says he's supportive of it...and he...and he wants a...wants this money restored?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

It is my understanding, Senator Marovitz, that, yes, he has agreed to restore it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Just...just for the record, even though it wasn't in the original budget and the Governor did take it out, this is a good program and the money deserves to be there. Whether it's in the budget, whether the Governor wants it or not, it's a good program and it should be there and I hope we remember that in the future when good programs come through even though they're not in the budget, this one's a good one like many others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Our...vocational educational advisor. Senator Netsch.

SENATOR NETSCH:

I have a question for the sponsor, and I'm not sure whether or not you can answer this, Senator Maitland, but it...it is a serious question. I have absolutely no objection to this program, I am very supportive of it and I agree that it should proceed, but why this one being restored and not some of the others that were also part of Senate Bill 730? I...there were...the early childhood, gifted, summer school, all kinds of things were cut out or cut down for...by the Governor and they all were commitments under 730. Why only this one is being restored? Can you answer that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, you're right, it is a tough question. I'm concerned about the eighty million dollars in the reform package that we did not fund this year; clearly and...and truly, I am. I think this is one of those anchor programs that...that...that may put those vocational teachers back into the school system and help them address some of the needs that...that's affecting education. This is but a small portion of that total underfunding of...of Senate Bill 730's

reform and...that's the best answer I can give you, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

As...as you well understand, Senator Maitland, your answer is totally inadequate but it's not your fault.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

Senator, is...is this not one of those items which is scheduled to be in a...in the supplemental appropriation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Etheredge, it is my understanding that that amount will go in the...the...the omnibus bill. My concern is, it's not in there yet.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Well, it is...it is my understanding that this is going to be part of the bill and I'm concerned that we're duplicating...you know, that...that we don't shoot ourselves in the foot here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, is that a question? All right. Senator Etheredge.

SENATOR ETHEREDGE:

Yes, that...that was a question. That was a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I am sorry I didn't hear. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I...I believe I'm getting a bit more vigor that...that this item will be in the omnibus bill, and with that assurance, I would be happy to withdraw the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Maitland withdraws the motion. All right. All right. There were only...there was only one motion filed with respect to 3090 at this time on the Supplemental Calendar No. 2. Calendar indicates there are two numbers there but that's a typo. All right...all right. Motions in writing to accept the specific recommendations for change is House Bill 1130. Senator Netsch. 1130. The Chair would like to acknowledge the presence of a former member of the Senate, Vivian Hickey from Rockford is on...on the...welcome back. House Bill...1321, Senator Netsch. House Bill 2549, Senator Topinka. On the Order of...Accepting the Specific Recommendations for Change is House Bill 2549, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2549 in the manner and form as follows. Signed, Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, I move we accept the specific recommendations for this which is the East Asia Development Advisory Board. The language which created...had a manager of this development board was stricken. The Governor stated that...that the manager could be defined within the Department of Commerce and

Community Affairs. Basically makes no...programmatic or organizational changes on that front. The new language permits the Governor to designate one member of the board who shall serve as chairman at the pleasure of the Governor. I think it's a good bill and I would hope we would move on with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? All right. The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2549 in the manner and form as just stated by Senator Topinka. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Sangmeister. Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2549 having received the required constitutional majority vote of Senators elected are declared accepted. 2621, Senator Rupp. House Bill 2-6-2-1, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2621 in the manner and form as follows. Signed, Senator Rupp.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I move to accept the specific recommendations of the Governor as to House Bill 2621. What this does is...it's a technical change, all it does is eliminate the words, "by quitclaim deed."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2621 in the manner and form just stated by Senator

Rupp. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? George. Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2621 having received the required constitutional majority vote of Senators elected are declared accepted. 2785, Senator Marovitz. House Bill...I'm sorry, House Bill 2-7-8-5, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2785 in the manner and form as follows. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the...Senate. I do move that we accept the Governor's specific...recommendations for change. This is the amendment to the Juvenile Court Act. The Governor made two changes. One is changes in nomenclature where he changed from competency and incompetency to fitness and unfitness. And the second change is one that would provide additional law enforcement officers to records of...juvenile court, and I would move that we accept the Governor's specific...recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2785 in the manner and form just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted...have all voted who wish? Have all voted who wish? Have all...have all voted who wish? Take the record. On that question, the Ayes are

53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2785 having received the required constitutional majority vote of Senators elected are...declared accepted. 2917, Senator Netsch. House Bill 3207, Senator Berman. Toward the bottom of the page on the second supplemental Calendar is House Bill 3207. We did that? All right. That was on the regular Calendar, we've already done that. House Bill 3394, Senator Fawell. The bottom of the Supplemental Calendar No. 2 in motions to accept the specific recommendations for change is House Bill 3394, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3394 in the manner and form as follows. Signed, Senator Fawell.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is really basically a technical change and is more in line with what the sponsor of the...in the House wanted. And it clarifies the language, it just does not allow the municipalities to have a super lien but rather a recorded lien. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3394 in the manner and form as just stated by Senator Fawell. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3394 having received the required constitutional majority vote of Senators elected are declared

accepted. 3479. All right. The bottom of the supplemental Calendar is House Bill 3479, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3479 in the manner and form as follows. Signed, Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, members of the Senate. I would move to accept the recommended changes on House Bill 3479. This is the annual highway easement transfer bill and there were two technical errors that were corrected with the...with the change. And I would move to accept the change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question...is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3479 in the manner and form as just stated by Senator Woodyard. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3479 having received the required constitutional majority vote of Senators elected are declared accepted. All right. Momentarily we will have Supplemental Calendar No. 3 when it arrives. On the Order of Resolutions, Mr. Secretary, resolutions.

SECRETARY:

Senate Resolution 1283 offered by Senator Jones. It's congratulatory.

Senate Resolution 1284, by Senators Lechowicz, Rock, Nedza and all members and it's a death resolution.

Senate Resolution 1285, Senator Barkhausen, Schaffer,

Geo-Karis and Keats and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Consent Calendar. All right. We are...we are in the process now of passing out Supplemental Calendar No. 3. Supplemental Calendar No. 3 is being passed out. Senator Luft on the Floor? Supplemental Calendar No. 3 has now been distributed. Is Senator Luft on the Floor? All right. Well, we'll drop the motions in writing override item vetoes. 2995, Senator Leitch. All right. On the Order of Override Item Vetoes is House Bill 2995, Mr. Secretary.

SECRETARY:

I move that the item on page 9, lines 1 though 5 of House Bill 2995 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senators Leitch and Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leitch. Senator Leitch.

SENATOR LEITCH:

Sorry, Mr. President, I prefer to hold this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Take it out of the record. Accept the...all right, we're on the bottom of Supplemental Calendar No. 3 to accept the specific recommendations for change is House Bill 913. Senator Barkhausen. Senator Barkhausen. House Bill 2648, Senator Barkhausen. House Bill 2757, Senator Luft. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 246. It's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. We've been through Supplemental Calendar No. 3. Now, with leave of the Body, we'll return to the regular Calendar. Turn to the regular Calendar on page 4, top of...all right, Senator Marovitz on the Floor? All right. On top of page 4, with leave of the Body, we'll...we will move to that order of business. Leave is granted. Is House Bill 2518...House Bill 2815. House Bill 2-8-1-5. Senator Marovitz seeks leave of the Body to return House Bill 2815 to the Order of 2nd Reading for the purpose of an...of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2518, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This is the health club bill, the physical fitness bill and it was incorrectly drafted when it moved to 3rd reading. It allowed for a possible five thousand dollar contract spread over two years, but the way it was drafted it could have been five thousand dollars in one year and zero in the second year or three thousand one year and two thousand the next year. It was not intended to be that way, it was called to the...to the sponsor's attention by the Attorney General's Office as well as others. We are moving it back to prevent that situation and clarify that it is twenty-five hundred dollars a year for a maximum of two years. The two-year period is already in the law but to clarify that it can't be more than twenty-five hundred dollars in any year. And I would ask for adoption of this amendment which I think has been agreed to by everybody.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Marovitz has moved the adoption of Amendment No. 2 to House Bill 2815. Is there any discussion? Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right. We'll move to the Order of Motions in...in Writing. Mr. Secretary.

SECRETARY:

I move that Senate Rule 5C be waived with respect to House Bill 2760, that the Senate Rules Committee be discharged from further consideration of House Bill 2760 and that the bill be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. We are asking that the Rules Committee be discharged on this bill. This is the Domestic Violence Shelter and Service Fund and upon a ruling of the Illinois Supreme Court realize that we had to refund this...these programs, and I will be offering an amendment once we discharge Rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Zito has moved to suspend Rule 5C and that House Bill 2760 be discharged from Rules and placed on the Order of 2nd Reading. Those in...favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator...all right. The bill is now on 2nd reading. With leave of the Body, we'll go to the Order of House Bills 2nd Reading. Is leave granted? Leave is granted. House bills 2nd reading, Mr. Secretary.

SECRETARY:

House Bill 2760.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Zito and Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. This corrects the inadequate funding mechanism that was originally introduced in the bill. It adds increases to several fees including a commemorative birth certificate. With the holiday season quickly approaching, I think that's a truly wonderful way to tell a loved one we were happy you were born. So, I would move for the adoption of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has moved the adoption of Amendment No. 1 to House Bill 2760. Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the gentleman yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

What is the fiscal impact of Amendment No. 2? How much money are you trying to generate?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, Senator, I don't have that...I...I've been informed

that it's a hundred million. I'm sorry, one million dollars, I apologize. The birth certificates are going to go better than anticipated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, could you then tell me as far as on...page 2 of the amendment under line 6, section 18, "The fees of the county clerk in counties of the first and second class," the first is Cook County, I believe, "for each official copy of any process, file, record or other instrument of and pertaining to his office fifty cents for each hundred words and one dollar additional for certifying and sealing the same." Now who is going to compute that? And are we going to be counting the number of words that they're filing? And it's going to be fifty cents for a hundred words, a dollar for two hundred words and then a dollar additional for certifying and sealing the same? Is this a workable amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Senator, I think the section you're reading is already in effect, that's not been changed. I don't know who computes that, but that...we're not addressing that or changing that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

One million, right? Okay. Thanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats. Senator Schuneman.

SENATOR SCHUNEMAN:

...question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, is this the...current version of funding for the domestic violence programs? Is that what we're doing here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, Senator, it is. We originally anticipated adding a twenty-five dollar surcharge to marriage licenses and that was found unconstitutional by the Illinois Supreme Court and so we're increasing some fees, but it's...it's the present system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, is...is there any connection? You know, I've made the argument before on this issue that...that we shouldn't have taxed marriages and the courts agreed with that. I made the suggestion that...that probably there was a greater relationship between the use of alcohol and domestic abuse than there was between marriage and domestic violence. Now we're taxing births. Can...can you make the case as to why we should tax births and birth certificates and point out whatever relationship there may be between that and domestic violence?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator...Senator Zito.

END OF REEL

REEL #2

SENATOR ZITO:

Well, your point is well taken. This was the...the department was going to increase these fees anyway and I rarely carry water for the Governor, but this is the Governor's suggestions and so we're following pat in suit with that because of the ruling of the Supreme Court. I agree, there may be no correlation, but at the same time, the...the fees were going to be increased anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, could...do you know why it is felt that this tax increase for the purpose of funding domestic violence would be anymore constitutional than the other one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I...Senator Zito.

SENATOR ZITO:

...first of all, let me...let me clarify, it's...it's a fee increase, it's not a tax increase and I think that's where you're being confused...and it goes in the GRF.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, regardless of whether it's a tax or a fee, and I tend to have difficulty seeing the...the distinction, the question still remains why do you think this is constitutional if the marriage tax or fee was not constitutional? I...Senator Netsch may have the answer or some other problem...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, before we go further, A. J. Boggio requests permission to videotape today, he's with Midwest Television Incorporated, WICA-Champaign. Is leave granted? Leave is granted. Senator Zito.

SENATOR ZITO:

Simply because the money goes to the General Revenue Fund and it...that seemed to appease the...the ruling of the Supreme Court...if Senator Netsch would like to add to that, but that is as simplistic as I can make it. The money goes to GRF.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Let's get to Senator Netsch before she waves her hand off. Senator Netsch.

SENATOR NETSCH:

Well, I think Senator Zito has made the point, but, Senator Schuneman, to confirm; the problem with the two prior fees was that they were directly tied to funding of domestic violence, that is the money went straight from the surcharge on the marriage license into the Domestic Violence Fund and it was that tie-in which the court found to be invalid. Here, as Senator Zito has now explained, the money goes into the General Revenue Fund. It will then later come out of the General Revenue Fund and be transferred into domestic violence to help support that program. That is a very different state of affairs and, as a matter of fact, it is exactly the same form as the tobacco tax which I had during the regular Session, I made no pretense at all that there was any connection. The problem is that your Governor has told people that they cannot have any more money for domestic violence shelters unless they come up with an additional source of funding and nothing else has worked. Here is an additional source of funding into general revenue and, hopefully, it will support...additional funding for the domestic violence shelters. But this satisfies the...the...the Supreme Court decision

because there is no direct tie between this and the Domestic Violence Fund. It is simply, if you will, replacement revenues just like the used car tax goes into the General Revenue Fund to try to make up for the money that we are siphoning off for Build Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President. Senator Zito, just...we may be dealing in semanties and it's just I have a little problem with this, perhaps you can clarify it. From line 11 to line 14, "The Department of Public Aid shall provide for the funding of domestic violence shelters and service programs in part from the Domestic...Violence Shelter and Service Fund and in part from the General Revenue Fund." Should not that in part from the Domestic Violence and Shelter Service Fund, that portion be eliminated and in...inserted in proportionately from the General Revenue Fund, because it's...the way I'm interpreting it, it's...it's as if you're taking part of that fund for this and part of it from General Revenue Fund. It's...line...line 11 to 14.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Senator, I don't understand your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

...just read from line 11 to 14, where it says, where you're...you're placing in part from the Domestic Violence Shelter and Service Fund and in part from the General Revenue Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

...the only...the only answer I can give you is...is somewhat vague, but...my understanding is that appeases the constitutional requirement to put the money in the General Revenue Fund and that's the language that they came up with, I...I don't specifically know why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Nedza.

SENATOR NEDZA:

But you're still saying that, based on what Senator Netsch said, is that from the Domestic Violence Shelter and Service Fund so that fund is still established according to this. Well, there was the constitutional problem, that you're taking part of that for this and then you're taking part of it from General Revenue Fund. So there's proportions that you're taking out of two funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Senator, the...the constitutional problem was we couldn't specifically earmark money from a fee or increase...be specifically for that. Now, there was money in part to the Domestic Violence Shelter and Service Fund but we couldn't increase or earmark additional funding dollars or...or licensing dollars toward that program, so the rest of it had to come out of the General Revenue Fund. That...this language I think appeases that decision, at least that's what I've been told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, I was never so happy as to see that the Supreme Court kicked out this tax or whatever you call it. I

don't know what we're going to do around here, every time you look we raising fees here and we raising fees on all this stuff. It's time to stop raising some of these fees, we've got a budget of...over twenty billion dollars and here you come along wanting to increase fees from domestic violence and all this. Let's start taking care of some of these people who have less than fifty-two percent of need. It's a dirty shame, every time I look around here something has been increased. How are these people going to continue to do something? The economy is falling and everything...and my question to you, Senator Zito, suppose we do nothing? Why should we be doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's a question. Senator Zito.

SENATOR ZITO:

Well, Senator, if you read the...fine print, I think we've included that twenty-five cents on every dollar goes to your campaign fund. But to answer your question seriously, Kenny, if...if we don't fund these programs, if domestic violence and some of the other programs that are needed to your constituents and mine and the rest of constituents of the State of Illinois, if they're not funded, then those programs are simply going to fall flat on their faces. To increase the fees and to continue these programs so that we can provide these services I think is very important and not only to the people of East St. Louis area but to the people of Chicago and the rest of the State of Illinois and to simply not fund them is saying that we're not going to offer any help at all, and I think that's...that's a...would...would have a tremendous devastating impact on the people of the State of Illinois that need these programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, it just doesn't make sense. We've got people all over this Capitol today down here begging and pleading for some help, folks who are hungry, folks who have no shelter, folks...and that's all comes out of public aid and all this other stuff. We can't find monies to do these things. All of a sudden, all you got to do is give some high-class name to something and here they come along and want to put on additional fees. We better start trying to take care of some of the things that are needed...all these programs going to fall on their face. What happens to the 6.4 million that we put on for fifty-two percent of need. It's a disgrace. We...we ought to be talking about a hundred percent of need, and I'll tell you this that if you're going to continually...every time you look around here you can't give something to people who don't have work, people who are out of jobs and all that, but we can still come along and increase fees here and fees there. It's wrong. We better start setting some priority around here and I just don't understand how anybody in good conscience can sit up here and continually want to increase fees all over the board, and we look out there and there's people that don't have a place to stay, people who don't have food and, yet, we talk about...and...and...it's just outrageous, it should not be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke. Can we have some order, please.

SENATOR LEMKE:

Senator Zito, I have a few questions. Is it true that you're...you're raising the fee for a...a delayed record of birth five dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

But isn't it true that the majority of people that get delayed birth certificates usually are people ready to retire and can...you know, want to retire and we're putting...this tax of five dollars on senior citizens and I thought you were for senior citizens. This raises senior citizens five dollars and they don't have domestic violence, they usually survive, you know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Zito.

SENATOR ZITO:

Wait a minute. First of all, this isn't my first bill, I'm not a freshman, don't put me through this drill. But...let...you know, we...we've raised...Senator, we've raised the fees on vital records, adoption records, birth records, correction records, death records, delayed registration of birth and death, name changes, paternity records, we've even established this wonderful program of commemoratory birth certificates. I...you know, Oregon does it, for goodness sakes, why don't we do it in Illinois? I...we...we have...across the board raised fees and...and to be serious about your question, yes, we are but we've raised them for everything. We need some dollars for these programs. If we're going to commit to domestic violence shelters and funds and programs, we're going to have to pay for it, and one of the fairest and equitable ways to pay for these is to across the board raise fees. I don't know how else to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...I think that the Governor is going about it the wrong way if he raises the law on fees and he looks at the case law. Fees are supposed to be compensable with the cost of getting the records not for the...purpose of raising money. So, therefore, if the fee is excessive it will be thrown out the window and we'll be back...you'll be back here again with this thing. The better thing for domestic violence, if the Governor wants to do something, then is to take his new increase racing track tax and use that for domestic violence, 'cause that is more correlated to that because...it's...it's a known fact that when a person goes to a bookie or an off-track...and loses his pay check, a fight ensues at home and there's domestic violence. I mean, that's more in agreeance, but apparently the Governor doesn't want to say...touch his sacred cow for the money. If we're going to help domestic violence then we should go after the race track money and earmark it for this, but we shouldn't take it off of birth certificates of children that want to go...you have to go to school and parents sometimes can't afford even the five dollars for the medical exam to get this, but we're going to raise...raise and raise and raise fees that are not going to pay for the work that the State is doing. And I think that is wrong and we should not charge people for vital things and one of the vital things is for a retired person is to get his birth certificate so he can...delayed birth certificate so he can collect his social security, and the other vital thing is...is putting an increased fee on a student that's trying to go to kindergarten and get into school and the parent can't even pay for the medical examination. I think this is the wrong way about it. I think the Governor should go back to the drawing table and look for another source of revenue but this isn't the way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would suggest that we include in this bill a provision for Zito abuse too...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Zito may close.

SENATOR ZITO:

I...just ask to adopt the amendment, we can discuss this on 3rd reading. It is the only way we can raise money, we're caught in a Catch-22 situation, Senator Lemke. We're either going to make a commitment to domestic violence and...and fund those programs and bite the bullet and raise some of these fees or we're not going to have the programs. I urge the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Zito has moved the adoption of Amendment No. 1 to House Bill 2760. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. On the Order of Motions in Writing, Mr. Secretary, I think Senator Vadalabene had filed a motion. Motions in writing, Mr. Secretary.

SECRETARY:

I move that Senate Rule 5 be waived with respect to House Bill 401 that the Committee on Local Government be discharged from further consideration of House Bill 401 and that the bill be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This will permit the county recorders to receive a stipend of thirty-five hundred dollars per year from the State for additional duties. I think we've passed the...the stipend for the treasurers and this will bring the recorders up on 2nd reading, and then we'll discuss it with the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Vadalabene. All right. Discussion? If not, the...Senator Vadalabene moves that Senate Rule 5 be waived with respect to House Bill 401 and that the Committee on Local Government be discharged from further consideration and that the bill be placed on the Calendar on the Order of 2nd Reading. Those in favor indicate by saying...saying Aye. Opposed Nay. The Ayes have it. The...House Bill 401 is...is...currently reposes on the Order of 2nd Reading. Senator Vadalabene.

SENATOR VADALABENE:

Yes, would it be practical now to consider House Bill 401...which is now on 2nd reading and have the amendment considered?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With...with leave of the Body,...all right, Senator Vadalabene, the...the Secretary of the Senate advises me that the motion would have been to discharge the Committee on Local Government and ask that the bill be returned to the posture that it was when it left here and that was the Order of 3rd Reading. So, currently, the bill now reposes on the Order of 3rd Reading and your request, I...I...is there leave...with leave of the Body, is there leave to go to House bills 3rd reading for the purpose of amending House Bill 401? All right. Leave is granted. On the Order of 3rd Reading is House Bill 401, Mr. Secretary. All right. Senator Vadalabene moves to...Senator Vadalabene has sought leave of the Body to return House Bill 401 to the Order of 2nd Reading

for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 401, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. This is Senate Bill 1948 that remained in the Senate Rules and Senate Bill...I'm having a difficult time reading, it's also Senate Bill...what...No. 4, House Bill 3058. The county clerks and the circuit clerks currently receive the same amount in...in House Bill 3431. The House...overrode the Governor's veto and it provides that the same amount for treasurers. This amendment will include the...the twenty-one downstate recorders whose office are separate from the county clerks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved the adoption of House Amendment...I'm sorry...of Amendment No. 1 to House Bill 401. Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Just a point of inquiry, Mr. President. I thought that that's what we just did that...that Senator Vadalabene took the bill back and amended it. Now we're doing it again...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene's original motion was to...he moved to suspend Rule 5C to discharge the Committee on Local Government from further consideration and asked that the bill be brought to the Order of 2nd Reading. That was granted...we pointed out correctly that the Secretary of the Senate indicated that the bill would have to go back to the order of business from which it...it left, and that order of business

was 3rd reading. So House Bill 401 was returned to the Order of 3rd Reading. Senator Vadalabene then sought leave to return the bill to the Order of 2nd Reading for the purpose of an amendment and has now offered Amendment No. 1. Senator Schuneman.

SENATOR SCHUNEMAN:

That's a great explanation, Mr. President. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved the adoption of Amendment No. 1 to House Bill 401. Further discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. All right, with leave of the Body, we will go to the Order of Resolutions. Is leave granted? Leave is granted. On the Order of Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1286 offered by Senators Geo-Karis and Rock, it's congratulatory.

Senate Resolution 1287, by Senator Geo-Karis and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, with leave of the Body, we will go to page 3 on your regular Calendar...page 3 on your regular Calendar. There are two House bills that repose on 3rd reading that amendments have been filed. On the Order of...of House Bills 3rd Reading on page 3, with leave of the Body, we'll go to that order of business. Leave is granted. On the Order of House Bill 3rd Reading is House Bill 132, Senator Lemke. Senator Lemke.

SENATOR LEMKE:

The Department of...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute...wait a minute...

SENATOR LEMKE:

...Commerce and Community Affairs are working on the amendment, so we'd like to have leave to call this tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh.

SENATOR LEMKE:

...oh, you got the amendment, oh, good. But there's another amendment for...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let's take it out of...

SENATOR LEMKE:

Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

The amendment is being drafted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's...with leave of the Body, we'll...we'll take it out of the record and come back to it tomorrow. All right. House bills...the Order of...on page 3 is House bills 3rd reading. Senator Demuzio seeks leave of the Body to return House Bill 313 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. House bills 2nd reading is House Bill 313, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Watson and Demuzio.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like for the Secretary to

read the LRB number on this just to make sure we got the right amendment.

SECRETARY:

SDS84H313PAM2-TS.

SENATOR WATSON:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

...that is correct. This particular amendment deletes everything after the enacting clause and adds hold harmless provisions to the new farmland assessment law. This is doing the same thing that...for local taxing districts that we did for education districts, and it removes the ten percent...well, the...the bill that passed, it was Senate Bill 415, removed the ten percent cap on farmland assessments and it made significant changes in the amount of revenue generated by local taxing districts, and we held harmless school districts that suffered more than ten percent loss of their aggregate equalized assessed valuation. We're wanting to do the same thing for other local taxing districts which, of course, are counties, townships and...and anyone else. The fiscal impact of this particular piece of legislation is 1.8 million dollars. This is Demuzio-Watson legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator...Senator Rigney. Senator Friedland, did you take your...all right, Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, here we go again. The impact, I understand, what, 1.8 million dollars now that we're going to be making up for some of these taxing districts. If we come right down to what the bottom line was all about, the only thing we really did under the old Senate Bill 415 in the last Session was to really get serious for the first time about

implementing the farmland assessment law. Obviously, there were going to be some winners and some losers, some...some are going to take a bump here and there along the way. I somewhat question the concession that we made to the school districts at the time that we did this but nevertheless in our wisdom we did this, and now here we're back and I assume, you can correct me if I'm wrong, but we're talking now about all the counties, we're talking about the townships, maybe fire districts or anybody else that...that might have lost some money. Now, we're going to hold them harmless to anything they might have lost beyond ten percent. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, it's ten percent of the aggregate total of assessed valuation. It's not replacing the total loss of the farmland reassessment legislation we...that we passed, it's not totally replacing that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

I'd just point out to you that nevertheless though we are spending upwards of two million dollars here to do something that we must have believed in at the time that we did it when we implemented the farmland assessment law. Can you tell us also...I have never...I wasn't aware of the...of the amendment until at this particular moment, I assume that you have a map or something showing who's going to get the goodies out of this and you can tell everybody, you know, what their district is going to get and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, thank you. Senator, you and I did talk about this, so we...you were aware of this part of the amendment being circulated. But, yes, we have estimations from the Economic and Fiscal Commission as...as to the fiscal impact in the various counties that will be positively affected. We have that information, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Do...do you have a handout on that? I want to know what I'm getting out of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson, do you have a handout for Senator Rigney?

SENATOR WATSON:

Yes, I have, right here at my desk. He's welcome to look it over.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jeremiah...Senator Jerry...Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I have several questions, too. I'd certainly like to see that handout. Are...are we...is the State making up the money that the farmland assessment bill is costing these taxing districts? Is that what this does?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

The State is making up the money but it's not the total valuation that...that's being lost by the local taxing districts. It's not the total impact of the Farmland Reassessment Act. It's only those counties and only those taxing districts that the aggregate amount drops greater than ten

percent. That's not farmland assessed valuation greater than ten percent, that's the aggregate amount. That's why the fiscal impact is so low, but what we're doing is at least protecting some of those taxing districts that have had a...a real negative impact in regard to the revenue generated from farmland reassessment.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you. Well,...you know, I...I'm not...real sure that what we did with the Farmland Assessment Act by limiting the ten percent is the right thing to do. You know, agriculture is in a depression and what we are doing is hiding the fact that our taxing bodies whether they be school districts or local units of government are floundering because of the depressed economy in our rural communities. So I think what...what we're doing is once again trying to hide the fact that what we ought to be about is...is having a better farm bill, if you will, than what we have coming from Washington. So, you know, I...I don't think this is a very good idea. I think that...that we're...we're just camouflaging the...the fact that...that we're in serious trouble and...you know, this isn't the way to get at it. I...I don't know how the...the people are going to make up this difference and...and it just...just doesn't make a lot of sense to me, but I would like to see the printout.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support of Senator Watson's amendment here. We have counties in this State that are strapped for funding sources; they obviously cannot go back and raise local property taxes to take care of State mandates

in the area of jail construction, jail renovation, the election laws that we have perpetrated upon some of these counties now which have increased their responsibilities tremendously. We took the ten percent cap off of the farmland assessment law to benefit the agriculture community all over this State, and I would hope that we could hold harmless...one time, one shot deal here those counties which have been hurt by taking that cap off. I think it's a good amendment and I think we should pass it. I rise in strong support of it.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. And, Senator Watson, just for clarity 'cause I think there is some confusion with respect to...to the language in the bill. This is aggregate assessed valuation of all assessed valuation. It isn't just the impact that the farmland assessment bill has on...on reducing the amount of revenue or assessed valuation for that taxing body, but it's the aggregate of both urban and rural property. So the only culprit here is not the farmland assessment bill and that should be noted.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Watson, you wish to close? I beg your pardon, Senator Watson, if you'll hold just a minute. Senator Berman.

SENATOR BERMAN:

Question for the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Berman.

SENATOR BERMAN:

This would apply to home rule units also, wouldn't it?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I don't know.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

All right. I...I'm led to believe, and you can educate me between now and tomorrow, that any taxing body under this amendment that would lose more than ten percent of its assessed valuation their loss of revenue is made up by the State of Illinois under this amendment. Is...is that correct?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

That's my assumption, yes.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Then it appears to me that what we are saying is that the State is stepping in to be a guarantor to every taxing body that loses more than ten percent assessed valuation. Now, in some situations that may be justified, but let me just tell you that if you have a home rule unit that loses more than ten percent assessed valuation, instead of their governing body increasing their taxes to make up for it, you're going to have to vote the appropriations to make up for their loss of revenue. I'm just wondering whether I want to be the equivalent of every park district commissioner, every school...every alderman of every city. Is that why I was elected on November 4th for another four years to do their job? I'm not getting their salary...I'm not getting their salary and I don't want their headaches and I just...I...I'll learn more about this between now and tomorrow, but I just

all of us as to whether this makes sense in guaran- every taxing body. You know, with the schools we have a primary responsibility under the Constitution. I'm not sure that we have a primary responsibility for every taxing body's income regardless of what happens to them, and we'll hear more about this on 3rd reading. But I...I just raise this question, I hope you can clarify this between now and tomorrow.

PRESIDENT:

All right. Is there any further discussion? Further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

Yes. Thank you, Mr. President. I'm sure that we will hear more about this on 3rd reading and I certainly welcome that, but what we're trying to do here is do nothing more than what we did for education and that's provide some sort of a safeguard for one year, one year only, a hold harmless provision for units of local government that are...have been negatively effected by the Farmland Reassessment Act acceleration that we...that we provided this past Session. Now, we're talking about road districts, townships, counties and in areas which are really having a real problem in dealing with many of the mandates that we continually pass on to them, cost measures that we ask them to...to accept and...and put into their budgets and then we destroy their tax base by...by eliminating a lot of their revenue locally. And that's all we're trying to do is give those counties, townships taxing districts some time to...in order to...to come up with a budget and, hopefully, maybe even a tax increase during the next year in order to provide the services that we are demanding and asking for...from those particular entities, and I urge your support.

PRESIDENT:

All right. Senator Watson has moved the adoption of

Amendment No. 1...No. 1 to House Bill 313. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Amendment No. 1 is adopted. Further amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senators Watson and Demuzio. You don't want this? You want to withdraw it?

PRESIDENT:

Quit while you're ahead they call that. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right. If I...the Chair can have your attention for a moment. We have only one more motion to discharge. Senator Leitch, at the request of the administration, has a bill that he wishes to pull out of committee and place on the Calendar. It will be amended, I'm told, probably tomorrow. The schedule as written will stand. We will start tomorrow at ten o'clock in the morning and we will be in Session on Thursday. I have attempted to talk to the House and see if...by any possibility we could conclude our business tomorrow, it does not appear likely. So we will be in Session on Thursday. There will be a number of us going up to Senator Nega's funeral and we...upon our return, we will go into Session, but we will be in Session at ten o'clock tomorrow and do as much as humanly possible. Senator Schaffer.

SENATOR SCHAFFER:

I would like the record to reflect that Senator Macdonald is absent due to illness. She is home recovering and I understand doing well but not with us this week.

PRESIDENT:

Good, the record will so reflect, thank you. Senator

Leitch...the Order of Motions in Writing, Mr. Secretary.

SECRETARY:

I move to discharge the Committee on Insurance, Pensions and Licensed Activities from further consideration of House Bill 1954, and that...the bill be placed on the Calendar on the Order of 2nd Reading.

PRESIDENT:

Senator Leitch.

SENATOR LEITCH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The purpose of this is to create a vehicle for an amendment that may be coming tomorrow relating to the business...Corporate Business Act. I've been requested to put this together and will seek to put on an amendment tomorrow.

PRESIDENT:

All right. Senator Leitch has moved to discharge the Committee on Pensions and Licensed Activities from further consideration of House Bill 1954 and asked that the bill be placed on the Calendar on the Order of 2nd Reading. All in favor of that indicate by saying Aye. All opposed. The Ayes have it. The motion carries, it's so ordered. Any further business to come before the Senate? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd...like to make mention that in Room A-1 of the Stratton Building tomorrow at ten o'clock we're going to have a Local Government Subcommittee meeting on...on...and hear from Bond County. People that are negatively impact by a lot of the legislation that we pass up here,...they're going to be here for a half hour to...to present testimony before that committee and anyone who's interested in regard to the problems they're having. And I think it's a message we need to hear and I'd appreciate any and all attending. Thank you.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Mr. President, did you indicate ten o'clock tomorrow for...

PRESIDENT:

I did, I was unaware of a scheduled committee meeting.

SENATOR KELLY:

...well, then I think maybe Senator Watson ought to move that meeting up to an early hour if he wants to accommodate that meeting.

PRESIDENT:

Well,...if...otherwise, the Chair will accommodate. We'll...if ten o'clock is the meeting, we'll start at ten-thirty to give the folks from Bond County a chance to be heard, I guess, huh? All right. Well, we'll start at ten-thirty to give everybody a chance for the Local Government Subcommittee to participate. I'd ask the members to please, please, be prompt. Ten-thirty tomorrow, we will attempt to discharge as much of our business as is humanly possible and we will be in Session on Thursday. If there's no further business, Senator Vadalabene moves that the Senate stand adjourned until ten-thirty...ten-thirty, Wednesday, December 3rd. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION

December 2, 1986

PRESIDENT:

The Third Special Session will come to order. Reading of the Journal, Mr. Secretary.

SECRETARY:

Tuesday, November the 18th, 1986.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I move that the Journal just read by the Secretary of the Third Special Session be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Jones. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Jones.

SENATOR JONES:

Mr. President, I move that the reading and...and approval of the Journals of Wednesday, November the...the 19th and Thursday, November the 20th, of the...of the Third Special Session of the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Jones. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Any business to come before the Third Special Session? If not, Senator Joyce moves that the Third Special Session stand adjourned until Wednesday, December the 3rd, at the hour of eleven o'clock. The Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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SPECIAL SESSION # 3

Dana

DECEMBER 02, 1986

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84TH GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 3, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the hour of ten-thirty having arrived, the Senate will come to order. Members will be at their desks. All unauthorized folks will leave the Floor. Our guests in the gallery will please rise. Our prayer today is by Father Frank O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father O'Hara.

FATHER FRANK O'HARA:

(Prayer given by Father O'Hara)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, reading of the Journal.

SECRETARY:

Wednesday, November the 19th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Smith. Any corrections or additions? Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I move also that the reading and approval of the Journals of Thursday, November 20th and Tuesday, December the 2nd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion of Senator Smith. Are there any...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Resolutions.

SECRETARY:

Senate Resolution 1288 offered by Senators Geo-Karis and Barkhausen. It's congratulatory.

1289, by Senators Geo-Karis, Philip, Weaver, DeAngelis, Davidson and Schaffer and it's congratulatory.

And 1290, by Senator Sommer and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, resolutions.

SECRETARY:

Senate Resolution 1291 offered by Senator Dunn. It's congratulatory.

1292 offered by Senator Demuzio, Rock and all Senators. It's congratulatory.

1293, by Senator DeAngelis, and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, the Senate will come to order. All unauthorized personnel please vacate. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1294 and 1295...offered by Senators Topinka, Hudson and Mahar. And they're both congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, ladies and gentlemen, if I can have your attention a moment. UPI has requested permission to take still photos, as has Channel 7 and...has the Chicago Tribune. Is leave granted? Leave is granted. Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

Mr. President, I have an agreed resolution. I wonder if we could go to that order...if you'll call House Joint Resolution 233.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...

HB 913
App. Recommend. of the Govr.

SENATOR NEWHOUSE:

I think the proper motion is...move that Senate Executive be discharged from further consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator, there are...there are some other motions and why don't we just hold till we get that order of business and...and we'll get to it momentarily. All right, we will begin on page 12...we'll begin on page 12 of your Calendar, motions in writing to accept the specific recommendations for change. Senator Barkhausen, are you ready to proceed? All right, on the Order of...of page 12...middle of page 12, motions in writing to accept the specific recommendations for change is House Bill 913, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 913 in the manner and form as follows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the reason for the amendatory veto was to add into this bill which permits a court to impose an extended term sentence where a defendant has been convicted of...voluntary manslaughter or involuntary manslaughter or wreckless homicide where the death has caused the defendant of more than one person and to these crimes of voluntary manslaughter or involuntary manslaughter or wreckless homicide we're adding second degree murder. The reason for that being that we passed another bill, Senate Bill 522, which creates this category of second degree murder and which will replace voluntary manslaughter. So, it's...everyone agrees who's looked at this subject that this is something we ought to and I, therefore, ask concurrence on the Governor's amendatory veto.

HB 1130 Spec. Rec. of the Gov.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 913 in the manner and form as just stated by Senator Barkhausen. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Tim. Tim. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 913 having received the required constitutional majority vote of Senators elected are declared accepted. 1130, Senator Netsch. All right, on the Order of Motions in Writing is House Bill 1130, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1130 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1130 as it actually left both Houses of the General Assembly had a number of provisions in it. It was kind of a Christmas tree of fairly technical revenue matters. There is only one matter that is at issue in the amendatory veto, and I will tell you what it is in just a moment. Yes, this had to do with the private car trade-in problem which Senator Rigney, Senator O'Daniel and others had been every painfully aware of. We did include a provision that...that treated the exchange of cars between private individuals the same as is true when you buy from a dealer. That is to say the sales tax will be paid only on one car and not on the full amount...the full value of both cars which is the way the Department of Revenue had been

interpreting it. We all agreed that was not proper and the bill does correct that. The one problem that was raised by the Secretary of State was...and to be perfectly honest, we're not quite sure why, was that the requirement for jointly filing both of the returns, the Secretary of State said was going to cause some confusion for them, and so the Governor acceded to that request and has taken out that provision only of the bill with an admonition both to the Secretary of State and to the Department of Revenue which had wanted the joint filing to begin with that they work together and find a means of making sure that this process is not going to be subject to any fraud or abuse. It was the concern of the Department of Revenue that it, like any other tax, is...is susceptible to abuse and that was the reason for the joint filing. The Secretary of State says, no; DOR says, okay, but we still have to work something out. The amendatory veto removes that requirement. That is all that it does to that particular provision, and while most of us would rather have it in, we accede to the Governor's wishes in this case and I would move to accept his specific recommendation for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion?

SENATOR NETSCH:

One other thing I should mention, I'm sorry, partly...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, Senator Netsch.

SENATOR NETSCH:

...yeah, partly because of the delay occasion by the fact that the bill is subject to amendatory veto, the Governor's amendatory veto also changes the effective date to January 1, 1987 from October 1, 1986. That does mean a delay of a couple of more months in the enforcement of these provisions, but, obviously, it has to be done because we're changing the

substance of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1130 in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1130 having received the required constitutional majority vote of Senators elected are declared accepted. Chair would like to acknowledge the presence of Congressman Richard Durbin from the 20th Congressional District. Welcome to the Floor. The Congressman is not used to working in this...such a noisy vacuum. It's so quiet in Congress. All right, 1321, Senator Netsch. All right, House Bill 1321, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 1321 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Again, House Bill 1321 as it left both Houses was something of a Christmas tree of technical revenue provisions all of which were, I think, totally acceptable to the membership. The amendatory veto deals with only one part of the bill and that has to do with the tax treatment of so-called subpart F income. The bill at the behest of the State Chamber of Commerce and other business groups does allow subpart F income as a deduction on State corporate tax returns. That is what the business community

wanted. There had been a dispute between the Department of Revenue and the taxpayers as to whether or not it was deductible. We have acceded to the business community's wish in this respect. The Governor said, however, that the...because it does have a significant fiscal impact for the State, it's going to mean about twenty million dollars loss from the corporate tax base when fully implemented, the Governor changed the effective date to tax years beginning...in 1988 rather than 1987 so that the General Revenue Fund would have an opportunity to adjust to this revenue loss and so that the department would have a chance and the taxpayers to adjust to the mechanics of it. There was also a purely technical change in reference within the bill. That is the only part of the bill that is dealt with by the amendatory veto and I agree with the Governor that it should be postponed as long as possible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1321 in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1321 having received the required constitutional majority vote of Senators elected are declared accepted. 2648, Senator Barkhausen. On the Order of Motions in Writing to...to Accept the Specific Recommendations for Change is House Bill 2648, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2648 in the manner and form as fol-

lows. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the Governor's amendatory veto of House Bill 2648 has to do with only a small and...and fairly insignificant portion of the bill. This portion amended the Criminal Identification Section of the Criminal Code to allow the Department of State Police to provide criminal history information to the commanding officer of an armed storage facility. Here we're talking about the...I guess the National Guard or reserves. This...the Governor's specific recommendations for change is that the Department of State Police be allowed to impose a fee to provide this criminal history information as the department is presently permitted to do in similar situations, and I, therefore, move that we accept the Governor's specific recommendations for change to House Bill 2648.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2648 in the manner and form as just stated by Senator Barkhausen. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2648 having received the required constitutional majority vote of Senators elected are declared accepted. 2757, Senator Luft. House bill...motions in writing, House Bill 2757, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2757 in the manner and form as fol-

lows. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 2757...the subject matter, we froze for ten years the...EAV of a model home, and the Governor's recommendation simply requires this taxpayer applying for the freeze to make that application before January 31 so there would be...nowhere misinterpretation regarding the...implementation of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right, the...the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2757 in the manner and form just stated by Senator Luft. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2757 having received the required constitutional majority vote of Senators elected are declared accepted. 2917, Senator Netsch. Senator Netsch. All right, on the Order of Motions in Writing is House Bill 2917, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2917 in the manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is the bill which deals with the Pharmaceutical Assistance Act. The Governor has already signed one version of it in order to get it on its

way, but he amendatorily vetoed this version, I might say both versions were identical, on the premise that the language did not clearly limit the drugs to be used for diabetes to...or for diabetics to drugs that related to that condition. In other words, it says, "Beginning July...January 1, 1987, any insulin or other drug used by a diabetic." The Governor's point is that we intended to limit it to drugs to be used for the treatment of the condition of diabetes and his amendatory veto would make that clear by saying any insulin or other prescription drug used in the treatment of diabetes. In addition,...no, I think that's the only significant change...the only substantive change. I would love not to call this motion but it certainly isn't what we thought we were doing when we originally passed it. So, I would move to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Wait a minute. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield for a question? In the original bill, I don't have it in front of me, was there a provision for needles for insulin? Can you answer that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes, the bill said beginning January 1, 1987, any insulin or other...or other drug used by a diabetic including syringe and needles used to administer the insulin.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Is the bill as amended by the Governor's veto does it still provide syringes and needles to be part of the...diabetic equipment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2917 in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2917 having received the required constitutional majority vote of Senators elected are declared accepted. All right, Senator...Senator Joyce Holmberg, what do you...for what purpose do you arise?

SENATOR HOLMBERG:

With leave of the Body, I would like to have my name removed as the sponsor of Senate Bill 416 and have Senator Marovitz' name substituted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator Holmberg has requested to be removed as the sponsor of Senate Bill 416 and Senator Marovitz will, in fact, assume the sponsorship of that bill. Is leave granted? Leave is granted. So ordered. Senator Luft, bottom of page 12. On the Order of Motions in Writing Override Specific Recommendations is House Bill 787. The bottom of page 12, Mr. Secretary.

SECRETARY:

I move that House Bill 787 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senators Luft and Davidson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. What I would like to do in the debate on this bill, which I'm assuming there will be some, is to try to establish the focus on what we're really talking about and that's the supplemental issue...license that is issued by the Secretary of State to individuals wishing to make off-site sales in the State of Illinois. The intent...the intent of the supplemental license was created to allow established dealers in the State of Illinois to make off-site sales specifically when malls became prevalent throughout the State and they wished to go outside their little area, have tent sales, or what I call mall sales; and in the past few years we feel like there has been an abuse of the supplemental license application and really establish two forms of car dealers in the State of Illinois, those that are licensed by the Secretary of State and have to adhere to special rules, special bonding privileges and whatever and that are controlled and regulated and those that come in, set up in an area one block away from a car dealership or anywhere, sell their cars and leave town, never to be heard of again. We simply think that there has been an abuse of this system. We are trying to restrict it. It is not a car dealers versus the credit unions or financial institutions, it's simply a way of looking at the supplemental license and trying to put a restriction on the way that the supplemental license is used.

PRESIDENT:

All right, Senator Luft has moved to override the Governor's specific recommendations for change with respect to House Bill 787. Discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This motion is really a bad idea and I think that in our discussion of what...of what the

Governor recommended, we should understand that in the amendatory veto the Governor suggested that the vehicles that are to be sold will be warranted by the rental car companies so that when the vehicle is sold to an individual, there is a warranty that goes along with this car. This warranty follows that car no matter where it goes. If a person buys a car in Illinois, there are locations in Illinois where that car can be serviced under this amendatory veto; if he leaves the State of Illinois and he goes to any other state in the union, there are locations in those states where the car can be serviced under a warranty. You have to also understand that these cars are sold cheaper to the individual under this amendatory veto than without the amendatory veto, twelve hundred...up to eighteen hundred dollars cheaper...a person can buy a car cheaper from a rental car agency because he is a member of a financial institution, a credit union that finances the car at a cheaper rate because he is already affiliated with that credit union. So, who are we protecting under this bill? Under the Governor's amendatory veto, we are protecting the consumer. Under Luft's motion, we're protecting the used car dealer. That's what it amounts to. Who are we going to protect? Are we going to protect the consumer or are we going to protect the used car dealer? Ladies and gentlemen, the Governor was correct in his amendatory veto. He made provisions in there that these sales must be made in conjunction with the credit...with the credit union or the bank or the...whatever savings and loan is involved in the transaction. That restricts the sale to bona fide purchasers that do business with those institutions. It's a well thought out amendatory veto. Don't reject it. Vote against this motion.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this motion. You can talk about many things...talk about the consumer, you talk about the financial institutions, et cetera, but you forget one big item, this area happen to been the recipient of one these tent sales during the time we were here in Session back in the early summer, one which was out on automobile row, one which removed a tremendous amount of potential used cars buyers from the market...forget one big item, each one of these car dealers who were in place carries an overhead known as employees, ones that you and I want to keep working. We had a couple of car dealers who had to lay off some people because they were the ones who got used cars ready for resale. With no sales, these people were layed off or unemployed. There's a loss of the sales tax to the local area. But more importantly, a couple who were just borderline dealers keeping their head above water before the new change in interest rates by the companies in the fall went belly up. You lost the real estate taxes from those businesses, you lost a lot of creditors who had credited that business who were...lost the money because the assets didn't cover the losses. Let's look at the whole big picture. This is a good bill, we sent it out of here 55 to nothing in June...or May, excuse me. Couldn't have been too bad a bill if it went out of here 55 to nothing, and suddenly not to override this amendatory veto and keep it in its original form, I think, is in error. I would appreciate a Yes vote to override.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in opposition to the motion. This bill was not the best bill in the world. The amendatory veto probably makes it a little bit better. I would first like to call the attention of the members of the

Body on...on a piece of literature which I has circulated which is a response by the Federal Trade Commission to an inquiry from Representative Hallock in the House. I will not go through the whole letter but let me read to you the summary. It says, "In conclusion, we believe that House Bill 787 as originally passed by the Illinois General Assembly would ultimately harm consumers of used vehicles." It further describes the fact that the Act is anticompetitive and it then suggests that Governor Thompson's amendatory veto of House Bill 787 substantially reduces the anticompetitive impact of the bill. Now, several speakers have addressed this issue. Senator Davidson, just for the record, if that car was sold in Springfield anyhow, you didn't lose any sales tax. But the point is that this bill without the amendatory veto is basically anticonsumer. What we're doing is protecting an industry, and I have no problem on occasion of doing that, but you know, I had a call from a car dealer in my district, probably one of the best entrepreneurs in my district. He not only owns a car dealership, he owns farms, he owns factories, and I said, Jack, I said, you're one of the strongest advocates of the free enterprise system I've ever seen, but it seems to me when you get the opportunity to stick it to somebody else, you're at the...as Harlan Rigney would say, at the trough quicker than anybody else is, and basically what this is is a protection for the car dealers. They've come down here, they've asked us to close places down on Sunday, which is the only industry that I know of and...I'll tell you, frankly, I voted for the bill, but then they got into exclusive territories, now they want to go beyond exclusive territories, they want to ensure that some poor person who wants to go out an buy a used car has got to deal with them when there are other opportunities. The report does point out the substantial cost to the consumer. The bill does, in fact, ensure that warranties will be on

these cars and the restrictive nature of the bill as it currently stands, I'm going to tell you folks, you may go out and defend a few car dealers, but you're really sticking it to a lot of people back home if you override this veto.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I thought that Senator DeAngelis very eloquently laid out the issues here. I think it's important to note that we're not debating whether the amendatory veto is good or bad. The issue before us is whether this bill as originally passed should become law or whether nothing should be done. That's our options today, because the amendatory veto was not called in the House for acceptance. So, if the bill gets thirty-six votes today, the bill as originally passed is law. If it gets less than thirty-six votes, nothing is changed in the industry. Now I think that the issue is one of free enterprise. The question is, are we going to allow an industry that sells automobiles, and the record shows that they can save over eleven hundred dollars per car to the consumer, are we going to let them to continue to operate or are we going to restrict their operation in favor of a particular part of the car industry. I want to come down today on the side of free enterprise and on the side of the consumer, and I'm going to vote No on the motion to override the amendatory veto. I'm going to vote No on this motion.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I don't want to prolong this debate unnecessarily, but there are just a couple of additional points that...that maybe ought to be made, one of which is that if this bill becomes law, these sales aren't

going to not take place. They're simply not going to take place in Illinois. These dealers in...in used car...these rental car companies will...will therefore have to go to one of our neighboring states, Wisconsin or Indiana, and those are the states which will be gaining the sales tax revenue rather than our State and rather are...rather than our communities where these sales would otherwise take place and...and have been taking place. An additional point is that besides adding to the cost of used cars, legislation of this kind would...would also no doubt add to the cost of...of renting a car. I am told that rental car companies typically sell their fleets or turn over their fleets on an annual basis. In other words, they sell their car typically after having held it for about a year, and if they are unable to do this or...or are frustrated in doing this or find it more expensive to do this, no doubt that that cost will...will be passed on to no one else other than the consumer. Like Senator DeAngelis, I feel that...that perhaps I have voted one too many times to restrict the free market as it applies to the sale of automobiles. I...I supported the Sunday closing law. I supported the restriction on opportunities to open a franchise within a certain mileage area and I've supported this legislation before; however, the focus on the bill that this...that this motion and debate has engendered has...has caused me to take a closer look at the issue and...and upon doing so, I feel quite strongly that we should not be supporting this motion. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I rise in support of this motion. Not only do I think this bill gives a lot of protection to our downstate automobile dealers but also there's an amendment on there that addresses a tarpaulin

issue. It changes it from a moving violation to an equipment violation. This is very important to...to the people and I think that...that it should be a...an equipment violation but...and the owner of...of trucks and all should be responsible instead of the driver. I think this is a very worthwhile piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Luft may close.

SENATOR LUFT:

Thank you, Mr. President. I hope everybody will listen to my closing because I'd like to point out that most of the people that have spoke in opposition to this bill really haven't considered the entirety of the whole situation. First of all, we are not trying to stop anyone from selling cars in the State of Illinois. If you listened to me when I started I said that we were trying to focus on the supplemental license and the supplemental license only, and if we wanted to protect the integrity of anything, it would be to protect the integrity of the intent of the supplemental license. Now, let me tell you about the credit unions and the rental cars, and all they have to do...nobody is stopping these sales, if they want to make a sale and they can sell these cars by strictly coming to the Secretary of State's Office, getting a license as a used car dealer in a specific spot in a town and sell them twelve months a year. We're not shutting off the sale of these cars, in no way, we're doing it by use of the supplemental license, yes, but we're not doing it by saying that...we are allowing them to come in and sell cars twelve months a year, three hundred and sixty-five days a year, by simply making an application to be a car dealer. All you got to do is have a bond and a license. There's eighty dealers in this county right here. I mean, there's enough competition going around there right now. If

there wants to be ninety, then let the credit union, let Avis, let Hertz, let National come in and establish a lot somewhere and sell their cars there all the time. We're not trying to stop the sale of these cars. Those people that you said get the break, that's fine, let them sell their cars at twelve hundred dollar less, we're not trying to stop that at all. I simply...and what we're simply trying to do is to restrict what was originally thought to be the use of the supplemental license. No one is trying to be anticompetitive, no one is trying to stop the sale of cars. What we would like to do, simply, and I hope everybody is listening, is to restrict the supplemental license; and then let me...let me...let me point out one thing, and I hope all of you seriously listen to this very closely. The way that the Governor has amendatorily vetoed this bill, anybody now, including new car dealers and used car dealers, have to go through a financial institution to have a sale. Now that's really bad. He just included every car dealer in the State of Illinois having to go through a financial institution. That's my interpretation of this. So, as far as I'm concerned, the amendatory veto is worse than any bill that we've ever started off with. I would hope that you will join me in restricting the use of the supplemental license. If anybody next year wants to come in and sit down and discuss the matter further, we'll do that. Meanwhile, I'd ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

And the question is, shall House Bill 787 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 27, 1 voting Present. House Bill...the motion having failed to receive the three-fifths

vote is declared lost. Next order will be on page 11, motions in writing to override total vetoes...middle of page 11, motions in writing to override total vetoes. Our first bill is House Bill 2735, Senator Luft. Mr. Secretary. House Bill 3431, Senator Hall. Mr. Secretary, read the motion.

SECRETARY:

I move that House Bill 3431 Do Pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3431 provides a stipend for county treasurers of thirty-five hundred dollars a year as a result of additional legislative mandated duties as follows. This Act establishes and authorizes a system which requires the treasurer to obtain a consent form from the property owner, trustees or powers of attorney before a change of address can be completed. It added changes...as a new responsibility for the treasurer. The treasurer must list on each tax form breakdown of tax dollars that are paid to the library districts. These are all additional duties that we have mandated. The treasurer may now collect and invest additional quarter-cent sales tax. The law requires this on monies that stay in the county's general fund. This requires consolidation of levies and a complete revamping of the entire bookkeeping operation. Also, Public Act 84-449, the county treasurers are now required to notify the lien holders annually upon request by certified or registered mail for an application of judgment prior to tax sales. The interest earned on county collectors' money must now be paid back to each taxing district. So in effect, the treasurer is investing their money for them and then must prorate the interest

back to them on a monthly basis. This is a result of a court decision of the Village of Pawnee versus Sangamon County. We have added numerous additional funds and the Automation Fund for circuit clerks and recorders, the Court System Fund for judges, the Drug Traffic Fund for the sheriffs, the handicapped coordinator for county revenue sharing and numerous law enforcement funds. We have added all of these additional with many others. They all must...they also establish escrow accounts for taxing agents for payments of their bonds and warrants. This is in addition to their normal duties. This is a stipend and I think that the county treasurers are entitled to this, and I would ask your most favorable support for this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge. Is there further...any further discussion? If...Senator Etheredge...the question is, shall...Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this motion, and I also intend to support Senator Vadalabene's bill which will provide a similar stipend for the county recorders. I think this is long overdue. This bill passed out of here virtually unanimously and I think the Governor made a mistake and we ought to rectify that. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. In past years we have granted these stipends to the county clerks, but what happens is the county board just reduces the amount of money that the county puts into their salary and they end up not getting the additional stipend or thirty-five hundred dollars, so...we had an occasion in my district where one of the officeholders took

the county to...to court to try to mandate that they get this over and above what he was getting and...he lost the case...this not going to assure any treasurer a thirty-five hundred dollar increase, it's just going to reduce the cost to the counties by that same amount, so I stand in opposition.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Hall may close.

SENATOR HALL:

Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 3431 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The bill having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. On motions in writing to override item vetoes, House Bill 2989, Senator Sangmeister. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 38, lines 31 through 34 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is, of course, as the Secretary has read, a motion to override a line item. What this involves, if you recall several years ago, Representative Jack Davis and myself, on a bipartisan basis, put through legislation which is law that

where a school district has a public institution such as we have in this...in Will County, the Chaney Monge School District which occupies forty-five percent of the total district is within the Joliet correctional system. You can imagine the assessed valuation that is, obviously, lost because of this. That was the reason for the legislation. The Governor signed that into law and they have received money previously and, of course, they are relying on these funds. For whatever reason, he vetoed out that amount this year and is practically destroying the Chaney Monge School District. So, it's very important. The House recognized this over there and...and voted overwhelmingly to override the amendatory veto and I'm hoping for some bipartisan support here. This is very important to Chaney Monge. They are a small school district. Without these funds, I don't know how they're going to operate this year. I don't understand the...the reasoning of the Governor other than to try to save money, but this is one district which where the money should be expected because it's the law, and when it's a law of the State of Illinois, then we ought to fund what we put into law; and that's what we're asking here. I sincerely ask your help in the override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the item on...the item on page 38, lines 31 through 34 of House Bill 2989 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the...take the record. On that question, the Yeas are 27, the Nays are 17, none voting Present. The item on page 38, lines 31 through 34 of House Bill 2989 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. House Bill

2995, Senator Leitch. Mr. Secretary, read the motion.

SECRETARY:

I move that the item on page 9, lines 1 through 5 of House Bill 2995 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senators Leitch and Luft.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This addresses a problem which Senator Luft and I have worked throughout the Session to try and correct and which my predecessor, Prescott Bloom, was working very hard to try and correct. The situation is one where the...it's a two hundred and twenty-eight thousand dollar reimbursement for funds which have been expended for psychiatric and psychological counseling by the Human Service Center of Peoria. What's happened is that these services were routinely provided for years in a relationship with the Department of Mental Health and paid for by the Department of Public Aid. A few years ago that arrangement was changed and the contractual basis became one between...directly the Human Service Center and the Public Aid Department and they began to get into a number of disagreements about rules and regulations and while this was going to be worked out next month or the month after, next year, the Human Service Center continued to absorb these expenses because in Peoria, Illinois, these services are urgently required, and as a result of this, what has happened, the Human Service Center has been forced to make severe cutbacks. They've already laid off over ten percent of their work force. The secretary...or the executive director of the agency doesn't even have a secretary anymore because they are struggling to continue to provide these services while this matter gets resolved, and I would very much appreciate your support in helping us resolve

this issue.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Only to echo Senator Leitch's comments and would hope that those on my side of the aisle over here would support his motion to override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. This is, as I understand of the sponsor if he will yield, is for two hundred and twenty-eight thousand dollars. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates it is.

SENATOR ROCK:

Is it true that the center which is now seeking this two hundred and twenty-eight thousand dollars is currently being sued by the State for the recovery of approximately a hundred and seventy-two thousand in payments for services that were not rendered according to regulation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Leitch.

SENATOR LEITCH:

Yes, this...this a related issue but a different issue. The...the suit is over whether a psychiatrist actually has to be the one to administer counseling services or whether a psychiatrist can direct staff to administer these services as they had done for a long period of time; and so what has happened is while this dispute has...has been at work trying to sort this out from a regulatory standpoint, the...the agency at...with the encouragement of the parties involved has continued to provide these services, and the issue simply has

not been resolved and it has caused greater and greater problem for this agency. If this thing gets turned down, what it means is is the people in...in our community, in central Illinois, who need help the very most aren't going to get it and they're down here...they're not down here with lobbyists, they're not down here...these are people who need help the very most in our community.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I...I, frankly, disagree with that and...and...for this reason, that the money that's being sought here, as I understand it, and, frankly, I'll stand and say it appears the Governor was right for a change when he vetoed this, because the appropriation here at issue is being requested by the center to reimburse them for services, services provided in 1984 and 1985 when this center was not, not, I repeat, an enrolled Medicaid provider. The problem with this appropriation, my friend, is that it will set a precedent to allow payments to vendors who are not qualified under the guidelines. We simply shouldn't do that. I mean, they're either qualified or they're not, and if they're not, they are not entitled to reimbursement. I suggest this is not a good motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Leitch may close.

SENATOR LEITCH:

No, the issue that you're now describing relates to one specific program, one specific means of providing these funds through a Federal source and there are many other ways to do it. It's done other ways all throughout the State, and, in fact, in the Chicagoland area and other places in this State, these services are often billed through a clinic or through a

hospital and so as a result, they don't show up. In downstate and other smaller communities where these type of services are provided by a human service agency, they run afoul of this glitch in the law, and I'm hopeful that we can bring this agency back to zero and continue to work for ways to straighten out this other fundamental part of the problem, but it is not part of the problem to be driving the human service center into bankruptcy while people are trying to sort out this issue, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the item on page 9, lines 1 through 5 of House Bill 2995 Do Pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 20, none voting Present. The motion having failed to receive the three-fifths vote is declared lost. House Bill 3191, Senator Poshard. Senator Poshard, do you wish to go with your motion? Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 4, line 24 through 30 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senators Poshard and Dunn.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This would restore two hundred thousand dollars to the Department of Energy and Natural Resources for the purpose of establishing and operating an Office of Coal Marketing which would be used for promoting and marketing Illinois coal, both domestically and internationally. Presently, there's only person in the State in the Department of Commerce and Community Affairs that has any responsibility at

all for the promotion of Illinois coal. DENR has a coal development division. They have expertise regarding Illinois coal and this bill gives them specific statutory authority direction to work with DCCA in the promotion of Illinois coal. The two hundred thousand dollars is needed to fund the program. Illinois coal is in difficult straits right now. We have nearly sixty percent of our miners out of work. We need a concentrated marketing effort to help new and expanding industries, new industries which may be wanting to move into this State, to consider the merits of using Illinois coal. I would appreciate a favorable vote on this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Mr. President and members of the Senate. I certainly agree with Senator Poshard that this is a bill that's really needed in the coal industry. The Governor signed the bill creating the department...or the Office of Coal Marketing, but he failed to be able to fund it and this is, I think, very much needed. It's two hundred thousand dollars. We've spent a lot more for a lot of things that are less important and I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Yes, I would just ask for a favorable vote, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 4, lines 24 through 30 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 38, the Nays are 16, none voting Present. The items on page 4, lines 24 through 30 of House Bill 3191 having received the required three-fifths vote is declared passed, the...line...the item veto of the Governor to the contrary notwithstanding. Top of page 12 on House Bill 3191, we have a motion by Senator Barkhausen. Senator Barkhausen, do you wish that motion read? Mr. Secretary.

END OF REEL

REEL #2

SECRETARY:

I move that the item on page 4, lines 31 through 35 and page 5, lines 1 through 3 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, unlike the other items we've been discussing here this amount is...is not a grant but is a loan. And...while it...it's in the amount of three hundred and seventy-five thousand dollars in the form of a loan, as I say, to the Warren Township High School District in Gurnee. This school building, the...the one school building that this district has was...was burned to the ground and substantially destroyed two years ago. As a result of the fire, the district has had to...to temporarily relocate, to rent a...another high school campus that had been vacated, to transfer the students to this location, to pay teachers overtime; and all told, they are incurring expenses approximately twice those that...those that we are proposing to...to loan them, both by means of this measure and a loan that we gave them last year. We had put in last spring for a...a loan of...of twice this amount, of seven hundred and fifty thousand dollars; at the suggestion of Senator Carroll and others, we reduced that amount to this three hundred and seventy-five thousand dollar figure which, of course, cut it in half, and...the Governor, to the surprise of many of us, had...had vetoed it. However, the administration did not strongly oppose this measure in the House, it came out 112 to nothing. And I would just also like to point out, I don't

find myself guilty of special pleading very often, but this district is in Gurnee and many of you I am sure are aware that...that Gurnee was among the hardest hit perhaps the hardest hit community in the State in the flooding that...that part of the State experienced this fall. And, in fact, it was the hardest hit from the standpoint of public...having public facilities affected by the flooding, all the municipal buildings and two out of three of the grade school buildings were...had to be closed, and one of which will be permanently closed and has been condemned. So, we're trying to provide a very modest form of relief to the local taxpayers who were previously victimized by this fire to the...to the high school. And, as I say, it is a loan...we...the district has already begun to repay the State for the loan that we granted them...last year, and in time, the State will recoup all of the money that we're seeking to provide them here. I would, therefore, ask your support of my motion to...to override...the Governor's veto of this specific item.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On discussion, Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, what Senator Barkhausen said is absolutely true. This money is a loan and we...this area was devastated by the floods. In fact, I went on a motorboat on a State highway right around that school 'cause the water was three and a half feet high when I went to inspect the damage. And they've had terrific expenses and this will be repaid. They are raising the tax to pay this back to the State. So we would appreciate a favorable consideration on this motion to override the Governor's veto on it, because I think it's...it's really necessary to the well-being of the school. Right now we got the children of the school being bused to

a...to Lake Forest which is about twelve miles away and...to have classes, we're trying to get this thing done. So, would appreciate your favorable consideration.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Just a question or two of the sponsor, if he would.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BERMAN:

So that the record is straight. There was authorized a nonreferendum tax levy to...to raise money to pay this back. Question one, was that tax levied by the school district? Number two, has money been paid back on the...original loan?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

The answer to both questions is yes. It's a...it's a nickel levy, it has been imposed, the proceeds...all of the proceeds from the first year of that levy have been returned to the State.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there further discussion? If not, Senator Barkhausen may close.

SENATOR BARKHAUSEN:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 4, lines 31 through 35 and on page 5, lines 1 through 3 of House Bill 3191 Do Pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that

question, the Ayes are 54, the Nays are none. The items on page 4, lines 31 through 35 and on page 5, lines 1 through 3 of House Bill 3191 having received the required...three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. On motions in writing to restore item reductions we have House Bill 2996. Senator Carroll, do you wish your motion called? Page 12 of the Calendar, Senator. Whenever you're ready. At your leisure. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 3, line 15 of House Bill 2996 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Pardon me. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a...monies that were for the local health departments in providing basic health services. Senators Watson, Holmberg and I were the original sponsors of this. The House had successfully overridden the veto. This is for, again, local public health agencies to receive a dollar of State support for each Illinois citizen. The local health departments are obviously the front line on the communicable...disease issue and therefore the House and I would suggest we also...restore the line item to the way in which it had passed the General Assembly. This is nine hundred and sixty-one thousand again for what is considered and called basic health services.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR SOMMER:

Senator Carroll, could you more fully explain this item, that is money apparently going to local health departments? Is it over an above what they received last year? And if so, how much? For what reason did the Governor veto it? I mean, it's our understanding he maintains his opposition and we're not...we'd like to know why.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Sommer, it is over and above that which was spent in Fiscal '86. This is the monies that go to your local health agencies, your local health departments for this basic health service grant. It was a 7.5 million dollar line item, we added nine hundred sixty-one thousand dollars to provide this dollar per roughly...well actually it's not yet, it's about seventy-five cents per citizen. With requests emanating from our local health departments around the State, it is my understanding that the Governor has not changed his position on it, at least not to my knowledge. But this was again a request from the local health departments to fund the agencies that actually provide the service. Their effort is to get to a dollar per citizen, this would fund them at about seventy-five cents. This is...this would give them about a 7.8 percent increase over Fiscal '86.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

I think that was explanatory and I would ask for a favorable roll call. This is a reduction veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 3 of line 15 of House Bill 2996 be restored, the item reduction of the Governor to the contrary notwithstanding. All those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 23, none voting Present. The items on page 3, line 15 of House Bill 2996 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. Channel 3 is requesting permission to film the proceedings...up gallery. Any objection? Hearing none, permission is granted. House Bill 3090, Senator Poshard. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 32 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Poshard.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. This motion would restore two million seven hundred and fifty-one thousand dollars to gifted education in the State of Illinois. This represents the increase which we passed in June to reimburse school districts for the additional cost that they have incurred in developing in-district programs for gifted children. Mr. President, I'd like to explain for just a moment, if I may, the need for these additional monies, and I think I have to approach that explanation by at least describing in some general terms the State gifted education program. First, the program is open to every school district in the State, and currently we have eight hundred and forty-six school districts participating including the largest school district in the State, Chicago,

right down to the smallest rural districts. Each school district identifies its very highest intellectual, academically and creatively gifted students through various criteria including a...a national achievement test scores, high grade point averages and teacher evaluation. Special curriculum and activities are then designed to meet the needs of these students, most of them in the area of math, science, language and problem solving skills. This curriculum is designed to challenge the students to reach their maximum intellectual and academic potential. Not only does the special curriculum and the special activities, such as the Scholar Bowl, the Creative Problem Solving Bowl and others, not only do they have to be developed but teachers who work with these children have to undergo a lot of specialized training to be able to teach them. Now the problem we have in gifted education in the State, actually in the whole country, which accounts for the reason that the education of these children is never really adequately funded is a philosophical problem. Mr. President, can we have some order, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Can we have a little order.

SENATOR POSHARD:

We live in a democracy, we share certain egalitarian concepts and when we hear the word "gifted children" we immediately think that this is some sort of elitist program, it's somehow anti-democratic, it caters to an intellectual elite. This is the fartherest thing from the truth. These children exist in every community, they are of every social, economic, racial and ethnic background, they just happen to be bright, academically successful youngsters which the regular school curriculum simply does not challenge. We suffer very greatly in terms of our educational philosophy in this State and in this country. We have a philosophy that says in essence, everyone should regress to the mien. If a child is below the

average we spend hundreds of millions of dollars to bring them up the average and rightly so. We have a social and even a moral responsibility to take developmentally disabled children and make them productive citizens. But what we say to the eighty-four thousand identified gifted, academically and intellectually and creatively gifted youngsters in this State is you have to come down to the mien, you're out there on your own to achieve on your own. And the sad fact is is that regression to the mien is not a democratic concept, that has nothing to do with democracy; democracy says that we take the student from where they exist and we help them develop to the maximum of their potential, that's what democratic concepts imply. We say just the opposite, we say let's everybody be average and that has nothing to do with the basic tenants of a democratic philosophy. Most of these students survive, most of them get through not because of the system but in spite of the system. I think that we have to show these students who, by the way, as a group of gifted students have the highest attrition rate of any group of students in our school system. The highest drop-out rate of any group of students are our gifted students. They don't make it through and whatever good and whatever potential they would eventually give to society is lost because they're dropping out at a rate of twenty-six percent don't even finish high school. I would hope that we would restore these reductions to at least show a renewal of commitment to the fact that these children deserve the special attention in the way of curriculum and teacher training and help to reach their maximum potential just as every other student does. I would ask for an Aye vote on restoration of these monies.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On discussion, Senator Schaffer.

SENATOR SCHAFFER:

Well, I happen to share the previous speaker's concern

with programs for the gifted. Obviously, this dollar amount spread Statewide will not have a tremendous impact. I'm kind of curious as to exactly who gets the money, because my school districts who are not the least bit shy, and I emphasize, the least bit shy, to tell me when there's something they want, have not contacted me. Not one school district has sent me a letter or post card, a phone call, anything. I have to conclude that the money is going to somebody else's school districts. And, frankly, even if it was going to my school districts, I'd have to ask exactly where we're going to come up with all this money. I don't...either party and I certainly don't...the Governor that's supportive of a tax increase next year. I'd like to see us sort of rein in here if we can and reexamine these priorities. And as someone who is supportive of gifted, I...I would be more impressed if I'd had some contact for my district on this issue. And if...if someone is trying to get through to me on this, I am unaware of it and normally my gifted people are very, very good at that. I have to conclude and I'd suggest that all of you think about how much pressure you've had on this one, and if you haven't had pressure, I'd suggest you...either you don't get any or you don't get much.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Unlike my former...my...my colleague, I have received a few phone calls on this particular bill, perhaps because I too feel that the gifted have long been neglected. Twenty-six percent of our brightest students are dropping out of school, twenty-six percent. That's a twenty-six percent dropout we cannot afford in this State. This is the area where our future leaders, our future scientists, our future politicians will be coming from. And if we continue to allow this drop-out rate because these

children are not challenged enough, then we are losing one of the best assets that this State has got. I support the motion and I would suggest we go along with overriding the veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Yes, thank you, Mr. President. Just in answer to Senator Schaffer's question. The money goes to every school district in the State who applies for a gifted program. It can be developed in any school district in the State. There are currently eight hundred and forty-six school districts which have bona fide gifted programs, identified gifted children to which this money would be directed. It is not discriminated on the basis of region or school district at all. I would just ask for an Aye vote on this. I think these children represent the best of our school districts in terms of their ability to solve problems. As Senator Fawell has just stated, the future problem solving ability of our society may very well lie with these children and their ability to meet our societal needs. I would appreciate a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the items on page 19, line 32 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 12, none voting Present. The...items on page 19, line 32 of House Bill 3090 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary

notwithstanding. While we are on this order of business, having just distributed on your desk is our Senate Calendar Supplemental No. 1 dated Wednesday, December 3rd, 1986 with motions in writing. I ask leave to add two additional motions to our Supplemental Calendar No. 1...four more additional motions to Supplemental...Calendar No. 1. First is a motion to restore the reduction veto on page...line...page 7, line 25 of House Bill 2995. The second is a motion to override the item veto on page 39, lines 25-28 of House Bill 2989. The third is a motion...to restore the item reduction on page 18, lines 11...8...11 and page 18, line 17 of House Bill 3090 that the items be restored. And the fourth...I'm sorry, there were three items. Is leave granted? Hearing no objection, leave is granted. With leave being granted, those three additional motions will be added to our Supplemental Calendar No. 1. Now, on our Supplemental Calendar No. 1, motions in writing to restore item reductions, we have House Bill 2989, Senator Hall. Senator Hall.

SENATOR HALL:

Hold that for a few minutes will you, please?

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have...on House Bill...on House Bill 2995, Senator Carroll has a motion. Would you read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 7, line 25 of House Bill 2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SECRETARY:

That's the one that we added, Senator Carroll, that's not the one that's...typed.

SENATOR CARROLL:

Is that the one on the Calendar?

SECRETARY:

Uh huh.

SENATOR CARROLL:

Would you...is that the domestic violence and homeless shelter?

SECRETARY:

I have...I have no way of knowing.

SENATOR CARROLL:

Can you give me the lines again, please?

SECRETARY:

Page 7, line 25.

SENATOR CARROLL:

All right. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This was a reduction by the Governor in the line item for homeless shelters. As we all know, the Governor has seen the error in his ways and has requested funding. He, in fact, has...requested almost twice this amount in the form of a supplemental. We just had a meeting upstairs where we had indicated we would request an over...a restoration of the dollars at this level and then a funding for the difference in a supplemental. The House sought to restore it as well. The Governor has indicated that the monies are needed for homeless. We believe that the best way to handle it is to restore this line and add the difference. I don't think anybody is in any disagreement on the issue of providing funding for the homeless. This would be the fastest and cleanest way to do it. We would move to restore the seven hundred and sixty-nine thousand dollars for the homeless shelter line, the reduction veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President...Mr. President and members, it is my understanding that the Governor has agreed to fund this particular item. He would prefer to fund it through the supplemental bill which is being currently constructed and it is, in fact, in the supplemental bill tentatively...if I'm informed properly. Incorrect, Senator Carroll? Okay. Will you clarify it for me, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Yeah. Senator Sommer, my apologies. We had a long meeting and discussion upstairs. We had indicated this was our preference of dealing with this and domestic violence. The representative of the Office of the Governor had indicated as long as that did not mean we were doing a lot of others by way of override that did not bother him; his concern was opening the floodgates to a thousand other items. I had indicated that in my opinion that did not, we preferred this. He had thought either way was okay; however, if it meant a lot of other overrides, obviously, he didn't like the idea. We feel this is the best way to do it. We do not believe that this has any semblance of...quid pro quo for any other overrides. This does not mean any support on any others for any other issues and we believe this is the better way to do it and do it now and get it out of here and add the difference in a supplemental when it comes by.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sommer.

SENATOR SOMMER:

Senator Carroll, would...would you be so kind as to hold this, we're getting different signals here. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senator Carroll, would you...do you...wish to proceed with your other motion? Take

it out of the record. On House Bill 3090, motions in writing to restore item reductions. Senator Newhouse, we have a motion. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 21, line 16 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senators Newhouse and Marovitz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Let...let me just repeat for the benefit of the Assembly some of the things we already know and that is the cost of the high drop-out rate to society on the long-term. We're looking at a demographic that says that our next population for either the labor market or for higher education is going to be unprepared. On the other end of the spectrum, we have a rapidly expanding elderly population requiring more health care services, more social security, more pension benefits and somebody has got to pay for it. If we continue to let our youngsters drop through the cracks in this fashion, we're going to pay a terrible price in the long-run. So it's on that basis that I ask to restore this three and a half million dollars. Now last spring the Senate voted thirteen and a half million dollars out for this education program. The Governor vetoed this 3.5 mill. and...what happens is that four thousand kids are going to be without services. So, I would ask for a favorable roll call on this...or on...ask that these dollars be restored.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. I am very much in sympathy with the intent of the program. However, I would remind everyone that the funding level that is projected for the present fiscal year is the same level of funding that was available in the prior year. This is...there is no net reduction in the funding level, and what is being proposed here is an addition of three and a half billion dollars that is not apparently going to be available to us to spend. So as much as I like the program, as much as I think it is...it serves a useful purpose, I think this is the wrong time to...to add this money. I would ask for a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. I...I rise, too, reluctantly to oppose this motion to restore. As a strong supporter of this program when we dealt with educational reform, I...I understand and believe, as...as Senator Newhouse has suggested, it's a very worthwhile program. But, folks, there was some very carefully calculated reductions by the Governor when we...when he went through this whole process; and if we begin to...or continue to override and...and allow these...these motions to prevail, what's going to happen is next spring when money is simply not there, we're going to get into proration and then heaven only knows what areas are going to be cut. So when you restore this money, keep in mind that come next May money simply is not going to be there. And somebody else, someplace, with a very worthwhile program is going to be affected. For those reasons, I rise reluctantly to oppose this motion.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I rise in support of this motion. Rockford, within my district, has one of the highest drop-out rates in the State. There were times when that was not as much of a negative as it is today because many of those students could easily find work in our community. As the machine tool capitol of the world, apprenticeships were readily available, those people became very significant wage earners and were well able to support families as they moved into their future. That is no longer possible. We are living today in a very different world where high school graduates are needed to work in our high tech. industry, even in the machine tool industries that remain. These are the students that if we keep them there, and remember this is labeled a prevention program, many of the programs we're talking about in education are not that, for around two hundred and fifty dollars a year per student we can perhaps keep them until they graduate. If they take the wrong direction in life and end up in our Department of Correction system as an inmate, we're going to spend some twenty-five thousand dollars a year on them versus two hundred and fifty dollars a year. That is not a cost saving. In addition, anyone who finishes high school can earn some two hundred thousand dollars more in a lifetime. Think of that...what that means to the State in increased income and income taxes, in sales taxes paid. This particular program is one that is dealing with human concerns and is dealing with financial concerns. This is a cost savings to the State of Illinois, it is necessary component in our education program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, members of the Senate. Yesterday we had a vote and Senator Maitland was on that vote, and I asked him about whether this was in the budget or

not and it was not in the budget, the Governor had vetoed it, but it was a good program. Senator Maitland was in favor of overriding that veto, restoring that money and it was a good program, it dealt with education reform and we did, in fact, restore that money. This, again, is a good program, a needy program and the money should be restored. We deal with four thousand kids who are taken out of this system if this money isn't restored; three thousand kids who have been kept in school and would have to be taken out of programs, one thousand kids who were on the streets, brought back into the schools, brought back into a program and would have to be taken out of the programs. This...this money would help these kids and give...give them a last chance. As Joyce Holmberg said, it would keep kids off welfare, get them to pay taxes, make them productive members of society and give them a last chance. This is where our priorities ought to be. We talk about a lot of unnecessary programs in this State but this is where our priorities ought to be, and I think that restoring these necessary dollars for four thousand kids who need counseling, who need after-school programs...we took committees...we took our Judiciary Committee to high schools around the State of Illinois and the kids unanimously said, we have no one to talk to; our parents aren't home, we may have one parent, they...they're working all the time, we can't even get in to see a counselor in school, we turn to gangs because they're the only family that we know, we don't have anybody to talk to. This money provides for counseling so that kids will have someone to talk to. It provides for after-school programs. Let's put our priorities in order, ladies and gentlemen, and vote to restore these necessary dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator...Netsch. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think most of the substantive arguments have been made and made several times now. I would just like to underscore two things. One, I remember, I think it was yesterday, Senator Maitland, asking a question of you because the Governor had requested that one amount of our overall education reform funding be restored, that for vocational education instructors at the level, as I recall, of about a million and a half. I understand that that was taken out of the record. But that was a...an affirmative request from the Governor that some of the money that he had reduced be restored. And I asked then not that that program was wrong but why only that one? Because there are other parts of the education reform package that are absolutely as critical as that one was, and this is certainly one that I had in mind. It is maybe not the most compelling in terms of gifted children or something of that sort but it is the one that has the most direct return to us in terms of even economic let alone human terms. It does prevent that which we pay for over and over and over again in other respects. It makes so much sense that the Governor cannot possibly say, put the money back in for vocational instructors but don't give the money back for this program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I think Senator Netsch and Senator Marovitz and the other speakers have, in fact, said most of what need to be said here. However, there is one point that I think need to be emphasized and we cannot overemphasize the point. The choices that we have here is very simple and we better recognize that, that if these young people is not in school and lack the minimum prerequisites and basic training to enter

into a job training programs that they will be innocent prey to the drug culture and become involved in the trafficking of drugs in our community. That is a very attractive option to many of our young people and we have to face that reality and that responsibility and make sure that we make whatever necessary...do whatever is necessary to ensure that they have an alternative to becoming a part of the drug culture and drug trafficking in the State, because it is a very attractive option to them, and thousands upon thousands of our young people are participating in the sale and the trafficking; and they've also developed a thing which you call a watch beat where you have young people stand and watch and that's why drugs are so prevalent in our communities and being pushed right in our communities, and the police is unable to...to...to...to crack down on drugs because they've got little kids out on the streets who've dropped out of school who's playing watch for those people in our community. If we get these people off the streets, we're not spending near enough money, and this is not enough money. We have to get our priorities right, as Senator Netsch said, that's what we're talking about. A few minutes ago we passed it...passed and restored money for the gifted children, that was a need also. But in terms of priorities that most certainly was not a greater need as this need to do something for these children, because it's not just this three thousand dollars we're talking...three million dollars, we're talking about taking care of them for the rest of their lives and their families and also the cost that it's going to cost us for them spending a lifetime into a mental institution or the criminal...criminal institutions in this State. So, I think it is...foolish for us to not to put this money back in the budget.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Newhouse may

close.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I'd like to respond to Senator Etheredge because he made a point that I think needs to be clarified and that is that this is additional money over and above last year. It's my understanding, Senator, that the dollars that were spent last year were prorated over a period of about six months. So, in fact, it is not an increase in dollars that we're talking about. That is a major point and I want to make sure that that's...that's clear. But the even more telling point in the judgment of many of us on this side and on that side I do believe is that we simply cannot afford to keep future wage earners out of the market. We cannot afford the lost wages. We cannot afford the lost tax base. It's on that basis that I would ask for a favorable roll call on this bill.

PRESIDING OFFICER: (SENATOR DEHUZIO)

The question is, shall the item...the question is, shall the item on page 21, line 16 of House Bill 3090 be restored, the item reduction of the Governor on the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 26, none voting Present. The item on page...21, line 16 of House Bill 3-0-9-0 having failed to receive the required majority vote of Senators elected is declared lost. All right. Moving down the Calendar on the motions in writing to accept the specific recommendations for change is House Bill 3025. Mr. Secretary, 3-0-2-5. Oh, wait a minute, I...I beg your pardon. Leave of the Body...there was...leave was granted to add an additional motion to House Bill 3090, and it just seems to me that perhaps we ought to take that up at...at the moment, I skipped over it inadvertently. If...if leave is

granted, we can go back. All right. Leave is granted. On the Order of Restorations is House Bill 3090, Mr. Secretary.

SECRETARY:

I move that the items on page 18, line 11 and page 18, line 17 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What the Governor did was to veto a reduced amount for bilingual education. And I think we all understand how important bilingual education is particularly if you're an immigrant that comes to this country. The fact is that most of the money that the Governor vetoed was for programs in downstate Illinois; 5.1 million dollars was for bilingual programs in downstate Illinois. So, as a Chicago legislator I want you to know, I'm not speaking specifically for Chicago, I'm talking for the whole State. Right Arthur? Isn't that right? In fact, the amount from Chicago is only 2.9 million dollars, and we're talking about fourteen thousand people that are going to have to participate out of funds from the local school districts, ladies and gentlemen, and that's not fair to those local districts. You know it and I know it and the Governor knows it. The Governor ran his campaign on what he did for education in the State of Illinois; three hundred million dollars he put into the educational funds for the children of this State, he said, and he ran on that platform all across this State. And now we're confronted with the reduction of...in the amount of seven million dollars for a program that everybody knows is vital and necessary for the children in this State. It's not fair, it's not right, and we can't let this happen, because there are children, downstate and in Chicago, and they need

these programs and you can't put the monkey on the back of the local school districts. It's not fair to them. Restore this line item veto, ladies and gentlemen, it's fair and it's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I rise in opposition to this motion to override the Governor's veto. I want to call to the attention of everyone here that what this motion proposes is to add...an additional eight million dollars in expenditures to our budget, eight million dollars which is...is not going to be there. Earlier speakers on earlier motions have expressed concern about the possibility of proration. If we pass all of these override motions we're really not...we're not accomplishing anything except wrecking the budget and deluding ourselves. There's not going to be any...more money there at the end of the line just because we pass the motion. What the Governor's action did was to reduce the level of expenditures in the bilingual program to the same identical level as in Fiscal 1986. I don't think that was a...an irresponsible action at all; on the contrary, I think it was a very responsible action given the shortage of revenue that we experience at the present time. I would ask everyone to vote No on this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator D'Arco so eloquently put forth the need for the...for the...restoration of these funds. Let me just remind everyone that every time we speak of bilingual education the connotation or the conclusion that everyone comes

to is that it's only for Spanish. It is not, it is for every single foreign language within the world. In the City of Chicago you have Vietnamese and I think in downstate areas you probably have those, you have Polish, you have German, you have Irish, you have just about every...English and Italian, just about every ethnic group that you can possibly have. This program, in effect, gives those people a start. We just restored 2.7 million dollars for gifted children, how many of these people who unfortunately cannot speak English are in that category? We will probably be deleting some of those, and I stand in support of the restoration of these funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. Let's not...let's not make rhetoric part of...part of what's important. The Governor committed himself to education in the State of Illinois. He did more commercials on education that he did on anything else, bear that in mind. That was his big issue in the campaign, education reform, what I've done for education. Well, let's show him what he's done for it and vote for this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the items on page 18, line 11 and page 18, line 17 of House Bill 3090 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27, none voting Present. The items on page 18, line 11 and page 18, line 17 of House Bill 3090 failing to receive the required majority vote of Senators elected is declared lost. All right. Now,

we will move right on down to your supplemental Calendar is House Bill 3025, accepting the specific recommendations for change. Senator Philip, are you ready to proceed? All right. House Bill 3025, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 3025 in the manner and form as follows. Signed, Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3025 merely amends on page 3, line 29 by inserting, "for" prior to "such," and on page 4, line 5 by deleting "for." All it does is renumber the subsections, there's no substantive change whatsoever. I move that we accept the Governor's specific recommendations on House Bill 3025.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3025 in the manner and form just stated by Senator Philip. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3025 having received the required constitutional majority vote of Senators elected are declared accepted. All right. With leave of the...with leave of the Body...have leave to add to your Supplemental Calendar No. 1 a motion in writing to override the item veto, House Bill 2989, Senator Kustra's motion, Mr...no...take...take it out of the record. All right.

Before we leave Supplemental Calendar No. 1 there is...Senator Hall was granted earlier permission to return to his motion. House Bill 2989, it's a restoration item reduction, it's the very first item on your supplemental Calendar. House Bill 2989, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 7 of House Bill 2989 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This has bipartisan support. What happened is that Representative Barnes added monies and dollars to this appropriation bill for the item reduction of this House Bill 2989. The restoration of these dollars are for the purpose of assisting local communities who have established or intended to establish the so-called Clean and Beautiful Programs under the direction of DCCA. The funds are allocated to communities around the State on a fifty-fifty basis; that is, that they must match. This is a program which is supported by environmental groups, business and labor. Now what is the clean and beautiful? The purpose of the Clean and Beautiful Program is to reduce litter and solid waste in the cities and counties of Illinois by promoting and encouraging the establishment and maintenance of community base litter and solid waste reduction programs. Any Illinois city, town, village or county approved for funding by the Illinois Clean and Beautiful Advisory Board is eligible to apply. Local government units may apply on behalf of not-for-profit organizations. This is a wonderful program and that is why that Representative Barnes and former Representatives of...of the other side of the aisle have contacted me and ask me along

with everyone else that we should support this. This...I again say this has bipartisan support and I'd ask for your most favorable support of House bill...amendment to House Bill 2989.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Is there discussion? If not, the question is, shall the item on page 19, line 7 of House Bill 2989 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 23, none voting Present. The item on page 19, line 7 of House Bill 2989 having failed to receive the required majority vote of Senators elected is declared lost. All right. Bill Foreman of...of Ohio University has requested permission to take photos. Is leave granted? Leave is granted. On Supplemental Calendar No. 1, Senator Carroll, your fist motion or your second? First and then second. All right. Supplemental Calendar No. 1, the first motion, House Bill 2995, Mr. Secretary.

SECRETARY:

I move that the item on page 7, line 25 of House Bill 2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the item we were speaking about just slightly earlier. We have had discussion and now move to restore the seven hundred and sixty-nine thousand dollars that was reduced by the Governor in the line of homeless

shelters. It will be our intent later to add the difference that he has now agreed to as a supplemental appropriation, but that the fastest, quickest and easiest way would be to restore, as the House had done the seven hundred and sixty-nine thousand dollars for homeless shelters, the reduction veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll, we are talking about your motion on page 7, line 25.

SENATOR CARROLL:

That's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, what Senator Carroll says is correct. The administration and its agents have agreed to this and in the form that he has described.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If...if not, the question is, shall the item on page 7, line 25 of House Bill 2595 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, none voting Present. The item on page 7, line 25 of House Bill 2995 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. All right. The...now...the...the next motion in reference to House Bill 2995 is the motion that is printed on your Supplemental Calendar No. 1. All right. Mr. Secretary.

SECRETARY:

I move that the item on page 7, line 27 of House Bill

2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a million sixty-four thousand nine hundred dollars for domestic violence shelters and services. We had added this because of the...elimination of the two and a half million that had been in that fund, because of a court order this had been added. The Governor had reduced it. The Governor has now agreed to the funding level. We would move to restore the million sixty-four thousand nine hundred thousand dollars for domestic violence shelters and services, the reduction veto to the Governor...of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Sommer.

SENATOR SOMMER:

Mr. President and members, what Senator Carroll says is correct. The Governor does support this in this manner and form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the item on page 7, line 27 of House Bill 2995 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The item on page 7, line 27 of House Bill 2995 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. All right. With leave of the

Body, we'll go back to the regular Calendar, your regular Calendar, House bills 3rd reading...House bills 3rd reading. Senator Lemke, on House Bill 132, Mr. Secretary. All right. Senator Lemke...requests leave of the Body to return House Bill 132 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 132, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

The...the LRB number?

SECRETARY:

LRB 8400189RCMLAM01.

SENATOR LEMKE:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I ask for adoption of this...we want to make a motion to bring this back to 2nd? We did that already?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The bill...the bill is now...currently reposes on the Order of 2nd Reading on your amendment.

SENATOR LEMKE:

Okay. Amendment No. 1 to House Bill 132, what it does is deletes everything after the enacting clause and becomes a bill in regards to making eligibility for enterprise zone status an area including both incorporated, unincorporated area. Increases from...also goes along with the Governor's wishes to increase from four to six the number of emergency enterprise zones DCCA may certify. This conforms it with the

rest of the bills. What this bill is needed is to...to assist the State in trying to either encourage General Motors to stay in the area of Lyons Township, Willow Springs or makes the area more attractive to bringing in some new business by putting it in an enterprise zone status. This would allow the local towns of McCook and Hodgkins to seek a special application to bring that piece of property into their enterprise zone. I think it's a good amendment. I think it's...we should adopt it to save jobs in Lyons Township.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, Senator Lemke moves the adoption of Amendment No. 1 to House Bill 132. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Amendment No. 2 to House Bill 132, this amendment cleans up a technical language problem. When a local government creates an enterprise zone in their community they could accidently abate taxes used to operate the Metropolitan East Transit District and this was not the intent of the legislation which set up the Transit District in State enterprise zones. And I move for the adoption of Amendment No. 2 to House Bill 132.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Senator Vadalabene has moved the adoption of Amendment No. 2 to House Bill 132. Those in favor will indicate by saying Aye. Those opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

SECRETARY:

HB 313
3rd reading

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. House bills 3rd reading is House Bill 313, Mr. Secretary.

SECRETARY:

House Bill 313.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. As you may recall, yesterday we adopted an amendment which struck everything after the enacting clause and now became...becomes the...the actual legislation. And that amendment, which of course now is House Bill 313, provides for holding harmless units of local government taxing districts that have a negative impact as a result of Senate Bill 415 which we passed this past Session and which...which came law, which took off the ten percent cap on farmland assessment changes. And that Act also provided for a one year hold harmless provision for school districts that suffered more than a ten percent loss in their aggregate equalized assessed valuation. This particular legislation provides that same hold harmless provision for other taxing districts that suffer that...that same loss of ten percent. The impact is in the area of some forty-seven counties in the State of Illinois and various taxing districts in those counties. Senate Bill 415 which we did pass was a...something that was definitely needed for the agricultural community. It relieved the tax burden that the farmers have...have had for...quite some time, but as a result of that legislation we did create a very negative impact on the revenue sources for units of local government. The Economic and Fiscal Commission's projections on the cost of this is

1.8 million but the...course that will not be payable until '87. It's the assessed valuations...1986 assessed valuations payable in '87. I would be glad to answer any questions at this particular time.

PRESIDENT:

All right. Any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of...of this bill. You know, this last spring when we passed Senate Bill 415 which is now law it was designed to attempt to ease the farmer's property tax...burden by removing that cap for the 1986 on increases and decreases in the aggregate countywide farmland assessment. What we did was we held local governments harmless from any loss. The taxing districts in approximately forty-seven counties that were located throughout Illinois will be adversely affected by this law with some of them losing as much as forty percent of their farm tax base. This proposal recognizes that...problem and it will, in fact, provide as we did for school districts the safety net to help...which we helped school districts which were the hardest hit by reimbursing them for their losses in excess of ten percent from the resulting factor of the reduction in the farmland assessment. This will be for a one year only, 1986, and as Senator Watson has indicated, the estimated cost is around two and a half million dollars. The question is right now whether or not we will afford the local governments the same one year cushion as we did the school districts in Illinois. And I would suggest that this is a problem that we helped to create as a Legislature, and I think it's frankly up to us to soften the blow to local governments by supporting House Bill 313. And I would strongly urge my members to...of this Body to be in support of this motion.

PRESIDENT:

Further discussion? Senator Hall.

END OF REEL

REEL #3

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Watson, can you tell me how this affects St. Clair County?

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes. The Economic and Fiscal Commission...and you have to understand these are projections only, there's no way that they can really identify what districts are going to receive monies at this particular time until that assessed valuation is done at the local level. St. Clair County is not included.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, tell me why St. Clair County is not included.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, primarily, because of the...the urban area. Now you may have townships and taxing districts out in the rural area that could positively have been a...a benefit from this, but if you have an urban area and there's no farmland assessment being done in that particular area, you're naturally not going to benefit.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Well, there's certainly farmlands in St. Clair County, that's the point that I can't understand. In other words, if you don't have farmland, you're not...but when they assess in St. Clair County, the assessor, it certainly does assess farmland in St. Clair County and I...I can't understand why they're being excluded.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, they're not necessarily being excluded. St. Clair County as a whole will not benefit because of the aggregate assessed valuation has not dropped to the...the ten percent level that triggers this particular piece of legislation, but the rural areas, townships and road districts or whatever you may have in the rural area of St. Clair County could very well qualify.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, thank you. I...I just have one question and that is, you know, I think this is probably a pretty good piece of legislation, but how did the miracle happen overnight from twelve counties to forty-seven?

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

(Machine cutoff)...that I may be in conflict on this but it is my understanding I can still vote, is that correct?

PRESIDENT:

That is correct.

SENATOR JACOBS:

Thank you.

PRESIDENT:

Further discussion? Any further discussion? Senator Watson, you wish to close?

SENATOR WATSON:

Well, the answer to the question from Senator Joyce...there was more than twelve counties and the Economic and Fiscal Commission redid the research that they have been doing for quite some time in regard to this legislation last night, stayed up a long time, to provide us with up-to-date list that, of course, is vitally important to the passage of the legislation. So I...I think that this is something we certainly need to do, there's no doubt about it, because we...we sit here and...and...and pass more and more responsibilities on to units of local government and don't fund them and the farmland assessment legislation was one in which had a tremendous negative impact on the revenue sources for units of local government and this is just one way to help cushion that...that provision for...one year. This is only a one-year provision, same as what we did for the schools and I'd appreciate your support.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, we all know how things happen around here during the night and expanded to include more counties and certainly they will benefit by virtue of this positive vote on this legislation.

PRESIDENT:

The question is, shall House Bill 313 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, 1 voting

Present. House Bill 313 having received the required constitutional majority is declared passed. Senator Savickas on 1540. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would ask leave to move House Bill 1540 back to the Order of 2nd Reading for the purposes of amendment. This is the amendment that would narrowly define the quick-take area for the construction of the rapid transit line from Midway Airport down primarily along I-55. And it also has in it a sunset date for this action to be taken, and it restricts the construction in this area only for the rapid transit line within that area. So I would ask leave to move it back, adopt the amendment, have intervening business and then bring it back for 3rd reading for passage. The real estate industry, Mr. Frost, has seen the amendment, has indicated that he has removed their objection to the boundaries and to the amendment itself.

PRESIDENT:

All right. Senator Savickas seeks leave of the Body to return House Bill 1540 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? On the Order of House Bills 2nd Reading, House Bill 1540, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Just for your edification, I will read the amendment and it would just simply state that, "Any...municipality with a population of over five hundred thousand may utilize the quick-take procedures if such procedures are commenced on or before January 1st, 1990, for exercising the power of eminent domain under Section 7-103 of the Code of Civil Procedure for

the purpose of constructing or extending rapid transit lines within the area bounded by," and then it defines the narrow boundaries that basically follow the I-55 Route to Midway Airport. I would move its adoption.

PRESIDENT:

Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 1540. Discussion? Senator Keats.

SENATOR KEATS:

Could we get a...a copy just so we see those exact boundaries and stuff? I mean, there are a lot of us very concerned that we're about to open another McCormick Place, State of Illinois building white elephant. We just want to know how big an area this white elephant is going to be in.

PRESIDENT:

Senator Savickas. Senator Savickas.

SENATOR SAVICKAS:

Yes. The amendments...or the copies are on the Secretary's Desk but I would read it to you and maybe you can follow with me. "It would be an area bounded by a line beginning at the intersection of East Jackson Boulevard and South Michigan Avenue in the City of Chicago, running south on Michigan Avenue to East Pershing Road, then west on East Pershing Road and West Pershing Road to South Ashland Avenue, then south on South Ashland Avenue to West Garfield Boulevard which is 55th Street, then west on West Garfield Boulevard and West 55th Street to South Pulaski Road, then south on South Pulaski Road to West 63rd Street and west on West 63rd Street to South Central Avenue, then north on South Central Avenue to West 55th Street, then east on West 55th Street to South Cicero Avenue, then north on South Cicero Avenue to West 47th Street, then east on West 47th Street to South Kedzie Avenue, then north on South Kedzie Avenue to West Cermak Road, then east on West Cermak Road to South Halsted Street then, north on South Halsted Street to West Jackson

Boulevard, then east on West Jackson Boulevard and East Jackson Boulevard to the place of beginning." This is a...just a narrow area just jogging and...around Route 55 the way it jogs.

PRESIDENT:

Further discussion? If there's no further discussion, Senator Savickas has moved the adoption of Amendment No. 2 to House Bill 1540. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Savickas seeks leave to go back to that after intervening business. If you'll turn the page, page 4 on the Calendar. Senator Zito. On the Order of House Bills 3rd Reading is House Bill 2760. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2760.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members. This amendment to this bill was discussed at some length yesterday. It provides a new source of funding for the Domestic Violence Shelter and Service Fund. Because of the ruling by the Illinois Supreme Court of the unconstitutionality of the twenty-five dollar surcharge, we were forced to refund and this will add another million dollars to that program. I would move for and ask and urge a Yes vote.

PRESIDENT:

All right. Discussion? Discussion? Senator Kelly.

SENATOR KELLY:

Yes, Senator Zito, I'd like to ask about the earlier proposal that Senator Carroll had on the domestic violence. How does...the funds were provided under that proposal which were reestablished, how is that compared to your proposal. Was that not adequate and this is additional funds or what?

PRESIDENT:

Senator Zito.

SENATOR ZITO:

My understanding is they're different programs. The Governor originally excluded 3.1 million dollars appropriation to the Domestic Violence Shelter and Service Fund. We are trying to reinstate at least a million dollars and I don't think there is a correlation between the two programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Woodyard.

SENATOR WOODYARD:

Senator, I...I don't hardly know how to state this question, but what will happen to the funds that have been accumulated by the counties in the previous program? And it's my understanding a lot of the counties are still collecting this money, it cannot be disbursed. Is there anything within this bill that authorizes repayment or...or...not repayment, but restitution back to the people who have paid that fee, or does it...and I think I go back to maybe what Senator Kelly was alluding to, how does this impact on the original legislation that created the...the additional marriage license fee? We're repealing that portion, but I don't know that

we're doing anything about the funds that have been accumulated by the counties. Is there...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Yes, thank you for your question, Senator. I'm not so sure that we're addressing...that I can answer your question specifically on a county. All this is going to relate to is the money that is going to be...restored to the General Revenue Fund. I don't know what...what relationship that will have on existing county monies, this is the State's share of that program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Zito may close.

SENATOR ZITO:

Just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 2760 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? (Machine cutoff)...Jones, it's your pleasure. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. House Bill 2760 having received the required constitutional majority is declared passed. House Bill 2815, Mr. Secretary.

SECRETARY:

House Bill 2815.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the

Senate. This bill...after the amendment merely says that payments in...in these physical fitness contracts cannot exceed twenty-five hundred dollars for two years, and the time for financing has increased from two years to three years. That's all the bill does and I would ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall House Bill 2815 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. House Bill 2815 having received the required constitutional majority is declared passed. 2821. All right. With leave of the Body, we will return to page 3...page 3, House bills 3rd reading. Senator Lemke. The bill was amended earlier today. House Bill 132, Mr. Secretary. House bills 3rd reading, page 3.

SECRETARY:

House Bill 132.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I think the...the bill is now in the form of the amendment which we explained earlier. One...one...one amendment is to help the situation in Willow Springs in Lyons Township, the other amendment is to solve a technical problem in the East St. Louis Metro District. I...ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall House Bill 132 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. House Bill 132 having received the required constitutional majority is declared passed. Senator Savickas on 1540. House bills 3rd reading, bottom of page 3 is House Bill 1540, Mr. Secretary.

SECRETARY:

House Bill 1540.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, this is a...the CTA bill for the rapid transit down I-55. I would appreciate your support on its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

The...the amendment has dramatically tightened it up, but I'm just saying in a friendly way today, several years from now we're all going to be sitting here going, oh, my God, how did we let this white elephant get going. Anyone who has looked at those cost estimates realizes if we can build it for twice that, we will be lucky. We're just saying it now and a couple of years later when we're coming back here crying for more and more money to build it, fellas, this is how the State of Illinois Building got started, this is how that McCormick Place disaster got started, same way, and we're about to authorize another white elephant and here goes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand that this bill has that quick-take provision in order...facilitate ...this rapid transit situation. Can you tell me approximately how much land spacewise is...involved in the taking?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, I can't. I read the...I read you the legal description of the land area. This is all...I think before they tightened it up, there were six homes involved in it, now I understand there aren't any, I may be wrong. The land area is mostly vacant, it's for the purpose of just...to answer the cost of it, as usual, Senator Keats jumped the gun. This is not State money, it's from the Federal Government. The money has been allocated, Congressman Lupinski has already worked that out, the State money that were involved the Governor signed off on...before the end of the Session and the State will not be responsible for any more money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

...are you saying, Senator, then the taking of this land is necessary to...to construct this rapid transit through...Route 55? It's absolutely necessary, is that right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

That's my understanding, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

Yes, I would just seek your support for this...this needed rapid transit system that would tie in Midway Airport, one of the...one of the leading airports we have in our country, all the way down to the downtown area. I would solicit your support on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1540 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 10, 1 voting Present. House Bill 1540 having received the required constitutional majority is declared passed. (Machine cutoff)...leave of the Body, we will now go...page 7...page 7 on Secretary's Desk Nonconcurrence. Secretary's Desk Nonconcurrence, with leave of the Body. Leave is granted. Senate Bill 2123.

SECRETARY:

(Machine cutoff)...Bill 2123 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, I move to nonconcur with House Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Poshard, moves to nonconcur...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate nonconcurs and Senator Poshard asks for...all right. Senator...Senator Poshard's motion is to move to nonconcur with House Amendment 1. Those in favor of...of that motion indicate by saying Aye. Opposed Nay. The Ayes have it. The

motion is carried. The House would...would have to refuse to recede and then they would ask for the conference. Okay. All right. Page...page 8...page 8, we'll now move to Conference Committee reports. Conference Committee reports, regular Calendar, page 8 is House Bill 2642, Senator Jerome Joyce. House Bill 3058, Senator Degnan. On the Order of Conference Committee Reports is House Bill 3-0-5-8, in the middle of page 8, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill 3058.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 2 on Senate Bill 3058 does not include the thirty-five hundred dollar stipend for recorders which passed out of this Body earlier on 3058. It does now only include the one dollar increase for county recorders to charge for filing every instrument and use that money to defray the cost of converting the county recorders' document storage system. Also adds some language which we passed earlier that the certificate of sale of real property for taxes in Cook County only must be presented to the registrar of title sixty days prior to the application for deed. Also adds some portions of House Bill 562 which passed out of the House 111 to zero and got jammed up in a committee here in the Senate. Be happy to answer any questions; otherwise, I would seek your Aye vote on Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the...the Conference Committee report on Senate Bill 3058. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. I'm sorry, House Bill 3058. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the Conference...Committee report on House Bill 3058 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Lemke, for what purpose you arise?

SENATOR LEMKE:

Just for leave to add to Senate Bill 1565, to have the bill read Lemke-Jacobs as the sponsors of that...piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Any discussion? Hearing no opposition,...leave is granted. Resolutions.

SECRETARY:

Senate Resolution 1296 offered by Senators Lechowicz, Degnan, Joyce, Rock and all members, it's congratulatory.

1297 offered by Senators Mahar and DeAngelis and it is congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. On the Order of Conference Committee Reports, Senate Bill 1091, Senator Lechowicz. With leave of the Body, then we will move back to Senator Vadalabene on consideration postponed. House Bill 401. Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. House Bill 401 provides for a thirty-five hundred dollar annual stipend to be payed to the twenty-one elected county recorders which does not include Cook County for additional duties required by the Department of Revenue. We just passed here a few moments ago the treasurer's bill 54 to 1 and I would appreciate a favorable vote for the recorders.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is,

shall...shall House Bill 401 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 1, 2 voting Present. House Bill 401 having received the constitutional majority is declared passed. (Machine cutoff)...Rupp, for what purpose do you arise?

SENATOR RUPP:

...just stretching...rearranging my underwear.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Resolutions.

SECRETARY:

Senate Joint Resolution 188 offered by Senators Jones and Topinka.

(Secretary reads SJR 188)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move for the suspension of the appropriate rules for immediate consideration of this resolution. I talked to both the minority and the...and the chairman of the...the Executive Committee and they have no objection.

PRESIDENT:

All right. Senator Jones has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 188. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. All right. Senator Jones has moved the adoption of Senate Joint Resolution 188. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator DeAngelis. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1298 offered by Senator DeAngelis and Mahar.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I would ask the waiving of the appropriate rules for immediate consideration of this resolution.

PRESIDENT:

All right. Senator DeAngelis has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1298. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. On the question of the adoption of Senate Resolution 1298, Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. What this resolution does is just recently you received a report from the Board of Higher Education pursuant to a resolution I filed last spring on them studying the suitability of some type of investment instruments by parents so that they could secure an education for their children in the future. For those of you who might have read the report, you will find out that...not only was it...did it give many options but it was specifically ambiguous in its solutions. So what this resolution does is creates a task force to study the recommendations and also any other recommendations that might come in order to present to the General Assembly for its consideration in the spring a plan by which we will permit parents to make investments with the State of Illinois so as to secure a college education for their children in the future. The members of that task force will be four members of the Senate, two from each side; a member of the Board of High Ed., a representative of the State Treasurer, a representative of the Illinois Economic

and Fiscal Commission, a member of the Scholarship Commission and a Bureau of the Budget. And we ask also that they report back to us by April 1st, I will be introducing a shell bill so that we can in fact put the recommendations of that task force into legislation this spring.

PRESIDENT:

Senator DeAngelis has moved the adoption of Senate Resolution 1298. Discussion? Senator Collins.

SENATOR COLLINS:

Yes. I don't have any real problems with studying the problem, Senator DeAngelis, but I put...forth a lot of effort and a lot of work and been moving around on this Floor getting some sponsors for the bill, and I'm sure some...some people know about it, and have put together a bill to do this. Now we do have a committee process around here by which these bills can be heard and I'm sure later on some other people will probably introduce some other initiatives to do this. And I think our committee system is appropriate and adequate enough to...to screen and monitor these bills. It's not that complicated a...a process, there are plenty of...other states have already implemented these types of programs so that we have something to go by and I think we should proceed with that in that manner. You know, it's...

PRESIDENT:

Further discussion? Any further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, Senator Collins, I am not bypassing the committee process because when the bill has these recommendations then the bill will go to committee. If you have read the report...and I want to take issue, there are not too many states that has it; in fact, Michigan...did not pass both Houses and I don't see our plan being quite the same as the one Michigan has. It's...it's a subject of great

HJR 233 Amend #1

interest but, more importantly, if this is not done properly it's...it will be designed for failure, and I don't know how you can in fact put in a proper piece of legislation on this without at least getting the people who will play a significant role in it involved, and all this does is...let's take a look at it and if you've got something going, I'm sure that President Rock will consider you for this task force.

PRESIDENT:

All right. Any further discussion? If not, Senator DeAngelis moves the adoption of Senate Resolution 1298. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further motions, Mr. Secretary? I understand Senator Newhouse has a motion filed.

SECRETARY:

I move that the Senate Executive Committee be discharged from further consideration of House Joint Resolution 233 and that the resolution be placed on the Calendar on the Order of the Secretary's Desk. Signed, Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House Joint Resolution 233 creates a State task force relative to citizen involvement. The...this bill...yeah, this has been agreed on both sides...members of the Body, so that the membership has been brought up to the standard that we agreed to on both sides and I would move its adoption.

PRESIDENT:

All right. Senator Newhouse, the motion is to discharge the Committee on Executive from further consideration and you've asked that it be placed on the Calendar on the Order of Secretary's Desk...

SENATOR NEWHOUSE:

I so move.

PRESIDENT:

Okay. Senator Newhouse has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 233 and asked that it be placed on the Calendar on the Order of Secretary's Desk. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries, it's so ordered. Senator Newhouse, you wish to pursue this?

SENATOR NEWHOUSE:

I wish to offer Amendment No. 1...

PRESIDENT:

All right. Mr. Secretary, on the Order of Secretary's Desk Resolutions is House Joint Resolution 233.

SECRETARY:

Amendment No. 1 offered by Senator Newhouse.

PRESIDENT:

Senator Newhouse on Amendment No. 1.

SENATOR NEWHOUSE:

Thank you, Mr. Chairman...Mr. President. Mr. President, Amendment No. 1 is the agreed amendment which equalizes the legislative members and I move its adoption.

PRESIDENT:

All right. Senator Newhouse has moved the adoption of Amendment No. 1 to House Joint Resolution 233. All in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

All right, back on the Secretary's Desk. Senator Sangmeister, you have a similar motion, as I understand it? Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, we do...like the same motion on Senate Resolution 1278.

PRESIDENT:

All right. Senator Sangmeister has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1278 for the purpose of its immediate consideration and adoption. Any discussion on the motion to discharge? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Is this...I'm not sure what this resolution does. Is this the one that we were shown earlier, Senator?

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, I had my staff bring that over to you, it's 1278. Be happy to explain it once we get it on the Floor, Senator.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, we were asked to go along with this discnarge motion and we felt that we couldn't go along with it and so I would ask members on this side of the aisle to...to oppose the discharge motion.

PRESIDENT:

All right. Senator Sangmeister on the motion to discharge.

SENATOR SANGMEISTER:

Let's proceed on the motion.

PRESIDENT:

All right. The question is the motion to discharge the Committee on Executive from further consideration of Senate Resolution 1278. On that motion, Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, Ladies and Gentlemen of the Senate, this is a...a simple Senate resolution where...whereby we're asking the Auditor General of...of the State of Illinois to...have a financial audit of the Will County Private Industry Council in Will County. And I'm asking that you favorably vote on the motion to discharge the committee and we'll discuss the matter when we attempt to move the resolution.

PRESIDENT:

All right. Discussion on the motion to discharge? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The reason for our objection to the motion is that the motion calls for the establishment or the requirement that the Auditor General launch an investigation. It's our feeling that issues of this kind should go before the Legislative Audit Commission which is the body that's established by this Legislature to hear issues of this kind, and rather than have the debate on the Floor of the House...or the Floor of the Senate as is being suggested here, we felt that it should go through the committee process, that that's the right way to do it and we think it ought to be followed in this case.

PRESIDENT:

All right. Further discussion? Senator Sangmeister, you wish to close?

SENATOR SANGMEISTER:

Yes. Well, the Statute is very clear that this Body has the absolute right to ask the Auditor General to make this kind of an audit; and from what has happen back in Will County and the hue and cry from the media and everyone else that there be an investigation as to how these funds are being spent by this organization, I would certainly think that...on this side of the aisle that we ought to have the audit by the Audit General and let's find out exactly whether

the allegations that are being made back home in Will County regarding the Will County Private Industry Council are true or not. We ought to clear the air, to do otherwise is to make it look like a cover-up.

PRESIDENT:

All right. Senator Sangmeister has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1278 and asked that it be immediately considered. There's been objection to that. The question is, shall the Senate Committee on Executive be discharged from further consideration of Senate Resolution 1278. Those in favor of that motion will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 24 Nays, none voting Present. Senate Resolution 1278...the motion to discharge prevails. (Machine cutoff)...Sangmeister, you wish to move...now before the Body is the question of the adoption of Senate Resolution 1278. On that question, Senator Sangmeister.

SENATOR SANGMEISTER:

Well, as I indicated in the debate on whether or not to discharge the committee, I would ask for the same vote. There have been a lot of allegations back home about this Will County Private Industry Council as to whether or not they are taking State and Federal funds, expending them for the purposes pursuant to law that they should be. There's been allegations concerned about a lease that has been entered into by that body with certain individuals in the county, and I've been requested by many constituents in Will County as well as the media back there that there ought to be some investigation and I think that an...an audit by the...the Auditor General is the right way to look into that agency and if there are no problems, he can find that out and

it exonerates everybody, and if there is problems, it's high time that we find them out...I could see certainly no reason for anybody to oppose an audit to be done fairly and impartially by the Auditor General of the State of Illinois. I would move for the adoption of the resolution.

PRESIDENT:

All right. Senator Sangmeister has moved the adoption of Senate Resolution 1278. Is there any discussion? If not, those in favor will vote Aye. Opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 16 Nays, none voting Present. Senate Resolution 1278 is adopted. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 2 to a bill with the following title:

Senate Bill 1728.

I'm further directed to inform the Senate that the House requests a first Committee of Conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Weaver in lieu of Senator Etheredge.

SENATOR WEAVER:

We would move to accede to the wishes of the House and send it to a conference.

PRESIDENT:

All right. Senator Weaver has moved to accede to the request of the House to send Senate Bill 1728 to conference. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, it's so ordered. The Secretary has informed the Chair that an additional motion in writing

has been filed. With leave of the Body, we'll just add that to Supplemental No. 1. It is a motion again with respect to House Bill 3090, 3-0-9-0. On the Order of Motions in Writing, Mr. Secretary.

SECRETARY:

I move that the item on page 21, lines 28 and 29 of House Bill 3090 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. This is the issue that we debated yesterday for a short time and at the request of...of...of the Appropriation's Committee, I...I did take this out of the record thinking that...and they thought that at the time it was going to be a part of the...the supplemental appropriation bill. They chose now today not to make it a part of 1875, so, therefore, I refiled the motion and the motion deals with the vocational instruction practicum of 1.5 million dollars and I would seek your support of this motion.

PRESIDENT:

All right. Senator Maitland has moved that the item on page 21, lines 28 to 29 of House Bill 3090 pass the item veto of the Governor to the contrary notwithstanding. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Maitland, how much money are we talking about in this particular line item?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

1.5 million dollars, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Would you support a motion to restore the adult education money as well to...to House Bill 390 if...if this vocational education line item is restored?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Are you talking about the gifted or...or...

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

The adult education, we've already restored the gifted.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I...I've asked the gentleman if he would support a restoration motion on the adult education money of two hundred and eighty thousand, according to my book, versus our support for this motion of his to restore a million five hundred thousand and...are you ready to answer? Senator Maitland.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I was waving frantically to get my light to come on, it just wouldn't come on. I almost forgot the question. I would...if...if you file a motion on...on...on that item, I would be happy to consider it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, now, John, I've been around here for twelve years, you've been around...are you willing to support a motion...if

I file a motion on the adult education money, will you be voting in the affirmative and support the motion if we support this motion for...to restore the vocational instructors monies?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

I...I will support that motion if the Governor agrees to it.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, you know, we're...we're playing games...are you telling me that the Governor has agreed to this motion then, that he has agreed to the restoration of this 1.5 million? Has he agreed to the gifted? Has he agreed to anything else that was amendatorily vetoed out of House Bill...3090? Did he agree to the gifted?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Senator, very seriously, also, it's my understanding that this is the only one that he has agreed to.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, your answer is no then; if the Governor hasn't agreed to this, then you will not support a...a motion to restore the adult education money because he...he apparently has not agreed to it. Is that correct?

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDENT:

Further discussion? Any further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Thank you, Mr. President. Just appreciate the support of the motion.

PRESIDENT:

The question is, shall the item on page 21, lines 28 and 29 of House Bill 3090 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The item on page 21, lines 28 and 29 of House Bill 3090 having received the required three-fifths vote is declared passed, the item veto of the Governor to the contrary notwithstanding. (Machine cutoff)...Kustra, I understand you...also have a motion filed. Mr. Secretary to the Order of Motions in Writing.

SECRETARY:

I move that the item on page 39, line 25 through 28 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Kustra.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. The attempt I'm making to override the Governor's veto involves a one hundred thousand dollar appropriation which was vetoed by the Governor after we left last June; however, in the fall, the Governor assigned to the Lieutenant Governor some additional responsibilities including the power to chair the new Rural Affairs Council, and that council was to monitor the new Rural Community Fair Share Initiative, and also the

Governor's Task Force in the Future of Rural Illinois met around the State and incurred a number of costs. As a result of that, the Governor has agreed that the original one hundred thousand dollar appropriation which was overridden is now needed, and I ask that House Bill 2989, page 39, lines 25 to 28 be overridden.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the item on page 39, lines 25 through 28 of House Bill 2989 pass the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The item on page 39, lines 25 through 28 of House Bill 2989 having received the required three-fifths vote is declared passed the item veto of the Governor to the contrary notwithstanding. All right. While we're on the Order of Motions in Writing,...the Chair has informed...the Chair has been informed that the Secretary has received another motion. Read the motion, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 23 and page 19 line 26 of House Bill 3090 be restored the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. Been a great deal of discussion as to whether or not this motion would, in fact, be filed in reference to House Bill 3090. It is the adult education amendatory veto on lines 23 and 26 that the Governor took out. I think there is a great deal of merit for the

restoration of these dollars simply because of the fact that we as a Legislature here have created the Project Chance Program which was an initiative which was...came from the other side of the aisle and that is, as you well know, adds welfare recipients to...to...to...actually...it adds welfare...recipients to work and that's caused a great deal of referrals to these adult education programs. And the second initiative is the one of the Secretary of State...Jim Edgar's...literacy initiative which has also caused an increase in the referrals to these adult education programs. It seems to me that if we are going to restore some of the dollars in House Bill 3090, it seems to me that adult education ought to be one of those line items which frankly is in...in need and frankly can be documented that...the dollars that are to be...to be...to be restored could, in fact, help us to...to reduce eight million dollars in additional welfare grants. And it seems to me that that estimated savings to the State of Illinois is worth the effort to...to restore, and I would move...move adoption of...of this motion.

PRESIDENT:

All right. Senator Demuzio has moved to restore the items on page 19, lines 23 and 26 the item reduction of the Governor to the contrary notwithstanding. Is there any discussion? If not, the question is, shall the items on page 19, lines 23 and 26 of House Bill 3090 be restored the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 19 Nays, none voting Present. The item on page 19, lines 23 and 26 having received the required majority vote of Senators elected are declared restored, the item reduction of the Governor to the contrary notwithstanding. Resolutions, Mr.

Secretary.

SECRETARY:

Senate Resolution 1299 offered by Senator Davidson and all Senators and it's congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, we have virtually finished the business on the Calendar and we are awaiting the results of the Conference Committee, namely, Conference Committee reports on two major items; both are rather lengthy, both are subject to circulation among the conferees and then printing. I have just discussed with Senator Philip that...I am told that the one report will not even be circulated until about four o'clock, the other is in the process of being circulated and signatures being gathered and being printed at this moment. It deals with pension, it's House Bill 2630 and the other is, of course, dealing with the question of parimutuel wagering. My suggestion is that we stand in Recess until the hour of four-thirty to afford all of us an opportunity to return all those phone calls we've been getting. Yes, Senator Keats.

SENATOR KEATS:

I do not wish to sound petty, but just as a mere Senator sitting here, could we give us, the members, enough time to even have some analysis done on these bills. I...I know it's just a minor thing of a few zillion dollars here and there, but perhaps we could be given the time to have an analysis and even read the bills before we vote on it. It may be appropriate. Thank you.

PRESIDENT:

Yes. I think that...that request is certainly in order. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. A point of personal privilege.

PRESIDENT:

All right...let me just make sure everybody understands now. We...when we finish with Senator Watson's personal privilege, we will stand in Recess until four-thirty. I can say to my friends on the other side of the aisle, the Chief Executive is anxious that those matters be dealt with as quickly as possible, and so I have assured him that we will do everything reasonably and expeditiously; and so it seems that if we come back at four-thirty, we may have this to deal with and we can all sit and read and discuss. All right. Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. As you well know and the members well know, each spring we have a tennis tournament here. Southwestern Illinois Industrial Association sponsors the Legislative Tennis Tournament, and this year as we have done in the past, the Senate was quite successful in regard to capturing a couple of trophies. And my seatmate happens to be one of those individuals, Senator Cal Schuneman and his partner Ted Flickinger of the Illinois Park District came in second, I believe, or at least they were a finalist, I'm not sure what...what did you do? They were second, they were second in a Class A division. So we have a trophy here for Senator Schuneman and then we also have another participant from the Senate who did quite well and has done well in the past and that's Senator Art Berman. And Senator Berman and Jim Houlihan came in second in the championship division and Senator Berman has won this particular division on four other different occasions. This particular time he ran into a female opponent which...I don't know whether he was having trouble keeping his eye on the ball or what, but anyway, he lost the championship to...to a couple of player, one from the House and...Senate...and the lady. So, anyway, we got trophies here for them and I'd also like to make one other comment. Retiring Senator George Sangmeister played in the

first tournament and actually won the first tournament in 1974, and we hope that Senator George will continue to come back and play in our tournaments as we have them each spring. So, thank you, for giving me the opportunity to make these presentations and wish everybody well. Thank you.

PRESIDENT:

Our...our congratulations to our runners-up. All right...with that the Senate...it's now three o'clock. The Senate will stand in Recess until the hour of four-thirty. In the event the reports arrive, we will circulate them on the desks and in the offices and we'll try to accommodate everybody as best we can. Stand in Recess till four-thirty.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the Senate will come to order. We'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1300 offered by Senator Rock and all Senators, it's congratulatory.

And Senate Resolution 1301 offered by Senator Lemke and it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

The following resolutions are...Senator Topinka and they're all congratulatory.

Senate Resolution 1302.

1303.

1304.

And Senate Joint Resolution 189, all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title:

Senate Bill...553, together with House Amendment No. 1.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate the House of Representatives has...has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 1398, together with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, for what purpose do you arise? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have conferred with the Chief Executive and with the Speaker and with the Minority Leader of the Senate, the Pension Conference Committee Report is currently at the printer and because of its length and because of its bulk, it will be here, I'm told, within the hour. The horse racing legislation is yet to come out of the Reference Bureau. It is to be coming out momentarily, I'm told and have been told for the past hour. There is some concern obviously about the joint announcement of the Mayor and the Governor with respect to their agreement on the rebuilding of White Sox Park in Chicago. Apparently,...I guess what I'm trying to say is we have physically just not the capacity to do those major efforts this evening, and rather than having everybody sitting around when we all have other things to do, my suggestion is, and I have suggested the same to the Speaker, that we stand at...I will move that we stand adjourned until noon tomorrow. There will be a number of the members representing

the Senate as a delegation to pay tribute to and say our fond regrets to our friend and colleague, Walter Nega, and those individuals will then fly immediately back to Springfield so that we can conclude our business. In the meantime, let me ask those who are conferees particularly on the racing legislation to please stay available so that that report if it meets with your approval can be circulated and signed tonight so that it can be printed and available tonight for those members who wish or certainly first thing in the morning so that everybody will have, as Senator Keats so aptly pointed out, the opportunity to read and analyze. The pension report will be available tonight within the hour I am told and the details on the Chicago White Sox Stadium are not yet available, although I am told that Senator DeAngelis and Senator Netsch are pretty...conversant and they will be happy to share with you what they know thus far. I think it's in everybody's best interest because we have other meetings and other bills, but the fact is, we have nothing in front of us. The House has sent over some Messages...have we read those Messages in? We're all set. So I suggest, Mr. President, we stand adjourned until noon tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, for...for what purpose do you arise?

SENATOR SCHAFFER:

For the purpose of announcing a Republican Caucus tomorrow at 11:00 a.m. in Senator Philip's office, 11:00 a.m. Any of the secretaries that hear this, if you'd please put that on your Senator's schedules in the chance that they might not be hearing this, at 11:00 a.m.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator

Macdonald is home convalescing from a minor surgery and I would like the record to so indicate. Secondly, Senator "Babe" Woodyard's birthday today, he's thirty-nine years old again, probably forever, we'd just like to wish him a merry, merry...happy birthday and Merry Christmas and a great fortieth year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the record will indicate Senator Macdonald's illness and also the congratulatory note to Senator Woodyard on his 39th birthday. Further business to come before the Senate? If not, Senator Rock moves that the Senate stand adjourned till noon tomorrow. The Senate stands adjourned.

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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION

December 3, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Third Special Session will come to order. Reading of the Journal.

SECRETARY:

Wednesday, November the 19th, 1986, and Thursday, November the 20th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journals just read by the Secretary of the Third Special Session be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Poshard. Any corrections or objections? If not, so ordered. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journal of Tuesday, December 2nd of the Third Special Session, in the year 1986, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Poshard. Is there any...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Senator Rock. Further business to come before the Third Special Session? We...Senator Rock moves that we adjourn until tomorrow at the hour of twelve-thirty. Further business to come before the Third Special Session? If not, Senator Rock moves that we stand adjourned until twelve...December the 4th, at the hour of twelve-thirty. The Third Special Session stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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DECEMBER 03, 1986

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84TH GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 4, 1986

PRESIDENT:

The Senate will come to order. Members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Roger K. Rominger, First United Methodist Church, Springfield, Illinois. Doctor.

REVEREND ROGER K. ROMINGER:

(Prayer given by Reverend Rominger)

PRESIDENT:

Reading of the Journal, Mr. Secretary. Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President, I move that reading and approval of the Journals of Thursday, November the 20th; Tuesday, December the 2nd; Wednesday, December the 3rd, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator O'Daniel. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House, Mr. Secretary.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 2116 together with House Amendment No. 1.

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 1004.

They request a first conference and the Speaker has appointed the members on the part of the House.

A Message...a like Message on Senate Bill 1164 with House Amendment No. 1. They request a first conference and the Speaker has appointed the members on the part of the House.

And a like Message on Senate Bill...1565 on House Amendments 1, 3 and 4. They request a conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right, Senator Demuzio will move that the Senate accede to the request of the House with respect to Senate Bill 1004, 1164 and 1565. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, resolutions.

SECRETARY:

The following resolutions are all congratulatory.

Senate Resolution 1305, by Senators Topinka, Hudson and Mahar.

1306, by Senators Kelly, DeAngelis and Mahar.

1307, by Senator Hudson.

1308 and 1309, by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right, WAND...TV has requested permission to...to videotape the proceedings. Is leave granted? Leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I would like to ask leave to suspend the rules to consider Senate Joint Resolution No. 187 which is a congratulatory resolution for a forty-fifth wedding anniversary, and it applies to...Senator Davidson is my cosponsor on that one. 187. It's a Senate joint resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, it is on the Consent Calendar and what you're seeking leave to do is to...is to move it now so that the House can consider it before it adjourns?

SENATOR GEO-KARIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR GEO-KARIS:

May I so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR GEO-KARIS:

...permission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis has moved for the suspension of the rules and immediate consideration of Senate Joint Resolution 187 which is congratulatory. It currently reposes on the Consent Calendar. Is leave granted? Leave is granted. Senator Geo-Karis now moves the adoption of Senate Joint Resolution 187. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 187 is adopted. (Machine cutoff)...have the attention of the Body, Senator Davidson and I have some guests here today and I will ask Senator Davidson to do the honors.

SENATOR DAVIDSON:

Ladies and Gentlemen of the Senate, it's my pleasure to present to you the Sangamon State University Prairie Stars who are the National Champions of Soccer for the NAIA, that's the National Athletic Intercollegiate Association. These gentlemen pulled one of the upsets of the sports world, have lost the very first game, went on to come back to win the National Championship, in fact beat a college from Canada, so we brought this back home to Springfield. Coach Gonulsen, it is my pleasure to present to you Senate Resolution 1299 spon-

sored by myself, Senator Demuzio, Senator Rock and all the other Senators congratulating you and your team for such an outstanding job and it's all yours.

COACH AYDIN GONULSEN:

(Remarks made by Coach Gonulsen)

SENATOR DAVIDSON:

Also, they're accompanied by the academic dean...vice-president...academic vice-president or whatever...Sangamon State University, Homer Butler. Homer. Might also...I forgot...which one it was, but he can hold up his hand...I...by the resolution. The most valuable player of the entire tournament was...Bill Bicher from the Prairie Stars. Bill, where are you? This is time that Illinois stole one from somebody else. This young man is from St. Louis and he knew we had the outstanding soccer program in the nation and is attending Sangamon State...gentlemen, thank you, one and all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, state your point.

SENATOR POSHARD:

Mr. President and Ladies and Gentlemen of the Senate, it gives me great pleasure in recognizing at this moment the forty-ninth birthday of my seatmate and colleague, Senator William O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Gee, if I'd known that I wouldn't have bought lunch. Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you, Mr. President. I would ask leave of the Body to have Senator Jones as a joint sponsor on House Bill 2630.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request of Senator D'Arco to add Senator Jones as a cosponsor of House Bill 2630. Is leave granted? Leave is granted. It's so ordered. (Machine cutoff)...with leave of the Body, we will go to the Order of the Regular Calendar. On the regular Calendar, Conference Committee reports. Senator Lemke, on...middle of page 7, Conference Committees reports is House Bill...1103? All right. If everyone is following us now, we are on the regular Calendar, page 7, Conference Committee reports is House Bill 1103, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill 1103.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft or Lemke? Senator Lemke.

SENATOR LEMKE:

I...I'm the sponsor of the bill. I'll...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

...I move to adopt Conference Committee No. 1, I believe. Senator Luft will explain what it does.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. This is Conference Committee Report No. 2 on House Bill 1103. I have discussed this with both Senator Rupp and Senator Shoeman...Schuneman, sorry. The House has passed it a hundred and some to nothing. What we simply do is allow the staggered election of directors of domestic stock insurance companies. Other insurance companies, I understand, in the State of Illinois allow the election of directors at staggered elections. Life insurance companies feel like if there is an unfriendly takeover of an

out-of-state company, it would be much more difficult for that takeover to succeed...having to elect all the directors at once. This simply allows them if they so choose to elect their directors at a staggered election rate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Further discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on House Bill 1103. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on House Bill 1103 and the bill having received the required constitutional majority is declared passed. If you'll turn your page to page 8...page 8 on Conference Committee reports Is House Bill 2642. Page 8, Conference Committee report is House Bill 2642, Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on House Bill 2642.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce. Senator Welch, could we break up the conferences? Senator Joyce.

SENATOR JEROME JOYCE:

Give me a little respect. Yes, Mr. President, I would ask that the Conference Committee report not be adopted and a second Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, for the...all right, for the edification of the members, Senator Joyce wishes to request a second Conference Committee. In order to do that, it will take a roll call vote and, therefore, Senator Joyce, I suspect that you don't want too many votes. Is that correct?

SENATOR JEROME JOYCE:

That's right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there...is there discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 2642. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 10, none voting Present. The Senate does not adopt the second Conference Committee report...the Senate does not adopt the first Conference Committee report on House Bill 2642 and the Secretary shall so inform the House. Second...first Conference Committee report is not adopted. Senator Vadalabene. Senator Vadalabene. Oh, your light was on. It is...turned off...Senator Luft on the Floor?...Senator Hall, you have a motion filed with respect to House Bill 2989. Are you ready to proceed with that motion? If you are, we'll go to that order of business.

SENATOR HALL:

Well, I...I...just give me a few minutes and we'll come right back to it. Okay?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pages are in the process of passing out Supplemental Calendar No. 1. Give them a little time to do that, why don't we just stand at ease for a moment. The Chair would like to recognize the family of our birthday boy who is on the Floor today, Senator O'Daniel's family is with him. Welcome to Springfield and wishing a...wishing Bill his happy nineteenth birthday. All right, with leave of the Body, we'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution...Senate Joint Resolution 189 resides

on the Consent Calendar and Senator Topinka would like to suspend the rules on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Topinka...Senator Topinka.

SENATOR TOPINKA:

Yes, if I...might have leave to suspend the rules of the Senate so that we could get this over to the House since the organization is having an...an event this weekend. That's Senate Joint Resolution 189, it is congratulatory for the Hawthorne Businessmen's Association.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On your Consent Calendar reposes Senate Joint Resolution 189. It is congratulatory in nature. Senator Topinka seeks leave of the Body to suspend the rules for the immediate consideration and adoption of...Senate Joint Resolution 189. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Topinka now moves the adoption of Senate Joint Resolution 189. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 189 is adopted. All right, on the Order of Resolutions.

SECRETARY:

Senate Resolution 1310 offered by Senator DeAngelis and Mahar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis, I am...believe you want to take this up momentarily. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. I would like permission of the Body to waive the appropriate rule for immediate consideration of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator DeAngelis, you might...you want to

mention what the resolution does? It might...it might help us to expedite it.

SENATOR DeANGELIS:

Yes, thank you, Mr. President. Yesterday, I introduced a resolution that created a task force to study the possibility of creating a...some type of body to accept suitable investments for people to finance their children's education. Because of the intense interest in this, this resolution...or this new resolution adds to that several more members of the Senate. It also includes the minority and chairman of the Higher Ed. Committee and also, because we're going to recognize private institutions in this program, allows a representative from the Federation of...Independent Colleges and Universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the request. Senator DeAngelis has moved for...to suspend the rules for the immediate consideration and adoption of Senate Resolution 1310. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator DeAngelis now moves the adoption of Senate Resolution 1310. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1310 is adopted. UPI has requested permission to take still pictures. Is leave granted? Leave is granted. We are still on the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1311 offered by Senators Vadalabene, Rock, Philip and all Senators. It's congratulatory.

1312, congratulatory, by the same sponsors.

1313, congratulatory, by the same sponsors.

1314, congratulatory, by the same sponsors.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right, Consent Calendar. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, those...those last four resolutions...maybe at the proper time some comment should be made in...in regard to what the congratulatory resolutions amount to and maybe when we adopt them...we'll do it then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...it has been pointed out that the last four congratulatory resolutions deal with a subject that Senators Vadalabene and...I think the Chamber wishes to take up at this time, so Senator Vadalabene moves to suspend the rules for the immediate consideration and adoption of Senate Resolutions 1311, 1312, 1313 and 1314 and that they be adopted today. Senator Vadalabene is...could...could we have some order? Could we have some order? We are in the process of taking up four congratulatory resolutions collectively, 1311 through 1314, that have been introduced by Senator Vadalabene and most all members and Senator Vadalabene is recognized on all four resolutions.

SENATOR VADALABENE:

Yes, these resolutions also include President Rock and...and also Senator Pate Philip and all the members in the Senate and it's in regard to the departure of four of our Democratic Senators on this side of the aisle, Senator Sangmeister, Senator Nedza, Senator Dawson and...and Senator Lemke. I guess more than anything else, it's...it's always emotional when we lose our colleagues here...on both sides of the aisle, but I think that they should be recognized and we ought to give them some kind of recognition because even though they're not going to be around on the Senate Floor, I know from time to time they will be here. I would like for all of us to give these four members a standing round of applause for the service they have done for the State of

Illinois and for their districts at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene has moved the...to suspend the rules for the immediate consideration and adoption of Senate Resolutions 1311, 1312, 1313 and 1314. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Now that that has been resolved and over with, I would like to make a comment that I am the captain of this row, and I have left...and there's only four of us here and three of them are gone, and I'm wondering if you captains want to take that responsibility or not...in your rows be careful. I survived and...and all these guys are leaving, I'm a captain without any sailors...but I wanted to make that comment, and I wish them luck.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, on the...on the suspension of...of the rules for 1311 through 1314, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Vadalabene now moves the adoption of Senate Resolutions 1311, 1312, 1313 and 1314. Is there discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Those four resolutions are adopted. Senator Hall, for what purpose do you arise?

SENATOR HALL:

I'm ready.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body,...with leave of the Body, on your regular Calendar, we will move to the Order of business of Item Vetoes. Senator Hall has filed a...filed a motion with respect to House Bill 2989. On page 9, item vetoes, House Bill 2989. Senator Hall's motion, Mr. Secretary.

SECRETARY:

I move that the item on page 19, line 7 of House Bill 2989 Do Pass, the item veto of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to make it explicitly clear that this is a...a bill that is called the Clean and Beautiful Program, and that many people did not understand at the time that Representative Barnes had added monies back in to try to help cities carry on the programs that they've been able to do. This is a fifty/fifty match and what they actually do is the purpose of the Clean and Beautiful Program is to reduce litter and solid waste in the cities and counties of Illinois by promoting and encouraging the establishment and maintenance of community based litter and solid waste reduction programs. Any Illinois city, town, village or county approved for funding by the Illinois Clean and Beautiful Advisory Board is...is eligible to apply. Local government units may apply on behalf of not-for-profit organizations. Grants are available up to fifty percent of the cost of certified community based litter and solid waste reduction. Now, this is a really a worthwhile program, and when it was called before many did not fully understand and I would be willing to answer any questions; if not, I would ask for a favorable support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Senator Kelly, on this bill? All right, Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to the motion. This is an item

which has been vetoed by the Governor. To vote Yes is to...helps exceed the budget projections. I would...I would urge a No vote. It seems to me that we voted on this once. I'm not quite sure why we're doing it again, but I would ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? WLS-TV has sought leave to record. Is leave granted? Leave is granted. Further discussion? If not, Senator Hall may close.

SENATOR HALL:

Just ask for your most favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the item on page 19, line 7 of House Bill 2989 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 18, none voting Present. The item on page 19, line 7 of House Bill 2989 having failed to receive the required...having failed to...receive the required three-fifths vote is declared lost. All right,...Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, since we are on the Order of Motions, I had a motion in writing filed. I would like to have the Secretary of the Senate read that motion, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Kelly, we're on motions in writing with respect to the Calendar. We'll get right back to you.

SENATOR KELLY:

Right back to me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, what...for what purpose do you arise?

SENATOR SCHAFFER:

I...I almost reluctantly do this, but I'd like you to clarify your last ruling on that last roll call. Did that fail or pass?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It failed.

SENATOR SCHAFFER:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer, it was a override of a item veto which requires a three-fifths vote of the members...Philip Greer of the Chicago Tribune has also sought leave to photograph. Is leave granted? Leave is granted. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Idle curiosity. I...I...I have my answer now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to apologize the...the...to the Body here. We had the wrong motion up there. This is an item reduction. It's not a veto and it should be a...a line item reduction, and so I'd ask leave of this Body to go back to that and...so that the right motion can be filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Hall, we've already disposed with that motion, but that does not preclude you from filing an additional motion. Senator Hall has filed a...a different motion with respect to House Bill 2989, and with leave of the Body, we will go to that order of business. Is leave granted? Leave is granted. On the Order of Motions in Writing with respect to House Bill 2989, a restoration, Mr. Secretary.

SECRETARY:

SB 553 concurrence

I move that the item on page 19, line 7 of House Bill 2989 be restored, the item reduction of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, and I'll be very brief. I think that everyone understands that now and so I'd like to ask for that same vote again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Discussion? If not, the question is, shall the item...the item on page 19, line 7 of House Bill 2989 be restored, the item reduction of the Governor to the contrary...notwithstanding. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 19, none voting Present. The item on page 19, line 7 of House Bill 2989 having received the required majority vote of Senators elected is declared restored, the item reduction of the Governor to the contrary notwithstanding. The Senate will stand at ease for a moment. If the Senate will come to order, with the...leave of the Body, we will now go to the Order of Secretary's Desk Concurrence, top of page 7...the top of page 7 on your regular Calendar, Secretary's Desk concurrence is Senate Bill 553, Mr. Secretary.

SECRETARY:

Senate Bill 553 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 553 as amended in the House now incorporates an

agreement which requires licensing and fingerprinting of burglar alarm contractors and installers. It is an amendment to the Private Security Act and the agreement was reached by the Governor's Office, the Department of Registration and Education, the electrical contractors, the electricians and the AFL-CIO. It also exempts contractors and...and installers of fire alarm systems since they are already subject to local governmental regulation. This amendment is a result of a long series of negotiations and I would move to concur with Senate Bill 553.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Yeah, Senator Vadalabene, the removal of the alarm contractors from State regulation without the benefit of a hearing...and...and you indicated that there had been a...an agreement, but this very strong language here to exempt them from any regulation whatsoever by the State when they are currently regulated and they are being taken out of the Act, don't you think that this is a little strong? That we should...this committee or this Body should have an opportunity to deal with this before we try to put something of this nature into a Conference Committee report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

They have been regulated by the State for the past two years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, but the net effect of this...concurrence report indicate that what you are doing is taking them...away from State regulations. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah, as I stated, this only removes the fire alarm contractors. The burglar alarm contractors...as a matter of fact, this bill makes it more stringent and more stronger.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Are the fire alarm contractors in favor of this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I really don't know, but I...what I can tell you is that the agreement was reached through R and E, through the Governor's Office, through the AFL-CIO, the electricians and the electrical contractors, so there was an agreement reached and this is the final results of that agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, I recalled this piece of legislation in committee, and to my knowledge there have been no agreement between the alarm contractors from exempting them from State regulation, and I would hope that you would not proceed in this direction because the bill goes even further than that. There are other provisions and other changes in here which is designed to benefit just one or two individuals as...as you relate to the security business and...Senator Sam, I...I wish you would take this out of the record 'cause this is a very major

change, and for us to be dealing with it on concurrence without...without having the opportunity to really look at what we have in front of us, I think you'll be doing this Body and the State an injustice if you...proceed in that direction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, there are two additional speakers. Senator...further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this concurrence. This will apply...will apply to the people who install burglar...alarm. All this does is remove the words "fire alarms" 'cause they're already regulated and have been regulated under the Fire Marshal's Office and Department of Public Health for standards for a long time. I can't speak for all the fire alarm industry, but the people who represent fire alarm installers in this area called me earlier today to say they are in agreement with this and they were the ones who helped negotiate this package put together, because the fact they're already regulated under the fire marshal and Office of Public Health of standards they have to meet for safety, this was an unnecessary item that was laid on them and they felt they should not have to participate in two places. It was creating a hardship and added expense to the people who were having the fire alarms installed. Burglar alarm installers are still covered; in fact, this bill strengthens the definition of fire...burglar alarm installers and it should be a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, my understanding about this conference report is that it would exclude electrical contractors and electricians from the necessity of registering, and I would like to ask Senator Sam

to take it out of the record so I can look at the conference report, 'cause if that was the purpose, I'll be happy to support the conference report; otherwise, I cannot support it. I wonder if you could take it out of the record for a couple of minutes so we can look at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No, that's not correct, it affects every electrical worker who installs fire alarms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator...Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. I'd like to get this straight. You named...Senator Vadalabene, you named all the groups and organizations that had...signed off on this Conference Committee. Did you mention the burglar alarm and security alarm people?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Who I mentioned was the Governor's Office, the Department of Registration and Regulation, the electrical contractors, the electricians and ALF-CIO.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Chair...the Chair would like to point out that we are on the Order of Concurrence concurring with House Amendment No. 1. All right, Senator Karpiel.

SENATOR KARPIEL:

Well, I remember when this bill originally came up and some of the people that install burglar alarms and security alarms that are in that business and who are regulated were concerned at the time that electricians are allowed or should be...that they should be allowed to install burglar alarms

and security alarms, et cetera. They felt that if they had to be regulated, so did everybody. What does this amendment do to that? Does it allow electrical workers to install these alarms without being regulated?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, it...it...it provides that all electrical workers who install fire alarms be removed from regulation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

But you're talking about fire alarms. Are you also talking about burglar alarms? Now, Senator Davidson says that the fire...that they're all regulated by the Fire Marshal's Office to install fire alarms, but I'm talking about burglar alarms and security devices in people's homes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you. They will...remain regulated and this bill even makes it more stronger that they are regulated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

That who will be regulated? The electrical workers? If you're an electrician and you have an...you have a company...electrical company and you put in electrical whatever for anybody, and someone calls you up and says they want you to install their burglar alarm or a security device and you are not registered or regulated as a security or burglar alarm operator but as an electrical worker and electrician only, can you do that without being registered...can you do that with this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No, they cannot. They have to be regulated before they can install burglar alarms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Savickas.

SENATOR SAVICKAS:

I hope I can clear up some of the misconception of the bill. The purpose of the bill basically had to do when...in new construction especially in urban areas and high-rise type areas where you are installing the fire and burglar alarms and telephone systems simultaneously as you're constructing the building and you have these electricians that are hired from the hall by an electrical contractor to go in and install the electrical work. We're talking anywhere from two to two hundred electricians. Now to work on these systems...previously it would require that each one of these men...each one of these electrical workers that are hired out of the union go in, get fingerprinted, get licensed to install these systems. What they are doing with this bill and their intent is that the contractor himself would be licensed. He can hire the electricians to do the work and wire these apparatuses and that...that is the purpose of this. Obviously, the...the fire alarm people wanted to be on their own. The other...or the burglar alarm people wanted to be on their own. The rest of the people agreed to this...commitment and...and that's where it is. In any of these instances, obviously, you don't make everybody happy, it's a give and take situation, but to...to try and answer one of the most serious problems in our major urban areas on major construction is how do you get two, three hundred electricians licensed and registered to install these things while they're working on a building?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? I have Senators Schuneman and Etheredge for the first time and I will come back to you, Senator Jones. Senator...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I think it ought to be pointed out on this bill that the original bill passed in 1983 was a rather controversial matter, and the other thing we ought to remember is that most license legislation that we pass here is passed to keep somebody else out of the business. It's passed for the benefit of the people who want to be licensed. So, I don't think we ought to get the idea that we're doing something to damage consumers here in this bill. All we're doing is simply allowing more people to be in the business of installing fire alarm systems, and there's no evidence to show that we should not do that. I think this...this matter should be approved. I support Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. There have been some questions raised by prior speakers as to who supports this legislation and...and who does not. I think I can perhaps help to clarify the picture. It...it turns out that one of my constituents is the...the national president of the Association of...of Fire and Burglar Alarm people and he...he gave me a call to assure me that their association opposes the change and that I should vote...vote against this particular piece of legislation. I think that you...perhaps that does clarify just a little bit and then people can still make the choice they need to make.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Oh, Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'm sorry, Senator Vadalabene, Senator Jones had his light on to speak for a second time. I acknowledged that earlier. Senator Jones, for a second time.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. Let me just clarify a couple of remarks that were made on the Floor as it related to this here concurrence report. When we passed this legislation two years ago, we included the fire alarm contractors in there far as State regulation is concerned. The...what this amendment...what this amendment does is to remove them from State regulation thereby causing each local unit of government to decide what the licensure should be for fire alarm contractors. After we passed the 1970 Constitution, if you recall, we left those powers with the State. The purpose of this...amendment is a...an amendment that is self-serving to one group and one group only and that is the Local 134, the electrical union, who want to control...control as to what and who do work in the local units of government, especially in the City of Chicago and...and across this State. It has nothing to with individuals. It deals with fire alarm contractors whether or not we're going to have uniformity across the State of Illinois. If you want each local unit of government to...to decide what the licensure requirement shall be, then you'll vote for the bill; but if you want it to be uniform across the State of Illinois, then you should reject this Conference Committee report because it is not for individuals, it is just self-serving for the Electrical 134 Union in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? There being none, Senator Vadalabene may now close.

SENATOR VADALABENE:

Yes, I want Senator Jones to know that this is not a Conference Committee report, we're on concurrence and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 553. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 4, 1 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 553 and the bill having received the required constitutional majority is declared passed. All right, Secretary's Desk concurrence, we'll drop down to 1398. Senate Bill 1398, on page 7, Secretary's Desk concurrence. Senate Bill 1398, Mr. Secretary.

SECRETARY:

Senate Bill 1398 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Senate Bill 1398 is the Legislative Reference Bureau revisory bill. House Amendment No. 1 is...was put on the...prepared by the Reference Bureau. It combines into a single version thirty-eight sections that were amended two or more times in 1986. It also renumbers thirty-seven sections added in 1986 to achieve numerical order when in specific Acts. It corrects obsolete cross-references and makes technical corrections of various Acts. House Amendment No. 2 amends the bill as amended to add several sections to correct spelling and punctuation...errors and to make other technical corrections. This is the annual...second annual bill of the Reference Bureau and the amendments have been issued and the staff has gone over them. They make no substantive

changes...strictly technical. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there discussion? Discussion? If not, the question is, shall the...shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1398. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1398 and the bill having received the required constitutional majority is declared passed. WCIA-TV, Channel 3, has sought leave to videotape. Is leave granted? Leave is granted. Message from the House.

SECRETARY:

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 1442 together with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will come to order. Resolutions.

SECRETARY:

Senate Resolution 1315 offered by Senator Topinka. It's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1316 offered by Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive.

SECRETARY:

That was Jerome Joyce, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Jerome Joyce. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Mr. President, I'd like to...the record to show that Senator Virginia Macdonald is convalescing at home from surgery and is unable to be here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the record will so indicate. Ladies and Gentlemen of the Senate, it is...it is my understanding that we will be momentarily adjourning until nine o'clock tomorrow morning. Nine o'clock tomorrow morning. Further business to come before the Senate? Senator Carroll moves that the Senate stand adjourned...Senator Carroll moves that the Senate stand adjourned till nine o'clock tomorrow morning. Senate stands adjourned. The Regular Session stands adjourned until nine o'clock tomorrow morning. For those of you that are interested, we have a Third Special Session coming up.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION SESSION

DECEMBER 4, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Third Special Session will come to order. Reading of the Journals. Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that reading and approval of the Journals of Tuesday, December 2nd and Wednesday, December 3rd, of the Third Special Session, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion as posed by Senator Poshard. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. Further business to come before the Third Special Session? Senator Carroll moves that the Third Special Session stand adjourned until tomorrow morning at the hour of nine-thirty. Third Special Session stands adjourned until tomorrow morning at the hour of nine-thirty.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
SENATE
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DECEMBER 04, 1986

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84TH GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 5, 1986

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of...nine o'clock having arrived, the Senate will come to order. Our guests in the gallery will please rise. Members will be at their desks. All unauthorized personnel will please vacate. Prayer this morning is by the Reverend Anthony Tzortzis, St. Anthony's Orthodox Church in Springfield. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Reading of the Journal.

SECRETARY:

Thursday, November the 20th, 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion by Senator Kelly. Are there any corrections or...discussion? If not, so ordered. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that reading and approval of the Journals of Tuesday, December 2nd; Wednesday, December 3rd and Thursday, December 4th, in the year 1986, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion of Senator Kelly. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carried and it's so ordered. All right. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and...and members of the Senate. There will be a Democratic Caucus immediately in President Rock's Office, a Democratic Caucus immediately in President Rock's Office. Senator Rupp.

SENATOR RUPP:

Yes, thank you, Mr. President. A Republican Caucus immediately, Senator Philip's Office. No, immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Democratic Caucus in Senator Rock's Office, Republican Caucus in...in Pate Philip's Office...immediately...immediately. So, the Senate will just stand...in Recess at the call of the Chair.

RECESS

AFTER RECESS

PRESIDENT:

The hour of one having arrived, the Senate will reconvene and come to order. Mr. Secretary, Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolutions, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 247 and 248, both congratulatory.

PRESIDENT:

Consent Calendar. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1317 offered by Senators Jones, Collins, Smith, Hall, Newhouse and Alexander. And it is congratulatory.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, WHOI-TV in Peoria,...WAND-TV, Channel 5 and Channel 7, have requested permission to videotape the proceedings. UPI would like to take photographs as would the Chicago Tribune. Without objection,...and Channel 2, how could I forget you? Sorry, Mike. Without objection, leave is granted. All right. Ladies and Gentlemen of the Senate, it's one o'clock on Friday afternoon, my suggestion is we move right through the Calendar. If you'll follow along and pull out your Calendar, we'll start on page 4. On the regular Calendar, on page 4, on the Order of House Bills 3rd Reading there is an appropriation bill which will be the bill for the executive's supplemental. Then we'll move to page 6. Senator Newhouse has requested early action on a joint resolution which has to go back to the House for concurrence. Then we'll move to the Secretary's Desk concurrence on top of page 7, and then the bottom of page 7 we will begin with Conference Committee reports in the order in which they appear. All right. Top of page 4 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 3101. Senator Carroll seeks leave of the Body to return that bill to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 3101, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 2 would be our suggestion for the supplemental appropriation of the November, December Session. What we have attempted to do of the several hundreds of millions of dollars of requests that came before the appro-

priations process, House and Senate, we asked a question of what had to be done before we are back January 13th that cannot be dealt with at that time, what are true crises and emergencies where it would be counterproductive to government to not do them at this time. We limited, therefore, the supplemental request of those and those only. I believe everybody has a list, they are such things as the corrective monies necessary for the Department of Mental Health and Developmental Disabilities to...keep Ludeman, Howe and Elgin open, to keep ISPI open and to fund the providers as agreed to in the various discussions that were had on how to make Mental Health an effective agency. They are the difference in what the Governor requested and what we had overridden on the homeless shelter, the necessary audit and transition funds for the incoming State Treasurer, some Federal dollars that we would loose if we don't capture them this month for Department of Employment Security, some flood relief funding that ESDA needs in its account where it is deficit at this point, repaying the postage for the Constitutional Amendment, some capital projects that if not started now will not start or be ready on time, et cetera. We have also allocated the stripper well money in the manner that it had been agreed to on the second floor so that the schools will, in fact, be able to get the monies for the purposes intended. If there are any further questions, I would be willing to answer. I'd move adoption of Amendment No. 2.

PRESIDENT:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 3101. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, the amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

HJR 233
Sec's Desk-Resolutions

PRESIDENT:

3rd reading. Senator Carroll, you wish leave to get back to that bill a little...thank you. All right. If you'll turn to page 6 on the Order of Secretary's Desk Resolutions. Senator Newhouse has requested early action on House Joint Resolution 233 as amended in the Senate. The bottom of page 6 on the Calendar, House Joint Resolution 233. (Machine cut-off)...bottom of page 6 on the Order of Secretary's Desk Resolutions, with leave of the Body, House Joint Resolution 233, Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. House joint resolution creates a task force for Senate involvement in urban education. This has been up once before. All the bugs have been worked out, I understand everybody is on board, and I'd appreciate a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Would the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Newhouse, we agreed to the discharge a committee on this resolution and you've been working with Senator Maitland, who doesn't happen to be here at the present time, but my only question is whether or not he's on board on this issue now.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

The...Rick...Capriola worked with us on this, I understand from him that it's okay.

PRESIDENT:

Any further discussion? If not, the question is the adoption of House Joint Resolution 233. Those voting Aye...those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Poshard, will you get Senator Berman on this roll call? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Joint Resolution 233 having received the required constitutional majority is declared adopted. Top of page 7. On the Order of Secretary's Desk Concurrence is Senate Bill 1442. Senator Sangmeister...or Mr. Secretary, I beg your pardon.

SECRETARY:

Senate Bill 1442 with House Amendment No. 1.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, thank you, Mr. President and members of the Senate. As you can see from the Calendar, this is on our...Calendar as a concurrence. The House has taken a bill and...and stripped it over there and put into it a solution to a problem that seems to have arisen whereby we have a Liquor Appeal Board that's composed of one member of the city and two members of the State and there's confusion as to who's going to pay for those members when they're called into a...a hearing. And it's been now determined that the State will pay those people at the amounts that are listed in the...amendment, which I do not have in front of me right now, but, anyway, it's to resolve a problem over there. I'll try to answer any questions; if not...would request concurrence in the...Senate bill amended by the House in Senate Bill 1442.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1442. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1442 and the bill having received the required constitutional majority is declared passed. I beg you pardon, 53 to nothing. On the Order of Secretary's Desk Concurrence, Senate Bill 2116, Senator Weaver. Mr. Secretary, please.

SECRETARY:

Senate Bill 2116 with House Amendment No. 1.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is also an amendment that becomes the bill. It is from the Commissioner of Banks Office that would provide that after a change of ownership of a State bank occurring after January 1st, 1985, and upon certain findings by the commissioner the holding company which acquired the State bank may merge such bank with its bank and this bank then becomes a facility. But prior to this merger occurring, the commissioner must find that...circumstances exist and should...that would require that expeditious treatment by the Federal Reserve System, that the purpose of the merger is necessary for the protection of the depositors or the creditors and that the bank's capital is impaired and that business is being conducted in an unsafe or unsound manner and the bank is...unable to continue operation. So, it's kind of an emergency measure that the commissioner feels he needs. And if there are any questions, I'll try to answer them.

PRESIDENT:

Any discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I wondered if Senator Weaver could disclose which banks we're talking about or a bank.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Well, this basically has to do with an Evergreen Park facility that has been acquired.

PRESIDENT:

Further discussion? Is there any further discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 2116. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 2 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 2116 and the bill having received the required constitutional majority is declared passed. Senator Weaver, are you ready on the bottom of page 7? On the Order of Conference Committee Reports. Bottom of page 7, there's a Conference Committee report on House Bill 2486. Mr. Secretary.

SECRETARY:

I have the second...second corrected Conference Committee report on House Bill 2486.

PRESIDENT:

Is...it is the first corrected report.

SECRETARY:

It is...it is the first report, the second corrected copy.

PRESIDENT:

Correct. All right...Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I think all of us know what we're dealing with in this Conference Committee report. It represents some reform in the Horse Racing Act, it represents some relief, it also expands intertrack wagering to two locations per track. The funding mechanisms, I think, have been gone over by each caucus. Maybe in order to save time, I'll try to answer any questions anyone has but it's been thoroughly discussed. We've been working on this for probably two years. We've tried to meet everyone's concerns and I think in a great part we have. So if there are any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. For I think the fifth time in two years, Senator Weaver and I stand before you asking your support of a measure to help the racing industry in Illinois and at the same time cause to happen a substantial reinvestment in our State. This is, in fact, economic development as will be the subsequent Conference Committee report, economic development. No one underestimates the importance of the rebuilding of that facility to the industry at large. We have insisted that the industry at large be treated fairly and equitably. I think after many months and hours of negotiation the Conference Committee as represented on House Bill 2486 accomplishes our purpose. There is no impact this fiscal year but, ultimately, it will benefit not only the industry but the citizens of Illinois in terms of the return that we expect to realize. I would urge an Aye vote for the first Conference Committee report on House Bill 2486.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I concur with the statements made both by Senator Weaver and Senator Rock because the most important thing to consider is jobs for Illinois. I've had querries almost daily from legislators and others from the State of Wisconsin wondering what we are going to do because they are contemplating doing something to attract a track of Illinois to Wisconsin. So I certainly support this bill and as far as track wagering goes, I think we should we should legalize off-track betting and I...I think it's...it will provide for more funds to Illinois for the various purposes we need. I support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't like to throw any damp water, I'm sure this is going to pass anyway, but I think somebody has to say it and that is we all want jobs for the State of Illinois and I recognize too that the racing industry is very important, but I feel rather badly that we weren't able to come up with a better solution than have to go to off-track betting parlors at this time. There is no question, and I think you all know it, that eventually the State of Illinois one way or another is going to have to pay for the social consequences of opening up those kind of parlors, and I think we ought to think very carefully what we're doing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President, members of the Senate. Just briefly, I rise in support of this very important bill for the economy of the State of Illinois and for my area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I...I too, rise in support of this measure. However, I think it should be noted that we're failing to achieve with this measure the true economic development potential that this project might have had for this State. It is important that we pass this bill because I think it's the only game in town and because it will do what is necessary to assure the future health and vitality of the horse racing industry in this State, but if we really wanted to be serious about economic development, we would not only be assuring the redevelopment in...in some fashion that brings prosperity to Arlington Heights but we would be doing for the racing industry that which is necessary to bring this track to the area that it had been promised it in northern Lake County. And...and I say that not only selfishly because I represent an area near where the track would be located, I say it also because it would certainly be the finest track of its kind and...and also because it would bring jobs to a part of the State that desperately needs them. So, I think as we pass this measure today, as indeed we should, it should not be forgotten that we are...we are leaving out a part of the State that had been promised something that is today, at least, not being received and that we are not reaching and attaining our...our full potential in promoting the economic development of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It's...it's a sad situation where...a lady who brought this matter to our attention quite vividly is unable to speak...in behalf of Arlington Park, and that's Senator Macdonald. But if you recall the statement that she made

initially when she pleaded with this General Assembly for supporting the economic development of an area and providing an industry, the premier track in the State, with some relief so that the money could be reinvested in that section of the State and also bring in additional tax revenue dollars in the Agriculture Premium Fund. Virginia Macdonald, I believe, stated her case quite vividly and quite well a few months back. But if you don't recall the impact, let me just refresh your memory as far as the economic impact that the racing industry throughout this State has in employment opportunities for many people who would be unemployed also on our tax rolls, also as far as the hotels that are used within that...respective area in bringing people from throughout the State, in providing not only a sportsman's relief but a taxpayer's relief in bringing additional money into this State. This is not the panacea that we've all been looking for but it's really a step in the right direction where the industry got together and hammered out over a two-year period of time what they think that they need on the minimal basis in order to provide racing in this State as it should be conducted where people want to participate, where it's properly supervised, where the money is properly allocated and there's enough prize money to attract the best horses from throughout the nation. This, in my personal opinion, is a good work product, it deserves your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. I think there's many good things in this bill that are...that are very positive, but I must stand and say that I also agree with the concerns that have been raised by Senator Sangmeister. I think that as over the...the weeks that this bill has been put together and the discussion I've heard and the things

I've read in the media that one particular element in off-track betting is that local municipalities would have the opportunity to opt out if they did not wish a parlor in...in their...in their boundaries. And as the bill is prepared and before us today, that is not the case and, in fact, intertrack wagering may be only in areas which are zoned for commercial or manufacturing purposes or in areas for which a special use has been approved. Well, that means that any parlor can go into a central business district and if they have an agreement with the owner of that property, there's no way that a local...municipality can keep them out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have been communicating this week with Senator Macdonald. As you know, she has a serious operation, she's home convalescing and I have spoken to her on more than one occasion. She's very happy with the way this bill has been handled, the condition it's in and she certainly, through me, encourages everybody to vote for it, it's good for her district, good for Illinois and we ought to give it a lot of green lights.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Weaver may close.

SENATOR WEAVER:

Well, thank you, Mr. President. I think that everyone understands, I just might point out that a municipality may ban by ordinance the location of these parlors in their community. So...there is...a way to ban them in any municipality in the State of Illinois. So I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the

second corrected first Conference Committee report on House Bill 2486. Those in favor will vote Aye. Those opposed Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Last time. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 16, none voting Present. The Senate does adopt the second corrected first Conference Committee report on House Bill 2486 and the bill having received the required constitutional majority is declared passed. If you'll flip over to page 8 on your regular Calendar...is House Bill...all right...House Bill 3162, Mr. Secretary. Page 8, House Bill 3162.

SECRETARY:

(Machine cutoff)...Conference Committee report on House Bill 3162.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. First let me say at the outset, in regard to House Bill 3162, I got a call this morning from Whitey Herzog the manager of the St. Louis Cardinals, who is a close friend of mine and he wanted me to assure you here today that I am still a loyal supporter of the St. Louis Cardinals. He also...he also told me to pass on to my colleagues on both sides of the aisle that nothing would please him more than play the White Sox in a World Series. And he said it would make him happier if they would play that World Series in a new stadium. And so, my colleagues, I would appreciate a favorable vote on House Bill 3162.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. It's

a tough act to try to follow my good friend Senator Sam. I came down to Springfield this Fall Session with every intention of providing some support for the Chicago White Sox in their quest to stay in the City of Chicago. I thought I was going to do that with some kind of infrastructure funding which I think fits in nicely with Build Illinois, the goals and objectives the Governor of this State set for those businesses, industries who need help to rebuild...begin the process of rebuilding the State. This bill, however, goes beyond infrastructure. It provides for a subsidy, it provides for five million dollars a year to come out of the General Revenue Fund of this State. It also creates an authority and in essence it puts the State of Illinois in the stadium business. That is unprecedented. It's really almost unprecedented nationwide with the exception of New Orleans. All other stadia tend to be financed through a combination of local and regional revenues. I think what this bill does and what worries me is that it redefines the relationship between the State of...State Government and privately held businesses who happen to own sports franchises. What I am afraid it will do is create a precedent we don't want. It will establish a line of sports folks all of whom will want to come after the White Sox to benefit from this new largess that we have opened up here today. On the other hand, I...I arise with some trepidation because I honestly believe that we ought to be working toward a solution to the problem the White Sox have. I think what we really ought to be doing is establishing a bipartisan task force at this time and with that task force sit down and try to work out a new financing mechanism in place of that money that now comes out of the General Revenue Fund if this bill were to pass. If we were able to do that, I think you can get the votes you need to pass a proposal like this. But to come before the General Assembly with this particular package including the subsidy

the same week, the same week, that we told the homeless and the adult education folks and the dropouts and the truents and the retired teachers that there wasn't enough money to take care of their needs, and now to get into this business, I don't think we want to go down this road. But let's create a task force, let's try to help them solve their problem, let's join hands with the City of Chicago and its mayor and on January 13th, there's no reason why we can't provide a new financing mechanism that will give them what they need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senator Kustra's remarks are well-taken but the fact is, Senator Kustra, this is the last of the ninth for the White Sox. Let me, if you will, go through briefly what House Bill 3162 is. It creates the new Illinois Sports Facility Authority whose purpose is to build a nondomed, single-use baseball park for the Chicago White Sox. The stadium's capacity will be approximately forty-five thousand. It will be on seventy acres around the existing facility existing today. The board will be created with seven members, three appointed by the Governor, three by the Mayor of Chicago, one, the chairman, being appointed by the Governor with the mayor's approval. All of the Governor's approvals must have consent of the Senate...Senate. The cost for the facility is a hundred and twenty million dollars. It would be financed by bonds over approximately a twenty- to twenty-five-year period. The cost is supported by a two percent increase in the hotel-motel tax in Chicago only; in addition, four million dollars in rent per annum by the Chicago White Sox; also, if necessary, five million dollars...up to five million dollars equally from both the State and the City of Chicago. With your help, we can have the Sox in a new stadium in 1990 and I ask for that

assistance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I would like to ask the sponsor, what was the intent of this legislation before the Conference Committee report was offered?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Well, what was the original bill, Senator Kelly? I'll yield to Senator Netsch.

SENATOR NETSCH:

(Machine cutoff)...Sam.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR NETSCH:

Well, the...it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Netsch, do you have the answer to this? Senator Netsch.

SENATOR NETSCH:

I'm told it's...it was the DuPage Airport Authority, but understand, Senator Kelly, that...that this deletes everything and begins over again, so it is a new kind of State created agency. If you're getting ready to raise the question of germaneness, I suppose that anytime the State is creating a...an agency the...it is within the subject matter of the bill. But all of that has now been stricken from the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Senator. The point I'm making is not concern-

ing that. My point that I'm making is that the total intent of this bill was changed around, it's far exceeded what the initial intent was. And this is just another example of where a Conference Committee report in a short period of time takes a totally different direction. I resent using what is known as the Fall Veto Session to come in here with major legislation which should be considered in an orderly fashion during the Spring Session of the General Assembly to come in here with program after program to have the Legislature look at and to provide support to. We have time to do this during the regular Session, not during the abbreviated Fall Session. I'd like to ask the leadership to please consider in the future to not...misuse or not to use these bills for Conference Committee reports nor to use the Fall Session for anything but addressing the Governor's actions on legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. If you think back to January 26th of 1986, it was a day that a lot of us will remember, the Bears won the Super Bowl and it was a very great day for our State, we all felt very unified, it was a great feeling. The winter of '85 was warmer because of the Chicago Bears and the feeling that was created throughout the State, and I mean that. You think back to the summer of '84 when the Cubs won the division, there was a great feeling in the City of Chicago and throughout our State, and millions of dollars were pumped into the economy of our city and our State because of the playoffs. The same thing in the summer of '83 when the White Sox won the division, millions of dollars were pumped into the city and the State because of the White Sox winning the division and the playoffs then. It would be a tragedy to loose any of our sports teams, it creates a negative aura for our city;

and for our State and regardless of your affinity in baseball whether it's the Cubs, the Cardinals or the White Sox, all teams are a valuable asset to their State and their city. A very substantial amount...number of the fans that come to White Sox Park come from around the midwest and add a substantial amount of money to our economy of the State of Illinois. Imagine how you'd feel if the Cubs left or the Cardinals left, Sam Vadalabene. When one of our teams wins, we all win; and if any of our teams leave our State, we're all loosers in that case. No one really wanted a hotel-motel tax, we all realize how onerous that tax is, but there wasn't a better alternative. Everybody asked and looked for a better alternative. Can you imagine taxing people's food to build a sport's stadium, I don't think that's a very good idea. And I think it taxes our constituents much more onerously than this particular tax. This is a positive step for all the people of the State of Illinois and this is the cheapest way to do it. One of the previous speakers said that this goes beyond infrastructure, this doesn't even involve infrastructure. Last spring on the Table was a bill approved by the Governor of the State of...Illinois to put...to commit forty-two million dollars to a new stadium for infrastructure. There is no money here for infrastructure because the stadium is being built across the street from the present site. So we don't have to commit those kinds of dollars for a new facility. This is being done as practically and as cheaply as possible. This is a momentous opportunity for all of us to bring to fruition something that's been a dream for a long time and will benefit all the citizens, all the citizens, of the City of Chicago and the State of Illinois and help our economy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the House, may I ask the sponsor a few questions? Because I'm sure we all want to help the Sox, and I...I guess I'd like to clarify in my own mind some things. Yes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...sponsor indicates...

SENATOR TOPINKA:

Yeah. First of all...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...that he will yield. Senator Topinka.

SENATOR TOPINKA:

Very fine. Why is it that there are other stadiums that have been built around the country and apparently they're...they're significantly larger, at least twenty thousand seats more, at least, and they've all cost less than what is being projected here, why is there a lesser seating and why is that costing us more? I guess having been on the McCormick Place let's look see committee, I'm a little bit gun-shy in terms of construction around here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Netsch indicates that she has the answer to that...to that question. Senator...Senator Netsch.

SENATOR NETSCH:

The first question was, why is it at this size? At forty thousand...to forty-five thousand, I mean. Is that correct? All right, Senator Marovitz, if you want to answer the question, go ahead. Go ahead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Vadalabene, do you wish to yield to anyone?

SENATOR VADALABENE:

Yeah. I'd like to yield to Senator Marovitz, Senator Degnan or Senator Netsch. Tinkers to...to chance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...I...I...I am sure if we had a caucus of three we would be here the remainder of the afternoon. Senator Marovitz.

SENATOR MAROVITZ:

Well, there's several reasons for that. First of all, many of the stadiums that have been built recently have been built in downtown areas with no parking surrounding it, and so the land costs have been substantially less because they have not needed or haven't provided for surrounding parking and the purchase of land in...in the areas which is provided in this package. If you take a look at...at Indianapolis, if you take a look at Minneapolis, those stadiums were...there is no parking provided and so substantially reduced land costs. Also, it's cheaper, believe it or not, in terms of construction to be able to go...to build down and excavate down into a stadium, and in Chicago because of the water tables you cannot do that. Many stadiums, when you walk in you will...you will realize or notice that you're walking down into the playing field. You cannot do that in the City of Chicago because of the water tables, the water levels, and therefore the construction costs are higher when you have to build up for support of construction. And that...those are the two main reasons why the construction costs are higher. Plus the fact, those stadiums...many of those stadiums you're talking about were built...the last single source stadium was built in 1969. Now, you're talking about seventeen years ago...costs of seventeen years ago. The...other stadiums which are multisource do not provide parking and therefore the land costs are less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Topinka, does that answer your question? Senator Topinka.

SENATOR TOPINKA:

Well, I...I...I think it will do. I...I don't know that

it answers a hundred percent because we still wind up with a stadium that's twenty thousand seats less and I think still costing more and you're going to have to take all things into consideration in the building anyway. You know, the cost is the cost is the cost. But let's go on to the next one 'cause I thought that was kind of interesting. Does this indeed set a precedent for other teams who might want to have a stadium? Do you feel that they will be lining up and this...this gives them the avenue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

The answer is yes, and I will add one more thing to your prior statement. League rules require a minimum of thirty-five thousand. The demographics of both this area and the franchise indicate that between forty and fifty thousand is the appropriate seating capacity for a stadium to be built there...to be built and rebuilt at Thirty-fifth and Shields. So that is the reason for it. It is basically an economic demographics combination and balance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Did...I did hear you say though that, yes, this does provide the precedent for other teams to now come to us with similar proposals in the future?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Netsch.

SENATOR NETSCH:

No, I don't think it does, but you know if they want to do it, they're going to be here anyway. It seems to me that...well, I would be expressing a purely personal opinion if I expressed my feeling about what the others ought to do. But...but if they choose to come here, they will come here

anyway. It does not mean, Senator Topinka, that we have to build another stadium or stadia anywhere else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Topinka.

SENATOR TOPINKA:

I'm not trying to hog this, but I...I've just written a few little things here for myself. Is...is the American League in agreement with this or a party to the lease arrangement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator, you're...you're throwing all these curve balls, I don't know who's hitting them over...Senator Degnan.

SENATOR DEGNAN:

The...the American League will have to approve the lease agreement.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

And if the American League does not approve the lease agreement, where are we from our standpoint with the State? And I'm not trying to throw you curve balls, really, I'm trying to just understand how you're going to do this and what you're going to do with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Okay. Well, it's been done before, I would...I would...if it is not done in this case, we have no stadium.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

All right. And what are the guarantees that the team will not bail out of any lease agreement that we have?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

The team is on the hook for the term of the bonds to the tune of four million dollars a year. If they want to leave town they still must pay the four million a year, I suggest.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, for the addendum.

SENATOR NETSCH:

They're also going to be required in the agreement and through the bond documents, in effect, to pledge the fanchise. And we are told that has been done before. What it means is that they are committed to the rent at the expense of lawsuits plus the pledge of the franchise itself. Again, if the league did not accept that, no deal, but we believe that it will because it has done so before, we are informed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

My last question. What is the investment of the White Sox ownership in this whole proposal?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...who's up...Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yeah, I think Senator Topinka just threwed a sinker ball.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, there...Senator Degnan.

SENATOR DEGNAN:

Well, since their rent payment is a minimum of four million dollars a year over twenty years at least, that is more than they would have to pay in any other jurisdiction who is trying to woo the White Soxs now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Topinka.

SENATOR TOPINKA:

Have they put any up-front money now, is there any kind of a lead-in commitment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR TOPINKA:

One final.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, if this is your last one...otherwise, I'll come back to you. Senator Topinka.

SENATOR TOPINKA:

One final thing. If the stadium is built, do we have any guarantees that it will not be designed by Helmet Yun?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, I'm sure that that's a rhetorical question. Further discussion? There are several other speakers. Senator Sangmeister.

SENATOR SANGMEISTER:

Will the sponsor, the real sponsor, stand up and answer a question? I see he's going to the telephone, so apparently not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He's coming back.

SENATOR SANGMEISTER:

I would like to establish a little legislative intent on this, if I can. I...I think there's still a lot of people...apparently the Werts' and the...MaKaski's and the other owners of these professional teams do not want their own fiefdom and do not want a...a closed dome stadium of any

kind but I really think that that does not express the will of the fans in the area, and my question to the sponsor of the legislation is, obviously there would have to be additional funding to build such a stadium, but will this authority have the right to build the type of stadium that they want or are they going to be under the dictates of the White Sox and have to build the type of stadium that they want?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Sangmeister, Senator Netsch indicates that she will...she can answer that question. Senator Netsch.

SENATOR NETSCH:

No. The...the authority will build the stadium, the authority will own the land, the authority will own the stadium. The Sox will be in it as lessees. They will be...and under a management agreement, but the Sox will not be building the stadium. And it...will be a turnkey operation, and the turnkey contractor will not be the White Sox. If you read into the text of the Act, it is...it is written so that they cannot be the turnkey contractors. So the stadium will actually be under the control of the authority but built by someone else on a turnkey basis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, then I would strongly suggest to the Governor and others who will appointing this authority that they convey to those people that maybe the...the fans' interest ought to be taken into consideration, and I think once that such a stadium was built I think the pressure from all the Hawks and the Bulls and the Bears and all the other teams would be enough that they would finally decide they ought to use such a facility and would encourage the authority to take that into consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Being one of those back-room negotiators, I might suggest this to you that it would be possible for that commission to recommend a multifacility. The problem is they have to come to us to get the bonding authority. All we've given them is...is a hundred and twenty million, if it costs more money they'd have to come back to the General Assembly and ask for more authority. I would suggest if this comes to be that they make a study. You know,...if this bill passed, it doesn't go into effect till July 1 of 1987, anyway, that they'd look at that and by us passing this bill does not lock us in to building a Sox stadium on that site. They could certainly have public hearings, come back to us before July 1...or after July 1 and make a recommendation on a different location and a different facility and, quite frankly, it might be the smart thing to do. Once you build the White Sox, then it's done, the multistadium will be gone forever. Be then, you know what you're going to have, the Cubs will want help, the Bears will want help, the Hawks will want help, everybody will want help. And they'll be coming to that commission for more money. And, quite frankly, I think the idea of a multipurpose stadium is a good idea. The only stadium in the United States that comes close to making money is New Jersey where they have horse racing, football and baseball. And wouldn't it be nice to have a world premiere stadium in the City of Chicago where we could have the Super Bowl? Boy, that would be fantastic. You'd find a lot of support for that idea in the suburbs, believe it or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President, members of the Senate. I once

heard the late Arthur Rubloff who was a partner of Jack...say, real estate developers should not be allowed to own sports' teams because the first thing they start to think about is how they can use this to make some money. And I think we should have in the public record here today a recognition...indication that we recognize what has gone on here in the City of Chicago with these two, for want of a better term, hustlers. They have learned how to manipulate this process and they will have succeeded when we pass this, as we will, in using this to the detriment of the White Sox fans, to the detriment of the people of Chicago and the State of Illinois. And if we were able to do it, which I am told we cannot, we should look to find some way to take them out of the ownership before we go forward and hand them this bonus on the light of what the city council did a couple of years ago investing millions and millions of dollars into that park that will hit the wrecking ball.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. This is going to be a tough vote I think for everybody, and it's going to be tough because everybody wants to see the White Sox stay in Illinois. And I guess when you decide how you're going to cast your vote you're going to say this will keep them here, or you can vote No and say maybe there's a better way to keep them here and take the calculated risk. I have great difficulty understanding recreational people, there's a few of them up in the stands right now. But, you know, I really think they aren't recreational people, they're basically business people that are selling sports. And for a long time when I was a little kid I used to collect those baseball cards and I could never believe that baseball was a business. I always thought it was a lot of fun and everybody in this

room wanted to be a baseball player. I mean, the most precious item I ever possessed as a child was my baseball glove. But the fact is, ladies and gentlemen, it is a business. And if you don't believe it, look at some of the salaries some of the baseball players make. And the American dream has been enlarged from playing baseball for fun to either winning Lotto or being a super star. And if you look at it from that standpoint, then you have to say, is this a good business deal for both people, 'cause a deal that's bad for one ultimately is going to be bad for both. I have run businesses and there's always a tendency to look in the other guy's pocket. And I'll tell you, when I ran my businesses, I only looked in my own; and if I was satisfied that I was getting what I wanted, I really didn't care what the other person got. I've had the opportunity to work on the negotiations to a limited degree 'cause ultimately things of this type end up at a higher level. But I can tell you this proposal is quite different from the way it was initially introduced. And I would like to think there's a better way of funding this; in fact, we've looked at alternatives, even some as far reaching as taxing DuPage County to make sure that the team didn't go back there, but we have not come up with an alternative. And so I guess what you have to vote on, is this the best show in town or it isn't. I don't like the process but you know what? We all don't like it but we all participate in it. And to think that a Conference Committee report with something different than the original...look at the horse racing bill, I think there was something quite different on that one too; but, anyhow, whatever vote I'm going to throw, I'm going to be throwing two votes today, one recorded and one not recorded, and the one that's not recorded, and I would like for this to be on the record, is that if this passes, we quit beating up on the hotel owners because a lot of our activities are justified on the basis of attracting people into

this State particularly for recreational events. A lot of people say, well, people don't come in here from out of town. That's not right; in fact, quite a few of the owners of the White Sox are not from the State of Illinois. So, let's quit doing that and I'd like that to be in the record because when the next thing comes up, I don't want to see our tax going to fifteen percent, twenty percent. I received a very disturbing phone call this morning. I had the opportunity of working on McCormick Place and, contrary to some popular belief, there's some real great people that throw shows in this town that come in from out of town. And one of the guys called and said, Aldo, why? Why are you picking on us? And I said, I really don't know. So, I would like to go on record as saying we will not be picking on those people anymore because we'll end up biting the hand that feeds us. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The Journal Star has requested permission to shoot still photographs. Is leave granted? Leave is granted. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I can...concur with the concerns of Senator DeAngelis about the hotel owners, but if any of you have been in Chicago trying to get a hotel room when...when the McCormick has been busy, it's almost impossible. So I don't think that's too much of a burden to raise that tax. However, there are some things I would like to call to the consideration of this Assembly. First of all, they do have in this bill a turnkey agreement with regard to construction of the stadium which means that a single contractor will guarantee a fixed price for the facility so that we don't get out of the ballpark like we did in McCormick Place. The second thing, it does have in this agreement before entering into a lease for the

site or contract, the...the stadium authority must submit a detailed written report of its findings to the General Assembly and the report must include a detailed plan of the method of funding, acquisition, lease or contract, evaluation, economic consequences, proposed acquisition and an analysis of the reasons for acquiring a site for constructing a new facility. So, which means if we do pass this bill, it still will be in our hands to make any future decision on it once that report is submitted to us. And let's not kid ourselves, I'm not crazy about having the White Sox go out of the State; in fact, they could come to Lake County, the owners of the White Sox live in my county, but they don't want to come to my county. But since they want to stay in Chicago, or...will be induced to stay in Chicago, two things we have to consider; they have to pay a lease of four million dollars a year, but they have to get the American League to come in as a party to the contract of the lease and...and guarantee the State that they will not remove the franchise or allow the franchise of the White Sox to go elsewhere, because even if the White Sox owners pay the four million dollars per year, they could have a flea market in that stadium too if they wanted to. So, all I'm saying to you is, I'm going to support this bill 'cause it will mean jobs, it will make Chicago...bring more additional revenue in for the State of Illinois, and after all, the bottom line is jobs...more...more...and more of them. So, I will support the bill much as I do find some...some problems wrong with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. As a downstater, many of us are being asked to vote for this, and I don't mind helping...the...Chicago, whether it be the White Sox, the Bulls

or the Hawks, Cubs or the...I have a lot of constituents that enjoy those sports' activities very much. But we live quite a ways away from Chicago and when they drive into town they go to a stadium that they're going to take a chance on getting rained out or what have you, they get a...rain date...rain check, they probably aren't going to get back to use it, so I think I agree with Senator Philip that there is probably a lot of support in downstate Illinois for a facility such as he described, a good domed facility, multipurpose. I think you...we could sell that much easier at least to my constituents than I can for a one, single-purpose facility for one team. And I think that's...that's where I'm probably coming from on this. It just seems to me that if those owners can't get together and the people in Chicago can't get together to talk to them that then...something is lacking here, folks. If...if they get together and present a good case to us, I think that there would be a lot of people that would support it. And I surely think that that's the way to go. If we do this one thing, well, then we're going to be asked to do it again and again and that facility would be gone forever. So, I think you Chicago legislators ought to think of that. If you want a...a great facility, if you go for this one right now, you're probably never going to get one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President, obviously as a Chicago legislator I'm interesting in keeping the Chicago White Sox in Chicago, but Senator Topinka touched on a subject and I think it was just briefly covered is the involvement of the White Sox themselves in this financial arrangement. It was said that they're putting up four million dollars a year in rent. That four million dollars, to my understanding, comes from after

the...State builds the stadium and builds the skyboxes in it, then the State will say, here, you can lease it out, they will lease it out, take that four million revenue from those skyboxes, pay the State back and use this as rent. In other words, it's just a mere show where their participation is nil. The State can't lease those boxes out themselves, collect that four million without turning it over to the White Sox. But they are in the construction costs, not only are they not putting any up-front money up but they are taking money out. We're talking land acquisition, eight million dollars; site preparation, this includes parking lot development, eight million dollars; a stadium structure, seventy-five million dollars; the architecture cost for bond, then the land relocation contingency, five million and a construction contingency for six and a half million and construction interest if appropriate, if appropriate, for twelve million dollars. Seems awful strange that we're talking if appropriate contingencies for this type of money and...with no...no involvement by the franchise themselves. The State and the city, the State will be guaranteeing five million dollars a year for...how...you know, as long as it takes. And when Senator DeAngelis mentioned good business deals, I think this is an excellent business deal for whoever drew it up, their attorneys or their...the owners themselves, because they are going from a stadium that they claim is uninhabitable to a brand new stadium at no cost with the rent being paid by their...by the State putting up the skyboxes so they can lease them. So they pay no rent out of their pocket and they get a free place to play, a brand new place. I think one of the questions should be...answered is, can the White Sox on the profit and loss statement pay four million dollars out of their own rent without...without the State building something for them to pay the rent with and can they afford to do that? If they can't, I think there's a serious question whether we

should be building this, giving them a free stadium, giving them free rent and allowing them to stay here. If that is the condition, I think we should do what we can to keep them here but not give away the store and in debt our...our legislative process to that amount of money for the next twenty and twenty-five years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I suppose virtually all of us have our minds pretty well made up as to how we intend to vote on the Conference Committee report on House Bill 3162. Let me just point out, while I agree in part with Senator Kelly, I think it's fair to say that in the closing days of last Session we made every legitimate attempt to keep the White Sox in Illinois, in Chicago, and there were drafts of reports circulating, as I recall, even when we left at three o'clock in the morning. So, I don't think anyone was unaware that we were confronted with a situation where it was determined by the owners that it was economically nonfeasible to remain in that stadium and they had to consider other alternatives. They went so far, as a matter of fact, as to acquire, at least by option, property at Addison, Illinois. And it got so far down the road that there was even a referendum, which as I understand, it failed by some...or won by some forty-five or forty-six votes to say that, no, we really don't want you out here. So now it's up to us having again been prompted by the Mayor of Chicago and the Governor of Illinois to make every effort, General Assembly, they said to us, make every effort to keep the White Sox in Chicago, to keep the White Sox in Illinois. And I suppose if we had another caucus we could attempt, at least, to reinvent the wheel and say, well, we really ought to have this mammoth dome stadium like Indianapolis or

someplace, and we just ought to tell all these franchise owners, you better play here or you're not going to play anywhere, and that's really not a bad idea except for the fact...the fact that over the past four years there have been at least six groups of interested citizens, developers, who have gone to the various franchise owners and said, we have a plan, how do you like this? We must have considered five or six different sites, I even saw a rendering with a double roof. And the fact is all those franchise owners said, nope, Mr. Werts wants to stay in the stadium, the Cubs want to stay at Wrigley Field, the Bears at one point at least wanted to stay at Soldier's Field, I'm not sure where they are anymore; but the fact is you can't force any of these private enterprises into a stadium that we would love to construct as a showplace for the rest of the world. So we really are not in a position to reinvent the wheel or find that better way. We are confronted with the fact that we had better do something or perhaps the people of Illinois will be bereft of this professional baseball team and this seems to me to be a logical alternative. Let's keep the Sox in Chicago. And for the record, Mr. President, I would ask for a ruling from the Chair as to how many votes are required for the approval of this Conference Committee report.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. In response to Senator Rock's...inquiry, Conference Committee Report No. 1 to House Bill 3162 will require the affirmative vote of thirty Senators for Senate passage, first, because the report has no expressed effective date nor extraordinary majority is required under Article IV of Section 10 of the Illinois Constitution; second, no extraordinary majority is required under Article IX, Section 9 because no State debt, as that phrase is defined in the Illinois Constitution is incurred under the report. The bonds are not secured by the full faith and credit of the State, also the bonds are not required to...to be repaid out of tax revenues since annual appropriations are necessary so as to not to obligate future General Assemblies. The only thing the report requires is a transfer of State money from one fund to another fund; and, finally, the Illinois Sport's Facility Authority is a unit of local government because of its composition and powers and its obligations are therefore excluded from the definition of State debt. Therefore, the report will require thirty votes for passage. Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. In closing, let me just add that in the previous consideration we have just put thirty-seven affirmative votes on the proposition that we want Arlington Park rebuilt. It seems to me we ought to have the same number to keep the Sox in Chicago. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. President Rock, you're absolutely correct as far as your scenario and the timetable that's been transpiring on this stadium. And you're correct when the ownership of the Soxs...even were...was ruled to DuPage County and appealed to DuPage County were even...just about evenly split whether they should be there or not. The difference is that in Bridgeport, in the 11th Ward, the White Sox...it's always been the home of the White Sox and the people in that community are looking forward to the help that's contained in this measure. The people in the 11th Ward and that community took the leadership role when Mayor Daley was alive as far as providing adequate parking within that area...to attract people, to participate and come to the ball park. I believe that this measure as is provided in this Conference Committee report is a viable solution. It's not the panacea as far as the...the dome stadium that we want to have, but in all reality, it's impossible to get these other owners together. These are business people who would have their own business techniques that they want to preserve. Senator Joyce mentioned as far as Rubloff, I know in my discussions with Arthur Werts, he was quite candid when he told me that at one time he and Rubloff were very, very close on many business deals but when it came to the acquisition of the Blackhawks, he...wanted to run his own business and the Blackhawks as he saw fit. And the same thing happened with the Bulls, the same thing happened in Chicago Stadium. There was a difference of opinion of...how to promote and instill championship teams in the City of Chicago. It's very important that we do everything in our power to remain...having the White Sox remain in Illinois and this is one worthwhile provision that will be able to do so. I strongly encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Vadalabene...all right. Senator Degnan, for a second time.

SENATOR DEGNAN:

Well, thank you, Mr. President, and I apologize for rising a second time. All the issues in this bill have been debated now. This, again, is the bottom of the ninth for the Chicago White Sox as we know it. We appreciate your consideration, we'd appreciate your Aye vote, let's play ball.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Since this legislation provides for the construction of this facility in Senator Degnan's district, I was going to yield for him to close, but I guess you've closed already, Senator Degnan, is that correct? I am honored to be the Senate sponsor of House Bill 3162 and...just let me have one minute here...you know, I have a bicycle trail named after me and I have a nature trail, I have a towboat, I have got two racehorses named after me, I have a park, three streets, a waterline and finally the SIU Multipurpose Building in Edwardsville. I...I've been given assurance by the conferees of this enormous and historic bill that in no way...no way will this be called Vadalabene White Sox Park. This will help the economy of the State of Illinois. I think it's a great piece of legislation and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 3162. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? All voted who wish? All voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? You haven't heard

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me? Have all voted who wish? All right, last call. Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 24, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 3162 and the bill having received the required constitutional majority is declared passed. Senator Vadalabene.

SENATOR VADALABENE:

Yes,...having voted on the prevailing side.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene having voted on the prevailing side moves to reconsider the vote. Senator Lemke moves to Table. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. So ordered. All right. The next order of business is House Bill 2630. House Bill 2630 on page 8, Mr. Secretary.

SECRETARY:

I have the Conference Committee report...I have the first Conference Committee report on House Bill 2630, the third corrected copy.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco. Can we break up the conferences. We are...we have a lot of business yet to conduct. Senator D'Arco.

SENATOR D'ARCO:

Thank you...thank you, Mr. President. The third Conference Committee report on 2630 provides for many changes in the pension systems in the State of Illinois. There are some...there's about twelve different systems that are affected by this bill. One of the major provisions of this bill provides for disinvestment of all State pension monies in the State of Illinois from any company that is doing business in South Africa. It is prospective in nature only. It does not affect the current money that is presently invested

in companies that do business in South Africa. It was a compromise provision. It...it's a good provision, we all are against apartheid. We all believe in the principles of democracy and, therefore, this is our statement to tell that government that it's got to change its act in order to do business with this State. I will ask...I will answer any questions on any of the pension provisions in the bill. Let me say there...most of these provisions are for survivors and people on fixed incomes. Most of these provisions are no cost items. There are a few that do cost some money, but in those instances for the most part, the level of funding in those systems is quite adequate to absorb any fiscal impact from the increase in benefits. With that, I will ask to adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President, members of the Senate. Again, when I came down here this Session the one thing that I thought I would be able to do is bring home an increase in pension benefits for our teachers...our retired teachers. They deserve it, they're not adequately compensated and they ought to get it, that's the good news. The bad news is that while the teachers are in here, just about everybody else is in here too, including...I could go through the provisions. I know some of you have your own bones to pick with this proposal, but there's one in here that let's judges retire and go into private law practice and come back on the bench and retire again to go to private law practice and back on the bench and they collect their...their years of compensation and cost of living increases like...they were there all the time, 'cause of course we want to take care of those judges after we just gave them seventy-eight to eighty-two thousand dollars a year, whatever it is anyway. This time of year we

all wonder when the Christmas season begins. I'll tell you when it begins. It begins when enough green lights go on that board to pass this bill, 'cause this is a Christmas tree package for just about everybody. We ought to send this back to Conference Committee and on January 13th give the teachers the increases they need without giving away the store to everybody else in town. I vote Aye...No.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Economic and Fiscal Commission has been given some responsibility for analyzing pension costs of particular bills and also for developing some long-range recommendations if not solutions to the problem of our underfunded pension systems. This bill in a sense deals with both, although the only immediate concern is the cost of the bill and some of the principles that it is bringing into play. I would call attention to the members, which I believe they know, that if this bill passed in its present form, it would increase the accrued liability of a series of pension funds to the tune of 408.8 million dollars...about four hundred nine million dollars. In addition, the annual increase in cost would be...to the same pension funds would be 67.8 million dollars, almost sixty-eight million dollars in increased annual costs. That is a very significant increase in commitments on the part of the State, and many of these commitments are not to people who...did retire a long time ago when indeed the amount that they were paid and still are being paid was clearly inadequate and to whom I think we do have a continuing responsibility. In addition, I would point out that there are some principles being established here, for example, computing pension...liability on the salary on the last day of service...the last day of service which is I believe, unheard of except for I'm told one pen-

sion system in the State. It has enormous potential for abuse and for manipulation as well as for cost. That should not be adopted probably ever and certainly not in a pension bill in a Conference Committee report which has not been thoroughly dissected and thought about for a long period of time. There are a lot of very serious commitments involved in this bill and a very substantial commitment of public funds for which adequate funding has not been made available. It should not pass, I would urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, I, to some degree just wanted to echo Senator Kustra's comments. I, too, felt very strongly about the need for us to do...address some of the problems of retired teachers and met with their groups and, frankly, very concerned. It is regrettable that that very worthy cause has been used as a shield for the rest of this bill and I would suggest to you the rest of this bill in part borders on burglary and sets some precedents that we ought to think about long and hard. A senior member told me when I first got down here, never vote for a pension bill after June 30th. That's generally pretty good advice but, in this case, it is excellent advice. I'd like to see us come back next year and address those legitimate concerns that are contained in this bill in an...orderly deliberate process. This is not the way to address pensions, this is a bad bill and deserves either a No or a Present vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR WATSON:

Senator, I've been called off the Floor by several of the groups that are represented in here and the analysis that we have says that this is an annual cost of sixty-eight million dollars roughly, and I'm told by the people that are concerned and interested in this that the actual cost is seventeen million out of General Revenue Fund or a State obligation. Can you identify that and correct that if necessary?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, I don't know where you got your figures. You're saying that the total cost is only seventeen million? Who told you that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

The representative from the AFSCME Group told me that the actual cost was only going to be seventeen million dollars out of State obligations...State requirements. But what we see on our analysis is that the annual cost is sixty...roughly sixty-eight million...67.88 is what we're told.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Well, some of...some of these systems...you talking about the State...cost to the State of Illinois? Okay. The cost to the State of Illinois...the...the cost to all the systems is sixty-seven million dollars. The cost to the State of Illinois would be a lot less than that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Okay, you answered my question. Then what...let's say that's seventeen million dollars, is that based on sixty percent of payout like we normally fund or is this is a full...full funding? What...what basis is that seventeen million or the sixty...even the sixty-eight million for that matter?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

The cost of this...the State would be based on sixty percent of payout. If that's...if we fund the system at sixty percent of payout then the cost would be based on that figure. For the other systems, it depends on what percent the municipality is basing their cost of payout on.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Then...then am I to understand that the cost figures that we have are based on sixty percent payout?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

For the State you're talking about, right? Right. Yeah, right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, Senators, I have several concerns with this bill, one of which is...I wonder if the sponsor would yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR NEWHOUSE:

...do the provisions in this bill call for the pension to be based upon the last day of service for some of these pension funds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

...there's only...there's only one system in this bill that provides for last day of service and that's the downstate police system. Now the downstate firemen already have a provision in the law that allows them to retire based on last day of service. So we're talking about parity between those two systems.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, I...I...I simply want to point out two things. One is that that is...that precedent that we're about to follow just opens the gateway to all kinds of terrible practices. If I understand this bill correctly, there are provisions for twenty-five year service and out plan and what that means is that we'll have some people back in the labor market at age forty-five, forty-six who will be drawing very large pensions and who will be in competition with those seeking jobs elsewhere and who would normally have a shot at jobs that will not now be open. I think that's the kind of thing that we need to look at very closely, particularly when you look at the demographics are going...I wonder if I could get your attention, please. Mr. President, I'd like to...I think we...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's have a little order there, Senator Kustra, Senator Schaffer.

SENATOR NEWHOUSE:

...I think we ought to understand that when we vote on

this bill that we're looking at some demographics that are absolutely shocking and at some point we're not going to have any pensions to pay anyone. The demographics are these; that is, the labor market force, that is those who are coming into the labor market force and those who are eligible for higher education, constitute a shrinking pool, most of whom...most of whom are unprepared for both the labor market and for higher education, that's the shrinking pool. On the other end of the pipeline, we have a rapidly escalating elderly complement, elderly people who are mushrooming in numbers, elderly people who are living longer than ever before. So we're going to be paying out pensions for folks from forty-five to ninety, for forty-five years, and during that time there is not going to be a sufficient number of tax producers on the other end to bear that burden. When we cast a vote for this bill that's the disaster that we're looking at somewhere down the line and I don't see that disaster as being far off. So when we cast a vote on this measure, I think we ought to understand that we're doing a short-term palliative that's going to have some long-term results that could be absolutely disastrous and I don't think any legislator in this Body wants to have that as a legacy. I...think we ought to just tube this bill and get it out of the way and start all over again.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I think you will remember that all of the pension bills that were introduced this year in the Senate were held in the Senate Rules Committee. We didn't have a hearing on any Senate pension bills, many of them...maybe we should have, but here we are at the last minute inculcating into this Conference Committee report all of those bills plus many other items that have never had a

hearing in the...in the Senate and I think it's a mistake.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. It's beginning to sound like this might be overkill, but I want to make two points. First of all, Senator Newhouse, I guess you and I are not well known as voting together on a lot of issues but...but you're absolutely right on this and...and the point I want to make is this. When...when we give a new pension benefit to one group, just expect that we're going to get that same benefit for everybody else. Now, there's one provision in here that Senator Newhouse mentioned and that is allowing the State police only to retire after twenty-five year's service. Now that's a very small group, so the cost of doing that is relatively minor, but how many policemen are there in Illinois? How many correctional officers are there in Illinois? If we give it to the police and correctional officers, you think the firefighters aren't going to want it and deserve it? We have to be careful about what we do here by a way of setting precedent and this is a bad precedent that's being asked for. The other thing I want to speak to is...is what I think is a...is a procedure that we all ought to be ashamed of. We have retired teachers in Illinois who...who receive a pittance and they...have been coming to us year after year and you and I have been promising them help and we've been trying to help them, but now...it appears to me that this is largely the...the product of the Speaker of the House, comes back to us with that provision in it, of course, putting us all in a box but also asking us to vote for a lot of other things that hadn't ought to be in here. I think we're going to have to ask the teachers to wait a little bit longer; hopefully, we could come back with another Conference Committee report in January and take care of the teachers and do

the thing we ought to do, but let's not do the rest of this, let's reject this report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. There's been a lot of discussion about the negative features of this bill, but let...let me say something to you. Number one, sure, it's important to help those retired teachers and, let me say this, not only are they in this bill but you've got retired State employees that are in this bill too and you've got retired university employees that are in this bill. They need help too and they're in this bill, and when you talked about...Senator Kustra talked about judges who can retire and come back and retire and come back, the fact is, these are judges that have already maxed out, they've already got twenty years of service in already and they're doing the public a service by coming back especially with all the problems the judiciary is having today. Let me also point out to you that there are emergency provisions in this bill that must be acted on immediately. There must be an authorization for the Medicare tax, that has to be passed immediately. There also must be an insurance provision for downstate teachers that must be passed immediately. Those are emergency provisions that have to be taken care of. Let me point out to you that everyone is worried about the unfunded liability of these systems and I'm worried about them as well, but the unfunded liability depends upon the ratio of the funded to the unfunded liability and it depends upon the ratio of a vestment income to employee contributions and employer contributions. These...these factors will determine the investment solvency of these systems in the future. I'm not going to pretend gloom and doom for the future pension systems in

the State of Illinois. I'm not going to stand here and do that, because these systems will be funded proportionately as time goes on and nobody is going to...nobody is going to find that their employee's retirement check isn't going to be there at the end of their career service. That's not going to happen to anyone in this State, we're not going to let that happen. And let me say this to you, most of these items are noncost items, that judges' item that Senator Kustra spoke about is a total noncost item. And if you're talking about the State police and you're saying it's horrendous, twenty-five and out, let me say this, two State policemen have just recently been killed in this State, that's how hazardous and dangerous the activities that they are involved in to protect the public in the State of Illinois, and the State police now patrol the City of Chicago and...and they're patrolling East St. Louis. Don't put those State policemen down, ladies and gentlemen, they're doing a great job for us in the State of Illinois and they deserve that provision. And they maybe deserve it more than anyone else, and if anyone else wants it, we should reject them on the basis of the hazardous activity that the State police are involved in. This is a good bill. There's a lot of provisions in there that are going to help people that are retired and are on fixed incomes and need that extra ten dollars a month or twenty dollars a month to live on, that's what you're talking about in this bill. That's what's important, not the other miscellaneous and ancillary provisions that you're so hard on putting us to the test. This is a good bill and I ask you to vote Aye on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on House Bill 2630. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 15, the Nays are 24, 11 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator D'Arco.

SENATOR D'ARCO:

Yeah, I ask that a second Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A request that a second Conference Committee be appointed. Hearing no objection, leave is granted. On Conference Committee reports, our next order of business will be Senate Bill 416, Senator Marovitz.

SECRETARY:

The second Conference Committee report on Senate Bill 416.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Conference Committee report on Senate Bill 416...Conference Committee Report No. 2 merely removes the...the mandatory bifurcation period in divorce proceedings whereby after a long period of wait, oftentimes as long as four years, the grounds for divorce are proved up. Right now in the law there's a mandatory waiting period of forty-eight hours that said even after that long waiting period, after you prove up the grounds, you have to further delay in order to...before you prove up and distribute property. All the judges in the divorce divisions, all the people, all the experts in the divorce field feel all this does is cause further acrimony, further delays. It allows the individual with...with the property and the money to say, well, now I have my divorce, you wait for your half, you wait for your property. There's no necessity to do that, it's been mis-

used. All this does is make it permissive with the judge instead of mandatory. I know of no objection to it at all and that's all...that's all it does and I would ask for adoption of Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FAWELL:

Why are we doing this now? Why didn't we ever put this through committee?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

All I can tell you is that this was sent to us by the chief judge of the divorce division, and I know what your concerns are. Passing this Conference Committee report meets your concerns, because if a divorce occurs, then the...if we don't pass this, the...the...the man with the property, the husband, can say, well, now...now that I have my divorce, you wait for your property, I'm not going to proceed at all, even though there's been a four-year waiting period before the divorce. This says it's up to the judge, there doesn't have to be a waiting period after the grounds are proven and the divorce is granted before the property is distributed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis...Senator Fawell.

SENATOR FAWELL:

I still don't understand why didn't we put this through the committee process? Why are we trying to do these kinds of things at the last minute? You know, I have not checked

with my bar association, I haven't checked with any of my judges, I get down here, the first thing I see is this thing...I'm on that committee, I've been on that committee a number of years, I've never seen this before. Why do we do these things on Veto Session? That's all I'm asking.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I'm the minority spokesman of this committee. There's nothing wrong with this conference report. What...why we didn't bring it up...committee, I guess no one thought about it, but I can tell you it's legitimate. What it really means is that the judge has discretion as to whether or not to provide a waiting period after the divorce grounds have been entered, and sometimes you have some of these greedy husbands who get their divorce and then they say...they find excuses through their attorneys to delay the time as to when their property is going to be distributed and how it's going to be distributed. I recommend favorable passage of this conference report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yeah, question of the...sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR COLLINS:

Senator, did...will this bill take care of the problem...and if you recall, both you and Senator...Geo-Karis was on the committee which I had a bill that attempted to address the...the property settlement and to take away the...the need for...bifurcation in cases where the...the custody had been awarded and...and...to the spouse with the family domicile.

Okay? And, at that point in time, it was my understanding that there would be a committee established and...you know, and...to work out the whole problems of the whole bifurcation system. And will this...issue now as it is before us resolve the issue of the domicile? Because my major concern was that in...that if in the bifurcated trial process that the divorce had been granted and the kid is somewhere dangling not knowing where they were going to live or who was going to be awarded the...the home that they were currently living in. Will this bill now address that issue?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Yes. This...this bill should address that issue by making sure that at the same time the...the divorce is granted, the property rights will be determined, that will be up to the judge. Right now it's mandatory that there be a forty-eight hour waiting period, now it will be up to the judge and he will be allowed to make those same determinations at...at the date that the divorce is granted.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

So...so you saying that it is up to the discretion of the judge?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

As chairman of Judiciary, I rise in support of this, even though this concept have not gone through the committee process. This is something I...I talked about when we passed the initial Marriage Dissolution Act that when we separated status and property from the divorce decree and had two hearings that this would happen, and this is what happens; most

of the time a wealthy spouse can hold up the property or...a vindictive spouse can go into bankruptcy and tie up their property and...decrease the value of the home. This provision protects, Senator Fawell, mostly women who...have the least funds to get proper representation in court. This is a good provision, but this is...also should remind us ever since we passed that initial great Marriage and Dissolution Act that we were against and we'd passed without committee approval, we've had problems with marriage and dissolution in the State of Illinois. So...should remember that if we're going to put together any uniform Acts, we should take our time. It shouldn't just be put in at the wee hours of the moments and then passed in a couple of months. It should lay on the Calendar for a year and gone over specifically by the lawyers before this can happen, and I'm sure that we wouldn't be in these circumstances coming back and forth. This is a good bill. We...most divorced women need this bill, this protects them and it protects more than...more important children that must live in that marital home that...that's divided up after the divorce. I ask for a favorable vote.

PRESIDENT:

Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Just very briefly, the...the...the urgency of this is that the tremendous backlog of cases in Cook County caused the chief judge...Judge Comerford to appoint a blue ribbon panel to come up with ways to reduce the backlog. One of the suggestions that they made recently was to remove this bifurcation provision. That is exactly what we're doing. I ask for your Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 416. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 416 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, there's a Conference Committee on...report on Senate Bill 1004, Mr. Secretary.

SECRETARY:

The first Conference Committee report on Senate Bill 1004.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. The first Conference Committee report on Senate Bill 1004 was...drafted in conjunction with the Department of Public Aid to enable the establishment of a specific rate methodology to meet the unique needs of the campus facilities such as those operated by Misericordia, notwithstanding the new rate category; the campus facility would still have to negotiate the rate with the Department of Public Aid. This Conference Committee report does not guarantee a rate for campus facility. The report only allows for a special consideration that may result in a deviation from existing standards, particularly with respect to allowable rates for facilities which provide intermediate care for the developmentally disabled. This is legislation that is designed to deal with the problem they are having at Misericordia. Many members in this Chamber have had the opportunity to go to Misericordia, Misericordia South or Misericordia North, and to observe for themselves firsthand the love and concern that is a part of that establishment. This bill passed out...this Conference Committee report was

adopted in the House by a vote of 100 to zero about an hour and half ago, and I would ask that the Senate repeat that.

PRESIDENT:

Further discussion? Any discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I just want to reaffirm the wonderful work that this institution is doing, they're just great people and I urge its support.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this...piece of legislation. This will benefit my grandson when he ages out. This is an important piece to keep something like this open for the disabled. I ask an Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1004. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1004 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 1010, Mr. Secretary.

SECRETARY:

The first Conference Committee report on Senate Bill 1010.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. The Conference Committee report on Senate Bill 1010 does the following four items; one, deals with legislation on handicapped access to polling places to allow for minor impediments if the board has provided for a method to alleviate that minor impediment; two, provides for referendum on questions of public policy on...contiguous combinations of precincts in the City of Chicago; three, allows newly established political parties to merge into other existing established political parties and, four, authorizes referendums of voters not scheduled to vote on any candidates when other voters in the political subdivision are scheduled to vote on candidates in addition to referendums. I would ask for adoption of the Conference Committee report. The obvious interest is in the merger of the political parties. I would be willing to answer questions, would ask for your favorable consideration.

PRESIDENT:

Any discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Conference Committee Report No. 1. Like Senator Carroll mentioned, there are several varied parts of this piece of legislation, some apparently are very partisan, others are not. The party...the merger of the Democrat and the Solidarity Party section is a problem incurred by the party of the members on the other side of our aisle and possibly should not be addressed at this time. But, however, it also has good parts to it such as the access to polling places by handicapped citizens who wish to vote and allows for the combinations of precincts to petition for local advisory referenda within the City of Chicago. Now those Republican colleagues of mine, many of you in the suburban and downstate...legislators, you have the same authority with your villages and townships to petition such

as the recent O'Hara Airport Authority referendum you voted on just last month. And this proposal will allow our neighborhoods in Chicago to have the same type of voice in our future, and I encourage strongly all of my colleagues to join me in supporting this Conference Committee report.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Question, please.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEREMIAH JOYCE:

Senator Carroll, under this legislation, when would Solidarity cease to be an established political party?

PRESIDENT:

Senator...Senator Carroll.

SENATOR CARROLL:

When they file...when the candidates who ran under the Solidarity label file an affidavit with the Democratic Party through its State Central Committee of their request to dissolve the party. They are the only members of that party under existing State law; therefore, the candidates would have to file an affidavit with the party with whom they wish to merge which we would believe to be the Democratic Party.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

And what is the effective date of this legislation?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Immediate. That affidavit would then be given by the State party by the way to the State Board of Election.

PRESIDENT:

Senator Joyce. All right. Further discussion? If not, Senator Carroll, you wish to close?

SENATOR CARROLL:

Just ask for a favorable vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1010. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 5 Nays, 10 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1010 and the bill having received the required constitutional majority is declared passed. The bottom of page 8, there's a...on the Order of Conference Committee Reports, there's a Conference Committee report on Senate Bill 1565, Mr. Secretary.

SECRETARY:

Second Conference Committee report on Senate Bill 1565.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this second Conference Committee report does on Senate Bill...1565, the comprehensive approach designed to toughen penalties for those who sell and manufacture controlled substance, addressing certain problems that we...occur. We reduced the current law to fifteen grams in the case of manufacturing, the sale and the possession. I think it's a good bill, but most important, I think it's a...a bill going in the right direction which is something I've always been concerned about and that's the provision that any person of...over the age of eighteen who use...uses, employes or engages another under the age of eighteen to deliver a controlled substance may be sentenced to a term of imprisonment

up to twice the maximum amount otherwise authorized. This will get rid of the fegans in society who use young kids to run drugs because we can't protect them, and I think this is the way to go and I ask for a favorable adoption.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 1565. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48...49...49 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1565 and the bill having received the required constitutional majority is declared passed. Before we leave the regular Calendar, we earlier gave leave to Senator Carroll to go back to House Bill 3101, Mr. Secretary, on the Order of House Bills 3rd Reading, for the purpose of the supplemental appropriation. All right. With leave of the Body, we'll go back to the Order of House Bills 3rd Reading, on the top of page 4, is House Bill 3101. Read the bill, Mr. Secretary, please.

SECRETARY:

House Bill 3101.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As we had identified at the point at which we had amended this legislation, these are the appropriations deemed absolutely necessary and essential for the operation of government that could not have awaited the Session of January 13th; and others that will await, that have asked significant

questions that were not issues...the nonfunding at this point in time would critically handle such as Panhandle legislation, DASA, State Police, et cetera will be dealt with at a later time. I think we answered questions at the time the amendment was adopted. I'd be willing to answer questions. This is just over a hundred million dollars, most of which is from other than GR funds, and I would ask for a favorable roll call.

PRESIDENT:

Discussion? Senator Sommer.

SENATOR SOMMER:

...Mr. President and members, what Senator Carroll says is indeed correct. There's none of those items that we are notoriously concerned about in this bill. I would like to point out one small item and that is that we had in June appointed a committee to determine a proper memorial for Senator Bloom. The committee met and has...has decided that a proper memorial would be to plant a tree on the lawn in his honor and also to place a plaque near the tree memoralizing him and...in here we have a...a very modest sum of one thousand dollars to accomplish that.

PRESIDENT:

Further discussion? If not, the question is, shall House Bill 3101 pass. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. House Bill 3101 having received the required constitutional majority is declared passed. All right. The Secretary has informed me that Supplemental Calendar No. 1 has been distributed. It appears at least that we have finished our business on the regular Calendar unless anyone has something they wish to bring to the Chair's attention. And that being the case, we'll move to the Order of Supplemental

Calendar No. 1, there's...on the Order of Conference Committee Reports, Conference Committee report on Senate Bill 1164, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1164.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. What this Conference Committee does...one thing it does is conveys a waterline from the City of Kankakee to the water company. This line goes to the Old Manteno Mental Hospital, it goes to the Illinois Veterans' Home there and to Illinois Diversitech Campus, a group that we created here. Now, this line is fifty years old and is in sad repair. The Veterans' Affairs Department is opposing this transfer, I might tell you; they have tried to lease...or not lease, they tried to...well, lease...for no cost to the water company this line and the water company in Kankakee says they cannot fix it if they don't own it. So what I'm trying to do is give this fifty-year-old waterline to the water company so when it does break, they can repair it, and it broke several times last year and there was no cost to the Veterans' Affairs Department because there was equipment out there and...CMS had some people there and they fixed it, but...it's going to cost a substantial amount of money in the future to fix this line. The water will not be...or the water company will not charge a higher rate if they own the line because they are regulated by the Commerce Commission. So we're kind of...a chicken and the egg situation on that one. In...in another part of the bill there is a...the Department of Conservation owns some land along the Illinois-Michigan Canal that...that the City of Ottawa...they let the City of Ottawa use, they are trying to sell this, City of Ottawa is to the Salvation Army for a soup kitchen

and there the Department of Conservation says that this needs to be sent through the General Assembly also. So I'd be happy to answer any questions, if there are any.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

A question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

Word reached me just a couple of minutes ago that this bill had failed in the House, this report. Do you know if that's true?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, that...that was true, but the...the word that I had was that those type of bills were failing until the baseball and race track bill were called over there. So, I'm not privy to what is going on over there, I just thought that we ought to try and pass it here and let the House do what they will.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, I guess my only comment was, I was one of the conferees and one of those that did not sign the report. Our staff had done an analysis of this and pointed out to those folks on our side of the aisle that there may certainly be a problem here inasmuch as we seem to be conveying land without any consideration for it. I thought the procedure around here was that we had things appraised, there was a value established and there had to be proper compensation. So that was the reason that I did not sign the report.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Joyce.

SENATOR JEROME JOYCE:

Okay...I understand that and...it normally is the way but we couldn't get the...Department of Veterans' Affairs or CMS could not get a legal description in time. All it is is an eight-inch pipe that runs down the right of way of Route 50 and they couldn't get this done. Now the water company in Kankakee tells me that they will not be able to accept this, you know, as a gift, if you will, or for anything else after the first of the year because of the new tax law, they would have to pay taxes on it. Now I guess I'm in kind of the position on this bill that it's...I want to be able to say I told you so when the Department of Veterans Affairs comes in here with a large appropriation to...to fix up this pipe. We have an opportunity to give it away to someone who will repair it for nothing and...you know, the department says, well, it...you know, it would cost us more to get a legal description than maybe it would to fix it up and we've got it in our budget. It would be easier to get money in our budget to fix the pipe than it would be to hire a lawyer to get a legal description. So it just doesn't make a whole lot of sense to me. I...do what you will with this, I know we're not going to let that veterans' home go without water. So, you know, do what you want to. I think we have an opportunity to save the State some money is all I'm trying to do.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LUFT)

Indicates he will yield. Senator Joyce.

SENATOR DAVIDSON:

Senator Joyce, does this also have a provision in it that

would allow the City of Ottawa to...convey land that was given to them by the Department of Conservation to the Ottawa Salvation Army?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Joyce.

SENATOR JEROME JOYCE:

...yes, I said that in my opening remarks, Senator, it does.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, I did not hear that in your opening remarks, but...I don't know when we conveyed that to them from the Department of Conversation, but in...I know in all the recent years when we have given State land to a public body that if the use of that is not used or not for the purpose for which the State donated it, it reverted back to the State. Does this title that...when we gave this land from Conservation to Ottawa have such a conveyance in it reverting it back to us and, if so, how...is this doing away with that procedure?

PRESIDING OFFICER: (SENATOR LUFT)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, as I'm told, and I'm not all that familiar with Ottawa, that the State gave this land to Ottawa for the...oh, for the use of the city of...the people of Ottawa. Now it doesn't seem to me that giving it to the Salvation Army would be a...a very dastardly thing to do. They're going to run a soup kitchen in it.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Davidson.

SENATOR DAVIDSON:

It may be not a dastardly thing as far as Salvation Army is concerned but I always thought when we conveyed property

to a public body without any fee attached that it had to be for public use. And I support the Salvation Army very generously in this area, but they are not a public use facility that any and everybody can go in and use it. So, I...I don't know whether this is the first or second Conference Committee report, but if it's the first, I think we ought to reject this and let's get it in the right order.

PRESIDING OFFICER: (SENATOR LUFT)

Further discussion? Senator Joyce to close.

SENATOR JEROME JOYCE:

Well, I...I think we...we know basically what the things are here and...and I just ask for your favorable support.

PRESIDING OFFICER: (SENATOR LUFT)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1164. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? It takes thirty-six votes. Have all voted who wish? Have all voted who wish? Take the record, please. On that question, the Ayes are 35, the Noes are 12, none voting Present. And the Conference Committee report on Senate Bill 1164...report is not adopted and the Secretary shall so inform the House. Senator Joyce requests a second Conference Committee be appointed on Senate Bill 1164. (Machine cutoff)...on Supplemental Calendar No. 1 is House Bill 3351, Senator Demuzio. Senator Demuzio.

SECRETARY:

First Conference Committee report on House Bill 3351.

PRESIDING OFFICER: (SENATOR LUFT)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. The first Conference Committee report...all this allows is for the chairman of the Board of Education in...municipalities of over five hundred thousand

to serve on Economic Development Committee as well. Apparently, there is a prohibition in Chicago that apparently forbids the Board of Education chairman from serving on any other boards or commissions and this is simply to allow him that opportunity to serve as a member also of the Chicago Economic Development Commission. I'll be glad to respond to any questions, but I think that's simplistically what it is in its nature.

PRESIDING OFFICER: (SENATOR LUFT)

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 3351. Those in favor vote Aye. Those opposed Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, please, Mr. Secretary. On that question, the Ayes are 52, none voting Nay, none voting Present and the Conference Committee report on House Bill 3351...or the Senate does adopt the Conference Committee report on House Bill 3351 and is declared passed. Sorry. Senator Demuzio.

SENATOR DEMUZIO:

On a point of personal privilege. If I had been more alert, I would have certainly voted in the affirmative on my own Conference Committee. I would like the record to so reflect, and also I would like to ask that Senator Newhouse be joined as a hyphenated cosponsor of that.

PRESIDING OFFICER: (SENATOR LUFT)

The record will so reflect, please, Mr. Secretary. On the Supplemental Calendar No. 1 is House Bill 3473, the Conference Committee report, Senator Davidson. Please read the Conference Committee report, Mr. Secretary. I'm sorry, Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I'd like leave of the Body to come back to this a little later, we're not quite ready to move with it at

this time.

PRESIDING OFFICER: (SENATOR LUFT)

Is leave granted? Leave is granted.

PRESIDENT:

If I can have your attention, we are, again, as always happens at the end, awaiting Messages from the House. As I read my checklist, we are down to probably four or five items, so that we are truly sitting here waiting for House Messages. In the meantime, Mr. Secretary, let's move to the Order of Resolutions. We can adopt the Resolutions Consent Calendar. Resolutions. Mr. Secretary, have any objections been filed to the Resolutions Consent Calendar? This Calendar has been distributed to the members, it is on your desk. The only additions thereto have been this afternoon, House Joint Resolution 247, House Joint Resolution 248 and Senate Resolution 1317, all of which are congratulatory. Any objections been filed, Mr. Secretary?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

All right. Senator Luft will then move the adoption of the Resolutions Consent Calendar, three pages of resolutions. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Consent Calendar...is adopted. I'd ask you, ladies and gentlemen, just kind of stand at ease. I will confer with Senator Philip and we'll find out what the House is about. We're trying quick as we can, honest...honest. The Senate will come to order. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, it was...with deep regrets that we see one of our colleagues leaving the Senate. I'm talking namely about Senator Jim Rupp and as sponsor of resolution...Senate Resolution No.

HB 3473 1st CC Report

1289 to which all the other Senators join me telling Jim that we are going to miss him and we wish him...

PRESIDENT:

Senator Geo, can you hold that Message until the gentleman hits the Floor. I'm sure he'd like to hear it.

SENATOR GEO-KARIS:

I wonder where he is.

PRESIDENT:

...he was working, he was one of the pension conferees, they were working.

SENATOR GEO-KARIS:

I'd be happy to hold it until he gets back. Thank you.

PRESIDENT:

Thank you, you're very kind. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator Maitland is...on...in Washington D.C. on legislative matters and that Senator Macdonald is once again at home convalescing from an operation. Thank you.

PRESIDENT:

The record will so reflect. If I can have the attention of the membership, let me just give you an idea where I think we are and where the consensus thinks we are. The House, as I'm sure everyone is aware, has turned down the first Conference Committee report temporarily on 3162, they are conferring. The fact is that it appears that the Senate as usual has concluded its business in an expeditious fashion, so we are prepared to adjourn until the 13th of January and leave the House to its own devices this evening. There is one additional matter, I made a commitment to Senator Philip that we would get back to House Bill 3473. I'd like to handle House...the Conference Committee report on House Bill 3473,

then we will handle the motion to adjourn until January 13th, at the hour of noon, and I think that's all we have to do. With leave of the Body, because everybody is in a hurry, we will move to the Order of Supplemental Calendar No. 1. Senator Davidson...asked leave to get back to that. Conference Committee report on House Bill 3473, Mr. Secretary, please.

SECRETARY:

First Conference Committee report on House Bill 3473.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would urge the adoption of Conference Committee Report No. 1 to House Bill 3473. It has three things in it; one, DuPage Airport which we passed out of here, Senate Bill 1921, 53 to 2; one, DuPage Water Commission which has a limited quick-take for eighteen months which was Senate Bill 2038. The other is...has to do with the National Heritage Endowment Trust Fund Act which is necessary for conservation in the State to be able to create a Natural Heritage Fund so that funds from private foundations can go into this fund. It escrowed...after the fund reaches five million dollars, the interest that is earned from this fund will be appropriated by the General Assembly to the Department of Conservation to buy national heritage or heritage type property. I would urge a favorable vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 3473. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee report on House Bill 3473

and the bill having received the required constitutional majority is declared passed. Before we put the motion to adjourn and the adjournment resolution...Senator Geo-Karis.

END OF REEL

REEL #3

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDENT:

State you point, ma'am.

SENATOR GEO-KARIS:

I would like to inform our colleagues that our colleague, Senator Jim Rupp, will be leaving the Senate at the end of this term and those of the...those of...those of us who've had the pleasure of knowing Jim and working with him, even when he didn't agree with us and we didn't agree with him, we felt that we want to express our appreciation to him for being the fine gentleman that he is and has been, a good colleague and a very able and astute Senator and wish him and his wife, Florence, well. This is Senate Resolution No. 1289. I not only offered it along with our leadership but every other member of this Senate and we'd like to express to Jim Rupp that we will miss him, we hope he comes back and I hope he'll be the new county chairman of the Republican Party in Macon County, so maybe we'll get some results there because we never win out there, but we want to wish him well. God...God give you good health, happiness, success and prosperity to you and your wife and family. And, Jim, I love you no matter what you tell me.

PRESIDENT:

Well said. Senator Rupp.

SENATOR RUPP:

Mr. President, all I'd ask for is a favorable roll call.

PRESIDENT:

Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Have we moved to adopt our resolution? I want to go to another order of business for just...

PRESIDENT:

Yes...yes.

SENATOR DeANGELIS:

While we are...there is another member on our side...

PRESIDENT:

Hold it now. We're trying to wind it up...wind up...wind down.

SENATOR DeANGELIS:

...who is also going to be leaving us, and I did not have the privilege of knowing this gentleman till he came down here and in the short period of time he's endeared himself, I'm sure, to all the members of the Body because he is quite a classy person, extremely knowledgeable, participates in his own way in the process and I would just like to say that, Dave Leitch, we're going to...miss you a lot. We hope to see you back here someday and maybe in the near future see you at least back in some other capacity where you could come and visit us, but you've been a real joy. We're going to miss you.

PRESIDENT:

Well said. Senator Schaffer.

SENATOR SCHAFFER:

Well, on the same subject, we have one additional member on this side of the aisle who is departing and is sneaky enough not to show up on the thirteenth even though he has assured me he will be here, so...so that we don't miss a chance. I've, along with Doc and Howie and Dawn, served with Senator Sommer lo these many fourteen years and we had a little bit of a chance the other night to get even with him and I thought we did a rather...rather good job of it, but all kidding aside, it is a...a...and if Bob Madigan were here

I would give him the big shoes treatment. It's a very big set of shoes that...Senator-elect Madigan is going to have to fill and we're all going to miss Roger Sommer and his quiet counsel and rationed...rational debate. He's made an impression down here and he's made a lot of friends and I know we're going to miss him. I doubt he'll be out of government too long, but we do all wish him well. I know that's a very bipartisan wish too.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, it has...been one of those who shared this illustrious Body time with Senator Sommer who came with him in the class of '72, who share adjoining district, even had to campaign with him through my home county, been his seatmate, though he almost killed me with his cigarettes, he...we're going to miss him. The whole State is going to miss him. He's the only guy I knew who had the ability to back Howie Carroll up and we certainly need you to come back, Roger, and when we put up a red flag and call out for help, don't question, just come, you'll know that Howie is out of control again and that we'll need you to help us get his attention. I'm going to miss you and I'm sure the whole...wish you well.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, would like to rise on this occasion to say a fond farewell to one of, as now Chairman Hall but then Senator Hall used to say, one of the four horsemen...and as one of the horsemen, I can say that Senator Sommer did an unusual and yeoman's work. He was a little bit raucous in committee on...on occasion, spending a lot of...wasting a lot

of our time overquestioning directors and other agency staff; but I can assure you, Senator Davidson, you were right, when we got into that closed room up on the sixth floor he did an outstanding job for your party, so in that sense, I'm happy to see him go because we can break in a new member who will have much less knowledge, much less talent and much less ability. The State will miss you, Roger.

PRESIDENT:

I'd...I would just remind those who are on the airplane, it's five-thirty...the airplane...yeah, right...all right. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the...Senator Sommer, one of the finest things that I've had in the twenty years I've been in the Legislature is when you come to join us in the Senate. I wish you Godspeed and farewell.

PRESIDENT:

Senator Geo-Karis, for the twenty-third time.

SENATOR GEO-KARIS:

Well, I just want to...Mr. President and Ladies and Gentlemen of the Senate, I want to congratulate and commend Senator Sommer, Senator Rupp and Senator Leitch for jobs well done, but I wanted to tell Senator Sommer you're the only one, Roger, who can compete with Ayatollah Khomeni Carroll and I think you were on equal footing with him and he was more afraid of you than he...than you were of him.

PRESIDENT:

Senator Sommer, you want to defend yourself or do you want to wait till the thirteenth? Okay, fair enough. Resolutions, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 190 offered by Senator Demuzio.

(Secretary reads SJR 190)

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This...Senate Joint Resolution 190 is the...the adjournment resolution as read by the Secretary. It calls for us to come back on January the 13th, Tuesday, at noon, 1987, and I would move for the immediate suspension of the rules and adoption of Senate Joint Resolution 190.

PRESIDENT:

All right, Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 190. Calls us...calls for us to return on the 13th of January. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 190. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Ladies and gentlemen, you have, as usual, responded magnificently. I wish all of you a very Merry Christmas and a Happy New Year, and we'll see you on the 13 of January. Session is...pursuant to the adjournment, Senator Poshard moves that the Senate stand adjourned until January 13, 1987, at the hour of noon. Senate stands adjourned.

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84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION SESSION

DECEMBER 5, 1986

PRESIDENT:

The Third Special Session will come to order. Reading of the Journal, Mr. Secretary. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and approval of the Journals of Tuesday, December the 2nd; Wednesday, December 3rd and Thursday, December 4th, of the Third Special Session, in the year of 1988, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed...pardon me, placed by Senator Smith. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Resolutions.

SECRETARY:

Senate Joint Resolution No. 7 offered by Senator Smith.

(Secretary reads SJR 87)

PRESIDENT:

All right, Senator Smith has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution No. 7, the adjournment resolution. We will continue the Third Special until the 13th of January. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Smith now moves the adoption of Senate Joint Resolution No. 7. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Any further business to come before the Third Special Session of the 84th General Assembly? If not, Senator Smith moves that the Senate in its Third Special Session stand adjourned until...twelve-thirty...January 13, 1987, at the hour of 12:30 p.m. Senate stands adjourned.

STATE OF ILLINOIS
84TH GENERAL ASSEMBLY
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84TH GENERAL ASSEMBLY

REGULAR SESSION

JANUARY 13, 1987

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of noon...the hour of noon having arrived, the Senate will come to order. Members will be at their desks. Our guests in the gallery will please rise. Prayer this afternoon will be by the Reverend Jerry Nichols, First United Methodist Church, Springfield, Illinois. Reverend Nichols.

REVEREND NICHOLS:

(Prayer given by Reverend Nichols)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Reading of the Journal.

SECRETARY:

Tuesday,...December the 2nd; Wednesday, December the 3rd; Thursday, December the 4th and Friday, December the 5th, in the year 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator O'Daniel. Are there any...objections? If not, those in favor indicate by saying Aye. So ordered. Communications.

SECRETARY:

To the Honorable President of the Senate.

Sir - In compliance with the provisions of the Constitution the State of Illinois I am forwarding herewith the enclosed Senate bill that has been returned by the Governor with specific recommendations for change.

Senate Bill 2116. Signed, James Edgar, Secretary of State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to the Order of Resolu-

tions. Resolutions.

SECRETARY:

Senate Resolution 1318 offered by Senators Rock, Philip and all Senators.

Senate Resolution 319, by the same sponsors.

Senate Resolution 1320, by...that was...1319. Senate Resolution 1320, by Senators...Philip, Rock and all Senators.

1321, by Senators Dudycz, Philip, Rock and all members.

1322, by Senator Holmberg.

1323, by Senators Rock, Philip and all members.

1324, by Senator Lechowicz.

1325, by Senator Lechowicz.

1326, by Senator Lechowicz.

1327, by Senator Rock.

And all of those are congratulatory.

1328, by Senator Rock and all Senators.

1329, by Senator Philip, Rock and all Senators.

And 1330, by Senator Lechowicz.

And those are death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1330...I read Senate Resolution 1329 as a Senate resolution; actually, it's a Senate joint resolution, so this resolution will be 1329, it's congratulatory and it is offered by Senators Rock and Lemke.

Senate joint resolution which was numbered 1329 will be Senate Joint Resolution 191 offered by Rock...Philip, Rock and all Senators and it's a death resolution. Just replacing the number.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 1331 offered by Senator Dudycz. It's

congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Could we have...can we have some order, please. Can we have some order, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentleman of the Senate, I would request a Democratic Caucus immediately in Room 212 and in the Senate...I would also further request that the Senate stand in Recess until the hour of two-thirty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Republican Caucus immediately, Senator Pate Philip's office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We...we have four congratulatory resolutions that we will read into the record so that they are printed on the Calendar. Senator Rock has...well, resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1332, by Senator Zito.

1333, 1334 and 1335, by Senator...Topinka.

1336, by Senators Rock, Philip and all members and they're all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Democratic Caucus in Room 212 immediately. Republican Caucus in Pate Philip's office...Senator Philip's office immediately. Senator Rock has moved that the Senate stand in Recess till the hour of two-thirty. The Senate stands in Recess.

RECESS

AFTER RECESS

PRESIDENT:

(Machine cutoff)...will please come to order. Message from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee on Senate Bill 1010 and request a second conference to consider the differences between the two Houses and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right. Senator Carroll moves that the Senate accede to the request of the House. All in favor of the motion to accede indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1337, by Senator Dunn. It's congratulatory.

1338, by Senator Dunn and it's congratulatory.

1339, by Senators Rock and Jones and it's congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary. If I can have your attention, the Secretary informs the Chair that Supplemental Calendar No. 1 has been distributed. Supplemental Calendar No. 1 deals with gubernatorial action in terms of specific recommendations for change on Senate Bill 2116. Mr. Secretary, with leave of the Body, we will move to the Order of Supplemental Calendar No. 1, motion in writing on Senate...with respect to Senate Bill 2116, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the

Governor as to Senate Bill 2116 in the manner and form as follows. Signed, Senator Weaver.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. All this does is make the effective date immediately, and I would move that we accept the recommendations of the Governor.

PRESIDENT:

All right. Senator Weaver has moved to accept the specific recommendations of the Governor as to Senate Bill 2116. Any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 2116 in the manner and form just stated by Senator Weaver. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 2116 having received the required constitutional majority vote of Senators elected are declared accepted. All right. With leave of the Body, we'll move to page 7 on the Calendar. On the Order of Conference Committee Reports is a Conference Committee report on House Bill 2642. Middle of page 7, House Bill 2-6-4-2. Mr. Secretary.

SECRETARY:

This is the second Conference Committee report on House Bill 2642.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This bill...the original bill affects the municipalities and how they impose taxes or

license fees on vending machines. What it would do now is...currently, they can just put a license...or tax on them, this would require them to give a thirty-day notice before they did that. The second part of the bill...the overall effect of that part would be...it's a...provision that would simplify some taxes affecting the rental of motor vehicles in the City of Chicago. The City of Chicago would exempt...rental vehicles from the one percent sales tax on vehicles purchased outside the city and used in the city. Rental vehicles would then be subject to an increase leasing tax on all rental agreements written in...in any municipality which has or will enact such a law. The tax would increase from one dollar to two seventy-five per rental transaction. This legislation would implement an agreement worked out between the City of Chicago and the rental and leasing industry to remove all the road blocks to an orderly and implementation of the payment of the taxes. I'd be happy to answer any questions if there...

PRESIDENT:

Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Would the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

The original bill said that this talks about your vending machine...problems, but it also says that it specifies cities...Senate Amendment 1, and I'm not sure if it's back in the bill, specifies cities and villages under the commission form of municipal government may vest themselves with a managerial form of municipal government. Is that still part of your bill?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you. No, that part is out, Senator.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

And then your second part of the bill, I think that you just explained, relates as to the rental of automobiles in the City of Chicago only as to one percent fee. Now would you explain that a little more because I wasn't quite sure I got that.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

No, it...it's any city that would impose this...this law, and...and it would increase the tax from a dollar to two seventy-five per transaction. What happens, I guess, is the people don't pay their parking tickets and so forth with rental cars and this is seeking to correct that.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, if I understand you correctly then, are you saying that rental cars...excuse me, if they have any parking fees they have to pay them? Is that what...is that what you're...I don't quite get it. Yeah, but I'm...

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

No, it just...it would simplify all of the road blocks that they've had. I guess there's been several court cases there and what it does is just increase the fee from a dollar to two seventy-five per transaction. So that would take care of those problems.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. Speaker...Mr. President, I was just going to add that originally when it was passed to solve a problem...the parking ticket problem, it was at a dollar. Then the court cases got involved and the city wanted to raise the fee, the car dealers or car rental agencies agreed to it just to get this going to clear up all the backlog and start fresh to accept the two seventy-five charge.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Roll call.

PRESIDENT:

The question is, shall the Senate adopt the second Conference Committee report...on House Bill 2642. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2642 and the bill having received the required constitutional majority is declared passed. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1340, by Senator Kelly.

1341, Senator Kelly.

1342, Senator Kelly.

1343, Senator Mahar.

1344, Senator Welch.

1345, Senator...those were all congratulatory. And 1345, by Senators Geo-Karis, Philip and Rock and it's a death resolution.

PRESIDENT:

HB 3133 Recalled

Consent Calendar. If I can have the attention of the membership, we are obviously in a position again, as we always are at the close of a Session, waiting for paper to come back and forth and for copies to be distributed. We have four or five matters yet pending. It is hopefully our intent to conclude the business of the 84th General Assembly today before we leave. So, I think if we move with some dispatch, we can wind up our business, hopefully, within the hour. With leave of the Body, if you'll turn to page 4 on the Calendar, on the Order of House Bills 3rd Reading is House Bill 3133, and Senators Hall and Carroll have requested leave of the Body that that bill be returned to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3133, Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the three-thirty or now ten to five version of the most recent supplemental request for Fiscal '87 of the Office of the Governor, the other constitutional officers and the General Assembly requests. It has, I believe, been distributed in memorandum form to both sides of the aisle, so than rather go...than go through it in detail let me just identify that it is basically pass-throughs of Federal funds and other non-GR sources as a general rule certain specific General Revenue Fund requests that it was felt that there was sufficient general revenue to handle and that had to be done in a timely fashion such as continuing certain lawsuits. And...and also anything that had to do with...in the lowest dollar level possible that had to do with implementing a

substantive law that has been signed into law by the Governor but for which no funding had been provided. We have attempted to take care of certain other emergencies that have been brought to our attention by various members of the General Assembly. It is a total package of some hundred and thirty-seven million of which however a hundred and eleven million is non-GRF items. I would be willing to answer questions and would ask for a favorable adoption.

PRESIDENT:

Any discussion on the motion to adopt Amendment No. 2 to House Bill 3133? Is there any discussion? If not, all in favor of the amendment indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

Amendment No. 3 offered by Senator D'Arco.

PRESIDENT:

Senator D'Arco on Amendment No. 3.

SENATOR D'ARCO:

Thank you, Mr. President. This amendment appropriates the sum of eight hundred and fifty thousand from the School Construction Bond Fund to the Capital Development Board for a grant at Andrew Jackson Elementary School in Chicago. This proposal...in fact, there have been numerous editorials in the Chicago Tribune on this proposal, and what it amounts to is a provision where the University of Illinois and the Chicago Board of Ed. are going to work in conjunction with teachers from the university and teachers from the Board of Ed. to develop a laboratory school to facilitate approaches to learning that have heretofore been unknown in the Chicago Board of Education School System. They're going to do research, they're going to have an early childhood development program, they are going to...do experimental training and...faculty training at this new laboratory school. The

money for the budgets for this new school is going to come out of the budgets of the university and the Board of Ed. in conjunction. So there is going to be no new additional funds appropriated for this school. We are very high on appropriating money for gifted children and we created a school to help gifted children, and that was a noble idea and it was a noble thing for this Assembly to do. This program is going to be in the City of Chicago to help develop programs to help inner-city kids so they could become gifted students someday, just like kids that come from the suburbs and other areas of this great State of Illinois. That's what this program is going to do, and these dollars are going to be used for that purpose. It's a good idea because it deals primarily with early childhood development education, and that's what we got to do in our educational systems today that we're not doing is develop children at early ages when they are more susceptible to learning. And that's what this facility is going to do among other things. This bill deserves our attention and I ask for an adoption of Amendment No. 3.

PRESIDENT:

All right. Senator D'Arco has moved the adoption of Amendment No. 3 to House Bill 3133. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Will the sponsor yield, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I'm trying to clarify in my own mind how you...you propose to...or what the source of the funding for this proposal is. This is an idea that is kicked around several times over the last several months. It has been vetoed by the Governor. And...the earlier vetoes, one of the reason was because it was proposed that the funding come from

the Capital Development Fund. Did I understand you correctly that you are proposing funding from another source at this time?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

The original...I...I think what happened was that the Governor's objection to the proposal was that it was coming from an...inappropriate funding source. What we did was say that it would come from the School Construction Bond Fund which is the identical fund that originally passed the appropriation for the school in its initial stages which was...which we appropriated last year. So we're saying that it will not come out of the Capital Development Fund, it will come out of the School Construction Bond Fund and be appropriated to the Capital Development Board for that purpose the way it was originally.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

At this...are we constructing a school here, Senator, though? That is the purpose for which that money is intended. Are we...I didn't understand that this proposal call for a construction of a school.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yeah, we're constructing the...classrooms for the early childhood development and the research of...you know, this school was at originally a six million dollar school and it...it was a part of the package of the Hispanic schools. It was on the near west side of the City of Chicago which is...which is where the University of Illinois at Chicago is located. The university and the board got together and

says, hey, let's try...let's take some of your teachers, let's take some of ours, let's use their expertise, develop an experimental program, develop a lab school here. In order to do that we need a little more money than the six million to develop the early childhood learning classrooms and the research facilities that are necessary in order to develop this new type of school. That's how the genesis of this additional eight hundred and fifty thousand dollars evolved.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, may I ask, what is the emergency? Why do we have to do this in the closing hours? It seems to me that this may be a...a very well worthwhile program, but why can't we move this through the regular appropriation's process, why must we do it now?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, they're...they're going to break ground in April and...you know, so there is an emergency to it in the sense that they're going to break ground while we're in Session and we won't be able to fund the appropriation before June.

PRESIDENT:

Senator Etheredge. Further discussion? Any further discussion? If not, Senator D'Arco has moved the adoption of Amendment No. 3 to House Bill 3133. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senators Demuzio and Watson.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Amendment No. 4 addresses itself to a unique problem that has occurred in the Highland School District. This is a one shot, one bump appropriation for this school year because of the increase in enrollment that has exceeded over fifteen percent. And I would move adoption of Amendment No. 4.

PRESIDENT:

All right. Senator Demuzio has moved the adoption of Amendment No. 4 to House Bill 3133. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 5 offered by Senator Demuzio.

PRESIDENT:

Senator Demuzio, Amendment No. 5.

SENATOR DEMUZIO:

This...this one is a technical amendment that...a Build Illinois project, simply drops the name of the specific watershed project that was to be studied and broadens it so that it would include water surveys in the entire County of Macoupin and it's simply a technical change. I would move adoption of Amendment No. 5.

PRESIDENT:

Senator Demuzio has moved the adoption of Amendment No. 5 to House Bill 3133. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Hall and Carroll have asked leave of the Body, to go back to that after intervening business so that it can get on its way to the House. All right. With leave of the Body we'll move to Supplemental Calendar No. 2. Secretary informs the Chair that Calendar...Supplemental

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Calendar No. 2 has been distributed as have copies of the two Conference Committee reports that are reflected on Supplemental No. 2. Supplemental Calendar No. 2, on the Order of Conference Committee Reports is a report with respect to Senate Bill 1010, Mr. Secretary.

SECRETARY:

The second Conference Committee report on Senate Bill 1010.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill no longer calls for the division of the Chicago public schools into twenty elected school districts as the Calendar said, although maybe we can put that in anyway. But in the interim what it does do is do some handicapped access language needed by the Chicago Board of Elections and equally and probably more important is allowing for the precinct referenda that has been discussed by the Save Our Neighborhood - Save Our Cities Coalition on the Guaranteed Home Equity Programs in the several Chicago neighborhoods in the April elections of 1987. There are other issues that have been previously discussed as potential candidates for this particular piece of legislation, they are not, I repeat, not in there now. So this is a solid absent solidarity proposal and I would ask for a favorable adoption of Conference Committee Report No. 2.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall...I beg your pardon, Senator Dudycz. I'm sorry.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I stand in opposition to Conference Committee Report

No. 2 to Senate Bill 1010 for the following reason. Last year when the Save Our Cities and Save Our Neighborhoods Coalition of Chicago came to the Legislature asking to be allowed to submit advisory referendums to the voters of their neighborhoods, we voted last fall on Conference Committee Report No. 1 of Senate Bill 1010. Now the Conference Committee report that we voted and passed and sent to the House contained a language that the Save Our Cities and Save Our Neighborhoods people requested. However, our colleagues in the House failed to act and now we see Conference Committee Report No. 2. The advisory referendum proposal for the neighborhoods is watered down to almost nothing. What's the difference between Conference Committee Report No. 1, No. 2 is...is the following. Number 1 allowed any type of advisory question to be submitted to the voters and the question could be submitted at any election. What No. 2 does, it limits the type of questions which can be submitted to the voters to only home equity questions and the questions can only be submitted in elections held in 1987. Now, as we're all aware there are no November elections this year and the only election at which this question will be able to be submitted is the April 7th Mayoral Election. Now in order to get on the ballots for the April 7th Mayoral Election, the petitions for the advisory referendum will have to be submitted this coming Monday, January 19th. Now this bill may not even be law by Monday; therefore, for all practical matters, this provision can do absolutely nothing at all. If it does, it gives the community a very, very limited amount of time in which to attempt to do it. According to the Election Code, petitions for the advisory referendum must be held no later than seventy-eight days prior to an election. Again, I stress it's this coming Monday. What we are...what we are telling the Save Our Cities and Save Our Neighborhoods Coalition is that we are giving them absolutely nothing with Conference

Committee Report No. 2. I spoke this afternoon with the representatives of the coalition and they informed me that Conference Committee No. 2 is totally...totally unacceptable to them as it stands. So later on this afternoon I plan to meet with staff and to have meaningful legislation drafted which gives the real substantive changes which the neighborhoods need. And as for now, I'm voting Present and I ask my colleagues, at least on this side of the aisle, please to join me and vote Present.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, if I'm reading this Conference Committee report correctly, and the sponsor...can correct me if I'm wrong, but I think on page 17 that language is still in there that provides that, for instance, the school district or someone that wants to have some type of a referendum procedure, if certain precincts are not open because there is no one running in those particular precincts, there will be the requirement to have them open, is that correct, Mr. Sponsor?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Senator Rigney, yes, and that is identical to Conference Committee Report No. 1 which, as Senator Dudycz pointed out, we had passed in the Fall Session. That language has not changed. The other changes were the result of House action, but that did not change.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, I think it's maybe perhaps a minor objection but I would point out that it's not a level playing field, for

instance, when one part of the district is running officers for various local offices and other parts of the district do not have those people on the ballot; in fact, then the only thing that brings people in to vote will be just that particular referendum itself. So, like I say, it may be a minor objection but I'm not really happy with the language in that part of the bill.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. I rise on that same point and I think for those of us who represent downstate areas we should be cautious about the fact that we may be allowing our units of local government, notably school districts, to hold referenda under this section that would...that would not be allowed under current law. Now if that...if that's what you want to do, okay, but I think that there has not been enough attention paid to this point and that Senator Rigney has raised a valid point, particularly for those of us who represent rural districts.

PRESIDENT:

Further discussion? Is there any further discussion? Senator Carroll, you wish to close?

SENATOR CARROLL:

Merely by saying, Mr. President, as to that particular section, of course, we...we know that was a request of Morris, Illinois for a particular library district issue to be on the ballot. As to the other, Senator Dudycz, we thought that this was within accord within the limitations that the House by its action had placed upon the availability of referendum at this time. This would, you're correct, allow a referendum for April of '87, which is a very limited scope, and that we would have to take further legislative action to open it up for '88 or other years. It was our

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understanding that because of the House action this was all that was available and that this small step was better than no step at all. I would ask for adoption of Conference Committee Report No. 2.

PRESIDENT:

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 1010. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 6 Nays, 20 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. On Supplemental Calendar No. 2, the Conference Committee report on House Bill 2630, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill 2630.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

I didn't know I was so popular, Mr. President. Anyway...no...no...no...no jokes. I don't know if the Governor is listening, but there's a lot, you know, that...that this bill contains and there's a lot that it doesn't contain. I honestly believe that the provisions that were deleted from this bill, particularly the...constitutional officers' provision, will reemerge in the subsequent General Assembly. There is much merit to the provision. There is no doubt in my mind that the constitutional officers'...pensions should be based on their salaries. I think that's a very legitimate purpose and if our pensions are based on our salaries, then their pensions should be...based on their salaries. I think that's simple logic. But there are problems with putting that provision in this bill and the problems I will not

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address right now, but they will be worked out in the upcoming Session of the General Assembly. Now the other deletions in the bill involve the last day of service for the downstate police and the twenty-five years...of the State Police. There was some disagreement about those two provisions. We had a lengthly discussion and debate on those two provisions, and even though the downstate firemen pension is based on the last day of service, the argument was made that we shouldn't extend it to the police and I disagree with that. I think that if it's good for the firemen, it should be good for the police but in the spirit of compromise...and Dudycz is agreeing with me, in the spirit of compromise, we removed that provision. The South African provision is in the bill and that was worked out. There are numerous other provisions in this bill and they affect many of our pension systems throughout the State of Illinois. I will be happy to address any one of those provisions if you have any questions; if not, I would ask that we adopt Conference Committee Report No. 2.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 2630. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 2630 and the bill having received the required constitutional majority is declared passed. All right. Earlier leave had been granted to get back to House Bill 3133. You turn to page 4 on the Calendar. On the Order of House Bills 3rd Reading, Mr. Secretary, is House Bill 3133. Read the bill, please.

SECRETARY:

House Bill 3133.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the supplemental, and we hope the last supplemental appropriation at least of the 84th General Assembly, for the operations of State Government. As identified before, some hundred and eleven million dollars in other than GRF and some twenty-six million in GRF. Everyone I believe by now has had a time to digest the seventy-seven sections therein. And I would be willing to answer questions but ask for a favorable roll call.

PRESIDENT:

Any discussions? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. My light was on from the prior bill. I had tried to get attention to ask a question of the sponsor, I think it is a little too late for that now.

PRESIDENT:

Further discussion? Any discussion? If not, the question is, shall House Bill 3133 as amended pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 2 voting Present. House Bill 3133 having received the required constitutional majority is declared passed. (Machine cutoff)...Berman, for what purpose do you arise, sir?

SENATOR BERMAN:

Point of...point of personal privilege, Mr. President.

PRESIDENT:

State your point, sir.

SENATOR BERMAN:

We are pleased to have with us one of our former colleagues, a gentleman who represented the southeast side of the City of Chicago with great distinction both in the House and then in the Illinois Senate, Senator Sam Maragos.

PRESIDENT:

Senator Maragos, welcome. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

On the last bill I inadvertently voted No and I should have voted Yes. I believe that's 3113.

PRESIDENT:

All right. The...record will so reflect. Messages from the House, Mr. Secretary.

SECRETARY:

A Message...A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 250, and Senator Newhouse is handling this resolution.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Commendatory. Would you...

PRESIDENT:

All right. Senator Newhouse has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 250. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The

rules are suspended. Senator Newhouse now moves the adoption of House Joint Resolution 250. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives concurred with the Senate in the passage of a bill with the following title.

Senate Bill 901, together with House Amendment No. 2.

PRESIDENT:

Resolutions. Senator Philip, you and I have a resolution, I am told. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1346 offered by Senators Philip and Rock.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate...Resolution 1326 memorializes the Federal Congress and the President of the United States to reauthorize the Federal Highway Safety and Public Transportation Fund. As you're probably aware, we contribute in Illinois 1.2 million dollars every day, and all we're simply asking them to get their act together so we can enjoy some of those Federal transportation funds. I move the adoption of Senate Resolution 1326.

PRESIDENT:

All right. Senator Philip has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 1346. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules

are suspended. Senator Philip now moves the adoption of Senate Resolution 1346. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Mr. Secretary, any objections been filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDENT:

Ladies and gentlemen, I would ask you to turn your attention to the Resolutions Consent Calendar as distributed containing Senate Resolution 1318, 1319, 1320, 1321, 1322, 1323, 24, 25, 26, and 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335 and 6, Senate Joint Resolution 191, Senate Resolution 1337, 1338, 1339 and 1340 through 1345. No objections having been filed, Senator Luft moves the adoption of the Resolutions Consent Calendar. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. All right. I'd ask the members just to stand at ease for a moment. We have effectively concluded our business. We have the two adjournment resolutions for the Regular Session and the Special Session to adjourn the 84th sine die. Let me just check with the House and see what they're about and then we can get on with this. Ladies and gentlemen, you have been extremely patient and I appreciate it. The House has effectively concluded its business and we will shortly. Mr. Secretary, Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from Amendment No. 1 to a bill with the following title.

Senate Bill 2123.

Further to inform the Senate that the House request a first Conference Committee and the Speaker has appointed the

members on the part of the House.

PRESIDENT:

Senator Poshard has moved the Senate that the Senate accede to the request of the House for a Conference Committee. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. And the Senate does accede to the request of the House to appoint a Conference Committee. Mr. Secretary, what...resolutions, Mr. Secretary. I might point out to the members, Supplemental Calendar No. 3 has been distributed. I ask the members to please take a look at that. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 1347 offered by Senator Demuzio.

(Secretary reads SR 1347)

PRESIDENT:

All right. Senator Demuzio.

SENATOR DEMUZIO:

Yes. This is the Senate Resolution 1347 that forms the Committee of the Senate, five members, to review the...the Journal so that we might have it initialed and approved for the official record for the proceedings of this 84th General Assembly and I would move its adoption.

PRESIDENT:

All right. Senator Demuzio has moved to suspend the appropriate rules for the immediate consideration and adoption of Senate Resolution 1347. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Resolution 1347. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. Ladies and gentlemen, we're down to Supplemental Calendar No. 3. On the Order of Secretary's Desk Concurrence is Senate Bill 901, Mr. Secretary.

SECRETARY:

Senate Bill 901 with House Amendment No. 2.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, Senate Bill 901 as amended relates to the law involving investment of public funds by public agencies to allow IHDA to financially repurchase bonds in financial...transactions. We apparently passed the law, I believe last year, that severely complicated that process. This bill, I believe, has the necessary safeguards to allow them to properly invest their...money to get maximum effect of the taxpayers' dollars. I am unaware of any opposition and would appreciate a favorable roll call.

PRESIDENT:

Any discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator, just what does it do?...refinancing in...two minutes before we're closing, we're going to refinance IHDA bonds, repurchase them?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I don't pretend to be an expert. It's my understanding that when they sell bonds for a project, say for a fifty million dollar project, and then that project is built over the period of say a year or eighteen months, they need the ability to reinvest the money that they haven't paid out in the course of the process and that this bill...provides for that and I believe there are safeguards and it is a responsible action.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendment No. 2

to Senate Bill 901. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, 1 voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 901 and the bill having received the required constitutional majority is declared passed. Senator Kustra on the Floor? On the Order of Conference Committee Reports, Senator Poshard, there's a Conference Committee report with respect to Senate Bill 2123. Mr. Secretary.

SECRETARY:

Senate Bill 1093 with House Amendments 1 and 2.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, Senate Bill 2123 amends the General Obligation Bond Act by increasing the authorization level for the issuance of bonds by sixty-nine million six hundred and seventeen thousand dollars. This authorization increase provides sufficient authorization to accommodate all bonded projects that were appropriated in both the spring and fall Sessions of Fiscal Year '87. I would move passage of the bill.

PRESIDENT:

All right. I beg your pardon, the Secretary misunderstood what the Chair was...we are...we are on a Conference Committee report on 2123. Senator Poshard has just explained the report. Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 2123. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Commit-

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tee report on Senate Bill 2123 and the bill having received the required constitutional majority is declared passed. Messages from the House, Mr. Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title.

Senate Bill 1093, together with House Amendments 1 and 2.

PRESIDENT:

All right. On the Order of Supplemental Calendar No. 3, on the Order of Concurrence is Senate Bill 1093. Senator Macdonald.

SENATOR MACDONALD:

Mr. President, I wonder if we could add Senator Dudycz as a chief cosponsor, and I will yield my time to him.

PRESIDENT:

All right. With leave of the Body, the Senator has requested that Senator Dudycz be added as a hyphenated chief cosponsor. Without objection, leave is granted. Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Being unfamiliar with House Amendment No. 1 was informed by our handlers that House Amendment No. 2 contains substantive language that we passed last year out of...out of Conference Committee Report No. 1 in Senate Bill 1010. This is what we passed out last month regarding the home equity and the rest of the...the...okay. And House Amendment No. 1 is...is an acceptable amendment submitted by Representative Cullerton. I move that we concur with House Amendments No. 1 and 2 to Senate Bill 1093.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. House Amendment No. 1, I do not have. I haven't seen the amendment, has it been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

It's a short one, Senator, I'll read it to you...it's any person who knowingly requests another person to make...

PRESIDING OFFICER: (SENATOR DEMUZIO)

No,...Senator...Senator...Senator Dudycz, let me...

SENATOR DUDYCZ:

I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...point out that the...the question was whether or not the amendment has been distributed. Senator Dudycz. Oh,...or Senator...

SENATOR DUDYCZ:

Senator, it's a House amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR DUDYCZ:

And I was told that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator...Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, Mr. President, we're...this is a concurrence motion. The Senator is not attempting to put an amendment on a bill. The amendment is on the bill from the House already and all we're voting is on concurrence of that amendment. And I don't think that it's necessary to have distribution on an amendment that he did not originate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...we're...we're getting into an awful lot of interplay here at this hour. Senator Jones.

SENATOR JONES:

Well, Mr. President, I...I understand our posture at this point; however, the...the amendment that we are...attempting to concur in should be distributed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Well, I...I don't...Senator Jones may have a point but I don't think the issue should be with Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR DeANGELIS:

He's attempting to concur with two amendments that the House has passed. Now I don't know what the Chair wants to do but I don't think you ought to take issue with Senator Dudycz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...well, Senator DeAngelis, let me point out that, you know, I think if...if we look far enough our...our rules require that. Now...just seems to me that if...if Senator Jones wants to acquiesce to the...to the gentleman by virtue of simply reading the amendment, that is...his prerogative. And, Senator Jones, what is your...all right. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, maybe I can explain. Amendment No. 2 would delete Amendment No. 1, so there's no need to have Amendment 1 pass. Amendment No. 2 is the same bill that passed this Body I guess in 1010 in the end of the Session...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR SAVICKAS:

...by a resounding vote. It's exactly the same and that's the whole bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator...Senator Jones.

SENATOR JONES:

Well, Mr. President, in all due respect to Senator Savickas, I don't recall what was in 1010 that passed by a resounding vote. I think if there is an amendment that has been adopted in the House and you're asking us to concur in such that Senate amendments must be distributed to the membership as per our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Jones, are you joined by five members in that request? All right. If not, Senator Jones, you may proceed with the debate. All right. Further discussion? Senator Dudycz may close.

SENATOR DUDYCZ:

Just ask that we concur with the House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1 and...2 to Senate Bill 1093. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1093 and the bill having received the required constitutional majority is declared passed. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives adopted the following joint resolution, in the adoption of which I am instructed to ask

the concurrence of the Senate, to-wit:

House Joint Resolution...or 249. It's in your district, Senator Karpiel, and it is congratulating Commander Brooks McCormick. And would you like...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Well, Senator Karpiel.

SENATOR KARPIEL:

Yes, thank you, Mr. President. I guess I would like to suspend the rules for the immediate adoption of Resolution No. 49.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Joint...

SENATOR KARPIEL:

...249, House Joint Resolution 249, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...all right. You've heard the motion. Senator Karpiel has moved to suspend the...the rules for the immediate...consideration and adoption of House Joint Resolution 249, it's congratulatory in nature. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Karpiel now moves the adoption of House Joint Resolution 249. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 249 is adopted. All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The House is...has adjourned and the Speaker has indicated to me by telephone that they will...they are sending or have sent the adjournment resolution sine die for both the Regular and the Special Session. I think it appropriate...as I am sure everyone is aware, most of us more painfully than some others, that the Senate Democrats will meet immediately hereafter at the Renaissance for the purpose

of having...breaking bread together. Yeah, all right, that's a euphuism for breaking bread together. In any event, I think the...as I have just told the young man from the AP, I think the 84th General Assembly was a very productive one and one whose work product we can all be extremely proud of. As I indicated a little earlier this afternoon, with each Session there are changes. There will be some changes obviously in the membership. I, and I'm sure Senator Philip joins me in this, want to thank those members of the 84th General Assembly who will not be with us in the 85th General Assembly; George Sangmeister, LeRoy Lemke, David Leitch, Jim Rupp, Roger Sommer. They have, in my judgment, made a significant contribution to his State and its public policy. I consider them all my friends and I think all of us ought to applaud them and allow them to speak for themselves if they so wish. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

REEL 32

SENATOR SANGMEISTER:

Well, it's a little late for a...a swan song at this time, but as you'll all find out sooner or later, the years go by pretty fast. You know, you get flowers when you come, when you...you get flowers when you go; I guess the nicest part about it is at least you're here so you can see the flowers and that in itself I guess is helpful. I...going to miss a lot of people, I can't name all the people, obviously, that have helped me in the years that I've been here. Certainly, Kenny and Ed, your retirement commensurate with mine, you know, we've had many good years together and they will certainly not be forgotten and I thank you for all the nice things that you've done. I've been lucky with staff here, Frank McNeil, who isn't here any longer, who is probably not too popular in Springfield today, but, anyhow, he was a very good staff man and, of course, my current staff person, Mike Reagan, is above and beyond and has done very well and is a credit to the Democrats at the Illinois General Assembly. Across the...the aisle, of course, Phil Weber and Mary-Beth Hadfield who also worked with my committee, very competent people and you...on the other side of the aisle ought to be very proud of them because they do a fine job. I'm going to miss Faye Holmes who gives me a doughnut once in a while from the telephone booth and Danny Day who, regardless of how bad your night might have been before or his will...will put a smile on your face regardless of how bad the day may be. I have been blessed with great secretaries down here, Norma Burns and Dee Gibbons and, of course, my current secretary, Mary Jo Degler who has been just outstanding with me and has helped me in every respect; whatever I needed it was there

and I was...to just like it was my mother and, Mary Jo, I appreciate that. To my seatmates, I'm going to miss Senator Joyce turning to me and saying, well, Counselor, on all the tough bills anyway, how are you going to vote on this one? And, Howie Carroll, you'll also be missed, you now have the best voting record you've ever had in the Illinois General Assembly. You may have lost...you may have lost the support of the ECLU but your record is best, okay. Best of all, of course, no one can do anything without having your wife a hundred percent behind you and all the absent nights and times that we had and, Doris, I appreciate your understanding, and I guess beyond that, it was best said by Red Skelton and that is God bless.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...(Machine cutoff)...Leitch.

SENATOR LEITCH:

I would like to thank all my colleagues for giving me one of the happiest experiences of my life. I'm very, very proud to have had an opportunity to serve with each one of you. I have great affection for each one of you and will miss you very much. I think that what you folks contribute to the well-being of the State so often goes unrecognized especially in the...in the heat of battle, but it is terribly important and is a major contribution to the well-being of our State and to the successful and prominent employees that our State has. So, thank you, very much and look forward to visiting with you again. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, thinking back on it, there wasn't...some time during my tenure with all of you I have served with I've...I've watched and seen and envied something that each of you did that was really good, intelligent,

clever, courageous and those are the memories I carry away with...with me of each of you and those particular things I want to...posture. I want to thank each of you also who at one time or another and that's probably everybody here who extended their hand in kindness to me, many times undeserved, but I thank you for it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

After fourteen years in Springfield I will finally enjoy my grandchildren, I didn't enjoy my children. But I think that what I will say today will...probably Kenny will call me up and ask me how to spell it, but as we say in my community and as we say in my house, let's all...(foreign phrase)...may we all live to be a hundred and enjoy it and each day we have old endings and new beginnings. So let us all thank God that we're here...(foreign phrase)...may you all be a hundred and enjoy it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President...

One more time. A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 252.

(Secretary reads HJR 252)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would move that we suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 252. It is, of course, the sine die resolution for the 84th General Assembly. Personally and individually, I would like to thank all of you. I think we have acquitted ourselves well and I am proud to be among you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved for the suspension of the rules for the immediate consideration and adoption of House Joint Resolution 252. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves that the Senate...that the...that...that we approve House Joint Resolution 252 which is the adjournment sine die. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned sine die. We will...momentarily be doing the same action with the Special Session, so there...effectively we're...concluded all of our...of our business.

84TH GENERAL ASSEMBLY

THIRD SPECIAL SESSION

January 13, 1987

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The...all right. The Third Special Session will come to order. Reading of the Journal.

SECRETARY:

Tuesday, December the 2nd; Wednesday, December the 3rd; Thursday, December the 4th; Friday, December the 5th, in the year 1986.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senator had additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion as posed by Senator Poshard. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried, so ordered. Resolutions.

SECRETARY:

Senate Resolution No. 7 offered by Senator Rock.

(Secretary reads SR No. 7)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved for the suspension of the rules for the immediate adoption...consideration and adoption of...of Senate Joint Resolution No. 7. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves for the adoption of...of Senate Joint Resolution No. 7. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution No. 7 is adopted. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate

the House of Representatives adopted the following joint resolution in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution No. 1.

(Secretary reads HJR No. 1)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved for the suspension of the rules for the immediate consideration and...adoption of House Joint Resolution No. 1. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves for the adoption of House Joint Resolution No. 1. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution No. 1 is adopted. This is the sine die resolution of the Third Special Session.